

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

Seventy-third Legislative Day

Friday, March 26, 2010

1 Prayer by Pastor Mark Phillips, Berean Bible Church, Haxtun.  
 2  
 3 The Speaker called the House to order at 9:00 a.m.  
 4  
 5 Pledge of Allegiance led by Logan Sainsbury, Eagle View Elementary,  
 6 Thornton.  
 7  
 8 The roll was called with the following result:  
 9  
 10 Present--62.  
 11 Excused--Representative(s) Acree, Middleton, Vaad--3.

12  
 13 The Speaker declared a quorum present.

14 \_\_\_\_\_  
 15  
 16 On motion of Representative King, the reading of the journal of  
 17 March 25, 2010, was declared dispensed with and approved as corrected  
 18 by the Chief Clerk.  
 19 \_\_\_\_\_  
 20

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

21  
 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 **HB10-1372** by Representative(s) Ferrandino, Pommer, Lambert; also  
 29 Senator(s) White, Keller, Tapia--Concerning changes to  
 30 the appropriations sections of House Bill 09-1293 related  
 31 to a hospital provider fee.  
 32

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

37  
 38

YES	36	NO	25	EXCUSED	4	ABSENT	0
Acree	E	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	N

39  
 40  
 41  
 42  
 43

1	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
2	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
3	Court	Y	King S.	N	Nikkel	N	Summers	N
4	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
5	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
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	E
9	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
10	Gardner B.	N	May	N	Riesberg	Y	Waller	N
11	Gardner C.	N	McCann	E	Roberts	N	Weissmann	Y
12							Speaker	Y

13 Co-sponsor(s) added: Representative(s) Casso, Fischer, Labuda, Riesberg

14  
 15 **HB10-1355** by Representative(s) Gagliardi, Merrifield; also Senator(s)  
 16 Kopp--Concerning the off-label use of a prescription drug  
 17 for a specific type of cancer for which the drug is  
 18 recognized for treatment in the reference compendia as  
 19 identified by the secretary of the United States department  
 20 of health and human services.

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	61	NO	0	EXCUSED	4	ABSENT	0
28	Acree	E	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	E	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	E
41	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
42	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
43	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Apuan, Court, Fischer, Gerou, Kefalas,  
 46 Kerr J., Labuda, Primavera, Riesberg, Schafer S., Soper, Todd, Vigil

47  
 48 **HB10-1278** by Representative(s) Ryden; also Senator(s) Carroll M.--  
 49 Concerning the creation of an ombudsman for matters  
 50 arising under the "Colorado Common Interest Ownership  
 51 Act", and making an appropriation 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	33	NO	28	EXCUSED	4	ABSENT	0
1								
2	Acree	E	Gerou	N	McFadyen	Y	Ryden	Y
3	Apuan	N	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	E	Sonnenberg	N
7	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
9	Court	Y	King S.	N	Nikkel	N	Summers	N
10	Curry	Y	Labuda	N	Pace	Y	Swalm	N
11	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
12	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	N	Priola	N	Vaad	E
15	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
16	Gardner B.	N	May	N	Riesberg	Y	Waller	N
17	Gardner C.	N	McCann	E	Roberts	N	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Casso, Tyler

20  
 21 **SB10-154** by Senator(s) Sandoval; also Representative(s) Middleton-  
 22 -Concerning adding categories to the definition of a “high-  
 23 risk student” for purposes of determining whether a public  
 24 school qualifies for designation as an alternative education  
 25 campus.  
 26

27 Laid over until March 31, retaining place on Calendar.  
 28

29 **SB10-038** by Senator(s) Hodge; also Representative(s) Fischer--  
 30 Concerning the “organic certification act”, and, in  
 31 connection therewith, authorizing the commissioner of  
 32 agriculture to contract with independent organics  
 33 inspectors and altering the composition of the organic  
 34 certification advisory board, and making an appropriation  
 35 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**.  
 41

	YES	61	NO	0	EXCUSED	4	ABSENT	0
43	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
46	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
48	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
53	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
56	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

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

4 Co-sponsor(s) added: Representative(s) Apuan, Curry, Frangas, Merrifield,  
5 Vigil

6  
7 **SB10-140** by Senator(s) Mitchell, Shaffer B., Carroll M., Spence;  
8 also Representative(s) McCann--Concerning human  
9 trafficking.

10  
11 Laid over until March 29, retaining place on Calendar.

12  
13 **SB10-041** by Senator(s) Bacon; also Representative(s) Nikkel--  
14 Concerning technical modifications to statutory provisions  
15 governing campaign finance.

16  
17 The question being "Shall the bill pass?".  
18 A roll call vote was taken. As shown by the following recorded vote, a  
19 majority of those elected to the House voted in the affirmative and the bill  
20 was declared **passed**.

21	YES	61	NO	0	EXCUSED	4	ABSENT	0
23	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
24	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
25	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
26	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
27	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
28	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
29	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
30	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
31	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
32	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
33	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
34	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
35	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
36	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
37	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
38	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
39							Speaker	Y

40 Co-sponsor(s) added: Representative(s) Gerou, Kerr J., Lambert, Schafer S.,  
41 Summers

42  
43 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

44  
45 **HB10-1021** by Representative(s) Frangas and McCann; also Senator(s)  
46 Foster, Boyd--Concerning required coverages for  
47 reproductive services for health insurance policies.

48  
49 (Amended as printed in Senate Journal, March 11, pages 488 and mended  
50 on March 12, as printed in Senate Journal.)

51  
52 Representative Frangas moved that the House **not concur** in Senate  
53 amendments and that a Conference Committee be appointed with  
54 permission to go beyond the scope of the differences between the House  
55 and the Senate. The motion was declared **passed** by the following roll  
56 call vote:

	YES	56	NO	5	EXCUSED	4	ABSENT	0
1								
2	Acree	E	Gerou	N	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	E	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	N
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	Y	Vaad	E
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	N	McCann	E	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 The Speaker appointed Representatives Frangas, Chairman, McCann and  
20 Swalm as House conferees to the bill.

21

22 **HB10-1137** by Representative(s) Gardner B.; also Senator(s)  
23 Steadman--Concerning the use of people first language in  
24 the drafting of laws.

25

26 (Amended as printed in Senate Journal, March 16, page 555.)

27

28 Representative Gardner B., moved that the House **concur** in Senate  
29 amendments. The motion was declared **passed** by the following roll call  
30 vote:

31

	YES	58	NO	3	EXCUSED	4	ABSENT	0
33	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
35	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	N
38	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
48	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	N
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	59	NO	2	EXCUSED	4	ABSENT	0
1								
2	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	E	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	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	E
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	N
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Kerr J., Massey, McFadyen, Pace,  
20 Priola, Speaker

21

22 **HB10-1233** by Representative(s) Ryden; also Senator(s) Newell--  
23 Concerning the relocation of the crime of stalking in the  
24 Colorado Revised Statutes.

25

26 (Amended as printed in Senate Journal, March 16, page 555.)

27

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

31

	YES	61	NO	0	EXCUSED	4	ABSENT	0
33	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
35	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
38	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
48	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
49							Speaker	Y

50

51

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

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

56

	YES	61	NO	0	EXCUSED	4	ABSENT	0
1								
2	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	E	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	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	E
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Fischer, Gerou, Labuda, Todd.

20  
 21 **HB10-1245** by Representative(s) Liston, Balmer; also Senator(s)  
 22 Johnston--Concerning the continuation of the regulation of  
 23 boxing by the boxing commission.

24  
 25 (Amended as printed in Senate Journal, March 16, page 551.)

26  
 27 Representative Liston moved that the House **concur** in Senate  
 28 amendments. The motion was declared **passed** by the following roll call  
 29 vote:

	YES	58	NO	3	EXCUSED	4	ABSENT	0
31								
32	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
33	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
34	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
35	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	Y
36	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	N
37	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
38	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
39	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
40	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
41	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
42	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
43	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
44	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
45	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
46	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
47	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	N
48							Speaker	Y

49  
 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	60	NO	1	EXCUSED	4	ABSENT	0
1								
2	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	E	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	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	N	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Gardner B., Gerou, Levy

20  
 21 **HB10-1010** by Representative(s) Ferrandino, Court, Gerou; also  
 22 Senator(s) Morse, Brophy, Heath--Concerning  
 23 authorization for agencies of the state to enter into public-  
 24 private initiative agreements with nonprofit entities.

25  
 26 (Amended as printed in Senate Journal, March 19, page 607.)

27  
 28 Representative Ferrandino moved that the House **concur** in Senate  
 29 amendments. The motion was declared **passed** by the following roll call  
 30 vote:

	YES	61	NO	0	EXCUSED	4	ABSENT	0
33	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
35	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
38	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
48	Gardner C.	Y	McCann	E	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	60	NO	1	EXCUSED	4	ABSENT	0
1								
2	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	E	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	Y	Vaad	E
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Merrifield, Pommer, Summers

20  
 21 **HB10-1132** by Representative(s) Gardner B., McNulty, Nikkel,  
 22 Waller; also Senator(s) Hodge--Concerning the production  
 23 of records by a business in a criminal matter.  
 24

25 (Amended as printed in Senate Journal, March 19, page 605.)

26  
 27 Representative Gardner B., moved that the House **concur** in Senate  
 28 amendments. The motion was declared **passed** by the following roll call  
 29 vote:  
 30

	YES	61	NO	0	EXCUSED	4	ABSENT	0
31								
32	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
33	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
34	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
35	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
36	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
37	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
38	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
39	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
40	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
41	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
42	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
43	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
44	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
45	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
46	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
47	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
48							Speaker	Y
49								

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

19 Co-sponsor(s) added: Representative(s) Gerou, King S.

20  
 21 **HB10-1135** by Representative(s) Ryden, Benefield, Court, Gagliardi,  
 22 Hullinghorst, Labuda, Looper, McCann, Middleton,  
 23 Peniston, Primavera, Schafer S., Solano, Todd; also  
 24 Senator(s) Hudak and Newell, Boyd, Spence, Williams--  
 25 Concerning the definition of domestic violence when  
 26 determining the best interests of a child.

27  
 28 (Amended as printed in Senate Journal, March 19, pages 606-607.)

29  
 30 Representative Ryden moved that the House **concur** in Senate  
 31 amendments. The motion was declared **passed** by the following roll call  
 32 vote:

	YES	61	NO	0	EXCUSED	4	ABSENT	0
35	Acree	E	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	E	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	E
48	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
49	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
50	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
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	0	EXCUSED	4	ABSENT	0
1								
2	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	E	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	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	E
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Apuan, Gardner B., Kerr J., Miklosi

20  
 21 **HB10-1044** by Representative(s) Carroll T., Todd, Benefield, Kefalas,  
 22 Massey, McNulty, Merrifield, Middleton, Roberts, Schafer  
 23 S., Stephens; also Senator(s) Steadman--Concerning the  
 24 licensure of neighborhood youth organizations.

25  
 26 (Amended as printed in Senate Journal, March 22, pages 634-635.)

27  
 28 Representative Carroll T., moved that the House **concur** in Senate  
 29 amendments. The motion was declared **passed** by the following roll call  
 30 vote:

	YES	61	NO	0	EXCUSED	4	ABSENT	0
31								
32								
33	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
35	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
38	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
48	Gardner C.	Y	McCann	E	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**.

	YES	58	NO	3	EXCUSED	4	ABSENT	0
1								
2	Acree	E	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	E	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	Y	Vaad	E
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Gerou

20  
 21 **HB10-1211** by Representative(s) Tyler; also Senator(s) Williams--  
 22 Concerning a reduction in the amount of the penalty for  
 23 late vehicle registration of a vehicle without motive power  
 24 that weighs two thousand pounds or less.  
 25

26 (Amended as printed in Senate Journal, March 22, pages 633-634.)

27  
 28 Representative Tyler moved that the House **adhere** to its position. A  
 29 substitute motion by Representative Murray that the House **concur** in  
 30 Senate amendments was declared **lost** by the following roll call vote:  
 31

	YES	28	NO	33	EXCUSED	4	ABSENT	0
33	Acree	E	Gerou	Y	McFadyen	N	Ryden	N
34	Apuan	Y	Hullinghorst	N	McKinley	Y	Scanlan	N
35	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
36	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
37	Benefield	N	Kefalas	N	Middleton	E	Sonnenberg	Y
38	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
39	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	N	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	N	Pace	N	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
43	Ferrandino	N	Levy	N	Pommer	N	Todd	N
44	Fischer	N	Liston	Y	Primavera	N	Tyler	N
45	Frangas	N	Looper	Y	Priola	Y	Vaad	E
46	Gagliardi	N	Massey	Y	Rice	N	Vigil	N
47	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
48	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	N
49							Speaker	N

50  
 51  
 52 A second substitute motion by Representative May that the House **not**  
 53 **concur** in Senate amendments and that a Conference Committee be  
 54 appointed was declared **lost** by the following roll call vote:  
 55

	YES	28	NO	33	EXCUSED	4	ABSENT	0
1								
2	Acree	E	Gerou	Y	McFadyen	N	Ryden	N
3	Apuan	Y	Hullinghorst	N	McKinley	Y	Scanlan	N
4	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
5	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
6	Benefield	N	Kefalas	N	Middleton	E	Sonnenberg	Y
7	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
8	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	N	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	N	Pace	N	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
12	Ferrandino	N	Levy	N	Pommer	N	Todd	N
13	Fischer	N	Liston	Y	Primavera	N	Tyler	N
14	Frangas	N	Looper	Y	Priola	Y	Vaad	E
15	Gagliardi	N	Massey	Y	Rice	N	Vigil	N
16	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
17	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	N
18							Speaker	N
19								
20								

21 Representative Tyler's motion that the House **adhere** to its position was  
 22 declared **passed** by the following roll call vote:

	YES	33	NO	28	EXCUSED	4	ABSENT	0
25	Acree	E	Gerou	N	McFadyen	Y	Ryden	Y
26	Apuan	N	Hullinghorst	Y	McKinley	N	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	E	Sonnenberg	N
30	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
32	Court	Y	King S.	N	Nikkel	N	Summers	N
33	Curry	N	Labuda	Y	Pace	Y	Swalm	N
34	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
37	Frangas	Y	Looper	N	Priola	N	Vaad	E
38	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
39	Gardner B.	N	May	N	Riesberg	Y	Waller	N
40	Gardner C.	N	McCann	E	Roberts	N	Weissmann	Y
41							Speaker	Y
42								

43 **HB10-1212** by Representative(s) Rice; also Senator(s) Schwartz--  
 44 Concerning a requirement that the executive director of the  
 45 department of revenue promulgate rules that establish  
 46 circumstances in which a vehicle owner shall be exempted  
 47 from paying the late fee for late registration of a vehicle.  
 48

49 (Amended as printed in Senate Journal, March 22, page 633.)

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

	YES	59	NO	2	EXCUSED	4	ABSENT	0
55	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
56	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y

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

16

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

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

21

22

	YES	59	NO	2	EXCUSED	4	ABSENT	0
23	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
24	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
25	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
26	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
27	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
28	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
29	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
30	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
31	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
32	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
33	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
34	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
35	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
36	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
37	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
38	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
39							Speaker	Y

40 Co-sponsor(s) added: Representative(s) Kefalas, Kerr J., Priola, Vigil.

41

42

43

44

### MESSAGE(S) FROM THE SENATE

45

46 The Senate has adopted and transmits herewith: SJR10-024.

47

48

49

### INTRODUCTION AND CONSIDERATION OF RESOLUTION

50

51

52 On motion of Representative Weissmann, the rules were suspended and

53 the following resolution was given immediate consideration.

54

55 **SJR10-024** by Senator(s) Tapia; also Representative(s) Frangas--

56

Concerning recognition of "César Chávez Day".

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

2

3 On motion of Representative Frangas, the resolution was read at length  
4 and **adopted** by **viva voce** vote.

5

6 Co-sponsor(s) added: Representative(s) Apuan, Baumgardner, Benefield,  
7 Bradford, Casso, Court, Curry, Ferrandino, Fischer, Gagliardi, Gardner B.,  
8 Gerou, Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda,  
9 Levy, Liston, Massey, May, McFadyen, McKinley, McNulty, Merrifield,  
10 Miklosi, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts,  
11 Ryden, Scanlan, Schafer S., Solano, Soper, Stephens, Summers, Tipton, Todd,  
12 Tyler, Vigil, Waller, Weissmann, Speaker

13

14

15

16 On motion of Representative Gagliardi, the House resolved itself into  
17 Committee of the Whole for consideration of General Orders, and she  
18 was called to the Chair to act as Chairman.

19

20

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

22

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

27

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

30

31 **SB10-016** by Senator(s) Williams, Romer, Spence; also  
32 Representative(s) Vaad, Fischer, Frangas, King S.,  
33 McFadyen, McNulty, Merrifield, Tyler--Concerning  
34 modification of the manner in which a civil penalty  
35 assessment notice of toll evasion evidenced by automatic  
36 vehicle identification technology is provided to the owner  
37 of a vehicle so identified.

38

39 Laid over until April 1, retaining place on Calendar.

40

41 **SB10-099** by Senator(s) Cadman, Morse, Penry; also  
42 Representative(s) Weissmann--Concerning the acceptance  
43 by members of the general assembly from a joint  
44 governmental agency of this state of the payment of or  
45 reimbursement for certain expenses related to the  
46 member's attendance at a meeting of the joint  
47 governmental agency.

48

49 Amendment No. 1, State, Veterans, & Military Affairs Report, dated  
50 March 18, 2010, and placed in member's bill file; Report also printed in  
51 House Journal, March 19, page 862.

52

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

54

55 Amend reengrossed bill, page 5, line 1, after "MEETING;" insert "EXCEPT  
56 THAT NOTHING IN THIS SUB-SUBPARAGRAPH (C) SHALL PROHIBIT A

1 MEMBER FROM EXTENDING THE DURATION OF HIS OR HER STAY LONGER  
2 THAN IS REASONABLY NECESSARY AT THE MEMBER'S OWN EXPENSE;".

3  
4 As amended, ordered revised and placed on the Calendar for Third  
5 Reading and Final Passage.

6  
7 **HB10-1348** by Representative(s) McFadyen, Massey; also Senator(s)  
8 Kester and Bacon--Concerning increased regulatory  
9 authority regarding radioactive materials.

10  
11 Laid over until April 1, retaining place on Calendar.

12  
13 **SB10-055** by Senator(s) Harvey; also Representative(s) Gardner C.--  
14 Concerning the receipt of donations by the division of  
15 motor vehicles in the department of revenue to be  
16 deposited in the Colorado state titling and registration  
17 account in the highway users tax fund.

18  
19 Ordered revised and placed on the Calendar for Third Reading and Final  
20 Passage.

21  
22 **HB10-1241** by Representative(s) Casso; also Senator(s) Tochtrop--  
23 Concerning required registration for persons who work on  
24 fire suppression systems.

25  
26 Amendment No. 1, Business Affairs & Labor Report,  
27 dated February 24, 2010, and placed in member's bill file; Report also  
28 printed in House Journal, February 25, pages 549-550.

29  
30 Amendment No. 2, Appropriations Report, dated March 12, 2010, and  
31 placed in member's bill file; Report also printed in House Journal,  
32 March 12, page 768.

33  
34 Amendment No. 3, by Representative(s) Casso.

35  
36 Amend printed bill, page 2, after line 9 insert:

37  
38 "SECTION 2. 12-58-104 (1), Colorado Revised Statutes, is  
39 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

40  
41 **12-58-104. Powers of board - fees - rules.** (1) In addition to all  
42 other powers and duties conferred or imposed upon the board by this  
43 article, the board is authorized and empowered to:

44  
45 (k) ESTABLISH MINIMUM REQUIREMENTS AND STANDARDS FOR THE  
46 INSPECTION OF MULTI-PURPOSE RESIDENTIAL FIRE SPRINKLER SYSTEMS IN  
47 ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES THAT ARE PART OF  
48 THE POTABLE WATER SUPPLY, BY REQUIRING INSPECTORS OR  
49 MULTI-PURPOSE RESIDENTIAL FIRE SPRINKLER SYSTEMS IN ONE- AND  
50 TWO-FAMILY DWELLINGS AND TOWNHOUSES TO BE CERTIFIED BY THE  
51 DIVISION OF FIRE SAFETY IN THE DEPARTMENT OF PUBIC SAFETY PURSUANT  
52 TO SECTION 24-33.5-1206.4, C.R.S.". "

53  
54 Renumber succeeding sections accordingly.

55  
56 Page 2, after line 14 insert:



1           "(3.4) "CROSS-CONNECTION CONTROL DEVICE" MEANS AN  
2 INSTALLATION, DEVICE, OR ASSEMBLY LOCATED BETWEEN THE WATER  
3 SUPPLY AND FIRE SUPPRESSION PIPING TO PREVENT THE UNDESIRABLE  
4 REVERSAL IN THE FLOW OF WATER FROM A REAL OR POTENTIAL SOURCE OF  
5 CONTAMINATION BACK TO THE POTABLE WATER SUPPLY. A  
6 CROSS-CONNECTION CONTROL DEVICE IS ALSO REFERRED TO AS A BACK  
7 FLOW PREVENTER."

8  
9 Page 2, line 17, after the period add "A SPRINKLER FITTER DOES NOT  
10 INCLUDE A PERSON WHO PERFORMS WORK EXCLUSIVELY ON  
11 CROSS-CONNECTION CONTROL DEVICES OR A PERSON WHO PERFORMS  
12 WORK EXCLUSIVELY ON AN UNDERGROUND SYSTEM."

13  
14 Page 3, line 4, after "SEQ.," insert "OR OTHER SIMILAR APPRENTICE  
15 PROGRAM APPROVED BY THE ADMINISTRATOR,".

16  
17 Page 3, after line 8 insert:

18  
19           "(13.9) "UNDERGROUND SYSTEM" MEANS THE SYSTEM OF BELOW  
20 GROUND PIPING, VALVES, APPLIANCES, AND APPURTENANCES THAT  
21 PHYSICALLY CONNECT THE WATER SUPPLY TO A FIRE SUPPRESSION  
22 SYSTEM."

23  
24 Page 3, line 14, strike "ADMINISTRATOR OR" and substitute  
25 "ADMINISTRATOR."

26  
27 Page 3, strike lines 15 through 17.

28  
29 Amendment No. 4, by Representative(s) Casso.

30  
31 Amend printed bill, page 2, strike line 17 and substitute "INSTALLS FIRE  
32 SUPPRESSION SYSTEMS. "SPRINKLER FITTER" DOES NOT INCLUDE A PERSON  
33 WHO PERFORMS MAINTENANCE AND REPAIR ON FIRE SUPPRESSION SYSTEMS  
34 AS A PART OF HIS OR HER EMPLOYMENT."

35  
36 As amended, ordered engrossed and placed on the Calendar for Third  
37 Reading and Final Passage.

38  
39 **HB10-1351** by Representative(s) Ferrandino, Apuan, Casso, Curry,  
40 Gagliardi, Hullinghorst, Kerr A., McCann, Merrifield,  
41 Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Tyler,  
42 Vigil; also Senator(s) Romer, Carroll M., Foster, Keller,  
43 Morse--Concerning the maximum authorized interest rate  
44 for a payday loan.

45  
46 Laid over until April 1, retaining place on Calendar.

47  
48 **HB10-1217** by Representative(s) McKinley, McFadyen, Looper, Pace,  
49 Vigil--Concerning the repeal of the authority of the  
50 executive director of the department of human services to  
51 sell the Trinidad state nursing home.

52  
53 Laid over until April 1, retaining place on Calendar.

54  
55 **HB10-1362** by Representative(s) Vigil; also Senator(s) Schwartz--  
56 Concerning the inactive status of a special district.

1 Amendment No. 1, Local Government Report, dated March 23, 2010, and  
2 placed in member's bill file; Report also printed in House Journal,  
3 March 25, page 960.

4  
5 As amended, ordered engrossed and placed on the Calendar for Third  
6 Reading and Final Passage.

7  
8 **HB10-1328** by Representative(s) Miklosi, Apuan, Benefield, Casso,  
9 Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi,  
10 Hullinghorst, Kefalas, Kerr A., Labuda, Levy, McCann,  
11 McFadyen, Merrifield, Middleton, Peniston, Pommer,  
12 Primavera, Ryden, Scanlan, Solano, Todd, Tyler, Vigil,  
13 Weissmann; also Senator(s) Schwartz--Concerning the  
14 "New Energy Jobs Creation Act of 2010", and, in  
15 connection therewith, creating the Colorado new energy  
16 improvement district and authorizing the district to fund  
17 new energy improvements by issuing special assessment  
18 bonds payable from special assessments levied on eligible  
19 real property owned by persons who voluntarily join the  
20 district in order to have the district help them fund new  
21 energy improvements to the eligible real property.

22  
23 Amendment No. 1, State, Veterans, & Military Affairs Report, dated  
24 March 4, 2010, and placed in member's bill file; Report also printed in  
25 House Journal, March 5, pages 692-694.

26  
27 Amendment No. 2, by Representative(s) Miklosi.

28  
29 Amend the State, Veterans, & Military Affairs Committee Report, dated  
30 March 4, 2010, page 3, line 11, strike ""INSTALLMENTS"." and substitute  
31 ""THE DELINQUENT INSTALLMENTS".".

32  
33 Page 3 of the report, strike lines 12 through 16 and substitute:

34  
35 "Page 25 of the bill, strike lines 2 through 4.

36  
37 Page 25 of the bill, line 5, strike "AND, AT" and substitute "SALE. AT".

38  
39 Page 26 of the bill, line 20, strike "HOWEVER, IF THE".

40  
41 Page 26 of the bill, strike lines 21 through 25 and substitute "NEITHER  
42 THE SALE OF ELIGIBLE REAL PROPERTY IN THE DISTRICT TO ENFORCE THE  
43 PAYMENT OF GENERAL AD VALOREM TAXES NOR THE ISSUANCE OF A  
44 TREASURER'S DEED IN CONNECTION WITH SUCH A SALE SHALL EXTINGUISH  
45 THE LIEN OF A SPECIAL ASSESSMENT. IF ELIGIBLE".

46  
47 Page 27 of the bill, line 27, after "(4)" insert "(a)".

48  
49 Page 28 of the bill, line 4, strike "ASSESSMENTS." and substitute  
50 "INSTALLMENT OF PRINCIPAL AND INTEREST".

51  
52 Page 28 of the bill, after line 8, insert:

53  
54 "(b) AT ANY SALE BY A COUNTY TREASURER OF ANY ELIGIBLE  
55 REAL PROPERTY FOR THE PURPOSE OF PAYING A SPECIAL ASSESSMENT, THE  
56 BOARD MAY PURCHASE THE PROPERTY FOR THE DISTRICT WITHOUT PAYING

1 FOR THE PROPERTY IN CASH AND SHALL RECEIVE CERTIFICATES OF  
2 PURCHASE FOR THE PROPERTY IN THE NAME OF THE DISTRICT. THE  
3 CERTIFICATES SHALL BE RECEIVED AND CREDITED AT THEIR FACE VALUE,  
4 WITH ALL INTEREST AND PENALTIES ACCRUED, ON ACCOUNT OF THE  
5 ASSESSMENT INSTALLMENT IN PURSUANCE OF WHICH THE SALE WAS MADE.  
6 THE CERTIFICATES MAY THEREAFTER BE SOLD BY THE BOARD AT THEIR  
7 FACE VALUE, WITH ALL INTEREST AND PENALTIES ACCRUED, AND  
8 ASSIGNED TO THE PURCHASER IN THE NAME OF THE DISTRICT. THE  
9 PROCEEDS OF THE SALE SHALL BE CREDITED TO THE FUND CREATED BY  
10 RESOLUTION FOR THE PAYMENT OF SUCH ASSESSMENTS RESPECTIVELY. IF  
11 THE DISTRICT HAS REPAID ALL SPECIAL ASSESSMENT BONDS IN FULL, THE  
12 CERTIFICATES MAY BE SOLD BY THE BOARD FOR THE BEST PRICE  
13 OBTAINABLE AT PUBLIC SALE, AT AUCTION, OR BY SEALED BIDS IN THE  
14 SAME MANNER AND UNDER THE SAME CONDITIONS AS PROVIDED IN  
15 PARAGRAPH (d) OF THIS SUBSECTION (4). SUCH ASSIGNMENTS SHALL BE  
16 WITHOUT RECOURSE, AND THE SALE AND ASSIGNMENTS SHALL OPERATE  
17 AS A LIEN IN FAVOR OF THE PURCHASER AND ASSIGNEE AS IS PROVIDED BY  
18 LAW IN THE CASE OF SALE OF REAL ESTATE IN DEFAULT OF PAYMENT OF  
19 THE GENERAL PROPERTY TAX.

20  
21 (c) THE BOARD, AS A PURCHASER, HAS THE RIGHT TO APPLY FOR  
22 TAX DEEDS ON CERTIFICATES OF PURCHASE AT ANY TIME AFTER THREE  
23 YEARS FROM THE DATE OF ISSUANCE OF THE CERTIFICATES, AND THE  
24 DEEDS SHALL BE ISSUED AS PROVIDED BY LAW FOR ISSUANCE OF TAX  
25 DEEDS FOR THE NONPAYMENT OF THE GENERAL PROPERTY TAX.

26  
27 (d) CUMULATIVELY WITH ALL OTHER REMEDIES, THE DISTRICT, AS  
28 THE OWNER OF PROPERTY BY VIRTUE OF A TAX DEED OR OF PROPERTY  
29 OTHERWISE ACQUIRED, IN SATISFACTION OR DISCHARGE OF THE LIENS  
30 REPRESENTED BY CERTIFICATES OF SALE, MAY SELL THE PROPERTY FOR  
31 THE BEST PRICE OBTAINABLE AT PUBLIC SALE, AT AUCTION, OR BY SEALED  
32 BIDS. A SALE SHALL BE HELD AFTER PUBLIC NOTICE BY THE BOARD TO ALL  
33 PERSONS HAVING OR CLAIMING ANY INTEREST IN THE ELIGIBLE REAL  
34 PROPERTY TO BE SOLD OR IN THE PROCEEDS OF THE SALE BY PUBLICATION  
35 OF THE NOTICE THREE TIMES, A WEEK APART, IN A WEEKLY OR DAILY  
36 NEWSPAPER OF GENERAL CIRCULATION WITHIN THE COUNTY IN WHICH THE  
37 PROPERTY IS LOCATED. THE NOTICE SHALL DESCRIBE THE PROPERTY AND  
38 STATE THE TIME, PLACE, AND MANNER OF RECEIVING BIDS; EXCEPT THAT  
39 THE TIME FIXED FOR THE SALE SHALL NOT BE LESS THAN TEN DAYS AFTER  
40 THE LAST PUBLICATION. THE BOARD MAY REJECT ANY AND ALL BIDS.  
41 ANY INTERESTED PARTY, AT ANY TIME WITHIN TEN DAYS AFTER THE  
42 RECEIPT OF BIDS FOR THE SALE OF PROPERTY, MAY FILE WITH THE BOARD  
43 A WRITTEN PROTEST AS TO THE SUFFICIENCY OF THE AMOUNT OF ANY BID  
44 MADE OR THE VALIDITY OF THE PROCEEDINGS FOR THE SALE. IF THE  
45 PROTEST IS DENIED, THE PROTESTOR, WITHIN TEN DAYS THEREAFTER,  
46 SHALL COMMENCE AN ACTION IN A COURT OF COMPETENT JURISDICTION TO  
47 ENJOIN OR RESTRAIN THE BOARD FROM COMPLETING THE SALE. IF NO  
48 SUCH ACTION IS COMMENCED, ALL PROTESTS OR OBJECTIONS TO THE SALE  
49 SHALL BE WAIVED, AND THE BOARD SHALL THEN CONVEY THE PROPERTY  
50 TO THE SUCCESSFUL BIDDER BY QUITCLAIM DEED.

51  
52 (e) IN ADDITION TO ALL OTHER REMEDIES, THE DISTRICT, AS A  
53 HOLDER OF CERTIFICATES OF PURCHASE, MAY BRING A CIVIL ACTION FOR  
54 FORECLOSURE THEREOF IN ACCORDANCE WITH ARTICLE 38 OF TITLE 38,  
55 C.R.S., JOINING AS DEFENDANTS ALL PERSONS HOLDING RECORD TITLE,  
56 PERSONS OCCUPYING OR IN POSSESSION OF THE PROPERTY, PERSONS

1 HAVING OR CLAIMING ANY INTEREST IN THE PROPERTY OR IN THE  
 2 PROCEEDS OF A FORECLOSURE SALE, ALL GOVERNMENTAL TAXING UNITS  
 3 HAVING TAXES OR OTHER CLAIMS AGAINST THE PROPERTY, AND ALL  
 4 UNKNOWN PERSONS HAVING OR CLAIMING ANY INTEREST IN THE  
 5 PROPERTY. ANY NUMBER OF CERTIFICATES MAY BE FORECLOSED IN THE  
 6 SAME PROCEEDING. IN SUCH A PROCEEDING, THE DISTRICT, AS PLAINTIFF,  
 7 IS ENTITLED TO ALL RELIEF PROVIDED BY LAW IN ACTIONS FOR AN  
 8 ADJUDICATION OF RIGHTS WITH RESPECT TO REAL PROPERTY, INCLUDING  
 9 ACTIONS TO QUIET TITLE.

10

11 (f) THE PROCEEDS OF ANY SALE OF PROPERTY SHALL BE CREDITED  
 12 TO THE APPROPRIATE SPECIAL ASSESSMENT FUND. THE DISTRICT SHALL  
 13 DEDUCT THEREFROM THE NECESSARY EXPENSES IN SECURING DEEDS AND  
 14 TAKING PROCEEDINGS FOR THE SALE OR FORECLOSURE.

15

16 (5) WHEN THE DISTRICT HAS SOLD OR CONVEYED AT A FAIR  
 17 MARKET VALUE CERTIFICATES OF PURCHASE OR PROPERTY THAT THE  
 18 DISTRICT HAS ACQUIRED IN SATISFACTION OR DISCHARGE OF SPECIAL  
 19 ASSESSMENT LIENS, THE SALES AND CONVEYANCES ARE HEREBY  
 20 VALIDATED AND CONFIRMED AS AGAINST ALL PARTIES HAVING OR  
 21 CLAIMING ANY INTEREST IN THE PROPERTY OR SALE PROCEEDS."."

22

23 Amendment No. 3, by Representative(s) Miklosi.

24

25 Amend printed bill, page 10, line 19, strike "C.R.S., AND THE".

26

27 Page 10, strike lines 20 through 22 and substitute "C.R.S. NOTHING IN  
 28 THIS ARTICLE SHALL LIMIT THE RIGHT OF A PUBLIC UTILITY, SUBJECT TO  
 29 ARTICLE 3 OR 3.5 OF TITLE 40, C.R.S., OR SECTION 40-9.5-106, C.R.S., TO  
 30 ASSESS FEES FOR THE USE OF ITS FACILITIES OR MODIFY OR EXPAND THE  
 31 NET METERING LIMITATIONS ESTABLISHED IN SECTIONS 40-9.5-118 AND  
 32 40-2-124 (7), C.R.S. PRIMARY JURISDICTION TO HEAR ANY DISPUTES AS  
 33 TO WHETHER A RENEWABLE ENERGY IMPROVEMENT INTERFERES WITH  
 34 SUCH A RIGHT SHALL LIE:

35

36 (a) IN THE CASE OF A REGULATED UTILITY, WITH THE PUBLIC  
 37 UTILITIES COMMISSION; AND

38

39 (b) IN THE CASE OF A MUNICIPALLY-OWNED ELECTRIC UTILITY,  
 40 WITH THE GOVERNING BODY OF THE MUNICIPALITY."."

41

42 Amendment No. 4, by Representative(s) Miklosi.

43

44 Amend printed bill, page 8, after line 15 insert:

45

46 "(6) "LOAN BALANCE" MEANS THE OUTSTANDING PRINCIPAL  
 47 BALANCE OF LOANS SECURED BY A MORTGAGE OR DEED OF TRUST WITH A  
 48 FIRST OR SECOND LIEN ON ELIGIBLE REAL PROPERTY."."

49

50 Renumber succeeding subsections accordingly.

51

52 Page 9, line 7, strike "PROPERTY;" and substitute "PROPERTY THAT HAS A  
 53 RATIO OF LOAN BALANCE TO ITS ACTUAL VALUE OF NINETY-FIVE PERCENT  
 54 OR LESS AT THE TIME THE PERSON'S PROGRAM APPLICATION IS APPROVED,  
 55 AS SHOWN IN THE RECORDS OF THE COUNTY ASSESSOR, UNLESS THE  
 56 HOLDER OF THE DEED OF TRUST OR MORTGAGE RECORDED AGAINST THE

1 ELIGIBLE REAL PROPERTY THAT HAS PRIORITY OVER ALL OTHER DEEDS OF  
2 TRUST OR MORTGAGES RECORDED AGAINST THE ELIGIBLE REAL PROPERTY  
3 HAS CONSENTED IN WRITING TO THE LEVYING OF A SPECIAL ASSESSMENT  
4 AGAINST THE ELIGIBLE REAL PROPERTY."  
5

6 Page 20, line 2, strike "IF DEEMED NECESSARY BY THE BOARD," and  
7 substitute "TAKE APPROPRIATE STEPS TO".  
8

9 Amendment No. 5, by Representative(s) Judd.  
10

11 Amend printed bill, page 28, line 22, after "PAYABLE." insert "THE BONDS  
12 SHALL NOT CONSTITUTE A DEBT OR OTHER FINANCIAL OBLIGATION OF THE  
13 STATE."  
14

15 Page 30, line 24, after "PRICE." add "THE RESOLUTION OR TRUST  
16 INDENTURE SHALL CONTAIN A PROVISION THAT STATES THAT THE BONDS  
17 DO NOT CONSTITUTE A DEBT OR OTHER FINANCIAL OBLIGATION OF THE  
18 STATE, AND THE SAME OR A SIMILAR PROVISION SHALL ALSO APPEAR ON  
19 THE BONDS."  
20

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

24 **SB10-098** by Senator(s) Tochtrop; also Representative(s)  
25 Sonnenberg--Concerning the allocation of moneys to  
26 promote conservation of the state's natural resources.  
27

28 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,  
29 dated March 17, 2010, and placed in member's bill file; Report also  
30 printed in House Journal, March 18, page 840.  
31

32 Amendment No. 2, by Representative(s) Sonnenberg.  
33

34 Amend the Agriculture, Livestock, & Natural Resources Committee  
35 Report, page 1, strike line 1 and substitute:  
36

37 "Amend reengrossed bill, page 4, strike lines 10 through 27.  
38

39 Page 5 of the bill, strike line 1 and substitute:  
40

41 "(b) Allowing counties to cooperate or contract with conservation  
42 districts and local noxious weed control programs will assist these entities  
43 in developing, administering, and maintaining soil conservation and  
44 noxious weed control efforts, addressing small acreage management,  
45 protecting rangeland and wildlife habitat, improving water delivery  
46 systems, water quality, and forest health, and reducing soil erosion in  
47 parks, recreation areas, and open space."  
48

49 Page 5 of the bill, line 4, strike "(a)".  
50

51 Page 1 of the report, line 3, strike "SECTION." and substitute "SECTION  
52 IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE XXVII OF THE STATE  
53 CONSTITUTION."  
54

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

1 On motion of Representative Weissmann, the remainder of the General  
2 Orders Calendar (**SB10-155, 101, 062, 143, 152, 042, 048, 066**) was laid  
3 over until April 1, retaining place on Calendar.

4  
5  
6  
7 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

8  
9 Representative DelGrosso moved to amend the Report of the Committee  
10 of the Whole to reverse the action taken by the Committee in not adopting  
11 the following DelGrosso amendment, to HB10-1328, to show that said  
12 amendment passed, and that **HB10-1328**, as amended, passed.

13  
14 Amend printed bill, page 24, line 22, strike "ANY" and substitute "MORE  
15 THAN ONE".

16  
17 The amendment was declared **lost** by the following roll call vote:

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

37  
38  
39  
40 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

41  
42 Passed Second Reading: **SB10-099 amended, 055, HB10-1241**  
43 **amended, 1362 amended, 1328 amended, SB10-098 amended.**

44  
45 Laid over until date indicated retaining place on Calendar: **SB10-016,**  
46 **HB10-1348, 1351, 1217, SB10-155, 101, 062, 143, 152, 042, 048, 066--**  
47 April 1, 2010.

48  
49 The Chairman moved the adoption of the Committee of the Whole  
50 Report. As shown by the following roll call vote, a majority of those  
51 elected to the House voted in the affirmative, and the Report was  
52 **adopted.**

	YES	58	NO	0	EXCUSED	7	ABSENT	0
55	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
56	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y

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

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

### APPROPRIATIONS

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

**HB10-1060** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Strike the Agriculture, Livestock, & Natural Resources Committee Report, dated January 27, 2010, and substitute:

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

Page 2 of the bill, line 6, strike "TEN" and substitute "UP TO THIRTY".

Page 2 of the bill, line 7, strike "FIFTY" and substitute "THIRTY".

Page 2 of the bill, line 13, strike "THIRTY" and substitute "UP TO FIFTEEN".

Page 2 of the bill, line 14, strike "FIVE THOUSAND" and substitute "TWO THOUSAND FIVE HUNDRED".

Page 2 of the bill, line 15, after "AMOUNT." insert "THE PENALTY SET FORTH IN THIS SUBSECTION (1.5) FOR FAILING TO WITHHOLD INCOME AND MAKE A PAYMENT SHALL NOT APPLY IF THE INCOME WAS FROM A WELL THAT QUALIFIED FOR THE EXEMPTION SET FORTH IN SECTION 39-29-105 (1) (b) FOR THE PRIOR TAXABLE YEAR.

(4) THE EXECUTIVE DIRECTOR MAY WAIVE, FOR GOOD CAUSE SHOWN, ANY OF THE PENALTIES AUTHORIZED BY THIS SECTION."

Page 3 of the bill, line 3, strike "payments" and substitute "payments, taxes,".

1 **HB10-1209** be amended as follows, and as so amended, be referred to  
2 the Committee of the Whole with favorable  
3 recommendation:  
4

5 Amend State, Veterans, & Military Affairs committee report dated March  
6 4, 2010, page 3, after line 6, insert:  
7

8 **"SECTION 3. Appropriation.** In addition to any other  
9 appropriation, there is hereby appropriated, out of any moneys in the  
10 highway user tax fund created in section 43-4-201 (1) (a), Colorado  
11 Revised Statutes, not otherwise appropriated, to the department of  
12 revenue, for allocation to the division of motor vehicles, driver and  
13 vehicle services, for the fiscal year beginning July 1, 2010, the sum of  
14 eighty-three thousand eighty-eight dollars (\$83,088) cash funds, or so  
15 much thereof as may be necessary, for the implementation of this act."  
16

17 Page 3 of the committee report, line 7, strike "3." and substitute "4."  
18

19 Page 3 of the committee report, line 10, strike "4." and substitute "5."  
20

21 Page 3 of the committee report, after line 12, insert:  
22

23 "Page 1 of the bill, line 104, strike "REVENUE." and substitute "REVENUE,  
24 AND MAKING AN APPROPRIATION THEREFOR."."  
25  
26  
27

28 **HB10-1243** be referred to the Committee of the Whole with favorable  
29 recommendation.  
30

31  
32 **HB10-1334** be referred to the Committee of the Whole with favorable  
33 recommendation.  
34  
35

36 **SB10-068** be referred to the Committee of the Whole with favorable  
37 recommendation.  
38  
39

40 **SB10-072** be referred to the Committee of the Whole with favorable  
41 recommendation.  
42  
43  
44  
45

#### 46 **EDUCATION**

47 After consideration on the merits, the Committee recommends the  
48 following:  
49

50 **SB10-079** be referred to the Committee of the Whole with favorable  
51 recommendation.  
52  
53

54 **SB10-088** be referred to the Committee of the Whole with favorable  
55 recommendation.  
56



1 **SB10-108** be referred favorably to the Committee on Appropriations.

2

3

4 **SB10-111** be amended as follows, and as so amended, be referred to  
5 the Committee of the Whole with favorable  
6 recommendation:

7

8 Amend reengrossed bill, page 3, line 21, after "SHALL" insert "CONVENE  
9 A STUDY GROUP TO".

10

11 Page 3, line 24, after the period, insert "AT A MINIMUM, THE STUDY GROUP  
12 SHALL INCLUDE REPRESENTATIVES FROM THE DEPARTMENT, A STATEWIDE  
13 ASSOCIATION THAT REPRESENTS SCHOOL EXECUTIVES, A STATEWIDE  
14 ASSOCIATION THAT REPRESENTS SCHOOL DISTRICT BOARDS OF EDUCATION,  
15 A STATEWIDE ASSOCIATION THAT REPRESENTS CHARTER SCHOOLS, A  
16 STATEWIDE ASSOCIATION THAT REPRESENTS TEACHERS, AND THE BOARDS  
17 OF COOPERATIVE SERVICES.".

18

19 Page 3, line 25, strike "ITS" and substitute "THE STUDY GROUP'S".

20

21 Page 8, strike lines 26 and 27 and substitute:

22

23 **"SECTION 10.** 22-30.5-505 (12) (a), (12) (b) (I), and (12) (b) (II)  
24 (B), Colorado Revised Statutes, are amended to read:

25

26 **22-30.5-505. State charter school institute - institute board -**  
27 **appointment - powers and duties - rules.** (12) (a) ~~On or before August~~  
28 ~~1, 2008,~~ The institute shall collect from ~~institute charter schools~~ EACH  
29 INSTITUTE CHARTER SCHOOL AUTHORIZED ON OR AFTER JULY 1, 2010, the  
30 data specified in paragraph (b) of this subsection (12) FOR THE INSTITUTE  
31 CHARTER SCHOOL'S FIRST ACADEMIC YEAR OF OPERATION. At a minimum,  
32 the institute shall require the institute charter schools to update SCHOOL  
33 TO SUBMIT the collected data ~~on March 1, May 1, and July 1 of each year~~  
34 ~~starting in 2009~~ BY AUGUST 1 OF THE INSTITUTE CHARTER SCHOOL'S FIRST  
35 ACADEMIC YEAR OF OPERATION AND TO UPDATE THE INFORMATION, IF  
36 NECESSARY, BY THE FOLLOWING MAY 1. Upon receipt of a request from  
37 a school district, the institute shall provide a copy of the collected data to  
38 the school district.

39

40 (b) The data collected pursuant to this subsection (12) shall  
41 include, at a minimum:

42

43 (I) The projected aggregate number of students enrolling in THE  
44 institute charter schools SCHOOL for the ~~upcoming~~ academic year who  
45 were enrolled in schools of the school district for the preceding academic  
46 year; and

47

48 (II) For each student included in subparagraph (I) of this  
49 paragraph (b), to the extent known:

50

51 (B) The name of the institute charter school and the grade in  
52 which the student is enrolled for the ~~upcoming~~ academic year.".

53

54 Page 9, strike lines 1 through 20.

55

56 Page 11, after line 5 insert:

1           **"SECTION 14.** 22-30.5-513 (4), Colorado Revised Statutes, is  
2 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

3  
4           **22-30.5-513. Institute charter schools - definitions - funding.**

5 (4) (d) NOTWITHSTANDING THE PROVISIONS OF SUB-SUBPARAGRAPH (B)  
6 OF SUBPARAGRAPH (I.5) OF PARAGRAPH (a) OF THIS SUBSECTION (4), FOR  
7 ANY BUDGET YEAR IN WHICH THE TOTAL AMOUNT OF TOTAL PROGRAM  
8 FUNDING, INCLUDING FUNDING FOR INSTITUTE CHARTER SCHOOLS, IS  
9 REDUCED PURSUANT TO SECTION 22-54-104 (5) (g), THE INSTITUTE SHALL  
10 NOT WITHHOLD FROM AN INSTITUTE CHARTER SCHOOL THE AMOUNT  
11 SPECIFIED IN SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I.5) OF  
12 PARAGRAPH (a) OF THIS SUBSECTION (4).".

13  
14 Renumber succeeding section accordingly.

15  
16 Page 11, line 15, strike "governor." and substitute "governor; except that  
17 section 14 of this act shall take effect only if House Bill 10-1369 is  
18 enacted and becomes law.".

19  
20  
21  
22  
23 **HEALTH & HUMAN SERVICES**

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

26  
27 **HB10-1359** be referred to the Committee of the Whole with favorable  
28 recommendation.

29  
30  
31 **SB10-170** be postponed indefinitely.

32  
33  
34  
35  
36 **JUDICIARY**

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

39  
40 **HB10-1364** be amended as follows, and as so amended, be referred to  
41 the Committee on Appropriations with favorable  
42 recommendation:

43  
44 Amend printed bill, page 9, line 18, strike "OFFENDER." and substitute  
45 "OFFENDER BASED UPON THE KNOWLEDGE THAT SOME ADULT SEX  
46 OFFENDERS ARE EXTREMELY HABITUATED AND THAT, FOR SOME ADULT  
47 SEX OFFENDERS, THERE IS NO KNOWN CURE FOR THE PROPENSITY TO  
48 COMMIT SEX OFFENSES.".

49  
50 Page 9, line 27, strike "BY" and substitute "IN THE TREATMENT OF".

51  
52 Page 11, line 1, after "ARTICLE" insert "AND THE SEX OFFENDER  
53 TREATMENT PROGRAM".

54  
55 Page 11, line 6, strike "INDIVIDUAL'S" and substitute "PROVIDER'S".

56

1 Page 12, strike lines 18 through 23 and substitute:  
2

3           "(e) (I) THE BOARD SHALL RESEARCH, THROUGH DIRECT  
4 EVALUATION OR THROUGH A REVIEW OF RELEVANT RESEARCH ARTICLES  
5 AND SEX OFFENDER TREATMENT EMPIRICAL DATA, AND ANALYZE,  
6 THROUGH A COMPREHENSIVE REVIEW OF EVIDENCE-BASED PRACTICES, THE  
7 EFFECTIVENESS OF THE EVALUATION, IDENTIFICATION, AND TREATMENT  
8 POLICIES AND PROCEDURES FOR ADULT SEX OFFENDERS DEVELOPED  
9 PURSUANT TO THIS ARTICLE. THIS RESEARCH SHALL SPECIFICALLY  
10 INCLUDE, BUT SHALL NOT BE LIMITED TO, REVIEWING AND RESEARCHING  
11 THE NO-CURE POLICY AS IT RELATES TO ALL SEX OFFENDERS AS DEFINED  
12 IN THIS ARTICLE AND THE CONTAINMENT MODEL FOR ADULT SEX  
13 OFFENDER MANAGEMENT AND TREATMENT AND ITS EFFECTIVE  
14 APPLICATION. THE BOARD SHALL REVISE THE".  
15

16 Page 16, line 14, after "ARTICLE" insert "AND A PROGRAM TREATING  
17 JUVENILES WHO HAVE COMMITTED SEXUAL OFFENSES".  
18

19 Page 16, line 18, strike "INDIVIDUAL'S" and substitute "PROVIDER'S".  
20

21 Page 17, strike lines 17 and 18 and substitute "GOOD FAITH PERFORMANCE  
22 OF THE DUTIES OF THE BOARD."  
23

24 Page 25, strike lines 13 and 14 and substitute:  
25

26           "(II) THE NUMBER OF TREATMENT PROVIDERS IN THE STATE;".  
27  
28  
29

30 **SB10-043**       be referred to the Committee of the Whole with favorable  
31 recommendation.  
32  
33

34 **SB10-147**       be referred to the Committee of the Whole with favorable  
35 recommendation.  
36  
37  
38  
39

40 **STATE, VETERANS, & MILITARY AFFAIRS**

41 After consideration on the merits, the Committee recommends the  
42 following:  
43

44 **HB10-1156**       be postponed indefinitely.  
45  
46

47 **HB10-1354**       be amended as follows, and as so amended, be referred to  
48 the Committee of the Whole with favorable  
49 recommendation:  
50

51 Amend printed bill, page 4, line 11, after "(4)" insert "(a)".  
52

53 Page 4, line 18, strike "(a)" and substitute "(I)".  
54

55 Page 4, line 22, strike "(b)" and substitute "(II)".  
56

1 Page 4, after line 25 insert:

2  
3           "(b) (I) UPON THE REQUEST OF A REPRESENTATIVE, THE SPEAKER  
4 OF THE HOUSE OF REPRESENTATIVES MAY SUBSTITUTE THE  
5 REPRESENTATIVE AS A MEMBER OF A JOINT COMMITTEE OF REFERENCE FOR  
6 PURPOSES OF A SPECIFIC INTERIM STUDY IN THE PLACE OF A CONSENTING  
7 APPOINTED HOUSE MEMBER OF THE JOINT COMMITTEE OF REFERENCE, BUT  
8 ONLY FOR MEETINGS AT WHICH THE JOINT COMMITTEE OF REFERENCE  
9 CONDUCTS THE INTERIM STUDY. IN MAKING A SUBSTITUTION PURSUANT  
10 TO THIS SUBPARAGRAPH (I), THE SPEAKER SHALL MAINTAIN THE BALANCE  
11 OF PARTY REPRESENTATION ON THE JOINT COMMITTEE OF REFERENCE.  
12

13           (II) IF A SENATOR REQUESTS A SUBSTITUTION, THE MAJORITY  
14 LEADER OR MINORITY LEADER OF THE SENATE, DEPENDING ON THE  
15 REQUESTING SENATOR'S PARTY, MAY SUBSTITUTE THE SENATOR AS A  
16 MEMBER OF A JOINT COMMITTEE OF REFERENCE FOR PURPOSES OF A  
17 SPECIFIC INTERIM STUDY IN THE PLACE OF A CONSENTING APPOINTED  
18 SENATE MEMBER OF THE JOINT COMMITTEE OF REFERENCE, BUT ONLY FOR  
19 MEETINGS AT WHICH THE JOINT COMMITTEE OF REFERENCE CONDUCTS THE  
20 INTERIM STUDY. IN MAKING A SUBSTITUTION PURSUANT TO THIS  
21 SUBPARAGRAPH (II), THE MAJORITY LEADER AND THE MINORITY LEADER  
22 SHALL MAINTAIN THE BALANCE OF PARTY REPRESENTATION ON THE JOINT  
23 COMMITTEE OF REFERENCE."  
24

25 Page 9, line 7, strike "part 15 of".

26  
27 Page 9, line 8, strike "article 3 of title 2,".

28  
29 Page 9, line 8, strike "article 1.9 of title 18," and substitute "18-1.9-103,".  
30

31 Page 9, strike lines 24 through 27.  
32

33 Page 10, strike lines 1 through 6 and substitute:  
34

35           **SECTION 4.** 18-1.9-101 (4), Colorado Revised Statutes, is  
36 amended to read:  
37

38           **18-1.9-101. Legislative declaration.** (4) Therefore, the general  
39 assembly declares that it is necessary to create a task force to continue to  
40 examine the identification, diagnosis, and treatment of persons with  
41 mental illness who are involved in the state criminal and juvenile justice  
42 systems and to make additional recommendations to ~~a legislative~~  
43 ~~oversight committee~~ THE JUDICIARY COMMITTEES OF THE HOUSE OF  
44 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, for  
45 the continuing development of legislative proposals related to this issue.  
46

47           **SECTION 5.** 18-1.9-102, Colorado Revised Statutes, is amended  
48 to read:  
49

50           **18-1.9-102. Definitions.** As used in this article, unless the context  
51 otherwise requires:  
52

53           ~~(1) "Committee" means the legislative oversight committee~~  
54 ~~established pursuant to section 18-1.9-103.~~  
55

56           ~~(1.5)~~(1) "Co-occurring disorder" means a disorder that commonly

1 coincides with mental illness and may include, but is not limited to,  
2 substance abuse, developmental disability, fetal alcohol syndrome, and  
3 traumatic brain injury.

4  
5 (2) "JOINT COMMITTEE CHAIRS" MEANS THE CHAIRS OF THE  
6 JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE  
7 SENATE, OR ANY SUCCESSOR COMMITTEES.

8  
9 (3) "JOINT JUDICIARY COMMITTEES" MEANS THE JUDICIARY  
10 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR  
11 ANY SUCCESSOR COMMITTEES, MEETING JOINTLY.

12  
13 ~~(2)~~ (4) "Task force" means the task force for the continuing  
14 examination of the treatment of persons with mental illness who are  
15 involved in the criminal and juvenile justice systems established pursuant  
16 to section 18-1.9-104.

17  
18 **SECTION 6.** The introductory portion to 18-1.9-104 (1) (c),  
19 18-1.9-104 (1) (e), the introductory portion to 18-1.9-104 (3), 18-1.9-104  
20 (3) (b), and the introductory portion to 18-1.9-104 (3) (e), Colorado  
21 Revised Statutes, are amended to read:

22  
23 **18-1.9-104. Mentally ill offender task force - creation -**  
24 **membership - duties.** (1) **Creation.** (c) The ~~chair and vice-chair of the~~  
25 ~~committee~~ JOINT COMMITTEE CHAIRS shall appoint twenty-six members  
26 as follows:

27  
28 (e) A vacancy occurring in a position filled by the ~~chair and~~  
29 ~~vice-chair of the~~ JOINT committee CHAIRS pursuant to paragraph (c) of  
30 this subsection (1) shall be filled as soon as possible by the ~~chair and~~  
31 ~~vice-chair of the~~ JOINT committee CHAIRS in accordance with the  
32 limitations specified in paragraph (c) of this subsection (1). In addition,  
33 the ~~chair and vice-chair of the~~ JOINT committee CHAIRS may remove and  
34 replace any appointment to the task force made pursuant to paragraph (c)  
35 of this subsection (1).

36  
37 (3) **Additional duties of the task force.** The task force shall  
38 provide guidance and make findings and recommendations to the  
39 ~~committee for its development of reports and legislative~~  
40 ~~recommendations~~ JOINT JUDICIARY COMMITTEES for modification of the  
41 criminal and juvenile justice systems, with respect to persons with mental  
42 illness who are involved in these systems. In addition, the task force  
43 shall:

44  
45 (b) Meet at least six times each year from the date of the first  
46 meeting until January 1, 2015, or more often as directed by the ~~chair of~~  
47 ~~the~~ JOINT committee CHAIRS;

48  
49 (e) Submit a report to the ~~committee by October 1, 2004, and by~~  
50 ~~each October 1 thereafter through October 1, 2014~~ JOINT JUDICIARY  
51 COMMITTEES BY JANUARY 20, 2011, AND BY JANUARY 20 EACH YEAR  
52 THEREAFTER THROUGH 2015. At a minimum, ~~specifying~~ THE REPORT  
53 SHALL SPECIFY the following:

54  
55 **SECTION 7.** 18-1.9-106 (2), Colorado Revised Statutes, is  
56 amended to read:

1           **18-1.9-106. Cash fund.** (2) Compensation as provided in sections  
2 18-1.9-103 (1) (d) and 18-1.9-105 (2) for ~~members of the general~~  
3 ~~assembly and for~~ staff assistance to the ~~committee and~~ task force  
4 provided by the director of research of the legislative council and the  
5 director of the office of legislative legal services shall be approved by the  
6 chair of the legislative council and paid by vouchers and warrants drawn  
7 as provided by law from moneys appropriated for such purpose and  
8 allocated to the legislative council from the fund."  
9

10 Renumber succeeding sections accordingly.

11  
12 Page 11, line 2, strike "(7) and (10)," and substitute "(7),".

13  
14 Page 11, line 3, strike "are" and substitute "is".

15  
16 Page 11, strike lines 10 through 27.

17  
18 Page 12, strike lines 1 through 6.

19  
20 Renumber succeeding sections accordingly.

21  
22 Page 12, line 12, strike "~~the task force,~~" and substitute "the task force,".

23  
24 Page 12, line 13, strike "coalition" and substitute "coalition,".

25  
26 Page 12, line 18, strike "~~the task force,~~" and substitute "the task force,".

27  
28 Page 12, line 19, strike "coalitions" and substitute "coalitions,".

29  
30 Page 12, line 27, strike "~~the task~~" and substitute "the task force,".

31  
32 Page 13, line 1, strike "~~force,~~" and strike "programs" and substitute  
33 "programs,".

34  
35 Page 13, line 3, strike "AND family advocacy coalitions ~~and the task~~  
36 ~~force~~" and substitute "family advocacy coalitions, and the task force".

37  
38 Page 13, after line 23 insert:

39  
40           **"SECTION 13.** 31-31-202, Colorado Revised Statutes, is  
41 amended BY THE ADDITION OF A NEW SUBSECTION to read:

42  
43           **31-31-202. Powers and duties of the board.** (7) (a) ON OR  
44 BEFORE JANUARY 20, 2011, AND ON OR BEFORE JANUARY 20 EACH YEAR  
45 THEREAFTER, THE BOARD SHALL SUBMIT TO THE FINANCE COMMITTEES OF  
46 THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR  
47 COMMITTEES, A REPORT CONCERNING IMPLEMENTATION OF THE  
48 PROVISIONS OF THIS ARTICLE AND ARTICLE 30.5 OF THIS TITLE FOR THE  
49 PRECEDING FISCAL YEAR AND ANY RECOMMENDATIONS FOR LEGISLATION  
50 PERTAINING TO THIS ARTICLE AND ARTICLE 30.5 OF THIS TITLE.

51  
52           (b) THE CHAIRPERSONS OF THE FINANCE COMMITTEES OF THE  
53 HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR  
54 COMMITTEES, OR DESIGNEES OF THE CHAIRPERSONS, MAY ANNUALLY  
55 INTRODUCE NO MORE THAN FOUR BILLS BASED ON THE  
56 RECOMMENDATIONS MADE IN THE ANNUAL REPORT. ANY BILLS

1 INTRODUCED PURSUANT TO THIS PARAGRAPH (b) SHALL NOT BE SUBJECT  
2 TO ANY LIMITATIONS IMPOSED BY LEGISLATIVE RULE ON THE NUMBER OF  
3 BILLS THAT A LEGISLATOR MAY INTRODUCE. ANY BILLS INTRODUCED  
4 PURSUANT TO THIS PARAGRAPH (b) SHALL BE SUBJECT TO THE FINAL  
5 INTRODUCTION DEADLINE FOR BILLS IN THE HOUSE OF INTRODUCTION  
6 UNLESS THE INTRODUCTION DEADLINE IS WAIVED AS PROVIDED IN THE  
7 JOINT RULES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE."

8  
9 Renumber succeeding sections accordingly.

10

11

12

13 **HJR10-1014** be postponed indefinitely.

14

15

16 **SB10-028** be referred favorably to the Committee on Appropriations.

17

18

19 **SB10-087** be amended as follows, and as so amended, be referred to  
20 the Committee on Appropriations with favorable  
21 recommendation:

22

23 Amend reengrossed bill, page 5, strike lines 7 through 10.

24

25 Page 6, strike lines 11 and 12 and substitute:

26

27 "(3) (a) ~~Disclosure statements~~ A DISCLOSURE STATEMENT shall be  
28 filed within fifteen days after the end of".

29

30 Page 6, strike lines 17 through 21.

31

32 Page 7, strike lines 23 through 26 and substitute "HER official capacity".

33

34 Page 8, strike line 17 and substitute:

35

36 "(7) In".

37

38 Page 8, line 20, strike "ten" and substitute "~~ten~~ TWENTY".

39

40 Page 9, line 2, strike "ONE".

41

42 Page 9, line 3, strike "HUNDRED" and substitute "FIFTY".

43

44 Page 9, line 11, strike "(1.5)," and strike "(4),".

45

46 Page 10, strike lines 14 and 15 and substitute "by this part 3, AND IN  
47 REQUIRING THE REGISTRATION OF VOLUNTEER LOBBYISTS IN ACCORDANCE  
48 WITH THE PROVISIONS OF SUBSECTION (7) OF THIS SECTION. The".

49

50 Page 10, strike lines 23 through 26.

51

52 Page 11, strike line 4 and substitute "statements of professional lobbyists  
53 AND FIRMS".

54

55 Page 11, strike lines 9 through 14.

56

- 1 Page 11, line 19, strike "~~volunteer lobbyist~~," and substitute "volunteer  
2 lobbyist, EXCEPT AS PROVIDED IN SUBSECTION (7) OF THIS SECTION,".  
3
- 4 Page 11, strike lines 23 through 27.  
5
- 6 Page 12, strike lines 1 through 24 and substitute:  
7  
8 "(7) NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART 3, ON  
9 OR AFTER JANUARY 1, 2011, ANY VOLUNTEER LOBBYIST SHALL REGISTER  
10 WITH THE SECRETARY OF STATE BY MEANS OF AN ON-LINE REGISTRATION  
11 SYSTEM DEVELOPED FOR THE REGISTRATION OF SUCH LOBBYISTS BY THE  
12 SECRETARY. IN CONNECTION WITH SUCH REGISTRATION, A VOLUNTEER  
13 LOBBYIST SHALL BE REQUIRED TO PROVIDE HIS OR HER NAME AND  
14 CONTACT INFORMATION, THE NAME OF ANY PERSON FOR WHOM HE OR SHE  
15 IS LOBBYING, AND SUCH OTHER INFORMATION AS MAY BE REQUIRED BY  
16 THE SECRETARY.".  
17
- 18 Page 12, line 26, strike "(2) (b) and (3)," and substitute "(2) (b),".  
19
- 20 Page 13, strike lines 17 through 22.  
21
- 22 Page 14, line 5, strike "~~professional~~" and substitute "professional".  
23
- 24 Page 14, line 16, strike "~~professional~~" and substitute "professional".  
25  
26  
27
- 28 **SB10-114** be amended as follows, and as so amended, be referred to  
29 the Committee of the Whole with favorable  
30 recommendation:  
31
- 32 Amend reengrossed bill, page 2, strike lines 16 through 21.  
33
- 34 Page 3, strike lines 1 through 8.  
35
- 36 Renumber succeeding sections accordingly.  
37
- 38 Page 3, line 21, strike "BODY" and substitute "BODY. ONLY RECORDS  
39 THAT ARE IN THE POSSESSION OF THE GOVERNMENTAL BODY PURSUANT TO  
40 THIS PARAGRAPH (b) SHALL BE SUBJECT TO INSPECTION".  
41
- 42 Page 3, strike lines 23 through 27.  
43
- 44 Page 4, strike line 1.  
45
- 46 Reletter succeeding paragraphs accordingly.  
47
- 48 Page 4, line 15, strike "(E)" and substitute "(d)".  
49
- 50 Page 4, line 19, strike "(e)" and substitute "(d)".  
51
- 52 Page 4, strike lines 21 through 27.  
53
- 54 Page 5, strike lines 1 through 16.  
55
- 56 Renumber succeeding section accordingly.



1 **TRANSPORTATION & ENERGY**

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

4  
5 **HB10-1238** be amended as follows, and as so amended, be referred to  
6 the Committee on Appropriations with favorable  
7 recommendation:

8  
9 Amend printed bill, page 3, line 1, strike "**zones - report**" and substitute  
10 "**zones - cash fund - report - repeal**".

11  
12 Page 4, line 13, strike "THE FOLLOWING FACTORS:" and substitute  
13 "FACTORS INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:".

14  
15 Page 4, after line 21 insert:

16  
17 "(6) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
18 REQUIRES, "WILDLIFE" SHALL HAVE THE SAME MEANING AS "BIG GAME" AS  
19 SET FORTH IN SECTION 33-1-102 (2), C.R.S."

20  
21 (7) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE  
22 WILDLIFE CROSSING ZONES CASH FUND, REFERRED TO IN THIS SECTION AS  
23 THE "FUND". THE FUND SHALL CONSIST OF MONEYS TRANSFERRED TO THE  
24 FUND PURSUANT TO SECTION 42-4-1701 (4) (d) (II). THE MONEYS IN THE  
25 FUND SHALL BE CONTINUOUSLY APPROPRIATED BY THE GENERAL  
26 ASSEMBLY TO THE DEPARTMENT OF TRANSPORTATION FOR THE DIRECT  
27 AND INDIRECT COSTS ASSOCIATED WITH:

28  
29 (I) PLACEMENT OF SIGNS IDENTIFYING WILDLIFE CROSSING ZONES  
30 AND ESTABLISHING A LOWER SPEED LIMIT FOR THE PORTION OF THE  
31 HIGHWAY THAT LIES WITHIN EACH ZONE;

32  
33 (II) CONSTRUCTION, RECONSTRUCTION, REPAIRS, IMPROVEMENT,  
34 PLANNING, SUPERVISION, AND MAINTENANCE OF THE PORTIONS OF THE  
35 PUBLIC HIGHWAYS OF THE STATE THAT HAVE BEEN ESTABLISHED AS  
36 WILDLIFE CROSSING ZONES PURSUANT TO SUBSECTION (1) OF THIS  
37 SECTION, TOGETHER WITH THE ACQUISITION OF RIGHTS-OF-WAY AND  
38 ACCESS RIGHTS FOR THE SAME; AND

39  
40 (III) REIMBURSING THE HIGHWAY USERS TAX FUND CREATED IN  
41 SECTION 43-4-201, C.R.S., FOR ANY MONEYS THAT ARE USED FROM THE  
42 HIGHWAY USERS TAX FUND FOR THE PURPOSES DESCRIBED IN  
43 SUBPARAGRAPHS (I) OR (II) OF THIS PARAGRAPH (a).

44  
45 (b) THE DEPARTMENT OF TRANSPORTATION IS AUTHORIZED TO  
46 EXPEND MONEYS IN THE FUND FOR THE PURPOSES DESCRIBED IN  
47 PARAGRAPH (a) OF THIS SUBSECTION (7).

48  
49 (c) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSES  
50 DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (7) MAY BE INVESTED  
51 BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND  
52 INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE  
53 FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND  
54 UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A  
55 FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR  
56 TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND."

1 Renumber succeeding subsection accordingly.

2

3 Page 4, line 22, after "(8)" insert "(a)".

4

5 Page 5, line 1, strike "(a)" and substitute "(I)".

6

7 Page 5, line 4, strike "(b)" and substitute "(II)".

8

9 Page 5, line 7, strike "(c)" and substitute "(III)".

10

11 Page 5, line 12, strike "(d)" and substitute "(IV)".

12

13 Page 5, line 16, strike "(e)" and substitute "(V)".

14

15 Page 5, line 18, strike "(I)" and substitute "(A)".

16

17 Page 5, line 20, strike "(II)" and substitute "(B)".

18

19 Page 5, line 23, strike "(III)" and substitute "(C)".

20

21 Page 5, after line 25 insert:

22

23 "(b) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE MARCH 2,  
24 2012."

25

26 Page 6, line 24, after "(3)" insert "(a)".

27

28 Page 7, line 1, strike "(a)" and substitute "(I)" and after "TIMES" insert "OF  
29 DAY AND THE PERIODS OF THE CALENDAR YEAR".

30

31 Page 7, line 4, strike "(b)" and substitute "(II)" and after "TIMES" insert  
32 "OF DAY AND THE PERIODS OF THE CALENDAR YEAR".

33

34 Page 7, after line 6 insert:

35

36 "(b) IN ERECTING SIGNS AS DESCRIBED IN PARAGRAPH (a) OF THIS  
37 SUBSECTION (3), THE DEPARTMENT OF TRANSPORTATION, PURSUANT TO  
38 SECTION 42-4-118, SHALL NOT ERECT SIGNS ESTABLISHING A LOWER SPEED  
39 LIMIT FOR MORE THAN ONE HUNDRED MILES OF THE PUBLIC HIGHWAYS OF  
40 THE STATE THAT HAVE BEEN ESTABLISHED AS WILDLIFE CROSSING  
41 ZONES."

42

43 Page 7, line 22, after "(4) (d)" insert "(I)".

44

45 Page 7, after line 26 insert:

46

47 "(II) FOR EACH PENALTY AND SURCHARGE THAT THE DEPARTMENT  
48 OF TRANSPORTATION IMPOSES FOR A MOVING TRAFFIC VIOLATION THAT  
49 OCCURS WITHIN A WILDLIFE CROSSING ZONE PURSUANT TO SECTION  
50 42-4-616, THE DEPARTMENT SHALL TRANSMIT ONE HALF OF THE AMOUNT  
51 COLLECTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO  
52 THE WILDLIFE CROSSING ZONES CASH FUND CREATED IN SECTION  
53 42-4-118."

54

55

56

**MESSAGE(S) FROM THE GOVERNOR**

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I certify I received the following on the 25th day of March, 2010, at 3:25 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,  
Chief Clerk of the House

March 23, 2010

To the Honorable  
House of Representatives  
Sixty-seventh General Assembly  
Second Regular Session  
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following act:

**HB10-1059** CONCERNING ALLOWING A MINOR WHO IS IN THE FOSTER CARE SYSTEM TO REGISTER FOR A DRIVER EDUCATION COURSE PRIOR TO APPLYING FOR AN INSTRUCTION PERMIT WITHOUT A SIGNED AFFIDAVIT OF LIABILITY.

Approved March 23, 2010 at 5:29 p.m.

Sincerely,  
(signed)  
Bill Ritter, Jr.  
Governor

---

March 25, 2010

To the Honorable  
House of Representatives  
Sixty-sixth General Assembly  
Second Regular Session  
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following act:

**HB10-1097** CONCERNING TEMPORARY INJUNCTIONS IN PROCEEDINGS INVOLVING MINOR CHILDREN.

Approved March 25, 2010 at 2:50 p.m.

Sincerely,  
(signed)  
Bill Ritter, Jr.  
Governor

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**INTRODUCTION OF BILLS**  
**First Reading**

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4 The following bills were read by title and referred to the committees  
5 indicated:  
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7 **HB10-1376** by Representative(s) Pommer, Ferrandino, Lambert; also  
8 Senator(s) Keller, Tapia, White--Concerning the  
9 provision for payment of the expenses of the executive,  
10 legislative, and judicial departments of the state of  
11 Colorado, and of its agencies and institutions, for and  
12 during the fiscal year beginning July 1, 2010, except as  
13 otherwise noted.  
14 Committee on Appropriations  
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16 **HB10-1377** by Representative(s) Lambert, Ferrandino, Pommer; also  
17 Senator(s) Tapia, Keller, White--Concerning the  
18 temporary funding of certain agriculture programs  
19 entirely with cash funds, and making appropriations  
20 therefor.  
21 Committee on Appropriations  
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23 **HB10-1378** by Representative(s) Ferrandino, Pommer, Lambert; also  
24 Senator(s) Keller, Tapia, White--Concerning moneys  
25 appropriated in the 2010-11 fiscal year for health clinics,  
26 and making appropriations therefor.  
27 Committee on Appropriations  
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29 **HB10-1379** by Representative(s) Ferrandino, Pommer, Lambert; also  
30 Senator(s) White, Keller, Tapia--Concerning a reduction  
31 in the general fund portion of the per diem rates paid to  
32 nursing facilities for the 2010-11 fiscal year, and making  
33 an appropriation in connection therewith.  
34 Committee on Appropriations  
35  
36 **HB10-1380** by Representative(s) Pommer, Ferrandino, Lambert; also  
37 Senator(s) White, Keller, Tapia--Concerning the use of  
38 moneys in the supplemental old age pension health and  
39 medical care fund to pay for services received by certain  
40 persons in the state medicaid program, and making an  
41 appropriation therefor.  
42 Committee on Appropriations  
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44 **HB10-1381** by Representative(s) Ferrandino, Pommer, Lambert; also  
45 Senator(s) White, Keller, Tapia--Concerning the use of  
46 tobacco revenues for health-related purposes during a  
47 state fiscal emergency, and making an appropriation  
48 therefor.  
49 Committee on Appropriations  
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51 **HB10-1382** by Representative(s) Ferrandino, Pommer, Lambert; also  
52 Senator(s) White, Keller, Tapia--Concerning the repeal  
53 of the delay of certain payments made under public  
54 medical assistance programs.  
55 Committee on Appropriations  
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- 1 **HB10-1383** by Representative(s) Pommer, Ferrandino, Lambert; also  
2 Senator(s) White, Keller, Tapia--Concerning funding for  
3 student financial aid for higher education, and making an  
4 appropriation therefor.  
5 Committee on Appropriations  
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- 7 **HB10-1384** by Representative(s) Lambert, Ferrandino, Pommer; also  
8 Senator(s) White, Keller, Tapia--Concerning the  
9 alignment of eligibility for the old age pension program  
10 with eligibility for other public benefit programs, and, in  
11 connection therewith, aligning the waiting period for the  
12 old age pension with the waiting period for other public  
13 benefit programs, enforcing financial responsibility  
14 requirements for relative sponsors of noncitizens, and  
15 making an appropriation.  
16 Committee on Appropriations  
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- 18 **HB10-1385** by Representative(s) Lambert, Ferrandino, Pommer; also  
19 Senator(s) Tapia, Keller, White--Concerning fees  
20 collected by the division of insurance to fund insurance  
21 fraud cases pursued by the department of law.  
22 Committee on Appropriations  
23
- 24 **HB10-1386** by Representative(s) Ferrandino, Pommer, Lambert; also  
25 Senator(s) White, Keller, Tapia--Concerning the  
26 amounts of filing fees charged by the property tax  
27 administrator for purposes of exemption of property  
28 from general taxation.  
29 Committee on Appropriations  
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- 31 **HB10-1387** by Representative(s) Pommer, Ferrandino, Lambert; also  
32 Senator(s) White, Keller, Tapia--Concerning the  
33 financing of the division of motor vehicles in the  
34 department of revenue, and making appropriations  
35 therefor.  
36 Committee on Appropriations  
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- 38 **HB10-1388** by Representative(s) Ferrandino, Pommer, Lambert; also  
39 Senator(s) Tapia, Keller, White--Concerning the  
40 augmentation of the general fund through transfers of  
41 certain moneys.  
42 Committee on Appropriations  
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- 44 **HB10-1389** by Representative(s) Ferrandino, Pommer, Lambert; also  
45 Senator(s) Tapia, Keller, White--Concerning transfers of  
46 moneys relating to capital construction.  
47 Committee on Appropriations  
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- 49 **HB10-1390** by Representative(s) Pommer, Ferrandino, Lambert; also  
50 Senator(s) White, Keller, Tapia--Concerning the general  
51 fund reserve required for the 2010-11 state fiscal year.  
52 Committee on Appropriations  
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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 1, 2010: **SB10-114, HB10-1060, 1209, 1243, 1334, SB10-068, 072, 079, 088, 111, HB10-1359, SB10-043, 147, HB10-1354.**

On motion of Representative Weissmann, the following bill(s) calendared for Second Reading, March 29, will be laid over until April 1, 2010: **SB10-138, 075, 100.**

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

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

Consideration of Resolution(s)--**HJR10-1016, 1017.**  
Consideration of Senate Amendment(s)--**HB10-1108, 1188, 1043, 1058, 1062, 1109, 1133, 1202, 1244, 1288.**

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On motion of Representative Weissmann, the House adjourned until 10:00 a.m., March 29, 2010.

Approved:  
TERRANCE D. CARROLL,  
Speaker

Attest:  
MARILYN EDDINS,  
Chief Clerk