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HOUSE JOURNAL

SIXTY-SEVENTH GENERAL ASSEMBLY STATE OF COLORADO

Second Regular Session

Seventy-sixth Legislative Day

Monday, March 29, 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 10:00 a.m.
5	The Speaker caned the House to order at 10.00 a.m.
6 7	Pledge of Allegiance led by Celeste Reichert, Malik Neal, Tomarrah Wilson, Patrick Odeki, Loyola Elementary, Denver.
8	
9	The roll was called with the following result:
0	Durant (2)
1	Present62.
2	ExcusedRepresentative(s) Acree, King, Middleton3. Present after roll callRepresentative(s) Acree.
4	riesem and fon cankepresemanye(s) Acree.
5	The Speaker declared a quorum present.
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8	On motion of Representative Labuda, the reading of the journal of
9	March 26, 2010, was declared dispensed with and approved as corrected
0.	by the Chief Clerk.
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21 22 23 24	
4	THIRD READING OF BILL(S)FINAL PASSAGE

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.

SB10-140 by Senator(s) Mitchell, Shaffer B., Carroll M., Spence; also Representative(s) McCann--Concerning human trafficking.

The question being "Shall the bill pass?".

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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**.

20								
39	YES	63	NO	0	EXCUSED	2	ABSENT	0
40	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
41	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
42	Balmer		Judd	Y	McNulty	Y	Schafer S.	Y
43	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y

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

Co-sponsor(s) added: Representative(s) Apuan, Court, Fischer, Gardner B., Kefalas, Kerr A., Kerr J., Labuda, Lambert, Looper, Massey, Merrifield, Miklosi, Nikkel, Pace, Primavera, Priola, Schafer S., Todd, Tyler, Vigil, Waller

SB10-099

by Senator(s) Cadman, Morse, Penry; also Representative(s) Weissmann--Concerning the acceptance by members of the general assembly from a joint governmental agency of this state of the payment of or reimbursement for certain expenses related to the member's attendance at a meeting of the joint governmental agency.

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**.

	YES	63	NO	0	EXCUSED	2	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	Е	Sonnenberg	Y
	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
1	Court	Y	King S.	E	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

Co-sponsor(s) added: Representative(s) Kerr J., Labuda, Lambert, Todd

SB10-055

by Senator(s) Harvey; also Representative(s) Gardner C.--Concerning the receipt of donations by the division of motor vehicles in the department of revenue to be deposited in the Colorado state titling and registration account in the highway users tax fund.

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**.

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YES	63	NO	0	EXCUSED	2	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	E	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	E	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

Co-sponsor(s) added: Representative(s) Peniston, Stephens, Todd

hbit high highest by Representative(s) Casso; also Senator(s) Tochtrop-Concerning required registration for persons who work on fire suppression systems, and making an appropriation therefor.

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**.

YES	35	NO	28	EXCUSED	2	ABSENT	0
Acree	N	Gerou	N	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	E	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	N	Stephens	N
Court	Y	King S.	Е	Nikkel	N	Summers	N
Curry	Y	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	N	Pommer	Y	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	Y
Gardner B.	N	May	N	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Fischer, Frangas, Hullinghorst, Kagan,

Labuda, Pace, Soper, Vigil56

HB10-1362 by Representative(s) Vigil; also Senator(s) Schwartz--Concerning the inactive status of a special district.

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**.

8	3
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YES	63	NO	0	EXCUSED	2	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	Е	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	E	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

Co-sponsor(s) added: Representative(s) Kerr J., Pace, Schafer S.

HB10-1328

by Representative(s) Miklosi, Apuan, Benefield, Casso, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst, Kefalas, Kerr A., Labuda, Levy, McCann, McFadyen, Merrifield, Middleton, Peniston, Pommer, Primavera, Ryden, Scanlan, Solano, Todd, Tyler, Vigil, Weissmann; also Senator(s) Schwartz--Concerning the "New Energy Jobs Creation Act of 2010", and, in connection therewith, creating the Colorado new energy improvement district and authorizing the district to fund new energy improvements by issuing special assessment bonds payable from special assessments levied on eligible real property owned by persons who voluntarily join the district in order to have the district help them fund new energy improvements to the eligible real property.

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**.

47
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49	YES	37	NO	26	EXCUSED	2	ABSENT	0
50	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
53	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	N
55	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	Y	Kerr J.	N	Murray	N	Stephens	N

1	Court	Y	King S.	Е	Nikkel	N	Summers	N	ĺ
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	N	
3	DelĞrosso	N	Lambert	N	Peniston	Y	Tipton	N	
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
5	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y	
6	Frangas	Y	Looper	N	Priola	N	Vaad	N	
7	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y	
8	Gardner B.	N	May	N	Riesberg	Y	Waller	N	
9	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y	
10							Speaker	Y	
11	Co-sponsor(s)	add	ed: Represe	ntative(s	s) Pace, Sope	r	-		

12 13 14

SB10-098 Senator(s) Tochtrop; also Representative(s) by Sonnenberg--Concerning the allocation of moneys to promote conservation of the state's natural resources.

15 16 17

(Amended as printed in House Journal, March 26, page 885.)

18 19 20

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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.

23 2 2: 2: 2: 2: 2: 3:

24	YES	61	NO	2	EXCUSED	2	ABSENT	0
25	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
28	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
30	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
32	Court	Y	King S.	E	Nikkel	Y	Summers	Y
33	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
34	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
37	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
38	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
39	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
40	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
41							Speaker	Y
42	Co-sponsor(s)	$add\epsilon$	ed: Representat	tive(s) A puan, Bau i	ngar	dner, Curry, C	erou,

Co-sponsor(s) added: Representative(s) Apuan, Baumgardner, Curry, Gerou, Hullinghorst, Labuda, Pace, Priola, Ryden, Vigil

House in recess. House reconvened.

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REPORT(S) OF COMMITTEE(S) OF REFERENCE

49 50 51

STATE, VETERANS, & MILITARY AFFAIRS

52 53

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

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HB10-1361 be postponed indefinitely.

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page 690.

1 2 3	SB10-106	amended as printed in Senate Journal, March 26, 2010, page 691.				
4 5 6	The Senate had of Statutes:	as passed on Third Reading and transmitted to the Revisor				
7 8	HB10-1197	amended as printed in Senate Journal, March 26, 2010, page 690.				
9 10	HB10-1201	amended as printed in Senate Journal, March 26, 2010, page 690-691.				
11 12	HB10-1180	amended as printed in Senate Journal, March 26, 2010, page 691.				
13 14	HB10-1249	amended as printed in Senate Journal, March 26, 2010, page 691.				
15 16	HB10-1168	amended as printed in Senate Journal, March 26, 2010, page 691.				
17 18 19	HB10-1166	amended as printed in Senate Journal, March 26, 2010, page 691.				
20 21 22		ideration, the Senate has passed on Third Reading and the Revisor of Statutes:				
23 24 25	HB10-1128	amended as printed in Senate Journal, March 19, 2010, page 605 and on March 29, 2010.				
26 27	The Senate has postponed HB10-1292 until May 13, 2010. The bill is returned herewith.					
28 29 30 31	The President has announced that Representative May has been added as a House joint prime sponsor to SB10-162.					
32 33						
34 35		MESSAGE(S) FROM THE REVISOR				
36 37	We herewith	· ,				
38 39	Without com 1236, 1240 at	ment, as amended, HB10-1232, 1222, 1225, 1004, 1183,				
40 41		ment, as amended, SB10-124 and 061.				
42 43	Wa harawith	tronsmit:				
44 45	We herewith transmit: Without comment, as amended, HB10-1197, 1201, 1180, 1249, 1168, and 1166.					
46 47	Without comment, as amended, SB10-162 and 106. We herewith retransmit:					
47 48 49		ment, as amended, HB10-1128.				
50						
51 52						
53 54						
55						

1		MESSAGE(S) FROM THE GOVERNOR		
2 3 4 5	2:55 p.m. 7	ceived the following on the 29th day of March, 2010, at The original is on file in the records of the House of the General Assembly.		
6 7 8		Marilyn Eddins, Chief Clerk of the House		
9 10	March 29, 201			
11		ble House of Representatives		
12 13	Sixty-seventh General Assembly Second Regular Session			
14 15	State Capitol Denver, CO 8	0203		
16 17 18	Ladies and Ge	ntlemen:		
19 20		the honor to inform you that I have approved and filed with the rate the following Acts:		
21 22 23	<u>HB10-1008</u>	CONCERNING A PROHIBITION AGAINST CONSIDERATION OF GENDER IN SETTING RATES FOR INDIVIDUAL HEALTH		
23 24 25 26 27		INSURANCE POLICIES. Approved March 29, 2010 at 11:42 a.m.		
27 28 29 30 31	Sincerely, (signed) Bill Ritter, Jr. Governor			
32 33				
34 35	March 29, 201			
36 37 38 39 40 41				
42 43	Ladies and Ge	ntlemen:		
44 45 46	I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:			
47 48 49 50	<u>HB10-1023</u>	CONCERNING CLARIFYING CIVIL LIABILITY REGARDING NEGLIGENT HIRING PRACTICES FOR AN EMPLOYER THAT HIRES A PERSON WITH A CRIMINAL RECORD.		
51 52		Approved March 29, 2010 at 1:35 p.m.		
53 54 55	<u>HB10-1037</u>	CONCERNING THE CONTINUATION OF FUNDING FOR SUPPLEMENTAL ON-LINE EDUCATION SERVICES.		
55 56		Approved March 29, 2010 at 1:36 n m		

1 2 3 4 5 6	<u>HB10-1071</u>	CONCERNING ELIMINATION OF THE REQUIREMENT THAT A PERSON EMPLOYED IN A TECHNICAL FORESTRY CAPACITY BY THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM POSSESS AT LEAST TWO YEARS' EXPERIENCE IN FOREST PRACTICE.
7 8		Approved March 29, 2010 at 1:38 p.m.
8 9 10 11 12 13	<u>HB10-1090</u>	CONCERNING THE PUNISHMENT FOR A PERSON WHO IS CONVICTED OF DRIVING A MOTOR VEHICLE WITH KNOWLEDGE THAT HIS OR HER DRIVER'S LICENSE IS UNDER RESTRAINT.
13 14 15		Approved March 29, 2010 at 1:39 p.m.
16 17 18	<u>HB10-1175</u>	CONCERNING THE DEMONSTRATION OF COMPETENCY BY AND OUT-OF-STATE APPLICANT IN A FIELD REGULATED BY THE DEPARTMENT OF REGULATORY AGENCIES.
19 20		Approved March 29, 2010 at 1:40 p.m.
21 22 23 24 25	<u>HB10-1203</u>	CONCERNING THE ISSUING OF GROUP LIFE INSURANCE, AND, IN CONNECTION THEREWITH, DELETING THE REQUIREMENT REGARDING THE MINIMUM NUMBER OF PERSONS THAT MUST BE COVERED BY THE POLICY.
26 27 28		Approved March 29, 2010 at 1:41 p.m.
29 30 31	<u>HB10-1223</u>	CONCERNING THE CONTINUATION OF THE FORESTRY ADVISORY BOARD, AND, IN CONNECTION THEREWITH, REPEALING THE FORESTRY ADVISORY BOARD.
32 33 34		Approved March 29, 2010 at 1:32 p.m.
35 36 37	<u>HB10-1321</u>	CONCERNING THE MONEYS APPROPRIATED FOR HEALTH CLINICS.
38 39		Approved March 29, 2010 at 1:42 p.m.
40 41 42 43 44	Sincerely, (signed) Bill Ritter, Jr. Governor	
45 46		
47 48		INTRODUCTION OF MEMORIAL
49 50	The following under the rule	g memorial was read by title and laid over to April 6, 2010 es:
51 52	<u>HM10-1002</u>	by Representative(s) MayMemorializing former
53 54 55 56		Representative Betty McWilliams Chronic.

1	APPOINTMENTS TO CONFERENCE COMMITTEES
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	The Speaker appointed House conferees to the First Conference
4	Committees as follows:
5	
6	SB10-109 Representatives Massy, Chairman, McCann and Rice.
7	<u> </u>
8	
9	
0	LAY OVER OF CALENDAR ITEM(S)
1	
2	On motion of Representative Weissmann, the following item(s) on the
3	Calendar (was)were laid over until March 30, retaining place on
4	Calendar:
5	
6	Consideration of Resolution(s) HJR10-1016, 1017 .
7	Consideration of Senate Amendment(s) HB10-1108 , 1188 , 1043 , 1058 ,
8	1062, 1109, 1133, 1202, 1244, 1288.
9	
20	
21	On motion of Representative Weissmann, the House adjourned until
22	9:00 a.m., March 30, 2010.
23	
24	Approved:
22 23 24 25 26	TĒRRANCE D. CARROLL,
26	Speaker
27	
	MARILYN EDDINS,
0	Chief Clerk