HOUSE JOURNAL

SIXTY-SEVENTH GENERAL ASSEMBLY STATE OF COLORADO

Second Regular Session

Seventy-eighth Legislative Day

41 42 Wednesday, March 31, 2010

1 2	Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian Church, Denver.
2 3 4 5	The Speaker called the House to order at 9:00 a.m.
6 7 8	Pledge of Allegiance led by Jennifer Negley, Jake Fox, Eads High School.
9	The roll was called with the following result:
10 11 12 13 14	Present63. ExcusedRepresentative(s) Acree, Looper2. Present after roll callRepresentative(s) Acree, Looper.
15 16 17	The Speaker declared a quorum present.
18 19 20 21 22 23	On motion of Representative Labuda, the reading of the journal of March 30, 2010, was declared dispensed with and approved as corrected by the Chief Clerk.
24 25	THIRD READING OF BILL(S)FINAL PASSAGE
26 27 28 29 30	The following bill(s) was(were) considered on Third Reading. The title(s) was(were) publicly read. Reading of the bill at length was dispensed with by unanimous consent.
31 32 33 34 35	by Senator(s) Sandoval; also Representative(s) Middleton-Concerning adding categories to the definition of a "highrisk student" for purposes of determining whether a public school qualifies for designation as an alternative education campus.
36 37 38 39 40	The question being "Shall the bill pass?". A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared passed .

25 26 27

31 32 33

34 35

36

37

39

42 43

44

45

46

47 48

49

50 51

53 54

55 56

40 41

1	YES	65	NO	0	EXCUSED	0	ABSENT	0
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	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Kerr J., King S., 20 Labuda, Merrifield, Nikkel, Priola, Scanlan, Schafer S., Stephens, Summers, Todd, Speaker.

House in recess. House reconvened.

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

GENERAL ORDERS--SECOND READING OF BILLS

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

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

HB10-1377 by Representative(s) Lambert, Ferrandino, Pommer; also Senator(s) Tapia, Keller, White--Concerning the temporary funding of certain agriculture programs entirely with cash funds, and making appropriations therefor.

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

by Representative(s) Ferrandino, Pommer, Lambert; also 52 **HB10-1378** Senator(s) Keller, Tapia, White--Concerning moneys appropriated in the 2010-11 fiscal year for health clinics, and making appropriations therefor.

Amendment No. 1, by Representative(s) Ferrandino. Amend printed bill, page 5, line 14, strike "10-____," and substitute "10-1378,". As amended, ordered engrossed and placed on the Calendar for Third 7 Reading and Final Passage. 8 HB10-1379 10 by Representative(s) Ferrandino, Pommer, Lambert; also 11 Senator(s) White, Keller, Tapia--Concerning a reduction in the general fund portion of the per diem rates paid to 12 nursing facilities for the 2010-11 fiscal year, and making 13 14 an appropriation in connection therewith. 15 16 Ordered engrossed and placed on the Calendar for Third Reading and 17 Final Passage. 18 19 20 **HB10-1380** by Representative(s) Pommer, Ferrandino, Lambert; also 21 Senator(s) White, Keller, Tapia--Concerning the use of 22 moneys in the supplemental old age pension health and 23 medical care fund to pay for services received by certain 24 persons in the state medicaid program, and making an 25 appropriation therefor. 26 27 Ordered engrossed and placed on the Calendar for Third Reading and 28 Final Passage. 29 30 31 HB10-1382 by Representative(s)Ferrandino, Pommer, Lambert; also 32 Senator(s) White, Keller, Tapia--Concerning the repeal of 33 the delay of certain payments made under public medical 34 assistance programs. 35 Amendment No. 1, Appropriations Report, dated March 30, 2010, and 37 placed in member's bill file; Report also printed in House Journal, March 30, page 1014. 38 39 As amended, ordered engrossed and placed on the Calendar for Third 40 41 Reading and Final Passage. 42 43 by Representative(s) Ferrandino, Pommer, Lambert; also 44 HB10-1381 Senator(s) White, Keller, Tapia--Concerning the use of 45 46 tobacco revenues for health-related purposes during a state 47 fiscal emergency, and making an appropriation therefor. 48 49 Amendment No. 1, Appropriations Report, dated March 30, 2010, and placed in member's bill file; Report also printed in House Journal, 50 51 March 30, page 1014. 52

As amended, ordered engrossed and placed on the Calendar for Third

55 56

53

54

Reading and Final Passage.

HB10-1383 by Representative(s) Pommer, Ferrandino, Lambert; also 2 Senator(s) White, Keller, Tapia--Concerning funding for 3 student financial aid for higher education, and making an 4 appropriation therefor. 5 6 Ordered engrossed and placed on the Calendar for Third Reading and 7 Final Passage. 9 HB10-1384 by Representative(s) Lambert, Ferrandino, Pommer; also 10 Senator(s) White, Keller, Tapia--Concerning the alignment 11 of eligibility for the old age pension program with 12 eligibility for other public benefit programs, and, in connection therewith, aligning the waiting period for the 13 old age pension with the waiting period for other public 14 15 benefit programs, enforcing financial responsibility requirements for relative sponsors of noncitizens, and 16 17 making an appropriation. 18 19 Amendment No. 1, Appropriations Report, dated March 30, 2010, and 20 placed in member's bill file; Report also printed in House Journal, 21 March 30, page 1015. 23 As amended, ordered engrossed and placed on the Calendar for Third 24 Reading and Final Passage. 25 26 HB10-1385 by Representative(s) Lambert, Ferrandino, Pommer; also 27 Senator(s) Tapia, Keller, White--Concerning fees collected by the division of insurance to fund insurance fraud cases 28 29 pursued by the department of law. 30 31 Amendment No. 1, Appropriations Report, dated March 30, 2010, and 32 placed in member's bill file; Report also printed in House Journal, 33 March 30, pages 1015-1016. 34 35 As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage. 37 by Representative(s) Ferrandino, Pommer, Lambert; also 38 HB10-1386 39 Senator(s) White, Keller, Tapia--Concerning the amounts 40 of filing fees charged by the property tax administrator for 41 purposes of exemption of property from general taxation. 42 43 Amendment No. 1, Appropriations Report, dated March 30, 2010, and 44 placed in member's bill file; Report also printed in House Journal, March 30, pages 1016-1017. 45 46 <u>Amendment No. 2</u>, by Representative(s) Ferrandino. 48

47

49 Amend printed bill, page 3, line 23, after "WAIVE" insert "ALL OR A PORTION OF". 50

52 Page 4, line 26, after "WAIVE" insert "ALL OR A PORTION OF".

53

54 Page 5, line 19, after "WAIVING" insert "ALL OR A PORTION OF".

55

56 Page 5, strike lines 22 through 24 and substitute:

1 2 3 4 5	shall take eff	FION 2. Specified effective date - applicability. This act fect July 1, 2010, and shall apply to any application for annual report, or delinquent annual report filed on or after									
6 7 8		ordered engrossed and placed on the Calendar for Third Final Passage.									
9 10 11 12 13	<u>HB10-1388</u>	by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) Tapia, Keller, WhiteConcerning the augmentation of the general fund through transfers of certain moneys.									
14 15 16	Ordered engr Final Passage	ossed and placed on the Calendar for Third Reading and									
17 18 19 20	<u>HB10-1389</u>	by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) Tapia, Keller, WhiteConcerning transfers of moneys relating to capital construction.									
21 22 23 24		No. 1, Appropriations Report, dated March 30, 2010, and ember's bill file; Report also printed in House Journal, ge 1017.									
25 26 27	As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.										
A motion by Representative Weissmann that the Committee rise, progress and beg leave to sit again at 1:30 p.m., was adopt unanimous consent. (General Orders continued on page 1026.)											
32 33 34		House reconvened.									
35 36 37 38		ee of the Whole reported it had risen, reported progress and in at 1:30 p.m.									
39 40 41 42		House in recess. House reconvened.									
43 44 45	REPO	ORT(S) OF COMMITTEE(S) OF REFERENCE									
46 47 48 49	LEGAL SER After consider following:	RVICES eration on the merits, the Committee recommends the									
50 51 52 53	<u>SB10-060</u>	be referred to the Committee of the Whole with favorable recommendation.									
54 55 56											

	PRINTING REPORT
	erk reports the following bills have been correctly printed: 1392, 1393; HCR10-1002, 1003.
	DELIVERY OF BILLS TO GOVERNOR
	DELIVERY OF BILLS TO GOVERNOR
The Chief C	lerk of the House of Representatives reports the following
	een delivered to the Office of the Governor: HB10-1036 , 1185 at 9:28 a.m. on March 31, 2010.
1030, 1170,	1103 at 9.28 a.m. on Waren 31, 2010.
	MESSAGE(S) FROM THE SENATE
	MESSAGE(S) FROM THE SENATE
	as passed on Third Reading and transmitted to the Revisor
of Statutes:	
HB10-1178	amended as printed in Senate Journal, March 29, 2010,
	page 703.
HB10-1116	amended as printed in Senate Journal, March 29, 2010, page 703.
HB10-1104	amended as printed in Senate Journal, March 29, 2010,
HD10 1056	page 703.
HB10-107/6	amended as printed in Senate Journal, March 29, 2010, page 703.
HB10-1171	amended as printed in Senate Journal, March 29, 2010,
HD10 1265	page 704, and March 31, 2010.
HB10-1365	amended as printed in Senate Journal, March 29, 2010, pages 712, 716, and March 31, 2010.
	pages 712, 710, and Waren 31, 2010.
	has passed on Third Reading and returns herewith:
HB10-1215,	HB10-1165.
	
	MESSAGE(S) FROM THE REVISOR
We herewith	transmit:
Without com	ment, as amended, HB10-1178, 1116, 1104, 1076, 1171 and
1365.	
	
On motion	of Representative Judd, the House resolved itself into
	of the Whole for continuation of consideration of General ne returned to the Chair to act as Chairman.
CENE	RAL ORDERSSECOND READING OF BILLS
GENE	(General Orders continued from page 1025)

<u>HB10-1376</u>	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, WhiteConcerning the provision
	for payment of the expenses of the executive, legislative,
	The Chief Chills have be 1050, 1170,

1 and judicial departments of the state of Colorado, and of 2 its agencies and institutions, for and during the fiscal year beginning July 1, 2010, except as otherwise noted. 5 Amendment No. 1, Appropriations Report, dated March 30, 2010, and placed in member's bill file; Report also printed in House Journal, 7 March 30, pages 1013-1014. 9 <u>Amendment No. 2</u>, by Representative(s) Roberts. 10 Amend the Appropriations Committee Report dated March 30, 2010, 11 strike lines 5 through 9. 12 13 Amendment No. 3, by Representative(s) Balmer. 14 15 16 Amend printed bill, page 3, strike line 8 and substitute: 17 18 The Governor shall designate specific state properties equaling \$70,700,000 and shall submit the list of specifically designated 19 20 properties to the General Assembly by May 31, 2010.". 21 Amendment No. 4, by Representative(s) Levy. 23 Amend printed bill, page 29, line 7 strike "**Subprogram**" and substitute 24 25 "Subprogram^{4a}". 26 27 Page 48, after line 2 insert: 28 29 "4a Department of Corrections, Institutions, Mental Health Subprogram -- It is the intent of the General Assembly that 30 31 the funds being appropriated to convert beds at Colorado 32 State Penitentiary (CSP) for use by offenders with mental 33 illness (OMIs) are being appropriated to create an 34 appropriate, secure, therapeutic environment for OMIs within CSP and that the beds shall not be occupied or 35 36 managed solely for disciplinary purposes.". 37 38 Amendment No. 5, by Representative(s) Levy. 39 Amend printed bill, page 29, line 7 strike "Subprogram" and substitute 40 41 "Subprogram^{4a}". 42 43 Page 48, after line 2 insert: 44 "4a Department of Corrections, Institutions, Mental Health 45 46 Subprogram – It is the intent of the General Assembly that 47 the Department of Corrections submit a plan to the House 48 Judiciary Committee and the Senate Judiciary Committee before offenders with mental illness (OMIs) are placed in 49 50 the beds at Colorado State Penitentiary (CSP) being 51 converted for use by OMIs. Without limiting the scope of the report, the report shall include, at a minimum, plans in 52 53 the following areas: (1) the basic purpose of the OMI beds

at CSP in terms of the role those beds serve relative to the

offender's mental health status; (2) the criteria the DOC

will use to place offenders in the beds; (3) the services that

54

55

will be provided to the offenders; (4) the classification levels that will be used and an explanation of the characteristics of those levels; (5) whether and, if so, how offenders will transition from CSP to the general population; and (6) a description of the conditions of confinement, such as the amount of time offenders will be out of their cells, the amount of time in solitary confinement, the availability of recreational, visitation, educational, therapeutic and other programming opportunities and conditions for participating in those opportunities.".

Amendment No. 6, by Representative(s) Merrifield.

Amend printed bill, page 56, line 13, in the GENERAL FUND column strike "3,215,790,681" and substitute "3,215,715,681" and in the CASH FUNDS column strike "386,058,684°" and substitute "386,133,684°".

Adjust affected total accordingly.

Page 57, line 5, strike "\$284,232,808" and substitute "\$284,307,808".

Page 63, after line 12 insert:

 ITEM & GENERAL SUBTOTAL FUND \$

"School Leadership

Academy Program

75,000

75,000 (0.7 FTE)".

Adjust affected totals accordingly.

Amendment No. 7, by Representative(s) Swalm.

Amend printed bill, page 79, line 11, strike "BUDGETING" and substitute "BUDGETING^{7a}".

Page 92, after line 8 insert:

"**FOOTNOTES** -- The following statement is referenced to the numbered footnotes throughout section 2.

Governor - Lieutenant Governor - State Planning and Budgeting, Office of State Planning and Budgeting -- It is the intent of the General Assembly that the Office of State Planning and Budgeting study the effectiveness of consolidating executive branch human resource services within a single executive branch agency and provide a report of the findings to the Joint Budget Committee and the House and Senate Committees on State, Veterans, and Military Affairs no later than December 1, 2010."

Amendment No. 8, by Representative(s) McKinley, McFadyen, Kerr J., Looper, Pace.

3

Amend printed bill, page 189, line 4, strike "Homes" and substitute "Homes^{25a}".

6 7

Page 202, after line 3 insert:

8 9

10

11

12

13

14

15 16

17

18

19

Department of Human Services, Services for People with Disabilities, Homelake Domiciliary and State and Veterans Nursing Homes -- It is the intent of the General Assembly that the executive director of the Department of Human Services delay the transfer of title for the Trinidad State Nursing Home to a private entity for at least one year, increase placements at the facility of geriatric patients who are not guilty by reason of insanity, and pursue alternative funding sources to the General Fund to maintain the Trinidad State Nursing Home as a state facility. Furthermore, it is the intent of the General Assembly that no revenue shall be transferred from veterans nursing homes to pay for costs at the Trinidad State Nursing Home, or vice versa.".

20 21

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

23 24 25

26

27

HB10-1387 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia--Concerning the financing of the division of motor vehicles in the department of revenue, and making appropriations therefor.

28 29

<u>Amendment No. 1</u>, by Representative(s) McFadyen.

30 31 32

Amend printed bill, page 5, after line 13, insert:

"SECTION 4. 42-2-114.5 (1), Colorado Revised Statutes, is amended to read:

34 35 36

39

41

45

46

33

42-2-114.5. Licensing services cash fund. (1) The licensing services cash fund is hereby created in the state treasury. Moneys in the fund shall be appropriated by the general assembly to the department for the cost of personal services and operating expenses incurred in the operation of driver's license offices. Moneys in the fund at the end of each fiscal year, as well as interest earned on the investment of moneys 42 in the fund, shall be retained in the fund and shall not revert to the general 43 fund or any other fund. AT THE END OF EACH FISCAL YEAR, THE STATE 44 TREASURER SHALL CREDIT THE MONEY IN THE FUND, LESS SIXTEEN AND ONE HALF PERCENT OF THE AMOUNT APPROPRIATED FROM THE FUND FOR SUCH OPERATION IN THE FISCAL YEAR, TO THE HIGHWAY USERS TAX FUND.".

47 48 49

Renumber succeeding sections accordingly.

50

As amended, ordered engrossed and placed on the Calendar for Third 52 Reading and Final Passage.

53

54 On motion of Representative Weissmann, the remainder of the General 55 Orders Calendar (**HB10-1390**) was laid over until April 1, retaining place

56 on Calendar.

AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT

Representative Balmer moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting the following Balmer amendment, to HB10-1376, to show that said amendment passed, and that **HB10-1376**, as amended, passed.

Amend printed bill, page 3, line 6, strike "and".

Page 3, strike lines 7 and 8 and substitute:

The general fund, created in section 24-75-201 (1), Colorado Revised Statutes, up to a maximum of \$55,700,000; and

(IV) Up to \$15,000,000 of state properties as designated by the Governor. The Governor shall designate specific state properties equaling \$15,000,000 and shall submit the list of specifically designated state properties to the General Assembly by May 31, 2010.".

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

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

Representative Frangas moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting the following Frangas amendment, to HB10-1376, to show that said amendment passed, and that **HB10-1376**, as amended, passed.

Amend printed bill, page 22, line 5 strike "\$54.93" and substitute "\$51.53".

Page 22, line 6, in the ITEM & SUBTOTAL column strike "70,221,385" and substitute "68,538,065" and in the GENERAL FUND column strike "67,862,678" and substitute "66,179,358".

Page 22, line 9 strike "\$54.93" and substitute "\$51.53", in the ITEM & 54 SUBTOTAL column strike "12,985,082" and substitute "12,699,208", and in the GENERAL FUND column strike "12,985,082" and substitute "12,699,208".

Adjust affected totals accordingly.

Page 47, line 15, strike the first "\$54.93" and substitute "\$51.53" and

strike the second "\$54.93" and substitute "\$51.53".

Page 114, line 3, in the ITEM & SUBTOTAL column strike "14,218,063" and substitute "14,363,146", in the GENERAL FUND column strike "5,461,158(M)" and substitute "5,516,885(M)", and in the FEDERAL FUNDS column strike "8,756,905" and substitute "8,846,261".

10 11

Adjust affected totals accordingly.

12 13

14

15

Page 156, line 15, in the ITEM & SUBTOTAL column strike "338,008,114e" and substitute "341,325,694e", in the GENERAL FUND column strike "156,940,714" and substitute "158,854,181", in the CASH FUNDS column strike "64,149,526(L)^c" and substitute "64,813,042(L)^c", in the REAPPROPRIATED FUNDS column strike "14,218,063^a" and substitute "14,363,146^a, and in the FEDERAL FUNDS column strike "102,699,811^f" and substitute "103,295,325^f".

19 20 21

18

Adjust affected totals and affected (L) notation totals accordingly.

23

24

Page 158, line 11, strike "\$333,403,103" and substitute "\$336,720,683" and strike "\$255,035,514" and substitute "\$257,544,495".

25 26

Page 158, line 12, strike "\$64,149,526" and substitute "\$64,813,042".

27

Page 158, line 13, strike "\$14,218,063" and substitute "\$14,363,146".

28 29

Page 159, line 1, strike "\$67,120,237" and substitute "\$67,715,751".

31 32

30

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

33

YES	17	NO	48	EXCUSED	0	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Ν
Apuan	Y	Hullinghorst	N	McKinley	N	Scanlan	N
Balmer	N	Judd	N	McNulty	N	Schafer S.	N
Baumgardner	N	Kagan	N	Merrifield	Y	Solano	N
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	N	Kerr A.	N	Miklosi	N	Soper	N
Casso	Y	Kerr J.	N	Murray	N	Stephens	N
Court	N	King S.	N	Nikkel	N	Summers	N
Curry	Y	Labuda	N	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	N	Levy	N	Pommer	N	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	N	Priola	N	Vaad	N
Gagliardi	Y	Massey	N	Rice	Y	Vigil	N
Gardner B.	N	May	N	Riesberg	N	Waller	N
Gardner C.	N	McCann	N	Roberts	N	Weissmann	N
						Speaker	N
	Acree Apuan Balmer Baumgardner Benefield Bradford Casso Court Curry DelGrosso Ferrandino Fischer Frangas Gagliardi Gardner B.	Acree N Apuan Y Balmer N Baumgardner N Benefield Y Bradford N Casso Y Court N Curry Y DelGrosso N Ferrandino N Fischer Y Frangas Y Gagliardi Y Gardner B.	Acree N Gerou Apuan Y Hullinghorst Balmer N Judd Baumgardner N Kagan Benefield Y Kefalas Bradford N Kerr A. Casso Y Kerr J. Court N King S. Curry Y Labuda DelGrosso N Lambert Ferrandino N Levy Fischer Y Liston Frangas Y Looper Gagliardi Y Massey Gardner B. N May	Acree N Gerou N Apuan Y Hullinghorst N Balmer N Judd N Baumgardner N Kagan N Benefield Y Kefalas Y Bradford N Kerr A. N Casso Y Kerr J. N Court N King S. N Curry Y Labuda N DelGrosso N Lambert N Ferrandino N Levy N Fischer Y Liston N Frangas Y Looper N Gagliardi Y Massey N Gardner B. N May	Acree N Gerou N McFadyen Apuan Y Hullinghorst N McKinley Balmer N Judd N McNulty Baumgardner N Kagan N Merrifield Benefield Y Kefalas Y Middleton Bradford N Kerr A. N Miklosi Casso Y Kerr J. N Murray Court N King S. N Nikkel Curry Y Labuda N Pace DelGrosso N Lambert N Peniston Ferrandino N Levy N Pommer Fischer Y Liston N Primavera Frangas Y Looper N Priola Gagliardi Y Massey N Rice Gardner B. N May N Riesberg	Acree N Gerou N McFadyen Y Apuan Y Hullinghorst N McKinley N Balmer N Judd N McNulty N Baumgardner N Kagan N Merrifield Y Benefield Y Kefalas Y Middleton Y Bradford N Kerr A. N Miklosi N Casso Y Kerr J. N Murray N Court N King S. N Nikkel N Curry Y Labuda N Pace Y DelGrosso N Lambert N Peniston Y Ferrandino N Levy N Pommer N Fischer Y Liston N Primavera Y Frangas Y Looper N Priola N Gagliardi Y Massey N Rice Y Gardner B. N May N Riesberg	Acree N Gerou N McFadyen Y Ryden Apuan Y Hullinghorst N McKinley N Scanlan Balmer N Judd N McNulty N Schafer S. Baumgardner N Kagan N Merrifield Y Solano Benefield Y Kefalas Y Middleton Y Sonnenberg Bradford N Kerr A. N Miklosi N Soper Casso Y Kerr J. N Murray N Stephens Court N King S. N Nikkel N Summers Curry Y Labuda N Pace Y Swalm DelGrosso N Lambert N Peniston Y Tipton Ferrandino N Levy N Pommer N Todd Fischer Y Liston N Primavera Y Tyler Frangas Y Looper N Priola N Vaad Gagliardi Y Massey N Rice Y Vigil Gardner B. N May N Riesberg N Waller Gardner C. N McCann N Roberts N Weissmann

5 52

Representative J. Kerr moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting the following Rice and J. Kerr, et al., amendment, to HB10-1376, to show 55 that said amendment passed, and that **HB10-1376**, as amended, passed.

Amend printed bill, page 204, line 15, strike "**Technology**" and substitute "Technology^{27a}".

4 Page 205, line 1, in the ITEM & SUBTOTAL column strike "15,994,421" and substitute "14,278,583" and in the CASH FUNDS column strike "1,825,845^a" and substitute "110,007^a".

8 Page 205, line 2, in the CASH FUNDS column strike "(19.0 FTE)".

10 Page 205, line 4, in the ITEM & SUBTOTAL column strike "4,269,146" 11 and substitute "3,061,486" and in the CASH FUNDS column strike 12 "3,866,052°" and substitute "2,658,392°".

13

14 Adjust affected totals accordingly.

15

16 Page 205, strike lines 11 and 12 and substitute "a This amount shall be 17 from various sources of cash funds.".

19 Page 220, after line 10 insert:

20 21

22

23

24

25

26 27

28 29

30 31

"<u>27a</u> Judicial Department, Courts Administration, Administration and Technology -- It is the intent of the General Assembly to provide an opportunity for all the stakeholders to transition from the existing public access system that is operated by LexisNexis to the Department's in-house public access system, allowing more time for the Department to test the in-house system and confirm its effectiveness. It is further the intent of the General Assembly that the Department provide information to public access system users in the same manner as the existing public access system that is operated by LexisNexis.".

32 33 34

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

36 37

50								
37	YES	32	NO	33	EXCUSED	0	ABSENT	0
38	Acree	Y	Gerou	Y	McFadyen	N	Ryden	Ν
39	Apuan	N	Hullinghorst	N	McKinley	Y	Scanlan	N
40	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
41	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
42	Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
43	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
44	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
45	Court	N	King S.	Y	Nikkel	Y	Summers	Y
46	Curry	Y	Labuda	N	Pace	N	Swalm	Y
47	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
48	Ferrandino	N	Levy	N	Pommer	N	Todd	N
49	Fischer	N	Liston	Y	Primavera	N	Tyler	N
50	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
51	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N
52	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
53	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
54							Speaker	N

Representatives Sonnenberg and McNulty moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting the following Sonnenberg amendment, to HB10-1387, to show that said amendment passed, and that **HB 10-1387**, as amended, 5 passed.

Amend printed bill, page 2 of the bill, strike lines 12 through 15 and substitute "who shall credit ten dollars to the highway users tax fund and three dollars and forty cents to the licensing services cash fund created in section 42-2-114.5; except that, for the fiscal year 2009-10 YEARS 2010-11THROUGH 2013-14, the state treasurer shall credit all of such THE fees to the licensing services".

12 13 14

15

17

10

11

Page 3, strike lines 5 through 8 and substitute "42-2-114 and remit the same to the department, which shall deposit the same in the state treasury to the credit of the highway users tax fund; except that, for the fiscal year 2009-10 YEARS 2010-11THROUGH 2013-14, the state treasurer shall credit all of such THE fees to the".

19

20 Page 3, strike lines 18 through 21 and substitute "fee shall be transferred to the state treasurer, who shall credit fifteen dollars to the highway users tax fund and five dollars and forty cents to the licensing services cash fund created in section 42-2-114.5; except that, for the fiscal year 2009-10 YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit all of such".

25 26 27

Page 3, strike line 27 and substitute "the state treasurer, who shall credit three dollars and forty cents to the".

28 29 30

32

35

Page 4, strike lines 1 through 7 and substitute "licensing services cash fund and nine dollars to the highway users tax fund; except that, for the fiscal year 2009-10 YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit all of such fees SUCH AMOUNT to the licensing services cash 34 fund. The general assembly shall make appropriations therefrom for the expenses of the administration of this part 1 and part 2 of this article; except that eight dollars and fifty cents of each fee shall be allocated pursuant to section 43-4-205 (6) (b), C.R.S., other than during fiscal year 2009-10 YEARS 2010-11 THROUGH 2013-14.".

38 39 40

41 42

43

44

37

Page 4, strike lines 12 through 15 and substitute "treasurer, who shall credit fifteen dollars to the highway users tax fund and five dollars and forty cents to the licensing services cash fund created in section 42-2-114.5; except that, for the fiscal year 2009-10 YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit all of such THE fees to the licensing services cash".

45 46 47

49

50

Page 4, strike lines 20 through 23 and substitute "department for 48 transmission to the state treasurer, who shall credit three dollars and forty cents to the licensing services cash fund and nine dollars to the highway users tax fund; except that, for the fiscal year 2009-10 YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit all of such fees SUCH AMOUNT to the licensing".

52 53

54 Page 4, strike lines 26 and 27 and substitute "of this article; except that 55 eight dollars and fifty cents of each fee shall be allocated pursuant to section 43-4-205 (6) (b), C.R.S., other than during". 56

Page 5, strike line 1 and substitute "fiscal year 2009-10" YEARS 2010-11 THROUGH 2013-14.".

3

Page 5, strike lines 5 through 8 and substitute "to the state treasurer, who shall credit fifteen dollars to the highway users tax fund and five dollars and forty cents to the licensing services cash fund created in section 42-2-114.5; except that, for the fiscal year 2009-10 YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit all of such THE fees to the".

9 10 11

Page 5, strike lines 26 and 27 and substitute "who shall credit five dollars to the highway users tax fund and one dollar and ninety cents to the licensing services cash fund created in section".

13 14

17

12

Page 6, strike lines 1 through 8 and substitute "42-2-114.5; except that, 15 16 for the fiscal year 2009-10 YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit all of such THE fees to the licensing services cash fund CREATED IN SECTION 42-2-114.5. The fee for a subsequent duplicate 19 license shall be transferred to the state treasurer, who shall credit ten 20 dollars to the highway users tax fund and three dollars and forty cents to the licensing services cash fund; except that, for the fiscal year 2009-10 YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit all of such THE fees to the licensing services cash fund.".

23 24 25

27

Page 6, strike lines 13 through 16 and substitute "be transferred to the state treasurer, who shall credit twenty-five dollars to the highway users tax fund and nine dollars and forty cents to the licensing services cash 28 fund created in section 42-2-114.5; except that, for the fiscal year 2009-10 YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit all of such THE fees".

30 31 32

Page 6, line 17, strike "FEE".

33 34

35

Page 6, strike lines 23 through 25 and substitute "nineteen dollars to the highway users tax fund and seven dollars and forty cents to the licensing services cash fund; except that, for the fiscal year 2009-10 YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit all of such THE fees to the".

38 39

41

42

43

40 Page 7, strike lines 1 through 3 and substitute "1 and 2 of this article and this part 4; except that eight dollars and fifty cents of each commercial driver's license fee shall be allocated pursuant to section 43-4-205 (6) (b), C.R.S., other than during fiscal year 2009-10 YEARS 2010-11 THROUGH 2013-14.".

44 45 46

47

49

50

Page 7, strike lines 8 through 11 and substitute "shall be transferred to the state treasurer, who shall credit twenty-five dollars to the highway users 48 tax fund and nine dollars and forty cents to the licensing services cash fund created in section 42-2-114.5; except that, for the fiscal year 2009-10 YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit all of such".

51 52

53 Page 7, line 12, strike "fees THE FEE" and substitute "THE fees".

54

55 Page 7, strike lines 16 through 19 and substitute "the state treasurer, who 56 shall credit nineteen dollars to the highway users tax fund and seven dollars and forty cents to the licensing services cash fund; except that, for the fiscal year 2009-10 YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit all of such fees SUCH AMOUNT to the licensing services cash fund".

Page 7, strike lines 22 through 25 and substitute "parts 1 and 2 of this article and this part 4; except that eight dollars and fifty cents of each such minor driver's license fee shall be allocated pursuant to section 43-4-205 (6) (b), C.R.S., other than during fiscal year 2009-10 YEARS 2010-11 THROUGH 2013-14.".

12 Page 8, strike line 6 and substitute "in section 43-4-205 (5.5) (f), C.R.S., other than during fiscal year 2009-10 YEARS 2010-11 THROUGH 2013-14.".

16 Page 8, strike lines 10 and 11 and substitute "treasurer, who shall credit the same to the highway users tax fund; except that, for the fiscal year 2009-10 YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit all of such THE".

Page 8, strike line 17 and substitute "43-4-205 (5.5) (f), C.R.S., other than during fiscal year 2009-10 YEARS 2010-11 THROUGH 2013-14.".

Page 9, strike lines 6 and 7 and substitute "identification database program, created in section 42-7-604 and for state fiscal year 2008-09 YEARS 2010-11 THROUGH 2013-14, for expenses incurred in connection with the".

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

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1377**, **1378** amended, **1379**, **1380**, **1382** amended, 1381 amended, 1383, 1384 amended, 1385 amended, 1386 amended, 1388, 1389 amended, 1376 amended, 1387 amended.

Laid over until date indicated retaining place on Calendar: **HB10-1390**--April 1, 2010.

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

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

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 31st day of March, 2010, at 4:10 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

37 March 31, 2010

9 To the Honorable

40 House of Representatives

41 Sixty-seventh General Assembly

42 Second Regular Session

43 Denver, CO 80203

45 Ladies and Gentlemen:

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

HB10-1064 CONCERNING A REQUIREMENT THAT A STUDENT COMPLETE AN APPEAL PROCESS BEFORE FILING A COMPLAINT WITH A GROUP OF NEUTRAL ARBITRATORS CONCERNING THE STUDENT'S PARTICIPATION IN EXTRACURRICULAR ACTIVITIES.

Approved March 31, 2010 at 2:19 p.m.

	IID 10 1000	
1	<u>HB10-1080</u>	CONCERNING THE EXPANSION OF DUTIES OF THE
2 3 4 5		LEGISLATIVE EMERGENCY EPIDEMIC RESPONSE
3		COMMITTEE TO INCLUDE PREPARATION FOR DISASTER
4		EMERGENCIES, AND, IN CONNECTION THEREWITH,
5		CHANGING THE NAME OF THE COMMITTEE AND ALLOWING
6		THE COMMITTEE TO RECOMMEND LEGISLATION
7		PERTAINING TO THE PREPAREDNESS, RESPONSE, AND
7 8 9		RECOVERY BY THE GENERAL ASSEMBLY IN THE EVENT OF
g		AN EMERGENCY EPIDEMIC OR DISASTER.
10		AN EMERGENCY ELIBERINE OR DISASTER.
11		Approved March 31, 2010 at 2:19 p.m.
12		Approved March 31, 2010 at 2.19 p.m.
	TTD10 1000	CONCERNING BY A GENERAL A PEED A DARROLE DEVOCATION.
13	<u>HB10-1089</u>	CONCERNING PLACEMENT AFTER A PAROLE REVOCATION
14		OF A PAROLEE WHO IS A SEXUALLY VIOLENT PREDATOR.
15		115 1 24 2040 204
16		Approved March 31, 2010 at 2:21 p.m.
17		
18	<u>HB10-1112</u>	CONCERNING THE "CORRECTIONAL EDUCATION
19		PROGRAM ACT OF 1990".
20		
21		Approved March 31, 2010 at 2:21 p.m.
22		11
23	Sincerely,	
24	(signed)	
25	Bill Ritter, Jr.	
26	Governor	
	GOVERNO	
27		

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

by Representative(s) McCann; also Senator(s) Johnston-Concerning an exclusion from the employment relationship for purposes of state employment laws for certain coaches who enter into independent contractor relationships with nonprofit youth sports organizations that are evidenced by a written agreement.

(Amended as printed in Senate Journal, March 19, page 605.)

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

43								
44	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

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

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

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

YES	65	NO	0	EXCUSED	0	ABSENT	0	l
Acree	Y	Gerou Hullinghorst Judd	Y	McFadyen	Y	Ryden	Y	ĺ
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y	ĺ
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y	ĺ
Baumgardne	Y	Kagan	Y	Merrifield	Y	Solano	Y	ĺ
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	ĺ
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y	l
Casso	Y	Kerr J.	Y	Miklosi Murray Nikkel Pace	Y	Stephens	Y	l
Court	Y	King S.	Y	Nikkel	Y	Summers	Y	ĺ
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	ĺ
DelĞrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y	l
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	ĺ
Fischer	Y			Primavera	Y	Tyler Vaad	Y	ĺ
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y	ĺ
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Ÿ	l
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y	l
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y	l
						Speaker	Y	ĺ

Co-sponsor(s) added: Representative(s) Gardner B., Nikkel, Summers

by Representative(s) Apuan; also Senator(s) Sandoval--Concerning outdated references to the federal aid to families with dependent children.

(Amended as printed in Senate Journal, March 23, page 647.)

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

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

Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

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

)	YES	65	NO	0	EXCUSED	0	ABSENT	0
	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
;	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
-	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
;	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
5	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
3	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
)	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
)	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
2	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
3	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
L	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
5	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
,	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
7							Speaker	Y

Co-sponsor(s) added: Representative(s) Labuda

HB10-1058

by Representative(s) Riesberg; also Senator(s) Hodge-Concerning the authority of the department of revenue to impose a civil penalty for unstamped cigarettes, and making an appropriation therefor.

(Amended as printed in Senate Journal, March 23, pages 646-647.)

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

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

1	
2	
3	
4	

Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

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

	8
	9
1	0

YES	64	NO	1	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
		1.5		\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		Speaker	Y

Co-sponsor(s) added: Representative(s) Fischer

HB10-1062

by Representative(s) Schafer S.; also Senator(s) Hodge-Concerning the ability to allow a county to purchase crime insurance coverage in lieu of surety bonds.

(Amended as printed in Senate Journal, March 23, page 643.)

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

40								
41	YES	65	NO	0	EXCUSED	0	ABSENT	0
42	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
43	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
44	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
45	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
46	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
47	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
48	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
49	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
50	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
51	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
52	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
53	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
54	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
55	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
56	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y

1	
2	
3	

Gardner C.	Y	McCann	Y	Roberts	Y W	<i>V</i> eissmann	Y
					S	peaker	Y

5 A roll call vote was taken. As shown by the following recorded vote, a 6 majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

•	
8	
9	

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

Co-sponsor(s) added: Representative(s) Baumgardner

27

On motion of Representative Weissmann, the rules were suspended for immediate consideration of Senate Amendments on HB10-1365.

by Representative(s) Solano and Roberts, Balmer, Benefield, Carroll T., Court, Fischer, Frangas, Gerou, Hullinghorst, Kagan, Kerr A., Kerr J., King S., Levy, **HB10-1365** Liston, Massey, May, McFadyen, McNulty, Merrifield, Middleton, Miklosi, Peniston, Pommer, Primavera, Rice, Ryden, Scanlan, Schafer S., Stephens, Todd, Tyler, Vaad, Vigil; also Senator(s) Whitehead and Penry--Concerning incentives for electric utilities to reduce air emissions, and, in connection therewith, requiring plans achieve such reductions that give primary consideration to replacing or repowering coal generation with natural gas and also considering other low-emitting resources, and making an appropriation.

(Amended as printed in Senate Journal, March 29, page 712, 716 and on March 31.)

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

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y

1	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
2	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
3	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
4	Casso	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	-							

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

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

YES	53	NO	12	EXCUSED	0	ABSENT	0
Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	N	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	N	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	N	May	Y	Riesberg	Y	Waller	N
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Representative Balmer requested his name be removed as sponsor.

Co-sponsor(s) added: Representative(s) McCann, Nikkel, Riesberg, Summers

HB10-1109

by Representative(s) McCann; also Senator(s) Mitchell--Concerning the availability of workers' compensation to jail inmates who are working for a program that has been certified by the federal prison industry enhancement certification program.

(Amended as printed in Senate Journal, March 23, page 646.)

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

52	
53	
54	

ſ	YES	60	NO	5	EXCUSED	0	ABSENT	0
ſ	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y

1	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y	
2	Baumgardner	r N	Kagan	Y	Merrifield	Y	Solano	Y	
3	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N	
4	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y	
5	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y	
6	Court	Y	King S.	Y	Nikkel	Y	Summers	Y	
7	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	
8	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y	
9	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
10	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y	
11	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y	
12	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y	
13	Gardner B.	N	May	Y	Riesberg	Y	Waller	Y	
14	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y	
15							Speaker	Y	
16			·						

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

YES	46	NO	19	EXCUSED	0	ABSENT	0
Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
Court	Y	King S.	N	Nikkel	Y	Summers	N
Curry	Y	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	N	Priola	N	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	N	May	N	Riesberg	Y	Waller	Y
Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

by Representative(s) Massey; also Senator(s) Tochtrop-Concerning amendments to the "Colorado Foreclosure Protection Act".

(Amended as printed in Senate Journal, March 23, pages 647-648.)

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

51	YES	65	NO	0	EXCUSED	0	ABSENT	0
52	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
53	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
54	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
55	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
56	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y

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

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

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

19	YES	65	NO	0	EXCUSED	0	ABSENT	0
20	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
21	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
22	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
23	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
24	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
25	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
26	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
27	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
28	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
29	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
30	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
31	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
32	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
33	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
34	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
35	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
36					\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	~ 1 .	Speaker	Y

HB10-1202

Co-sponsor(s) added: Representative(s) Middleton, Schafer S.

by Representative(s) Primavera and McNulty, Pace, Gerou, Summers, Benefield, Casso, Court, Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst, Kagan, Kefalas, Levy, Looper, Merrifield, Miklosi, Peniston, Pommer, Solano, Soper, Todd, Tyler, Vigil, Weissmann; also Senator(s) Tochtrop, Penry, Heath, Hudak, Newell-Concerning health benefit coverage for chemotherapy treatment.

(Amended as printed in Senate Journal, March 23, page 647.)

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

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y

1	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y	
2	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y	
3	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
4	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y	
5	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y	
6	Court	Y	King S.	Y	Nikkel	Y	Summers	Y	
7	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	
8	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y	
9	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
10	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y	
11	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y	
12	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y	
13	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y	
14	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y	
15							Speaker	Y	
16									

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

YES	53	NO	12	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	N	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	N	May	Y	Riesberg	N	Waller	N
Gardner C.	Y	McCann	Y	Roberts	N	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Apuan, Kerr A., Kerr J., Nikkel, Stephens

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until April 1, retaining place on Calendar:

Consideration of Resolution(s)--HJR10-1016, 1017.
Consideration of Senate Amendment(s)--HB10-1188, 1244, 1288, 1004,
1114, 1183, 1222, 1225, 1232, 1236, 1240, 1128, 1166, 1168, 1180,
1197, 1201, 1249.

1	On motion of Representative Weissmann, the House adjourned until
	9:00 a.m., April 1, 2010.
3	
4	Approved:
5	TÊRRANCE D. CARROLL,
5	Speaker
7	Attest:
3	MARILYN EDDINS,
9	Chief Clerk