

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

Forty-fourth Legislative Day

Thursday, February 25, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.  
 2  
 3 The Speaker called the House to order at 9:00 a.m.  
 4  
 5 Pledge of Allegiance led by Megan Genoshe, Evangelical Christian  
 6 Academy, Colorado Springs.  
 7  
 8 The roll was called with the following result:  
 9  
 10 Present--63.  
 11 Excused--Representative(s) Casso, Ferrandino--2.  
 12 Present after roll call--Representative(s) Ferrandino.  
 13

14 The Speaker declared a quorum present.  
 15  
 16

17 On motion of Representative Gerou, the reading of the journal of  
 18 February 24, 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 **HB10-1122** by Representative(s) Roberts and Merrifield, Gagliardi,  
 29 Kefalas, Tyler; also Senator(s) Williams, Morse--  
 30 Concerning medical orders determining the scope of  
 31 treatment an adult wishes to receive under certain  
 32 circumstances.  
 33

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

	YES	62	NO	1	EXCUSED	2	ABSENT	0
40	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
41	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
42	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
43	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	E	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	N	Peniston	Y	Tipton	Y
7	Ferrandino	E	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	Y

14 Co-sponsor(s) added: Representative(s) Apuan, Curry, Fischer, Gardner B.,  
15 Gerou, Kerr J., Labuda, Pace, Primavera, Priola, Rice, Riesberg, Schafer S.,  
16 Solano, Summers, Todd, Weissmann.

17

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

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

27	YES	63	NO	0	EXCUSED	2	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	E	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	E	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	Y

45 Co-sponsor(s) added: Representative(s) Acree, Labuda, Ryden, Schafer S.,  
46 Todd.

47

48 **HB10-1026** by Representative(s) Solano and Benefield, Massey,  
49 Peniston; also Senator(s) Hodge and Hudak, Steadman,  
50 Williams--Concerning the creation of the Colorado quality  
51 in child care incentive grant program.

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

19 Co-sponsor(s) added: Representative(s) Acree, Apuan, Court, Fischer, Kefalas,  
 20 Kerr A., Labuda, Levy, Merrifield, Middleton, Pommer, Primavera, Rice,  
 21 Ryden, Scanlan, Schafer S., Todd, Vigil.

22  
 23 **HB10-1114** by Representative(s) Liston; also Senator(s) Johnston--  
 24 Concerning the registration of agents of persons in the  
 25 business of transmitting money, and making an  
 26 appropriation therefor.

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	59	NO	4	EXCUSED	2	ABSENT	0
34	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
35	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
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	E	Kerr J.	N	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	E	Levy	Y	Pommer	Y	Todd	Y
45	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
46	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
47	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
48	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
49	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Labuda, Merrifield, Middleton,  
 52 Primavera, Scanlan.

53  
 54 **HB10-1148** by Representative(s) Gerou, Balmer, Frangas, Levy,  
 55 Liston, McNulty, Schafer S., Todd, Benefield, Casso,  
 56 Hullinghorst, Kefalas, Priola, Solano, Stephens, Vaad; also

1 Senator(s) Tapia, Bacon, Tochtrop, White, Williams,  
 2 Kopp, Penry--Concerning the elimination of the  
 3 requirement that an architect maintain continuing  
 4 professional competency in order to renew a license to  
 5 practice architecture, and making an appropriation therefor.  
 6

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
13	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
14	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
15	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
16	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
17	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
18	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
19	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
20	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
21	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
22	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
23	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
24	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
25	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
26	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
27	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
28	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Apuan, Murray.

31  
 32 **HB10-1213** by Representative(s) Acree, Roberts; also Senator(s)  
 33 Keller--Concerning the elimination of an individualized  
 34 plan for a person with developmental disabilities who is on  
 35 the waiting list for services.  
 36

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

	YES	62	NO	1	EXCUSED	2	ABSENT	0
43	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
46	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
48	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
53	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
56	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Labuda, Lambert,  
5 Massey, Primavera, Riesberg, Ryden, Schafer S., Soper, Summers, Todd, Tyler.

6  
7 **HB10-1229** by Representative(s) Pace, Riesberg; also Senator(s)  
8 Newell--Concerning authentication requirements for  
9 verbal orders in a hospital.

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

16	YES	62	NO	1	EXCUSED	2	ABSENT	0
17	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
18	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
19	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
20	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
21	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
22	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
23	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
24	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
25	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
26	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
27	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
28	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
29	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
30	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
31	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
32	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Frangas, Gerou,  
35 Kefalas, Labuda, Lambert, Massey, Pommer, Primavera, Ryden, Schafer S.,  
36 Soper, Summers, Todd, Tyler, Vigil.

37  
38 **HB10-1255** by Representative(s) Kefalas and Acree, Gagliardi, Gerou,  
39 Kerr J., Primavera, Riesberg, Roberts, Tyler; also  
40 Senator(s) Steadman--Concerning extending the repeal  
41 date for the Colorado commission for the deaf and hard of  
42 hearing.

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

49	YES	63	NO	0	EXCUSED	2	ABSENT	0
50	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
55	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y

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

11 Co-sponsor(s) added: Representative(s) Labuda, Looper, Massey, McFadyen,  
12 Middleton, Summers.

13  
14 **HB10-1105** by Representative(s) Roberts; also Senator(s) Steadman--  
15 Concerning clarification of provisions in the "Colorado  
16 probate code" concerning compensation of certain parties.

17  
18 The question being "Shall the bill pass?".

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

22	YES	63	NO	0	EXCUSED	2	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	Y	Middleton	Y	Sonnenberg	Y
29	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
30	Casso	E	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	E	Levy	Y	Pommer	Y	Todd	Y
35	Fischer	Y	Liston	Y	Primavera	Y	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	Y

41 Co-sponsor(s) added: Representative(s) Bradford, Gardner B., Gerou, Kerr J.,  
42 King S., Looper, Massey, Pommer, Priola, Schafer S., Vigil.

43  
44  
45  
46 **CONSIDERATION OF RESOLUTION(S)**

47  
48 **SJR10-013** by Senator(s) Heath, Bacon, Hudak, King K., Newell,  
49 Romer, Spence, Steadman, Williams; also  
50 Representative(s) Miklosi and Summers, Court, Todd,  
51 Benefield, Massey, Merrifield, Middleton, Murray,  
52 Peniston, Scanlan, Schafer S., Solano, Tipton--Concerning  
53 recognition of career and technical education month.

54  
55 (Printed and placed in members' file.)

56

1 On motion of Representative Miklosi, the resolution was **adopted** by **viva**  
2 **voce** vote.

3  
4 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,  
5 Balmer, Baumgardner, Bradford, Curry, DelGrosso, Fischer, Frangas, Gagliardi,  
6 Gardner B., Gardner C., Gerou, Hullinghorst, Judd, Kagan, Kefalas, Kerr A.,  
7 Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, May, McCann,  
8 McFadyen, McKinley, McNulty, Nikkel, Pace, Pommer, Primavera, Priola,  
9 Rice, Riesberg, Roberts, Ryden, Sonnenberg, Soper, Stephens, Swalm, Tyler,  
10 Vaad, Vigil, Waller, Weissmann, Speaker

11

12

13

14 On motion of Representative Soper, the House resolved itself into  
15 Committee of the Whole for consideration of General Orders, and he was  
16 called to the Chair to act as Chairman.

17

18

19

20

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

21

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

26

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

29

30 **HB10-1109** by Representative(s) McCann; also Senator(s) Mitchell--  
31 Concerning the availability of workers' compensation to  
32 jail inmates who are working for a program that has been  
33 certified by the federal prison industry enhancement  
34 certification program.

35

36 Amendment No. 1, Judiciary Report, dated February 18, 2010, and placed  
37 in member's bill file; Report also printed in House Journal, February 19,  
38 page 455.

39

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

42

43 **HB10-1180** by Representative(s) Massey, Gerou, Rice; also Senator(s)  
44 Gibbs and Spence--Concerning the criteria to qualify for  
45 a performance-based incentive for film production  
46 activities in Colorado.

47

48 Amendment No. 1, Finance Report, dated February 19, 2010, and placed  
49 in member's bill file; Report also printed in House Journal, February 23,  
50 page 500.

51

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

54

55

56

1 **HB10-1216** by Representative(s) Riesberg--Concerning the  
2 administration of medications by health care providers.  
3

4 Amendment No. 1, Health & Human Services Report, dated  
5 February 22, 2010, and placed in member's bill file; Report also printed  
6 in House Journal, February 23, page 500.  
7

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

11 **HB10-1224** by Representative(s) Gerou and Gagliardi, Primavera,  
12 Riesberg, Tyler; also Senator(s) Boyd--Concerning the  
13 continuation of the Colorado podiatry board.  
14

15 Amendment No. 1, Health & Human Services Report, dated  
16 February 22, 2010, and placed in member's bill file; Report also printed  
17 in House Journal, February 23, pages 500-501.  
18

19 Amendment No. 2, by Representative(s) Gagliardi.  
20

21 Amend printed bill, page 15, line 27, after the second "of" insert "WITHIN  
22 THIRTY DAYS OF THE RECEIPT OF THE COMPLAINT OR INITIATION OF THE  
23 COMPLAINT BY THE COLORADO PODIATRY BOARD".  
24

25 As amended, ordered engrossed and placed on the Calendar for Third  
26 Reading and Final Passage.  
27

28 **HB10-1226** by Representative(s) Kefalas; also Senator(s) Spence--  
29 Concerning an alternative approach for a county  
30 department of social services to use in addressing certain  
31 intrafamilial child abuse or neglect cases.  
32

33 Amendment No. 1, Health & Human Services Report, dated  
34 February 22, 2010, and placed in member's bill file; Report also printed  
35 in House Journal, February 23, page 501.  
36

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

40 **HB10-1123** by Representative(s) Sonnenberg; also Senator(s) Renfro--  
41 Concerning controlled agricultural burns in arson cases.  
42

43 Amendment No. 1, Judiciary Report, dated February 22, 2010, and placed  
44 in member's bill file; Report also printed in House Journal, February 23,  
45 page 503.  
46

47 As amended, ordered engrossed and placed on the Calendar for Third  
48 Reading and Final Passage.  
49

50 **HB10-1232** by Representative(s) Baumgardner; also Senator(s)  
51 King K.--Concerning school vehicles.  
52

53 Amendment No. 1, Education Report, dated February 22, 2010, and  
54 placed in member's bill file; Report also printed in House Journal,  
55 February 23, page 499.  
56

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

2

3 Amend printed bill, page 5, after line 27 insert:

4

5 "SECTION 6. 22-32-110 (1), Colorado Revised Statutes, is  
6 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

7

8 **22-32-110. Board of education - specific powers.** (1) In  
9 addition to any other power granted to a board of education of a school  
10 district by law, each board of education of a school district shall have the  
11 following specific powers, to be exercised in its judgment:

12

13 (nn) TO ENCOURAGE SCHOOL DISTRICTS TO ADOPT POLICIES  
14 REGARDING A LIMIT ON THE NUMBER OF PASSENGERS PER SEAT ON A  
15 SCHOOL VEHICLE SO AS TO ENSURE THAT THOSE SEATED ON ANY SEAT ON  
16 THE VEHICLE FIT ENTIRELY ON THE SEAT."

17

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

20

21 On motion of Representative Weissmann, the remainder of the General  
22 Orders Calendar (**HB10-1201, 1271**) was laid over until February 26,  
23 retaining place on Calendar.

24

25

26

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

28

29 Representative Gardner B. moved to amend the Report of the Committee  
30 of the Whole to reverse the action taken by the Committee in not adopting  
31 the following Gardner B. amendment, to HB10-1109, to show that said  
32 amendment passed, and that **HB10-1109**, as amended, passed.

33

34 Amend printed bill, page 3, line 3, after "CARRY" insert "AND BEAR THE  
35 COSTS OF".

36

37 Page 3, line 4, after the period insert "IN NO EVENT SHALL ANY TAX  
38 REVENUES COLLECTED BY ANY GOVERNMENTAL ENTITY BE USED TO  
39 OBTAIN OR CARRY WORKERS' COMPENSATION INSURANCE FOR A PROGRAM  
40 CERTIFIED BY THE PRISON INDUSTRY ENHANCEMENT CERTIFICATION  
41 PROGRAM."

42

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

44

45

	YES	30	NO	32	EXCUSED	3	ABSENT	0
46	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
47	Apuan	N	Hullinghorst	N	McKinley	Y	Scanlan	N
48	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
49	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
50	Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
51	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
52	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
53	Court	N	King S.	Y	Nikkel	Y	Summers	Y
54	Curry	Y	Labuda	N	Pace	N	Swalm	Y
55	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
56	Ferrandino	E	Levy	N	Pommer	N	Todd	N

1	Fischer	N	Liston	Y	Primavera	N	Tyler	N
2	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
3	Gagliardi	N	Massey	Y	Rice	E	Vigil	N
4	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
5	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	Y
6							Speaker	N

7  
8  
9  
10 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

11  
12 Passed Second Reading: **HB10-1109 amended, 1180 amended, 1216**  
13 **amended, 1224 amended, 1226 amended, 1123 amended,**  
14 **1232 amended.**

15  
16 Laid over until date indicated retaining place on Calendar: **HB10-1201,**  
17 **1271--February 26, 2010.**

18  
19 The Chairman moved the adoption of the Committee of the Whole  
20 Report. As shown by the following roll call vote, a majority of those  
21 elected to the House voted in the affirmative, and the Report was  
22 **adopted.**

23	YES	62	NO	0	EXCUSED	3	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	Y	Middleton	Y	Sonnenberg	Y
29	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
30	Casso	E	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	E	Levy	Y	Pommer	Y	Todd	Y
35	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
36	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
37	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
38	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
39	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
40							Speaker	Y

41  
42  
43  
44 House in recess. House reconvened.

45  
46  
47  
48 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

49  
50 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

53  
54 **HB10-1221** be amended as follows, and as so amended, be referred to  
55 the Committee on Appropriations with favorable  
56 recommendation:

1  
2 Amend printed bill, page 4, line 22, after the period add "THE BOARD  
3 SHALL ADOPT RULES REGARDING: NOTIFICATION TO OUTFITTERS OF  
4 INSPECTIONS AT LEAST SEVENTY-TWO HOURS IN ADVANCE OF THE  
5 INSPECTIONS, EXCEPT IN CASES OF EMERGENCY OR OTHER SITUATIONS  
6 NECESSITATING AN INSPECTION WITH SHORTER ADVANCE NOTICE OR NO  
7 NOTICE; NOTIFICATION TO OUTFITTERS OF CERTAIN DIVISION PERSONNEL  
8 CHANGES WITHIN TEN DAYS OF THE CHANGE; AND SAFETY TRAINING  
9 STANDARDS AND CUSTOMER AND OUTFITTER INTERACTION TRAINING  
10 STANDARDS FOR DIVISION RANGERS WHO OVERSEE REGULATED TRIPS."

11  
12 Page 7, line 10, strike "MAY" and substitute "SHALL REVIEW AND".

13  
14 Page 7, line 11, add a period after "33-32-103".

15  
16 Page 7, strike lines 12 through 17.

17  
18  
19

20 **HB10-1250** be referred favorably to the Committee on Appropriations.

21  
22  
23  
24

25 **BUSINESS AFFAIRS & LABOR**

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

28

29 **HB10-1241** be amended as follows, and as so amended, be referred to  
30 the Committee on Appropriations with favorable  
31 recommendation:

32

33 Amend printed bill, page 2, line 10, strike "24-33.5-1202," and substitute  
34 "24-33.5-1202 (6),".

35

36 Page 2, line 11, strike "amended" and substitute "amended, and the said  
37 24-33.5-1202 is further amended".

38

39 Page 2, line 12, insert a comma after "SUBSECTIONS".

40

41 Page 2, after line 14 insert:

42

43 "(6) "Fire suppression system" means an assembly of any or all of  
44 the following: Piping valves, conduits, dispersal openings, sprinkler  
45 heads, orifices, and other similar devices that convey extinguishing agents  
46 for the purpose of controlling, confining, or extinguishing fire, with the  
47 exception of MULTIPURPOSE RESIDENTIAL FIRE SPRINKLER SYSTEMS IN  
48 ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES THAT ARE PART OF  
49 THE POTABLE WATER SUPPLY, pre-engineered range hoods, duct systems,  
50 and portable fire extinguishers."

51

52 Page 3, line 26, strike "BY THE".

53

54 Page 3, line 27, strike "ADVISORY BOARD".

55

56 Page 4, after line 13 insert:

1           "(4) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (3) OF  
2 THIS SECTION, A PERSON WHO IS ENROLLED IN A SPRINKLER FITTER  
3 APPRENTICESHIP PROGRAM MAY PERFORM WORK ON A FIRE SUPPRESSION  
4 SYSTEM UNDER THE DIRECT SUPERVISION OF AND IN THE IMMEDIATE  
5 PRESENCE OF A SPRINKLER FITTER."

6

7 Renumber succeeding subsections accordingly.

8

9 Page 4, after line 26 insert:

10

11           "**SECTION 4.** The introductory portion to 12-58-102 (5) (a) and  
12 12-58-102 (5) (a), Colorado Revised Statutes, are amended to read:

13

14           **12-58-102. Definitions.** As used in this article, unless the context  
15 otherwise requires:

16

17           (5)(a) "Plumbing" includes the following items located within the  
18 building or extending five feet from the building foundation, excluding  
19 any service line extending from the first joint to the property line: All  
20 potable water supply and distribution pipes and piping; all plumbing  
21 fixtures and traps; all drainage and vent pipes; all building drains,  
22 including their respective joints and connections, devices, receptacles,  
23 and appurtenances; ALL MULTIPURPOSE RESIDENTIAL FIRE SPRINKLER  
24 SYSTEMS IN ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES THAT  
25 ARE PART OF THE POTABLE WATER SUPPLY; and all medical gas and  
26 vacuum systems in health care facilities. "Plumbing" does not include:

27

28           (I) The installation, extension, alteration, or maintenance,  
29 including the related water piping and the indirect waste piping  
30 therefrom, of domestic appliances equipped with backflow preventers,  
31 including lawn sprinkling systems, residential ice makers, humidifiers,  
32 electrostatic filter washers, water heating appliances, water conditioning  
33 appliances not directly connected to the sanitary sewer system, building  
34 heating appliances and systems, fire protection systems EXCEPT FOR  
35 MULTI-PURPOSE RESIDENTIAL FIRE SPRINKLER SYSTEMS IN ONE- AND  
36 TWO-FAMILY DWELLINGS AND TOWNHOUSES THAT ARE PART OF THE  
37 POTABLE WATER SUPPLY, air conditioning installations, process and  
38 industrial equipment and piping systems, or indirect drainage systems not  
39 a part of a sanitary sewer system; or"

40

41 Renumber succeeding section accordingly.

42

43

44

45 **HB10-1333** be amended as follows, and as so amended, be referred to  
46 the Committee of the Whole with favorable  
47 recommendation:

48

49 Amend printed bill, page 3, line 11, strike "OR".

50

51 Page 3, after line 11 insert:

52

53           "(f) YOUTH CORPS; OR".

54

55 Reletter succeeding paragraph accordingly.

56

1 Page 3, line 14, after "JOBS" insert "COLORADO".

2

3 Page 3, line 21, strike "OR".

4

5 Page 3, after line 21 insert:

6

7 "(b) THE COLORADO YOUTH CORPS, THE COLORADO YOUTH CORPS  
8 ASSOCIATION, OR THEIR SUCCESSORS; OR".

9

10 Reletter succeeding paragraph accordingly.

11

12 Page 4, strike line 3 and substitute:

13

14 "(2) THE COUNCIL SHALL CONSIST OF TEN MEMBERS, SEVEN OF  
15 WHOM".

16

17 Page 4, line 7, after "COLLEGE," insert "A CLEAN TECHNOLOGY INDUSTRY  
18 ASSOCIATION,".

19

20 Page 4, strike lines 12 and 13 and substitute "OFFICE OF ECONOMIC  
21 DEVELOPMENT, AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
22 LABOR AND EMPLOYMENT.".

23

24 Page 6, line 24, strike "TRAINING." and substitute "TRAINING;

25

26 (IV) EMPLOYMENT AND TRAINING PROGRAMS THAT ARE  
27 ACCREDITED BY THE COLORADO YOUTH CORPS ASSOCIATION OR ITS  
28 SUCCESSOR SUCH AS THE COLORADO YOUTH CORPS.".

29

30

31

32

33 **FINANCE**

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

36

37 **HB10-1186** be postponed indefinitely.

38

39

40 **HB10-1220** be amended as follows, and as so amended, be referred to  
41 the Committee on Appropriations with favorable  
42 recommendation:

43

44 Amend printed bill, page 9, strike lines 25 through 27.

45

46 Page 10, strike lines 1 through 10.

47

48 Renumber succeeding sections accordingly.

49

50

51

52 **HB10-1280** be amended as follows, and as so amended, be referred to  
53 the Committee on Appropriations with favorable  
54 recommendation:

55

56 Amend printed bill, page 3, line 24, after "(2)" insert "(a)".

1 Page 4, after line 10 insert:

2

3 "(b) IN NO EVENT SHALL A TAXPAYER CLAIMING A NONPROFIT JOB  
4 CREATION INCENTIVE TAX CREDIT AS ALLOWED IN PARAGRAPH (a) OF THIS  
5 SUBSECTION (2) CLAIM ANY OTHER TAX CREDIT OR EXEMPTION FOR THE  
6 SAME DONATION."  
7

8 Page 8, line 20, after "(9)" insert "(a)".

9

10 Page 8, after line 23 insert:

11

12 "(b) THE DEPARTMENT SHALL ADMINISTER THE NONPROFIT JOB  
13 CREATION INCENTIVE TAX CREDIT SPECIFIED IN THIS SECTION IN THE SAME  
14 MANNER AS IT ADMINISTERS OTHER SIMILAR INCOME TAX CREDITS."  
15

16

17

18

18 **HB10-1295** be postponed indefinitely.

19

20

21 **HB10-1329** be amended as follows, and as so amended, be referred to  
22 the Committee of the Whole with favorable  
23 recommendation:  
24

25

25 Amend printed bill, page 3, line 1, strike "AND" and substitute "OR" and  
26 strike "THE" and substitute "JULY 1, 2010,".  
27

28

28 Page 3, strike line 2.

29

30 Page 3, line 3, strike "TO THIS SECTION," and strike "IMPOSE" and  
31 substitute "PROMULGATE RULES THAT ESTABLISH".  
32

33

33 Page 6, after line 21 insert:

34

35 "SECTION 5. 30-20-115, Colorado Revised Statutes, is amended  
36 to read:  
37

38

38 **30-20-115. Solid wastes disposal site and facility fund - tax -**  
39 **fees.** (1) Any governing body having jurisdiction is authorized to  
40 establish a solid wastes disposal site and facility fund. The governing  
41 body having jurisdiction may levy a solid wastes disposal site and facility  
42 tax, in addition to any other tax authorized by law, on the taxable property  
43 within ~~such~~ A county or municipality, the proceeds of which shall be  
44 deposited to the credit of said fund and appropriated to pay the cost of  
45 land, labor, equipment, and services needed in the operation of solid  
46 wastes disposal sites and facilities and for any other solid wastes  
47 management purpose in or on behalf of that county or municipality. Any  
48 governing body having jurisdiction is also authorized, after a public  
49 hearing, to fix, modify, and collect service charges from users of solid  
50 wastes disposal sites and facilities or transfer stations for the purpose of  
51 financing solid wastes management in that county or municipality. In the  
52 event that a countywide solid waste disposal site and facility tax has been  
53 imposed with the consent of a majority of the voters in the county, that  
54 tax may continue to be collected countywide and may accrue to the  
55 county's solid waste disposal site and facility fund, notwithstanding any  
56 subsequent taxes as may be levied by any municipalities within the county

1 under this section.

2

3 (2) (a) NOTHING IN SUBSECTION (1) OF THIS SECTION SHALL BE  
4 CONSTRUED TO AUTHORIZE ANY GOVERNING BODY HAVING JURISDICTION  
5 TO COLLECT SERVICE CHARGES FROM USERS OF ANY PRIVATELY OWNED OR  
6 OPERATED SITE AND FACILITY THAT IS FOR THE PRIMARY PURPOSE OF  
7 PROCESSING, RECLAIMING, OR RECYCLING:

8

9 (I) RECYCLABLE MATERIALS;

10

11 (II) EXCLUDED SCRAP METAL;

12

13 (III) AUTO PARTS; OR

14

15 (IV) SCRAP THAT IS COMPOSED OF WORN OUT METAL OR A METAL  
16 PRODUCT THAT HAS OUTLIVED ITS ORIGINAL USE, COMMONLY REFERRED  
17 TO AS OBSOLETE SCRAP.

18

19 (b) NOTHING IN THIS SUBSECTION (2) SHALL BE CONSTRUED TO  
20 PROHIBIT ANY GOVERNING BODY HAVING JURISDICTION FROM LEVYING OR  
21 COLLECTING SERVICE CHARGES FROM USERS OF A SOLID WASTES DISPOSAL  
22 SITE AND FACILITY AT WHICH RECYCLING OCCURS."

23

24 Renumber succeeding section accordingly.

25

26

27

28

29 **STATE, VETERANS, & MILITARY AFFAIRS**

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

32

33 **HB10-1228** be amended as follows, and as so amended, be referred to  
34 the Committee on Appropriations with favorable  
35 recommendation:

36

37 Amend printed bill, page 2, line 5, strike "DUE TO THE".

38

39 Page 2, line 6, strike "AGE OF THE DEPENDENT," and substitute "BECAUSE  
40 THE DEPENDENT TURNED TWENTY-FIVE YEARS OLD,".

41

42 Page 2, line 8, strike "CEASES TO MEET ELIGIBILITY REQUIREMENTS." and  
43 substitute "TURNED TWENTY-FIVE YEARS OLD.".

44

45

46

47 **HB10-1264** be amended as follows, and as so amended, be referred to  
48 the Committee on Appropriations with favorable  
49 recommendation:

50

51 Amend printed bill, page 6, line 13, strike "SECTION." and substitute  
52 "SECTION, EXCEPT THAT THE IDENTITY OF THE EMPLOYEE MAY BE MADE  
53 KNOWN TO THE EXECUTIVE DIRECTOR, OR HIS OR HER DESIGNEE, FOR  
54 PURPOSES OF OBTAINING REASONABLY NECESSARY ADDITIONAL  
55 INFORMATION RELATED TO THE IDEA APPLICATION.".

56

- 1 Page 6, line 14, strike "DIRECTOR" and substitute "DIRECTOR, OR HIS OR  
2 HER DESIGNEE,".  
3
- 4 Page 6, line 17, strike "DIRECTOR" and substitute "DIRECTOR, OR HIS OR  
5 HER DESIGNEE,".  
6
- 7 Page 6, line 20, strike "DIRECTOR" and substitute "DIRECTOR, OR HIS OR  
8 HER DESIGNEE,".  
9
- 10 Page 6, line 22, strike "DIRECTOR" and substitute "DIRECTOR, OR HIS OR  
11 HER DESIGNEE,".  
12
- 13 Page 7, line 2, strike "DIRECTOR" and substitute "DIRECTOR, OR HIS OR  
14 HER DESIGNEE,".  
15
- 16 Page 7, line 4, strike "ONCE THE LEGISLATIVE AUDIT".  
17
- 18 Page 7, strike lines 5 and 6.  
19
- 20 Page 7, line 7, strike "SUBSECTION (4) OF THIS SECTION, THE" and  
21 substitute "THE".  
22
- 23 Page 7, line 19, strike "DIRECTOR" and substitute "DIRECTOR, OR HIS OR  
24 HER DESIGNEE,".  
25
- 26 Page 8, strike lines 5 through 9 and substitute:  
27
- 28 "(2) COMMENCING ON OR AFTER OCTOBER 1, 2010, ALL STATE  
29 AGENCIES SHALL ADVERTISE THAT THE IDEA APPLICATION IS AVAILABLE  
30 ON THE DEPARTMENT OF PERSONNEL'S WEB SITE ON ANY TYPE OF  
31 ELECTRONIC PAYROLL STATEMENTS ISSUED TO EMPLOYEES AND IN ANY  
32 ELECTRONIC BROADCAST COMMUNICATION MADE TO EMPLOYEES, SO LONG  
33 AS THE ADVERTISEMENT FOR THE IDEA APPLICATION OCCURS AT LEAST  
34 MONTHLY."  
35
- 36 Page 8, line 10, strike "PAYROLL".  
37
- 38 Page 8, line 13, before "SUBPARAGRAPH (I)" insert "SUB-SUBPARAGRAPH  
39 (A) OF".  
40
- 41 Page 8, line 16, strike "DIRECTOR," and substitute "DIRECTOR, OR HIS OR  
42 HER DESIGNEE,".  
43
- 44 Page 8, line 26, strike "EXECUTIVE DIRECTOR'S".  
45
- 46 Page 9, line 11, strike "(d) THE" and substitute "(d) (I) EXCEPT AS  
47 PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (d), THE".  
48
- 49 Page 9, line 15, strike "(I)" and substitute "(A)".  
50
- 51 Page 9, line 18, strike "(II)" and substitute "(B)".  
52
- 53 Page 9, line 21, strike "(III)" and substitute "(C)".  
54
- 55 Page 9, line 22, strike "SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH  
56 (d)" and substitute "SUB-SUBPARAGRAPHS (A) AND (B) OF THIS

1 SUBPARAGRAPH (I)".

2

3 Page 9, after line 23 insert:

4

5 "(II) IF THE SAVINGS REALIZED RESULT IN SAVINGS OF FEDERAL  
6 MONEYS, THE FEDERAL MONEYS SAVED SHALL NOT BE DISTRIBUTED AS  
7 SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (d) BUT SHALL  
8 EITHER BE USED FOR A REALLOCATION OF MONEYS WITHIN A DEPARTMENT  
9 OR SHALL REVERT, DEPENDING ON THE USE SPECIFIED FOR THOSE  
10 PARTICULAR FEDERAL MONEYS."

11

12 Page 9, line 25, strike "SUBPARAGRAPH (II)" and substitute  
13 "SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I)".

14

15 Page 10, line 7, after "IN" insert "SUBPARAGRAPH (I) OF".

16

17 Page 10, line 13, strike "SUBPARAGRAPH (III)" and substitute  
18 "SUB-SUBPARAGRAPH (C) OF SUBPARAGRAPH (I)".

19

20

21

22 **HB10-1268** be amended as follows, and as so amended, be referred to  
23 the Committee on Appropriations with favorable  
24 recommendation:

25

26 Amend printed bill, page 2, line 9, strike "THE" and substitute "EFFECTIVE  
27 NO LATER THAN JANUARY 1, 2012, THE".

28

29

30

31 **HB10-1287** be amended as follows, and as so amended, be referred to  
32 the Committee on Finance with favorable  
33 recommendation:

34

35 Amend printed bill, page 2, line 2, after "24-30-1113" insert "(2) and" and  
36 strike "is" and substitute "are".

37

38 Page 2, line 4, strike "A NEW SUBSECTION," and substitute "THE  
39 FOLLOWING NEW SUBSECTIONS,".

40

41 Page 2, strike lines 6 through 18 and substitute "**employees.** (2) The use  
42 of state-owned motor vehicles for commuting purposes by officers and  
43 employees of state agencies between official work stations and residences  
44 may be authorized by the state agency's executive director where the state  
45 agency's executive director determines that such use is based on rules and  
46 regulations promulgated by the division and which includes:

47

48 (a) Promotion of a legitimate nonpartisan state interest;

49

50 (b) Promotion of the efficient operation of the state motor vehicle  
51 fleet system; ~~and~~

52

53 (c) Is cost-effective to the state agency; AND

54

55 (d) THE NEED FOR AN OFFICER OR EMPLOYEE TO USE THE MOTOR  
56 VEHICLE FOR COMMUTING PURPOSES IS SET FORTH IN THE JOB DESCRIPTION

1 OF THE OFFICER OR EMPLOYEE.  
2

3 (2.5) BEGINNING JANUARY 1, 2011, NO OFFICER OR EMPLOYEE  
4 SHALL USE A STATE-OWNED MOTOR VEHICLE FOR COMMUTING PURPOSES  
5 BETWEEN AN OFFICIAL WORK STATION AND A RESIDENCE, UNLESS SUCH  
6 USE IS APPROVED BY THE DIVISION."  
7

8 Page 3, line 5, strike "~~Unless provided by rule, No~~" and substitute "Unless  
9 provided by rule FOR A STATE OFFICER OR EMPLOYEE WHOSE DUTIES ARE  
10 ROUTINELY RELATED TO PUBLIC SAFETY AND WHOSE DUTIES ARE LIKELY  
11 TO EXPOSE SUCH OFFICER OR EMPLOYEE ROUTINELY TO LIFE-THREATENING  
12 SITUATIONS, no".  
13

14 Page 4, after line 13 insert:  
15

16 "(5) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO AN  
17 OFFICER OR EMPLOYEE WHOSE DESIGNATED OFFICE AND OFFICIAL PLACE  
18 OF WORK IS HIS OR HER RESIDENCE."  
19  
20  
21

22 **HB10-1293** be amended as follows, and as so amended, be referred to  
23 the Committee on Appropriations with favorable  
24 recommendation:  
25

26 Amend printed bill, strike everything below the enacting clause and  
27 substitute:  
28

29 "**SECTION 1.** Article 2 of title 2, Colorado Revised Statutes, is  
30 amended BY THE ADDITION OF A NEW PART to read:  
31

32 PART 17  
33 LAND ASSESSMENT AND  
34 CLASSIFICATION TASK FORCE  
35

36 **2-2-1701. Interim task force to study property tax assessment**  
37 **- classification - land used for agricultural and other purposes - 2010**  
38 **interim - legislative declaration - repeal.** (1) THE GENERAL ASSEMBLY  
39 HEREBY FINDS, DETERMINES, AND DECLARES THAT:  
40

41 (a) IT IS WITHIN THE POWER OF THE GENERAL ASSEMBLY AND  
42 SECTION 3 OF ARTICLE X OF THE STATE CONSTITUTION TO CLASSIFY  
43 PROPERTY FOR PURPOSES OF TAXATION;  
44

45 (b) THE TOUCHSTONE OF PROPERTY CLASSIFICATION IN COLORADO  
46 IS ACTUAL USE OF THE PROPERTY AT THE TIME OF ASSESSMENT;  
47

48 (c) PROPERTY MAY BE USED FOR MORE THAN ONE PURPOSE AND,  
49 THEREFORE, RAISE COMPETING CONSIDERATIONS AS TO THE MANNER IN  
50 WHICH IT SHOULD BE CLASSIFIED;  
51

52 (d) AN AGRICULTURAL CLASSIFICATION MEANS THAT THE ACTUAL  
53 VALUE OF A PROPERTY IS BASED ON ITS PRODUCTIVE CAPACITY RATHER  
54 THAN ITS MARKET VALUE AND IT IS ASSESSED FOR TAXATION AT  
55 TWENTY-NINE PERCENT OF ITS ACTUAL VALUE, AS WITH ALL OTHER  
56 NONRESIDENTIAL PROPERTY;

1 (e) A RESIDENTIAL CLASSIFICATION MEANS THAT THE ACTUAL  
2 VALUE OF A PROPERTY IS BASED ON ITS MARKET VALUE, WHICH MAY  
3 RESULT IN A HIGHER TAXABLE VALUE EVEN THOUGH IT IS ASSESSED FOR  
4 TAXATION AT LESS THAN EIGHT PERCENT OF ITS ACTUAL VALUE;  
5

6 (f) PROPERTY ACTIVELY USED FOR AGRICULTURAL PURPOSES  
7 SHOULD BE PROTECTED AGAINST EXCESSIVE PROPERTY VALUATION AND  
8 TAXATION, BUT AGRICULTURAL CLASSIFICATION THAT BENEFITS PROPERTY  
9 NOT ACTIVELY USED FOR AGRICULTURAL OPERATIONS SHOULD BE  
10 REEVALUATED;  
11

12 (g) THE IMPLEMENTATION OF A NEW CLASSIFICATION  
13 METHODOLOGY IN COLORADO COULD AFFECT THE DISTRIBUTION OF THE  
14 PROPERTY TAX BURDEN AND THE CALCULATION OF THE RESIDENTIAL  
15 ASSESSMENT RATE; AND  
16

17 (h) IT IS IMPORTANT TO CONSIDER HOW ANY CHANGE IN  
18 COLORADO'S SYSTEM OF PROPERTY TAXATION WILL AFFECT THE  
19 DISTRIBUTION OF THE PROPERTY TAX BURDEN AMONG TAXPAYERS AND  
20 HOW IT WILL INTERACT WITH OTHER COLORADO LAWS.  
21

22 (2) (a) THERE IS HEREBY CREATED THE LAND ASSESSMENT AND  
23 CLASSIFICATION TASK FORCE, REFERRED TO IN THIS PART 17 AS THE "TASK  
24 FORCE", WHICH SHALL MEET DURING THE INTERIM AFTER THE SECOND  
25 REGULAR SESSION OF THE SIXTY-SEVENTH GENERAL ASSEMBLY TO STUDY  
26 ASSESSMENT AND CLASSIFICATION OF AGRICULTURAL AND RESIDENTIAL  
27 LAND, REPORT ITS FINDINGS AND RECOMMENDATIONS, AND, IF  
28 APPROPRIATE, PROPOSE STATUTORY MODIFICATIONS TO ENSURE THAT  
29 LAND IS VALUED BASED ON ITS ACTUAL USE.  
30

31 (b) THE MEMBERS OF THE TASK FORCE SHALL CONSIST OF THE  
32 FOLLOWING NINE MEMBERS:  
33

34 (I) THE PROPERTY TAX ADMINISTRATOR OR THE ADMINISTRATOR'S  
35 DESIGNEE;  
36

37 (II) FOUR MEMBERS WHO ARE OWNERS OR LESSEES OF REAL  
38 PROPERTY THAT IS CURRENTLY ASSESSED AS AGRICULTURAL LAND AND  
39 WHO ARE ACTIVELY INVOLVED IN EITHER FARMING OR RANCHING,  
40 APPOINTED BY A STATEWIDE ORGANIZATION REPRESENTING A DIVERSITY  
41 OF AGRICULTURAL ACTIVITIES;  
42

43 (III) TWO COUNTY COMMISSIONERS, ONE FROM EACH SIDE OF THE  
44 CONTINENTAL DIVIDE, APPOINTED BY A STATEWIDE ORGANIZATION  
45 REPRESENTING COUNTY COMMISSIONERS; AND  
46

47 (IV) TWO COUNTY ASSESSORS, ONE FROM EACH SIDE OF THE  
48 CONTINENTAL DIVIDE AND FROM COUNTIES OTHER THAN THE COUNTIES  
49 REPRESENTED PURSUANT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH (b),  
50 TO BE APPOINTED BY A STATEWIDE ORGANIZATION REPRESENTING COUNTY  
51 ASSESSORS.  
52

53 (c) ALL APPOINTMENTS TO THE TASK FORCE SHALL BE MADE ON OR  
54 BEFORE JUNE 15, 2010.  
55

56 (3) (a) THE TASK FORCE SHALL STUDY, MAKE RECOMMENDATIONS,

1 AND REPORT FINDINGS ON ALL MATTERS RELATING TO PROPERTY TAX  
2 ASSESSMENT AND CLASSIFICATION IN CONNECTION WITH LAND USED FOR  
3 BOTH AGRICULTURAL AND RESIDENTIAL PURPOSES, INCLUDING, WITHOUT  
4 LIMITATION, THE CURRENT SYSTEM FOR CLASSIFICATION OF  
5 AGRICULTURAL AND RESIDENTIAL PROPERTY IN COLORADO, THE FISCAL,  
6 LAND USE, AND OTHER IMPACTS OF THE STATE'S CURRENT CLASSIFICATION  
7 SYSTEM, AND IDEAS FOR IMPROVING THE CURRENT CLASSIFICATION  
8 SYSTEM.  
9

10 (b) THE TASK FORCE SHALL SUBMIT A WRITTEN REPORT OF ITS  
11 FINDINGS AND RECOMMENDATIONS TO THE LOCAL GOVERNMENT AND  
12 AGRICULTURE COMMITTEES OF THE SENATE AND HOUSE OF  
13 REPRESENTATIVES BY OCTOBER 15, 2010. UPON REQUEST OF A MEMBER  
14 OF THE TASK FORCE, SUMMARIES OF DISSENTING OPINIONS SHALL BE  
15 PREPARED AND ATTACHED TO THE FINAL REPORT OF FINDINGS AND  
16 RECOMMENDATIONS.  
17

18 (4) (a) THE TASK FORCE SHALL MEET AT LEAST FOUR TIMES, WITH  
19 THE FIRST MEETING OCCURRING NO LATER THAN AUGUST 2, 2010.  
20

21 (b) MEETINGS OF THE TASK FORCE SHALL BE PUBLIC MEETINGS.  
22

23 (5) THE TASK FORCE SHALL SOLICIT AND ACCEPT REPORTS AND  
24 PUBLIC TESTIMONY AND MAY REQUEST OTHER SOURCES, INCLUDING BUT  
25 NOT LIMITED TO THE NATIONAL CONFERENCE OF STATE LEGISLATURES,  
26 REPRESENTATIVES FROM STATE AND LOCAL GOVERNMENT, PROPERTY  
27 OWNERS, NONPROFIT ORGANIZATIONS, AND APPROPRIATE TRADE GROUPS,  
28 TO PROVIDE TESTIMONY, WRITTEN COMMENTS, AND OTHER RELEVANT  
29 DATA TO THE TASK FORCE.  
30

31 (6) MEMBERS OF THE TASK FORCE SHALL SERVE WITHOUT  
32 COMPENSATION AND SHALL NOT BE ENTITLED TO REIMBURSEMENT FOR  
33 EXPENSES.  
34

35 (7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2012.  
36

37 **SECTION 2. Safety clause.** The general assembly hereby finds,  
38 determines, and declares that this act is necessary for the immediate  
39 preservation of the public peace, health, and safety."  
40

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## 41 DELIVERY OF BILL TO GOVERNOR

42  
43  
44  
45 The Chief Clerk of the House of Representatives reports the following  
46 bill has been delivered to the Office of the Governor: **HB10-1046** at  
47 9:21 a.m. on February 25, 2010.  
48

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## 49 MESSAGE(S) FROM THE SENATE

50  
51  
52  
53 The Senate has passed on Third Reading and transmitted to the Revisor  
54 of Statutes: SB10-118, SB10-150, SB10-149, SB10-151, SB10-075.  
55  
56

- 1 The Senate has passed on Third Reading and transmitted to the Revisor  
2 of Statutes:  
3  
4 SB10-081 amended as printed in Senate Journal, February 19, 2010,  
5 page 283.  
6 SB10-146 amended as printed in Senate Journal, February 19, 2010,  
7 page 284.  
8 SB10-103 amended as printed in Senate Journal, February 19, 2010,  
9 page 284 and February 24, 2010.  
10 SB10-066 amended as printed in Senate Journal, February 19, 2010,  
11 page 284.  
12 SB10-063 amended as printed in Senate Journal, February 19, 2010,  
13 page 284.  
14 SB10-122 amended as printed in Senate Journal, February 19, 2010,  
15 page 285.  
16 SB10-048 amended as printed in Senate Journal, February 19, 2010,  
17 page 285.  
18 SB10-080 amended as printed in Senate Journal, February 19, 2010,  
19 pages 285-286.  
20 SB10-114 amended as printed in Senate Journal, February 19, 2010,  
21 pages 286-288.  
22 SB10-007 amended as printed in Senate Journal, February 19, 2010,  
23 page 288.  
24 SB10-059 amended as printed in Senate Journal, February 19, 2010,  
25 page 288.  
26 SB10-112 amended as printed in Senate Journal, February 19, 2010,  
27 page 288.  
28 HB10-1055 amended as printed in Senate Journal, February 12, 2010,  
29 page 230.  
30

31 The Senate has passed on Third Reading and returns herewith:  
32 HB10-1110, HB10-1095.  
33  
34  
35

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36  
37 **MESSAGE(S) FROM THE REVISOR**  
38

39 We herewith transmit:  
40 Without comment, SB10-118, 150, 149, 151, and 075.  
41 Without comment, as amended, HB10-1055.  
42 Without comment, as amended, SB10-081, 146, 103, 066, 063, 122, 048,  
43 080, 114, 007, 059 and 112.  
44  
45

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46  
47  
48 **MESSAGE(S) FROM THE GOVERNOR**  
49

50 I certify I received the following on the 24th day of February, 2010, at  
51 2:50 p.m. The original is on file in the records of the House of  
52 Representatives of the General Assembly.  
53

54 Marilyn Eddins,  
55 Chief Clerk of the House  
56

1 February 24, 2010  
 2  
 3 To the Honorable House of Representatives  
 4 Sixty-seventh General Assembly  
 5 Second Regular Session  
 6 State Capitol  
 7 Denver, CO 80203  
 8  
 9 Ladies and Gentlemen:

10  
 11 I have the honor to inform you that I have approved and filed with the  
 12 Secretary of State the following Acts:

13  
 14 **HB10-1039** CONCERNING THE ENACTMENT OF COLORADO  
 15 REVISED STATUTES 2009 AS THE POSITIVE AND  
 16 STATUTORY LAW OF THE STATE OF COLORADO.  
 17  
 18 Approved February 24, 2010 at 1:07 pm.

19  
 20 **HB10-1189** CONCERNING THE ELIMINATION OF THE STATE  
 21 SALES AND USE TAX EXEMPTION FOR DIRECT MAIL  
 22 ADVERTISING MATERIALS, AND MAKING AN  
 23 APPROPRIATION THEREFOR.  
 24  
 25 Approved February 24, 2010 at 1:15 pm.

26  
 27 **HB10-1190** CONCERNING THE SUSPENSION OF THE EXEMPTION  
 28 FROM THE STATE SALES AND USE TAXES FOR FUELS  
 29 USED FOR INDUSTRIAL PURPOSES, AND MAKING AN  
 30 APPROPRIATION THEREFOR.  
 31  
 32 Approved February 24, 2010 at 1:16 pm.

33  
 34 **HB10-1191** CONCERNING THE NARROWING OF THE EXISTING  
 35 EXEMPTION FROM THE STATE SALES AND USE  
 36 TAXES FOR FOOD, AND, IN CONNECTION  
 37 THEREWITH, SUBJECTING CANDY AND SOFT DRINKS  
 38 TO THE STATE SALES AND USE TAXES, AND MAKING  
 39 AN APPROPRIATION THEREFOR.  
 40  
 41 Approved February 24, 2010 at 1:17 pm.

42  
 43 **HB10-1192** CONCERNING THE STATE SALES AND USE TAX OF  
 44 STANDARDIZED SOFTWARE, AND MAKING AN  
 45 APPROPRIATION THEREFOR.  
 46  
 47 Approved February 24, 2010 at 1:17 pm.

48  
 49 **HB10-1193** CONCERNING THE COLLECTION OF SALES AND USE  
 50 TAXES ON SALES MADE BY OUT-OF-STATE  
 51 RETAILERS, AND MAKING AN APPROPRIATION  
 52 THEREFOR.  
 53  
 54 Approved February 24, 2010 at 1:19 pm.  
 55

1 **HB10-1194** CONCERNING THE NARROWING OF THE EXISTING  
 2 EXEMPTIONS FROM THE STATE SALES AND USE  
 3 TAXES FOR ARTICLES SOLD TO SELLERS OF ITEMS  
 4 INTENDED FOR HUMAN CONSUMPTION THAT ARE  
 5 FURNISHED BY THE SELLERS TO THEIR CUSTOMERS  
 6 WITH SUCH ITEMS WITHOUT THE ADDITION OF A  
 7 SEPARATE CHARGE, AND MAKING AN  
 8 APPROPRIATION THEREFOR.  
 9

10 Approved February 24, 2010 at 1:20 pm.

11  
 12 **HB10-1195** CONCERNING THE SUSPENSION OF THE EXEMPTION  
 13 FROM THE STATE SALES AND USE TAXES FOR  
 14 CERTAIN ITEMS IN AGRICULTURAL PRODUCTION,  
 15 AND MAKING AN APPROPRIATION THEREFOR.  
 16

17 Approved February 24, 2010 at 1:21 pm.

18  
 19 **HB10-1196** CONCERNING THE DISQUALIFICATION OF CATEGORY  
 20 7 MOTOR VEHICLES FROM THE STATE INCOME TAX  
 21 CREDIT FOR THE PURCHASE OF VEHICLES USING  
 22 ALTERNATIVE FUELS.  
 23

24 Approved February 24, 2010 at 1:22 pm.

25  
 26 **HB10-1199** CONCERNING A TEMPORARY LIMIT ON THE STATE  
 27 INCOME TAX DEDUCTION FOR A NET OPERATING  
 28 LOSS.  
 29

30 Approved February 24, 2010 at 1:23 pm.

31  
 32 Sincerely,  
 33 (signed)  
 34 Bill Ritter, Jr.  
 35 Governor  
 36

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37  
 38  
 39 **LAY OVER OF CALENDAR ITEM(S)**

40  
 41 On motion of Representative Weissmann, the following item(s) on the  
 42 Calendar was(were) laid over until February 26, retaining place on  
 43 Calendar:  
 44

45 Consideration of Resolution(s)--**SJR10-004**.  
 46  
 47

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

51 Approved:  
 52 TERRANCE D. CARROLL,  
 53 Speaker

54 Attest:  
 55 MARILYN EDDINS,  
 56 Chief Clerk

