

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

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59th Legislative Day Friday, March 12, 2010

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Prayer By the chaplain, Reverend John Thompson, Park Hill United Methodist Church, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Gibbs.

Roll Call Present--30.  
 Absent--4, Carroll, Hudak, Mitchell, Renfroe.  
 Excused--1, Romer.  
 Present later--4, Carroll, Hudak, Mitchell, Renfroe.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Scheffel, reading of the Journal of Thursday, March 11, 2010, was dispensed with and the Journal was approved as corrected by the Secretary.

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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.

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**CONSIDERATION OF RESOLUTIONS**

**SR10-006** by Senator(s) Penry; --Concerning recognition of the sixtieth anniversary of Hilltop Community Resources.

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

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	E	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		

Co-sponsors added: Bacon, Boyd, Brophy, Cadman, Carroll M., Foster, Gibbs, Harvey, Heath, Hodge, Hudak, Johnston, Keller, Kester, King K., Kopp, Lundberg, Mitchell, Morse, Newell, Renfroe, Sandoval, Scheffel, Schultheis, Schwartz, Shaffer B., Spence, Steadman, Tapia, Tochtrop, White, Whitehead and Williams.

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**THIRD READING OF BILLS -- FINAL PASSAGE --  
 CONSENT CALENDAR**

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

**HB10-1064** by Representative(s) Schafer S., Todd; also Senator(s) Spence, Hodge, King K.-- Concerning a requirement that a student complete an appeal process before filing a complaint with a group of neutral arbitrators concerning the student's participation in extracurricular activities.

The question being "Shall the bill pass?", the roll call was taken with the following result:

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	E	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		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

**HB10-1134** by Representative(s) Casso; also Senator(s) Kester--Concerning measures to prevent illegal interstate pari-mutuel wagering on racing, and, in connection therewith, authorizing the entry by Colorado into interstate compacts governing racing and the collection of source market fees from out-of-state simulcast activity.

The question being "Shall the bill pass?", the roll call was taken with the following result:

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	E	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		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

Co-sponsors added: Tochtrop

**HB10-1231** by Representative(s) Sonnenberg; also Senator(s) Tochtrop--Concerning the regulation of conveyances.

The question being "Shall the bill pass?", the roll call was taken with the following result:

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	E	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		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

**HB10-1148** by Representative(s) Gerou, Balmer, Frangas, Levy, Liston, McNulty, Schafer S., Todd, Benefield, Casso, Hullinghorst, Kefalas, Priola, Solano, Stephens, Vaad; also Senator(s) Tapia, Bacon, Tochtrop, White, Williams, Kopp, Penry--Concerning the elimination of the requirement that an architect maintain continuing professional competency in order to renew a license to practice architecture, and making an appropriation therefor.

The question being "Shall the bill pass?", the roll call was taken with the following result:

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	E	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		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

Co-sponsors added: Cadman and Whitehead.

**HB10-1089** by Representative(s) Waller; also Senator(s) Newell--Concerning placement after a parole revocation of a parolee who is a sexually violent predator.

The question being "Shall the bill pass?", the roll call was taken with the following result:

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	E	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		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

Co-sponsors added: Schwartz

**THIRD READING OF BILLS -- FINAL PASSAGE**

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

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

A majority of those elected to the Senate having voted in the affirmative, Senator Steadman was given permission to offer a third reading amendment.

Third Reading Amendment No.1,(L.011), by Senator Steadman.

Amend engrossed bill, page 4, line 17, strike "(IV)" and substitute "(III)".

Page 5, line 11, strike "AND".

Page 5, line 14, strike "SITES." and substitute "SITES; AND".

The amendment was passed on the following roll call vote:

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	E	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 question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	22	NO	12	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	Y	Penry	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	E	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

**HB10-1085** by Representative(s) Kerr J.; also Senator(s) Tapia--Concerning land surveying, and, in connection therewith, altering licensure criteria for land surveyor applicants and specifying procedures for issuance of a surveyor's affidavit of correction.

The question being "Shall the bill pass?", the roll call was taken with the following result:

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	E	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		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

Co-sponsors added: Whitehead and Williams.

**HB10-1002** by Representative(s) Kefalas, Gagliardi, Kagan; also Senator(s) Sandoval, Boyd, Hudak-- Concerning an increase in the threshold necessary to trigger a temporary income tax rate reduction as a method to refund excess state revenues by an amount equal to the threshold necessary to trigger the earned income tax credit refund.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	12	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	N
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	Y	Penry	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	E	White	N
Foster	Y	King K.	N	Sandoval	Y	Whitehead	N
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	Y	Schultheis	N	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsors added: Steadman and Williams.

**HB10-1059** by Representative(s) Gagliardi; also Senator(s) Newell--Concerning allowing a minor who is in the foster care system to register for a driver education course prior to applying for an instruction permit without a signed affidavit of liability.

The question being "Shall the bill pass?", the roll call was taken with the following result:

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	E	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		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsors added: Boyd, Heath, Hodge, Hudak, Kopp, Sandoval, Shaffer B., Steadman, Whitehead and Williams.

**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.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	11	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	Y	Penry	Y	Tapia	Y
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	E	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsors added: Williams

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

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	5	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	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	E	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	N	Williams	Y
Harvey	N	Lundberg	Y	Schultheis	N	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsors added: Boyd, Johnston, Keller, Morse, Newell, Tochtrop, Whitehead and

Williams.

**HB10-1021** by Representative(s) Frangas and McCann; also Senator(s) Foster, Boyd--Concerning required coverages for reproductive services for health insurance policies.

A majority of those elected to the Senate having voted in the affirmative, Senator Foster was given permission to offer a third reading amendment.

Third Reading Amendment No.1,(L.028), by Senator Foster.

Amend revised bill, page 2, line 8, strike "~~and~~" and substitute "and".

Page 3, line 8, after "to" insert "group and".

The amendment was **passed** on the following roll call vote:

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	E	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		

A majority of those elected to the Senate having voted in the affirmative, Senator Scheffel was given permission to offer a third reading amendment.

Third Reading Amendment No.2,(L.027), by Senator Scheffel.

Amend revised bill, page 2, line 11, before "PROVIDE" insert "THE MAJORITY OF ALL POLICIES OFFERED BY THE ENTITY OFFERING GROUP SICKNESS AND ACCIDENT COVERAGE SHALL".

Page 2, line 14, strike "ALL" and substitute "AN ENTITY THAT OFFERS".

Page 2, line 17, after "AND" insert "MATERNITY CARE IN".

Page 2, strike lines 18 and 19 and substitute "OFFERED. Policies or".

The amendment was **lost** on the following roll call vote:

YES	16	NO	18	EXCUSED	1	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	Y
Carroll M.	N	Kester	Y	Romer	E	White	Y
Foster	N	King K.	Y	Sandoval	Y	Whitehead	N
Gibbs	N	Kopp	Y	Scheffel	Y	Williams	N
Harvey	Y	Lundberg	Y	Schultheis	Y	President	N
Heath	N	Mitchell	Y	Schwartz	N		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	14	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	N
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	Y	Penry	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	E	White	N
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsors added: Bacon, Carroll M., Heath, Hodge, Hudak, Johnston, Keller, Morse, Newell, Shaffer B. and Steadman.

Committee of the Whole On motion of Senator Newell, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar and Senator Newell 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:

**HB10-1016** by Representative(s) Waller, Benefield, Gardner B., King S., Labuda, Liston, Peniston, Riesberg, Schafer S.; also Senator(s) Tochtrop, Lundberg, Morse, Williams--Concerning the extension of the term of the retired member of the board of directors of the fire and police pension association.

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

**HB10-1247** by Representative(s) Gagliardi, Bradford, Soper; also Senator(s) Carroll M.--Concerning the continuation of the workers' compensation classification appeals board.

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

**HB10-1235** by Representative(s) Levy, Gardner B., Kagan, Labuda, Roberts; also Senator(s) Brophy, Carroll M., Mitchell, Morse, Schwartz--Concerning the requirements in the "State Administrative Procedure Act" for incorporation by reference of rule-making materials by executive branch agencies.

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

**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.

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

**SB10-138** by Senator(s) Heath; also Representative(s) Peniston--Concerning the award of expenses in a proceeding to appeal the valuation of property for property tax purposes.

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 Newell, the report of the Committee of the Whole was **adopted** on the following roll call vote:

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	E	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: HB10-1016, HB10-1247, HB10-1235, HB10-1007, SB10-138.

Committee of the Whole On motion of Senator Newell, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Newell 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:

**SB10-166** by Senator(s) Bacon, Schwartz; also Representative(s) Riesberg and Sonnenberg, McFadyen--Concerning the authority of the executive director of the department of personnel to enter into lease-purchase agreements.

Laid over until Friday, March 19, retaining its place on the calendar.

**HB10-1141** by Representative(s) Carroll T.; also Senator(s) Tochtrop--Concerning a requirement for mortgage companies to be registered by the division of real estate.

Amendment No. 1, Business, Labor & Technology Committee Amendment.  
(Printed in Senate Journal, March 3, page 416 and placed in members' bill files.)

Amendment No. 2(L.007), by Senator Tochtrop.

Amend reengrossed bill, page 3, after line 7 insert:

**"SECTION 3.** 12-61-903 (1) (a), Colorado Revised Statutes, is amended to read:

**12-61-903. License required - rules.** (1) (a) On or after August 5, 2009, unless licensed by the director, an individual shall not originate a mortgage, offer to originate a mortgage, act as a mortgage loan originator, or offer to act as a mortgage loan originator. On or after ~~July 31, 2010~~ DECEMBER 31, 2010, unless licensed by the director and registered with the nationwide mortgage licensing system and registry as a state-licensed loan originator, an individual shall not originate or offer to originate a mortgage or act or offer to act as a mortgage loan originator."

Renumber succeeding sections accordingly.

Page 3, line 11, strike "EACH" and substitute "ON OR AFTER JANUARY 1, 2011, EACH".

Amendment No. 3(L.008), by Senator Scheffel.

Amend reengrossed bill, page 2, strike line 9 and substitute:

"ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:".

Page 2, after line 11 insert:

"(1.3) "BOARD" MEANS THE BOARD OF MORTGAGE LOAN ORIGINATORS CREATED IN SECTION 12-61-902.5."

Page 3, after line 7 insert:

**"SECTION 3.** Part 9 of article 61 of title 12, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**12-61-902.5. Board of mortgage loan originators - creation - compensation - enforcement of part after board creation - immunity.**  
(1) THERE IS HEREBY CREATED IN THE DIVISION A BOARD OF MORTGAGE LOAN ORIGINATORS, CONSISTING OF SEVEN MEMBERS APPOINTED BY THE GOVERNOR WITH THE CONSENT OF THE SENATE. OF THE MEMBERS, FIVE SHALL BE LICENSED MORTGAGE LOAN ORIGINATORS AND TWO SHALL BE MEMBERS OF THE PUBLIC AT LARGE NOT ENGAGED IN MORTGAGE LOAN

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ORIGINATION OR MORTGAGE LENDING. OF THE MEMBERS OF THE BOARD APPOINTED FOR TERMS BEGINNING ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, THREE OF THE MEMBERS APPOINTED AS MORTGAGE LOAN ORIGINATORS AND ONE OF THE MEMBERS APPOINTED AS A MEMBER OF THE PUBLIC AT LARGE SHALL BE APPOINTED FOR TERMS OF TWO YEARS, AND TWO OF THE MEMBERS APPOINTED AS MORTGAGE LOAN ORIGINATORS AND ONE OF THE MEMBERS APPOINTED AS A MEMBER OF THE PUBLIC AT LARGE SHALL SERVE FOR TERMS OF FOUR YEARS. THEREAFTER, MEMBERS OF THE BOARD SHALL HOLD OFFICE FOR A TERM OF FOUR YEARS. IN THE EVENT OF A VACANCY BY DEATH, RESIGNATION, REMOVAL, OR OTHERWISE, THE GOVERNOR SHALL APPOINT A MEMBER TO FILL THE UNEXPIRED TERM. THE GOVERNOR SHALL HAVE THE AUTHORITY TO REMOVE ANY MEMBER FOR MISCONDUCT, NEGLIGENCE OF DUTY, OR INCOMPETENCE.

(2) (a) THE BOARD SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DIVISION AS IF TRANSFERRED TO THE DIVISION BY A **TYPE 1** TRANSFER, AS SUCH TRANSFER IS DEFINED IN THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968", ARTICLE 1 OF TITLE 24, C.R.S.

(b) NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART 9, ON AND AFTER THE CREATION OF THE BOARD BY THIS SECTION, THE BOARD SHALL EXERCISE ALL OF THE RULE-MAKING, ENFORCEMENT, AND ADMINISTRATIVE AUTHORITY OF THE DIRECTOR SET FORTH IN THIS PART 9. THE BOARD HAS THE AUTHORITY TO DELEGATE TO THE DIRECTOR ANY ENFORCEMENT AND ADMINISTRATIVE AUTHORITY UNDER THIS PART 9 THAT THE BOARD DEEMS NECESSARY AND APPROPRIATE. IF THE BOARD DELEGATES ANY ENFORCEMENT OR ADMINISTRATIVE AUTHORITY UNDER THIS PART 9 TO THE DIRECTOR, THE DIRECTOR SHALL ONLY BE ENTITLED TO EXERCISE SUCH AUTHORITY AS SPECIFICALLY DELEGATED IN WRITING TO THE DIRECTOR BY THE BOARD.

(3) EACH MEMBER OF THE BOARD SHALL RECEIVE THE SAME COMPENSATION AND REIMBURSEMENT OF EXPENSES AS THOSE PROVIDED FOR MEMBERS OF BOARDS AND COMMISSIONS IN THE DIVISION OF REGISTRATIONS PURSUANT TO SECTION 24-34-102 (13), C.R.S. PAYMENT FOR ALL PER DIEM COMPENSATION AND EXPENSES SHALL BE MADE OUT OF ANNUAL APPROPRIATIONS FROM THE MORTGAGE LOAN ORIGINATOR LICENSING CASH FUND CREATED IN SECTION 12-61-908.

(4) MEMBERS OF THE BOARD, CONSULTANTS, AND EXPERT WITNESSES SHALL BE IMMUNE FROM SUIT IN ANY CIVIL ACTION BASED UPON ANY DISCIPLINARY PROCEEDINGS OR OTHER OFFICIAL ACTS THEY PERFORMED IN GOOD FAITH PURSUANT TO THIS PART 9.

(5) A MAJORITY OF THE BOARD SHALL CONSTITUTE A QUORUM FOR THE TRANSACTION OF ALL BUSINESS, AND ACTIONS OF THE BOARD SHALL REQUIRE A VOTE OF A MAJORITY OF THE MEMBERS PRESENT IN FAVOR OF THE ACTION TAKEN.

(6) (a) ALL RULES PROMULGATED BY THE DIRECTOR PRIOR TO THE EFFECTIVE DATE OF THIS SECTION SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL REPEALED OR MODIFIED BY THE BOARD. THE BOARD SHALL HAVE THE AUTHORITY TO ENFORCE ANY PREVIOUSLY PROMULGATED RULES OF THE DIRECTOR UNDER THIS PART 9 AND ANY RULES PROMULGATED BY THE BOARD.

(b) NOTHING IN THIS SECTION SHALL AFFECT ANY ACTION TAKEN BY THE DIRECTOR PRIOR TO THE EFFECTIVE DATE OF THIS SECTION. NO PERSON WHO, ON OR BEFORE THE EFFECTIVE DATE OF THIS SECTION, HOLDS A LICENSE ISSUED UNDER THIS PART 9 SHALL BE REQUIRED TO SECURE AN ADDITIONAL LICENSE UNDER THIS PART 9, BUT SHALL OTHERWISE BE SUBJECT TO ALL THE PROVISIONS OF THIS PART 9. A LICENSE PREVIOUSLY ISSUED SHALL, FOR ALL PURPOSES, BE CONSIDERED A LICENSE ISSUED BY THE BOARD UNDER THIS PART 9."

Renumber succeeding sections accordingly.

Amendment No. 4(L.006), by Senator Mitchell.

Amend reengrossed bill, page 7, line 20, strike "(1) (k)" and substitute

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"(1) (k), (5),".

Page 8, after line 10, insert:

"(5) Complaints of record in the office of the director and the results of staff investigations ~~may, in the discretion of the director, be closed to public inspection, except as provided by court order, during the investigatory period and until dismissed or until notice of hearing and charges are served on a licensee~~ SHALL BE CLOSED TO PUBLIC INSPECTION DURING THE INVESTIGATORY PERIOD AND UNTIL DISMISSED OR UNTIL NOTICE OF HEARING AND CHARGES ARE SERVED ON A LICENSEE, EXCEPT AS PROVIDED BY COURT ORDER. COMPLAINTS OF RECORD THAT ARE DISMISSED BY THE DIRECTOR AND THE RESULTS OF INVESTIGATION OF SUCH COMPLAINTS SHALL BE CLOSED TO PUBLIC INSPECTION, EXCEPT AS PROVIDED BY COURT ORDER. THE DIRECTOR'S RECORDS SHALL BE SUBJECT TO SECTIONS 24-72-203 AND 24-72-204, C.R.S., REGARDING PUBLIC RECORDS AND CONFIDENTIALITY."

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

**SB10-110**

by Senator(s) Williams; also Representative(s) Ryden, Court, Hullinghorst, Judd, Levy, Middleton, Rice--Concerning the enforcement of offenses involving failure of certain persons in a vehicle to use an appropriate restraining device.

Amendment No. 1, Transportation Committee Amendment.

(Printed in Senate Journal, February 19, page 299-301 and placed in members' bill files.)

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

Amend the Transportation Committee Report, dated February 18, 2010, page 2, line 2, strike "amended" and substitute "amended, and the said 42-4-236 is further amended BY THE ADDITION OF A NEW SUBSECTION,".

Page 2 of the report, line 4, strike "**exemptions.**" and substitute "**exemptions - repeal.**".

Page 4 of the report, strike line 31 and substitute:

~~"or section 42-4-237.~~

(11) (a) FOR ONE YEAR FOLLOWING AUGUST 1, 2010, A LAW ENFORCEMENT OFFICER WHO STOPS A DRIVER OF A MOTOR VEHICLE WITH AN OCCUPANT OF THE VEHICLE IN VIOLATION OF THIS SECTION SHALL WARN THE DRIVER THAT THE VIOLATION IS A CLASS B TRAFFIC INFRACTION AND SHALL NOT CITE THE DRIVER FOR THE VIOLATION.

(b) THIS SUBSECTION (11) IS REPEALED, AUGUST 1, 2011."."

Amendment No. 3(L.010), by Senator Williams.

Amend the Transportation Committee Report, dated February 18, 2010, page 1, line 16, strike "6." and substitute "8.".

Page 1, line 17, strike "7" and substitute "9" and strike "12" and substitute "21".

Page 5, strike line 1.

As amended, declared **lost** on second reading.

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

**HB10-1028**

by Representative(s) Benefield, Massey, Peniston, Solano; also Senator(s) Hodge, Hudak, Steadman--Concerning a universal application for programs related to early childhood issues.

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

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**HB10-1204** by Representative(s) Soper; also Senator(s) Tochtrop--Concerning the inclusion of conservation standards in the plumbing code. 1  
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Ordered revised and placed on the calendar for third reading and final passage. 3  
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**HB10-1003** by Representative(s) McNulty, Kerr J., Miklosi, Primavera; also Senator(s) Tochtrop, Mitchell--Concerning the extension of the deadline for the review of grievance petitions filed with the state personnel board. 5  
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Ordered revised and placed on the calendar for third reading and final passage. 9  
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**HB10-1099** by Representative(s) Pace; also Senator(s) Tapia--Concerning authorization to consume an alcohol beverage purchased at the Colorado state fair at any location on the fairgrounds licensed for consumption. 11  
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Amendment No. 1(L.003), by Senator Tapia. 15  
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Amend reengrossed bill, page 2, line 11, strike "LICENSED FOR CONSUMPTION". 17  
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Page 2, after line 13 insert: 20  
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"**SECTION 2.** 12-47-901 (1) (h), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read: 22  
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**12-47-901. Unlawful acts - exceptions.** (1) Except as provided in section 18-13-122, C.R.S., it is unlawful for any person: 25  
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(h) (V) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH (h), IT IS NOT UNLAWFUL FOR ADULT PATRONS OF THE COLORADO STATE FAIR TO CONSUME MALT, VINOUS, OR SPIRITUOUS LIQUOR UPON UNLICENSED AREAS WITHIN THE DESIGNATED FAIRGROUNDS OF THE COLORADO STATE FAIR AUTHORITY, BUT THIS SUBPARAGRAPH (V) DOES NOT AUTHORIZE A PATRON TO REMOVE AN ALCOHOL BEVERAGE FROM THE FAIRGROUNDS." 28  
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Renumber succeeding section accordingly. 36  
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As amended, ordered revised and placed on the calendar for third reading and final passage. 38  
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**SB10-139** by Senator(s) Kester; also Representative(s) Sonnenberg--Concerning the addition of a line to Colorado state individual income tax return forms whereby individual taxpayers may make a voluntary contribution benefiting the unwanted horse fund. 41  
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Ordered engrossed and placed on the calendar for third reading and final passage. 45  
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On motion of Senator Morse , and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (HB10-1008, SB10-020, SB10-087, SB10-108, SB10-120, SB10-073, SB10-143, HB10-1233, HB10-1135, HB10-1107, HB10-1137, HB10-1170, SB10-174, SB10-177, HB10-1010) of Friday, March 12, was laid over until Monday, March 15, retaining its place on the calendar. 48  
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**AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE** 56  
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**SB10-110** by Senator(s) Williams; also Representative(s) Ryden, Court, Hullinghorst, Judd, Levy, Middleton, Rice--Concerning the enforcement of offenses involving failure of certain persons in a vehicle to use an appropriate restraining device. 61  
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Senator Williams moved to amend the Report of the Committee of the Whole to show that SB 10-110, as amended, was laid over to the general orders calendar of Monday, March 15, 2010, retaining its place on the calendar. 66  
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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 **adopted** on the following roll 70  
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call vote:

YES	32	NO	2	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	N	Romer	E	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

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

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	E	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: SB10-139, HB10-1141 as amended, HB10-1028, HB10-1204, HB10-1003, HB10-1099 as amended.

Laid over until Monday, March 15: HB10-1008, SB10-020, SB10-087, SB10-108, SB10-120, SB10-073, SB10-143, HB10-1233, HB10-1135, HB10-1107, HB10-1137, HB10-1170, SB10-174, SB10-177, HB10-1010.

Laid over until Monday, March 15: SB10-166, SB10-135, SB10-110 as amended.

**COMMITTEE OF REFERENCE REPORTS**

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB10-1211** be referred to the Committee on with favorable recommendation.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **SB10-004** be postponed indefinitely.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **SB10-057** be postponed indefinitely.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **SB10-137** be postponed indefinitely.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **SB10-044** be postponed indefinitely.

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After consideration on the merits, the Committee recommends that **SB10-105** be postponed indefinitely.

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After consideration on the merits, the Committee recommends that **HB10-1212** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

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Amend reengrossed bill, page 2, line 16, strike "VEHICLES FOR WHICH TEMPORARY" and substitute "TEMPORARY".

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Page 2, line 17, strike "HAVE BEEN ISSUED;" and substitute "THAT HAVE EXPIRED;".

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Page 2, line 18, strike "HARDSHIPS;" and substitute "HARDSHIPS; AND".

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Page 3, strike line 2.

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Renumber succeeding subparagraph accordingly.

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Page 3, line 8, strike "VEHICLE" and substitute "OR FARM VEHICLE, AS PART OF THE NORMAL OPERATION,".

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Page 3, strike lines 10 and 11 and substitute "RULES, THAT THE TRAILER WAS IDLED SO THAT IT WAS NOT OPERATED ON ANY PUBLIC HIGHWAY IN THIS STATE FOR AT LEAST A FULL REGISTRATION PERIOD. NOTHING IN THIS PARAGRAPH (b) SHALL BE CONSTRUED TO EXEMPT THE OWNER OF AN IDLED TRAILER FROM PAYING ANY FEES IMPOSED PURSUANT TO THIS ARTICLE OTHER THAN THE LATE FEE BEFORE AGAIN OPERATING THE TRAILER ON A PUBLIC HIGHWAY IN THIS STATE OR FROM PAYING ANY TAXES IMPOSED PURSUANT TO THIS ARTICLE.".

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State,  
Veterans, &  
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After consideration on the merits, the Committee recommends that **SB10-070** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, strike lines 10 and 11 and substitute "ELECTION. THE WORDING OF THE BALLOT QUESTION SHALL BE SUBSTANTIALLY IDENTICAL IN EACH COUNTY SITUATED WITHIN THE JUDICIAL DISTRICT."

Page 4, strike lines 16 and 17 and substitute "THE JUDICIAL DISTRICT AT THE SAME ELECTION OR IF THE WORDING OF THE MEASURE WAS NOT SUBSTANTIALLY IDENTICAL IN EACH COUNTY SITUATED WITHIN THE JUDICIAL DISTRICT,".

Page 4, line 24, strike "ONCE".

Page 4, line 25, strike "SEPARATED" and substitute "A SEPARATE QUESTION".

Page 5, strike lines 14 through 19 and substitute:

"(2) UPON RECEIPT OF THE CERTIFICATIONS TRANSMITTED PURSUANT TO PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION, THE SECRETARY OF STATE SHALL COMPILE THE RESULTS RECEIVED FROM EACH COUNTY SITUATED WITHIN THE JUDICIAL DISTRICT AND DETERMINE WHETHER THE MEASURE WAS APPROVED BY THE ELIGIBLE ELECTORS OF THE JUDICIAL DISTRICT AS A WHOLE. THE SECRETARY SHALL CERTIFY THE RESULTS IN THE MANNER PROVIDED BY LAW.

**1-4-1407. Initiative - petition.** (1) (a) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE REGISTERED ELECTORS OF A COUNTY MAY SUBMIT TO THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY A PROPOSED BALLOT QUESTION REGARDING LENGTHENING, SHORTENING, OR ELIMINATING OF THE LIMITATION ON TERMS OF OFFICE FOR THE DISTRICT ATTORNEY OF THE JUDICIAL DISTRICT IMPOSED BY SECTION 11 OF ARTICLE XVIII OF THE STATE CONSTITUTION. THE REGISTERED ELECTORS MAY COMMENCE THE INITIATIVE PROCESS BY FILING WRITTEN NOTICE OF THE PROPOSED BALLOT QUESTION WITH THE COUNTY CLERK AND RECORDER AND SUBSEQUENTLY, WITHIN ONE HUNDRED EIGHTY DAYS AFTER APPROVAL OF THE PETITION PURSUANT TO SUBSECTION (2) OF THIS SECTION BUT NO LESS THAN ONE HUNDRED FORTY DAYS PRIOR TO THE NEXT SCHEDULED COORDINATED OR GENERAL ELECTION, BY FILING A PETITION SIGNED BY REGISTERED ELECTORS OF THE COUNTY IN AN AMOUNT EQUAL TO AT LEAST FIVE PERCENT OF THE TOTAL NUMBER OF VOTES CAST IN THE COUNTY FOR ALL CANDIDATES FOR THE OFFICE OF DISTRICT ATTORNEY AT THE PREVIOUS GENERAL ELECTION.

(b) UPON THE RECEIPT AND VERIFICATION OF THE INITIATIVE PETITION PURSUANT TO THIS SECTION, THE BOARD OF COUNTY COMMISSIONERS SHALL REFER THE PROPOSED BALLOT QUESTION, IN THE FORM PETITIONED FOR, TO THE REGISTERED ELECTORS OF THE COUNTY AT THE NEXT SCHEDULED COORDINATED OR GENERAL ELECTION, WHICHEVER OCCURS FIRST.

(2) (a) EACH INITIATIVE PETITION FILED PURSUANT TO

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SUBSECTION (1) OF THIS SECTION SHALL BE PRINTED IN A FORM CONSISTENT WITH THIS SUBSECTION (2). NO PETITION SHALL BE PRINTED OR CIRCULATED UNLESS THE FORM AND THE FIRST PRINTER'S PROOF OF THE PETITION SECTION HAVE FIRST BEEN SUBMITTED TO THE COUNTY CLERK AND RECORDER APPROVED BY THE COUNTY CLERK AND RECORDER. THE COUNTY CLERK AND RECORDER SHALL APPROVE OR REJECT THE FORM AND THE FIRST PRINTER'S PROOF OF THE PETITION NO LATER THAN FIVE BUSINESS DAYS FOLLOWING THE DATE ON WHICH THE COUNTY CLERK AND RECORDER RECEIVED SUCH MATERIAL. THE COUNTY CLERK AND RECORDER SHALL ASSURE THAT THE PETITION SECTION CONTAINS ONLY THOSE ELEMENTS REQUIRED BY THIS SECTION AND CONTAINS NO EXTRANEOUS MATERIAL.

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(b) EACH PETITION SECTION SHALL DESIGNATE BY NAME AND MAILING ADDRESS TWO PERSONS WHO SHALL REPRESENT THE PROPONENTS THEREOF ON ALL MATTERS AFFECTING THE INITIATIVE PETITION AND TO WHOM ALL NOTICES OR INFORMATION CONCERNING THE PETITION SHALL BE MAILED.

(c) (I) AT THE TOP OF EACH PAGE OF EVERY INITIATIVE PETITION SECTION, THE FOLLOWING SHALL BE PRINTED, IN A FORM AS PRESCRIBED BY THE COUNTY CLERK AND RECORDER:

**"WARNING:  
IT IS AGAINST THE LAW:**

FOR ANYONE TO SIGN ANY INITIATIVE PETITION WITH ANY NAME OTHER THAN HIS OR HER OWN, OR TO KNOWINGLY SIGN HIS OR HER NAME MORE THAN ONCE FOR THE SAME MEASURE, OR TO KNOWINGLY SIGN A PETITION WHEN NOT A REGISTERED ELECTOR WHO IS ELIGIBLE TO VOTE ON THE MEASURE.

**DO NOT SIGN THIS PETITION UNLESS YOU ARE A REGISTERED ELECTOR AND ELIGIBLE TO VOTE ON THIS MEASURE. TO BE A REGISTERED ELECTOR, YOU MUST BE A CITIZEN OF COLORADO AND REGISTERED TO VOTE.**

DO NOT SIGN THIS PETITION UNLESS YOU HAVE READ OR HAVE HAD READ TO YOU THE PROPOSED INITIATIVE OR THE SUMMARY IN ITS ENTIRETY AND UNDERSTAND ITS MEANING."

(II) A SUMMARY OF THE PROPOSED BALLOT QUESTION THAT IS THE SUBJECT OF AN INITIATIVE PETITION SHALL BE PRINTED FOLLOWING THE WARNING ON EACH PAGE OF A PETITION SECTION. THE SUMMARY SHALL BE TRUE AND IMPARTIAL AND SHALL NOT BE AN ARGUMENT, OR LIKELY TO CREATE PREJUDICE, EITHER FOR OR AGAINST THE MEASURE. THE SUMMARY SHALL BE PREPARED BY THE COUNTY CLERK AND RECORDER.

(III) THE FULL TEXT OF THE PROPOSED BALLOT QUESTION THAT IS THE SUBJECT OF AN INITIATIVE PETITION SHALL BE PRINTED FOLLOWING THE SUMMARY ON THE FIRST PAGE OR PAGES OF THE PETITION SECTION THAT PRECEDE THE SIGNATURE PAGE. NOTWITHSTANDING THE REQUIREMENT OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (c), IF THE TEXT OF THE PROPOSED BALLOT QUESTION REQUIRES MORE THAN ONE PAGE OF A PETITION SECTION, THE WARNING AND SUMMARY NEED NOT APPEAR AT THE TOP OF ANY PAGE OTHER THAN THE INITIAL TEXT PAGE.

(IV) THE SIGNATURE PAGES SHALL CONSIST OF THE WARNING AND THE SUMMARY, FOLLOWED BY RULED LINES NUMBERED CONSECUTIVELY FOR REGISTERED ELECTORS' SIGNATURES. IF A PETITION SECTION CONTAINS MULTIPLE SIGNATURE PAGES, ALL SIGNATURE LINES SHALL BE NUMBERED CONSECUTIVELY, FROM THE FIRST SIGNATURE PAGE THROUGH THE LAST. THE SIGNATURE PAGES SHALL FOLLOW THE PAGE OR PAGES ON WHICH THE FULL TEXT OF THE PROPOSED BALLOT QUESTION THAT IS THE SUBJECT OF THE INITIATIVE PETITION IS PRINTED.

(3) (a) FOLLOWING THE SIGNATURE PAGES OF EACH PETITION

SECTION, THERE SHALL BE ATTACHED A SIGNED, NOTARIZED, AND DATED AFFIDAVIT EXECUTED BY THE PERSON WHO CIRCULATED THE PETITION SECTION, WHICH SHALL INCLUDE THE FOLLOWING:

(I) THE AFFIANT'S PRINTED NAME, THE ADDRESS AT WHICH THE AFFIANT RESIDES, INCLUDING THE AFFIANT'S STREET NAME AND NUMBER, MUNICIPALITY, AND COUNTY, AND THE DATE THE AFFIANT SIGNED THE AFFIDAVIT;

(II) THAT THE AFFIANT HAS READ AND UNDERSTANDS THE LAWS GOVERNING THE CIRCULATION OF INITIATIVE PETITIONS;

(III) THAT THE AFFIANT WAS EIGHTEEN YEARS OF AGE OR OLDER AT THE TIME THE PETITION SECTION WAS CIRCULATED AND SIGNED BY THE LISTED ELECTORS;

(IV) THAT THE AFFIANT CIRCULATED THE PETITION SECTION;

(V) THAT EACH SIGNATURE THEREON WAS AFFIXED IN THE AFFIANT'S PRESENCE;

(VI) THAT EACH SIGNATURE THEREON IS THE SIGNATURE OF THE PERSON WHOSE NAME IT PURPORTS TO BE;

(VII) THAT, TO THE BEST OF THE AFFIANT'S KNOWLEDGE AND BELIEF, EACH OF THE PERSONS SIGNING THE INITIATIVE PETITION SECTION WAS, AT THE TIME OF SIGNING, A REGISTERED ELECTOR; AND

(VIII) THAT THE AFFIANT HAS NOT PAID OR WILL NOT IN THE FUTURE PAY AND THAT THE AFFIANT BELIEVES THAT NO OTHER PERSON HAS PAID OR WILL PAY, DIRECTLY OR INDIRECTLY, ANY MONEY OR OTHER THING OF VALUE TO ANY SIGNER FOR THE PURPOSE OF INDUCING OR CAUSING SUCH SIGNER TO AFFIX THE SIGNER'S SIGNATURE TO THE INITIATIVE PETITION.

(b) THE COUNTY CLERK AND RECORDER SHALL NOT ACCEPT FOR FILING ANY PETITION SECTION THAT DOES NOT HAVE ATTACHED THERETO THE NOTARIZED AFFIDAVIT REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (3). ANY DISASSEMBLY OF A PETITION SECTION THAT HAS THE EFFECT OF SEPARATING THE AFFIDAVIT FROM THE SIGNATURE PAGE OR PAGES SHALL RENDER THAT PETITION SECTION INVALID AND OF NO FORCE AND EFFECT.

(c) ANY SIGNATURE ADDED TO A PETITION SECTION AFTER THE AFFIDAVIT HAS BEEN EXECUTED SHALL BE INVALID.

(d) ALL PETITION SECTIONS SHALL BE PRENUMBERED SERIALY.

(e) ANY PETITION SECTION THAT FAILS TO CONFORM TO THE REQUIREMENTS OF THIS SECTION OR THAT IS CIRCULATED IN A MANNER OTHER THAN THAT PERMITTED BY THIS SECTION SHALL BE INVALID.

(4) THE CIRCULATION OF ANY PETITION SECTION OTHER THAN PERSONALLY BY A CIRCULATOR IS PROHIBITED. NO PETITION SECTION SHALL BE CIRCULATED BY ANY PERSON WHO IS NOT EIGHTEEN YEARS OF AGE OR OLDER AT THE TIME THE PETITION SECTION IS CIRCULATED.

(5) ANY INITIATIVE PETITION SHALL BE SIGNED ONLY BY REGISTERED ELECTORS WHO ARE ELIGIBLE TO VOTE ON THE MEASURE. EACH REGISTERED ELECTOR SHALL SIGN HIS OR HER OWN SIGNATURE AND SHALL PRINT HIS OR HER NAME, THE ADDRESS AT WHICH HE OR SHE RESIDES, INCLUDING THE STREET NUMBER AND NAME, THE CITY OR TOWN, AND THE COUNTY, AND THE DATE OF SIGNING. EACH REGISTERED ELECTOR SIGNING A PETITION SHALL BE ENCOURAGED BY THE CIRCULATOR OF THE PETITION TO SIGN THE PETITION IN INK. IN THE EVENT A REGISTERED ELECTOR IS PHYSICALLY UNABLE TO SIGN THE PETITION OR IS ILLITERATE AND WISHES TO SIGN THE PETITION, THE ELECTOR SHALL SIGN AND MAKE HIS OR HER MARK IN THE SPACE SO PROVIDED. ANY PERSON, BUT NOT A CIRCULATOR, MAY ASSIST THE DISABLED OR

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ILLITERATE ELECTOR IN COMPLETING THE REMAINING INFORMATION REQUIRED BY THIS SECTION. THE PERSON PROVIDING ASSISTANCE SHALL SIGN HIS OR HER NAME AND ADDRESS AND SHALL STATE THAT SUCH ASSISTANCE WAS GIVEN TO THE SIGNOR.

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(6) (a) THE COUNTY CLERK AND RECORDER SHALL INSPECT TIMELY FILED INITIATIVE PETITIONS AND THE ATTACHED AFFIDAVITS, AND MAY DO SO BY EXAMINING THE INFORMATION ON SIGNATURE LINES FOR PATENT DEFECTS, BY COMPARING THE INFORMATION ON SIGNATURE LINES AGAINST A LIST OF REGISTERED ELECTORS OF THE COUNTY.

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(b) AFTER EXAMINING THE INITIATIVE PETITION, THE COUNTY CLERK AND RECORDER SHALL ISSUE A STATEMENT AS TO WHETHER A SUFFICIENT NUMBER OF VALID SIGNATURES HAVE BEEN SUBMITTED. A COPY OF THE STATEMENT SHALL BE MAILED TO THE PERSONS DESIGNATED AS REPRESENTING THE PETITION PROPONENTS PURSUANT TO PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION.

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(c) THE STATEMENT OF SUFFICIENCY OR INSUFFICIENCY SHALL BE ISSUED NO LATER THAN THIRTY CALENDAR DAYS AFTER THE INITIATIVE PETITION HAS BEEN FILED. IF THE COUNTY CLERK AND RECORDER FAILS TO ISSUE A STATEMENT WITHIN THIRTY CALENDAR DAYS, THE PETITION SHALL BE DEEMED SUFFICIENT.

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(7) (a) WITHIN FORTY DAYS AFTER AN INITIATIVE PETITION IS FILED, A PROTEST IN WRITING UNDER OATH MAY BE FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDER BY ANY REGISTERED ELECTOR WHO RESIDES IN THE COUNTY, SETTING FORTH SPECIFICALLY THE GROUNDS FOR SUCH PROTEST. THE GROUNDS FOR PROTEST MAY INCLUDE, BUT SHALL NOT BE LIMITED TO, THE FAILURE OF ANY PORTION OF A PETITION OR CIRCULATOR AFFIDAVIT TO MEET THE REQUIREMENTS OF THIS SECTION. NO SIGNATURE MAY BE CHALLENGED THAT IS NOT IDENTIFIED IN THE PROTEST BY SECTION AND LINE NUMBER. THE COUNTY CLERK AND RECORDER SHALL FORTHWITH MAIL A COPY OF SUCH PROTEST TO THE PERSONS DESIGNATED AS REPRESENTING THE PETITION PROPONENTS PURSUANT TO PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION AND TO THE PROTESTER, TOGETHER WITH A NOTICE FIXING A TIME FOR HEARING SUCH PROTEST THAT IS NOT LESS THAN FIVE OR MORE THAN TEN DAYS AFTER SUCH NOTICE IS MAILED.

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(b) THE COUNTY CLERK AND RECORDER SHALL FURNISH A REQUESTING PROTESTER WITH A LIST OF THE REGISTERED ELECTORS IN THE COUNTY AND SHALL CHARGE A FEE TO COVER THE COST OF FURNISHING THE LIST.

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(c) EVERY HEARING SHALL BE HELD BEFORE THE COUNTY CLERK AND RECORDER WITH WHOM SUCH PROTEST IS FILED. THE COUNTY CLERK AND RECORDER SHALL SERVE AS HEARING OFFICER UNLESS SOME OTHER PERSON IS DESIGNATED BY THE BOARD OF COUNTY COMMISSIONERS AS THE HEARING OFFICER, AND THE TESTIMONY IN EVERY SUCH HEARING SHALL BE UNDER OATH. THE HEARING OFFICER SHALL HAVE THE POWER TO ISSUE SUBPOENAS AND COMPEL THE ATTENDANCE OF WITNESSES. THE HEARING SHALL BE SUMMARY AND NOT SUBJECT TO DELAY AND SHALL BE CONCLUDED WITHIN SIXTY DAYS AFTER THE PETITION IS FILED. NO LATER THAN FIVE DAYS AFTER THE CONCLUSION OF THE HEARING, THE HEARING OFFICER SHALL ISSUE A WRITTEN DETERMINATION OF WHETHER THE PETITION IS SUFFICIENT OR NOT SUFFICIENT. IF THE HEARING OFFICER DETERMINES THAT A PETITION IS NOT SUFFICIENT, THE OFFICER SHALL IDENTIFY THOSE PORTIONS OF THE PETITION THAT ARE NOT SUFFICIENT AND THE REASONS THEREFOR. THE RESULT OF THE HEARING SHALL BE FORTHWITH CERTIFIED TO THE PROTESTER AND TO THE PERSONS DESIGNATED AS REPRESENTING THE PETITION PROPONENTS PURSUANT TO PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION. THE DETERMINATION AS TO PETITION SUFFICIENCY MAY BE REVIEWED BY THE DISTRICT COURT FOR THE COUNTY UPON APPLICATION OF THE PROTESTER, THE PERSONS DESIGNATED AS REPRESENTING THE PETITION PROPONENTS, OR THE COUNTY, BUT SUCH REVIEW SHALL BE HAD AND DETERMINED FORTHWITH.

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(8) THE GENERAL ASSEMBLY FINDS THE PROVISIONS OF THIS SECTION ARE A MATTER OF STATEWIDE CONCERN AND SHALL APPLY TO ALL COUNTIES, INCLUDING HOME RULE COUNTIES, AND TO THE CITY AND COUNTY OF DENVER AND THE CITY AND COUNTY OF BROOMFIELD.

**1-4-1408. Prior actions not affected.** DISTRICT ATTORNEY TERM LIMIT BALLOT QUESTIONS APPROVED BY THE VOTERS OF ANY JUDICIAL DISTRICT PRIOR TO THE EFFECTIVE DATE OF THIS PART 14 ARE NOT AFFECTED BY THE ENACTMENT OF THIS PART 14 AND SHALL REMAIN VALID.

**SECTION 2. Effective date - applicability.** This act shall take effect upon passage and shall apply to district attorney term limit ballot questions referred to voters on or after the effective date of this act."

Renumber succeeding section accordingly.

Education

After consideration on the merits, the Committee recommends that **HB10-1034** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 2, strike lines 2 and 3 and substitute:

**"SECTION 1.** 22-60.5-111 (4) (a) and (10), Colorado Revised Statutes, are amended to read:"

Page 2, line 4, strike "**qualifications.**" and substitute "**qualifications - rules.**"

Page 2, strike line 13 and substitute "provider, INCLUDING BUT NOT LIMITED TO AN UNAUTHORIZED SCHOOL SPEECH-LANGUAGE PATHOLOGY ASSISTANT WHO HAS A BACHELOR'S DEGREE IN:

(A) SPEECH, LANGUAGE, AND HEARING SCIENCES;

(B) COMMUNICATIONS DISORDERS-SPEECH SCIENCES; OR

(C) ANY OTHER FIELD IF THE UNAUTHORIZED SCHOOL SPEECH-LANGUAGE PATHOLOGY ASSISTANT HAS COMPLETED A MINIMUM NUMBER OF CREDITS OF COURSE WORK IN SPEECH, LANGUAGE, AND HEARING SCIENCES, WHICH MINIMUM NUMBER OF CREDITS IS ESTABLISHED BY RULES PROMULGATED BY THE STATE BOARD PURSUANT TO PARAGRAPH (c) OF SUBSECTION (10) OF THIS SECTION;"

Page 2, line 18, after "educators" insert "OR AUTHORIZED SPEECH-LANGUAGE PATHOLOGY ASSISTANTS".

Page 2, line 25, strike "**authorization.**" and substitute "**authorization - rules.**"

Page 3, strike lines 4 through 8 and substitute:

~~"(I) (A) Except as otherwise provided in sub-subparagraph (B) of this subparagraph (I);~~ Completion of at least a bachelor's degree, WHICH DEGREE IS FROM AN ACCEPTED INSTITUTION OF HIGHER EDUCATION, in speech communication, speech-language pathology, or communication disorders-speech sciences, ~~which is from an accepted institution of higher education~~ OR A BACHELOR'S DEGREE IN ANY OTHER FIELD IF THE UNAUTHORIZED SCHOOL SPEECH-LANGUAGE PATHOLOGY ASSISTANT HAS COMPLETED A MINIMUM NUMBER OF CREDITS OF COURSE WORK IN SPEECH, LANGUAGE, AND HEARING SCIENCES, WHICH MINIMUM NUMBER OF CREDITS IS ESTABLISHED BY RULES PROMULGATED BY THE STATE BOARD PURSUANT TO PARAGRAPH (c) OF SUBSECTION (10) OF THIS SECTION.

~~(B) If a school district's pupil enrollment is three thousand pupils or less, a school speech-language pathology assistant hired by the district shall not be required to have a degree higher than a bachelor's degree in~~

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~~speech communication, speech-language pathology, or communication disorders-speech sciences, which is from an accepted institution of higher education.~~

(II) Successful completion of a school speech-language pathology assistant program ~~which~~ THAT:

(A) Meets or exceeds recommended guidelines established by a national association of speech-language-hearing professionals; AND

(B) INCLUDES A REQUIREMENT THAT EACH STUDENT COMPLETE AT LEAST ONE HUNDRED CLOCK HOURS OF A SCHOOL-BASED PRACTICUM UNDER THE SUPERVISION OF A NATIONALLY CERTIFIED SPEECH-LANGUAGE PATHOLOGIST WHO RESIDES OR WORKS WITHIN COLORADO OR WITHIN A REASONABLE COMMUTING DISTANCE TO COLORADO, WHICH SUPERVISION MAY BE PERFORMED ELECTRONICALLY VIA REMOTE INTERACTIVE TECHNOLOGY; AND

~~(III) Successful completion of at least one hundred clock hours of a school-based practicum under the supervision of a nationally certified speech-language pathologist, and~~

(IV) Demonstrated knowledge and skills in competencies specified by rule of the state board of education.

(b) A school speech-language pathology assistant authorization is valid for ~~three~~ FIVE years. The department of education may renew the authorization for succeeding ~~three-year~~ FIVE-YEAR periods upon presentation of documented evidence of completion of content-related renewal requirements established by rule of the state board of education, WHICH REQUIREMENTS SHALL INCLUDE, BUT NOT BE LIMITED TO, CONTINUING EDUCATION REQUIREMENTS.

(c) ON OR BEFORE AUGUST 1, 2010, THE STATE BOARD OF EDUCATION SHALL PROMULGATE RULES ESTABLISHING A MINIMUM NUMBER OF CREDITS OF COURSE WORK IN SPEECH, LANGUAGE, AND HEARING SCIENCES THAT A PERSON WITH A BACHELOR'S DEGREE MUST COMPLETE FOR THE PURPOSES OF SUB-SUBPARAGRAPH (C) OF SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (4) OF THIS SECTION AND OF SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (10).".

Education After consideration on the merits, the Committee recommends that **HB10-1208** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, line 20, strike "OR".

Page 4, line 21, strike "MEMORANDUM" and substitute "MEMORANDA".

Page 4, line 23, strike "(III)." and substitute "(III); OR".

Page 4, after line 23 insert:

"(IV) REQUIRE THE TRANSFER OF COURSE CREDITS EARNED DURING OR APPLICABLE TO A STUDENT'S JUNIOR OR SENIOR YEAR.".

Page 5, strike lines 26 and 27 and substitute:

"(II) "STATE INSTITUTION OF HIGHER EDUCATION" MEANS A PUBLIC POSTSECONDARY INSTITUTION THAT IS GOVERNED BY:

(A) THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM;

(B) THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO;

(C) THE BOARD OF TRUSTEES OF THE COLORADO SCHOOL OF

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MINES;

(D) THE BOARD OF TRUSTEES OF THE UNIVERSITY OF NORTHERN COLORADO;

(E) THE BOARD OF TRUSTEES OF ADAMS STATE COLLEGE;

(F) THE BOARD OF TRUSTEES OF WESTERN STATE COLLEGE OF COLORADO;

(G) THE BOARD OF TRUSTEES OF MESA STATE COLLEGE;

(H) THE BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE;

(I) THE BOARD OF TRUSTEES FOR METROPOLITAN STATE COLLEGE OF DENVER;

(J) THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION; OR

(K) THE BOARD OF TRUSTEES OF A JUNIOR COLLEGE DISTRICT ORGANIZED PURSUANT TO ARTICLE 71 OF THIS TITLE."

Education

The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE COLORADO COMMISSION ON HIGHER EDUCATION

for terms expiring July 1, 2013:

Regina M. Rodriguez of Denver, Colorado, a resident of the 7th Congressional District and a Democrat, appointed;

David L. Edwards of Fort Collins, Colorado, a resident of the 4th Congressional District and an Unaffiliated, appointed.

Education

The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE CHARTER SCHOOL INSTITUTE BOARD

for terms expiring July 1, 2012:

Patricia M. Hayes of Aurora, Colorado to serve as a member with experience as a charter school board member or founder of a charter school, experience as a public school administrator with experience working with charter schools, other board or public service experience, and as a Republican, appointed;

Amy B. Anderson of Denver, Colorado, to serve as a member with experience as a charter school board member or founder of a charter school, other board or public service experience, on-line education and on-line curriculum development experience, and as a Democrat, appointed;

for a term expiring July 1, 2010:

Cecilia K. Sanchez de Ortiz of Denver, Colorado, to fill the vacancy occasioned by the resignation of Van Schoales of Denver, Colorado, and to serve as a member with other board or public service experience, and as a Democrat, appointed;

effective July 1, 2010, for terms expiring July 1, 2013:

Cecilia K. Sanchez de Ortiz of Denver, Colorado, to serve as a member with other board or public service experience, and as a Democrat, reappointed.

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Education	The Committee on <u>Education</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22
	<b>MEMBERS OF THE COLORADO SCHOOL OF MINES, BOARD OF TRUSTEES</b>	
	effective January 1, 2010 for terms expiring December 31, 2013:	
	Stewart A. Bliss of Denver, Colorado, a Republican who is not a graduate of the Colorado School of Mines, appointed;	
	Mohan S. Misra of Golden, Colorado, an Unaffiliated graduate of the Colorado School of Mines, appointed.	
	for a term expiring December 31, 2010:	
	Richard H. Truly of Golden, Colorado, an Unaffiliated who is not a graduate of the Colorado School of Mines, to fill the vacancy occasioned by the death of Michael S. Nyikos of Grand Junction, Colorado, appointed.	
Education	After consideration on the merits, the Committee recommends that <b>HB10-1036</b> be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	23 24 25 26
Appropriations	After consideration on the merits, the Committee recommends that <b>HB10-1030</b> be referred to the Committee of the Whole with favorable recommendation.	27 28 29
Appropriations	After consideration on the merits, the Committee recommends that <b>HB10-1044</b> be referred to the Committee of the Whole with favorable recommendation.	30 31 32
Appropriations	After consideration on the merits, the Committee recommends that <b>HB10-1058</b> be referred to the Committee of the Whole with favorable recommendation.	33 34 35 36
Appropriations	After consideration on the merits, the Committee recommends that <b>HB10-1197</b> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	37 38 39 40
	Amend reengrossed bill, page 6, after line 15 insert:	41 42
	<b>"SECTION 6. Appropriation.</b> In addition to any other appropriation, there is hereby appropriated, out of any moneys in the conservation easement holder certification fund created in section 12-61-720 (3), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the division of real estate, for the fiscal year beginning July 1, 2010, the sum of nine thousand twenty-eight dollars (\$9,028) cash funds and 0.2 FTE, or so much thereof as may be necessary, for the implementation of this act."	43 44 45 46 47 48 49 50 51
	Renumber succeeding section accordingly.	52 53
	Page 1, line 103, strike " <b>GROSS.</b> " and substitute " <b>GROSS, AND MAKING AN APPROPRIATION THEREFOR.</b> ".	54 55 56
Transportation	After consideration on the merits, the Committee recommends that <b>HB10-1185</b> be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	57 58 59 60 61
Finance	After consideration on the merits, the Committee recommends that <b>SB10-172</b> be referred to the Committee of the Whole with favorable recommendation.	62 63 64 65
Finance	After consideration on the merits, the Committee recommends that <b>SB10-128</b> be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	66 67 68 69

Amend the Judiciary Committee Report, dated February 16, 2010, page 1, line 2, strike "KNOWINGLY".

Amend printed bill, page 6, after line 16 insert:

"SECTION 9. 16-11.7-102 (3)(v) and (3)(w), Colorado Revised Statutes, are amended, and the said 16-11.7-102 (3) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**16-11.7-102. Definitions.** As used in this article, unless the context otherwise requires:

(3) "Sex offense" means any felony or misdemeanor offense described in this subsection (3) as follows:

(v) Class 4 felony internet luring of a child, in violation of section 18-3-306 (3), C.R.S.; or

(w) Internet sexual exploitation of a child in violation of section 18-3-405.4, C.R.S.; OR

(x) INVASION OF PRIVACY FOR SEXUAL GRATIFICATION, AS DESCRIBED IN SECTION 18-3-405.6, C.R.S."

Renumber succeeding sections accordingly.

Health & Human Services

The Committee on Health and Human Services has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

MEMBER OF THE AIR QUALITY CONTROL COMMISSION

for a term expiring January 31, 2011:

John H. Loewy of Greenwood Village, Colorado, a Democrat with appropriate legal training and experience, to fill the vacancy occasioned by the resignation of Cynthia S. Peterson of Littleton, Colorado, appointed.

for terms expiring January 31, 2013:

Barbara W. Roberts of Broomfield, Colorado, to serve as a representative with legal and scientific experience, reappointed;

James M. Wilson of Superior, Colorado, to serve as a representative with technical and private sector experience, reappointed.

Health & Human Services

The Committee on Health and Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE STATE HOUSING BOARD

for a term expiring January 31, 2013:

Theophilus D. Gregory of Colorado Springs, Colorado, a Republican and resident of the 5th Congressional District, reappointed.

Health & Human Services

The Committee on Health and Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD

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for a term expiring May 15, 2011:

Thomas N. Henton of Monte Vista, Colorado, an employee of a hospital in Colorado, appointed;

for terms expiring May 15, 2013:

Madeleine L. Roberson of Greenwood Village, Colorado an employee of a hospital in Colorado, appointed

Christopher W. Underwood of Evergreen, Colorado, an employee of the state department, appointed.

Health &  
Human  
Services

After consideration on the merits, the Committee recommends that **SB10-171** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 5, line 11, strike "OPERATE" and substitute "ADMINISTER".

Page 5, line 12, strike "EITHER DIRECTLY OR".

Page 5, line 18, strike "ADMINISTERED" and substitute "OPERATED".

Page 5, line 20, strike "EXECUTIVE DIRECTOR." and substitute "EXECUTIVE DIRECTOR AFTER CONSULTATION WITH THE WORK GROUP CREATED PURSUANT TO SECTION 19-3.3-105.".

Page 6, line 3, after "DEPARTMENTS," insert "COUNTY COMMISSIONERS,".

Page 6, strike lines 5 through 7 and substitute:

"(3) THE EXECUTIVE DIRECTOR SHALL ADMINISTER THE CONTRACT FOR THE PROGRAM".

Page 6, strike lines 16 through 23 and substitute

"(5) THE".

Page 6, line 24, after "THE" add "CONTRACT FOR THE".

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

Page 7, line 13, strike "HEALTH, SAFETY, WELFARE, OR RIGHTS" and substitute "SAFETY, PERMANENCY, AND WELL-BEING".

Page 8, after line 2 insert:

"(III) THE OMBUDSMAN SHALL REFER ANY COMPLAINTS RELATING TO THE JUDICIAL DEPARTMENT AND JUDICIAL PROCEEDINGS, INCLUDING BUT NOT LIMITED TO COMPLAINTS CONCERNING THE CONDUCT OF JUDICIAL OFFICERS OR ATTORNEYS OF RECORD, JUDICIAL DETERMINATIONS, AND COURT PROCESSES AND PROCEDURES TO THE APPROPRIATE ENTITY OR AGENCY WITHIN THE JUDICIAL DEPARTMENT.".

Page 9, line 4, after "STATUTORY," insert "BUDGETARY,".

Page 9, line 9, strike "ADMINISTRATION" and substitute "OPERATION".

Page 9, line 17, strike "FORMALLY".

Page 9, line 20, before "STATE" insert "DIVISIONS WITHIN THE".

Page 9, line 21, before "AND" insert "THAT ARE RESPONSIBLE FOR CHILD WELFARE, YOUTH CORRECTIONS, OR CHILD CARE".

Page 10, strike lines 13 through 16 and substitute "**detailed plan.**

(1) WITHIN FORTY-FIVE DAYS AFTER THE EFFECTIVE DATE OF THIS ARTICLE, THE EXECUTIVE DIRECTOR SHALL CONVENE A VOLUNTARY

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WORK GROUP, REFERRED TO IN THIS ARTICLE AS THE "WORK GROUP".  
THE".

Page 10, line 17, after "SHALL" insert "BE SELECTED PURSUANT TO  
SUBSECTION (2) OF THIS SECTION AND SHALL".

Page 10, strike lines 23 and 24 and substitute:

"(2) (a) THE PRESIDENT OF THE SENATE AND THE MINORITY  
LEADER OF THE HOUSE OF REPRESENTATIVES SHALL EACH SELECT ONE  
MEMBER FROM THEIR RESPECTIVE CHAMBERS TO SERVE ON THE WORK  
GROUP. THE REMAINING MEMBERS SHALL BE SELECTED BY THE  
GOVERNOR. THE WORK GROUP MAY INCLUDE".

Page 11, line 2, strike "MEMBERS OF THE GENERAL".

Page 11, line 3, strike "ASSEMBLY,".

Page 11, line 6, strike "EXECUTIVE DIRECTOR" and substitute  
"GOVERNOR".

Page 11, line 8, strike "EXECUTIVE DIRECTOR" and substitute  
"GOVERNOR".

Page 11, line 9, strike "EXECUTIVE DIRECTOR" and substitute  
"GOVERNOR".

Page 12, line 7, after the period add "THE MEMBERS OF THE WORK GROUP  
SHALL ALSO ADVISE THE EXECUTIVE DIRECTOR WITH RESPECT TO THE  
LENGTH OF THE CONTRACT AND THE CRITERIA FOR THE REQUEST FOR  
PROPOSALS RELATING TO THE CONTRACT FOR THE OPERATION OF THE  
PROGRAM. THE WORK GROUP IS ENCOURAGED TO CONSIDER A  
MULTIPLE-YEAR CONTRACT FOR THE OPERATION OF THE PROGRAM.".

Page 12, strike lines 8 through 13.

Page 12, line 15, strike "IF THE EXECUTIVE" and substitute "WITHIN".

Page 12, strike lines 16 and 17.

Page 12, line 27, strike "IS" and substitute "WILL CONTINUE TO BE  
INVOLVED IN PROVIDING CHILD PROTECTION SERVICES OR".

Page 13, line 1, after "CHILDREN" insert "AFTER THE AWARD OF THE  
CONTRACT" and after "OR" insert "WHO".

Page 13, line 5, strike "OPERATE THE" and substitute "AWARD A  
CONTRACT FOR THE OPERATION OF THE PROGRAM UNTIL SUCH TIME".

Page 13, strike line 6.

Page 13, line 24, after "DONATION" insert "THAT CREATES THE  
APPEARANCE OF IMPROPRIETY, THAT THE EXECUTIVE DIRECTOR  
DETERMINES IS CONTRARY TO THE BEST INTERESTS OF THE PROGRAM, OR".

Page 16, line 8, strike "19-3-211," and substitute "19-3-211 AND IN  
ARTICLE 3.3 OF THIS TITLE,".

Page 16, strike lines 10 through 12.

Health &  
Human  
Services

After consideration on the merits, the Committee recommends that **HB10-1024** be  
amended as follows, and as so amended, be referred to the Committee of the Whole with  
favorable recommendation and with a recommendation that it be placed on the Consent  
Calendar.

Amend reengrossed bill, page 4, line 10, strike "This" and substitute  
"(1) Except as provided in subsection (2) of this section, this".

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Page 4, after line 19 insert:

"(2) This act shall not take effect if House Bill 10-1025 is enacted and becomes law."

Health & Human Services After consideration on the merits, the Committee recommends that **HB10-1050** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Health & Human Services After consideration on the merits, the Committee recommends that **HB10-1106** be referred to the Committee on Appropriations with favorable recommendation.

Agriculture and Natural Resources After consideration on the merits, the Committee recommends that **SB10-074** be postponed indefinitely.

Agriculture and Natural Resources The Committee on Agriculture and Natural Resources has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

**MEMBER OF THE  
COLORADO WATER RESOURCES  
AND POWER DEVELOPMENT AUTHORITY**

for a term expiring October 1, 2012:

Don C. Carlson of Loveland, Colorado, to fill the vacancy occasioned by the resignation of Steve O. Sims of Greeley, Colorado, and to serve as a representative of the South Plate Drainage Basin, and as a representative of water project financing, appointed.

Agriculture and Natural Resources The Committee on Agriculture and Natural Resources has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**MEMBERS OF THE  
STATE BOARD OF THE  
GREAT OUTDOORS COLORADO TRUST FUND**

for a term expiring April 15, 2011:

Norma V. Anderson of Lakewood, Colorado, a Republican and resident of the 7th Congressional District, reappointed.

for terms expiring April 15, 2013:

Christian K. Meyer of Erie, Colorado, a Republican and resident of the 2nd Congressional District, appointed;

James S. Lochhead of Glenwood Springs, Colorado, a Democrat and resident of the 3rd Congressional District, appointed;

Heather L. Carroll of Colorado Springs, Colorado, a Democrat and resident of the 5th Congressional District, appointed;

Timothy P. Daly of Evergreen, Colorado, a Democrat and resident of the 6th Congressional District, appointed.

**REPORT OF CONFERENCE COMMITTEE**

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE  
ON HB10-1327**

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 THIS REPORT ADOPTS THE  
 REREVISED BILL  
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To the President of the Senate and the  
 Speaker of the House of Representatives:

Your first conference committee appointed on HB10-1327, concerning the  
 augmentation of the general fund through transfers of certain moneys, has met and reports  
 that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill and that the  
 rerevised bill be adopted without change.

Respectfully submitted,

House Committee:

Senate Committee:

Jack Pommer, Chairman  
 Mark Ferrendino  
 Kent Lambert

Al White, Chairman  
 Moe Keller  
 Abel Tapia

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**SENATE SERVICES REPORT**

**Correctly Printed:** SB10-181, 182, 183, 184 and 185.

**Correctly Engrossed:** SB10-170.

**Correctly Revised:** HB10-1002, 1021, 1059, 1085, 1089, 1148 and 1231.

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**SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS**

The President has signed: HB10-1055, 1318, 1323, 1326.

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On motion of Senator Morse, and with a majority of those elected to the Senate having voted in  
 the affirmative, the balance of the calendar of Friday, March 12 was laid over until Monday,  
 March 15, retaining its place on the calendar.

Consideration of Resolutions: SJR10-010.

Consideration of Memorials: SJM10-001.

Consideration of House Amendments Senate to Bills: SB10-109, SB10-034, SB10-  
 083.

Consideration of Governor's Appointments:

Members of the State Personnel Board

Members of the Colorado Board of Veterans Affairs

Members of the Board fo Commissioners of State and Veterans Nursing Homes

Members of the State Board of Equalization

Members of the Financial Services Board

Consideration of Conference Committee Reports: HB10-1339.

Conference Committees to Report: HB10-1320.

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On motion of Senator Morse, the Senate adjourned until 10:00 a.m., Monday, March 15, 2010.

Approved:

Brandon C. Shaffer  
President of the Senate

Attest:

Karen Goldman  
Secretary of the Senate

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