

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

Twenty-third Legislative Day

Thursday, February 4, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

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

4

5 Pledge of Allegiance led by Speaker Terrance D. Carroll.

6

7 The roll was called with the following result:

8

9 Present--64.

10 Excused--Representative(s) May--1.

11

12 The Speaker declared a quorum present.

13

14

15 On motion of Representative Baumgardner, the reading of the journal of  
 16 February 3, 2010, was declared dispensed with and approved as corrected  
 17 by the Chief Clerk.

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22

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

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 **HB10-1014** by Representative(s) McFadyen, Baumgardner, Fischer,  
 29 Frangas, King S., Looper, Primavera, Tyler; also  
 30 Senator(s) Spence, Gibbs, Romer, Williams--Concerning  
 31 annual reporting to the general assembly of fatal accidents  
 32 in state highway work areas.

33

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

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

38

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YES	64	NO	0	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
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y

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

14 Co-sponsor(s) added: Representative(s) Hullinghorst, Kerr A., Kerr J., Massey,  
15 Rice, Scanlan, Soper, Todd, Vigil.

16  
17 **HB10-1099** by Representative(s) Pace; also Senator(s) Tapia--  
18 Concerning authorization to consume an alcohol beverage  
19 purchased at the Colorado state fair at any location on the  
20 fairgrounds licensed for consumption.

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**.

27	YES	61	NO	3	EXCUSED	1	ABSENT	0
28	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
29	Apuan	Y	Hullinghorst	Y	McKinley	N	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	N	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	N	Pommer	Y	Todd	Y
39	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
40	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
41	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
42	Gardner B.	Y	May	E	Riesberg	Y	Waller	Y
43	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Hullinghorst, Massey, McFadyen,  
46 Ryden, Vigil.

47  
48 **HB10-1003** by Representative(s) McNulty, Kerr J., Miklosi,  
49 Primavera; also Senator(s) Tochtrop, Mitchell--  
50 Concerning the extension of the deadline for the review of  
51 grievance petitions filed with the state personnel board.

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	63	NO	1	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	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	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	E	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y
19								

20 **HB10-1016** by Representative(s) Waller, Benefield, Gardner B., King  
 21 S., Labuda, Liston, Peniston, Riesberg, Schafer S.; also  
 22 Senator(s) Tochtrop, Lundberg, Morse, Williams--  
 23 Concerning the extension of the term of the retired  
 24 member of the board of directors of the fire and police  
 25 pension association.

26  
 27 The question being "Shall the bill pass?".  
 28 A roll call vote was taken. As shown by the following recorded vote, a  
 29 majority of those elected to the House voted in the affirmative and the bill  
 30 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
31								
32	Acree	Y	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	Y	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	Y
45	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
46	Gardner B.	Y	May	E	Riesberg	Y	Waller	Y
47	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Court, Kerr J., Nikkel, Stephens,  
 50 Tipton, Todd.

51  
 52 **HB10-1085** by Representative(s) Kerr J.; also Senator(s) Tapia--  
 53 Concerning land surveying, and, in connection therewith,  
 54 altering licensure criteria for land surveyor applicants and  
 55 specifying procedures for issuance of a surveyor's  
 56 affidavit of correction.

1 The question being "Shall the bill 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 bill  
 4 was declared **passed**.

	YES	63	NO	1	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	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	E	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Lambert.

25  
 26 **HB10-1141** by Representative(s) Carroll T.; also Senator(s) Tochtrop--  
 27 Concerning a requirement for mortgage companies to be  
 28 registered by the division of real estate.

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	61	NO	3	EXCUSED	1	ABSENT	0
36	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
37	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
38	Balmer	N	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	N
44	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
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	Y
49	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
50	Gardner B.	Y	May	E	Riesberg	Y	Waller	Y
51	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Casso, Court, Ferrandino, Frangas,  
 54 Hullinghorst, Kerr J., Looper, Massey, Pommer, Priola, Ryden, Schafer S.,  
 55 Solano, Todd, Tyler, Vigil.

56

1 **HB10-1144** by Representative(s) Rice, Massey, Casso, Frangas,  
 2 Gagliardi, Kefalas; also Senator(s) Morse--Concerning  
 3 prohibiting a carrier from setting fees for a dental service  
 4 that is not paid for by the carrier.  
 5

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

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

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

### GENERAL ORDERS--SECOND READING OF BILLS

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

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

**HB10-1064** by Representative(s) Schafer S., Todd; also Senator(s)  
 Spence, Hodge, King K.--Concerning a requirement that  
 a student complete an appeal process before filing a  
 complaint with a group of neutral arbitrators concerning  
 the student's participation in extracurricular activities.

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

1 **HB10-1059** by Representative(s) Gagliardi; also Senator(s) Newell--  
 2 Concerning allowing a minor who is in the foster care  
 3 system to register for a driver education course prior to  
 4 applying for an instruction permit without a signed  
 5 affidavit of liability.

6  
 7 Ordered engrossed and placed on the Calendar for Third Reading and  
 8 Final Passage.

9  
 10 **HB10-1023** by Representative(s) Waller, Gagliardi, Kagan, Kefalas,  
 11 Summers; also Senator(s) Hudak, Boyd, Sandoval,  
 12 Scheffel, White--Concerning clarifying civil liability  
 13 regarding negligent hiring practices for an employer that  
 14 hires a person with a criminal record.

15  
 16 Amendment No. 1, Judiciary Report, dated January 28, 2010, and placed  
 17 in member's bill file; Report also printed in House Journal, January 29,  
 18 pages 119-120.

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

22  
 23 **HB10-1065** by Representative(s) McCann; also Senator(s) Tochtrop--  
 24 Concerning a prohibition against counting any time a  
 25 juvenile spends on escape status toward completion of the  
 26 juvenile's commitment.

27  
 28 Ordered engrossed and placed on the Calendar for Third Reading and  
 29 Final Passage.

30  
 31 **HB10-1090** by Representative(s) Waller; also Senator(s) Morse--  
 32 Concerning the punishment for a person who is convicted  
 33 of driving a motor vehicle with knowledge that his or her  
 34 driver's license is under restraint.

35  
 36 Amendment No. 1, by Representative(s) Waller.

37  
 38 Amend printed bill, page 2, line 2, strike "(1) (a) and (1) (b)," and  
 39 substitute "(1) (a), (1) (b), and (1) (f),".

40  
 41 Page 3, after line 7, insert:

42 ~~"(f) Upon entry of a plea of guilty or nolo contendere to a~~  
 43 ~~violation of paragraph (a) or (d) of this subsection (1), or upon a verdict~~  
 44 ~~or judgment of guilt for such~~ A violation OF PARAGRAPH (a) OR (d) OF THIS  
 45 SUBSECTION (1), the court shall require the offender to immediately  
 46 surrender his or her driver's license, minor driver's license, provisional  
 47 driver's license, temporary driver's license, or instruction permit issued by  
 48 this state, another state, or a foreign country. The court shall forward to  
 49 the department a notice of the plea, verdict or judgment OF GUILT on the  
 50 form prescribed by the department, together with the offender's  
 51 surrendered license or permit. Any person who violates the provisions of  
 52 this paragraph (f) by failing to surrender his or her license or permit to the  
 53 court commits a class 2 misdemeanor traffic offense."

54  
 55 As amended, ordered engrossed and placed on the Calendar for Third  
 56 Reading and Final Passage.

1 **HB10-1117** by Representative(s) Benefield, Primavera, Solano; also  
2 Senator(s) Johnston, Hudak, Newell, Tochtrop--  
3 Concerning certain procedures regarding the levying of  
4 taxes by county officers, and, in connection therewith,  
5 raising the amount of abatement or refund that may be  
6 approved by a board of county commissioners and  
7 allowing for the electronic transmission of notices of  
8 valuation sent by the county assessor and tax statements  
9 sent by the county treasurer.

10  
11 Amendment No. 1, Local Government Report, dated January 28, 2010,  
12 and placed in member's bill file; Report also printed in House Journal,  
13 January 29, pages 120-121.

14  
15 As amended, ordered engrossed and placed on the Calendar for Third  
16 Reading and Final Passage.

17  
18 **HB10-1116** by Representative(s) Todd; also Senator(s) Newell--  
19 Concerning the revision of certain administrative  
20 provisions relating to the conduct of elections, and, in  
21 connection therewith, amending or repealing obsolete,  
22 inconsistent, and conflicting provisions of law.

23  
24 Amendment No. 1, by Representative(s) Todd.

25  
26 Amend printed bill, page 12, line 19, strike "election," and substitute  
27 "election THAT IS COORDINATED WITH OR CONDUCTED BY THE COUNTY  
28 CLERK AND RECORDER,".

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

32  
33 **HB10-1004** by Representative(s) Massey, Apuan, Frangas, Kerr J.;  
34 also Senator(s) Foster, Boyd, Schwartz--Concerning  
35 standardization of health insurance information provided  
36 to consumers.

37  
38 Amendment No. 1, Health & Human Services Report, dated  
39 February 1, 2010, and placed in member's bill file; Report also printed in  
40 House Journal, February 2, page 162.

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

44  
45 On motion of Representative Weissmann, the remainder of the General  
46 Orders Calendar (**HB10-1043, 1112**) was laid over until February 4,  
47 retaining place on Calendar.

48  
49  
50 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

51  
52 Passed Second Reading: **HB10-1064, 1059, 1023 amended, 1065, 1090**  
53 **amended, 1117, 1116 amended, 1004 amended.**

54  
55 Laid over until date indicated retaining place on Calendar: **HB10-1043,**  
56 **1112.**

1 The Chairman moved the adoption of the Committee of the Whole  
 2 Report. As shown by the following roll call vote, a majority of those  
 3 elected to the House voted in the affirmative, and the Report was  
 4 **adopted.**

	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	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	E	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

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

### AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

33 **HB10-1134** be referred to the Committee of the Whole with favorable  
 34 recommendation.

37 **HB10-1159** be amended as follows, and as so amended, be referred to  
 38 the Committee of the Whole with favorable  
 39 recommendation:

41 Amend printed bill, page 2, line 19, strike "LOCATED OR" and substitute  
 42 "LOCATED,".

44 Page 3, line 1, strike "EXCHANGE;" and substitute "EXCHANGE, OR WITHIN  
 45 WHOSE BOUNDARIES IS LOCATED THE STREAM OR RIVER UPSTREAM OF THE  
 46 PROPOSED POINT OF DIVERSION;".

48 Page 3, strike lines 8 through 10 and substitute:

49 "(I) (A) AT LEAST FORTY-FIVE DAYS BEFORE FINALIZING THE  
 50 MITIGATION AGREEMENT, PROVIDE WRITTEN NOTICE OF THE PROPOSED  
 51 AGREEMENT TO THE WATER COURT FOR THE DIVISION FROM WHICH WATER  
 52 WOULD BE DIVERTED, THE DIVISION OF WATER RESOURCES, ALL PERSONS  
 53 WHO HAVE REQUESTED NOTICE PURSUANT TO SECTION 37-92-308 (6), AND  
 54 THE LOCAL BASIN ROUNDTABLE CREATED PURSUANT TO SECTION  
 55 37-75-104. THE WRITTEN NOTICE SHALL DESCRIBE THE PURPOSE OF THE  
 56 PROPOSED AGREEMENT AND THE SUBJECTS AND ISSUES INVOLVED.



1 (B) AT LEAST TEN DAYS BEFORE FINALIZING THE MITIGATION  
2 AGREEMENT, MAKE A DRAFT OF THE PROPOSED MITIGATION AGREEMENT  
3 AVAILABLE TO ANY PARTY WHO REQUESTS IT;"

4

5 Page 3, line 11, strike everything after "ALL".

6

7 Page 3, line 12, strike everything before "WRITTEN".

8

9 Page 3, strike lines 18 through 27.

10

11 Page 4, line 1, strike "(II)" and substitute "(d)".

12

13 Page 4, strike lines 5 through 8.

14

15 Page 4, line 13, strike "DURATION." and substitute "DURATION OR TO  
16 DILIGENCE PROCEEDINGS FOR CONDITIONAL WATER RIGHTS THAT WERE  
17 DECREED BEFORE THE EFFECTIVE DATE OF THIS SUBSECTION (18)."

18

19

20

21

22 **BUSINESS AFFAIRS & LABOR**

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

25

26 **HB10-1021** be amended as follows, and as so amended, be referred to  
27 the Committee of the Whole with favorable  
28 recommendation:

29

30 Amend printed bill, page 2, line 9, strike "AND".

31

32 Page 2, strike lines 10 through 15 and substitute "shall insure against the  
33 expense of normal pregnancy and childbirth or provide coverage for  
34 maternity care ~~therefor~~ in the same manner as any other".

35

36 Page 2, strike lines 19 through 21 and substitute "preexisting condition.  
37 AN ENTITY THAT OFFERS INDIVIDUAL SICKNESS AND ACCIDENT INSURANCE  
38 SUBJECT TO PART 2 OF THIS ARTICLE, EXCEPT SUPPLEMENTAL POLICIES  
39 COVERING A SPECIFIED DISEASE OR OTHER LIMITED BENEFIT, SHALL OFFER  
40 A POLICY THAT INCLUDES COVERAGE FOR MATERNITY CARE IN THE SAME  
41 MANNER AS ANY OTHER SICKNESS, INJURY, DISEASE, OR CONDITION THAT  
42 IS COVERED IN THE POLICY."

43

44

45

46 **HB10-1038** be amended as follows, and as so amended, be referred to  
47 the Committee on Appropriations with favorable  
48 recommendation:

49

50 Amend printed bill, page 2, line 11, strike "APPROVED BY THE DIRECTOR,"  
51 and substitute "DEVELOPED BY THE DIRECTOR AFTER CONSULTATION WITH  
52 EMPLOYERS, INSURANCE CARRIERS, AND REPRESENTATIVES OF INJURED  
53 WORKERS,".

54

55 Page 2, line 12, after "RIGHTS." insert "IF THE CLAIMANT HAS PREVIOUSLY  
56 AUTHORIZED THE EMPLOYER OR, IF INSURED, THE EMPLOYER'S INSURANCE

1 CARRIER TO COMMUNICATE WITH THE CLAIMANT THROUGH ELECTRONIC  
2 TRANSMISSION, THE BROCHURE MAY BE SENT TO THE CLAIMANT  
3 ELECTRONICALLY."

4  
5 Page 2, line 25, strike "THE CLAIMANT'S" and substitute "THAT MOST  
6 CLAIMANTS HAVE A".

7  
8 Page 3, line 2, strike "THE CLAIMANT'S" and substitute "THAT MOST  
9 CLAIMANTS HAVE A".

10  
11 Page 3, line 3, after "AND" insert "ALL CLAIMANTS HAVE THE RIGHT".

12  
13 Page 3, line 9, strike "SPECIFY WHO MAY" and substitute "DISCUSS WITH  
14 HIS OR HER DOCTOR WHO SHOULD".

15  
16 Page 3, strike lines 10 and 11 and substitute "DURING A CLAIMANT'S  
17 MEDICAL APPOINTMENT, AND THE RIGHT TO".

18  
19 Page 3, strike line 13 and substitute "CLAIM PRESENT AT THE CLAIMANT'S  
20 MEDICAL APPOINTMENT;".

21  
22 Page 3, strike lines 21 through 24 and substitute "DOCTOR CHOSEN BY THE  
23 CLAIMANT OR BY THE DIVISION AT THE CLAIMANT'S EXPENSE;".

24  
25 Page 4, strike lines 2 through 4 and substitute:  
26 "(IX) THE CLAIMANT'S RIGHT TO BE INFORMED WHETHER MEDICAL  
27 CARE AFTER MAXIMUM MEDICAL IMPROVEMENT WILL BE PROVIDED AND  
28 TO RECEIVE REASONABLE CONTINUED MEDICAL CARE IF IT IS NECESSARY  
29 TO MAINTAIN MAXIMUM MEDICAL IMPROVEMENT."

30  
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32

33 **HB10-1175** 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 6, strike lines 7 through 17 and substitute  
38 "completion of an internship ~~which~~ OR DEMONSTRATED COMPETENCY AS  
39 A PHYSICAL THERAPIST THAT fulfills the requirements established by rules  
40 and regulations of the director. or

41  
42 ~~(II) The applicant did not pass an examination substantially~~  
43 ~~equivalent to that specified in section 12-41-107 (2). Such an applicant~~  
44 ~~must take and pass the examination specified in section 12-41-107 (2) and~~  
45 ~~complete an internship which fulfills the requirements established by~~  
46 ~~rules and regulations of the director."~~

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50 **HB10-1180** be referred to the Committee of the Whole with favorable  
51 recommendation.

52  
53

54 **HB10-1202** be amended as follows, and as so amended, be referred to  
55 the Committee of the Whole with favorable  
56 recommendation:

1 Amend printed bill, page 2, line 25, strike "AT THE SAME" and substitute  
2 "NOT TO EXCEED".

3

4 Page 2, line 26, strike "COPAYMENT" and substitute "COINSURANCE" and  
5 strike "COINSURANCE" and substitute "COPAYMENT".

6

7 Page 3, line 5, strike "PHYSICIAN." and substitute "PHYSICIAN FOR THE  
8 PURPOSE OF KILLING OR SLOWING THE GROWTH OF CANCEROUS CELLS IN  
9 A MANNER THAT IS IN ACCORDANCE WITH NATIONALLY ACCEPTED  
10 STANDARDS OF MEDICAL PRACTICE, CLINICALLY APPROPRIATE IN TERMS  
11 OF TYPE, FREQUENCY, EXTENT SITE, AND DURATION, AND NOT PRIMARILY  
12 FOR THE CONVENIENCE OF THE PATIENT, PHYSICIAN, OR OTHER HEALTH  
13 CARE PROVIDER."

14

15 Page 3, strike lines 14 and 15 and substitute "COSTS WITH RESPECT TO  
16 ANTI-CANCER MEDICATIONS USED TO KILL OR SLOW THE GROWTH OF  
17 CANCEROUS CELLS COVERED UNDER A POLICY BEYOND THE  
18 MODIFICATIONS PERMITTED PURSUANT TO SECTION 10-16-201.5 (8)."

19

20 Page 3, strike lines 16 through 24 and substitute:

21

22 **"SECTION 3. Specified effective date - applicability.** This act  
23 shall take effect November 1, 2010, and shall apply to policies".

24

25

26

27

## 28 **FINANCE**

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

31

32 **HB10-1011** be amended as follows, and as so amended, be referred to  
33 the Committee of the Whole with favorable  
34 recommendation:

35

36 Amend printed bill, page 2, strike lines 12 through 14 and substitute  
37 "INFORMATION COLLECTED OR STORED BY THE DEPARTMENT IN ORDER TO  
38 ISSUE DRIVER'S LICENSES OR IDENTIFICATION CARDS. THE DEPARTMENT  
39 OF REVENUE SHALL REQUIRE ALL SUCH EMPLOYEES".

40

41 Page 2, line 17, before "EMPLOYEES" insert "SUCH".

42

43

44

45 **HB10-1040** be referred favorably to the Committee on Appropriations.

46

47

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49

## 50 **PRINTING REPORT**

51

52 The Chief Clerk reports the following bills have been correctly printed:  
53 **HB10-1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246,**  
54 **1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257.**

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56

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

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

**HB10-1258** by Representative(s) Acree, Bradford, Vaad; also Senator(s) Harvey, Spence--Concerning the authority of health insurance carriers to offer premium discounts for compliance with treatment plans prescribed to manage certain covered conditions.

Committee on Health and Human Services

**HB10-1259** by Representative(s) Nikkel; also Senator(s) Lundberg--Concerning amendments to the "Municipal Annexation Act of 1965" in order to conform the act to provisions of the state constitution.

Committee on Local Government

Committee on Judiciary

**HB10-1260** by Representative(s) Riesberg and Acree, Gerou, Kefalas, Roberts, Tyler; also Senator(s) Newell--Concerning the sunset review of the Colorado state board of medical examiners, and, in connection therewith, continuing the board and the regulation of physicians and physician assistants until July 1, 2019, and implementing the recommendations contained in the sunset review and report of the board.

Committee on Health and Human Services

**HB10-1261** by Representative(s) Bradford and Summers, Acree, Gardner B., Gerou, King S., Lambert, Liston, Looper, Murray, Nikkel, Priola, Stephens, Vaad, Waller--Concerning violent acts that harm unborn children, and making an appropriation in connection therewith.

Committee on Judiciary

Committee on Appropriations

**HB10-1262** by Representative(s) Frangas--Concerning scholarship programs for persons in industries in high need of trained workforces.

Committee on Education

Committee on Appropriations

**HB10-1263** by Representative(s) Pommer, Casso, Ferrandino, Fischer, Gagliardi, Hullinghorst, Kerr A., Labuda, Levy, Merrifield, Miklosi, Primavera, Weissmann; also Senator(s) Boyd, Hudak, Steadman, Tochtrop, Williams--Concerning a limit on the state income tax benefit for compensation paid by a business for personal services rendered.

Committee on Finance

- 1 **HB10-1264** by Representative(s) Priola; also Senator(s) Heath--  
 2 Concerning the establishment of an incentive process  
 3 whereby state employees can submit suggestions for state  
 4 agency improvements that result in cost savings.  
 5 Committee on State, Veterans, & Military Affairs  
 6 Committee on Appropriations  
 7
- 8 **HB10-1265** by Representative(s) Vigil--Concerning a court's authority  
 9 to waive certain charges levied against indigent  
 10 defendants.  
 11 Committee on Judiciary  
 12
- 13 **HB10-1266** by Representative(s) Frangas--Concerning the inclusion of  
 14 employees of specified employers in certain aspects of  
 15 state group benefit plans at the option of the employer.  
 16 Committee on Business Affairs and Labor  
 17
- 18 **HB10-1267** by Representative(s) Kerr A., Fischer, Gardner C., Looper,  
 19 McNulty, Merrifield, Miklosi; also Senator(s) Romer,  
 20 Penry--Concerning the property tax treatment of an  
 21 independently owned residential solar electric generation  
 22 facility.  
 23 Committee on Finance  
 24
- 25 **SB10-009** by Senator(s) Sandoval, Boyd, Hudak; also  
 26 Representative(s) Gagliardi, Kefalas--Concerning the  
 27 duties of the economic opportunity poverty reduction task  
 28 force.  
 29 Committee on Health and Human Services  
 30
- 31 **SB10-041** by Senator(s) Bacon; also Representative(s) Nikkel--  
 32 Concerning technical modifications to statutory provisions  
 33 governing campaign finance.  
 34 Committee on State, Veterans, & Military Affairs  
 35
- 36 **SB10-046** by Senator(s) Gibbs; also Representative(s) Levy--  
 37 Concerning the boundaries of forest improvement districts.  
 38 Committee on Local Government  
 39
- 40 **SB10-115** by Senator(s) Tochtrop, Bacon, Carroll M., Williams; also  
 41 Representative(s) Primavera--Concerning the authority of  
 42 licensed health care facilities to redispense unused  
 43 medications.  
 44 Committee on Health and Human Services  
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- 
- 50 **INTRODUCTION OF RESOLUTION**  
 51
- 52 The following resolution was read by title and referred to the committee  
 53 indicated:  
 54
- 55 **SJR10-004** by Senator(s) Whitehead; also Representative(s) Fischer--  
 56 Concerning approval of water project revolving fund

1 eligibility lists administered by the Colorado water  
2 resources and power development authority.  
3 Committee on Agriculture, Livestock, & Natural Resources

4 \_\_\_\_\_  
5

6  
7 **NOTICE OF CALENDARED ITEM(S)**  
8

9 On motion of Representative Weissmann, the following bill(s) will be  
10 calendared for Second Reading on February 5, 2010: **HB10-1202, 1159.**

11  
12 On motion of Representative Weissmann, the following bill(s) calendared  
13 for Second Reading, February 5, will be laid over until February 8, 2010:  
14 **SB10-035.**

15 \_\_\_\_\_  
16

17  
18 On motion of Representative Weissmann, the House adjourned until  
19 9:00 a.m., February 5, 2010.

20  
21 Approved:  
22 TERRANCE D. CARROLL,  
23 Speaker

24 Attest:  
25 MARILYN EDDINS,  
26 Chief Clerk