

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

Eighty-seventh Legislative Day

Friday, April 9, 2010

1 Prayer by Father Eustace Sequeira, SJ., St. Ignatius Loyola Catholic
2 Church, Denver.

3
4 The Speaker called the House to order at 10:30 a.m.

5
6 Pledge of Allegiance led by Helen Kuskin, Carly Gilbert, Molly
7 Mouchawar, Adrianna VanHansen, Running River School, Lafayette.

8
9 The roll was called with the following result:

10

11 Present--61.

12 Excused--Representative(s)--Fischer, Gardner C., McKinley, Tyler--4.

13 Present after roll call--Representative(s) Fischer.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Levy, the reading of the journal of
19 April 8, 2010, was declared dispensed with and approved as corrected by
20 the Chief Clerk.

21

MESSAGE(S) FROM THE SENATE

22

23
24 The Senate has adopted and transmits herewith : SJR10-021, amended
25 as printed in Senate Journal, April 9, 2010.

26

27

INTRODUCTION AND CONSIDERATION OF RESOLUTION

28

29
30 On motion of Representative Weissmann, the rules were suspended and
31 the following resolution was given immediate consideration.

32

33 **SJR10-021** by Senator(s) Kopp; also Representative(s) Kerr J.--
34 Concerning the response to violence at Deer Creek
35 Middle School on February 23, 2010.

36

37 (Printed and placed in member's file).

38

39 On motion of Representative Kerr J., the resolution was read at length
40 and **adopted** by **viva voce** vote.

41

42 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
43 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,

1 Ferrandino, Frangas, Gagliardi, Gardner B., Gerou, Hulinghorst, Judd, Kagan,
 2 Kefalas, Kerr A., King S., Labuda, Lambert, Levy, Liston, Looper, Massey,
 3 May, McCann, McFadyen, McNulty, Merrifield, Middleton, Miklosi, Murray,
 4 Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts,
 5 Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers,
 6 Swalm, Tipton, Todd, Vaad, Vigil, Waller, Weissmann, Speaker.

7

8

9

House in recess. House reconvened.

10

11

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

15

16

17

GENERAL ORDERS--SECOND READING OF BILLS

18

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

23

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

26

27 **SB10-175** by Senator(s) Boyd; also Representative(s) Riesberg--
 28 Concerning the relocation of provisions relating to
 29 behavioral health.

30

31 Ordered revised and placed on the Calendar for Third Reading and Final
 32 Passage.

33

34 **HB10-1234** by Representative(s) Primavera--Concerning the fair
 35 settlement of claims for benefits under an insurance
 36 policy.

37

38 Laid over until April 12, retaining place on Calendar.

39

40 **SB10-094** by Senator(s) Steadman, Bacon, Newell, Schwartz, Boyd,
 41 Carroll M., Foster, Heath, Hudak, Johnston, Romer,
 42 Spence, Tapia, Tochtrop, Whitehead, Williams; also
 43 Representative(s) Rice, Benefield, Ferrandino, Fischer,
 44 Frangas, Gagliardi, Hulinghorst, Kerr A., Labuda,
 45 Massey, McFadyen, Merrifield, Middleton, Miklosi,
 46 Peniston, Ryden, Scanlan, Schafer S., Solano, Todd, Vigil--
 47 -Concerning the definition of capital construction
 48 appropriation for purposes of the art in public places
 49 program administered by the state council on the arts.

50

51 Amendment No. 1, Business Affairs & Labor Report, dated April 6, 2010,
 52 and placed in member's bill file; Report also printed in House Journal,
 53 April 7, pages 1127-1129.

54

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

1 **SB10-172** by Senator(s) Steadman, Foster, Hudak, Johnston, Kester,
 2 Newell, Sandoval; also Representative(s) Primavera--
 3 Concerning the continuation of voluntary contribution
 4 designation lines on state individual income tax forms for
 5 certain funds set to expire January 1, 2011.
 6

7 Ordered revised and placed on the Calendar for Third Reading and Final
 8 Passage.
 9

10 **SB10-174** by Senator(s) Schwartz, Gibbs, Whitehead; also
 11 Representative(s) Massey and Scanlan--Concerning the
 12 regulation of the development of geothermal resources.
 13

14 Ordered revised and placed on the Calendar for Third Reading and Final
 15 Passage.
 16

17 **HB10-1392** by Representative(s) Benefield; also Senator(s) Johnston--
 18 Concerning the membership of the government data
 19 advisory board.
 20

21 Ordered engrossed and placed on the Calendar for Third Reading and
 22 Final Passage.
 23

24 **HB10-1358** by Representative(s) Fischer, Apuan, Court, Frangas,
 25 Gagliardi, Hullinghorst, Kagan, Kefalas, Kerr A., Labuda,
 26 Levy, Merrifield, Middleton, Pace, Peniston, Primavera,
 27 Ryden, Solano, Todd, Tyler, Vigil, Weissmann; also
 28 Senator(s) Johnston, Bacon, Hodge, Steadman, Tapia,
 29 Williams--Concerning a requirement for new home
 30 builders to offer home buyers water efficiency options.
 31

32 Laid over until April 12, retaining place on Calendar.
 33
 34
 35

36 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**
 37

38 Passed Second Reading: **SB10-175, 094 amended, 172, 174,**
 39 **HB10-1392.**
 40

41 Laid over until date indicated retaining place on Calendar: **HB10-1234,**
 42 **1358--April 12, 2010.**
 43

44 The Chairman moved the adoption of the Committee of the Whole
 45 Report. As shown by the following roll call vote, a majority of those
 46 elected to the House voted in the affirmative, and the Report was
 47 **adopted.**
 48

49	YES	60	NO	2	EXCUSED	3	ABSENT	0
50	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
52	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
55	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y

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

11 The Speaker appointed Representatives Pommer, Chairman, Ferrandino
 12 and Lambert as House conferees to the bill.

13
 14
 15
 16 House in recess. House reconvened.
 17
 18

19
 20 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

21
 22 **APPROPRIATIONS**

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

25
 26 **HB10-1005** be amended as follows, and as so amended, be referred to
 27 the Committee of the Whole with favorable
 28 recommendation:
 29

30 Amend printed bill, page 2, line 4, after "**care -**" insert "**home health**
 31 **telemedicine cash fund -**".

32
 33 Page 3, after line 17, insert:

34
 35 "(c) FOR THE FIRST TWO YEARS AFTER THE EFFECTIVE DATE OF
 36 THIS PARAGRAPH (c), GIFTS, GRANTS, AND DONATIONS SHALL BE USED TO
 37 IMPLEMENT THIS SECTION. GIFTS, GRANTS, AND DONATIONS MADE FOR
 38 THIS PURPOSE SHALL BE TRANSFERRED TO THE HOME HEALTH
 39 TELEMEDICINE CASH FUND, WHICH IS HEREBY CREATED IN THE STATE
 40 TREASURY. MONEYS IN THE HOME HEALTH TELEMEDICINE CASH FUND
 41 SHALL BE APPROPRIATED TO THE STATE BOARD AND USED TO IMPLEMENT
 42 THIS SECTION. MONEYS IN THE FUND SHALL REMAIN IN THE FUND AND NOT
 43 BE TRANSFERRED TO THE GENERAL FUND AT THE END OF ANY FISCAL
 44 YEAR."
 45

46 Page 3, after line 23, insert:

47
 48 **"SECTION 2. Appropriation.** In addition to any other
 49 appropriation, there is hereby appropriated, to the department of health
 50 care policy and financing, for medical services premiums, for the fiscal
 51 year beginning July 1, 2010, the sum of one hundred twenty-three
 52 thousand two hundred seventy dollars (\$123,270), or so much thereof as
 53 may be necessary, for the implementation of this act. Of said sum, forty-
 54 seven thousand three hundred forty-eight dollars (\$47,348) shall be from
 55 the home health telemedicine cash fund created in section 25.5-5-321 (1)
 56 (c), Colorado Revised Statutes, and seventy-five thousand nine hundred

1 twenty-two dollars (\$75,922) shall be from federal funds."

2

3 Renumber succeeding section accordingly.

4

5 Page 1, line 102, strike "ACT"." and substitute, "ACT", AND MAKING AN
6 APPROPRIATION THEREFOR."

7

8

9

10 **HB10-1013** be amended as follows, and as so amended, be referred to
11 the Committee of the Whole with favorable
12 recommendation:

13

14 Amend printed bill, page 11, strike lines 8 through 22.

15

16 Renumber succeeding section accordingly.

17

18 Page 12, after line 12 insert:

19 "SECTION 9. Repeal. 22-54-128, Colorado Revised Statutes,
20 is repealed as follows:

21

22 **22-54-128. Military dependent supplemental pupil enrollment**
23 **aid - definitions - repeal.** (1) ~~As used in this section, unless the context~~
24 ~~otherwise requires:~~

25

26 (a) ~~"Eligible pupil" means a pupil who is the dependent of a~~
27 ~~full-time active duty member of the United States military or the~~
28 ~~dependent of a member of the United States military reserve forces who~~
29 ~~has been called to active duty.~~

30

31 (b) ~~"Military dependent supplemental pupil enrollment" means the~~
32 ~~number of eligible pupils enrolled in a school district on February 1~~
33 ~~within the applicable budget year or the school day nearest said date who~~
34 ~~were not enrolled in the district or in any other school district in the state~~
35 ~~on October 1 of the budget year or the school day nearest said date. An~~
36 ~~eligible pupil shall be considered enrolled in a district as evidenced by the~~
37 ~~actual attendance of such eligible pupil prior to February 1 of the~~
38 ~~applicable budget year.~~

39

40 (2) ~~For the 2007-08 through 2010-11 budget years, any school~~
41 ~~district may apply for military dependent supplemental pupil enrollment~~
42 ~~aid pursuant to this section. A district shall be eligible for such aid only~~
43 ~~if:~~

44

45 (a) ~~The district submits an estimate of its military dependent~~
46 ~~supplemental pupil enrollment for the applicable budget year to the~~
47 ~~department of education pursuant to subsection (4) of this section;~~

48

49 (b) ~~The district submits its military dependent supplemental pupil~~
50 ~~enrollment for the applicable budget year to the department of education~~
51 ~~pursuant to subsection (5) of this section; and~~

52

53 (c) ~~The district's military dependent supplemental pupil~~
54 ~~enrollment represents either an increase equal to or greater than one~~
55 ~~percent over the district's pupil enrollment for the applicable budget year~~
56 ~~or an increase equal to or greater than twenty-five pupils over the district's~~

1 per pupil enrollment for the applicable budget year.

2
3 (3) Each district that meets the requirements of this section shall
4 be eligible to receive military dependent supplemental pupil enrollment
5 aid as calculated by computing a number equal to the district's military
6 dependent pupil enrollment, multiplied by an amount equal to one-half of
7 the district's per pupil revenues for the applicable budget year.

8
9 (4) On or before January 15, 2008, and on or before January 15
10 each year thereafter through January 15, 2011, any school district may
11 apply for military dependent supplemental pupil enrollment aid pursuant
12 to this section by submitting to the department of education an estimate
13 of the district's military dependent supplemental pupil enrollment for the
14 applicable budget year.

15
16 (5) To receive military dependent supplemental pupil enrollment
17 aid pursuant to this section, a district that submitted an estimate to the
18 department of education pursuant to subsection (4) of this section shall
19 submit to the department the district's military dependent pupil
20 supplemental enrollment within fifteen days of February 1 of the
21 applicable budget year or within fifteen days of the school day nearest
22 said date.

23
24 (6) Notwithstanding the provisions of section 24-37-304(1)(b.5);
25 C.R.S., on or before March 1, 2008, and on or before March 1 each year
26 thereafter through March 1, 2011, the department of education shall
27 submit a request to the general assembly for a supplemental appropriation
28 in an amount that will fully fund the aggregate amount of the military
29 dependent supplemental pupil enrollment aid allowed for the budget year
30 pursuant to subsection (3) of this section. The department shall calculate
31 the amount of the request by applying the total military dependent
32 supplemental pupil enrollment submitted to the department by all eligible
33 districts pursuant to subsection (5) of this section to the formula specified
34 in subsection (3) of this section. The department shall make the request
35 to the general assembly during the fiscal year in which the school districts
36 apply for the military dependent supplemental pupil enrollment aid.

37
38 (7) In each applicable fiscal year, the general assembly shall
39 appropriate, subject to available appropriations, the amount authorized for
40 military dependent supplemental pupil enrollment aid pursuant to
41 subsection (3) of this section to the department of education to be
42 distributed by the department to eligible districts. In the event that the
43 amount appropriated by the general assembly is less than the amount of
44 aid authorized for each eligible district pursuant to subsection (3) of this
45 section, the department shall distribute an amount to each eligible district
46 that is in the same proportion that the eligible district's military dependent
47 supplemental pupil enrollment bears to the total military dependent
48 supplemental pupil enrollment in all eligible districts.

49
50 (8) This section is repealed, effective July 1, 2011."

51
52 Renumber succeeding sections accordingly.

53
54 Page 14, strike lines 5 through 11.

55
56 Renumber succeeding sections accordingly.

1 **HB10-1027** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 3, after line 5, insert:
6

7 "(c) THE STATE DEPARTMENT IS AUTHORIZED TO SEEK AND ACCEPT
8 GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR
9 THE PURPOSE OF PROVIDING FOR THE ADMINISTRATIVE COSTS OF
10 PREPARING AND SUBMITTING THE REQUEST FOR FEDERAL APPROVAL FOR
11 THE CHANGE FROM SIX MONTHS TO NINE MONTHS DESCRIBED IN
12 PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION. ALL SUCH PRIVATE
13 AND PUBLIC MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS
14 SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT
15 THE SAME TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING
16 CASH FUND CREATED PURSUANT TO SECTION 25.5-1-109.
17

18 **SECTION 2. Appropriation.** In addition to any other
19 appropriation, there is hereby appropriated, to the department of health
20 care policy and financing, for allocation to the executive director's office,
21 for general professional services and special projects, for the fiscal year
22 beginning July 1, 2010, the sum of twenty-five thousand dollars
23 (\$25,000), or so much thereof as may be necessary, for the
24 implementation of this act. Of said sum, twelve thousand five hundred
25 dollars (\$12,500) shall be from the department of health care policy and
26 financing cash fund created pursuant to section 25.5-1-109, Colorado
27 Revised Statutes and twelve thousand five hundred dollars (\$12,500)
28 shall be from federal funds."
29

30 Renumber succeeding section accordingly.
31

32 Page 1, line 103, strike "**MEDICAID.**" and substitute, "**MEDICAID, AND**
33 **MAKING AN APPROPRIATION THEREFOR.**".
34
35
36

37 **HB10-1033** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:
40

41 Amend printed bill, page 2, after line 18 insert:
42

43 **"SECTION 2. Appropriation.** In addition to any other
44 appropriation, there is hereby appropriated, to the department of health
45 care policy and financing, for medical service premiums, for the fiscal
46 year beginning July 1, 2010, the sum of eight hundred seventy thousand
47 one hundred fifty-five dollars (\$870,155), or so much thereof as may be
48 necessary, for the implementation of this act. Of said sum, three hundred
49 thirty-four thousand two hundred twenty-seven dollars (\$334,227) shall
50 be from the general fund and five hundred thirty-five thousand nine
51 hundred twenty-eight dollars (\$535,928) shall be from federal funds."
52

53 Page 2, strike line 19 and substitute:
54

55 **"SECTION 3. Act subject to petition - effective date.**
56 (1) Except as otherwise provided in subsection (2) of this section, this
act".

1 Page 3, after line 2 insert:

2

3 "(2) This act shall take effect on the date specified in subsection
4 (1) of this section only if House Bill 10-1284 is enacted and becomes
5 law."

6

7 Page 1, line 102, strike "ABUSE." and substitute "ABUSE, AND MAKING AN
8 APPROPRIATION THEREFOR."

9

10

11

12 **HB10-1048** be postponed indefinitely.

13

14

15 **HB10-1073** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:

18

19 Amend printed bill, page 4, after line 19, insert:

20

21 **"SECTION 2. Appropriation.** In addition to any other
22 appropriation, there is hereby appropriated, out of any moneys in the
23 Colorado 2-1-1- first call for help fund created in section 39-22-3703 (1),
24 Colorado Revised Statutes, not otherwise appropriated, to the department
25 of revenue, for allocation to the central department operations division,
26 for the fiscal year beginning July 1, 2010, the sum of one hundred seven
27 dollars (\$107) cash funds, or so much thereof as may be necessary, for the
28 implementation of this act."

29

30 Renumber succeeding section accordingly.

31

32 Page 1, line 104, strike "FUND." and substitute "FUND, AND MAKING AN
33 APPROPRIATION THEREFOR."

34

35

36

37 **HB10-1081** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40

41 Amend the Judiciary Committee Report, dated February 18, 2010, page
42 3, after line 28, add:

43

44 "Page 4, after line 24 insert:

45

46 **"SECTION 5.** Article 18 of title 17, Colorado Revised Statutes,
47 is amended BY THE ADDITION OF A NEW SECTION to read:

48

49 **17-18-105. Appropriation to comply with section 2-2-703 - HB**
50 **10-1081 - repeal.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE
51 FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY
52 BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT HOUSE BILL 10-1081,
53 ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH
54 GENERAL ASSEMBLY:

55

56 (a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, IN ADDITION

1 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM
2 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
3 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
4 SECTION 17-1-116, C.R.S., THE SUM OF NINETY-ONE THOUSAND THREE
5 HUNDRED SEVENTY DOLLARS (\$91,370).

6
7 (b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2011, IN ADDITION TO
8 ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
9 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
10 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-EIGHT
11 THOUSAND EIGHT HUNDRED DOLLARS (\$28,800).

12
13 (c) FOR THE FISCAL YEAR BEGINNING JULY 1, 2012, IN ADDITION
14 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
15 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
16 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-EIGHT
17 THOUSAND EIGHT HUNDRED DOLLARS (\$28,800).

18
19 (d) FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, IN ADDITION
20 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
21 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
22 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-EIGHT
23 THOUSAND EIGHT HUNDRED DOLLARS (\$28,800).

24
25 (e) FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, IN ADDITION
26 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
27 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
28 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-EIGHT
29 THOUSAND EIGHT HUNDRED DOLLARS (\$28,800).

30
31 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2015.

32
33 **SECTION 6.** 24-75-302 (2) (w), Colorado Revised Statutes, is
34 amended to read:

35
36 **24-75-302. Capital construction fund - capital assessment fees**
37 **- calculation.** (2) As of July 1, 1988, and July 1 of each year thereafter
38 through July 1, 2012, a sum as specified in this subsection (2) shall accrue
39 to the capital construction fund. The state treasurer and the controller
40 shall transfer such sum out of the general fund and into the capital
41 construction fund as moneys become available in the general fund during
42 the fiscal year beginning on said July 1. Transfers between funds
43 pursuant to this subsection (2) shall not be deemed to be appropriations
44 subject to the limitations of section 24-75-201.1. The amount that shall
45 accrue pursuant to this subsection (2) shall be as follows:

46
47 (w) On July 1, 2010, five hundred twenty-three thousand one
48 hundred sixty-four dollars pursuant to S.B. 06-206, enacted at the second
49 regular session of the sixty-fifth general assembly; plus five hundred
50 twenty-three thousand one hundred sixty-four dollars pursuant to S.B.
51 06-207, enacted at the second regular session of the sixty-fifth general
52 assembly; plus forty-three thousand five hundred ninety-seven dollars
53 pursuant to H.B. 06-1145, enacted at the second regular session of the
54 sixty-fifth general assembly; plus five hundred twenty-three thousand one
55 hundred sixty-four dollars pursuant to H.B. 06-1011, enacted at the
56 second regular session of the sixty-fifth general assembly; plus sixty-nine

1 thousand seven hundred fifty-five dollars pursuant to S.B. 06S-004,
2 enacted at the first extraordinary session of the sixty-fifth general
3 assembly; plus seven hundred fifty thousand nine hundred ninety dollars
4 pursuant to S.B. 07-096, enacted at the first regular session of the
5 sixty-sixth general assembly; plus one hundred twelve thousand six
6 hundred forty-nine dollars pursuant to H.B. 08-1115, enacted at the
7 second regular session of the sixty-sixth general assembly; plus one
8 hundred thirty-seven thousand six hundred eighty-two dollars pursuant to
9 S.B. 08-239, enacted at the second regular session of the sixty-sixth
10 general assembly; PLUS NINETY-ONE THOUSAND THREE HUNDRED
11 SEVENTY DOLLARS PURSUANT TO H.B. 10-1081, ENACTED AT THE SECOND
12 REGULAR SESSION OF THE SIXTY-SEVENTH GENERAL ASSEMBLY;"

13

14 Renumber succeeding sections accordingly.

15

16 Page 5, strike lines 2 through 7 and substitute:

17

18 "May 12, 2010); except that:

19

20 (a) This act shall not take effect if House Bill 10-1338 is not
21 enacted and does not become law; and

22

23 (b) If a referendum petition is filed pursuant to section 1 (3) of
24 article V of the state constitution against this act or an item section, or
25 part of this act within such period, then the act, item, section, or part shall
26 not take effect unless approved by the people at the general election to be
27 held in November 2010 and shall take effect on the date of the official
28 declaration of the vote thereon by the governor."

29

30 Page 1, line 101, strike "LAUNDERING." and substitute "LAUNDERING,
31 AND MAKING AN APPROPRIATION THEREFOR.".

32

33

34

35 **HB10-1139** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:

38

39 Amend printed bill, page 4, before line 5, insert:

40

41 **"SECTION 3. Appropriation.** In addition to any other
42 appropriation, there is hereby appropriated, out of any moneys in the
43 license plate cash fund created in section 42-3-301 (1) (b), Colorado
44 Revised Statutes, not otherwise appropriated, to the department of
45 revenue, for allocation to the division of motor vehicles, driver and
46 vehicle services, for the fiscal year beginning July 1, 2010, the sum of
47 thirty-five thousand five hundred twenty dollars (\$35,520) cash funds, or
48 so much thereof as may be necessary, for the implementation of this act."

49

50 Renumber succeeding section accordingly.

51

52 Page 1, line 103, strike "2001." and substitute "2001, AND MAKING AN
53 APPROPRIATION THEREFOR.".

54

55

56

1 **HB10-1176** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 8, line 15, strike "AUDIT." and substitute "AUDIT
6 OR ANY ADDITIONAL COSTS INCURRED BY ANY OTHER STATE AGENCY IN
7 RELATION TO THE RECOVERY AUDITS REQUIRED BY THIS PART 4. THE
8 DIRECTOR SHALL REIMBURSE ANY STATE AGENCY THAT INCURS
9 ADDITIONAL COSTS IN RELATION TO RECOVERY AUDITS FOR SUCH COSTS
10 FROM THE PORTION OF ANY AMOUNTS RECOVERED FROM RECOVERY
11 AUDITS THAT THE DIRECTOR RETAINS."
12
13
14

15 **HB10-1179** be postponed indefinitely.
16
17

18 **HB10-1238** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:
21

22 Amend the Transportation & Energy Committee Report, dated March 25,
23 2010, page 1, line 2, strike "**cash fund** -".
24

25 Page 1, strike lines 9 through 18.
26

27 Page 2, strike lines 1 through 21.
28

29 Page 2, strike line 23 and substitute "Page 4, line 22, strike "(6)" and
30 substitute "(7) (a)".
31

32 Page 3 of the committee report, line 4, strike "(8)" and substitute "(7)".
33

34 Page 3 of the committee report, after line 4, insert:
35

36 "Page 6, line 6, strike "(d)." and substitute "(d.5)".
37

38 Page 3 of the committee report, strike lines 18 through 26 and substitute:
39

40 "Page 7, strike lines 19 through 26 and substitute:
41

42 **"SECTION 3.** 42-4-1701 (4), Colorado Revised Statutes, is
43 amended BY THE ADDITION OF A NEW PARAGRAPH to read:
44

45 **42-4-1701. Traffic offenses and infractions classified -**
46 **penalties - penalty and surcharge schedule - repeal.** (4) (d.5) (I) THE
47 PENALTY AND SURCHARGE IMPOSED FOR ANY MOVING TRAFFIC VIOLATION
48 UNDER SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (4) ARE
49 DOUBLED IF THE VIOLATION OCCURS WITHIN A WILDLIFE CROSSING ZONE
50 PURSUANT TO SECTION 42-4-616.
51

52 (II) (A) THERE IS HEREBY CREATED, WITHIN THE HIGHWAY USERS
53 TAX FUND, THE WILDLIFE CROSSING ZONES SAFETY ACCOUNT.
54

55 (B) IF A PENALTY AND SURCHARGE ARE DOUBLED PURSUANT TO
56 SUBPARAGRAPH (I) OF THIS PARAGRAPH (d.5), ONE-HALF OF THE PENALTY

1 AND SURCHARGE ALLOCATED TO THE STATE BY SECTIONS 42-1-217 AND
2 43-4-205, C.R.S., SHALL BE TRANSFERRED TO THE STATE TREASURER,
3 WHO SHALL DEPOSIT THE MONEYS IN THE WILDLIFE CROSSING ZONES
4 SAFETY ACCOUNT WITHIN THE HIGHWAY USERS TAX FUND TO BE
5 CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT OF TRANSPORTATION
6 FOR WILDLIFE CROSSING ZONES SIGNS AND LAW ENFORCEMENT."."

7
8 Page 3 of the committee report, after line 26 add:

9
10 "Page 8, strike lines 2 through 4 and substitute:

11
12 **"SECTION 5. Act subject to petition - specified effective date.**
13 This act shall take effect September 1, 2010; except that, if a referendum
14 petition is filed pursuant to section 1 (3) of article V of the state
15 constitution against this act or an item, section, or part of this act within
16 the ninety-day period after final adjournment of the general assembly,
17 then the act, item, section, or part shall not take effect unless approved by
18 the people at the general election to be held in November 2010 and shall
19 take effect on the date of the official declaration of the vote thereon by
20 the governor."."

21
22
23
24 **HB10-1262** be postponed indefinitely.

25
26
27 **HB10-1269** be amended as follows, and as so amended, be referred to
28 the Committee of the Whole with favorable
29 recommendation:

30
31 Amend the Judiciary Committee Report, dated March 1, 2010, page 1,
32 strike line 1 and substitute:

33
34 "Amend printed bill, page 3, line 4, after "**authorized**" insert "**- civil**
35 **penalties**".

36
37 Page 8, after line 26 insert:

38
39 "(10) IN ADDITION TO THE REMEDIES AVAILABLE PURSUANT TO
40 THIS SECTION, THE COURT SHALL ORDER A DEFENDANT FOUND TO HAVE
41 ENGAGED IN AN UNFAIR OR DISCRIMINATORY EMPLOYMENT PRACTICE TO
42 PAY A CIVIL PENALTY IN AN AMOUNT NOT TO EXCEED TEN PERCENT OF ANY
43 MONETARY DAMAGES AWARDED TO THE PLAINTIFF PURSUANT TO THIS
44 SECTION. CIVIL PENALTIES IMPOSED PURSUANT TO THIS SUBSECTION (10)
45 SHALL BE TRANSMITTED TO THE STATE TREASURER FOR DEPOSIT IN THE
46 CIVIL RIGHTS DIVISION CASH FUND CREATED IN SECTION 24-34-309.".

47
48 Page 1 of the committee report, line 2, strike ""**SECTION**"" and substitute
49 "**SECTION**".

50
51 Page 2 of the committee report, strike line 1 and substitute "~~mitigate his~~
52 ~~or her damages.~~"

53
54 **SECTION 3.** 24-34-306 (2), Colorado Revised Statutes, is
55 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

56

1 **24-34-306. Charge - complaint - hearing - procedure - fees and**
2 **civil penalties - exhaustion of administrative remedies.** (2) (d) (I) IF
3 A COMPLAINT ALLEGING UNFAIR OR DISCRIMINATORY EMPLOYMENT
4 PRACTICES PURSUANT TO PART 4 OF THIS ARTICLE IS SETTLED THROUGH
5 COMPULSORY MEDIATION, THE CHARGING PARTY AND THE RESPONDENT
6 SHALL PAY A FEE TO COVER THE DIRECT AND INDIRECT COSTS OF THE
7 MEDIATION. THE PARTIES SHALL PAY THE FEE TO THE DIRECTOR OR THE
8 DIRECTOR'S DESIGNEE IN AN AMOUNT EQUAL TO FOUR PERCENT OF THE
9 AMOUNT OF THE MEDIATED SETTLEMENT, SPLIT EQUALLY BETWEEN THE
10 CHARGING PARTY AND THE RESPONDENT.

11
12 (II) IF A COMPLAINT ALLEGING UNFAIR OR DISCRIMINATORY
13 EMPLOYMENT PRACTICES PURSUANT TO PART 4 OF THIS ARTICLE IS
14 RESOLVED THROUGH CONCILIATION, THE RESPONDENT SHALL PAY A FEE
15 TO THE DIRECTOR OR THE DIRECTOR'S DESIGNEE TO COVER THE DIRECT
16 AND INDIRECT COSTS OF THE CONCILIATION. THE FEE SHALL BE AN
17 AMOUNT EQUAL TO SIX PERCENT OF THE SETTLEMENT AMOUNT.

18
19 (III) THE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL
20 TRANSMIT FEES COLLECTED PURSUANT TO THIS PARAGRAPH (d) TO THE
21 STATE TREASURER FOR DEPOSIT IN THE CIVIL RIGHTS DIVISION CASH FUND
22 CREATED IN SECTION 24-34-309.

23
24 **SECTION 4.** 24-34-306 (9), Colorado Revised Statutes, is
25 amended to read:

26
27 **24-34-306. Charge - complaint - hearing - procedure - fees and**
28 **civil penalties - exhaustion of administrative remedies.** (9) If, upon
29 all the evidence at a hearing, there is a statement of findings and
30 conclusions in accordance with section 24-4-105, together with a
31 statement of reasons for such conclusions, showing that a respondent has
32 engaged in or is engaging in any discriminatory or unfair practice as
33 defined in parts 4 to 7 of this article, the commission shall issue and cause
34 to be served upon the respondent an order requiring ~~such~~ THE respondent
35 to cease and desist from ~~such~~ THE discriminatory or unfair practice and
36 to take such action as it may order in accordance with the provisions of
37 parts 4 to 7 of this article. IN CASES WHERE THE COMMISSION FINDS AN
38 UNFAIR OR DISCRIMINATORY EMPLOYMENT PRACTICE, AS DEFINED IN PART
39 4 OF THIS ARTICLE, THE COMMISSION SHALL ORDER THE RESPONDENT TO
40 PAY A CIVIL PENALTY IN AN AMOUNT NOT TO EXCEED EIGHT PERCENT OF
41 THE AMOUNT OF ANY MONETARY DAMAGE AWARD CONTAINED IN THE
42 ORDER. THE COMMISSION SHALL TRANSMIT ANY CIVIL PENALTIES IMPOSED
43 AND COLLECTED PURSUANT TO THIS SUBSECTION (9) TO THE STATE
44 TREASURER FOR DEPOSIT IN THE CIVIL RIGHTS DIVISION CASH FUND
45 CREATED IN SECTION 24-34-309.

46
47 **SECTION 5.** Part 3 of article 34 of title 24, Colorado Revised
48 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
49 read:

50
51 **24-34-309. Civil rights division cash fund - creation.**
52 (1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE CIVIL RIGHTS
53 DIVISION CASH FUND, REFERRED TO IN THIS SECTION AS THE "FUND". THE
54 FUND SHALL CONSIST OF FEES AND CIVIL PENALTIES COLLECTED PURSUANT
55 TO SECTION 24-34-306 (2) (d) OR (9) OR SECTION 24-34-405 (10).
56 INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN

1 THE FUND SHALL REMAIN IN THE FUND.
2

3 (2) MONEYS IN THE FUND ARE SUBJECT TO ANNUAL
4 APPROPRIATION BY THE GENERAL ASSEMBLY TO THE CIVIL RIGHTS
5 DIVISION FOR THE DIVISION'S DIRECT AND INDIRECT COSTS IN RESOLVING
6 COMPLAINTS FILED WITH THE DIVISION ALLEGING UNFAIR OR
7 DISCRIMINATORY EMPLOYMENT PRACTICES.
8

9 **SECTION 6. Appropriation.** (1) In addition to any other
10 appropriation, there is hereby appropriated, out of any moneys in the
11 general fund not otherwise appropriated, to the department of regulatory
12 agencies, for allocation to the civil rights division, for the fiscal year
13 beginning July 1, 2010, the sum of twenty-one thousand six hundred
14 ninety-four dollars (\$21,694) and 0.1 FTE, or so much thereof as may be
15 necessary, for the implementation of this act.
16

17 (2) In addition to any other appropriation, there is hereby
18 appropriated, out of any moneys in the civil rights division cash fund
19 created in section 24-34-309 (1), Colorado Revised Statutes, not
20 otherwise appropriated, to the department of regulatory agencies, for
21 allocation to the civil rights division, for the fiscal year beginning July 1,
22 2010, the sum of fifty-three thousand seven hundred fifty-one dollars
23 (\$53,751) cash funds and 1.0 FTE, or so much thereof as may be
24 necessary, for the implementation of this act.
25

26 (3) In addition to any other appropriation, there is hereby
27 appropriated to the department of law, for the fiscal year beginning July
28 1, 2010, the sum of fourteen thousand three hundred twenty-two dollars
29 (\$14,322) and 0.1 FTE, or so much thereof as may be necessary, for the
30 provision of legal services to the department of regulatory agencies
31 related to the implementation of this act. Said sum shall be from
32 reappropriated funds received from the department of regulatory agencies
33 out of the appropriation made in subsection (1) of this section."."
34

35 Page 2 of the committee report, after line 2 insert:
36

37 "Page 1 of the bill, line 102, strike "CASES." and substitute "CASES, AND
38 MAKING AN APPROPRIATION THEREFOR."."
39

40
41
42 **HB10-1277** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:
45

46 Amend printed bill, page 4, line 18 strike "**10-####**" and substitute "**10-**
47 **1277**".
48

49 Page 4, line 20 strike "10-___," and substitute "10-1277,".
50

51 Page 4, line 26 strike "OF _____ DOLLARS (\$)." and substitute "OF
52 EIGHTY-THREE THOUSAND EIGHT HUNDRED SIXTY-ONE DOLLARS
53 (\$83,861).".
54

55 Page 4 strike line 27.
56

- 1 Page 5 strike lines 1 through 4.
2
- 3 Page 5, line 5 strike "(II)" and substitute "(b)".
4
- 5 Page 5, line 8 strike "OF _____ DOLLARS (\$)." and substitute "OF
6 TWENTY-EIGHT THOUSAND FOURTEEN DOLLARS (\$28,014).".
7
- 8 Page 5 strike lines 9 through 13.
9
- 10 Page 5, line 14 strike "(II)" and substitute "(c)".
11
- 12 Page 5, line 17 strike "OF _____ DOLLARS (\$)." and substitute "OF FOUR
13 THOUSAND FOUR HUNDRED EIGHTY-TWO DOLLARS (\$4,482).".
14
- 15 Page 5 strike lines 18 through 27.
16
- 17 Page 6 strike lines 1 through 8.
18
- 19 Page 6, line 9 strike "2015." and substitute "2013".
20
- 21 Page 6, line 11 strike "(2) (x), and (2) (y).",
22
- 23 Page 6, line 11 strike "are".
24
- 25 Page 6, line 12 strike "amended, and the said 24-75-302 (2) is further
26 amended BY THE" and substitute "is amended".
27
- 28 Page 6, line 13 strike "ADDITION OF THE FOLLOWING NEW PARAGRAPHS,".
29
- 30 Page 6, line 16 strike "~~2012~~ 2014," and substitute "2012,".
31
- 32 Page 7, line 16 strike "PLUS _____ DOLLARS PURSUANT TO H.B. 10-____,"
33 and substitute "PLUS EIGHTY-THREE THOUSAND EIGHT HUNDRED SIXTY-
34 ONE DOLLARS PURSUANT TO H.B. 10-1277,".
35
- 36 Page 7, line 17 strike "ENACTED IN 2010;" and substitute "ENACTED AT
37 THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH GENERAL
38 ASSEMBLY;".
39
- 40 Page 7 strike lines 18 through 27.
41
- 42 Page 8 strike lines 1 through 7.
43
- 44 Page 8, after line 7, insert:
45
- 46 **"SECTION 6. Appropriation - legislative intent.** (1) It is the
47 intent of the general assembly that the general fund appropriation for the
48 implementation of this act shall be derived from savings generated from
49 the implementation of the provisions of House Bill 10-1338, as enacted
50 during the second regular session of the sixty-seventh general assembly.
51
- 52 **SECTION 7. Effective date.** (1) This act shall take effect upon
53 passage.
54
- 55 (2) Notwithstanding the provisions of subsection (1) of this
56 section, this act shall only take effect if:

1 (a) The final fiscal estimate for House Bill 10-1338, as reflected
2 in the appropriations clause for said act, shows a net general fund savings
3 that is equal to or greater than the final general fund fiscal estimate for
4 this act, as reflected in section 4 of this act; and

5
6 (b) House Bill 10-1338 is enacted at the second regular session of
7 the sixty-seventh general assembly and becomes law; and

8
9 (c) The staff director of the joint budget committee files written
10 notice with the revisor of statutes no later than July 15, 2010, that the
11 requirement set forth in paragraph (a) of this subsection (2) has been
12 met.".

13
14 Renumber succeeding section accordingly.

15
16
17
18 **HB10-1280** be postponed indefinitely.

19
20
21 **HB10-1347** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:

24
25 Amend printed bill, page 18, strike lines 24 through 26 and substitute:

26
27 **"SECTION 11. Appropriation.** (1) In addition to any other
28 appropriation, there is hereby appropriated, out of any moneys in the
29 general fund not otherwise appropriated, to the judicial department,
30 probation and related services, for probation programs, for the fiscal year
31 beginning July 1, 2010, the sum four hundred thirty-eight thousand five
32 hundred eighteen dollars (\$438,518) and 7.3 FTE, or so much thereof as
33 may be necessary, for the implementation of this act.

34
35 (2) In addition to any other appropriation, there is hereby
36 appropriated, out of any moneys in the persistent drunk driver cash fund
37 created in section 42-3-303 (1), Colorado Revised Statutes, not otherwise
38 appropriated, to the judicial department, probation and related services,
39 for offender treatment and services, for the fiscal year beginning July 1,
40 2010, the sum of two hundred forty-nine thousand seven hundred fifty
41 dollars (\$249,750) cash funds, or so much thereof as may be necessary,
42 for the implementation of this act.

43
44 (3) It is the intent of the general assembly that the general fund
45 appropriation in subsection (1) of this section shall be derived from
46 savings generated from the implementation of the provisions of House
47 Bill 10-1338, as enacted during the Second Regular Session of the Sixty-
48 seventh General Assembly.

49
50 **SECTION 12. Specified effective date - applicability.** (1) This
51 act shall take effect July 1, 2010, and shall apply to offenses committed
52 on or after said date; except that this act shall only take effect if:

53
54 (a) House Bill 10-1338 is enacted at the Second Regular Session
55 of the Sixty-seventh General Assembly and becomes law; and

56

1 (b) The final fiscal estimate for House Bill 10-1338, as
2 determined from the appropriations enacted in said bill, shows a net
3 reduction in the amount of general fund revenues appropriated for the
4 state fiscal year 2010-11, that is equal to or greater than the amount of the
5 general fund appropriation made for the implementation of this act for the
6 state fiscal year 2010-11, as reflected in section 11 of this act; and

7
8 (c) The staff director of the joint budget committee files written
9 notice with the revisor of statutes no later than July 15, 2010, that the
10 requirement set forth in paragraph (b) of this subsection (1) has been
11 met.".

12
13 Renumber succeeding section accordingly.

14
15 Page 1, line 103, strike "DRUGS." and substitute "DRUGS, AND MAKING AN
16 APPROPRIATION THEREFOR.".

17
18
19
20 **HB10-1352** be amended as follows, and as so amended, be referred to
21 the Committee of the Whole with favorable
22 recommendation:

23
24 Amend printed bill, page 24, after line 12, insert the following:

25
26 "SECTION 24. 18-19-103 (1) (c), (1) (d), (1) (e), (1) (f), (1) (g),
27 (1) (h), and (2), Colorado Revised Statutes, are amended to read:

28
29 **18-19-103. Source of revenues - allocation of moneys.** (1) For
30 offenses committed on and after July 1, 1996, each drug offender who is
31 convicted, or receives a deferred sentence pursuant to section 18-1.3-102,
32 shall be required to pay a surcharge to the clerk of the court in the county
33 in which the conviction occurs or in which the deferred sentence is
34 entered. Such surcharge shall be in the following amounts:

35
36 (c) For each class 4 felony of which a person is convicted, ~~one~~
37 TWO thousand ~~five hundred~~ dollars;

38
39 (d) For each class 5 felony of which a person is convicted, one
40 thousand ~~one FIVE hundred twenty-five~~ dollars;

41
42 (e) For each class 6 felony of which a person is convicted, ~~seven~~
43 ONE THOUSAND TWO hundred fifty dollars;

44
45 (f) For each class 1 misdemeanor of which a person is convicted,
46 ~~six hundred~~ ONE THOUSAND dollars;

47
48 (g) For each class 2 misdemeanor of which a person is convicted,
49 ~~four~~ SIX hundred ~~fifty~~ dollars;

50
51 (h) For each class 3 misdemeanor of which a person is convicted,
52 ~~two~~ THREE hundred ~~twenty-five~~ dollars.

53
54 (2) Each drug offender convicted of a violation of section
55 18-18-406 (1), or who receives a deferred sentence pursuant to section
56 18-1.3-102 for a violation of section 18-18-406 (1), shall be assessed a

1 surcharge of ~~one~~ TWO hundred dollars.

2

3 **SECTION 25. Appropriation - adjustments to the 2010 long**

4 **bill.** (1) In addition to any other appropriation, there is hereby
5 appropriated, out of any moneys in the general fund not otherwise
6 appropriated, to the judicial department, for allocation to the probation
7 and related services division, for probation programs, for the fiscal year
8 beginning July 1, 2010, the sum of two hundred sixty-three thousand
9 three hundred seventy-seven dollars (\$263,377) and 4.8 FTE, or so much
10 thereof as may be necessary, for the implementation of this act.

11

12 (2) In addition to any other appropriation, there is hereby
13 appropriated, out of any moneys in the general fund not otherwise
14 appropriated, to the department of public safety, for allocation to the
15 division of criminal justice, for analyzing and reporting on the annual
16 fiscal savings generated by House Bill 10-1352, for the fiscal year
17 beginning July 1, 2010, the sum of thirty-six thousand five hundred
18 twenty-eight dollars (\$36,528) and 0.5 FTE, or so much thereof as may
19 be necessary, for the implementation of this act.

20

21 (3) In addition to any other appropriation, there is hereby
22 appropriated, out of any moneys in the general fund not otherwise
23 appropriated, to the judicial department, for allocation to the probation
24 and related services division, to be credited to the drug offender surcharge
25 fund created in section 18-19-103 (4), Colorado Revised Statutes, for the
26 fiscal year beginning July 1, 2010, the sum of one million four hundred
27 sixty-eight thousand one hundred ninety-six dollars (\$1,468,196).

28

29 (4) For the implementation of this act, the general fund
30 appropriation made in the annual general appropriation act for the fiscal
31 year beginning July 1, 2010, to the department of corrections,
32 management, external capacity subprogram, for payments to house state
33 prisoners, is decreased by one million five hundred twenty-three thousand
34 five hundred eighty-nine dollars (\$1,523,589).

35

36 (5) For the implementation of this act, the general fund
37 appropriation made in the annual general appropriation act for the fiscal
38 year beginning July 1, 2010, to the judicial department, public defender,
39 for personal services and operating expenses, is decreased by two
40 hundred forty-four thousand five hundred twelve dollars (\$244,512) and
41 5.6 FTE."

42

43 Renumber succeeding section accordingly.

44

45 Page 1, line 102 strike "SUBSTANCES." and substitute "SUBSTANCES, AND
46 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

47

48

49

50

51 **EDUCATION**

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

54

55 **HB10-1375** be referred to the Committee of the Whole with favorable
56 recommendation.

1 **FINANCE**

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

4
5 **SB10-162** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation
8

9 Amend reengrossed bill, page 5, line 25, strike "A" and substitute "ON
10 AND AFTER JANUARY 1, 2012, A".

11
12 Page 5, strike lines 26 and 27 and substitute "BE REQUIRED TO SUBMIT A
13 PRE-CERTIFICATION FORM."

14
15 Page 6, strike lines 1 through 3 and substitute "IN CONNECTION".

16
17 Page 6, line 18, strike "THE END OF THE BUSINESS'S THEN-CURRENT".

18
19 Page 6, strike line 19 and substitute "COMPLETION OF THE PROJECT".
20
21
22
23

24 **JUDICIARY**

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

27
28 **HB10-1251** be postponed indefinitely.
29
30

31 **HB10-1351** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:
34

35 Amend the Judiciary Committee Report, dated March 8, 2010, page 1,
36 strike line 1 and substitute:

37
38 "Amend printed bill, page 2, line 7, strike "thirty-six" and substitute
39 "forty-five".
40

41 Page 2, strike lines 9 through 12 and substitute".
42

43 Page 1 of the report, line 2, strike ""thirty-six" and substitute
44 ""forty-five".
45

46 Page 1 of the report, line 4, strike "thirty-six" and substitute "forty-five".
47

48 Page 1 of the report, after line 4 insert:
49

50 "Page 3, line 12, strike "THIRTY-SIX" and substitute "FORTY-FIVE".
51

52 Page 3, line 13, strike "percent." and substitute "percent;".
53

54 Page 3, line 15, before "The" insert "EXCEPT THAT A LENDER MAY ALSO
55 CHARGE A FINANCE CHARGE OF NOT MORE THAN TEN DOLLARS FOR EACH
56 ONE HUNDRED DOLLARS LOANED FOR THE INITIAL LOAN IN A

1 TWELVE-MONTH PERIOD."

2

3 Page 3, line 16, after "RATE" insert "AND FINANCE CHARGE".

4

5 Page 4, line 5, strike "DOES NOT EVADE" and substitute "VIOLATES".

6

7 Page 4, line 6, strike "ACT," and substitute "ACT THAT LIMITS OR

8 RESTRICTS THE APPLICATION OF THIS ARTICLE,"."

9

10

11

12

13 **STATE, VETERANS, & MILITARY AFFAIRS**

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

16

17 **SB10-070** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:

20

21 Amend reengrossed bill, page 4, line 12, strike "DISTRICT." and substitute
22 "DISTRICT AND THE ALPHABETICAL, NUMERICAL, OR ALPHANUMERICAL
23 DESIGNATION USED TO IDENTIFY THE MEASURE SHALL BE IDENTICAL ON
24 EACH BALLOT THAT INCLUDES THE MEASURE."

25

26

27

28

29 **TRANSPORTATION & ENERGY**

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

32

33 **HB10-1363** be amended as follows, and as so amended, be referred to
34 the Committee of the Whole with favorable
35 recommendation:

36

37 Amend printed bill, page 2, strike lines 2 through 14.

38

39 Page 3, strike lines 1 through 22 and substitute:

40

41 "SECTION 1. 40-2-123, Colorado Revised Statutes, is amended
42 BY THE ADDITION OF A NEW SUBSECTION to read:

43

44 **40-2-123. New energy technologies - consideration by**
45 **commission - incentives - demonstration projects - definitions -**
46 **legislative declaration - repeal. (3.2) IN ITS CONSIDERATION OF**
47 **GENERATION ACQUISITIONS FOR ELECTRIC UTILITIES, THE COMMISSION**
48 **MAY GIVE THE FULLEST POSSIBLE CONSIDERATION TO THE COST-EFFECTIVE**
49 **IMPLEMENTATION OF NEW ENERGY TECHNOLOGIES FOR THE GENERATION**
50 **OF ELECTRICITY FROM METHANE PRODUCED BIOGENICALLY IN GEOLOGIC**
51 **STRATA AS A RESULT OF HUMAN INTERVENTION."**

52

53

54

55

1 **SB10-177** be amended as follows, and as so amended, be referred to
 2 the Committee of the Whole with favorable
 3 recommendation:
 4

5 Amend reengrossed bill, page 9, line 3, after "UTILITY" insert "EITHER
 6 RECEIVES A PERMIT PURSUANT TO ARTICLE 7 OR 8 OF TITLE 25, C.R.S., FOR
 7 A GENERATION FACILITY THAT RELIES ON OR IS AFFECTED BY THE
 8 DEFINITIONS OF ELIGIBLE ENERGY RESOURCES OR".
 9

10 Page 9, line 5, strike "DURING ITS TERM" and substitute "OR FACILITY".
 11

12 DELIVERY OF BILLS TO GOVERNOR

13
 14
 15
 16 The Chief Clerk of the House of Representatives reports the following
 17 bills have been delivered to the Office of the Governor: **HB10-1011,**
 18 **1043, 1107, 1108, 1165, 1202, 1215, 1245, 1365** at 11:00 a.m. on
 19 April 9, 2010.
 20

21 INTRODUCTION OF MEMORIAL

22
 23
 24
 25 The following memorial was read by title and laid over until
 26 April 13, 2010 under the rules:
 27

28 **HM10-1003** by Representative(s) McNulty, Acree, May, Murray--
 29 Memorializing former Representative Charles S. "Bud"
 30 Hover, Jr.
 31

32 LAY OVER OF CALENDAR ITEM(S)

33
 34
 35
 36 On motion of Representative Weissmann, the following item(s) on the
 37 Calendar (was)were laid over until April 12, retaining place on Calendar:
 38

39 Consideration of Third Reading--**SB10-100.**
 40 Consideration of Resolution(s)--**HJR10-1020, 1021.**
 41 Consideration of Senate Amendment(s)--**HB10-1188.**
 42

43
 44 On motion of Representative Weissmann, the House adjourned until
 45 10:00 a.m., April 12, 2010.
 46

47 Approved:
 48 TERRANCED. CARROLL,
 49 Speaker

50 Attest:
 51 MARILYN EDDINS,
 52 Chief Clerk