

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

Sixty-fifth Legislative Day

Thursday, March 18, 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 Mike Ciccio, Anitra Dolan, Maddie Grippe,
6 Timbertrail Elementary, Highlands Ranch.
7
8 The roll was called with the following result:
9
10 Present--62.
11 Excused--Representative(s) Gardner B., Pommer, Solano--3.
12 Present after roll call--Representative(s) Gardner B., Pommer,
13 Solano.

14
15 The Speaker declared a quorum present.
16
17

18 On motion of Representative Kefalas, the reading of the journal of
19 March 17, 2010, was declared dispensed with and approved as corrected
20 by the Chief Clerk.
21
22

THIRD READING OF BILL(S)--FINAL PASSAGE

23
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

30 **HB10-1149** by Representative(s) Hullinghorst; also Senator(s) Foster--
31 Concerning the regulation prior to disposal of sources that
32 emit radiation.
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

	YES	43	NO	22	EXCUSED	0	ABSENT	0
40	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
41	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
42	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
43	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y

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

14 Co-sponsor(s) added: Representative(s) Court, Fischer, Frangas, Labuda,
 15 Pommer, Schafer S., Vigil.

16
 17 **SB10-008** by Senator(s) Johnston, Romer; also Representative(s)
 18 Scanlan, Massey, Middleton--Concerning a study to
 19 evaluate the feasibility of a system to determine pupil
 20 enrollment for purposes of the "Public School Finance Act
 21 of 1994" based on the average daily membership of pupils
 22 in school districts.

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

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

47 Co-sponsor(s) added: Representative(s) Apuan, Ferrandino, Fischer,
 48 Gardner B., Kerr A., Kerr J., Labuda, McFadyen, Pace, Schafer S., Summers,
 49 Vigil.

50
 51
 52 **SB10-058** by Senator(s) Tapia; also Representative(s) Gagliardi--
 53 Concerning the eligibility requirements for the nursing
 54 teacher loan forgiveness pilot program.

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	64	NO	1	EXCUSED	0	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	Y	Riesberg	Y	Waller	Y
22 Gardner C.	Y		McCann	Y	Roberts	Y	Weissmann	N
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Gerou, Kefalas,
 25 Massey, Miklosi, Rice, Roberts, Scanlan, Schafer S., Soper, Summers, Todd.

26
 27 **SB10-150** by Senator(s) Tapia, Keller, White; also Representative(s)
 28 Pommer, Ferrandino, Lambert--Concerning the transfer in
 29 state fiscal year 2010-11 of all moneys not otherwise
 30 allocated from state public school lands to the state public
 31 school fund instead of the permanent school fund.

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 bill
 36 was declared **passed**.

	YES	39	NO	26	EXCUSED	0	ABSENT	0
39 Acree	N		Gerou	N	McFadyen	Y	Ryden	Y
40 Apuan	Y		Hullinghorst	Y	McKinley	Y	Scanlan	Y
41 Balmer	N		Judd	Y	McNulty	N	Schafer S.	Y
42 Baumgardner	N		Kagan	Y	Merrifield	Y	Solano	Y
43 Benefield	Y		Kefalas	Y	Middleton	Y	Sonnenberg	N
44 Bradford	N		Kerr A.	Y	Miklosi	Y	Soper	Y
45 Casso	Y		Kerr J.	N	Murray	N	Stephens	N
46 Court	Y		King S.	N	Nikkel	N	Summers	N
47 Curry	Y		Labuda	Y	Pace	Y	Swalm	N
48 DelGrosso	N		Lambert	N	Peniston	Y	Tipton	N
49 Ferrandino	Y		Levy	Y	Pommer	Y	Todd	Y
50 Fischer	Y		Liston	N	Primavera	Y	Tyler	Y
51 Frangas	Y		Looper	N	Priola	N	Vaad	N
52 Gagliardi	Y		Massey	Y	Rice	Y	Vigil	Y
53 Gardner B.	N		May	N	Riesberg	Y	Waller	N
54 Gardner C.	N		McCann	Y	Roberts	N	Weissmann	Y
55							Speaker	Y

56

1 **SB10-149** by Senator(s) Tapia, Keller, White; also Representative(s)
 2 Ferrandino, Pommer, Lambert--Concerning advancements
 3 to counties from the county tax base relief fund.
 4

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
11	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
13	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
14	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
16	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
17	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
18	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
19	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
20	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
21	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
22	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
24	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
25	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
26	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
27							Speaker	Y

28
 29 **SB10-151** by Senator(s) White, Keller, Tapia; also Representative(s)
 30 Pommer, Ferrandino, Lambert--Concerning the repeal of
 31 the Colorado comprehensive health fund.
 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 bill
 36 was declared **passed**.
 37

	YES	63	NO	2	EXCUSED	0	ABSENT	0
39	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
40	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
41	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
42	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
43	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
44	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
45	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
46	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
47	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
48	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
49	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
50	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
51	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
52	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
53	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
54	Gardner C.	Y	McCann	Y	Roberts	N	Weissmann	Y
55							Speaker	Y

56

1 **SB10-129** by Senator(s) Hudak, Bacon, Johnston, Keller, Kester; also
 2 Representative(s) Rice--Concerning care coordination
 3 services for children with autism.
 4

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
11	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
13	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
14	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
16	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
17	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
18	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
19	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
20	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
21	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
22	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
24	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
25	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
26	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Court, Ferrandino, Gardner C., Kefalas,
 29 Kerr J., King S., Labuda, Looper, Nikkel, Pommer, Primavera, Schafer S.,
 30 Soper, Stephens, Todd.
 31

32 **SB10-032** by Senator(s) Tapia; also Representative(s) Lambert--
 33 Concerning the authorization of amendments to existing
 34 state information technology contracts for purposes of
 35 furthering consolidation of the management of state
 36 agency information technology resources in the office of
 37 information technology.
 38

39 The question being "Shall the bill pass?".
 40 A roll call vote was taken. As shown by the following recorded vote, a
 41 majority of those elected to the House voted in the affirmative and the bill
 42 was declared **passed**.
 43

	YES	65	NO	0	EXCUSED	0	ABSENT	0
45	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
46	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
47	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
48	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
49	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
50	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
51	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
52	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
53	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
54	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
55	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
56	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y

1	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
2	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
3	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
4	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Acree, Kerr J., Murray, Nikkel,
7 Stephens, Todd.

8
9 **SB10-080** by Senator(s) Newell, Steadman, Bacon, Gibbs, Hudak,
10 Johnston, Morse, Romer, Sandoval, Tapia, Tochtrop,
11 Williams; also Representative(s) Frangas, Todd--
12 Concerning allowing court-entered civil protection orders
13 to include directives concerning animals.

14
15 The question being "Shall the bill pass?".
16 A roll call vote was taken. As shown by the following recorded vote, a
17 majority of those elected to the House voted in the affirmative and the bill
18 was declared **passed**.

20	YES	64	NO	1	EXCUSED	0	ABSENT	0
21	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
22	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
23	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
24	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
25	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
26	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
27	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
28	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
29	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
30	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
31	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
32	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
33	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
34	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
35	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
36	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
37							Speaker	Y

38 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Hullinghorst,
39 King S., Labuda, Looper, Nikkel, Peniston, Primavera, Schafer S., Solano,
40 Tyler, Vigil.

41
42 **SB10-123** by Senator(s) Morse, Brophy, Carroll M., Mitchell,
43 Schwartz; also Representative(s) Labuda, Gardner B.,
44 Kagan, Levy, Roberts--Concerning on-line publications of
45 the secretary of state published pursuant to the "State
46 Administrative Procedure Act".

47
48 The question being "Shall the bill pass?".
49 A roll call vote was taken. As shown by the following recorded vote, a
50 majority of those elected to the House voted in the affirmative and the bill
51 was declared **passed**.

53	YES	65	NO	0	EXCUSED	0	ABSENT	0
54	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
55	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
56	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	Y	Kerr J.	Y	Murray	Y	Stephens	Y
5	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
6	Curry	Y	Labuda	Y	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	Y
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) Apuan, Kerr J., Lambert, Schafer S.,
 16 Todd.

17
 18 **SB10-148** by Senator(s) White, Keller, Tapia; also Representative(s)
 19 Lambert, Ferrandino, Pommer--Concerning the transfer of
 20 the enterprise facility for operational recovery, readiness,
 21 response, and transition services from the department of
 22 state to the office of information technology in the office
 23 of the governor, and, in connection therewith, developing
 24 a timeline to transfer funding of the facility from the
 25 department of state cash fund to the computer services
 26 Revolving fund over a period of four years.

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

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

51 Co-sponsor(s) added: Representative(s) Nikkel, Stephens, Waller.

52
 53 **SB10-118** by Senator(s) Tochtrop, Carroll M.; also Representative(s)
 54 Miklosi, Primavera--Concerning authorizing the
 55 department of human services to obtain a fingerprint-based
 56 criminal history record check on an individual who cares

1 for a related child whose care is funded in whole or in part
 2 with moneys received from the Colorado child care
 3 assistance program.
 4

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

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

	YES	60	NO	5	EXCUSED	0	ABSENT	0
11	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
12	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
13	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
14	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
16	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
17	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
18	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
19	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
20	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
21	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
22	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
24	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
25	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
26	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Apuan, Casso, Gerou, Hullinghorst,
 29 Labuda, Pace, Priola, Todd.

33 CONSIDERATION OF RESOLUTION(S)

35 **HJR10-1015** by Representative(s) Roberts, Tipton; also Senator(s)
 36 Whitehead--Concerning the removal of FCC broadcasting
 37 restrictions to allow access to Denver television stations in
 38 southwestern Colorado.
 39

40 (Printed and placed in members' file)

42 On motion of Representative Roberts, the resolution was read at length
 43 and **adopted** by **viva voce** vote.
 44

45 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
 46 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
 47 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou,
 48 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
 49 Levy, Liston, Looper, Massey, May, McCann, McFadyen, McKinley, McNulty,
 50 Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer,
 51 Primavera, Priola, Rice, Riesberg, Ryden, Scanlan, Schafer S., Solano,
 52 Sonnenberg, Soper, Stephens, Summers, Swalm, Todd, Tyler, Vaad, Vigil,
 53 Waller, Weissmann, Speaker.
 54

55 **HR10-1007** by Representative(s) Frangas, Curry, Miklosi--Concerning
 56 the need for assistance from the federal government for

1 unemployment insurance benefits, and, in connection
 2 therewith, urging the federal government to extend the
 3 interest-free payback period for loans received by the state
 4 of Colorado.

5
 6 (Printed and placed in members' file)

7
 8 On motion of Representative Frangas, the resolution was read at length
 9 and **adopted** by the following roll call vote:

	YES	50	NO	15	EXCUSED	0	ABSENT	0
12	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
14	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
15	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
19	Court	Y	King S.	N	Nikkel	N	Summers	Y
20	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
21	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
22	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	Y	Priola	Y	Vaad	N
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
26	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
27	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Ferrandino,
 30 Fischer, Gagliardi, Hullinghorst, Labuda, Levy, McFadyen, Merrifield,
 31 Pommer, Soper, Todd

32
 33 **SJR10-017** by Senator(s) Hodge; also Representative(s) Fischer,
 34 Baumgardner, Court, Curry, DelGrosso, Ferrandino,
 35 Hullinghorst, Kefalas, Kerr J., Labuda, Looper,
 36 McFadyen, McKinley, Nikkel, Pace, Ryden, Scanlan,
 37 Solano, Sonnenberg, Tipton, Vigil--Concerning the
 38 recognition of March 17, 2010, as "National Agriculture
 39 Day".

40
 41 (Printed and placed in members' file)

42
 43 On motion of Representative Fischer, the resolution was read at length
 44 and **adopted** by **viva voce** vote.

45
 46 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
 47 Balmer, Benefield, Bradford, Casso, Frangas, Gagliardi, Gardner B., Gardner
 48 C., Gerou, Judd, Kagan, Kerr A., King S., Lambert, Levy, Liston, Massey, May,
 49 McCann, McNulty, Merrifield, Middleton, Miklosi, Murray, Peniston, Pommer,
 50 Primavera, Priola, Rice, Riesberg, Roberts, Schafer S., Soper, Stephens,
 51 Summers, Swalm, Todd, Tyler, Vaad, Waller, Weissmann, Speaker

52
 53
 54 House in recess. House reconvened.

55
 56

REPORT(S) OF COMMITTEE(S) OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

SB10-025 be referred to the Committee of the Whole with favorable recommendation.

SB10-071 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 3, line 10, strike "FIRST" and substitute "SECOND".

Page 3, line 24, strike "LEAVE" and substitute "LEAF".

SB10-072 be referred favorably to the Committee on Appropriations.

SB10-098 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 5, line 4, strike "(a)".

Page 5, line 14, strike "sites." and substitute "sites, AS DEFINED IN PARAGRAPH (e) OF SUBSECTION (1) OF THIS SECTION.".

Page 5, strike lines 15 through 20.

FINANCE

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

HB10-1242 be referred to the Committee of the Whole with favorable recommendation.

HB10-1243 be referred favorably to the Committee on Appropriations.

SB10-155 be referred to the Committee of the Whole with favorable recommendation.

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on HB10-1320**

This Report Adopts the Rerevised Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB10-1320,
concerning the use of tobacco revenues generated under section 21 of
article X of the state constitution in a state fiscal emergency, and making
an appropriation therefor, has met and reports that it has agreed upon the
following:

That the House accede to the Senate amendments made to the bill
and that the rerevised bill be adopted without change.

Respectfully submitted,

House Committee:
(signed)
Jack Pommer
Mark Ferrandino
Kent D. Lambert

Senate Committee:
(signed)
Abel Tapia
Moe Keller
Al White

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on HB10-1327**

This Report Adopts the Rerevised Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB10-1327,
concerning the augmentation of the general fund through transfers of
certain moneys, has met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill
and that the rerevised bill be adopted without change.

Respectfully submitted,

House Committee:
(signed)
Jack Pommer
Mark Ferrandino
Kent D. Lambert

Senate Committee:
(signed)
Al White
Moe Keller
Abel Tapia

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on HB10-1339**

This Report Amends the Rerevised Bill.

1 To the President of the Senate and the
2 Speaker of the House of Representatives:

3
4 Your first conference committee appointed on HB10-1339,
5 concerning the distribution of limited gaming fund moneys for the
6 2009-10 state fiscal year, and making an appropriation in connection
7 therewith, has met and reports that it has agreed upon the following:

8
9 That the House accede to the Senate amendments made to the bill,
10 as the amendments appear in the rerevised bill, with the following
11 changes:

12
13 Amend rerevised bill, page 5, line 3, strike "FIFTEEN" and substitute
14 "FOURTEEN".

15
16 Respectfully submitted,

17 House Committee:
18 (signed)
19 Jack Pommer
20 Mark Ferrandino
21 Kent D. Lambert

Senate Committee:
(signed)
Al White
Abel Tapia
Moe Keller

22 23 24 PRINTING REPORT

25
26 The Chief Clerk reports the following bills have been correctly printed:
27 **HB10-1366, 1367, 1368, 1369; HCR10-1001.**

28 29 30 SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

31
32 The Speaker has signed: **HB10-1001, 1059, 1064, 1080, 1089, 1112;**
33 **SB10-018, 056, 142 and 165; SJR10-016.**

34 35 36 DELIVERY OF BILLS TO GOVERNOR

37
38 The Chief Clerk of the House of Representatives reports the following
39 bill has been delivered to the Office of the Governor: **HB10-1049** at
40 1:32 p.m. on March 17, 2010.

41
42
43 The Chief Clerk of the House of Representatives reports the following
44 bills have been delivered to the Office of the Governor: **HB10-1023,**
45 **1037, 1071, 1090, 1097, 1175, 1203, 1223, 1321** at 10:19 a.m. on
46 March 18, 2010.

47 48 49 50 MESSAGE(S) FROM THE SENATE

51
52 The Senate has passed on Third Reading and transmitted to the Revisor
53 of Statutes:

54
55 SB10-175 amended as printed in Senate Journal, March 16, 2010,
56 page 551.

- 1 SB10-110 amended as printed in Senate Journal, March 12, 2010,
2 page 518.
3 SB10-120 amended as printed in Senate Journal, March 16, 2010,
4 page 552.
5 SB10-108 amended as printed in Senate Journal, March 16, 2010,
6 pages 552-554.
7 SB10-143 amended as printed in Senate Journal, March 16, 2010,
8 pages 554-555.
9 SB10-174 amended as printed in Senate Journal, March 16, 2010,
10 pages 555-556 and in Senate Journal, March 18, 2010.
11 SB10-177 amended as printed in Senate Journal, March 16, 2010,
12 page 556.
13

14 The Senate has passed on Third Reading and transmitted to the Revisor
15 of Statutes:

- 16 HB10-1245 amended as printed in Senate Journal, March 16, 2010,
17 page 551.
18 HB10-1024 amended as printed in Senate Journal, March 16, 2010,
19 page 551.
20 HB10-1034 amended as printed in Senate Journal, March 16, 2010,
21 page 552.
22 HB10-1233 amended as printed in Senate Journal, March 16, 2010,
23 page 555.
24 HB10-1137 amended as printed in Senate Journal, March 16, 2010,
25 page 555.
26

27 The Senate has passed on Third Reading and returns herewith:
28 HB10-1036, HB10-1185, HB10-1050, HB10-1170.
29

30 The Senate has adopted the First Report of the First Conference
31 Committee on HB10-1339 as printed in Senate Journal, March 11, 2010,
32 page 503, and repassed the bill. The bill is returned herewith.
33

34 The Senate has adopted the First Report of the First Conference
35 Committee on HB10-1327 as printed in Senate Journal, March 12,
36 pages 533-534, and repassed the bill. The bill is returned herewith.
37

38 The Senate has adopted the First Report of the First Conference
39 Committee on HB10-1320 as printed in Senate Journal, March 17, 2010
40 pages 568-569, and repassed the bill. The bill is returned herewith.
41

42 The Senate voted to concur in House amendments to SB10-034,
43 SB10-083, SB10-009, SB10-115, SB10-081, SB10-019, SB10-102,
44 SB10-158, SB10-082, SB10-027 and repassed the bills as amended.
45

46 The President announced that Senator Newell will be a joint prime
47 sponsor on HB10-1160.
48

49
50 **MESSAGE(S) FROM THE REVISOR**
51

52 We herewith transmit:

- 53 Without comment, as amended, HB10-1034, 1233, 1137, 1024 and 1245.
54 Without comment, as amended, SB10-120, 177, 108, 143, 174 and 110.
55 With comment, as amended, SB10-175.
56
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MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 18th day of March, 2010, at 1:05 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 18, 2010

To the Honorable House of Representatives
Sixty-seventh General Assembly
Second Regular Session
State Capitol
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 Acts:

HB10-1014 CONCERNING ANNUAL REPORTING TO THE GENERAL ASSEMBLY OF FATAL ACCIDENTS IN STATE HIGHWAY WORK AREAS.

Approved March 18, 2010 at 11:21 a.m.

HB10-1041 CONCERNING APPLICATIONS FOR HOME- AND COMMUNITY-BASED SERVICES WAIVERS FOR CHILDREN AS PART OF THE MEDICAID ELIGIBILITY MODERNIZATION

Approved March 18, 2010 at 11:21 a.m.

HB10-1063 CONCERNING THE AUTHORITY FOR THE PUBLICATION OF A LEGAL NOTICE IN A NEWSPAPER WITHOUT UNITED STATES PERIODICALS MAILING PRIVILEGES WITHIN A MUNICIPALITY WHERE NO NEWSPAPER THAT HAS SUCH PRIVILEGES IS PUBLISHED WITHIN THE MUNICIPALITY.

Approved March 18, 2010 at 11:23 a.m.

HB10-1065 CONCERNING A PROHIBITION AGAINST COUNTY ANY TIME A JUVENILE SPENDS ON ESCAPE STATUS TOWARD COMPLETION OF THE JUVENILE'S COMMITMENT.

Approved March 18, 2010 at 11:26 a.m.

HB10-1319 CONCERNING MODIFICATIONS TO STATUTORY TRANSFERS FOR ENERGY-RELATED ASSISTANCE TO LOW-INCOME HOUSEHOLDS FROM THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND FOR THREE PARTICULAR STATE FISCAL YEARS.

Approved March 18, 2010 at 11:26 a.m.

1 **HB10-1322** CONCERNING THE REPEAL OF THE PILOT PROGRAMS ON
2 THE USE OF TELEMEDICINE, AND MAKING AN
3 APPROPRIATION THEREFOR.

4
5 Approved March 18, 2010 at 11:27 a.m.

6
7 **HB10-1325** CONCERNING THE TRANSFER OF INTEREST EARNED BY
8 CERTAIN SETTLEMENT MONEYS IN THE NATURAL
9 RESOURCE DAMAGE RECOVERY FUND.

10
11 Approved March 18, 2010 at 11:28 a.m.

12
13 Sincerely,
14 (signed)
15 Bill Ritter, Jr.
16 Governor

17 _____
18
19
20 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

21
22 **EDUCATION**

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

25
26 **HB10-1369** be amended as follows, and as so amended, be referred to
27 the Committee on Appropriations with favorable
28 recommendation:

29
30 Amend printed bill, page 4, strike lines 16 through 21 and substitute:

31
32 "(II) FOR THE 2010-11 BUDGET YEAR, THE DEPARTMENT OF
33 EDUCATION SHALL:".

34
35 Page 4, line 23, strike "APPLICABLE" and substitute "2010-11".

36
37 Page 4, line 24, strike "APPLICABLE" and substitute "2010-11".

38
39 Page 4, lines 27, strike "APPLICABLE" and substitute "2010-11".

40
41 Page 5, line 6, strike "APPLICABLE" and substitute "2010-11".

42
43 Page 5, strike lines 9 and 10 and substitute:

44
45 "(III) FOR THE 2010-11 BUDGET YEAR, EXCEPT AS OTHERWISE
46 PROVIDED IN".

47
48 Page 5, line 11, strike "SUBPARAGRAPH (IV)" and substitute
49 "SUBPARAGRAPHS (IV) AND (V)".

50
51 Page 5, line 14, strike "APPLICABLE" and substitute "2010-11".

52
53 Page 5, line 17, strike "APPLICABLE" and substitute "2010-11".

54
55 Page 5, line 20, strike "APPLICABLE" and substitute "2010-11".

56

1 Page 5, line 21, strike "APPLICABLE" and substitute "2010-11".

2

3 Page 5, strike lines 22 and 23 and substitute:

4

5 "(IV) FOR THE 2010-11 BUDGET YEAR, THE TOTAL PROGRAM
6 FUNDING FOR A DISTRICT".

7

8 Page 5, line 26, strike "APPLICABLE" and substitute "2010-11".

9

10 Page 6, line 3, strike "APPLICABLE" and substitute "2010-11".

11

12 Page 6, line 4, strike "(5)." and substitute "(5) (a).".

13

14 Page 6, after line 4 insert:

15

16 "(V) IN ANY BUDGET YEAR IN WHICH THE PROVISIONS OF THIS
17 PARAGRAPH (g) APPLY, IF A DISTRICT LEVIES THE NUMBER OF MILLS
18 CALCULATED PURSUANT TO SECTION 22-54-106 (2) (a) (I) AND THE
19 DISTRICT'S STATE BUDGET STABILIZATION REDUCTION AMOUNT EXCEEDS
20 THE DISTRICT'S STATE SHARE OF TOTAL PROGRAM FUNDING, SUCH
21 DISTRICT'S TOTAL PROGRAM FUNDING SHALL BE THE AMOUNT
22 CALCULATED PURSUANT TO SUBSECTION (2) OF THIS SECTION FOR THE
23 APPLICABLE BUDGET YEAR MINUS THE DISTRICT'S STATE AID. ANY
24 REMAINING STATE BUDGET STABILIZATION REDUCTION AMOUNT FOR THE
25 DISTRICT SHALL BE SUBTRACTED FROM THE AMOUNT OF ADDITIONAL
26 PROPERTY TAX REVENUES THAT THE DISTRICT IS AUTHORIZED TO RAISE
27 AND EXPEND FOR THE APPLICABLE BUDGET YEAR PURSUANT TO SECTION
28 22-54-108 AND AS SPECIFIED IN SECTION 22-54-108 (5) (b).".

29

30 Page 10, line 21, after "(5)" insert "(a)".

31

32 Page 11, after line 3 insert:

33

34 "(b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
35 CONTRARY, IN A BUDGET YEAR IN WHICH THE PROVISIONS OF SECTION
36 22-54-104 (5) (g) APPLY, IF A DISTRICT LEVIES THE NUMBER OF MILLS
37 CALCULATED PURSUANT TO SECTION 22-54-106 (2) (a) (I) AND THE
38 DISTRICT'S STATE BUDGET STABILIZATION REDUCTION AMOUNT EXCEEDS
39 THE DISTRICT'S STATE SHARE OF TOTAL PROGRAM FUNDING, THE DISTRICT
40 SHALL ADJUST THE NUMBER OF MILLS LEVIED PURSUANT TO THIS SECTION
41 IN THE APPLICABLE BUDGET YEAR BY AN AMOUNT NECESSARY TO ACHIEVE
42 A REDUCTION IN THE PROPERTY TAX REVENUES IN EXCESS OF THE
43 DISTRICT'S TOTAL PROGRAM FOR THE APPLICABLE BUDGET YEAR THAT IS
44 EQUAL TO THE REMAINING AMOUNT OF THE DISTRICT'S STATE BUDGET
45 STABILIZATION REDUCTION AMOUNT CALCULATED PURSUANT TO SECTION
46 22-54-104 (5) (g) (II) (B) AFTER THE REDUCTION TO THE DISTRICT'S TOTAL
47 PROGRAM FUNDING HAS BEEN APPLIED PURSUANT TO SECTION 22-54-104
48 (5) (g) (V).

49

50 **SECTION 7.** 22-41-102 (3) (a), Colorado Revised Statutes, is
51 amended to read:

52

53 **22-41-102. Fund inviolate.** (3) (a) Except as provided in
54 paragraph (b) of this subsection (3), FOR THE 2010-11 STATE FISCAL YEAR
55 AND EACH STATE FISCAL YEAR THEREAFTER, THE FIRST ELEVEN MILLION
56 DOLLARS OF any interest or income earned on the investment of the

1 moneys in the public school fund ~~other than interest and income credited~~
 2 ~~to the public school capital construction assistance fund created in section~~
 3 ~~22-43.7-104 (1) pursuant to section 22-43.7-104 (2) (b) (I) shall BE~~
 4 CREDITED TO THE STATE PUBLIC SCHOOL FUND CREATED IN SECTION
 5 22-54-114 FOR DISTRIBUTION AS PROVIDED BY LAW. ANY AMOUNT OF
 6 SUCH INTEREST AND INCOME EARNED ON THE INVESTMENT OF THE
 7 MONEYS IN THE STATE PUBLIC SCHOOL FUND IN EXCESS OF ELEVEN
 8 MILLION DOLLARS, OTHER THAN INTEREST AND INCOME CREDITED TO THE
 9 PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE FUND CREATED IN
 10 SECTION 22-43.7-104 (1) PURSUANT TO SECTION 22-43.7-104 (2) (b) (I),
 11 SHALL remain in the fund and shall become part of the principal of the
 12 fund.

13
 14 **SECTION 8.** 36-1-116 (1) (a) (II) (A), Colorado Revised
 15 Statutes, is amended to read:

16
 17 **36-1-116. Disposition of rentals, royalties, and timber sale**
 18 **proceeds.** (1) (a) (II) (A) Except as provided in sub-subparagraph (B)
 19 of this subparagraph (II), for the ~~2008-09~~ 2010-11 state fiscal year and
 20 each state fiscal year thereafter, the ~~first eleven million dollars of~~
 21 proceeds received by the state for the sale of timber on public school
 22 lands, rental payments for the use and occupation of the surface of said
 23 lands, and rentals or lease payments for sand, gravel, clay, stone, coal, oil,
 24 gas, geothermal resources, gold, silver, or other minerals on said lands
 25 other than proceeds, rentals, and payments allocated to the state land
 26 board trust administration fund pursuant to section 36-1-145 (3) or
 27 credited to the public school capital construction assistance fund created
 28 in section 22-43.7-104 (1), C.R.S., pursuant to section 22-43.7-104 (2) (b)
 29 (I), C.R.S., shall be credited to the ~~public school income fund for~~
 30 ~~distribution as provided by law. Any amount of such proceeds, rentals,~~
 31 ~~and payments received by the state during the fiscal year in excess of~~
 32 ~~eleven million dollars shall be credited to the permanent school fund and~~
 33 shall become part of the principal of the permanent school fund.".

34
 35 Renumber succeeding section accordingly.

36
 37
 38 **LAY OVER OF CALENDAR ITEM(S)**

39
 40 On motion of Representative Weissmann, the following item(s) on the
 41 Calendar (was)were laid over until March 19, retaining place on
 42 Calendar:

43
 44 Consideration of Senate Amendment(s)--**HB10-1008, 1021, 1085, 1099,**
 45 **1107.**

46
 47
 48 On motion of Representative Weissmann, the House adjourned until
 49 9:00 a.m., March 19, 2010.

50
 51
 52
 53
 54 Attest:
 55 MARILYN EDDINS,
 56 Chief Clerk

Approved:
 TERRANCE D. CARROLL,
 Speaker

