

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

Fourteenth Legislative Day

Tuesday, January 26, 2010

1 Prayer by Pastor Mark Phillips, Berean Bible Church, Haxtun.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Owen Joslin, Carl Sandburg Elementary,
6 Littleton.
7
8 The roll was called with the following result:
9
10 Present--63.
11 Excused--Representative(s) Casso, C. Gardner--2.
12 Present after roll call--Representative(s) Casso.
13

14 The Speaker declared a quorum present.
15
16

17 On motion of Representative Apuan, the reading of the journal of
18 January 25, 2010, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20

THIRD READING OF BILL(S)--FINAL PASSAGE

21
22
23
24 The following bill(s) (was)were considered on Third Reading. The
25 title(s) (was)were publicly read. Reading of the bill at length was
26 dispensed with by unanimous consent.
27

28 **HB10-1063** by Representative(s) Todd; also Senator(s) Gibbs--
29 Concerning the authority for the publication of a legal
30 notice in a newspaper without United States periodicals
31 mailing privileges within a municipality Where no
32 newspaper that has such privileges is published within the
33 municipality.
34

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
41	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
42	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
43	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.	E	McCann	Y	Roberts	Y	Weissmann	Y
14							Speaker	Y

15 Co-sponsor(s) added: Representative(s) Frangas, Labuda, McFadyen, Tyler,
16 Vigil, Waller.

17
18
19
20 **CONSIDERATION OF RESOLUTION(S)**

21
22 **SJR10-006** by Senator(s) Schwartz; also Representative(s) Todd--
23 Concerning the designation of "Colorado 4-H Day".

24
25 (Printed and placed in members' file)

26
27 On motion of Representative Todd, the resolution was read at length and
28 **adopted by viva voce** vote.

29
30 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
31 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
32 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gerou, Hullinghorst, Judd,
33 Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
34 Looper, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield,
35 Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera,
36 Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
37 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Tyler, Vaad, Vigil,
38 Waller, Weissmann, Speaker.

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41
42 **MESSAGE(S) FROM THE SENATE**

43
44 The Senate has adopted and transmits herewith: SJR10-008.

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46
47
48 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

49
50 On motion of Representative Weissmann, the rules were suspended and
51 the following resolution was given immediate consideration.

52
53 **SJR10-008** by Senator(s) Morse; also Representative(s) Apuan--
54 Concerning the recognition of EMS providers for their
55 dedication and service to the people of Colorado.
56

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

2

3 On motion of Representative Apuan, the resolution was read at length and
4 **adopted** by **viva voce** vote.

5

6 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Balmer,
7 Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
8 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gerou, Hullinghorst, Judd,
9 Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
10 Looper, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield,
11 Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera,
12 Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
13 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad,
14 Vigil, Waller, Weissmann, Speaker.

15

16

17

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

21

22

23 **GENERAL ORDERS--SECOND READING OF BILLS**

24

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

29

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

32

33 **SB10-065** by Senator(s) Keller, Tapia, White; also Representative(s)
34 Pommer, Ferrandino, Lambert--Concerning a
35 supplemental appropriation to the department of
36 education.

37

38 Ordered revised and placed on the Calendar for Third Reading and Final
39 Passage.

40

41 **HB10-1055** by Representative(s) Kefalas; also Senator(s) Steadman--
42 Concerning the requirement that fees for services rendered
43 by a third party for collection of delinquent taxes be added
44 to the total amount collected by the third party.

45

46 Amendment No. 1, by Representative(s) Kefalas.

47

48 Amend printed bill, page 2, line 8, strike "collected." and substitute:
49 "collected; HOWEVER, UNDER NO CIRCUMSTANCE SHALL THE FEES FOR
50 SERVICES RENDERED EXCEED TWENTY-FIVE PERCENT OF THE TOTAL
51 AMOUNT OF DELINQUENT TAXES, INCLUDING ACCRUED PENALTIES AND
52 INTEREST, THAT IS ACTUALLY COLLECTED."

53

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

56

1 **HB10-1046** by Representative(s) Tyler; also Senator(s) Hudak--
 2 Concerning the recorded date of receipt of property tax
 3 payments by a county treasurer's office when the payment
 4 has no United States postal service postmark.

5
 6 Ordered engrossed and placed on the Calendar for Third Reading and
 7 Final Passage.

8
 9 **HB10-1069** by Representative(s) Vigil; also Senator(s) Schwartz--
 10 Concerning the reclassification of Mineral county.

11
 12 Ordered engrossed and placed on the Calendar for Third Reading and
 13 Final Passage.

14
 15 **HB10-1028** by Representative(s) Benefield, Massey, Peniston, Solano;
 16 also Senator(s) Hodge, Hudak, Steadman--Concerning a
 17 universal application for programs related to early
 18 childhood issues.

19
 20 Amendment No. 1, Education Report, dated January 21, 2010, and placed
 21 in member's bill file; Report also printed in House Journal, January 22,
 22 page 70.

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

26
 27 On motion of Representative Weissmann, the remainder of the General
 28 Orders Calendar (**HB10-1034, 1036, 1037, 1071, 1039, 1062, 1010, 1014,**
 29 **1052**) was laid over until January 27, retaining place on Calendar.

30
 31
 32
 33 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

34
 35 Passed Second Reading: **SB10-065, HB10-1055 amended, 1046, 1069,**
 36 **1028 amended.**

37
 38 Laid over until date indicated retaining place on Calendar: **HB10-1034,**
 39 **1036, 1037, 1071, 1039, 1062, 1010, 1014, 1052**--January 27, 2010.

40
 41 The Chairman moved the adoption of the Committee of the Whole
 42 Report. As shown by the following roll call vote, a majority of those
 43 elected to the House voted in the affirmative, and the Report was
 44 **adopted.**

45
 46

	YES	64	NO	0	EXCUSED	1	ABSENT	0
47	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
48	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
49	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
50	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
51	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
52	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
53	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
54	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
55	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
56	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y

1	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
4	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
5	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
6	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
7							Speaker	Y

8
9
10 House in recess. House reconvened.
11
12

13 REPORT(S) OF COMMITTEE(S) OF REFERENCE

14 EDUCATION

15
16 After consideration on the merits, the Committee recommends the
17 following:
18

19
20 **HB10-1030** be amended as follows, and as so amended, be referred to
21 the Committee on Appropriations with favorable
22 recommendation:
23

24 Amend printed bill, page 3, line 2, after "SHALL" insert "COLLABORATE
25 WITH THE DEPARTMENT OF HUMAN SERVICES, THE COLORADO COMMUNITY
26 COLLEGE SYSTEM, AND THE OFFICE OF INFORMATION TECHNOLOGY, TO".
27

28 Page 3, line 24, strike "HIGH-QUALITY" and substitute "REGIONALLY
29 ACCREDITED".
30

31 Page 4, line 17, strike "SEEK AND ACCEPT" and substitute "SEEK, ACCEPT,
32 AND EXPEND".
33

34 Page 5, line 7, strike "ONE" and substitute "EIGHT".
35

36 Page 5, line 8, strike "ANNUALLY" and substitute "CONTINUOUSLY".
37

38 Page 5, after line 9 insert:
39

40 **"22-9.7-104. Repeal of part. (1) (a) ON OR BEFORE JULY 1, 2011,**
41 **OR JULY 1 OF ANY YEAR THEREAFTER, THE EXECUTIVE DIRECTOR OF THE**
42 **DEPARTMENT SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING IF**
43 **FEDERAL MONEYS ARE NOT RECEIVED AND ALLOCATED TO THE**
44 **DEPARTMENT OR IF GIFTS, GRANTS, AND DONATIONS ARE NOT RECEIVED BY**
45 **THE DEPARTMENT TO PROVIDE FOR THE AWARD OF GRANTS PURSUANT TO**
46 **THIS ARTICLE.**
47

48 (b) IF THE REVISOR OF STATUTES DOES NOT RECEIVE NOTICE
49 PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1), ON JULY 1, 2011,
50 OR ON JULY 1 OF ANY YEAR THEREAFTER, THE EXECUTIVE DIRECTOR OF
51 THE DEPARTMENT SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING
52 IF FEDERAL MONEYS OR GIFTS, GRANTS, OR DONATIONS ARE NOT
53 AVAILABLE TO CONTINUE TO PROVIDE FOR THE AWARD OF GRANTS
54 PURSUANT TO THIS ARTICLE.
55

1 (2) THIS ARTICLE IS REPEALED, EFFECTIVE THE JULY 1 FOLLOWING
2 THE RECEIPT OF THE NOTICE BY THE REVISOR OF STATUTES PURSUANT TO
3 PARAGRAPH (a) OR (b) OF SUBSECTION (1) OF THIS SECTION."
4
5

6
7 **HB10-1067** be postponed indefinitely.
8
9

10
11 **PRINTING REPORT**
12

13 The Chief Clerk reports the following bills have been correctly printed:
14 **HB10-1201, 1202.**
15

16
17
18 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
19

20 The Speaker has signed: **HJR10-1003.**
21
22

23
24 **MESSAGE(S) FROM THE SENATE**
25

26 The Senate has passed on Third Reading and transmitted to the Revisor
27 of Statutes:
28

29 SB10-035 amended as printed in the Senate Journal, January 22, 2010,
30 page 64.
31

32 The Senate has adopted and returns herewith: HJR10-1004, HJR10-1005,
33 HJR10-1006, HJR10-1007 and HJR10-1008.
34
35

36
37 **MESSAGE(S) FROM THE REVISOR**
38

39 We herewith transmit:
40 Without comment, as amended, SB10-035.
41
42

43
44 **INTRODUCTION OF BILLS**
45 **First Reading**
46

47 The following bills were read by title and referred to the committees
48 indicated:
49

50 **HB10-1203** by Representative(s) Kerr A.; also Senator(s) Steadman--
51 Concerning the issuing of group life insurance, and, in
52 connection therewith, deleting the requirement regarding
53 the minimum number of persons that must be covered by
54 the policy.

55 Committee on Business Affairs and Labor
56

1 **HB10-1204** by Representative(s) Soper--Concerning the inclusion of
2 conservation standards in the plumbing code.
3 Committee on Business Affairs and Labor

4
5 **HB10-1205** by Representative(s) Ryden, Todd; also Senator(s) Spence,
6 Williams--Concerning land use planning by local
7 governments to address the impacts of land use
8 development upon military installations in close proximity
9 to such governments.
10 Committee on State, Veterans, & Military Affairs

11
12 **HB10-1206** by Representative(s) Fischer, Hulinghorst, Kefalas,
13 McFadyen, McNulty, Middleton, Pace, Peniston, Scanlan;
14 also Senator(s) Bacon--Concerning the granting of voting
15 rights to student members of the board of governors of the
16 Colorado state university system.
17 Committee on Education

18
19 **HB10-1207** by Representative(s) Lambert, Kerr J.; also Senator(s)
20 King K., Lundberg--Concerning modifications to the
21 public employees' retirement association.
22 Committee on State, Veterans, & Military Affairs

23
24
25
26 On motion of Representative Weissmann, the House adjourned until
27 9:00 a.m., January 27, 2010.

28
29 Approved:
30 TERRANCE D. CARROLL,
31 Speaker

32 Attest:
33 MARILYN EDDINS,
34 Chief Clerk

