

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

Ninety-fourth Legislative Day

Friday, April 16, 2010

1 Prayer by Archbishop Charles Chaput, Archdiocese, Denver; Cowboy  
2 Preacher Rex Townsley, Swink.

3

4 The Speaker called the House to order at 9:00 a.m.

5

6 Pledge of Allegiance led by Brandon Rains, Otero Junior, College,  
7 LaJunta.

8

9 The roll was called with the following result:

10

11 Present--45.

12 Excused--Representative(s) Casso, Court, Ferrandino, Fischer,  
13 Gardner B., Hullinghorst, Judd, Kefalas, Kerr J., King, Lambert,  
14 Massey, McCann, Pace, Pommer, Riesberg, Roberts, Ryden,  
15 Sonnenberg, Vaad--20.

16 Present after roll call--Representative(s) Court, Ferrandino,  
17 Fischer, Gardner B., Hullinghorst, Judd, Kefalas, Kerr J., King,  
18 Lambert, Massey, McCann, Pace, Pommer, Riesberg, Ryden,  
19 Sonnenberg, Vaad.

20

21 The Speaker declared a quorum present.

22

23

24 On motion of Representative McCann, the reading of the journal of  
25 April 15, 2010, was declared dispensed with and approved as corrected  
26 by the Chief Clerk.

27

28

29

House in recess. House reconvened.

30

31

32

**MESSAGE(S) FROM THE SENATE**

33

34 The Senate has adopted and transmits herewith: SJR10-026, 027.

35

36

37

38 The Senate has adopted the First Report of the First Conference  
39 Committee on HB10-1376, as printed in Senate Journal, April 15, 2010,  
40 pages 893-899 and repassed the bill as amended. The bill is returned  
41 herewith.

42

43

1       **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**  
2                                   **on HB10-1376**

3                                   This Report Amends the Rerevised Bill.

4  
5 To the President of the Senate and the  
6 Speaker of the House of Representatives:

7  
8       Your first conference committee appointed on HB10-1376,  
9 concerning the provision for payment of the expenses of the executive,  
10 legislative, and judicial departments of the state of Colorado, and of its  
11 agencies and institutions, for and during the fiscal year beginning July 1,  
12 2010, except as otherwise noted, has met and reports that it has agreed  
13 upon the following:

14  
15       1. That the House accede to the Senate amendments made to the  
16 bill, as said amendments appear in the rerevised bill, with the following  
17 changes:

18  
19       Page 29, line 7, strike "**Subprogram**<sup>4a,4b</sup>" and substitute "**Subprogram**<sup>4a,</sup>  
20 <sup>4b, 4c</sup>".

21  
22       Page 48, after line 11 insert:

23  
24       "4c Department of Corrections, Institutions, Mental Health  
25 Subprogram – It is the intent of the General Assembly that the  
26 Department of Corrections submit a plan to the House Judiciary  
27 Committee and the Senate Judiciary Committee before offenders  
28 with mental illness (OMIs) are placed in the beds at Colorado  
29 State Penitentiary (CSP) being converted for use by OMIs.  
30 Without limiting the scope of the report, the report shall include,  
31 at a minimum, plans in the following areas: (1) the basic purpose  
32 of the OMI beds at CSP in terms of the role those beds serve  
33 relative to the offender's mental health status; (2) the criteria the  
34 DOC will use to place offenders in the beds; (3) the services that  
35 will be provided to the offenders; (4) the classification levels that  
36 will be used and an explanation of the characteristics of those  
37 levels; (5) whether and, if so, how offenders will transition from  
38 CSP to the general population; and (6) a description of the  
39 conditions of confinement, such as the amount of time offenders  
40 will be out of their cells, the amount of time in solitary  
41 confinement, the availability of recreational, visitation,  
42 educational, therapeutic and other programming opportunities and  
43 conditions for participating in those opportunities.".

44  
45       Page 114, line 3, in the ITEM & SUBTOTAL column strike "14,363,146"  
46 and substitute "14,218,063", in the GENERAL FUND column strike  
47 "5,516,885(M)" and substitute "5,461,158(M)", and in the FEDERAL  
48 FUNDS column strike "8,846,261" and substitute "8,756,905".

49  
50       Adjust affected totals accordingly.

51  
52       Page 156, line 15, in the ITEM & SUBTOTAL column strike  
53 "341,325,694<sup>c</sup>" and substitute "338,008,114<sup>c</sup>", in the GENERAL FUND  
54 column strike "158,854,181" and substitute "156,940,714", in the CASH  
55 FUNDS column strike "64,813,042(L)<sup>c</sup>" and substitute "64,149,526(L)<sup>c</sup>",  
56 in the REAPPROPRIATED FUNDS column strike "14,363,146<sup>a</sup> and

1 substitute "14,218,063<sup>a</sup>", and in the FEDERAL FUNDS column strike  
2 "103,295,325<sup>f</sup>" and substitute "102,699,811<sup>f</sup>".

3  
4 Page 157, line 4, in the ITEM & SUBTOTAL column strike "45,232,952"  
5 and substitute "44,776,053", in the GENERAL FUND column strike  
6 "28,507,899" and substitute "28,132,328", in the CASH FUNDS column  
7 strike "5,163,696(L)<sup>c</sup>" and substitute "5,113,437(L)<sup>c</sup>", and in the  
8 FEDERAL FUNDS column strike "11,561,357<sup>f</sup>" and substitute  
9 "11,530,288<sup>f</sup>".

10  
11 Adjust affected totals and affected (L) notation totals accordingly.

12  
13 Page 158, line 11, strike "\$336,720,683" and substitute "\$333,403,103"  
14 and strike "\$257,544,495" and substitute "\$255,035,514".

15  
16 Page 158, line 12, strike "\$64,813,042" and substitute "\$64,149,526".

17  
18 Page 158, line 13, strike "\$14,363,146" and substitute "\$14,218,063".

19  
20 Page 159, line 1, strike "\$67,746,820" and substitute "\$67,120,237".

21  
22 2. That, under the authority granted the committee to consider  
23 matters not at issue between the two houses, the following amendments  
24 be recommended:

25  
26 Page 79, line 14, in the ITEM & SUBTOTAL column strike "50,944" and  
27 substitute "75,944" and in the GENERAL FUND column insert "25,000".

28  
29 Adjust affected totals accordingly.

30  
31 Page 204, line 15, strike "**Technology**" and substitute "**Technology**<sup>27a</sup>".

32  
33 Page 220, after line 10 insert:  
34 27a Judicial Department, Courts Administration, Administration and  
35 Technology -- In the event that the Judicial Department determines  
36 that the in-house public access system is not operational on July 1,  
37 2010, it is the intent of the General Assembly that the Department  
38 extend the existing contract for operation of a public access system  
39 for up to three months."

40  
41 Page 590, line 1, after "(9) (B)," insert "(13) (B),".

42  
43 Page 594, line 11, in the ITEM & SUBTOTAL column strike  
44 "30,000,000" and substitute "~~30,000,000~~" and in the CASH FUNDS  
45 column strike "30,000,000<sup>a</sup>" and substitute "~~30,000,000~~<sup>a</sup>".

46  
47 Page 594, after line 11, in the ITEM & SUBTOTAL column insert  
48 "40,500,000" and in the CASH FUNDS column insert "40,500,000<sup>a</sup>".

49  
50 Page 594, line 13, in the ITEM & SUBTOTAL column strike  
51 "58,762,603" and substitute "69,262,603".

52  
53 Page 595, line 5, in the TOTAL column strike "59,512,253" and  
54 substitute "70,012,253".

55  
56 Page 596, after line 14 insert:

APPROPRIATION FROM

---

	ITEM & SUBTOTAL	TOTAL	CAPITOL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$
1 <b>"(13) COLORADO NORTHWESTERN COMMUNITY COLLEGE</b>						
2 <b>(B) Capital Construction</b>						
3 Craig Campus, Academic Building	2,153,842		1,990,056	163,786 <sup>a</sup>		
4 Craig Campus, Career and Technical						
5 Center	<u>2,646,918</u>			<u>2,646,918</u> *		
6	3,251,080			3,251,080 <sup>a</sup>		
7	<del>4,800,760</del>					
8	5,404,922					
9						
10 <sup>a</sup> These amounts shall be from exempt institutional sources.						
11						
12		<del>5,482,760</del>				
13		6,086,922				".
14 Page 597, line 2, in the TOTAL column strike "\$769,857,552" and substitute "\$780,961,714" and in the CASH FUNDS column strike "\$657,586,458" and substitute						
15 "\$668,690,620".						
16 Page 599, line 14, in the TOTAL column strike "\$905,741,076" and substitute "\$916,845,238" and in the CASH FUNDS column strike "\$702,601,226" and substitute						
17 "\$713,705,388".						
18						

- 1 Page 113, line 6, in the ITEM & SUBTOTAL column strike "496,298"  
2 and substitute "540,940", in the GENERAL FUND column strike  
3 "198,376(M)" and substitute "216,220(M)", and in the FEDERAL  
4 FUNDS column strike "297,922" and substitute "324,720".  
5  
6 Adjust affected totals accordingly.  
7  
8 Page 122, line 4, strike "<sup>a</sup> This amount" and substitute "<sup>a</sup> Of this amount,  
9 \$175,745" and strike "Assist." and substitute "Assist and \$31,500 shall be  
10 from private college and university fees paid pursuant to Section  
11 23-2-104.5, C.R.S.".   
12  
13 Page 122, line 5, strike "<sup>b</sup> This amount" and substitute "<sup>b</sup> Of this amount,  
14 \$2,100,810" and strike "recoveries." and substitute "recoveries and  
15 \$105,180 shall be from the Department of Education for assistance in  
16 aligning public education with postsecondary and workforce readiness  
17 standards.".   
18  
19 Page 130, line 14, strike "2009 calendar" and substitute "2010 calendar"  
20 and strike "2009," and substitute "2010,".  
21  
22 Page 130, line 15, strike "2010." and substitute "2011."  
23  
24 Page 131, line 11, strike "2009 calendar" and substitute "2010 calendar"  
25 and strike "2009," and substitute "2010,".  
26  
27 Page 131, line 12, strike "2010." and substitute "2011."  
28  
29 Page 132, line 10, strike "2009 calendar" and substitute "2010 calendar"  
30 and strike "2009," and substitute "2010,".  
31  
32 Page 132, line 11, strike "2010." and substitute "2011."  
33  
34 Page 156, line 15, strike "Services" and substitute "Services<sup>21a</sup>".  
35  
36 Page 157, line 4, strike "Programs" and substitute "Programs<sup>21b, 21c</sup>".  
37  
38 Page 157, line 7, strike "Incentives" and substitute "Incentives<sup>21d</sup>".  
39  
40 Page 162, line 5, strike "Grants<sup>20,22</sup>" and substitute "Grants<sup>20, 22, 22a</sup>".  
41  
42 Page 200, after line 9 insert:  
43  
44 21a Department of Human Services, Division of Child Welfare, Child  
45 Welfare Services -- Pursuant to Section 26-5-104 (6), C.R.S.,  
46 subject to Department rules, counties are authorized to negotiate  
47 rates, services, and outcomes with child welfare services providers  
48 and are thus not required to provide a specific rate decrease for any  
49 individual provider. This provision does not apply, however, to  
50 Medicaid treatment rates. The funding appropriated for this line  
51 item includes a decrease of \$6,635,156 based on a 2.0 percent  
52 decrease in funding for county staff salaries and benefits,  
53 community provider rates including subsidized adoption rates, and  
54 Medicaid treatment rates.  
55  
56 21b Department of Human Services, Division of Child Welfare, Family

1 and Children's Programs -- Pursuant to Section 26-5-104 (6),  
2 C.R.S., subject to Department rules, counties are authorized to  
3 negotiate rates, services, and outcomes with child welfare services  
4 providers and are thus not required to provide a specific rate  
5 decrease for any individual provider. The funding appropriated for  
6 this line item includes a decrease of \$913,797 based on a 2.0  
7 percent decrease in funding for community provider rates.  
8

9 21c Department of Human Services, Division of Child Welfare, Family  
10 and Children's Programs -- It is the intent of the General Assembly  
11 that \$4,006,949 of the funds appropriated for this line item be used  
12 to assist county departments of social services in implementing and  
13 expanding family- and community-based services for adolescents.  
14 It is the intent of the General Assembly that such services be based  
15 on a program or programs that have been demonstrated to be  
16 effective in reducing the need for higher cost residential services.  
17

18 21d Department of Human Services, Division of Child Welfare,  
19 Performance-based Collaborative Management Incentives -- The  
20 total appropriation in this line item exceeds the projected ongoing  
21 revenue stream for the Collaborative Management Incentives Cash  
22 Fund. Therefore, appropriations at the current level may not be  
23 available when reserves are exhausted."  
24

25 Page 200, after line 17 insert:  
26

27 "22a Department of Human Services, Office of Self Sufficiency,  
28 Colorado Works Program, County Block Grants -- It is the intent  
29 of the General Assembly that the appropriation of local funds for  
30 Colorado Works program county block grants may be decreased by  
31 a maximum of \$500,000 to reduce one or more small counties'  
32 fiscal year 2010-11 targeted or actual spending level pursuant to  
33 Section 26-2-714 (8), C.R.S."  
34

35 Page 156, line 15, in the ITEM & SUBTOTAL column strike  
36 "341,325,694<sup>e</sup>" and substitute "340,792,680<sup>e</sup>", in the CASH FUNDS  
37 column strike "64,813,042(L)<sup>c</sup>" and substitute "64,316,926(L)<sup>c</sup>", and in the  
38 FEDERAL FUNDS column strike "103,295,325<sup>f</sup>" and substitute  
39 "103,258,427<sup>f</sup>".  
40

41 Adjust affected totals and affected (L) notation totals accordingly.  
42

43 Page 158, line 11, strike "\$336,720,683" and substitute "\$336,187,669"  
44 and strike "\$257,544,495" and substitute "\$257,507,597".  
45

46 Page 158, line 12, strike "\$64,813,042" and substitute "\$64,316,926".  
47

48 Page 159, line 1, strike "\$67,746,820" and substitute "\$67,709,922".  
49

50 Page 203, line 8, strike "Committees".  
51

52 Page 203, line 12, strike "Law Examiner Board" and substitute "State  
53 Board of Law Examiners".  
54

55 Page 204, strike lines 3 through 9 and substitute:  
56

- 1 <sup>b</sup> This amount shall be from annual attorney registration fees established  
2 by the Colorado Supreme Court pursuant to the Colorado Rules of Civil  
3 Procedure, Chapter 18, Rule 227 for the Attorney Regulation Committee,  
4 the Attorney Regulation Counsel, and the Presiding Disciplinary Judge  
5 established by the Colorado Rules of Civil Procedure, Chapter 20, Rules  
6 251.2, 251.3, and 251.16. These moneys are included for informational  
7 purposes as they are continuously appropriated under the Judicial Branch's  
8 constitutional authority.  
9
- 10 <sup>c</sup> This amount shall be from annual attorney registration fees established  
11 by the Colorado Supreme Court pursuant to the Colorado Rules of Civil  
12 Procedure, Chapter 18, Rule 227 for the Board of Continuing Legal and  
13 Judicial Education established by the Colorado Rules of Civil Procedure,  
14 Chapter 20, Rule 260.3. These moneys are included for informational  
15 purposes as they are continuously appropriated under the Judicial Branch's  
16 constitutional authority.  
17
- 18 <sup>d</sup> This amount shall be from law examination application fees established  
19 by the Colorado Supreme Court pursuant to the Colorado Rules of Civil  
20 Procedure, Chapter 18, Rules 201.2 and 201.4. These moneys are included  
21 for informational purposes as they are continuously appropriated under the  
22 Judicial Branch's constitutional authority."  
23
- 24 Page 320, line 11, strike "Program<sup>43</sup>" and substitute "Program<sup>42</sup>".  
25
- 26 Page 320, line 14, strike "Grants<sup>44</sup>" and substitute "Grants<sup>43</sup>".  
27
- 28 Page 349, line 1, strike "**Planning**<sup>45</sup>" and substitute "**Planning**<sup>44</sup>".  
29
- 30 Page 361, line 2, strike "43" and substitute "42".  
31
- 32 Page 361, line 6, strike "44" and substitute "43".  
33
- 34 Page 361, line 10, strike "45" and substitute "44".  
35
- 36 Page 376, line 4, strike "**Corrections**<sup>42</sup>" and substitute "**Corrections**<sup>45</sup>".  
37
- 38 Page 387, line 11, strike "42" and substitute "45".  
39
- 40 Page 336, strike line 9 and substitute "-Related".  
41
- 42 Page 341, line 8, strike "Disease," and substitute "Infections,".  
43
- 44 Page 342, line 8, strike "This amount" and substitute "Of these amounts,  
45 \$3,361,116" and strike "which is received as a damage award and, as such,  
46 does" and substitute "and \$261,040 shall be from the AIDS and HIV  
47 Prevention Fund created in Section 25-4-1415 (1), C.R.S. These amounts  
48 are received as damage awards and, as such, do".  
49
- 50 Page 398, line 12, in the ITEM & SUBTOTAL column strike "(181.6  
51 FTE)" and substitute "(181.8 FTE)".  
52
- 53 Page 444, line 11, strike "\$105,548,809" and substitute "\$106,548,809".  
54
- 55 Page 454, strike lines 4 through 9.  
56

1 Page 455, after line 7 insert:  
 2

	<b>TOTAL</b>	<b>CASH FUNDS</b>
	\$	\$
7 <b>"(5) UNIVERSITY OF COLORADO AT COLORADO SPRINGS</b>		
8 <b>(A) Controlled Maintenance</b>		
9 Upgrade Fire Sprinkler System,	497,152	497,152 <sup>a</sup>
10 University Hall		

11  
 12 <sup>a</sup> This amount shall be from revenues from land for public buildings pursuant to section 8 of the  
 13 enabling act of Colorado."  
 14

15 Renumber succeeding subsections accordingly.  
 16

17 Page 458, line 9, strike "\$3,000,000" and substitute "\$2,000,000" and  
 18 strike "\$2,000,000" and substitute "\$3,000,000".  
 19

20 Page 470, line 5, in the TOTAL column strike "8,318,127" and substitute  
 21 "8,877,550" and in the CASH FUNDS column strike "8,318,127<sup>a</sup>" and  
 22 substitute "8,877,550<sup>a</sup>".  
 23

24 Adjust affected totals accordingly.  
 25

26 Page 588, line 9, in the REAPPROPRIATED FUNDS column insert  
 27 "2,700,000<sup>a</sup>" and in the FEDERAL FUNDS column strike "2,700,000<sup>a</sup>"  
 28 and substitute "24,300,000".  
 29

30 Page 588, line 15, before "Substance" insert "Hazardous".  
 31

32 Page 613, line 15, in the TOTAL column strike "15,671,117" and  
 33 substitute "15,820,365" and in the CASH FUNDS column strike  
 34 "15,671,117<sup>a</sup>" and substitute "15,820,365<sup>a</sup>".  
 35

36 Page 614, line 6, in the TOTAL column strike "\$15,671,117" and  
 37 substitute "\$15,820,365" and in the CASH FUNDS column strike  
 38 "\$15,671,117" and substitute "\$15,820,365".  
 39

40 Page 614, line 10, in the TOTAL column strike "\$829,719,768" and  
 41 substitute "\$829,869,016" and in the CASH FUNDS column strike  
 42 "\$716,239,078<sup>a</sup>" and substitute "\$716,388,326<sup>a</sup>".  
 43

44 Respectfully submitted,  
 45 House Committee:  
 46 (signed)  
 47 Jack Pommer  
 48 Mark Ferrandino  
 49 Kent D. Lambert

Senate Committee:  
 (signed)  
 Moe Keller  
 Abel Tapia  
 Al White

50  
 51  
 52  
 53  
 54  
 55

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**INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

On motion of Representative Weissmann, the rules were suspended and the following resolutions were given immediate consideration.

**SJR10-026** by Senator(s) Lundberg, Bacon, Cadman, King K., Gibbs, Keller, Heath, Romer, Johnston, Schultheis, Williams, Boyd, Brophy, Carroll M., Foster, Harvey, Hodge, Hudak, Kester, Kopp, Morse, Newell, Penry, Renfro, Sandoval, Scheffel, Schwartz, Shaffer B., Spence, Steadman, Tapia, Tochtrop, White, Whitehead; also Representative(s) Nikkel and Kefalas, Acree, Apuan, Balmer, Baumgardner, Bradford, Carroll T., Casso, Court, Curry, DelGrosso, Ferrandino, Fischer, Frangas, Gagliardi, Gardner C., Hullinghorst, Kagan, Kerr A., Kerr J., Labuda, Liston, Looper, May, McFadyen, McKinley, Miklosi, Murray, Pace, Pommer, Rice, Ryden, Scanlan, Schafer S., Solano, Soper, Stephens, Summers, Tipton, Todd, Tyler, Vigil, Waller--Concerning the designation of a portion of state highway 56 as the "Staff Sergeant Justin Bauer Memorial Highway".

On motion of Representatives Nikkel and Kefalas, the resolution was read at length and **adopted** by **viva voce** vote.

Current Roll Call added as co-sponsor(s): Representative(s) Benefield, Gardner B., Gerou, Judd, King S., Lambert, Levy, Massey, McCann, McNulty, Merrifield, Middleton, Peniston, Primavera, Priola, Riesberg, Sonnenberg, Swalm, Vaad, Weissmann.

**SJR10-027** by Senator(s) Bacon; also Representative(s) Primavera--Concerning the role of the Colorado developmental disabilities council in facilitating collaboration among stakeholders in the system for persons with developmental disabilities.

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

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

**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.

**HB10-1013** by Representative(s) Middleton, Massey, Merrifield, Scanlan, Stephens; also Senator(s) Romer, King K.,

1 Spence, Steadman--Concerning the modification of certain  
 2 provisions related to the administration of public schools  
 3 from kindergarten through the twelfth grade.  
 4

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

6 A roll call vote was taken. As shown by the following recorded vote, a  
 7 majority of those elected to the House voted in the affirmative and the bill  
 8 was declared **passed**.  
 9

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

28 Co-sponsor(s) added: Representative(s) Apuan, Gardner B., Labuda, Todd.  
 29  
 30

31 **HB10-1351** by Representative(s) Ferrandino, Apuan, Casso, Curry,  
 32 Gagliardi, Hullinghorst, Kerr A., McCann, Merrifield,  
 33 Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Tyler,  
 34 Vigil; also Senator(s) Romer, Carroll M., Foster, Keller,  
 35 Morse--Concerning the maximum authorized interest rate  
 36 for a payday loan.  
 37

38 Laid over until April 19, retaining place on Calendar.  
 39  
 40

41 **SB10-073** by Senator(s) Tapia; also Representative(s) McFadyen--  
 42 Concerning the nurse home visitor program duties of the  
 43 health sciences facility at the university of Colorado.  
 44

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

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

	YES	62	NO	0	EXCUSED	3	ABSENT	0
51	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
52	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
53	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
54	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
55	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
56	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y

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

12 Co-sponsor(s) added: Representative(s) Apuan, Gerou, Kefalas, Labuda,  
 13 Merrifield, Pommer, Primavera, Todd.

14  
 15 **SB10-117** by Senator(s) Foster; also Representative(s) Primavera--  
 16 Concerning medicaid coverage for over-the-counter  
 17 medications.

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

24	YES	59	NO	4	EXCUSED	2	ABSENT	0
25	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
28	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
30	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
32	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
33	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
34	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
37	Frangas	Y	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	E	Weissmann	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Kagan, Kefalas,  
 43 Kerr J., Labuda, Pace, Schafer S., Soper, Summers, Todd, Tyler.

44  
 45  
 46 **HB10-1399** by Representative(s) Weissmann; also Senator(s) Gibbs--  
 47 Concerning the authority of the Colorado bureau of  
 48 investigation to assist a chief of a fire department in the  
 49 investigation of a fire related to the crime of arson.

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

	YES	62	NO	1	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	N	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	E	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	E	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Labuda, Todd.

20  
21  
22  
23 On motion of Representative Todd, the House resolved itself into  
24 Committee of the Whole for consideration of General Orders, and she was  
25 called to the Chair to act as Chairman.

### 26 27 28 29 **GENERAL ORDERS--SECOND READING OF BILLS**

30  
31 The Committee of the Whole having risen, the Chairman reported the  
32 titles of the following bills had been read (reading at length had been  
33 dispensed with by unanimous consent), the bills considered and action  
34 taken thereon as follows:

35  
36 (Amendments to the committee amendment are to the printed committee  
37 report which was printed and placed in the members' bill file.)

38  
39 On motion of Representative Weissmann the following bills are laid over  
40 until April 19, 2010: **HB10-1217, 1390, 1234.**

41  
42 On motion of Representative Weissmann the following bill is laid over  
43 until April 20, 2010: **HB10-1394.**

44  
45 On motion of Representative Weissmann the following bills are laid over  
46 until April 23, 2010: **SB10-114, 162.**

47  
48 **SB10-110** by Senator(s) Williams; also Representative(s) Ryden,  
49 Court, Hullinghorst, Judd, Levy, Middleton, Rice--  
50 Concerning the enforcement of offenses involving failure  
51 of certain persons to properly restrain a child in a vehicle.

52  
53 Amendment No. 1, Transportation & Energy Report, dated April 6, 2010,  
54 and placed in member's bill file; Report also printed in House Journal,  
55 April 7, page 1134.

56

1 Amendment No. 2, by Representative(s) Ryden.

2

3 Amend reengrossed bill, page 6, line 17, strike "or" and substitute "ør".

4

5 Page 6, line 19, strike "OR".

6

7 Page 6, line 23, strike "BELTS." and substitute "BELTS; OR".

8

9 Page 6, after line 23, insert:

10

11 "(f) IS BEING TRANSPORTED IN A MOTOR VEHICLE THAT IS  
12 OPERATED IN THE BUSINESS OF TRANSPORTING PERSONS FOR  
13 COMPENSATION OR HIRE BY OR ON BEHALF OF A MOTOR VEHICLE CARRIER  
14 AS DEFINED IN SECTION 40-10-101 (4) (a), C.R.S., A CONTRACT CARRIER  
15 BY MOTOR VEHICLE AS DEFINED IN SECTION 40-11-101 (3), C.R.S., OR AN  
16 OPERATOR OF A LUXURY LIMOUSINE SERVICE AS DEFINED IN SECTION  
17 40-16-101 (3.3), C.R.S."

18

19 Amendment No. 3, by Representative(s) Ryden.

20

21 Amend reengrossed bill, page 4, line 19, strike "SYSTEM IN A REAR SEAT  
22 OF" and substitute "SYSTEM,".

23

24 Page 4, line 20, strike "THE VEHICLE," and strike "INSTRUCTIONS;" and  
25 substitute "INSTRUCTIONS.".

26

27 Page 4, strike lines 21 through 25.

28

29 Page 5, strike line 5 and substitute "restraint system.".

30

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

33

34 **HB10-1347** by Representative(s)Levy; also Senator(s) Morse--  
35 Concerning misdemeanor penalties for persons who are  
36 convicted of multiple traffic offenses involving alcohol or  
37 drugs.

38 Amendment No. 1, Judiciary Report, dated March 11, 2010, and placed  
39 in member's bill file; Report also printed in House Journal, March 12,  
40 pages 778-780.

41

42 Amendment No. 2, Appropriations Report, dated April 9, 2010, and  
43 placed in member's bill file; Report also printed in House Journal, April 9,  
44 pages 1173-1174.

45

46 Amendment No. 3, by Representative(s) Levy.

47

48 Amend the House Judiciary Committee report dated March 11, 2010, page  
49 1, after line 16, insert:

50

51 "Page 5, line 5, strike "OR".

52

53 Page 5, line 6, strike "OR OF" and substitute "AGGRAVATED DRIVING WITH  
54 A REVOKED LICENSE PURSUANT TO SECTION 42-2-206 (1) (b) (I) (A) OR (1)  
55 (b) (I) (B), OR"."

56

1 Page 2 of the committee report, after line 4, insert:

2

3 "Page 6, line 17, after "C.R.S.," insert "AGGRAVATED DRIVING WITH A  
4 REVOKED LICENSE PURSUANT TO SECTION 42-2-206 (1) (b) (I) (A) OR (1)  
5 (b) (I) (B),".".

6

7 Page 2 of the committee report, after line 22, insert:

8

9 "Page 7, line 2, strike "OR".

10

11 Page 7, line 3, strike "OR OF" and substitute "AGGRAVATED DRIVING WITH  
12 A REVOKED LICENSE PURSUANT TO SECTION 42-2-206 (1) (b) (I) (A) OR (1)  
13 (b) (I) (B), OR".".

14

15 Page 3 of the committee report, strike line 26 and substitute:

16

17 "Page 14, strike lines 17 through 27 and substitute:

18

19 "(15) IF A DEFENDANT IS CONVICTED OF AGGRAVATED DRIVING  
20 WITH A REVOKED LICENSE BASED UPON THE COMMISSION OF DUI, DUI PER  
21 SE, OR DWAI PURSUANT TO SECTION 42-2-206 (1) (b) (I) (A) OR (1) (b) (I)  
22 (B):

23

24 (a) THE COURT SHALL CONVICT AND SENTENCE THE OFFENDER FOR  
25 EACH OFFENSE SEPARATELY;

26

27 (b) THE COURT SHALL IMPOSE ALL OF THE PENALTIES FOR THE  
28 ALCOHOL-RELATED DRIVING OFFENSE, AS SUCH PENALTIES ARE DESCRIBED  
29 IN THIS SECTION;

30

31 (c) THE PROVISIONS OF SECTION 18-1-408, C.R.S, SHALL NOT  
32 APPLY TO THE SENTENCES IMPOSED FOR EITHER CONVICTION;

33

34 (d) ANY PROBATION IMPOSED FOR A CONVICTION UNDER SECTION  
35 42-2-206 MAY RUN CONCURRENTLY WITH ANY PROBATION REQUIRED BY  
36 THIS SECTION; AND

37

38 (e) THE DEPARTMENT SHALL REFLECT BOTH CONVICTIONS ON THE  
39 DEFENDANT'S DRIVING RECORD.

40

41 **SECTION 3.** 42-2-206 (1) (b), Colorado Revised Statutes, is  
42 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

43

44 **42-2-206. Driving after revocation prohibited.** (1) (b) (III) IF  
45 A DEFENDANT IS CONVICTED OF AGGRAVATED DRIVING WITH A REVOKED  
46 LICENSE BASED UPON THE COMMISSION OF DUI, DUI PER SE, OR DWAI  
47 PURSUANT TO SUB-SUBPARAGRAPH (A) OR (B) OF SUBPARAGRAPH (I) OF  
48 THIS PARAGRAPH (b):

49

50 (a) THE COURT SHALL CONVICT AND SENTENCE THE OFFENDER FOR  
51 EACH OFFENSE SEPARATELY;

52

53 (b) THE COURT SHALL IMPOSE ALL OF THE PENALTIES FOR THE  
54 ALCOHOL-RELATED DRIVING OFFENSE, AS SUCH PENALTIES ARE DESCRIBED  
55 IN SECTION 42-4-1307;

56

1 (c) THE PROVISIONS OF SECTION 18-1-408, C.R.S, SHALL NOT  
2 APPLY TO THE SENTENCES IMPOSED FOR EITHER CONVICTION;

3  
4 (d) ANY PROBATION IMPOSED FOR A CONVICTION UNDER THIS  
5 SECTION MAY RUN CONCURRENTLY WITH ANY PROBATION REQUIRED BY  
6 SECTION 42-4-1307; AND

7  
8 (e) THE DEPARTMENT SHALL REFLECT BOTH CONVICTIONS ON THE  
9 DEFENDANT'S DRIVING RECORD."

10

11 Renumber succeeding sections accordingly."

12

13 Page 4 of the committee report, line 2, strike "3." and substitute "4."

14

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

17

18 **SB10-177** by Senator(s) Schwartz and Gibbs; also Representative(s)  
19 Scanlan, Merrifield--Concerning the promotion of clean  
20 energy technologies.

21

22 Amendment No. 1, Transportation & Energy Report, dated April 8, 2010,  
23 and placed in member's bill file; Report also printed in House Journal,  
24 April 9, page 1178.

25

26 Amendment No. 2, by Representative(s) Scanlan.

27

28 Amend reengrossed bill, page 3, strike lines 14 through 16 and substitute  
29 ""IMPLEMENTS OF HUSBANDRY" INCLUDES PERSONAL PROPERTY VALUED  
30 BY THE COUNTY ASSESSOR AS SILVICULTURAL."

31

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

34

35 **HB10-1395** by Representative(s) Gardner B.; also Senator(s)  
36 Steadman--Concerning interlocutory appeals in civil cases.

37

38 Amendment No. 1, Judiciary Report, dated April 12, 2010, and placed in  
39 member's bill file; Report also printed in House Journal, April 13,  
40 page 1213.

41

42 Amendment No. 2, by Representative(s) Gardner B.

43

44 Amend the Judiciary Committee Report, dated April 12, 2010, page 1, line  
45 4, strike "UNDER" and substitute "IF APPROVED BY".

46

47 Page 1, line 5, after "APPEAL" insert "PERMITTED BY THE COURT OF  
48 APPEALS".

49

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

52

53

54

55

1 **SB10-182** by Senator(s) Schwartz, Foster, Kester, Newell; also  
 2 Representative(s) Peniston--Concerning the  
 3 implementation of certain recommendations of the county  
 4 elected officials' salary commission.

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

8  
 9 **HB10-1393** by Representative(s) Nikkel; also Senator(s) Kopp--  
 10 Concerning the information included in the web-based  
 11 system that provides the public access to state financial  
 12 information.

13  
 14 Amendment No. 1, by Representative(s) Nikkel.

15  
 16 Amend printed bill, page 8, line 14, strike "**liability.**" and substitute  
 17 "**duty.**".

18  
 19 Page 8, strike lines 15 through 17 and substitute "CONTROLLER MAY  
 20 REASONABLY RELY UPON REPRESENTATIONS BY A STATE AGENCY IN  
 21 DETERMINING WHAT INFORMATION TO INCLUDE IN THE WEB-BASED  
 22 SYSTEM, AND NEITHER THE CHIEF INFORMATION OFFICER NOR THE STATE  
 23 CONTROLLER SHALL HAVE A DUTY TO INDEPENDENTLY REVIEW THE  
 24 INFORMATION FOR COMPLIANCE WITH THIS ARTICLE PRIOR TO POSTING THE  
 25 INFORMATION ON THE WEB-BASED SYSTEM."

26  
 27 Page 8, line 18, strike "LIABILITY" and substitute "DUTY".

28  
 29 Page 8, line 19, after "LIMITATION" insert "ON DUTY AND LIABILITY".

30  
 31 As amended, ordered engrossed and placed on the Calendar for Third  
 32 Reading and Final Passage.

33  
 34  
 35  
 36 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

37  
 38 Passed Second Reading: **SB10-110 amended, HB10-1347 amended,**  
 39 **SB10-177 amended, HB10-1395 amended, SB10-182, HB10-1393**  
 40 **amended.**

41  
 42 Laid over until date indicated retaining place on Calendar: **HB10-1217,**  
 43 **1390, 1234--April 19, 2010.**  
 44 **HB10-1394--April 20, 2010.**  
 45 **SB10-114, 162--April 23, 2010.**

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

50  
 51

	YES	60	NO	3	EXCUSED	2	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	E	Kerr J.	N	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	N	Primavera	Y	Tyler	Y
8	Frangas	Y	Looper	N	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	E	Weissmann	Y
12							Speaker	Y

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**

**SB10-109** by Senator(s) Romer and Spence, Boyd, Bacon, Hodge, Hudak, Johnston, Tapia, Tochtrop; also Representative(s) Massey and McCann, Rice, Frangas, McFadyen-- Concerning regulation of the physician-patient relationship for medical marijuana patients, and making appropriations in connection therewith.

(Conference Committee Report printed in House Journal, April 12, pages 1187-1189)

Representative Massey moved for the adoption of the Conference Committee Report. A substitute motion by Representative Weissmann that the House reject the Conference Committee Report, discharge the First Conference Committee for **SB10-109**, that a Second Conference Committee be appointed and that they be granted permission to go beyond the scope of the difference between the House and Senate was declared **passed** by the following roll call vote:

	YES	39	NO	24	EXCUSED	2	ABSENT	0
37	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	N
39	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	Y	Kagan	N	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
42	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	N
43	Casso	E	Kerr J.	N	Murray	N	Stephens	N
44	Court	N	King S.	Y	Nikkel	N	Summers	N
45	Curry	N	Labuda	Y	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
47	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
48	Fischer	N	Liston	N	Primavera	Y	Tyler	Y
49	Frangas	Y	Looper	N	Priola	N	Vaad	Y
50	Gagliardi	N	Massey	N	Rice	N	Vigil	Y
51	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
52	Gardner C.	Y	McCann	N	Roberts	E	Weissmann	Y
53							Speaker	Y

The first Conference Committee was discharged and the Speaker appointed Representatives Massey Chairman, McCann and Weissmann as House conferees to the Second Conference Committee.

1 **HB10-1099** by Representative(s) Pace; also Senator(s) Tapia--  
 2 Concerning authorization to consume an alcohol beverage  
 3 purchased at the Colorado state fair at any location on the  
 4 fairgrounds licensed for consumption.

5  
 6 Laid over until April 19, retaining place on Calendar.

7  
 8 On motion of Representative Weissmann, the rules were suspended for  
 9 immediate consideration of HB10-1376.

10  
 11 **HB10-1376** by Representative(s) Pommer, Ferrandino, Lambert; also  
 12 Senator(s) Keller, Tapia, White--Concerning the provision  
 13 for payment of the expenses of the executive, legislative,  
 14 and judicial departments of the state of Colorado, and of its  
 15 agencies and institutions, for and during the fiscal year  
 16 beginning July 1, 2010, except as otherwise noted.

17  
 18 (Conference Committee Report printed in House Journal, April 16,  
 19 pages 1262-1268.)

20  
 21 On motion of Representative Pommer, the Conference Committee Report  
 22 was **adopted** by the following roll call vote:

	YES	59	NO	4	EXCUSED	2	ABSENT	0
25	Acree	Y	Gerou	Y	McFadyen	N	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
28	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
30	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
32	Court	Y	King S.	Y	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	N	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	E	Weissmann	Y
41							Speaker	Y

42  
 43 The question being "Shall the bill, as amended, pass?".

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

	YES	38	NO	25	EXCUSED	2	ABSENT	0
48	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
50	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
51	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
53	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
54	Casso	E	Kerr J.	N	Murray	N	Stephens	N
55	Court	Y	King S.	N	Nikkel	N	Summers	N
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	N

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

10

11

**CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

13

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

18

19 (Amended as printed in Senate Journal, April 8 page 801.)

20

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

24

25	YES	63	NO	0	EXCUSED	2	ABSENT	0
26	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
27	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
28	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
29	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
30	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
31	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
32	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
33	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
34	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
35	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
36	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
37	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
38	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
39	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
40	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
41	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
42							Speaker	Y

43

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

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

48

49	YES	61	NO	2	EXCUSED	2	ABSENT	0
50	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	Y	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	E	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	N	Peniston	Y	Tipton	Y
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
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.	Y	McCann	Y	Roberts	E	Weissmann	Y
10							Speaker	Y

11 Co-sponsor(s) added: Representative(s) Todd.

12

13 **HB10-1379** by Representative(s) Ferrandino, Pommer, Lambert; also  
 14 Senator(s) White, Keller, Tapia--Concerning a reduction in  
 15 the general fund portion of the per diem rates paid to  
 16 nursing facilities for the 2010-11 fiscal year, and making  
 17 an appropriation in connection therewith.

18

19 (Amended as printed in Senate Journal, April 8 page 801.)

20

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

24

25	YES	63	NO	0	EXCUSED	2	ABSENT	0
26	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
27	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
28	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
29	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
30	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
31	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
32	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
33	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
34	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
35	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
36	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
37	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
38	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
39	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
40	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
41	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
42							Speaker	Y

43

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

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

48

49	YES	38	NO	25	EXCUSED	2	ABSENT	0
50	Acree	Y	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	Y	Sonnenberg	N
55	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	E	Kerr J.	N	Murray	N	Stephens	N

1	Court	Y	King S.	N	Nikkel	N	Summers	N
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
3	DelGrosso	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	E	Weissmann	Y
10							Speaker	Y

11  
 12 **HB10-1381** by Representative(s) Ferrandino, Pommer, Lambert; also  
 13 Senator(s) White, Keller, Tapia--Concerning the use of  
 14 tobacco revenues for health-related purposes during a state  
 15 fiscal emergency, and making an appropriation therefor.

16  
 17 (Amended as printed in Senate Journal, April 8 page 801.)

18  
 19 Representative Ferrandino moved that the House **concur** in Senate  
 20 amendments. The motion was declared **passed** by the following roll call  
 21 vote:

22	YES	58	NO	5	EXCUSED	2	ABSENT	0
23	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
24	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
25	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
26	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
27	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
28	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
29	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
30	Court	N	King S.	Y	Nikkel	Y	Summers	Y
31	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
32	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N
33	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
34	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
35	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
36	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
37	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
38	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
39							Speaker	Y

40  
 41  
 42 The question being, "Shall the bill, as amended, pass?".  
 43 A roll call vote was taken. As shown by the following recorded vote, a  
 44 majority of those elected to the House voted in the affirmative, and the  
 45 bill, as amended, was declared **repassed**.

46	YES	38	NO	25	EXCUSED	2	ABSENT	0
47	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
48	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
49	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
50	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
51	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
52	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
53	Casso	E	Kerr J.	N	Murray	N	Stephens	Y
54	Court	N	King S.	N	Nikkel	N	Summers	N
55	Curry	Y	Labuda	Y	Pace	N	Swalm	Y

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

9 Co-sponsor(s) added: Representative(s) Todd.

10

11 **HB10-1383** by Representative(s) Pommer, Ferrandino, Lambert; also  
 12 Senator(s) White, Keller, Tapia--Concerning funding for  
 13 student financial aid for higher education, and making an  
 14 appropriation therefor.

15

16 (Amended as printed in Senate Journal, April 8 pages 800-801.)

17

18 Representative Pommer moved that the House **concur** in Senate  
 19 amendments. A substitute motion by Representative Weissmann that the  
 20 House **not concur** in Senate amendments and that a Conference  
 21 Committee be appointed was declared **passed** by the following roll call  
 22 vote:

23

24	YES	55	NO	8	EXCUSED	2	ABSENT	0
25	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	N
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	N	Sonnenberg	Y
30	Bradford	Y	Kerr A.	Y	Miklosi	N	Soper	Y
31	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
32	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
33	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
34	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
35	Ferrandino	N	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	N	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	N	Roberts	E	Weissmann	Y
41							Speaker	Y

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

44

45 **HB10-1384** by Representative(s) Lambert, Ferrandino, Pommer; also  
 46 Senator(s) White, Keller, Tapia--Concerning the alignment  
 47 of eligibility for the old age pension program with  
 48 eligibility for other public benefit programs, and, in  
 49 connection therewith, aligning the waiting period for the  
 50 old age pension with the waiting period for other public  
 51 benefit programs, enforcing financial responsibility  
 52 requirements for relative sponsors of noncitizens, and  
 53 making an appropriation.

54

55 (Amended as printed in Senate Journal, April 8 page 800.)

56

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

	YES	62	NO	1	EXCUSED	2	ABSENT	0
6	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
7	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
8	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
9	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
10	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
11	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
12	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
13	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
14	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
15	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
16	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
17	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
18	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
19	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
20	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
21	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
22							Speaker	Y

23  
 24 The question being, "Shall the bill, as amended, pass?".

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

	YES	58	NO	5	EXCUSED	2	ABSENT	0
30	Acree	N	Gerou	Y	McFadyen	Y	Ryden	N
31	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
32	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
33	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
34	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
35	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
36	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
37	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
38	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
39	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
40	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	N
41	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
42	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
43	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
44	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
45	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
46							Speaker	Y

47 Co-sponsor(s) added: Representative(s) Merrifield.

48  
 49 **HB10-1388** by Representative(s) Ferrandino, Pommer, Lambert; also  
 50 Senator(s) Tapia, Keller, White--Concerning the  
 51 augmentation of the general fund through transfers of  
 52 certain moneys.

53  
 54 (Amended as printed in Senate Journal, April 8 page 800 and on April 9,  
 55 page 815.)

56

1 Representative Ferrandino moved that the House **not concur** in Senate  
2 amendments and that a Conference Committee be appointed. The motion  
3 was declared **passed** by the following roll call vote:

	YES	62	NO	1	EXCUSED	2	ABSENT	0
6	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
7	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
8	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
9	Baumgardner	Y	Kagan	N	Merrifield	Y	Solano	Y
10	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
11	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
12	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
13	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
14	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
15	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
16	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
17	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
18	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
19	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
20	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
21	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
22							Speaker	Y

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

25  
26 **HB10-1252** by Representative(s) Primavera, Massey; also Senator(s)  
27 Boyd and Schwartz--Concerning health care services for  
28 breast cancer screening.

29  
30 (Amended as printed in Senate Journal, April 13, pages 857.)

31  
32 Representative Primavera moved that the House **not concur** in Senate  
33 amendments and that a Conference Committee be appointed. The motion  
34 was declared **passed** by the following roll call vote:

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

54 The Speaker appointed Representatives Primavera, Chairman, Gagliardi  
55 and Massey as House conferees to the bill.

56



1 **HB10-1273** by Representative(s) Merrifield, Rice, Ryden, Apuan,  
 2 Benefield, Carroll T., Casso, Gagliardi, Gerou, Kerr A.,  
 3 May, McKinley, Middleton, Nikkel, Peniston, Primavera,  
 4 Roberts, Scanlan, Schafer S., Solano, Todd, Tyler; also  
 5 Senator(s) Spence and Steadman, Newell, Hudak, Bacon,  
 6 Boyd, Foster, Gibbs, Heath, Johnston, Romer, Tapia,  
 7 Williams--Concerning improved workforce development  
 8 through increased participation in arts education in public  
 9 schools.

10  
 11 (Amended as printed in Senate Journal, April 13, pages 857.)  
 12

13 Representative Merrifield moved that the House **not concur** in Senate  
 14 amendments and that a Conference Committee be appointed. The motion  
 15 was declared **passed** by the following roll call vote:  
 16

	YES	42	NO	21	EXCUSED	2	ABSENT	0
18	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
19	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
20	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
21	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
22	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
23	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
24	Casso	E	Kerr J.	N	Murray	N	Stephens	Y
25	Court	Y	King S.	N	Nikkel	N	Summers	N
26	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
27	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
28	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
29	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
30	Frangas	Y	Looper	N	Priola	N	Vaad	N
31	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
32	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
33	Gardner C.	N	McCann	Y	Roberts	E	Weissmann	Y
34							Speaker	Y

35 The Speaker appointed Representatives Merrifield, Chairman, Solano and  
 36 McNulty as House conferees to the bill.  
 37  
 38  
 39

## 40 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

### 41 **APPROPRIATIONS**

42 After consideration on the merits, the Committee recommends the  
 43 following:  
 44

45  
 46 **HB10-1019** be amended as follows, and as so amended, be referred to  
 47 the Committee of the Whole with favorable  
 48 recommendation:  
 49

50 Amend the Transportation and Energy Committee Report, dated February  
 51 23, 2010, page 2, line 20, strike "**rules.**" and substitute "**rules - repeal.**".  
 52

53 Page 2, strike lines 25 through 27 and substitute "PROFESSIONAL. TO BE  
 54 VALID, THE VERIFYING PROFESSIONAL SHALL CERTIFY TO THE  
 55 DEPARTMENT THAT THE PERSON MEETS THE STANDARDS ON FORMS  
 56 PUBLISHED BY THE DEPARTMENT.".

1 Page 5, after line 20 insert:

2

3 "(H) SUB-SUBPARAGRAPH (G) OF THIS SUBPARAGRAPH (II) DOES  
4 NOT REQUIRE THE DEPARTMENT TO ISSUE IDENTIFYING PLACARDS IN  
5 COMPLIANCE WITH THIS SECTION WHILE IT CONTINUES TO HAVE THE  
6 PLACARDS PURCHASED BEFORE JANUARY 1, 2011, IN STOCK. THIS  
7 SUB-SUBPARAGRAPH (H) IS REPEALED EFFECTIVE JULY 1, 2011."

8

9 Page 8, line 5, after "(f)" insert "(I)".

10

11 Page 8, after line 11 insert:

12

13 "(II) THIS PARAGRAPH (f) DOES NOT REQUIRE THE DEPARTMENT TO  
14 ISSUE IDENTIFYING PLACARDS IN COMPLIANCE WITH THIS SECTION WHILE  
15 IT CONTINUES TO HAVE THE TEMPORARY PLACARDS PURCHASED BEFORE  
16 JANUARY 1, 2011, IN STOCK. THIS SUBPARAGRAPH (II) IS REPEALED  
17 EFFECTIVE JULY 1, 2011."

18

19 Page 12, strike lines 8 and 9 and substitute "COMMUNITY SERVICE. THE  
20 STATE OR LOCAL AUTHORITY ISSUING A CITATION UNDER THIS SUBSECTION  
21 (a) OR ANY LOCAL ORDINANCE OF A SUBSTANTIALLY EQUIVALENT OFFENSE  
22 SHALL TRANSFER ONE-HALF OF THE FINE TO THE STATE TREASURER, WHO  
23 SHALL CREDIT THE FINE TO THE DISABLED".

24

25 Page 12, strike lines 32 and 33 and substitute "TEN HOURS OF COMMUNITY  
26 SERVICE. THE STATE OR LOCAL AUTHORITY ISSUING A CITATION UNDER  
27 THIS SECTION (7) OR ANY LOCAL ORDINANCE OF A SUBSTANTIALLY  
28 EQUIVALENT OFFENSE SHALL TRANSFER ONE-HALF OF THE FINE TO THE  
29 STATE TREASURER, WHO SHALL CREDIT THE FINE TO".

30

31 Page 16, line 28, after "VIOLATION" insert "OF SUBSECTION (9), (15), OR  
32 (16)".

33

34 page 19, after line 19, insert:

35

36 "**SECTION 8. Appropriation.** (1) In addition to any other  
37 appropriation, there is hereby appropriated, out of any moneys in the  
38 disabled parking education and enforcement fund created in section 42-1-  
39 224, Colorado Revised Statutes, not otherwise appropriated, to the  
40 governor - lieutenant governor - state planning and budgeting, for  
41 allocation to the office of the governor, other programs and grants, for the  
42 Colorado advisory council for persons with disabilities, for the fiscal year  
43 beginning July 1, 2010, the sum of \$28,307 cash funds and 0.5 FTE, or  
44 so much thereof as may be necessary, for the implementation of this act.

45

46 In addition to any other appropriation, there is hereby appropriated,  
47 to the department of revenue, for the fiscal year beginning July 1, 2010,  
48 the sum of sixty-three thousand forty-nine dollars (\$63,049) and 0.6 FTE,  
49 or so much thereof as may be necessary, for the implementation of this  
50 act. Of said sum, eight thousand six hundred twenty-one dollars (\$8,621)  
51 shall be from the general fund, and fifty-four thousand four hundred  
52 twenty-eight dollars (\$54,428) shall be from cash funds from the  
53 Colorado state titling and registration account of the highway users tax  
54 fund created in section 42-1-211 (2), Colorado Revised Statutes."

55

56 Page 19, strike lines 20 through 31 and substitute:

1           **"SECTION 9. Act subject to petition - specified effective date**  
2 **- applicability.** (1) This act shall take effect January 1, 2011; except  
3 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
4 of the state constitution against this act or an item, section, or part of this  
5 act within the ninety-day period after final adjournment of the general  
6 assembly, then the act, item, section, or part shall not take effect unless  
7 approved by the people at the general election to be held in November  
8 2010 and shall take effect on January 1, 2011, or on the date of the  
9 official declaration of the vote thereon by the governor, whichever is  
10 later.

11  
12           (2) The provisions of this act shall apply to offenses committed  
13 and applications submitted on or after the applicable effective date of this  
14 act."."

15  
16 Page 19 of the report, after line 31, insert:

17  
18 "Page 1 of the bill, line 101, strike "**DISABILITIES.**" and substitute  
19 "**DISABILITIES, AND MAKING AN APPROPRIATION THEREFOR.**"."

20  
21  
22  
23 **HB10-1022** be amended as follows, and as so amended, be referred to  
24 the Committee of the Whole with favorable  
25 recommendation:

26  
27 Amend Health and Human Services Report dated February 11, 2010,  
28 page 1, after line 8 insert:

29  
30 "Page 4, line 1, strike "MAY" and substitute "SHALL".

31  
32 Page 4, strike lines 2 through 6 and substitute "MORE COUNTIES AND  
33 NONPROFIT ORGANIZATIONS FOR THE DEVELOPMENT AND  
34 IMPLEMENTATION OF THE OUTREACH PLAN. IF THE STATE DEPARTMENT  
35 ENTERS INTO A CONTRACT WITH A NONPROFIT ORGANIZATION RELATING  
36 TO THE OUTREACH PLAN, THE CONTRACT MAY SPECIFY THAT THE  
37 NONPROFIT"."

38  
39 Page 1 of the committee report, strike lines 15 and 16 and substitute:

40  
41 "Page 4, strike lines 19 through 25 and substitute:

42  
43           "(c) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OR (b)  
44 OF THIS SUBSECTION (4), THE STATE DEPARTMENT SHALL BE EXEMPT FROM  
45 IMPLEMENTING OR ADMINISTERING AN OUTREACH PLAN, BUT NOT FROM  
46 DEVELOPING AN OUTREACH PLAN, IF THE STATE DEPARTMENT WILL NOT BE  
47 RECEIVING PRIVATE OR FEDERAL MONEYS SUFFICIENT TO COVER THE  
48 STATE'S COSTS ASSOCIATED WITH THE IMPLEMENTATION AND  
49 ADMINISTRATION OF THE OUTREACH PLAN, INCLUDING ANY COSTS  
50 ASSOCIATED WITH INCREASED CASELOAD RESULTING FROM THE  
51 IMPLEMENTATION OF THE OUTREACH PLAN."."

52  
53 Page 2 of the committee report, strike lines 1 through 7.

54  
55  
56

1 **HB10-1032** be amended as follows, and as so amended, be referred to  
2 the Committee of the Whole with favorable  
3 recommendation:  
4

5 Amend the Health and Human Services Committee Report, dated  
6 February 18, 2010, page 3, line 3, after the period add "THE STATE  
7 DEPARTMENT SHALL COMPLETE THE REVIEW, FORMULATE THE PLAN, AND  
8 PREPARE THE REPORT REQUIRED IN PARAGRAPH (b) OF THIS SUBSECTION  
9 (2) WITHIN EXISTING APPROPRIATIONS AND SHALL DESIGN THE PLAN TO BE  
10 IMPLEMENTED WITHIN EXISTING APPROPRIATIONS."  
11

12 Page 3, line 4, strike "2011," and substitute "2013,".  
13  
14  
15

16 **HB10-1103** be amended as follows, and as so amended, be referred to  
17 the Committee of the Whole with favorable  
18 recommendation:  
19

20 Amend printed bill, page 9, after line 8, insert:  
21

22 **"SECTION 2. Appropriation.** (1) For the implementation of this  
23 act, appropriations made in the annual general appropriation act for the  
24 fiscal year beginning July 1, 2010, to the department of health care policy  
25 and financing shall be adjusted as follows:  
26

27 (a) The cash fund appropriation to the executive director's division  
28 for general administration is increased by seventy-eight thousand nine  
29 hundred sixty-four dollars (\$78,964) and 1.5 FTE. Said sum shall be  
30 from the relief fund for children with a catastrophic medical condition  
31 created in section 25.5-1-126 (2) (a), Colorado Revised Statutes.  
32

33 (b) The cash appropriation to the other medical services for  
34 financial assistance for families is increased by two million seven  
35 hundred sixty-one thousand seven hundred fifty-three dollars  
36 (\$2,761,753). Said sum shall be from the relief fund for children with a  
37 catastrophic medical condition created in section 25.5-1-126 (2) (a),  
38 Colorado Revised Statutes."  
39

40 Page 1, line 102, "CONDITION." and substitute "CONDITION, AND MAKING  
41 AN APPROPRIATION THEREFOR."  
42  
43  
44

45 **HB10-1146** be amended as follows, and as so amended, be referred to  
46 the Committee of the Whole with favorable  
47 recommendation:  
48

49 Amend the Health and Human Services Committee Report, dated March  
50 1, 2010, page 1, line 6, strike "15" and substitute "17".  
51

52 Page 1 of the Committee Report, strike lines 9 through 13 and substitute  
53 "RULE AND ARE RECEIVING old age pension, aid to the needy disabled, or  
54 aid to the blind, OR SUPPLEMENTAL SOCIAL SECURITY INCOME BENEFITS."  
55

56 Page 2 of the Committee Report, strike lines 7 through 18 and substitute:

1           **"SECTION 6.** 26-2-122.3 (1) (b) (I), Colorado Revised Statutes,  
2 as amended in House Bill 10-1146, is amended to read:

3  
4           **26-2-122.3. Adult foster care and home care allowance.**  
5 (1) (b) (I) Except as provided in subparagraph (II) of this paragraph (b),  
6 the state department, subject to available appropriations, may provide  
7 home care allowance for persons who meet the functional impairment and  
8 financial eligibility criteria as established by the state department by rule  
9 and:

10  
11           (A) ~~are~~ WERE receiving old age pension BENEFITS AND HOME  
12 CARE ALLOWANCE ON THE DAY PRIOR TO THE EFFECTIVE DATE OF THIS  
13 SUB-SUBPARAGRAPH (A) AND REMAIN CONTINUOUSLY ELIGIBLE FOR SUCH  
14 BENEFITS; OR

15  
16           (B) ARE RECEIVING aid to the needy disabled, aid to the blind, or  
17 supplemental social security income benefits.

18  
19           **SECTION 7. Appropriation - adjustment in 2010 long bill.**  
20 (1) In addition to any other appropriation, there is hereby appropriated,  
21 from the general fund, to the department of health care policy and  
22 financing, for medical services premiums, for the fiscal year beginning  
23 July 1, 2010, the sum of one hundred thirty-one thousand sixty dollars  
24 (\$131,060), or so much thereof as may be necessary, for the  
25 implementation of this act. In addition to said appropriation, the general  
26 assembly anticipates that, for the fiscal year beginning July 1, 2010, the  
27 department of health care policy and financing will receive the sum of  
28 one hundred sixty-five thousand four hundred twenty-one dollars  
29 (\$165,421) in federal funds for the implementation of this act. Although  
30 the federal funds are not appropriated in this act, they are noted for the  
31 purpose of indicating the assumptions used relative to these funds in  
32 developing state appropriation amounts.

33  
34           (2) For the implementation of this act, the general fund  
35 appropriation to the department of health care policy and financing,  
36 medical services premiums, for single entry point contracts for the home  
37 care allowance program, for the fiscal year beginning July 1, 2010, shall  
38 be decreased by one million nine hundred two dollars (\$1,000,902).

39  
40           (3) In addition to any other appropriation, there is hereby  
41 appropriated, to the department of health care policy and financing, for  
42 allocation to the department of human services medicaid-funded  
43 programs, office of information technology services - medicaid funding,  
44 for the Colorado benefits management system, for the fiscal year  
45 beginning July 1, 2010, the sum of ninety-two thousand two hundred  
46 fifty-two dollars (\$92,252), or so much thereof as may be necessary, for  
47 the implementation of this act. Of said sum, ninety-one thousand four  
48 hundred thirty-four dollars (\$91,434) shall be from the general fund, four  
49 hundred forty-one dollars (\$441) shall be cash funds from the old age  
50 pension fund created in article XXIV of the Colorado constitution, and  
51 three hundred seventy-seven dollars (\$377) shall be cash funds from the  
52 children's basic health plan trust created in section 25.5-8-105 (1),  
53 Colorado Revised Statutes. In addition to said appropriation, the general  
54 assembly anticipates that, for the fiscal year beginning July 1, 2010, the  
55 department of health care policy and financing will receive the sum of  
56 ninety-two thousand one hundred thirty-five dollars (\$92,135) in federal

1 funds for the implementation of this act. Although the federal funds are  
2 not appropriated in this act, they are noted for the purpose of indicating  
3 the assumptions used relative to these funds in developing state  
4 appropriation amounts.

5  
6 (4) In addition to any other appropriation, there is hereby  
7 appropriated, to the department of human services, for allocation to the  
8 office of information technology services, for the Colorado benefits  
9 management system, for the fiscal year beginning July 1, 2010, the sum  
10 of three hundred twenty-eight thousand seventy-nine dollars (\$328,079),  
11 or so much thereof as may be necessary, for the implementation of this  
12 act. Of said sum, one hundred twenty thousand eight hundred seventy  
13 dollars (\$120,870) shall be from the general fund, twenty-two thousand  
14 eight hundred twenty-two dollars (\$22,822) shall be cash funds from the  
15 old age pension fund created in article XXIV of the Colorado  
16 constitution, and one hundred eighty-four thousand three hundred  
17 eighty-seven dollars (\$184,387) shall be from reappropriated funds  
18 transferred from the department of health care policy and financing from  
19 the appropriation in subsection (3) of this section. In addition to said  
20 appropriation, the general assembly anticipates that, for the fiscal year  
21 beginning July 1, 2010, the department of human services will receive the  
22 sum of one hundred sixty-one thousand nine hundred twenty-one dollars  
23 (\$161,921) in federal funds for the implementation of this act. Although  
24 the federal funds are not appropriated in this act, they are noted for the  
25 purpose of indicating the assumptions used relative to these funds in  
26 developing state appropriation amounts.

27  
28 (5) For the implementation of this act, the general fund  
29 appropriation to the department of human services, adult assistance  
30 programs, for home care allowance, for the fiscal year beginning July 1,  
31 2010, shall be decreased by three hundred sixty thousand five hundred  
32 forty-five dollars (\$360,545).

33  
34 (6) In addition to any other appropriation, there is hereby  
35 appropriated, from the general fund, to the department of human services,  
36 adult assistance programs, for single entry point contracts for the home  
37 care allowance program, for the fiscal year beginning July 1, 2010, the  
38 sum of one million nine hundred two dollars (\$1,000,902).

39  
40 (7) In addition to any other appropriation, there is hereby  
41 appropriated, to the Governor-Lieutenant Governor-office of state  
42 planning and budgeting, for allocation to the office of information  
43 technology, for the Colorado benefits management system, for the fiscal  
44 year beginning July 1, 2010, the sum of four hundred ninety thousand  
45 dollars (\$490,000), or so much thereof as may be necessary, for the  
46 implementation of this act. Said sum shall be from reappropriated funds  
47 received from the department of human services out of the appropriation  
48 made in subsection (4) of this section.

49  
50 **SECTION 8. Specified effective date.** (1) This section and  
51 section 9 of this act shall take effect upon passage.

52  
53 (2) Sections 1 through 4 of this act shall take effect January 1,  
54 2011.

55  
56 (3) Sections 5 and 7 of this act shall take effect July 1, 2010.

1 (4) Section 6 of this act shall take effect upon the earlier of:

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(a) January 1, 2014; or

(b) The date upon which the revisor of statutes receives notification from the executive director of the department of health care policy and financing that the federal centers for medicare and medicaid services, having taken into consideration the requirements for maintenance of effort for medicaid eligibility contained in the federal "American Reinvestment and Recovery Act", Pub.L. 111-5, or any amendment thereto, and in the federal "Patient Protection and Affordable Care Act", Pub.L. 111-148, or any amendment thereto, has authorized Colorado to reduce eligibility for its medicaid program consistent with the provisions of this act without federal penalty."

Renumber succeeding section accordingly.

Page 1 of the printed bill, line 103, strike "PROGRAMS." and substitute "PROGRAMS, AND MAKING AN APPROPRIATION THEREFOR.".

**HB10-1152** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Judiciary Committee report dated February 18, 2010, page 26, strike lines 12 through 15 and substitute:

**"SECTION 27. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado civil rights commission cash fund created in section 24-34-309, Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the civil rights division, for the fiscal year beginning July 1, 2010, the sum of nineteen thousand two hundred forty-six dollars (\$19,246) cash funds and 0.4 FTE, or so much thereof as may be necessary, for the implementation of this act."

Page 26 of the committee report, after line 27, insert "Page 1 of the bill, line 101, strike "DISABILITIES." and substitute "DISABILITIES, AND MAKING AN APPROPRIATION THEREFOR.".

**HB10-1162** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Business Affairs and Labor Committee Report, dated March 3, 2010, page 3, strike lines 24 through 33 and substitute "CONTRACT OR A SUBCONTRACT THEREOF."

Page 4, strike lines 13 through 32.

Renumber succeeding C.R.S. sections accordingly.

1 Page 5, strike lines 6 and 7 and substitute "CONTRACT PRICE WITHIN  
2 THIRTY DAYS AFTER".

3  
4 Page 6, line 16, strike "(1)".

5  
6 Page 6, line 18, strike "38-15-104" and substitute "38-15-103".

7  
8 Page 6, strike lines 22 through 26.

9  
10 Page 7, strike lines 13 through 26 and substitute "calculated value of any  
11 work THE completed shall be paid until fifty percent of the work required  
12 by the contract has been performed. Thereafter, the public entity shall  
13 pay any of the remaining installments without retaining additional funds  
14 if, in the opinion of the public entity, satisfactory progress is being made  
15 in the work.".

16  
17 Page 7, strike lines 27 through 37 and substitute:

18  
19 "(b) (I) The withheld percentage of the contract price of any such  
20 CONTRACTED work, improvement, or construction shall be retained until  
21 the contract is completed satisfactorily and finally accepted by the public  
22 entity. If the public entity finds that satisfactory progress is being made  
23 in ~~all~~ ANY phases of the contract, it may, upon written request by the  
24 contractor, authorize final payment from the withheld percentage to the  
25 contractor or subcontractors who have completed their work in a manner  
26 finally acceptable to the public entity. Before such payment is made, the  
27 public entity shall determine that satisfactory and substantial reasons exist  
28 for the payment and shall require written approval from any surety  
29 furnishing bonds for the contract work.".

30  
31 Page 8, strike lines 1 through 7.

32  
33 Page 8, line 8, strike "(III)" and substitute "(II)".

34  
35 Page 8, strike lines 31 and 32.

36  
37 Page 9, strike lines 1 through 12.

38  
39 Renumber succeeding sections accordingly.

40  
41 Page 10, line 2, strike "BUILDING CLIENT," and substitute "PUBLIC  
42 ENTITY,".

43  
44 Page 10, line 5, strike "BUILDING CLIENT" and substitute "PUBLIC ENTITY".

45  
46  
47  
48 **HB10-1172** be amended as follows, and as so amended, be referred to  
49 the Committee of the Whole with favorable  
50 recommendation:

51  
52 Amend the Transportation and Energy Committee Report, dated February  
53 25, 2010, page 1, strike line 9 and substitute:

54  
55 "Page 3 of the bill, line 12, strike "WEIGHING AT LEAST ONE THOUSAND  
56 POUNDS"."



1 Page 2 of the report, strike lines 21 and 22 and substitute:  
2

3 "Page 15 of the bill, strike lines 6 through 11 and substitute:  
4

5 **"SECTION 19. Appropriation.** In addition to any other  
6 appropriation, there is hereby appropriated, out of any moneys in the  
7 license plate cash fund created in section 42-3-301 (1) (b), Colorado  
8 Revised Statutes, not otherwise appropriated, to the department of  
9 revenue, for allocation to the division of motor vehicles, driver and  
10 vehicle services, for the fiscal year beginning July 1, 2010, the sum of  
11 five hundred sixty dollars (\$560) cash funds, or so much thereof as may  
12 be necessary, for the implementation of this act.  
13

14 **SECTION 20. Act subject to petition - specified effective date**  
15 **- applicability.** (1) This act shall take effect October 1, 2010; except  
16 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
17 of the state constitution against this act or an item, section, or part of this  
18 act within the ninety-day period after final adjournment of the general  
19 assembly, then the act, item, section, or part shall not take effect unless  
20 approved by the people at the general election to be held in November  
21 2010 and shall take effect on the date of the official declaration of the  
22 vote thereon by the governor.  
23

24 (2) The provisions of this act shall apply to offenses committed  
25 and applications submitted on or after the applicable effective date of this  
26 act."  
27

28 Page 1 of the bill, line 102, strike "TAX." and substitute "TAX, AND  
29 MAKING AN APPROPRIATION THEREFOR."."  
30

31  
32  
33 **HB10-1264** be amended as follows, and as so amended, be referred to  
34 the Committee of the Whole with favorable  
35 recommendation:  
36

37 Amend the State, Veterans, & Military Affairs Committee Report, dated  
38 February 23, 2010, page 2, after line 2 insert:  
39

40 "Page 7 of the bill, after line 11 insert:  
41

42 "(D) FOR ANY IDEA APPLICATION THAT THE EXECUTIVE DIRECTOR  
43 APPROVES, THE EXECUTIVE DIRECTOR SHALL CAUSE TO BE TRANSFERRED  
44 NO LESS THAN THIRTY PERCENT OF THE PROJECTED SAVINGS  
45 CALCULATION, UP TO THIRTY THOUSAND DOLLARS, TO THE STATE  
46 EMPLOYEE INCENTIVE FUND CREATED IN SUBSECTION (5) OF THIS SECTION  
47 NO LATER THAN NINETY DAYS AFTER APPROVING THE APPLICATION.  
48 AFTER THE IDEA APPLICATION IS FULLY IMPLEMENTED AND THE STATE  
49 AUDITOR HAS PERFORMED THE REVIEW AND VERIFICATION OF THE SAVINGS  
50 REALIZED CALCULATION AND SUBMITTED THE REPORT AS SPECIFIED IN  
51 PARAGRAPH (b) OF SUBSECTION (4) OF THIS SECTION, THE STATE AGENCY  
52 SHALL CAUSE TO BE DISTRIBUTED THE SAVINGS REALIZED AS SPECIFIED IN  
53 PARAGRAPH (d) OF SUBSECTION (4) OF THIS SECTION. IF, AFTER THE STATE  
54 AUDITOR'S REVIEW, THE SAVINGS REALIZED CALCULATION IS GREATER  
55 THAN THE PROJECTED SAVINGS CALCULATION, THEN THE STATE AGENCY  
56 SHALL CAUSE TO BE TRANSFERRED MORE MONEY INTO THE STATE

1 EMPLOYEE INCENTIVE FUND CREATED IN SUBSECTION (5) OF THIS SECTION  
2 TO COVER THE REQUIRED DISTRIBUTIONS SPECIFIED IN PARAGRAPH (d) OF  
3 SUBSECTION (4) OF THIS SECTION. IF, AFTER THE STATE AUDITOR'S  
4 REVIEW, THE SAVINGS REALIZED CALCULATION IS LESS THAN THE  
5 PROJECTED SAVINGS CALCULATION, THEN THE EXCESS MONEY PREVIOUSLY  
6 TRANSFERRED BY THE STATE AGENCY SHALL REVERT TO THE GENERAL  
7 FUND."

8  
9 Page 2 of the report, after line 4 insert:

10  
11 "Page 7 of the bill, line 27, strike "THE" and substitute "ANY"."

12  
13 Page 2 of the report, after line 17 insert:

14  
15 "Page 8 of the bill, line 18, strike "TWELVE" and substitute "THIRTEEN".

16  
17 Page 8 of the bill, line 20, strike "REALIZED." and substitute "REALIZED  
18 FOR THE FIRST TWELVE MONTHS OF FULL IMPLEMENTATION."."

19  
20 Page 2 of the report, after line 18 insert:

21  
22 "Page 9 of the bill, strike lines 9 and 10 and substitute "ANY MEMBERS OF  
23 THE GENERAL ASSEMBLY WHO CARRIED ANY LEGISLATION TO IMPLEMENT  
24 THE IDEA."."

25  
26 Page 2 of the report, line 20, after "(d)," insert "AND UNLESS OTHERWISE  
27 PROHIBITED,".

28  
29 Page 2 of the report, after line 21 insert:

30  
31 "Page 9, line 16, strike "AN" and substitute "A ONE-TIME"."

32  
33 Page 3 of the report, after line 8 insert:

34  
35 "Page 10 of the bill, line 2, strike "EMPLOYEES." and substitute  
36 "EMPLOYEES OR FOR PERSONNEL SERVICES EXPENDITURES OTHER THAN  
37 THE DISTRIBUTION SPECIFIED IN SUB-SUBPARAGRAPH (A) OF  
38 SUBPARAGRAPH (I) OF PARAGRAPH (d) OF THIS SUBSECTION (4)."

39  
40 Page 3 of the report, strike lines 9 through 11 and substitute:

41  
42 "Page 10 of the bill, strike lines 3 through 14 and substitute:  
43 "(5) THERE IS HEREBY CREATED IN THE STATE TREASURY THE  
44 STATE EMPLOYEE INCENTIVE FUND, WHICH SHALL CONSIST OF MONEYS  
45 TRANSFERRED BY STATE AGENCIES AS SPECIFIED IN SUB-SUBPARAGRAPH  
46 (D) OF SUBPARAGRAPH (III) OF PARAGRAPH (c) OF SUBSECTION (1) OF THIS  
47 SECTION. THE FUND SHALL CONSIST OF SPECIFIC ACCOUNTS FOR EACH  
48 IDEA APPLICATION APPROVED FOR EACH STATE AGENCY. THE MONEYS IN  
49 EACH ACCOUNT SHALL BE AVAILABLE FOR DISTRIBUTION BY EACH STATE  
50 AGENCY PURSUANT TO THE DISTRIBUTION SPECIFIED IN SUBPARAGRAPH (I)  
51 OF PARAGRAPH (D) OF SUBSECTION (4) OF THIS SECTION NO LATER THAN  
52 THIRTY DAYS AFTER THE STATE AUDITOR'S REVIEW AND VERIFICATION OF  
53 THE SAVINGS REALIZED CALCULATION. IF THE MONEYS IN THE ACCOUNT  
54 ARE NOT DISTRIBUTED BY A STATE AGENCY WITHIN THAT THIRTY-DAY  
55 PERIOD, THE MONEYS IN THAT ACCOUNT SHALL REVERT TO THE GENERAL  
56 FUND."."

1 **HB10-1268** be referred to the Committee of the Whole with favorable  
2 recommendation.  
3

4  
5 **HB10-1284** be amended as follows, and as so amended, be referred to  
6 the Committee of the Whole with favorable  
7 recommendation:  
8

9 Amend the Judiciary Committee Report, dated March 22, 2010, page 48,  
10 line 21, strike "SERVICES FOR" and substitute "INTEGRATED BEHAVIORAL  
11 HEALTH SERVICES FOR JUVENILES AND".  
12

13 Strike lines 22 through 30 and substitute:  
14

15 "SUBSTANCE USE DISORDERS AND MENTAL HEALTH TREATMENT NEEDS  
16 WHO ARE INVOLVED WITH, OR AT RISK OF INVOLVEMENT WITH, THE  
17 CRIMINAL JUSTICE SYSTEM. THE MONEYS DESCRIBED IN PARAGRAPH (a) OF  
18 THIS SUBSECTION (6) SHALL BE APPROPRIATED TO THE DEPARTMENT OF  
19 HUMAN SERVICES TO BE USED TO PROVIDE INTEGRATED BEHAVIORAL  
20 HEALTH SERVICES FOR JUVENILES AND ADULTS WITH SUBSTANCE USE  
21 DISORDERS OR WITH SUBSTANCE USE DISORDERS AND MENTAL HEALTH  
22 TREATMENT NEEDS WHO ARE INVOLVED WITH, OR AT RISK OF  
23 INVOLVEMENT WITH, THE CRIMINAL JUSTICE SYSTEM. THE DEPARTMENT  
24 SHALL ENSURE THAT APPROPRIATIONS IN THIS LINE ITEM ARE DISTRIBUTED  
25 THROUGH THE DEPARTMENT'S DESIGNATED MANAGED SERVICE  
26 ORGANIZATIONS AND COMMUNITY MENTAL HEALTH CENTERS. THE  
27 APPROPRIATIONS SHALL BE BASED ON, INCLUDING BUT NOT LIMITED TO  
28 SUBSTANCE USE AND MENTAL HEALTH PREVALENCE DATA THAT IS  
29 DEVELOPED WORKING COLLABORATIVELY WITH THE MANAGED SERVICES  
30 ORGANIZATIONS AND COMMUNITY HEALTH CENTERS."  
31

32 Page 48, after line 35, insert:  
33

34 **"SECTION 10.** 39-26-123, Colorado Revised Statutes, is  
35 amended BY THE ADDITION OF A NEW SUBSECTION to read:  
36

37 **39-26-123. Receipts - disposition - transfers of general fund**  
38 **surplus - sales and use tax holding fund - creation - definitions -**  
39 **repeal.** (6) FOR ANY STATE FISCAL YEAR COMMENCING ON OR AFTER  
40 JULY 1, 2010, THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE  
41 THE FIRST TWO MILLION DOLLARS OF SALES AND USE TAXES  
42 ATTRIBUTABLE TO SALES OR USE OF MEDICAL MARIJUANA OR EQUALLY  
43 APPROPRIATE THE SALES AND USE TAXES ATTRIBUTABLE TO SALES AND  
44 USE OF MEDICAL MARIJUANA IF TWO MILLION DOLLARS IS NOT GENERATED.  
45 THE MONEYS DESCRIBED IN THIS SUBSECTION (6) SHALL BE APPROPRIATED  
46 TO THE DEPARTMENT OF HUMAN SERVICES TO BE USED TO PROVIDE  
47 INTEGRATED BEHAVIORAL HEALTH SERVICES FOR JUVENILES AND ADULTS  
48 WITH SUBSTANCE USE DISORDERS OR WITH SUBSTANCE USE DISORDERS  
49 AND MENTAL HEALTH TREATMENT NEEDS WHO ARE INVOLVED WITH, OR  
50 AT RISK OF INVOLVEMENT WITH, THE CRIMINAL JUSTICE SYSTEM. THE  
51 DEPARTMENT SHALL ENSURE THAT APPROPRIATIONS IN THIS LINE ITEM ARE  
52 DISTRIBUTED THROUGH THE DEPARTMENT'S DESIGNATED MANAGED  
53 SERVICE ORGANIZATIONS AND COMMUNITY MENTAL HEALTH CENTERS.  
54 THE APPROPRIATIONS SHALL BE BASED ON, INCLUDING BUT NOT LIMITED  
55 TO SUBSTANCE USE AND MENTAL HEALTH PREVALENCE DATA THAT IS  
56 DEVELOPED WORKING COLLABORATIVELY WITH THE MANAGED SERVICES

1 ORGANIZATIONS AND COMMUNITY HEALTH CENTERS.".

2

3 Renumber succeeding sections accordingly.

4

5 page 49, after line 7, insert:

6

7 **"SECTION 12. Appropriation.** (1) In addition to any other  
8 appropriation, there is hereby appropriated, out of any moneys in the  
9 general fund not otherwise appropriated, to the department of human  
10 services, for allocation to mental health and alcohol and drug abuse  
11 services, for the fiscal year beginning July 1, 2010, the sum of three  
12 hundred thirty-four thousand two hundred twenty-seven dollars  
13 (\$334,227), or so much thereof as may be necessary, for the  
14 implementation of this act.

15

16 (2) In addition to any other appropriation, there is hereby  
17 appropriated, out of any moneys in the medical marijuana license cash  
18 fund cash fund created in section 12-43.3-501 (1), Colorado Revised  
19 Statutes, not otherwise appropriated, to the department of revenue, for  
20 allocation to the enforcement business group, for the fiscal year beginning  
21 July 1, 2010, the sum of two million seven hundred nineteen thousand  
22 four hundred twenty-two dollars (\$2,719,422) and 23.2 FTE, or so much  
23 thereof as may be necessary, for the implementation of this act.

24

25 (3) In addition to any other appropriation, there is hereby  
26 appropriated to the department of law, for the fiscal year beginning July  
27 1, 2010, the sum of one hundred thirteen thousand seventy dollars  
28 (\$113,070) and 1.0 FTE, or so much thereof as may be necessary, for the  
29 provision of legal services to the department of revenue related to the  
30 implementation of this act. Said sum shall be from reappropriated funds  
31 received from the department of revenue out of the appropriation made  
32 in subsection (2) of this section.

33

34 (4) In addition to any other appropriation, there is hereby  
35 appropriated to the department of public safety, Colorado bureau of  
36 investigation, for the fiscal year beginning July 1, 2010, the sum of two  
37 hundred sixty thousand seven hundred dollars (\$260,700) and 1.2 FTE,  
38 or so much thereof as may be necessary, for the provision of background  
39 checks to the department of revenue related to the implementation of this  
40 act. Said sum shall be from reappropriated funds received from the  
41 department of revenue out of the appropriation made in subsection (2) of  
42 this section.

43

44 (5) In addition to any other appropriation, there is hereby  
45 appropriated, out of any moneys in the medical marijuana program cash  
46 fund created in section 25-1.5-106 (12), Colorado Revised Statutes, not  
47 otherwise appropriated, to the department of public health and  
48 environment, for allocation to the center for health and environmental  
49 education, for the fiscal year beginning July 1, 2010, the sum of two  
50 hundred seventy-one thousand four hundred sixty-seven dollars  
51 (\$271,467) cash funds and 1.2 FTE, or so much thereof as may be  
52 necessary, for the implementation of this act.

53

54 (6) In addition to any other appropriation, there is hereby  
55 appropriated to the department of public safety, Colorado bureau of  
56 investigation, for the fiscal year beginning July 1, 2010, the sum of two

1 hundred eleven thousand seven hundred twenty dollars (\$211,720) and  
2 0.9 FTE, or so much thereof as may be necessary, for the provision of  
3 background checks to the department of public health and environment  
4 related to the implementation of this act. Said sum shall be from  
5 reappropriated funds received from the department of public health and  
6 environment out of the appropriation made in subsection (5) of this  
7 section.

8  
9 **SECTION 13. 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 human  
12 services, for allocation to mental health and alcohol and drug abuse  
13 services, for the fiscal year beginning July 1, 2010, the sum of six  
14 hundred sixty-eight thousand four hundred fifty-four dollars (\$668,454),  
15 or so much thereof as may be necessary, for the implementation of this  
16 act.

17  
18 (2) In addition to any other appropriation, there is hereby  
19 appropriated, out of any moneys in the medical marijuana license cash  
20 fund cash fund created in section 12-43.3-501 (1), Colorado Revised  
21 Statutes, not otherwise appropriated, to the department of revenue, for  
22 allocation to the enforcement business group, for the fiscal year beginning  
23 July 1, 2010, the sum of two million seven hundred nineteen thousand  
24 four hundred twenty-two dollars (\$2,719,422) and 23.2 FTE, or so much  
25 thereof as may be necessary, for the implementation of this act.

26  
27 (3) In addition to any other appropriation, there is hereby  
28 appropriated to the department of law, for the fiscal year beginning July  
29 1, 2010, the sum of one hundred thirteen thousand seventy dollars  
30 (\$113,070) and 1.0 FTE, or so much thereof as may be necessary, for the  
31 provision of legal services to the department of revenue related to the  
32 implementation of this act. Said sum shall be from reappropriated funds  
33 received from the department of revenue out of the appropriation made  
34 in subsection (2) of this section.

35  
36 (4) In addition to any other appropriation, there is hereby  
37 appropriated to the department of public safety, Colorado bureau of  
38 investigation, for the fiscal year beginning July 1, 2010, the sum of two  
39 hundred sixty thousand seven hundred dollars (\$260,700) and 1.2 FTE,  
40 or so much thereof as may be necessary, for the provision of background  
41 checks to the department of revenue related to the implementation of this  
42 act. Said sum shall be from reappropriated funds received from the  
43 department of revenue out of the appropriation made in subsection (2) of  
44 this section.

45  
46 (5) In addition to any other appropriation, there is hereby  
47 appropriated, out of any moneys in the medical marijuana program cash  
48 fund created in section 25-1.5-106 (12), Colorado Revised Statutes, not  
49 otherwise appropriated, to the department of public health and  
50 environment, for allocation to the center for health and environmental  
51 education, for the fiscal year beginning July 1, 2010, the sum of two  
52 hundred seventy-one thousand four hundred sixty-seven dollars  
53 (\$271,467) cash funds and 1.2 FTE, or so much thereof as may be  
54 necessary, for the implementation of this act.

55  
56 (6) In addition to any other appropriation, there is hereby

1 appropriated to the department of public safety, Colorado bureau of  
2 investigation, for the fiscal year beginning July 1, 2010, the sum of two  
3 hundred eleven thousand seven hundred twenty dollars (\$211,720) and  
4 0.9 FTE, or so much thereof as may be necessary, for the provision of  
5 background checks to the department of public health and environment  
6 related to the implementation of this act. Said sum shall be from  
7 reappropriated funds received from the department of public health and  
8 environment out of the appropriation made in subsection (5) of this  
9 section."

10

11 Renumber succeeding sections accordingly.

12

13 Page 49, strike lines 14 and 15 and substitute:

14

15 "(b) This section and sections 2, 7, 8, 11, and 15 of this act shall  
16 take effect July 1, 2010.

17

18 (c) Sections 9 and 12 of this act shall take effect only if House Bill  
19 10-1033 is enacted and becomes law and shall take effect upon the  
20 effective date of House Bill 10-1033.

21

22 (d) Sections 10 and 13 of this act shall take effect if section 9 of  
23 this act does not take effect and does not become law."

24

25 Page 49, after line 18, insert:

26

27 "Page 1, line 101, strike "MARIJUANA." and substitute "MARIJUANA, AND  
28 MAKING AN APPROPRIATION THEREFOR."."

29

30

31

32 **HB10-1287** be amended as follows, and as so amended, be referred to  
33 the Committee of the Whole with favorable  
34 recommendation:

35

36 Amend the Finance Committee Report, dated April 14, 2010, page 5, line  
37 15, strike "MAINTENANCE COSTS" and substitute "OPERATING EXPENSES".

38

39

40

41 **HB10-1331** be postponed indefinitely.

42

43

44 **HB10-1338** be amended as follows, and as so amended, be referred to  
45 the Committee of the Whole with favorable  
46 recommendation:

47

48 Amend the House Judiciary Committee Report dated March 11, 2010,  
49 page 3, after line 20 insert:

50

51 **"SECTION 3. Appropriation - adjustments to the 2010 long**  
52 **bill.** (1) In addition to any other appropriation, there is hereby  
53 appropriated, out of any moneys in the general fund not otherwise  
54 appropriated, to the judicial department, probation and related services,  
55 for probation programs, for the fiscal year beginning July 1, 2010, the  
56 sum of three hundred eight thousand six hundred twenty-eight dollars

1 (\$308,628) and 5.2 FTE, or so much thereof as may be necessary, for the  
2 implementation of this act.

3  
4 (2) For the implementation of this act, the general fund  
5 appropriation made in the annual general appropriation act for the fiscal  
6 year beginning July 1, 2010, to the department of corrections,  
7 management, external capacity subprogram, for payments to house state  
8 prisoners, is decreased by two million five hundred forty-one thousand  
9 eight hundred ten dollars (\$2,541,810).

10  
11 **SECTION 4. Appropriation.** In addition to any other  
12 appropriation, there is hereby appropriated, out of any moneys in the  
13 general fund not otherwise appropriated, to the department of revenue,  
14 executive director's office, for personal services, for the fiscal year  
15 beginning July 1, 2010, the sum of three hundred thirty-six thousand fifty-  
16 seven dollars (\$336,057), or so much thereof as may be necessary, for the  
17 implementation of House Bill 09-1137, which was passed during the  
18 2009 regular session and enacted into law.

19  
20 **SECTION 5. Appropriation.** (1) In addition to any other  
21 appropriation, there is hereby appropriated, to the department of health  
22 care policy and financing, department of human services medicaid-funded  
23 programs, for child welfare services, for the fiscal year beginning July 1,  
24 2010, the sum of thirty-one thousand three dollars (\$31,003), or so much  
25 thereof as may be necessary, for the implementation of this act. Said sum  
26 from the general fund shall be subject to the "(M)" notation as defined in  
27 the general appropriation act. The general assembly anticipates that, for  
28 the fiscal year beginning July 1, 2010, the department of health care  
29 policy and financing will receive the sum of forty-nine thousand seven  
30 hundred fourteen dollars (\$49,714) in federal funds for the  
31 implementation of this act. Although these funds are not appropriated in  
32 this act, they are noted for the purpose of indicating the assumptions used  
33 relative to these funds.

34  
35 (2) In addition to any other appropriation, there is hereby  
36 appropriated, to the department of human services, division of child  
37 welfare, for child welfare services, for the fiscal year beginning July 1,  
38 2010, the sum of one million eight hundred forty-five thousand seven  
39 hundred thirty-seven dollars (\$1,845,737), or so much thereof as may be  
40 necessary, for the implementation of this act. Of said sum, one million  
41 sixty-four thousand five hundred fifty-nine dollars (\$1,064,559) shall be  
42 from the general fund, three hundred sixty-nine thousand one hundred  
43 forty-seven dollars (\$369,147) shall be cash funds from local funds,  
44 eighty thousand seven hundred seventeen dollars (\$80,717) shall be from  
45 reappropriated funds received from the department of health care policy  
46 and financing out of the appropriation made in subsection (1) of this  
47 section, and three hundred thirty-one thousand three hundred fourteen  
48 dollars (\$331,314) shall be from federal funds anticipated to be received  
49 pursuant to Title IV-E of the Social Security Act."

50  
51 Page 3, line 21, strike "**SECTION 3.**" and substitute "**SECTION 6.**".

52  
53 Page 3, after line 23, insert:  
54 "Page 1 of the printed bill, line 102, strike "**CONVICTIONS.**" and substitute  
55 "**CONVICTIONS, AND MAKING APPROPRIATIONS IN CONNECTION**  
56 **THEREWITH.**"."

1 **HB10-1349** 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 4, strike lines 14 and 15 and substitute:  
6

7 "(c) IF, BY JULY 1, 2010, THE COMBINED TOTAL AMOUNT OF  
8 MONEYS IN THE FUND CREATED PURSUANT TO PARAGRAPH (a) OF THIS  
9 SUBSECTION (4), TOGETHER WITH ANY FEDERAL MONEYS THAT MAY BE  
10 AVAILABLE FOR PURPOSES OF IMPLEMENTING THIS SECTION, HAVE NOT  
11 REACHED AN".  
12

13 Page 8, after line 16 insert:  
14

15 "**SECTION 5. Appropriation.** The general assembly anticipates  
16 that, for the fiscal year beginning July 1, 2010, the department of  
17 governor-lieutenant governor-state planning and budgeting, governor's  
18 energy office, will receive the sum of fifty thousand dollars (\$50,000) in  
19 federal funds for the implementation of this act. Said sum shall be from  
20 federal State Energy Planning funds received through the American  
21 Recovery and Reinvestment Act of 2009. Although these funds are not  
22 appropriated in this act, they are noted for the purpose of indicating the  
23 assumptions used relative to these funds."  
24

25 Renumber succeeding section accordingly.  
26

27 Page 1, line 108, strike "**RESOURCES.**" and substitute "**RESOURCES, AND**  
28 **MAKING AN APPROPRIATION THEREFOR.**".  
29

30  
31  
32 **HB10-1357** be amended as follows, and as so amended, be referred to  
33 the Committee of the Whole with favorable  
34 recommendation:  
35

36 Amend printed bill, page 45, after line 10 insert:  
37

38 "**SECTION 3. Appropriation.** In addition to any other  
39 appropriation, there is hereby appropriated to the department of law,  
40 criminal justice and appellate division, for allocation to the Medicaid  
41 fraud control unit, for the fiscal year beginning July 1, 2010, the sum of  
42 two hundred seventy-six thousand five hundred eighty dollars (\$276,580)  
43 and 3.0 FTE, or so much thereof as may be necessary, for the  
44 implementation of the provisions of this act that pertain to the "Colorado  
45 Medical Assistance Act" of title 25.5, Colorado Revised Statutes. Of this  
46 sum, sixty-nine thousand one hundred forty-five dollars (\$69,145) shall  
47 be from the general fund and two hundred seven thousand four hundred  
48 thirty-five dollars (\$207,435) shall be from federal funds. The  
49 appropriation from the general fund shall be subject to the "(M)" notation  
50 as defined in the general appropriation act.  
51

52 **SECTION 4. Appropriation.** In addition to any other  
53 appropriation, there is hereby appropriated, out of any moneys in the  
54 general fund not otherwise appropriated, to the department of law, special  
55 purpose division, for the fiscal year beginning July 1, 2010, the sum of  
56 one hundred seventy-seven thousand two hundred twenty-six dollars



1 (\$177,226) and 2.0 FTE, or so much thereof as may be necessary, for the  
2 implementation of the provisions of this act that do not pertain to the  
3 "Colorado Medical Assistance Act" of title 25.5, Colorado Revised  
4 Statutes."

5

6 Renumber succeeding section accordingly.

7

8 Page 1, line 101, strike "ACT." and substitute "ACT, AND MAKING AN  
9 APPROPRIATION IN CONNECTION THEREWITH."

10

11

12

13 **HB10-1364** be amended as follows, and as so amended, be referred to  
14 the Committee of the Whole with favorable  
15 recommendation:

16

17 Amend printed bill, page 29, after line 15 insert:

18

19 **"SECTION 15. Appropriation - legislative intent.** (1) In  
20 addition to any other appropriation, there is hereby appropriated, out of  
21 any moneys in the general fund not otherwise appropriated, to the judicial  
22 department, for allocation to the probation and related services division,  
23 for probation programs, for the fiscal year beginning July 1, 2010, the  
24 sum of eighty-six thousand eight hundred eighty-eight dollars (\$86,888)  
25 and 1.5 FTE, or so much thereof as may be necessary, for the  
26 implementation of this act.

27

28 (2) In addition to any other appropriation, there is hereby  
29 appropriated, out of any moneys in the general fund not otherwise  
30 appropriated, to the department of public safety, for allocation to the  
31 division of criminal justice, for research and reporting functions, for the  
32 fiscal year beginning July 1, 2010, the sum of one hundred thousand nine  
33 hundred twenty-six dollars (\$100,926) and 0.3 FTE, or so much thereof  
34 as may be necessary, for the implementation of this act.

35

36 (3) It is the intent of the general assembly that the general fund  
37 appropriation for the implementation of this act shall be derived from  
38 savings generated from the implementation of the provisions of House  
39 Bill 10-1338, as enacted during the second regular session of the sixty-  
40 seventh general assembly.

41

42 **SECTION 16. Effective date.** (1) This act shall take effect upon  
43 passage.

44

45 (2) Notwithstanding the provisions of subsection (1) of this  
46 section, this act shall take effect only if:

47

48 (a) The final fiscal estimate for House Bill 10-1338, as determined  
49 from the appropriations enacted in said bill, shows a net reduction in the  
50 amount of general fund revenues appropriated for the state fiscal year  
51 2010-11, that is equal to or greater than the amount of the general fund  
52 appropriation made for the implementation of this act for the state fiscal  
53 year 2010-11, as reflected in section 15 of this act; and

54

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

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

5  
6 Renumber succeeding section accordingly.

7  
8 Page 1, line 103 strike "BOARD." and substitute "BOARD, AND MAKING AN  
9 APPROPRIATION."

10

11

12

13 **HB10-1370** be referred to the Committee of the Whole with favorable  
14 recommendation.

15

16

17 **HB10-1398** be referred to the Committee of the Whole with favorable  
18 recommendation.

19

20

21

22

23 **HEALTH & HUMAN SERVICES**

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

26

27 **SB10-153** be referred to the Committee of the Whole with favorable  
28 recommendation.

29

30

31 **SB10-169** be referred favorably to the Committee on Appropriations.

32

33

34

35 **SB10-171** be amended as follows, and as so amended, be referred to  
36 the Committee on Appropriations with favorable  
37 recommendation:

38

39 Amend reengrossed bill, page 6, line 25, after "19-3.3-106," insert "AND  
40 SUBJECT TO AVAILABLE APPROPRIATIONS FOR THE PROGRAM,".

41

42 Page 11, strike lines 22 through 24 and substitute "PROTECTION  
43 ADVOCATES, AND LAW ENFORCEMENT AGENCIES."

44

45 Page 12, strike lines 7 and 8 and substitute "COMPENSATION."

46

47 Page 13, line 23, strike "(a)".

48

49 Page 14, strike lines 2 through 5.

50

51 Page 14, strike lines 26 and 27 and substitute "ASSOCIATED WITH  
52 IMPLEMENTING THIS ARTICLE."

53

54 Page 15, strike lines 1 through 5.

55

56

1 **JUDICIARY**

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

4  
5 **HB10-1373** be amended as follows, and as so amended, be referred to  
6 the Committee of the Whole with favorable  
7 recommendation:

8  
9 Amend printed bill, strike everything below the enacting clause and  
10 substitute:

11  
12 **"SECTION 1.** 18-8-208.1 (1) and (5), Colorado Revised Statutes,  
13 are amended, and the said 18-8-208.1 is further amended BY THE  
14 ADDITION OF A NEW SUBSECTION, to read:

15  
16 **18-8-208.1. Attempt to escape.** (1) EXCEPT AS OTHERWISE  
17 PROVIDED IN SUBSECTION (1.5) OF THIS SECTION, if a person, while in  
18 custody or confinement following conviction of a felony, knowingly  
19 attempts to escape from said custody or confinement, he OR SHE commits  
20 a class 4 felony. The sentence imposed pursuant to this subsection (1)  
21 shall run consecutively with any sentences being served by the offender.

22  
23 (1.5) IF A PERSON, WHILE IN CUSTODY OR CONFINEMENT  
24 FOLLOWING CONVICTION OF A FELONY AND EITHER SERVING A DIRECT  
25 SENTENCE TO A COMMUNITY CORRECTIONS PROGRAM PURSUANT TO  
26 SECTION 18-1.3-301, OR HAVING BEEN PLACED IN AN INTENSIVE  
27 SUPERVISION PAROLE PROGRAM PURSUANT TO SECTION 17-27.5-101,  
28 C.R.S., KNOWINGLY ATTEMPTS TO ESCAPE FROM HIS OR HER CUSTODY OR  
29 CONFINEMENT, HE OR SHE COMMITS A CLASS 5 FELONY. THE SENTENCE  
30 IMPOSED PURSUANT TO THIS SUBSECTION (1.5) MAY RUN CONCURRENTLY  
31 OR CONSECUTIVELY WITH ANY SENTENCE BEING SERVED BY THE  
32 OFFENDER.

33  
34 (5) The sentences imposed by ~~subsections (1) and (2)~~  
35 SUBSECTIONS (1), (1.5), AND (2) of this section and the minimum  
36 sentences imposed by subsections (3) and (4) of this section shall be  
37 mandatory, and the court shall not grant probation or a suspended  
38 sentence, in whole or in part; except that the court may grant a suspended  
39 sentence if the court is sentencing a person to the youthful offender  
40 system pursuant to section 18-1.3-407.

41  
42 **SECTION 2.** 18-8-209, Colorado Revised Statutes, is amended  
43 to read:

44  
45 **18-8-209. Concurrent and consecutive sentences.** (1) EXCEPT  
46 AS OTHERWISE PROVIDED IN SUBSECTION (2) OF THIS SECTION, any  
47 sentence imposed following conviction of an offense under sections  
48 18-8-201 to 18-8-208 or section 18-8-211 shall run consecutively and not  
49 concurrently with any sentence which the offender was serving at the time  
50 of the conduct prohibited by those sections.

51  
52 (2) IF AN OFFENDER WAS SERVING A DIRECT SENTENCE TO A  
53 COMMUNITY CORRECTIONS PROGRAM PURSUANT TO SECTION 18-1.3-301  
54 OR WAS IN AN INTENSIVE SUPERVISION PAROLE PROGRAM PURSUANT TO  
55 SECTION 17-27.5-101, C.R.S., AT THE TIME HE OR SHE COMMITTED AN  
56 OFFENSE SPECIFIED IN SECTION 18-8-201 OR 18-8-208, THE SENTENCE

1 IMPOSED FOLLOWING A CONVICTION OF SAID OFFENSE MAY RUN  
2 CONCURRENTLY WITH ANY SENTENCE THE OFFENDER WAS SERVING AT THE  
3 TIME HE OR SHE COMMITTED SAID OFFENSE.  
4

5 **SECTION 3. Safety clause.** The general assembly hereby finds,  
6 determines, and declares that this act is necessary for the immediate  
7 preservation of the public peace, health, and safety."  
8  
9

10  
11 **HB10-1374** be amended as follows, and as so amended, be referred to  
12 the Committee on Appropriations with favorable  
13 recommendation:  
14

15 Amend printed bill, page 3, strike lines 23 through 25 and substitute:  
16

17 **"17-2-207. Parole - regulations.** (3) Offenders on parole shall  
18 remain under legal custody and shall be subject at any time to be returned  
19 to a correctional facility. ~~If any paroled offender leaves the state~~  
20 ~~without".~~  
21  
22

23  
24 **SB10-159** be amended as follows, and as so amended, be referred to  
25 the Committee of the Whole with favorable  
26 recommendation:  
27

28 Amend reengrossed bill, strike everything below the enacting clause and  
29 substitute:  
30

31 **"SECTION 1.** Article 27 of title 17, Colorado Revised Statutes,  
32 is amended BY THE ADDITION OF A NEW SECTION to read:  
33

34 **17-27-103.5. Statements relating to a transitional referral to**  
35 **community corrections.** (1) PURSUANT TO THE PROVISIONS OF SECTION  
36 24-4.1-302.5 (1) (j.5), C.R.S., A VICTIM SHALL HAVE THE RIGHT TO  
37 PROVIDE A WRITTEN VICTIM IMPACT STATEMENT AND A SEPARATE ORAL  
38 STATEMENT TO A COMMUNITY CORRECTIONS BOARD CONSIDERING AN  
39 OFFENDER'S TRANSITIONAL REFERRAL TO COMMUNITY CORRECTIONS.  
40

41 (2) (a) (I) A COMMUNITY CORRECTIONS BOARD SHALL ALLOW,  
42 WITHIN THE PARAMETERS SET BY THE BOARD, AN OFFENDER WHO IS UNDER  
43 CONSIDERATION FOR TRANSITIONAL PLACEMENT IN A COMMUNITY  
44 CORRECTIONS PROGRAM UNDER THE BOARD'S JURISDICTION TO PROVIDE  
45 A WRITTEN STATEMENT TO THE COMMUNITY CORRECTIONS BOARD  
46 CONCERNING THE OFFENDER'S TRANSITION PLAN AND COMMUNITY  
47 SUPPORT AND THE APPROPRIATENESS OF PLACING THE OFFENDER IN A  
48 COMMUNITY CORRECTIONS PROGRAM.  
49

50 (II) IF AN OFFENDER ELECTS TO SUBMIT A WRITTEN STATEMENT TO  
51 A COMMUNITY CORRECTIONS BOARD PURSUANT TO SUBPARAGRAPH (I) OF  
52 THIS PARAGRAPH (a), AND THE OFFENDER PROVIDES A WRITTEN  
53 STATEMENT TO THE DEPARTMENT PURSUANT TO THE PROCEDURES AND  
54 TIME FRAME ESTABLISHED BY THE DEPARTMENT, THE DEPARTMENT SHALL  
55 INCLUDE THE STATEMENT WITH ANY REFERRAL TO A COMMUNITY  
56 CORRECTIONS BOARD CONSIDERING THE OFFENDER'S TRANSITIONAL

1 REFERRAL TO A COMMUNITY CORRECTIONS PROGRAM.

2

3 (b) A COMMUNITY CORRECTIONS BOARD MAY ALLOW, WITHIN THE  
4 PARAMETERS SET BY THE BOARD, AN OFFENDER TO DESIGNATE A PERSON  
5 OTHER THAN THE OFFENDER TO SUBMIT A WRITTEN STATEMENT OR GIVE  
6 AN ORAL STATEMENT ON THE OFFENDER'S BEHALF TO A COMMUNITY  
7 CORRECTIONS BOARD CONSIDERING THE OFFENDER'S TRANSITIONAL  
8 REFERRAL TO A COMMUNITY CORRECTIONS PROGRAM.

9

10 (3) A COMMUNITY CORRECTIONS BOARD SHALL DEVELOP WRITTEN  
11 POLICIES AND PROCEDURES CONSISTENT WITH THE PROVISIONS OF THIS  
12 SECTION AND SECTION 24-4.1-302.5 (1) (j.5), C.R.S., THAT ARE  
13 AVAILABLE TO THE PUBLIC CONCERNING THE PARAMETERS FOR WRITTEN  
14 AND ORAL STATEMENTS BY VICTIMS AND THE PERMISSIBILITY OF AND THE  
15 PARAMETERS FOR A WRITTEN OR ORAL STATEMENT BY A PERSON  
16 DESIGNATED BY AN OFFENDER.

17

18 (4) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE  
19 THE DEPARTMENT OR A COMMUNITY CORRECTIONS BOARD TO PROVIDE  
20 TRANSPORTATION OR MAKE ARRANGEMENTS FOR THE APPEARANCE AT A  
21 COMMUNITY CORRECTIONS HEARING OF AN OFFENDER OR, IF PERMITTED  
22 BY A COMMUNITY CORRECTIONS BOARD, THE PERSON DESIGNATED BY THE  
23 OFFENDER PURSUANT TO PARAGRAPH (b) OF SUBSECTION (2) OF THIS  
24 SECTION TO GIVE AN ORAL STATEMENT OR TO SUBMIT A WRITTEN  
25 STATEMENT ON THE OFFENDER'S BEHALF.

26

27 (5) THE DEPARTMENT SHALL NOT BE REQUIRED TO PROVIDE NOTICE  
28 TO ANY PERSON, OTHER THAN A REGISTERED VICTIM, OF A COMMUNITY  
29 CORRECTIONS BOARD HEARING RELATING TO THE OFFENDER.

30

31 **SECTION 2. Act subject to petition - effective date.** This act  
32 shall take effect at 12:01 a.m. on the day following the expiration of  
33 the ninety-day period after final adjournment of the general assembly  
34 (August 11, 2010, if adjournment sine die is on May 12, 2010); except  
35 that, if a referendum petition is filed pursuant to section 1 (3) of article  
36 V of the state constitution against this act or an item, section, or part of  
37 this act within such period, then the act, item, section, or part shall not  
38 take effect unless approved by the people at the general election to be  
39 held in November 2010 and shall take effect on the date of the official  
40 declaration of the vote thereon by the governor."

41

42

43

44

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## PRINTING REPORT

45

46 The Chief Clerk reports the following bills have been correctly printed:  
47 **HB10-1407, 1408, 1409, 1410.**

48

49

50

51

## SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

52

53 The Speaker has signed: SB10-038, 047, 060, 062, 075, 111;  
54 SJM10-003; SJR10-010, 029, 030, 031.

55

56

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**DELIVERY OF BILLS TO GOVERNOR**1  
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The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB10-1058, 1062, 1083, 1236** at 9:16 a.m. on April 16, 2010.

---

**MESSAGE(S) FROM THE SENATE**

The Senate has voted to concur in House amendments to SB10-020 and repassed the bill as amended.

The Senate has voted to recede from its position on HB10-1211 and repassed the bill. The bill is returned herewith.

---

**INTRODUCTION OF BILLS  
First Reading**

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

**HB10-1411** by Representative(s) Waller, Liston, Pace--Concerning the national instant criminal background check system.  
Committee on Judiciary

**HB10-1412** by Representative(s) Carroll T.--Concerning the creation of the charter school and charter authorizer standards review committee.  
Committee on Education

**HB10-1413** by Representative(s) Levy and May, Carroll T.; also Senator(s) Newell and Lundberg--Concerning juveniles who are tried as adults.  
Committee on Judiciary

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**LAY OVER OF CALENDAR ITEM(S)**

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until April 19, retaining place on Calendar:

Consideration of Resolution(s)--**HJR10-1020, 1021, SJR10-025, HJR10-1023, HJR10-1019.**

Consideration of Senate Amendment(s)--**HB10-1188, 1385, 1386, 1220, 1293, 1387, HJR10-1015, HB10-1096, 1208.**

---

1 On motion of Representative Weissmann, the House adjourned until  
2 10:00 a.m., April 19, 2010.

3

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5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

TERRANCE D. CARROLL,

Speaker

