

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

Fifty-fifth Legislative Day

Monday, March 8, 2010

1 Prayer by Pastor Curtis Miller, Worship Center, Brighton.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Grace Talbert, Koryn Artis, Gabriella Perez,
6 Daniela Herrera, Girl Scout Troop 3665, Denver.
7
8 The roll was called with the following result:
9
10 Present--62.
11 Excused--Representative(s) Bradford, Gardner C., King--3.
12 Present after roll call--Representative(s) King.
13

14 The Speaker declared a quorum present.
15
16

17 On motion of Representative Kagan, the reading of the journal of
18 March 5, 2010, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21

THIRD READING OF BILL(S)--FINAL PASSAGE

22
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 **HB10-1273** by Representative(s) Merrifield, Rice, Ryden, Apuan,
30 Benefield, Carroll T., Casso, Gagliardi, Gerou, Kerr A.,
31 May, McKinley, Middleton, Nikkel, Peniston, Primavera,
32 Roberts, Scanlan, Schafer S., Solano, Todd, Tyler; also
33 Senator(s) Spence and Steadman, Newell, Hudak, Bacon,
34 Boyd, Foster, Gibbs, Heath, Johnston, Romer, Tapia,
35 Williams--Concerning improved workforce development
36 through increased participation in arts education in public
37 schools.
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	48	NO	14	EXCUSED	3	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	N	Kagan	N	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
7	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	N	Murray	N	Stephens	Y
9	Court	Y	King S.	E	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
12	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	N
15	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
16	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
17	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	N
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Court, Fischer, Frangas, Labuda,
 20 Looper, McNulty, Pace, Pommer, Priola, Riesberg, Vigil.

21
 22 **HB10-1346** by Representative(s) Kagan, Gardner B., Labuda, Levy,
 23 Roberts; also Senator(s) Carroll M., Brophy, Mitchell,
 24 Morse, Schwartz--Concerning an increase in the number
 25 of days emergency rules adopted by executive branch
 26 agencies pursuant to the "State Administrative Procedure
 27 Act" may be in effect.

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

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

52 Co-sponsor(s) added: Representative(s) Vigil.

53
 54 **HB10-1168** by Representative(s) Levy, Judd, Kagan, Kerr A., Miklosi,
 55 Pace, Ryden, Tyler, Vigil, Weissmann, Apuan, Benefield,
 56 Carroll T., Casso, Court, Ferrandino, Hullinghorst,

1 Labuda, McFadyen, Merrifield, Middleton, Pommer,
 2 Primavera, Scanlan, Schafer S., Solano, Todd; also
 3 Senator(s) Steadman, Brophy, Foster, Hodge, Hudak,
 4 Newell, Romer, Tochtrop, Bacon, Carroll M., Shaffer B.--
 5 Concerning a limitation on the ability of an insurer to
 6 obtain repayment of benefits from an injured party who
 7 recovers damages from the party responsible for the injury
 8 in situations when the injured party would not be fully
 9 compensated if the benefits are repaid to the insurer.

10

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

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

15

	YES	42	NO	20	EXCUSED	3	ABSENT	0
17	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
18	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
19	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
20	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
21	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
22	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
23	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
24	Court	Y	King S.	E	Nikkel	N	Summers	N
25	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
26	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
27	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
28	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
29	Frangas	Y	Looper	N	Priola	N	Vaad	N
30	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
31	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
32	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Peniston.

35

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

40

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

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

45

	YES	34	NO	28	EXCUSED	3	ABSENT	0
47	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
48	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
49	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
50	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
51	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
52	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
53	Casso	N	Kerr J.	N	Murray	N	Stephens	N
54	Court	Y	King S.	E	Nikkel	N	Summers	N
55	Curry	N	Labuda	Y	Pace	Y	Swalm	N
56	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N

1	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
2	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
3	Frangas	Y	Looper	N	Priola	N	Vaad	N
4	Gagliardi	Y	Massey	N	Rice	N	Vigil	Y
5	Gardner B.	N	May	N	Riesberg	Y	Waller	N
6	Gardner C.	E	McCann	N	Roberts	N	Weissmann	Y
7							Speaker	Y

8 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Gagliardi, Labuda,
9 Vigil.

10

11 **SB10-018** by Senator(s) King K., Johnston; also Representative(s)
12 Merrifield, Massey, Middleton, Scanlan--Concerning the
13 school awards program fund.

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**.

19

20	YES	61	NO	1	EXCUSED	3	ABSENT	0
21	Acree	Y	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	E	Kerr A.	Y	Miklosi	Y	Soper	Y
27	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
28	Court	Y	King S.	E	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.	E	McCann	Y	Roberts	Y	Weissmann	Y
37							Speaker	Y

38 Co-sponsor(s) added: Representative(s) Apuan, Fischer, McNulty, Pace,
39 Summers, Todd.

40

41 **SB10-056** by Senator(s) Boyd; also Representative(s) Riesberg--
42 Concerning developing standardized immunization
43 information to provide to parents.

44

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

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

49

50	YES	39	NO	23	EXCUSED	3	ABSENT	0
51	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
52	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
53	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
54	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
55	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
56	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y

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

12 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Labuda, Pace, Ryden.

13
 14 **SB10-165** by Senator(s) Hodge; also Representative(s) Hullinghorst--
 15 Concerning implementation of the incorporation of oil and
 16 gas wells into the prior appropriation system.

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

22	YES	61	NO	1	EXCUSED	3	ABSENT	0
24	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
25	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
26	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
27	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
28	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
29	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
30	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
31	Court	Y	King S.	E	Nikkel	Y	Summers	Y
32	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
33	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
34	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
35	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
36	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
37	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
38	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
39	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
40							Speaker	Y

41 Co-sponsor(s) added: Representative(s) Fischer, Summers.

42
 43 **SB10-142** by Senator(s) Foster; also Representative(s) Gerou--
 44 Concerning the process of resolving disputes related to
 45 sales and use tax paid to a local government.

46
 47 The question being "Shall the bill pass?".
 48 A roll call vote was taken. As shown by the following recorded vote, a
 49 majority of those elected to the House voted in the affirmative and the bill
 50 was declared **passed**.

51	YES	62	NO	0	EXCUSED	3	ABSENT	0
53	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
54	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
55	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
56	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y

1	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
2	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
3	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
4	Court	Y	King S.	E	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	Y	Riesberg	Y	Waller	Y
12	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
13							Speaker	Y

14 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Kerr J.

15
 16 **HB10-1098** by Representative(s) Levy; also Senator(s) Hodge--
 17 Concerning increased transparency in the governance of
 18 cooperative electric associations.

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

	YES	34	NO	28	EXCUSED	3	ABSENT	0
26	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
27	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
28	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
29	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
30	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
31	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	N
32	Casso	N	Kerr J.	N	Murray	N	Stephens	N
33	Court	Y	King S.	E	Nikkel	N	Summers	N
34	Curry	N	Labuda	Y	Pace	Y	Swalm	N
35	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
36	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
37	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
38	Frangas	Y	Looper	N	Priola	Y	Vaad	N
39	Gagliardi	Y	Massey	N	Rice	Y	Vigil	N
40	Gardner B.	N	May	N	Riesberg	Y	Waller	N
41	Gardner C.	E	McCann	Y	Roberts	N	Weissmann	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Fischer, Hullinghorst, Labuda,
 44 Pommer.

45
 46 **HB10-1256** by Representative(s) McNulty, Baumgardner, Fischer,
 47 McFadyen, Primavera, Tyler, Vaad; also Senator(s)
 48 Johnston--Concerning the Colorado high technology
 49 scholarship program.

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

	YES	59	NO	3	EXCUSED	3	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	E	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	N	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	N	Riesberg	Y	Waller	Y
17	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Apuan, Casso, Gerou, Kerr J., Labuda,
20 Merrifield, Roberts, Todd, Speaker.

21
22
23

24 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

25
26
27
28
29

HB10-1321 by Representative(s) Pommer, Ferrandino, Lambert; also
Senator(s) Tapia, Keller, White--Concerning moneys
appropriated for health clinics.

30 (Amended as printed in Senate Journal, March 3.)

31
32
33
34
35

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

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

54
55
56

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

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

1 majority of those elected to the House voted in the affirmative, and the
2 bill, as amended, was declared **repassed**.

	YES	60	NO	2	EXCUSED	3	ABSENT	0
5	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
7	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
8	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	N	Middleton	Y	Sonnenberg	Y
10	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
12	Court	Y	King S.	E	Nikkel	Y	Summers	Y
13	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
14	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
17	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
18	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
19	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
20	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
21							Speaker	Y

22
23 **HB10-1001** by Representative(s) Tyler; also Senator(s) Schwartz and
24 Whitehead--Concerning incentives for the installation of
25 new distributed renewable energy generation facilities in
26 Colorado, and, in connection therewith, increasing the
27 target percentages under the electric utility portfolio
28 standard to encourage Colorado utilities to generate three
29 percent of their retail electricity sales from distributed
30 renewable sources by the year 2020, adopting standards
31 for the installation of distributed solar electric generation
32 equipment, and making an appropriation therefor.

33
34 (Amended as printed in Senate Journal, March 4, pages 424-426.)

35
36 Representative Tyler moved that the House **concur** in Senate amend-
37 ments. The motion was declared **passed** by the following roll call vote:

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

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

	YES	37	NO	26	EXCUSED	2	ABSENT	0
7	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
9	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
12	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
14	Court	Y	King S.	N	Nikkel	N	Summers	N
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
16	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	N	Priola	N	Vaad	N
20	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
21	Gardner B.	N	May	N	Riesberg	Y	Waller	N
22	Gardner C.	E	McCann	Y	Roberts	N	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Benefield, Kerr A., Solano.

25
 26
 27
 28
 29 On motion of Representative Fischer, the House resolved itself into
 30 Committee of the Whole for consideration of General Orders, and he was
 31 called to the Chair to act as Chairman.

32 33 34 35 **GENERAL ORDERS--SECOND READING OF BILLS**

36
 37 The Committee of the Whole having risen, the Chairman reported the
 38 titles of the following bills had been read (reading at length had been
 39 dispensed with by unanimous consent), the bills considered and action
 40 taken thereon as follows:

41
 42 (Amendments to the committee amendment are to the printed committee
 43 report which was printed and placed in the members' bill file.)

44
 45 **HB10-1330** by Representative(s) Kefalas and Kagan, Apuan, Court,
 46 Fischer, Gagliardi, Levy, Miklosi, Pace, Primavera, Rice,
 47 Riesberg, Solano, Tyler, Vigil; also Senator(s) Morse--
 48 Concerning the creation of an advisory committee to make
 49 recommendations regarding the creation of a Colorado all-
 50 payer health claims database for the purpose of transparent
 51 public reporting of health care information.

52
 53 Amendment No. 1, Health & Human Services Report, dated
 54 February 26, 2010, and placed in member's bill file; Report also printed
 55 in House Journal, February 26, pages 589-590.

56

1 Amendment No. 2, by Representative(s) Kagan, Kefalas.

2

3 Amend printed bill, page 4, strike lines 3 and 4 and substitute:

4

5 "(XIV) A REPRESENTATIVE FROM A COMMUNITY MENTAL HEALTH
6 CENTER THAT HAS EXPERIENCE IN BEHAVIORAL HEALTH DATA
7 COLLECTION;".

8

9 Page 4, strike line 18.

10

11 Page 4, line 20, strike "DESIGNEE." and substitute "DESIGNEE; AND

12

13 (V) TWO MEMBERS OF THE GENERAL ASSEMBLY, ONE FROM THE
14 MAJORITY PARTY AND ONE FROM THE MINORITY PARTY.

15

16 (d) WHEN MAKING APPOINTMENTS TO THE ADVISORY COMMITTEE,
17 THE EXECUTIVE DIRECTOR SHALL INCLUDE AT LEAST TWO MEMBERS WHO
18 RESIDE IN A RURAL COMMUNITY WITH A POPULATION OF LESS THAN FIFTY
19 THOUSAND OR WHO REPRESENT RURAL INTERESTS."

20

21 Page 4, line 21, strike "(d)" and substitute "(e)".

22

23 Amendment No. 3, by Representative(s) Kagan, Kefalas.

24

25 Amend printed bill, page 10, line 1, after the period add "ANY FINES
26 COLLECTED SHALL BE DEPOSITED IN THE ALL-PAYER HEALTH CLAIMS
27 DATABASE CASH FUND, WHICH IS HEREBY CREATED IN THE STATE
28 TREASURY. THE MONEYS IN THE FUND SHALL BE APPROPRIATED TO THE
29 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING FOR THE PURPOSE
30 OF MAINTAINING THE ALL-PAYER HEALTH CLAIMS DATABASE. THE
31 MONEYS IN THE FUND SHALL REMAIN IN THE FUND AND NOT REVERT TO
32 THE GENERAL FUND OR ANY OTHER FUND AT THE END OF ANY FISCAL
33 YEAR."

34

35 Amendment No. 4, by Representative(s) Kefalas.

36

37 Amend printed bill, page 6, strike lines 13 through 21 and substitute the
38 following:

39

40 "(3) THE ADMINISTRATOR SHALL SEEK FUNDING FOR THE
41 CREATION OF THE ALL-PAYER HEALTH CLAIMS DATABASE AND DEVELOP
42 A PLAN FOR THE FINANCIAL STABILITY OF THE DATABASE. ON OR BEFORE
43 MARCH 1, 2011, THE ADMINISTRATOR SHALL REPORT TO THE GOVERNOR
44 AND THE GENERAL ASSEMBLY ON THE STATUS OF THE FUNDING EFFORT
45 AND ON THE STATUS OF THE RECOMMENDATIONS OF THE ADVISORY
46 COMMITTEE. IF SUFFICIENT FUNDING IS RECEIVED THROUGH GIFTS,
47 GRANTS, AND DONATIONS ON OR BEFORE JANUARY 1, 2012, AS
48 DETERMINED BY THE EXECUTIVE DIRECTOR, THE ADMINISTRATOR SHALL,
49 IN CONSULTATION WITH THE ADVISORY COMMITTEE, CREATE THE
50 COLORADO ALL-PAYER CLAIMS DATABASE. THE COLORADO ALL-PAYER
51 CLAIMS DATABASE SHALL BE OPERATIONAL NO LATER THAN JANUARY 1,
52 2013."

53

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

56

1 **HB10-1009** by Representative(s) Miklosi, Pace, Ryden; also Senator(s)
2 Hodge, Carroll M., Tochtrop--Concerning the board of
3 directors of Pinnacol Assurance.
4

5 Amendment No. 1, Judiciary Report, dated February 4, 2010, and placed
6 in member's bill file; Report also printed in House Journal, February 5,
7 page 212.
8

9 Amendment No. 2, by Representative(s) Miklosi.

10 Amend printed bill, page 3, line 17, strike "PARAGRAPHS" and
11 substitute "PARAGRAPH".
12

13
14 Page 3, line 22, change the semicolon to a period.
15

16 Page 3, strike lines 23 and 24.
17

18 Amendment No. 3, by Representative(s) Frangas.

19
20 Amend printed bill, page 3, line 11, strike "~~one hundred forty~~ TWO
21 HUNDRED FIFTY" and substitute "one hundred forty".
22

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

26 **HB10-1288** by Representative(s) Nikkel, Rice, Ferrandino, Kerr J.,
27 Lambert, Liston, McNulty, Merrifield, Peniston,
28 Primavera, Priola, Scanlan, Waller; also Senator(s)
29 Williams, Kopp, Penry, Tochtrop--Concerning the ability
30 of a commercial real estate broker to secure payment of
31 commissions earned, and, in connection therewith,
32 enacting the "Commercial Real Estate Brokers
33 Commission Security Act".
34

35 Amendment No. 1, Judiciary Report, dated March 1, 2010, and placed in
36 member's bill file; Report also printed in House Journal, March 2,
37 page 626.
38

39 As amended, declared **lost** on Second Reading.
40 (For change in action, see Amendments to Report, page 710.)
41

42 **HB10-1182** by Representative(s) Solano, Benefield, Casso, Fischer,
43 Frangas, Hullinghorst, Kerr A., Looper, McFadyen,
44 Merrifield, Pace, Primavera, Todd, Tyler; also Senator(s)
45 Schwartz, Steadman--Concerning a limited expansion of
46 the powers of the Colorado clean energy development
47 authority to finance electric transmission facilities, and, in
48 connection therewith, allowing the authority to make
49 commercial loans only for electric power interconnection
50 projects connecting clean energy resources to the
51 transmission grid.
52

53 Ordered engrossed and placed on the Calendar for Third Reading and
54 Final Passage.
55

1 **SB10-034** by Senator(s) Whitehead; also Representative(s) Looper--
 2 Concerning the administration of laws regulating
 3 pesticides, and, in connection therewith, amending the
 4 "Pesticide Act" to authorize the commissioner of the
 5 department of agriculture to inspect refillers, impose
 6 residue removal and record-keeping requirements, and set
 7 expiration dates for pesticide and device registrations by
 8 rule.
 9

10 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
 11 dated March 3, 2010, and placed in member's bill file; Report also printed
 12 in House Journal, March 4, pages 660-661.
 13

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

17
 18 **HB10-1205** by Representative(s) Ryden, Todd; also Senator(s) Spence,
 19 Williams--Concerning land use planning by local
 20 governments to address the impacts of land use
 21 development upon military installations in close proximity
 22 to such governments.
 23

24 Laid over until March 12, retaining place on Calendar.
 25

26 On motion of Representative Weissmann, the remainder of the General
 27 Orders Calendar (**HB10-1160, SB10-052, 083, HB10-1252**) was laid over
 28 until March 9, retaining place on Calendar.
 29

30
 31
 32
 33 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**
 34

35 Representatives Nikkel, McNulty, Massey, and Rice moved to amend the
 36 Report of the Committee of the Whole to reverse the action taken by the
 37 Committee in not adopting HB10-1288, to show that **HB10-1288**, as
 38 amended, passed.
 39

40 The amendment was declared **passed** by the following roll call vote:
 41

	YES	39	NO	22	EXCUSED	4	ABSENT	0
43	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	N	McKinley	Y	Scanlan	Y
45	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
46	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	N
47	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	N
48	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
51	Curry	Y	Labuda	N	Pace	Y	Swalm	N
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
53	Ferrandino	E	Levy	N	Pommer	N	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	N	Tyler	N
55	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
56	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

9 Passed Second Reading: **HB10-1330 amended, 1009 amended, 1288**
 10 **amended, 1182, SB10-034 amended.**

12 Laid over until date indicated retaining place on Calendar: **HB10-1160,**
 13 **SB10-052, 083, HB10-1252--March 9, 2010.**
 14 **HB10-1205--March 12, 2010.**

16 The Chairman moved the adoption of the Committee of the Whole
 17 Report. As shown by the following roll call vote, a majority of those
 18 elected to the House voted in the affirmative, and the Report was
 19 **adopted.**

21	YES	62	NO	0	EXCUSED	3	ABSENT	0
22	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
23	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
24	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
25	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
26	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
27	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
28	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
29	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
30	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
31	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
32	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
33	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
34	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
35	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
36	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
37	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
38							Speaker	Y

43 House in recess. House reconvened.

DELIVERY OF BILLS TO GOVERNOR

49 The Chief Clerk of the House of Representatives reports the following
 50 bills have been delivered to the Office of the Governor: **HB10-1014,**
 51 **1041, 1063, 1065, 1306, 1319, 1322, 1325** at 3:10 p.m. on March 8, 2010.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 8th day of March, 2010, at 10:00 a.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 5, 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 Act:

HB10-1046 CONCERNING THE RECORDED DATE OF RECEIPT OF PROPERTY TAX PAYMENTS BY A COUNTY TREASURER'S OFFICE WHEN THE PAYMENT HAS NO UNITED STATES POSTAL SERVICE POSTMARK.

Approved March 5, 2010 at 8:25 am.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

INTRODUCTION OF MEMORIAL

The following memorial was read by title and laid over until March 12, 2010:

HM10-1001 by Representative(s) Kerr J.--Memorializing former Representative Truman Wayne "Andy" Anderson.

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

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk