

SENATE JOURNAL
 Sixty-seventh General Assembly
STATE OF COLORADO
 Second Regular Session

38th Legislative Day Friday, February 19, 2010

Prayer By the chaplain, Reverend John Thompson, Park Hill United Methodist Church, Denver. 11
 Call to Order By the President at 9:00 a.m. 13
 Pledge By Senator Sandoval. 16
 Roll Call Present--33 18
 Absent--2, Johnston, Williams. 19
 Present later---2, Johnston, Williams. 20
 Quorum The President announced a quorum present. 22
 Reading of Journal On motion of Senator Hudak, reading of the Journal of Thursday, February 18, 2010, was dispensed with and the Journal was approved as corrected by the Secretary. 24

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions. 29

CONSIDERATION OF RESOLUTIONS

SJR10-013 by Senator(s) Heath, Bacon, Hudak, King K., Newell, Romer, Spence, Steadman, Williams; also Representative(s) Miklosi and Summers, Court, Todd, Benefield, Massey, Merrifield, Middleton, Murray, Peniston, Scanlan, Schafer S., Solano, Tipton--Concerning recognition of career and technical education month. 36

On motion of Senator Heath, the resolution was read at length and **adopted** by the following roll call vote: 41

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	E	Schwartz	Y		

Co-sponsors added: Boyd, Brophy, Cadman, Carroll M., Foster, Gibbs, Harvey, Hodge, Johnston, Keller, Kester, Kopp, Lundberg, Morse, Penry, Renfroe, Sandoval, Scheffel, Schultheis, Schwartz, Shaffer B., Tapia, Tochtrop, White and Whitehead. 55

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB10-165 was made Special Orders at 9:18 a.m. 61

Committee of the Whole The hour of 9:18 a.m. having arrived, Senator Bacon moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Bacon was called to the chair to act as Chairman. 65

SPECIAL ORDERS -- SECOND READING OF BILLS

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

SB10-165 by Senator(s) Hodge; also Representative(s) Hullinghorst--Concerning implementation of the incorporation of oil and gas wells into the prior appropriation system.

Amendment No. 1, Agriculture & Natural Resources Committee Amendment.
(Printed in Senate Journal, February 18, pages 276-277 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Bacon, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB10-165 as amended.

Committee of the Whole On motion of Senator Bacon, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar and Senator Bacon was called to the Chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

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

SB10-102 by Senator(s) Gibbs; also Representative(s) Fischer--Concerning the certification of users of prescribed fire according to standards established by the Colorado state forest service.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB10-123 by Senator(s) Morse, Brophy, Carroll M., Mitchell, Schwartz; also Representative(s) Labuda, Gardner B., Kagan, Levy, Roberts--Concerning on-line publications of the secretary of state published pursuant to the "State Administrative Procedure Act".

Ordered engrossed and placed on the calendar for third reading and final passage.

SB10-163 by Senator(s) Tochtrop; also Representative(s) Kerr A.--Concerning workers' compensation procedures.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 16, page 257 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB10-142 by Senator(s) Foster; also Representative(s) Gerou--Concerning the process of resolving

disputes related to sales and use tax paid to a local government.

Ordered engrossed and placed on the calendar for third reading and final passage.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

On motion of Senator Bacon, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB10-102, SB10-123, SB10-163 as amended, SB10-142.

Committee of the Whole On motion of Senator Bacon, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Bacon was called to the chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB10-081 by Senator(s) Sandoval; also Representative(s) Solano--Concerning creation of the "Farm-to-School Healthy Kids Act", and, in connection therewith, establishing an interagency task force to develop farm-to-school program policies.

Amendment No. 1, Education Committee Amendment.

(Printed in Senate Journal, February 12, page 223 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB10-118 by Senator(s) Tochtrop, Carroll M.; also Representative(s) Miklosi, Primavera--Concerning authorizing the department of human services to obtain a fingerprint-based criminal history record check on an individual who cares for a related child whose care is funded in whole or in part with moneys received from the Colorado child care assistance program.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB10-076 by Senator(s) Carroll M.; --Concerning unreasonable insurance claims settlement practices.

Laid over until Monday, February 22, retaining its place on the calendar.

SB10-150 by Senator(s) Tapia, Keller, White; also Representative(s) Pommer, Ferrandino, Lambert--Concerning the transfer in state fiscal year 2010-11 of all moneys not otherwise allocated from state public school lands to the state public school fund instead of the permanent school fund.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB10-1110 by Representative(s) Weissmann; also Senator(s) Morse--Concerning payment of expenses of the legislative department.

- Ordered revised and placed on the calendar for third reading and final passage. 1
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- SB10-149** by Senator(s) Tapia, Keller, White; also Representative(s) Ferrandino, Pommer, Lambert-- 4
Concerning advancements to counties from the county tax base relief fund. 5
- Ordered engrossed and placed on the calendar for third reading and final passage. 6
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- SB10-151** by Senator(s) White, Keller, Tapia; also Representative(s) Pommer, Ferrandino, Lambert-- 10
Concerning the repeal of the Colorado comprehensive health fund. 11
- Ordered engrossed and placed on the calendar for third reading and final passage. 12
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- SB10-146** by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Lambert-- 16
Concerning a temporary modification to the contribution rates for certain divisions of the 17
public employees' retirement association. 18
- Amendment No. 1, Appropriations Committee Amendment. 19
(Printed in Senate Journal, February 12, page 233 and placed in members' bill files.) 20
- As amended, ordered engrossed and placed on the calendar for third reading and final 21
passage. 22
- SB10-103** by Senator(s) Sandoval, Schwartz, Gibbs, Harvey, Hudak, Kester, Morse, Romer, Tochtrop, 27
White, Williams; also Representative(s) Baumgardner, Bradford, Fischer, Frangas, Gardner 28
B., Kerr A., McFadyen, McNulty, Miklosi, Murray, Nikkel, Primavera, Priola, Solano, 29
Tyler--Concerning the creation of a Colorado state parks special license plate. 30
- Amendment No. 1, Appropriations Committee Amendment. 31
(Printed in Senate Journal, February 12, pages 233-234 and placed in members' bill files.) 32
- Amendment No. 2(L.002), by Senator Schwartz. 33
- Amend printed bill, page 2, line 22, after the period add "ALL MONEYS 34
COLLECTED PURSUANT TO THIS SUBSECTION (3) AND ALL INTEREST AND 35
INCOME EARNED ON THE INVESTMENT OF SUCH MONEYS SHALL BE 36
EXPENDED ON COLORADO STATE PARKS. THE FOUNDATION FOR 37
COLORADO STATE PARKS OR A SUCCESSOR ORGANIZATION SHALL RETAIN 38
THE RECORDS OF THE EXPENDITURES OF MONEYS COLLECTED PURSUANT 39
TO THIS SUBSECTION (3) FOR AT LEAST THREE YEARS AFTER THE 40
EXPENDITURE IS MADE." 41
- As amended, ordered engrossed and placed on the calendar for third reading and final 42
passage. 43
- (For further action, see amendments to the report of the Committee of the Whole.) 44
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- SB10-075** by Senator(s) White; also Representative(s) Baumgardner--Concerning the requirement that 46
military vehicles valued for historical purposes bear a license plate. 47
- Ordered engrossed and placed on the calendar for third reading and final passage. 48
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- SB10-066** by Senator(s) Hudak, Carroll M., Steadman; also Representative(s) Levy--Concerning the 50
requirement that certain persons report child abuse or neglect. 51
- Amendment No. 1, Judiciary Committee Amendment. 52
(Printed in Senate Journal, February 16, page 250 and placed in members' bill files.) 53
- As amended, ordered engrossed and placed on the calendar for third reading and final 54
passage. 55
- SB10-063** by Senator(s) White; also Representative(s) Waller--Concerning limiting civil liability for 56
attorneys who contract to provide certain services for the office of alternate defense counsel. 57
- Amendment No. 1, Judiciary Committee Amendment. 58
(Printed in Senate Journal, February 16, pages 249-250 and placed in members' bill files.) 59
- As amended, ordered engrossed and placed on the calendar for third reading and final 60
passage. 61
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- SB10-063** by Senator(s) White; also Representative(s) Waller--Concerning limiting civil liability for 65
attorneys who contract to provide certain services for the office of alternate defense counsel. 66
- Amendment No. 1, Judiciary Committee Amendment. 67
(Printed in Senate Journal, February 16, pages 249-250 and placed in members' bill files.) 68
- As amended, ordered engrossed and placed on the calendar for third reading and final 69
passage. 70
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- SB10-093** by Senator(s) Lundberg; --Concerning the orderly resolution of claims in foreclosures involving junior liens. 1
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Laid over until Monday, February 22, retaining its place on the calendar. 5
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- HB10-1095** by Representative(s) Gerou; also Senator(s) Kopp--Concerning a limitation on the authority of a fire protection district to charge fees for providing certain rescue services to those services provided at the scene of a motor vehicle accident. 8
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Ordered revised and placed on the calendar for third reading and final passage. 12
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- SB10-122** by Senator(s) Morse; also Representative(s) Weissmann--Concerning the elimination of the nonprofit corporation organized to be a lessor in the master lease program of the state, and, in connection therewith, specifying the types of entities that can be a lessor in the master lease program and authorizing the executive director of the department of personnel to execute documents regarding lease-purchase agreements for which said nonprofit corporation was the lessor. 14
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Amendment No. 1, Finance Committee Amendment. 21
(Printed in Senate Journal, February 17, page 260 and placed in members' bill files.) 22
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Amendment No. 2(L.002), by Senator Morse. 24
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Amend printed bill, page 3, line 12, strike "SUBSECTION (2)," and substitute "SUBSECTION (2):". 26
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Page 3, strike line 13 and substitute: 29
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"(a) THE DIRECTOR IS AUTHORIZED TO EXECUTE ON BEHALF OF THE NONPROFIT". 31
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Page 3, line 17, strike "PART 7." and substitute "PART 7;". 34
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Page 3, after line 17 insert: 37
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"(b) THE DIRECTOR IS AUTHORIZED TO EXPEND MONEYS OF THE NONPROFIT CORPORATION ABOLISHED BY SENATE BILL 10-122, ENACTED IN 2010, AS IS NECESSARY AND APPROPRIATE TO WIND UP THE AFFAIRS OF THE NONPROFIT CORPORATION. AFTER RECEIVING WRITTEN NOTIFICATION FROM THE DIRECTOR THAT THE AFFAIRS OF THE NONPROFIT CORPORATION HAVE BEEN CONCLUDED, THE STATE TREASURER SHALL TRANSFER THE REMAINING BALANCE OF ANY ACCOUNT IN THE STATE TREASURY CONTAINING MONEYS OF THE NONPROFIT CORPORATION TO THE GENERAL FUND. 39
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(c) THE STATE TREASURER IS AUTHORIZED TO ACCEPT ON BEHALF OF THE NONPROFIT CORPORATION ABOLISHED BY SENATE BILL 10-122, ENACTED IN 2010, ANY REVENUES TO WHICH THE NONPROFIT CORPORATION WOULD OTHERWISE BE LEGALLY ENTITLED. ANY REVENUES SO RECEIVED BY THE STATE TREASURER SHALL BE CREDITED TO THE GENERAL FUND." 48
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As amended, ordered engrossed and placed on the calendar for third reading and final passage. 55
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- SB10-048** by Senator(s) Heath; also Representative(s) Levy--Concerning the regulation of the purchase of commodity scrap metals. 58
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Amendment No. 1, Business, Labor & Technology Committee Amendment. 61
(Printed in Senate Journal, February 17, page 261 and placed in members' bill files.) 62
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As amended, ordered engrossed and placed on the calendar for third reading and final passage. 64
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- SB10-080** by Senator(s) Newell, Steadman, Bacon, Gibbs, Hudak, Johnston, Morse, Romer, Sandoval, Tapia, Tochtrop, Williams; also Representative(s) Frangas, Todd--Concerning allowing court-entered civil protection orders to include directives concerning animals. 67
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Amendment No. 1, Judiciary Committee Amendment. 71
(Printed in Senate Journal, February 17, pages 262-263 and placed in members' bill files.) 72

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

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

Amendment No. 1, General Orders Committee Amendment.
(Printed in Senate Journal, February 12, page 230 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB10-114 by Senator(s) Carroll M.; also Representative(s) Weissmann--Concerning the "Colorado Taxpayer Transparency Act of 2010".

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 3, page 146 and placed in members' bill files.)

Amendment No. 2(L.009), by Senator Carroll.

Strike the Judiciary Committee Report, dated February 2, 2010.

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

"SECTION 1. Short title. This act shall be known and may be cited as the "Colorado Taxpayer Transparency Act of 2010".

SECTION 2. 24-101-401, Colorado Revised Statutes, is amended to read:

24-101-401. Public access to procurement information.

(1) Except as provided in section 24-103-202 (4), procurement information shall be a public record and shall be available to the public, as provided in sections 24-72-203 and 24-72-204.

(2) (a) EACH CONTRACT ENTERED INTO BY A GOVERNMENTAL BODY PURSUANT TO THE PROVISIONS OF THIS CODE SHALL SPECIFY THAT THE CONTRACT IS OPEN TO INSPECTION BY THE PUBLIC.

(b) THE RECORDS RELATING TO THE COSTS OR ANY PERFORMANCE MEASURES UNDER THE CONTRACT THAT ARE MADE, MAINTAINED, OR KEPT BY ANY PARTY TO THE CONTRACT SHALL BE AVAILABLE TO THE GOVERNMENTAL BODY AND THE GOVERNMENTAL BODY SHALL MAINTAIN A COPY OF EACH SUCH CONTRACT, WHICH COPY, IN THE POSSESSION OF THE GOVERNMENTAL BODY ONLY, SHALL BE A PUBLIC RECORD FOR PURPOSES OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF THIS TITLE.

(c) ON OR BEFORE SEPTEMBER 1, 2010, EACH CONTRACT ENTERED INTO PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2) SHALL BE MADE AVAILABLE AND ACCESSIBLE TO THE PUBLIC ON THE WEB SITE MAINTAINED BY THE GOVERNMENTAL BODY THAT ENTERED INTO THE CONTRACT, EXCEPT FOR PORTIONS THEREOF THAT ARE SUBJECT TO PARAGRAPH (e) OF THIS SUBSECTION (2).

(d) NOTHING IN THIS SUBSECTION (2) SHALL BE CONSTRUED TO REQUIRE A GOVERNMENTAL BODY OR A CUSTODIAN TO MAKE ANY PUBLIC RECORDS AVAILABLE FOR INSPECTION OR OTHERWISE ACCESSIBLE TO THE PUBLIC THAT A CUSTODIAN IS OTHERWISE AUTHORIZED OR REQUIRED TO DENY INSPECTION OF PURSUANT TO SECTION 24-72-204.

(e) ANY PORTION OF ANY CONTRACT OR OTHER RECORD COVERED BY THIS SUBSECTION (2) THAT IS DESIGNATED AND ATTESTED BY THE GOVERNMENTAL CONTRACTOR TO BE EXEMPT FROM DISCLOSURE PURSUANT TO STATE OR FEDERAL STATUTE SHALL INITIALLY BE WITHHELD FROM THE PUBLIC BY THE GOVERNMENTAL BODY, PENDING DETERMINATION OF THE APPLICABILITY OF AN EXEMPTION FROM INSPECTION PURSUANT TO SECTION 24-72-204.

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(f) UPON RECEIPT OF ANY RECORDS REQUEST PURSUANT TO PARAGRAPH (E) OF THIS SUBSECTION (2), THE GOVERNMENTAL BODY SHALL NOTIFY THE GOVERNMENT CONTRACTOR OF THE REQUEST. THE GOVERNMENTAL BODY SHALL PROVIDE SUCH RECORDS UNLESS THE GOVERNMENT CONTRACTOR MAKES THE DESIGNATION AND ATTESTATION REQUIRED BY PARAGRAPH (e) OF THIS SUBSECTION (2) WITHIN TWENTY-ONE DAYS OF SUCH NOTIFICATION.

SECTION 3. 27-10.5-105 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

27-10.5-105. Community centered boards - designation - purchase of services and supports by community centered boards.

(2) Once a community centered board has been designated pursuant to this section, it shall, subject to available appropriations:

(k) (I) MAKE AVAILABLE FOR INSPECTION TO THE PUBLIC, WITH ACCESS, ANY CONTRACT OR PUBLIC RECORDS RELATING TO THE DESIGNATION OF THE COMMUNITY CENTERED BOARD OR TO THE SERVICES AND SUPPORTS PROVIDED BY THE BOARD. THE DEPARTMENT SHALL MAINTAIN A COPY OF EACH SUCH CONTRACT OR RELATED RECORD, WHICH CONTRACT OR RECORD SHALL BE A PUBLIC RECORD FOR PURPOSES OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24, C.R.S.

(II) ON OR BEFORE SEPTEMBER 1, 2010, EACH CONTRACT SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (k) SHALL BE MADE AVAILABLE AND ACCESSIBLE TO THE PUBLIC ON THE WEB SITE MAINTAINED BY THE DEPARTMENT.

(III) NOTHING IN THIS PARAGRAPH (k) SHALL BE CONSTRUED TO REQUIRE A COMMUNITY CENTERED BOARD OR THE DEPARTMENT TO MAKE ANY PUBLIC RECORDS AVAILABLE FOR INSPECTION THAT A CUSTODIAN IS OTHERWISE AUTHORIZED OR REQUIRED TO DENY INSPECTION OF PURSUANT TO SECTION 24-72-204, C.R.S.

SECTION 4. Act subject to petition - effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part shall not take effect unless approved by the people at the general election to be held in November 2010 and shall take effect on the date of the official declaration of the vote thereon by the governor."

Amendment No. 3(L.011), by Senator Schwartz.

Amend the Carroll floor amendment, (SB114_L.009), page 1, after line 5 insert:

"SECTION 2. 24-72-202 (1.6), Colorado Revised Statutes, is amended to read:

24-72-202. Definitions. As used in this part 2, unless the context otherwise requires:

(1.6) "Institutionally related foundation" means a nonprofit corporation, foundation, institute, or similar entity that is organized for the benefit of one or more institutions OR FOR THE BENEFIT OF A PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT and that has as its principal purpose receiving or using private donations to be held or used for the benefit of an institution OR DEPARTMENT. An institutionally related foundation shall be deemed not to be a governmental body, agency, or other public body for any purpose."

Renumber succeeding sections accordingly.

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Amendment No. 4(L.012), by Senator Kopp.

Amend the Carroll floor amendment, (SB114_L.009), page 1, after line 5 insert:

"SECTION 2. 24-72.4-103 (1) (a), Colorado Revised Statutes, is amended to read:

24-72.4-103. Web-based system - enhancements. (1) No later than January 1, 2010, the chief information officer shall modify the web-based system to meet the following requirements:

(a) The state expenditures and revenues data included in the web-based system shall be the expenditure and revenue data included in the state financial system database, commonly known as the financial data warehouse, created by the office of information technology on behalf of the state controller pursuant to the authority set forth in section 24-30-202; ~~except that, regardless of the form of the data in the financial data warehouse, where access to each individual transaction is likely to hinder, rather than foster, the goal of accountability and transparency, the system may provide access to aggregated information;~~".

Renumber succeeding sections accordingly.

Amendment No. 5(L.016), by Senator Kopp.

Amend the Carroll floor amendment, (SB114_L.009), page 1, strike lines 18 through 20 and substitute "GOVERNMENTAL BODY FOR PURPOSES".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

(For further action, see amendments to the report of the Committee of the Whole.)

SB10-007 by Senator(s) Hudak; also Representative(s) Gagliardi--Concerning collaboration in the provision of multi-agency services.

Amendment No. 1(L.001), by Senator Boyd.

Amend printed bill, page 4, line 6, strike "LOCAL" and substitute "FAMILY RESOURCE CENTERS CREATED PURSUANT TO ARTICLE 18 OF TITLE 26, C.R.S.".

Page 4, strike lines 7 through 20.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB10-059 by Senator(s) Williams; also Representative(s) Ryden--Concerning the addition of a line to Colorado state individual income tax return forms whereby individual taxpayers may make a voluntary contribution benefiting the Colorado D.A.R.E. fund.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, February 12, page 234 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB10-112 by Senator(s) Kopp, Carroll M.; --Concerning rate setting for workers' compensation insurance.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, February 10, pages 220-221 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.

(Printed in Senate Journal, February 17, page 260 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

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AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB10-103 by Senator(s) Sandoval, Schwartz, Gibbs, Harvey, Hudak, Kester, Morse, Romer, Tochtrop, White, Williams; also Representative(s) Baumgardner, Bradford, Fischer, Frangas, Gardner B., Kerr A., McFadyen, McNulty, Miklosi, Murray, Nikkel, Primavera, Priola, Solano, Tyler--Concerning the creation of a Colorado state parks special license plate.

Senator Renfroe moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 10-103 did pass.

Amend printed bill, page 2, line 23, after "(4)" insert "(a)".

Page 3, after line 4 insert:

"(b) IN ADDITION TO ANY OTHER FEES, A PERSON WHO IS ISSUED COLORADO STATE PARKS SPECIAL LICENSE PLATE SHALL PAY AN ANNUAL LICENSE PLATE RENEWAL FEE EQUAL TO THE AMOUNT OF THE STATE PARK PASS FEE, WHICH FEE SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE PARKS AND OUTDOOR RECREATION CASH FUND CREATED IN SECTION 33-10-111, C.R.S. ; EXCEPT THAT THE DEPARTMENT AND ITS AUTHORIZED AGENTS MAY RETAIN THE PORTION OF THE DONATION NECESSARY TO OFFSET IMPLEMENTING THIS PARAGRAPH (b), UP TO A MAXIMUM OF TWO DOLLARS. THE PLATE SHALL ALLOW ENTRANCE INTO A STATE PARK, IN PLACE OF A STATE PARK PASS."

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Bacon	N	Hodge	N	Morse	N	Spence	Y
Boyd	N	Hudak	Y	Newell	Y	Steadman	N
Brophy	Y	Johnston	N	Penry	Y	Tapia	N
Cadman	Y	Keller	N	Renfroe	Y	Tochtrop	N
Carroll M.	Y	Kester	Y	Romer	N	White	Y
Foster	Y	King K.	Y	Sandoval	N	Whitehead	Y
Gibbs	N	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	N	Mitchell	Y	Schwartz	N		

Senator Sandoval moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 10-103 did pass.

Amend the Schwartz floor amendment (SB103_L.002), page 1, line 4, strike "PARKS." and substitute "PARKS PROJECTS."

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

SB10-114 by Senator(s) Carroll M.; also Representative(s) Weissmann--Concerning the "Colorado Taxpayer Transparency Act of 2010".

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 10-114 did pass.

Amend the Carroll M. floor amendment (SB114_L.009), page 3, after line 13 insert:

"SECTION 4. Article 44 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

PART 3
PUBLIC SCHOOL FINANCIAL TRANSPARENCY ACT

22-44-301. Short title. THIS PART 3 SHALL BE KNOWN AND MAY BE CITED AS THE "PUBLIC SCHOOL FINANCIAL TRANSPARENCY ACT".

22-44-302. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) TAXPAYERS SHOULD HAVE EASIER ACCESS TO DETAILS REGARDING HOW PUBLIC SCHOOLS ARE SPENDING TAXPAYER DOLLARS; AND

(b) EASIER ACCESS TO AND STORAGE OF ELECTRONIC DATA SHOULD FACILITATE INCREASING TRANSPARENCY IN PUBLIC SCHOOLS' FINANCIAL MATTERS.

(2) THEREFORE, IT IS THE INTENT OF THE GENERAL ASSEMBLY TO DIRECT EACH PUBLIC SCHOOL TO CREATE AND MAINTAIN AN ON-LINE REVENUE AND EXPENDITURE DATABASE DETAILING THE PUBLIC SCHOOL'S FINANCIAL ACTIVITIES.

22-44-303. Definitions. AS USED IN THIS PART 3, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) (a) "ENTITY" MEANS A CORPORATION, ASSOCIATION, UNION, LIMITED LIABILITY COMPANY, LIMITED LIABILITY PARTNERSHIP, GRANTEE, CONTRACTOR, LOCAL GOVERNMENT, OR OTHER LEGAL ENTITY INCLUDING A NONPROFIT CORPORATION OR AN EMPLOYEE OF A LOCAL EDUCATION PROVIDER.

(b) "ENTITY" SHALL NOT INCLUDE AN INDIVIDUAL RECIPIENT OF STATE PUBLIC ASSISTANCE.

(2) "LOCAL EDUCATION PROVIDER" MEANS:

(a) A SCHOOL DISTRICT, OTHER THAN A JUNIOR COLLEGE DISTRICT, ORGANIZED AND EXISTING PURSUANT TO LAW;

(b) A BOARD OF COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF THIS TITLE;

(c) THE STATE CHARTER SCHOOL INSTITUTE ESTABLISHED PURSUANT TO SECTION 22-30.5-503;

(d) A DISTRICT CHARTER SCHOOL AUTHORIZED PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE; OR

(e) AN INSTITUTE CHARTER SCHOOL AUTHORIZED PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE.

(3) "ON-LINE DATABASE" MEANS THE ON-LINE REVENUE AND EXPENDITURE DATABASE REQUIRED PURSUANT TO SECTION 22-44-304.

(4) "PUBLIC RECORD" SHALL HAVE THE SAME MEANING AS SET FORTH IN SECTION 24-72-202 (6), C.R.S.

22-44-304. On-line revenue and expenditure database - creation.

(1) NO LATER THAN SEPTEMBER 1, 2011, EACH LOCAL EDUCATION PROVIDER SHALL DEVELOP, MAINTAIN, AND MAKE PUBLICLY AVAILABLE A SINGLE, ON-LINE REVENUE AND EXPENDITURE DATABASE THAT ALLOWS THE PUBLIC TO REVIEW AT NO COST INFORMATION CONCERNING MONEYS COLLECTED AND EXPENDED BY THE LOCAL EDUCATION PROVIDER.

(2) THE ON-LINE DATABASE SHALL INCLUDE INFORMATION CONCERNING THE SOURCE OF ALL REVENUE RECEIVED BY THE LOCAL EDUCATION PROVIDER IN EXCESS OF FIFTY DOLLARS.

(3) THE ON-LINE DATABASE SHALL INCLUDE THE FOLLOWING DATA CONCERNING ALL EXPENDITURES MADE BY THE LOCAL EDUCATION PROVIDER:

(a) THE NAME AND PRINCIPAL LOCATION OR ADDRESS OF THE ENTITY

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RECEIVING MONEYS; EXCEPT THAT INFORMATION CONCERNING A PAYMENT TO AN EMPLOYEE OF THE LOCAL EDUCATION PROVIDER SHALL IDENTIFY THE INDIVIDUAL EMPLOYEE BY NAME AND BUSINESS ADDRESS OR LOCATION ONLY;

(b) THE AMOUNT OF EXPENDED MONEYS;

(c) THE FUNDING SOURCE OF THE EXPENDED MONEYS, INCLUDING BUT NOT LIMITED TO FEDERAL GRANTS, STATE OR LOCAL TAX REVENUE, PRIVATE DONATIONS, AND FEES COLLECTED;

(d) THE DATE OF THE EXPENDITURE;

(e) THE NAME OF THE BUDGET PROGRAM, ACTIVITY, OR CATEGORY SUPPORTING THE EXPENDITURE;

(f) A DESCRIPTION OF THE PURPOSE FOR THE EXPENDITURE; AND

(g) TO THE EXTENT POSSIBLE, A UNIQUE IDENTIFIER FOR EACH EXPENDITURE.

(4) THE REQUIRED DATA SHALL BE PROVIDED IN AN OPEN, STRUCTURED DATA FORMAT THAT:

(a) MAY BE DOWNLOADED BY THE USER; AND

(b) ALLOWS THE USER TO SYSTEMATICALLY SORT, SEARCH, AND ACCESS ALL DATA.

(5) THE ON-LINE DATABASE SHALL CONTAIN ONLY INFORMATION THAT IS A PUBLIC RECORD OR THAT IS NOT CONFIDENTIAL OR OTHERWISE PROTECTED FROM PUBLIC DISCLOSURE PURSUANT TO STATE OR FEDERAL LAW.

(6) THE LOCAL EDUCATION PROVIDER SHALL:

(a) UPDATE THE DATA CONTAINED IN THE ON-LINE DATABASE AT LEAST MONTHLY;

(b) ARCHIVE THE DATA IN THE ON-LINE DATABASE IN A MANNER THAT ALLOWS THE DATA TO REMAIN ACCESSIBLE TO THE PUBLIC AND DOWNLOADABLE AND SEARCHABLE BY A USER PURSUANT TO SUBSECTION (4) OF THIS SECTION.

(c) MAKE THE ON-LINE DATABASE EASILY ACCESSIBLE FROM THE MAIN PAGE OF THE LOCAL EDUCATION PROVIDER'S WEB SITE; AND

(d) CREATE AND MAKE EASILY ACCESSIBLE AN AUTOMATED RICH SITE SUMMARY FEED TO WHICH USERS OF THE ON-LINE DATABASE MAY SUBSCRIBE FOR NOTIFICATION OF UPDATES TO THE ON-LINE DATABASE."

Renumber succeeding section accordingly.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Bacon	N	Hodge	N	Morse	N	Spence	Y
Boyd	N	Hudak	N	Newell	N	Steadman	N
Brophy	Y	Johnston	N	Penry	Y	Tapia	N
Cadman	Y	Keller	N	Renfroe	Y	Tochtrop	N
Carroll M.	N	Kester	Y	Romer	N	White	Y
Foster	N	King K.	Y	Sandoval	N	Whitehead	N
Gibbs	N	Kopp	Y	Scheffel	Y	Williams	N
Harvey	Y	Lundberg	Y	Schultheis	Y	President	N
Heath	N	Mitchell	Y	Schwartz	Y		

Senator Renfroe moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 10-114 did pass.

Amend the Carroll M. floor amendment (SB114_L.009), page 3, after line 13 insert:

"SECTION 4. Article 2 of title 40, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

40-2-128. Utility bills - cost transparency - disclosures to customers.

(1) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT ALL COLORADANS HAVE THE RIGHT TO TRANSPARENCY IN THEIR UTILITY RATES, INCLUDING DISCLOSURE OF ALL COSTS ASSOCIATED WITH THE BILLS THEY PAY FOR ENERGY AND HOW MUCH EACH ENERGY SOURCE IS AFFECTING THEIR TOTAL BILL.

(2) BEGINNING ON OR BEFORE THE EFFECTIVE DATE OF THIS SECTION, EACH INVESTOR-OWNED PUBLIC UTILITY PROVIDING RETAIL GAS OR ELECTRIC SERVICE IN COLORADO SHALL DISCLOSE TO EACH OF ITS CUSTOMERS AT LEAST ONCE PER YEAR IN A PRINTED BILL OR BILLING INSERT, AND SHALL POST ON ITS WEB SITE WITH THE WEB ADDRESS REFERENCED IN MONTHLY BILLS, THE MOST RECENT AVAILABLE INFORMATION CONCERNING:

(a) FOR ELECTRIC SERVICE, THE TYPES OF FUEL USED BY THE UTILITY TO GENERATE ELECTRICITY, THE PERCENTAGE OF THE UTILITY'S ELECTRICITY GENERATION THAT IS ATTRIBUTABLE TO EACH FUEL TYPE, AND THE UTILITY'S TOTAL GENERATION COST PER KILOWATT-HOUR FOR NATURAL GAS, COAL, WIND, AND SOLAR. THE COST CALCULATION SHALL INCLUDE ALL COSTS DIRECTLY ATTRIBUTABLE TO EACH FUEL TYPE.

(b) FOR NATURAL GAS SERVICE, THE COST PER THOUSAND CUBIC FEET OF GAS UNDER THE UTILITY'S SUPPLY CONTRACTS AND ALL COSTS DIRECTLY ATTRIBUTABLE TO PROVIDING THE GAS TO THE CUSTOMER, INCLUDING THE COSTS OF UNDERGROUND STORAGE AND PIPELINE EXPANSIONS.

(3) A UTILITY'S COSTS OF REVISING THE FORMAT OF ITS BILLS TO INCLUDE THE INFORMATION REQUIRED BY THIS SECTION MAY BE RECOVERED THROUGH RATES."

Page 3, line 14, strike "4." and substitute "5."

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	14	NO	21	EXCUSED	0	ABSENT	0
Bacon	N	Hodge	N	Morse	N	Spence	Y
Boyd	N	Hudak	N	Newell	N	Steadman	N
Brophy	Y	Johnston	N	Penry	Y	Tapia	N
Cadman	Y	Keller	N	Renfroe	Y	Tochtrop	N
Carroll M.	N	Kester	Y	Romer	N	White	Y
Foster	N	King K.	Y	Sandoval	N	Whitehead	N
Gibbs	N	Kopp	Y	Scheffel	Y	Williams	N
Harvey	Y	Lundberg	Y	Schultheis	Y	President	N
Heath	N	Mitchell	Y	Schwartz	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Bacon, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB10-081 as amended, SB10-118, SB10-150, SB10-149, SB10-151, SB10-146 as amended, SB10-103 as amended, SB10-075, SB10-066 as amended, SB10-063 as amended, SB10-122 as amended, SB10-048 as amended, SB10-080 as amended, SB10-114 as amended, SB10-007 as amended, SB10-059 as amended, SB10-112 as amended HB10-1110, HB10-1095, HB10-1055 as amended.

Laid over until until Monday, February 22 retaining their place on the Calendar: SB10-076, SB10-093.

MESSAGE FROM THE HOUSE

February 18, 2010

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1223, 1297, 1299, 1301, 1302, 1303, 1305, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1108, amended as printed in House Journal, February 17, page 350.
 HB10-1204, amended as printed in House Journal, February 17, page 350.
 HB10-1298, amended as printed in House Journal, February 17, page 385.
 HB10-1300, amended as printed in House Journal, February 17, page 385.
 HB10-1304, amended as printed in House Journal, February 17, page 386.
 HB10-1306, amended as printed in House Journal, February 17, page 386.

The House has passed on Third Reading and returns herewith SB10-021.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1317, 1319, 1321, 1322, 1325, 1115.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1318, amended as printed in House Journal, February 17, page 388.
 HB10-1320, amended as printed in House Journal, February 17, page 389.
 HB10-1323, amended as printed in House Journal, February 17, page 390.
 HB10-1324, amended as printed in House Journal, February 17, page 390.
 HB10-1025, amended as printed in House Journal, February 17, pages 352-353.
 HB10-1041, amended as printed in House Journal, February 17, page 353.
 HB10-1007, amended as printed in House Journal, February 17, page 353.
 HB10-1138, amended as printed in House Journal, February 17, page 353.
 HB10-1171, amended as printed in House Journal, February 17, pages 353-354.
 HB10-1044, amended as printed in House Journal, February 17, page 354.
 HB10-1008, amended as printed in House Journal, February 17, page 383.
 HB10-1024, amended as printed in House Journal, February 17, pages 383-384.
 The House has passed on Third Reading and returns herewith SB10-022, 023, 024.

The House has voted to concur in the Senate amendments to HB10-1046 and has repassed the bills as so amended.

February 19, 2010

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1233, 1231, 1247.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1183, amended as printed in House Journal, February 18, page 418.
 HB10-1132, amended as printed in House Journal, February 18, page 418.
 HB10-1118, amended as printed in House Journal, February 18, pages 418-419.
 HB10-1143, amended as printed in House Journal, February 18, page 419.
 HB10-1208, amended as printed in House Journal, February 18, pages 419-420.
 HB10-1057, amended as printed in House Journal, February 18, page 420.
 HB10-1135, amended as printed in House Journal, February 18, page 420.
 HB10-1326, amended as printed in House Journal, February 18, pages 390-391.
 HB10-1327, amended as printed in House Journal, February 18, page 391.

The House has passed on Third Reading and returns herewith SB10-053.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1339, amended as printed in House Journal, February 19, page 391

MESSAGE FROM THE REVISOR OF STATUTES

February 18, 2010

We herewith transmit:

Without comment, HB10-1223, 1297, 1299, 1301, 1302, 1303, 1305, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, and 1316.

Without comment, as amended, HB10-1108, 1204, 1298, 1300, 1304, and 1306.

Without comment, HB10-1115, 1317, 1319, 1321, 1322, and 1325.

Without comment, as amended, HB10-1007, 1008, 1041, 1044, 1138, 1171, 1318, 1320, 1323, and 1324.

With comment, as amended, HB10-1024 and 1025.

February 19, 2010

We herewith transmit:

Without comment, HB10-1231, 1233, and 1247.

Without comment, as amended, HB10-1057, 1118, 1132, 1135, 1143, 1183, 1208, 1326, and 1327.

Without comment, as amended, HB10-1339.

COMMITTEE OF REFERENCE REPORTS

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **SB10-028** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

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

"SECTION 1. Article 75 of title 8, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

**PART 2
WORK SHARE PROGRAM**

8-75-201. Short title. THIS PART 2 SHALL BE KNOWN AND MAY BE CITED AS THE "COLORADO WORK SHARE PROGRAM".

8-75-202. Definitions. AS USED IN THIS PART 2, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "AFFECTED UNIT" MEANS A SPECIFIED PLANT, DEPARTMENT, SHIFT, OR OTHER DEFINABLE UNIT TO WHICH A WORK SHARE PLAN APPLIES.

(2) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION OF EMPLOYMENT AND TRAINING IN THE DEPARTMENT OF LABOR AND EMPLOYMENT OR HIS OR HER DESIGNEE.

(3) "NORMAL WEEKLY WORK HOURS" MEANS THE NUMBER OF HOURS IN A WEEK THAT AN EMPLOYEE ORDINARILY WORKS FOR A PARTICIPATING EMPLOYER OR FORTY HOURS, WHICHEVER IS LESS.

(4) "WORK SHARE PLAN" MEANS A PLAN FOR REDUCING UNEMPLOYMENT UNDER WHICH EMPLOYEES WHO ARE MEMBERS OF AN AFFECTED UNIT SHARE THE WORK REMAINING AFTER A REDUCTION IN THEIR NORMAL WEEKLY WORK HOURS.

8-75-203. Work share program - work share plan - eligibility of employer - approval - denial. (1) THE DIRECTOR SHALL ESTABLISH A VOLUNTARY WORK SHARE PROGRAM FOR THE PURPOSE OF ALLOWING THE PAYMENT OF UNEMPLOYMENT COMPENSATION BENEFITS TO EMPLOYEES WHOSE WAGES AND HOURS HAVE BEEN REDUCED. IN ORDER TO PARTICIPATE IN THE WORK SHARE PROGRAM, AN EMPLOYER SHALL SUBMIT A WORK SHARE PLAN IN WRITING TO THE DIRECTOR FOR APPROVAL. IF THE EMPLOYER IS SUBJECT TO A COLLECTIVE BARGAINING

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AGREEMENT, THE COLLECTIVE BARGAINING UNIT MUST AGREE IN WRITING TO THE WORK SHARE PLAN PRIOR TO IMPLEMENTATION. AN EMPLOYER THAT IS A NEGATIVE EXCESS EMPLOYER PURSUANT TO SECTION 8-76-103 (3) (b) IS NOT ELIGIBLE TO PARTICIPATE IN THE WORK SHARE PROGRAM. AN EMPLOYER THAT DOES NOT CONTRIBUTE TO THE UNEMPLOYMENT COMPENSATION FUND ESTABLISHED IN SECTION 8-77-101, AS REQUIRED, IS NOT ELIGIBLE TO PARTICIPATE IN THE WORK SHARE PROGRAM.

(2) AN EMPLOYER SHALL SUBMIT A WORK SHARE PLAN TO THE DIVISION ON FORMS AND FOLLOWING PROCEDURES REQUIRED BY THE DIRECTOR. THE DIRECTOR MAY APPROVE A WORK SHARE PLAN IF:

(a) THE PLAN APPLIES TO AND IDENTIFIES A SPECIFIC AFFECTED UNIT;

(b) THE PLAN IDENTIFIES THE EMPLOYEES IN THE AFFECTED UNIT BY NAME AND SOCIAL SECURITY NUMBER;

(c) THE PLAN REDUCES THE NORMAL WORK FOR AN EMPLOYEE IN THE AFFECTED UNIT BY AT LEAST TEN PERCENT AND NOT MORE THAN FORTY PERCENT; AND

(d) THE PLAN APPLIES TO AT LEAST TEN PERCENT OF THE EMPLOYEES IN THE AFFECTED UNIT.

(3) THE DIRECTOR SHALL NOT APPROVE A WORK SHARE PLAN UNLESS THE EMPLOYER:

(a) AGREES THAT FOR THE DURATION OF THE EMPLOYER'S PARTICIPATION IN THE WORK SHARE PROGRAM, THE EMPLOYER SHALL NOT ELIMINATE OR DIMINISH HEALTH INSURANCE, RETIREMENT BENEFITS RECEIVED UNDER A PENSION PLAN, PAID VACATION AND HOLIDAYS, SICK LEAVE, OR ANY OTHER SIMILAR EMPLOYEE BENEFIT PROVIDED BY THE EMPLOYER IMMEDIATELY PRIOR TO SUBMITTING THE WORK SHARE PLAN TO THE DIVISION, IF THE EMPLOYER PROVIDES BENEFITS TO HIS OR HER EMPLOYEES;

(b) CERTIFIES THAT THE COLLECTIVE BARGAINING AGENT FOR THE EMPLOYEES, IF APPLICABLE, HAS AGREED TO THE WORK SHARE PLAN;

(c) CERTIFIES THAT THE TOTAL EMPLOYEE WORK HOURS OF THE AFFECTED UNIT WOULD BE REDUCED AT THE SAME PERCENTAGE RATE AS THOSE PROPOSED IN THE WORK SHARE PLAN IF THE EMPLOYER WERE NOT PARTICIPATING IN THE WORK SHARE PROGRAM;

(d) CERTIFIES THAT THE EMPLOYER WILL NOT EMPLOY ADDITIONAL EMPLOYEES IN THE AFFECTED UNIT WHILE PARTICIPATING IN THE WORK SHARE PROGRAM;

(e) AGREES THAT NO EMPLOYEE PARTICIPATING IN THE WORK SHARE PROGRAM SHALL RECEIVE, IN THE AGGREGATE, MORE THAN EIGHTEEN WEEKS OF BENEFITS;

(f) AGREES TO PROVIDE A STRATEGY FOR IMPLEMENTING A FOLLOW-UP PLAN TO THE WORK SHARE PLAN THAT RESTORES THE TOTAL NUMBER OF WORK HOURS TO EACH PARTICIPATING EMPLOYEE TO THE AMOUNT OF HOURS WORKED PRIOR TO PARTICIPATION IN THE PROGRAM; AND

(g) AGREES TO SUBMIT REPORTS CONCERNING THE OPERATION OF THE WORK SHARE PLAN TO THE DIVISION UPON REQUEST OF THE DIRECTOR.

(4) THE DIRECTOR SHALL APPROVE OR DENY THE WORK SHARE PLAN IN WRITING NO LATER THAN THIRTY DAYS AFTER THE DATE THE DIVISION RECEIVES THE PLAN. IF THE DIRECTOR DENIES THE WORK SHARE PLAN, HE OR SHE SHALL INFORM THE EMPLOYER IN WRITING OF THE REASONS FOR THE DENIAL.

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8-75-204. Employee eligibility for unemployment benefits under the work share plan. (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, AN EMPLOYEE MAY BE ELIGIBLE FOR UNEMPLOYMENT COMPENSATION BENEFITS FOR A PARTICULAR WEEK PURSUANT TO THIS PART 2 IF:

(a) THE EMPLOYEE IS EMPLOYED AS A MEMBER OF AN AFFECTED UNIT THAT IS SUBJECT TO AN APPROVED WORK SHARE PLAN THAT IS IN EFFECT FOR THAT WEEK;

(b) THE EMPLOYEE'S NORMAL WEEKLY WORK HOURS HAVE BEEN REDUCED BY AT LEAST TEN PERCENT BUT NOT MORE THAN FORTY PERCENT AND THE EMPLOYEE HAS RECEIVED A CORRESPONDING REDUCTION IN WAGES FOR THAT WEEK; AND

(c) THE EMPLOYEE IS ABLE AND AVAILABLE TO WORK ADDITIONAL OR FULL-TIME HOURS WITH HIS OR HER EMPLOYER.

(2) THE ELIGIBILITY REQUIREMENTS FOR THE RECEIPT OF UNEMPLOYMENT COMPENSATION BENEFITS RELATED TO THE AVAILABILITY FOR WORK, ACTIVELY SEEKING WORK, AND REFUSING TO APPLY FOR OR TO ACCEPT WORK WITH AN EMPLOYER OTHER THAN THE EMPLOYEE'S CURRENT EMPLOYER, PURSUANT TO SECTIONS 8-73-107 AND 8-73-108 (5), SHALL NOT APPLY TO AN EMPLOYEE SUBJECT TO THIS PART 2.

8-75-205. Benefits formula - limitation of benefits.

(1) **Formula.** THE DIVISION SHALL PAY AN EMPLOYEE WHO IS ELIGIBLE FOR UNEMPLOYMENT COMPENSATION BENEFITS UNDER A WORK SHARE PLAN A WEEKLY BENEFIT THAT IS THE PRODUCT OF THE EMPLOYEE'S REGULAR WEEKLY BENEFIT AMOUNT PURSUANT TO ARTICLE 73 OF THIS TITLE, MULTIPLIED BY THE NEAREST FULL PERCENTAGE OF THE REDUCTION OF THE EMPLOYEE'S WORK HOURS, ROUNDED DOWN TO THE NEXT FULL DOLLAR.

(2) **Limitations.** (a) AN INDIVIDUAL IS NOT ENTITLED TO RECEIVE UNEMPLOYMENT COMPENSATION BENEFITS PURSUANT TO THIS PART 2 AND REGULAR UNEMPLOYMENT COMPENSATION BENEFITS THAT EXCEED THE MAXIMUM ALLOWABLE TOTAL BENEFITS PAYABLE TO AN INDIVIDUAL IN A BENEFIT YEAR PURSUANT TO ARTICLES 70 TO 82 OF THIS TITLE.

(b) THE DIVISION SHALL NOT PAY UNEMPLOYMENT COMPENSATION BENEFITS TO AN EMPLOYEE FOR A WEEK IN WHICH THE EMPLOYEE IS COMPENSATED FOR WORK FOR HIS OR HER EMPLOYER THAT EXCEEDS THE REDUCED HOURS ESTABLISHED UNDER THE WORK SHARE PLAN.

(c) AN EMPLOYEE RECEIVING WEEKLY UNEMPLOYMENT COMPENSATION BENEFITS UNDER A WORK SHARE PLAN IS NOT ENTITLED TO RECEIVE BENEFITS FOR PARTIAL EMPLOYMENT PURSUANT TO SECTION 8-73-103 FOR THE SAME WEEK.

(d) THE WAITING PERIOD OF ONE WEEK IN SECTION 8-73-107 (1) (d) THAT APPLIES TO THE PAYMENT OF BENEFITS FOR TOTAL OR PARTIAL UNEMPLOYMENT SHALL APPLY TO THE PAYMENT OF BENEFITS PURSUANT TO THIS PART 2.

8-75-206. Work share plan - effective date - expiration - termination. (1) A WORK SHARE PLAN AND THE PAYMENT OF UNEMPLOYMENT COMPENSATION BENEFITS PURSUANT TO THE PLAN SHALL BEGIN THE FIRST WEEK FOLLOWING APPROVAL OF THE PLAN BY THE DIRECTOR OR THE FIRST WEEK SPECIFIED BY THE EMPLOYER, WHICHEVER IS LATER.

(2) A WORK SHARE PLAN SHALL EXPIRE TWELVE MONTHS AFTER THE EFFECTIVE DATE OF THE PLAN.

(3) THE DIRECTOR MAY TERMINATE A WORK SHARE PLAN FOR

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GOOD CAUSE IF THE PLAN IS NOT EXECUTED ACCORDING TO THE TERMS AND INTENT OF THE PROGRAM. "GOOD CAUSE" MAY INCLUDE FAILURE TO COMPLY WITH SECTION 8-75-203, UNREASONABLE REVISION OF PRODUCTIVITY STANDARDS FOR THE AFFECTED UNIT, OR OTHER CONDUCT BY THE EMPLOYER THAT MAY COMPROMISE THE PURPOSE, INTENT, AND EFFECTIVENESS OF A WORK SHARE PLAN.

8-75-207. Work share plan modifications. (1) AN EMPLOYER MAY MODIFY A WORK SHARE PLAN TO MEET CHANGED CONDITIONS IF THE MODIFICATION CONFORMS TO THE BASIC PROVISIONS OF THE PLAN AS ORIGINALLY APPROVED BY THE DIRECTOR.

(2) BEFORE A PROPOSED CHANGE TO A WORK SHARE PLAN MAY BE IMPLEMENTED:

(a) THE COLLECTIVE BARGAINING AGENT SHALL APPROVE THE MODIFICATION TO THE PLAN IF AN EMPLOYEE IS COVERED BY A COLLECTIVE BARGAINING UNIT;

(b) THE EMPLOYER SHALL REPORT THE CHANGE IN WRITING TO THE DIVISION; AND

(c) THE DIRECTOR SHALL APPROVE THE MODIFIED PLAN.

(3) THE DIRECTOR SHALL APPROVE OR DENY A MODIFIED WORK SHARE PLAN USING THE SAME STANDARDS AND REQUIREMENTS THAT ARE USED FOR THE ORIGINAL WORK SHARE PLAN IN ACCORDANCE WITH SECTION 8-75-203.

(4) APPROVAL OF A MODIFIED WORK SHARE PLAN SHALL NOT AFFECT THE ORIGINAL EXPIRATION DATE OF THE WORK SHARE PLAN.

8-75-208. Benefits payments charged to employer. UNEMPLOYMENT COMPENSATION BENEFITS PAID TO AN EMPLOYEE PURSUANT TO THIS PART 2 SHALL BE CHARGED TO THE ACCOUNT OF THE EMPLOYER PARTICIPATING IN THE WORK SHARE PLAN IN THE SAME MANNER AS REGULAR BENEFITS PURSUANT TO SECTION 8-73-108 (3) (e) (I).

8-75-209. Repeal of article. THIS ARTICLE IS REPEALED, EFFECTIVE JULY 1, 2013. PRIOR TO ITS REPEAL, THE "COLORADO WORK SHARE PROGRAM" SHALL BE REVIEWED AS PROVIDED FOR IN SECTION 24-34-104, C.R.S.

SECTION 2. The introductory portions to 8-75-101 and 8-75-101 (2) (a), Colorado Revised Statutes, are amended, and the said 8-75-101 (2) (a) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

8-75-101. Definitions. As used in this ~~article~~ PART 1, unless the context otherwise requires:

(2) (a) "Exhaustee" means an individual who, with respect to any week of unemployment in his OR HER eligibility period:

(VI) HAS RECEIVED ALL OF THE UNEMPLOYMENT COMPENSATION BENEFITS PURSUANT TO PART 2 OF THIS ARTICLE AND REGULAR UNEMPLOYMENT COMPENSATION BENEFITS AVAILABLE IN A BENEFIT YEAR.

SECTION 3. 8-75-105 (2) and (3), Colorado Revised Statutes, are amended to read:

8-75-105. Total extended benefit amount. (2) Notwithstanding any other provisions of this ~~article~~ PART 1, if the benefit year of any individual ends within an extended benefit period, the remaining balance of extended benefits that such individual would, but for this subsection (2), be entitled to receive in that extended benefit period, with respect to weeks of unemployment beginning after the end of the benefit year, shall

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be reduced (but not below zero) by an amount equal to the product of the number of weeks for which the individual received any amounts as trade readjustment allowances within that benefit year multiplied by the individual's weekly benefit amount for extended benefits.

(3) Notwithstanding any other provision of this article PART 1, during any fiscal year in which federal payments to states under section 204 of the "Federal-State Extended Unemployment Compensation Act of 1970" and amendments thereto are reduced under section 252 of the "Balanced Budget and Emergency Deficit Control Act of 1985" and amendments thereto, the total extended benefit amount payable to an individual with respect to his OR HER applicable benefit year shall be reduced by an amount equal to the aggregate of the reductions in the weekly amounts paid to the individual under section 8-75-104.

SECTION 4. 8-70-110 (1) (b), Colorado Revised Statutes, is amended to read:

8-70-110. Benefits - classifications. (1) Benefits are divided into classifications, as follows:

(b) Extended benefits: Benefits payable to an individual under PART 1 OF article 75 of this title, including benefits payable to federal civilian employees and to ~~ex-servicemen~~ FORMER MEMBERS OF THE ARMED FORCES pursuant to chapter 85 of title 5 of the United States Code, for weeks of unemployment in his OR HER eligibility period;

SECTION 5. 24-34-104 (44), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (44) The following agencies, functions, or both, shall terminate on July 1, 2013:

(p) THE "COLORADO WORK SHARE PROGRAM" CREATED IN PART 2 OF ARTICLE 75 OF TITLE 8, C.R.S.

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

Trans-
portation

After consideration on the merits, the Committee recommends that **HB10-1014** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Trans-
portation

After consideration on the merits, the Committee recommends that **SB10-144** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

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

"SECTION 1. 42-1-102, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

42-1-102. Definitions. As used in articles 1 to 4 of this title, unless the context otherwise requires:

(72.2) "POWER TAKEOFFEQUIPMENT" MEANS EQUIPMENT THAT IS ATTACHED TO A MOTOR VEHICLE AND IS POWERED BY THE MOTOR THAT POWERS THE LOCOMOTION OF THE MOTOR VEHICLE.

SECTION 2. 42-3-106 (2) (e) and (3), Colorado Revised Statutes, are amended to read:

42-3-106. Tax imposed - classification - taxable value. (2) For

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the purpose of imposing graduated annual specific ownership taxes, the personal property specified in section 6 of article X of the state constitution is classified as follows:

(e) Every item of mobile machinery and self-propelled construction equipment, EXCEPT POWER TAKEOFF EQUIPMENT, THAT IS required to be registered under this article shall be IS Class F personal property;

(3) (a) ~~It is unlawful for any~~ AN owner of a vehicle to SHALL NOT permanently attach to ~~such~~ THE vehicle mounted equipment ~~as defined in section 42-1-102 (60)~~; unless:

(I) ~~Within twenty days after such attachment,~~ The owner applies for registration of ~~such~~ THE mounted equipment to the authorized agent in the county where the equipment is required to be registered WITHIN TWENTY DAYS AFTER THE EQUIPMENT IS MOUNTED TO THE VEHICLE; OR

(II) THE MOUNTED EQUIPMENT IS POWER TAKEOFF EQUIPMENT.

(b) ~~Such~~ THE application shall be on forms prescribed by the department and shall describe the equipment to be mounted, including serial number, make, model, year of manufacture, weight, and cost.

SECTION 3. Specified effective date - applicability. This act shall take effect July 1, 2010, and shall apply to registrations made on or after said date.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Trans-
portation

After consideration on the merits, the Committee recommends that **SB10-110** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike lines 2 through 17 and substitute:

"SECTION 1. Legislative declaration. (1) The general assembly finds that changing the restraint device requirements for children will improve the safety for children while riding in a vehicle. Most children outgrow conventional car seats when they are about three to four years of age; however, they are still not tall enough to fit properly in a vehicle belt, so they are likely to put the shoulder belt under the arm or behind the back to prevent it from rubbing against the neck. They also tend to slouch or slide forward, causing the lap belt to ride up on the abdomen. This improper belt use can result in severe injuries or even ejection from the vehicle.

(2) Therefore, the general assembly finds an appropriate child restraint device should be used until the lap and shoulder belt fit the child properly."

Page 3, strike lines 13 through 27.

Strike pages 4 through 6.

Page 7, strike lines 1 through 12 and substitute:

"SECTION 3. 42-4-236 (1) (a), (1) (a.3), (1) (a.7), (1) (b), (2), (3), (8), and (9), Colorado Revised Statutes, are amended to read:

42-4-236. Child restraint systems required - definitions - exemptions. (1) As used in this section, unless the context otherwise requires:

(a) "Child care center" means a facility required to be licensed under the "Child Care Licensing Act", article 6 of title 26, C.R.S.

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~~(a.3) "Child booster seat" means a child passenger restraint system that meets the federal motor vehicle safety standards set forth in section 49 CFR 571.213, as amended, that is designed to elevate a child to properly sit in a federally approved safety belt system.~~

~~(a.7) "Child safety belt-positioning device" means a device that positions a safety belt around a child in a manner that safely restrains such child in a seating position that conforms to all applicable federal motor vehicle safety standards.~~

(b) "Safety belt" means a lap belt, a shoulder belt, or any other belt or combination of belts installed in a motor vehicle to restrain drivers and passengers, except any such belt that is physically a part of a child restraint system. "Safety belt" includes the anchorages, the buckles, and all other equipment directly related to the operation of safety belts. PROPER USE OF A SAFETY BELT MEANS THE SHOULDER BELT, IF PRESENT, CROSSES THE SHOULDER AND CHEST AND THE LAP BELT CROSSES THE HIPS, TOUCHING THE THIGHS.

(2) (a) (I) Unless exempted pursuant to subsection (3) of this section AND EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH (a), every child who is under four EIGHT years of age and weighs under forty pounds, WHO IS being transported in this state in a privately owned noncommercial passenger MOTOR vehicle or in a vehicle operated by a child care center, shall be provided with one of the following child restraint systems suitable for the child's size and shall be properly fastened into such child restraint system which is in a seating position which is equipped with a safety belt or other means to secure the system according to the manufacturer's instructions: SHALL BE PROPERLY RESTRAINED IN A CHILD RESTRAINT SYSTEM IN A REAR SEAT OF THE VEHICLE, ACCORDING TO THE MANUFACTURER'S INSTRUCTIONS; EXCEPT THAT THE CHILD MAY BE RESTRAINED IN A FRONT SEAT OF THE VEHICLE IF REAR SEATING DOES NOT EXIST IN THE VEHICLE, IF THE CHILD RESTRAINT SYSTEM DOES NOT PROPERLY INSTALL IN THE AVAILABLE REAR SEATING, OR IF ALL THE REAR SEATING IS OCCUPIED BY OTHER CHILDREN LESS THAN EIGHT YEARS OF AGE.

~~(H) (II) If the child is less than one year of age and weighs less than twenty pounds, the child shall be properly restrained in a rear-facing child restraint system IN A REAR SEAT OF THE VEHICLE.~~

~~(H) (III) If the child is one year of age or older, but less than four years of age, and weighs less than forty pounds, but at least twenty pounds, the child shall be properly restrained in a forward-facing child restraint system IN A REAR SEAT OF THE VEHICLE.~~

(b) Unless excepted pursuant to subsection (3) of this section, every child who is at least four EIGHT years of age or weighs forty pounds or more; BUT LESS THAN SIXTEEN YEARS OF AGE WHO IS being transported in this state in a privately owned noncommercial MOTOR vehicle or in a vehicle operated by a child care center, shall be properly secured by one of the following safety devices approved for a child of such age or weight by the United States department of transportation, or in a safety belt, whichever is appropriate for the child: SHALL BE PROPERLY RESTRAINED IN A SAFETY BELT OR CHILD RESTRAINT SYSTEM ACCORDING TO THE MANUFACTURER'S INSTRUCTIONS.

~~(I) Except as otherwise provided in subparagraph (I.5) of this paragraph (b), if the child is at least four years of age but less than six years of age and is less than fifty-five inches tall, the child shall be properly restrained in a child booster seat or with a child safety belt-positioning device.~~

~~(I.5) If the child is at least four years of age but less than six years of age and is less than fifty-five inches tall, and if the child is being transported in a vehicle equipped with only a two-point-lap-belt-only system available for the child, the child shall be properly restrained with a lap belt.~~

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~~(H) If the child is six years of age or older or is fifty-five inches tall or more, the child shall be properly restrained with the motor vehicle's safety belt properly adjusted and fastened around the child's body.~~

(c) IF A PARENT IS IN THE MOTOR VEHICLE, IT IS THE RESPONSIBILITY OF THE PARENT TO ENSURE THAT HIS OR HER CHILD OR CHILDREN ARE PROVIDED WITH AND THAT THEY PROPERLY USE A CHILD RESTRAINT SYSTEM OR SAFETY BELT SYSTEM. IF A PARENT IS NOT IN THE MOTOR VEHICLE, it is the responsibility of the driver transporting A CHILD OR children, subject to the requirements of this section, to ensure that such children are provided with and that they properly use a child restraint system or safety belt system.

(3) Except as provided in section 42-2-105.5 (4), the requirements of subsection (2) of this section shall not apply to a child who:

(a) Repealed.

(b) IS LESS THAN EIGHT YEARS OF AGE AND is being transported in a motor vehicle as a result of a medical OR OTHER LIFE-THREATENING emergency AND A CHILD RESTRAINT SYSTEM IS NOT AVAILABLE;

(c) Is being transported in a commercial motor vehicle, as defined in section 42-2-402 (4) (a), that is operated by a child care center; or

(d) Is the driver of a motor vehicle and is subject to the safety belt requirements provided in section 42-4-237; OR

(e) WEIGHS MORE THAN FORTY POUNDS AND IS BEING TRANSPORTED IN A MOTOR VEHICLE IN WHICH THE REAR SEAT OF THE VEHICLE WAS NOT EQUIPPED AT THE TIME OF MANUFACTURE WITH COMBINATION LAP AND SHOULDER BELTS.

(8) The fine may be waived if the ~~driver~~ DEFENDANT presents the court with satisfactory evidence of ECONOMIC DISADVANTAGE AND PROOF OF the acquisition, purchase, or rental of ~~an approved~~ A CERTIFIED child restraint system by the time of the court appearance.

~~(9) No driver in a motor vehicle shall be cited for a violation of subparagraph (I) of paragraph (b) of subsection (2) of this section unless such driver was stopped by a law enforcement officer for an alleged violation of articles 1 to 4 of this title other than a violation of this section or section 42-4-237."~~

Renumber succeeding sections accordingly.

Page 9, line 18, strike "65.00 75.00" and substitute "65.00".

Page 1, strike lines 102 and 103 and substitute "OF CERTAIN PERSONS TO PROPERLY RESTRAIN A CHILD IN A VEHICLE."

Finance After consideration on the merits, the Committee recommends that **SB10-120** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 6, line 15, before "CALL" insert "WIRELESS".

Finance After consideration on the merits, the Committee recommends that **SB10-162** be referred to the Committee on Appropriations with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **SB10-148** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

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Amend printed bill, page 2, strike line 3 and substitute "amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:".

Page 2, strike lines 6 through 8 and substitute:

"(1.5) "DISASTER RECOVERY" MEANS THE PROVISIONING OF SERVICES FOR OPERATIONAL RECOVERY, READINESS, RESPONSE, AND TRANSITION OF INFORMATION TECHNOLOGY APPLICATIONS, SYSTEMS, OR RESOURCES.

(1.7) "ENTERPRISE FACILITY" MEANS AN ENTERPRISE FACILITY FOR PROVIDING INFORMATION TECHNOLOGY SERVICES.

(2.5) "LOCAL GOVERNMENT" MEANS THE GOVERNMENT COUNTY, CITY AND COUNTY, HOME RULE OR STATUTORY CITY, TOWN, SPECIAL DISTRICT, OR SCHOOL DISTRICT."

Page 5, line 16, strike "INFORMATION TECHNOLOGY" and substitute "COMPUTER SERVICES".

Page 5, line 17, strike "24-37.5-112 (1) (a);" and substitute "24-37.5-604 (2);".

Page 5, line 22, strike "INFORMATION TECHNOLOGY" and substitute "COMPUTER SERVICES".

Page 5, line 23, "24-37.5-112 (1) (a);" and substitute "24-37.5-604 (2);".

Page 5, line 26, strike "INFORMATION" and substitute "COMPUTER SERVICES".

Page 5, strike line 27 and substitute "REVOLVING FUND CREATED IN SECTION 24-37.5-604 (2).".

Page 6, before line 1, insert:

"SECTION 3. 24-37.5-106, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

24-37.5-106. Chief information officer - duties and responsibilities - broadband inventory fund created. (1.7) THE CHIEF INFORMATION OFFICER MAY ENTER INTO CONTRACTS WITH ANY LOCAL GOVERNMENT, STATE AGENCY, OR POLITICAL SUBDIVISION OF THE STATE, INCLUDING THE LEGISLATIVE AND JUDICIAL DEPARTMENTS, THE DEPARTMENT OF LAW, THE DEPARTMENT OF STATE, THE DEPARTMENT OF TREASURY, OR STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION FOR THE PURPOSE OF PROVIDING DISASTER RECOVERY SERVICES."

Renumber succeeding section accordingly.

Page 1, line 107, strike "INFORMATION" and substitute "COMPUTER SERVICES".

Page 1, line 108, strike "TECHNOLOGY".

Appropriations

After consideration on the merits, the Committee recommends that **SB10-006** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, after line 27 insert:

"SECTION 3. 25-2-121 (2) (b) (II), Colorado Revised Statutes, is amended to read:

25-2-121. Fee adjustments - vital statistics records cash fund created. (2) (b) (II) For those services required by this article and those services provided by the Colorado responds to children with special

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needs program, each office designated or established pursuant to section 25-2-103 shall charge fees as specified by the state registrar. Such an office shall retain all such fees SHALL BE USED for the purpose of paying the direct and indirect costs of THE OFFICE AND THE OFFICE OF THE STATE REGISTRAR FOR compliance with the provisions of this article and the direct and indirect costs necessary to maintain and operate the Colorado responds to children with special needs program."

Renumber succeeding sections accordingly.

Appropriations

After consideration on the merits, the Committee recommends that SB10-072 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 9, line 16, strike "COLORADO POTATO ADMINISTRATIVE" and substitute "AREA".

Page 9, line 17, strike "7 CFR 948.50," and substitute "THE MARKETING ORDER REGULATING THE HANDLING OF POTATOES GROWN IN THE STATE OF COLORADO, AS AMENDED, ISSUED PURSUANT TO THE "COLORADO AGRICULTURAL MARKETING ACT OF 1939", ARTICLE 28 OF THIS TITLE,".

Page 10, strike lines 13 through 17 and substitute:

"(A) FOUR POTATO GROWERS WHO DO NOT GROW SEED POTATOES AND WHOSE OPERATIONS ARE LOCATED IN AREA NO. 2, ESTABLISHED IN THE MARKETING ORDER REGULATING THE HANDLING OF POTATOES GROWN IN THE STATE OF COLORADO, AS AMENDED, ISSUED PURSUANT TO THE "COLORADO AGRICULTURAL MARKETING ACT OF 1939", ARTICLE 28 OF THIS TITLE;

(B) ONE POTATO GROWER WHO DOES NOT GROW SEED POTATOES AND WHOSE OPERATION IS LOCATED IN AREA NO. 3, ESTABLISHED IN THE MARKETING ORDER REGULATING THE HANDLING OF POTATOES GROWN IN THE STATE OF COLORADO, AS AMENDED, ISSUED PURSUANT TO THE "COLORADO AGRICULTURAL MARKETING ACT OF 1939", ARTICLE 28 OF THIS TITLE;"

Page 13, line 3, strike "COLORADO POTATO ADMINISTRATIVE" and substitute "AREA".

Page 13, line 4, strike "7 CFR 948.50." and substitute "THE MARKETING ORDER REGULATING THE HANDLING OF POTATOES GROWN IN THE STATE OF COLORADO, AS AMENDED, ISSUED PURSUANT TO THE "COLORADO AGRICULTURAL MARKETING ACT OF 1939", ARTICLE 28 OF THIS TITLE.".

Page 16, after line 1 insert:

SECTION 6. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the seed potato cash fund created in section 35-27.3-111, Colorado Revised Statutes, not otherwise appropriated, to the department of agriculture, for allocation to the agricultural services division, for implementation of the Colorado seed potato act, for the fiscal year beginning July 1, 2010 , the sum of two thousand nine hundred fifty-nine dollars (\$2,959) cash funds, or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2010 , the sum of nine hundred five dollars (\$905), or so much thereof as may be necessary, for the provision of legal services to the department of agriculture related to the implementation of this act. Said sum shall be from reappropriated funds received from the department of agriculture out of the appropriation made in subsection (1) of this section."

Renumber succeeding sections accordingly.

Page 1, line 101, strike "ACT"." and substitute "ACT", AND MAKING AN

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APPROPRIATION THEREFOR."

Appropriations

After consideration on the merits, the Committee recommends that **SB10-025** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB10-068** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 14, after line 17 insert:

"SECTION 7. Appropriation. In addition to any other appropriation, there is hereby appropriated, to the department of human services, for allocation to the office of information technology services for the Colorado benefits management system, for the fiscal year beginning July 1, 2010, the sum of nine hundred sixty-six thousand dollars (\$966,000), or so much thereof as may be necessary, for the implementation of this act. Said sum shall be from federal temporary assistance for needy families block grant funds."

Renumber succeeding sections accordingly.

Page 1, line 102, strike "**PROGRAM.**" and substitute "**PROGRAM, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**"

Agriculture and Natural Resources

After consideration on the merits, the Committee recommends that **SB10-071** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 14, strike "**lifetime pass.**" and substitute "**lifetime pass - report - repeal.**"

Page 2, line 20, after "(b)" insert "(I)".

Page 3, line 5, strike "ONE HUNDRED FIFTY DOLLARS." and substitute "FIVE TIMES THE COST OF THE ASPEN LEAF ANNUAL PASS."

Page 3, after line 5 insert:

"(II) (A) THE ASPEN LEAF LIFETIME PASS SHALL NOT BE SOLD ON OR AFTER MARCH 1, 2014.

(B) PRIOR TO THAT DATE BUT DURING THE FIRST REGULAR SESSION OF THE SIXTY-NINTH GENERAL ASSEMBLY, THE DEPARTMENT SHALL PREPARE AND DELIVER A REPORT TO THE SENATE AGRICULTURE AND NATURAL RESOURCES COMMITTEE AND THE HOUSE OF REPRESENTATIVES AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, EVALUATING THE ASPEN LEAF LIFETIME PASS. THE REPORT SHALL INCLUDE, AT A MINIMUM, THE NUMBER OF ASPEN LEAF LIFETIME PASSES SOLD AND THE FINANCIAL IMPACTS OF THE ASPEN LEAF LIFETIME PASS."

Agriculture and Natural Resources

After consideration on the merits, the Committee recommends that **SB10-098** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

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

"SECTION 1. Legislative declaration. (1) The general assembly hereby finds, determines, and declares that:

(a) Noxious and invasive weeds are a threat to the long-term conservation of the state's natural resources and will have a dramatically adverse impact upon the state's future health and prosperity;

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(b) By passing the "Colorado Noxious Weed Act", codified at article 5.5 of title 35, Colorado Revised Statutes, the state has mandated that noxious weeds be addressed by county governments in Colorado;

(c) The majority of county governments within the state have attempted to address the problem of noxious weed infestation;

(d) The funding for noxious weed programs by county and municipal governments and special districts comes mostly from general fund dollars or assessments based upon taxable property. The reliance upon these sources of revenue results in widely disparate means available to county and municipal governments and special districts throughout the state to address the problem of noxious weed infestation.

(e) Moneys used to finance efforts to conserve the state's natural resources, reflected in the creation of conservation districts across the state and the creation of the state conservation board, are largely dependent on general fund moneys, and a program to provide grants to conservation districts was eliminated in 2009 as a result of budget shortfalls. These challenges have adversely affected the ability of the state's conservation districts to achieve their mission of developing action plans at the local level to address emerging natural resource issues across the state.

(f) By enacting the Great Outdoors Colorado Program in 1992, codified in Article XXVII of the state constitution, the people of the state created, among other things:

(2)(a) A certain portion of moneys automatically flows into the Conservation Trust Fund, created in the Division of Local Government in the Department of Local Affairs, each year out of moneys collected by the state from net lottery proceeds. The purpose of Senate Bill 10-98, enacted in 2010, is to allow county governments to cooperate or contract with conservation districts and local noxious weed control programs in the utilization of moneys from the fund.

(b) Allowing counties to cooperate or contract with conservation districts and local noxious weed control programs in the utilization of moneys from the fund will assist these entities in securing funding sources that will enable them to develop, administer, and maintain soil conservation and noxious weed control efforts. In the area of the conservation of natural resources in particular, the moneys made available by Senate Bill 10-98 will enable conservation districts to finance projects that will address small acreage management, the protection of rangeland and wildlife habitat, improvements in water delivery systems and water quality, forest health, energy conservation, and reduction of soil erosion. With respect to both the conservation of natural resources and noxious weed control, the funding made available by this act may assist these conservation districts, county and municipal governments, and local noxious weed control programs in hiring employees, purchasing needed equipment, leveraging grant moneys to obtain additional funding from other sources, and, in the specific area of noxious weed control, allowing for the development and administration of cooperative weed management areas throughout the state. The general assembly further intends that Senate Bill 10-98 shall be liberally construed to secure these objectives.

SECTION 2. 29-21-101 (5), Colorado Revised Statutes, is amended to read:

29-21-101. Conservation trust funds - definitions. (5) (a) In the utilization of moneys received pursuant to this section, each eligible entity may cooperate or contract with any other government or political subdivision, INCLUDING A CONSERVATION DISTRICT ESTABLISHED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 70 OF TITLE 35, C.R.S., OR A LOCAL NOXIOUS WEED CONTROL PROGRAM, pursuant to part 2 of article 1 of this title. Subject to the separate accounting requirement of subparagraph (II) of paragraph (b) of subsection (2) of this section, such cooperation may include the sharing of moneys held by any such entities

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in their respective conservation trust funds for joint expenditures for the acquisition, development, and maintenance of new conservation sites.

(b) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION (5), ANY MONEYS UTILIZED BY A CONSERVATION DISTRICT OR A LOCAL NOXIOUS WEED CONTROL PROGRAM IN ACCORDANCE WITH THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (5) MAY ONLY BE EXPENDED FOR NATURAL CONSERVATION OR NOXIOUS WEED CONTROL PROJECTS ON PUBLIC LANDS.

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

Health & Human Services

After consideration on the merits, the Committee recommends that **SSB10-153** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

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

"SECTION 1. Title 27, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

**ARTICLE 64
Behavioral Health**

27-64-101. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

(a) THERE IS AN URGENT NEED TO ADDRESS THE ECONOMIC, SOCIAL, AND PERSONAL COSTS TO THE STATE OF COLORADO AND ITS CITIZENS OF UNTREATED MENTAL HEALTH AND SUBSTANCE USE DISORDERS;

(b) BEHAVIORAL HEALTH DISORDERS, INCLUDING MENTAL HEALTH AND SUBSTANCE USE DISORDERS, ARE TREATABLE CONDITIONS NOT UNLIKE OTHER CHRONIC HEALTH ISSUES THAT REQUIRE A COMBINATION OF BEHAVIORAL CHANGE AND MEDICATION OR OTHER TREATMENT. WHEN INDIVIDUALS RECEIVE APPROPRIATE PREVENTION, EARLY INTERVENTION, TREATMENT, AND RECOVERY SERVICES, THEY CAN LIVE FULL, PRODUCTIVE LIVES.

(c) UNTREATED BEHAVIORAL HEALTH DISORDERS PLACE INDIVIDUALS AT HIGH RISK FOR POOR HEALTH OUTCOMES AND SIGNIFICANTLY IMPACT VIRTUALLY ALL ASPECTS OF LOCAL AND STATE GOVERNMENT BY REDUCING FAMILY STABILITY, STUDENT ACHIEVEMENT, WORKFORCE PRODUCTIVITY, AND PUBLIC SAFETY;

(d) CURRENTLY, THERE IS NO SINGLE BEHAVIORAL HEALTH CARE SYSTEM IN COLORADO. INSTEAD, CONSUMERS OF ALL AGES WITH BEHAVIORAL HEALTH DISORDERS RECEIVE SERVICES FROM A NUMBER OF DIFFERENT SYSTEMS, INCLUDING THE HEALTH CARE, BEHAVIORAL HEALTH CARE, CHILD WELFARE, JUVENILE AND CRIMINAL JUSTICE, EDUCATION, AND HIGHER EDUCATION SYSTEMS.

(e) ADULT AND YOUTH CONSUMERS AND THEIR FAMILIES NEED QUALITY BEHAVIORAL HEALTH CARE THAT IS INDIVIDUALIZED AND COORDINATED TO MEET THEIR CHANGING NEEDS THROUGH A COMPREHENSIVE AND INTEGRATED SYSTEM;

(f) TIMELY ACCESS THROUGH MULTIPLE POINTS OF ENTRY TO A FULL CONTINUUM OF CULTURALLY RESPONSIVE SERVICES, INCLUDING PREVENTION, EARLY INTERVENTION, CRISIS RESPONSE, TREATMENT, AND RECOVERY, IS NECESSARY FOR AN EFFECTIVE INTEGRATED SYSTEM;

(g) EVIDENCE-BASED AND PROMISING PRACTICES RESULT IN FAVORABLE OUTCOMES FOR COLORADO'S ADULT AND YOUTH

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CONSUMERS, THEIR FAMILIES, AND THE COMMUNITIES IN WHICH THEY LIVE;

(h) LACK OF PUBLIC AWARENESS REGARDING BEHAVIORAL HEALTH ISSUES CREATES A NEED FOR PUBLIC EDUCATION THAT EMPHASIZES THE IMPORTANCE OF BEHAVIORAL HEALTH AS PART OF OVERALL HEALTH AND WELLNESS AND CREATES THE DESIRE TO INVEST IN AND SUPPORT AN INTEGRATED BEHAVIORAL HEALTH SYSTEM IN COLORADO;

(i) TO REDUCE THE ECONOMIC AND SOCIAL COSTS OF UNTREATED BEHAVIORAL HEALTH DISORDERS, COLORADO NEEDS A SYSTEMIC TRANSFORMATION OF THE BEHAVIORAL HEALTH SYSTEM THROUGH WHICH TRANSFORMATION THE STATE STRIVES TO ACHIEVE CRITICAL GOALS TO ADDRESS MENTAL HEALTH AND SUBSTANCE USE DISORDERS; AND

(j) THE OVERARCHING GOAL OF THIS BEHAVIORAL HEALTH SYSTEM TRANSFORMATION SHALL BE TO MAKE THE BEHAVIORAL HEALTH SYSTEM'S ADMINISTRATIVE PROCESSES, SERVICE DELIVERY, AND FUNDING MORE EFFECTIVE AND EFFICIENT TO IMPROVE OUTCOMES FOR COLORADO CITIZENS.

(2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT, TO IMPROVE THE QUALITY OF LIFE FOR THE CITIZENS OF COLORADO, STRENGTHEN THE ECONOMY, AND CONTINUE THE RESPONSIBLE MANAGEMENT OF THE STATE'S RESOURCES, THE LEADERSHIP OF THE THREE BRANCHES OF COLORADO'S STATE GOVERNMENT AND THE STAKEHOLDERS MOST AFFECTED BY MENTAL HEALTH AND SUBSTANCE USE DISORDERS MUST COLLABORATE TO BUILD ON THE PROGRESS OF PAST EFFORTS AND TO SUSTAIN A FOCUS ON THE IMPROVEMENT OF BEHAVIORAL HEALTH SERVICES.

27-64-102. Behavioral health transformation council - creation - duties - sunset review - repeal. (1) THE GOVERNOR SHALL DESIGNATE A GROUP OF HIS OR HER CABINET MEMBERS INCLUDING, BUT NOT LIMITED TO, THE COMMISSIONER OF EDUCATION AND THE EXECUTIVE DIRECTORS OF THE DEPARTMENTS OF CORRECTIONS, HEALTH CARE POLICY AND FINANCING, HUMAN SERVICES, LABOR AND EMPLOYMENT, LOCAL AFFAIRS, PUBLIC HEALTH AND ENVIRONMENT, AND PUBLIC SAFETY TO OVERSEE THE SYSTEMIC TRANSFORMATION OF THE BEHAVIORAL HEALTH SYSTEM.

(2) (a) ON OR BEFORE AUGUST 1, 2010, THE GOVERNOR SHALL CREATE A BEHAVIORAL HEALTH TRANSFORMATION COUNCIL, REFERRED TO IN THIS SECTION AS THE "COUNCIL", TO ADVISE HIS OR HER CABINET ON TRANSFORMING THE BEHAVIORAL HEALTH SYSTEM IN COLORADO. ON OR BEFORE AUGUST 1, 2010, THE GOVERNOR SHALL DESIGNATE AN EXECUTIVE BRANCH DEPARTMENT TO SERVE AS THE LEAD DEPARTMENT TO FACILITATE THE COUNCIL'S WORK. IN CONSULTATION WITH THE GOVERNOR, THE LEAD AGENCY SHALL DETERMINE THE APPROPRIATE MEMBERSHIP, TENURE, AND OPERATING PROTOCOLS OF THE COUNCIL.

(b) THE COUNCIL MEMBERSHIP SHALL INCLUDE STAFF FROM EXECUTIVE BRANCH AGENCIES THAT FUND OR SERVE CLIENTS WHO USE THE BEHAVIORAL HEALTH SYSTEM INCLUDING, BUT NOT LIMITED TO, THE DEPARTMENTS OF CORRECTIONS, EDUCATION, HEALTH CARE POLICY AND FINANCING, HUMAN SERVICES, LABOR AND EMPLOYMENT, LOCAL AFFAIRS, PUBLIC HEALTH AND ENVIRONMENT, AND PUBLIC SAFETY; AT LEAST TWO REPRESENTATIVES FROM THE JUDICIAL BRANCH; A MEMBER FROM THE MENTAL HEALTH PLANNING AND ADVISORY COMMITTEE IN THE DEPARTMENT OF HUMAN SERVICES; AND AT LEAST FOUR CONSUMERS AND OTHER STAKEHOLDERS IN THE BEHAVIORAL HEALTH SYSTEM. STAKEHOLDERS MAY INCLUDE, BUT NEED NOT BE LIMITED TO, CONSUMERS, PERSONS IN RECOVERY, FAMILY MEMBERS, ADVOCACY GROUPS, AND BEHAVIORAL HEALTH SERVICE PROVIDERS FROM THE PUBLIC AND PRIVATE SECTORS.

(c) ON OR BEFORE JANUARY 30, 2011, AND ON OR BEFORE JANUARY 30 EACH YEAR THEREAFTER, THE LEAD AGENCY SHALL BRIEF

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THE HEALTH AND HUMAN SERVICES COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, ON THE ACTIVITIES AND PROGRESS OF THE COUNCIL TOWARD ACHIEVING THE GOALS OF A TRANSFORMATION OF COLORADO'S BEHAVIORAL HEALTH SYSTEM.

(3) THE COUNCIL SHALL HAVE THE FOLLOWING DUTIES AND FUNCTIONS:

(a) TO DEVELOP A STRATEGIC PRIORITIZATION, PLANNING, AND IMPLEMENTATION PROCESS TO ADVISE THE GOVERNOR'S CABINET ON TRANSFORMING COLORADO'S BEHAVIORAL HEALTH SYSTEM. THE COUNCIL SHALL WORK TOWARD THE FOLLOWING GOALS ASSOCIATED WITH A COMPREHENSIVE, EFFICIENT, EFFECTIVE, AND INTEGRATED BEHAVIORAL HEALTH SYSTEM:

(I) DEVELOPING SHARED OUTCOMES ACROSS KEY SYSTEMS TO ENABLE JOINT ACCOUNTABILITY AND TO IMPROVE SERVICES;

(II) ALIGNING SERVICE AREAS ACROSS SYSTEMS TO PROMOTE EQUITABLE AND TIMELY ACCESS TO A FULL CONTINUUM OF SERVICES THROUGHOUT COLORADO, TO THE EXTENT FEASIBLE;

(III) ESTABLISHING JOINT MONITORING ACROSS SYSTEMS TO ENSURE ACCOUNTABILITY FOR COMMON OUTCOMES AND TO REDUCE THE ADMINISTRATIVE BURDEN ASSOCIATED WITH SERVICE PROVISION;

(IV) CREATING INTEGRATED BEHAVIORAL HEALTH POLICIES AND RULES TO ALIGN WITH INTEGRATED SERVICE DELIVERY;

(V) FINANCING REFORM TO MAXIMIZE AND EFFICIENTLY UTILIZE FUNDS;

(VI) UTILIZING ELECTRONIC HEALTH RECORDS OR OTHER TECHNOLOGY, SHARED SCREENING TOOLS, ASSESSMENTS, AND EVALUATIONS IN COMPLIANCE WITH FEDERAL AND STATE CONFIDENTIALITY AND PRIVACY LAWS;

(VII) ADOPTING CONSISTENT CROSS-SYSTEM STANDARDS FOR CULTURAL CONGRUENCE AND FOR YOUTH, ADULT, AND FAMILY INVOLVEMENT;

(VIII) PROMOTING AND UTILIZING EVIDENCE-BASED AND PROMISING PRACTICES TO THE EXTENT POSSIBLE; AND

(IX) CREATING WORKFORCE-DEVELOPMENT STRATEGIES REQUIRED FOR AN INTEGRATED BEHAVIORAL HEALTH SYSTEM;

(b) TO MAKE RECOMMENDATIONS TO THE CABINET THAT ENCOURAGE AND PROMOTE COLLABORATION, PARTNERSHIPS, AND INNOVATION ACROSS GOVERNMENTAL AGENCIES AND OTHER AGENCIES IN THE BUDGETING, PLANNING, ADMINISTRATION, AND PROVISION OF BEHAVIORAL HEALTH SERVICES ASSOCIATED WITH THE GOALS ABOVE; AND

(c) TO COORDINATE AND CONSOLIDATE THE COUNCIL'S EFFORTS WITH THE EFFORTS OF OTHER GROUPS THAT ARE WORKING ON BEHAVIORAL HEALTH ISSUES TO INCREASE THE EFFECTIVENESS AND EFFICIENCY OF THESE EFFORTS.

(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2020. PRIOR TO SUCH REPEAL, THE COMMISSION SHALL BE REVIEWED AS PROVIDED FOR IN SECTION 2-3-1203, C.R.S.

SECTION 2. 2-3-1203 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the

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designated advisory committees is scheduled for repeal:

(gg) July 1, 2020:

(I) THE BEHAVIORAL HEALTH TRANSFORMATION COUNCIL, CREATED IN SECTION 27-64-102, C.R.S.

SECTION 3. 25.5-5-411, Colorado Revised Statutes, is amended to read:

25.5-5-411. Medicaid community mental health services - legislative declaration - administration - rules. (1) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

(a) THERE IS AN URGENT NEED TO ADDRESS THE ECONOMIC, SOCIAL, AND PERSONAL COSTS TO THE STATE OF COLORADO AND ITS CITIZENS OF UNTREATED MENTAL HEALTH AND SUBSTANCE USE DISORDERS;

(b) BEHAVIORAL HEALTH DISORDERS, INCLUDING MENTAL HEALTH AND SUBSTANCE USE DISORDERS, ARE TREATABLE CONDITIONS NOT UNLIKE OTHER CHRONIC HEALTH ISSUES THAT REQUIRE A COMBINATION OF BEHAVIORAL CHANGE AND MEDICATION OR OTHER TREATMENT. WHEN INDIVIDUALS RECEIVE APPROPRIATE PREVENTION, EARLY INTERVENTION, TREATMENT, AND RECOVERY SERVICES, THEY CAN LIVE FULL, PRODUCTIVE LIVES.

(c) UNTREATED BEHAVIORAL HEALTH DISORDERS PLACE INDIVIDUALS AT HIGH RISK FOR POOR HEALTH OUTCOMES AND SIGNIFICANTLY AFFECT VIRTUALLY ALL ASPECTS OF LOCAL AND STATE GOVERNMENT BY REDUCING FAMILY STABILITY, STUDENT ACHIEVEMENT, WORKFORCE PRODUCTIVITY, AND PUBLIC SAFETY;

(d) CURRENTLY, THERE IS NO SINGLE BEHAVIORAL HEALTH CARE SYSTEM IN COLORADO. INSTEAD, CONSUMERS OF ALL AGES WITH BEHAVIORAL HEALTH DISORDERS RECEIVE SERVICES FROM A NUMBER OF DIFFERENT SYSTEMS, INCLUDING THE HEALTH CARE, BEHAVIORAL HEALTH CARE, CHILD WELFARE, JUVENILE AND CRIMINAL JUSTICE, EDUCATION, AND HIGHER EDUCATION SYSTEMS.

(e) ADULT AND YOUTH CONSUMERS AND THEIR FAMILIES NEED QUALITY BEHAVIORAL HEALTH CARE THAT IS INDIVIDUALIZED AND COORDINATED TO MEET THEIR CHANGING NEEDS THROUGH A COMPREHENSIVE AND INTEGRATED SYSTEM;

(f) TIMELY ACCESS THROUGH MULTIPLE POINTS OF ENTRY TO A FULL CONTINUUM OF CULTURALLY RESPONSIVE SERVICES, INCLUDING PREVENTION, EARLY INTERVENTION, CRISIS RESPONSE, TREATMENT, AND RECOVERY, IS NECESSARY FOR AN EFFECTIVE INTEGRATED SYSTEM;

(g) EVIDENCE-BASED AND PROMISING PRACTICES RESULT IN FAVORABLE OUTCOMES FOR COLORADO'S ADULT AND YOUTH CONSUMERS, THEIR FAMILIES, AND THE COMMUNITIES IN WHICH THEY LIVE;

(h) LACK OF PUBLIC AWARENESS REGARDING BEHAVIORAL HEALTH ISSUES CREATES A NEED FOR PUBLIC EDUCATION THAT EMPHASIZES THE IMPORTANCE OF BEHAVIORAL HEALTH AS PART OF OVERALL HEALTH AND WELLNESS AND CREATES THE DESIRE TO INVEST IN AND SUPPORT AN INTEGRATED BEHAVIORAL HEALTH SYSTEM IN COLORADO;

(i) TO REDUCE THE ECONOMIC AND SOCIAL COSTS OF UNTREATED BEHAVIORAL HEALTH DISORDERS, COLORADO NEEDS A SYSTEMIC TRANSFORMATION OF THE BEHAVIORAL HEALTH SYSTEM THROUGH WHICH TRANSFORMATION THE STATE STRIVES TO ACHIEVE CRITICAL GOALS TO ADDRESS MENTAL HEALTH AND SUBSTANCE USE DISORDERS; AND

(j) THE OVERARCHING GOAL OF THIS BEHAVIORAL HEALTH

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SYSTEM TRANSFORMATION SHALL BE TO MAKE THE BEHAVIORAL HEALTH SYSTEM'S ADMINISTRATIVE PROCESSES, SERVICE DELIVERY, AND FUNDING MORE EFFECTIVE AND EFFICIENT TO IMPROVE OUTCOMES FOR COLORADO CITIZENS.

(2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT, TO IMPROVE THE QUALITY OF LIFE FOR THE CITIZENS OF COLORADO, STRENGTHEN THE ECONOMY, AND CONTINUE THE RESPONSIBLE MANAGEMENT OF THE STATE'S RESOURCES, THE LEADERSHIP OF THE THREE BRANCHES OF COLORADO'S STATE GOVERNMENT AND THE STAKEHOLDERS MOST AFFECTED BY MENTAL HEALTH AND SUBSTANCE USE DISORDERS MUST COLLABORATE TO BUILD ON THE PROGRESS OF PAST EFFORTS AND TO SUSTAIN A FOCUS ON THE IMPROVEMENT OF BEHAVIORAL HEALTH SERVICES.

~~(1.5)~~ (3) Except as provided for in ~~subsection (3)~~ SUBSECTION (6) of this section, the state department shall administer all medicaid community mental health services for medical assistance recipients including but not limited to the prepaid capitated single entry point system for mental health services, the fee-for-service mental health services, and alternatives to institutionalization. The administration of medicaid community mental health services shall include but shall not be limited to program approval, program monitoring, and data collection.

~~(1.5)~~(a) (4) (a) The requirements of section 25.5-5-408 shall not apply to the capitated rate calculation process for medicaid community mental health services; except that each medicaid community mental health services MCO shall be subject to the requirements of section 25.5-5-404 (1) (k) and (1) (l).

(b) The state department shall establish cost-effective, capitated rates for community mental health services in a manner that includes cost containment mechanisms. These cost containment mechanisms may include, but are not limited to, restricting average per member per month utilization growth, restricting unit cost growth, limiting allowable administrative cost, establishing minimum medical loss ratios, or establishing other cost containment mechanisms that the state department determines appropriate.

(c) Effective June 1, 2010, the state department shall make a capitation payment to a medicaid community mental health services MCO for each medical assistance recipient no sooner than the first day of the month following the month the recipient is enrolled with that MCO.

~~(2)~~ (5) The state department is authorized to seek federal approval for any necessary changes to the state's waiver that authorizes the statewide system of community mental health care to reflect the provisions of this section. The state department is authorized to limit a recipient's freedom of choice with respect to a provider of mental health services and to restrict reimbursements for mental health services to designated and contracted agencies in such waiver.

~~(3)~~ (6) The administration of the mental health institutes shall remain the responsibility of the department of human services.

~~(4)~~ (7) On and after April 6, 2004, all positions of employment in the department of human services concerning the powers, duties, and functions of administering all medicaid community mental health services for medical assistance recipients transferred to the state department pursuant to this section and determined to be necessary to carry out the purposes of this section by the executive director of the state department shall be transferred to the state department and shall become employment positions therein.

~~(5)~~ (8) On and after April 6, 2004, all items of property, real and personal, including office furniture and fixtures, computers and software, books, documents, and records of the department of human services pertaining to the duties and functions of administering all medicaid

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community mental health services for medical assistance recipients are transferred to the state department and shall become the property thereof.

(6) (9) On and after April 6, 2004, for state fiscal year 2003-04, the state department may bill the department of human services medicaid-funded programs division appropriation within the state department's appropriation for the provision of medicaid community mental health services as authorized in this section.

(7) (10) On or before July 1, 2004, the state department and the department of human services shall jointly produce a document to assist mental health consumers and advocates and providers that participate in Colorado's publicly funded mental health system to understand the respective roles of each department in the provision of mental health services and each department's ability to provide high quality and accessible mental health services. The state department and the department of human services shall make the document available to the public and shall send at least one copy to each community mental health center, statewide mental health advocacy organization, and mental health assessment and services agency. The information contained in the document shall be made available on each department's internet web site. The state department and the department of human services are encouraged to consult with representatives of mental health consumer and provider organizations in the development of the document to ensure that it benefits consumers seeking mental health services and consumers who need to express concerns or complaints regarding the quality, availability, or accessibility of mental health services.

(8) (11) When the state auditor conducts an audit of the statewide mental health system, the state auditor shall evaluate the coordination of services between the state department and the department of human services and the impact of the administration of the mental health system on the quality of care within the statewide mental health system.

(9) (12) The state board shall adopt any rules necessary for the implementation of this section. In adopting rules concerning medicaid community mental health services, the state board shall consider the effect the rules may have on the statewide mental health system.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Health & Human Services

After consideration on the merits, the Committee recommends that **SB10-132** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 4, strike "**care.**" and substitute "**care - report.**".

Page 2, line 20, after the period add "ON OR BEFORE JANUARY 15, 2011, THE STATE DEPARTMENT SHALL SUBMIT A BRIEF REPORT TO THE MEMBERS OF THE HEALTH AND HUMAN SERVICES COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, ON THE STATUS OF ANY REQUEST FOR AUTHORIZATION PURSUANT TO THIS SUBPARAGRAPH (I)."

Health & Human Services

After consideration on the merits, the Committee recommends that **SB10-126** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 18, after "(3)" insert "(a)".

Page 3, line 21, strike "SUPPLY." and substitute "SUPPLY THAT HAS BEEN APPROVED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION."

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(b) "GROUP PURCHASING ORGANIZATION" MEANS AN ORGANIZATION THAT ENGAGES IN THE ACTIVITIES DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (3) IN CONNECTION WITH A COVERED DRUG, MEDICAL DEVICE, BIOLOGICAL PRODUCT, OR MEDICAL SUPPLY THAT IS APPROVED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION ON OR AFTER THE EFFECTIVE DATE OF THIS PART 4, AND SUCH GROUP PURCHASING ORGANIZATION SHALL BE SUBJECT TO THE REPORTING REQUIREMENTS OF THIS PART 4 ONE YEAR AFTER THE YEAR IN WHICH APPROVAL FROM THE UNITED STATES FOOD AND DRUG ADMINISTRATION IS OBTAINED."

Page 3, line 25, after "LICENSED" insert "IN COLORADO".

Page 4, line 17, strike "SUPPLY." and substitute "SUPPLY THAT HAS BEEN APPROVED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION."

(b) "MANUFACTURER" INCLUDES A PERSON WHO ENGAGES IN THE ACTIVITIES DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (6) IN CONNECTION WITH A COVERED DRUG, MEDICAL DEVICE, BIOLOGICAL PRODUCT, OR MEDICAL SUPPLY THAT IS APPROVED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION ON OR AFTER THE EFFECTIVE DATE OF THIS PART 4, AND SUCH MANUFACTURER SHALL BE SUBJECT TO THE REPORTING REQUIREMENTS OF THIS PART 4 ONE YEAR AFTER THE YEAR IN WHICH APPROVAL FROM THE UNITED STATES FOOD AND DRUG ADMINISTRATION IS OBTAINED."

Reletter succeeding paragraph accordingly.

Page 5, line 2, after "(a)" insert "(I)".

Page 5, after line 6 insert:

"(II) "PAYMENT OR OTHER TRANSFER OF VALUE" DOES NOT INCLUDE A TRANSFER OF ANYTHING OF VALUE THAT IS MADE INDIRECTLY TO A HEALTH CARE PRACTITIONER THROUGH A THIRD PARTY, OTHER THAN THE APPLICABLE MANUFACTURER, IN CONNECTION WITH AN ACTIVITY OR SERVICE IN THE CASE WHERE THE APPLICABLE MANUFACTURER IS UNAWARE OF THE IDENTITY OF THE HEALTH CARE PRACTITIONER."

Page 9, line 14, strike "THE" and substitute "OR COMPLIANCE WITH ONE OF THE FOLLOWING CODES, AS APPLICABLE:

(I) THE".

Page 9, after line 21 insert:

"(II) THE CODE OF ETHICS ON INTERACTIONS WITH HEALTH CARE PROFESSIONALS, REVISED AND RESTATED, EFFECTIVE JULY 1, 2009, OR ITS SUCCESSOR CODE, ADOPTED BY THE ADVANCED MEDICAL TECHNOLOGY ASSOCIATION (ADVAMED), OR ITS SUCCESSOR ASSOCIATION, INCLUDING PROCEDURES TO ENSURE EFFECTIVE COMPLIANCE WITH THE CODE; OR

(III) THE REVISED CODE OF CONDUCT ON INTERACTIONS WITH HEALTH CARE PROVIDERS, ADOPTED JULY 1, 2009, OR ITS SUCCESSOR CODE, ADOPTED BY THE MEDICAL DEVICE MANUFACTURERS ASSOCIATION (MDMA), OR ITS SUCCESSOR ASSOCIATION, INCLUDING IMPLEMENTATION OF AN EFFECTIVE COMPLIANCE PROGRAM."

Page 9, line 23, before "CODE" insert "APPLICABLE".

Page 9, line 25, strike "PHRMA" and substitute "PHRMA, ADVAMED, OR MDMA" and strike "SITE" and substitute "SITE, OR IS SELF-IDENTIFIED ON ITS OWN WEB SITE,".

Page 9, line 26, before "CODE" insert "APPLICABLE".

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Page 10, after line 13 insert:

"(6) A MANUFACTURER THAT DISCLOSES THE INFORMATION REQUIRED BY THIS SECTION, OR SUBSTANTIALLY SIMILAR INFORMATION, ON ITS WEB SITE COMPLIES WITH THIS SECTION IF THE MANUFACTURER PROVIDES TO THE SECRETARY, BY MARCH 31, 2011, AND BY EACH MARCH 31 THEREAFTER, A CURRENT, FUNCTIONING LINK TO THE INFORMATION ON ITS WEB SITE."

Page 11, after line 11 insert:

"(3) A MANUFACTURER OR GROUP PURCHASING ORGANIZATION THAT DISCLOSES THE INFORMATION REQUIRED BY THIS SECTION, OR SUBSTANTIALLY SIMILAR INFORMATION, ON ITS WEB SITE COMPLIES WITH THIS SECTION IF THE MANUFACTURER OR GROUP PURCHASING ORGANIZATION PROVIDES TO THE SECRETARY, BY MARCH 31, 2011, AND BY EACH MARCH 31 THEREAFTER, A CURRENT, FUNCTIONING LINK TO THE INFORMATION ON ITS WEB SITE."

Page 12, strike line 9 and substitute:

"(3) IF A MANUFACTURER OR GROUP PURCHASING ORGANIZATION DISPUTES A FINE IMPOSED PURSUANT TO SUBSECTION (1) OR (2) OF THIS SECTION, THE"

Page 12, line 24, strike "24-21-404. THE" and substitute "24-21-404 IN AN ELECTRONIC FORMAT IN".

Page 12, strike line 25.

Page 12, line 27, after "(b)" insert "(I)".

Page 13, line 7, strike "(I)" and substitute "(A)".

Page 13, line 9, strike "(II)" and substitute "(B)".

Page 13, line 16, strike "(III)" and substitute "(C)".

Page 13, line 18, strike "(IV)" and substitute "(D)".

Page 13, line 22, strike "(V)" and substitute "(E)".

Page 13, line 24, strike "(VI)" and substitute "(F)".

Page 14, line 3, strike "(VII)" and substitute "(G)".

Page 14, line 5, strike "(VIII)" and substitute "(H)".

Page 14, after line 7 insert:

"(II) IF THE SECRETARY DETERMINES THAT PROVIDING THE INFORMATION SUBMITTED PURSUANT TO SECTIONS 24-21-403 AND 24-21-404 ON A WEB SITE IN THE MANNER DESCRIBED IN SUB-SUBPARAGRAPHS (B), (C), AND (F) OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) IS COST PROHIBITIVE, THE SECRETARY'S PROCEDURES MAY REQUIRE MANUFACTURERS AND GROUP PURCHASING ORGANIZATIONS TO SUBMIT THE REQUIRED INFORMATION IN AN ELECTRONIC, DOWNLOADABLE DOCUMENT THAT THE SECRETARY CAN POST ON THE WEB SITE."

Page 14, after line 26 insert:

"24-21-407. Effect of federal legislation - compliance with part. IF THE UNITED STATES CONGRESS ENACTS AND THE PRESIDENT SIGNS LEGISLATION KNOWN AS THE "PHYSICIAN PAYMENTS SUNSHINE ACT OF 2009" OR SIMILAR LEGISLATION THAT REQUIRES MANUFACTURERS

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AND GROUP PURCHASING ORGANIZATIONS TO DISCLOSE INFORMATION CONSISTENT WITH OR SIMILAR TO THE INFORMATION REQUIRED BY SECTIONS 24-21-403 AND 24-21-404, A MANUFACTURER OR GROUP PURCHASING ORGANIZATION MAY COMPLY WITH THIS PART 4 BY PROVIDING TO THE SECRETARY BY MARCH 31 OF THE YEAR IN WHICH THE MANUFACTURER OR GROUP PURCHASING ORGANIZATION IS REQUIRED BY THE FEDERAL LEGISLATION TO SUBMIT INFORMATION, AND BY EACH MARCH 31 THEREAFTER, A LINK TO THE WEB SITE ON WHICH THE MANUFACTURER'S OR GROUP PURCHASING ORGANIZATION'S DISCLOSURES ARE AVAILABLE.".

Renumber succeeding C.R.S. section accordingly.

Health &
Human
Services

After consideration on the merits, the Committee recommends that **SB10-160** be referred to the Committee on Appropriations with favorable recommendation.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR10-015 by Senator(s) Newell, Carroll M.; also Representative(s) Rice--Concerning the general assembly's support and encouragement for Colorado's businesses to add a Renewable Energy Fund to every 401(k) and other defined contribution plan in the state.

Laid over one day under Senate Rule 30(b).

INTRODUCTION OF BILLS -- FIRST READING

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

SB10-170 by Senator(s) Steadman, Boyd, Carroll M., Foster, Morse, Newell; also Representative(s) Primavera--Concerning continuity of care for patients served by limited services clinics located in retail outlets.

Health and Human Services

HB10-1007 by Representative(s) Judd, Peniston, Roberts, Schafer S., Vaad; also Senator(s) Brophy, Steadman--Concerning an adjustment of fees charged by a county clerk and recorder for filing a document with the county.

Local Government and Energy

HB10-1008 by Representative(s) Schafer S. and McCann, Apuan, Frangas, Massey; also Senator(s) Carroll M. and Schwartz, Boyd, Foster--Concerning a prohibition against consideration of gender in setting rates for individual health insurance policies.

Health and Human Services

HB10-1024 by Representative(s) Balmer and Riesberg; also Senator(s) Williams, Newell--Concerning eliminating the ability of advanced practice nurses to declare patients terminally ill.

Health and Human Services

HB10-1025 by Representative(s) Roberts, Riesberg, Soper, Tyler; also Senator(s) Newell, Tochtrop, Williams--Concerning updates to the "Colorado Medical Treatment Decision Act".

Health and Human Services

HB10-1041 by Representative(s) Acree, Looper, Primavera, Todd; also Senator(s) Mitchell, Keller--Concerning applications for home- and community-based services waivers for children as part of the medicaid eligibility modernization.

Health and Human Services

HB10-1044 by Representative(s) Carroll T., Todd, Benefield, Kefalas, Massey, McNulty, Merrifield, Middleton, Roberts, Schafer S., Stephens; also Senator(s) Steadman--Concerning the

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	licensure of neighborhood youth organizations.	1
	Education	2
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HB10-1097	by Representative(s) Benefield, Court, Ryden, Pace; also Senator(s) Morse, Hudak, Newell--Concerning temporary injunctions in proceedings involving minor children.	4
	Judiciary	5
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HB10-1108	by Representative(s) McCann; also Senator(s) Johnston--Concerning an exclusion from the employment relationship for purposes of state employment laws for certain coaches who enter into independent contractor relationships with nonprofit youth sports organizations that are evidenced by a written agreement.	8
	Business, Labor and Technology	9
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HB10-1115	by Representative(s) Gagliardi; also Senator(s) Scheffel--Concerning the assessment of costs by county departments of social services to families receiving child welfare core services.	12
	Health and Human Services	13
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HB10-1138	by Representative(s) Gagliardi, Massey, Apuan, Casso, Ferrandino, Fischer, Frangas, Hullinghorst, Kefalas, Labuda, McFadyen, Middleton, Pace, Rice, Scanlan, Todd, Tyler; also Senator(s) Morse, Newell--Concerning the program to repay educational loans of health care professionals.	17
	Health and Human Services	18
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HB10-1171	by Representative(s) Benefield, Scanlan; also Senator(s) Steadman--Concerning education-related data reporting requirements.	24
	Education	25
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HB10-1197	by Representative(s) Ferrandino; also Senator(s) Heath--Concerning a decrease in the maximum amount of a state income tax credit that may be claimed for the donation of a conservation easement in gross.	29
	Finance	30
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HB10-1204	by Representative(s) Soper; also Senator(s) Tochtrop--Concerning the inclusion of conservation standards in the plumbing code.	34
	Business, Labor and Technology	35
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HB10-1223	by Representative(s) Baumgardner, Fischer, Hullinghorst, Looper, Pace, Ryden, Vigil; also Senator(s) Whitehead--Concerning the continuation of the forestry advisory board, and, in connection therewith, repealing the forestry advisory board.	38
	Agriculture and Natural Resources	39
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HB10-1297	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--Concerning a supplemental appropriation to the department of agriculture.	43
	Appropriations	44
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HB10-1298	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--Concerning a supplemental appropriation to the department of corrections.	47
	Appropriations	48
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HB10-1299	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting.	51
	Appropriations	52
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HB10-1300	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--Concerning a supplemental appropriation to the department of health care policy and financing.	56
	Appropriations	57
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HB10-1301	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--Concerning a supplemental appropriation to the department of higher education.	61
	Appropriations	62
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HB10-1302	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--Concerning a supplemental appropriation to the department of human services.	65
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	Appropriations	1
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HB10-1303	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--	3
	Concerning a supplemental appropriation to the judicial department.	4
	Appropriations	5
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HB10-1304	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--	7
	Concerning a supplemental appropriation to the department of labor and employment.	8
	Appropriations	9
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HB10-1305	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--	11
	Concerning a supplemental appropriation to the department of law.	12
	Appropriations	13
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HB10-1306	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--	15
	Concerning a supplemental appropriation to the department of legislature.	16
	Appropriations	17
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HB10-1307	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--	19
	Concerning supplemental appropriation to the department of local affairs.	20
	Appropriations	21
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HB10-1308	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--	23
	Concerning a supplemental appropriation to the department of military and veterans affairs.	24
	Appropriations	25
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HB10-1309	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--	27
	Concerning a supplemental appropriation to the department of natural resources.	28
	Appropriations	29
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HB10-1310	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--	31
	Concerning a supplemental appropriation to the department of personnel and administration.	32
	Appropriations	33
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HB10-1311	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--	35
	Concerning a supplemental appropriation to the department of public health and	36
	environment.	37
	Appropriations	38
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HB10-1312	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--	40
	Concerning a supplemental appropriation to the department of public safety.	41
	Appropriations	42
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HB10-1313	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--	44
	Concerning a supplemental appropriation to the department of regulatory agencies.	45
	Appropriations	46
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HB10-1314	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--	48
	Concerning a supplemental appropriation to the department of revenue.	49
	Appropriations	50
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HB10-1315	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--	52
	Concerning a supplemental appropriation to the department of state.	53
	Appropriations	54
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HB10-1316	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--	56
	Concerning a supplemental appropriation to the department of transportation.	57
	Appropriations	58
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HB10-1317	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--	60
	Concerning a supplemental appropriation to the department of the treasury.	61
	Appropriations	62
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HB10-1318	by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White--	64
	Concerning circumstances under which the requirement that each school district receive a	65
	minimum amount of state funding for total program funding as calculated through the	66

"Public School Finance Act of 1994" shall not apply to any district, and making an appropriation in connection therewith.	1
Appropriations	2
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HB10-1319 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) Tapia, Keller, White--	5
Concerning modifications to statutory transfers for energy-related assistance to low-income	6
households from the operational account of the severance tax trust fund for three particular	7
state fiscal years.	8
Appropriations	9
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HB10-1320 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White--	11
Concerning the use of tobacco revenues generated under section 21 of article X of the state	12
constitution in a state fiscal emergency, and making an appropriation therefor.	13
Appropriations	14
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HB10-1321 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White--	16
Concerning moneys appropriated for health clinics.	17
Appropriations	18
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HB10-1322 by Representative(s) Lambert, Ferrandino, Pommer; also Senator(s) White, Keller, Tapia--	20
Concerning the repeal of the pilot programs on the use of telemedicine, and making an	21
appropriation therefor.	22
Appropriations	23
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HB10-1323 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White--	25
Concerning the use of tobacco litigation funds for health care programs, and making an	26
appropriation therefor.	27
Appropriations	28
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HB10-1324 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) White, Keller, Tapia--	30
Concerning a reduction in the general fund portion of the per diem rates paid to nursing	31
facilities, and making an appropriation therefor.	32
Appropriations	33
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HB10-1325 by Representative(s) Lambert, Pommer, Ferrandino; also Senator(s) White, Keller, Tapia--	35
Concerning the transfer of interest earned by certain settlement moneys in the natural	36
resource damage recovery fund.	37
Appropriations	38
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HB10-1326 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White--	40
Concerning an increase in the amount of authorized appropriations from the operational	41
account of the severance tax trust fund to the division of parks and outdoor recreation, and,	42
in connection therewith, adjusting the 2009 long bill.	43
Appropriations	44
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HB10-1327 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia--	46
Concerning the augmentation of the general fund through transfers of certain moneys.	47
Appropriations	48
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HB10-1339 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia--	50
Concerning the distribution of limited gaming fund moneys for the 2009-10 state fiscal year,	51
and making an appropriation in connection therewith.	52
Appropriations	53
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On motion of Senator Morse, and with a majority of those elected to the Senate having	57
voted in the affirmative, the balance of the calendar of Friday, February 19, was laid over	58
until Monday, February 22, retaining its place on the calendar.	59
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Third Reading of Bills -- Final Passage: SB10-060.	61
General Orders -- Second Reading of Bills: SB10-076, SB10-093.	62
Consideration of Resolutions: SJR10-010, SJR10-015.	63
Consideration of Governor's Appointments:	64
Members of the Securities Board	65
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On motion of Senator Morse, the Senate adjourned until 10:00 a.m., Monday, February 22, 2010.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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