

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

One hundred-sixth Legislative Day Wednesday, April 28, 2010

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

3
4 The Temporary Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Katie and Spencer Groves, Rock Academy,
7 Castle Rock.

8
9 The roll was called with the following result:

10
11 Present--60.
12 Excused--Representative(s) Gagliardi, Massey, McNulty,
13 Middleton, Ryden--5.
14 Present after roll call--Representative(s) Gagliardi, McNulty,
15 Middleton, Ryden.

16
17 The Speaker declared a quorum present.

18
19
20 On motion of Representative Murray, the reading of the journal of
21 April 27, 2010, was declared dispensed with and approved as corrected
22 by the Chief Clerk.

23
24
25
26 **THIRD READING OF BILL(S)--FINAL PASSAGE**

27
28 The following bill(s) was(were) considered on Third Reading. The
29 title(s) was(were) publicly read. Reading of the bill at length was
30 dispensed with by unanimous consent.

31
32 **HB10-1360** by Representative(s) Pace, Apuan, Casso, Court,
33 Ferrandino, Fischer, Kagan, Kefalas, Levy, Looper,
34 McCann, McFadyen, Merrifield, Miklosi, Ryden, Vigil,
35 Weissmann; also Senator(s) Steadman, Carroll M., Foster,
36 Hudak, Morse, Newell, Romer, Tapia--Concerning
37 changes to certain parole-related statutes to reduce the
38 number of parolees who return to the department of
39 corrections, and making an appropriation in connection
40 therewith.

41
42 The question being "Shall the bill pass?"

43 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 | 54 | NO | 9 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 5 | Acree | N | Gerou | Y | McFadyen | Y | Ryden | Y |
| 6 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 7 | Balmer | N | Judd | Y | McNulty | N | Schafer S. | Y |
| 8 | Baumgardner | N | Kagan | Y | Merrifield | Y | Solano | Y |
| 9 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | N |
| 10 | Bradford | 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 | 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 | Y | Vaad | Y |
| 18 | Gagliardi | E | Massey | E | Rice | Y | Vigil | Y |
| 19 | Gardner B. | Y | May | Y | Riesberg | Y | Waller | Y |
| 20 | Gardner C. | N | McCann | Y | Roberts | Y | Weissmann | Y |
| 21 | | | | | | | Speaker | Y |

22 Co-sponsor(s) added: Representative(s) Frangas, Hullinghorst, Labuda, May,
23 Pommer, Primavera, Schafer S., Solano, Summers, Todd, Speaker.

24
25 **HB10-1374** by Representative(s) Ferrandino, Levy, Waller; also
26 Senator(s) Penry, Morse, Steadman--Concerning parole,
27 and making an appropriation in connection therewith.

28
29 As shown by the following roll call vote, a majority of all members
30 elected to the House voted in the affirmative, and Representative
31 Ferrandino was given permission to offer a Third Reading amendment:

| | 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 | 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 | 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 | Y |
| 47 | Gagliardi | E | Massey | E | 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
52
53 **Third Reading amendment No. 1**, by Representative Ferrandino.

54
55 Amend engrossed bill, page 2, after line 7 insert:

56

1 **"SECTION 2.** 16-11.7-103 (4), Colorado Revised Statutes, is
2 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

3
4 **16-11.7-103. Sex offender management board - creation -**
5 **duties - repeal.** (4) The board shall carry out the following duties:

6
7 (1) THE BOARD SHALL DEVELOP THE SPECIFIC SEX OFFENDER
8 RELEASE GUIDELINE INSTRUMENT AS DESCRIBED BY SECTION 17-22.5-404
9 (4) (c) (II), C.R.S."

10
11 Renumber succeeding sections accordingly.

12
13 Page 16, after line 2 insert:

14
15 **"SECTION 10. Specified effective date.** (1) Sections 3 through
16 11 of this act shall take effect upon passage.

17
18 (2) Section 1 of this act shall take effect only if House Bill
19 10-1364 is not enacted and shall effect upon passage of this act.

20
21 (3) Section 2 of this act shall take effect only if House 10-1364 is
22 enacted and becomes law and shall have the same effective date as House
23 Bill 10-1364."

24
25 Renumber succeeding section accordingly.

26
27 The amendment was declared **passed** by the following roll call vote:

| | 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 | Y |
| 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 | Y |
| 43 | Gagliardi | E | Massey | E | 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
48 The question being, "Shall the bill, as amended, pass?"

49 A roll call vote was taken. As shown by the following recorded vote, a
50 majority of those elected to the House voted in the affirmative, and the
51 bill, as amended, was declared **passed**.

| | YES | 63 | NO | 0 | EXCUSED | 2 | ABSENT | 0 |
|----|--------|----|--------------|---|----------|---|------------|---|
| 54 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 55 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 56 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |

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

15 Co-sponsor(s) added: Representative(s) Casso, Fischer, Frangas, Kagan,
16 Labuda, May, McCann, Middleton, Pace, Pommer, Ryden, Schafer S., Solano,
17 Todd, Vigil, Speaker.

18

19

20

21 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**

22

23 **HB10-1099** by Representative(s) Pace; also Senator(s) Tapi--
24 Concerning authorization to consume an alcohol beverage
25 purchased at the Colorado state fair at any location on the
26 fairgrounds licensed for consumption.

27

28 (Conference Committee Report printed in House Journal, April 14,
29 page 1226.)

30

31 On motion of Representative Pace, the Conference Committee Report
32 was **adopted** by the following roll call vote:

33

| 34 | YES | 62 | NO | 1 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 35 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 36 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 37 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |
| 38 | Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y |
| 39 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | Y |
| 40 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 41 | Casso | Y | Kerr J. | Y | Murray | Y | Stephens | Y |
| 42 | Court | Y | King S. | Y | Nikkel | Y | Summers | Y |
| 43 | Curry | Y | Labuda | Y | Pace | Y | Swalm | Y |
| 44 | DelGrosso | Y | Lambert | Y | Peniston | Y | Tipton | Y |
| 45 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 46 | Fischer | Y | Liston | Y | Primavera | Y | Tyler | Y |
| 47 | Frangas | Y | Looper | Y | Priola | Y | Vaad | Y |
| 48 | Gagliardi | E | Massey | E | Rice | Y | Vigil | Y |
| 49 | Gardner B. | Y | May | Y | Riesberg | Y | Waller | Y |
| 50 | Gardner C. | Y | McCann | Y | Roberts | Y | Weissmann | N |
| 51 | | | | | | | Speaker | Y |

52

53 The question being "Shall the bill, as amended, 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
56 bill, as amended, was declared **repassed**.

| | YES | 61 | NO | 2 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 1 | | | | | | | | |
| 2 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 3 | Apuan | Y | Hullinghorst | Y | McKinley | N | Scanlan | Y |
| 4 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |
| 5 | Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y |
| 6 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | Y |
| 7 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 8 | Casso | Y | Kerr J. | Y | Murray | N | Stephens | Y |
| 9 | Court | Y | King S. | Y | Nikkel | Y | Summers | Y |
| 10 | Curry | Y | Labuda | Y | Pace | Y | Swalm | Y |
| 11 | DelGrosso | Y | Lambert | Y | Peniston | Y | Tipton | Y |
| 12 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 13 | Fischer | Y | Liston | Y | Primavera | Y | Tyler | Y |
| 14 | Frangas | Y | Looper | Y | Priola | Y | Vaad | Y |
| 15 | Gagliardi | E | Massey | E | Rice | Y | Vigil | Y |
| 16 | Gardner B. | Y | May | Y | Riesberg | Y | Waller | Y |
| 17 | Gardner C. | Y | McCann | Y | Roberts | Y | Weissmann | Y |
| 18 | | | | | | | Speaker | Y |

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

20
21
22 **HB10-1171** by Representative(s) Benefield, Scanlan; also Senator(s)
23 Steadman--Concerning education-related data reporting
24 requirements.

25
26 (Conference Committee Report printed in House Journal, April 27,
27 page 1449.)

28
29 On motion of Representative Benefield, the Conference Committee
30 Report was **adopted** by the following roll call vote:

| | YES | 46 | NO | 17 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|----|------------|---|------------|---|
| 33 | Acree | N | Gerou | Y | McFadyen | Y | Ryden | Y |
| 34 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 35 | Balmer | N | Judd | Y | McNulty | N | Schafer S. | Y |
| 36 | Baumgardner | N | Kagan | Y | Merrifield | Y | Solano | Y |
| 37 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | N |
| 38 | Bradford | N | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 39 | Casso | Y | Kerr J. | Y | Murray | Y | Stephens | Y |
| 40 | Court | Y | King S. | N | Nikkel | N | Summers | Y |
| 41 | Curry | Y | Labuda | Y | Pace | Y | Swalm | N |
| 42 | DelGrosso | N | Lambert | N | Peniston | Y | Tipton | N |
| 43 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 44 | Fischer | Y | Liston | N | Primavera | Y | Tyler | Y |
| 45 | Frangas | Y | Looper | Y | Priola | N | Vaad | Y |
| 46 | Gagliardi | E | Massey | E | Rice | Y | Vigil | Y |
| 47 | Gardner B. | N | May | Y | Riesberg | Y | Waller | N |
| 48 | Gardner C. | N | McCann | Y | Roberts | Y | Weissmann | Y |
| 49 | | | | | | | Speaker | Y |

50
51 The question being "Shall the bill, as amended, pass?"

52 A roll call vote was taken. As shown by the following recorded vote, a
53 majority of those elected to the House voted in the affirmative and the
54 bill, as amended, was declared **repassed**.

55

| | YES | 49 | NO | 14 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|----|------------|---|------------|---|
| 1 | | | | | | | | |
| 2 | Acree | N | Gerou | Y | McFadyen | Y | Ryden | Y |
| 3 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 4 | Balmer | N | Judd | Y | McNulty | Y | Schafer S. | Y |
| 5 | Baumgardner | Y | 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 | Y | Kerr J. | Y | Murray | Y | Stephens | Y |
| 9 | Court | Y | King S. | Y | Nikkel | N | Summers | Y |
| 10 | Curry | Y | Labuda | Y | Pace | Y | Swalm | N |
| 11 | DelGrosso | N | Lambert | N | Peniston | Y | Tipton | N |
| 12 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 13 | Fischer | Y | Liston | N | Primavera | Y | Tyler | Y |
| 14 | Frangas | Y | Looper | Y | Priola | N | Vaad | Y |
| 15 | Gagliardi | E | Massey | E | Rice | Y | Vigil | Y |
| 16 | Gardner B. | Y | 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) May, Summers, Vigil, Speaker.

23 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

25 **HB10-1118** by Representative(s) Kerr J.; also Senator(s) Hudak--
 26 Concerning the regulation of distressed real property by a
 27 board of county commissioners.

29 (Amended as printed in Senate Journal, March 23, pages 646.)

31 Representative Kerr J., moved that the House **concur** in Senate amend-
 32 ments. The motion was declared **passed** by the following roll call vote:

| | YES | 63 | NO | 0 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 35 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 36 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 37 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |
| 38 | Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y |
| 39 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | Y |
| 40 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 41 | Casso | Y | Kerr J. | Y | Murray | Y | Stephens | Y |
| 42 | Court | Y | King S. | Y | Nikkel | Y | Summers | Y |
| 43 | Curry | Y | Labuda | Y | Pace | Y | Swalm | Y |
| 44 | DelGrosso | Y | Lambert | Y | Peniston | Y | Tipton | Y |
| 45 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 46 | Fischer | Y | Liston | Y | Primavera | Y | Tyler | Y |
| 47 | Frangas | Y | Looper | Y | Priola | Y | Vaad | Y |
| 48 | Gagliardi | E | Massey | E | Rice | Y | Vigil | Y |
| 49 | Gardner B. | Y | May | Y | Riesberg | Y | Waller | Y |
| 50 | Gardner C. | Y | McCann | Y | Roberts | Y | Weissmann | Y |
| 51 | | | | | | | Speaker | Y |

53 The question being, "Shall the bill, as amended, 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
 56 bill, as amended, was declared **repassed**.

| | YES | 58 | NO | 5 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 1 | | | | | | | | |
| 2 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 3 | Apuan | Y | Hullinghorst | Y | McKinley | N | Scanlan | Y |
| 4 | Balmer | N | Judd | Y | McNulty | Y | Schafer S. | Y |
| 5 | Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y |
| 6 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | Y |
| 7 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 8 | Casso | Y | Kerr J. | Y | Murray | Y | Stephens | Y |
| 9 | Court | Y | King S. | Y | Nikkel | Y | Summers | Y |
| 10 | Curry | Y | Labuda | Y | Pace | Y | Swalm | Y |
| 11 | DelGrosso | Y | Lambert | N | Peniston | Y | Tipton | Y |
| 12 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 13 | Fischer | Y | Liston | Y | Primavera | Y | Tyler | Y |
| 14 | Frangas | Y | Looper | Y | Priola | N | Vaad | Y |
| 15 | Gagliardi | E | Massey | E | Rice | Y | Vigil | Y |
| 16 | Gardner B. | Y | May | Y | Riesberg | Y | Waller | Y |
| 17 | Gardner C. | Y | McCann | Y | Roberts | Y | Weissmann | N |
| 18 | | | | | | | Speaker | Y |

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

20
 21 **HB10-1147** by Representative(s) Kefalas, Fischer, Gagliardi,
 22 Hullinghorst, Kerr A., McFadyen, Merrifield, Primavera,
 23 Vigil; also Senator(s) Bacon--Concerning safer use of
 24 nonmotorized wheeled transportation by minors, and, in
 25 connection therewith, codifying into law the existing bike
 26 and pedestrian policy directive of the department of
 27 transportation and requiring the department of
 28 transportation, in collaboration with the departments of
 29 education and public safety and appropriate nonprofit
 30 organizations and advocacy groups, to notify schools of
 31 the availability of and make available to schools existing
 32 educational curriculum for minors regarding the safe use
 33 of public streets and premises open to the public.

34
 35 (Amended as printed in Senate Journal, April 19, pages 926-927.)

36
 37 Representative Kefalas moved that the House **concur** in Senate
 38 amendments. The motion was declared **passed** by the following roll call
 39 vote:

| | YES | 57 | NO | 6 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 41 | | | | | | | | |
| 42 | Acree | Y | Gerou | Y | McFadyen | N | Ryden | N |
| 43 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 44 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |
| 45 | Baumgardner | Y | Kagan | Y | Merrifield | N | Solano | Y |
| 46 | Benefield | Y | Kefalas | N | Middleton | Y | Sonnenberg | Y |
| 47 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | N |
| 48 | Casso | Y | Kerr J. | Y | Murray | Y | Stephens | Y |
| 49 | Court | Y | King S. | Y | Nikkel | Y | Summers | Y |
| 50 | Curry | Y | Labuda | Y | Pace | Y | Swalm | Y |
| 51 | DelGrosso | Y | Lambert | Y | Peniston | Y | Tipton | Y |
| 52 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 53 | Fischer | N | Liston | Y | Primavera | Y | Tyler | Y |
| 54 | Frangas | Y | Looper | Y | Priola | Y | Vaad | Y |
| 55 | Gagliardi | E | Massey | E | Rice | Y | Vigil | Y |
| 56 | Gardner B. | Y | May | Y | Riesberg | Y | Waller | Y |

| | | | | | | | | |
|---|------------|---|--------|---|---------|---|-----------|---|
| 1 | Gardner C. | Y | McCann | Y | Roberts | Y | Weissmann | Y |
| 2 | | | | | | | Speaker | Y |
| 3 | | | | | | | | |

4 The question being, "Shall the bill, as amended, pass?".

5 A roll call vote was taken. As shown by the following recorded vote, a
6 majority of those elected to the House voted in the affirmative, and the
7 bill, as amended, was declared **repassed**.

| 8 | 9 | YES | 34 | NO | 29 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|-----|--------------|----|------------|---------|------------|--------|---|
| 10 | Acree | N | Gerou | N | McFadyen | Y | Ryden | Y | |
| 11 | Apuan | Y | Hullinghorst | Y | McKinley | N | Scanlan | Y | |
| 12 | Balmer | N | Judd | Y | McNulty | N | Schafer S. | Y | |
| 13 | Baumgardner | N | Kagan | Y | Merrifield | N | Solano | Y | |
| 14 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | N | |
| 15 | Bradford | N | Kerr A. | Y | Miklosi | Y | Soper | Y | |
| 16 | Casso | Y | Kerr J. | N | Murray | N | Stephens | N | |
| 17 | Court | Y | King S. | N | Nikkel | N | Summers | N | |
| 18 | Curry | N | Labuda | Y | Pace | Y | Swalm | N | |
| 19 | DelGrosso | N | Lambert | N | Peniston | Y | Tipton | N | |
| 20 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y | |
| 21 | Fischer | Y | Liston | N | Primavera | Y | Tyler | Y | |
| 22 | Frangas | Y | Looper | N | Priola | N | Vaad | N | |
| 23 | Gagliardi | E | Massey | E | Rice | Y | Vigil | Y | |
| 24 | Gardner B. | N | May | N | Riesberg | Y | Waller | N | |
| 25 | Gardner C. | N | McCann | Y | Roberts | N | Weissmann | Y | |
| 26 | | | | | | | Speaker | Y | |

27 Representative Merrifield requested his name be removed as sponsor.

28 Representative Carroll T., requested his name be removed as co-sponsor.

29 Co-sponsor(s) added: Representative(s) May, Pace.

30
31 **HB10-1149** by Representative(s) Hullinghorst; also Senator(s) Foster--
32 Concerning the regulation prior to disposal of sources that
33 emit radiation.

34
35 (Amended as printed in Senate Journal, April 19, pages 928-929.)

36
37 Representative Hullinghorst moved that the House **concur** in Senate
38 amendments. The motion was declared **passed** by the following roll call
39 vote:

| 40 | 41 | YES | 63 | NO | 0 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|-----|--------------|----|------------|---------|------------|--------|---|
| 42 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y | |
| 43 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y | |
| 44 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y | |
| 45 | Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y | |
| 46 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | Y | |
| 47 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y | |
| 48 | Casso | Y | Kerr J. | Y | Murray | Y | Stephens | Y | |
| 49 | Court | Y | King S. | Y | Nikkel | Y | Summers | Y | |
| 50 | Curry | Y | Labuda | Y | Pace | Y | Swalm | Y | |
| 51 | DelGrosso | Y | Lambert | Y | Peniston | Y | Tipton | Y | |
| 52 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y | |
| 53 | Fischer | Y | Liston | Y | Primavera | Y | Tyler | Y | |
| 54 | Frangas | Y | Looper | Y | Priola | Y | Vaad | Y | |
| 55 | Gagliardi | E | Massey | E | Rice | Y | Vigil | Y | |
| 56 | Gardner B. | Y | May | Y | Riesberg | Y | Waller | Y | |

| | | | | | | | | |
|---|------------|---|--------|---|---------|---|-----------|---|
| 1 | Gardner C. | Y | McCann | Y | Roberts | Y | Weissmann | Y |
| 2 | | | | | | | Speaker | Y |

3
4 The question being, "Shall the bill, as amended, pass?".
5 A roll call vote was taken. As shown by the following recorded vote, a
6 majority of those elected to the House voted in the affirmative, and the
7 bill, as amended, was declared **repassed**.

| 9 | YES | 40 | NO | 23 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|----|------------|---|------------|---|
| 10 | Acree | N | Gerou | Y | McFadyen | Y | Ryden | Y |
| 11 | Apuan | Y | Hullinghorst | Y | McKinley | N | Scanlan | Y |
| 12 | Balmer | N | Judd | Y | McNulty | N | Schafer S. | Y |
| 13 | Baumgardner | N | Kagan | Y | Merrifield | Y | Solano | Y |
| 14 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | N |
| 15 | Bradford | N | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 16 | Casso | Y | Kerr J. | N | Murray | N | Stephens | N |
| 17 | Court | Y | King S. | N | Nikkel | N | Summers | N |
| 18 | Curry | Y | Labuda | Y | Pace | Y | Swalm | Y |
| 19 | DelGrosso | N | Lambert | N | Peniston | Y | Tipton | N |
| 20 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 21 | Fischer | Y | Liston | N | Primavera | Y | Tyler | Y |
| 22 | Frangas | Y | Looper | Y | Priola | N | Vaad | N |
| 23 | Gagliardi | E | Massey | E | Rice | Y | Vigil | Y |
| 24 | Gardner B. | N | May | N | Riesberg | Y | Waller | N |
| 25 | Gardner C. | N | McCann | Y | Roberts | Y | Weissmann | Y |
| 26 | | | | | | | Speaker | Y |

27 Co-sponsor(s) added: Representative(s) McFadyen.

28
29 **HB10-1328** by Representative(s) Miklosi, Apuan, Benefield, Casso,
30 Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi,
31 Hullinghorst, Kefalas, Kerr A., Labuda, Levy, McCann,
32 McFadyen, Merrifield, Middleton, Peniston, Pommer,
33 Primavera, Ryden, Scanlan, Solano, Todd, Tyler, Vigil,
34 Weissmann; also Senator(s) Schwartz--Concerning the
35 "New Energy Jobs Creation Act of 2010", and, in
36 connection therewith, creating the Colorado new energy
37 improvement district and authorizing the district to fund
38 new energy improvements by issuing special assessment
39 bonds payable from special assessments levied on eligible
40 real property owned by persons who voluntarily join the
41 district in order to have the district help them fund new
42 energy improvements to the eligible real property.

43
44 (Amended as printed in Senate Journal, April 19, pages 929-930, and on
45 April 21.)

46
47 Representative Miklosi moved that the House **concur** in Senate
48 amendments. The motion was declared **passed** by the following roll call
49 vote:

| 51 | YES | 44 | NO | 19 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|----|------------|---|------------|---|
| 52 | Acree | N | Gerou | Y | McFadyen | Y | Ryden | Y |
| 53 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 54 | Balmer | N | Judd | Y | McNulty | N | Schafer S. | Y |
| 55 | Baumgardner | N | Kagan | Y | Merrifield | Y | Solano | Y |
| 56 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | N |

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

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

| | YES | 37 | NO | 26 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|----|------------|---|------------|---|
| 20 | Acree | N | Gerou | N | McFadyen | Y | Ryden | Y |
| 21 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 22 | Balmer | N | Judd | Y | McNulty | N | Schafer S. | Y |
| 23 | Baumgardner | N | Kagan | Y | Merrifield | Y | Solano | Y |
| 24 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | N |
| 25 | Bradford | N | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 26 | Casso | Y | Kerr J. | N | Murray | N | Stephens | N |
| 27 | Court | Y | King S. | N | Nikkel | N | Summers | N |
| 28 | Curry | Y | Labuda | Y | Pace | Y | Swalm | N |
| 29 | DelGrosso | N | Lambert | N | Peniston | Y | Tipton | N |
| 30 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 31 | Fischer | Y | Liston | N | Primavera | Y | Tyler | Y |
| 32 | Frangas | Y | Looper | N | Priola | N | Vaad | N |
| 33 | Gagliardi | E | Massey | E | Rice | Y | Vigil | Y |
| 34 | Gardner B. | N | May | N | Riesberg | Y | Waller | N |
| 35 | Gardner C. | N | McCann | Y | Roberts | N | Weissmann | Y |
| 36 | | | | | | | Speaker | Y |

37
38 **HB10-1332** by Representative(s) Miklosi, Apuan, Gagliardi, Kefalas,
39 Primavera, Tyler; also Senator(s) Romer--Concerning the
40 creation of the "Barry Keene Medical Clean Claims
41 Transparency and Uniformity Act".

42
43 (Amended as printed in Senate Journal, April 20, page 953, and on
44 April 23.)

45
46 Representative Miklosi moved that the House **concur** in Senate
47 amendments. The motion was declared **passed** by the following roll call
48 vote:

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

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

12
13 The question being, "Shall the bill, as amended, 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
16 bill, as amended, was declared **repassed**.

| 17 | YES | 49 | NO | 14 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|----|------------|---|------------|---|
| 18 | | | | | | | | |
| 19 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 20 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 21 | Balmer | N | Judd | Y | McNulty | N | Schafer S. | Y |
| 22 | Baumgardner | N | Kagan | Y | Merrifield | Y | Solano | Y |
| 23 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | N |
| 24 | Bradford | N | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 25 | Casso | Y | Kerr J. | Y | Murray | Y | Stephens | N |
| 26 | Court | Y | King S. | Y | Nikkel | N | Summers | Y |
| 27 | Curry | Y | Labuda | Y | Pace | Y | Swalm | Y |
| 28 | DelGrosso | N | Lambert | N | Peniston | Y | Tipton | N |
| 29 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 30 | Fischer | Y | Liston | Y | Primavera | Y | Tyler | Y |
| 31 | Frangas | Y | Looper | Y | Priola | Y | Vaad | Y |
| 32 | Gagliardi | E | Massey | E | Rice | Y | Vigil | Y |
| 33 | Gardner B. | N | May | N | Riesberg | Y | Waller | N |
| 34 | Gardner C. | N | McCann | Y | Roberts | Y | Weissmann | Y |
| 35 | | | | | | | Speaker | Y |

36 Co-sponsor(s) added: Representative(s) Frangas, Labuda, Soper.

40 MESSAGE(S) FROM THE SENATE

42 The Senate has adopted and transmits herewith: SJR10-046.

46 INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

51 **SJR10-046** by Senator(s) Newell; also Representative(s) Miklosi--
52 Concerning the value of conflict resolution, and, in
53 connection therewith, recognizing October as "Conflict
54 Resolution Month".

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

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

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

13
14
15 House in recess. House reconvened.
16

17
18 On motion of Representative Pace, the House resolved itself into
19 Committee of the Whole for consideration of General Orders, and he was
20 called to the Chair to act as Chairman.

21
22
23 **GENERAL ORDERS--SECOND READING OF BILLS**

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

29
30 (Amendments to the committee amendment are to the printed committee
31 report which was printed and placed in the members' bill file.)

32
33 On motion of Representative Weissmann the following bills were laid
34 over until April 29, 2010: **SB10-028, HB10-1217, 1113.**

35
36 On motion of Representative Weissmann the following bills were laid
37 over until April 30, 2010: **HB10-1391, HCR10-1002, SB10-114,**
38 **HB10-1390.**

39
40 On motion of Representative Weissmann the following bill was laid over
41 until May 5, 2010: **HB10-1282.**

42
43 **SB10-006** by Senator(s) Boyd, Hudak, Sandoval, White; also
44 Representative(s) Summers, Gagliardi, Kefalas, Waller--
45 Concerning reductions in barriers to obtaining identity-
46 related documents.

47
48 Amendment No. 1, Health & Human Services Report, dated
49 March 15, 2010, and placed in member's bill file; Report also printed in
50 House Journal, March 16, page 814.

51
52 Amendment No. 2, Appropriations Report, dated April 23, 2010, and
53 placed in member's bill file; Report also printed in House Journal,
54 April 23, page 1406.

55

1 Amendment No. 3, by Representative(s) Summers.

2

3 Amend reengrossed bill, page 5, line 22, strike "AND".

4

5 Page 5, after line 22 insert:

6

7 "(b) THE PROPOSED NAME CHANGE IS TO A NAME UNDER WHICH
8 THE PETITIONER WAS CONVICTED OR ADJUDICATED; EXCEPT THAT, FOR
9 GOOD CAUSE, THE COURT MAY ALLOW A CHANGE TO A NAME OTHER THAN
10 A NAME UNDER WHICH THE PETITIONER WAS CONVICTED OR
11 ADJUDICATED;"

12

13 Reletter succeeding paragraphs accordingly.

14

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

17

18 **SB10-061** by Senator(s) Tochtrop and Williams, Newell; also
19 Representative(s) Soper and Riesberg, Roberts, Tyler--
20 Concerning medicaid payments for inpatient care for
21 hospice recipients, and making an appropriation therefor.

22

23 Amendment No. 1, Appropriations Report, dated April 23, 2010, and
24 placed in member's bill file; Report also printed in House Journal,
25 April 23, page 1406.

26

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

29

30 **SB10-103** by Senator(s) Sandoval, Schwartz, Gibbs, Harvey, Hudak,
31 Kester, Morse, Romer, Tochtrop, White, Williams; also
32 Representative(s) Baumgardner, Bradford, Fischer,
33 Frangas, Gardner B., Kerr A., McFadyen, McNulty,
34 Miklosi, Murray, Nikkel, Primavera, Priola, Solano, Tyler--
35 -Concerning the creation of a Colorado state parks special
36 license plate, and making an appropriation therefor.

37

38 Amendment No. 1, by Representative(s) Ferrandino.

39

40 Strike the Appropriation Committee Report, dated April 23, 2010, and
41 substitute:

42

43 "Amend reengrossed bill, page 2, line 24, strike "PROJECTS." and
44 substitute "PROJECTS AND SHALL NOT BE USED FOR THE ADMINISTRATION
45 OF THE FOUNDATION FOR COLORADO STATE PARKS OR A SUCCESSOR
46 ORGANIZATION.".

47

48 Page 2 of the bill, line 26, after "SHALL" insert "HOLD THE MONEYS
49 COLLECTED PURSUANT TO THIS SUBSECTION (3) IN A SEPARATE ACCOUNT
50 FROM ALL OTHER MONEYS AND".

51

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

54

55

1 **SB10-106** by Senator(s) Bacon, Boyd, Newell, Sandoval; also
2 Representative(s) Looper--Concerning the creation of a
3 food systems advisory council, and making an
4 appropriation therefor.
5

6 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
7 dated April 7, 2010, and placed in member's bill file; Report also printed
8 in House Journal, April 8, pages 1140-1141.
9

10 Amendment No. 2, by Representative(s) Looper.

11 Amend reengrossed bill, page 5, strike line 9 and substitute:
12
13

14 "(V) ONE MEMBER WHO IS KNOWLEDGEABLE ABOUT A LOCAL,
15 STATE, OR FEDERAL AGENCY AND WHO HAS EXPERTISE IN RURAL
16 COMMUNITY AND REGIONAL DEVELOPMENT PROGRAMS OR COMMUNITY
17 AND ECONOMIC DEVELOPMENT PROGRAMS."
18

19 Amendment No. 3, by Representative(s) Weissmann.

20 Amend reengrossed bill, page 7, strike line 25 and substitute the
21 following:
22
23

24 "POSSIBILITY OF USING ELECTRONIC BENEFIT CARDS FOR THE
25 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) AND FEDERAL
26 FARMERS' MARKET NUTRITION PROGRAM (FMNP) COUPONS AT LOCAL
27 FARMERS' MARKETS;"
28

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

32 **SB10-108** by Senator(s) King K., Bacon, Scheffel, Schultheis,
33 Spence, Steadman; also Representative(s) Middleton,
34 Massey, Summers, Gardner B., King S., McNulty,
35 Murray--Concerning implementation of general education
36 core courses at institutions of higher education, and
37 making an appropriation therefor.
38

39 Ordered revised and placed on the Calendar for Third Reading and Final
40 Passage.
41

42 **SB10-120** by Senator(s) White, Bacon, Steadman; also
43 Representative(s) Rice, Bradford, McCann--Concerning
44 the inclusion of prepaid wireless telephone service among
45 the services subject to the surcharge that funds enhanced
46 911 emergency services, and making an appropriation in
47 connection therewith.
48

49 Amendment No. 1, by Representative(s) Liston.

50 Amend reengrossed bill, page 2, line 21, strike "**definitions.**" and
51 substitute "**definitions - repeal.**"
52
53

54 Page 5, strike lines 13 through 15 and substitute:
55

56 "(b) (I) EFFECTIVE JULY 1, 2011, A SELLER MAY DEDUCT AND

1 RETAIN THREE AND THREE-TENTHS PERCENT OF THE PREPAID WIRELESS
2 E911 CHARGES THAT ARE COLLECTED BY THE SELLER FROM CONSUMERS.

3
4 (II) (A) A SELLER MAY DEDUCT AND RETAIN TWO PERCENT OF THE
5 PREPAID WIRELESS E911 CHARGES THAT ARE COLLECTED BY THE SELLER
6 FROM CONSUMERS.

7
8 (B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 1,
9 2012."

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

13
14 **SB10-169** by Senator(s) Boyd; also Representative(s) Riesberg--
15 Concerning authority for moneys in the hospital provider
16 fee cash fund generated by an enhanced federal match
17 through the 2010-11 fiscal year to be used to offset general
18 fund expenditures in the medicaid program, and making an
19 appropriation therefor.

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

23
24 **SB10-171** by Senator(s) Newell, Bacon, Boyd, Heath, Hodge, Hudak,
25 Keller, Kester, Lundberg, Morse, Penry, Romer,
26 Shaffer B., Spence, Steadman, Williams; also
27 Representative(s) Gagliardi, Acree, Casso, DelGrosso,
28 Ferrandino, Frangas, Hullinghorst, Kefalas, Kerr J.,
29 Labuda, Levy, McNulty, Middleton, Nikkel, Primavera,
30 Rice, Ryden, Scanlan, Todd, Tyler--Concerning the
31 creation of a child protection ombudsman program.

32
33 Amendment No. 1, Health & Human Services Report, dated
34 April 15, 2010, and placed in member's bill file; Report also printed in
35 House Journal, April 16, page 1302.

36
37 Amendment No. 2, Appropriations Report, dated April 23, 2010, and
38 placed in member's bill file; Report also printed in House Journal,
39 April 23, page 1407.

40
41 Amendment No. 3, by Representative(s) Hullinghorst.

42
43 Amend reengrossed bill, page 11, line 18, after "DEPARTMENTS," insert
44 "COUNTY ATTORNEYS, COUNTY COMMISSIONERS,".

45
46 As amended, ordered revised and placed on the Calendar for Third
47 Reading and Final Passage.

48
49 **SB10-183** by Senator(s) Morse and Tochtrop, Boyd, Penry,
50 Steadman, Williams; also Representative(s) Gagliardi,
51 Balmer, Kagan, Primavera, Riesberg--Concerning the
52 continuation of a statutory prohibition on balance billing
53 of certain charges for health care services.

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

1 **SB10-181** by Senator(s) Kester; also Representative(s) McKinley--
2 Concerning the authority of a municipality in the state to
3 lease lands owned by the municipality.
4

5 Ordered revised and placed on the Calendar for Third Reading and Final
6 Passage.
7

8 **HCR10-1004** by Representative(s) Lambert; also Senator(s) Sandoval--
9 Submitting to the registered electors of the state of
10 Colorado an amendment to section 3 of article VIII of the
11 constitution of the state of Colorado, concerning a process
12 for temporarily moving the seat of government in a
13 disaster emergency that substantially affects the ability of
14 the state government to operate in the city and county of
15 Denver, and, in connection therewith, requiring the general
16 assembly to convene in a temporary meeting location
17 designated by the governor and authorizing the general
18 assembly to determine by law a temporary location for the
19 seat of government of the state.
20

21 Amendment No. 1, by Representative(s) Gardner C.
22

23 Amend printed concurrent resolution, page 3, line 10, after the period,
24 add "THE CITY OF YUMA, COLORADO, SHALL HAVE FIRST PRIORITY AS THE
25 TEMPORARY MEETING LOCATION FOR THE GENERAL ASSEMBLY."
26

27 As amended, ordered engrossed and placed on the Calendar for Third
28 Reading and Final Passage.
29 (For change in action, see Amendments to Report, page 1471.)
30

31 **HB10-1404** by Representative(s) McCann; also Senator Steadman--
32 Concerning the administration of the independent ethics
33 commission.
34

35 Amendment No. 1, Judiciary Report, dated April 22, 2010, and placed in
36 member's bill file; Report also printed in House Journal, April 26,
37 page 1424.
38

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

42 **SB10-156** by Senator(s) Heath; also Representative(s) Hulinghorst--
43 Concerning increased protections for mobile home owners
44 who lease space in mobile home parks.
45

46 Amendment No. 1, by Representative(s) Hulinghorst.
47

48 Amend reengrossed bill, page 4, line 20, strike "multisection" and
49 substitute "multisection".
50

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

54 **HB10-1405** by Representative(s) Vaad and Pommer, Baumgardner,
55 King S., Liston, Looper, May, McKinley, McNulty,
56 Primavera, Swalm; also Senator(s) Spence and Tochtrop--

1 Concerning a study of the options for devolution of state
2 highways that are commuter highways to local
3 governments.
4

5 Amendment No. 1, Transportation & Energy Report, dated
6 April 27, 2010, and placed in member's bill file; Report also printed in
7 House Journal, April 27, page 1449.
8

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

12
13
14 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**
15

16 Representatives May and Lambert moved to amend the Report of the
17 Committee of the Whole to reverse the action taken by the Committee in
18 adopting Amendment No. 1 by Representative Gardner C. (printed in
19 House Journal, page 1470, lines 21-25) to show that the amendment lost,
20 and that **HCR10-1004** passed.
21

22 Amend printed concurrent resolution, page 3, line 10, after the period,
23 add "THE CITY OF YUMA, COLORADO, SHALL HAVE FIRST PRIORITY AS THE
24 TEMPORARY MEETING LOCATION FOR THE GENERAL ASSEMBLY."
25

26 The amendment was declared **passed** by the following roll call vote:
27

| | YES | 59 | NO | 3 | EXCUSED | 3 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 29 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 30 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 31 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |
| 32 | Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y |
| 33 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | N |
| 34 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | N |
| 35 | Casso | Y | Kerr J. | Y | Murray | Y | Stephens | Y |
| 36 | Court | Y | King S. | Y | Nikkel | Y | Summers | Y |
| 37 | Curry | Y | Labuda | Y | Pace | Y | Swalm | Y |
| 38 | DelGrosso | Y | Lambert | Y | Peniston | Y | Tipton | Y |
| 39 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 40 | Fischer | Y | Liston | Y | Primavera | Y | Tyler | Y |
| 41 | Frangas | E | Looper | Y | Priola | Y | Vaad | Y |
| 42 | Gagliardi | Y | Massey | E | Rice | Y | Vigil | Y |
| 43 | Gardner B. | E | May | Y | Riesberg | Y | Waller | Y |
| 44 | Gardner C. | N | McCann | Y | Roberts | Y | Weissmann | Y |
| 45 | | | | | | | Speaker | Y |

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50 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**
51

52 Passed Second Reading: **SB10-006 amended, 061 amended, 103**
53 **amended, 106 amended, 108, 120 amended, 169, 171 amended, 183,**
54 **181, HCR10-1004, HB10-1404 amended, SB10-156 amended,**
55 **HB10-1405 amended.**
56

1 Laid over until date indicated retaining place on Calendar: **SB10-028**,
 2 **HB10-1217, 1113**--April 29, 2010.
 3 **HB10-1391, HCR10-1002, SB10-114, HB10-1390**--April 30, 2010.
 4 **HB10-1282**--May 5, 2010.

5
 6 The Chairman moved the adoption of the Committee of the Whole
 7 Report. As shown by the following roll call vote, a majority of those
 8 elected to the House voted in the affirmative, and the Report was
 9 **adopted**.

10

| | YES | 62 | NO | 0 | EXCUSED | 3 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 12 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 13 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 14 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |
| 15 | Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y |
| 16 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | Y |
| 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 | Y | Peniston | Y | Tipton | Y |
| 22 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 23 | Fischer | Y | Liston | Y | Primavera | Y | Tyler | Y |
| 24 | Frangas | E | Looper | Y | Priola | Y | Vaad | Y |
| 25 | Gagliardi | Y | Massey | E | Rice | Y | Vigil | Y |
| 26 | Gardner B. | E | May | Y | Riesberg | Y | Waller | Y |
| 27 | Gardner C. | Y | McCann | Y | Roberts | Y | Weissmann | Y |
| 28 | | | | | | | Speaker | Y |

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CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

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HB10-1160 by Representative(s) Rice and Stephens; also Senator(s) Mitchell and Newell--Concerning the ability of health insurance carriers to offer incentives for participation in wellness programs based on satisfaction of a standard related to a health risk factor.

(Amended as printed in Senate Journal, April 20, pages 953-955, and on April 23.)

Representative Rice moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

| | YES | 60 | NO | 3 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 47 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 48 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 49 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |
| 50 | Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y |
| 51 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | Y |
| 52 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 53 | Casso | Y | Kerr J. | Y | Murray | Y | Stephens | Y |
| 54 | Court | Y | King S. | Y | Nikkel | Y | Summers | Y |
| 55 | Curry | Y | Labuda | N | Pace | Y | Swalm | Y |
| 56 | DelGrosso | Y | Lambert | Y | Peniston | Y | Tipton | Y |

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

8 The question being, "Shall the bill, as amended, pass?".

9 A roll call vote was taken. As shown by the following recorded vote, a
10 majority of those elected to the House voted in the affirmative, and the
11 bill, as amended, was declared **repassed**.

| 13 | YES | 39 | NO | 24 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|----|------------|---|------------|---|
| 14 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | N |
| 15 | Apuan | Y | Hullinghorst | N | McKinley | Y | Scanlan | Y |
| 16 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | N |
| 17 | Baumgardner | Y | Kagan | N | Merrifield | N | Solano | N |
| 18 | Benefield | Y | Kefalas | N | Middleton | N | Sonnenberg | Y |
| 19 | Bradford | Y | Kerr A. | N | Miklosi | Y | Soper | N |
| 20 | Casso | N | Kerr J. | Y | Murray | Y | Stephens | Y |
| 21 | Court | N | King S. | Y | Nikkel | Y | Summers | Y |
| 22 | Curry | Y | Labuda | N | Pace | N | Swalm | Y |
| 23 | DelGrosso | Y | Lambert | Y | Peniston | Y | Tipton | Y |
| 24 | Ferrandino | N | Levy | N | Pommer | N | Todd | Y |
| 25 | Fischer | N | Liston | Y | Primavera | N | Tyler | N |
| 26 | Frangas | N | Looper | Y | Priola | Y | Vaad | Y |
| 27 | Gagliardi | N | Massey | E | Rice | Y | Vigil | N |
| 28 | Gardner B. | E | May | Y | Riesberg | N | Waller | Y |
| 29 | Gardner C. | Y | McCann | Y | Roberts | Y | Weissmann | Y |
| 30 | | | | | | | Speaker | Y |

31 Co-sponsor(s) added: Representative(s) Liston, McFadyen, Nikkel, Summers,
32 Speaker.

33
34 On motion of Representative Weissmann, the rules were suspended for
35 Immediate Consideration of Senate Amendments on HB10-1348.

36
37 **HB10-1348** by Representative(s) McFadyen, Massey; also Senator(s)
38 Kester and Bacon--Concerning increased regulatory
39 authority regarding radioactive materials.

40 (Amended as printed in Senate Journal, April 26, page 1020.)

41
42
43 Representative McFadyen moved that the House **concur** in Senate
44 amendments. The motion was declared **passed** by the following roll call
45 vote:

| 47 | YES | 61 | NO | 2 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 48 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 49 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 50 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |
| 51 | Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y |
| 52 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | Y |
| 53 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 54 | Casso | Y | Kerr J. | Y | Murray | Y | Stephens | Y |
| 55 | Court | Y | King S. | Y | Nikkel | Y | Summers | Y |
| 56 | Curry | Y | Labuda | Y | Pace | Y | Swalm | N |

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

10 The question being, "Shall the bill, as amended, pass?".

11 A roll call vote was taken. As shown by the following recorded vote, a
12 majority of those elected to the House voted in the affirmative, and the
13 bill, as amended, was declared **repassed**.

| 15 | YES | 60 | NO | 3 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 16 | Acree | Y | Gerou | N | McFadyen | Y | Ryden | Y |
| 17 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 18 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |
| 19 | Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y |
| 20 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | Y |
| 21 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 22 | Casso | Y | Kerr J. | N | Murray | Y | Stephens | Y |
| 23 | Court | Y | King S. | Y | Nikkel | Y | Summers | Y |
| 24 | Curry | Y | Labuda | Y | Pace | Y | Swalm | Y |
| 25 | DelGrosso | Y | Lambert | Y | Peniston | Y | Tipton | Y |
| 26 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 27 | Fischer | Y | Liston | N | Primavera | Y | Tyler | Y |
| 28 | Frangas | Y | Looper | Y | Priola | Y | Vaad | Y |
| 29 | Gagliardi | Y | Massey | E | Rice | Y | Vigil | Y |
| 30 | Gardner B. | E | May | Y | Riesberg | Y | Waller | Y |
| 31 | Gardner C. | Y | McCann | Y | Roberts | Y | Weissmann | Y |
| 32 | | | | | | | Speaker | Y |

33 Co-sponsor(s) added: Representative(s) Fischer, Kagan, King S., Nikkel,
34 Pommer, Tipton.

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

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

41
42 **HB10-1350** by Representative(s) Pace, Ferrandino, Frangas, Gagliardi,
43 Labuda, Hullinghorst, Levy, Pommer; also Senator(s)
44 Carroll M.-Concerning requirements for conducting a
45 study by the office of economic development in the office
46 of the governor to establish a plan for tracking certain job
47 creation activities by recipients of certain economic
48 development incentives, and, in connection therewith,
49 creating a plan for tracking job retention and requiring the
50 office of economic development to collect and report
51 information regarding the number of jobs created and
52 median and average salaries of those jobs in the annual
53 report filed pursuant to law.

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 | 33 | NO | 30 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|----|------------|---|------------|---|
| 5 | Acree | N | Gerou | N | McFadyen | Y | Ryden | Y |
| 6 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | N |
| 7 | Balmer | N | Judd | Y | McNulty | N | Schafer S. | N |
| 8 | Baumgardner | N | Kagan | Y | Merrifield | Y | Solano | Y |
| 9 | Benefield | Y | Kefalas | Y | Middleton | N | Sonnenberg | N |
| 10 | Bradford | N | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 11 | Casso | Y | Kerr J. | N | Murray | N | Stephens | N |
| 12 | Court | Y | King S. | N | Nikkel | N | Summers | N |
| 13 | Curry | Y | Labuda | Y | Pace | Y | Swalm | N |
| 14 | DelGrosso | N | Lambert | N | Peniston | Y | Tipton | N |
| 15 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 16 | Fischer | Y | Liston | N | Primavera | Y | Tyler | Y |
| 17 | Frangas | Y | Looper | N | Priola | N | Vaad | N |
| 18 | Gagliardi | Y | Massey | E | Rice | N | Vigil | Y |
| 19 | Gardner B. | E | May | N | Riesberg | N | Waller | N |
| 20 | Gardner C. | N | McCann | Y | Roberts | N | Weissmann | Y |
| 21 | | | | | | | Speaker | Y |

REPORT(S) OF COMMITTEE(S) OF REFERENCE

FINANCE

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

31 **HB10-1169** be postponed indefinitely.

34 **HB10-1396** be postponed indefinitely.

37 **HB10-1410** be amended as follows, and as so amended, be referred to
38 the Committee on Appropriations with favorable
39 recommendation:

41 Amend printed bill, page 3, line 6, strike "A NEW".

43 Page 3, line 7, strike "PARAGRAPH," and substitute "THE
44 FOLLOWING NEW PARAGRAPHS,".

46 Page 4, line 4, strike "LEGISLATIVE".

48 Page 4, line 5, strike "DEPARTMENT AND".

50 Page 6, before line 1 insert:

52 "(f) (I) EFFECTIVE JUNE 30 OF STATE FISCAL YEAR 2010-11, AND
53 FOR THE JUNE 30 OF EACH STATE FISCAL YEAR THEREAFTER, THE STATE
54 TREASURER SHALL TRANSFER AN AMOUNT EQUAL TO ANY UNEXPENDED
55 AND UNENCUMBERED GENERAL FUND MONEYS APPROPRIATED BY THE
56 GENERAL ASSEMBLY FOR THE STATE FISCAL YEAR TO THE LEGISLATIVE

1 DEPARTMENT, AND EACH SERVICE AGENCY THEREOF, FROM THE GENERAL
2 FUND TO THE LEGISLATIVE DEPARTMENT CASH FUND CREATED IN SECTION
3 2-2-1601, C.R.S.; EXCEPT THAT MONEYS OTHERWISE RESERVED OR
4 PREVIOUSLY TRANSFERRED BY THE ANNUAL GENERAL APPROPRIATION ACT
5 FOR THE LEGISLATIVE DEPARTMENT SHALL NOT BE SUBJECT TO SUCH A
6 TRANSFER.

7
8 (II) ANY MONEYS TRANSFERRED TO THE LEGISLATIVE
9 DEPARTMENT CASH FUND PURSUANT TO SUBPARAGRAPH (I) OF THIS
10 PARAGRAPH (f) SHALL BE USED FOR THE SAME PURPOSES OF AND IN THE
11 SAME MANNER AS ANY MONEYS TRANSFERRED PURSUANT TO PARAGRAPH
12 (e) OF THIS SUBSECTION (8).

13
14 (III) ANY MONEYS IN THE LEGISLATIVE DEPARTMENT CASH FUND
15 NOT EXPENDED PURSUANT TO THIS PARAGRAPH (f) AND REMAINING IN THE
16 FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND AND
17 SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY
18 OTHER FUND. ONCE THE PURPOSES OF PARAGRAPH (e) HAVE BEEN
19 ACCOMPLISHED, ANY MONEYS REMAINING IN THE FUND MAY BE EXPENDED
20 BY THE LEGISLATIVE DEPARTMENT AS SPECIFIED IN SECTION 2-2-1601,
21 C.R.S.

22
23 (g) UPON A DETERMINATION BY THE STATE TREASURER THAT
24 SUFFICIENT MONEYS HAVE BEEN TRANSFERRED TO PAY ALL STATE
25 EMPLOYEE SALARIES ON THE LAST WORKING DAY OF JUNE FOR WORK
26 PERFORMED DURING THE MONTH OF JUNE, THE STATE TREASURER SHALL
27 CEASE THE TRANSFERS REQUIRED BY PARAGRAPHS (e) AND (f) OF THIS
28 SUBSECTION (8) AND SHALL TRANSFER ANY MONEYS REMAINING IN THE
29 STATE EMPLOYEE PAYDAY SHIFT FUND TO THE GENERAL FUND."

30
31
32
33 **HB10-1425** be referred to the Committee of the Whole with favorable
34 recommendation.

35
36
37 **SB10-139** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40
41 Amend reengrossed bill, page 3, strike lines 14 through 16 and substitute:

42
43 **"39-22-3702. Voluntary contribution designation - procedure**
44 **- effective date.** (1) FOR THE THREE CONSECUTIVE INCOME TAX YEARS
45 IMMEDIATELY FOLLOWING THE YEAR IN WHICH THE EXECUTIVE DIRECTOR
46 FILES WRITTEN CERTIFICATION WITH THE REVISOR OF STATUTES AS
47 SPECIFIED IN SUBSECTION (2) OF THIS SECTION, THE COLORADO STATE
48 INDIVIDUAL".

49
50 Page 3, after line 20 insert:

51
52 "(2) THIS PART 37 SHALL TAKE EFFECT ON SEPTEMBER 1 OF THE
53 YEAR IN WHICH THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
54 REVENUE FILES A WRITTEN CERTIFICATION WITH THE REVISOR OF
55 STATUTES THAT THERE ARE NO MORE THAN FOURTEEN OTHER LINES ON
56 THE COLORADO STATE INDIVIDUAL INCOME TAX RETURN FORM FOR

1 VOLUNTARY CONTRIBUTIONS FOR THE STATE INCOME TAX YEAR
2 COMMENCING IN JANUARY OF THE FOLLOWING YEAR."

3

4 Page 4, line 12, strike "JANUARY 1, 2014," and substitute "JANUARY 1 OF
5 THE FOURTH INCOME TAX YEAR FOLLOWING THE YEAR IN WHICH THE
6 EXECUTIVE DIRECTOR FILES WRITTEN CERTIFICATION WITH THE REVISOR
7 OF STATUTES AS SPECIFIED IN SECTION 39-22-3702 (2),".

8

9

10

11 **SB10-141** be referred favorably to the Committee on Appropriations.

12

13

14 **SB10-186** be referred to the Committee of the Whole with favorable
15 recommendation.

16

17

18

19 **STATE, VETERANS, & MILITARY AFFAIRS**

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

22

23 **HB10-1401** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:

26

27 Amend printed bill, page 2, line 3, strike "A NEW SUBSECTION" and
28 substitute "THE FOLLOWING NEW SUBSECTIONS".

29

30 Page 3, strike lines 2 through 9 and substitute:

31

32 "(1.5) (a) "COLLABORATION, OFFICE PRODUCTIVITY, AND
33 ELECTRONIC MAIL SOFTWARE" OR "COPE" MEANS SOFTWARE THAT IS
34 DELIVERED VIA AN SAAS MODEL AND OFFERED AS A SPECIFIC SERVICE BY
35 THE STATEWIDE INTERNET PORTAL AUTHORITY OR ANY PRIVATE SECTOR
36 PROVIDER OF INFORMATION TECHNOLOGY RESOURCES.

37

38 (b) THIS SUBSECTION (1.5) IS REPEALED, EFFECTIVE JULY 1, 2014.

39

40 (3.5) (a) "SOFTWARE AS A SERVICE" OR "SAAS" MEANS A MODEL OF
41 SOFTWARE DEPLOYMENT VIA THE INTERNET THAT:

42

43 (I) ALLOWS A CUSTOMER TO USE THE SOFTWARE AS A SERVICE ON
44 DEMAND THROUGH A SUBSCRIPTION OR A PAY-AS-YOU-GO MODEL;

45

46 (II) DOES NOT REQUIRE THE USER TO PURCHASE HARDWARE OR
47 SOFTWARE DIRECTLY TO RUN AN INFORMATION TECHNOLOGY APPLICATION
48 SINCE THE APPLICATION IS ACCESSIBLE VIA THE INTERNET; AND

49

50 (III) MAY BE UTILIZED FOR VARIOUS INFORMATION TECHNOLOGY
51 APPLICATIONS, INCLUDING BUT NOT LIMITED TO ELECTRONIC MAIL, VIDEO
52 CONFERENCING, INSTANT MESSAGING, OFFICE PRODUCTIVITY
53 APPLICATIONS, AND ELECTRONIC CALENDARING.

54

55 (b) THIS SUBSECTION (3.5) IS REPEALED, EFFECTIVE JULY 1, 2014."

56

1 Page 3, line 13, after "COPE" insert "SERVICES".

2

3 Page 3, line 19, after "COPE" insert "SERVICE".

4

5 Page 3, line 21, after "COPE" insert "SERVICES".

6

7 Page 3, line 24, after "COPE" insert "SERVICES".

8

9 Page 4, line 1, strike "IS" and substitute "SERVICES ARE".

10

11 Page 4, line 12, after "COPE" insert "SERVICES".

12

13 Page 5, strike lines 8 through 15 and substitute:

14

15 **"24-37.7-114. Financial and performance audits.** (1) (a) IF A
16 FINANCIAL AUDIT OF THE AUTHORITY IS CONDUCTED BY AN INDEPENDENT
17 CERTIFIED PUBLIC ACCOUNTANT PURSUANT TO A CONTRACT WITH THE
18 AUTHORITY, ANY STATEMENTS, RECORDS, SCHEDULES, WORKING PAPERS,
19 AND MEMORANDA PREPARED BY THE CERTIFIED PUBLIC ACCOUNTANT
20 SHALL BE MADE AVAILABLE TO THE STATE AUDITOR'S OFFICE AND SHALL
21 BE KEPT CONFIDENTIAL UNLESS A MAJORITY OF THE MEMBERS OF THE
22 LEGISLATIVE AUDIT COMMITTEE VOTE TO OPEN SUCH DOCUMENTS.

23

24 (b) THE STATE AUDITOR MAY, AT HIS OR HER DISCRETION,
25 CONDUCT OR CAUSE TO BE CONDUCTED PERFORMANCE AUDITS
26 COMMENCING ON OR AFTER MAY 1, 2011, OF THE AUTHORITY TO
27 DETERMINE WHETHER THE AUTHORITY IS EFFECTIVELY AND EFFICIENTLY
28 FULFILLING ITS STATUTORY OBLIGATIONS. THE STATE AUDITOR SHALL
29 CONSIDER INPUT AND RECOMMENDATIONS FOR THE AUTHORITY AND THE
30 BOARD DURING THE PLANNING PROCESS FOR ANY SUCH AUDIT SO AS TO
31 MINIMIZE THE IMPACTS ON THE AUTHORITY'S STAFF, PLANNING, AND
32 PROJECT SCHEDULES AND TO NOT CONFLICT WITH THE FINANCIAL AUDIT
33 DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1)."

34

35

36

37 **HB10-1408** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40

41 Amend printed bill, page 2, strike lines 5 through 7 and substitute:

42

43 **"congressional districts.** (1) In determining whether one or more of the
44 congressional districts established in section 2-1-101 are lawful and in
45 adopting or enforcing any change to any such district, courts:

46

47 (a) Shall UTILIZE THE FOLLOWING FACTORS:"

48

49 Page 2, strike lines 15 through 27 and substitute:

50

51 "(I) ~~First,~~ A good faith effort to achieve precise mathematical
52 population equality between districts, justifying each variance, no matter
53 how small, as required by the constitution of the United States. Each
54 district shall consist of contiguous whole general election precincts.
55 Districts shall not overlap.

56

1 (II) ~~Second~~, Compliance with the federal "Voting Rights Act of
2 1965", in particular 42 U.S.C. sec. 1973; AND

3
4 "(b) MAY, WITHOUT WEIGHT TO ANY FACTOR, UTILIZE FACTORS
5 INCLUDING BUT NOT LIMITED TO:

6
7 ~~(HH) (I) Third, except when necessary to comply with~~
8 ~~subparagraph (I) or (II) of this paragraph (b) THE PRESERVATION OF~~
9 ~~political subdivisions such as counties, cities, and towns. shall be~~
10 ~~preserved intact and shall not be fragmented or dispersed across district~~
11 ~~lines. When applying this criterion, preservation of the most populous~~
12 ~~counties, cities, and towns shall take precedence. When county, city, or~~
13 ~~town boundaries are changed, adjustments, if any, in districts shall be as~~
14 ~~prescribed by law.~~

15
16 ~~(IV) (II) Fourth, THE PRESERVATION OF communities of interest,~~
17 ~~including ethnic, cultural, economic, trade area, geographic, and~~
18 ~~demographic factors. shall be preserved within a single district whenever~~
19 ~~possible. Traditional communities of interest in Colorado include the~~
20 ~~western slope and the eastern plains.~~

21
22 ~~(V) (III) Fifth, Each THE COMPACTNESS OF EACH congressional~~
23 ~~district; shall be as compact in area as possible, and the aggregate linear~~
24 ~~distance of all district boundaries shall be as short as possible; and~~

25
26 ~~(VI) (IV) Sixth, THE MINIMIZATION OF disruption of prior district~~
27 ~~lines. shall be minimized."~~

28
29 Page 3, strike lines 1 through 10.

30
31 Page 1, line 101, strike "THE REPEAL OF".

32
33
34
35 **HB10-1409** be amended as follows, and as so amended, be referred to
36 the Committee on Appropriations with favorable
37 recommendation:

38
39 Amend printed bill, page 6, line 25, strike "FOR THE".

40
41 Page 6, strike line 26 and substitute "ON JANUARY 1, 2011:".

42
43 Page 6, line 27, strike "IN THE STATE PERSONNEL".

44
45 Page 7, line 1, strike "SYSTEM" and substitute "DESCRIBED IN
46 SUBPARAGRAPH (II) OF THIS PARAGRAPH (g)".

47
48 Page 7, line 5, strike "IN THE STATE PERSONNEL".

49
50 Page 7, line 6, strike "SYSTEM" and substitute "DESCRIBED IN
51 SUBPARAGRAPH (II) OF THIS PARAGRAPH (g)".

52
53 Page 7, strike line 10 and substitute:

54 "(II) ON OR AFTER JANUARY 1, 2011, FOR THE 2010-11 FISCAL
55 YEAR AND ON OR AFTER JANUARY 1, 2012, FOR THE 2011-12 FISCAL
56 YEAR:".

1 Page 7, line 27, strike "POSITIONS," and substitute "POSITIONS OR ANY
2 OTHER SAVINGS IN SUCH APPROPRIATION FOR PERSONAL SERVICES,".

3
4 Page 9, line 8, strike "2013," and substitute "2012,".

5
6
7
8 **HJR10-1022** be referred out for final action.

9
10
11
12 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
13 **on HB10-1383**

14
15 This Report Adopts the Rerevised Bill.

16
17 To the President of the Senate and the
18 Speaker of the House of Representatives:

19
20 Your first conference committee appointed on HB10-1383, concerning
21 funding for student financial aid for higher education, and making an
22 appropriation therefor, has met and reports that it has agreed upon the
23 following:

24
25 That the House accede to the Senate amendments made to the bill
26 and that the rerevised bill be adopted without change.

27
28 Respectfully submitted,
29 House Committee: Senate Committee:
30 (signed) (signed)
31 Jack Pommer Al White
32 Mark Ferrandino Abel Tapia
33 Kent D. Lambert Moe Keller

34
35
36
37
38 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
39 **on HB10-1388**

40
41 This Report Amends the Rerevised Bill.

42
43 To the President of the Senate and the
44 Speaker of the House of Representatives:

45
46 Your first conference committee appointed on HB10-1388,
47 concerning the augmentation of the general fund through transfers of
48 certain moneys, has met and reports that it has agreed upon the following:

49
50 That the House accede to the Senate amendments made to the bill,
51 as the amendments appear in the rerevised bill, with the following
52 changes:

53
54 Amend rerevised bill, page 3, strike line 27.

1 Page 4, strike lines 1 through 15.
2
3 Renumber succeeding sections accordingly.

4
5 Respectfully submitted,
6 House Committee: Senate Committee:
7 (signed) (signed)
8 Mark Ferrandino Abel Tapia
9 Jack Pommer Moe Keller
10 Kent D. Lambert Al White

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13
14 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

15
16 The Speaker has signed: **HB10-1017, 1029, 1164, 1229, 1259, 1276,**
17 **1377, 1380, 1382, 1389.**

18
19
20
21 **MESSAGE(S) FROM THE SENATE**

22
23 The Senate has passed on Third Reading and transmitted to the Revisor
24 of Statutes: SB10-194.

25
26 The Senate has passed on Third Reading and transmitted to the Revisor
27 of Statutes:

28
29 SB10-064 amended as printed in Senate Journal, April 27, 2010,
30 page 1038.
31 SB10-184 amended as printed in Senate Journal, April 27, 2010,
32 page 1039.

33
34 The Senate has passed on Third Reading and transmitted to the Revisor
35 of Statutes:

36
37 HB10-1362 amended as printed in Senate Journal, April 27, 2010,
38 page 1037.
39 HB10-1224 amended as printed in Senate Journal, April 27, 2010,
40 page 1038.
41 HB10-1260 amended as printed in Senate Journal, April 27, 2010,
42 pages 1037-1038 and April 28, 2010.
43 HB10-1348 amended as printed in Senate Journal, April 26, 2010,
44 page 1020.
45 HB10-1035 amended as printed in Senate Journal, April 27, 2010,
46 page 1040.
47 HB10-1125 amended as printed in Senate Journal, April 27, 2010,
48 page 1040.
49 HB10-1335 amended as printed in Senate Journal, April 27, 2010,
50 page 1040.
51 HB10-1330 amended as printed in Senate Journal, April 27, 2010,
52 page 1041.
53 HB10-1106 amended as printed in Senate Journal, April 27, 2010,
54 pages 1041-1042.
55 HB10-1053 amended as printed in Senate Journal, April 27, 2010,
56 page 1042.

1 HB10-1333 amended as printed in Senate Journal, April 27, 2010,
2 pages 1042-1043.
3

4 The Senate has passed on Third Reading and returns herewith:
5

6 HB10-1359, HB10-1267, HB10-1045, HB10-1291, HB10-1243,
7 HB10-1051, HB10-1363, HB10-1341, HB10-1210, HB10-1161,
8 HB10-1228.
9

10 The Senate has adopted the First Report of the First Conference
11 Committee on HB10-1383, as printed in Senate Journal, April 21, 2010,
12 pages 967-968. The bill is returned herewith.
13

14 The Senate has adopted the First Report of the First Conference
15 Committee on HB10-1388, as printed in Senate Journal, April 21, 2010,
16 page 968. The bill is returned herewith.
17

18 The Senate voted to reject the First Report of the First Conference
19 Committee on HB10-1098, as printed in Senate Journal, April 21, 2010,
20 pages 969-970, and to adhere to its position. The bill is returned
21 herewith.
22

23 24 25 MESSAGE(S) FROM THE REVISOR

26
27 We herewith transmit:
28 Without comment, SB10-194.
29 Without comment, as amended, HB10-1362, 1224, 1260, 1348, 1035,
30 1125, 1335, 1330, 1106, 1053, and 1333.
31 Without comment, as amended, SB10-064 and 184.
32

33 34 35 INTRODUCTION OF BILLS 36 First Reading

37
38 The following bills were read by title and referred to the committees
39 indicated:
40

41 **HB10-1427** by Representative(s) Todd, Hullinghorst, Kerr A., Levy,
42 Primavera, Solano, Summers, Ryden; also Senator(s)
43 Heath, Bacon, Hodge, Hudak, King K., Williams--
44 Concerning the authority of institutions of higher
45 education to offer group benefit coverage to employees of
46 the institution who are in the state personnel system.

47 Committee on Education
48

49 **HB10-1428** by Representative(s) Middleton; also Senator(s) Romer--
50 Concerning student loans.

51 Committee on Education
52

53 **HB10-1429** by Representative(s) Weissmann, Judd--Concerning the
54 legislative review of tax benefits.

55 Committee on Finance
56

- 1 **SB10-011** by Senator(s) Carroll M., Hodge, Tochtrop; also
 2 Representative(s) Miklosi, Pace, Ryden--Concerning
 3 measures to reduce conflicts of interest in workers'
 4 compensation cases.
 5 Committee on Judiciary
 6
- 7 **SB10-064** by Senator(s) Bacon; also Representative(s) Merrifield--
 8 Concerning authorization for an institution of higher
 9 education to apply for stipends from the college
 10 opportunity fund, and making an appropriation therefor.
 11 Committee on Education
 12
- 13 **SB10-184** by Senator(s) Romer and Gibbs, Penry, Schwartz, Hodge,
 14 Kopp, Williams, Bacon, Boyd, Carroll M., Foster, Heath,
 15 Hudak, Johnston, Kester, Lundberg, Mitchell, Morse,
 16 Newell, Renfroe, Scheffel, Schultheis, Shaffer B., Spence,
 17 Steadman, Tapia, Tochtrop, Whitehead; also
 18 Representative(s) Scanlan and King S., Casso, Court,
 19 Curry, Ferrandino, Fischer, Frangas, Kerr A., Kerr J.,
 20 Levy, Looper, Massey, McCann, McFadyen, Miklosi,
 21 Pace, Peniston, Pommer, Primavera, Rice, Schafer S.,
 22 Soper, Swalm, Todd, Tyler--Concerning transportation
 23 demand management solutions for traffic congestion in the
 24 interstate 70 mountain corridor, and, in connection
 25 therewith, authorizing the high-performance transportation
 26 enterprise to contract with the department of transportation
 27 to provide and operate reversible highway lanes within a
 28 specified portion of the corridor.
 29 Committee on Transportation & Energy
 30
- 31 **SB10-194** by Senator(s) Boyd; also Representative(s) Riesberg--
 32 Concerning the requirement that entities operating
 33 pursuant to certain federal waivers that provide certain
 34 services to persons with developmental disabilities obtain
 35 licensure as home care agencies.
 36 Committee on Health and Human Services
 37

INTRODUCTION OF RESOLUTIONS

- 38
- 39
- 40
- 41 The following resolutions were read by title and laid over one day under
 42 the rules:
 43
- 44 **HJR10-1033** by Representative(s) McKinley, Apuan, Casso,
 45 Hullinghorst, Kefalas, Labuda, McFadyen, Miklosi, Pace,
 46 Soper; also Senator(s) Tochtrop--Concerning measures to
 47 protect the health and safety of visitors to the Rocky Flats
 48 National Wildlife Refuge, and, in connection therewith,
 49 memorializing Congress to provide informed consent
 50 information to persons entering areas of Rocky Flats that
 51 are under federal control.
 52
- 53 **HJR10-1034** by Representative(s) Acree, Carroll T., Gerou, Priola,
 54 Roberts, Stephens; also Senator(s) Spence--Concerning
 55 stroke awareness.
 56
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NOTICE OF CALENDARED ITEM(S)

On motion of Representative Weissmann, the following bill(s) will be calendared for Second Reading on April 29, 2010: **HB10-1425, SB10-186, HB10-1401, 1408.**

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until April 29, retaining place on Calendar:

Consideration of Conference Committee Report(s)--**HB10-1021, SB10-109.**

Consideration of Resolution(s)---**HJR10-1020, SJR10-025, HJR10-1023, 1019, 1024, 1025, 1026, 1027, 1028, 1029, 1032.**

Consideration of Senate Amendment(s)--**HB10-1133, 1060, 1221, 1342.**

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., April 29, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk