

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

One hundred-fourth Legislative Day Monday, April 26, 2010

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Michael Ranson, Thomas Edison State
6 College.
7
8 The roll was called with the following result:
9
10 Present--63.
11 Excused--Representative(s) Middleton, Sonnenberg--2.
12 Present after roll call--Representative(s) Middleton, Sonnenberg.
13

14 The Speaker declared a quorum present.
15
16

17 On motion of Representative Murray, the reading of the journal of
18 April 23, 2010, was declared dispensed with and approved as corrected
19 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 **HB10-1032** by Representative(s) Frangas, Apuan, Massey; also
29 Senator(s) Boyd, Foster, Schwartz--Concerning behavioral
30 health crisis response services.
31

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

	YES	59	NO	6	EXCUSED	0	ABSENT	0
38	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
39	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
40	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
41	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
42	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
43	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	N	Summers	Y
3	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
4	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
5	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
6	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
7	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
8	Gagliardi	Y	Massey	Y	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 Co-sponsor(s) added: Representative(s) Casso, Gerou, Kagan, Labuda,
 13 Merrifield, Pommer, Todd, Vigil.

14
 15 **HB10-1373** by Representative(s) Carroll T.; also Senator(s) Hudak--
 16 Concerning changes to sentencing provisions for escape
 17 crimes.

18
 19 The question being "Shall the bill pass?".
 20 A roll call vote was taken. As shown by the following recorded vote, a
 21 majority of those elected to the House voted in the affirmative and the bill
 22 was declared **passed**.

23	YES	58	NO	7	EXCUSED	0	ABSENT	0
24								
25	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
28	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
30	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
32	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
33	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
34	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
37	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
38	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
39	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
40	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Court, Fischer, Labuda, Levy, McCann,
 43 Merrifield, Middleton, Ryden, Todd, Tyler, Vigil.

44
 45 **SB10-153** by Senator(s) Boyd; also Representative(s) Frangas--
 46 Concerning behavioral health transformation.

47
 48 The question being "Shall the bill 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 bill
 51 was declared **passed**.

52	YES	38	NO	27	EXCUSED	0	ABSENT	0
53								
54	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
55	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
56	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y

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

15 Co-sponsor(s) added: Representative(s) Casso, Fischer, Labuda, Middleton,
 16 Riesberg, Solano, Todd, Tyler.

17
 18 **SB10-159** by Senator(s) Foster; also Representative(s) Miklosi--
 19 Concerning defendant's statements at a community
 20 corrections hearing.

21
 22 The question being "Shall the bill pass?".
 23 A roll call vote was taken. As shown by the following recorded vote, a
 24 majority of those elected to the House voted in the affirmative and the bill
 25 was declared **passed**.

26	YES	65	NO	0	EXCUSED	0	ABSENT	0
28	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
29	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
30	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
31	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
32	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
33	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
34	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
35	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
36	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
37	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
38	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
39	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
40	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
41	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
42	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
43	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Apuan, Court, Kagan, Labuda, Pace,
 46 Todd, Vigil, Speaker.

47
 48 **HB10-1181** by Representative(s) Todd; also Senator(s) Bacon--
 49 Concerning adjustments to the administration of the
 50 department of personnel, and making an appropriation
 51 therefor.

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	58	NO	7	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
5	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
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	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

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

20
 21 **HB10-1400** by Representative(s) Apuan, Ferrandino; also Senator(s)
 22 Johnston, Steadman--Concerning refund anticipation loan
 23 facilitators, and, in connection therewith, requiring refund
 24 anticipation loan facilitators to be registered as electronic
 25 return originators with the federal internal revenue service
 26 and to make certain disclosures when facilitating refund
 27 anticipation loans.

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

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

	YES	42	NO	23	EXCUSED	0	ABSENT	0
35	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
36	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
37	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
38	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
39	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
40	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
41	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
42	Court	Y	King S.	N	Nikkel	N	Summers	N
43	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
44	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
45	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
46	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
47	Frangas	Y	Looper	N	Priola	Y	Vaad	N
48	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
49	Gardner B.	N	May	N	Riesberg	Y	Waller	N
50	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Casso, Fischer, Frangas, Labuda, Levy,
 53 Merrifield, Middleton, Pommer, Primavera, Ryden, Schafer S., Speaker.

54
 55

1 **HB10-1019** by Representative(s) Frangas, Fischer, McFadyen,
 2 Merrifield, Primavera, Tyler; also Senator(s) Williams,
 3 Gibbs, Romer--Concerning parking privileges for people
 4 with disabilities, and making an appropriation therefor.
 5

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

	YES	58	NO	7	EXCUSED	0	ABSENT	0
12	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
14	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
15	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
19	Court	Y	King S.	Y	Nikkel	N	Summers	Y
20	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
21	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
22	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
26	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
27	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Apuan, Court, Kefalas, Labuda,
 30 Middleton, Pace, Pommer, Riesberg, Ryden, Soper, Todd, Vigil.

31
 32 **HB10-1103** by Representative(s) Todd; also Senator(s) Steadman--
 33 Concerning the creation of the relief fund for children with
 34 a catastrophic medical condition, and making an
 35 appropriation therefor.
 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	38	NO	27	EXCUSED	0	ABSENT	0
43	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
46	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
48	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
50	Court	Y	King S.	N	Nikkel	N	Summers	N
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
52	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
53	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	N	Priola	Y	Vaad	N
56	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y

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

4 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Fischer, Frangas,
 5 Gagliardi, Hullinghorst, Kagan, Kefalas, Labuda, Merrifield, Middleton, Pace,
 6 Peniston, Pommer, Primavera, Ryden, Schafer S., Soper, Tyler, Vigil.

7
 8 **HB10-1349** by Representative(s) Fischer and Pace; also Senator(s)
 9 Schwartz and Tapia--Concerning the use of renewable
 10 energy resources to supply the energy needs of state
 11 government, and, in connection therewith, commissioning
 12 the creation of a statewide map of available renewable
 13 energy generation areas on state lands and establishing the
 14 "Re-energize Colorado" program in the division of parks
 15 and outdoor recreation in the department of natural
 16 resources, and making an appropriation therefor.

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

41 Co-sponsor(s) added: Representative(s) Curry, Ferrandino, Frangas,
 42 Hullinghorst, Kefalas, Labuda, McFadyen, Merrifield, Middleton, Pommer,
 43 Ryden, Soper, Todd, Vigil.

44
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 47
 48 On motion of Representative Middleton, the House resolved itself into
 49 Committee of the Whole for consideration of General Orders, and she
 50 was called to the Chair to act as Chairman.

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GENERAL ORDERS--SECOND READING OF BILLS

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

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

On motion of Representative Weissmann the following bills were laid over until April 27, 2010: **HB10-1350, 1360, 1374.**

On motion of Representative Weissmann the following bills were laid over until April 28, 2010: **HCR10-1002, SB10-114, HB10-1390, HCR10-1004, HB10-1217, 1113.**

HB10-1357 by Representative(s) McFadyen and Judd, Carroll T., Vaad; also Senator(s) Romer and Boyd, Mitchell--
Concerning creation of a false claims act.

Amendment No. 1, Judiciary Report, dated March 18, 2010, and placed in member's bill file; Report also printed in House Journal, March 19, pages 861-862.

Amendment No. 2, Appropriations Report, dated April 16, 2010, and placed in member's bill file; Report also printed in House Journal, April 16, pages 1300-1301.

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

HB10-1200 by Representative(s) Hullinghorst; also Senator(s) Heath--
Concerning a temporary requirement that a taxpayer defer claiming any amount of an enterprise zone investment income tax credit that exceeds two hundred fifty thousand dollars.

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

SB10-162 by Senator(s) Heath; also Representative(s) Hullinghorst and May--Concerning modifications to the "Urban and Rural Enterprise Zone Act" to improve the accountability of income tax credits allowed by the act.

Amendment No. 1, by Representative(s) Hullinghorst.

Strike the Finance Committee Report, dated April 7, 2010, and substitute:

"Amend reengrossed bill, page 5, strike line 19 and substitute:

"(7) (a) BEGINNING ON JANUARY 1, 2012, BEFORE A TAXPAYER ENGAGES IN ANY ACTIVITY FOR WHICH THE".

Page 5 of the bill, strike lines 25 through 27.

1 Page 6 of the bill, strike lines 1 through 3 and substitute "SPECIFIED IN
2 THIS SUBSECTION (7). A TAXPAYER THAT COMPLETES AN ACTIVITY PRIOR
3 TO JANUARY 1, 2012, FOR WHICH THE TAXPAYER INTENDS TO CLAIM AN
4 INCOME TAX CREDIT PURSUANT TO THIS ARTICLE SHALL SUBMIT TO THE
5 ZONE ADMINISTRATOR ON OR BEFORE DECEMBER 31, 2012, ANY
6 INFORMATION RELATED TO SUCH COMPLETED ACTIVITY THAT IS
7 NECESSARY TO RECEIVE CERTIFICATION FROM THE ZONE ADMINISTRATOR
8 THAT THE TAXPAYER'S BUSINESS IS LOCATED IN THE ENTERPRISE ZONE.
9 NOTHING IN THIS SUBSECTION (7) SHALL BE CONSTRUED TO REQUIRE A
10 TAXPAYER TO SUBMIT A PRE-CERTIFICATION FORM TO THE ZONE
11 ADMINISTRATOR FOR ACTIVITIES COMPLETED PRIOR TO JANUARY 1, 2012.
12 IN CONNECTION".

13

14 Page 8, line 2, strike "AUTHORIZATION OR".

15

16 Page 9, line 12, strike "AUTHORIZED" and substitute "CERTIFIED".

17

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

20

21 **HB10-1285** by Representative(s) Priola, Casso, Kefalas, Looper,
22 McFadyen, Rice, Acree, Apuan, Bradford, Frangas, Kerr
23 A., Kerr J., Lambert, Liston, Massey, Middleton, Nikkel,
24 Schafer S., Stephens, Summers, Vaad, Waller; also
25 Senator(s) Tapia, Hudak, Hodge--Concerning an increase
26 in fines to fund tax incentives for commercial vehicles.

27

28 Amendment No. 1, Transportation & Energy Report, dated
29 March 9, 2010, and placed in member's bill file; Report also printed in
30 House Journal, March 10, pages 733-734.

31

32 Amendment No. 2, Finance Report, dated April 14, 2010, and placed in
33 member's bill file; Report also printed in House Journal, April 15,
34 pages 1250-1253.

35

36 Amendment No. 3, Appropriations Report, dated April 23, 2010, and
37 placed in member's bill file; Report also printed in House Journal,
38 April 23, pages 1402-1403.

39

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

42

43 **HB10-1402** by Representative(s) Riesberg, McFadyen; also Senator(s)
44 Bacon, Schwartz--Concerning legislative authorization of
45 a privately run fund-raising campaign using cause-related
46 marketing for the essential restoration of the cast iron
47 structure of the Colorado state capitol dome.

48

49 Amendment No. 1, Appropriations Report, dated April 23, 2010, and
50 placed in member's bill file; Report also printed in House Journal,
51 April 23, page 1405.

52

53 Amendment No. 2, by Representative(s) Riesberg.

54

55 Amend the printed bill, page 8, after line 5, insert the following:

56

1 "(c) IF A GRANT IS MADE BY THE STATE HISTORICAL SOCIETY FROM
2 THE STATE HISTORICAL FUND FOR THE CAPITOL DOME RESTORATION
3 PROJECT, THE ADMINISTRATIVE FEE RETAINED BY THE NONPROFIT,
4 STATEWIDE HISTORIC PRESERVATION ORGANIZATION AS A COMMISSION
5 FOR CONDUCTING THE CAUSE-RELATED FUND-RAISING PROGRAM SHALL
6 NOT APPLY TO SUCH GRANT."
7

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

11
12
13 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**
14

15 Passed Second Reading: **HB10-1357 amended, 1200, SB10-162**
16 **amended, HB10-1285 amended, 1402 amended.**
17

18 Laid over until date indicated retaining place on Calendar: **HB10-1350,**
19 **1360, 1374--April 27, 2010.**
20 **HCR10-1002, SB10-114, HB10-1390, HCR10-1004, HB10-1217,**
21 **1113--April 28, 2010.**
22

23 The Chairman moved the adoption of the Committee of the Whole
24 Report. As shown by the following roll call vote, a majority of those
25 elected to the House voted in the affirmative, and the Report was
26 **adopted.**
27

	YES	59	NO	4	EXCUSED	2	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	E	Schafer S.	Y
32	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
33	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
34	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
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	N	Lambert	Y	Peniston	Y	Tipton	N
39	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
40	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
41	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
42	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
43	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
44	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
45							Speaker	Y

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49 House in recess. House reconvened.
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REPORT(S) OF COMMITTEE(S) OF REFERENCE**JUDICIARY**

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

HB10-1404 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, strike lines 9 and 10 and substitute "24-30-1001, IS HEREBY TRANSFERRED TO AND ESTABLISHED IN THE JUDICIAL DEPARTMENT AS AN INDEPENDENT AGENCY, EFFECTIVE ON THE EFFECTIVE DATE OF THIS PARAGRAPH (a),".

Page 3, strike lines 22 through 27 and substitute "WITH THE AGENCY AND SHALL BECOME AN EMPLOYEE OF THE AGENCY.".

Page 4, strike lines 1 through 8 and substitute:

"SECTION 2. Repeal. 24-18-111, Colorado Revised Statutes, is repealed as follows:

24-18-111. Powers of the secretary of state. ~~(1) The secretary of state may:~~

~~(a) Issue advisory opinions to persons subject to the provisions of this article concerning issues relating to the requesting person's conduct and the provisions of this article with such deletions as are necessary to protect the identity of the requesting party or the party about whom the opinion is written;~~

~~(b) Keep and permit reasonable public access to voluntary disclosure statements;~~

~~(c) Make rules for the conduct of his affairs under this part 1.~~

~~(2) Any advisory opinion issued by the secretary of state shall take priority over any comment issued by the board of ethics for the executive branch pursuant to section 24-18-112 or any opinion issued by the board of ethics for the general assembly pursuant to section 24-18-113 if the comment or the opinion covers the same circumstances and the same issues as covered by the opinion of the secretary of state and if the comment or the opinion reached a separate conclusion from that reached by the opinion of the secretary of state."~~

Renumber succeeding section accordingly.

SB10-156 be referred to the Committee of the Whole with favorable recommendation.

- 1 **HB10-1425** by Representative(s) Miklosi--Concerning the exemption
 2 from the postretirement employment limit for certain
 3 employees of the Denver public school district who are
 4 retirees of the public employees' retirement association.
 5 Committee on Finance
 6
- 7 **HB10-1426** by Representative(s) Riesberg and Todd--Concerning
 8 creation of a separate fund for the Trinidad state nursing
 9 home.
 10 Committee on Health and Human Services
 11
- 12 **SB10-190** by Senator(s) White and Keller, Tapia; also
 13 Representative(s) Riesberg and Pommer--Concerning the
 14 suspension of the property tax exemption for qualifying
 15 seniors for specified property tax years, and making an
 16 appropriation therefor.
 17 Committee on Appropriations
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22 INTRODUCTION OF CONCURRENT RESOLUTIONS

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 24 The following resolutions were read by title and referred to the
 25 committees indicated:
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- 27 **HCR10-1006** by Representative(s) McNulty, Acree, Bradford, Gardner
 28 B., Gardner C., Gerou, Kerr J., Lambert, May, Nikkel,
 29 Waller; also Senator(s) Brophy, Penry, Scheffel, Harvey--
 30 Submitting to the registered electors of the state of
 31 Colorado an amendment to section 20 of article X of the
 32 constitution of the state of Colorado, concerning prior
 33 voter approval for a tax policy change directly causing a
 34 net tax revenue gain to any district.
 35 Committee on State, Veterans, & Military Affairs
 36 Committee on Finance
 37 Committee on Appropriations
 38
- 39 **HCR10-1007** by Representative(s) Sonnenberg--Submitting to the
 40 registered electors of the state of Colorado an amendment
 41 to section 3 of article XXVII of the constitution of the
 42 state of Colorado, concerning the transfer of all available
 43 net proceeds of every state-supervised lottery game
 44 operated under the authority of section 2 of article XVIII
 45 of said constitution to the state education fund created in
 46 section 17 (4) of article IX of said constitution if the
 47 general assembly declares a state fiscal emergency.
 48 Committee on Education
 49 Committee on State, Veterans, & Military Affairs
 50
- 51 **HCR10-1008** by Representative(s) Lambert, Baumgardner, Bradford,
 52 DelGrosso, Gardner B., Gardner C., King S., Liston,
 53 Priola, Sonnenberg, Waller; also Senator(s) Schultheis,
 54 Brophy, Harvey, King K., Lundberg, Mitchell, Renfroe,
 55 Scheffel--Submitting to the registered electors of the state
 56 of Colorado an amendment to section 33 of article V of the

1 constitution of the state of Colorado, concerning a
2 requirement that all expenditures by the state be subject to
3 appropriation by the general assembly.
4 Committee on Appropriations

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APPOINTMENTS TO CONFERENCE COMMITTEE(S)

10 The Speaker appointed House conferees to the First Conference
11 Committee as follows:

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HB10-1188--Representatives Curry, Chairman, Scanlan and Sonnenberg

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LAY OVER OF CALENDAR ITEM(S)

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On motion of Representative McFadyen, the following item(s) on the
Calendar (was)were laid over until April 27, retaining place on Calendar:

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Consideration of Conference Committee Report(s)---**HB10-1099, 1021,
SB10-109.**

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Consideration of Resolution(s)--**HJR10-1020, 1021, SJR10-025,
HJR10-1023, 1019, 1024, 1025, 1026, 1027, 1028, 1029.**

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Consideration of Senate Amendment(s)--**HB10-1118, 1133, 1147, 1149,
1328, 1160, 1332.**

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On motion of Representative McFadyen, the House adjourned until
9:00 a.m., April 27, 2010.

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Approved:
TERRANCE D. CARROLL,
Speaker

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Attest:
MARILYN EDDINS,
Chief Clerk

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