

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

Forty-second Legislative Day

Tuesday, February 23, 2010

1 Prayer by Pastor Curtis Miller, Worship Center, Brighton.

2

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

4

5 Pledge of Allegiance led by Glenna Duncan, Stephanie Routzon,
6 Wheatridge High School.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Miklosi, Vaad--2.

12 Present after roll call--Representative(s) Miklosi.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Gerou, the reading of the journal of
18 February 22, 2010, was declared dispensed with and approved as
19 corrected by the Chief Clerk.

20

21

22

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

24

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

28

29 **HB10-1212** by Representative(s) Rice; also Senator(s) Schwartz--
30 Concerning a requirement that the executive director of the
31 department of revenue promulgate rules that establish
32 circumstances in which a vehicle owner shall be exempted
33 from paying the late fee for late registration of a vehicle.

34

35 The question being "Shall the bill pass?".

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

39

40

41

42

43

YES	62	NO	2	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y

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

15 Co-sponsor(s) added: Representative(s) Curry, Fischer, Kerr A., Pace, Peniston,
16 Primavera, Ryden, Todd, Tyler.

17

18 **HB10-1089** by Representative(s) Waller; also Senator(s) Newell--
19 Concerning placement after a parole revocation of a
20 parolee who is a sexually violent predator.

21

22 The question being "Shall the bill pass?".

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

26

27	YES	64	NO	0	EXCUSED	1	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	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	Y	Roberts	Y	Weissmann	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Baumgardner, Casso, Court,
46 DelGrosso, Gardner B., Gardner C., Kerr J., King S., Lambert, Liston, Looper,
47 Massey, Murray, Nikkel, Priola, Rice, Stephens, Tipton, Vigil.

48

49

50 **HB10-1211** by Representative(s) Tyler; also Senator(s) Williams--
51 Concerning a reduction in the amount of the penalty for
52 late vehicle registration of a vehicle without motive power
53 that weighs two thousand pounds or less.

54

55 The question being "Shall the bill pass?".

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	62	NO	2	EXCUSED	1	ABSENT	0
5	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
7	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
8	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
10	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
12	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
13	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
14	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
18	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
19	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
20	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Fischer, McKinley, Peniston, Pommer,
23 Schafer S., Summers, Todd, Vigil.

24
25 **HB10-1021** by Representative(s) Frangas and McCann; also Senator(s)
26 Foster, Boyd--Concerning required coverages for
27 reproductive services for health insurance policies.

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	37	NO	27	EXCUSED	1	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	N	Kerr A.	Y	Miklosi	Y	Soper	Y
41	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
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	N	Vaad	E
48	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
49	Gardner B.	N	May	N	Riesberg	N	Waller	N
50	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Ferrandino,
53 Fischer, Hullinghorst, Kagan, Kerr A., Labuda, McFadyen, Middleton, Scanlan,
54 Schafer S., Solano, Soper, Todd, Tyler, Speaker.

55

1 **HB10-1133** by Representative(s) Massey; also Senator(s) Tochtrop--
 2 Concerning amendments to the "Colorado Foreclosure
 3 Protection Act".
 4

5 As shown by the following roll call vote, a majority of all members
 6 elected to the House voted in the affirmative, and Representative Massey
 7 was given permission to offer a Third Reading amendment:
 8

	YES	64	NO	0	EXCUSED	1	ABSENT	0
10	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
11	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
12	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
13	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
14	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
15	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
16	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
17	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
18	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
19	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
20	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
21	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
22	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
23	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
24	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
25	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
26							Speaker	Y

27
 28 **Third Reading amendment No. 1**, by Representative Massey.

29
 30 Amend engrossed bill, page 3, line 14, strike "MEANS," and substitute
 31 "MEANS".
 32

33 Page 6, line 7, strike "AND".
 34

35 Page 6, line 13, change the period to a semicolon.
 36

37 The amendment was declared **passed** by the following roll call vote:
 38

	YES	63	NO	1	EXCUSED	1	ABSENT	0
40	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
41	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
42	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
43	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
44	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
45	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
46	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
47	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
48	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
49	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
50	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
51	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
52	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
53	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
54	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
55	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
56							Speaker	Y

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Acree, Apuan, Fischer, Frangas,
 25 Kerr J., Solano.

26
 27 **SB10-046** by Senator(s) Gibbs; also Representative(s) Levy--
 28 Concerning the boundaries of forest improvement districts.

29
 30 The question being "Shall the bill pass?".
 31 A roll call vote was taken. As shown by the following recorded vote, a
 32 majority of those elected to the House voted in the affirmative and the bill
 33 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
36	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
37	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
38	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
39	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
40	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
41	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
42	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
43	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
44	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
45	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
46	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
47	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
48	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
49	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
50	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
51	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Gerou, Liston, Merrifield, Nikkel,
 54 Pommer, Scanlan, Schafer S.

55
 56

1 House in recess. House reconvened.
2
3
4

5 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

6
7 **EDUCATION**

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

10
11 **HB10-1035** be amended as follows, and as so amended, be referred to
12 the Committee on Appropriations with favorable
13 recommendation:
14

15 Amend printed bill, page 3, strike lines 20 through 27.

16
17 Page 4, strike lines 1 through 19 and substitute:

18
19 "SECTION 2. 26-2-805 (1), Colorado Revised Statutes, is
20 amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

21
22 **26-2-805. Services - eligibility - assistance provided - rules.**
23 (1) (e) (I) FOR A FAMILY WITH A CHILD WHO IS ENROLLED IN BOTH THE".
24

25 Page 4, line 21, strike "CHILD CARE CENTER OPERATED BY A".
26

27 Page 4, strike lines 23 and 24 and substitute "SHALL OCCUR NO SOONER
28 THAN THE END OF THE LAST MONTH OF THE CHILD'S FIRST FULL
29 TWELVE-MONTH PROGRAM YEAR OF ENROLLMENT IN THE HEAD START
30 PROGRAM. CHILD CARE ASSISTANCE PROGRAM ELIGIBILITY
31 REDETERMINATION FOR A CHILD ENROLLED IN BOTH PROGRAMS SHALL
32 OCCUR ONCE EVERY TWELVE MONTHS THEREAFTER."
33

34 Page 5, line 4, strike "A" and substitute "NOTWITHSTANDING THE
35 PROVISIONS OF SECTION 26-1-127 (2) (a), A".
36

37 Page 5, line 6, strike "PERIOD." and substitute "PERIOD; EXCEPT THAT,
38 WITHIN THE TWELVE-MONTH ELIGIBILITY PERIOD, A FAMILY SHALL BE
39 REQUIRED TO REPORT A CHANGE IN INCOME IF THE FAMILY'S INCOME
40 EXCEEDS EIGHTY-FIVE PERCENT OF THE STATE MEDIAN INCOME. IF A
41 FAMILY REPORTS A ZERO HOUSEHOLD INCOME AMOUNT, THE COUNTY OF
42 RESIDENCE SHALL HAVE THE DISCRETION TO EXAMINE EXTENDED
43 REPORTING OVER THE FAMILY'S ELIGIBILITY ACTIVITIES."
44

45 Page 5, line 10, after "LEAVE;" insert "OR".
46

47 Page 5, strike lines 11 through 13.
48

49 Reletter succeeding sub-subparagraph accordingly.
50

51 Page 5, strike line 18 and substitute:
52

53 "SECTION 3. 26-2-805 (1.5) and (3), Colorado Revised Statutes,
54 are amended to read:
55

56 **26-2-805. Services - eligibility - assistance provided - rules.**

- 1 (1.5) If a county reduces its income eligibility requirements, a".
2
3 Renumber succeeding sections accordingly.
4
5 Page 5, line 21, strike "six TWELVE months. whichever is longer," and
6 substitute "six months, whichever is longer."
7
8 Page 5, strike lines 26 and 27.
9
10 Page 6, strike lines 1 through 3.
11
12 Page 6, line 4, strike "(b)" and substitute "(a)".
13
14 Page 6, after line 7 insert:
15
16 "(b) "HEAD START PROGRAM" MEANS A PROGRAM OPERATED BY
17 A LOCAL PUBLIC OR PRIVATE NONPROFIT AGENCY DESIGNATED BY THE
18 FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES TO OPERATE A
19 HEAD START PROGRAM UNDER THE PROVISIONS OF TITLE V OF THE
20 FEDERAL "ECONOMIC OPPORTUNITY ACT OF 1964", AS AMENDED."
21
22 Page 6, after line 26 insert:
23
24 "**SECTION 5. Effective date.** This act shall take effect June
25 1, 2011."
26
27 Renumber succeeding section accordingly.
28
29
30
31 **HB10-1232** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:
34
35 Amend printed bill, page 10, strike lines 24 through 27.
36
37 Page 11, strike lines 1 through 5.
38
39 Renumber succeeding sections accordingly.
40
41 Page 11, line 24, strike "**bus**" and substitute "**vehicle**".
42
43 Page 11, line 25, strike "bus" and substitute "**bus**".
44
45 Page 11, line 26, after "~~(3)~~(b)," insert "VEHICLE AS DEFINED IN SECTION
46 42-1-102 (88.5), C.R.S.,".
47
48
49
50 **HB10-1262** be referred favorably to the Committee on Appropriations.
51
52
53
54
55
56

1 **FINANCE**

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

4
5 **HB10-1150** be postponed indefinitely.

6
7
8 **HB10-1180** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11
12 Amend printed bill, page 4, line 7, after "expenditures" insert
13 "EMPLOYING A WORKFORCE MADE UP OF AT LEAST TWENTY-FIVE PERCENT
14 COLORADO RESIDENTS".

15
16
17
18 **HB10-1257** be referred favorably to the Committee on Appropriations.

19
20
21 **HB10-1267** be referred favorably to the Committee on Appropriations.

22
23
24
25
26 **HEALTH & HUMAN SERVICES**

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

29
30 **HB10-1033** be referred favorably to the Committee on Appropriations.

31
32
33 **HB10-1216** be amended as follows, and as so amended, be referred to
34 the Committee of the Whole with favorable
35 recommendation:

36
37 Amend printed bill, page 2, strike lines 13 through 25.

38
39 Page 3, strike lines 1 through 23.

40
41 Renumber succeeding section accordingly.

42
43 Page 1, line 101, after "THE" insert "OFF-SITE" and strike "HEALTH".

44
45 Page 1, strike line 102 and substitute "PERSONS AUTHORIZED TO INJECT
46 MEDICATIONS PURSUANT TO THE PHARMACY PRACTICE ACT.".

47
48
49
50 **HB10-1224** be amended as follows, and as so amended, be referred to
51 the Committee of the Whole with favorable
52 recommendation:

53 Amend printed bill, page 3, line 18, strike "(3) (a)," and substitute "(3),".

54
55 Page 3, line 19, strike "amended" and substitute "amended, and the said
56 12-32-101 is further amended BY THE ADDITION OF A NEW

1 SUBSECTION,".

2

3 Page 4, line 14, after "TISSUE" insert "WOUNDS".

4

5 Page 4, line 21, after "TISSUE" insert "WOUNDS".

6

7 Page 4, after line 22 insert:

8 "(b) The "practice of podiatry" does not include the amputation of
9 the foot or the administration of an anesthetic other than a local
10 anesthetic.

11

12 (c) A PODIATRIST MAY ONLY TREAT A SOFT TISSUE WOUND BELOW
13 THE MID-CALF IF THE PATIENT IS BEING TREATED BY A PHYSICIAN FOR HIS
14 OR HER UNDERLYING MEDICAL CONDITION OR IF THE PODIATRIST REFERS
15 THE PATIENT TO A PHYSICIAN FOR FURTHER TREATMENT OF THE
16 UNDERLYING MEDICAL CONDITION.

17

18 (4) "SOFT TISSUE WOUND" MEANS A LESION TO THE
19 MUSCULOSKELETAL JUNCTION THAT INCLUDE DERMAL AND SUB-DERMAL
20 TISSUE THAT DO NOT INVOLVE BONE REMOVAL OR REPAIR OR MUSCLE
21 TRANSFER."

22

23 Page 22, strike line 24 and substitute "license, ~~but in no event shall the~~
24 ~~board require more than fourteen hours~~" THAT INCLUDES AT LEAST
25 TWENTY-FIVE".

26

27 Page 22, line 25, after "credit" insert "HOURS".

28

29 Page 23, line 2, after the period add "EFFECTIVE NO LATER THAN THE 2013
30 LICENSURE RENEWAL CYCLE, THE COLORADO PODIATRY BOARD SHALL
31 IMPLEMENT AN ONGOING PROFESSIONAL DEVELOPMENT PROGRAM THAT
32 SHALL INCLUDE REQUIRED CONTINUING EDUCATION CREDIT HOURS. THE
33 PROFESSIONAL DEVELOPMENT PROGRAM SHALL BE DEVELOPED WITH THE
34 AGREEMENT OF STATEWIDE PROFESSIONAL ASSOCIATIONS THAT
35 REPRESENT PODIATRISTS."

36

37

38

39 **HB10-1226** be amended as follows, and as so amended, be referred to
40 the Committee of the Whole with favorable
41 recommendation:

42

43 Amend printed bill, page 3, strike line 5 and substitute "assessment
44 determines that the safety of the child is at low or moderate risk; and".

45

46 Page 5, strike line 21 and substitute "FAILURE, WHICH EVALUATION SHALL
47 INCLUDE, BUT NEED NOT BE LIMITED TO, CONSIDERATION OF THE PILOT
48 PROGRAM'S EFFECTIVENESS IN ACHIEVING THE FOLLOWING OUTCOMES:

49

50 (I) CHILD SAFETY AND PERMANENCY;

51

52 (II) FAMILY AND CASEWORKER SATISFACTION; AND

53

54 (III) COST EFFECTIVENESS."

55

56 Page 5, line 26, strike "PROBLEMS;" and substitute "PROBLEMS."

1 **HB1283** be amended as follows, and as so amended, be referred to
2 the Committee on Judiciary with favorable
3 recommendation:
4

5 Amend printed bill, page 2, strike lines 2 through 11.
6

7 Strike pages 3 and 4.
8

9 Page 5, strike lines 1 through 17 and substitute:
10

11 **"SECTION 1.** Part 1 of article 36 of title 12, Colorado Revised
12 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
13 read:
14

15 **12-36-114.5. Continuing professional development - rules.** ON
16 OR BEFORE THE 2013 PHYSICIAN LICENSURE RENEWAL CYCLE, THE BOARD
17 SHALL PROMULGATE AND IMPLEMENT BY RULE, AN ONGOING
18 PROFESSIONAL DEVELOPMENT PROGRAM THAT SHALL BE DEVELOPED IN
19 CONJUNCTION WITH AND IN AGREEMENT WITH STATEWIDE PROFESSIONAL
20 ASSOCIATIONS THAT REPRESENT PHYSICIANS AND PHYSICIAN
21 ASSISTANTS."
22

23 Renumber succeeding sections accordingly.
24

25 Page 6, line 22, strike the second "PROFESSIONAL".
26

27 Page 6, line 23, strike "COMPRISING SUCH HEALTH CARE PROVIDERS" and
28 substitute "THAT PROVIDES OR DELIVERS HEALTH CARE SERVICES".
29

30 Page 6, line 26, strike "A PERSON" and substitute "AN INDIVIDUAL".
31

32 Page 7, line 11, after the period add "EFFORTS TO VERIFY EMPLOYMENT
33 SHALL BE PRESUMED TO BE REASONABLE IF THE VERIFICATION
34 COMMUNICATION SUBMITTED TO THE PREVIOUS EMPLOYERS HAS
35 IDENTIFIED THE APPLICANT, INCLUDES A REQUEST FOR VERIFICATION OF
36 DATES OF EMPLOYMENT, REQUESTS THE POSITION HELD, AND MAKES
37 EXPRESS INQUIRIES AS TO THE PREVIOUS EMPLOYERS' POSSESSION OF THE
38 INFORMATION DESCRIBED IN PARAGRAPH (a) OF SUBSECTION (2) OF THIS
39 SECTION."
40

41 Page 7, line 12, after "(2) (a)" insert "(I)".
42

43 Page 7, line 16, strike "KNOWN ABOUT".
44

45 Page 7, strike lines 17 and 18 and substitute "IN ITS POSSESSION ABOUT
46 WORK PERFORMANCE AFFECTED BY DRUG OR ALCOHOL USE, ANY
47 VIOLATIONS OF ANY DRUG AND ALCOHOL POLICY, DRUG DIVERSION, DRUG
48 TAMPERING, PATIENT ABUSE, OR CRIMES OF VIOLENCE, AS LISTED IN
49 SECTION 18-1.3-406 (2) (a), C.R.S., COMMITTED BY AN APPLICANT.
50

51 (II) AS SOON AS A HEALTH CARE PROVIDER COMES INTO
52 POSSESSION OF INFORMATION ABOUT WORK PERFORMANCE AFFECTED BY
53 DRUG OR ALCOHOL USE, ANY VIOLATIONS OF ANY DRUG AND ALCOHOL
54 POLICY, DRUG DIVERSION, DRUG TAMPERING, PATIENT ABUSE, OR CRIMES
55 OF VIOLENCE, AS LISTED IN SECTION 18-1.3-406 (2) (a), C.R.S.,
56 COMMITTED BY A HEALTH CARE WORKER IN HIS OR HER EMPLOY, THE

1 HEALTH CARE PROVIDER SHALL DISCLOSE SUCH INFORMATION TO ANY
2 OTHER HEALTH CARE PROVIDERS FOR WHOM THE EMPLOYEE IS KNOWN TO
3 PROVIDE SERVICES.".

4
5 Page 11, line 2, after the period add "THE REPORT SHALL INCLUDE INPUT
6 FROM PATIENT SAFETY ADVOCACY GROUPS.".

7
8
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10

11 **JUDICIARY**

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

14
15 **HB10-1082** be postponed indefinitely.

16
17

18 **HB10-1123** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:

21
22

23 Amend printed bill, page 2, strike lines 1 through 4 and substitute:

24 "SECTION 1. 18-4-105, Colorado Revised Statutes, is amended
25 BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to
26 read:

27
28

29 **18-4-105. Fourth degree arson. (5) It".**

30
31

32 Page 2, line 5, strike "PART 1" and substitute "SECTION".

33
34

35 Page 2, line 13, strike "(2)" and substitute "(6)".

36
37

38 **HB10-1201** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:

41
42

43 Amend printed bill, page 2, line 6, strike "**vehicle, a person, or a
44 person's home**" and substitute "**vehicle or a person**".

45
46

47 Page 2, strike lines 7 through 27 and substitute:
48 "(1) (a) PRIOR TO CONDUCTING A CONSENSUAL SEARCH OF A PERSON, THE
49 PERSON'S EFFECTS, OR A VEHICLE, A PEACE OFFICER SHALL COMPLY WITH
50 PARAGRAPH (b) OF THIS SUBSECTION (1).

51
52

53 (b) A PEACE OFFICER MAY CONDUCT A CONSENSUAL SEARCH ONLY
54 AFTER ARTICULATING THE FOLLOWING FACTORS TO, AND SUBSEQUENTLY
55 RECEIVING CONSENT FROM, THE PERSON SUBJECT TO THE SEARCH OR THE
56 PERSON WITH THE AUTHORITY TO PROVIDE PERMISSION TO SEARCH THE
VEHICLE. THE FACTORS ARE:

1 (I) THE PERSON IS NOT IN CUSTODY;

2

3 (II) THE PERSON IS BEING ASKED TO VOLUNTARILY CONSENT TO A
4 SEARCH; AND

5

6 (III) THE PERSON HAS THE RIGHT TO REFUSE THE REQUEST TO
7 SEARCH.

8

9 (c) AFTER PROVIDING THE ADVISEMENT REQUIRED IN PARAGRAPH
10 (b) OF THIS SUBSECTION (1), A PEACE OFFICER MAY CONDUCT THE
11 REQUESTED SEARCH ONLY IF THE PERSON SUBJECT TO THE SEARCH
12 VOLUNTARILY PROVIDES VERBAL OR WRITTEN CONSENT. OTHER
13 EVIDENCE OF AFFIRMATION MAY BE ACCEPTABLE, IF THE PERSON IS
14 UNABLE TO PROVIDE WRITTEN OR VERBAL CONSENT."

15

16 Page 3, after line 4 insert:

17

18 "(3) IF A DEFENDANT MOVES TO SUPPRESS ANY EVIDENCE
19 OBTAINED IN THE COURSE OF THE SEARCH, THE COURT SHALL CONSIDER
20 THE FAILURE TO COMPLY WITH THIS FACTOR IN DETERMINING THE
21 VOLUNTARINESS OF THE CONSENT."

22

23 Page 3, strike lines 5 and 6 and substitute:

24

25 "(4) THIS SECTION SHALL NOT APPLY TO A SEARCH CONDUCTED
26 PURSUANT TO SECTION 16-3-103, C.R.S., A SEARCH INCIDENT TO LAWFUL
27 ARREST, OR TO A SEARCH FOR WHICH THERE IS A LEGAL BASIS. THIS SHALL
28 INCLUDE, BUT NOT BE LIMITED TO, A SEARCH IN A CORRECTIONAL FACILITY
29 OR ON CORRECTIONAL FACILITY PROPERTY, A DETENTION FACILITY,
30 COUNTY DETENTION FACILITY, CUSTODY FACILITY, JUVENILE
31 CORRECTIONAL FACILITY OPERATED BY OR UNDER A CONTRACT WITH THE
32 DEPARTMENT OF HUMAN SERVICES, A COMMUNITY CORRECTIONS FACILITY,
33 OR A JAIL OR A SEARCH OF A PERSON UNDER COMMUNITY SUPERVISION OR
34 PAROLE BY A COMMUNITY SUPERVISION OR PAROLE OFFICER WHEN THE
35 PERSON HAS EXECUTED A CONSENT TO SEARCH AUTHORIZATION FORM AS
36 A TERM AND CONDITION OF ANY COMMUNITY SUPERVISION OR PAROLE."

36

37

38

39 **HB10-1219** be postponed indefinitely.

40

41

42 **HB10-1271** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:

45

46 Amend printed bill, page 3, line 8, strike "JANUARY 1" and substitute
47 "FIRST BUSINESS DAY OF THE JANUARY".

48

49 Page 4, line 20, strike "JANUARY 1" and substitute "FIRST BUSINESS DAY
50 OF THE JANUARY".

51

52 Page 5, line 2, strike "JANUARY 1" and substitute "FIRST BUSINESS DAY OF
53 THE JANUARY".

54

55 Page 6, line 2, strike "JANUARY 1" and substitute "FIRST BUSINESS DAY OF
56 THE JANUARY".

1 Page 6, line 20, strike "JANUARY 1" and substitute "FIRST BUSINESS DAY
2 OF THE JANUARY".

3
4 Page 6, line 26, strike "JANUARY 1" and substitute "FIRST BUSINESS DAY
5 OF THE JANUARY".

6
7
8
9 **PRINTING REPORT**

10
11 The Chief Clerk reports the following bill has been correctly printed:
12 **HB10-1351.**

13
14
15
16 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

17
18 The Speaker has signed: **HB10-1189, 1190, 1191, 1193, 1194, 1195,**
19 **1196, 1199.**

20
21
22
23 **INTRODUCTION OF BILLS**
24 **First Reading**

25
26 The following bills were read by title and referred to the committees
27 indicated:

28
29 **HB10-1352** by Representative(s) Waller, Pace, Court, Gardner B.,
30 Gerou, Kagan, King S., Levy, Looper, Massey, May,
31 McCann, Miklosi, Nikkel, Roberts, Ryden, Stephens; also
32 Senator(s) Steadman and Mitchell, Carroll M., Hudak,
33 Morse, Newell, Penry, White--Concerning changes to
34 crimes involving controlled substances.
35 Committee on Judiciary

36
37 **HB10-1353** by Representative(s) Pommer, Ferrandino, Lambert; also
38 Senator(s) Keller, Tapia, White--Concerning financial
39 savings through the alignment of eligibility for the old age
40 pension program with eligibility for other public benefit
41 programs, and, in connection therewith, aligning the
42 waiting period for the old age pension with the waiting
43 period for other public benefit programs, including the
44 enforcement of financial responsibility requirements for
45 relative sponsors of noncitizens, crediting to the general
46 fund of sales and use tax revenue that was previously
47 required to be credited to the supplemental OAP health
48 and medical program fund, and making an appropriation.
49 Committee on Appropriations

50
51 **SB10-102** by Senator(s) Gibbs; also Representative(s) Fischer--
52 Concerning the certification of users of prescribed fire
53 according to standards established by the Colorado state
54 forest service.
55 Committee on Agriculture, Livestock, & Natural Resources

- 1 **SB10-123** by Senator(s) Morse, Brophy, Carroll M., Mitchell,
 2 Schwartz; also Representative(s) Labuda, Gardner B.,
 3 Kagan, Levy, Roberts--Concerning on-line publications of
 4 the secretary of state published pursuant to the "State
 5 Administrative Procedure Act".
 6 Committee on State, Veterans, & Military Affairs
 7
- 8 **SB10-142** by Senator(s) Foster; also Representative(s) Gerou--
 9 Concerning the process of resolving disputes related to
 10 sales and use tax paid to a local government.
 11 Committee on Local Government
 12
- 13 **SB10-163** by Senator(s) Tochtrop; also Representative(s) Kerr A.--
 14 Concerning workers' compensation procedures.
 15 Committee on Business Affairs and Labor
 16
- 17 **SB10-165** by Senator(s) Hodge; also Representative(s) Hullinghorst--
 18 Concerning implementation of the incorporation of oil and
 19 gas wells into the prior appropriation system.
 20 Committee on Agriculture, Livestock, & Natural Resources
 21

CHANGES IN SPONSORSHIP

- 26 The Speaker announced the following changes in sponsorship:
 27 HB10-1282--Representative Bradford to be added as dual prime sponsor
 28 with Representative King.
 29 SB10-115--Representative Merrifield to be added as dual prime sponsor
 30 with Representative Primavera.
 31

LAY OVER OF CALENDAR ITEM(S)

- 36 On motion of Representative Weissmann, the following item(s) on the
 37 Calendar (was)were laid over until February 24, retaining place on
 38 Calendar:
 39
 40 Consideration of Resolution(s)--**SJR10-004, 013, HR10-1006.**
 41

- 44 On motion of Representative Weissmann, the House adjourned until
 45 9:00 a.m., February 24, 2010.
 46

47 Approved:
 48 TERRANCE D. CARROLL,
 49 Speaker

50 Attest:
 51 MARILYN EDDINS,
 52 Chief Clerk