

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

Forty-ninth Legislative Day

Tuesday, March 2, 2010

1 Prayer by the Reverend Kay Palmer-Marsh, United Methodist Church,  
2 Westminster.

3

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

5

6 Pledge of Allegiance led by José Luis Rodriguez, Hinkley High School,  
7 Aurora.

8

9 The roll was called with the following result:

10

11 Present--62.

12 Excused--Representative(s) Gardner B., Kagan, Middleton--3.

13 Present after roll call--Representative(s) Gardner B.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Hullinghorst, the reading of the journal of  
19 March 1, 2010, was declared dispensed with and approved as corrected  
20 by the Chief Clerk.

21

22

23

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

27

28

29 **GENERAL ORDERS--SECOND READING OF BILLS**

30

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

35

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

38

39 **HB10-1128** by Representative(s) Loofer; also Senator(s) Hudak and  
40 Bacon--Concerning measures to increase the efficiency of  
41 the activities of entities in the division of registrations  
42 relating to the supervision of regulated professionals, and,  
43 in connection therewith, making the "Colorado Licensing

1 of Controlled Substances Act” and the sunset law  
2 consistent with provisions enacted in 2009 to continue the  
3 regulation of administration of medication by unlicensed  
4 persons, clarifying that moneys collected on behalf of  
5 administering entities of professional peer review  
6 programs do not constitute state fiscal year spending for  
7 purposes of section 20 of article X of the state  
8 constitution, clarifying exemptions from the “Dental  
9 Practice Law of Colorado”, repealing duplicative  
10 regulatory requirements for medical doctors, replacing  
11 limited temporary license requirements for medical  
12 doctors and chiropractors, repealing the committee on  
13 anticompetitive conduct, and repealing regulatory  
14 functions of the division of registrations with respect to  
15 athlete agents.

16  
17 Amendment No. 1, Health & Human Services Report, dated  
18 February 5, 2010, and placed in member’s bill file; Report also printed  
19 in House Journal, February 8, pages 237-238.

20  
21 Amendment No. 2, Appropriations Report, dated February 26, 2010, and  
22 placed in member’s bill file; Report also printed in House Journal,  
23 February 26, pages 575-576.

24  
25 As amended, ordered engrossed and placed on the Calendar for Third  
26 Reading and Final Passage.

27  
28 **HB10-1240** by Representative(s) Ferrandino; also Senator Carroll M--  
29 Concerning the foreclosure deferment process for  
30 residential properties.

31  
32 Amendment No. 1, Local Government Report, dated February 16, 2010,  
33 and placed in member’s bill file; Report also printed in House Journal,  
34 February 18, page 433.

35  
36 Amendment No. 2, by Representative(s) Massey.

37  
38 Amend printed bill, page 2, before line 2 insert:

39  
40 "SECTION 2. 38-38-103 (1) (b), Colorado Revised Statutes, is  
41 amended to read:

42  
43 **38-38-103. Combined notice - publication - providing**  
44 **information.** (1) (b) No more than sixty calendar days nor less than  
45 forty-five calendar days prior to the first scheduled date of sale, the public  
46 trustee shall SEND VIA CERTIFIED mail a combined notice as described in  
47 subsection (4) of this section to the persons as set forth in the most recent  
48 amended mailing list. If there is no amended mailing list, the public  
49 trustee shall SEND VIA CERTIFIED mail a combined notice as described in  
50 subsection (4) of this section to the persons as set forth in the mailing  
51 list."

52  
53 Renumber succeeding sections accordingly.

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

1 **HB10-1053** by Representative(s) Riesberg, Kefalas; also Senator(s)  
2 Boyd--Concerning community long-term care savings.  
3

4 Amendment No. 1, Health & Human Services Report, dated  
5 February 8, 2010, and placed in member's bill file; Report also printed in  
6 House Journal, February 9, pages 267-272.  
7

8 Amendment No. 2, Appropriations Report, dated February 26, 2010, and  
9 placed in member's bill file; Report also printed in House Journal,  
10 February 26, pages 574-575.  
11

12 Amendment No. 3, by Representative(s) Riesberg.  
13

14 Amend the Health and Human Services Committee Report, dated  
15 February 8, 2010, page 4, line 31, after "DIAGNOSES" insert "OF A  
16 CHRONIC INCAPACITATING CONDITION".  
17

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

21 **HB10-1206** by Representative(s) Fischer, Hulinghorst, Kefalas,  
22 McFadyen, McNulty, Middleton, Pace, Peniston, Scanlan;  
23 also Senator(s) Bacon--Concerning the granting of voting  
24 rights to student members of the board of governors of the  
25 Colorado state university system.  
26

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

30 **HB10-1168** by Representative(s) Levy, Judd, Kagan, Kerr A., Miklosi,  
31 Pace, Ryden, Tyler, Vigil, Weissmann, Apuan, Benefield,  
32 Carroll T., Casso, Court, Ferrandino, Hulinghorst,  
33 Labuda, McFadyen, Merrifield, Middleton, Pommer,  
34 Primavera, Scanlan, Schafer S., Solano, Todd; also  
35 Senator(s) Steadman, Brophy, Foster, Hodge, Hudak,  
36 Newell, Romer, Tochtrop, Bacon, Carroll M., Shaffer B.--  
37 Concerning a limitation on the ability of an insurer to  
38 obtain repayment of benefits from an injured party who  
39 recovers damages from the party responsible for the injury  
40 in situations when the injured party would not be fully  
41 compensated if the benefits are repaid to the insurer.  
42

43 Laid over until March 5, retaining place on Calendar.  
44

45 **HB10-1218** by Representative(s) Waller, Bradford, Liston, Looper,  
46 Nikkel, Priola; also Senator(s) Newell--Concerning  
47 information in the central registry of protection orders.  
48

49 Amendment No. 1, Judiciary Report, dated February 25, 2010, and placed  
50 in member's bill file; Report also printed in House Journal, February 26,  
51 page 597.  
52

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

1 **HB10-1265** by Representative(s) Vigil; also Senator Newell--  
2 Concerning a court's authority to waive certain charges  
3 levied against indigent defendants.  
4

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

8 **HB10-1167** by Representative(s) Peniston, Vaad, Primavera; also  
9 Senator(s) Kopp--Concerning the regulation of intrastate  
10 motor carriers of property for hire, and, in connection  
11 therewith, conforming state law in response to federal  
12 preemption and granting ports of entry additional authority  
13 to enforce insurance and safety provisions.  
14

15 Ordered engrossed and placed on the Calendar for Third Reading and  
16 Final Passage.  
17

18 **HB10-1140** by Representative(s) Nikkel and Todd, Rice, Vigil, Apuan,  
19 Acree, Stephens, Balmer, Bradford, Court, DelGrosso,  
20 Ferrandino, Fischer, Gagliardi, Gardner C., Hullinghorst,  
21 Kefalas, King S., Lambert, Liston, Looper, May, McNulty,  
22 Miklosi, Primavera, Priola, Scanlan, Sonnenberg,  
23 Summers, Swalm, Tipton; also Senator(s) Shaffer B. And  
24 Spence, Romer, Heath, Bacon, Cadman, Kester, King K.,  
25 Lundberg, Scheffel, Schultheis, Tapia, Williams--  
26 Concerning using moneys in the Colorado state veterans  
27 trust fund to construct National Guard armories.  
28

29 Ordered engrossed and placed on the Calendar for Third Reading and  
30 Final Passage.  
31

32 **HB10-1271** by Representative(s) Curry; also Senator(s) Morse--  
33 Concerning the registration date for eligibility of a person  
34 seeking to be placed in nomination as a candidate for a  
35 partisan office.  
36

37 Amendment No. 1, Judiciary Report, dated February 22, 2010, and placed  
38 in member's bill file; Report also printed in House Journal, February 23,  
39 pages 504-505.  
40

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

44 **HB10-1009** by Representative(s) Miklosi, Pace, Ryden; also Senator(s)  
45 Hodge, Carroll M., Tochtrop--Concerning the board of  
46 directors of Pinnacol Assurance.  
47

48 Laid over until March 8, retaining place on Calendar.  
49

50 **HB10-1012** by Representative(s) Pace, Miklosi, Ryden; also Senator(s)  
51 Carroll M., Hodge, Tochtrop--Concerning limitations on  
52 the use of surveillance of employees who have submitted  
53 a workers' compensation claim.  
54

55 Laid over until March 5, retaining place on Calendar.  
56

1 **HB10-1131** by Representative(s) Scanlan, Apuan, Benefield, Court,  
 2 Curry, Ferrandino, Frangas, Gagliardi, Hullinghorst,  
 3 Kerr A., Levy, Massey, Middleton, Miklosi, Pace,  
 4 Peniston, Primavera, Rice, Schafer S., Todd, Tyler, Vigil;  
 5 also Senator(s) Gibbs--Concerning measures to improve  
 6 Colorado youths' knowledge of the environment, and, in  
 7 connection therewith, creating the Colorado kids outdoors  
 8 grant program.  
 9

10 Amendment No. 1, Education Report, dated February 8, 2010, and placed  
 11 in member's bill file; Report also printed in House Journal, February 9,  
 12 pages 264-265.  
 13

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

17  
 18  
 19 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**  
 20

21 Representative Murray moved to amend the Report of the Committee of  
 22 the Whole to reverse the action taken by the Committee in adopting  
 23 HB10-1206, to show that **HB10-1206** lost.  
 24

25 The amendment was declared **lost** by the following roll call vote:  
 26

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

45  
 46  
 47  
 48 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**  
 49

50 Passed Second Reading: **HB10-1128 amended, 1240 amended, 1053**  
 51 **amended, 1206, 1218 amended, 1265, 1167, 1140, 1271 amended, 1131**  
 52 **amended.**  
 53

54 Laid over until date indicated retaining place on Calendar: **HB10-1168,**  
 55 **1012--March 5, 2010.**  
 56 **HB10-1009--March 8, 2010.**

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	63	NO	0	EXCUSED	2	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	E	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	E	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	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24  
 25  
 26 House in recess. House reconvened.  
 27  
 28

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

### 32 EDUCATION

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

35  
 36 **SB10-008** be amended as follows, and as so amended, be referred to  
 37 the Committee on Appropriations with favorable  
 38 recommendation:

39  
 40 Amend reengrossed bill, page 4, line 6, strike "DEPARTMENT OF  
 41 EDUCATION" and substitute "ENTITY CONDUCTING THE STUDY".

42  
 43 Page 4, line 11, strike "UPON CONCLUSION OF".

44  
 45 Page 4, strike lines 12 through 16.

46  
 47 Page 5, line 17, strike "SIXTEEN" and substitute "SEVENTEEN".

48  
 49 Page 6, line 12, strike "FORM" and substitute "FROM".

50  
 51 Page 6, line 16, strike "DISTRICT.; AND" and substitute "DISTRICT;".

52  
 53 Page 6, line 18, strike "ASSOCIATION." and substitute "ASSOCIATION;  
 54 AND".

55  
 56 Page 6, after line 18 insert:

1           "(VII) ONE PERSON WHO REPRESENTS THE EDUCATION DATA  
2 ADVISORY COMMITTEE CREATED IN SECTION 22-2-304."  
3  
4 Page 7, line 6, strike "JANUARY 15, 2011." and substitute "DECEMBER 15,  
5 2010."  
6  
7  
8  
9 **SB10-018**       be referred to the Committee of the Whole with favorable  
10 recommendation.  
11  
12  
13 **SB10-056**       be amended as follows, and as so amended, be referred  
14 to the Committee of the Whole with favorable  
15 recommendation:  
16  
17 Amend reengrossed bill, page 2, line 6, after "PROVIDE" insert "TO".  
18  
19 Page 2, line 7, strike "A COPY OF".  
20  
21 Page 2, line 15, after "PROVIDE" insert "TO".  
22  
23 Page 2, line 17, strike "A COPY OF".  
24  
25 Page 2, line 20, before "FOR" insert "FOR PURPOSES OF THIS SECTION, AN  
26 INSTITUTE CHARTER SCHOOL SHALL HAVE THE DISCRETION TO DETERMINE  
27 THE METHOD OF DISTRIBUTION OF THE STANDARDIZED IMMUNIZATION  
28 DOCUMENT, INCLUDING BUT NOT LIMITED TO PROVIDING A COPY TO  
29 PARENTS AND LEGAL GUARDIANS, PROVIDING THE STANDARDIZED  
30 IMMUNIZATION DOCUMENT IN A NEWSLETTER OR HANDBOOK, OR  
31 PROVIDING TO PARENTS AND LEGAL GUARDIANS AN ELECTRONIC COPY OF  
32 THE STANDARDIZED IMMUNIZATION DOCUMENT."  
33  
34 Page 3, line 5, after "PROVIDE" insert "TO".  
35  
36 Page 3, line 6, strike "A COPY OF".  
37  
38 Page 3, line 18, after "PROVIDE" insert "TO".  
39  
40 Page 3, line 20, strike "A COPY OF".  
41  
42 Page 3, line 22, before "FOR" insert "FOR THE PURPOSES OF THIS SECTION,  
43 A SCHOOL DISTRICT SHALL HAVE THE DISCRETION TO DETERMINE THE  
44 METHOD OF DISTRIBUTION OF THE STANDARDIZED IMMUNIZATION  
45 DOCUMENT, INCLUDING BUT NOT LIMITED TO PROVIDING A COPY TO  
46 PARENTS AND LEGAL GUARDIANS, PROVIDING THE STANDARDIZED  
47 IMMUNIZATION DOCUMENT IN A NEWSLETTER OR HANDBOOK, OR  
48 PROVIDING TO PARENTS AND LEGAL GUARDIANS AN ELECTRONIC COPY OF  
49 THE STANDARDIZED IMMUNIZATION DOCUMENT."  
50  
51 Page 4, strike lines 9 through 12 and substitute "DEPARTMENT OF  
52 EDUCATION SHALL POST THE STANDARDIZED IMMUNIZATION DOCUMENT  
53 ON ITS WEB SITE ON OR BEFORE JANUARY 15, 2011, AND EACH YEAR  
54 THEREAFTER. THE STANDARDIZED".  
55  
56

1 **SB10-058** be referred favorably to the Committee on Appropriations.

2

3

4

5

6 **HEALTH & HUMAN SERVICES**

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

9

10 **HB10-1146** be amended as follows, and as so amended, be referred to  
11 the Committee on Appropriations with favorable  
12 recommendation:

13

14 Amend printed bill, page 5, line 9, strike "(3), and (5)," and substitute  
15 "and (3),".

16

17 Page 5, line 11, strike "**allowance as**" and substitute "**allowance.**".

18

19 Page 5, strike line 12.

20

21 Page 5, line 13, strike "**department of human services.**"

22

23 Page 6, strike lines 10 through 15 and substitute "persons ~~eligible to~~  
24 ~~receive~~ WHO MEET THE FUNCTIONAL IMPAIRMENT AND FINANCIAL  
25 ELIGIBILITY CRITERIA AS ESTABLISHED BY THE STATE DEPARTMENT BY  
26 RULE AND:

27

28 (A) WERE RECEIVING old age pension BENEFITS AND HOME CARE  
29 ALLOWANCE ON THE DAY PRIOR TO THE EFFECTIVE DATE OF HOUSE BILL  
30 10-1146, AND REMAIN CONTINUOUSLY ELIGIBLE FOR SUCH BENEFITS; OR

31

32 (B) ARE".

33

34 Page 8, strike line 15 and substitute:

35

36 "**SECTION 5.** 26-2-122.3 (5), Colorado Revised Statutes, is  
37 amended to read:

38

39 **26-2-122.3. Adult foster care and home care allowance as**  
40 **services under certain public assistance programs - administered by**  
41 **department of human services.** (5) The STATE department of ~~health~~  
42 ~~care policy and financing".~~

43

44 Renumber succeeding sections accordingly.

45

46 Page 8, strike lines 20 and 21 and substitute:

47

48 "**SECTION 6. Specified effective date.** (1) This section and  
49 section 7 of this act shall take effect upon passage.

50

51 (2) Section 5 of this act shall take effect July 1, 2010.

52

53 (3) Sections 1 through 4 of this act shall take effect October 1,  
54 2010, or upon the expiration of the provisions of the federal "American  
55 Reinvestment and Recovery Act of 2009", Pub.L. 111-5, or any  
56 amendment thereto, or other federal law that restricts reimbursement of



1 an enhanced federal medicaid assistance percentage to a state that reduces  
2 eligibility for its medicaid program, whichever is later, and upon the staff  
3 director of the joint budget committee filing a written notice with the  
4 revisor of statutes that the requirement set forth in this subsection (3) has  
5 been met."

6

7

8

9 **HB10-1217** be referred to the Committee of the Whole with favorable  
10 recommendation.

11

12

13

14

15 **JUDICIARY**

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

18

19 **HB10-1248** be postponed indefinitely.

20

21

22 **HB10-1269** be amended as follows, and as so amended, be referred to  
23 the Committee on Appropriations with favorable  
24 recommendation:

25

26 Amend printed bill, page 8, after line 26 insert:

27

28 "SECTION 2. 24-34-402.7 (3) (a), (3) (b), and (4), Colorado  
29 Revised Statutes, are amended to read:

30

31 **24-34-402.7. Unlawful action against employees seeking**  
32 **protection.** (3) (a) It shall be ~~unlawful~~ A DISCRIMINATORY OR UNFAIR  
33 EMPLOYMENT PRACTICE for any employer to interfere with, restrain, or  
34 deny the exercise of or any attempt to exercise any rights provided under  
35 this section.

36

37 (b) It shall be ~~unlawful~~ A DISCRIMINATORY OR UNFAIR  
38 EMPLOYMENT PRACTICE for any employer to discharge or in any other  
39 manner discriminate against any individual for exercising his or her rights  
40 under this section.

41

42 ~~(4) Notwithstanding any other provisions of this article to the~~  
43 ~~contrary, the sole remedy for any person claiming to be aggrieved by a~~  
44 ~~violation of this section shall be to bring a civil suit for damages or~~  
45 ~~equitable relief or both in any district court of competent jurisdiction.~~  
46 ~~Such person may claim as damages all wages and benefits that would~~  
47 ~~have been due the person up to and including the date of the judgment~~  
48 ~~had the act violating this section not occurred, except that nothing in this~~  
49 ~~section shall be construed to relieve such person from the obligation to~~  
50 ~~mitigate his or her damages."~~

51

52 Renumber succeeding section accordingly.

53

54

55

1 **HB10-1277** be amended as follows, and as so amended, be referred to  
2 the Committee on Appropriations with favorable  
3 recommendation:  
4

5 Amend printed bill, page 2, line 16, strike "OR".  
6

7 Page 2, line 19, strike "CRIME." and substitute "CRIME, OR A FACILITY OF  
8 A COMMUNITY CORRECTIONS PROGRAM AS DEFINED IN SECTION 17-27-102  
9 (3), C.R.S."  
10

11 Page 3, line 8, strike "corrections OR" and substitute "corrections, THE".  
12

13 Page 3, line 9, strike "SERVICES." and substitute "SERVICES, OR A  
14 COMMUNITY CORRECTIONS PROGRAM."  
15

16 Page 3, strike line 17 and substitute "corrections, THE DEPARTMENT OF  
17 HUMAN SERVICES, OR A COMMUNITY CORRECTIONS PROGRAM;"  
18  
19  
20

21 **HB10-1286** be postponed indefinitely.  
22  
23

24 **HB10-1288** be amended as follows, and as so amended, be referred to  
25 the Committee of the Whole with favorable  
26 recommendation:  
27

28 Amend printed bill, page 3, line 16, after the semicolon add "AND".  
29

30 Page 3, line 20, strike "AGREEMENT; AND" and substitute "AGREEMENT."  
31

32 Page 3, strike lines 21 through 26.  
33

34 Page 7, line 23, strike "INCLUDE:" and substitute "INCLUDE, BUT ARE NOT  
35 LIMITED TO:"  
36

37 Page 7, line 26, strike "AND".  
38

39 Page 8, line 1, strike "LOANS." and substitute "LOANS; AND  
40

41 (c) A PRIOR RECORDED LIEN SECURING A CORPORATE INDENTURE."  
42  
43  
44

45 **HB10-1294** be postponed indefinitely.  
46  
47

48 **HB10-1334** be amended as follows, and as so amended, be referred to  
49 the Committee on Appropriations with favorable  
50 recommendation:  
51

52 Amend printed bill, page 3, strike lines 15 through 23 and substitute:  
53

54 "(a) If he OR SHE knowingly exposes his OR HER genitals to the  
55 view of any person under circumstances in which such conduct is likely  
56 to cause affront or alarm to the other person WITH THE INTENT TO AROUSE

1 OR TO SATISFY THE SEXUAL DESIRE OF ANY PERSON;

2

3 (b) IF HE OR SHE KNOWINGLY PERFORMS AN ACT OF  
4 MASTURBATION IN A MANNER WHICH EXPOSES THE ACT TO THE VIEW OF  
5 ANY PERSON UNDER CIRCUMSTANCES IN WHICH SUCH CONDUCT IS LIKELY  
6 TO CAUSE AFFRONT OR ALARM TO THE OTHER PERSON."

7

8 Page 4, after line 15 insert:

9

10 "SECTION 4. 16-11.7-102 (3) (v) and (3) (w), Colorado Revised  
11 Statutes, are amended, and the said 16-11.7-102 (3) is further amended  
12 BY THE ADDITION OF A NEW PARAGRAPH, to read:

13

14 **16-11.7-102. Definitions.** As used in this article, unless the  
15 context otherwise requires:

16

17 (3) "Sex offense" means any felony or misdemeanor offense  
18 described in this subsection (3) as follows:

19

20 (v) Class 4 felony internet luring of a child, in violation of section  
21 18-3-306 (3), C.R.S.; or

22

23 (w) Internet sexual exploitation of a child in violation of section  
24 18-3-405.4, C.R.S.; OR

25

26 (x) PUBLIC INDECENCY, COMMITTED IN VIOLATION OF SECTION 18-  
27 7-301 (2) (b), C.R.S."

28

29 Renumber succeeding section accordingly.

30

31

32

### 33 MESSAGE(S) FROM THE GOVERNOR

34

35 I certify I received the following on the 1st day of March, 2010, at  
36 2:45 p.m. The original is on file in the records of the House of  
37 Representatives of the General Assembly.

38

39

Marilyn Eddins,  
Chief Clerk of the House

40

41

42 March 1, 2010

43

44 To the Honorable House of Representatives

45 Sixty-seventh General Assembly

46 Second Regular Session

47 State Capitol

48 Denver, CO 80203

49

50 Ladies and Gentlemen:

51

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

54

55 **HB10-1324** CONCERNING A REDUCTION IN THE GENERAL FUND  
56 PORTION OF THE PER DIEM RATES PAID TO NURSING

1 FACILITIES, AND MAKING AN APPROPRIATION  
2 THEREFOR.

3

4

Approved March 1, 2010 at 1:34 p.m.

5

6 Sincerely,

7 (signed)

8 Bill Ritter, Jr.

9 Governor

10

11

12

13

## INTRODUCTION OF BILLS

14

### First Reading

15

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

17

18 **HB10-1354** by Representative(s) Benefield and Looper, Weissmann,  
19 Acree, Apuan, Balmer, Bradford, Casso, Curry,  
20 DelGrosso, Ferrandino, Frangas, Gagliardi, Gardner C.,  
21 Gerou, Hullinghorst, Kerr J., King S., Labuda, McFadyen,  
22 Merrifield, Middleton, Miklosi, Murray, Nikkel, Rice,  
23 Roberts, Scanlan, Schafer S., Solano, Summers, Swalm,  
24 Tipton, Todd, Vaad, Vigil; also Senator(s) Morse, Hodge,  
25 Newell, Penry, Spence, Steadman--Concerning policy  
26 studies conducted by the general assembly during the  
27 legislative interim.

28

Committee on State, Veterans, & Military Affairs

29

30 **SB10-006** by Senator(s) Boyd, Hudak, Sandoval, White; also  
31 Representative(s) Summers, Gagliardi, Kefalas, Waller--  
32 Concerning reductions in barriers to obtaining identity-  
33 related documents.

34

Committee on Health and Human Services

35

36 **SB10-025** by Senator(s) Whitehead, Brophy, Hodge, Schwartz,  
37 White; also Representative(s) Baumgardner, Curry,  
38 Fischer, Gardner C., McKinley--Concerning the long-term  
39 funding of the water efficiency grant program.

40

Committee on Agriculture, Livestock, & Natural Resources

41

42 **SB10-068** by Senator(s) Boyd; also Representative(s) Massey--  
43 Concerning streamlining eligibility requirements for the  
44 Colorado works program, and making an appropriation in  
45 connection therewith.

46

Committee on Health and Human Services

47

48 **SB10-072** by Senator(s) Schwartz; also Representative(s) Vigil--  
49 Concerning creation of the "Colorado Seed Potato Act",  
50 and making an appropriation therefor.

51

Committee on Agriculture, Livestock, & Natural Resources

52

53 **SB10-088** by Senator(s) Johnston; also Representative(s) Massey--  
54 Concerning authorization of two-year degrees with  
55 academic designation.

56

Committee on Education

- 1 **SB10-098** by Senator(s) Tochtrop; also Representative(s)  
2 Sonnenberg--Concerning the allocation of moneys to  
3 promote conservation of the state's natural resources.  
4 Committee on Local Government  
5  
6  
7 **SB10-111** by Senator(s) King K., Bacon, Johnston, Scheffel,  
8 Schultheis, Spence, Steadman; also Representative(s)  
9 Massey, Summers, Gardner B., King S., McNulty,  
10 Middleton, Murray--Concerning public schools that are  
11 authorized by the state charter school institute.  
12 Committee on Education  
13  
14  
15 **SB10-116** by Senator(s) Kopp, Tochtrop, Carroll M., Scheffel, Tapia,  
16 Whitehead, Williams, Renfroe; also Representative(s)  
17 Rice and Priola, Benefield, Casso, Gagliardi, Gerou,  
18 Kefalas, Kerr J., Liston, Middleton, Pommer, Riesberg,  
19 Soper, Vaad--Concerning the reimbursement of costs  
20 incurred on change orders in public works contracts.  
21 Committee on Business Affairs and Labor  
22  
23  
24 **SB10-129** by Senator(s) Hudak, Bacon, Johnston, Keller, Kester; also  
25 Representative(s) Rice--Concerning care coordination  
26 services for children with autism.  
27 Committee on Health and Human Services  
28  
29  
30 **SB10-147** by Senator(s) Lundberg, Penry; also Representative(s)  
31 DelGrosso--Concerning exempting from execution by  
32 creditors certain assets that are payable upon death.  
33 Committee on Judiciary  
34  
35  
36 **SB10-148** by Senator(s) White, Keller, Tapia; also Representative(s)  
37 Lambert, Ferrandino, Pommer--Concerning the transfer of  
38 the enterprise facility for operational recovery, readiness,  
39 response, and transition services from the department of  
40 state to the office of information technology in the office  
41 of the governor, and, in connection therewith, developing  
42 a timeline to transfer funding of the facility from the  
43 department of state cash fund to the computer services  
44 revolving fund over a period of four years.  
45 Committee on Appropriations  
46  
47  
48 **SB10-155** by Senator(s) Tochtrop; also Representative(s) Benefield--  
49 Concerning limitations on the issuance of gift cards.  
50 Committee on Business Affairs and Labor  
51  
52  
53 **SB10-158** by Senator(s) Newell, Bacon, Carroll M., Gibbs, Heath,  
54 Hodge, Hudak, Johnston, Keller, Kester, Lundberg,  
55 Morse, Romer, Sandoval, Schwartz, Spence, Steadman,  
56 Tapia, Tochtrop, White, Whitehead, Williams; also

1 Representative(s) Rice, Ryden--Concerning the creation of  
 2 the creative industries division within the Colorado office  
 3 of economic development, and, in connection therewith,  
 4 recodifying the statutory provisions that create the  
 5 Colorado office of film, television, and media, the council  
 6 on creative industries, and the art in public places  
 7 program.

8 Committee on Business Affairs and Labor  
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## INTRODUCTION OF RESOLUTIONS

14 The following resolution was read by title and laid over one day under the  
 15 rules:

16

17 **HJR10-1013** by Representative(s) Gardner B., Soper; also Senator(s)  
 18 Tochtrop, Morse--Concerning the United States balance of  
 19 trade deficit.

20

21

22 The following resolution was read by title and referred to the committee  
 23 indicated:

24

25 **HJR10-1014** by Representative(s) Acree; also Senator(s) Kopp--  
 26 Concerning the creation of a federal income tax deduction  
 27 for health insurance premiums paid by individuals.

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## NOTICE OF CALENDARED ITEM(S)

34 On motion of Representative Weissmann, the following bill(s) will be  
 35 calendared for Second Reading on March 5, 2010: **SB10-018, 056,**  
 36 **HB10-1288.**

37

38 On motion of Representative Weissmann, the following bill(s) will be  
 39 calendared for Second Reading on March 12, 2010: **HB10-1217.**

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## LAY OVER OF CALENDAR ITEM(S)

45 On motion of Representative Weissmann, the following item(s) on the  
 46 Calendar (was)were laid over until March 3, retaining place on Calendar:

47

48 Consideration of Third Reading--**SB10-109, HB10-1290, 1292, 1096,**  
 49 **1147, 1329, 1333.**

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50 Consideration of Senate Amendment(s)--**HB10-1055, 1306, 1318, 1339,**  
 51 **1320, 1327.**

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1 On motion of Representative Weissmann, the House adjourned until  
2 9:00 a.m., March 3, 2010.

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7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

TERRANCE D. CARROLL,

Speaker

