

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

First Legislative Day

Wednesday, January 13, 2010

- 1 Prayer by Pastor Rodney Perry, Greater St. Johns Baptist Church, Denver.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Javien Yearling, Knight Fundamental
6 Academy at Hallett.
7
8 The Speaker appointed Marilyn Eddins Temporary Chief Clerk.
9

COMMUNICATIONS
STATE OF COLORADO

10
11
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14
15
16 **Department of**
17 **State**

18
19 **UNITED STATES OF AMERICA** }
20 **STATE OF COLORADO** } **SS. Certificate**
21

22 I, Bernie Buescher, Secretary of State of the State of Colorado, do hereby
23 certify that the attached is a true and exact copy of the Designation of
24 Nomination by Vacancy Committee as filed in this office on the
25 twenty-eighth day of May, 2009, by the Democratic 23rd House District
26 Vacancy Committee, designating the appointment of Max Tyler to fill the
27 vacancy in the office of the Colorado State House of Representatives,
28 District 23, for the Sixty-seventh General Assembly of the State of
29 Colorado, caused by the resignation of the Honorable Gwyn Green.
30

31 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
32 the Great Seal of the State of Colorado, at the City and County of Denver
33 this second day of June, 2009.
34

35 (Signed)
36 Bernie Buescher
37 Secretary of State
38

39 (Note: The resignation letter from Representative Green was printed in
40 the Journal, April 27, 2009, page 1514.)
41
42
43

1 **Department of**
2 **State**

3
4 **UNITED STATES OF AMERICA** }
5 **STATE OF COLORADO** } **SS. Certificate**
6

7 I, Bernie Buescher, Secretary of State of the State of Colorado, do hereby
8 certify that the attached is a true and exact copy of the Acceptance of
9 Designation by Vacancy Committee as filed in this office on the
10 twenty-eighth day of May, 2009, by Max Tyler, accepting the
11 appointment of the Democratic 23rd House District Vacancy Committee
12 to fill the vacancy in the office of Colorado State House of
13 Representatives, District 23, for the Sixty-seventh General Assembly of
14 the State of Colorado, caused by the resignation of the Honorable
15 Gwyn Green.

16
17 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
18 the Great Seal of the State of Colorado, at the City and County of Denver
19 this second day of June, 2009.

20
21 (Signed)
22 Bernie Buescher
23 Secretary of State
24
25

26 (Note: On June 4, 2009 at 10:30 a.m., Max Tyler, 755 Vista Lane,
27 Lakewood, Colorado 80214, was sworn in as Representative for
28 District 23. Speaker Terrance D. Carroll administered the oath of office
29 in the Chamber of the House of Representatives.)
30
31

32
33 **RESIGNATION**
34

35 July 23, 2009
36
37

38 Colorado General Assembly
39 200 East Colfax Avenue
40 Denver, Colorado 80203
41

42 I resign my position as State House Representative House District 51
43 effective 23 July 2009.
44

45 It has been an honor to represent HD 51 and I have worked very hard for
46 the best interests of Loveland and the State of Colorado. I thank the
47 citizens of Loveland for allowing me to serve them in the Colorado
48 General Assembly.
49

50 Sincerely,
51 (signed)
52 Don Marostica
53
54

55
56

1 **Department of**
2 **State**

3
4 **UNITED STATES OF AMERICA** }
5 **STATE OF COLORADO** } **SS. Certificate**
6

7 I, Bernie Buescher, Secretary of State of the State of Colorado, do hereby
8 certify that the attached is a true and exact copy of the Designation of
9 Nomination by Vacancy Committee as filed in this office on the
10 fourteenth day of August, 2009, by the Republican 51st House District
11 Vacancy Committee, designating the appointment of Brian Mark
12 DelGrosso to fill the vacancy in the office of the Colorado State House
13 of Representatives, District 51, for the Sixty-seventh General Assembly
14 of the State of Colorado, caused by the resignation of the Honorable
15 Don Marostica.

16
17 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
18 the Great Seal of the State of Colorado, at the City and County of Denver
19 this eighteenth day of August, 2009.

20
21 (Signed)
22 Bernie Buescher
23 Secretary of State
24

25
26
27 **Department of**
28 **State**

29
30 **UNITED STATES OF AMERICA** }
31 **STATE OF COLORADO** } **SS. Certificate**
32

33 I, Bernie Buescher, Secretary of State of the State of Colorado, do hereby
34 certify that the attached is a true and exact copy of the Acceptance of
35 Designation by Vacancy Committee as filed in this office on the
36 fourteenth day of August, 2009, by Brian Mark DelGrosso accepting the
37 appointment of the Republican 51st House District Vacancy Committee,
38 to fill the vacancy in the office of Colorado State House of
39 Representatives, District 51, for the Sixty-seventh General Assembly of
40 the State of Colorado, caused by the resignation of the Honorable
41 Don Marostica.

42
43 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
44 the Great Seal of the State of Colorado, at the City and County of Denver
45 this eighteenth day of August, 2009.

46
47 (Signed)
48 Bernie Buescher
49 Secretary of State
50

51 (Note: On August 24, 2009 at 10:30 a.m., Brian DelGrosso, 1805 Grays
52 Peak Drive, #204, Loveland, Colorado 80538 was sworn in as
53 Representative for District 51. Speaker Terrance D. Carroll administered
54 the oath of office in the Chamber of the House of Representatives.)
55
56

1 The roll was called with the following result:

2

3 Present--64.

4 Excused--Representative(s) Levy--1.

5

6 The Speaker declared a quorum present.

7

8

9 On motion of Representative Weissmann, the Speaker appointed
10 Representatives Pommer, Chairman, Tyler, and Roberts to notify the
11 Senate that the House was organized and ready for business.

12

13

14 On motion of Representative Weissmann, the Speaker appointed
15 Representatives Merrifield, Chairman, McCann, and Murray to notify the
16 Governor that the House was organized and ready for business.

17

18

19 House in recess. House reconvened.

20

21

22 Representative Pommer, Chairman of the Committee to Notify the
23 Senate, reported that the Senate had been notified that the House was
24 organized and ready for business.

25

26

27 Representative Merrifield, Chairman of the Committee to Notify the
28 Governor, reported that the Governor had been notified that the House
29 was organized and ready for business.

30

31

32 House in recess.

33

34

35 The Speaker recognized a committee from the Senate. Senators Newell,
36 Whitehead, and Harvey reported that the Senate was organized and ready
37 for business.

38

39

40 House reconvened.

41

42

43 **INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

44

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

47

48 **HJR10-1001** by Representative(s) Weissmann, Carroll T., May; also
49 Senator(s) Morse, Shaffer B., Penry--Concerning a Joint
50 Session of the House of Representatives and the Senate for
51 the purpose of hearing a message from His Excellency,
52 Governor Bill Ritter, and appointing a committee to escort
53 the Governor.

54

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

56

1 On motion of Representative Weissmann, the resolution was **adopted** by
2 **viva voce** vote.

3
4 The Speaker appointed Representatives McFadyen, Apuan and Priola,
5 pursuant to the resolution.

6
7 **HJR10-1002** by Representative(s) Benefield, Court, Massey, Vaad; also
8 Senator(s) Morse, Shaffer B., Penry--Concerning the
9 officers and employees of the Second Regular Session of
10 the Sixty-seventh General Assembly.

11
12 (Printed and placed in member's file).

13
14 On motion of Representative Benefield, the resolution was **adopted** by
15 **viva voce** vote.

16
17 **HR10-1001** by Representative(s) Benefield, Court, Massey, Vaad--
18 Concerning employees and positions for the House of
19 Representatives convened in the Second Regular Session
20 of the Sixty-seventh General Assembly.

21
22 (Printed and placed in member's file).

23
24 On motion of Representative Benefield, the resolution was **adopted** by
25 **viva voce** vote.

26
27 **HR10-1002** by Representative(s) Benefield, Court, Massey, Vaad--
28 Concerning payment of employees for pre-session work
29 for the House of Representatives convened in the Second
30 Regular Session of the Sixty-seventh General Assembly.

31
32 (Printed and placed in member's file).

33
34 On motion of Representative Benefield, the resolution was **adopted** by
35 **viva voce** vote.

36
37 **HR10-1003** by Representative(s) Benefield, Court, Massey, Vaad--
38 Concerning the chaplain position in the house of
39 representatives.

40
41 (Printed and placed in member's file).

42
43 On motion of Representative Benefield, the resolution was **adopted** by
44 **viva voce** vote.

45 46 47 48 APPOINTMENTS

49
50 The following list of committee appointments was read:

51
52 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**
53 **13 members:** Representatives Fischer, Chairman; Pace, Vice-Chairman;
54 Baumgardner, Curry, C. Gardner, Hulinghorst, Looper, McKinley,
55 Ryden, Solano, Sonnenberg, Tipton, Vigil
56

1 APPROPRIATIONS

2 13 members: Representatives Pommer, Chairman; Ferrandino,
3 Vice-Chairman; Curry, Fischer, B. Gardner, Judd, Kefalas, J. Kerr,
4 Lambert, Pace, Riesberg, Sonnenberg, Vaad

6 BUSINESS AFFAIRS & LABOR

7 11 members: Representatives Rice, Chairman; Gagliardi, Vice-Chairman;
8 Balmer, Bradford, Casso, A. Kerr, Liston, Middleton, Priola, Soper,
9 Stephens

10

11 EDUCATION

12 13 members: Representatives Merrifield, Chairman; Solano,
13 Vice-Chairman; Benefield, Massey, McNulty, Middleton, Murray,
14 Peniston, Scanlan, Schafer, Summers, Tipton, Todd

15

16 FINANCE

17 11 members: Representatives Judd, Chairman; Benefield,
18 Vice-Chairman; DelGrosso, Frangas, Gerou, Kagan, Kefalas, Labuda,
19 Roberts, Summers, Swalm

20

21 HEALTH & HUMAN SERVICES

22 11 members: Representatives Riesberg, Chairman; Gagliardi,
23 Vice-Chairman; Acree, Apuan, Gerou, Kefalas, J. Kerr, Primavera,
24 Roberts, Swalm, Tyler

25

26 JUDICIARY

27 11 members: Representatives Levy, Chairman; McCann, Vice-Chairman;
28 Court, B. Gardner, Kagan, S. King, Miklosi, Nikkel, Pace, Ryden,
29 Waller

30

31 LOCAL GOVERNMENT

32 11 members: Representatives Peniston, Chairman; Soper,
33 Vice-Chairman; Acree, Apuan, Bradford, Liston, Massey, McKinley,
34 Priola, Schafer, Vigil

35

36 STATE, VETERANS, & MILITARY AFFAIRS

37 11 members: Representatives Todd, Chairman; Labuda, Vice-Chairman;
38 Casso, Court, DelGrosso, Hullinghorst, McCann, Miklosi, Murray,
39 Nikkel, Waller

40

41 TRANSPORTATION & ENERGY

42 11 members: Representatives McFadyen, Chairman; Frangas,
43 Vice-Chairman; Baumgardner, Fischer, S. King, Looper, McNulty,
44 Merrifield, Primavera, Tyler, Vaad

45

46 OTHER PERMANENT COMMITTEES

47

48 HOUSE SERVICES

49 4 members: Representatives Benefield, Chairman; Court, Massey, Vaad

50

51 CAPITAL DEVELOPMENT

52 3 House Members: Representatives Riesberg, Vice-chair, McFadyen,
53 Sonnenberg

54

55 JOINT BUDGET

56 3 House Members: Representatives Pommer, Chair; Ferrandino, Lambert

1 **LEGAL SERVICES**

2 5 Members: Representatives Labuda, Vice-Chair, B. Gardner, Kagan, Levy,
3 Roberts

5 **LEGISLATIVE AUDIT**

6 4 Members: Representatives Primavera, Vice-Chair; J. Kerr, McNulty, Miklosi

8 **LEGISLATIVE COUNCIL**

9 9 Members: Representatives T. Carroll, Chair; Balmer, C. Gardner, A. Kerr,
10 May, Middleton, Scanlan, Stephens, Weissmann

13 On motion of Representative Weissmann the appointments to the Audit
14 Committee were confirmed by the following roll call vote.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
17 Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
18 Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y	
19 Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y	
20 Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y	
21 Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
22 Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y	
23 Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y	
24 Court	Y	King S.	Y	Nikkel	Y	Summers	Y	
25 Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	
26 DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y	
27 Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y	
28 Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y	
29 Frangas	Y	Looper	Y	Priola	Y	Vaad	Y	
30 Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y	
31 Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y	
32 Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y	
						Speaker	Y	

35 On motion of Representative Weissmann the appointments to the
36 Committee on Legislative Council were confirmed by the following roll
37 call vote.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
40 Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
41 Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y	
42 Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y	
43 Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y	
44 Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
45 Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y	
46 Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y	
47 Court	Y	King S.	Y	Nikkel	Y	Summers	Y	
48 Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	
49 DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y	
50 Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y	
51 Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y	
52 Frangas	Y	Looper	Y	Priola	Y	Vaad	Y	
53 Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y	
54 Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y	
55 Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y	
						Speaker	Y	

1 On motion of Representative Weissmann the appointments to the
 2 Committee on Legal Services were confirmed by the following roll call
 3 vote.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
5	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
7	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
8	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
10	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
12	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
13	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
14	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
15	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
18	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
19	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
20	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
21							Speaker	Y

22
 23
 24
 25 **MEMORANDUM**
 26 **REPORT FROM THE HOUSE AND SENATE**
 27 **COMMITTEES ON DELAYED BILLS**
 28

29 Pursuant to Joint Rule 23 (c), the House and Senate Committees on
 30 Delayed Bills, acting jointly, extend the following deadlines:

31
 32 **Early introduction deadline for House bills:**

33 The Monday, January 18 deadline (the 6th legislative day) for the
 34 introduction of the two remaining House bills requested prior to the
 35 December 1 bill request deadline is extended until Tuesday, January 19,
 36 2010 (the 7th legislative day).
 37

38 **Last bill request deadline for the House and Senate:**

39 The Monday, January 18 deadline (the 6th legislative day) for all
 40 remaining bill requests to the Office of Legislative Legal Services is
 41 extended until Tuesday, January 19, 2010 (the 7th legislative day).
 42

43 This memorandum shall be printed in the journal of each house as is
 44 required by said Joint Rule 23 (c).
 45

46 (signed)

47
 48 Representative T. Carroll
 49 Speaker of the House of Representatives

Senator Shaffer
 President of the Senate

50
 51 Representative Weissmann
 52 House Majority Leader

Senator Morse
 Senate Majority Leader

53
 54 Representative May
 55 House Minority Leader

Senator Penry
 Senate Minority Leader

1 Speaker Terrance D. Carroll addressed the members of the House of
2 Representatives.

3
4 “I, too, sing America.”

5
6 When the Harlem Renaissance author Langston Hughes penned those words in
7 1925, America was booming.

8
9 In Colorado, myths about fast fortunes made from silver and gold yielded to
10 firmer economic opportunities – opportunities grounded in Colorado’s northern
11 oil fields and southern steel mills. In Colorado’s fertile wheat fields out east and
12 mineral deposits out west.

13
14 Colorado’s once-desolate high plains became a critical part of America’s
15 breadbasket. The Rocky Mountains – once barely traversable – became the
16 nation’s backbone, and with the completion of Moffat Tunnel, a vital part of the
17 state’s economy.

18
19 Yet this state and this nation’s exuberance was obscured by harsher realities.
20 America’s horizon, in fact, was littered with unseen challenges.

21
22 Langston Hughes recognized that challenges awaited – that we were a long way
23 from realizing liberty’s full potential. And yet, he saw promise peeking out:

24
25 “*Tomorrow*, I’ll be at the table, for I, too, am America.”

26
27 Well, tomorrow has become today, and while this nation remains imperfect, the
28 20th Century, and the first decade of the 21st , produced undeniable
29 achievements.

30
31 In retrospect, the signposts toward progress appear clearly marked. But it’s a
32 mistake to read history as an inevitable march forward. For each signpost
33 precedes a bend in the road. **And each bend foretells an immense challenge**
34 **requiring difficult choices, clear leadership, and the will to act.**

35
36 It’s only ten years into this century, and America is already shuddering under
37 the weight of an immense burden.

38
39 Two wars, two recessions – one nearly resulting in economic collapse –
40 disasters both natural and man-made. If anything, history’s long march, which
41 rarely presents time to exhale, is speeding up.

42
43 Today, though better than yesterday, again presents this nation and this state
44 with new challenges.

45
46 **Challenges that require critical choices, clear leadership, and the will to**
47 **act.**

48
49 **The choices we make today – both within this room and without – matter**
50 **to Colorado’s families.** They matter because tomorrow is not yet written.

51
52 But when tomorrow is written, history’s burden will be on us to show that **in**
53 **this building, in this room, in this year, we are standing up for Colorado’s**
54 **families. We are fighting for small businesses and we are working hard to**
55 **create new jobs. We are steering the state toward recovery.**

56

1 While Colorado's economy has been hit hard by the recent recession, we've
2 shown ourselves to be incredibly resilient.

3
4 That's no surprise: we've been here before. The Pikes Peak Gold Rush of 1859,
5 promised droves of gold prospectors quick fortunes and bright futures. But this
6 region's true identity only took shape when the "free gold" – the gold that was
7 easiest to mine and pan for – was exhausted.

8
9 That's when Coloradans were forced to innovate. That's when the great ideas
10 and new technologies that shaped our state and its dynamic economy sprung
11 into being. That's when our true character was forged.

12
13 That's what we do in Colorado: we hit a bump, and then we change. We
14 diversify. We get along.

15
16 Colorado is a state of unique communities. And while Denver and Durango,
17 Westminster and Walsenburg on the surface don't seem to share much,
18 they *do* share the same strength of character and trailblazing attitude that make
19 them thrive. **We don't wait around for progress. We don't wait for**
20 **Washington. Instead, we lead the way to recovery!**

21
22 Ranking in the top five states for business, and with an unemployment rate a
23 full three points below the national average, Colorado has a record to be proud
24 of.

25
26 The lynchpin of our economy is small business. And nothing is doing more to
27 drive the creation of small business than New Energy.

28
29 Nearly 20,000 new green-collar jobs that can't be outsourced and 1,800 new
30 companies – almost all small businesses – are attributable to the innovation our
31 leadership is providing.

32
33 But we're not settling for the status quo.

34
35 This session will bring new legislation to increase our renewable energy
36 standard – the amount of power utility companies are required to generate from
37 "green" sources – from 20 to 30 percent by 2020.

38
39 This bold initiative will make Colorado's clean energy standard one of the most
40 aggressive in the country, and stake our state's claim as an undisputed leader in
41 New Energy. I thank Governor Bill Ritter for leading this ambitious effort.

42
43 This green initiative and others will continue to make it easier and cheaper for
44 families to move to renewable energy. It will continue to bring jobs and firms
45 like Vestas and ConocoPhillips to Colorado. And it will foster the small,
46 homegrown businesses that are the bedrock of our state.

47
48 Prosperity, however, is all about **balance**. It's all about creating a diversified
49 economy.

50
51 Developing a sustainable market for clean, traditional sources of energy, like
52 natural gas for use in Colorado will create jobs, drive down energy costs, and
53 help break the vicious boom-and-bust cycles that hurt our local communities.

54
55 That need for **balance** extends well beyond our energy sector. It means
56 fostering an economy we can all participate in. That ambition drives us to

1 create more job opportunities for doctors and nurses that want to deliver critical
2 primary care to our rural and vulnerable populations.
3
4 It pushes us to develop our burgeoning creative class by supporting industries
5 like film and media, art and design. And it compels us to develop a workforce
6 suited to our dynamic economy.
7
8 Unfortunately, the high cost of higher education and barriers to job training and
9 re-training often make it hard for Coloradans to jumpstart or advance their
10 careers.
11
12 That's why we're pushing legislation to help Coloradans develop skills to
13 succeed and ease the way toward good, stable jobs. We're expanding
14 opportunity for Colorado adults who have been laid off or want to change
15 industries to upgrade their skill-sets through job training; we're making it easier
16 for Colorado's students to transition from two-year to four-year colleges; and
17 we're training our job force today for the high-tech, high-paying green-collar
18 jobs of tomorrow.
19
20 A strong economy begins in the classroom. And while our education system
21 will be challenged this year, we remain committed to our kids.
22
23 We are aggressively positioning our schools for Race to the Top, and moving
24 away from CSAP toward a better, more comprehensive form of assessment.
25
26 **This downturn has focused our energy on job creation and economic**
27 **recovery. On building a stronger Colorado with a more diversified and**
28 **flexible economy.**
29
30 In that same spirit, the recent downturn has also demonstrated that building a
31 stronger Colorado will require a smarter government.
32
33 We've always had a small government. And in the past year we've made it
34 even smaller. During the downturn we've already cut over a billion dollars from
35 government spending, creating a leaner government with a balanced budget.
36
37 **We've cut in such a way that will allow us to focus on what matters most**
38 **to people.** I applaud the Governor and Joint Budget Committee for finding
39 efficiencies while protecting core services as much as possible.
40
41 But we're not done yet. This session we will continue to make tough choices
42 and tough cuts to balance an additional \$1.2 billion shortfall for the upcoming
43 year.
44
45 It is imperative, however, that as we continue to cut, we also take a systematic
46 approach to **remaking government, so it is not only leaner, but better and**
47 **smarter too.** So government programs are targeted and effective, and serve
48 Coloradans well.
49
50 **This session, we will call on government agencies to be more accountable,**
51 **to come up with clear goals for their programs, and plans for executing those**
52 **goals.**
53
54 And we'll hold their feet to the fire through performance audits
55 .

1 Because if we don't demand more accountability, the small government we do
2 have won't work.

3
4 This state's rich diversity and strong character compel more still from our state
5 government.

6
7 **Our commitment to building a stronger Colorado requires more**
8 **accountability.**

9
10 But it also means **we have an obligation to stand up for people.** It means
11 **making sure this state is an equitable one, where all people have a fair shot**
12 **and get a fair shake. That Colorado is a state where people, not special**
13 **interests, get their way.**

14
15 We will not tolerate special interests trampling on the many so the few can
16 benefit. **We won't allow** the same obstructionism, the same bickering and **the**
17 **same influences that corrupt Washington to corrupt Colorado.**

18
19 And we will not allow reckless partisan games to get in the way of you and your
20 family's prosperity. After all, times are tough enough already.

21
22 That's why we're standing with Coloradans. We're standing with Coloradans
23 by advancing a sensible package of legislation that will keep politics clean;
24 protect our neighborhoods; halt the cycle of debt perpetrated by reckless and
25 dishonest lenders; stop medical fraud; and make life just a little easier for
26 Colorado's families.

27
28 Members, as we prepare to begin the 2nd regular session of the 67th General
29 Assembly let our thoughts this morning reflect a deep and abiding commitment
30 to creating a better tomorrow. A better society.

31
32 A society where our ideological differences do not outweigh our commitment
33 to protecting our Rocky Mountain vistas; do not outweigh our commitment to
34 conserving our fresh water and preserving our clean air; do not outweigh our
35 commitment to promoting the common good for Colorado's families.

36
37 And let us pray our words and deeds do not become mere noise, because we
38 have neglected the widowed, the poor, the orphaned, and those who seek justice
39 under this dome.

40
41 For they, too, sing Colorado.

42
43 *Thank you.*

44
45
46 Minority Leader Mike May addressed the members of the House of
47 Representatives.

48
49 Thank you, Mr. Speaker. Good morning!

50
51 I would like to extend a special thank you to the spouses and families here
52 today, especially to my beautiful bride Traci.

53
54 I would also like to welcome Reps. Del Grosso and Tyler. You picked a heck
55 of a year to start here at the statehouse!

56

1 As most of you know, I am term-limited and this will be my last year in the
2 House. Now is probably a good time to announce that I will not be seeking re-
3 election.

4
5 It's perhaps ironic that this coming year, filled with its challenges and
6 opportunities, is a lot like my first year in the House. Looking around this room,
7 I see only a few of my colleagues from that year – Reps. Frangas, Judd,
8 McFadyen, Merrifield, Pommer, Weissmann and Mr. Speaker, who was elected
9 through vacancy committee and showed up a little late, like Rep. Doug Bruce
10 ... Although I guess a big difference there is that the Speaker didn't come in
11 kicking. So many Democrats and one lone Republican survivor ...

12
13 In 2003, like now, it was a difficult budget year. We had a shortfall, and we had
14 to make tough decisions.

15
16 I've learned in my time here that sometimes there are no perfect options. This
17 year, we have two imperfect choices: We can increase the burden on citizens
18 to pay for our existing level of programs, bureaucracy, and services, **OR** we can
19 make deep budget cuts and live within our means.

20
21 My vote, as I'm sure you could have guessed, will be for living within our
22 means.

23
24 The bottom line is that the money the state spends is taxpayer money. Those
25 taxpayers are the same people sitting around their kitchen tables at home trying
26 to figure out how to make ends meet for their families.

27 28 **Family Budgeting**

29
30 Those families don't have the first option I mentioned, they have to live within
31 their budgets. It's true that they can often count on the generosity of others, but
32 at the end of the day it comes down to the money coming in and the money
33 going out to pay the bills each month.

34
35 Colorado is required to balance its budget. But the state also has a few more
36 tricks up its sleeve that it can use when times get tough. But just because we
37 have those tricks, it doesn't mean we should use them. You don't increase taxes
38 during a recession. You don't delay your obligations and leave others in a bind,
39 such as doctors who treat the state's most needy patients. You don't undertake
40 substantive prison sentence reform solely for the purpose of balancing the
41 budget. You don't hurt the very businesses and consumers who can make the
42 most difference in our economic recovery. At least, you don't do these things
43 without breaking a promise to Colorado.

44
45 Families around the state are budgeting and making tough decisions.

46
47 Many have lost income in the past year because of layoffs, furloughs, or fewer
48 hours at work. Yet, they still have to pay the mortgage, buy food for their kids,
49 put gas in their cars, heat their home, buy school supplies and pay their health
50 care bills.

51
52 While those families are paying their own bills, they are also sending money to
53 the state to pay for public safety, a transportation system, public education, and
54 a safety net for the needy. Because people are making less, state tax revenue has
55 also fallen. Taxpayer dollars were taken for granted in good times, and
56 programs and services were expanded. Now, it is up us to choose what can and

1 can't be funded with those limited dollars. It's a big responsibility, but that is
2 our duty.

3
4 The state's budget is directly tied to its economic prosperity, just as the budget
5 of Colorado families is directly tied to their prosperity.

6
7 **A balanced approach**

8
9 The Republican approach to the challenges this year will be guided by three
10 goals:

11
12 First, we will support policies that encourage economic recovery and a strong
13 job market. Clearly, jobs and the economy have to remain our key focus this
14 year. Once our economy improves and our job market begins to expand again,
15 conversations around the kitchen table will improve, and so will the state
16 budget. The quickest way to economic recovery is through strong business
17 policies and keeping the tax and fee burden low for families.

18
19 Our second goal is to balance the budget in a responsible way. We cannot with
20 a clear conscience allow tough budget times to be an excuse for weakening the
21 Taxpayers' Bill of Rights and permanently lengthening the reach of
22 government. We must seriously consider the economic harm that will come
23 from increasing taxes on businesses and consumers, without even a vote of the
24 people. Also, we cannot close our eyes to the fact that one-time stimulus money
25 brings only short-term solutions and comes with expensive strings from the
26 federal government.

27
28 Our third goal is to avoid the mistakes of the past. It would be foolish to ignore
29 the lessons we have learned from past mistakes. In my first year in the
30 legislature, we made some good decisions, but I can think of quite a few that
31 weren't. But some of the greatest lessons can come from mistakes made in just the
32 past few years.

33
34 We would be better off if we had not spent every dime on the brink of this
35 recession, when I stood in this very spot and said we should not write a check
36 the next general assembly could not cash.

37
38 We would be better off if new government positions had not been added to the
39 payroll, only to be followed by multiple-day furloughs for an expanded
40 workforce.

41
42 We would be better off if we had welcomed the jobs and investment that oil and
43 gas development was bringing to Colorado, instead of adding to their economic
44 woes and helping drive those jobs and dollars away.

45
46 We would be better off if problems from the past two years had not been
47 delayed, compounded, and pushed into this year.

48
49 We cannot continue to use payday-loan-like policies to balance our budget. We
50 should do what needs to be done this year, so that next year, we actually are
51 better off.

52
53 There are those who criticize my party when we say "no" to expensive
54 programs and bureaucracy. But just six months ago I read a quote from the
55 governor that perhaps says it best: "Sometimes leadership means having to say
56 no."

1 How much better off would the state be now if we had just said no to more
2 spending, more programs, more bureaucracy, more taxes and more fees?
3

4 We cannot change what has already been done, but we can start showing real
5 leadership now. We have an obligation to responsibly address our economy, our
6 budget and our job market this year.
7

8 **Bipartisanship**

9

10 No one wants to see the pain caused by deep budget cuts. But we will be better
11 off in the future if we live within our means.
12

13 I realize that I am standing here today saying this as the leader of the minority
14 party in Colorado. I know that there are those in the majority party who would
15 rather ignore this perspective and dismiss Republican comments, criticisms and
16 alternatives as nothing more than politics.
17

18 What is more difficult is to work with those who disagree with you to find
19 compromise and more balanced policies. I am not saying that I am always right
20 - my wife can attest to that - but I am putting in a plug for the fine folks on this
21 side of the aisle. We can bring a valuable perspective to important discussions
22 this year. This year's challenges will take all hands on deck.
23

24 **Conclusion**

25

26 Now, I realize that right now I am the only thing standing between you and
27 lunch, so I thought I should at least warn you I'm only half-way through my
28 speech.
29

30 Actually, I only want to emphasize one important point before I let everyone go:
31 We have challenges ahead, but they are nothing compared to what some
32 families and businesses have experienced during this historic recession. We
33 cannot ever lose sight of the fact that every decision we make has a real-world
34 impact. Every new mandate and regulation and tax increase comes with a very
35 real price for our businesses, our taxpayers and our economy.
36

37 Let's do the right thing.
38
39
40
41

42 Representative Weissmann moved that the remarks of Speaker Carroll
43 and Representative May be printed in the House Journal. There being no
44 objection the remarks were printed.
45
46
47
48

49 House in recess. House reconvened.
50
51
52
53
54
55

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly preprinted: **HB10-1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096.**

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR10-001.

**INTRODUCTION OF BILLS
First Reading**

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

HB10-1001 by Representative(s) Tyler--Concerning incentives for the installation of new distributed renewable energy generation facilities in Colorado, and, in connection therewith, increasing the target percentages under the electric utility portfolio standard to encourage Colorado utilities to generate five percent of their retail electricity sales from distributed renewable sources by the year 2020, and adopting standards for the installation of distributed solar electric generation equipment.

Committee on Transportation & Energy

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.

Committee on Finance

Committee on Appropriations

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.

Committee on Business Affairs and Labor

HB10-1004 by Representative(s) Massey, Apuan, Frangas, Kerr J.; also Senator(s) Foster, Boyd, Schwartz--Concerning standardization of health insurance information provided to consumers.

Committee on Health and Human Services

- 1 **HB10-1005** by Representative(s) Massey, Frangas, Kerr J., McCann;
2 also Senator(s) Foster, Boyd, Lundberg, Schwartz--
3 Concerning home health care through telemedicine
4 pursuant to the "Colorado Medical Assistance Act".
5 Committee on Health and Human Services
6
- 7 **HB10-1006** by Representative(s) Curry, Baumgardner, Gardner C.,
8 McKinley; also Senator(s) Brophy, Hodge, White,
9 Whitehead--Concerning increased funding for the division
10 of water resources from the operational account of the
11 severance tax trust fund.
12 Committee on Agriculture, Livestock, & Natural Resources
13
- 14 **HB10-1007** by Representative(s) Judd, Peniston, Roberts, Schafer S.,
15 Vaad; also Senator(s) Brophy, Steadman--Concerning an
16 adjustment of fees charged by a county clerk and recorder
17 for filing a document with the county.
18 Committee on State, Veterans, & Military Affairs
19
20
- 21 **HB10-1008** by Representative(s) Schafer S. and McCann, Apuan,
22 Frangas, Massey; also Senator(s) Carroll M. and
23 Schwartz, Boyd, Foster--Concerning a prohibition against
24 consideration of gender in setting rates for individual
25 health insurance policies.
26 Committee on Health and Human Services
27
- 28 **HB10-1009** by Representative(s) Miklosi, Pace, Ryden; also Senator(s)
29 Hodge, Carroll M., Tochtrop--Concerning the board of
30 directors of Pinnacol Assurance.
31 Committee on Judiciary
32
33
- 34 **HB10-1010** by Representative(s) Ferrandino, Court, Gerou; also
35 Senator(s) Morse, Brophy, Heath--Concerning
36 authorization for agencies of the state to enter into public-
37 private initiative agreements with nonprofit entities.
38 Committee on State, Veterans, & Military Affairs
39
- 40 **HB10-1011** by Representative(s) Kerr J., McNulty, Miklosi,
41 Primavera; also Senator(s) Schultheis, Carroll M.,
42 Mitchell, Tochtrop--Concerning authorization for the
43 department of revenue to obtain fingerprint-based criminal
44 history record checks for employment purposes.
45 Committee on Finance
46
- 47 **HB10-1012** by Representative(s) Pace, Miklosi, Ryden; also
48 Senator(s) Carroll M., Hodge, Tochtrop--Concerning
49 limitations on the use of surveillance of employees who
50 have submitted a workers' compensation claim.
51 Committee on Judiciary
52
53
- 54 **HB10-1013** by Representative(s) Middleton, Massey, Merrifield,
55 Scanlan, Stephens; also Senator(s) Romer, King K.,
56 Spence, Steadman--Concerning the modification of

- 1 certain provisions related to the administration of public
2 schools from kindergarten through the twelfth grade.
3 Committee on Education
4
- 5 **HB10-1014** by Representative(s) McFadyen, Baumgardner, Fischer,
6 Frangas, King S., Looper, Primavera, Tyler; also
7 Senator(s) Spence, Gibbs, Romer, Williams--Concerning
8 annual reporting to the general assembly of fatal accidents
9 in state highway work areas.
10 Committee on Transportation & Energy
11
- 12 **HB10-1015** by Representative(s) Massey and Middleton, Scanlan,
13 Priola; also Senator(s) King K., Romer, Spence--
14 Concerning the creation of a stable funding pilot program
15 for small school districts that enter into agreements to
16 jointly provide services to save costs.
17 Committee on Education
18
- 19 **HB10-1016** by Representative(s) Waller, Benefield, Gardner B., King
20 S., Labuda, Liston, Peniston, Riesberg, Schafer S.; also
21 Senator(s) Tochtrop, Lundberg, Morse, Williams--
22 Concerning the extension of the term of the retired
23 member of the board of directors of the fire and police
24 pension association.
25 Committee on Business Affairs and Labor
26
- 27 **HB10-1017** by Representative(s) Kagan, Gagliardi; also Senator(s)
28 Boyd--Concerning authorization for certain public entities
29 to enter into voluntary agreements affecting rent on
30 private residential property.
31 Committee on Local Government
32
- 33 **HB10-1018** by Representative(s) Looper and Primavera, Frangas,
34 McFadyen, Solano; also Senator(s) Gibbs, Romer,
35 Williams--Concerning increased authority to regulate
36 waste tires.
37 Committee on Transportation & Energy
38
- 39 **HB10-1019** by Representative(s) Frangas, Fischer, McFadyen,
40 Merrifield, Primavera, Tyler; also Senator(s) Williams,
41 Gibbs, Romer--Concerning parking privileges for people
42 with disabilities.
43 Committee on Transportation & Energy
44
- 45 **HB10-1020** by Representative(s) Weissmann; also Senator(s) Morse--
46 Concerning contracts of the legislative department.
47 Committee on State, Veterans, & Military Affairs
48
- 49 **HB10-1021** by Representative(s) Frangas and McCann; also
50 Senator(s) Foster, Boyd--Concerning required coverages
51 for reproductive services for health insurance policies.
52 Committee on Business Affairs and Labor
53
- 54
55 **HB10-1022** by Representative(s) Summers and Gagliardi, Kagan,
56 Kefalas; also Senator(s) Boyd, Hudak--Concerning the

- 1 administration of the supplemental nutrition assistance
2 program.
3 Committee on Health and Human Services
4
- 5 **HB10-1023** by Representative(s) Waller, Gagliardi, Kagan, Kefalas,
6 Summers; also Senator(s) Hudak, Boyd, Sandoval,
7 Scheffel, White--Concerning clarifying civil liability
8 regarding negligent hiring practices for an employer that
9 hires a person with a criminal record.
10 Committee on Judiciary
11
- 12 **HB10-1024** by Representative(s) Balmer and Riesberg; also Senator(s)
13 Williams, Newell--Concerning eliminating the ability of
14 advanced practice nurses to declare patients terminally ill.
15 Committee on Health and Human Services
16
- 17 **HB10-1025** by Representative(s) Roberts, Riesberg, Soper, Tyler; also
18 Senator(s) Newell, Tochtrop, Williams--Concerning
19 updates to the "Colorado Medical Treatment Decision
20 Act".
21 Committee on Health and Human Services
22
- 23 **HB10-1026** by Representative(s) Solano and Benefield, Massey,
24 Peniston; also Senator(s) Hodge and Hudak, Steadman,
25 Williams--Concerning the creation of the Colorado quality
26 in child care incentive grant program.
27 Committee on Education
28
- 29 **HB10-1027** by Representative(s) Roberts and Tyler, Soper; also
30 Senator(s) Williams, Newell--Concerning the requirement
31 for a certain life expectancy prognosis for persons
32 receiving hospice care through medicaid.
33 Committee on Health and Human Services
34
- 35 **HB10-1028** by Representative(s) Benefield, Massey, Peniston, Solano;
36 also Senator(s) Hodge, Hudak, Steadman--Concerning a
37 universal application for programs related to early
38 childhood issues.
39 Committee on Education
40
- 41 **HB10-1029** by Representative(s) Acree, Looper, Primavera, Todd;
42 also Senator(s) Keller, Steadman--Concerning agreements
43 for the purchase of medical goods.
44 Committee on Health and Human Services
45
- 46 **HB10-1030** by Representative(s) Peniston, Benefield, Solano; also
47 Senator(s) Steadman, Hodge, Hudak, Williams--
48 Concerning the creation of the early childhood educator
49 development scholarship program.
50 Committee on Education
51
- 52 **HB10-1031** by Representative(s) McCann, Apuan, Massey; also
53 Senator(s) Foster and Schwartz, Boyd--Concerning the
54 administration of dental services provided under
55 medicaid.
56 Committee on Health and Human Services

- 1 **HB10-1032** by Representative(s) Frangas, Apuan, Massey; also
2 Senator(s) Boyd, Foster, Schwartz--Concerning
3 behavioral health crisis response services.
4 Committee on Health and Human Services
5
- 6 **HB10-1033** by Representative(s) Massey, Frangas, Kerr J., McCann;
7 also Senator(s) Boyd and Schwartz, Foster--Concerning
8 the provision of services through the medicaid program
9 that are related to substance abuse.
10 Committee on Health and Human Services
11
- 12 **HB10-1034** by Representative(s) Massey, Middleton, Scanlan; also
13 Senator(s) King K., Johnston, Spence--Concerning the
14 credentialing of school speech-language pathology
15 assistants.
16 Committee on Education
17
- 18 **HB10-1035** by Representative(s) Massey and Solano, Benefield,
19 Peniston; also Senator(s) Steadman, Hodge, Hudak,
20 Williams--Concerning eligibility determinations for the
21 Colorado child care assistance program to promote
22 stability in early childhood care.
23 Committee on Education
24
- 25 **HB10-1036** by Representative(s) Scanlan and Massey, Merrifield,
26 Middleton, Stephens; also Senator(s) Romer, Johnston,
27 King K., Spence, Steadman--Concerning on-line public
28 access to public school financial information.
29 Committee on Education
30
- 31 **HB10-1037** by Representative(s) Massey, Merrifield, Middleton,
32 Scanlan, Stephens; also Senator(s) Spence, Johnston,
33 King K., Steadman--Concerning the continuation of
34 funding for supplemental on-line education services.
35 Committee on Education
36
- 37 **HB10-1038** by Representative(s) Miklosi, Pace, Ryden; also
38 Senator(s) Carroll M., Hodge, Tochtrop--Concerning a
39 brochure to describe the process for workers'
40 compensation claims.
41 Committee on Business Affairs and Labor
42
- 43 **HB10-1039** by Representative(s) Gardner B., Kagan, Labuda, Levy,
44 Roberts; also Senator(s) Brophy, Carroll M., Mitchell,
45 Morse, Schwartz--Concerning the enactment of Colorado
46 Revised Statutes 2009 as the positive and statutory law of
47 the state of Colorado.
48 Committee on Judiciary
49
- 50 **HB10-1040** by Representative(s) Kerr A.--Concerning direction to
51 collegeinvest to promote the use of college savings plans
52 for adults to save in pursuit of their own postsecondary
53 educational opportunities.
54 Committee on Education
55

- 1 **HB10-1041** by Representative(s) Acree, Looper, Primavera, Todd;
2 also Senator(s) Mitchell, Keller--Concerning applications
3 for home- and community-based services waivers for
4 children as part of the medicaid eligibility modernization.
5 Committee on Health and Human Services
6
- 7 **HB10-1042** by Representative(s) Peniston; also Senator(s) Hodge--
8 Concerning administration of the stationary sources air
9 quality permitting program.
10 Committee on Health and Human Services
11
- 12 **HB10-1043** by Representative(s) Apuan--Concerning outdated
13 references to the federal aid to families with dependent
14 children.
15 Committee on Health and Human Services
16
- 17 **HB10-1044** by Representative(s) Carroll T., Todd, Benefield, Kefalas,
18 Massey, McNulty, Merrifield, Middleton, Roberts, Schafer
19 S., Stephens; also Senator(s) Steadman--Concerning the
20 licensure of neighborhood youth organizations.
21 Committee on Education
22
- 23 **HB10-1045** by Representative(s) Miklosi--Concerning the address of
24 a person on file with specified state agencies.
25 Committee on State, Veterans, & Military Affairs
26
- 27 **HB10-1046** by Representative(s) Tyler; also Senator(s) Hudak--
28 Concerning the recorded date of receipt of property tax
29 payments by a county treasurer's office when the payment
30 has no United States postal service postmark.
31 Committee on Local Government
32
- 33 **HB10-1047** by Representative(s) Court and Murray; also Senator(s)
34 White--Concerning the form of a statewide ballot title.
35 Committee on State, Veterans, & Military Affairs
36
- 37 **HB10-1048** by Representative(s) Primavera; also Senator(s) Spence--
38 Concerning the home- and community-based services
39 program for persons with a brain injury.
40 Committee on Health and Human Services
41
- 42 **HB10-1049** by Representative(s) Rice and Looper, Balmer, Court,
43 Hullinghorst, King S., May, McNulty, Nikkel, Scanlan,
44 Sonnenberg, Stephens, Summers, Primavera; also
45 Senator(s) Romer and Mitchell, Foster, Hodge, Lundberg,
46 Penry, Shaffer B.--Concerning the franchise rights of
47 motor vehicle dealers.
48 Committee on Business Affairs and Labor
49
- 50 **HB10-1050** by Representative(s) Tyler, Riesberg, Soper; also
51 Senator(s) Tochtrop, Williams--Concerning a central on-
52 line registry of medical orders for scope of treatment
53 forms.
54 Committee on Health and Human Services
55

- 1 **HB10-1051** by Representative(s) Pommer--Concerning additional
2 information regarding covered entities' water efficiency
3 plans.
4 Committee on Agriculture, Livestock, & Natural Resources
5
- 6 **HB10-1052** by Representative(s) Solano; also Senator(s) Newell--
7 Concerning the recycling resources economic opportunity
8 fund, and, in connection therewith, extending the life of
9 the fund.
10 Committee on Transportation & Energy
11
- 12 **HB10-1053** by Representative(s) Riesberg, Kefalas; also Senator(s)
13 Boyd--Concerning community long-term care savings.
14 Committee on Health and Human Services
15
- 16 **HB10-1054** by Representative(s) King S.; also Senator(s) Carroll M.--
17 Concerning presenting school safety information at
18 institutions of higher education.
19 Committee on Education
20
- 21 **HB10-1055** by Representative(s) Kefalas; also Senator(s) Steadman--
22 Concerning the requirement that fees for services rendered
23 by a third party for collection of delinquent taxes be added
24 to the total amount collected by the third party.
25 Committee on Finance
26
- 27 **HB10-1056** by Representative(s) Frangas; also Senator(s) Carroll M.--
28 Concerning the disposal of business records containing
29 personal identifying information.
30 Committee on Judiciary
31
- 32 **HB10-1057** by Representative(s) Ryden; also Senator(s) Spence--
33 Concerning fees charged by county sheriffs relating to the
34 service of process.
35 Committee on Judiciary
36
- 37 **HB10-1058** by Representative(s) Riesberg; also Senator(s) Hodge--
38 Concerning the authority of the department of revenue to
39 impose a civil penalty for unstamped cigarettes.
40 Committee on Judiciary
41
- 42 **HB10-1059** by Representative(s) Gagliardi; also Senator(s) Newell--
43 Concerning allowing a minor who is in the foster care
44 system to register for a driver education course prior to
45 applying for an instruction permit without a signed
46 affidavit of liability.
47 Committee on Transportation & Energy
48
- 49 **HB10-1060** by Representative(s) Kagan; also Senator(s) Steadman--
50 Concerning the creation of a penalty for the failure to
51 comply with severance tax withholding requirements.
52 Committee on Agriculture, Livestock, & Natural Resources
53
- 54
55 **HB10-1061** by Representative(s) Merrifield; also Senator(s) Tochtrop--
56 Concerning the creation of the Colorado medical

- 1 donation program to be administered by the state board of
2 health.
3 Committee on Health and Human Services
4
- 5 **HB10-1062** by Representative(s) Schafer S.--Concerning the ability to
6 allow a county to purchase crime insurance coverage in
7 lieu of surety bonds.
8 Committee on Local Government
9
- 10 **HB10-1063** by Representative(s) Todd; also Senator(s) Gibbs--
11 Concerning the authority for the publication of a legal
12 notice in a newspaper without United States periodicals
13 mailing privileges within a municipality Where no
14 newspaper that has such privileges is published within the
15 municipality.
16 Committee on State, Veterans, & Military Affairs
17
- 18 **HB10-1064** by Representative(s) Schafer S., Todd; also Senator(s)
19 Spence, Hodge, King K.--Concerning a requirement that
20 a student complete an appeal process before filing a
21 complaint with a group of neutral arbitrators concerning
22 the student's participation in extracurricular activities.
23 Committee on Education
24
- 25 **HB10-1065** by Representative(s) McCann; also Senator(s) Tochtrop--
26 Concerning a prohibition against counting any time a
27 juvenile spends on escape status toward completion of the
28 juvenile's commitment.
29 Committee on Judiciary
30
- 31 **HB10-1066** by Representative(s) Massey and Scanlan; also Senator(s)
32 Sandoval--Concerning a requirement that the department
33 of education provide food to school food authorities.
34 Committee on Education
35
- 36 **HB10-1067** by Representative(s) Middleton; also Senator(s) Bacon--
37 Concerning a requirement that the state fund one hundred
38 percent of the cost of instruction for nonresident Native
39 American students enrolled at Fort Lewis college.
40 Committee on Education
41
- 42 **HB10-1068** by Representative(s) Ferrandino--Concerning the delivery
43 of paper documents to a person's property.
44 Committee on Transportation & Energy
45
- 46 **HB10-1069** by Representative(s) Vigil; also Senator(s) Schwartz--
47 Concerning the reclassification of Mineral county.
48 Committee on Local Government
49
- 50 **HB10-1070** by Representative(s) Casso; also Senator(s) Sandoval--
51 Concerning safety in day treatment centers.
52 Committee on Health and Human Services
53
- 54 **HB10-1071** by Representative(s) Labuda; also Senator(s) Heath--
55 Concerning elimination of the requirement that a person
56 employed in a technical forestry capacity by the board of

- 1 governors of the Colorado state university system possess
2 at least two years' experience in forest practice.
3 Committee on Education
4
- 5 **HB10-1072** by Representative(s) Court, Ferrandino; also Senator(s)
6 Heath, Morse--Concerning the conversion of the general
7 fund reserve into a state budget stabilization reserve fund,
8 and, in connection therewith, increasing the amount of the
9 reserve fund in certain future fiscal years above the
10 amount of the general fund reserve currently required for
11 such years, requiring reserve fund interest and income to
12 be credited to the reserve fund, and reducing the
13 percentage of estimated reserve fund depletion that will
14 require the governor to formulate a plan for reducing
15 general fund expenditures from the percentage of
16 estimated general fund reserve depletion that currently
17 triggers that requirement.
18 Committee on Finance
19
- 20 **HB10-1073** by Representative(s) Roberts; also Senator(s) Sandoval--
21 Concerning the addition of a line to Colorado state
22 individual income tax return forms whereby individual
23 taxpayers may make a voluntary contribution benefitting
24 the Colorado 2-1-1 first call for help fund.
25 Committee on Finance
26
- 27 **HB10-1074** by Representative(s) Soper; also Senator(s) Hudak--
28 Concerning measures to protect consumers with regard to
29 automobile insurance policies.
30 Committee on Business Affairs and Labor
31
- 32 **HB10-1075** by Representative(s) Kagan and Sonnenberg, Soper; also
33 Senator(s) Williams and Harvey--Concerning the
34 authority for public entities to use credit unions as
35 financial institutions, and, in connection therewith,
36 allowing credit unions to make loans to public entities and
37 allowing for the deposit of public moneys in credit unions.
38 Committee on Business Affairs and Labor
39
- 40 **HB10-1076** by Representative(s) DelGrosso--Concerning the
41 classification of a participant in a property tax work-off
42 program for purposes of labor benefits.
43 Committee on Finance
44 Committee on Business Affairs and Labor
45
- 46 **HB10-1077** by Representative(s) Tyler--Concerning authorization for
47 fusion voting by which a candidate in an election for a
48 partisan political office may be the nominee of more than
49 one political party.
50 Committee on State, Veterans, & Military Affairs
51
- 52 **HB10-1078** by Representative(s) Nikkel; also Senator(s) Kopp--
53 Concerning the specificity of the data included in the web-
54 based system that provides the public access to state
55 financial information.
56 Committee on State, Veterans, & Military Affairs

- 1 **HB10-1079** by Representative(s) Balmer--Concerning a prohibition on
2 the use of public moneys for any physical signage that
3 indicates that a project is being funded by the federal
4 "American Recovery and Reinvestment Act of 2009".
5 Committee on State, Veterans, & Military Affairs
6
- 7 **HB10-1080** by Representative(s) Lambert; also Senator(s) Sandoval--
8 Concerning the expansion of duties of the legislative
9 emergency epidemic response committee to include
10 preparation for disaster emergencies, and, in connection
11 therewith, changing the name of the committee and
12 allowing the committee to recommend legislation
13 pertaining to the preparedness, response, and recovery by
14 the general assembly in the event of an emergency
15 epidemic or disaster.
16 Committee on Local Government
17
- 18 **HB10-1081** by Representative(s) Priola--Concerning money
19 laundering.
20 Committee on Judiciary
21
- 22 **HB10-1082** by Representative(s) McNulty; also Senator(s) Penry--
23 Concerning disqualification from school employment for
24 conviction of certain offenses, and, in connection
25 therewith, enacting the "Felon-free Schools Act of 2010".
26 Committee on Judiciary
27 Committee on Appropriations
28
- 29 **HB10-1083** by Representative(s) Gardner B.; also Senator(s)
30 Steadman--Concerning the authority of the state to enter
31 into lease-purchase agreements for a day surgery center.
32 Committee on Judiciary
33
- 34 **HB10-1084** by Representative(s) Acree; also Senator(s) Mitchell--
35 Concerning measures to encourage the voluntary cleanup
36 of unoccupied real property.
37 Committee on Judiciary
38
39
- 40 **HB10-1085** by Representative(s) Kerr J.; also Senator(s) Tapia--
41 Concerning land surveying, and, in connection therewith,
42 altering licensure criteria for land surveyor applicants and
43 specifying procedures for issuance of a surveyor's
44 affidavit of correction.
45 Committee on Business Affairs and Labor
46
- 47 **HB10-1086** by Representative(s) Curry; also Senator(s) Hodge--
48 Concerning a limitation of landowners' liability, and, in
49 connection therewith, limiting landowners' liability arising
50 from facilities related to water rights and from the use of
51 land for recreational purposes.
52 Committee on Judiciary
53
54
- 55 **HB10-1087** by Representative(s) Swalm, Liston, Nikkel; also
56 Senator(s) Cadman--Concerning the elimination of the

- 1 requirement that an employer withhold Colorado income
2 tax.
3 Committee on Finance
4 Committee on Appropriations
5
6 **HB10-1088** by Representative(s) Vaad--Concerning devolution of
7 state highways that are commuter highways to local
8 governments.
9 Committee on Transportation & Energy
10
11 **HB10-1089** by Representative(s) Waller; also Senator(s) Newell--
12 Concerning placement after a parole revocation of a
13 parolee who is a sexually violent predator.
14 Committee on Judiciary
15 Committee on Appropriations
16
17 **HB10-1090** by Representative(s) Waller; also Senator(s) Morse--
18 Concerning the punishment for a person who is convicted
19 of driving a motor vehicle with knowledge that his or her
20 driver's license is under restraint.
21 Committee on Judiciary
22
23 **HB10-1091** by Representative(s) Summers--Concerning restrictions on
24 the permissibility of certain documents used to define
25 identification for election-related purposes.
26 Committee on State, Veterans, & Military Affairs
27
28 **HB10-1092** by Representative(s) Liston; also Senator(s) Steadman--
29 Concerning the issuance of identification cards to
30 lobbyists for the purpose of entering the state capitol
31 building.
32 Committee on State, Veterans, & Military Affairs
33
34 **HB10-1093** by Representative(s) Bradford; also Senator(s) Harvey--
35 Concerning a limitation on what may be considered when
36 determining the actual value of real property for the
37 purpose of levying property tax.
38 Committee on Finance
39
40 **HB10-1094** by Representative(s) Gardner C.; also Senator(s) Harvey--
41 Concerning the use of deadly physical force against a
42 person who makes an illegal entry into a place of business.
43 Committee on Judiciary
44
45 **HB10-1095** by Representative(s) Gerou--Concerning a limitation on
46 the authority of a fire protection district to charge fees for
47 providing certain rescue services to those services
48 provided at the scene of a motor vehicle accident.
49 Committee on Local Government
50
51 **HB10-1096** by Representative(s) Tipton--Concerning the designation
52 of vehicle identification number inspectors by law
53 enforcement officials of local governments.
54 Committee on Transportation & Energy
55
56
-

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and laid over until Friday, January 15, 2010:

HR10-1004 by Representative(s) Weissmann--Concerning the line of succession for the chief clerk of the House of Representatives.

SJR10-001 by Senator(s) Morse; also Representative(s) Weissmann--Concerning amendments to the Joint Rules of the Senate and the House of Representatives relating to the preparation of bill summaries.

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., January 14, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Second Legislative Day

Thursday, January 14, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Kelly Kruis, University of Colorado, Denver.
6
7 The roll was called with the following result:
8
9 Present--64.
10 Excused--Representative(s) Scanlan--1.
11 Present after roll call--Representative(s) Scanlan.
12
13 The Speaker declared a quorum present.
14
15
16 On motion of Representative DelGrosso, the reading of the journal of
17 January 13, 2010, was declared dispensed with and approved as corrected
18 by the Chief Clerk.
19
20

CHANGE IN SPONSORSHIP

21
22
23
24 The Speaker announced the following change in sponsorship:
25 HB10-1084--Senator Williams to replace Senator Mitchell as prime
26 sponsor.
27
28

MESSAGE FROM THE SENATE

29
30
31
32 The Senate has adopted and returns herewith: HJR10-1001. Pursuant to
33 this resolution, the President appointed Senator Steadman and Senator
34 Brophy.
35
36 The Senate has adopted and returns herewith: HJR10-1002.
37
38

39
40 House in recess. House reconvened.
41
42
43

MESSAGE(S) FROM THE SENATE

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

SB10-036 as amended in Special Orders as printed in Senate Journal, January 13, 2010, pages 13 and 14.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, SB10-036.

**INTRODUCTION OF BILL
First Reading**

The following bill was read by title and referred to the committee indicated:

SB10-036 by Senator(s) Johnston, Bacon, Heath, Hudak, Penry, Romer, Shaffer B., Steadman; also Representative(s) Merrifield--Concerning requiring the department of education to prepare an annual report analyzing educator preparation program effectiveness using data obtained through the educator identifier system.
Committee on Education

House in recess for Joint Session.

JOINT SESSION

The Joint Session was called to order by the Speaker of the House, Terrance D. Carroll.

On motion of Senator Morse, the morning roll call of the Senate was made the roll call of the Joint Session.

Present--34.
Excused--Senator Sandoval--1.

On motion of Representative Weissmann, the morning roll call of the House was made the roll call of the Joint Session.

Present--65.

The Speaker declared a quorum present and as is customary presented the gavel to the President of the Senate to preside over the joint session.

1 President Shaffer requested the Joint Committee, composed of Senators
2 Steadman and Brophy, and Representatives McFadyen, Apuan, and
3 Priola to escort the Governor from the Governor's Chamber to the
4 rostrum.

5
6 Chief Sergeant-at-Arms Wallin announced the arrival of the Honorable
7 Bill Ritter, Jr., Governor of the State of Colorado.

8
9 The Joint Committee escorted the Governor to the rostrum where he
10 addressed the Joint Session.

11
12
13
14 **ADDRESS BY THE HONORABLE**
15 **Bill Ritter**

16
17 **Introduction**

18
19 I have had the privilege of serving as the governor of Colorado for three years
20 now. And what a privilege it is. After having traveled and lived in other places
21 around the world, I believe in every fiber of my being that Colorado is the best
22 place on the globe to live and to raise a family.

23
24 As a people, we care deeply about each other. We look for ways to build a
25 different and better future for our children, for our grandchildren. We are
26 innovators and creators, we are rugged, and determined. And when tough times
27 or a tragedy strikes, we respond not as outsiders or strangers, but as part of the
28 family. It sets us apart.

29
30 Colorado is blessed with diverse natural resources. Our landscape is pristine,
31 the minerals and fossil fuels bountiful. The sun, the wind, the headwaters of
32 seven river systems, agricultural land, state and national forests, are all part of
33 a natural ecosystem that is the envy of so many.

34
35 Colorado is a beacon to many other places in this world. But if our light is to
36 shine brightly, those of us who have answered the call to serve our state in
37 elected or appointed office, have a different responsibility. We must work every
38 day, all day, at achieving the full God-given potential of this state and of its
39 people.

40
41 To live up to that responsibility, we must first agree that our service has a
42 meaning and a purpose that is greater than any one of us in this room. At this
43 pivotal point in Colorado's history, with the challenges we face, I know we can
44 and must set aside the weaker impulses of partisanship. Colorado is in a better
45 place because of the wisdom and humanity among you, and Coloradans deserve
46 no less than your best ideas and your selfless determination for a stronger
47 Colorado.

48
49 In this, my last year as Governor, I recommit to working tirelessly alongside
50 you. We have accomplished much, but time is short, and there remains much
51 work to be done on behalf of the people of Colorado.

52
53 President Shaffer, Speaker Carroll, honorable members of the House and the
54 Senate, thank you for allowing me to stand in this chamber and deliver my
55 fourth and final State of the State Address. Mr. Speaker, as the first African
56 American Speaker of the House, you have broken new ground. Above and

1 beyond that, you are serving the people of Colorado with distinction, and it is
2 my honor to serve with you.

3
4 To our distinguished partners in service: Lt. Gov. O'Brien, Treasurer Kennedy,
5 Attorney General Suthers, Secretary of State Buescher, and Senators Bennet and
6 Udall ...

7
8 Members of the Supreme Court and Board of Education, Mayor Hickenlooper,
9 local government leaders and Tribal Chairs ...

10
11 To members of my Cabinet and my staff, members of the public and all those
12 outside this chamber, including the Colorado National Guard and all
13 Coloradans defending our freedoms abroad, thank you for the privilege to serve
14 as your governor.

15
16 I especially want to thank my wife and Colorado's first lady, Jeannie. Thank
17 you for everything you do for the people of Colorado and for all you do for our
18 own family. Two of our four children, Tally and Sam, are here this morning, as
19 are my mother, Ethel, and many of my siblings. Thank you for your support,
20 your understanding and your love.

21
22 **Turnings Obstacles into Assets**

23
24 In 2006, I ran for governor because Colorado was not living up to its full
25 potential. We needed a course correction, to think bigger, to do better. So four
26 years ago, Barbara O'Brien and I – with the help of so many dedicated
27 Coloradans – laid out our vision and our goals to lead Colorado forward.

28
29 Together we all are turning obstacles into assets, implementing lasting solutions
30 to our serious challenges, and helping Coloradans in every community achieve
31 the Colorado Promise.

32
33 We're making the New Energy Economy our calling card to the future.

34
35 We're growing other Industries of the Future – aerospace, the biosciences and
36 technology.

37
38 We're leading on innovation and manufacturing, because Colorado is chock-full
39 of visionaries who wake up every morning and say, "What can I create, what
40 can I make today?"

41
42 We're cutting taxes for small businesses, helping small businesses get access
43 to loans, and bringing new jobs and new companies to Colorado.

44
45 We're expanding access to healthcare, improving quality and building a
46 foundation for greater cost controls.

47
48 We're bringing the first new sustainable funding for transportation in 20 years,
49 with the first FASTER safety and repair projects set to begin in just a few
50 months.

51
52 We're laying the groundwork for long-term fiscal reform.

53
54 On education, we've been Racing to the Top for years. More children are
55 enrolled in preschool and full-day kindergarten than ever before. We're tackling
56 the drop-out rate, and CSAPs are going the way of the dinosaurs.

1 Over the last three years, together, we have been changing course – thinking
2 bigger, doing better. Our strategies are working. Even in the worst global
3 economic conditions in generations, we’re leading Colorado to a stronger,
4 brighter future, full of opportunity and promise.

5
6 **Working for You**

7
8 Since taking office, I’ve visited every corner of Colorado – 250 visits outside
9 the metro area in communities like Antonito and Alamosa, Pueblo and Palisade,
10 Steamboat Springs and Glenwood Springs.

11
12 I’ve visited with Coloradans who are struggling, and with those who are
13 succeeding, fulfilling the Colorado Promise every single day.

14
15 From nearly all of them, I hear this simple message: stay focused on creating
16 jobs and making government leaner and more efficient; invest in our future;
17 strengthen our safety net.

18
19 It’s a tall order. But in these extraordinary and precarious times, let’s listen to
20 our constituents. Let’s stay focused on job creation, on doing what’s necessary
21 for Colorado families and small businesses, on doing what’s right for the future
22 of Colorado.

23
24 We cannot get distracted by partisan politics or the trivial pursuits that threaten
25 to take us away from our core mission of economic recovery. It will not be
26 enough to stay on the sidelines, to constantly criticize, to offer nothing but \$10
27 solutions to billion-dollar problems. We have a higher responsibility, and if you
28 are not at the table providing solutions, then you are part of the problem.

29
30 While this has been a tough time, and while there will be setbacks, we *are*
31 making progress. Colorado has one of the best business climates and economic
32 outlooks in the country, and if we stay disciplined and determined, we will get
33 our economy back on solid footing. I know we can do this, because we’ve been
34 doing it.

35
36 **Cutting Costs & Increasing Efficiencies**

37
38 The budget will drive much of this session, and it will be even more challenging
39 than last year.

40
41 Since mid-2008, we’ve closed shortfalls of \$2 billion because of the recession.
42 We have a billion-dollar shortfall to close in the coming budget. Over the next
43 few weeks, I will be submitting additional budget-cutting plans to the Joint
44 Budget Committee.

45
46 While our efforts have helped stabilize our economy, and while an economic
47 recovery is indeed underway, a revenue recovery is a year away. That means
48 more tough, unpopular – but necessary – decisions. It means we all need to have
49 the courage to ask government agencies, state employees, private businesses
50 and public schools to share in the solutions.

51
52 We’re going to have to do things we don’t want to do. We’re going to have to
53 take a balanced approach to keeping the budget balanced, without damaging our
54 ability to recover and grow jobs.

55

1 Representative Pommer, Senator Keller and other members of the JBC, thank
2 you for your partnership, your wisdom and your compassion for the people of
3 Colorado.
4
5 This is an unenviable time, but it is when values, leadership and strength matter
6 the most. And thanks to the tough choices we've been making, Colorado is
7 coming back, better than before.
8
9 Our government efficiency review found more than \$200 million in savings and
10 benefits and is proving that good government works and can make people's
11 lives better.
12
13 We're eliminating tens of millions of dollars in healthcare waste and fraud.
14
15 We're saving money by greening government, and this session we will pursue
16 legislation to make our state parks the first net-zero energy park system in the
17 country.
18
19 We're making more services available online and making government more
20 transparent by posting thousands of documents on the web for everyone to see.
21
22 We're adapting to a new economic reality, making government smarter and
23 more efficient, just as families and businesses are doing all across Colorado.
24
25 This session, we're going to need to shore up the public employee retirement
26 fund, and I'm pleased that we are nearing a bipartisan solution.
27
28 Longer-term, we need to continue the debate over Colorado's financial future.
29 We need to have an honest conversation with the public about what kind of
30 services they want their government to provide, and how much it will cost to
31 provide those services to 5 million people today and to nearly 10 million by
32 2050.
33
34 We started the discussion with Ref C. We made significant progress last year
35 by loosening the knot of conflicting fiscal mandates with Senate Bill 228. But
36 we have a long way to go before we completely untie the knot. We must keep
37 the dialogue going in order to achieve smarter, more sensible and modern
38 budgeting.
39
40 More urgently, Coloradans must unite against three of the most backward-
41 thinking ballot measures this state has ever seen. Proposition 101 and
42 Amendments 60 and 61 would shut down colleges and prisons, increase class
43 sizes, put thousands of teachers out of work, and prevent the repair of unsafe
44 roads and bridges.
45
46 If these measures pass, the state could never again support building another
47 public school, library or rec center. The cynical game the proponents are playing
48 with our future would quite literally destroy the safety net and wipe out any
49 hope of creating a better future for our children.
50
51 That's not the Colorado I want. I want a Colorado that opens doors to
52 opportunity, not slams them shut.
53
54 I want a Colorado Where elected leaders from *both* parties have the courage to
55 stand up and oppose those three ballot measures.
56

1 I want a Colorado Where we create jobs, help companies like Sierra Nevada,
2 Norgren, The Water Company and Infinite Power Solutions expand, and attract
3 new companies like Vestas, DaVita and SMA Solar. Representatives from some
4 of these firms are with us today up in the gallery. Thank you for helping us to
5 transform Colorado's economy.

6

7 **Creating Jobs and Energizing our Economy**

8

9 In these uncertain times, the New Energy Economy – which did not exist three
10 years ago – continues to be our beacon to a brighter future. Today, thanks to
11 many of the people in this chamber, we're leading the nation in this critical
12 area.

13

14 We're creating thousands of new jobs, new markets and new revenues.

15

16 We're nurturing a culture of innovation from the best energy research corridor
17 in the world.

18

19 We're manufacturing 21st century products from state-of-the-art factories.

20

21 We're providing affordable, reliable and efficient energy for people all across
22 Colorado.

23

24 We are pioneers. Colorado voters were the first in the country to pass a
25 renewable energy standard. We doubled that standard in 2007, and because of
26 our work, we're five years ahead of schedule to reach the current 20 percent
27 goal.

28

29 So, this session let's think bigger, creating even larger markets for solar, wind,
30 biomass, hydro and geothermal. Let's increase our standard to 30 percent.

31

32 This will trigger the creation of tens of thousands of new jobs, draw new capital
33 investments and new companies to our state, and keep Colorado at the epicenter
34 of America's energy revolution. It will increase our energy independence and
35 further reduce our reliance on foreign oil.

36

37 This session, we also have an opportunity to lead the nation in expanding the
38 role of cleaner-burning natural gas in our energy portfolio. Natural gas has
39 always been part of the New Energy Economy, and this year we look forward
40 to solidifying its role for the future.

41

42 Over the past few months, I've been working closely with the natural gas
43 industry, with utilities and with other stakeholders. We're looking at ways to
44 increase the use of Colorado natural gas to generate electricity, reduce air
45 pollution, stabilize energy bills for consumers – and create jobs.

46

47 Together, we have enacted 40 pieces of legislation to build the New Energy
48 Economy. This year, we can continue leading the country and letting the nation
49 and the world know that this truly is our calling card to the future.

50

51 **Educating Kids**

52

53 Colorado's future also depends on our continued efforts to improve our schools
54 and student learning. Thank you Lt. Governor O'Brien, Education
55 Commissioner Jones and our partners in the legislature for making education
56 reform one of this state's highest priorities.

1 When we took office, we began to change the culture around education reform,
2 and change the future for Colorado's children. Together, we've moved away
3 from the old partisan fights of the past to a more collaborative approach that's
4 focused on student learning and teacher effectiveness, training and retention.

5
6 We're doing a better job educating our kids, and next week we will submit a
7 very competitive Race to the Top grant application. Frankly, regardless of
8 whether Colorado receives a Race to the Top grant, we've already won. We are
9 now a national leader in education reform. Our Race to the Top began in 2007
10 when I stood here to deliver my very first State of the State Address.

11
12 Three years ago, I laid out several 10-year goals for education: cut the dropout
13 rate in half, close achievement gaps, and double the number of college degrees
14 earned by Colorado students.

15
16 Ever since, we've been implementing reform after reform. Thanks to those
17 efforts, Colorado now has the most current and rigorous set of standards for
18 classroom learning.

19
20 While our strategies are working, we can do a better job giving kids a smart
21 start in life. Last year, thousands of students who should have graduated,
22 dropped out. Too many high school graduates aren't college-ready, and too
23 many new employees aren't workforce-ready.

24
25 This year, we're going to keep moving forward, with legislation that will take
26 us closer to the day when we end CSAP testing as we know it.

27
28 We'll still assess our kids, and we'll assess more rigorously than ever before,
29 because we need to know what they *know* and what they can *do*. We will
30 modernize assessments so the tests help our teachers teach, help our students
31 learn, and help our parents engage in their children's education.

32
33 On higher education, we will continue to protect Colorado's colleges and
34 universities. Even in this downturn, with the help of the Recovery Act, we have
35 protected higher-ed and kept college affordable. Our P-20 Council and Jobs
36 Cabinet are all creating a seamless strategy for education, workforce
37 development and business development.

38
39 And you will all be happy to know that my *last* blue-ribbon panel will spend
40 this year crafting a long-term strategic plan for the future of higher-ed in
41 Colorado.

42
43 The stakes are high, because if there is one single key that unlocks the doors of
44 opportunity, it's education. If there is one single key to economic recovery, it
45 is education. And if there is one single key to addressing poverty, it is
46 education. The best economic-development strategy and the best anti-poverty
47 strategy is an education strategy.

48 49 **Protecting People**

50
51 We're also showing the country how to craft a smarter criminal-justice strategy.

52
53 As a former district attorney, I knew we needed to take a different approach, to
54 develop a comprehensive vision, while still making public safety our number
55 one priority.

56

1 We created a School Safety Resource Center. We established an Office of
2 Homeland Security, and we began reforming our prisons.

3
4 Our violent crime rate is down. Traffic fatalities are at a 40-year low, and
5 motor-vehicle thefts have been cut in half over the past five years.

6
7 For decades, prison spending was growing faster than any other part of the
8 budget. We spend more each year keeping 22,000 prison inmates behind bars
9 than we do educating 220,000 college students. That is not a sustainable
10 formula for success.

11
12 So we implemented evidence-based strategies to keep the public safe, reduce
13 recidivism and save money. For the first time in anyone's memory, we've
14 reversed the upward trajectory of prison growth and prison spending. We're
15 being tough on crime, and smart on crime. We're taking a more thoughtful
16 approach, which is also a more cost-effective approach.

17
18 Another place Where we need to find balance is medical marijuana. We need
19 to uphold the will of the voters while reining in abuses and bringing common
20 sense to the chaos that now exists. Together, we can achieve bipartisan
21 solutions that clarify the doctor-patient relationship and address the
22 proliferation dispensaries. I urge the General Assembly to act quickly in this
23 area.

24
25 We also need to address an additional public safety issue by toughening up
26 penalties for drunk driving. We need stronger enforcement, stiffer punishments,
27 and better treatment. I call on this body to deliver a bill that does just that.

28
29 Public safety involves more than just criminal justice. It's also the safety net.
30 Especially in a downturn, we have a moral obligation to protect the most
31 vulnerable among us. We can be both fiscally conservative leaders, and leaders
32 who serve with grace and compassion.

33
34 So we will move ahead with legislation to better protect those who depend on
35 us the most, including abused and neglected children – because one child's
36 death is one too many. My deep thanks to the Child Welfare Action Committee.
37 Their good work has already saved lives.

38 39 **Conclusion**

40
41 There is no question that we are making historic progress. We are moving
42 Colorado forward. We are changing the culture of government and the direction
43 of Colorado. We are helping more and more Coloradans live up to their God-
44 given potential, and we're transforming Colorado so that we emerge from the
45 downturn stronger and better than before.

46
47 Proverbs 29:18 says, "Where there is no vision, the people perish." Well, we
48 have the right vision and the right strategies in place, and there is no better place
49 than Colorado for turning challenges into opportunities. No better place for
50 letting the politics of what's possible trump the politics of fear and cynicism.

51
52 Our state budget situation – it's an opportunity to adapt to a new economic
53 reality, to re-invent government, to finally craft a long-term strategic plan for
54 higher education.

55
56 As difficult as our challenges may seem, we are in a better position than most

1 other states. Colorado has faced much more difficult times in the past, yet came
2 out stronger and more determined. To this day, we're still benefiting from the
3 resilience, innovation and imagination of Colorado leaders who came before us.

4
5 The skills of Colorado's famed 10th Mountain Division gave us today's modern
6 ski industry.

7
8 The vision of the Coloradans in the 1800s who expanded the rail lines east and
9 west, north and south, allowed Colorado to grow and prosper.

10
11 And the courage of men like David Moffat and Walter Cheesman, who
12 overcame obstacles – or, went through them – gave us a network of water
13 pipelines, channels and reservoirs that today sustain millions of Coloradans.

14
15 Today, our responsibility is to provide that same gift of determination to the
16 generations of Coloradans who will follow us. This session – this year – we
17 must keep building a bridge to Colorado's future. We should never be afraid to
18 imagine big, and we must keep executing the strategies that are moving
19 Colorado forward.

20
21 But no strategy is self-executing. We have a higher responsibility to join
22 together, to overcome our challenges, to turn to what Abraham Lincoln called
23 the "better angels of our nature."

24
25 Decades from now, our grandchildren will look back at this moment and ask us
26 what it was like, the same way we look back at the Great Depression. This is a
27 hinge in history, and I hope we can tell them that yes, it was tough, but we
28 worked together and rose to the challenge.

29
30 Colorado, thank you again for the privilege of serving as your governor. God
31 bless you.

32 _____

33
34
35 The Joint Committee escorted the Governor from the Chamber.

36 _____
37
38 On motion of Representative Weissmann, the Governor's message was
39 ordered printed in the House Journal.

40 _____
41
42 On motion of Senator Morse, the Joint Session was dissolved.

43 _____
44
45 House reconvened. Quorum present.

46 _____
47
48 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

49
50 **EDUCATION**

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

53
54 **SB10-036** be referred to the Committee of the Whole with
55 favorable recommendation.

56 _____

On motion of Representative Weissmann, **SB10-036** was made Special Orders on Thursday, January 14, 2009, at 3:10 p.m.

The hour of 3:10 p.m., having arrived, on motion of Representative Labuda, the House resolved itself into Committee of the Whole for consideration of Special Orders and she was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILL(S)

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

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

SB10-036 by Senator(s) Johnston, Bacon, Heath, Hudak, Penry, Romer, Shaffer B., Steadman; also Representative(s) Merrifield--Concerning requiring the department of education to prepare an annual report analyzing educator preparation program effectiveness using data obtained through the educator identifier system.

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **SB10-036**.

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

YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y

1	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
2	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
3	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
4	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
5							Speaker	Y

INTRODUCTION OF BILLS

First Reading

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

HB10-1097 by Representative(s) Benefield, Court, Ryden, Pace; also Senator(s) Morse, Hudak, Newell--Concerning temporary injunctions in proceedings involving minor children.
Committee on Judiciary

HB10-1098 by Representative(s) Levy--Concerning increased transparency in the governance of cooperative electric associations.
Committee on Transportation & Energy

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.
Committee on Agriculture, Livestock, & Natural Resources

HB10-1100 by Representative(s) Stephens--Concerning withdrawal of an initiative petition.
Committee on State, Veterans, & Military Affairs

HB10-1101 by Representative(s) Baumgardner--Concerning the registration of a vehicle used for agricultural production.
Committee on Transportation & Energy
Committee on Appropriations

HB10-1102 by Representative(s) Murray; also Senator(s) Kopp--Concerning modification of the penalties for late registration of vehicles.
Committee on State, Veterans, & Military Affairs

HB10-1103 by Representative(s) Todd; also Senator(s) Steadman--Concerning the creation of the relief fund for children with a catastrophic medical condition.
Committee on Health and Human Services
Committee on Finance

1 On motion of Representative Weissmann, the House adjourned until
2 9:00 a.m., January 15, 2010.

3

4

5

6

Approved:
TERRANCE D. CARROLL,
Speaker

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

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

Third Legislative Day

Friday, January 15, 2010

1 Prayer by Bishop Isein, Bishop of the Diocese of Pueblo.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Rebecca Massey, Salida High School.
6
7 The roll was called with the following result:
8
9 Present--61.
10 Excused--Representative(s) Bradford, Rice, Solano, Sonnenberg--4.

11
12 The Speaker declared a quorum present.
13
14

15 On motion of Representative DelGrosso, the reading of the journal of
16 January 14, 2010, was declared dispensed with and approved as corrected
17 by the Chief Clerk.
18
19
20

THIRD READING OF BILL(S)--FINAL PASSAGE

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

26
27 **SB10-036** by Senator(s) Johnston, Bacon, Heath, Hudak, Penry,
28 Romer, Shaffer B., Steadman; also Representative(s)
29 Merrifield--Concerning requiring the department of
30 education to prepare an annual report analyzing educator
31 preparation program effectiveness using data obtained
32 through the educator identifier system.
33

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

	YES	50	NO	11	EXCUSED	4	ABSENT	0
40	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
41	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
42	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
43	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	E

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

14 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Casso, Court,
 15 Kerr A., Labuda, Levy, Miklosi, Primavera, Riesberg, Ryden, Scanlan,
 16 Schafer S., Summers, Todd, Tyler, Speaker.

20 CONSIDERATION OF RESOLUTION(S)

22 **HR10-1004** by Representative(s) Weissmann--Concerning the line of
 23 succession for the chief clerk of the House of
 24 Representatives.

26 (Printed and placed in members' file)

28 On motion of Representative Weissmann, the resolution was **adopted** by
 29 **viva voce** vote.

31 Co-sponsor(s) added: Representative(s) Acree, Apuan, Baumgardner,
 32 Benefield, Court, Gardner B., Gerou, Hulinghorst, Kagan, Kefalas, Kerr A.,
 33 Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, McFadyen, Merrifield,
 34 Miklosi, Nikkel, Peniston, Pommer, Primavera, Priola, Roberts, Ryden,
 35 Scanlan, Schafer S., Soper, Stephens, Summers, Tipton, Todd, Tyler, Vaad,
 36 Vigil, Waller.

38 **SJR10-001** by Senator(s) Morse; also Representative(s) Weissmann--
 39 Concerning amendments to the Joint Rules of the Senate
 40 and the House of Representatives relating to the
 41 preparation of bill summaries.

43 (Printed and placed in members' file)

45 On motion of Representative Weissmann, the resolution was **adopted** by
 46 **viva voce** vote.

48 Co-sponsor(s) added: Representative(s) Acree, Apuan, Benefield, Court,
 49 Ferrandino, Fischer, Gardner B., Gerou, Hulinghorst, Kerr A., Kerr J., Labuda,
 50 Levy, McFadyen, Murray, Nikkel, Peniston, Pommer, Primavera, Priola,
 51 Roberts, Ryden, Schafer S., Soper, Summers, Todd.

54 House in recess. House reconvened.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB10-1097, 1098, 1099, 1100, 1101, 1102, 1103.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SB10-036.**

**INTRODUCTION OF BILLS
First Reading**

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

HB10-1104 by Representative(s) Looper; also Senator(s) Williams,
Penry--Concerning authorization for the establishment of
a veterans treatment court program in judicial districts.
Committee on Judiciary
Committee on Appropriations

HB10-1105 by Representative(s) Roberts--Concerning clarification of
provisions in the "Colorado probate code" concerning
compensation of certain parties.
Committee on Judiciary

HB10-1106 by Representative(s) Casso; also Senator(s) Sandoval--
Concerning bringing certain statutory provisions
concerning child welfare into compliance with federal law.
Committee on Health and Human Services

HB10-1107 by Representative(s) Fischer, Ferrandino, Hullinghorst,
Pommer; also Senator(s) Carroll M., Tochtrop--
Concerning limitations on the inclusion of agricultural
lands within urban renewal areas.
Committee on Agriculture, Livestock, & Natural Resources

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.
Committee on Business Affairs and Labor

HB10-1109 by Representative(s) McCann; also Senator(s) Mitchell--
Concerning the availability of workers' compensation to
jail inmates who are working for a program that has been
certified by the federal prison industry enhancement
certification program.
Committee on Judiciary

- 1 **HB10-1110** by Representative(s) Weissmann; also Senator(s) Morse--
2 Concerning payment of expenses of the legislative
3 department.
4 Committee on Appropriations
5
- 6 **HB10-1111** by Representative(s) Miklosi--Concerning the creation of
7 low-profit limited liability companies.
8 Committee on State, Veterans, & Military Affairs
9
- 10 **HB10-1112** by Representative(s) Miklosi--Concerning the
11 "Correctional Education Program Act of 1990".
12 Committee on Judiciary
13
- 14 **HB10-1113** by Representative(s) McFadyen, Sonnenberg, Vaad; also
15 Senator(s) Hodge, Kester--Concerning the modification of
16 agencies that perform oversight of the commercial vehicle
17 industry through a transfer of the ports of entry section in
18 the department of revenue to the Colorado state patrol in
19 the department of public safety by a type 2 transfer.
20 Committee on Transportation & Energy
21
- 22 **HB10-1114** by Representative(s) Liston--Concerning the registration
23 of agents of persons in the business of transmitting money.
24 Committee on Business Affairs and Labor
25
- 26 **HB10-1115** by Representative(s) Gagliardi; also Senator(s) Scheffel--
27 Concerning the assessment of costs by county departments
28 of social services to families receiving child welfare core
29 services.
30 Committee on Health and Human Services
31
- 32 **HB10-1116** by Representative(s) Todd--Concerning the revision of
33 certain administrative provisions relating to the conduct of
34 elections, and, in connection therewith, amending or
35 repealing obsolete, inconsistent, and conflicting provisions
36 of law.
37 Committee on State, Veterans, & Military Affairs
38
- 39 **HB10-1117** by Representative(s) Benefield, Primavera, Solano; also
40 Senator(s) Johnston, Hudak, Newell, Tochtrop--
41 Concerning certain procedures regarding the levying of
42 taxes by county officers, and, in connection therewith,
43 raising the amount of abatement or refund that may be
44 approved by a board of county commissioners and
45 allowing for the electronic transmission of notices of
46 valuation sent by the county assessor and tax statements
47 sent by the county treasurer.
48 Committee on Local Government
49
- 50 **HB10-1118** by Representative(s) Kerr J.; also Senator(s) Hudak--
51 Concerning the regulation of distressed real property by a
52 board of county commissioners.
53 Committee on Local Government
54
55

- 1 **HB10-1119** by Representative(s) Ferrandino, Carroll T., Court,
 2 Fischer, Gagliardi, Hulinghorst, Kerr A., Labuda, Levy,
 3 Merrifield, Middleton, Pace, Pommer, Primavera, Rice,
 4 Scanlan, Schafer S., Solano, Todd, Weissmann; also
 5 Senator(s) Shaffer B., Boyd, Steadman--Concerning the
 6 process by which the state annually allocates moneys for
 7 its budget.
 8 Committee on State, Veterans, & Military Affairs
 9
- 10 **HB10-1120** by Representative(s) Ferrandino--Concerning the unlawful
 11 sale of graffiti materials.
 12 Committee on Judiciary
 13 Committee on Finance
 14
- 15 **HB10-1121** by Representative(s) Riesberg--Concerning the ability of
 16 a local government to impose certain regulations on the
 17 sale of cigarettes while still receiving a share of state
 18 cigarette tax revenues.
 19 Committee on Finance
 20
- 21 **HB10-1122** by Representative(s) Roberts and Merrifield, Gagliardi,
 22 Kefalas, Tyler; also Senator(s) Williams, Morse--
 23 Concerning medical orders determining the scope of
 24 treatment an adult wishes to receive under certain
 25 circumstances.
 26 Committee on Health and Human Services
 27
- 28 **HB10-1123** by Representative(s) Sonnenberg; also Senator(s) Renfro--
 29 --Concerning controlled agricultural burns in arson cases.
 30 Committee on Judiciary
 31
- 32 **HB10-1124** by Representative(s) McKinley--Concerning laws related
 33 to animal welfare.
 34 Committee on Agriculture, Livestock, & Natural Resources
 35
- 36 **HB10-1125** by Representative(s) Hulinghorst; also Senator(s)
 37 Schwartz--Concerning the authority of the department of
 38 public health and environment to regulate certain activities
 39 with respect to waste grease derived from food
 40 preparation.
 41 Committee on Transportation & Energy
 42
- 43 **HB10-1126** by Representative(s) Vaad; also Senator(s) Brophy--
 44 Concerning the implementation of priority-based
 45 budgeting in Colorado.
 46 Committee on State, Veterans, & Military Affairs
 47

REPORTS TO THE COLORADO GENERAL ASSEMBLY

51 The following Reports have been received by the Chief Clerk of the House of
 52 Representatives. The reports are on file in the Library of Legislative Council.
 53

Colorado Advisory Council

55 Persons with disabilities annual report for 2008-09 (pursuant to 24-4.5-104,
 56 CRS)

1 **Colorado Cold Case Task Force**

2 Annual report (pursuant to 24-33.5- 109(8), CRS)

3
4 **Department of Education**

5 Education Data Advisory Committee

6 2009 Report (pursuant to 22-2-304(3) (b) (1), CRS)

7
8 **Department of Health Care Policy & Financing**

9 Advisory Committee on covering all children in Colorado (pursuant to
10 25.5-1-202, CRS)

11 Comparison of the medicaid managed care programs based on quality and
12 efficiency (pursuant to 25.5-5-410, CRS)

13 FY2009-10 Medical Services Premiums Expenditures:

14 September 15, 2009

15 October 15, 2009

16 November 16, 2009

17 December 15, 2009

18 Status of pediatric health care quality performance measures (pursuant to
19 25.5-5-109.5(9), CRS)

20

21 **Department of Local Affairs**

22 Local Government Energy and Mineral Impact Assistance Program--2009
23 (pursuant to 39-29-110 (1) (c) (VI), CRS)

24

25 **Department of Personnel and Administration**

26 General Fund Cash Basis Comparative Revenue Summary

27 tenth-month period ended April 30, 2009 (pursuant to 39-26-123, CRS)

28

29 **Department of Public Safety**

30 Division of Criminal Justice:

31 Commission on Criminal and Juvenile Justice (pursuant to 16-11.3-103,
32 CRS)

33 DNA Working Group (pursuant to 24-33.5-104.5, CRS)

34 Information Collection and Analysis of Parole Board Decisions (pursuant to
35 17-22.5-404, CRS)

36

37 **Department of Regulatory Agencies**

38 Concerning electric utilities integrated infrastructure (pursuant to
39 40-4-117, CRS)

40

41 **Department of Revenue**

42 Colorado Lottery Annual Report

43 Division of Racing Events

44 Sixtieth Pari-Mutuel Wagering Season (pursuant to 12-60-302(2), CRS)

45

46 **Department of State**

47 Annual Report ending June 22, 2009 (pursuant to 4-9-527, CRS)

48

49 **Department of the Treasury**

50 Statement of Financial condition:

51 June 30, 2009

52 September 30, 2009

53 December 31, 2009

54

55

- 1 **Fire and Police Pension Association of Colorado**
2 Annual Financial Report for fiscal year ending December 31, 2008
3 Actuarial Valuations Report for year beginning January 1, 2009
4
5 **Office of the Child's Representative**
6 9th Annual Report (pursuant to 13-91-105, CRS)
7
8 **Office of the Governor**
9 Commission on Community Service
10 Colorado Cares Day--Annual Report 2009
11 Office of Information Technology
12 Broadband mapping report (pursuant to 24-37.5-106(3), CRS)
13
14 **Supreme Court of Colorado**
15 Certification of salaries of Judges of County Courts in Class C and D
16 Counties (pursuant to 13-20-103(1)(1)(I) 5, CRS)
17
18
19 On motion of Representative Ferrandino, the House adjourned until
20 9:00 a.m., January 19, 2010.
21
22
23
24
25 Attest:
26 MARILYN EDDINS,
27 Chief Clerk
- Approved:
TERRANCE D. CARROLL,
Speaker

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

Seventh Legislative Day

Tuesday, January 19, 2010

1 Prayer by Dr. Michael Dent, Trinity United Methodist Church, Denver.

2

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

4

5 Pledge of Allegiance led by Natalia Haberl, Metropolitan State College,
6 Denver.

7

8 The roll was called with the following result:

9

10 Present--65.

11

12 The Speaker declared a quorum present.

13

14

15 On motion of Representative Tyler, the reading of the journal of
16 January 15, 2010, was declared dispensed with and approved as corrected
17 by the Chief Clerk.

18

19

20

21

22

MESSAGE(S) FROM THE SENATE

23

24 The Senate has adopted and transmits herewith: SJR10-005.

25

26

27

28

29

INTRODUCTION AND CONSIDERATION OF RESOLUTION

30

31 On motion of Representative Weissmann, the rules were suspended and
32 the following resolution was given immediate consideration.

33

34 **SJR10-005** by Senator(s) Hodge and King K., Tapia, Cadman,
35 Schultheis; also Representative(s) Looper and McFadyen,
36 Liston--Concerning the unique and important relationship
37 between the United States and Canada, and, in connection
38 therewith, honoring Canada's contributions as our partner
39 in energy, economic trade, and joint military endeavors.

40

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

42

43

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

3
4 Current Roll Call added as Co-sponsors: Representative(s) Acree, Apuan,
5 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
6 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou,
7 Hulinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
8 Levy, Massey, May, McCann, McKinley, McNulty, Merrifield, Middleton,
9 Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice,
10 Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper,
11 Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller,
12 Weissmann, Speaker

13
14
15 House in recess. House reconvened.
16

17
18
19 **PRINTING REPORT**

20
21 The Chief Clerk reports the following bills have been correctly printed:
22 **HB10-1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113,**
23 **1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124,**
24 **1125, 1126.**

25
26
27
28 **MESSAGE(S) FROM THE SENATE**

29
30 The Senate has passed on Third Reading and transmitted to the Revisor
31 of Statutes: SB10-065.

32
33
34
35 **MESSAGE(S) FROM THE REVISOR**

36
37 We herewith transmit:
38 Without comment, SB10-065.

39
40
41 **INTRODUCTION OF BILLS**
42 **First Reading**

43
44 The following bills were read by title and referred to the committees
45 indicated:

46
47 **HB10-1127** by Representative(s) McKinley--Concerning information
48 to be provided to visitors at Rocky Flats.
49 Committee on State, Veterans, & Military Affairs

50
51 **HB10-1128** by Representative(s) Looper; also Senator(s) Hudak and
52 Bacon--Concerning measures to increase the efficiency of
53 the activities of entities in the division of registrations
54 relating to the supervision of regulated professionals, and,
55 in connection therewith, making the "Colorado Licensing
56 of Controlled Substances Act" and the sunset law

1 consistent with provisions enacted in 2009 to continue the
2 regulation of administration of medication by unlicensed
3 persons, clarifying that moneys collected on behalf of
4 administering entities of professional peer review
5 programs do not constitute state fiscal year spending for
6 purposes of section 20 of article X of the state constitution,
7 clarifying exemptions from the "Dental Practice Law of
8 Colorado", repealing duplicative regulatory requirements
9 for medical doctors, replacing limited temporary license
10 requirements for medical doctors and chiropractors,
11 repealing the committee on anticompetitive conduct, and
12 repealing regulatory functions of the division of
13 registrations with respect to athlete agents.

14 Committee on Health and Human Services

15
16 **HB10-1129** by Representative(s) Bradford; also Senator(s) Harvey--
17 Concerning consequences related to a higher actual
18 valuation of property for the purpose of levying the
19 property tax.

20 Committee on Local Government

21 Committee on Finance

22
23 **HB10-1130** by Representative(s) Labuda--Concerning the creation of
24 a special license plate for the Colorado wolf and wildlife
25 center.

26 Committee on Transportation & Energy

27
28 **HB10-1131** by Representative(s) Scanlan, Apuan, Benefield, Court,
29 Curry, Ferrandino, Frangas, Gagliardi, Hullinghorst,
30 Kerr A., Levy, Massey, Middleton, Miklosi, Pace,
31 Peniston, Primavera, Rice, Schafer S., Todd, Tyler, Vigil;
32 also Senator(s) Gibbs--Concerning measures to improve
33 Colorado youths' knowledge of the environment, and, in
34 connection therewith, creating the Colorado kids outdoors
35 grant program.

36 Committee on Education

37
38 **HB10-1132** by Representative(s) Gardner B., McNulty, Nikkel,
39 Waller; also Senator(s) Hodge--Concerning the production
40 of records by a business in a criminal matter.

41 Committee on Judiciary

42
43 **HB10-1133** by Representative(s) Massey--Concerning amendments to
44 the "Colorado Foreclosure Protection Act".

45 Committee on Judiciary

46
47 **HB10-1134** by Representative(s) Casso; also Senator(s) Kester--
48 Concerning measures to prevent illegal interstate pari-
49 mutuel wagering on racing, and, in connection therewith,
50 authorizing the entry by Colorado into interstate compacts
51 governing racing and the collection of source market fees
52 from out-of-state simulcast activity.

53 Committee on Agriculture, Livestock, & Natural Resources

54
55

- 1 **HB10-1135** by Representative(s) Ryden, Benefield, Court, Gagliardi,
2 Hullinghorst, Labuda, Looper, McCann, Middleton,
3 Peniston, Primavera, Schafer S., Solano, Todd; also
4 Senator(s) Hudak and Newell, Boyd, Spence, Williams--
5 Concerning the definition of domestic violence when
6 determining the best interests of a child.
7 Committee on Judiciary
8
- 9 **HB10-1136** by Representative(s) King S.--Concerning emergency
10 safety procedures in kindergarten-through-twelfth-grade
11 schools.
12 Committee on Education
13
- 14 **HB10-1137** by Representative(s) Gardner B.; also Senator(s)
15 Steadman--Concerning the use of people first language in
16 the drafting of laws.
17 Committee on State, Veterans, & Military Affairs
18
- 19 **HB10-1138** by Representative(s) Gagliardi, Massey, Apuan, Casso,
20 Ferrandino, Fischer, Frangas, Hullinghorst, Kefalas,
21 Labuda, McFadyen, Middleton, Pace, Rice, Scanlan, Todd,
22 Tyler; also Senator(s) Morse, Newell--Concerning the
23 program to repay educational loans of health care
24 professionals.
25 Committee on Health and Human Services
26
- 27 **HB10-1139** by Representative(s) Apuan--Concerning the creation of
28 special license plates for military veterans of the conflicts
29 occurring after September 11, 2001.
30 Committee on Transportation & Energy
31
- 32 **HB10-1140** by Representative(s) Nikkel and Todd, Rice, Vigil, Apuan,
33 Acree, Stephens, Balmer, Bradford, Court, DelGrosso,
34 Ferrandino, Fischer, Gagliardi, Gardner C., Hullinghorst,
35 Kefalas, King S., Lambert, Liston, Looper, May, McNulty,
36 Miklosi, Primavera, Priola, Scanlan, Sonnenberg,
37 Summers, Swalm, Tipton; also Senator(s) Shaffer B. and
38 Spence, Romer, Heath, Bacon, Cadman, Kester, King K.,
39 Lundberg, Scheffel, Schultheis, Tapia, Williams--
40 Concerning using moneys in the Colorado state veterans
41 trust fund to construct National Guard armories.
42 Committee on State, Veterans, & Military Affairs
43
- 44 **SB10-065** by Senator(s) Keller, Tapia, White; also Representative(s)
45 Pommer, Ferrandino, Lambert--Concerning a supplemental
46 appropriation to the department of education.
47 Committee on Appropriations
48

APPOINTMENTS

53 Pursuant to House rule 49, the Speaker announced the appointments of
54 Representatives Todd, Chairman, Gerou, Vice-Chairman, Levy, Riesberg
55 and Waller to the committee on Ethics.
56

1 On motion of Representative Weissmann, the House adjourned until
2 9:00 a.m., January 20, 2010.

3

4

5

6

Approved:
TERRANCE D. CARROLL,
Speaker

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

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

Eighth Legislative Day

Wednesday, January 20, 2010

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Alison Nichols, Home Schooled, Broomfield.

7
8 The roll was called with the following result:

9
10 Present--63.

11 Excused--Representative(s) May, Miklosi--2.

12 Present after roll call--Representative(s) May, Miklosi.

13
14 The Speaker declared a quorum present.

15
16
17 On motion of Representative Tyler, the reading of the journal of
18 January 19, 2010, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20
21
22 House in recess. House reconvened.

23
24
25
26 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

27
28 **STATE, VETERANS, & MILITARY AFFAIRS**

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

31
32 **HB10-1063** be referred to the Committee of the Whole with favorable
33 recommendation.

34
35
36
37 **MESSAGE(S) FROM THE SENATE**

38
39 The Senate has adopted and transmits herewith: SJR10-002.

INTRODUCTION OF BILLS
First Reading

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

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.
Committee on Business Affairs and Labor

HB10-1142 by Representative(s) Roberts, Riesberg; also Senator(s)
Tochtrop--Concerning the direct care provider career path
program.
Committee on Health and Human Services

HB10-1143 by Representative(s) McNulty; also Senator(s) Johnston--
Concerning the authority of the regional transportation
district to enter into agreements permitting specified uses
at its transfer facilities.
Committee on Local Government

HB10-1144 by Representative(s) Rice, Massey, Casso, Frangas,
Gagliardi, Kefalas; also Senator(s) Morse--Concerning
prohibiting a carrier from setting fees for a dental service
that is not paid for by the carrier.
Committee on Business Affairs and Labor

HB10-1145 by Representative(s) Kagan--Concerning the use of
generic prescription drugs.
Committee on Health and Human Services

HB10-1146 by Representative(s) Hullinghorst, Gagliardi, Kefalas,
Kerr J., Labuda, Miklosi, Pommer, Primavera; also
Senator(s) Tochtrop, Newell, Steadman, Tapia--
Concerning certain state-funded, community-based, long-
term care assistance provided to recipients of certain
public benefit programs.
Committee on Health and Human Services

HB10-1147 by Representative(s) Kefalas, Fischer, Gagliardi,
Hullinghorst, Kerr A., McFadyen, Merrifield, Primavera,
Vigil; also Senator(s) Bacon--Concerning safer use of
nonmotorized wheeled transportation by minors, and, in
connection therewith, codifying into law the existing bike
and pedestrian policy directive of the department of
transportation, requiring the departments of transportation,
education, and public safety to collaborate with local
governments, school districts, and appropriate
organizations to develop and make available to schools a
comprehensive educational curriculum for minors
regarding the safe use of public streets and premises open
to the public, and requiring that a minor wear a protective
helmet while using nonmotorized wheeled transportation
on such streets and premises.
Committee on Transportation & Energy

- 1 **HB10-1148** by Representative(s) Gerou, Balmer, Frangas, Levy,
2 Liston, McNulty, Schafer S., Todd, Benefield, Casso,
3 Hullinghorst, Kefalas, Priola, Solano, Stephens, Vaad; also
4 Senator(s) Tapia, Bacon, Tochtrop, White, Williams,
5 Kopp, Penry--Concerning the elimination of the
6 requirement that an architect maintain continuing
7 professional competency in order to renew a license to
8 practice architecture.
9 Committee on Business Affairs and Labor
10
- 11 **HB10-1149** by Representative(s) Hullinghorst; also Senator(s) Foster--
12 Concerning the regulation prior to disposal of sources that
13 emit radiation.
14 Committee on Health and Human Services
15
- 16 **HB10-1150** by Representative(s) Kerr J., DelGrosso, McNulty,
17 Middleton; also Senator(s) Tochtrop--Concerning a license
18 for caterers to sell alcohol beverages at catered events.
19 Committee on Business Affairs and Labor
20
- 21 **HB10-1151** by Representative(s) Swalm, McFadyen; also Senator(s)
22 Williams--Concerning the disclosure in connection with
23 the sale of residential real property of its proximity to an
24 airport.
25 Committee on Business Affairs and Labor
26
- 27 **HB10-1152** by Representative(s) Frangas--Concerning the civil rights
28 of persons with disabilities.
29 Committee on Judiciary
30
- 31 **HB10-1153** by Representative(s) Kerr J.--Concerning modifications to
32 the composition of the board of trustees of the public
33 employees' retirement association so that a majority of
34 trustees are not members of the association.
35 Committee on State, Veterans, & Military Affairs
36
- 37 **HB10-1154** by Representative(s) Curry and Roberts; also Senator(s)
38 Mitchell--Concerning the process for the enactment of
39 mandated health insurance benefits, and, in connection
40 therewith, repealing the commission on mandated health
41 insurance benefits and transferring its functions to the
42 director of research of the legislative council and imposing
43 a one-year moratorium on the enactment of new mandated
44 health insurance benefits.
45 Committee on State, Veterans, & Military Affairs
46
- 47 **HB10-1155** by Representative(s) Lambert, McKinley; also Senator(s)
48 Lundberg--Concerning the use of a portion of severance
49 tax revenue to purchase precious metals for the state
50 emergency reserve.
51 Committee on State, Veterans, & Military Affairs
52 Committee on Finance
53 Committee on Appropriations
54
55

- 1 **HB10-1156** by Representative(s) Court, Curry, Hullinghorst, Kefalas,
2 Schafer S., Tyler; also Senator(s) Carroll M.--Concerning
3 the public financing of political campaigns for members of
4 the general assembly, and, in connection therewith,
5 creating the state public election fund to be financed
6 primarily by voluntary contributions from Colorado
7 residents.
8 Committee on State, Veterans, & Military Affairs
9 Committee on Finance
10
- 11 **HB10-1157** by Representative(s) Summers--Concerning the
12 authorization for county governments to obtain voter
13 approval to levy specified taxes for the purpose of
14 providing financial assistance to specified institutions of
15 higher education within their territorial boundaries that are
16 not universities.
17 Committee on Local Government
18
- 19 **HB10-1158** by Representative(s) Gardner C.; also Senator(s) Hodge--
20 Concerning clarification of the right to use wind resources.
21 Committee on Agriculture, Livestock, & Natural Resources
22
- 23 **HB10-1159** by Representative(s) Pace, Curry, Fischer, Hullinghorst,
24 King S., McFadyen, Scanlan, Vigil; also Senator(s) Gibbs,
25 Schwartz, White--Concerning the water court's authority
26 to consider conditions in decrees to address the effects of
27 a water export across water division boundaries.
28 Committee on Agriculture, Livestock, & Natural Resources
29
- 30 **HB10-1160** by Representative(s) Rice and Stephens; also Senator(s)
31 Mitchell--Concerning the ability of health insurance
32 carriers to offer incentives for participation in wellness
33 programs based on satisfaction of a standard related to a
34 health factor.
35 Committee on Health and Human Services
36
- 37 **HB10-1161** by Representative(s) Nikkel--Concerning the creation of
38 a livery license plate for certain motor vehicles used to
39 transport people for hire.
40 Committee on Transportation & Energy
41
- 42 **HB10-1162** by Representative(s) Soper; also Senator(s) Bacon--
43 Concerning payment of amounts due under a construction
44 contract.
45 Committee on Business Affairs and Labor
46
- 47 **HB10-1163** by Representative(s) Acree, Gardner C., Kerr J., Stephens,
48 Summers, Swalm, Vaad; also Senator(s) Scheffel, Penry--
49 Concerning the ability of the commissioner of insurance to
50 enter into multistate agreements with other states for the
51 purpose of allowing Colorado consumers to purchase out-
52 of-state health insurance products.
53 Committee on State, Veterans, & Military Affairs
54
55
56
-

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over until Friday,
January 22, 2010:

SJR10-002 by Senator(s) Heath, Brophy, Morse; also
Representative(s) Court, Ferrandino, Gerou--Concerning
a request for a comprehensive tax study.

On motion of Representative McKinley, the House adjourned until
9:00 a.m., January 21, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Ninth Legislative Day

Thursday, January 21, 2010

1 Prayer by Rabbi Selwyn Franklin, BMH-BJ Synagogue, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Amy and Jenny Eskola, Colorado State
6 University, Fort Collins.
7
8 The roll was called with the following result:
9
10 Present--62.
11 Excused--Representative(s) Casso, A. Kerr, Liston--3.
12 Present after roll call--Representative(s) Casso, A. Kerr.
13
14 The Speaker declared a quorum present.
15
16
17 On motion of Representative Tyler, the reading of the journal of
18 January 20, 2010, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20

21
22
23
24 House in recess. House reconvened.
25
26

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

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

33
34 **SB10-065** be referred to the Committee of the Whole with favorable
35 recommendation.
36
37
38
39
40

1 **FINANCE**

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

4
5 **HB10-1002** be referred favorably to the Committee on Appropriations.

6
7
8 **HB10-1055** be referred to the Committee of the Whole with favorable
9 recommendation.

10
11
12 **HB10-1073** be referred favorably to the Committee on Appropriations.

13
14
15
16
17 **LOCAL GOVERNMENT**

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

20
21 **HB10-1046** be referred to the Committee of the Whole with favorable
22 recommendation.

23
24
25 **HB10-1069** be referred to the Committee of the Whole with favorable
26 recommendation.

27
28
29
30
31 **PRINTING REPORT**

32
33 The Chief Clerk reports the following bills have been correctly printed:
34 **HB10-1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136,**
35 **1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147,**
36 **1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158,**
37 **1159, 1160, 1161, 1162, 1163.**

38
39
40
41 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

42
43 The Speaker has signed: **HJR10-1001, 1002; HR10-1001, 1002, 1003,**
44 **1004.**

45
46
47
48 **INTRODUCTION OF RESOLUTION**

49
50 The following resolution was read by title and laid over one day under
51 the rules:

52
53 **HJR10-1003** by Representative(s) Kefalas; also Senator(s) Tochtrop--
54 Concerning the tragic earthquake in Haiti.
55
56

1 **NOTICE OF CALENDARED ITEM(S)**

2
3 On motion of Representative Scanlan, the following bill(s) will be
4 calendared for Second Reading on January 26, 2010: SB10-065,
5 HB10-1055, 1046, 1069.
6 _____

7
8
9 **LAY OVER OF CALENDAR ITEM(S)**

10
11 On motion of Representative Scanlan, the following item(s) on the
12 Calendar were laid over until January 22, retaining place on Calendar:
13

14 Consideration of General Orders--**HB10-1063**.
15 _____

16
17
18 On motion of Representative Scanlan, the House adjourned until
19 9:00 a.m., January 22, 2010.
20

21 Approved:
22 TERRANCE D. CARROLL,
23 Speaker

24 Attest:
25 MARILYN EDDINS,
26 Chief Clerk

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

Tenth Legislative Day

Friday, January 22, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Ellie Keeler, Birch Elementary, Broomfield.
6
7 The roll was called with the following result:
8
9 Present--64.
10 Excused--Representative(s) Pommer--1.
11 Present after roll call--Representative(s) Pommer.
12
13 The Speaker declared a quorum present.
14
15
16 On motion of Representative Tyler, the reading of the journal of
17 January 21, 2010, was declared dispensed with and approved as corrected
18 by the Chief Clerk.
19
20
21

CONSIDERATION OF RESOLUTION(S)

22
23
24 **HJR10-1003** by Representative(s) Kefalas; also Senator(s) Tochtrop--
25 Concerning the tragic earthquake in Haiti.
26
27 (Printed and placed in members' file)
28
29 Representative Kefalas moved that the resolution be adopted and
30 requested that it be read at length.
31
32 Amendment No. 1, moved by Representative Kefalas.
33
34 Amend printed joint resolution, page 1, strike lines 1 through 6 and
35 substitute:
36
37 "WHEREAS, Haiti is an island nation situated in the Caribbean
38 Sea with a rich and diverse culture, known for being the first Caribbean
39 state to achieve independence and for being the first black republic in the
40 world; and".
41
42 Page 2, line 25, after "Project," insert "The Lambi Fund of Haiti,".
43

1 Page 3, line 17, after "Project;" insert "The Lambi Fund of Haiti;".

2
3 The amendment was declared **passed** by **viva voce** vote.

4
5 Amendment No. 2, moved by Representatives Rice, Stephens, McNulty.

6
7 Amend printed joint resolution, page 2, line 24, after "Development,"
8 insert "Compassion International, the Christian Reform World Relief
9 Committee,".

10
11 Page 3, line 4, strike "and".

12
13 Page 3, after line 4, insert:

14
15 "(3) That we encourage the United States Department of State and
16 all other relevant agencies to assist with the immediate evacuation of
17 orphans who are in the process of being adopted by Colorado families and
18 to request military support with the evacuation of those orphans, if
19 necessary; and".

20
21 Page 3, line 5, strike "(3)" and substitute "(4)".

22
23 Page 3, line 15, after "Security;" insert "General Douglas Fraser,
24 Commander of the United States Southern Command; Secretary of State
25 Hilary Clinton; the United States Department of State; Compassion
26 International; the Christian Reform World Relief Committee;".

27
28 On motion of Representative Kefalas, the resolution as amended was
29 **adopted** by **viva voce** vote.

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

40
41 **SJR10-002** by Senator(s) Heath, Brophy, Morse; also
42 Representative(s) Court, Ferrandino, Gerou--Concerning
43 a request for a comprehensive tax study.

44
45 (Printed and placed in members' file)

46
47 On motion of Representative Court, the resolution was **adopted** by the
48 following roll call vote:

49

	YES	40	NO	24	EXCUSED	1	ABSENT	0
51	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
52	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
53	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
54	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
55	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
56	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y

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

12 Co-sponsor(s) added: Representative(s) Benefield, Kefalas, Kerr A., Labuda,
 13 Levy, McCann, Merrifield, Pace, Peniston, Roberts, Ryden, Schafer S., Solano,
 14 Soper, Todd, Tyler, Vigil.

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

23 GENERAL ORDERS--SECOND READING OF BILLS

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

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

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

40 Ordered engrossed and placed on the Calendar for Third Reading and
 41 Final Passage.

44 ADOPTION OF COMMITTEE OF THE WHOLE REPORT

46 Passed Second Reading: **HB10-1063**.

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

53	YES	64	NO	0	EXCUSED	1	ABSENT	0
54	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
55	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
56	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y

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

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

EDUCATION

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

HB10-1028 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 3, strike line 1 and substitute:

"(g) THE PRESIDENT OF THE STATE SYSTEM OF COMMUNITY AND TECHNICAL COLLEGES OR HIS OR HER DESIGNEE; AND".

Page 3, line 2, strike "(g)" and substitute "(h)".

HB10-1034 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 line 2 and substitute:

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

Page 2, after line 24 insert:

"(10) **School speech-language pathology assistant authorization.** (a) The department of education may issue a school speech-language pathology assistant authorization to a person who meets the criteria specified by rule of the state board of education, which at a minimum shall include:

1 (III) Successful completion of at least one hundred clock hours of
2 a school-based practicum under the supervision of a nationally certified
3 speech-language pathologist, WHICH SUPERVISION MAY BE PERFORMED
4 ELECTRONICALLY VIA A LIVE INTERNET BROADCAST OR VIDEO
5 CONFERENCE; and".

6
7
8
9 **HB10-1036** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:

12
13 Amend printed bill, page 4, line 22, after "POST" insert "ACCOUNTS
14 PAYABLE".

15
16 Page 5, after line 1 insert:

17
18 "(2) NOTHING IN THIS SECTION SHALL DIRECT OR REQUIRE A LOCAL
19 EDUCATION PROVIDER TO POST ON-LINE, PURSUANT TO SUBSECTION (1) OF
20 THIS SECTION, PERSONAL INFORMATION RELATING TO PAYROLL,
21 INCLUDING BUT NOT LIMITED TO PAYROLL DEDUCTIONS OR
22 CONTRIBUTIONS, OR ANY OTHER INFORMATION THAT IS CONFIDENTIAL OR
23 OTHERWISE PROTECTED FROM PUBLIC DISCLOSURE PURSUANT TO STATE OR
24 FEDERAL LAW.".

25
26 Renumber succeeding subsections accordingly.

27
28 Page 5, after line 22 insert:

29
30 **"SECTION 2.** The introductory portion to 22-32-109.4 (3),
31 Colorado Revised Statutes, is amended to read:

32
33 **22-32-109.4. "Colorado School Collective Bargaining
34 Agreement Sunshine Act" - board of education - specific duties.**

35 (3) In addition to any other duty required to be performed by law, each
36 board of education shall cause, within thirty days following August 8,
37 2001, a true and correct copy of each collective bargaining agreement
38 entered into by the board of education and in effect as of said date and all
39 subsequent collective bargaining agreements entered into by the board of
40 education, within ~~ten~~ THIRTY working days following the date of
41 ratification of each agreement, to be:".

42
43 Renumber succeeding section accordingly.

44
45
46
47 **HB10-1037** be referred to the Committee of the Whole with favorable
48 recommendation.

49
50
51 **HB10-1071** be referred to the Committee of the Whole with favorable
52 recommendation.

53
54
55
56

1 **JUDICIARY**

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

4
5 **HB10-1039** be referred to the Committee of the Whole with favorable
6 recommendation.
7

8
9 **HB10-1058** be amended as follows, and as so amended, be referred to
10 the Committee on Appropriations with favorable
11 recommendation:
12

13 Amend printed bill, page 3, strike lines 4 through 8 and substitute:
14

15 **"SECTION 2. Act subject to petition - effective date -**
16 **applicability.** (1) This act shall take effect at 12:01 a.m. on the day
17 following the expiration of the ninety-day period after final adjournment
18 of the general assembly (August 11, 2010, if adjournment sine die is on
19 May 12, 2010); except that, if a referendum petition is filed pursuant to
20 section 1 (3) of article V of the state constitution against this act or an
21 item, section, or part of this act within such period, then the act, item,
22 section, or part shall not take effect unless approved by the people at the
23 general election to be held in November 2010 and shall take effect on the
24 date of the official declaration of the vote thereon by the governor.
25

26 (2) The provisions of this act shall apply to unstamped cigarettes
27 purchased on or after the applicable effective date of this act."
28
29
30

31 **HB10-1083** be amended as follows, and as so amended, be referred to
32 the Committee on Appropriations with favorable
33 recommendation:
34

35 Amend printed bill, page 3, line 6, strike "The maximum".
36

37 Page 3, strike lines 7 through 9.
38
39
40
41

42 **LOCAL GOVERNMENT**

43 After consideration on the merits, the Committee recommends the
44 following:
45

46 **HB10-1062** be amended as follows, and as so amended, be referred to
47 the Committee of the Whole with favorable
48 recommendation:
49

50 Amend printed bill, page 2, after line 1 insert:
51

52 **"SECTION 1.** 30-10-101 (1) (a), Colorado Revised Statutes, is
53 amended to read:
54

55 **30-10-101. Offices - inspection of records - failure to comply**
56 **- penalty.** (1) (a) Every sheriff, county clerk and recorder, AND county

1 treasurer and clerk of the district and county courts shall keep his or her
2 respective office at the county seat of the county and in the office
3 provided by the county, if any such has been provided, or, if there is none
4 provided, then at such place as the board of county commissioners shall
5 direct. Subject to the provisions of part 2 of article 72 of title 24, C.R.S.,
6 and any judicially recognized right of privacy, all books and papers
7 required to be in such offices shall be open to the examination of any
8 person, but no person, except parties in interest, or their attorneys, shall
9 have the right to examine pleadings or other papers filed in any cause
10 pending in such court.

11
12 **SECTION 2.** 30-10-102 (1), Colorado Revised Statutes, is
13 amended to read:

14
15 **30-10-102. All money delivered to treasurer - penalty for**
16 **failure.** (1) Except as provided in subsection (2) of this section, every
17 county clerk and recorder, ~~clerk of the district court, clerk of the county~~
18 ~~court~~, district attorney, sheriff, or other state or county officer appointed
19 by law, required or permitted to receive and pay over to the county
20 treasurer any taxes, fines, fees, or other moneys whatsoever, within thirty
21 days after the receipt of such moneys, shall pay the same over to the
22 county treasurer, and together therewith such officer so paying over the
23 same shall deliver to the county treasurer a statement of the amount of
24 such moneys so collected by him and paid over, which statement shall be
25 signed by the person paying the same, sworn to before the county
26 treasurer, and then filed and preserved in the office of such treasurer.
27 Every person falsely swearing in any such statement is guilty of perjury
28 in the second degree. The county treasurer shall not demand or receive
29 any fee for administering the oath required by this section."

30
31 Renumber succeeding sections accordingly.

32
33 Page 15, strike lines 19 and 20 and substitute "allocated for a definite
34 purpose and so maintained. The treasurer and the sureties on his or her
35 official bond ~~are~~ OR THE INSURER ON THE CRIME INSURANCE POLICY, AS
36 APPLICABLE, SHALL BE liable at the action of".

37
38 Page 18, after line 6 insert:

39
40 **"SECTION 31.** 38-36-110, Colorado Revised Statutes, is
41 amended to read:

42
43 **38-36-110. Bond of registrar.** (1) EXCEPT AS PROVIDED IN
44 SUBSECTION (2) OF THIS SECTION, every county clerk and recorder shall,
45 before entering upon ~~his~~ THE duties as registrar of titles, give a bond with
46 sufficient sureties, to be approved by a judge of the district court of ~~his~~
47 THE county, payable to the people of the state of Colorado in such sum as
48 is fixed by the said judge of the district court, conditioned for the faithful
49 discharge of ~~his~~ duties and to deliver up all papers, books, records, and
50 other property belonging to the county or appertaining to ~~his~~ THE office
51 as registrar of titles, whole, safe, and undefaced, when lawfully required
52 to do so. The bond shall be filed in the office of the secretary of state and
53 a copy thereof shall be filed and entered upon the records of the district
54 court in the county wherein the county clerk and recorder holds ~~his~~ office.

55

1 (2) IN LIEU OF THE BOND REQUIRED BY SUBSECTION (1) OF THIS
2 SECTION, A COUNTY MAY PURCHASE CRIME INSURANCE COVERAGE ON
3 BEHALF OF THE COUNTY CLERK AND RECORDER TO PROTECT THE PEOPLE
4 OF THE COUNTY FROM ANY MALFEASANCE ON THE PART OF THE COUNTY
5 CLERK AND RECORDER WHILE IN OFFICE AND TO ENSURE THE COUNTY
6 CLERK AND RECORDER'S FAITHFUL PERFORMANCE OF DUTY."

7
8 Renumber succeeding section accordingly.
9

10

11

12

13 **STATE, VETERANS, & MILITARY AFFAIRS**

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

16

17 **HB10-1010** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:
20

21 Amend printed bill, page 2, line 13, after "SERVICES." add "IT IS THE
22 INTENT OF THE GENERAL ASSEMBLY IN ENACTING THIS PART 2 ONLY TO
23 PROVIDE FLEXIBILITY TO STATE GOVERNMENT SO THAT IT CAN DELIVER
24 PUBLIC SERVICES MORE COST-EFFECTIVELY AND EFFICIENTLY AND NOT TO
25 ESTABLISH OR AUTHORIZE THE ESTABLISHMENT OF NEW PROGRAMS."

26

27 Page 3, line 5, after "(c)" add "(3)".
28

29

30 Page 7, strike lines 14 through 16 and substitute:
31

32

33 "(11) SUBJECT TO THE REQUIREMENTS OF THIS SECTION, EACH
34 AGENCY SHALL DETERMINE ITS OWN PROCESS FOR CONSIDERING,
35 EVALUATING, AND ACCEPTING OR REJECTING UNSOLICITED PROPOSALS. IF
36 THE DIVISION OF FINANCE AND PROCUREMENT OF THE DEPARTMENT OF
37 PERSONNEL HOLDS THE PROCUREMENT AUTHORITY FOR AN AGENCY THAT
38 RECEIVES AN UNSOLICITED PROPOSAL, IT IS RECOMMENDED THAT THE
39 AGENCY CONSULT WITH THE DIVISION BEFORE DECIDING TO ACCEPT THE
40 PROPOSAL."

41

42

43

44 **HB10-1079** be postponed indefinitely.
45

46

47

48 **HB10-1091** be postponed indefinitely.
49

50

51

52

53

54 **TRANSPORTATION & ENERGY**

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

57

58 **HB10-1014** be referred to the Committee of the Whole with favorable
59 recommendation.
60

1 **HB10-1052** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 4, line 1, strike "10-__" and substitute "10-1052,
6 enacted in 2010,".
7

8 Page 4, strike lines 5 through 9 and substitute:
9

10 **"SECTION 2.** 25-16-104.5 (6), Colorado Revised Statutes, is
11 amended to read:
12

13 **25-16-104.5. Solid waste user fee - imposed - rate - direction**
14 **- legislative declaration - repeal.** (6) This section is repealed, effective
15 ~~July 1, 2010~~ JULY 1, 2017."
16

17 MESSAGE(S) FROM THE SENATE

18
19
20
21 The Senate has adopted and transmits herewith: HJR10-1003.
22

23
24 The Senate has adopted and returns herewith: SJR10-003.
25

26 INTRODUCTION OF BILLS

27 First Reading

28
29
30 The following bills were read by title and referred to the committees
31 indicated:
32

33 **HB10-1164** by Representative(s) Kerr A., Ferrandino, Scanlan, Solano;
34 also Senator(s) Tochtrop, Romer--Concerning service of
35 process in actions concerning incidents that may be
36 covered by a motor vehicle insurance policy.
37 Committee on Judiciary
38

39 **HB10-1165** by Representative(s) Merrifield; also Senator(s) Tapia--
40 Concerning the authority of the state board of land
41 commissioners regarding state land.
42 Committee on Local Government
43

44 **HB10-1166** by Representative(s) Kefalas, Casso, Fischer, Frangas,
45 Gagliardi, Hullinghorst, Primavera, Tyler, Vigil; also
46 Senator(s) Newell--Concerning the use of plain language
47 in insurance policies.
48 Committee on Business Affairs and Labor
49

50 **HB10-1167** by Representative(s) Peniston, Vaad, Primavera; also
51 Senator(s) Kopp--Concerning the regulation of intrastate
52 motor carriers of property for hire, and, in connection
53 therewith, conforming state law in response to federal
54 preemption and granting ports of entry additional authority
55 to enforce insurance and safety provisions.
56 Committee on Transportation & Energy

- 1 **HB10-1168** by Representative(s) Levy, Judd, Kagan, Kerr A., Miklosi,
2 Pace, Ryden, Tyler, Vigil, Weissmann, Apuan, Benefield,
3 Carroll T., Casso, Court, Ferrandino, Hullinghorst,
4 Labuda, McFadyen, Merrifield, Middleton, Pommer,
5 Primavera, Scanlan, Schafer S., Solano, Todd; also
6 Senator(s) Steadman, Brophy, Foster, Hodge, Hudak,
7 Newell, Romer, Tochtrop, Bacon, Carroll M., Shaffer B.--
8 Concerning a limitation on the ability of an insurer to
9 obtain repayment of benefits from an injured party who
10 recovers damages from the party responsible for the injury
11 in situations when the injured party would not be fully
12 compensated if the benefits are repaid to the insurer.
13 Committee on Judiciary
14
- 15 **HB10-1169** by Representative(s) McKinley, Carroll T.--Concerning a
16 perpetual conservation easement in gross for which a state
17 income tax credit is claimed.
18 Committee on Finance
19
- 20 **HB10-1170** by Representative(s) DelGrosso, Nikkel; also Senator(s)
21 Bacon--Concerning the provision of alcohol beverages in
22 sealed containers in luxury boxes located in entertainment
23 venues with a seating capacity of at least one thousand five
24 hundred seats.
25 Committee on Business Affairs and Labor
26
- 27 **HB10-1171** by Representative(s) Benefield, Scanlan; also Senator(s)
28 Steadman--Concerning education-related data reporting
29 requirements.
30 Committee on Education
31
- 32 **HB10-1172** by Representative(s) Bradford, Nikkel, Sonnenberg,
33 Tipton--Concerning the registration of mobile machinery
34 in order to pay specific ownership tax.
35 Committee on Transportation & Energy
36
- 37 **HB10-1173** by Representative(s) DelGrosso, Murray, Acree, Gardner
38 C., Gerou, Kefalas, King S., Looper, Massey, McNulty,
39 Nikkel, Roberts, Summers, Swalm, Vaad, Waller; also
40 Senator(s) Renfroe--Concerning circumstances in which
41 the fee for late registration of a vehicle is not imposed.
42 Committee on Transportation & Energy
43
- 44 **HB10-1174** by Representative(s) Frangas, Merrifield; also Senator(s)
45 Romer--Concerning an increase in state revenues from the
46 oil and gas severance tax to be used to promote jobs in the
47 state, and, in connection therewith, temporarily halving the
48 amount of the credit based on property taxes paid allowed
49 against the tax on the severance of oil and gas; requiring
50 the department of education to distribute ninety percent of
51 the additional tax revenue to public schools for teacher
52 retention; and requiring the Colorado economic
53 development commission to use ten percent of the
54 additional tax revenue to increase the availability of credit
55 to small businesses in Colorado.
56 Committee on Business Affairs and Labor

- 1 **HB10-1175** by Representative(s) Looper, Todd, Acree, DelGrosso;
2 also Senator(s) Tapia--Concerning the demonstration of
3 competency by an out-of-state applicant in a field
4 regulated by the department of regulatory agencies.
5 Committee on Business Affairs and Labor
6
- 7 **HB10-1176** by Representative(s) Vaad; also Senator(s) Mitchell--
8 Concerning recovery audits for government overpayments
9 of tax dollars.
10 Committee on Finance
11 Committee on State, Veterans, & Military Affairs
12
- 13 **HB10-1177** by Representative(s) King S.--Concerning the Colorado
14 economic stability fund, and, in connection therewith,
15 creating the fund and specifying the conditions under
16 which moneys must be transferred to and may be
17 expended from the fund.
18 Committee on Finance
19 Committee on State, Veterans, & Military Affairs
20
- 21 **HB10-1178** by Representative(s) Stephens; also Senator(s) Scheffel--
22 Concerning increasing the transparency in the use of gifts,
23 grants, and donations to fund programs by state agencies.
24 Committee on State, Veterans, & Military Affairs
25
- 26 **HB10-1179** by Representative(s) Acree, Massey, Kerr J., Riesberg,
27 Stephens, Summers; also Senator(s) Boyd, Penry--
28 Concerning measures to expand the availability of primary
29 care services throughout the state.
30 Committee on Judiciary
31
- 32 **HB10-1180** by Representative(s) Massey, Gerou, Rice--Concerning the
33 criteria to qualify for a performance-based incentive for
34 film production activities in Colorado.
35 Committee on Business Affairs and Labor
36
- 37 **HB10-1181** by Representative(s) Todd; also Senator(s) Bacon--
38 Concerning adjustments to the administration of the
39 department of personnel.
40 Committee on State, Veterans, & Military Affairs
41
- 42 **HB10-1182** by Representative(s) Solano, Benefield, Casso, Fischer,
43 Frangas, Hulinghorst, Kerr A., Looper, McFadyen,
44 Merrifield, Pace, Primavera, Todd, Tyler; also Senator(s)
45 Schwartz, Steadman--Concerning a limited expansion of
46 the powers of the Colorado clean energy development
47 authority to finance electric transmission facilities, and, in
48 connection therewith, allowing the authority to make
49 commercial loans only for electric power interconnection
50 projects connecting clean energy resources to the
51 transmission grid.
52 Committee on Transportation & Energy
53
54
55

- 1 **HB10-1183** by Representative(s) Middleton--Concerning authorization
2 of a pilot program to collect data concerning alternative
3 school finance funding models.
4 Committee on Education
5
- 6 **HB10-1184** by Representative(s) Gardner C.; also Senator(s)
7 Lundberg--Concerning the penalty for persons who are
8 convicted of driving under the influence multiple times,
9 and making an appropriation in connection therewith.
10 Committee on Judiciary
11 Committee on Appropriations
12
- 13 **HB10-1185** by Representative(s) Priola, Balmer, Bradford, DelGrosso,
14 Labuda, Nikkel, Riesberg, Schafer S., Stephens, Todd,
15 Waller; also Senator(s) Schwartz--Concerning extending
16 certain dates related to the petroleum storage tank fund.
17 Committee on Transportation & Energy
18
- 19 **HB10-1186** by Representative(s) Liston, McFadyen, Pommer, Casso,
20 Balmer, Soper--Concerning conditions on the authority to
21 sell alcohol beverages in establishments of less than five
22 thousand square feet.
23 Committee on Business Affairs and Labor
24
- 25 **HB10-1187** by Representative(s) Balmer; also Senator(s) Bacon--
26 Concerning allocation of environmental remediation costs
27 incurred by certain public utilities.
28 Committee on Transportation & Energy
29
- 30 **HB10-1188** by Representative(s) Curry, Fischer, Labuda, Massey,
31 Scanlan; also Senator(s) Hodge, Gibbs, Heath, Tochtrop--
32 Concerning clarification of the scope of the existing right
33 of navigation of guides employed by river outfitters.
34 Committee on Judiciary
35
- 36 **HB10-1189** by Representative(s) Pommer; also Senator(s) Heath--
37 Concerning the elimination of the state sales and use tax
38 exemption for direct mail advertising materials.
39 Committee on Appropriations
40
- 41 **HB10-1190** by Representative(s) Pommer; also Senator(s) Heath--
42 Concerning the suspension of the exemption from the state
43 sales and use taxes for fuels used for industrial purposes.
44 Committee on Appropriations
45
- 46 **HB10-1191** by Representative(s) Pommer; also Senator(s) Heath--
47 Concerning the narrowing of the existing exemption from
48 the state sales and use taxes for food, and, in connection
49 therewith, subjecting candy and soft drinks to the state
50 sales and use taxes.
51 Committee on Appropriations
52
- 53 **HB10-1192** by Representative(s) Pommer; also Senator(s) Heath--
54 Concerning the state sales and use tax of standardized
55 software.
56 Committee on Appropriations

- 1 **HB10-1193** by Representative(s) Pommer; also Senator(s) Heath--
2 Concerning the collection of sales and use taxes on sales
3 made by out-of-state retailers.
4 Committee on Appropriations
5
- 6 **HB10-1194** by Representative(s) Ferrandino; also Senator(s) Heath--
7 Concerning the narrowing of the existing exemptions from
8 the state sales and use taxes for articles sold to sellers of
9 items intended for human consumption that are furnished
10 by the sellers to their customers with such items without
11 the addition of a separate charge.
12 Committee on Appropriations
13
- 14 **HB10-1195** by Representative(s) Ferrandino; also Senator(s) Heath--
15 Concerning the suspension of the exemption from the state
16 sales and use taxes for certain items used in agricultural
17 production.
18 Committee on Appropriations
19
- 20 **HB10-1196** by Representative(s) Ferrandino; also Senator(s) Heath--
21 Concerning the disqualification of category 7 motor
22 vehicles from the state income tax credit for the purchase
23 of vehicles using alternative fuels.
24 Committee on Appropriations
25
- 26 **HB10-1197** by Representative(s) Ferrandino; also Senator(s) Heath--
27 Concerning a decrease in the maximum amount of a state
28 income tax credit that may be claimed for the donation of
29 a conservation easement in gross.
30 Committee on Appropriations
31
- 32 **HB10-1198** by Representative(s) Ferrandino; also Senator(s) Heath--
33 Concerning the suspension of the credit against the state
34 income tax of a portion of the credit allowed under the
35 federal internal revenue code for payment of the
36 alternative minimum tax.
37 Committee on Appropriations
38
- 39 **HB10-1199** by Representative(s) Ferrandino; also Senator(s) Heath--
40 Concerning a temporary limit on the state income tax
41 deduction for a net operating loss.
42 Committee on Appropriations
43
- 44 **HB10-1200** by Representative(s) Hulinghorst; also Senator(s) Heath--
45 Concerning a temporary requirement that a taxpayer defer
46 claiming any amount of an enterprise zone investment
47 income tax credit that exceeds two hundred fifty thousand
48 dollars.
49 Committee on Appropriations
50
51
52
53
54
55
-

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and laid over one day under the rules:

HJR10-1004 by Representative(s) Todd and Nikkel, Kagan, Gardner C.; also Senator(s) Heath and Cadman--Concerning recognition of Military, Veterans, and MIA/POW Appreciation Day.

HJR10-1005 by Representative(s) Looper, Todd, Apuan, Balmer, Bradford, Gardner B., Gardner C., Kerr J., Labuda, Lambert, Liston, May, Merrifield, Miklosi, Nikkel, Pace, Peniston, Primavera, Priola, Roberts, Schafer S., Soper, Stephens, Swalm, Tipton, Waller; also Senator(s) King K. and Morse, Cadman, Kester, Tapia, Williams--Concerning recognition of the United States Army Warrior Transition Battalion and the Wounded Warrior Program.

HJR10-1006 by Representative(s) Nikkel and Rice, Todd, Gardner C.; also Senator(s) Kopp and Morse--Concerning the 150th anniversary of the Colorado National Guard.

HJR10-1007 by Representative(s) McFadyen, Balmer, Carroll T., Court, Curry, Fischer, Gardner C., Kefalas, Lambert, Levy, Liston, Looper, Massey, McNulty, Middleton, Nikkel, Pace, Pommer, Rice, Soper, Stephens, Swalm, Todd, Vigil, Waller; also Senator(s) Tapia, Kester, Romer, Schultheis--Concerning the U.S.S. Pueblo.

HJR10-1008 by Representative(s) Apuan, Gardner C.; also Senator(s) Morse--Concerning recognition of military personnel from Colorado who are serving in Operation Iraqi Freedom and Operation Enduring Freedom and honoring those who have died while serving their country in Iraq and Afghanistan.

On motion of Representative Weissmann, the House adjourned until 10:00 a.m., January 25, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Thirteenth Legislative Day

Monday, January 25, 2010

1 Prayer by Chaplain Colonel Andrew Meverden, Colorado Army National
2 Guard.

3
4 The Speaker called the House to order at 10:00 a.m.

5
6 Pledge of Allegiance led by Cadet Captain Armando Palomino and Cadet
7 Corporal Charlene West, Junior ROTC, East High School; Cadet Major
8 Caitie Graham and Cadet Captain Sammie Graham, Civil Air Patrol,
9 Dakota Ridge High School.

10
11 The roll was called with the following result:

12
13 Present--64.

14 Excused--Representative(s) C. Gardner--1.

15
16 The Speaker declared a quorum present.

17
18
19 On motion of Representative Apuan, the reading of the journal of
20 January 22, 2010, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22
23 **CONSIDERATION OF RESOLUTION(S)**

24
25 **HJR10-1004** by Representative(s) Todd and Nikkel, Kagan, Gardner C.;
26 also Senator(s) Heath and Cadman--Concerning
27 recognition of Military, Veterans, and MIA/POW
28 Appreciation Day.

29
30 (Printed and placed in members' file)

31
32 On motion of Representatives Todd, the resolution was read at length and
33 **adopted by viva voce** vote.

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

1 **HJR10-1005** by Representative(s) Looper, Todd, Apuan, Balmer,
2 Bradford, Gardner B., Gardner C., Kerr J., Labuda,
3 Lambert, Liston, May, Merrifield, Miklosi, Nikkel, Pace,
4 Peniston, Primavera, Priola, Roberts, Schafer S., Soper,
5 Stephens, Swalm, Tipton, Waller; also Senator(s) King K.
6 and Morse, Cadman, Kester, Tapia, Williams--Concerning
7 recognition of the United States Army Warrior Transition
8 Battalion and the Wounded Warrior Program.
9

10 (Printed and placed in members' file)
11

12 On motion of Representative Looper, the resolution was read at length
13 and **adopted** by **viva voce** vote.
14

15 Current Roll Call added as Co-sponsors: Representative(s) Acree,
16 Baumgardner, Benefield, Casso, Court, Curry, DelGrosso, Ferrandino, Fischer,
17 Frangas, Gagliardi, Gerou, Hullinghorst, Judd, Kagan, Kefalas, Kerr A.,
18 King S., Levy, Massey, McCann, McFadyen, McKinley, McNulty, Middleton,
19 Murray, Pommer, Rice, Riesberg, Ryden, Scanlan, Solano, Sonnenberg,
20 Summers, Tyler, Vaad, Vigil, Weissmann, Speaker.
21

22 **HJR10-1006** by Representative(s) Nikkel and Rice, Todd, Gardner C.;
23 also Senator(s) Kopp and Morse--Concerning the 150th
24 anniversary of the Colorado National Guard.
25

26 (Printed and placed in members' file)
27

28 On motion of Representatives Nikkel, the resolution was read at length
29 and **adopted** by **viva voce** vote.
30

31 Current Roll Call added as Co-sponsors: Representative(s) Acree, Apuan,
32 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
33 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gerou, Hullinghorst, Judd,
34 Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
35 Looper, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield,
36 Middleton, Miklosi, Murray, Pace, Peniston, Pommer, Primavera, Priola,
37 Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper,
38 Stephens, Summers, Swalm, Tipton, Tyler, Vaad, Vigil, Waller, Weissmann,
39 Speaker.
40

41 **HJR10-1007** by Representative(s) McFadyen, Balmer, Carroll T., Court,
42 Curry, Fischer, Gardner C., Kefalas, Lambert, Levy,
43 Liston, Looper, Massey, McNulty, Middleton, Nikkel,
44 Pace, Pommer, Rice, Soper, Stephens, Swalm, Todd,
45 Vigil, Waller; also Senator(s) Tapia, Kester, Romer,
46 Schultheis--Concerning the U.S.S. Pueblo.
47

48 (Printed and placed in members' file)
49

50 On motion of Representative McFadyen, the resolution was **adopted** by
51 **viva voce** vote.
52

53 Current Roll Call added as Co-sponsors: Representative(s) Acree, Apuan,
54 Baumgardner, Benefield, Bradford, Casso, DelGrosso, Ferrandino, Frangas,
55 Gagliardi, Gardner B., Gerou, Hullinghorst, Judd, Kagan, Kerr A., Kerr J.,
56 King S., Labuda, May, McCann, McKinley, Merrifield, Miklosi, Murray,

1 Peniston, Primavera, Priola, Riesberg, Roberts, Ryden, Scanlan, Schafer S.,
2 Solano, Sonnenberg, Summers, Tipton, Tyler, Vaad, Weissmann.

3
4 **HJR10-1008** by Representative(s) Apuan, Gardner C.; also Senator(s)
5 Morse--Concerning recognition of military personnel from
6 Colorado who are serving in Operation Iraqi Freedom and
7 Operation Enduring Freedom and honoring those who
8 have died while serving their country in Iraq and
9 Afghanistan.

10
11 (Printed and placed in members' file)

12
13 On motion of Representative Apuan, the resolution was read at length and
14 **adopted by viva voce** vote.

15
16 Current Roll Call added as Co-sponsors: Representative(s) Acree, Balmer,
17 Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
18 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gerou, Hulinghorst, Judd,
19 Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
20 Looper, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield,
21 Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera,
22 Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
23 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad,
24 Vigil, Waller, Weissmann, Speaker.

25
26
27 House in recess. House reconvened.
28
29

30
31 **PRINTING REPORT**

32
33 The Chief Clerk reports the following bills have been correctly printed:
34 **HB10-1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173,**
35 **1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184,**
36 **1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195,**
37 **1196, 1197, 1198, 1199, 1200.**

38
39
40 **MESSAGE(S) FROM THE SENATE**

41
42 The Senate has adopted and transmits herewith: SJR10-006.
43
44

45
46 **INTRODUCTION OF BILLS**
47 **First Reading**

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

51
52 **HB10-1201** by Representative(s) Middleton, Carroll T., Ferrandino,
53 McFadyen, Miklosi, Pace, Vigil, Weissmann; also
54 Senator(s) Steadman--Concerning duties related to peace
55 officer contacts.

56 Committee on Judiciary

1 **HB10-1202** by Representative(s) Primavera and McNulty, Pace,
2 Gerou, Summers, Benefield, Casso, Court, Ferrandino,
3 Fischer, Frangas, Gagliardi, Hulinghorst, Kagan, Kefalas,
4 Levy, Looper, Merrifield, Miklosi, Peniston, Pommer,
5 Solano, Soper, Todd, Tyler, Vigil, Weissmann; also
6 Senator(s) Tochtrop, Penry, Heath, Hudak, Newell--
7 Concerning health benefit coverage for chemotherapy
8 treatment.
9 Committee on Business Affairs and Labor

INTRODUCTION OF RESOLUTIONS

15 The following resolution read by title and referred to the committee
16 indicated:

18 **SJR10-003** by Senator(s) Sandoval; also Representative(s) Judd--
19 Concerning the certification by the general assembly of its
20 estimate of state general fund revenues and allowable state
21 general fund appropriations for the 2010-11 fiscal year.
22 Committee on Finance

25 The following resolution was read by title and laid over one day under the
26 rules:

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

LAY OVER OF CALENDAR ITEM(S)

35 On motion of Representative Weissmann, the following item(s) on the
36 Calendar (was)were laid over until January 26, retaining place on
37 Calendar:

39 Consideration of Third Reading--**HB10-1063**.

43 On motion of Representative Weissmann, the House adjourned until
44 9:00 a.m., January 26, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

49 Attest:
50 MARILYN EDDINS,
51 Chief Clerk

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

Fourteenth Legislative Day

Tuesday, January 26, 2010

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

14 The Speaker declared a quorum present.
 15
 16

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

21
 22 **THIRD READING OF BILL(S)--FINAL PASSAGE**
 23

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

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

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
41	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
42	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
43	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y

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

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

20 CONSIDERATION OF RESOLUTION(S)

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

25 (Printed and placed in members' file)

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

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

42 MESSAGE(S) FROM THE SENATE

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

48 INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

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

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

2
3 On motion of Representative Apuan, the resolution was read at length and
4 **adopted by viva voce** vote.

5
6 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Balmer,
7 Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
8 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gerou, Hulinghorst, Judd,
9 Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
10 Looper, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield,
11 Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera,
12 Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
13 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad,
14 Vigil, Waller, Weissmann, Speaker.

15
16
17
18 On motion of Representative Judd, the House resolved itself into
19 Committee of the Whole for consideration of General Orders, and he was
20 called to the Chair to act as Chairman.

21
22
23 **GENERAL ORDERS--SECOND READING OF BILLS**

24
25 The Committee of the Whole having risen, the Chairman reported the
26 titles of the following bills had been read (reading at length had been
27 dispensed with by unanimous consent), the bills considered and action
28 taken thereon as follows:

29
30 (Amendments to the committee amendment are to the printed committee
31 report which was printed and placed in the members' bill file.)

32
33 **SB10-065** by Senator(s) Keller, Tapia, White; also Representative(s)
34 Pommer, Ferrandino, Lambert--Concerning a
35 supplemental appropriation to the department of
36 education.

37
38 Ordered revised and placed on the Calendar for Third Reading and Final
39 Passage.

40
41 **HB10-1055** by Representative(s) Kefalas; also Senator(s) Steadman--
42 Concerning the requirement that fees for services rendered
43 by a third party for collection of delinquent taxes be added
44 to the total amount collected by the third party.

45
46 Amendment No. 1, by Representative(s) Kefalas.

47
48 Amend printed bill, page 2, line 8, strike "collected." and substitute:
49 "collected; HOWEVER, UNDER NO CIRCUMSTANCE SHALL THE FEES FOR
50 SERVICES RENDERED EXCEED TWENTY-FIVE PERCENT OF THE TOTAL
51 AMOUNT OF DELINQUENT TAXES, INCLUDING ACCRUED PENALTIES AND
52 INTEREST, THAT IS ACTUALLY COLLECTED."

53
54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.

56

1 **HB10-1046** by Representative(s) Tyler; also Senator(s) Hudak--
 2 Concerning the recorded date of receipt of property tax
 3 payments by a county treasurer's office when the payment
 4 has no United States postal service postmark.
 5

6 Ordered engrossed and placed on the Calendar for Third Reading and
 7 Final Passage.
 8

9 **HB10-1069** by Representative(s) Vigil; also Senator(s) Schwartz--
 10 Concerning the reclassification of Mineral county.
 11

12 Ordered engrossed and placed on the Calendar for Third Reading and
 13 Final Passage.
 14

15 **HB10-1028** by Representative(s) Benefield, Massey, Peniston, Solano;
 16 also Senator(s) Hodge, Hudak, Steadman--Concerning a
 17 universal application for programs related to early
 18 childhood issues.
 19

20 Amendment No. 1, Education Report, dated January 21, 2010, and placed
 21 in member's bill file; Report also printed in House Journal, January 22,
 22 page 70.
 23

24 As amended, ordered engrossed and placed on the Calendar for Third
 25 Reading and Final Passage.
 26

27 On motion of Representative Weissmann, the remainder of the General
 28 Orders Calendar (**HB10-1034, 1036, 1037, 1071, 1039, 1062, 1010, 1014,**
 29 **1052**) was laid over until January 27, retaining place on Calendar.
 30

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

34
35 Passed Second Reading: **SB10-065, HB10-1055 amended, 1046, 1069,**
 36 **1028 amended.**
 37

38 Laid over until date indicated retaining place on Calendar: **HB10-1034,**
 39 **1036, 1037, 1071, 1039, 1062, 1010, 1014, 1052**--January 27, 2010.
 40

41 The Chairman moved the adoption of the Committee of the Whole
 42 Report. As shown by the following roll call vote, a majority of those
 43 elected to the House voted in the affirmative, and the Report was
 44 **adopted.**
 45

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

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

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

EDUCATION

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

HB10-1030 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

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

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

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

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

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

Page 5, after line 9 insert:

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

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

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

HB10-1067 be postponed indefinitely.

PRINTING REPORT

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

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HJR10-1003.**

MESSAGE(S) FROM THE SENATE

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

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

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

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, as amended, SB10-035.

INTRODUCTION OF BILLS First Reading

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

HB10-1203 by Representative(s) Kerr A.; also Senator(s) Steadman--
Concerning the issuing of group life insurance, and, in connection therewith, deleting the requirement regarding the minimum number of persons that must be covered by the policy.
Committee on Business Affairs and Labor

- 1 **HB10-1204** by Representative(s) Soper--Concerning the inclusion of
2 conservation standards in the plumbing code.
3 Committee on Business Affairs and Labor
4
5 **HB10-1205** by Representative(s) Ryden, Todd; also Senator(s) Spence,
6 Williams--Concerning land use planning by local
7 governments to address the impacts of land use
8 development upon military installations in close proximity
9 to such governments.
10 Committee on State, Veterans, & Military Affairs
11
12 **HB10-1206** by Representative(s) Fischer, Hulinghorst, Kefalas,
13 McFadyen, McNulty, Middleton, Pace, Peniston, Scanlan;
14 also Senator(s) Bacon--Concerning the granting of voting
15 rights to student members of the board of governors of the
16 Colorado state university system.
17 Committee on Education
18
19 **HB10-1207** by Representative(s) Lambert, Kerr J.; also Senator(s)
20 King K., Lundberg--Concerning modifications to the
21 public employees' retirement association.
22 Committee on State, Veterans, & Military Affairs
23
24
25

26 On motion of Representative Weissmann, the House adjourned until
27 9:00 a.m., January 27, 2010.
28

29 Approved:
30 TERRANCE D. CARROLL,
31 Speaker

32 Attest:
33 MARILYN EDDINS,
34 Chief Clerk

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

Fifteenth Legislative Day

Wednesday, January 27, 2010

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Alyssa Robertson, Steele Elementary and
7 Zach Robertson, Polaris at Ebert Elementary, Denver.

8
9 The roll was called with the following result:

10
11 Present--50.

12 Excused--Representative(s) Curry, Ferrandino, Fischer,
13 B. Gardner, Judd, Kefalas, J. Kerr, Lambert, McFadyen, Pace,
14 Pommer, Riesberg, Sonnenberg, Stephens, Vaad--15.

15 Present after roll call--Representative(s) McFadyen, Stephens.

16
17 The Speaker declared a quorum present.

18
19
20 On motion of Representative Apuan, the reading of the journal of
21 January 26, 2010, was declared dispensed with and approved as corrected
22 by the Chief Clerk.

23
24
25
26 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

27
28 **BUSINESS AFFAIRS & LABOR**

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

31
32 **HB10-1049** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:

35
36 Amend printed bill, page 4, after line 2 insert:

37
38 "SECTION 2. 12-6-102, Colorado Revised Statutes, is amended
39 BY THE ADDITION OF A NEW SUBSECTION to read:

40
41 **12-6-102. Definitions.** As used in this part 1 and in part 5 of this
42 article, unless the context or section 12-6-502 otherwise requires:
43

(9.7) "FRANCHISE" MEANS THE AUTHORITY TO SELL OR SERVICE AND REPAIR MOTOR VEHICLES OF A DESIGNATED LINE-MAKE GRANTED THROUGH A SALES, SERVICE, AND PARTS AGREEMENT WITH A MANUFACTURER, DISTRIBUTOR, OR MANUFACTURER REPRESENTATIVE."

Renumber succeeding sections accordingly.

Page 5, line 24, after "AREA" insert "DUE TO THE INSOLVENCY OF THE MANUFACTURER OR DISTRIBUTOR".

Page 6, line 19, strike "amended" and substitute "amended, and the said 12-6-120.5 (2) is further amended BY THE ADDITION OF A NEW PARAGRAPH,".

Page 6, after line 24 insert:

"(f) OPERATION OF A MOTOR VEHICLE DEALER IF THE MANUFACTURER WAS OPERATING THE DEALER ON JANUARY 1, 2009, SO LONG AS THE DEALER IS IN CONTINUOUS OPERATION AFTER JANUARY 1, 2009.

SECTION 6. 12-6-126 (1) and (2), Colorado Revised Statutes, are amended to read:

12-6-126. Audit reimbursement limitations - dealer claims.
(1) (a) A manufacturer, distributor, or manufacturer representative shall have the right to audit warranty, sales, or incentive claims of a motor vehicle dealer for ~~fifteen months~~ ONE HUNDRED EIGHTY DAYS after the date the claim was submitted.

(b) A manufacturer, distributor, or manufacturer representative shall not require documentation for warranty, sales, or incentive claims or audit warranty, sales, or incentive claims of a motor vehicle dealer more than ~~twenty-four~~ TWELVE months after the date the claim was submitted, nor shall the manufacturer require a charge back, reimbursement, or credit against a future transaction arising out of an audit or request for documentation arising more than ~~fifteen months~~ ONE HUNDRED EIGHTY DAYS after the date the claim was submitted.

(2) The motor vehicle dealer shall have ~~fifteen months~~ ONE HUNDRED EIGHTY DAYS after making a sale or providing service to submit warranty, sales, or incentive claims to the manufacturer, distributor, or manufacturer representative."

Renumber succeeding sections accordingly.

Page 7, strike lines 1 through 6 and substitute the following:

"12-6-128. Payout exemption to execution. A MOTOR VEHICLE DEALER'S RIGHT TO RECEIVE PAYMENTS FROM A MANUFACTURER OR DISTRIBUTOR REQUIRED BY SECTION 12-6-120 (1) (l) AND (1) (r) IS NOT LIABLE TO ATTACHMENT OR EXECUTION AND MAY NOT OTHERWISE BE SEIZED, TAKEN, APPROPRIATED, OR APPLIED IN A LEGAL OR EQUITABLE PROCESS OR BY OPERATION OF LAW TO PAY THE DEBTS OR LIABILITIES OF THE MANUFACTURER OR DISTRIBUTOR. THIS SECTION SHALL NOT".

LOCAL GOVERNMENT

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

HB10-1080 be referred to the Committee of the Whole with favorable recommendation.

HB10-1095 be referred to the Committee of the Whole with favorable recommendation.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB10-1203, 1204, 1205, 1206, 1207.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HJR10-1004, 1005, 1006, 1007, 1008.**

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR10-007.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

SJR10-007 by Senator(s) White; also Representative(s) Scanlan--
Concerning the SnowSports Industries America Snow Show.

(Printed and placed in member's file).

On motion of Representative Scanlan, the resolution was **adopted** by **viva voce** vote.

Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, DelGrosso, Frangas, Gagliardi, Gardner C., Gerou, Hulinghorst, Kagan, Kerr A., King S., Labuda, Levy, Liston, Looper, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Peniston, Primavera, Priola, Rice, Roberts, Ryden, Schafer S., Solano, Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vigil, Waller, Weissmann, Speaker.

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**APPROPRIATIONS**

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

HB10-1110 be referred to the Committee of the Whole with favorable recommendation.

HB10-1189 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

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

"SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of revenue, for allocation to the taxation business group, taxation and compliance division, for the fiscal year beginning July 1, 2009, the sum of ninety-four thousand three hundred twenty-two dollars (\$94,322) and 0.9 FTE, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 102, strike "MATERIALS." and substitute "MATERIALS, AND MAKING AN APPROPRIATION THEREFOR."

HB10-1190 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 4, after line 10 insert:

"SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of revenue, for allocation to the taxation business group, taxation and compliance division, for the fiscal year beginning July 1, 2009, the sum of ninety-four thousand three hundred twenty-two dollars (\$94,322) and 0.9 FTE, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 103, strike "PURPOSES." and substitute "PURPOSES, AND MAKING AN APPROPRIATION THEREFOR."

HB10-1191 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, page 6, after line 5 insert:

2
3 **"SECTION 3. Appropriation.** In addition to any other
4 appropriation, there is hereby appropriated, out of any moneys in the
5 general fund not otherwise appropriated, to the department of revenue, for
6 allocation to the taxation business group, taxation and compliance
7 division, for the fiscal year beginning July 1, 2009, the sum of ninety-four
8 thousand three hundred twenty-two dollars (\$94,322) and 0.9 FTE, or so
9 much thereof as may be necessary, for the implementation of this act."

10

11 Renumber succeeding section accordingly.

12

13 Page 1, line 104, strike "TAXES." and substitute "TAXES, AND MAKING AN
14 APPROPRIATION THEREFOR."

15

16

17

18 **HB10-1192** be amended as follows, and as so amended, be referred to
19 the Committee on Finance with favorable
20 recommendation:

21

22 Amend printed bill, page 4, after line 6 insert:

23

24 **"SECTION 3. Appropriation.** In addition to any other
25 appropriation, there is hereby appropriated, out of any moneys in the
26 general fund not otherwise appropriated, to the department of revenue, for
27 allocation to the taxation business group, taxation and compliance
28 division, for the fiscal year beginning July 1, 2009, the sum of ninety-four
29 thousand three hundred twenty-two dollars (\$94,322) and 0.9 FTE, or so
30 much thereof as may be necessary, for the implementation of this act."

31

32 Renumber succeeding sections accordingly.

33

34 Page 1, line 102, strike "SOFTWARE." and substitute "SOFTWARE, AND
35 MAKING AN APPROPRIATION THEREFOR."

36

37

38

39 **HB10-1193** be amended as follows, and as so amended, be referred to
40 the Committee on Finance with favorable
41 recommendation:

42

43 Amend printed bill, page 4, after line 23 insert:

44

45 **"SECTION 3. Appropriation.** In addition to any other
46 appropriation, there is hereby appropriated, out of any moneys in the
47 general fund not otherwise appropriated, to the department of revenue, for
48 allocation to the taxation business group, taxation and compliance
49 division, for the fiscal year beginning July 1, 2009, the sum of ninety-four
50 thousand three hundred twenty-two dollars (\$94,322) and 0.9 FTE, or so
51 much thereof as may be necessary, for the implementation of this act."

52

53 Renumber succeeding section accordingly.

54

55 Page 1, line 102, strike "RETAILERS." and substitute "RETAILERS, AND
56 MAKING AN APPROPRIATION THEREFOR."

1 **HB10-1194** be amended as follows, and as so amended, be referred to
2 the Committee on Finance with favorable
3 recommendation:
4

5 Amend printed bill, page 4, after line 26 insert:
6

7 **"SECTION 2. Appropriation.** In addition to any other
8 appropriation, there is hereby appropriated, out of any moneys in the
9 general fund not otherwise appropriated, to the department of revenue, for
10 allocation to the taxation business group, taxation and compliance
11 division, for the fiscal year beginning July 1, 2009, the sum of ninety-four
12 thousand three hundred twenty-two dollars (\$94,322) and 0.9 FTE, or so
13 much thereof as may be necessary, for the implementation of this act."
14

15 Renumber succeeding section accordingly.
16

17 Page 1, line 105, strike "**CHARGE.**" and substitute "**CHARGE, AND MAKING**
18 **AN APPROPRIATION THEREFOR.**".
19
20
21

22 **HB10-1195** be amended as follows, and as so amended, be referred to
23 the Committee on Finance with favorable
24 recommendation:
25

26 Amend printed bill, page 4, after line 4 insert:
27

28 **"SECTION 2. Appropriation.** In addition to any other
29 appropriation, there is hereby appropriated, out of any moneys in the
30 general fund not otherwise appropriated, to the department of revenue, for
31 allocation to the taxation business group, taxation and compliance
32 division, for the fiscal year beginning July 1, 2009, the sum of ninety-four
33 thousand three hundred twenty-two dollars (\$94,322) and 0.9 FTE, or so
34 much thereof as may be necessary, for the implementation of this act."
35

36 Renumber succeeding section accordingly.
37

38 Page 1, line 103, strike "**PRODUCTION.**" and substitute "**PRODUCTION,**
39 **AND MAKING AN APPROPRIATION THEREFOR.**".
40
41
42

43 **HB10-1196** be referred favorably to the Committee on Finance.
44

45
46 **HB10-1197** be referred favorably to the Committee on Finance.
47

48
49 **HB10-1198** be referred favorably to the Committee on Finance.
50

51
52 **HB10-1199** be referred favorably to the Committee on Finance.
53
54
55
56

1 **FINANCE**

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

4
5 **HB10-1093** be referred favorably to the Committee on Local
6 Government.

7
8
9 **SJR10-003** be referred out for final action.

10
11
12
13
14 **STATE, VETERANS, & MILITARY AFFAIRS**

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

17
18 **HB10-1047** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:

21
22 Amend printed bill, page 7, line 3, strike ""YES, FOR THE
23 (AMENDMENT/PROPOSITION)"" and substitute ""YES/FOR"".

24
25 Page 7, line 4, strike ""NO, AGAINST THE (AMENDMENT/PROPOSITION)""
26 and substitute ""NO/AGAINST"".

27
28 Page 7, strike lines 8 and 9 and substitute:

29
30 "YES/FOR _____
31 NO/AGAINST _____".

32
33
34
35 **HB10-1092** be postponed indefinitely.

36
37
38
39 **SIGNING OF BILLS--RESOLUTIONS--MEMORIALS**

40
41 The Speaker has signed: SJR10-001, 002, 005.

42
43
44 House in recess. House reconvened.

45
46
47
48 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

49
50 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

53
54 **HB10-1006** be amended as follows, and as so amended, be referred to
55 the Committee on Appropriations with favorable
56 recommendation:

1 Amend printed bill, page 2, line 2, strike "(e)" and substitute "(c)".

2
3 Page 2, strike lines 17 through 23 and substitute:

4
5 "(c) For programs within the division of reclamation, mining, and
6 safety, ~~up to thirty percent of the moneys in the operational account for~~
7 ~~fiscal years commencing before July 1, 2008, and up to twenty-five~~
8 percent of the moneys in the operational account for fiscal years
9 commencing on ~~or after~~ July 1, 2008, AND JULY 1, 2009, AND UP TO
10 TWENTY PERCENT OF THE MONEYS IN THE OPERATIONAL ACCOUNT FOR
11 FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2010. As part of any
12 appropriation made, five hundred thousand dollars, or so much as may be
13 available, shall be transferred to the abandoned mine reclamation fund
14 created in section 34-34-102 (1), C.R.S."

15
16 Page 3, after line 1 insert:

17
18 **"SECTION 2. Appropriation - adjustments in long bill.**

19 (1) The appropriations made in the annual general appropriation act to
20 the department of natural resources, division of wildlife, division
21 operations, for wildlife management, for the fiscal year beginning July 1,
22 2010, shall be decreased by four hundred thirteen thousand one hundred
23 seventy-nine dollars (\$413,179) cash funds. Said sum shall be from the
24 operational account of the severance tax trust fund created in section
25 39-29-109, Colorado Revised Statutes.

26
27 (2) In addition to any other appropriation, there is hereby
28 appropriated, to the department of natural resources, division of water
29 resources, for the fiscal year beginning July 1, 2010, three hundred forty
30 thousand sixty-one dollars (\$340,061) and 5.3 FTE for personal services,
31 and twenty-two thousand fifty dollars (\$22,050) for operating expenses.
32 Said sums shall be from the operational account of the severance tax trust
33 fund created in section 39-29-109, Colorado Revised Statutes.

34
35 (3) In addition to any other appropriation, there is hereby
36 appropriated, to the department of natural resources, executive director's
37 office, for the fiscal year beginning July 1, 2010, forty thousand six
38 hundred ninety-three dollars (\$40,693) for health, life, dental, four
39 hundred seventy-two dollars (\$472) for short-term disability, six thousand
40 ninety-four dollars (\$6,094) for amortization equalization disbursement,
41 and three thousand eight hundred nine dollars (\$3,809) for supplemental
42 amortization equalization disbursement. Said sums shall be from the
43 operational account of the severance tax trust fund created in section
44 39-29-109, Colorado Revised Statutes."

45
46 Renumber succeeding section accordingly.

47
48 Page 1, line 103, strike "FUND." and substitute "FUND, AND MAKING AN
49 APPROPRIATION THEREFOR."

50
51
52
53
54
55
56

INTRODUCTION OF BILLS
First Reading

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

HB10-1208 by Representative(s) Todd and Murray, Massey, Baumgardner, Benefield, Carroll T., Casso, Frangas, Gardner C., Looper, May, McFadyen, McKinley, McNulty, Merrifield, Middleton, Peniston, Priola, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Summers, Tipton; also Senator(s) Shaffer B. and King K., Cadman, Carroll M., Foster, Hodge, Johnston, Keller, Kester, Kopp, Lundberg, Newell, Penry, Renfroe, Romer, Scheffel, Schultheis, Spence, Steadman, White, Whitehead, Williams--Concerning requiring statewide agreements for the transfer of two-year degrees among all state institutions of higher education in Colorado.

Committee on Education

HB10-1209 by Representative(s) Balmer--Concerning authorization to place voluntarily an identifier of a branch of the United States armed forces on certain identification documents issued by the department of revenue.

Committee on State, Veterans, & Military Affairs

Committee on Finance

HB10-1210 by Representative(s) Weissmann, Carroll T., May; also Senator(s) Morse, Shaffer B., Penry--Concerning the redistricting process.

Committee on State, Veterans, & Military Affairs

SB10-035 by Senator(s) Newell; also Representative(s) Bradford--Concerning automatic enrollment in employee retirement plans.

Committee on Business Affairs and Labor

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar were (was) laid over until January 28, retaining place on Calendar:

Consideration of Third Reading--**SB10-065, HB10-1055, 1046, 1069, 1028.**

Consideration of General Orders--**HB10-1034, 1036, 1037, 1071, 1039, 1062, 1010, 1014, 1052.**

1 On motion of Representative Weissmann, the House adjourned until
2 9:00 a.m., January 28, 2010.

3

4

5

6

Approved:
TERRANCE D. CARROLL,
Speaker

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

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

Sixteenth Legislative Day

Thursday, January 28, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

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

4

5 Pledge of Allegiance led by J. T. Weinroth, Colorado Christian
 6 University, Sedalia.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Balmer, Swalm--2.

12 Present after roll call--Representative(s) Swalm.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Apuan, the reading of the journal of
 18 January 27, 2010, was declared dispensed with and approved as corrected
 19 by the Chief Clerk.

20

21

22

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

24

25 The following bills were considered on Third Reading. The titles were
 26 publicly read. Reading of the bill at length was dispensed with by
 27 unanimous consent.

28

29 **SB10-065** by Senator(s) Keller, Tapia, White; also Representative(s)
 30 Pommer, Ferrandino, Lambert--Concerning a
 31 supplemental appropriation to the department of
 32 education.

33

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

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

38

	YES	56	NO	7	EXCUSED	2	ABSENT	0
40	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
41	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
42	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
43	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	N

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

14 Co-sponsors added: Representative Labuda.

15
16 **HB10-1055** by Representative(s) Kefalas; also Senator(s) Steadman--
17 Concerning the requirement that fees for services rendered
18 by a third party for collection of delinquent taxes be added
19 to the total amount collected by the third party.

20
21 The question being "Shall the bill pass?".

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

25	YES	62	NO	2	EXCUSED	1	ABSENT	0
26								
27	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
28	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
29	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
30	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
31	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
32	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
33	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
34	Court	Y	King S.	N	Nikkel	Y	Summers	Y
35	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
36	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
37	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
38	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
39	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
40	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
41	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
42	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
43							Speaker	Y

44 Co-sponsor(s) added: Representative(s) Labuda, Summers, Tyler.

45
46 **HB10-1046** by Representative(s) Tyler; also Senator(s) Hudak--
47 Concerning the recorded date of receipt of property tax
48 payments by a county treasurer's office when the payment
49 has no United States postal service postmark.

50
51 The question being "Shall the bill pass?".

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

55

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
4	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
6	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
8	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
9	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
10	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
11	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
16	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
17							Speaker	Y

18
19 Co-sponsor(s) added: Representative(s) Hullinghorst, Massey, Schafer S.,
20 Summers, Todd.

21
22 **HB10-1069** by Representative(s) Vigil; also Senator(s) Schwartz--
23 Concerning the reclassification of Mineral county.
24

25 The question being "Shall the bill pass?".
26 A roll call vote was taken. As shown by the following recorded vote, a
27 majority of those elected to the House voted in the affirmative and the bill
28 was declared **passed**.
29

	YES	33	NO	31	EXCUSED	1	ABSENT	0
30	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
31	Apuan	N	Hullinghorst	Y	McKinley	N	Scanlan	Y
32	Balmer	E	Judd	Y	McNulty	N	Schafer S.	Y
33	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
34	Benefield	Y	Kefalas	N	Middleton	Y	Sonnenberg	N
35	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
36	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
37	Court	Y	King S.	N	Nikkel	N	Summers	N
38	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
39	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
40	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
41	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
42	Frangas	Y	Looper	N	Priola	N	Vaad	N
43	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
44	Gardner B.	N	May	N	Riesberg	N	Waller	N
45	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	N
46							Speaker	Y

47
48 Co-sponsor(s) added: Representative(s) Labuda, Schafer S.
49

50
51 **HB10-1028** by Representative(s) Benefield, Massey, Peniston, Solano;
52 also Senator(s) Hodge, Hudak, Steadman--Concerning a
53 universal application for programs related to early
54 childhood issues.
55

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Casso, Court, Fischer, Frangas, Labuda,
 25 Levy, McCann, Merrifield, Pommer, Primavera, Priola, Scanlan, Schafer S.,
 26 Summers, Todd, Tyler, Vigil, Speaker

31 On motion of Representative Frangas, the House resolved itself into
 32 Committee of the Whole for consideration of General Orders, and he was
 33 called to the Chair to act as Chairman.

36 GENERAL ORDERS--SECOND READING OF BILLS

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

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

46 **HB10-1034** by Representative(s) Massey, Middleton, Scanlan; also
 47 Senator(s) King K., Johnston, Spence--Concerning the
 48 credentialing of school speech-language pathology
 49 assistants.

51 Amendment No. 1, Education Report, dated January 21, 2010, and placed
 52 in member's bill file; Report also printed in House Journal, January 22,
 53 pages 70-71.

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

1 **HB10-1036** by Representative(s) Scanlan and Massey, Merrifield,
2 Middleton, Stephens; also Senator(s) Romer, Johnston,
3 King K., Spence, Steadman--Concerning on-line public
4 access to public school financial information.
5

6 Amendment No. 1, Education Report, dated January 21, 2010, and placed
7 in member's bill file; Report also printed in House Journal, January 22,
8 page 71.
9

10 Amendment No. 2, by Representative(s) Scanlan.
11 Amend printed bill, page 5, line 10, strike "JANUARY 1, 2011," and
12 substitute "JULY 1, 2010,".
13

14 Page 5, line 16, after the period add "THE COMMITTEE MAY TAKE INTO
15 CONSIDERATION ANY EXISTING TEMPLATES OR REPORTS DEVELOPED BY
16 THE DEPARTMENT FOR PURPOSES OF FINANCIAL REPORTING."
17

18 As amended, ordered engrossed and placed on the Calendar for Third
19 Reading and Final Passage.
20

21 **HB10-1037** by Representative(s) Massey, Merrifield, Middleton,
22 Scanlan, Stephens; also Senator(s) Spence, Johnston, King
23 K., Steadman--Concerning the continuation of funding for
24 supplemental on-line education services.
25

26 Ordered engrossed and placed on the Calendar for Third Reading and
27 Final Passage.
28

29 **HB10-1071** by Representative(s) Labuda; also Senator(s) Heath--
30 Concerning elimination of the requirement that a person
31 employed in a technical forestry capacity by the board of
32 governors of the Colorado state university system possess
33 at least two years' experience in forest practice.
34

35 Ordered engrossed and placed on the Calendar for Third Reading and
36 Final Passage.
37

38 **HB10-1039** by Representative(s) Gardner B., Kagan, Labuda, Levy,
39 Roberts; also Senator(s) Brophy, Carroll M., Mitchell,
40 Morse, Schwartz--Concerning the enactment of Colorado
41 Revised Statutes 2009 as the positive and statutory law of
42 the state of Colorado.
43

44 Ordered engrossed and placed on the Calendar for Third Reading and
45 Final Passage.
46

47 **HB10-1062** by Representative(s) Schafer S.; also Senator Hodge--
48 Concerning the ability to allow a county to purchase crime
49 insurance coverage in lieu of surety bonds.
50

51 Amendment No. 1, Local Government Report, dated January 21, 2010,
52 and placed in member's bill file; Report also printed in House Journal,
53 January 22, pages 72-74.
54

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

1 **HB10-1010** by Representative(s) Ferrandino, Court, Gerou; also
2 Senator(s) Morse, Brophy, Heath--Concerning
3 authorization for agencies of the state to enter into public-
4 private initiative agreements with nonprofit entities.
5

6 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
7 January 21, 2010, and placed in member's bill file; Report also printed in
8 House Journal, January 22, page 74.
9

10 Amendment No. 2, by Representative(s) Ferrandino.
11

12 Amend printed bill, page 6, line 4, strike "MAY" and substitute "SHALL".
13

14 Amendment No. 3, by Representative(s) Ferrandino.
15

16 Amend printed bill, page 7, after line 16 insert:
17

18 "(12) AT THE TIME A PRINCIPAL DEPARTMENT OF STATE
19 GOVERNMENT SUBMITS ITS ANNUAL BUDGET REQUEST TO THE JOINT
20 BUDGET COMMITTEE OF THE GENERAL ASSEMBLY, THE DEPARTMENT
21 SHALL REPORT TO THE COMMITTEE REGARDING ANY PUBLIC-PRIVATE
22 INITIATIVE AGREEMENT THEN IN EFFECT THAT THE DEPARTMENT OR AN
23 AGENCY WITHIN THE DEPARTMENT HAS ENTERED INTO PURSUANT TO THIS
24 PART 2. THE INFORMATION REPORTED SHALL INCLUDE, AT A MINIMUM, A
25 BRIEF DESCRIPTION OF THE PURPOSE AND TERMS OF THE AGREEMENT, THE
26 AMOUNT OF PUBLIC MONEYS REQUIRED TO BE EXPENDED BY THE STATE
27 UNDER THE TERMS OF THE AGREEMENT, AND THE IDENTITY OF THE
28 PRIVATE PARTNER THAT IS A PARTY TO THE AGREEMENT."
29

30 Amendment No. 4, by Representative(s) May, Gardner C, Stephens.
31

32 Amend printed bill, page 8, before line 3, insert:
33

34 "**24-38-205.** NOTWITHSTANDING ANY PROVISION OF THIS PART 2
35 TO THE CONTRARY, AN ORGANIZATION BANNED FROM RECEIVING FEDERAL
36 FUNDS, AND THEIR SUCCESSOR ORGANIZATIONS, SHALL NOT BE AWARDED
37 A PUBLIC-PRIVATE INITIATIVE CONTRACT PURSUANT TO THIS PART 2."
38

39 As amended, ordered engrossed and placed on the Calendar for Third
40 Reading and Final Passage.
41

42 **HB10-1014** by Representative(s) McFadyen, Baumgardner, Fischer,
43 Frangas, King S., Looper, Primavera, Tyler; also
44 Senator(s) Spence, Gibbs, Romer, Williams--Concerning
45 annual reporting to the general assembly of fatal accidents
46 in state highway work areas.
47

48 Laid over until February 3, retaining place on Calendar.
49

50 On motion of Representative Weissmann, the remainder of the General
51 Orders Calendar (**HB10-1052**) was laid over until January 29, retaining
52 place on Calendar.
53

54
55
56

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1034 amended, 1036 amended, 1037, 1071, 1039, 1062 amended, 1010 amended.**

Laid over until date indicated retaining place on Calendar:

HB10-1014--February 3, 2010.

HB10-1052--January 29, 2010.

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

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

HB10-1060 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, strike lines 2 through 4 and substitute:

"**SECTION 1.** 39-29-115 (1), Colorado Revised Statutes, is amended, and the said 39-29-115 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

39-29-115. Penalties and interest. (1) Any person who fails to file a report or to pay the tax due thereon shall pay a penalty of ~~thirty~~ UP

1 TO TWENTY-FIVE percent of the tax assessed or ~~thirty~~ TWENTY-FIVE
2 dollars, whichever is greater, and the interest due under the provisions of
3 section 39-21-110.5.

4
5 (1.5) ANY PERSON WHO FAILS".

6
7 Page 2, line 6, strike "TEN" and substitute "UP TO TWENTY-FIVE".

8
9 Page 2, line 7, strike "FIFTY" and substitute "TWENTY-FIVE".

10
11 Page 2, line 12, after "OF" insert "UP TO".

12
13 Page 2, line 13, strike "THIRTY" and substitute "FIFTEEN".

14
15 Page 2, line 14, strike "THOUSAND" and substitute "HUNDRED".

16
17
18
19 **HB10-1099** be referred to the Committee of the Whole with favorable
20 recommendation.

21
22
23
24
25 **BUSINESS AFFAIRS & LABOR**

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

28
29 **HB10-1003** be referred to the Committee of the Whole with favorable
30 recommendation.

31
32
33 **HB10-1016** be referred to the Committee of the Whole with favorable
34 recommendation.

35
36
37 **HB10-1074** be postponed indefinitely.

38
39
40 **HB10-1085** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:

43
44 Amend printed bill, page 2, line 2, strike "(b)," and substitute "(b) and".

45
46 Page 2, line 3, strike "and 12-25-214 (4) (b) (II),".

47
48 Page 2, line 5, strike "THE FOLLOWING" and substitute "A".

49
50 Page 2, line 6, strike "SUBPARAGRAPHS," and substitute
51 "SUBPARAGRAPH,".

52
53 Page 3, line 5, strike "BOARD-APPROVED CREDIT HOURS IN" and substitute
54 "SURVEYING COURSE WORK, AS SPECIFIED BY THE BOARD BY RULE;".

55
56 Page 3, strike line 6.

1 Page 3, strike lines 13 through 21.

2
3 Page 3, strike lines 24 through 27.

4
5 Page 4, before line 1 insert:

6
7 "SECTION 2. 12-25-214 (4), Colorado Revised Statutes, is
8 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

9
10 **12-25-214. Qualifications for professional land surveyor -**
11 **repeal.** (4) (e) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1,
12 2020."

13
14 Renumber succeeding sections accordingly.

15
16 Page 4, line 14, after "SURVEYOR" insert "OF RECORD".

17
18 Page 5, line 8, after "CONTAIN" insert "A REFERENCE TO THE RECORDING
19 INFORMATION OF THE DOCUMENT BEING CORRECTED AND".

20
21 Page 5, line 10, strike "RECORD" and substitute "RECORD,".

22
23 Page 5, line 11, after the period add "THE PROFESSIONAL LAND SURVEYOR
24 OF RECORD SHALL SUBMIT A COPY OF THE SURVEYOR'S AFFIDAVIT OF
25 CORRECTION TO THE APPROPRIATE REVIEWING AUTHORITY, CITING THE
26 SPECIFIC PROVISION UNDER SUBSECTION (2) OF THIS SECTION THAT APPLIES
27 TO THE ERROR BEING CORRECTED.".

28
29 Page 5, line 17, strike "WRITTEN REFERENCE" and substitute "CLERK'S
30 NOTE REFERRING".

31
32 Page 5, after line 23 insert:

33
34 "(6) A SURVEYOR'S AFFIDAVIT OF CORRECTION SHALL NOT BE
35 RECORDED FOR A CORRECTION NOT LISTED IN SUBSECTION (2) OF THIS
36 SECTION.".

37
38
39
40
41 **HB10-1141** be amended as follows, and as so amended, be referred to
42 the Committee of the Whole with favorable
43 recommendation:

44
45 Amend printed bill, page 4, line 18, after "ASSOCIATION," insert
46 "EMPLOYEES OF A SUBSIDIARY THAT IS OWNED AND CONTROLLED BY A
47 BANK OR SAVINGS ASSOCIATION,".

48
49
50
51 **HB10-1144** be referred to the Committee of the Whole with favorable
52 recommendation.

53
54
55
56

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB10-1208, 1209, 1210.

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The Speaker has signed: SB10-065; SJR10-007.

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB10-031, SB10-014, SB10-010, SB10-018, SB10-047, SB10-037, SB10-038, SB10-053, SB10-049.

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

SB10-043 amended as printed in Senate Journal, January 26, 2010
page 83.

SB10-052 amended as printed in Senate Journal, January 26, 2010
page 83.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, SB10-031, 014, 010, 018, 047, 037, 038, 049, and 053.

Without comment, as amended, SB10-043 and 052.

INTRODUCTION OF BILLS**First Reading**

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

HB10-1211 by Representative(s) Tyler; also Senator(s) Williams--
Concerning a reduction in the amount of the penalty for
late vehicle registration of a vehicle without motive power
that weighs two thousand pounds or less.

Committee on Transportation & Energy

HB10-1212 by Representative(s) Rice; also Senator(s) Schwartz--
Concerning a requirement that the executive director of the
department of revenue promulgate rules that establish
circumstances in which a vehicle owner shall be exempted
from paying the late fee for late registration of a vehicle.

Committee on Transportation & Energy

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative A. Kerr, the following item(s) on the Calendar were (was) laid over until January 29, retaining place on Calendar:

Consideration of Resolution(s)--**SJR10-003.**

On motion of Representative A. Kerr, the House adjourned until 9:00 a.m., January 29, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Seventeenth Legislative Day

Friday, January 29, 2010

1 Prayer by Father Eustace Sequeira, St. Ignatius Loyola Catholic Church,
2 Denver.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Jed McPherson and Yuri Yi, The
7 Academy/Miller Reynolds, Westminster.

8
9 The roll was called with the following result:

10
11 Present--48.

12 Excused--Representative(s) Acree, Benefield, Casso, DelGrosso,
13 Ferrandino, Frangas, Gerou, Judd, Kagan, Kefalas, Labuda,
14 Middleton, Pommer, Roberts, Summers, Swalm, Tyler--17.

15 Present after roll call--Representative(s) Benefield, Casso,
16 DelGrosso, Ferrandino, Frangas, Gerou, Judd, Kagan, Kefalas,
17 Labuda, Middleton, Pommer, Roberts, Summers, Swalm, Tyler.

18
19 The Speaker declared a quorum present.

20
21 _____

22 On motion of Representative Apuan, the reading of the journal of
23 January 28, 2010, was declared dispensed with and approved as corrected
24 by the Chief Clerk.

25
26
27 _____

28
29
30 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

31
32 **EDUCATION**

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

35
36 **HB10-1064** be referred to the Committee of the Whole with favorable
37 recommendation.

38
39
40
41
42

1 **FINANCE**

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

4
5 **HB10-1189** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 2, line 6, strike "(a)".

10
11 Page 2, strike lines 18 through 25.

12
13 Page 3, strike lines 1 through 7 and substitute:

14
15 "SECTION 2. Part 1 of article 21 of title 39, Colorado Revised
16 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
17 read:

18
19 **39-21-122. Revenue impact of 2010 tax legislation - tracking**
20 **by department.** THE DEPARTMENT OF REVENUE SHALL ACCOUNT FOR ALL
21 REVENUE ATTRIBUTABLE TO THE ENACTMENT OF HOUSE BILL 10-1189,
22 ENACTED IN 2010, AND SHALL, TO THE EXTENT SUCH INFORMATION IS
23 AVAILABLE, MAKE QUARTERLY REPORTS TO THE GENERAL ASSEMBLY
24 REGARDING THE QUARTERLY AND CUMULATIVE NET REVENUE GAIN TO THE
25 STATE RESULTING FROM THE ENACTMENT OF SAID BILL."

26
27 Renumber succeeding section accordingly.
28
29
30

31 **HB10-1190** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:
34

35 Amend printed bill, page 2, line 6, strike "(a)".

36
37 Page 2, line 17, strike "SUCH" and substitute "STATE SALES".

38
39 Page 2, strike lines 20 through 23.

40
41 Page 3, strike lines 1 through 11.

42
43 Page 3, line 16, strike "(I)".

44
45 Page 3, line 21, strike "SUCH" and substitute "STATE USE".

46
47 Page 3, strike lines 23 through 27.

48
49 Page 4, strike lines 1 through 10 and substitute:

50
51 "SECTION 3. Part 1 of article 21 of title 39, Colorado Revised
52 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
53 read:

54
55 **39-21-122. Revenue impact of 2010 tax legislation - tracking**
56 **by department.** THE DEPARTMENT OF REVENUE SHALL ACCOUNT FOR ALL

1 REVENUE ATTRIBUTABLE TO THE ENACTMENT OF HOUSE BILL 10-1190,
2 ENACTED IN 2010, AND SHALL, TO THE EXTENT SUCH INFORMATION IS
3 AVAILABLE, MAKE QUARTERLY REPORTS TO THE GENERAL ASSEMBLY
4 REGARDING THE QUARTERLY AND CUMULATIVE NET REVENUE GAIN TO THE
5 STATE RESULTING FROM THE ENACTMENT OF SAID BILL."

6
7 Renumber succeeding section accordingly.
8
9
10

11 **HB10-1191** be amended as follows, and as so amended, be referred to
12 the Committee of the Whole with favorable
13 recommendation:
14

15 Amend printed bill, page 4, line 6, after "THERETO." add "IF THE LOCAL
16 GOVERNMENT OR POLITICAL SUBDIVISION EXPRESSLY SUBJECTS SUCH
17 SALES OR STORAGE, USE, OR CONSUMPTION TO ITS SALES OR USE TAX, THE
18 EFFECTIVE DATE SHALL BE EITHER JANUARY 1 OR JULY 1, AND THE LOCAL
19 GOVERNMENT OR POLITICAL SUBDIVISION SHALL PROVIDE NOTICE TO THE
20 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE AT LEAST
21 FORTY-FIVE DAYS PRIOR TO THE EFFECTIVE DATE OF THE SALES OR USE
22 TAX."

23
24 Page 6, line 5, after "THERETO." add "IF THE LOCAL GOVERNMENT OR
25 POLITICAL SUBDIVISION EXPRESSLY SUBJECTS SUCH SALES OR STORAGE,
26 USE, OR CONSUMPTION TO ITS SALES OR USE TAX, THE EFFECTIVE DATE
27 SHALL BE EITHER JANUARY 1 OR JULY 1, AND THE LOCAL GOVERNMENT OR
28 POLITICAL SUBDIVISION SHALL PROVIDE NOTICE TO THE EXECUTIVE
29 DIRECTOR OF THE DEPARTMENT OF REVENUE AT LEAST FORTY-FIVE DAYS
30 PRIOR TO THE EFFECTIVE DATE OF THE SALES OR USE TAX."

31
32 Page 6, after line 5 insert:
33

34 "SECTION 3. Part 1 of article 21 of title 39, Colorado Revised
35 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
36 read:
37

38 **39-21-122. Revenue impact of 2010 tax legislation - tracking**
39 **by department.** THE DEPARTMENT OF REVENUE SHALL ACCOUNT FOR ALL
40 REVENUE ATTRIBUTABLE TO THE ENACTMENT OF HOUSE BILL 10-1191,
41 ENACTED IN 2010, AND SHALL, TO THE EXTENT SUCH INFORMATION IS
42 AVAILABLE, MAKE QUARTERLY REPORTS TO THE GENERAL ASSEMBLY
43 REGARDING THE QUARTERLY AND CUMULATIVE NET REVENUE GAIN TO THE
44 STATE RESULTING FROM THE ENACTMENT OF SAID BILL."

45
46 Renumber succeeding section accordingly.
47
48
49

50 **HB10-1192** be amended as follows, and as so amended, be referred to
51 the Committee of the Whole with favorable
52 recommendation:
53

54 Amend printed bill, page 4, after line 6 insert:
55

56 "SECTION 3. Part 1 of article 21 of title 39, Colorado Revised

1 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
2 read:

3
4 **39-21-122. Revenue impact of 2010 tax legislation - tracking**
5 **by department.** THE DEPARTMENT OF REVENUE SHALL ACCOUNT FOR ALL
6 REVENUE ATTRIBUTABLE TO THE ENACTMENT OF HOUSE BILL 10-1192,
7 ENACTED IN 2010, AND SHALL, TO THE EXTENT SUCH INFORMATION IS
8 AVAILABLE, MAKE QUARTERLY REPORTS TO THE GENERAL ASSEMBLY
9 REGARDING THE QUARTERLY AND CUMULATIVE NET REVENUE GAIN TO THE
10 STATE RESULTING FROM THE ENACTMENT OF SAID BILL.

11
12 **SECTION 4.** Part 1 of article 26 of title 39, Colorado Revised
13 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
14 read:

15
16 **39-26-102.3. Inclusion of standardized software in state sales**
17 **tax base - use revenues generated for education.** NOTWITHSTANDING
18 ANY OTHER PROVISION OF LAW, THE GENERAL ASSEMBLY SHALL
19 APPROPRIATE AT LEAST FORTY PERCENT OF THE AMOUNT OF ANY
20 INCREASE IN NET STATE SALES TAX REVENUES RESULTING FROM THE
21 AMENDMENT OF THE DEFINITION OF TANGIBLE PERSONAL PROPERTY SET
22 FORTH IN SECTION 39-26-102 (15) BY HOUSE BILL 10-1192, ENACTED IN
23 2010, TO INCLUDE STANDARDIZED SOFTWARE FOR THE PURPOSE OF
24 FUNDING PRESCHOOL THROUGH TWELFTH GRADE PUBLIC EDUCATION.
25 SUCH FUNDING SHALL SUPPLEMENT AND NOT SUPPLANT ANY OTHER
26 MONEYS USED FOR SAID PURPOSE."

27
28 Renumber succeeding sections accordingly.

29
30
31
32 **HB10-1193** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:

35
36 Amend printed bill, page 3, line 23, after "MAY" insert "PUBLICLY, NOT
37 INCLUDING ELECTRONICALLY,".

38
39 Page 3, line 24, strike "A PUBLIC FORUM" and substitute "THEIR PHYSICAL
40 PRESENCE".

41
42 Page 4, after line 23 insert:

43
44 **"SECTION 3.** Part 1 of article 21 of title 39, Colorado Revised
45 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
46 read:

47
48 **39-21-122. Revenue impact of 2010 tax legislation - tracking**
49 **by department.** THE DEPARTMENT OF REVENUE SHALL ACCOUNT FOR ALL
50 REVENUE ATTRIBUTABLE TO THE ENACTMENT OF HOUSE BILL 10-1193,
51 ENACTED IN 2010, AND SHALL, TO THE EXTENT SUCH INFORMATION IS
52 AVAILABLE, MAKE QUARTERLY REPORTS TO THE GENERAL ASSEMBLY
53 REGARDING THE QUARTERLY AND CUMULATIVE NET REVENUE GAIN TO THE
54 STATE RESULTING FROM THE ENACTMENT OF SAID BILL."

55
56 Renumber succeeding section accordingly.

1 **HB10-1194** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 2, line 3, strike "amended, and the said
6 39-26-707 is".
7

8 Page 2, strike line 4 and substitute "amended to".
9

10 Page 2, line 18, strike "SUCH" and substitute "STATE SALES".
11

12 Page 3, line 10, strike "SUCH" and substitute "STATE SALES".
13

14 Page 3, line 24, strike "SUCH" and substitute "STATE USE".
15

16 Page 4, line 10, strike "SUCH" and substitute "STATE USE".
17

18 Page 4, strike lines 11 through 26 and substitute:
19

20 "SECTION 2. Part 1 of article 21 of title 39, Colorado Revised
21 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
22 read:
23

24 **39-21-122. Revenue impact of 2010 tax legislation - tracking**
25 **by department.** THE DEPARTMENT OF REVENUE SHALL ACCOUNT FOR ALL
26 REVENUE ATTRIBUTABLE TO THE ENACTMENT OF HOUSE BILL 10-1194,
27 ENACTED IN 2010, AND SHALL, TO THE EXTENT SUCH INFORMATION IS
28 AVAILABLE, MAKE QUARTERLY REPORTS TO THE GENERAL ASSEMBLY
29 REGARDING THE QUARTERLY AND CUMULATIVE NET REVENUE GAIN TO THE
30 STATE RESULTING FROM THE ENACTMENT OF SAID BILL."
31

32 Renumber succeeding section accordingly.
33
34
35
36

37 **HEALTH & HUMAN SERVICES**

38 After consideration on the merits, the Committee recommends the
39 following:
40

41 **HB10-1042** be referred favorably to the Committee on Finance.
42
43
44
45

46 **JUDICIARY**

47 After consideration on the merits, the Committee recommends the
48 following:
49

50 **HB10-1023** be amended as follows, and as so amended, be referred to
51 the Committee of the Whole with favorable
52 recommendation:
53

54 Amend printed bill, page 3, line 18, strike "CONVICTION." and substitute
55 "CONVICTION; OR".
56

1 Page 3, after line 18 insert:

2
3 "(IV) THE EMPLOYEE OR FORMER EMPLOYEE RECEIVED A
4 DEFERRED JUDGMENT AT SENTENCE AND THE DEFERRED JUDGMENT WAS
5 NOT REVOKED."
6

7
8
9 **HB10-1065** be referred to the Committee of the Whole with favorable
10 recommendation.
11

12
13 **HB10-1086** be postponed indefinitely.
14

15
16 **HB10-1089** be amended as follows, and as so amended, be referred to
17 the Committee on Appropriations with favorable
18 recommendation:
19

20 Amend printed bill, page 2, strike lines 2 through 5 and substitute:
21

22 "SECTION 1. The introductory portion to 17-2-103 (11) (b) (II),
23 Colorado Revised Statutes, is amended, and the said 17-2-103 (11) (b)
24 is further amended BY THE ADDITION OF A NEW
25 SUBPARAGRAPH, to read:
26

27 **17-2-103. Arrest of parolee - revocation proceedings.**
28 (11) (b) (II) If the board determines that the parolee has violated any
29 condition of parole other than commission of a crime and is not subject
30 to the provisions of subparagraph (III), ~~or~~ subparagraph (IV), OR
31 SUBPARAGRAPH (VI) of this paragraph (b), the board may:
32

33 (VI) IF THE BOARD DETERMINES THAT A PAROLEE WHO HAS BEEN".
34
35
36

37 **HB10-1090** be referred to the Committee of the Whole with favorable
38 recommendation.
39

40
41 **HB10-1179** be referred favorably to the Committee on Health &
42 Human Services.
43
44
45
46

47 **LOCAL GOVERNMENT**

48 After consideration on the merits, the Committee recommends the
49 following:
50

51 **HB10-1117** be amended as follows, and as so amended, be referred to
52 the Committee of the Whole with favorable
53 recommendation:
54

55 Amend printed bill, page 4, line 4, strike "ASSESSOR" and substitute
56 "TREASURER".

1 Page 4, strike lines 6 through 8 and substitute:

2
3 "SECTION 3. 39-10-103 (1) (a), Colorado Revised Statutes, is
4 amended, and the said 39-10-103 is further amended BY THE
5 ADDITION OF A NEW SUBSECTION, to read:

6
7 **39-10-103. Tax statement.** (1) (a) As soon as practicable after
8 January 1, the treasurer shall, AT THE TREASURER'S DISCRETION, mail OR
9 SEND ELECTRONIC NOTIFICATION to each person whose name appears on
10 the tax list and warrant a statement OR TRUE AND ACTUAL NOTICE OF
11 ELECTRONIC STATEMENT AVAILABILITY, AS APPLICABLE, showing the total
12 amount of taxes payable by such person, which statement shall separately
13 list the amount of taxes levied on real and personal property and shall
14 recite the actual value of the property and the amount of valuation for
15 assessment upon which such taxes were levied. If any of the personal
16 property upon which taxes are to be levied is a mobile home, the tax
17 statement shall contain the following notice: "This property may not be
18 moved without a valid permit or prorated tax receipt and a transportable
19 manufactured home permit from the county treasurer's office. Violators
20 shall be prosecuted." Failure of any person to receive such statement OR
21 TRUE AND ACTUAL NOTICE OF AN ELECTRONIC STATEMENT, AS
22 APPLICABLE, shall not preclude collection by the treasurer of the amount
23 of taxes due from and payable by such person. Such statement shall
24 include a notice that, if such person desires a receipt for payment of taxes,
25 the person shall request such receipt. The statement may also state what
26 each mill levy would have been for each taxing district for the prior tax
27 year based upon the current year's valuation for assessment.

28
29 (4) NOTWITHSTANDING ANY OTHER".

30
31 Page 4, after line 22 insert:

32
33 "SECTION 4. 39-10-104.5 (3) (a), Colorado Revised Statutes, is
34 amended to read:

35
36 **39-10-104.5. Payment dates - optional payment dates - failure**
37 **to pay - delinquency.** (3) (a) If the first installment is not paid on or
38 before the last day of February, then delinquent interest on the first
39 installment shall accrue at the rate of one percent per month from the first
40 day of March until the date of payment; except that, if payment of the first
41 installment is made after the last day of February but not later than thirty
42 days after the mailing by the treasurer of the tax statement, OR TRUE AND
43 ACTUAL NOTIFICATION OF AN ELECTRONIC STATEMENT, pursuant to section
44 39-10-103 (1) (a), no such delinquent interest shall accrue. If the second
45 installment is not paid by the fifteenth day of June, delinquent interest on
46 the second installment shall accrue at the rate of one percent per month
47 from the sixteenth day of June until the date of payment. Interest on the
48 first installment shall continue to accrue at the same time that interest is
49 accruing on the unpaid portion of the second installment. The taxpayer
50 shall continue to have the option of paying delinquent property taxes in
51 two equal installments until one day prior to the sale of the tax lien on
52 such property pursuant to article 11 of this title."

53
54 Renumber succeeding section accordingly.

55
56

TRANSPORTATION & ENERGY

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

HB10-1059 be referred to the Committee of the Whole with favorable recommendation.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB10-1211, 1212.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR10-009 amended as printed in Senate Journal, January 29, 2010.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

SJR10-009 by Senator(s) Heath; also Representative(s) Primavera and Merrifield--Concerning recognition of the University of Colorado Anschutz Medical Campus as a leader in health education, research, and clinical care, and, in connection therewith, honoring the University of Colorado School of Medicine, the University of Colorado Cancer Center, and the University of Colorado Hospital for contributions to cancer research, prevention, and care, and their impact on Colorado's economy.

(Printed and placed in member's file).

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

Current Roll Call added as Co-sponsor(s): Representative(s) Apuan, Balmer, Baumgardner, Bradford, Casso, Court, Curry, Fischer, Gagliardi, Gardner B., Gardner C., Hulinghorst, Kerr A., Kerr J., King S., Lambert, Levy, Liston, Looper, Massey, May, McCann, McFadyen, McKinley, McNulty, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Priola, Rice, Riesberg, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann, Speaker

House in recess. House reconvened.

THIRD READING OF BILLS--FINAL PASSAGE

The following bills were considered on Third Reading. The titles were publicly read. Reading of the bill at length was dispensed with by unanimous consent.

HB10-1034 by Representative(s) Massey, Middleton, Scanlan; also Senator(s) King K., Johnston, Spence--Concerning the credentialing of school speech-language pathology assistants.

The question being "Shall the bill pass?".

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

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Apuan, Casso, Ferrandino, Fischer, Kerr J., Labuda, Merrifield, Murray, Pace, Peniston, Solano, Stephens, Todd, Tyler, Vigil

HB10-1036 by Representative(s) Scanlan and Massey, Merrifield, Middleton, Stephens; also Senator(s) Romer, Johnston, King K., Spence, Steadman--Concerning on-line public access to public school financial information.

The question being "Shall the bill pass?".

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

YES	63	NO	1	EXCUSED	1	ABSENT	0
Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y

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

11 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Kerr A., Labuda,
 12 Nikkel, Peniston, Priola, Schafer S., Solano, Summers, Todd, Vigil

13
 14 **HB10-1037** by Representative(s) Massey, Merrifield, Middleton,
 15 Scanlan, Stephens; also Senator(s) Spence, Johnston, King
 16 K., Steadman--Concerning the continuation of funding for
 17 supplemental on-line education services.

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

24	YES	64	NO	0	EXCUSED	1	ABSENT	0
25	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
28	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
30	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
32	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
33	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
34	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
37	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
38	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
39	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
40	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, King S., Labuda,
 43 Schafer S., Solano, Summers, Vigil

44
 45 **HB10-1071** by Representative(s) Labuda; also Senator(s) Heath--
 46 Concerning elimination of the requirement that a person
 47 employed in a technical forestry capacity by the board of
 48 governors of the Colorado state university system possess
 49 at least two years' experience in forest practice.

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

55

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
4	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
6	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
8	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
9	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
10	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
11	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
16	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
17							Speaker	Y

18
19 Co-sponsor(s) added: Representative(s) Merrifield, Scanlan, Schafer S., Todd

20
21 **HB10-1039** by Representative(s) Gardner B., Kagan, Labuda, Levy,
22 Roberts; also Senator(s) Brophy, Carroll M., Mitchell,
23 Morse, Schwartz--Concerning the enactment of Colorado
24 Revised Statutes 2009 as the positive and statutory law of
25 the state of Colorado.

26
27 The question being "Shall the bill pass?".

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
31	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
32	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
33	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
34	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
35	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
36	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
37	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
38	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
39	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
40	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
41	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
42	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
43	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
44	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
45	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
46	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
47							Speaker	Y

48
49
50 Co-sponsor(s) added: Representative(s) Baumgardner, Kerr J., King S., Nikkel,
51 Tyler, Vaad, Waller, Speaker

52
53 **HB10-1062** by Representative(s) Schafer S.; also Senator(s) Hodge--
54 Concerning the ability to allow a county to purchase crime
55 insurance coverage in lieu of surety bonds.

56

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

	YES	63	NO	1	EXCUSED	1	ABSENT	0
7	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Labuda, Vigil

25
 26 **HB10-1010** by Representative(s) Ferrandino, Court, Gerou; also
 27 Senator(s) Morse, Brophy, Heath--Concerning
 28 authorization for agencies of the state to enter into public-
 29 private initiative agreements with nonprofit entities.

30
 31 The question being "Shall the bill pass?".
 32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative and the bill
 34 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
37	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
39	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
42	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
44	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
45	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
47	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
48	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
49	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
50	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
51	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
52	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Kerr J., Labuda,
 55 Miklosi, Schafer S., Todd, Tyler

CONSIDERATION OF RESOLUTION(S)

SJR10-003 by Senator(s) Sandoval; also Representative(s) Judd--
Concerning the certification by the general assembly of its
estimate of state general fund revenues and allowable state
general fund appropriations for the 2010-11 fiscal year.

(Printed and placed in members' file)

On motion of Representative Judd, the resolution was **adopted** by **viva voce** vote.

Co-sponsor(s) added: Representative(s) Curry, Fischer, Kerr J., Labuda,
Miklosi, Scanlan

REPORT(S) OF COMMITTEE(S) OF REFERENCE**FINANCE**

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

HB10-1195 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 3, strike lines 13 through 27 and substitute:

"(5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL SALES AND PURCHASES OF THE ITEMS DESCRIBED IN PARAGRAPH (d) OR (e) OF SUBSECTION (2) OR PARAGRAPH (d) OR (e) OF SUBSECTION (3) OF THIS SECTION SHALL NOT BE EXEMPT FROM STATE SALES AND USE TAXATION UNDER THE PROVISIONS OF THIS ARTICLE FOR THE PERIOD COMMENCING MARCH 1, 2010, AND ENDING JUNE 30, 2013."

Page 4, strike lines 1 through 4 and substitute:

"**SECTION 2.** Part 1 of article 21 of title 39, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

39-21-122. Revenue impact of 2010 tax legislation - tracking by department. THE DEPARTMENT OF REVENUE SHALL ACCOUNT FOR ALL REVENUE ATTRIBUTABLE TO THE ENACTMENT OF HOUSE BILL 10-1195, ENACTED IN 2010, AND SHALL, TO THE EXTENT SUCH INFORMATION IS AVAILABLE, MAKE QUARTERLY REPORTS TO THE GENERAL ASSEMBLY REGARDING THE QUARTERLY AND CUMULATIVE NET REVENUE GAIN TO THE STATE RESULTING FROM THE ENACTMENT OF SAID BILL."

Renumber succeeding section accordingly.

HB10-1196 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 3, after line 11 insert:

2
3 "SECTION 3. Part 1 of article 21 of title 39, Colorado Revised
4 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
5 read:

6
7 **39-21-122. Revenue impact of 2010 tax legislation - tracking**
8 **by department.** THE DEPARTMENT OF REVENUE SHALL ACCOUNT FOR ALL
9 REVENUE ATTRIBUTABLE TO THE ENACTMENT OF HOUSE BILL 10-1196,
10 ENACTED IN 2010, AND SHALL, TO THE EXTENT SUCH INFORMATION IS
11 AVAILABLE, MAKE QUARTERLY REPORTS TO THE GENERAL ASSEMBLY
12 REGARDING THE QUARTERLY AND CUMULATIVE NET REVENUE GAIN TO THE
13 STATE RESULTING FROM THE ENACTMENT OF SAID BILL."

14
15 Renumber succeeding section accordingly.

16
17 **HB10-1197** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:

20
21 Amend printed bill, strike everything below the enacting clause and
22 substitute:

23
24 "SECTION 1. 39-1-102 (1.6) (a) (III), Colorado Revised Statutes,
25 is amended to read:

26
27 **39-1-102. Definitions.** As used in articles 1 to 13 of this title,
28 unless the context otherwise requires:

29
30 (1.6) (a) "Agricultural land", whether used by the owner of the
31 land or a lessee, means one of the following:

32
33 (III) A parcel of land that consists of at least eighty acres, or of
34 less than eighty acres if such parcel does not contain any residential
35 improvements, and that is subject to a perpetual conservation easement,
36 if such land was classified by the assessor as agricultural land under
37 subparagraph (I) or (II) of this paragraph (a) at the time such easement
38 was granted, if the grant of the easement was to a qualified organization,
39 if the easement was granted exclusively for conservation purposes, and
40 if all current and contemplated future uses of the land are described in the
41 conservation easement. "Agricultural land" under this subparagraph (III)
42 does not include any portion of such land that is actually used for
43 nonagricultural commercial or NONAGRICULTURAL residential purposes.

44
45 **SECTION 2.** 39-1-103 (5) (a), Colorado Revised Statutes, is
46 amended to read:

47
48 **39-1-103. Actual value determined - when.** (5) (a) All real and
49 personal property shall be appraised and the actual value thereof for
50 property tax purposes determined by the assessor of the county wherein
51 such property is located. The actual value of such property, other than
52 agricultural lands exclusive of building improvements thereon and other
53 than residential real property and other than producing mines and lands
54 or leaseholds producing oil or gas, shall be that value determined by
55 appropriate consideration of the cost approach, the market approach, and
56 the income approach to appraisal. The assessor shall consider and

1 document all elements of such approaches that are applicable prior to a
2 determination of actual value. Despite any orders of the state board of
3 equalization, no assessor shall arbitrarily increase the valuations for
4 assessment of all parcels represented within the abstract of a county or
5 within a class or subclass of parcels on that abstract by a common
6 multiple in response to the order of said board. If an assessor is required,
7 pursuant to the order of said board, to increase or decrease valuations for
8 assessment, such changes shall be made only upon individual valuations
9 for assessment of each and every parcel, using each of the approaches to
10 appraisal specified in this paragraph (a), if applicable. The actual value
11 of agricultural lands, exclusive of building improvements thereon, shall
12 be determined by consideration of the earning or productive capacity of
13 such lands during a reasonable period of time, capitalized at a rate of
14 thirteen percent. Land that is valued as agricultural and that becomes
15 subject to a perpetual conservation easement shall continue to be valued
16 as agricultural notwithstanding its dedication for conservation purposes;
17 except that, if any portion of such land is actually used for nonagricultural
18 commercial or NONAGRICULTURAL residential purposes, that portion shall
19 be valued according to such use. NOTHING IN THIS SUBSECTION (5) SHALL
20 BE CONSTRUED TO REQUIRE OR PERMIT THE RECLASSIFICATION OF
21 AGRICULTURAL LAND OR IMPROVEMENTS, INCLUDING RESIDENTIAL
22 PROPERTY, DUE SOLELY TO SUBJECTING THE LAND TO A PERPETUAL
23 CONSERVATION EASEMENT. The actual value of residential real property
24 shall be determined solely by consideration of the market approach to
25 appraisal. A gross rent multiplier may be considered as a unit of
26 comparison within the market approach to appraisal. The valuation for
27 assessment of producing mines and of lands or leaseholds producing oil
28 or gas shall be determined pursuant to articles 6 and 7 of this title.
29

30 **SECTION 3.** 39-22-522, Colorado Revised Statutes, is amended
31 BY THE ADDITION OF A NEW SUBSECTION to read:
32

33 **39-22-522. Credit against tax - conservation easements.**

34 (2.5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, FOR
35 INCOME TAX YEARS COMMENCING DURING THE 2011, 2012, AND 2013
36 CALENDAR YEARS, A TAXPAYER CONVEYING A CONSERVATION EASEMENT
37 IN 2011, 2012, OR 2013 AND CLAIMING A CREDIT PURSUANT TO THIS
38 SECTION SHALL, IN ADDITION TO ANY OTHER REQUIREMENTS OF THIS
39 SECTION, SUBMIT A CLAIM FOR THE CREDIT TO THE DIVISION OF REAL
40 ESTATE IN THE DEPARTMENT OF REGULATORY AGENCIES. THE DIVISION
41 SHALL ISSUE A CERTIFICATE FOR THE CLAIMS RECEIVED IN THE ORDER
42 SUBMITTED. AFTER CERTIFICATES HAVE BEEN ISSUED FOR CREDITS THAT
43 EXCEED AN AGGREGATE OF TWENTY-SIX MILLION DOLLARS FOR ALL
44 TAXPAYERS FOR INCOME TAX YEARS COMMENCING IN EACH OF THE 2011,
45 2012, AND 2013 CALENDAR YEARS, ANY CLAIMS THAT EXCEED THE
46 AMOUNT ALLOWED FOR A SPECIFIED CALENDAR YEAR SHALL BE PLACED
47 ON A WAIT LIST IN THE ORDER SUBMITTED AND A CERTIFICATE SHALL BE
48 ISSUED FOR USE OF THE CREDIT IN 2012 OR 2013. THE DIVISION SHALL NOT
49 ISSUE CREDIT CERTIFICATES THAT EXCEED TWENTY-SIX MILLION DOLLARS
50 FOR EACH INCOME TAX YEAR COMMENCING IN THE 2011, 2012, AND 2013
51 CALENDAR YEARS. NO CLAIM FOR A CREDIT SHALL BE ALLOWED FOR ANY
52 INCOME TAX YEAR COMMENCING DURING THE 2011, 2012, OR 2013
53 CALENDAR YEARS UNLESS A CERTIFICATE HAS BEEN ISSUED BY THE
54 DIVISION. THE RIGHT TO CLAIM THE CREDIT SHALL BE VESTED IN THE
55 TAXPAYER AT THE TIME A CREDIT CERTIFICATE IS ISSUED. THE DIVISION
56 MAY PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24,

1 C.R.S., FOR THE ISSUANCE OF CERTIFICATES IN ACCORDANCE WITH THIS
2 SUBSECTION (2.5).

3
4 **SECTION 4. Act subject to petition - effective date.** This act
5 shall take effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly (August
7 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
8 referendum petition is filed pursuant to section 1 (3) of article V of the
9 state constitution against this act or an item, section, or part of this act
10 within such period, then the act, item, section, or part shall not take effect
11 unless approved by the people at the general election to be held in
12 November 2010 and shall take effect on the date of the official
13 declaration of the vote thereon by the governor."

14
15
16
17 **HB10-1198** be postponed indefinitely.

18
19
20 **HB10-1199** be amended as follows, and as so amended, be referred to
21 the Committee of the Whole with favorable
22 recommendation:
23

24 Amend printed bill, page 2, after line 1 insert:
25

26 "SECTION 1. Article 21 of title 39, Colorado Revised Statutes,
27 is amended BY THE ADDITION OF A NEW SECTION to read:
28

29 **39-21-122. Revenue impact of 2010 tax legislation - tracking**
30 **by department.** THE DEPARTMENT OF REVENUE SHALL ACCOUNT FOR ALL
31 REVENUE ATTRIBUTABLE TO THE ENACTMENT OF HOUSE BILL 10-1199,
32 ENACTED IN 2010, AND SHALL, TO THE EXTENT SUCH INFORMATION IS
33 AVAILABLE, MAKE QUARTERLY REPORTS TO THE GENERAL ASSEMBLY
34 REGARDING THE QUARTERLY AND CUMULATIVE NET REVENUE GAIN TO THE
35 STATE RESULTING FROM THE ENACTMENT OF SAID BILL."

36
37 Renumber succeeding sections accordingly.
38

39 Page 2, line 10, strike "A NET OPERATING LOSS" and substitute "ALL NET
40 OPERATING LOSSES".
41

42 Page 2, strike lines 13 and 14 and substitute: "SUBTRACTING A PORTION
43 OF SUCH NET OPERATING LOSSES FROM THE CORPORATION'S FEDERAL
44 TAXABLE INCOME."
45

46 Page 2, after line 14 insert:
47

48 "(c) AN AMOUNT EQUAL TO THE AMOUNT OF ALL NET OPERATING
49 LOSSES THAT A CORPORATION IS PROHIBITED PURSUANT TO PARAGRAPH (a)
50 OF THIS SUBSECTION (6) FROM SUBTRACTING FROM FEDERAL TAXABLE
51 INCOME MULTIPLIED BY INTEREST AT THE STATUTORY RATE SET FORTH IN
52 SECTION 5-12-101, C.R.S., FOR THE PERIOD DURING WHICH SUCH NET
53 OPERATING LOSS WAS PROHIBITED SHALL BE ADDED TO THE ALLOWABLE
54 NET OPERATING LOSS THAT IS CARRIED FORWARD BY THE CORPORATION,
55 AND, FOR THE PURPOSE OF SECTION 39-22-304 (3) (g), SHALL BE
56 CONSIDERED NET OPERATING LOSS."

1 On motion of Representative Weissmann, **HB10-1189, 1191, 1192, 1193,**
2 **1194, 1195, 1196, 1197, 1199, 1190, 1052, 1110, 1049, 1080, 1095** were
3 made Special Orders on Friday, January 29, 2009, at 2:12 p.m.
4

5
6
7 The hour of 2:12 p.m., having arrived, on motion of Representative Pace,
8 the House resolved itself into Committee of the Whole for consideration
9 of Special Orders and he was called to the Chair to act as Chairman.
10

11
12 **SPECIAL ORDERS--SECOND READING OF BILLS**
13

14 The Committee of the Whole having risen, the Chairman reported the
15 titles of the following bills had been read (reading at length had been
16 dispensed with by unanimous consent), the bills considered and action
17 taken thereon as follows:
18

19 (Amendments to the committee amendment are to the printed committee
20 report which was printed and placed in the members' bill file.)
21

22 **HB10-1189** by Representative(s) Pommer; also Senator(s) Heath--
23 Concerning the elimination of the state sales and use tax
24 exemption for direct mail advertising materials.
25

26 Amendment No. 1, Finance Report, dated January 27, 2010, and placed
27 in member's bill file; Report also printed in House Journal, January 29,
28 page 116.
29

30 Amendment No. 2, Appropriations Report, dated January 27, 2010, and
31 placed in member's bill file; Report also printed in House Journal,
32 January 27, page 96.
33

34 Amendment No. 3, by Representative(s) May.
35

36 Amend the Appropriations Committee Report, dated January 27, 2010,
37 page 1, strike line 1 and insert:
38

39 "Page 2 of the printed bill, line 18, after "(b)" insert "(I)".
40

41 Page 3 of the printed bill, after line 7, insert:
42

43 "(II) NO FUNDING RECEIVED FROM REVENUES RECEIVED AS A
44 RESULT OF THE PASSAGE OF HOUSE BILL 10-1189, ENACTED IN 2010,
45 SHALL BE USED TO FUND ADDITIONAL FULL TIME EQUIVALENT STATE
46 EMPLOYEES."
47

48 Page 1 of the appropriations committee report, line 2, strike
49 ""SECTION" and substitute "SECTION".
50

51 As amended, ordered engrossed and placed on the Calendar for Third
52 Reading and Final Passage.
53

54 **HB10-1191** by Representative(s) Pommer; also Senator(s) Heath--
55 Concerning the narrowing of the existing exemption from
56 the state sales and use taxes for food, and, in connection

therewith, subjecting candy and soft drinks to the state sales and use taxes.

Amendment No. 1, Finance Report, dated January 27, 2010, and placed in member's bill file; Report also printed in House Journal, January 29, page 117.

Amendment No. 2, Appropriations Report, dated January 27, 2010, and placed in member's bill file; Report also printed in House Journal, January 27, pages 96-97.

Amendment No. 3, by Representative(s) May.

Amend the Appropriations Committee Report, dated January 27, 2010, page 1, after line 1 insert:

"SECTION 3. Part 1 of article 75 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

24-75-113. 2010 bills to increase state revenue - prohibition on hiring of new state employees. NO MONEYS DERIVED FROM THE INCREASE IN STATE REVENUES RESULTING FROM THE PASSAGE OF HOUSE BILL 10-1191, ENACTED IN 2010, SHALL BE APPROPRIATED FOR THE PURPOSE OF FUNDING ADDITIONAL FULL TIME EQUIVALENT STATE EMPLOYEES."

Page 1 of the committee report, line 2, strike **"SECTION 3."** and substitute **"SECTION 4."**

Amendment No. 4, by Representative(s) Pommer.

Amend printed bill, page 4, line 21, after "TAXATION." add "ABSENT AN EXPRESS PROVISION IN THE CONTRACT TO THE CONTRARY, ANY VENDING MACHINE CONTRACT THAT REFERENCES THE PRICE AT WHICH PRODUCTS SHALL BE SOLD FROM A VENDING MACHINE SHALL BE INTERPRETED TO INCLUDE ANY APPLICABLE SALES TAX AS AN ADDITION TO THE REFERENCED PRICE."

Amendment No. 5, by Representative(s) Pommer.

Amend printed bill, page 4, line 11, after "DRINKS." add: "FOR ANY RETURN MADE PRIOR TO AUGUST 1, 2010, A PERSON WHO SELLS CANDY OR SOFT DRINKS AT RETAIL SHALL NOT BE LIABLE FOR ANY INTEREST OR OTHER PENALTY IMPOSED AS A RESULT OF AN ERROR MADE IN CONNECTION WITH THE ELIMINATION OF THE EXEMPTION FROM STATE SALES TAX FOR SALES OF CANDY AND SOFT DRINKS, AS DEFINED IN PARAGRAPH (e) OF SUBSECTION (1) OF THIS SECTION, BY HOUSE BILL 10-1191, ENACTED IN 2010."

Page 5, line 19, after "DRINKS." add: "FOR ANY RETURN MADE PRIOR TO AUGUST 1, 2010, A PERSON WHO SELLS CANDY OR SOFT DRINKS AT RETAIL SHALL NOT BE LIABLE FOR ANY INTEREST OR OTHER PENALTY IMPOSED AS A RESULT OF AN ERROR MADE IN CONNECTION WITH THE ELIMINATION OF THE EXEMPTION FROM STATE SALES TAX FOR SALES OF CANDY AND SOFT DRINKS, AS DEFINED IN SUBSECTION (4) OF THIS SECTION, BY HOUSE BILL 10-1191, ENACTED IN 2010."

1 Amendment No. 6, by Representative(s) Pommer.
2
3 Amend printed bill, page 2, line 10, strike "MARCH" and substitute
4 "MAY".
5
6 Page 3, line 8, strike "MARCH" and substitute "MAY".
7
8 Page 4, line 1, strike "MARCH" and substitute "MAY".
9
10 Page 4, line 19, strike "MARCH" and substitute "MAY".
11
12 Page 4, line 25, strike "MARCH" and substitute "MAY".
13
14 Page 5, line 26, strike "MARCH" and substitute "MAY".
15

16
17 Committee in recess. Committee reconvened.
18
19

20 (HB10-1191 Continued)
21

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

25 **HB10-1192** by Representative(s) Pommer; also Senator(s) Heath--
26 Concerning the state sales and use tax of standardized
27 software.
28

29 Amendment No. 1, Finance Report, dated January 27, 2010, and placed
30 in member's bill file; Report also printed in House Journal, January 29,
31 pages 117-118.
32

33 Amendment No. 2, Appropriations Report, dated January 27, 2010, and
34 placed in member's bill file; Report also printed in House Journal,
35 January 27, page 97.
36

37 Amendment No. 3, by Representative(s) May.
38

39 Amend the Appropriations Committee Report, dated January 27, 2010,
40 page 1, after line 1 insert:
41

42 "SECTION 3. Part 1 of article 75 of title 24, Colorado Revised
43 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
44 read:
45

46 **24-75-113. 2010 bills to increase state revenue - prohibition on**
47 **hiring of new state employees.** NO MONEYS DERIVED FROM THE
48 INCREASE IN STATE REVENUES RESULTING FROM THE PASSAGE OF HOUSE
49 BILL 10-1192, ENACTED IN 2010, SHALL BE APPROPRIATED FOR THE
50 PURPOSE OF FUNDING ADDITIONAL FULL TIME EQUIVALENT STATE
51 EMPLOYEES."
52

53 Page 1 of the committee report, line 2, strike ""SECTION 3." and
54 substitute "SECTION 4."
55

1 Amendment No. 4, by Representative(s) Pommer.

2
3 Amend printed bill, page 3, line 4, strike "PURCHASER." and substitute
4 "PURCHASER, UNLESS SUCH STANDARDIZED SOFTWARE IS A DE MINIMIS
5 COMPONENT OF SUCH SOFTWARE."
6

7 Amendment No. 5, by Representative(s) Pommer.

8
9 Amend the printed bill, page 4, strike lines 7 and 8 and substitute:
10

11 **"SECTION 3. Specified effective date - applicability.** This act
12 shall take effect March 1, 2010, and shall apply to sales of standardized
13 software made on or after said date."
14

15 Amendment No. 6, by Representative(s) Gardner B.

16
17 Amend printed bill, page 3, after line 12 insert:

18
19 "(IV) "STANDARDIZED SOFTWARE" EXCLUDES MAINTENANCE
20 AGREEMENTS FOR THE MAINTENANCE OF STANDARDIZED SOFTWARE."
21

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

25 **HB10-1193** by Representative(s) Pommer; also Senator(s) Heath--
26 Concerning the collection of sales and use taxes on sales
27 made by out-of-state retailers.
28

29 Amendment No. 1, Finance Report, dated January 27, 2010, and placed
30 in member's bill file; Report also printed in House Journal, January 29,
31 page 118.
32

33 Amendment No. 2, Appropriations Report, dated January 27, 2010, and
34 placed in member's bill file; Report also printed in House Journal,
35 January 27, pages 97.
36

37 Amendment No. 3, by Representative(s) May.

38
39 Amend the Appropriations Committee Report, dated January 27, 2010,
40 page 1, after line 1 insert:

41
42 **"SECTION 3.** Part 1 of article 75 of title 24, Colorado Revised
43 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
44 read:
45

46 **24-75-113. 2010 bills to increase state revenue - prohibition on**
47 **hiring of new state employees.** NO MONEYS DERIVED FROM THE
48 INCREASE IN STATE REVENUES RESULTING FROM THE PASSAGE OF HOUSE
49 BILL 10-1193, ENACTED IN 2010, SHALL BE APPROPRIATED FOR THE
50 PURPOSE OF FUNDING ADDITIONAL FULL TIME EQUIVALENT STATE
51 EMPLOYEES."
52

53 Page 1 of the committee report, line 2, strike ""**SECTION 3.**" and
54 substitute "**SECTION 4.**".
55

1 Amendment No. 4, by Representative(s) Pommer.

2
3 Amend printed bill, page 4, line 16, strike "FOR" and substitute "TO
4 ENFORCE SUCH SUBPOENA BY ANY APPROPRIATE ORDER, INCLUDING, IF
5 APPROPRIATE,".

6
7 Page 4, strike lines 17 and 18 and substitute "RETAILER AS FOR
8 CONTEMPT, AND UPON HEARING, SAID JUDGE HAS, FOR THE PURPOSE OF".

9
10 As amended, ordered engrossed and placed on the Calendar for Third
11 Reading and Final Passage.

12
13 **HB10-1194** by Representative(s) Ferrandino; also Senator(s) Heath--
14 Concerning the narrowing of the existing exemptions from
15 the state sales and use taxes for articles sold to sellers of
16 items intended for human consumption that are furnished
17 by the sellers to their customers with such items without
18 the addition of a separate charge.

19
20 Amendment No. 1, Finance Report, dated January 27, 2010, and placed
21 in member's bill file; Report also printed in House Journal, January 29,
22 page 119.

23
24 Amendment No. 2, Appropriations Report, dated January 27, 2010, and
25 placed in member's bill file; Report also printed in House Journal,
26 January 27, pages 98.

27
28 Amendment No. 3, by Representative(s) May.

29
30 Amend the Appropriations Committee Report, dated January 27, 2010,
31 page 1, after line 1 insert:

32 "SECTION 2. Part 1 of article 75 of title 24, Colorado Revised
33 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
34 read:

35
36 **24-75-113. 2010 bills to increase state revenue - prohibition on**
37 **hiring of new state employees.** NO MONEYS DERIVED FROM THE
38 INCREASE IN STATE REVENUES RESULTING FROM THE PASSAGE OF HOUSE
39 BILL 10-1194, ENACTED IN 2010, SHALL BE APPROPRIATED FOR THE
40 PURPOSE OF FUNDING ADDITIONAL FULL TIME EQUIVALENT STATE
41 EMPLOYEES."

42
43 Page 1 of the committee report, line 2, strike ""SECTION 2." and
44 substitute "SECTION 3."

45
46 As amended, ordered engrossed and placed on the Calendar for Third
47 Reading and Final Passage.

48
49 **HB10-1195** by Representative(s) Ferrandino; also Senator(s) Heath--
50 Concerning the suspension of the exemption from the state
51 sales and use taxes for certain items used in agricultural
52 production.

53
54 Amendment No. 1, Finance Report, dated January 29, 2010, and placed
55 in member's bill file; Report also printed in House Journal, January 29,
56 page 127.

1 Amendment No. 2, Appropriations Report, dated January 27, 2010, and
2 placed in member's bill file; Report also printed in House Journal,
3 January 27, pages 98.

4
5 Amendment No. 3, by Representative(s) May.

6
7 Amend the Appropriations Committee Report, dated January 27, 2010,
8 page 1, after line 1 insert:

9
10 "SECTION 2. Part 1 of article 75 of title 24, Colorado Revised
11 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
12 read:

13
14 **24-75-113. 2010 bills to increase state revenue - prohibition on**
15 **hiring of new state employees.** NO MONEYS DERIVED FROM THE
16 INCREASE IN STATE REVENUES RESULTING FROM THE PASSAGE OF HOUSE
17 BILL 10-1195, ENACTED IN 2010, SHALL BE APPROPRIATED FOR THE
18 PURPOSE OF FUNDING ADDITIONAL FULL TIME EQUIVALENT STATE
19 EMPLOYEES."

20
21 Page 1 of the committee report, line 2, strike ""SECTION 2." and
22 substitute "SECTION 3."

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

26
27 **HB10-1196** by Representative(s) Ferrandino; also Senator(s) Heath--
28 Concerning the disqualification of category 7 motor
29 vehicles from the state income tax credit for the purchase
30 of vehicles using alternative fuels.

31
32 Amendment No. 1, Finance Report, dated January 29, 2010, and placed
33 in member's bill file; Report also printed in House Journal, January 29,
34 pages 127-128.

35
36 As amended, ordered engrossed and placed on the Calendar for Third
37 Reading and Final Passage.

38
39 **HB10-1197** by Representative(s) Ferrandino; also Senator(s) Heath--
40 Concerning a decrease in the maximum amount of a state
41 income tax credit that may be claimed for the donation of
42 a conservation easement in gross.

43
44 Amendment No. 1, Finance Report, dated January 29, 2010, and placed
45 in member's bill file; Report also printed in House Journal, January 29,
46 page 128-130.

47
48 Amendment No. 2, by Representative(s) Benefield.

49
50 Amend the Finance Committee Report, dated January 29, 2010, page 2,
51 after line 39 insert:

52
53 "SECTION 3. Part 1 of article 21 of title 39, Colorado Revised
54 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
55 read:

56

1 **39-21-122. Revenue impact of 2010 tax legislation - tracking**
2 **by department.** THE DEPARTMENT OF REVENUE SHALL ACCOUNT FOR ALL
3 REVENUE ATTRIBUTABLE TO THE ENACTMENT OF HOUSE BILL 10-1197,
4 ENACTED IN 2010, AND SHALL, TO THE EXTENT SUCH INFORMATION IS
5 AVAILABLE, MAKE QUARTERLY REPORTS TO THE GENERAL ASSEMBLY
6 REGARDING THE QUARTERLY AND CUMULATIVE NET REVENUE GAIN TO THE
7 STATE RESULTING FROM THE ENACTMENT OF SAID BILL."

8
9 Renumber succeeding sections accordingly.

10
11 Amendment No. 3, by Representative(s) Ferrandino.

12
13 Amend the Finance Committee Report, dated January 29, 2010, page 3,
14 after line 28 insert:

15 **"SECTION 3.** Part 7 of article 61 of title 12, Colorado Revised
16 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
17 read:

18
19 **12-61-722. Conservation easement tax credit certificates.**
20 (1) THE DIVISION SHALL RECEIVE CLAIMS FROM AND ISSUE CERTIFICATES
21 TO CERTIFIED CONSERVATION EASEMENT HOLDERS FOR INCOME TAX
22 CREDITS FOR CONSERVATION EASEMENTS DONATED DURING THE 2011,
23 2012, AND 2013 CALENDAR YEARS IN ACCORDANCE WITH THE PROVISIONS
24 OF SECTION 39-22-522 (2.5), C.R.S. NOTHING IN THIS SECTION SHALL BE
25 CONSTRUED TO RESTRICT OR LIMIT THE AUTHORITY OF THE DIVISION TO
26 ENFORCE THE PROVISIONS OF THIS PART 7. THE DIVISION MAY
27 PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S.,
28 FOR THE ISSUANCE OF THE CERTIFICATES. IN PROMULGATING ANY SUCH
29 RULES, THE DIVISION MAY INCLUDE BUT SHALL NOT BE LIMITED TO
30 PROVISIONS GOVERNING THE FOLLOWING:

- 31
32 (a) THE REVIEW OF THE TAX CREDIT CERTIFICATE;
33
34 (b) THE ADMINISTRATION AND FINANCING OF THE CERTIFICATION
35 PROCESS;
36
37 (c) THE NOTIFICATION TO THE PUBLIC REGARDING THE AGGREGATE
38 AMOUNT OF CERTIFICATES THAT HAVE BEEN ISSUED AND THAT ARE ON THE
39 WAIT LIST;
40
41 (d) THE NOTIFICATION TO THE TAXPAYER, THE ENTITY TO WHICH
42 THE EASEMENT WAS GRANTED, AND THE DEPARTMENT OF REVENUE
43 REGARDING THE CERTIFICATES ISSUED; AND
44
45 (e) ANY OTHER MATTERS RELATED TO ADMINISTERING THE
46 PROVISIONS OF SECTION 39-22-522 (2.5), C.R.S."

47
48 As amended, rereferred to the Committee on Appropriations.

49
50 **HB10-1199** by Representative(s) Ferrandino; also Senator(s) Heath--
51 Concerning a temporary limit on the state income tax
52 deduction for a net operating loss.

53
54 Amendment No. 1, Finance Report, dated January 29, 2010, and placed
55 in member's bill file; Report also printed in House Journal, January 29,
56 page 130.

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

2
3 Amend the Finance Committee Report, dated January 29, 2010, page 2,
4 line 1, after "(c)" insert "(I)".

5
6 Page 2 of the report, line 4, strike "INTEREST AT THE STATUTORY RATE SET
7 FORTH IN".

8
9 Page 2 of the report, line 5, strike "SECTION 5-12-101, C.R.S.," and
10 substitute "THE RATE OF INTEREST SET FORTH IN SUBPARAGRAPH (II) OF
11 THIS PARAGRAPH (c)".

12
13 Page 2 of the report, line 6, strike "LOSS WAS" and substitute "LOSSES
14 ARE".

15
16 Page 2 of the report, line 9, strike "LOSS." and substitute "LOSS".

17
18 (II) THE RATE OF INTEREST TO BE APPLIED PURSUANT TO
19 SUBPARAGRAPH (I) OF THIS PARAGRAPH (c) SHALL BE THE PRIME RATE, AS
20 REPORTED BY THE "WALL STREET JOURNAL", PLUS ONE POINT, ROUNDED
21 TO THE NEAREST FULL PERCENT. IN THE EVENT THAT MORE THAN ONE
22 RATE IS SO REPORTED, THE HIGHEST RATE SHALL BE UTILIZED.".

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

26
27 **HB10-1052** by Representative(s) Solano; also Senator(s) Newell--
28 Concerning the recycling resources economic opportunity
29 fund, and, in connection therewith, extending the life of
30 the fund.

31
32 Amendment No. 1, Transportation & Energy Report, dated
33 January 21, 2010, and placed in member's bill file; Report also printed in
34 House Journal, January 22, pages 75.

35
36 Amendment No. 2, by Representative(s) Solano.

37
38 Amend the Transportation and Energy Committee Report, dated January
39 21, 2010, page 1, line 3, strike "9" and substitute "18".

40
41 Page 1 of the report, line 8, strike "2017." and substitute "2017".

42
43 Page 1 of the report, after line 8 add:

44
45 "SECTION 3. 25-16.5-106.5 (1), (2), and (5), Colorado Revised
46 Statutes, are amended to read:

47
48 **25-16.5-106.5. Recycling resources economic opportunity fund**
49 **- creation - repeal.** (1) The recycling resources economic opportunity
50 fund is hereby created in the state treasury, referred to in this section as
51 the "fund". The fund shall consist of moneys collected for the fund
52 pursuant to sections 25-16-104.5 (3.9) (b) and, PRIOR TO JULY 1, 2011,
53 25-17-202 (1) (a) (IV) and credited to the fund in accordance with the
54 provisions of section 25-16-104.5 (3.9) (b), any moneys appropriated to
55 the fund by the general assembly, and all other moneys that may be
56 available to the fund, including moneys made available from gifts, grants,

1 or bequests. All interest derived from the deposit of moneys in the fund
2 shall be credited to the fund. At the end of any fiscal year, all
3 unexpended and unencumbered moneys in the fund shall remain therein
4 and shall not be credited or transferred to the general fund or any other
5 fund.

6
7 (2) Any moneys generated from the imposition of solid waste user
8 fees pursuant to sections 25-16-104.5 (3.9) and, PRIOR TO JULY 1, 2011,
9 25-17-202 (1) (a) (IV) shall be annually appropriated to the department
10 for allocation to the advisory board for the purpose of funding the
11 recycling resources economic opportunity activities authorized by section
12 25-16.5-106.7, as well as any administrative costs associated therewith,
13 including without limitation the grants authorized to be made under
14 section 25-16.5-106.7 (3) and grant program oversight authorized by
15 section 25-16.5-105.5 (3).

16
17 (5) This section is repealed, effective ~~July 1, 2010~~ JULY 1, 2017.

18
19 **SECTION 4.** 25-16.5-106.7 (8), Colorado Revised Statutes, is
20 amended to read:

21
22 **25-16.5-106.7. Recycling resources economic opportunity**
23 **program - grants - loans - definitions.** (8) This section is repealed,
24 effective ~~July 1, 2010~~ JULY 1, 2017.

25
26 **SECTION 5.** The introductory portion to 25-17-202 (1) (a) (IV),
27 Colorado Revised Statutes, is amended to read:

28
29 **25-17-202. Waste tire recycling development fee - cash fund**
30 **created - definition - repeal.** (1) (a) (IV) On and after August 5, 2009,
31 an additional fee of fifty cents shall be collected on the sale of any new
32 tire for any passenger vehicle, including any truck, weighing less than
33 fifteen thousand pounds. In addition, the fee imposed by this
34 subparagraph (IV) shall also be collected on the sale of any new tire for
35 any truck, including any truck tractor, trailer, or semitrailer, weighing
36 more than fifteen thousand pounds; except that no fee shall be collected
37 for tires that are recapped or otherwise reprocessed for use. PRIOR TO
38 JULY 1, 2011, from the moneys collected by the ~~new~~ fee imposed by this
39 subparagraph (IV), fifty percent shall be credited to the recycling
40 resources economic opportunity fund created in section 25-16.5-106.5.
41 ON AND AFTER JULY 1, 2011, FROM THE MONEYS COLLECTED BY THE FEE
42 IMPOSED BY THIS SUBPARAGRAPH (IV), FIFTY PERCENT SHALL BE
43 CREDITED TO THE PROCESSORS AND END USERS OF WASTE TIRES CASH
44 FUND CREATED IN SECTION 25-17-202.5 (1). The remaining fifty percent
45 shall be credited to the waste tire cleanup fund created in section
46 24-32-114 (1), C.R.S., and shall be distributed as follows:

47
48 **SECTION 6.** The introductory portion to 25-17-202.5 (1),
49 Colorado Revised Statutes, is amended to read:

50
51 **25-17-202.5. Processors and end users of waste tires cash fund**
52 **created - repeal.** (1) There is hereby created, in the state treasury, the
53 processors and end users of waste tires cash fund. Such fund shall consist
54 of the fee revenue collected pursuant to ~~section 25-17-202 (1) (a) (III)~~
55 SECTION 25-17-202 (1) (a) (III) AND (1) (a) (IV). Any moneys in the fund
56 not expended or encumbered from any appropriation at the end of any

1 fiscal year shall remain available, without further appropriation, for
2 expenditure in the next fiscal year by the department of local affairs for
3 allocation to the division of local government to be used in the following
4 amounts for the following purposes:".

5
6 Renumber succeeding sections accordingly.

7
8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.

10
11 **HB10-1080** by Representative(s) Lambert; also Senator(s) Sandoval--
12 Concerning the expansion of duties of the legislative
13 emergency epidemic response committee to include
14 preparation for disaster emergencies, and, in connection
15 therewith, changing the name of the committee and
16 allowing the committee to recommend legislation
17 pertaining to the preparedness, response, and recovery by
18 the general assembly in the event of an emergency
19 epidemic or disaster.

20
21 Ordered engrossed and placed on the Calendar for Third Reading and
22 Final Passage.

23
24 **HB10-1049** by Representative(s) Rice and Looper, Balmer, Court,
25 Hullinghorst, King S., May, McNulty, Nikkel, Scanlan,
26 Sonnenberg, Stephens, Summers, Primavera; also
27 Senator(s) Romer and Mitchell, Foster, Hodge, Lundberg,
28 Penry, Shaffer B.--Concerning the franchise rights of
29 motor vehicle dealers.

30
31 Amendment No. 1, Business Affairs & Labor Report, dated
32 January 27, 2010, and placed in member's bill file; Report also printed in
33 House Journal, January 27, pages 93-94..

34
35 Amendment No. 2, by Representative(s) Rice.

36
37 Amend printed bill, page 7, strike lines 9 through 11 and substitute "OF
38 THE MANUFACTURER OR DISTRIBUTOR VOLUNTARILY CREATING A
39 SECURITY INTEREST BEFORE PAYING EXISTING DEBTS OR LIABILITIES OF
40 THE MANUFACTURER OR DISTRIBUTOR."

41
42 As amended, ordered engrossed and placed on the Calendar for Third
43 Reading and Final Passage.

44
45 **HB10-1190** by Representative(s) Pommer; also Senator(s) Heath--
46 Concerning the suspension of the exemption from the state
47 sales and use taxes for fuels used for industrial purposes.

48
49 Amendment No. 1, Finance Report, dated January 27, 2010, and placed
50 in member's bill file; Report also printed in House Journal, January 29,
51 pages 116-117.

52
53 Amendment No. 2, Appropriations Report, dated January 27, 2010, and
54 placed in member's bill file; Report also printed in House Journal,
55 January 27, page 96.

1 Amendment No. 3, by Representative(s) May.

2
3 Amend the Appropriations Committee Report, dated January 27, 2010,
4 page 1, after line 1 insert:

5
6 "SECTION 3. Part 1 of article 75 of title 24, Colorado Revised
7 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
8 read:

9
10 **24-75-113. 2010 bills to increase state revenue - prohibition on**
11 **hiring of new state employees.** NO MONEYS DERIVED FROM THE
12 INCREASE IN STATE REVENUES RESULTING FROM THE PASSAGE OF HOUSE
13 BILL 10-1190, ENACTED IN 2010, SHALL BE APPROPRIATED FOR THE
14 PURPOSE OF FUNDING ADDITIONAL FULL TIME EQUIVALENT STATE
15 EMPLOYEES."

16
17 Page 1 of the committee report, line 2, strike ""SECTION 3." and
18 substitute "SECTION 4."

19
20 Amendment No. 4, by Representative(s) Pommer.

21
22 Amend printed bill, page 2, line 16, strike "AND RAILROAD".

23
24 Page 4, line 3, strike "AND RAILROAD".

25
26 Amendment No. 5, by Representative(s) Pommer.

27
28 Amend printed bill, page 2, line 17, after "BE" insert "DEEMED TO BE
29 WHOLESALE SALES AND SHALL NOT BE".

30
31 Page 3, line 21, after "BE" insert "DEEMED TO BE WHOLESALE SALES AND
32 SHALL NOT BE".

33
34 Amendment No. 6, by Representative(s) Sonnenberg.

35
36 Amend printed bill, page 2, line 14, after "FUEL," insert "NOT INCLUDING
37 FARM FUEL,".

38
39 Page 3, line 27, after "FUEL," insert "NOT INCLUDING FARM FUEL,".

40
41 As amended, laid over until February 1, retaining place on Calendar.

42
43 On motion of Representative Weissmann, the remainder of the Special
44 Orders Calendar (**HB10-1110, 1095**) was laid over until February 1,
45 retaining place on Calendar.

46
47
48
49 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

50
51 Passed Second Reading: **HB10-1189 amended, 1191 amended,**
52 **1192 amended, 1193 amended, 1194 amended, 1195 amended,**
53 **1196 amended, 1199 amended, 1052 amended, 1080, 1049 amended.**

54
55 Laid over until date indicated retaining place on Calendar: **HB10- 1190**
56 **amended, 1110, 1095**--February 1, 2010.

1 Referred to Committee indicated: **HB10-1197 amended**--Appropriations.
 2
 3 The Chairman moved the adoption of the Committee of the Whole
 4 Report. As shown by the following roll call vote, a majority of those
 5 elected to the House voted in the affirmative, and the Report was
 6 **adopted**.

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

REPORT(S) OF COMMITTEE(S) OF REFERENCE

STATE, VETERANS, & MILITARY AFFAIRS

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

36 **HB10-1020** be referred favorably to the Committee on Appropriations.

39 **HB10-1045** be amended as follows, and as so amended, be referred to
 40 the Committee on Appropriations with favorable
 41 recommendation:

43 Amend printed bill, page 2, line 5, after "(8)" insert "(a)".

45 Page 2, strike line 10 and substitute "LICENSE OR IDENTIFICATION CARD
 46 PURPOSES."

48 (b) NO SOONER THAN NOVEMBER 1, 2011, AND NO LATER THAN
 49 JANUARY 1, 2012, THE SECRETARY OF STATE SHALL MAKE AVAILABLE ON
 50 THE SECRETARY OF STATE'S OFFICIAL WEB SITE A LINK TO THE
 51 DEPARTMENT OF REVENUE'S OFFICIAL WEB SITE, WHEREBY AN ELECTOR
 52 MAY CHANGE HIS OR HER ADDRESS INFORMATION FOR STATE INCOME TAX
 53 PURPOSES."

1 **HB10-1116** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4

5
6 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
7

8 The Speaker has signed: **SJR10-003**.
9

10
11
12 **MESSAGE(S) FROM THE SENATE**
13

14 The Senate has passed on Third Reading and transmitted to the Revisor
15 of Statutes: SB10-024, SB10-023, SB10-022.
16

17 The Senate has passed on Third Reading and transmitted to the Revisor
18 of Statutes:
19

20 SB10-021 amended as printed in the Senate Journal, January 28, 2010,
21 page 107.
22

23
24
25 **MESSAGE(S) FROM THE REVISOR**
26

27 We herewith transmit:
28 Without comment, SB10-024, 023, and 022.
29 With comment, SB10-021.
30

31
32
33 **LAY OVER OF CALENDAR ITEM(S)**
34

35 On motion of Representative Weissmann, the following item(s) on the
36 Calendar were(was) laid over until Febraury 1, retaining place on
37 Calendar:
38

39 Consideration of General Orders--**HB10-1047**.
40

41
42
43 On motion of Representative Weissmann, the House adjourned until
44 10:00 a.m., February 1, 2010.
45

46 Approved:
47 TERRANCE D. CARROLL,
48 Speaker

49 Attest:
50 MARILYN EDDINS,
51 Chief Clerk

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

Twentieth Legislative Day

Monday, February 1, 2010

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Allen Pettis, University of Colorado, Denver.

6

7 The roll was called with the following result:

8

9 Present--65.

10

11 The Speaker declared a quorum present.

12

13

14 On motion of Representative Baumgardner, the reading of the journal of
15 January 29, 2010, was declared dispensed with and approved as corrected
16 by the Chief Clerk.

17

18

19

20

21 On motion of Representative Riesberg, the House resolved itself into
22 Committee of the Whole for consideration of Special Orders, and he was
23 called to the Chair to act as Chairman.

24

25

26 **SPECIAL ORDERS--SECOND READING OF BILLS**

27

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

32

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

35

36 **HB10-1190** by Representative(s) Pommer; also Senator(s) Heath--
37 Concerning the suspension of the exemption from the state
38 sales and use taxes for fuels used for industrial purposes,
39 and making an appropriation therefor.

40

41 (Previously amended as printed in House Journal, January 29,
42 pages 140-141.)

43

1 Amendment No. 7, by Representative(s) Summers.

2
3 Amend printed bill, page 4, after line 10, insert:

4
5 "SECTION 3. Part 1 of article 26 of title 39, Colorado Revised
6 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
7 read:

8
9 **39-26-102.4. Inclusion of fuels used for industrial purposes in**
10 **state sales tax base - use revenues generated for**
11 **education.** NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
12 GENERAL ASSEMBLY SHALL APPROPRIATE AT LEAST FORTY PERCENT OF
13 THE AMOUNT OF ANY INCREASE IN NET STATE SALES TAX REVENUES
14 RESULTING FROM THE IMPOSITION OF TAXATION ON ITEMS PREVIOUSLY
15 EXEMPT FROM TAXATION BY HOUSE BILL 10-1190, ENACTED IN 2010, TO
16 INCLUDE STANDARDIZED SOFTWARE FOR THE PURPOSE OF FUNDING
17 PRESCHOOL THROUGH TWELFTH GRADE PUBLIC EDUCATION. SUCH
18 FUNDING SHALL SUPPLEMENT AND NOT SUPPLANT ANY OTHER MONEYS
19 USED FOR SAID PURPOSE."

20
21 Renumber succeeding sections accordingly.

22
23 As amended, ordered engrossed and placed on the Calendar for Third
24 Reading and Final Passage.

25
26 **HB10-1110** by Representative(s) Weissmann; also Senator(s) Morse--
27 Concerning payment of expenses of the legislative
28 department.

29
30 Ordered engrossed and placed on the Calendar for Third Reading and
31 Final Passage.

32
33 **HB10-1095** by Representative(s) Gerou; also Senator(s) Kopp--
34 Concerning a limitation on the authority of a fire
35 protection district to charge fees for providing certain
36 rescue services to those services provided at the scene of
37 a motor vehicle accident.

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

41
42
43
44 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

45
46 Passed Second Reading: **HB10-1190 amended, 1110, 1095.**

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

52

	YES	51	NO	14	EXCUSED	0	ABSENT	0
54	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
55	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
56	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y

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

THIRD READING OF BILLS--FINAL PASSAGE

The following bills were considered on Third Reading. The titles were publicly read. Reading of the bill at length was dispensed with by unanimous consent.

HB10-1189 by Representative(s) Pommer; also Senator(s) Heath-- Concerning the elimination of the state sales and use tax exemption for direct mail advertising materials, and making an appropriation therefor.

The question being "Shall the bill pass?"

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

YES	37	NO	28	EXCUSED	0	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	N	Stephens	N
Court	Y	King S.	N	Nikkel	N	Summers	N
Curry	Y	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	N	Priola	N	Vaad	N
Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
Gardner B.	N	May	N	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
						Speaker	Y

Co-sponsors added: Representatives Benefield, Frangas, Gagliardi, Judd, Kagan, Labuda, Levy, Merrifield, Middleton, Weissmann.

1 **HB10-1191** by Representative(s) Pommer; also Senator(s) Heath--
 2 Concerning the narrowing of the existing exemption from
 3 the state sales and use taxes for food, and, in connection
 4 therewith, subjecting candy and soft drinks to the state
 5 sales and use taxes, and making an appropriation therefor.
 6

7 The question being "Shall the bill pass?".
 8 A roll call vote was taken. As shown by the following recorded vote, a
 9 majority of those elected to the House voted in the affirmative and the bill
 10 was declared **passed**.
 11

	YES	36	NO	29	EXCUSED	0	ABSENT	0
13	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
14	Apuan	N	Hullinghorst	Y	McKinley	N	Scanlan	Y
15	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
16	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
17	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
18	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
19	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
20	Court	Y	King S.	N	Nikkel	N	Summers	N
21	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
22	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
23	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
24	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
25	Frangas	Y	Looper	N	Priola	N	Vaad	N
26	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
27	Gardner B.	N	May	N	Riesberg	Y	Waller	N
28	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Benefield, Frangas, Hullinghorst, Judd,
 31 Kagan, Labuda, Levy, Merrifield, Middleton, Schafer S., Todd, Tyler.
 32
 33

34 **HB10-1192** by Representative(s) Pommer; also Senator(s) Heath--
 35 Concerning the state sales and use tax of standardized
 36 software, and making an appropriation therefor.
 37

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

	YES	35	NO	30	EXCUSED	0	ABSENT	0
44	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
46	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
47	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
49	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
50	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
51	Court	Y	King S.	N	Nikkel	N	Summers	N
52	Curry	N	Labuda	Y	Pace	Y	Swalm	N
53	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
54	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
56	Frangas	Y	Looper	N	Priola	N	Vaad	N

1	Gagliardi	Y	Massey	N	Rice	N	Vigil	Y
2	Gardner B.	N	May	N	Riesberg	Y	Waller	N
3	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Hullinghorst, Judd, Labuda, Merrifield.

6
7 **HB10-1193** by Representative(s) Pommer; also Senator(s) Heath--
8 Concerning the collection of sales and use taxes on sales
9 made by out-of-state retailers, and making an
10 appropriation therefor.

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

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

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

35 Co-sponsor(s) added: Representative(s) Benefield, Hullinghorst, Judd, Labuda,
36 Merrifield.

37
38 **HB10-1194** by Representative(s) Ferrandino; also Senator(s) Heath--
39 Concerning the narrowing of the existing exemptions from
40 the state sales and use taxes for articles sold to sellers of
41 items intended for human consumption that are furnished
42 by the sellers to their customers with such items without
43 the addition of a separate charge, and making an
44 appropriation therefor.

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

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

51	YES	34	NO	30	EXCUSED	1	ABSENT	0
52	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
53	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
54	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
55	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
56	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N

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

13 Representative Weissmann excused from voting under House Rule 21(c).

14 Co-sponsor(s) added: Representative(s) Benefield, Frangas, Judd, Labuda.

15
16 **HB10-1195** by Representative(s) Ferrandino; also Senator(s) Heath--
17 Concerning the suspension of the exemption from the state
18 sales and use taxes for certain items used in agricultural
19 production, and making an appropriation therefor.
20

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

22 A roll call vote was taken. As shown by the following recorded vote, a
23 majority of those elected to the House voted in the affirmative and the bill
24 was declared **passed**.
25

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

44 Co-sponsor(s) added: Representative(s) Frangas, Judd, Labuda.

45
46 **HB10-1196** by Representative(s) Ferrandino; also Senator(s) Heath--
47 Concerning the disqualification of category 7 motor
48 vehicles from the state income tax credit for the purchase
49 of vehicles using alternative fuels.
50

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

52 A roll call vote was taken. As shown by the following recorded vote, a
53 majority of those elected to the House voted in the affirmative and the bill
54 was declared **passed**.
55

	YES	38	NO	27	EXCUSED	0	ABSENT	0
1								
2	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
5	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
7	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
9	Court	Y	King S.	N	Nikkel	N	Summers	N
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
11	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	N	Priola	N	Vaad	N
15	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
16	Gardner B.	N	May	N	Riesberg	Y	Waller	N
17	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Benefield, Judd, Labuda, Weissmann.

20
21 **HB10-1199** by Representative(s) Ferrandino; also Senator(s) Heath--
22 Concerning a temporary limit on the state income tax
23 deduction for a net operating loss.
24

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

26 A roll call vote was taken. As shown by the following recorded vote, a
27 majority of those elected to the House voted in the affirmative and the bill
28 was declared **passed**.
29

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

48 Co-sponsor(s) added: Representative(s) Benefield, Frangas, Hullinghorst, Judd,
49 Kagan, Labuda, Levy.
50

51
52 **HB10-1052** by Representative(s) Solano; also Senator(s) Newell--
53 Concerning the recycling resources economic opportunity
54 fund, and, in connection therewith, extending the life of
55 the fund.
56

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

	YES	57	NO	8	EXCUSED	0	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	N
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Court, Fischer,
 25 Hullinghorst, Kerr A., Levy, Middleton, Pommer, Scanlan, Schafer S., Todd,
 26 Tyler, Vigil.

27
 28 **HB10-1080** by Representative(s) Lambert; also Senator(s) Sandoval--
 29 Concerning the expansion of duties of the legislative
 30 emergency epidemic response committee to include
 31 preparation for disaster emergencies, and, in connection
 32 therewith, changing the name of the committee and
 33 allowing the committee to recommend legislation
 34 pertaining to the preparedness, response, and recovery by
 35 the general assembly in the event of an emergency
 36 epidemic or disaster.

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
44	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
46	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
47	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
49	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
50	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
51	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
52	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
53	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
54	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
56	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y

1	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
2	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
3	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Gagliardi, Kerr J., Labuda, Schafer S.,
6 Todd.

7
8 **HB10-1049** by Representative(s) Rice and Looper, Balmer, Court,
9 Hullinghorst, King S., May, McNulty, Nikkel, Scanlan,
10 Sonnenberg, Stephens, Summers, Primavera; also
11 Senator(s) Romer and Mitchell, Foster, Hodge, Lundberg,
12 Penry, Shaffer B.--Concerning the franchise rights of
13 motor vehicle dealers.

14
15 The question being "Shall the bill pass?".
16 A roll call vote was taken. As shown by the following recorded vote, a
17 majority of those elected to the House voted in the affirmative and the bill
18 was declared **passed**.

19								
20	YES	60	NO	5	EXCUSED	0	ABSENT	0
21	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
22	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
23	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
24	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
25	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
26	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
27	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
28	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
29	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
30	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
31	Ferrandino	Y	Levy	N	Pommer	N	Todd	Y
32	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
33	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
34	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
35	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
36	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
37							Speaker	Y

38 Co-sponsor(s) added: Representative(s) Apuan, Baumgardner, Casso,
39 DelGrosso, Fischer, Gardner B., Gerou, Kagan, Kerr J., Lambert, Liston,
40 Massey, Middleton, Priola, Ryden, Schafer S., Tipton, Todd, Waller, Speaker.

MESSAGE(S) FROM THE SENATE

45
46 The Senate has passed on Third Reading and transmitted to the Revisor
47 of Statutes:

48
49 SB10-109 amended as printed in the Senate Journal, January 29, 2010,
50 pages 118-120.

51
52 SB10-001 amended as printed in the Senate Journal, January 29, 2010,
53 page 118 and pages 121 -122 and as printed in the Senate
54 Journal, February 1, 2010.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, as amended, SB10-001 and 109.

**INTRODUCTION OF BILLS
First Reading**

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

HB10-1213 by Representative(s) Acree, Roberts; also Senator(s) Keller--Concerning the elimination of an individualized plan for a person with developmental disabilities who is on the waiting list for services.
Committee on Health and Human Services

HB10-1214 by Representative(s) McCann; also Senator(s) Schwartz--Concerning financial support for efforts to reduce the overpopulation of pets, and, in connection therewith, authorizing the issuance of an adopt a shelter pet license plate.
Committee on Agriculture, Livestock, & Natural Resources
Committee on Transportation & Energy

HB10-1215 by Representative(s) Waller, Baumgardner, McCann, Miklosi, Nikkel, Priola; also Senator(s) Scheffel--Concerning the use of cash bond deposits after the discharge of the bond to satisfy outstanding court-ordered debts.
Committee on Judiciary

HB10-1216 by Representative(s) Riesberg--Concerning the administration of medications by health care providers.
Committee on Health and Human Services

HB10-1217 by Representative(s) McKinley, McFadyen, Looper, Pace, Vigil--Concerning the repeal of the authority of the executive director of the department of human services to sell the Trinidad state nursing home.
Committee on Health and Human Services

HB10-1218 by Representative(s) Waller, Bradford, Liston, Looper, Nikkel, Priola; also Senator(s) Newell--Concerning information in the central registry of protection orders.
Committee on Judiciary

HB10-1219 by Representative(s) Vaad; also Senator(s) Penry--Concerning authorization for the sale of correctional facilities owned by the department of corrections.
Committee on Judiciary

SB10-010 by Senator(s) Boyd, Sandoval; also Representative(s) Kefalas--Concerning authorizing the department of human

- 1 services to use a portion of existing appropriations to
2 conduct an independent evaluation of the statewide
3 strategic use fund.
4 Committee on Health and Human Services
5
- 6 **SB10-014** by Senator(s) Tochtrop, Boyd; also Representative(s)
7 Solano, Labuda--Concerning changes to the demonstration
8 programs for system of care family advocates.
9 Committee on Health and Human Services
10
- 11 **SB10-018** by Senator(s) King K., Johnston; also Representative(s)
12 Merrifield, Massey, Middleton, Scanlan--Concerning the
13 school awards program fund.
14 Committee on Education
15
- 16 **SB10-021** by Senator(s) Morse, Lundberg, Tochtrop, Williams; also
17 Representative(s) Labuda, Benefield, Gardner B., King S.,
18 Liston, Peniston, Schafer S., Waller--Concerning a
19 volunteer firefighter pension plan.
20 Committee on Business Affairs and Labor
21
- 22 **SB10-022** by Senator(s) Morse, Lundberg, Tochtrop, Williams; also
23 Representative(s) Riesberg and King S., Benefield,
24 Gardner B., Labuda, Liston, Peniston, Schafer S., Waller--
25 Concerning a member-approved increase in the member
26 contribution rate to the statewide defined benefit plan
27 administered by the fire and police pension association.
28 Committee on Business Affairs and Labor
29
- 30 **SB10-023** by Senator(s) Williams, Lundberg, Morse, Tochtrop; also
31 Representative(s) Riesberg and Liston, Benefield, Gardner
32 B., King S., Labuda, Peniston, Schafer S., Waller--
33 Concerning the discretion of the board of directors of the
34 fire and police pension association to adopt rules regarding
35 the return to work by a member participating in the
36 defined benefit system of the association who elects
37 retirement.
38 Committee on Business Affairs and Labor
39
- 40 **SB10-024** by Senator(s) Tochtrop, Lundberg, Morse, Williams; also
41 Representative(s) Labuda, Benefield, Gardner B., King S.,
42 Liston, Peniston, Riesberg, Schafer S., Waller--
43 Concerning the repeal of the authority of the board of
44 directors of the fire and police pension association to
45 affiliate with a local money purchase pension plan.
46 Committee on Business Affairs and Labor
47
- 48 **SB10-031** by Senator(s) Scheffel; also Representative(s) Rice--
49 Concerning a prohibition against the inclusion of facilities
50 that offer gambling-related activities in a regional tourism
51 project for purposes of the "Colorado Regional Tourism
52 Act".
53 Committee on Business Affairs and Labor
54 Committee on State, Veterans, & Military Affairs
55

- 1 **SB10-037** by Senator(s) Kester; also Representative(s) Casso--
2 Concerning an increase in the amounts payable from the
3 horse breeders' and owners' awards and supplemental
4 purse fund for costs of administration.
5 Committee on Agriculture, Livestock, & Natural Resources
6
- 7 **SB10-038** by Senator(s) Hodge; also Representative(s) Fischer--
8 Concerning the "organic certification act", and, in
9 connection therewith, authorizing the commissioner of
10 agriculture to contract with independent organics
11 inspectors and altering the composition of the organic
12 certification advisory board.
13 Committee on Agriculture, Livestock, & Natural Resources
14
- 15 **SB10-043** by Senator(s) White; also Representative(s) Pommer--
16 Concerning the repeal date of the office of the child's
17 representative.
18 Committee on Judiciary
19
- 20 **SB10-047** by Senator(s) King K.; also Representative(s) Looper--
21 Concerning rights relating to the disposition of the last
22 remains of members of the armed forces.
23 Committee on State, Veterans, & Military Affairs
24
- 25 **SB10-049** by Senator(s) Sandoval, Bacon, Hudak, Steadman,
26 Tochtrop; also Representative(s) Benefield, Frangas,
27 Hullinghorst--Concerning the liability limits applicable to
28 the life and health insurance protection association, and, in
29 connection therewith, increasing the liability limits for
30 annuity benefits, structured settlement annuities, and long-
31 term care benefits.
32 Committee on Business Affairs and Labor
33
- 34 **SB10-052** by Senator(s) Brophy, Hodge; also Representative(s)
35 Curry--Concerning the ability of the groundwater
36 commission to alter the boundaries of a designated
37 groundwater basin.
38 Committee on Agriculture, Livestock, & Natural Resources
39
- 40 **SB10-053** by Senator(s) Foster; also Representative(s) Acree--
41 Concerning the exception of weighted votes from voting
42 requirements governing the board of directors of a
43 metropolitan sewage disposal district.
44 Committee on Local Government
45

NOTICE OF CALENDARED ITEM(S)

46
47
48
49
50 On motion of Representative Weissmann, the following bill(s) calendared
51 for Second Reading on February 2, will be laid over until
52 February 3, 2010: **HB10-1064, 1059, 1023, 1065, 1090, 1117, 1116.**
53
54
55
56

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar were(was) laid over until February 3, retaining place on Calendar:

Consideration of General Orders--**HB10-1099, 1003, 1016, 1085, 1141, 1144.**

On motion of Representative Weissmann, the following item(s) on the Calendar were(was) laid over until February 8, retaining place on Calendar: **HB10-1047.**

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., February 2, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Twenty-first Legislative Day

Tuesday, February 2, 2010

1 Prayer by Pastor Paul Howard, Redemption Fellowship, Denver.

2

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

4

5 Pledge of Allegiance led by Andrew Vallee, Denver University.

6

7 The roll was called with the following result:

8

9 Present--64.

10 Excused--Representative(s) Looper--1.

11

12 The Speaker declared a quorum present.

13

14

15 On motion of Representative Baumgardner, the reading of the journal of
16 February 1, 2010, was declared dispensed with and approved as corrected
17 by the Chief Clerk.

18

19

20

21

22

THIRD READING OF BILLS--FINAL PASSAGE

23

24 The following bills were considered on Third Reading. The titles were
25 publicly read. Reading of the bill at length was dispensed with by
26 unanimous consent.

27

28 **HB10-1190** by Representative(s) Pommer; also Senator(s) Heath--
29 Concerning the suspension of the exemption from the state
30 sales and use taxes for fuels used for industrial purposes,
31 and making an appropriation therefor.

32

33 Laid over until February 3, retaining place on Calendar.

34

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

38

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

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

43

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

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

20
 21 **HB10-1095** by Representative(s) Gerou; also Senator(s) Kopp--
 22 Concerning a limitation on the authority of a fire
 23 protection district to charge fees for providing certain
 24 rescue services to those services provided at the scene of
 25 a motor vehicle accident.

26
 27 The question being "Shall the bill pass?".

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

	YES	63	NO	1	EXCUSED	1	ABSENT	0
31								
32								
33	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
35	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
38	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	E	Priola	Y	Vaad	Y
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
48	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
49							Speaker	Y

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

51
 52
 53
 54 House in recess. House reconvened.
 55
 56

REPORT(S) OF COMMITTEE(S) OF REFERENCE**EDUCATION**

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

HB10-1026 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 4, line 9, before "SYSTEM" insert "AND QUALITY IMPROVEMENT".

Page 4, line 13, strike "FUNCTIONS" and substitute "FUNCTIONS, INCLUDING BUT NOT LIMITED TO PURSUING QUALITY RATINGS OR ACCREDITATION,".

Page 5, line 12, strike "AND THE".

Page 5, line 13, strike "AWARDS; AND" and substitute "AWARDS, AND ACCEPTABLE USES OF GRANT AWARDS, INCLUDING BUT NOT LIMITED TO ASSISTANCE FOR PURSUING A QUALITY RATING OR ACCREDITATION; AND".

HB10-1040 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 2, line 15, after "COLLEGEINVEST" insert "OR ANY SUCCESSOR ORGANIZATION".

Page 3, line 27, after "LEARNER;" insert "EXCEPT THAT ANY EMPLOYER MATCHING CONTRIBUTION SHALL BE SUBTRACTED FROM FEDERAL TAXABLE INCOME PURSUANT TO SECTION 39-22-104 (4) (o), C.R.S.;".

Page 4, after line 24 insert:

"SECTION 6. 39-22-104 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

39-22-104. Income tax imposed on individuals, estates, and trusts - single rate - definitions - repeal. (4) There shall be subtracted from federal taxable income:

(o) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2011, AN AMOUNT EQUAL TO ANY AMOUNT RECEIVED AS EMPLOYER MATCHING CONTRIBUTIONS TO A LIFELONG LEARNER'S INDIVIDUAL TRUST ACCOUNT OR SAVINGS ACCOUNT MADE PURSUANT TO PART 3 OF ARTICLE 3.1 OF TITLE 23, C.R.S."

Renumber succeeding section accordingly.

1 **HEALTH & HUMAN SERVICES**

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

4
5 **HB10-1004** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 2, strike lines 7 through 9 and substitute "RULES
10 TO STANDARDIZE THE POLICY FORMS FOR HEALTH BENEFIT PLANS,
11 LIMITED".

12
13 Page 2, line 10, strike "A", and strike "PLAN." and substitute "PLANS".

14
15 Page 2, line 14, after "CONSUMERS," insert "HEALTH CARE PROVIDERS,".

16
17 Page 2, line 17, strike "ISSUED, RENEWED," and substitute "ISSUED".

18
19 Page 2, line 24, after "CONSUMERS," insert "HEALTH CARE PROVIDERS,".
20
21
22

23 **HB10-1043** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:
26

27 Amend printed bill, page 2, strike lines 2 through 19.

28
29 Strike pages 3 through 7.
30

31 Page 8, strike lines 1 through 5 and substitute:
32

33 "SECTION 1. 25.5-5-101 (4), Colorado Revised Statutes, is
34 amended BY THE ADDITION OF A NEW PARAGRAPH to read:
35

36 **25.5-5-101. Mandatory provisions - eligible groups.**

37 (4) (c) SUBJECT TO THE RECEIPT OF ANY NECESSARY FEDERAL APPROVAL
38 AND PURSUANT TO 42 U.S.C. SEC. 1396a (r) (2) AND 42 U.S.C. SEC.
39 1396u-1 (b) (2) (C), FOR THE GROUPS DESCRIBED IN PARAGRAPHS (a) TO
40 (c) OF SUBSECTION (1) OF THIS SECTION, THE STATE BOARD SHALL
41 DEVELOP AN INCOME- AND RESOURCE-COUNTING METHOD TO REPLACE
42 THE METHOD USED UNDER THE AID TO FAMILIES WITH DEPENDENT
43 CHILDREN PROGRAM PURSUANT TO RULES THAT WERE IN EFFECT ON JULY
44 16, 1996. THE INCOME- AND RESOURCE-COUNTING METHOD SHALL BE:
45

46 (I) NO MORE RESTRICTIVE THAN THE METHOD USED UNDER THE
47 AID TO FAMILIES WITH DEPENDENT CHILDREN PURSUANT TO THE RULES
48 THAT WERE IN EFFECT ON JULY 16, 1996; AND
49

50 (II) NO LESS RESTRICTIVE THAN THE METHOD USED TO DETERMINE
51 ELIGIBILITY FOR OTHER COVERED GROUPS UNDER SUBSECTION (1) OF THIS
52 SECTION AND SECTIONS 25.5-5-201, 25.5-5-204, 25.5-5-204.5, AND
53 25.5-5-205.
54

55 **SECTION 2.** 25.5-5-201 (5), Colorado Revised Statutes, is
56 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

25.5-5-201. Optional provisions - optional groups - repeal.

(5) (c) SUBJECT TO THE RECEIPT OF ANY NECESSARY FEDERAL APPROVAL AND PURSUANT TO 42 U.S.C. SEC. 1396a (r) (2) AND 42 U.S.C. SEC. 1396u-1 (b) (2) (C), FOR THE GROUPS DESCRIBED IN PARAGRAPHS (d) AND (e) OF SUBSECTION (1) OF THIS SECTION, THE STATE BOARD SHALL DEVELOP AN INCOME- AND RESOURCE-COUNTING METHOD TO REPLACE THE METHOD USED UNDER THE AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM PURSUANT TO RULES THAT WERE IN EFFECT ON JULY 16, 1996. THE INCOME- AND RESOURCE-COUNTING METHOD SHALL BE:

(I) NO MORE RESTRICTIVE THAN THE METHOD USED UNDER THE AID TO FAMILIES WITH DEPENDENT CHILDREN PURSUANT TO THE RULES THAT WERE IN EFFECT ON JULY 16, 1996; AND

(II) NO LESS RESTRICTIVE THAN THE METHOD USED TO DETERMINE ELIGIBILITY FOR OTHER COVERED GROUPS UNDER SUBSECTION (1) OF THIS SECTION AND SECTIONS 25.5-5-101, 25.5-5-204, 25.5-5-204.5, AND 25.5-5-205.

SECTION 3. 25.5-5-202 (1) (r), Colorado Revised Statutes, is amended to read:

25.5-5-202. Basic services for the categorically needy - optional services - repeal. (1) Subject to the provisions of subsection (2) of this section, the following are services for which federal financial participation is available and which Colorado has selected to provide as optional services under the medical assistance program:

(r) For any pregnant woman who is enrolled OR ELIGIBLE for services pursuant to section 25.5-5-101 (1) (c) OR 25.5-5-205, ~~or who would be eligible for aid to families with dependent children pursuant to rules in effect on July 16, 1996,~~ alcohol and drug and addiction counseling and treatment, including outpatient and residential care but not including room and board while receiving residential care;

SECTION 4. 25.5-5-205 (3) (a) and (3) (c) (I), Colorado Revised Statutes, are amended to read:

25.5-5-205. Baby and kid care program - creation - eligibility.

(3) (a) On and after April 1, 1990, children under the age of six years and pregnant women shall be eligible for benefits under the baby and kid care program; except that, for the purpose of eligibility under this subsection (3) only:

(I) Such individual's family income shall exceed the eligibility threshold used in determining eligibility for aid to families with dependent children assistance pursuant to rules in effect on July 16, 1996, AND THE METHOD ADOPTED BY THE STATE BOARD PURSUANT TO SECTIONS 25.5-5-101 (4) (c) AND 25.5-5-201 (5) (c), but shall not exceed the equivalent of the percentage level of the federal poverty line that is specified pursuant to paragraph (b) of this subsection (3);

(II) (A) ~~Except as otherwise provided in sub-subparagraph (B) of this subparagraph (II), children under six years of age shall meet the income standard used to determine eligibility for aid to families with dependent children assistance except as provided in this subsection (3).~~

1 (B) ~~Pregnant women shall meet the income standard used to~~
2 ~~determine eligibility for aid to families with dependent children~~
3 ~~assistance, except as provided in this subsection (3).~~ No resource
4 standard shall be applied to pregnant women as a condition of eligibility.
5 Once initial eligibility has been established for a pregnant woman under
6 this subsection (3), she shall be considered to be continuously eligible
7 throughout the pregnancy and for the sixty days following the pregnancy,
8 even if the woman's eligibility would otherwise terminate during such
9 period due to an increase in income. A child born to a woman eligible for
10 assistance pursuant to this subsection (3) shall be eligible for medical
11 assistance until the child attains one year of age so long as the infant
12 remains in the eligible woman's household and the woman would be
13 eligible for assistance if she were pregnant.

14
15 (c) (I) On and after July 1, 1991, children born after September
16 30, 1983, who have attained age six but have not attained age nineteen
17 shall be eligible for benefits under the baby and kid care program; except
18 that, for the purpose of eligibility under this paragraph (c) only, such
19 individual's family income shall exceed the eligibility threshold used in
20 determining eligibility for aid to families with dependent children
21 assistance pursuant to rules in effect on July 16, 1996, AND THE METHOD
22 ADOPTED BY THE STATE BOARD PURSUANT TO SECTIONS 25.5-5-101 (4) (c)
23 AND 25.5-5-201 (5) (c), but shall not exceed the equivalent of the
24 percentage level of the federal poverty line that is specified pursuant to
25 subparagraph (II) of this paragraph (c).

26
27 **SECTION 5.** 25.5-5-301 (4), Colorado Revised Statutes, is
28 amended to read:

29
30 **25.5-5-301. Clinic services.** (4) "Clinic services" also means
31 preventive, diagnostic, therapeutic, rehabilitative, or palliative items or
32 services that are furnished to a pregnant woman who is enrolled OR
33 ELIGIBLE for services pursuant to section 25.5-5-101 (1) (c) OR 25.5-5-205
34 ~~or who is eligible for aid to families with dependent children pursuant to~~
35 ~~rules in effect on July 16, 1996,~~ in a facility ~~which~~ THAT is not a part of
36 a hospital but is organized and operated as a freestanding alcohol or drug
37 treatment program approved and licensed by the division of alcohol and
38 drug abuse of the department of human services pursuant to section
39 25-1-207 (1) (c), C.R.S.

40
41 **SECTION 6.** 25.5-5-309 (1), Colorado Revised Statutes, is
42 amended to read:

43
44 **25.5-5-309. Pregnant women - needs assessment - referral to**
45 **treatment program.** (1) The health care practitioner for each pregnant
46 woman who is enrolled OR ELIGIBLE for services pursuant to section
47 25.5-5-101 (1) (c) OR 25.5-5-205 ~~or who would be eligible for aid to~~
48 ~~families with dependent children pursuant to rules in effect on July 16,~~
49 ~~1996,~~ shall be encouraged to identify as soon as possible after such
50 woman is determined to be pregnant whether such woman is at risk of a
51 poor birth outcome due to substance abuse during the prenatal period and
52 in need of special assistance in order to reduce such risk. If the health
53 care practitioner makes such a determination regarding any pregnant
54 woman, the health care practitioner shall be encouraged to refer such
55 woman to any entity approved and licensed by the department of human
56 services for the performance of a needs assessment. Any pregnant

1 woman who is eligible for services pursuant to section 25.5-5-205 ~~or who~~
2 ~~would be eligible for aid to families with dependent children pursuant to~~
3 ~~rules in effect on July 16, 1996,~~ may refer herself for such needs
4 assessment."

5
6
7
8 **HB10-1048** be referred favorably to the Committee on Appropriations.

9
10
11 **HB10-1070** be postponed indefinitely.
12
13
14
15

16 **JUDICIARY**

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

19
20 **HB10-1112** be amended as follows, and as so amended, be referred to
21 the Committee of the Whole with favorable
22 recommendation:
23

24 Amend printed bill, page 6, line 3, strike "SHALL" and substitute "IS
25 ENCOURAGED TO".
26

27 Page 7, strike lines 8 and 9 and substitute "VOCATIONAL PROGRAM TO
28 ANOTHER FACILITY, THE DEPARTMENT IS ENCOURAGED TO GIVE THE
29 OFFENDER PRIORITY FOR PLACEMENT IN A COMPARABLE EDUCATIONAL
30 OR".
31

32 Page 8, line 2, strike "FAILURE;" and substitute "NONCOMPLETION;".
33

34 Page 8, strike lines 3 through 7.
35

36 Reletter succeeding paragraphs accordingly.
37

38 Page 8, line 12, after "DEPARTMENT;" insert "AND".
39

40 Page 8, strike lines 13 through 22.
41

42 Reletter succeeding paragraph accordingly.
43
44
45

46 **HB10-1120** be postponed indefinitely.
47
48
49

50
51 **PRINTING REPORT**
52

53 The Chief Clerk reports the following bills have been correctly printed:
54 **HB10-1213, 1214, 1215, 1216, 1217, 1218, 1219.**
55
56

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB10-055.

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

SB10-015 amended as printed in Senate Journal, February 1, 2010, page 134.

SB10-034 amended as printed in Senate Journal, February 1, 2010, pages 134 -135.

SB10-042 amended as printed in Senate Journal, February 1, 2010, page 135.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, SB10-055.

Without comment, as amended, SB10-015, 034 and 042.

INTRODUCTION OF BILLS
First Reading

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

HB10-1220 by Representative(s) Priola, Liston, Rice, Stephens; also Senator(s) Schwartz--Concerning the sunset review of the functions of the division of insurance related to the regulation of specified lines of insurance, and, in connection therewith, continuing the functions of the division related to the regulation of property and casualty, automobile, and other insurers that do not offer health, life, property, casualty, or automobile insurance through July 1, 2017; consolidating the sunset review of all functions of the division of insurance other than those related to the licensing of bail bonding agents; and implementing other recommendations contained in the sunset report.

Committee on Business Affairs and Labor

HB10-1221 by Representative(s) Curry; also Senator(s) Schwartz--Concerning the continuation of the licensing of river outfitters by the board of parks and outdoor recreation, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.

Committee on Agriculture, Livestock, & Natural Resources

- 1 **HB10-1222** by Representative(s) Middleton; also Senator(s)
2 Carroll M.--Concerning continuation of the requirement
3 that a collection agency maintain an office in Colorado.
4 Committee on Business Affairs and Labor
5
- 6 **HB10-1223** by Representative(s) Baumgardner, Fischer, Hulinghorst,
7 Looper, Pace, Ryden, Vigil; also Senator(s) Whitehead--
8 Concerning the continuation of the forestry advisory
9 board, and, in connection therewith, repealing the forestry
10 advisory board.
11 Committee on Agriculture, Livestock, & Natural Resources
12
- 13 **HB10-1224** by Representative(s) Gerou and Gagliardi, Primavera,
14 Riesberg, Tyler; also Senator(s) Boyd--Concerning the
15 continuation of the Colorado podiatry board.
16 Committee on Health and Human Services
17
- 18
- 19 **HB10-1225** by Representative(s) Soper; also Senator(s) Tochtrop--
20 Concerning continuation of the regulation of electrical
21 work by the state electrical board.
22 Committee on Business Affairs and Labor
23
- 24 **HB10-1226** by Representative(s) Kefalas; also Senator(s) Spence--
25 Concerning an alternative approach for a county
26 department of social services to use in addressing certain
27 intrafamilial child abuse or neglect cases.
28 Committee on Health and Human Services
29
- 30 **HB10-1227** by Representative(s) DelGrosso; also Senator(s) Tochtrop--
31 Concerning compliance with financial responsibility
32 requirements of the "Health Care Availability Act" by
33 maintaining insurance through approved nonadmitted
34 insurers authorized by law to insure in Colorado.
35 Committee on Business Affairs and Labor
36
- 37 **HB10-1228** by Representative(s) Benefield, Ferrandino, Primavera;
38 also Senator(s) Hudak--Concerning the responsibility of
39 the state personnel director to remove ineligible
40 dependents from group benefit plans.
41 Committee on State, Veterans, & Military Affairs
42
- 43 **HB10-1229** by Representative(s) Pace, Riesberg; also Senator(s)
44 Newell--Concerning authentication requirements for
45 verbal orders in a hospital.
46 Committee on Health and Human Services
47
- 48 **HB10-1230** by Representative(s) Gardner B.; also Senator(s) Hodge--
49 Concerning the "Uniform Debt-Management Services
50 Act".
51 Committee on Business Affairs and Labor
52
- 53 **HB10-1231** by Representative(s) Sonnenberg; also Senator(s)
54 Tochtrop--Concerning the regulation of conveyances.
55 Committee on Business Affairs and Labor
56

- 1 **HB10-1232** by Representative(s) Baumgardner--Concerning school
2 vehicles.
3 Committee on Education
4
- 5 **HB10-1233** by Representative(s) Ryden; also Senator(s) Newell--
6 Concerning the relocation of the crime of stalking in the
7 Colorado Revised Statutes.
8 Committee on Judiciary
9
- 10 **HB10-1234** by Representative(s) Primavera--Concerning the fair
11 settlement of claims for benefits under an insurance
12 policy.
13 Committee on Judiciary
14
- 15 **HB10-1235** by Representative(s) Levy, Gardner B., Kagan, Labuda,
16 Roberts; also Senator(s) Brophy, Carroll M., Mitchell,
17 Morse, Schwartz--Concerning the requirements in the
18 "State Administrative Procedure Act" for incorporation by
19 reference of rule-making materials by executive branch
20 agencies.
21 Committee on Judiciary
22
- 23 **HB10-1236** by Representative(s) Kerr A.; also Senator(s) Tochtrop--
24 Concerning the continuation of the regulation of certified
25 public accountants by the state board of accountancy.
26 Committee on Business Affairs and Labor
27
- 28 **SB10-109** by Senator(s) Romer and Spence, Boyd, Bacon, Hodge,
29 Hudak, Johnston, Tapia, Tochtrop; also Representative(s)
30 Massey and McCann, Rice, Frangas, McFadyen--
31 Concerning regulation of the physician-patient relationship
32 for medical marijuana patients.
33 Committee on Judiciary
34

INTRODUCTION OF RESOLUTION

37
38
39 The following resolution was read by title and laid over one day under the
40 rules:

- 41
42 **HR10-1005** by Representative(s) Benefield, Court, Massey, Vaad--
43 Concerning the appointment of an employee for the House
44 of Representatives of the Sixty-seventh General Assembly.
45

46
47
48 On motion of Representative Weissmann, the House adjourned until
49 9:00 a.m., February 3, 2010.
50

51
52
53
54 Attest:
55 MARILYN EDDINS,
56 Chief Clerk

Approved:
TERRANCE D. CARROLL,
Speaker

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

Twenty-second Legislative Day

Wednesday, February 3, 2010

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
 2 Church, Denver.

3
 4 The Speaker called the House to order at 9:00 a.m.

5
 6 Pledge of Allegiance led by Zerrick Kellow, Creekside Elementary,
 7 Boulder.

8
 9 The roll was called with the following result:

10
 11 Present--64.
 12 Excused--Representative(s) Acree--1.
 13 Present after roll call--Representative(s) Acree.

14
 15 The Speaker declared a quorum present.

16
 17
 18 On motion of Representative Baumgardner, the reading of the journal of
 19 February 2, 2010, was declared dispensed with and approved as corrected
 20 by the Chief Clerk.

21
 22
 23
 24 **THIRD READING OF BILL(S)--FINAL PASSAGE**

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

29
 30 **HB10-1190** by Representative(s) Pommer; also Senator(s) Heath--
 31 Concerning the suspension of the exemption from the state
 32 sales and use taxes for fuels used for industrial purposes,
 33 and making an appropriation therefor.

34
 35 As shown by the following roll call vote, a majority of all members
 36 elected to the House voted in the affirmative, and Representative
 37 Sonnenberg was given permission to offer a Third Reading amendment:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
40	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
41	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
42	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
43	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y

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

Third Reading amendment No. 1, by Representative Sonnenberg.

Amend engrossed bill, page 2, line 14, strike "FARMFUEL," and substitute "FUEL PURCHASED FOR USE FOR OFF-ROAD OR AGRICULTURAL PURPOSES,".

Page 3, line 7, strike "CONSUMPTION" and substitute "CONSUMPTION, NOT INCLUDING STORAGE, USE, OR CONSUMPTION OF FUEL PURCHASED FOR OFF-ROAD OR AGRICULTURAL PURPOSES,".

The amendment was declared **passed** by the following roll call vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
27	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
28	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
29	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
30	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
31	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
32	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
33	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
34	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
35	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
36	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
37	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
38	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
39	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
40	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
41	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
42	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
43							Speaker	Y

As shown by the following roll call vote, a majority of all members elected to the House voted in the affirmative, and Representative Pommer was given permission to offer a Third Reading amendment:

	YES	60	NO	5	EXCUSED	0	ABSENT	0
50	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
55	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	Y	Kerr J.	Y	Murray	N	Stephens	N

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

11
12 **Third Reading amendment No. 2**, by Representative Pommer.

13
14 Amend engrossed bill, page 3, line 7, strike "CONSUMPTION" and
15 substitute "CONSUMPTION, NOT INCLUDING STORAGE, USE, OR
16 CONSUMPTION FOR RAILROAD TRANSPORTATION SERVICES,".

17
18 Page 4, line 4, strike "TO".

19
20 Page 4, line 5, strike "INCLUDE STANDARDIZED SOFTWARE".

21
22 The amendment was declared **passed** by the following roll call vote:

23	YES	41	NO	24	EXCUSED	0	ABSENT	0
24								
25	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
28	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
30	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
32	Court	Y	King S.	N	Nikkel	N	Summers	Y
33	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
34	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
37	Frangas	Y	Looper	N	Priola	N	Vaad	N
38	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
39	Gardner B.	N	May	N	Riesberg	Y	Waller	N
40	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
41							Speaker	Y

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

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

47	YES	35	NO	30	EXCUSED	0	ABSENT	0
48								
49	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
50	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
51	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
52	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
53	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
54	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
55	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
56	Court	Y	King S.	N	Nikkel	N	Summers	N

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

10 Co-sponsor(s) added: Representative(s) Benefield, Frangas, Judd, Labuda

11

12

13

14 On motion of Representative Kagan, the House resolved itself into
15 Committee of the Whole for consideration of General Orders, and he was
16 called to the Chair to act as Chairman.

17

18

19

GENERAL ORDERS--SECOND READING OF BILLS

20

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

25

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

28

29 **HB10-1014** by Representative(s) McFadyen, Baumgardner, Fischer,
30 Frangas, King S., Looper, Primavera, Tyler; also
31 Senator(s) Spence, Gibbs, Romer, Williams--Concerning
32 annual reporting to the general assembly of fatal accidents
33 in state highway work areas.

34

35 Amendment No. 1, by Representative(s) Baumgardner.

36

37 Amend printed bill, page 2, after line 26 insert:

38

39 "(2) FOR PURPOSES OF THIS SECTION, "STATE HIGHWAY WORK
40 AREA" INCLUDES ANY AREA WHERE AN EMPLOYEE OF THE DEPARTMENT OF
41 TRANSPORTATION IS WORKING AT THE TIME A FATAL ACCIDENT OCCURS."

42

43 Renumber succeeding subsection accordingly.

44

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

47

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

52

53 Ordered engrossed and placed on the Calendar for Third Reading and
54 Final Passage.

55

1 **HB10-1003** by Representative(s) McNulty, Kerr J., Miklosi,
2 Primavera; also Senator(s) Tochtrop, Mitchell--
3 Concerning the extension of the deadline for the review of
4 grievance petitions filed with the state personnel board.
5

6 Ordered engrossed and placed on the Calendar for Third Reading and
7 Final Passage.
8

9 **HB10-1016** by Representative(s) Waller, Benefield, Gardner B., King
10 S., Labuda, Liston, Peniston, Riesberg, Schafer S.; also
11 Senator(s) Tochtrop, Lundberg, Morse, Williams--
12 Concerning the extension of the term of the retired
13 member of the board of directors of the fire and police
14 pension association.
15

16 Ordered engrossed and placed on the Calendar for Third Reading and
17 Final Passage.
18

19 **HB10-1085** by Representative(s) Kerr J.; also Senator(s) Tapi--
20 Concerning land surveying, and, in connection therewith,
21 altering licensure criteria for land surveyor applicants and
22 specifying procedures for issuance of a surveyor's
23 affidavit of correction.
24

25 Amendment No. 1, Business Affairs & Labor Report, dated
26 January 27, 2010, and placed in member's bill file; Report also printed in
27 House Journal, January 28, pages 110-111.
28

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

32 **HB10-1141** by Representative(s) Carroll T.; also Senator(s) Tochtrop--
33 Concerning a requirement for mortgage companies to be
34 registered by the division of real estate.
35

36 Amendment No. 1, Business Affairs & Labor Report, dated
37 January 27, 2010, and placed in member's bill file; Report also printed in
38 House Journal, January 28, page 111.
39

40 As amended, ordered engrossed and placed on the Calendar for Third
41 Reading and Final Passage.
42

43 **HB10-1144** by Representative(s) Rice, Massey, Casso, Frangas,
44 Gagliardi, Kefalas; also Senator(s) Morse--Concerning
45 prohibiting a carrier from setting fees for a dental service
46 that is not paid for by the carrier.
47

48 Ordered engrossed and placed on the Calendar for Third Reading and
49 Final Passage.
50

51 On motion of Representative Weissmann, the remainder of the General
52 Orders Calendar (**HB10-1064, 1059, 1023, 1065, 1090, 1117, 1116**) was
53 laid over until February 4, retaining place on Calendar.
54
55
56

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1014 amended, 1099, 1003, 1016, 1085 amended, 1141 amended, 1144.**

Laid over until date indicated retaining place on Calendar: **HB10-1064, 1059, 1023, 1065, 1090, 1117, 1116.**

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

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

CONSIDERATION OF RESOLUTION(S)

HR10-1005 by Representative(s) Benefield, Court, Massey, Vaad--
Concerning the appointment of an employee for the House
of Representatives of the Sixty-seventh General Assembly.

(Printed and placed in members' file)

On motion of Representative Benefield, the resolution was **adopted** by the following roll call vote:

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y

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

8 Co-sponsor(s) added: Representative(s) Acree, Baumgardner, Bradford,
 9 DelGrosso, Gardner B., Gerou, Kerr J., King S., Labuda, Lambert, Liston,
 10 Looper, May, McNulty, Murray, Nikkel, Priola, Rice, Sonnenberg, Soper,
 11 Stephens, Swalm, Tipton, Waller, Speaker

12 _____
 13
 14 House in recess. House reconvened.
 15 _____
 16

17 18 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

19 20 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

23
 24 **HB10-1107** be amended as follows, and as so amended, be referred to
 25 the Committee of the Whole with favorable
 26 recommendation:
 27

28 Amend printed bill, page 3, line 22, strike "IS" and substitute "HAS BEEN".
 29

30 Page 4, line 2, strike "C.R.S." and substitute "C.R.S., AT ANY TIME
 31 DURING THE FIVE-YEAR PERIOD PRIOR TO THE DATE OF ADOPTION OF AN
 32 URBAN RENEWAL PLAN OR ANY MODIFICATION OF SUCH A PLAN."
 33

34 Page 4, strike lines 17 and 18 and substitute:
 35

36 "31-25-107 (3.5) (a), 31-25-107 (9) (a) (II), (10) (a), and (11),".
 37

38 Page 9, strike lines 10 through 26.
 39

40 Page 10, after line 10 insert:
 41

42 **"SECTION 5.** 31-25-107 (3.5), Colorado Revised Statutes, is
 43 amended BY THE ADDITION OF A NEW PARAGRAPH to read:
 44

45 **31-25-107. Approval of urban renewal plans by local**
 46 **governing body.** (3.5)(c) NOTWITHSTANDING ANY OTHER PROVISION OF
 47 THIS SECTION, A CITY AND COUNTY SHALL NOT BE REQUIRED TO SUBMIT AN
 48 URBAN RENEWAL IMPACT REPORT SATISFYING THE REQUIREMENTS OF
 49 PARAGRAPH (a) OF THIS SUBSECTION (3.5).".
 50

51 Renumber succeeding sections accordingly.
 52
 53
 54
 55

1 **BUSINESS AFFAIRS & LABOR**

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

4
5 **HB10-1150** be amended as follows, and as so amended, be referred to
6 the Committee on Finance with favorable
7 recommendation:
8

9 Amend printed bill, page 3, strike lines 19 through 22.

10
11 Page 3, strike line 26 and substitute "EVENT OR A HOTEL AND
12 RESTAURANT LICENSE HAS BEEN ISSUED FOR THE SERVICE OF ALCOHOL
13 BEVERAGES AT THE CATERER'S FOOD ESTABLISHMENT."
14

15 Page 4, strike lines 4 and 5 and substitute "WHOLESALER LICENSED
16 PURSUANT TO THIS ARTICLE; EXCEPT THAT A CATERER MAY PURCHASE UP
17 TO ONE THOUSAND DOLLARS' WORTH OF ALCOHOL BEVERAGES DURING A
18 CALENDAR YEAR FROM A RETAIL LIQUOR STORE LICENSED PURSUANT TO
19 THIS ARTICLE. THE WHOLESALER SHALL DELIVER THE ALCOHOL
20 BEVERAGES TO THE LICENSED FOOD ESTABLISHMENT."
21

22 Page 4, line 7 strike "THE OWNER OR LESSEE OF THE" and substitute
23 "EITHER THE OWNER OR MANAGER OF THE CATERING".
24

25 Page 4, after line 24 insert:

26 "(5) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS
27 SUBSECTION (5), THE CATERER SHALL NOTIFY THE LOCAL LICENSING
28 AUTHORITY WHERE AN EVENT WILL OCCUR AT LEAST ONE WEEK BEFORE
29 THE EVENT IF THE EVENT IS OCCURRING AT A PLACE OF SERVICE OUTSIDE
30 THE JURISDICTION OF THE LOCAL LICENSING AUTHORITY WHERE THE
31 CATERER'S FOOD ESTABLISHMENT IS LICENSED. THE LICENSEE SHALL GIVE
32 THE NOTICE ON A STANDARD FORM PROVIDED BY THE STATE LICENSING
33 AUTHORITY AND TRANSMITTED BY ELECTRONIC MAIL, FIRST-CLASS MAIL,
34 OR FACSIMILE TO THE CLERK OF THE MUNICIPALITY OR COUNTY WHERE
35 THE EVENT OR EVENTS WILL BE HELD.
36

37 (b) SHOULD AN EVENT BE SCHEDULED AT A TIME THAT IS LESS
38 THAN ONE WEEK BEFORE THE EVENT, THE LICENSEE SHALL DIRECTLY
39 NOTIFY THE CLERK OF THE MUNICIPALITY OR COUNTY WHERE THE EVENT
40 OR EVENTS WILL BE HELD BY FACSIMILE OR ELECTRONIC MAIL."
41

42 Page 5, after line 3, insert:

43 "**SECTION 6.** 12-47-409 (3), Colorado Revised Statutes, is
44 amended to read:
45

46 **12-47-409. Beer and wine license.** (3) It is unlawful for any
47 owner, part owner, shareholder, or person interested directly or indirectly
48 in a beer and wine license to conduct, own either in whole or in part, or
49 be directly or indirectly interested in any other business licensed pursuant
50 to this article; except that such a person may have an interest in a license
51 described in section ~~12-47-401 (1) (j) to (1) (t)~~ 12-47-401 (1) (j) TO (1)
52 (u), or 12-47-410 (1) or in a financial institution referred to in section 12-
53 47-308 (4).
54

55 **SECTION 7.** 12-47-410 (5), Colorado Revised Statutes, is
56 amended to read:

1 **12-47-410. Bed and breakfast permit.** (5) It is unlawful for any
2 owner, part owner, shareholder, or person interested directly or indirectly
3 in a bed and breakfast permit to conduct, own either in whole or in part,
4 or be directly or indirectly interested in any other business licensed
5 pursuant to this article; except that a person regulated under this section
6 may have an interest in other bed and breakfast permits, in a license
7 described in section ~~12-47-401 (1) (j) to (1) (t)~~, 12-47-401 (1) (j) TO (1)
8 (u), or in a financial institution referred to in section 12-47-308 (4).
9

10 **SECTION 8.** 12-47-411 (13) (b), Colorado Revised Statutes, is
11 amended to read:
12

13 **12-47-411. Hotel and restaurant license.**
14 (13) (b) Notwithstanding paragraph (a) of this subsection (13), an owner,
15 part owner, shareholder, or person interested directly or indirectly in a
16 hotel and restaurant license may conduct, own either in whole or in part,
17 or be directly or indirectly interested in a license described in section ~~12-~~
18 ~~47-401 (1) (j) to (1) (t)~~ 12-47-401 (1) (j) TO (1) (u), or 12-47-410 (1) or
19 in a financial institution referred to in section 12-47-308 (4).
20

21 **SECTION 9.** 12-47-412 (3), Colorado Revised Statutes, is
22 amended to read:
23

24 **12-47-412. Tavern license.** (3) It is unlawful for any owner, part
25 owner, shareholder, or person interested directly or indirectly in tavern
26 licenses to conduct, own either in whole or in part, or be directly or
27 indirectly interested in any other business licensed pursuant to this article;
28 except that such a person may have an interest in a license described in
29 section ~~12-47-401 (1) (j) to (1) (t)~~ 12-47-401 (1) (j) TO (1) (u), or 12-47-
30 410 (1) or in a financial institution referred to in section 12-47-308 (4).
31

32 **SECTION 10.** 12-47-413 (2) (b), Colorado Revised Statutes, is
33 amended to read:
34

35 **12-47-413. Optional premises license.** (2) (b) Notwithstanding
36 paragraph (a) of this subsection (2), an owner, part owner, shareholder,
37 or person interested directly or indirectly in an optional premises license
38 may own, either in whole or in part, or be directly or indirectly interested
39 in a license described in section ~~12-47-401 (1) (j) to (1) (t)~~ 12-47-401 (1)
40 (j) TO (1)(u), or 12-47-410 (1) or in a financial institution referred to in
41 section 12-47-308 (4).
42

43 **SECTION 11.** 12-47-415 (5) (b), Colorado Revised Statutes, is
44 amended to read:
45

46 **12-47-415. Brew pub license.** (5) (b) Notwithstanding
47 paragraph (a) of this subsection (5), a person interested directly or
48 indirectly in a brew pub license may conduct, own either in whole or in
49 part, or be directly or indirectly interested in a license described in section
50 ~~12-47-401 (1) (j) to (1) (t)~~ 12-47-401 (1) (j) TO (1) (u), or 12-47-410 (1)
51 or in a financial institution referred to in section 12-47-308 (4).
52

53 **SECTION 12.** 12-47-416 (4) (a), Colorado Revised Statutes, is
54 amended to read:
55

56 **12-47-416. Club license - legislative declaration.** (4) It is

1 unlawful for any owner, part owner, shareholder, or person interested
2 directly or indirectly in a club license to conduct, own either in whole or
3 in part, or be directly or indirectly interested in any other business
4 licensed pursuant to this article; except that:

5
6 (a) Such a person may have an interest in an arts license or an
7 airline public transportation system license granted under this article, A
8 CATERER'S LICENSE, or in a financial institution referred to in section 12-
9 47-308 (4);

10
11 **SECTION 13.** 12-47-420 (5) (b), Colorado Revised Statutes, is
12 amended to read:

13
14 **12-47-420. Vintner's restaurant license.** (5) (b) A person
15 interested directly or indirectly in a vintner's restaurant license may
16 conduct, own either in whole or in part, or be directly or indirectly
17 interested in a license described in section ~~12-47-401 (1) (j) to (1) (t)~~ 12-
18 47-401 (1) (j) TO (1) (u), or 12-47-410 (1) or in a financial institution
19 referred to in section 12-47-308 (4).".

20
21 Renumber succeeding sections accordingly.

22
23 Page 5, after line 9, insert:

24 **"SECTION 15.** 12-48-103 (2) (a), Colorado Revised Statutes, is
25 amended to read:

26
27 **12-48-103. Grounds for issuance of special permits.** (2) (a) A
28 special event permit may be issued under this section notwithstanding the
29 fact that the special event is to be held on premises licensed under the
30 provisions of section 12-47-403, 12-47-403.5, 12-47-416, 12-47-417, ~~or~~
31 12-47-422, OR 12-47-423. The holder of a special event permit issued
32 pursuant to this subsection (2) shall be responsible for any violation of
33 article 47 of this title.

34
35 **SECTION 16.** 12-48-102, Colorado Revised Statutes, is amended
36 BY THE ADDITION OF A NEW SUBSECTION to read:

37
38 **12-48-102. Qualifications of organizations for permit -**
39 **qualifications of municipalities or municipalities owning arts facilities**
40 **- qualifications of candidates.** (3) A SPECIAL EVENT PERMIT MAY BE
41 ISSUED TO A CATERER LICENSED UNDER ARTICLE 47 OF THIS TITLE IF THE
42 CATERER IS CATERING AN EVENT FOR AN ORGANIZATION THAT IS
43 QUALIFIED FOR A SPECIAL EVENT PERMIT UNDER SUBSECTION (1) OR (2) OF
44 THIS SECTION. THE CATERER SHALL APPLY AS THE AGENT OF THE
45 ORGANIZATION BUT THE PERMIT IS ISSUED UNDER THE CATERER'S
46 ALCOHOL LICENSE.

47
48 **SECTION 17.** 12-48-105, Colorado Revised Statutes, is amended
49 BY THE ADDITION OF A NEW SUBSECTION to read:

50
51 **12-48-105. Restrictions related to permits.** (6) IF A CATERER
52 IS SELLING ALCOHOL BEVERAGES AT A SPECIAL EVENT, THE CATERER
53 SHALL APPLY FOR THE PERMIT UNDER SECTION 12-48-102 (3).".

54
55 Renumber succeeding section accordingly.

56

1 **HB10-1170** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 2, line 4, strike "facilities".
6

7 Page 2, strike line 5 and substitute "facilities owned by a municipality,
8 county, or special district OR AT PUBLICLY OR PRIVATELY OWNED SPORTS
9 AND".
10

11 Page 2, strike line 10 and substitute "the local and state licensing
12 authorities and need not have meals available for consumption."
13

14 Page 2, line 11 strike "for consumption."
15
16
17

18 **HB10-1203** be referred to the Committee of the Whole with favorable
19 recommendation.
20
21

22 **SB10-035** be referred to the Committee of the Whole with favorable
23 recommendation.
24
25
26
27

28 **FINANCE**

29 After consideration on the merits, the Committee recommends the
30 following:
31

32 **HB10-1076** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:
35

36 Amend printed bill, page 2, strike lines 2 through 16.
37

38 Renumber succeeding sections accordingly.
39

40 Page 2, line 20, strike everything after the comma.
41

42 Page 2, strike line 21 and substitute ""EMPLOYEE" INCLUDES A PERSON
43 WHO".
44

45 Page 3, line 4, strike everything after the comma.
46

47 Page 3, strike line 5 and substitute ""EMPLOYEE" INCLUDES A PERSON".
48

49 Page 3, after line 7, insert:
50

51 **"SECTION 3.** Part 2 of article 41 of title 8, Colorado Revised
52 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
53 read:
54

55 **8-41-210. Coverage for property tax work-off program**
56 **participants.** NOTWITHSTANDING ANY PROVISION OF LAW TO THE
CONTRARY, A GOVERNMENTAL ENTITY OR PRIVATE NONPROFIT OR FOR-

1 PROFIT ENTITY THAT HAS A CONTRACT WITH A GOVERNMENTAL ENTITY
2 THAT IS SELF-INSURED UNDER ARTICLES 40 TO 47 OF THIS TITLE MAY
3 PURCHASE WORKERS' COMPENSATION INSURANCE FROM ANY INSURER
4 AUTHORIZED TO TRANSACT THE BUSINESS OF WORKERS' COMPENSATION
5 INSURANCE IN THIS STATE FOR THE EXPRESS PURPOSE OF COVERING
6 PARTICIPANTS IN THE PROPERTY TAX WORK-OFF PROGRAM ESTABLISHED
7 PURSUANT TO ARTICLE 3.7 OF TITLE 39, C.R.S. THE COST OF A WORKERS'
8 COMPENSATION INSURANCE POLICY THAT COVERS WORK-OFF PROGRAM
9 PARTICIPANTS MAY BE PRORATED TO THE PARTICIPANTS AND INCLUDED IN
10 THE PARTICIPANTS' WORK-OFF."

11

12 Renumber succeeding sections accordingly.

13

14 Page 3, line 11, strike everything after "**participants**".

15

16 Page 3, line 12, strike "C.R.S., "EMPLOYMENT" MAY INCLUDE" and
17 substitute ""EMPLOYMENT" INCLUDES".

18

19 Page 1, line 102, after "OF" insert "**EMPLOYEE**".

20

21

22

23 **HB10-1121** be postponed indefinitely.

24

25

26 **HB10-1177** be referred favorably to the Committee on State, Veterans,
27 & Military Affairs.

28

29

30

31

32 **LOCAL GOVERNMENT**

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

35

36 **HB10-1093** be postponed indefinitely.

37

38

39 **HB10-1157** be postponed indefinitely.

40

41

42

43

44 **STATE, VETERANS, & MILITARY AFFAIRS**

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

47

48 **HB10-1137** be referred to the Committee of the Whole with favorable
49 recommendation.

50

51

52 **HB10-1155** be postponed indefinitely.

53

54

55

56

1 **TRANSPORTATION & ENERGY**

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

4
5 **HB10-1018** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:
8

9 Amend printed bill, page 7, line 10, strike "(b)" and substitute "~~(b)~~ (a)".

10
11 Page 7, line 14, strike "(b)" and substitute "(a)".

12
13 Page 10, line 18, strike "TIRE" and substitute "TIRES".

14
15 Page 11, line 13, strike "TREASURER." and substitute "TREASURER AT THE
16 END OF EACH CALENDAR QUARTER."

17
18 Page 12, line 14, strike "(5);" and substitute "(4);".

19
20 Page 13, line 7, strike "(I) AND" and substitute "(I);".

21
22 Page 13, line 8, strike "(6)." and substitute "(4); AND TRANSFERS BY THE
23 STATE TREASURER ON THE EFFECTIVE DATE OF THIS SECTION, AS
24 AMENDED, OF THE BALANCES OF THE UNEXPENDED AND UNENCUMBERED
25 MONEYS IN THE WASTE TIRE CLEANUP FUND FORMERLY CREATED IN
26 SECTION 24-32-117, C.R.S., AND THE ADVANCED TECHNOLOGY FUND
27 FORMERLY CREATED IN SECTION 25-16.5-105 (2) (a), AS SUCH BALANCES
28 EXISTED ON THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED, AND AS
29 SUCH FUNDS EXISTED PRIOR TO THEIR REPEAL."
30

31 Page 14, line 10, strike "25-17-202.5." and substitute "25-17-202.5,
32 EXCEPT FOR AN AMOUNT EQUAL TO THIRTY-THREE PERCENT OF THE
33 DEPARTMENT'S PRIOR YEAR DIRECT AND INDIRECT COSTS."
34

35 Page 14, line 13, strike everything after "THIS" and substitute "PART 2,".

36
37 Page 14, line 14, strike everything before "NOT" and strike "SIX" and
38 substitute "FIFTEEN".
39

40 Page 14, line 15, strike "FUND." and substitute "FUND AND TO THE
41 DIVISION OF FIRE SAFETY IN THE DEPARTMENT OF PUBLIC SAFETY FOR ITS
42 ADMINISTRATIVE COSTS PURSUANT TO SECTION 25-17-206 (3).".
43

44 Page 14, strike line 20 and substitute "OF WASTE TIRES THAT HAVE BEEN
45 ILLEGALLY DUMPED OR ABANDONED OR ARE OTHERWISE NOT ELIGIBLE FOR
46 REIMBURSEMENTS FROM A FUND CREATED IN THIS ARTICLE".
47

48 Page 14, line 21, strike "FACILITY".
49

50 Page 14, line 23, before "RAW" insert "COLORADO" and strike everything
51 after "PROCESSED" and substitute "AND USED;".
52

53 Page 15, after line 23 insert:

54 "(c) PER DIEM EXPENSES FOR THE ADVISORY COMMITTEE CREATED
55 IN SECTION 25-17-208. FOR EACH MEMBER, PER DIEM PAYMENTS ARE
56 CAPPED AT NINETY-NINE DOLLARS PER DAY.".

- 1 Page 16, line 1, after "FACILITIES" insert "OTHER THAN MONOFILLS".
2
3 Page 17, line 26, after the first "PROJECTS," insert "SUBSTITUTE MATERIAL
4 FOR AGGREGATE OR SOIL MATERIALS,".
5
6 Page 18, line 13, strike "25-17-202.5." and substitute "25-17-202.5,
7 EXCEPT FOR AN AMOUNT EQUAL TO THIRTY-THREE PERCENT OF THE
8 DEPARTMENT'S PRIOR YEAR DIRECT AND INDIRECT COSTS.".
9
10 Page 18, strike lines 15 and 16 and substitute:
11
12 "(a) TRAINING FIRE DEPARTMENTS IN AND PURCHASING EQUIPMENT
13 AND SUPPLIES FOR THE PREVENTION OF, PREPARATION FOR, AND THE
14 RESPONSE TO AND PROPER HANDLING OF WASTE TIRE FIRES; AND".
15
16 Page 18, line 17, after "TRAINING" insert "FOR AND ENFORCEMENT BY".
17
18 Page 18, line 18, strike "FIRE DEPARTMENTS,".
19
20 Page 18, line 21, strike "C.R.S.; AND" and substitute "C.R.S.".
21
22 Page 18, strike lines 22 through 24.
23
24 Page 19, line 5, strike "WASTE".
25
26 Page 19, strike line 6 and substitute "PROCESSORS AND END USERS FUND
27 CREATED IN SECTION 25-17-202.5.".
28
29 Page 19, line 10, after the period add "THE DEPARTMENT MAY USE THE
30 FUND TO HIRE A CONTRACTOR IN CONNECTION WITH IMPLEMENTATION OF
31 THE PLAN.".
32
33 Page 21, line 3, strike "(2)," and substitute "(1),".
34
35 Page 21, line 9, strike "(2)," and substitute "(1),".
36
37 Page 21, line 12, strike "(2)," and substitute "(1),".
38
39 Page 21, line 18, strike "(2)," and substitute "(1),".
40
41 Page 21, line 23, strike "(2)." and substitute "(1).".
42
43 Page 21, line 27, strike "(2)," and substitute "(1),".
44
45 Page 22, line 3, strike "(2)," and substitute "(1),".
46
47 Page 22, line 6, strike "QUADRUPLICATE" and substitute "TRIPLICATE".
48
49 Page 22, line 7, strike "MANIFEST" and substitute "MANIFEST, AVAILABLE
50 FROM THE DEPARTMENT'S WEB SITE,".
51
52 Page 22, line 9, strike "(2)," and substitute "(1),".
53
54 Page 22, line 23, after the semicolon add "AND".
55
56 Page 22, strike lines 25 and 26 and substitute "TRANSPORTED.".

- 1 Page 23, line 27, strike "(2)," and substitute "(1),".
- 2
- 3 Page 24, strike lines 2 and 3 and substitute "WITH THE DEPARTMENT."
- 4
- 5 Page 24, line 5, strike "(2)," and substitute "(1),".
- 6
- 7 Page 25, line 8, strike "(2)," and substitute "(1),".
- 8
- 9 Page 25, line 23, strike "(2)," and substitute "(1),".
- 10
- 11 Page 26, line 12, strike "(4)." and substitute "(4), AND SUCH FACILITY IS
- 12 INELIGIBLE FOR REIMBURSEMENTS FROM THE PROCESSORS AND END USERS
- 13 FUND CREATED IN SECTION 25-17-202.5 AND THE WASTE TIRE CLEANUP
- 14 FUND CREATED IN SECTION 25-17-202.6 UNTIL THE DEPARTMENT
- 15 REINSTATES THE REGISTRATION."
- 16
- 17 Page 26, line 15, strike "(2)," and substitute "(1),".
- 18
- 19 Page 27, strike lines 20 and 21 and substitute "FIRE CODE ADOPTED
- 20 PURSUANT TO SECTION 24-33.5-1203.5, C.R.S., BY THE DIVISION OF FIRE
- 21 SAFETY WITHIN THE DEPARTMENT OF PUBLIC SAFETY SHALL BE USED AS
- 22 THE MINIMUM FIRE".
- 23
- 24 Page 28, line 11, strike "**Fees - rules**" and substitute "**Rules**".
- 25
- 26 Page 28, strike lines 12 through 20 and substitute "(1) THE COMMISSION
- 27 SHALL ADOPT RULES AS NECESSARY AND".
- 28
- 29 Renumber succeeding subsections accordingly.
- 30
- 31 Page 28, line 22, after "OFFICER" insert "AND THE DEPARTMENT".
- 32
- 33 Page 28, line 23, strike "2." and substitute "2 IN CONNECTION WITH
- 34 SECTIONS 30-20-113 AND 30-20-114."
- 35
- 36 Page 29, line 3, strike "SECTION." and substitute "PART 2."
- 37
- 38 Page 29, line 11, after "ENFORCEMENT," insert "FIRE PREVENTION AND
- 39 SUPPRESSION,".
- 40
- 41 Page 30, line 8, after "DEPARTMENT" insert "AND COMMISSION".
- 42
- 43 Page 30, line 12, strike "FUNDING," and substitute "FUNDING; REPORT TO
- 44 THE TRANSPORTATION AND ENERGY COMMITTEE OF THE HOUSE OF
- 45 REPRESENTATIVES AND THE TRANSPORTATION COMMITTEE OF THE
- 46 SENATE, OR THEIR SUCCESSOR COMMITTEES, WITH RECOMMENDATIONS
- 47 REGARDING PENALTIES FOR WASTE TIRE DISPOSAL, STORAGE, AND
- 48 TRANSPORTATION VIOLATIONS BY JANUARY 1, 2011, AND REGARDING
- 49 ALLOCATION OF THE WASTE TIRE FEE BY JANUARY 1, 2013, AND AS
- 50 APPROPRIATE THEREAFTER;".
- 51
- 52 Page 30, line 14, strike "(II)," and substitute "(II);".
- 53
- 54 Page 31, line 5, strike "SECTION 25-17-207 (5)" and substitute "THIS PART
- 55 2".
- 56

1 Page 31, line 6, after the period add "THE DEPARTMENT SHALL PROVIDE
2 STAFF SUPPORT, AS APPROPRIATE, TO THE ADVISORY COMMITTEE."
3

4 Page 31, strike lines 20 through 27.
5

6 Page 32, strike line 1.
7

8 Page 33, strike lines 20 through 27.
9

10 Page 34, strike lines 1 through 4 and substitute:
11

12 "SECTION 15. **Applicability.** This act shall apply to conduct
13 occurring on or after the effective date of this act.
14

15 SECTION 16. **Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety."
18
19
20

21 **HB10-1088** be postponed indefinitely.
22
23

24 **HB10-1130** be referred favorably to the Committee on Appropriations.
25
26

27 **HB10-1185** be amended as follows, and as so amended, be referred to
28 the Committee of the Whole with favorable
29 recommendation:
30

31 Amend printed bill, page 2, line 2, strike "(a) and" and substitute "(a),"
32 and before "Colorado" insert "and (2),".
33

34 Page 2, line 11, strike "on or" and substitute "~~on or~~".
35

36 Page 2, strike line 12 and substitute "~~before the twenty-fifth day of each~~
37 calendar month, either".
38

39 Page 3, after line 3 insert:
40

41 "(2) The FEE OR surcharge imposed by subsection (1) of this
42 section shall be collected, administered, and enforced in the same manner
43 as the fuel taxes imposed pursuant to the provisions of article 27 of title
44 39, C.R.S., and the same penalty and interest provisions shall apply."
45

46 PRINTING REPORT

47
48
49

50 The Chief Clerk reports the following bills have been correctly printed:
51 **HB10-1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229,**
52 **1230, 1231, 1232, 1233, 1234, 1235, 1236.**
53
54
55
56

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB10-046.

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

SB10-041, amended as printed in Senate Journal, February 2, 2010, page 140.

SB10-009, amended as printed in Senate Journal, February 2, 2010, page 141.

SB10-115, amended as printed in Senate Journal, February 2, 2010, page 141.

The Senate has adopted and transmits herewith: SJR10-004.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, SB10-046.

Without comment, as amended, SB10-041, 009, and 115.

**INTRODUCTION OF BILLS
First Reading**

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

HB10-1237 by Representative(s) McNulty, Kerr J., Primavera; also Senator(s) Carroll M., Schultheis, Tochtrop--Concerning the use of electronic technology to promptly provide accurate information about criminal acts to law enforcement officials, and, in connection therewith, creating a task force to make recommendations to improve access to information about problem drivers.

Committee on Judiciary

HB10-1238 by Representative(s) Curry; also Senator(s) Schwartz--Concerning wildlife crossing zones.

Committee on Transportation & Energy

HB10-1239 by Representative(s) Waller--Concerning requiring a defendant to provide notice of the intent to raise certain statutory defenses.

Committee on Judiciary

HB10-1240 by Representative(s) Ferrandino--Concerning the foreclosure deferment process for residential properties.

Committee on Local Government

- 1 **HB10-1241** by Representative(s) Casso; also Senator(s) Tochtrop--
2 Concerning required registration for persons who work on
3 fire suppression systems.
4 Committee on Business Affairs and Labor
5
- 6 **HB10-1242** by Representative(s) Apuan, Court, Gagliardi,
7 Hullinghorst, Kerr A., Labuda, Massey, McKinley,
8 Miklosi, Peniston, Primavera, Priola, Riesberg, Schafer S.,
9 Solano, Todd, Tyler, Vigil; also Senator(s) Tochtrop--
10 Concerning the implementation of a uniform application
11 form for individual health benefit plans by the
12 commissioner of insurance.
13 Committee on State, Veterans, & Military Affairs
14
- 15 **HB10-1243** by Representative(s) McFadyen, Massey, May, Scanlan;
16 also Senator(s) Gibbs, Tapia, Williams--Concerning the
17 powers of a special district that provides transportation-
18 related services, and, in connection therewith, authorizing
19 a special district that provides such services to levy a
20 voter-approved sales tax and to join a regional
21 transportation authority.
22 Committee on Transportation & Energy
23
- 24 **HB10-1244** by Representative(s) Labuda, Apuan, Casso, Curry,
25 Frangas, Gagliardi, Murray, Riesberg, Scanlan, Schafer S.,
26 Soper--Concerning allowing an heir of a deceased
27 physician shareholder of a professional service corporation
28 to become a shareholder of the corporation.
29 Committee on Judiciary
30
- 31 **HB10-1245** by Representative(s) Liston, Balmer; also Senator(s)
32 Johnston--Concerning the continuation of the regulation of
33 boxing by the boxing commission.
34 Committee on Business Affairs and Labor
35
- 36 **HB10-1246** by Representative(s) Miklosi, Kerr J., McNulty,
37 Primavera; also Senator(s) Tochtrop, Carroll M.,
38 Schultheis--Concerning the imposition of liability on a
39 person who loans a motor vehicle to an unlicensed driver.
40 Committee on Judiciary
41
- 42 **HB10-1247** by Representative(s) Gagliardi, Bradford, Soper; also
43 Senator(s) Carroll M.--Concerning the continuation of the
44 workers' compensation classification appeals board.
45 Committee on Business Affairs and Labor
46
- 47 **HB10-1248** by Representative(s) Primavera, Apuan, Middleton,
48 Miklosi; also Senator(s) Boyd, Newell, Steadman--
49 Concerning safe personal care products, and, in connection
50 therewith, creating the "Colorado Safe Personal Care
51 Products Act" and prohibiting the sale of personal care
52 products that contain chemicals identified as causing
53 cancer or reproductive toxicity.
54 Committee on Judiciary
55

- 1 **HB10-1249** by Representative(s) Labuda and Primavera; also
2 Senator(s) Johnston, Hudak--Concerning expedited
3 residential foreclosure sales.
4 Committee on State, Veterans, & Military Affairs
5
- 6 **HB10-1250** by Representative(s) Fischer, Curry, Apuan, Baumgardner,
7 Hullinghorst, Kefalas, Looper, Roberts, Ryden, Scanlan,
8 Solano, Sonnenberg, Tyler, Vigil; also Senator(s) Hodge,
9 Gibbs, Kester, Schwartz, White, Whitehead--Concerning
10 the funding of Colorado water conservation board
11 projects, and making appropriations in connection
12 therewith.
13 Committee on Agriculture, Livestock, & Natural Resources
14
- 15 **HB10-1251** by Representative(s) Court, Gardner B., Levy, McCann,
16 Miklosi, Nikkel, Pace, Priola, Ryden, Waller; also
17 Senator(s) Steadman--Concerning file retention by
18 attorneys of record in felony criminal cases.
19 Committee on Judiciary
20
- 21 **HB10-1252** by Representative(s) Primavera, Massey; also Senator(s)
22 Boyd and Schwartz--Concerning health care services for
23 breast cancer screening.
24 Committee on Health and Human Services
25
- 26 **HB10-1253** by Representative(s) Peniston; also Senator(s) Spence--
27 Concerning the "Exceptional Children's Educational Act"
28 as it relates to gifted children.
29 Committee on Education
30
- 31 **HB10-1254** by Representative(s) Sonnenberg; also Senator(s) Brophy--
32 Concerning a requirement that each student enrolled in a
33 public high school in the state achieve a certain score on
34 an assessment before being permitted to graduate from
35 high school.
36 Committee on Education
37
- 38 **HB10-1255** by Representative(s) Kefalas and Acree, Gagliardi, Gerou,
39 Kerr J., Primavera, Riesberg, Roberts, Tyler; also
40 Senator(s) Steadman--Concerning extending the repeal
41 date for the Colorado commission for the deaf and hard of
42 hearing.
43 Committee on Health and Human Services
44
- 45 **HB10-1256** by Representative(s) McNulty, Baumgardner, Fischer,
46 McFadyen, Primavera, Tyler, Vaad; also Senator(s)
47 Johnston--Concerning the Colorado high technology
48 scholarship program.
49 Committee on Transportation & Energy
50
- 51 **HB10-1257** by Representative(s) Gerou, Acree, Balmer, Bradford,
52 DelGrosso, Gardner B., Kerr J., Lambert, Liston, Looper,
53 Murray, Priola, Sonnenberg, Stephens, Vaad, Waller; also
54 Senator(s) Scheffel, King K., Lundberg, Renfroe, Spence--
55 Concerning a prohibition on reducing the amount of actual
56 value of residential real property qualifying for exemption

1 from property taxation for qualifying seniors and
2 qualifying disabled veterans in any property tax year if the
3 general assembly authorizes a net increase in the number
4 of full-time equivalent employees of the state in the annual
5 general appropriation act for the fiscal year commencing
6 during the property tax year.

7 Committee on Finance

8 Committee on Appropriations

9

10 **SB10-001** by Senator(s) Shaffer B. and Penry, Bacon, Boyd, Brophy,
11 Carroll M., Foster, Gibbs, Heath, Hodge, Hudak, Johnston,
12 Keller, Kester, Morse, Newell, Romer, Sandoval,
13 Schwartz, Steadman, Tapia, Tochtrop, Whitehead,
14 Williams; also Representative(s) Kerr A.--Concerning
15 modifications to the public employees' retirement
16 association necessary to reach a one hundred percent
17 funded ratio within the next thirty years.

18 Committee on Finance

19

20 **SB10-015** by Senator(s) Renfroe, Kopp; also Representative(s)
21 McNulty, Baumgardner, Frangas, McFadyen--Concerning
22 behind-the-wheel training requirements necessary to
23 receive a driver's license.

24 Committee on Transportation & Energy

25

26 **SB10-034** by Senator(s) Whitehead; also Representative(s) Loooper--
27 Concerning the administration of laws regulating
28 pesticides, and, in connection therewith, amending the
29 "Pesticide Act" to authorize the commissioner of the
30 department of agriculture to inspect refillers, impose
31 residue removal and record-keeping requirements, and set
32 expiration dates for pesticide and device registrations by
33 rule.

34 Committee on Agriculture, Livestock, & Natural Resources

35

36 **SB10-042** by Senator(s) Schwartz; also Representative(s) Frangas
37 and Kefalas--Concerning prior consent for release of
38 financial information to facilitate investigations of
39 financial exploitation of at-risk adults.

40 Committee on Judiciary

41

42 **SB10-055** by Senator(s) Harvey; also Representative(s) Gardner C.--
43 Concerning the receipt of donations by the division of
44 motor vehicles in the department of revenue to be
45 deposited in the Colorado state titling and registration
46 account in the highway users tax fund.

47 Committee on Transportation & Energy

48

49

50 On motion of Representative Weissmann, the House adjourned until
51 9:00 a.m., February 4, 2010.

52

53

54 Attest:

55 MARILYN EDDINS,

56 Chief Clerk

Approved:

TERRANCE D. CARROLL,
Speaker

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

Twenty-third Legislative Day

Thursday, February 4, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

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

4

5 Pledge of Allegiance led by Speaker Terrance D. Carroll.

6

7 The roll was called with the following result:

8

9 Present--64.

10 Excused--Representative(s) May--1.

11

12 The Speaker declared a quorum present.

13

14

15 On motion of Representative Baumgardner, the reading of the journal of
 16 February 3, 2010, was declared dispensed with and approved as corrected
 17 by the Chief Clerk.

18

19

20

21

22

THIRD READING OF BILL(S)--FINAL PASSAGE

23

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

27

28 **HB10-1014** by Representative(s) McFadyen, Baumgardner, Fischer,
 29 Frangas, King S., Looper, Primavera, Tyler; also
 30 Senator(s) Spence, Gibbs, Romer, Williams--Concerning
 31 annual reporting to the general assembly of fatal accidents
 32 in state highway work areas.

33

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

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

38

	YES	64	NO	0	EXCUSED	1	ABSENT	0
40	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
41	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
42	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
43	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y

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

14 Co-sponsor(s) added: Representative(s) Hullinghorst, Kerr A., Kerr J., Massey,
15 Rice, Scanlan, Soper, Todd, Vigil.

16
17 **HB10-1099** by Representative(s) Pace; also Senator(s) Tapia--
18 Concerning authorization to consume an alcohol beverage
19 purchased at the Colorado state fair at any location on the
20 fairgrounds licensed for consumption.

21
22 The question being "Shall the bill pass?".

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

27	YES	61	NO	3	EXCUSED	1	ABSENT	0
28	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
29	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
30	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
31	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
32	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
33	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
34	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
35	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
36	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
37	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
38	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
39	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
40	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
41	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
42	Gardner B.	Y	May	E	Riesberg	Y	Waller	Y
43	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Hullinghorst, Massey, McFadyen,
46 Ryden, Vigil.

47
48 **HB10-1003** by Representative(s) McNulty, Kerr J., Miklosi,
49 Primavera; also Senator(s) Tochtrop, Mitchell--
50 Concerning the extension of the deadline for the review of
51 grievance petitions filed with the state personnel board.

52
53 The question being "Shall the bill pass?".

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

	YES	63	NO	1	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullingshorst	Y	McKinley	N	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	E	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

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.

The question being "Shall the bill pass?".

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
31								
32	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
33	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
34	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
35	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
36	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
37	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
38	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
39	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
40	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
41	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
42	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
43	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
44	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
45	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
46	Gardner B.	Y	May	E	Riesberg	Y	Waller	Y
47	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
48							Speaker	Y

Co-sponsor(s) added: Representative(s) Court, Kerr J., Nikkel, Stephens, Tipton, Todd.

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.

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

	YES	63	NO	1	EXCUSED	1	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	E	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Lambert.

25
 26 **HB10-1141** by Representative(s) Carroll T.; also Senator(s) Tochtrop--
 27 Concerning a requirement for mortgage companies to be
 28 registered by the division of real estate.

29
 30 The question being "Shall the bill pass?".
 31 A roll call vote was taken. As shown by the following recorded vote, a
 32 majority of those elected to the House voted in the affirmative and the bill
 33 was declared **passed**.

	YES	61	NO	3	EXCUSED	1	ABSENT	0
36	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
37	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
38	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
39	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
40	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
41	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
42	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
43	Court	Y	King S.	Y	Nikkel	Y	Summers	N
44	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
45	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
46	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
47	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
48	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
49	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
50	Gardner B.	Y	May	E	Riesberg	Y	Waller	Y
51	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Casso, Court, Ferrandino, Frangas,
 54 Hullinghorst, Kerr J., Looper, Massey, Pommer, Priola, Ryden, Schafer S.,
 55 Solano, Todd, Tyler, Vigil.

1 **HB10-1144** by Representative(s) Rice, Massey, Casso, Frangas,
 2 Gagliardi, Kefalas; also Senator(s) Morse--Concerning
 3 prohibiting a carrier from setting fees for a dental service
 4 that is not paid for by the carrier.
 5

6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, less
 8 than a majority of those elected to the House voted in the affirmative and
 9 the bill was declared **lost**.
 10

	YES	32	NO	32	EXCUSED	1	ABSENT	0
12	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
14	Balmer	Y	Judd	N	McNulty	N	Schafer S.	Y
15	Baumgardner	N	Kagan	N	Merrifield	N	Solano	N
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
17	Bradford	Y	Kerr A.	Y	Miklosi	N	Soper	Y
18	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
19	Court	Y	King S.	N	Nikkel	N	Summers	N
20	Curry	Y	Labuda	N	Pace	Y	Swalm	N
21	DelGrosso	N	Lambert	N	Peniston	N	Tipton	N
22	Ferrandino	Y	Levy	Y	Pommer	N	Todd	Y
23	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	N	Priola	Y	Vaad	N
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	N
26	Gardner B.	N	May	E	Riesberg	N	Waller	N
27	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	N
28							Speaker	N

30
 31
 32
 33 On motion of Representative Hullinghorst, the House resolved itself into
 34 Committee of the Whole for consideration of General Orders, and she
 35 was called to the Chair to act as Chairman.
 36

37 38 **GENERAL ORDERS--SECOND READING OF BILLS** 39

40 The Committee of the Whole having risen, the Chairman reported the
 41 titles of the following bills had been read (reading at length had been
 42 dispensed with by unanimous consent), the bills considered and action
 43 taken thereon as follows:
 44

45 (Amendments to the committee amendment are to the printed committee
 46 report which was printed and placed in the members' bill file.)
 47

48 **HB10-1064** by Representative(s) Schafer S., Todd; also Senator(s)
 49 Spence, Hodge, King K.--Concerning a requirement that
 50 a student complete an appeal process before filing a
 51 complaint with a group of neutral arbitrators concerning
 52 the student's participation in extracurricular activities.
 53

54 Ordered engrossed and placed on the Calendar for Third Reading and
 55 Final Passage.
 56

1 **HB10-1059** by Representative(s) Gagliardi; also Senator(s) Newell--
2 Concerning allowing a minor who is in the foster care
3 system to register for a driver education course prior to
4 applying for an instruction permit without a signed
5 affidavit of liability.
6

7 Ordered engrossed and placed on the Calendar for Third Reading and
8 Final Passage.
9

10 **HB10-1023** by Representative(s) Waller, Gagliardi, Kagan, Kefalas,
11 Summers; also Senator(s) Hudak, Boyd, Sandoval,
12 Scheffel, White--Concerning clarifying civil liability
13 regarding negligent hiring practices for an employer that
14 hires a person with a criminal record.
15

16 Amendment No. 1, Judiciary Report, dated January 28, 2010, and placed
17 in member's bill file; Report also printed in House Journal, January 29,
18 pages 119-120.
19

20 As amended, ordered engrossed and placed on the Calendar for Third
21 Reading and Final Passage.
22

23 **HB10-1065** by Representative(s) McCann; also Senator(s) Tochtrop--
24 Concerning a prohibition against counting any time a
25 juvenile spends on escape status toward completion of the
26 juvenile's commitment.
27

28 Ordered engrossed and placed on the Calendar for Third Reading and
29 Final Passage.
30

31 **HB10-1090** by Representative(s) Waller; also Senator(s) Morse--
32 Concerning the punishment for a person who is convicted
33 of driving a motor vehicle with knowledge that his or her
34 driver's license is under restraint.
35

36 Amendment No. 1, by Representative(s) Waller.
37

38 Amend printed bill, page 2, line 2, strike "(1) (a) and (1) (b)," and
39 substitute "(1) (a), (1) (b), and (1) (f),".
40

41 Page 3, after line 7, insert:

42 ~~"(f) Upon entry of a plea of guilty or nolo contendere to a~~
43 ~~violation of paragraph (a) or (d) of this subsection (1), or upon~~
44 ~~or judgment of guilt for such~~ A violation OF PARAGRAPH (a) OR (d) OF THIS
45 SUBSECTION (1), the court shall require the offender to immediately
46 surrender his or her driver's license, minor driver's license, provisional
47 driver's license, temporary driver's license, or instruction permit issued by
48 this state, another state, or a foreign country. The court shall forward to
49 the department a notice of the plea, verdict or judgment OF GUILT on the
50 form prescribed by the department, together with the offender's
51 surrendered license or permit. Any person who violates the provisions of
52 this paragraph (f) by failing to surrender his or her license or permit to the
53 court commits a class 2 misdemeanor traffic offense."
54

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

1 **HB10-1117** by Representative(s) Benefield, Primavera, Solano; also
2 Senator(s) Johnston, Hudak, Newell, Tochtrop--
3 Concerning certain procedures regarding the levying of
4 taxes by county officers, and, in connection therewith,
5 raising the amount of abatement or refund that may be
6 approved by a board of county commissioners and
7 allowing for the electronic transmission of notices of
8 valuation sent by the county assessor and tax statements
9 sent by the county treasurer.

10
11 Amendment No. 1, Local Government Report, dated January 28, 2010,
12 and placed in member's bill file; Report also printed in House Journal,
13 January 29, pages 120-121.

14
15 As amended, ordered engrossed and placed on the Calendar for Third
16 Reading and Final Passage.

17
18 **HB10-1116** by Representative(s) Todd; also Senator(s) Newell--
19 Concerning the revision of certain administrative
20 provisions relating to the conduct of elections, and, in
21 connection therewith, amending or repealing obsolete,
22 inconsistent, and conflicting provisions of law.

23
24 Amendment No. 1, by Representative(s) Todd.

25
26 Amend printed bill, page 12, line 19, strike "election," and substitute
27 "election THAT IS COORDINATED WITH OR CONDUCTED BY THE COUNTY
28 CLERK AND RECORDER,".

29
30 As amended, ordered engrossed and placed on the Calendar for Third
31 Reading and Final Passage.

32
33 **HB10-1004** by Representative(s) Massey, Apuan, Frangas, Kerr J.;
34 also Senator(s) Foster, Boyd, Schwartz--Concerning
35 standardization of health insurance information provided
36 to consumers.

37
38 Amendment No. 1, Health & Human Services Report, dated
39 February 1, 2010, and placed in member's bill file; Report also printed in
40 House Journal, February 2, page 162.

41
42 As amended, ordered engrossed and placed on the Calendar for Third
43 Reading and Final Passage.

44
45 On motion of Representative Weissmann, the remainder of the General
46 Orders Calendar (**HB10-1043, 1112**) was laid over until February 4,
47 retaining place on Calendar.

48
49
50 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

51
52 Passed Second Reading: **HB10-1064, 1059, 1023 amended, 1065, 1090**
53 **amended, 1117, 1116 amended, 1004 amended.**

54
55 Laid over until date indicated retaining place on Calendar: **HB10-1043,**
56 **1112.**

1 The Chairman moved the adoption of the Committee of the Whole
 2 Report. As shown by the following roll call vote, a majority of those
 3 elected to the House voted in the affirmative, and the Report was
 4 **adopted.**

	YES	64	NO	0	EXCUSED	1	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	E	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

33 **HB10-1134** be referred to the Committee of the Whole with favorable
 34 recommendation.

37 **HB10-1159** be amended as follows, and as so amended, be referred to
 38 the Committee of the Whole with favorable
 39 recommendation:

41 Amend printed bill, page 2, line 19, strike "LOCATED OR" and substitute
 42 "LOCATED,".

44 Page 3, line 1, strike "EXCHANGE;" and substitute "EXCHANGE, OR WITHIN
 45 WHOSE BOUNDARIES IS LOCATED THE STREAM OR RIVER UPSTREAM OF THE
 46 PROPOSED POINT OF DIVERSION;".

48 Page 3, strike lines 8 through 10 and substitute:

49 "(I) (A) AT LEAST FORTY-FIVE DAYS BEFORE FINALIZING THE
 50 MITIGATION AGREEMENT, PROVIDE WRITTEN NOTICE OF THE PROPOSED
 51 AGREEMENT TO THE WATER COURT FOR THE DIVISION FROM WHICH WATER
 52 WOULD BE DIVERTED, THE DIVISION OF WATER RESOURCES, ALL PERSONS
 53 WHO HAVE REQUESTED NOTICE PURSUANT TO SECTION 37-92-308 (6), AND
 54 THE LOCAL BASIN ROUNDTABLE CREATED PURSUANT TO SECTION
 55 37-75-104. THE WRITTEN NOTICE SHALL DESCRIBE THE PURPOSE OF THE
 56 PROPOSED AGREEMENT AND THE SUBJECTS AND ISSUES INVOLVED.

1 (B) AT LEAST TEN DAYS BEFORE FINALIZING THE MITIGATION
2 AGREEMENT, MAKE A DRAFT OF THE PROPOSED MITIGATION AGREEMENT
3 AVAILABLE TO ANY PARTY WHO REQUESTS IT;"

4
5 Page 3, line 11, strike everything after "ALL".

6
7 Page 3, line 12, strike everything before "WRITTEN".

8
9 Page 3, strike lines 18 through 27.

10
11 Page 4, line 1, strike "(II)" and substitute "(d)".

12
13 Page 4, strike lines 5 through 8.

14
15 Page 4, line 13, strike "DURATION." and substitute "DURATION OR TO
16 DILIGENCE PROCEEDINGS FOR CONDITIONAL WATER RIGHTS THAT WERE
17 DECREED BEFORE THE EFFECTIVE DATE OF THIS SUBSECTION (18).".

18
19
20
21
22 **BUSINESS AFFAIRS & LABOR**

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

25
26 **HB10-1021** be amended as follows, and as so amended, be referred to
27 the Committee of the Whole with favorable
28 recommendation:

29
30 Amend printed bill, page 2, line 9, strike "AND".

31
32 Page 2, strike lines 10 through 15 and substitute "shall insure against the
33 expense of normal pregnancy and childbirth or provide coverage for
34 maternity care therefor in the same manner as any other".

35
36 Page 2, strike lines 19 through 21 and substitute "preexisting condition.
37 AN ENTITY THAT OFFERS INDIVIDUAL SICKNESS AND ACCIDENT INSURANCE
38 SUBJECT TO PART 2 OF THIS ARTICLE, EXCEPT SUPPLEMENTAL POLICIES
39 COVERING A SPECIFIED DISEASE OR OTHER LIMITED BENEFIT, SHALL OFFER
40 A POLICY THAT INCLUDES COVERAGE FOR MATERNITY CARE IN THE SAME
41 MANNER AS ANY OTHER SICKNESS, INJURY, DISEASE, OR CONDITION THAT
42 IS COVERED IN THE POLICY.".

43
44
45
46 **HB10-1038** be amended as follows, and as so amended, be referred to
47 the Committee on Appropriations with favorable
48 recommendation:

49
50 Amend printed bill, page 2, line 11, strike "APPROVED BY THE DIRECTOR,"
51 and substitute "DEVELOPED BY THE DIRECTOR AFTER CONSULTATION WITH
52 EMPLOYERS, INSURANCE CARRIERS, AND REPRESENTATIVES OF INJURED
53 WORKERS,".

54
55 Page 2, line 12, after "RIGHTS." insert "IF THE CLAIMANT HAS PREVIOUSLY
56 AUTHORIZED THE EMPLOYER OR, IF INSURED, THE EMPLOYER'S INSURANCE

1 CARRIER TO COMMUNICATE WITH THE CLAIMANT THROUGH ELECTRONIC
2 TRANSMISSION, THE BROCHURE MAY BE SENT TO THE CLAIMANT
3 ELECTRONICALLY."

4
5 Page 2, line 25, strike "THE CLAIMANT'S" and substitute "THAT MOST
6 CLAIMANTS HAVE A".

7
8 Page 3, line 2, strike "THE CLAIMANT'S" and substitute "THAT MOST
9 CLAIMANTS HAVE A".

10
11 Page 3, line 3, after "AND" insert "ALL CLAIMANTS HAVE THE RIGHT".

12
13 Page 3, line 9, strike "SPECIFY WHO MAY" and substitute "DISCUSS WITH
14 HIS OR HER DOCTOR WHO SHOULD".

15
16 Page 3, strike lines 10 and 11 and substitute "DURING A CLAIMANT'S
17 MEDICAL APPOINTMENT, AND THE RIGHT TO".

18
19 Page 3, strike line 13 and substitute "CLAIM PRESENT AT THE CLAIMANT'S
20 MEDICAL APPOINTMENT;".

21
22 Page 3, strike lines 21 through 24 and substitute "DOCTOR CHOSEN BY THE
23 CLAIMANT OR BY THE DIVISION AT THE CLAIMANT'S EXPENSE;".

24
25 Page 4, strike lines 2 through 4 and substitute:
26 "(IX) THE CLAIMANT'S RIGHT TO BE INFORMED WHETHER MEDICAL
27 CARE AFTER MAXIMUM MEDICAL IMPROVEMENT WILL BE PROVIDED AND
28 TO RECEIVE REASONABLE CONTINUED MEDICAL CARE IF IT IS NECESSARY
29 TO MAINTAIN MAXIMUM MEDICAL IMPROVEMENT."

30
31
32
33 **HB10-1175** be amended as follows, and as so amended, be referred to
34 the Committee of the Whole with favorable
35 recommendation:

36
37 Amend printed bill, page 6, strike lines 7 through 17 and substitute
38 "completion of an internship ~~which~~ OR DEMONSTRATED COMPETENCY AS
39 A PHYSICAL THERAPIST THAT fulfills the requirements established by rules
40 and regulations of the director. or

41
42 ~~(II) The applicant did not pass an examination substantially~~
43 ~~equivalent to that specified in section 12-41-107 (2). Such an applicant~~
44 ~~must take and pass the examination specified in section 12-41-107 (2) and~~
45 ~~complete an internship which fulfills the requirements established by~~
46 ~~rules and regulations of the director."~~

47
48
49
50 **HB10-1180** be referred to the Committee of the Whole with favorable
51 recommendation.

52
53
54 **HB10-1202** be amended as follows, and as so amended, be referred to
55 the Committee of the Whole with favorable
56 recommendation:

1 Amend printed bill, page 2, line 25, strike "AT THE SAME" and substitute
2 "NOT TO EXCEED".
3

4 Page 2, line 26, strike "COPAYMENT" and substitute "COINSURANCE" and
5 strike "COINSURANCE" and substitute "COPAYMENT".
6

7 Page 3, line 5, strike "PHYSICIAN." and substitute "PHYSICIAN FOR THE
8 PURPOSE OF KILLING OR SLOWING THE GROWTH OF CANCEROUS CELLS IN
9 A MANNER THAT IS IN ACCORDANCE WITH NATIONALLY ACCEPTED
10 STANDARDS OF MEDICAL PRACTICE, CLINICALLY APPROPRIATE IN TERMS
11 OF TYPE, FREQUENCY, EXTENT SITE, AND DURATION, AND NOT PRIMARILY
12 FOR THE CONVENIENCE OF THE PATIENT, PHYSICIAN, OR OTHER HEALTH
13 CARE PROVIDER."
14

15 Page 3, strike lines 14 and 15 and substitute "COSTS WITH RESPECT TO
16 ANTI-CANCER MEDICATIONS USED TO KILL OR SLOW THE GROWTH OF
17 CANCEROUS CELLS COVERED UNDER A POLICY BEYOND THE
18 MODIFICATIONS PERMITTED PURSUANT TO SECTION 10-16-201.5 (8).".
19

20 Page 3, strike lines 16 through 24 and substitute:
21

22 "SECTION 3. Specified effective date - applicability. This act
23 shall take effect November 1, 2010, and shall apply to policies".
24
25
26
27

28 **FINANCE**

29 After consideration on the merits, the Committee recommends the
30 following:
31

32 **HB10-1011** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:
35

36 Amend printed bill, page 2, strike lines 12 through 14 and substitute
37 "INFORMATION COLLECTED OR STORED BY THE DEPARTMENT IN ORDER TO
38 ISSUE DRIVER'S LICENSES OR IDENTIFICATION CARDS. THE DEPARTMENT
39 OF REVENUE SHALL REQUIRE ALL SUCH EMPLOYEES".
40

41 Page 2, line 17, before "EMPLOYEES" insert "SUCH".
42
43
44

45 **HB10-1040** be referred favorably to the Committee on Appropriations.
46
47
48

49 **PRINTING REPORT**

50
51 The Chief Clerk reports the following bills have been correctly printed:
52 **HB10-1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246,**
53 **1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257.**
54
55
56

INTRODUCTION OF BILLS
First Reading

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

HB10-1258 by Representative(s) Acree, Bradford, Vaad; also Senator(s) Harvey, Spence--Concerning the authority of health insurance carriers to offer premium discounts for compliance with treatment plans prescribed to manage certain covered conditions.

Committee on Health and Human Services

HB10-1259 by Representative(s) Nikkel; also Senator(s) Lundberg--Concerning amendments to the "Municipal Annexation Act of 1965" in order to conform the act to provisions of the state constitution.

Committee on Local Government

Committee on Judiciary

HB10-1260 by Representative(s) Riesberg and Acree, Gerou, Kefalas, Roberts, Tyler; also Senator(s) Newell--Concerning the sunset review of the Colorado state board of medical examiners, and, in connection therewith, continuing the board and the regulation of physicians and physician assistants until July 1, 2019, and implementing the recommendations contained in the sunset review and report of the board.

Committee on Health and Human Services

HB10-1261 by Representative(s) Bradford and Summers, Acree, Gardner B., Gerou, King S., Lambert, Liston, Looper, Murray, Nikkel, Priola, Stephens, Vaad, Waller--Concerning violent acts that harm unborn children, and making an appropriation in connection therewith.

Committee on Judiciary

Committee on Appropriations

HB10-1262 by Representative(s) Frangas--Concerning scholarship programs for persons in industries in high need of trained workforces.

Committee on Education

Committee on Appropriations

HB10-1263 by Representative(s) Pommer, Casso, Ferrandino, Fischer, Gagliardi, Hullinghorst, Kerr A., Labuda, Levy, Merrifield, Miklosi, Primavera, Weissmann; also Senator(s) Boyd, Hudak, Steadman, Tochtrop, Williams--Concerning a limit on the state income tax benefit for compensation paid by a business for personal services rendered.

Committee on Finance

- 1 **HB10-1264** by Representative(s) Priola; also Senator(s) Heath--
2 Concerning the establishment of an incentive process
3 whereby state employees can submit suggestions for state
4 agency improvements that result in cost savings.
5 Committee on State, Veterans, & Military Affairs
6 Committee on Appropriations
7
- 8 **HB10-1265** by Representative(s) Vigil--Concerning a court's authority
9 to waive certain charges levied against indigent
10 defendants.
11 Committee on Judiciary
12
- 13 **HB10-1266** by Representative(s) Frangas--Concerning the inclusion of
14 employees of specified employers in certain aspects of
15 state group benefit plans at the option of the employer.
16 Committee on Business Affairs and Labor
17
- 18 **HB10-1267** by Representative(s) Kerr A., Fischer, Gardner C., Looper,
19 McNulty, Merrifield, Miklosi; also Senator(s) Romer,
20 Penry--Concerning the property tax treatment of an
21 independently owned residential solar electric generation
22 facility.
23 Committee on Finance
24
- 25 **SB10-009** by Senator(s) Sandoval, Boyd, Hudak; also
26 Representative(s) Gagliardi, Kefalas--Concerning the
27 duties of the economic opportunity poverty reduction task
28 force.
29 Committee on Health and Human Services
30
- 31 **SB10-041** by Senator(s) Bacon; also Representative(s) Nikkel--
32 Concerning technical modifications to statutory provisions
33 governing campaign finance.
34 Committee on State, Veterans, & Military Affairs
35
- 36 **SB10-046** by Senator(s) Gibbs; also Representative(s) Levy--
37 Concerning the boundaries of forest improvement districts.
38 Committee on Local Government
39
- 40 **SB10-115** by Senator(s) Tochtrop, Bacon, Carroll M., Williams; also
41 Representative(s) Primavera--Concerning the authority of
42 licensed health care facilities to redispense unused
43 medications.
44 Committee on Health and Human Services
45
46
47
48
49

INTRODUCTION OF RESOLUTION

- 50
51
52 The following resolution was read by title and referred to the committee
53 indicated:
54
- 55 **SJR10-004** by Senator(s) Whitehead; also Representative(s) Fischer--
56 Concerning approval of water project revolving fund

1 eligibility lists administered by the Colorado water
2 resources and power development authority.
3 Committee on Agriculture, Livestock, & Natural Resources
4
5
6

7 **NOTICE OF CALENDARED ITEM(S)**
8

9 On motion of Representative Weissmann, the following bill(s) will be
10 calendared for Second Reading on February 5, 2010: **HB10-1202, 1159.**
11

12 On motion of Representative Weissmann, the following bill(s) calendared
13 for Second Reading, February 5, will be laid over until February 8, 2010:
14 **SB10-035.**
15
16

17
18 On motion of Representative Weissmann, the House adjourned until
19 9:00 a.m., February 5, 2010.
20

21 Approved:
22 TERRANCE D. CARROLL,
23 Speaker

24 Attest:
25 MARILYN EDDINS,
26 Chief Clerk

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

Twenty-fourth Legislative Day

Friday, February 5, 2010

1 Prayer by Father Eustace Sequeira, SJ., St. Ignatius Loyola Catholic
2 Church, Denver.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Kourtney Grunlien, Brianna Dague,
7 Maddie Heiken, Micheala Onyenwere, Troop 3068, Aurora Quest School.

8
9 The roll was called with the following result:

10
11 Present--61.

12 Excused--Representative(s) Bradford, Ferrandino, Labuda,
13 Pommer--4.

14 Present after roll call--Representative(s) Ferrandino, Pommer.

15
16 The Speaker declared a quorum present.

17 _____
18
19 On motion of Representative Baumgardner, the reading of the journal of
20 February 4, 2010, was declared dispensed with and approved as corrected
21 by the Chief Clerk. _____

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

27 _____
28
29 **GENERAL ORDERS--SECOND READING OF BILLS**

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

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

38
39 **HB10-1043** by Representative(s) Apuan--Concerning outdated
40 references to the federal aid to families with dependent
41 children.

42
43 Laid over until February 8, retaining place on Calendar.

1 **HB10-1112** by Representative(s) Miklosi; also Senator Newell--
2 Concerning the "Correctional Education Program Act of
3 1990".
4

5 Amendment No. 1, Judiciary Report, dated February 1, 2010, and placed
6 in member's bill file; Report also printed in House Journal, February 2,
7 page 165.
8

9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.
11

12 **HB10-1159** by Representative(s) Pace, Curry, Fischer, Hulinghorst,
13 King S., McFadyen, Scanlan, Vigil; also Senator(s) Gibbs,
14 Schwartz, White--Concerning the water court's authority
15 to consider conditions in decrees to address the effects of
16 a water export across water division boundaries.
17

18 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
19 dated February 3, 2010, and placed in member's bill file; Report also
20 printed in House Journal, February 4, pages 196-197.
21

22 As amended, declared **lost** on Second Reading.
23

24 **HB10-1107** by Representative(s) Fischer, Ferrandino, Hulinghorst,
25 Pommer; also Senator(s) Carroll M., Tochtrop--
26 Concerning limitations on the inclusion of agricultural
27 lands within urban renewal areas.
28

29 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
30 dated February 3, 2010, and placed in member's bill file; Report also
31 printed in House Journal, February 3, page 175.
32

33 Amendment No. 2, by Representative(s) McNulty.
34

35 Amend printed bill, page 11, strike lines 9 through 14 and substitute:
36 **"SECTION 6. Act subject to petition - effective date -**
37 **applicability.** (1) This act shall take effect at 12:01 a.m. on the day
38 following the expiration of the ninety-day period after final adjournment
39 of the general assembly (August 11, 2010, if adjournment sine die is on
40 May 12, 2010); except that, if a referendum petition is filed pursuant to
41 section 1 (3) of article V of the state constitution against this act or an
42 item, section, or part of this act within such period, then the act, item,
43 section, or part shall not take effect unless approved by the people at the
44 general election to be held in November 2010 and shall take effect on the
45 date of the official declaration of the vote thereon by the governor.
46

47 (2) The provisions of this act shall apply to urban renewal plans
48 approved or substantially modified on or after the applicable effective
49 date of this act."
50

51 As amended, ordered engrossed and placed on the Calendar for Third
52 Reading and Final Passage.
53

54 **HB10-1202** by Representative(s) Primavera and McNulty, Pace,
55 Gerou, Summers, Benefield, Casso, Court, Ferrandino,
56 Fischer, Frangas, Gagliardi, Hulinghorst, Kagan, Kefalas,

Levy, Looper, Merrifield, Miklosi, Peniston, Pommer, Solano, Soper, Todd, Tyler, Vigil, Weissmann; also Senator(s) Tochtrop, Penry, Heath, Hudak, Newell-- Concerning health benefit coverage for chemotherapy treatment.

Amendment No. 1, Business Affairs & Labor Report, dated February 3, 2010, and placed in member's bill file; Report also printed in House Journal, February 4, pages 198-199.

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

On motion of Representative Weissmann, the remainder of the General Orders Calendar (**HB10-1170, 1203, 1076, 1137, 1185**) was laid over until February 8, retaining place on Calendar.

AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT

Representative Pace moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting HB10-1159, to show that **HB10-1159**, as amended, passed.

The amendment was declared **lost** by the following roll call vote:

	YES	21	NO	40	EXCUSED	4	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	N	
Apuan	N	Hullinghorst	Y	McKinley	Y	Scanlan	Y	
Balmer	N	Judd	N	McNulty	N	Schafer S.	N	
Baumgardner	Y	Kagan	N	Merrifield	N	Solano	Y	
Benefield	N	Kefalas	Y	Middleton	N	Sonnenberg	N	
Bradford	E	Kerr A.	E	Miklosi	Y	Soper	N	
Casso	Y	Kerr J.	N	Murray	N	Stephens	N	
Court	N	King S.	Y	Nikkel	N	Summers	N	
Curry	Y	Labuda	E	Pace	Y	Swalm	N	
DelGrosso	N	Lambert	N	Peniston	N	Tipton	Y	
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	N	
Fischer	Y	Liston	N	Primavera	N	Tyler	N	
Frangas	Y	Looper	N	Priola	N	Vaad	N	
Gagliardi	N	Massey	E	Rice	N	Vigil	Y	
Gardner B.	N	May	N	Riesberg	N	Waller	N	
Gardner C.	N	McCann	N	Roberts	Y	Weissmann	Y	
						Speaker	N	

Representatives Ferrandino and Fischer moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in adopting Amendment No. 2, by Representative McNulty (printed in House Journal page 204, lines 33-49), to HB10-1107, to show that said amendment lost, and that **HB10-1107**, as amended, passed.

The amendment was declared **lost** by the following roll call vote:

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

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

HB10-1002 be referred to the Committee of the Whole with favorable recommendation.

HB10-1030 be referred to the Committee of the Whole with favorable recommendation.

HB10-1058 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 3, insert:

"SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the tobacco tax enforcement cash fund created in section 39-28-107 (1) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for allocation to the central department operations division, for the fiscal year beginning July 1, 2010, the sum of one thousand four hundred dollars (\$1,400) cash funds, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding sections accordingly.

Page 1, line 102, strike "CIGARETTES." and substitute "**cigarettes, and making an appropriation therefor.**".

HB10-1197 be referred to the Committee of the Whole with favorable recommendation.

EDUCATION

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

HB10-1013 be referred favorably to the Committee on Appropriations.

HB10-1044 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, line 3, strike "THE FOLLOWING NEW
2 SUBSECTIONS" and substitute "A NEW SUBSECTION".
3
- 4 Page 3, strike lines 2 and 3.
5
- 6 Page 3, line 5, after "THAT" insert "IS DESIGNED TO SERVE YOUTH AS
7 YOUNG AS SIX YEARS OF AGE AND AS OLD AS EIGHTEEN YEARS OF AGE
8 AND THAT".
9
- 10 Page 3, line 7, strike "AGE-APPROPRIATE" and substitute
11 "AGE-APPROPRIATE, AND CHARACTER-BUILDING".
12
- 13 Page 3, strike lines 11 and 12.
14
- 15 Page 3, line 14, after "CONSENT" insert "TO BECOME A YOUTH MEMBER OF
16 THE NEIGHBORHOOD YOUTH ORGANIZATION AND".
17
- 18 Page 3, line 18, after "OPERATED" insert "BY".
19
- 20 Page 3, line 19, strike "DEPARTMENTS." and substitute "DEPARTMENTS OR
21 FACILITIES THAT ARE CURRENTLY LICENSED AS CHILD CARE CENTERS AS
22 DEFINED IN SUBSECTION (1.5) OF THIS SECTION."
23
- 24 Page 3, strike lines 20 through 22.
25
- 26 Page 3, after line 22 insert:
27
- 28 "(13) "YOUTH MEMBER" MEANS A YOUTH WHO IS SIX YEARS OF
29 AGE THROUGH 18 YEARS OF AGE WHOSE PARENT OR LEGAL GUARDIAN
30 HAS PROVIDED WRITTEN CONSENT FOR THE YOUTH TO PARTICIPATE IN THE
31 ACTIVITIES OF A NEIGHBORHOOD YOUTH ORGANIZATION AND WHO PAYS
32 THE REQUIRED DUES OF THE NEIGHBORHOOD YOUTH ORGANIZATION."
33
- 34 Page 3, line 27, strike "**responsibilities.**" and substitute "**responsibilities**
35 **- definitions.**".
36
- 37 Page 4, line 11, after "LICENSE." add "THE RULES SHALL NOT CONCERN
38 STAFF-TO-YOUTH RATIOS."
39
- 40 Page 4, line 27, after "YOUTH" insert "MEMBER".
41
- 42 Page 5, line 1, strike "YOUTH'S" and substitute "YOUTH MEMBER'S".
43
- 44 Page 5, line 2, after "YOUTH" insert "MEMBER".
45
- 46 Page 5, line 12, after "YOUTH" insert "MEMBER".
47
- 48 Page 5, line 15, strike "YOUTH'S" and substitute "YOUTH MEMBER'S".
49
- 50 Page 5, line 16, strike "YOUTH'S" and substitute "YOUTH MEMBER'S".
51
- 52 Page 5, line 18, strike "YOUTH;" and substitute "YOUTH MEMBER;".
53
- 54 Page 5, line 20, strike "YOUTH;" and substitute "YOUTH MEMBER;".
55
- 56 Page 5, line 22, after "YOUTH" insert "MEMBER".

- 1 Page 5, line 23, strike "YOUTH'S" and substitute "YOUTH MEMBER'S".
2
- 3 Page 5, line 25, after "TRANSPORTATION" insert "PRIOR" and strike the
4 first "AND" and substitute "OR".
5
- 6 Page 6, line 2, strike "EMPLOYEE, VOLUNTEER, OR APPLICANT FOR AN"
7 and substitute "EMPLOYEE AND VOLUNTEER".
8
- 9 Page 6, line 3, strike "EMPLOYEE OR VOLUNTEER POSITION".
10
- 11 Page 6, line 4, after "YOUTH" insert "MEMBERS".
12
- 13 Page 6, strike lines 6 and 7 and substitute "EMPLOYEES AND VOLUNTEERS
14 WHO WORK DIRECTLY WITH OR WILL WORK DIRECTLY WITH YOUTH
15 MEMBERS FIVE".
16
- 17 Page 6, strike lines 13 through 19 and substitute "INVESTIGATED HAS
18 BEEN CONVICTED OF FELONY CHILD ABUSE AS SPECIFIED IN SECTION
19 18-6-401, C.R.S., OR A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL
20 BEHAVIOR AS DEFINED IN SECTION 16-22-102 (9), C.R.S. THE
21 NEIGHBORHOOD YOUTH ORGANIZATION SHALL NOT HIRE A PERSON AS AN
22 EMPLOYEE OR APPROVE A PERSON AS A VOLUNTEER AFTER CONFIRMATION
23 OF SUCH A CRIMINAL HISTORY."
24
- 25 Page 6, strike lines 26 and 27 and substitute "HAS BEEN CONVICTED OF
26 FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401, C.R.S., OR A
27 FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS DEFINED
28 IN SECTION 16-22-102 (9), C.R.S. THE NEIGHBORHOOD YOUTH
29 ORGANIZATION SHALL NOT HIRE A PERSON AS AN EMPLOYEE OR APPROVE
30 A PERSON AS A VOLUNTEER AFTER CONFIRMATION OF SUCH A CRIMINAL
31 HISTORY."
32
- 33 Page 7, strike lines 1 through 5.
34
- 35 Page 7, strike lines 12 through 19 and substitute "APPROPRIATE TO
36 DETERMINE WHETHER THE EMPLOYEE OR VOLUNTEER HAS BEEN
37 CONVICTED OF FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401,
38 C.R.S., OR A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR
39 AS DEFINED IN SECTION 16-22-102 (9), C.R.S. THE NEIGHBORHOOD
40 YOUTH ORGANIZATION SHALL NOT HIRE A PERSON AS AN EMPLOYEE OR
41 APPROVE A PERSON AS A VOLUNTEER AFTER CONFIRMATION OF SUCH A
42 CRIMINAL HISTORY."
43
- 44 Page 7, line 20, after "CHECK" insert "BY A PRIVATE ENTITY REGULATED
45 AS A CONSUMER REPORTING AGENCY PURSUANT TO 15 U.S.C. SEC. 1681
46 ET SEQ."
47
- 48 Page 7, line 22, strike "TRACE AND" and substitute "TRACE,".
49
- 50 Page 7, line 23, strike "CHECK." and substitute "CHECK, AND A STATE OR
51 COUNTY CRIMINAL FILE SEARCH."
52
- 53 Page 7, strike lines 24 through 27 and substitute "THE PERSON BEING
54 INVESTIGATED HAS BEEN CONVICTED OF FELONY CHILD ABUSE AS
55 SPECIFIED IN SECTION 18-6-401, C.R.S., OR A FELONY OFFENSE INVOLVING
56 UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN SECTION 16-22-102 (9),

1 C.R.S. THE NEIGHBORHOOD YOUTH ORGANIZATION SHALL NOT HIRE A
2 PERSON AS AN EMPLOYEE OR APPROVE A PERSON AS A VOLUNTEER AFTER
3 CONFIRMATION OF SUCH A CRIMINAL HISTORY."

4
5 Strike page 8.

6
7 Page 9, strike lines 1 through 3.

8
9 Renumber succeeding subsections accordingly.

10
11 Page 9, line 16, after "YOUTH" insert "MEMBERS".

12
13 Page 9, after line 16 insert:

14
15 "(8) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
16 REQUIRES:

17
18 (a) "EMPLOYEE" MEANS A PAID EMPLOYEE OF A NEIGHBORHOOD
19 YOUTH ORGANIZATION WHO IS EIGHTEEN YEARS OF AGE OR OLDER.

20
21 (b) "VOLUNTEER MEANS A PERSON WHO VOLUNTEERS HIS OR HER
22 ASSISTANCE TO A NEIGHBORHOOD YOUTH ORGANIZATION AND WHO IS
23 EIGHTEEN YEARS OF AGE OR OLDER."

24
25
26
27
28 **HEALTH & HUMAN SERVICES**

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

31
32 **HB10-1005** be referred favorably to the Committee on Appropriations.

33
34
35 **HB10-1008** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:

38
39 Amend printed bill, page 2, strike lines 7 and 8 and substitute "individual
40 ~~sickness, accident, or health insurance policy, contract, certificate, or~~
41 ~~other evidence of coverage~~ POLICY ISSUED AS A HEALTH COVERAGE PLAN,
42 A HEALTH BENEFIT PLAN, OR A POLICY OF SICKNESS AND ACCIDENT
43 INSURANCE issued or delivered to any".

44
45 Page 3, strike lines 2 and 3 and substitute "AN INDIVIDUAL POLICY ISSUED
46 AS A HEALTH COVERAGE PLAN, A HEALTH BENEFIT PLAN, OR A POLICY OF
47 SICKNESS AND ACCIDENT INSURANCE DUE TO THE".

48
49 Page 3, strike lines 8 through 21 and substitute:

50
51 **"SECTION 2. Act subject to petition - specified effective date**
52 **- applicability.** (1) This act shall take effect January 1, 2011; except
53 that, if a referendum petition is filed pursuant to section 1 (3) of article V
54 of the state constitution against this act or an item, section, or part of this
55 act within the ninety-day period after final adjournment of the general
56 assembly, then the act, item, section, or part shall not take effect unless

1 approved by the people at the general election to be held in November
2 2010 and shall take effect on January 1, 2011, or on the date of the
3 official declaration of the vote thereon by the governor, whichever is
4 later.

5
6 (2) The provisions of this act shall apply to rates for individual
7 health coverage plans, health benefit plans, and policies of sickness and
8 accident insurance set on or after the applicable effective date of this
9 act."

10
11
12
13 **HB10-1024** be amended as follows, and as so amended, be referred to
14 the Committee of the Whole with favorable
15 recommendation:

16
17 Amend printed bill, page 2, line 2, strike "(2) and".

18
19 Page 2, line 3, strike "are" and substitute "is".

20
21 Page 2, strike lines 4 through 11 and substitute:

22
23 **"15-18-104. Declaration as to medical treatment.** (3) A
24 declaration executed before two witnesses by any competent".

25
26
27
28 **HB10-1106** be amended as follows, and as so amended, be referred to
29 the Committee on Appropriations with favorable
30 recommendation:

31
32 Amend printed bill, page 2, strike line 3 and substitute "is amended, and
33 the said 26-6-107 (1) (a) (I) is further amended BY THE ADDITION OF
34 A NEW SUB-SUBPARAGRAPH, to read:".

35
36 Page 3, strike lines 3 through 10 and substitute "identified in
37 sub-subparagraph (B) OR (C.5) of this subparagraph (I), to include a
38 fingerprint-based criminal history records check through the Colorado
39 bureau of investigation. ~~except for persons residing in this state less than~~
40 ~~two years, who shall be required to have a federal bureau of investigation~~
41 ~~fingerprint-based criminal history records check through the Colorado~~
42 ~~bureau of investigation.~~ As part of said investigation, the records and
43 reports of".

44
45 Page 3, after line 20 insert:

46
47 "(C.5) FOR PERSONS RESIDING IN THIS STATE LESS THAN TWO
48 YEARS, SPECIALIZED GROUP HOME PARENTS, OR ANY PERSON WORKING IN
49 A TWENTY-FOUR-HOUR CHILD CARE FACILITY, THE RULES PROMULGATED
50 BY THE STATE BOARD PURSUANT TO THIS SUBPARAGRAPH (I) SHALL
51 REQUIRE, IN ADDITION TO THE FINGERPRINT-BASED CRIMINAL HISTORY
52 RECORDS CHECK THROUGH THE COLORADO BUREAU OF INVESTIGATION
53 DESCRIBED IN SUB-SUBPARAGRAPH (C) OF THIS SUBPARAGRAPH (I), A
54 FEDERAL BUREAU OF INVESTIGATION FINGERPRINT-BASED CRIMINAL
55 HISTORY RECORDS CHECK THROUGH THE COLORADO BUREAU OF
56 INVESTIGATION."

1 Page 4, strike lines 17 through 23 and substitute "~~of the child~~".

2
3 Page 5, line 4, after "SHALL" insert "USE GOOD FAITH EFFORTS AND DUE
4 DILIGENCE TO".

5
6 Page 6, strike line 14 and substitute:

7
8 "SECTION 3. The introductory portion to 19-5-104 (1) and
9 19-5-104 (1) (d), Colorado Revised Statutes, are".

10
11 Page 6, line 18, strike "court, after taking into account the racial,
12 cultural,".

13
14 Page 6, line 19, strike "and religious background of the child," and
15 substitute "court ~~after taking into account the racial, cultural, and~~
16 ~~religious background of the child~~".

17
18
19
20 **HB10-1115** be referred to the Committee of the Whole with favorable
21 recommendation.

22
23
24
25
26 **JUDICIARY**

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

29
30 **HB10-1009** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:

33
34 Amend printed bill, page 2, strike lines 7 through 9 and substitute "ONE
35 OF THE ELEVEN MEMBERS SHALL BE A PHYSICIAN. The REMAINING TEN
36 members of the".

37
38 Page 2, line 17, strike "EMPLOYEES." and substitute EMPLOYEES AT THE
39 TIME OF APPOINTMENT.".

40
41 Page 3, strike lines 9 and 10 and substitute:

42
43 "(3) "Members".

44
45
46
47 **HB10-1084** be postponed indefinitely.

48
49
50 **HB10-1097** be amended as follows, and as so amended, be referred to
51 the Committee of the Whole with favorable
52 recommendation:

53
54
55 Amend printed bill, page 3, line 9, strike "19-1-117," and substitute
56 "19-1-117 OR IN PROCEEDINGS INITIATED BY A DELEGATE CHILD SUPPORT

1 ENFORCEMENT UNIT, AS DEFINED IN SECTION 26-13-102.5 (1), PURSUANT
2 TO ARTICLE 13 OR 13.5 OF TITLE 26, C.R.S., OR ARTICLE 5 OF TITLE 14,
3 C.R.S.,".
4
5
6

7 **SB10-109** be amended as follows, and as so amended, be referred to
8 the Committee on Appropriations with favorable
9 recommendation:
10

11 Amend reengrossed bill, page 4, line 22, strike "card;" and substitute
12 "card OR FOR RENEWAL OF A REGISTRY IDENTIFICATION CARD;".
13

14 Page 5, line 1, strike "issuance," and substitute "issuance AND RENEWAL,".
15

16 Page 5, line 22, strike "SHALL" and substitute "MAY".
17

18 Page 6, line 9, after "FROM" insert "OR TO".
19

20 Page 6, strike lines 22 through 27.
21

22 Page 7, strike lines 1 through 5.
23

24 Renumber succeeding subsections accordingly.
25

26 Page 8, strike lines 2 through 17.
27

28 Page 8, strike line 25 and substitute "RECOMMENDATION FROM A
29 PHYSICIAN WITH WHOM THE PATIENT HAS A BONA FIDE PHYSICIAN-PATIENT
30 RELATIONSHIP.".
31

32 Page 9, line 12, strike "EXECUTIVE DIRECTOR." and substitute "STATE
33 HEALTH AGENCY.".
34

35 Page 10, line 6, strike "COVER" and substitute "PAY".
36
37
38
39

40 **STATE, VETERANS, & MILITARY AFFAIRS**

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

44 **HB10-1007** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:
47

48 Amend printed bill, page 2, line 3, strike "amended" and substitute
49 "amended, and the said 30-1-103 is further amended BY THE
50 ADDITION OF A NEW SUBSECTION,".
51

52 Page 2, after line 15, insert:
53

54 "(5) THE FEE DESCRIBED IN SUBSECTION (1) OF THIS SECTION
55 SHALL NOT BE COLLECTED ON ANY FILING RECEIVED BY THE COUNTY
56 CLERK AND RECORDER AS AN AUTHORIZED AGENT OF THE EXECUTIVE

1 DIRECTOR OF THE DEPARTMENT OF REVENUE PURSUANT TO SECTION
2 38-29-128 OR 42-6-121, C.R.S."

3
4
5
6 **HB10-1154** be postponed indefinitely.

7
8
9
10
11 **TRANSPORTATION & ENERGY**

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

14
15 **HB10-1212** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:

18
19 Amend printed bill, page 2, after line 15 insert:

20
21 "(III) VEHICLES FOR WHICH TEMPORARY REGISTRATION NUMBER
22 PLATES, TAGS, OR CERTIFICATES HAVE BEEN ISSUED;"

23
24 Renumber succeeding subparagraphs accordingly.

25
26 Page 2, line 16 and 17 and substitute: "(III) MEDICAL HARDSHIPS;"

27
28 Page 2, strike line 17.

29
30 Page 3, after line 2 insert:

31
32 "(b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL ALSO
33 PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S.,
34 THAT ALLOW THE DEPARTMENT OR AN AUTHORIZED AGENT TO REDUCE OR
35 WAIVE THE LATE FEE THAT WOULD OTHERWISE BE DUE UPON THE
36 REGISTRATION OF A TRAILER THAT IS A COMMERCIAL VEHICLE IF THE
37 OWNER CAN ESTABLISH, IN ACCORDANCE WITH CRITERIA SPECIFIED IN THE
38 RULES, THAT THE TRAILER WAS PARKED AND REMOVED FROM SERVICE
39 DURING THE PERIOD FOR WHICH IT WAS NOT REGISTERED AS REQUIRED.
40 THE OWNER SHALL PROVIDE TO THE DEPARTMENT OR AUTHORIZED AGENT
41 A SWORN AFFIDAVIT THAT STATES THAT THE TRAILER HAS NOT BEEN
42 OPERATED ON THE PUBLIC HIGHWAYS DURING THE PERIOD FOR WHICH IT
43 WAS NOT REGISTERED AS REQUIRED AND DESCRIBES THE NATURE OF THE
44 BUSINESS CONDITIONS THAT RESULTED IN THE REMOVAL OF THE TRAILER
45 FROM SERVICE."

46
47 Reletter succeeding paragraph accordingly.

48
49
50
51 **PRINTING REPORT**

52
53 The Chief Clerk reports the following bills have been correctly printed:
54 **HB10-1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267.**

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The Speaker has signed: SJR10-006, 008 and 009.

**INTRODUCTION OF BILL
First Reading**

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

HB10-1268 by Representative(s) King S.--Concerning establishment of a two-year registration for vehicles.

Committee on State, Veterans, & Military Affairs

HB10-1269 by Representative(s) Levy, Casso, Court, Ferrandino, Hullinghorst, Judd, McFadyen, Middleton, Miklosi, Pommer, Solano, Tyler, Weissmann, Carroll T., Frangas, Kagan, Labuda, Pace, Schafer S.; also Senator(s) Carroll M., Bacon, Boyd, Hodge, Hudak, Morse, Romer, Steadman, Tapia--Concerning the creation of remedies available in employment discrimination cases.

Committee on Judiciary

HB10-1270 by Representative(s) Murray, Acree, Balmer, Baumgardner, Bradford, Curry, DelGrosso, Gardner B., Gardner C., Gerou, Kerr J., King S., Lambert, Liston, Looper, Massey, May, McNulty, Nikkel, Priola, Sonnenberg, Stephens, Summers, Swalm, Tipton, Vaad, Waller; also Senator(s) Spence--Concerning the codification of the department of revenue's special regulation related to the sales or use tax attributable to sales of computer software into statute.

Committee on Finance

HB10-1271 by Representative(s) Curry--Concerning the registration date for eligibility of a person seeking to be placed in nomination as a candidate for a partisan office.

Committee on Judiciary

HB10-1272 by Representative(s) McCann; also Senator(s) Steadman--Concerning the establishment of contribution limits under the "Fair Campaign Practices Act" for candidates for certain elected director positions, and, in connection therewith, establishing contribution limits for candidates for boards of education and the board of the regional transportation district and specifying requirements affecting the disclosure of such contributions.

Committee on State, Veterans, & Military Affairs

HB10-1273 by Representative(s) Merrifield, Rice, Ryden, Apuan, Benefield, Carroll T., Casso, Gagliardi, Gerou, Kerr A., May, McKinley, Middleton, Nikkel, Peniston, Primavera, Roberts, Scanlan, Schafer S., Solano, Todd, Tyler; also Senator(s) Spence and Steadman, Newell, Hudak, Bacon,

- 1 Boyd, Foster, Gibbs, Heath, Johnston, Romer, Tapia,
2 Williams--Concerning improved workforce development
3 through increased participation in arts education in public
4 schools.
5 Committee on Education
6
- 7 **HB10-1274** by Representative(s) Schafer S., Massey, Benefield,
8 Merrifield, Middleton, Miklosi, Murray, Peniston, Priola,
9 Solano, Stephens, Tipton, Todd; also Senator(s) Johnston,
10 Carroll M., Keller, King K., Newell, Penry, Spence,
11 Steadman--Concerning successful transitions back to the
12 public school system for juveniles in out-of-home
13 placement who have demonstrated behavior that is
14 detrimental to the safety or welfare of themselves or others
15 during the previous twelve months.
16 Committee on Education
17
- 18 **HB10-1275** by Representative(s) Baumgardner; also Senator(s)
19 Newell--Concerning a requirement that the location of a
20 private burial be recorded.
21 Committee on Local Government
22
- 23 **HB10-1276** by Representative(s) Levy; also Senator(s) Mitchell--
24 Concerning the sale by a railroad company of its right-of-
25 way for the operation of a public passenger rail service.
26 Committee on Judiciary
27
- 28 **HB10-1277** by Representative(s) DelGrosso, Waller; also Senator(s)
29 Steadman--Concerning an extension of the prohibition
30 against sexual conduct in correctional institutions, and
31 making an appropriation therefor.
32 Committee on Judiciary
33
- 34 **HB10-1278** by Representative(s) Ryden; also Senator(s) Carroll M.--
35 Concerning the creation of an ombudsman for matters
36 arising under the "Colorado Common Interest Ownership
37 Act".
38 Committee on Business Affairs and Labor
39
- 40 **HB10-1279** by Representative(s) McFadyen, Balmer, Casso, Pommer;
41 also Senator(s) Williams--Concerning the ownership of a
42 license to sell alcohol beverages at retail, and, in
43 connection therewith, allowing a grocery store to apply to
44 transfer ownership and change location of a retail liquor
45 store license and to convert the retail liquor store license
46 to a liquor-licensed drugstore license.
47 Committee on Business Affairs and Labor
48
- 49 **HB10-1280** by Representative(s) Summers; also Senator(s) Romer--
50 Concerning an incentive to create Colorado nonprofit jobs
51 by establishing an income tax credit.
52 Committee on Finance
53 Committee on Appropriations
54
55

- 1 **HB10-1281** by Representative(s) Casso; also Senator(s) Spence--
2 Concerning the deregulation of telecommunications
3 service in areas where sufficient market competition
4 exists.
5 Committee on Transportation & Energy
6
- 7 **HB10-1282** by Representative(s) King S.; also Senator(s) Penry--
8 Concerning the imposition of a moratorium on the closure
9 of coal-solar power plants.
10 Committee on Transportation & Energy
11
- 12 **HB10-1283** by Representative(s) Riesberg, Balmer, Curry, Frangas,
13 Kefalas, Massey, McNulty, Priola, Rice, Roberts, Schafer
14 S., Soper, Todd, Vaad; also Senator(s) Sandoval, Hodge,
15 Keller, Penry, Spence, White, Williams--Concerning
16 increasing patient safety outside of the litigation process,
17 and, in connection therewith, requiring physicians to
18 engage in ongoing professional development, facilitating
19 information sharing about health care workers, and
20 requiring demonstration project data about redress for
21 adverse health care outcomes.
22 Committee on Health and Human Services
23 Committee on Judiciary
24
- 25 **HB10-1284** by Representative(s) Massey and Summers, McCann,
26 Rice; also Senator(s) Romer and Spence--Concerning
27 regulation of medical marijuana.
28 Committee on Judiciary
29
- 30 **HB10-1285** by Representative(s) Priola, Casso, Kefalas, Looper,
31 McFadyen, Rice, Acree, Apuan, Bradford, Frangas, Kerr
32 A., Kerr J., Lambert, Liston, Massey, Middleton, Nikkel,
33 Schafer S., Stephens, Summers, Vaad, Waller; also
34 Senator(s) Tapia, Hudak, Hodge--Concerning an increase
35 in fines to fund tax incentives for commercial vehicles.
36 Committee on Transportation & Energy
37 Committee on Finance
38
- 39 **HB10-1286** by Representative(s) McNulty; also Senator(s) Scheffel--
40 Concerning the transfer of corrections-related divisions of
41 state government to the department of public safety.
42 Committee on Judiciary
43 Committee on Appropriations
44
- 45 **HB10-1287** by Representative(s) Lambert, Acree, Baumgardner,
46 Bradford, DelGrosso, Ferrandino, Gardner C., Gerou, Kerr
47 J., Looper, May, McNulty, Murray, Nikkel, Pommer,
48 Priola, Sonnenberg, Stephens, Summers, Tipton; also
49 Senator(s) Cadman, Renfro, Harvey, Mitchell, Keller,
50 King K., Kopp, Lundberg, Schultheis, Spence, Tapia,
51 White--Concerning the use of a state-owned motor vehicle
52 for commuting purposes.
53 Committee on State, Veterans, & Military Affairs
54 Committee on Appropriations
55

- 1 **HB10-1288** by Representative(s) Nikkel, Rice, Ferrandino, Kerr J.,
2 Lambert, Liston, McNulty, Merrifield, Peniston,
3 Primavera, Priola, Scanlan, Waller; also Senator(s)
4 Williams, Kopp, Penry, Tochtrop--Concerning the ability
5 of a commercial real estate broker to secure payment of
6 commissions earned, and, in connection therewith,
7 enacting the "Commercial Real Estate Brokers
8 Commission Security Act".
9 Committee on Judiciary
10
- 11 **HB10-1289** by Representative(s) Liston, Baumgardner, Bradford,
12 Casso, Kerr J., Massey, Murray, Nikkel, Priola, Rice,
13 Scanlan, Schafer S., Stephens, Tipton; also Senator(s)
14 Scheffel--Concerning an exemption for machinery used to
15 provide telecommunications service from the state sales
16 and use tax.
17 Committee on Finance
18 Committee on Appropriations
19
- 20 **HB10-1290** by Representative(s) Stephens--Concerning procedures for
21 small planned communities to elect to exempt themselves
22 from certain provisions of the "Colorado Common Interest
23 Ownership Act".
24 Committee on Local Government
25
- 26 **HB10-1291** by Representative(s) Priola, Acree, Apuan, Balmer,
27 Bradford, Kerr J., King S., Labuda, Levy, Liston, Looper,
28 Massey, McCann, McFadyen, McNulty, Middleton,
29 Murray, Nikkel, Sonnenberg, Stephens, Swalm, Waller;
30 also Senator(s) Newell, Hodge, Mitchell--Concerning the
31 elimination of certain witness fees.
32 Committee on Judiciary
33
- 34 **HB10-1292** by Representative(s) Murray, Schafer S.; also Senator(s)
35 Harvey--Concerning a clarification of the conditions on
36 land-use approvals that may be imposed by local
37 governments under statutory provisions governing the
38 regulatory impairment of property rights.
39 Committee on Local Government
40
- 41 **HB10-1293** by Representative(s) Massey--Concerning the creation of
42 a task force to study property tax assessment issues related
43 to the use of land for agricultural purposes.
44 Committee on State, Veterans, & Military Affairs
45 Committee on Appropriations
46
- 47 **HB10-1294** by Representative(s) Looper, Balmer, Baumgardner,
48 Casso, DelGrosso, Gardner C., Kerr J., Lambert, Liston,
49 McKinley, Murray, Priola, Stephens, Summers, Swalm,
50 Tipton, Vaad; also Senator(s) King K.--Concerning a
51 prohibition on the transfer of detainees from the
52 Guantanamo bay detention facility to a correctional facility
53 in the state of Colorado.
54 Committee on Judiciary
55

1 **HB10-1295** by Representative(s) Lambert, Acree, Baumgardner,
2 Bradford, DelGrosso, Gardner C., Gerou, Kerr J., Looper,
3 McNulty, Murray, Nikkel, Priola, Sonnenberg, Stephens,
4 Summers, Tipton; also Senator(s) Lundberg, King K.,
5 Brophy, Harvey, Kopp, Renfroe, Schultheis, Spence--
6 Concerning the creation of income tax credits for
7 nonpublic education.

8 Committee on Finance
9

10 **HB10-1296** by Representative(s) Swalm; also Senator(s) Penry--
11 Concerning an incentive for enrollment of qualified
12 children in private schools.

13 Committee on Finance
14

17 INTRODUCTION OF RESOLUTIONS

18
19 The following resolution was read by title and referred to the committee
20 indicated:

21
22 **HJR10-1009** by Representative(s) Acree, Kerr J., Swalm, DelGrosso,
23 Gardner B., Gerou, King S., Lambert, Looper, Massey,
24 May, Murray, Nikkel, Priola, Roberts, Stephens, Vaad;
25 also Senator(s) Mitchell, Lundberg--Concerning the State
26 of Colorado's sovereignty under the Tenth Amendment to
27 the Constitution of the United States over all powers not
28 granted to the federal government and not prohibited to the
29 states.

30 Committee on Judiciary

31 Committee on State, Veterans, & Military Affairs
32

33
34 The following resolution was read by title and laid over one day under the
35 rules:

36
37 **HJR10-1010** by Representative(s) Massey and Benefield; also
38 Senator(s) Johnston, Hudak--Concerning civility in the
39 Colorado General Assembly.
40

43 NOTICE OF CALENDARED ITEM(S)

44
45
46 On motion of Representative Weissmann, the following bill(s) will be
47 calendared for Second Reading on February 10, 2010: **HB10-1002, 1030,**
48 **1058, 1197, 1044, 1008, 1024, 1115, 1009, 1097, 1007, 1212.**
49

LAY OVER OF CALENDAR ITEM(S)

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On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until February 8, retaining place on Calendar:

Consideration of Third Reading--**HB10-1064, 1059, 1023, 1065, 1090, 1117, 1116, 1004.**

On motion of Representative Weissmann, the House adjourned until 10:00 a.m., February 8, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Twenty-seventh Legislative Day

Monday, February 8, 2010

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Laine Greaves-Smith, Boy Scout Troop 456.
6
7 The roll was called with the following result:
8
9 Present--61.
10 Excused--Representative(s) J. Kerr, King, Pace, Tipton--4.
11 Present after roll call--Representative(s) King, Pace, Tipton.
12
13 The Speaker declared a quorum present.
14
15
16 On motion of Representative Bradford, the reading of the journal of
17 February 5, 2010, was declared dispensed with and approved as corrected
18 by the Chief Clerk.
19
20
21
22

THIRD READING OF BILL(S)--FINAL PASSAGE

23
24
25 The following bill(s) (was)were considered on Third Reading. The
26 title(s) (was)were publicly read. Reading of the bill at length was
27 dispensed with by unanimous consent.
28

29 **HB10-1064** by Representative(s) Schafer S., Todd; also Senator(s)
30 Spence, Hodge, King K.--Concerning a requirement that
31 a student complete an appeal process before filing a
32 complaint with a group of neutral arbitrators concerning
33 the student's participation in extracurricular activities.
34

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

	YES	62	NO	1	EXCUSED	2	ABSENT	0
41	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
42	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
43	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y

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

15 Co-sponsor(s) added: Representative(s) Hullinghorst, Labuda, Massey,
16 Merrifield, Pommer, Summers, Vigil.

17
18 **HB10-1059** by Representative(s) Gagliardi; also Senator(s) Newell--
19 Concerning allowing a minor who is in the foster care
20 system to register for a driver education course prior to
21 applying for an instruction permit without a signed
22 affidavit of liability.

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

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

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

47 Co-sponsor(s) added: Representative(s) Casso, Fischer, Frangas, Hullinghorst,
48 King S., Labuda, Looper, McFadyen, Merrifield, Pommer, Primavera, Ryden,
49 Schafer S., Solano, Todd, Vigil.

50
51 **HB10-1023** by Representative(s) Waller, Gagliardi, Kagan, Kefalas,
52 Summers; also Senator(s) Hudak, Boyd, Sandoval,
53 Scheffel, White--Concerning clarifying civil liability
54 regarding negligent hiring practices for an employer that
55 hires a person with a criminal record.

56

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
5								
6	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
7	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
8	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
9	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
10	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
11	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
12	Casso	Y	Kerr J.	E	Murray	Y	Stephens	Y
13	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
14	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
15	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
16	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
17	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
18	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
19	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
20	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
21	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
22							Speaker	Y

23 Co-sponsor(s) added: Representative(s) Baumgardner, Casso, Court, Fischer,
 24 Gardner B., Gerou, King S., Labuda, Merrifield, Murray, Nikkel, Pace,
 25 Pommer, Priola, Ryden, Schafer S., Solano, Stephens, Todd, Tyler, Vigil,
 26 Speaker.

27
 28 **HB10-1065** by Representative(s) McCann; also Senator(s) Tochtrop--
 29 Concerning a prohibition against counting any time a
 30 juvenile spends on escape status toward completion of the
 31 juvenile's commitment.
 32

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

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

55 Co-sponsor(s) added: Representative(s) Court, Kagan, Labuda, Priola,
 56 Schafer S., Todd, Vigil.

1 **HB10-1090** by Representative(s) Waller; also Senator(s) Morse--
 2 Concerning the punishment for a person who is convicted
 3 of driving a motor vehicle with knowledge that his or her
 4 driver's license is under restraint.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	57	NO	6	EXCUSED	2	ABSENT	0
12	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
14	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
15	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	E	Murray	N	Stephens	Y
19	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
20	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
21	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	E
22	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
26	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
27	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Court, Kagan, Levy, Merrifield, Pace,
 30 Ryden, Schafer S., Todd, Vigil.

31
 32 **HB10-1117** by Representative(s) Benefield, Primavera, Solano; also
 33 Senator(s) Johnston, Hudak, Newell, Tochtrop--
 34 Concerning certain procedures regarding the levying of
 35 taxes by county officers, and, in connection therewith,
 36 raising the amount of abatement or refund that may be
 37 approved by a board of county commissioners and
 38 allowing for the electronic transmission of notices of
 39 valuation sent by the county assessor and tax statements
 40 sent by the county treasurer.

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
48	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
50	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
51	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
53	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
54	Casso	Y	Kerr J.	E	Murray	Y	Stephens	Y
55	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y

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

9 Co-sponsor(s) added: Representative(s) Tyler, Vigil.

10
11 **HB10-1116** by Representative(s) Todd; also Senator(s) Newell--
12 Concerning the revision of certain administrative
13 provisions relating to the conduct of elections, and, in
14 connection therewith, amending or repealing obsolete,
15 inconsistent, and conflicting provisions of law.

16
17 The question being "Shall the bill pass?".

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

21								
22	YES	63	NO	0	EXCUSED	2	ABSENT	0
23	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
24	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
25	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
26	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
27	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
28	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
29	Casso	Y	Kerr J.	E	Murray	Y	Stephens	Y
30	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
31	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
32	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
33	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
34	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
35	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
36	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
37	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
38	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
39							Speaker	Y

40 Co-sponsor(s) added: Representative(s) Apuan, Court, Ryden.

41
42 **HB10-1004** by Representative(s) Massey, Apuan, Frangas, Kerr J.;
43 also Senator(s) Foster, Boyd, Schwartz--Concerning
44 standardization of health insurance information provided
45 to consumers.

46
47 The question being "Shall the bill pass?".

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

51								
52	YES	63	NO	0	EXCUSED	2	ABSENT	0
53	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
54	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
55	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
56	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y

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

14 Co-sponsor(s) added: Representative(s) Court, Gardner C., Gerou, Kefalas,
 15 Labuda, Merrifield, Nikkel, Pommer, Primavera, Roberts, Ryden, Schafer S.,
 16 Solano, Todd, Tyler, Vigil.

17
 18
 19 **HB10-1112** by Representative(s) Miklosi; also Senator(s) Newell--
 20 Concerning the "Correctional Education Program Act of
 21 1990".
 22

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

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

28	YES	50	NO	13	EXCUSED	2	ABSENT	0
29	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
30	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
31	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
32	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
33	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
34	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
35	Casso	Y	Kerr J.	E	Murray	Y	Stephens	Y
36	Court	Y	King S.	N	Nikkel	Y	Summers	N
37	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
38	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	E
39	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
40	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
41	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
42	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
43	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
44	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Court, Hullinghorst, Labuda,
 47 McFadyen, Merrifield, Pace, Ryden, Schafer S., Solano, Todd, Tyler, Vigil,
 48 Speaker.
 49

50
 51 **HB10-1107** by Representative(s) Fischer, Ferrandino, Hullinghorst,
 52 Pommer; also Senator(s) Carroll M., Tochtrop--
 53 Concerning limitations on the inclusion of agricultural
 54 lands within urban renewal areas.
 55

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

	YES	55	NO	8	EXCUSED	2	ABSENT	0
7	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	E	Murray	Y	Stephens	N
14	Court	Y	King S.	N	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
22	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Court, Frangas, Kagan, Kefalas,
 25 Labuda, Looper, Merrifield, Sonnenberg, Todd, Vigil.

26
 27
 28 **HB10-1202** by Representative(s) Primavera and McNulty, Pace,
 29 Gerou, Summers, Benefield, Casso, Court, Ferrandino,
 30 Fischer, Frangas, Gagliardi, Hullinghorst, Kagan, Kefalas,
 31 Levy, Looper, Merrifield, Miklosi, Peniston, Pommer,
 32 Solano, Soper, Todd, Tyler, Vigil, Weissmann; also
 33 Senator(s) Tochtrop, Penry, Heath, Hudak, Newell--
 34 Concerning health benefit coverage for chemotherapy
 35 treatment.

36
 37 As shown by the following roll call vote, a majority of all members
 38 elected to the House voted in the affirmative, and Representative
 39 Primavera was given permission to offer a Third Reading amendment:

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

Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Third Reading amendment No. 1, by Representative Primavera.

Amend engrossed bill, page 2, line 26, before "COINSURANCE" insert "THE" and strike "RELATIVE" and insert "THE".

The amendment was declared **passed** by the following roll call vote:

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

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

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

	YES	53	NO	10	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y	
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y	
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y	
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N	
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y	
Casso	Y	Kerr J.	E	Murray	N	Stephens	Y	
Court	Y	King S.	Y	Nikkel	Y	Summers	Y	
Curry	N	Labuda	Y	Pace	Y	Swalm	N	
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	E	
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y	
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y	
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y	
Gardner B.	Y	May	Y	Riesberg	N	Waller	N	
Gardner C.	Y	McCann	Y	Roberts	N	Weissmann	Y	
						Speaker	Y	

Co-sponsor(s) added: Representative(s) King S., Labuda, McFadyen, Middleton, Rice, Ryden, Scanlan, Schafer S.

1 On motion of Representative Court, the House resolved itself into
2 Committee of the Whole for consideration of General Orders, and she
3 was called to the Chair to act as Chairman.

4
5
6 **GENERAL ORDERS--SECOND READING OF BILLS**
7

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

12
13 (Amendments to the committee amendment are to the printed committee
14 report which was printed and placed in the members' bill file.)
15

16 **HB10-1043** by Representative(s) Apuan--Concerning outdated
17 references to the federal aid to families with dependent
18 children.
19

20 Laid over until February 10, retaining place on Calendar.
21

22 **HB10-1170** by Representative(s) DelGrosso, Nikkel; also Senator(s)
23 Bacon--Concerning the provision of alcohol beverages in
24 sealed containers in luxury boxes located in entertainment
25 venues with a seating capacity of at least one thousand five
26 hundred seats.
27

28 Amendment No. 1, Business Affairs & Labor Report, dated
29 February 2, 2010, and placed in member's bill file; Report also printed in
30 House Journal, February 3, page 179.
31

32 As amended, ordered engrossed and placed on the Calendar for Third
33 Reading and Final Passage.
34

35 **HB10-1203** by Representative(s) Kerr A.; also Senator(s) Steadman--
36 Concerning the issuing of group life insurance, and, in
37 connection therewith, deleting the requirement regarding
38 the minimum number of persons that must be covered by
39 the policy.
40

41 Ordered engrossed and placed on the Calendar for Third Reading and
42 Final Passage.
43

44 **HB10-1076** by Representative(s) DelGrosso; also Senator Heath--
45 Concerning the classification of a participant in a property
46 tax work-off program for purposes of labor benefits.
47

48 Amendment No. 1, Finance Report, dated February 2, 2010, and placed
49 in member's bill file; Report also printed in House Journal, February 3,
50 pages 179-180.
51

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

1 **HB10-1137** by Representative(s) Gardner B.; also Senator(s)
2 Steadman--Concerning the use of people first language in
3 the drafting of laws.
4

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

8 **HB10-1185** by Representative(s) Priola, Balmer, Bradford, DelGrosso,
9 Labuda, Nikkel, Riesberg, Schafer S., Stephens, Todd,
10 Waller; also Senator(s) Schwartz--Concerning extending
11 certain dates related to the petroleum storage tank fund.
12

13 Amendment No. 1, Transportation & Energy Report, dated
14 February 2, 2010, and placed in member's bill file; Report also printed in
15 House Journal, February 3, page 184.
16

17 As amended, ordered engrossed and placed on the Calendar for Third
18 Reading and Final Passage.
19

20 **HB10-1047** by Representative(s) Court and Murray; also Senator(s)
21 White--Concerning the form of a statewide ballot title.
22

23 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
24 January 27, 2010, and placed in member's bill file; Report also printed in
25 House Journal, January 27, page 99.
26

27 Amendment No. 2, by Representative(s) Court, Murray.
28

29 Amend printed bill, page 2, after line 1 insert:
30

31 **"SECTION 1. Legislative declaration.** (1) The general
32 assembly hereby finds, determines, and declares that:
33

34 (a) Section 1 (5.5) of article V and section 2 (3) of article XIX of
35 the state constitution require that every constitutional amendment or law
36 proposed by initiative and every constitutional amendment proposed by
37 the general assembly be limited to a single subject, which shall be clearly
38 expressed in its title;
39

40 (b) Colorado courts have frequently interpreted these
41 constitutional requirements;
42

43 (c) Nothing in House Bill 10-1047, enacted in 2010, should be
44 construed as in any way changing the constitutional requirements related
45 to a ballot title nor any court interpretation thereof."
46

47 Renumber succeeding sections accordingly.
48

49 Amendment No. 3, by Representative(s) Murray.
50

51 Amend printed bill, page 2, line 5, strike "ODD-NUMBERED YEAR
52 ELECTION HELD IN 2011," and substitute "GENERAL ELECTION HELD IN
53 2012,".
54

55 Page 2, strike lines 19 through 22.
56

1 Page 3, strike lines 1 through 16.

2

3 Renumber succeeding sections accordingly.

4

5 Page 3, line 20, strike "ODD-NUMBERED YEAR ELECTION HELD IN 2011,"
6 and substitute "GENERAL ELECTION HELD IN 2012,".

7

8 Page 5, strike lines 18 through 27.

9

10 Renumber succeeding sections accordingly.

11

12 Page 6, line 20, strike "ODD-NUMBERED YEAR ELECTION HELD IN 2011,"
13 and substitute "GENERAL ELECTION HELD IN 2012,".

14

15 Page 6, line 27, strike "ODD-NUMBERED YEAR ELECTION HELD".

16

17 Page 7, line 1, strike "IN 2011," and substitute "GENERAL ELECTION HELD
18 IN 2012,".

19

20 Page 7, strike lines 10 through 12.

21

22 Renumber succeeding section accordingly.

23

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

26

27 **SB10-035** by Senator(s) Newell; also Representative(s) Bradford--
28 Concerning automatic enrollment in employee retirement
29 plans.

30

31 Ordered revised and placed on the Calendar for Third Reading and Final
32 Passage.

33

34

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

41

42 Ordered engrossed and placed on the Calendar for Third Reading and
43 Final Passage.

44

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

48

49 Laid over until February 10, retaining place on Calendar.

50

51

52 **HB10-1175** by Representative(s) Looper, Todd, Acree, DelGrosso;
53 also Senator(s) Tapia--Concerning the demonstration of
54 competency by an out-of-state applicant in a field
55 regulated by the department of regulatory agencies.

56

Amendment No. 1, Business Affairs & Labor Report, dated February 3, 2010, and placed in member's bill file; Report also printed in House Journal, February 4, page 198.

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

HB10-1180 by Representative(s) Massey, Gerou, Rice; also Senator(s) Gibbs and Spence--Concerning the criteria to qualify for a performance-based incentive for film production activities in Colorado.

Referred to the Committee on Finance.

HB10-1011 by Representative(s) Kerr J., McNulty, Miklosi, Primavera; also Senator(s) Schultheis, Carroll M., Mitchell, Tochtrop--Concerning authorization for the department of revenue to obtain fingerprint-based criminal history record checks for employment purposes.

Laid over until February 10, 2010, retaining place on Calendar.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1170 amended, 1203, 1076 amended, 1137, 1185 amended, 1047 amended, SB10-035, HB10-1134, 1175 amended.**

Laid over until date indicated retaining place on Calendar:
HB10-1043, 1021, 1011--February 10, 2010

Referred to Committee indicated: **HB10-1180**--Finance.

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

	YES	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y		Gerou	Y	McFadyen	E	Ryden	Y
Apuan	Y		Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y		Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y		Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y		Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y		Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y		Kerr J.	E	Murray	Y	Stephens	Y
Court	Y		King S.	Y	Nikkel	Y	Summers	Y
Curry	Y		Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y		Lambert	Y	Peniston	Y	Tipton	E
Ferrandino	Y		Levy	Y	Pommer	Y	Todd	Y
Fischer	Y		Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y		Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y		Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
3							Speaker	Y

CONSIDERATION OF RESOLUTION(S)

9 **HJR10-1010** by Representative(s) Massey and Benefield; also
 10 Senator(s) Johnston, Hudak--Concerning civility in the
 11 Colorado General Assembly.

12
 13 (Printed and placed in members' file.)

14
 15 On motion of Representative Massey, the resolution was read at length
 16 and **adopted** by **viva voce** vote.

17
 18 Co-sponsor(s) added: Representative(s) Acree, Apuan, Balmer, Baumgardner,
 19 Bradford, Casso, Court, Curry, DelGrosso, Ferrandino, Fischer, Frangas,
 20 Gagliardi, Gardner B., Gardner C., Gerou, Hulinghorst, Judd, Kagan, Kefalas,
 21 Kerr A., King S., Labuda, Lambert, Levy, Liston, Looper, May, McCann,
 22 McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace,
 23 Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan,
 24 Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Todd,
 25 Tyler, Vaad, Vigil, Waller, Weissmann, Speaker

26
 27
 28
 29 House in recess. House reconvened.
 30

REPORT(S) OF COMMITTEE(S) OF REFERENCE

HEALTH & HUMAN SERVICES

35
 36 After consideration on the merits, the Committee recommends the
 37 following:

38
 39 **HB10-1025** be amended as follows, and as so amended, be referred to
 40 the Committee of the Whole with favorable
 41 recommendation:

42
 43 Amend printed bill, page 2, line 14, strike "ARTIFICIAL, EXTRAORDINARY,
 44 EXTREME, OR RADICAL".

45
 46 Page 2, strike lines 17 and 18 and substitute "INCREASINGLY INVOLVES
 47 PATIENTS WHO HAVE A TERMINAL CONDITION OR ARE IN A PERSISTENT
 48 VEGETATIVE STATE, AND LACK DECISIONAL".

49
 50 Page 3, strike lines 4 and 5 and substitute "HE OR SHE HAS A TERMINAL
 51 CONDITION OR IS IN A PERSISTENT VEGETATIVE STATE, AND LACKS
 52 DECISIONAL CAPACITY TO".

53
 54 Page 3, strike lines 22 through 25 and substitute:

55
 56 "(2) "ADVANCED PRACTICE NURSE" MEANS A NURSE WHO IS

1 INCLUDED IN THE ADVANCED PRACTICE REGISTRY PURSUANT TO SECTION
2 12-38-111.5, C.R.S.

3

4 (3) "ARTIFICIAL NUTRITION AND HYDRATION" MEANS:

5

6 (a) NUTRITION OR HYDRATION SUPPLIED THROUGH A TUBE
7 INSERTED INTO THE STOMACH OR INTESTINES; OR

8

9 (b) NUTRIENTS OR FLUIDS INJECTED INTRAVENOUSLY INTO THE
10 BLOODSTREAM."

11

12 Renumber succeeding subsections accordingly.

13

14 Page 4, line 3, after "CONDITION insert "OR IN A PERSISTENT VEGETATIVE
15 STATE".

16

17 Page 4, line 23, after "PHYSICIAN" insert "OR ADVANCED PRACTICE
18 NURSE".

19

20 Page 4, strike lines 24 and 25.

21

22 Page 5, strike lines 6 and 7 and substitute "CERTIFIED BY HIS OR HER
23 ATTENDING PHYSICIAN AND ONE OTHER PHYSICIAN TO HAVE A TERMINAL
24 CONDITION OR BE IN A PERSISTENT VEGETATIVE STATE."

25

26 Page 5, strike lines 15 and 16 and substitute "WITHDRAWN IF, AT SOME
27 FUTURE TIME, HE OR SHE HAS A TERMINAL CONDITION OR IS IN A
28 PERSISTENT VEGETATIVE STATE, AND LACKS".

29

30 Page 5, strike lines 24 through 27 and substitute "EVALUATION SHALL BE
31 MADE AS TO WHETHER THE FETUS IS VIABLE. IF THE FETUS IS VIABLE, THE
32 DECLARATION SHALL BE GIVEN NO".

33

34 Page 6, line 1, strike "EFFECT." and substitute "EFFECT UNTIL THE PATIENT
35 IS NO LONGER PREGNANT."

36

37 Page 6, line 2, strike "THE" and substitute "A".

38

39 Page 6, line 4, strike "NOURISHMENT" and substitute "NUTRITION".

40

41 Page 6, line 5, strike "IS IN" and substitute "HAS".

42

43 Page 6, line 9, strike "NOURISHMENT" and substitute "NUTRITION".

44

45 Page 6, line 11, strike "NOURISHMENT" and substitute "NUTRITION".

46

47 Page 6, line 13, strike "NOURISHMENT" and substitute "NUTRITION".

48

49 Page 6, strike lines 15 through 17.

50

51 Page 6, line 20, after "PHYSICIAN" insert "OR ADVANCED PRACTICE
52 NURSE".

53

54 Page 6, line 21, strike "NOURISHMENT" and substitute "NUTRITION".

55

56 Page 6, line 22, after "PHYSICIAN" insert "OR ADVANCED PRACTICE

1 NURSE" and strike "NOURISHMENT" and substitute "ARTIFICIAL
2 NUTRITION".

3
4 Page 7, strike lines 1 and 2 and substitute:

5
6 "(6) A DECLARATION EXECUTED PURSUANT TO THIS ARTICLE MAY
7 INCLUDE A DOCUMENT WITH A WRITTEN STATEMENT AS PROVIDED IN".

8
9 Page 7, strike lines 7 through 9 and substitute "ANATOMICAL GIFT ACT",
10 PART 1 OF ARTICLE 34 OF TITLE 12, C.R.S.

11
12 (7) A DECLARATION EXECUTED PURSUANT TO THIS ARTICLE MAY
13 INCLUDE A DOCUMENT OR WRITTEN STATEMENT".

14
15 Page 7, strike lines 15 through 22 and substitute:

16
17 "(8) A DECLARATION EXECUTED PURSUANT TO THIS ARTICLE MAY
18 INCLUDE A WRITTEN STATEMENT IN WHICH THE DECLARANT DESIGNATES
19 INDIVIDUALS WITH WHOM THE DECLARANT'S ATTENDING PHYSICIAN, ANY
20 OTHER TREATING PHYSICIAN, OR ANOTHER MEDICAL PROFESSIONAL MAY
21 SPEAK CONCERNING THE DECLARANT'S MEDICAL CONDITION PRIOR TO A
22 FINAL DETERMINATION AS TO THE WITHHOLDING OR WITHDRAWAL OF LIFE-
23 SUSTAINING PROCEDURES, INCLUDING ARTIFICIAL NUTRITION AND
24 HYDRATION. THE DESIGNATION OF SUCH INDIVIDUALS IN THE DOCUMENT
25 SHALL".

26
27 Page 7, strike line 27 and substitute "CONFIDENTIALITY".

28
29 Page 8, strike lines 1 through 5.

30
31 Page 8, strike lines 6 and 7 and substitute:

32
33 "(9) A DECLARATION EXECUTED PURSUANT TO THIS ARTICLE MAY
34 INCLUDE A WRITTEN STATEMENT PROVIDING INDIVIDUAL MEDICAL".

35
36 Page 8, line 24, strike "THE" and substitute "EXCEPT AS OTHERWISE
37 PROVIDED IN SECTION 15-18-105, A".

38
39 Page 8, strike line 27.

40
41 Page 9, strike lines 1 through 4 and substitute:

42
43 "(2) A DECLARATION MAY BE NOTARIZED. THE ABSENCE OF
44 NOTARIZATION SHALL HAVE NO IMPACT ON THE VALIDITY OF A".

45
46 Page 9, strike lines 9 and 10 and substitute "THE PHYSICIAN BELIEVES HAS
47 A TERMINAL CONDITION OR IS IN A PERSISTENT VEGETATIVE STATE, AND
48 LACKS DECISIONAL CAPACITY TO".

49
50 Page 9, strike line 14 and substitute "TERMINAL CONDITION OR IS IN A
51 PERSISTENT VEGETATIVE STATE, AND".

52
53 Page 9, line 15, strike "OTHERWISE".

54
55 Page 9, line 19, strike "NOURISHMENT" and substitute "NUTRITION".

56

1 Page 10, line 3, strike "OF TERMINAL CONDITION".

2
3 Page 10, line 8, strike "NOURISHMENT" and substitute "NUTRITION".

4
5 Page 11, after line 15 insert:

6
7 "(4) IF THE COURT DETERMINES THAT ANY PROCEEDINGS
8 PURSUANT TO THIS SECTION OR ANY PLEADINGS FILED IN SUCH
9 PROCEEDINGS WERE BROUGHT, DEFENDED, OR FILED IN BAD FAITH, THE
10 COURT MAY ASSESS THE FEES AND COSTS, INCLUDING REASONABLE
11 ATTORNEY FEES, INCURRED BY THE AFFECTED PARTIES IN RESPONDING TO
12 THE PROCEEDINGS OR PLEADINGS, AGAINST A PARTY THAT BROUGHT OR
13 DEFENDED THE PROCEEDINGS OR FILED THE PLEADINGS IN BAD FAITH.
14 NOTHING IN THIS SECTION IS INTENDED TO LIMIT ANY OTHER REMEDY,
15 SANCTION, OR SURCHARGE PROVIDED BY LAW."

16
17 Renumber succeeding subsections accordingly.

18
19 Page 12, line 5, after "PHYSICIAN" insert "OR ADVANCED PRACTICE
20 NURSE".

21
22 Page 12, strike lines 8 through 11 and substitute:

23
24 "(b) A PHYSICIAN WHO SIGNS A CERTIFICATE WITHHOLDING OR
25 WITHDRAWING LIFE-SUSTAINING PROCEDURES IN COMPLIANCE WITH A
26 DECLARATION SHALL NOT BE SUBJECT TO CIVIL LIABILITY, CRIMINAL
27 PENALTY, OR LICENSING SANCTIONS THEREFOR; AND".

28
29 Page 13, line 6, after "MEDICINE" insert "OR NURSING".

30
31 Page 13, strike lines 14 through 18 and substitute:

32
33 "(2) A DIAGNOSIS OF PERSISTENT VEGETATIVE STATE SHALL BE
34 PERFORMED BY A QUALIFIED MEDICAL PROFESSIONAL ACCORDING TO
35 STANDARDS OF THE PRACTICE OF MEDICINE. NOTHING IN THIS ARTICLE
36 SHALL BE INTERPRETED TO DEFINE "PERSISTENT VEGETATIVE STATE".

37
38 Page 13, line 25, strike "THE DECLARANT" and substitute "A DECLARANT".

39
40 Page 14, strike line 2 and substitute:

41
42 **"15-18-113. Penalties - refusal -transfer.** (1) A PERSON WHO
43 WILLFULLY CONCEALS, DEFACES, DAMAGES, OR DESTROYS A
44 DECLARATION OF ANOTHER PERSON, WITHOUT THE KNOWLEDGE AND
45 CONSENT OF THE DECLARANT, COMMITS A CLASS 1 MISDEMEANOR AND
46 SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-501, C.R.S.

47
48 (2) A PERSON WHO FALSIFIES OR FORGES A DECLARATION OF
49 ANOTHER PERSON COMMITS A CLASS 5 FELONY AND SHALL BE PUNISHED
50 AS PROVIDED IN SECTION 18-1.3-401, C.R.S.

51
52 (3) IF A PERSON FALSIFIES OR FORGES A DECLARATION OF ANOTHER
53 PERSON AND THE TERMS OF THE DECLARATION ARE CARRIED OUT,
54 RESULTING IN THE DEATH OF THE PURPORTED DECLARANT, THE PERSON
55 COMMITS A CLASS 2 FELONY AND SHALL BE PUNISHED AS PROVIDED IN
56 SECTION 18-1.3-401, C.R.S.

1 (4) A PERSON WHO WILLFULLY WITHHOLDS INFORMATION
2 CONCERNING THE REVOCATION OF A DECLARATION OF ANOTHER PERSON
3 COMMITS A CLASS 1 MISDEMEANOR AND SHALL BE PUNISHED AS PROVIDED
4 IN SECTION 18-1.3-501, C.R.S.

5
6 (5) AN ATTENDING PHYSICIAN OR ADVANCED PRACTICE NURSE
7 WHO".

8
9 Page 14, strike line 9 and substitute "SECTION 12-36-117, C.R.S., OR
10 GROUNDS FOR DISCIPLINE PURSUANT TO SECTION 12-38-117, C.R.S.".

11
12
13
14 **HB10-1027** be referred favorably to the Committee on Appropriations.

15
16
17 **HB10-1041** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:

20
21 Amend printed bill, page 2, line 7, strike "OR" and substitute "FOR".

22
23
24
25 **HB10-1128** be amended as follows, and as so amended, be referred to
26 the Committee on Appropriations with favorable
27 recommendation:

28
29 Amend printed bill, page 7, after line 9 insert:

30
31 "SECTION 7. 12-35.5-107 (6), Colorado Revised Statutes, is
32 amended to read:

33
34 **12-35.5-107. Registration - reciprocity - denial of registration**
35 **application.** (6) Notwithstanding any provision of this section, the
36 director ~~shall~~ MAY deny a registration if the applicant has committed any
37 act that would be grounds for disciplinary action under section 12-35.5-
38 111 or if the director determines, subsequent to the criminal history
39 record check, that the applicant was convicted of or plead guilty to a
40 charge of unlawful sexual behavior as defined in section 16-22-102,
41 C.R.S., or any prostitution-related offense, whether or not the act was
42 committed in Colorado.

43
44 **SECTION 8.** 12-35.5-111 (1) (k) and (1) (l), Colorado Revised
45 Statutes, are amended, and the said 12-35.5-111 (1) is further amended
46 BY THE ADDITION OF A NEW PARAGRAPH, to read:

47
48 **12-35.5-111. Grounds for discipline - definitions.** (1) The
49 director is authorized to take disciplinary action pursuant to section 12-
50 35.5-112 against any person who has:

51
52 (k) Advertised, represented, held himself or herself out in any
53 manner, or used any designation in connection with his or her name as a
54 massage therapist without being registered or exempt pursuant to this
55 article; ~~or~~

(l) Violated or aided or abetted a violation of any provision of this article, any rule adopted under this article, or any lawful order of the director; OR

(m) BEEN CONVICTED OF OR PLEAD GUILTY TO A CHARGE OF UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN SECTION 16-22-102, C.R.S., OR ANY PROSTITUTION-RELATED OFFENSE, WHETHER OR NOT THE ACT WAS COMMITTED IN COLORADO."

Renumber succeeding sections accordingly.

Page 13, strike lines 18 through 27.

Strike pages 14 through 19.

Page 20, strike lines 1 through 25.

Renumber succeeding sections accordingly.

Page 21, strike lines 17 through 22.

Renumber succeeding sections accordingly.

Page 2, line 102, after the comma insert "AUTHORIZING THE DIRECTOR OF THE DIVISION OF REGISTRATIONS TO TAKE DISCIPLINARY ACTION UNDER THE "MESSAGE THERAPY PRACTICE ACT" AGAINST PERSONS CONVICTED OF UNLAWFUL SEXUAL BEHAVIOR OR PROSTITUTION-RELATED OFFENSES,".

Page 2, strike lines 105 and 106 and substitute "AND CHIROPRACTORS, AND REPEALING REGULATORY".

HB10-1138 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 6, strike "SERVICES" and substitute "SERVICE".

Page 3, line 3, strike "SERVICES" and substitute "SERVICE".

Page 3, line 5, strike "SERVICES" and substitute "SERVICE".

Page 3, line 8, strike "SERVICES" and substitute "SERVICE".

Page 3, line 9, strike "SERVICES" and substitute "SERVICE".

Page 3, line 23, strike "**services**" and substitute "**service**".

Page 4, line 5, strike "SERVICES" and substitute "SERVICE".

Page 4, line 7, strike "SERVICES" and substitute "SERVICE".

Page 4, line 15, strike "SERVICES" and substitute "SERVICE".

- 1 Page 4, line 17, strike "SERVICES" and substitute "SERVICE".
- 2
- 3 Page 5, line 4, strike "SERVICES" and substitute "SERVICE".
- 4
- 5 Page 5, line 5, strike "SERVICES" and substitute "SERVICE".
- 6
- 7 Page 5, line 9, strike "SERVICES" and substitute "SERVICE".
- 8
- 9 Page 5, line 10, strike "SERVICES" and substitute "SERVICE".
- 10
- 11 Page 5, line 16, strike "SERVICES" and substitute "SERVICE".
- 12
- 13 Page 5, line 21, strike "SERVICES" and substitute "SERVICE".
- 14
- 15 Page 5, line 23, strike "SERVICES" and substitute "SERVICE".
- 16
- 17 Page 6, line 10, strike "SERVICES" and substitute "SERVICE".
- 18
- 19 Page 6, line 13, strike "SERVICES" and substitute "SERVICE".
- 20
- 21 Page 6, line 19, strike "**services**" and substitute "**service**".
- 22
- 23 Page 6, line 22, strike "SERVICES" and substitute "SERVICE".
- 24
- 25 Page 6, line 23, strike "SERVICES" and substitute "SERVICE".
- 26
- 27 Page 8, line 1, strike "SERVICES" and substitute "SERVICE".
- 28
- 29 Page 8, line 5, strike "SERVICES" and substitute "SERVICE".
- 30
- 31 Page 8, line 27, strike "SERVICES" and substitute "SERVICE".
- 32
- 33 Page 9, line 11, strike "SERVICES" and substitute "SERVICE".
- 34
- 35 Page 10, line 14, strike "**services**" and substitute "**service**".
- 36
- 37 Page 10, line 16, strike "SERVICES" and substitute "SERVICE".
- 38
- 39 Page 10, line 19, strike "SERVICES" and substitute "SERVICE".
- 40
- 41 Page 10, line 24, strike "SERVICES" and substitute "SERVICE".
- 42
- 43 Page 11, line 16, strike "SERVICES" and substitute "SERVICE".
- 44
- 45 Page 11, line 23, strike "SERVICES" and substitute "SERVICE".
- 46
- 47 Page 12, line 2, strike "SERVICES" and substitute "SERVICE".
- 48
- 49 Page 12, line 10, strike "SERVICES" and substitute "SERVICE".
- 50
- 51 Page 12, line 21, strike "SERVICES" and substitute "SERVICE".
- 52
- 53 Page 12, line 23, strike "SERVICES" and substitute "SERVICE".
- 54
- 55
- 56

TRANSPORTATION & ENERGY

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

HB10-1001 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. The introductory portion to 40-2-124 (1) and 40-2-124 (1) (a), (1) (c) (I), (1) (c) (II), (1) (c) (III), (1) (c) (IV), and (1) (c) (VIII), Colorado Revised Statutes, are amended to read:

40-2-124. Renewable energy standard - definitions - net metering - legislative declaration. (1) Each provider of retail electric service in the state of Colorado, other than municipally owned utilities that serve forty thousand customers or less FEWER, shall be considered a qualifying retail utility. Each qualifying retail utility, with the exception of cooperative electric associations that have voted to exempt themselves from commission jurisdiction pursuant to section 40-9.5-104 and municipally owned utilities, shall be subject to the rules established under this article by the commission. No additional regulatory authority of the commission other than that specifically contained in this section is provided or implied. In accordance with article 4 of title 24, C.R.S., ~~on or before October 1, 2007,~~ the commission shall revise or clarify existing rules to establish the following:

(a) Definitions of eligible energy resources that can be used to meet the standards. "Eligible energy resources" means recycled energy and renewable energy resources. ~~"Renewable energy resources" means solar, wind, geothermal, biomass, new hydroelectricity with a nameplate rating of ten megawatts or less, and hydroelectricity in existence on January 1, 2005, with a nameplate rating of thirty megawatts or less.~~ The commission shall determine, following an evidentiary hearing, the extent to which such electric generation technologies utilized in an optional pricing program may be used to comply with this standard. A fuel cell using hydrogen derived from an eligible energy resource is also an eligible electric generation technology. Fossil and nuclear fuels and their derivatives are not eligible energy resources. For purposes of this section:

(I) "Biomass" means:

(A) Nontoxic plant matter consisting of agricultural crops or their byproducts, urban wood waste, mill residue, slash, or brush;

(B) Animal wastes and products of animal wastes; or

(C) Methane produced at landfills or as a by-product of the treatment of wastewater residuals.

(II) "DISTRIBUTED RENEWABLE ELECTRIC GENERATION" OR "DISTRIBUTED GENERATION" MEANS:

(A) RETAIL DISTRIBUTED GENERATION; AND

1 (B) WHOLESALE DISTRIBUTED GENERATION.

2
3 ~~(H)~~ (III) "Recycled energy" means energy produced by a
4 generation unit with a nameplate capacity of not more than fifteen
5 megawatts that converts the otherwise lost energy from the heat from
6 exhaust stacks or pipes to electricity and that does not combust additional
7 fossil fuel. "Recycled energy" does not include energy produced by any
8 system that uses energy, lost or otherwise, from a process whose primary
9 purpose is the generation of electricity, including, without limitation, any
10 process involving engine-driven generation or pumped hydroelectricity
11 generation.
12

13 (IV) "RENEWABLE ENERGY RESOURCES" MEANS SOLAR, WIND,
14 GEOTHERMAL, BIOMASS, NEW HYDROELECTRICITY WITH A NAMEPLATE
15 RATING OF TEN MEGAWATTS OR LESS, AND HYDROELECTRICITY IN
16 EXISTENCE ON JANUARY 1, 2005, WITH A NAMEPLATE RATING OF THIRTY
17 MEGAWATTS OR LESS.
18

19 (V) "RETAIL DISTRIBUTED GENERATION" MEANS A RENEWABLE
20 ENERGY RESOURCE THAT IS LOCATED ON THE SITE OF A CUSTOMER'S
21 FACILITIES AND IS INTERCONNECTED ON THE CUSTOMER'S SIDE OF THE
22 UTILITY METER. IN ADDITION, RETAIL DISTRIBUTED GENERATION SHALL
23 PROVIDE ELECTRIC ENERGY PRIMARILY TO SERVE THE CUSTOMER'S LOAD
24 AND SHALL BE SIZED TO SUPPLY NO MORE THAN ONE HUNDRED TWENTY
25 PERCENT OF THE AVERAGE ANNUAL CONSUMPTION OF ELECTRICITY BY THE
26 CUSTOMER AT THAT SITE. FOR PURPOSES OF THIS SUBPARAGRAPH (V), THE
27 CUSTOMER'S "SITE" INCLUDES ALL CONTIGUOUS PROPERTY OWNED OR
28 LEASED BY THE CUSTOMER WITHOUT REGARD TO INTERRUPTIONS IN
29 CONTIGUITY CAUSED BY EASEMENTS, PUBLIC THOROUGHFARES,
30 TRANSPORTATION RIGHTS-OF-WAY, OR UTILITY RIGHTS-OF-WAY.
31

32 (VI) "WHOLESALE DISTRIBUTED GENERATION" MEANS A
33 RENEWABLE ENERGY RESOURCE IN COLORADO WITH A NAMEPLATE
34 RATING OF THIRTY MEGAWATTS OR LESS AND THAT DOES NOT QUALIFY AS
35 RETAIL DISTRIBUTED GENERATION.
36

37 (c) Electric resource standards:

38
39 (I) Except as provided in subparagraph (V) of this paragraph (c),
40 the electric resource standards shall require each qualifying retail utility
41 to generate, or cause to be generated, electricity from eligible energy
42 resources in the following minimum amounts:
43

44 (A) Three percent of its retail electricity sales in Colorado for the
45 year 2007;
46

47 (B) Five percent of its retail electricity sales in Colorado for the
48 years 2008 through 2010;
49

50 (C) ~~Ten~~ TWELVE percent of its retail electricity sales in Colorado
51 for the years 2011 through 2014, WITH DISTRIBUTED GENERATION
52 EQUALING AT LEAST ONE PERCENT OF ITS RETAIL ELECTRICITY SALES IN
53 2011 AND 2012 AND ONE AND ONE-FOURTH PERCENT OF ITS RETAIL
54 ELECTRICITY SALES IN 2013 AND 2014;
55

56 (D) ~~Fifteen~~ TWENTY percent of its retail electricity sales in

1 Colorado for the years 2015 through 2019, WITH DISTRIBUTED
2 GENERATION EQUALING AT LEAST ONE AND THREE-FOURTHS PERCENT OF
3 ITS RETAIL ELECTRICITY SALES IN 2015 AND 2016 AND TWO PERCENT OF
4 ITS RETAIL ELECTRICITY SALES IN 2017, 2018, AND 2019; and

5
6 (E) ~~Twenty~~ THIRTY percent of its retail electricity sales in
7 Colorado for the years 2020 and thereafter, WITH DISTRIBUTED
8 GENERATION EQUALING AT LEAST THREE PERCENT OF ITS RETAIL
9 ELECTRICITY SALES.

10
11 (II) (A) Of the amounts OF DISTRIBUTED GENERATION in SUB-
12 SUBPARAGRAPHS (C), (D), AND (E) OF subparagraph (I) of this paragraph
13 (c), ~~at least four percent shall be derived from solar electric generation~~
14 ~~technologies. At least one-half of this four percent shall be derived from~~
15 ~~solar electric technologies located on-site at customers' facilities~~ RETAIL
16 DISTRIBUTED GENERATION.

17
18 (B) Solar generating equipment located on-site at customers'
19 facilities shall be sized to supply no more than one hundred twenty
20 percent of the average annual consumption of electricity by the consumer
21 at that site. For purposes of this sub-subparagraph (B), the consumer's
22 "site" shall include all contiguous property owned or leased by the
23 consumer, without regard to interruptions in contiguity caused by
24 easements, public thoroughfares, transportation rights-of-way, or utility
25 rights-of-way.

26
27 (C) DISTRIBUTED GENERATION AMOUNTS IN THE ELECTRIC
28 RESOURCE STANDARD FOR THE YEARS 2015 AND THEREAFTER MAY BE
29 CHANGED BY THE COMMISSION FOR THE PERIOD AFTER DECEMBER 31,
30 2014, IF THE COMMISSION FINDS, UPON APPLICATION BY A QUALIFYING
31 RETAIL UTILITY, THAT THESE PERCENTAGE REQUIREMENTS ARE NO LONGER
32 IN THE PUBLIC INTEREST. IF SUCH A FINDING IS MADE, THE COMMISSION
33 MAY SET THE LOWER DISTRIBUTED GENERATION REQUIREMENTS, IF ANY,
34 THAT SHALL APPLY AFTER DECEMBER 31, 2014. IF THE COMMISSION FINDS
35 THAT THE PUBLIC INTEREST REQUIRES AN INCREASE IN THE DISTRIBUTED
36 GENERATION REQUIREMENTS, THE COMMISSION SHALL REPORT ITS
37 FINDINGS TO THE GENERAL ASSEMBLY.

38
39 (III) Each kilowatt-hour of electricity generated from eligible
40 energy resources in Colorado, OTHER THAN RETAIL DISTRIBUTED
41 GENERATION, shall be counted as one and one-quarter kilowatt-hours for
42 the purposes of compliance with this standard.

43
44 (IV) To the extent that the ability of a qualifying retail utility to
45 acquire eligible energy resources is limited by a requirements contract
46 with a wholesale electric supplier, the qualifying retail utility shall acquire
47 the maximum amount allowed by the contract. For any shortfalls to the
48 amounts established by the commission pursuant to subparagraph (I) of
49 this paragraph (c), the qualifying retail utility shall acquire an equivalent
50 amount of either renewable energy credits; documented and verified
51 energy savings through energy efficiency and conservation programs; or
52 a combination of both. Any contract entered into by a qualifying retail
53 utility after December 1, 2004, shall not conflict with this ~~article~~ SECTION.

54
55 (VIII) ~~Each kilowatt-hour of~~ Electricity from eligible energy
56 ~~resources may take advantage of~~ SHALL BE SUBJECT TO only one of the

1 methods for counting kilowatt-hours set forth in subparagraphs (III), (VI),
2 and (VII) of this paragraph (c).

3
4 **SECTION 2.** The introductory portion to 40-2-124 (1) and 40-2-
5 124 (1) (e) (I), Colorado Revised Statutes, are amended, and the said 40-
6 2-124 (1) (e) is further amended BY THE ADDITION OF THE
7 FOLLOWING NEW SUBPARAGRAPHS, to read:

8
9 **40-2-124. Renewable energy standard - definitions - net**
10 **metering - legislative declaration.** (1) Each provider of retail electric
11 service in the state of Colorado, other than municipally owned utilities
12 that serve forty thousand customers or ~~less~~ FEWER, shall be considered a
13 qualifying retail utility. Each qualifying retail utility, with the exception
14 of cooperative electric associations that have voted to exempt themselves
15 from commission jurisdiction pursuant to section 40-9.5-104 and
16 municipally owned utilities, shall be subject to the rules established under
17 this article by the commission. No additional regulatory authority of the
18 commission other than that specifically contained in this section is
19 provided or implied. In accordance with article 4 of title 24, C.R.S., ~~on~~
20 ~~or before October 1, 2007~~, the commission shall revise or clarify existing
21 rules to establish the following:

22
23 (e) A standard rebate offer program, under which:

24
25 (I) (A) Each qualifying retail utility, except for cooperative
26 electric associations and municipally owned utilities, shall make available
27 to its retail electricity customers a standard rebate offer of a ~~minimum of~~
28 ~~two dollars~~ SPECIFIED AMOUNT per watt for the installation of eligible
29 solar electric generation on customers' premises up to a maximum of one
30 hundred kilowatts per installation.

31
32 (B) ~~Such~~ THE STANDARD REBATE offer shall allow the customer's
33 retail electricity consumption to be offset by the solar electricity
34 generated. To the extent that solar electricity generation exceeds the
35 customer's consumption during a billing month, such excess electricity
36 shall be carried forward as a credit to the following month's consumption.
37 To the extent that solar electricity generation exceeds the customer's
38 consumption during a calendar year, the customer shall be reimbursed by
39 the qualifying retail utility at its average hourly incremental cost of
40 electricity supply over the prior twelve-month period unless the customer
41 makes a one-time election, in writing, to request that the excess electricity
42 be carried forward as a credit from month to month indefinitely until the
43 customer terminates service with the qualifying retail utility, at which
44 time no payment shall be required from the qualifying retail utility for any
45 remaining excess electricity supplied by the customer. The qualifying
46 retail utility shall not apply unreasonably burdensome interconnection
47 requirements in connection with this standard rebate offer. Electricity
48 generated under this program shall be eligible for the qualifying retail
49 utility's compliance with this article.

50
51 (I.5) THE AMOUNT OF THE STANDARD REBATE OFFER SHALL BE
52 TWO DOLLARS PER WATT; EXCEPT THAT THE COMMISSION MAY SET THE
53 REBATE AT A LOWER AMOUNT IF THE COMMISSION DETERMINES, BASED
54 UPON A QUALIFYING RETAIL UTILITY'S RENEWABLE RESOURCE PLAN OR
55 APPLICATION, THAT MARKET CHANGES SUPPORT THE CHANGE.

1 **SECTION 3.** The introductory portion to 40-2-124 (1) and 40-2-
2 124 (1) (f) (IV), (1) (g) (I), (1) (g) (III), (1) (g) (IV), and (1) (i), Colorado
3 Revised Statutes, are amended, and the said 40-2-124 (1) (f) is further
4 amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

5
6 **40-2-124. Renewable energy standard - definitions - net**
7 **metering - legislative declaration.** (1) Each provider of retail electric
8 service in the state of Colorado, other than municipally owned utilities
9 that serve forty thousand customers or ~~less~~ FEWER, shall be considered a
10 qualifying retail utility. Each qualifying retail utility, with the exception
11 of cooperative electric associations that have voted to exempt themselves
12 from commission jurisdiction pursuant to section 40-9.5-104 and
13 municipally owned utilities, shall be subject to the rules established under
14 this article by the commission. No additional regulatory authority of the
15 commission other than that specifically contained in this section is
16 provided or implied. In accordance with article 4 of title 24, C.R.S., ~~on~~
17 ~~or before October 1, 2007,~~ the commission shall revise or clarify existing
18 rules to establish the following:

19
20 (f) Policies for the recovery of costs incurred with respect to these
21 standards for qualifying retail utilities that are subject to rate regulation
22 by the commission. These policies shall provide incentives to qualifying
23 retail utilities to invest in eligible energy resources in the state of
24 Colorado. Such policies shall include:

25
26 (IV) Considering, when the qualifying retail utility applies for a
27 certificate of public convenience and necessity under section 40-5-101,
28 rate recovery mechanisms that provide for earlier and timely recovery of
29 costs prudently and reasonably incurred by the qualifying retail utility in
30 developing, constructing, and operating the eligible energy resource,
31 including:

32
33 (A) Rate adjustment clauses until the costs of the eligible energy
34 resource can be included in the utility's base rates; and

35
36 (B) A current return on the utility's capital expenditures during
37 construction at the utility's weighted average cost of capital, including its
38 most recently authorized rate of return on equity, during the construction,
39 startup, and operation phases of the eligible energy resource;

40
41 (VII) A REQUIREMENT THAT ALL DISTRIBUTED RENEWABLE
42 ELECTRIC GENERATION FACILITIES WITH A NAMEPLATE RATING OF ONE
43 MEGAWATT OR MORE BE REGISTERED WITH A RENEWABLE ENERGY
44 GENERATION INFORMATION TRACKING SYSTEM DESIGNATED BY THE
45 COMMISSION.

46
47 (g) Retail rate impact rule:

48
49 (I) (A) Except as otherwise provided in subparagraph (IV) of this
50 paragraph (g), for each qualifying utility, the commission shall establish
51 a maximum retail rate impact for this section of two percent of the total
52 electric bill annually for each customer. The retail rate impact shall be
53 determined net of new alternative sources of electricity supply from
54 noneligible energy resources that are reasonably available at the time of
55 the determination.

1 (B) If the retail rate impact does not exceed the maximum impact
2 permitted by this paragraph (g), the qualifying utility may acquire more
3 than the minimum amount of eligible energy resources and renewable
4 energy credits required by this section. AT THE REQUEST OF THE
5 QUALIFYING RETAIL UTILITY AND UPON THE COMMISSION'S APPROVAL, THE
6 QUALIFYING RETAIL UTILITY MAY ADVANCE FUNDS FROM YEAR TO YEAR
7 TO AUGMENT THE AMOUNTS COLLECTED FROM RETAIL CUSTOMERS UNDER
8 THIS PARAGRAPH (g) FOR THE ACQUISITION OF MORE ELIGIBLE ENERGY
9 RESOURCES. SUCH FUNDS SHALL BE REPAID FROM FUTURE RETAIL RATE
10 COLLECTIONS, WITH INTEREST CALCULATED AT THE QUALIFYING RETAIL
11 UTILITY'S AFTER-TAX WEIGHTED AVERAGE COST OF CAPITAL, SO LONG AS
12 THE RETAIL RATE IMPACT DOES NOT EXCEED TWO PERCENT OF THE TOTAL
13 ANNUAL ELECTRIC BILL FOR EACH CUSTOMER.

14
15 (C) AS BETWEEN RESIDENTIAL AND NONRESIDENTIAL RETAIL
16 DISTRIBUTED GENERATION, THE COMMISSION SHALL DIRECT THE UTILITY
17 TO ALLOCATE ITS EXPENDITURES ACCORDING TO THE PROPORTION OF THE
18 UTILITY'S REVENUE DERIVED FROM EACH OF THESE CUSTOMER GROUPS;
19 EXCEPT THAT THE UTILITY MAY ACQUIRE RETAIL DISTRIBUTED
20 GENERATION AT LEVELS THAT DIFFER FROM THESE GROUP ALLOCATIONS
21 BASED UPON MARKET RESPONSE TO THE UTILITY'S PROGRAMS.

22
23 (III) Subject to the maximum retail rate impact permitted by this
24 paragraph (g), the qualifying retail utility shall have the discretion to
25 determine, in a nondiscriminatory manner, the price it will pay for
26 renewable energy credits from on-site customer facilities that are no
27 larger than ~~one~~ FIVE hundred kilowatts.

28
29 (IV) (A) For cooperative electric associations, the maximum retail
30 rate impact for this section is one percent of the total electric bill annually
31 for each customer.

32
33 (B) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH
34 (g), THE COMMISSION MAY ENSURE THAT CUSTOMERS WHO INSTALL
35 DISTRIBUTED GENERATION CONTINUE TO CONTRIBUTE, IN A
36 NONDISCRIMINATORY FASHION, THEIR FAIR SHARE TO THEIR UTILITY'S
37 RENEWABLE ENERGY PROGRAM FUND OR EQUIVALENT RENEWABLE
38 ENERGY SUPPORT MECHANISM EVEN IF SUCH CONTRIBUTION RESULTS IN A
39 CHARGE THAT EXCEEDS TWO PERCENT OF SUCH CUSTOMERS' ANNUAL
40 ELECTRIC BILLS.

41
42 (i) Rules necessary for the administration of this article including
43 enforcement mechanisms necessary to ensure that each qualifying retail
44 utility complies with this standard, and provisions governing the
45 imposition of administrative penalties assessed after a hearing held by the
46 commission pursuant to section 40-6-109. The commission shall exempt
47 a qualifying retail utility from administrative penalties for an individual
48 compliance year if the utility demonstrates that the retail rate impact cap
49 described in paragraph (g) of this subsection (1) has been reached and the
50 utility has not achieved full compliance with paragraph (c) of this
51 subsection (1). THE QUALIFYING RETAIL UTILITY'S ACTIONS UNDER AN
52 APPROVED COMPLIANCE PLAN SHALL CARRY A REBUTTABLE PRESUMPTION
53 OF PRUDENCE. Under no circumstances shall the costs of administrative
54 penalties be recovered from Colorado retail customers.

55
56 **SECTION 4.** Article 2 of title 40, Colorado Revised Statutes, is

1 amended BY THE ADDITION OF THE FOLLOWING NEW
2 SECTIONS to read:

3
4 **40-2-128. Solar photovoltaic installations - supervision by
5 certified practitioners - qualifications of electrical contractors.**

6 (1) EFFECTIVE JANUARY 1, 2012, FOR ALL PHOTOVOLTAIC INSTALLATIONS
7 FUNDED WHOLLY OR PARTIALLY THROUGH RATEPAYER-FUNDED
8 INCENTIVES AS PART OF THE RENEWABLE ENERGY STANDARD ADJUSTMENT
9 ALLOWED UNDER SECTION 40-2-124:

10
11 (a) (I) THE PERFORMANCE OF ALL PHOTOVOLTAIC ELECTRICAL
12 WORK, THE INSTALLATION OF PHOTOVOLTAIC MODULES, AND THE
13 INSTALLATION OF PHOTOVOLTAIC MODULE MOUNTING EQUIPMENT SHALL
14 BE SUBJECT TO ON-SITE SUPERVISION BY A CERTIFIED PHOTOVOLTAIC
15 ENERGY PRACTITIONER AS DESIGNATED BY THE NORTH AMERICAN BOARD
16 OF CERTIFIED ENERGY PRACTITIONERS (NABCEP) OR ANOTHER
17 NATIONALLY RECOGNIZED PROFESSIONAL ORGANIZATION DESIGNATED BY
18 THE COLORADO STATE ELECTRICAL BOARD BY RULE. UPON THE INITIAL
19 APPLICATION FOR FUNDING OR IN THE INITIAL CONTRACT PROPOSAL, THE
20 APPLICANT SHALL ASSUME RESPONSIBILITY FOR EMPLOYING OR
21 CONTRACTING WITH ONE OR MORE CERTIFIED ENERGY PRACTITIONERS TO
22 SUPERVISE THE INSTALLATION AND AS NECESSARY TO MAINTAIN THE
23 THREE-TO-ONE RATIO REQUIRED BY PARAGRAPHS (b) AND (c) OF THIS
24 SUBSECTION (1), INCLUDING DURING ANY OFF-SITE, PRE-INSTALLATION
25 ASSEMBLY. APPROVAL OF THE PAYMENT OF ANY INCENTIVES FOR THE
26 WORK SHALL BE CONDITIONED UPON THE APPLICANT'S SUPPLYING THE
27 NAME AND CERTIFICATION NUMBER OF EACH CERTIFIED ENERGY
28 PRACTITIONER WHO ACTUALLY PROVIDED ON-SITE SUPERVISION OR WAS
29 PRESENT TO MAINTAIN THE THREE-TO-ONE RATIO REQUIRED BY
30 PARAGRAPHS (c) AND (d) OF THIS SUBSECTION (1).

31
32 (II) NEITHER THE COMMISSION NOR THE UTILITY SHALL HAVE
33 RESPONSIBILITY FOR MONITORING OR ENFORCING COMPLIANCE WITH THIS
34 SECTION. IT SHALL BE THE RESPONSIBILITY OF THE APPLICANT TO OBTAIN
35 THE INFORMATION REQUIRED BY SUBPARAGRAPH (I) OF THIS PARAGRAPH
36 (a), AND IT SHALL BE THE RESPONSIBILITY OF THE QUALIFYING RETAIL
37 UTILITY TO OBTAIN FROM THE APPLICANT AND RETAIN, FOR AT LEAST ONE
38 YEAR AFTER COMPLETION OF THE INSTALLATION, COPIES OF ALL
39 DOCUMENTATION SUBMITTED BY THE APPLICANT IN CONNECTION WITH
40 THE INSTALLATION.

41
42 (b) ALL WORK PERFORMED ON THE ALTERNATING-CURRENT SIDE
43 OF THE INVERTER WILL BE PERFORMED BY AN ELECTRICAL CONTRACTOR
44 WHO EMPLOYS A LICENSED JOURNEYMAN ELECTRICIAN OR A LICENSED
45 RESIDENTIAL WIREMAN WHO WILL PERFORM THE WORK. ALL ELECTRICAL
46 WORK THAT PERTAINS TO ARTICLE 23 OF TITLE 12, C.R.S., WILL BE
47 PERFORMED BY AN ELECTRICAL APPRENTICE REGISTERED WITH THE
48 APPROPRIATE STATE REGULATORY AGENCY, A LICENSED JOURNEYMAN
49 ELECTRICIAN, OR A LICENSED RESIDENTIAL WIREMAN. THE APPROPRIATE
50 RATIO OF NO LESS THAN ONE JOURNEYMAN OR RESIDENTIAL WIREMAN FOR
51 EVERY THREE ELECTRICAL APPRENTICES WILL BE MAINTAINED.

52
53 (c) ON A SYSTEM WITH A DIRECT CURRENT DESIGN CAPACITY OF
54 MORE THAN FIVE HUNDRED KILOWATTS:

55
56 (I) DURING ANY PHOTOVOLTAIC ELECTRICAL WORK, THE RATIO OF

1 THE NUMBER OF PERSONS WHO ARE ASSISTING WITH THE WORK AND WHO
2 ARE NEITHER LICENSED ELECTRICIANS NOR REGISTERED ELECTRICAL
3 APPRENTICES TO THE NUMBER OF PERSONS WHO ARE CERTIFIED AS
4 PROVIDED IN PARAGRAPH (a) OF THIS SUBSECTION (1) SHALL NEVER
5 EXCEED THREE TO ONE, AND A PERSON WHO IS BOTH LICENSED AND
6 CERTIFIED SHALL NOT COUNT DOUBLE FOR PURPOSES OF MEASURING THIS
7 RATIO; AND

8
9 (II) THERE SHALL BE AT LEAST ONE ON-SITE SUPERVISOR WHO IS
10 CERTIFIED AS PROVIDED IN PARAGRAPH (a) OF THIS SUBSECTION (1)
11 DURING THE FOLLOWING STAGES; EXCEPT THAT, IF AT ANY TIME DURING
12 ANY OF THE FOLLOWING STAGES, THERE ARE MORE THAN TWELVE PERSONS
13 ON THE WORK SITE WHO ARE NEITHER LICENSED ELECTRICIANS NOR
14 REGISTERED ELECTRICAL APPRENTICES AND WHO ARE NOT CERTIFIED AS
15 PROVIDED IN PARAGRAPH (a) OF THIS SUBSECTION (1), THERE SHALL BE AT
16 LEAST TWO PERSONS WHO ARE CERTIFIED AS PROVIDED IN PARAGRAPH (a)
17 OF THIS SUBSECTION (1) PRESENT ON THE WORK SITE AND PROVIDING
18 DIRECT SUPERVISION:

19
20 (A) THE INSTALLATION OF PHOTOVOLTAIC MODULES;

21
22 (B) THE INSTALLATION OF PHOTOVOLTAIC MODULE MOUNTING
23 EQUIPMENT; AND

24
25 (C) ANY PHOTOVOLTAIC ELECTRICAL WORK.

26
27 (d) ON A SYSTEM WITH A DIRECT CURRENT DESIGN CAPACITY OF
28 FIVE HUNDRED KILOWATTS OR LESS:

29
30 (I) THE RATIO OF THE NUMBER OF PERSONS WHO ARE ASSISTING
31 WITH THE WORK AND WHO ARE NEITHER LICENSED ELECTRICIANS NOR
32 REGISTERED ELECTRICAL APPRENTICES TO THE NUMBER OF PERSONS WHO
33 ARE CERTIFIED AS PROVIDED IN PARAGRAPH (a) OF THIS SUBSECTION (1)
34 SHALL NEVER EXCEED THREE TO ONE, AND A PERSON WHO IS BOTH
35 LICENSED AND CERTIFIED SHALL NOT COUNT DOUBLE FOR PURPOSES OF
36 MEASURING THIS RATIO, DURING THE FOLLOWING STAGES:

37
38 (A) THE INSTALLATION OF PHOTOVOLTAIC MODULES;

39
40 (B) THE INSTALLATION OF PHOTOVOLTAIC MODULE MOUNTING
41 EQUIPMENT; AND

42
43 (C) ANY PHOTOVOLTAIC ELECTRICAL WORK; AND

44
45 (II) THERE SHALL BE, AT ALL TIMES, AT LEAST ONE ON-SITE
46 SUPERVISOR WHO IS CERTIFIED AS PROVIDED IN PARAGRAPH (a) OF THIS
47 SUBSECTION (1).

48
49 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
50 REQUIRES:

51
52 (a) (I) "PHOTOVOLTAIC ELECTRICAL WORK" MEANS WIRING,
53 GROUNDING, OR REPAIRING ELECTRICAL APPARATUS AND EQUIPMENT IN
54 A PHOTOVOLTAIC DISTRIBUTED GENERATION SYSTEM.

55
56 (II) "PHOTOVOLTAIC ELECTRICAL WORK" INCLUDES THE PRE-

1 INSTALLATION ASSEMBLY OF PHOTOVOLTAIC MODULES TO PHOTOVOLTAIC
2 MODULE MOUNTING EQUIPMENT FOR INSTALLATION ON-SITE.

3
4 (III) "PHOTOVOLTAIC ELECTRICAL WORK" DOES NOT INCLUDE SITE
5 PREPARATION, TRENCHING OR EXCAVATING, HAULING, OR OTHER WORK
6 THAT IS NOT SPECIFICALLY DESCRIBED IN SUBPARAGRAPH (I) OR (II) OF
7 THIS PARAGRAPH (a).

8
9 (b) "PHOTOVOLTAIC MODULE" MEANS THE MODULE OR PANEL
10 THAT GENERATES ELECTRICITY THROUGH A PHOTOVOLTAIC PROCESS.

11
12 (c) "PHOTOVOLTAIC MODULE MOUNTING EQUIPMENT" MEANS THE
13 RACKING, MOUNTING, APPARATUS, EQUIPMENT, OR STRUCTURE THAT
14 PHYSICALLY SUPPORTS AND SECURES ONE OR MORE PHOTOVOLTAIC
15 MODULES IN PLACE OR TO A ROOF, WALL, FOUNDATION, OR PEDESTAL.

16
17 **40-2-129. New resource acquisitions - factors in determination**
18 **- local employment - "best value" metrics.** WHEN EVALUATING
19 ELECTRIC RESOURCE ACQUISITIONS, THE COMMISSION SHALL CONSIDER, ON
20 A QUALITATIVE BASIS, FACTORS THAT AFFECT EMPLOYMENT AND THE
21 LONG-TERM ECONOMIC VIABILITY OF COLORADO COMMUNITIES. TO THIS
22 END, THE COMMISSION SHALL REQUIRE UTILITIES TO REQUEST THE
23 FOLLOWING INFORMATION REGARDING "BEST VALUE" EMPLOYMENT
24 METRICS: THE AVAILABILITY OF TRAINING PROGRAMS, INCLUDING
25 TRAINING THROUGH APPRENTICESHIP PROGRAMS REGISTERED WITH THE
26 UNITED STATES DEPARTMENT OF LABOR, OFFICE OF APPRENTICESHIP AND
27 TRAINING; EMPLOYMENT OF COLORADO WORKERS AS COMPARED TO
28 IMPORTATION OF OUT-OF-STATE WORKERS; LONG-TERM CAREER
29 OPPORTUNITIES; AND INDUSTRY- STANDARD WAGES, HEALTH CARE, AND
30 PENSION BENEFITS. WHEN A UTILITY PROPOSES TO CONSTRUCT NEW
31 FACILITIES OF ITS OWN, THE UTILITY SHALL SUPPLY SIMILAR INFORMATION
32 TO THE COMMISSION.

33
34 **SECTION 5.** Article 38.5 of title 24, Colorado Revised Statutes,
35 is amended BY THE ADDITION OF A NEW SECTION to read:

36
37 **24-38.5-104. Photovoltaic installer qualifications - cooperation**
38 **with department of regulatory agencies.** (1) EFFECTIVE JULY 1, 2011,
39 ALL PHOTOVOLTAIC INSTALLATIONS FUNDED WHOLLY OR PARTIALLY
40 THROUGH STATE OR FEDERAL GRANTS, INCLUDING GRANTS UNDER THE
41 FEDERAL "AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009",
42 PUB.L. 111-5, SHALL BE SUBJECT TO THE REQUIREMENTS SET FORTH IN
43 SECTION 40-2-128, C.R.S.

44
45 (2) IF THE GOVERNOR, BY EXECUTIVE ORDER, APPOINTS A
46 COMMITTEE TO STUDY THE DESIRABILITY OF CREDENTIALING OF SOLAR
47 INSTALLERS, THE COMMITTEE, OR THE GOVERNOR'S ENERGY OFFICE ON THE
48 COMMITTEE'S BEHALF, IS SPECIFICALLY AUTHORIZED TO SUBMIT A
49 PROPOSAL FOR SUCH CREDENTIALING TO THE DEPARTMENT OF
50 REGULATORY AGENCIES PURSUANT TO SECTION 24-34-104.1 (2). IN
51 ADDITION, THE COMMITTEE MAY STUDY AND MAKE RECOMMENDATIONS
52 CONCERNING THE SCOPE-OF-WORK PROVISIONS OF SECTION 40-2-128,
53 SPECIFICALLY INCLUDING ENFORCEMENT OF THE SUPERVISION AND
54 WORKER RATIO REQUIREMENTS OF SECTION 40-2-128 (1) (c) AND (1) (d).

55
56 **SECTION 6.** 24-38.7-104, Colorado Revised Statutes, is

1 amended BY THE ADDITION OF A NEW SUBSECTION to read:

2
3 **24-38.7-104. Program administrator - training and**
4 **certification of contractors - reporting.** (2.5) (a) EFFECTIVE JULY 1,
5 2011, THE ISSUANCE OF A CLEAN ENERGY LOAN UNDER THIS ARTICLE FOR
6 THE INSTALLATION OF SOLAR PHOTOVOLTAIC EQUIPMENT SHALL BE
7 CONDITIONED UPON THE BORROWER'S CERTIFICATION THAT:

8
9 (I) THE PERFORMANCE OF ALL PHOTOVOLTAIC ELECTRICAL WORK,
10 THE INSTALLATION OF PHOTOVOLTAIC MODULES, AND THE INSTALLATION
11 OF PHOTOVOLTAIC MODULE MOUNTING EQUIPMENT SHALL BE SUBJECT TO
12 ON-SITE SUPERVISION BY A CERTIFIED PHOTOVOLTAIC ENERGY
13 PRACTITIONER AS DESIGNATED BY THE NORTH AMERICAN BOARD OF
14 CERTIFIED ENERGY PRACTITIONERS (NABCEP) OR ANOTHER NATIONALLY
15 RECOGNIZED PROFESSIONAL ORGANIZATION DESIGNATED BY THE
16 COLORADO STATE ELECTRICAL BOARD BY RULE. UPON THE INITIAL
17 APPLICATION FOR FUNDING OR IN THE INITIAL CONTRACT PROPOSAL, THE
18 APPLICANT SHALL ASSUME RESPONSIBILITY FOR EMPLOYING OR
19 CONTRACTING WITH ONE OR MORE CERTIFIED ENERGY PRACTITIONERS TO
20 SUPERVISE THE INSTALLATION AND AS NECESSARY TO MAINTAIN THE
21 THREE-TO-ONE RATIO REQUIRED BY SUBPARAGRAPHS (II) AND (III) OF THIS
22 PARAGRAPH (a), INCLUDING DURING ANY OFF-SITE, PRE-INSTALLATION
23 ASSEMBLY. FINAL PAYMENT FOR THE WORK SHALL BE CONDITIONED UPON
24 THE APPLICANT'S SUPPLYING THE NAME AND CERTIFICATION NUMBER OF
25 EACH CERTIFIED ENERGY PRACTITIONER WHO ACTUALLY PROVIDED ON-
26 SITE SUPERVISION OR WAS PRESENT TO MAINTAIN THE THREE-TO-ONE
27 RATIO REQUIRED BY SUBPARAGRAPHS (III) AND (IV) OF THIS SUBSECTION
28 (1).

29
30 (II) ALL WORK PERFORMED ON THE ALTERNATING-CURRENT SIDE
31 OF THE INVERTER WILL BE PERFORMED BY AN ELECTRICAL CONTRACTOR
32 WHO EMPLOYS A LICENSED JOURNEYMAN ELECTRICIAN OR A LICENSED
33 RESIDENTIAL WIREMAN WHO WILL PERFORM THE WORK. ALL ELECTRICAL
34 WORK THAT PERTAINS TO ARTICLE 23 OF TITLE 12, C.R.S., WILL BE
35 PERFORMED BY AN ELECTRICAL APPRENTICE REGISTERED WITH THE
36 APPROPRIATE STATE REGULATORY AGENCY, A LICENSED JOURNEYMAN
37 ELECTRICIAN, OR A LICENSED RESIDENTIAL WIREMAN. THE APPROPRIATE
38 RATIO OF NO LESS THAN ONE JOURNEYMAN OR RESIDENTIAL WIREMAN FOR
39 EVERY THREE ELECTRICAL APPRENTICES WILL BE MAINTAINED.

40
41 (III) ON A SYSTEM WITH A DIRECT CURRENT DESIGN CAPACITY OF
42 MORE THAN FIVE HUNDRED KILOWATTS:

43
44 (A) DURING ANY PHOTOVOLTAIC ELECTRICAL WORK, THE RATIO OF
45 THE NUMBER OF PERSONS WHO ARE ASSISTING WITH THE WORK AND WHO
46 ARE NEITHER LICENSED ELECTRICIANS NOR REGISTERED ELECTRICAL
47 APPRENTICES TO THE NUMBER OF PERSONS WHO ARE CERTIFIED AS
48 PROVIDED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) SHALL NEVER
49 EXCEED THREE TO ONE, AND A PERSON WHO IS BOTH LICENSED AND
50 CERTIFIED SHALL NOT COUNT DOUBLE FOR PURPOSES OF MEASURING THIS
51 RATIO; AND

52
53 (B) THERE SHALL BE AT LEAST ONE ON-SITE SUPERVISOR WHO IS
54 CERTIFIED AS PROVIDED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (a)
55 DURING THE INSTALLATION OF PHOTOVOLTAIC MODULES, THE
56 INSTALLATION OF PHOTOVOLTAIC MODULE MOUNTING EQUIPMENT, AND

1 ANY PHOTOVOLTAIC ELECTRICAL WORK; EXCEPT THAT, IF AT ANY TIME
2 DURING ANY OF THESE STAGES, THERE ARE MORE THAN TWELVE PERSONS
3 ON THE WORK SITE WHO ARE NEITHER LICENSED ELECTRICIANS NOR
4 REGISTERED ELECTRICAL APPRENTICES AND WHO ARE NOT CERTIFIED AS
5 PROVIDED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), THERE SHALL BE
6 AT LEAST TWO PERSONS WHO ARE CERTIFIED AS PROVIDED IN
7 SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) PRESENT ON THE WORK SITE
8 AND PROVIDING DIRECT SUPERVISION:
9

10 (IV) ON A SYSTEM WITH A DIRECT CURRENT DESIGN CAPACITY OF
11 FIVE HUNDRED KILOWATTS OR LESS:
12

13 (A) DURING THE INSTALLATION OF PHOTOVOLTAIC MODULES, THE
14 INSTALLATION OF PHOTOVOLTAIC MODULE MOUNTING EQUIPMENT, AND
15 ANY PHOTOVOLTAIC ELECTRICAL WORK, THE RATIO OF THE NUMBER OF
16 PERSONS WHO ARE ASSISTING WITH THE WORK AND WHO ARE NEITHER
17 LICENSED ELECTRICIANS NOR REGISTERED ELECTRICAL APPRENTICES TO
18 THE NUMBER OF PERSONS WHO ARE CERTIFIED AS PROVIDED IN PARAGRAPH
19 (a) OF THIS SUBSECTION (1) SHALL NEVER EXCEED THREE TO ONE, AND A
20 PERSON WHO IS BOTH LICENSED AND CERTIFIED SHALL NOT COUNT DOUBLE
21 FOR PURPOSES OF MEASURING THIS RATIO; AND
22

23 (B) THERE SHALL BE, AT ALL TIMES, AT LEAST ONE ON-SITE
24 SUPERVISOR WHO IS CERTIFIED AS PROVIDED IN SUBPARAGRAPH (I) OF THIS
25 PARAGRAPH (a).
26

27 (b) AS USED IN THIS SUBSECTION (2.5), THE TERMS
28 "PHOTOVOLTAIC ELECTRICAL WORK" AND "PHOTOVOLTAIC MODULE
29 MOUNTING EQUIPMENT" SHALL HAVE THE MEANINGS SET FORTH IN
30 SECTION 40-2-128, C.R.S.
31

32 **SECTION 7.** 40-2-109.5, Colorado Revised Statutes, is amended
33 BY THE ADDITION OF A NEW SUBSECTION to read:
34

35 **40-2-109.5. Incentives for distributed generation - definition.**

36 (3) EFFECTIVE JANUARY 1, 2012, ALL PHOTOVOLTAIC INSTALLATIONS
37 FUNDED WHOLLY OR PARTIALLY THROUGH FINANCIAL INCENTIVES UNDER
38 THIS SECTION SHALL BE SUBJECT TO THE REQUIREMENTS SET FORTH IN
39 SECTION 40-2-128.
40

41 **SECTION 8. Act subject to petition - effective date.** This act
42 shall take effect at 12:01 a.m. on the day following the expiration of the
43 ninety-day period after final adjournment of the general assembly (August
44 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
45 referendum petition is filed pursuant to section 1 (3) of article V of the
46 state constitution against this act or an item, section, or part of this act
47 within such period, then the act, item, section, or part shall not take effect
48 unless approved by the people at the general election to be held in
49 November 2010 and shall take effect on the date of the official
50 declaration of the vote thereon by the governor."
51

52 Page 1, line 106, strike "FIVE" and substitute "THREE".
53
54
55

56 **HB10-1211** be referred favorably to the Committee on Appropriations.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB10-1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296.

INTRODUCTION OF BILL

First Reading

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

HB10-1297 by Representative(s) Pommer, Ferrandino, Lambert; also
Senator(s) Keller, Tapia, White--Concerning a supple-
mental appropriation to the department of agriculture.

Committee on Appropriations

HB10-1298 by Representative(s) Pommer, Ferrandino, Lambert; also
Senator(s) Keller, Tapia, White--Concerning a supple-
mental appropriation to the department of corrections.

Committee on Appropriations

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.

Committee on Appropriations

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.

Committee on Appropriations

HB10-1301 by Representative(s) Pommer, Ferrandino, Lambert; also
Senator(s) Keller, Tapia, White--Concerning a
supplemental appropriation to the department of higher
education.

Committee on Appropriations

HB10-1302 by Representative(s) Pommer, Ferrandino, Lambert; also
Senator(s) Keller, Tapia, White--Concerning a supple-
mental appropriation to the department of human services.

Committee on Appropriations

HB10-1303 by Representative(s) Pommer, Ferrandino, Lambert; also
Senator(s) Keller, Tapia, White--Concerning a
supplemental appropriation to the judicial department.

Committee on Appropriations

- 1 **HB10-1304** by Representative(s) Pommer, Ferrandino, Lambert; also
2 Senator(s) Keller, Tapia, White--Concerning a
3 supplemental appropriation to the department of labor and
4 employment.
5 Committee on Appropriations
6
- 7 **HB10-1305** by Representative(s) Pommer, Ferrandino, Lambert; also
8 Senator(s) Keller, Tapia, White--Concerning a
9 supplemental appropriation to the department of law.
10 Committee on Appropriations
11
- 12 **HB10-1306** by Representative(s) Pommer, Ferrandino, Lambert; also
13 Senator(s) Keller, Tapia, White--Concerning a suppl-
14 emental appropriation to the department of legislature.
15 Committee on Appropriations
16
- 17 **HB10-1307** by Representative(s) Pommer, Ferrandino, Lambert; also
18 Senator(s) Keller, Tapia, White--Concerning supplemental
19 appropriation to the department of local affairs.
20 Committee on Appropriations
21
- 22 **HB10-1308** by Representative(s) Pommer, Ferrandino, Lambert; also
23 Senator(s) Keller, Tapia, White--Concerning a
24 supplemental appropriation to the department of military
25 and veterans affairs.
26 Committee on Appropriations
27
- 28 **HB10-1309** by Representative(s) Pommer, Ferrandino, Lambert; also
29 Senator(s) Keller, Tapia, White--Concerning a
30 supplemental appropriation to the department of natural
31 resources.
32 Committee on Appropriations
33
- 34 **HB10-1310** by Representative(s) Pommer, Ferrandino, Lambert; also
35 Senator(s) Keller, Tapia, White--Concerning a
36 supplemental appropriation to the department of personnel
37 and administration.
38 Committee on Appropriations
39
- 40 **HB10-1311** by Representative(s) Pommer, Ferrandino, Lambert; also
41 Senator(s) Keller, Tapia, White--Concerning a
42 supplemental appropriation to the department of public
43 health and environment.
44 Committee on Appropriations
45
- 46 **HB10-1312** by Representative(s) Pommer, Ferrandino, Lambert; also
47 Senator(s) Keller, Tapia, White--Concerning a suppl-
48 emental appropriation to the department of public safety.
49 Committee on Appropriations
50
- 51 **HB10-1313** by Representative(s) Pommer, Ferrandino, Lambert; also
52 Senator(s) Keller, Tapia, White--Concerning a
53 supplemental appropriation to the department of regulatory
54 agencies.
55 Committee on Appropriations
56

- 1 **HB10-1314** by Representative(s) Pommer, Ferrandino, Lambert; also
2 Senator(s) Keller, Tapia, White--Concerning a
3 supplemental appropriation to the department of revenue.
4 Committee on Appropriations
5
- 6 **HB10-1315** by Representative(s) Pommer, Ferrandino, Lambert; also
7 Senator(s) Keller, Tapia, White--Concerning a
8 supplemental appropriation to the department of state.
9 Committee on Appropriations
10
- 11 **HB10-1316** by Representative(s) Pommer, Ferrandino, Lambert; also
12 Senator(s) Keller, Tapia, White--Concerning a supple-
13 mental appropriation to the department of transportation.
14 Committee on Appropriations
15
- 16 **HB10-1317** by Representative(s) Pommer, Ferrandino, Lambert; also
17 Senator(s) Keller, Tapia, White--Concerning a supple-
18 mental appropriation to the department of the treasury.
19 Committee on Appropriations
20
- 21 **HB10-1318** by Representative(s) Pommer, Ferrandino, Lambert; also
22 Senator(s) Tapia, Keller, White--Concerning
23 circumstances under which the requirement that each
24 school district receive a minimum amount of state funding
25 for total program funding as calculated through the "Public
26 School Finance Act of 1994" shall not apply to any
27 district.
28 Committee on Appropriations
29
- 30 **HB10-1319** by Representative(s) Ferrandino, Pommer, Lambert; also
31 Senator(s) Tapia, Keller, White--Concerning modifications
32 to statutory transfers for energy-related assistance to low-
33 income households from the operational account of the
34 severance tax trust fund for three particular state fiscal
35 years.
36 Committee on Appropriations
37
- 38 **HB10-1320** by Representative(s) Pommer, Ferrandino, Lambert; also
39 Senator(s) Tapia, Keller, White--Concerning the use of
40 tobacco revenues generated under section 21 of article X
41 of the state constitution in a state fiscal emergency, and
42 making an appropriation therefor.
43 Committee on Appropriations
44
- 45 **HB10-1321** by Representative(s) Pommer, Ferrandino, Lambert; also
46 Senator(s) Tapia, Keller, White--Concerning moneys
47 appropriated for health clinics.
48 Committee on Appropriations
49
- 50 **HB10-1322** by Representative(s) Lambert, Ferrandino, Pommer; also
51 Senator(s) White, Keller, Tapia--Concerning the repeal of
52 the pilot programs on the use of telemedicine, and making
53 an appropriation therefor.
54 Committee on Appropriations
55

- 1 **HB10-1323** by Representative(s) Pommer, Ferrandino, Lambert; also
2 Senator(s) Tapia, Keller, White--Concerning the use of
3 tobacco litigation funds for health care programs, and
4 making an appropriation therefor.
5 Committee on Appropriations
6
- 7 **HB10-1324** by Representative(s) Ferrandino, Pommer, Lambert; also
8 Senator(s) White, Keller, Tapia--Concerning a reduction
9 in the general fund portion of the per diem rates paid to
10 nursing facilities, and making an appropriation therefor.
11 Committee on Appropriations
12
- 13 **HB10-1325** by Representative(s) Lambert, Pommer, Ferrandino; also
14 Senator(s) White, Keller, Tapia--Concerning the transfer
15 of interest earned by certain settlement moneys in the
16 natural resource damage recovery fund.
17 Committee on Appropriations
18
- 19 **HB10-1326** by Representative(s) Pommer, Ferrandino, Lambert; also
20 Senator(s) Tapia, Keller, White--Concerning an increase
21 in the amount of authorized appropriations from the
22 operational account of the severance tax trust fund to the
23 division of parks and outdoor recreation, and, in
24 connection therewith, adjusting the 2009 long bill.
25 Committee on Appropriations
26
- 27 **HB10-1327** by Representative(s) Pommer, Ferrandino, Lambert; also
28 Senator(s) White, Keller, Tapia--Concerning the
29 augmentation of the general fund through transfers of
30 certain moneys.
31 Committee on Appropriations
32
- 33 **HB10-1328** by Representative(s) Miklosi, Apuan, Benefield, Casso,
34 Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi,
35 Hullinghorst, Kefalas, Kerr A., Labuda, Levy, McCann,
36 McFadyen, Merrifield, Middleton, Peniston, Pommer,
37 Primavera, Ryden, Scanlan, Solano, Todd, Tyler, Vigil,
38 Weissmann; also Senator(s) Schwartz--Concerning the
39 "New Energy Jobs Creation Act of 2010", and, in
40 connection therewith, creating the Colorado new energy
41 improvement district and authorizing the district to fund
42 new energy improvements by issuing special assessment
43 bonds payable from special assessments levied on eligible
44 real property owned by persons who voluntarily join the
45 district in order to have the district help them fund new
46 energy improvements to the eligible real property.
47 Committee on State, Veterans, & Military Affairs
48
- 49 **HB10-1329** by Representative(s) Peniston, Casso, Court, Fischer,
50 Frangas, Hullinghorst, Labuda, Levy, McCann, Miklosi,
51 Pommer, Riesberg, Solano, Tyler, Vigil; also Senator(s)
52 Boyd, Bacon, Hodge, Hudak, Keller, Romer, Steadman,
53 Tochtrop, Williams--Concerning solid waste user fees.
54 Committee on Finance
55
56

1 **HB10-1330** by Representative(s) Kefalas and Kagan, Apuan, Court,
2 Fischer, Gagliardi, Levy, Miklosi, Pace, Primavera, Rice,
3 Riesberg, Solano, Tyler, Vigil; also Senator(s) Morse--
4 Concerning the creation of an advisory committee to make
5 recommendations regarding the creation of a Colorado all-
6 payer health claims database for the purpose of transparent
7 public reporting of health care information.

8 Committee on Health and Human Services
9

10 **HB10-1331** by Representative(s) Gerou--Concerning the establishment
11 of a green building incentive pilot program administered
12 by the governor's energy office to incentivize the making
13 of energy efficiency improvements to existing residences
14 with current home energy ratings below minimum
15 standards for people who purchase highly efficient new
16 residential construction.

17 Committee on Transportation & Energy
18
19
20

21 On motion of Representative Weissmann, the House adjourned until
22 9:00 a.m., February 9, 2010.
23

24 Approved:
25 TERRANCE D. CARROLL,
26 Speaker

27 Attest:
28 MARILYN EDDINS,
29 Chief Clerk

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

Twenty-eighth Legislative Day

Tuesday, February 9, 2010

1 Prayer by Pastor Mark Phillips, Berean Bible Church, Haxtun.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Hillary Skiffington, Loveland High School.
6
7 The roll was called with the following result:
8
9 Present--59.
10 Excused--Representative(s) Frangas, McFadyen, Middleton,
11 Pommer, Ryden, Swalm--6.
12 Present after roll call--Representative(s) Frangas, Middleton,
13 Pommer, Swalm.
14
15 The Speaker declared a quorum present.
16
17
18 On motion of Representative Bradford, the reading of the journal of
19 February 8, 2010, was declared dispensed with and approved as corrected
20 by the Chief Clerk.
21
22

THIRD READING OF BILL(S)--FINAL PASSAGE

23
24
25 The following bill(s) (was)were considered on Third Reading. The
26 title(s) (was)were publicly read. Reading of the bill at length was
27 dispensed with by unanimous consent.
28

29 **HB10-1170** by Representative(s) DelGrosso, Nikkel; also Senator(s)
30 Bacon--Concerning the provision of alcohol beverages in
31 sealed containers in luxury boxes located in entertainment
32 venues with a seating capacity of at least one thousand
33 five hundred seats.
34

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

	YES	57	NO	5	EXCUSED	3	ABSENT	0
41	Acree	Y	Gerou	Y	McFadyen	E	Ryden	E
42	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
43	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y

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

15 Co-sponsor(s) added: Representative(s) Gerou, Labuda.

16
17 **HB10-1203** by Representative(s) Kerr A.; also Senator(s) Steadman--
18 Concerning the issuing of group life insurance, and, in
19 connection therewith, deleting the requirement regarding
20 the minimum number of persons that must be covered by
21 the policy.
22

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

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

27	YES	59	NO	3	EXCUSED	3	ABSENT	0
29	Acree	N	Gerou	Y	McFadyen	E	Ryden	E
30	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
31	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
32	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
33	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
34	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
35	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
36	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
37	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
38	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
39	Ferrandino	Y	Levy	Y	Pommer	E	Todd	Y
40	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
41	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
42	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
43	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
44	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Liston.

47
48 **HB10-1076** by Representative(s) DelGrosso; also Senator(s) Heath--
49 Concerning the classification of a participant in a property
50 tax work-off program for purposes of employee labor
51 benefits.
52

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

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

	YES	61	NO	1	EXCUSED	3	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	E	Ryden	E
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	E	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	N	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

Co-sponsor(s) added: Representative(s) Acree, Court, Gerou, Kefalas, Labuda, Looper, McNulty, Riesberg, Roberts, Stephens, Summers, Tyler, Vigil.

HB10-1137 by Representative(s) Gardner B.; also Senator(s) Steadman--Concerning the use of people first language in the drafting of laws.

The question being "Shall the bill pass?".

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

	YES	59	NO	3	EXCUSED	3	ABSENT	0
31								
32	Acree	Y	Gerou	Y	McFadyen	E	Ryden	E
33	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
34	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
35	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
36	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
37	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
38	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
39	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
40	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
41	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
42	Ferrandino	Y	Levy	Y	Pommer	E	Todd	Y
43	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
44	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
45	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
46	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
47	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
48							Speaker	Y

Co-sponsor(s) added: Representative(s) Acree, Apuan, Casso, Court, DelGrosso, Fischer, Frangas, Hullinghorst, Kefalas, Kerr A., Labuda, Levy, Merrifield, Primavera, Riesberg, Schafer S., Soper, Todd, Waller.

HB10-1185 by Representative(s) Priola, Balmer, Bradford, DelGrosso, Labuda, Nikkel, Riesberg, Schafer S., Stephens, Todd, Waller; also Senator(s) Schwartz--Concerning extending certain dates related to the petroleum storage tank fund.

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

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

24 Co-sponsor(s) added: Representative(s) Casso, Kerr J., Lambert, Vigil.

25
 26 **HB10-1047** by Representative(s) Court and Murray; also Senator(s)
 27 White--Concerning the form of a statewide ballot title.

28
 29 The question being "Shall the bill pass?".
 30 A roll call vote was taken. As shown by the following recorded vote, a
 31 majority of those elected to the House voted in the affirmative and the bill
 32 was declared **passed**.

	YES	55	NO	7	EXCUSED	3	ABSENT	0
35	Acree	Y	Gerou	Y	McFadyen	E	Ryden	E
36	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
37	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
38	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
39	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
40	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
41	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
42	Court	Y	King S.	Y	Nikkel	N	Summers	Y
43	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
44	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
45	Ferrandino	Y	Levy	Y	Pommer	E	Todd	Y
46	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
47	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
48	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
49	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
50	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Apuan, Casso, Hullinghorst, Kerr J.,
 53 Labuda, Rice, Schafer S., Todd, Tyler

54
 55

1 **SB10-035** by Senator(s) Newell; also Representative(s) Bradford--
 2 Concerning automatic enrollment in employee retirement
 3 plans.
 4

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

	YES	61	NO	1	EXCUSED	3	ABSENT	0
11	Acree	Y	Gerou	Y	McFadyen	E	Ryden	E
12	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
13	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
14	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
16	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	N
17	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
18	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
19	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
20	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
21	Ferrandino	Y	Levy	Y	Pommer	E	Todd	Y
22	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
24	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
25	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
26	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Liston, Schafer S., Tyler.
 29

30 **HB10-1134** by Representative(s) Casso; also Senator(s) Kester--
 31 Concerning measures to prevent illegal interstate pari-
 32 mutuel wagering on racing, and, in connection therewith,
 33 authorizing the entry by Colorado into interstate compacts
 34 governing racing and the collection of source market fees
 35 from out-of-state simulcast activity.
 36

37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.
 41

	YES	62	NO	0	EXCUSED	3	ABSENT	0
43	Acree	Y	Gerou	Y	McFadyen	E	Ryden	E
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
46	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
48	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
53	Ferrandino	Y	Levy	Y	Pommer	E	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
56	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Labuda, Looper, Pace, Vigil.

5
6 **HB10-1175** by Representative(s) Looper, Todd, Acree, DelGrosso;
7 also Senator(s) Tapia--Concerning the demonstration of
8 competency by an out-of-state applicant in a field
9 regulated by the department of regulatory agencies.

10
11 The question being "Shall the bill pass?".

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

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

34 Co-sponsor(s) added: Representative(s) Apuan, Labuda, Merrifield, Nikkel,
35 Soper, Stephens, Vigil.

36
37
38 House in recess. House reconvened.
39

40 41 42 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

43 **APPROPRIATIONS**

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

46
47
48 **HB10-1001** be amended as follows, and as so amended, be referred to
49 the Committee of the Whole with favorable
50 recommendation:

51
52 Amend the Transportation and Energy Committee Report, dated February
53 5, 2010, page 15, after line 20 insert:

54
55 **"SECTION 8. Appropriation.** In addition to any other
56 appropriation, there is hereby appropriated, out of any moneys in the

1 fixed utility fund created in section 40-2-114, Colorado Revised Statutes,
2 not otherwise appropriated, to the department of regulatory agencies, for
3 allocation to the public utilities commission, for the fiscal year beginning
4 July 1, 2010, the sum of fifty-one thousand six hundred fifty-six dollars
5 (\$51,656) cash funds and 0.5 FTE, or so much thereof as may be
6 necessary, for the implementation of this act."

7
8 Renumber succeeding section accordingly.

9
10 Page 15 of the report, after line 31 insert:

11
12 "Page 1 of the printed bill, line 108, strike "and".

13
14 Page 1, line 109, strike "EQUIPMENT." and substitute
15 "EQUIPMENT, AND MAKING AN APPROPRIATION THEREFOR."."

16
17
18
19
20 **EDUCATION**

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

23
24 **HB10-1054** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:

27
28 Amend printed bill, strike everything below the enacting clause and
29 substitute:

30
31 "SECTION 1. Article 5 of title 23, Colorado Revised Statutes, is
32 amended BY THE ADDITION OF A NEW SECTION to read:

33
34 **23-5-140. Lifesaving school safety information.** (1) (a) THE
35 GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

36
37 (I) THE SAFETY OF STUDENTS, FACULTY, AND STAFF WHO WORK
38 AND LEARN ON THE CAMPUSES OF COLORADO INSTITUTIONS OF HIGHER
39 EDUCATION CAN BE ENHANCED BY INFORMING, ORGANIZING, AND
40 EMPOWERING THOSE INDIVIDUALS TO RESPOND APPROPRIATELY TO
41 EMERGENCY SITUATIONS ON CAMPUS;

42
43 (II) CRITICAL INCIDENTS THAT TAKE PLACE ON CAMPUSES ARE
44 UNIQUE, LIFE-CHANGING EVENTS THAT REQUIRE EXERCISING BASIC
45 SURVIVAL SKILLS DURING AN INTENSE PERIOD OF HIGH MENTAL AND
46 PHYSICAL STRESS. HAVING THE INFORMATION NECESSARY TO RESPOND
47 EFFECTIVELY TO THESE CRITICAL INCIDENTS CAN BE KEY TO A POSITIVE
48 INDIVIDUAL OR GROUP OUTCOME IN A TRUE LIFE OR DEATH SITUATION;
49 AND

50
51 (III) COLORADO INSTITUTIONS OF HIGHER EDUCATION SHOULD
52 ENSURE THAT ALL STUDENTS, FACULTY, AND STAFF RECEIVE UPDATED
53 SCHOOL SAFETY INFORMATION THAT REFLECTS BEST PRACTICES FOR THEIR
54 INSTITUTION AT THE BEGINNING OF EACH SCHOOL YEAR.

55
56 (b) THE GENERAL ASSEMBLY THEREFORE FINDS THAT THE

1 DISSEMINATION OF SAFETY INFORMATION TO STUDENTS, FACULTY, AND
2 STAFF THAT REFLECTS BEST PRACTICES FOR THE INSTITUTION MAY
3 ENCOURAGE STUDENTS, FACULTY, AND STAFF TO RESPOND
4 APPROPRIATELY AND IN COORDINATION WITH SCHOOL SAFETY PERSONNEL
5 IN EMERGENCY SITUATIONS.

6
7 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
8 REQUIRES:

9
10 (a) "INSTITUTION OF HIGHER EDUCATION" OR "INSTITUTION"
11 MEANS A STATE INSTITUTION OF HIGHER EDUCATION AS DEFINED IN
12 SECTION 23-18-102 (10) (a), A JUNIOR COLLEGE, AN AREA VOCATIONAL
13 SCHOOL, OR A TECHNICAL COLLEGE.

14
15 (b) "SCHOOL BUILDING" MEANS A BUILDING, INCLUDING BUT NOT
16 LIMITED TO A CLASSROOM BUILDING OR A SCHOOL DORMITORY, THAT IS A
17 PUBLIC BUILDING OF AN INSTITUTION OF HIGHER EDUCATION.

18
19 (3) (a) EACH INSTITUTION OF HIGHER EDUCATION SHALL DEVELOP
20 POLICIES AND PROCEDURES THAT ARE TAILORED TO THE INSTITUTION AND
21 THAT REFLECT BEST PRACTICES CONCERNING CRITICAL INCIDENT
22 RESPONSE PROTOCOLS AND PERSONAL SAFETY ON CAMPUS AND IN SCHOOL
23 BUILDINGS ON CAMPUS.

24
25 (b) BEGINNING IN THE 2011-12 ACADEMIC YEAR, EACH
26 INSTITUTION SHALL DISSEMINATE SCHOOL SAFETY INFORMATION TO
27 STUDENTS, FACULTY, AND STAFF CONCERNING THE POLICIES AND
28 PROCEDURES DEVELOPED PURSUANT TO PARAGRAPH (a) OF THIS
29 SUBSECTION (3).

30
31 **SECTION 2. Act subject to petition - effective date.** This act
32 shall take effect at 12:01 a.m. on the day following the expiration of the
33 ninety-day period after final adjournment of the general assembly (August
34 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
35 referendum petition is filed pursuant to section 1 (3) of article V of the
36 state constitution against this act or an item, section, or part of this act
37 within such period, then the act, item, section, or part shall not take effect
38 unless approved by the people at the general election to be held in
39 November 2010 and shall take effect on the date of the official
40 declaration of the vote thereon by the governor."

41
42
43
44 **HB10-1131** be amended as follows, and as so amended, be referred to
45 the Committee on Appropriations with favorable
46 recommendation:

47
48 Amend printed bill, page 3, line 8, strike "and".

49
50 Page 3, after line 8 insert:

51
52 "(e) Promoting sportsmen's activities and recreations, including
53 hunting and fishing, creates opportunities for youth to interact with their
54 parents, provides circumstances in which to develop positive social and
55 behavioral traits, and expands youths' understanding of the important role
56 sportsmen play in wildlife and habitat conservation;

(f) Many youth lack an understanding of the opportunities that are unique to persons in Colorado for developing careers and life skills relating to natural resources and the science, agricultural, and recreational outdoor industries that operate in the state; and".

Reletter succeeding paragraph accordingly.

Page 5, line 3, strike "SOLELY".

Page 5, line 6, after the period add "IN ADDITION, THE EXECUTIVE DIRECTOR MAY USE MONEYS RECEIVED BY THE DEPARTMENT OF NATURAL RESOURCES FOR THE PURPOSES OF SECTION 24-33-109 (2) TO MAKE AWARDS THROUGH THE GRANT PROGRAM TO ELIGIBLE ENTITIES THAT PROVIDE OUTDOOR ACTIVITIES THAT MEET THE CRITERION SPECIFIED IN SUBPARAGRAPH (IV) OF PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION. THE GRANT PROGRAM SHALL NOT RECEIVE APPROPRIATIONS OF GENERAL FUND MONEYS."

Page 5, after line 16 insert:

"(II) ENCOURAGING YOUTH TO PARTICIPATE WITH THEIR PARENTS IN OUTDOOR ACTIVITIES;"

Renumber succeeding subparagraphs accordingly.

Page 5, line 18, strike "AND".

Page 5, strike line 21 and substitute "OTHER NATURAL AREA OF THE STATE THAT IS EITHER DEVELOPED FOR OUTDOOR RECREATIONAL ACTIVITIES OR UNDEVELOPED; AND

(IV) WHETHER THE OUTDOOR ACTIVITY IS DESIGNED TO FOSTER AN INTEREST IN AND A SENSE OF STEWARDSHIP TOWARD THE NATURAL RESOURCES OF THE STATE BY PROVIDING SUMMER JOBS FOR YOUTH INTERESTED IN CAREERS IN NATURAL RESOURCES OR PROVIDING OTHER CAREER DEVELOPMENT OPPORTUNITIES; EXCEPT THAT THIS CRITERION IS APPLICABLE ONLY TO GRANTS AWARDED FROM MONEYS RECEIVED BY THE DEPARTMENT OF NATURAL RESOURCES FOR THE PURPOSES OF SECTION 24-33-109 (2)."

HB10-1171 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 12 through 18.

Renumber succeeding sections accordingly.

HB10-1183 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 4, after line 9 insert:

2
3 "(3) "COMMISSIONER" MEANS THE OFFICE OF THE COMMISSIONER
4 OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 1 OF
5 ARTICLE IX OF THE STATE CONSTITUTION."

6
7 Renumber succeeding subsections accordingly.

8
9 Page 4, after line 13 insert:

10
11 "(6) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
12 CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE
13 STATE CONSTITUTION."

14
15 Page 4, line 16, after "CREATED" insert "IN THE DEPARTMENT OF
16 EDUCATION".

17
18 Page 5, line 10, strike "ADVISORY COUNCIL" and substitute "STATE
19 BOARD".

20
21 Page 6, after line 6 insert:

22
23 "(4) THE COMMISSIONER AND THE ADVISORY COUNCIL SHALL
24 REVIEW THE APPLICATIONS RECEIVED PURSUANT TO THIS SECTION AND
25 RECOMMEND APPLICANTS TO THE STATE BOARD FOR SELECTION. THE
26 STATE BOARD, AFTER REVIEWING THE APPLICATIONS AND CONSIDERING
27 THE RECOMMENDATIONS OF THE COMMISSIONER AND THE ADVISORY
28 COUNCIL, SHALL SELECT THE SCHOOL DISTRICTS AND CHARTER SCHOOLS
29 THAT WILL PARTICIPATE IN THE PILOT PROGRAM."

30
31 Renumber succeeding subsections accordingly.

32
33 Page 6, line 7, strike "ADVISORY" and substitute "STATE BOARD".

34
35 Page 6, line 8, strike "COUNCIL"

36
37 Page 6, line 12, strike "SHALL" and substitute "MAY".

38
39 Page 6, line 13, strike "THAT THE" and substitute "THAT:".

40
41 Page 6, line 14, strike "SCHOOL" and substitute:

42
43 "(a) THE SCHOOL".

44
45 Page 6, line 16, strike "TITLE." and substitute "TITLE; AND".

46
47 Page 6, after line 16 insert:

48
49 "(b) THE STATE BOARD MAY NOT WAIVE THE PROVISIONS OF THE
50 "LICENSED PERSONNEL PERFORMANCE EVALUATION ACT", ARTICLE 9 OF
51 THIS TITLE; THE "COLORADO EDUCATOR LICENSING ACT OF 1991",
52 ARTICLE 60.5 OF THIS TITLE; OR THE "TEACHER EMPLOYMENT,
53 COMPENSATION, AND DISMISSAL ACT OF 1990", ARTICLE 63 OF THIS
54 TITLE."

55
56 Page 6, line 17, strike "ADVISORY" and substitute "STATE BOARD".

1 Page 6, line 18, strike "COUNCIL".

2
3 Page 6, line 23, strike "NINE" and substitute "ELEVEN".

4
5 Page 7, after line 4 insert:

6
7 "(c) A MEMBER APPOINTED BY THE STATE BOARD WHO HAS
8 EXPERTISE IN SCHOOL FINANCE;

9
10 (d) A MEMBER APPOINTED BY THE STATE BOARD FROM A
11 STATEWIDE ORGANIZATION THAT REPRESENTS TEACHERS;".

12
13 Reletter succeeding paragraphs accordingly.

14
15 Page 7, line 24, strike "SELECT THE SCHOOL" and substitute "RECOMMEND
16 APPLICANTS TO THE STATE BOARD FOR SELECTION.".

17
18 Page 7, strike lines 25 and 26.

19

20

21

22

23 **HEALTH & HUMAN SERVICES**

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

26

27 **HB10-1053** be amended as follows, and as so amended, be referred to
28 the Committee on Appropriations with favorable
29 recommendation:

30

31

32

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

35

36 **"SECTION 1. Legislative declaration.** (1) The general
37 assembly hereby finds and declares that:

38

39 (a) The state demographer in the department of local affairs
40 estimates that between 2005 and 2015, the portion of Colorado's
41 population that is over sixty-five years of age will increase by more than
42 twenty-three percent;

43

44 (b) The state demographer in the department of local affairs
45 estimates that between 2007 and 2035, the portion of Colorado's
46 population that is over sixty years of age will double;

47

48 (c) This drastic increase in the older adult population is driven by
49 the aging "baby boomer" generation and will result in a parallel increase
50 in a demand for community long-term care services;

51

52 (d) Older adults and their families need quality health care
53 coverage and choice and flexibility in accessing in-home community
54 long-term care services that support their independence and ability to live
55 in the least restrictive environment;

56

1 (e) Coloradans deserve to have access to appropriate long-term
2 care services and supports and the proper level of health care;

3
4 (f) The state needs a long-term care delivery system that addresses
5 the needs of older adults and their families, and health care coverage and
6 coordination should not be fragmented or difficult to access but instead
7 should be integrated to meet the needs of older adults and families;

8
9 (g) A community long-term care system needs to provide
10 maximum service delivery and make efficient use of available public
11 funds;

12
13 (h) Home- and community-based services can be a less costly
14 alternative to institutional placement;

15
16 (i) In 2005, the general assembly passed Senate Bill 05-173,
17 concerning long-term care services under the "Colorado Medical
18 Assistance Act", in which a long-term care advisory committee, referred
19 to in this section as the "LTC advisory committee", was appointed. The
20 LTC advisory committee submitted a report to the joint budget committee
21 and the health and human services committees of the Senate and House
22 of Representatives with eighteen recommendations to improve the
23 long-term care delivery system in Colorado, including changing the rate
24 structure for alternative care facilities in Colorado, referred to in this
25 section as "ACFs".

26
27 (J) One of the recommendations from the LTC advisory
28 committee was to implement a tiered system of care for alternative care
29 residences;

30
31 (k) A pilot program that evaluates, financially models, and then
32 implements a tiered-rate payment system for ACFs to care for seniors
33 could result in Coloradans not being discharged to nursing homes
34 prematurely because of incontinence, Alzheimer's disease, or dementia;

35
36 (l) The department of health care policy and financing should
37 conduct one or more studies of community-based services to reduce the
38 overall state costs through the use of home- and community-based
39 services, including a study of past or current home- and community-based
40 clients who could potentially benefit from ACF tiered rates. If a study
41 evaluating the system shows cost containment through proper utilization
42 controls, the state would then implement the program statewide within the
43 home- and community-based medicaid waivers.

44
45 (m) In 2000, the general assembly passed Senate Bill 00-1072,
46 creating the older Coloradans program, which provides moneys to area
47 agencies on aging to award grants for community-based services to
48 persons sixty years of age or older to enable such persons to live in their
49 own homes and communities for as long as possible;

50
51 (n) The department of human services should conduct a study of
52 persons sixty years of age or older who could potentially benefit from
53 older Coloradans program services with the understanding that, if the
54 study evaluating the program shows cost savings through the provision
55 of community-based services, the state would then develop a long-term
56 strategic plan for providing services through the older Coloradans

1 program.

2
3 (2) The general assembly further supports the efforts of
4 community organizations to facilitate a coalition of business leaders and
5 allied advocacy and trade organizations, as well as stakeholders, similar
6 to those included in the LTC advisory committee. This support includes
7 asking for technical assistance to bring together stakeholders to outline
8 a three-year plan to reconstitute the LTC advisory committee and make
9 recommendations through legislation and rule for the implementation of
10 the LTC advisory committee's recommendations.

11
12 **SECTION 2.** Part 1 of article 6 of title 25.5, Colorado Revised
13 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
14 read:

15
16 **25.5-6-108.5. Community long-term care studies - authority**
17 **to implement - alternative care facility report.** (1)(a) SUBJECT TO THE
18 RECEIPT OF SUFFICIENT MONEYS PURSUANT TO PARAGRAPH (b) OF THIS
19 SUBSECTION (1), THE STATE DEPARTMENT SHALL CONTRACT FOR ONE OR
20 MORE STUDIES OF THE POPULATION OF RECIPIENTS RECEIVING SERVICES
21 UNDER THE HOME- AND COMMUNITY-BASED WAIVERS AUTHORIZED
22 PURSUANT TO THIS ARTICLE. THE STATE DEPARTMENT SHALL MAKE
23 NECESSARY DATA AVAILABLE TO THE CONTRACTOR, INCLUDING BUT NOT
24 LIMITED TO DATA ON ACTIVITIES OF DAILY LIVING. IN SELECTING A
25 CONTRACTOR TO PERFORM A STUDY, THE STATE DEPARTMENT IS NOT
26 REQUIRED TO FOLLOW THE COMPETITIVE BIDDING REQUIREMENTS OF THE
27 "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, C.R.S. THE
28 STATE DEPARTMENT SHALL PROVIDE COPIES OF A STUDY CONDUCTED
29 PURSUANT TO THIS SUBSECTION (1) TO MEMBERS OF THE HEALTH AND
30 HUMAN SERVICES COMMITTEES OF THE GENERAL ASSEMBLY, OR ANY
31 SUCCESSOR COMMITTEES, AND TO THE MEMBERS OF THE JOINT BUDGET
32 COMMITTEE.

33
34 (b) IF A STUDY CONDUCTED PURSUANT TO THIS SUBSECTION (1)
35 CONCLUDES THAT A PROGRAM OF HOME- AND COMMUNITY-BASED
36 SERVICES WOULD RESULT IN COST SAVINGS, THE STATE DEPARTMENT
37 SHALL RECOMMEND TO THE JOINT BUDGET COMMITTEE THAT THE
38 PROGRAM OPERATED PURSUANT TO HOME- AND COMMUNITY-BASED
39 WAIVERS BE IMPLEMENTED. THE JOINT BUDGET COMMITTEE MAY
40 AUTHORIZE THE STATE DEPARTMENT TO SEEK ANY NECESSARY FEDERAL
41 AUTHORIZATIONS AND TO IMPLEMENT THE PROGRAM. THE STATE
42 DEPARTMENT SHALL REPORT TO THE JOINT BUDGET COMMITTEE
43 ANNUALLY CONCERNING THE AMOUNT OF ANY SAVINGS REALIZED FROM
44 THE PROGRAM.

45
46 (c) THE STATE DEPARTMENT IS AUTHORIZED TO SEEK AND ACCEPT
47 GIFTS, GRANTS, OR DONATIONS FROM PRIVATE AND PUBLIC SOURCES FOR
48 THE PURPOSES OF THIS SUBSECTION (1); EXCEPT THAT THE STATE
49 DEPARTMENT MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS
50 SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS SUBSECTION
51 (1) OR ANY OTHER LAW OF THE STATE. THE STATE DEPARTMENT SHALL
52 TRANSMIT ALL PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS,
53 GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT
54 THE SAME TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING
55 CASH FUND CREATED IN SECTION 25.5-1-109.

56

1 (2) (a) SUBJECT TO THE RECEIPT OF SUFFICIENT MONEYS, ONE OF
2 THE STUDIES CONTRACTED FOR PURSUANT TO SUBSECTION (1) OF THIS
3 SECTION SHALL INCLUDE RESEARCH AND ANALYSIS OF:

4
5 (I) THE NUMBER OF RECIPIENTS WITH INCONTINENCE, ALZHEIMER'S
6 DISEASE, DEMENTIA, OR OTHER DIAGNOSES THAT SEVERELY LIMIT THEIR
7 ACTIVITIES OF DAILY LIVING WHO WOULD BENEFIT FROM RECEIVING
8 ADDITIONAL SERVICES THROUGH AN ALTERNATIVE CARE FACILITY
9 THEREBY AVOIDING NURSING HOME PLACEMENT;

10
11 (II) THE ACTUARIALLY SOUND RATE FOR PROVIDING SERVICES FOR
12 THE RECIPIENTS AT AN ALTERNATIVE CARE FACILITY;

13
14 (III) THE AMOUNT OF SAVINGS ASSOCIATED WITH PROVIDING
15 SERVICES AT AN ALTERNATIVE CARE FACILITY;

16
17 (IV) RECOMMENDATIONS FOR UTILIZATION CONTROLS OR
18 PROGRAM CONTROLS FOR A PROGRAM TO PROVIDE SERVICES AT AN
19 ALTERNATIVE CARE FACILITY;

20
21 (V) OTHER STATES' EXPERIENCES WITH TIERED RATES FOR
22 ALTERNATIVE CARE FACILITIES, INCLUDING COST SAVINGS OR COST
23 AVOIDANCE; AND

24
25 (VI) RECOMMENDATIONS FOR MAINTAINING OR IMPROVING
26 QUALITY OF CARE.

27
28 (b) THE STUDY CONDUCTED PURSUANT TO THIS SUBSECTION (2)
29 SHALL BE COMPLETED BY JULY 1, 2011.

30
31 **SECTION 3.** Part 2 of article 11 of title 26, Colorado Revised
32 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
33 read:

34
35 **26-11-205.7. Community long-term care study - strategic plan**
36 **- authority to implement.** (1) (a) SUBJECT TO THE RECEIPT OF
37 SUFFICIENT MONEYS PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION
38 (1), THE STATE DEPARTMENT SHALL CONTRACT FOR A STUDY OF THE
39 POPULATION ELIGIBLE FOR SERVICES UNDER THE OLDER COLORADANS
40 PROGRAM CREATED PURSUANT TO SECTION 26-11-205.5. THE STATE
41 DEPARTMENT AND THE DEPARTMENT OF HEALTH CARE POLICY AND
42 FINANCING SHALL MAKE NECESSARY DATA AVAILABLE TO THE
43 CONTRACTOR. IN SELECTING A CONTRACTOR TO PERFORM THE STUDY, THE
44 STATE DEPARTMENT IS NOT REQUIRED TO FOLLOW THE COMPETITIVE
45 BIDDING REQUIREMENTS OF THE "PROCUREMENT CODE", ARTICLES 101 TO
46 112 OF TITLE 24, C.R.S. THE STUDY SHALL INCLUDE RESEARCH AND
47 ANALYSIS OF:

48
49 (I) THE DEMOGRAPHIC CHANGES THAT WILL IMPACT THE DEMAND
50 FOR LONG-TERM CARE SERVICES AND SUPPORTS;

51
52 (II) THE NUMBER OF PERSONS SIXTY YEARS OF AGE OR OLDER WHO
53 WOULD BENEFIT FROM RECEIVING ADDITIONAL SERVICES THROUGH THE
54 OLDER COLORADANS PROGRAM THEREBY AVOIDING MORE EXPENSIVE
55 CARE NEEDS;

56

1 (III) THE AMOUNT OF SAVINGS ASSOCIATED WITH PROVIDING
2 SERVICES TO OLDER ADULTS IN THEIR OWN HOMES AND COMMUNITIES;

3
4 (IV) OTHER STATES' EXPERIENCES WITH LONG-TERM CARE
5 SERVICES AND SUPPORTS, INCLUDING COST SAVINGS OR COST AVOIDANCE;
6 AND

7
8 (V) RECOMMENDATIONS FOR A LONG-TERM STRATEGIC PLAN FOR
9 PROVIDING SERVICES THROUGH THE OLDER COLORADANS PROGRAM.

10
11 (b) (I) THE STATE DEPARTMENT IS AUTHORIZED TO SEEK AND
12 ACCEPT GIFTS, GRANTS, OR DONATIONS FROM PRIVATE AND PUBLIC
13 SOURCES FOR THE PURPOSES OF THIS SECTION; EXCEPT THAT THE STATE
14 DEPARTMENT MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS
15 SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS SECTION OR
16 ANY OTHER LAW OF THE STATE. THE STATE DEPARTMENT SHALL
17 TRANSMIT ALL PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS,
18 GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT
19 THE SAME TO THE OLDER COLORADANS STUDY CASH FUND, WHICH FUND
20 IS HEREBY CREATED AND REFERRED TO IN THIS SECTION AS THE "FUND".
21 THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION
22 BY THE GENERAL ASSEMBLY TO THE STATE DEPARTMENT FOR THE DIRECT
23 AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS SECTION.

24
25 (II) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE
26 OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS
27 PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE
28 INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED
29 TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS
30 REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN
31 THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE
32 GENERAL FUND OR ANOTHER FUND.

33
34 (2) IF THE STUDY CONDUCTED PURSUANT TO PARAGRAPH (a) OF
35 SUBSECTION (1) OF THIS SECTION CONCLUDES THAT INCREASING FUNDING
36 FOR COMMUNITY-BASED SERVICES AS PROVIDED IN THE OLDER
37 COLORADANS PROGRAM WOULD RESULT IN COST SAVINGS, BY JULY 1,
38 2011, SUBJECT TO THE RECEIPT OF SUFFICIENT MONEYS PURSUANT TO
39 PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION, THE STATE
40 DEPARTMENT SHALL REPORT TO THE MEMBERS OF THE HEALTH AND
41 HUMAN SERVICES COMMITTEES OF THE SENATE AND HOUSE OF
42 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, AND TO THE
43 MEMBERS OF THE JOINT BUDGET COMMITTEE A LONG-TERM STRATEGIC
44 PLAN, DEVELOPED IN COOPERATION WITH THE AREA AGENCIES ON AGING
45 CREATED PURSUANT TO SECTION 26-11-204, THAT IDENTIFIES THE
46 EXPECTED NEEDS FOR SERVICES AND RECOMMENDS POTENTIAL FUNDING
47 SOURCES.

48
49 (3) IF THE JOINT BUDGET COMMITTEE DETERMINES THAT
50 IMPLEMENTING THE RECOMMENDATIONS OF THE LONG-TERM STRATEGIC
51 PLAN DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION WOULD
52 RESULT IN COST SAVINGS TO THE STATE, WITHOUT ADVERSELY AFFECTING
53 THE CARE PROVIDED, THE JOINT BUDGET COMMITTEE MAY IMPLEMENT THE
54 CHANGES OR RECOMMEND LEGISLATION TO IMPLEMENT THE CHANGES.

55

1 **SECTION 4.** 25.5-6-313, Colorado Revised Statutes, is amended
2 BY THE ADDITION OF A NEW SUBSECTION to read:

3
4 **25.5-6-313. Rules - federal authorization.** (1.5) THE RULES
5 ADOPTED BY THE STATE BOARD PURSUANT TO SUBSECTION (1) OF THIS
6 SECTION SHALL INCLUDE THE FOLLOWING PROVISIONS CONCERNING ADULT
7 DAY CARE FACILITIES:

8
9 (a) A DEFINITION OF A RESTRICTED ENVIRONMENT AND A
10 RESTRICTIVE EGRESS ALERT DEVICE;

11
12 (b) PARAMETERS GOVERNING HOW THE RESTRICTIVE EGRESS
13 ALERT DEVICE SHALL BE USED AND TESTED AND THE STAFF ROLES
14 REGARDING THE USE AND OVERSIGHT OF THE DEVICE; AND

15
16 (c) PARAMETERS GOVERNING A RESTRICTED ENVIRONMENT,
17 INCLUDING BUT NOT LIMITED TO STAFFING AND TRAINING REQUIREMENTS;
18 APPROPRIATENESS OF PLACEMENT; ASSESSMENT; PARTICIPANT'S RIGHTS;
19 RECORDS AND REPORTING REQUIREMENTS; BUILDING REQUIREMENTS
20 INCLUDING GROUNDS AND FIRE SAFETY; RESTRICTIVE EGRESS ALERT
21 SYSTEMS AND DEVICES; FENCING OR OTHER ENCLOSURES; AND THE
22 APPLICATION PROCESS TO OFFER A RESTRICTED ENVIRONMENT.

23
24 **SECTION 5. Act subject to petition - effective date.** This act
25 shall take effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August
27 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
28 referendum petition is filed pursuant to section 1 (3) of article V of the
29 state constitution against this act or an item, section, or part of this act
30 within such period, then the act, item, section, or part shall not take effect
31 unless approved by the people at the general election to be held in
32 November 2010 and shall take effect on the date of the official
33 declaration of the vote thereon by the governor.

34
35
36
37 **HB10-1061** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40
41 Amend printed bill, strike everything below the enacting clause and
42 substitute:

43
44 **"SECTION 1. Short title.** This act shall be known and may be
45 cited as the "Colorado Medical Donation Program Act of 2010".

46
47 **SECTION 2.** 12-22-133 (1) (a) and (2), Colorado Revised
48 Statutes, are amended to read:

49
50 **12-22-133. Unused medication - licensed facilities - reuse -**
51 **rules.** (1) As used in this section and section 12-22-134, unless the
52 context otherwise requires:

53
54 (a) "Licensed facility" means a hospital, hospital unit,
55 COMMUNITY MENTAL HEALTH CENTER, ACUTE TREATMENT CENTER,
56 hospice, nursing care facility, or assisted living residence that is required

1 to be licensed pursuant to section 25-3-101, C.R.S., OR A LICENSED
2 LONG-TERM CARE FACILITY AS DEFINED IN SECTION 25-1-124, C.R.S.

3
4 ~~(2) (a) If donated by the patient, resident, or the patient's or~~
5 ~~resident's next of kin~~ UPON THE DEATH OR DISCHARGE OF A PATIENT OR
6 A RESIDENT OR IF A PATIENT'S OR RESIDENT'S MEDICATION IS
7 DISCONTINUED, a licensed facility may return unused medication to a
8 ~~pharmacist within the licensed facility~~ PRESCRIPTION DRUG OUTLET in
9 order for the medication to be redispensed to another patient or resident
10 ~~of that licensed facility. A pharmacist may redispense a returned~~
11 ~~medication that is prescribed to a patient or resident of a licensed facility~~
12 ~~if the medication was originally dispensed to another patient or resident~~
13 ~~of the licensed facility or may donate a returned medication~~ DONATED to
14 a nonprofit entity that has the legal authority to possess the medication OR
15 TO A PRACTITIONER AUTHORIZED BY LAW TO PRESCRIBE THE DRUG.

16
17 (b) NOTHING IN THIS SUBSECTION (2) SHALL BE CONSTRUED TO
18 CREATE OR ABROGATE ANY LIABILITY ON BEHALF OF A PRESCRIPTION
19 DRUG MANUFACTURER FOR THE STORAGE, DONATION, ACCEPTANCE, OR
20 DISPENSING OF A MEDICATION OR TO CREATE ANY CIVIL CAUSE OF ACTION
21 AGAINST A PRESCRIPTION DRUG MANUFACTURER, IN ADDITION TO THAT
22 WHICH IS AVAILABLE UNDER APPLICABLE LAW.

23
24 (c) Medications shall only be available to be dispensed to another
25 person or donated to a nonprofit entity under this section if the
26 medications are:

27
28 ~~(a)~~ (I) Liquid and the vial is still sealed and properly stored;

29
30 ~~(b)~~ (II) Individually packaged and the packaging has not been
31 damaged; or

32
33 ~~(c)~~ (III) In the original, unopened, sealed, and tamper-evident unit
34 dose packaging.

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

46
47 Page 1, strike lines 102 and 103 and substitute "**PROGRAM AS A**
48 **VOLUNTARY PROGRAM FOR DISPENSING UNUSED MEDICAL PRODUCTS.**".

49
50
51
52 **HB10-1122** be amended as follows, and as so amended, be referred to
53 the Committee of the Whole with favorable
54 recommendation:

55
56 Amend printed bill, page 15, strike lines 2 through 11 and substitute:

1 **"SECTION 2. Act subject to petition - effective date.** This act
2 shall take effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly (August
4 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
5 referendum petition is filed pursuant to section 1 (3) of article V of the
6 state constitution against this act or an item, section, or part of this act
7 within such period, then the act, item, section, or part shall not take effect
8 unless approved by the people at the general election to be held in
9 November 2010 and shall take effect on the date of the official
10 declaration of the vote thereon by the governor."

11

12

13

14 **HB10-1145** be postponed indefinitely.

15

16

17

18

19 **JUDICIARY**

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

22

23 **HB10-1132** be referred to the Committee of the Whole with favorable
24 recommendation.

25

26

27 **HB10-1133** be amended as follows, and as so amended, be referred to
28 the Committee of the Whole with favorable
29 recommendation:

30

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

33

34 **"SECTION 1.** 6-1-1103 (2) (a), Colorado Revised Statutes, is
35 amended, and the said 6-1-1103 (2) is further amended BY THE
36 ADDITION OF A NEW PARAGRAPH, to read:

37

38 **6-1-1103. Definitions.** As used in this part 11, unless the context
39 otherwise requires:

40

41 (2) "Equity purchaser" means a person, OTHER THAN A PERSON
42 WHO ACQUIRES A PROPERTY FOR THE PURPOSE OF USING SUCH PROPERTY
43 AS HIS OR HER PERSONAL RESIDENCE, ~~who in the course of the person's~~
44 ~~business, vocation, or occupation,~~ acquires title to a residence in
45 foreclosure; except that the term does not include a person who acquires
46 such title:

47

48 ~~(a) For the purpose of using such property as his or her personal~~
49 ~~residence for at least one year;~~

50

51 (h) AS A RESULT OF A SHORT SALE TRANSACTION IN WHICH A
52 SHORT SALE ADDENDUM FORM, AS PROMULGATED BY THE COLORADO
53 REAL ESTATE COMMISSION, IS PART OF THE CONTRACT USED TO ACQUIRE
54 A RESIDENCE IN FORECLOSURE AND SUCH TRANSACTION COMPLIES WITH
55 SECTION 6-1-1121.

56

1 **SECTION 2.** The introductory portion to 6-1-1103 (4) (a) and
2 6-1-1103 (8), Colorado Revised Statutes, are amended, and the said
3 6-1-1103 is further amended BY THE ADDITION OF A NEW
4 SUBSECTION, to read:

5
6 **6-1-1103. Definitions.** As used in this part 11, unless the context
7 otherwise requires:

8
9 (4) (a) "Foreclosure consultant" means a person who does not,
10 directly or through an associate, take or acquire any interest in or title to
11 ~~the residence in foreclosure~~ A HOMEOWNER'S PROPERTY and who, in the
12 course of such person's business, vocation, or occupation, makes a
13 solicitation, representation, or offer to a home owner to perform, in
14 exchange for compensation from the home owner or from the proceeds
15 of any loan or advance of funds, a service that the person represents will
16 do any of the following:

17
18 (8) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF
19 THIS SUBSECTION (8), "residence in foreclosure" means a residence or
20 dwelling, as defined in sections 5-1-201 and 5-1-301, C.R.S., that is
21 occupied as the home owner's principal place of residence and that is
22 encumbered by a residential mortgage loan that is at least thirty days
23 delinquent or in default.

24
25 (b) WITH RESPECT TO SUBPART 3 OF THIS PART 11, "RESIDENCE IN
26 FORECLOSURE" MEANS, A RESIDENCE OR DWELLING, AS DEFINED IN
27 SECTIONS 5-1-201 AND 5-1-301, C.R.S., THAT IS OCCUPIED AS THE HOME
28 OWNER'S PRINCIPAL PLACE OF RESIDENCE, IS ENCUMBERED BY A
29 RESIDENTIAL MORTGAGE LOAN, AND AGAINST WHICH A FORECLOSURE
30 ACTION HAS BEEN COMMENCED OR AS TO WHICH AN EQUITY PURCHASER
31 OTHERWISE HAS ACTUAL KNOWLEDGE THAT THE LOAN IS AT LEAST THIRTY
32 DAYS DELINQUENT OR IN DEFAULT.

33
34 (9) "SHORT SALE" OR "SHORT SALE TRANSACTION" MEANS A
35 TRANSACTION IN WHICH THE RESIDENCE IN FORECLOSURE IS SOLD WITH
36 THE CONSENT OF THE HOLDER OF EVIDENCE OF DEBT FOR AN AMOUNT
37 THAT IS LESS THAN THE AMOUNT OF THE DEBTOR'S OUTSTANDING
38 OBLIGATION UNDER SUCH EVIDENCE OF DEBT.

39
40 **SECTION 3.** 6-1-1104 (4), Colorado Revised Statutes, is
41 amended to read:

42
43 **6-1-1104. Foreclosure consulting contract.** (4) A foreclosure
44 consulting contract shall be dated and personally signed, with each page
45 being initialed, by each home owner ~~of the residence in foreclosure~~ and
46 the foreclosure consultant and shall be acknowledged by a notary public
47 in the presence of the home owner at the time the contract is signed by the
48 home owner.

49
50 **SECTION 4.** 6-1-1111, Colorado Revised Statutes, is amended
51 to read:

52
53 **6-1-1111. Written contract required.** Every contract shall be
54 written in at least twelve-point, ~~bold-faced~~ LEGIBLE type and fully
55 completed, signed, and dated by the home owner and equity purchaser
56 prior to the execution of any instrument quit-claiming, assigning,

1 transferring, conveying, or encumbering an interest in the residence in
2 foreclosure.

3
4 **SECTION 5.** 6-1-1120, Colorado Revised Statutes, is amended
5 to read:

6 **6-1-1120. Language.** Any contract, rental agreement, lease,
7 option or right to repurchase, and any notice, conveyance, lien,
8 encumbrance, consent, or other document or instrument signed by a home
9 owner, shall be written in English; ~~and shall be accompanied by a written~~
10 ~~translation from English into any other language principally spoken by the~~
11 ~~home owner, certified by the person making the translation as a true and~~
12 ~~correct translation of the English version. The translated version shall be~~
13 ~~presumed to have equal status and credibility as the English version.~~
14 EXCEPT THAT, IF THE HOME OWNER'S PRINCIPAL LANGUAGE IS OTHER THAN
15 ENGLISH, THE HOME OWNER SHALL BE PROVIDED WITH A NOTICE, WRITTEN
16 IN THE HOME OWNER'S PRINCIPAL LANGUAGE, AS FOLLOWS:

17
18 **THIS TRANSACTION INVOLVES IMPORTANT AND COMPLEX**
19 **LEGAL CONSEQUENCES, INCLUDING YOUR RIGHT TO**
20 **CANCEL THIS TRANSACTION WITHIN THREE BUSINESS**
21 **DAYS FOLLOWING THE DATE YOU SIGNED THIS**
22 **CONTRACT. YOU SHOULD CONSULT WITH AN ATTORNEY**
23 **OR SEEK ASSISTANCE FROM A HOUSING COUNSELOR BY**
24 **CALLING THE COLORADO FORECLOSURE HOTLINE AT**
25 _____ [CURRENT, CORRECT TELEPHONE
26 NUMBER].
27

28 **SECTION 6.** Part 11 of article 1 of title 6, Colorado Revised
29 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
30 read:

31
32 **6-1-1121. Short sales.** (1) WITH RESPECT TO ANY SHORT SALE
33 OFFER MADE TO A HOME OWNER OF A RESIDENCE IN FORECLOSURE, THE
34 EQUITY PURCHASER SHALL:

35
36 (a) PROVIDE FULL DISCLOSURE, BOTH TO THE HOMEOWNER AND TO
37 THE HOLDER OF THE EVIDENCE OF DEBT ON THE RESIDENCE IN
38 FORECLOSURE, OF THE EXISTENCE OF ANY SUBSEQUENT PURCHASER OF
39 THE RESIDENCE IN FORECLOSURE FROM THE EQUITY PURCHASER;

40
41 (b) COMPLY WITH ALL APPLICABLE RULES ADOPTED BY THE
42 COLORADO REAL ESTATE COMMISSION WITH REGARD TO SHORT SALES;
43 AND

44
45 (c) COMPLY WITH SECTION 38-35-125, C.R.S.
46

47 **SECTION 7. Act subject to petition - effective date.** This act
48 shall take effect at 12:01 a.m. on the day following the expiration of the
49 ninety-day period after final adjournment of the general assembly (August
50 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
51 referendum petition is filed pursuant to section 1 (3) of article V of the
52 state constitution against this act or an item, section, or part of this act
53 within such period, then the act, item, section, or part shall not take effect
54 unless approved by the people at the general election to be held in
55 November 2010 and shall take effect on the date of the official
56 declaration of the vote thereon by the governor."

1 **HB10-1184** be postponed indefinitely.

2

3

4 **HB10-1188** be amended as follows, and as so amended, be referred to
5 the Committee of the Whole with favorable
6 recommendation:

7

8 Amend printed bill, page 4, after line 8 insert:

9

10 "(a) "HAZARD" MEANS A THREAT TO SAFETY OR OF DAMAGE TO
11 EQUIPMENT."

12

13 Reletter succeeding paragraphs accordingly.

14

15 Page 4, line 12, after "MEANS" insert "A SEGMENT OF".

16

17 Page 4, line 13, strike everything after "RUN" and substitute "DURING 2008
18 OR 2009".

19

20 Page 4, strike line 14.

21

22 Page 4, line 24, strike "EATING; OR" and substitute "EATING. FOR
23 PURPOSES OF THIS SECTION, "INCIDENTAL CONTACT" DOES NOT INCLUDE
24 DROPPING OR DRAGGING ANY TYPE OF ANCHOR OR INTENTIONALLY
25 BROACHING A VESSEL; OR".

26

27 Page 5, line 8, strike "THOSE TERMS" and substitute "'LANDOWNER",
28 "INVITEE", AND "LICENSEE"' and add a comma after "13-21-115".

29

30 Page 5, line 9, strike "(5)".

31

32 Page 5, line 15, strike "OR".

33

34 Page 5, line 17, change the period to a semicolon.

35

36 Page 5, after line 17 insert:

37

38 "(c) CREATE A PUBLIC TRUST IN ANY RIVER OR OTHER WATERS OF
39 THE STATE; OR

40

41 (d) AFFECT IN ANY WAY OWNERSHIP OF THE BED OR BANKS OF ANY
42 RIVER OR OTHER WATERS OF THE STATE."

43

44

45

46 **HB10-1233** be referred to the Committee of the Whole with favorable
47 recommendation.

48

49

50 **HB10-1235** be referred to the Committee of the Whole with favorable
51 recommendation.

52

53

54

55

56

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB10-1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR10-011.

**INTRODUCTION OF BILLS
First Reading**

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

HB10-1332 by Representative(s) Miklosi, Apuan, Gagliardi, Kefalas, Primavera, Tyler; also Senator(s) Romer--Concerning the creation of the "Medical Clean Claims Transparency and Uniformity Act".

Committee on Health and Human Services

HB10-1333 by Representative(s) Vigil, Todd, Apuan, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst, Kagan, Kefalas, Levy, Massey, McFadyen, McKinley, Middleton, Miklosi, Pace, Peniston, Pommer, Riesberg, Ryden, Scanlan, Schafer S., Solano, Soper, Tyler; also Senator(s) Schwartz and Newell--Concerning the creation of the green jobs Colorado training program in the office of the governor, and, in connection therewith, creating the green jobs Colorado advisory council and the green jobs Colorado training fund.

Committee on Business Affairs and Labor

HB10-1334 by Representative(s) King S.; also Senator(s) Steadman--Concerning changes to indecency crimes.

Committee on Judiciary

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

SJR10-011 by Senator(s) Boyd; also Representative(s) Stephens--Concerning opposition to the recommendations issued by the United States Preventive Services Task Force regarding breast cancer screening.

NOTICE OF CALENDARED ITEM(S)

On motion of Representative Weissmann, the following bill(s) will be calendared for Second Reading on February 12, 2010: **HB10-1054, 1171, 1183, 1061, 1122, 1132, 1133, 1188, 1233, 1235.**

On motion of Representative Weissmann, the following bill(s) calendared for Second Reading, February 10, will be laid over until February 19, 2010: **HB10-1021.**

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., February 10, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Twenty-ninth Legislative Day

Wednesday, February 10, 2010

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Connor and Ellie Cotner, Home Schooled,
7 Pueblo West.

8
9 The roll was called with the following result:

10
11 Present--62.

12 Excused--Representative(s) McFadyen, McKinley, Swalm--3.

13 Present after roll call--Representative(s) McKinley, Swalm.

14
15 The Speaker declared a quorum present.

16
17
18 On motion of Representative Bradford, the reading of the journal of
19 February 9, 2010, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

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

28
29
30 **GENERAL ORDERS--SECOND READING OF BILLS**

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

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

39
40 **HB10-1043** by Representative(s) Apuan--Concerning outdated
41 references to the federal aid to families with dependent
42 children.

43

1 Amendment No. 1, Health & Human Services Report, dated
2 February 1, 2010, and placed in member's bill file; Report also printed
3 in House Journal, February 2, pages 162-165.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB10-1011** by Representative(s) Kerr J., McNulty, Miklosi,
9 Primavera; also Senator(s) Schultheis, Carroll M.,
10 Mitchell, Tochtrop--Concerning authorization for the
11 department of revenue to obtain fingerprint-based criminal
12 history record checks for employment purposes.

13
14 Amendment No. 1, Finance Report, dated February 3, 2010, and placed
15 in member's bill file; Report also printed in House Journal, February 4,
16 page 199.

17
18 As amended, ordered engrossed and placed on the Calendar for Third
19 Reading and Final Passage.

20
21 **HB10-1002** by Representative(s) Kefalas, Gagliardi, Kagan; also
22 Senator(s) Sandoval, Boyd, Hudak--Concerning an
23 increase in the threshold necessary to trigger a temporary
24 income tax rate reduction as a method to refund excess
25 state revenues by an amount equal to the threshold
26 necessary to trigger the earned income tax credit refund.

27
28 Ordered engrossed and placed on the Calendar for Third Reading and
29 Final Passage.

30
31 **HB10-1030** by Representative(s) Peniston, Benefield, Solano; also
32 Senator(s) Steadman, Hodge, Hudak, Williams--
33 Concerning the creation of the early childhood educator
34 development scholarship program.

35
36 Amendment No. 1, Education Report, dated January 25, 2010, and placed
37 in member's bill file; Report also printed in House Journal, January 26,
38 pages 89-90.

39
40 Amendment No. 2, by Representative(s) Peniston.

41
42 Amend the Education Committee Report, dated January 26, 2010, page
43 1, strike lines 8 and 9 and substitute:

44
45 "Page 5 of the printed bill, strike lines 7 through 9 and substitute:

46
47 "(4) THE DEPARTMENT SHALL RETAIN ONLY THE ACTUAL AMOUNT
48 OF DIRECT AND INDIRECT COSTS NECESSARY TO IMPLEMENT THIS
49 ARTICLE."."

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

53
54 **HB10-1058** by Representative(s) Riesberg; also Senator(s) Hodge--
55 Concerning the authority of the department of revenue to
56 impose a civil penalty for unstamped cigarettes.

1 Amendment No. 1, Judiciary Report, dated January 21, 2010, and placed
2 in member's bill file; Report also printed in House Journal, January 22,
3 page 72.

4
5 Amendment No. 2, Appropriations Report, dated February 5, 2010, and
6 placed in member's bill file; Report also printed in House Journal,
7 February 5, page 207.

8
9 Amendment No. 3, by Representative(s) Lambert.

10
11 Amend printed bill, page 2, strike line 3 and substitute "amended, and the
12 said 39-28-107 (1) is further amended BY THE ADDITION OF A NEW
13 PARAGRAPH, to read:".

14
15 Page 3, after line 3, insert:

16
17 "(c) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO
18 CIGARETTES PURCHASED FROM A UNITED STATES MILITARY EXCHANGE OR
19 COMMISSARY, SO LONG AS THE CIGARETTES ARE NOT FOR RESALE IN THIS
20 STATE."

21
22 As amended, ordered engrossed and placed on the Calendar for Third
23 Reading and Final Passage.

24
25 **HB10-1197** by Representative(s) Ferrandino; also Senator(s) Heath--
26 Concerning a decrease in the maximum amount of a state
27 income tax credit that may be claimed for the donation of
28 a conservation easement in gross.

29
30 (Previously amended as printed in House Journal, January 29, pages 136-
31 137.)

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

35
36 On motion of Representative Weissmann, **HB10-1044, 1097** were laid
37 over until February 12, and the remainder of the General Orders Calendar
38 (**HB10-1008, 1024, 1115, 1009, 1007, 1212, 1025, 1041, 1138**) was laid
39 over until February 11, retaining place on Calendar.

40
41
42
43 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

44
45 Passed Second Reading: **HB10-1043 amended, 1011 amended, 1002,**
46 **1030 amended, 1058 amended, 1197 amended.**

47
48 Laid over until date indicated retaining place on Calendar:
49 **HB10-1008, 1024, 1115, 1009, 1007, 1212, 1025, 1041, 1138--**
50 February 11, 2010.

51 **HB10-1044, 1097--February 12, 2010.**

52
53 The Chairman moved the adoption of the Committee of the Whole
54 Report. As shown by the following roll call vote, a majority of those
55 elected to the House voted in the affirmative, and the Report was
56 **adopted.**

1								
2	YES	62	NO	0	EXCUSED	3	ABSENT	0
3	Acree	Y	Gerou	Y	McFadyen	E	Ryden	Y
4	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
5	Balmer	Y	Judd	Y	McNulty	E	Schafer S.	Y
6	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
7	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
8	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
9	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
10	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
11	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
12	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
13	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
14	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
15	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
16	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
17	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
18	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
19							Speaker	Y

INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

HJR10-1011 by Representative(s) Weissmann, Carroll T., May; also Senator(s) Morse, Shaffer B., Penry--Concerning the concurrence of the general assembly in the governor's request that the Colorado supreme court render its opinion on questions arising from Citizens United v. Federal Election Comm'n, 558 U.S. ____ (2010).

(Printed and placed in member's file).

On motion of Representative Weissmann, the resolution was **adopted** by **viva voce** vote.

Co-sponsor(s) added: Representative(s) Acree, Apuan, Baumgardner, Benefield, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gerou, Hullinghorst, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Massey, McCann, Middleton, Miklosi, Murray, Pace, Peniston, Pommer, Primavera, Priola, Rice, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Todd, Tyler, Vaad, Vigil, Waller

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

HB10-1124 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 3, line 8, after "C.R.S." add "NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT THE AUTHORITY OF AN EMPLOYEE OF THE DEPARTMENT OF AGRICULTURE TO ENFORCE TITLE 35, C.R.S., OR RULES ADOPTED UNDER TITLE 35, C.R.S.".

Page 4, strike line 17 and substitute "CONTROL UNDER SECTION 30-15-105, C.R.S.".

Page 4, strike lines 18 and 19.

Page 7, line 10, strike "TESTIMONY GIVEN".

Page 7, strike lines 11 and 12 and substitute "THE DISTRICT ATTORNEY'S OFFICE SHALL BE PROVIDED NOTICE OF SUCH HEARING AND BE PERMITTED TO PRESENT EVIDENCE AT THE HEARING. THE EVIDENCE MAY BE IN THE FORM OF OFFER OF PROOF OR TESTIMONY. THE COURT SHALL MAKE FINDINGS OF THE REASONABLENESS OR UNREASONABLENESS OF THE BOND AND WHETHER THERE WAS PROBABLE CAUSE FOR THE IMPOUNDMENT ON THE RECORD. THE COURT SHALL CONSIDER THE FOLLOWING FACTORS WHEN DETERMINING THE REASONABLENESS OF THE BOND:

(a) THE ACTUAL COST TO THE AGENCY PROVIDING CARE FOR THE ANIMAL AND THE BASIS FOR THE COST;

(b) THE NECESSITY FOR ANY MEDICAL TREATMENT PROVIDED TO THE ANIMAL;

(c) THE NECESSITY FOR ANY SPECIALIZED SHELTER OR DIET FOR THE ANIMAL;

(d) WHETHER THE AGENCY PROVIDING THE CARE FOR THE ANIMAL CAN MITIGATE THE COSTS; AND

(e) ANY OTHER FACTOR THAT THE COURT DETERMINES IS RELEVANT TO THE ISSUES.".

Page 7, after line 12 insert:

"SECTION 4. 18-9-204.5 (5), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

18-9-204.5. Unlawful ownership of dangerous dog - legislative declaration. (5) (d) (I) (A) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT THE FAIR AND CONSISTENT TREATMENT OF INDIVIDUALS WITH DISABILITIES IS A MATTER OF STATEWIDE CONCERN, AND THAT BREED-SPECIFIC REGULATIONS UNDULY BURDEN AND

1 DISPROPORTIONATELY IMPACT INDIVIDUALS WITH DISABILITIES WHO OWN
2 AND RELY ON DOGS OF PROHIBITED BREEDS AS SERVICE ANIMALS.
3 FURTHERMORE, IT IS UNREASONABLE AND ONEROUS TO REQUIRE A PERSON
4 WITH A DISABILITY TO RELOCATE OR ACQUIRE A NEW SERVICE ANIMAL
5 SIMPLY TO COMPLY WITH BREED-SPECIFIC REGULATIONS, PARTICULARLY
6 IN LIGHT OF THE RIGOROUS BEHAVIORAL TRAINING THAT SUCH ANIMALS
7 UNDERGO.

8
9 (B) THEREFORE, NOTWITHSTANDING ANY PROVISION OF LAW TO
10 THE CONTRARY, NO GOVERNMENTAL ENTITY, INCLUDING A HOME RULE
11 ENTITY, SHALL EXCLUDE A DOG FROM ITS BOUNDARIES, FOR ANY AMOUNT
12 OF TIME, SOLELY ON THE BASIS OF THE DOG'S BREED, IF THE DOG IS A
13 TRAINED SERVICE ANIMAL SERVING AN INDIVIDUAL WITH A DISABILITY.

14
15 (II) NOTHING IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (d)
16 PROHIBITS A GOVERNMENTAL ENTITY FROM ENACTING REGULATIONS TO
17 IDENTIFY OR LICENSE THOSE DOGS THAT ARE EXEMPT FROM BREED-
18 SPECIFIC REGULATIONS."

19
20 Renumber succeeding sections accordingly.

21
22 Page 7, line 22, strike "(a)".

23
24 Page 7, line 26, strike "AND" and substitute "FOR PURPOSES OF ALL
25 RECORDS THAT REFLECT OR PERTAIN TO THE CONTRACT OR THE
26 ENGAGEMENT OR THE PERFORMANCE OF THE CONTRACT. SUCH ENTITY".

27
28 Page 8, line 2, strike "(I)" and substitute "(a)".

29
30 Page 8, line 4, strike "(II)" and substitute "(b)".

31
32 Page 8, line 6, strike "(III)" and substitute "(c)" and strike "ANIMALS;" and
33 substitute "ANIMALS, AND, IF SOLD, THE AMOUNTS FOR WHICH IMPOUNDED
34 ANIMALS ARE SOLD."

35
36 Page 8, strikes lines 7 through 12.

37
38 Page 9, line 3, after the period add "NOTHING IN THIS PART 1 SHALL BE
39 CONSTRUED TO LIMIT THE AUTHORITY OF AN EMPLOYEE OF THE
40 DEPARTMENT OF AGRICULTURE TO ENFORCE TITLE 35, C.R.S., OR RULES
41 ADOPTED UNDER TITLE 35, C.R.S."

42
43 Page 10, line 23, strike "(5), and (9)," and substitute "and (5),".

44
45 Page 11, line 5, strike "one ~~hundred thousand~~" and substitute "one TWO
46 hundred thousand".

47
48 Page 11, line 6, strike "MILLION".

49
50 Page 11, strike lines 17 through 27 and substitute "revoke the commission
51 of any agent."

52
53 Page 12, strike lines 23 through 27.

54
55 Page 13, strike lines 1 through 3.

56

1 Page 14, strike lines 11 through 22.

2
3 Renumber succeeding sections accordingly.

4
5
6
7 **HB10-1158** be postponed indefinitely.

8
9
10
11
12 **BUSINESS AFFAIRS & LABOR**

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

15
16 **HB10-1114** be amended as follows, and as so amended, be referred to
17 the Committee on Appropriations with favorable
18 recommendation:

19
20 Amend printed bill, strike everything below the enacting clause and
21 substitute the following:

22
23 "SECTION 1. 11-102-305 (1) (a) (IV), Colorado Revised
24 Statutes, is amended, and the said 11-102-305 (1) (a) is further amended
25 BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

26
27 **11-102-305. Records.** (1) (a) Information from the records of the
28 division shall be revealed only to members of the banking board, except
29 as follows:

30
31 (IV) The commissioner may exchange information obtained from
32 money transmitters ~~and foreign capital depositories~~ with the United States
33 secretary of the treasury, ~~or the secretary's designees, THE UNITED STATES~~
34 ~~ATTORNEY GENERAL, OR THE ATTORNEY GENERAL'S DESIGNEE~~ pertaining
35 to compliance with federal money laundering and other financial crimes
36 laws, including, but not limited to, the "Bank Secrecy Act", the "Right to
37 Financial Privacy Act of 1978", the "Money Laundering Control Act of
38 1986", and the "Annunzio-Wylie Anti-Money Laundering Act".

39
40 (V) THE COMMISSIONER MAY EXCHANGE INFORMATION AS
41 PROVIDED BY PART 2 OF ARTICLE 52 OF TITLE 12, C.R.S.

42
43 **SECTION 2.** Article 52 of title 12, Colorado Revised Statutes, is
44 amended BY THE ADDITION OF A NEW PART to read:

45
46 **PART 2**
47 **MONEY TRANSMITTER AGENTS**

48
49 **12-52-201. Agent information - rules.** (1) A MONEY
50 TRANSMITTER LICENSED PURSUANT TO PART 1 OF THIS ARTICLE SHALL
51 ANNUALLY SEND THE FOLLOWING INFORMATION TO THE BANKING BOARD
52 ON SUCH FORM AS IT MAY PRESCRIBE:

53
54 (a) THE NAME OF THE AGENT AND THE ADDRESS AND TELEPHONE
55 NUMBER OF EACH OF THE AGENT'S OFFICES THAT ENGAGE IN THE BUSINESS
56 OF SELLING OR ISSUING EXCHANGE OR OF MONEY TRANSMISSION;

1 (b) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF EACH OF
2 THE OWNERS OF THE APPLICANT HOLDING MORE THAN A TEN PERCENT
3 INTEREST IN THE BUSINESS IF THE APPLICANT IS A PARTNERSHIP OR AN
4 ENTITY CREATED PURSUANT TO TITLE 7, C.R.S.;

5
6 (c) THE SERVICES CONCERNING SELLING OR ISSUING EXCHANGE
7 AND MONEY TRANSMISSION THAT ARE OFFERED BY THE AGENT AND THE
8 LOCATIONS WHERE SUCH SERVICES ARE OFFERED;

9
10 (d) SUCH OTHER PERTINENT INFORMATION THAT THE BANKING
11 BOARD MAY REQUIRE CONCERNING THE APPLICANT OR ITS DIRECTORS,
12 TRUSTEES, OFFICERS, MEMBERS, BRANCHES, SUBSIDIARIES, AFFILIATES, OR
13 AGENTS AS PROMULGATED BY RULE.

14
15 (2) THE BANKING BOARD MAY PROMULGATE RULES NECESSARY TO
16 IMPLEMENT THIS SECTION.

17
18 **12-52-202. Exclusive agency required.** NO PERSON SHALL BE AN
19 AGENT OF MORE THAN ONE BUSINESS LICENSED PURSUANT TO PART 1 OF
20 THIS ARTICLE.

21
22 **12-52-203. Notice of laws.** (1) THE BANKING BOARD SHALL
23 PROMULGATE RULES TO CREATE A FORM CONTAINING A NOTICE OF THE
24 CONTENTS OF SECTION 18-18-408, C.R.S., AND OTHER STATE AND
25 FEDERAL LAWS CONCERNING MONEY LAUNDERING.

26
27 (2) AN AGENT OF A BUSINESS LICENSED PURSUANT TO PART 1 OF
28 THIS ARTICLE SHALL REQUIRE EACH EMPLOYEE WHO PERFORMS MONEY
29 TRANSMISSION SERVICES TO UNDERSTAND AND SIGN THE FORM, CREATED
30 UNDER SUBSECTION (1) OF THIS SECTION, AFFIRMING KNOWLEDGE OF THE
31 MONEY LAUNDERING LAWS PRIOR TO THE EMPLOYEE PERFORMING SUCH
32 SERVICES. THE AGENT SHALL MAINTAIN A RECORD OF EACH EMPLOYEE
33 ALONG WITH THE SIGNED NOTICE SO LONG AS THE EMPLOYEE PROVIDES
34 SUCH SERVICES. THE RECORDS MAY BE MAINTAINED IN AN ELECTRONIC OR
35 DIGITAL FORMAT THAT REPRODUCES THE SIGNATURE ON THE DOCUMENTS
36 BY THE AGENT.

37
38 **12-52-204. Records.** THE INFORMATION SENT TO THE BANKING
39 BOARD UNDER SECTION 12-52-201 AND THE RECORDS REQUIRED BY
40 SECTION 12-52-203 SHALL BE OPEN TO ANY LAW ENFORCEMENT OFFICER
41 ACTING WITHIN THE SCOPE AND COURSE OF THE OFFICER'S OFFICIAL
42 DUTIES.

43
44 **12-52-205. Agent requirements.** (1) NO MONEY TRANSMITTER
45 LICENSED PURSUANT TO PART 1 OF THIS ARTICLE SHALL KNOWINGLY
46 EMPLOY AN AGENT WHO HAS BEEN CONVICTED OF OR PLEADED GUILTY OR
47 NOLO CONTENDERE TO THE OFFENSES IN ARTICLE 5 OF TITLE 18, C.R.S., OR
48 IN SECTION 18-18-408, C.R.S.; A FELONY IN THE SELLING OR ISSUING OF
49 EXCHANGE OR IN MONEY TRANSMISSION; A FELONY INVOLVING A
50 FINANCIAL INSTITUTION; OR AN EQUIVALENT CRIME OUTSIDE COLORADO.

51
52 (2) NO AGENT OF A MONEY TRANSMITTER LICENSED PURSUANT TO
53 THIS ARTICLE SHALL KNOWINGLY EMPLOY A PERSON TO PERFORM MONEY
54 TRANSMISSION SERVICES WHO HAS BEEN CONVICTED OF OR PLEADED
55 GUILTY OR NOLO CONTENDERE TO THE OFFENSES IN ARTICLE 5 OF TITLE 18,
56 C.R.S., OR IN SECTION 18-18-408, C.R.S.; A FELONY IN THE SELLING OR

1 ISSUING OF EXCHANGE OR IN MONEY TRANSMISSION; A FELONY INVOLVING
2 A FINANCIAL INSTITUTION; OR AN EQUIVALENT CRIME OUTSIDE
3 COLORADO.

4
5 (3) NO AGENT OF A MONEY TRANSMITTER LICENSED PURSUANT TO
6 THIS PART 2 SHALL KNOWINGLY EMPLOY A PERSON TO PERFORM MONEY
7 TRANSMISSION SERVICES WHO IS UNDER EIGHTEEN YEARS OF AGE.

8
9 **12-52-206. Violations.** (1) A PERSON WHO VIOLATES THIS PART
10 2 COMMITS A CLASS 2 MISDEMEANOR AND, FOR THE SECOND OR ANY
11 SUBSEQUENT OFFENSE, THE PERSON COMMITS A CLASS 1 MISDEMEANOR
12 AND SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-501, C.R.S.

13
14 (2) A PERSON WHO ACTS AS AN AGENT OF AN UNLICENSED PERSON
15 REQUIRED TO BE LICENSED BY PART 1 OF THIS ARTICLE KNOWING THE
16 UNLICENSED PERSON DOES NOT HOLD SUCH LICENSE COMMITS A CLASS 2
17 MISDEMEANOR AND SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-
18 501, C.R.S.

19
20 **SECTION 3. Specified effective date - applicability.** This act
21 shall take effect July 1, 2010, and shall apply to acts committed on or
22 after said date.

23
24 **SECTION 4. Safety clause.** The general assembly hereby finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, and safety."

27
28
29
30 **HB10-1174** be postponed indefinitely.

31
32
33 **HB10-1231** be referred to the Committee of the Whole with favorable
34 recommendation.

35
36
37 **HB10-1247** be referred to the Committee of the Whole with favorable
38 recommendation.

39
40
41
42
43 **FINANCE**

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

46
47 **HB10-1176** be amended as follows, and as so amended, be referred to
48 the Committee on State, Veterans, & Military Affairs with
49 favorable recommendation:

50
51 Amend printed bill, page 6, line 15, strike "AUDIT" and substitute "AUDIT,
52 AND ANY CONTRACTOR OR VENDOR THAT HAS A CONTRACT WITH SUCH A
53 STATE AGENCY OR OTHER COVERED ENTITY,".

54
55 Page 6, line 17, strike "OR".
56

1 Page 6, line 18, strike "ENTITY" and substitute "ENTITY, OR THE
2 CONTRACTOR OR VENDOR".

3
4 Page 6, line 22, strike "STATE OR" and substitute "STATE," and strike
5 "ENTITY" and substitute "ENTITY, OR THE CONTRACTOR OR VENDOR".

6
7 Page 6, line 24, after "ENTITY," insert "THE CONTRACTOR OR VENDOR,".
8
9
10
11

12 **LOCAL GOVERNMENT**

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

15
16 **HB10-1118** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:
19

20 Amend printed bill, page 2, line 9, strike "REQUIRING," and substitute
21 "REQUIRING".
22

23 Page 2, strike lines 10 through 13 and substitute "THAT SUCH REAL
24 PROPERTY BE SECURED, MAINTAINED, AND INSURED BY THE OWNER OF
25 SUCH REAL PROPERTY OR, IF APPLICABLE, BY A HOLDER OF A LIEN THAT
26 HAS TAKEN POSSESSION OF SUCH REAL PROPERTY PURSUANT TO PART 6 OF
27 ARTICLE 38 OF TITLE 38, C.R.S., OR ANY RECEIVER APPOINTED TO TAKE
28 POSSESSION OF OR TO PRESERVE THE REAL PROPERTY. THE COUNTY MAY
29 REQUIRE THAT REAL PROPERTY OWNERS OR PARTIES FORECLOSING ON A
30 LIEN PROVIDE TO THE COUNTY PLANNING AND ZONING DEPARTMENT
31 CONTACT INFORMATION FOR THE PERSON OR ENTITY RESPONSIBLE FOR THE
32 PRESERVATION OF THE REAL PROPERTY.".
33

34 Page 2, strike line 15 and substitute "PROPERTY" MEANS ANY REAL
35 PROPERTY IN FORECLOSURE OR ANY VACANT OR ABANDONED REAL".
36
37
38

39 **HB10-1143** be amended as follows, and as so amended, be referred to
40 the Committee of the Whole with favorable
41 recommendation:
42

43 Amend printed bill, page 4, strike lines 12 through 15 and substitute:
44

45 "would reduce transit services, would reduce the availability of adequate
46 parking for the public, or, FOR USES INVOLVING THE PROVISION OF RETAIL
47 OR COMMERCIAL GOODS OR SERVICES, would result in a competitive
48 disadvantage to a private business reasonably near a transfer facility
49 engaging in the sale of similar goods or services. The provision of retail".
50
51
52

53 **HB10-1165** be amended as follows, and as so amended, be referred to
54 the Committee of the Whole with favorable
55 recommendation:
56

1 Amend printed bill, page 3, line 25, strike "NOTIFY" and substitute
2 "NOTIFY, BY EMAIL IF AVAILABLE, ALL LESSEES OF THE PROPERTY AND"

3
4 Page 4, line 17, strike "2020." and substitute "2015".
5
6

7
8 **SB10-053** be referred to the Committee of the Whole with favorable
9 recommendation.
10

11
12
13
14 **STATE, VETERANS, & MILITARY AFFAIRS**

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

18 **HB10-1077** be postponed indefinitely.
19

20
21 **HB10-1100** be postponed indefinitely.
22

23
24 **HB10-1119** be amended as follows, and as so amended, be referred to
25 the Committee on Appropriations with favorable
26 recommendation:
27

28 Amend printed bill, page 6, line 7, strike "ASSEMBLY AND" and substitute
29 "ASSEMBLY,".
30

31 Page 6, line 8, strike "DEPARTMENTS;" and substitute "DEPARTMENTS,
32 AND ANY CERTIFIED EMPLOYEE ORGANIZATIONS;".
33

34 Page 7, line 20, strike "EMPLOYEES." and substitute "EMPLOYEES AND ANY
35 CERTIFIED EMPLOYEE ORGANIZATIONS.".
36

37 Page 9, line 6, strike "SECTION." and substitute "SECTION AND SHALL
38 ALLOW TIME FOR PUBLIC TESTIMONY REGARDING EACH SUCH DEPARTMENT
39 PRESENTATION.".
40

41
42
43 **HB10-1126** be postponed indefinitely.
44

45
46 **HB10-1177** be postponed indefinitely.
47

48
49
50 **PRINTING REPORT**
51

52 The Chief Clerk reports the following bills have been correctly printed:
53 **HB10-1332, 1333, 1334.**
54
55
56

MESSAGE(S) FROM THE SENATE

The Senate has adopted and returns herewith: HJR10 -1011.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HJR10-1011.**

INTRODUCTION OF BILLS**First Reading**

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

HB10-1335 by Representative(s) Massey--Concerning the authorization of boards of cooperative services as school food authorities, and, in connection therewith, creating the BOCES healthy food grant program.
Committee on Education

HB10-1336 by Representative(s) Schafer S.; also Senator(s) Newell--Concerning expenditures to be made by the department of public safety.
Committee on Judiciary
Committee on Appropriations

HB10-1337 by Representative(s) Lambert, Ferrandino, Pommer; also Senator(s) White, Keller, Tapia--Concerning the compensation of teachers employed by the Colorado school for the deaf and the blind.
Committee on Appropriations

HB10-1338 by Representative(s) McCann--Concerning the eligibility for probation of a person who has two or more felony convictions.
Committee on Judiciary

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

HJR10-1012 by Representative(s) Fischer and Nikkel, Kefalas; also Senator(s) Lundberg and Tapia, Bacon--Concerning recognition of and appreciation for 140 years of education, research, and service by the Colorado State University system.

1 **NOTICE OF CALENDARED ITEM(S)**

2
3 On motion of Representative Weissmann, the following bill(s) calendared
4 for Second Reading, February 12, will be calendared for
5 February 11, 2010: **HB10-1188.**

6 _____
7
8 **LAY OVER OF CALENDAR ITEM(S)**

9
10
11 On motion of Representative Weissmann, the following item(s) on the
12 Calendar (was)were laid over until February 11, retaining place on
13 Calendar:

14
15 Consideration of Resolution(s)--**SJR10-011.**

16 _____
17
18
19 On motion of Representative Weissmann, the House adjourned until
20 9:00 a.m., February 11, 2010.

21
22 Approved:
23 TERRANCE D. CARROLL,
24 Speaker

25 Attest:
26 MARILYN EDDINS,
27 Chief Clerk

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

Thirtieth Legislative Day

Thursday, February 11, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

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

4

5 Pledge of Allegiance led by Lee Jergensen, Colorado State University,
6 Fort Collins.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Kagan, McFadyen--2.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Bradford, the reading of the journal of
17 February 10, 2010, was declared dispensed with and approved as
18 corrected by the Chief Clerk.

19

20

21

22

23

CONSIDERATION OF RESOLUTION(S)

24

25 On motion of Representative Weissmann, the rules (House Rules 26 and
26 26A) were suspended for consideration of HJR10-1012.

27

28 **HJR10-1012** by Representative(s) Fischer and Nikkel, Kefalas; also
29 Senator(s) Lundberg and Tapia, Bacon--Concerning
30 recognition of and appreciation for 140 years of
31 education, research, and service by the Colorado State
32 University system.

33

34 (Printed and placed in members' file.)

35

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

38

39 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
40 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
41 Ferrandino, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Hullinghorst,
42 Judd, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper,
43 Massey, May, McCann, McKinley, McNulty, Merrifield, Middleton, Miklosi,

1 Murray, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts,
2 Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers,
3 Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann, Speaker
4
5
6
7

8 On motion of Representative Gagliardi, the House resolved itself into
9 Committee of the Whole for consideration of General Orders, and she
10 was called to the Chair to act as Chairman.
11
12

13 **GENERAL ORDERS--SECOND READING OF BILL(S)**

14
15 The Committee of the Whole having risen, the Chairman reported the
16 title(s) of the following bill(s) had been read (reading at length had been
17 dispensed with by unanimous consent), the bill(s) considered and action
18 taken thereon as follows:
19

20 (Amendments to the committee amendment are to the printed committee
21 report which was printed and placed in the members' bill file.)
22

23 **HB10-1001** by Representative(s) Tyler; also Senator(s) Schwartz and
24 Whitehead--Concerning incentives for the installation of
25 new distributed renewable energy generation facilities in
26 Colorado, and, in connection therewith, increasing the
27 target percentages under the electric utility portfolio
28 standard to encourage Colorado utilities to generate five
29 percent of their retail electricity sales from distributed
30 renewable sources by the year 2020, and adopting
31 standards for the installation of distributed solar electric
32 generation equipment.
33

34 Amendment No. 1, Transportation & Energy Report, dated
35 February 5, 2010, and placed in member's bill file; Report also printed in
36 House Journal, February 8, pages 240-250.
37

38 Amendment No. 2, Appropriations Report, dated February 9, 2010, and
39 placed in member's bill file; Report also printed in House Journal,
40 February 9, pages 262-263.
41

42 As amended, ordered engrossed and placed on the Calendar for Third
43 Reading and Final Passage.
44
45
46

47 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

48
49 Representative DelGrosso moved to amend the Report of the Committee
50 of the Whole to reverse the action taken by the Committee in not adopting
51 the following McNulty amendment, to HB10-1001, to show that said
52 amendment passed, and that **HB10-1001**, as amended, passed.
53

54 Amend the Transportation and Energy Committee report, dated February
55 5, 2010, page 6, strike lines 24 through 26 and substitute:
56

"Colorado Revised Statutes, are amended, and the said 40-2-124 (1) (f) and (1) (g) are further amended BY THE ADDITION OF THE FOLLOWING NEW SUBPARAGRAPHS, to read:".

Page 8 of the report, after line 31, insert:

"(V) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE COMMISSION SHALL NOT GRANT ANY RATE INCREASE REQUESTED BY A QUALIFYING RETAIL UTILITY AS A RESULT OF REQUIREMENTS IMPOSED UPON IT UNDER HOUSE BILL 10-1001."

The amendment was declared **lost** by the following roll call vote:

YES	27	NO	35	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	E	Ryden	N
Apuan	N	Hullinghorst	N	McKinley	N	Scanlan	N
Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
Baumgardner	Y	Kagan	E	Merrifield	N	Solano	N
Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
Casso	N	Kerr J.	Y	Murray	Y	Stephens	E
Court	N	King S.	Y	Nikkel	Y	Summers	Y
Curry	N	Labuda	N	Pace	N	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
Ferrandino	N	Levy	N	Pommer	N	Todd	N
Fischer	N	Liston	Y	Primavera	N	Tyler	N
Frangas	N	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	N	Massey	Y	Rice	N	Vigil	N
Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	Y
						Speaker	N

Representatives Priola, Looper, and Vaad moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting the following Priola amendment, to HB10-1001, to show that said amendment passed, and that **HB10-1001**, as amended, passed.

Amend the Transportation and Energy Committee Report, dated February 5, 2010, page 5, after line 10, insert:

"(IX) ALL INSTALLATIONS OF ELIGIBLE ENERGY GENERATION FACILITIES, REGARDLESS OF SIZE, SHALL BE SUBJECT TO HABITAT STEWARDSHIP REQUIREMENTS SUBSTANTIALLY SIMILAR TO THOSE OF SECTION 34-60-128, C.R.S."

The amendment was declared **lost** by the following roll call vote:

YES	26	NO	36	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	E	Ryden	N
Apuan	N	Hullinghorst	N	McKinley	N	Scanlan	N
Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
Baumgardner	Y	Kagan	E	Merrifield	N	Solano	N
Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
Casso	N	Kerr J.	Y	Murray	Y	Stephens	E
Court	N	King S.	Y	Nikkel	Y	Summers	Y

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

10
11 Representatives Looper, Vaad, McNulty, and Gardner C. moved to amend
12 the Report of the Committee of the Whole to reverse the action taken by
13 the Committee in not adopting the following Looper amendment, to
14 HB10-1001, to show that said amendment passed, and that **HB10-1001**,
15 as amended, passed.

16
17 Amend the Transportation and Energy Committee Report, dated
18 February 5, 2010, page 9, strike lines 8 through 38.

19
20 Strike pages 10 and 11.

21
22 Page 12, strike lines 1 through 26.

23
24 Renumber succeeding sections accordingly.

25
26 The amendment was declared **lost** by the following roll call vote:

27								
28	YES	26	NO	36	EXCUSED	3	ABSENT	0
29	Acree	Y	Gerou	Y	McFadyen	E	Ryden	N
30	Apuan	N	Hullingshorst	N	McKinley	N	Scanlan	N
31	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
32	Baumgardner	Y	Kagan	E	Merrifield	N	Solano	N
33	Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
34	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
35	Casso	N	Kerr J.	Y	Murray	Y	Stephens	E
36	Court	N	King S.	Y	Nikkel	Y	Summers	Y
37	Curry	N	Labuda	N	Pace	N	Swalm	Y
38	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
39	Ferrandino	N	Levy	N	Pommer	N	Todd	N
40	Fischer	N	Liston	Y	Primavera	N	Tyler	N
41	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
42	Gagliardi	N	Massey	Y	Rice	N	Vigil	N
43	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
44	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
45							Speaker	N

46
47 Representative McNulty moved to amend the Report of the Committee of
48 the Whole to reverse the action taken by the Committee in not adopting
49 the following McNulty amendment, to HB 10-1001, to show that said
50 amendment passed, and that HB 10-1001, as amended, passed.

51
52 Amend the Transportation and Energy Committee report, dated February
53 5, 2010, page 9, after line 7 insert:

54
55 **"SECTION 4.** 40-2-124, Colorado Revised Statutes, is amended
56 **BY THE ADDITION OF A NEW SUBSECTION** to read:

40-2-124. Renewable energy standard - definitions - net metering. (8) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY:

(a) COMMENCING NO LATER THAN JULY 1, 2010, THE STATE AUDITOR SHALL UNDERTAKE A STUDY TO DETERMINE WHETHER THE PASSAGE OF THIS SECTION HAS RESULTED IN ANY MEASURABLE REDUCTION OF EMISSIONS OF SULFUR DIOXIDE, NITROUS OXIDE, OR CARBON DIOXIDE IN COLORADO. THE STATE AUDITOR SHALL REPORT THE RESULTS OF SUCH STUDY TO THE GENERAL ASSEMBLY ON OR BEFORE JANUARY 1, 2011.

(b) IF THE STATE AUDITOR REPORTS, PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (8), THAT THERE HAS NOT BEEN A MEASURABLE REDUCTION OF EMISSIONS OF SULFUR DIOXIDE, NITROUS OXIDE, OR CARBON DIOXIDE IN COLORADO SINCE THE EFFECTIVE DATE OF THIS SECTION, THE IMPLEMENTATION OF THIS SECTION SHALL BE SUSPENDED PENDING FURTHER LEGISLATIVE ANALYSIS AND DELIBERATION."

Renumber succeeding sections accordingly.

The amendment was declared **lost** by the following roll call vote:

	YES	27	NO	35	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	E	Ryden	Y	
Apuan	N	Hullinghorst	N	McKinley	N	Scanlan	N	
Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N	
Baumgardner	Y	Kagan	E	Merrifield	N	Solano	N	
Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y	
Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N	
Casso	N	Kerr J.	Y	Murray	Y	Stephens	E	
Court	N	King S.	Y	Nikkel	Y	Summers	Y	
Curry	N	Labuda	N	Pace	N	Swalm	Y	
DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y	
Ferrandino	N	Levy	N	Pommer	N	Todd	N	
Fischer	N	Liston	Y	Primavera	N	Tyler	N	
Frangas	N	Looper	Y	Priola	Y	Vaad	Y	
Gagliardi	N	Massey	Y	Rice	N	Vigil	N	
Gardner B.	Y	May	Y	Riesberg	N	Waller	Y	
Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N	
						Speaker	N	

Representative(s) Gardner C. moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting the following Gardner C. amendment, to HB10-1001, to show that said amendment passed, and that **HB10-1001**, as amended, passed.

Amend the Transportation and Energy Committee report, dated February 5, 2010, page 12, after line 26 insert:

"40-2-130. Renewable energy standard - transfer of credits - rules - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "BIOMASS THERMAL SYSTEM" MEANS A SYSTEM PRODUCING THERMAL ENERGY USING ANY RAW OR PROCESSED PLANT-DERIVED

1 ORGANIC MATTER AVAILABLE ON A RENEWABLE BASIS, INCLUDING, BUT
 2 NOT LIMITED TO, DEDICATED ENERGY CROPS AND TREES; AGRICULTURAL
 3 FOOD AND FEED CROPS; AGRICULTURAL CROP WASTES AND RESIDUES;
 4 WOOD WASTES AND RESIDUES, INCLUDING LANDSCAPE WASTE,
 5 RIGHT-OF-WAY TREE TRIMMINGS, OR SMALL-DIAMETER FOREST THINNINGS
 6 THAT ARE TWELVE INCHES IN DIAMETER OR LESS; DEAD AND DOWNED
 7 FOREST PRODUCTS; AQUATIC PLANTS; NONNATIVE PHREATOPHYTES;
 8 ANIMAL WASTES; OTHER VEGETATIVE WASTE MATERIALS; NONHAZARDOUS
 9 PLANT MATTER WASTE MATERIAL THAT IS SEGREGATED FROM OTHER
 10 WASTE; FOREST-RELATED RESOURCES, SUCH AS HARVESTING AND MILL
 11 RESIDUE, PRE-COMMERCIAL THINNINGS, SLASH, AND BRUSH;
 12 MISCELLANEOUS WASTE, SUCH AS WASTE PALLETS, CRATES, AND
 13 DUNNAGE; AND RECYCLED PAPER FIBERS THAT ARE NO LONGER SUITABLE
 14 FOR RECYCLED PAPER PRODUCTION, BUT NOT INCLUDING PAINTED,
 15 TREATED, OR PRESSURIZED WOOD, WOOD CONTAMINATED WITH PLASTICS
 16 OR METALS, TIRES, OR RECYCLABLE POST-CONSUMER WASTE PAPER. SUCH
 17 SYSTEMS SHALL COMPLY WITH ENVIRONMENTAL PROTECTION AGENCY
 18 CERTIFICATION PROGRAMS OR SHALL BE PERMITTED BY STATE, COUNTY,
 19 OR LOCAL AIR QUALITY AUTHORITIES.

20

21 (b) "BTU" MEANS BRITISH THERMAL UNIT.

22

23 (c) "BTU RENEWABLE ENERGY CREDIT" MEANS A TRANSFERRABLE
 24 CREDIT THAT IS CREATED FOR EACH THREE THOUSAND FOUR HUNDRED
 25 FIFTEEN BTUS OF HEAT PRODUCED BY A BIOMASS THERMAL SYSTEM OR
 26 GEOTHERMAL SPACE HEATING AND PROCESS HEATING SYSTEM.

27

28 (d) "GEOTHERMAL SPACE HEATING AND PROCESS HEATING
 29 SYSTEM" MEANS A SYSTEM THAT USES HEAT FROM WITHIN THE EARTH'S
 30 SURFACE FOR SPACE HEATING OR FOR PROCESS HEATING.

31

32 (2) THE COMMISSION SHALL ESTABLISH A BTU RENEWABLE
 33 ENERGY CREDIT PROGRAM TO ALLOW CUSTOMERS WHO USE RENEWABLE
 34 ENERGY IN FORMS THAT INCLUDE, BUT ARE NOT LIMITED TO, A BIOMASS
 35 THERMAL SYSTEM OR A GEOTHERMAL SPACE HEATING AND PROCESS
 36 HEATING SYSTEM, TO CALCULATE THE BTU PRODUCTION AND CONVERT
 37 THE BTU PRODUCTION TO A BTU RENEWABLE ENERGY CREDIT.

38

39 (3) EACH BTU RENEWABLE ENERGY CREDIT SHALL COUNT AS ONE
 40 AND ONE-HALF KILOWATT-HOURS OF RENEWABLE ENERGY, AS SET FORTH
 41 IN SECTION 40-2-124 (1) (c) AND (1) (d).

42

43 (4) A CUSTOMER WHO OBTAINS A BTU RENEWABLE ENERGY
 44 CREDIT MAY TRANSFER THE CREDIT TO A QUALIFYING RETAIL UTILITY,
 45 WHO MAY USE THE CREDIT TOWARD THE RENEWABLE ENERGY
 46 REQUIREMENTS OF SECTION 40-2-124 (1) (c) AND (1) (d).

47

48 (5) THE COMMISSION SHALL PROMULGATE REASONABLE RULES AS
 49 NECESSARY TO IMPLEMENT THIS SECTION."

50

51 The amendment was declared **lost** by the following roll call vote:

52

53	YES	29	NO	33	EXCUSED	3	ABSENT	0
54	Acree	Y	Gerou	Y	McFadyen	E	Ryden	N
55	Apuan	N	Hullinghorst	N	McKinley	Y	Scanlan	N
56	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1001 amended.**

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

	YES	40	NO	22	EXCUSED	3	ABSENT	0
28	Acree	N	Gerou	Y	McFadyen	E	Ryden	Y
29	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
30	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
31	Baumgardner	N	Kagan	E	Merrifield	Y	Solano	Y
32	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
33	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
34	Casso	Y	Kerr J.	N	Murray	N	Stephens	E
35	Court	Y	King S.	N	Nikkel	N	Summers	N
36	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
37	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
38	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
39	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
40	Frangas	Y	Looper	N	Priola	N	Vaad	N
41	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
42	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
43	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
44							Speaker	Y

House in recess. House reconvened.

1 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

2
3 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

6
7 **HB1223** be referred to the Committee of the Whole with favorable
8 recommendation.

9
10
11 **SJR10-004** be referred out for final action.

12
13
14
15
16 **BUSINESS AFFAIRS & LABOR**

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

19
20 **HB10-1108** be amended as follows, and as so amended, be referred to
21 the Committee of the Whole with favorable
22 recommendation:

23
24
25 Amend printed bill, page 5, after line 9 insert:

26
27 "(III) A WRITTEN AGREEMENT BETWEEN A NONPROFIT YOUTH
28 SPORTS ORGANIZATION AND A COACH IN ACCORDANCE WITH THIS
29 PARAGRAPH (e) SHALL NOT BE CONCLUSIVE EVIDENCE OF AN
30 INDEPENDENT CONTRACTOR RELATIONSHIP FOR PURPOSES OF ANY CIVIL
31 ACTION INSTITUTED BY A THIRD PARTY."

32
33 Renumber succeeding subparagraph accordingly.

34
35 Page 6, after line 18 insert:

36
37 "(III) A WRITTEN AGREEMENT BETWEEN A NONPROFIT YOUTH
38 SPORTS ORGANIZATION AND A COACH IN ACCORDANCE WITH THIS
39 PARAGRAPH (e) SHALL NOT BE CONCLUSIVE EVIDENCE OF AN
40 INDEPENDENT CONTRACTOR RELATIONSHIP FOR PURPOSES OF ANY CIVIL
41 ACTION INSTITUTED BY A THIRD PARTY."

42
43 Renumber succeeding subparagraph accordingly.

44
45
46
47 **HB10-1148** be referred favorably to the Committee on Appropriations.

48
49
50 **HB10-1151** be postponed indefinitely.

51
52
53 **HB10-1186** be amended as follows, and as so amended, be referred to
54 the Committee on Finance with favorable
55 recommendation:

56

1 Amend printed bill, page 5, line 13, change the period to a comma and
2 add "BEGINNING AT 8 A.M. UNTIL 12 MIDNIGHT EACH DAY EXCEPT
3 CHRISTMAS DAY."

4
5 Page 5, after line 27 insert:

6
7 "(IV) NOTWITHSTANDING SECTION 12-46-106 OR ANY OTHER
8 PROVISION OF LAW TO THE CONTRARY, NO PERSON EMPLOYED BY A MALT
9 LIQUOR STORE LICENSED UNDER THIS PARAGRAPH (e) SHALL MAKE
10 DELIVERIES OF ANY ALCOHOL BEVERAGE BEYOND THE CUSTOMARY
11 PARKING AREA FOR THE CUSTOMERS OF THE STORE."

12
13
14
15 **HB10-1204** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:

18
19 Amend printed bill, page 2, strike lines 11 through 16 and substitute:

20
21 "(4.5) (a) "CONSERVATION" MEANS EFFICIENCY MEASURES, AS
22 ADOPTED BY THE BOARD, THAT MEET NATIONAL GUIDELINES AND
23 STANDARDS AND ARE TESTED AND APPROVED BY A NATIONALLY
24 RECOGNIZED TESTING LABORATORY, INCLUDING:

25
26 (I) WATER-EFFICIENT DEVICES AND FIXTURES; AND

27
28 (II) THE USE OF LOCALLY PRODUCED MATERIALS, WHEN
29 PRACTICABLE, TO REDUCE TRANSPORTATION IMPACTS.

30
31 (b) WHEN CONSERVATION CONFLICTS WITH SAFETY, THE BOARD
32 SHALL GIVE PRIMARY CONSIDERATION TO SAFETY."

33
34 Page 2, line 17, strike "**date.**" and substitute "**date - applicability. (1).**"

35
36 Page 2, after line 26 insert:

37
38 "(2) The provisions of this act shall apply to a rule modifying the
39 Colorado plumbing code that occurs pursuant to the regular schedule of
40 the examining board of plumbers that is promulgated on or after the
41 applicable effective date of this act."

42
43
44
45 **SB10-021** be referred to the Committee of the Whole with favorable
46 recommendation.

47
48
49 **SB10-022** be referred to the Committee of the Whole with favorable
50 recommendation.

51
52
53 **SB10-023** be referred to the Committee of the Whole with favorable
54 recommendation.

55

1 **SB10-024** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **SB10-031** be referred favorably to the Committee on State, Veterans,
6 & Military Affairs.
7

8
9
10
11 **FINANCE**

12 After consideration on the merits, the Committee recommends the
13 following:
14

15 **HB10-1042** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:
18

19 Amend printed bill, page 5, line 2, strike "not" and substitute "~~not~~".
20

21 Page 5, line 3, strike "more than one THOUSAND" and substitute "~~more~~
22 ~~than one~~ UP TO".
23

24 Page 5, line 4, after "occurs." add "FOR A SECOND VIOLATION, THE CIVIL
25 PENALTY SHALL BE UP TO ONE THOUSAND DOLLARS PER DAY FOR EACH
26 DAY DURING WHICH SUCH A VIOLATION OCCURS. FOR A THIRD OR
27 SUBSEQUENT VIOLATION, THE CIVIL PENALTY SHALL BE UP TO ONE
28 THOUSAND FIVE HUNDRED DOLLARS PER DAY FOR EACH DAY DURING
29 WHICH SUCH A VIOLATION OCCURS."
30

31
32
33 **HB10-1087** be postponed indefinitely.
34

35
36 **SB10-001** be referred favorably to the Committee on Appropriations.
37

38
39
40 **PRINTING REPORT**

41
42 The Chief Clerk reports the following bills have been correctly printed:
43 **HB10-1335, 1336, 1337, 1338.**
44

45
46
47 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
48

49 The Speaker has signed: **HR10-1005.**
50

51
52
53 **MESSAGE(S) FROM THE SENATE**
54

55 The Senate has passed on Third Reading and returns herewith:
56 **HB10-1196**

1 The Senate has passed on Third Reading and transmitted to the Revisor
2 of Statutes:
3 HB10-1189 amended as printed in Senate Journal, February 5, 2010,
4 page 176.
5 HB10-1191 amended as printed in Senate Journal, February 5, 2010,
6 page 176, and in Senate Journal, February 10, 2010,
7 page 204.
8 HB10-1194 amended as printed in Senate Journal, February 8, 2010,
9 page 180.
10 HB10-1195 amended as printed in Senate Journal, February 8, 2010,
11 page 183.
12 HB10-1199 amended as printed in Senate Journal, February 8, 2010,
13 page 183.
14 HB10-1192 amended as printed in Senate Journal, February 8, 2010,
15 pages 184 and 189-190 and in Senate Journal,
16 February 10, 2010, pages 207-208.
17 HB10-1190 amended as printed in Senate Journal, February 8, 2010,
18 pages 184-186.
19 HB10-1193 amended as printed in Senate Journal, February 8, 2010,
20 pages 171-172, 175 and 181-182 and in Senate Journal,
21 February 10, 2010, pages 209-211.
22
23

24 The Senate has passed on Third Reading and transmitted to the Revisor
25 of Statutes:
26
27 SB10-019 amended as printed in Senate Journal, February 3, 2010, pages
28 149-151 and in Senate Journal, February 11, 2010.
29

30 The Senate has adopted and returns herewith: HJR10-1010 and
31 HJR10-1012.
32

33 MESSAGE(S) FROM THE REVISOR

34
35 We herewith transmit:
36 Without comment, as amended, HB10-1189, 1191, 1194, 1195, 1199,
37 1192, 1190, and 1193.
38

39 We herewith transmit:
40 Without comment, as amended, SB10-019.
41
42

43 NOTICE OF CALENDARED ITEM(S)

44
45 On motion of Representative Weissmann, the following bill(s) will be
46 calendared for Second Reading on February 17, 2010: **HB10-1223, 1108,**
47 **1204, SB10-021, 022, 023, 024, HB10-1042.**
48

49 On motion of Representative Weissmann, the following bill(s) calendared
50 for Second Reading, February 12, will be laid over until
51 February 17, 2010: **HB10-1235.**
52

53 On motion of Representative Weissmann, the following bill(s) calendared
54 for Second Reading, February 12, will be laid over until February 19,
55 2010: **HB10-1061, 1165.**
56

LAY OVER OF CALENDAR ITEM(S)

1
2
3 On motion of Representative Weissmann, the following item(s) on the
4 Calendar (was)were laid over until February 12, retaining place on
5 Calendar:
6
7 Consideration of Third Reading--**HB10-1043, 1011, 1002, 1030, 1058,**
8 **1197.**
9 Consideration of General Orders--**HB10-1188, 1008, 1024, 1115, 1009,**
10 **1007, 1212, 1025, 1041, 1138.**
11 Consideration of Resolution(s)--**SJR10-011.**
12
13
14 On motion of Representative Weissmann, the House adjourned until
15 9:00 a.m., February 12, 2010.
16
17
18
19
20 Attest:
21 MARILYN EDDINS,
22 Chief Clerk

Approved:
TERRANCE D. CARROLL,
Speaker

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

Thirty-first Legislative Day

Friday, February 12, 2010

1 Prayer by Father Eustace Sequeira, SJ., St. Ignatius Loyola Catholic
 2 Church, Denver.

3
 4 The Speaker called the House to order at 9:00 a.m.

5
 6 Pledge of Allegiance led by Aiden Greco, Maple Grove Elementary,
 7 Lakewood.

8
 9 The roll was called with the following result:

10
 11 Present--63.
 12 Excused--Representative(s) Acree, McKinley--2.
 13 Present after roll call--Representative(s) Acree.

14
 15 The Speaker declared a quorum present.

16
 17
 18 On motion of Representative Bradford, the reading of the journal of
 19 February 11, 2010, was declared dispensed with and approved as
 20 corrected by the Chief Clerk.

21
 22
 23
 24 **THIRD READING OF BILL(S)--FINAL PASSAGE**

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

29
 30 **HB10-1043** by Representative(s) Apuan; also Senator(s) Sandoval--
 31 Concerning outdated references to the federal aid to
 32 families with dependent children.

33
 34 The question being "Shall the bill pass?".
 35 A roll call vote was taken. As shown by the following recorded vote, a
 36 majority of those elected to the House voted in the affirmative and the
 37 bill was declared **passed**.

38
 39

	YES	64	NO	0	EXCUSED	1	ABSENT	0
40	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
41	Apuan	Y	Hullingerhorst	Y	McKinley	E	Scanlan	Y
42	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
43	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y

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

14 Co-sponsor(s) added: Representative(s) Gerou, Merrifield, Riesberg, Schafer S.,
 15 Todd, Tyler, Vigil.

16
 17 **HB10-1011** by Representative(s) Kerr J., McNulty, Miklosi,
 18 Primavera; also Senator(s) Schultheis, Carroll M.,
 19 Mitchell, Tochtrop--Concerning authorization for the
 20 department of revenue to obtain fingerprint-based criminal
 21 history record checks for employment purposes.

22
 23 The question being "Shall the bill pass?".

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

28	YES	64	NO	0	EXCUSED	1	ABSENT	0
29	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
30	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
31	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
32	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
33	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
34	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
35	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
36	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
37	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
38	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
39	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
40	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
41	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
42	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
43	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
44	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Apuan, Gerou, Labuda, Lambert,
 47 Nikkel, Schafer S., Stephens, Summers, Todd, Tyler, Waller.

48
 49
 50 **HB10-1002** by Representative(s) Kefalas, Gagliardi, Kagan; also
 51 Senator(s) Sandoval, Boyd, Hudak--Concerning an
 52 increase in the threshold necessary to trigger a temporary
 53 income tax rate reduction as a method to refund excess
 54 state revenues by an amount equal to the threshold
 55 necessary to trigger the earned income tax credit refund.
 56

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

	YES	37	NO	27	EXCUSED	1	ABSENT	0
7	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
9	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
12	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
14	Court	Y	King S.	N	Nikkel	N	Summers	N
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
16	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	N	Priola	N	Vaad	N
20	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
21	Gardner B.	N	May	N	Riesberg	Y	Waller	N
22	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Casso, Court,
 25 Ferrandino, Fischer, Frangas, Hullinghorst, Kerr A., Labuda, Levy, McFadyen,
 26 Merrifield, Middleton, Miklosi, Pace, Peniston, Pommer, Rice, Riesberg,
 27 Ryden, Schafer S., Solano, Todd, Tyler, Vigil, Speaker.

30
 31 **HB10-1030** by Representative(s) Peniston, Benefield, Solano; also
 32 Senator(s) Steadman, Hodge, Hudak, Williams--
 33 Concerning the creation of the early childhood educator
 34 development scholarship program.

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

	YES	47	NO	17	EXCUSED	1	ABSENT	0
42	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
43	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
44	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
45	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
46	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
47	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
48	Casso	Y	Kerr J.	N	Murray	N	Stephens	Y
49	Court	Y	King S.	N	Nikkel	N	Summers	Y
50	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
51	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
52	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
53	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
54	Frangas	Y	Looper	Y	Priola	N	Vaad	N
55	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
56	Gardner B.	N	May	N	Riesberg	Y	Waller	N

1 | Gardner C. N McCann Y Roberts Y Weissmann Y |
 2 | | | | | | | Speaker Y |

3 | Co-sponsor(s) added: Representative(s) Apuan, Court, Ferrandino, Fischer,
 4 | Hullinghorst, Labuda, Merrifield, Middleton, Pace, Pommer, Primavera, Rice,
 5 | Ryden, Scanlan, Schafer S., Summers, Todd, Vigil, Speaker.

6 |
 7 | **HB10-1058** by Representative(s) Riesberg; also Senator(s) Hodge--
 8 | Concerning the authority of the department of revenue to
 9 | impose a civil penalty for unstamped cigarettes, and
 10 | making an appropriation therefor.

11 |
 12 | The question being "Shall the bill pass?".
 13 | A roll call vote was taken. As shown by the following recorded vote, a
 14 | majority of those elected to the House voted in the affirmative and the bill
 15 | was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
18	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
19	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
20	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
21	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
22	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
23	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
24	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
25	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
26	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
27	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
28	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
29	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
30	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
31	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
32	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
33	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
34							Speaker	Y

35 | Co-sponsor(s) added: Representative(s) Court, Labuda, Todd, Vigil.

36 |
 37 | **HB10-1197** by Representative(s) Ferrandino; also Senator(s) Heath--
 38 | Concerning a decrease in the maximum amount of a state
 39 | income tax credit that may be claimed for the donation of
 40 | a conservation easement in gross.

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

	YES	37	NO	27	EXCUSED	1	ABSENT	0
48	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
50	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
51	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
53	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
54	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
55	Court	Y	King S.	N	Nikkel	N	Summers	N
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	N

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

9 Co-sponsor(s) added: Representative(s) Judd, Labuda, Pommer.

10

11 **HB10-1001** by Representative(s) Tyler; also Senator(s) Schwartz and
 12 Whitehead--Concerning incentives for the installation of
 13 new distributed renewable energy generation facilities in
 14 Colorado, and, in connection therewith, increasing the
 15 target percentages under the electric utility portfolio
 16 standard to encourage Colorado utilities to generate five
 17 percent of their retail electricity sales from distributed
 18 renewable sources by the year 2020, and adopting
 19 standards for the installation of distributed solar electric
 20 generation equipment, and making an appropriation
 21 therefor.

22

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

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

27

28	YES	37	NO	27	EXCUSED	1	ABSENT	0
29	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
30	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
31	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
32	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
33	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
34	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
35	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
36	Court	Y	King S.	N	Nikkel	N	Summers	N
37	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
38	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
39	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
40	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
41	Frangas	Y	Looper	N	Priola	N	Vaad	N
42	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
43	Gardner B.	N	May	N	Riesberg	Y	Waller	N
44	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Apuan, Court, Ferrandino, Fischer,
 47 Frangas, Gagliardi, Hullinghorst, Kagan, Kefalas, Labuda, Levy, McCann,
 48 Merrifield, Middleton, Miklosi, Pace, Pommer, Rice, Ryden, Scanlan,
 49 Schafer S., Soper, Todd, Vigil, Speaker.

50

51

52

53

54

55

REPORT(S) OF COMMITTEE(S) OF REFERENCE**APPROPRIATIONS**

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

SB10-001 be referred to the Committee of the Whole with favorable recommendation.

BUSINESS AFFAIRS & LABOR

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

HB10-1075 be postponed indefinitely.

EDUCATION

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

HB10-1015 be postponed indefinitely.

HB10-1066 be postponed indefinitely.

HB10-1136 be postponed indefinitely.

HB10-1208 be referred to the Committee of the Whole with favorable recommendation.

HEALTH & HUMAN SERVICES

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

HB10-1022 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, line 7, strike "~~food stamp~~ SUPPLEMENTAL NUTRITION ASSISTANCE" and substitute "food stamp".

Page 2, line 9, strike "~~Stamp~~ AND NUTRITION Act OF 2008"," and substitute "Stamp Act",".

Page 3, strike line 5 and substitute:

1 "(3) The food stamp".

2
3 Page 3, strike lines 14 through 17.

4
5 Renumber succeeding subsections accordingly.

6
7 Page 4, line 18, after the period add "THE GENERAL ASSEMBLY STRONGLY
8 ENCOURAGES THE STATE DEPARTMENT TO USE ANY ADDITIONAL PUBLIC
9 OR PRIVATE MONEYS, INCLUDING MONEYS FROM THE FEDERAL 2010
10 DEPARTMENT OF DEFENSE APPROPRIATIONS BILL TO OFFSET COSTS
11 ASSOCIATED WITH INCREASED CASELOAD RESULTING FROM THE
12 IMPLEMENTATION OF AN OUTREACH PLAN."

13
14 Page 4, line 20, strike "(5)," and substitute "(4),".

15
16 Page 4, line 21, strike "DEVELOPING, IMPLEMENTING," and substitute
17 "IMPLEMENTING".

18
19 Page 4, strike lines 24 and 25 and substitute "WITH THE IMPLEMENTATION
20 AND ADMINISTRATION OF THE OUTREACH PLAN AND IF THE STATE
21 DEPARTMENT DOES NOT RECEIVE ANY MONEYS PURSUANT TO THE
22 FEDERAL 2010 DEPARTMENT OF DEFENSE APPROPRIATIONS BILL THAT MAY
23 BE USED TO OFFSET COSTS ASSOCIATED WITH INCREASED CASELOAD
24 RESULTING FROM THE IMPLEMENTATION OF THE OUTREACH PLAN."

25
26 Page 5, line 5, strike "**eligibility.**" and substitute "**eligibility - repeal.**".

27
28 Page 5, line 10, strike "JULY 1, 2010," and substitute "OCTOBER 1, 2010,".

29
30 Page 5, strike lines 16 through 21 and substitute "EXTENT AUTHORIZED
31 PURSUANT TO FEDERAL LAW, ELIMINATE THE ASSET TEST FOR ELIGIBILITY
32 FOR FEDERAL FOOD ASSISTANCE BENEFITS."

33
34 Page 5, after line 21 insert:

35
36 "(3) NOTWITHSTANDING ANY PROVISIONS OF SUBSECTION (2) OF
37 THIS SECTION TO THE CONTRARY, THE PROVISIONS OF THIS SECTION SHALL
38 TAKE EFFECT ONLY IF THE STATE DEPARTMENT RECEIVES MONEYS
39 PURSUANT TO THE FEDERAL 2010 DEPARTMENT OF DEFENSE
40 APPROPRIATIONS BILL THAT MAY BE USED TO IMPLEMENT THIS SECTION."

41
42
43
44 **HB10-1029** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:

47
48 Amend printed bill, page 2, strike lines 5 through 16 and substitute:

49
50 **"25.5-1-126. Discounted prices for durable medical equipment**
51 **and supplies.** (1) THE STATE DEPARTMENT SHALL WORK WITH ONE OR
52 MORE NONPROFIT ORGANIZATIONS TO DEVELOP A LIST OF APPROVED
53 VENDORS WHO ARE WILLING TO SELL DURABLE MEDICAL EQUIPMENT AND
54 MEDICAL SUPPLIES AT DISCOUNTED PRICES TO PERSONS WHO HAVE
55 APPLIED FOR, BUT ARE NOT YET RECEIVING, BENEFITS UNDER THE
56 "COLORADO MEDICAL ASSISTANCE ACT". THE STATE DEPARTMENT

1 SHALL DEVELOP THE EXCLUSIVE CRITERIA FOR A NONPROFIT
2 ORGANIZATION TO USE TO APPROVE A VENDOR FOR PLACEMENT ON THE
3 APPROVED VENDOR LIST. BY SUBMITTING A LIST TO THE STATE
4 DEPARTMENT, A NONPROFIT ORGANIZATION SHALL CERTIFY THAT IT HAS
5 NOT ADDED ADDITIONAL CRITERIA FOR INCLUSION ON THE LIST AND HAS
6 NOT DISCRIMINATED AGAINST ANY VENDOR.

7
8 (2) THE STATE DEPARTMENT SHALL MAINTAIN THE LIST OF
9 APPROVED VENDORS DEVELOPED PURSUANT TO THIS SECTION AND SHALL:

10
11 (a) MAKE THE LIST AVAILABLE ON THE STATE DEPARTMENT'S WEB
12 SITE; AND

13
14 (b) PROVIDE COPIES OF THE LIST TO COUNTY DEPARTMENTS AND
15 TO SITES AUTHORIZED TO ACCEPT MEDICAL ASSISTANCE APPLICATIONS
16 PURSUANT TO SECTION 25.5-4-205 (1).".

17
18
19
20 **HB10-1031** be postponed indefinitely.

21
22
23 **HB10-1050** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:

26
27 Amend printed bill, strike everything below the enacting clause and
28 substitute:

29
30 "SECTION 1. Part 12 of article 1 of title 25, Colorado Revised
31 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
32 read:

33
34 **25-1-1204. On-line exchange of advanced directives forms**
35 **permitted.** A PUBLIC OR PRIVATE ENTITY, INCLUDING BUT NOT LIMITED
36 TO A NONPROFIT ORGANIZATION, THAT FACILITATES THE EXCHANGE OF
37 HEALTH INFORMATION AMONG CONSUMERS, EMPLOYERS, DOCTORS,
38 HOSPITALS, NURSING HOMES, PHARMACIES, HOME HEALTH AGENCIES,
39 HEALTH PLANS, AND LOCAL HEALTH INFORMATION AGENCIES THROUGH
40 THE USE OF HEALTH INFORMATION TECHNOLOGY MAY FACILITATE THE
41 VOLUNTARY, SECURE, AND CONFIDENTIAL EXCHANGE OF FORMS
42 CONTAINING ADVANCED DIRECTIVES REGARDING A PERSON'S ACCEPTANCE
43 OR REJECTION OF LIFE-SUSTAINING MEDICAL OR SURGICAL TREATMENT.

44
45 **SECTION 2.** 25-1.5-101 (1), Colorado Revised Statutes, is
46 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

47
48 **25-1.5-101. Powers and duties of department.** (1) The
49 department has, in addition to all other powers and duties imposed upon
50 it by law, the powers and duties provided in this section as follows:

51
52 (bb) TO INCLUDE ON ITS PUBLIC WEB SITE HOME PAGE A LINK TO
53 FORMS CONTAINING ADVANCED DIRECTIVES REGARDING A PERSON'S
54 ACCEPTANCE OR REJECTION OF LIFE-SUSTAINING MEDICAL OR SURGICAL
55 TREATMENT, WHICH FORMS ARE AVAILABLE TO BE DOWNLOADED
56 ELECTRONICALLY.

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

11
12
13

14 **HB10-1160** be amended as follows, and as so amended, be referred to
15 the Committee of the Whole with favorable
16 recommendation:
17

18 Amend printed bill, page 2, line 2, strike "and (3) (d)," and substitute "(3)
19 (d), and (5) (b),".
20

21 Page 2, line 3, strike "amended" and substitute "amended, and the said
22 10-16-136 is further amended BY THE ADDITION OF A NEW
23 SUBSECTION,".
24

25 Page 2, line 7, after "(b)" insert "(I)".
26

27 Page 2, line 9, strike "The".
28

29 Page 2, after line 9, insert:
30

31 "(II) LICENSED HEALTH CARE PROVIDERS, COMMUNITY-BASED
32 WELLNESS PROGRAMS, EMPLOYERS, AND INDIVIDUALS PARTICIPATING IN
33 AN INDIVIDUAL HEALTH COVERAGE PLAN MAY DEVELOP WELLNESS AND
34 PREVENTION PROGRAMS FOR CARRIERS TO CONSIDER IN DETERMINING THE
35 TYPES OF WELLNESS AND PREVENTION PROGRAMS TO OFFER UNDER A
36 HEALTH COVERAGE PLAN OR SMALL GROUP PLAN.
37

38 (III) The".
39

40 Page 2, line 10, after "rewards" insert "THAT A CARRIER MAY ALLOW
41 UNDER A HEALTH COVERAGE PLAN OR SMALL GROUP PLAN".
42

43 Page 2, strike line 13 and substitute:
44

45 "(IV) An incentive or reward offered by a carrier for participation
46 in UNDER wellness".
47

48 Page 2, strike lines 15 and 16 and substitute:
49

50 "MAY BE:
51

52 (A) Tied ONLY to participation in the program; rather than
53 particular outcomes or results from such participation OR
54

55 (B) BASED ON SATISFACTION".
56

1 Page 2, line 17, after "HEALTH" insert "RISK".

2
3 Page 3, line 5, after "HEALTH" insert "RISK".

4
5 Page 3, line 11, after "HEALTH" insert "RISK".

6
7 Page 3, line 16, after "HEALTH" insert "RISK".

8
9 Page 3, after line 20 insert:

10
11 "(3.5) AN INCENTIVE OR REWARD BASED UPON SATISFACTION OF
12 A STANDARD RELATED TO A HEALTH RISK FACTOR MAY BE OFFERED OR
13 PROVIDED BY A CARRIER ONLY PURSUANT TO A BONA FIDE WELLNESS AND
14 PREVENTION PROGRAM AND IF THE FOLLOWING STANDARDS ARE MET:

15
16 (a) (I) THE INCENTIVE FOR THE WELLNESS AND PREVENTION
17 PROGRAM, TOGETHER WITH THE INCENTIVE FOR OTHER WELLNESS AND
18 PREVENTION PROGRAMS WITH RESPECT TO THE HEALTH COVERAGE PLAN
19 OR SMALL GROUP PLAN THAT REQUIRES SATISFACTION OF A STANDARD
20 RELATED TO A HEALTH RISK FACTOR, IS REASONABLY RELATED TO THE
21 PROGRAM AND DOES NOT EXCEED TWENTY PERCENT OF THE COST OF
22 EMPLOYEE-ONLY COVERAGE UNDER THE HEALTH COVERAGE OR SMALL
23 GROUP PLAN OR, IF AN EMPLOYEE'S DEPENDENTS ARE ALLOWED TO
24 PARTICIPATE IN THE PROGRAM, DOES NOT EXCEED TWENTY PERCENT OF
25 THE COST OF THE COVERAGE IN WHICH AN EMPLOYEE AND DEPENDENTS
26 ARE ENROLLED. AN EMPLOYER MAY ALSO RECEIVE AN INCENTIVE FOR
27 PARTICIPATION OF EMPLOYEES IN A WELLNESS AND PREVENTION PROGRAM
28 AS LONG AS THE EMPLOYEES ARE ALLOWED AN INCENTIVE.

29
30 (II) FOR PURPOSES OF THIS PARAGRAPH (a), THE COST OF
31 COVERAGE IS DETERMINED BASED ON THE TOTAL AMOUNT OF EMPLOYER
32 AND EMPLOYEE CONTRIBUTIONS FOR THE BENEFIT PACKAGE UNDER WHICH
33 THE EMPLOYEE IS, OR THE EMPLOYEE AND ANY DEPENDENTS ARE,
34 RECEIVING COVERAGE.

35
36 (III) AN INCENTIVE MAY BE IN THE FORM OF A DISCOUNT OR
37 REBATE OF A PREMIUM OR CONTRIBUTION, A WAIVER OF ALL OR PART OF
38 A COST-SHARING MECHANISM, INCLUDING, BUT NOT LIMITED TO,
39 DEDUCTIBLES, COPAYMENTS, OR COINSURANCE, THE ABSENCE OF A
40 SURCHARGE, OR THE VALUE OF A BENEFIT THAT WOULD OTHERWISE NOT
41 BE PROVIDED UNDER THE HEALTH COVERAGE OR SMALL GROUP PLAN.

42
43 (b) THE WELLNESS AND PREVENTION PROGRAM:

44
45 (I) IS CONSISTENT WITH EVIDENCE-BASED RESEARCH AND BEST
46 PRACTICES;

47
48 (II) HAS A REASONABLE LIKELIHOOD OF IMPROVING THE HEALTH
49 OF, OR PREVENTING DISEASE IN, PARTICIPATING INDIVIDUALS; AND

50
51 (III) IS NOT OVERLY BURDENSOME, A SUBTERFUGE FOR
52 DISCRIMINATING BASED ON A HEALTH FACTOR, OR HIGHLY SUSPECT IN THE
53 METHOD CHOSEN TO PROMOTE HEALTH OR PREVENT DISEASE.

54
55 (c) THE PROGRAM GIVES INDIVIDUALS ELIGIBLE FOR THE WELLNESS
56 AND PREVENTION PROGRAM THE OPPORTUNITY TO QUALIFY FOR THE

1 INCENTIVE UNDER THE PROGRAM UPON ENROLLMENT IN THE HEALTH
2 COVERAGE OR SMALL GROUP PLAN AND AT LEAST ONCE PER YEAR AFTER
3 ENROLLMENT.

4
5 (d) (I) THE FULL INCENTIVE UNDER THE WELLNESS AND
6 PREVENTION PROGRAM IS MADE AVAILABLE TO ALL SIMILARLY SITUATED
7 INDIVIDUALS. AN INCENTIVE IS NOT AVAILABLE TO ALL SIMILARLY
8 SITUATED INDIVIDUALS FOR A PERIOD UNLESS THE WELLNESS AND
9 PREVENTION PROGRAM ALLOWS AN INDIVIDUAL OR A LICENSED HEALTH
10 CARE PROVIDER CHOSEN BY THE INDIVIDUAL TO REQUEST:

11
12 (A) A REASONABLE ALTERNATIVE STANDARD OR WAIVER OF THE
13 OTHERWISE APPLICABLE STANDARD FOR OBTAINING THE INCENTIVE FOR
14 THAT PERIOD IF IT IS UNREASONABLY DIFFICULT FOR THE INDIVIDUAL, DUE
15 TO A MEDICAL CONDITION, TO SATISFY THE OTHERWISE APPLICABLE
16 STANDARD; AND

17
18 (B) A REASONABLE ALTERNATIVE STANDARD OR WAIVER OF THE
19 OTHERWISE APPLICABLE STANDARD FOR OBTAINING THE INCENTIVE FOR
20 THAT PERIOD IF IT IS MEDICALLY INADVISABLE FOR THE INDIVIDUAL TO
21 ATTEMPT TO SATISFY THE OTHERWISE APPLICABLE STANDARD.

22
23 (II) IF AN INDIVIDUAL REQUESTS AND IS ALLOWED A REASONABLE
24 ALTERNATIVE STANDARD AND SATISFIES THAT STANDARD, THE
25 INDIVIDUAL SHALL RECEIVE THE FULL INCENTIVE UNDER THE PROGRAM
26 THAT IS AVAILABLE TO ALL SIMILARLY SITUATED INDIVIDUALS.

27
28 (III) THE DIVISION SHALL INVESTIGATE ANY COMPLAINT ALLEGING
29 AN UNREASONABLE DENIAL OF A REQUEST FOR AN ALTERNATIVE
30 STANDARD OR WAIVER OF A STANDARD THAT WOULD OTHERWISE BE
31 APPLICABLE TO AN INDIVIDUAL UNDER A WELLNESS AND PREVENTION
32 PROGRAM.

33
34 (IV) THE SMALL EMPLOYER CARRIER SHALL DISCLOSE, IN ALL PLAN
35 MATERIALS DESCRIBING THE TERMS OF THE WELLNESS AND PREVENTION
36 PROGRAM, THE AVAILABILITY OF A REASONABLE ALTERNATIVE STANDARD
37 OR THE POSSIBILITY OF WAIVER OF THE OTHERWISE APPLICABLE STANDARD
38 AS REQUIRED BY THIS PARAGRAPH (d). IF HEALTH COVERAGE OR SMALL
39 GROUP PLAN MATERIALS MENTION THE AVAILABILITY OF A WELLNESS AND
40 PREVENTION PROGRAM BUT DO NOT DESCRIBE THE TERMS OF THE
41 PROGRAM, THE SMALL EMPLOYER CARRIER IS NOT REQUIRED TO MAKE THE
42 DISCLOSURE OF AN ALTERNATIVE OR WAIVER PURSUANT TO THIS
43 SUBPARAGRAPH (IV).

44
45 (e) THE INCENTIVES ARE PROVIDED TO AN INDIVIDUAL BASED ON
46 A PROGRAM OR ACTIVITY THAT IS SCIENTIFICALLY PROVEN TO IMPROVE
47 HEALTH, AND THE CARRIER DOES NOT PROVIDE INCENTIVES BASED ON AN
48 INDIVIDUAL'S ACTUAL HEALTH STATUS.

49
50 (5) (b) The division shall determine the percentage of carriers
51 issuing individual health coverage plans or small group plans in the state
52 that offer wellness and prevention programs and shall provide that
53 information and the information collected pursuant to paragraph (a) of
54 this subsection (5) to the health care task force created in section
55 10-16-221 BY JULY 1, 2015.

56

1 **SECTION 2.** 10-16-107 (6), Colorado Revised Statutes, is
2 amended to read:

3
4 **10-16-107. Rate regulation - rules - approval of policy forms**
5 **- benefit certificates - evidences of coverage - benefits ratio -**
6 **disclosures on treatment of intractable pain.** (6) (a) A carrier offering
7 a group health benefit plan may not require any individual, as a condition
8 of enrollment or continued enrollment under the plan, to pay a premium
9 or contribution that is greater than ~~such~~ THE premium or contribution for
10 a similarly situated individual enrolled in the plan on the basis of any
11 health status-related factor in relation to the individual or to an individual
12 enrolled under the plan as a dependent of the individual.

13
14 (b) ~~This~~ THE prohibition IN PARAGRAPH (a) OF THIS SUBSECTION
15 (6) shall not be construed to:

16
17 (I) Restrict the amount that an employer may be charged for
18 coverage under a group health benefit plan; or ~~to~~

19
20 (II) Prevent a carrier from establishing premium discounts or
21 rebates or modifying otherwise applicable copayments, coinsurance, or
22 deductibles in return for:

23
24 (A) Adherence to programs of health promotion and disease
25 prevention if otherwise allowed by state or federal law; ~~or for~~

26
27 (B) Participation in a wellness and prevention program pursuant
28 to section 10-16-136; OR

29
30 (C) SATISFACTION OF A STANDARD RELATED TO A HEALTH RISK
31 FACTOR PURSUANT TO A WELLNESS AND PREVENTION PROGRAM
32 AUTHORIZED IN SECTION 10-16-136."

33
34 Renumber succeeding sections accordingly.

35
36 Page 4, line 4, after "plans" insert "and small group plans".

37
38 Page 1, line 103, after "**HEALTH**" insert "**RISK**".

39
40
41
42
43 **JUDICIARY**

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

46
47 **HB10-1012** be amended as follows, and as so amended, be referred to
48 the Committee on Appropriations with favorable
49 recommendation:

50
51 Amend printed bill, page 3, line 7, strike everything after the period.

52
53 Page 3, strike lines 8 through 13.

54
55 Page 3, line 14, strike "CONDUCTED.".

56

1 Page 3, line 26, strike "SURVEILLANCE." and substitute "SURVEILLANCE,
2 AN INJUNCTION, OR BOTH A FINE AND AN INJUNCTION.".

3
4 Page 4, strike lines 3 through 27.

5
6 Page 5, strike lines 1 through 6.

7
8 Renumber succeeding section accordingly.

9
10

11

12 **HB10-1057** be amended as follows, and as so amended, be referred to
13 the Committee of the Whole with favorable
14 recommendation:

15

16 Amend printed bill, page 2, strike line 2 and substitute:

17

18 "SECTION 1. 30-1-104 (1) (b.5), (1) (d.5),".

19

20 Page 2, line 3, strike "(f),".

21

22 Page 2, strike lines 6 through 21.

23

24 Page 3, strike lines 1 through 3 and substitute:

25

26 "(b.5) For making a return on a summons in other than a criminal
27 action not served, for each party, in counties of every class, actual
28 expenses, but not more than ~~sixteen~~ TWENTY dollars;

29

30 (d.5) For making A return on a subpoena in other than a criminal
31 action not served, in counties of every class, actual expenses, but not
32 more than ~~sixteen~~ TWENTY dollars;".

33

34 Page 4, after line 25 insert:

35

36 "SECTION 4. 30-1-106, Colorado Revised Statutes, is amended
37 to read:

38

39 **30-1-106. Service must be made upon offer or tender of fees.**

40 (1) No sheriff shall refuse to serve any writ, summons, or notice
41 requested by any person entitled to such service, when offered or tendered
42 the fees allowed by law for such service; nor shall he OR SHE charge,
43 demand, or receive any greater sum or compensation or allowance.

44

45 (2) A SHERIFF SHALL HAVE THE AUTHORITY TO ESTABLISH BILLING
46 ACCOUNTS FOR LICENSED ATTORNEYS AND LICENSED COLLECTION
47 AGENCIES THAT HAVE A PRINCIPAL OFFICE LOCATED IN THE STATE.

48

49 (3) A SHERIFF SHALL HAVE THE AUTHORITY TO DEVELOP AND
50 PUBLISH STANDARDIZED PROCEDURES FOR BILLING THE ACCOUNTS
51 AUTHORIZED BY SUBSECTION (2) OF THIS SECTION. SUCH PROCEDURES
52 MAY INCLUDE THE ABILITY TO SUSPEND THE BILLING PRIVILEGES OF ANY
53 ENTITY FOR NONPAYMENT OF A FEE UPON DEMAND OR OTHER GOOD CAUSE
54 SHOWN.".

55

56 Renumber succeeding sections accordingly.

1 Page 5, after line 9 insert:

2
3 "SECTION 6. 30-1-116 (1), Colorado Revised Statutes, is
4 amended to read:

5
6 **30-1-116. Officers shall collect fees in advance.** (1) EXCEPT AS
7 PROVIDED IN SECTION 30-1-106, every officer shall collect every fee, as
8 prescribed, for services performed by him OR HER in advance, if the same
9 can be ascertained, and when any officer negligently or willfully fails to
10 collect any such fee, the same shall be charged against his OR HER
11 salary."

12
13 Renumber succeeding section accordingly.

14
15
16
17 **HB10-1135** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:

20
21 Amend printed bill, page 2, line 9, strike "OR" and substitute "OF
22 VIOLENCE OR A".

23
24 Page 2, line 12, after "OR" insert "AGAINST".

25
26
27
28
29 **LOCAL GOVERNMENT**

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

32
33 **HB10-1129** be postponed indefinitely.

34
35
36 **SB10-046** be referred to the Committee of the Whole with favorable
37 recommendation.

38
39
40 On motion of Representative Weissmann, **HB10-1097, 1188, SB10-001,**
41 **HB10-1008, 1024, 1115** were made Special Orders on Friday,
42 February 12, 2009, at 10:20 a.m.

43
44
45 The hour of 10:20 a.m., having arrived, on motion of Representative
46 Merrifield, the House resolved itself into Committee of the Whole for
47 consideration of Special Orders and he was called to the Chair to act as
48 Chairman.

49
50 **SPECIAL ORDERS--SECOND READING OF BILLS**

51
52 The Committee of the Whole having risen, the Chairman reported the
53 titles of the following bills had been read (reading at length had been
54 dispensed with by unanimous consent), the bills considered and action
55 taken thereon as follows:

56

1 (Amendments to the committee amendment are to the printed committee
2 report which was printed and placed in the members' bill file.)
3

4 **HB10-1097** by Representative(s) Benefield, Court, Ryden, Pace; also
5 Senator(s) Morse, Hudak, Newell--Concerning temporary
6 injunctions in proceedings involving minor children.
7

8 Amendment No. 1, Judiciary Report, dated February 4, 2010, and placed
9 in member's bill file; Report also printed in House Journal, February 5,
10 pages 212-213.
11

12 As amended, ordered engrossed and placed on the Calendar for Third
13 Reading and Final Passage.
14

15
16 **HB10-1188** by Representative(s) Curry, Fischer, Labuda, Massey,
17 Scanlan; also Senator(s) Hodge, Gibbs, Heath, Tochtrop--
18 Concerning clarification of the scope of the existing right
19 of navigation of guides employed by river outfitters.
20

21 Amendment No. 1, Judiciary Report, dated February 8, 2010, and placed
22 in member's bill file; Report also printed in House Journal, February 9,
23 page 277.
24

25 Amendment No. 2, by Representative(s) Levy.
26

27 Amend printed bill, page 3, line 2, strike everything after "OF" and
28 substitute "NAVIGATION;"
29

30 Page 3, strike lines 3 and 4.
31

32 Amendment No. 3, by Representative(s) Waller.
33

34 Amend printed bill, page 5, after line 17 insert:
35

36 "SECTION 3. 33-32-106 (1), Colorado Revised Statutes, is
37 amended to read:
38

39 **33-32-106. Equipment required - employees required to meet**
40 **minimum qualifications.** (1) All licensed river outfitters shall provide
41 the river-outfitting equipment required by ~~regulations~~ RULES promulgated
42 by the board. ~~and said~~ THE equipment shall be in a serviceable condition
43 for its operation as required by the ~~regulations promulgated by the board~~
44 BOARD'S RULES. EVERY VESSEL SHALL BE CLEARLY MARKED WITH THE
45 RIVER OUTFITTER'S NAME AND LICENSE NUMBER."
46

47 Renumber succeeding sections accordingly.
48

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

52
53 **SB10-001** by Senator(s) Shaffer B. and Penry, Bacon, Boyd, Brophy,
54 Carroll M., Foster, Gibbs, Heath, Hodge, Hudak, Johnston,
55 Keller, Kester, Morse, Newell, Romer, Sandoval,
56 Schwartz, Steadman, Tapia, Tochtrop, Whitehead,

Williams; also Representative(s) Kerr A.--Concerning modifications to the public employees' retirement association necessary to reach a one hundred percent funded ratio within the next thirty years.

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

On motion of Representative Weissmann, the remainder of the Special Orders Calendar (**HB10-1008, 1024, 1115**) was laid over until February 17, retaining place on Calendar.

AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT

Representatives Lambert and Kerr J. moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting the following Lambert and Kerr J. amendment, to SB10-001, to show that said amendment passed, and that **SB10-001**, as amended, passed.

Amend reengrossed bill, page 10, line 25, strike "A NEW SECTION" and substitute "THE FOLLOWING NEW SECTIONS".

Page 11, after line 7 insert:

"24-51-221. Financial disclosures. THE ASSOCIATION SHALL INCLUDE IN ITS ANNUAL FINANCIAL REPORT THE AMOUNT OF SALARY AND BONUSES RECEIVED BY EACH OFFICER OF THE ASSOCIATION AND SHALL INCLUDE THE AMOUNT OF REIMBURSEMENT REQUESTED BY MEMBERS OF THE BOARD FOR ANY NECESSARY EXPENSES INCURRED IN THE CONDUCT OF THEIR OFFICIAL DUTIES. IN ADDITION, THE ANNUAL FINANCIAL REPORT SHALL INCLUDE A DISCLOSURE OF THE PERSONAL FINANCIAL INTERESTS OF EACH OFFICER OF THE ASSOCIATION AND EACH MEMBER OF THE BOARD."

The amendment was declared **lost** by the following roll call vote:

	YES	30	NO	31	EXCUSED	4	ABSENT	0
Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y	
Apuan	N	Hullinghorst	N	McKinley	E	Scanlan	N	
Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N	
Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N	
Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y	
Bradford	E	Kerr A.	N	Miklosi	N	Soper	N	
Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y	
Court	N	King S.	Y	Nikkel	Y	Summers	E	
Curry	N	Labuda	N	Pace	Y	Swalm	Y	
DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y	
Ferrandino	Y	Levy	N	Pommer	N	Todd	N	
Fischer	N	Liston	Y	Primavera	N	Tyler	N	
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y	
Gagliardi	N	Massey	Y	Rice	N	Vigil	N	
Gardner B.	Y	May	Y	Riesberg	N	Waller	Y	
Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	Y	
						Speaker	N	

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1097 amended, 1188 amended, SB10-001.**

Laid over until date indicated retaining place on Calendar: **HB10-1008, 1024, 1115**--February 17, 2010.

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

YES	61	NO	0	EXCUSED	4	ABSENT	0
Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	E
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR10-012.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

SJR10-012 by Senator(s) Schwartz, Gibbs, Scheffel, White, Whitehead; also Representative(s) Baumgardner, Curry, Tipton--Concerning the honoring of Colorado's Olympic athletes.

(Printed and placed in member's file).

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

3
4 Current Roll Call added as Co-sponsor(s): Representative(s) Apuan, Balmer,
5 Benefield, Casso, Court, DelGrosso, Ferrandino, Fischer, Frangas, Gagliardi,
6 Gardner B., Gardner C., Gerou, Hulinghorst, Judd, Kagan, Kefalas, Kerr A.,
7 Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Massey, May,
8 McCann, McFadyen, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel,
9 Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden,
10 Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Swalm, Todd, Tyler,
11 Vaad, Vigil, Waller, Weissmann, Speaker

15 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

17 **APPROPRIATIONS**

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

21 **HB10-1006** be postponed indefinitely.

24 **HB10-1038** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:

28 Amend printed bill, page 5, after line 26, insert:

30 **"SECTION 2. Appropriations in 2010 long bill to be adjusted.**
31 For the implementation of this act, appropriations made in the annual
32 general appropriation act for the fiscal year beginning July 1, 2010, to the
33 department of employment and training, division of workers'
34 compensation, are decreased by eighteen thousand dollars (\$18,000) cash
35 funds. Said sum shall be from the workers' compensation cash fund
36 created in section 8-44-112 (7) (a), Colorado Revised Statutes."

38 Renumber succeeding section accordingly.

40 Page 1, line 102, strike "CLAIMS." and substitute "CLAIMS, AND MAKING
41 ADJUSTMENTS TO APPROPRIATIONS IN CONNECTION THEREWITH."

45 **HB10-1040** be postponed indefinitely.

48 **HB10-1045** be amended as follows, and as so amended, be referred to
49 the Committee of the Whole with favorable
50 recommendation:

52 Amend printed bill, page 5, after line 4, insert:

54 **"SECTION 6. Appropriation.** In addition to any other
55 appropriation, there is hereby appropriated, out of any moneys in the
56 licensing services cash fund created in section 42-2-114.5, Colorado

1 Revised Statutes, not otherwise appropriated, to the department of
2 revenue, for allocation to the division of motor vehicles, driver and
3 vehicle services, for the fiscal year beginning July 1, 2010, the sum of
4 sixty-three thousand five hundred thirty-eight dollars (\$63,538) cash
5 funds, or so much thereof as may be necessary, for the implementation of
6 this act."

7

8 Renumber succeeding section accordingly.

9

10 Page 1, line 102, strike "AGENCIES." and substitute "AGENCIES, AND
11 MAKING AN APPROPRIATION THEREFOR."

12

13

14

15 **HB10-1089** be referred to the Committee of the Whole with favorable
16 recommendation.

17

18

19 **HB10-1106** be amended as follows, and as so amended, be referred to
20 the Committee of the Whole with favorable
21 recommendation:

22

23 Amend printed bill, page 7, after line 5 insert:

24

25 **"SECTION 5. Appropriation.** In addition to any other
26 appropriation, there is hereby appropriated, to the department of public
27 safety, for allocation to the Colorado bureau of investigation, for the
28 fiscal year beginning July 1, 2010, from the Colorado bureau of
29 investigation identification unit fund created in section 24-33.5-426,
30 Colorado Revised Statutes, the sum of fifty-six thousand three hundred
31 eight dollars (\$56,308) and 0.3 FTE, or so much thereof as may be
32 necessary, for fingerprint processing services related to the
33 implementation of this act. Of this sum, thirty-two thousand one hundred
34 fifty-eight dollars (\$32,158) shall be cash funds from fingerprint and
35 name check processing fees collected by the department, and twenty-four
36 thousand one hundred fifty dollars (\$24,150) shall be cash funds from
37 fingerprint and name check processing fees collected by the department
38 for transmittal to the federal bureau of investigation."

39

40 Renumber succeeding section accordingly.

41

42 Page, 1, line 103, strike "LAW." and substitute "LAW, AND MAKING AN
43 APPROPRIATION THEREFOR."

44

45

46

47 **HB10-1130** be postponed indefinitely.

48

49

50 **SB10-109** be amended as follows, and as so amended, be referred to
51 the Committee of the Whole with favorable
52 recommendation:

53

54 Amend reengrossed bill, page 11, after line 20 insert:

55 **"SECTION 5. Appropriation.** (1) In addition to any other
56 appropriation, there is hereby appropriated, out of any moneys in the

1 medical marijuana program cash fund created in section 25-1.5-106 (8),
2 Colorado Revised Statutes, not otherwise appropriated, to the department
3 of public health and environment, for the fiscal year beginning July 1,
4 2010, the sum of eight hundred fifteen thousand two hundred twenty-four
5 dollars (\$815,224) cash funds and 2.1 FTE, or so much thereof as may be
6 necessary, for the implementation of this act. Of said appropriation,
7 ninety-nine thousand eight hundred seventy-nine dollars (\$99,879) shall
8 be allocated to the administration and support division and seven hundred
9 fifteen thousand three hundred forty-five dollars (\$715,345) and 2.1 FTE
10 shall be allocated to the center for health and environmental information.

11
12 (2) In addition to any other appropriation, there is hereby
13 appropriated to the department of regulatory agencies, for the fiscal year
14 beginning July 1, 2010, the sum of five hundred ninety-three thousand
15 three hundred thirty-three dollars (\$593,333) and 1.2 FTE, for the
16 investigation and prosecution of physicians referred to the board of
17 medical examiners pursuant to section 25-1.5-106 (5), Colorado Revised
18 Statutes, or so much thereof as may be necessary for the implementation
19 of this act. Said appropriation shall be from reappropriated funds
20 received from the department of public health and environment out of the
21 appropriation made in subsection (1) of this section to the center for
22 health and environmental information. Of said appropriation, five
23 hundred twelve thousand five hundred eighty-four dollars (\$512,584)
24 shall be allocated to the executive director's office and eighty thousand
25 seven hundred forty-nine dollars (\$80,749) and 1.2 FTE shall be allocated
26 to the division of registrations.

27
28 (3) In addition to any other appropriation, there is hereby
29 appropriated to the department of law, for the fiscal year beginning July
30 1, 2010, the sum of six hundred twelve thousand four hundred sixty-three
31 dollars (\$612,463) and 5.2 FTE, or so much thereof as may be necessary,
32 for the provision of legal services to the department of public health and
33 environment and the department of regulatory agencies related to the
34 implementation of this act. Of said appropriation, ninety-nine thousand
35 eight hundred seventy-nine dollars (\$99,879) shall be from reappropriated
36 funds received from the department of public health and environment out
37 of the appropriation made in subsection (1) of this section to the
38 administration and support division and five hundred twelve thousand
39 five hundred eighty-four dollars (\$512,584) shall be from reappropriated
40 funds received from the department of regulatory agencies out of the
41 appropriation made in subsection (2) of this section to the executive
42 director's office."

43
44 Renumber succeeding section accordingly.

45
46 Page 1, line 102, strike "PATIENTS." and substitute "PATIENTS, AND
47 MAKING APPROPRIATIONS IN CONNECTION THEREWITH."

48

49

50

51

52 **STATE, VETERANS, & MILITARY AFFAIRS**

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

55

56 **HB10-1102** be postponed indefinitely.

1 **HB10-1153** be postponed indefinitely.
2
3

4 **INTRODUCTION OF BILLS**
5 **First Reading**
6

7 The following bills were read by title and referred to the committees
8 indicated:
9

10 **HB10-1339** by Representative(s) Pommer, Ferrandino, Lambert; also
11 Senator(s) White, Keller, Tapia--Concerning the
12 distribution of limited gaming fund moneys for the 2009-
13 10 state fiscal year.

14 Committee on Appropriations
15

16 **HB10-1340** by Representative(s) Vigil; also Senator(s) Newell--
17 Concerning the notice sent by a law enforcement agency
18 when a vehicle has been towed from public property.

19 Committee on Judiciary
20

21 **HB10-1341** by Representative(s) Judd--Concerning the transfer of
22 moneys from the motorist insurance identification account
23 in the highway users tax fund to the Colorado state titling
24 and registration account in the highway users tax fund.

25 Committee on Transportation & Energy
26

27 **HB10-1342** by Representative(s) Levy, Benefield, Court, Ferrandino,
28 Fischer, Gagliardi, Hulinghorst, Kagan, Merrifield,
29 Peniston, Pommer, Primavera, Solano, Tyler; also
30 Senator(s) Williams, Newell--Concerning measures to
31 encourage additional investment in solar energy generation
32 facilities, and, in connection therewith, authorizing the
33 creation of community solar gardens.

34 Committee on Transportation & Energy
35

36 **HB10-1343** by Representative(s) Carroll T.--Concerning standards for
37 the effective governance of charter schools.

38 Committee on Education
39

40 **HB10-1344** by Representative(s) Carroll T.--Concerning the
41 establishment of quality standards for chartering
42 authorities of charter schools.

43 Committee on Education
44

45 **HB10-1345** by Representative(s) Carroll T.--Concerning the granting
46 of emergency powers during emergency situations at
47 charter schools.

48 Committee on Education
49

50 **HB10-1346** by Representative(s) Kagan, Gardner B., Labuda, Levy,
51 Roberts; also Senator(s) Carroll M., Brophy, Mitchell,
52 Morse, Schwartz--Concerning an increase in the number
53 of days emergency rules adopted by executive branch
54 agencies pursuant to the "State Administrative Procedure
55 Act" may be in effect.

56 Committee on Judiciary

1 **SB10-019** by Senator(s) Schwartz, Brophy, Hodge, White,
2 Whitehead; also Representative(s) Fischer, Baumgardner,
3 Curry, Gardner C., McKinley--Concerning the valuation
4 of new hydroelectric energy facilities for the purpose of
5 property taxation.
6 Committee on Agriculture, Livestock, & Natural Resources
7
8
9

10 NOTICE OF CALENDARED ITEM(S)

11
12 On motion of Representative Weissmann, the following bill(s) will be
13 calendared for Second Reading on February 17, 2010: **HB10-1208, 1057,**
14 **1135, SB10-046, HB10-1029, 1050, 1160, 1038, 1045, 1089, 1106.**
15

16 On motion of Representative Weissmann, the following bill(s) calendared
17 for Second Reading, February 12, will be laid over until
18 February 17, 2010: **HB10-1009, 1007, 1212, 1025, 1041, 1138, 1044,**
19 **1054, 1171, 1183, 1132, 1133, 1233, 1231, 1247, 1118, 1143, SB10-053.**
20

21 On motion of Representative Weissmann, the following bill(s) calendared
22 for Second Reading, February 12, will be laid over until
23 February 19, 2010: **HB10-1122.**
24

25 On motion of Representative Weissmann, the following bill(s) will be
26 calendared for Second Reading on February 26, 2010: **SB10-109.**
27
28
29

30 LAY OVER OF CALENDAR ITEM(S)

31
32 On motion of Representative Weissmann, the following item(s) on the
33 Calendar (was)were laid over until February 15, retaining place on
34 Calendar:
35

36 Consideration of Resolution(s)--**SJR10-011, 004.**
37 Consideration of Senate Amendment(s)--**HB10-1189, 1190, 1191, 1192,**
38 **1193, 1194, 1195, 1199.**
39
40
41

42 On motion of Representative Weissmann, the House adjourned until
43 10:00 a.m., February 15, 2010.
44

45 Approved:
46 TERRANCE D. CARROLL,
47 Speaker

48 Attest:
49 MARILYN EDDINS,
50 Chief Clerk

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

Thirty-fourth Legislative Day

Monday, February 15, 2010

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Rodney McNew, Nick Coleman, Cory
6 Burton, Ryan Fischel, Boy Scout Troop 127, Centennial.

7

8 The roll was called with the following result:

9

10 Present--62.

11 Excused--Representative(s) Acree, Liston, May--3.

12 Present after roll call--Representative(s) Liston.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Court, the reading of the journal of
18 February 12, 2010, was declared dispensed with and approved as
19 corrected by the Chief Clerk.

20

21

22

23 **CONSIDERATION OF RESOLUTION(S)**

24

25 **SJR10-011** by Senator(s) Boyd; also Representative(s) Stephens--
26 Concerning opposition to the recommendations issued by
27 the United States Preventive Services Task Force
28 regarding breast cancer screening.

29

30 (Printed and placed in members' file.)

31

32 On motion of Representative Stephens, the resolution was read at length
33 and **adopted** by the following roll call vote:

34

35	YES	52	NO	10	EXCUSED	3	ABSENT	0
36	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
37	Apuan	Y	Hullingerhorst	N	McKinley	Y	Scanlan	Y
38	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
39	Baumgardner	Y	Kagan	N	Merrifield	Y	Solano	Y
40	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
41	Bradford	Y	Kerr A.	N	Miklosi	Y	Soper	Y
42	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
43	Court	N	King S.	Y	Nikkel	Y	Summers	Y

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

10 Co-sponsor(s) added: Representative(s) Balmer, Baumgardner, Benefield,
 11 Bradford, Casso, DelGrosso, Gagliardi, Gardner B., Gardner C., Gerou,
 12 Kefalas, Kerr J., King S., Labuda, Lambert, Looper, Massey, McNulty,
 13 Middleton, Nikkel, Primavera, Priola, Schafer S., Sonnenberg, Soper, Tipton,
 14 Todd, Waller

15
 16
 17 House in recess. House reconvened.
 18
 19

20 21 CHANGE IN SPONSORSHIP

22
 23 The Speaker announced the following change in sponsorship:
 24 HB10-1335-- Representative Scanlan to be added as dual prime sponsor
 25 with Representative Massey.

26 27 28 29 REPORT(S) OF COMMITTEE(S) OF REFERENCE

30 31 JUDICIARY

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

34
 35 **HB10-1244** be amended as follows, and as so amended, be referred to
 36 the Committee of the Whole with favorable
 37 recommendation:
 38

39 Amend printed bill, page 2, before line 2 insert:

40
 41 "SECTION 1. 12-36-117 (1) (m) (I), Colorado Revised Statutes,
 42 is amended to read:

43
 44 **12-36-117. Unprofessional conduct - repeal.**
 45 (1) "Unprofessional conduct" as used in this article means:

46
 47 (m) (I) Except as otherwise provided in ~~section~~ SECTIONS
 48 12-36-134, 25-3-103.7, and ~~section~~ 25-3-314, C.R.S., practicing medicine
 49 as the partner, agent, or employee of, or in joint venture with, any person
 50 who does not hold a license to practice medicine within this state, or
 51 practicing medicine as an employee of, or in joint venture with, any
 52 partnership or association any of whose partners or associates do not hold
 53 a license to practice medicine within this state, or practicing medicine as
 54 an employee of or in joint venture with any corporation other than a
 55 professional service corporation for the practice of medicine as described
 56 in section 12-36-134. Any licensee holding a license to practice medicine

1 in this state may accept employment from any person, partnership,
2 association, or corporation to examine and treat the employees of such
3 person, partnership, association, or corporation."
4
5 Renumber succeeding sections accordingly.
6
7 age 2, line 24, strike "AN HEIR" and substitute "A SURVIVING SPOUSE OR
8 DESIGNATED BENEFICIARY".
9
10 Page 2, line 25, after "CORPORATION" insert "FOR UP TO THREE YEARS,".
11
12 Page 3, strike line 1 and substitute "REGARDLESS OF WHETHER THE
13 SURVIVING SPOUSE OR DESIGNATED BENEFICIARY IS LICENSED TO
14 PRACTICE MEDICINE. UNLESS THE DECEASED SHAREHOLDER WAS THE
15 ONLY SHAREHOLDER OF THE CORPORATION, THE SURVIVING SPOUSE OR
16 DESIGNATED BENEFICIARY WHO BECOMES A SHAREHOLDER SHALL BE A
17 NONVOTING SHAREHOLDER IN ALL MATTERS CONCERNING THE
18 CORPORATION."
19
20 Page 3, line 2, strike "HEIR" and substitute "SURVIVING SPOUSE OR
21 DESIGNATED BENEFICIARY".
22
23 Page 3, line 8, strike "HEIRS" and "SURVIVING SPOUSES AND DESIGNATED
24 BENEFICIARIES".
25
26 Page 3, line 23, strike "AN HEIR" and substitute "A SURVIVING SPOUSE OR
27 DESIGNATED BENEFICIARY".
28
29 Page 3, line 24, after "LIABLE" insert "ONLY".
30
31 Page 3, line 25, strike "BEEN," and substitute "BEEN IN HIS OR HER
32 CAPACITY AS A SHAREHOLDER,".
33

PRINTING REPORT

34
35
36
37
38 The Chief Clerk reports the following bills have been correctly printed:
39 **HB10-1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346.**
40

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

41
42
43
44
45 The Speaker has signed: SB10-035.
46

MESSAGE(S) FROM THE SENATE

47
48
49
50
51 The Senate has passed on Third Reading and transmitted to the Revisor
52 of Statutes: SB10-097.
53

54 The Senate has passed on Third Reading and transmitted to the Revisor
55 of Statutes:
56

1 SB10-016 amended as printed in Senate Journal, February 12, 2010,
2 pages 224-225.
3 SB10-100 amended as printed in Senate Journal, February 12, 2010,
4 pages 225-226.
5 SB10-099 amended as printed in Senate Journal, February 12, 2010,
6 pages 226-228.
7 SB10-040 amended as printed in Senate Journal, February 12, 2010,
8 page 228.
9 SB10-056 amended as printed in Senate Journal, February 12, 2010,
10 pages 228-229.
11 SB10-027 amended as printed in Senate Journal, February 12, 2010,
12 page 229.
13 SB10-008 amended as printed in Senate Journal, February 12, 2010,
14 pages 229-230.
15 SB10-058 amended as printed in Senate Journal, February 12, 2010,
16 page 230.
17
18
19

20 **MESSAGE(S) FROM THE REVISOR**

21
22 We herewith transmit:
23 Without comment, SB10-097.
24 Without comment, as amended, SB10-016, 100, 099, 040, 056, 027, 008,
25 and 058.
26
27

28
29 **LAY OVER OF CALENDAR ITEM(S)**

30
31 On motion of Representative Merrifield, the following item(s) on the
32 Calendar (was)were laid over until February 16, retaining place on
33 Calendar:
34

35 Consideration of Third Reading--**HB10-1097, 1188, SB10-001.**
36 Consideration of Resolution(s)--**SJR10-004.**
37 Consideration of Senate Amendment(s)---**HB10-1189, 1190, 1191, 1192,**
38 **1193, 1194, 1195, 1199.**
39
40

41
42 On motion of Representative Merrifield, the House adjourned until
43 9:00 a.m., February 16, 2010.
44

45 Approved:
46 TERRANCE D. CARROLL,
47 Speaker

48 Attest:
49 MARILYN EDDINS,
50 Chief Clerk

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

Thirty-fifth Legislative Day

Tuesday, February 16, 2010

1 Prayer by the Reverend Miriam Slejko, Trinity United Methodist Church,
 2 Denver.

3
 4 The Speaker called the House to order at 9:00 a.m.

5
 6 Pledge of Allegiance led by Will Seawell, Connor Seale, Tyler Fuhs, Cole
 7 LaMontagne, Cole Kissane, Cooper Dyce, Wolves Den Pack #55, Cherry
 8 Hills Village Elementary; Fletcher Kim, Aspen Creek Elementary,
 9 Broomfield.

10
 11 The roll was called with the following result:

12
 13 Present--65.

14
 15 The Speaker declared a quorum present.

16
 17
 18 On motion of Representative Court, the reading of the journal of
 19 February 15, 2010, was declared dispensed with and approved as
 20 corrected by the Chief Clerk.

21
 22
 23

24 **THIRD READING OF BILL(S)--FINAL PASSAGE**

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

29
 30 **HB10-1097** by Representative(s) Benefield, Court, Ryden, Pace; also
 31 Senator(s) Morse, Hudak, Newell--Concerning temporary
 32 injunctions in proceedings involving minor children.

33
 34 The question being "Shall the bill pass?".
 35 A roll call vote was taken. As shown by the following recorded vote, a
 36 majority of those elected to the House voted in the affirmative and the bill
 37 was declared **passed**.

38
 39

	YES	64	NO	0	EXCUSED	1	ABSENT	0
40	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
41	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
42	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
43	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y

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

14 Co-sponsor(s) added: Representative(s) Gardner B., Labuda, Miklosi,
15 Schafer S., Solano, Todd, Vigil.

16
17 **HB10-1188** by Representative(s) Curry, Fischer, Labuda, Massey,
18 Scanlan; also Senator(s) Hodge, Gibbs, Heath, Tochtrop--
19 Concerning clarification of the scope of the existing right
20 of navigation of guides employed by river outfitters.

21
22 The question being "Shall the bill pass?".

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

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

45 Co-sponsor(s) added: Representative(s) Court, Frangas, Kefalas, Kerr A.,
46 McCann, Merrifield, Miklosi, Nikkel, Pommer, Schafer S., Tyler.

47
48 **SB10-001** by Senator(s) Shaffer B. and Penry, Bacon, Boyd, Brophy,
49 Carroll M., Foster, Gibbs, Heath, Hodge, Hudak, Johnston,
50 Keller, Kester, Morse, Newell, Romer, Sandoval,
51 Schwartz, Steadman, Tapia, Tochtrop, Whitehead,
52 Williams; also Representative(s) Kerr A.--Concerning
53 modifications to the public employees' retirement
54 association necessary to reach a one hundred percent
55 funded ratio within the next thirty years.
56

As shown by the following roll call vote, a majority of all members elected to the House voted in the affirmative, and Representative J. Kerr was given permission to offer a Third Reading amendment:

YES	52	NO	13	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
Apuan	N	Hullinghorst	N	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	N	Merrifield	Y	Solano	Y
Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	N	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	N	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	N	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	N
Fischer	N	Liston	Y	Primavera	Y	Tyler	N
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	N	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Third Reading amendment No. 1, by Representative Kerr J.

Amend revised bill, page 10, after line 14 insert:

"SECTION 4. 24-51-207 (4), Colorado Revised Statutes, is amended to read:

24-51-207. Standard of conduct. (4) The trustees of the board, the executive director, the deputy executive directors, and any employee of the association who is in a fiduciary position shall be subject to and shall make financial disclosures pursuant to the provisions of section 24-6-202. SUCH FINANCIAL DISCLOSURES SHALL BE POSTED ON THE WEB SITE OF THE ASSOCIATION AND OF THE SECRETARY OF STATE."

Renumber succeeding sections accordingly.

Page 60, line 12, strike "18, 19, 20, 21, and 22;" and substitute "20, 21, 22, 23, and 24;".

Page 60, line 14, strike "25" and substitute "27", and strike "31, 34, and 35." and substitute "33, 36, and 37."

The amendment was declared **lost** by the following roll call vote:

YES	30	NO	35	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
Apuan	N	Hullinghorst	N	McKinley	Y	Scanlan	N
Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
Court	N	King S.	Y	Nikkel	N	Summers	Y

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

10

11 The question being, "Shall the bill pass?".

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

15

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

34 Co-sponsor(s) added: Representative(s) Benefield, Fischer, Kagan, Labuda,
 35 Pommer, Schafer S., Tyler

36

37

38

39

House in recess. House reconvened.

40

41

42

43

44 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

45

46

47

48

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55

(Amended as printed in Senate Journal, February 5, page 176.)

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

	YES	63	NO	2	EXCUSED	0	ABSENT	0
1								
2	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

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

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

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

HB10-1190 by Representative(s) Pommer; also Senator(s) Heath--
Concerning the suspension of the exemption from the state
sales and use taxes for fuels used for industrial purposes,
and making an appropriation therefor.

(Amended as printed in Senate Journal, February 8, pages 184-186.)

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

	YES	64	NO	1	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y
19								

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

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

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

43 Co-sponsor(s) added: Representative(s) Hullinghorst, Kagan.

45 **HB10-1191** by Representative(s) Pommer; also Senator(s) Heath--
 46 Concerning the narrowing of the existing exemption from
 47 the state sales and use taxes for food, and, in connection
 48 therewith, subjecting candy and soft drinks to the state
 49 sales and use taxes, and making an appropriation therefor.

51 (Amended as printed in Senate Journal, February 5, page 176 and in
 52 Senate Journal, February 10, page 204.)

54 Representative Pommer moved that the House **concur** in Senate
 55 amendments. A substitute motion by Representative DelGrosso that the
 56 House **not concur** in Senate amendments and that a Conference

Committee be appointed with permission to go beyond the scope of the differences between the House and the Senate was declared **lost** by the following roll call vote:

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

Representative Pommer's motion that the House **concur** in Senate amendments was declared **passed** by the following roll call vote:

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

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

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

YES	36	NO	29	EXCUSED	0	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	N	Hullinghorst	Y	McKinley	N	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N

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

13 Co-sponsor(s) added: Representative(s) Court.

14
15 **HB10-1192** by Representative(s) Pommer; also Senator(s) Heath--
16 Concerning the state sales and use tax of standardized
17 software, and making an appropriation therefor.

18
19 (Amended as printed in Senate Journal, February 8, pages 184, and
20 189-190 and in Senate Journal February 10, pages 207-208.)

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

26	YES	65	NO	0	EXCUSED	0	ABSENT	0
27	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
28	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
29	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
30	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
31	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
32	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
33	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
34	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
35	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
36	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
37	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
38	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
39	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
40	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
41	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
42	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
43							Speaker	Y

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

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

50	YES	34	NO	31	EXCUSED	0	ABSENT	0
51	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
52	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
53	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
54	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
55	Benefield	Y	Kefalas	N	Middleton	Y	Sonnenberg	N
56	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y

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

12 Co-sponsor(s) added: Representative(s) Frangas.

13
14 **HB10-1193** by Representative(s) Pommer; also Senator(s) Heath--
15 Concerning the collection of sales and use taxes on sales
16 made by out-of-state retailers, and making an
17 appropriation therefor.

18
19 (Amended as printed in Senate Journal, February 8, pages 171-172, 175
20 and 181-182 and in Senate Journal February 10, pages 209-211.)

21
22 Representative Pommer moved that the House **concur** in Senate
23 amendments. A substitute motion by Representative Stephens that the
24 House **not concur** in Senate amendments and that a Conference
25 Committee be appointed was declared **lost** by the following roll call vote:

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

45
46 Representative Pommer's motion that the House **concur** in Senate
47 amendments was declared **passed** by the following roll call vote:

49	YES	36	NO	29	EXCUSED	0	ABSENT	0
50	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	N
52	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
53	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
55	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	Y	Kerr J.	N	Murray	N	Stephens	N

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

11
 12 The question being, "Shall the bill, as amended, pass?".
 13 A roll call vote was taken. As shown by the following recorded vote, a
 14 majority of those elected to the House voted in the affirmative, and the
 15 bill, as amended, was declared **repassed**.

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

35 Co-sponsor(s) added: Representative(s) Frangas, Kagan, Ryden, Schafer S.

36
 37 **HB10-1194** by Representative(s) Ferrandino; also Senator(s) Heath--
 38 Concerning the narrowing of the existing exemptions from
 39 the state sales and use taxes for articles sold to sellers of
 40 items intended for human consumption that are furnished
 41 by the sellers to their customers with such items without
 42 the addition of a separate charge, and making an
 43 appropriation therefor.

44
 45 (Amended as printed in Senate Journal, February 8, page 180.)

46
 47 Representative Ferrandino moved that the House **concur** in Senate
 48 amendments. The motion was declared **passed** by the following roll call
 49 vote:

51	YES	63	NO	0	EXCUSED	2	ABSENT	0
52	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
53	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
54	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
55	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
56	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y

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

13
14 The question being, "Shall the bill, as amended, pass?".
15 A roll call vote was taken. As shown by the following recorded vote, a
16 majority of those elected to the House voted in the affirmative, and the
17 bill, as amended, was declared **repassed**.

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

37 Representative Weissmann excused from voting under House Rule 21(c).
38 Co-sponsor(s) added: Representative(s) Kagan.

39
40 **HB10-1195** by Representative(s) Ferrandino; also Senator(s) Heath--
41 Concerning the suspension of the exemption from the state
42 sales and use taxes for certain items used in agricultural
43 production, and making an appropriation therefor.

44
45 (Amended as printed in Senate Journal, February 8, page 183.)

46
47 Representative Ferrandino moved that the House **concur** in Senate
48 amendments. The motion was declared **passed** by the following roll call
49 vote:

51	YES	65	NO	0	EXCUSED	0	ABSENT	0
52	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
53	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
54	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
55	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
56	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y

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

13
14 The question being, "Shall the bill, as amended, pass?".
15 A roll call vote was taken. As shown by the following recorded vote, a
16 majority of those elected to the House voted in the affirmative, and the
17 bill, as amended, was declared **repassed**.

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

37
38 **HB10-1199** by Representative(s) Ferrandino; also Senator(s) Heath--
39 Concerning a temporary limit on the state income tax
40 deduction for a net operating loss.

41
42 (Amended as printed in Senate Journal, February 8, page 183.)

43
44 Representative Ferrandino moved that the House **concur** in Senate
45 amendments. The motion was declared **passed** by the following roll call
46 vote:

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

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

10

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

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

15

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

34 Co-sponsor(s) added: Representative(s) Pommer.

35

36

37

House in recess. House reconvened.

38

39

40

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

42

43 The Speaker has signed: **HJR10-1010, 1012.**

44

45

46

47

48 **MESSAGE(S) FROM THE SENATE**

49

49 The Senate has passed on Third Reading and returns herewith:
 50 HB10-1039.

51

52 The Senate has passed on Third Reading and transmitted to the Revisor
 53 of Statutes:

54

55 HB10-1046 amended as printed in Senate Journal, February 15, 2010,
 56 page 242.

1 The Senate has passed on Third Reading and transmitted to the Revisor
2 of Statutes: SB10-082.

3
4 The Senate has passed on Third Reading and transmitted to the Revisor
5 of Statutes:

6
7 SB10-032 amended as printed in Senate Journal, February 15, 2010,
8 page 241.

9 SB10-130 amended as printed in Senate Journal, February 15, 2010,
10 page 241.

11 SB10-083 amended as printed in Senate Journal, February 15, 2010,
12 page 243.

13 SB10-159 amended as printed in Senate Journal, February 15, 2010,
14 page 243.

15
16
17
18 **MESSAGE(S) FROM THE REVISOR**

19
20 We herewith transmit:

21 Without comment, as amended, HB10-1046.

22 Without comment, as amended, SB10-082, 032, 130, 083, and 159.

23
24
25
26 **INTRODUCTION OF BILLS**
27 **First Reading**

28
29 The following bills were read by title and referred to the committees
30 indicated:

31
32 **HB10-1347** by Representative(s) Levy; also Senator(s) Morse--
33 Concerning misdemeanor penalties for persons who are
34 convicted of multiple traffic offenses involving alcohol or
35 drugs.

36 Committee on Judiciary

37
38 **HB10-1348** by Representative(s) McFadyen, Massey; also Senator(s)
39 Kester and Bacon--Concerning increased regulatory
40 authority regarding radioactive materials.

41 Committee on Transportation & Energy

42
43 **HB10-1349** by Representative(s) Fischer and Pace; also Senator(s)
44 Schwartz and Tapia--Concerning the use of renewable
45 energy resources to supply the energy needs of state
46 government, and, in connection therewith, commissioning
47 the creation of a statewide map of available renewable
48 energy generation areas on state lands and establishing the
49 "Re-energize Colorado" program in the division of parks
50 and outdoor recreation in the department of natural
51 resources.

52 Committee on Transportation & Energy

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until February 17, retaining place on Calendar:

Consideration of Resolution(s)--**SJR10-004.**

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., February 17, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Thirty-sixth Legislative Day

Wednesday, February 17, 2010

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Tyler Ralstin, Lamar.

7
8 The roll was called with the following result:

9
10 Present--62.

11 Excused--Representative(s) Acree, Middleton, Peniston--3.

12 Present after roll call--Representative(s) Acree, Middleton.

13
14 The Speaker declared a quorum present.

15
16
17 On motion of Representative Court, the reading of the journal of
18 February 16, 2010, was declared dispensed with and approved as
19 corrected by the Chief Clerk.

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

28
29
30
31 **GENERAL ORDERS--SECOND READING OF BILLS**

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

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

40
41 **HB10-1223** by Representative(s) Baumgardner, Fischer, Hullinghorst,
42 Looper, Pace, Ryden, Vigil; also Senator(s) Whitehead--
43 Concerning the continuation of the forestry advisory

board, and, in connection therewith, repealing the forestry advisory board.

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

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.

Amendment No. 1, Business Affairs & Labor Report, dated February 10, 2010, and placed in member's bill file; Report also printed in House Journal, February 11, page 302.

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

HB10-1204 by Representative(s) Soper; also Senator Tochtrop-- Concerning the inclusion of conservation standards in the plumbing code.

Amendment No. 1, Business Affairs & Labor Report, dated February 10, 2010, and placed in member's bill file; Report also printed in House Journal, February 11, page 303.

Amendment No. 2, by Representative(s) Soper.

Amend the Business Affairs and Labor Committee Report, dated February 10, 2010, page 1, line 2, strike "MEASURES, AS" and substitute "MEASURES".

Page 1, line 3, strike everything before "THAT".

Page 1, line 10, strike "SAFETY." and substitute "SAFETY."

(c) NOTHING IN THIS SUBSECTION (4.5) AFFECTS THE BOARD'S AUTHORITY TO ESTABLISH THE COLORADO PLUMBING CODE AS SPECIFIED IN SECTION 12-58-104.5.".

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

SB10-021 by Senator(s) Morse, Lundberg, Tochtrop, Williams; also Representative(s) Labuda, Benefield, Gardner B., King S., Liston, Peniston, Schafer S., Waller--Concerning a volunteer firefighter pension plan.

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

1 **SB10-022** by Senator(s) Morse, Lundberg, Tochtrop, Williams; also
2 Representative(s) Riesberg and King S., Benefield,
3 Gardner B., Labuda, Liston, Peniston, Schafer S., Waller--
4 Concerning a member-approved increase in the member
5 contribution rate to the statewide defined benefit plan
6 administered by the fire and police pension association.
7

8 Ordered revised and placed on the Calendar for Third Reading and Final
9 Passage.
10

11 **SB10-023** by Senator(s) Williams, Lundberg, Morse, Tochtrop; also
12 Representative(s) Riesberg and Liston, Benefield,
13 Gardner B., King S., Labuda, Peniston, Schafer S., Waller--
14 -Concerning the discretion of the board of directors of the
15 fire and police pension association to adopt rules regarding
16 the return to work by a member participating in the
17 defined benefit system of the association who elects
18 retirement.
19

20 Ordered revised and placed on the Calendar for Third Reading and Final
21 Passage.
22

23 **SB10-024** by Senator(s) Tochtrop, Lundberg, Morse, Williams; also
24 Representative(s) Labuda, Benefield, Gardner B., King S.,
25 Liston, Peniston, Riesberg, Schafer S., Waller--
26 Concerning the repeal of the authority of the board of
27 directors of the fire and police pension association to
28 affiliate with a local money purchase pension plan.
29

30 Ordered revised and placed on the Calendar for Third Reading and Final
31 Passage.
32

33 **HB10-1235** by Representative(s) Levy, Gardner B., Kagan, Labuda,
34 Roberts; also Senator(s) Brophy, Carroll M., Mitchell,
35 Morse, Schwartz--Concerning the requirements in the
36 "State Administrative Procedure Act" for incorporation by
37 reference of rule-making materials by executive branch
38 agencies.
39

40 Amendment No. 1, by Representative(s) Levy.
41

42 Amend printed bill, page 2, line 25, after "STANDARD," insert
43 "GUIDELINE,".
44

45 Page 3, line 1, after "STATE," insert "OR".
46

47 Page 3, line 2, after the first "OR" insert "ADOPTED OR PUBLISHED".
48

49 Page 3, line 6, after "STANDARD," insert "GUIDELINE,".
50

51 Page 3, line 14, after "STANDARD," insert "GUIDELINE,".
52

53 Page 3, line 16, after "STANDARD," insert "GUIDELINE,".
54

55 Page 3, line 18, after "STANDARD," insert "GUIDELINE,".
56

1 Page 3, line 26, after "STANDARD," insert "GUIDELINE,".

2
3 Page 4, line 1, after "STANDARD," insert "GUIDELINE,".

4
5 Page 4, line 6, after "STANDARD," insert "GUIDELINE,".

6
7 Page 4, line 7, after "STANDARD," insert "GUIDELINE,".

8
9 Page 4, line 17, strike "REQUEST." and substitute "REQUEST OR SHALL
10 PROVIDE THE REQUESTOR WITH INFORMATION ON HOW TO OBTAIN A
11 CERTIFIED COPY OF THE MATERIAL INCORPORATED BY REFERENCE FROM
12 THE AGENCY OF THE UNITED STATES, THIS STATE, ANOTHER STATE, OR
13 THE ORGANIZATION OR ASSOCIATION ORIGINALLY ISSUING THE CODE,
14 STANDARD, GUIDELINE, OR RULE.".

15
16 Page 5, strike lines 11 through 14 and substitute "THE COPY AVAILABLE
17 TO THE PUBLIC.".

18
19 As amended, ordered engrossed and placed on the Calendar for Third
20 Reading and Final Passage.

21
22
23 **HB10-1025** by Representative(s) Roberts, Riesberg, Soper, Tyler; also
24 Senator(s) Newell, Tochtrop, Williams--Concerning
25 updates to the "Colorado Medical Treatment Decision
26 Act".

27
28 Amendment No. 1, Health & Human Services Report,
29 dated February 5, 2010, and placed in member's bill file; Report also
30 printed in House Journal, February 8, pages 233-237.

31
32 Amendment No. 2, by Representative(s) Roberts.

33
34 Amend the Health and Human Services Committee Report, dated
35 February 5, 2010, page 5, strike line 4 and substitute:

36
37 "PENALTY, OR LICENSING SANCTIONS THEREFOR;

38
39 Page 12, strike line 16 and substitute:

40
41 "LICENSING SANCTIONS THEREFOR; AND

42
43 (d) AN ADVANCED PRACTICE NURSE WHO WITHHOLDS OR
44 WITHDRAWS LIFE-SUSTAINING PROCEDURES IN COMPLIANCE WITH A
45 DECLARATION SHALL NOT BE SUBJECT TO CIVIL LIABILITY, CRIMINAL
46 PENALTY, OR LICENSING SANCTIONS THEREFOR.".

47
48 Page 5 of the committee report, strike line 31 and substitute "WHO
49 REFUSES TO COMPLY WITH THE TERMS OF A DECLARATION VALID ON ITS
50 FACE SHALL TRANSFER THE CARE OF THE DECLARANT TO ANOTHER
51 PHYSICIAN OR ADVANCED PRACTICE NURSE WHO IS WILLING TO COMPLY
52 WITH THE DECLARATION. REFUSAL OF AN ATTENDING PHYSICIAN OR
53 ADVANCED PRACTICE NURSE TO COMPLY WITH A DECLARATION AND
54 FAILURE TO TRANSFER THE CARE OF THE DECLARANT TO ANOTHER
55 PHYSICIAN OR ADVANCED PRACTICE NURSE SHALL CONSTITUTE
56 UNPROFESSIONAL CONDUCT AS DEFINED IN SECTION 12-36-117, C.R.S.,

1 OR GROUNDS FOR DISCIPLINE PURSUANT TO SECTION 12-38-117, C.R.S.".

2
3 Strike page 6 of the committee report.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB10-1041** by Representative(s) Acree, Looper, Primavera, Todd; also
9 Senator(s) Mitchell, Keller--Concerning applications for
10 home- and community-based services waivers for children
11 as part of the medicaid eligibility modernization.

12
13 Amendment No. 1, Health & Human Services Report, dated
14 February 5, 2010, and placed in member's bill file; Report also printed in
15 House Journal, February 8, page 237.

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

19
20 **HB10-1007** by Representative(s) Judd, Peniston, Roberts, Schafer S.,
21 Vaad; also Senator(s) Brophy, Steadman--Concerning an
22 adjustment of fees charged by a county clerk and recorder
23 for filing a document with the county.

24
25 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
26 February 4, 2010, and placed in member's bill file; Report also printed in
27 House Journal, February 5, pages 213-214.

28
29 Amendment No. 2, by Representative(s) Judd.

30
31 Amend the State, Veterans, and Military Affairs Committee Report, dated
32 February 4, 2010, page 1, line 9, strike "C.R.S." ", and substitute "C.R.S.,
33 IN WHICH CASE THE FEE COLLECTED SHALL BE FIVE DOLLARS PER PAGE." ".
34

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

37
38 **HB10-1138** by Representative(s) Gagliardi, Massey, Apuan, Casso,
39 Ferrandino, Fischer, Frangas, Hullinghorst, Kefalas,
40 Labuda, McFadyen, Middleton, Pace, Rice, Scanlan, Todd,
41 Tyler; also Senator(s) Morse, Newell--Concerning the
42 program to repay educational loans of health care
43 professionals.

44
45 Amendment No. 1, Health & Human Services Report, dated
46 February 5, 2010, and placed in member's bill file; Report also printed in
47 House Journal, February 8, pages 238-239.

48
49 As amended, ordered engrossed and placed on the Calendar for Third
50 Reading and Final Passage.

51
52
53 **HB10-1171** by Representative(s) Benefield, Scanlan; also Senator(s)
54 Steadman--Concerning education-related data reporting
55 requirements.
56

Amendment No. 1, Education Report, dated February 8, 2010, and placed in member's bill file; Report also printed in House Journal, February 9, page 265.

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

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

Amendment No. 1, Education Report, dated February 4, 2010, and placed in member's bill file; Report also printed in House Journal, February 5, pages 207-210.

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1223, 1108 amended, 1204 amended, SB10-021, 022, 023, 024, HB10-1235 amended, 1025 amended, 1041 amended, 1007 amended, 1138 amended, 1171 amended, 1044 amended.**

Laid over until date indicated retaining place on Calendar:

HB10-1042--February 19, 2010.

HB10-1009--February 26, 2010.

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

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	E	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

REPORT(S) OF COMMITTEE(S) OF REFERENCE**APPROPRIATIONS**

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

HB10-1297 be referred to the Committee of the Whole with favorable recommendation.

HB10-1298 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 39, line 2, in the REAPPROPRIATED FUNDS column strike "7,147,895^b" and substitute "7,147,895^b".

HB10-1299 be referred to the Committee of the Whole with favorable recommendation.

HB10-1300 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 6, line 9, strike "62,556" and substitute "\$62,556".

Page 6, line 10, strike "54,581" and substitute "\$54,581" and strike "33,240" and substitute "\$33,240".

Page 27, line 13, in the ITEM & SUBTOTAL column strike "12,805,153" and substitute "12,803,933", in the GENERAL FUND column strike "6,556,153(M)" and substitute "6,555,482(M)", and in the FEDERAL FUNDS column strike "6,248,612" and substitute "6,248,063".

Adjust affected totals accordingly.

Page 31, line 11, in the CASH FUNDS column strike "558,141(H)^a" and substitute "569,014(H)^a" and in the FEDERAL FUNDS column strike "154,116,548" and substitute "154,105,675".

Adjust affected totals accordingly.

HB10-1301 be referred to the Committee of the Whole with favorable recommendation.

HB10-1302 be referred to the Committee of the Whole with favorable recommendation.

- 1 **HB10-1303** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
- 5 **HB10-1304** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8
- 9 Amend printed bill, page 17, line 10, strike "CASH FUNDS" and substitute
10 "FEDERAL FUNDS".
11
12
13
- 14 **HB10-1305** be referred to the Committee of the Whole with favorable
15 recommendation.
16
17
- 18 **HB10-1306** be referred to the Committee of the Whole with favorable
19 recommendation.
20
21
- 22 **HB10-1307** be referred to the Committee of the Whole with favorable
23 recommendation.
24
25
- 26 **HB10-1308** be referred to the Committee of the Whole with favorable
27 recommendation.
28
29
- 30 **HB10-1309** be referred to the Committee of the Whole with favorable
31 recommendation.
32
33
- 34 **HB10-1310** be referred to the Committee of the Whole with favorable
35 recommendation.
36
37
- 38 **HB10-1311** be referred to the Committee of the Whole with favorable
39 recommendation.
40
41
- 42 **HB10-1312** be referred to the Committee of the Whole with favorable
43 recommendation.
44
45
- 46 **HB10-1313** be referred to the Committee of the Whole with favorable
47 recommendation.
48
49
- 50 **HB10-1314** be referred to the Committee of the Whole with favorable
51 recommendation.
52
53
- 54 **HB10-1315** be referred to the Committee of the Whole with favorable
55 recommendation.
56

1 **HB10-1316** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB10-1317** be referred to the Committee of the Whole with favorable
6 recommendation.
7

8
9 **HB10-1318** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:
12

13 Amend printed bill, page 5, after line 16 insert:
14

15 **“SECTION 3. Adjustments to the 2010 long bill.** For the
16 implementation of this act, the general fund appropriation made in the
17 annual general appropriation act for the fiscal year beginning July 1,
18 2010, to the department of education, assistance to public schools, public
19 school finance, for the state share of districts’ total program funding, is
20 decreased by two hundred twelve thousand nine hundred ninety-six
21 dollars (\$212,996).”.

22
23 Renumber succeeding section accordingly.
24

25 Page one, line 105, strike “**DISTRICT.**” and substitute “**DISTRICT, AND**
26 **MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**”.

27
28
29
30 **HB10-1319** be referred to the Committee of the Whole with favorable
31 recommendation.
32

33
34 **HB10-1320** be amended as follows, and as so amended, be referred to
35 the Committee of the Whole with favorable
36 recommendation:
37

38 Amend printed bill, page 8, line 7, in the REAPPROPRIATED FUNDS
39 column strike "2,746,329^b" and substitute "2,746,329^b".
40

41 Page 8, line 8, in the CASH FUNDS column strike "174,145,529^a" and
42 substitute "173,145,529^a", and in the REAPPROPRIATED FUNDS
43 column insert "3,746,329^b".
44

45 Page 8, line 13, strike "\$1,000,000 SHALL BE FROM THE HEALTH
46 DISPARITIES GRANT PROGRAM FUND CREATED IN SECTION 24-22-117 (2)
47 (f) (I), C.R.S.”.

48
49 Page 9, line 1, after "C.R.S.," insert "\$1,000,000 SHALL BE FROM THE
50 HEALTH DISPARITIES GRANT PROGRAM FUND CREATED IN SECTION 24-22-
51 117 (2) (f) (I), C.R.S.”.

52
53 Page 9, line 7, in the REAPPROPRIATED FUNDS column strike
54 "\$28,706,139" and substitute "\$28,706,139".
55

56 Page 9, line 8, in the CASH FUNDS column strike "\$451,333,149" and

1 substitute "\$450,333,149" and in the REAPPROPRIATED FUNDS
2 column insert "\$29,706,139".
3
4
5

6 **HB10-1321** be referred to the Committee of the Whole with favorable
7 recommendation.
8
9

10 **HB10-1322** be referred to the Committee of the Whole with favorable
11 recommendation.
12
13

14 **HB10-1323** be amended as follows, and as so amended, be referred to
15 the Committee of the Whole with favorable
16 recommendation:
17

18 Amend printed bill, strike everything below the enacting clause and
19 substitute the following:
20

21 "SECTION 1. 24-75-1104.5 (1) (b) (II), Colorado Revised
22 Statutes, is amended, and the said 24-75-1104.5 (1) (b) is further amended
23 BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:
24

25 **24-75-1104.5. Use of settlement moneys - programs - repeal.**
26 (1) Except as otherwise provided in subsection (5) of this section, for the
27 2004-05 fiscal year and for each fiscal year thereafter, the following
28 programs, services, or funds shall receive the following specified amounts
29 from the settlement moneys received by the state in the preceding fiscal
30 year; except that fifteen million four hundred thousand dollars of strategic
31 contribution fund moneys and, for the 2010-11 fiscal year and for each
32 fiscal year thereafter only, the lesser of sixty-five million dollars of other
33 settlement moneys or all other settlement moneys shall be allocated in
34 each fiscal year in which they are received by the state and except that, of
35 the other settlement moneys received by the state in the 2009-10 fiscal
36 year, the lesser of sixty-five million dollars or all of such moneys shall be
37 transferred to the general fund on June 30, 2010, and shall not be
38 allocated:
39

40 (b) (II) Notwithstanding the provisions of subparagraph (I) of this
41 paragraph (b), for the 2009-10 fiscal year, the amount transferred to the
42 comprehensive primary and preventive care grant program shall be
43 ~~reduced by two million four hundred thousand dollars, and such~~ THE
44 amount OF GRANT MONEYS COMMITTED PURSUANT TO THE
45 COMPREHENSIVE PRIMARY AND PREVENTIVE CARE GRANT PROGRAM ON OR
46 BEFORE SEPTEMBER 30, 2009. ANY OF THE REMAINING SETTLEMENT
47 MONEYS THAT WOULD HAVE BEEN TRANSFERRED TO THE COMPREHENSIVE
48 PRIMARY AND PREVENTIVE CARE GRANT PROGRAM PURSUANT TO THE
49 PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) shall be
50 transferred to the general fund. This subparagraph (II) is repealed,
51 effective July 1, 2011.
52

53 (III) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I)
54 OF THIS PARAGRAPH (b), FOR THE 2010-11 FISCAL YEAR, THE SETTLEMENT
55 MONEYS TRANSFERRED TO THE COMPREHENSIVE PRIMARY AND
56 PREVENTIVE CARE GRANT PROGRAM PURSUANT TO THE PROVISIONS OF

1 SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) SHALL BE TRANSFERRED TO
2 THE GENERAL FUND. THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE
3 JULY 1, 2012.

4
5 **SECTION 2.** 24-75-1104.5 (1.5) (a) (III) (C), and (1.5) (a) (V),
6 Colorado Revised Statutes, are amended, and the said 24-75-1104.5 (1.5)
7 (a) (III) is further amended BY THE ADDITION OF A NEW
8 SUB-SUBPARAGRAPH, to read:

9
10 **24-75-1104.5. Use of settlement moneys - programs - repeal.**
11 (1.5) (a) Except as otherwise provided in subsections (5) and (6) of this
12 section, for the 2007-08 fiscal year and for each fiscal year thereafter, the
13 following programs, services, and funds shall receive the following
14 specified amounts from the portion of any settlement moneys received
15 and allocated by the state in the current fiscal year that remains after the
16 programs, services, and funds receiving such moneys pursuant to
17 subsection (1) of this section have been fully funded, and the portion of
18 all other settlement moneys received by the state in the preceding fiscal
19 year that remains after the programs, services, and funds receiving such
20 other settlement moneys pursuant to subsection (1) of this section have
21 been fully funded and all overexpenditures and supplemental
22 appropriations allowed for the 2006-07, 2007-08, 2008-09, or 2009-10
23 fiscal years pursuant to section 24-22-115 (4) have been made:

24
25 (III) (C) Notwithstanding the provisions of sub-subparagraph (A)
26 of this subparagraph (III), FOR THE 2009-10 FISCAL YEAR, the amount
27 transferred to the supplemental tobacco litigation settlement moneys
28 account of the comprehensive primary and preventive care fund shall be
29 ~~one million nine hundred ninety thousand five hundred dollars for the~~
30 ~~2009-10 fiscal year and two million two hundred forty-five thousand~~
31 ~~dollars for the 2010-11 fiscal year. The difference between the amount~~
32 ~~that would have been transferred to the supplemental tobacco litigation~~
33 ~~settlement moneys account of the comprehensive primary and preventive~~
34 ~~care fund pursuant to sub-subparagraph (A) of this subparagraph (III) and~~
35 ~~the amount transferred pursuant to this sub-subparagraph (C) in each of~~
36 ~~said fiscal years shall be transferred to the general fund. This~~
37 ~~sub-subparagraph (C) is repealed, effective July 1, 2011~~ TRANSFERRED TO
38 THE GENERAL FUND.

39
40 (D) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE JULY 1,
41 2010.

42
43 (V) (A) FOR FISCAL YEARS 2007-08 THROUGH 2009-10, the
44 children's basic health plan trust created in section 25.5-8-105, C.R.S.,
45 shall receive five percent of the settlement moneys, which the state
46 treasurer shall transfer thereto.

47
48 (B) FOR THE 2010-11 FISCAL YEAR AND EACH FISCAL YEAR
49 THEREAFTER, THE CHILDREN'S BASIC HEALTH PLAN TRUST CREATED IN
50 SECTION 25.5-8-105, C.R.S., SHALL RECEIVE THIRTEEN AND ONE-HALF
51 PERCENT OF THE SETTLEMENT MONEYS, WHICH THE STATE TREASURER
52 SHALL TRANSFER THERETO.

53
54 **SECTION 3.** 24-75-1104.5, Colorado Revised Statutes, is
55 amended BY THE ADDITION OF A NEW SUBSECTION to read:

24-75-1104.5. Use of settlement moneys - programs - repeal.

(8) (a) AT THE END OF FISCAL YEAR 2010-11, THE STATE TREASURER SHALL TRANSFER THE BALANCE OF THE MONEYS IN THE SHORT-TERM INNOVATIVE HEALTH PROGRAM GRANT FUND CREATED IN SECTION 25-36-101, C.R.S., TO THE GENERAL FUND. THIS TRANSFER SHALL AUGMENT FISCAL YEAR 2010-11 GENERAL FUND REVENUES.

(b) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE JULY 1, 2012.

SECTION 4. 25.5-3-207 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

25.5-3-207. Program funding - comprehensive primary and preventive care fund - supplemental tobacco litigation settlement moneys account - creation - repeal. (4) (c) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2010, AND ANY MONEYS REMAINING IN THE SUPPLEMENTAL TOBACCO LITIGATION SETTLEMENT MONEYS ACCOUNT SHALL BE TRANSFERRED TO THE GENERAL FUND.

SECTION 5. 24-75-1104.5 (1.5) (b), Colorado Revised Statutes, is amended to read:

24-75-1104.5. Use of settlement moneys - programs - repeal.

(1.5) (b) (I) Except as otherwise provided in sections 24-50-609 (5) and 25.5-3-207 (4) (a), C.R.S., at the end of the 2007-08, 2008-09, AND 2009-10 fiscal year and at the end of each fiscal year thereafter YEARS, any interest and income earned on moneys allocated for the fiscal year pursuant to paragraph (a) of this subsection (1.5), and any of such allocated moneys that are unexpended and unencumbered, shall be transferred to the short-term innovative health program grant fund created in section 25-36-101 (2), C.R.S.

(II) EXCEPT AS OTHERWISE PROVIDED IN SECTION 24-50-609 (5), AT THE END OF THE 2010-11 FISCAL YEAR AND AT THE END OF EACH FISCAL YEAR THEREAFTER, ANY INTEREST AND INCOME EARNED ON MONEYS ALLOCATED FOR THE FISCAL YEAR PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1.5), AND ANY OF SUCH ALLOCATED MONEYS THAT ARE UNEXPENDED AND UNENCUMBERED, SHALL BE TRANSFERRED TO THE SHORT-TERM INNOVATIVE HEALTH PROGRAM GRANT FUND CREATED IN SECTION 25-36-101 (2), C.R.S.

SECTION 6. 25-4-1415 (1), Colorado Revised Statutes, is amended to read:

25-4-1415. Cash fund - administration - limitation. (1) There is hereby created in the state treasury the AIDS and HIV prevention fund, referred to in this section as the "fund", that shall consist of moneys that may be appropriated to the fund by the general assembly. The moneys in the fund shall be subject to annual appropriation by the general assembly for the direct and indirect costs associated with the implementation of the program; except that, for the 2009-10 AND 2010-11 fiscal year YEARS, the general assembly may appropriate moneys from the fund to the department of public health and environment for the implementation and administration of the AIDS drug assistance program described in section 25-4-1411 (2). Any moneys in the fund not expended for the purpose of the program may be invested by the state treasurer as provided by law.

1 All interest and income derived from the investment and deposit of
2 moneys in the fund shall be credited to the fund. Any unexpended and
3 unencumbered moneys remaining in the fund at the end of a fiscal year
4 shall remain in the fund and shall not be credited or transferred to the
5 general fund or another fund.

6
7 **SECTION 7.** 2-3-113 (7), Colorado Revised Statutes, is amended
8 BY THE ADDITION OF A NEW PARAGRAPH to read:

9
10 **2-3-113. Programs that receive tobacco settlement moneys -**
11 **program review.** (7) (c) (I) FOR PURPOSES OF THE APPROPRIATION TO
12 THE STATE AUDITOR'S OFFICE PURSUANT TO PARAGRAPH (a) OF THIS
13 SUBSECTION (7), SETTLEMENT MONEYS THAT WERE TRANSFERRED TO THE
14 GENERAL FUND IN FISCAL YEARS 2009-10 AND 2010-11, BUT THAT WOULD
15 OTHERWISE HAVE BEEN TRANSFERRED TO A TOBACCO SETTLEMENT
16 PROGRAM PURSUANT TO SECTION 24-75-1104.5 (1), C.R.S., SHALL BE
17 DEEMED TO HAVE BEEN RECEIVED BY THE TOBACCO SETTLEMENT
18 PROGRAM.

19
20 (II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2012.

21
22 **SECTION 8.** Part V (1) (A), (4), and the affected totals of section
23 2 of chapter 464, Session Laws of Colorado 2009, are amended to read:

24
25 Section 2. **Appropriation.**

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	PART V						
2	DEPARTMENT OF HEALTH CARE POLICY AND FINANCING						
3	(1) EXECUTIVE DIRECTOR'S OFFICE						
4	(A) General Administration						
5	Personal Services	19,679,334					
6		19,671,129					
7		(275.0 FTE)					
8		(274.8 FTE)					
9	Health, Life, and Dental	1,414,691					
10		1,414,226					
11	Short-term Disability	23,588					
12		23,578					
13	S.B. 04-257 Amortization						
14	Equalization Disbursement	317,902					
15		317,767					
16	S.B. 06-235 Supplemental						
17	Amortization Equalization						
18	Disbursement	197,328					
19		197,243					
20	Workers' Compensation	36,279					
21	Operating Expenses	1,511,489					
22		1,511,418					

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Legal Services and Third Party						
2	Recovery Legal Services for 13,089						
3	hours	986,650					
4	Administrative Law Judge Services	456,922					
5	Purchase of Services from Computer						
6	Center	135,103					
7	Management and Administration of						
8	OIT	482,756					
9	Payment to Risk Management and						
10	Property Funds	83,182					
11	Leased Space	394,236					
12	Capitol Complex Leased Space	400,868					
13	General Professional Services and						
14	Special Projects	3,384,105					
15		<u>29,504,433</u>	12,360,725(M)		1,040,182 ^a	1,679,562 ^b	14,423,964
16		29,495,462			1,031,211 ^a		

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	^a Of this amount, \$254,605 shall be from the Children's Basic Health Plan Trust created in Section 25.5-8-105 (1), C.R.S., \$159,572 shall be from the Health Care						
2	Expansion Fund created in Section 24-22-117 (2) (a) (I), C.R.S., \$80,745 shall be from estate recoveries, \$56,060 shall be from the Nursing Facility Cash Fund created in						
3	Section 25.5-6-203 (2) (a), C.R.S., \$55,716 shall be from the Primary Care Fund created in Section 24-22-117 (2) (b) (I), C.R.S., \$33,895 shall be from the Autism						
4	Treatment Fund created in Section 25.5-6-805, C.R.S., \$31,497 shall be from the Short-term Innovative Health Program Grant Fund created in Section 25-36-101 (1),						
5	C.R.S., \$328,960 shall be from the Coordinated Care for People with Disabilities Fund created in Section 25.5-6-111 (4), C.R.S., \$24,019 \$15,048 shall be from the						
6	Comprehensive Primary and Preventive Care Fund created in Section 25.5-3-207 (1), C.R.S., \$11,280 shall be from the Breast and Cervical Cancer Treatment and						
7	Prevention Fund created in Section 25.5-5-308 (8) (a), C.R.S., and \$3,833 shall be from the Department of Health Care Policy and Financing Cash Fund created in						
8	Section 25.5-1-109, C.R.S.						
9	^b Of this amount, \$1,676,225 shall be a transfer from the Department of Human Services, and \$3,337 shall from Old Age Pension Fund moneys appropriated to the						
10	Department of Human Services, pursuant to Article 24 of the State Constitution.						
11							
12		108,869,769					
13		108,860,798					
14							
15	(4) INDIGENT CARE PROGRAM						
16	Safety Net Provider Payments	310,715,422	13,090,782(M)		142,266,929 ^a		155,357,711
17	Colorado Health Care Services Fund	15,000,000	15,000,000				
18	The Children's Hospital, Clinic Based						
19	Indigent Care	27,767,760	3,059,880(M)			10,824,000 ^b	13,883,880
20	Health Care Services Fund Programs	8,352,000				4,176,000 ^b	4,176,000
21	Pediatric Speciality Hospital	15,032,712	6,656,997(M)		355,359 ^c	504,000 ^d	7,516,356

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1 H.B. 05-1262 Appropriation from							
2 General Fund to Pediatric Speciality							
3 Hospital Fund	504,000			504,000 ^e			
4 H.B. 05-1262 Appropriation from							
5 Tobacco Tax Cash Fund to the							
6 General Fund	504,000				504,000 ^f		
7 Primary Care Fund Program	31,920,000				31,920,000 ^g		
8 H.B. 97-1304 Children's Basic Health							
9 Plan Trust	2,500,000		2,500,000				
10 Children's Basic Health Plan							
11 Administration	5,537,590				2,473,301 ^h		3,064,289
12 Children's Basic Health Plan							
13 Premium Costs ¹¹	145,664,212				48,696,353 ⁱ	2,500,000 ^j	94,467,859
14 Children's Basic Health Plan Dental							
15 Benefit Costs ¹²	10,948,462				3,831,962 ^k		7,116,500
16 Comprehensive Primary and							
17 Preventive Care Grants	866,075				866,075 ^l		
18	226,993				226,993 ^l		
19 Comprehensive Primary and							
20 Preventive Care Rural and Public							
21 Hospital Grant Program	6,041,096				3,020,548		3,020,548
22	<u>1,041,096</u>				1,030,048 ^l		11,048
23		581,353,329					

APPROPRIATION FROM							
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1		575,714,247					
2	^a This amount represents public funds certified as representing expenditures incurred by hospitals that are eligible for federal financial participation under the Medicaid upper						
3	payment limit and the Medicaid Disproportionate Share Payments to Hospitals program.						
4	^b These amounts shall be from the Health Care Services Fund created in Section 25.5-3-112 (1) (a), C.R.S.						
5	^c This amount shall be from the Supplemental Tobacco Litigation Settlement Moneys Account in the Pediatric Specialty Hospital Fund created in Section 24-22-117 (2) (e)						
6	(II), C.R.S.						
7	^d This amount shall be from the Pediatric Specialty Hospital Fund created in Section 24-22-117 (2) (e), C.R.S.						
8	^e This amount is not subject to the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution. This amount is also not subject to the						
9	statutory limitation on General Fund appropriation growth or any other spending limitation existing in law pursuant to Article X, Section 21 (8) of the State Constitution.						
10	^f This amount shall be from the Tobacco Tax Cash Fund created in Section 24-22-117 (l) (a), C.R.S. This appropriation partially meets the requirement to appropriate a portion						
11	of the revenues collected from imposition of additional state cigarette and tobacco taxes to the General Fund pursuant to Section 21 of Article X of the State Constitution.						
12	^g This amount shall be from the Primary Care Fund created in Section 24-22-117 (2) (b) (I), C.R.S.						
13	^h Of this amount, \$1,933,301 shall be from the Children's Basic Health Plan Trust created in Section 25.5-8-105 (1), C.R.S., and \$540,000 shall be from the Health Care						
14	Expansion Fund created in Section 24-22-117 (2) (a) (I), C.R.S.						
15	ⁱ Of this amount, \$25,296,193 shall be from the Children's Basic Health Plan Trust created in Section 25.5-8-105 (1), C.R.S., \$21,177,045 shall be from the Health Care						
16	Expansion Fund created in Section 24-22-117 (2) (a) (I), C.R.S., \$1,761,388 shall be from the Children's Basic Health Plan Trust and Supplemental Tobacco Litigation						
17	Settlement Moneys Account created in Section 25.5-8-105 (1), C.R.S., and \$461,727 shall be from the Colorado Immunization Fund created in Section 25-4-2301, C.R.S.						
18	^j This amount is General Fund that is appropriated into the Children's Basic Health Plan Trust created in Section 25.5-8-105 (1), C.R.S.						
19	^k Of this amount, \$2,525,196 shall be from the Children's Basic Health Plan Trust created in Section 25.5-8-105 (1), C.R.S. and \$1,306,766 shall be from the Health Care						
20	Expansion Fund created in Section 24-22-117 (2) (a) (I), C.R.S.						
21	^l This amount shall be from the Comprehensive Primary and Preventive Care Fund created in Section 25.5-3-207 (1), C.R.S.						
22	TOTALS PART V						

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1 (HEALTH CARE POLICY AND							
2 FINANCING)		\$4,136,596,755	\$1,675,723,755	\$504,000 ^a	\$407,639,249	\$28,706,139	\$2,024,023,612
3		<u>\$4,130,948,702</u>			<u>\$405,000,696</u>		<u>\$2,021,014,112</u>
4 ^a This amount shall be General Fund Exempt pursuant to Section 24-22-117 (1) (c) (I) (B), C.R.S. This amount is also not subject to the statutory limitation on General							
5 Fund appropriations imposed by Section 24-75-201.1, C.R.S.							

1 **SECTION 9. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, and safety."
4
5
6

7 **HB10-1324** be amended as follows, and as so amended, be referred to
8 the Committee of the Whole with favorable
9 recommendation:
10

11 Amend printed bill, page 2, line 12, strike "REDUCTION." and substitute
12 "REDUCTION; EXCEPT THAT THE PROVIDER FEE SHALL NOT EXCEED THE
13 AMOUNT SPECIFIED IN SECTION 25.5-6-203 (1) (a) (II)."
14
15
16

17 **HB10-1325** be referred to the Committee of the Whole with favorable
18 recommendation.
19
20

21 **HB10-1326** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:
24

25 Amend printed bill, page 3, after line 9 insert:
26

27 **"SECTION 2.** 39-29-109.3 (2) (a) (I) (C) and (2) (a) (I) (D),
28 Colorado Revised Statutes, are amended, and the said 39-29-109.3 (2) (a)
29 (I) is further amended BY THE ADDITION OF A NEW
30 SUB-SUBPARAGRAPH, to read:
31

32 **39-29-109.3. Operational account of the severance tax trust**
33 **fund - repeal.** (2) Subject to the requirements of subsections (3) and (4)
34 of this section, if the general assembly chooses not to spend up to one
35 hundred percent of the moneys in the operational account as specified in
36 subsection (1) of this section, the state treasurer shall transfer the
37 following:
38

39 (a) (I) To the water supply reserve account created in section
40 39-29-109 (2) (c), the following amounts:
41

42 (C) For the state fiscal year commencing July 1, 2010, ~~ten~~ SIX
43 million dollars. This sub-subparagraph (C) is repealed, effective July 1,
44 2012.
45

46 (D) For the state fiscal year commencing July 1, 2011, ~~and for~~
47 ~~each state fiscal year thereafter, ten~~ SEVEN million dollars. THIS
48 SUB-SUBPARAGRAPH (D) IS REPEALED, EFFECTIVE JULY 1, 2013.
49

50 (E) FOR EACH STATE FISCAL YEAR COMMENCING ON OR AFTER
51 JULY 1, 2012, TEN MILLION DOLLARS."
52

53 Renumber succeeding sections accordingly.
54
55
56

1 **HB10-1327** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 3, after line 11, insert:
6

7 "SECTION 4. 24-32-114, Colorado Revised Statutes, is amended
8 BY THE ADDITION OF A NEW SUBSECTION to read:
9

10 **24-32-114. Cleanup of illegally disposed of waste tires - waste**
11 **tire cleanup fund - legislative declaration - repeal.**

12 (1.7) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS
13 SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION
14 (1.7), THE STATE TREASURER SHALL DEDUCT ONE MILLION NINE HUNDRED
15 THOUSAND DOLLARS FROM THE WASTE TIRE CLEANUP FUND AND
16 TRANSFER SUCH SUM TO THE GENERAL FUND."
17

18 Renumber succeeding sections accordingly.
19

20 Page 4, strike lines 2 through 10.
21

22 Renumber succeeding sections accordingly.
23

24 Page 5, strike lines 21 through 27.
25

26 Page 6, strike lines 1 through 3.
27

28 Renumber succeeding sections accordingly.
29

30 Page 6, line 24, strike "DEDUCT ONE".
31

32 Page 6, strike lines 25 and 26 and substitute "TRANSFER THE BALANCE
33 OF MONEYS IN THE FUND TO THE GENERAL".
34
35
36

37 **HB10-1339** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:
40

41 Amend printed bill, page 10, after line 2 insert:
42

43 **"SECTION 6. Appropriation - adjustments to the 2010 long**
44 **bill.** For the implementation of this act, appropriations made in the
45 general appropriation act for the fiscal year beginning July 1, 2010, shall
46 be adjusted as follows:
47

48 (a) The cash funds appropriation to the office of the governor,
49 economic development programs for colorado promotion - other program
50 costs, from the colorado travel and tourism promotion fund created in
51 section 24-49.7-106 (1), Colorado Revised Statutes, is decreased by five
52 million seven hundred eighty-one thousand six hundred three dollars
53 (\$5,781,603).
54

55 (b) The cash funds appropriation to the office of the governor,
56 economic development programs for council on the arts, from the state

1 council on the arts cash fund created in section 24-48.8-109 (1), Colorado
2 Revised Statutes, is decreased by four hundred fifty-six thousand four
3 hundred forty-two dollars (\$456,442).

4
5 (c) The cash funds appropriation to the office of the governor,
6 economic development programs for new jobs incentives, from the new
7 jobs incentives cash fund created in section 24-46-105.7 (9) (a), Colorado
8 Revised Statutes, is decreased by one million nine hundred twelve
9 thousand eight hundred eighty-four dollars (\$1,912,884).

10
11 (d) The cash funds appropriation to the office of the governor,
12 economic development programs for colorado office of film, television,
13 and media, from the colorado office of film, television, and media
14 operational account cash fund created in section 24-48.5-203 (4),
15 Colorado Revised Statutes, is decreased by two hundred twenty-five
16 thousand two hundred forty-nine dollars (\$225,249).

17
18 (e) The cash funds appropriation to the department of higher
19 education, colorado commission on higher education, special purpose for
20 distribution to higher education competitive research authority, from the
21 innovative higher education research fund created in section 23-19.7-104,
22 Colorado Revised Statutes, is increased by one million dollars
23 (\$1,000,000).

24
25 (f) The cash funds appropriation to the office of the governor,
26 office of the governor, governor's energy office for clean energy, from the
27 clean energy fund created in section 24-75-1201 (1) (a), Colorado
28 Revised Statutes, is decreased by six million eight hundred seventy-four
29 thousand nine hundred one dollars (\$6,874,901)."

30
31 Renumber succeeding sections accordingly.

32
33 Page 1, line 102, strike "YEAR." and substitute "YEAR, AND MAKING AN
34 APPROPRIATION IN CONNECTION THEREWITH."

35
36
37
38
39 **BUSINESS AFFAIRS & LABOR**

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

42
43 **HB10-1220** be amended as follows, and as so amended, be referred to
44 the Committee on Finance with favorable recommendation:

45
46 Amend printed bill, page 4, line 2, after "10-1-103" insert "(6) (b) (I)
47 (A),".

48
49 Page 4, strike line 5 and substitute "**repeal of functions.**
50 (6) (b) (I) (A) The functions of the division of insurance related to the
51 licensing of bail bonding agents are repealed, effective July 1, 2013 2012,
52 pursuant to the provisions of this section and section 12-7-112, C.R.S.

53
54 (B.5) ~~The functions of the division of~~"

55
56 Page 5, after line 1 insert:

1 **"SECTION 2.** 12-7-112, Colorado Revised Statutes, is amended
2 to read:

3
4 **12-7-112. Repeal - review of functions.** This article is repealed,
5 effective July 1, 2013 2012. Prior to such repeal, the licensing functions
6 of the commissioner and the division shall be reviewed as provided for in
7 section 24-34-104, C.R.S.

8
9 **SECTION 3.** 24-34-104 (43), Colorado Revised Statutes, is
10 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

11
12 **24-34-104. General assembly review of regulatory agencies**
13 **and functions for termination, continuation, or reestablishment.**
14 (43) The following agencies, functions, or both, shall terminate on July
15 1, 2012:

16
17 (f) THE LICENSING OF BAIL BONDING AGENTS THROUGH THE
18 DIVISION OF INSURANCE IN ACCORDANCE WITH ARTICLE 7 OF TITLE 12,
19 C.R.S."

20
21 Renumber succeeding sections accordingly.

22
23 Page 5, line 12, before "(47)" insert "(44) (m),".

24
25 Page 5, after line 26 insert:

26
27 "(44) The following agencies, functions, or both, shall terminate
28 on July 1, 2013:

29
30 (m) ~~The licensing of bail bonding agents through the division of~~
31 ~~insurance in accordance with article 7 of title 12, C.R.S.,".~~

32
33 Page 6, line 26, before "FALSE" insert "WRITTEN,".

34
35 Page 7, line 3, before "FALSE" insert "WRITTEN,".

36
37 Page 7, line 5, before "FALSE" insert "WRITTEN,".

38
39 Page 7, line 10, before "STATEMENT" insert "OTHER WRITTEN".

40
41 Page 7, line 13, before "STATEMENT" insert "OTHER WRITTEN" and before
42 "FALSE" insert "WRITTEN,".

43
44 Page 8, strike lines 11 through 27.

45
46 Page 9, strike lines 1 through 6.

47
48 Renumber succeeding sections accordingly.

49
50
51
52 **HB10-1225** be amended as follows, and as so amended, be referred to
53 the Committee of the Whole with favorable
54 recommendation:

55
56 Amend printed bill, page 3, strike lines 22 through 24 and substitute:

1 **"SECTION 5.** 12-23-104 (2) (c), Colorado Revised Statutes, is
2 amended, and the said 12-23-104 is further amended BY THE
3 ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:".

4
5 Page 3, after line 27 insert:

6
7 "(c) Register APPRENTICES AND REGISTER and renew the
8 registration of ~~apprentices~~ and qualified electrical contractors and
9 examine, license, and renew licenses of journeymen electricians, master
10 electricians, and residential wiremen as provided in this article;".

11
12 Page 4, line 16, strike "(1) and (2)," and substitute "(1), (2), (4), (9) (a),
13 (9) (b), and (9) (c),".

14
15 Page 4, line 17, strike "amended" and substitute "amended, and the said
16 12-23-116 is further amended BY THE ADDITION OF A NEW
17 SUBSECTION,".

18
19 Page 4, strike lines 19 through 21 and substitute "AN individual required
20 to have electrical inspection under this article ~~may~~ SHALL apply through
21 ~~any private, municipal, or cooperative electric utility rendering service to~~
22 ~~the ultimate public for an application for inspection~~ TO THE BOARD FOR
23 AN ELECTRICAL PERMIT,".

24
25 Page 4, strike line 27 and substitute "department. ~~Such utility shall~~
26 ~~provide forms furnished by the board to the applicant, who shall remit the~~
27 ~~application for inspection to such board on such forms. Upon payment~~
28 ~~by the applicant of the applicable fee to the board, the board shall issue~~
29 ~~a temporary permit to the applicant and shall remit a copy of such permit~~
30 ~~to the utility and the state inspector responsible for such inspection and~~
31 ~~retain one copy in its office.~~

32
33 (b) Upon final inspection and approval by the state electrical
34 inspector, ~~written~~ notice shall be issued by the board to ~~the applicant, the~~
35 ~~utility, and the state inspector responsible for such inspection, and one~~
36 ~~copy shall be retained in the office of the board~~ SHALL RETAIN ONE COPY
37 OF THE RECORD OF APPROVAL.".

38
39 Page 5, strike lines 1 through 11.

40
41 Page 5, line 12, strike "(d)" and substitute "(c)".

42
43 Page 5, line 14, strike "(c)" and substitute "(b)".

44
45 Page 5, strike lines 19 through 24 and substitute:

46
47 "(2) (a) ~~Any~~ THE OWNER OF AN electrical installation in any new
48 construction, OTHER THAN MANUFACTURED UNITS CERTIFIED BY THE
49 DIVISION OF HOUSING PURSUANT TO SECTION 24-32-3311, C.R.S., or
50 remodeling or repair ~~other than manufactured units certified by the~~
51 ~~division of housing pursuant to section 24-32-3311, C.R.S.,~~ OF AN
52 EXISTING CONSTRUCTION, except in any incorporated town or city, ~~any~~
53 county, or ~~any~~ city and county having its own electrical code and
54 inspection PROGRAM equal to the minimum standards as are provided in
55 this article, shall ~~be~~ HAVE THE ELECTRICAL PORTION OF THE
56 INSTALLATION, REMODELING, OR REPAIR inspected by a state electrical

1 inspector."

2

3 Page 6, line 4, strike "inspection" and substitute "~~inspection~~ AN
4 ELECTRICAL PERMIT".

5

6 Page 6, line 5, strike "INSPECTION" and substitute "PERMIT".

7

8 Page 6, strike lines 6 through 24 and substitute:

9

10 "(c) ~~Every~~ A MANUFACTURED HOME, mobile home, or movable
11 structure owner shall have the ~~electric utility hookup~~ ELECTRICAL
12 INSTALLATION for ~~such~~ THE MANUFACTURED HOME, mobile home or
13 movable structure inspected prior to obtaining ~~new or different utility~~
14 ELECTRIC service. ~~except that nothing in this subsection (2) shall require~~
15 ~~a reinspection of electrical hookup facilities of any mobile home park or~~
16 ~~any mobile home or other movable structure by reason of the relocation~~
17 ~~of a mobile home or other movable structure within the park where a~~
18 ~~previous inspection has been performed, unless construction or~~
19 ~~remodeling or repair of such mobile home park hookup facilities or of the~~
20 ~~mobile home or other movable structure involving the electrical system~~
21 ~~has been performed, and except that, if the wiring thereof has not been~~
22 ~~altered and either such mobile home or movable structure has a valid state~~
23 ~~electrical board approval sticker in the panel of the mobile home or~~
24 ~~movable structure with the number of the unit listed, the date inspected,~~
25 ~~and the inspector's signature or if such mobile home or movable structure~~
26 ~~has been certified by the division of housing in the department of local~~
27 ~~affairs after June 30, 1988, the occupant of the mobile home or movable~~
28 ~~structure may call the board with this information, and the board will~~
29 ~~authorize the reinstallation of the meter by the utility company.~~

30

31 (4) ~~Each~~ THE PERSON OR INSPECTOR MAKING AN application,
32 certificate of approval, and OR notice of disapproval shall ~~contain~~
33 INCLUDE the name of the property owner, if known, the location and a
34 brief description of the installation, ~~the name of the general contractor if~~
35 ~~any,~~ the name of the electrical contractor or ~~licensed electrician~~ and state
36 ~~license~~ REGISTRATION number, the state electrical inspector, and the
37 ~~inspection~~ fee charged for the ~~inspection~~ PERMIT. The ~~original of a notice~~
38 ~~of disapproval and written reasons for disapproval~~ and corrective actions
39 to be taken shall be mailed to the board, and a copy of ~~such~~ THE notice
40 shall be mailed to the electrical contractor within two working days after
41 the date of inspection. and THE INSPECTOR SHALL POST a copy of the
42 notice ~~shall be posted~~ at the installation site. ~~Such forms~~ THE BOARD
43 ~~shall be furnished by the board,~~ FURNISH THE FORMS. and A copy of each
44 application, certificate, and notice made or issued shall be filed with the
45 board.

46

47 (9) (a) ~~Any~~ A person claiming to be aggrieved by the failure of a
48 state electrical inspector to inspect ~~his~~ property after proper application
49 or by notice of disapproval without setting forth the reasons for ~~denying~~
50 ~~the inspection permit~~ REJECTING THE INSPECTION may request the program
51 ~~administrator~~ DIRECTOR to review the actions of the state electrical
52 inspector or the manner of the inspection. ~~Such~~ THE request may be made
53 by ~~his~~ AN authorized representative and shall be in writing.

54

55 (b) Upon the filing of such a request, the program ~~administrator~~
56 DIRECTOR shall cause a copy ~~thereof~~ to be served upon the state electrical

1 inspector complained of, together with an order requiring ~~such~~ THE
2 inspector to answer the allegations of said request within a time fixed by
3 the program ~~administrator~~ DIRECTOR.
4

5 (c) If the request is not granted within ten days after it is filed, it
6 may be treated as rejected. Any person aggrieved by the action of the
7 program ~~administrator~~ DIRECTOR in refusing the review requested or in
8 failing or refusing to grant all or part of the relief requested may file a
9 written complaint and request for a hearing with the board, specifying the
10 grounds relied upon.
11

12 (10) AN INSPECTOR PERFORMING AN INSPECTION FOR THE STATE,
13 AN INCORPORATED TOWN OR CITY, A COUNTY, OR A CITY AND COUNTY
14 MAY VERIFY COMPLIANCE WITH ANY PROVISION OF THIS ARTICLE AND MAY
15 FILE A COMPLAINT WITH THE BOARD FOR A VIOLATION OF THIS ARTICLE."
16

17 Page 6, line 25, strike "(5) (d)," and substitute "The introductory portion
18 to 12-23-106 (1) (a), 12-23-106 (1) (b), the introductory portion to
19 12-23-106 (2) (a), and 12-23-106 (3) (a), (3) (b) (I), (3) (b) (II), (4) (a),
20 (5) (b), and (5) (d)," and strike "is" and substitute "are".
21

22 Page 6, strike line 27 and substitute:
23

24 **"12-23-106. License requirements - rules. (1) Master**
25 **electrician.** (a) An applicant for a master electrician's license shall
26 furnish written evidence that:
27

28 (b) Each applicant for a license as a master electrician shall file an
29 application on forms prepared and furnished by the board, together with
30 the ~~examination~~ APPLICATION fee provided in section 12-23-112 (1). The
31 board ~~not less than thirty days prior to a scheduled written examination,~~
32 shall notify each applicant that the evidence submitted with the
33 application is sufficient to qualify the applicant to take the written
34 examination or that the evidence is insufficient and the application is
35 rejected. In the event that the application is rejected, the board shall set
36 forth the reasons for the rejection in the notice to the applicant. ~~and shall~~
37 ~~return the applicant's examination fee. The place of examination shall be~~
38 ~~designated in advance by the board, and examinations shall be held not~~
39 ~~less often than twice per calendar year and at such other times as, in the~~
40 ~~opinion of the board, the number of applicants warrants.~~
41

42 (2) **Journeyman electrician.** (a) An applicant for a journeyman
43 electrician's license shall furnish written evidence that the applicant has
44 had the following:
45

46 (3) **Residential wireman.** (a) An applicant for a residential
47 wireman's license shall furnish written evidence that ~~he~~ THE APPLICANT
48 has at least two years of accredited training or two years of practical
49 experience in wiring one-, two-, three-, and four-family dwellings.
50

51 (b) Any applicant for such license shall be permitted to substitute
52 for required practical experience evidence of academic training in the
53 electrical field which shall be credited as follows:
54

55 (I) If ~~he~~ THE APPLICANT is a graduate electrical engineer of an
56 accredited college or university or the graduate of a community college

1 or trade school program approved by the board, ~~he~~ THE APPLICANT shall
2 receive one year of work experience credit.

3
4 (II) If ~~he~~ THE APPLICANT has academic training, including military
5 training, which is not sufficient to qualify under subparagraph (I) of this
6 paragraph (b), the board shall provide work experience credit for such
7 training according to a uniform ratio established by rule. ~~and regulation.~~

8
9 (4)(a) THE BOARD SHALL PROVIDE FOR LICENSING EXAMINATIONS.
10 Any examination ~~which~~ THAT is given for master electricians, journeymen
11 electricians, and residential wiremen shall be subject to board approval.
12 The board, or its designee, shall conduct and grade the examination and
13 shall set the passing score to reflect a minimum level of competency. If
14 it is determined that the applicant has passed the examination, the division
15 of registrations, upon written notice from the board or the program
16 ~~administrator~~ DIRECTOR, acting as an agent thereof, and upon payment by
17 the applicant of the fee provided in section 12-23-112, shall issue to the
18 applicant a license ~~which shall authorize~~ THAT AUTHORIZES him OR HER
19 to engage in the business, trade, or calling of a master electrician,
20 journeyman electrician, or residential wireman.

21
22 (5) (b) If either the owner or the part owner of any firm,
23 copartnership, corporation, association, or combination thereof has been
24 issued a master electrician's license by the division of registrations and is
25 in charge of the supervision of all electrical work performed by such
26 contractor, upon written notice from the board or the program
27 ~~administrator~~ DIRECTOR, acting as the agent thereof, the division shall
28 promptly, upon payment of the fee as provided in section 12-23-112,
29 register such licensee as an electrical contractor.

30
31 (d) No holder of".

32
33 Page 7, line 11, strike "(2) and (6)," and substitute "(2), (6), and (18),".

34
35 Page 8, after line 13 insert:

36
37 "(18) Nothing in this article shall be construed to cover the
38 installation, maintenance, repair, or alteration of security systems OF FIFTY
39 VOLTS OR LESS, lawn sprinkler systems, environmental controls, or remote
40 radio-controlled systems beyond the terminals of the controllers.
41 Furthermore, the contractors performing any installation, maintenance,
42 repair, or alteration under this exemption, or their employees, shall not be
43 covered by the licensing requirements of this article."

44
45 Page 8, line 18, strike "president and vice-president." and substitute
46 "~~president~~ CHAIR and ~~vice-president~~ VICE-CHAIR."

47
48 Page 9, line 26, strike "**Inspection**" and substitute "**Permit**".

49
50 Page 11, after line 15 insert:

51
52 "**SECTION 13.** 12-23-104.5, Colorado Revised Statutes, is
53 amended to read:

54
55 **12-23-104.5. Program director.** The director of the division of
56 registrations may appoint a program ~~administrator~~ DIRECTOR pursuant to

1 section 13 of article XII of the state constitution to work with the board
2 in carrying out its duties under this article.

3
4 **SECTION 14.** 12-23-105 (1), Colorado Revised Statutes, is
5 amended to read:

6
7 **12-23-105. Electrician must have license - control and**
8 **supervision.** (1) No person shall engage in or work at the business,
9 trade, or calling of a journeyman electrician, master electrician, or
10 residential wireman in this state until ~~he~~ THE PERSON has received a
11 license from the division of registrations upon written notice from the
12 board or the program administrator DIRECTOR, acting as the agent thereof,
13 or a temporary permit from the board, the program administrator
14 DIRECTOR, or ~~his~~ agent OF THE DIRECTOR.

15
16 **SECTION 15.** 12-23-110, Colorado Revised Statutes, is amended
17 to read:

18
19 **12-23-110. Temporary permits.** The board or the program
20 administrator DIRECTOR or ~~his~~ THE DIRECTOR'S agent, as provided in the
21 rules ~~and regulations~~ promulgated by the board, shall issue temporary
22 permits to engage in the work of a master electrician in cases where an
23 electrical contractor no longer has the services of any master electrician
24 as required under this article and shall issue temporary permits to engage
25 in the work of a journeyman electrician or residential wireman to any
26 applicant who furnishes evidence satisfactory to the board that ~~he~~ THE
27 APPLICANT has the required experience to qualify for the examination
28 provided in this article and who pays the fee provided in section
29 12-23-112 for such permits. In addition, and in a similar manner, the
30 board or the program administrator DIRECTOR or ~~his~~ THE DIRECTOR'S
31 agent shall issue temporary permits to any applicant who furnishes
32 evidence satisfactory to the board that ~~he~~ THE APPLICANT qualifies for a
33 master electrician's license and who pays the required fee. Temporary
34 permits shall continue in effect ~~only until the next examination is given~~
35 FOR NO MORE THAN THIRTY DAYS AFTER ISSUANCE and may be revoked
36 by the board at any time. ~~If the applicant is granted a license, any fee paid~~
37 ~~for the temporary permit shall be applied to the fee required for a license.~~

38
39 **SECTION 16.** 12-23-112 (1) (b), (1) (d), (1) (h), (1) (J), and (1)
40 (m), Colorado Revised Statutes, are amended to read:

41
42 **12-23-112. Fees.** (1) As established pursuant to section
43 24-34-105, C.R.S., fees shall be charged by the state electrical board for
44 the following:

45
46 (b) ~~Annual~~ Renewal of master electrician's license;

47
48 (d) ~~Annual~~ Renewal of journeyman electrician's license;

49
50 (h) ~~Annual~~ Renewal of electrical contractor registration;

51
52 (J) ~~Annual~~ Renewal of residential wireman's license;

53
54 (m) ~~Annual renewal of apprentice registration.~~

1 **SECTION 17.** 12-23-115 (1) (a) (I) (B) and (3) (a), Colorado
2 Revised Statutes, are amended to read:

3
4 **12-23-115. Inspectors - qualifications.** (1) (a) (I) The director
5 of the division of registrations is hereby authorized to appoint or employ,
6 with the power of removal, competent persons licensed under this article
7 as journeymen or master electricians as state electrical inspectors. The
8 division director is also authorized to appoint or employ, with the power
9 of removal, for the purpose of inspecting one-, two-, three-, or
10 four-family dwellings, competent persons with the following
11 qualifications:

12
13 (B) Persons who have been certified as residential electrical
14 inspectors by a national certification authority approved by the board and
15 who have furnished satisfactory evidence of at least two years' practical
16 experience in the ELECTRICAL inspection of residential dwellings.

17
18 (3) State electrical inspectors appointed or employed pursuant to
19 subsection (1) of this section may:

20
21 (a) Conduct inspections and investigations pursuant to section
22 12-23-118 (4) on behalf of the program ~~administrator~~ DIRECTOR;

23
24 **SECTION 18.** 12-23-118 (1) (I), (4) (a), (4) (b) (I), (4) (c) (I), (6)
25 (b), (6) (d) (II), (6) (d) (III), (6) (d) (IV), (6) (d) (V), (7) (b), and (7) (c),
26 Colorado Revised Statutes, are amended to read:

27
28 **12-23-118. Violations - citations - settlement agreements -**
29 **hearings - fines.** (1) The board may deny, suspend, revoke, refuse to
30 renew, or issue a letter of admonition in regard to any license or
31 registration issued or applied for under the provisions of this article, may
32 place a licensee or registrant on probation, or may issue a citation to a
33 licensee, registrant, or applicant for licensure for any of the following
34 reasons:

35
36 (I) Disciplinary action against an electrician's license OR
37 REGISTRATION in another jurisdiction. Evidence of such disciplinary
38 action shall be prima facie evidence for denial of licensure OR
39 REGISTRATION or other disciplinary action if the violation would be
40 grounds for such disciplinary action in this state.

41
42 (4) (a) If pursuant to an inspection or investigation by a state
43 electrical inspector the board concludes that any licensee, registrant, or
44 applicant for licensure has violated any provision of subsection (1) of this
45 section and that disciplinary action is appropriate, the program
46 ~~administrator~~ DIRECTOR or the program ~~administrator's~~ DIRECTOR'S
47 designee may issue a citation in accordance with subsection (6) of this
48 section to such licensee, registrant, or applicant.

49
50 (b) (I) The licensee, registrant, or applicant to whom a citation has
51 been issued may make a request to negotiate a stipulated settlement
52 agreement with the program ~~administrator~~ DIRECTOR or the program
53 ~~administrator's~~ DIRECTOR'S designee, if such request is made in writing
54 within ten working days after issuance of the citation ~~which~~ THAT is the
55 subject of the settlement agreement.

- 1 (c) (I) The licensee, registrant, or applicant to whom a citation has
2 been issued may request an administrative hearing to determine the
3 propriety of such citation if such request is made in writing within ten
4 working days after issuance of the citation ~~which~~ THAT is the subject of
5 the hearing or within a reasonable period after negotiations for a
6 stipulated settlement agreement pursuant to paragraph (b) of this
7 subsection (4) have been deemed futile by the program administrator
8 DIRECTOR.
9
- 10 (6) (b) A citation or copy of a citation issued pursuant to this
11 section may be served by certified mail or in person by a state electrical
12 inspector or the administrator's PROGRAM DIRECTOR'S designee upon a
13 person or the person's agent in accordance with rule 4 of the Colorado
14 rules of civil procedure.
15
- 16 (d) (II) ~~When a complaint or investigation discloses an instance~~
17 ~~of misconduct that, in the opinion of the board, does not warrant formal~~
18 ~~action by the board but that should not be dismissed as being without~~
19 ~~merit, a letter of admonition may be issued and sent, by certified mail, to~~
20 ~~the licensee or registrant.~~ UPON COMPLETING AN INVESTIGATION, THE
21 BOARD SHALL MAKE ONE OF THE FOLLOWING FINDINGS:
22
- 23 (A) THE COMPLAINT IS WITHOUT MERIT AND NO FURTHER ACTION
24 NEED BE TAKEN.
25
- 26 (B) THERE IS NO REASONABLE CAUSE TO WARRANT FURTHER
27 ACTION.
28
- 29 (C) THE INVESTIGATION DISCLOSES AN INSTANCE OF CONDUCT
30 THAT DOES NOT WARRANT FORMAL ACTION, BUT INVESTIGATION ALSO
31 DISCLOSES INDICATIONS OF POSSIBLE ERRANT CONDUCT THAT COULD LEAD
32 TO SERIOUS CONSEQUENCES IF NOT CORRECTED. IF THIS FINDING IS MADE,
33 THE BOARD SHALL SEND A CONFIDENTIAL LETTER OF CONCERN TO THE
34 LICENSEE.
35
- 36 (D) THE INVESTIGATION DISCLOSES AN INSTANCE OF CONDUCT
37 THAT DOES NOT WARRANT FORMAL ACTION BUT SHOULD NOT BE
38 DISMISSED AS BEING WITHOUT MERIT. IF THIS FINDING IS MADE, THE
39 BOARD SHALL SEND A LETTER OF ADMONITION TO THE LICENSEE BY
40 CERTIFIED MAIL.
41
- 42 (E) THE INVESTIGATION DISCLOSES FACTS THAT WARRANT
43 FURTHER PROCEEDINGS BY FORMAL COMPLAINT. IF THIS FINDING IS MADE,
44 THE BOARD SHALL REFER THE COMPLAINT TO THE ATTORNEY GENERAL FOR
45 PREPARATION AND FILING OF A FORMAL COMPLAINT.
46
- 47 (III) (A) ~~When a letter of admonition is sent by the board, by~~
48 ~~certified mail to a licensee or registrant, such licensee or registrant shall~~
49 ~~be advised that he or she~~ THE BOARD SHALL INCLUDE IN THE LETTER A
50 NOTICE THAT THE LICENSEE has the right to request in writing, within
51 twenty days after receipt of the letter, that formal disciplinary proceedings
52 be initiated to adjudicate the propriety of the conduct upon which the
53 letter of admonition is based.
54
- 55 (B) IF THE REQUEST FOR ADJUDICATION IS TIMELY MADE, THE
56 LETTER OF ADMONITION IS VACATED AND THE BOARD SHALL PROCEED BY

1 MEANS OF FORMAL DISCIPLINARY PROCEEDINGS.

2
3 (IV) ~~If the request for adjudication is timely made, the letter of~~
4 ~~admonition shall be deemed vacated and the matter shall be processed by~~
5 ~~means of formal disciplinary proceedings.~~

6
7 (V) ~~When a complaint or investigation discloses an instance of~~
8 ~~conduct that does not warrant formal action by the board and, in the~~
9 ~~opinion of the board, the complaint should be dismissed, but the board~~
10 ~~has noticed indications of possible errant conduct by the licensee that~~
11 ~~could lead to serious consequences if not corrected, a confidential letter~~
12 ~~of concern may be issued and sent to the licensee.~~ THE BOARD SHALL
13 CONDUCT ALL PROCEEDINGS PURSUANT TO THIS SUBSECTION (2)
14 EXPEDITIOUSLY AND INFORMALLY SO THAT NO LICENSEE IS SUBJECTED TO
15 UNFAIR AND UNJUST CHARGES AND THAT NO COMPLAINANT IS DEPRIVED
16 OF THE RIGHT TO A TIMELY, FAIR, AND PROPER INVESTIGATION OF A
17 COMPLAINT.

18
19 (7) (b) Any fine assessed in a citation or an administrative hearing
20 or any amount due pursuant to a stipulated settlement agreement that is
21 not paid may be collected by the program ~~administrator~~ DIRECTOR through
22 a collection agency or in an action in the district court of the county in
23 which the person against whom the fine is imposed resides or in the
24 county in which the office of the program ~~administrator~~ DIRECTOR is
25 located.

26
27 (c) The attorney general shall provide legal assistance and advice
28 to the program ~~administrator~~ DIRECTOR in any action to collect an unpaid
29 fine."

30
31 Renumber succeeding sections accordingly.

32
33
34
35 **HB10-1245** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:

38
39 Amend printed bill, page 6, line 5, strike "(3), Colorado Revised Statutes,
40 is" and substitute "(2) (a) (IV) (B), (2) (c), and (3), Colorado Revised
41 Statutes, are".

42
43 Page 6, strike line 8 and substitute:

44 "(2) (a) The commission shall consist of five voting members and
45 two nonvoting advisory members. All members shall be residents of
46 Colorado, be of good character and not have been convicted of any felony
47 or match-related offense, notwithstanding the provisions of section
48 24-5-101, C.R.S., and be appointed as follows:

49
50 (IV) (B) The two nonvoting advisory members shall advise the
51 commission on matters concerning the health and physical condition of
52 boxers ~~and kickboxers~~ and health issues relating to the conduct of
53 matches. The nonvoting members may prepare and submit to the
54 commission for its consideration and approval any rules that in their
55 judgment will safeguard the physical welfare of the participants engaged
56 in boxing.

1 (c) The commission shall designate by majority vote which
2 member is to serve as chair. Any member may be removed from office
3 by the person making the appointment for misfeasance, malfeasance,
4 willful neglect of duty, or other cause. ~~after notice and a public hearing,~~
5 ~~unless such notice and hearing have been expressly waived in writing.~~

6
7 (3) Meetings of the commission shall be held at least ~~quarterly~~ "quarterly".

8
9 Page 6, line 20, after "(b)," insert "(1) (e), (1) (g), (1) (J),".

10
11 Page 7, after line 2 insert:

12
13 "(e) Requirements for insurance COVERING PARTICIPANTS and
14 bonding OF PROMOTERS;

15
16 (g) Guidelines for contracts and financial arrangements BETWEEN
17 PROMOTERS AND PARTICIPANTS;

18
19 (J) Responsibilities of participants, including female boxers; ~~and~~
20 ~~kickboxers; and~~".

21
22 Page 8, after line 3 insert:

23
24 "SECTION 10. The introductory portion to 12-10-107.1 (1),
25 12-10-107.1 (1) (b), (1) (d), (1) (e), (2) (b), (2) (c), (2) (d), (2) (e), and (3)
26 (b), Colorado Revised Statutes, are amended, and the said 12-10-107.1 (1)
27 is further amended BY THE ADDITION OF A NEW PARAGRAPH, to
28 read:

29
30 **12-10-107.1. Grounds for discipline.** (1) The director may
31 deny, suspend, revoke, place on probation, or issue a letter of admonition
32 ~~against the license of an applicant or licensee~~ A LICENSE OR AN
33 APPLICATION FOR A LICENSE if the applicant or licensee:

34
35 (b) Fails to meet the requirements of this article or the rules of the
36 commission ~~or uses fraud, misrepresentation, or deceit in applying for or~~
37 ~~attempting to apply for licensure;~~

38
39 (d) Is addicted to or dependent upon alcohol or any controlled
40 substance, within the meaning of part 3 of article 22 of this title, or is a
41 habitual user of said controlled substance, if the use, addiction, or
42 dependency is a danger to ~~clients or prospective clients~~ OTHER
43 PARTICIPANTS OR OFFICIALS;

44
45 (e) Has incurred disciplinary action related to professional boxing
46 in another jurisdiction. Evidence of such disciplinary action shall be
47 prima facie evidence for denial of a license or other disciplinary action if
48 the violation would be grounds for such disciplinary action in this state;
49 OR

50
51 (f) USES FRAUD, MISREPRESENTATION, OR DECEIT IN APPLYING FOR
52 OR ATTEMPTING TO APPLY FOR LICENSURE.

53
54 (2) (b) ~~When a complaint or investigation discloses an instance of~~
55 ~~misconduct that, in the opinion of the director, does not warrant formal~~
56 ~~action by the director but that should not be dismissed as being without~~

1 ~~merit, a letter of admonition may be issued and sent, by certified mail, to~~
2 ~~the licensee.~~ UPON COMPLETING AN INVESTIGATION, THE DIRECTOR SHALL
3 MAKE ONE OF THE FOLLOWING FINDINGS:

4
5 (I) THE COMPLAINT IS WITHOUT MERIT AND NO FURTHER ACTION
6 NEED BE TAKEN.

7
8 (II) THERE IS NO REASONABLE CAUSE TO WARRANT FURTHER
9 ACTION.

10
11 (III) THE INVESTIGATION DISCLOSES AN INSTANCE OF CONDUCT
12 THAT DOES NOT WARRANT FORMAL ACTION, BUT THE DIRECTOR NOTICES
13 INDICATIONS OF POSSIBLE ERRANT CONDUCT THAT COULD LEAD TO
14 SERIOUS CONSEQUENCES IF NOT CORRECTED. IF THIS FINDING IS MADE,
15 THE DIRECTOR SHALL SEND A CONFIDENTIAL LETTER OF CONCERN TO THE
16 LICENSEE.

17
18 (IV) THE INVESTIGATION DISCLOSES AN INSTANCE OF CONDUCT
19 THAT DOES NOT WARRANT FORMAL ACTION BUT SHOULD NOT BE
20 DISMISSED AS BEING WITHOUT MERIT. IF THIS FINDING IS MADE, THE
21 DIRECTOR SHALL SEND A LETTER OF ADMONITION TO THE LICENSEE BY
22 CERTIFIED MAIL.

23
24 (V) THE INVESTIGATION DISCLOSES FACTS THAT WARRANT
25 FURTHER PROCEEDINGS BY FORMAL COMPLAINT. IF THIS FINDING IS MADE,
26 THE DIRECTOR SHALL REFER THE COMPLAINT TO THE ATTORNEY GENERAL
27 FOR PREPARATION AND FILING OF A FORMAL COMPLAINT.

28
29 (c) (I) When a letter of admonition is sent ~~by the director,~~ by
30 certified mail to a licensee, ~~such licensee shall be advised~~ THE DIRECTOR
31 SHALL INCLUDE IN THE LETTER A NOTICE that ~~he or she~~ THE LICENSEE has
32 the right to request in writing, within twenty days after receipt of the
33 letter, that formal disciplinary proceedings be initiated to adjudicate the
34 propriety of the conduct upon which the letter of admonition is based.

35
36 (II) IF THE REQUEST FOR ADJUDICATION IS TIMELY MADE, THE
37 LETTER OF ADMONITION IS VACATED AND THE DIRECTOR SHALL PROCEED
38 BY MEANS OF FORMAL DISCIPLINARY PROCEEDINGS.

39
40 (d) ~~If the request for adjudication is timely made, the letter of~~
41 ~~admonition shall be deemed vacated and the matter shall be processed by~~
42 ~~means of formal disciplinary proceedings.~~

43
44 (e) ~~When a complaint or investigation discloses an instance of~~
45 ~~conduct that does not warrant formal action by the director and, in the~~
46 ~~opinion of the director, the complaint should be dismissed, but the~~
47 ~~director has noticed indications of possible errant conduct by the licensee~~
48 ~~that could lead to serious consequences if not corrected, a confidential~~
49 ~~letter of concern may be issued and sent to the licensee.~~ THE DIRECTOR
50 SHALL CONDUCT ALL PROCEEDINGS PURSUANT TO THIS SUBSECTION (2)
51 EXPEDITIOUSLY AND INFORMALLY SO THAT NO LICENSEE IS SUBJECTED TO
52 UNFAIR AND UNJUST CHARGES AND THAT NO COMPLAINANT IS DEPRIVED
53 OF THE RIGHT TO A TIMELY, FAIR, AND PROPER INVESTIGATION OF A
54 COMPLAINT.

55
56 (3) (b) Upon failure of any witness to comply with such subpoena

1 or process, the district court of the county in which the subpoenaed
2 person or licensee resides or conducts business, upon application by the
3 ~~board or~~ director with notice to the subpoenaed person or licensee, may
4 issue to the person or licensee an order requiring that person or licensee
5 to appear before the ~~board or~~ director; to produce the relevant papers,
6 books, records, documentary evidence, or materials if so ordered; or to
7 give evidence touching the matter under investigation or in question.
8 Failure to obey the order of the court may be punished by the court as a
9 contempt of court."

10

11 Renumber succeeding sections accordingly.

12

13 Page 8, line 16, strike "board" and substitute "~~board~~ OFFICE".

14

15

16

17 **SB10-049** be referred to the Committee of the Whole with favorable
18 recommendation.

19

20

21

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

23

24 The Speaker has signed: **HB10-1039; SB10-001.**

25

26

27

28

29

30 The Senate has adopted and transmits herewith: SJR10-014.

31

32

33 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

34

35 On motion of Representative Weissmann, the rules were suspended and
36 the following resolution was given immediate consideration.

37

38 **SJR10-014** by Senator(s) Newell; also Representative(s) Gerou--
39 Concerning Awareness Day for Individuals with
40 Developmental Disabilities.

41

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

43

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

46

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

56

1 On motion of Representative Weissmann, **HB10-1297, 1298, 1299, 1300,**
2 **1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311,**
3 **1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322,**
4 **1323, 1324, 1325, 1326, 1327, 1339** were added to the Special Orders
5 Calendar on Wednesday, February 17, 2010.

6
7
8 On motion of Representative Levy, the House resolved itself into
9 Committee of the Whole for consideration of Special Orders and she was
10 called to the Chair to act as Chairman.

11
12
13 **SPECIAL ORDERS--SECOND READING OF BILLS**

14
15 The Committee of the Whole having risen, the Chairman reported the
16 titles of the following bills had been read (reading at length had been
17 dispensed with by unanimous consent), the bills considered and action
18 taken thereon as follows:

19
20 (Amendments to the committee amendment are to the printed committee
21 report which was printed and placed in the members' bill file.)

22
23 **HB10-1008** by Representative(s) Schafer S. and McCann, Apuan,
24 Frangas, Massey; also Senator(s) Carroll M. And Schwartz,
25 Boyd, Foster--Concerning a prohibition against
26 consideration of gender in setting rates for individual health
27 insurance policies.

28
29 Amendment No. 1, Health & Human Services Report, dated
30 February 4, 2010, and placed in member's bill file; Report also printed in
31 House Journal, February 5, pages 210-211.

32
33 Amendment No. 2, by Representative(s) Schafer S.

34
35 Amend the Health and Human Services Committee Report, dated
36 February 4, 2010, page 1, line 3, strike "PLAN," and substitute "PLAN".

37
38 Page 1 of the committee report, strike line 4.

39
40 Page 1 of the committee report, line 5, strike "INSURANCE".

41
42 Page 1 of the committee report, strike lines 7 and 8 and substitute:

43
44 "AS A HEALTH COVERAGE PLAN DUE TO THE".

45
46 Page 2 of the committee report, strike line 1.

47
48 Page 2 of the committee report, line 2, strike "accident insurance set" and
49 substitute "health coverage plans that are issued or renewed".

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

53
54 **HB10-1024** by Representative(s) Balmer and Riesberg; also Senator(s)
55 Williams, Newell--Concerning eliminating the ability of
56 advanced practice nurses to declare patients terminally ill.

1 Amendment No. 1, Health & Human Services Report, dated
2 February 4, 2010, and placed in member's bill file; Report also printed in
3 House Journal, February 5, page 211.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB10-1115** by Representative(s) Gagliardi; also Senator(s) Scheffel--
9 Concerning the assessment of costs by county departments
10 of social services to families receiving child welfare core
11 services.

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

15
16 **HB10-1297** by Representative(s) Pommer, Ferrandino, Lambert; also
17 Senator(s) Keller, Tapia, White--Concerning a supplemental
18 appropriation to the department of agriculture.

19
20 Amendment No. 1, by Representative(s) Curry, Sonnenberg, Tipton,
21 McKinley.

22
23 Amend printed bill, page 3, line 5, in the REAPPROPRIATED FUNDS
24 column strike "1,075,606^a" and substitute "~~1,075,606~~".

25
26 Page 3, line 6, in the ITEM & SUBTOTAL column strike "1,672,648"
27 and substitute "1,645,194", in the GENERAL FUND column strike
28 "597,042" and substitute "586,798", and in the REAPPROPRIATED
29 FUNDS column insert "1,058,396^a".

30
31 Page 6, line 7, in the TOTAL column strike "8,177,511" and substitute
32 "8,150,057".

33
34 Page 7, line 1, in the ITEM & SUBTOTAL column strike "10,220,124"
35 and substitute "10,055,144", in the GENERAL FUND column strike
36 "2,841,627" and substitute "2,795,720", in the CASH FUNDS column
37 strike "6,336,578^a" and substitute "6,234,110^a", in the
38 REAPPROPRIATED FUNDS column strike "521,015^f" and substitute
39 "512,679^f", and in the FEDERAL FUNDS column strike "520,904" and
40 substitute "512,635".

41
42 Page 8, line 2, in the TOTAL column strike "12,582,759" and substitute
43 "12,417,779".

44
45 Page 8, line 15, in the ITEM & SUBTOTAL column strike "402,302" and
46 substitute "395,665" and in the GENERAL FUND column strike
47 "402,302" and substitute "395,665".

48
49 Page 9, line 11, in the TOTAL column strike "1,107,786" and substitute
50 "1,101,149".

51
52 Page 13, line 8, in the ITEM & SUBTOTAL column strike "367,329" and
53 substitute "361,267" and in the GENERAL FUND column strike
54 "367,329" and substitute "361,267".

55
56

1 Page 14, line 2, in the TOTAL column strike "1,571,387" and substitute
2 "1,565,325".
3

4 Page 14, line 9, in the TOTAL column strike "\$38,793,845" and
5 substitute "\$38,588,712", in the GENERAL FUND column strike
6 "\$6,055,836" and substitute "\$5,986,986", in the CASH FUNDS column
7 strike "\$26,968,790" and substitute "\$26,866,322", in the
8 REAPPROPRIATED FUNDS column strike "\$1,800,473" and substitute
9 "\$1,774,927", and in the FEDERAL FUNDS column strike "\$3,968,746"
10 and substitute "\$3,960,477".
11

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

14 (For change in action, see Amendments to Report, page 391.)
15

16 **HB10-1298** by Representative(s) Pommer, Ferrandino, Lambert; also
17 Senator(s) Keller, Tapia, White--Concerning a supplemental
18 appropriation to the department of corrections.
19

20 Amendment No. 1, Appropriations Report, dated February 16, 2010, and
21 placed in member's bill file; Report also printed in House Journal,
22 February 17, page 355.
23

24 As amended, ordered engrossed and placed on the Calendar for Third
25 Reading and Final Passage.
26

27 **HB10-1299** by Representative(s) Pommer, Ferrandino, Lambert; also
28 Senator(s) Keller, Tapia, White--Concerning a supplemental
29 appropriation to the offices of the governor, lieutenant
30 governor, and state planning and budgeting.
31

32 Ordered engrossed and placed on the Calendar for Third Reading and
33 Final Passage.
34

35 **HB10-1300** by Representative(s) Pommer, Ferrandino, Lambert; also
36 Senator(s) Keller, Tapia, White--Concerning a supplemental
37 appropriation to the department of health care policy and
38 financing.
39

40 Amendment No. 1, Appropriations Report, dated February 16, 2010, and
41 placed in member's bill file; Report also printed in House Journal,
42 February 17, page 355.
43

44 As amended, ordered engrossed and placed on the Calendar for Third
45 Reading and Final Passage.
46

47 A motion by Representative Weissmann that the Committee rise, report
48 progress and beg leave to sit again at 1:15 p.m., was adopted by
49 unanimous consent. (Special Orders continued on page 386.)
50

51
52 House reconvened.
53

54 The Committee of the Whole reported it had risen, reported progress and
55 would sit again at 1:15 p.m.
56

House in recess. House reconvened.

On motion of Representative Solano, the House resolved itself into Committee of the Whole for continuation of consideration of Special Orders, and she was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

(Continued from page 385)

HB10-1301 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--Concerning a supplemental appropriation to the department of higher education.

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

HB10-1304 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--Concerning a supplemental appropriation to the department of labor and employment.

Amendment No. 1, Appropriations Report, dated February 16, 2010, and placed in member's bill file; Report also printed in House Journal, February 17, page 356.

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

HB10-1305 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--Concerning a supplemental appropriation to the department of law.

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

HB10-1306 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--Concerning a supplemental appropriation to the department of legislature.

Amendment No. 1, by Representative(s) Lambert, Carroll T, Ferrandino.

Amend printed bill, page 6, before line 1 insert:

"SECTION 2. Appropriation. In addition to any other appropriation, for state fiscal year 2009-10 and any subsequent fiscal year, there is here by appropriated to the general fund any moneys that would have otherwise been used to fund the Senate."

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

1 **HB10-1307** by Representative(s) Pommer, Ferrandino, Lambert; also
2 Senator(s) Keller, Tapia, White--Concerning supplemental
3 appropriation to the department of local affairs.
4

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

8 **HB10-1308** by Representative(s) Pommer, Ferrandino, Lambert; also
9 Senator(s) Keller, Tapia, White--Concerning a supplemental
10 appropriation to the department of military and veterans
11 affairs.
12

13 Ordered engrossed and placed on the Calendar for Third Reading and
14 Final Passage.
15

16
17 **HB10-1309** by Representative(s) Pommer, Ferrandino, Lambert; also
18 Senator(s) Keller, Tapia, White--Concerning a supplemental
19 appropriation to the department of natural resources.
20

21 Ordered engrossed and placed on the Calendar for Third Reading and
22 Final Passage.
23

24 **HB10-1310** by Representative(s) Pommer, Ferrandino, Lambert; also
25 Senator(s) Keller, Tapia, White--Concerning a supplemental
26 appropriation to the department of personnel and
27 administration.
28

29 Ordered engrossed and placed on the Calendar for Third Reading and
30 Final Passage.
31

32
33 **HB10-1302** by Representative(s) Pommer, Ferrandino, Lambert; also
34 Senator(s) Keller, Tapia, White--Concerning a supplemental
35 appropriation to the department of human services.
36

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

40 **HB10-1303** by Representative(s) Pommer, Ferrandino, Lambert; also
41 Senator(s) Keller, Tapia, White--Concerning a supplemental
42 appropriation to the judicial department.
43

44 Ordered engrossed and placed on the Calendar for Third Reading and
45 Final Passage.
46

47
48 **HB10-1311** by Representative(s) Pommer, Ferrandino, Lambert; also
49 Senator(s) Keller, Tapia, White--Concerning a supplemental
50 appropriation to the department of public health and
51 environment.
52

53 Ordered engrossed and placed on the Calendar for Third Reading and
54 Final Passage.
55

1 **HB10-1312** by Representative(s) Pommer, Ferrandino, Lambert; also
2 Senator(s) Keller, Tapia, White--Concerning a supplemental
3 appropriation to the department of public safety.
4

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

8 **HB10-1313** by Representative(s) Pommer, Ferrandino, Lambert; also
9 Senator(s) Keller, Tapia, White--Concerning a supplemental
10 appropriation to the department of regulatory agencies.
11

12 Ordered engrossed and placed on the Calendar for Third Reading and
13 Final Passage.
14

15 **HB10-1314** by Representative(s) Pommer, Ferrandino, Lambert; also
16 Senator(s) Keller, Tapia, White--Concerning a supplemental
17 appropriation to the department of revenue.
18

19 Ordered engrossed and placed on the Calendar for Third Reading and
20 Final Passage.
21

22 **HB10-1315** by Representative(s) Pommer, Ferrandino, Lambert; also
23 Senator(s) Keller, Tapia, White--Concerning a supplemental
24 appropriation to the department of state.
25

26 Ordered engrossed and placed on the Calendar for Third Reading and
27 Final Passage.
28

29 **HB10-1316** by Representative(s) Pommer, Ferrandino, Lambert; also
30 Senator(s) Keller, Tapia, White--Concerning a supplemental
31 appropriation to the department of transportation.
32

33 Ordered engrossed and placed on the Calendar for Third Reading and
34 Final Passage.
35

36 **HB10-1317** by Representative(s) Pommer, Ferrandino, Lambert; also
37 Senator(s) Keller, Tapia, White--Concerning a supplemental
38 appropriation to the department of the treasury.
39

40 Ordered engrossed and placed on the Calendar for Third Reading and
41 Final Passage.
42

43 **HB10-1318** by Representative(s) Pommer, Ferrandino, Lambert; also
44 Senator(s) Tapia, Keller, White--Concerning circumstances
45 under which the requirement that each school district receive
46 a minimum amount of state funding for total program
47 funding as calculated through the "Public School Finance
48 Act of 1994" shall not apply to any district.
49

50 Amendment No. 1, Appropriations Report, dated February 16, 2010, and
51 placed in member's bill file; Report also printed in House Journal,
52 February 17, page 357.
53

54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.
56

1 **HB10-1319** by Representative(s) Ferrandino, Pommer, Lambert; also
2 Senator(s) Tapia, Keller, White--Concerning modifications
3 to statutory transfers for energy-related assistance to low-
4 income households from the operational account of the
5 severance tax trust fund for three particular state fiscal years.
6

7 Ordered engrossed and placed on the Calendar for Third Reading and
8 Final Passage.
9

10 **HB10-1320** by Representative(s) Pommer, Ferrandino, Lambert; also
11 Senator(s) Tapia, Keller, White--Concerning the use of
12 tobacco revenues generated under section 21 of article X of
13 the state constitution in a state fiscal emergency, and making
14 an appropriation therefor.
15

16 Amendment No. 1, Appropriations Report, dated February 16, 2010, and
17 placed in member's bill file; Report also printed in House Journal,
18 February 17, pages 357-358.
19

20 Amendment No. 2, by Representative(s) May, Rice.
21

22 Amend the Appropriations Committee Report, dated February 16, 2010,
23 page 1, line 3, after "line 8," insert "in the GENERAL FUND column
24 strike "1,147,705,890(M)" and substitute "1,146,705,890(M)",".
25

26 Page 1, line 5, strike ""3,746,329^b"" and substitute ""4,746,329^b"".
27

28 Page 1, line 9, strike ""\$1,000,000" and substitute ""\$2,000,000".
29

30 Page 1, line 14, after "line 8," insert "in the GENERAL FUND column
31 strike "\$1,632,029,855" and substitute "\$1,631,029,855", ".
32

33 Page 1, line 15 strike ""\$450,333,149"" and substitute ""\$450,333,149", ".
34

35 Page 1, line 16, strike ""\$29,706,139"." and substitute ""\$30,706,139".".
36

37 Page 1, after line 16 insert:
38

39 "Page 10 of the printed bill, line 9, in the ITEM & SUBTOTAL column
40 strike "7,463,419" and substitute "6,463,419" and in the
41 REAPPROPRIATED FUNDS column strike "7,463,419^a" and substitute
42 "6,463,419^a".
43

44 Page 10, line 11, in the ITEM & SUBTOTAL column strike "7,942,240"
45 and substitute "6,942,240".
46

47 Page 11, line 2, in the TOTAL column strike "37,875,315" and substitute
48 "36,875,315".
49

50 Page 11, line 7, in the TOTAL column strike "\$445,325,693" and
51 substitute "\$444,325,693" and in the REAPPROPRIATED FUNDS
52 column strike "\$33,469,429" and substitute "\$32,469,429". "
53

54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.
56

1 **HB10-1321** by Representative(s) Pommer, Ferrandino, Lambert; also
2 Senator(s) Tapia, Keller, White--Concerning moneys
3 appropriated for health clinics.
4

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

8 **HB10-1322** by Representative(s) Lambert, Ferrandino, Pommer; also
9 Senator(s) White, Keller, Tapia--Concerning the repeal of
10 the pilot programs on the use of telemedicine, and making
11 an appropriation therefor.
12

13 Ordered engrossed and placed on the Calendar for Third Reading and
14 Final Passage.
15

16
17 **HB10-1323** by Representative(s) Pommer, Ferrandino, Lambert; also
18 Senator(s) Tapia, Keller, White--Concerning the use of
19 tobacco litigation funds for health care programs, and
20 making an appropriation therefor.
21

22 Amendment No. 1, Appropriations Report, dated February 16, 2010, and
23 placed in member's bill file; Report also printed in House Journal,
24 February 17, pages 358-368.
25

26 As amended, ordered engrossed and placed on the Calendar for Third
27 Reading and Final Passage.
28

29
30 **HB10-1324** by Representative(s) Ferrandino, Pommer, Lambert; also
31 Senator(s) White, Keller, Tapia--Concerning a reduction in
32 the general fund portion of the per diem rates paid to nursing
33 facilities, and making an appropriation therefor.
34

35 Amendment No. 1, Appropriations Report, dated February 16, 2010, and
36 placed in member's bill file; Report also printed in House Journal,
37 February 17, page 358.
38

39 As amended, ordered engrossed and placed on the Calendar for Third
40 Reading and Final Passage.
41

42 **HB10-1325** by Representative(s) Lambert, Pommer, Ferrandino; also
43 Senator(s) White, Keller, Tapia--Concerning the transfer of
44 interest earned by certain settlement moneys in the natural
45 resource damage recovery fund.
46

47 Ordered engrossed and placed on the Calendar for Third Reading and
48 Final Passage.
49

50
51 **HB10-1326** by Representative(s) Pommer, Ferrandino, Lambert; also
52 Senator(s) Tapia, Keller, White--Concerning an increase in
53 the amount of authorized appropriations from the
54 operational account of the severance tax trust fund to the
55 division of parks and outdoor recreation, and, in connection
56 therewith, adjusting the 2009 long bill.

1 Amendment No. 1, Appropriations Report, dated February 16, 2010, and
 2 placed in member's bill file; Report also printed in House Journal,
 3 February 17, page 368.

4
 5 As amended, ordered engrossed and placed on the Calendar for Third
 6 Reading and Final Passage.

7
 8 **HB10-1327** by Representative(s) Pommer, Ferrandino, Lambert; also
 9 Senator(s) White, Keller, Tapia--Concerning the augmenta-
 10 tion of the general fund through transfers of certain moneys.

11
 12 Amendment No. 1, Appropriations Report, dated February 16, 2010, and
 13 placed in member's bill file; Report also printed in House Journal,
 14 February 17, page 369.

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

18
 19 **HB10-1339** by Representative(s) Pommer, Ferrandino, Lambert; also
 20 Senator(s) White, Keller, Tapia--Concerning the distribution
 21 of limited gaming fund moneys for the 2009-10 state fiscal
 22 year.

23
 24 Amendment No. 1, Appropriations Report, dated February 16, 2010, and
 25 placed in member's bill file; Report also printed in House Journal,
 26 February 17, pages 369-370.

27
 28 As amended, ordered engrossed and placed on the Calendar for Third
 29 Reading and Final Passage.

30 31 32 33 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

34
 35 Representative Fischer moved to amend the Report of the Committee of
 36 the Whole to reverse the action taken by the Committee in adopting
 37 Amendment No. 1, by Representative Curry (printed in House Journal
 38 page 384, lines 20-54 and page 385, lines 1-10) to HB10-1297, to show
 39 that said amendment lost, and that **HB10-1297** passed.

40
 41 The amendment was declared **passed** by the following roll call vote:

43	YES	33	NO	28	EXCUSED	4	ABSENT	0
44	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
45	Apuan	N	Hullinghorst	Y	McKinley	Y	Scanlan	Y
46	Balmer	N	Judd	N	McNulty	N	Schafer S.	Y
47	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
49	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
50	Casso	N	Kerr J.	N	Murray	N	Stephens	N
51	Court	Y	King S.	N	Nikkel	N	Summers	N
52	Curry	N	Labuda	N	Pace	Y	Swalm	N
53	DelGrosso	N	Lambert	N	Peniston	E	Tipton	E
54	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
56	Frangas	Y	Looper	N	Priola	N	Vaad	N

1	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
2	Gardner B.	N	May	Y	Riesberg	Y	Waller	E
3	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
4							Speaker	Y

5
6 Representatives Curry, May, Vaad, and Liston moved to amend the
7 Report of the Committee of the Whole to reverse the action taken by the
8 Committee in not adopting the following Curry amendment, to
9 HB10-1299, to show that said amendment passed, and that **HB10-1299**,
10 as amended, passed.

11
12 Amend printed bill, page 27, line 6, strike "**BUDGETING)**" and
13 substitute "**BUDGETING) BUDGETING)**^{7e}".
14

15 Page 28, after line 9 insert:

16 "^{7e} DEPARTMENT OF GOVERNOR - LIEUTENANT GOVERNOR -
17 STATE PLANNING AND BUDGETING, TOTALS – IT IS THE
18 INTENT OF THE GENERAL ASSEMBLY THAT THE
19 DEPARTMENT OF GOVERNOR - LIEUTENANT GOVERNOR -
20 STATE PLANNING AND BUDGETING NOT HIRE ANY NEW
21 EMPLOYEES TO FILL VACANT POSITIONS FOR THE
22 REMAINDER OF THE 2009-2010 FISCAL YEAR."

23
24 The amendment was declared **lost** by the following roll call vote:
25

26	YES	29	NO	32	EXCUSED	4	ABSENT	0
27	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
28	Apuan	Y	Hullingshorst	N	McKinley	Y	Scanlan	N
29	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
30	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
31	Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
32	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
33	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
34	Court	N	King S.	Y	Nikkel	Y	Summers	Y
35	Curry	Y	Labuda	N	Pace	N	Swalm	Y
36	DelGrosso	Y	Lambert	Y	Peniston	E	Tipton	E
37	Ferrandino	N	Levy	E	Pommer	N	Todd	N
38	Fischer	N	Liston	Y	Primavera	N	Tyler	N
39	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
40	Gagliardi	N	Massey	Y	Rice	N	Vigil	N
41	Gardner B.	Y	May	Y	Riesberg	N	Waller	E
42	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
43							Speaker	N

44
45 Representative(s) Gardner C. moved to amend the Report of the
46 Committee of the Whole to reverse the action taken by the Committee in
47 not adopting the following Curry amendment, to HB10-1299, to show
48 that said amendment passed, and that **HB10-1299**, as amended, passed.
49

50 Amend printed bill, page 10, line 15, in the ITEM & SUBTOTAL column
51 strike "1,659,861" and substitute "1,636,821" and in the
52 REAPPROPRIATED FUNDS column strike "1,217,541^{am}" and substitute
53 "1,194,501^{am}".
54

55 Page 11, line 8, in the TOTAL column strike "1,745,867" and substitute
56 "1,722,827".

- 1 Page 11, line 10, strike "\$824,322" and substitute "\$801,282".
2
- 3 Page 17, line 1, in the ITEM & SUBTOTAL column strike "1,100,641"
4 and substitute "1,082,600" and in the REAPPROPRIATED FUNDS
5 column strike "1,100,641^a" and substitute "1,082,600^a".
6
- 7 Page 17, line 7, in the ITEM & TOTAL column strike "1,281,190" and
8 substitute "1,263,149".
9
- 10 Page 18, line 15, in the ITEM & SUBTOTAL column strike "435,402"
11 and substitute "428,293" and in the REAPPROPRIATED FUNDS
12 column strike "435,402^a" and substitute "428,293^a".
13
- 14 Page 19, line 4, in the ITEM & SUBTOTAL column strike "441,852" and
15 substitute "434,743".
16
- 17 Page 21, line 3, in the ITEM & SUBTOTAL column strike "869,575" and
18 substitute "854,293" and in the REAPPROPRIATED FUNDS column
19 strike "869,575^a" and substitute "854,293^a".
20
- 21 Page 21, line 8, in the ITEM & SUBTOTAL column strike "884,200" and
22 substitute "868,918".
23
- 24 Page 21, line 15, in the ITEM & SUBTOTAL column strike "641,433"
25 and substitute "630,406" and in the REAPPROPRIATED FUNDS
26 column strike "641,433^a" and substitute "630,406^a".
27
- 28 Page 22, line 5, in the ITEM & SUBTOTAL column strike "652,183" and
29 substitute "641,156".
30
- 31 Page 22, line 11, in the ITEM & SUBTOTAL column strike "3,574,539"
32 and substitute "3,516,638".
33
- 34 Page 23, line 6, in the ITEM & SUBTOTAL column strike "4,448,248"
35 and substitute "4,390,347", in the CASH FUNDS column strike
36 "721,134^a" and substitute "709,806^a", in the REAPPROPRIATED
37 FUNDS column strike "3,603,915^b" and substitute "3,559,243^b", and in
38 the FEDERAL FUNDS column strike "123,199^c" and substitute
39 "121,298^c".
40
- 41 Page 23, line 14, in the ITEM & SUBTOTAL column strike "1,468,642"
42 and substitute "1,443,264" and in the REAPPROPRIATED FUNDS
43 column strike "1,468,642^a" and substitute "1,443,264^a".
44
- 45 Page 24, line 8, in the ITEM & SUBTOTAL column strike "17,888,987"
46 and substitute "17,863,609".
47
- 48 Page 25, line 1, in the ITEM & SUBTOTAL column strike "2,670,813"
49 and substitute "2,625,478" and in the REAPPROPRIATED FUNDS
50 column strike "2,670,813^a" and substitute "2,625,478^a".
51
- 52 Page 25, line 11, in the ITEM & SUBTOTAL column strike "9,470,503"
53 and substitute "9,425,168".
54
- 55 Page 26, line 3, in the ITEM & SUBTOTAL column strike "2,918,434"
56 and substitute "2,868,894" and in the REAPPROPRIATED FUNDS

1 column strike "2,918,434^a" and substitute "2,868,894^a".

2
3 Page 26, line 8, in the ITEM & SUBTOTAL column strike "3,282,805"
4 and substitute "3,233,265".

5
6 Page 26, line 14, in the TOTAL column strike "44,974,711" and
7 substitute "44,745,098".

8
9 Page 27, line 7, in the TOTAL column strike "\$120,996,974" and
10 substitute "\$120,744,321", in the CASH FUNDS column strike
11 "\$28,479,747" and substitute "\$28,468,419", in the REAPPROPRIATED
12 FUNDS column strike "\$48,776,564" and substitute "\$48,537,140", and
13 in the FEDERAL FUNDS column strike "\$32,857,679" and substitute
14 "\$32,855,778".

15
16 The amendment was declared **lost** by the following roll call vote:

	YES	28	NO	33	EXCUSED	4	ABSENT	0
19	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
20	Apuan	N	Hullingshorst	N	McKinley	Y	Scanlan	N
21	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
22	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
23	Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
24	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
25	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
26	Court	N	King S.	Y	Nikkel	Y	Summers	Y
27	Curry	Y	Labuda	N	Pace	N	Swalm	Y
28	DelGrosso	Y	Lambert	Y	Peniston	E	Tipton	E
29	Ferrandino	N	Levy	E	Pommer	N	Todd	N
30	Fischer	N	Liston	Y	Primavera	N	Tyler	N
31	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
32	Gagliardi	N	Massey	Y	Rice	N	Vigil	N
33	Gardner B.	Y	May	Y	Riesberg	N	Waller	E
34	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
35							Speaker	N

36
37 Representative Gardner B. moved to amend the Report of the Committee
38 of the Whole to reverse the action taken by the Committee in not adopting
39 the following Gardner B. amendment, to HB10-1306, to show that said
40 amendment passed, and that **HB10-1306**, as amended, passed.

41
42 Amend printed bill, page 6, before line 1 insert:

43
44 **"SECTION 2.** Section 1 of chapter 441, Session Laws of
45 Colorado 2009, as amended by House Bill 10-1110, enacted at the Second
46 Regular Session of the Sixty-seventh General Assembly, is amended to
47 read:

48
49 Section 1. **Appropriation.** In addition to any other appropriation,
50 there is hereby appropriated, to the legislative department of the state of
51 Colorado, the sum of ~~thirty-three million six hundred thirty-one thousand~~
52 ~~eighty-eight dollars (\$33,631,088)~~ THIRTY-THREE MILLION TWO HUNDRED
53 NINETY-NINE THOUSAND FOUR HUNDRED THIRTY-EIGHT DOLLARS
54 (\$33,299,438), or so much thereof as may be necessary, of which amount
55 ~~thirty-two million four hundred seventy-three thousand six hundred~~
56 ~~thirty-two dollars (\$32,473,632)~~ THIRTY-TWO MILLION ONE HUNDRED

1 FORTY-ONE THOUSAND NINE HUNDRED EIGHTY-TWO DOLLARS
 2 (\$32,141,982) shall be out of any moneys in the general fund not
 3 otherwise appropriated, two hundred twenty-three thousand six hundred
 4 forty dollars (\$223,640) shall be from cash funds, and nine hundred
 5 thirty-three thousand eight hundred sixteen dollars (\$933,816) shall be
 6 from reappropriated funds, for payment of the expenses of the legislative
 7 department for the fiscal year beginning July 1, 2009, to be allocated as
 8 follows:

9		
10	General assembly	\$ 12,966,646 ^{1/}
11		\$ 12,634,996 ^{1/}
12		(76.75 FTE)
13		
14	State auditor	8,136,217 ^{2/}
15		(73.0 FTE)
16		
17	Joint budget committee	1,496,236
18		(16.0 FTE)
19		
20	Legislative council	5,101,833
21		(55.2 FTE)
22		
23	Committee on legal services	5,259,805 ^{3/}
24		(56.1 FTE)
25		
26	PERA Amortization Equalization Disbursement	415,232
27		
28	PERA Supplemental Amortization Equalization	
29	Disbursement	255,119
30		
31	Total legislative department	\$ 33,631,088
32		\$ 33,299,438
33		

34 ^{1/} Of this amount, \$90,000 is appropriated out of cash funds
 35 generated by the sale of bill boxes and legislative directories,
 36 \$3,816 is appropriated out of reappropriated funds from the
 37 methamphetamine abuse prevention, intervention, and treatment
 38 cash fund created in section 18-18.5-105 (1) (a), Colorado Revised
 39 Statutes, \$30,000 is appropriated out of cash funds in the youth
 40 advisory council cash fund created in section 2-2-1306, Colorado
 41 Revised Statutes, and ~~\$12,842,830~~ \$12,511,180 is appropriated out
 42 of the general fund.

43 ^{2/} Of this amount, \$7,102,577 is appropriated out of the general
 44 fund, \$930,000 is appropriated out of reappropriated funds
 45 received from various departments for audits, and \$103,640 is
 46 appropriated out of cash funds received pursuant to section
 47 2-3-113 (7), Colorado Revised Statutes.

48 ^{3/} In addition, it is anticipated that, during the 2009-10 fiscal year,
 49 the tax levy on civil actions provided for in section 2-5-119,
 50 Colorado Revised Statutes, will return approximately \$343,000 to
 51 the general fund to offset expenses of the revision of statutes by
 52 the office of legislative legal services."

53
 54 Renumber succeeding section accordingly.

55
 56 The amendment was declared **lost** by the following roll call vote:

	YES	28	NO	33	EXCUSED	4	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
3	Apuan	N	Hullinghorst	N	McKinley	Y	Scanlan	N
4	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
5	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
6	Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
7	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
8	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	N	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	N	Pace	N	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	E	Tipton	E
12	Ferrandino	N	Levy	E	Pommer	N	Todd	N
13	Fischer	N	Liston	Y	Primavera	N	Tyler	N
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	N	Massey	Y	Rice	N	Vigil	N
16	Gardner B.	Y	May	Y	Riesberg	N	Waller	E
17	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
18							Speaker	N
19								

20 Representative Labuda moved to amend the Report of the Committee of
 21 the Whole to reverse the action taken by the Committee in adopting the
 22 Appropriations Committee Report to HB10-1327, to show that said
 23 amendment lost, and that **HB10-1327** passed.

24
 25 The amendment was declared **lost** by the following roll call vote:

	YES	22	NO	39	EXCUSED	4	ABSENT	0
27								
28	Acree	N	Gerou	N	McFadyen	N	Ryden	Y
29	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	N
30	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
31	Baumgardner	N	Kagan	N	Merrifield	Y	Solano	N
32	Benefield	Y	Kefalas	N	Middleton	N	Sonnenberg	N
33	Bradford	N	Kerr A.	N	Miklosi	N	Soper	Y
34	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
35	Court	Y	King S.	N	Nikkel	N	Summers	N
36	Curry	N	Labuda	Y	Pace	N	Swalm	N
37	DelGrosso	N	Lambert	N	Peniston	E	Tipton	E
38	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
39	Fischer	N	Liston	N	Primavera	Y	Tyler	Y
40	Frangas	N	Looper	Y	Priola	N	Vaad	N
41	Gagliardi	Y	Massey	N	Rice	Y	Vigil	N
42	Gardner B.	N	May	N	Riesberg	N	Waller	E
43	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
44							Speaker	Y
45								

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

50 Passed Second Reading: **HB10-1008 amended, 1024 amended, 1115,**
 51 **1297, 1298 amended, 1299, 1300 amended, 1301, 1304 amended, 1305,**
 52 **1306 amended, 1307, 1308, 1309, 1310, 1302, 1303, 1311, 1312, 1313,**
 53 **1314, 1315, 1316, 1317, 1318 amended, 1319, 1320 amended, 1321,**
 54 **1322, 1323 amended, 1324 amended, 1325, 1326 amended, 1327**
 55 **amended, 1339 amended.**

56

1 The Chairman moved the adoption of the Committee of the Whole
 2 Report. As shown by the following roll call vote, a majority of those
 3 elected to the House voted in the affirmative, and the Report was
 4 **adopted.**

	YES	61	NO	0	EXCUSED	4	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	E	Tipton	E
17	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

REPORT(S) OF COMMITTEE(S) OF REFERENCE

STATE, VETERANS, & MILITARY AFFAIRS

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

33 **HB10-1078** be postponed indefinitely.

36 **HB10-1163** be postponed indefinitely.

39 **HB10-1176** be amended as follows, and as so amended, be referred to
 40 the Committee on Appropriations with favorable
 41 recommendation:

43 Amend printed bill, page 7, line 16, after "ENTITY" insert "THAT IS
 44 OTHERWISE REQUIRED TO BE SUBJECTED TO RECOVERY AUDITS UNDER ANY
 45 FEDERAL LAW OR REGULATION OR STATE LAW OR RULE OR".

47 Page 7, line 23, after "ENTITIES" insert "THAT ARE OTHERWISE REQUIRED
 48 TO BE SUBJECTED TO RECOVERY AUDITS UNDER ANY FEDERAL LAW OR
 49 REGULATION OR STATE LAW OR RULE OR".

53 **HB10-1178** be amended as follows, and as so amended, be referred to
 54 the Committee of the Whole with favorable
 55 recommendation:

1 Amend printed bill, page 3, line 5, strike "REPAID." and substitute "REPAID
2 AND THAT IS FIFTY DOLLARS OR MORE."
3

4 Page 3, line 7, strike "INSTITUTION OF HIGHER".
5

6 Page 3, line 8, strike "EDUCATION,".
7

8 Page 3, line 9, after "GOVERNMENT." add ""STATE AGENCY" SHALL NOT
9 INCLUDE ANY INSTITUTION OF HIGHER EDUCATION."
10

11 Page 5, strike lines 17 and 18 and substitute "SOURCE SHALL INCLUDE A
12 PROVISION REQUIRING NOTICE OF FUNDING THAT REQUIRES".
13

14 Page 6, strike lines 2 through 7.
15

16 Page 6, line 9, strike "PARAGRAPH (a) OF".
17

18 Page 6, line 14, strike "PARAGRAPH (a) OF".
19

20 Page 6, line 15, strike "EIGHTEEN MONTHS" and substitute "TWO YEARS".
21

22 Page 6, strike lines 20 through 25 and substitute:
23

24 "(5) ON OR BEFORE DECEMBER 1, 2012, AND ON OR BEFORE
25 DECEMBER 1 EACH YEAR THEREAFTER, THE LEGISLATIVE COUNCIL STAFF
26 SHALL SUBMIT TO THE MEMBERS OF THE EXECUTIVE COMMITTEE OF THE
27 LEGISLATIVE COUNCIL OF THE GENERAL ASSEMBLY, THE MEMBERS OF THE
28 COMMITTEE ON LEGAL SERVICES, AND THE REVISOR OF STATUTES A LIST
29 OF".
30

31 Page 7, strikes lines 2 through 4 and substitute "CONTAINED IN SUCH
32 BILLS.
33

34 (6) BEGINNING WITH THE FIRST REGULAR SESSION OF THE
35 SIXTY-NINTH GENERAL ASSEMBLY, COMMENCING IN JANUARY 2013, THE
36 REVISOR OF STATUTES, UNDER THE SUPERVISION AND DIRECTION OF THE
37 COMMITTEE ON LEGAL SERVICES, SHALL PREPARE AND SUBMIT ANNUALLY
38 ONE OR MORE BILLS CONTAINING THE REPEAL OF THE STATUTORY
39 PROVISIONS CREATED BY THE BILLS INCLUDED ON THE LIST PREPARED
40 PURSUANT TO SUBSECTION (5) OF THIS SECTION."
41

42 Page 7, after line 4 insert:
43

44 **"24-75-1305. Programs or services reliant on grants - statutory**
45 **reauthorization of program.** (1) EXCEPT AS OTHERWISE PROVIDED IN
46 SUBSECTION (3) OF THIS SECTION, BEGINNING JANUARY 1, 2011, THE
47 GENERAL ASSEMBLY SHALL NOT MAKE AN APPROPRIATION OF MONEYS
48 FROM THE GENERAL FUND OR FROM ANY OTHER SOURCE OF STATE MONEYS
49 TO FUND A PROGRAM, SERVICE, STUDY, OR OTHER FUNCTION OF STATE
50 GOVERNMENT THAT WAS PREVIOUSLY FUNDED THROUGH GRANT MONEYS
51 AND THAT HAS NOT RECEIVED ADEQUATE GRANT MONEYS TO SUPPORT THE
52 PROGRAM, SERVICE, STUDY, OR OTHER FUNCTION OF STATE GOVERNMENT
53 FOR THE APPLICABLE FISCAL YEAR.
54

55 (2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3) OF THIS
56 SECTION, BEGINNING JANUARY 1, 2011, A STATE AGENCY THAT OVERSEES

1 ANY PROGRAM, SERVICE, STUDY, OR OTHER FUNCTION OF STATE
2 GOVERNMENT SHALL NOT REQUEST THAT THE GENERAL ASSEMBLY MAKE
3 AN APPROPRIATION FROM THE GENERAL FUND OR ANY OTHER SOURCE OF
4 STATE MONEYS TO FUND A PROGRAM, SERVICE, STUDY, OR OTHER
5 FUNCTION OF STATE GOVERNMENT THAT WAS PREVIOUSLY FUNDED
6 THROUGH GRANT MONEYS AND THAT HAS NOT RECEIVED ADEQUATE
7 GRANT MONEYS TO SUPPORT THE PROGRAM, SERVICE, STUDY, OR OTHER
8 FUNCTION OF STATE GOVERNMENT FOR THE APPLICABLE FISCAL YEAR.

9
10 (3) THE GENERAL ASSEMBLY MAY ADOPT LEGISLATION TO
11 REAUTHORIZE ANY PROGRAM, SERVICE, STUDY, OR OTHER FUNCTION OF
12 STATE GOVERNMENT THAT WAS PREVIOUSLY FUNDED THROUGH GRANT
13 MONEYS AND, IF SUCH LEGISLATION INCLUDES AN APPROPRIATION FROM
14 THE GENERAL FUND OR ANY OTHER SOURCE OF STATE MONEYS AND
15 BECOMES LAW, MAY MAKE AN APPROPRIATION FROM THE GENERAL FUND
16 OR FROM ANY OTHER SOURCE OF STATE MONEYS TO A STATE AGENCY TO
17 OVERSEE THE PROGRAM, SERVICE, STUDY, OR OTHER FUNCTION OF STATE
18 GOVERNMENT."

19
20
21
22 **HB10-1181** be amended as follows, and as so amended, be referred to
23 the Committee on Appropriations with favorable
24 recommendation:

25
26 Amend printed bill, page 7, line 10, strike "state" and substitute "state".

27
28 Page 7, strike line 11.

29
30 Page 7, line 12, strike "PERSONNEL DIRECTOR".

31
32 Page 11, line 7, strike "(4) (a)" and substitute "(4) (a), (4) (d) (IV),".

33
34 Page 11, after line 21 insert:

35
36 ~~"(d) (IV) The state personnel director, in preparing the annual~~
37 ~~compensation report and submitting recommendations and estimated~~
38 ~~costs for state employee compensation for the next fiscal year, pursuant~~
39 ~~to paragraphs (b) and (c) of this subsection (4), and in implementing any~~
40 ~~changes to state employee compensation shall ensure that for the 2003-04~~
41 ~~fiscal year no state employee receive the recommended changes in~~
42 ~~employee salaries in the annual compensation recommendations for~~
43 ~~changes to salaries and any adjustments to the recommended changes~~
44 ~~made by the general assembly in the annual general appropriation act."~~

45 46 47 48 PRINTING REPORT

49
50 The Chief Clerk reports the following bills have been correctly printed:
51 **HB10-1347, 1348, 1349.**

DELIVERY OF BILL TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bill has been delivered to the Office of the Governor: **HB10-1039** at 1:42 p.m. on February 17, 2010.

**INTRODUCTION OF BILLS
First Reading**

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

HB10-1350 by Representative(s) Pace, Ferrandino, Frangas, Gagliardi, Labuda, Hullinghorst, Levy, Pommer; also Senator(s) Carroll M.--Concerning requirements for recipients of economic development incentives.

Committee on Finance

SB10-008 by Senator(s) Johnston, Romer; also Representative(s) Scanlan, Massey, Middleton--Concerning a study to evaluate the feasibility of a system to determine pupil enrollment for purposes of the "Public School Finance Act of 1994" based on the average daily membership of pupils in school districts.

Committee on Education

SB10-016 by Senator(s) Williams, Romer, Spence; also Representative(s) Vaad, Fischer, Frangas, King S., McFadyen, McNulty, Merrifield, Tyler--Concerning modification of the manner in which a civil penalty assessment notice of toll evasion evidenced by automatic vehicle identification technology is provided to the owner of a vehicle so identified.

Committee on Local Government

SB10-027 by Senator(s) Sandoval; also Representative(s) Roberts--Concerning a fine for the unauthorized diversion of surface water.

Committee on Agriculture, Livestock, & Natural Resources

SB10-032 by Senator(s) Tapia; also Representative(s) Lambert--Concerning the authorization of amendments to existing state information technology contracts for purposes of furthering consolidation of the management of state agency information technology resources in the office of information technology.

Committee on State, Veterans, & Military Affairs

SB10-040 by Senator(s) Tochtrop; also Representative(s) Merrifield--Concerning motorcycle safety education programs.

Committee on Transportation & Energy

- 1 **SB10-056** by Senator(s) Boyd; also Representative(s) Riesberg--
2 Concerning developing standardized immunization
3 information to provide to parents.
4 Committee on Education
5
- 6 **SB10-058** by Senator(s) Tapia; also Representative(s) Ferrandino--
7 Concerning the eligibility requirements for the nursing
8 teacher loan forgiveness pilot program.
9 Committee on Education
10
- 11 **SB10-082** by Senator(s) Whitehead; also Representative(s) Roberts--
12 Concerning the Southern Ute Indian tribe/state of Colorado
13 environmental commission, and, in connection therewith,
14 repealing term limits applicable to the commission and
15 repealing a moot condition related to the repeal of the
16 commission.
17 Committee on Health and Human Services
18
- 19 **SB10-083** by Senator(s) Kester; also Representative(s) Middleton--
20 Concerning the enforcement of federal law pertaining to the
21 extension of credit for the sale of alcohol beverages.
22 Committee on Business Affairs and Labor
23
- 24 **SB10-097** by Senator(s) Boyd; also Representative(s) Gagliardi--
25 Concerning the method by which a county home rule charter
26 commission is created for the purpose of proposing a home
27 rule charter.
28 Committee on Local Government
29
- 30 **SB10-099** by Senator(s) Cadman, Morse, Penry; also Representative(s)
31 Weissmann--Concerning the acceptance by members of the
32 general assembly from a joint governmental agency of this
33 state of the payment of or reimbursement for certain
34 expenses related to the member's attendance at a meeting of
35 the joint governmental agency.
36 Committee on State, Veterans, & Military Affairs
37
- 38 **SB10-100** by Senator(s) Schwartz, Carroll M., Foster, Gibbs, Heath,
39 Newell, Romer; also Representative(s) Miklosi--Concerning
40 greater financing flexibility for local districts organized for
41 purposes related to energy.
42 Committee on Transportation & Energy
43
- 44 **SB10-130** by Senator(s) Kester; also Representative(s) McCann--
45 Concerning the allocation of powers within the department
46 of corrections.
47 Committee on Judiciary
48
- 49 **SB10-159** by Senator(s) Foster; also Representative(s) Miklosi--
50 Concerning defendant's statements at a community
51 corrections hearing.
52 Committee on Judiciary
53
54
55
56
-

CHANGE IN SPONSORSHIP

The Speaker announced the following change in sponsorship:
SB10-058--Representative Gagliardi to replace Representative Ferrandino
as prime sponsor.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the
Calendar (was)were laid over until February 18, retaining place on
Calendar:

Consideration of General Orders--**HB10-1212, 1183, 1132, 1233, 1231,
1247, 1118, 1143, SB10-053, HB10-1208, 1057, 1135, SB10-046, HB10-
1029, 1050, 1038, 1045, 1089, 1106, 1244.**

Consideration of Resolution(s)--**SJR10-004.**

Consideration of Senate Amendment(s)--**HB10-1046.**

On motion of Representative Weissmann, the following item(s) on the
Calendar (was)were laid over until February 19, retaining place on
Calendar: **HB10-1054.**

On motion of Representative Weissmann, the following item(s) on the
Calendar (was)were laid over until February 22, retaining place on
Calendar: **HB10-1133.**

On motion of Representative Weissmann, the following item(s) on the
Calendar (was)were laid over until February 26, retaining place on
Calendar: **HB10-1160.**

On motion of Representative Weissmann, the House adjourned until
9:00 a.m., February 18, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Thirty-seventh Legislative Day

Thursday, February 18, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Aly Schmidt, Windsor; Caitlin Eldridge,
6 Denver; Colorado State University.
7
8 The roll was called with the following result:
9
10 Present--62.
11 Excused--Representative(s) Levy, Pommer Waller--3.
12 Present after roll call--Representative(s) Pommer.
13
14 The Speaker declared a quorum present.
15
16
17 On motion of Representative Court, the reading of the journal of
18 February 17, 2010, was declared dispensed with and approved as
19 corrected by the Chief Clerk.
20
21
22

THIRD READING OF BILL(S)--FINAL PASSAGE

23
24
25 The following bill(s) (was)were considered on Third Reading. The
26 title(s) (was)were publicly read. Reading of the bill at length was
27 dispensed with by unanimous consent.
28
29 **HB10-1223** by Representative(s) Baumgardner, Fischer, Hulinghorst,
30 Looper, Pace, Ryden, Vigil; also Senator(s) Whitehead--
31 Concerning the continuation of the forestry advisory
32 board, and, in connection therewith, repealing the forestry
33 advisory board.
34
35 The question being "Shall the bill pass?".
36 A roll call vote was taken. As shown by the following recorded vote, a
37 majority of those elected to the House voted in the affirmative and the bill
38 was declared **passed**.
39

	YES	63	NO	0	EXCUSED	2	ABSENT	0
41	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
42	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
43	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y

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

15 Co-sponsor(s) added: Representative(s) Gerou, Merrifield, Tipton.

16
17 **HB10-1108** by Representative(s) McCann; also Senator(s) Johnston--
18 Concerning an exclusion from the employment
19 relationship for purposes of state employment laws for
20 certain coaches who enter into independent contractor
21 relationships with nonprofit youth sports organizations that
22 are evidenced by a written agreement.

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

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

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

47 Co-sponsor(s) added: Representative(s) Labuda, Schafer S., Stephens, Todd.

48
49 **HB10-1204** by Representative(s) Soper also Senator(s) Tochtrop--
50 Concerning the inclusion of conservation standards in the
51 plumbing code.

52
53 The question being "Shall the bill pass?".

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

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

19 Co-sponsor(s) added: Representative(s) Apuan, Casso, Fischer, Frangas,
 20 Labuda, Liston, McFadyen, Merrifield, Middleton, Primavera, Todd, Tyler,
 21 Vigil.

22
 23
 24 **SB10-021** by Senator(s) Morse, Lundberg, Tochtrop, Williams; also
 25 Representative(s) Labuda, Benefield, Gardner B., King S.,
 26 Liston, Peniston, Schafer S., Waller--Concerning a
 27 volunteer firefighter pension plan.

28
 29 The question being "Shall the bill pass?".
 30 A roll call vote was taken. As shown by the following recorded vote, a
 31 majority of those elected to the House voted in the affirmative and the bill
 32 was declared **passed**.

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

52 Co-sponsor(s) added: Representative(s) Apuan, Casso, Gerou, Kerr J., Todd,
 53 Tyler, Vigil.

54
 55

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

29
30 **HB10-1298** by Representative(s) Pommer, Ferrandino, Lambert; also
31 Senator(s) Keller, Tapia, White--Concerning a supple-
32 mental appropriation to the department of corrections.

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

[illegible]

1 **HB10-1299** by Representative(s) Pommer, Ferrandino, Lambert; also
 2 Senator(s) Keller, Tapia, White--Concerning a
 3 supplemental appropriation to the offices of the governor,
 4 lieutenant governor, and state planning and budgeting.
 5

6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.
 10

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

29 Co-sponsor(s) added: Representative(s) Casso, Gerou, Kerr J., Liston, May,
 30 Murray, Priola, Stephens, Summers.
 31
 32

33 **HB10-1300** by Representative(s) Pommer, Ferrandino, Lambert; also
 34 Senator(s) Keller, Tapia, White--Concerning a
 35 supplemental appropriation to the department of health
 36 care policy and financing.
 37

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

	YES	62	NO	1	EXCUSED	2	ABSENT	0
44	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
46	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
47	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
49	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
50	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
51	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
52	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
53	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
54	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
56	Frangas	N	Looper	Y	Priola	Y	Vaad	Y

1	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
2	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
3	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
4							Speaker	Y

5
6 **HB10-1301** by Representative(s) Pommer, Ferrandino, Lambert; also
7 Senator(s) Keller, Tapia, White--Concerning a
8 supplemental appropriation to the department of higher
9 education.

10
11 The question being "Shall the bill pass?".

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

15								
16	YES	61	NO	2	EXCUSED	2	ABSENT	0
17	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
18	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
19	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
20	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
21	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
22	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
23	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
24	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
25	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
26	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
27	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
28	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
29	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
30	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
31	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
32	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
33							Speaker	Y

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

35
36 **HB10-1304** by Representative(s) Pommer, Ferrandino, Lambert; also
37 Senator(s) Keller, Tapia, White--Concerning a
38 supplemental appropriation to the department of labor and
39 employment.

40
41 The question being "Shall the bill pass?".

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

45								
46	YES	63	NO	0	EXCUSED	2	ABSENT	0
47	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
48	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
49	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
50	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
51	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
52	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
53	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
54	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
55	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
56	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y

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

8 Co-sponsor(s) added: Representative(s) Stephens.

9
10 **HB10-1305** by Representative(s) Pommer, Ferrandino, Lambert; also
11 Senator(s) Keller, Tapia, White--Concerning a
12 supplemental appropriation to the department of law.

13
14 The question being "Shall the bill pass?".

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

18								
19	YES	63	NO	0	EXCUSED	2	ABSENT	0
20	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
21	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
22	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
23	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
24	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
25	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
26	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
27	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
28	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
29	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
30	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
31	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
32	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
33	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
34	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
35	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
36							Speaker	Y

37
38 **HB10-1306** by Representative(s) Pommer, Ferrandino, Lambert; also
39 Senator(s) Keller, Tapia, White--Concerning a
40 supplemental appropriation to the department of
41 legislature.

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

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

47								
48	YES	63	NO	0	EXCUSED	2	ABSENT	0
49	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
50	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
51	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
52	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
53	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
54	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
55	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
56	Court	Y	King S.	Y	Nikkel	Y	Summers	Y

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

10 Co-sponsor(s) added: Representative(s) Acree, Bradford, Court, Curry,
 11 DelGrosso, Gardner B., Gerou, Hullinghorst, Kagan, Kerr A., Kerr J., Labuda,
 12 Liston, Looper, Massey, May, McNulty, Middleton, Murray, Nikkel, Pace,
 13 Priola, Stephens, Summers, Swalm, Tipton, Tyler, Vaad, Vigil, Speaker.

14
 15 **HB10-1307** by Representative(s) Pommer, Ferrandino, Lambert; also
 16 Senator(s) Keller, Tapia, White--Concerning supplemental
 17 appropriation to the department of local affairs.

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

23								
24	YES	63	NO	0	EXCUSED	2	ABSENT	0
25	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
28	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
30	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
32	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
33	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
34	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
35	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
37	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
38	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
39	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
40	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
41							Speaker	Y

42
 43 **HB10-1308** by Representative(s) Pommer, Ferrandino, Lambert; also
 44 Senator(s) Keller, Tapia, White--Concerning a
 45 supplemental appropriation to the department of military
 46 and veterans affairs.

47
 48 The question being "Shall the bill pass?".
 49 A roll call vote was taken. As shown by the following recorded vote, a
 50 majority of those elected to the House voted in the affirmative and the bill
 51 was declared **passed**.

52								
53	YES	53	NO	10	EXCUSED	2	ABSENT	0
54	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
55	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
56	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y

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

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

16
17 **HB10-1309** by Representative(s) Pommer, Ferrandino, Lambert; also
18 Senator(s) Keller, Tapia, White--Concerning a
19 supplemental appropriation to the department of natural
20 resources.
21

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

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

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

45
46
47 **HB10-1310** by Representative(s) Pommer, Ferrandino, Lambert; also
48 Senator(s) Keller, Tapia, White--Concerning a
49 supplemental appropriation to the department of personnel
50 and administration.
51

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

53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.
56

	YES	63	NO	0	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Stephens.

20
21
22 **HB10-1302** by Representative(s) Pommer, Ferrandino, Lambert; also
23 Senator(s) Keller, Tapia, White--Concerning a
24 supplemental appropriation to the department of human
25 services.
26

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

28 A roll call vote was taken. As shown by the following recorded vote, a
29 majority of those elected to the House voted in the affirmative and the bill
30 was declared **passed**.
31

	YES	62	NO	1	EXCUSED	2	ABSENT	0
32								
33	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
35	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
38	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
48	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
49							Speaker	Y

50
51 **HB10-1303** by Representative(s) Pommer, Ferrandino, Lambert; also
52 Senator(s) Keller, Tapia, White--Concerning a
53 supplemental appropriation to the judicial department.
54

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

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	36	NO	27	EXCUSED	2	ABSENT	0
5	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
7	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
8	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
10	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
12	Court	Y	King S.	N	Nikkel	N	Summers	N
13	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
14	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
15	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	N	Priola	N	Vaad	N
18	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
19	Gardner B.	N	May	N	Riesberg	Y	Waller	E
20	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Hullinghorst.

23
24 **HB10-1311** by Representative(s) Pommer, Ferrandino, Lambert; also
25 Senator(s) Keller, Tapia, White--Concerning a
26 supplemental appropriation to the department of public
27 health and environment.

28
29 The question being "Shall the bill pass?".

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

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

52 Co-sponsor(s) added: Representative(s) Summers.

53
54 **HB10-1312** by Representative(s) Pommer, Ferrandino, Lambert; also
55 Senator(s) Keller, Tapia, White--Concerning a supple-
56 mental appropriation to the department of public safety.

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

25
 26 **HB10-1313** by Representative(s) Pommer, Ferrandino, Lambert; also
 27 Senator(s) Keller, Tapia, White--Concerning a
 28 supplemental appropriation to the department of regulatory
 29 agencies.

30
 31 The question being "Shall the bill pass?".
 32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative and the bill
 34 was declared **passed**.

	YES	62	NO	1	EXCUSED	2	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
39	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
42	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
44	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
45	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
47	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
48	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
49	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
50	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
51	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
52	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Gardner B., Stephens, Summers.
 55

1 **HB10-1314** by Representative(s) Pommer, Ferrandino, Lambert; also
 2 Senator(s) Keller, Tapia, White--Concerning a
 3 supplemental appropriation to the department of revenue.
 4

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
11	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
13	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
14	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
16	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
17	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
18	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
19	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
20	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
21	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
22	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
24	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
25	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
26	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
27							Speaker	Y

28
 29 **HB10-1315** by Representative(s) Pommer, Ferrandino, Lambert; also
 30 Senator(s) Keller, Tapia, White--Concerning a
 31 supplemental appropriation to the department of state.
 32

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

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

56

1 **HB10-1316** by Representative(s) Pommer, Ferrandino, Lambert; also
 2 Senator(s) Keller, Tapia, White--Concerning a
 3 supplemental appropriation to the department of
 4 transportation.
 5

6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.
 10

	YES	61	NO	2	EXCUSED	2	ABSENT	0
12	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
14	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
15	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
19	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
20	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
21	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
22	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
26	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
27	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

31
 32 **HB10-1317** by Representative(s) Pommer, Ferrandino, Lambert; also
 33 Senator(s) Keller, Tapia, White--Concerning a
 34 supplemental appropriation to the department of the
 35 treasury.
 36

37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.
 41

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

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
2	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
3							Speaker	Y

4
5 **HB10-1318** by Representative(s) Pommer, Ferrandino, Lambert; also
6 Senator(s) Tapia, Keller, White--Concerning
7 circumstances under which the requirement that each
8 school district receive a minimum amount of state funding
9 for total program funding as calculated through the
10 "Public School Finance Act of 1994" shall not apply to
11 any district, and making an appropriation in connection
12 therewith.

13
14 The question being "Shall the bill pass?".
15 A roll call vote was taken. As shown by the following recorded vote, a
16 majority of those elected to the House voted in the affirmative and the bill
17 was declared **passed**.

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

37
38
39 House in recess. House reconvened.

40
41
42 On motion of Representative Apuan, the House resolved itself into
43 Committee of the Whole for consideration of General Orders, and he was
44 called to the Chair to act as Chairman.

45 46 47 **GENERAL ORDERS--SECOND READING OF BILLS**

48
49 The Committee of the Whole having risen, the Chairman reported the
50 titles of the following bills had been read (reading at length had been
51 dispensed with by unanimous consent), the bills considered and action
52 taken thereon as follows:

53
54 (Amendments to the committee amendment are to the printed committee
55 report which was printed and placed in the members' bill file.)
56

- 1 **HB10-1212** by Representative(s) Rice; also Senator(s) Schwartz--
2 Concerning a requirement that the executive director of the
3 department of revenue promulgate rules that establish
4 circumstances in which a vehicle owner shall be exempted
5 from paying the late fee for late registration of a vehicle.
6
7 Laid over until February 19, retaining place on Calendar.
8
9 **HB10-1183** by Representative(s) Middleton; also Senator(s) Johnston--
10 Concerning authorization of a pilot program to collect data
11 concerning alternative school finance funding models.
12
13 Amendment No. 1, Education Report, dated February 8, 2010, and placed
14 in member's bill file; Report also printed in House Journal, February 9,
15 pages 265-267.
16
17 As amended, ordered engrossed and placed on the Calendar for Third
18 Reading and Final Passage.
19
20 **HB10-1132** by Representative(s) Gardner B., McNulty, Nikkel,
21 Waller; also Senator(s) Hodge--Concerning the production
22 of records by a business in a criminal matter.
23
24 Amendment No. 1, by Representative(s) Gardner B.
25
26 Amend printed bill, page 2, line 15, after "MEANS" insert "ESTABLISHED
27 AND".
28
29 As amended, ordered engrossed and placed on the Calendar for Third
30 Reading and Final Passage.
31
32 **HB10-1233** by Representative(s) Ryden; also Senator(s) Newell--
33 Concerning the relocation of the crime of stalking in the
34 Colorado Revised Statutes.
35
36 Ordered engrossed and placed on the Calendar for Third Reading and
37 Final Passage.
38
39 **HB10-1231** by Representative(s) Sonnenberg; also Senator(s)
40 Tochtrop--Concerning the regulation of conveyances.
41
42 Ordered engrossed and placed on the Calendar for Third Reading and
43 Final Passage.
44
45 **HB10-1247** by Representative(s) Gagliardi, Bradford, Soper; also
46 Senator(s) Carroll M.--Concerning the continuation of the
47 workers' compensation classification appeals board.
48
49 Ordered engrossed and placed on the Calendar for Third Reading and
50 Final Passage.
51
52
53 **HB10-1118** by Representative(s) Kerr J.; also Senator(s) Hudak--
54 Concerning the regulation of distressed real property by a
55 board of county commissioners.
56

1 Amendment No. 1, Local Government Report, dated February 9, 2010,
2 and placed in member's bill file; Report also printed in House Journal,
3 February 10, page 290.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB10-1143** by Representative(s) McNulty; also Senator(s) Johnston--
9 Concerning the authority of the regional transportation
10 district to enter into agreements permitting specified uses
11 at its transfer facilities.

12
13 Amendment No. 1, Local Government Report, dated February 9, 2010,
14 and placed in member's bill file; Report also printed in House Journal,
15 February 10, page 290.

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

19
20 **SB10-053** by Senator(s) Foster; also Representative(s) Acree--
21 Concerning the exception of weighted votes from voting
22 requirements governing the board of directors of a
23 metropolitan sewage disposal district.

24
25 Ordered revised and placed on the Calendar for Third Reading and Final
26 Passage.

27
28 **HB10-1208** by Representative(s) Todd and Murray, Massey,
29 Baumgardner, Benefield, Carroll T., Casso, Frangas,
30 Gardner C., Looper, May, McFadyen, McKinley,
31 McNulty, Merrifield, Middleton, Peniston, Priola, Ryden,
32 Scanlan, Schafer S., Solano, Sonnenberg, Summers,
33 Tipton; also Senator(s) Shaffer B. And King K., Cadman,
34 Carroll M., Foster, Hodge, Johnston, Keller, Kester, Kopp,
35 Lundberg, Newell, Penry, Renfroe, Romer, Scheffel,
36 Schultheis, Spence, Steadman, White, Whitehead,
37 Williams--Concerning requiring statewide agreements for
38 the transfer of two-year degrees among all state
39 institutions of higher education in Colorado.

40
41 Amendment No. 1, by Representative(s) Todd.

42
43 Amend printed bill, page 4, line 17, strike "OR;".

44
45 Page 4, line 20, strike "INSTITUTIONS." and substitute "INSTITUTIONS; OR

46
47 (III) IMPAIR ANY MEMORANDUM OF UNDERSTANDING BETWEEN OR
48 AMONG INSTITUTIONS OF HIGHER EDUCATION IN EFFECT PRIOR TO THE
49 EFFECTIVE DATE OF THIS SUBPARAGRAPH (III).".

50
51 Amendment No. 2, by Representative(s) Todd.

52
53 Amend printed bill, page 6, line 2, strike "A SPECIFIC" and substitute
54 "COMMON" and strike "PROGRAM" and substitute "PROGRAMS".

55

1 Page 6, line 4, strike "THE DEGREE PROGRAM." and substitute "STATEWIDE
2 DEGREE TRANSFER PROGRAMS.".

3
4 As amended, ordered engrossed and placed on the Calendar for Third
5 Reading and Final Passage.

6
7 **HB10-1057** by Representative(s) Ryden; also Senator(s) Spence--
8 Concerning fees charged by county sheriffs relating to the
9 service of process.

10
11 Amendment No. 1, Judiciary Report, dated February 11, 2010, and placed
12 in member's bill file; Report also printed in House Journal, February 12,
13 pages 319-320.

14
15 As amended, ordered engrossed and placed on the Calendar for Third
16 Reading and Final Passage.

17
18 **HB10-1135** by Representative(s) Ryden, Benefield, Court, Gagliardi,
19 Hullinghorst, Labuda, Looper, McCann, Middleton,
20 Peniston, Primavera, Schafer S., Solano, Todd; also
21 Senator(s) Hudak and Newell, Boyd, Spence, Williams--
22 Concerning the definition of domestic violence when
23 determining the best interests of a child.

24
25 Amendment No. 1, Judiciary Report, dated February 11, 2010, and placed
26 in member's bill file; Report also printed in House Journal, February 12,
27 page 320.

28
29 As amended, ordered engrossed and placed on the Calendar for Third
30 Reading and Final Passage.

31
32 **SB10-046** by Senator(s) Gibbs; also Representative(s) Levy--
33 Concerning the boundaries of forest improvement districts.

34
35 Laid over until February 22, retaining place on Calendar.

36 37 38 39 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

40
41 Passed Second Reading: **HB10-1183 amended, 1132 amended, 1233,**
42 **1231, 1247, 1118 amended, 1143 amended, SB10-053, HB10-1208**
43 **amended, 1057 amended, 1135 amended.**

44 Laid over until date indicated retaining place on Calendar:

45 **HB10-1212**--February 19, 2010.

46 **SB10-046**--February 22, 2010

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

53	YES	61	NO	0	EXCUSED	4	ABSENT	0
54	Acree	Y	Gerou	Y	McFadyen	E	Ryden	Y
55	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
56	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y

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

THIRD READING OF BILL(S)--FINAL PASSAGE

The following bill(s) (was)were considered on Third Reading. The title(s) (was)were publicly read. Reading of the bill at length was dispensed with by unanimous consent.

HB10-1319 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) Tapia, Keller, White--Concerning modifications to statutory transfers for energy-related assistance to low-income households from the operational account of the severance tax trust fund for three particular state fiscal years.

The question being "Shall the bill pass?".

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

YES	61	NO	0	EXCUSED	4	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	E	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

HB10-1320 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White--Concerning the use of tobacco revenues generated under section 21 of article X

of the state constitution in a state fiscal emergency, and making an appropriation therefor.

The question being "Shall the bill pass?".

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

YES	50	NO	11	EXCUSED	4	ABSENT	0
Acree	N	Gerou	Y	McFadyen	E	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
Court	N	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	N	Looper	Y	Priola	N	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

HB10-1321 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White--Concerning moneys appropriated for health clinics.

The question being "Shall the bill pass?".

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

YES	59	NO	2	EXCUSED	4	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	E	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	N	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	N	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

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

29
30 **HB10-1323** by Representative(s) Pommer, Ferrandino, Lambert; also
31 Senator(s) Tapia, Keller, White--Concerning the use of
32 tobacco litigation funds for health care programs, and
33 making an appropriation therefor.

[illegible]

1 **SB10-022** by Senator(s) Morse, Lundberg, Tochtrop, Williams; also
 2 Representative(s) Riesberg and King S., Benefield,
 3 Gardner B., Labuda, Liston, Peniston, Schafer S., Waller--
 4 Concerning a member-approved increase in the member
 5 contribution rate to the statewide defined benefit plan
 6 administered by the fire and police pension association.
 7

8 The question being "Shall the bill pass?".
 9 A roll call vote was taken. As shown by the following recorded vote, a
 10 majority of those elected to the House voted in the affirmative and the bill
 11 was declared **passed**.
 12

	YES	61	NO	0	EXCUSED	4	ABSENT	0
14	Acree	Y	Gerou	Y	McFadyen	E	Ryden	Y
15	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
16	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
17	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
18	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
19	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
20	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
21	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
22	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
23	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
24	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
25	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
26	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
27	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
28	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
29	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) Apuan, Casso, Looper, Nikkel,
 32 Stephens.
 33

34 **SB10-023** by Senator(s) Williams, Lundberg, Morse, Tochtrop; also
 35 Representative(s) Riesberg and Liston, Benefield, Gardner
 36 B., King S., Labuda, Peniston, Schafer S., Waller--
 37 Concerning the discretion of the board of directors of the
 38 fire and police pension association to adopt rules regarding
 39 the return to work by a member participating in the
 40 defined benefit system of the association who elects
 41 retirement.
 42

43 The question being "Shall the bill pass?".
 44 A roll call vote was taken. As shown by the following recorded vote, a
 45 majority of those elected to the House voted in the affirmative and the bill
 46 was declared **passed**.
 47

	YES	61	NO	0	EXCUSED	4	ABSENT	0
49	Acree	Y	Gerou	Y	McFadyen	E	Ryden	Y
50	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
51	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
52	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
53	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
54	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
55	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
56	Court	Y	King S.	Y	Nikkel	Y	Summers	Y

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

10 Co-sponsor(s) added: Representative(s) Apuan, Casso, Looper, Nikkel, Todd.

11
12 **SB10-024** by Senator(s) Tochtrop, Lundberg, Morse, Williams; also
13 Representative(s) Labuda, Benefield, Gardner B., King S.,
14 Liston, Peniston, Riesberg, Schafer S., Waller--
15 Concerning the repeal of the authority of the board of
16 directors of the fire and police pension association to
17 affiliate with a local money purchase pension plan.

18
19 The question being "Shall the bill pass?".

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

23								
24	YES	61	NO	0	EXCUSED	4	ABSENT	0
25	Acree	Y	Gerou	Y	McFadyen	E	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
28	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
30	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
32	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
33	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
34	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
35	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
37	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
38	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
39	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
40	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Apuan, Casso, Looper, Todd.

43
44 **HB10-1235** by Representative(s) Levy, Gardner B., Kagan, Labuda,
45 Roberts; also Senator(s) Brophy, Carroll M., Mitchell,
46 Morse, Schwartz--Concerning the requirements in the
47 "State Administrative Procedure Act" for incorporation by
48 reference of rule-making materials by executive branch
49 agencies.

50
51 Laid over until February 22, retaining place on Calendar.

52
53 **HB10-1025** by Representative(s) Roberts, Riesberg, Soper, Tyler; also
54 Senator(s) Newell, Tochtrop, Williams--Concerning
55 updates to the "Colorado Medical Treatment Decision
56 Act".

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

	YES	61	NO	0	EXCUSED	4	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	E	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Apuan, Gagliardi, Gerou, Kefalas,
 25 Labuda, Solano, Todd.

26
 27 **HB10-1041** by Representative(s) Acree, Looper, Primavera, Todd; also
 28 Senator(s) Mitchell, Keller--Concerning applications for
 29 home- and community-based services waivers for children
 30 as part of the medicaid eligibility modernization.

31
 32 The question being "Shall the bill pass?".
 33 A roll call vote was taken. As shown by the following recorded vote, a
 34 majority of those elected to the House voted in the affirmative and the bill
 35 was declared **passed**.

	YES	61	NO	0	EXCUSED	4	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	E	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
39	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
42	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
44	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
45	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
47	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
48	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
49	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
50	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
51	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
52	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Frangas, Gerou,
 55 Kagan, Kefalas, Kerr J., Labuda, Middleton, Scanlan, Schafer S., Solano,
 56 Summers.

1 **HB10-1007** by Representative(s) Judd, Peniston, Roberts, Schafer S.,
 2 Vaad; also Senator(s) Brophy, Steadman--Concerning an
 3 adjustment of fees charged by a county clerk and recorder
 4 for filing a document with the county.
 5

6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.
 10

	YES	44	NO	17	EXCUSED	4	ABSENT	0
12	Acree	N	Gerou	Y	McFadyen	E	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
14	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
15	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
17	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
19	Court	Y	King S.	N	Nikkel	Y	Summers	Y
20	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
21	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
22	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	N	Priola	Y	Vaad	N
25	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
26	Gardner B.	N	May	N	Riesberg	Y	Waller	E
27	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Frangas, Hullinghorst, Labuda,
 30 Middleton, Todd, Vigil.
 31

32 **HB10-1138** by Representative(s) Gagliardi, Massey, Apuan, Casso,
 33 Ferrandino, Fischer, Frangas, Hullinghorst, Kefalas,
 34 Labuda, McFadyen, Middleton, Pace, Rice, Scanlan, Todd,
 35 Tyler; also Senator(s) Morse, Newell--Concerning the
 36 program to repay educational loans of health care
 37 professionals.
 38

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

	YES	56	NO	5	EXCUSED	4	ABSENT	0
45	Acree	Y	Gerou	Y	McFadyen	E	Ryden	Y
46	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
47	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
48	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
49	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
50	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
51	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
52	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
53	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
54	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
55	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
56	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y

1	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
2	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
3	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
4	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Curry, Gerou, Riesberg, Roberts,
7 Schafer S., Speaker.

8
9 **HB10-1171** by Representative(s) Benefield, Scanlan; also Senator(s)
10 Steadman--Concerning education-related data reporting
11 requirements.

12
13 The question being "Shall the bill pass?".

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

17	YES	61	NO	0	EXCUSED	4	ABSENT	0
19	Acree	Y	Gerou	Y	McFadyen	E	Ryden	Y
20	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
21	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
22	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
23	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
24	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
25	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
26	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
27	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
28	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
29	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
30	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
31	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
32	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
33	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
34	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
35							Speaker	Y

36 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Frangas, Gagliardi,
37 Labuda, Middleton, Schafer S., Solano, Todd.

38
39 **HB10-1044** by Representative(s) Carroll T., Todd, Benefield, Kefalas,
40 Massey, McNulty, Merrifield, Middleton, Roberts, Schafer
41 S., Stephens; also Senator(s) Steadman--Concerning the
42 licensure of neighborhood youth organizations.

43
44 The question being "Shall the bill pass?".

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

48	YES	60	NO	1	EXCUSED	4	ABSENT	0
50	Acree	Y	Gerou	Y	McFadyen	E	Ryden	Y
51	Apuan	Y	Hullingshorst	Y	McKinley	N	Scanlan	Y
52	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
55	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y

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

11 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, DelGrosso,
 12 Ferrandino, Fischer, Kerr A., Kerr J., Labuda, Looper, Miklosi, Murray, Nikkel,
 13 Pace, Peniston, Pommer, Priola, Ryden, Scanlan, Solano, Summers, Tipton,
 14 Tyler, Vaad, Vigil.

15
 16
 17 **HB10-1008** by Representative(s) Schafer S. and McCann, Apuan,
 18 Frangas, Massey; also Senator(s) Carroll M. And
 19 Schwartz, Boyd, Foster--Concerning a prohibition against
 20 consideration of gender in setting rates for individual
 21 health insurance policies.

22
 23 The question being "Shall the bill pass?".

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

27								
28	YES	59	NO	2	EXCUSED	4	ABSENT	0
29	Acree	Y	Gerou	Y	McFadyen	E	Ryden	Y
30	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
31	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
32	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
33	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
34	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
35	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
36	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
37	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
38	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
39	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
40	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
41	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
42	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
43	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
44	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Casso, Court, Curry, Ferrandino,
 47 Fischer, Hullinghorst, Kagan, Kefalas, Labuda, Merrifield, Middleton, Pace,
 48 Peniston, Primavera, Ryden, Scanlan, Solano, Soper, Todd, Tyler, Vigil,
 49 Speaker.

50
 51
 52 **HB10-1024** by Representative(s) Balmer and Riesberg; also Senator(s)
 53 Williams, Newell--Concerning eliminating the ability of
 54 advanced practice nurses to declare patients terminally ill.
 55

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

	YES	60	NO	1	EXCUSED	4	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	E	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	N
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Gerou, Stephens, Todd.

25
 26 **HB10-1115** by Representative(s) Gagliardi; also Senator(s) Scheffel--
 27 Concerning the assessment of costs by county departments
 28 of social services to families receiving child welfare core
 29 services.

30
 31 The question being "Shall the bill pass?".
 32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative and the bill
 34 was declared **passed**.

	YES	61	NO	0	EXCUSED	4	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	E	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
39	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
42	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
44	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
45	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
47	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
48	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
49	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
50	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
51	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
52	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Frangas, Gerou, Kefalas, Labuda,
 55 Massey, Schafer S., Solano, Todd.

56

1 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL(S)**

2
3 **HB10-1046** by Representative(s) Tyler; also Senator(s) Hudak--
4 Concerning the recorded date of receipt of property tax
5 payments by a county treasurer's office when the payment
6 has no United States postal service postmark.
7

8 (Amended as printed in Senate Journal, February 15, page 242.)
9

10 Representative Tyler moved that the House **concur** in Senate
11 amendments. The motion was declared **passed** by the following roll call
12 vote:

13	YES	61	NO	0	EXCUSED	4	ABSENT	0
14	Acree	Y	Gerou	Y	McFadyen	E	Ryden	Y
15	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
16	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
17	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
18	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
19	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
20	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
21	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
22	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
23	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
24	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
25	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
26	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
27	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
28	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
29	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
30							Speaker	Y

31
32 The question being, "Shall the bill, as amended, pass?"

33 A roll call vote was taken. As shown by the following recorded vote, a
34 majority of those elected to the House voted in the affirmative, and the
35 bill, as amended, was declared **repassed**.
36

37	YES	62	NO	0	EXCUSED	3	ABSENT	0
38	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
39	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
40	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
41	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
42	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
43	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
44	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
45	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
46	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
47	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
48	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
49	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
50	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
51	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
52	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
53	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Vigil.
56

REPORT(S) OF COMMITTEE(S) OF REFERENCE**LOCAL GOVERNMENT**

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

HB10-1240 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, after line 1 insert:

"SECTION 1. 38-38-101 (1) (h), Colorado Revised Statutes, is amended to read:

38-38-101. Holder of evidence of debt may elect to foreclose.
(1) **Documents required.** Whenever a holder of an evidence of debt declares a violation of a covenant of a deed of trust and elects to publish all or a portion of the property therein described for sale, the holder or the attorney for the holder shall file the following with the public trustee of the county Where the property is located:

(h) A separate document notifying the public trustee that the property referred to in the notice of election and demand is property that requires posting under section 38-38-802. If the document required by this paragraph (h) is not filed at the time the documents required by paragraphs (a) to (e) of this subsection (1) are filed with the public trustee, and the holder determines at a later date that the property requires posting, the holder shall request that the public trustee rerecord the notice of election and demand. Thereafter, all deadlines for the foreclosure action shall be determined according to the date of the rerecording of the notice of election and demand as though the foreclosure was commenced on such date, and the public trustee shall collect a fee of seventy-five dollars from the holder. IF THE DOCUMENT REQUIRED BY THIS PARAGRAPH (h) IS FILED IN ERROR, THE HOLDER MAY WITHDRAW IT BY FILING WITH THE PUBLIC TRUSTEE AN AFFIDAVIT SIGNED BY THE HOLDER OR THE ATTORNEY FOR THE HOLDER AFFIRMING BOTH THAT THE DOCUMENT REQUIRED BY THIS PARAGRAPH (h) WAS FILED IN ERROR, AND THAT THE PROPERTY HAS NOT BEEN POSTED PURSUANT TO SECTION 38-38-802. IN ORDER TO BE EFFECTIVE, AND THEREBY NOTIFY THE PUBLIC TRUSTEE THAT THE PROPERTY IS NOT ELIGIBLE FOR POSTING, SUCH AFFIDAVIT SHALL BE FILED WITH THE PUBLIC TRUSTEE NO LATER THAN FIFTEEN CALENDAR DAYS AFTER THE DATE OF THE DETERMINATION OF THE PUBLIC TRUSTEE THAT THE FILING IS COMPLETE IN ACCORDANCE WITH SECTION 38-38-102 (1).".

Renumber succeeding sections accordingly.

Page 2, line 11, strike "(a)".

Page 3, strike lines 8 through 20.

HB10-1275 be referred to the Committee of the Whole with favorable recommendation.

PRINTING REPORT

The Chief Clerk reports the following bill has been correctly printed:
HB10-1350.

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The Speaker has signed: SJR10-011 and 012.

LAY OVER OF CALENDAR ITEM(S)

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

Consideration of Third Reading--**HB10-1326, 1327, 1339.**

Consideration of General Orders--**HB10-1029, 1050, 1038, 1045, 1089, 1106, 1244.**

Consideration of Resolution(s)--**SJR10-004.**

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., February 19, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Thirty-eighth Legislative Day

Friday, February 19, 2010

1 Prayer by Father Eustace Sequeira, SJ., St. Ignatius Loyola Catholic
2 Church, Denver.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Angie Neslin, George Washington High,
7 Denver.

8
9 The roll was called with the following result:

10
11 Present--60.

12 Excused--Representative(s) Levy, McFadyen, Stephens, Todd,
13 Waller--5.

14 Present after roll call--Representative(s) McFadyen, Stephens,
15 Todd.

16
17 The Speaker declared a quorum present.

18
19
20 On motion of Representative Court, the reading of the journal of
21 February 18, 2010, was declared dispensed with and approved as
22 corrected by the Chief Clerk.

23
24
25
26
27 **THIRD READING OF BILL(S)--FINAL PASSAGE**

28
29 The following bill(s) (was)were considered on Third Reading. The
30 title(s) (was)were publicly read. Reading of the bill at length was
31 dispensed with by unanimous consent.

32
33 **HB10-1183** by Representative(s) Middleton; also Senator(s) Johnston-
34 -Concerning authorization of a pilot program to collect
35 data concerning alternative school finance funding
36 models.

37
38 The question being "Shall the bill pass?".

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

42

	YES	61	NO	1	EXCUSED	3	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	E	Pommer	Y	Todd	E
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Apuan, Hullinghorst, Labuda, Looper,
 20 Priola, Ryden, Scanlan, Schafer S., Solano, Stephens, Vigil, Speaker.

21
 22 **HB10-1132** by Representative(s) Gardner B., McNulty, Nikkel,
 23 Waller; also Senator(s) Hodge--Concerning the production
 24 of records by a business in a criminal matter.

25
 26 The question being "Shall the bill pass?".
 27 A roll call vote was taken. As shown by the following recorded vote, a
 28 majority of those elected to the House voted in the affirmative and the bill
 29 was declared **passed**.

	YES	58	NO	4	EXCUSED	3	ABSENT	0
31								
32	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
33	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
34	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
35	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
36	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
37	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
38	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
39	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
40	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
41	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
42	Ferrandino	N	Levy	E	Pommer	N	Todd	E
43	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
44	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
45	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
46	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
47	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
48							Speaker	N

49 Co-sponsor(s) added: Representative(s) Kerr J., Labuda, Looper, Priola,
 50 Stephens.

51
 52
 53 **HB10-1233** by Representative(s) Ryden; also Senator(s) Newell--
 54 Concerning the relocation of the crime of stalking in the
 55 Colorado Revised Statutes.

56

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Priola, Roberts, Scanlan, Schafer S.,
 25 Vigil.

26
 27 **HB10-1231** by Representative(s) Sonnenberg; also Senator(s)
 28 Tochtrop--Concerning the regulation of conveyances.

29
 30 The question being "Shall the bill pass?".
 31 A roll call vote was taken. As shown by the following recorded vote, a
 32 majority of those elected to the House voted in the affirmative and the bill
 33 was declared **passed**.

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

53 Co-sponsor(s) added: Representative(s) Acree, Gardner C., Gerou, Kerr J.,
 54 Priola, Stephens.

55

1 **HB10-1247** by Representative(s) Gagliardi, Bradford, Soper; also
 2 Senator(s) Carroll M.--Concerning the continuation of the
 3 workers' compensation classification appeals board.
 4

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
11	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
13	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
14	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
16	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
17	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
18	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
19	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
20	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
21	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
22	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
24	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
25	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
26	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Apuan, Vigil.
 29

30 **HB10-1118** by Representative(s) Kerr J.; also Senator(s) Hudak--
 31 Concerning the regulation of distressed real property by a
 32 board of county commissioners.
 33

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

	YES	59	NO	4	EXCUSED	2	ABSENT	0
39	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
40	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
41	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
42	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
43	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
44	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
45	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
46	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
47	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
48	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
49	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
50	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
51	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
52	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	N
53	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
54	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
55							Speaker	Y

56 Co-sponsor(s) added: Representative(s) Schafer S., Summers.

1 **HB10-1143** by Representative(s) McNulty; also Senator(s) Johnston--
 2 Concerning the authority of the regional transportation
 3 district to enter into agreements permitting specified uses
 4 at its transfer facilities.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	56	NO	7	EXCUSED	2	ABSENT	0
12	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	N	McKinley	N	Scanlan	Y
14	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
15	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
19	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
20	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
21	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
22	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
26	Gardner B.	Y	May	N	Riesberg	Y	Waller	E
27	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Apuan, Peniston, Priola, Rice,
 30 Schafer S., Tyler.

31
 32
 33 **SB10-053** by Senator(s) Foster; also Representative(s) Acree--
 34 Concerning the exception of weighted votes from voting
 35 requirements governing the board of directors of a
 36 metropolitan sewage disposal district.

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

	YES	62	NO	1	EXCUSED	2	ABSENT	0
44	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
46	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
47	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
49	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
50	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
51	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
52	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
53	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
54	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
56	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y

1	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
2	Gardner B.	Y	May	N	Riesberg	Y	Waller	E
3	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Schafer S.

6
7 **HB10-1208** by Representative(s) Todd and Murray, Massey,
8 Baumgardner, Benefield, Carroll T., Casso, Frangas,
9 Gardner C., Looper, May, McFadyen, McKinley,
10 McNulty, Merrifield, Middleton, Peniston, Priola, Ryden,
11 Scanlan, Schafer S., Solano, Sonnenberg, Summers,
12 Tipton; also Senator(s) Shaffer B. And King K., Cadman,
13 Carroll M., Foster, Hodge, Johnston, Keller, Kester, Kopp,
14 Lundberg, Newell, Penry, Renfroe, Romer, Scheffel,
15 Schultheis, Spence, Steadman, White, Whitehead,
16 Williams--Concerning requiring statewide agreements for
17 the transfer of two-year degrees among all state
18 institutions of higher education in Colorado.

19
20 The question being "Shall the bill pass?".

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

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

43 Co-sponsor(s) added: Representative(s) Acree, Apuan, Bradford, Court, Curry,
44 DelGrosso, Ferrandino, Fischer, Gardner B., Gerou, Kagan, Kerr A., Kerr J.,
45 King S., Labuda, Lambert, Liston, Miklosi, Nikkel, Pace, Primavera, Rice,
46 Riesberg, Roberts, Stephens, Vaad, Vigil.

47
48 **HB10-1057** by Representative(s) Ryden; also Senator(s) Spence--
49 Concerning fees charged by county sheriffs relating to the
50 service of process.

51
52 The question being "Shall the bill pass?".

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

56

	YES	50	NO	13	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
9	Court	Y	King S.	Y	Nikkel	Y	Summers	N
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N
12	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	N	Priola	N	Vaad	N
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	N
16	Gardner B.	Y	May	N	Riesberg	Y	Waller	E
17	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

Co-sponsor(s) added: Representative(s) Court, Pace, Schafer S., Todd.

HB10-1135 by Representative(s) Ryden, Benefield, Court, Gagliardi, Hullinghorst, Labuda, Looper, McCann, Middleton, Peniston, Primavera, Schafer S., Solano, Todd; also Senator(s) Hudak and Newell, Boyd, Spence, Williams--Concerning the definition of domestic violence when determining the best interests of a child.

The question being "Shall the bill pass?".

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

	YES	62	NO	1	EXCUSED	2	ABSENT	0
33								
34	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
35	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
36	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
37	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
38	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
39	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
40	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
41	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
42	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
43	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
44	Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
45	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
46	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
47	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
48	Gardner B.	Y	May	Y	Riesberg	Y	Waller	E
49	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
50							Speaker	Y

Co-sponsor(s) added: Representative(s) Bradford, Frangas, Kerr A., King S., May, Merrifield, Nikkel, Pace, Priola, Scanlan, Stephens, Summers, Tyler, Vigil.

1 **HB10-1326** by Representative(s) Pommer, Ferrandino, Lambert; also
 2 Senator(s) Tapia, Keller, White--Concerning an increase
 3 in the amount of authorized appropriations from the
 4 operational account of the severance tax trust fund to the
 5 division of parks and outdoor recreation, and, in
 6 connection therewith, adjusting the 2009 long bill.

7
 8 The question being "Shall the bill pass?".
 9 A roll call vote was taken. As shown by the following recorded vote, a
 10 majority of those elected to the House voted in the affirmative and the
 11 bill was declared **passed**.

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

31 Co-sponsor(s) added: Representative(s) Fischer.

32
 33 **HB10-1327** by Representative(s) Pommer, Ferrandino, Lambert; also
 34 Senator(s) White, Keller, Tapia--Concerning the
 35 augmentation of the general fund through transfers of
 36 certain moneys.

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

	YES	33	NO	30	EXCUSED	2	ABSENT	0
44	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
46	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
47	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
49	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
50	Casso	N	Kerr J.	N	Murray	N	Stephens	N
51	Court	Y	King S.	N	Nikkel	N	Summers	N
52	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
53	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
54	Ferrandino	N	Levy	E	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
56	Frangas	Y	Looper	N	Priola	N	Vaad	N

1	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
2	Gardner B.	N	May	N	Riesberg	Y	Waller	E
3	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	N
4							Speaker	Y

5
6 **HB10-1339** by Representative(s) Pommer, Ferrandino, Lambert; also
7 Senator(s) White, Keller, Tapia--Concerning the
8 distribution of limited gaming fund moneys for the 2009-
9 10 state fiscal year, and making an appropriation in
10 connection therewith.

11
12 Laid over until later in the day, retaining place on Calendar.
13
14

15
16 On motion of Representative Schafer, the House resolved itself into
17 Committee of the Whole for consideration of General Orders, and she
18 was called to the Chair to act as Chairman.
19

20
21 **GENERAL ORDERS--SECOND READING OF BILLS**
22

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

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

31 **HB10-1212** by Representative(s) Rice; also Senator(s) Schwartz--
32 Concerning a requirement that the executive director of the
33 department of revenue promulgate rules that establish
34 circumstances in which a vehicle owner shall be exempted
35 from paying the late fee for late registration of a vehicle.
36

37 Laid over until February 22, retaining place on Calendar.
38

39 **HB10-1029** by Representative(s) Acree, Looper, Primavera, Todd; also
40 Senator(s) Keller, Steadman--Concerning agreements for
41 the purchase of medical goods.
42

43 Amendment No. 1, Health & Human Services Report, dated
44 February 11, 2010, and placed in member's bill file; Report also printed
45 in House Journal, February 12, pages 313-314.
46

47 As amended, ordered engrossed and placed on the Calendar for Third
48 Reading and Final Passage.
49

50
51 **HB10-1050** by Representative(s) Tyler, Riesberg, Soper; also
52 Senator(s) Tochtrop, Williams--Concerning a central on-
53 line registry of medical orders for scope of treatment
54 forms.
55

1 Amendment No. 1, Health & Human Services Report, dated
2 February 11, 2010, and placed in member's bill file; Report also printed
3 in House Journal, February 12, pages 314-315.

4
5 Amendment No. 2, by Representative(s) Tyler.

6
7 Amend the Health and Human Services Committee Report, dated
8 February 11, 2010, page 1, line 9, strike "CONSUMERS, EMPLOYERS," and
9 substitute "EMERGENCY MEDICAL TECHNICIANS,".

10
11 As amended, ordered engrossed and placed on the Calendar for Third
12 Reading and Final Passage.

13
14
15 **HB10-1038** by Representative(s) Miklosi, Pace, Ryden; also Senator(s)
16 Carroll M., Hodge, Tochtrop--Concerning a brochure to
17 describe the process for workers' compensation claims.

18
19 Amendment No. 1, Business Affairs & Labor Report, dated
20 February 3, 2010, and placed in member's bill file; Report also printed in
21 House Journal, February 4, pages 197-198.

22
23 Amendment No. 2, Appropriations Report, dated February 12, 2010, and
24 placed in member's bill file; Report also printed in House Journal,
25 February 12, page 324.

26
27 As amended, ordered engrossed and placed on the Calendar for Third
28 Reading and Final Passage.

29
30
31 **HB10-1045** by Representative(s) Miklosi; also Senator(s) Romer--
32 Concerning the address of a person on file with specified
33 state agencies.

34
35 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
36 January 28, 2010, and placed in member's bill file; Report also printed in
37 House Journal, January 29, pages 324-325.

38
39 Amendment No. 2, Appropriations Report, dated February 12, 2010, and
40 placed in member's bill file; Report also printed in House Journal,
41 February 12, pages 324-325.

42
43 As amended, ordered engrossed and placed on the Calendar for Third
44 Reading and Final Passage.

45
46
47 **HB10-1106** by Representative(s) Casso; also Senator(s) Sandoval--
48 Concerning bringing certain statutory provisions
49 concerning child welfare into compliance with federal law.

50
51 Amendment No. 1, Health & Human Services Report, dated
52 February 4, 2010, and placed in member's bill file; Report also printed in
53 House Journal, February 5, pages 211-212.

54
55

1 Amendment No. , Appropriations Report, dated February 12, 2010, and
2 placed in member's bill file; Report also printed in House Journal,
3 February 12, page 325.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB10-1244** by Representative(s) Labuda, Apuan, Casso, Curry,
9 Frangas, Gagliardi, Murray, Riesberg, Scanlan, Schafer S.,
10 Soper; also Senator(s) Mitchell--Concerning allowing an
11 heir of a deceased physician shareholder of a professional
12 service corporation to become a shareholder of the
13 corporation.

14
15 Amendment No. 1, Judiciary Report, dated February 12, 2010, and placed
16 in member's bill file; Report also printed in House Journal, February 15,
17 pages 330-331.

18
19 As amended, ordered engrossed and placed on the Calendar for Third
20 Reading and Final Passage.

21
22 **HB10-1021** by Representative(s) Frangas and McCann; also Senator(s)
23 Foster, Boyd--Concerning required coverages for
24 reproductive services for health insurance policies.

25
26 Laid over until February 22, retaining place on Calendar.

27
28 **HB10-1061** by Representative(s) Merrifield; also Senator(s) Tochtrop--
29 Concerning the creation of the Colorado medical donation
30 program to be administered by the state board of health.

31
32 Laid over until June 9. Bill deemed lost.

33
34 **HB10-1165** by Representative(s) Merrifield; also Senator(s) Tapia--
35 Concerning the authority of the state board of land
36 commissioners regarding state land.

37
38 Amendment No. 1, Local Government Report, dated February 9, 2010,
39 and placed in member's bill file; Report also printed in House Journal,
40 February 10, pages 290-291.

41
42 As amended, ordered engrossed and placed on the Calendar for Third
43 Reading and Final Passage.

44
45 **HB10-1122** by Representative(s) Roberts and Merrifield, Gagliardi,
46 Kefalas, Tyler; also Senator(s) Williams, Morse--
47 Concerning medical orders determining the scope of
48 treatment an adult wishes to receive under certain
49 circumstances.

50
51 Laid over until February 22, retaining place on Calendar.

52
53 **HB10-1042** by Representative(s) Peniston; also Senator(s) Hodge--
54 Concerning administration of the stationary sources air
55 quality permitting program.

56

1 Amendment No. 1, Finance Report, dated February 10, 2010, and placed
2 in member's bill file; Report also printed in House Journal, February 11,
3 page 304.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB10-1225** by Representative(s) Soper; also Senator(s) Tochtrop--
9 Concerning continuation of the regulation of electrical
10 work by the state electrical board.

11
12 Amendment No. 1, Business Affairs & Labor Report, dated
13 February 16, 2010, and placed in member's bill file; Report also printed
14 in House Journal, February 17, pages 371-379.

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

18
19 **HB10-1245** by Representative(s) Liston, Balmer; also Senator(s)
20 Johnston--Concerning the continuation of the regulation of
21 boxing by the boxing commission.

22
23 Amendment No. 1, Business Affairs & Labor Report, dated
24 February 16, 2010, and placed in member's bill file; Report also printed
25 in House Journal, February 17, pages 379-482.

26
27 As amended, ordered engrossed and placed on the Calendar for Third
28 Reading and Final Passage.

29
30 **SB10-049** by Senator(s) Sandoval, Bacon, Hudak, Steadman,
31 Tochtrop; also Representative(s) Benefield, Frangas,
32 Hullinghorst--Concerning the liability limits applicable to
33 the life and health insurance protection association, and, in
34 connection therewith, increasing the liability limits for
35 annuity benefits, structured settlement annuities, and long-
36 term care benefits.

37
38 Ordered revised and placed on the Calendar for Third Reading and Final
39 Passage.

40
41 **HB10-1178** by Representative(s) Stephens; also Senator(s) Scheffel--
42 Concerning increasing the transparency in the use of gifts,
43 grants, and donations to fund programs by state agencies.

44
45 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
46 February 16, 2010, and placed in member's bill file; Report also printed
47 in House Journal, February 17, pages 397-399.

48
49 As amended, ordered engrossed and placed on the Calendar for Third
50 Reading and Final Passage.

51
52
53 **HB10-1054** by Representative(s) King S.; also Senator(s) Carroll M.--
54 Concerning presenting school safety information at
55 institutions of higher education.

56

Amendment No. 1, Education Report, dated February 8, 2010, and placed in member's bill file; Report also printed in House Journal, February 9, pages 263-264.

Amendment No. 2, by Representative(s) King.

Amend the Education Committee Report, dated February 8, 2010, page 2, line 26, after "DISSEMINATE" insert "ANNUALLY".

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

On motion of Representative Weissmann, the remainder of the General Orders Calendar (**HB10-1089**) was laid over until February 22, retaining place on Calendar.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1029 amended, 1050 amended, 1038 amended, 1045 amended, 1106 amended, 1244 amended, 1165 amended, 1042 amended, 1225 amended, 1245 amended, SB10-049, HB10-1178 amended, 1054 amended.**

Laid over until date indicated retaining place on Calendar:

HB10-1212, 1021, 1122, 1089--February 22, 2010.

HB10-1061--June 9, 2010. Bill deemed lost.

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

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

THIRD READING OF BILL(S)--FINAL PASSAGE

The following bill(s) (was)were considered on Third Reading. The title(s) (was)were publicly read. Reading of the bill at length was dispensed with by unanimous consent.

HB10-1339 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia--Concerning the distribution of limited gaming fund moneys for the 2009-10 state fiscal year, and making an appropriation in connection therewith.

The question being "Shall the bill pass?".

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

YES	44	NO	19	EXCUSED	2	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	N	Merrifield	Y	Solano	N
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	N
Casso	Y	Kerr J.	Y	Murray	N	Stephens	N
Court	Y	King S.	Y	Nikkel	N	Summers	Y
Curry	Y	Labuda	N	Pace	Y	Swalm	N
DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	E	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	N
Frangas	Y	Looper	N	Priola	Y	Vaad	N
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	N	Riesberg	Y	Waller	E
Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	N
						Speaker	Y

Co-sponsor(s) added: Representative(s) Curry, Frangas, Gardner B., Kerr J., Liston, Massey, Priola, Riesberg, Ryden, Schafer S.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

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

HB10-1026 be referred to the Committee of the Whole with favorable recommendation.

HB10-1114 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Business Affairs and Labor Committee Report, dated February 9, 2010, page 4, after line 5 insert:

1 **"SECTION 3. Appropriation.** In addition to any other
2 appropriation, there is hereby appropriated, out of any moneys in the
3 division of banking cash fund created in section 11-102-403, Colorado
4 Revised Statutes, not otherwise appropriated, to the department of
5 regulatory agencies, for allocation to the division of banking, for the
6 fiscal year beginning July 1, 2010, the sum of twenty-three thousand one
7 hundred twenty-four dollars (\$23,124) cash funds and 0.5 FTE, or so
8 much thereof as may be necessary, for the implementation of this act."

9
10 Renumber succeeding sections accordingly.

11
12 Page 4 of the report, after line 11 insert:

13
14 "Page 1 of the printed bill, line 102, strike **"MONEY."** and substitute
15 **"MONEY, AND MAKING AN APPROPRIATION THEREFOR."**".

16
17
18
19 **HB10-1124** be amended as follows, and as so amended, be referred to
20 the Committee of the Whole with favorable
21 recommendation:

22
23 Amend printed bill, page 5, line 11, before "animal." insert "ANIMAL AND
24 WHETHER THERE WAS PROBABLE CAUSE FOR IMPOUNDMENT OF THE".

25
26 Page 5, line 17, after "MATTER" insert "IN ACCORDANCE WITH SUBSECTION
27 (3) OF THIS SECTION AND".

28
29 Page 6, strike lines 5 through 14 and substitute "UNLESS THE COURT FINDS
30 THAT THERE WAS NOT PROBABLE CAUSE FOR THE IMPOUNDMENT OF THE
31 ANIMAL."

32
33 Page 6, line 25, strike "~~remaining~~ ENTIRE" and substitute "remaining".

34
35 Page 6, strike lines 26 and 27 and substitute "proceeds, if any, shall be
36 paid over to the owner of the animal. IF THE COURT FINDS THAT THERE
37 WAS NOT PROBABLE CAUSE FOR THE IMPOUNDMENT OF THE ANIMAL
38 PURSUANT TO A HEARING REQUESTED UNDER PARAGRAPH (a) OF THIS
39 SUBSECTION (1), THE ENTIRE PROCEEDS OF THE ANIMAL SHALL BE PAID
40 OVER TO THE OWNER OF THE ANIMAL."

41
42 Page 15, after line 14 insert:

43
44 **"SECTION 13. Appropriation.** In addition to any other
45 appropriation, there is hereby appropriated, out of any moneys in the
46 dangerous dog microchip licensure cash fund created in section 35-42-
47 115 (3), Colorado Revised Statutes, not otherwise appropriated, to the
48 department of agriculture, for allocation to the agricultural services
49 division, for the fiscal year beginning July 1, 2010, the sum of nine
50 thousand two hundred fifty dollars (\$9,250) cash funds, or so much
51 thereof as may be necessary, for the implementation of this act."

52
53 Renumber succeeding section accordingly.

54
55 Page 1, line 101, strike **"WELFARE."** and substitute **"WELFARE, AND
56 MAKING AN APPROPRIATION THEREFOR."**

1 **HB10-1148** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 3, after line 5 insert:
6

7 **"SECTION 2. Appropriations in 2010 long bill to be adjusted.**
8 For the implementation of this act, appropriations made in the annual
9 general appropriation act for the fiscal year beginning July 1, 2010, shall
10 be adjusted as follows:
11

12 (1) The appropriation to the department of regulatory agencies,
13 division of registrations, is decreased by eleven thousand three hundred
14 seven dollars (\$11,307) cash funds. Said sum shall be from the division
15 of registrations cash fund created in section 24-34-105 (2) (b) (I),
16 Colorado Revised Statutes.
17

18 (2) The appropriation to the department of law is decreased by
19 eleven thousand three hundred seven dollars (\$11,307). Said sum shall
20 be from reappropriated funds received from the department of regulatory
21 agencies out of the appropriation made in subsection (1) of this section."
22

23 Renumber succeeding section accordingly.
24

25 Page 1, line 104, strike "ARCHITECTURE." and substitute
26 "ARCHITECTURE, AND MAKING AN APPROPRIATION THEREFOR."
27
28
29

30 **HB10-1211** be referred to the Committee of the Whole with favorable
31 recommendation.
32
33

34 **HB10-1337** be postponed indefinitely.
35
36
37
38

39 **HEALTH & HUMAN SERVICES**

40 After consideration on the merits, the Committee recommends the
41 following:
42

43 **HB10-1032** be amended as follows, and as so amended, be referred to
44 the Committee on Appropriations with favorable
45 recommendation:
46

47 Amend printed bill, strike everything below the enacting clause and
48 substitute:
49

50 **"SECTION 1.** Part 2 of article 1 of title 27, Colorado Revised
51 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
52 read:
53

54 **27-1-210. Mental health crisis response system - legislative**
55 **declaration - report by department.** (1) (a) THE GENERAL ASSEMBLY
56 HEREBY FINDS AND DECLARES THAT:

1 (I) THERE ARE PEOPLE IN COLORADO COMMUNITIES WHO ARE
2 EXPERIENCING MENTAL HEALTH OR SUBSTANCE ABUSE CRISES AND NEED
3 PROFESSIONAL CRISIS CARE OR URGENT PSYCHIATRIC CARE FROM SKILLED
4 MENTAL HEALTH CLINICIANS AND MEDICAL PROFESSIONALS WHO EXCEL AT
5 PROVIDING COMPASSIONATE CRISIS INTERVENTION AND STABILIZATION;
6

7 (II) MENTAL HEALTH OR SUBSTANCE ABUSE CRISIS CAN HAPPEN
8 ANY HOUR OF THE DAY AND ANY DAY OF THE WEEK;
9

10 (III) PERSONS IN CRISIS FREQUENTLY COME IN CONTACT WITH
11 COMMUNITY FIRST RESPONDERS WHO ARE OFTEN UNABLE TO PROVIDE
12 NECESSARY MENTAL HEALTH INTERVENTIONS OR WHO MUST TRANSPORT
13 THESE PERSONS IN CRISIS TO EMERGENCY ROOMS FOR SERVICES, OR, IN
14 CASES WHERE A CRIME IS ALLEGED, TO JAIL;
15

16 (IV) COLORADO RANKS FIFTIETH IN THE NATION IN THE NUMBER
17 OF INPATIENT PSYCHIATRIC BEDS;
18

19 (V) FEWER THAN ONE-HALF OF THE PERSONS WHO ARE IN CRISIS
20 AND ARE TAKEN TO AN EMERGENCY ROOM ARE ADMITTED FOR INPATIENT
21 HOSPITALIZATION, MEANING THAT THOUSANDS OF PEOPLE EACH YEAR
22 RETURN TO COMMUNITY STREETS WITH LITTLE, IF ANY, MENTAL HEALTH
23 OR SUBSTANCE ABUSE CRISIS INTERVENTION OR TREATMENT; AND
24

25 (VI) SIGNIFICANT TIME AND RESOURCES ARE REQUIRED OF
26 COMMUNITY FIRST RESPONDERS IN ADDRESSING PERSONS IN MENTAL
27 HEALTH OR SUBSTANCE ABUSE CRISIS AND, IN MANY CASES, THIS
28 COMMUNITY RESPONSE IS NEITHER TIMELY NOR SAFE FOR THE PERSON IN
29 CRISIS NOR COST-EFFICIENT FOR THE STATE.
30

31 (b) THE GENERAL ASSEMBLY THEREFORE FINDS THAT:
32

33 (I) A COORDINATED CRISIS RESPONSE SYSTEM PROVIDES FOR
34 EARLY INTERVENTION AND EFFECTIVE TREATMENT OF PERSONS IN MENTAL
35 HEALTH OR SUBSTANCE ABUSE CRISIS;
36

37 (II) A COORDINATED CRISIS RESPONSE SYSTEM SHOULD INVOLVE
38 FIRST RESPONDERS AND INCLUDE INFORMATION TECHNOLOGY SYSTEMS TO
39 INTEGRATE AVAILABLE CRISIS RESPONSES;
40

41 (III) A COORDINATED CRISIS RESPONSE SYSTEM SHOULD BE
42 AVAILABLE IN ALL COMMUNITIES STATEWIDE; AND
43

44 (IV) A COORDINATED CRISIS RESPONSE SYSTEM MAY INCLUDE
45 COMMUNITY-BASED CRISIS CENTERS WHERE PERSONS IN MENTAL HEALTH
46 OR SUBSTANCE ABUSE CRISIS MAY BE STABILIZED AND RECEIVE
47 SHORT-TERM TREATMENT.
48

49 (2) (a) THE STATE DEPARTMENT SHALL REVIEW THE CURRENT
50 BEHAVIORAL HEALTH CRISIS RESPONSE IN COLORADO AND SHALL
51 FORMULATE A PLAN TO ADDRESS THE LACK OF COORDINATED CRISIS
52 RESPONSE IN THE STATE. THE PLAN SHALL INCLUDE AN ANALYSIS OF THE
53 BEST USE OF EXISTING RESOURCES, INCLUDING BUT NOT LIMITED TO
54 MANAGED SERVICE ORGANIZATIONS, BEHAVIORAL HEALTH
55 ORGANIZATIONS, MENTAL HEALTH CENTERS, CRISIS INTERVENTION
56 TRAINED OFFICERS, METRO CRISIS SERVICES, HOSPITALS, AND OTHER

1 ENTITIES IMPACTING BEHAVIORAL HEALTH CRISIS RESPONSE.

2

3 (b) ON OR BEFORE JANUARY 30, 2011, THE STATE DEPARTMENT
4 SHALL PRESENT TO A JOINT MEETING OF THE HEALTH AND HUMAN
5 SERVICES COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE
6 SENATE, OR ANY SUCCESSOR COMMITTEES, A REPORT CONCERNING
7 COORDINATED BEHAVIORAL HEALTH CRISIS RESPONSE IN COLORADO. THE
8 REPORT, AT A MINIMUM, SHALL INCLUDE THE PLAN PREPARED PURSUANT
9 TO PARAGRAPH (a) OF THIS SUBSECTION (2).

10

11 **SECTION 2. Safety clause.** The general assembly hereby finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, and safety."

14

15

16

17 **HB10-1179** be amended as follows, and as so amended, be referred to
18 the Committee on Appropriations with favorable
19 recommendation:

20

21 Amend printed bill, page 3, strike lines 11 through 20 and substitute:

22

23 "(b) Encourages private businesses and foundations to make
24 donations and loans to assist primary care practice in rural and
25 underserved areas of the state."

26

27 Page 5, line 6, strike "**strategic plan to**" and substitute "**report on**
28 **increasing**".

29

30 Page 5, line 7, strike "**increase**".

31

32 Page 5, strike lines 8 through 16 and substitute:

33

34 "SUBMIT A REPORT TO THE GENERAL ASSEMBLY BY DECEMBER 31, 2011,
35 REGARDING WAYS TO INCREASE PROVIDER REIMBURSEMENT RATES
36 STATEWIDE AND REMOVE ANY DIFFERENTIATED REIMBURSEMENTS RATES
37 BASED ON LOCATION OF DELIVERY FOR PRIMARY CARE PROVIDERS WHO
38 PROVIDE PRIMARY CARE SERVICES TO RECIPIENTS IN ACCORDANCE WITH
39 THIS ARTICLE AND ARTICLES 5 AND 6 OF THIS TITLE."

40

41

42

43 **HB10-1213** be amended as follows, and as so amended, be referred to
44 the Committee of the Whole with favorable
45 recommendation:

46

47 Amend printed bill, page 4, line 12, strike "THE" and substitute "EACH".

48

49 Page 4, strike lines 13 through 15 and substitute: "COMMUNITY CENTERED
50 BOARD SHALL PROVIDE INFORMATION AND REFERRAL SERVICES TO EACH
51 PERSON ON THE WAITING LIST FOR ENROLLMENT IN A PROGRAM, AT THE
52 TIME OF HIS OR HER ELIGIBILITY AND ANNUALLY THEREAFTER, REGARDING
53 SERVICES AND SUPPORTS THAT ARE COMMONLY USED BY PERSONS WITH
54 DEVELOPMENTAL DISABILITIES."

55

56

1 **HB10-1229** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 2, line 5, after "**hospital**" insert "**policies or**".

6
7 Page 2, line 7, strike "THE" and substitute "A".
8

9 Page 2, line 10, strike "POLICIES." and substitute "POLICIES OR BYLAWS."
10 and after "POLICIES" insert "OR BYLAWS".
11

12 Page 2, line 16, strike "POLICY." and substitute "POLICIES OR MEDICAL
13 STAFF BYLAWS."
14

15
16
17 **HB10-1255** be referred to the Committee of the Whole with favorable
18 recommendation.
19

20
21 **HB10-1258** be postponed indefinitely.
22

23
24
25
26 **JUDICIARY**

27 After consideration on the merits, the Committee recommends the
28 following:
29

30 **HB10-1081** be amended as follows, and as so amended, be referred to
31 the Committee on Appropriations with favorable
32 recommendation:
33

34 Amend printed bill, page 2, line 5, strike "**penalty.**" and substitute
35 "**penalty - definitions.**".
36

37 Page 2, strike lines 7 through 24 and substitute:
38

39 "(a) CONDUCTS OR ATTEMPTS TO CONDUCT A FINANCIAL
40 TRANSACTION THAT INVOLVES MONEY OR ANY OTHER THING OF VALUE
41 THAT HE OR SHE KNOWS OR BELIEVES TO BE THE PROCEEDS, IN ANY FORM,
42 OF A CRIMINAL OFFENSE:
43

44 (I) WITH THE INTENT TO PROMOTE THE COMMISSION OF A
45 CRIMINAL OFFENSE; OR
46

47 (II) WITH KNOWLEDGE OR A BELIEF THAT THE TRANSACTION IS
48 DESIGNED IN WHOLE OR IN PART TO:
49

50 (A) CONCEAL OR DISGUISE THE NATURE, LOCATION, SOURCE,
51 OWNERSHIP, OR CONTROL OF THE PROCEEDS OF A CRIMINAL OFFENSE; OR
52

53 (B) AVOID A TRANSACTION REPORTING REQUIREMENT UNDER
54 FEDERAL LAW;
55

56 (b) TRANSPORTS, TRANSMITS, OR TRANSFERS A MONETARY

1 INSTRUMENT OR MONEYS:

2
3 (I) WITH THE INTENT TO PROMOTE THE COMMISSION OF A
4 CRIMINAL OFFENSE; OR

5
6 (II) WITH KNOWLEDGE OR A BELIEF THAT THE MONETARY
7 INSTRUMENT OR MONEYS REPRESENT THE PROCEEDS OF A CRIMINAL
8 OFFENSE AND THAT THE TRANSPORTATION, TRANSMISSION, OR TRANSFER
9 IS DESIGNED, IN WHOLE OR IN PART, TO:

10
11 (A) CONCEAL OR DISGUISE THE NATURE, LOCATION, SOURCE,
12 OWNERSHIP, OR CONTROL OF THE PROCEEDS OF A CRIMINAL OFFENSE; OR

13
14 (B) AVOID A TRANSACTION REPORTING REQUIREMENT UNDER
15 FEDERAL LAW; OR

16
17 (c) INTENTIONALLY CONDUCTS A FINANCIAL TRANSACTION
18 INVOLVING PROPERTY THAT IS REPRESENTED TO BE THE PROCEEDS OF A
19 CRIMINAL OFFENSE, OR INVOLVING PROPERTY THAT THE PERSON KNOWS
20 OR BELIEVES TO HAVE BEEN USED TO CONDUCT OR FACILITATE A CRIMINAL
21 OFFENSE, TO:

22
23 (I) PROMOTE THE COMMISSION OF A CRIMINAL OFFENSE;

24
25 (II) CONCEAL OR DISGUISE THE NATURE, LOCATION, SOURCE,
26 OWNERSHIP, OR CONTROL OF PROPERTY THAT THE PERSON BELIEVES TO BE
27 THE PROCEEDS OF A CRIMINAL OFFENSE; OR

28
29 (III) AVOID A TRANSACTION REPORTING REQUIREMENT UNDER
30 FEDERAL LAW."

31
32 Page 2, after line 25 insert:

33
34 "(3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
35 REQUIRES:

36
37 (a) "CONDUCTS OR ATTEMPTS TO CONDUCT A FINANCIAL
38 TRANSACTION" INCLUDES, BUT IS NOT LIMITED TO, INITIATING,
39 CONCLUDING, OR PARTICIPATING IN THE INITIATION OR CONCLUSION OF A
40 TRANSACTION.

41
42 (b) "FINANCIAL TRANSACTION" MEANS A TRANSACTION
43 INVOLVING:

44
45 (I) THE MOVEMENT OF MONEYS BY WIRE OR OTHER MEANS;

46
47 (II) ONE OR MORE MONETARY INSTRUMENTS;

48
49 (III) THE TRANSFER OF TITLE TO ANY REAL PROPERTY, VEHICLE,
50 VESSEL, OR AIRCRAFT; OR

51
52 (IV) THE USE OF A FINANCIAL INSTITUTION.

53
54 (c) "MONETARY INSTRUMENT" MEANS:

55
56 (I) COIN OR CURRENCY OF THE UNITED STATES OR ANY OTHER

1 COUNTRY; A TRAVELER'S CHECK; A PERSONAL CHECK; A BANK CHECK; A
2 CASHIER'S CHECK; A MONEY ORDER; A BANK DRAFT OF ANY COUNTRY; OR
3 GOLD, SILVER, OR PLATINUM BULLION OR COINS;
4

5 (II) AN INVESTMENT SECURITY OR NEGOTIABLE INSTRUMENT IN
6 BEARER FORM OR IN OTHER FORM SUCH THAT TITLE PASSES UPON
7 DELIVERY; OR
8

9 (III) A GIFT CARD OR OTHER DEVICE THAT IS THE EQUIVALENT OF
10 MONEY AND CAN BE USED TO OBTAIN CASH, PROPERTY, OR SERVICES.
11

12 (d) "REPRESENT" INCLUDES, BUT IS NOT LIMITED TO, THE MAKING
13 OF A REPRESENTATION BY A PEACE OFFICER, A FEDERAL OFFICER, OR
14 ANOTHER PERSON ACTING AT THE DIRECTION OF, OR WITH THE APPROVAL
15 OF, A PEACE OFFICER OR FEDERAL OFFICER.
16

17 (e) "TRANSACTION" INCLUDES A PURCHASE, SALE, LOAN, PLEDGE,
18 GIFT, TRANSFER, DELIVERY, OR OTHER DISPOSITION AND, WITH RESPECT TO
19 A FINANCIAL INSTITUTIONS, INCLUDES A DEPOSIT; A WITHDRAWAL; A
20 TRANSFER BETWEEN ACCOUNTS; AN EXCHANGE OF CURRENCY; A LOAN; AN
21 EXTENSION OF CREDIT; A PURCHASE OR SALE OF ANY STOCK, BOND,
22 CERTIFICATE OF DEPOSIT, OR OTHER MONETARY INSTRUMENT; THE USE OF
23 A SAFE DEPOSIT BOX; OR ANY OTHER PAYMENT, TRANSFER, OR DELIVERY
24 BY, THROUGH, OR TO A FINANCIAL INSTITUTION BY WHATEVER MEANS."
25
26
27

28 **HB10-1105** be referred to the Committee of the Whole with favorable
29 recommendation.
30
31

32 **HB10-1109** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:
35

36 Amend printed bill, page 2, line 10, after "A" insert "DEPARTMENT OF
37 CORRECTIONS FACILITY OR A".
38

39 Page 3, line 6, after "THE" insert "STATE," and strike "OWNS OR" and
40 substitute "OWNS,".
41

42 Page 3, line 7, strike "OPERATES" and substitute "OPERATES, OR
43 CONTRACTS FOR THE OPERATION OF" and before "JAIL" insert "FACILITY
44 OR".
45

46 Page 3, line 20, after "A" insert "DEPARTMENT OF CORRECTIONS FACILITY
47 OR A".
48
49
50

51 **HB10-1152** be amended as follows, and as so amended, be referred to
52 the Committee on Appropriations with favorable
53 recommendation:
54

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

1 **"SECTION 1.** 18-13-107 (3) and (4), Colorado Revised Statutes,
2 are amended, and the said 18-13-107 is further amended BY THE
3 ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

4
5 **18-13-107. Interference with persons with disabilities.** (3) ~~No~~
6 A person shall NOT beat, harass, intimidate, entice, distract, or otherwise
7 interfere with ~~any dog~~ AN ANIMAL on a blaze orange leash or
8 accompanying a person carrying a white or white tipped with red or
9 metallic colored cane or walking stick or any assistance ~~dog~~ ANIMAL, as
10 defined in section 24-34-803 (7), C.R.S., accompanying a person when
11 that ~~dog~~ ANIMAL is being controlled by or wearing a harness normally
12 used for ~~dogs~~ ANIMALS accompanying or leading persons with
13 disabilities.

14
15 ~~(4) Violation of the provisions of subsection (1) of this section is~~
16 ~~a class 1 petty offense. Violation of the provisions of subsection (3) of~~
17 ~~this section is a class 3 misdemeanor~~ A PERSON SHALL NOT DENY A
18 PERSON WITH A DISABILITY FULL AND EQUAL ACCESS TO ANY PLACE OF
19 PUBLIC ACCOMMODATION AS DEFINED IN SECTION 24-34-301, C.R.S., OR
20 OTHERWISE VIOLATE THE PROVISIONS OF PARTS 5 TO 8 AND PART 10 OF
21 ARTICLE 34 OF TITLE 24, C.R.S., WITH RESPECT TO A PERSON OR GROUP
22 BECAUSE OF DISABILITY.

23
24 (5) A PERSON SHALL NOT DENY A PERSON WITH A DISABILITY WHO
25 IS USING AN ASSISTANCE ANIMAL OR A PERSON WHO IS TRAINING AN
26 ASSISTANCE ANIMAL, AS DEFINED IN SECTION 24-34-803 (7), C.R.S., THE
27 ABILITY TO ACCESS A GOVERNMENT BUILDING, A PLACE OF PUBLIC
28 ACCOMMODATION, HOUSING, OR PUBLIC TRANSPORTATION.

29
30 (6) VIOLATION OF THE PROVISIONS OF SUBSECTION (1) OF THIS
31 SECTION IS A CLASS 1 PETTY OFFENSE. VIOLATION OF ANY OF THE
32 PROVISIONS OF SUBSECTIONS (3) TO (5) OF THIS SECTION IS A CLASS 3
33 MISDEMEANOR.

34
35 **SECTION 2.** The introductory portion to 24-34-301 and
36 24-34-301 (2.5), (5), and (6), Colorado Revised Statutes, are amended,
37 and the said 24-34-301 is further amended BY THE ADDITION OF THE
38 FOLLOWING NEW SUBSECTIONS, to read:

39
40 **24-34-301. Definitions.** As used in THIS PART 3 AND parts ~~3 to 7~~
41 4 TO 8 AND PART 10 of this article, unless the context otherwise requires:

42
43 (1.3) "AGENCY" OR "STATE AGENCY" SHALL HAVE THE SAME
44 MEANING AS SET FORTH IN SECTION 24-4-102 (3).

45
46 (2.5) (a) ~~"Disability" means a physical impairment which~~
47 ~~substantially limits one or more of a person's major life activities and~~
48 ~~includes a record of such an impairment and being regarded as having~~
49 ~~such an impairment~~ SHALL HAVE THE SAME MEANING AS SET FORTH IN THE
50 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.
51 12101 ET SEQ.

52
53 ~~(b) (i) On and after July 1, 1990, as to part 5 of this article,~~
54 ~~"disability" shall also include such a person who has a mental impairment,~~
55 ~~but such term does not include any person currently involved in the illegal~~
56 ~~use of or addiction to a controlled substance.~~

1 ~~(H) On and after July 1, 1992, as to parts 4, 6, and 7 of this article,~~
2 ~~"disability" shall also include such a person who has a mental impairment.~~

3
4 ~~(HH) The term "mental impairment" as used in subparagraphs (I)~~
5 ~~and (H) of this paragraph (b) shall mean any mental or psychological~~
6 ~~disorder such as developmental disability, organic brain syndrome, mental~~
7 ~~illness, or specific learning disabilities.~~

8
9 (5) "Person" means one or more individuals, limited liability
10 companies, partnerships, associations, corporations, legal representatives,
11 trustees, OR receivers. ~~or the state of Colorado, and all political~~
12 ~~subdivisions and agencies thereof.~~

13
14 (5.3) "PLACE OF PUBLIC ACCOMMODATION" SHALL HAVE THE SAME
15 MEANING AS SET FORTH IN TITLE III OF THE FEDERAL "AMERICANS WITH
16 DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12181 (7), AND MEANS ANY OF
17 THE FOLLOWING PRIVATE ENTITIES IF THE OPERATIONS OF THE ENTITY
18 AFFECT COMMERCE:

19
20 (a) AN INN, HOTEL, MOTEL, OR OTHER PLACE OF LODGING, EXCEPT
21 FOR AN ESTABLISHMENT LOCATED WITHIN A BUILDING THAT CONTAINS
22 NOT MORE THAN FIVE ROOMS FOR RENT OR HIRE AND THAT IS ACTUALLY
23 OCCUPIED BY THE PROPRIETOR OF THE ESTABLISHMENT AS HIS OR HER
24 RESIDENCE;

25
26 (b) A RESTAURANT, BAR, OR OTHER ESTABLISHMENT SERVING
27 FOOD OR DRINK;

28
29 (c) A MOTION PICTURE HOUSE, THEATER, CONCERT HALL,
30 STADIUM, OR OTHER PLACE OF EXHIBITION OR ENTERTAINMENT;

31
32 (d) AN AUDITORIUM, CONVENTION CENTER, LECTURE HALL, OR
33 OTHER PLACE OF PUBLIC GATHERING;

34
35 (e) A BAKERY, GROCERY STORE, CLOTHING STORE, HARDWARE
36 STORE, SHOPPING CENTER, OR OTHER SALES OR RETAIL ESTABLISHMENT;

37
38 (f) A LAUNDROMAT, DRY CLEANER, BANK, BARBER SHOP, BEAUTY
39 SHOP, TRAVEL SERVICE, SHOE REPAIR SERVICE, FUNERAL PARLOR, GAS
40 STATION, OFFICE OF AN ACCOUNTANT OR LAWYER, PHARMACY, INSURANCE
41 OFFICE, PROFESSIONAL OFFICE OF A HEALTH CARE PROVIDER, HOSPITAL, OR
42 OTHER SERVICE ESTABLISHMENT;

43
44 (g) A TERMINAL, DEPOT, OR OTHER STATION USED FOR SPECIFIED
45 PUBLIC TRANSPORTATION;

46
47 (h) A MUSEUM, LIBRARY, GALLERY, OR OTHER PLACE OF PUBLIC
48 DISPLAY OR COLLECTION;

49
50 (i) A PARK, ZOO, AMUSEMENT PARK, OR OTHER PLACE OF
51 RECREATION;

52
53 (j) A NURSERY, ELEMENTARY, SECONDARY, UNDERGRADUATE, OR
54 POSTGRADUATE PRIVATE SCHOOL, OR OTHER PLACE OF EDUCATION;

55
56 (k) A DAY CARE CENTER, SENIOR CITIZEN CENTER, HOMELESS

1 SHELTER, FOOD BANK, ADOPTION AGENCY, OR OTHER SOCIAL SERVICE
2 CENTER ESTABLISHMENT; OR

3
4 (1) A GYMNASIUM, HEALTH SPA, BOWLING ALLEY, GOLF COURSE,
5 OR OTHER PLACE OF EXERCISE OR RECREATION.

6
7 (5.5) "PUBLIC ENTITY" MEANS:

8
9 (a) THE STATE OF COLORADO, A POLITICAL SUBDIVISION OF THE
10 STATE, OR A LOCAL GOVERNMENT;

11
12 (b) A DEPARTMENT, AGENCY, SPECIAL DISTRICT, SPECIAL PURPOSE
13 AUTHORITY, OR OTHER INSTRUMENTALITY OF THE STATE OR A LOCAL
14 GOVERNMENT.

15
16 (5.7) "QUALIFIED PERSON WITH A DISABILITY" MEANS A PERSON
17 WITH A DISABILITY WHO MEETS THE ESSENTIAL ELIGIBILITY
18 REQUIREMENTS OF A PUBLIC ENTITY TO RECEIVE ITS SERVICES OR
19 PARTICIPATE IN ITS PROGRAMS OR ACTIVITIES, WITH OR WITHOUT
20 REASONABLE MODIFICATIONS TO RULES, POLICIES, OR PRACTICES;
21 REMOVAL OF ARCHITECTURAL, COMMUNICATION, OR TRANSPORTATION
22 BARRIERS; OR PROVISION OF AUXILIARY AIDS AND SERVICES.

23
24 (6) "Respondent" means any person, agency, organization, or
25 other entity against whom a charge is filed pursuant to any of the
26 provisions of parts 3 to 7 8 AND PART 10 of this article.

27
28 **SECTION 3.** Part 3 of article 34 of title 24, Colorado Revised
29 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
30 read:

31
32 **24-34-309. Cash fund.** THERE IS HEREBY CREATED IN THE STATE
33 TREASURY THE COLORADO CIVIL RIGHTS COMMISSION CASH FUND,
34 REFERRED TO IN THIS SECTION AS THE "FUND". THE FUND SHALL CONSIST
35 OF SUCH MONEYS AS MAY BE APPROPRIATED TO THE FUND BY THE
36 GENERAL ASSEMBLY AND SUCH MONEYS AS MAY BE CREDITED TO THE
37 FUND PURSUANT TO SECTIONS 24-34-602, 24-34-705, 24-34-802,
38 24-34-804, AND 24-34-1003 AND SECTION 25.5-4-107, C.R.S. MONEYS IN
39 THE FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION FOR THE
40 ADMINISTRATION OF PARTS 3 TO 8 AND PART 10 OF THIS ARTICLE. ALL
41 INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN
42 THE FUND SHALL BE CREDITED TO THE FUND. AT THE END OF ANY FISCAL
43 YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEYS IN THE FUND
44 SHALL REMAIN IN THE FUND AND SHALL NOT REVERT OR BE CREDITED OR
45 TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

46
47 **SECTION 4.** The introductory portion to 24-34-401, Colorado
48 Revised Statutes, is amended to read:

49
50 **24-34-401. Definitions.** THE DEFINITIONS PROVIDED FOR TERMS
51 IN SECTION 24-34-301 SHALL APPLY TO SAID TERMS AS USED IN THIS PART
52 4. IN ADDITION, as used in this part 4, unless the context otherwise
53 requires:

54
55 **SECTION 5.** The introductory portion to 24-34-501, Colorado
56 Revised Statutes, is amended to read:

1 **24-34-501. Definitions.** THE DEFINITIONS PROVIDED FOR TERMS
2 IN SECTION 24-34-301 SHALL APPLY TO SAID TERMS AS USED IN THIS PART
3 5. IN ADDITION, as used in this part 5, unless the context otherwise
4 requires:

5
6 **SECTION 6.** 24-34-502.2, Colorado Revised Statutes, is
7 amended BY THE ADDITION OF A NEW SUBSECTION to read:

8
9 **24-34-502.2. Unfair or discriminatory housing practices**
10 **against persons with disabilities prohibited - penalty.** (3.5) A PERSON
11 WHO DENIES THE RIGHTS OF A PERSON WITH A DISABILITY PROTECTED BY
12 THIS PART 5 COMMITS A CLASS 3 MISDEMEANOR AND SHALL BE SENTENCED
13 IN ACCORDANCE WITH SECTION 18-1.3-501 (1) (a), C.R.S.

14
15 **SECTION 7. Repeal.** 24-34-508 (1) (a), Colorado Revised
16 Statutes, is repealed as follows:

17
18 **24-34-508. Relief authorized.** (1) In addition to the relief
19 authorized by section 24-34-306 (9), the commission may order a
20 respondent who has been found to have engaged in an unfair housing
21 practice:

22
23 (a) ~~To rehire, reinstate, and provide back pay to any employee or~~
24 ~~agent discriminated against because of his obedience to this part 5;~~

25
26 **SECTION 8.** 24-34-601 (1), Colorado Revised Statutes, is
27 amended to read:

28
29 **24-34-601. Discrimination in places of public accommodation.**
30 (1) ~~As used in this part 6 "place of public accommodation" means any~~
31 ~~place of business engaged in any sales to the public and any place~~
32 ~~offering services, facilities, privileges, advantages, or accommodations~~
33 ~~to the public, including but not limited to any business offering wholesale~~
34 ~~or retail sales to the public; any place to eat, drink, sleep, or rest, or any~~
35 ~~combination thereof; any sporting or recreational area and facility; any~~
36 ~~public transportation facility; a barber shop, bathhouse, swimming pool,~~
37 ~~bath, steam or massage parlor, gymnasium, or other establishment~~
38 ~~conducted to serve the health, appearance, or physical condition of a~~
39 ~~person; a campsite or trailer camp; a dispensary, clinic, hospital,~~
40 ~~convalescent home, or other institution for the sick, ailing, aged, or~~
41 ~~infirm; a mortuary, undertaking parlor, or cemetery; an educational~~
42 ~~institution; or any public building, park, arena, theater, hall, auditorium,~~
43 ~~museum, library, exhibit, or public facility of any kind whether indoor or~~
44 ~~outdoor. "Place of public accommodation" shall not include a church,~~
45 ~~synagogue, mosque, or other place that is principally used for religious~~
46 ~~purposes~~ THE DEFINITIONS PROVIDED FOR TERMS IN SECTION 24-34-301
47 SHALL APPLY TO SAID TERMS AS USED IN THIS PART 6.

48
49 **SECTION 9.** 24-34-602 (1) and (2), Colorado Revised Statutes,
50 are amended, and the said 24-34-602 is further amended BY THE
51 ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

52
53 **24-34-602. Penalties and civil liability.** (1) Any person who
54 violates section 24-34-601 ~~shall be fined not less than fifty dollars nor~~
55 ~~more than five hundred dollars~~ SHALL PAY ACTUAL DAMAGES OR
56 STATUTORY DAMAGES OF FOUR THOUSAND DOLLARS, WHICHEVER IS

1 GREATER, TO THE PERSON AGGRIEVED for each violation. A person
2 aggrieved by the violation of section 24-34-601 shall bring an action in
3 any court of competent jurisdiction in the county Where the violation
4 occurred. Upon finding a violation, the court shall order the defendant to
5 pay ~~the fine~~ DAMAGES to the aggrieved party.

6
7 (2) ~~For each violation of section 24-34-601, the person is guilty~~
8 ~~of a misdemeanor and, upon conviction thereof, shall be punished by a~~
9 ~~fine of not less than ten dollars nor more than three hundred dollars, or by~~
10 ~~imprisonment in the county jail for not more than one year, or by both~~
11 ~~such fine and imprisonment~~ A PERSON WHO DENIES THE RIGHTS OF A
12 PERSON WITH A DISABILITY PROTECTED BY THIS PART 6 COMMITS A CLASS
13 3 MISDEMEANOR AND SHALL BE SENTENCED IN ACCORDANCE WITH
14 SECTION 18-1.3-501 (1) (a), C.R.S.

15
16 (4) A PERSON WHO IS THE PREVAILING PARTY IN A LAWSUIT UNDER
17 THIS SECTION IS ENTITLED TO RECOVER REASONABLE ATTORNEY FEES AND
18 COSTS PURSUANT TO THE "PREVAILING PARTY" STANDARDS UNDER THE
19 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.
20 12101 ET SEQ.

21
22 (5) IN ADDITION TO THE RELIEF AUTHORIZED BY THIS SECTION AND
23 SECTION 24-34-306 (9), THE COMMISSION OR A COURT MAY ORDER A
24 RESPONDENT WHO HAS BEEN FOUND GUILTY OF VIOLATING THE
25 PROVISIONS OF SECTION 24-34-601 TO PAY TO THE COLORADO CIVIL
26 RIGHTS COMMISSION CASH FUND, CREATED IN SECTION 24-34-309,
27 ACCORDING TO THE FOLLOWING SCHEDULE:

28
29 (a) AN AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS; OR

30
31 (b) AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND
32 DOLLARS IF THE RESPONDENT HAS BEEN ADJUDGED TO HAVE COMMITTED
33 ANY OTHER VIOLATION OF SECTION 24-34-601 DURING THE FIVE-YEAR
34 PERIOD PRECEDING THE DATE OF THE FILING OF THE CHARGE.

35
36 **SECTION 10. Repeal.** 24-34-605, Colorado Revised Statutes,
37 is repealed as follows:

38
39 **24-34-605. Relief authorized.** ~~In addition to the relief authorized~~
40 ~~by section 24-34-306 (9), the commission may order a respondent who~~
41 ~~has been found to have engaged in a discriminatory practice as defined in~~
42 ~~this part 6 to rehire, reinstate, and provide back pay to any employee or~~
43 ~~agent discriminated against because of his obedience to this part 6; to~~
44 ~~make reports as to the manner of compliance with the order of the~~
45 ~~commission; and to take affirmative action, including the posting of~~
46 ~~notices setting forth the substantive rights of the public under this part 6.~~

47
48 **SECTION 11.** 24-34-703, Colorado Revised Statutes, is amended
49 to read:

50
51 **24-34-703. Definitions.** ~~A place of public accommodation, resort,~~
52 ~~or amusement, within the meaning of this part 7, shall be deemed to~~
53 ~~include any inn, tavern, or hotel, whether conducted for the entertainment,~~
54 ~~housing, or lodging of transient guests or for the benefit, use, or~~
55 ~~accommodation of those seeking health, recreation, or rest, and any~~
56 ~~restaurant, eating house, public conveyance on land or water, bathhouse,~~

1 ~~barber shop, theater, and music hall~~ THE DEFINITIONS PROVIDED FOR
2 TERMS IN SECTION 24-34-301 SHALL APPLY TO SAID TERMS AS USED IN
3 THIS PART 7.

4
5 **SECTION 12.** 24-34-705, Colorado Revised Statutes, is amended
6 to read:

7
8 **24-34-705. Penalties.** (1) ~~Any~~ A person who violates any of the
9 provisions of this part 7 or who aids in, incites, causes, or brings about in
10 whole or in part the violation of any of such provisions, for each and
11 every violation thereof, is guilty of a CLASS 3 misdemeanor and, upon
12 conviction thereof, shall be ~~punished by a fine of not less than one~~
13 ~~hundred dollars nor more than five hundred dollars, or by imprisonment~~
14 ~~in the county jail for not less than thirty days nor more than ninety days,~~
15 ~~or by both such fine and imprisonment~~ SENTENCED IN ACCORDANCE WITH
16 SECTION 18-1.3-501 (1) (a), C.R.S. The penalty provided by this section
17 shall be an alternative to the relief authorized by section 24-34-306 (9),
18 and a person who seeks redress under this section shall not be permitted
19 to seek relief from the commission.

20
21 (2) A PERSON, FIRM, OR CORPORATION OR THE AGENT OF A PERSON,
22 FIRM, OR CORPORATION THAT VIOLATES THE PROVISIONS OF THIS PART 7
23 SHALL PAY ACTUAL DAMAGES OR STATUTORY DAMAGES OF FOUR
24 THOUSAND DOLLARS, WHICHEVER IS GREATER, TO THE PERSON
25 AGGRIEVED. THE COURT SHALL ORDER INJUNCTIVE RELIEF AND ANY
26 OTHER RELIEF THE COURT DEEMS APPROPRIATE AND NECESSARY TO
27 PREVENT FUTURE VIOLATIONS.

28
29 (3) A PERSON WHO IS THE PREVAILING PARTY IN A LAWSUIT UNDER
30 THIS SECTION IS ENTITLED TO RECOVER REASONABLE ATTORNEY FEES AND
31 COSTS PURSUANT TO THE "PREVAILING PARTY" STANDARDS UNDER THE
32 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.
33 12101 ET SEQ.

34
35 (4) IN ADDITION TO THE RELIEF AUTHORIZED BY THIS SECTION AND
36 SECTION 24-34-306 (9), THE COMMISSION OR A COURT MAY ORDER A
37 RESPONDENT WHO HAS BEEN FOUND GUILTY OF VIOLATING THE
38 PROVISIONS OF THIS PART 7 TO PAY TO THE COLORADO CIVIL RIGHTS
39 COMMISSION CASH FUND, CREATED IN SECTION 24-34-309, ACCORDING TO
40 THE FOLLOWING SCHEDULE:

41
42 (a) AN AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS; OR

43
44 (b) AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND
45 DOLLARS IF THE RESPONDENT HAS BEEN ADJUDGED TO HAVE COMMITTED
46 ANY OTHER VIOLATION OF THIS PART 7 DURING THE FIVE-YEAR PERIOD
47 PRECEDING THE DATE OF THE FILING OF THE CHARGE.

48
49 **SECTION 13. Repeal.** 24-34-707, Colorado Revised Statutes,
50 is repealed as follows:

51
52 **24-34-707. Relief authorized.** ~~In addition to the relief authorized~~
53 ~~by section 24-34-306 (9), the commission may order a respondent who~~
54 ~~has been found to have violated any of the provisions of this part 7 to~~
55 ~~rehire, reinstate, and provide back pay to any employee or agent~~
56 ~~discriminated against because of his obedience to this part 7; to make~~

1 ~~reports as to the manner of compliance with the order of the commission;~~
2 ~~and to take affirmative action, including the posting of notices setting~~
3 ~~forth the substantive rights of the public under this part 7.~~

4
5 **SECTION 14.** 24-34-801 (1), Colorado Revised Statutes, is
6 amended to read:

7
8 **24-34-801. Legislative declaration.** (1) The general assembly
9 hereby declares that it is the policy of the state:

10
11 (a) To encourage and enable ~~the blind, the visually impaired, the~~
12 ~~deaf, the partially deaf, and the otherwise physically disabled~~ PERSONS
13 WITH DISABILITIES to participate fully in the social and economic life of
14 the state and to engage in remunerative employment;

15
16 (b) That ~~the blind, the visually impaired, the deaf, the partially~~
17 ~~deaf, and the otherwise physically disabled~~ PERSONS WITH DISABILITIES
18 shall be employed in the state service, the service of the political
19 subdivisions of the state, the public schools, and in all other employment
20 supported in whole or in part by public funds on the same terms and
21 conditions as the able-bodied unless it is shown that the particular
22 disability prevents the performance of the work involved;

23
24 (c) That ~~the blind, the visually impaired, the deaf, the partially~~
25 ~~deaf, and the otherwise physically disabled~~ PERSONS WITH DISABILITIES
26 have the same rights as the able-bodied to the full and free use of the
27 streets, highways, sidewalks, walkways, public buildings, public facilities,
28 and other public places;

29
30 (d) That ~~the blind, the visually impaired, the deaf, the partially~~
31 ~~deaf, and the otherwise physically disabled~~ PERSONS WITH DISABILITIES
32 are entitled to full and equal housing and full and equal accommodations,
33 advantages, facilities, and privileges of all common carriers, airplanes,
34 motor vehicles, railroad trains, motor buses, streetcars, boats, or any other
35 public conveyances or modes of transportation, hotels, motels, lodging
36 places, places of public accommodation, amusement, or resort, and other
37 places to which the general public is invited, including restaurants and
38 grocery stores; and that ~~the blind, the visually impaired, the deaf, the~~
39 ~~partially deaf, or the otherwise physically disabled person assume~~ THE
40 PERSON WITH A DISABILITY ASSUMES the liability for any injury that he or
41 she might sustain which is attributable solely to causes originating with
42 the nature of the particular disability involved and otherwise subject only
43 to the conditions and limitations established by law and applicable alike
44 to all persons.

45
46 (e) and (f) Repealed.

47
48 **SECTION 15.** 24-34-802, Colorado Revised Statutes, is amended
49 to read:

50
51 **24-34-802. Violations - penalties.** (1) ~~Any~~ A person, firm, or
52 corporation or the agent of ~~any~~ A person, firm, or corporation that denies
53 or interferes with the rights and the admittance to or enjoyment of the
54 public facilities enumerated in ~~section 24-34-801 (1) (b) to (1) (d)~~ is
55 ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished~~
56 ~~by a fine of not more than one hundred dollars, or by imprisonment in the~~

1 ~~county jail for not more than sixty days, or by both such fine and~~
2 ~~imprisonment~~ THIS PART 8 COMMITS A CLASS 3 MISDEMEANOR AND SHALL
3 BE SENTENCED IN ACCORDANCE WITH SECTION 18-1.3-501 (1) (a), C.R.S.

4
5 (2) IT SHALL BE AN UNLAWFUL DISCRIMINATORY PRACTICE FOR A
6 PERSON, FIRM, OR CORPORATION OR THE AGENT OF A PERSON, FIRM, OR
7 CORPORATION TO DISCRIMINATE AGAINST AN INDIVIDUAL OR A GROUP
8 BECAUSE THE INDIVIDUAL OR GROUP HAS:

9
10 (a) OPPOSED ANY DISCRIMINATORY PRACTICE SET FORTH IN THIS
11 PART 8; OR

12
13 (b) MADE A COMPLAINT, TESTIFIED, ASSISTED, OR PARTICIPATED
14 IN ANY MANNER IN AN INVESTIGATION, PROCEEDING, OR HEARING
15 CONDUCTED PURSUANT TO THIS PART 8.

16
17 (3) A PERSON, FIRM, OR CORPORATION OR THE AGENT OF A PERSON,
18 FIRM, OR CORPORATION THAT VIOLATES THE PROVISIONS OF THIS SECTION
19 OR ANY OTHER PROVISION OF THIS PART 8 SHALL PAY ACTUAL DAMAGES
20 OR STATUTORY DAMAGES OF FOUR THOUSAND DOLLARS, WHICHEVER IS
21 GREATER, TO THE PERSON AGGRIEVED. THE COURT SHALL ORDER
22 INJUNCTIVE RELIEF AND ANY OTHER RELIEF THE COURT DEEMS
23 APPROPRIATE AND NECESSARY TO PREVENT FUTURE VIOLATIONS.

24
25 (4) A PERSON WHO IS THE PREVAILING PARTY IN A LAWSUIT UNDER
26 THIS SECTION IS ENTITLED TO RECOVER REASONABLE ATTORNEY FEES AND
27 COSTS PURSUANT TO THE "PREVAILING PARTY" STANDARDS UNDER THE
28 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.
29 12101 ET SEQ.

30
31 (5) IN ADDITION TO THE RELIEF AUTHORIZED BY THIS SECTION AND
32 SECTION 24-34-306 (9), THE COLORADO CIVIL RIGHTS COMMISSION OR A
33 COURT MAY ORDER A RESPONDENT WHO HAS BEEN FOUND GUILTY OF
34 VIOLATING THE PROVISIONS OF SECTION 24-34-801 TO PAY TO THE
35 COLORADO CIVIL RIGHTS COMMISSION CASH FUND, CREATED IN SECTION
36 24-34-309, ACCORDING TO THE FOLLOWING SCHEDULE:

37
38 (a) AN AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS; OR

39
40 (b) AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND
41 DOLLARS IF THE RESPONDENT HAS BEEN ADJUDGED TO HAVE COMMITTED
42 ANY OTHER VIOLATION OF SECTION 24-34-801 DURING THE FIVE-YEAR
43 PERIOD PRECEDING THE DATE OF THE FILING OF THE CHARGE.

44
45 **SECTION 16.** 24-34-803, Colorado Revised Statutes, is amended
46 to read:

47
48 **24-34-803. Rights of persons with assistance animals -**
49 **definitions.** (1) A person with a disability ~~including but not limited to~~
50 ~~a blind, visually impaired, deaf, hard of hearing, or otherwise physically~~
51 ~~disabled person,~~ has the right to be accompanied by an assistance dog
52 ANIMAL specially trained for that person without being required to pay an
53 extra charge for the assistance dog ~~in or on the following places and~~
54 ~~subject to the conditions and limitations established by law and applicable~~
55 ~~alike to all persons:~~ ANIMAL IN OR ON THE PROPERTY OF ANY PLACE OF
56 EMPLOYMENT, HOUSING, PUBLIC ACCOMMODATION, PUBLIC ENTITY, OR

1 PUBLIC TRANSPORTATION SERVICES.

2
3 ~~(a) Public streets, highways, walkways, public buildings, public~~
4 ~~facilities and services, and other public places;~~

5
6 ~~(b) Any place of public accommodation or on public~~
7 ~~transportation services; and~~

8
9 ~~(c) Any housing accommodation offered for rent, lease, or other~~
10 ~~compensation in the state.~~

11
12 (2) A trainer of an assistance ~~dog~~ ANIMAL has the right to be
13 accompanied by ~~an~~ THE assistance ~~dog~~ ANIMAL that the trainer is in the
14 process of training without being required to pay an extra charge for the
15 assistance ~~dog in or on the following places:~~ ANIMAL IN OR ON THE
16 PROPERTY OF ANY PLACE OF EMPLOYMENT, HOUSING, PUBLIC
17 ACCOMMODATION, PUBLIC ENTITY, OR PUBLIC TRANSPORTATION SERVICES.

18
19 ~~(a) Public streets, highways, walkways, public buildings, public~~
20 ~~facilities and services, and other public places; and~~

21
22 ~~(b) Any place of public accommodation or on public~~
23 ~~transportation services.~~

24
25 (3) (a) An employer shall ~~not refuse to~~ permit an employee with
26 a disability who is accompanied by an assistance ~~dog~~ ANIMAL to keep the
27 employee's assistance ~~dog~~ ANIMAL with ~~the employee~~ HIM OR HER at all
28 times in the place of employment. An employer shall not fail or refuse to
29 hire or discharge any person with a disability, or otherwise discriminate
30 against any person with a disability, with respect to compensation, terms,
31 conditions, or privileges of employment because ~~that person with a~~
32 ~~disability~~ HE OR SHE is accompanied by an assistance ~~dog~~ ANIMAL
33 specially trained ~~for that person~~ TO ASSIST THE PERSON WITH HIS OR HER
34 DISABILITY.

35
36 (b) An employer shall make reasonable accommodation to make
37 the workplace accessible for an otherwise qualified person with a
38 disability who is an applicant or employee and who is accompanied by an
39 assistance ~~dog~~ ANIMAL specially trained for that person unless the
40 employer can show that the accommodation would impose an undue
41 hardship on the employer's business. For purposes of this paragraph (b),
42 "undue hardship" means an action requiring significant difficulty or
43 expense.

44
45 (4) (a) The owner or ~~the~~ person having control or custody of an
46 assistance ~~dog~~ ANIMAL or an assistance ~~dog~~ ANIMAL in training is liable
47 for any damage to persons, premises, or facilities, including places of
48 housing accommodation and places of employment, caused by that
49 person's assistance ~~dog~~ ANIMAL or assistance ~~dog~~ ANIMAL in training.
50 The OWNER OR person having control or custody of an assistance ~~dog~~
51 ANIMAL or an assistance ~~dog~~ ANIMAL in training shall be subject to the
52 provisions of section 18-9-204.5, C.R.S.

53
54 (b) A PERSON WHO CAUSES HARM TO AN ASSISTANCE ANIMAL OR
55 AN ASSISTANCE ANIMAL IN TRAINING SHALL BE LIABLE TO THE OWNER OF
56 THE ASSISTANCE ANIMAL OR ASSISTANCE ANIMAL IN TRAINING FOR TREBLE

1 THE AMOUNT OF ACTUAL DAMAGES.

2
3 (c) THE OWNER OF AN ANIMAL THAT CAUSES HARM TO AN
4 ASSISTANCE ANIMAL OR AN ASSISTANCE ANIMAL IN TRAINING SHALL BE
5 LIABLE TO THE OWNER OF THE ASSISTANCE ANIMAL OR ASSISTANCE
6 ANIMAL IN TRAINING FOR TREBLE THE AMOUNT OF ACTUAL DAMAGES.

7
8 (5) A person with a disability is exempt from any state or local
9 licensing fees or charges that might otherwise apply in connection with
10 owning an assistance ~~dog~~ ANIMAL.

11
12 (6) The mere presence of an assistance ~~dog~~ ANIMAL in a place of
13 public accommodation shall not be grounds for any violation of a sanitary
14 standard, rule, or regulation promulgated pursuant to section 25-4-1604,
15 C.R.S.

16
17 (7) THE DEFINITIONS PROVIDED FOR TERMS IN SECTION 24-34-301
18 SHALL APPLY TO SAID TERMS AS USED IN THIS SUBSECTION (7). IN
19 ADDITION, as used in this section, unless the context otherwise requires:

20
21 (a) "Assistance ~~dog~~ ANIMAL" means ~~a dog~~ AN ANIMAL that has
22 been or is being trained as a ~~guide dog, hearing dog, or service dog~~. Such
23 ~~terms are further defined as follows:~~ TO PERFORM ONE OR MORE SPECIFIC
24 FUNCTIONS FOR A PERSON WITH A DISABILITY.

25
26 (I) ~~"Guide dog" means a dog that has been or is being specially~~
27 ~~trained to aid a particular blind or visually impaired person.~~

28
29 (II) ~~"Hearing dog" means a dog that has been or is being specially~~
30 ~~trained to aid a particular deaf or hearing impaired person.~~

31
32 (III) ~~"Service dog" means a dog that has been or is being specially~~
33 ~~trained to aid a particular physically disabled person with a physical~~
34 ~~disability other than sight or hearing impairment.~~

35
36 (b) ~~"Disability" has the same meaning as set forth in the federal~~
37 ~~"Americans with Disabilities Act of 1990", 42 U.S.C. sec. 12102 (2), as~~
38 ~~amended.~~

39
40 (c) ~~"Employer" has the same meaning as set forth in the federal~~
41 ~~"Americans with Disabilities Act of 1990", 42 U.S.C. sec. 12111 (5), as~~
42 ~~amended, OR IN SECTION 24-34-401 (3), WHICHEVER DEFINITION PROVIDES~~
43 ~~GREATER PROTECTION FOR THE PERSON WITH THE DISABILITY.~~

44
45 (d) "Housing accommodations" means any real property or portion
46 thereof that is used or occupied, or intended, arranged, or designed to be
47 used or occupied, as the home, residence, or sleeping place of one or
48 more persons but does not include any single family residence, the
49 occupants of which rent, lease, or furnish for compensation not more than
50 one room in that residence.

51
52 (e) ~~"Places of public accommodation" means the following~~
53 ~~categories of private entities:~~

54
55 (I) ~~Inns, hotels, motels, or other places of lodging, except~~
56 ~~establishments located within buildings actually occupied by the~~

1 proprietor as the proprietor's residence containing five or fewer rooms for
2 rent or hire;

3
4 (H) ~~Restaurants, bars, cafeterias, lunchrooms, lunch counters, soda~~
5 ~~fountains, casinos, or other establishments serving food or drink,~~
6 ~~including any such facility located on the premises of any retail~~
7 ~~establishment;~~

8
9 (HH) ~~Gasoline stations or garages;~~

10
11 (IV) ~~Motion picture theaters, theaters, billiard or pool halls,~~
12 ~~concert halls, stadiums, sports arenas, amusement or recreation parks, or~~
13 ~~other places of exhibition or entertainment;~~

14
15 (V) ~~Auditoriums, convention centers, lecture halls, or other places~~
16 ~~of public gathering;~~

17
18 (VI) ~~Bakeries, grocery stores, clothing stores, hardware stores,~~
19 ~~shopping centers, or other sales or retail establishments;~~

20
21 (VII) ~~Laundromats, dry cleaners, banks, barber shops, beauty~~
22 ~~shops, travel services, shoe repair services, funeral parlors, offices of~~
23 ~~accountants or attorneys-at-law, pharmacies, insurance offices,~~
24 ~~professional offices of health care providers, hospitals, or other service~~
25 ~~establishments;~~

26
27 (VIII) ~~Terminals, depots, or other stations used for specified~~
28 ~~purposes;~~

29
30 (IX) ~~Museums, libraries, galleries, or other places of public~~
31 ~~display or collection;~~

32
33 (X) ~~Parks, zoos, or other places of recreation;~~

34
35 (XI) ~~Nursery, elementary, secondary, undergraduate, or graduate~~
36 ~~schools or other places of education;~~

37
38 (XII) ~~Day care centers, senior citizen centers, homeless shelters,~~
39 ~~food banks, adoption agencies, or other social service center~~
40 ~~establishments;~~

41
42 (XIII) ~~Gymnasiums, health spas, bowling alleys, golf courses, or~~
43 ~~other places of exercise or recreation;~~

44
45 (XIV) ~~Any other establishment or place to which the public is~~
46 ~~invited; or~~

47
48 (XV) ~~Any establishment physically containing or contained within~~
49 ~~any of the establishments described in this paragraph (c) that holds itself~~
50 ~~out as serving patrons of the described establishment.~~

51
52 (f) "Public transportation services" means common carriers of
53 passengers or any other means of public conveyance or modes of
54 transportation, including but not limited to airplanes, motor vehicles,
55 railroad trains, motor buses, streetcars, boats, or taxis.

56

1 (g) "Trainer of an assistance ~~dog~~ ANIMAL" means a person who is
2 qualified to train ~~dogs~~ AN ANIMAL to serve as AN assistance ~~dogs~~ ANIMAL.
3

4 **SECTION 17.** 24-34-804, Colorado Revised Statutes, is amended
5 to read:
6

7 **24-34-804. Violations - penalties.** (1) It is unlawful for any
8 person, firm, corporation, or agent of any person, firm, or corporation to:
9

10 (a) Withhold, deny, deprive, or attempt to withhold, deny, or
11 deprive any person with a disability or trainer OF AN ASSISTANCE ANIMAL
12 of any of the rights or privileges secured in section 24-34-803;
13

14 (b) Threaten to interfere with any of the rights ~~of persons with~~
15 ~~disabilities or trainers secured in section 24-34-803~~ SECURED IN SECTION
16 24-34-803 FOR A PERSON WITH A DISABILITY OR A TRAINER OF AN
17 ASSISTANCE ANIMAL;
18

19 (c) Punish or attempt to punish any person with a disability or
20 trainer OF AN ASSISTANCE ANIMAL for exercising or attempting to exercise
21 any right or privilege secured by section 24-34-803; ~~or~~
22

23 (d) Interfere with, injure, or harm, or cause another dog to
24 interfere with, injure, or harm, an assistance ~~dog~~ ANIMAL; OR
25

26 (e) DISCRIMINATE AGAINST AN INDIVIDUAL OR A GROUP BECAUSE
27 THAT INDIVIDUAL OR GROUP HAS OPPOSED A PRACTICE MADE A
28 DISCRIMINATORY PRACTICE BY THIS PART 8 OR BECAUSE THE INDIVIDUAL
29 OR GROUP HAS MADE A CHARGE, TESTIFIED, ASSISTED, OR PARTICIPATED
30 IN ANY MANNER IN AN INVESTIGATION, PROCEEDING, OR HEARING
31 CONDUCTED PURSUANT TO THIS PART 8.
32

33 (2) Any person who violates any provision of ~~subsection (1) of~~
34 ~~this section~~ THIS PART 8 commits a class 3 misdemeanor and shall be
35 punished as provided in section 18-1.3-501, C.R.S.
36

37 (3) (a) Any person who violates any provision of subsection (1)
38 of this section shall be liable to the person with a disability or trainer OF
39 THE ASSISTANCE ANIMAL whose rights were affected for actual damages
40 for economic loss OR STATUTORY DAMAGES OF FOUR THOUSAND
41 DOLLARS, WHICHEVER IS GREATER, FOR EACH VIOLATION to be recovered
42 in a civil action in a court in the county Where the infringement of rights
43 occurred or Where the defendant resides. THE COURT SHALL ORDER
44 INJUNCTIVE RELIEF AND ANY OTHER RELIEF THE COURT DEEMS
45 APPROPRIATE AND NECESSARY TO PREVENT FUTURE VIOLATIONS.
46

47 (b) In any action commenced pursuant to this subsection (3), a
48 court may award costs and reasonable attorney fees.
49

50 (3.5) IN ADDITION TO THE RELIEF AUTHORIZED BY THIS SECTION
51 AND SECTION 24-34-306 (9), THE COLORADO CIVIL RIGHTS COMMISSION
52 OR A COURT MAY ORDER A RESPONDENT WHO HAS BEEN FOUND GUILTY OF
53 VIOLATING THE PROVISIONS OF SECTION 24-34-803 TO PAY TO THE
54 COLORADO CIVIL RIGHTS COMMISSION CASH FUND, CREATED IN SECTION
55 24-34-309, ACCORDING TO THE FOLLOWING SCHEDULE:
56

1 (a) AN AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS; OR

2
3 (b) AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND
4 DOLLARS IF THE RESPONDENT HAS BEEN ADJUDGED TO HAVE COMMITTED
5 ANY OTHER VIOLATION OF SECTION 24-34-803 DURING THE FIVE-YEAR
6 PERIOD PRECEDING THE DATE OF THE FILING OF THE CHARGE.

7
8 (4) Nothing in this section is intended to interfere with remedies
9 or relief that any person might be entitled to pursuant to parts 3 to 7 8 AND
10 PART 10 of this article.

11
12 **SECTION 18.** Article 34 of title 24, Colorado Revised Statutes,
13 is amended BY THE ADDITION OF A NEW PART to read:

14
15 **PART 10**
16 **DISCRIMINATION BY PUBLIC ENTITIES**
17 **AND STATE AGENCIES**
18

19 **24-34-1001. Definitions.** THE DEFINITIONS PROVIDED FOR TERMS
20 IN SECTION 24-34-301 SHALL APPLY TO SAID TERMS AS USED IN THIS PART
21 10.

22
23 **24-34-1002. Prohibition against discrimination by public**
24 **entities.** (1) A QUALIFIED PERSON WITH A DISABILITY SHALL NOT BE
25 EXCLUDED FROM PARTICIPATION IN OR DENIED THE BENEFITS OF THE
26 SERVICES, PROGRAMS, OR ACTIVITIES OF A PUBLIC ENTITY, OR BE
27 SUBJECTED TO DISCRIMINATION BY A PUBLIC ENTITY, BY REASON OF THE
28 PERSON'S DISABILITY.

29
30 (2) DISCRIMINATION BY REASON OF DISABILITY INCLUDES ANY
31 ACTION THAT WOULD CONSTITUTE A VIOLATION OF TITLE II OF THE
32 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.
33 12131 ET SEQ., AND ITS IMPLEMENTING REGULATIONS.

34
35 (3) IT SHALL BE AN UNLAWFUL DISCRIMINATORY PRACTICE FOR A
36 PERSON OR PUBLIC ENTITY TO DISCRIMINATE AGAINST A PERSON OR GROUP
37 BECAUSE THE PERSON OR GROUP HAS OPPOSED A PRACTICE THAT IS MADE
38 A DISCRIMINATORY PRACTICE BY THIS PART 10 OR BECAUSE THE PERSON
39 OR GROUP HAS MADE A CHARGE, TESTIFIED, ASSISTED, OR PARTICIPATED
40 IN ANY MANNER IN AN INVESTIGATION, PROCEEDING, OR HEARING
41 CONDUCTED PURSUANT TO THIS PART 10.

42
43 **24-34-1003. Discrimination by public entities - remedies -**
44 **penalties.** (1) A PERSON WHO HAS BEEN SUBJECTED TO A
45 DISCRIMINATORY ACT PROHIBITED BY SECTION 24-34-1002 MAY BRING A
46 CIVIL SUIT IN A COURT OF COMPETENT JURISDICTION AND MAY OBTAIN A
47 COURT ORDER FOR COMPLIANCE WITH THIS PART 10. A PERSON WHO
48 BRINGS SUIT PURSUANT TO THIS SECTION IS ENTITLED TO THE RECOVERY
49 OF ACTUAL DAMAGES OR STATUTORY DAMAGES OF FOUR THOUSAND
50 DOLLARS, WHICHEVER IS GREATER, FOR EACH VIOLATION. A PERSON WHO
51 IS THE PREVAILING PARTY IN A LAWSUIT UNDER THIS SECTION IS ENTITLED
52 TO RECOVER REASONABLE ATTORNEY FEES AND COSTS PURSUANT TO THE
53 "PREVAILING PARTY" STANDARDS UNDER THE FEDERAL "AMERICANS WITH
54 DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ.

55
56 (2) A PERSON WHO DENIES THE RIGHTS OF A PERSON WITH A

1 DISABILITY PROTECTED BY THIS PART 10 COMMITS A CLASS 3
2 MISDEMEANOR AND SHALL BE SENTENCED IN ACCORDANCE WITH SECTION
3 18-1.3-501 (1) (a), C.R.S.

4
5 (3) IN ADDITION TO THE RELIEF AUTHORIZED BY THIS SECTION AND
6 SECTION 24-34-306 (9), THE COLORADO CIVIL RIGHTS COMMISSION OR A
7 COURT MAY ORDER A RESPONDENT WHO HAS BEEN FOUND GUILTY OF
8 VIOLATING THE PROVISIONS OF THIS PART 10 TO PAY TO THE COLORADO
9 CIVIL RIGHTS COMMISSION CASH FUND, CREATED IN SECTION 24-34-309,
10 ACCORDING TO THE FOLLOWING SCHEDULE:

11
12 (a) AN AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS; OR

13
14 (b) AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND
15 DOLLARS IF THE RESPONDENT HAS BEEN ADJUDGED TO HAVE COMMITTED
16 ANY OTHER VIOLATION OF THIS PART 10 DURING THE FIVE-YEAR PERIOD
17 PRECEDING THE DATE OF THE FILING OF THE CHARGE.

18
19 **24-34-1004. Discrimination by state agencies - requirements**
20 **for compliance.** (1) A STATE AGENCY IS REQUIRED TO COMPLY WITH ALL
21 APPLICABLE DISCRIMINATION POLICIES, INCLUDING BUT NOT LIMITED TO
22 FEDERAL, STATE, AND LOCAL LAWS, AND ANY RULES PROMULGATED BY
23 THE AGENCY.

24
25 (2) A PERSON WHO IS AGGRIEVED BY A VIOLATION OF THIS SECTION
26 HAS A PRIVATE RIGHT OF ACTION TO BRING A CIVIL LAWSUIT IN A COURT
27 OF COMPETENT JURISDICTION AGAINST THE VIOLATING STATE AGENCY.

28
29 (3) REMEDIES UNDER THIS SECTION INCLUDE, BUT ARE NOT
30 LIMITED TO:

31
32 (a) INJUNCTIVE RELIEF IN THE FORM OF A COURT ORDER REQUIRING
33 COMPLIANCE WITH THIS SECTION AND SPECIFYING THE FORM OF
34 COMPLIANCE;

35
36 (b) ACTUAL DAMAGES OR STATUTORY DAMAGES OF FOUR
37 THOUSAND DOLLARS, WHICHEVER IS GREATER, FOR EACH VIOLATION OF
38 THIS SECTION; AND

39
40 (c) RECOVERY OF REASONABLE ATTORNEY FEES AND COSTS TO THE
41 PREVAILING PARTY PURSUANT TO THE "PREVAILING PARTY" STANDARDS
42 UNDER THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42
43 U.S.C. SEC. 12101 ET SEQ.

44
45 (4) IT SHALL BE AN UNLAWFUL DISCRIMINATORY PRACTICE FOR A
46 PERSON OR AGENCY TO DISCRIMINATE AGAINST A PERSON OR GROUP
47 BECAUSE THAT PERSON OR GROUP HAS OPPOSED A PRACTICE THAT IS MADE
48 A DISCRIMINATORY PRACTICE BY THIS PART 10 OR BECAUSE THAT PERSON
49 OR GROUP HAS MADE A CHARGE, TESTIFIED, ASSISTED, OR PARTICIPATED
50 IN ANY MANNER IN AN INVESTIGATION, PROCEEDING, OR HEARING
51 CONDUCTED PURSUANT TO THIS PART 10.

52
53 **SECTION 19.** 25.5-4-107, Colorado Revised Statutes, is
54 amended BY THE ADDITION OF A NEW SUBSECTION to read:

55
56 **25.5-4-107. Retaliation definition - penalties.** (3) (a) A PERSON

1 OR ENTITY WHO VIOLATES THIS SECTION SHALL BE HELD LIABLE TO THE
2 PERSON AGGRIEVED IN A COURT OF COMPETENT JURISDICTION FOR
3 INJUNCTIVE RELIEF AND FOR ACTUAL DAMAGES OR STATUTORY DAMAGES
4 OF FOUR THOUSAND DOLLARS, WHICHEVER IS GREATER, FOR EACH
5 VIOLATION. THE COURT MAY AWARD REASONABLE ATTORNEY FEES AND
6 COSTS TO THE PREVAILING PARTY PURSUANT TO THE "PREVAILING PARTY"
7 STANDARDS UNDER THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF
8 1990", 42 U.S.C. SEC. 12101 ET SEQ.

9
10 (b) IN ADDITION TO THE RELIEF AUTHORIZED BY THIS SECTION AND
11 SECTION 24-34-306 (9), C.R.S., THE COLORADO CIVIL RIGHTS COMMISSION
12 OR A COURT MAY ORDER A RESPONDENT WHO HAS BEEN FOUND GUILTY OF
13 VIOLATING THE PROVISIONS OF THIS SECTION TO PAY TO THE COLORADO
14 CIVIL RIGHTS COMMISSION CASH FUND, CREATED IN SECTION 24-34-309,
15 C.R.S., ACCORDING TO THE FOLLOWING SCHEDULE:

16
17 (I) AN AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS; OR

18
19 (II) AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND
20 DOLLARS IF THE RESPONDENT HAS BEEN ADJUDGED TO HAVE COMMITTED
21 ANY OTHER VIOLATION OF THIS SECTION DURING THE FIVE-YEAR PERIOD
22 PRECEDING THE DATE OF THE FILING OF THE CHARGE.

23
24 **SECTION 20.** 24-34-302 (2), Colorado Revised Statutes, is
25 amended to read:

26
27 **24-34-302. Civil rights division - director - powers and duties.**
28 (2) The director shall appoint ~~such~~ investigators and other personnel as
29 ~~may be~~ necessary to carry out the functions and duties of the division.
30 The director and the staff of the division shall receive, investigate, and
31 make determinations on charges alleging unfair or discriminatory
32 practices in violation of parts 4 to 7 8 AND PART 10 of this article.

33
34 **SECTION 21.** 24-34-305 (1) (a), (1) (c), (1) (e), (1) (i), (1) (i.5),
35 (2), (3), and (4), Colorado Revised Statutes, are amended to read:

36
37 **24-34-305. Powers and duties of commission.** (1) The
38 commission has the following powers and duties:

39
40 (a) To adopt, publish, amend, and rescind rules ~~and regulations,~~
41 in accordance with the provisions of section 24-4-103, ~~which~~ THAT are
42 consistent with and for the implementation of THIS PART 3 AND parts 3 ~~to~~
43 7 4 TO 8 AND PART 10 of this article. All such rules adopted or amended
44 on or after July 1, 1979, shall be subject to sections 24-4-103 (8) (c) and
45 (8) (d) and 24-34-104 (9) (b) (II).

46
47 (c) To investigate and study the existence, character, causes, and
48 extent of unfair or discriminatory practices as defined in parts 4 to 7 8
49 AND PART 10 of this article and to formulate plans for the elimination
50 thereof by educational or other means;

51
52 (e) To issue such publications and reports of investigations and
53 research as in its judgment will tend to promote goodwill among the
54 various racial, religious, age, and ethnic groups of the state and which
55 will tend to minimize or eliminate discriminatory or unfair practices as
56 specified by THIS PART 3 AND parts 3 ~~to~~ 7 4 TO 8 AND PART 10 of this

1 article. Publications of the commission circulated in quantity outside the
2 executive branch shall be issued in accordance with the provisions of
3 section 24-1-136.

4
5 (i) To cooperate, within the limits of any appropriations made for
6 its operation, with other agencies or organizations, both public and
7 private, whose purposes are consistent with those of THIS PART 3 AND
8 parts ~~3 to 7~~ 4 to 8 AND PART 10 of this article, in the planning and
9 conducting of educational programs designed to eliminate racial,
10 religious, cultural, age, and intergroup tensions;

11
12 (i.5) To intervene in racial, religious, cultural, age, and intergroup
13 tensions or conflicts for the purpose of informal mediation using
14 alternative dispute resolution techniques. Such intervention may be made
15 in cooperation with other agencies or organizations, both public and
16 private, whose purposes are consistent with those of THIS PART 3 AND
17 parts ~~3 to 7~~ 4 to 8 AND PART 10 of this article.

18
19 (2) Any provision of this article to the contrary notwithstanding,
20 ~~no~~ A person shall NOT be required to alter, modify, or purchase any
21 building, structure, or equipment or incur any additional expense ~~which~~
22 THAT would not otherwise be incurred in order to comply with THIS PART
23 3 AND parts ~~3, 4, 6, and 7~~ 4, 6 TO 8, AND 10 of this article.

24
25 (3) In exercising the powers and performing the duties and
26 functions under THIS PART 3 AND parts ~~3 to 7~~ 4 TO 8 AND PART 10 of this
27 article, the commission, the division, and the director shall presume that
28 the conduct of ~~any~~ A respondent is not unfair or discriminatory until
29 proven otherwise.

30
31 (4) Whether by rule ~~regulation~~, or other action or whether as a
32 remedy for violation of any provision of THIS PART 3 OR parts ~~3 to 7~~ 4 TO
33 8 AND PART 10 of this article or otherwise, the commission shall not
34 prescribe or require the implementation of a quota system.

35
36 **SECTION 22.** 24-34-306 (1) (a), (2) (a), (9), (11), (13), and (14),
37 Colorado Revised Statutes, are amended to read:

38
39 **24-34-306. Charge - complaint - hearing - procedure -**
40 **exhaustion of administrative remedies.** (1) (a) Any person claiming
41 to be aggrieved by a discriminatory or unfair practice as defined by parts
42 4 to ~~7~~ 8 AND PART 10 of this article may, by himself or herself or through
43 his or her attorney-at-law, make, sign, and file with the division a verified
44 written charge stating the name and address of the respondent alleged to
45 have committed the discriminatory or unfair practice, setting forth the
46 particulars of the alleged discriminatory or unfair practice, and containing
47 any other information required by the division.

48
49 (2) (a) After the filing of a charge alleging a discriminatory or
50 unfair practice as defined by parts 4 to ~~7~~ 8 AND PART 10 of this article, the
51 director, with the assistance of the division's staff, shall make a prompt
52 investigation of the charge. The director may subpoena witnesses and
53 compel the testimony of witnesses and the production of books, papers,
54 and records if the testimony, books, papers, and records sought are
55 limited to matters directly related to the charge. Any subpoena issued
56 pursuant to this paragraph (a) shall be enforceable in the district court for

1 the district in which the alleged discriminatory or unfair practice occurred
2 and shall be issued only if the person or entity to be subpoenaed has
3 refused or failed, after a proper request from the director, to provide
4 voluntarily to the director the information sought by the subpoena.
5

6 (9) If, upon all the evidence at a hearing, there is a statement of
7 findings and conclusions in accordance with section 24-4-105, together
8 with a statement of reasons for such conclusions, showing that a
9 respondent has engaged in or is engaging in any discriminatory or unfair
10 practice as defined in parts 4 to 7 8 AND PART 10 of this article, the
11 commission shall issue and cause to be served upon the respondent an
12 order requiring such respondent to cease and desist from such
13 discriminatory or unfair practice and to take such action as it may order
14 in accordance with the provisions of THIS PART 3 AND parts 4 to 7 8 AND
15 PART 10 of this article.
16

17 (11) If written notice that a formal hearing will be held is not
18 served within two hundred seventy days after the filing of the charge, if
19 the complainant has requested and received a notice of right to sue
20 pursuant to subsection (15) of this section, or if the hearing is not
21 commenced within the one-hundred-twenty-day period prescribed by
22 subsection (4) of this section, the jurisdiction of the commission over the
23 complaint shall cease, and the complainant may seek the relief authorized
24 under this part 3 and parts 4 to 7 8 AND PART 10 of this article against the
25 respondent by filing a civil action in the district court for the district in
26 which the alleged discriminatory or unfair practice occurred. ~~SUCH~~ THE
27 action must be filed within ninety days of the date upon which the
28 jurisdiction of the commission ceased, and if not so filed, it shall be
29 barred and the district court shall have no jurisdiction to hear ~~such~~ THE
30 action. If any party requests the extension of any time period prescribed
31 by this subsection (11), ~~such~~ THE extension may be granted for good
32 cause by the commission, a commissioner, or the administrative law
33 judge, as the case may be, but the total period of all such extensions to
34 either the respondent or the complainant shall not exceed ninety days
35 each, and, in the case of multiple parties, the total period of all extensions
36 shall not exceed one hundred eighty days.
37

38 (13) Any member of the commission and any person participating
39 in good faith in the making of a complaint or a report or in any
40 investigative or administrative proceeding authorized by THIS PART 3 AND
41 parts 3 to 7 4 TO 8 AND PART 10 of this article shall be immune from
42 liability in any civil action brought against him OR HER for acts occurring
43 while acting in his OR HER capacity as a commission member or
44 participant, respectively, if ~~such~~ THE individual was acting in good faith
45 within the scope of his OR HER respective capacity, made a reasonable
46 effort to obtain the facts of the matter as to which he OR SHE acted, and
47 acted in the reasonable belief that ~~the~~ HIS OR HER action ~~taken by him~~ was
48 warranted by the facts.
49

50 (14) ~~No~~ A person may NOT file a civil action in a district court in
51 this state based on an alleged discriminatory or unfair practice prohibited
52 by parts 4 to 7 8 AND PART 10 of this article without first exhausting the
53 proceedings and remedies available to him OR HER under this part 3
54 unless he OR SHE shows, in an action filed in the appropriate district court,
55 by clear and convincing evidence, THAT his OR HER ill health ~~which~~ is of
56 such a nature that pursuing administrative remedies would not provide

1 timely and reasonable relief and would cause irreparable harm.

2
3 **SECTION 23.** 24-34-308, Colorado Revised Statutes, is amended
4 to read:

5
6 **24-34-308. Enforcement of federal law prohibited.** Nothing in
7 THIS PART 3 AND parts 3 4 to 8 AND PART 10 of this article shall be
8 construed to authorize the commission, the director, or the division to
9 enforce any provision of federal law. Nothing in this section shall
10 prevent the commission from accepting federal grants for the enforcement
11 of THIS PART 3 AND parts 3 to 7 4 to 8 AND PART 10 OF THIS ARTICLE.

12
13 **SECTION 24.** 18-6.5-102 (3) (f), Colorado Revised Statutes, is
14 amended to read:

15
16 **18-6.5-102. Definitions.** As used in this article, unless the context
17 otherwise requires:

18
19 (3) A "person with a disability" means any person who:

20
21 (f) Is mentally impaired as the term is defined in section
22 24-34-301 (2.5), ~~(b) (H)~~, C.R.S.;

23
24 **SECTION 25.** 40-9-109, Colorado Revised Statutes, is amended
25 to read:

26
27 **40-9-109. Transportation of assistance animals.** When a ~~totally~~
28 ~~or partially blind, totally or partially deaf, or physically disabled~~ person
29 WITH A DISABILITY, AS DEFINED IN SECTION 24-34-301 (2.5), C.R.S., is
30 accompanied by a ~~dog which serves as an assistance dog~~ ANIMAL or
31 ~~which~~ AN ANIMAL THAT is being trained by a qualified trainer as an
32 assistance ~~dog~~ ANIMAL, as defined in section 24-34-803 (7), C.R.S., ~~for~~
33 ~~such disabled person,~~ neither the disabled person WITH A DISABILITY nor
34 the ~~dog~~ ANIMAL shall be denied the facilities of any common carrier, nor
35 shall ~~such disabled~~ THE person WITH A DISABILITY be denied the
36 immediate custody of the ~~dog~~ ANIMAL while riding upon a common
37 carrier. The provisions of this section shall also apply to any qualified
38 trainer who is training a ~~dog for use by a totally or partially blind, totally~~
39 ~~or partially deaf, or physically disabled person~~ AN ASSISTANCE ANIMAL,
40 unless the ~~dog~~ ANIMAL presents an imminent danger to the public health
41 or safety. ~~Such disabled~~ THE person WITH A DISABILITY or ~~any~~ A
42 qualified trainer who is training a ~~dog for use by a disabled person~~ AN
43 ASSISTANCE ANIMAL shall be liable for any damage done to the premises
44 or facilities of the common carrier by ~~such dog.~~ ~~Any dog~~ THE ANIMAL.
45 AN ANIMAL being trained ~~for the purpose of aiding a disabled person~~ AS
46 AN ASSISTANCE ANIMAL shall be visibly and prominently identified as an
47 assistance ~~dog~~ ANIMAL in training.

48
49 **SECTION 26.** 42-4-808 (1), Colorado Revised Statutes, is
50 amended to read:

51
52 **42-4-808. Drivers and pedestrians, other than persons in**
53 **wheelchairs, to yield to persons with disabilities.** (1) Any pedestrian,
54 other than a person in a wheelchair, or any driver of a vehicle who
55 approaches a person who has an obviously apparent disability of
56 blindness, deafness, or mobility impairment shall immediately come to a

1 full stop and take such precautions before proceeding as are necessary to
2 avoid an accident or injury to said person. A disability shall be deemed to
3 be obviously apparent if, by way of example and without limitation, the
4 person is using a cane or crutches, is assisted by an assistance ~~dog~~
5 ANIMAL, as defined in section 24-34-803 (7), C.R.S., is being assisted by
6 another person, is in a wheelchair, or is walking with an obvious physical
7 impairment. Any person who violates any provision of this section
8 commits a class A traffic offense.

9
10 **SECTION 27. No appropriation.** The general assembly has
11 determined that this act can be implemented within existing
12 appropriations, and therefore no separate appropriation of state moneys
13 is necessary to carry out the purposes of this act.

14
15 **SECTION 28. Act subject to petition - effective date -**
16 **applicability.** (1) This act shall take effect at 12:01 a.m. on the day
17 following the expiration of the ninety-day period after final adjournment
18 of the general assembly (August 11, 2010, if adjournment sine die is on
19 May 12, 2010); except that, if a referendum petition is filed pursuant to
20 section 1 (3) of article V of the state constitution against this act or an
21 item, section, or part of this act within such period, then the act, item,
22 section, or part shall not take effect unless approved by the people at the
23 general election to be held in November 2010 and shall take effect on the
24 date of the official declaration of the vote thereon by the governor.

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

28
29
30
31 **HB10-1291** be referred favorably to the Committee on Appropriations.

32
33
34 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

35
36 The Speaker has signed: **HB10-1192.**

37
38
39 **MESSAGE(S) FROM THE SENATE**

40
41 The Senate has adopted and transmits herewith: SJR10-013.

42
43
44 **INTRODUCTION OF RESOLUTION**

45
46 The following resolution was read by title and laid over one day under the
47 rules:

48
49 **SJR10-013** by Senator(s) Heath, Bacon, Hudak, King K., Newell,
50 Romer, Spence, Steadman, Williams; also
51 Representative(s) Miklosi and Summers, Court, Todd,
52 Benefield, Massey, Merrifield, Middleton, Murray,
53 Peniston, Scanlan, Schafer S., Solano, Tipton--Concerning
54 recognition of career and technical education month.

NOTICE OF CALENDARED ITEM(S)

On motion of Representative Weissmann, the following bill(s) will be calendared for Second Reading on February 22, 2010: **HB10-1211.**

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until February 22, retaining place on Calendar:

Consideration of Resolution(s)--**SJR10-004.**

On motion of Representative Weissmann, the House adjourned until 10:00 a.m., February 22, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Forty-first Legislative Day

Monday, February 22, 2010

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Josh Robinson, University of Colorado,
6 Denver.
7
8 The roll was called with the following result:
9
10 Present--63.
11 Excused--Representative(s) Carroll, King--2.
12 Present after roll call--Representative(s) Carroll, King.
13

14 The Speaker declared a quorum present.
15
16

17 On motion of Representative Gerou, the reading of the journal of
18 February 19, 2010, was declared dispensed with and approved as
19 corrected by the Chief Clerk.
20
21

THIRD READING OF BILL(S)--FINAL PASSAGE

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

28 **HB10-1235** by Representative(s) Levy, Gardner B., Kagan, Labuda,
29 Roberts; also Senator(s) Brophy, Carroll M., Mitchell,
30 Morse, Schwartz--Concerning the requirements in the
31 "State Administrative Procedure Act" for incorporation by
32 reference of rule-making materials by executive branch
33 agencies.
34

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

	YES	63	NO	1	EXCUSED	1	ABSENT	0
41	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
42	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
43	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y

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

15 Co-sponsor(s) added: Representative(s) Court, Frangas, McCann, Merrifield,
 16 Middleton, Pace, Pommer, Scanlan.

17
 18 **HB10-1029** by Representative(s) Acree, Looper, Primavera, Todd; also
 19 Senator(s) Keller, Steadman--Concerning agreements for
 20 the purchase of medical goods.

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

27	YES	64	NO	0	EXCUSED	1	ABSENT	0
28	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
29	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
30	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
31	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
32	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
33	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
34	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
35	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
36	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
37	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
38	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
39	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
40	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
41	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
42	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
43	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
44							Speaker	E

45 Co-sponsor(s) added: Representative(s) Apuan, DelGrosso, Frangas, Gerou,
 46 Kerr J., Labuda, Lambert, Merrifield, Nikkel, Riesberg, Schafer S., Solano,
 47 Soper, Summers, Vigil.

48
 49
 50 **HB10-1050** by Representative(s) Tyler, Riesberg, Soper; also
 51 Senator(s) Tochtrop, Williams--Concerning a central on-
 52 line registry of medical orders for scope of treatment
 53 forms.

54
 55 The question being "Shall the bill pass?".
 56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	40	NO	24	EXCUSED	1	ABSENT	0
5	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
7	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
8	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
10	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
12	Court	Y	King S.	N	Nikkel	N	Summers	Y
13	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
14	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	N	Priola	N	Vaad	N
18	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
19	Gardner B.	Y	May	N	Riesberg	Y	Waller	N
20	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
21							Speaker	E

22 Co-sponsor(s) added: Representative(s) Curry, Ferrandino, Kefalas, Labuda,
23 McFadyen, Middleton, Pace, Roberts, Schafer S., Solano, Vigil.

24
25 **HB10-1038** by Representative(s) Miklosi, Pace, Ryden; also Senator(s)
26 Carroll M., Hodge, Tochtrop--Concerning a brochure to
27 describe the process for workers' compensation claims,
28 and making adjustments to appropriations in connection
29 therewith.

30
31 The question being "Shall the bill pass?".

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

	YES	59	NO	5	EXCUSED	1	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
39	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
42	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
44	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
45	Curry	N	Labuda	Y	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
47	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
48	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
49	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
50	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
51	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
52	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
53							Speaker	E

54 Co-sponsor(s) added: Representative(s) Apuan, Casso, Frangas, Labuda,
55 Schafer S., Solano, Vigil.

56

1 **HB10-1045** by Representative(s) Miklosi; also Senator(s)Romer--
 2 Concerning the address of a person on file with specified
 3 state agencies, and making an appropriation therefor.
 4

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

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
11	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
13	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
14	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
16	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
17	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
18	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
19	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
20	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
21	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
22	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
24	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
25	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
26	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
27							Speaker	E

28 Co-sponsor(s) added: Representative(s) Pace, Vigil.
 29
 30

31 **HB10-1106** by Representative(s) Casso; also Senator(s) Sandoval--
 32 Concerning bringing certain statutory provisions
 33 concerning child welfare into compliance with federal law,
 34 and making an appropriation therefor.
 35

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

37 A roll call vote was taken. As shown by the following recorded vote, a
 38 majority of those elected to the House voted in the affirmative and the bill
 39 was declared **passed**.
 40

	YES	64	NO	0	EXCUSED	1	ABSENT	0
42	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
43	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
44	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
45	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
46	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
47	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
48	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
49	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
50	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
51	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
52	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
53	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
54	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
55	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
56	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y

1 Gardner C. Y McCann Y Roberts Y Weissmann Y
 2 Speaker E
 3 Co-sponsor(s) added: Representative(s) Apuan, Gerou, Labuda, Pace,
 4 Schafer S., Solano, Todd, Vigil.
 5

6 **HB10-1244** by Representative(s) Labuda, Apuan, Casso, Curry,
 7 Frangas, Gagliardi, Murray, Riesberg, Scanlan, Schafer S.,
 8 Soper; also Senator(s) Mitchell--Concerning allowing an
 9 heir of a deceased physician shareholder of a professional
 10 service corporation to become a shareholder of the
 11 corporation.
 12

13 The question being "Shall the bill pass?".
 14 A roll call vote was taken. As shown by the following recorded vote, a
 15 majority of those elected to the House voted in the affirmative and the bill
 16 was declared **passed**.
 17

	YES	64	NO	0	EXCUSED	1	ABSENT	0
19	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
20	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
21	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
22	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
23	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
24	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
25	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
26	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
27	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
28	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
29	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
30	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
31	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
32	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
33	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
34	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
35							Speaker	E

36 Co-sponsor(s) added: Representative(s) Kerr J., Nikkel, Ryden, Todd.
 37

38 **HB10-1165** by Representative(s) Merrifield; also Senator(s) Tapia--
 39 Concerning the authority of the state board of land
 40 commissioners regarding state land.
 41

42 The question being "Shall the bill pass?".
 43 A roll call vote was taken. As shown by the following recorded vote, a
 44 majority of those elected to the House voted in the affirmative and the bill
 45 was declared **passed**.
 46

	YES	44	NO	20	EXCUSED	1	ABSENT	0
48	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
50	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
51	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
53	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
54	Casso	N	Kerr J.	N	Murray	Y	Stephens	Y
55	Court	Y	King S.	N	Nikkel	N	Summers	N
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y

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

9 Co-sponsor(s) added: Representative(s) Benefield, Fischer, Labuda, McFadyen,
10 Middleton, Pommer, Priola, Schafer S., Todd.

11
12 **HB10-1042** by Representative(s) Peniston; also Senator(s) Hodge--
13 Concerning administration of the stationary sources air
14 quality permitting program.

15
16 The question being "Shall the bill pass?".

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

21	YES	64	NO	0	EXCUSED	1	ABSENT	0
22	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
23	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
24	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
25	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
26	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
27	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
28	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
29	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
30	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
31	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
32	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
33	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
34	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
35	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
36	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
37	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
38							Speaker	E

39 Co-sponsor(s) added: Representative(s) Kerr J., Labuda, Merrifield, Schafer S.

40
41 **HB10-1225** by Representative(s) Soper; also Senator(s) Tochtrop--
42 Concerning continuation of the regulation of electrical
43 work by the state electrical board.

44
45 The question being "Shall the bill pass?".

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

50	YES	50	NO	14	EXCUSED	1	ABSENT	0
51	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
52	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
53	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
54	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
55	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
56	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y

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

12 Co-sponsor(s) added: Representative(s) Apuan, Casso, Fischer, Frangas,
13 Labuda, McFadyen, Merrifield, Pace, Ryden, Vigil.

14
15 **HB10-1245** by Representative(s) Liston, Balmer; also Senator(s)
16 Johnston--Concerning the continuation of the regulation of
17 boxing by the boxing commission.

18
19 The question being "Shall the bill pass?".

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

23	YES	61	NO	3	EXCUSED	1	ABSENT	0
24								
25	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
28	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	N	Middleton	Y	Sonnenberg	N
30	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
32	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
33	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
34	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	Y	Primavera	N	Tyler	Y
37	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
38	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
39	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
40	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
41							Speaker	E

42 Co-sponsor(s) added: Representative(s) Kerr J., King S., Labuda, Priola, Ryden,
43 Schafer S., Todd.

44
45 **SB10-049** by Senator(s) Sandoval, Bacon, Hudak, Steadman,
46 Tochtrop; also Representative(s) Benefield, Frangas,
47 Hullinghorst--Concerning the liability limits applicable to
48 the life and health insurance protection association, and, in
49 connection therewith, increasing the liability limits for
50 annuity benefits, structured settlement annuities, and long-
51 term care benefits.

52
53 The question being "Shall the bill pass?".

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
4	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
6	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
8	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
9	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
10	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
11	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
16	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
17							Speaker	E

18
19 Co-sponsor(s) added: Representative(s) Labuda, Stephens.

20
21 **HB10-1178** by Representative(s) Stephens; also Senator(s) Scheffel--
22 Concerning increasing the transparency in the use of gifts,
23 grants, and donations to fund programs by state agencies.
24

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

26 A roll call vote was taken. As shown by the following recorded vote, a
27 majority of those elected to the House voted in the affirmative and the bill
28 was declared **passed**.
29

	YES	63	NO	1	EXCUSED	1	ABSENT	0
30	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
31	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
32	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
33	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
34	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
35	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
36	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
37	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
38	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
39	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
40	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
41	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
42	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
43	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
44	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
45	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
46							Speaker	E

47
48 Co-sponsor(s) added: Representative(s) Baumgardner, DelGrosso, Frangas,
49 Gardner C., Gerou, Kerr J., Labuda, Lambert, May, McNulty, Nikkel, Pace,
50 Roberts, Schafer S., Summers, Tipton, Todd, Waller.
51

52
53 **HB10-1054** by Representative(s) King S.; also Senator(s) Carroll M.--
54 Concerning presenting school safety information at
55 institutions of higher education.
56

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

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

24 Co-sponsor(s) added: Representative(s) Apuan, Casso, Curry, DelGrosso,
 25 Frangas, Gardner C., Labuda, Lambert, McNulty, Murray, Nikkel, Pace, Priola,
 26 Schafer S., Stephens, Summers, Tipton, Todd, Tyler, Vaad, Vigil.

30 On motion of Representative Casso, the House resolved itself into
 31 Committee of the Whole for consideration of General Orders, and he was
 32 called to the Chair to act as Chairman.

35 GENERAL ORDERS--SECOND READING OF BILLS

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

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

45 **HB10-1212** by Representative(s) Rice; also Senator(s) Schwartz--
 46 Concerning a requirement that the executive director of the
 47 department of revenue promulgate rules that establish
 48 circumstances in which a vehicle owner shall be exempted
 49 from paying the late fee for late registration of a vehicle.

51 Amendment No. 1, Transportation & Energy Report, dated
 52 February 4, 2010, and placed in member's bill file; Report also printed in
 53 House Journal, February 5, page 214.

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

1 **HB10-1089** by Representative(s) Waller; also Senator(s) Newell--
2 Concerning placement after a parole revocation of a
3 parolee who is a sexually violent predator.
4

5 Amendment No. 1, Judiciary Report, dated January 28, 2010, and placed
6 in member's bill file; Report also printed in House Journal, January 29,
7 page 120.
8

9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.
11

12 **HB10-1211** by Representative(s) Tyler; also Senator(s) Williams--
13 Concerning a reduction in the amount of the penalty for
14 late vehicle registration of a vehicle without motive power
15 that weighs two thousand pounds or less.
16

17 Ordered engrossed and placed on the Calendar for Third Reading and
18 Final Passage.
19

20
21 **HB10-1021** by Representative(s) Frangas and McCann; also Senator(s)
22 Foster, Boyd--Concerning required coverages for
23 reproductive services for health insurance policies.
24

25 Amendment No. 1, by Representative(s) Frangas.
26

27 Strike the Business Affairs and Labor Committee Report, dated February
28 3, 2010.
29

30 Amend printed bill, page 2, strike lines 13 through 15 and substitute
31 "maternity care ~~therefor~~ AND PROVIDE COVERAGE FOR CONTRACEPTION in
32 the same manner as any other".
33

34 Amend printed bill, page 2, strike lines 19 through 21 and substitute
35 "preexisting condition".
36

37 As amended, ordered engrossed and placed on the Calendar for Third
38 Reading and Final Passage.
39

40 **HB10-1122** by Representative(s) Roberts and Merrifield, Gagliardi,
41 Kefalas, Tyler; also Senator(s) Williams, Morse--
42 Concerning medical orders determining the scope of
43 treatment an adult wishes to receive under certain
44 circumstances.
45

46 Laid over until February 24, retaining place on Calendar.
47
48

49 **HB10-1133** by Representative(s) Massey; also Senator Tochtrop--
50 Concerning amendments to the "Colorado Foreclosure
51 Protection Act".
52

53 Amendment No. 1, Judiciary Report, dated February 8, 2010, and placed
54 in member's bill file; Report also printed in House Journal, February 9,
55 pages 274-276.
56

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

2
3 Amend the Judiciary Committee report, dated February 8, 2010, page 2,
4 line 28, after "ACTUAL" insert "OR CONSTRUCTIVE".

5
6 Page 2, line 31, strike "WITH".

7
8 Page 2, strike lines 32 through 34 and substitute "WHEN:

9
10 (a) A HOLDER OF EVIDENCE OF DEBT AGREES TO RELEASE ITS LIEN
11 FOR AN AMOUNT THAT IS LESS THAN THE OUTSTANDING AMOUNT DUE AND
12 OWING UNDER SUCH EVIDENCE OF DEBT; AND

13
14 (b) THE LIEN DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION
15 (9) IS RECORDED IN THE REAL PROPERTY RECORDS OF THE COUNTY WHERE
16 THE RESIDENCE IN FORECLOSURE IS LOCATED."

17
18 Page 3, line 19, after "**Language.**" insert "(1)".

19
20 Page 3, line 27, after "IF" insert "THE EQUITY PURCHASER HAS ACTUAL OR
21 CONSTRUCTIVE KNOWLEDGE THAT".

22
23 Page 3, line 29, after "LANGUAGE," insert "SUBSTANTIALLY".

24
25 Page 3, line 33, strike "**SIGNED**" and substitute "**SIGN**".

26
27 Page 4, after line 3 insert:

28
29 "(2) IF A NOTICE IN THE HOME OWNER'S PRINCIPAL LANGUAGE IS
30 REQUIRED TO BE PROVIDED UNDER SUBSECTION (1) OF THIS SECTION, THE
31 NOTICE SHALL BE GIVEN TO THE HOME OWNER AS A SEPARATE DOCUMENT
32 ACCOMPANYING THE WRITTEN CONTRACT REQUIRED BY SECTION
33 6-1-1111."

34
35 Page 4, strike lines 7 through 13 and substitute:

36
37 "**6-1-1121. Short sales - subsequent purchaser - definition.**

38 (1) WITH RESPECT TO ANY SHORT SALE TRANSACTION IN WHICH AN
39 EQUITY PURCHASER INTENDS TO RESELL THE RESIDENCE IN FORECLOSURE
40 TO A SUBSEQUENT PURCHASER, THE EQUITY PURCHASER SHALL:

41
42 (a) PROVIDE FULL DISCLOSURE TO THE HOME OWNER AND THE
43 HOLDERS OF THE EVIDENCE OF DEBT ON THE RESIDENCE IN FORECLOSURE,
44 OF THE TERMS OF THE AGREEMENT BETWEEN THE EQUITY PURCHASER AND
45 ANY SUBSEQUENT PURCHASER, INCLUDING BUT NOT LIMITED TO THE
46 PURCHASE PRICE TO BE PAID TO THE SUBSEQUENT PURCHASER FOR THE
47 RESIDENCE IN FORECLOSURE, WHICH DISCLOSURE SHALL BE MADE WITHIN
48 ONE BUSINESS DAY OF IDENTIFYING ANY SUCH SUBSEQUENT PURCHASER
49 AND IN NO EVENT LATER THAN CLOSING ON THE SHORT SALE
50 TRANSACTION; AND

51
52 (b) PROVIDE FULL DISCLOSURE TO ANY SUBSEQUENT PURCHASER
53 AND ANY SUBSEQUENT PURCHASER'S LENDER, AT THE TIME OF CONTRACT
54 WITH THE EQUITY PURCHASER, OF THE TERMS OF THE AGREEMENT
55 BETWEEN THE EQUITY PURCHASER AND THE HOME OWNER, INCLUDING BUT
56 NOT LIMITED TO THE PURCHASE PRICE PAID BY THE EQUITY PURCHASER

1 FOR THE RESIDENCE IN FORECLOSURE.".

2

3 Page 4, after line 17 insert:

4

5 "(2) AS USED IN THIS SECTION, A "SUBSEQUENT PURCHASER"
6 MEANS ANY PERSON WHO ACQUIRES THE RESIDENCE IN FORECLOSURE
7 WITHIN FOURTEEN DAYS AFTER THE DISBURSEMENT OF THE SHORT SALE
8 TRANSACTION.".

9

10 Page 4, strike lines 18 through 27 and substitute:

11

12 **SECTION 7. Act subject to petition - specified effective date.**

13 This act shall take effect January 1, 2011; except that, if a referendum
14 petition is filed pursuant to section 1 (3) of article V of the state
15 constitution against this act or an item, section, or part of this act within
16 the ninety-day period after final adjournment of the general assembly,
17 then the act, item, section, or part shall not take effect unless approved by
18 the people at the general election to be held in November 2010 and shall
19 take effect on January 1, 2011, or on the date of the official declaration
20 of the vote thereon by the governor, whichever is later.".

21

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

24

25 **SB10-046** by Senator(s) Gibbs; also Representative(s) Levy--
26 Concerning the boundaries of forest improvement districts.

27

28 Ordered revised and placed on the Calendar for Third Reading and Final
29 Passage.

30

31 **HB10-1275** by Representative(s) Baumgardner; also Senator(s)
32 Newell--Concerning a requirement that the location of a
33 private burial be recorded.

34

35 Laid over until February 24, retaining place on Calendar.

36

37

38

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

40

41 Passed Second Reading: **HB10-1212 amended, 1089 amended, 1211,**
42 **1021 amended, 1133 amended, SB10-046.**

43

44 Laid over until date indicated retaining place on Calendar:

45 **HB10-1122, 1275--February 24, 2010.**

46

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

51

YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y

56

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

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB10-102, SB10-123, SB10-142.

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

SB10-163 amended as printed in Senate Journal, February 19, 2010, page 282.

SB10-165 amended as printed in Senate Journal, February 19, 2010, page 282.

The Senate has adopted and transmits herewith: SJR10-015.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, SB10-102, SB10-123, and SB10-142.

Without comment, as amended, SB10-163 and SB10-165.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

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.

(Printed and placed in member's file).

Representative Rice moved that the resolution be adopted. Less than a majority of all members elected to the House voted in the affirmative, and the resolution was declared **lost** by the following roll call vote:

	YES	21	NO	42	EXCUSED	2	ABSENT	0
1								
2	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	N	Judd	N	McNulty	N	Schafer S.	Y
5	Baumgardner	E	Kagan	N	Merrifield	N	Solano	N
6	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	N
7	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	N	Kerr J.	N	Murray	N	Stephens	N
9	Court	N	King S.	N	Nikkel	N	Summers	N
10	Curry	N	Labuda	Y	Pace	Y	Swalm	N
11	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
12	Ferrandino	N	Levy	N	Pommer	N	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	N
14	Frangas	Y	Looper	N	Priola	N	Vaad	N
15	Gagliardi	N	Massey	N	Rice	Y	Vigil	N
16	Gardner B.	N	May	N	Riesberg	N	Waller	N
17	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	N
18							Speaker	E

House in recess. House reconvened.

DELIVERY OF BILL TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bill has been delivered to the Office of the Governor: **HB10-1192** at 1:41 p.m. on February 22, 2010.

INTRODUCTION OF BILL First Reading

The following bill was read by title and referred to the committee indicated:

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

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

HR10-1006 by Representative(s) May, Weissmann--Concerning the process by which the leadership of the House of Representatives initially handles an ethics complaint filed pursuant to Rule 49 of the Rules of the House of Representatives.

NOTICE OF CALENDARED ITEM(S)

On motion of Representative Weissmann, the following bill(s) calendared for Second Reading February 23, will be laid over until February 24, 2010: **HB10-1026, 1114, 1148, 1213, 1229, 1255, 1105, 1109.**

On motion of Representative Weissmann, the following bill(s) calendared for Second Reading February 23, will be laid over until February 26, 2010: **HB10-1124.**

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until February 23, retaining place on Calendar:

Consideration of Resolution(s)--**SJR10-004, 013.**

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., February 23, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Forty-second Legislative Day

Tuesday, February 23, 2010

1 Prayer by Pastor Curtis Miller, Worship Center, Brighton.

2

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

4

5 Pledge of Allegiance led by Glenna Duncan, Stephanie Routzon,
 6 Wheatridge High School.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Miklosi, Vaad--2.

12 Present after roll call--Representative(s) Miklosi.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Gerou, the reading of the journal of
 18 February 22, 2010, was declared dispensed with and approved as
 19 corrected by the Chief Clerk.

20

21

22

23 **THIRD READING OF BILL(S)--FINAL PASSAGE**

24

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

28

29 **HB10-1212** by Representative(s) Rice; also Senator(s) Schwartz--
 30 Concerning a requirement that the executive director of the
 31 department of revenue promulgate rules that establish
 32 circumstances in which a vehicle owner shall be exempted
 33 from paying the late fee for late registration of a vehicle.

34

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

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

39

	YES	62	NO	2	EXCUSED	1	ABSENT	0
41	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
42	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
43	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y

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

15 Co-sponsor(s) added: Representative(s) Curry, Fischer, Kerr A., Pace, Peniston,
16 Primavera, Ryden, Todd, Tyler.

17
18 **HB10-1089** by Representative(s) Waller; also Senator(s) Newell--
19 Concerning placement after a parole revocation of a
20 parolee who is a sexually violent predator.

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

27	YES	64	NO	0	EXCUSED	1	ABSENT	0
28	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
29	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
30	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
31	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
32	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
33	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
34	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
35	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
36	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
37	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
38	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
39	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
40	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
41	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
42	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
43	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Baumgardner, Casso, Court,
46 DelGrosso, Gardner B., Gardner C., Kerr J., King S., Lambert, Liston, Looper,
47 Massey, Murray, Nikkel, Priola, Rice, Stephens, Tipton, Vigil.

48
49
50 **HB10-1211** by Representative(s) Tyler; also Senator(s) Williams--
51 Concerning a reduction in the amount of the penalty for
52 late vehicle registration of a vehicle without motive power
53 that weighs two thousand pounds or less.

54
55 The question being "Shall the bill pass?".
56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

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

22 Co-sponsor(s) added: Representative(s) Fischer, McKinley, Peniston, Pommer,
23 Schafer S., Summers, Todd, Vigil.

24
25 **HB10-1021** by Representative(s) Frangas and McCann; also Senator(s)
26 Foster, Boyd--Concerning required coverages for
27 reproductive services for health insurance policies.

28
29 The question being "Shall the bill pass?".

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

	YES	37	NO	27	EXCUSED	1	ABSENT	0
35	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
36	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
37	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
38	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
39	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
40	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
41	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
42	Court	Y	King S.	N	Nikkel	N	Summers	N
43	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
44	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
45	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
46	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
47	Frangas	Y	Looper	N	Priola	N	Vaad	E
48	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
49	Gardner B.	N	May	N	Riesberg	N	Waller	N
50	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Ferrandino,
53 Fischer, Hullinghorst, Kagan, Kerr A., Labuda, McFadyen, Middleton, Scanlan,
54 Schafer S., Solano, Soper, Todd, Tyler, Speaker.

55

1 The question being, "Shall the bill, as amended, pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative, and the
 4 bill, as amended, was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Acree, Apuan, Fischer, Frangas,
 25 Kerr J., Solano.

27 **SB10-046** by Senator(s) Gibbs; also Representative(s) Levy--
 28 Concerning the boundaries of forest improvement districts.

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
36	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
37	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
38	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
39	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
40	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
41	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
42	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
43	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
44	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
45	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
46	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
47	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
48	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
49	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
50	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
51	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Gerou, Liston, Merrifield, Nikkel,
 54 Pommer, Scanlan, Schafer S.

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

EDUCATION

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

HB10-1035 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 3, strike lines 20 through 27.

Page 4, strike lines 1 through 19 and substitute:

"**SECTION 2.** 26-2-805 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

26-2-805. Services - eligibility - assistance provided - rules.
(1) (e) (I) FOR A FAMILY WITH A CHILD WHO IS ENROLLED IN BOTH THE".

Page 4, line 21, strike "CHILD CARE CENTER OPERATED BY A".

Page 4, strike lines 23 and 24 and substitute "SHALL OCCUR NO SOONER THAN THE END OF THE LAST MONTH OF THE CHILD'S FIRST FULL TWELVE-MONTH PROGRAM YEAR OF ENROLLMENT IN THE HEAD START PROGRAM. CHILD CARE ASSISTANCE PROGRAM ELIGIBILITY REDETERMINATION FOR A CHILD ENROLLED IN BOTH PROGRAMS SHALL OCCUR ONCE EVERY TWELVE MONTHS THEREAFTER.".

Page 5, line 4, strike "A" and substitute "NOTWITHSTANDING THE PROVISIONS OF SECTION 26-1-127 (2) (a), A".

Page 5, line 6, strike "PERIOD." and substitute "PERIOD; EXCEPT THAT, WITHIN THE TWELVE-MONTH ELIGIBILITY PERIOD, A FAMILY SHALL BE REQUIRED TO REPORT A CHANGE IN INCOME IF THE FAMILY'S INCOME EXCEEDS EIGHTY-FIVE PERCENT OF THE STATE MEDIAN INCOME. IF A FAMILY REPORTS A ZERO HOUSEHOLD INCOME AMOUNT, THE COUNTY OF RESIDENCE SHALL HAVE THE DISCRETION TO EXAMINE EXTENDED REPORTING OVER THE FAMILY'S ELIGIBILITY ACTIVITIES.".

Page 5, line 10, after "LEAVE;" insert "OR".

Page 5, strike lines 11 through 13.

Reletter succeeding sub-subparagraph accordingly.

Page 5, strike line 18 and substitute:

"**SECTION 3.** 26-2-805 (1.5) and (3), Colorado Revised Statutes, are amended to read:

26-2-805. Services - eligibility - assistance provided - rules.

1 (1.5) If a county reduces its income eligibility requirements, a".

2

3 Renumber succeeding sections accordingly.

4

5 Page 5, line 21, strike "six TWELVE months. ~~whichever is longer,~~" and
6 substitute "six months, whichever is longer.".

7

8 Page 5, strike lines 26 and 27.

9

10 Page 6, strike lines 1 through 3.

11

12 Page 6, line 4, strike "(b)" and substitute "(a)".

13

14 Page 6, after line 7 insert:

15

16 "(b) "HEAD START PROGRAM" MEANS A PROGRAM OPERATED BY
17 A LOCAL PUBLIC OR PRIVATE NONPROFIT AGENCY DESIGNATED BY THE
18 FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES TO OPERATE A
19 HEAD START PROGRAM UNDER THE PROVISIONS OF TITLE V OF THE
20 FEDERAL "ECONOMIC OPPORTUNITY ACT OF 1964", AS AMENDED.".

21

22 Page 6, after line 26 insert:

23

24 "SECTION 5. Effective date. This act shall take effect June
25 1, 2011.".

26

27 Renumber succeeding section accordingly.

28

29

30

31 **HB10-1232** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:

34

35 Amend printed bill, page 10, strike lines 24 through 27.

36

37 Page 11, strike lines 1 through 5.

38

39 Renumber succeeding sections accordingly.

40

41 Page 11, line 24, strike "**bus**" and substitute "**vehicle**".

42

43 Page 11, line 25, strike "bus" and substitute "**bus**".

44

45 Page 11, line 26, after "~~(3)~~ (b)," insert "VEHICLE AS DEFINED IN SECTION
46 42-1-102 (88.5), C.R.S.,".

47

48

49

50 **HB10-1262** be referred favorably to the Committee on Appropriations.

51

52

53

54

55

56

1 **FINANCE**

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

4
5 **HB10-1150** be postponed indefinitely.

6
7
8 **HB10-1180** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11
12 Amend printed bill, page 4, line 7, after "~~expenditures~~" insert
13 "EMPLOYING A WORKFORCE MADE UP OF AT LEAST TWENTY-FIVE PERCENT
14 COLORADO RESIDENTS".
15
16
17

18 **HB10-1257** be referred favorably to the Committee on Appropriations.

19
20
21 **HB10-1267** be referred favorably to the Committee on Appropriations.

22
23
24
25
26 **HEALTH & HUMAN SERVICES**

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

29
30 **HB10-1033** be referred favorably to the Committee on Appropriations.

31
32
33 **HB10-1216** be amended as follows, and as so amended, be referred to
34 the Committee of the Whole with favorable
35 recommendation:

36
37 Amend printed bill, page 2, strike lines 13 through 25.

38
39 Page 3, strike lines 1 through 23.

40
41 Renumber succeeding section accordingly.

42
43 Page 1, line 101, after "**THE**" insert "**OFF-SITE**" and strike "**HEALTH**".

44
45 Page 1, strike line 102 and substitute "**PERSONS AUTHORIZED TO INJECT**
46 **MEDICATIONS PURSUANT TO THE PHARMACY PRACTICE ACT.**".
47
48
49

50 **HB10-1224** be amended as follows, and as so amended, be referred to
51 the Committee of the Whole with favorable
52 recommendation:

53 Amend printed bill, page 3, line 18, strike "(3) (a)," and substitute "(3),".

54
55 Page 3, line 19, strike "amended" and substitute "amended, and the said
56 12-32-101 is further amended BY THE ADDITION OF A NEW

1 SUBSECTION,".

2
3 Page 4, line 14, after "TISSUE" insert "WOUNDS".

4
5 Page 4, line 21, after "TISSUE" insert "WOUNDS".

6
7 Page 4, after line 22 insert:

8 "(b) The "practice of podiatry" does not include the amputation of
9 the foot or the administration of an anesthetic other than a local
10 anesthetic.

11
12 (c) A PODIATRIST MAY ONLY TREAT A SOFT TISSUE WOUND BELOW
13 THE MID-CALF IF THE PATIENT IS BEING TREATED BY A PHYSICIAN FOR HIS
14 OR HER UNDERLYING MEDICAL CONDITION OR IF THE PODIATRIST REFERS
15 THE PATIENT TO A PHYSICIAN FOR FURTHER TREATMENT OF THE
16 UNDERLYING MEDICAL CONDITION.

17
18 (4) "SOFT TISSUE WOUND" MEANS A LESION TO THE
19 MUSCULOSKELETAL JUNCTION THAT INCLUDE DERMAL AND SUB-DERMAL
20 TISSUE THAT DO NOT INVOLVE BONE REMOVAL OR REPAIR OR MUSCLE
21 TRANSFER.".

22
23 Page 22, strike line 24 and substitute "license, ~~but in no event shall the~~
24 ~~board require more than fourteen hours~~" THAT INCLUDES AT LEAST
25 TWENTY-FIVE".

26
27 Page 22, line 25, after "credit" insert "HOURS".

28
29 Page 23, line 2, after the period add "EFFECTIVE NO LATER THAN THE 2013
30 LICENSURE RENEWAL CYCLE, THE COLORADO PODIATRY BOARD SHALL
31 IMPLEMENT AN ONGOING PROFESSIONAL DEVELOPMENT PROGRAM THAT
32 SHALL INCLUDE REQUIRED CONTINUING EDUCATION CREDIT HOURS. THE
33 PROFESSIONAL DEVELOPMENT PROGRAM SHALL BE DEVELOPED WITH THE
34 AGREEMENT OF STATEWIDE PROFESSIONAL ASSOCIATIONS THAT
35 REPRESENT PODIATRISTS.".

36
37
38
39 **HB10-1226** be amended as follows, and as so amended, be referred to
40 the Committee of the Whole with favorable
41 recommendation:

42
43 Amend printed bill, page 3, strike line 5 and substitute "assessment
44 determines that the safety of the child is at low or moderate risk; and".

45
46 Page 5, strike line 21 and substitute "FAILURE, WHICH EVALUATION SHALL
47 INCLUDE, BUT NEED NOT BE LIMITED TO, CONSIDERATION OF THE PILOT
48 PROGRAM'S EFFECTIVENESS IN ACHIEVING THE FOLLOWING OUTCOMES:

49
50 (I) CHILD SAFETY AND PERMANENCY;

51
52 (II) FAMILY AND CASEWORKER SATISFACTION; AND

53
54 (III) COST EFFECTIVENESS.".

55
56 Page 5, line 26, strike "PROBLEMS;" and substitute "PROBLEMS".

1 **HB1283** be amended as follows, and as so amended, be referred to
2 the Committee on Judiciary with favorable
3 recommendation:
4

5 Amend printed bill, page 2, strike lines 2 through 11.

6
7 Strike pages 3 and 4.

8
9 Page 5, strike lines 1 through 17 and substitute:
10

11 "SECTION 1. Part 1 of article 36 of title 12, Colorado Revised
12 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
13 read:
14

15 **12-36-114.5. Continuing professional development - rules.** ON
16 OR BEFORE THE 2013 PHYSICIAN LICENSURE RENEWAL CYCLE, THE BOARD
17 SHALL PROMULGATE AND IMPLEMENT BY RULE, AN ONGOING
18 PROFESSIONAL DEVELOPMENT PROGRAM THAT SHALL BE DEVELOPED IN
19 CONJUNCTION WITH AND IN AGREEMENT WITH STATEWIDE PROFESSIONAL
20 ASSOCIATIONS THAT REPRESENT PHYSICIANS AND PHYSICIAN
21 ASSISTANTS."
22

23 Renumber succeeding sections accordingly.

24
25 Page 6, line 22, strike the second "PROFESSIONAL".
26

27 Page 6, line 23, strike "COMPRISING SUCH HEALTH CARE PROVIDERS" and
28 substitute "THAT PROVIDES OR DELIVERS HEALTH CARE SERVICES".
29

30 Page 6, line 26, strike "A PERSON" and substitute "AN INDIVIDUAL".
31

32 Page 7, line 11, after the period add "EFFORTS TO VERIFY EMPLOYMENT
33 SHALL BE PRESUMED TO BE REASONABLE IF THE VERIFICATION
34 COMMUNICATION SUBMITTED TO THE PREVIOUS EMPLOYERS HAS
35 IDENTIFIED THE APPLICANT, INCLUDES A REQUEST FOR VERIFICATION OF
36 DATES OF EMPLOYMENT, REQUESTS THE POSITION HELD, AND MAKES
37 EXPRESS INQUIRIES AS TO THE PREVIOUS EMPLOYERS' POSSESSION OF THE
38 INFORMATION DESCRIBED IN PARAGRAPH (a) OF SUBSECTION (2) OF THIS
39 SECTION."
40

41 Page 7, line 12, after "(2) (a)" insert "(I)".
42

43 Page 7, line 16, strike "KNOWN ABOUT".
44

45 Page 7, strike lines 17 and 18 and substitute "IN ITS POSSESSION ABOUT
46 WORK PERFORMANCE AFFECTED BY DRUG OR ALCOHOL USE, ANY
47 VIOLATIONS OF ANY DRUG AND ALCOHOL POLICY, DRUG DIVERSION, DRUG
48 TAMPERING, PATIENT ABUSE, OR CRIMES OF VIOLENCE, AS LISTED IN
49 SECTION 18-1.3-406 (2) (a), C.R.S., COMMITTED BY AN APPLICANT.
50

51 (II) AS SOON AS A HEALTH CARE PROVIDER COMES INTO
52 POSSESSION OF INFORMATION ABOUT WORK PERFORMANCE AFFECTED BY
53 DRUG OR ALCOHOL USE, ANY VIOLATIONS OF ANY DRUG AND ALCOHOL
54 POLICY, DRUG DIVERSION, DRUG TAMPERING, PATIENT ABUSE, OR CRIMES
55 OF VIOLENCE, AS LISTED IN SECTION 18-1.3-406 (2) (a), C.R.S.,
56 COMMITTED BY A HEALTH CARE WORKER IN HIS OR HER EMPLOY, THE

1 HEALTH CARE PROVIDER SHALL DISCLOSE SUCH INFORMATION TO ANY
2 OTHER HEALTH CARE PROVIDERS FOR WHOM THE EMPLOYEE IS KNOWN TO
3 PROVIDE SERVICES.".

4
5 Page 11, line 2, after the period add "THE REPORT SHALL INCLUDE INPUT
6 FROM PATIENT SAFETY ADVOCACY GROUPS.".

7
8
9
10
11 **JUDICIARY**

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

14
15 **HB10-1082** be postponed indefinitely.

16
17
18 **HB10-1123** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:

21
22 Amend printed bill, page 2, strike lines 1 through 4 and substitute:

23
24 "SECTION 1. 18-4-105, Colorado Revised Statutes, is amended
25 BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to
26 read:

27
28 **18-4-105. Fourth degree arson. (5) It".**

29
30 Page 2, line 5, strike "PART 1" and substitute "SECTION".

31
32 Page 2, line 6, after "STARTS" insert "AND MAINTAINS".

33
34 Page 2, line 13, strike "(2)" and substitute "(6)".

35
36
37
38 **HB10-1201** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:

41
42 Amend printed bill, page 2, line 6, strike "**vehicle, a person, or a**
43 **person's home**" and substitute "**vehicle or a person**".

44
45 Page 2, strike lines 7 through 27 and substitute:

46
47 "(1) (a) PRIOR TO CONDUCTING A CONSENSUAL SEARCH OF A PERSON, THE
48 PERSON'S EFFECTS, OR A VEHICLE, A PEACE OFFICER SHALL COMPLY WITH
49 PARAGRAPH (b) OF THIS SUBSECTION (1).

50
51 (b) A PEACE OFFICER MAY CONDUCT A CONSENSUAL SEARCH ONLY
52 AFTER ARTICULATING THE FOLLOWING FACTORS TO, AND SUBSEQUENTLY
53 RECEIVING CONSENT FROM, THE PERSON SUBJECT TO THE SEARCH OR THE
54 PERSON WITH THE AUTHORITY TO PROVIDE PERMISSION TO SEARCH THE
55 VEHICLE. THE FACTORS ARE:

56

1 (I) THE PERSON IS NOT IN CUSTODY;

2
3 (II) THE PERSON IS BEING ASKED TO VOLUNTARILY CONSENT TO A
4 SEARCH; AND

5
6 (III) THE PERSON HAS THE RIGHT TO REFUSE THE REQUEST TO
7 SEARCH.

8
9 (c) AFTER PROVIDING THE ADVISEMENT REQUIRED IN PARAGRAPH
10 (b) OF THIS SUBSECTION (1), A PEACE OFFICER MAY CONDUCT THE
11 REQUESTED SEARCH ONLY IF THE PERSON SUBJECT TO THE SEARCH
12 VOLUNTARILY PROVIDES VERBAL OR WRITTEN CONSENT. OTHER
13 EVIDENCE OF AFFIRMATION MAY BE ACCEPTABLE, IF THE PERSON IS
14 UNABLE TO PROVIDE WRITTEN OR VERBAL CONSENT."

15
16 Page 3, after line 4 insert:

17
18 "(3) IF A DEFENDANT MOVES TO SUPPRESS ANY EVIDENCE
19 OBTAINED IN THE COURSE OF THE SEARCH, THE COURT SHALL CONSIDER
20 THE FAILURE TO COMPLY WITH THIS FACTOR IN DETERMINING THE
21 VOLUNTARINESS OF THE CONSENT."

22
23 Page 3, strike lines 5 and 6 and substitute:

24 "(4) THIS SECTION SHALL NOT APPLY TO A SEARCH CONDUCTED
25 PURSUANT TO SECTION 16-3-103, C.R.S., A SEARCH INCIDENT TO LAWFUL
26 ARREST, OR TO A SEARCH FOR WHICH THERE IS A LEGAL BASIS. THIS SHALL
27 INCLUDE, BUT NOT BE LIMITED TO, A SEARCH IN A CORRECTIONAL FACILITY
28 OR ON CORRECTIONAL FACILITY PROPERTY, A DETENTION FACILITY,
29 COUNTY DETENTION FACILITY, CUSTODY FACILITY, JUVENILE
30 CORRECTIONAL FACILITY OPERATED BY OR UNDER A CONTRACT WITH THE
31 DEPARTMENT OF HUMAN SERVICES, A COMMUNITY CORRECTIONS FACILITY,
32 OR A JAIL OR A SEARCH OF A PERSON UNDER COMMUNITY SUPERVISION OR
33 PAROLE BY A COMMUNITY SUPERVISION OR PAROLE OFFICER WHEN THE
34 PERSON HAS EXECUTED A CONSENT TO SEARCH AUTHORIZATION FORM AS
35 A TERM AND CONDITION OF ANY COMMUNITY SUPERVISION OR PAROLE."

36
37
38
39 **HB10-1219** be postponed indefinitely.

40
41
42 **HB10-1271** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:

45
46 Amend printed bill, page 3, line 8, strike "JANUARY 1" and substitute
47 "FIRST BUSINESS DAY OF THE JANUARY".

48
49 Page 4, line 20, strike "JANUARY 1" and substitute "FIRST BUSINESS DAY
50 OF THE JANUARY".

51
52 Page 5, line 2, strike "JANUARY 1" and substitute "FIRST BUSINESS DAY OF
53 THE JANUARY".

54
55 Page 6, line 2, strike "JANUARY 1" and substitute "FIRST BUSINESS DAY OF
56 THE JANUARY".

1 Page 6, line 20, strike "JANUARY 1" and substitute "FIRST BUSINESS DAY
2 OF THE JANUARY".

3
4 Page 6, line 26, strike "JANUARY 1" and substitute "FIRST BUSINESS DAY
5 OF THE JANUARY".

6
7
8
9 **PRINTING REPORT**

10
11 The Chief Clerk reports the following bill has been correctly printed:
12 **HB10-1351.**

13
14
15
16 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

17
18 The Speaker has signed: **HB10-1189, 1190, 1191, 1193, 1194, 1195,**
19 **1196, 1199.**

20
21
22
23 **INTRODUCTION OF BILLS**
24 **First Reading**

25
26 The following bills were read by title and referred to the committees
27 indicated:

28
29 **HB10-1352** by Representative(s) Waller, Pace, Court, Gardner B.,
30 Gerou, Kagan, King S., Levy, Looper, Massey, May,
31 McCann, Miklosi, Nikkel, Roberts, Ryden, Stephens; also
32 Senator(s) Steadman and Mitchell, Carroll M., Hudak,
33 Morse, Newell, Penry, White--Concerning changes to
34 crimes involving controlled substances.

35 Committee on Judiciary

36
37 **HB10-1353** by Representative(s) Pommer, Ferrandino, Lambert; also
38 Senator(s) Keller, Tapia, White--Concerning financial
39 savings through the alignment of eligibility for the old age
40 pension program with eligibility for other public benefit
41 programs, and, in connection therewith, aligning the
42 waiting period for the old age pension with the waiting
43 period for other public benefit programs, including the
44 enforcement of financial responsibility requirements for
45 relative sponsors of noncitizens, crediting to the general
46 fund of sales and use tax revenue that was previously
47 required to be credited to the supplemental OAP health
48 and medical program fund, and making an appropriation.

49 Committee on Appropriations

50
51 **SB10-102** by Senator(s) Gibbs; also Representative(s) Fischer--
52 Concerning the certification of users of prescribed fire
53 according to standards established by the Colorado state
54 forest service.

55 Committee on Agriculture, Livestock, & Natural Resources

56

- 1 **SB10-123** by Senator(s) Morse, Brophy, Carroll M., Mitchell,
2 Schwartz; also Representative(s) Labuda, Gardner B.,
3 Kagan, Levy, Roberts--Concerning on-line publications of
4 the secretary of state published pursuant to the "State
5 Administrative Procedure Act".
6 Committee on State, Veterans, & Military Affairs
7
8 **SB10-142** by Senator(s) Foster; also Representative(s) Gerou--
9 Concerning the process of resolving disputes related to
10 sales and use tax paid to a local government.
11 Committee on Local Government
12
13 **SB10-163** by Senator(s) Tochtrop; also Representative(s) Kerr A.--
14 Concerning workers' compensation procedures.
15 Committee on Business Affairs and Labor
16
17 **SB10-165** by Senator(s) Hodge; also Representative(s) Hulinghorst--
18 Concerning implementation of the incorporation of oil and
19 gas wells into the prior appropriation system.
20 Committee on Agriculture, Livestock, & Natural Resources
21
22
23

24 **CHANGES IN SPONSORSHIP**

- 25
26 The Speaker announced the following changes in sponsorship:
27 HB10-1282--Representative Bradford to be added as dual prime sponsor
28 with Representative King.
29 SB10-115--Representative Merrifield to be added as dual prime sponsor
30 with Representative Primavera.
31
32
33

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

- 35
36 On motion of Representative Weissmann, the following item(s) on the
37 Calendar (was)were laid over until February 24, retaining place on
38 Calendar:
39
40 Consideration of Resolution(s)--**SJR10-004, 013, HR10-1006**.
41
42
43

- 44 On motion of Representative Weissmann, the House adjourned until
45 9:00 a.m., February 24, 2010.
46

47 Approved:
48 TERRANCE D. CARROLL,
49 Speaker

50 Attest:
51 MARILYN EDDINS,
52 Chief Clerk

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

Forty-third Legislative Day

Wednesday, February 24, 2010

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Xochilt Martinez-Toala, University of
7 Colorado, Denver.

8
9 The roll was called with the following result:

10
11 Present--60.

12 Excused--Representative(s) Acree, DelGrosso, Miklosi, Pommer,
13 Stephens--5.

14 Present after roll call--Representative(s) Acree, Miklosi, Pommer,
15 Stephens.

16
17 The Speaker declared a quorum present.

18
19
20 On motion of Representative Gerou, the reading of the journal of
21 February 23, 2010, was declared dispensed with and approved as
22 corrected by the Chief Clerk.

23
24
25
26 On motion of Representative Primavera, the House resolved itself into
27 Committee of the Whole for consideration of General Orders, and she
28 was called to the Chair to act as Chairman.

29
30
31
32 **GENERAL ORDERS--SECOND READING OF BILLS**

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

38
39 (Amendments to the committee amendment are to the printed committee
40 report which was printed and placed in the members' bill file.)

41
42 **HB10-1122** by Representative(s) Roberts and Merrifield, Gagliardi,
43 Kefalas, Tyler; also Senator(s) Williams, Morse--

Concerning medical orders determining the scope of treatment an adult wishes to receive under certain circumstances.

Amendment No. 1, Health & Human Services Report, dated February 8, 2010, and placed in member's bill file; Report also printed in House Journal, February 9, pages 273-274.

Amendment No. 2, by Representative(s) Roberts.

Amend the Health and Human Services Committee Report, dated February 8, 2010, page 1, strike line 1 and substitute the following:

"Amend printed bill, page 8, line 7, strike "EMERGENCY" and substitute "EXCEPT AS PROVIDED IN SECTIONS 15-18.7-105 AND 15-18.7-107 (1), EMERGENCY".

Page 10, strike lines 13 through 27.

Page 11, strike lines 1 and 2.

Re-number succeeding subsection accordingly.

Page 12, strike lines 16 and 17 and substitute:

"15-18.7-107. Revision and revocation of a medical orders for scope of treatment form - duty to inform. (1) (a) A HEALTH CARE PROVIDER MAY REVISE THE PROVISIONS OF AN ADULT'S EXECUTED MEDICAL ORDERS FOR SCOPE OF TREATMENT FORM ONLY IF:

(I) (A) THE ADULT'S MEDICAL CONDITION HAS CHANGED SINCE THE ADULT OR THE ADULT'S AUTHORIZED SURROGATE DECISION-MAKER EXECUTED THE FORM; OR

(B) THE PROVISIONS OF THE FORM ARE NOT, IN THE PROVIDER'S INDEPENDENT MEDICAL JUDGMENT, MEDICALLY APPROPRIATE;

(II) THE PROVIDER CONSULTS WITH THE ADULT OR, IF THE ADULT LACKS DECISIONAL CAPACITY, THE ADULT'S AUTHORIZED SURROGATE DECISION-MAKER CONCERNING THE REVISION OF THE FORM; AND

(III) THE ADULT OR, IF THE ADULT LACKS DECISIONAL CAPACITY, THE ADULT'S AUTHORIZED SURROGATE DECISION-MAKER CONSENTS TO THE REVISION OF THE PROVISIONS OF THE FORM.

(b) IF A HEALTH CARE PROVIDER REVISES AN ADULT'S EXECUTED MEDICAL ORDERS FOR SCOPE OF TREATMENT FORM PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1):

(I) THE PROVIDER SHALL RECORD THE REVISIONS ON THE FORM; AND

(II) THE PROVIDER AND THE ADULT OR, IF THE ADULT LACKS DECISIONAL CAPACITY, THE ADULT'S AUTHORIZED SURROGATE DECISION-MAKER, SHALL SIGN AND DATE THE FORM.

1 (2) AN ADULT WHO HAS DECISIONAL".
2
3 Renumber succeeding subsections accordingly.
4
5 Page 12, line 25, strike "FORM IF THE FORM WAS" and substitute "FORM".
6
7 Page 12, strike line 26.
8
9 Page 15, strike lines 2 through 11 and substitute:".
10
11 Amendment No. 3, by Representative(s) Roberts.
12
13 Amend the Health and Human Services Committee Report, dated
14 February 8, 2010, page 1, strike line 1 and substitute:
15
16 "Amend printed bill, page 5, line 9, strike "AND" and substitute "OR".
17
18 Page 7, line 5, strike "OR PERSONAL".
19
20 Page 9, line 22, strike "GREATER," and substitute "LESS,".
21
22 Page 11, line 5, after "FACILITY" insert "OR HEALTH CARE PROVIDER".
23
24 Page 11, line 6, after "FACILITY" insert "OR HEALTH CARE PROVIDER".
25
26 Page 11, line 7, after "FACILITY" insert "OR HEALTH CARE PROVIDER".
27
28 Page 11, line 8, after "FACILITY" insert "OR HEALTH CARE PROVIDER".
29
30 Page 11, line 9, after "THAT" insert "THE FORM OR".
31
32 Page 14, line 18, strike "NOURISHMENT" and substitute "NUTRITION".
33
34 Page 14, line 27, strike "NOURISHMENT" and substitute "NUTRITION".
35
36 Page 15, strike lines 2 through 11 and substitute:".
37
38 As amended, ordered engrossed and placed on the Calendar for Third
39 Reading and Final Passage.
40
41 **HB10-1275** by Representative(s) Baumgardner; also Senator(s)
42 Newell--Concerning a requirement that the location of a
43 private burial be recorded.
44
45 Ordered engrossed and placed on the Calendar for Third Reading and
46 Final Passage.
47
48 **HB10-1026** by Representative(s) Solano and Benefield, Massey,
49 Peniston; also Senator(s) Hodge and Hudak, Steadman,
50 Williams--Concerning the creation of the Colorado quality
51 in child care incentive grant program.
52
53 Amendment No. 1, Education Report, dated February 1, 2010, and placed
54 in member's bill file; Report also printed in House Journal, February 2,
55 page 161.
56

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

2
3 Amend the Education Committee Report, dated February 1, 2010, page
4 1, after line 5, insert:

5
6 "Page 5 of the bill, line 8, strike "IMPROVING A QUALITY RATING," and
7 substitute "PURSUING A QUALITY RATING OR ACCREDITATION,"."

8
9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.

11
12
13 **HB10-1114** by Representative(s) Liston; also Senator Johnston--
14 Concerning the registration of agents of persons in the
15 business of transmitting money.

16
17 Amendment No. 1, Business Affairs & Labor Report, dated
18 February 9, 2010, and placed in member's bill file; Report also printed in
19 House Journal, February 10, pages 287-289.

20
21 Amendment No. 2, Appropriations Report, dated February 19, 2010, and
22 placed in member's bill file; Report also printed in House Journal,
23 February 19, pages 448-449.

24
25 Amendment No. 3, by Representative(s) Liston.

26
27 Amend the Business Affairs and Labor Committee Report, dated
28 February 9, 2010, page 3, strike lines 30 through 32.

29
30 As amended, ordered engrossed and placed on the Calendar for Third
31 Reading and Final Passage.

32
33
34 **HB10-1148** by Representative(s) Gerou, Balmer, Frangas, Levy,
35 Liston, McNulty, Schafer S., Todd, Benefield, Casso,
36 Hullinghorst, Kefalas, Priola, Solano, Stephens, Vaad; also
37 Senator(s) Tapia, Bacon, Tochtrop, White, Williams,
38 Kopp, Penry--Concerning the elimination of the
39 requirement that an architect maintain continuing
40 professional competency in order to renew a license to
41 practice architecture.

42
43 Amendment No. 1, Appropriations Report, dated February 19, 2010, and
44 placed in member's bill file; Report also printed in House Journal,
45 February 19, page 450.

46
47 As amended, ordered engrossed and placed on the Calendar for Third
48 Reading and Final Passage.

49
50
51 **HB10-1213** by Representative(s) Acree, Roberts; also Senator(s)
52 Keller--Concerning the elimination of an individualized
53 plan for a person with developmental disabilities who is on
54 the waiting list for services.

55
56

1 Amendment No. 1, Health & Human Services Report, dated
2 February 18, 2010, and placed in member's bill file; Report also printed
3 in House Journal, February 19, page 452.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB10-1229** by Representative(s) Pace, Riesberg; also Senator(s)
9 Newell--Concerning authentication requirements for
10 verbal orders in a hospital.

11
12 Amendment No. 1, Health & Human Services Report, dated
13 February 18, 2010, and placed in member's bill file; Report also printed
14 in House Journal, February 19, page 453.

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

18
19 **HB10-1255** by Representative(s) Kefalas and Acree, Gagliardi, Gerou,
20 Kerr J., Primavera, Riesberg, Roberts, Tyler; also
21 Senator(s) Steadman--Concerning extending the repeal
22 date for the Colorado commission for the deaf and hard of
23 hearing.

24
25 Ordered engrossed and placed on the Calendar for Third Reading and
26 Final Passage.

27
28 **HB10-1105** by Representative(s) Roberts--Concerning clarification of
29 provisions in the "Colorado probate code" concerning
30 compensation of certain parties.

31
32 Ordered engrossed and placed on the Calendar for Third Reading and
33 Final Passage.

34
35 **HB10-1109** by Representative(s) McCann; also Senator(s) Mitchell--
36 Concerning the availability of workers' compensation to
37 jail inmates who are working for a program that has been
38 certified by the federal prison industry enhancement
39 certification program.

40
41 Laid over until February 25, retaining place on Calendar.

42 43 44 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

45
46 Passed Second Reading: **HB10-1122 amended, 1275, 1026 amended,**
47 **1114 amended, 1148 amended, 1213 amended, 1229 amended, 1255,**
48 **1105.**

49
50 Laid over until date indicated retaining place on Calendar: **HB10-1109--**
51 February 25, 2010.

52
53 The Chairman moved the adoption of the Committee of the Whole
54 Report. As shown by the following roll call vote, a majority of those
55 elected to the House voted in the affirmative, and the Report was
56 **adopted.**

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	E	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

CONSIDERATION OF RESOLUTION(S)

HR10-1006 by Representative(s) May, Weissmann--Concerning the process by which the leadership of the House of Representatives initially handles an ethics complaint filed pursuant to Rule 49 of the Rules of the House of Representatives.

(Printed and placed in members' file.)

On motion of Representative May, the resolution was **adopted** by **viva voce** vote.

Co-sponsor(s) added: Representative(s) Apuan, Benefield, Court, Ferrandino, Fischer, Gardner B., Gerou, Hullinghorst, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Liston, Looper, Massey, McKinley, Middleton, Miklosi, Nikkel, Pommer, Primavera, Riesberg, Roberts, Ryden, Schafer S., Sonnenberg, Soper, Stephens, Summers, Swalm, Todd, Vaad, Vigil, Waller, Speaker

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

HB10-1214 be referred favorably to the Committee on Transportation & Energy.

1 **BUSINESS AFFAIRS & LABOR**

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

4
5 **HB10-1222** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 2, line 16, strike "NOTIFY" and substitute
10 "NOTIFY, IN ITS INITIAL WRITTEN COMMUNICATION TO A CONSUMER,".

11
12 Page 2, line 17, after "ADDRESS" insert "OR TELEPHONE NUMBER".
13
14
15

16 **HB10-1227** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:
19

20 Amend printed bill, page 2, line 11, strike "state, INCLUDING" and
21 substitute "state OR".
22

23 Page 3, line 13, strike "state, INCLUDING" and substitute "state OR".
24

25 Page 3, line 19, strike "Act";" and substitute "Act". IN THE EVENT A
26 HEALTHCARE INSTITUTION DOES NOT HAVE A COMMERCIAL PROFESSIONAL
27 LIABILITY INSURANCE POLICY IN COMPLIANCE WITH THIS PARAGRAPH (b),
28 OR THE LIMITS OF PROFESSIONAL LIABILITY INSURANCE COVERAGE ARE IN
29 EXCESS OF ANY SELF-INSURED RETENTION AMOUNT, OR THERE IS A
30 DEDUCTIBLE OTHER THAN ZERO DOLLARS, THE HEALTH CARE INSTITUTION
31 SHALL PROCURE EVIDENCE THAT THE COMMISSIONER OF INSURANCE HAS
32 ACCEPTED AND APPROVED AN ALTERNATIVE FORM OF ESTABLISHING
33 FINANCIAL RESPONSIBILITY IN COMPLIANCE WITH PARAGRAPH (c), (d), OR
34 (e) OF THIS SUBSECTION (1), IN ACCORDANCE WITH APPLICABLE RULES
35 PROMULGATED BY THE DIVISION OF INSURANCE. THE HEALTH CARE
36 INSTITUTION SHALL FURNISH EVIDENCE OF ALTERNATIVE FINANCIAL
37 RESPONSIBILITY COMPLIANCE TO THE DEPARTMENT OF PUBLIC HEALTH
38 AND ENVIRONMENT AS PART OF THE HEALTH CARE INSTITUTION'S
39 APPLICATION FOR AN INITIAL OR RENEWAL LICENSE, CERTIFICATION, OR
40 OTHER AUTHORITY.".

41
42 Page 3, line 21, strike "10-____," and substitute "10-1260,".
43

44 Page 4, line 2, strike "state, INCLUDING" and substitute "state OR".
45

46 Page 4, line 11, strike "10-____" and substitute "10-1260".
47
48
49

50 **HB10-1230** be postponed indefinitely.
51

52
53 **HB10-1236** be amended as follows, and as so amended, be referred to
54 the Committee of the Whole with favorable
55 recommendation:
56

1 Amend printed bill, page 4, line 20, strike "CERTIFIED AS A PUBLIC" and
2 substitute "ISSUED A CERTIFICATE OF CERTIFIED PUBLIC".
3

4 Page 5, line 22, strike "(4), Colorado Revised Statutes, is" and substitute
5 "(1), (4), and (6), Colorado Revised Statutes, are".
6

7 Page 5, strike lines 24 through 27 and substitute:
8

9 **"12-2-111. Examinations - reexaminations - rules.**

10 ~~(1) Examinations provided for in this section shall be held by the board.~~
11 ~~Examinations shall be given no less than twice a year at times and~~
12 ~~locations set by the board.~~ THE BOARD SHALL PROVIDE LICENSURE
13 EXAMINATIONS AS OFTEN AS NECESSARY TO PROVIDE CANDIDATES A
14 REASONABLE OPPORTUNITY TO TAKE THE EXAMINATION. Examinations
15 shall adequately test a candidate's knowledge of accounting, auditing, and
16 any other related subject the board deems relevant and necessary. Any
17 additional examination subject shall be designated by the board by rule.
18 The board shall set the passing score for an examination at a level to
19 adequately reflect the minimum level of competency necessary for the
20 practice of accountancy.
21

22 (4) A candidate for a certificate of certified public accountant who
23 meets the EDUCATIONAL requirements ~~of section 12-2-109 (1) (a) (i) or~~
24 ~~(1) (e) SET BY THE BOARD BY RULE~~ is entitled to TAKE AN examination.
25 ~~A candidate who will graduate from an accredited college or university~~
26 ~~within sixty days after the date of an examination and who will meet the~~
27 ~~educational requirements upon graduation is entitled to examination.~~
28

29 (6) If a candidate fails an examination or fails to pass in all
30 subjects as provided in subsection (5) of this section, the board may
31 require ~~him~~ THE CANDIDATE to take additional study before taking another
32 examination."
33

34 Page 6, strike lines 1 through 3.
35

36 Page 7, line 23, strike "12-2-123 (5) (a)," and substitute "The introductory
37 portion to 12-2-123 (1) and 12-2-123 (1) (b), (1) (p), (1) (r), (3), and (5)
38 (a)," and strike "is" and substitute "are".
39

40 Page 7, strike line 26 and substitute "**penalties.** (1) After notice and
41 hearing as provided in section 12-2-125, the board may deny the issuance
42 of, refuse to renew, revoke, or suspend any certificate of a certified public
43 accountant issued under this article or any prior law of this state or may
44 fine, ~~censure~~, issue a letter of admonition to, or place on probation the
45 holder of any certificate and impose other conditions or limitations for
46 any of the following causes:
47

48 (b) Fraud or negligence in the practice of public accounting in
49 Colorado or any other state or in the filing of or failure to file ~~his~~ THE
50 CERTIFIED PUBLIC ACCOUNTANT'S own income tax returns;
51

52 (p) Habitual intemperance with respect to or excessive use of ~~any~~
53 A habit-forming drug, ~~any~~ controlled substance as defined in section
54 12-22-303 (7), or ~~any~~ alcoholic beverage ~~any of which renders him~~ THAT
55 RENDERS THE CERTIFIED PUBLIC ACCOUNTANT unfit to practice public
56 accounting;

1 (r) Failure of a partnership, professional corporation, or limited
2 liability company to register with the board pursuant to section 12-2-117
3 and to renew ~~such~~ THE registration ~~once every three years~~ as prescribed
4 by the board.

5
6 (3) (a) ~~When a complaint or investigation discloses an instance of~~
7 ~~misconduct that, in the opinion of the board, does not warrant formal~~
8 ~~action by the board but that should not be dismissed as being without~~
9 ~~merit, a letter of admonition may be issued and sent, by certified mail, to~~
10 ~~the certificate holder.~~

11
12 (b) ~~When a letter of admonition is sent by the board, by certified~~
13 ~~mail, to a certificate holder, such certificate holder shall be advised that~~
14 ~~he or she has the right to request in writing, within twenty days after~~
15 ~~receipt of the letter, that formal disciplinary proceedings be initiated to~~
16 ~~adjudicate the propriety of the conduct upon which the letter of~~
17 ~~admonition is based.~~

18
19 (c) ~~If the request for adjudication is timely made, the letter of~~
20 ~~admonition shall be deemed vacated and the matter shall be processed by~~
21 ~~means of formal disciplinary proceedings.~~

22
23 (5) (a) In addition to any other penalty ~~which~~ THAT may be".

24
25 Page 11, strike lines 2 and 3 and substitute:

26
27 **"SECTION 11.** The introductory portion to 12-2-117 (1) and
28 12-2-117 (2) (b), Colorado Revised Statutes, are amended, and the said
29 12-2-117 is further amended BY THE ADDITION OF A NEW
30 SUBSECTION, to read:".

31
32 Page 11, strike line 6 and substitute "**registration thereof - definitions.**
33 (1) Except as provided in section 12-2-121 (2), a partnership,
34 professional corporation, or limited liability company engaged in this
35 state in the practice of public accounting as certified public accountants
36 shall register ~~once every three years~~ with the board as a partnership,
37 professional corporation, or limited liability company of certified public
38 accountants and must meet the following requirements; and, as used in
39 this article, "partnership" includes a registered limited partnership, limited
40 liability partnership, limited liability limited partnership, foreign limited
41 partnership, foreign limited liability partnership, and foreign limited
42 liability limited partnership:

43
44 (2) (b) The board shall in each case".

45
46 Page 11, after line 11 insert:

47
48 "(2.2) EACH FIRM REGISTRATION EXPIRES PURSUANT TO A
49 SCHEDULE ESTABLISHED BY THE DIRECTOR OF THE DIVISION OF
50 REGISTRATIONS WITHIN THE DEPARTMENT OF REGULATORY AGENCIES. THE
51 REGISTRANT SHALL RENEW OR REINSTATE THE REGISTRATION TO BE
52 CERTIFIED. THE DIRECTOR OF THE DIVISION OF REGISTRATIONS WITHIN
53 THE DEPARTMENT OF REGULATORY AGENCIES MAY ESTABLISH RENEWAL
54 FEES AND DELINQUENCY FEES FOR REINSTATEMENT PURSUANT TO SECTION
55 24-34-105, C.R.S. IF A FIRM FAILS TO RENEW ITS REGISTRATION
56 PURSUANT TO THE SCHEDULE ESTABLISHED BY THE DIRECTOR OF THE

1 DIVISION OF REGISTRATIONS, THE REGISTRATION SHALL EXPIRE. A FIRM
2 WHOSE REGISTRATION HAS EXPIRED SHALL BE SUBJECT TO THE PENALTIES
3 PROVIDED IN THIS ARTICLE OR SECTION 24-34-102 (8), C.R.S.".

4
5 Page 11, line 12, strike "**Repeal.**" and strike "and (5)," and substitute "(5),
6 and (6) (b) (II),".

7
8 Page 11, strike line 13 and substitute "Revised Statutes, are amended to
9 read:".

10
11 Page 12, after line 12 insert:

12
13 "(6) (b) The provisions of paragraph (a) of this subsection (6)
14 shall not prohibit any officer or employee of a corporation, partner or
15 employee of a partnership, member or employee of a limited liability
16 company, or individual or employee of an individual from:

17
18 (II) Issuing or authoring ~~any such~~ AN opinion or certificate
19 utilizing any wording designating the position, title, or office ~~which he~~
20 THAT THE PERSON holds relating to any statement or report in reference
21 to the financial affairs of such corporation, partnership, limited liability
22 company, or individual.".

23
24 Page 13, after line 24 insert:

25
26 "**SECTION 16.** 12-2-104 (1) (a) and (1) (g), Colorado Revised
27 Statutes, are amended to read:

28
29 **12-2-104. Powers and duties of board.** (1) The board has the
30 power and duty to:

31
32 (a) Elect annually from among its members a ~~president~~ CHAIR and
33 prescribe the duties of such office;

34
35 (g) Prescribe forms for and receive applications for certificates
36 and grant certificates, INCLUDING CONTRACTING WITH PEOPLE TO RECEIVE
37 AND REVIEW THE APPLICATIONS AS THE AGENT OF THE BOARD;

38
39 **SECTION 17.** 12-2-106 (1), (2), (3), and (4), Colorado Revised
40 Statutes, are amended to read:

41
42 **12-2-106. Fees.** (1) A fee authorized to be established pursuant
43 to section 24-34-105, C.R.S., shall be paid for each application made to
44 the board, whether ~~the same~~ IT is an application for examination or
45 reexamination or for issuance, renewal, reactivation, or reinstatement of
46 a certificate of certified public accountant, an application for registration
47 with the board as a ~~certified public accountant~~ PUBLIC ACCOUNTING FIRM,
48 or any other application requiring formal action or consideration by the
49 board. The fee required shall not be returnable irrespective of the action
50 taken by the board.

51
52 (2) A fee authorized to be established pursuant to section
53 24-34-105, C.R.S., shall be paid for each examination in which the
54 candidate is examined in the subjects prescribed by the board.
55 ~~Examination fees required in this subsection (2) are in addition to the fee~~
56 ~~required in subsection (1) of this section and shall be returned to the~~

1 ~~candidate should the board deny the candidate the right to take the~~
2 ~~examination or the candidate request in writing, not less than thirty days~~
3 ~~prior to the date fixed by the board for the examination, that the~~
4 ~~application be withdrawn.~~

5
6 (3) Any person making application for a certificate of certified
7 public accountant under section 12-2-113 shall pay a fee authorized to be
8 established pursuant to section 24-34-105, C.R.S., in addition to the fee
9 required in subsection (1) of this section. ~~Should such application be~~
10 ~~rejected by the board, the fee shall be returned to the applicant.~~

11
12 (4) ~~All fees shall be paid to the board and are to be paid by the~~
13 ~~applicant in advance of examination dates or of any action by the board.~~

14
15 **SECTION 18.** The introductory portion to 12-2-112 (1) and
16 12-2-112 (1) (a), Colorado Revised Statutes, are amended to read:

17
18 **12-2-112. Approval of schools.** (1) The board shall approve the
19 accounting program of ~~such~~ THE schools as THAT meet the following
20 requirements:

21
22 (a) ~~Such~~ THE school ~~shall have~~ HAS a curriculum designed to give
23 the student proficiency in those subjects in which ~~he~~ THE STUDENT must
24 pass an examination ~~by the board~~ TO BE LICENSED.

25
26 **SECTION 19.** 12-2-113 (1) (b), Colorado Revised Statutes, is
27 amended to read:

28
29 **12-2-113. Issuance of certificate by reciprocity or by passing**
30 **examination of another state.** (1) The board, in its discretion, may
31 waive the examination of persons qualified under this subsection (1) and
32 may issue a certificate of certified public accountant to:

33
34 (b) ~~Any~~ A person who has passed an examination under the laws
35 of another state and who possesses the qualifications prescribed in section
36 12-2-108 at the time ~~he~~ THE PERSON applies for a certificate in this state
37 or possesses substantially equivalent qualifications; or

38
39 **SECTION 20. Repeal.** 12-2-114, Colorado Revised Statutes, is
40 repealed as follows:

41
42 **12-2-114. Existing certificates confirmed.** ~~(1) No person who,~~
43 ~~on or before August 1, 1959, holds a certified public accountant~~
44 ~~certificate previously issued under the laws of this state shall be required~~
45 ~~to secure an additional certificate under this article but shall otherwise be~~
46 ~~subject to all the provisions of this article. Such certificate previously~~
47 ~~issued shall, for all purposes, be considered a certificate issued under this~~
48 ~~article.~~

49
50 ~~(2) and (3) Repealed.~~

51
52 **SECTION 21. Repeal.** 12-2-116, Colorado Revised Statutes, is
53 repealed as follows:

54
55 **12-2-116. Registered accountants.** ~~Any person who holds a~~
56 ~~certificate of registered accountant issued under the laws of this state shall~~

1 ~~be subject to all the provisions of this article. For the purposes of this~~
2 ~~article, certified public accountant and registered accountant shall be~~
3 ~~deemed synonymous and all references in this article to certified public~~
4 ~~accountants shall likewise refer and pertain to registered accountants.~~

5
6 **SECTION 22.** 12-2-121 (2) (a), Colorado Revised Statutes, is
7 amended to read:

8
9 **12-2-121. Exceptions - acts not prohibited - rules.**
10 (2) (a) Nothing in this article shall prohibit a certified public accountant
11 ~~or a registered public accountant~~ whose principal place of business is
12 located in another state or jurisdiction of the United States, from
13 practicing in this state on professional business, as defined by rules
14 promulgated by the board. Such practice shall be conducted in
15 conformity with rules promulgated by the board. Notwithstanding the
16 requirements of section 12-2-117, a foreign partnership, corporation,
17 limited partnership, limited liability limited partnership, or limited
18 liability company may engage in the practice of accountancy in this state
19 without registering with the board.

20
21 **SECTION 23.** 12-2-122.5, Colorado Revised Statutes, is
22 amended to read:

23
24 **12-2-122.5. Inactive certificant.** (1) The holder of a certificate
25 of certified public accountant, upon written notice by first class mail to
26 the board, shall have his or her name transferred to an inactive list and
27 shall not be required to comply with the continuing education
28 requirements for certificate renewal pursuant to section 12-2-119 so long
29 as he or she remains inactive. Each inactive certificant shall register once
30 every two years with the board in the same manner as active certificate
31 holders and pay a fee pursuant to section 12-2-108 (3). At such time as
32 an inactive certificant wishes to resume the practice of public accounting
33 as a certified public accountant, he or she shall file an application
34 therefor, meet any education requirements imposed by the board, and pay
35 a fee as established by the ~~board~~ DIRECTOR OF THE DIVISION OF
36 REGISTRATIONS WITHIN THE DEPARTMENT OF REGULATORY AGENCIES.

37
38 (2) During such time as a certified public accountant remains in
39 an inactive status, ~~he~~ THE ACCOUNTANT shall not perform those acts
40 restricted to active certified public accountants pursuant to section
41 12-2-120 (6) (a). The board shall retain jurisdiction over inactive
42 certified public accountants for the purposes of disciplinary action
43 pursuant to section 12-2-123.

44
45 **SECTION 24.** 12-2-123.5, Colorado Revised Statutes, is
46 amended to read:

47
48 **12-2-123.5. Response to board communication.** ~~Except as~~
49 ~~otherwise provided in section 12-2-123 (3),~~ A certificant shall, at the
50 request of the board, respond to communications from the board within
51 thirty days ~~of~~ AFTER the mailing of any communication. ~~by registered or~~
52 ~~certified mail.~~

53
54 **SECTION 25.** 12-2-125 (3) and (5), Colorado Revised Statutes,
55 are amended to read:

12-2-125. Hearings before board - notice - procedure - review.

(3) If, after having been served with the notice of hearing as provided for in this section, the accused fails to appear at ~~said~~ THE hearing and defend, the board may proceed to hear evidence against him OR HER and may enter such order as is justified by the evidence, which order shall be final unless he OR SHE petitions for a review thereof as provided in this section. Within thirty days after the date of any order, upon a showing of good cause for failing to appear and defend, the board may reopen ~~said~~ THE proceedings and may permit the accused to submit evidence in his OR HER behalf.

(5) At all hearings, the attorney general of this state or one of ~~his~~ OF THE ATTORNEY GENERAL'S DESIGNATED assistants ~~designated by him~~ shall appear and represent the board.

SECTION 26. 12-2-126 (1) (b) (II), Colorado Revised Statutes, is amended, and the said 12-2-126 (1) (b) is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBPARAGRAPHS, to read:

12-2-126. Investigations, examinations, and cease-and-desist orders against unlawful act. (1) (b) (II) ~~If the investigation discloses an instance of conduct which, in the opinion of the board, does not warrant formal action but in which the board has noticed indications of possible errant conduct by the certificate holder that could lead to serious consequences if not corrected, a confidential letter of concern shall be sent to the certificate holder against whom a complaint was made. If the board learns of second or subsequent actions of the same or similar nature by the certificate holder, the board shall not issue a confidential letter of concern but shall take such other course of action as it deems appropriate.~~ UPON COMPLETING AN INVESTIGATION, THE DIRECTOR SHALL MAKE ONE OF THE FOLLOWING FINDINGS:

(A) THE COMPLAINT IS WITHOUT MERIT AND NO FURTHER ACTION NEED BE TAKEN.

(B) THERE IS NO REASONABLE CAUSE TO WARRANT FURTHER ACTION.

(C) THE INVESTIGATION DISCLOSES AN INSTANCE OF CONDUCT THAT DOES NOT WARRANT FORMAL ACTION, BUT THE INVESTIGATION DISCLOSES INDICATIONS OF POSSIBLE ERRANT CONDUCT THAT COULD LEAD TO SERIOUS CONSEQUENCES IF NOT CORRECTED. IF THIS FINDING IS MADE, THE DIRECTOR SHALL SEND A CONFIDENTIAL LETTER OF CONCERN TO THE LICENSEE.

(D) THE INVESTIGATION DISCLOSES AN INSTANCE OF CONDUCT THAT DOES NOT WARRANT FORMAL ACTION BUT SHOULD NOT BE DISMISSED AS BEING WITHOUT MERIT. IF THIS FINDING IS MADE, THE DIRECTOR SHALL SEND A LETTER OF ADMONITION TO THE LICENSEE BY CERTIFIED MAIL.

(E) THE INVESTIGATION DISCLOSES FACTS THAT WARRANT FURTHER PROCEEDINGS BY FORMAL COMPLAINT. IF THIS FINDING IS MADE, THE DIRECTOR SHALL REFER THE COMPLAINT TO THE ATTORNEY GENERAL FOR PREPARATION AND FILING OF A FORMAL COMPLAINT.

1 (III) (A) WHEN A LETTER OF ADMONITION IS SENT TO A LICENSEE,
2 THE DIRECTOR SHALL INCLUDE IN THE LETTER A NOTICE THAT THE
3 LICENSEE HAS THE RIGHT TO REQUEST IN WRITING, WITHIN TWENTY DAYS
4 AFTER RECEIPT OF THE LETTER, THAT FORMAL DISCIPLINARY PROCEEDINGS
5 BE INITIATED TO ADJUDICATE THE PROPRIETY OF THE CONDUCT UPON
6 WHICH THE LETTER OF ADMONITION IS BASED.

7
8 (B) IF THE REQUEST FOR ADJUDICATION IS TIMELY MADE, THE
9 LETTER OF ADMONITION IS VACATED AND THE DIRECTOR SHALL PROCEED
10 BY MEANS OF FORMAL DISCIPLINARY PROCEEDINGS.

11
12 (IV) THE DIRECTOR SHALL CONDUCT ALL PROCEEDINGS PURSUANT
13 TO THIS SUBSECTION (2) EXPEDITIOUSLY AND INFORMALLY SO THAT NO
14 LICENSEE IS SUBJECTED TO UNFAIR AND UNJUST CHARGES AND THAT NO
15 COMPLAINANT IS DEPRIVED OF THE RIGHT TO A TIMELY, FAIR, AND PROPER
16 INVESTIGATION OF A COMPLAINT.

17
18 **SECTION 27.** 12-2-130, Colorado Revised Statutes, is amended
19 to read:

20
21 **12-2-130. Ownership of accountant's working papers.** All
22 statements, records, schedules, working papers, and memoranda made by
23 a certified public accountant ~~or registered accountant~~ incident to or in the
24 course of professional service to a client by ~~such certified public~~ THE
25 accountant, ~~or registered accountant~~, except reports submitted by a
26 certified public accountant ~~or registered accountant~~ to a client and books
27 and records prepared for the use of the client, shall be and remain the
28 property of ~~such certified public~~ THE accountant ~~or registered accountant~~
29 in the absence of an express agreement to the contrary between the
30 certified public accountant ~~or registered accountant~~ and the client."

31
32 Renumber succeeding sections accordingly.

33
34
35
36
37 **FINANCE**

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

40
41 **HB10-1289** be referred favorably to the Committee on Appropriations.

42
43
44 **HB10-1296** be postponed indefinitely.

45
46
47
48
49 **LOCAL GOVERNMENT**

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

52
53 **HB10-1017** be amended as follows, and as so amended, be referred to
54 the Committee of the Whole with favorable
55 recommendation:
56

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

3
4 "SECTION 1. 38-12-301, Colorado Revised Statutes, is amended
5 to read:

6
7 **38-12-301. Control of rents by counties and municipalities**
8 **prohibited.** (1) The general assembly finds and declares that the
9 imposition of rent control on private residential housing units is a matter
10 of statewide concern; therefore, no county or municipality may enact any
11 ordinance or resolution ~~which~~ THAT would control ~~rents~~ RENT on A
12 private residential ~~property~~ HOUSING UNIT.

13
14 (2) FOR PURPOSES OF SUBSECTION (1) OF THIS SECTION, AN
15 ORDINANCE OR RESOLUTION THAT WOULD CONTROL RENT ON A PRIVATE
16 RESIDENTIAL HOUSING UNIT SHALL NOT INCLUDE:

17
18 (a) AN INDIVIDUALIZED NEGOTIATED AGREEMENT BETWEEN A
19 COUNTY OR MUNICIPALITY AND A PERMIT APPLICANT OR PROPERTY OWNER
20 TO LIMIT RENT ON THE UNIT OR THAT IS OTHERWISE DESIGNED TO
21 PRESERVE AFFORDABLE HOUSING STOCK; OR

22
23 (b) THE PLACEMENT ON THE TITLE TO THE UNIT OF A DEED
24 RESTRICTION THAT LIMITS RENT ON THE UNIT OR THAT IS OTHERWISE
25 DESIGNED TO PRESERVE AFFORDABLE HOUSING STOCK PURSUANT TO AN
26 INDIVIDUALIZED NEGOTIATED AGREEMENT BETWEEN A COUNTY OR
27 MUNICIPALITY AND A PERMIT APPLICANT OR PROPERTY OWNER TO PLACE
28 THE DEED RESTRICTION ON THE TITLE.

29
30 (3) AN AGREEMENT AUTHORIZED PURSUANT TO SUBSECTION (2) OF
31 THIS SECTION MAY SPECIFY HOW LONG A PRIVATE RESIDENTIAL HOUSING
32 UNIT IS SUBJECT TO ITS TERMS, WHETHER A SUBSEQUENT PROPERTY
33 OWNER IS SUBJECT TO THE AGREEMENT, AND REMEDIES FOR EARLY
34 TERMINATION AGREED TO BY BOTH THE PERMIT APPLICANT OR PROPERTY
35 OWNER AND THE COUNTY OR MUNICIPALITY.

36
37 (4) This section is not intended to impair the right of any state
38 agency, county, or municipality to manage and control any property in
39 which it has an interest through a housing authority or similar agency.

40
41 **SECTION 2. Act subject to petition - specified effective date**
42 **- applicability.** (1) This act shall take effect September 1, 2010; except
43 that, if a referendum petition is filed pursuant to section 1 (3) of article V
44 of the state constitution against this act or an item, section, or part of this
45 act within the ninety-day period after final adjournment of the general
46 assembly, then the act, item, section, or part shall not take effect unless
47 approved by the people at the general election to be held in November
48 2010 and shall take effect on the date of the official declaration of the
49 vote thereon by the governor.

50
51 (2) The provisions of this act shall apply to agreements entered
52 into before, on, or after the applicable effective date of this act."
53
54
55

1 **HB10-1290** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB10-1292** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 4, line 15, strike "10-____," and substitute
10 "10-1292,".
11

12
13
14
15 **TRANSPORTATION & ENERGY**

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

19 **HB10-1019** be amended as follows, and as so amended, be referred to
20 the Committee on Appropriations with favorable
21 recommendation:
22

23 Amend printed bill, strike everything below the enacting clause and
24 substitute:
25

26 "SECTION 1. Part 2 of article 1 of title 42, Colorado Revised
27 Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW
28 SECTIONS to read:
29

30 **42-1-224. Disabled parking education and enforcement fund**
31 **- created.** THERE IS HEREBY CREATED IN THE STATE TREASURY THE
32 DISABLED PARKING EDUCATION AND ENFORCEMENT FUND, WHICH
33 CONSISTS OF MONEYS COLLECTED PURSUANT TO THIS SECTION AND
34 SECTION 42-4-1208 (6) AND (7). THE GENERAL ASSEMBLY SHALL
35 APPROPRIATE THE MONEYS IN THE FUND FOR THE PURPOSES SPECIFIED IN
36 SECTIONS 42-1-225, 42-3-204, AND 42-4-1208. UNEXPENDED AND
37 UNENCUMBERED MONEYS IN THE FUND AT THE END OF A FISCAL YEAR
38 SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR
39 TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND. THE
40 DEPARTMENT MAY ACCEPT GIFTS, GRANTS, OR DONATIONS FROM PRIVATE
41 OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION. ALL PRIVATE
42 AND PUBLIC FUNDS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS
43 SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT
44 THE MONEYS TO THE FUND.
45

46 **42-1-225. Disabled parking education program.** (1) SUBJECT
47 TO THE AVAILABILITY OF FUNDS APPROPRIATED UNDER SECTION 42-1-224,
48 THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES,
49 CREATED IN SECTION 24-45.5-103, C.R.S.:
50

51 (a) MAY MAKE GRANTS OR DEVELOP OR DELIVER EDUCATION
52 PROGRAMS FOR THE PURPOSE OF PROVIDING PEACE OFFICERS, LOCAL
53 GOVERNMENTS, MEDICAL PROVIDERS, DRIVERS, AND PERSONS WITH
54 DISABILITIES WITH EDUCATION CONCERNING ELIGIBILITY STANDARDS FOR
55 PARKING PRIVILEGES AVAILABLE TO A PERSON WITH A DISABILITY
56 AFFECTING MOBILITY, APPROPRIATE USE OF THE PARKING PRIVILEGES, THE

1 LEGAL STANDARDS AND VIOLATIONS CONTAINED IN SECTIONS 42-3-204
2 AND 42-4-1208, AND THE ADVANTAGES OF CREATING A VOLUNTEER
3 ENFORCEMENT PROGRAM; AND

4
5 (b) SHALL CREATE OR MAKE AVAILABLE A TRAINING PROGRAM TO
6 ASSIST PROFESSIONALS IN UNDERSTANDING THE STANDARDS THAT NEED
7 TO BE MET TO OBTAIN AN IDENTIFYING LICENSE PLATE OR PLACARD.

8
9 **SECTION 2.** 42-3-204, Colorado Revised Statutes, is amended
10 to read:

11
12 **42-3-204. Parking privileges for persons with disabilities -**
13 **applicability - rules.** (1) As used in this section:

14
15 (a) ~~"License plate or placard" means any license plate or placard~~
16 ~~issued pursuant to subsection (2) of this section~~ "DISABILITY" OR
17 "DISABLED" MEANS A PHYSICAL IMPAIRMENT THAT MEETS THE STANDARDS
18 OF 23 CFR 1235, WHICH IMPAIRMENT IS VERIFIED, IN WRITING, BY A
19 PROFESSIONAL. TO BE VALID, THE VERIFYING PROFESSIONAL SHALL
20 CERTIFY TO THE DEPARTMENT THAT THE PERSON MEETS THE STANDARDS
21 ESTABLISHED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT.

22
23 (b) ~~"Person with a disability" means either of the following:~~
24 "EXTENDED" MEANS A CONDITION THAT IS NOT EXPECTED TO CHANGE
25 WITHIN THIRTY MONTHS AFTER THE ISSUANCE OF AN IDENTIFYING FIGURE,
26 GIVEN THE CURRENT STATE OF MEDICAL OR ADAPTIVE TECHNOLOGY.

27
28 (I) ~~A person so severely impaired that such person is unable to~~
29 ~~move from place to place without the aid of a mechanical device; or~~

30
31 (H) ~~A person who has a physical impairment that substantially~~
32 ~~limits the person's ability to move from place to place, which impairment~~
33 ~~is verified, in writing, by a physician licensed to practice medicine or~~
34 ~~practicing medicine pursuant to section 12-36-106 (3) (i), C.R.S., a~~
35 ~~podiatrist licensed under article 32 of title 12, C.R.S., or an advanced~~
36 ~~practice nurse registered pursuant to section 12-38-111.5, C.R.S. To be~~
37 ~~valid, such verification by the director, physician, podiatrist, or advanced~~
38 ~~practice nurse shall certify to the department of revenue that the person~~
39 ~~meets the standards established by the executive director of the~~
40 ~~department of revenue.~~

41
42 (c) "IDENTIFYING FIGURE" MEANS A FIGURE THAT PROVIDES
43 NOTICE THAT A PERSON IS AUTHORIZED TO USE A RESERVED PARKING
44 SPACE.

45
46 (d) "IDENTIFYING LICENSE PLATE" MEANS A LICENSE PLATE
47 BEARING AN IDENTIFYING FIGURE.

48
49 (e) "IDENTIFYING PLACARD" MEANS A PLACARD BEARING AN
50 IDENTIFYING FIGURE.

51
52 (f) "PERMANENT" MEANS A CONDITION THAT IS NOT EXPECTED TO
53 CHANGE WITHIN A PERSON'S LIFETIME, GIVEN THE CURRENT STATE OF
54 MEDICAL OR ADAPTIVE TECHNOLOGY.

55
56 (g) "PROFESSIONAL" MEANS A PHYSICIAN LICENSED TO PRACTICE

1 MEDICINE OR PRACTICING MEDICINE PURSUANT TO SECTION 12-36-106 (3)
2 (i), C.R.S., A PODIATRIST LICENSED UNDER ARTICLE 32 OF TITLE 12,
3 C.R.S., OR AN ADVANCED PRACTICE NURSE REGISTERED PURSUANT TO
4 SECTION 12-38-111.5, C.R.S.

5
6 (h) "RESERVED PARKING SPACE" MEANS A PARKING SPACE
7 RESERVED FOR A PERSON WITH A DISABILITY.

8
9 (2) (a) A person with a disability may apply to the department for:

10
11 (I) ~~Distinguishing~~ AN IDENTIFYING license ~~plates~~ PLATE to be
12 supplied at the same cost as A standard ~~plates~~ PLATE and to be displayed
13 as provided in section 42-3-202 on a motor vehicle owned by such person
14 or that is owned by a trust created for the benefit of and the name of
15 which includes the name of such person, SUBJECT TO THE FOLLOWING:

16
17 (A) ~~Any plates issued by the department pursuant to this section~~
18 AN IDENTIFYING LICENSE PLATE shall be renewed once each year in a
19 manner to be determined by the department.

20
21 (B) The issuance of a ~~special~~ AN IDENTIFYING license plate to a
22 person with a disability ~~pursuant to this subparagraph (I)~~ shall not
23 preclude such person from obtaining an identifying placard. ~~pursuant to~~
24 ~~subparagraph (II) of this paragraph (a).~~

25
26 (C) The verification requirements of PARAGRAPH (a) OF
27 subsection (1) of this section shall be met once every three years.

28
29 (II) An identifying placard to be prominently displayed on a motor
30 vehicle used to transport such person, SUBJECT TO THE FOLLOWING:

31
32 (A) THE DEPARTMENT SHALL NOT ISSUE A PERMANENT OR
33 EXTENDED IDENTIFYING PLACARD UNLESS THE APPLICANT PROVIDES A
34 DRIVER'S LICENSE OR IDENTIFICATION CARD ISSUED PURSUANT TO ARTICLE
35 2 OF THIS TITLE, OR A FEDERALLY ISSUED IDENTIFICATION CARD; EXCEPT
36 THAT A PARENT OR GUARDIAN OF A DISABLED PERSON UNDER SIXTEEN
37 YEARS OF AGE MAY PROVIDE THE PARENT'S OR GUARDIAN'S DRIVER'S
38 LICENSE OR IDENTIFICATION CARD IN LIEU OF THE DISABLED MINOR, AND
39 A BUSINESS ENTITY THAT TRANSPORTS DISABLED PEOPLE FOR HIRE MAY
40 PROVIDE AN EMPLOYEE IDENTIFICATION NUMBER AND SUCH OTHER
41 INFORMATION AS REQUIRED BY THE DEPARTMENT.

42
43 (B) ~~Any~~ AN IDENTIFYING placard valid for more than ninety days
44 ~~issued by the department pursuant to this section~~ shall have ~~printed on the~~
45 ~~placard a number assigned to the placard that corresponds to identifying~~
46 ~~information of the person or persons with the disability~~ THE LAST FOUR
47 DIGITS OF THE HOLDER'S IDENTIFICATION NUMBER PRINTED ON ITS FACE;
48 EXCEPT THAT A PLACARD ISSUED FOR A PERSON UNDER SIXTEEN YEARS OF
49 AGE MAY BEAR THE PARENT'S OR GUARDIAN'S IDENTIFICATION NUMBER IF
50 THE PARENT OR GUARDIAN PROVIDED THE IDENTIFICATION REQUIRED BY
51 SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II), AND, IF AN ENTITY
52 THAT TRANSPORTS DISABLED PEOPLE FOR HIRE OBTAINS A PLACARD, THE
53 PLACARD SHALL BEAR THE TRUE NAME OF THE ENTITY PROVIDING SUCH
54 SERVICE. IF THE PLACARD BEARS THE LAST FOUR DIGITS OF THE PARENT'S
55 OR GUARDIAN'S IDENTIFICATION NUMBER, THE PLACARD SHALL ALSO BEAR
56 THE LETTER "C" AS A DESIGNATOR.

1 (C) Identifying information about the person ~~or persons~~ with the
2 disability shall be strictly confidential and only available to law
3 enforcement or to personnel within the department for official business
4 related to ~~such~~ THE IDENTIFYING placard.

5
6 (D) ~~Such assigned number~~ WHEN IN USE, THE IDENTIFYING
7 PLACARD'S FACE shall be legible AND VISIBLE to any law enforcement
8 officer or authorized parking enforcement official when viewed from
9 outside the vehicle.

10
11 (E) A HOLDER OF AN IDENTIFYING placard ~~issued by the~~
12 ~~department pursuant to this section shall be renewed~~ SHALL RENEW THE
13 PLACARD every three years in a manner to be determined by the
14 department, INCLUDING RENEWAL BY MAIL.

15
16 (F) The HOLDER OF AN IDENTIFYING PLACARD SHALL MEET THE
17 verification requirements of PARAGRAPH (a) OF subsection (1) of this
18 section ~~shall be met~~ each time the placard is renewed.

19
20 (G) THE DEPARTMENT SHALL PLACE AN EXPIRATION DATE ON AN
21 IDENTIFYING PLACARD USING A DATE SYSTEM THAT REMOVES A PORTION
22 OF THE PLACARD TO INDICATE THE EXPIRATION DATE. THE DEPARTMENT
23 SHALL AFFIX A VALIDATING STICKER INDICATING THE EXPIRATION DATE TO
24 THE PLACARD.

25
26 (III) Disabled veteran special license plates with the identifying
27 ~~feature~~ FIGURE for a person with a physical impairment affecting
28 mobility, so long as the disabled person meets the eligibility criteria
29 specified in section 42-3-213 (5).

30
31 (b) ~~Notwithstanding the verification requirements of~~
32 ~~subparagraphs (I), (II), and (III) of paragraph (a) of this subsection (2), if~~
33 ~~a renewal applicant has a permanent disability that was verified in writing~~
34 ~~by a physician licensed to practice medicine in this state or practicing~~
35 ~~medicine pursuant to section 12-36-106 (3) (i), C.R.S., or an advanced~~
36 ~~practice nurse registered pursuant to section 12-38-111.5, C.R.S., and~~
37 ~~provided to the department with the original application for a license plate~~
38 ~~or placard under this section, such applicant shall not be required to meet~~
39 ~~such verification requirement to renew such license plate or placard. If~~
40 ~~a person renews such license plate or placard of and on behalf of a person~~
41 ~~with a permanent disability, the person renewing such license plate or~~
42 ~~placard shall sign an affidavit, under the penalty of perjury, attesting to~~
43 ~~the fact that the person with a permanent disability is still in need of the~~
44 ~~license plate or placard and stating that such license plate or placard shall~~
45 ~~be surrendered to the department upon the death of the person with a~~
46 ~~permanent disability.~~

47
48 (c) ~~Such~~ AN IDENTIFYING license plate or placard shall be issued
49 to ~~such~~ A person upon presentation to the department of a written
50 statement, verified by a ~~physician licensed to practice medicine in this~~
51 ~~state or practicing medicine pursuant to section 12-36-106 (3) (i), C.R.S.,~~
52 ~~or an advanced practice nurse registered pursuant to section 12-38-111.5,~~
53 ~~C.R.S.~~ PROFESSIONAL, that such person ~~is a person with~~ HAS a disability.
54 The application for ~~such a~~ AN IDENTIFYING license plate or placard shall
55 be sent to the department ~~each year~~ EVERY THREE YEARS; except that a
56 person who has been issued a disabled veteran special license plate shall

1 not send an application to the department every year.

2
3 (d) (I) ~~Such~~ AN IDENTIFYING license plate or placard may be
4 revoked by the department upon receipt of a sworn statement from a
5 peace officer or an authorized parking enforcement official that the
6 person with a disability has improperly used the privilege defined in
7 section 42-4-1208. Upon a first violation of section 42-4-1208, the
8 department shall deny reissuance of such license plate or placard for a
9 period of one year following the date of revocation. Upon a second or
10 subsequent violation of section 42-4-1208, the department shall deny
11 reissuance of such license plate or placard for a period of at least five
12 years after the date of the second or each subsequent revocation. The
13 department shall provide written notification to the person with a
14 disability of such revocation, which notification shall contain a demand
15 for the return of the license plate or placard to the department and a
16 warning that continued use by any person shall be subject to the penalty
17 set forth in section 42-4-1208 (11).

18
19 (II) THE DEPARTMENT MAY HOLD HEARINGS TO REVOKE AN
20 IDENTIFYING LICENSE PLATE OR PLACARD.

21
22 (III) A PERSON WHO FAILS TO RETURN A REVOKED IDENTIFYING
23 PLACARD OR LICENSE PLATE OR WHO ATTEMPTS TO OBTAIN AN
24 IDENTIFYING LICENSE PLATE OR PLACARD WHEN UNDER REVOCATION
25 PURSUANT TO THIS PARAGRAPH (d) COMMITS A CLASS B TRAFFIC
26 INFRACTION.

27
28 (e) Repealed.

29
30 (3) (a) The department shall issue ~~temporary distinguishing~~
31 ~~license permits and~~ a temporary identifying placard to a person who is
32 temporarily disabled upon presentation of a written statement, verified by
33 a ~~physician licensed to practice medicine or practicing medicine pursuant~~
34 ~~to section 12-36-106 (3) (i), C.R.S., a podiatric physician licensed under~~
35 ~~article 32 of title 12, C.R.S., or an advanced practice nurse registered~~
36 ~~pursuant to section 12-38-111.5, C.R.S.~~ PROFESSIONAL, that such person
37 temporarily meets the definition of a person with a disability.

38
39 (b) The department shall issue ~~such permits and placards~~ A
40 TEMPORARY IDENTIFYING PLACARD to a qualifying person who is a
41 resident of another state and who becomes disabled while in this state.
42 THE DEPARTMENT SHALL NOT ISSUE THE PLACARD UNLESS THE APPLICANT
43 PROVIDES A DRIVER'S LICENSE OR IDENTIFICATION CARD ISSUED PURSUANT
44 TO ARTICLE 2 OF THIS TITLE OR ISSUED BY ANOTHER STATE OR A
45 FEDERALLY ISSUED IDENTIFICATION CARD. THE DEPARTMENT SHALL PRINT
46 THE LAST FOUR DIGITS OF THE DRIVER'S LICENSE NUMBER OR
47 IDENTIFICATION CARD NUMBER ON THE FACE OF THE PLACARD.

48
49 (c) ~~Such permits and~~ A TEMPORARY IDENTIFYING placard ~~shall be~~
50 ~~is valid for a period of~~ UNTIL THE LAST DAY OF THE MONTH FALLING
51 ninety days after the date of issuance and may continually be renewed for
52 additional ninety-day periods during the term of such disability upon
53 resubmission of such written and verified statements.

54
55 (d) The ~~provisions of this section concerning the privileges~~
56 granted to persons with disabilities ~~shall apply to temporary license~~

1 permits and temporary IDENTIFYING placards issued under this subsection
2 (3). Further, the requirement that the placard include a printed
3 identification number as set forth in subparagraph (H) of paragraph (a) of
4 subsection (2) of this section shall apply to both temporary license
5 permits and temporary placards issued under this subsection (3).
6

7 (e) The verification by a physician licensed to practice medicine
8 or practicing medicine pursuant to section 12-36-106 (3) (i), C.R.S., a
9 podiatrist licensed under article 32 of title 12, C.R.S., or an advanced
10 practice nurse registered pursuant to section 12-38-111.5, C.R.S., shall be
11 carried in the vehicle transporting the person or persons with a disability
12 to whom the temporary license permit or placard has been issued and
13 shall be presented to any law enforcement officer upon request.
14 Temporary license permits and temporary placards issued by states other
15 than Colorado shall be ARE valid so long as they are currently valid in the
16 state of issuance and valid pursuant to 23 CFR 1235.
17

18 (f) A TEMPORARY IDENTIFYING PLACARD SHALL HAVE THE LAST
19 FOUR DIGITS OF THE PERSON'S IDENTIFICATION NUMBER PRINTED ON THE
20 PLACARD'S FACE. THE DEPARTMENT SHALL PLACE AN EXPIRATION DATE
21 ON AN IDENTIFYING PLACARD USING A DATE SYSTEM THAT REMOVES A
22 PORTION OF THE PLACARD TO INDICATE THE EXPIRATION DATE. THE
23 DEPARTMENT SHALL AFFIX A VALIDATING STICKER INDICATING THE
24 EXPIRATION DATE TO THE PLACARD.
25

26 (4) Upon the filing of an application for issuance or renewal of a
27 AN IDENTIFYING license plate or placard under this section, the department
28 shall make available to the applicant an informational pamphlet or other
29 informational source developed by the department IN CONSULTATION
30 WITH THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH
31 DISABILITIES, CREATED IN SECTION 24-45.5-103, C.R.S., that describes the
32 rights and responsibilities of the holders of such license plates or placards
33 and the parking privileges set forth in section 42-4-1208.
34

35 (5) (a) AN APPLICATION FOR AN IDENTIFYING LICENSE PLATE OR
36 PLACARD SHALL CONTAIN A NOTICE OF ELIGIBILITY REQUIREMENTS AND
37 PENALTIES FOR OBTAINING SUCH LICENSE PLATE OR PLACARD WHEN NOT
38 ELIGIBLE. THE APPLICANT SHALL SIGN THE NOTICE AFFIRMING
39 KNOWLEDGE OF THE INFORMATION CONTAINED THEREIN.
40

41 (b) THE DEPARTMENT, IN CONSULTATION WITH THE COLORADO
42 ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES, CREATED IN SECTION
43 24-45.5-103, C.R.S., SHALL PROMULGATE A RULE CREATING A FORM THAT
44 IS SIGNED BY A PROFESSIONAL, UNDER PENALTY OF PERJURY, AFFIRMING
45 KNOWLEDGE OF THE CONTENTS OF THE NOTICE CREATED IN PARAGRAPH
46 (a) OF THIS SUBSECTION (5) BEFORE VERIFYING THAT A PERSON HAS A
47 DISABILITY. THE FORM SHALL CONTAIN A NOTICE OF THE ELIGIBILITY
48 REQUIREMENT TO OBTAIN AN IDENTIFYING LICENSE PLATE OR PLACARD.
49

50 (6) ANY PERSON RENEWING AN IDENTIFYING LICENSE PLATE OR
51 PLACARD SHALL AFFIRM UNDER PENALTY OF PERJURY THAT THE PERSON
52 TO WHOM THE LICENSE PLATE OR PLACARD IS ISSUED REMAINS ELIGIBLE TO
53 USE THE LICENSE PLATE. THE PERSON RENEWING THE PLATE OR PLACARD
54 SHALL INCLUDE WITH THE RENEWAL THE PERSON'S NAME AND A COPY OF
55 THE PERSON'S DRIVER'S LICENSE OR IDENTIFICATION CARD AND THE
56 DRIVER'S LICENSE OR IDENTIFICATION CARD, IF APPLICABLE, OF THE

1 DISABLED PERSON.

2
3 (7) (a) THE DEPARTMENT SHALL MAINTAIN IN ITS RECORDS FOR
4 THREE YEARS THE REGISTRATION INFORMATION USED TO ISSUE AN
5 IDENTIFYING LICENSE PLATE OR PLACARD, ANY VIOLATIONS OF SECTION
6 42-4-1208 BY THE HOLDER, AND THE APPLICATION OR AN ELECTRONIC OR
7 DIGITAL REPRODUCTION OF THE APPLICATION.

8
9 (b) UPON THE FUNDS BEING AVAILABLE AND APPROPRIATED FROM
10 THE DISABLED PARKING EDUCATION AND ENFORCEMENT FUND CREATED
11 IN SECTION 42-1-224, THE DEPARTMENT SHALL PROVIDE IMMEDIATE
12 ELECTRONIC ACCESS TO THE RECORDS MAINTAINED PURSUANT TO
13 PARAGRAPH (a) OF THIS SUBSECTION (8) TO A PEACE OFFICER WORKING
14 WITHIN THE COURSE AND SCOPE OF THE OFFICER'S OFFICIAL DUTIES.

15
16 (8) AN IDENTIFYING PLACARD ISSUED IN ANOTHER STATE OR
17 COUNTRY IS NOT VALID FOR MORE THAN NINETY DAYS AFTER THE HOLDER
18 BECOMES A RESIDENT OF COLORADO. A PERSON WHO APPLIES FOR AN
19 IDENTIFYING PLACARD IN COLORADO SHALL SURRENDER ANY CURRENTLY
20 HELD IDENTIFYING PLACARD ISSUED IN ANOTHER STATE OR COUNTRY.

21
22 **SECTION 3.** 42-4-1208, Colorado Revised Statutes, is amended
23 to read:

24
25 **42-4-1208. Parking privileges for persons with disabilities -**
26 **applicability -rules.** (1) As used in this section:

27
28 ~~(a) "License plate or placard" means a license plate or placard~~
29 ~~issued pursuant to section 42-3-204 (2) "DISABILITY" OR "DISABLED"~~
30 MEANS A PHYSICAL IMPAIRMENT THAT MEETS THE STANDARDS OF 23 CFR
31 1235, WHICH IMPAIRMENT IS VERIFIED, IN WRITING, BY A PROFESSIONAL.
32 TO BE VALID, THE VERIFYING PROFESSIONAL SHALL CERTIFY TO THE
33 DEPARTMENT THAT THE PERSON MEETS THE STANDARDS ESTABLISHED BY
34 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT.

35
36 ~~(b) "Person with a disability" has the meaning provided for such~~
37 ~~term in section 42-3-204 (1) "IDENTIFYING FIGURE" MEANS A FIGURE THAT~~
38 PROVIDES NOTICE THAT A PERSON IS AUTHORIZED TO USE A RESERVED
39 PARKING SPACE.

40
41 (c) "IDENTIFYING LICENSE PLATE" MEANS A LICENSE PLATE
42 BEARING AN IDENTIFYING FIGURE.

43
44 (d) "IDENTIFYING PLACARD" MEANS A PLACARD BEARING AN
45 IDENTIFYING FIGURE.

46
47 (e) "PROFESSIONAL" MEANS A PHYSICIAN LICENSED TO PRACTICE
48 MEDICINE OR PRACTICING MEDICINE PURSUANT TO SECTION 12-36-106 (3)
49 (i), C.R.S., A PODIATRIST LICENSED UNDER ARTICLE 32 OF TITLE 12,
50 C.R.S., OR AN ADVANCED PRACTICE NURSE REGISTERED PURSUANT TO
51 SECTION 12-38-111.5, C.R.S.

52
53 (f) "RESERVED PARKING SPACE" MEANS A PARKING SPACE
54 RESERVED FOR A PERSON WITH A DISABILITY.

55
56 (2) In a jurisdiction recognizing the privilege defined by this

- 1 subsection (2), a vehicle with a AN IDENTIFYING license plate or a placard
2 obtained pursuant to section 42-3-204 or as otherwise authorized by
3 subsection (4) of this section may be parked in public parking areas along
4 public streets regardless of any time limitation imposed upon parking in
5 such area; except that a jurisdiction shall not limit such a privilege to park
6 on any public street to less than four hours. The respective jurisdiction
7 shall clearly post the appropriate time limits in such area. Such privilege
8 need not apply to zones in which:
9
- 10 (a) Stopping, standing, or parking of all vehicles is prohibited;
11
12 (b) Only special vehicles may be parked;
13
14 (c) Parking is not allowed during specific periods of the day in
15 order to accommodate heavy traffic.
16
- 17 (3) (a) A person with a disability may park in a parking space
18 identified as being reserved for use by persons with disabilities whether
19 on public property or private property available for public use. A AN
20 IDENTIFYING license plate or placard obtained pursuant to section
21 42-3-204 or as otherwise authorized by subsection (4) of this section shall
22 be displayed IN ACCORDANCE WITH 23 CFR 1235 at all times on the
23 vehicle while parked in such space.
24
- 25 (b) The owner of private property available for public use may
26 request the installation of official signs identifying RESERVED parking
27 spaces. ~~reserved for use by persons with disabilities.~~ Such a request shall
28 be a waiver of any objection the owner may assert concerning
29 enforcement of this section by peace officers of any political subdivision
30 of this state, and ~~such~~ THE officers are hereby authorized and empowered
31 to ~~so~~ enforce this section, provisions of law to the contrary
32 notwithstanding. NO PERSON SHALL IMPOSE RESTRICTIONS ON THE USE OF
33 DISABLED PARKING UNLESS SPECIFICALLY AUTHORIZED BY A STATUTE,
34 RESOLUTION, OR ORDINANCE OF THE STATE OF COLORADO OR A POLITICAL
35 SUBDIVISION THEREOF AND NOTICE OF THE RESTRICTION IS PROMINENTLY
36 POSTED BY A SIGN CLEARLY VISIBLE AT THE PARKING SPACE.
37
- 38 (c) Each parking space reserved for use by persons with
39 disabilities whether on public property or private property shall be marked
40 with an official upright sign, which sign may be stationary or portable,
41 identifying such parking space as reserved for use by persons with
42 disabilities.
43
- 44 (4) Persons with disabilities from states other than Colorado shall
45 be allowed to use parking spaces for persons with disabilities in Colorado
46 so long as such persons have valid license plates or placards from their
47 home state that are also valid pursuant to 23 CFR ~~part~~ 1235.
48
- 49 (5) It is unlawful for any person other than a person with a
50 disability to park in a parking space on public or private property that is
51 clearly identified by an official sign as being reserved for use by persons
52 with disabilities unless:
53
- 54 (a) Such person is parking the vehicle for the direct benefit of a
55 person with a disability to enter or exit the vehicle while it is parked in the
56 RESERVED PARKING space; ~~reserved for use by persons with disabilities;~~

1 and

2
3 (b) ~~A~~ AN IDENTIFYING license plate or placard obtained pursuant
4 to section 42-3-204 or as otherwise authorized by subsection (4) of this
5 section is displayed in such vehicle.

6
7 (6) (a) ~~Any~~ A person who is ~~not a person with~~ DOES NOT HAVE a
8 disability and who exercises the privilege defined in subsection (2) of this
9 section or who violates the provisions of subsection (5) or subsection (10)
10 of this section commits a class B traffic infraction and ~~shall receive the~~
11 ~~maximum fine thereunder~~ PUNISHABLE BY A SURCHARGE OF THIRTY-TWO
12 DOLLARS PURSUANT TO SECTIONS 24-4.1-119 (1) (f) AND 24-4.2-104 (1)
13 (b) (I), C.R.S., AND A MINIMUM FINE OF THREE HUNDRED FIFTY DOLLARS,
14 NOT TO EXCEED ONE THOUSAND DOLLARS, FOR THE FIRST OFFENSE AND A
15 MINIMUM FINE OF SIX HUNDRED DOLLARS, NOT TO EXCEED ONE THOUSAND
16 DOLLARS, FOR A SECOND OFFENSE. A PERSON WHO VIOLATES THIS
17 SUBSECTION (6) THREE OR MORE TIMES COMMITS A MISDEMEANOR
18 PUNISHABLE BY A MINIMUM FINE OF ONE THOUSAND DOLLARS, NOT TO
19 EXCEED FIVE THOUSAND DOLLARS, AND NOT MORE THAN TEN HOURS OF
20 COMMUNITY SERVICE. ONE-HALF OF THE FINE SHALL BE TRANSFERRED TO
21 THE STATE TREASURER, WHO SHALL CREDIT THE FINE TO THE DISABLED
22 PARKING EDUCATION AND ENFORCEMENT FUND CREATED IN SECTION
23 42-1-224.

24
25 (b) ~~Any~~ A person who violates this subsection (6) by parking a
26 vehicle owned by a commercial carrier, as defined in section 42-1-102
27 (17), shall be subject to a fine of up to twice the ~~maximum penalty~~
28 ~~identified for a class B traffic infraction in section 42-4-1701 (3) (a) (f)~~
29 PENALTY IMPOSED IN PARAGRAPH (a) OF THIS SUBSECTION (6).

30
31 (7) ~~Any~~ A person who is ~~not a person with~~ DOES NOT HAVE a
32 disability and who uses a AN IDENTIFYING license plate or placard ~~issued~~
33 ~~pursuant to section 42-3-204~~ in order to receive the benefits or privileges
34 available to a person with a disability under this section commits a ~~class~~
35 ~~B traffic infraction and shall be subject to a fine of up to twice the~~
36 ~~maximum penalty identified for a class B traffic infraction in section~~
37 ~~42-4-1701 (3) (a) (f)~~ MISDEMEANOR PUNISHABLE BY A SURCHARGE OF
38 THIRTY-TWO DOLLARS PURSUANT TO SECTIONS 24-4.1-119 (1) (f) AND
39 24-4.2-104 (1) (b) (I), C.R.S., AND A MINIMUM FINE OF THREE HUNDRED
40 FIFTY DOLLARS, NOT TO EXCEED ONE THOUSAND DOLLARS, FOR THE FIRST
41 OFFENSE AND A MINIMUM FINE OF SIX HUNDRED DOLLARS, NOT TO EXCEED
42 ONE THOUSAND DOLLARS, FOR A SECOND OFFENSE. A PERSON WHO
43 VIOLATES THIS SUBSECTION (7) THREE OR MORE TIMES COMMITS A
44 MISDEMEANOR PUNISHABLE BY A MINIMUM FINE OF ONE THOUSAND
45 DOLLARS, NOT TO EXCEED FIVE THOUSAND DOLLARS, AND NOT MORE THAN
46 TEN HOURS OF COMMUNITY SERVICE. ONE-HALF OF THE FINE SHALL BE
47 TRANSFERRED TO THE STATE TREASURER, WHO SHALL CREDIT THE FINE TO
48 THE DISABLED PARKING EDUCATION AND ENFORCEMENT FUND CREATED
49 IN SECTION 42-1-224.

50
51 (8) (a) ~~Any law enforcement~~ A PEACE officer or authorized and
52 uniformed parking enforcement official may check the identification of
53 any person using a AN IDENTIFYING license plate or placard ~~for persons~~
54 ~~with disabilities~~ in order to determine whether such use is authorized.

55
56 (b) A PEACE OFFICER OR AUTHORIZED AND UNIFORMED PARKING

1 ENFORCEMENT OFFICIAL MAY CONFISCATE AN IDENTIFYING PLACARD THAT
2 IS BEING USED IN VIOLATION OF THIS SECTION. THE PEACE OFFICER SHALL
3 TRANSMIT THE PLACARD TO THE DEPARTMENT UNLESS IT IS BEING HELD
4 FOR PROSECUTION OF A VIOLATION OF THIS SECTION. THE DEPARTMENT
5 SHALL HOLD A CONFISCATED PLACARD FOR THIRTY DAYS AND MAY
6 DISPOSE OF THE PLACARD AFTER THIRTY DAYS. UPON THE PERSON WITH
7 A DISABILITY SIGNING A STATEMENT UNDER PENALTY OF PERJURY THAT HE
8 OR SHE WAS UNAWARE THAT THE VIOLATOR USED, OR INTENDED TO USE,
9 THE PLACARD IN VIOLATION OF THIS SECTION, THE DEPARTMENT SHALL
10 RELEASE THE PLACARD TO THE PERSON WITH A DISABILITY TO WHOM IT
11 WAS ISSUED.

12
13 (c) A PEACE OFFICER MAY INVESTIGATE AN ALLEGATION THAT A
14 PERSON IS VIOLATING THIS SECTION.

15
16 (9) Any state agency or division thereof that transports persons
17 with disabilities may obtain a AN IDENTIFYING placard for persons with
18 disabilities in the same manner provided in this section for any other
19 person. ~~In the event that such a~~ IF AN IDENTIFYING placard is used by any
20 employee of such state agency or division when not transporting persons
21 with disabilities, the executive director of such agency and the offending
22 employee shall be subject to a fine of one hundred FIFTY dollars. ~~The~~
23 ~~provisions of This subsection (9) shall apply~~ APPLIES to any corporation
24 or independent contractor as determined by rule of the department to be
25 eligible to transport persons with disabilities; except that the chief
26 executive officer or an equivalent of the corporation or independent
27 contractor and the offending employee ~~shall be~~ ARE subject to the fine.

28
29 (10) REGARDLESS OF WHETHER THE PERSON DISPLAYS AN
30 IDENTIFYING LICENSE PLATE OR PLACARD, it is unlawful for any person to
31 park a vehicle so as to block reasonable access to curb ramps, ~~or~~
32 passenger loading zones, OR ACCESSIBLE ROUTES, as identified in 28 CFR
33 part 36 (appendix A), that are clearly identified ~~and are adjacent to a~~
34 ~~parking space reserved for use by persons with disabilities~~ unless such
35 person is loading or unloading a person with a disability.

36
37 (11) (a) ~~Any~~ A person who knowingly and fraudulently obtains,
38 possesses, uses, or transfers a AN IDENTIFYING placard issued to a person
39 with a disability; ~~pursuant to section 42-3-204 or~~ WHO knowingly makes,
40 possesses, uses, or transfers what purports to be, but is not, a AN
41 IDENTIFYING placard; ~~issued to a person with a disability pursuant to~~
42 ~~section 42-3-204~~ OR WHO KNOWINGLY CREATES OR USES A DEVICE
43 INTENDED TO GIVE THE IMPRESSION THAT IT IS AN IDENTIFYING PLACARD
44 WHEN VIEWED FROM OUTSIDE THE VEHICLE is guilty of a misdemeanor and
45 is subject to the criminal and civil penalties provided under section
46 42-6-139 (3) and (4).

47
48 (b) ~~Any~~ A person who knowingly and willfully receives
49 remuneration for committing a misdemeanor pursuant to this subsection
50 (11) ~~shall be~~ IS subject to twice the civil and criminal ~~fine~~ PENALTIES that
51 would otherwise be imposed.

52
53 (12) (a) Certification of the entry of judgment for each violation
54 of subsection (6), (7), or (11) of this section shall be sent by the entering
55 court to the department.

56

1 ~~(b) Upon receipt of certification of a first or second entry of~~
2 ~~judgment for a violation of subsection (6), (7), or (11) of this section or~~
3 ~~upon independent verification of such a violation by the department, the~~
4 ~~department shall notify the person with a disability to whom the license~~
5 ~~plate or placard was issued that such license plate or placard will be~~
6 ~~revoked as provided in section 42-3-204 (2) (d) upon certification or~~
7 ~~independent verification of the third such entry of judgment.~~

8
9 (c) Upon receipt of certification of a ~~third~~ AN entry of judgment
10 for a violation of subsection (6), (7), or (11) of this section by any person,
11 the department shall withhold that person's vehicle registration until such
12 time as any fines imposed for the violations have been paid.

13
14 (d) Upon receipt of certification or independent verification of
15 ~~such third~~ AN entry of judgment, the department shall revoke said AN
16 IDENTIFYING license plate or placard as provided in section 42-3-204 (2)
17 (d).

18
19 ~~(e) This subsection (12) shall take effect July 1, 2000, and shall~~
20 ~~apply to any violations occurring on or after July 1, 2000.~~

21
22 (13) (a) For purposes of this subsection (13), "holder" means a
23 person with a disability as defined in section 42-3-204 ~~(1) (b)~~ who has
24 lawfully obtained a AN IDENTIFYING license plate or placard issued
25 pursuant to section 42-3-204 (2) or as otherwise authorized by subsection
26 (4) of this section.

27
28 (b) Notwithstanding any other provision of this section to the
29 contrary, a holder is liable for any penalty or fine as set forth in this
30 section or section 42-3-204 or for any misuse of a ~~disabled~~ AN
31 IDENTIFYING license plate or placard, including the use of such plate or
32 placard by any person other than a holder, unless the holder can furnish
33 sufficient evidence that the license plate or placard was, at the time of the
34 violation, in the care, custody, or control of another person without the
35 holder's knowledge or consent.

36
37 (c) A holder may avoid the liability described in paragraph (b) of
38 this subsection (13) if, within a reasonable time after notification of the
39 violation, the holder furnishes to the prosecutorial division of the
40 appropriate jurisdiction the name and address of the person who had the
41 care, custody, or control of ~~such~~ THE IDENTIFYING license plate or placard
42 at the time of the violation or the holder reports said license plate or
43 placard lost or stolen to both the appropriate local law enforcement
44 agency and the department.

45
46 (14) (a) A PERSON WHO OBSERVES A VIOLATION OF THIS SECTION
47 MAY SUBMIT EVIDENCE, ALONG WITH A SWORN STATEMENT OF A
48 VIOLATION OF THIS SECTION, TO ANY LAW ENFORCEMENT AGENCY.

49
50 (b) NO EMPLOYER SHALL FORBID AN EMPLOYEE FROM REPORTING
51 VIOLATIONS OF THIS SECTION. NO PERSON SHALL INITIATE OR ADMINISTER
52 ANY DISCIPLINARY ACTION AGAINST AN EMPLOYEE ON ACCOUNT OF THE
53 EMPLOYEE NOTIFYING THE AUTHORITIES OF A POSSIBLE VIOLATION OF THIS
54 SECTION IF THE EMPLOYEE HAS A GOOD FAITH BELIEF THAT A VIOLATION
55 HAS OCCURRED.

56

1 (c) NO LANDLORD SHALL RETALIATE AGAINST A TENANT ON
2 ACCOUNT OF THE TENANT NOTIFYING THE AUTHORITIES OF A POSSIBLE
3 VIOLATION OF THIS SECTION IF THE TENANT HAS A GOOD FAITH BELIEF
4 THAT A VIOLATION HAS OCCURRED.

5
6 (15) (a) NO PERSON, AFTER USING A RESERVED PARKING SPACE
7 THAT HAS A TIME LIMIT, SHALL SWITCH MOTOR VEHICLES OR MOVE THE
8 MOTOR VEHICLE TO ANOTHER RESERVED PARKING SPACE WITHIN ONE
9 HUNDRED YARDS OF THE ORIGINAL PARKING SPACE WITHIN THE SAME
10 EIGHT HOURS IN ORDER TO EXCEED THE TIME LIMIT.

11
12 (b) PARKING IN A TIME-LIMITED RESERVED PARKING SPACE FOR
13 MORE THAN THREE HOURS FOR AT LEAST THREE DAYS A WEEK FOR AT
14 LEAST TWO WEEKS SHALL CREATE A REBUTTABLE PRESUMPTION THAT THE
15 PERSON IS VIOLATING THIS SUBSECTION (15).

16
17 (c) THIS SUBSECTION (15) DOES NOT APPLY TO PRIVATELY OWNED
18 PARKING LOTS.

19
20 (d) A PERSON WHO VIOLATES THIS SUBSECTION (15) COMMITS A
21 CLASS B TRAFFIC INFRACTION. UPON CONVICTION OR THE PLEA OF GUILTY
22 OR NOLO CONTENDERE FOR A VIOLATION OF THIS SUBSECTION (16), THE
23 COURT SHALL SEND A CERTIFICATION OF THE ENTRY OF JUDGMENT TO THE
24 DEPARTMENT. UPON RECEIVING A CERTIFICATION OF ENTRY OF
25 JUDGMENT OR INDEPENDENT VERIFICATION, THE DEPARTMENT SHALL
26 REVOKE THE IDENTIFYING LICENSE PLATE OR PLACARD OF A PERSON WHO
27 VIOLATES THIS SUBSECTION (15) A SECOND OR SUBSEQUENT TIME
28 PURSUANT TO SECTION 42-3-204 (2).

29
30 (16) (a) NO PERSON SHALL USE PARKING PRIVILEGES OBTAINED BY
31 AN IDENTIFYING LICENSE PLATE OR PLACARD FOR A COMMERCIAL PURPOSE
32 UNLESS THE PURPOSE RELATES TO TRANSACTING BUSINESS WITH A
33 BUSINESS THE RESERVED PARKING SPACE IS INTENDED TO SERVE.

34
35 (b) A PERSON WHO VIOLATES THIS SUBSECTION (16) COMMITS A
36 CLASS B TRAFFIC INFRACTION. UPON CONVICTION OR THE PLEA OF GUILTY
37 OR NOLO CONTENDERE FOR A VIOLATION OF THIS SUBSECTION (16), THE
38 COURT SHALL SEND A CERTIFICATION OF THE ENTRY OF JUDGMENT TO THE
39 DEPARTMENT. UPON RECEIVING A CERTIFICATION OF ENTRY OF JUDGMENT
40 OR INDEPENDENT VERIFICATION, THE DEPARTMENT SHALL REVOKE THE
41 IDENTIFYING LICENSE PLATE OR PLACARD OF A PERSON WHO VIOLATES
42 THIS SUBSECTION (16) A SECOND OR SUBSEQUENT TIME PURSUANT TO
43 SECTION 42-3-204 (2).

44
45 (17) (a) A PEACE OFFICER MAY ISSUE A PENALTY ASSESSMENT
46 NOTICE FOR A VIOLATION OF THIS SECTION BY SENDING IT BY CERTIFIED
47 MAIL TO THE REGISTERED OWNER OF THE MOTOR VEHICLE. THE PEACE
48 OFFICER SHALL INCLUDE IN THE PENALTY ASSESSMENT NOTICE THE
49 OFFENSE OR INFRACTION, THE TIME AND PLACE WHERE IT OCCURRED, AND
50 A STATEMENT THAT THE PAYMENT OF THE PENALTY ASSESSMENT AND
51 SURCHARGE IS DUE WITHIN TWENTY DAYS FROM THE ISSUANCE OF THE
52 NOTICE. RECEIPT OF THE PAYMENT OF THE PENALTY ASSESSMENT
53 POSTMARKED BY THE TWENTIETH DAY AFTER THE RECEIPT OF THE
54 PENALTY ASSESSMENT NOTICE BY THE DEFENDANT IS RECEIPT ON OR
55 BEFORE THE DATE THE PAYMENT WAS DUE.

56

1 (b) IF THE PENALTY ASSESSMENT AND SURCHARGE ARE NOT PAID
2 WITHIN THE TWENTY DAYS FROM THE DATE OF MAILING OF THE NOTICE,
3 THE PEACE OFFICER WHO ISSUED THE ORIGINAL PENALTY ASSESSMENT
4 NOTICE SHALL FILE A COMPLAINT WITH A COURT HAVING JURISDICTION
5 AND ISSUE AND SERVE UPON THE REGISTERED OWNER OF THE VEHICLE A
6 SUMMONS TO APPEAR IN COURT AT THE TIME AND PLACE SPECIFIED
7 THEREIN.

8
9 **SECTION 4.** Part 12 of article 4 of title 42, Colorado Revised
10 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
11 read:

12
13 **42-4-1212. Pay parking access for disabled.** (1) UNLESS THE
14 METHOD OF REMUNERATION IS REASONABLY ACCESSIBLE TO A PERSON
15 WITH A DISABILITY AS DEFINED IN SECTION 42-3-204, NO PERSON WHO
16 OWNS, OPERATES, OR MANAGES A PARKING SPACE THAT REQUIRES
17 REMUNERATION SHALL TOW, BOOT, OR OTHERWISE TAKE ADVERSE ACTION
18 AGAINST A PERSON OR MOTOR VEHICLE PARKING IN SUCH SPACE FOR
19 FAILURE TO PAY THE REMUNERATION IF THE MOTOR VEHICLE BEARS A
20 PLACARD OR LICENSE PLATE BEARING AN IDENTIFYING FIGURE ISSUED
21 PURSUANT TO SECTION 42-3-204 OR A SIMILAR LAW IN ANOTHER STATE
22 THAT IS VALID UNDER 23 CFR 1235.

23
24 (2) NOTWITHSTANDING ANY STATUTE, RESOLUTION, OR
25 ORDINANCE OF THE STATE OF COLORADO OR A POLITICAL SUBDIVISION
26 THEREOF, PARKING IN A SPACE WITHOUT PAYING THE REQUIRED
27 REMUNERATION SHALL NOT BE DEEMED A VIOLATION OF SUCH STATUTE,
28 RESOLUTION, OR ORDINANCE IF:

29
30 (a) THE MOTOR VEHICLE BEARS A PLACARD OR LICENSE PLATE
31 BEARING THE IDENTIFYING FIGURE ISSUED PURSUANT TO SECTION 42-3-204
32 OR A SIMILAR LAW IN ANOTHER STATE THAT IS VALID UNDER 23 CFR 1235;
33 AND

34
35 (b) THE METHOD OF REMUNERATION IS NOT REASONABLY
36 ACCESSIBLE TO A PERSON WITH A DISABILITY AS DEFINED IN SECTION
37 42-3-204.

38
39 (3) A LAW ENFORCEMENT AGENCY SHALL WITHDRAW ANY
40 PENALTY ASSESSMENT NOTICE OR SUMMONS AND COMPLAINT THAT IS
41 DEEMED NOT TO BE A VIOLATION UNDER SUBSECTION (2) OF THIS SECTION.

42
43 (4) FOR THE PURPOSES OF THIS SECTION, "REASONABLY
44 ACCESSIBLE" MEANS MEETING THE STANDARDS OF 28 CFR 36 (APPENDIX
45 A) OR SUBSTANTIALLY SIMILAR STANDARDS.

46
47 **SECTION 5.** The introductory portion to 42-4-1701 (4) (a) (I)
48 and 42-4-1701 (4) (a) (I) (M), Colorado Revised Statutes, are amended
49 to read:

50
51 **42-4-1701. Traffic offenses and infractions classified -**
52 **penalties - penalty and surcharge schedule - repeal.** (4) (a) (I) Except
53 as provided in paragraph (c) of subsection (5) of this section, every
54 person who is convicted of, who admits liability for, or against whom a
55 judgment is entered for a violation of any provision of this title to which
56 ~~the provisions of~~ paragraph (a) or (b) of subsection (5) of this section

1 apply shall be fined or penalized, and have a surcharge levied thereon
 2 pursuant to sections 24-4.1-119 (1) (f) and 24-4.2-104 (1) (b) (I), C.R.S.,
 3 in accordance with the penalty and surcharge schedule set forth in
 4 sub-subparagraphs (A) to (P) of this subparagraph (I); or, if no penalty or
 5 surcharge is specified in the schedule, the penalty for class A and class B
 6 traffic infractions shall be fifteen dollars, and the surcharge shall be four
 7 dollars. These penalties and surcharges shall apply whether the defendant
 8 acknowledges the defendant's guilt or liability in accordance with the
 9 procedure set forth by paragraph (a) of subsection (5) of this section or is
 10 found guilty by a court of competent jurisdiction or has judgment entered
 11 against the defendant by a county court magistrate. Penalties and
 12 surcharges for violating specific sections shall be as follows:

Section Violated	Penalty	Surcharge
(M) Parking violations:		
42-4-1201	\$30.00	\$ 6.00
42-4-1202	30.00	6.00
42-4-1204	15.00	6.00
42-4-1205	15.00	6.00
42-4-1206	15.00	6.00
42-4-1207	15.00	6.00
42-4-1208 (6) or (9), (15), OR (16) 100.00	150.00	32.00

23
 24 **SECTION 6.** 24-72-204 (3) (a) (XII), Colorado Revised Statutes,
 25 is amended to read:

26
 27 **24-72-204. Allowance or denial of inspection - grounds -**
 28 **procedure - appeal - definitions.** (3) (a) The custodian shall deny the
 29 right of inspection of the following records, unless otherwise provided by
 30 law; except that any of the following records, other than letters of
 31 reference concerning employment, licensing, or issuance of permits, shall
 32 be available to the person in interest under this subsection (3):

33
 34 (XII) Any record indicating that a person has obtained
 35 ~~distinguishing~~ AN IDENTIFYING license plates PLATE or an identifying
 36 placard for persons with disabilities under section 42-3-204, C.R.S., or
 37 any other motor vehicle record that would reveal the presence of a
 38 disability;

39
 40 **SECTION 7.** 42-3-213 (5) (a) (II), Colorado Revised Statutes, is
 41 amended to read:

42
 43 **42-3-213. Special plates - military veterans - rules - retirement.**
 44 (5) **Disabled veterans.** (a) (II) In addition to THE requirements of
 45 subparagraph (I) of this paragraph (a), if the applicant demonstrates that
 46 he or she has a physical impairment affecting mobility under the
 47 standards provided in section 42-3-204 (1), then such special license plate
 48 shall have an additional identifying feature FIGURE, as determined by the
 49 department, to indicate that the owner of the vehicle is authorized to make
 50 use of parking privileges for persons with disabilities.

51
 52 **SECTION 8. Act subject to petition - effective date -**
 53 **applicability.** (1) This act shall take effect at 12:01 a.m. on the day
 54 following the expiration of the ninety-day period after final adjournment
 55 of the general assembly (August 11, 2010, if adjournment sine die is on
 56 May 12, 2010); except that, if a referendum petition is filed pursuant to

1 section 1 (3) of article V of the state constitution against this act or an
2 item, section, or part of this act within such period, then the act, item,
3 section, or part shall not take effect unless approved by the people at the
4 general election to be held in November 2010 and shall take effect on the
5 date of the official declaration of the vote thereon by the governor.

6
7 (2) The provisions of this act shall apply to offenses committed on
8 or after the applicable effective date of this act."

9
10
11 **HB10-1096** be amended as follows, and as so amended, be referred to
12 the Committee of the Whole with favorable
13 recommendation:
14

15 Amend printed bill, page 2, line 14, strike "WHO ARE NOT" and substitute
16 "IN ADDITION TO".
17

18 Page 2, line 15, after the period insert "SUCH INDIVIDUALS MAY BE
19 EMPLOYEES OF A COUNTY OR MUNICIPALITY AND SHALL SATISFACTORILY
20 COMPLETE FINGERPRINT AND BACKGROUND CHECKS."
21

22 Page 2, line 19, strike "TRAINING COURSE." and substitute "CERTIFICATION
23 NOT TO EXCEED TWENTY-FIVE DOLLARS."
24
25
26

27 **HB10-1101** be amended as follows, and as so amended, be referred to
28 the Committee on Appropriations with favorable
29 recommendation:
30

31 Amend printed bill, page 2, after line 1 insert:
32

33 **"SECTION 1. Repeal.** 42-3-304 (1) (b) (II), Colorado Revised
34 Statutes, is repealed as follows:
35

36 **42-3-304. Registration fees - passenger and passenger-mile**
37 **taxes - clean screen fund.** (1) (b) The following vehicles are exempt
38 from the motorist insurance identification fee:
39

40 ~~(II) Trucks and truck tractors that are owned by a farmer or~~
41 ~~rancher and whose only commercial uses are:~~
42

43 ~~(A) Transporting to market or place of storage raw agricultural~~
44 ~~products actually produced or livestock actually raised by such farmer or~~
45 ~~rancher; or~~
46

47 ~~(B) Transporting commodities and livestock purchased by such~~
48 ~~farmer or rancher for use by the farmer or rancher in farming or ranching~~
49 ~~operations."~~
50

51 Renumber succeeding sections accordingly.
52

53 Page 2, strike lines 10 and 11 and substitute "PRIMARILY FOR
54 AGRICULTURAL PRODUCTION ON A FARM OR RANCH OWNED OR LEASED BY
55 THE OWNER OF THE TRUCK AND THE LAND ON WHICH IT IS USED IS
56 CLASSIFIED AS AGRICULTURAL LAND FOR THE PURPOSES OF THE LEVYING

1 AND COLLECTION OF PROPERTY TAX PURSUANT TO SECTION 39-1-103,
2 C.R.S."

3
4 Page 2, strike lines 20 and 21 and substitute "PRIMARILY FOR
5 AGRICULTURAL PRODUCTION ON A FARM OR RANCH OWNED OR LEASED BY
6 THE OWNER OF THE TRUCK AND THE LAND ON WHICH IT IS USED IS
7 CLASSIFIED AS AGRICULTURAL LAND FOR THE PURPOSES OF THE LEVYING
8 AND COLLECTION OF PROPERTY TAX PURSUANT TO SECTION 39-1-103,
9 C.R.S."

10

11

12 **HB10-1147** be amended as follows, and as so amended, be referred to
13 the Committee of the Whole with favorable
14 recommendation:

15

16 Amend printed bill, page 6, line 6, strike "DEPARTMENTS".

17

18 Page 6, strike lines 7 through 16 and substitute:

19

20 "DEPARTMENT OF TRANSPORTATION, IN COLLABORATION WITH THE
21 DEPARTMENTS OF EDUCATION AND PUBLIC SAFETY AND APPROPRIATE
22 NONPROFIT ORGANIZATIONS AND ADVOCACY GROUPS, SHALL NOTIFY
23 SCHOOLS OF THE AVAILABILITY OF AND MAKE AVAILABLE TO SCHOOLS
24 EXISTING EDUCATIONAL CURRICULUM FOR INDIVIDUALS UNDER EIGHTEEN
25 YEARS OF AGE REGARDING THE SAFE USE OF PUBLIC STREETS AND
26 PREMISES OPEN TO THE PUBLIC BY USERS OF NONMOTORIZED WHEELED
27 TRANSPORTATION AND PEDESTRIANS. THE CURRICULUM SHALL FOCUS ON,
28 AT A MINIMUM, INSTRUCTION REGARDING:"

29

30 Page 6, line 22, strike "AND".

31

32 Page 6, line 23, strike "TRAILS." and substitute "TRAILS; AND

33

34 (h) SAFE PEDESTRIAN PRACTICES."

35

36 Page 8, strike lines 16 through 25 and substitute:

37

38 "(b) THE DEPARTMENT OF TRANSPORTATION, IN COLLABORATION
39 WITH THE DEPARTMENTS OF EDUCATION AND PUBLIC SAFETY AND
40 APPROPRIATE NONPROFIT ORGANIZATIONS AND ADVOCACY GROUPS, SHALL
41 DESIGN, DEVELOP, AND PRODUCE AN ELECTRONIC SAFETY INFORMATION
42 CARD THAT CAN BE MODIFIED TO MATCH LOCAL NEEDS, PRINTED AT THE
43 LOCAL LEVEL, AND PROVIDED PURSUANT TO PARAGRAPH (a) OF THIS
44 SUBSECTION (3) AND SHALL DEVELOP AND IMPLEMENT AN ELECTRONIC
45 SAFETY INFORMATION CARD DISTRIBUTION PLAN, INCLUDING THE POSTING
46 TO APPROPRIATE INTERNET WEB SITES OF THE ELECTRONIC SAFETY
47 INFORMATION CARDS. THE DIRECT AND INDIRECT COSTS OF PRODUCING
48 AND"

49

50 Page 9, line 1, after "ONLY." add "THE DISTRIBUTION OF HARD COPIES OF
51 SAFETY INFORMATION CARDS SHALL BE IMPLEMENTED THROUGH
52 COLLABORATION BETWEEN LOCAL LAW ENFORCEMENT AGENCIES AND
53 APPROPRIATE NONPROFIT ORGANIZATIONS AND ADVOCACY GROUPS AND
54 MAY BE SUPPORTED BY THE DEPARTMENTS OF TRANSPORTATION,
55 EDUCATION, AND PUBLIC SAFETY."

56

1 Page 9, line 14, after "VIOLATION." add "A PRIVATE OR PUBLIC
2 LANDOWNER OR LESSEE OF PREMISES OPEN TO THE PUBLIC SHALL HAVE NO
3 RESPONSIBILITY TO ENFORCE THIS SECTION. NEITHER SUCH A LANDOWNER
4 OR LESSEE NOR A LAW ENFORCEMENT OR PUBLIC SAFETY OFFICER NOR ANY
5 OTHER PERSON SHALL BE SUBJECT TO ANY LEGAL LIABILITY FOR NOT
6 ENFORCING THIS SECTION.".

7
8 Page 1, line 105, strike "DEPARTMENTS OF".
9

10 Page 1, strike lines 106 through 108 and substitute "DEPARTMENT OF
11 TRANSPORTATION, IN COLLABORATION WITH THE DEPARTMENTS OF
12 EDUCATION AND PUBLIC SAFETY AND APPROPRIATE NONPROFIT
13 ORGANIZATIONS AND ADVOCACY GROUPS, TO NOTIFY SCHOOLS OF THE
14 AVAILABILITY OF AND MAKE".
15

16 Page 1, line 109, strike "A COMPREHENSIVE" and substitute "EXISTING".
17

18 PRINTING REPORT

19
20
21 The Chief Clerk reports the following bills have been correctly printed:
22 **HB10-1352, 1353.**
23

24 SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

25
26
27 The Speaker has signed: **HB10-1046.**
28

29 DELIVERY OF BILLS TO GOVERNOR

30
31
32 The Chief Clerk of the House of Representatives reports the following
33 bills have been delivered to the Office of the Governor: **HB10-1189,**
34 **1190, 1191, 1193, 1194, 1195, 1196, 1199** at 2:21 p.m. on
35 February 23, 2010.
36

37 LAY OVER OF CALENDAR ITEM(S)

38
39
40 On motion of Representative Weissmann, the following item(s) on the
41 Calendar (was)were laid over until February 25, retaining place on
42 Calendar:
43

44 Consideration of Resolution(s)--**SJR10-004, 013.**
45

46
47
48 On motion of Representative Weissmann, the House adjourned until
49 9:00 a.m., February 25, 2010.
50

51 Approved:
52 TERRANCE D. CARROLL,
53 Speaker

54 Attest:
55 MARILYN EDDINS,
56 Chief Clerk

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

Forty-fourth Legislative Day

Thursday, February 25, 2010

- 1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Megan Genoshe, Evangelical Christian
6 Academy, Colorado Springs.
7
8 The roll was called with the following result:
9
10 Present--63.
11 Excused--Representative(s) Casso, Ferrandino--2.
12 Present after roll call--Representative(s) Ferrandino.
13

14 The Speaker declared a quorum present.
15
16

17 On motion of Representative Gerou, the reading of the journal of
18 February 24, 2010, was declared dispensed with and approved as
19 corrected by the Chief Clerk.
20
21

THIRD READING OF BILL(S)--FINAL PASSAGE

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

28 **HB10-1122** by Representative(s) Roberts and Merrifield, Gagliardi,
29 Kefalas, Tyler; also Senator(s) Williams, Morse--
30 Concerning medical orders determining the scope of
31 treatment an adult wishes to receive under certain
32 circumstances.
33

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

	YES	62	NO	1	EXCUSED	2	ABSENT	0
40	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
41	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
42	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
43	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y

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

14 Co-sponsor(s) added: Representative(s) Apuan, Curry, Fischer, Gardner B.,
 15 Gerou, Kerr J., Labuda, Pace, Primavera, Priola, Rice, Riesberg, Schafer S.,
 16 Solano, Summers, Todd, Weissmann.

17
 18 **HB10-1275** by Representative(s) Baumgardner; also Senator(s)
 19 Newell--Concerning a requirement that the location of a
 20 private burial be recorded.

21
 22 The question being "Shall the bill pass?".

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

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

45 Co-sponsor(s) added: Representative(s) Acree, Labuda, Ryden, Schafer S.,
 46 Todd.

47
 48 **HB10-1026** by Representative(s) Solano and Benefield, Massey,
 49 Peniston; also Senator(s) Hodge and Hudak, Steadman,
 50 Williams--Concerning the creation of the Colorado quality
 51 in child care incentive grant program.

52
 53 The question being "Shall the bill pass?".

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

	YES	44	NO	19	EXCUSED	2	ABSENT	0
1								
2	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
7	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	E	Kerr J.	N	Murray	N	Stephens	Y
9	Court	Y	King S.	N	Nikkel	N	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
11	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
12	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	N
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	N	May	N	Riesberg	Y	Waller	N
17	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Acree, Apuan, Court, Fischer, Kefalas,
 20 Kerr A., Labuda, Levy, Merrifield, Middleton, Pommer, Primavera, Rice,
 21 Ryden, Scanlan, Schafer S., Todd, Vigil.

22
 23 **HB10-1114** by Representative(s) Liston; also Senator(s) Johnston--
 24 Concerning the registration of agents of persons in the
 25 business of transmitting money, and making an
 26 appropriation therefor.

27
 28 The question being "Shall the bill pass?".
 29 A roll call vote was taken. As shown by the following recorded vote, a
 30 majority of those elected to the House voted in the affirmative and the bill
 31 was declared **passed**.

	YES	59	NO	4	EXCUSED	2	ABSENT	0
33								
34	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
35	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
36	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
37	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
38	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
39	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
40	Casso	E	Kerr J.	N	Murray	Y	Stephens	Y
41	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
42	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
43	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
44	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
45	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
46	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
47	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
48	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
49	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Labuda, Merrifield, Middleton,
 52 Primavera, Scanlan.

53
 54 **HB10-1148** by Representative(s) Gerou, Balmer, Frangas, Levy,
 55 Liston, McNulty, Schafer S., Todd, Benefield, Casso,
 56 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?".

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

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

Co-sponsor(s) added: Representative(s) Apuan, Murray.

HB10-1213 by Representative(s) Acree, Roberts; also Senator(s) Keller--Concerning the elimination of an individualized plan for a person with developmental disabilities who is on the waiting list for services.

The question being "Shall the bill pass?".

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

YES	62	NO	1	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Labuda, Lambert,
5 Massey, Primavera, Riesberg, Ryden, Schafer S., Soper, Summers, Todd, Tyler.

6
7 **HB10-1229** by Representative(s) Pace, Riesberg; also Senator(s)
8 Newell--Concerning authentication requirements for
9 verbal orders in a hospital.

10
11 The question being "Shall the bill pass?".

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

15	YES	62	NO	1	EXCUSED	2	ABSENT	0
17	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
18	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
19	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
20	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
21	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
22	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
23	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
24	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
25	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
26	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
27	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
28	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
29	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
30	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
31	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
32	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Frangas, Gerou,
35 Kefalas, Labuda, Lambert, Massey, Pommer, Primavera, Ryden, Schafer S.,
36 Soper, Summers, Todd, Tyler, Vigil.

37
38 **HB10-1255** by Representative(s) Kefalas and Acree, Gagliardi, Gerou,
39 Kerr J., Primavera, Riesberg, Roberts, Tyler; also
40 Senator(s) Steadman--Concerning extending the repeal
41 date for the Colorado commission for the deaf and hard of
42 hearing.

43
44 The question being "Shall the bill pass?".

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

49	YES	63	NO	0	EXCUSED	2	ABSENT	0
50	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
55	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y

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

11 Co-sponsor(s) added: Representative(s) Labuda, Looper, Massey, McFadyen,
12 Middleton, Summers.

13
14 **HB10-1105** by Representative(s) Roberts; also Senator(s) Steadman--
15 Concerning clarification of provisions in the "Colorado
16 probate code" concerning compensation of certain parties.
17

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

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

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

41 Co-sponsor(s) added: Representative(s) Bradford, Gardner B., Gerou, Kerr J.,
42 King S., Looper, Massey, Pommer, Priola, Schafer S., Vigil.
43
44

45 46 **CONSIDERATION OF RESOLUTION(S)**

47
48 **SJR10-013** by Senator(s) Heath, Bacon, Hudak, King K., Newell,
49 Romer, Spence, Steadman, Williams; also
50 Representative(s) Miklosi and Summers, Court, Todd,
51 Benefield, Massey, Merrifield, Middleton, Murray,
52 Peniston, Scanlan, Schafer S., Solano, Tipton--Concerning
53 recognition of career and technical education month.
54

55 (Printed and placed in members' file.)
56

1 On motion of Representative Miklosi, the resolution was **adopted by viva**
2 **voce** vote.

3
4 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
5 Balmer, Baumgardner, Bradford, Curry, DelGrosso, Fischer, Frangas, Gagliardi,
6 Gardner B., Gardner C., Gerou, Hullinghorst, Judd, Kagan, Kefalas, Kerr A.,
7 Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, May, McCann,
8 McFadyen, McKinley, McNulty, Nikkel, Pace, Pommer, Primavera, Priola,
9 Rice, Riesberg, Roberts, Ryden, Sonnenberg, Soper, Stephens, Swalm, Tyler,
10 Vaad, Vigil, Waller, Weissmann, Speaker

11
12
13
14 On motion of Representative Soper, the House resolved itself into
15 Committee of the Whole for consideration of General Orders, and he was
16 called to the Chair to act as Chairman.

17
18
19
20 **GENERAL ORDERS--SECOND READING OF BILLS**

21
22 The Committee of the Whole having risen, the Chairman reported the
23 titles of the following bills had been read (reading at length had been
24 dispensed with by unanimous consent), the bills considered and action
25 taken thereon as follows:

26
27 (Amendments to the committee amendment are to the printed committee
28 report which was printed and placed in the members' bill file.)

29
30 **HB10-1109** by Representative(s) McCann; also Senator(s) Mitchell--
31 Concerning the availability of workers' compensation to
32 jail inmates who are working for a program that has been
33 certified by the federal prison industry enhancement
34 certification program.

35
36 Amendment No. 1, Judiciary Report, dated February 18, 2010, and placed
37 in member's bill file; Report also printed in House Journal, February 19,
38 page 455.

39
40 As amended, ordered engrossed and placed on the Calendar for Third
41 Reading and Final Passage.

42
43 **HB10-1180** by Representative(s) Massey, Gerou, Rice; also Senator(s)
44 Gibbs and Spence--Concerning the criteria to qualify for
45 a performance-based incentive for film production
46 activities in Colorado.

47
48 Amendment No. 1, Finance Report, dated February 19, 2010, and placed
49 in member's bill file; Report also printed in House Journal, February 23,
50 page 500.

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

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56

1 **HB10-1216** by Representative(s) Riesberg--Concerning the
2 administration of medications by health care providers.
3

4 Amendment No. 1, Health & Human Services Report, dated
5 February 22, 2010, and placed in member's bill file; Report also printed
6 in House Journal, February 23, page 500.
7

8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.
10

11 **HB10-1224** by Representative(s) Gerou and Gagliardi, Primavera,
12 Riesberg, Tyler; also Senator(s) Boyd--Concerning the
13 continuation of the Colorado podiatry board.
14

15 Amendment No. 1, Health & Human Services Report, dated
16 February 22, 2010, and placed in member's bill file; Report also printed
17 in House Journal, February 23, pages 500-501.
18

19 Amendment No. 2, by Representative(s) Gagliardi.
20

21 Amend printed bill, page 15, line 27, after the second "of" insert "WITHIN
22 THIRTY DAYS OF THE RECEIPT OF THE COMPLAINT OR INITIATION OF THE
23 COMPLAINT BY THE COLORADO PODIATRY BOARD".
24

25 As amended, ordered engrossed and placed on the Calendar for Third
26 Reading and Final Passage.
27

28 **HB10-1226** by Representative(s) Kefalas; also Senator(s) Spence--
29 Concerning an alternative approach for a county
30 department of social services to use in addressing certain
31 intrafamilial child abuse or neglect cases.
32

33 Amendment No. 1, Health & Human Services Report, dated
34 February 22, 2010, and placed in member's bill file; Report also printed
35 in House Journal, February 23, page 501.
36

37 As amended, ordered engrossed and placed on the Calendar for Third
38 Reading and Final Passage.
39

40 **HB10-1123** by Representative(s) Sonnenberg; also Senator(s) Renfro--
41 Concerning controlled agricultural burns in arson cases.
42

43 Amendment No. 1, Judiciary Report, dated February 22, 2010, and placed
44 in member's bill file; Report also printed in House Journal, February 23,
45 page 503.
46

47 As amended, ordered engrossed and placed on the Calendar for Third
48 Reading and Final Passage.
49

50 **HB10-1232** by Representative(s) Baumgardner; also Senator(s)
51 King K.--Concerning school vehicles.
52

53 Amendment No. 1, Education Report, dated February 22, 2010, and
54 placed in member's bill file; Report also printed in House Journal,
55 February 23, page 499.
56

Amendment No. 2, by Representative(s) Rice.

Amend printed bill, page 5, after line 27 insert:

"SECTION 6. 22-32-110 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

22-32-110. Board of education - specific powers. (1) In addition to any other power granted to a board of education of a school district by law, each board of education of a school district shall have the following specific powers, to be exercised in its judgment:

(nn) TO ENCOURAGE SCHOOL DISTRICTS TO ADOPT POLICIES REGARDING A LIMIT ON THE NUMBER OF PASSENGERS PER SEAT ON A SCHOOL VEHICLE SO AS TO ENSURE THAT THOSE SEATED ON ANY SEAT ON THE VEHICLE FIT ENTIRELY ON THE SEAT."

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

On motion of Representative Weissmann, the remainder of the General Orders Calendar (**HB10-1201, 1271**) was laid over until February 26, retaining place on Calendar.

AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT

Representative Gardner B. moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting the following Gardner B. amendment, to HB10-1109, to show that said amendment passed, and that **HB10-1109**, as amended, passed.

Amend printed bill, page 3, line 3, after "CARRY" insert "AND BEAR THE COSTS OF".

Page 3, line 4, after the period insert "IN NO EVENT SHALL ANY TAX REVENUES COLLECTED BY ANY GOVERNMENTAL ENTITY BE USED TO OBTAIN OR CARRY WORKERS' COMPENSATION INSURANCE FOR A PROGRAM CERTIFIED BY THE PRISON INDUSTRY ENHANCEMENT CERTIFICATION PROGRAM."

The amendment was declared **lost** by the following roll call vote:

	YES	30	NO	32	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	N	Ryden	N	
Apuan	N	Hullinghorst	N	McKinley	Y	Scanlan	N	
Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N	
Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N	
Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y	
Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N	
Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y	
Court	N	King S.	Y	Nikkel	Y	Summers	Y	
Curry	Y	Labuda	N	Pace	N	Swalm	Y	
DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y	
Ferrandino	E	Levy	N	Pommer	N	Todd	N	

Fischer	N	Liston	Y	Primavera	N	Tyler	N
Frangas	N	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	N	Massey	Y	Rice	E	Vigil	N
Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	Y
						Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1109 amended, 1180 amended, 1216 amended, 1224 amended, 1226 amended, 1123 amended, 1232 amended.**

Laid over until date indicated retaining place on Calendar: **HB10-1201, 1271--February 26, 2010.**

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

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

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

HB10-1221 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1
2 Amend printed bill, page 4, line 22, after the period add "THE BOARD
3 SHALL ADOPT RULES REGARDING: NOTIFICATION TO OUTFITTERS OF
4 INSPECTIONS AT LEAST SEVENTY-TWO HOURS IN ADVANCE OF THE
5 INSPECTIONS, EXCEPT IN CASES OF EMERGENCY OR OTHER SITUATIONS
6 NECESSITATING AN INSPECTION WITH SHORTER ADVANCE NOTICE OR NO
7 NOTICE; NOTIFICATION TO OUTFITTERS OF CERTAIN DIVISION PERSONNEL
8 CHANGES WITHIN TEN DAYS OF THE CHANGE; AND SAFETY TRAINING
9 STANDARDS AND CUSTOMER AND OUTFITTER INTERACTION TRAINING
10 STANDARDS FOR DIVISION RANGERS WHO OVERSEE REGULATED TRIPS."

11
12 Page 7, line 10, strike "MAY" and substitute "SHALL REVIEW AND".

13
14 Page 7, line 11, add a period after "33-32-103".

15
16 Page 7, strike lines 12 through 17.

17
18
19
20 **HB10-1250** be referred favorably to the Committee on Appropriations.

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25 **BUSINESS AFFAIRS & LABOR**
26 After consideration on the merits, the Committee recommends the
27 following:

28
29 **HB10-1241** be amended as follows, and as so amended, be referred to
30 the Committee on Appropriations with favorable
31 recommendation:

32
33 Amend printed bill, page 2, line 10, strike "24-33.5-1202," and substitute
34 "24-33.5-1202 (6),".

35
36 Page 2, line 11, strike "amended" and substitute "amended, and the said
37 24-33.5-1202 is further amended".

38
39 Page 2, line 12, insert a comma after "SUBSECTIONS".

40
41 Page 2, after line 14 insert:

42
43 "(6) "Fire suppression system" means an assembly of any or all of
44 the following: Piping valves, conduits, dispersal openings, sprinkler
45 heads, orifices, and other similar devices that convey extinguishing agents
46 for the purpose of controlling, confining, or extinguishing fire, with the
47 exception of MULTIPURPOSE RESIDENTIAL FIRE SPRINKLER SYSTEMS IN
48 ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES THAT ARE PART OF
49 THE POTABLE WATER SUPPLY, pre-engineered range hoods, duct systems,
50 and portable fire extinguishers."

51
52 Page 3, line 26, strike "BY THE".

53
54 Page 3, line 27, strike "ADVISORY BOARD".

55
56 Page 4, after line 13 insert:

1 "(4) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (3) OF
2 THIS SECTION, A PERSON WHO IS ENROLLED IN A SPRINKLER FITTER
3 APPRENTICESHIP PROGRAM MAY PERFORM WORK ON A FIRE SUPPRESSION
4 SYSTEM UNDER THE DIRECT SUPERVISION OF AND IN THE IMMEDIATE
5 PRESENCE OF A SPRINKLER FITTER."

6
7 Renumber succeeding subsections accordingly.

8
9 Page 4, after line 26 insert:

10
11 "**SECTION 4.** The introductory portion to 12-58-102 (5) (a) and
12 12-58-102 (5) (a), Colorado Revised Statutes, are amended to read:

13
14 **12-58-102. Definitions.** As used in this article, unless the context
15 otherwise requires:

16
17 (5)(a) "Plumbing" includes the following items located within the
18 building or extending five feet from the building foundation, excluding
19 any service line extending from the first joint to the property line: All
20 potable water supply and distribution pipes and piping; all plumbing
21 fixtures and traps; all drainage and vent pipes; all building drains,
22 including their respective joints and connections, devices, receptacles,
23 and appurtenances; ALL MULTIPURPOSE RESIDENTIAL FIRE SPRINKLER
24 SYSTEMS IN ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES THAT
25 ARE PART OF THE POTABLE WATER SUPPLY; and all medical gas and
26 vacuum systems in health care facilities. "Plumbing" does not include:

27
28 (I) The installation, extension, alteration, or maintenance,
29 including the related water piping and the indirect waste piping
30 therefrom, of domestic appliances equipped with backflow preventers,
31 including lawn sprinkling systems, residential ice makers, humidifiers,
32 electrostatic filter washers, water heating appliances, water conditioning
33 appliances not directly connected to the sanitary sewer system, building
34 heating appliances and systems, fire protection systems EXCEPT FOR
35 MULTI-PURPOSE RESIDENTIAL FIRE SPRINKLER SYSTEMS IN ONE- AND
36 TWO-FAMILY DWELLINGS AND TOWNHOUSES THAT ARE PART OF THE
37 POTABLE WATER SUPPLY, air conditioning installations, process and
38 industrial equipment and piping systems, or indirect drainage systems not
39 a part of a sanitary sewer system; or".

40
41 Renumber succeeding section accordingly.

42
43
44
45 **HB10-1333** be amended as follows, and as so amended, be referred to
46 the Committee of the Whole with favorable
47 recommendation:

48
49 Amend printed bill, page 3, line 11, strike "OR".

50
51 Page 3, after line 11 insert:

52
53 "(f) YOUTH CORPS; OR".

54
55 Reletter succeeding paragraph accordingly.

56

1 Page 3, line 14, after "JOBS" insert "COLORADO".

2
3 Page 3, line 21, strike "OR".

4
5 Page 3, after line 21 insert:

6
7 "(b) THE COLORADO YOUTH CORPS, THE COLORADO YOUTH CORPS
8 ASSOCIATION, OR THEIR SUCCESSORS; OR".

9
10 Reletter succeeding paragraph accordingly.

11
12 Page 4, strike line 3 and substitute:

13
14 "(2) THE COUNCIL SHALL CONSIST OF TEN MEMBERS, SEVEN OF
15 WHOM".

16
17 Page 4, line 7, after "COLLEGE," insert "A CLEAN TECHNOLOGY INDUSTRY
18 ASSOCIATION,".

19
20 Page 4, strike lines 12 and 13 and substitute "OFFICE OF ECONOMIC
21 DEVELOPMENT, AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
22 LABOR AND EMPLOYMENT.".

23
24 Page 6, line 24, strike "TRAINING." and substitute "TRAINING;

25
26 (IV) EMPLOYMENT AND TRAINING PROGRAMS THAT ARE
27 ACCREDITED BY THE COLORADO YOUTH CORPS ASSOCIATION OR ITS
28 SUCCESSOR SUCH AS THE COLORADO YOUTH CORPS.".

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FINANCE

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

HB10-1186 be postponed indefinitely.

HB10-1220 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 9, strike lines 25 through 27.

Page 10, strike lines 1 through 10.

Renumber succeeding sections accordingly.

HB10-1280 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 3, line 24, after "(2)" insert "(a)".

1 Page 4, after line 10 insert:

2
3 "(b) IN NO EVENT SHALL A TAXPAYER CLAIMING A NONPROFIT JOB
4 CREATION INCENTIVE TAX CREDIT AS ALLOWED IN PARAGRAPH (a) OF THIS
5 SUBSECTION (2) CLAIM ANY OTHER TAX CREDIT OR EXEMPTION FOR THE
6 SAME DONATION."
7

8 Page 8, line 20, after "(9)" insert "(a)".

9
10 Page 8, after line 23 insert:

11
12 "(b) THE DEPARTMENT SHALL ADMINISTER THE NONPROFIT JOB
13 CREATION INCENTIVE TAX CREDIT SPECIFIED IN THIS SECTION IN THE SAME
14 MANNER AS IT ADMINISTERS OTHER SIMILAR INCOME TAX CREDITS."
15

16
17
18 **HB10-1295** be postponed indefinitely.

19
20
21 **HB10-1329** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:
24

25 Amend printed bill, page 3, line 1, strike "AND" and substitute "OR" and
26 strike "THE" and substitute "JULY 1, 2010,".
27

28 Page 3, strike line 2.

29
30 Page 3, line 3, strike "TO THIS SECTION," and strike "IMPOSE" and
31 substitute "PROMULGATE RULES THAT ESTABLISH".
32

33 Page 6, after line 21 insert:

34
35 "SECTION 5. 30-20-115, Colorado Revised Statutes, is amended
36 to read:
37

38 **30-20-115. Solid wastes disposal site and facility fund - tax -**
39 **fees.** (1) Any governing body having jurisdiction is authorized to
40 establish a solid wastes disposal site and facility fund. The governing
41 body having jurisdiction may levy a solid wastes disposal site and facility
42 tax, in addition to any other tax authorized by law, on the taxable property
43 within ~~such~~ A county or municipality, the proceeds of which shall be
44 deposited to the credit of said fund and appropriated to pay the cost of
45 land, labor, equipment, and services needed in the operation of solid
46 wastes disposal sites and facilities and for any other solid wastes
47 management purpose in or on behalf of that county or municipality. Any
48 governing body having jurisdiction is also authorized, after a public
49 hearing, to fix, modify, and collect service charges from users of solid
50 wastes disposal sites and facilities or transfer stations for the purpose of
51 financing solid wastes management in that county or municipality. In the
52 event that a countywide solid waste disposal site and facility tax has been
53 imposed with the consent of a majority of the voters in the county, that
54 tax may continue to be collected countywide and may accrue to the
55 county's solid waste disposal site and facility fund, notwithstanding any
56 subsequent taxes as may be levied by any municipalities within the county

1 under this section.

2
3 (2) (a) NOTHING IN SUBSECTION (1) OF THIS SECTION SHALL BE
4 CONSTRUED TO AUTHORIZE ANY GOVERNING BODY HAVING JURISDICTION
5 TO COLLECT SERVICE CHARGES FROM USERS OF ANY PRIVATELY OWNED OR
6 OPERATED SITE AND FACILITY THAT IS FOR THE PRIMARY PURPOSE OF
7 PROCESSING, RECLAIMING, OR RECYCLING:

8
9 (I) RECYCLABLE MATERIALS;

10
11 (II) EXCLUDED SCRAP METAL;

12
13 (III) AUTO PARTS; OR

14
15 (IV) SCRAP THAT IS COMPOSED OF WORN OUT METAL OR A METAL
16 PRODUCT THAT HAS OUTLIVED ITS ORIGINAL USE, COMMONLY REFERRED
17 TO AS OBSOLETE SCRAP.

18
19 (b) NOTHING IN THIS SUBSECTION (2) SHALL BE CONSTRUED TO
20 PROHIBIT ANY GOVERNING BODY HAVING JURISDICTION FROM LEVYING OR
21 COLLECTING SERVICE CHARGES FROM USERS OF A SOLID WASTES DISPOSAL
22 SITE AND FACILITY AT WHICH RECYCLING OCCURS."

23
24 Renumber succeeding section accordingly.

25

26

27

28
29 **STATE, VETERANS, & MILITARY AFFAIRS**

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

32

33 **HB10-1228** be amended as follows, and as so amended, be referred to
34 the Committee on Appropriations with favorable
35 recommendation:

36

37 Amend printed bill, page 2, line 5, strike "DUE TO THE".

38

39 Page 2, line 6, strike "AGE OF THE DEPENDENT," and substitute "BECAUSE
40 THE DEPENDENT TURNED TWENTY-FIVE YEARS OLD,".

41

42 Page 2, line 8, strike "CEASES TO MEET ELIGIBILITY REQUIREMENTS." and
43 substitute "TURNED TWENTY-FIVE YEARS OLD.".

44

45

46

47 **HB10-1264** be amended as follows, and as so amended, be referred to
48 the Committee on Appropriations with favorable
49 recommendation:

50

51 Amend printed bill, page 6, line 13, strike "SECTION." and substitute
52 "SECTION, EXCEPT THAT THE IDENTITY OF THE EMPLOYEE MAY BE MADE
53 KNOWN TO THE EXECUTIVE DIRECTOR, OR HIS OR HER DESIGNEE, FOR
54 PURPOSES OF OBTAINING REASONABLY NECESSARY ADDITIONAL
55 INFORMATION RELATED TO THE IDEA APPLICATION.".

56

- 1 Page 6, line 14, strike "DIRECTOR" and substitute "DIRECTOR, OR HIS OR
2 HER DESIGNEE,".
3
- 4 Page 6, line 17, strike "DIRECTOR" and substitute "DIRECTOR, OR HIS OR
5 HER DESIGNEE,".
6
- 7 Page 6, line 20, strike "DIRECTOR" and substitute "DIRECTOR, OR HIS OR
8 HER DESIGNEE,".
9
- 10 Page 6, line 22, strike "DIRECTOR" and substitute "DIRECTOR, OR HIS OR
11 HER DESIGNEE,".
12
- 13 Page 7, line 2, strike "DIRECTOR" and substitute "DIRECTOR, OR HIS OR
14 HER DESIGNEE,".
15
- 16 Page 7, line 4, strike "ONCE THE LEGISLATIVE AUDIT".
17
- 18 Page 7, strike lines 5 and 6.
19
- 20 Page 7, line 7, strike "SUBSECTION (4) OF THIS SECTION, THE" and
21 substitute "THE".
22
- 23 Page 7, line 19, strike "DIRECTOR" and substitute "DIRECTOR, OR HIS OR
24 HER DESIGNEE,".
25
- 26 Page 8, strike lines 5 through 9 and substitute:
27
- 28 "(2) COMMENCING ON OR AFTER OCTOBER 1, 2010, ALL STATE
29 AGENCIES SHALL ADVERTISE THAT THE IDEA APPLICATION IS AVAILABLE
30 ON THE DEPARTMENT OF PERSONNEL'S WEB SITE ON ANY TYPE OF
31 ELECTRONIC PAYROLL STATEMENTS ISSUED TO EMPLOYEES AND IN ANY
32 ELECTRONIC BROADCAST COMMUNICATION MADE TO EMPLOYEES, SO LONG
33 AS THE ADVERTISEMENT FOR THE IDEA APPLICATION OCCURS AT LEAST
34 MONTHLY.".
35
- 36 Page 8, line 10, strike "PAYROLL".
37
- 38 Page 8, line 13, before "SUBPARAGRAPH (I)" insert "SUB-SUBPARAGRAPH
39 (A) OF".
40
- 41 Page 8, line 16, strike "DIRECTOR," and substitute "DIRECTOR, OR HIS OR
42 HER DESIGNEE,".
43
- 44 Page 8, line 26, strike "EXECUTIVE DIRECTOR'S".
45
- 46 Page 9, line 11, strike "(d) THE" and substitute "(d) (I) EXCEPT AS
47 PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (d), THE".
48
- 49 Page 9, line 15, strike "(I)" and substitute "(A)".
50
- 51 Page 9, line 18, strike "(II)" and substitute "(B)".
52
- 53 Page 9, line 21, strike "(III)" and substitute "(C)".
54
- 55 Page 9, line 22, strike "SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH
56 (d)" and substitute "SUB-SUBPARAGRAPHS (A) AND (B) OF THIS

1 SUBPARAGRAPH (I)".

2

3 Page 9, after line 23 insert:

4

5 "(II) IF THE SAVINGS REALIZED RESULT IN SAVINGS OF FEDERAL
6 MONEYS, THE FEDERAL MONEYS SAVED SHALL NOT BE DISTRIBUTED AS
7 SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (d) BUT SHALL
8 EITHER BE USED FOR A REALLOCATION OF MONEYS WITHIN A DEPARTMENT
9 OR SHALL REVERT, DEPENDING ON THE USE SPECIFIED FOR THOSE
10 PARTICULAR FEDERAL MONEYS."

11

12 Page 9, line 25, strike "SUBPARAGRAPH (II)" and substitute
13 "SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I)".

14

15 Page 10, line 7, after "IN" insert "SUBPARAGRAPH (I) OF".

16

17 Page 10, line 13, strike "SUBPARAGRAPH (III)" and substitute
18 "SUB-SUBPARAGRAPH (C) OF SUBPARAGRAPH (I)".

19

20

21

22 **HB10-1268** be amended as follows, and as so amended, be referred to
23 the Committee on Appropriations with favorable
24 recommendation:

25

26 Amend printed bill, page 2, line 9, strike "THE" and substitute "EFFECTIVE
27 NO LATER THAN JANUARY 1, 2012, THE".

28

29

30

31 **HB10-1287** be amended as follows, and as so amended, be referred to
32 the Committee on Finance with favorable
33 recommendation:

34

35 Amend printed bill, page 2, line 2, after "24-30-1113" insert "(2) and" and
36 strike "is" and substitute "are".

37

38 Page 2, line 4, strike "A NEW SUBSECTION," and substitute "THE
39 FOLLOWING NEW SUBSECTIONS,".

40

41 Page 2, strike lines 6 through 18 and substitute "**employees.** (2) The use
42 of state-owned motor vehicles for commuting purposes by officers and
43 employees of state agencies between official work stations and residences
44 may be authorized by the state agency's executive director where the state
45 agency's executive director determines that such use is based on rules and
46 regulations promulgated by the division and which includes:

47

48 (a) Promotion of a legitimate nonpartisan state interest;

49

50 (b) Promotion of the efficient operation of the state motor vehicle
51 fleet system; ~~and~~

52

53 (c) Is cost-effective to the state agency; AND

54

55 (d) THE NEED FOR AN OFFICER OR EMPLOYEE TO USE THE MOTOR
56 VEHICLE FOR COMMUTING PURPOSES IS SET FORTH IN THE JOB DESCRIPTION

1 OF THE OFFICER OR EMPLOYEE.

2
3 (2.5) BEGINNING JANUARY 1, 2011, NO OFFICER OR EMPLOYEE
4 SHALL USE A STATE-OWNED MOTOR VEHICLE FOR COMMUTING PURPOSES
5 BETWEEN AN OFFICIAL WORK STATION AND A RESIDENCE, UNLESS SUCH
6 USE IS APPROVED BY THE DIVISION."

7
8 Page 3, line 5, strike "~~Unless provided by rule~~, No" and substitute "Unless
9 provided by rule FOR A STATE OFFICER OR EMPLOYEE WHOSE DUTIES ARE
10 ROUTINELY RELATED TO PUBLIC SAFETY AND WHOSE DUTIES ARE LIKELY
11 TO EXPOSE SUCH OFFICER OR EMPLOYEE ROUTINELY TO LIFE-THREATENING
12 SITUATIONS, no".

13
14 Page 4, after line 13 insert:

15
16 "(5) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO AN
17 OFFICER OR EMPLOYEE WHOSE DESIGNATED OFFICE AND OFFICIAL PLACE
18 OF WORK IS HIS OR HER RESIDENCE."

19
20
21
22 **HB10-1293** be amended as follows, and as so amended, be referred to
23 the Committee on Appropriations with favorable
24 recommendation:

25
26 Amend printed bill, strike everything below the enacting clause and
27 substitute:

28
29 "SECTION 1. Article 2 of title 2, Colorado Revised Statutes, is
30 amended BY THE ADDITION OF A NEW PART to read:

31
32 PART 17
33 LAND ASSESSMENT AND
34 CLASSIFICATION TASK FORCE

35
36 **2-2-1701. Interim task force to study property tax assessment**
37 **- classification - land used for agricultural and other purposes - 2010**
38 **interim - legislative declaration - repeal.** (1) THE GENERAL ASSEMBLY
39 HEREBY FINDS, DETERMINES, AND DECLARES THAT:

40
41 (a) IT IS WITHIN THE POWER OF THE GENERAL ASSEMBLY AND
42 SECTION 3 OF ARTICLE X OF THE STATE CONSTITUTION TO CLASSIFY
43 PROPERTY FOR PURPOSES OF TAXATION;

44
45 (b) THE TOUCHSTONE OF PROPERTY CLASSIFICATION IN COLORADO
46 IS ACTUAL USE OF THE PROPERTY AT THE TIME OF ASSESSMENT;

47
48 (c) PROPERTY MAY BE USED FOR MORE THAN ONE PURPOSE AND,
49 THEREFORE, RAISE COMPETING CONSIDERATIONS AS TO THE MANNER IN
50 WHICH IT SHOULD BE CLASSIFIED;

51
52 (d) AN AGRICULTURAL CLASSIFICATION MEANS THAT THE ACTUAL
53 VALUE OF A PROPERTY IS BASED ON ITS PRODUCTIVE CAPACITY RATHER
54 THAN ITS MARKET VALUE AND IT IS ASSESSED FOR TAXATION AT
55 TWENTY-NINE PERCENT OF ITS ACTUAL VALUE, AS WITH ALL OTHER
56 NONRESIDENTIAL PROPERTY;

1 (e) A RESIDENTIAL CLASSIFICATION MEANS THAT THE ACTUAL
2 VALUE OF A PROPERTY IS BASED ON ITS MARKET VALUE, WHICH MAY
3 RESULT IN A HIGHER TAXABLE VALUE EVEN THOUGH IT IS ASSESSED FOR
4 TAXATION AT LESS THAN EIGHT PERCENT OF ITS ACTUAL VALUE;
5

6 (f) PROPERTY ACTIVELY USED FOR AGRICULTURAL PURPOSES
7 SHOULD BE PROTECTED AGAINST EXCESSIVE PROPERTY VALUATION AND
8 TAXATION, BUT AGRICULTURAL CLASSIFICATION THAT BENEFITS PROPERTY
9 NOT ACTIVELY USED FOR AGRICULTURAL OPERATIONS SHOULD BE
10 REEVALUATED;
11

12 (g) THE IMPLEMENTATION OF A NEW CLASSIFICATION
13 METHODOLOGY IN COLORADO COULD AFFECT THE DISTRIBUTION OF THE
14 PROPERTY TAX BURDEN AND THE CALCULATION OF THE RESIDENTIAL
15 ASSESSMENT RATE; AND
16

17 (h) IT IS IMPORTANT TO CONSIDER HOW ANY CHANGE IN
18 COLORADO'S SYSTEM OF PROPERTY TAXATION WILL AFFECT THE
19 DISTRIBUTION OF THE PROPERTY TAX BURDEN AMONG TAXPAYERS AND
20 HOW IT WILL INTERACT WITH OTHER COLORADO LAWS.
21

22 (2) (a) THERE IS HEREBY CREATED THE LAND ASSESSMENT AND
23 CLASSIFICATION TASK FORCE, REFERRED TO IN THIS PART 17 AS THE "TASK
24 FORCE", WHICH SHALL MEET DURING THE INTERIM AFTER THE SECOND
25 REGULAR SESSION OF THE SIXTY-SEVENTH GENERAL ASSEMBLY TO STUDY
26 ASSESSMENT AND CLASSIFICATION OF AGRICULTURAL AND RESIDENTIAL
27 LAND, REPORT ITS FINDINGS AND RECOMMENDATIONS, AND, IF
28 APPROPRIATE, PROPOSE STATUTORY MODIFICATIONS TO ENSURE THAT
29 LAND IS VALUED BASED ON ITS ACTUAL USE.
30

31 (b) THE MEMBERS OF THE TASK FORCE SHALL CONSIST OF THE
32 FOLLOWING NINE MEMBERS:
33

34 (I) THE PROPERTY TAX ADMINISTRATOR OR THE ADMINISTRATOR'S
35 DESIGNEE;
36

37 (II) FOUR MEMBERS WHO ARE OWNERS OR LESSEES OF REAL
38 PROPERTY THAT IS CURRENTLY ASSESSED AS AGRICULTURAL LAND AND
39 WHO ARE ACTIVELY INVOLVED IN EITHER FARMING OR RANCHING,
40 APPOINTED BY A STATEWIDE ORGANIZATION REPRESENTING A DIVERSITY
41 OF AGRICULTURAL ACTIVITIES;
42

43 (III) TWO COUNTY COMMISSIONERS, ONE FROM EACH SIDE OF THE
44 CONTINENTAL DIVIDE, APPOINTED BY A STATEWIDE ORGANIZATION
45 REPRESENTING COUNTY COMMISSIONERS; AND
46

47 (IV) TWO COUNTY ASSESSORS, ONE FROM EACH SIDE OF THE
48 CONTINENTAL DIVIDE AND FROM COUNTIES OTHER THAN THE COUNTIES
49 REPRESENTED PURSUANT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH (b),
50 TO BE APPOINTED BY A STATEWIDE ORGANIZATION REPRESENTING COUNTY
51 ASSESSORS.
52

53 (c) ALL APPOINTMENTS TO THE TASK FORCE SHALL BE MADE ON OR
54 BEFORE JUNE 15, 2010.
55

56 (3) (a) THE TASK FORCE SHALL STUDY, MAKE RECOMMENDATIONS,

1 AND REPORT FINDINGS ON ALL MATTERS RELATING TO PROPERTY TAX
2 ASSESSMENT AND CLASSIFICATION IN CONNECTION WITH LAND USED FOR
3 BOTH AGRICULTURAL AND RESIDENTIAL PURPOSES, INCLUDING, WITHOUT
4 LIMITATION, THE CURRENT SYSTEM FOR CLASSIFICATION OF
5 AGRICULTURAL AND RESIDENTIAL PROPERTY IN COLORADO, THE FISCAL,
6 LAND USE, AND OTHER IMPACTS OF THE STATE'S CURRENT CLASSIFICATION
7 SYSTEM, AND IDEAS FOR IMPROVING THE CURRENT CLASSIFICATION
8 SYSTEM.

9
10 (b) THE TASK FORCE SHALL SUBMIT A WRITTEN REPORT OF ITS
11 FINDINGS AND RECOMMENDATIONS TO THE LOCAL GOVERNMENT AND
12 AGRICULTURE COMMITTEES OF THE SENATE AND HOUSE OF
13 REPRESENTATIVES BY OCTOBER 15, 2010. UPON REQUEST OF A MEMBER
14 OF THE TASK FORCE, SUMMARIES OF DISSENTING OPINIONS SHALL BE
15 PREPARED AND ATTACHED TO THE FINAL REPORT OF FINDINGS AND
16 RECOMMENDATIONS.

17
18 (4) (a) THE TASK FORCE SHALL MEET AT LEAST FOUR TIMES, WITH
19 THE FIRST MEETING OCCURRING NO LATER THAN AUGUST 2, 2010.

20
21 (b) MEETINGS OF THE TASK FORCE SHALL BE PUBLIC MEETINGS.

22
23 (5) THE TASK FORCE SHALL SOLICIT AND ACCEPT REPORTS AND
24 PUBLIC TESTIMONY AND MAY REQUEST OTHER SOURCES, INCLUDING BUT
25 NOT LIMITED TO THE NATIONAL CONFERENCE OF STATE LEGISLATURES,
26 REPRESENTATIVES FROM STATE AND LOCAL GOVERNMENT, PROPERTY
27 OWNERS, NONPROFIT ORGANIZATIONS, AND APPROPRIATE TRADE GROUPS,
28 TO PROVIDE TESTIMONY, WRITTEN COMMENTS, AND OTHER RELEVANT
29 DATA TO THE TASK FORCE.

30
31 (6) MEMBERS OF THE TASK FORCE SHALL SERVE WITHOUT
32 COMPENSATION AND SHALL NOT BE ENTITLED TO REIMBURSEMENT FOR
33 EXPENSES.

34
35 (7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2012.

36
37 **SECTION 2. Safety clause.** The general assembly hereby finds,
38 determines, and declares that this act is necessary for the immediate
39 preservation of the public peace, health, and safety."

40
41
42
43 **DELIVERY OF BILL TO GOVERNOR**

44
45 The Chief Clerk of the House of Representatives reports the following
46 bill has been delivered to the Office of the Governor: **HB10-1046** at
47 9:21 a.m. on February 25, 2010.

48
49
50
51 **MESSAGE(S) FROM THE SENATE**

52
53 The Senate has passed on Third Reading and transmitted to the Revisor
54 of Statutes: SB10-118, SB10-150, SB10-149, SB10-151, SB10-075.

55
56

1 The Senate has passed on Third Reading and transmitted to the Revisor
2 of Statutes:
3
4 SB10-081 amended as printed in Senate Journal, February 19, 2010,
5 page 283.
6 SB10-146 amended as printed in Senate Journal, February 19, 2010,
7 page 284.
8 SB10-103 amended as printed in Senate Journal, February 19, 2010,
9 page 284 and February 24, 2010.
10 SB10-066 amended as printed in Senate Journal, February 19, 2010,
11 page 284.
12 SB10-063 amended as printed in Senate Journal, February 19, 2010,
13 page 284.
14 SB10-122 amended as printed in Senate Journal, February 19, 2010,
15 page 285.
16 SB10-048 amended as printed in Senate Journal, February 19, 2010,
17 page 285.
18 SB10-080 amended as printed in Senate Journal, February 19, 2010,
19 pages 285-286.
20 SB10-114 amended as printed in Senate Journal, February 19, 2010,
21 pages 286-288.
22 SB10-007 amended as printed in Senate Journal, February 19, 2010,
23 page 288.
24 SB10-059 amended as printed in Senate Journal, February 19, 2010,
25 page 288.
26 SB10-112 amended as printed in Senate Journal, February 19, 2010,
27 page 288.
28 HB10-1055 amended as printed in Senate Journal, February 12, 2010,
29 page 230.
30

31 The Senate has passed on Third Reading and returns herewith:
32 HB10-1110, HB10-1095.
33
34
35

36 MESSAGE(S) FROM THE REVISOR

37
38 We herewith transmit:
39 Without comment, SB10-118, 150, 149, 151, and 075.
40 Without comment, as amended, HB10-1055.
41 Without comment, as amended, SB10-081, 146, 103, 066, 063, 122, 048,
42 080, 114, 007, 059 and 112.
43
44
45

46 MESSAGE(S) FROM THE GOVERNOR

47
48 I certify I received the following on the 24th day of February, 2010, at
49 2:50 p.m. The original is on file in the records of the House of
50 Representatives of the General Assembly.
51
52
53

54 Marilyn Eddins,
55 Chief Clerk of the House
56

1 February 24, 2010

2

3 To the Honorable House of Representatives

4 Sixty-seventh General Assembly

5 Second Regular Session

6 State Capitol

7 Denver, CO 80203

8

9 Ladies and Gentlemen:

10

11 I have the honor to inform you that I have approved and filed with the
12 Secretary of State the following Acts:

13

14 **HB10-1039** CONCERNING THE ENACTMENT OF COLORADO
15 REVISED STATUTES 2009 AS THE POSITIVE AND
16 STATUTORY LAW OF THE STATE OF COLORADO.

17

18 Approved February 24, 2010 at 1:07 pm.

19

20 **HB10-1189** CONCERNING THE ELIMINATION OF THE STATE
21 SALES AND USE TAX EXEMPTION FOR DIRECT MAIL
22 ADVERTISING MATERIALS, AND MAKING AN
23 APPROPRIATION THEREFOR.

24

25 Approved February 24, 2010 at 1:15 pm.

26

27 **HB10-1190** CONCERNING THE SUSPENSION OF THE EXEMPTION
28 FROM THE STATE SALES AND USE TAXES FOR FUELS
29 USED FOR INDUSTRIAL PURPOSES, AND MAKING AN
30 APPROPRIATION THEREFOR.

31

32 Approved February 24, 2010 at 1:16 pm.

33

34 **HB10-1191** CONCERNING THE NARROWING OF THE EXISTING
35 EXEMPTION FROM THE STATE SALES AND USE
36 TAXES FOR FOOD, AND, IN CONNECTION
37 THEREWITH, SUBJECTING CANDY AND SOFT DRINKS
38 TO THE STATE SALES AND USE TAXES, AND MAKING
39 AN APPROPRIATION THEREFOR.

40

41 Approved February 24, 2010 at 1:17 pm.

42

43 **HB10-1192** CONCERNING THE STATE SALES AND USE TAX OF
44 STANDARDIZED SOFTWARE, AND MAKING AN
45 APPROPRIATION THEREFOR.

46

47 Approved February 24, 2010 at 1:17 pm.

48

49 **HB10-1193** CONCERNING THE COLLECTION OF SALES AND USE
50 TAXES ON SALES MADE BY OUT-OF-STATE
51 RETAILERS, AND MAKING AN APPROPRIATION
52 THEREFOR.

53

54 Approved February 24, 2010 at 1:19 pm.

55

1 **HB10-1194** CONCERNING THE NARROWING OF THE EXISTING
2 EXEMPTIONS FROM THE STATE SALES AND USE
3 TAXES FOR ARTICLES SOLD TO SELLERS OF ITEMS
4 INTENDED FOR HUMAN CONSUMPTION THAT ARE
5 FURNISHED BY THE SELLERS TO THEIR CUSTOMERS
6 WITH SUCH ITEMS WITHOUT THE ADDITION OF A
7 SEPARATE CHARGE, AND MAKING AN
8 APPROPRIATION THEREFOR.
9

10 Approved February 24, 2010 at 1:20 pm.

11
12 **HB10-1195** CONCERNING THE SUSPENSION OF THE EXEMPTION
13 FROM THE STATE SALES AND USE TAXES FOR
14 CERTAIN ITEMS IN AGRICULTURAL PRODUCTION,
15 AND MAKING AN APPROPRIATION THEREFOR.
16

17 Approved February 24, 2010 at 1:21 pm.

18
19 **HB10-1196** CONCERNING THE DISQUALIFICATION OF CATEGORY
20 7 MOTOR VEHICLES FROM THE STATE INCOME TAX
21 CREDIT FOR THE PURCHASE OF VEHICLES USING
22 ALTERNATIVE FUELS.
23

24 Approved February 24, 2010 at 1:22 pm.

25
26 **HB10-1199** CONCERNING A TEMPORARY LIMIT ON THE STATE
27 INCOME TAX DEDUCTION FOR A NET OPERATING
28 LOSS.
29

30 Approved February 24, 2010 at 1:23 pm.

31
32 Sincerely,
33 (signed)
34 Bill Ritter, Jr.
35 Governor
36

37
38
39 **LAY OVER OF CALENDAR ITEM(S)**

40
41 On motion of Representative Weissmann, the following item(s) on the
42 Calendar was(were) laid over until February 26, retaining place on
43 Calendar:
44

45 Consideration of Resolution(s)--**SJR10-004**.
46

47
48 On motion of Representative Weissmann, the House adjourned until
49 9:00 a.m., February 26, 2010.
50

51
52 Approved:
53 TERRANCE D. CARROLL,
54 Speaker

54 Attest:
55 MARILYN EDDINS,
56 Chief Clerk

0

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

Forty-fifth Legislative Day

Friday, February 26, 2010

1 Prayer by Pastor Mark Phillips, Berean Bible Church, Haxtun.
 2
 3 The Speaker called the House to order at 9:00 a.m.
 4
 5 Pledge of Allegiance led by Raina Duncan, Contemporary Learning
 6 Academy, Denver.
 7
 8 The roll was called with the following result:
 9
 10 Present--64.
 11 Excused--Representative(s) McNulty--1.
 12 Present after roll call--Representative(s) McNulty.

13
 14 The Speaker declared a quorum present.
 15
 16

17 On motion of Representative Gerou, the reading of the journal of
 18 February 25, 2010, was declared dispensed with and approved as
 19 corrected by the Chief Clerk.
 20
 21

THIRD READING OF BILL(S)--FINAL PASSAGE

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

27
 28 **HB10-1109** by Representative(s) McCann; also Senator(s) Mitchell--
 29 Concerning the availability of workers' compensation to
 30 jail inmates who are working for a program that has been
 31 certified by the federal prison industry enhancement
 32 certification program.
 33

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

	YES	46	NO	18	EXCUSED	1	ABSENT	0
40	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
41	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
42	Balmer	N	Judd	Y	McNulty	E	Schafer S.	Y
43	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y

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

14 Co-sponsor(s) added: Representative(s) Court, Hulinghorst, Labuda,
15 Schafer S., Vigil.

16
17 **HB10-1180** by Representative(s) Massey, Gerou, Rice; also Senator(s)
18 Gibbs and Spence--Concerning the criteria to qualify for
19 a performance-based incentive for film production
20 activities in Colorado.

21
22 The question being "Shall the bill pass?".

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

27	YES	46	NO	18	EXCUSED	1	ABSENT	0
28	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
29	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
30	Balmer	Y	Judd	N	McNulty	E	Schafer S.	Y
31	Baumgardner	N	Kagan	N	Merrifield	Y	Solano	N
32	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	N
33	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
34	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
35	Court	Y	King S.	N	Nikkel	N	Summers	Y
36	Curry	Y	Labuda	N	Pace	Y	Swalm	N
37	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
38	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
39	Fischer	Y	Liston	Y	Primavera	Y	Tyler	N
40	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
41	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
42	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
43	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	N
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Casso, Frangas, Kefalas, Merrifield,
46 Roberts, Ryden, Soper.

47
48 **HB10-1216** by Representative(s) Riesberg; also Senator Sandoval--
49 Concerning the off-site administration of medications by
50 persons authorized to inject medications pursuant to the
51 pharmacy practice act.

52
53 The question being "Shall the bill pass?".

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	E	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Apuan, Ferrandino, Kefalas, King S.,
20 Vigil.

21
22 **HB10-1224** by Representative(s) Gerou and Gagliardi, Primavera,
23 Riesberg, Tyler; also Senator(s) Boyd--Concerning the
24 continuation of the Colorado podiatry board.

25
26 The question being "Shall the bill pass?".
27 A roll call vote was taken. As shown by the following recorded vote, a
28 majority of those elected to the House voted in the affirmative and the bill
29 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
31								
32	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
33	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
34	Balmer	Y	Judd	Y	McNulty	E	Schafer S.	Y
35	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
36	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
37	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
38	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
39	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
40	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
41	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
42	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
43	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
44	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
45	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
46	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
47	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Apuan, Kefalas.

50
51
52 **HB10-1226** by Representative(s) Kefalas; also Senator(s) Spence--
53 Concerning an alternative approach for a county
54 department of social services to use in addressing certain
55 intrafamilial child abuse or neglect cases.
56

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	E	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Apuan, Casso, Curry, Frangas, Labuda,
 25 Middleton, Schafer S., Todd, Vigil.

26
 27 **HB10-1123** by Representative(s) Sonnenberg; also Senator(s) Renfro-
 28 -Concerning controlled agricultural burns in arson cases.

29
 30 The question being "Shall the bill pass?".
 31 A roll call vote was taken. As shown by the following recorded vote, a
 32 majority of those elected to the House voted in the affirmative and the bill
 33 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
36	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
37	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
38	Balmer	Y	Judd	Y	McNulty	E	Schafer S.	Y
39	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
40	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
41	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
42	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
43	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
44	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
45	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
46	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
47	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
48	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
49	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
50	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
51	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Baumgardner, Curry, Gardner B.,
 54 Gerou, Kagan, Kerr J., Massey, Pace, Roberts, Stephens, Vaad, Vigil, Waller.

1 **HB10-1232** by Representative(s) Baumgardner; also Senator(s)
 2 King K.--Concerning school vehicles.

3
 4 The question being "Shall the bill pass?".

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
10	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
11	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
12	Balmer	Y	Judd	Y	McNulty	E	Schafer S.	Y
13	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
14	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
15	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
16	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
17	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
18	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
19	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
20	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
21	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
22	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
23	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
24	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
25	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
26							Speaker	Y

27 Co-sponsor(s) added: Representative(s) Benefield, Bradford, Frangas, Kerr J.,
 28 Lambert, Murray, Nikkel, Pace, Schafer S., Summers.

31 32 **CONSIDERATION OF RESOLUTION(S)**

33
 34 **SJR10-004** by Senator(s) Whitehead; also Representative(s) Fischer--
 35 Concerning approval of water project revolving fund
 36 eligibility lists administered by the Colorado water
 37 resources and power development authority.

38
 39 (Printed and placed in members' file.)

40
 41 Amendment No. 1, moved by Representative Gardner C.

42
 43 Amend engrossed joint resolution, page 27, after line 2 insert:

44
 45 "7. That we, the members of the Colorado General Assembly,
 46 urge Colorado's Congressional delegation to oppose the retroactive
 47 application of Davis-Bacon prevailing wage requirements to water
 48 projects funded in whole or part by the federal government."

49
 50 The amendment was declared **lost** by the following roll call vote:

	YES	30	NO	35	EXCUSED	0	ABSENT	0
53	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
54	Apuan	N	Hullinghorst	N	McKinley	N	Scanlan	N
55	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
56	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N

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

On motion of Representative Fischer, the resolution was **adopted** by the following roll call vote:

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

Co-sponsor(s) added: Representative(s) Frangas, Liston, Pace

On motion of Representative Ryden, the House resolved itself into Committee of the Whole for consideration of General Orders, and she 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 the titles of the following bills had been read (reading at length had been dispensed with by unanimous consent), the bills considered and action taken thereon as follows:

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

HB10-1201 by Representative(s) Middleton, Carroll T., Ferrandino, McFadyen, Miklosi, Pace, Vigil, Weissmann; also

1 Senator(s) Steadman--Concerning duties related to peace
2 officer contacts.
3

4 Amendment No. 1, Judiciary Report, dated February 22, 2010, and placed
5 in member's bill file; Report also printed in House Journal, February 23,
6 pages 503-504.
7

8 Amendment No. 2, by Representative(s) Middleton.
9

10 Amend the Judiciary Committee Report, dated February 22, 2010, page
11 1, line 10, strike "AUTHORITY" and substitute "APPARENT OR ACTUAL
12 AUTHORITY".
13

14 Page 2, line 13, strike "SEARCH INCIDENT TO" and substitute "VALID
15 SEARCH INCIDENT TO OR SUBSEQUENT TO A".
16

17 Page 2, strike line 22 and substitute "PERSON HAS CONSENTED TO SEARCH
18 AS".
19

20 As amended, ordered engrossed and placed on the Calendar for Third
21 Reading and Final Passage.
22

23 **HB10-1271** by Representative(s) Curry; also Senator(s) Morse--
24 Concerning the registration date for eligibility of a person
25 seeking to be placed in nomination as a candidate for a
26 partisan office.
27

28 Laid over until March 2, retaining place on Calendar.
29

30 **SB10-109** by Senator(s) Romer and Spence, Boyd, Bacon, Hodge,
31 Hudak, Johnston, Tapia, Tochtrop; also Representative(s)
32 Massey and McCann, Rice, Frangas, McFadyen--
33 Concerning regulation of the physician-patient relationship
34 for medical marijuana patients.
35

36 Laid over until March 1, retaining place on Calendar.
37

38 **HB10-1009** by Representative(s) Miklosi, Pace, Ryden; also Senator(s)
39 Hodge, Carroll M., Tochtrop--Concerning the board of
40 directors of Pinnacol Assurance.
41

42 Laid over until March 2, retaining place on Calendar.
43

44 **HB10-1160** by Representative(s) Rice and Stephens; also Senator(s)
45 Mitchell--Concerning the ability of health insurance
46 carriers to offer incentives for participation in wellness
47 programs based on satisfaction of a standard related to a
48 health factor.
49

50 Laid over until March 8, retaining place on Calendar.
51

52 **HB10-1124** by Representative(s) McKinley--Concerning laws related
53 to animal welfare.
54

55 Amendment No. 1, by Representative(s) Curry.
56 Amend printed bill, page 15, after line 14 add:

1 **"SECTION 13.** 35-80-109, Colorado Revised Statutes, is
2 amended BY THE ADDITION OF A NEW SUBSECTION to read:

3
4 **35-80-109. Powers and duties of commissioner - rules -**
5 **definitions - repeal.** (2.5) (a) THE COMMISSIONER SHALL PROMULGATE
6 RULES, AS SOON AS PRACTICABLE AFTER THE EFFECTIVE DATE OF THIS
7 SUBSECTION (2.5), SETTING FORTH HUMANE STANDARDS OF CARE FOR
8 DOGS WAIVED FROM ANY TETHERING PROHIBITIONS CONTAINED IN RULES
9 ADOPTED PURSUANT TO SUBSECTIONS (1) AND (2) OF THIS SECTION, WHICH
10 STANDARDS SHALL INCLUDE A MINIMUM AMOUNT OF TIME EACH DAY THAT
11 THE DOGS SHALL BE TAKEN OFF THE TETHER.

12
13 (b) AS USED IN THIS SUBSECTION (2.5):

14
15 (I) "TETHER" MEANS A CHAIN, CABLE, ROPE, OR SIMILAR DEVICE;

16
17 (II) "TETHERING" MEANS USING A DOG HOUSE WITH A TETHER AS
18 A DOG'S TEMPORARY OR PERMANENT PRIMARY ENCLOSURE."

19
20 Renumber succeeding section accordingly.

21
22 As amended, declared **lost** on Second Reading.

23
24 **HB10-1222** by Representative(s) Middleton; also Senator(s)
25 Carroll M.--Concerning continuation of the requirement
26 that a collection agency maintain an office in Colorado.

27
28 Amendment No. 1, Business Affairs & Labor Report, dated
29 February 23, 2010, and placed in member's bill file; Report also printed
30 in House Journal, February 24, page 513.

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

34
35 **HB10-1227** by Representative(s) DelGrosso; also Senator(s) Tochtrop--
36 Concerning compliance with financial responsibility
37 requirements of the "Health Care Availability Act" by
38 maintaining insurance through approved nonadmitted
39 insurers authorized by law to insure in Colorado.

40
41 Amendment No. 1, Business Affairs & Labor Report, dated
42 February 23, 2010, and placed in member's bill file; Report also printed
43 in House Journal, February 24, page 513.

44
45 As amended, ordered engrossed and placed on the Calendar for Third
46 Reading and Final Passage.

47
48 **HB10-1236** by Representative(s) Kerr A.; also Senator(s) Tochtrop--
49 Concerning the continuation of the regulation of certified
50 public accountants by the state board of accountancy.

51
52 Amendment No. 1, Business Affairs & Labor Report, dated
53 February 23, 2010, and placed in member's bill file; Report also printed
54 in House Journal, February 24, pages 513-520.

55

1 Amendment No. 2, by Representative(s) Kerr A.

2
3 Amend the Business Affairs and Labor Committee Report, dated
4 February 23, 2010, page 1, strike line 1 and substitute:

5
6 "Amend printed bill, page 4, line 1, after "(1) (a) (II)," insert "(1) (b), and
7 (1) (c),".

8
9 Page 4 of the bill, after line 10 insert:

10
11 "(b) If ~~he~~ THE PERSON has successfully completed a course of
12 study concerning the subject of professional ethics, approved by the
13 board, and passed a written examination concerning such subject prepared
14 and given by educational institutions or professional organizations
15 deemed qualified by the board to administer such examination;

16
17 (c) If ~~he~~ THE PERSON has a baccalaureate or higher degree
18 conferred by an accredited college or university with an accounting
19 program approved by the board and has a concentration in accounting,
20 plus, when the baccalaureate is the highest degree held, not less than
21 thirty semester hours' additional study, the total educational program to
22 include an accounting concentration or its equivalent and such related
23 subjects as the board determines to be appropriate.".

24
25 Page 4 of the bill, line 20, strike "CERTIFIED AS A PUBLIC" and".

26
27 Amendment No. 3, by Representative(s) Kerr A.

28
29 Amend the Business Affairs and Labor Committee Report, dated
30 February 23, 2010, page 8, line 34, strike "DIRECTOR" and substitute
31 "BOARD".

32
33 Page 9, strike lines 9 and 10 and substitute "THE BOARD SHALL SEND A
34 CONFIDENTIAL LETTER OF CONCERN TO THE LICENSEE OR REGISTRANT.".

35
36 Page 9, strike line 14 and substitute "BOARD SHALL SEND A LETTER OF
37 ADMONITION TO THE LICENSEE OR REGISTRANT BY".

38
39 Page 9, line 18, strike "DIRECTOR" and substitute "BOARD".

40
41 Page 9, line 20, strike "LICENSEE," and substitute "LICENSEE OR
42 REGISTRANT,".

43
44 Page 9, line 21, strike "DIRECTOR" and substitute "BOARD".

45
46 Page 9, line 27, strike "DIRECTOR" and substitute "BOARD".

47
48 Page 9, line 29, strike "DIRECTOR" and substitute "BOARD".

49
50 Page 9, line 31, after "LICENSEE" insert "OR REGISTRANT".

51
52 Amendment No. 4, by Representative(s) May, Rice.

53
54 Amend the Business Affairs and Labor Committee Report, dated
55 February 23, 2010, page 3, strike lines 16 and 17 and substitute "12-2-117
56 is further amended BY THE ADDITION OF THE FOLLOWING NEW

1 SUBSECTIONS, to read:". ".

2
3 Page 4 of the report, line 10, strike "C.R.S." and substitute "C.R.S.

4
5 (3.7) THE BOARD SHALL NOT RENEW A REGISTRATION UNDER THIS
6 SECTION UNLESS THE REGISTERED PARTNERSHIP, PROFESSIONAL
7 CORPORATION, OR LIMITED LIABILITY COMPANY HAS UNDERGONE A PEER
8 REVIEW CONDUCTED ACCORDING TO RULES PROMULGATED BY THE BOARD
9 THAT MEET THE STANDARDS FOR PERFORMING AND REPORTING ON A PEER
10 REVIEW OF THE AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS
11 OR AN EQUIVALENT STANDARD.". ".
12

13 Page 10 of the report, line 12, strike "client." and substitute "client.

14
15 **SECTION 28.** 12-2-108, Colorado Revised Statutes, is amended
16 BY THE ADDITION OF A NEW SUBSECTION to read:

17
18 **12-2-108. Certificate of certified public accountant - issuance**
19 **- renewal - reinstatement.** (7) THE BOARD SHALL NOT RENEW THE
20 CERTIFICATE OF A HOLDER WHO PRACTICES PUBLIC ACCOUNTING UNLESS
21 THE CERTIFICATE HOLDER PERFORMS PUBLIC ACCOUNTING WITHIN A
22 PARTNERSHIP, PROFESSIONAL CORPORATION, OR LIMITED LIABILITY
23 COMPANY OR THE CERTIFICATE HOLDER HAS UNDERGONE A PEER REVIEW
24 CONDUCTED ACCORDING TO RULES PROMULGATED BY THE BOARD THAT
25 MEET THE STANDARDS FOR PERFORMING AND REPORTING ON A PEER
26 REVIEW OF THE AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS
27 OR AN EQUIVALENT STANDARD.". ".
28

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

31
32 **HB10-1017** by Representative(s) Kagan, Gagliardi; also Senator(s)
33 Boyd--Concerning authorization for certain public entities
34 to enter into voluntary agreements affecting rent on private
35 residential property.
36

37 Amendment No. 1, Local Government Report, dated February 23, 2010,
38 and placed in member's bill file; Report also printed in House Journal,
39 February 24, pages 520-521.
40

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

43
44 **HB10-1290** by Representative(s) Stephens--Concerning procedures for
45 small planned communities to elect to exempt themselves
46 from certain provisions of the "Colorado Common Interest
47 Ownership Act".
48

49 Laid over until March 1, retaining place on Calendar.

50
51 On motion of Representative Weissmann, the remainder of the General
52 Orders Calendar (**HB10-1292, 1096, 1147**) was laid over until March 1,
53 retaining place on Calendar.
54

55
56

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1201 amended, 1222 amended, 1227 amended, 1236 amended, 1017 amended.**

Lost on Second Reading: **HB10-1124 amended.**

Laid over until date indicated retaining place on Calendar:
SB10-109, HB10-1290, 1292, 1096, 1147--March 1, 2010.
HB10-1271, 1009--March 2, 2010.
HB10-1160--March 8, 2010.

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

YES	61	NO	0	EXCUSED	4	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullingerhorst	Y	McKinley	E	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	E	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

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

HB10-1012 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Judiciary Committee Report, dated February 11, 2010, and substitute:

"Amend printed bill, page 3, strike lines 3 through 27.

Strike page 4.

Page 5, strike lines 1 through 6 and substitute:

1 "(b) (I) AN INSURER OR EMPLOYER MAY INTRODUCE EVIDENCE OF
2 THE PRESENCE OR ABSENCE OF A MEDICAL CONDITION ORIGINATING IN
3 SURVEILLANCE OF AN EMPLOYEE AT AN ADMINISTRATIVE HEARING ONLY
4 IF:
5

6 (A) THE INSURER OR EMPLOYER HAS SUBMITTED THE EVIDENCE
7 PRIOR TO THE HEARING TO THE TREATING PHYSICIAN FOR REVIEW WITH
8 THE EMPLOYEE WHO IS THE SUBJECT OF THE SURVEILLANCE. THE
9 PHYSICIAN SHALL USE THE EVIDENCE AS ONE MEANS, AMONG OTHERS, TO
10 MAKE RECOMMENDATIONS REGARDING THE EMPLOYEE'S MEDICAL
11 CONDITION.
12

13 (B) THE ADMINISTRATIVE LAW JUDGE FINDS THAT THE INSURER OR
14 EMPLOYER HAD, PRIOR TO INITIATING THE SURVEILLANCE, A REASONABLE
15 AND ARTICULABLE BASIS TO SUSPECT THAT THE EMPLOYEE COMMITTED
16 FRAUD, EXCEEDED THE EMPLOYEE'S MEDICALLY DETERMINED
17 LIMITATIONS, OR MADE A MATERIAL MISSTATEMENT CONCERNING THE
18 CLAIM;
19

20 (C) THE ADMINISTRATIVE LAW JUDGE DOES NOT FIND THAT THE
21 SURVEILLANCE WAS INTRUSIVE, INTIMIDATING, OR HARASSING; AND
22

23 (D) THE ADMINISTRATIVE LAW JUDGE DOES NOT FIND THAT THE
24 PERSON WHO WAS CONDUCTING THE SURVEILLANCE AFFIRMATIVELY
25 MISREPRESENTED TO THE EMPLOYEE, IN RESPONSE TO THE EMPLOYEE'S
26 INQUIRY, ON WHOSE BEHALF THE PERSON CONDUCTING THE SURVEILLANCE
27 WAS ACTING.
28

29 (II) THE INSURER OR EMPLOYER SHALL DESTROY ALL MATERIALS
30 COLLECTED DURING THE SURVEILLANCE NO LATER THAN FIVE YEARS
31 AFTER RESOLUTION OF THE CLAIM UNLESS THE MATERIALS ARE
32 REASONABLY NECESSARY TO RESOLVE AN ONGOING CLAIM OF FRAUD."
33

34 Renumber succeeding section accordingly."
35
36
37

38 **HB10-1053** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:
41

42 Amend the Health and Human Services Committee Report, dated,
43 February 8, 2010, page 4, strike lines 9 through 13 and substitute "IS
44 AUTHORIZED TO SEEK ANY NECESSARY FEDERAL AUTHORIZATION TO
45 IMPLEMENT THE PROGRAM. IF FEDERAL AUTHORIZATION TO IMPLEMENT
46 THE PROGRAM IS OBTAINED, THE STATE DEPARTMENT SHALL REQUEST,
47 THROUGH THE STATE BUDGET PROCESS, THAT THE PROGRAM BE
48 IMPLEMENTED. THE STATE".
49

50 Page 7 of the committee report, line 9, strike "JOINT BUDGET COMMITTEE"
51 and substitute "STATE DEPARTMENT".
52

53 Page 7 of the committee report, strike lines 13 and 14 and substitute "THE
54 CARE PROVIDED, THE STATE DEPARTMENT MAY REQUEST, THROUGH THE
55 STATE BUDGET PROCESS, THAT THE CHANGES BE IMPLEMENTED OR MAY
56 RECOMMEND LEGISLATION TO THE HEALTH AND HUMAN SERVICES

1 COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY
2 SUCCESSOR COMMITTEES, TO IMPLEMENT THE CHANGES."

3
4 Page 7 of the committee report, after line 32, insert:

5
6 **"SECTION 5. Appropriation.** (1) In addition to any other
7 appropriation, there is hereby appropriated, to the department of health
8 care policy and financing, for allocation to the executive director's office,
9 general professional services and special projects, for the fiscal year
10 beginning July 1, 2010, the sum of seventy-five thousand dollars
11 (\$75,000), or so much thereof as may be necessary, for the
12 implementation of this act. Of said sum, thirty-seven thousand five
13 hundred dollars (\$37,500) shall be from the department of health care
14 policy and financing cash fund created in section 25.5-1-109, C.R.S., and
15 thirty-seven thousand five hundred dollars (\$37,500) shall be from federal
16 funds.

17
18 (2) In addition to any other appropriation, there is hereby
19 appropriated, to the department of human services, for allocation to the
20 executive director's office, for the fiscal year beginning July 1, 2010, the
21 sum of two hundred thousand dollars (\$200,000), or so much thereof as
22 may be necessary, for the implementation of this act. Said sum shall be
23 from the older Coloradans study cash fund created in section 26-11-205.7
24 (1) (b) (I), C.R.S."

25
26 Renumber succeeding section accordingly.

27
28 Page 8 of the committee report, after line 8, insert:

29
30 "Page 1, of the printed bill, line 101, strike "SAVINGS." and substitute,
31 "SAVINGS, AND MAKING AN APPROPRIATION THEREFOR."."

32
33
34
35 **HB10-1128** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:

38
39 Amend printed bill, page 34, after line 6 insert:

40
41 **"SECTION 30. Appropriations in 2010 long bill to be**
42 **adjusted.** For the implementation of this act, appropriations made in the
43 annual general appropriation act for the fiscal year beginning July 1,
44 2010, shall be adjusted as follows:

45
46 (1) The appropriation to the department of regulatory agencies,
47 division of registrations, is decreased by thirty-five thousand eight
48 hundred eighty-seven dollars (\$35,887) cash funds. Said sum shall be
49 from the division of registrations cash fund created in section 24-34-105
50 (2) (b) (I), Colorado Revised Statutes.

51
52 (2) The appropriation to the department of law is decreased by nine
53 thousand seven hundred ninety-nine dollars (\$9,799) . Said sum shall be
54 from reappropriated funds received from the department of regulatory
55 agencies out of the appropriation made in subsection (1) of this section."

56

1 Renumber succeeding sections accordingly.

2
3 Page 2, line 108, strike "AGENTS." and substitute "AGENTS, AND MAKING
4 AN APPROPRIATION THEREFOR."

5
6
7
8 **HB10-1131** be referred to the Committee of the Whole with favorable
9 recommendation.

10
11
12 **HB10-1240** be referred to the Committee of the Whole with favorable
13 recommendation.

14
15
16
17
18 **EDUCATION**

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

21
22 **HB10-1206** be referred to the Committee of the Whole with favorable
23 recommendation.

24
25
26 **HB10-1254** be postponed indefinitely.

27
28
29 **HB10-1273** be amended as follows, and as so amended, be referred to
30 the Committee of the Whole with favorable
31 recommendation:

32
33 Amend printed bill, page 4, after line 9 insert:

34
35 "(a) "COURSE" INCLUDES, BUT NEED NOT BE LIMITED TO, A
36 TRADITIONAL CLASS, AN ON-LINE COURSE OF STUDY, AN INTERNSHIP, AN
37 EXTERNSHIP, A MENTOR EXPERIENCE, OR AN INDEPENDENT STUDY COURSE
38 THAT CULMINATES IN AN INTEGRATIVE OR SPECIALIZED PERFORMANCE,
39 SHOWCASE, OR EXHIBITION."

40
41 Reletter succeeding paragraphs accordingly.

42
43 Page 4, line 21, strike "CLASSES" and substitute "COURSES".

44
45 Page 4, line 22, strike "CLASSES" and substitute "COURSES".

46
47 Page 4, line 27, strike "CLASSES," and substitute "COURSES,".

48
49 Page 5, strike lines 5 through 9 and substitute:

50
51 "(3) FOR STUDENTS WHO ENROLL IN NINTH GRADE ON OR AFTER
52 JULY 1, 2010, EACH PUBLIC SCHOOL IN THE STATE THAT INCLUDES
53 TWELFTH GRADE SHALL REQUIRE, AS A CONDITION OF HIGH SCHOOL
54 GRADUATION, THAT EACH STUDENT SUCCESSFULLY COMPLETE AT LEAST
55 ONE COURSE IN VISUAL ARTS OR PERFORMING ARTS, WHICH COURSE IS
56 BASED ON THE CONTENT STANDARDS FOR VISUAL ARTS OR PERFORMING

1 ARTS, WHICHEVER IS APPLICABLE."

2

3 Page 5, line 27, strike "(a)." and substitute "(b)."

4

5 Page 6, line 2, strike "(b)." and substitute "(c)."

6

7 Page 8, line 3, strike "(a)." and substitute "(b)."

8

9 Page 8, line 5, strike "(b)." and substitute "(c)."

10

11 Page 10, strike lines 5 through 17 and substitute:

12 "SECTION 13. 22-14-109 (2) (b) (V) (H) and (2) (b) (V) (I),
13 Colorado Revised Statutes, are amended, and the said 22-14-109 (2) (b)
14 (V) is further amended BY THE ADDITION OF A NEW
15 SUB-SUBPARAGRAPH, to read:

16

17 **22-14-109. Student re-engagement grant program - rules -**
18 **application - grants - fund created - report.** (2) The state board shall
19 adopt rules pursuant to the "State Administrative Procedure Act", article
20 4 of title 24, C.R.S., for implementing the grant program. At a minimum,
21 the rules shall include:

22

23 (b) The information to be included on grant applications,
24 including at a minimum:

25

26 (V) A description of the local education provider's policies and
27 practices related to:

28

29 (H) Innovations to address barriers to school engagement and
30 success; ~~and~~

31

32 (I) Transference of student records to and receipt of student
33 records from other local education providers; AND

34

35 (J) STUDENT PARTICIPATION IN AND THE AVAILABILITY OF VISUAL
36 ARTS AND PERFORMING ARTS EDUCATION."

37

38 Page 11, line 22, strike "(a)." and substitute "(b)."

39

40 Page 11, line 24, strike "(b)." and substitute "(c)."

41

42 Page 12, line 5, strike "(b)," and substitute "(c)."

43

44 Page 12, line 6, strike "(a)," and substitute "(b)."

45

46

47

48 **HB10-1335** be amended as follows, and as so amended, be referred to
49 the Committee on Appropriations with favorable
50 recommendation:

51

52 Amend printed bill, page 2, line 13, strike "ONLY".

53

54 Page 6, strike line 27 and substitute "AUTHORITY, WHICH OPERATIONS
55 INCLUDE, BUT ARE NOT LIMITED TO, ADMINISTRATIVE FUNCTIONS
56 RELATING TO ITS OPERATIONS AS A SCHOOL FOOD AUTHORITY."

1 **HEALTH & HUMAN SERVICES**

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

4
5 **HB10-1103** be amended as follows, and as so amended, be referred to
6 the Committee on Finance with favorable
7 recommendation:
8

9 Amend printed bill, page 3, line 19, strike "THREE MONTHS" and substitute
10 "ONE YEAR".

11
12 Page 4, line 26, strike "ONE" and substitute "FOUR".

13
14 Page 5, line 14, before "PHYSICIAN" insert "RESPITE CARE BUT NOT
15 INCLUDING EMERGENCY RESPITE CARE,".

16
17 Page 5, line 23, strike "NINE" and substitute "ELEVEN".

18
19 Page 6, line 2, strike "SIX" and substitute "EIGHT".

20
21 Page 6, line 7, strike "AND".

22
23 Page 6, after line 9 insert:

24
25 "(D) A REPRESENTATIVE FROM THE INSURANCE INDUSTRY; AND

26
27 (E) A REPRESENTATIVE FROM THE BUSINESS COMMUNITY.".

28
29 Page 8, after line 7 insert:

30
31 "(VII) TO IDENTIFY OTHER SOURCES OF INCOME TO CONTRIBUTE
32 TO THE FUND THROUGH GIFTS, GRANTS, AND DONATIONS;".

33
34 Renumber succeeding subparagraphs accordingly.

35
36 Page 8, strike line 16 and substitute "CHARGE AN ASSESSMENT ON HEALTH
37 AND DENTAL POLICIES FOR EACH".

38
39 Page 8, line 17, strike "PERSON" and substitute "LIFE".

40
41 Page 9, strike lines 5 and 6 and substitute "SHALL CHARGE AN
42 ASSESSMENT ON HEALTH AND DENTAL POLICIES FOR EACH COVERED LIFE
43 IN THE STATE. THE CARRIERS SHALL TRANSMIT THE MONEYS COLLECTED
44 TO THE STATE TREASURER WHO SHALL DEPOSIT THE MONEYS IN".

45
46
47
48 **HB10-1142** be postponed indefinitely.

49
50
51 **HB10-1149** be amended as follows, and as so amended, be referred to
52 the Committee on Appropriations with favorable
53 recommendation:
54

55 Amend printed bill, page 9, line 14, strike "schedule" and substitute
56 "schedule, IN ACCORDANCE WITH SECTION 24-4-103, C.R.S.,".

- 1 Page 9, line 17, strike "BOARD;" and substitute "BOARD, WHICH FEES
2 SHALL BE PAID BY THE APPLICANTS OR SERVICE COMPANIES;".
3
- 4 Page 10, line 1, before "DIRECT" insert "ACTUAL".
5
- 6 Page 15, line 2, before "**cease-and-desist**" insert "**rules -**".
7
- 8 Page 16, strike lines 6 and 7 and substitute "SEND".
9
- 10 Page 16, line 11, strike "~~and~~" and substitute "and".
11
- 12 Page 16, line 13, strike "violated; AND" and substitute "violated."
13
- 14 Page 16, strike lines 14 through 27.
15
- 16 Page 17, strike lines 1 though 23.
17
- 18 Page 18, line 5, strike "violation, ~~and~~" and substitute "violation and".
19
- 20 Page 18, line 6, strike everything after "CORRECTIVE" and substitute
21 "MEASURES."
22
- 22 Page 18, strike line 7.
23
- 24 Page 18, strike line 14 and substitute:
25
- 26 "(IV) AFTER CONSIDERATION OF ANY".
27
- 28 Page 18, line 16, strike "VIOLATION, AND, IF" and substitute "VIOLATION."
29
- 30 Page 18, strike lines 17 and 18 and substitute "ANY REMAINING
31 CORRECTIVE MEASURES THAT ARE NECESSARY, AND ANY ADMINISTRATIVE
32 PENALTY DETERMINED TO BE APPROPRIATE, WILL BE INCORPORATED INTO
33 AN ADMINISTRATIVE ORDER.
34
- 35 (c.3) IN DETERMINING THE AMOUNT OF ANY ADMINISTRATIVE
36 PENALTY, THE DEPARTMENT SHALL CONSIDER THE FOLLOWING FACTORS:
37
- 38 (A) THE SERIOUSNESS OF THE VIOLATION;
39
- 40 (B) WHETHER THE VIOLATION WAS INTENTIONAL, RECKLESS, OR
41 NEGLIGENT;
42
- 43 (C) THE IMPACT ON, OR THREAT TO, THE PUBLIC HEALTH OR THE
44 ENVIRONMENT AS A RESULT OF THE VIOLATION;
45
- 46 (D) THE DEGREE OF RECALCITRANCE, IF ANY, ON THE PART OF THE
47 VIOLATOR;
48
- 49 (E) WHETHER THE VIOLATOR IS A RECIDIVIST;
50
- 51 (F) THE ECONOMIC BENEFIT REALIZED BY THE VIOLATOR AS A
52 RESULT OF THE VIOLATION;
53
- 54 (G) THE VIOLATOR'S VOLUNTARY, TIMELY, AND COMPLETE
55 DISCLOSURE OF THE VIOLATION, IF PRIOR TO THE DEPARTMENT'S
56 KNOWLEDGE OF THE VIOLATION, AND IF ALL REPORTS REQUIRED PURSUANT

1 TO STATE ENVIRONMENTAL CONTROL LAWS HAVE BEEN SUBMITTED AS
2 REQUIRED;

3
4 (H) THE VIOLATOR'S FULL AND PROMPT COOPERATION WITH THE
5 DEPARTMENT FOLLOWING DISCLOSURE OR DISCOVERY OF A VIOLATION,
6 INCLUDING, WHEN APPROPRIATE, ENTERING INTO AND IMPLEMENTING, IN
7 GOOD FAITH, A LEGALLY ENFORCEABLE AGREEMENT WITH THE
8 DEPARTMENT TO UNDERTAKE COMPLIANCE AND REMEDIATION EFFORTS;

9
10 (I) THE EXISTENCE OF A COMPREHENSIVE REGULATORY
11 COMPLIANCE PROGRAM OR AN AUDIT PROGRAM THAT THE VIOLATOR
12 ADOPTED IN GOOD FAITH AND IN A TIMELY MANNER, WHICH PROGRAM
13 INCLUDES MEASURES DETERMINED BY THE DEPARTMENT TO BE SUFFICIENT
14 TO IDENTIFY AND PREVENT FUTURE NONCOMPLIANCE; AND

15
16 (J) ANY OTHER AGGRAVATING OR MITIGATING CIRCUMSTANCE.

17
18 (c.5) IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S., AND
19 BASED UPON THE FACTORS ENUMERATED IN PARAGRAPH (c.3) OF THIS
20 SUBSECTION (5), THE STATE BOARD SHALL ADOPT RULES FOR
21 DETERMINING ADMINISTRATIVE PENALTIES IMPOSED UNDER THIS
22 SUBSECTION (5).

23
24 (c.7) THE DEPARTMENT MAY COMPROMISE, MITIGATE, OR REMIT
25 AN ADMINISTRATIVE PENALTY IMPOSED PURSUANT TO THIS SUBSECTION
26 (5). THE DEPARTMENT MAY ENTER INTO A SETTLEMENT AGREEMENT
27 REGARDING ANY PENALTY OR CLAIM RESOLVED UNDER THIS PART 1. THE
28 SETTLEMENT AGREEMENT MAY INCLUDE THE PAYMENT OR CONTRIBUTION
29 OF MONEYS TO STATE OR LOCAL AGENCIES FOR OTHER ENVIRONMENTALLY
30 BENEFICIAL PURPOSES."

31
32 Page 18, strike line 27 and substitute "CIRCUMSTANCES WARRANT,".

33
34 Page 21, line 14, strike "(b.5)" and substitute "(c.3)".

35
36 Page 22, line 18, strike "~~including such as are~~ OR MINERALS" and
37 substitute "including such as are".

38
39 Page 23, strike lines 2 through 22.

40
41 Renumber succeeding section accordingly.

42
43
44
45 **HB10-1260** be amended as follows, and as so amended, be referred to
46 the Committee on Appropriations with favorable
47 recommendation:

48
49 Amend printed bill, page 7, strike lines 4 through 27.

50
51 Strike pages 8 through 10.

52
53 Page 11, strike lines 1 through 7 and substitute:

54
55 "SECTION 6. 25-3.5-103, Colorado Revised Statutes, is
56 amended BY THE ADDITION OF A NEW SUBSECTION to read:

1 **25-3.5-103. Definitions.** As used in this article, unless the context
2 otherwise requires:

3
4 (7.5) "EMERGENCY MEDICAL PRACTICE ADVISORY COUNCIL" OR
5 "ADVISORY COUNCIL" MEANS THE EMERGENCY MEDICAL PRACTICE
6 ADVISORY COUNCIL CREATED IN SECTION 25-3.5-206.

7
8 **SECTION 7.** 25-3.5-201 (1), Colorado Revised Statutes, is
9 amended to read:

10
11 **25-3.5-201. Training programs.** (1) The department shall
12 design and establish specialized curricula for personnel who respond
13 routinely to emergencies. ~~Each curriculum shall be approved by the~~
14 ~~council in consultation with the state board of medical examiners.~~ The
15 board of county commissioners may select from the various curricula
16 available those courses meeting the minimum requirements established
17 by said board.

18
19 **SECTION 8.** 25-3.5-203 (1) (a), Colorado Revised Statutes, is
20 amended, and the said 25-3.5-203 (1) is further amended BY THE
21 ADDITION OF A NEW PARAGRAPH, to read:

22
23 **25-3.5-203. Emergency medical technicians - certification -**
24 **renewal of certificate - duties of department - rules - criminal history**
25 **record checks - repeal.** (1) (a) (I) PRIOR TO JANUARY 1, 2011, the duties
26 and functions of emergency medical technicians, including the acts that
27 they are authorized to perform subject to the medical direction of a
28 licensed physician, shall be regulated by rules adopted by the Colorado
29 state MEDICAL board. ~~of medical examiners.~~ The council shall advise and
30 make recommendations to said board concerning such rules before final
31 adoption.

32
33 (II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JANUARY 1,
34 2011.

35
36 (a.5) ON AND AFTER JANUARY 1, 2011, THE EXECUTIVE DIRECTOR
37 OR CHIEF MEDICAL OFFICER SHALL REGULATE THE ACTS EMERGENCY
38 MEDICAL TECHNICIANS ARE AUTHORIZED TO PERFORM SUBJECT TO THE
39 MEDICAL DIRECTION OF A LICENSED PHYSICIAN. THE EXECUTIVE
40 DIRECTOR OR CHIEF MEDICAL OFFICER, AFTER CONSIDERING THE ADVICE
41 AND RECOMMENDATIONS OF THE ADVISORY COUNCIL, SHALL ADOPT AND
42 REVISE RULES, AS NECESSARY, REGARDING THE REGULATION OF
43 EMERGENCY MEDICAL TECHNICIANS AND THEIR DUTIES AND FUNCTIONS.
44 THE EXECUTIVE DIRECTOR OR CHIEF MEDICAL OFFICER MAY ADOPT THE
45 RULES PRIOR TO JANUARY 1, 2011, BUT THE RULES SHALL NOT TAKE
46 EFFECT UNTIL JANUARY 1, 2011, OR LATER.

47
48 **SECTION 9.** 25-3.5-205 (5) (a), Colorado Revised Statutes, is
49 amended to read:

50
51 **25-3.5-205. Emergency medical technicians - investigations -**
52 **discipline.** (5) For the purposes of this section:

53
54 (a) "Medical director" means a physician who supervises certified
55 emergency medical technicians consistent with the rules adopted ~~by the~~
56 ~~board of medical examiners~~ BY THE EXECUTIVE DIRECTOR OR CHIEF

1 MEDICAL OFFICER, AS APPLICABLE, PURSUANT TO SECTION 25-3.5-206.

2
3 **SECTION 10.** Part 2 of article 3.5 of title 25, Colorado Revised
4 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
5 read:

6
7 **25-3.5-206. Emergency medical practice advisory council -**
8 **creation - powers and duties - emergency medical technician scope of**
9 **practice rules.** (1) THERE IS HEREBY CREATED WITHIN THE
10 DEPARTMENT, AS A TYPE 2 ENTITY UNDER THE DIRECTION OF THE
11 EXECUTIVE DIRECTOR OF THE DEPARTMENT, THE EMERGENCY MEDICAL
12 PRACTICE ADVISORY COUNCIL, REFERRED TO IN THIS PART 2 AS THE
13 "ADVISORY COUNCIL". THE ADVISORY COUNCIL IS RESPONSIBLE FOR
14 ADVISING THE DEPARTMENT REGARDING THE APPROPRIATE SCOPE OF
15 PRACTICE FOR EMERGENCY MEDICAL TECHNICIANS CERTIFIED PURSUANT
16 TO SECTION 25-3.5-203.

17
18 (2) (a) THE EMERGENCY MEDICAL PRACTICE ADVISORY COUNCIL
19 SHALL CONSIST OF THE FOLLOWING ELEVEN MEMBERS:

20
21 (I) EIGHT VOTING MEMBERS APPOINTED BY THE GOVERNOR AS
22 FOLLOWS:

23
24 (A) TWO PHYSICIANS LICENSED IN GOOD STANDING IN COLORADO
25 WHO ARE ACTIVELY SERVING AS EMERGENCY MEDICAL SERVICE MEDICAL
26 DIRECTORS AND ARE PRACTICING IN RURAL OR FRONTIER COUNTIES;

27
28 (B) TWO PHYSICIANS LICENSED IN GOOD STANDING IN COLORADO
29 WHO ARE ACTIVELY SERVING AS EMERGENCY MEDICAL SERVICE MEDICAL
30 DIRECTORS AND ARE PRACTICING IN URBAN COUNTIES;

31
32 (C) ONE PHYSICIAN LICENSED IN GOOD STANDING IN COLORADO
33 WHO IS ACTIVELY SERVING AS AN EMERGENCY MEDICAL SERVICE MEDICAL
34 DIRECTOR IN ANY AREA OF THE STATE;

35
36 (D) ONE EMERGENCY MEDICAL TECHNICIAN CERTIFIED AT AN
37 ADVANCED LIFE SUPPORT LEVEL WHO IS ACTIVELY INVOLVED IN THE
38 PROVISION OF EMERGENCY MEDICAL SERVICES;

39
40 (E) ONE EMERGENCY MEDICAL TECHNICIAN CERTIFIED AT A BASIC
41 LIFE SUPPORT LEVEL WHO IS ACTIVELY INVOLVED IN THE PROVISION OF
42 EMERGENCY MEDICAL SERVICES; AND

43
44 (F) ONE EMERGENCY MEDICAL TECHNICIAN CERTIFIED AT ANY
45 LEVEL WHO IS ACTIVELY INVOLVED IN THE PROVISION OF EMERGENCY
46 MEDICAL SERVICES;

47
48 (II) ONE VOTING MEMBER WHO, AS OF THE EFFECTIVE DATE OF
49 THIS SECTION, IS A MEMBER OF THE STATE EMERGENCY MEDICAL AND
50 TRAUMA SERVICES ADVISORY COUNCIL, APPOINTED BY THE EXECUTIVE
51 DIRECTOR OF THE DEPARTMENT; AND

52
53 (III) TWO NONVOTING EX OFFICIO MEMBERS APPOINTED BY THE
54 EXECUTIVE DIRECTOR OF THE DEPARTMENT.

55
56 (b) MEMBERS OF THE ADVISORY COUNCIL SHALL SERVE

1 FOUR-YEAR TERMS; EXCEPT THAT, OF THE MEMBERS INITIALLY APPOINTED
2 TO THE ADVISORY COUNCIL BY THE GOVERNOR, FOUR MEMBERS SHALL
3 SERVE THREE-YEAR TERMS. A VACANCY ON THE ADVISORY COUNCIL
4 SHALL BE FILLED BY APPOINTMENT BY THE APPOINTING AUTHORITY FOR
5 THAT VACANT POSITION FOR THE REMAINDER OF THE UNEXPIRED TERM.
6 MEMBERS SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY AND
7 CONTINUE IN OFFICE UNTIL THE MEMBER'S SUCCESSOR IS APPOINTED.

8
9 (c) MEMBERS OF THE ADVISORY COUNCIL SHALL SERVE WITHOUT
10 COMPENSATION BUT SHALL BE REIMBURSED FROM THE EMERGENCY
11 MEDICAL SERVICES ACCOUNT, CREATED IN SECTION 25-3.5-603, FOR THEIR
12 ACTUAL AND NECESSARY TRAVEL EXPENSES INCURRED IN THE
13 PERFORMANCE OF THEIR DUTIES UNDER THIS ARTICLE.

14
15 (d) THE ADVISORY COUNCIL SHALL ELECT A CHAIR AND
16 VICE-CHAIR FROM ITS MEMBERS.

17
18 (e) THE ADVISORY COUNCIL SHALL MEET AT LEAST QUARTERLY
19 AND MORE FREQUENTLY AS NECESSARY TO FULFILL ITS OBLIGATIONS.

20
21 (f) THE DEPARTMENT SHALL PROVIDE STAFF SUPPORT TO THE
22 ADVISORY COUNCIL.

23
24 (g) AS USED IN THIS SUBSECTION (2), "LICENSED IN GOOD
25 STANDING" MEANS THAT THE PHYSICIAN HOLDS A CURRENT, VALID
26 LICENSE TO PRACTICE MEDICINE IN COLORADO THAT IS NOT SUBJECT TO
27 ANY RESTRICTIONS.

28
29 (3) THE ADVISORY COUNCIL SHALL PROVIDE GENERAL TECHNICAL
30 EXPERTISE ON MATTERS RELATED TO THE PROVISION OF PATIENT CARE BY
31 EMERGENCY MEDICAL TECHNICIANS AND SHALL ADVISE OR MAKE
32 RECOMMENDATIONS TO THE DEPARTMENT IN THE FOLLOWING AREAS:

33
34 (a) THE ACTS AND MEDICATIONS THAT CERTIFIED EMERGENCY
35 MEDICAL TECHNICIANS AT EACH LEVEL OF CERTIFICATION ARE
36 AUTHORIZED TO PERFORM OR ADMINISTER UNDER THE DIRECTION OF A
37 PHYSICIAN MEDICAL DIRECTOR;

38
39 (b) REQUESTS FOR WAIVERS TO THE SCOPE OF PRACTICE RULES
40 ADOPTED PURSUANT TO THIS SECTION AND SECTION 25-3.5-203 (1) (a.5);

41
42 (c) MODIFICATIONS TO EMERGENCY MEDICAL TECHNICIAN
43 CERTIFICATION LEVELS AND CAPABILITIES; AND

44
45 (d) CRITERIA FOR PHYSICIANS TO SERVE AS EMERGENCY MEDICAL
46 SERVICE MEDICAL DIRECTORS.

47
48 (4) (a) THE EXECUTIVE DIRECTOR OR, IF THE EXECUTIVE DIRECTOR
49 IS NOT A PHYSICIAN, THE CHIEF MEDICAL OFFICER SHALL ADOPT RULES IN
50 ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S., CONCERNING THE
51 SCOPE OF PRACTICE OF EMERGENCY MEDICAL TECHNICIANS FOR
52 PREHOSPITAL CARE. THE RULES SHALL INCLUDE, BUT NOT BE LIMITED TO,
53 THE FOLLOWING:

54
55 (I) ALLOWABLE ACTS FOR EACH LEVEL OF EMERGENCY MEDICAL
56 TECHNICIAN CERTIFICATION AND THE MEDICATIONS THAT EACH LEVEL OF

1 EMERGENCY MEDICAL TECHNICIAN CERTIFICATION CAN ADMINISTER;

2
3 (II) DEFINING THE PHYSICIAN MEDICAL DIRECTION THAT IS
4 REQUIRED FOR APPROPRIATE OVERSIGHT OF AN EMERGENCY MEDICAL
5 TECHNICIAN BY AN EMERGENCY MEDICAL SERVICES MEDICAL DIRECTOR;

6
7 (III) CRITERIA FOR REQUESTS TO WAIVE THE SCOPE OF PRACTICE
8 RULES AND THE CONDITIONS FOR SUCH WAIVERS; AND

9
10 (IV) MINIMUM STANDARDS FOR PHYSICIANS TO BE EMERGENCY
11 MEDICAL SERVICES MEDICAL DIRECTORS.

12
13 (b) RULES ADOPTED PURSUANT TO THIS SUBSECTION (4)
14 SUPERSEDE ANY RULES OF THE COLORADO MEDICAL BOARD REGARDING
15 THE MATTERS SET FORTH IN THIS SUBSECTION (4).

16
17 **SECTION 11.** 25-3.5-603 (3) (c) (I), Colorado Revised Statutes,
18 is amended to read:

19
20 **25-3.5-603. Emergency medical services account - creation -**
21 **allocation of funds.** (3) On and after July 1, 2002, moneys in the
22 emergency medical services account shall be appropriated:

23
24 (c) To the direct and indirect costs of planning, developing,
25 implementing, maintaining, and improving the statewide emergency
26 medical and trauma services system. Such costs shall include:

27
28 (I) Providing technical assistance and support to local
29 governments, local emergency medical and trauma service providers, and
30 RETACs operating a statewide data collection system, coordinating local
31 and state programs, providing assistance in selection and purchasing of
32 medical and communication equipment, ~~and~~ administering the EMTS
33 grant program, AND ESTABLISHING AND MAINTAINING SCOPE OF PRACTICE
34 FOR CERTIFIED MEDICAL TECHNICIANS; and

35
36 **SECTION 12.** 25-3.5-706, Colorado Revised Statutes, is
37 amended to read:

38
39 **25-3.5-706. Immunity from liability.** The department, the board,
40 the council as defined in section 25-3.5-703 (3.5), a RETAC as defined
41 in section 25-3.5-703 (6.8), THE EMERGENCY MEDICAL PRACTICE
42 ADVISORY COUNCIL CREATED IN SECTION 25-3.5-206, key resource
43 facilities, any other public or private entity acting on behalf of or under
44 contract with the department, and counties and cities and counties shall
45 be immune from civil and criminal liability and from regulatory sanction
46 for acting in compliance with the provisions of this part 7. Nothing in
47 this section shall be construed as providing any immunity to such entities
48 or any other person in connection with the provision of medical treatment,
49 care, or services that are governed by the medical malpractice statutes,
50 article 64 of title 13, C.R.S.

51
52 **SECTION 13.** 12-36-106 (3), Colorado Revised Statutes, is
53 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

54
55 **12-36-106. Practice of medicine defined - exemptions from**
56 **licensing requirements - unauthorized practice by physician**

- 1 **assistants - penalties - repeal.** (3) Nothing in this section shall be
2 construed to prohibit, or to require a license or a physician training license
3 under this article with respect to, any of the following acts:
4
- 5 (w) THE RENDERING OF SERVICES BY AN EMERGENCY MEDICAL
6 TECHNICIAN CERTIFIED PURSUANT TO SECTION 25-3.5-203, C.R.S., AS
7 LONG AS THE SERVICES RENDERED ARE CONSISTENT WITH RULES ADOPTED
8 BY THE EXECUTIVE DIRECTOR OR CHIEF MEDICAL OFFICER, AS APPLICABLE,
9 PURSUANT TO SECTION 25-3.5-206, C.R.S., DEFINING THE DUTIES AND
10 FUNCTIONS OF EMERGENCY MEDICAL TECHNICIANS."
11
- 12 Renumber succeeding sections accordingly.
13
- 14 Page 11, line 16, strike "and".
15
- 16 Page 11, after line 16 insert:
17
- 18 "(B) ONE MEMBER LICENSED UNDER THIS ARTICLE AS A PHYSICIAN
19 ASSISTANT; and".
20
- 21 Page 11, line 17, strike "(B) ~~four~~ FIVE" and substitute "(C) Four".
22
- 23 Page 11, line 25, strike "PUBLIC MEMBER" and substitute "PHYSICIAN
24 ASSISTANT".
25
- 26 Page 12, line 3, strike "PUBLIC MEMBER" and substitute "PHYSICIAN
27 ASSISTANT".
28
- 29 Page 12, line 10, after "licensed" insert "IN GOOD STANDING".
30
- 31 Page 13, line 14, strike "Regular meetings" and substitute "~~Regular~~
32 Meetings".
33
- 34 Page 13, line 15, strike "either panel," and substitute "~~either~~ ANY panel"
35 and strike "section 12-36-118," and substitute "~~section 12-36-118~~, THIS
36 ARTICLE".
37
- 38 Page 15, line 8, strike "PERSON," and substitute "PERSON OR UPON
39 CREDIBLE EVIDENCE IN A MOTION OF THE LICENSING PANEL,".
40
- 41 Page 18, line 21, strike "person," and substitute "person OR IN ITS OWN
42 MOTION,".
43
- 44 Page 18, line 27, strike "~~or~~" and substitute "or".
45
- 46 Page 19, line 24, strike "DIRECTOR" and substitute "AMENDMENT SHALL
47 NOT TAKE EFFECT.".
48
- 49 Page 19, strike lines 25 through 27.
50
- 51 Page 20, strike lines 1 through 4.
52
- 53 Page 21, line 9, strike "DIRECTOR" and substitute "AMENDMENT SHALL
54 NOT TAKE EFFECT.".
55
- 56 Page 21, strike lines 10 through 16.

1 Page 23, after line 3 insert:

2

3 "(6) THE BOARD MAY REFRAIN FROM ISSUING A PRO BONO LICENSE
4 IN ACCORDANCE WITH SECTION 12-36-116."

5

6 Renumber succeeding subsection accordingly.

7

8 Page 26, line 10, strike "(3) (b) and (5) (b) (I)," and substitute "(3) (b), (5)
9 (b) (I), and (5) (b) (II) (B),".

10

11 Page 28, line 16, strike "THREE" and substitute "FOUR".

12

13 Page 28, line 19, strike "THREE" and substitute "FOUR".

14

15 Page 28, after line 22 insert:

16

17 "(II) For purposes of this subsection (5), "personal and responsible
18 direction and supervision" means that the direction and supervision of a
19 physician assistant ~~must be~~ IS personally rendered by a licensed physician
20 practicing in the state of Colorado and IS not RENDERED through
21 intermediaries. The extent of direction and supervision shall be
22 determined by rules ~~and regulations~~ promulgated by the board and as
23 otherwise provided in this paragraph (b); except that, when a physician
24 assistant is performing a delegated medical function in an acute care
25 hospital, the board shall allow supervision and direction to be performed
26 without the physical presence of the physician during the time the
27 delegated medical functions are being implemented if:

28

29 (B) The licensed supervising physician reviews the quality of
30 medical services rendered by the physician assistant ~~every two working~~
31 ~~days~~ by reviewing the medical records to assure compliance with the
32 physicians' directions; and".

33

34 Page 32, line 19, strike "AND DETERMINE".

35

36 Page 33, line 2, strike "BOARD AND CONSISTENT WITH ANY" and substitute
37 "BOARD."

38

39 Page 33, strike line 3.

40

41 Page 33, line 9, strike "BOARD" and substitute "PARTIES" and after
42 "MODIFY" insert "OR DISSOLVE".

43

44 Page 33, line 10, strike "IF THE".

45

46 Page 33, strike lines 11 through 18.

47

48 Page 36, line 6, strike "and (3)," and substitute "(3), and (4),".

49

50 Page 39, after line 12 insert:

51

52 "~~(4) Each physician, dentist, or health care institution, subject to~~
53 ~~the provisions of this section, shall pay, in addition to any license fee,~~
54 ~~certification fee, or fee for such other authority, an additional fee in an~~
55 ~~amount to be determined by the appropriate authority which issues or~~
56 ~~administers such license, certification, or other authority, not to exceed~~

1 ~~fifteen dollars. Such fee shall be transmitted to the state treasurer, who~~
2 ~~shall credit the same to the division of registrations cash fund, which~~
3 ~~moneys shall be used exclusively for the purposes of this article as~~
4 ~~annually appropriated by the general assembly."~~

5
6 Page 48, strike line 17 and substitute "amended to read:".

7
8 Page 48, line 18, strike "(a)".

9
10 Page 48, strike lines 26 and 27.

11
12 Page 49, strike lines 1 through 5.

13
14 Page 56, line 11, after "association," insert "OR THE SUCCESSOR OF EITHER
15 ENTITY,".

16
17 Page 59, after line 7 insert:

18
19 **"SECTION 46.** 12-36-134 (1) (b) and (1) (d), the introductory
20 portion to 12-36-134 (1) (g), and 12-36-134 (1) (g) (I), (1) (g) (II), (1) (g)
21 (III), (3), (4), and (5), Colorado Revised Statutes, are amended to read:

22
23 **12-36-134. Professional service corporations, limited liability**
24 **companies, and registered limited liability partnerships for the**
25 **practice of medicine - definitions.** (1) Persons licensed to practice
26 medicine by the board may form professional service corporations for
27 such persons' practice of medicine under the "Colorado Business
28 Corporation Act", articles 101 to 117 of title 7, C.R.S., if such
29 corporations are organized and operated in accordance with the
30 provisions of this section. The articles of incorporation of such
31 corporations shall contain provisions complying with the following
32 requirements:

33
34 (b) The corporation ~~shall be~~ IS organized solely for the purpose of
35 permitting individuals to conduct the practice of medicine through a
36 corporate entity, so long as all the individuals are actively licensed ~~by the~~
37 ~~board to practice medicine~~ PHYSICIANS OR PHYSICIAN ASSISTANTS in the
38 state of Colorado.

39
40 (d) All shareholders of the corporation ~~shall be~~ ARE persons
41 licensed by the board to practice medicine in the state of Colorado ~~and~~
42 who at all times own their shares in their own right; ~~They~~ EXCEPT THAT
43 ONE OR MORE PERSONS LICENSED BY THE BOARD AS A PHYSICIAN
44 ASSISTANT MAY BE A SHAREHOLDER OF THE CORPORATION AS LONG AS
45 THE PHYSICIAN SHAREHOLDERS MAINTAIN MAJORITY OWNERSHIP OF THE
46 CORPORATION. THE SHAREHOLDERS shall be individuals who, except for
47 illness, accident, time spent in the armed services, on vacations, and on
48 leaves of absence not to exceed one year, are actively engaged in the
49 practice of medicine OR AS A PHYSICIAN ASSISTANT in the offices of the
50 corporation.

51
52 (g) The articles of incorporation ~~shall provide~~ PROVIDES and all
53 shareholders of the corporation ~~shall~~ agree that all shareholders of the
54 corporation ~~shall be~~ ARE jointly and severally liable for all acts, errors,
55 and omissions of the employees of the corporation or that all shareholders
56 of the corporation ~~shall be~~ ARE jointly and severally liable for all acts,

1 errors, and omissions of the employees of the corporation, except during
2 periods of time when each ~~person licensed by the board to practice~~
3 ~~medicine in Colorado~~ LICENSEE who is a shareholder or any employee of
4 the corporation has a professional liability policy insuring himself or
5 herself and all employees who are not licensed to ~~practice medicine~~
6 PURSUANT TO THIS ARTICLE who act at his or her direction, in the amount
7 of fifty thousand dollars for each claim and an aggregate top limit of
8 liability per year for all claims of one hundred fifty thousand dollars, or
9 the corporation maintains in good standing professional liability insurance
10 ~~which shall meet~~ THAT MEETS the following minimum standards:

11
12 (I) The insurance ~~shall insure~~ INSURES the corporation against
13 liability imposed upon the corporation by law for damages resulting from
14 any claim made against the corporation arising out of the performance of
15 professional services for others by those officers and employees of the
16 corporation who are ~~licensed by the board to practice medicine~~
17 LICENSEES.

18
19 (II) ~~Such~~ THE policies ~~shall~~ insure the corporation against liability
20 imposed upon it by law for damages arising out of the acts, errors, and
21 omissions of all nonprofessional employees.

22
23 (III) The insurance ~~shall be~~ IS in an amount for each claim of at
24 least fifty thousand dollars multiplied by the number of ~~persons licensed~~
25 ~~to practice medicine~~ LICENSEES employed by the corporation. The policy
26 may provide for an aggregate top limit of liability per year for all claims
27 of one hundred fifty thousand dollars also multiplied by the number of
28 ~~persons licensed to practice medicine~~ LICENSEES employed by the
29 corporation, but no firm shall be required to carry insurance in excess of
30 three hundred thousand dollars for each claim with an aggregate top limit
31 of liability for all claims during the year of nine hundred thousand dollars.

32
33 (3) The corporation shall do nothing ~~which~~ THAT, if done by a
34 ~~person licensed to practice medicine in the state of Colorado,~~ LICENSEE
35 employed by it THE CORPORATION, would violate the standards of
36 professional conduct as provided for in section 12-36-117. Any violation
37 OF THIS SECTION by the corporation of ~~this section shall be~~ IS grounds for
38 the board to ~~terminate~~ REVOKE or suspend the LICENSE OF THE person or
39 persons responsible for the violation. ~~from the practice of medicine.~~

40
41 (4) Nothing in this section ~~shall be deemed to diminish or change~~
42 DIMINISHES OR CHANGES the obligation of each ~~person licensed to practice~~
43 ~~medicine~~ LICENSEE employed by the corporation to conduct his OR HER
44 practice in accordance with the standards of professional conduct
45 provided for in section 12-36-117. Any ~~person licensed by the board to~~
46 ~~practice medicine~~ LICENSEE who, by act or omission, causes the
47 corporation to act or fail to act in a way ~~which~~ THAT violates ~~such~~ THE
48 standards of professional conduct, including any provision of this section,
49 ~~shall be deemed~~ IS personally responsible for such act or omission and
50 ~~shall be~~ IS subject to discipline ~~therefor~~ FOR THE ACT OR OMISSION.

51
52 (5) Nothing in this section ~~shall be deemed to modify~~ MODIFIES
53 the physician-patient privilege specified in section 13-90-107 (1) (d),
54 C.R.S."

55
56 Renumber succeeding sections accordingly.

1 **HB10-1330** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 2, strike line 17 and substitute "DATABASE".

6
7 Page 3, strike lines 3 and 4 and substitute:

8
9 "(II) A REPRESENTATIVE OF A STATEWIDE ASSOCIATION OF
10 HOSPITALS;"

11
12 Page 4, line 21, strike "2016." and substitute "2013".

13
14 Page 5, line 2, after "PAYERS," insert "PROVIDERS,".

15
16 Page 5, line 22, strike "PROVIDER" and substitute "OTHER PUBLICLY
17 AVAILABLE".

18
19 Page 5, line 25, strike "THE INCLUSION OF" and substitute "WHETHER TO
20 INCLUDE".

21
22 Page 6, after line 12 insert:

23
24 "(3) THE ADVISORY COMMITTEE SHALL MAKE RECOMMENDATIONS
25 TO THE EXECUTIVE DIRECTOR TO DETERMINE HOW THE ONGOING
26 OVERSIGHT OF THE OPERATIONS OF THE ALL-PAYER HEALTH CLAIMS
27 DATABASE SHOULD FUNCTION.".

28
29 Renumber succeeding subsections accordingly.

30
31 Page 6, strike lines 22 and 23 and substitute:

32
33 "(5) IF SUFFICIENT FUNDING IS RECEIVED, THE EXECUTIVE
34 DIRECTOR SHALL DIRECT THE ADMINISTRATOR TO CREATE THE DATABASE
35 AND THE ADMINISTRATOR SHALL:".

36
37 Page 6, line 24, after "COLLECTED" insert "FROM PAYERS".

38
39 Page 7, line 17, after "PUBLIC" insert "WITH RECOMMENDATIONS FROM
40 THE ADVISORY COMMITTEE".

41
42 Page 8, line 5, strike "CHANGES" and substitute "CHANGES, WITH INPUT
43 FROM THE ADVISORY COMMITTEE OR ITS SUCCESSOR GOVERNANCE
44 ENTITY,".

45
46 Page 8, line 11, strike "ADMINISTRATOR:" and substitute
47 "ADMINISTRATOR, WITH INPUT FROM THE ADVISORY COMMITTEE:".

48
49 Page 8, line 12, after "UTILIZE" insert "PUBLICLY".

50
51 Page 8, line 17, strike "A DATA SOURCE" and substitute "PAYER DATA
52 SOURCES".

53
54 Page 8, line 22, strike "NATIONAL" and substitute "NATIONAL, REGIONAL,
55 AND OTHER UNIFORM ALL-PAYER CLAIMS DATABASES".

56

1 Page 9, line 27, strike "AN ENTITY" and substitute "A PAYER".

2
3 Page 10, after line 1 insert:

4
5 "(10) THIS SECTION IS REPEALED, JANUARY 1, 2012, UNLESS THE
6 EXECUTIVE DIRECTOR NOTIFIES THE REVISOR OF STATUTES ON OR BEFORE
7 SUCH DATE THAT SUFFICIENT FUNDING TO CREATE THE DATABASE, AS
8 DETERMINED BY THE EXECUTIVE DIRECTOR, ADVISORY COMMITTEE, AND
9 ADMINISTRATOR, HAS BEEN RECEIVED THROUGH GIFTS, GRANTS, AND
10 DONATIONS.

11
12 (11) IF AT ANY TIME, THERE IS NOT SUFFICIENT FUNDING TO
13 FINANCE THE ONGOING OPERATIONS OF THE DATABASE, THE DATABASE
14 SHALL CEASE OPERATING AND THE ADVISORY COMMITTEE AND
15 ADMINISTRATOR SHALL NO LONGER HAVE THE DUTY TO CARRY OUT THE
16 FUNCTIONS REQUIRED PURSUANT TO THIS SECTION. IF THE DATABASE
17 CEASES TO OPERATE, THE DATA SUBMITTED SHALL BE DESTROYED OR
18 RETURNED TO ITS ORIGINAL SOURCE."

19
20 Page 10, line 2, strike "(cc)," and substitute "(z),".

21
22 Page 10, strike line 7 and substitute:

23
24 "(z) July 1, 2013:".

25
26 Page 10, line 8, strike "(III)" and substitute "(VI)".

27
28
29
30 **HB10-1332** be amended as follows, and as so amended, be referred to
31 the Committee on Appropriations with favorable
32 recommendation:

33
34 Amend printed bill, page 3, strike lines 5 through 8.

35
36 Renumber succeeding subsections accordingly.

37
38 Page 6, line 6, strike "(10)," and substitute "(9),".

39
40 Page 6, after line 17 insert:

41
42 "(11) "NATIONAL INITIATIVE" MEANS A NATIONAL INITIATIVE BY
43 THE AMERICAN SOCIETY FOR QUALITY OR ANOTHER NEUTRAL PARTY IN
44 THE INDUSTRY THAT BRINGS TOGETHER DIVERSE STAKEHOLDERS TO
45 CREATE A LEVEL OF UNDERSTANDING OF THE IMPACT OF CODING EDITS ON
46 THE INDUSTRY AND A UNIFORM, STANDARDIZED SET OF CLAIMED EDITS THAT
47 MEETS THE NEEDS OF THE STAKEHOLDERS IN THE INDUSTRY."

48
49 Renumber succeeding subsection accordingly.

50
51 Page 11, line 25, strike "ASQ" and substitute "NATIONAL".

52
53 Page 12, line 23, strike "ASQ" and substitute "NATIONAL".

54
55 Page 14, line 7, strike "ASQ" and substitute "NATIONAL".

56

1 Page 14, line 15, strike "NO LATER THAN".

2

3 Page 14, strike line 16 and substitute "ACCORDING TO A SCHEDULE
4 OUTLINED UNDER THE NATIONAL INITIATIVE OR BY JANUARY 1, 2014,
5 WHICHEVER OCCURS FIRST; AND".

6

7 Page 14, line 19, strike "DECEMBER".

8

9 Page 14, strike line 20 and substitute "JANUARY 1, 2015".

10

11 Page 14, line 22, strike "ASQ" and substitute "NATIONAL".

12

13 Page 15, line 21, strike "NO LATER THAN DECEMBER".

14

15 Page 15, strike line 22 and substitute "ACCORDING TO A SCHEDULE
16 OUTLINED IN THE TASK FORCE RECOMMENDATIONS OR BY JANUARY 1,
17 2015, WHICHEVER OCCURS FIRST; AND".

18

19 Page 15, line 25, strike "DECEMBER".

20

21 Page 15, strike line 26 and substitute "JANUARY 1, 2016".

22

23 Page 16, line 4, strike "SERVICES." and substitute "SERVICES; EXCEPT
24 THAT, IF NATIONAL STANDARDS ARE LATER IDENTIFIED FOR
25 STANDARDIZED PAYMENT RULES AND CLAIM EDITS, COLORADO PAYERS
26 SHALL COMPLY WITH THE NATIONAL STANDARDS WITHIN TWENTY-FOUR
27 MONTHS AFTER THOSE STANDARDS ARE PUBLISHED.".

28

29 Page 16, after line 22 insert:

30

31 "(5) THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING
32 IS AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, OR DONATIONS FROM
33 PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION; EXCEPT
34 THAT THE DEPARTMENT SHALL NOT ACCEPT A GIFT, GRANT, OR DONATION
35 IF IT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS
36 SECTION OR ANY OTHER LAW OF THE STATE. THE DEPARTMENT SHALL
37 TRANSMIT ALL PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS,
38 GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT
39 THE SAME TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING
40 CASH FUND CREATED PURSUANT TO SECTION 25.5-1-109, C.R.S.

41

42 (6) UNLESS THE DEPARTMENT OF HEALTH CARE POLICY AND
43 FINANCING RECEIVES SUFFICIENT MONEYS FROM GIFTS, GRANTS, AND
44 DONATIONS MADE PURSUANT TO SUBSECTION (5) OF THIS SECTION, THE
45 DEPARTMENT SHALL NOT BE REQUIRED TO IMPLEMENT THE REQUIREMENTS
46 OF THIS SECTION.".

47

48

49

50

51 **JUDICIARY**

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

54

55 **HB10-1056** be postponed indefinitely.

56

1 **HB10-1168** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, strike everything below the enacting clause and
6 substitute:
7

8 "SECTION 1. Part 1 of article 1 of title 10, Colorado Revised
9 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
10 read:
11

12 **10-1-135. Reimbursement for benefits - limitations - notice -**
13 **definitions - legislative declaration.** (1) THE GENERAL ASSEMBLY
14 HEREBY FINDS AND DECLARES THAT:
15

16 (a) WHEN A PAYER OF BENEFITS SEEKS REPAYMENT OF THE
17 BENEFITS PROVIDED TO AN INJURED PARTY, THE REPAYMENT REDUCES THE
18 AMOUNT AVAILABLE TO THE INJURED PARTY TO COMPENSATE HIM OR HER
19 FOR INJURIES AND DAMAGES OTHER THAN THE COST OF MEDICAL CARE
20 AND MEDICAL SERVICES;
21

22 (b) REIMBURSEMENT OR REPAYMENT OF BENEFITS SHOULD NOT BE
23 PERMITTED WHEN THE INJURED PARTY WOULD NOT BE FULLY
24 COMPENSATED FOR HIS OR HER INJURIES AND DAMAGES;
25

26 (c) IT IS IN THE BEST INTERESTS OF THE CITIZENS OF THIS STATE TO
27 ENSURE THAT EACH INSURED INJURED PARTY RECOVERS FULL
28 COMPENSATION FOR BODILY INJURY CAUSED BY THE ACT OR OMISSION OF
29 A THIRD PARTY, AND THAT SUCH COMPENSATION IS NOT DIMINISHED BY
30 REPAYMENT, REIMBURSEMENT, OR SUBROGATION RIGHTS OF THE PAYER
31 OF BENEFITS;
32

33 (d) THIS LAW REGULATING INSURANCE AND HEALTH BENEFIT
34 PLANS IS INTENDED TO ENSURE THAT AN INJURED PARTY WHO RECOVERS
35 DAMAGES FOR BODILY INJURIES CAUSED BY A THIRD PARTY AND RECEIVES
36 BENEFITS PURSUANT TO AN INSURANCE POLICY, CONTRACT, OR BENEFIT
37 PLAN IS FULLY COMPENSATED FOR HIS OR HER INJURIES AND DAMAGES
38 BEFORE THE PAYER OF BENEFITS MAY SEEK REPAYMENT OF BENEFITS
39 PROVIDED TO THE INJURED PARTY;
40

41 (e) IN THE ABSENCE OF THIS SECTION, PAYERS OF BENEFITS MAY
42 SEEK REPAYMENT OF BENEFITS OUT OF A RECOVERY OBTAINED BY THE
43 INJURED PARTY WITHOUT PAYING ATTORNEY FEES INCURRED BY THE
44 INJURED PARTY IN OBTAINING THE RECOVERY, THEREBY BENEFITTING
45 FROM ATTORNEY SERVICES FOR WHICH THEY DID NOT PAY;
46

47 (f) THIS SECTION IS INTENDED TO REQUIRE A PAYER OF BENEFITS
48 TO PAY A PROPORTIONATE SHARE OF THE ATTORNEY FEES WHEN THE
49 PAYER OF BENEFITS IS A BENEFICIARY OF THE ATTORNEY SERVICES PAID
50 FOR BY THE INJURED PARTY.
51

52 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
53 REQUIRES:
54

55 (a) "BENEFITS" MEANS PAYMENT OR REIMBURSEMENT OF HEALTH
56 CARE EXPENSES, HEALTH CARE SERVICES, DISABILITY PAYMENTS, LOST

1 WAGE PAYMENTS, OR ANY OTHER BENEFITS OF ANY KIND, INCLUDING
2 DISCOUNTS AND WRITE-OFFS, PROVIDED TO OR ON BEHALF OF AN INJURED
3 PARTY UNDER A POLICY OF INSURANCE, CONTRACT, OR BENEFIT PLAN WITH
4 AN INDIVIDUAL OR GROUP, WHETHER OR NOT PROVIDED THROUGH AN
5 EMPLOYER.

6
7 (b) "INJURED PARTY" MEANS A PERSON WHO HAS SUSTAINED
8 BODILY INJURY AS THE RESULT OF THE ACT OR OMISSION OF A THIRD
9 PARTY, HAS PURSUED A PERSONAL INJURY OR SIMILAR CLAIM AGAINST THE
10 THIRD PARTY OR HAS MADE A CLAIM UNDER HIS OR HER UNINSURED OR
11 UNDERINSURED MOTORIST COVERAGE, AND HAS RECEIVED BENEFITS AS A
12 POLICYHOLDER, PARTICIPANT, OR BENEFICIARY FROM THE PAYER OF
13 BENEFITS. "INJURED PARTY" INCLUDES THE PERSONAL REPRESENTATIVE
14 OF THE ESTATE OF AN INJURED PARTY OR THE LEGAL REPRESENTATIVE OF
15 A PERSON UNDER A DISABILITY AS PROVIDED IN ARTICLE 81 OF TITLE 13,
16 C.R.S.

17
18 (c) "PAYER OF BENEFITS" MEANS ANY INSURER, HEALTH
19 MAINTENANCE ORGANIZATION, HEALTH BENEFIT PLAN, PREFERRED
20 PROVIDER ORGANIZATION, EMPLOYEE BENEFIT PLAN, OTHER INSURANCE
21 POLICY OR PLAN, OR ANY OTHER PAYER OF BENEFITS. "PAYER OF
22 BENEFITS" INCLUDES A FIDUCIARY OF AN INSURER, PLAN, OR OTHER PAYER
23 OF BENEFITS.

24
25 (d) "RECOVERY" MEANS RECOVERY OF A MONETARY AWARD FROM
26 A THIRD PARTY THROUGH EITHER SETTLEMENT OR JUDGMENT TO
27 COMPENSATE AN INJURED PARTY FOR BODILY INJURY SUSTAINED AS A
28 RESULT OF AN ACT OR OMISSION OF THE THIRD PARTY. "RECOVERY"
29 INCLUDES BENEFITS PAID OR SETTLEMENT OF CLAIMS UNDER UNINSURED
30 OR UNDERINSURED MOTORIST COVERAGE PURSUANT TO SECTION 10-4-609.

31
32 (3) (a) (I) REIMBURSEMENT OR SUBROGATION PURSUANT TO A
33 PROVISION IN AN INSURANCE POLICY, CONTRACT, OR BENEFIT PLAN IS
34 PERMITTED ONLY IF THE INJURED PARTY HAS FIRST BEEN FULLY
35 COMPENSATED FOR ALL DAMAGES ARISING OUT OF THE CLAIM. ANY
36 PROVISION IN A POLICY, CONTRACT, OR BENEFIT PLAN ALLOWING OR
37 REQUIRING REIMBURSEMENT OR SUBROGATION IN CIRCUMSTANCES IN
38 WHICH THE INJURED PARTY HAS NOT BEEN FULLY COMPENSATED IS VOID
39 AS AGAINST PUBLIC POLICY.

40
41 (II) THIS PARAGRAPH (a) DOES NOT LIMIT THE RIGHT OF AN
42 INSURER TO SEEK REIMBURSEMENT OR SUBROGATION TO RECOVER
43 AMOUNTS PAID FOR PROPERTY DAMAGE OR THE RIGHT OF AN INSURER
44 PROVIDING UNINSURED OR UNDERINSURED MOTORIST COVERAGE
45 PURSUANT TO SECTION 10-4-609 TO AN INJURED PARTY TO PURSUE CLAIMS
46 AGAINST AN AT-FAULT THIRD PARTY, AND ANY AMOUNTS RECOVERED BY
47 SUCH INSURER SHALL NOT BE REDUCED PURSUANT TO PARAGRAPH (c) OF
48 THIS SUBSECTION (3).

49
50 (b) IF THE INJURED PARTY IS FULLY COMPENSATED AND
51 REIMBURSEMENT OR SUBROGATION OF BENEFITS IS AUTHORIZED, THE
52 REIMBURSEMENT OR SUBROGATION AMOUNT CANNOT EXCEED THE
53 AMOUNT ACTUALLY PAID BY THE PAYER OF BENEFITS TO COVER BENEFITS
54 UNDER THE POLICY, CONTRACT, OR BENEFIT PLAN OR, FOR HEALTH CARE
55 SERVICES PROVIDED ON A CAPITATED BASIS, THE AMOUNT EQUAL TO
56 EIGHTY PERCENT OF THE USUAL AND CUSTOMARY CHARGE FOR THE SAME

1 SERVICES BY HEALTH CARE PROVIDERS THAT PROVIDE HEALTH CARE
2 SERVICES ON A NONCAPITATED BASIS IN THE GEOGRAPHIC REGION IN
3 WHICH THE SERVICES ARE RENDERED.

4
5 (c) THE AMOUNT RECOVERABLE, IF ANY, BY THE PAYER OF
6 BENEFITS FOR REIMBURSEMENT OR SUBROGATION SHALL BE REDUCED BY
7 AN AMOUNT EQUAL TO THE PAYER OF BENEFITS' PROPORTIONATE SHARE
8 OF THE ATTORNEY FEES AND EXPENSES INCURRED BY OR ON BEHALF OF
9 THE INJURED PARTY IN MAKING THE RECOVERY, BASED ON THE RATIO OF
10 THE AMOUNT OF ATTORNEY FEES AND EXPENSES INCURRED TO THE
11 AMOUNT OF THE RECOVERY.

12
13 (d) (I) IF THE INJURED PARTY MAKES A RECOVERY OF AN AMOUNT
14 THAT IS LESS THAN THE TOTAL AMOUNT OF COVERAGE AVAILABLE UNDER
15 ANY THIRD-PARTY LIABILITY INSURANCE POLICY OR UNINSURED OR
16 UNDERINSURED MOTORIST COVERAGE PURSUANT TO SECTION 10-4-609,
17 THERE IS A REBUTTABLE PRESUMPTION THAT THE INJURED PARTY HAS
18 BEEN FULLY COMPENSATED. IF THE INJURED PARTY MAKES A RECOVERY
19 OF AN AMOUNT EQUAL TO THE TOTAL AMOUNT OF COVERAGE AVAILABLE
20 UNDER ALL THIRD-PARTY LIABILITY INSURANCE POLICIES AND UNINSURED
21 OR UNDERINSURED MOTORIST COVERAGES, THERE IS A REBUTTABLE
22 PRESUMPTION THAT THE INJURED PARTY HAS NOT BEEN FULLY
23 COMPENSATED.

24
25 (II) IF THE INJURED PARTY OBTAINS A JUDGMENT, THE AMOUNT OF
26 THE JUDGMENT IS PRESUMED TO BE THE AMOUNT NECESSARY TO FULLY
27 COMPENSATE THE INJURED PARTY.

28
29 (4) (a) (I) ANY DISPUTES BETWEEN THE PAYER OF BENEFITS AND
30 THE INJURED PARTY REGARDING ENTITLEMENT TO REIMBURSEMENT OR
31 SUBROGATION SHALL BE RESOLVED IN ACCORDANCE WITH THIS
32 PARAGRAPH (a), REGARDLESS OF WHETHER ADMINISTRATIVE REMEDIES
33 CONTAINED IN THE POLICY, CONTRACT, OR BENEFIT PLAN DOCUMENTS
34 HAVE BEEN EXHAUSTED BY THE INJURED PARTY.

35
36 (II) IF THE INJURED PARTY OBTAINS A RECOVERY THAT IS LESS
37 THAN THE SUM OF ALL DAMAGES INCURRED BY THE INJURED PARTY AND
38 INTENDS TO ENFORCE THE REQUIREMENTS OF SUBSECTION (3) OF THIS
39 SECTION, THE INJURED PARTY SHALL NOTIFY THE PAYER OF BENEFITS
40 WITHIN SIXTY DAYS OF RECEIPT OF EACH RECOVERY. THE NOTICE SHALL
41 INCLUDE THE TOTAL AMOUNT AND SOURCE OF THE RECOVERY; THE
42 COVERAGE LIMITS APPLICABLE TO ANY AVAILABLE INSURANCE POLICY,
43 CONTRACT, OR BENEFIT PLAN; AND THE AMOUNT OF ANY COSTS CHARGED
44 TO THE INJURED PARTY. IF RECOVERY WAS OBTAINED THROUGH A
45 SETTLEMENT AGREEMENT THAT CONTAINS A CONFIDENTIALITY PROVISION
46 THAT AFFECTS THE INFORMATION REQUIRED BY THIS SUBPARAGRAPH (II),
47 THE CONFIDENTIALITY PROVISION IS UNENFORCEABLE AS TO THE
48 DISCLOSURE OF THE REQUIRED INFORMATION.

49
50 (III) IF THE PAYER OF BENEFITS DISPUTES THAT THE INJURED
51 PARTY'S RECOVERY IS LESS THAN THE SUM OF ALL DAMAGES INCURRED BY
52 THE INJURED PARTY, THE DISPUTE SHALL BE RESOLVED BY ARBITRATION.
53 THE PAYER OF BENEFITS MAY REQUEST ARBITRATION OF THE DISPUTE TO
54 DETERMINE THE EXTENT TO WHICH THE PAYER OF BENEFITS MAY BE
55 ENTITLED TO SHARE IN THE RECOVERY PURSUANT TO SUBSECTION (3) OF
56 THIS SECTION. THE PAYER OF BENEFITS MAY REQUEST ARBITRATION NO

1 LATER THAN SIXTY DAYS AFTER RECEIPT OF ANY NOTICE UNDER
2 SUBPARAGRAPH (II) OF THIS PARAGRAPH (a).

3

4 (IV) IF THE PAYER OF BENEFITS REQUESTS ARBITRATION OF THE
5 DISPUTE, THE INJURED PARTY AND THE PAYER OF BENEFITS SHALL JOINTLY
6 CHOOSE AN ARBITRATOR TO RESOLVE THE DISPUTE. IF THE INJURED PARTY
7 AND THE PAYER OF BENEFITS CANNOT AGREE ON AN ARBITRATOR, THE
8 DISPUTE SHALL BE RESOLVED BY A PANEL OF THREE ARBITRATORS
9 SELECTED AS FOLLOWS:

10

11 (A) THE INJURED PARTY SHALL SELECT ONE ARBITRATOR;

12

13 (B) THE PAYER OF BENEFITS SHALL SELECT ONE ARBITRATOR; AND

14

15 (C) THE ARBITRATORS CHOSEN BY THE PARTIES PURSUANT TO
16 SUB-SUBPARAGRAPHS (A) AND (B) OF THIS SUBPARAGRAPH (IV) SHALL
17 SELECT THE THIRD ARBITRATOR.

18

19 (b) IF THE ARBITRATOR DETERMINES THAT THE AMOUNT OF THE
20 RECOVERY DOES NOT FULLY COMPENSATE THE INJURED PARTY FOR HIS OR
21 HER DAMAGES, THE PAYER OF BENEFITS SHALL HAVE NO RIGHT TO
22 REPAYMENT, REIMBURSEMENT, OR SUBROGATION.

23

24 (5) A PAYER OF BENEFITS SHALL NOT DENY OR REFUSE TO PROVIDE
25 ANY PLAN BENEFITS OTHERWISE AVAILABLE TO AN INJURED PARTY
26 BECAUSE OF THE EXISTENCE OF A POTENTIAL PERSONAL INJURY OR
27 SIMILAR CLAIM OR THE RESOLUTION OF A PERSONAL INJURY OR SIMILAR
28 CLAIM.

29

30 (6) (a) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
31 PARAGRAPH (a), A PAYER OF BENEFITS SHALL NOT BRING A DIRECT ACTION
32 FOR SUBROGATION OR REIMBURSEMENT OF BENEFITS AGAINST A THIRD
33 PARTY ALLEGEDLY AT FAULT FOR THE INJURY TO THE INJURED PARTY OR
34 AN INSURER PROVIDING UNINSURED MOTORIST COVERAGE.

35

36 (II) IF AN INJURED PARTY HAS NOT PURSUED A CLAIM AGAINST A
37 THIRD PARTY ALLEGEDLY AT FAULT FOR THE INJURED PARTY'S INJURIES BY
38 THE DATE THAT IS SIXTY DAYS PRIOR TO THE DATE ON WHICH THE STATUTE
39 OF LIMITATIONS APPLICABLE TO THE CLAIM EXPIRES, A PAYER OF BENEFITS
40 MAY BRING A DIRECT ACTION FOR SUBROGATION OR REIMBURSEMENT OF
41 BENEFITS AGAINST AN AT-FAULT THIRD PARTY. NOTHING IN THIS
42 SUBPARAGRAPH (II) PRECLUDES AN INJURED PARTY FROM PURSUING A
43 CLAIM AGAINST THE AT-FAULT THIRD PARTY AFTER THE PAYER OF
44 BENEFITS BRINGS A DIRECT ACTION PURSUANT TO THIS SUBPARAGRAPH
45 (II), AND THE PAYER OF BENEFITS' RIGHT TO REIMBURSEMENT OR
46 SUBROGATION IS LIMITED BY SUBSECTION (3) OF THIS SECTION.

47

48 (b) A THIRD PARTY SHALL NOT INCLUDE A PAYER OF BENEFITS
49 THAT IS CLAIMING REPAYMENT OR REIMBURSEMENT PURSUANT TO
50 SUBSECTION (3) OF THIS SECTION AS A COPAYEE ON ANY CHECK OR DRAFT
51 IN PAYMENT OF A SETTLEMENT WITH OR JUDGMENT FOR OR ON BEHALF OF
52 THE INJURED PARTY.

53

54 (7) (a) A PAYER OF BENEFITS SHALL NOT DELAY, WITHHOLD, OR
55 OTHERWISE REDUCE BENEFITS:

56

1 (I) BECAUSE THE OBLIGATION TO PAY BENEFITS RESULTS FROM AN
2 ACT OR OMISSION FOR WHICH A THIRD PARTY MAY BE LIABLE; OR

3
4 (II) AS A MEANS OF ENFORCING OR ATTEMPTING TO ENFORCE A
5 CLAIM FOR REIMBURSEMENT OR SUBROGATION.

6
7 (b) NOTHING IN THIS SUBSECTION (7) PROHIBITS THE
8 COORDINATION OF BENEFITS BETWEEN OR AMONG PAYERS OF BENEFITS.

9
10 (8) WHEN A PAYER OF BENEFITS OBTAINS REIMBURSEMENT OF
11 BENEFITS PAID IN ACCORDANCE WITH THIS SECTION, THE PAYER OF
12 BENEFITS SHALL APPLY THE AMOUNT OF THE REIMBURSEMENT AS A CREDIT
13 AGAINST ANY LIFETIME MAXIMUM BENEFIT CONTAINED IN THE POLICY,
14 PLAN, OR CONTRACT UNDER WHICH THE BENEFITS WERE PAID.

15
16 (9) ANY LANGUAGE IN AN INSURANCE POLICY, CONTRACT, OR
17 BENEFIT PLAN THAT IS CONTRARY TO THIS SECTION IS VOID AND
18 UNENFORCEABLE. ALTHOUGH SUCH LANGUAGE IS UNENFORCEABLE,
19 NOTHING IN THIS SECTION REQUIRES AN INSURER TO MODIFY AND REFILE
20 WITH THE COMMISSIONER, PRIOR TO THE STANDARD FILING DATE, AN
21 INSURANCE POLICY, CONTRACT, OR BENEFIT PLAN THAT CONTAINS
22 LANGUAGE THAT IS CONTRARY TO THIS SECTION.

23
24 (10) NOTHING IN THIS SECTION MODIFIES:

25
26 (a) THE REQUIREMENT OF SECTION 13-21-111.6, C.R.S.,
27 REGARDING THE REDUCTION OF DAMAGES BASED ON AMOUNTS PAID FOR
28 THE DAMAGES FROM A COLLATERAL SOURCE. THE FACT OR AMOUNT OF
29 ANY COLLATERAL SOURCE PAYMENT OR BENEFITS SHALL NOT BE
30 ADMITTED AS EVIDENCE IN ANY ACTION AGAINST AN ALLEGED
31 THIRD-PARTY TORTFEASOR OR IN AN ACTION TO RECOVER BENEFITS UNDER
32 SECTION 10-4-609.

33
34 (b) LIEN RIGHTS OF HOSPITALS PURSUANT TO SECTION 38-27-101,
35 C.R.S., OR OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING
36 PURSUANT TO SECTION 25.5-4-301 (5), C.R.S.; OR

37
38 (c) SUBROGATION AND LIEN RIGHTS GRANTED TO WORKERS'
39 COMPENSATION CARRIERS OR SELF-INSURED EMPLOYERS PURSUANT TO
40 SECTION 8-41-203, C.R.S.

41
42 **SECTION 2. Act subject to petition - effective date -**
43 **applicability.** (1) This act shall take effect at 12:01 a.m. on the day
44 following the expiration of the ninety-day period after final adjournment
45 of the general assembly (August 11, 2010, if adjournment sine die is on
46 May 12, 2010); except that, if a referendum petition is filed pursuant to
47 section 1 (3) of article V of the state constitution against this act or an
48 item, section, or part of this act within such period, then the act, item,
49 section, or part shall not take effect unless approved by the people at the
50 general election to be held in November 2010 and shall take effect on the
51 date of the official declaration of the vote thereon by the governor.

52
53 (2) The provisions of this act shall apply to a recovery made on or
54 after the applicable effective date of this act.".

55
56

1 **HB10-1215** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Amend printed bill, page 2, line 15, strike "SHALL" and substitute "MAY".
6
7

8
9 **HB10-1218** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:
12

13 Amend printed bill, page 2, line 2, strike "(a) (VII)," and substitute "(a),".
14

15 Page 2, line 3, after "amended" insert "BY THE ADDITION OF A NEW
16 SUBPARAGRAPH".
17

18 Page 2, strike lines 8 through 12 and substitute:
19

20 "(VIII) AN INDICATION WHETHER THE CONDITIONS OF THE
21 PROTECTION ORDER ARE ALSO CONDITIONS OF A BAIL BOND FOR A FELONY
22 CHARGE."
23
24
25

26 **HB10-1239** be postponed indefinitely.
27

28
29 **HB10-1261** be postponed indefinitely.
30

31
32 **HB10-1265** be referred to the Committee of the Whole with favorable
33 recommendation.
34
35
36
37

38 **STATE, VETERANS, & MILITARY AFFAIRS**

39 After consideration on the merits, the Committee recommends the
40 following:
41

42 **HB10-1140** be referred to the Committee of the Whole with favorable
43 recommendation.
44
45

46 **HB10-1210** be amended as follows, and as so amended, be referred to
47 the Committee on Appropriations with favorable
48 recommendation:
49

50 Amend printed bill, page 5, line 25, strike "STATE." and substitute "STATE
51 AND TO THE GENERAL ASSEMBLY TO PAY THE EXPENSES RELATED TO A
52 SPECIAL SESSION FOR CONGRESSIONAL REDISTRICTING."
53
54
55
56

1 **TRANSPORTATION & ENERGY**

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

4
5 **HB10-1098** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 3, strike lines 6 through 9 and substitute:

10
11 "(c) WRITTEN MINUTES SHALL BE MADE OF ALL MEETINGS OF THE
12 BOARD OF DIRECTORS AND SHALL BE POSTED ON THE WEB SITE OF THE
13 ASSOCIATION AS SOON AS THEY HAVE BEEN APPROVED. UPON REQUEST BY
14 A MEMBER OF THE BOARD, THAT MEMBER'S OWN VOTE ON ANY ISSUE
15 SHALL BE NOTED IN THE MINUTES."
16

17 Page 3, strike lines 17 and 18 and substitute "ASSOCIATION'S WEB SITE.
18 THE ELECTION POLICY SHALL".
19

20 Page 4, line 2, strike "AND MAILING".
21

22 Page 4, line 6, strike "SIX MONTHS BEFORE THE ELECTION AND AGAIN".
23

24 Page 4, line 12, after "ANY" insert "MANAGEMENT-LEVEL".
25

26 Page 4, line 13, strike "IS HIRED BY" and substitute "REPORTS DIRECTLY
27 TO".
28

29 Page 5, line 7, strike "ELECTRONIC FILES OF".
30

31 Page 5, line 10, after the period add "CANDIDATES SHALL USE SUCH LISTS
32 ONLY FOR PURPOSES OF THE ELECTION AND SHALL RETURN OR DESTROY
33 THEM IMMEDIATELY AFTER THE ELECTION."
34

35 Page 5, line 16, after "(2) (a)" insert "(I)".
36

37 Page 5, strike line 18 and substitute "for such purpose or by mail, BUT
38 NOT BOTH. A MEMBER WHO HAS VOTED BY MAIL SHALL NOT BE ENTITLED
39 TO VOTE AT THE MEETING.
40

41 (II) Mail voting shall be in writing on ballots".
42

43 Page 5, strike lines 24 through 27.
44

45 Page 6, strike line 1 and substitute "the meeting held for the purpose of
46 electing the board of directors. ~~The presence of a member at such~~
47 ~~meeting shall revoke a mail vote theretofore executed by such member,~~
48 ~~and such member shall be entitled to vote at such meeting in the same~~
49 ~~manner and with the same effect as if such member had not voted by~~
50 ~~mail."~~
51

52 Page 6, strike lines 9 through 14 and substitute "PRIVACY OF THEIR
53 CONTENT. ALL CANDIDATES FOR THE BOARD OF DIRECTORS SHALL BE
54 GIVEN THE OPPORTUNITY TO BE PRESENT TO OBSERVE THEIR
55 TABULATION."
56

1 Page 6, line 22, strike "THREE" and substitute "TWO".

2
3 Page 7, line 7, strike "(a)" and strike "AND LOCATION" and substitute
4 "LOCATION, AND AGENDA".

5
6 Page 7, line 9, strike "FOURTEEN" and substitute "TEN".

7
8 Page 7, strike lines 14 through 23.

9
10
11
12 **HB10-1167** be referred to the Committee of the Whole with favorable
13 recommendation.

14
15
16 **HB10-1172** be amended as follows, and as so amended, be referred to
17 the Committee on Appropriations with favorable
18 recommendation:

19
20 Amend printed bill, page 2, line 2, after "42-1-102" insert "(33),".

21
22 Page 2, after line 6 insert:

23
24 "(33) "Farm tractor" means every ~~motor vehicle~~ IMPLEMENT OF
25 HUSBANDRY designed and used primarily as a farm implement for
26 drawing plows and mowing machines and other implements of
27 husbandry.".

28
29 Page 3, line 4, strike "~~five hundred~~ ONE THOUSAND" and substitute "five
30 hundred".

31
32 Page 3, line 12, strike "ONE THOUSAND" and substitute "FIVE HUNDRED".

33
34 Page 5, strike line 5 and substitute "amended, and the said 42-3-106 is
35 further amended BY THE ADDITION OF A NEW SUBSECTION, to
36 read:".

37
38 Page 5, strike lines 12 through 16 and substitute "be Class F personal
39 property. IF A FARM TRACTOR, MEETING THE DEFINITION OF SPECIAL
40 MOBILE MACHINERY, IS USED FOR ANY PURPOSE OTHER THAN
41 AGRICULTURAL PRODUCTION FOR MORE THAN TWENTY-FOUR HOURS, IT IS
42 CLASS F PERSONAL PROPERTY, BUT IT MAY BE GRANTED A PRORATED
43 REGISTRATION UNDER SECTION 42-3-107 TO COVER SUCH USE. THE
44 AUTHORIZED AGENT SHALL NOTIFY THE OWNER OF THE FARM TRACTOR OF
45 THE PRORATED REGISTRATION. STORING A FARM TRACTOR AT A SITE DOES
46 NOT GIVE RISE TO A PRESUMPTION THAT THE TRACTOR WAS USED FOR THE
47 SAME PURPOSES THAT OTHER EQUIPMENT IS USED FOR AT THE SITE.".

48
49 Page 5, after line 16 insert:

50
51 "(6) (a) IF A MOTOR VEHICLE AND THE EQUIPMENT MOUNTED ON
52 THE VEHICLE ARE THE SAME MODEL YEAR:

53
54 (I) THE OWNER OF THE MOTOR VEHICLE AND THE MOUNTED
55 EQUIPMENT MAY REGISTER BOTH AS CLASS F PERSONAL PROPERTY; OR

56

(II) THE OWNER OF THE MOTOR VEHICLE MAY REGISTER THE VEHICLE AS CLASS A, CLASS B, OR CLASS C PERSONAL PROPERTY AND THE MOUNTED EQUIPMENT MAY BE REGISTERED AS CLASS F PERSONAL PROPERTY.

(b) IF A MOTOR VEHICLE AND THE EQUIPMENT MOUNTED ON THE VEHICLE ARE DIFFERENT MODEL YEARS:

(I) THE OWNER OF THE MOTOR VEHICLE SHALL REGISTER THE VEHICLE AS CLASS A, CLASS B, OR CLASS C PERSONAL PROPERTY; AND

(II) THE OWNER OF THE VEHICLE SHALL REGISTER THE MOUNTED EQUIPMENT AS CLASS F PERSONAL PROPERTY."

Page 7, line 12, strike "AGENT." and substitute "AGENT OR EXEMPT FROM REGISTRATION PURSUANT TO SECTION 42-3-104 (3).".

Page 8, line 9, strike "THE" and substitute "EFFECTIVE JANUARY 1, 2011, THE".

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and returns herewith: HB10-1324.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB10-1324, HR10-1006; SB10-021, 022, 023, 024, 046, 049, 053.**

DELIVERY OF BILL TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bill has been delivered to the Office of the Governor: **HB10-1324** at 11:28 a.m. on February 26, 2010.

MESSAGE(S) FROM THE SENATE

The President has announced that Senators Boyd and Newell will be the Senate joint prime sponsors on HB10-1260.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB10-129, SB10-158, SB10-025.

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

1 SB10-111 amended as printed in Senate Journal, February 24, 2010,
2 page 345.
3 SB10-088 amended as printed in Senate Journal, February 24, 2010,
4 pages 345-346.
5 SB10-147 amended as printed in Senate Journal, February 24, 2010,
6 page 347.
7 SB10-116 amended as printed in Senate Journal, February 24, 2010,
8 page 347.
9 SB10-155 amended as printed in Senate Journal, February 24, 2010,
10 page 347.
11 SB10-148 amended as printed in Senate Journal, February 24, 2010,
12 page 348.
13 SB10-006 amended as printed in Senate Journal, February 24, 2010,
14 page 348.
15 SB10-072 amended as printed in Senate Journal, February 24, 2010,
16 page 348.
17 SB10-068 amended as printed in Senate Journal, February 24, 2010,
18 pages 348-349.
19 SB10-098 amended as printed in Senate Journal, February 24, 2010,
20 pages 348-349.
21

22 The Senate has passed on Third Reading and transmitted to the Revisor
23 of Statutes:
24

25 HB10-1306 amended as printed in Senate Journal, February 23, 2010,
26 page 324.
27 HB10-1318 amended as printed in Senate Journal, February 24, 2010,
28 pages 327-328.
29 HB10-1339 amended as printed in Senate Journal, February 24, 2010,
30 pages 333-334 and in Senate Journal, February 26, 2010.
31 HB10-1320 amended as printed in Senate Journal, February 24, 2010,
32 page 328.
33 HB10-1327 amended as printed in Senate Journal, February 24, 2010,
34 page 335.
35

36 The Senate has passed on Third Reading and returns herewith:
37

38 HB10-1065, HB10-1014, HB10-1316, HB10-1307, HB10-1299,
39 HB10-1308, HB10-1315, HB10-1297, HB10-1309, HB10-1325,
40 HB10-1326, HB10-1314, HB10-1317, HB10-1304, HB10-1310,
41 HB10-1313, HB10-1301, HB10-1298, HB10-1303, HB10-1305,
42 HB10-1312, HB10-1300, HB10-1302, HB10-1311, HB10-1319,
43 HB10-1321, HB10-1322, HB10-1323, HB10-1063.
44

46 MESSAGE(S) FROM THE REVISOR

47
48
49 We herewith transmit:
50 Without comment, SB10-025, 129 and 158.
51 Without comment, as amended, HB10-1306, 1318, 1339, 1320, and 1327.
52 Without comment, as amended, SB10-006, 072, 088, 098, 111, 116, 147,
53 148, and 155.
54 With comment, as amended, SB10-068.
55
56

INTRODUCTION OF BILLS
First Reading

- 1
2
3
4 The following bills were read by title and referred to the committees
5 indicated:
6
7 **SB10-007** by Senator(s) Hudak; also Representative(s) Gagliardi--
8 Concerning collaboration in the provision of multi-agency
9 services.
10 Committee on Health and Human Services
11
12 **SB10-048** by Senator(s) Heath; also Representative(s) Levy--
13 Concerning the regulation of the purchase of commodity
14 scrap metals.
15 Committee on Judiciary
16
17 **SB10-059** by Senator(s) Williams; also Representative(s) Ryden--
18 Concerning the addition of a line to Colorado state
19 individual income tax return forms whereby individual
20 taxpayers may make a voluntary contribution benefiting
21 the Colorado D.A.R.E. fund, and making an appropriation
22 therefor.
23 Committee on Finance
24
25 **SB10-063** by Senator(s) White; also Representative(s) Waller--
26 Concerning limiting civil liability for attorneys who
27 contract to provide certain services for the office of
28 alternate defense counsel.
29 Committee on Judiciary
30
31 **SB10-066** by Senator(s) Hudak, Carroll M., Steadman; also
32 Representative(s) Levy, Ryden--Concerning the
33 requirement that certain persons report child abuse or
34 neglect.
35 Committee on Judiciary
36
37 **SB10-075** by Senator(s) White; also Representative(s) Baumgardner--
38 Concerning the requirement that military vehicles valued
39 for historical purposes bear a license plate.
40 Committee on Transportation & Energy
41
42 **SB10-080** by Senator(s) Newell, Steadman, Bacon, Gibbs, Hudak,
43 Johnston, Morse, Romer, Sandoval, Tapia, Tochtrop,
44 Williams; also Representative(s) Frangas, Todd--
45 Concerning allowing court-entered civil protection orders
46 to include directives concerning animals.
47 Committee on State, Veterans, & Military Affairs
48
49 **SB10-081** by Senator(s) Sandoval; also Representative(s) Solano--
50 Concerning creation of the "Farm-to-School Healthy Kids
51 Act", and, in connection therewith, establishing an
52 interagency task force to develop farm-to-school program
53 policies.
54 Committee on Education
55

- 1 **SB10-103** by Senator(s) Sandoval, Schwartz, Gibbs, Harvey, Hudak,
2 Kester, Morse, Romer, Tochtrop, White, Williams; also
3 Representative(s) Baumgardner, Bradford, Fischer,
4 Frangas, Gardner B., Kerr A., McFadyen, McNulty,
5 Miklosi, Murray, Nikkel, Primavera, Priola, Solano, Tyler-
6 -Concerning the creation of a Colorado state parks special
7 license plate, and making an appropriation therefor.
8 Committee on Transportation & Energy
9
- 10 **SB10-112** by Senator(s) Kopp, Carroll M.; also Representative(s)
11 Swalm--Concerning rate setting for workers' compensation
12 insurance.
13 Committee on Business Affairs and Labor
14
- 15 **SB10-118** by Senator(s) Tochtrop, Carroll M.; also Representative(s)
16 Miklosi, Primavera--Concerning authorizing the
17 department of human services to obtain a fingerprint-based
18 criminal history record check on an individual who cares
19 for a related child whose care is funded in whole or in part
20 with moneys received from the Colorado child care
21 assistance program.
22 Committee on Health and Human Services
23
- 24 **SB10-122** by Senator(s) Morse; also Representative(s) Weissmann--
25 Concerning the elimination of the nonprofit corporation
26 organized to be a lessor in the master lease program of the
27 state, and, in connection therewith, specifying the types of
28 entities that can be a lessor in the master lease program
29 and authorizing the executive director of the department of
30 personnel to execute documents regarding lease-purchase
31 agreements for which said nonprofit corporation was the
32 lessor.
33 Committee on Finance
34
- 35 **SB10-146** by Senator(s) Keller, Tapia, White; also Representative(s)
36 Pommer, Ferrandino, Lambert--Concerning a temporary
37 modification to the contribution rates for certain divisions
38 of the public employees' retirement association, and
39 making an appropriation therefor.
40 Committee on Appropriations
41
- 42 **SB10-149** by Senator(s) Tapia, Keller, White; also Representative(s)
43 Ferrandino, Pommer, Lambert--Concerning advancements
44 to counties from the county tax base relief fund.
45 Committee on Appropriations
46
- 47 **SB10-150** by Senator(s) Tapia, Keller, White; also Representative(s)
48 Pommer, Ferrandino, Lambert--Concerning the transfer in
49 state fiscal year 2010-11 of all moneys not otherwise
50 allocated from state public school lands to the state public
51 school fund instead of the permanent school fund.
52 Committee on Appropriations
53
54
55

1 **SB10-151** by Senator(s) White, Keller, Tapia; also Representative(s)
2 Pommer, Ferrandino, Lambert--Concerning the repeal of
3 the Colorado comprehensive health fund.
4 Committee on Appropriations
5 _____
6
7

8 **NOTICE OF CALENDARED ITEM(S)**
9

10 On motion of Representative Weissmann, the following bill(s) will be
11 calendared for Second Reading on March 1, 2010: **HB10-1128, 1240,**
12 **1053, 1206, 1273, 1168, 1218, 1265, 1167, 1330, 1140.**
13 _____
14
15

16 **LAY OVER OF CALENDAR ITEM(S)**
17

18 On motion of Representative Weissmann, the following item(s) on the
19 Calendar (was)were laid over until March 1, retaining place on Calendar:
20

21 Consideration of Senate Amendment(s)--**HB10-1055.**
22 _____
23
24

25 On motion of Representative Weissmann, the House adjourned until
26 10:00 a.m., March 1, 2010.
27

28 Approved:
29 TERRANCE D. CARROLL,
30 Speaker

31 Attest:
32 MARILYN EDDINS,
33 Chief Clerk

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

Forty-eighth Legislative Day

Monday, March 1, 2010

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Eli Miller, Nathan Cebuhar, Tracy Harris,
6 Ryann Lewis, Blessed Sacrament Catholic School, Denver.
7
8 The roll was called with the following result:
9
10 Present--65.

11
12 The Speaker declared a quorum present.
13
14

15 On motion of Representative Hulinghorst, the reading of the journal of
16 February 26, 2010, was declared dispensed with and approved as
17 corrected by the Chief Clerk.
18
19
20

THIRD READING OF BILL(S)--FINAL PASSAGE

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

27 **HB10-1201** by Representative(s) Middleton, Carroll T., Ferrandino,
28 McFadyen, Miklosi, Pace, Vigil, Weissmann; also
29 Senator(s) Steadman--Concerning duties related to peace
30 officer contacts.
31

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

	YES	37	NO	28	EXCUSED	0	ABSENT	0
38	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
39	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
40	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
41	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
42	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
43	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	N

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

12 Co-sponsor(s) added: Representative(s) Apuan, Court, Curry, Fischer, Kagan,
13 Labuda, Todd, Tyler.

14
15 **HB10-1222** by Representative(s) Middleton; also Senator(s) Carroll
16 M.--Concerning continuation of the requirement that a
17 collection agency maintain an office in Colorado.

18
19 The question being "Shall the bill pass?".

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

24	YES	65	NO	0	EXCUSED	0	ABSENT	0
25	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
28	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
30	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
32	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
33	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
34	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
37	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
38	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
39	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
40	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Liston.

43
44
45 **HB10-1227** by Representative(s) DelGrosso; also Senator(s) Tochtrop-
46 -Concerning compliance with financial responsibility
47 requirements of the "Health Care Availability Act" by
48 maintaining insurance through approved nonadmitted
49 insurers authorized by law to insure in Colorado.

50
51 The question being "Shall the bill pass?".

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

55

	YES	64	NO	1	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Labuda, Nikkel, Stephens, Summers.

20
21 **HB10-1236** by Representative(s) Kerr A.; also Senator(s) Tochtrop--
22 Concerning the continuation of the regulation of certified
23 public accountants by the state board of accountancy.
24

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

26 A roll call vote was taken. As shown by the following recorded vote, a
27 majority of those elected to the House voted in the affirmative and the bill
28 was declared **passed**.
29

	YES	62	NO	3	EXCUSED	0	ABSENT	0
30								
31	Acree	Y	Gerou	Y	McFadyen	N	Ryden	Y
32	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
33	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
34	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
35	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
36	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
37	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
38	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
39	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
40	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
41	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
42	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
43	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
44	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
45	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
46	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
47							Speaker	Y

48 Co-sponsor(s) added: Representative(s) Apuan, Gerou.

49
50 **HB10-1017** by Representative(s) Kagan, Gagliardi; also Senator(s)
51 Boyd--Concerning authorization for certain public entities
52 to enter into voluntary agreements affecting rent on private
53 residential property.
54

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

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	39	NO	26	EXCUSED	0	ABSENT	0
5	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
7	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
8	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
10	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
12	Court	Y	King S.	N	Nikkel	N	Summers	N
13	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
14	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	N	Priola	N	Vaad	N
18	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
19	Gardner B.	N	May	N	Riesberg	Y	Waller	N
20	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Casso, Fischer, Hullinghorst, Kefalas,
23 Labuda, Levy, Ryden, Weissmann.

27 On motion of Representative Rice, the House resolved itself into
28 Committee of the Whole for consideration of General Orders, and he was
29 called to the Chair to act as Chairman.

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

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

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

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

48 Amendment No. 1, Judiciary Report, dated February 4, 2010, and placed
49 in member's bill file; Report also printed in House Journal, February 5,
50 page 213.

52 Amendment No. 2, Appropriations Report, dated February 12, 2010, and
53 placed in member's bill file; Report also printed in House Journal,
54 February 12, pages 325-326.

1 Amendment No. 3, by Representative(s) Weissmann.

2
3 Amend the Judiciary Committee Report, dated February 4, 2010, page 1,
4 strike lines 13 and 14 and substitute:

5
6 "Page 9 of reengrossed bill, strike lines 2 through 24 and substitute:

7
8 "~~(2)~~ (7) The ~~department~~ STATE HEALTH AGENCY may collect fees
9 from patients who, pursuant to section 14 of article XVIII of the state
10 constitution, apply to the medical marijuana program ~~established by such~~
11 ~~section~~ for a ~~marijuana~~ registry identification CARD for the purpose of
12 offsetting the ~~department's~~ STATE HEALTH AGENCY'S direct and indirect
13 costs of administering the program. The amount of ~~such~~ THE fees shall
14 be set by rule of the ~~state board of health~~ STATE HEALTH AGENCY. All
15 fees collected by the ~~department~~ STATE HEALTH AGENCY through the
16 medical marijuana program shall be transferred to the state treasurer who
17 shall credit the same to the medical marijuana program cash fund, which
18 fund is hereby created."."

19
20 Amendment No. 4, by Representative(s) Massey.

21
22 Amend the Judiciary Committee Report, dated February 4, 2010, page 1,
23 strike line 4 and substitute:

24
25 "Page 5 of the reengrossed bill, strike lines 22 through 26 and substitute:

26
27 "(b) AFTER A PHYSICIAN, WHO HAS A BONA FIDE PHYSICIAN-
28 PATIENT RELATIONSHIP WITH THE PATIENT APPLYING FOR THE MEDICAL
29 MARIJUANA PROGRAM, DETERMINES, FOR THE PURPOSES OF MAKING A
30 RECOMMENDATION, THAT THE PATIENT HAS A DEBILITATING CONDITION
31 AND THAT THE PATIENT MAY BENEFIT FROM THE USE OF MEDICAL
32 MARIJUANA, THE PHYSICIAN SHALL CERTIFY TO THE STATE HEALTH
33 AGENCY THAT THE PATIENT HAS A DEBILITATING MEDICAL CONDITION AND
34 THAT THE PATIENT MAY BENEFIT FROM THE USE OF MEDICAL
35 MARIJUANA."."

36
37 Amendment No. 5, by Representative(s) Massey.

38
39 Amend the Judiciary Committee Report, dated February 4, 2010, page 1,
40 line 9, strike "17." and substitute "17 and substitute:

41
42 "(d) WHEN THE STATE HEALTH AGENCY HAS OBJECTIVE AND
43 REASONABLE GROUNDS TO BELIEVE AND FINDS, UPON A FULL
44 INVESTIGATION, THAT A PHYSICIAN HAS DELIBERATELY AND WILLFULLY
45 VIOLATED SECTION 14 OF ARTICLE XVIII OF THE STATE CONSTITUTION OR
46 THIS SECTION AND THAT THE PUBLIC HEALTH, SAFETY, OR WELFARE
47 IMPERATIVELY REQUIRES EMERGENCY ACTION, AND THE STATE HEALTH
48 AGENCY INCORPORATES THOSE FINDINGS INTO AN ORDER, THE STATE
49 HEALTH AGENCY MAY SUMMARILY SUSPEND THE PHYSICIAN'S AUTHORITY
50 TO RECOMMEND THE USE OF MEDICAL MARIJUANA PENDING THE
51 PROCEEDINGS SET FORTH IN PARAGRAPHS (a) AND (b) OF THIS SUBSECTION
52 (5). A HEARING ON THE ORDER OF SUMMARY SUSPENSION SHALL BE HELD
53 NO LATER THAN THIRTY DAYS AFTER THE ISSUANCE OF THE ORDER OF
54 SUMMARY SUSPENSION, UNLESS A LONGER TIME IS AGREED TO BY THE
55 PARTIES, AND AN INITIAL DECISION IN ACCORDANCE WITH SECTION 24-4-
56 105 (14), C.R.S., SHALL BE RENDERED NO LATER THAN THIRTY DAYS

1 AFTER THE CONCLUSION OF THE HEARING CONCERNING THE ORDER OF
2 SUMMARY SUSPENSION."."

3
4 Amendment No. 6, by Representative(s) Summers.

5
6 Amend reengrossed bill, page 5, line 26, after the period add "If THE
7 PHYSICIAN CERTIFIES THAT THE PATIENT WOULD BENEFIT FROM THE USE
8 OF MEDICAL MARIJUANA BASED ON A CHRONIC OR DEBILITATING DISEASE
9 OR MEDICAL CONDITION, THE PHYSICIAN SHALL SPECIFY THE CHRONIC OR
10 DEBILITATING DISEASE OR MEDICAL CONDITION AND, IF KNOWN, THE
11 CAUSE OR SOURCE OF THE CHRONIC OR DEBILITATING DISEASE OR MEDICAL
12 CONDITION."

13
14 As amended, ordered revised and placed on the Calendar for Third
15 Reading and Final Passage.

16
17 HB10-1290 by Representative(s) Stephens--Concerning procedures for
18 small planned communities to elect to exempt themselves
19 from certain provisions of the "Colorado Common Interest
20 Ownership Act".

21
22 Amendment No. 1, by Representative(s) Massey.

23
24 Amend printed bill, page 2, line 17, strike "TWO" and substitute "ONE".

25
26 As amended, declared **lost** on Second Reading.
27 (For change in action, see Amendments to Report, page 612.)

28
29 HB10-1292 by Representative(s) Murray, Schafer S.; also Senator(s)
30 Harvey--Concerning a clarification of the conditions on
31 land-use approvals that may be imposed by local
32 governments under statutory provisions governing the
33 regulatory impairment of property rights.

34
35 Amendment No. 1, Local Government Report, dated February 23, 2010,
36 and placed in member's bill file; Report also printed in House Journal,
37 February 24, page 522.

38
39 As amended, ordered engrossed and placed on the Calendar for Third
40 Reading and Final Passage.

41
42 HB10-1096 by Representative(s) Tipton; also Senator Morse--
43 Concerning the designation of vehicle identification
44 number inspectors by law enforcement officials of local
45 governments.

46
47 Amendment No. 1, Transportation & Energy Report, dated
48 February 23, 2010, and placed in member's bill file; Report also printed
49 in House Journal, February 24, page 536.

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

53
54 HB10-1147 by Representative(s) Kefalas, Fischer, Gagliardi,
55 Hullinghorst, Kerr A., McFadyen, Merrifield, Primavera,
56 Vigil; also Senator(s) Bacon--Concerning safer use of

1 nonmotorized wheeled transportation by minors, and, in
2 connection therewith, codifying into law the existing bike
3 and pedestrian policy directive of the department of
4 transportation, requiring the departments of transportation,
5 education, and public safety to collaborate with local
6 governments, school districts, and appropriate
7 organizations to develop and make available to schools a
8 comprehensive educational curriculum for minors
9 regarding the safe use of public streets and premises open
10 to the public, and requiring that a minor wear a protective
11 helmet while using nonmotorized wheeled transportation
12 on such streets and premises.

13
14 Amendment No. 1, Transportation & Energy Report, dated
15 February 23, 2010, and placed in member's bill file; Report also printed
16 in House Journal, February 24, pages 537-538.

17
18 As amended, ordered engrossed and placed on the Calendar for Third
19 Reading and Final Passage.

20
21 **HB10-1329** by Representative(s) Peniston, Casso, Court, Fischer,
22 Frangas, Hullinghorst, Labuda, Levy, McCann, Miklosi,
23 Pommer, Riesberg, Solano, Tyler, Vigil; also Senator(s)
24 Boyd, Bacon, Hodge, Hudak, Keller, Romer, Steadman,
25 Tochtrop, Williams--Concerning solid waste user fees.

26
27 Amendment No. 1, Finance Report, dated February 24, 2010, and placed
28 in member's bill file; Report also printed in House Journal, February 25,
29 pages 552-553.

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

33
34 **HB10-1333** by Representative(s) Vigil, Todd, Apuan, Court, Curry,
35 Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst,
36 Kagan, Kefalas, Levy, Massey, McFadyen, McKinley,
37 Middleton, Miklosi, Pace, Peniston, Pommer, Riesberg,
38 Ryden, Scanlan, Schafer S., Solano, Soper, Tyler; also
39 Senator(s) Schwartz and Newell--Concerning the creation
40 of the green jobs Colorado training program in the office
41 of the governor, and, in connection therewith, creating the
42 green jobs Colorado advisory council and the green jobs
43 Colorado training fund.

44
45 Amendment No. 1, Business Affairs & Labor Report, dated
46 February 24, 2010, and placed in member's bill file; Report also printed
47 in House Journal, February 25, pages 550-551.

48
49 Amendment No. 2, by Representative(s) Weissmann.

50
51 Amend the Business Affairs and Labor Committee Report, dated
52 February 24, 2010, page 1, line 12, strike "TEN" and substitute
53 "FOURTEEN".

54
55 Page 2 of the committee report, after line 2 insert:
56

1 "Page 4 of the printed bill, line 8, strike "MEMBERS" and substitute "THE
2 MEMBERS APPOINTED BY THE EXECUTIVE DIRECTOR".

3
4 Page 4 of the printed bill, line 10, after "TRAINING." insert "FOUR
5 LEGISLATIVE MEMBERS OF THE COUNCIL SHALL BE APPOINTED AS
6 FOLLOWS: ONE MEMBER SHALL BE APPOINTED BY THE SPEAKER OF THE
7 HOUSE OF REPRESENTATIVES, ONE MEMBER SHALL BE APPOINTED BY THE
8 PRESIDENT OF THE SENATE, ONE MEMBER SHALL BE APPOINTED BY THE
9 MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES, AND ONE MEMBER
10 SHALL BE APPOINTED BY THE MINORITY LEADER OF THE SENATE."."

11
12 As amended, ordered engrossed and placed on the Calendar for Third
13 Reading and Final Passage.

14
15 **HB10-1273** by Representative(s) Merrifield, Rice, Ryden, Apuan,
16 Benefield, Carroll T., Casso, Gagliardi, Gerou, Kerr A.,
17 May, McKinley, Middleton, Nikkel, Peniston, Primavera,
18 Roberts, Scanlan, Schafer S., Solano, Todd, Tyler; also
19 Senator(s) Spence and Steadman, Newell, Hudak, Bacon,
20 Boyd, Foster, Gibbs, Heath, Johnston, Romer, Tapia,
21 Williams--Concerning improved workforce development
22 through increased participation in arts education in public
23 schools.

24
25 Laid over until March 5, retaining place on Calendar.

26
27 **HB10-1330** by Representative(s) Kefalas and Kagan, Apuan, Court,
28 Fischer, Gagliardi, Levy, Miklosi, Pace, Primavera, Rice,
29 Riesberg, Solano, Tyler, Vigil; also Senator(s) Morse--
30 Concerning the creation of an advisory committee to make
31 recommendations regarding the creation of a Colorado all-
32 payer health claims database for the purpose of transparent
33 public reporting of health care information.

34
35 Laid over until March 8, retaining place on Calendar.

36
37 On motion of Representative Weissmann, the remainder of the General
38 Orders Calendar (**HB10-1128, 1240, 1053, 1206, 1168, 1218, 1265, 1167,**
39 **1140**) was laid over until March 2, retaining place on Calendar.

40 41 42 43 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

44
45 Representatives Stephens, Liston, and Looper moved to amend the Report
46 of the Committee of the Whole to reverse the action taken by the
47 Committee in not adopting HB10-1290, to show that **HB10-1290**, as
48 amended, passed.

49
50 The amendment was declared **passed** by the following roll call vote:

52	YES	39	NO	22	EXCUSED	4	ABSENT	0
53	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
54	Apuan	Y	Hullingshorst	N	McKinley	Y	Scanlan	E
55	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
56	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	N

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **SB10-109 amended, HB10-1290 amended, 1292 amended, 1096 amended, 1147 amended, 1329 amended, 1333 amended.**

Laid over until date indicated retaining place on Calendar: **HB10-1128, 1240, 1053, 1206, 1168, 1218, 1265, 1167, 1140--March 2, 2010. HB10-1273 --March 5, 2010. HB10-1330--March 8, 2010.**

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

	YES	61	NO	0	EXCUSED	4	ABSENT	0
34	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
35	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
36	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
37	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
38	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
39	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
40	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
41	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
42	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
43	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
44	Ferrandino	Y	Levy	Y	Pommer	E	Todd	Y
45	Fischer	Y	Liston	Y	Primavera	E	Tyler	Y
46	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
47	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
48	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
49	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
50							Speaker	Y

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**JUDICIARY**

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

HB10-1104 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, strike lines 15 and 16 and substitute "grave mental health injuries;"

Page 3, strike lines 12 through 27.

Strike pages 4 through 6.

Page 7, strike lines 1 through 23 and substitute:

"(2) Therefore, the general assembly finds that it is in the best interests of Colorado citizens to assist veterans and members of the military involved in the criminal justice system who have a military-related injury. In order to achieve this end, the general assembly encourages the establishment of veterans' treatment courts to address the unique challenges veterans face as a result of their honorable service.

SECTION 2. 13-3-101, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

13-3-101. State court administrator. (9) THE STATE COURT ADMINISTRATOR IS AUTHORIZED TO SEEK FEDERAL FUNDING AS IT BECOMES AVAILABLE ON BEHALF OF THE STATE COURT SYSTEM FOR THE ESTABLISHMENT, MAINTENANCE, OR EXPANSION OF VETERANS' TREATMENT COURTS.

SECTION 3. Part 1 of article 5 of title 13, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

13-5-144. Chief judge - veterans treatment court authority. THE CHIEF JUDGE OF A JUDICIAL DISTRICT MAY ESTABLISH AN APPROPRIATE PROGRAM FOR THE TREATMENT OF VETERANS AND MEMBERS OF THE MILITARY."

Renumber succeeding section accordingly.

HB10-1246 be postponed indefinitely.

HB10-1336 be referred favorably to the Committee on Appropriations.

HB10-1346 be referred to the Committee of the Whole with favorable recommendation.

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Attest:
MARILYN EDDINS,
Chief Clerk

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

Forty-ninth Legislative Day

Tuesday, March 2, 2010

1 Prayer by the Reverend Kay Palmer-Marsh, United Methodist Church,
2 Westminster.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by José Luis Rodriguez, Hinkley High School,
7 Aurora.

8
9 The roll was called with the following result:

10
11 Present--62.

12 Excused--Representative(s) Gardner B., Kagan, Middleton--3.

13 Present after roll call--Representative(s) Gardner B.

14
15 The Speaker declared a quorum present.

16
17
18 On motion of Representative Hullinghorst, the reading of the journal of
19 March 1, 2010, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

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

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

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

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

38
39 **HB10-1128** by Representative(s) Looper; also Senator(s) Hudak and
40 Bacon--Concerning measures to increase the efficiency of
41 the activities of entities in the division of registrations
42 relating to the supervision of regulated professionals, and,
43 in connection therewith, making the "Colorado Licensing

of Controlled Substances Act” and the sunset law consistent with provisions enacted in 2009 to continue the regulation of administration of medication by unlicensed persons, clarifying that moneys collected on behalf of administering entities of professional peer review programs do not constitute state fiscal year spending for purposes of section 20 of article X of the state constitution, clarifying exemptions from the “Dental Practice Law of Colorado”, repealing duplicative regulatory requirements for medical doctors, replacing limited temporary license requirements for medical doctors and chiropractors, repealing the committee on anticompetitive conduct, and repealing regulatory functions of the division of registrations with respect to athlete agents.

Amendment No. 1, Health & Human Services Report, dated February 5, 2010, and placed in member’s bill file; Report also printed in House Journal, February 8, pages 237-238.

Amendment No. 2, Appropriations Report, dated February 26, 2010, and placed in member’s bill file; Report also printed in House Journal, February 26, pages 575-576.

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

HB10-1240 by Representative(s) Ferrandino; also Senator Carroll M-- Concerning the foreclosure deferment process for residential properties.

Amendment No. 1, Local Government Report, dated February 16, 2010, and placed in member’s bill file; Report also printed in House Journal, February 18, page 433.

Amendment No. 2, by Representative(s) Massey.

Amend printed bill, page 2, before line 2 insert:

"SECTION 2. 38-38-103 (1) (b), Colorado Revised Statutes, is amended to read:

38-38-103. Combined notice - publication - providing information. (1) (b) No more than sixty calendar days nor less than forty-five calendar days prior to the first scheduled date of sale, the public trustee shall SEND VIA CERTIFIED mail a combined notice as described in subsection (4) of this section to the persons as set forth in the most recent amended mailing list. If there is no amended mailing list, the public trustee shall SEND VIA CERTIFIED mail a combined notice as described in subsection (4) of this section to the persons as set forth in the mailing list."

Renumber succeeding sections accordingly.

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

1 **HB10-1053** by Representative(s) Riesberg, Kefalas; also Senator(s)
2 Boyd--Concerning community long-term care savings.
3

4 Amendment No. 1, Health & Human Services Report, dated
5 February 8, 2010, and placed in member's bill file; Report also printed in
6 House Journal, February 9, pages 267-272.
7

8 Amendment No. 2, Appropriations Report, dated February 26, 2010, and
9 placed in member's bill file; Report also printed in House Journal,
10 February 26, pages 574-575.
11

12 Amendment No. 3, by Representative(s) Riesberg.
13

14 Amend the Health and Human Services Committee Report, dated
15 February 8, 2010, page 4, line 31, after "DIAGNOSES" insert "OF A
16 CHRONIC INCAPACITATING CONDITION".
17

18 As amended, ordered engrossed and placed on the Calendar for Third
19 Reading and Final Passage.
20

21 **HB10-1206** by Representative(s) Fischer, Hulinghorst, Kefalas,
22 McFadyen, McNulty, Middleton, Pace, Peniston, Scanlan;
23 also Senator(s) Bacon--Concerning the granting of voting
24 rights to student members of the board of governors of the
25 Colorado state university system.
26

27 Ordered engrossed and placed on the Calendar for Third Reading and
28 Final Passage.
29

30 **HB10-1168** by Representative(s) Levy, Judd, Kagan, Kerr A., Miklosi,
31 Pace, Ryden, Tyler, Vigil, Weissmann, Apuan, Benefield,
32 Carroll T., Casso, Court, Ferrandino, Hulinghorst,
33 Labuda, McFadyen, Merrifield, Middleton, Pommer,
34 Primavera, Scanlan, Schafer S., Solano, Todd; also
35 Senator(s) Steadman, Brophy, Foster, Hodge, Hudak,
36 Newell, Romer, Tochtrop, Bacon, Carroll M., Shaffer B.--
37 Concerning a limitation on the ability of an insurer to
38 obtain repayment of benefits from an injured party who
39 recovers damages from the party responsible for the injury
40 in situations when the injured party would not be fully
41 compensated if the benefits are repaid to the insurer.
42

43 Laid over until March 5, retaining place on Calendar.
44

45 **HB10-1218** by Representative(s) Waller, Bradford, Liston, Looper,
46 Nikkel, Priola; also Senator(s) Newell--Concerning
47 information in the central registry of protection orders.
48

49 Amendment No. 1, Judiciary Report, dated February 25, 2010, and placed
50 in member's bill file; Report also printed in House Journal, February 26,
51 page 597.
52

53 As amended, ordered engrossed and placed on the Calendar for Third
54 Reading and Final Passage.
55
56

1 **HB10-1265** by Representative(s) Vigil; also Senator Newell--
2 Concerning a court's authority to waive certain charges
3 levied against indigent defendants.
4

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

8 **HB10-1167** by Representative(s) Peniston, Vaad, Primavera; also
9 Senator(s) Kopp--Concerning the regulation of intrastate
10 motor carriers of property for hire, and, in connection
11 therewith, conforming state law in response to federal
12 preemption and granting ports of entry additional authority
13 to enforce insurance and safety provisions.
14

15 Ordered engrossed and placed on the Calendar for Third Reading and
16 Final Passage.
17

18 **HB10-1140** by Representative(s) Nikkel and Todd, Rice, Vigil, Apuan,
19 Acree, Stephens, Balmer, Bradford, Court, DelGrosso,
20 Ferrandino, Fischer, Gagliardi, Gardner C., Hullinghorst,
21 Kefalas, King S., Lambert, Liston, Looper, May, McNulty,
22 Miklosi, Primavera, Priola, Scanlan, Sonnenberg,
23 Summers, Swalm, Tipton; also Senator(s) Shaffer B. And
24 Spence, Romer, Heath, Bacon, Cadman, Kester, King K.,
25 Lundberg, Scheffel, Schultheis, Tapia, Williams--
26 Concerning using moneys in the Colorado state veterans
27 trust fund to construct National Guard armories.
28

29 Ordered engrossed and placed on the Calendar for Third Reading and
30 Final Passage.
31

32 **HB10-1271** by Representative(s) Curry; also Senator(s) Morse--
33 Concerning the registration date for eligibility of a person
34 seeking to be placed in nomination as a candidate for a
35 partisan office.
36

37 Amendment No. 1, Judiciary Report, dated February 22, 2010, and placed
38 in member's bill file; Report also printed in House Journal, February 23,
39 pages 504-505.
40

41 As amended, ordered engrossed and placed on the Calendar for Third
42 Reading and Final Passage.
43

44 **HB10-1009** by Representative(s) Miklosi, Pace, Ryden; also Senator(s)
45 Hodge, Carroll M., Tochtrop--Concerning the board of
46 directors of Pinnacol Assurance.
47

48 Laid over until March 8, retaining place on Calendar.
49

50 **HB10-1012** by Representative(s) Pace, Miklosi, Ryden; also Senator(s)
51 Carroll M., Hodge, Tochtrop--Concerning limitations on
52 the use of surveillance of employees who have submitted
53 a workers' compensation claim.
54

55 Laid over until March 5, retaining place on Calendar.
56

1 **HB10-1131** by Representative(s) Scanlan, Apuan, Benefield, Court,
 2 Curry, Ferrandino, Frangas, Gagliardi, Hullinghorst,
 3 Kerr A., Levy, Massey, Middleton, Miklosi, Pace,
 4 Peniston, Primavera, Rice, Schafer S., Todd, Tyler, Vigil;
 5 also Senator(s) Gibbs--Concerning measures to improve
 6 Colorado youths' knowledge of the environment, and, in
 7 connection therewith, creating the Colorado kids outdoors
 8 grant program.
 9

10 Amendment No. 1, Education Report, dated February 8, 2010, and placed
 11 in member's bill file; Report also printed in House Journal, February 9,
 12 pages 264-265.
 13

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

17 18 19 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

20
21 Representative Murray moved to amend the Report of the Committee of
 22 the Whole to reverse the action taken by the Committee in adopting
 23 HB10-1206, to show that **HB10-1206** lost.
 24

25 The amendment was declared **lost** by the following roll call vote:
 26

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

45 46 47 48 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

49
50 Passed Second Reading: **HB10-1128 amended, 1240 amended, 1053**
 51 **amended, 1206, 1218 amended, 1265, 1167, 1140, 1271 amended, 1131**
 52 **amended.**
 53

54 Laid over until date indicated retaining place on Calendar: **HB10-1168,**
 55 **1012--March 5, 2010.**
 56 **HB10-1009--March 8, 2010.**

1 The Chairman moved the adoption of the Committee of the Whole
 2 Report. As shown by the following roll call vote, a majority of those
 3 elected to the House voted in the affirmative, and the Report was
 4 **adopted.**

	YES	63	NO	0	EXCUSED	2	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	E	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

25
 26 House in recess. House reconvened.

30 REPORT(S) OF COMMITTEE(S) OF REFERENCE

32 EDUCATION

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

36 **SB10-008** be amended as follows, and as so amended, be referred to
 37 the Committee on Appropriations with favorable
 38 recommendation:

40 Amend reengrossed bill, page 4, line 6, strike "DEPARTMENT OF
 41 EDUCATION" and substitute "ENTITY CONDUCTING THE STUDY".

43 Page 4, line 11, strike "UPON CONCLUSION OF".

45 Page 4, strike lines 12 through 16.

47 Page 5, line 17, strike "SIXTEEN" and substitute "SEVENTEEN".

49 Page 6, line 12, strike "FORM" and substitute "FROM".

51 Page 6, line 16, strike "DISTRICT.; AND" and substitute "DISTRICT;".

53 Page 6, line 18, strike "ASSOCIATION." and substitute "ASSOCIATION;
 54 AND".

56 Page 6, after line 18 insert:

1 "(VII) ONE PERSON WHO REPRESENTS THE EDUCATION DATA
2 ADVISORY COMMITTEE CREATED IN SECTION 22-2-304."

3
4 Page 7, line 6, strike "JANUARY 15, 2011." and substitute "DECEMBER 15,
5 2010."

6
7
8
9 **SB10-018** be referred to the Committee of the Whole with favorable
10 recommendation.

11
12
13 **SB10-056** be amended as follows, and as so amended, be referred
14 to the Committee of the Whole with favorable
15 recommendation:

16
17 Amend reengrossed bill, page 2, line 6, after "PROVIDE" insert "TO".

18
19 Page 2, line 7, strike "A COPY OF".

20
21 Page 2, line 15, after "PROVIDE" insert "TO".

22
23 Page 2, line 17, strike "A COPY OF".

24
25 Page 2, line 20, before "FOR" insert "FOR PURPOSES OF THIS SECTION, AN
26 INSTITUTE CHARTER SCHOOL SHALL HAVE THE DISCRETION TO DETERMINE
27 THE METHOD OF DISTRIBUTION OF THE STANDARDIZED IMMUNIZATION
28 DOCUMENT, INCLUDING BUT NOT LIMITED TO PROVIDING A COPY TO
29 PARENTS AND LEGAL GUARDIANS, PROVIDING THE STANDARDIZED
30 IMMUNIZATION DOCUMENT IN A NEWSLETTER OR HANDBOOK, OR
31 PROVIDING TO PARENTS AND LEGAL GUARDIANS AN ELECTRONIC COPY OF
32 THE STANDARDIZED IMMUNIZATION DOCUMENT."

33
34 Page 3, line 5, after "PROVIDE" insert "TO".

35
36 Page 3, line 6, strike "A COPY OF".

37
38 Page 3, line 18, after "PROVIDE" insert "TO".

39
40 Page 3, line 20, strike "A COPY OF".

41
42 Page 3, line 22, before "FOR" insert "FOR THE PURPOSES OF THIS SECTION,
43 A SCHOOL DISTRICT SHALL HAVE THE DISCRETION TO DETERMINE THE
44 METHOD OF DISTRIBUTION OF THE STANDARDIZED IMMUNIZATION
45 DOCUMENT, INCLUDING BUT NOT LIMITED TO PROVIDING A COPY TO
46 PARENTS AND LEGAL GUARDIANS, PROVIDING THE STANDARDIZED
47 IMMUNIZATION DOCUMENT IN A NEWSLETTER OR HANDBOOK, OR
48 PROVIDING TO PARENTS AND LEGAL GUARDIANS AN ELECTRONIC COPY OF
49 THE STANDARDIZED IMMUNIZATION DOCUMENT."

50
51 Page 4, strike lines 9 through 12 and substitute "DEPARTMENT OF
52 EDUCATION SHALL POST THE STANDARDIZED IMMUNIZATION DOCUMENT
53 ON ITS WEB SITE ON OR BEFORE JANUARY 15, 2011, AND EACH YEAR
54 THEREAFTER. THE STANDARDIZED".

1 **SB10-058** be referred favorably to the Committee on Appropriations.

2
3
4
5
6 **HEALTH & HUMAN SERVICES**

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

9
10 **HB10-1146** be amended as follows, and as so amended, be referred to
11 the Committee on Appropriations with favorable
12 recommendation:

13
14 Amend printed bill, page 5, line 9, strike "(3), and (5)," and substitute
15 "and (3),".

16
17 Page 5, line 11, strike "**allowance as**" and substitute "**allowance.**".

18
19 Page 5, strike line 12.

20
21 Page 5, line 13, strike "**department of human services.**"

22
23 Page 6, strike lines 10 through 15 and substitute "persons ~~eligible to~~
24 ~~receive~~ WHO MEET THE FUNCTIONAL IMPAIRMENT AND FINANCIAL
25 ELIGIBILITY CRITERIA AS ESTABLISHED BY THE STATE DEPARTMENT BY
26 RULE AND:

27
28 (A) WERE RECEIVING old age pension BENEFITS AND HOME CARE
29 ALLOWANCE ON THE DAY PRIOR TO THE EFFECTIVE DATE OF HOUSE BILL
30 10-1146, AND REMAIN CONTINUOUSLY ELIGIBLE FOR SUCH BENEFITS; OR

31
32 (B) ARE".

33
34 Page 8, strike line 15 and substitute:

35
36 "**SECTION 5.** 26-2-122.3 (5), Colorado Revised Statutes, is
37 amended to read:

38
39 **26-2-122.3. Adult foster care and home care allowance as**
40 **services under certain public assistance programs - administered by**
41 **department of human services.** (5) The STATE department of health
42 ~~care policy and financing".~~

43
44 Renumber succeeding sections accordingly.

45
46 Page 8, strike lines 20 and 21 and substitute:

47
48 "**SECTION 6. Specified effective date.** (1) This section and
49 section 7 of this act shall take effect upon passage.

50
51 (2) Section 5 of this act shall take effect July 1, 2010.

52
53 (3) Sections 1 through 4 of this act shall take effect October 1,
54 2010, or upon the expiration of the provisions of the federal "American
55 Reinvestment and Recovery Act of 2009", Pub.L. 111-5, or any
56 amendment thereto, or other federal law that restricts reimbursement of

1 an enhanced federal medicaid assistance percentage to a state that reduces
2 eligibility for its medicaid program, whichever is later, and upon the staff
3 director of the joint budget committee filing a written notice with the
4 revisor of statutes that the requirement set forth in this subsection (3) has
5 been met."

6
7
8
9 **HB10-1217** be referred to the Committee of the Whole with favorable
10 recommendation.
11
12
13
14

15 **JUDICIARY**

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

19 **HB10-1248** be postponed indefinitely.
20
21

22 **HB10-1269** be amended as follows, and as so amended, be referred to
23 the Committee on Appropriations with favorable
24 recommendation:
25

26 Amend printed bill, page 8, after line 26 insert:
27

28 "SECTION 2. 24-34-402.7 (3) (a), (3) (b), and (4), Colorado
29 Revised Statutes, are amended to read:
30

31 **24-34-402.7. Unlawful action against employees seeking**
32 **protection.** (3) (a) It shall be ~~unlawful~~ A DISCRIMINATORY OR UNFAIR
33 EMPLOYMENT PRACTICE for any employer to interfere with, restrain, or
34 deny the exercise of or any attempt to exercise any rights provided under
35 this section.
36

37 (b) It shall be ~~unlawful~~ A DISCRIMINATORY OR UNFAIR
38 EMPLOYMENT PRACTICE for any employer to discharge or in any other
39 manner discriminate against any individual for exercising his or her rights
40 under this section.
41

42 ~~(4) Notwithstanding any other provisions of this article to the~~
43 ~~contrary, the sole remedy for any person claiming to be aggrieved by a~~
44 ~~violation of this section shall be to bring a civil suit for damages or~~
45 ~~equitable relief or both in any district court of competent jurisdiction.~~
46 ~~Such person may claim as damages all wages and benefits that would~~
47 ~~have been due the person up to and including the date of the judgment~~
48 ~~had the act violating this section not occurred, except that nothing in this~~
49 ~~section shall be construed to relieve such person from the obligation to~~
50 ~~mitigate his or her damages."~~
51

52 Renumber succeeding section accordingly.
53
54
55

1 **HB10-1277** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Amend printed bill, page 2, line 16, strike "OR".
6

7 Page 2, line 19, strike "CRIME." and substitute "CRIME, OR A FACILITY OF
8 A COMMUNITY CORRECTIONS PROGRAM AS DEFINED IN SECTION 17-27-102
9 (3), C.R.S.".
10

11 Page 3, line 8, strike "corrections OR" and substitute "corrections, THE".
12

13 Page 3, line 9, strike "SERVICES." and substitute "SERVICES, OR A
14 COMMUNITY CORRECTIONS PROGRAM.".
15

16 Page 3, strike line 17 and substitute "corrections, THE DEPARTMENT OF
17 HUMAN SERVICES, OR A COMMUNITY CORRECTIONS PROGRAM;".
18
19
20

21 **HB10-1286** be postponed indefinitely.
22
23

24 **HB10-1288** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:
27

28 Amend printed bill, page 3, line 16, after the semicolon add "AND".
29

30 Page 3, line 20, strike "AGREEMENT; AND" and substitute "AGREEMENT.".
31

32 Page 3, strike lines 21 through 26.
33

34 Page 7, line 23, strike "INCLUDE:" and substitute "INCLUDE, BUT ARE NOT
35 LIMITED TO:".
36

37 Page 7, line 26, strike "AND".
38

39 Page 8, line 1, strike "LOANS." and substitute "LOANS; AND
40

41 (c) A PRIOR RECORDED LIEN SECURING A CORPORATE INDENTURE.".
42
43
44

45 **HB10-1294** be postponed indefinitely.
46
47

48 **HB10-1334** be amended as follows, and as so amended, be referred to
49 the Committee on Appropriations with favorable
50 recommendation:
51

52 Amend printed bill, page 3, strike lines 15 through 23 and substitute:
53

54 "(a) If he OR SHE knowingly exposes his OR HER genitals to the
55 view of any person under circumstances in which such conduct is likely
56 to cause affront or alarm to the other person WITH THE INTENT TO AROUSE

1 OR TO SATISFY THE SEXUAL DESIRE OF ANY PERSON;

2
3 (b) IF HE OR SHE KNOWINGLY PERFORMS AN ACT OF
4 MASTURBATION IN A MANNER WHICH EXPOSES THE ACT TO THE VIEW OF
5 ANY PERSON UNDER CIRCUMSTANCES IN WHICH SUCH CONDUCT IS LIKELY
6 TO CAUSE AFFRONT OR ALARM TO THE OTHER PERSON."

7
8 Page 4, after line 15 insert:

9
10 "SECTION 4. 16-11.7-102 (3) (v) and (3) (w), Colorado Revised
11 Statutes, are amended, and the said 16-11.7-102 (3) is further amended
12 BY THE ADDITION OF A NEW PARAGRAPH, to read:

13
14 **16-11.7-102. Definitions.** As used in this article, unless the
15 context otherwise requires:

16
17 (3) "Sex offense" means any felony or misdemeanor offense
18 described in this subsection (3) as follows:

19
20 (v) Class 4 felony internet luring of a child, in violation of section
21 18-3-306 (3), C.R.S.; or

22
23 (w) Internet sexual exploitation of a child in violation of section
24 18-3-405.4, C.R.S.; OR

25
26 (x) PUBLIC INDECENCY, COMMITTED IN VIOLATION OF SECTION 18-
27 7-301 (2) (b), C.R.S."

28
29 Renumber succeeding section accordingly.

30
31
32
33 **MESSAGE(S) FROM THE GOVERNOR**

34
35 I certify I received the following on the 1st day of March, 2010, at
36 2:45 p.m. The original is on file in the records of the House of
37 Representatives of the General Assembly.

38
39 Marilyn Eddins,
40 Chief Clerk of the House

41
42 March 1, 2010

43
44 To the Honorable House of Representatives
45 Sixty-seventh General Assembly
46 Second Regular Session
47 State Capitol
48 Denver, CO 80203

49
50 Ladies and Gentlemen:

51
52 I have the honor to inform you that I have approved and filed with the
53 Secretary of State the following Acts:

54
55 **HB10-1324** CONCERNING A REDUCTION IN THE GENERAL FUND
56 PORTION OF THE PER DIEM RATES PAID TO NURSING

FACILITIES, AND MAKING AN APPROPRIATION THEREFOR.

Approved March 1, 2010 at 1:34 p.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

INTRODUCTION OF BILLS First Reading

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

HB10-1354 by Representative(s) Benefield and Looper, Weissmann, Acree, Apuan, Balmer, Bradford, Casso, Curry, DelGrosso, Ferrandino, Frangas, Gagliardi, Gardner C., Gerou, Hullinghorst, Kerr J., King S., Labuda, McFadyen, Merrifield, Middleton, Miklosi, Murray, Nikkel, Rice, Roberts, Scanlan, Schafer S., Solano, Summers, Swalm, Tipton, Todd, Vaad, Vigil; also Senator(s) Morse, Hodge, Newell, Penry, Spence, Steadman--Concerning policy studies conducted by the general assembly during the legislative interim.

Committee on State, Veterans, & Military Affairs

SB10-006 by Senator(s) Boyd, Hudak, Sandoval, White; also Representative(s) Summers, Gagliardi, Kefalas, Waller--Concerning reductions in barriers to obtaining identity-related documents.

Committee on Health and Human Services

SB10-025 by Senator(s) Whitehead, Brophy, Hodge, Schwartz, White; also Representative(s) Baumgardner, Curry, Fischer, Gardner C., McKinley--Concerning the long-term funding of the water efficiency grant program.

Committee on Agriculture, Livestock, & Natural Resources

SB10-068 by Senator(s) Boyd; also Representative(s) Massey--Concerning streamlining eligibility requirements for the Colorado works program, and making an appropriation in connection therewith.

Committee on Health and Human Services

SB10-072 by Senator(s) Schwartz; also Representative(s) Vigil--Concerning creation of the "Colorado Seed Potato Act", and making an appropriation therefor.

Committee on Agriculture, Livestock, & Natural Resources

SB10-088 by Senator(s) Johnston; also Representative(s) Massey--Concerning authorization of two-year degrees with academic designation.

Committee on Education

- 1 **SB10-098** by Senator(s) Tochtrop; also Representative(s)
2 Sonnenberg--Concerning the allocation of moneys to
3 promote conservation of the state's natural resources.
4 Committee on Local Government
5
6
7 **SB10-111** by Senator(s) King K., Bacon, Johnston, Scheffel,
8 Schultheis, Spence, Steadman; also Representative(s)
9 Massey, Summers, Gardner B., King S., McNulty,
10 Middleton, Murray--Concerning public schools that are
11 authorized by the state charter school institute.
12 Committee on Education
13
14
15 **SB10-116** by Senator(s) Kopp, Tochtrop, Carroll M., Scheffel, Tapia,
16 Whitehead, Williams, Renfroe; also Representative(s)
17 Rice and Priola, Benefield, Casso, Gagliardi, Gerou,
18 Kefalas, Kerr J., Liston, Middleton, Pommer, Riesberg,
19 Soper, Vaad--Concerning the reimbursement of costs
20 incurred on change orders in public works contracts.
21 Committee on Business Affairs and Labor
22
23
24 **SB10-129** by Senator(s) Hudak, Bacon, Johnston, Keller, Kester; also
25 Representative(s) Rice--Concerning care coordination
26 services for children with autism.
27 Committee on Health and Human Services
28
29
30 **SB10-147** by Senator(s) Lundberg, Penry; also Representative(s)
31 DelGrosso--Concerning exempting from execution by
32 creditors certain assets that are payable upon death.
33 Committee on Judiciary
34
35
36 **SB10-148** by Senator(s) White, Keller, Tapia; also Representative(s)
37 Lambert, Ferrandino, Pommer--Concerning the transfer of
38 the enterprise facility for operational recovery, readiness,
39 response, and transition services from the department of
40 state to the office of information technology in the office
41 of the governor, and, in connection therewith, developing
42 a timeline to transfer funding of the facility from the
43 department of state cash fund to the computer services
44 revolving fund over a period of four years.
45 Committee on Appropriations
46
47
48 **SB10-155** by Senator(s) Tochtrop; also Representative(s) Benefield--
49 Concerning limitations on the issuance of gift cards.
50 Committee on Business Affairs and Labor
51
52
53 **SB10-158** by Senator(s) Newell, Bacon, Carroll M., Gibbs, Heath,
54 Hodge, Hudak, Johnston, Keller, Kester, Lundberg,
55 Morse, Romer, Sandoval, Schwartz, Spence, Steadman,
56 Tapia, Tochtrop, White, Whitehead, Williams; also

Representative(s) Rice, Ryden--Concerning the creation of the creative industries division within the Colorado office of economic development, and, in connection therewith, recodifying the statutory provisions that create the Colorado office of film, television, and media, the council on creative industries, and the art in public places program.

Committee on Business Affairs and Labor

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and laid over one day under the rules:

HJR10-1013 by Representative(s) Gardner B., Soper; also Senator(s) Tochtrop, Morse--Concerning the United States balance of trade deficit.

The following resolution was read by title and referred to the committee indicated:

HJR10-1014 by Representative(s) Acree; also Senator(s) Kopp--Concerning the creation of a federal income tax deduction for health insurance premiums paid by individuals.
Committee on State, Veterans, & Military Affairs

NOTICE OF CALENDARED ITEM(S)

On motion of Representative Weissmann, the following bill(s) will be calendared for Second Reading on March 5, 2010: **SB10-018, 056, HB10-1288.**

On motion of Representative Weissmann, the following bill(s) will be calendared for Second Reading on March 12, 2010: **HB10-1217.**

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until March 3, retaining place on Calendar:

Consideration of Third Reading--**SB10-109, HB10-1290, 1292, 1096, 1147, 1329, 1333.**

Consideration of Senate Amendment(s)--**HB10-1055, 1306, 1318, 1339, 1320, 1327.**

1 On motion of Representative Weissmann, the House adjourned until
2 9:00 a.m., March 3, 2010.

3

4

5

6

Approved:
TERRANCE D. CARROLL,
Speaker

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

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

Fiftieth Legislative Day

Wednesday, March 3, 2010

1 Prayer by Pastor Curtis Miller, Worship Center, Brighton.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Kandice Gutierrez, Janell Lorenzo, Jennifer
6 Olmedo, Mariah Talmich, Rocky Ford High School.
7
8 The roll was called with the following result:
9
10 Present--64.
11 Excused--Representative(s) Middleton--1.
12 Present after roll call--Representative(s) Middleton.
13
14 The Speaker declared a quorum present.
15
16
17 On motion of Representative Hullinghorst, the reading of the journal of
18 March 2, 2010, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21
22

THIRD READING OF BILL(S)--FINAL PASSAGE

23
24
25 The following bill(s) was(were) considered on Third Reading. The
26 title(s) was(were) publicly read. Reading of the bill at length was
27 dispensed with by unanimous consent.
28

29 **SB10-109** by Senator(s) Romer and Spence, Boyd, Bacon, Hodge,
30 Hudak, Johnston, Tapia, Tochtrop; also Representative(s)
31 Massey and McCann, Rice, Frangas, McFadyen--
32 Concerning regulation of the physician-patient relationship
33 for medical marijuana patients, and making appropriations
34 in connection therewith.
35

36 As shown by the following roll call vote, a majority of all members
37 elected to the House voted in the affirmative, and Representative
38 Weissmann was given permission to offer a Third Reading amendment:
39

	YES	64	NO	1	EXCUSED	0	ABSENT	0
41	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
42	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
43	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y

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

15
16 **Third Reading amendment No. 1**, by Representative Weissmann.

17
18 Amend revised bill, page 9, line 20, strike "THE STATE".

19
20 Page 9, strike lines 21 through 26.

21
22 Page 9, line 27, strike "PROGRAM.".

23
24 The amendment was declared **passed** by the following roll call vote:

25	YES	65	NO	0	EXCUSED	0	ABSENT	0
26								
27	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
28	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
29	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
30	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
31	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
32	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
33	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
34	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
35	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
36	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
37	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
38	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
39	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
40	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
41	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
42	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
43							Speaker	Y

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

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

49	YES	64	NO	1	EXCUSED	0	ABSENT	0
50								
51	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
52	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
53	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
54	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
55	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
56	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y

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

12 Co-sponsor(s) added: Representative(s) Casso, Fischer, Labuda, Miklosi, Pace,
13 Soper, Summers, Todd, Vigil

14
15 **HB10-1290** by Representative(s) Stephens; also Senator Brophy--
16 Concerning procedures for small planned communities to
17 elect to exempt themselves from certain provisions of the
18 "Colorado Common Interest Ownership Act".
19

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

21 A roll call vote was taken. As shown by the following recorded vote, less
22 than a majority of those elected to the House voted in the affirmative and
23 the bill was declared **lost**.
24

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

43
44
45 **HB10-1292** by Representative(s) Murray, Schafer S.; also Senator(s)
46 Harvey--Concerning a clarification of the conditions on
47 land-use approvals that may be imposed by local
48 governments under statutory provisions governing the
49 regulatory impairment of property rights.
50

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

52 A roll call vote was taken. As shown by the following recorded vote, a
53 majority of those elected to the House voted in the affirmative and the bill
54 was declared **passed**.
55

	YES	63	NO	2	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
18							Speaker	Y

19
20 **HB10-1096** by Representative(s) Tipton; also Senator(s) Morse--
21 Concerning the designation of vehicle identification
22 number inspectors by law enforcement officials of local
23 governments.
24

25 The question being "Shall the bill pass?".
26 A roll call vote was taken. As shown by the following recorded vote, a
27 majority of those elected to the House voted in the affirmative and the bill
28 was declared **passed**.
29

	YES	65	NO	0	EXCUSED	0	ABSENT	0
30								
31	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
32	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
33	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
34	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
35	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
36	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
37	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
38	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
39	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
40	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
41	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
42	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
43	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
44	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
45	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
46	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
47							Speaker	Y

48 Co-sponsor(s) added: Representative(s) Apuan, Bradford, Frangas, King S.,
49 Labuda, Murray, Priola, Schafer S., Summers, Vigil.
50

51
52 **HB10-1147** by Representative(s) Kefalas, Fischer, Gagliardi,
53 Hullinghorst, Kerr A., McFadyen, Merrifield, Primavera,
54 Vigil; also Senator(s) Bacon--Concerning safer use of
55 nonmotorized wheeled transportation by minors, and, in
56 connection therewith, codifying into law the existing bike

and pedestrian policy directive of the department of transportation and requiring the department of transportation, in collaboration with the departments of education and public safety and appropriate nonprofit organizations and advocacy groups, to notify schools of the availability of and make available to schools existing educational curriculum for minors regarding the safe use of public streets and premises open to the public.

The question being "Shall the bill pass?".

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

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

Co-sponsor(s) added: Representative(s) Benefield, Labuda, Ryden, Schafer S., Todd, Tyler, Speaker.

HB10-1329 by Representative(s) Peniston, Casso, Court, Fischer, Frangas, Hullinghorst, Labuda, Levy, McCann, Miklosi, Pommer, Riesberg, Solano, Tyler, Vigil; also Senator(s) Boyd, Bacon, Hodge, Hudak, Keller, Romer, Steadman, Tochtrop, Williams--Concerning solid waste user fees.

The question being "Shall the bill pass?".

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

YES	46	NO	19	EXCUSED	0	ABSENT	0
Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	N	Stephens	N
Court	Y	King S.	N	Nikkel	N	Summers	Y

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

10 Co-sponsor(s) added: Representative(s) Gerou, Roberts.

11
12 **HB10-1333** by Representative(s) Vigil, Todd, Apuan, Court, Curry,
13 Ferrandino, Fischer, Frangas, Gagliardi, Hulinghorst,
14 Kagan, Kefalas, Levy, Massey, McFadyen, McKinley,
15 Middleton, Miklosi, Pace, Peniston, Pommer, Riesberg,
16 Ryden, Scanlan, Schafer S., Solano, Soper, Tyler; also
17 Senator(s) Schwartz and Newell--Concerning the creation
18 of the green jobs Colorado training program in the office
19 of the governor, and, in connection therewith, creating the
20 green jobs Colorado advisory council and the green jobs
21 Colorado training fund.

22
23 The question being "Shall the bill pass?".

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

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

46 Co-sponsor(s) added: Representative(s) Casso, Kerr A., Labuda, Primavera,
47 Rice, Speaker.

48
49 **HB10-1128** by Representative(s) Looper; also Senator(s) Hudak and
50 Bacon--Concerning measures to increase the efficiency of
51 the activities of entities in the division of registrations
52 relating to the supervision of regulated professionals, and,
53 in connection therewith, making the "Colorado Licensing
54 of Controlled Substances Act" and the sunset law
55 consistent with provisions enacted in 2009 to continue the
56 regulation of administration of medication by unlicensed

persons, clarifying that moneys collected on behalf of administering entities of professional peer review programs do not constitute state fiscal year spending for purposes of section 20 of article X of the state constitution, clarifying exemptions from the "Dental Practice Law of Colorado", authorizing the director of the division of registrations to take disciplinary action under the "Massage Therapy Practice Act" against persons convicted of unlawful sexual behavior or prostitution-related offenses, repealing duplicative regulatory requirements for medical doctors, replacing limited temporary license requirements for medical doctors and chiropractors, and repealing regulatory functions of the division of registrations with respect to athlete agents, and making an appropriation therefor.

The question being "Shall the bill pass?".

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

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Gerou, Kerr J., Labuda, Vigil.

HB10-1240 by Representative(s) Ferrandino; also Senator(s) M. Carroll--Concerning the foreclosure deferment process for residential properties.

The question being "Shall the bill pass?".

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

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y

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

13 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Frangas,
 14 Hullinghorst, Labuda, Looper, Massey, Middleton, Peniston, Pommer,
 15 Schafer S., Todd, Vigil, Speaker.

16
 17 **HB10-1053** by Representative(s) Riesberg, Kefalas; also Senator(s)
 18 Boyd--Concerning community long-term care savings, and
 19 making an appropriation therefor.

20
 21 The question being "Shall the bill pass?".

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

25	YES	52	NO	13	EXCUSED	0	ABSENT	0
26								
27	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
28	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
29	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
30	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
31	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
32	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
33	Casso	Y	Kerr J.	Y	Murray	N	Stephens	N
34	Court	Y	King S.	Y	Nikkel	N	Summers	N
35	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
36	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
37	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
38	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
39	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
40	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
41	Gardner B.	Y	May	Y	Riesberg	Y	Waller	N
42	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
43							Speaker	Y

44 Co-sponsor(s) added: Representative(s) Apuan, Court, Fischer, Labuda, Looper,
 45 Ryden, Schafer S., Todd, Vigil.

46
 47 **HB10-1206** by Representative(s) Fischer, Hullinghorst, Kefalas,
 48 McFadyen, McNulty, Middleton, Pace, Peniston, Scanlan;
 49 also Senator(s) Bacon--Concerning the granting of voting
 50 rights to student members of the board of governors of the
 51 Colorado state university system.

52
 53 The question being "Shall the bill pass?".

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

	YES	37	NO	28	EXCUSED	0	ABSENT	0
1								
2								
3	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
4	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
5	Balmer	N	Judd	N	McNulty	Y	Schafer S.	Y
6	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
7	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	Y
8	Bradford	N	Kerr A.	N	Miklosi	Y	Soper	N
9	Casso	Y	Kerr J.	Y	Murray	N	Stephens	N
10	Court	Y	King S.	N	Nikkel	Y	Summers	N
11	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
12	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
13	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	N
14	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
15	Frangas	Y	Looper	N	Priola	N	Vaad	N
16	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
17	Gardner B.	N	May	N	Riesberg	N	Waller	N
18	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
19							Speaker	Y

20 Co-sponsor(s) added: Representative(s) Frangas, Labuda, Nikkel, Primavera,
 21 Tyler, Vigil, Speaker.

22
 23 **HB10-1218** by Representative(s) Waller, Bradford, Liston, Looper,
 24 Nikkel, Priola; also Senator(s) Newell--Concerning
 25 information in the central registry of protection orders.

26
 27 The question being "Shall the bill pass?".

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
31								
32								
33	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
35	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
38	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
48	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Acree, Court, Gardner B., Kerr J.,
 51 Labuda, Pace, Schafer S., Stephens, Summers, Vigil.

52
 53 **HB10-1265** by Representative(s) Vigil; also Senator(s) Newell--
 54 Concerning a court's authority to waive certain charges
 55 levied against indigent defendants.

56

1 Co-sponsor(s) added: Representative(s) Casso.

2
3 **HB10-1140** by Representative(s) Nikkel and Todd, Rice, Vigil, Apuan,
4 Acree, Stephens, Balmer, Bradford, Court, DelGrosso,
5 Ferrandino, Fischer, Gagliardi, Gardner C., Hullinghorst,
6 Kefalas, King S., Lambert, Liston, Looper, May, McNulty,
7 Miklosi, Primavera, Priola, Scanlan, Sonnenberg,
8 Summers, Swalm, Tipton; also Senator(s) Shaffer B. And
9 Spence, Romer, Heath, Bacon, Cadman, Kester, King K.,
10 Lundberg, Scheffel, Schultheis, Tapia, Williams--
11 Concerning using moneys in the Colorado state veterans
12 trust fund to construct National Guard armories.

13
14 The question being "Shall the bill pass?".
15 A roll call vote was taken. As shown by the following recorded vote, a
16 majority of those elected to the House voted in the affirmative and the bill
17 was declared **passed**.

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

37 Co-sponsor(s) added: Representative(s) Baumgardner, Casso, Kerr J., Labuda,
38 Massey, Middleton, Murray, Riesberg, Ryden, Soper, Waller.

39
40 **HB10-1271** by Representative(s) Curry; also Senator(s) Morse--
41 Concerning the registration date for eligibility of a person
42 seeking to be placed in nomination as a candidate for a
43 partisan office.

44
45 The question being "Shall the bill pass?".
46 A roll call vote was taken. As shown by the following recorded vote, a
47 majority of those elected to the House voted in the affirmative and the bill
48 was declared **passed**.

	YES	58	NO	7	EXCUSED	0	ABSENT	0
51	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
52	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
53	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
54	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
55	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
56	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y

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

12 Co-sponsor(s) added: Representative(s) Court, Looper, Roberts, Ryden.

13
14 **HB10-1131** by Representative(s) Scanlan, Apuan, Benefield, Court,
15 Curry, Ferrandino, Frangas, Gagliardi, Hullinghorst,
16 Kerr A., Levy, Massey, Middleton, Miklosi, Pace,
17 Peniston, Primavera, Rice, Schafer S., Todd, Tyler, Vigil;
18 also Senator(s) Gibbs--Concerning measures to improve
19 Colorado youths' knowledge of the environment, and, in
20 connection therewith, creating the Colorado kids outdoors
21 grant program.

22
23 The question being "Shall the bill pass?".

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

28	YES	43	NO	22	EXCUSED	0	ABSENT	0
29	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
30	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
31	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
32	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
33	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
34	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
35	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
36	Court	Y	King S.	N	Nikkel	N	Summers	N
37	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
38	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
39	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
40	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
41	Frangas	Y	Looper	N	Priola	Y	Vaad	N
42	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
43	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
44	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Fischer, Kefalas, Labuda, Merrifield,
47 Pommer, Ryden, Solano, Speaker.

51 CONSIDERATION OF RESOLUTION(S)

52
53 **HJR10-1013** by Representative(s) Gardner B., Soper; also Senator(s)
54 Tochtrop, Morse--Concerning the United States balance
55 of trade deficit.
56

1 (Printed and placed in members' file.)

2
3 Representative Gardner B., moved that the resolution be adopted and
4 requested that it be read at length.

5
6 Amendment No. 1, moved by Representative Levy.

7
8 Amend printed joint resolution, page 2, line 22, after "of" insert "energy
9 efficiency measures, and development of".

10
11 Page 2, line 23, strike "other" and after "sources" insert "including
12 renewable energy".

13
14 The amendment was declared **passed by viva voce** vote.

15
16 Amendment No. 2, by Representative(s) Frangas.

17
18 Amend printed joint resolution, page 2, line 21, after "increased" insert
19 "environmentally responsible".

20
21 The amendment was declared **passed by viva voce** vote.

22
23 On motion of Representative Gardner B., the resolution as amended was
24 **adopted by viva voce** vote.

25
26 Co-sponsor(s) added: Representative(s) Apuan, Casso, Labuda, Massey, Pace,
27 Priola, Schafer S., Summers, Vigil, Waller

30 31 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

32
33 **HB10-1055** by Representative(s) Kefalas; also Senator(s) Steadman--
34 Concerning the requirement that fees for services rendered
35 by a third party for collection of delinquent taxes be added
36 to the total amount collected by the third party.

37
38 (Amended as printed in Senate Journal, February 12, page 230.)

39
40 Representative Kefalas moved that the House **concur** in Senate
41 amendments. The motion was declared **passed** by the following roll call
42 vote:

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

1	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
2	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
3	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
4	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
5							Speaker	Y

6
7 The question being, "Shall the bill, as amended, pass?".

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

11								
12	YES	56	NO	8	EXCUSED	1	ABSENT	0
13	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
14	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
15	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
16	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
17	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
18	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
19	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
20	Court	Y	King S.	N	Nikkel	N	Summers	Y
21	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
22	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
23	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
24	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
25	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
26	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
27	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
28	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
29							Speaker	Y

30
31
32 **HB10-1306** by Representative(s) Pommer, Ferrandino, Lambert; also
33 Senator(s) Keller, Tapia, White--Concerning a
34 supplemental appropriation to the department of
35 legislature.

36
37 (Amended as printed in Senate Journal, February 24, page 332.)

38
39 Representative Pommer moved that the House **concur** in Senate
40 amendments. The motion was declared **passed** by the following roll call
41 vote:

42								
43	YES	56	NO	9	EXCUSED	0	ABSENT	0
44	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
46	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
47	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
49	Bradford	Y	Kerr A.	N	Miklosi	Y	Soper	Y
50	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
51	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
52	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
53	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
54	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
56	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y

1	Gagliardi	Y	Massey	Y	Rice	N	Vigil	Y
2	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
3	Gardner C.	Y	McCann	Y	Roberts	N	Weissmann	N
4							Speaker	N

5
6 The question being, "Shall the bill, as amended, pass?".

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

10								
11	YES	64	NO	1	EXCUSED	0	ABSENT	0
12	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
14	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
15	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
19	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
20	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
21	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
22	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
26	Gardner B.	N	May	Y	Riesberg	Y	Waller	Y
27	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Miklosi, Roberts, Solano.

30
31 **HB10-1318** by Representative(s) Pommer, Ferrandino, Lambert; also
32 Senator(s) Tapia, Keller, White--Concerning
33 circumstances under which the requirement that each
34 school district receive a minimum amount of state funding
35 for total program funding as calculated through the
36 "Public School Finance Act of 1994" shall not apply to
37 any district.

38
39 (Amended as printed in Senate Journal, February 24, page 333.)

40
41 Representative Pommer moved that the House **concur** in Senate
42 amendments. The motion was declared **passed** by the following roll call
43 vote:

44								
45	YES	63	NO	2	EXCUSED	0	ABSENT	0
46	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
47	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
48	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
49	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
50	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
51	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
52	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
53	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
54	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
55	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
56	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y

1	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
2	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
3	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
4	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
5	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
6							Speaker	Y

7
8 The question being, "Shall the bill, as amended, pass?".
9 A roll call vote was taken. As shown by the following recorded vote, a
10 majority of those elected to the House voted in the affirmative, and the
11 bill, as amended, was declared **repassed**.
12

13	YES	63	NO	2	EXCUSED	0	ABSENT	0
14	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
15	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
16	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
17	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
18	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
19	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
20	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
21	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
22	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
23	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
24	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
25	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
26	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
27	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
28	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
29	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) Stephens.
32

33 **HB10-1339** by Representative(s) Pommer, Ferrandino, Lambert; also
34 Senator(s) White, Keller, Tapia--Concerning the
35 distribution of limited gaming fund moneys for the 2009-
36 10 state fiscal year, and making an appropriation in
37 connection therewith.
38

39 (Amended as printed in Senate Journal, February 24, page 333-334, and
40 on third Reading as printed in Senate Journal, February 26.)
41

42 Representative Pommer moved that the House **not concur** in Senate
43 amendments and that a Conference Committee be appointed. The motion
44 was declared **passed** by the following roll call vote:
45

46	YES	65	NO	0	EXCUSED	0	ABSENT	0
47	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
48	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
49	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
50	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
51	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
52	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
53	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
54	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
55	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
56	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y

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

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

10
11 **HB10-1320** by Representative(s) Pommer, Ferrandino, Lambert; also
12 Senator(s) Tapia, Keller, White--Concerning the use of
13 tobacco revenues generated under section 21 of article X
14 of the state constitution in a state fiscal emergency, and
15 making an appropriation therefor.

16
17 (Amended as printed in Senate Journal, February 24, page 334.)

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

22								
23	YES	65	NO	0	EXCUSED	0	ABSENT	0
24	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
25	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
26	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
27	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
28	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
29	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
30	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
31	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
32	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
33	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
34	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
35	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
36	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
37	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
38	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
39	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
40							Speaker	Y

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

43
44
45 **HB10-1327** by Representative(s) Pommer, Ferrandino, Lambert; also
46 Senator(s) White, Keller, Tapia--Concerning the
47 augmentation of the general fund through transfers of
48 certain moneys.

49
50 (Amended as printed in Senate Journal, February 24, page 335.)

51
52
53 House in recess. House reconvened.

54
55
56 Representative Pommer moved that the House **concur** in Senate

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

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

26
 27
 28
 29 House in recess. House reconvened.
 30
 31
 32

33 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

34 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

35 After consideration on the merits, the Committee recommends the
 36 following:
 37

38
 39 **SB10-165** be amended as follows, and as so amended, be referred to
 40 the Committee of the Whole with favorable
 41 recommendation:
 42

43 Amend reengrossed bill, page 2, strike lines 14 and 15 and substitute
 44 "GROUNDWATER BEING REMOVED TO FACILITATE OR PERMIT THE MINING
 45 OF MINERALS WILL NOT BE SOLD OR TRADED FOR PROFIT AND WILL BE
 46 USED ONLY TO FACILITATE OR PERMIT THE MINING OF MINERALS,
 47 INCLUDING:".
 48

49 Page 2, strike lines 19 through 21 and substitute "ENHANCED RECOVERY,
 50 DRILLING, WELL STIMULATION, WELL MAINTENANCE, PRESSURE CONTROL,
 51 PUMP OPERATIONS, DUST CONTROL ON-SITE OR OFF-SITE, PIPELINE AND
 52 EQUIPMENT TESTING, EQUIPMENT WASHING, OR FIRE SUPPRESSION;".
 53

54 Page 3, line 1, after "ACT;" insert "OR".
 55

56 Page 3, strike lines 3 through 6 and substitute "MANAGEMENT FACILITY;"

1 and".

2
3 Page 3, strike lines 20 and 21 and substitute "injury. PERMITTING
4 DETERMINATIONS PURSUANT TO THIS SUBSECTION (7) NEITHER CONFER A
5 WATER RIGHT NOR PRECLUDE DETERMINATION OF A WATER RIGHT BY THE
6 WATER COURT."

7
8
9
10
11 **LOCAL GOVERNMENT**

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

14
15 **HB10-1259** be amended as follows, and as so amended, be referred to
16 the Committee on Judiciary with favorable
17 recommendation:
18

19
20 Amend printed bill, page 4, strike lines 13 through 21 and substitute "1
21 WITH THOSE OF SECTION 30 OF ARTICLE II OF THE STATE CONSTITUTION."

22
23 Page 5, strike lines 17 through 27.

24
25 Page 6, strike lines 1 through 11.

26
27 Renumber succeeding sections accordingly.

28
29 Page 6, strike lines 23 and 24 and substitute "provided by section 31-12-
30 108 (2) for notices of annexation petitions, and resolutions initiating
31 annexation proceedings, but no public hearing on the".

32
33 Page 9, strike lines 21 and 22 and substitute:

34
35 **"31-12-108. Setting hearing date - notice given.** (1) As a part
36 of the resolution initiating annexation proceedings by the municipality or
37 of ".
38

39 Page 13, line 21, strike "(3),".

40
41 Page 13, strike line 26 and substitute "adopt a resolution of intent
42 pursuant to section 31-12-106 or, SUBJECT TO".

43
44 Page 14, strike lines 7 through 20 and substitute:

45
46 "(2) All further".
47

48 Page 15, strike lines 1 through 6.

49
50 Page 17, line 12, strike "(1) (a) and (3)," and substitute "(1) (a),".

51
52 Page 17, line 13, strike "are" and substitute "is".

53
54 Page 17, strike lines 26 and 27.

55
56 Strike page 18 and substitute:

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

11

12

13

14 **SB10-142** be referred to the Committee of the Whole with favorable
15 recommendation.

16

17

18

19

20 **STATE, VETERANS, & MILITARY AFFAIRS**

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

23

24 **HB10-1205** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:

27

28 Amend printed bill, page 3, line 17, after "ACRES." add
29 "NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION (9.5),
30 "MILITARY INSTALLATION" INCLUDES BUCKLEY AIR FORCE BASE,
31 CHEYENNE MOUNTAIN AIR FORCE STATION, FORT CARSON ARMY POST,
32 GREELEY AIR NATIONAL GUARD STATION, PETERSON AIR FORCE BASE,
33 SCHRIEVER AIR FORCE BASE, AND THE UNITED STATES AIR FORCE
34 ACADEMY."

35

36 Page 4, line 13, after "~~projects.~~" add "NOTWITHSTANDING ANY OTHER
37 PROVISION OF THIS PARAGRAPH (b), "MILITARY INSTALLATION" INCLUDES
38 BUCKLEY AIR FORCE BASE, CHEYENNE MOUNTAIN AIR FORCE STATION,
39 FORT CARSON ARMY POST, GREELEY AIR NATIONAL GUARD STATION,
40 PETERSON AIR FORCE BASE, SCHRIEVER AIR FORCE BASE, AND THE
41 UNITED STATES AIR FORCE ACADEMY."

42

43 Page 4, strike lines 14 through 22 and substitute:

44

45 "(3) EACH COUNTY OR MUNICIPAL MASTER PLAN REQUIRED BY
46 SECTION 30-28-106 OR 31-23-206, C.R.S., RESPECTIVELY, SHALL PROVIDE
47 THE RECOMMENDATIONS OF THE COUNTY OR MUNICIPALITY, AS
48 APPLICABLE, FOR DEVELOPMENT THAT IT DEEMS COMPATIBLE WITH ANY
49 OFF-SITE NOISE IMPACTS OF MILITARY INSTALLATIONS. IN MAKING ITS
50 RECOMMENDATIONS, THE COUNTY OR MUNICIPALITY SHALL CONSIDER,
51 AMONG OTHER DATA, ANY OFF-SITE NOISE IDENTIFIED IN ANY
52 ENVIRONMENTAL ASSESSMENTS OR ENVIRONMENTAL IMPACT STATEMENTS
53 PREPARED FOR AND ACCEPTED BY THE UNITED STATES DEPARTMENT OF
54 DEFENSE CONTEMPORANEOUS WITH THE PLACEMENT OF MILITARY
55 ACTIVITIES ON THE STATE'S MILITARY INSTALLATIONS. FOR GUIDANCE ON
56 LAND USES COMPATIBLE WITH NOISE GENERATED BY OVERFLIGHT OF

1 MILITARY AIRCRAFT, THE COUNTY OR MUNICIPALITY MAY REFER TO
2 UNITED STATES DEPARTMENT OF DEFENSE INSTRUCTION 4165.57.".

3
4 Page 5, strike lines 5 through 8 and substitute "~~within~~ two miles of the
5 military installation. Nothing in this subsection (3) (4) is intended to
6 require submission of any information in connection with a site-specific
7 development application under consideration by the local government.".

8
9 Page 5, line 12, strike "SIXTY" and substitute "FOURTEEN BUSINESS"

10
11
12
13 **HB10-1207** be postponed indefinitely.

14
15
16
17
18 **TRANSPORTATION & ENERGY**

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

21
22 **HB10-1068** be postponed indefinitely.

23
24
25 **HB10-1125** be amended as follows, and as so amended, be referred to
26 the Committee on Appropriations with favorable
27 recommendation:

28
29 Amend printed bill, page 4, line 10, after the period add "'FACILITY"
30 DOES NOT INCLUDE DOMESTIC WASTEWATER TREATMENT WORKS AS
31 DEFINED IN SECTION 25-8-103, C.R.S., THAT PROCESSES WASTE GREASE AS
32 PART OF ITS OPERATIONS THAT ARE REGULATED BY THE DEPARTMENT
33 PURSUANT TO ARTICLE 8 OF TITLE 25, C.R.S.".

34
35 Page 10, after line 15 insert:

36
37 "(10) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE
38 REGISTRATION BY ANY PERSON WHO IS NEITHER ENGAGED IN THE BUSINESS
39 OF, NOR OTHERWISE KNOWINGLY, COLLECTING, TRANSPORTING, OR
40 DISPOSING OF GREASE. HOWEVER, IF A SOLID WASTE HAULER DISCOVERS
41 GREASE THAT THE HAULER REASONABLY BELIEVES IS IN A QUANTITY
42 REGULATED BY THE DEPARTMENT, THE HAULER SHALL IMMEDIATELY
43 NOTIFY THE DEPARTMENT. THE DEPARTMENT SHALL THEN DETERMINE
44 WHETHER THE HAULER IS REQUIRED TO REGISTER UNDER THIS SECTION IN
45 ORDER TO COLLECT, TRANSPORT, OR DISPOSE OF THE GREASE.".

46
47
48
49 **HB10-1161** be amended as follows, and as so amended, be referred to
50 the Committee on Appropriations with favorable
51 recommendation:

52
53 Amend printed bill, strike everything below the enacting clause and
54 substitute:

55
56 **"SECTION 1.** Article 16 of title 40, Colorado Revised Statutes,

1 is amended BY THE ADDITION OF A NEW SECTION to read:

2
3 **40-16-111. Livery license plates - rules - repeal.** (1) (a) THE
4 COMMISSION SHALL EITHER:

5
6 (I) CREATE A DOCUMENT THAT A PERSON AUTHORIZED TO PROVIDE
7 LUXURY LIMOUSINE SERVICES UNDER THIS ARTICLE MAY USE TO VERIFY TO
8 THE DEPARTMENT OF REVENUE OR ITS AUTHORIZED AGENT THAT THE
9 PERSON PROVIDES SUCH SERVICES; OR

10
11 (II) CREATE A SYSTEM TO ELECTRONICALLY VERIFY TO THE
12 DEPARTMENT OF REVENUE OR ITS AUTHORIZED AGENT THAT THE PERSON
13 IS AUTHORIZED TO PROVIDE LUXURY LIMOUSINE SERVICES UNDER THIS
14 ARTICLE.

15
16 (b) UPON REQUEST, THE COMMISSION SHALL PROVIDE THE
17 DOCUMENT TO THE PERSON WITH SUCH AUTHORITY OR THE ELECTRONIC
18 VERIFICATION TO THE DEPARTMENT OF REVENUE OR ITS AUTHORIZED
19 AGENT.

20
21 (2) THE COMMISSION MAY PROMULGATE RULES TO IMPLEMENT
22 THIS SECTION AND TO ENFORCE SECTION 42-3-233, C.R.S.

23
24 (3) (a) BY JANUARY 1, 2011, THE COMMISSION SHALL NOTIFY EACH
25 PERSON AUTHORIZED TO PROVIDE LUXURY LIMOUSINE SERVICES UNDER
26 THIS ARTICLE OF THE REQUIREMENTS OF SECTION 42-3-233, C.R.S.

27
28 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2011.

29
30 **SECTION 2.** Part 2 of article 3 of title 42, Colorado Revised
31 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
32 read:

33
34 **42-3-233. Livery license plates - luxury limousines - repeal.**
35 (1) THE LIVERY LICENSE PLATE IS HEREBY ESTABLISHED. THE PLATE
36 CONSISTS OF RED LETTERS ON A WHITE BACKGROUND AND FEATURES THE
37 WORDS "COLORADO" ACROSS THE TOP AND "LIVERY" ACROSS THE
38 BOTTOM OF THE PLATE.

39
40 (2) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS
41 SUBSECTION (2), A PERSON PROVIDING LUXURY LIMOUSINE SERVICE UNDER
42 ARTICLE 16 OF TITLE 40, C.R.S., SHALL REGISTER THE MOTOR VEHICLE
43 USED FOR SUCH PURPOSES PURSUANT TO THIS ARTICLE AND DISPLAY
44 LIVERY LICENSE PLATES ON THE VEHICLE. UPON SUCH REGISTRATION, THE
45 DEPARTMENT SHALL ISSUE LIVERY LICENSE PLATES FOR THE VEHICLES IN
46 ACCORDANCE WITH THIS SECTION. THE DEPARTMENT SHALL NOT ISSUE A
47 LIVERY LICENSE PLATE UNLESS THE PERSON EITHER SUBMITS A
48 VERIFICATION DOCUMENT ISSUED PURSUANT TO SECTION 40-16-111,
49 C.R.S., OR THE PUBLIC UTILITIES COMMISSION ELECTRONICALLY VERIFIES
50 THE AUTHORIZATION TO PROVIDE LUXURY LIMOUSINE SERVICE UNDER
51 SECTION 40-16-111, C.R.S.

52
53 (b) A PERSON PROVIDING LUXURY LIMOUSINE SERVICE UNDER
54 ARTICLE 16 OF TITLE 40, C.R.S., MAY PROVIDE SUCH SERVICES WITHOUT
55 REGISTERING THE MOTOR VEHICLE OR USING LIVERY LICENSE PLATES IF
56 THE MOTOR VEHICLE IS RENTED, BUT THE PERSON SHALL NOT PROVIDE

1 SUCH SERVICES USING A RENTED MOTOR VEHICLE FOR MORE THAN THIRTY
2 DAYS.

3
4 (c) A PERSON PROVIDING SERVICES REQUIRING A LIVERY PLATE
5 PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2) WITH A MOTOR
6 VEHICLE THAT WAS REGISTERED ON JANUARY 1, 2011, IS NOT REQUIRED
7 TO OBTAIN LIVERY PLATES UNTIL THE VEHICLE IS SCHEDULED FOR
8 RENEWAL OF THE CURRENT REGISTRATION. UPON RENEWING A
9 REGISTRATION FOR A LUXURY LIMOUSINE REGISTERED PURSUANT TO THIS
10 ARTICLE, THE DEPARTMENT SHALL ISSUE SPECIAL LIVERY LICENSE PLATES
11 FOR THE VEHICLE IN ACCORDANCE WITH THIS SECTION. THIS PARAGRAPH
12 (c) IS REPEALED, EFFECTIVE JANUARY 1, 2012.

13
14 (3) UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION
15 42-3-211 (6) (a) FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT
16 MAY ISSUE PERSONALIZED LIVERY LICENSE PLATES IF THE APPLICANT
17 COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS EXISTING
18 PERSONALIZED LICENSE PLATES, THE APPLICANT MAY TRANSFER THE
19 COMBINATION OF LETTERS OR NUMBERS TO A NEW SET OF SPECIAL LIVERY
20 LICENSE PLATES UPON PAYING THE FEE IMPOSED BY SECTION 42-3-211 (6)
21 (a) AND UPON TURNING THE EXISTING PLATES IN TO THE DEPARTMENT. A
22 PERSON WHO HAS OBTAINED PERSONALIZED LIVERY LICENSE PLATES
23 UNDER THIS SUBSECTION (3) SHALL PAY THE ANNUAL FEE IMPOSED BY
24 SECTION 42-3-211 (6) (b) FOR RENEWAL OF SUCH PERSONALIZED PLATES.
25 THE FEES UNDER THIS SUBSECTION (3) ARE IN ADDITION TO ALL OTHER
26 TAXES AND FEES IMPOSED FOR THE SPECIAL LICENSE PLATES.

27
28 (4) NO PERSON SHALL OPERATE A MOTOR VEHICLE WITH A LIVERY
29 LICENSE PLATE OR TEMPORARY LIVERY LICENSE PLATE UNLESS THE MOTOR
30 VEHICLE TO WHICH THE PLATES ARE ATTACHED IS REQUIRED BY
31 SUBSECTION (2) OF THIS SECTION TO BEAR LIVERY LICENSE PLATES. A
32 PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS B TRAFFIC
33 INFRACTION, PUNISHABLE BY A FINE OF SEVENTY-FIVE DOLLARS.

34
35 (5) IF THE PERSON WHO OWNS THE MOTOR VEHICLE WITH LIVERY
36 PLATES IS NOT THE SAME PERSON UNDER WHOSE AUTHORITY THE MOTOR
37 VEHICLE OPERATES PURSUANT TO ARTICLE 16 OF TITLE 40, C.R.S., THE
38 PERSON WITH SUCH AUTHORITY MAY REQUEST THAT THE DEPARTMENT OF
39 REVENUE REQUIRE THE PLATE TO BE REPLACED. UPON SUCH A REQUEST
40 BEING MADE, THE DEPARTMENT SHALL REQUIRE THE OWNER TO RETURN
41 THE LIVERY LICENSE PLATE AND BE ISSUED A NEW LICENSE PLATE.

42
43 (6) THIS SECTION IS EFFECTIVE JANUARY 1, 2011.

44
45 **SECTION 3. Act subject to petition - effective date.** This act
46 shall take effect at 12:01 a.m. on the day following the expiration of the
47 ninety-day period after final adjournment of the general assembly (August
48 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
49 referendum petition is filed pursuant to section 1 (3) of article V of the
50 state constitution against this act or an item, section, or part of this act
51 within such period, then the act, item, section, or part shall not take effect
52 unless approved by the people at the general election to be held in
53 November 2010 and shall take effect on the date of the official
54 declaration of the vote thereon by the governor."

55
56

1 **HB10-1182** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB10-1214** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:
8

9 Amend printed bill, page 3, strike line 16 and substitute "TEN PERCENT OF
10 THE MONEYS IN THE ADOPT A SHELTER PET ACCOUNT".
11

12
13
14 **HB10-1256** be amended as follows, and as so amended, be referred to
15 the Committee of the Whole with favorable
16 recommendation:
17

18 Amend printed bill, page 3, strike lines 25 and 26.
19

20 Renumber succeeding sections accordingly.
21

22
23
24 **PRINTING REPORT**
25

26 The Chief Clerk reports the following bill has been correctly printed:
27 **HB10-1354.**
28

29
30
31 **SIGNING OF BILLS--RESOLUTIONS--MEMORIALS**
32

33 The Speaker has signed: **SJR10-004.**
34

35
36
37 **DELIVERY OF BILL TO GOVERNOR**
38

39 The Chief Clerk of the House of Representatives reports the following
40 bill has been delivered to the Office of the Governor: **HB10-1095** at
41 2:43 p.m. on March 2, 2010.
42

43
44
45 **MESSAGE(S) FROM THE SENATE**
46

47 The Senate has recalled HB10-1321 for the purpose of reconsideration
48 and requests the return of the bill herewith.
49

50
51 The Senate has passed on Third Reading and transmitted to the Revisor
52 of Statutes: SB10-119.
53

54 The Senate has passed on Third Reading and transmitted to the Revisor
55 of Statutes:
56

1 SB10-093 amended as printed in Senate Journal, March 1, 2010,
2 page 385.
3 SB10-140 amended as printed in Senate Journal, March 1, 2010,
4 page 385.
5 SB10-101 amended as printed in Senate Journal ,March 1, 2010,
6 pages 385-386.
7 SB10-071 amended as printed in Senate Journal, March 1, 2010,
8 page 387 and March 3, 2010.
9 SB10-154 amended as printed in Senate Journal, March 2, 2010,
10 pages 391-392.
11 SB10-079 amended as printed in Senate Journal, March 2, 2010,
12 page 392.
13 SB10-152 amended as printed in Senate Journal, March 2, 2010,
14 pages 393-395.
15 HB10-1321 amended as printed in Senate Journal, March 3, 2010.

16
17 The Senate has passed and returns herewith: HB10-1041.
18
19
20

21 **MESSAGE(S) FROM THE REVISOR**
22

23 We herewith transmit:
24 Without comment, SB10-119.
25 Without comment, as amended, HB10-1321.
26 Without comment, as amended, SB10-093, 140, 101, 071, 154, 079, and
27 152.
28
29
30

31 On motion of Representative Weissmann, the House adjourned until
32 9:00 a.m., March 4, 2010.

33 Approved:
34 TERRANCE D. CARROLL,
35 Speaker

36 Attest:
37 MARILYN EDDINS,
38 Chief Clerk

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

Fifty-first Legislative Day

Thursday, March 4, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Nick Winter, Theo Smith, Isaac Buchanan,
6 Heritage High School, Littleton.
7
8 The roll was called with the following result:
9
10 Present--61.
11 Excused--Representative(s) May, Middleton, Stephens, Tipton--4.
12 Present after roll call--Representative(s) Middleton.
13

14 The Speaker declared a quorum present.
15
16

17 On motion of Representative Hullinghorst, the reading of the journal of
18 March 3, 2010, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20

21
22
23 House in recess. House reconvened.
24
25

26
27 **MESSAGE(S) FROM THE SENATE**
28

29 The Senate has adopted and transmits herewith: SJR10-016.
30
31

32
33 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**
34

35 On motion of Representative Weissmann, the rules were suspended and
36 the following resolution was given immediate consideration.
37

38 **SJR10-016** by Senator(s) Bacon; also Representative(s) Kefalas--
39 Concerning the recognition of the Peace Corps on its
40 forty-ninth anniversary.
41

42 (Printed and placed in member's file).
43

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

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

14
15 House in recess. House reconvened.
16
17

18
19 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

20
21 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

22 After consideration on the merits, the Committee recommends the
23 following:
24

25 **SB10-019** be amended as follows, and as so amended, be referred to
26 the Committee of the Whole with favorable
27 recommendation:
28

29 Amend reengrossed bill, page 2, line 11, after "company," insert "SMALL
30 OR LOW IMPACT".
31

32 Page 3, line 21, strike "ENTRAINMENT IN" and substitute "MORTALITY IN
33 FACILITIES ON".
34

35 Page 4, line 4, strike "ENTRAINMENT IN" and substitute "MORTALITY IN
36 FACILITIES ON".
37

38
39
40 **SB10-034** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:
43

44 Amend reengrossed bill, page 5, line 7, strike "**expiration.**" and substitute
45 "**expiration - repeal.**".
46

47 Page 5, line 14, after "(4)" insert "(a) (I)" and strike "~~on December 31 of~~"
48 and substitute "on December 31 of".
49

50 Page 5, strike line 15 and substitute "each year."
51

52 Page 5, after line 15 insert:
53

54 "(II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JANUARY 1,
55 2011.
56

1 (b) ON AND AFTER JANUARY 1, 2011, REGISTRATION OF A
2 PESTICIDE SHALL EXPIRE EACH YEAR ON A DATE SPECIFIED BY THE
3 COMMISSIONER BY RULE."

4
5 Page 7, line 2, strike "**expiration.**" and substitute "**expiration - repeal.**".

6
7 Page 7, line 3, after "(4)" insert "(a) (I)" and strike "~~on December 31 of~~
8 each year ON" and substitute "on December 31 of each year."

9
10 Page 7, strike line 4 and substitute:

11
12 "(II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JANUARY 1,
13 2011.

14
15 (b) ON AND AFTER JANUARY 1, 2011, REGISTRATION OF A DEVICE
16 SHALL EXPIRE EACH YEAR ON A DATE SPECIFIED BY THE COMMISSIONER BY
17 RULE."

18
19
20
21 **SB10-038** be referred favorably to the Committee on Appropriations.

22
23
24 **SB10-052** be referred to the Committee of the Whole with favorable
25 recommendation.

26
27
28
29
30 **BUSINESS AFFAIRS & LABOR**

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

33
34 **HB10-1162** be amended as follows, and as so amended, be referred to
35 the Committee on Appropriations with favorable
36 recommendation:

37
38 Amend printed bill, strike everything below the enacting clause and
39 substitute:

40
41 "**SECTION 1. Legislative declaration.** (1) The general
42 assembly hereby finds and declares that:

43
44 (a) The construction industry is a significant component of the
45 state's economy;

46
47 (b) There is a substantial statewide interest in fostering the growth
48 and stability of the construction industry and ensuring that it remains
49 economically viable;

50
51 (c) The ability of construction and design enterprises to obtain and
52 satisfactorily perform projects in the private and public sectors affects the
53 construction industry as a whole;

54
55 (d) Clauses in construction contracts that allow builders to not
56 fully fund changes to contracts prior to performance of such work and to

1 pay for such work in a timely fashion have ruinous financial
2 consequences for the affected contractors and subcontractors; and

3
4 (e) There is a substantial statewide interest in ensuring that the
5 policy underlying the efficient expenditure of funds is balanced with the
6 policy of fostering a healthy and viable Colorado construction industry.

7
8 (2) The general assembly hereby declares that:

9
10 (a) The practice of withholding earned revenue through
11 construction contracts is a matter of statewide concern and is affected
12 with a public interest; and

13
14 (b) It is within the police power of the state to protect the health,
15 peace, safety, and welfare of the people of the state.

16
17 **SECTION 2.** Title 38, Colorado Revised Statutes, is amended BY
18 THE ADDITION OF A NEW ARTICLE to read:

19
20 **ARTICLE 15**

21 **Retainage in Commercial Construction Contracts**

22
23 **38-15-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
24 CONTEXT OTHERWISE REQUIRES:

25
26 (1) "BUILDING CLIENT" MEANS A PERSON WHO OWNS, MANAGES,
27 OR LEASES REAL PROPERTY AND WHO CAUSES A BUILDING, STRUCTURE, OR
28 IMPROVEMENT ON REAL PROPERTY TO BE CONSTRUCTED, ALTERED,
29 MOVED, OR DEMOLISHED OR WHO CAUSES LAND TO BE EXCAVATED OR
30 OTHERWISE DEVELOPED OR IMPROVED. "BUILDING CLIENT" DOES NOT
31 INCLUDE A PUBLIC ENTITY.

32
33 (2) "CONSTRUCTION PROJECT" MEANS A PROJECT THAT IS THE
34 SUBJECT OF A CONTRACT.

35
36 (3) "CONTRACT" MEANS AN AGREEMENT OR SUBCONTRACT FOR
37 MATERIALS OR LABOR FOR THE CONSTRUCTION, ALTERATION,
38 RENOVATION, OR REPAIR OF A BUILDING, BUILDING SITE, STRUCTURE,
39 HIGHWAY, STREET, ROADWAY, BRIDGE, VIADUCT, WATER OR SEWER
40 SYSTEM, GAS OR OTHER DISTRIBUTION SYSTEM, OR OTHER WORK DEALING
41 WITH CONSTRUCTION OR FOR ANY MOVING, DEMOLITION, OR EXCAVATION
42 CONNECTED WITH THE CONSTRUCTION. FOR THE PURPOSES OF THIS
43 ARTICLE, "CONTRACT" DOES NOT INCLUDE:

44
45 (a) ANY REAL PROPERTY LEASE OR RENTAL AGREEMENT BETWEEN
46 A LANDLORD AND A TENANT, REGARDLESS OF WHETHER ANY PROVISION
47 OF THE LEASE OR RENTAL AGREEMENT CONCERNS CONSTRUCTION,
48 ALTERATION, IMPROVEMENT, OR MAINTENANCE OF REAL PROPERTY;

49
50 (b) AN AGREEMENT FOR THE CONSTRUCTION, IMPROVEMENT,
51 ALTERATION, MOVING, OR DEMOLITION OF A SINGLE-FAMILY DWELLING OR
52 MULTI-FAMILY DWELLING WITH NO MORE THAN TWO UNITS; OR

53
54 (c) A CONTRACT BETWEEN A BUILDING CLIENT AND A CONTRACTOR
55 IN AN AMOUNT LESS THAN ONE HUNDRED FIFTY THOUSAND DOLLARS.
56

1 (4) "CONTRACTOR" MEANS A PERSON WHO ENTERS INTO A
2 CONTRACT WITH A BUILDING CLIENT.

3
4 (5) "FINAL COMPLETION" MEANS THE STAGE OF A PROJECT AT
5 WHICH ALL CONDITIONS FOR FINAL PAYMENT AND RELEASE OF RETAINAGE
6 CONTAINED IN THE CONTRACT HAVE BEEN SATISFIED.

7
8 (6) "RETAINAGE" MEANS MONEY WITHHELD FROM A CONTRACTOR
9 OR SUBCONTRACTOR UNDER A CONTRACT UNTIL THE WORK IS
10 SATISFACTORILY COMPLETED.

11
12 (7) "SUBCONTRACTOR" MEANS A PERSON WHO, FOR PROFIT,
13 ENTERS INTO A SUBCONTRACT WITH A CONTRACTOR OR SUBCONTRACTOR
14 TO PERFORM A PORTION OF THE WORK UNDER A CONTRACT WITH A
15 BUILDING CLIENT.

16
17 **38-15-102. Retainage limits.** (1) EXCEPT AS PROVIDED IN
18 SUBSECTIONS (2) AND (3) OF THIS SECTION, A BUILDING CLIENT OR
19 CONTRACTOR SHALL PAY AT LEAST NINETY-FIVE PERCENT OF THE
20 CALCULATED VALUE OF SATISFACTORILY COMPLETED WORK UNDER THE
21 CONTRACT OR A SUBCONTRACT THEREOF UNTIL FIFTY PERCENT OF THE
22 WORK REQUIRED BY A CONTRACT HAS BEEN SATISFACTORILY COMPLETED.
23 EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, A BUILDING
24 CLIENT OR CONTRACTOR SHALL PAY AT LEAST NINETY-SEVEN AND
25 ONE-HALF PERCENT OF THE CALCULATED VALUE OF SATISFACTORILY
26 COMPLETED WORK AFTER FIFTY PERCENT OF THE WORK REQUIRED BY A
27 CONTRACT HAS BEEN SATISFACTORILY COMPLETED. THE CALCULATED
28 VALUE OF THE WORK DOES NOT INCLUDE THE PORTION OF THE CONTRACT
29 PRICE THAT IS USED TO STORE MATERIALS OR EQUIPMENT AT THE
30 CONSTRUCTION SITE.

31
32 (2) IF WORK HAS BEEN UNSATISFACTORILY COMPLETED OR IS NOT
33 COMPLETED ON TIME, THE BUILDING CLIENT OR CONTRACTOR MAY
34 WITHHOLD PAYMENT FOR SUCH WORK BEYOND THE AMOUNT AUTHORIZED
35 IN SUBSECTION (1) OF THIS SECTION IN ACCORDANCE WITH THE CONTRACT
36 OR EQUAL TO THE VALUE OF THE DELAYED OR UNSATISFACTORILY
37 COMPLETED PORTION OF THE CONTRACT UNTIL IT IS SATISFACTORILY
38 COMPLETED.

39
40 (3) THE BUILDING CLIENT MAY WITHHOLD A RETAINAGE PAYMENT
41 TO COMPLY WITH SECTION 38-26-107.

42
43 (4) RETAINAGE SHALL NOT BE WITHHELD FOR THE PORTION OF A
44 CONTRACT PRICE THAT COVERS THE COST OF STORING MATERIALS OR
45 EQUIPMENT AT THE CONSTRUCTION SITE.

46
47 (5) THIS ARTICLE DOES NOT LIMIT THE RIGHT OF THE LENDER TO A
48 BUILDING CLIENT FOR A CONSTRUCTION PROJECT TO WITHHOLD ADVANCES
49 OR PAYMENT TO THE BUILDING CLIENT PURSUANT TO A LOAN AGREEMENT
50 UNTIL THE LENDER HAS INSPECTED THE WORK FOR WHICH PAYMENT IS
51 REQUESTED AND THE LENDER DETERMINES THAT THE WORK IS
52 SATISFACTORILY COMPLETED.

53
54 **38-15-103. Retainage interest.** (1) WHEN THE RETAINAGE IS
55 RELEASED TO THE CONTRACTOR, THE BUILDING CLIENT SHALL PAY TO THE
56 CONTRACTOR ANY INCOME OR INTEREST EARNED FROM THE INVESTMENT

1 OF THE RETAINAGE WHILE THE BUILDING CLIENT HELD THE RETAINAGE.

2
3 (2) WHEN THE RETAINAGE IS RELEASED TO A SUBCONTRACTOR,
4 THE CONTRACTOR SHALL PAY TO THE SUBCONTRACTOR WHO DID THE
5 WORK FOR WHICH RETAINAGE WAS WITHHELD ANY INCOME OR INTEREST
6 EARNED FROM THE INVESTMENT OF THE RETAINAGE WHILE THE BUILDING
7 CLIENT OR CONTRACTOR HELD THE RETAINAGE.

8
9 (3) THE BUILDING CLIENT SHALL PROVIDE TO THE CONTRACTOR
10 AND THE CONTRACTOR SHALL PROVIDE TO EACH SUBCONTRACTOR WHO
11 DID THE WORK FOR WHICH RETAINAGE WAS WITHHELD A DETAILED
12 ACCOUNTING OF ANY INCOME OR INTEREST EARNED FROM THE
13 INVESTMENT OF THE RETAINAGE.

14
15 **38-15-104. Payment required.** (1) WHEN A CONTRACTOR OR
16 SUBCONTRACTOR RECEIVES A PAYMENT FOR THE WORK OF A
17 SUBCONTRACTOR, THE CONTRACTOR OR SUBCONTRACTOR SHALL
18 FORWARD THE PAYMENT TO THE SUBCONTRACTOR WHO PERFORMED THE
19 WORK WITHIN SEVEN DAYS.

20
21 (2) EXCEPT AS PROVIDED IN SECTION 38-15-102(2), THE BUILDING
22 CLIENT SHALL PAY TO THE CONTRACTOR THE BALANCE OF THE UNPAID
23 CONTRACT PRICE, WHICH SHALL INCLUDE ALL RETAINAGE PLUS INTEREST
24 ACCRUED PURSUANT TO SECTION 38-15-103, WITHIN THIRTY DAYS AFTER
25 THE EARLIER OF THE BUILDING BEING APPROVED FOR OCCUPANCY OR
26 RECEIVING NOTICE OF FINAL COMPLETION.

27
28 (3) IF THE CONTRACTOR DETERMINES THAT A SUBCONTRACTOR'S
29 PERFORMANCE HAS BEEN SATISFACTORILY COMPLETED AND THE
30 SUBCONTRACTOR CAN BE RELEASED PRIOR TO FINAL COMPLETION OF THE
31 ENTIRE PROJECT WITHOUT RISK TO THE BUILDING CLIENT FROM THE
32 SUBCONTRACTOR'S WORK, THE CONTRACTOR SHALL REQUEST AN
33 ADJUSTMENT IN RETAINAGE FROM THE OWNER AS NECESSARY TO ENABLE
34 THE CONTRACTOR TO PAY THE SUBCONTRACTOR IN FULL, AND THE
35 BUILDING CLIENT SHALL RELEASE THE SUBCONTRACTOR'S RETAINAGE TO
36 THE CONTRACTOR AS PART OF THE NEXT CONTRACTUAL PAYMENT CYCLE.

37
38 **38-15-105. Substitute securities.** (1) THE CONTRACTOR MAY
39 TENDER TO THE BUILDING CLIENT ACCEPTABLE SUBSTITUTE SECURITY
40 WITH A WRITTEN REQUEST FOR RELEASE OF RETAINAGE IN THE AMOUNT OF
41 THE SUBSTITUTE SECURITY. UPON RECEIVING SUCH A REQUEST AND
42 ACCEPTABLE SECURITY, THE BUILDING CLIENT SHALL EITHER:

43
44 (a) PAY THE RETAINAGE IN THE AMOUNT OF THE SUBSTITUTE
45 SECURITY WITHIN SEVEN DAYS AFTER RECEIVING THE SUBSTITUTE
46 SECURITY IF THE RETAINAGE COVERED BY THE SECURITY HAS ALREADY
47 BEEN WITHHELD; OR

48
49 (b) DISCONTINUE WITHHOLDING RETAINAGE UNTIL THE AMOUNT
50 NOT WITHHELD EQUALS THE SUBSTITUTE SECURITY IF THE RETAINAGE HAS
51 NOT BEEN WITHHELD.

52
53 (2) THE SUBCONTRACTOR MAY TENDER TO THE CONTRACTOR
54 ACCEPTABLE SUBSTITUTE SECURITY WITH A WRITTEN REQUEST FOR
55 RELEASE OF RETAINAGE IN THE AMOUNT OF THE SUBSTITUTE SECURITY.
56 UPON RECEIVING SUCH A REQUEST AND ACCEPTABLE SUBSTITUTE

1 SECURITY, THE CONTRACTOR SHALL TENDER THE SUBSTITUTE SECURITY
2 TO THE BUILDING CLIENT WITH A REQUEST FOR THE RELEASE OF THE
3 RETAINAGE IN THE AMOUNT OF THE SUBSTITUTE SECURITY.

4
5 (3) FOR THE PURPOSES OF THIS SECTION, THE FOLLOWING
6 CONSTITUTE ACCEPTABLE SUBSTITUTE SECURITY IN THE AMOUNT OF THE
7 RETAINAGE RELEASED:

8
9 (a) AN IRREVOCABLE AND UNCONDITIONAL LETTER OF CREDIT IN
10 FAVOR OF THE BUILDING CLIENT, ISSUED BY A NATIONAL BANK OR
11 BUILDING AND LOAN ASSOCIATION LOCATED IN COLORADO OR BY A BANK
12 INCORPORATED UNDER THE LAWS OF COLORADO;

13
14 (b) RETAINAGE BONDS NAMING THE BUILDING CLIENT AS OBLIGEE,
15 ISSUED BY A SURETY COMPANY AUTHORIZED TO ISSUE BONDS IN
16 COLORADO; AND

17
18 (c) CERTIFICATES OF DEPOSIT DRAWN AND ISSUED BY A NATIONAL
19 BANK OR BUILDING AND LOAN ASSOCIATION LOCATED IN COLORADO OR BY
20 A BANK INCORPORATED UNDER THE LAWS OF COLORADO.

21
22 **38-15-106. Violations.** (1) A BUILDING CLIENT, CONTRACTOR, OR
23 SUBCONTRACTOR WHO VIOLATES THIS ARTICLE BY FAILING TO MAKE A
24 PAYMENT REQUIRED BY SECTION 38-15-104 SHALL BE LIABLE FOR THE
25 PAYMENT PLUS INTEREST AND A PENALTY TO ANY PERSON SUFFERING
26 DAMAGES ON ACCOUNT OF THE VIOLATION. THE PENALTY IS FIFTEEN
27 PERCENT INTEREST PER ANNUM, COMPOUNDED DAILY.

28
29 (2) IN ADDITION TO ANY OTHER REMEDY, FAILURE TO PAY
30 INTEREST IN VIOLATION OF SECTION 38-15-103 OR 38-15-104 SHALL
31 SUBJECT THE PROPERTY TO A MECHANICS' LIEN IN ACCORDANCE WITH
32 ARTICLE 22 OF THIS TITLE; EXCEPT THAT THE LIEN SHALL BE SUBORDINATE
33 TO ANY OTHER LIEN RECORDED PRIOR TO THE MECHANICS' LIEN.

34
35 **SECTION 3.** 24-91-102, Colorado Revised Statutes, is amended
36 BY THE ADDITION OF A NEW SUBSECTION to read:

37
38 **24-91-102. Definitions.** As used in this article, unless the context
39 otherwise requires:

40
41 (3.5) "RETAINAGE" MEANS MONEY WITHHELD FROM A
42 CONTRACTOR OR SUBCONTRACTOR UNDER A CONSTRUCTION CONTRACT
43 UNTIL THE WORK IS SATISFACTORILY COMPLETED.

44
45 **SECTION 4.** 24-91-103 (1) and (3), Colorado Revised Statutes,
46 are amended to read:

47
48 **24-91-103. Public entity - contracts - partial payments.**
49 (1) (a) A public entity awarding a contract exceeding one hundred fifty
50 thousand dollars for the construction, alteration, or repair of any highway,
51 public building, public work, or public improvement, structure, or system
52 shall authorize partial payments of the amount due under such contract at
53 the end of each calendar month, or as soon thereafter as practicable, to the
54 contractor, if the contractor is satisfactorily performing the contract.
55 EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (1), THE
56 PUBLIC ENTITY SHALL PAY at least ~~ninety~~ NINETY-FIVE percent of the

1 calculated value of ~~any work~~ THE completed WORK shall be paid until
2 fifty percent of the work required by the contract has been performed.
3 ~~Thereafter, the public entity shall pay any of the remaining installments~~
4 ~~without retaining additional funds if, in the opinion of the public entity,~~
5 ~~satisfactory progress is being made in the work~~ SATISFACTORILY
6 COMPLETED. EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS
7 SUBSECTION (1), THE PUBLIC ENTITY SHALL PAY AT LEAST NINETY-SEVEN
8 AND ONE-HALF PERCENT OF THE CALCULATED VALUE OF COMPLETED
9 WORK IN A TIMELY MANNER AFTER FIFTY PERCENT OF THE WORK
10 REQUIRED BY THE CONTRACT HAS BEEN SATISFACTORILY COMPLETED.
11 THE CALCULATED VALUE OF THE WORK SHALL NOT INCLUDE THE PORTION
12 OF THE CONTRACT PRICE THAT IS USED TO STORE MATERIALS OR
13 EQUIPMENT AT THE CONSTRUCTION SITE. ONE HUNDRED PERCENT OF SUCH
14 COSTS SHALL BE PAID IN A TIMELY MANNER.

15
16 (b) (I) The withheld percentage of the contract price of any such
17 CONTRACTED work, improvement, or construction shall MAY be retained
18 until the contract is completed satisfactorily and finally accepted by the
19 public entity. If the public entity finds that satisfactory progress is being
20 made in all phases of the contract, it may, upon written request by the
21 contractor, authorize final payment from the withheld percentage to the
22 contractor or subcontractors who have completed their work in a manner
23 finally acceptable to the public entity. Before such payment is made, the
24 public entity shall determine that satisfactory and substantial reasons exist
25 for the payment and shall require written approval from any surety
26 furnishing bonds for the contract work SUBSTANTIALLY COMPLETE.

27
28 (II) IF THE CONTRACTED WORK HAS BEEN UNSATISFACTORILY
29 COMPLETED OR IS NOT COMPLETED ON TIME, THE BUILDING CLIENT MAY
30 WITHHOLD PAYMENT FOR SUCH WORK BEYOND THE AMOUNT AUTHORIZED
31 IN PARAGRAPH (a) OF THIS SUBSECTION (1) IN ACCORDANCE WITH THE
32 CONTRACT OR EQUAL TO THE VALUE OF THE DELAYED OR
33 UNSATISFACTORILY COMPLETED PORTION OF THE CONTRACT UNTIL IT IS
34 SATISFACTORILY COMPLETED.

35
36 (III) THE PUBLIC ENTITY MAY WITHHOLD A RETAINAGE TO COMPLY
37 WITH SECTION 38-26-107.

38
39 (3) ~~The provisions of this section shall apply to contracts between~~
40 ~~contractors and subcontractors entered into on or after July 1, 1991.~~

41
42 **SECTION 5.** 24-91-103.6 (2) (b), Colorado Revised Statutes, is
43 amended to read:

44
45 **24-91-103.6. Public entity - contracts - appropriations - change**
46 **orders - severability.** (2) Every public works contract, as defined in
47 section 24-91-103.5 (1) (b), shall contain the following:

48
49 (b) A clause ~~which~~ THAT prohibits the issuance of any change
50 order or other form of order or directive by the public entity requiring
51 additional compensable work to be performed, which work causes the
52 aggregate amount payable under the contract to exceed the amount
53 appropriated for the original contract, unless:

54
55 (I) The contractor is given written assurance by the public entity
56 that lawful appropriations to cover the costs of the additional work have

1 been made AND THE APPROPRIATIONS ARE AVAILABLE BEFORE
2 PERFORMANCE OF THE ADDITIONAL WORK; or ~~unless such~~

3
4 (II) THE work is covered under a remedy-granting provision in the
5 contract.

6
7 **SECTION 6.** Article 91 of title 24, Colorado Revised Statutes, is
8 amended BY THE ADDITION OF THE FOLLOWING NEW
9 SECTIONS to read:

10
11 **24-91-111. Retainage interest.** (1) WHEN THE RETAINAGE IS
12 RELEASED TO THE CONTRACTOR, THE PUBLIC ENTITY SHALL PAY TO THE
13 CONTRACTOR ANY INCOME OR INTEREST EARNED FROM THE INVESTMENT
14 OF THE RETAINAGE WHILE THE PUBLIC ENTITY HELD THE RETAINAGE.

15
16 (2) WHEN THE RETAINAGE IS RELEASED TO A SUBCONTRACTOR,
17 THE CONTRACTOR SHALL PAY TO THE SUBCONTRACTOR WHO DID THE
18 WORK FOR WHICH RETAINAGE WAS WITHHELD ANY INCOME OR INTEREST
19 EARNED FROM THE INVESTMENT OF THE RETAINAGE WHILE THE PUBLIC
20 ENTITY OR THE CONTRACTOR HELD THE RETAINAGE.

21
22 (3) THE PUBLIC ENTITY SHALL PROVIDE TO THE CONTRACTOR, AND
23 THE CONTRACTOR SHALL PROVIDE TO THE SUBCONTRACTOR WHO DID THE
24 WORK FOR WHICH RETAINAGE WAS WITHHELD A DETAILED ACCOUNTING
25 OF ANY INCOME OR INTEREST EARNED FROM THE INVESTMENT OF THE
26 RETAINAGE.

27
28 **24-91-112. Substitute securities.** (1) THE CONTRACTOR MAY
29 TENDER TO THE PUBLIC ENTITY ACCEPTABLE SUBSTITUTE SECURITY WITH
30 A WRITTEN REQUEST FOR RELEASE OF RETAINAGE IN THE AMOUNT OF THE
31 SUBSTITUTE SECURITY. UPON RECEIVING SUCH A REQUEST AND
32 ACCEPTABLE SUBSTITUTE SECURITY, THE PUBLIC ENTITY SHALL EITHER:

33
34 (a) PAY THE RETAINAGE IN THE AMOUNT OF THE SUBSTITUTE
35 SECURITY WITHIN SEVEN DAYS AFTER RECEIVING THE SUBSTITUTE
36 SECURITY IF THE RETAINAGE COVERED BY THE SECURITY HAS ALREADY
37 BEEN WITHHELD; OR

38
39 (b) DISCONTINUE WITHHOLDING RETAINAGE UNTIL THE AMOUNT
40 NOT WITHHELD EQUALS THE SUBSTITUTE SECURITY IF THE RETAINAGE HAS
41 NOT BEEN WITHHELD.

42
43 (2) THE SUBCONTRACTOR MAY TENDER TO THE CONTRACTOR
44 ACCEPTABLE SUBSTITUTE SECURITY WITH A WRITTEN REQUEST FOR
45 RELEASE OF RETAINAGE IN THE AMOUNT OF THE SUBSTITUTE SECURITY.
46 UPON RECEIVING SUCH A REQUEST AND ACCEPTABLE SUBSTITUTE
47 SECURITY, THE CONTRACTOR SHALL TENDER THE SUBSTITUTE SECURITY
48 TO THE PUBLIC ENTITY WITH A REQUEST FOR THE RELEASE OF THE
49 RETAINAGE IN THE AMOUNT OF THE SUBSTITUTE SECURITY.

50
51 (3) FOR THE PURPOSES OF THIS SECTION, THE FOLLOWING
52 CONSTITUTE ACCEPTABLE SUBSTITUTE SECURITY IN THE AMOUNT OF THE
53 RETAINAGE RELEASED:

54
55 (a) AN IRREVOCABLE AND UNCONDITIONAL LETTER OF CREDIT, IN
56 FAVOR OF THE BUILDING CLIENT, ISSUED BY A NATIONAL BANK OR

1 BUILDING AND LOAN ASSOCIATION LOCATED IN COLORADO OR BY A BANK
2 INCORPORATED UNDER THE LAWS OF COLORADO;

3
4 (b) RETAINAGE BONDS NAMING THE BUILDING CLIENT AS OBLIGEE,
5 ISSUED BY A SURETY COMPANY AUTHORIZED TO ISSUE BONDS IN
6 COLORADO; AND

7
8 (c) CERTIFICATES OF DEPOSIT DRAWN AND ISSUED BY A NATIONAL
9 BANK OR BUILDING AND LOAN ASSOCIATION LOCATED IN COLORADO OR BY
10 A BANK INCORPORATED UNDER THE LAWS OF COLORADO.

11
12 **24-91-113. Violations.** A PUBLIC ENTITY, CONTRACTOR, OR
13 SUBCONTRACTOR WHO VIOLATES THIS ARTICLE BY FAILING TO MAKE A
14 PAYMENT REQUIRED BY SECTION 24-91-103 SHALL BE LIABLE FOR THE
15 PAYMENT PLUS INTEREST AND A PENALTY TO ANY PERSON SUFFERING
16 DAMAGES ON ACCOUNT OF THE VIOLATION. THE PENALTY IS FIFTEEN
17 PERCENT INTEREST PER ANNUM COMPOUNDED DAILY.

18
19 **SECTION 7. Act subject to petition - effective date.** This act
20 shall take effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act
25 within such period, then the act, item, section, or part shall not take effect
26 unless approved by the people at the general election to be held in
27 November 2010 and shall take effect on the date of the official
28 declaration of the vote thereon by the governor."

29
30
31
32 **HB10-1266** be amended as follows, and as so amended, be referred to
33 the Committee on Appropriations with favorable
34 recommendation:

35
36 Amend printed bill, page 9, line 1, strike "**participation**".

37
38 Page 9, line 2, strike "**limited to fully funded plans -**".

39
40 Page 9, line 9, strike "HOWEVER,".

41
42 Page 9, strike lines 10 and 11.

43
44 Page 9, line 12, strike "GROUP BENEFIT PLANS.".

45
46 Page 19, line 3, strike "FULLY FUNDED".

47
48 Page 20, after line 10 insert:

49
50 "(5) IN THE EVENT OF UNEXPECTED YEAR-END DEFICITS DUE TO
51 CLAIMS COSTS OF LOCAL GOVERNMENT, SMALL BUSINESS, OR NONPROFIT
52 ORGANIZATION EMPLOYEES, EACH LOCAL GOVERNMENT, SMALL BUSINESS,
53 AND NONPROFIT ORGANIZATION EMPLOYER THAT PARTICIPATES IN THE
54 GROUP BENEFIT PLANS PURSUANT TO THIS PART 6 SHALL BEAR A
55 PERCENTAGE OF THE TOTAL COST OF SUCH UNEXPENDED YEAR-END
56 DEFICITS IN THE SAME PROPORTION THAT THE NUMBER OF EMPLOYEES OF

1 THE LOCAL GOVERNMENT, SMALL BUSINESS, OR NONPROFIT ORGANIZATION
2 EMPLOYER PARTICIPATING IN THE GROUP BENEFIT PLANS BEARS TO THE
3 TOTAL NUMBER OF LOCAL GOVERNMENT, SMALL BUSINESS, AND
4 NONPROFIT ORGANIZATION EMPLOYEES PARTICIPATING IN THE GROUP
5 BENEFIT PLANS."

6
7
8
9 **HB10-1278** be amended as follows, and as so amended, be referred to
10 the Committee on Appropriations with favorable
11 recommendation:
12

13 Amend printed bill, page 2, line 19, strike "AND, IN CONSULTATION" and
14 substitute "AND".
15

16 Page 3, strike lines 1 through 5 and substitute "SHALL ESTABLISH THE
17 AMOUNT OF THE ANNUAL REGISTRATION FEE TO BE COLLECTED UNDER
18 SECTION 38-33.3-401, C.R.S. THE AMOUNT OF THE REGISTRATION FEE
19 SHALL BE SUFFICIENT".
20

21 Page 3, line 16, after "**duties**" insert "- **rules**".
22

23 Page 4, strike lines 8 through 19 and substitute:
24

25 "(3) (a) THE HOA OMBUDSMAN SHALL ACT AS A CLEARING HOUSE
26 FOR INFORMATION CONCERNING THE RIGHTS AND DUTIES OF UNIT OWNERS,
27 DECLARANTS, AND UNIT OWNERS' ASSOCIATIONS UNDER THE ACT."
28

29 Page 4, strike lines 23 and 24 and substitute:
30

31 "(II) TRACK INQUIRIES AND COMPLAINTS AND REPORT ANNUALLY
32 TO THE DIRECTOR OF THE DIVISION OF REAL ESTATE REGARDING THE
33 NUMBER AND TYPES OF INQUIRIES AND COMPLAINTS RECEIVED."
34

35 Page 5, strike lines 1 through 3 and substitute "SHALL CONSIST OF ANNUAL
36 REGISTRATION FEES PAID BY UNIT OWNERS' ASSOCIATIONS AND
37 COLLECTED BY THE DIVISION OF REAL ESTATE PURSUANT TO SECTION
38 38-33.3-401, C.R.S. INTEREST EARNED ON MONEYS IN".
39

40 Page 5, after line 8 insert:
41

42 "(5) THE DIRECTOR OF THE DIVISION OF REAL ESTATE MAY ADOPT
43 RULES AS NECESSARY TO IMPLEMENT THIS SECTION."
44

45 Renumber succeeding subsection accordingly.
46

47 Page 5, strike lines 13 through 21 and substitute:
48

49 "**SECTION 5.** Article 33.3 of title 38, Colorado Revised Statutes,
50 is amended BY THE ADDITION OF A NEW PART to read:
51

52 **PART 4**
53 **REGISTRATION**
54

55 **38-33.3-401. Registration - annual fees.** (1) EVERY UNIT
56 OWNERS' ASSOCIATION ORGANIZED UNDER SECTION 38-33.3-301 SHALL

1 REGISTER ANNUALLY WITH THE DIRECTOR OF THE DIVISION OF REAL
2 ESTATE, IN THE FORM AND MANNER SPECIFIED BY THE DIRECTOR.
3

4 (2) THE ANNUAL REGISTRATION SHALL BE ACCOMPANIED BY A FEE
5 IN THE AMOUNT SET BY THE DIRECTOR IN ACCORDANCE WITH SECTION
6 12-61-111.5, C.R.S., AND SHALL INCLUDE THE INFORMATION REQUIRED TO
7 BE DISCLOSED UNDER SECTION 38-33.3-209.4 (1). THE INFORMATION
8 SHALL BE UPDATED WITHIN NINETY DAYS OF ANY CHANGE, IN
9 ACCORDANCE WITH SECTION 38-33.3-209.4 (1).
10

11 (3) A REGISTRATION SHALL BE VALID FOR ONE YEAR. AN
12 ASSOCIATION THAT FAILS TO REGISTER, OR WHOSE ANNUAL REGISTRATION
13 HAS EXPIRED, IS INELIGIBLE TO IMPOSE OR ENFORCE A LIEN FOR
14 ASSESSMENTS UNDER SECTION 38-33.3-316 OR TO PURSUE ANY ACTION OR
15 EMPLOY ANY ENFORCEMENT MECHANISM OTHERWISE AVAILABLE TO IT
16 UNDER SECTION 38-33.3-123 UNTIL IT IS AGAIN VALIDLY REGISTERED
17 PURSUANT TO THIS SECTION.
18

19 (4) ADMINISTRATIVELY FINAL DETERMINATIONS BY THE DIRECTOR
20 OF THE DIVISION OF REAL ESTATE CONCERNING THE VALIDITY OR
21 TIMELINESS OF REGISTRATIONS UNDER THIS SECTION ARE SUBJECT TO
22 JUDICIAL REVIEW PURSUANT TO SECTION 24-4-106 (11), C.R.S.".
23
24
25

26 **SB10-083** be amended as follows, and as so amended, be referred to
27 the Committee of the Whole with favorable
28 recommendation:
29

30 Amend reengrossed bill, page 3, after line 4 insert:
31

32 "(C) NOTHING IN THIS SUBPARAGRAPH (I) ALLOWS THE STATE
33 LICENSING AUTHORITY TO ADOPT A RULE THAT RESTRICTS THE ABILITY OF
34 A RETAILER TO PURCHASE ALCOHOL BEVERAGES ON CREDIT FROM ANY
35 LICENSEE, EXCEPT THAT IF THE RETAILER IS IN ARREARS IN PAYMENTS TO
36 A PARTICULAR LICENSEE BEYOND THE THIRTY-DAY LIMIT ON THE
37 EXTENSION OF CREDIT CONTAINED IN 27 CFR PART 6, THE RETAILER SHALL
38 MAKE PAYMENTS ON A CASH-ON-DELIVERY BASIS TO THAT PARTICULAR
39 LICENSEE AS PROVIDED IN 27 CFR PART 6."
40
41
42

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

44

45 The Speaker has signed: **HB10-1110, 1297, 1298, 1299, 1300, 1301,**
46 **1302, 1303, 1304, 1305, 1307, 1308, 1309, 1310, 1311, 1312, 1313,**
47 **1314, 1315, 1316, 1317.**
48
49

50 **DELIVERY OF BILLS TO GOVERNOR**

51

52 The Chief Clerk of the House of Representatives reports the following
53 bills have been delivered to the Office of the Governor: **HB10-1110,**
54 **1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1307, 1308,**
55 **1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317** at 10:09 a.m. on
56 March 4, 2010.

INTRODUCTION OF BILLS
First Reading

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

HB10-1355 by Representative(s) Gagliardi, Merrifield; also Senator(s) Kopp--Concerning the off-label use of a prescription drug for a specific type of cancer for which the drug is recognized for treatment in the reference compendia as identified by the secretary of the United States department of health and human services.

Committee on Health and Human Services

HB10-1356 by Representative(s) Ryden, Miklosi, Pace; also Senator(s) Tochtrop, Carroll M., Hodge--Concerning enactment of the "Workers' Compensation Policyholder Protection Act of 2010", and, in connection therewith, requiring the distribution of excess surplus funds held by Pinnacol Assurance to Pinnacol Assurance policyholders and limiting the insurance commissioner's discretion with respect to the prior approval of workers' compensation pure premium rates filed by a rating organization.

Committee on Business Affairs and Labor

HB10-1357 by Representative(s) McFadyen and Judd, Carroll T., Vaad; also Senator(s) Romer and Boyd, Mitchell--Concerning creation of a false claims act.

Committee on Judiciary

HB10-1358 by Representative(s) Fischer, Apuan, Court, Frangas, Gagliardi, Hulinghorst, Kagan, Kefalas, Kerr A., Labuda, Levy, Merrifield, Middleton, Pace, Peniston, Primavera, Ryden, Solano, Todd, Tyler, Vigil, Weissmann; also Senator(s) Johnston, Bacon, Hodge, Steadman, Tapia, Williams--Concerning a requirement for new home builders to offer home buyers water efficiency options.

Committee on Transportation & Energy

SB10-071 by Senator(s) Morse; also Representative(s) Riesberg--Concerning creation of a lifetime pass to state parks and recreation areas that shall be available for purchase by Colorado residents who are of eligible age, and making an appropriation therefor.

Committee on Agriculture, Livestock, & Natural Resources

SB10-079 by Senator(s) Penry; also Representative(s) Bradford and King S.--Concerning authority to offer additional programs at Mesa state college.

Committee on Education

SB10-093 by Senator(s) Lundberg; also Representative(s) DelGrosso--Concerning the orderly resolution of claims in foreclosures involving junior liens.

Committee on Local Government

- 1 **SB10-101** by Senator(s) Gibbs, Schwartz, Romer, Bacon, Cadman,
2 Hudak, Johnston, Kester, Sandoval, Scheffel, Steadman,
3 Tapia, White; also Representative(s) Scanlan and Massey,
4 Balmer, Baumgardner, Curry, Frangas, Liston, Merrifield,
5 Pace--Concerning authorizing Colorado mountain college
6 to offer baccalaureate degrees.
7 Committee on Education
8
9 **SB10-119** by Senator(s) Shaffer B.; also Representative(s) May--
10 Concerning payments made to members of the general
11 assembly in connection with the performance of their
12 legislative duties.
13 Committee on Appropriations
14
15 **SB10-140** by Senator(s) Mitchell, Shaffer B., Carroll M., Spence;
16 also Representative(s) McCann--Concerning human
17 trafficking.
18 Committee on Judiciary
19
20 **SB10-152** by Senator(s) Newell, Bacon, Boyd, Foster, Hodge, Keller,
21 Sandoval, Schwartz, Steadman, Tochtrop; also
22 Representative(s) Gagliardi, Apuan, May, Merrifield,
23 Peniston, Primavera, Todd--Concerning information
24 relating to a referral of suspected child abuse by certain
25 mandatory reporters.
26 Committee on Health and Human Services
27
28 **SB10-154** by Senator(s) Sandoval; also Representative(s) Middleton--
29 Concerning adding categories to the definition of a "high-
30 risk student" for purposes of determining whether a public
31 school qualifies for designation as an alternative education
32 campus.
33 Committee on Education
34
35
36
37

NOTICE OF CALENDARED ITEM(S)

- 38
39
40 On motion of Representative Weissmann, the following bill(s) calendared
41 for Second Reading, March 5, will be laid over until March 8, 2010:
42 **HB10-1205.**
43
44

LAY OVER OF CALENDAR ITEM(S)

- 45
46
47
48
49 On motion of Representative Weissmann, the following item(s) on the
50 Calendar (was)were laid over until March 5, retaining place on Calendar:
51
52 Consideration of Senate Amendment(s)--**HB10-1321.**
53
54
55
56

1 On motion of Representative Weissmann, the House adjourned until
2 9:00 a.m., March 5, 2010.

3

4

5

6

Approved:
TERRANCE D. CARROLL,
Speaker

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

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

Fifty-second Legislative Day

Friday, March 5, 2010

1 Prayer by the Reverend Christian Summers, Associate Pastor, Dakota
2 Ridge Assembly, Littleton.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Raissa Johnson, Kenneth Donahue, Janay
7 Hagen, Joe Cutshall, Colorado University, Boulder.

8
9 The roll was called with the following result:

10
11 Present--45.

12 Excused--Representative(s) Acree, Court, Curry, Ferrandino,
13 Fischer, Gardner B., Judd, Kefalas, Kerr J., Lambert, May,
14 McKinley, Pace, Pommer, Riesberg, Scanlan, Sonnenberg,
15 Stephens, Tipton, Vaad--20.

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

19
20 The Speaker declared a quorum present.

21
22
23 On motion of Representative Hullinghorst, the reading of the journal of
24 March 4, 2010, was declared dispensed with and approved as corrected
25 by the Chief Clerk.

26
27
28 House in recess. House reconvened.

29
30
31
32 On motion of Representative Middleton, the House resolved itself into
33 Committee of the Whole for consideration of General Orders, and she
34 was called to the Chair to act as Chairman.

35
36
37 **GENERAL ORDERS--SECOND READING OF BILLS**

38
39 The Committee of the Whole having risen, the Chairman reported the
40 titles of the following bills had been read (reading at length had been
41 dispensed with by unanimous consent), the bills considered and action
42 taken thereon as follows:

43

1 (Amendments to the committee amendment are to the printed committee
2 report which was printed and placed in the members' bill file.)
3

4 **HB10-1273** by Representative(s) Merrifield, Rice, Ryden, Apuan,
5 Benefield, Carroll T., Casso, Gagliardi, Gerou, Kerr A.,
6 May, McKinley, Middleton, Nikkel, Peniston, Primavera,
7 Roberts, Scanlan, Schafer S., Solano, Todd, Tyler; also
8 Senator(s) Spence and Steadman, Newell, Hudak, Bacon,
9 Boyd, Foster, Gibbs, Heath, Johnston, Romer, Tapia,
10 Williams--Concerning improved workforce development
11 through increased participation in arts education in public
12 schools.
13

14 Amendment No. 1, Education Report, dated February 25, 2010, and
15 placed in member's bill file; Report also printed in House Journal,
16 February 26, pages 576-577.
17

18 Amendment No. 2, by Representative(s) Merrifield.
19

20 Amend the Education Committee Report, dated February 25, 2010, page
21 1, line 13, strike "2010," and substitute "2011,".
22

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

26 **HB10-1346** by Representative(s) Kagan, Gardner B., Labuda, Levy,
27 Roberts; also Senator(s) Carroll M., Brophy, Mitchell,
28 Morse, Schwartz--Concerning an increase in the number
29 of days emergency rules adopted by executive branch
30 agencies pursuant to the "State Administrative Procedure
31 Act" may be in effect.
32

33 Ordered engrossed and placed on the Calendar for Third Reading and
34 Final Passage.
35

36 **HB10-1168** by Representative(s) Levy, Judd, Kagan, Kerr A., Miklosi,
37 Pace, Ryden, Tyler, Vigil, Weissmann, Apuan, Benefield,
38 Carroll T., Casso, Court, Ferrandino, Hullinghorst,
39 Labuda, McFadyen, Merrifield, Middleton, Pommer,
40 Primavera, Scanlan, Schafer S., Solano, Todd; also
41 Senator(s) Steadman, Brophy, Foster, Hodge, Hudak,
42 Newell, Romer, Tochtrop, Bacon, Carroll M., Shaffer B.--
43 Concerning a limitation on the ability of an insurer to
44 obtain repayment of benefits from an injured party who
45 recovers damages from the party responsible for the injury
46 in situations when the injured party would not be fully
47 compensated if the benefits are repaid to the insurer.
48

49 Amendment No. 1, Judiciary Report, dated February 25, 2010, and
50 placed in member's bill file; Report also printed in House Journal,
51 February 26, pages 592-596.
52

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

1 **HB10-1012** by Representative(s) Pace, Miklosi, Ryden; also Senator(s)
2 Carroll M., Hodge, Tochtrop--Concerning limitations on
3 the use of surveillance of employees who have submitted
4 a workers' compensation claim.
5

6 Amendment No. 1, Judiciary Report, dated February 11, 2010, and placed
7 in member's bill file; Report also printed in House Journal, February 12,
8 pages 318-319.
9

10 Amendment No. 2, Appropriations Report, dated February 26, 2010, and
11 placed in member's bill file; Report also printed in House Journal,
12 February 26, pages 573-574.
13

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

17 **SB10-018** by Senator(s) King K., Johnston; also Representative(s)
18 Merrifield, Massey, Middleton, Scanlan--Concerning the
19 school awards program fund.
20

21 Ordered revised and placed on the Calendar for Third Reading and Final
22 Passage.
23

24 **SB10-056** by Senator(s) Boyd; also Representative(s) Riesberg--
25 Concerning developing standardized immunization
26 information to provide to parents.
27

28 Amendment No. 1, Education Report, dated March 1, 2010, and placed
29 in member's bill file; Report also printed in House Journal, March 2,
30 page 623.
31

32 As amended, ordered revised and placed on the Calendar for Third
33 Reading and Final Passage.
34

35 **HB10-1288** by Representative(s) Nikkel, Rice, Ferrandino, Kerr J.,
36 Lambert, Liston, McNulty, Merrifield, Peniston,
37 Primavera, Priola, Scanlan, Waller; also Senator(s)
38 Williams, Kopp, Penry, Tochtrop--Concerning the ability
39 of a commercial real estate broker to secure payment of
40 commissions earned, and, in connection therewith,
41 enacting the "Commercial Real Estate Brokers
42 Commission Security Act".
43

44 Laid over until March 8, retaining place on Calendar.
45

46
47 **SB10-165** by Senator(s) Hodge; also Representative(s) Hullinghorst--
48 Concerning implementation of the incorporation of oil
49 and gas wells into the prior appropriation system.
50

51 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
52 dated March 2, 2010, and placed in member's bill file; Report also
53 printed in House Journal, March 3, pages 650-651.
54
55

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

2
3 Amend the Agriculture, Livestock, and Natural Resources Committee
4 Report, dated March 2, 2010, page 1, line 3, strike "NOT BE SOLD OR
5 TRADED FOR PROFIT AND WILL".

6
7 Page 1, line 4, after "ONLY" insert "BY OPERATORS WITHIN THE GEOLOGIC
8 BASIN WHERE THE GROUNDWATER IS REMOVED".

9
10 As amended, ordered revised and placed on the Calendar for Third
11 Reading and Final Passage.

12
13
14 **SB10-142** by Senator(s) Foster; also Representative(s) Gerou--
15 Concerning the process of resolving disputes related to
16 sales and use tax paid to a local government.

17
18 Amendment No. 1, by Representative(s) Judd.

19
20 Amend reengrossed bill, page 2, line 10, after "type," insert "OF THE TIME
21 LIMIT TO FILE A PROTEST TO THE NOTICE AND".

22
23 As amended, ordered revised and placed on the Calendar for Third
24 Reading and Final Passage.

25
26
27 **HB10-1098** by Representative(s) Levy; also Senator Hodge--
28 Concerning increased transparency in the governance of
29 cooperative electric associations.

30
31 Amendment No. 1, Transportation & Energy Report, dated
32 February 25, 2010, and placed in member's bill file; Report also printed
33 in House Journal, February 26, pages 598-599.

34
35 Amendment No. 2, by Representative(s) Levy.

36
37 Amend the Transportation and Energy Committee report, dated February
38 25, 2010, page 1, line 1, strike "page 3," and substitute:

39
40 "page 2, line 7, after "EVERY" insert "REGULAR".

41
42 Page 3,".

43
44 Page 1 of the report, strike lines 2 through 4 and substitute:

45
46 ""(c) WRITTEN MINUTES SHALL BE MADE OF ALL MEETINGS OF THE
47 BOARD OF DIRECTORS. THE MINUTES SHALL BE POSTED ON THE WEB SITE
48 OF THE ASSOCIATION AS SOON AS THEY HAVE BEEN APPROVED AND SHALL
49 REMAIN POSTED UNTIL AT LEAST SIX MONTHS AFTER THE DATE OF THE
50 MEETING. UPON REQUEST BY".

51
52 Page 2 of the report, strike line 17 and substitute:

53
54 "Page 6 of the bill, strike lines 17 through 22 and substitute:

55
56

1 "(4) NEITHER THE ASSOCIATION NOR THE BOARD OF DIRECTORS
2 SHALL ENDORSE OR OPPOSE THE CANDIDACY OF AN INCUMBENT BOARD
3 MEMBER OR OTHER CANDIDATE FOR A POSITION ON THE BOARD. DURING
4 THE TWO MONTHS".

5
6 As amended, ordered engrossed and placed on the Calendar for Third
7 Reading and Final Passage.

8
9 **HB10-1182** by Representative(s) Solano, Benefield, Casso, Fischer,
10 Frangas, Hullinghorst, Kerr A., Looper, McFadyen,
11 Merrifield, Pace, Primavera, Todd, Tyler; also Senator(s)
12 Schwartz, Steadman--Concerning a limited expansion of
13 the powers of the Colorado clean energy development
14 authority to finance electric transmission facilities, and, in
15 connection therewith, allowing the authority to make
16 commercial loans only for electric power interconnection
17 projects connecting clean energy resources to the
18 transmission grid.

19
20 Laid over until March 8, retaining place on Calendar.

21
22 **HB10-1256** by Representative(s) McNulty, Baumgardner, Fischer,
23 McFadyen, Primavera, Tyler, Vaad; also Senator(s)
24 Johnston--Concerning the Colorado high technology
25 scholarship program.

26
27 Amendment No. 1, Transportation & Energy Report, dated
28 March 2, 2010, and placed in member's bill file; Report also printed in
29 House Journal, March 3, page 556.

30
31 Amendment No. 2, by Representative(s) Weissmann.

32
33 Amend printed bill, page 2, strike lines 2 through 27.

34
35 Page 3, strike lines 1 through 26 and substitute:

36
37 **"SECTION 1. Repeal.** Article 17 of title 23, Colorado Revised
38 Statutes, is repealed.

39
40 **SECTION 2. Repeal.** 39-22-104 (3) (h), Colorado Revised
41 Statutes, is repealed.

42
43 **SECTION 3. Repeal.** 39-22-304 (2) (g), Colorado Revised
44 Statutes, is repealed.

45
46 **SECTION 4. Repeal.** 39-22-523, Colorado Revised Statutes, is
47 repealed."

48
49 Renumber succeeding sections accordingly.

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

53
54
55
56

1 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

2
3 Representative Gardner C. moved to amend the Report of the Committee
4 of the Whole to reverse the action taken by the Committee in not
5 adopting the following Gardner C. amendment, to HB10-1098, to show
6 that said amendment passed, and that **HB10-1098**, as amended, passed.

7
8 Amend printed bill, page 4, line 12, after "**elections.**" insert "(1)".

9
10 Page 4, after line 18 insert:

11
12 "(2) EACH CANDIDATE FOR A POSITION ON THE BOARD OF
13 DIRECTORS SHALL MAKE A WRITTEN DISCLOSURE OF THE AMOUNT AND
14 SOURCE OF EVERY FINANCIAL CONTRIBUTION MADE TO THE CANDIDATE IN
15 CONNECTION WITH THE ELECTION. THE DISCLOSURE SHALL BE POSTED IN
16 A CONSPICUOUS LOCATION ON THE ASSOCIATION'S WEB SITE AT LEAST TWO
17 WEEKS BEFORE THE ELECTION AND UPDATED WITHIN TWO WEEKS AFTER
18 THE ELECTION.".

19
20 The amendment was declared **lost** by the following roll call vote:

	YES	27	NO	30	EXCUSED	8	ABSENT	0
23	Acree	E	Gerou	Y	McFadyen	N	Ryden	N
24	Apuan	N	Hullingerhorst	N	McKinley	E	Scanlan	E
25	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
26	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
27	Benefield	N	Kefalas	Y	Middleton	N	Sonnenberg	Y
28	Bradford	E	Kerr A.	N	Miklosi	N	Soper	N
29	Casso	N	Kerr J.	Y	Murray	Y	Stephens	E
30	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
31	Curry	Y	Labuda	N	Pace	N	Swalm	E
32	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	E
33	Ferrandino	N	Levy	N	Pommer	N	Todd	N
34	Fischer	N	Liston	Y	Primavera	N	Tyler	N
35	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
36	Gagliardi	N	Massey	Y	Rice	N	Vigil	Y
37	Gardner B.	Y	May	E	Riesberg	N	Waller	Y
38	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	Y
39							Speaker	N

40
41
42
43 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

44
45 Passed Second Reading: **HB10-1273 amended, 1346, 1168 amended,**
46 **1012 amended, SB10-018, 056 amended, 165 amended, 142 amended,**
47 **HB10-1098 amended, 1256 amended.**

48
49 Laid over until date indicated retaining place on Calendar: **HB10-1288,**
50 **1182--March 8, 2010.**

51
52 The Chairman moved the adoption of the Committee of the Whole
53 Report. As shown by the following roll call vote, a majority of those
54 elected to the House voted in the affirmative, and the Report was
55 **adopted.**

	YES	57	NO	0	EXCUSED	8	ABSENT	0
1								
2	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	E
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	E
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	E
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	E	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y
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REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

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

HB10-1020 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 4, after line 17 insert:

"SECTION 5. Adjustments to the 2010 long bill. (1) For the implementation of this act, the general fund appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2010, to the legislative department, general assembly, for legal services, is decreased by one thousand one hundred thirty-one dollars (\$1,131) and 15 hours."

Renumber succeeding sections accordingly.

Page 1, line 101 strike "**DEPARTMENT.**" and substitute "**DEPARTMENT, AND MAKING AN APPROPRIATION THEREFOR.**".

HB10-1035 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Education Committee Report, dated February 22, 2010, page 1, after line 13, insert:

"Page 5, line 2, strike "**MONEYS.**".

1 Page 2 of the report, strike lines 3 through 5 and substitute "FAMILY IS NO
2 LONGER PARTICIPATING IN THE ELIGIBLE ACTIVITY UNDER WHICH IT WAS
3 MADE ELIGIBLE IN THE CHILD CARE CASE, THE FAMILY SHALL REPORT THAT
4 CHANGE WITHIN FOUR WEEKS FROM THE TIME IT CEASED PARTICIPATING
5 IN THE ELIGIBLE ACTIVITY."."

6
7 Page 2 of the report, after line 5, insert:

8
9 "Page 5, line 8, strike "MONEYS"."."

10

11 Page 3 of the report, strike lines 2 and 3 and substitute:

12

13 ""**SECTION 5. Appropriation.** In addition to any other
14 appropriation, there is hereby appropriated, to the department of human
15 services, for allocation to the office of information technology services,
16 for the child care automated tracking system, for the fiscal year beginning
17 July 1, 2010, the sum of two hundred forty-nine thousand seven hundred
18 dollars (\$249,700), or so much thereof as may be necessary, for the
19 implementation of this act. Said sum shall be from federal child care
20 development funds.

21

22 **SECTION 6. Specified effective date.** (1) This section and
23 sections 5 and 7 shall take effect upon passage.

24

25 (2) Sections 1 through 4 of this act shall take effect June 1,
26 2011."."

27

28 Page 3 of the report, after line 4, insert:

29

30 "Page 1 of printed bill, line 103, strike "CARE." and substitute "CARE,
31 AND MAKING AN APPROPRIATION THEREFOR."."

32

33

34

35 **HB10-1083** be referred to the Committee of the Whole with favorable
36 recommendation.

37

38

39 **HB10-1101** be referred to the Committee of the Whole with favorable
40 recommendation.

41

42

43 **HB10-1119** be amended as follows, and as so amended, be referred to
44 the Committee of the Whole with favorable
45 recommendation:

46

47 Amend printed bill, page 10, after line 20 insert:

48

49 "(c) ALL LOCAL GOVERNMENT ENTITIES ARE ENCOURAGED TO
50 ATTEND THE HEARINGS DESCRIBED IN THIS SUBSECTION (2) TO PROVIDE
51 TESTIMONY OR TO SUBMIT AN OFFICIAL POSITION LETTER TO THE
52 COMMITTEES OF REFERENCE REGARDING ANY LOCAL IMPACT OF A
53 DEPARTMENT'S STRATEGIC PLAN DEVELOPED PURSUANT TO SECTION
54 2-7-204 (1) (a).

55

56 (d) PRIOR TO THE COMMENCEMENT OF THE SECOND REGULAR

1 SESSION OF THE SIXTY-EIGHTH GENERAL ASSEMBLY AND PRIOR TO THE
2 COMMENCEMENT OF EACH LEGISLATIVE SESSION THEREAFTER, EACH
3 COMMITTEE OF REFERENCE MAY HOLD MEETINGS OUTSIDE OF THE
4 DENVER METRO AREA TO HEAR PUBLIC TESTIMONY REGARDING
5 LEGISLATIVE PRIORITIES AND THE DEPARTMENT'S STRATEGIC PLAN
6 REQUIRED PURSUANT TO SECTION 2-7-204 (1) (a).".

7
8 Page 13, line 6, after "SECTION," insert "ANY PUBLIC TESTIMONY
9 REGARDING DEPARTMENT PRESENTATIONS HEARD AS SPECIFIED IN
10 SECTION 2-7-203 (2) (a), ANY LOCAL IMPACT OF A DEPARTMENT'S
11 STRATEGIC PLAN AS PRESENTED OR SUBMITTED BY ANY LOCAL
12 GOVERNMENT ENTITY AS SPECIFIED IN SECTION 2-7-203 (2) (c), ANY
13 PUBLIC TESTIMONY THE COMMITTEES OF REFERENCE MAY HAVE RECEIVED
14 AS A RESULT OF ANY MEETINGS HELD BY THE COMMITTEES OF REFERENCE
15 OUTSIDE OF THE DENVER METRO AREA AS ALLOWED IN SECTION 2-7-203
16 (2) (d),".

17
18 Page 16, after line 6 insert:

19
20 "SECTION 9. 24-37.5-105, Colorado Revised Statutes, is
21 amended BY THE ADDITION OF A NEW SUBSECTION to read:

22
23 **24-37.5-105. Office - responsibilities - rules.** (10) (a) By
24 NOVEMBER 1, 2010, THE OFFICE SHALL CONDUCT A FEASIBILITY AND
25 REQUIREMENTS STUDY TO DETERMINE THE COST TO BUILD AN
26 ELECTRONIC BUDGETING SYSTEM FOR THE STATE.

27
28 (b) THE ELECTRONIC BUDGETING SYSTEM SHOULD, AT MINIMUM:

29
30 (I) ALLOW ACCESS BY THE PRINCIPAL DEPARTMENTS OF THE
31 EXECUTIVE BRANCH OF STATE GOVERNMENT, AS SPECIFIED IN SECTION
32 24-1-110, THE JUDICIAL AND LEGISLATIVE BRANCH AGENCIES, THE OFFICE
33 OF STATE PLANNING AND BUDGETING, AND THE JOINT BUDGET
34 COMMITTEE STAFF;

35
36 (II) ALLOW FOR THE CONFIDENTIAL DEVELOPMENT OF THE
37 GOVERNOR'S ANNUAL BUDGET REQUEST AND THE ANNUAL BUDGET
38 REQUESTS OF THE JUDICIAL AND LEGISLATIVE BRANCH AGENCIES;

39
40 (III) ALLOW FOR THE CONFIDENTIAL ELECTRONIC
41 COMMUNICATION OF BUDGET REQUESTS FROM EACH PRINCIPAL
42 DEPARTMENT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO THE
43 OFFICE OF STATE PLANNING AND BUDGETING;

44
45 (IV) ALLOW FOR THE ELECTRONIC COMMUNICATION OF THE
46 GOVERNOR'S ANNUAL BUDGET REQUEST AND THE ANNUAL BUDGET
47 REQUESTS OF THE JUDICIAL AND LEGISLATIVE BRANCH AGENCIES TO THE
48 JOINT BUDGET COMMITTEE STAFF;

49
50 (V) ALLOW THE OFFICE OF STATE PLANNING AND BUDGETING TO
51 CONFIDENTIALLY EDIT AND FINALIZE THE BUDGET REQUESTS OF THE
52 PRINCIPAL DEPARTMENTS OF THE EXECUTIVE BRANCH OF STATE
53 GOVERNMENT;

54
55 (VI) ALLOW THE JOINT BUDGET COMMITTEE STAFF TO VIEW THE
56 FINAL VERSION OF THE GOVERNOR'S ANNUAL BUDGET REQUESTS AND THE

1 BUDGET REQUESTS OF THE JUDICIAL AND LEGISLATIVE BRANCH AGENCIES;
2
3 (VII) INCLUDE SECURITY FEATURES THAT LOCK CERTAIN USERS
4 FROM ACCESSING THE SYSTEM AT CERTAIN POINTS DURING THE BUDGET
5 PREPARATION CYCLE;
6
7 (VIII) ALLOW THE JOINT BUDGET COMMITTEE STAFF TO USE THE
8 SYSTEM TO TRACK SUPPLEMENTAL APPROPRIATION BILLS, THE ANNUAL
9 GENERAL APPROPRIATION ACT, AND ANY SUBSTANTIVE BUDGET
10 LEGISLATION BEING CONSIDERED BY THE GENERAL ASSEMBLY; AND
11
12 (IX) ALLOW THE OFFICE OF STATE PLANNING AND BUDGETING TO
13 USE THE SYSTEM TO TRACK SUPPLEMENTAL APPROPRIATION BILLS, THE
14 ANNUAL GENERAL APPROPRIATION ACT, AND ANY SUBSTANTIVE BUDGET
15 LEGISLATION BEING CONSIDERED FOR SIGNATURE BY THE GOVERNOR.
16
17 (c) THE FEASIBILITY AND REQUIREMENTS STUDY SHOULD ALSO
18 ASSESS THE COST AND FEASIBILITY TO IMPLEMENT THE FOLLOWING
19 POTENTIAL SYSTEM COMPONENTS:
20
21 (I) A WEB-BASED INTERFACE THAT WILL ALLOW THE PRINCIPAL
22 DEPARTMENTS OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO
23 UPLOAD AND SUBMIT BUDGET DOCUMENTS AND REQUESTS TO THE OFFICE
24 OF STATE PLANNING AND BUDGETING;
25
26 (II) A WEB-BASED INTERFACE THAT WILL ALLOW THE JUDICIAL
27 AND LEGISLATIVE BRANCH AGENCIES TO UPLOAD AND SUBMIT BUDGET
28 DOCUMENTS AND REQUESTS TO THE JOINT BUDGET COMMITTEE STAFF;
29
30 (III) THE ABILITY TO PRODUCE A DRAFT AND FINAL ANNUAL
31 GENERAL APPROPRIATION ACT BY THE JOINT BUDGET COMMITTEE STAFF;
32
33 (IV) COMPATIBILITY WITH THE JOINT BUDGET COMMITTEE'S
34 CURRENT BUDGET PREPARATION SYSTEM; AND
35
36 (V) POTENTIAL INCORPORATION OF OR INTERACTION WITH OTHER
37 STATE HUMAN RESOURCES AND FINANCIAL SYSTEMS FOR DATA
38 COLLECTION AND TRACKING, INCLUDING BUT NOT LIMITED TO THE
39 COLORADO FINANCIAL REPORTING SYSTEM.
40
41 (d) THE OFFICE SHALL PROVIDE A COPY OF ITS FEASIBILITY AND
42 REQUIREMENTS STUDY TO THE JOINT BUDGET COMMITTEE NO LATER THAN
43 NOVEMBER 15, 2010. THE OFFICE SHALL MAKE A REQUEST FOR FUNDING
44 TO THE JOINT BUDGET COMMITTEE, IF NECESSARY, BY NOVEMBER 1,
45 2010."
46
47 Renumber succeeding sections accordingly.
48
49 Page 17, after line 24 insert:
50
51 **"SECTION 13. Federal funds.** The general assembly
52 anticipates that, for the fiscal year beginning July 1, 2010, the office of
53 the governor, for allocation to the office of information technology, will
54 receive the sum of sixty-five thousand dollars (\$65,000) in federal funds
55 for the implementation of this act. Although these funds are not
56 appropriated in this act, they are noted for the purpose of indicating the

1 assumptions used relative to these funds."

2

3 Renumber succeeding section accordingly.

4

5 Page 1, line 102 strike "BUDGET." and substitute "BUDGET AND, IN
6 CONNECTION THEREWITH, ANTICIPATING THE RECEIPT OF FEDERAL
7 FUNDS TO BE USED THEREFOR."

8

9

10

11 **HB10-1210** be amended as follows, and as so amended, be referred to
12 the Committee of the Whole with favorable
13 recommendation:

14

15 Amend printed bill, page 10, after line 25 insert:

16

17 "SECTION 14. 1-40-124.5 (3), Colorado Revised Statutes, is
18 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

19

20 **1-40-124.5. Ballot information booklet.**

21 (3) (d) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (3) TO
22 THE CONTRARY, ON THE EFFECTIVE DATE OF THIS PARAGRAPH (d), THE
23 STATE TREASURER SHALL DEDUCT ONE MILLION ONE HUNDRED
24 TWENTY-NINE THOUSAND SIX HUNDRED SEVEN DOLLARS FROM THE
25 BALLOT INFORMATION PUBLICATION AND DISTRIBUTION REVOLVING FUND
26 AND TRANSFER SUCH SUM TO THE REDISTRICTING ACCOUNT WITHIN THE
27 LEGISLATIVE DEPARTMENT CASH FUND."

28

29 Renumber succeeding section accordingly.

30

31

32

33 **HB10-1221** be referred to the Committee of the Whole with favorable
34 recommendation.

35

36

37 **HB10-1228** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40

41 Amend printed bill, page 2, strike lines 10 and 11 and substitute "AND
42 THE EMPLOYEE'S DEPARTMENT SHALL NOT BE DIRECTLY FINANCIALLY
43 LIABLE FOR THE PREMIUMS PAID FOR THE DEPENDENT COVERAGE IF NO
44 CLAIMS HAVE BEEN PAID FOR THE INELIGIBLE DEPENDENT. IF THE
45 DIRECTOR FAILS TO REMOVE THE INELIGIBLE DEPENDENT AND A CLAIM
46 HAS BEEN PAID FOR THE INELIGIBLE DEPENDENT, THE EMPLOYEE AND THE
47 EMPLOYEE'S DEPARTMENT SHALL NOT BE DIRECTLY FINANCIALLY LIABLE
48 FOR THE PAID CLAIM. THE COSTS FOR PREMIUMS AND CLAIMS PAID MAY
49 BE PAID FROM THE GROUP BENEFIT PLANS RESERVE FUND ESTABLISHED IN
50 SECTION 24-50-613."

51

52 Page 2, after line 11 insert:

53

54 "SECTION 2. **Appropriation.** In addition to any other
55 appropriation, there is hereby appropriated, out of any moneys in the
56 group benefit plans reserve fund created in section 24-50-613 (1),

1 Colorado Revised Statutes, not otherwise appropriated, to the department
2 of personnel and administration, for allocation to the division of human
3 resources, employee benefits services, operating expenses, for the fiscal
4 year beginning July 1, 2010, the sum of four thousand four hundred
5 dollars (\$4,400) cash funds, or so much thereof as may be necessary, for
6 the implementation of this act."

7
8 Renumber succeeding sections accordingly.
9

10 Page 1, line 103 strike "PLANS." and substitute "PLANS, AND MAKING AN
11 APPROPRIATION THEREFOR."
12
13
14

15 **HB10-1250** be referred to the Committee of the Whole with favorable
16 recommendation.
17

18
19 **HB10-1257** be postponed indefinitely.
20

21
22 **HB10-1267** be referred to the Committee of the Whole with favorable
23 recommendation.
24

25
26 **HB10-1289** be postponed indefinitely.
27

28
29 **HB10-1353** be amended as follows, and as so amended, be referred to
30 the Committee of the Whole with favorable
31 recommendation:
32

33 Amend printed bill, page 10, line 2, strike "10-____," and substitute
34 "10-1353,".
35

36 Page 11, line 14, strike "(3.5) THE" and substitute "(3.5) FOR BENEFITS
37 PROVIDED ON AND AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (3.5),
38 THE".
39
40
41
42

43 **EDUCATION**

44 After consideration on the merits, the Committee recommends the
45 following:
46

47 **HB10-1253** be postponed indefinitely.
48

49
50 **SB10-081** be referred to the Committee of the Whole with favorable
51 recommendation.
52
53
54
55

1 **HEALTH & HUMAN SERVICES**

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

4
5 **HB10-1252** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 2, strike lines 11 through 18 and substitute "THE
10 TASK FORCE, AN ANNUAL BREAST CANCER SCREENING WITH
11 MAMMOGRAPHY SHALL BE COVERED PURSUANT TO SUB-SUBPARAGRAPH
12 (B) OF THIS SUBPARAGRAPH (III) FOR INDIVIDUALS AT RISK."
13

14 Page 2, line 19, strike "**Applicability.**" and substitute "**Effective date -**
15 **applicability.**" and after "shall" insert "take effect January 1, 2011, and
16 shall".
17

18 Page 2, line 20, strike "the effective date of this act." and substitute "said
19 date."
20

21
22
23 **SB10-009** be referred to the Committee of the Whole with favorable
24 recommendation.
25

26
27 **SB10-014** be referred to the Committee of the Whole with favorable
28 recommendation.
29

30
31 **SB10-115** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:
34

35 Amend reengrossed bill, page 2, line 7, after the period insert "The
36 general assembly also finds that there are many instances where it would
37 benefit patients and those in need if medications, medical devices, and
38 medical supplies could be redispensed and redistributed instead of
39 destroyed."
40

41 Page 2, line 11, strike "efforts." and substitute "efforts and to aid others
42 who may be in need."
43

44 Page 2, line 12, before "(2)," insert "(1) and" and strike "is" and substitute
45 "are".
46

47 Page 2, strike lines 15 through 17 and substitute "**rules.** (1) As used in
48 this section and section 12-22-134, unless the context otherwise requires:
49

50 (a) "Licensed facility" means a hospital, hospital unit,
51 COMMUNITY MENTAL HEALTH CENTER, ACUTE TREATMENT UNIT, hospice,
52 nursing care facility, or assisted living residence that is required to be
53 licensed pursuant to section 25-3-101, C.R.S., OR A LICENSED LONG-TERM
54 CARE FACILITY AS DEFINED IN SECTION 25-1-124 (2.5) (b), C.R.S.
55

56 (b) "MEDICAL DEVICE" MEANS AN INSTRUMENT, APPARATUS,

1 IMPLEMENT, MACHINE, CONTRIVANCE, IMPLANT, OR SIMILAR OR RELATED
2 ARTICLE THAT IS REQUIRED TO BE LABELED PURSUANT TO 21 CFR PART
3 801.

4
5 (c) "MEDICAL SUPPLY" MEANS A CONSUMABLE SUPPLY ITEM THAT
6 IS DISPOSABLE AND NOT INTENDED FOR REUSE.

7
8 ~~(b)~~ (d) "Medication means A prescription ~~medication~~ that is not a
9 controlled substance.

10
11 (2) (a) (I) If donated by the patient, resident, or the patient's or
12 resident's next of kin,".

13
14 Page 2, line 18, strike "DISCONTINUED," and strike "medication" and
15 substitute "~~medication~~ MEDICATIONS, MEDICAL SUPPLIES, AND MEDICAL
16 DEVICES".

17
18 Page 2, line 19, after "facility" insert "OR A PRESCRIPTION DRUG OUTLET".

19
20 Page 2, strikes line 20 through 25 and substitute "redispensed to another
21 patient or resident of that licensed facility. A pharmacist may redispense
22 a ~~returned medication that is prescribed to a patient or resident of a~~
23 ~~licensed facility if the medication was originally dispensed to another~~
24 ~~patient or resident of the licensed facility or may donate a returned~~
25 ~~medication~~ DONATED to a nonprofit entity that has the legal authority to
26 possess the medication OR TO A PRACTITIONER AUTHORIZED BY LAW TO
27 PRESCRIBE THE MEDICATION.".

28
29 Page 3, line 4, after "PROVIDING" insert "MEDICATIONS, MEDICAL DEVICES,
30 OR".

31
32 Page 3, line 11, after "OR" insert "PRODUCT OR".

33
34 Page 3, after line 21 insert:

35
36 "(c) THE FOLLOWING MEDICATIONS MAY NOT BE DONATED:

37
38 (I) MEDICATIONS PACKAGED IN TRADITIONAL BROWN OR AMBER
39 PILL BOTTLES;

40
41 (II) CONTROLLED SUBSTANCES;

42
43 (III) MEDICATIONS THAT REQUIRE REFRIGERATION, FREEZING, OR
44 SPECIAL STORAGE;

45
46 (IV) MEDICATIONS THAT REQUIRE SPECIAL REGISTRATION WITH
47 THE MANUFACTURER; OR

48
49 (V) MEDICATIONS THAT ARE ADULTERATED OR MISBRANDED, AS
50 DETERMINED BY A PERSON LEGALLY AUTHORIZED TO DISPENSE THE
51 MEDICATIONS ON BEHALF OF THE NONPROFIT ENTITY.".

52
53
54
55

JUDICIARY

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

HB10-1164 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 13, strike "(2) (h)," and substitute "(3),".

Page 2, line 14, strike "INEFFECTIVE;" and substitute "INEFFECTIVE AFTER REASONABLE EFFORT HAS FAILED;".

Page 4, line 26, strike "(2) (h)," and substitute "(3),".

Page 5, line 12, strike "SUBPOENAS,".

Page 5, after line 25 insert:

"(b) IF SERVICE OF PROCESS IS MADE ON THE INSURANCE CARRIER UNDER THIS SUBSECTION (3), THE PLAINTIFF SHALL CAUSE THE SERVICE OF PROCESS TO BE MADE ON THE INSURANCE CARRIER'S REGISTERED AGENT.

(c) IF SERVICE IS OBTAINED UNDER THIS SECTION, THE VENUE FOR THE UNDERLYING CLAIM IS THE SAME AS IF THE DEFENDANT IS A NONRESIDENT.

(d) EXCEPT AS EXPRESSLY PROVIDED IN THIS SUBSECTION (3), THIS SUBSECTION (3) DOES NOT ALTER OR EXPAND THE TERMS AND CONDITIONS OF THE INSURANCE POLICY OR LIABILITY COVERAGE."

Reletter succeeding paragraphs accordingly.

Page 6, before line 2 insert:

"(f) IF SERVICE OF PROCESS IS MADE ON THE INSURANCE CARRIER UNDER THIS SUBSECTION (3) AND THE COURT ENTERS JUDGMENT OR THE INSURANCE CARRIER AGREES TO A SETTLEMENT FOR THE DAMAGES CAUSED BY THE ABSENT INSURED, THE AMOUNT OF THE INSURANCE CARRIER'S LIABILITY SHALL NOT EXCEED THE POLICY LIMITS OF THE COVERAGE. A JUDGEMENT OR SETTLEMENT OBTAINED USING SERVICE OF PROCESS ON THE CARRIER SHALL NOT BAR THE INJURED PERSON FROM SUBSEQUENTLY MAKING PERSONAL SERVICE ON THE PERSON WHO CAUSED THE INJURY AND SEEKING ADDITIONAL REMEDIES PROVIDED BY LAW."

Reletter succeeding paragraph accordingly.

Page 6, line 8, strike "July 1, 2010," and substitute "January 1, 2011,".

HB10-1340 be referred to the Committee of the Whole with favorable recommendation.

1 **LOCAL GOVERNMENT**

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

4
5 **SB10-016** be referred favorably to the Committee on Appropriations.

6
7
8 **SB10-098** be referred favorably to the Committee on Agriculture,
9 Livestock & Natural Resources.

10

11

12

13

14 **STATE, VETERANS, & MILITARY AFFAIRS**

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

17

18 **HB10-1209** be amended as follows, and as so amended, be referred to
19 the Committee on Finance with favorable
20 recommendation:

21

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

24

25 "SECTION 1. 42-2-114, Colorado Revised Statutes, is amended
26 BY THE ADDITION OF A NEW SUBSECTION to read:

27

28 **42-2-114. License issued - fees - repeal.** (10) (a) AT THE
29 APPLICANT'S VOLUNTARY REQUEST, THE DEPARTMENT SHALL ISSUE A
30 DRIVER'S LICENSE BEARING AN IDENTIFIER OF A BRANCH OF THE UNITED
31 STATES ARMED FORCES, SUCH AS "MARINE CORPS", "NAVY", "ARMY",
32 "AIR FORCE", OR "COAST GUARD", IF THE APPLICANT POSSESSES A
33 CURRENTLY VALID MILITARY IDENTIFICATION DOCUMENT, A DD214 FORM
34 ISSUED BY THE UNITED STATES GOVERNMENT, OR ANY OTHER DOCUMENT
35 ACCEPTED BY THE DEPARTMENT THAT DEMONSTRATES THAT THE
36 APPLICANT IS AN ACTIVE MEMBER OR A VETERAN OF THE BRANCH OF
37 SERVICE THAT THE APPLICANT HAS REQUESTED BE PLACED ON THE
38 DRIVER'S LICENSE. THE APPLICANT SHALL NOT BE REQUIRED TO PROVIDE
39 DOCUMENTATION THAT THE APPLICANT IS AN ACTIVE MEMBER OR A
40 VETERAN OF A BRANCH OF THE UNITED STATES ARMED FORCES TO RENEW
41 OR BE REISSUED A DRIVER'S LICENSE BEARING AN IDENTIFIER ISSUED
42 PURSUANT TO THIS SUBSECTION (10). THE DEPARTMENT SHALL NOT PLACE
43 MORE THAN ONE BRANCH OF THE UNITED STATES ARMED FORCES
44 IDENTIFIER ON AN APPLICANT'S DRIVER'S LICENSE.

45

46 (b) (I) TO BE ISSUED A DRIVER'S LICENSE BEARING A BRANCH OF
47 SERVICE IDENTIFIER, THE APPLICANT SHALL PAY A FEE OF FIFTEEN
48 DOLLARS TO THE DEPARTMENT, WHICH SHALL BE IN ADDITION TO ANY
49 OTHER FEE FOR A DRIVER'S LICENSE. THE DEPARTMENT SHALL TRANSFER
50 THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE
51 HIGHWAY USERS TAX FUND, EXCEPT AS PROVIDED IN SUBPARAGRAPH (II)
52 OF THIS PARAGRAPH (b).

53

54 (II) (A) THE DEPARTMENT MAY RETAIN UP TO NINETY-EIGHT
55 THOUSAND FIVE HUNDRED THIRTY-EIGHT DOLLARS OF THE FEES
56 COLLECTED PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) AS

1 NECESSARY TO OFFSET THE DIRECT AND INDIRECT COST OF IMPLEMENTING
2 THIS SUBSECTION (10).

3
4 (B) THIS SUBPARAGRAPH (II) IS REPEALED EFFECTIVE JULY 1,
5 2012.

6
7 (c) (I) THIS SUBSECTION (10) IS EFFECTIVE JANUARY 1, 2011.

8
9 (II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2011.

10
11 **SECTION 2.** 42-2-303, Colorado Revised Statutes, is amended
12 BY THE ADDITION OF A NEW SUBSECTION to read:

13
14 **42-2-303. Contents of identification card.** (4) (a) AT THE
15 APPLICANT'S VOLUNTARY REQUEST, THE DEPARTMENT SHALL ISSUE AN
16 IDENTIFICATION CARD BEARING AN IDENTIFIER OF A BRANCH OF THE
17 UNITED STATES ARMED FORCES, SUCH AS "MARINE CORPS", "NAVY",
18 "ARMY", "AIR FORCE", OR "COAST GUARD", IF THE APPLICANT POSSESSES
19 A CURRENTLY VALID MILITARY IDENTIFICATION DOCUMENT, A DD214
20 FORM ISSUED BY THE UNITED STATES GOVERNMENT, OR ANY OTHER
21 DOCUMENT ACCEPTED BY THE DEPARTMENT THAT DEMONSTRATES THAT
22 THE APPLICANT IS AN ACTIVE MEMBER OR A VETERAN OF THE BRANCH OF
23 SERVICE THAT THE APPLICANT HAS REQUESTED BE PLACED ON THE
24 IDENTIFICATION CARD. THE APPLICANT SHALL NOT BE REQUIRED TO
25 PROVIDE DOCUMENTATION THAT THE APPLICANT IS AN ACTIVE MEMBER OR
26 A VETERAN OF A BRANCH OF THE UNITED STATES ARMED FORCES TO
27 RENEW OR BE REISSUED AN IDENTIFICATION CARD BEARING AN IDENTIFIER
28 ISSUED PURSUANT TO THIS SUBSECTION (4). THE DEPARTMENT SHALL NOT
29 PLACE MORE THAN ONE BRANCH OF THE UNITED STATES ARMED FORCES
30 IDENTIFIER ON AN APPLICANT'S IDENTIFICATION CARD.

31
32 (b) TO BE ISSUED AN IDENTIFICATION CARD BEARING A BRANCH OF
33 SERVICE IDENTIFIER, THE APPLICANT SHALL PAY A FEE OF FIFTEEN
34 DOLLARS TO THE DEPARTMENT, WHICH SHALL BE IN ADDITION TO ANY
35 OTHER FEE FOR AN IDENTIFICATION CARD. THE DEPARTMENT SHALL
36 TRANSFER THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE
37 TO THE HIGHWAY USERS TAX FUND.

38
39 (c) (I) THIS SUBSECTION (4) IS EFFECTIVE JANUARY 1, 2011.

40
41 (II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2011.

42
43 **SECTION 3. Specified effective date - applicability.** This act
44 shall take effect July 1, 2010, and shall apply to driver's licenses and
45 identification cards issued on or after said date.

46
47 **SECTION 4. Safety clause.** The general assembly hereby finds,
48 determines, and declares that this act is necessary for the immediate
49 preservation of the public peace, health, and safety."

50
51
52
53 **HB10-1249** be amended as follows, and as so amended, be referred to
54 the Committee of the Whole with favorable
55 recommendation:
56

- 1 Amend printed bill, page 3, line 20, strike "2015," and substitute "2013,".
2
3 Page 4, line 10, strike "FORTY" and substitute "FORTY-FIVE".
4
5 Page 4, line 11, strike "FIFTY-FIVE" and substitute "SIXTY-FIVE".
6
7 Page 4, line 20, strike "2011," and substitute "2010,".
8
9 Page 5, line 23, strike "EVIDENCE IS PRESENTED SUPPORTING" and
10 substitute "CLEAR AND CONVINCING EVIDENCE IS PRESENTED PROVING".
11
12 Page 6, line 6, strike "OCCUPIED." and substitute "OCCUPIED AND THAT
13 THE SIGNER HAS INSPECTED THE PROPERTY ON MORE THAN ONE OCCASION
14 AND ON EACH OCCASION HAS DETERMINED THAT THE PROPERTY IS
15 ABANDONED.".
16
17 Page 6, line 14, strike "OR" and substitute "AND" and strike "HAS" and
18 substitute "HAVE".
19
20 Page 6, line 15, strike "TERMINATED;" and substitute "TERMINATED FOR
21 A PERIOD OF AT LEAST THIRTY DAYS;".
22
23 Page 6, line 20, strike "COMMUNITY" and substitute "LOCAL
24 GOVERNMENT".
25 Page 7, line 16, strike "TWENTY" and substitute "TWENTY-FIVE".
26
27 Page 7, line 24, strike "CALENDAR" and substitute "BUSINESS".
28
29 Page 8, line 9, strike "THREE" and substitute "FOUR".
30
31 Page 9, line 27, strike "2016." and substitute "2014.".
32
33
34
35 **HB10-1272** be referred favorably to the Committee on Appropriations.
36
37
38 **HB10-1328** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:
41
42 Amend printed bill, page 3, line 12, strike "IMPROVEMENTS" and
43 substitute "IMPROVEMENTS, INCLUDING ENERGY EFFICIENCY
44 IMPROVEMENTS AND RENEWABLE ENERGY IMPROVEMENTS,".
45
46 Page 3, line 20, strike "IMPROVEMENTS" and substitute "IMPROVEMENTS,
47 INCLUDING ENERGY EFFICIENCY IMPROVEMENTS AND RENEWABLE ENERGY
48 IMPROVEMENTS,".
49
50 Page 4, line 5, strike "IMPROVEMENTS" and substitute "IMPROVEMENT".
51
52 Page 4, line 12, strike "IMPROVEMENTS" and substitute "IMPROVEMENTS,
53 INCLUDING ENERGY EFFICIENCY IMPROVEMENTS AND RENEWABLE ENERGY
54 IMPROVEMENTS,".
55
56 Page 4, line 22, strike "IMPROVEMENTS" and substitute "IMPROVEMENT".

- 1 Page 5, line 16, strike "IMPROVEMENTS" and substitute "IMPROVEMENTS,
2 INCLUDING ENERGY EFFICIENCY IMPROVEMENTS AND RENEWABLE ENERGY
3 IMPROVEMENTS,".
4
- 5 Page 8, line 16, after "MORE" insert "ON-SITE".
6
- 7 Page 9, line 8, strike "APPLICATION" and substitute "APPLICATION, WHICH
8 NOTES THE EXISTENCE OF ANY FIRST PRIORITY MORTGAGE OR DEED OF
9 TRUST ON THE ELIGIBLE REAL PROPERTY AND THE IDENTITY OF THE
10 HOLDER THEREOF,".
11
- 12 Page 9, line 12, strike "PROPERTY; AND" and substitute "PROPERTY.
13 WITHIN THIRTY DAYS OF A PERSON'S SUBMISSION OF AN APPLICATION TO
14 THE DISTRICT, THE DISTRICT SHALL PROVIDE WRITTEN NOTICE TO THE
15 HOLDER OF ANY FIRST PRIORITY MORTGAGE OR DEED OF TRUST ON THE
16 ELIGIBLE REAL PROPERTY THAT THE PERSON IS PARTICIPATING IN THE
17 DISTRICT.".
18
- 19 Page 12, line 18, strike "THREE" and substitute "FIVE".
20
- 21 Page 12, line 23, strike "AND".
22
- 23 Page 12, after line 26 insert:
24
- 25 "(D) ONE MEMBER WHO REPRESENTS THE ENERGY EFFICIENCY
26 INDUSTRY; AND
27
- 28 (E) ONE MEMBER WHO REPRESENTS LOCAL GOVERNMENTS;".
29
- 30 Page 14, line 11, strike "FIVE" and substitute "SIX".
31
- 32 Page 14, line 14, strike "FIVE" and substitute "SIX".
33
- 34 Page 18, line 9, strike "RENEWABLE" and substitute "NEW".
35
- 36 Page 18, line 15, strike "SHALL NOT".
37
- 38 Page 18, line 16, strike "CHARGE AN APPLICATION FEE." and substitute
39 "MAY CHARGE PROGRAM APPLICATION FEES.".
40
- 41 Page 20, line 5, strike "IF DEEMED NECESSARY BY THE BOARD, MONITOR"
42 and substitute "MONITOR".
43
- 44 Page 20, line 7, strike "PAYMENT, AND" and substitute "PAYMENT IF
45 DEEMED NECESSARY BY THE BOARD,"
46
- 47 Page 20, line 8, strike "PROGRAM." and substitute "PROGRAM, MONITOR
48 THE TOTAL NUMBER OF PROGRAM PARTICIPANTS, THE TOTAL AMOUNT PAID
49 TO CONTRACTORS, THE NUMBER OF JOBS CREATED BY THE PROGRAM, THE
50 NUMBER OF DEFAULTS BY PROGRAM PARTICIPANTS, AND THE TOTAL
51 LOSSES FROM THE DEFAULTS, AND CALCULATE THE TOTAL AMOUNT OF
52 BONDS ISSUED BY THE DISTRICT. ON OR BEFORE MARCH 1, 2011, AND ON
53 OR BEFORE EACH SUBSEQUENT MARCH 1, THE DISTRICT SHALL REPORT TO
54 THE STATE, VETERANS, AND MILITARY AFFAIRS COMMITTEES OF THE
55 GENERAL ASSEMBLY, OR ANY SUCCESSOR COMMITTEES REGARDING THE
56 INFORMATION OBTAINED AS REQUIRED BY THIS PARAGRAPH (g).".

1 Page 20, line 11, after "FACTORS," insert "INCLUDING BUT NOT LIMITED TO
2 CREDIT REPORTS, CREDIT SCORES, AND LOAN-TO-VALUE RATIOS,".

3
4 Page 24, line 24, strike "THE WHOLE OF THE UNPAID PRINCIPAL" and
5 substitute "INSTALLMENTS".

6
7 Page 25, line 2, strike "SALE; BUT THE DISTRICT SHALL, WHENEVER
8 FEASIBLE," and substitute "SALE. THE DISTRICT SHALL".

9
10 Page 25, line 4, strike "MAKING SUCH A DECLARATION," and substitute
11 "DECLARING THE WHOLE OF THE UNPAID PRINCIPAL DUE AND COLLECTIBLE
12 IMMEDIATELY,".

13
14 Page 28, line 12, strike "TWO HUNDRED FIFTY" and substitute "EIGHT
15 HUNDRED".

16
17 Page 33, after line 5 insert:

18
19 **"32-20-110. Repeal of article - inapplicable if the district has**
20 **outstanding bond obligations.** (1) EXCEPT AS OTHERWISE PROVIDED IN
21 SUBSECTION (2) OF THIS SECTION, THIS ARTICLE IS REPEALED, EFFECTIVE
22 JANUARY 1, 2016.

23
24 (2) IN ACCORDANCE WITH SECTION 32-20-108 (8), THIS ARTICLE
25 SHALL NOT BE REPEALED AS PROVIDED IN SUBSECTION (1) OF THIS SECTION
26 IF THE DISTRICT HAS ISSUED BONDS THAT HAVE NOT BEEN REPAID IN FULL
27 AS OF JANUARY 1, 2016. HOWEVER, THE DISTRICT SHALL NOT ACCEPT ANY
28 NEW APPLICATION FOR THE PROGRAM OR ISSUE ANY ADDITIONAL BONDS
29 ON OR AFTER JANUARY 1, 2016."

30
31 Page 33, line 9, strike "**Financial and**" and substitute "**Periodic**".

32
33
34 Page 33, strike lines 11 through 14 and substitute "**- reports.** NO LATER
35 THAN JUNE 30, 2014, AND NO LATER THAN JUNE 30 OF EVERY FIFTH YEAR
36 THEREAFTER, THE STATE AUDITOR SHALL CONDUCT OR CAUSE TO BE
37 CONDUCTED A PERFORMANCE AUDIT OF THE COLORADO NEW ENERGY".

38
39 Page 33, line 18, strike "AN ANNUAL" and substitute "A".

40
41
42
43
44 **TRANSPORTATION & ENERGY**

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

47
48 **HB10-1113** be amended as follows, and as so amended, be referred to
49 the Committee on Appropriations with favorable
50 recommendation:

51
52 Amend printed bill, page 3, line 10, after "(III)" insert "(A)".

53
54 Page 3, line 13, after "PATROL." insert "THE PORT OF ENTRY SAFETY
55 PROGRAM AND THE COMMERCIAL VEHICLE SAFETY PROGRAM, WHICH
56 PROGRAMS ARE OPERATED BY THE DEPARTMENT OF REVENUE, SHALL BE

1 TRANSFERRED TO THE COLORADO STATE PATROL AS DIRECTED BY THE
2 CHIEF OF THE COLORADO STATE PATROL."

3
4 Page 3, line 17, after "SAFETY." add "THE DEPARTMENT OF PUBLIC
5 SAFETY, THROUGH THE COLORADO STATE PATROL, SHALL CONDUCT A
6 THOROUGH PERFORMANCE REVIEW OF: THE TRANSFER OF STATIONARY
7 AND MOBILE PORT OF ENTRY OPERATIONS; SUPPORT FUNCTIONS; FLEET
8 ISSUES; OPERATIONAL INFORMATION TECHNOLOGY PROGRAMS; CAPITAL
9 CONSTRUCTION AND CONTROL MAINTENANCE REQUESTS, INCLUDING A
10 PLAN FOR FUTURE REQUESTS; STAFFING NEEDS; CHANGES IN OPERATIONS;
11 HOURS OF PORT OF ENTRY OPERATIONS STATEWIDE; EFFICIENCIES TO BE
12 GAINED BY THE TRANSFER; AND OTHER TASKS AS NEEDED. AS PART OF
13 THE PERFORMANCE REVIEW, THE EXECUTIVE DIRECTOR OF THE
14 DEPARTMENT OF PUBLIC SAFETY SHALL MEET WITH ANY CERTIFIED
15 EMPLOYEE ORGANIZATIONS THAT REPRESENT STAFF WHO ARE IMPACTED
16 BY THE OPERATIONAL TRANSFER. THE REVIEW SHALL BE COMPLETED NO
17 LATER THAN JULY 1, 2011. THE CHIEF OF THE COLORADO STATE PATROL,
18 IN CONSULTATION WITH THE EXECUTIVE DIRECTOR OF THE DEPARTMENT
19 OF PUBLIC SAFETY, SHALL HAVE THE AUTHORITY TO IMPLEMENT ANY
20 CHANGES TO THE OPERATION OF PORT OF ENTRY WEIGH STATIONS AS A
21 RESULT OF THE PERFORMANCE REVIEW."

22
23 Page 3, after line 17 insert:

24
25 "(B) ANY EMPLOYEES TRANSFERRED TO THE DEPARTMENT OF
26 PUBLIC SAFETY AND ALLOCATED TO THE COLORADO STATE PATROL
27 PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III) WHO
28 ARE CLASSIFIED IN THE STATE PERSONNEL SYSTEM SHALL RETAIN ALL
29 RIGHTS TO THE PERSONNEL SYSTEM AND RETIREMENT BENEFITS PURSUANT
30 TO THE LAWS OF THIS STATE, AND THEIR SERVICES SHALL BE DEEMED TO
31 HAVE BEEN CONTINUOUS. ALL TRANSFERS IN THE STATE PERSONNEL
32 SYSTEM SHALL BE MADE AND PROCESSED IN ACCORDANCE WITH STATE
33 PERSONNEL LAWS AND REGULATIONS. ANY EMPLOYEE TRANSFERRED TO
34 THE DEPARTMENT OF PUBLIC SAFETY AND ALLOCATED TO THE COLORADO
35 STATE PATROL PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS
36 SUBPARAGRAPH (III) SHALL MAINTAIN THE DUTIES AND RESPONSIBILITIES
37 RELATED TO THE EMPLOYEE'S POSITION. NO POSITION SHALL BE
38 ABOLISHED BASED SOLELY ON A CHANGE IN QUALIFICATIONS AS A RESULT
39 OF THE TRANSFER."

40
41 Page 8, line 5, after "CHIEF." add "THE CHIEF SHALL PROMULGATE ANY
42 NEW REGULATORY, POLICY, OR OPERATIONAL INTERPRETATIONS DEEMED
43 NECESSARY TO THE EFFICIENT OPERATION OF THE PORTS OF ENTRY
44 SECTION."

45
46
47
48 **HB10-1173** be postponed indefinitely.

49
50
51 **SB10-015** be referred to the Committee of the Whole with favorable
52 recommendation.

53
54
55
56

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB10-1014, 1041, 1063, 1065, 1306, 1319, 1322, 1325; HJR10-1013.**

MESSAGE(S) FROM THE SENATE

The Senate has adopted and returns herewith: HJR10-1013.

In response to the request of the House for a Conference Committee on HB10-1320, the President appoints Senators Tapia, chair, Keller and White as conferees on the First Conference Committee on HB10-1320.

In response to the request of the House for a Conference Committee on HB10-1339, the President appoints Senators White, chair, Tapia and Keller as conferees on the First Conference Committee HB10-1339.

In response to the request of the House for a Conference Committee on HB10-1327, the President appoints Senators White, chair, Tapia and Keller as conferees on the First Conference Committee on HB10-1327.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB10-060.

SB10-026 amended as printed in Senate Journal, March 2, 2010, pages 395-398 and as printed in Senate Journal, March 5, 2010.

SB10-028 amended as printed in Senate Journal, March 1, 2010, page 387 and March 3, 2010, page 408.

HB10-1001 amended as printed in Senate Journal, March 4, 2010, pages 424-426.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, SB10-060.

Without comment, as amended, HB10-1001.

Without comment, as amended, SB10-026 and 028.

NOTICE OF CALENDARED ITEM(S)

On motion of Representative Weissmann, the following bill(s) will be calendared for Second Reading on March 8, 2010: **HB10-1252.**

On motion of Representative Weissmann, the following bill(s) will be calendared for Second Reading on March 10, 2010: **HB10-1353, SB10-015, 081, 009, 014, 115.**

On motion of Representative Weissmann, the following bill(s) calendared for Second Reading, March 8, will be laid over until March 12, 2010: **SB10-019.**

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until March 8, retaining place on Calendar:

Consideration of Senate Amendment(s)--**HB10-1321**.

On motion of Representative Weissmann, the House adjourned until 10:00 a.m., March 8, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Fifty-fifth Legislative Day

Monday, March 8, 2010

1 Prayer by Pastor Curtis Miller, Worship Center, Brighton.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Grace Talbert, Koryn Artis, Gabriella Perez,
6 Daniela Herrera, Girl Scout Troop 3665, Denver.

7

8 The roll was called with the following result:

9

10 Present--62.

11 Excused--Representative(s) Bradford, Gardner C., King--3.

12 Present after roll call--Representative(s) King.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Kagan, the reading of the journal of
18 March 5, 2010, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22

23 **THIRD READING OF BILL(S)--FINAL PASSAGE**

24

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

28

29 **HB10-1273** by Representative(s) Merrifield, Rice, Ryden, Apuan,
30 Benefield, Carroll T., Casso, Gagliardi, Gerou, Kerr A.,
31 May, McKinley, Middleton, Nikkel, Peniston, Primavera,
32 Roberts, Scanlan, Schafer S., Solano, Todd, Tyler; also
33 Senator(s) Spence and Steadman, Newell, Hudak, Bacon,
34 Boyd, Foster, Gibbs, Heath, Johnston, Romer, Tapia,
35 Williams--Concerning improved workforce development
36 through increased participation in arts education in public
37 schools.

38

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

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

43

	YES	48	NO	14	EXCUSED	3	ABSENT	0
1	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
4	Baumgardner	N	Kagan	N	Merrifield	Y	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
6	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	N	Murray	N	Stephens	Y
8	Court	Y	King S.	E	Nikkel	Y	Summers	Y
9	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
10	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
11	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	Y	Vaad	N
14	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
15	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
16	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	N
17							Speaker	Y

18
19 Co-sponsor(s) added: Representative(s) Court, Fischer, Frangas, Labuda,
20 Looper, McNulty, Pace, Pommer, Priola, Riesberg, Vigil.

21
22 **HB10-1346** by Representative(s) Kagan, Gardner B., Labuda, Levy,
23 Roberts; also Senator(s) Carroll M., Brophy, Mitchell,
24 Morse, Schwartz--Concerning an increase in the number
25 of days emergency rules adopted by executive branch
26 agencies pursuant to the "State Administrative Procedure
27 Act" may be in effect.

28
29 The question being "Shall the bill pass?".

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

	YES	60	NO	2	EXCUSED	3	ABSENT	0
34	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
35	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
36	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
37	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
38	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
39	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
40	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
41	Court	Y	King S.	E	Nikkel	Y	Summers	Y
42	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
43	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
44	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
45	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
46	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
47	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
48	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
49	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	N
50							Speaker	Y

51
52 Co-sponsor(s) added: Representative(s) Vigil.

53
54 **HB10-1168** by Representative(s) Levy, Judd, Kagan, Kerr A., Miklosi,
55 Pace, Ryden, Tyler, Vigil, Weissmann, Apuan, Benefield,
56 Carroll T., Casso, Court, Ferrandino, Hullinghorst,

Labuda, McFadyen, Merrifield, Middleton, Pommer, Primavera, Scanlan, Schafer S., Solano, Todd; also Senator(s) Steadman, Brophy, Foster, Hodge, Hudak, Newell, Romer, Tochtrop, Bacon, Carroll M., Shaffer B.-- Concerning a limitation on the ability of an insurer to obtain repayment of benefits from an injured party who recovers damages from the party responsible for the injury in situations when the injured party would not be fully compensated if the benefits are repaid to the insurer.

The question being "Shall the bill pass?".

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

YES	42	NO	20	EXCUSED	3	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	N	Stephens	N
Court	Y	King S.	E	Nikkel	N	Summers	N
Curry	Y	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	N	Priola	N	Vaad	N
Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
Gardner B.	N	May	N	Riesberg	Y	Waller	Y
Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Fischer, Frangas, Peniston.

HB10-1012 by Representative(s) Pace, Miklosi, Ryden; also Senator(s) Carroll M., Hodge, Tochtrop--Concerning limitations on the use of surveillance of employees who have submitted a workers' compensation claim.

The question being "Shall the bill pass?".

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

YES	34	NO	28	EXCUSED	3	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	N	Kerr J.	N	Murray	N	Stephens	N
Court	Y	King S.	E	Nikkel	N	Summers	N
Curry	N	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N

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

8 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Gagliardi, Labuda,
9 Vigil.

10
11 **SB10-018** by Senator(s) King K., Johnston; also Representative(s)
12 Merrifield, Massey, Middleton, Scanlan--Concerning the
13 school awards program fund.

14
15 The question being "Shall the bill pass?".

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

	YES	61	NO	1	EXCUSED	3	ABSENT	0
21	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
22	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
23	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
24	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
25	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
26	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
27	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
28	Court	Y	King S.	E	Nikkel	Y	Summers	Y
29	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
30	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
31	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
32	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
33	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
34	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
35	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
36	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
37							Speaker	Y

38 Co-sponsor(s) added: Representative(s) Apuan, Fischer, McNulty, Pace,
39 Summers, Todd.

40
41 **SB10-056** by Senator(s) Boyd; also Representative(s) Riesberg--
42 Concerning developing standardized immunization
43 information to provide to parents.

44
45 The question being "Shall the bill pass?".

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

	YES	39	NO	23	EXCUSED	3	ABSENT	0
51	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
52	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
53	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
54	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
55	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
56	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y

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

12 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Labuda, Pace, Ryden.

13
14 **SB10-165** by Senator(s) Hodge; also Representative(s) Hullinghorst--
15 Concerning implementation of the incorporation of oil and
16 gas wells into the prior appropriation system.

17
18 The question being "Shall the bill pass?".

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

23	YES	61	NO	1	EXCUSED	3	ABSENT	0
24	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
25	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
26	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
27	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
28	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
29	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
30	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
31	Court	Y	King S.	E	Nikkel	Y	Summers	Y
32	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
33	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
34	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
35	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
36	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
37	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
38	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
39	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
40							Speaker	Y

41 Co-sponsor(s) added: Representative(s) Fischer, Summers.

42
43 **SB10-142** by Senator(s) Foster; also Representative(s) Gerou--
44 Concerning the process of resolving disputes related to
45 sales and use tax paid to a local government.

46
47 The question being "Shall the bill pass?".

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

52	YES	62	NO	0	EXCUSED	3	ABSENT	0
53	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
54	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
55	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
56	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y

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

14 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Kerr J.

15
16 **HB10-1098** by Representative(s) Levy; also Senator(s) Hodge--
17 Concerning increased transparency in the governance of
18 cooperative electric associations.
19

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

21 A roll call vote was taken. As shown by the following recorded vote, a
22 majority of those elected to the House voted in the affirmative and the bill
23 was declared **passed**.
24

25	YES	34	NO	28	EXCUSED	3	ABSENT	0
26	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
27	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
28	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
29	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
30	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
31	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	N
32	Casso	N	Kerr J.	N	Murray	N	Stephens	N
33	Court	Y	King S.	E	Nikkel	N	Summers	N
34	Curry	N	Labuda	Y	Pace	Y	Swalm	N
35	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
36	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
37	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
38	Frangas	Y	Looper	N	Priola	Y	Vaad	N
39	Gagliardi	Y	Massey	N	Rice	Y	Vigil	N
40	Gardner B.	N	May	N	Riesberg	Y	Waller	N
41	Gardner C.	E	McCann	Y	Roberts	N	Weissmann	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Fischer, Hullinghorst, Labuda,
44 Pommer.
45

46 **HB10-1256** by Representative(s) McNulty, Baumgardner, Fischer,
47 McFadyen, Primavera, Tyler, Vaad; also Senator(s)
48 Johnston--Concerning the Colorado high technology
49 scholarship program.
50

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

52 A roll call vote was taken. As shown by the following recorded vote, a
53 majority of those elected to the House voted in the affirmative and the bill
54 was declared **passed**.
55

	YES	59	NO	3	EXCUSED	3	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	E	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
17	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

Co-sponsor(s) added: Representative(s) Apuan, Casso, Gerou, Kerr J., Labuda, Merrifield, Roberts, Todd, Speaker.

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

HB10-1321 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White--Concerning moneys appropriated for health clinics.

(Amended as printed in Senate Journal, March 3.)

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

	YES	61	NO	1	EXCUSED	3	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
39	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
42	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
44	Court	Y	King S.	E	Nikkel	Y	Summers	Y
45	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
47	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
48	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
49	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
50	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
51	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
52	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
53							Speaker	Y

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

A roll call vote was taken. As shown by the following recorded vote, a

majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

YES	60	NO	2	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	N	Middleton	Y	Sonnenberg	Y
Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	E	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	N	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

HB10-1001 by Representative(s) Tyler; also Senator(s) Schwartz and Whitehead--Concerning incentives for the installation of new distributed renewable energy generation facilities in Colorado, and, in connection therewith, increasing the target percentages under the electric utility portfolio standard to encourage Colorado utilities to generate three percent of their retail electricity sales from distributed renewable sources by the year 2020, adopting standards for the installation of distributed solar electric generation equipment, and making an appropriation therefor.

(Amended as printed in Senate Journal, March 4, pages 424-426.)

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

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

1 The question being, "Shall the bill, as amended, pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative, and the
 4 bill, as amended, was declared **repassed**.

	YES	37	NO	26	EXCUSED	2	ABSENT	0
7	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
9	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
12	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
14	Court	Y	King S.	N	Nikkel	N	Summers	N
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
16	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	N	Priola	N	Vaad	N
20	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
21	Gardner B.	N	May	N	Riesberg	Y	Waller	N
22	Gardner C.	E	McCann	Y	Roberts	N	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Benefield, Kerr A., Solano.

25
 26
 27
 28
 29 On motion of Representative Fischer, the House resolved itself into
 30 Committee of the Whole for consideration of General Orders, and he was
 31 called to the Chair to act as Chairman.

32 33 34 35 **GENERAL ORDERS--SECOND READING OF BILLS**

36
 37 The Committee of the Whole having risen, the Chairman reported the
 38 titles of the following bills had been read (reading at length had been
 39 dispensed with by unanimous consent), the bills considered and action
 40 taken thereon as follows:

41
 42 (Amendments to the committee amendment are to the printed committee
 43 report which was printed and placed in the members' bill file.)

44
 45 **HB10-1330** by Representative(s) Kefalas and Kagan, Apuan, Court,
 46 Fischer, Gagliardi, Levy, Miklosi, Pace, Primavera, Rice,
 47 Riesberg, Solano, Tyler, Vigil; also Senator(s) Morse--
 48 Concerning the creation of an advisory committee to make
 49 recommendations regarding the creation of a Colorado all-
 50 payer health claims database for the purpose of transparent
 51 public reporting of health care information.

52
 53 Amendment No. 1, Health & Human Services Report, dated
 54 February 26, 2010, and placed in member's bill file; Report also printed
 55 in House Journal, February 26, pages 589-590.

1 Amendment No. 2, by Representative(s) Kagan, Kefalas.

2
3 Amend printed bill, page 4, strike lines 3 and 4 and substitute:

4
5 "(XIV) A REPRESENTATIVE FROM A COMMUNITY MENTAL HEALTH
6 CENTER THAT HAS EXPERIENCE IN BEHAVIORAL HEALTH DATA
7 COLLECTION;".

8
9 Page 4, strike line 18.

10
11 Page 4, line 20, strike "DESIGNEE." and substitute "DESIGNEE; AND

12
13 (V) TWO MEMBERS OF THE GENERAL ASSEMBLY, ONE FROM THE
14 MAJORITY PARTY AND ONE FROM THE MINORITY PARTY.

15
16 (d) WHEN MAKING APPOINTMENTS TO THE ADVISORY COMMITTEE,
17 THE EXECUTIVE DIRECTOR SHALL INCLUDE AT LEAST TWO MEMBERS WHO
18 RESIDE IN A RURAL COMMUNITY WITH A POPULATION OF LESS THAN FIFTY
19 THOUSAND OR WHO REPRESENT RURAL INTERESTS."

20
21 Page 4, line 21, strike "(d)" and substitute "(e)".

22
23 Amendment No. 3, by Representative(s) Kagan, Kefalas.

24
25 Amend printed bill, page 10, line 1, after the period add "ANY FINES
26 COLLECTED SHALL BE DEPOSITED IN THE ALL-PAYER HEALTH CLAIMS
27 DATABASE CASH FUND, WHICH IS HEREBY CREATED IN THE STATE
28 TREASURY. THE MONEYS IN THE FUND SHALL BE APPROPRIATED TO THE
29 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING FOR THE PURPOSE
30 OF MAINTAINING THE ALL-PAYER HEALTH CLAIMS DATABASE. THE
31 MONEYS IN THE FUND SHALL REMAIN IN THE FUND AND NOT REVERT TO
32 THE GENERAL FUND OR ANY OTHER FUND AT THE END OF ANY FISCAL
33 YEAR."

34
35 Amendment No. 4, by Representative(s) Kefalas.

36
37 Amend printed bill, page 6, strike lines 13 through 21 and substitute the
38 following:

39
40 "(3) THE ADMINISTRATOR SHALL SEEK FUNDING FOR THE
41 CREATION OF THE ALL-PAYER HEALTH CLAIMS DATABASE AND DEVELOP
42 A PLAN FOR THE FINANCIAL STABILITY OF THE DATABASE. ON OR BEFORE
43 MARCH 1, 2011, THE ADMINISTRATOR SHALL REPORT TO THE GOVERNOR
44 AND THE GENERAL ASSEMBLY ON THE STATUS OF THE FUNDING EFFORT
45 AND ON THE STATUS OF THE RECOMMENDATIONS OF THE ADVISORY
46 COMMITTEE. IF SUFFICIENT FUNDING IS RECEIVED THROUGH GIFTS,
47 GRANTS, AND DONATIONS ON OR BEFORE JANUARY 1, 2012, AS
48 DETERMINED BY THE EXECUTIVE DIRECTOR, THE ADMINISTRATOR SHALL,
49 IN CONSULTATION WITH THE ADVISORY COMMITTEE, CREATE THE
50 COLORADO ALL-PAYER CLAIMS DATABASE. THE COLORADO ALL-PAYER
51 CLAIMS DATABASE SHALL BE OPERATIONAL NO LATER THAN JANUARY 1,
52 2013."

53
54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.

56

1 **HB10-1009** by Representative(s) Miklosi, Pace, Ryden; also Senator(s)
2 Hodge, Carroll M., Tochtrop--Concerning the board of
3 directors of Pinnacol Assurance.
4

5 Amendment No. 1, Judiciary Report, dated February 4, 2010, and placed
6 in member's bill file; Report also printed in House Journal, February 5,
7 page 212.
8

9 Amendment No. 2, by Representative(s) Miklosi.
10

11 Amend printed bill, page 3, line 17, strike "PARAGRAPHS" and
12 substitute "PARAGRAPH".
13

14 Page 3, line 22, change the semicolon to a period.
15

16 Page 3, strike lines 23 and 24.
17

18 Amendment No. 3, by Representative(s) Frangas.
19

20 Amend printed bill, page 3, line 11, strike "~~one hundred forty~~ TWO
21 HUNDRED FIFTY" and substitute "one hundred forty".
22

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

26 **HB10-1288** by Representative(s) Nikkel, Rice, Ferrandino, Kerr J.,
27 Lambert, Liston, McNulty, Merrifield, Peniston,
28 Primavera, Priola, Scanlan, Waller; also Senator(s)
29 Williams, Kopp, Penry, Tochtrop--Concerning the ability
30 of a commercial real estate broker to secure payment of
31 commissions earned, and, in connection therewith,
32 enacting the "Commercial Real Estate Brokers
33 Commission Security Act".
34

35 Amendment No. 1, Judiciary Report, dated March 1, 2010, and placed in
36 member's bill file; Report also printed in House Journal, March 2,
37 page 626.
38

39 As amended, declared **lost** on Second Reading.
40 (For change in action, see Amendments to Report, page 710.)
41

42 **HB10-1182** by Representative(s) Solano, Benefield, Casso, Fischer,
43 Frangas, Hullinghorst, Kerr A., Looper, McFadyen,
44 Merrifield, Pace, Primavera, Todd, Tyler; also Senator(s)
45 Schwartz, Steadman--Concerning a limited expansion of
46 the powers of the Colorado clean energy development
47 authority to finance electric transmission facilities, and, in
48 connection therewith, allowing the authority to make
49 commercial loans only for electric power interconnection
50 projects connecting clean energy resources to the
51 transmission grid.
52

53 Ordered engrossed and placed on the Calendar for Third Reading and
54 Final Passage.
55

1 **SB10-034** by Senator(s) Whitehead; also Representative(s) Looper--
 2 Concerning the administration of laws regulating
 3 pesticides, and, in connection therewith, amending the
 4 "Pesticide Act" to authorize the commissioner of the
 5 department of agriculture to inspect refillers, impose
 6 residue removal and record-keeping requirements, and set
 7 expiration dates for pesticide and device registrations by
 8 rule.
 9

10 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
 11 dated March 3, 2010, and placed in member's bill file; Report also printed
 12 in House Journal, March 4, pages 660-661.
 13

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

17
 18 **HB10-1205** by Representative(s) Ryden, Todd; also Senator(s) Spence,
 19 Williams--Concerning land use planning by local
 20 governments to address the impacts of land use
 21 development upon military installations in close proximity
 22 to such governments.
 23

24 Laid over until March 12, retaining place on Calendar.
 25

26 On motion of Representative Weissmann, the remainder of the General
 27 Orders Calendar (**HB10-1160, SB10-052, 083, HB10-1252**) was laid over
 28 until March 9, retaining place on Calendar.
 29

30 31 32 33 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

34
 35 Representatives Nikkel, McNulty, Massey, and Rice moved to amend the
 36 Report of the Committee of the Whole to reverse the action taken by the
 37 Committee in not adopting HB10-1288, to show that **HB10-1288**, as
 38 amended, passed.
 39

40 The amendment was declared **passed** by the following roll call vote:
 41

42	YES	39	NO	22	EXCUSED	4	ABSENT	0
43	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	N	McKinley	Y	Scanlan	Y
45	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
46	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	N
47	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	N
48	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
51	Curry	Y	Labuda	N	Pace	Y	Swalm	N
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
53	Ferrandino	E	Levy	N	Pommer	N	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	N	Tyler	N
55	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
56	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N

Gardner B.	Y	May	N	Riesberg	N	Waller	Y
Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	N
						Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1330 amended, 1009 amended, 1288 amended, 1182, SB10-034 amended.**

Laid over until date indicated retaining place on Calendar: **HB10-1160, SB10-052, 083, HB10-1252--March 9, 2010. HB10-1205--March 12, 2010.**

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

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

House in recess. House reconvened.

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB10-1014, 1041, 1063, 1065, 1306, 1319, 1322, 1325** at 3:10 p.m. on March 8, 2010.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 8th day of March, 2010, at 10:00 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 5, 2010

To the Honorable House of Representatives
Sixty-seventh General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Act:

HB10-1046 CONCERNING THE RECORDED DATE OF RECEIPT OF PROPERTY TAX PAYMENTS BY A COUNTY TREASURER'S OFFICE WHEN THE PAYMENT HAS NO UNITED STATES POSTAL SERVICE POSTMARK.

Approved March 5, 2010 at 8:25 am.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

INTRODUCTION OF MEMORIAL

The following memorial was read by title and laid over until March 12, 2010:

HM10-1001 by Representative(s) Kerr J.--Memorializing former Representative Truman Wayne "Andy" Anderson.

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., March 9, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Fifty-sixth Legislative Day

Tuesday, March 9, 2010

1 Prayer by Dr. C. Gene Selander, Crystal Clear Ministries, Denver.

2

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

4

5 Pledge of Allegiance led by Chase Penry, Pomona Elementary School,
6 Grand Junction.

7

8 The roll was called with the following result:

9

10 Present--57.

11 Excused--Representative(s) Bradford, Ferrandino, Gardner B.,
12 Gardner C., Kerr J., Lambert, McCann, Pommer--8.

13 Present after roll call--Representative(s) Bradford, Ferrandino,
14 Gardner B., Kerr J., Lambert, Pommer.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Kagan, the reading of the journal of
20 March 8, 2010, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22

23

24

25

THIRD READING OF BILL(S)--FINAL PASSAGE

26

27 The following bill(s) was(were) considered on Third Reading. The
28 title(s) was(were) publicly read. Reading of the bill at length was
29 dispensed with by unanimous consent.

30

31 **HB10-1330** by Representative(s) Kefalas and Kagan, Apuan, Court,
32 Fischer, Gagliardi, Levy, Miklosi, Pace, Primavera, Rice,
33 Riesberg, Solano, Tyler, Vigil; also Senator(s) Morse--
34 Concerning the creation of an advisory committee to make
35 recommendations regarding the creation of a Colorado all-
36 payer health claims database for the purpose of transparent
37 public reporting of health care information.

38

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

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

43

	YES	45	NO	17	EXCUSED	3	ABSENT	0
1								
2	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
5	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
7	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	N	Murray	N	Stephens	Y
9	Court	Y	King S.	N	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	N	Priola	N	Vaad	N
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	N	Riesberg	Y	Waller	N
17	Gardner C.	E	McCann	E	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Casso, Curry, Frangas, Gerou, Labuda,
20 Massey, Pommer, Roberts.

21
22 **HB10-1009** by Representative(s) Miklosi, Pace, Ryden; also Senator(s)
23 Hodge, Carroll M., Tochtrop--Concerning the board of
24 directors of Pinnacol Assurance.

25
26 The question being "Shall the bill pass?".
27 A roll call vote was taken. As shown by the following recorded vote, a
28 majority of those elected to the House voted in the affirmative and the bill
29 was declared **passed**.

	YES	33	NO	29	EXCUSED	3	ABSENT	0
31								
32	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
33	Apuan	N	Hullinghorst	Y	McKinley	Y	Scanlan	Y
34	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
35	Baumgardner	N	Kagan	N	Merrifield	Y	Solano	Y
36	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
37	Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y
38	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
39	Court	Y	King S.	N	Nikkel	N	Summers	N
40	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
41	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
42	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
43	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
44	Frangas	Y	Looper	N	Priola	N	Vaad	N
45	Gagliardi	Y	Massey	N	Rice	N	Vigil	Y
46	Gardner B.	N	May	N	Riesberg	Y	Waller	N
47	Gardner C.	E	McCann	E	Roberts	N	Weissmann	Y
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Frangas, Hullinghorst, Labuda,
50 Pommer, Primavera.

51
52 **HB10-1288** by Representative(s) Nikkel, Rice, Ferrandino, Kerr J.,
53 Lambert, Liston, McNulty, Merrifield, Peniston,
54 Primavera, Priola, Scanlan, Waller; also Senator(s)
55 Williams, Kopp, Penry, Tochtrop--Concerning the ability
56 of a commercial real estate broker to secure payment of

commissions earned, and, in connection therewith,
enacting the "Commercial Real Estate Brokers
Commission Security Act".

The question being "Shall the bill pass?".

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

	YES	46	NO	16	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	N	McFadyen	Y	Ryden	N	
Apuan	Y	Hullinghorst	N	McKinley	N	Scanlan	Y	
Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y	
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	N	
Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y	
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y	
Court	Y	King S.	Y	Nikkel	Y	Summers	Y	
Curry	Y	Labuda	N	Pace	Y	Swalm	N	
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y	
Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y	
Fischer	Y	Liston	Y	Primavera	N	Tyler	Y	
Frangas	Y	Looper	N	Priola	Y	Vaad	Y	
Gagliardi	N	Massey	Y	Rice	Y	Vigil	Y	
Gardner B.	Y	May	N	Riesberg	Y	Waller	Y	
Gardner C.	E	McCann	E	Roberts	Y	Weissmann	N	
						Speaker	N	

Representative Primavera requested her name be removed as sponsor.

Co-sponsor(s) added: Representative(s) Frangas, Massey, Roberts.

HB10-1182 by Representative(s) Solano, Benefield, Casso, Fischer,
Frangas, Hullinghorst, Kerr A., Looper, McFadyen,
Merrifield, Pace, Primavera, Todd, Tyler; also Senator(s)
Schwartz, Steadman--Concerning a limited expansion of
the powers of the Colorado clean energy development
authority to finance electric transmission facilities, and, in
connection therewith, allowing the authority to make
commercial loans only for electric power interconnection
projects connecting clean energy resources to the
transmission grid.

The question being "Shall the bill pass?".

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

	YES	46	NO	16	EXCUSED	3	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y	
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y	
Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y	
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y	
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N	
Bradford	E	Kerr A.	Y	Miklosi	Y	Soper	Y	
Casso	Y	Kerr J.	N	Murray	Y	Stephens	N	
Court	Y	King S.	Y	Nikkel	N	Summers	Y	
Curry	Y	Labuda	Y	Pace	Y	Swalm	N	

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

9 Co-sponsor(s) added: Representative(s) Apuan, Kefalas, Labuda, Middleton,
10 Pommer, Ryden, Schafer S., Soper, Summers, Vigil.

11
12 **SB10-034** by Senator(s) Whitehead; also Representative(s) Looper--
13 Concerning the administration of laws regulating
14 pesticides, and, in connection therewith, amending the
15 "Pesticide Act" to authorize the commissioner of the
16 department of agriculture to inspect refillers, impose
17 residue removal and record-keeping requirements, and set
18 expiration dates for pesticide and device registrations by
19 rule.

20
21 Laid over until March 10, retaining place on Calendar.

25 IMMEDIATE RECONSIDERATION OF HB10-1009

26
27 Having voted on the prevailing side, Representative Middleton moved for
28 immediate reconsideration. As shown by the following recorded vote less
29 than a two-thirds majority of those elected to the House voted in the
30 affirmative and the motion was declared **lost**:

31								
32	YES	39	NO	23	EXCUSED	3	ABSENT	0
33	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
34	Apuan	Y	Hullinghorst	N	McKinley	N	Scanlan	Y
35	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	N
37	Benefield	N	Kefalas	N	Middleton	Y	Sonnenberg	Y
38	Bradford	E	Kerr A.	Y	Miklosi	N	Soper	N
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	N	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	N	Labuda	N	Pace	N	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	N	Todd	Y
44	Fischer	N	Liston	Y	Primavera	N	Tyler	N
45	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
46	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N
47	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
48	Gardner C.	E	McCann	E	Roberts	Y	Weissmann	Y
49							Speaker	Y

50
51
52
53 On motion of Representative Kefalas, the House resolved itself into
54 Committee of the Whole for consideration of General Orders, and he was
55 called to the Chair to act as Chairman.

GENERAL ORDERS--SECOND READING OF BILLS

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

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

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

Amendment No. 1, Health & Human Services Report, dated March 4, 2010, and placed in member's bill file; Report also printed in House Journal, March 5, page 687.

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

HB10-1160 by Representative(s) Rice and Stephens; also Senator(s) Mitchell--Concerning the ability of health insurance carriers to offer incentives for participation in wellness programs based on satisfaction of a standard related to a health factor.

Amendment No. 1, Health & Human Services Report, dated February 11, 2010, and placed in member's bill file; Report also printed in House Journal, February 12, pages 315-318.

Amendment No. 2, by Representative(s) Rice.

Amend the Health and Human Services Committee Report, dated February 11, 2010, page 4, line 10, after "AND" insert "IS GRANTED A WAIVER OR".

Page 5 of the committee report, after line 3, insert:

"SECTION 2. 10-16-136 (7), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

10-16-136. Wellness and prevention programs - individual and small group health coverage plans - voluntary participation - incentives or rewards - definitions - legislative declaration. (7) As used in this section:

(a.5) "HEALTH RISK FACTOR" INCLUDES, WITHOUT LIMITATION, HEALTH BEHAVIORS SUCH AS SMOKING, DIET, ALCOHOL CONSUMPTION, EXERCISE, AND EXPOSURE TO UV RADIATION, THAT ARE KNOWN TO BE ASSOCIATED WITH INCREASED MORTALITY AND MORBIDITY FOR A NUMBER OF CONDITIONS."

Page 5, line 4, strike "2." and substitute "3."

1 Amendment No. 3, by Representative(s) Rice.

2
3 Amend the Health and Human Services Committee Report, dated
4 February 11, 2010, page 4, strike line 14 and substitute:

5
6 "(III) IF THE CARRIER DENIES".

7
8 Page 4, line 15, strike "AN UNREASONABLE DENIAL OF".

9
10 Page 4, strike line 18 and substitute "PROGRAM, THE INDIVIDUAL MAY
11 REQUEST AN INDEPENDENT EXTERNAL REVIEW PURSUANT TO SECTION 10-
12 16-113.5".

13
14 Amendment No. 4, by Representative(s) Rice.

15
16 Amend the Health and Human Services Committee Report, dated
17 February 11, 2010, page 1, line 4, strike "A NEW".

18
19 Page 1, strike line 5 and substitute "THE FOLLOWING NEW
20 SUBSECTIONS,".

21
22 Page 4, after line 32 insert:

23
24 "(3.7) PRIOR TO OFFERING OR PROVIDING AN INCENTIVE OR
25 REWARD BASED UPON SATISFACTION OF A STANDARD RELATED TO A
26 HEALTH RISK FACTOR IN ACCORDANCE WITH SUBSECTION (3.5) OF THIS
27 SECTION, A CARRIER SHALL SUBMIT ITS PROPOSAL FOR THE INCENTIVE OR
28 REWARD TO THE CONSUMER INSURANCE COUNCIL, CREATED IN SECTION
29 10-1-133, FOR REVIEW. THE COUNCIL SHALL REVIEW AND MAKE
30 RECOMMENDATIONS TO THE COMMISSIONER REGARDING THE PROPOSED
31 INCENTIVES OR REWARDS AND WHETHER THE PROPOSED INCENTIVES OR
32 REWARDS SATISFY THE REQUIREMENTS OF SUBSECTION (3.5) OF THIS
33 SECTION. ADDITIONALLY, THE COUNCIL MAY REVIEW AND MAKE
34 RECOMMENDATIONS TO THE COMMISSIONER REGARDING ANY COMPLAINTS
35 FILED WITH THE DIVISION REGARDING SUCH INCENTIVES OR REWARDS."

36
37 Page 5, line 2, strike "health care task force created in section".

38
39 Page 5, line 3, strike "10-16-221" and substitute "~~health care task force~~
40 ~~created in section 10-16-221~~ HEALTH AND HUMAN SERVICES COMMITTEES
41 OF THE SENATE AND HOUSE OF REPRESENTATIVES, THE BUSINESS, LABOR,
42 AND TECHNOLOGY COMMITTEE OF THE SENATE, AND THE BUSINESS
43 AFFAIRS AND LABOR COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR
44 THEIR SUCCESSOR COMMITTEES,".

45
46 As amended, ordered engrossed and placed on the Calendar for Third
47 Reading and Final Passage.

48
49 **SB10-052** by Senator(s) Brophy, Hodge; also Representative(s)
50 Curry--Concerning the ability of the groundwater
51 commission to alter the boundaries of a designated
52 groundwater basin.

53
54 Declared **lost** on Second Reading.

55 (For change in action, see Amendments to Report, page 719.)

On motion of Representative Weissmann, the remainder of the General Orders Calendar (**SB10-083, HB10-1020, 1035, 1083, 1101, 1119, 1210, 1221, 1228, 1250, 1267, 1164, 1340, 1249, 1328**) was laid over until March 10, retaining place on Calendar.

AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT

Representatives Sonnenberg and Curry moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting SB10-052, to show that **SB10-052** passed.

The amendment was declared **passed** by the following roll call vote:

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1252 amended, 1160 amended, SB10-052.**

Laid over until date indicated retaining place on Calendar: **SB10-083, HB10-1020, 1035, 1083, 1101, 1119, 1210, 1221, 1228, 1250, 1267, 1164, 1340, 1249, 1328**--March 10, 2010.

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

YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y

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

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

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

SB10-146 be referred to the Committee of the Whole with favorable recommendation.

HEALTH & HUMAN SERVICES

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

SB10-010 be referred to the Committee of the Whole with favorable recommendation.

SB10-082 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 2, line 16, strike "**Repeal.** 25-7-1309 (1) (c)," and substitute "25-7-1309 (1),".

Page 2, line 17, strike "repealed as follows:" and substitute " amended to read:".

Page 2, after line 19 insert:

"(a) Termination of the intergovernmental agreement by either the tribe or the state; OR

(b) Enactment of an explicit repeal by the general assembly, acting by separate bill. or".

1 **JUDICIARY**

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

4
5 **HB10-1234** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend printed bill, page 2, line 2, strike "(1) and".

10
11 Page 2, line 3, strike "are" and substitute "is".

12
13 Page 2, strike lines 5 through 16.

14
15 Page 3, strike lines 1 through 10.

16
17 Page 3, strike line 11 and substitute:

18
19 "- **severability.** (2) Notwithstanding section 10-3-1113 (3), for the
20 purposes of an".

21
22 Page 3, line 13, strike "PRESUMED".

23
24 Page 3, strike line 14 and substitute:

25
26 "(a) The".

27
28 Page 3, line 19, strike "OR THIRD-PARTY".

29
30 Page 3, strike lines 26 and 27.

31
32 Page 4, strike lines 1 through 7.

33
34 Renumber succeeding section accordingly.

35
36
37
38 **HB10-1259** be referred to the Committee of the Whole with favorable
39 recommendation.

40
41
42 **HB10-1276** be referred to the Committee of the Whole with favorable
43 recommendation.

44
45
46 **HB10-1351** be amended as follows, and as so amended, be referred to
47 the Committee of the Whole with favorable
48 recommendation:

49
50 Amend printed bill, page 2, strike lines 9 through 12 and substitute
51 "thirty-six percent. Therefore, it is the intent of the general assembly to
52 limit the maximum authorized interest rate for a payday loan charged to
53 a consumer by a lender to a maximum rate of thirty-six percent per year."

54
55 Page 4, strike lines 10 through 23 and substitute:

56

12 (2) The provisions of this act shall apply to loans made or renewed
13 on or after the applicable effective date of this act.".

20 The Senate has passed on Third Reading and transmitted to the Revisor
21 of Statutes:

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

38 The Senate has passed on Third Reading and returns herewith:

43 The Senate has voted to concur with House amendments to SB10-056 and
44 repassed the bill as amended.

46 The Senate has voted to concur with House amendments to SB10-165 and
47 repassed the bill as amended.

49 The Senate has voted to concur with House amendments to SB10-142 and
50 repassed the bill as amended.

1 **MESSAGE(S) FROM THE REVISOR**

2
3 We herewith transmit:
4 Without comment, as amended, HB10-1080, 1112 and 1049.
5 Without comment, as amended, SB10-062 and 076.
6 _____
7
8

9 **NOTICE OF CALENDARED ITEM(S)**

10
11 On motion of Representative Weissmann, the following bill(s) will be
12 calendared for Second Reading on March 10: **HB10-1351, SB10-146.**
13

14 On motion of Representative Weissmann, the following bill(s) will be
15 calendared for Second Reading on March 12: **HB10-1234, 1259, 1276,**
16 **SB10-010, 082.**
17 _____
18
19

20 On motion of Representative Weissmann, the House adjourned until
21 9:00 a.m., March 10, 2010.
22

23 Approved:
24 TERRANCE D. CARROLL,
25 Speaker

26 Attest:
27 MARILYN EDDINS,
28 Chief Clerk

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

Fifty-seventh Legislative Day

Wednesday, March 10, 2010

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Daniela Ukuni, Joe Lemming, Angeli Mata,
7 Taylor Kipp, Machebeuf High School, Denver.

8
9 The roll was called with the following result:

10
11 Present--64.

12 Excused--Representative(s) Nikkel--1.

13
14 The Speaker declared a quorum present.

15
16
17 On motion of Representative Kagan, the reading of the journal of
18 March 9, 2010, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20
21
22
23 **THIRD READING OF BILL(S)--FINAL PASSAGE**

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

28
29 **SB10-034** by Senator(s) Whitehead; also Representative(s) Looper--
30 Concerning the administration of laws regulating
31 pesticides, and, in connection therewith, amending the
32 "Pesticide Act" to authorize the commissioner of the
33 department of agriculture to inspect refillers, impose
34 residue removal and record-keeping requirements, and set
35 expiration dates for pesticide and device registrations by
36 rule.

37
38 The question being "Shall the bill pass?".

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

42

	YES	63	NO	1	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	E	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Fischer, Kerr J., Pace, Pommer, Priola,
20 Vigil, Speaker.

21
22 **HB10-1252** by Representative(s) Primavera, Massey; also Senator(s)
23 Boyd and Schwartz--Concerning health care services for
24 breast cancer screening.

25
26 The question being "Shall the bill pass?".
27 A roll call vote was taken. As shown by the following recorded vote, a
28 majority of those elected to the House voted in the affirmative and the bill
29 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
31								
32	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
33	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
34	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
35	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
36	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
37	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
38	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
39	Court	Y	King S.	Y	Nikkel	E	Summers	Y
40	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
41	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
42	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
43	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
44	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
45	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
46	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
47	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Acree, Apuan, Benefield, Casso, Court,
50 DelGrosso, Fischer, Frangas, Gardner B., Gerou, Kefalas, Kerr J., King S.,
51 Labuda, Looper, McFadyen, Merrifield, Middleton, Miklosi, Pace, Priola, Rice,
52 Scanlan, Schafer S., Soper, Stephens, Summers, Todd, Vigil.

53
54
55

1 **HB10-1160** by Representative(s) Rice and Stephens; also Senator(s)
 2 Mitchell--Concerning the ability of health insurance
 3 carriers to offer incentives for participation in wellness
 4 programs based on satisfaction of a standard related to a
 5 health risk factor.

6
 7 The question being "Shall the bill pass?".

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

	YES	40	NO	24	EXCUSED	1	ABSENT	0
13	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
14	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
15	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	N
16	Baumgardner	N	Kagan	N	Merrifield	N	Solano	Y
17	Benefield	Y	Kefalas	N	Middleton	N	Sonnenberg	N
18	Bradford	Y	Kerr A.	N	Miklosi	Y	Soper	N
19	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
20	Court	N	King S.	Y	Nikkel	E	Summers	Y
21	Curry	Y	Labuda	N	Pace	N	Swalm	Y
22	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
23	Ferrandino	N	Levy	N	Pommer	N	Todd	Y
24	Fischer	N	Liston	Y	Primavera	N	Tyler	N
25	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
26	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N
27	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
28	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Curry, Gardner B., Gerou, Kerr J.,
 31 Looper, Priola, Roberts, Swalm, Waller.

32
 33 **SB10-052** by Senator(s) Brophy, Hodge; also Representative(s)
 34 Curry--Concerning the ability of the groundwater
 35 commission to alter the boundaries of a designated
 36 groundwater basin.

37
 38 The question being "Shall the bill pass?".

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

	YES	38	NO	26	EXCUSED	1	ABSENT	0
44	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
45	Apuan	N	Hullinghorst	Y	McKinley	N	Scanlan	N
46	Balmer	N	Judd	N	McNulty	Y	Schafer S.	N
47	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	N
48	Benefield	N	Kefalas	Y	Middleton	N	Sonnenberg	Y
49	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	Y
50	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
51	Court	N	King S.	Y	Nikkel	E	Summers	Y
52	Curry	Y	Labuda	N	Pace	N	Swalm	N
53	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
54	Ferrandino	Y	Levy	Y	Pommer	N	Todd	Y
55	Fischer	Y	Liston	Y	Primavera	N	Tyler	N
56	Frangas	Y	Looper	N	Priola	Y	Vaad	Y

1	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N
2	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
3	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Fischer, Gardner C., King S.

6
7
8
9
10 On motion of Representative Scanlan, the House resolved itself into
11 Committee of the Whole for consideration of General Orders, and she
12 was called to the Chair to act as Chairman.

13
14
15
16
17 **GENERAL ORDERS--SECOND READING OF BILLS**

18
19 The Committee of the Whole having risen, the Chairman reported the
20 titles of the following bills had been read (reading at length had been
21 dispensed with by unanimous consent), the bills considered and action
22 taken thereon as follows:

23
24 (Amendments to the committee amendment are to the printed committee
25 report which was printed and placed in the members' bill file.)

26
27 **SB10-083** by Senator(s) Kester; also Representative(s) Middleton--
28 Concerning the enforcement of federal law pertaining to
29 the extension of credit for the sale of alcohol beverages.

30
31 Amendment No. 1, by Representative(s) Liston.

32
33 Amend reengrossed bill, page 3, after line 15 insert:

34
35 "SECTION 2. 12-47-202 (2) (a) (I), Colorado Revised Statutes,
36 is amended BY THE ADDITION OF A NEW SUB-SUBPARAGRAPH
37 to read:

38
39 **12-47-202. Duties of state licensing authority.** (2) (a) (I) Rules
40 and regulations made pursuant to paragraph (b) of subsection (1) of this
41 section may cover, but shall not be limited to, the following subjects:

42
43 (S) THE TESTING OF THE ALCOHOL CONTENT OF MALT LIQUOR AND
44 FERMENTED MALT BEVERAGE SOLD BY PERSONS LICENSED PURSUANT TO
45 THIS ARTICLE OR ARTICLE 46 OF THIS TITLE. THE STATE LICENSING
46 AUTHORITY SHALL ADOPT SUCH RULES NO LATER THAN JANUARY 1,
47 2011."

48
49 Renumber succeeding sections accordingly.

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

53
54
55

1 **HB10-1020** by Representative(s) Weissmann; also Senator(s) Morse--
2 Concerning contracts of the legislative department.
3

4 Amendment No. 1, Appropriations Report, dated March 5, 2010, and
5 placed in member's bill file; Report also printed in House Journal,
6 March 5, page 681.
7

8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.
10

11 **HB10-1035** by Representative(s) Massey and Solano, Benefield,
12 Peniston; also Senator(s) Steadman, Hodge, Hudak,
13 Williams--Concerning eligibility determinations for the
14 Colorado child care assistance program to promote
15 stability in early childhood care.
16

17 Amendment No. 1, Education Report, dated February 22, 2010, and
18 placed in member's bill file; Report also printed in House Journal,
19 February 23, pages 498-499.
20

21 Amendment No. 2, Appropriations Report, dated March 5, 2010, and
22 placed in member's bill file; Report also printed in House Journal,
23 March 5, pages 681-682.
24

25 As amended, ordered engrossed and placed on the Calendar for Third
26 Reading and Final Passage.
27

28 **HB10-1083** by Representative(s) Gardner B.; also Senator(s)
29 Steadman--Concerning the authority of the state to enter
30 into lease-purchase agreements for a day surgery center.
31

32 Amendment No. 1, Judiciary Report, dated January 21, 2010, and placed
33 in member's bill file; Report also printed in House Journal, January 22,
34 page 72.
35

36 As amended, ordered engrossed and placed on the Calendar for Third
37 Reading and Final Passage.
38

39 **HB10-1101** by Representative(s) Baumgardner; also Senator(s)
40 Harvey--Concerning the registration of a vehicle used for
41 agricultural production.
42

43 Amendment No. 1, Transportation & Energy Report, dated
44 February 23, 2010, and placed in member's bill file; Report also printed
45 in House Journal, February 24, pages 536-537.
46

47 Amendment No. 2, by Representative(s) Baumgardner.
48

49 Amend the Transportation and Energy Committee Report, dated February
50 23, 2010, page 1, after line 15 insert:
51

52 "Page 2 of the bill, line 6, strike "NEITHER" and substitute "EFFECTIVE
53 JANUARY 1, 2011, NEITHER".
54

55 Page 2 of the bill, line 7, after "TRUCK" insert "OR TRUCK TRACTOR".
56

1 Page 2 of the bill, line 9, after "TRUCK" insert "OR TRUCK TRACTOR".

2
3 Page 2 of the report, line 1, after "TRUCK" insert "OR TRUCK TRACTOR".

4
5 Page 2 of the report, after line 4 insert:

6
7 "Page 2 of the bill, line 16, strike "NEITHER" and substitute "EFFECTIVE
8 JANUARY 1, 2011, NEITHER".

9
10 Page 2 of the bill, line 17, after "TRUCK" insert "OR TRUCK TRACTOR".

11
12 Page 2 of the bill, line 19, after "TRUCK" insert "OR TRUCK TRACTOR".

13
14 Page 2 of the report, line 7, after "TRUCK" insert "OR TRUCK TRACTOR".

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

18
19 **HB10-1119** by Representative(s) Ferrandino, Carroll T., Court,
20 Fischer, Gagliardi, Hullinghorst, Kerr A., Labuda, Levy,
21 Merrifield, Middleton, Pace, Pommer, Primavera, Rice,
22 Scanlan, Schafer S., Solano, Todd, Weissmann; also
23 Senator(s) Shaffer B., Boyd, Steadman--Concerning the
24 process by which the state annually allocates moneys for
25 its budget.

26
27 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
28 February 9, 2010, and placed in member's bill file; Report also printed in
29 House Journal, February 10, page 291.

30
31 Amendment No. 2, Appropriations Report, dated March 5, 2010, and
32 placed in member's bill file; Report also printed in House Journal,
33 March 5, pages 682-685.

34
35 Amendment No. 3, by Representative(s) Kefalas.

36
37 Amend printed bill, page 6, after line 1 insert:

38
39 "(d) PERFORMANCE-BASED BUDGETING SHOULD ENCOURAGE
40 DEPARTMENTS, WHERE APPROPRIATE, TO DETERMINE WHETHER THEIR
41 PROGRAMS AND SERVICES:

42
43 (I) REDUCE CHILD AND FAMILY POVERTY;

44
45 (II) BUILD THE ASSETS AND FINANCIAL SECURITY OF THE STATE'S
46 RESIDENTS;

47
48 (III) INCREASE PRESCHOOL THROUGH POSTSECONDARY
49 EDUCATIONAL OPPORTUNITIES;

50
51 (IV) EXPAND THE STATE'S WORK FORCE WITH QUALITY JOBS THAT
52 MEET PRIVATE SECTOR NEEDS;

53
54 (V) ALLOW FOR COOPERATION WITH COMMUNITY-BASED
55 ORGANIZATIONS WHERE APPROPRIATE;

56

(VI) ESTABLISH FAIR, SUSTAINABLE, AND TARGETED TAX POLICIES;
AND

(V) ADDRESS WORK SUPPORT ISSUES FOR THE STATE'S RESIDENTS
SUCH AS CHILD CARE, HOUSING, UTILITIES, HEALTH, AND FOOD SECURITY."

Reletter succeeding paragraphs accordingly.

Page 7, line 10, after the period add "A "PERFORMANCE-BASED GOAL"
SHOULD LEAD TO INCREASED EFFICIENCY AND SUSTAINABILITY AND
SHOULD ALLOW FOR LONG-RANGE PLANNING, INCLUDING COLLABORATION
AMONG THE VARIOUS DEPARTMENTS. A "PERFORMANCE-BASED GOAL"
SHOULD RECOGNIZE PREVENTIVE EFFORTS THAT RESULT IN LONG-TERM
COST-EFFECTIVENESS AND SHOULD ENCOURAGE INVESTMENT IN EFFECTIVE
STRATEGIES THAT LEAD TO POSITIVE AND MEASURABLE OUTCOMES."

As amended, laid over until March 12, retaining place on Calendar.

SB10-146 by Senator(s) Keller, Tapia, White; also Representative(s)
Pommer, Ferrandino, Lambert--Concerning a temporary
modification to the contribution rates for certain divisions
of the public employees' retirement association, and
making an appropriation therefor.

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

On motion of Representative Weissmann, the remainder of the General
Orders Calendar (**HB10-1210, 1221, 1228, 1250, 1267, 1164, 1340, 1249,**
1353, SB10-015, 081, 009, 014, 115, HB10-1351, 1328) was laid over
until March 12, retaining place on Calendar.

AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT

Representatives May and Rice moved to amend the Report of the
Committee of the Whole to reverse the action taken by the Committee in
not adopting the following Rice amendment, to SB10-083, to show that
said amendment passed, and that **SB10-083**, as amended, passed.

Amend reengrossed bill, page 3, after line 4 insert:

"(C) NOTHING IN THIS SUBPARAGRAPH (I) ALLOWS THE STATE
LICENSING AUTHORITY TO ADOPT A RULE RESTRICTING THE ABILITY OF OR
PROHIBITING A LICENSEE FROM OFFERING OR EXTENDING CREDIT FOR UP
TO THIRTY DAYS TO A RETAILER WHO IS NOT IN ARREARS TO THAT
LICENSEE FOR PRIOR ALCOHOL BEVERAGE SALES.

(D) THE STATE LICENSING AUTHORITY SHALL NOT ADOPT A RULE
DIRECTLY OR INDIRECTLY REGULATING CREDIT THAT IS MORE RESTRICTIVE
THAN OR INCONSISTENT WITH 27 CFR PART 6."

The amendment was declared **lost** by the following roll call vote:

	YES	26	NO	38	EXCUSED	1	ABSENT	0
2	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
3	Apuan	N	Hullingshorst	N	McKinley	N	Scanlan	Y
4	Balmer	N	Judd	N	McNulty	Y	Schafer S.	N
5	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
6	Benefield	Y	Kefalas	Y	Middleton	N	Sonnenberg	N
7	Bradford	N	Kerr A.	N	Miklosi	N	Soper	N
8	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	N	King S.	Y	Nikkel	E	Summers	Y
10	Curry	N	Labuda	N	Pace	N	Swalm	N
11	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
12	Ferrandino	N	Levy	N	Pommer	N	Todd	N
13	Fischer	N	Liston	Y	Primavera	Y	Tyler	N
14	Frangas	N	Looper	N	Priola	N	Vaad	N
15	Gagliardi	N	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
17	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	Y
18							Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: SB10-083 amended, HB10-1020 amended, 1035 amended, 1083 amended, 1101 amended, SB10-146.

Laid over until date indicated retaining place on Calendar: **HB10-1119 amended, 1210, 1221, 1228, 1250, 1267, 1164, 1340, 1249, 1353, SB10-015, 081, 009, 014, 115, HB10-1351, 1328**--March 12, 2010.

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

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	E	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

BUSINESS AFFAIRS & LABOR

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

SB10-112 be referred to the Committee of the Whole with favorable recommendation.

SB10-163 be referred to the Committee of the Whole with favorable recommendation.

FINANCE

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

HB10-1270 be postponed indefinitely.

SB10-059 be postponed indefinitely.

SB10-122 be referred to the Committee of the Whole with favorable recommendation.

TRANSPORTATION & ENERGY

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

HB10-1285 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 4, strike lines 24 through 27 and substitute:

"3,001 - 5,000	0.03 PER POUND OVERWEIGHT	48.00
	ROUNDED TO THE NEAREST DOLLAR	
5,001 - 7,000	0.05 PER POUND OVERWEIGHT	108.00
	ROUNDED TO THE NEAREST DOLLAR	
7,001 - 10,000	0.07 PER POUND OVERWEIGHT	384.00
	ROUNDED TO THE NEAREST DOLLAR	
10,001 - 15,000	0.10 PER POUND OVERWEIGHT	1,892.00
	ROUNDED TO THE NEAREST DOLLAR".	

Page 5, strike lines 1 and 2 and substitute:

6 Page 5, strike lines 6 through 8 and substitute:

17 **HB10-1341** be referred favorably to the Committee on Appropriations.

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

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

Committee on Health and Human Services

Committee on Judiciary

Committee on State, Veterans, & Military Affairs

- 1 **SB10-026** by Senator(s) Romer; also Representative(s) Middleton--
2 Concerning providing to the public information to
3 facilitate successful participation in postsecondary
4 education.
5 Committee on Education
6
- 7 **SB10-028** by Senator(s) Heath; also Representative(s) Pace--
8 Concerning the establishment of the Colorado "Work
9 Share Program" to allow payment of unemployment
10 compensation benefits to eligible employees who have
11 received a reduction in work hours.
12 Committee on State, Veterans, & Military Affairs
13
- 14 **SB10-060** by Senator(s) Morse, Carroll M., Mitchell, Schwartz; also
15 Representative(s) Labuda, Gardner B., Kagan, Levy,
16 Roberts--Concerning implementation of recommendations
17 of the committee on legal services in connection with
18 legislative review of rules and regulations of state
19 agencies.
20 Committee on Legal Services
21
- 22 **SB10-062** by Senator(s) Steadman; also Representative(s) Peniston--
23 Concerning the existing categorical education programs
24 described by section 17 of article IX of the state
25 constitution.
26 Committee on Education
27
- 28 **SB10-076** by Senator(s) Carroll M.; also Representative(s)
29 Primavera--Concerning unreasonable insurance claims
30 settlement practices.
31 Committee on Judiciary
32

INTRODUCTION OF RESOLUTION

36 The following resolution was read by title and laid over one day under the
37 rules:
38

- 39
- 40 **HJR10-1015** by Representative(s) Roberts, Tipton; also Senator(s)
41 Whitehead--Concerning the removal of FCC broadcasting
42 restrictions to allow access to Denver television stations in
43 southwestern Colorado.
44

LAY OVER OF CALENDAR ITEM(S)

48 On motion of Representative Weissmann, the following item(s) on the
49 Calendar (was)were laid over until March 11, retaining place on
50 Calendar:
51

52 Consideration of Senate Amendment(s)--**HB10-1080, 1112, 1049.**
53
54
55
56

1 On motion of Representative Weissmann, the House adjourned until
2 9:00 a.m., March 11, 2010.

3

4

5

6

Approved:
TERRANCE D. CARROLL,
Speaker

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

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

Fifty-eighth Legislative Day

Thursday, March 11, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.
 2
 3 The Speaker called the House to order at 9:00 a.m.
 4
 5 Pledge of Allegiance led by Kelsey Stauffer, Rylee Caldwell, Mountain
 6 Range High School, Westminster.
 7
 8 The roll was called with the following result:
 9
 10 Present--63.
 11 Excused--Representative(s) McFadyen, Schafer--2.
 12 Present after roll call--Representative(s) McFadyen, Schafer.
 13

14 The Speaker declared a quorum present.
 15
 16

17 On motion of Representative Kagan, the reading of the journal of
 18 March 10, 2010, was declared dispensed with and approved as corrected
 19 by the Chief Clerk.
 20
 21

THIRD READING OF BILL(S)--FINAL PASSAGE

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

28
 29 **SB10-083** by Senator(s) Kester; also Representative(s) Middleton--
 30 Concerning the enforcement of federal law pertaining to
 31 the extension of credit for the sale of alcohol beverages.
 32

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

	YES	54	NO	11	EXCUSED	0	ABSENT	0
39	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
40	Apuan	Y	Hullingerhorst	Y	McKinley	N	Scanlan	Y
41	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
42	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
43	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y

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

13 Co-sponsor(s) added: Representative(s) Casso, Labuda.

14
15 **HB10-1020** by Representative(s) Weissmann; also Senator(s) Morse--
16 Concerning contracts of the legislative department, and
17 making an appropriation therefor.

18
19 The question being "Shall the bill pass?".

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

24	YES	65	NO	0	EXCUSED	0	ABSENT	0
25	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
28	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
30	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
32	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
33	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
34	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
37	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
38	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
39	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
40	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
41							Speaker	Y

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

43
44 **HB10-1035** by Representative(s) Massey and Solano, Benefield,
45 Peniston; also Senator(s) Steadman, Hodge, Hudak,
46 Williams--Concerning eligibility determinations for the
47 Colorado child care assistance program to promote
48 stability in early childhood care, and making an
49 appropriation therefor.

50
51 The question being "Shall the bill pass?".

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

	YES	64	NO	1	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Frangas,
20 Gagliardi, Labuda, Pommer, Scanlan, Summers, Todd, Vigil.

21
22 **HB10-1083** by Representative(s) Gardner B.; also Senator(s)
23 Steadman--Concerning the authority of the state to enter
24 into lease-purchase agreements for a day surgery center.

25
26 The question being "Shall the bill pass?".

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
31								
32	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
33	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
34	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
35	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
36	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
37	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
38	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
39	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
40	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
41	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
42	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
43	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
44	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
45	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
46	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
47	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Curry, Fischer, Kagan, Kerr J., King S.,
50 Labuda, Massey, McFadyen, Merrifield, Nikkel, Pace, Pommer, Primavera,
51 Priola, Riesberg, Ryden, Solano, Stephens, Summers, Todd.

52
53 **HB10-1101** by Representative(s) Baumgardner; also Senator(s)
54 Harvey--Concerning the registration of a vehicle used for
55 agricultural production.
56

5

26

32

37

56

1 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

2
3 **HB10-1080** by Representative(s) Lambert; also Senator(s) Sandoval--
4 Concerning the expansion of duties of the legislative
5 emergency epidemic response committee to include
6 preparation for disaster emergencies, and, in connection
7 therewith, changing the name of the committee and
8 allowing the committee to recommend legislation
9 pertaining to the preparedness, response, and recovery by
10 the general assembly in the event of an emergency
11 epidemic or disaster.
12

13 (Amended as printed in Senate Journal, March 8, page 450.)
14

15 Representative Lambert moved that the House **concur** in Senate amend-
16 ments. The motion was declared **passed** by the following roll call vote:
17

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

36
37 The question being, "Shall the bill, as amended, pass?".

38 A roll call vote was taken. As shown by the following recorded vote, a
39 majority of those elected to the House voted in the affirmative, and the
40 bill, as amended, was declared **repassed**.
41

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) McFadyen, Vigil.

5
6 **HB10-1112** by Representative(s) Miklosi; also Senator(s) Newell--
7 Concerning the "Correctional Education Program Act of
8 1990".
9

10 (Amended as printed in Senate Journal, March 8, page 451.)

11
12 Representative Miklosi moved that the House **concur** in Senate amend-
13 ments. The motion was declared **passed** by the following roll call vote:
14

15	YES	65	NO	0	EXCUSED	0	ABSENT	0
16	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
17	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
18	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
19	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
20	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
21	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
22	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
23	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
24	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
25	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
26	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
27	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
28	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
29	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
30	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
31	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
32							Speaker	Y

33
34 The question being, "Shall the bill, as amended, pass?"

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

38	YES	52	NO	13	EXCUSED	0	ABSENT	0
39	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
40	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
41	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
42	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
43	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
44	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
45	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
46	Court	Y	King S.	N	Nikkel	N	Summers	N
47	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
48	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
49	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
50	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
51	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
52	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
53	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
54	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
55							Speaker	Y

56 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Primavera, Stephens.

1 **HB10-1049** by Representative(s) Rice and Looper, Balmer, Court,
 2 Hullinghorst, King S., May, McNulty, Nikkel, Scanlan,
 3 Sonnenberg, Stephens, Summers, Primavera; also
 4 Senator(s) Romer and Mitchell, Foster, Hodge, Lundberg,
 5 Penry, Shaffer B.--Concerning the franchise rights of
 6 motor vehicle dealers.

7
 8 (Amended as printed in Senate Journal, March 8, pages 451-456.)
 9

10 Representative Rice moved that the House **concur** in Senate amendments.
 11 The motion was declared **passed** by the following roll call vote:
 12

	YES	55	NO	10	EXCUSED	0	ABSENT	0
14	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
15	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
16	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
17	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
18	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
19	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
20	Casso	Y	Kerr J.	N	Murray	N	Stephens	Y
21	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
22	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
23	DelGrosso	N	Lambert	Y	Peniston	Y	Tipton	Y
24	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
25	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
26	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
27	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
28	Gardner B.	Y	May	N	Riesberg	N	Waller	Y
29	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
30							Speaker	N

31
 32 The question being, "Shall the bill, as amended, pass?".
 33 A roll call vote was taken. As shown by the following recorded vote, a
 34 majority of those elected to the House voted in the affirmative, and the
 35 bill, as amended, was declared **repassed**.
 36

	YES	60	NO	5	EXCUSED	0	ABSENT	0
38	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
39	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
40	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
41	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
42	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
43	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
44	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
45	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
46	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
47	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
48	Ferrandino	Y	Levy	N	Pommer	N	Todd	Y
49	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
50	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
51	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
52	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
53	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Peniston, Soper, Vaad, Vigil.
 56

House in recess. House reconvened.

REPORT FROM THE HOUSE ETHICS COMMITTEE

Dear Mr. Speaker:

Please be advised that the Ethics Committee you appointed pursuant to House Rule 49 has now met to consider the Complaint filed by Colorado Ethics Watch, through Luis Toro, against Representative Steve King. The Ethics Committee met on January 22, February 3, and February 12, 2010. Minutes of the discussions and actions taken at those meetings, along with the evidentiary information compiled by the Committee, are maintained by the Legislative Council staff and may be reviewed at that office.

In conducting its preliminary investigation, the Ethics Committee limited its focus to the issue framed in the Complaint and your letter to the Chief Clerk, dated January 19, 2010, concerning whether Representative King claimed reimbursement for travel expenses from both his campaign fund and from the state during the 2009 legislative session. At the meeting on February 12, 2010, the Ethics Committee, upon a unanimous vote, found that there was no probable cause to believe that an ethics violation had occurred. It is therefore appropriate that, pursuant to House Rule 49, the Complaint be dismissed.

However, the members of the Ethics Committee expressed concern about two issues: Representative King's use of his campaign fund as a source for short-term loans; and reimbursing himself for gas and maintenance expenses for the same travel for which Representative King received mileage reimbursement from the state. The mileage reimbursement that members receive from the state is intended to cover all expenses associated with the use of a vehicle for the mileage claimed.

The Ethics Committee also acknowledged that, although section 2-2-317 (2) (b), C.R.S., does not require supporting documentation beyond the legislator's own certification in order to claim reimbursement for travel expenses, legislators should be especially conscientious and scrupulous in making such claims. To avoid even the perception of impropriety, the Ethics Committee strongly urges members to first direct inquiries regarding such matters to the appropriate agencies, such as the Secretary of State's office and Legislative Council staff, to distinguish what activities constitute the proper or improper use of one's campaign fund and to clarify what travel-related expenses are actually permissible, prior to claiming them.

Respectfully submitted,

(signed)

Representative Nancy Todd, Chairman
Representative Cheri Gerou, Vice-chairman
Representative Jim Riesberg
Representative Claire Levy
Representative Mark Waller

REPORT(S) OF COMMITTEE(S) OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

SB10-027 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 2, strike lines 17 through 26.

Page 3, strike lines 1 and 2 and substitute:

"SECTION 2. Applicability. The provisions of this act shall apply to conduct occurring on or after the effective date of this act.

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."

SB10-037 be referred to the Committee of the Whole with favorable recommendation.

SB10-102 be referred to the Committee of the Whole with favorable recommendation.

BUSINESS AFFAIRS & LABOR

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

HB10-1166 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 8.

Renumber succeeding sections accordingly.

Page 2, line 13, after "ISSUING" insert "OR RENEWING".

Page 2, line 14, after "ISSUE" insert "OR RENEW".

Page 2, line 17, strike "SIXTY" and substitute "FIFTY".

Page 3, line 4, strike "TWELVE-POINT" and substitute "TEN-POINT".

Page 3, strike lines 5 through 7 and substitute:

"(3) FOR PURPOSES OF SUBSECTION (1) OF THIS SECTION, THE

1 FOLLOWING SHALL APPLY:

2
3 (a) (I) A CONTRACTION, HYPHENATED WORD, OR NUMBERS AND
4 LETTERS, WHEN SEPARATED BY SPACES, SHALL COUNT AS ONE WORD;

5
6 (II) A UNIT OF WORDS ENDING WITH A PERIOD, SEMICOLON, OR A
7 COLON, BUT EXCLUDING HEADINGS AND CAPTIONS, SHALL BE COUNTED AS
8 A SENTENCE; AND

9
10 (III) A SYLLABLE MEANS A UNIT OF SPOKEN LANGUAGE
11 CONSISTING OF ONE OR MORE LETTERS OF A WORD AS DIVIDED BY AN
12 ACCEPTED DICTIONARY. IF THE DICTIONARY SHOWS TWO OR MORE
13 EQUALLY ACCEPTABLE PRONUNCIATIONS OF A WORD, THE
14 PRONUNCIATIONS CONTAINING FEWER SYLLABLES MAY BE USED.

15
16 (b) "TEXT" INCLUDES ALL PRINTED MATTER EXCEPT THE
17 FOLLOWING:

18
19 (I) THE NAME AND ADDRESS OF THE INSURER; THE NAME, NUMBER,
20 OR TITLE OF THE POLICY; THE TABLE OF CONTENTS OR INDEX; CAPTIONS
21 AND SUBCAPTIONS; AND SPECIFICATION PAGES, SCHEDULES, OR TABLES;
22 AND

23
24 (II) ANY POLICY LANGUAGE THAT IS DRAFTED TO CONFORM TO THE
25 REQUIREMENTS OF ANY FEDERAL LAW OR REGULATION; ANY POLICY
26 LANGUAGE REQUIRED BY ANY COLLECTIVELY BARGAINED AGREEMENT;
27 ANY MEDICAL TERMINOLOGY; ANY WORDS THAT ARE DEFINED IN THE
28 POLICY; AND ANY POLICY LANGUAGE REQUIRED BY LAW OR REGULATION
29 IF THE INSURER IDENTIFIES THE LANGUAGE OR TERMINOLOGY EXCEPTED
30 AND CERTIFIES IN WRITING THAT THE LANGUAGE OR TERMINOLOGY IS
31 ENTITLED TO BE EXCEPTED.

32
33 (4) THE COMMISSIONER SHALL PROMULGATE RULES REGARDING
34 THE ELECTRONIC DISSEMINATION OF NEWLY ISSUED OR RENEWED POLICY
35 FORMS OR ENDORSEMENTS.

36
37 (5) (a) THE REQUIREMENTS OF THIS SECTION SHALL NOT APPLY TO
38 COMMERCIAL AUTOMOBILE INSURANCE COVERAGE.

39
40 (b) FOR THE PURPOSE OF THIS SUBSECTION (5), "COMMERCIAL
41 AUTOMOBILE INSURANCE COVERAGE" MEANS ANY INSURANCE COVERAGE
42 PROVIDED TO AN INSURED, REGARDLESS OF THE NUMBER OF VEHICLES OR
43 ENTITIES COVERED, UNDER A COMMERCIAL AUTOMOBILE, GARAGE, MOTOR
44 CARRIER, OR TRUCKERS COVERAGE POLICY FORM AND RATED USING
45 EITHER A COMMERCIAL MANUAL OR RATING RULE."

46
47 Page 3, line 12, after "ISSUING" insert "OR RENEWING".

48
49 Page 3, line 14, after "ISSUE" insert "OR RENEW".

50
51 Page 3, line 17, strike "SIXTY" and substitute "FIFTY".

52
53 Page 3, line 27, strike "TWELVE-POINT" and substitute "TEN-POINT".

54
55 Page 4, strike lines 1 through 3 and substitute:

56

1 "(3) FOR PURPOSES OF SUBSECTION (1) OF THIS SECTION, THE
2 FOLLOWING SHALL APPLY:

3
4 (a) (I) A CONTRACTION, HYPHENATED WORD, OR NUMBERS AND
5 LETTERS, WHEN SEPARATED BY SPACES, SHALL COUNT AS ONE WORD;

6
7 (II) A UNIT OF WORDS ENDING WITH A PERIOD, SEMICOLON, OR A
8 COLON, BUT EXCLUDING HEADINGS AND CAPTIONS, SHALL BE COUNTED AS
9 A SENTENCE; AND

10
11 (III) A SYLLABLE MEANS A UNIT OF SPOKEN LANGUAGE
12 CONSISTING OF ONE OR MORE LETTERS OF A WORD AS DIVIDED BY AN
13 ACCEPTED DICTIONARY. IF THE DICTIONARY SHOWS TWO OR MORE
14 EQUALLY ACCEPTABLE PRONUNCIATIONS OF A WORD, THE
15 PRONUNCIATIONS CONTAINING FEWER SYLLABLES MAY BE USED.

16
17 (b) "TEXT" INCLUDES ALL PRINTED MATTER EXCEPT THE
18 FOLLOWING:

19
20 (I) THE NAME AND ADDRESS OF THE CARRIER; THE NAME, NUMBER,
21 OR TITLE OF THE POLICY; THE TABLE OF CONTENTS OR INDEX; CAPTIONS
22 AND SUBCAPTIONS; AND SPECIFICATION PAGES, SCHEDULES, OR TABLES;
23 AND

24
25 (II) ANY POLICY LANGUAGE THAT IS DRAFTED TO CONFORM TO THE
26 REQUIREMENTS OF ANY FEDERAL LAW OR REGULATION; ANY POLICY
27 LANGUAGE REQUIRED BY ANY COLLECTIVELY BARGAINED AGREEMENT;
28 ANY MEDICAL TERMINOLOGY; ANY WORDS THAT ARE DEFINED IN THE
29 POLICY; AND ANY POLICY LANGUAGE REQUIRED BY LAW OR REGULATION
30 IF THE CARRIER IDENTIFIES THE LANGUAGE OR TERMINOLOGY EXCEPTED
31 AND CERTIFIES IN WRITING THAT THE LANGUAGE OR TERMINOLOGY IS
32 ENTITLED TO BE EXCEPTED.

33
34 (4) THE COMMISSIONER SHALL PROMULGATE RULES REGARDING
35 THE ELECTRONIC DISSEMINATION OF NEWLY ISSUED OR RENEWED POLICY
36 FORMS OR ENDORSEMENTS.

37
38 (5) FOR THE PURPOSES OF SUBSECTION (1) OF THIS SECTION, FOR
39 GROUP HEALTH BENEFIT PLANS, THE EVIDENCE OF COVERAGE SHALL BE
40 THE ONLY TEXT FOR THE PURPOSES OF THE FLESCH-KINCAID GRADE LEVEL
41 FORMULA AND THE FLESCH READING EASE FORMULA."

42
43 Page 4, line 5, strike "July 1, 2011;" and substitute "January 1, 2012;".

44
45 Page 4, line 11, strike "July 1, 2011," and substitute "January 1, 2012,".

46
47 Page 4, line 15, after "renewed" insert "and being marketed".

48
49
50
51 **SB10-116** be referred to the Committee of the Whole with favorable
52 recommendation.

1 **SB10-155** be amended as follows, and as so amended, be referred to
2 the Committee on Finance with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 2, line 17, after "PAPER;" insert "A PREPAID
6 TELECOMMUNICATIONS OR TECHNOLOGY CARD;".

7
8 Page 2, line 23, strike "ISSUED BY A".
9

10 Page 2, line 24, strike "DEPOSITORY INSTITUTION".
11
12
13

14 **SB10-158** be amended as follows, and as so amended, be referred to
15 the Committee of the Whole with favorable
16 recommendation:
17

18 Amend reengrossed bill, page 2, line 7, strike "**funding**".
19

20 Page 2, line 8, strike "**recommendations.**" and substitute "**creative**
21 **industries cash fund - creation - repeal.**".
22

23 Page 3, strike lines 8 through 15 and substitute:
24

25 "(2) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE
26 CREATIVE INDUSTRIES CASH FUND, REFERRED TO IN THIS SECTION AS THE
27 "FUND". THE FUND SHALL CONSIST OF:
28

29 (I) (A) MONEYS TRANSFERRED TO THE FUND PURSUANT TO
30 SECTIONS 24-48.5-308 (3), 24-48.5-311 (5) (d), AND 24-48.5-312 (7) (b).
31

32 (B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JULY 1, 2011.
33

34 (II) MONEYS TRANSFERRED TO THE FUND IN ACCORDANCE WITH
35 SECTION 12-47.1-701 (4), C.R.S.;
36

37 (III) MONEYS CREDITED TO THE FUND BY THE STATE TREASURER
38 FOR PURPOSES OF THE ART IN PUBLIC PLACES PROGRAM PURSUANT TO
39 SECTION 24-48.5-312 (7) (b.5);
40

41 (IV) MONEYS APPROPRIATED TO THE FUND BY THE GENERAL
42 ASSEMBLY; AND
43

44 (V) ANY GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC
45 SOURCES THAT THE DIVISION IS HEREBY AUTHORIZED TO SEEK AND
46 ACCEPT.
47

48 (b) THE MONEYS IN THE FUND SHALL BE ANNUALLY APPROPRIATED
49 TO THE DIVISION FOR THE OPERATION OF THE DIVISION, AND FOR THE
50 FOLLOWING:
51

52 (I) FOR PURPOSES OF THE COUNCIL ON CREATIVE INDUSTRIES,
53 INCLUDING THE ADMINISTRATION OF THE COUNCIL;
54

55 (II) FOR THE OPERATION OF THE COLORADO OFFICE OF FILM,
56 TELEVISION, AND MEDIA AND FOR THE PERFORMANCE-BASED INCENTIVE

1 FOR FILM PRODUCTION IN COLORADO AS SPECIFIED IN SECTION
2 24-48.5-311 (1); AND

3
4 (III) FOR THE PURCHASE OF WORKS OF ART PURSUANT TO THE ART
5 IN PUBLIC PLACES PROGRAM, TAKING INTO CONSIDERATION THE ARTIST'S
6 PRELIMINARY SITE VISIT, THE DESIGN FEE, THE TOTAL COSTS OF
7 CONSTRUCTION AND INSTALLATION OF THE WORK OF ART, JURY EXPENSES,
8 AND PROGRAM ADMINISTRATION IN COMPLIANCE WITH THE PROVISIONS OF
9 SECTION 24-48.5-312 (6).

10
11 (c) ALL MONEYS NOT EXPENDED OR ENCUMBERED, AND ALL
12 INTEREST EARNED ON THE INVESTMENT OR DEPOSIT OF MONEYS IN THE
13 FUND, SHALL REMAIN IN THE FUND AND SHALL NOT REVERT TO THE
14 GENERAL FUND OR ANY OTHER FUND AT THE END OF ANY FISCAL YEAR.
15 ANY MONEYS NOT EXPENDED OR ENCUMBERED FROM ANY APPROPRIATION
16 AT THE END OF ANY FISCAL YEAR SHALL REMAIN AVAILABLE FOR
17 EXPENDITURE IN THE NEXT FISCAL YEAR WITHOUT FURTHER
18 APPROPRIATION."

19
20 Page 9, line 23, strike "**Council on creative**" and substitute "**State**
21 **council on the arts cash fund - creation - repeal**".

22
23 Page 9, line 24, strike "**industries cash fund - creation**".

24
25 Page 9, strike line 25 and substitute "treasury the state council on the arts
26 cash fund,".

27
28 Page 9, line 26, strike "The" and substitute "FOR FISCAL YEARS PRIOR TO
29 THE 2010-11 FISCAL YEAR, the".

30
31 Page 10, line 1, strike "~~and~~" and substitute "and".

32
33 Page 10, line 2, strike "assembly;" and substitute "assembly".

34
35 Page 10, strike lines 3 through 5.

36
37 Page 10, line 6, strike "The" and substitute "FOR FISCAL YEARS PRIOR TO
38 THE 2010-11 FISCAL YEAR, the".

39
40 Page 10, strike line 7 and substitute "general assembly for the purposes
41 of THE".

42
43 Page 10, after line 14 insert:

44
45 "(3) ANY MONEYS REMAINING IN THE FUND ON JULY 1, 2010,
46 SHALL BE TRANSFERRED TO THE CREATIVE INDUSTRIES CASH FUND
47 CREATED IN SECTION 24-48.5-301.

48
49 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2011."

50
51 Page 16, line 8, after "(4)" insert "(a)".

52
53 Page 16, line 10, strike "The" and substitute "FOR FISCAL YEARS PRIOR TO
54 THE 2010-11 FISCAL YEAR, the".

55
56 Page 16, line 14, strike "(a)" and substitute "(I)".

1 Page 16, line 16, strike "(b)" and substitute "(II)".

2
3 Page 16, line 18, strike "(c)" and substitute "(III)".

4
5 Page 16, after line 19 insert:

6
7 "(b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2011".

8
9 Page 16, line 20, strike "The" and substitute "FOR FISCAL YEARS PRIOR TO
10 THE 2010-11 FISCAL YEAR, the".

11
12 Page 16, line 21, strike "office DIVISION" and substitute "office".

13
14 Page 16, strike lines 24 through 27.

15
16 Page 17, strike lines 1 through 4 and substitute:

17
18 "~~(b) The total amount of performance-based incentives that the~~
19 ~~office issues pursuant to this section in any fiscal year shall not exceed the~~
20 ~~amount appropriated to the office to be used for the purposes of this~~
21 ~~section in the applicable fiscal year. If the office receives applications for~~
22 ~~incentives that exceed the amount appropriated by the general assembly~~
23 ~~for the fiscal year, the office shall issue incentives to production~~
24 ~~companies in the order in which the commission received applications~~
25 ~~until the amount appropriated has been expended.~~".

26
27 Page 17, after line 8 insert:

28 "(d) ANY MONEYS REMAINING IN THE FUND ON JULY 1, 2010,
29 SHALL BE TRANSFERRED TO THE CREATIVE INDUSTRIES CASH FUND
30 CREATED IN SECTION 24-48.5-301.

31
32 (e) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2011.

33
34 (6) THE TOTAL AMOUNT OF PERFORMANCE-BASED INCENTIVES
35 THAT THE OFFICE ISSUES PURSUANT TO THIS SECTION IN ANY FISCAL YEAR
36 SHALL NOT EXCEED THE AMOUNT APPROPRIATED TO THE DIVISION TO BE
37 USED FOR THE PURPOSES OF THIS SECTION IN THE APPLICABLE FISCAL
38 YEAR. IF THE OFFICE RECEIVES APPLICATIONS FOR INCENTIVES THAT
39 EXCEED THE AMOUNT APPROPRIATED BY THE GENERAL ASSEMBLY FOR THE
40 FISCAL YEAR, THE OFFICE SHALL ISSUE INCENTIVES TO PRODUCTION
41 COMPANIES IN THE ORDER IN WHICH THE COMMISSION RECEIVED
42 APPLICATIONS UNTIL THE AMOUNT APPROPRIATED HAS BEEN EXPENDED.".

43
44 Page 17, line 11, strike "**definitions.**" and substitute "**definitions -**
45 **repeal.**".

46
47 Page 23, line 7, strike "~~state council on the arts~~ DIVISION," and substitute
48 "state council on the arts,".

49
50 Page 23, line 13, strike "All" and substitute "PRIOR TO THE 2010-11
51 FISCAL YEAR, all".

52
53 Page 23, line 17, after "fund." add "ANY MONEYS REMAINING IN THE
54 WORKS OF ART IN PUBLIC PLACES FUND ON JULY 1, 2010, SHALL BE
55 TRANSFERRED TO THE CREATIVE INDUSTRIES CASH FUND CREATED IN
56 SECTION 24-48.5-301.".

1 Page 23, after line 27 insert:

2

3 "(e) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JULY 1, 2011.

4

5 (8) FOR THE 2010-11 FISCAL YEAR AND EACH FISCAL YEAR
6 THEREAFTER, ALL MONEYS ALLOCATED FOR THE ACQUISITION OF WORKS
7 OF ART PURSUANT TO SUBSECTION (3) OF THIS SECTION SHALL BE
8 TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME
9 TO THE CREATIVE INDUSTRIES CASH FUND CREATED IN SECTION
10 24-48.5-301."

11

12 Page 24, line 1, strike "(8)" and substitute "(9)".

13

14 Page 25, line 8, after "(A)," insert "and", and strike "and (4) (a) (VI),".

15

16 Page 25, line 24, strike "state council on the" and substitute "state council
17 on the".

18

19 Page 25, line 25, strike "arts CREATIVE INDUSTRIES" and substitute "arts".

20

21 Page 26, line 1, strike "C.R.S." and substitute "C.R.S.; EXCEPT THAT, FOR
22 THE 2010-11 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER, THE
23 AMOUNT THAT WOULD OTHERWISE BE TRANSFERRED TO THE STATE
24 COUNCIL ON THE ARTS CASH FUND PURSUANT TO THIS SUB-SUBPARAGRAPH
25 (A) SHALL INSTEAD BE TRANSFERRED TO THE CREATIVE INDUSTRIES CASH
26 FUND, CREATED IN SECTION 24-48.5-301, C.R.S.".

27

28 Page 26, strike lines 22 and 23 and substitute "if any, that should be
29 transferred to the state council on the arts cash fund OR THE CREATIVE
30 INDUSTRIES CASH FUND, AS APPLICABLE, the new jobs incentive cash fund,
31 and the".

32

33 Page 27, strike line 8 and substitute "transferred to the state council on the
34 arts cash".

35

36 Page 27, line 9, strike "fund," and substitute "fund OR THE CREATIVE
37 INDUSTRIES CASH FUND, AS APPLICABLE,".

38

39 Page 27, line 12, strike "state" and substitute "state".

40

41 Page 27, strike line 13 and substitute "council on the arts cash fund OR
42 THE CREATIVE INDUSTRIES CASH FUND, AS APPLICABLE, the new jobs".

43

44 Page 27, strike line 18 and substitute "transferred to the state council on
45 the arts cash".

46

47 Page 27, line 19, strike "fund," and substitute "fund OR THE CREATIVE
48 INDUSTRIES CASH FUND, AS APPLICABLE,".

49

50 Page 28, line 12, strike "C.R.S." and substitute "C.R.S., EXCEPT THAT,
51 FOR THE 2010-11 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER, THE
52 AMOUNT THAT WOULD OTHERWISE BE TRANSFERRED TO THE COLORADO
53 OFFICE OF FILM, TELEVISION, AND MEDIA OPERATIONAL ACCOUNT CASH
54 FUND PURSUANT TO THIS SUB-SUBPARAGRAPH (A) SHALL INSTEAD BE
55 TRANSFERRED TO THE CREATIVE INDUSTRIES CASH FUND, CREATED IN
56 SECTION 24-48.5-301, C.R.S.".

- 1 Page 29, line 2, strike "fund or" and substitute "fund, ~~or~~".
2
3 Page 29, line 3, strike "fund" and substitute "fund, OR THE CREATIVE
4 INDUSTRIES CASH FUND, AS APPLICABLE,".
5
6 Page 29, line 11, strike "fund or" and substitute "fund, ~~or~~".
7
8 Page 29, line 12, strike "fund" and substitute "fund, OR THE CREATIVE
9 INDUSTRIES CASH FUND, AS APPLICABLE,".
10
11 Page 29, line 15, strike "fund or" and substitute "fund, ~~or~~".
12
13 Page 29, line 16, strike "fund" and substitute "fund, OR THE CREATIVE
14 INDUSTRIES CASH FUND, AS APPLICABLE,".
15
16 Page 29, line 19, strike "fund or" and substitute "fund, ~~or~~".
17
18 Page 29, line 21, strike "fund" and substitute "fund, OR THE CREATIVE
19 INDUSTRIES CASH FUND, AS APPLICABLE,".
20
21 Page 29, strike line 22 and substitute "to the state council on the arts cash
22 fund OR THE CREATIVE INDUSTRIES CASH FUND, AS APPLICABLE, the new".
23
24 Page 30, strike lines 2 through 24.
25
26 Page 32, strike lines 5 through 16.
27
28 Renumber succeeding sections accordingly.
29
30 Page 33, line 6, strike "24-48.8-101" and substitute "24-46-105.8 (4) (a),
31 24-48.8-101,".
32
33
34
35

36 **FINANCE**

37 After consideration on the merits, the Committee recommends the
38 following:
39

40 **HB10-1072** be postponed indefinitely.
41
42

43 **HB10-1209** be referred favorably to the Committee on Appropriations.
44
45
46
47

48 **STATE, VETERANS, & MILITARY AFFAIRS**

49 After consideration on the merits, the Committee recommends the
50 following:
51

52 **HB10-1111** be postponed indefinitely.
53
54
55

1 **HB10-1242** be amended as follows, and as so amended, be referred to
2 the Committee on Finance with favorable
3 recommendation:
4

5 Amend printed bill, page 2, line 5, strike "A" and substitute "AN INITIAL".
6

7 Page 2, line 13, after the period add "THE INITIAL UNIFORM APPLICATION
8 FORM SHALL INCLUDE THE NAME OF THE APPLICANT, CONTACT
9 INFORMATION FOR THE APPLICANT, OTHER DEMOGRAPHIC INFORMATION
10 APPROVED BY THE COMMISSIONER, AND QUESTIONS CONCERNING MEDICAL
11 CONDITIONS FOR WHICH THE CARRIER MAY REFUSE TO ISSUE COVERAGE."
12

13 Page 2, line 15, before "UNIFORM" insert "INITIAL".
14

15 Page 2, line 19, after "THE" insert "INITIAL".
16

17 Page 2, line 25, after "THE" insert "INITIAL".
18

19 Page 3, after line 1 insert:
20

21 "(V) UPON RECEIPT OF AN INITIAL UNIFORM APPLICATION FORM
22 FROM A CONSUMER, THE CARRIER SHALL REVIEW THE APPLICATION FORM
23 AND DECIDE TO ISSUE COVERAGE, TO ASK FOR ADDITIONAL UNDUPLICATED
24 INFORMATION, OR TO DENY COVERAGE.
25

26 (VI) IF A CARRIER DECIDES TO DENY COVERAGE BASED UPON
27 INFORMATION RECEIVED IN THE INITIAL UNIFORM APPLICATION FORM, THE
28 DENIAL OF COVERAGE SHALL SERVE AS A DENIAL FOR PURPOSES OF
29 ELIGIBILITY FOR COVERAGE THROUGH COVERCOLORADO PURSUANT TO
30 PART 5 OF ARTICLE 8 OF THIS TITLE."
31

32 Page 3, strike lines 2 through 6 and substitute:
33

34 **"SECTION 2. Act subject to petition - effective date.** This act
35 shall take effect at 12:01 a.m. on the day following the expiration of the
36 ninety-day period after final adjournment of the general assembly (August
37 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
38 referendum petition is filed pursuant to section 1 (3) of article V of the
39 state constitution against this act or an item, section, or part of this act
40 within such period, then the act, item, section, or part shall not take effect
41 unless approved by the people at the general election to be held in
42 November 2010 and shall take effect on the date of the official
43 declaration of the vote thereon by the governor."
44
45
46

47 **SB10-031** be referred to the Committee of the Whole with favorable
48 recommendation.
49
50

51
52 **PRINTING REPORT**
53

54 The Chief Clerk reports the following bills have been correctly printed:
55 **HB10-1359, 1360, 1361.**
56

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 11th day of March, 2010, at 9:10 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 10, 2010

To the Honorable House of Representatives
Sixty-seventh General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB10-1297 CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE.

Approved March 10, 2010 at 2:55 p.m.

HB10-1298 CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS.

Approved March 10, 2010 at 2:55 p.m.

HB10-1299 CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE OFFICES OF THE GOVERNOR, LIEUTENANT GOVERNOR, AND STATE PLANNING AND BUDGETING.

Approved March 10, 2010 at 2:56 p.m.

HB10-1300 CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING.

Approved March 10, 2010 at 2:56 p.m.

HB10-1301 CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HIGHER EDUCATION.

Approved March 10, 2010 at 2:57 p.m.

HB10-1302 CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES.

Approved March 10, 2010 at 2:58 p.m.

HB10-1303 CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE JUDICIAL DEPARTMENT.

Approved March 10, 2010 at 2:58 p.m.

- 1 **HB10-1304** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
2 DEPARTMENT OF LABOR AND EMPLOYMENT.
3
4 Approved March 10, 2010 at 2:59 p.m.
5
- 6 **HB10-1305** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
7 DEPARTMENT OF LAW.
8
9 Approved March 10, 2010 at 3:00 p.m.
10
- 11 **HB10-1306** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
12 DEPARTMENT OF LEGISLATURE.
13
14 Approved March 10, 2010 at 3:00 p.m.
15
- 16 **HB10-1307** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
17 DEPARTMENT OF LOCAL AFFAIRS.
18
19 Approved March 10, 2010 at 3:02 p.m.
20
- 21 **HB10-1308** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
22 DEPARTMENT OF MILITARY AND VETERANS AFFAIRS.
23
24 Approved March 10, 2010 at 3:03 p.m.
25
- 26 **HB10-1309** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
27 DEPARTMENT OF NATURAL RESOURCES.
28
29 Approved March 10, 2010 at 3:04 p.m.
30
- 31 **HB10-1310** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
32 DEPARTMENT OF PERSONNEL AND ADMINISTRATION.
33
34 Approved March 10, 2010 at 3:04 p.m.
35
- 36 **HB10-1311** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
37 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.
38
39 Approved March 10, 2010 at 3:05 p.m.
40
- 41 **HB10-1312** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
42 DEPARTMENT OF PUBLIC SAFETY.
43
44 Approved March 10, 2010 at 3:06 p.m.
45
- 46 **HB10-1313** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
47 DEPARTMENT OF REGULATORY AGENCIES.
48
49 Approved March 10, 2010 at 3:06 p.m.
50
- 51 **HB10-1314** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
52 DEPARTMENT OF REVENUE.
53
54 Approved March 10, 2010 at 3:07 p.m.
55

- 1 **HB10-1315** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
2 DEPARTMENT OF STATE.
3
4 Approved March 10, 2010 at 3:08 p.m.
5
6 **HB10-1316** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
7 DEPARTMENT OF TRANSPORTATION.
8
9 Approved March 10, 2010 at 3:09 p.m.
10
11 **HB10-1317** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
12 DEPARTMENT OF THE TREASURY.
13
14 Approved March 10, 2010 at 3:10 p.m.
15
16 **HB10-1095** CONCERNING A LIMITATION ON THE AUTHORITY OF A
17 FIRE PROTECTION DISTRICT TO CHARGE FEES FOR
18 PROVIDING CERTAIN RESCUE SERVICES TO THOSE
19 SERVICES PROVIDED AT THE SCENE OF A MOTOR
20 VEHICLE ACCIDENT.
21
22 Approved March 10, 2010 at 3:10 p.m.
23

24 Sincerely,
25 (signed)
26 Bill Ritter, Jr.
27 Governor
28
29
30

31 **LAY OVER OF CALENDAR ITEM(S)**
32

33 On motion of Representative Scanlan, the following item(s) on the
34 Calendar (was)were laid over until March 12, retaining place on
35 Calendar:
36

37
38 Consideration of Resolution(s)--**HJR10-1015**.
39
40

41
42 On motion of Representative Scanlan, the House adjourned until
43 9:00 a.m., March 12, 2010.
44

45
46 Approved:
47 TERRANCE D. CARROLL,
Speaker

48 Attest:
49 MARILYN EDDINS,
50 Chief Clerk

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

Fifty-ninth Legislative Day

Friday, March 12, 2010

1 Prayer by Father Eustace Sequeira, SJ., St. Ignatius Loyola Catholic
 2 Church, Denver.

3
 4 The Speaker called the House to order at 9:00 a.m.

5
 6 Pledge of Allegiance led by Allison and Katie Neitzel, Highlands Ranch.

7
 8 The roll was called with the following result:

9
 10 Present--65.

11
 12 The Speaker declared a quorum present.

13
 14
 15 On motion of Representative Kagan, the reading of the journal of
 16 March 11, 2010, was declared dispensed with and approved as corrected
 17 by the Chief Clerk.

CONSIDERATION OF MEMORIAL

18
 19
 20
 21
 22
 23
 24 **HM10-1001** by Representative(s) Kerr J.--Memorializing former
 25 Representative Truman Wayne "Andy" Anderson.

26
 27 (Printed and placed in members' file)

28
 29 The Speaker ordered the memorial read at length.

30
 31 On motion of Representative Kerr J., the memorial was **adopted** by the
 32 following roll call vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
35	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
36	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
37	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
38	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
39	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
40	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
41	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
42	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
43	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y

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

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

18
 19
 20
 21
 22
 23 House in recess.
 24
 25

26
 27 Representative Kerr J., introduced members of the family that were
 28 present.

29
 30
 31
 32
 33 House reconvened.
 34
 35

36
 37 On motion of Representative Casso, the House resolved itself into
 38 Committee of the Whole for consideration of General Orders, and he was
 39 called to the Chair to act as Chairman.

40
 41
 42
 43
 44 **GENERAL ORDERS--SECOND READING OF BILLS**

45
 46 The Committee of the Whole having risen, the Chairman reported the
 47 titles of the following bills had been read (reading at length had been
 48 dispensed with by unanimous consent), the bills considered and action
 49 taken thereon as follows:

50
 51 (Amendments to the committee amendment are to the printed committee
 52 report which was printed and placed in the members' bill file.)
 53
 54
 55

- 1 **HB10-1217** by Representative(s) McKinley, McFadyen, Looper, Pace,
2 Vigil--Concerning the repeal of the authority of the
3 executive director of the department of human services to
4 sell the Trinidad state nursing home.
5
6 Laid over until March 19, retaining place on Calendar.
7
8 **HB10-1205** by Representative(s) Ryden, Todd; also Senator(s) Spence,
9 Williams--Concerning land use planning by local
10 governments to address the impacts of land use
11 development upon military installations in close proximity
12 to such governments.
13
14 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
15 March 2, 2010, and placed in member's bill file; Report also printed in
16 House Journal, March 3, pages 652-653.
17
18 Amendment No. 2, by Representative(s) Ryden, Waller.
19
20 Amend the State, Veterans, & Military Affairs Committee Report, dated
21 March 2, 2010, strike page 1 and substitute:
22
23 "Amend printed bill, page 3, strike lines 1 through 17.
24
25 Renumber succeeding sections accordingly.
26
27 Page 4 of the printed bill, line 7, strike "means a" and substitute:
28
29 "means:
30
31 (I) A".
32
33 Page 4 of the printed bill, line 13, strike "~~projects.~~" and substitute:
34
35 "~~projects.~~; OR
36
37 (II) THE GREELEY AIR NATIONAL GUARD STATION."
38
39 Page 4 of the printed bill, strike lines 14 through 22.
40
41 Renumber succeeding subsections accordingly."
42
43 Page 2 of the report, strike lines 1 through 7 and substitute:
44
45 "Page 5 of the printed bill, line 1, strike "changes" and substitute
46 "changes, AND AMENDMENTS".
47
48 Page 5 of the printed bill, line 2, strike "amendments to the plan," and
49 substitute "~~amendments to the plan,~~".
50
51 Page 2, line 9 of the report, strike "(3) (4)" and substitute "(3)".
52
53 Page 2 of the report, after line 11, insert:
54
55 "Page 5 of the printed bill, strike line 10 and substitute "provided
56 pursuant to subsection (3) of this section, the"."

1 Page 2 of the report, after line 12, insert:

2
3 "Page 6 of the printed bill, line 4, strike "~~subsection~~" and substitute
4 "subsection".

5
6 Page 6 of the printed bill, line 5, strike "~~(4)~~ SUBSECTION (5)" and
7 substitute "(4)".

8
9 Page 6 of the printed bill, line 13, strike "(7)" and substitute "(6)".

10
11 As amended, ordered engrossed and placed on the Calendar for Third
12 Reading and Final Passage.

13
14 **HB10-1119** by Representative(s) Ferrandino, Carroll T., Court,
15 Fischer, Gagliardi, Hulinghorst, Kerr A., Labuda, Levy,
16 Merrifield, Middleton, Pace, Pommer, Primavera, Rice,
17 Scanlan, Schafer S., Solano, Todd, Weissmann; also
18 Senator(s) Shaffer B., Boyd, Steadman--Concerning the
19 process by which the state annually allocates moneys for
20 its budget.

21
22 (Previously amended as printed in House Journal, March 10,
23 pages 730-731.)

24
25 Amendment No. 4, by Representative(s) Ferrandino.

26
27 Amend printed bill, page 11, line 1, after the period insert "THE STATE
28 TREASURER, THE ATTORNEY GENERAL, THE SECRETARY OF STATE, AND
29 THE STATE COURT ADMINISTRATOR FOR THE JUDICIAL BRANCH SHALL
30 ENSURE THE OFFICE OF STATE PLANNING AND BUDGETING RECEIVES THE
31 INFORMATION REQUIRED TO BE POSTED ON THE OFFICE OF STATE PLANNING
32 AND BUDGETING'S WEBSITE PURSUANT TO THIS PARAGRAPH (b). THE
33 OFFICE OF STATE PLANNING AND BUDGETING SHALL NOT HAVE ACCESS TO
34 EDIT ANY INFORMATION PROVIDED BY THE STATE TREASURER, THE
35 ATTORNEY GENERAL, THE SECRETARY OF STATE, OR THE STATE COURT
36 ADMINISTRATOR FOR THE JUDICIAL BRANCH."

37
38 Page 11, line 5, strike "(a) WITHIN" and substitute "(a) (I) FOR EACH
39 DEPARTMENT EXCEPT THE DEPARTMENT OF STATE, THE DEPARTMENT OF
40 THE TREASURY, THE DEPARTMENT OF LAW, AND THE JUDICIAL BRANCH,
41 WITHIN".

42
43 Page 11, after line 11 insert:

44
45 "(II) FOR THE DEPARTMENTS OF STATE, TREASURY, AND LAW, AND
46 FOR THE JUDICIAL BRANCH, WITHIN THIRTY DAYS AFTER THE
47 PRESENTATION SPECIFIED IN SECTION 2-7-203 (2) (a) (II) (B), EACH
48 COMMITTEE OF REFERENCE SHALL PROVIDE TO THE SECRETARY OF STATE,
49 STATE TREASURER, ATTORNEY GENERAL, AND THE STATE COURT
50 ADMINISTRATOR, RESPECTIVELY, ANY WRITTEN RECOMMENDATIONS
51 REGARDING THE STRATEGIC PLAN, PERFORMANCE-BASED GOALS, AND
52 PERFORMANCE MEASURES PRESENTED BY SUCH DEPARTMENT OR
53 BRANCH."

54
55 Page 14, strike lines 5 and 6 and substitute:

56

1 **"2-7-205. Annual performance report. (1) (a) ON DECEMBER**
2 1, 2012, AND EACH".

3
4 Page 14, line 8, strike "REPORT." and substitute "REPORT FOR EACH
5 DEPARTMENT EXCEPT THE DEPARTMENT OF STATE, THE DEPARTMENT OF
6 THE TREASURY, THE DEPARTMENT OF LAW, AND THE JUDICIAL BRANCH.".

7
8 Page 14, after line 12 insert:

9
10 "(b) ON DECEMBER 1, 2012, AND EACH DECEMBER 1 THEREAFTER,
11 THE DEPARTMENT OF STATE, THE DEPARTMENT OF THE TREASURY, THE
12 DEPARTMENT OF LAW, AND THE JUDICIAL BRANCH SHALL EACH PUBLISH
13 AN ANNUAL PERFORMANCE REPORT INCLUDING A SUMMARY OF ITS
14 STRATEGIC PLAN. THE ANNUAL PERFORMANCE REPORTS SHALL BE
15 CLEARLY WRITTEN AND EASILY UNDERSTOOD AND SHALL EACH BE LIMITED
16 TO A MAXIMUM OF FOUR PAGES.".

17
18 Page 14, line 13, strike "REPORT" and substitute "REPORTS".

19
20 Page 14, line 15, strike "REPORT" and substitute "REPORTS".

21
22 Page 14, line 19, strike "REPORT" and substitute "REPORTS".

23
24 Page 15, line 27, after "(3)" insert "(a)".

25
26 Page 16, after line 6 insert:

27
28 "(b) THE DEPARTMENT OF STATE, THE DEPARTMENT OF THE
29 TREASURY, THE DEPARTMENT OF LAW, AND THE JUDICIAL BRANCH SHALL
30 USE THE STATE AGENCY BUDGET SUBMISSIONS DESCRIBED IN PARAGRAPH
31 (a) OF THIS SUBSECTION (3) AS A GUIDELINE FOR THE SUBMISSION OF THEIR
32 BUDGETS TO THE JOINT BUDGET COMMITTEE.".

33
34 Amendment No. 5, by Representative(s) Frangas.

35
36 Amend printed bill, page 7 line 10, strike "SERVICES." and substitute
37 "SERVICES, WITH SECONDARY GOALS OF REALIZING COST SAVINGS TO THE
38 STATE AND SAVING TAXPAYERS' MONEY.".

39
40 Amendment No. 6, by Representative(s) Gerou, Vaad.

41
42 Amend printed bill, page 6, before line 2 insert:

43
44 "(e) IN THE PROCESS OF PERFORMANCE-BASED BUDGETING, THE
45 HEAD OF EACH PRINCIPAL DEPARTMENT SHOULD INCLUDE IN THE
46 DEPARTMENT'S STRATEGIC PLAN A THOUGHTFUL CONSIDERATION OF ALL
47 MAJOR FUNCTIONS OF STATE GOVERNMENT MANAGED BY EACH PRINCIPAL
48 DEPARTMENT IN AN EFFORT TO PROPERLY PRIORITIZE SUCH MAJOR
49 FUNCTIONS.".

50
51 Reletter succeeding paragraphs accordingly.

52
53 As amended, ordered engrossed and placed on the Calendar for Third
54 Reading and Final Passage.

55

1 **HB10-1210** by Representative(s) Weissmann, Carroll T., May; also
2 Senator(s) Morse, Shaffer B., Penry--Concerning the
3 redistricting process.
4

5 Laid over until March 15, retaining place on Calendar.
6

7
8 **HB10-1221** by Representative(s) Curry; also Senator(s) Schwartz--
9 Concerning the continuation of the licensing of river
10 outfitters by the board of parks and outdoor recreation,
11 and, in connection therewith, implementing the sunset
12 review recommendations of the department of regulatory
13 agencies.
14

15 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
16 dated February 24, 2010, and placed in member's bill file; Report also
17 printed in House Journal, February 25, pages 548-549.
18

19 Amendment No. 2, by Representative(s) Weissmann.
20

21 Amend the Agriculture, Livestock, and Natural Resources Committee
22 Report, dated February 24, 2010, page 1, line 2, strike "REGARDING:
23 NOTIFICATION TO OUTFITTERS OF" and substitute "REGARDING".
24

25 Page 1, strike lines 3 through 5.
26

27 Page 1, line 6, strike "NOTICE;".
28

29 Page 1, line 7, strike the semi-colon.
30

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

34
35 **HB10-1228** by Representative(s) Benefield, Ferrandino, Primavera;
36 also Senator(s) Hudak--Concerning the responsibility of
37 the state personnel director to remove ineligible
38 dependents from group benefit plans.
39

40 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
41 February 23, 2010, and placed in member's bill file; Report also printed
42 in House Journal, February 25, page 553.
43

44 Amendment No. 1, Appropriations Report, dated March 5, 2010, and
45 placed in member's bill file; Report also printed in House Journal,
46 March 5, pages 685-686.
47

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

51
52 **HB10-1250** by Representative(s) Fischer, Curry, Apuan, Baumgardner,
53 Hullinghorst, Kefalas, Looper, Roberts, Ryden, Scanlan,
54 Solano, Sonnenberg, Tyler, Vigil; also Senator(s) Hodge,
55 Gibbs, Kester, Schwartz, White, Whitehead--Concerning
56 the funding of Colorado water conservation board

1 projects, and making appropriations in connection
2 therewith.

3
4 Ordered engrossed and placed on the Calendar for Third Reading and
5 Final Passage.

6
7 **HB10-1267** by Representative(s) Kerr A., Fischer, Gardner C., Looper,
8 McNulty, Merrifield, Miklosi; also Senator(s) Romer,
9 Penry--Concerning the property tax treatment of an
10 independently owned residential solar electric generation
11 facility.

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

15
16 **HB10-1340** by Representative(s) Vigil; also Senator(s) Newell--
17 Concerning the notice sent by a law enforcement agency
18 when a vehicle has been towed from public property.

19
20 Ordered engrossed and placed on the Calendar for Third Reading and
21 Final Passage.

22
23 **HB10-1249** by Representative(s) Labuda and Primavera; also
24 Senator(s) Johnston, Hudak--Concerning expedited
25 residential foreclosure sales.

26
27 Laid over until March 15, retaining place on Calendar.

28
29 **HB10-1353** by Representative(s) Pommer, Ferrandino, Lambert; also
30 Senator(s) Keller, Tapia, White--Concerning financial
31 savings through the alignment of eligibility for the old age
32 pension program with eligibility for other public benefit
33 programs, and, in connection therewith, aligning the
34 waiting period for the old age pension with the waiting
35 period for other public benefit programs, including the
36 enforcement of financial responsibility requirements for
37 relative sponsors of noncitizens, crediting to the general
38 fund of sales and use tax revenue that was previously
39 required to be credited to the supplemental OAP health
40 and medical program fund, and making an appropriation.

41
42 Laid over until March 15, retaining place on Calendar.

43
44 **SB10-015** by Senator(s) Renfroe, Kopp; also Representative(s)
45 McNulty, Baumgardner, Frangas, McFadyen--Concerning
46 behind-the-wheel training requirements necessary to
47 receive a driver's license.

48
49 Ordered revised and placed on the Calendar for Third Reading and Final
50 Passage.

51
52 **SB10-009** by Senator(s) Sandoval, Boyd, Hudak; also
53 Representative(s) Gagliardi, Kefalas--Concerning the
54 duties of the economic opportunity poverty reduction task
55 force.

56

1 Amendment No. 1, by Representative(s) Gagliardi.

2
3 Amend reengrossed bill, page 2, line 23, strike "security;" and substitute
4 "security, AND THE DIFFICULTIES FOR PERSONS WITH MENTAL, PHYSICAL,
5 AND INTELLECTUAL DISABILITIES TO FIND EMPLOYMENT;".

6
7 As amended, ordered revised and placed on the Calendar for Third
8 Reading and Final Passage.

9
10 **SB10-014** by Senator(s) Tochtrop, Boyd; also Representative(s)
11 Solano, Labuda--Concerning changes to the demonstration
12 programs for system of care family advocates.

13
14 Ordered revised and placed on the Calendar for Third Reading and Final
15 Passage.

16
17 **SB10-115** by Senator(s) Tochtrop, Bacon, Carroll M., Williams; also
18 Representative(s) Primavera and Merrifield--Concerning
19 the authority of licensed health care facilities to redispense
20 unused medications.

21
22 Amendment No. 1, Health & Human Services Report, dated
23 March 4, 2010, and placed in member's bill file; Report also printed in
24 House Journal, March 5, pages 687-688.

25
26 As amended, ordered revised and placed on the Calendar for Third
27 Reading and Final Passage.

28
29 **HB10-1164** by Representative(s) Kerr A., Ferrandino, Scanlan, Solano;
30 also Senator(s) Tochtrop, Romer--Concerning service of
31 process in actions concerning incidents that may be
32 covered by a motor vehicle insurance policy.

33
34 Amendment No. 1, Judiciary Report, dated March 4, 2010, and placed in
35 member's bill file; Report also printed in House Journal, March 5,
36 page 689.

37
38 Amendment No. 2, by Representative(s) Levy.

39
40 Amend the Judiciary Committee report, dated March 4, 2010, page 2, line
41 10, strike "LAW." and substitute "LAW".

42
43 Page 2, after line 10 insert:

44
45 "(d) PAYMENT UNDER THE POLICY PURSUANT TO THIS SECTION
46 SHALL NOT BE DEEMED TO BE AN ADMISSION OF LIABILITY BY THE
47 ALLEGED TORTFEASOR AND SHALL NOT PREJUDICE THE RIGHT OF THE
48 ALLEGED TORTFEASOR TO CONTEST HIS OR HER LIABILITY OR THE EXTENT
49 OF DAMAGES OWED TO THE INJURED PARTY.".

50
51 Amendment No. 3, by Representative(s) Levy.

52
53 Amend printed bill, page 2, line 6, after "UNINSURED" insert "SOLELY"
54 and after "OF" insert "ALLOWING THE INSURED PARTY TO RECEIVE".

55
56 Page 2, after line 21 insert:

1 "(7) NOTHING IN SUBSECTION (6) OF THIS SECTION VOIDS THE
2 ALLEGED TORTFEASOR'S POLICY IF THE ALLEGED TORTFEASOR WAS
3 ACTUALLY INSURED."
4

5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.
7

8
9 **SB10-081** by Senator(s) Sandoval; also Representative(s) Solano--
10 Concerning creation of the "Farm-to-School Healthy Kids
11 Act", and, in connection therewith, establishing an
12 interagency task force to develop farm-to-school program
13 policies.
14

15 Amendment No. 1, by Representative(s) Curry.

16
17 Amend reengrossed bill, page 4, after line 3, insert:

18
19 "(6) "EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON
20 HIGHER EDUCATION" MEANS THE EXECUTIVE DIRECTOR APPOINTED
21 PURSUANT TO SECTION 24-1-114, C.R.S."
22

23 Page 4, line 4, strike "(6)" and substitute "(7)".
24

25 Page 5, after line 23, insert:

26
27 "(8) "SCHOOL" INCLUDES INSTITUTIONS OF HIGHER EDUCATION."
28

29 Page 6, line 2, strike "TWELVE" and substitute "THIRTEEN".
30

31 Page 6, after line 9, insert
32

33 "(IV) THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION
34 ON HIGHER EDUCATION OR THE EXECUTIVE DIRECTOR'S DESIGNEE;"
35

36 Renumber succeeding subparagraphs accordingly.
37

38 Page 7, line 5, strike "(V)" and substitute "(VI)".
39

40 Amendment No. 2, by Representative(s) Weissmann.

41
42 Amend reengrossed bill, page 8, line 15, strike "APRIL" and substitute
43 "FEBRUARY".
44

45 As amended, ordered revised and placed on the Calendar for Third
46 Reading and Final Passage.
47

48
49 **HB10-1351** by Representative(s) Ferrandino, Apuan, Casso, Curry,
50 Gagliardi, Hullinghorst, Kerr A., McCann, Merrifield,
51 Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Tyler,
52 Vigil; also Senator(s) Romer, Carroll M., Foster, Keller,
53 Morse--Concerning the maximum authorized interest rate
54 for a payday loan.
55

1 Amendment No. 1, Judiciary Report, dated March 8, 2010, and placed in
 2 member's bill file; Report also printed in House Journal, March 9,
 3 pages 721-722.

4
 5 As amended, laid over until March 15, retaining place on Calendar.

6
 7 **HB10-1328** by Representative(s) Miklosi, Apuan, Benefield, Casso,
 8 Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi,
 9 Hullinghorst, Kefalas, Kerr A., Labuda, Levy, McCann,
 10 McFadyen, Merrifield, Middleton, Peniston, Pommer,
 11 Primavera, Ryden, Scanlan, Solano, Todd, Tyler, Vigil,
 12 Weissmann; also Senator(s) Schwartz--Concerning the
 13 "New Energy Jobs Creation Act of 2010", and, in
 14 connection therewith, creating the Colorado new energy
 15 improvement district and authorizing the district to fund
 16 new energy improvements by issuing special assessment
 17 bonds payable from special assessments levied on eligible
 18 real property owned by persons who voluntarily join the
 19 district in order to have the district help them fund new
 20 energy improvements to the eligible real property.

21
 22 Laid over until March 17, retaining place on Calendar.

23
 24 On motion of Representative Weissmann, the remainder of the General
 25 Orders Calendar (**SB10-019, 010, 082, HB10-1234, 1259, 1276,**
 26 **SB10-112, 163, 122**) was laid over until March 15, retaining place on
 27 Calendar.

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

32
 33 Passed Second Reading: **HB10-1205 amended, 1119 amended, 1221**
 34 **amended, 1228 amended, 1250, 1267, 1340, SB10-015, 009 amended,**
 35 **014, 115 amended, HB10-1164 amended, SB10-081 amended.**

36
 37 Laid over until date indicated retaining place on Calendar: **SB10-019,**
 38 **HB10-1210, 1249, 1353, 1351 amended, SB10-010, 082, HB10-1234,**
 39 **1259, 1276, SB10-112, 163, 122--March 15, 2010.**

40 **HB10-1328--March 17, 2010.**

41 **HB10-1217--March 19, 2010.**

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

	YES	62	NO	0	EXCUSED	3	ABSENT	0
49	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
50	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
51	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
52	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
53	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
54	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
55	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
56	Court	Y	King S.	Y	Nikkel	Y	Summers	Y

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

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

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

HB10-1104 be referred to the Committee of the Whole with favorable recommendation.

HB10-1125 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 6, line 7, strike "COMMISSION;" and substitute "COMMISSION IN ACCORDANCE WITH PARAGRAPH (a.5) OF SUBSECTION (9) OF THIS SECTION;".

Page 7, line 12, strike "MANIFEST ON" and substitute "MANIFEST, AVAILABLE FROM THE DEPARTMENT'S WEB SITE, ON".

Page 7, line 13, after "DEPARTMENT" insert "AND".

Page 9, line 17, strike "COMMISSION," and substitute "COMMISSION IN ACCORDANCE WITH PARAGRAPH (a.5) OF SUBSECTION (9) OF THIS SECTION,".

Page 10, after line 12 insert:

"(a.5) THE FEE AMOUNTS ESTABLISHED BY THE COMMISSION UNDER THIS SECTION SHALL NOT EXCEED:

(I) ONE THOUSAND ONE HUNDRED FORTY DOLLARS PER NONVEHICLE REGISTRANT;

(II) FIVE HUNDRED SEVENTY DOLLARS PER VEHICLE; AND

(III) NINETY-SIX DOLLARS PER PERSON REGISTERING AS A PERSONAL USER UNDER SUBSECTION (7) OF THIS SECTION.".

Page 10, before line 16 insert:

1 **"SECTION 4. Appropriation.** In addition to any other
2 appropriation, there is hereby appropriated, out of any moneys in the solid
3 waste management cash fund created in section 30-20-118, Colorado
4 Revised Statutes, not otherwise appropriated, to the department of public
5 health and environment, for allocation to the hazardous materials and
6 waste management division, for the fiscal year beginning July 1, 2010, the
7 sum of sixty thousand six hundred fifty-nine dollars (\$60,659) and 0.7
8 FTE, or so much thereof as may be necessary, for the implementation of
9 this act."

10

11 Renumber succeeding section accordingly.

12

13 Page 1, line 104, strike "**PREPARATION.**" and substitute "**PREPARATION,**
14 **AND MAKING AN APPROPRIATION THEREFOR.**".

15

16

17

18 **HB10-1149** be referred to the Committee of the Whole with favorable
19 recommendation.

20

21

22 **HB10-1215** be referred to the Committee of the Whole with favorable
23 recommendation.

24

25

26 **HB10-1241** be amended as follows, and as so amended, be referred to
27 the Committee of the Whole with favorable
28 recommendation:

29

30 Amend printed bill, page 4, after line 26 insert:

31

32 **"SECTION 4. Appropriation.** In addition to any other
33 appropriation, there is hereby appropriated, out of any moneys in the fire
34 suppression cash fund created in section 24-33.5-1207.6, Colorado
35 Revised Statutes, not otherwise appropriated, to the department of public
36 safety, office of preparedness, security, and fire safety, for personal
37 services, for the fiscal year beginning July 1, 2010, the sum of fifteen
38 thousand dollars (\$15,000), or so much thereof as may be necessary, for
39 the implementation of this act."

40

41 Renumber succeeding section accordingly.

42

43 Page 1, line 102, strike "**SYSTEMS.**" and substitute "**SYSTEMS, AND**
44 **MAKING AN APPROPRIATION THEREFOR.**".

45

46

47

48 **HB10-1260** be amended as follows, and as so amended, be referred to
49 the Committee of the Whole with favorable
50 recommendation:

51

52 Amend printed bill, page 84, after line 11 insert:

53 **"SECTION 85. Appropriation.** (1) In addition to any other
54 appropriation, there is hereby appropriated, out of any moneys in the
55 division of registrations cash fund created in section 24-34-105 (2) (b) (I),
56 Colorado Revised Statutes, not otherwise appropriated, to the department

1 of regulatory agencies, for allocation to the division of registrations, for
2 the fiscal year beginning July 1, 2010, the sum of twenty-nine thousand
3 six hundred eighty-six dollars (\$29,686) cash funds, or so much thereof
4 as may be necessary, for the implementation of this act.

5
6 (2) In addition to any other appropriation, there is hereby
7 appropriated to the department of law, for the fiscal year beginning July
8 1, 2010, the sum of sixteen thousand five hundred eighty-four dollars
9 (\$16,584) and 0.1 FTE, or so much thereof as may be necessary, for the
10 provision of legal services to the department of regulatory agencies
11 related to the implementation of this act. Said sum shall be from
12 reappropriated funds received from the department of regulatory agencies
13 out of the appropriation made in subsection (1) of this section.

14
15 (3) In addition to any other appropriation, there is hereby
16 appropriated, out of any moneys in the emergency medical services
17 account within the highway users tax fund created in section 25-3.5-603
18 (1) (a), Colorado Revised Statutes, not otherwise appropriated, to the
19 department of public health and environment, for allocation to the health
20 facilities and emergency medical services division, for the fiscal year
21 beginning July 1, 2010, the sum of sixty-eight thousand six hundred fifty-
22 seven dollars (\$68,657) cash funds and 0.9 FTE, or so much thereof as
23 may be necessary, for the implementation of this act.

24
25 (4) In addition to any other appropriation, there is hereby
26 appropriated to the department of law, for the fiscal year beginning July
27 1, 2010, the sum of six hundred seventy-eight dollars (\$678), or so much
28 thereof as may be necessary, for the provision of legal services to the
29 department of public health and environment related to the
30 implementation of this act. Said sum shall be from reappropriated funds
31 received from the department of public health and environment out of the
32 appropriation made in subsection (3) of this section."

33
34 Renumber succeeding sections accordingly.

35
36 Page 1, line 106, strike "BOARD." and substitute "BOARD, AND MAKING
37 AN APPROPRIATION THEREFOR."

38
39
40
41 **HB1291** be amended as follows, and as so amended, be referred to
42 the Committee of the Whole with favorable
43 recommendation:
44

45 Amend printed bill, page 3, after line 13 insert:

46 "SECTION 3. Appropriation - adjustments to the 2010 long
47 bill. For the implementation of this act, the general fund appropriation
48 made in the annual general appropriation act for the fiscal year beginning
49 July 1, 2010, to the judicial department, trial courts, for district attorney
50 mandated costs, is decreased by seventeen thousand three hundred dollars
51 (\$17,300)."

52
53 Renumber succeeding sections accordingly.

54
55 Page 1, line 101, strike "FEES." and substitute "FEES, AND MAKING AN
56 APPROPRIATION THEREFOR."

1 **HB10-1335** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB10-1336** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 4, after line 18 insert:
10

11 **"SECTION 3. Appropriation.** In addition to any other
12 appropriation, there is hereby appropriated, out of any moneys in the
13 school safety resource center cash fund created in section 24-33.5-1807
14 (1), Colorado Revised Statutes, not otherwise appropriated, to the
15 department of public safety, executive director's office, special programs,
16 school resource center services, for program costs, for the fiscal year
17 beginning July 1, 2010, the sum of forty-four thousand dollars (\$44,000),
18 or so much thereof as may be necessary, for the implementation of this
19 act."
20

21 Renumber succeeding section accordingly.
22

23 Page 1, line 102, strike "SAFETY." and substitute "SAFETY, AND MAKING
24 AN APPROPRIATION THEREFOR."
25
26
27

28 **SB10-008** be referred to the Committee of the Whole with favorable
29 recommendation.
30

31
32 **SB10-058** be referred to the Committee of the Whole with favorable
33 recommendation.
34

35
36 **SB10-119** be referred to the Committee of the Whole with favorable
37 recommendation.
38

39
40 **SB10-148** be referred to the Committee of the Whole with favorable
41 recommendation.
42

43
44 **SB10-149** be referred to the Committee of the Whole with favorable
45 recommendation.
46

47
48 **SB10-150** be referred to the Committee of the Whole with favorable
49 recommendation.
50

51
52 **SB10-151** be referred to the Committee of the Whole with favorable
53 recommendation.
54
55
56

1 **EDUCATION**

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

4
5 **HB10-1274** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 3, strike lines 23 through 27.

10
11 Strike pages 4 through 8 and substitute:

12
13 "SECTION 2. 19-1-115.5, Colorado Revised Statutes, is
14 amended BY THE ADDITION OF THE FOLLOWING NEW
15 SUBSECTIONS to read:

16
17 **19-1-115.5. Placement of children out of home - legislative**
18 **declaration.** (4) (a) THE RESPONSIBLE STATE OR COUNTY DEPARTMENT
19 OF HUMAN SERVICES SHALL PROVIDE WRITTEN OR ELECTRONIC
20 NOTIFICATION TO THE CHILD WELFARE EDUCATION LIAISON DESIGNATED
21 IN A SCHOOL DISTRICT PURSUANT TO SECTION 22-32-138 (2) (a), C.R.S.,
22 OF THE PENDING ENROLLMENT IN A PUBLIC SCHOOL OF A STUDENT WHO:

23
24 (I) IS TRANSFERRING FROM A STATE-LICENSED DAY TREATMENT
25 FACILITY, FACILITY SCHOOL, OR STATE HOSPITAL, AND HAS BEEN
26 DETERMINED BY THE STATE-LICENSED DAY TREATMENT FACILITY,
27 FACILITY SCHOOL, STATE HOSPITAL, OR THE COURT TO BE A RISK TO
28 THEMSELVES OR THE COMMUNITY; AND

29
30 (II) IS TRANSFERRING TO A PUBLIC SCHOOL.

31
32 (b) THE NOTIFICATION SHALL ALSO INCLUDE AN INVITATION TO
33 THE CHILD WELFARE EDUCATION LIAISON, OR HIS OR HER DESIGNEE IN THE
34 SCHOOL WHERE THE STUDENT WILL BE ENROLLING, AT LEAST TEN DAYS
35 PRIOR TO THE STUDENT'S TRANSITION FROM THE STATE LICENSED DAY
36 TREATMENT FACILITY, FACILITY SCHOOL, OR STATE HOSPITAL AND
37 SUBSEQUENT ENROLLMENT IN A PUBLIC SCHOOL, TO PARTICIPATE IN THE
38 DEVELOPMENT OF A TRANSITION PLAN FOR THE STUDENT. THE
39 INFORMATION PROVIDED TO THE CHILD WELFARE EDUCATION LIAISON
40 SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, EDUCATIONAL RECORDS
41 FROM THE TRANSFERRING EDUCATIONAL FACILITY AND AN OUTLINE OF
42 THE STUDENT'S TRANSITIONAL NEEDS TO BE SUCCESSFUL IN THE PUBLIC
43 SCHOOL SETTING THAT WOULD ASSIST THE SCHOOL DISTRICT IN MEETING
44 THE STUDENT'S NEEDS AND ENSURING A SUCCESSFUL TRANSITION. THE
45 INFORMATION MAY INCLUDE A DESCRIPTION OF MENTAL HEALTH NEEDS
46 WITH THE CONSENT OF A PARENT OR LEGAL GUARDIAN OR, IF THE STUDENT
47 IS FIFTEEN YEARS OF AGE OR OLDER, THE STUDENT'S CONSENT.

48
49 (5) IF A CHANGE OF PUBLIC PLACEMENT IS REQUIRED FOR THE
50 SAFETY OF THE IDENTIFIED STUDENT, THE RESPONSIBLE STATE OR COUNTY
51 DEPARTMENT OF HUMAN SERVICES SHALL PROVIDE INFORMATION TO THE
52 CHILD WELFARE EDUCATION LIAISON, DESIGNATED PURSUANT TO SECTION
53 22-32-138 (2) (a), C.R.S., OF THE RECEIVING SCHOOL DISTRICT, CHARTER
54 SCHOOL, OR INSTITUTE CHARTER SCHOOL AT LEAST FIVE BUSINESS DAYS
55 FOLLOWING THE STUDENT'S PLACEMENT. THE INFORMATION PROVIDED TO
56 THE CHILD WELFARE EDUCATION LIAISON SHALL INCLUDE, BUT NEED NOT

1 BE LIMITED TO, EDUCATIONAL RECORDS FROM THE TRANSFERRING
2 EDUCATIONAL FACILITY AND AN OUTLINE OF THE STUDENT'S
3 TRANSITIONAL NEEDS TO BE SUCCESSFUL IN THE PUBLIC SCHOOL SETTING
4 THAT WOULD ASSIST THE DISTRICT IN MEETING THE STUDENT'S NEEDS AND
5 ENSURING A SUCCESSFUL TRANSITION. THE INFORMATION MAY INCLUDE
6 A DESCRIPTION OF MENTAL HEALTH NEEDS WITH THE CONSENT OF A
7 PARENT OR LEGAL GUARDIAN OR, IF THE STUDENT IS FIFTEEN YEARS OR
8 OLDER, THE STUDENT'S CONSENT.
9

10 (6) THE RESPONSIBLE COUNTY DEPARTMENT OF HUMAN SERVICES
11 AND THE RECEIVING SCHOOL DISTRICT, CHARTER SCHOOL, OR INSTITUTE
12 CHARTER SCHOOL SHALL WORK COOPERATIVELY TO ENSURE AN
13 APPROPRIATE PLACEMENT INCLUDING EDUCATIONAL SERVICES IS MADE
14 PURSUANT TO THIS SECTION AND SECTIONS 22-20-108 AND 22-32-138,
15 C.R.S., AS APPLICABLE.
16

17 (7) WITHIN THE CONFIDENTIALITY AND PRIVACY PARAMETERS OF
18 STATE AND FEDERAL LAW, THE RESPONSIBLE COUNTY DEPARTMENT OF
19 HUMAN SERVICES OR THE SENDING SCHOOL DISTRICT, CHARTER SCHOOL,
20 OR INSTITUTE CHARTER SCHOOL SHALL PROVIDE INFORMATION ABOUT THE
21 STUDENT TO ASSIST THE RECEIVING ENTITY IN DETERMINING AN
22 APPROPRIATE EDUCATIONAL PLACEMENT FOR THE STUDENT.
23

24 (8) ON OR BEFORE JULY 1, 2011, THE DEPARTMENT OF HUMAN
25 SERVICES AND THE DEPARTMENT OF EDUCATION SHALL ENTER INTO A
26 MEMORANDUM OF UNDERSTANDING CONCERNING THE ENROLLMENT OF
27 STUDENTS WHO MEET THE REQUIREMENTS OF SUBSECTION (4) OF THIS
28 SECTION IN THE PUBLIC SCHOOL SYSTEM. THE MEMORANDUM OF
29 UNDERSTANDING SHALL INCLUDE, BUT NEED NOT BE LIMITED TO:
30

31 (a) A CONSISTENT AND UNIFORM APPROACH TO NOTIFICATION AND
32 TO SHARING MEDICAL, MENTAL HEALTH, SOCIOLOGICAL, AND SCHOLASTIC
33 ACHIEVEMENT DATA ABOUT STUDENTS, WITHIN THE PARAMETERS OF
34 STATE AND FEDERAL LAW, BETWEEN SCHOOL DISTRICTS, CHARTER
35 SCHOOLS, INSTITUTE CHARTER SCHOOLS, AND COUNTY DEPARTMENTS OF
36 HUMAN SERVICES FOR THE PURPOSES OF COLLABORATION IN THE
37 PLACEMENT OF A STUDENT PURSUANT TO THIS SECTION AND SECTION
38 22-20-108, C.R.S., AND TO FACILITATE THE CREATION OF A TRANSITION
39 PLAN FOR A STUDENT AND TO FACILITATE THE CREATION OF A TRANSITION
40 PLAN FOR THE SUCCESS OF THE STUDENT WHILE BALANCING THE SAFETY
41 OF THE STUDENTS AND STAFF IN THE SCHOOL COMMUNITY.
42

43 (b) A PLAN FOR UTILIZING EXISTING STATE AND FEDERAL DATA
44 AND ANY EXISTING INFORMATION-SHARING ACTIVITIES;
45

46 (c) A PLAN FOR DETERMINING ACCOUNTABILITY AND COLLECTING
47 DATA CONCERNING THE IMPLEMENTATION OF NOTIFICATIONS AND
48 INVITATIONS REQUIRED PURSUANT TO SUBSECTION (1) OF THIS SECTION,
49 THE NUMBER OF EMERGENCY CHANGE OF PLACEMENTS OCCURRING IN A
50 CALENDAR YEAR, AND THE SHARING OF INFORMATION PURSUANT TO THIS
51 SECTION;
52

53 (d) A PROCESS FOR DETERMINING INFORMATION SHARING AND
54 COLLABORATION FOR PLACEMENT OF STUDENTS PURSUANT TO SECTION
55 19-1-115.5 AND SECTION 22-20-108, C.R.S.;

56

1 (e) RECOMMENDATIONS FOR AN APPROACH TO SHARING DATA
2 THAT CONFORMS WITH THE INTERDEPARTMENTAL DATA PROTOCOL
3 ESTABLISHED PURSUANT TO SECTION 24-37.5-704, C.R.S., AND THAT IS IN
4 COMPLIANCE WITH ALL STATE AND FEDERAL LAWS, RULES, AND
5 REGULATIONS CONCERNING THE PRIVACY OF INFORMATION; AND

6
7 (f) IDENTIFICATION OF TRAINING AND PROFESSIONAL
8 DEVELOPMENT NEEDS ASSOCIATED WITH IMPLEMENTING INFORMATION
9 SHARING BETWEEN RESPONSIBLE ENTITIES AND FUNDING SOURCES THAT
10 COULD BE UTILIZED FOR THIS PURPOSE.

11
12 (9) (a) NOTHING IN THE SECTION SHALL ALTER THE RIGHTS AND
13 OBLIGATIONS OF THE DEPARTMENT OF EDUCATION OR ANY LOCAL AGENCY
14 CREATED PURSUANT TO TITLE 22, C.R.S.; 20 U.S.C. SEC. 1400 ET SEQ.; 29
15 U.S.C. ET SEQ.; 42 U.S.C. SEC. 11431 ET SEQ.; AND 42 U.S.C. SEC. 675 ET
16 SEQ., AS AMENDED BY THE FEDERAL "FOSTERING CONNECTIONS TO
17 SUCCESS AND INCREASING ADOPTIONS ACT OF 2008", PUB.L. 110-351.

18
19 (b) THE STATE OR COUNTY DEPARTMENT OF HUMAN SERVICES
20 SHALL CEASE TO HAVE RESPONSIBILITIES FOR A STUDENT PURSUANT TO
21 THIS SECTION WHEN THE STUDENT IS NO LONGER UNDER THE SUPERVISION
22 AND MONITORING BY THE STATE OR COUNTY DEPARTMENT OF HUMAN
23 SERVICES.

24
25 **SECTION 3.** Part 1 of article 2 of title 22, Colorado Revised
26 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
27 read:

28
29 **22-2-138. Department of education - out-of-home placement**
30 **- commitment - school enrollment - memorandum of understanding.**

31 (1) ON OR BEFORE JULY 1, 2011, THE DEPARTMENT OF HUMAN SERVICES
32 AND THE DEPARTMENT OF EDUCATION SHALL ENTER INTO A MEMORANDUM
33 OF UNDERSTANDING CONCERNING THE ENROLLMENT OF STUDENTS IN THE
34 PUBLIC SCHOOL SYSTEM. THE MEMORANDUM OF UNDERSTANDING SHALL
35 INCLUDE, BUT NEED NOT BE LIMITED TO:

36
37 (a) A CONSISTENT AND UNIFORM APPROACH TO NOTIFICATION AND
38 TO SHARING MEDICAL, MENTAL HEALTH, SOCIOLOGICAL, AND SCHOLASTIC
39 ACHIEVEMENT DATA ABOUT STUDENTS, WITHIN THE PARAMETERS OF
40 STATE AND FEDERAL LAW, BETWEEN SCHOOL DISTRICTS, CHARTER
41 SCHOOLS, INSTITUTE CHARTER SCHOOLS, AND COUNTY DEPARTMENTS OF
42 HUMAN SERVICES FOR THE PURPOSES OF COLLABORATION IN THE
43 PLACEMENT OF STUDENTS PURSUANT TO THIS SECTION AND SECTION
44 22-20-108, BETTER FACILITATION OF THE CREATION OF TRANSITION PLANS
45 FOR STUDENTS, AND ENSURING THE SAFETY OF THE PEOPLE IN THE SCHOOL
46 COMMUNITY;

47
48 (b) A PLAN FOR UTILIZING EXISTING STATE AND FEDERAL DATA
49 AND ANY EXISTING INFORMATION-SHARING ACTIVITIES;

50
51 (c) A PLAN FOR DETERMINING ACCOUNTABILITY AND COLLECTING
52 DATA CONCERNING THE IMPLEMENTATION OF THE NOTIFICATIONS AND
53 INVITATION REQUIRED PURSUANT TO SECTION 19-1-115.5 (4) (a) AND (4)
54 (b), C.R.S., THE NUMBER OF EMERGENCY PLACEMENTS OCCURRING IN A
55 CALENDAR YEAR, AND THE SHARING OF INFORMATION UNDER THIS
56 SECTION;

1 (d) A PROCESS FOR DETERMINING INFORMATION SHARING AND
2 COLLABORATION FOR PLACEMENT OF STUDENTS PURSUANT TO SECTION
3 19-1-115.5, C.R.S. AND SECTION 22-20-108;

4
5 (e) RECOMMENDATIONS FOR AN APPROACH TO SHARING DATA
6 THAT CONFORMS WITH THE INTERDEPARTMENTAL DATA PROTOCOL
7 ESTABLISHED PURSUANT TO SECTION 24-37.5-704, C.R.S., AND THAT IS IN
8 COMPLIANCE WITH ALL STATE AND FEDERAL LAWS, RULES, AND
9 REGULATIONS CONCERNING THE PRIVACY OF INFORMATION; AND

10
11 (f) IDENTIFICATION OF TRAINING AND PROFESSIONAL
12 DEVELOPMENT NEEDS ASSOCIATED WITH IMPLEMENTING INFORMATION
13 SHARING BETWEEN RESPONSIBLE ENTITIES AND FUNDING SOURCES THAT
14 COULD BE UTILIZED FOR THIS PURPOSE.

15
16 (2) NOTHING IN THE SECTION SHALL ALTER THE RIGHTS AND
17 OBLIGATIONS OF THE DEPARTMENT OF EDUCATION OR ANY LOCAL AGENCY
18 CREATED PURSUANT TO TITLE 22, C.R.S.; 20 U.S.C. SEC. 1400 ET SEQ.; 29
19 U.S.C. ET SEQ.; 42 U.S.C. SEC. 11431 ET SEQ.; AND 42 U.S.C. SEC. 675 ET
20 SEQ., AS AMENDED BY THE FEDERAL "FOSTERING CONNECTIONS TO
21 SUCCESS AND INCREASING ADOPTIONS ACT OF 2008", PUB.L. 110-351.

22
23 **SECTION 4.** 22-32-138 (2) (a), Colorado Revised Statutes, is
24 amended to read:

25
26 **22-32-138. Out-of-home placement students - transfer**
27 **procedures - absences - exemptions.** (2) (a) Each school district and
28 the state charter school institute, created pursuant to section 22-30.5-503,
29 shall designate an employee of the school district or the institute to act as
30 the child welfare education liaison for the district or for state charter
31 schools. In lieu of designating an employee, a school district or the state
32 charter school institute may contract with an individual to act as the child
33 welfare education liaison. SCHOOL DISTRICTS AND THE STATE CHARTER
34 SCHOOL INSTITUTE SHALL REPORT BY AUGUST 15, 2010, AND EACH
35 AUGUST 15 THEREAFTER, THE NAME AND CONTACT INFORMATION OF THE
36 CHILD WELFARE EDUCATION LIAISON TO THE STATE DEPARTMENT. THE
37 STATE DEPARTMENT SHALL BE RESPONSIBLE FOR POSTING THAT
38 INFORMATION ON THE STATE DEPARTMENT WEB SITE AND PROVIDING THE
39 INFORMATION TO THE DEPARTMENT OF HUMAN SERVICES. The child
40 welfare education liaison shall be responsible for working with child
41 placement agencies, county departments, and the state department to
42 facilitate the prompt and appropriate placement, transfer, and enrollment
43 in school of students in out-of-home placement within the school district
44 or who are enrolled or enrolling in institute charter schools. The specific
45 duties of the child welfare education liaison shall include, but need not be
46 limited to:

47
48 (I) Working with social workers from county departments,
49 juvenile probation officers, and foster care parents to ensure the prompt
50 school enrollment of students in out-of-home placement and the prompt
51 transfer of their education information and records when students are
52 required to change school enrollment due to changes in placement;

53
54 (II) Ensuring that the education information and records of a
55 student in out-of-home placement are delivered to the student's new
56 school within five school days after receiving a request for the transfer of

1 the student's education information and records from a county department
2 as required in subsection (3) of this section; AND
3

4 (III) RECEIVING THE REQUIRED NOTIFICATION AND INVITATION TO
5 PARTICIPATE AND ACTUAL PARTICIPATION IN A TRANSITION PLANNING
6 MEETING REGARDING THE ENROLLMENT IN A PUBLIC SCHOOL OF A
7 STUDENT IN AN OUT-OF-HOME PLACEMENT PURSUANT TO SECTION
8 22-2-138.
9

10 **SECTION 5. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, and safety."
13

14 Page 1 of the printed bill, line 102, strike "JUVENILES" and substitute
15 "STUDENTS".
16
17
18
19

20 **FINANCE**

21 After consideration on the merits, the Committee recommends the
22 following:
23

24 **HB10-1103** be amended as follows, and as so amended, be referred to
25 the Committee on Appropriations with favorable
26 recommendation
27

28 Amend the Health and Human Services Committee Report, dated
29 February 25, 2010, page 1, before line 1 insert:
30

31 "Amend printed bill, page 3, strike lines 1 through 4 and substitute
32 "INSURANCE CONTRACT AND THE MEDICAL EXPENSES EXCEED TEN
33 PERCENT OF A FAMILY'S GROSS ANNUAL INCOME FOR FAMILIES EARNING
34 LESS THAN ONE HUNDRED THOUSAND DOLLARS OR FIFTEEN PERCENT OF A
35 FAMILY'S GROSS ANNUAL INCOME FOR FAMILIES EARNING MORE THAN ONE
36 HUNDRED THOUSAND DOLLARS."."
37

38 Page 1 of the report, line 1, strike "Amend printed bill, page" and
39 substitute "Page".
40

41 Page 1 of the report, after line 2 insert:
42

43 "Page 4, line 25, strike "FUND." and substitute "FUND; EXCEPT THAT
44 MONEYS FROM THE FUND MAY BE TRANSFERRED TO THE GENERAL FUND TO
45 OFFSET ANY EMPLOYEE-RELATED IMPACT TO THE GENERAL FUND THAT IS
46 A RESULT OF THE IMPLEMENTATION OF THIS SECTION."."
47

48 Page 2 of the report, line 2, after "ASSESSMENT" insert "OF ONE DOLLAR".
49

50 Page 2 of the report, after line 4 insert:
51

52 "Page 8, line 17, strike "STATE." and substitute "STATE, EXCEPT FOR
53 COVERAGE THROUGH THE CHILDREN'S BASIC HEALTH PLAN."."
54
55

1 Page 2 of the report, line 6, after "ASSESSMENT" insert "OF ONE DOLLAR".

2
3 Page 2 of the report, line 7, strike "STATE." and substitute "STATE, EXCEPT
4 FOR COVERAGE THROUGH THE CHILDREN'S BASIC HEALTH PLAN.".

5
6
7
8
9 **HEALTH & HUMAN SERVICES**

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

12
13 **SB10-118** be referred to the Committee of the Whole with favorable
14 recommendation.

15
16
17 **SB10-129** be referred to the Committee of the Whole with favorable
18 recommendation.

19
20
21
22
23 **JUDICIARY**

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

26
27
28 **HB10-1338** be amended as follows, and as so amended, be referred to
29 the Committee on Appropriations with favorable
30 recommendation:

31
32 Amend printed bill, strike everything below the enacting clause and
33 substitute:

34
35 "SECTION 1. 18-1.3-201 (2) and (4) (a) (I), Colorado Revised
36 Statutes, are amended, and the said 18-1.3-201 is further amended BY
37 THE ADDITION OF A NEW SUBSECTION, to read:

38
39 **18-1.3-201. Application for probation.** (2) (a) THE PROVISIONS
40 OF THIS SUBSECTION (2) SHALL APPLY TO ANY PERSON WHOSE
41 APPLICATION FOR PROBATION IS BASED ON A CONVICTION FOR A FELONY,
42 WHICH CONVICTION OCCURRED BEFORE THE EFFECTIVE DATE OF THIS
43 SUBSECTION (2), AS AMENDED.

44
45 ~~(a)~~ (a.5) A person who has been twice OR MORE convicted of a
46 felony under the laws of this state, any other state, or the United States
47 prior to the conviction on which his or her application is based shall not
48 be eligible for probation.

49
50 (b) Notwithstanding any other provision of law except the
51 provisions of paragraph (c) of this subsection (2), a person who has been
52 convicted of one or more felonies under the laws of this state, any other
53 state, or the United States within ten years prior to a class 1, 2, or 3 felony
54 conviction on which his or her application is based shall not be eligible
55 for probation.

56

1 (c) Notwithstanding the provisions of paragraph (a) (a.5) of this
2 subsection (2) and subsection (4) of this section, an offender convicted of
3 a violation of section 18-18-405 (2.3) may be eligible for probation upon
4 recommendation of the district attorney.

5
6 (d) Repealed.

7
8 (2.5) (a) THE PROVISIONS OF THIS SUBSECTION (2.5) SHALL APPLY
9 TO ANY PERSON WHOSE APPLICATION FOR PROBATION IS BASED ON A
10 CONVICTION FOR A FELONY, WHICH CONVICTION OCCURRED ON OR AFTER
11 THE EFFECTIVE DATE OF THIS SUBSECTION (2.5).

12
13 (b) EXCEPT AS DESCRIBED IN PARAGRAPH (a) OF SUBSECTION (4)
14 OF THIS SECTION, A PERSON WHO HAS BEEN TWICE OR MORE CONVICTED OF
15 A FELONY UPON CHARGES SEPARATELY BROUGHT AND TRIED AND ARISING
16 OUT OF SEPARATE AND DISTINCT CRIMINAL EPISODES UNDER THE LAWS OF
17 THIS STATE, ANY OTHER STATE, OR THE UNITED STATES PRIOR TO THE
18 CONVICTION ON WHICH HIS OR HER APPLICATION IS BASED SHALL NOT BE
19 ELIGIBLE FOR PROBATION IF THE CURRENT CONVICTION OR A PRIOR
20 CONVICTION IS FOR:

21
22 (I) FIRST OR SECOND DEGREE MURDER, AS DESCRIBED IN SECTION
23 18-3-102 OR 18-3-103;

24
25 (II) MANSLAUGHTER, AS DESCRIBED IN SECTION 18-3-104;

26
27 (III) FIRST OR SECOND DEGREE ASSAULT, AS DESCRIBED IN
28 SECTION 18-3-202 OR 18-3-203;

29
30 (IV) FIRST OR SECOND DEGREE KIDNAPPING, AS DESCRIBED IN
31 SECTION 18-3-301 OR 18-3-302;

32
33 (V) A SEXUAL OFFENSE AS DESCRIBED IN PART 4 OF ARTICLE 3 OF
34 THIS TITLE;

35
36 (VI) FIRST DEGREE ARSON, AS DESCRIBED IN SECTION 18-4-102;

37
38 (VII) FIRST OR SECOND DEGREE BURGLARY, AS DESCRIBED IN
39 SECTION 18-4-202 OR 18-4-203;

40
41 (VIII) ROBBERY, AS DESCRIBED IN SECTION 18-4-301;

42
43 (IX) AGGRAVATED ROBBERY, AS DESCRIBED IN SECTION 18-4-302
44 OR 18-4-303;

45
46 (X) THEFT FROM THE PERSON OF ANOTHER, AS DESCRIBED IN
47 SECTION 18-4-401 (5);

48
49 (XI) ANY FELONY OFFENSE COMMITTED AGAINST A CHILD, AS
50 DESCRIBED IN ARTICLE 3, 6, OR 7 OF THIS TITLE; OR

51
52 (XII) ANY CRIMINAL ATTEMPT OR CONSPIRACY TO COMMIT ANY OF
53 THE OFFENSES SPECIFIED IN THIS PARAGRAPH (b).

54
55 (c) FAILURE TO REGISTER AS A SEX OFFENDER, AS DESCRIBED IN
56 SECTION 18-3-412.5, SHALL NOT CONSTITUTE A SEXUAL OFFENSE FOR THE

1 PURPOSES OF SUBPARAGRAPH (V) OF PARAGRAPH (b) OF THIS SUBSECTION
2 (2.5).
3

4 (4) (a) (I) The restrictions upon eligibility for probation in
5 ~~subsection (2)~~ SUBSECTIONS (2) AND (2.5) of this section may be waived
6 by the sentencing court regarding a particular defendant upon
7 recommendation of the district attorney approved by an order of the
8 sentencing court.
9

10 **SECTION 2. Repeal.** 18-1.3-201 (1) (b) and (4) (a) (II),
11 Colorado Revised Statutes, are repealed.
12

13 **SECTION 3. Safety clause.** The general assembly hereby finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, and safety."
16
17
18

19 **HB10-1347** be amended as follows, and as so amended, be referred to
20 the Committee on Appropriations with favorable
21 recommendation:
22

23 Amend printed bill, page 2, line 5, strike "THE FOLLOWING NEW" and
24 substitute "A NEW SECTION to read:".
25

26 Page 2, strike line 6.
27

28 Page 3, strike lines 6 through 8 and substitute:
29

30 "(a) "CONVICTION" MEANS A VERDICT OF GUILTY BY A JUDGE OR
31 JURY OR A PLEA OF GUILTY OR NOLO CONTENDERE THAT IS ACCEPTED BY
32 THE COURT FOR AN OFFENSE, OR ADJUDICATION FOR AN OFFENSE THAT
33 WOULD CONSTITUTE A CRIMINAL OFFENSE IF COMMITTED BY AN ADULT.
34 "CONVICTION" ALSO INCLUDES HAVING RECEIVED A DEFERRED JUDGMENT
35 AND SENTENCE OR DEFERRED ADJUDICATION; EXCEPT THAT A PERSON
36 SHALL NOT BE DEEMED TO HAVE BEEN CONVICTED IF THE PERSON HAS
37 SUCCESSFULLY COMPLETED A DEFERRED SENTENCE OR DEFERRED
38 ADJUDICATION."
39

40 Page 5, strike lines 1 through 3 and substitute "DUI PER SE, DWAI, OR
41 HABITUAL USER WHO, AT THE TIME OF SENTENCING, HAS A PRIOR
42 CONVICTION OF DUI, DUI PER SE, DWAI, HABITUAL USER,".
43

44 Page 5, line 10, strike "YEAR, DURING WHICH TIME" and substitute "YEAR.
45 DURING THE MANDATORY TEN-DAY PERIOD OF IMPRISONMENT,".
46

47 Page 5, strike lines 25 and 26 and substitute:
48

49 "(C) PARTICIPATING IN A COURT-ORDERED LEVEL II ALCOHOL AND
50 DRUG DRIVING SAFETY EDUCATION OR TREATMENT PROGRAM, AS
51 DESCRIBED IN SECTION 42-4-1301.3 (3) (c) (IV);".
52

53 Page 6, strike line 23 through 27 and substitute "THIS SUBSECTION (5);
54 EXCEPT THAT A COURT MAY ALLOW THE PERSON TO PARTICIPATE IN A
55 PROGRAM PURSUANT TO SECTION 18-1.3-106 (1) (a) (I), (1) (a) (IV), OR (1)
56 (a) (V), C.R.S., ONLY IF THE PROGRAM IS AVAILABLE THROUGH THE

1 COUNTY IN WHICH THE PERSON IMPRISONED AND ONLY FOR THE PURPOSE
2 OF:

3
4 (A) CONTINUING A POSITION OF EMPLOYMENT THAT THE PERSON
5 HELD AT THE TIME OF SENTENCING FOR SAID VIOLATION;

6
7 (B) CONTINUING ATTENDANCE AT AN EDUCATIONAL INSTITUTION
8 AT WHICH THE PERSON WAS ENROLLED AT THE TIME OF SENTENCING FOR
9 SAID VIOLATION; OR

10
11 (C) PARTICIPATING IN A COURT-ORDERED LEVEL II ALCOHOL AND
12 DRUG DRIVING SAFETY EDUCATION OR TREATMENT PROGRAM, AS
13 DESCRIBED IN SECTION 42-4-1301.3 (3) (c) (IV).

14
15 (6) **Third and subsequent offenses.** A PERSON WHO IS
16 CONVICTED OF DUI, DUI PER SE, DWAI, OR HABITUAL USER WHO, AT THE
17 TIME OF SENTENCING, HAS TWO OR MORE PRIOR CONVICTIONS OF DUI,
18 DUI".

19
20 Page 7, line 7, strike "YEAR, DURING WHICH TIME" and substitute "YEAR.
21 DURING THE MANDATORY SIXTY-DAY PERIOD OF IMPRISONMENT,".

22
23 Page 7, strike lines 22 and 23 and substitute:

24 "(III) PARTICIPATING IN A COURT-ORDERED LEVEL II ALCOHOL
25 AND DRUG DRIVING SAFETY EDUCATION OR TREATMENT PROGRAM, AS
26 DESCRIBED IN SECTION 42-4-1301.3 (3) (c) (IV);".

27
28 Page 8, strike lines 22 and 23 and substitute "A REQUIREMENT THAT THE
29 PERSON COMPLETE A LEVEL II ALCOHOL AND DRUG DRIVING SAFETY
30 EDUCATION OR TREATMENT PROGRAM, AS DESCRIBED IN SECTION
31 42-4-1301.3 (3) (c) (IV), AT THE PERSON'S OWN EXPENSE;".

32
33 Page 9, strike line 3 and substitute "AND DRUG DRIVING SAFETY
34 EDUCATION OR TREATMENT PROGRAM DESCRIBED IN".

35
36 Page 9, line 7, strike "AND".

37
38 Page 9, after line 10 insert:

39 "(VI) MAY REQUIRE THE PERSON TO SUBMIT TO CONTINUOUS
40 ALCOHOL MONITORING USING SUCH TECHNOLOGY OR DEVICES AS ARE
41 AVAILABLE TO THE COURT FOR SUCH PURPOSE; AND

42
43 (VII) MAY IMPOSE SUCH ADDITIONAL CONDITIONS OF PROBATION
44 AS MAY BE PERMITTED BY LAW.".

45
46 Page 9, strike line 25 and substitute "OF THE PERSON IN ANY
47 COURT-ORDERED ALCOHOL AND DRUG DRIVING SAFETY EDUCATION OR".

48
49 Page 10, line 10, strike "AN ALCOHOL OR" and substitute "A LEVEL II
50 ALCOHOL AND DRUG DRIVING SAFETY EDUCATION OR TREATMENT
51 PROGRAM PURSUANT TO SUBPARAGRAPH".

52
53 Page 10, strike line 11.

54
55 Page 11, line 13, strike "AN" and substitute "A".

56

1 Page 11, line 14, strike "AUTHENTICATED".

2
3 Page 12, line 19, strike "ONE HALF OF".

4
5 Page 12, line 20, strike "42-3-303 AND ONE HALF" and substitute
6 "42-3-303."

7
8 Page 12, strike lines 21 and 22.

9
10 Page 13, strike line 21 and substitute "COMPLETING A LEVEL II ALCOHOL
11 AND DRUG DRIVING SAFETY EDUCATION OR TREATMENT PROGRAM, AS
12 DESCRIBED IN SECTION 42-4-1301.3 (3) (c) (IV). A COURT MAY".

13
14 Page 14, strike lines 17 through 27.

15
16 Page 15, strike lines 1 through 4 and substitute:

17
18 **"SECTION 3.** 42-3-303 (1) (c) (II), Colorado Revised Statutes,
19 is amended, and the said 42-3-303 is further amended BY THE
20 ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

21
22 **42-3-303. Persistent drunk driver cash fund - programs to**
23 **deter persistent drunk drivers.** (1) There is hereby created in the state
24 treasury the persistent drunk driver cash fund, which shall be composed
25 of moneys collected for penalty surcharges under section 42-4-1301 (7)
26 (d) (II). The moneys in such fund are subject to annual appropriation by
27 the general assembly:

28
29 (c) (II) The departments of transportation, revenue, and human
30 services AND THE JUDICIAL BRANCH shall coordinate programs intended
31 to accomplish the goals described in subparagraph (I) of this paragraph
32 (c).

33
34 (e) TO ASSIST IN PROVIDING COURT-ORDERED ALCOHOL
35 TREATMENT PROGRAMS FOR INDIGENT AND INCARCERATED OFFENDERS;

36
37 (f) TO ASSIST IN PROVIDING APPROVED IGNITION INTERLOCK
38 DEVICES, AS DEFINED IN SECTION 42-2-132.5 (7) (a), FOR INDIGENT
39 OFFENDERS; AND

40
41 (g) TO ASSIST IN PROVIDING CONTINUOUS MONITORING
42 TECHNOLOGY OR DEVICES FOR INDIGENT OFFENDERS."

43
44 Renumber succeeding sections accordingly.

45
46 Page 15, strike line 17 and substitute "REPEAT ANY PORTION OF AN
47 ALCOHOL AND DRUG DRIVING SAFETY EDUCATION OR TREATMENT
48 PROGRAM".

49
50
51
52 **HJR10-1009** be postponed indefinitely.

53
54
55

1 **STATE, VETERANS, & MILITARY AFFAIRS**

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

4
5 **HB10-1127** be postponed indefinitely.

6
7
8 **SB10-032** be referred to the Committee of the Whole with favorable
9 recommendation.

10
11
12 **SB10-047** be amended as follows, and as so amended, be referred to
13 the Committee of the Whole with favorable
14 recommendation:

15
16 Amend reengrossed bill, page 3, line 22, after "(II)" insert "(A)".

17
18 Page 4, after line 12 insert:

19
20 "(B) FOR PURPOSES OF SUB-SUBPARAGRAPH (A) OF THIS
21 SUBPARAGRAPH (II), A FEDERAL RECORD OF EMERGENCY DATA IS VALID
22 AND ENFORCEABLE FOR ANY DECLARANT WHO IS A COVERED DECEDENT
23 AT THE TIME OF HIS OR HER DEATH, PURSUANT TO 10 U.S.C. SEC. 1481, OR
24 ANY SUCCESSOR SECTION CONCERNING RECOVERY, CARE, AND
25 DISPOSITION OF REMAINS."

26
27
28
29 **SB10-080** be referred to the Committee of the Whole with favorable
30 recommendation.

31
32
33 **SB10-123** be referred to the Committee of the Whole with favorable
34 recommendation.

35
36
37
38
39 **TRANSPORTATION & ENERGY**

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

42
43 **HB10-1243** be amended as follows, and as so amended, be referred to
44 the Committee on Finance with favorable
45 recommendation:

46
47 Amend printed bill, page 2, after line 1 insert:

48
49 "SECTION 1. 30-20-604.5 (1), Colorado Revised Statutes, is
50 amended to read:

51
52 **30-20-604.5. District sales tax.** (1) The board of any county
53 ~~having a population greater than one hundred thousand~~ or of any city that
54 has been authorized to become a city and county pursuant to an
55 amendment to the state constitution that has been approved by the
56 registered electors of the state of Colorado and that subsequently becomes

1 a city and county ~~regardless of population~~, for the purpose of funding all
2 or a portion of the cost of any improvements constructed or transportation
3 services provided pursuant to section 30-20-603 (1) (a), (1) (a.5), and (1)
4 (c), may levy a sales tax throughout the district upon every transaction or
5 other incident with respect to which a sales tax is authorized pursuant to
6 section 29-2-105, C.R.S.; except that such tax may be levied only upon
7 those transactions specified in section 39-26-104 (1) (a), (1) (b), (1) (e),
8 and (1) (f), C.R.S. The board may, in its discretion, levy or continue to
9 levy a sales tax on the sales of low-emitting motor vehicles, power
10 sources, or parts used for converting such power sources as specified in
11 section 39-26-719 (1), C.R.S."

12
13 Renumber succeeding sections accordingly.

14
15
16

17 **HB10-1342** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:
20

21 Amend printed bill, page 6, line 4, after "SHALL" insert "COMMENCE A
22 RULE-MAKING PROCEEDING TO".

23
24
25

26 Page 7, line 7, strike "ANNUAL".
27
28 Page 7, line 8, strike "COMPLIANCE" and after the first "PLAN" insert "FOR
29 ACQUISITION OF RENEWABLE RESOURCES".

29
30
31

32 Page 7, line 11, strike "PLAN".

33
34
35

36 Page 7, line 12, strike "PLAN".
37
38 Page 7, line 15, strike "THAT ARE OWNED BY SUBSCRIBER
39 ORGANIZATIONS".

39
40
41

42 Page 7, line 18, strike "PLAN" and substitute "COMPLIANCE".
43
44 Page 7, line 19, strike "ACQUIRE" and substitute "ACQUIRE, THROUGH
45 THESE STANDARD OFFERS,".

46
47
48

49 Page 7, line 20, strike "IN ITS PLAN THROUGH" and substitute "IT PLANS TO
50 ACQUIRE,".

51
52
53

54 Page 7, line 21, strike "THESE STANDARD OFFERS".
55
56 Page 7, line 25, strike "PLAN".

57
58
59

60 Page 7, line 26, strike "PLAN".
61
62 Page 8, line 1, strike "PLAN YEAR".

63
64
65

66 Page 8, line 5, strike "PLAN" and substitute "COMPLIANCE".
67
68 Page 8, line 27, strike "COMPLIANCE" and after "PLAN" insert "FOR
69 ACQUISITION OF RENEWABLE RESOURCES, AS".

1 Page 10, line 21, strike "COMPLIANCE" and after "PLAN" insert "FOR
2 ACQUISITION OF RENEWABLE RESOURCES".

3
4 Page 10, line 27, strike the period and add "AND MAY RECOVER THROUGH
5 RATES A MARGIN ON ALL ENERGY AND RENEWABLE ENERGY CREDITS
6 PURCHASED FROM COMMUNITY SOLAR GARDENS. SUCH INCENTIVE
7 PAYMENTS SHALL BE EXCLUDED FROM THE COST ANALYSIS REQUIRED BY
8 SECTION 40-2-124 (1) (g)".

9
10 Page 11, strike lines 11 through 20 and substitute:

11
12 **"SECTION 2. Safety clause.** The general assembly hereby finds,
13 determines, and declares that this act is necessary for the immediate
14 preservation of the public peace, health, and safety.".

15
16
17 **MESSAGE(S) FROM THE SENATE**

18
19 The Senate has passed on Third Reading and transmitted to the Revisor
20 of Statutes:

21
22 SB10-094 amended as printed in Senate Journal, March 10, 2010,
23 pages 478-479 and March 12, 2010.
24 SB10-170 amended as printed in Senate Journal, March 11, 2010,
25 pages 489-490.
26 SB10-117 amended as printed in Senate Journal, March 10, 2010,
27 page 477.
28 HB10-1085 amended as printed in Senate Journal, March 11, 2010,
29 pages 488-489.
30 HB10-1021 amended as printed in Senate Journal, March 11, 2010,
31 page 488 and March 12, 2010.

32
33 The Senate has passed on Third Reading and returns herewith:

34
35 HB10-1064, HB10-1134, HB10-1231, HB10-1148, HB10-1089,
36 HB10-1002, HB10-1059.

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

40
41 We herewith transmit:
42 Without comment, as amended, HB10-1085 and 1021.
43 Without comment, as amended, SB10-170 and 117.
44 With comment, as amended, SB10-094.

45
46
47 **INTRODUCTION OF BILLS**
48 **First Reading**

49
50 The following bills were read by title and referred to the committees
51 indicated:

52
53 **HB10-1362** by Representative(s) Vigil; also Senator(s) Schwartz--
54 Concerning the inactive status of a special district.
55 Committee on Local Government

56

- 1 **HB10-1363** by Representative(s) Scanlan, Liston, McFadyen; also
2 Senator(s) White, Boyd, Gibbs, Hodge, Johnston--
3 Concerning incentives for the production of biogenic gas
4 that was created as a result of human intervention.
5 Committee on Transportation & Energy
6
7 **HB10-1364** by Representative(s) Ryden; also Senator(s) Hudak--
8 Concerning the sex offender management board, and, in
9 connection therewith, continuing the sex offender
10 management board.
11 Committee on Judiciary
12
13 **SB10-114** by Senator(s) Carroll M.; also Representative(s)
14 Weissmann--Concerning the "Colorado Taxpayer
15 Transparency Act of 2010".
16 Committee on State, Veterans, & Military Affairs
17
18
19

20 NOTICE OF CALENDARED ITEM(S)

21
22 On motion of Representative Weissmann, the following bill(s) will be
23 calendared for Second Reading on March 17, 2010: **SB10-008, 058, 119,**
24 **148, 149, 150, 151, 118, 129, 032, 047, 080, 123.**
25
26

27 LAY OVER OF CALENDAR ITEM(S)

28
29
30 On motion of Representative Weissmann, the following item(s) on the
31 Calendar (was)were laid over until March 15, retaining place on
32 Calendar:
33

34 Consideration of Resolution(s)--**HJR10-1015.**
35
36

37 On motion of Representative Weissmann, the House adjourned until
38 10:00 a.m., March 15, 2010.
39

40 Approved:
41 TERRANCE D. CARROLL,
42 Speaker

43 Attest:
44 MARILYN EDDINS,
45 Chief Clerk

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

Sixty-second Legislative Day

Monday, March 15, 2010

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Representative David Balmer.

6

7 The roll was called with the following result:

8

9 Present--63.

10 Excused--Representative(s) Ferrandino, Looper--2.

11 Present after roll call--Representative(s) Ferrandino.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Kefalas, the reading of the journal of
 17 March 12, 2010, was declared dispensed with and approved as corrected
 18 by the Chief Clerk.

19

20

21

22

23 **THIRD READING OF BILL(S)--FINAL PASSAGE**

24

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

28

29 **HB10-1205** by Representative(s) Ryden, Todd; also Senator(s) Spence,
 30 Williams--Concerning land use planning by local
 31 governments to address the impacts of land use
 32 development upon military installations in close proximity
 33 to such governments.

34

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

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

39

	YES	46	NO	17	EXCUSED	2	ABSENT	0
41	Acree	N	Gerou	N	McFadyen	N	Ryden	Y
42	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
43	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y

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

15 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Fischer,
 16 Hullinghorst, Labuda, Middleton, Nikkel, Waller.

17
 18 **HB10-1119** by Representative(s) Ferrandino, Carroll T., Court,
 19 Fischer, Gagliardi, Hullinghorst, Kerr A., Labuda, Levy,
 20 Merrifield, Middleton, Pace, Pommer, Primavera, Rice,
 21 Scanlan, Schafer S., Solano, Todd, Weissmann; also
 22 Senator(s) Shaffer B., Boyd, Steadman--Concerning the
 23 process by which the state annually allocates moneys for
 24 its budget and, in connection therewith, anticipating the
 25 receipt of federal funds to be used therefor.

26
 27 Laid over until March 16, retaining place on Calendar.

28
 29 **HB10-1221** by Representative(s) Curry; also Senator(s) Schwartz--
 30 Concerning the continuation of the licensing of river
 31 outfitters by the board of parks and outdoor recreation,
 32 and, in connection therewith, implementing the sunset
 33 review recommendations of the department of regulatory
 34 agencies.

35
 36 The question being "Shall the bill pass?".

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

41	YES	62	NO	1	EXCUSED	2	ABSENT	0
42	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
43	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
44	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
45	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
46	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
47	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
48	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
49	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
50	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
51	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
52	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
53	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
54	Frangas	Y	Looper	E	Priola	Y	Vaad	Y
55	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
56	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y

1 Gardner C. Y McCann Y Roberts Y Weissmann Y
 2 Speaker Y
 3 Co-sponsor(s) added: Representative(s) Fischer, Labuda, Massey, Nikkel,
 4 Roberts, Scanlan, Vigil.

5
 6 **HB10-1228** by Representative(s) Benefield, Ferrandino, Primavera;
 7 also Senator(s) Hudak--Concerning the responsibility of
 8 the state personnel director to remove ineligible
 9 dependents from group benefit plans, and making an
 10 appropriation therefor.

11
 12 The question being "Shall the bill pass?".
 13 A roll call vote was taken. As shown by the following recorded vote, a
 14 majority of those elected to the House voted in the affirmative and the bill
 15 was declared **passed**.

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

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

36
 37 **HB10-1250** by Representative(s) Fischer, Curry, Apuan, Baumgardner,
 38 Hullinghorst, Kefalas, Looper, Roberts, Ryden, Scanlan,
 39 Solano, Sonnenberg, Tyler, Vigil; also Senator(s) Hodge,
 40 Gibbs, Kester, Schwartz, White, Whitehead--Concerning
 41 the funding of Colorado water conservation board
 42 projects, and making appropriations in connection
 43 therewith.

44
 45 The question being "Shall the bill pass?".
 46 A roll call vote was taken. As shown by the following recorded vote, a
 47 majority of those elected to the House voted in the affirmative and the bill
 48 was declared **passed**.

	YES	62	NO	1	EXCUSED	2	ABSENT	0
51 Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
52 Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y	
53 Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y	
54 Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y	
55 Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
56 Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y	

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

12 Co-sponsor(s) added: Representative(s) Labuda.

13
14 **HB10-1267** by Representative(s) Kerr A., Fischer, Gardner C., Looper,
15 McNulty, Merrifield, Miklosi; also Senator(s) Romer,
16 Penry--Concerning the property tax treatment of an
17 independently owned residential solar electric generation
18 facility.
19

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

21 A roll call vote was taken. As shown by the following recorded vote, a
22 majority of those elected to the House voted in the affirmative and the bill
23 was declared **passed**.
24

25	YES	50	NO	13	EXCUSED	2	ABSENT	0
26	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
27	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
28	Balmer	N	Judd	N	McNulty	Y	Schafer S.	Y
29	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
30	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
31	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
32	Casso	Y	Kerr J.	Y	Murray	N	Stephens	N
33	Court	Y	King S.	Y	Nikkel	N	Summers	Y
34	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
35	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
36	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
37	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
38	Frangas	Y	Looper	E	Priola	Y	Vaad	Y
39	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
40	Gardner B.	Y	May	N	Riesberg	Y	Waller	N
41	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Frangas, Gerou,
44 Hullinghorst, King S., Labuda, Pace, Peniston, Roberts, Ryden, Soper,
45 Summers, Tyler, Vigil.
46

47
48 **HB10-1340** by Representative(s) Vigil; also Senator(s) Newell--
49 Concerning the notice sent by a law enforcement agency
50 when a vehicle has been towed from public property.
51

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

53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.
56

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

19 Co-sponsor(s) added: Representative(s) King S., Labuda, Pace.

20
21 **SB10-015** by Senator(s) Renfro, Kopp; also Representative(s)
22 McNulty, Baumgardner, Frangas, McFadyen--Concerning
23 behind-the-wheel training requirements necessary to
24 receive a driver's license.

25
26 The question being "Shall the bill pass?".

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

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

49 Co-sponsor(s) added: Representative(s) Court, King S., Labuda, Merrifield,
50 Todd, Vigil.

51
52 **SB10-009** by Senator(s) Sandoval, Boyd, Hudak; also
53 Representative(s) Gagliardi, Kefalas--Concerning the
54 duties of the economic opportunity poverty reduction task
55 force.
56

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

	YES	40	NO	23	EXCUSED	2	ABSENT	0
7	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
12	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
14	Court	Y	King S.	N	Nikkel	N	Summers	N
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
16	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
17	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	E	Priola	N	Vaad	N
20	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
21	Gardner B.	N	May	N	Riesberg	Y	Waller	N
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Apuan, Casso, Fischer, Labuda,
 25 Middleton, Pace, Todd.

26
 27 **SB10-014** by Senator(s) Tochtrop, Boyd; also Representative(s)
 28 Solano, Labuda--Concerning changes to the demonstration
 29 programs for system of care family advocates.

30
 31 The question being "Shall the bill pass?".
 32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative and the bill
 34 was declared **passed**.

	YES	60	NO	3	EXCUSED	2	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
39	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
42	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
44	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
45	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
47	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
48	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
49	Frangas	Y	Looper	E	Priola	Y	Vaad	Y
50	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
51	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
52	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Gerou, Hullinghorst,
 55 Primavera, Schafer S., Todd.

56

1 **SB10-115** by Senator(s) Tochtrop, Bacon, Carroll M., Williams; also
 2 Representative(s) Primavera and Merrifield--Concerning
 3 the authority of licensed health care facilities to redispense
 4 unused medications.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

10

	YES	63	NO	0	EXCUSED	2	ABSENT	0
12	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
14	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
15	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
19	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
20	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
21	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
22	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	E	Priola	Y	Vaad	Y
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
26	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
27	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Apuan, Court, Fischer, Frangas,
 30 Gardner C., Gerou, Kerr J., King S., Labuda, Massey, McFadyen, Middleton,
 31 Miklosi, Murray, Pace, Pommer, Riesberg, Ryden, Scanlan, Schafer S., Solano,
 32 Soper, Summers, Swalm, Todd, Vigil, Waller, Weissmann.

33

34 **HB10-1164** by Representative(s) Kerr A., Ferrandino, Scanlan, Solano;
 35 also Senator(s) Tochtrop, Romer--Concerning service of
 36 process in actions concerning incidents that may be
 37 covered by a motor vehicle insurance policy.

38

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

43

	YES	44	NO	19	EXCUSED	2	ABSENT	0
45	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
46	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
47	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
48	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
49	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
50	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
51	Casso	Y	Kerr J.	N	Murray	N	Stephens	Y
52	Court	Y	King S.	N	Nikkel	N	Summers	Y
53	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
54	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
55	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
56	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y

1	Frangas	Y	Looper	E	Priola	N	Vaad	N
2	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
3	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
4	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Kagan, Primavera, Speaker.

7
8 **SB10-081** by Senator(s) Sandoval; also Representative(s) Solano--
9 Concerning creation of the "Farm-to-School Healthy Kids
10 Act", and, in connection therewith, establishing an
11 interagency task force to develop farm-to-school program
12 policies.
13

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

15 A roll call vote was taken. As shown by the following recorded vote, a
16 majority of those elected to the House voted in the affirmative and the bill
17 was declared **passed**.
18

19	YES	46	NO	17	EXCUSED	2	ABSENT	0
20	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
21	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
22	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
23	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
24	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
25	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
26	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
27	Court	Y	King S.	N	Nikkel	N	Summers	Y
28	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
29	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
30	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
31	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
32	Frangas	Y	Looper	E	Priola	Y	Vaad	N
33	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
34	Gardner B.	N	May	N	Riesberg	Y	Waller	N
35	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
36							Speaker	Y

37 Co-sponsor(s) added: Representative(s) Apuan, Curry, Fischer, Gagliardi,
38 Labuda, Merrifield, Middleton, Primavera, Scanlan, Schafer S., Todd, Vigil.
39

40
41
42 On motion of Representative Court, the House resolved itself into
43 Committee of the Whole for consideration of General Orders, and she
44 was called to the Chair to act as Chairman.
45

46 47 **GENERAL ORDERS--SECOND READING OF BILLS** 48

49 The Committee of the Whole having risen, the Chairman reported the
50 titles of the following bills had been read (reading at length had been
51 dispensed with by unanimous consent), the bills considered and action
52 taken thereon as follows:
53

54 (Amendments to the committee amendment are to the printed committee
55 report which was printed and placed in the members' bill file.)
56

1 **SB10-019** by Senator(s) Schwartz, Brophy, Hodge, White,
2 Whitehead; also Representative(s) Fischer, Baumgardner,
3 Curry, Gardner C., McKinley--Concerning the valuation
4 of new hydroelectric energy facilities for the purpose of
5 property taxation.
6

7 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
8 dated March 3, 2010, and placed in member's bill file; Report also printed
9 in House Journal, March 4, page 661.
10

11 Amendment No. 2, by Representative(s) Fischer.
12

13 Amend reengrossed bill, page 4, line 2, strike "FOR" and substitute "AND
14 OPERATED FOR PRIMARY".
15

16 Page 4, line 3, strike "THE" and substitute "SOLELY FOR".
17

18 As amended, ordered revised and placed on the Calendar for Third
19 Reading and Final Passage.
20

21 **HB10-1351** by Representative(s) Ferrandino, Apuan, Casso, Curry,
22 Gagliardi, Hullinghorst, Kerr A., McCann, Merrifield,
23 Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Tyler,
24 Vigil; also Senator(s) Romer, Carroll M., Foster, Keller,
25 Morse--Concerning the maximum authorized interest rate
26 for a payday loan.
27

28 Laid over until March 16.
29

30 **SB10-010** by Senator(s) Boyd, Sandoval; also Representative(s)
31 Kefalas--Concerning authorizing the department of human
32 services to use a portion of existing appropriations to
33 conduct an independent evaluation of the statewide
34 strategic use fund.
35

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

39 **HB10-1234** by Representative(s) Primavera--Concerning the fair
40 settlement of claims for benefits under an insurance
41 policy.
42

43 Laid over until March 16, retaining place on Calendar.
44

45 **HB10-1259** by Representative(s) Nikkel; also Senator(s) Lundberg--
46 Concerning amendments to the "Municipal Annexation
47 Act of 1965" in order to conform the act to provisions of
48 the state constitution.
49

50 Amendment No. 1, Local Government Report, dated March 2, 2010, and
51 placed in member's bill file; Report also printed in House Journal,
52 March 3, pages 651-652.
53

54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.
56

1 **HB10-1276** by Representative(s) Levy; also Senator(s) Mitchell--
2 Concerning the sale by a railroad company of its right-of-
3 way for the operation of a public passenger rail service.
4

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

8
9 **SB10-112** by Senator(s) Kopp, Carroll M.; also Representative(s)
10 Swalm--Concerning rate setting for workers'
11 compensation insurance.
12

13 Ordered revised and placed on the Calendar for Third Reading and Final
14 Passage.
15

16 **SB10-163** by Senator(s) Tochtrop; also Representative(s) Kerr A.--
17 Concerning workers' compensation procedures.
18

19 Ordered revised and placed on the Calendar for Third Reading and Final
20 Passage.
21

22
23 **SB10-122** by Senator(s) Morse; also Representative(s) Weissmann--
24 Concerning the elimination of the nonprofit corporation
25 organized to be a lessor in the master lease program of the
26 state, and, in connection therewith, specifying the types of
27 entities that can be a lessor in the master lease program
28 and authorizing the executive director of the department of
29 personnel to execute documents regarding lease-purchase
30 agreements for which said nonprofit corporation was the
31 lessor.
32

33 Ordered revised and placed on the Calendar for Third Reading and Final
34 Passage.
35

36 **HB10-1210** by Representative(s) Weissmann, Carroll T., May; also
37 Senator(s) Morse, Shaffer B., Penry--Concerning the
38 redistricting process.
39

40 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
41 February 25, 2010, and placed in member's bill file; Report also printed
42 in House Journal, February 26, page 597.
43

44 Amendment No. 2, Appropriations Report, dated March 5, 2010, and
45 placed in member's bill file; Report also printed in House Journal,
46 March 5, page 685.
47

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

51
52 **HB10-1249** by Representative(s) Labuda and Primavera; also
53 Senator(s) Johnston, Hudak--Concerning expedited
54 residential foreclosure sales.
55

1 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
2 March 4, 2010, and placed in member's bill file; Report also printed in
3 House Journal, March 5, pages 691-692.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **SB10-037** by Senator(s) Kester; also Representative(s) Casso--
9 Concerning an increase in the amounts payable from the
10 horse breeders' and owners' awards and supplemental
11 purse fund for costs of administration.

12
13 Ordered revised and placed on the Calendar for Third Reading and Final
14 Passage.

15
16 **SB10-102** by Senator(s) Gibbs; also Representative(s) Fischer--
17 Concerning the certification of users of prescribed fire
18 according to standards established by the Colorado state
19 forest service.

20
21 Amendment No. 1, by Representative(s) Curry.

22
23 Amend reengrossed bill, page 2, line 14, after the period insert "NOTHING
24 IN THIS SUBPARAGRAPH (III) REQUIRES A USER OF PRESCRIBED FIRE TO BE
25 CERTIFIED.".

26
27 As amended, ordered revised and placed on the Calendar for Third
28 Reading and Final Passage.

29
30 **HB10-1166** by Representative(s) Kefalas, Casso, Fischer, Frangas,
31 Gagliardi, Hullinghorst, Primavera, Tyler, Vigil; also
32 Senator(s) Newell--Concerning the use of plain language
33 in insurance policies.

34
35 Amendment No. 1, Business Affairs & Labor Report, dated
36 March 10, 2010, and placed in member's bill file; Report also printed in
37 House Journal, March 11, pages 745-747.

38
39 As amended, ordered engrossed and placed on the Calendar for Third
40 Reading and Final Passage.

41
42 **SB10-116** by Senator(s) Kopp, Tochtrop, Carroll M., Scheffel, Tapia,
43 Whitehead, Williams, Renfroe; also Representative(s)
44 Rice and Priola, Benefield, Casso, Gagliardi, Gerou,
45 Kefalas, Kerr J., Liston, Middleton, Pommer, Riesberg,
46 Soper, Vaad--Concerning the reimbursement of costs
47 incurred on change orders in public works contracts.

48
49 Ordered revised and placed on the Calendar for Third Reading and Final
50 Passage.

51
52 **SB10-158** by Senator(s) Newell, Bacon, Carroll M., Gibbs, Heath,
53 Hodge, Hudak, Johnston, Keller, Kester, Lundberg,
54 Morse, Romer, Sandoval, Schwartz, Spence, Steadman,
55 Tapia, Tochtrop, White, Whitehead, Williams; also
56 Representative(s) Rice, Ryden--Concerning the creation of

the creative industries division within the Colorado office of economic development, and, in connection therewith, recodifying the statutory provisions that create the Colorado office of film, television, and media, the council on creative industries, and the art in public places program.

Amendment No. 1, Business Affairs & Labor Report, dated March 10, 2010, and placed in member's bill file; Report also printed in House Journal, March 11, pages 748-752.

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

SB10-031 by Senator(s) Scheffel; also Representative(s) Rice-- Concerning a prohibition against the inclusion of facilities that offer gambling-related activities in a regional tourism project for purposes of the "Colorado Regional Tourism Act".

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

On motion of Representative Weissmann, the remainder of the General Orders Calendar (**SB10-082, HB10-1353, SB10-027**) was laid over until March 16, retaining place on Calendar.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **SB10-019 amended, 010, HB10-1259 amended, 1276, SB10-112, 163, 122, HB10-1210 amended, 1249 amended, SB10-037, 102 amended, HB10-1166 amended, SB10-116, 158 amended, 031.**

Laid over until date indicated retaining place on Calendar: **SB10-082, HB10-1234, 1353, SB10-027, HB10-1351**--March 16, 2010.

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

	YES	61	NO	0	EXCUSED	4	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y	
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y	
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	E	
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
Bradford	Y	Kerr A.	E	Miklosi	Y	Soper	Y	
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y	
Court	Y	King S.	Y	Nikkel	Y	Summers	Y	
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y	
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	

1	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
2	Frangas	Y	Looper	E	Priola	Y	Vaad	Y
3	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
4	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
5	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
6							Speaker	Y

House in recess. House reconvened.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB10-1362, 1363, 1364.

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB10-1055, 1318, 1323, 1326** at 2:30 p.m. on March 12, 2010.

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB10-138, SB10-139.

HB10-1099 amended as printed in Senate Journal, March 12, 2010, page 519.

The Senate has passed on Third Reading and returns herewith:

HB10-1016, HB10-1247, HB10-1235, HB10-1007, HB10-1028, HB10-1204, HB10-1003.

The President has announced that Representative Looper will be removed as a joint prime sponsor on SB10-177.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, SB10-138 and 139.

Without comment, as amended, HB10-1099.

INTRODUCTION OF BILL
First Reading

The following bill was read by title and referred to the committee indicated:

HB10-1365 by Representative(s) Solano and Roberts, Balmer, Benefield, Carroll T., Court, DelGrosso, Fischer, Frangas, Gerou, Hulinghorst, Kagan, Kerr A., Kerr J., King S., Levy, Liston, Looper, Massey, May, McFadyen, McNulty, Merrifield, Middleton, Miklosi, Peniston, Pommer, Primavera, Rice, Ryden, Scanlan, Schafer S., Stephens, Todd, Tyler, Vaad, Vigil; also Senator(s) Whitehead and Penry--Concerning incentives for electric utilities to reduce air emissions, and, in connection therewith, requiring plans to achieve such reductions to give primary consideration to converting from coal to natural gas.
Committee on Transportation & Energy

NOTICE OF CALENDARED ITEM(S)

On motion of Representative Weissmann, the following bill(s) calendared for Second Reading, March 17, is calendared for March 16, 2010:
SB10-119.

On motion of Representative Weissmann, the following bill(s) calendared for Second Reading, March 16, will be laid over until March 19, 2010:
HB10-1125.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until March 16, retaining place on Calendar:

Consideration of Resolution(s)--**HJR10-1015.**
Consideration of Senate Amendment(s)--**HB10-1085, 1021.**

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., March 16, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Sixty-third Legislative Day

Tuesday, March 16, 2010

1 Prayer by Ernest House Sr., Shaman, Ute Mountain Ute's, Cortez.

2

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

4

5 Pledge of Allegiance led by Nidal Khamis, Stein Elementary, Lakewood.

6

7 The roll was called with the following result:

8

9 Present--62

10 Excused--Representative(s) Acree, Kagan, Kerr A.--3.

11 Present after roll call--Representative(s) Acree.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Kefalas, the reading of the journal of
17 March 15, 2010, was declared dispensed with and approved as corrected
18 by the Chief Clerk.

19

20

21

22

23 **THIRD READING OF BILL(S)--FINAL PASSAGE**

24

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

28

29 **HB10-1119** by Representative(s) Ferrandino, Carroll T., Court,
30 Fischer, Gagliardi, Hulinghorst, Kerr A., Labuda, Levy,
31 Merrifield, Middleton, Pace, Pommer, Primavera, Rice,
32 Scanlan, Schafer S., Solano, Todd, Weissmann; also
33 Senator(s) Shaffer B., Boyd, Steadman--Concerning the
34 process by which the state annually allocates moneys for
35 its budget and, in connection therewith, anticipating the
36 receipt of federal funds to be used therefor.

37

38 The question being "Shall the bill pass?"

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

42

	YES	58	NO	5	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	E	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	E	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	N	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Casso, Curry, Frangas, Kefalas,
20 King S., Lambert, Ryden, Vaad, Vigil

21
22
23 **SB10-019** by Senator(s) Schwartz, Brophy, Hodge, White,
24 Whitehead; also Representative(s) Fischer, Baumgardner,
25 Curry, Gardner C., McKinley--Concerning the valuation
26 of new hydroelectric energy facilities for the purpose of
27 property taxation.

28
29 The question being "Shall the bill pass?".

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

	YES	62	NO	1	EXCUSED	2	ABSENT	0
34								
35	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
36	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
37	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
38	Baumgardner	Y	Kagan	E	Merrifield	Y	Solano	Y
39	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
40	Bradford	Y	Kerr A.	E	Miklosi	Y	Soper	Y
41	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
42	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
43	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
44	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
45	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
46	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
47	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
48	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
49	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
50	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Ryden, Summers, Vigil

53
54
55

1 **SB10-010** by Senator(s) Boyd, Sandoval; also Representative(s)
 2 Kefalas--Concerning authorizing the department of human
 3 services to use a portion of existing appropriations to
 4 conduct an independent evaluation of the statewide
 5 strategic use fund.
 6

7 The question being "Shall the bill pass?".
 8 A roll call vote was taken. As shown by the following recorded vote, a
 9 majority of those elected to the House voted in the affirmative and the bill
 10 was declared **passed**.
 11

	YES	50	NO	13	EXCUSED	2	ABSENT	0
13	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
14	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
15	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
16	Baumgardner	N	Kagan	E	Merrifield	Y	Solano	Y
17	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
18	Bradford	N	Kerr A.	E	Miklosi	Y	Soper	Y
19	Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
20	Court	Y	King S.	Y	Nikkel	N	Summers	Y
21	Curry	N	Labuda	Y	Pace	Y	Swalm	Y
22	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
23	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
24	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
25	Frangas	N	Looper	N	Priola	Y	Vaad	Y
26	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
27	Gardner B.	Y	May	Y	Riesberg	Y	Waller	N
28	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Gerou, Labuda
 31

32 **HB10-1259** by Representative(s) Nikkel; also Senator(s) Lundberg--
 33 Concerning amendments to the "Municipal Annexation
 34 Act of 1965" in order to conform the act to provisions of
 35 the state constitution.
 36

37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.
 41

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

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
3							Speaker	Y

4
5 **HB10-1276** by Representative(s) Levy; also Senator(s) Mitchell--
6 Concerning the sale by a railroad company of its right-of-
7 way for the operation of a public passenger rail service.
8

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

10 A roll call vote was taken. As shown by the following recorded vote, a
11 majority of those elected to the House voted in the affirmative and the bill
12 was declared **passed**.
13

14	YES	59	NO	4	EXCUSED	2	ABSENT	0
15	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
16	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
17	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
18	Baumgardner	N	Kagan	E	Merrifield	Y	Solano	Y
19	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
20	Bradford	Y	Kerr A.	E	Miklosi	Y	Soper	Y
21	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
22	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
23	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
24	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
25	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
26	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
27	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
28	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
29	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
30	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Labuda
33

34 **SB10-112** by Senator(s) Kopp, Carroll M.; also Representative(s)
35 Swalm--Concerning rate setting for workers'
36 compensation insurance.
37

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

39 A roll call vote was taken. As shown by the following recorded vote, a
40 majority of those elected to the House voted in the affirmative and the bill
41 was declared **passed**.
42

43	YES	63	NO	0	EXCUSED	2	ABSENT	0
44	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
46	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
47	Baumgardner	Y	Kagan	E	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
49	Bradford	Y	Kerr A.	E	Miklosi	Y	Soper	Y
50	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
51	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
52	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
53	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
54	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
56	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y

1	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
2	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
3	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Gerou, Kerr J., Looper, Nikkel,
6 Roberts, Stephens, Summers

7
8 **SB10-163** by Senator(s) Tochtrop; also Representative(s) Kerr A.--
9 Concerning workers' compensation procedures.

10
11 The question being "Shall the bill pass?".

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

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

33
34 Co-sponsor(s) added: Representative(s) Labuda

35
36 **SB10-122** by Senator(s) Morse; also Representative(s) Weissmann--
37 Concerning the elimination of the nonprofit corporation
38 organized to be a lessor in the master lease program of the
39 state, and, in connection therewith, specifying the types of
40 entities that can be a lessor in the master lease program
41 and authorizing the executive director of the department of
42 personnel to execute documents regarding lease-purchase
43 agreements for which said nonprofit corporation was the
44 lessor.

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

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

50	YES	63	NO	0	EXCUSED	2	ABSENT	0
51	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
52	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
53	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
54	Baumgardner	Y	Kagan	E	Merrifield	Y	Solano	Y
55	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y

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

13 Co-sponsor(s) added: Representative(s) Gerou, Priola

14
15
16 **HB10-1210** by Representative(s) Weissmann, Carroll T., May; also
17 Senator(s) Morse, Shaffer B., Penry--Concerning the
18 redistricting process.

19
20 The question being "Shall the bill pass?".

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

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

43 Co-sponsor(s) added: Representative(s) Court, Labuda, Merrifield, Priola,
44 Stephens, Todd, Vigil

45
46
47 **HB10-1249** by Representative(s) Labuda and Primavera; also
48 Senator(s) Johnston, Hudak--Concerning expedited
49 residential foreclosure sales.

50
51 The question being "Shall the bill pass?".

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

55

	YES	61	NO	2	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
4	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	E	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	E	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Apuan, Ferrandino, Fischer, Merrifield,
 20 Middleton, Miklosi, Peniston, Schafer S., Todd, Speaker

21
 22 **SB10-037** by Senator(s) Kester; also Representative(s) Casso--
 23 Concerning an increase in the amounts payable from the
 24 horse breeders' and owners' awards and supplemental
 25 purse fund for costs of administration.

26
 27 The question being "Shall the bill pass?".
 28 A roll call vote was taken. As shown by the following recorded vote, a
 29 majority of those elected to the House voted in the affirmative and the bill
 30 was declared **passed**.

	YES	62	NO	0	EXCUSED	2	ABSENT	1
31								
32								
33	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
35	Balmer	Y	Judd	Y	McNulty	-	Schafer S.	Y
36	Baumgardner	Y	Kagan	E	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
38	Bradford	Y	Kerr A.	E	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
48	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Looper, McKinley

51
 52 **SB10-102** by Senator(s) Gibbs; also Representative(s) Fischer--
 53 Concerning the certification of users of prescribed fire
 54 according to standards established by the Colorado state
 55 forest service.

56

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

	YES	33	NO	29	EXCUSED	2	ABSENT	1
7	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
9	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
10	Baumgardner	N	Kagan	E	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
12	Bradford	N	Kerr A.	E	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
14	Court	Y	King S.	N	Nikkel	N	Summers	N
15	Curry	N	Labuda	Y	Pace	Y	Swalm	N
16	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	N	Priola	N	Vaad	N
20	Gagliardi	Y	Massey	N	Rice	-	Vigil	Y
21	Gardner B.	N	May	N	Riesberg	Y	Waller	N
22	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Hullinghorst, Pace, Pommer, Ryden,
 25 Todd

27 **HB10-1166** by Representative(s) Kefalas, Casso, Fischer, Frangas,
 28 Gagliardi, Hullinghorst, Primavera, Tyler, Vigil; also
 29 Senator(s) Newell--Concerning the use of plain language
 30 in insurance policies.

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

	YES	51	NO	12	EXCUSED	2	ABSENT	0
38	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
39	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
40	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
41	Baumgardner	N	Kagan	E	Merrifield	Y	Solano	Y
42	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
43	Bradford	Y	Kerr A.	E	Miklosi	Y	Soper	Y
44	Casso	Y	Kerr J.	N	Murray	N	Stephens	Y
45	Court	Y	King S.	N	Nikkel	Y	Summers	Y
46	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
47	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
48	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
49	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
50	Frangas	Y	Looper	Y	Priola	Y	Vaad	N
51	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
52	Gardner B.	N	May	N	Riesberg	Y	Waller	N
53	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Apuan, Labuda, Merrifield, Middleton,
 56 Miklosi, Pace, Priola, Scanlan, Schafer S., Solano, Todd, Speaker

1 **SB10-116** by Senator(s) Kopp, Tochtrop, Carroll M., Scheffel, Tapia,
 2 Whitehead, Williams, Renfroe; also Representative(s)
 3 Rice and Priola, Benefield, Casso, Gagliardi, Gerou,
 4 Kefalas, Kerr J., Liston, Middleton, Pommer, Riesberg,
 5 Soper, Vaad--Concerning the reimbursement of costs
 6 incurred on change orders in public works contracts.

7
 8 The question being "Shall the bill pass?".
 9 A roll call vote was taken. As shown by the following recorded vote, a
 10 majority of those elected to the House voted in the affirmative and the bill
 11 was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
14	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
15	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
16	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
17	Baumgardner	Y	Kagan	E	Merrifield	Y	Solano	Y
18	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
19	Bradford	Y	Kerr A.	E	Miklosi	Y	Soper	Y
20	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
21	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
22	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
23	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
24	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
25	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
26	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
27	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
28	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
29	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) Apuan, Labuda, Schafer S.

32
 33 **SB10-158** by Senator(s) Newell, Bacon, Carroll M., Gibbs, Heath,
 34 Hodge, Hudak, Johnston, Keller, Kester, Lundberg,
 35 Morse, Romer, Sandoval, Schwartz, Spence, Steadman,
 36 Tapia, Tochtrop, White, Whitehead, Williams; also
 37 Representative(s) Rice, Ryden--Concerning the creation of
 38 the creative industries division within the Colorado office
 39 of economic development, and, in connection therewith,
 40 recodifying the statutory provisions that create the
 41 Colorado office of film, television, and media, the council
 42 on creative industries, and the art in public places
 43 program.

44
 45 The question being "Shall the bill pass?".
 46 A roll call vote was taken. As shown by the following recorded vote, a
 47 majority of those elected to the House voted in the affirmative and the bill
 48 was declared **passed**.

	YES	48	NO	15	EXCUSED	2	ABSENT	0
51	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
52	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
53	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
54	Baumgardner	Y	Kagan	E	Merrifield	Y	Solano	Y
55	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
56	Bradford	Y	Kerr A.	E	Miklosi	Y	Soper	Y

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

12 Co-sponsor(s) added: Representative(s) Court, Frangas, Kefalas, Labuda,
13 Massey, Merrifield, Middleton, Riesberg, Todd, Vigil

14
15 **SB10-031** by Senator(s) Scheffel; also Representative(s) Rice--
16 Concerning a prohibition against the inclusion of facilities
17 that offer gambling-related activities in a regional tourism
18 project for purposes of the "Colorado Regional Tourism
19 Act".

20
21 The question being "Shall the bill pass?".

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

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

44 Co-sponsor(s) added: Representative(s) Frangas, Murray, Priola

45
46
47
48
49 On motion of Representative Frangas, the House resolved itself into
50 Committee of the Whole for consideration of General Orders, and he was
51 called to the Chair to act as Chairman.

52
53
54
55

GENERAL ORDERS--SECOND READING OF BILLS

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

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

SB10-082 by Senator(s) Whitehead; also Representative(s) Roberts--Concerning the Southern Ute Indian tribe/state of Colorado environmental commission, and, in connection therewith, repealing term limits applicable to the commission and repealing a moot condition related to the repeal of the commission.

Amendment No. 1, Health & Human Services Report, dated March 8, 2010, and placed in member's bill file; Report also printed in House Journal, March 9, page 720.

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

HB10-1234 by Representative(s) Primavera--Concerning the fair settlement of claims for benefits under an insurance policy.

Laid over until March 19, retaining place on Calendar.

HB10-1353 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--Concerning financial savings through the alignment of eligibility for the old age pension program with eligibility for other public benefit programs, and, in connection therewith, aligning the waiting period for the old age pension with the waiting period for other public benefit programs, including the enforcement of financial responsibility requirements for relative sponsors of noncitizens, crediting to the general fund of sales and use tax revenue that was previously required to be credited to the supplemental OAP health and medical program fund, and making an appropriation.

Laid over until March 17, retaining place on Calendar.

SB10-027 by Senator(s) Sandoval; also Representative(s) Roberts--Concerning a fine for the unauthorized diversion of surface water.

Amendment No. 1, Agriculture, Livestock and Natural Resources Report, dated March 10, 2010, and placed in member's bill file; Report also printed in House Journal, March 11, page 745.

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

- 1 **HB10-1104** by Representative(s) Looper; also Senator(s) Williams,
2 Penry--Concerning authorization for the establishment of
3 a veterans treatment court program in judicial districts.
4
- 5 Amendment No. 1, Judiciary Report, dated February 26, 2010, and placed
6 in member's bill file; Report also printed in House Journal, March 1,
7 page 614.
8
- 9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.
11
- 12 **HB10-1149** by Representative(s) Hullinghorst; also Senator(s) Foster--
13 Concerning the regulation prior to disposal of sources that
14 emit radiation.
15
- 16 Laid over until March 17, retaining place on Calendar.
17
- 18 **HB10-1215** by Representative(s) Waller, Baumgardner, McCann,
19 Miklosi, Nikkel, Priola; also Senator(s) Scheffel--
20 Concerning the use of cash bond deposits after the
21 discharge of the bond to satisfy outstanding court-ordered
22 debts.
23
- 24 Amendment No. 1, Judiciary Report, dated February 25, 2010, and placed
25 in member's bill file; Report also printed in House Journal, February 26,
26 page 597.
27
- 28 As amended, ordered engrossed and placed on the Calendar for Third
29 Reading and Final Passage.
30
- 31 **HB10-1241** by Representative(s) Casso; also Senator(s) Tochtrop--
32 Concerning required registration for persons who work on
33 fire suppression systems.
34
- 35 Laid over until March 17, retaining place on Calendar.
36
- 37 **HB10-1260** by Representative(s) Riesberg and Acree, Gerou, Kefalas,
38 Roberts, Tyler; also Senator(s) Boyd and Newell--
39 Concerning the sunset review of the Colorado state board
40 of medical examiners, and, in connection therewith,
41 continuing the board and the regulation of physicians and
42 physician assistants until July 1, 2019, and implementing
43 the recommendations contained in the sunset review and
44 report of the board.
45
- 46 Amendment No. 1, Health & Human Services Report, dated
47 February 25, 2010, and placed in member's bill file; Report also printed
48 in House Journal, February 26, pages 580-588.
49
- 50 Amendment No. 2, Appropriations Report, dated March 12, 2010, and
51 placed in member's bill file; Report also printed in House Journal,
52 March 12, pages 768-769.
53
- 54 Amendment No. 3, by Representative(s) Riesberg.
55 Amend the Health and Human Services Committee Report, dated
56 February 25, 2010, page 8, strike lines 15 and 16 and substitute:

1 "Page 26, line 10, strike "and 12-36-106 (3) (b) and (5) (b) (I)," and
2 substitute "12-36-106 (3) (b) and (5) (b) (I), the introductory portion to
3 12-36-106 (5) (b) (II), and 12-36-106 (5) (b) (II) (B),"."

4
5 Amendment No. 4, by Representative(s) Riesberg.

6
7 Amend the Health and Human Services Committee Report, dated
8 February 25, 2010, page 10, line 5, strike "(1) (b) and (1) (d)," and
9 substitute "(1) (b), (1) (d), and (1) (f),".

10
11 Page 10, after line 33 insert:

12
13 "(f) The president shall be a shareholder and a director and, to the
14 extent possible, all other directors and officers shall be persons having the
15 qualifications described in paragraph (d) of this subsection (1). Lay
16 directors and officers shall not exercise any authority whatsoever over the
17 independent medical judgment of persons licensed by the board to
18 practice medicine in this state. Notwithstanding sections 7-108-103 to
19 7-108-106, C.R.S., relating to the terms of office and classification of
20 directors, a professional service corporation for the practice of medicine
21 may provide in the articles of incorporation or the bylaws that the
22 directors may have terms of office of up to six years and that the directors
23 may be divided into ~~either two or three classes, each class to be as nearly~~
24 ~~equal in number as possible~~, with the terms of each class staggered to
25 provide for the periodic ~~but not less than annual~~, election of less than all
26 the directors. Nothing in this article shall be construed to cause a
27 professional service corporation to be vicariously liable to a patient or
28 third person for the professional negligence or other tortious conduct of
29 a physician who is a shareholder or employee of a professional service
30 corporation."

31
32 Amendment No. 5, by Representative(s) Riesberg.

33
34
35 Amend printed bill, page 12, strike line 6 and substitute:

36
37 "(2) The".

38
39 Page 12, line 7, strike "SUBSECTION (2), the".

40
41 Page 12, strike lines 21 through 27.

42
43 Page 13, strike lines 1 through 3.

44
45 As amended, ordered engrossed and placed on the Calendar for Third
46 Reading and Final Passage.

47
48
49 **HB10-1291** by Representative(s) Priola, Acree, Apuan, Balmer,
50 Bradford, Kerr J., King S., Labuda, Levy, Liston, Looper,
51 Massey, McCann, McFadyen, McNulty, Middleton,
52 Murray, Nikkel, Sonnenberg, Stephens, Swalm, Waller;
53 also Senator(s) Newell, Hodge, Mitchell--Concerning the
54 elimination of certain witness fees.
55

1 Amendment No. 1, Appropriations Report, dated March 12, 2010, and
2 placed in member's bill file; Report also printed in House Journal,
3 March 12, page 769.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB10-1335** by Representative(s) Massey and Scanlan--Concerning the
9 authorization of boards of cooperative services as school
10 food authorities, and, in connection therewith, creating the
11 BOCES healthy food grant program.

12
13 Amendment No. 1, Education Report, dated February 25, 2010, and
14 placed in member's bill file; Report also printed in House Journal,
15 February 26, page 577.

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

19
20 **HB10-1336** by Representative(s) Schafer S.; also Senator(s) Newell--
21 Concerning expenditures to be made by the department of
22 public safety.

23
24 Laid over until March 19, retaining place on Calendar.

25
26 **HB10-1274** by Representative(s) Schafer S., Massey, Benefield,
27 Merrifield, Middleton, Miklosi, Murray, Peniston, Priola,
28 Solano, Stephens, Tipton, Todd; also Senator(s) Johnston,
29 Carroll M., Keller, King K., Newell, Penry, Spence,
30 Steadman--Concerning successful transitions back to the
31 public school system for juveniles in out-of-home
32 placement who have demonstrated behavior that is
33 detrimental to the safety or welfare of themselves or others
34 during the previous twelve months.

35
36 Laid over until March 19, retaining place on Calendar.

37
38 **HB10-1342** by Representative(s) Levy, Benefield, Court, Ferrandino,
39 Fischer, Gagliardi, Hulinghorst, Kagan, Merrifield,
40 Peniston, Pommer, Primavera, Solano, Tyler; also
41 Senator(s) Williams, Newell--Concerning measures to
42 encourage additional investment in solar energy generation
43 facilities, and, in connection therewith, authorizing the
44 creation of community solar gardens.

45
46 Laid over until March 19, retaining place on Calendar.

47
48 **HB10-1351** by Representative(s) Ferrandino, Apuan, Casso, Curry,
49 Gagliardi, Hulinghorst, Kerr A., McCann, Merrifield,
50 Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Tyler,
51 Vigil; also Senator(s) Romer, Carroll M., Foster, Keller,
52 Morse--Concerning the maximum authorized interest rate
53 for a payday loan.

54
55 Laid over until March 17, retaining place on Calendar.

56

1 **SB10-119** by Senator(s) Shaffer B.; also Representative(s) May--
 2 Concerning payments made to members of the general
 3 assembly in connection with the performance of their
 4 legislative duties.

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

10
 11
 12 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

13
 14 Passed Second Reading: **SB10-082 amended, 027 amended, HB10-1104**
 15 **amended, 1215 amended, 1260 amended, 1291 amended, 1335**
 16 **amended, SB10-119.**

17
 18 Laid over until date indicated retaining place on Calendar: **HB10-1353,**
 19 **1149, 1241, 1351--March 17, 2010.**
 20 **HB10-1234, 1336, 1274, 1342--March 19, 2010.**

21
 22 The Chairman moved the adoption of the Committee of the Whole
 23 Report. As shown by the following roll call vote, a majority of those
 24 elected to the House voted in the affirmative, and the Report was
 25 **adopted.**

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

46
 47
 48
 49 House in recess. House reconvened.

51
 52
 53
 54
 55
 56

REPORT(S) OF COMMITTEE(S) OF REFERENCE**HEALTH & HUMAN SERVICES**

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

SB10-006 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend reengrossed bill, page 6, line 12, strike "AND".

Page 6, after line 12 insert:

"(III) IF, AT THE TIME THE PETITION IS FILED, THE APPLICANT IS IN CUSTODY OF THE DEPARTMENT OF CORRECTIONS, UNDER AN ORDER FOR PROBATION OR COMMUNITY CORRECTIONS, OR INCARCERATED IN A COUNTY JAIL, THE APPLICANT SHALL PROVIDE WRITTEN NOTICE TO THE SUPERVISING AGENCY THAT HE OR SHE IS REQUESTING A CHANGE OF NAME UNDER THIS SECTION; AND".

Renumber succeeding subparagraph accordingly.

SB10-007 be referred to the Committee of the Whole with favorable recommendation.

SB10-068 be referred favorably to the Committee on Appropriations.

JUDICIARY

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

HB10-1094 be postponed indefinitely.

SB10-063 be referred to the Committee of the Whole with favorable recommendation.

SB10-130 be referred to the Committee of the Whole with favorable recommendation.

PRINTING REPORT

The Chief Clerk reports the following bill has been correctly printed:
HB10-1365.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB10-1023, 1037, 1071, 1090, 1097, 1175, 1203, 1223, 1321.**

MESSAGE(S) FROM THE SENATE

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

SB10-020 amended as printed in Senate Journal, March 15, 2010, pages 542-543.

SB10-087 amended as printed in Senate Journal, March 15, 2010, pages 543-545.

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

HB10-1107 amended as printed in Senate Journal, March 15, 2010, page 542.

HB10-1008 amended as printed in Senate Journal, March 15, 2010, page 542.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB10-1107 and 1008.

Without comment, as amended, SB10-020 and 087.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 15th day of March, 2010, at 4:20 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 15, 2010

To the Honorable House of Representatives
Sixty-seventh General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Act:

1 **HB10-1110** CONCERNING PAYMENT OF EXPENSES OF THE
2 LEGISLATIVE DEPARTMENT.
3

4 Approved March 15, 2010 at 2:04 p.m.
5

6 Sincerely,
7 (signed)
8 Bill Ritter, Jr.
9 Governor

10

11

12

13

14

NOTICE OF CALENDARED ITEM(S)

15 On motion of Representative Weissmann, the following bill(s) will be
16 calendared for Second Reading on March 19, 2010: **SB10-007, 063, 130.**
17

18

19

20

21

LAY OVER OF CALENDAR ITEM(S)

22

23 On motion of Representative Weissmann, the following item(s) on the
24 Calendar (was)were laid over until March 17, retaining place on
25 Calendar:

26

27 Consideration of Resolution(s)--**HJR10-1015.**

28 Consideration of Senate Amendment(s)--**HB10-1021, 1085, 1099.**
29

30

31

32 On motion of Representative Weissmann, the House adjourned until
33 9:30 a.m., March 17, 2010.
34

35

36

37

38

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:

MARILYN EDDINS,

Chief Clerk

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

Sixty-fourth Legislative Day

Wednesday, March 17, 2010

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
 2 Church, Denver.

3
 4 The Speaker called the House to order at 9:30 a.m.

5
 6 Pledge of Allegiance led by Sarah Sather, Sargent Elementary, Monte
 7 Vista.

8
 9 The roll was called with the following result:

10
 11 Present--62.
 12 Excused--Representative(s) Balmer, Casso, Middleton-3.
 13 Present after roll call--Representative(s) Balmer, Middleton.

14
 15 The Speaker declared a quorum present.

16
 17
 18 On motion of Representative Kefalas, the reading of the journal of
 19 March 16, 2010, was declared dispensed with and approved as corrected
 20 by the Chief Clerk.

THIRD READING OF BILL(S)--FINAL PASSAGE

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

27
 28
 29 **SB10-082** by Senator(s) Whitehead; also Representative(s) Roberts--
 30 Concerning the Southern Ute Indian tribe/state of
 31 Colorado environmental commission, and, in connection
 32 therewith, repealing term limits applicable to the
 33 commission and repealing a moot condition related to the
 34 repeal of the commission.

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

40
 41

	YES	64	NO	0	EXCUSED	1	ABSENT	0
42	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
43	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y

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

16 Co-sponsor(s) added: Representative(s) Court, Curry, Fischer, Gerou, Kerr J.,
 17 Labuda, McFadyen, Merrifield, Middleton, Tipton, Vigil.

18
 19 **SB10-027** by Senator(s) Sandoval; also Representative(s) Roberts--
 20 Concerning a fine for the unauthorized diversion of
 21 surface water.

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

27	YES	63	NO	1	EXCUSED	1	ABSENT	0
28								
29	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
30	Apuan	Y	Hullingshorst	Y	McKinley	N	Scanlan	Y
31	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
32	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
33	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
34	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
35	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
36	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
37	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
38	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
39	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
40	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
41	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
42	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
43	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
44	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Baumgardner, Curry, Gerou, Looper,
 47 Massey, Priola, Stephens, Vigil.

48
 49 **HB10-1104** by Representative(s) Looper; also Senator(s) Williams,
 50 Penry--Concerning authorization for the establishment of
 51 a veterans treatment court program in judicial districts.

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Apuan, Baumgardner, Court,
 20 DelGrosso, Fischer, Frangas, Gardner B., Gardner C., Kagan, Kefalas, Kerr J.,
 21 King S., Labuda, Lambert, McFadyen, Middleton, Nikkel, Ryden, Schafer S.,
 22 Solano, Stephens, Summers, Todd.

23
 24 **HB10-1215** by Representative(s) Waller, Baumgardner, McCann,
 25 Miklosi, Nikkel, Priola; also Senator(s) Scheffel--
 26 Concerning the use of cash bond deposits after the
 27 discharge of the bond to satisfy outstanding court-ordered
 28 debts.
 29

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

31 A roll call vote was taken. As shown by the following recorded vote, a
 32 majority of those elected to the House voted in the affirmative and the bill
 33 was declared **passed**.
 34

	YES	63	NO	1	EXCUSED	1	ABSENT	0
35								
36	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
37	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
38	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
39	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
40	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
41	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
42	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
43	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
44	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
45	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
46	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
47	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
48	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
49	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
50	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
51	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Kerr J., Labuda, Liston, Looper, Todd.
 54
 55

1 **HB10-1260** by Representative(s) Riesberg and Acree, Gerou, Kefalas,
 2 Roberts, Tyler; also Senator(s) Boyd and Newell--
 3 Concerning the sunset review of the Colorado state board
 4 of medical examiners, and, in connection therewith,
 5 continuing the board and the regulation of physicians and
 6 physician assistants until July 1, 2019, and implementing
 7 the recommendations contained in the sunset review and
 8 report of the board, and making an appropriation therefor.
 9

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

11 A roll call vote was taken. As shown by the following recorded vote, a
 12 majority of those elected to the House voted in the affirmative and the bill
 13 was declared **passed**.
 14

	YES	64	NO	0	EXCUSED	1	ABSENT	0
16	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
17	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
18	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
19	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
20	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
21	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
22	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
23	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
24	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
25	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
26	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
27	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
28	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
29	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
30	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
31	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
32							Speaker	Y

33 Co-sponsor(s) added: Representative(s) Court, Fischer, Kerr J., Labuda,
 34 Massey, McFadyen, Nikkel, Schafer S., Stephens, Todd, Vigil.
 35

36 **HB10-1291** by Representative(s) Priola, Acree, Apuan, Balmer,
 37 Bradford, Kerr J., King S., Labuda, Levy, Liston, Looper,
 38 Massey, McCann, McFadyen, McNulty, Middleton,
 39 Murray, Nikkel, Sonnenberg, Stephens, Swalm, Waller;
 40 also Senator(s) Newell, Hodge, Mitchell--Concerning the
 41 elimination of certain witness fees, and making an
 42 appropriation therefor.
 43

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

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

	YES	63	NO	1	EXCUSED	1	ABSENT	0
50	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
55	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y

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

11 Co-sponsor(s) added: Representative(s) Court, Gardner B., Kefalas, Pace,
 12 Schafer S., Summers, Todd, Vigil.

13
 14 **HB10-1335** by Representative(s) Massey and Scanlan; also Senator
 15 Sandoval--Concerning the authorization of boards of
 16 cooperative services as school food authorities, and, in
 17 connection therewith, creating the BOCES healthy food
 18 grant program.

19
 20 The question being "Shall the bill pass?".

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

24								
25	YES	63	NO	1	EXCUSED	1	ABSENT	0
26	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
27	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
28	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
29	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
30	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
31	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
32	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
33	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
34	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
35	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
36	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
37	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
38	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
39	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
40	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
41	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Fischer, Gardner B.,
 44 Kefalas, Labuda, Middleton, Primavera, Riesberg, Ryden, Schafer S., Solano,
 45 Stephens, Todd, Vigil.

46
 47 **SB10-119** by Senator(s) Shaffer B.; also Representative(s) May--
 48 Concerning payments made to members of the general
 49 assembly in connection with the performance of their
 50 legislative duties.

51
 52 The question being "Shall the bill pass?".

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

56

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Baumgardner, Bradford, DelGrosso,
 20 Fischer, Gardner B., Gerou, Kefalas, Kerr J., King S., Lambert, Looper,
 21 Stephens, Vaad, Waller.

26 On motion of Representative Kagan, the House resolved itself into
 27 Committee of the Whole for consideration of General Orders, and he was
 28 called to the Chair to act as Chairman.

31 GENERAL ORDERS--SECOND READING OF BILLS

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

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

41 **HB10-1353** by Representative(s) Pommer, Ferrandino, Lambert; also
 42 Senator(s) Keller, Tapia, White--Concerning financial
 43 savings through the alignment of eligibility for the old age
 44 pension program with eligibility for other public benefit
 45 programs, and, in connection therewith, aligning the
 46 waiting period for the old age pension with the waiting
 47 period for other public benefit programs, including the
 48 enforcement of financial responsibility requirements for
 49 relative sponsors of noncitizens, crediting to the general
 50 fund of sales and use tax revenue that was previously
 51 required to be credited to the supplemental OAP health
 52 and medical program fund, and making an appropriation.

54 Laid over until July 1, 2010. Bill deemed lost.

1 **HB10-1149** by Representative(s) Hullinghorst; also Senator(s) Foster--
2 Concerning the regulation prior to disposal of sources that
3 emit radiation.
4

5 Amendment No. 1, Health & Human Services Report,
6 dated February 25, 2010, and placed in member's bill file; Report also
7 printed in House Journal, February 26, pages 578-580.
8

9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.
11

12 **HB10-1241** by Representative(s) Casso; also Senator(s) Tochtrop--
13 Concerning required registration for persons who work on
14 fire suppression systems.
15

16 Laid over until March 19, retaining place on Calendar.
17

18 **HB10-1351** by Representative(s) Ferrandino, Apuan, Casso, Curry,
19 Gagliardi, Hullinghorst, Kerr A., McCann, Merrifield,
20 Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Tyler,
21 Vigil; also Senator(s) Romer, Carroll M., Foster, Keller,
22 Morse--Concerning the maximum authorized interest rate
23 for a payday loan.
24

25 Laid over until March 19, retaining place on Calendar.
26

27 **HB10-1328** by Representative(s) Miklosi, Apuan, Benefield, Casso,
28 Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi,
29 Hullinghorst, Kefalas, Kerr A., Labuda, Levy, McCann,
30 McFadyen, Merrifield, Middleton, Peniston, Pommer,
31 Primavera, Ryden, Scanlan, Solano, Todd, Tyler, Vigil,
32 Weissmann; also Senator(s) Schwartz--Concerning the
33 "New Energy Jobs Creation Act of 2010", and, in
34 connection therewith, creating the Colorado new energy
35 improvement district and authorizing the district to fund
36 new energy improvements by issuing special assessment
37 bonds payable from special assessments levied on eligible
38 real property owned by persons who voluntarily join the
39 district in order to have the district help them fund new
40 energy improvements to the eligible real property.
41

42 Laid over until March 19, retaining place on Calendar.
43

44 **SB10-008** by Senator(s) Johnston, Romer; also Representative(s)
45 Scanlan, Massey, Middleton--Concerning a study to
46 evaluate the feasibility of a system to determine pupil
47 enrollment for purposes of the "Public School Finance Act
48 of 1994" based on the average daily membership of pupils
49 in school districts.
50

51 Amendment No. 1, Education Report, dated March 1, 2010, and placed
52 in member's bill file; Report also printed in House Journal, March 2,
53 pages 622-623.
54

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

1 **SB10-058** by Senator(s) Tapia; also Representative(s) Gagliardi--
2 Concerning the eligibility requirements for the nursing
3 teacher loan forgiveness pilot program.
4

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

8 **SB10-150** by Senator(s) Tapia, Keller, White; also Representative(s)
9 Pommer, Ferrandino, Lambert--Concerning the transfer in
10 state fiscal year 2010-11 of all moneys not otherwise
11 allocated from state public school lands to the state public
12 school fund instead of the permanent school fund.
13

14 Ordered revised and placed on the Calendar for Third Reading and Final
15 Passage.
16

17 **SB10-149** by Senator(s) Tapia, Keller, White; also Representative(s)
18 Ferrandino, Pommer, Lambert--Concerning advancements
19 to counties from the county tax base relief fund.
20

21 Ordered revised and placed on the Calendar for Third Reading and Final
22 Passage.
23

24 **SB10-151** by Senator(s) White, Keller, Tapia; also Representative(s)
25 Pommer, Ferrandino, Lambert--Concerning the repeal of
26 the Colorado comprehensive health fund.
27

28 Ordered revised and placed on the Calendar for Third Reading and Final
29 Passage.
30

31 **SB10-129** by Senator(s) Hudak, Bacon, Johnston, Keller, Kester; also
32 Representative(s) Rice--Concerning care coordination
33 services for children with autism.
34

35 Ordered revised and placed on the Calendar for Third Reading and Final
36 Passage.
37

38 **SB10-032** by Senator(s) Tapia; also Representative(s) Lambert--
39 Concerning the authorization of amendments to existing
40 state information technology contracts for purposes of
41 furthering consolidation of the management of state
42 agency information technology resources in the office of
43 information technology.
44

45 Ordered revised and placed on the Calendar for Third Reading and Final
46 Passage.
47

48 **SB10-047** by Senator(s) King K.; also Representative(s) Looper--
49 Concerning rights relating to the disposition of the last
50 remains of members of the armed forces.
51

52 Laid over until March 19, retaining place on Calendar.
53
54

55 **SB10-080** by Senator(s) Newell, Steadman, Bacon, Gibbs, Hudak,
56 Johnston, Morse, Romer, Sandoval, Tapia, Tochtrop,

Williams; also Representative(s) Frangas, Todd--
Concerning allowing court-entered civil protection orders
to include directives concerning animals.

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

SB10-148 by Senator(s) White, Keller, Tapia; also Representative(s)
Lambert, Ferrandino, Pommer--Concerning the transfer of
the enterprise facility for operational recovery, readiness,
response, and transition services from the department of
state to the office of information technology in the office
of the governor, and, in connection therewith, developing
a timeline to transfer funding of the facility from the
department of state cash fund to the computer services
Revolving fund over a period of four years.

Ordered revised 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 revised and placed on the Calendar for Third Reading and Final
Passage.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1149 amended, SB10-008 amended,
058, 150, 149, 151, 129, 032, 080, 123, 148, 118.**

Laid over until date indicated retaining place on Calendar: **HB10-1241,
1351, 1328, SB10-047--March 19, 2010.**
HB10-1353--July 1, 2010. Bill deemed lost.

The Chairman moved the adoption of the Committee of the Whole
Report. As shown by the following roll call vote, a majority of those
elected to the House voted in the affirmative, and the Report was
adopted.

	YES	61	NO	3	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	E	Kerr J.	N	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

LOCAL GOVERNMENT

After consideration on the merits, the Committee recommends the following:

SB10-093 be postponed indefinitely.

SB10-097 be postponed indefinitely.

TRANSPORTATION & ENERGY

After consideration on the merits, the Committee recommends the following:

HB10-1365 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 1, line 103, strike the second "TO" and substitute "THAT".

Page 1, line 104, strike everything after the first "TO" and substitute "REPLACING OR REPOWERING COAL GENERATION WITH NATURAL GAS AND ALSO CONSIDERING OTHER LOW-EMITTING RESOURCES."

**MEMORANDUM
REPORT FROM THE HOUSE AND SENATE
COMMITTEES ON DELAYED BILLS**

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadline for LLS 10-0975, Concerning the Financing of Public Schools:

The Friday, March 19 deadline (the 66th legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, is extended until Monday, April 5, 2010 (the 83rd legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

(signed)

Representative T. Carroll
Speaker of the House of Representatives

Senator Shaffer
President of the Senate

Representative Weissmann
House Majority Leader

Senator Morse
Senate Majority Leader

Representative May
House Minority Leader

Senator Penry
Senate Minority Leader

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB10-1049**.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR10-017.

**INTRODUCTION OF BILLS
First Reading**

The following bills were read by title and referred to the committees indicated:

HB10-1366 by Representative(s) Apuan, Casso, Court, Hullinghorst, Labuda, McCann, Middleton, Miklosi, Murray, Scanlan, Todd--Concerning the prohibition of a person who is serving a sentence under community supervision as a result of conviction for certain offenses from acting as a petition circulator.

Committee on State, Veterans, & Military Affairs

- 1 **HB10-1367** by Representative(s) Weissmann; also Senator(s) Morse--
2 Concerning payment of expenses of the legislative
3 department.
4 Committee on Appropriations
5
6
7 **HB10-1368** by Representative(s) Scanlan--Concerning a modification
8 to planning requirements affecting county governments to
9 clarify that political subdivisions are not exempt from
10 county approval of land-use development under the
11 "Planned Unit Development Act of 1972".
12 Committee on Local Government
13
14 **HB10-1369** by Representative(s) Scanlan and Pommer; also Senator(s)
15 Bacon--Concerning the financing of public schools.
16 Committee on Education
17
18
19 **SB10-020** by Senator(s) Boyd, Foster, Schwartz; also
20 Representative(s) Massey, Apuan--Concerning measures
21 to address the financial viability of the CoverColorado
22 program.
23 Committee on Health and Human Services
24
25 **SB10-094** by Senator(s) Steadman, Bacon, Newell, Schwartz, Boyd,
26 Carroll M., Foster, Heath, Hudak, Johnston, Romer,
27 Spence, Tapia, Tochtrop, Whitehead, Williams; also
28 Representative(s) Rice, Benefield, Ferrandino, Fischer,
29 Frangas, Gagliardi, Hulinghorst, Kerr A., Labuda,
30 Massey, McFadyen, Merrifield, Middleton, Miklosi,
31 Peniston, Ryden, Scanlan, Schafer S., Solano, Todd, Vigil--
32 Concerning the definition of capital construction
33 appropriation for purposes of the art in public places
34 program administered by the state council on the arts.
35 Committee on Business Affairs and Labor
36
37
38 **SB10-117** by Senator(s) Foster; also Representative(s) Primavera--
39 Concerning medicaid coverage for over-the-counter
40 medications.
41 Committee on Health and Human Services
42
43 **SB10-138** by Senator(s) Heath; also Representative(s) Peniston--
44 Concerning the award of expenses in a proceeding to
45 appeal the valuation of property for property tax purposes.
46 Committee on Local Government
47
48
49 **SB10-139** by Senator(s) Kester; also Representative(s) Sonnenberg--
50 Concerning the addition of a line to Colorado state
51 individual income tax return forms whereby individual
52 taxpayers may make a voluntary contribution benefiting
53 the unwanted horse fund.
54 Committee on Agriculture, Livestock, & Natural Resources
55

1 **SB10-170** by Senator(s) Steadman, Boyd, Carroll M., Foster, Morse,
2 Newell; also Representative(s) Primavera--Concerning
3 continuity of care for patients served by limited services
4 clinics located in retail outlets.
5 Committee on Health and Human Services
6
7

8 **INTRODUCTION OF CONCURRENT RESOLUTION**

9
10 The following resolution was read by title and referred to the committee
11 indicated:
12

13 **HCR10-1001** by Representative(s) Weissmann, Benefield, Curry, Kerr
14 J., May, McFadyen, Merrifield, Vaad--Submitting to the
15 registered electors of the state of Colorado an amendment
16 to sections 8 and 15 of article XIV of the constitution of
17 the state of Colorado, concerning the compensation of
18 county officers, and, in connection therewith, authorizing
19 the board of county commissioners of each county, rather
20 than the general assembly, to set the salaries of the officers
21 of that county including the county commissioners, clerk
22 and recorder, sheriff, coroner, treasurer, assessor, and
23 surveyor.
24 Committee on Local Government
25
26

27 **INTRODUCTION OF RESOLUTIONS**

28
29 The following resolutions were read by title and laid over one day under
30 the rules:
31

32 **HR10-1007** by Representative(s) Frangas, Curry, Miklosi--Concerning
33 the need for assistance from the federal government for
34 unemployment insurance benefits, and, in connection
35 therewith, urging the federal government to extend the
36 interest-free payback period for loans received by the state
37 of Colorado.
38

39 **SJR10-017** by Senator(s) Hodge; also Representative(s) Fischer,
40 Baumgardner, Court, Curry, DelGrosso, Ferrandino,
41 Hullinghorst, Kefalas, Kerr J., Labuda, Looper,
42 McFadyen, McKinley, Nikkel, Pace, Ryden, Scanlan,
43 Solano, Sonnenberg, Tipton, Vigil--Concerning the
44 recognition of March 17, 2010, as "National Agriculture
45 Day".
46
47

48 **LAY OVER OF CALENDAR ITEM(S)**

49
50 On motion of Representative Gardner B., the following item(s) on the
51 Calendar (was)were laid over until March 18, retaining place on
52 Calendar:
53

54 Consideration of Resolution(s)--**HJR10-1015**.
55 Consideration of Senate Amendment(s)--**HB10-1008, 1021, 1085, 1099,**
56 **1107**.
57

1 On motion of Representative Gardner B., the House adjourned until
2 9:00 a.m., March 18, 2010.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

TERRANCE D. CARROLL,

Speaker

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Sixty-fifth Legislative Day

Thursday, March 18, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Mike Ciccio, Anitra Dolan, Maddie Grippe,
 6 Timbertrail Elementary, Highlands Ranch.

7

8 The roll was called with the following result:

9

10 Present--62.

11 Excused--Representative(s) Gardner B., Pommer, Solano--3.

12 Present after roll call--Representative(s) Gardner B., Pommer,
 13 Solano.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Kefalas, the reading of the journal of
 19 March 17, 2010, was declared dispensed with and approved as corrected
 20 by the Chief Clerk.

21

22

23

24 **THIRD READING OF BILL(S)--FINAL PASSAGE**

25

26 The following bill(s) was(were) considered on Third Reading. The
 27 title(s) was(were) publicly read. Reading of the bill at length was
 28 dispensed with by unanimous consent.

29

30 **HB10-1149** by Representative(s) Hullinghorst; also Senator(s) Foster--
 31 Concerning the regulation prior to disposal of sources that
 32 emit radiation.

33

34 The question being "Shall the bill pass?".

35 A roll call vote was taken. As shown by the following recorded vote, a
 36 majority of those elected to the House voted in the affirmative and the bill
 37 was declared **passed**.

38

	YES	43	NO	22	EXCUSED	0	ABSENT	0
40	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
41	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
42	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
43	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y

1	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
2	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
3	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
4	Court	Y	King S.	N	Nikkel	N	Summers	N
5	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
6	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
7	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
8	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
9	Frangas	Y	Looper	Y	Priola	N	Vaad	N
10	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
11	Gardner B.	N	May	N	Riesberg	Y	Waller	N
12	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
13							Speaker	Y

14 Co-sponsor(s) added: Representative(s) Court, Fischer, Frangas, Labuda,
15 Pommer, Schafer S., Vigil.

16
17 **SB10-008** by Senator(s) Johnston, Romer; also Representative(s)
18 Scanlan, Massey, Middleton--Concerning a study to
19 evaluate the feasibility of a system to determine pupil
20 enrollment for purposes of the "Public School Finance Act
21 of 1994" based on the average daily membership of pupils
22 in school districts.

23
24 The question being "Shall the bill pass?".

25 A roll call vote was taken. As shown by the following recorded vote, a
26 majority of those elected to the House voted in the affirmative and the bill
27 was declared **passed**.

29	YES	65	NO	0	EXCUSED	0	ABSENT	0
30	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
31	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
32	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
33	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
34	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
35	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
36	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
37	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
38	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
39	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
40	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
41	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
42	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
43	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
44	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
45	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
46							Speaker	Y

47 Co-sponsor(s) added: Representative(s) Apuan, Ferrandino, Fischer,
48 Gardner B., Kerr A., Kerr J., Labuda, McFadyen, Pace, Schafer S., Summers,
49 Vigil.

50
51
52 **SB10-058** by Senator(s) Tapia; also Representative(s) Gagliardi--
53 Concerning the eligibility requirements for the nursing
54 teacher loan forgiveness pilot program.
55

5

26

32

37

56

1 **SB10-149** by Senator(s) Tapia, Keller, White; also Representative(s)
 2 Ferrandino, Pommer, Lambert--Concerning advancements
 3 to counties from the county tax base relief fund.
 4

5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

	YES	65	NO	0	EXCUSED	0	ABSENT	0
11	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
13	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
14	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
16	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
17	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
18	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
19	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
20	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
21	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
22	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
24	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
25	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
26	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
27							Speaker	Y

28
 29 **SB10-151** by Senator(s) White, Keller, Tapia; also Representative(s)
 30 Pommer, Ferrandino, Lambert--Concerning the repeal of
 31 the Colorado comprehensive health fund.
 32

33 The question being "Shall the bill pass?".
 34 A roll call vote was taken. As shown by the following recorded vote, a
 35 majority of those elected to the House voted in the affirmative and the bill
 36 was declared **passed**.
 37

	YES	63	NO	2	EXCUSED	0	ABSENT	0
39	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
40	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
41	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
42	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
43	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
44	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
45	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
46	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
47	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
48	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
49	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
50	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
51	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
52	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
53	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
54	Gardner C.	Y	McCann	Y	Roberts	N	Weissmann	Y
55							Speaker	Y

1 **SB10-129** by Senator(s) Hudak, Bacon, Johnston, Keller, Kester; also
 2 Representative(s) Rice--Concerning care coordination
 3 services for children with autism.
 4

5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

	YES	65	NO	0	EXCUSED	0	ABSENT	0
11	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
13	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
14	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
16	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
17	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
18	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
19	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
20	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
21	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
22	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
24	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
25	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
26	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Court, Ferrandino, Gardner C., Kefalas,
 29 Kerr J., King S., Labuda, Looper, Nikkel, Pommer, Primavera, Schafer S.,
 30 Soper, Stephens, Todd.
 31

32 **SB10-032** by Senator(s) Tapia; also Representative(s) Lambert--
 33 Concerning the authorization of amendments to existing
 34 state information technology contracts for purposes of
 35 furthering consolidation of the management of state
 36 agency information technology resources in the office of
 37 information technology.
 38

39 The question being "Shall the bill pass?".
 40 A roll call vote was taken. As shown by the following recorded vote, a
 41 majority of those elected to the House voted in the affirmative and the bill
 42 was declared **passed**.
 43

	YES	65	NO	0	EXCUSED	0	ABSENT	0
45	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
46	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
47	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
48	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
49	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
50	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
51	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
52	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
53	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
54	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
55	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
56	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y

1	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
2	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
3	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
4	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Acree, Kerr J., Murray, Nikkel,
7 Stephens, Todd.

8
9 **SB10-080** by Senator(s) Newell, Steadman, Bacon, Gibbs, Hudak,
10 Johnston, Morse, Romer, Sandoval, Tapia, Tochtrop,
11 Williams; also Representative(s) Frangas, Todd--
12 Concerning allowing court-entered civil protection orders
13 to include directives concerning animals.

14
15 The question being "Shall the bill pass?".

16 A roll call vote was taken. As shown by the following recorded vote, a
17 majority of those elected to the House voted in the affirmative and the bill
18 was declared **passed**.

19								
20	YES	64	NO	1	EXCUSED	0	ABSENT	0
21	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
22	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
23	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
24	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
25	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
26	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
27	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
28	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
29	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
30	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
31	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
32	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
33	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
34	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
35	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
36	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
37							Speaker	Y

38 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Hullinghorst,
39 King S., Labuda, Looper, Nikkel, Peniston, Primavera, Schafer S., Solano,
40 Tyler, Vigil.

41
42 **SB10-123** by Senator(s) Morse, Brophy, Carroll M., Mitchell,
43 Schwartz; also Representative(s) Labuda, Gardner B.,
44 Kagan, Levy, Roberts--Concerning on-line publications of
45 the secretary of state published pursuant to the "State
46 Administrative Procedure Act".

47
48 The question being "Shall the bill pass?".

49 A roll call vote was taken. As shown by the following recorded vote, a
50 majority of those elected to the House voted in the affirmative and the bill
51 was declared **passed**.

52								
53	YES	65	NO	0	EXCUSED	0	ABSENT	0
54	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
55	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
56	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y

1	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
2	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
3	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
4	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
5	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
6	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
7	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
8	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
9	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
10	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
11	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
12	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
13	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
14							Speaker	Y

15 Co-sponsor(s) added: Representative(s) Apuan, Kerr J., Lambert, Schafer S.,
 16 Todd.

17
 18 **SB10-148** by Senator(s) White, Keller, Tapia; also Representative(s)
 19 Lambert, Ferrandino, Pommer--Concerning the transfer of
 20 the enterprise facility for operational recovery, readiness,
 21 response, and transition services from the department of
 22 state to the office of information technology in the office
 23 of the governor, and, in connection therewith, developing
 24 a timeline to transfer funding of the facility from the
 25 department of state cash fund to the computer services
 26 Revolving fund over a period of four years.

27
 28 The question being "Shall the bill pass?".

29 A roll call vote was taken. As shown by the following recorded vote, a
 30 majority of those elected to the House voted in the affirmative and the bill
 31 was declared **passed**.

33	YES	60	NO	5	EXCUSED	0	ABSENT	0
34	Acree	Y	Gerou	Y	McFadyen	N	Ryden	Y
35	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
36	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
37	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
38	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
39	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
40	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
41	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
42	Curry	N	Labuda	Y	Pace	Y	Swalm	Y
43	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
44	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	N
45	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
46	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
47	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
48	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
49	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Nikkel, Stephens, Waller.

52
 53 **SB10-118** by Senator(s) Tochtrop, Carroll M.; also Representative(s)
 54 Miklosi, Primavera--Concerning authorizing the
 55 department of human services to obtain a fingerprint-based
 56 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.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	60	NO	5	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
						Speaker	Y

Co-sponsor(s) added: Representative(s) Apuan, Casso, Gerou, Hullinghorst, Labuda, Pace, Priola, Todd.

CONSIDERATION OF RESOLUTION(S)

HJR10-1015 by Representative(s) Roberts, Tipton; also Senator(s) Whitehead--Concerning the removal of FCC broadcasting restrictions to allow access to Denver television stations in southwestern Colorado.

(Printed and placed in members' file)

On motion of Representative Roberts, the resolution was read at length and **adopted** by **viva voce** vote.

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Todd, Tyler, Vaad, Vigil, Waller, Weissmann, Speaker.

HR10-1007 by Representative(s) Frangas, Curry, Miklosi--Concerning the need for assistance from the federal government for

unemployment insurance benefits, and, in connection therewith, urging the federal government to extend the interest-free payback period for loans received by the state of Colorado.

(Printed and placed in members' file)

On motion of Representative Frangas, the resolution was read at length and **adopted** by the following roll call vote:

YES	50	NO	15	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
Court	Y	King S.	N	Nikkel	N	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	N
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	N	May	Y	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Ferrandino, Fischer, Gagliardi, Hullinghorst, Labuda, Levy, McFadyen, Merrifield, Pommer, Soper, Todd

SJR10-017 by Senator(s) Hodge; also Representative(s) Fischer, Baumgardner, Court, Curry, DelGrosso, Ferrandino, Hullinghorst, Kefalas, Kerr J., Labuda, Looper, McFadyen, McKinley, Nikkel, Pace, Ryden, Scanlan, Solano, Sonnenberg, Tipton, Vigil--Concerning the recognition of March 17, 2010, as "National Agriculture Day".

(Printed and placed in members' file)

On motion of Representative Fischer, the resolution was read at length and **adopted** by **viva voce** vote.

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan, Balmer, Benefield, Bradford, Casso, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Judd, Kagan, Kerr A., King S., Lambert, Levy, Liston, Massey, May, McCann, McNulty, Merrifield, Middleton, Miklosi, Murray, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Schafer S., Soper, Stephens, Summers, Swalm, Todd, Tyler, Vaad, Waller, Weissmann, Speaker

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

After consideration on the merits, the Committee recommends the following:

SB10-025 be referred to the Committee of the Whole with favorable recommendation.

SB10-071 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 3, line 10, strike "FIRST" and substitute "SECOND".

Page 3, line 24, strike "LEAVE" and substitute "LEAF".

SB10-072 be referred favorably to the Committee on Appropriations.

SB10-098 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 5, line 4, strike "(a)".

Page 5, line 14, strike "sites." and substitute "sites, AS DEFINED IN PARAGRAPH (e) OF SUBSECTION (1) OF THIS SECTION.".

Page 5, strike lines 15 through 20.

FINANCE

After consideration on the merits, the Committee recommends the following:

HB10-1242 be referred to the Committee of the Whole with favorable recommendation.

HB10-1243 be referred favorably to the Committee on Appropriations.

SB10-155 be referred to the Committee of the Whole with favorable recommendation.

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on HB10-1320**

This Report Adopts the Rerevised Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB10-1320,
concerning the use of tobacco revenues generated under section 21 of
article X of the state constitution in a state fiscal emergency, and making
an appropriation therefor, 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:

(signed)

Jack Pommer

Mark Ferrandino

Kent D. Lambert

Senate Committee:

(signed)

Abel Tapia

Moe Keller

Al White

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on HB10-1327**

This Report Adopts the Rerevised Bill.

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:

(signed)

Jack Pommer

Mark Ferrandino

Kent D. Lambert

Senate Committee:

(signed)

Al White

Moe Keller

Abel Tapia

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on HB10-1339**

This Report Amends the Rerevised Bill.

1 To the President of the Senate and the
2 Speaker of the House of Representatives:

3
4 Your first conference committee appointed on HB10-1339,
5 concerning the distribution of limited gaming fund moneys for the
6 2009-10 state fiscal year, and making an appropriation in connection
7 therewith, has met and reports that it has agreed upon the following:

8
9 That the House accede to the Senate amendments made to the bill,
10 as the amendments appear in the rerevised bill, with the following
11 changes:

12
13 Amend rerevised bill, page 5, line 3, strike "FIFTEEN" and substitute
14 "FOURTEEN".

15
16 Respectfully submitted,

17 House Committee:

18 (signed)

19 Jack Pommer

20 Mark Ferrandino

21 Kent D. Lambert

Senate Committee:

(signed)

Al White

Abel Tapia

Moe Keller

24 PRINTING REPORT

25
26 The Chief Clerk reports the following bills have been correctly printed:
27 **HB10-1366, 1367, 1368, 1369; HCR10-1001.**

30 SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

31
32 The Speaker has signed: **HB10-1001, 1059, 1064, 1080, 1089, 1112;**
33 **SB10-018, 056, 142 and 165; SJR10-016.**

36 DELIVERY OF BILLS TO GOVERNOR

37
38 The Chief Clerk of the House of Representatives reports the following
39 bill has been delivered to the Office of the Governor: **HB10-1049** at
40 1:32 p.m. on March 17, 2010.

41
42
43 The Chief Clerk of the House of Representatives reports the following
44 bills have been delivered to the Office of the Governor: **HB10-1023,**
45 **1037, 1071, 1090, 1097, 1175, 1203, 1223, 1321** at 10:19 a.m. on
46 March 18, 2010.

50 MESSAGE(S) FROM THE SENATE

51
52 The Senate has passed on Third Reading and transmitted to the Revisor
53 of Statutes:

54
55 SB10-175 amended as printed in Senate Journal, March 16, 2010,
56 page 551.

1 SB10-110 amended as printed in Senate Journal, March 12, 2010,
2 page 518.
3 SB10-120 amended as printed in Senate Journal, March 16, 2010,
4 page 552.
5 SB10-108 amended as printed in Senate Journal, March 16, 2010,
6 pages 552-554.
7 SB10-143 amended as printed in Senate Journal, March 16, 2010,
8 pages 554-555.
9 SB10-174 amended as printed in Senate Journal, March 16, 2010,
10 pages 555-556 and in Senate Journal, March 18, 2010.
11 SB10-177 amended as printed in Senate Journal, March 16, 2010,
12 page 556.
13

14 The Senate has passed on Third Reading and transmitted to the Revisor
15 of Statutes:

16 HB10-1245 amended as printed in Senate Journal, March 16, 2010,
17 page 551.
18 HB10-1024 amended as printed in Senate Journal, March 16, 2010,
19 page 551.
20 HB10-1034 amended as printed in Senate Journal, March 16, 2010,
21 page 552.
22 HB10-1233 amended as printed in Senate Journal, March 16, 2010,
23 page 555.
24 HB10-1137 amended as printed in Senate Journal, March 16, 2010,
25 page 555.
26

27 The Senate has passed on Third Reading and returns herewith:
28 HB10-1036, HB10-1185, HB10-1050, HB10-1170.
29

30 The Senate has adopted the First Report of the First Conference
31 Committee on HB10-1339 as printed in Senate Journal, March 11, 2010,
32 page 503, and repassed the bill. The bill is returned herewith.
33

34 The Senate has adopted the First Report of the First Conference
35 Committee on HB10-1327 as printed in Senate Journal, March 12,
36 pages 533-534, and repassed the bill. The bill is returned herewith.
37

38 The Senate has adopted the First Report of the First Conference
39 Committee on HB10-1320 as printed in Senate Journal, March 17, 2010
40 pages 568-569, and repassed the bill. The bill is returned herewith.
41

42 The Senate voted to concur in House amendments to SB10-034,
43 SB10-083, SB10-009, SB10-115, SB10-081, SB10-019, SB10-102,
44 SB10-158, SB10-082, SB10-027 and repassed the bills as amended.
45

46 The President announced that Senator Newell will be a joint prime
47 sponsor on HB10-1160.
48

50 MESSAGE(S) FROM THE REVISOR

51
52 We herewith transmit:
53 Without comment, as amended, HB10-1034, 1233, 1137, 1024 and 1245.
54 Without comment, as amended, SB10-120, 177, 108, 143, 174 and 110.
55 With comment, as amended, SB10-175.
56

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 18th day of March, 2010, at 1:05 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 18, 2010

To the Honorable House of Representatives
Sixty-seventh General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB10-1014 CONCERNING ANNUAL REPORTING TO THE GENERAL ASSEMBLY OF FATAL ACCIDENTS IN STATE HIGHWAY WORK AREAS.

Approved March 18, 2010 at 11:21 a.m.

HB10-1041 CONCERNING APPLICATIONS FOR HOME- AND COMMUNITY-BASED SERVICES WAIVERS FOR CHILDREN AS PART OF THE MEDICAID ELIGIBILITY MODERNIZATION

Approved March 18, 2010 at 11:21 a.m.

HB10-1063 CONCERNING THE AUTHORITY FOR THE PUBLICATION OF A LEGAL NOTICE IN A NEWSPAPER WITHOUT UNITED STATES PERIODICALS MAILING PRIVILEGES WITHIN A MUNICIPALITY WHERE NO NEWSPAPER THAT HAS SUCH PRIVILEGES IS PUBLISHED WITHIN THE MUNICIPALITY.

Approved March 18, 2010 at 11:23 a.m.

HB10-1065 CONCERNING A PROHIBITION AGAINST COUNTY ANY TIME A JUVENILE SPENDS ON ESCAPE STATUS TOWARD COMPLETION OF THE JUVENILE'S COMMITMENT.

Approved March 18, 2010 at 11:26 a.m.

HB10-1319 CONCERNING MODIFICATIONS TO STATUTORY TRANSFERS FOR ENERGY-RELATED ASSISTANCE TO LOW-INCOME HOUSEHOLDS FROM THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND FOR THREE PARTICULAR STATE FISCAL YEARS.

Approved March 18, 2010 at 11:26 a.m.

1 **HB10-1322** CONCERNING THE REPEAL OF THE PILOT PROGRAMS ON
2 THE USE OF TELEMEDICINE, AND MAKING AN
3 APPROPRIATION THEREFOR.
4

5 Approved March 18, 2010 at 11:27 a.m.
6

7 **HB10-1325** CONCERNING THE TRANSFER OF INTEREST EARNED BY
8 CERTAIN SETTLEMENT MONEYS IN THE NATURAL
9 RESOURCE DAMAGE RECOVERY FUND.
10

11 Approved March 18, 2010 at 11:28 a.m.
12

13 Sincerely,
14 (signed)
15 Bill Ritter, Jr.
16 Governor
17

18
19
20 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**
21

22 **EDUCATION**

23 After consideration on the merits, the Committee recommends the
24 following:
25

26 **HB10-1369** be amended as follows, and as so amended, be referred to
27 the Committee on Appropriations with favorable
28 recommendation:
29

30 Amend printed bill, page 4, strike lines 16 through 21 and substitute:
31

32 "(II) FOR THE 2010-11 BUDGET YEAR, THE DEPARTMENT OF
33 EDUCATION SHALL:".
34

35 Page 4, line 23, strike "APPLICABLE" and substitute "2010-11".
36

37 Page 4, line 24, strike "APPLICABLE" and substitute "2010-11".
38

39 Page 4, lines 27, strike "APPLICABLE" and substitute "2010-11".
40

41 Page 5, line 6, strike "APPLICABLE" and substitute "2010-11".
42

43 Page 5, strike lines 9 and 10 and substitute:
44

45 "(III) FOR THE 2010-11 BUDGET YEAR, EXCEPT AS OTHERWISE
46 PROVIDED IN".
47

48 Page 5, line 11, strike "SUBPARAGRAPH (IV)" and substitute
49 "SUBPARAGRAPHS (IV) AND (V)".
50

51 Page 5, line 14, strike "APPLICABLE" and substitute "2010-11".
52

53 Page 5, line 17, strike "APPLICABLE" and substitute "2010-11".
54

55 Page 5, line 20, strike "APPLICABLE" and substitute "2010-11".
56

1 Page 5, line 21, strike "APPLICABLE" and substitute "2010-11".

2
3 Page 5, strike lines 22 and 23 and substitute:

4
5 "(IV) FOR THE 2010-11 BUDGET YEAR, THE TOTAL PROGRAM
6 FUNDING FOR A DISTRICT".

7
8 Page 5, line 26, strike "APPLICABLE" and substitute "2010-11".

9
10 Page 6, line 3, strike "APPLICABLE" and substitute "2010-11".

11
12 Page 6, line 4, strike "(5)." and substitute "(5) (a).".

13
14 Page 6, after line 4 insert:

15
16 "(V) IN ANY BUDGET YEAR IN WHICH THE PROVISIONS OF THIS
17 PARAGRAPH (g) APPLY, IF A DISTRICT LEVIES THE NUMBER OF MILLS
18 CALCULATED PURSUANT TO SECTION 22-54-106 (2) (a) (I) AND THE
19 DISTRICT'S STATE BUDGET STABILIZATION REDUCTION AMOUNT EXCEEDS
20 THE DISTRICT'S STATE SHARE OF TOTAL PROGRAM FUNDING, SUCH
21 DISTRICT'S TOTAL PROGRAM FUNDING SHALL BE THE AMOUNT
22 CALCULATED PURSUANT TO SUBSECTION (2) OF THIS SECTION FOR THE
23 APPLICABLE BUDGET YEAR MINUS THE DISTRICT'S STATE AID. ANY
24 REMAINING STATE BUDGET STABILIZATION REDUCTION AMOUNT FOR THE
25 DISTRICT SHALL BE SUBTRACTED FROM THE AMOUNT OF ADDITIONAL
26 PROPERTY TAX REVENUES THAT THE DISTRICT IS AUTHORIZED TO RAISE
27 AND EXPEND FOR THE APPLICABLE BUDGET YEAR PURSUANT TO SECTION
28 22-54-108 AND AS SPECIFIED IN SECTION 22-54-108 (5) (b).".

29
30 Page 10, line 21, after "(5)" insert "(a)".

31
32 Page 11, after line 3 insert:

33
34 "(b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
35 CONTRARY, IN A BUDGET YEAR IN WHICH THE PROVISIONS OF SECTION
36 22-54-104 (5) (g) APPLY, IF A DISTRICT LEVIES THE NUMBER OF MILLS
37 CALCULATED PURSUANT TO SECTION 22-54-106 (2) (a) (I) AND THE
38 DISTRICT'S STATE BUDGET STABILIZATION REDUCTION AMOUNT EXCEEDS
39 THE DISTRICT'S STATE SHARE OF TOTAL PROGRAM FUNDING, THE DISTRICT
40 SHALL ADJUST THE NUMBER OF MILLS LEVIED PURSUANT TO THIS SECTION
41 IN THE APPLICABLE BUDGET YEAR BY AN AMOUNT NECESSARY TO ACHIEVE
42 A REDUCTION IN THE PROPERTY TAX REVENUES IN EXCESS OF THE
43 DISTRICT'S TOTAL PROGRAM FOR THE APPLICABLE BUDGET YEAR THAT IS
44 EQUAL TO THE REMAINING AMOUNT OF THE DISTRICT'S STATE BUDGET
45 STABILIZATION REDUCTION AMOUNT CALCULATED PURSUANT TO SECTION
46 22-54-104 (5) (g) (II) (B) AFTER THE REDUCTION TO THE DISTRICT'S TOTAL
47 PROGRAM FUNDING HAS BEEN APPLIED PURSUANT TO SECTION 22-54-104
48 (5) (g) (V).

49
50 **SECTION 7.** 22-41-102 (3) (a), Colorado Revised Statutes, is
51 amended to read:

52
53 **22-41-102. Fund inviolate.** (3) (a) Except as provided in
54 paragraph (b) of this subsection (3), FOR THE 2010-11 STATE FISCAL YEAR
55 AND EACH STATE FISCAL YEAR THEREAFTER, THE FIRST ELEVEN MILLION
56 DOLLARS OF any interest or income earned on the investment of the

1 moneys in the public school fund ~~other than interest and income credited~~
2 ~~to the public school capital construction assistance fund created in section~~
3 ~~22-43.7-104 (1) pursuant to section 22-43.7-104 (2) (b) (I)~~ shall BE
4 CREDITED TO THE STATE PUBLIC SCHOOL FUND CREATED IN SECTION
5 22-54-114 FOR DISTRIBUTION AS PROVIDED BY LAW. ANY AMOUNT OF
6 SUCH INTEREST AND INCOME EARNED ON THE INVESTMENT OF THE
7 MONEYS IN THE STATE PUBLIC SCHOOL FUND IN EXCESS OF ELEVEN
8 MILLION DOLLARS, OTHER THAN INTEREST AND INCOME CREDITED TO THE
9 PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE FUND CREATED IN
10 SECTION 22-43.7-104 (1) PURSUANT TO SECTION 22-43.7-104 (2) (b) (I),
11 SHALL remain in the fund and shall become part of the principal of the
12 fund.

13
14 **SECTION 8.** 36-1-116 (1) (a) (II) (A), Colorado Revised
15 Statutes, is amended to read:

16
17 **36-1-116. Disposition of rentals, royalties, and timber sale**
18 **proceeds.** (1) (a) (II) (A) Except as provided in sub-subparagraph (B)
19 of this subparagraph (II), for the ~~2008-09~~ 2010-11 state fiscal year and
20 each state fiscal year thereafter, the ~~first eleven million dollars of~~
21 proceeds received by the state for the sale of timber on public school
22 lands, rental payments for the use and occupation of the surface of said
23 lands, and rentals or lease payments for sand, gravel, clay, stone, coal, oil,
24 gas, geothermal resources, gold, silver, or other minerals on said lands
25 other than proceeds, rentals, and payments allocated to the state land
26 board trust administration fund pursuant to section 36-1-145 (3) or
27 credited to the public school capital construction assistance fund created
28 in section 22-43.7-104 (1), C.R.S., pursuant to section 22-43.7-104 (2) (b)
29 (I), C.R.S., shall be credited to the ~~public school income fund for~~
30 ~~distribution as provided by law. Any amount of such proceeds, rentals,~~
31 ~~and payments received by the state during the fiscal year in excess of~~
32 ~~eleven million dollars shall be credited to the permanent school fund and~~
33 shall become part of the principal of the permanent school fund.".

34
35 Renumber succeeding section accordingly.

36
37
38 **LAY OVER OF CALENDAR ITEM(S)**

39
40 On motion of Representative Weissmann, the following item(s) on the
41 Calendar (was)were laid over until March 19, retaining place on
42 Calendar:

43
44 Consideration of Senate Amendment(s)--**HB10-1008, 1021, 1085, 1099,**
45 **1107.**

46
47
48 On motion of Representative Weissmann, the House adjourned until
49 9:00 a.m., March 19, 2010.

50
51 Approved:
52 TERRANCE D. CARROLL,
53 Speaker

54 Attest:
55 MARILYN EDDINS,
56 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Sixty-sixth Legislative Day

Friday, March 19, 2010

1 Prayer by Representative Terrance D. Carroll.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Megan Guetschow, Park City, Utah.

6

7 The roll was called with the following result:

8

9 Present--62.

10 Excused--Representative(s) Bradford, Middleton, Murray--3.

11 Present after roll call--Representative(s) Middleton.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Kefalas, the reading of the journal of
17 March 18, 2010, was declared dispensed with and approved as corrected
18 by the Chief Clerk.

19

20

21

22 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

23

24 **APPROPRIATIONS**

25 After consideration on the merits, the Committee recommends the
26 following:

27

28 **HB10-1018** be amended as follows, and as so amended, be referred to
29 the Committee of the Whole with favorable
30 recommendation:

31

32 Amend the Transportation and Energy Committee Report, dated February
33 2, 2010, page 2, line 3, strike "'FIFTEEN'." and substitute "'TWENTY'."

34

35 Page 4 of the report, after line 1, insert "Page 24 of the bill, line 23, after
36 "SHALL" insert "HIRE A CONTRACTOR TO".

37

38 Page 5 of the report, after line 11, insert "Page 32 of the bill, line 23,
39 strike "(5) THE" and substitute "(5) ON AND AFTER JULY 1, 2010, THE".

40

41 Page 5 of the report, before line 12 insert "Page 33 of the bill, after line
42 19 insert:

43

- 1 **"SECTION 15. Appropriation.** (1) In addition to any other
2 appropriation, there is hereby appropriated, out of any moneys in the
3 waste tire cleanup fund created in section 25-17-202.6 (1), Colorado
4 Revised Statutes, not otherwise appropriated, to the department of public
5 health and environment, for the fiscal year beginning July 1, 2010, the
6 sum of one million eight hundred seventy-one thousand two hundred
7 sixty-five dollars (\$1,871,265) and 0.4 FTE, or so much thereof as may
8 be necessary, for the implementation of this act.
9
- 10 (2) In addition to any other appropriation, there is hereby
11 appropriated to the department of law, for the fiscal year beginning July
12 1, 2010, the sum of fifteen thousand seventy-six dollars (\$15,076) and
13 0.2 FTE, or so much thereof as may be necessary, for the provision of
14 legal services to the department of public health and environment related
15 to the implementation of this act. Said sum shall be from reappropriated
16 funds received from the department of public health and environment out
17 of the appropriation made in subsection (1) of this section.
18
- 19 (3) In addition to any other appropriation, there is hereby
20 appropriated, out of any moneys in the processors and end users fund
21 created in section 25-17-202.5 (1), Colorado Revised Statutes, not
22 otherwise appropriated, to the department of public health and
23 environment, for the fiscal year beginning July 1, 2010, the sum of one
24 million four hundred thirty-one thousand five hundred twenty-seven
25 dollars (\$1,431,527) and 0.4 FTE, or so much thereof as may be
26 necessary, for the implementation of this act.
27
- 28 (4) In addition to any other appropriation, there is hereby
29 appropriated, out of any moneys in the recycling resources economic
30 opportunity fund created in section 25-16.5-106.5 (1), Colorado Revised
31 Statutes, not otherwise appropriated, to the department of public health
32 and environment, for the fiscal year beginning July 1, 2010, the sum of
33 thirteen thousand four hundred thirty-seven dollars (\$13,437), or so much
34 thereof as may be necessary, for the implementation of this act.
35
- 36 (5) In addition to any other appropriation, there is hereby
37 appropriated, out of any moneys in the innovative higher education
38 research fund created in section 23-19.7-104 (1), Colorado Revised
39 Statutes, not otherwise appropriated, to the department of public health
40 and environment, for the fiscal year beginning July 1, 2010, the sum of
41 three hundred fourteen thousand eight hundred thirteen dollars
42 (\$314,813), or so much thereof as may be necessary, for the
43 implementation of this act.
44
- 45 (6) In addition to any other appropriation, there is hereby
46 appropriated, out of any moneys in the waste tire fire prevention fund
47 created in section 25-17-202.8 (1), Colorado Revised Statutes, not
48 otherwise appropriated, to the department of public health and
49 environment, for the fiscal year beginning July 1, 2010, the sum of three
50 hundred fourteen thousand eight hundred thirteen dollars (\$314,813) and
51 2.1 FTE, or so much thereof as may be necessary, for the implementation
52 of this act.
53
- 54 (7) In addition to any other appropriation, there is hereby
55 appropriated, out of any moneys in the waste tire fire prevention fund
56 created in section 25-17-202.8 (1), Colorado Revised Statutes, not

1 otherwise appropriated, to the department of public safety, for the fiscal
2 year beginning July 1, 2010, the sum of seventy-one thousand nine
3 hundred seventy dollars (\$71,970), or so much thereof as may be
4 necessary, for the implementation of this act.

5
6 (8) For the implementation of this act, appropriations made in
7 the annual general appropriation act for the fiscal year beginning July 1,
8 2010, shall be adjusted as follows:

9
10 (a) The appropriation to the department of local affairs, division
11 of local government, for waste tire recycling, reuse and removal grants,
12 is decreased by four million two hundred thousand dollars (\$4,200,000)
13 cash funds and 0.7 FTE. Of said sum, two million six hundred thousand
14 dollars (\$2,600,000) shall be from the waste tire recycling development
15 cash fund created in section 25-17-202 (3) (a), Colorado Revised Statutes,
16 eight hundred thousand dollars (\$800,000) shall be from the processors
17 and end users of waste tires cash fund created in section 25-17-202.5 (1),
18 Colorado Revised Statutes, and eight hundred thousand dollars
19 (\$800,000) shall be from the waste tire cleanup fund created in section
20 24-32-114 (1), Colorado Revised Statutes.

21
22 (b) The informational appropriation to the department of public
23 health and environment, division of administration and support, for
24 advanced technology research grants, is decreased by four hundred
25 ninety-five thousand dollars (\$495,000) cash funds. Said sum shall be
26 cash funds from the advanced technology fund created in section 25-16.5-
27 105 (2), Colorado Revised Statutes."

28
29 Renumber succeeding sections accordingly.

30
31 Page 1, line 101, strike "**TIRES.**" and substitute "**TIRES, AND MAKING AN**
32 **APPROPRIATION THEREFOR.**".

33
34
35
36 **HB10-1161** be amended as follows, and as so amended, be referred to
37 the Committee of the Whole with favorable
38 recommendation:

39
40 Amend the Transportation and Energy Committee Report, dated March
41 2, 2010, page 3, after line 33 insert:

42
43 "**SECTION 3. Appropriation.** In addition to any other
44 appropriation, there is hereby appropriated, out of any moneys in the
45 license plate cash fund created in section 42-3-301 (1) (b), Colorado
46 Revised Statutes, not otherwise appropriated, to the department of
47 revenue, for allocation to the division of motor vehicles, driver and
48 vehicle services, for the fiscal year beginning July 1, 2010, the sum of ten
49 thousand sixty-four dollars (\$10,064) cash funds, or so much thereof as
50 may be necessary, for the implementation of this act."

51
52 Renumber succeeding section accordingly.

53
54 Page 4 of the committee report, line 6, strike "governor." and substitute
55 governor."
56

1 Page 4 of the committee report, after line 6 insert:

2
3 "Page 1 of the bill, line 103, strike "**HIRE.**" and substitute "**HIRE, AND**
4 **MAKING AN APPROPRIATION THEREFOR.**".

5
6
7
8 **HB10-1214** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11
12 Amend printed bill, page 6, after line 25 insert:

13
14 **"SECTION 7. Appropriation.** In addition to any other
15 appropriation, there is hereby appropriated, out of any moneys in the
16 license plate cash fund created in section 42-3-301 (1) (b), Colorado
17 Revised Statutes, not otherwise appropriated, to the department of
18 revenue, for allocation to the division of motor vehicles, driver and
19 vehicle services, for the fiscal year beginning July 1, 2010, the sum of
20 seventeen thousand seven hundred sixty dollars (\$17,760) cash funds, or
21 so much thereof as may be necessary, for the implementation of this act."

22
23 Renumber succeeding section accordingly.

24
25 Page 1, line 104, strike "**PLATE.**" and substitute "**PLATE, AND MAKING AN**
26 **APPROPRIATION THEREFOR.**".

27
28
29
30 **HB10-1220** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:

33
34 Strike the Finance Committee Report, dated February 24, 2010, and
35 substitute:

36
37 "Amend printed bill, page 9, line 25, strike "(4) (a)," and substitute "(4),".

38
39 Page 10, after line 10 insert:

40
41 ~~"(b) The commissioner shall make every reasonable effort to~~
42 ~~utilize examiners employed by the division of insurance in preference to~~
43 ~~designating persons to perform examinations who are not employees of~~
44 ~~the division of insurance. However, in the event of evidence of a~~
45 ~~violation of this article, the commissioner~~ may designate a qualified
46 person who is not an employee of the division of insurance to examine
47 any contract seller, and the reasonable expenses and charges of such
48 examiner shall be paid directly by the contract seller to any such
49 authorized examiner. The examinee may contest the amount of fees,
50 costs, and expenses charged to it by such person by filing an objection
51 with the commissioner ~~which~~ THAT sets forth the charges ~~which~~ the
52 examinee considers to be unreasonable, together with the basis for such
53 claim of unreasonable charges. No amounts ~~which~~ THAT are so disputed
54 will be due to the examiner unless and until the commissioner has
55 reviewed the objection and made a written finding that the disputed
56 charges were reasonable in relation to the examination performed."."

1 **HB10-1272** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB10-1278** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 6, after line 4 insert:
10

11 **"SECTION 7. Appropriation.** (1) In addition to any other
12 appropriation, there is hereby appropriated, out of any moneys in the
13 HOA ombudsman cash fund created in section 12-61-406.5 (4), Colorado
14 Revised Statutes, not otherwise appropriated, to the department of
15 regulatory agencies, for allocation to the division of real estate, for the
16 fiscal year beginning July 1, 2010, the sum of one hundred thirty thousand
17 eight hundred twenty-eight dollars (\$130,828) cash funds and 2.0 FTE,
18 or so much thereof as may be necessary, for the implementation of this
19 act.
20

21 (2) In addition to any other appropriation, there is hereby
22 appropriated to the department of law, for the fiscal year beginning July
23 1, 2010, the sum of fifteen thousand six hundred seventy-nine dollars
24 (\$15,679) and 0.1 FTE, or so much thereof as may be necessary, for the
25 provision of legal services to the department of regulatory agencies
26 related to the implementation of this act. Said sum shall be from
27 reappropriated funds received from the department of regulatory agencies
28 out of the appropriation made in subsection (1) of this section."
29

30 Renumber succeeding section accordingly.
31

32 Page 1, line 103, strike "ACT"." and substitute "ACT", AND MAKING AN
33 APPROPRIATION THEREFOR."
34
35
36

37 **HB10-1293** be referred to the Committee of the Whole with favorable
38 recommendation.
39

40
41 **HB10-1341** be amended as follows, and as so amended, be referred to
42 the Committee of the Whole with favorable
43 recommendation:
44

45 Amend printed bill, page 2, strike lines 2 through 25.
46

47 Page 3, strike lines 1 through 4.
48

49 Renumber succeeding sections accordingly.
50

51 Page 3, line 25, strike "FISCAL YEAR COMMENCING JULY 1, 2010," and
52 substitute "2010-11 AND 2011-12 FISCAL YEARS,".
53

54 Page 4, line 4, strike "2011." and substitute "2012."
55

56 Page 4, line 5, strike "2011," and substitute "2012,".

1 **HB10-1365** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend House Transportation and Energy Committee Report, dated
6 March 16, 2010, page 1, strike line 1 and substitute:
7

8 "Amend printed bill, page 20, after line 18 insert:
9

10 **"SECTION 4. Appropriation.** (1) In addition to any other
11 appropriation, there is hereby appropriated, out of any moneys in the
12 public utilities commission fixed utility fund created in section 40-2-114,
13 Colorado Revised Statutes, not otherwise appropriated, to the department
14 of regulatory agencies, for allocation to the public utilities commission,
15 for the fiscal year beginning July 1, 2010, the sum of seventy-four
16 thousand one hundred fifteen dollars (\$74,115) cash funds and 0.6 FTE,
17 or so much thereof as may be necessary, for the implementation of this
18 act.
19

20 (2) In addition to any other appropriation, there is hereby
21 appropriated to the department of law, for the fiscal year beginning July
22 1, 2010, the sum of thirteen thousand forty-one dollars (\$13,041) and 0.1
23 FTE, or so much thereof as may be necessary, for the provision of legal
24 services to the department of regulatory agencies related to the
25 implementation of this act. Said sum shall be from reappropriated funds
26 received from the department of regulatory agencies out of the
27 appropriation made in subsection (1) of this section."
28

29 Renumber succeeding sections accordingly.
30

31 Page 1, line 103, strike "TO" and substitute "THAT".
32

33 Page 1 of the committee report, line 4, strike "RESOURCES." and
34 substitute "RESOURCES, AND MAKING AN APPROPRIATION."
35
36
37

38 **HB10-1367** be referred to the Committee of the Whole with favorable
39 recommendation.
40
41

42 **HB10-1369** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:
45

46 Amend printed bill, page 11, before line 4, insert:
47

48 **"SECTION 7. Appropriation - adjustments to the 2010 long**
49 **bill.** (1) For the implementation of this act, appropriations made in the
50 annual general appropriation act to the department of education for the
51 fiscal year beginning July 1, 2010, shall be adjusted as follows:
52

53 (a) The cash funds appropriation for management and
54 administration, reprinting and distributing laws concerning education, is
55 decreased by thirty-five thousand four hundred eighty dollars (\$35,480).
56 Said sum shall be from rental income earned on public school lands that

1 is credited to the state public school fund pursuant to section 36-1-116 (1)
2 (a), Colorado Revised Statutes.

3
4 (b) The cash funds appropriation for management and
5 administration, reprinting and distributing laws concerning education, is
6 increased by thirty-five thousand four hundred eighty dollars (\$35,480).
7 Said sum shall be from interest or income earned on the investment of the
8 moneys in the public school fund that is credited to the state public school
9 fund pursuant to section 22-41-102 (3) (a), Colorado Revised Statutes.

10
11 (c) The general fund appropriation for public school finance, state
12 share of districts' total program funding, is decreased by three hundred
13 sixty-five million four hundred eleven thousand three hundred thirteen
14 dollars (\$365,411,313).

15
16 (d) The cash funds appropriation for public school finance, state
17 share of districts' total program funding, is decreased by eight million
18 four hundred ninety-one thousand eight hundred seventy-six dollars
19 (\$8,491,876). Said sum shall be from rental income earned on public
20 school lands that is credited to the state public school fund pursuant to
21 section 36-1-116 (1) (a), Colorado Revised Statutes.

22
23 (e) The cash funds appropriation for public school finance, state
24 share of districts' total program funding, is increased by eight million four
25 hundred ninety-one thousand eight hundred seventy-six dollars
26 (\$8,491,876). Said sum shall be from interest or income earned on the
27 investment of the moneys in the public school fund that is credited to the
28 state public school fund pursuant to section 22-41-102 (3) (a), Colorado
29 Revised Statutes.

30
31 (f) The cash funds appropriation for public school finance, hold-
32 harmless full-day kindergarten funding, is decreased by four hundred
33 eighty-seven thousand nine hundred sixty-four dollars (\$487,964). Said
34 sum shall be from the state education fund created in section 17 (4) (a) of
35 article IX of the state constitution.

36
37 (g) The cash funds appropriation for grant programs, distributions,
38 and other assistance, state match for school lunch program, is decreased
39 by two million four hundred seventy-two thousand six hundred forty-four
40 dollars (\$2,472,644). Said sum shall be from rental income earned on
41 public school lands that is credited to the state public school fund
42 pursuant to section 36-1-116 (1) (a), Colorado Revised Statutes.

43
44 (h) The cash funds appropriation for grant programs, distributions,
45 and other assistance, state match for school lunch program, is increased
46 by two million four hundred seventy-two thousand six hundred forty-four
47 dollars (\$2,472,644). Said sum shall be from interest or income earned on
48 the investment of the moneys in the public school fund that is credited to
49 the state public school fund pursuant to section 22-41-102 (3) (a),
50 Colorado Revised Statutes.

51
52 (i) The cash funds appropriation for grant programs, distributions,
53 and other assistance, facility school funding, is decreased by one million
54 one hundred twenty thousand nine hundred twenty-three dollars
55 (\$1,120,923). Said sum shall be from the state education fund created in
56 section 17 (4) (a) of article IX of the state constitution.

(j) The general fund appropriation for the Colorado school for the deaf and the blind, school operations, is increased by eighty-five thousand three hundred thirty-four dollars (\$85,334).

(k) The appropriation for the Colorado school for the deaf and the blind, school operations, is decreased by eighty-five thousand three hundred thirty-four dollars (\$85,334). Said sum shall be from reappropriated funds transferred from the annual appropriation for facility school funding.

(2) For the implementation of this act, appropriations made in the annual general appropriation act to the department of human services for the fiscal year beginning July 1, 2010, shall be adjusted as follows:

(a) The general fund appropriation for mental health and alcohol and drug abuse services, mental health institutes, educational programs, is increased by thirteen thousand four hundred thirty-nine dollars (\$13,439).

(b) The appropriation for mental health and alcohol and drug abuse services, mental health institutes, educational programs, is decreased by thirteen thousand four hundred thirty-nine dollars (\$13,439). Said sum shall be from reappropriated funds transferred from the annual appropriation to the department of education for facility school funding."

Renumber succeeding section accordingly.

Page 1, line 101, strike "SCHOOLS." and substitute "SCHOOLS, AND MAKING AN APPROPRIATION THEREFOR."

SB10-016 be referred to the Committee of the Whole with favorable recommendation.

SB10-038 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 4, after line 10 insert:

"SECTION 4. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the plant health, pest control, and environmental protection cash fund created in section 35-1-106.3 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of agriculture, for allocation to the agricultural services division, for the fiscal year beginning July 1, 2010, the sum of twenty-eight thousand one hundred twelve dollars (\$28,112) cash funds, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding sections accordingly.

Page 1, line 105, strike "BOARD." and substitute "BOARD, AND MAKING AN APPROPRIATION THEREFOR."

1 On motion of Representative Weissmann, **HB10-1125, 1336, 1274, 1367,**
2 **1369, 1365, 1161, 1220, 1293, 1341, 1018,** were made Special Orders on
3 Friday, March 19, 2010, at 9:15 a.m.

4
5
6 The hour of 9:15 a.m., having arrived, on motion of Representative
7 Labuda, the House resolved itself into Committee of the Whole for
8 consideration of Special Orders and she was called to the Chair to act as
9 Chairman.

10 11 12 **SPECIAL ORDERS--SECOND READING OF BILLS**

13
14 The Committee of the Whole having risen, the Chairman reported the
15 titles of the following bills had been read (reading at length had been
16 dispensed with by unanimous consent), the bills considered and action
17 taken thereon as follows:

18
19 (Amendments to the committee amendment are to the printed committee
20 report which was printed and placed in the members' bill file.)

21
22 **HB10-1125** by Representative(s) Hullinghorst; also Senator(s)
23 Schwartz--Concerning the authority of the department of
24 public health and environment to regulate certain activities
25 with respect to waste grease derived from food
26 preparation.

27
28 Amendment No. 1, Transportation & Energy Report, dated
29 March 2, 2010, and placed in member's bill file; Report also printed in
30 House Journal, March 3, page 653.

31
32 Amendment No. 2, Appropriations Report, dated March 12, 2010, and
33 placed in member's bill file; Report also printed in House Journal,
34 March 12, pages 767-768.

35
36 Amendment No. 3, by Representative(s) Weissmann.

37
38 Amend printed bill, page 10, after line 15 insert:

39
40 "SECTION 4. Part 2 of article 20 of title 8, Colorado Revised
41 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
42 read:

43
44 **8-20-236. Grease kept on premises.** NOTWITHSTANDING ANY
45 PROVISION OF LAW TO THE CONTRARY, A PERSON REGISTERED AS A
46 PERSONAL USER UNDER SECTION 30-20-123 (7), C.R.S., MAY STORE
47 GREASE, AS DEFINED IN SECTION 30-20-123, C.R.S., THAT IS INTENDED TO
48 BE USED AS MOTOR VEHICLE FUEL, ON THE PERSON'S PROPERTY.

49
50 **SECTION 5.** 8-20.5-302 (3), Colorado Revised Statutes, is
51 amended to read:

52
53 **8-20.5-302. Duties of director of division of oil and public**
54 **safety.** (3) (a) ~~Within one hundred twenty days after January 1, 2008,~~
55 The director of the division of oil and public safety shall promulgate, and
56 the division shall enforce, rules concerning the placement of aboveground

1 storage tanks that contain renewable fuels. Such rules shall be
2 promulgated with the purpose of developing a uniform statewide standard
3 of issuing permits for aboveground storage tanks to promote the use of
4 renewable fuels so that the process of obtaining a permit for an
5 aboveground storage tank that contains renewable fuels may be more
6 efficient and affordable.

7
8 (b) RULES PROMULGATED UNDER THIS SUBSECTION (3) SHALL
9 ENSURE THAT A PERSON REGISTERED AS A PERSONAL USER UNDER SECTION
10 30-20-123 (7), C.R.S., MAY STORE GREASE, AS DEFINED IN SECTION
11 30-20-123, C.R.S., THAT IS INTENDED TO BE USED AS MOTOR VEHICLE
12 FUEL, ON THE PERSON'S PROPERTY."

13
14 Renumber succeeding section accordingly.

15
16 As amended, ordered engrossed and placed on the Calendar for Third
17 Reading and Final Passage.

18
19 **HB10-1336** by Representative(s) Schafer S.; also Senator(s) Newell--
20 Concerning expenditures to be made by the department of
21 public safety.

22
23 Amendment No. 1, Appropriations Report, dated March 12, 2010, and
24 placed in member's bill file; Report also printed in House Journal,
25 March 12, page 770.

26
27 As amended, ordered engrossed and placed on the Calendar for Third
28 Reading and Final Passage.

29
30 **HB10-1367** by Representative(s) Weissmann; also Senator(s) Morse--
31 Concerning payment of expenses of the legislative
32 department.

33
34 Ordered engrossed and placed on the Calendar for Third Reading and
35 Final Passage.

36
37 **HB10-1365** by Representative(s) Solano and Roberts, Balmer,
38 Benefield, Carroll T., Court, DelGrosso, Fischer, Frangas,
39 Gerou, Hullinghorst, Kagan, Kerr A., Kerr J., King S.,
40 Levy, Liston, Looper, Massey, May, McFadyen, McNulty,
41 Merrifield, Middleton, Miklosi, Peniston, Pommer,
42 Primavera, Rice, Ryden, Scanlan, Schafer S., Stephens,
43 Todd, Tyler, Vaad, Vigil; also Senator(s) Whitehead and
44 Penry--Concerning incentives for electric utilities to
45 reduce air emissions, and, in connection therewith,
46 requiring plans to achieve such reductions to give primary
47 consideration to converting from coal to natural gas.

48
49 Amendment No. 1, Transportation & Energy Report, dated
50 March 16, 2010, and placed in member's bill file; Report also printed in
51 House Journal, March 17, page 826.

52
53 Amendment No. 2, Appropriations Report, dated March 19, 2010, and
54 placed in member's bill file; Report also printed in House Journal,
55 March 19, page 854.

56

1 Amendment No. 3, by Representative(s) Solano, Roberts.

2
3 Amend printed bill, page 9, line 27, after "PLAN" insert "AS DESCRIBED IN
4 SECTION 40-3.2-204".

5
6 Amendment No. 4, by Representative(s) Looper.

7 Amend printed bill, page 9, line 27, strike "EXPEDITIOUSLY".

8
9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.

11 (For change in action, see Amendments to Report, page 873.)

12
13 **HB10-1161** by Representative(s) Nikkel--Concerning the creation of
14 a livery license plate for certain motor vehicles used to
15 transport people for hire.

16
17 Amendment No. 1, Transportation & Energy Report, dated
18 March 23, 2010, and placed in member's bill file; Report also printed in
19 House Journal, March 3, pages 653-655.

20
21 Amendment No. 2, Appropriations Report, dated March 19, 2010, and
22 placed in member's bill file; Report also printed in House Journal,
23 March 19, page 851-852.

24
25 As amended, ordered engrossed and placed on the Calendar for Third
26 Reading and Final Passage.

27
28 **HB10-1220** by Representative(s) Priola, Liston, Rice, Stephens; also
29 Senator(s) Schwartz--Concerning the sunset review of the
30 functions of the division of insurance related to the
31 regulation of specified lines of insurance, and, in
32 connection therewith, continuing the functions of the
33 division related to the regulation of property and casualty,
34 automobile, and other insurers that do not offer health,
35 life, property, casualty, or automobile insurance through
36 July 1, 2017; consolidating the sunset review of all
37 functions of the division of insurance other than those
38 related to the licensing of bail bonding agents; and
39 implementing other recommendations contained in the
40 sunset report.

41
42 Amendment No. 1, Business Affairs & Labor Report, dated
43 February 16, 2010, and placed in member's bill file; Report also printed
44 in House Journal, February 17, pages 370-371.

45
46 Amendment No. 2, Appropriations Report, dated March 19, 2010, and
47 placed in member's bill file; Report also printed in House Journal,
48 March 19, page 852.

49
50 As amended, ordered engrossed and placed on the Calendar for Third
51 Reading and Final Passage.

52
53 **HB10-1293** by Representative(s) Massey; also Senator(s) Whitehead--
54 Concerning the creation of a task force to study property
55 tax assessment issues related to the use of land for
56 agricultural purposes.

1 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
2 February 23, 2010, and placed in member's bill file; Report also printed
3 in House Journal, February 25, pages 556-558.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB10-1341** by Representative(s) Judd; also Senator Keller--
9 Concerning the transfer of moneys from the motorist
10 insurance identification account in the highway users tax
11 fund to the Colorado state titling and registration account
12 in the highway users tax fund.

13
14 Amendment No. 1, Appropriations Report, dated March 19, 2010, and
15 placed in member's bill file; Report also printed in House Journal,
16 March 19, page 853.

17
18 As amended, ordered engrossed and placed on the Calendar for Third
19 Reading and Final Passage.

20
21 A motion by Representative Weissmann that the Committee rise, report
22 progress and beg leave to sit again at 11:20 a.m., was adopted by
23 unanimous consent. (Special Orders continued on page 871.)

24
25
26 House reconvened.

27
28 The Committee of the Whole reported it had risen, reported progress and
29 would sit again at 11:20 a.m.

30
31
32 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

33
34 **APPROPRIATIONS**

35 After consideration on the merits, the Committee recommends the
36 following:

37
38 **HB10-1332** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:

41
42 Amend the Health and Human Services Committee Report, dated
43 February 25, 2010, page 2, after line 18 insert:

44
45 ""(5) NOTHING IN THIS SECTION REQUIRES THE DEPARTMENT OF
46 HEALTH CARE POLICY AND FINANCING TO PROVIDE ADMINISTRATIVE OR
47 RESEARCH SUPPORT OR ASSISTANCE TO THE TASK FORCE IN CARRYING OUT
48 ITS DUTIES UNDER THIS SECTION.".

49
50 Page 2 of the committee report, line 19, strike ""(5)" and substitute "(6)".

51
52 Page 2 of the committee report, line 29, strike "(6)" and substitute "(7)".

53
54 Page 3 of the committee report, line 2, strike "(5)" and substitute "(6)".

55
56 Page 3 of the committee report, after line 4, insert:

1 "Page 21 of the bill, after line 23, insert:

2
3 **"SECTION 2. Appropriation.** In addition to any other
4 appropriation, there is hereby appropriated, out of any moneys in the
5 health care policy and financing cash fund created in section 25.5-1-109,
6 Colorado Revised Statutes, not otherwise appropriated, to the department
7 of health care policy and financing, for allocation to the executive
8 director's office, general professional services and special projects, for the
9 fiscal year beginning July 1, 2010 , the sum of fifty thousand dollars
10 (\$50,000) cash funds, or so much thereof as may be necessary, for the
11 implementation of this act."

12
13 Renumber succeeding section accordingly.

14
15 Page 1, line 102, strike "ACT"." and substitute "ACT", AND MAKING AN
16 APPROPRIATION THEREFOR."."

17
18
19
20
21 **EDUCATION**

22 After consideration on the merits, the Committee recommends the
23 following:

24
25 **SB10-101** be referred to the Committee of the Whole with favorable
26 recommendation.

27
28
29
30
31 **HEALTH & HUMAN SERVICES**

32 After consideration on the merits, the Committee recommends the
33 following:

34
35 **HB10-1355** be referred to the Committee of the Whole with favorable
36 recommendation.

37
38
39
40
41 **JUDICIARY**

42 After consideration on the merits, the Committee recommends the
43 following:

44
45 **HB10-1357** be amended as follows, and as so amended, be referred to
46 the Committee on Appropriations with favorable
47 recommendation:

48
49 Amend printed bill, page 7, line 25, after the period add "THE PROVISIONS
50 OF THIS SUBSECTION (4) SHALL NOT APPLY TO DOCUMENTS OR
51 INFORMATION IN THE CUSTODY OF THE COURT."

52
53 Page 10, line 17, strike "(3)." and substitute "(3); EXCEPT THAT A
54 COMPLAINT SHALL NOT REMAIN UNDER SEAL FOR MORE THAN ONE YEAR."

55
56 Page 11, strike lines 25 and 26 and substitute "THE CIRCUMSTANCES."

1 Page 13, line 15, strike "THE SHOWING".

2

3 Page 13, line 16, strike "SHALL BE CONDUCTED IN CAMERA.".

4

5 Page 13, line 17, strike "IN CAMERA".

6

7 Page 13, line 21, after the period add "UPON GOOD CAUSE SHOWN, A
8 SHOWING UNDER THIS PARAGRAPH (d) SHALL BE CONDUCTED IN
9 CAMERA.".

10

11 Page 32, line 5, strike "(a)".

12

13 Page 32, strike lines 22 through 27.

14

15 Page 33, strike lines 1 through 3.

16

17 Page 42, line 26, after the period add "THE PROVISIONS OF THIS
18 SUBSECTION (11) SHALL NOT APPLY TO DOCUMENTS OR INFORMATION IN
19 THE CUSTODY OF THE COURT.".

20

21

22

23 **SB10-140** be referred to the Committee of the Whole with favorable
24 recommendation.

25

26

27

28

29 **STATE, VETERANS, & MILITARY AFFAIRS**

30 After consideration on the merits, the Committee recommends the
31 following:

32

33 **SB10-041** be referred to the Committee of the Whole with favorable
34 recommendation.

35

36

37 **SB10-099** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40

41 Amend reengrossed bill, page 4, line 9, strike "Colorado." and substitute
42 "Colorado;".

43

44 Page 4, after line 9 insert:

45

46 "(h) Section 5 (1) of article XXIX of the Colorado constitution
47 authorizes the independent ethics commission to hear complaints, issue
48 findings, assess penalties, and issue advisory opinions. Because the role
49 of the independent ethics commission is to provide advisory opinions and
50 rule on complaints, covered individuals are encouraged to consult with
51 the commission for the most recent guidance on compliance with the
52 provisions of Senate Bill 10-099 or other standards of conduct.".

53

54

55

56

1 **TRANSPORTATION & ENERGY**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HB10-1348** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 2, after line 1 insert:

10
11 "SECTION 1. Part 1 of article 11 of title 25, Colorado Revised
12 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
13 read:
14

15 **25-11-101.5. Coordination of regulatory interpretations**
16 **regarding in situ leach uranium mining.** THE GENERAL ASSEMBLY
17 RECOGNIZES THAT THE PROPER AND ORDERLY REGULATION OF IN SITU
18 LEACH MINING, AS DEFINED IN SECTION 34-32-103, C.R.S., FOR URANIUM
19 ORE HAS ASPECTS THAT MAY INVOLVE MORE THAN ONE REGULATORY
20 AGENCY OF STATE GOVERNMENT AND THAT THE STATUTES THAT EACH
21 AGENCY IS RESPONSIBLE FOR ADMINISTERING MAY, DUE TO THE USE OF
22 TERMS OF ART AND OTHER TECHNICAL WORDS, PHRASES, AND
23 DEFINITIONS, HOLD THE POTENTIAL OF BEING INTERPRETED
24 INCONSISTENTLY OR TO BE IN HELD IN CONFLICT WITH EACH OTHER. IT IS
25 THE INTENT OF THE GENERAL ASSEMBLY THAT, WITH REGARD TO IN SITU
26 LEACH MINING FOR URANIUM ORE, THE RELEVANT AGENCIES COORDINATE
27 TO THE MAXIMUM EXTENT PRACTICABLE TO RESOLVE ANY SUCH
28 CONFLICTS OR INCONSISTENCIES."
29

30 Renumber succeeding sections accordingly.

31
32 Page 2, line 7, strike "GROUNDWATER STANDARDS," and substitute "THE
33 BASIC STANDARDS FOR GROUNDWATER AS ESTABLISHED BY THE WATER
34 QUALITY CONTROL COMMISSION,".
35

36 Page 2, line 13 strike "KNOWN EXTENT OF THE RELEASE," and substitute
37 "RELEASE AS IDENTIFIED IN THE CORRECTIVE ACTION MONITORING
38 PROGRAM,".
39

40 Page 3 line 19, after the period add "THE ACT OF SUBMITTING SUCH
41 COMMENTS DOES NOT PROVIDE A RIGHT TO ADMINISTRATIVE APPEAL
42 CONCERNING THE FINANCIAL ASSURANCE WARRANTIES."
43

44 Page 4, line 3, strike "CASH BOND" and substitute "BOND IN A FORM
45 APPROVED BY THE DEPARTMENT".
46

47 Page 7, line 12, after "material" insert "IN A LICENSE APPLICATION OR
48 AMENDMENT".
49

50 Page 7, line 22, strike "prepared consistent with" and substitute "~~prepared~~
51 ~~consistent with~~".
52

53 Page 8, line 1, strike "DEPARTMENT GUIDANCE".
54

55 Page 10, line 12, after "ALL" insert "MATERIAL".
56

1 Page 10, line 13, strike "DURING THE PREVIOUS TEN YEARS;" and
2 substitute "SINCE THE SUBMITTAL DATE OF THE PREVIOUS LICENSE
3 APPLICATION OR LICENSE RENEWAL APPLICATION;".

4
5 Page 10, strike line 25.

6
7 Page 10, line 26, strike everything before "THE" and substitute:

8
9 "(D) NO CONDITIONS EXIST AT THE FACILITY THAT WOULD
10 PREVENT".

11
12
13
14 **SB10-055** be referred to the Committee of the Whole with favorable
15 recommendation.

16
17
18 **SB10-103** be referred favorably to the Committee on Appropriations.

19
20
21 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

22
23 The Speaker has signed: **HR10-1007**.

24
25
26
27 **MESSAGE(S) FROM THE SENATE**

28
29 The Senate has adopted and transmits herewith: SJR10-019 and
30 SJR10-020.

31
32
33 **INTRODUCTION AND CONSIDERATION OF RESOLUTION(S)**

34
35 On motion of Representative Weissmann, the rules were suspended and
36 the following resolutions were given immediate consideration.

37
38 **SJR10-020** by Senator(s) Whitehead and Williams; also
39 Representative(s) Roberts and Tipton--Concerning the
40 commemoration of the Tri-Ute Elders meeting in Colorado
41 in March 2010, and, in connection therewith, honoring the
42 culture and heritage of the Southern Ute Tribe, the Ute
43 Mountain Ute Tribe, and the Northern Ute Tribe.

44
45 On motion of Representative Roberts, the resolution was read at length
46 and **adopted** by **viva voce** vote.

47
48 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
49 Balmer, Baumgardner, Benefield, Casso, Court, Curry, DelGrosso, Ferrandino,
50 Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Hullinghorst, Judd,
51 Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
52 Looper, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield,
53 Middleton, Miklosi, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice,
54 Riesberg, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens,
55 Summers, Swalm, Todd, Tyler, Vaad, Vigil, Waller, Weissmann, Speaker

1 **SJR10-019** by Senator(s) Newell, Cadman, King K., Williams, Bacon,
 2 Boyd, Carroll M., Foster, Gibbs, Heath, Hodge, Keller,
 3 Kester, Lundberg, Sandoval, Schwartz, Spence, Tapia,
 4 Tochtrop, White, Whitehead; also Representative(s)
 5 Carroll T., McFadyen--Concerning recognition of Single
 6 Parents' Day in Colorado.

7
 8 On motion of Representative Carroll T., the resolution was read at length
 9 and **adopted** by **viva voce vote**.

10
 11 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
 12 Balmer, Baumgardner, Benefield, Casso, Court, Curry, DelGrosso, Ferrandino,
 13 Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Hullinghorst, Judd,
 14 Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
 15 Looper, Massey, May, McCann, McKinley, McNulty, Merrifield, Middleton,
 16 Miklosi, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg,
 17 Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens,
 18 Summers, Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann

19
 20
 21 House in recess. House reconvened.
 22
 23

24 25 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

26
 27 **HB10-1008** by Representative(s) Schafer S. and McCann, Apuan,
 28 Frangas, Massey; also Senator(s) Carroll M. And
 29 Schwartz, Boyd, Foster--Concerning a prohibition against
 30 consideration of gender in setting rates for individual
 31 health insurance policies.

32
 33 (Amended as printed in Senate Journal, March 15, page 542.)

34
 35 Representative Schafer moved that the House **concur** in Senate amend-
 36 ments. The motion was declared **passed** by the following roll call vote:

	YES	61	NO	0	EXCUSED	4	ABSENT	0
39	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
40	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
41	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
42	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
43	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
44	Bradford	E	Kerr A.	E	Miklosi	Y	Soper	Y
45	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
46	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
47	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
48	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
49	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
50	Fischer	Y	Liston	Y	Primavera	E	Tyler	Y
51	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
52	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
53	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
54	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
55							Speaker	Y

56

1 The question being, "Shall the bill, as amended, pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative, and the
 4 bill, as amended, was declared **repassed**.

	YES	56	NO	5	EXCUSED	4	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	E	Kerr A.	E	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
14	Court	Y	King S.	N	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
16	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	E	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	N
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Miklosi, Pommer.

25
 26 **HB10-1024** by Representative(s) Balmer and Riesberg; also Senator(s)
 27 Williams, Newell--Concerning eliminating the ability of
 28 advanced practice nurses to declare patients terminally ill.

29
 30 (Amended as printed in Senate Journal, March 16, page 551.)

31
 32 Representative Balmer moved that the House **concur** in Senate
 33 amendments. The motion was declared **passed** by the following roll call
 34 vote:

	YES	61	NO	0	EXCUSED	4	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
39	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
42	Bradford	E	Kerr A.	E	Miklosi	Y	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
44	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
45	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
47	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
48	Fischer	Y	Liston	Y	Primavera	E	Tyler	Y
49	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
50	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
51	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
52	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
53							Speaker	Y

54
 55 The question being, "Shall the bill, as amended, pass?".
 56 A roll call vote was taken. As shown by the following recorded vote, a

majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

	YES	61	NO	0	EXCUSED	4	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y	
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y	
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y	
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
Bradford	E	Kerr A.	E	Miklosi	Y	Soper	Y	
Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y	
Court	Y	King S.	Y	Nikkel	Y	Summers	Y	
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y	
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
Fischer	Y	Liston	Y	Primavera	E	Tyler	Y	
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y	
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y	
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y	
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y	
						Speaker	Y	

Co-sponsor(s) added: Representative(s) Apuan, Court, Fischer, Labuda, Roberts, Schafer S., Vigil.

HB10-1034 by Representative(s) Massey, Middleton, Scanlan; also Senator(s) King K., Johnston, Spence--Concerning the credentialing of school speech-language pathology assistants.

(Amended as printed in Senate Journal, March 16, page 552.)

Representative Massey moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

	YES	61	NO	0	EXCUSED	4	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y	
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y	
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y	
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
Bradford	E	Kerr A.	E	Miklosi	Y	Soper	Y	
Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y	
Court	Y	King S.	Y	Nikkel	Y	Summers	Y	
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y	
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
Fischer	Y	Liston	Y	Primavera	E	Tyler	Y	
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y	
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y	
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y	
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y	
						Speaker	Y	

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a

majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

	YES	61	NO	0	EXCUSED	4	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y	
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y	
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y	
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
Bradford	E	Kerr A.	E	Miklosi	Y	Soper	Y	
Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y	
Court	Y	King S.	Y	Nikkel	Y	Summers	Y	
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y	
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
Fischer	Y	Liston	Y	Primavera	E	Tyler	Y	
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y	
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y	
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y	
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y	
						Speaker	Y	

Co-sponsor(s) added: Representative(s) Miklosi, Priola, Schafer S.

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.

(Amended as printed in Senate Journal, March 11, pages 488-489.)

Representative Kerr J., moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

	YES	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y	
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y	
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y	
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
Bradford	E	Kerr A.	E	Miklosi	Y	Soper	Y	
Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y	
Court	Y	King S.	Y	Nikkel	Y	Summers	Y	
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y	
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y	
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y	
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y	
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y	
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y	
						Speaker	Y	

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a

majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

YES	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	E	Kerr A.	E	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Fischer, Priola, Schafer S.

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.

(Amended as printed in Senate Journal, March 12, page 519.)

Representative Pace moved that the House **not concur** in Senate amendments and that a Conference Committee be appointed. The motion was declared **passed** by the following roll call vote:

YES	61	NO	1	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	E	Kerr A.	E	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
						Speaker	Y

The Speaker appointed Representatives Pace, Chairman, Vigil and Massey as House conferees to the bill.

1 **HB10-1107** by Representative(s) Fischer, Ferrandino, Hulinghorst,
 2 Pommer; also Senator(s) Carroll M., Tochtrop--
 3 Concerning limitations on the inclusion of agricultural
 4 lands within urban renewal areas.

5
 6 (Amended as printed in Senate Journal, March 15, page 542.)

7
 8 Representative Fischer moved that the House **concur** in Senate
 9 amendments. The motion was declared **passed** by the following roll call
 10 vote:

	YES	47	NO	15	EXCUSED	3	ABSENT	0
13	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
14	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
15	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
16	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
17	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
18	Bradford	E	Kerr A.	E	Miklosi	Y	Soper	Y
19	Casso	Y	Kerr J.	N	Murray	E	Stephens	N
20	Court	Y	King S.	N	Nikkel	Y	Summers	N
21	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
22	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
23	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
24	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
25	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
26	Gagliardi	Y	Massey	Y	Rice	N	Vigil	Y
27	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
28	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
29							Speaker	Y

30
 31 The question being, "Shall the bill, as amended, pass?".
 32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative, and the
 34 bill, as amended, was declared **repassed**.

	YES	51	NO	11	EXCUSED	3	ABSENT	0
37	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
39	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
42	Bradford	E	Kerr A.	E	Miklosi	Y	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	E	Stephens	N
44	Court	Y	King S.	N	Nikkel	Y	Summers	Y
45	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
47	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
48	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
49	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
50	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
51	Gardner B.	N	May	N	Riesberg	Y	Waller	N
52	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Baumgardner, Gardner C., Middleton,
 55 Scanlan, Schafer S., Tyler.

56

1 On motion of Representative Labuda, the House resolved itself into
2 Committee of the Whole for continuation of consideration of Special
3 Orders, and she returned to the Chair to act as Chairman.

4
5
6 **SPECIAL ORDERS--SECOND READING OF BILLS**

7 (Continued from page 860)
8

9 **HB10-1369** by Representative(s) Scanlan and Pommer; also Senator(s)
10 Bacon--Concerning the financing of public schools.
11

12 Amendment No. 1, Education Report, dated March 18, 2010, and placed
13 in member's bill file; Report also printed in House Journal, March 18,
14 pages 846-848.
15

16 Amendment No. 2, Appropriations Report, dated March 19, 2010, and
17 placed in member's bill file; Report also printed in House Journal,
18 March 19, page 854-856.
19

20 Amendment No. 3, by Representative(s) Scanlan.
21

22 Amend the Education Committee report, dated March 18, 2010, page 1,
23 line 2, strike "2010-11 BUDGET YEAR" AND SUBSTITUTE "2010-11 AND
24 2011-12 BUDGET YEARS".
25

26 Page 1 of the committee report, strike lines 4 through 7 and substitute:
27

28 "Page 4 of the printed bill, line 23, strike "APPLICABLE BUDGET YEAR" and
29 substitute "2010-11 AND 2011-12 BUDGET YEARS".
30

31 Page 4 of the bill, line 24, strike "APPLICABLE BUDGET YEAR" and
32 substitute "2010-11 AND 2011-12 BUDGET YEARS".
33

34 Page 4 of the bill, lines 27, strike "APPLICABLE BUDGET YEAR;" and
35 substitute "2010-11 AND 2011-12 BUDGET YEARS;".
36

37 Page 1 of the report, line 9, strike "2010-11 BUDGET YEAR," and substitute
38 "2010-11 AND 2011-12 BUDGET YEARS,".
39

40 Page 1 of the report, strike lines 13 and 14 and substitute:
41

42 "Page 5 of the bill, line 14, strike "APPLICABLE BUDGET YEAR," and
43 substitute "2010-11 OR 2011-12 BUDGET YEAR,".
44

45 Page 5 of the bill, line 17, strike "APPLICABLE BUDGET YEAR;" and
46 substitute "2010-11 OR 2011-12 BUDGET YEAR;".
47

48 Page 2 of the report, strike lines 1 and 2 and substitute:
49

50 "Page 5 of the bill, line 20, strike "APPLICABLE BUDGET YEAR" and
51 substitute "2010-11 OR 2011-12 BUDGET YEAR".
52

53 Page 5 of the bill, line 21, strike "APPLICABLE BUDGET YEAR." and
54 substitute "2010-11 OR 2011-12 BUDGET YEAR.".
55

1 Amendment No. 4, by Representative(s) Scanlan.

2
3 Amend the Education Committee report, dated March 18, 2010, page 2,
4 line 4, strike "2010-11 BUDGET YEAR," and substitute "2010-11 AND
5 2011-12 BUDGET YEARS,".

6
7 Page 2 of the report, strike lines 6 and 7 and substitute:

8
9 "Page 5, line 26, strike "APPLICABLE BUDGET YEAR" and substitute
10 "2010-11 OR 2011-12 BUDGET YEAR".

11
12 Page 6, line 3, strike "APPLICABLE BUDGET YEAR" and substitute "2010-11
13 OR 2011-12 BUDGET YEAR".

14
15 Amendment No. 5, by Representative(s) Scanlan.

16
17 Amend printed bill, page 3, line 21, strike "BUDGET YEAR" and substitute
18 "AND 2011-12 BUDGET YEARS".

19
20 Page 4, line 3, strike "BUDGET YEAR," and substitute "AND 2011-12
21 BUDGET YEARS,".

22
23 Page 4, line 7, strike "BUDGET YEAR" and substitute "AND 2011-12
24 BUDGET YEARS".

25
26 As amended, ordered engrossed and placed on the Calendar for Third
27 Reading and Final Passage.

28
29 On motion of Representative Weissmann, the remainder of the Special
30 Orders Calendar (**HB10-1274, 1018**) was laid over until March 22,
31 retaining place on Calendar.

32
33
34
35 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

36
37 Representative Gardner B. moved to amend the Report of the Committee
38 of the Whole to reverse the action taken by the Committee in not adopting
39 the following Gardner B. amendment, to HB10-1365, to show that said
40 amendment passed, and that **HB10-1365**, as amended, passed.

41
42 Amend printed bill, page 9, after line 17 insert:

43
44 "(2.5) IN REVIEWING THE PLAN REQUIRED UNDER SECTION
45 40-3.2-204, THE COMMISSION SHALL GIVE PRIORITY TO THOSE UTILITIES
46 PROPOSING THE USE OF SOLAR OR WIND ENERGY.".

47
48 The amendment was declared **lost** by the following roll call vote:

49
50

	YES	9	NO	53	EXCUSED	3	ABSENT	0
51	Acree	N	Gerou	N	McFadyen	N	Ryden	N
52	Apuan	Y	Hullinghorst	N	McKinley	N	Scanlan	N
53	Balmer	N	Judd	N	McNulty	N	Schafer S.	N
54	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
55	Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
56	Bradford	E	Kerr A.	E	Miklosi	N	Soper	N

1	Casso	N	Kerr J.	N	Murray	E	Stephens	Y
2	Court	N	King S.	N	Nikkel	N	Summers	N
3	Curry	Y	Labuda	N	Pace	N	Swalm	N
4	DelGrosso	N	Lambert	N	Peniston	N	Tipton	N
5	Ferrandino	N	Levy	N	Pommer	N	Todd	N
6	Fischer	N	Liston	Y	Primavera	N	Tyler	N
7	Frangas	N	Looper	Y	Priola	N	Vaad	N
8	Gagliardi	N	Massey	N	Rice	N	Vigil	N
9	Gardner B.	Y	May	N	Riesberg	N	Waller	Y
10	Gardner C.	N	McCann	N	Roberts	N	Weissmann	N
11							Speaker	N

12
13 Representatives Solano and Roberts moved to amend the Report of the
14 Committee of the Whole to reverse the action taken by the Committee in
15 adopting Amendment No. 4, by Representative Looper (printed in House
16 Journal page 859, lines 6-7), to HB10-1365, to show that said amendment
17 lost and that **HB10-1365**, as amended, passed.

18
19 The amendment was declared **passed** by the following roll call vote:

21	YES	47	NO	15	EXCUSED	3	ABSENT	0
22	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
23	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
24	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
25	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
26	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
27	Bradford	E	Kerr A.	E	Miklosi	Y	Soper	N
28	Casso	Y	Kerr J.	N	Murray	E	Stephens	Y
29	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
30	Curry	N	Labuda	Y	Pace	Y	Swalm	N
31	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
32	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
33	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
34	Frangas	Y	Looper	N	Priola	N	Vaad	Y
35	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
36	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
37	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
38							Speaker	Y

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

44 Passed Second Reading: **HB10-1125 amended, 1336 amended, 1367,**
45 **1365 amended, 1161 amended, 1220 amended, 1293 amended, 1341**
46 **amended, 1369 amended.**

48 Laid over until date indicated retaining place on Calendar: **HB10-1274,**
49 **1018--March 22, 2010.**

51 The Chairman moved the adoption of the Committee of the Whole
52 Report. As shown by the following roll call vote, a majority of those
53 elected to the House voted in the affirmative, and the Report was
54 **adopted.**

	YES	62	NO	0	EXCUSED	3	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	E	Kerr A.	E	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y
19								
20								
21								
22								
23								
24								
25								

INTRODUCTION OF BILLS

First Reading

The following bills read by title and referred to the committees indicated:

HB10-1370 by Representative(s) Court, Apuan, Carroll T., Casso, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst, Kagan, Kerr A., King S., Labuda, Levy, Looper, Massey, McCann, McFadyen, Merrifield, Middleton, Miklosi, Murray, Pace, Peniston, Pommer, Primavera, Rice, Roberts, Ryden, Scanlan, Schafer S., Solano, Soper, Todd, Tyler, Vaad, Vigil, Weissmann; also Senator(s) Steadman--Concerning certain disclosure requirements that apply to statewide ballot measures.
Committee on State, Veterans, & Military Affairs

HB10-1371 by Representative(s) Frangas, Swalm; also Senator(s) Mitchell--Concerning alternative practitioners of the healing arts, and, in connection therewith, enacting the "Colorado Health Freedom Act" to provide an exemption for unlicensed complementary and alternative practitioners of the healing arts.
Committee on Health and Human Services

SB10-087 by Senator(s) Steadman; also Representative(s) Liston--Concerning the authority of the secretary of state in connection with the regulation of lobbyists, and making an appropriation therefor.
Committee on State, Veterans, & Military Affairs

SB10-108 by Senator(s) King K., Bacon, Scheffel, Schultheis, Spence, Steadman; also Representative(s) Middleton, Massey, Summers, Gardner B., King S., McNulty,

- 1 Murray--Concerning implementation of general education
2 core courses at institutions of higher education, and
3 making an appropriation therefor.
4 Committee on Education
5
- 6 **SB10-110** by Senator(s) Williams; also Representative(s) Ryden,
7 Court, Hullinghorst, Judd, Levy, Middleton, Rice--
8 Concerning the enforcement of offenses involving failure
9 of certain persons to properly restrain a child in a vehicle.
10 Committee on Transportation & Energy
11
- 12 **SB10-120** by Senator(s) White, Bacon, Steadman; also
13 Representative(s) Rice, Bradford, McCann--Concerning
14 the inclusion of prepaid wireless telephone service among
15 the services subject to the surcharge that funds enhanced
16 911 emergency services, and making an appropriation in
17 connection therewith.
18 Committee on Business Affairs and Labor
19
- 20 **SB10-143** by Senator(s) Morse; also Representative(s) Scanlan and
21 Massey--Concerning the refund of moneys erroneously
22 collected by the Colorado department of state on or after
23 a certain date, and, in connection therewith, authorizing
24 the state controller to issue warrants to refund such
25 moneys to the proper persons, and making an
26 appropriation.
27 Committee on Finance
28
- 29 **SB10-174** by Senator(s) Schwartz, Gibbs, Whitehead; also
30 Representative(s) Massey and Scanlan--Concerning the
31 regulation of the development of geothermal resources.
32 Committee on Local Government
33
- 34 **SB10-175** by Senator(s) Boyd; also Representative(s) Riesberg--
35 Concerning the relocation of provisions relating to
36 behavioral health.
37 Committee on Health and Human Services
38
- 39 **SB10-177** by Senator(s) Schwartz and Gibbs; also Representative(s)
40 Scanlan, Merrifield--Concerning the promotion of clean
41 energy technologies.
42 Committee on Transportation & Energy
43
44

INTRODUCTION OF RESOLUTIONS

47
48
49 The following resolutions were read by title and laid over one day under
50 the rules:

- 51
52 **HJR10-1016** by Representative(s) Weissmann; also Senator(s) Morse--
53 Concerning the convening date for the 2011 First Regular
54 Session of the Sixty-eighth General Assembly.
55

1 **HJR10-1017** by Representative(s) Weissmann; also Senator(s) Spence--
2 Concerning amendments to the Joint Rules of the Senate
3 and the House of Representatives regarding certain rules
4 of procedure during a declared disaster emergency.
5
6

7
8 **CHANGE IN SPONSORSHIP**
9

10 The Speaker announced the following changes in sponsorship:
11 SB10-040--Representative Soper to replace Representative Merrifield as
12 prime sponsor.
13

14 SB10-143--Representative Massey to be added as dual prime sponsor
15 with Representative Scanlan.
16

17
18 **APPOINTMENT(S)**
19

20
21 The Speaker announced the following appointment:
22 Committee on Appropriations--Representative Hullinghorst to replace
23 Representative Curry.
24

25
26 **LAY OVER OF CALENDAR ITEM(S)**
27

28
29 On motion of Representative Weissmann, the following item(s) on the
30 Calendar (was)were laid over until March 22, retaining place on
31 Calendar:
32

33 Consideration of General Orders--**HB10-1241, 1351, 1328, SB10-047,**
34 **HB10-1217, 1234, 1342, SB10-007, 063, 130.**

35 Consideration of Conference Committee Report(s)--**HB10-1320, 1327,**
36 **1339.**

37 Consideration of Senate Amendment(s)--**HB10-1021, 1137, 1233, 1245.**
38

39
40
41 On motion of Representative Weissmann, the House adjourned until
42 10:00 a.m., March 22, 2010.
43

44 Approved:
45 TERRANCE D. CARROLL,
46 Speaker

47 Attest:
48 MARILYN EDDINS,
49 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Sixty-ninth Legislative Day

Monday, March 22, 2010

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Kalya Ramirez, Pioneer Elementary, and
6 Antonia Ramirez, Peak to Peak Charter School, Lafayette.

7

8 The roll was called with the following result:

9

10 Present--64.

11 Excused--Representative(s) DelGrosso--1.

12 Present after roll call--Representative(s) DelGrosso.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative King, the reading of the journal of
18 March 19, 2010, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22

23

House in recess. House reconvened.

24

25

26

27 **THIRD READING OF BILL(S)--FINAL PASSAGE**

28

29 The following bill(s) was(were) considered on Third Reading. The
30 title(s) was(were) publicly read. Reading of the bill at length was
31 dispensed with by unanimous consent.

32

33 **HB10-1125** by Representative(s) Hullinghorst; also Senator(s)
34 Schwartz--Concerning the authority of the department of
35 public health and environment to regulate certain activities
36 with respect to waste grease derived from food
37 preparation, and making an appropriation therefor.

38

39 As shown by the following roll call vote, a majority of all members
40 elected to the House voted in the affirmative, and Representative
41 Hullinghorst was given permission to offer a Third Reading amendment:

42

	YES	62	NO	3	EXCUSED	0	ABSENT	0
1								
2	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	N	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	N	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

Third Reading amendment No. 1, by Representative Hullinghorst.

Amend engrossed bill, page 4, line 11, after "INCLUDE" insert "A".

The amendment was declared **passed** by the following roll call vote:

	YES	61	NO	4	EXCUSED	0	ABSENT	0
26								
27	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
28	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
29	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
30	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
31	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
32	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
33	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
34	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
35	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
36	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
37	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
38	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
39	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
40	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
41	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
42	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
43							Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **passed**.

	YES	42	NO	23	EXCUSED	0	ABSENT	0
50								
51	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
52	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
53	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
54	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
55	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
56	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y

1	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
2	Court	Y	King S.	N	Nikkel	N	Summers	N
3	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
4	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
5	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
6	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
7	Frangas	Y	Looper	Y	Priola	N	Vaad	N
8	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
9	Gardner B.	N	May	N	Riesberg	Y	Waller	N
10	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Apuan, Labuda, Levy, Merrifield,
13 Middleton, Primavera, Vigil

14
15 **HB10-1336** by Representative(s) Schafer S.; also Senator(s) Newell--
16 Concerning expenditures to be made by the department of
17 public safety, and making an appropriation therefor.

18
19 The question being "Shall the bill pass?".

20 A roll call vote was taken. As shown by the following recorded vote, a
21 majority of those elected to the House voted in the affirmative and the bill
22 was declared **passed**.

23	YES	61	NO	4	EXCUSED	0	ABSENT	0
24								
25	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
28	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
30	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
32	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
33	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
34	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
37	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
38	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
39	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
40	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Labuda, Vigil.

43
44 **HB10-1367** by Representative(s) Weissmann; also Senator(s) Morse--
45 Concerning payment of expenses of the legislative
46 department.

47
48 The question being "Shall the bill pass?".

49 A roll call vote was taken. As shown by the following recorded vote, a
50 majority of those elected to the House voted in the affirmative and the bill
51 was declared **passed**.

52	YES	65	NO	0	EXCUSED	0	ABSENT	0
53								
54	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
55	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
56	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y

1	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
2	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
3	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
4	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
5	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
6	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
7	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
8	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
9	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
10	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
11	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
12	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
13	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
14							Speaker	Y

15 Co-sponsor(s) added: Representative(s) Baumgardner, Benefield, Todd.

16
17 **HB10-1161** by Representative(s) Nikkel; also Senator Spence--
18 Concerning the creation of a livery license plate for certain
19 motor vehicles used to transport people for hire, and
20 making an appropriation therefor.

21
22 The question being "Shall the bill pass?".

23 A roll call vote was taken. As shown by the following recorded vote, a
24 majority of those elected to the House voted in the affirmative and the bill
25 was declared **passed**.

27	YES	57	NO	8	EXCUSED	0	ABSENT	0
28	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
29	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
30	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
31	Baumgardner	Y	Kagan	N	Merrifield	Y	Solano	Y
32	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
33	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
34	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
35	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
36	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
37	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
38	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
39	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
40	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
41	Gagliardi	N	Massey	Y	Rice	Y	Vigil	Y
42	Gardner B.	Y	May	N	Riesberg	N	Waller	Y
43	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
44							Speaker	Y

45
46
47 **HB10-1220** by Representative(s) Priola, Liston, Rice, Stephens; also
48 Senator(s) Schwartz--Concerning the sunset review of the
49 functions of the division of insurance related to the
50 regulation of specified lines of insurance, and, in
51 connection therewith, continuing the functions of the
52 division related to the regulation of property and casualty,
53 automobile, and other insurers that do not offer health,
54 life, property, casualty, or automobile insurance through
55 July 1, 2017; consolidating the sunset review of all
56 functions of the division of insurance other than those

related to the licensing of bail bonding agents; and implementing other recommendations contained in the sunset report.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Kerr J., Nikkel.

HB10-1293 by Representative(s) Massey; also Senator(s) Whitehead--
Concerning the creation of a task force to study property tax assessment issues related to the use of land for agricultural purposes.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	49	NO	16	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
Court	Y	King S.	N	Nikkel	N	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	N	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	N	Riesberg	Y	Waller	N

1 | Gardner C. N McCann Y Roberts N Weissmann Y
 2 | Speaker Y
 3 | Co-sponsor(s) added: Representative(s) Curry, Labuda, Pommer, Scanlan,
 4 | Todd, Vigil.
 5 |

6 | **HB10-1341** by Representative(s) Judd; also Senator(s) Keller--
 7 | Concerning the transfer of moneys from the motorist
 8 | insurance identification account in the highway users tax
 9 | fund to the Colorado state titling and registration account
 10 | in the highway users tax fund.
 11 |

12 | The question being "Shall the bill pass?".
 13 | A roll call vote was taken. As shown by the following recorded vote, a
 14 | majority of those elected to the House voted in the affirmative and the bill
 15 | was declared **passed**.
 16 |

	YES	40	NO	25	EXCUSED	0	ABSENT	0
18	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
19	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
20	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
21	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
22	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
23	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	N
24	Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
25	Court	Y	King S.	N	Nikkel	N	Summers	N
26	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
27	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
28	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
29	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
30	Frangas	Y	Looper	Y	Priola	N	Vaad	N
31	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
32	Gardner B.	N	May	N	Riesberg	Y	Waller	N
33	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
34							Speaker	Y

35 |
 36 | **HB10-1369** by Representative(s) Scanlan and Pommer; also Senator(s)
 37 | Bacon--Concerning the financing of public schools, and
 38 | making an appropriation therefor.
 39 |

40 | The question being "Shall the bill pass?".
 41 | A roll call vote was taken. As shown by the following recorded vote, a
 42 | majority of those elected to the House voted in the affirmative and the bill
 43 | was declared **passed**.
 44 |

	YES	48	NO	17	EXCUSED	0	ABSENT	0
46	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
47	Apuan	N	Hullinghorst	Y	McKinley	N	Scanlan	Y
48	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
49	Baumgardner	N	Kagan	Y	Merrifield	N	Solano	N
50	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
51	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
52	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
53	Court	Y	King S.	Y	Nikkel	Y	Summers	N
54	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
55	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	N
56	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	N

1	Fischer	Y	Liston	N	Primavera	N	Tyler	Y
2	Frangas	N	Looper	Y	Priola	N	Vaad	Y
3	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
4	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
5	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
6							Speaker	Y

7 Co-sponsor(s) added: Representative(s) Kagan.

11 On motion of Representative Kerr A., the House resolved itself into
12 Committee of the Whole for consideration of Special Orders and he was
13 called to the Chair to act as Chairman.

16 SPECIAL ORDERS--SECOND READING OF BILLS

18 The Committee of the Whole having risen, the Chairman reported the
19 titles of the following bills had been read (reading at length had been
20 dispensed with by unanimous consent), the bills considered and action
21 taken thereon as follows:

23 (Amendments to the committee amendment are to the printed committee
24 report which was printed and placed in the members' bill file.)

26 **HB10-1274** by Representative(s) Schafer S., Massey, Benefield,
27 Merrifield, Middleton, Miklosi, Murray, Peniston, Priola,
28 Solano, Stephens, Tipton, Todd; also Senator(s) Johnston,
29 Carroll M., Keller, King K., Newell, Penry, Spence,
30 Steadman--Concerning successful transitions back to the
31 public school system for juveniles in out-of-home
32 placement who have demonstrated behavior that is
33 detrimental to the safety or welfare of themselves or others
34 during the previous twelve months.

36 Amendment No. 1, Education Report, dated March 11, 2010, and placed
37 in member's bill file; Report also printed in House Journal, March 12,
38 pages 771-775.

40 Amendment No. 2, by Representative(s) Schafer.

42 Amend the Education Committee Report, dated March 11, 2010, page 1,
43 line 8, after "SERVICES" insert "AS DETERMINED BY THE COURT".

45 Page 1, line 13, strike "FACILITY, FACILITY SCHOOL," and substitute
46 "FACILITY LICENSED BY THE DEPARTMENT OF HUMAN SERVICES PURSUANT
47 TO SECTION 26-6-102 (2.5), C.R.S., FACILITY SCHOOL AS DEFINED IN
48 SECTION 22-2-402 (1), C.R.S.,".

50 Page 1, line 16, strike "COMMUNITY;" and substitute "COMMUNITY WITHIN
51 THE TWELVE MONTHS PRIOR TO THE PROPOSED TRANSFER;".

53 Page 1, line 18, after "NOTIFICATION" insert "SHALL BE AT LEAST TEN
54 DAYS PRIOR TO THE STUDENT'S TRANSITION FROM THE STATE-LICENSED
55 DAY TREATMENT FACILITY, FACILITY SCHOOL, OR STATE HOSPITAL AND
56 SUBSEQUENT ENROLLMENT IN A PUBLIC SCHOOL AND".

- 1 Page 2, line 1, strike "AT LEAST TEN DAYS".
2
3 Page 2, strike lines 2 through 4 and substitute "TO PARTICIPATE IN THE".
4
5 Page 2, line 11, strike the second "THE".
6
7 Page 2, strike lines 12 through 14.
8
9 Page 2, line 16, strike "IDENTIFIED".
10
11 Page 2, strike lines 27 through 30 and substitute "ENSURING A
12 SUCCESSFUL TRANSITION."
13
14 Page 2, line 39, strike "SENDING".
15
16 Page 3, line 1, strike "OR", and strike "SCHOOL" and substitute "SCHOOL,
17 OR FACILITY SCHOOL".
18
19 Page 3, line 13, after "FEDERAL" insert "PRIVACY AND CONFIDENTIALITY".
20
21 Page 3, line 36, strike "AND".
22
23 Page 4, line 4, strike "PURPOSE." and substitute "PURPOSE; AND
24
25 (g) TAKING INTO CONSIDERATION RECOMMENDATIONS MADE BY
26 EXISTING WORKING GROUPS OR PROJECTS THAT HAVE BEEN INVOLVED
27 WITH INFORMATION SHARING OR TECHNOLOGY RELATING TO INFORMATION
28 SHARING AMONG MULTIPLE ENTITIES AS IT RELATES TO STUDENTS
29 TRANSITIONING BACK INTO PUBLIC SCHOOLS. A REPORT OF THESE
30 RECOMMENDATIONS SHALL BE PROVIDED TO THE DEPARTMENT OF HUMAN
31 SERVICES, THE STATE BOARD OF HUMAN SERVICES, THE DEPARTMENT OF
32 EDUCATION, AND THE STATE BOARD OF EDUCATION PRIOR TO THE FINAL
33 ADOPTION OF THE MEMORANDUM OF UNDERSTANDING."
34
35 Page 4, line 29, after "FEDERAL" insert "PRIVACY AND CONFIDENTIALITY".
36
37 Page 5, line 16, strike "AND".
38
39 Page 5, line 20, strike "PURPOSE." and substitute "PURPOSE; AND
40
41 (g) TAKING INTO CONSIDERATION RECOMMENDATIONS MADE BY
42 EXISTING WORKING GROUPS OR PROJECTS THAT HAVE BEEN INVOLVED
43 WITH INFORMATION SHARING OR TECHNOLOGY RELATING TO INFORMATION
44 SHARING AMONG MULTIPLE ENTITIES AS IT RELATES TO STUDENTS
45 TRANSITIONING BACK INTO PUBLIC SCHOOLS. A REPORT OF THESE
46 RECOMMENDATIONS SHALL BE PROVIDED TO THE DEPARTMENT OF HUMAN
47 SERVICES, THE STATE BOARD OF HUMAN SERVICES, THE DEPARTMENT OF
48 EDUCATION, AND THE STATE BOARD OF EDUCATION PRIOR TO THE FINAL
49 ADOPTION OF THE MEMORANDUM OF UNDERSTANDING."
50
51 Page 5, strike line 22 and substitute "OBLIGATIONS OF THE DEPARTMENT
52 OF EDUCATION, COUNTY OR STATE DEPARTMENT OF HUMAN SERVICES, OR
53 SCHOOL DISTRICTS AS SET FORTH IN".
54
55 Page 5, line 23, strike "CREATED PURSUANT TO".
56

1 Page 5, line 24, after the first "U.S.C." insert "SEC. 701", and strike "675
2 ET" and substitute "675,".

3

4 Page 5, line 25, strike "SEQ.,".

5

6 Amendment No. 3, by Representative(s) Middleton.

7

8 Amend the Education Committee Report, dated March 11, 2010, page 4,
9 line 20, strike "**understanding.**" and substitute "**understanding - rules.**".

10

11 Page 5, after line 26 insert:

12 "(3) THE STATE BOARD MAY PROMULGATE RULES PURSUANT TO
13 THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24,
14 C.R.S., CONCERNING THE IMPLEMENTATION OF THIS SECTION, INCLUDING
15 BUT NOT LIMITED TO RULES REGARDING NOTIFICATION AND SHARING OF
16 INFORMATION AS DESCRIBED IN SUBSECTION (1) OF THIS SECTION."

17

18 Page 6, line 24, strike "AND".

19

20 Page 6, line 29, strike "22-2-138." and substitute "22-2-138; AND

21

22 (IV) BEING INCLUDED IN AND PARTICIPATING WITH ANY
23 INTERAGENCY COLLABORATION TEAMS OR THREAT ASSESSMENT TEAMS
24 CENTERED ON STUDENTS THAT THE SCHOOL DISTRICT MAY DEVELOP OR
25 TEAMS IN WHICH THE SCHOOL DISTRICT MAY BE INVITED TO PARTICIPATE.

26

27 **SECTION 5.** 22-32-109.1 (6), Colorado Revised Statutes, is
28 amended to read:

29

30 **22-32-109.1. Board of education - specific powers and duties**
31 **- safe schools. (6) Sharing information.** Notwithstanding any
32 provision to the contrary in title 24, C.R.S., each board of education shall
33 establish policies consistent with section 24-72-204 (3), C.R.S., and with
34 applicable provisions of the federal "Family Education Rights and Privacy
35 Act of 1974" (FERPA), 20 U.S.C. sec. 1232g, and all federal regulations
36 and applicable guidelines adopted thereto, to share and release
37 information directly related to a student and maintained by a public
38 school or by a person acting for the public school in the interest of
39 making schools safer. SHARING OF INFORMATION CONCERNING AN
40 OUT-OF-HOME PLACEMENT STUDENT WHO IS BEING TRANSFERRED TO A
41 PUBLIC SCHOOL SHALL COMPLY WITH THE RULES ESTABLISHED BY THE
42 STATE BOARD PURSUANT TO SECTION 22-2-138 (3).".

43

44 Renumber succeeding section accordingly.

45

46 As amended, ordered engrossed and placed on the Calendar for Third
47 Reading and Final Passage.

48

49 **HB10-1018** by Representative(s) Looper and Primavera, Frangas,
50 McFadyen, Solano; also Senator(s) Gibbs, Romer,
51 Williams--Concerning increased authority to regulate
52 waste tires.

53

54 Amendment No. 1, Transportation & Energy Report, dated
55 February 2, 2010, and placed in member's bill file; Report also printed in
56 House Journal, February 3, pages 181-184.

1 Amendment No. 2, Appropriations Report, dated March 19, 2010, and
 2 placed in member's bill file; Report also printed in House Journal,
 3 March 19, pages 849-851.

4
 5 Amendment No. 3, by Representative(s) Looper.

6
 7 Amend the Transportation and Energy Committee Report, dated February
 8 2, 2010, page 2, line 12, strike ""AND USED;"" and substitute ""OR USED"".

9
 10 Amendment No. 4, by Representative(s) Looper.

11
 12 Amend the Transportation and Energy Committee Report, dated February
 13 2, 2010, page 2, line 12, strike ""AND USED;"" and substitute ""OR USED"".

14
 15 Page 5 of the report, after line 11 insert:

16
 17 "Page 32 of the printed bill, after line 8 insert:

18
 19 "SECTION 12. The introductory portion to 24-33.5-1203.5 (2)
 20 and 24-33.5-1203.5 (2) (b), Colorado Revised Statutes, are amended to
 21 read:

22
 23 **24-33.5-1203.5. Powers and duties of director.** (2) In order to
 24 carry out the purposes and provisions of this part 12 AND SECTION
 25 25-17-206, C.R.S., the director of the division shall promulgate rules in
 26 accordance with article 4 of this title:

27
 28 (b) Adopting nationally recognized standards that the director of
 29 the division reasonably finds necessary to carry out the purposes and
 30 provisions of this part 12 AND SECTION 25-17-206, C.R.S."

31
 32 Renumber succeeding sections accordingly."

33
 34 As amended, ordered engrossed and placed on the Calendar for Third
 35 Reading and Final Passage.

36 37 38 39 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

40
 41 Passed Second Reading: **HB10-1274 amended, 1018 amended.**

42
 43 The Chairman moved the adoption of the Committee of the Whole
 44 Report. As shown by the following roll call vote, a majority of those
 45 elected to the House voted in the affirmative, and the Report was
 46 **adopted.**

47

48	YES	64	NO	0	EXCUSED	1	ABSENT	0
49	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
50	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
51	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
52	Baumgardner	Y	Kagan	Y	Merrifield	E	Solano	Y
53	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
54	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
55	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
56	Court	Y	King S.	Y	Nikkel	Y	Summers	Y

1	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
2	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
3	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
4	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
5	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
6	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
7	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
8	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
9							Speaker	Y

THIRD READING OF BILL(S)--FINAL PASSAGE

The following bill(s) was(were) considered on Third Reading. The title(s) was(were) publicly read. Reading of the bill at length was dispensed with by unanimous consent.

HB10-1365 by Representative(s) Solano and Roberts, Balmer, Benefield, Carroll T., Court, DelGrosso, Fischer, Frangas, Gerou, Hulinghorst, Kagan, Kerr A., Kerr J., King S., Levy, Liston, Looper, Massey, May, McFadyen, McNulty, Merrifield, Middleton, Miklosi, Peniston, Pommer, Primavera, Rice, Ryden, Scanlan, Schafer S., Stephens, Todd, Tyler, Vaad, Vigil; also Senator(s) Whitehead and Penry--Concerning incentives for electric utilities to reduce air emissions, and, in connection therewith, requiring plans to achieve such reductions that give primary consideration to replacing or repowering coal generation with natural gas and also considering other low-emitting resources, and making an appropriation.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

	YES	53	NO	12	EXCUSED	0	ABSENT	0
42	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
43	Apuan	N	Hullinghorst	Y	McKinley	Y	Scanlan	Y
44	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
45	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
46	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
47	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	N
48	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
49	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
50	Curry	N	Labuda	Y	Pace	Y	Swalm	N
51	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
52	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
53	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
54	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
55	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
56	Gardner B.	N	May	Y	Riesberg	Y	Waller	N

1 | Gardner C. Y McCann Y Roberts Y Weissmann Y
 2 | Speaker Y
 3 | Representatives DelGrosso and Looper requested their names be removed
 4 | as sponsors.
 5 | Co-sponsor(s) added: Representative(s) Ferrandino, Kefalas, Labuda.

9 CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)

11 **HB10-1320** by Representative(s) Pommer, Ferrandino, Lambert; also
 12 Senator(s) Tapia, Keller, White--Concerning the use of
 13 tobacco revenues generated under section 21 of article X
 14 of the state constitution in a state fiscal emergency, and
 15 making an appropriation therefor.

17 (Conference Committee report printed in House Journal, March 18,
 18 page 841.)

20 On motion of Representative Pommer, the Conference Committee Report
 21 was **adopted** by the following roll call vote:

YES	46	NO	19	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
Court	Y	King S.	N	Nikkel	N	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	N	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	N	Vigil	Y
Gardner B.	N	May	N	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

42 The question being "Shall the bill, as amended, pass?".

43 A roll call vote was taken. As shown by the following recorded vote, a
 44 majority of those elected to the House voted in the affirmative and the
 45 bill, as amended, was declared **repassed**.

YES	45	NO	20	EXCUSED	0	ABSENT	0
Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
Court	N	King S.	Y	Nikkel	N	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	N

1	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
2	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
3	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
4	Frangas	N	Looper	N	Priola	N	Vaad	Y
5	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
6	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
7	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
8							Speaker	Y

9
10 **HB10-1327** by Representative(s) Pommer, Ferrandino, Lambert; also
11 Senator(s) White, Keller, Tapia--Concerning the
12 augmentation of the general fund through transfers of
13 certain moneys.

14
15 (Conference Committee report printed in House Journal, March 18,
16 page 841.)

17
18 On motion of Representative Pommer, the Conference Committee Report
19 was **adopted** by the following roll call vote:

21	YES	64	NO	1	EXCUSED	0	ABSENT	0
22	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
23	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
24	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
25	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
26	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
27	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
28	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
29	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
30	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
31	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
32	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
33	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
34	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
35	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
36	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
37	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
38							Speaker	Y

39
40 The question being "Shall the bill, as amended, pass?".
41 A roll call vote was taken. As shown by the following recorded vote, a
42 majority of those elected to the House voted in the affirmative and the
43 bill, as amended, was declared **repassed**.

45	YES	36	NO	29	EXCUSED	0	ABSENT	0
46	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
47	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
48	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
49	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
50	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
51	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
52	Casso	N	Kerr J.	N	Murray	N	Stephens	N
53	Court	Y	King S.	N	Nikkel	N	Summers	N
54	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
55	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
56	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y

1	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
2	Frangas	Y	Looper	N	Priola	N	Vaad	N
3	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
4	Gardner B.	N	May	N	Riesberg	Y	Waller	N
5	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	N
6							Speaker	Y

7
8 **HB10-1339** by Representative(s) Pommer, Ferrandino, Lambert; also
9 Senator(s) White, Keller, Tapia--Concerning the
10 distribution of limited gaming fund moneys for the 2009-
11 10 state fiscal year, and making an appropriation in
12 connection therewith.

13
14 (Conference Committee report printed in House Journal, March 18,
15 pages 841-842.)

16
17 On motion of Representative Pommer, the Conference Committee Report
18 was **adopted** by the following roll call vote:

19		YES	64	NO	1	EXCUSED	0	ABSENT	0
20									
21	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y	
22	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y	
23	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y	
24	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y	
25	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
26	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y	
27	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y	
28	Court	Y	King S.	Y	Nikkel	Y	Summers	Y	
29	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	
30	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y	
31	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
32	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y	
33	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y	
34	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y	
35	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y	
36	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y	
37							Speaker	Y	

38
39 The question being "Shall the bill, as amended, pass?".
40 A roll call vote was taken. As shown by the following recorded vote, a
41 majority of those elected to the House voted in the affirmative and the
42 bill, as amended, was declared **repassed**.

43		YES	46	NO	19	EXCUSED	0	ABSENT	0
44									
45	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y	
46	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y	
47	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y	
48	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y	
49	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N	
50	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y	
51	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N	
52	Court	Y	King S.	N	Nikkel	N	Summers	Y	
53	Curry	Y	Labuda	Y	Pace	Y	Swalm	N	
54	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N	
55	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
56	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y	

1	Frangas	Y	Looper	N	Priola	N	Vaad	N
2	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
3	Gardner B.	Y	May	Y	Riesberg	Y	Waller	N
4	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	N
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Scanlan.

7
8
9 House in recess. House reconvened.

10 11 12 13 PRINTING REPORT

14
15 The Chief Clerk reports the following bills have been correctly printed:
16 **HB10-1370, 1371.**

17 18 19 SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

20
21 The Speaker has signed: **HB10-1002, 1003, 1007, 1016, 1028, 1134,**
22 **1148, 1204, 1231, 1235, 1247; SB10-010, 014, 015, 031, 037, 052, 112,**
23 **116, 122, 146 and 163.**

24 25 26 27 DELIVERY OF BILLS TO GOVERNOR

28
29 The Chief Clerk of the House of Representatives reports the following
30 bills have been delivered to the Office of the Governor: **HB10-1001,**
31 **1059, 1064, 1080, 1089, 1112** at 8:38 a.m. on March 22, 2010.

32 33 34 35 MESSAGE(S) FROM THE SENATE

36
37 The Senate has postponed indefinitely HB10-1206. The bill is returned
38 herewith.

39
40
41 The Senate has passed on Third Reading and transmitted to the Revisor
42 of Statutes: SB10-176, SB10-166.

43
44 The Senate has passed on Third Reading and transmitted to the Revisor
45 of Statutes:

46
47 SB10-073 amended as printed in Senate Journal, March 19, 2010,
48 page 606.

49
50 The Senate has passed on Third Reading and transmitted to the Revisor
51 of Statutes:

52
53 HB10-1108 amended as printed in Senate Journal, March 19, 2010,
54 page 604.

55 HB10-1128 amended as printed in Senate Journal, March 19, 2010,
56 page 605.

1 HB10-1132 amended as printed in Senate Journal, March 19, 2010,
2 page 605.
3 HB10-1188 amended as printed in Senate Journal, March 19, 2010,
4 page 609.
5 HB10-1135 amended as printed in Senate Journal, March 19, 2010,
6 pages 606-607.
7 HB10-1010 amended as printed in Senate Journal, March 19, 2010,
8 page 607.
9

10 The Senate has passed and returns herewith:

11
12 HB10-1227, HB10-1140, HB10-1054, HB10-1057, HB10-1123,
13 HB10-1115, HB10-1030.
14

15 The Senate has laid over HB10-1069 to May 15, 2010. The bill is
16 returned herewith.
17

18 In response to the request of the House for a Conference Committee on
19 HB10-1099, the President appoints Senators Tapia, chair, and Hodge and
20 Brophy as conferees on the First Conference Committee on HB10-1099.
21

22 23 24 MESSAGE(S) FROM THE REVISOR

25
26 We herewith transmit:
27 Without comment, SB10-176 and 166.
28 Without comment, as amended, HB10-1108, 1128, 1132, 1188, 1135, and
29 1010.
30 Without comment, as amended, SB10-073.
31

32 33 34 MESSAGE(S) FROM THE GOVERNOR

35
36 I certify I received the following on the 22nd day of March, 2010, at
37 1:55 p.m. The original is on file in the records of the House of
38 Representatives of the General Assembly.
39

40 Marilyn Eddins,
41 Chief Clerk of the House
42

43 March 22, 2010
44

45 To the Honorable House of Representatives
46 Sixty-seventh General Assembly
47 Second Regular Session
48 State Capitol
49 Denver, CO 80203
50

51 Ladies and Gentlemen:
52

53 I have the honor to inform you that I have approved and filed with the
54 Secretary of State the following Acts:
55

1 **HB10-1049** CONCERNING THE FRANCHISE RIGHTS OF MOTOR
2 VEHICLE DEALERS.

3

4 Approved March 22, 2010 at 1:11 p.m.

5

6 **HB10-1055** CONCERNING THE REQUIREMENT THAT FEES FOR
7 SERVICES RENDERED BY A THIRD PARTY FOR
8 COLLECTION OF DELINQUENT TAXES BE ADDED TO THE
9 TOTAL AMOUNT COLLECTED BY THE THIRD PARTY.

10

11 Approved March 22, 2010 at 1:12 p.m.

12

13 **HB10-1318** CONCERNING CIRCUMSTANCES UNDER WHICH THE
14 REQUIREMENT THAT EACH SCHOOL DISTRICT RECEIVE A
15 MINIMUM AMOUNT OF STATE FUNDING FOR TOTAL
16 PROGRAM FUNDING AS CALCULATED THROUGH THE
17 "PUBLIC SCHOOL FINANCE ACT OF 1994" SHALL NOT
18 APPLY TO ANY DISTRICT.

19

20 Approved March 22, 2010 at 1:13 p.m.

21

22 **HB10-1323** CONCERNING THE USE OF TOBACCO LITIGATION FUNDS
23 FOR HEALTH CARE PROGRAMS, AND MAKING AN
24 APPROPRIATION THEREFOR.

25

26 Approved March 22, 2010 at 1:13 p.m.

27

28 **HB10-1326** CONCERNING AN INCREASE IN THE AMOUNT OF
29 AUTHORIZED APPROPRIATIONS FROM THE OPERATIONAL
30 ACCOUNT OF THE SEVERANCE TAX TRUST FUND TO THE
31 DIVISION OF PARKS AND OUTDOOR RECREATION, AND, IN
32 CONNECTION THEREWITH, ADJUSTING THE 2009 LONG
33 BILL.

34

35 Approved March 22, 2010 at 1:14 p.m.

36

37 Sincerely,
38 (signed)
39 Bill Ritter, Jr.
40 Governor

41

42

43

44 **INTRODUCTION OF BILL**
45 **First Reading**

46

47 The following bill was read by title and referred to the committee
48 indicated:

49

50 **HB10-1372** by Representative(s) Ferrandino, Pommer, Lambert; also
51 Senator(s) White, Keller, Tapia--Concerning changes to
52 the appropriations sections of House Bill 09-1293 related
53 to a hospital provider fee.

54 Committee on Appropriations

55

56

LAY OVER OF CALENDAR ITEM(S)

1
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22

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until March 23, retaining place on Calendar:

Consideration of General Orders--**HB10-1241, 1351, 1328, SB10-047, HB10-1217, 1234, 1342, SB10-007, 063, 130, 025, 071, 098, HB10-1242, SB10-155.**

Consideration of Resolution(s)--**HJR10-1016, 1017.**

Consideration of Senate Amendment(s)--**HB10-1021, 1137, 1233, 1245.**

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., March 23, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Seventieth Legislative Day

Tuesday, March 23, 2010

1 Prayer by Father Tom Carzon, Holy Ghost, Denver.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Jessica Hartman, Colorado State University,
6 Pueblo.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Gardner C., Priola--2.

12 Present after roll call--Representative(s) Priola.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative King, the reading of the journal of
18 March 22, 2010, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22

23 **THIRD READING OF BILL(S)--FINAL PASSAGE**

24

25 The following bill(s) was(were) considered on Third Reading. The
26 title(s) was(were) publicly read. Reading of the bill at length was
27 dispensed with by unanimous consent.

28

29 **HB10-1274** by Representative(s) Schafer S., Massey, Benefield,
30 Merrifield, Middleton, Miklosi, Murray, Peniston, Priola,
31 Solano, Stephens, Tipton, Todd; also Senator(s) Johnston,
32 Carroll M., Keller, King K., Newell, Penry, Spence,
33 Steadman--Concerning successful transitions back to the
34 public school system for students in out-of-home
35 placement who have demonstrated behavior that is
36 detrimental to the safety or welfare of themselves or others
37 during the previous twelve months.

38

39 The question being "Shall the bill pass?".

40 A roll call vote was taken. As shown by the following recorded vote, a
41 majority of those elected to the House voted in the affirmative and the bill
42 was declared **passed**.

43

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Apuan, Court, Labuda, Pommer,
20 Summers, Vigil

21
22 **HB10-1018** by Representative(s) Looper and Primavera, Frangas,
23 McFadyen, Solano; also Senator(s) Gibbs, Romer,
24 Williams--Concerning increased authority to regulate
25 waste tires, and making an appropriation therefor.

26
27 The question being "Shall the bill pass?".
28 A roll call vote was taken. As shown by the following recorded vote, a
29 majority of those elected to the House voted in the affirmative and the bill
30 was declared **passed**.

	YES	61	NO	3	EXCUSED	1	ABSENT	0
31								
32								
33	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
35	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
36	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
38	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
48	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Fischer, Gardner B., Kerr J., Labuda,
51 Liston, Stephens, Tyler, Vigil

52
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56

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR10-022.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

On motion of Representative Weissmann, the rules were suspended and the following resolution was given immediate consideration.

SJR10-022 by Senator(s) Tochtrop; also Representative(s) Levy--
Concerning recognition of diabetic peripheral neuropathy
as a serious and painful medical condition.

(Printed and placed in member's file).

On motion of Representative Levy, the resolution was read at length and **adopted by viva voce** vote.

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gerou, Hulinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Liston, Looper, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann, Speaker

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJM10-001.

INTRODUCTION AND CONSIDERATION OF MEMORIAL

On motion of Representative Weissmann, the rules were suspended and the following memorial was given immediate consideration.

SJM10-001 by Senator(s) Sandoval; also Representative(s) Roberts--
Concerning nationwide availability of 2-1-1 telephone
service for information and referral on human services and
volunteer services.

(Printed and placed in member's file).

On motion of Representative Roberts, the memorial was read at length and **adopted by viva voce** vote.

Co-sponsor(s) added: Representative(s) Acree, Apuan, Balmer, Benefield, Bradford, Court, Curry, Ferrandino, Gardner B., Gerou, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Levy, Liston, Looper, Massey, May, Middleton, Peniston, Primavera, Priola, Riesberg, Ryden, Scanlan, Schafer S., Solano, Stephens, Summers, Tipton, Todd, Vaad, Vigil, Waller

1 On motion of Representative Levy, the House resolved itself into
2 Committee of the Whole for consideration of General Orders, and she
3 was called to the Chair to act as Chairman.

4
5
6
7 **GENERAL ORDERS--SECOND READING OF BILLS**
8

9 The Committee of the Whole having risen, the Chairman reported the
10 titles of the following bills had been read (reading at length had been
11 dispensed with by unanimous consent), the bills considered and action
12 taken thereon as follows:

13
14 (Amendments to the committee amendment are to the printed committee
15 report which was printed and placed in the members' bill file.)

16
17 **HB10-1241** by Representative(s) Casso; also Senator(s) Tochtrop--
18 Concerning required registration for persons who work on
19 fire suppression systems.

20
21 Laid over until March 24, retaining place on Calendar.
22

23
24 **HB10-1351** by Representative(s) Ferrandino, Apuan, Casso, Curry,
25 Gagliardi, Hullinghorst, Kerr A., McCann, Merrifield,
26 Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Tyler,
27 Vigil; also Senator(s) Romer, Carroll M., Foster, Keller,
28 Morse--Concerning the maximum authorized interest rate
29 for a payday loan.
30

31 Laid over until March 24, retaining place on Calendar.
32

33 **HB10-1328** by Representative(s) Miklosi, Apuan, Benefield, Casso,
34 Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi,
35 Hullinghorst, Kefalas, Kerr A., Labuda, Levy, McCann,
36 McFadyen, Merrifield, Middleton, Peniston, Pommer,
37 Primavera, Ryden, Scanlan, Solano, Todd, Tyler, Vigil,
38 Weissmann; also Senator(s) Schwartz--Concerning the
39 "New Energy Jobs Creation Act of 2010", and, in
40 connection therewith, creating the Colorado new energy
41 improvement district and authorizing the district to fund
42 new energy improvements by issuing special assessment
43 bonds payable from special assessments levied on eligible
44 real property owned by persons who voluntarily join the
45 district in order to have the district help them fund new
46 energy improvements to the eligible real property.
47

48 Laid over until March 26, retaining place on Calendar.
49

50
51 **SB10-047** by Senator(s) King K.; also Representative(s) Looper--
52 Concerning rights relating to the disposition of the last
53 remains of members of the armed forces.
54
55

1 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
2 March 11, 2010, and placed in member's bill file; Report also printed in
3 House Journal, March 12, page 781.

4
5 Amendment No. 2, by Representative(s) Looper.

6
7 Amend reengrossed bill, page 3, line 9, strike "15-19-103," and substitute
8 "15-19-103 (3)," and strike "amended" and substitute "amended, and the
9 said 15-19-103 is further amended".

10
11 Page 3, line 10, strike "SUBSECTION" and substitute "SUBSECTION,".

12
13 Page 3, before line 13 insert:

14
15 "(3) "Declaration" means a written instrument directing the lawful
16 disposition of the declarant's last remains and the ceremonies planned
17 after a declarant's death, in accordance with this article. A declaration
18 may be made within a will; prepaid funeral, burial, or cremation contract;
19 durable or medical power of attorney; a designated beneficiary agreement
20 as described in article 22 of this title; A FEDERAL RECORD OF EMERGENCY
21 DATA; or any other written document, including, but not limited to, a
22 document governing the disposition of last remains under part 7 of article
23 11 of this title."

24
25 Page 4, line 2, after "THE" insert "PERSON AUTHORIZED TO DIRECT THE".

26
27 Page 4, line 3, strike "REMAINS, INCLUDING" and substitute "REMAINS,
28 EVEN IF THE FEDERAL RECORD OF".

29
30 Page 4, strike lines 4 and 5.

31
32 Page 4, line 7, strike "PROVISIONS OF THE" and substitute "THE PERSON
33 AUTHORIZED TO DIRECT DISPOSITION OF THE DECEDENT'S LAST REMAINS
34 PURSUANT TO THE FEDERAL RECORD OF EMERGENCY DATA SHALL DO SO
35 IN ACCORDANCE WITH THE PROVISIONS FOR THE DISPOSITION OF THE
36 REMAINS AND THE CEREMONIAL ARRANGEMENTS MADE BY THE
37 DECLARANT IN HIS OR HER MOST RECENT DECLARATION CONCERNING SUCH
38 DISPOSITION AND CEREMONIAL ARRANGEMENTS."

39
40 Page 4, strike lines 8 through 12.

41
42 As amended, ordered revised and placed on the Calendar for Third
43 Reading and Final Passage.

44
45 **HB10-1217** by Representative(s) McKinley, McFadyen, Looper, Pace,
46 Vigil--Concerning the repeal of the authority of the
47 executive director of the department of human services to
48 sell the Trinidad state nursing home.

49
50 Laid over until March 24, retaining place on Calendar.

51
52 **HB10-1234** by Representative(s) Primavera--Concerning the fair
53 settlement of claims for benefits under an insurance
54 policy.

55
56 Rereferred to the Committee on Judiciary.

1 **SB10-007** by Senator(s) Hudak; also Representative(s) Gagliardi--
2 Concerning collaboration in the provision of multi-agency
3 services.
4

5 Ordered revised and placed on the Calendar for Third Reading and Final
6 Passage.
7

8 **SB10-063** by Senator(s) White; also Representative(s) Waller--
9 Concerning limiting civil liability for attorneys who
10 contract to provide certain services for the office of
11 alternate defense counsel.
12

13 Ordered revised and placed on the Calendar for Third Reading and Final
14 Passage.
15

16 **SB10-130** by Senator(s) Kester; also Representative(s) McCann--
17 Concerning the allocation of powers within the department
18 of corrections.
19

20 Ordered revised and placed on the Calendar for Third Reading and Final
21 Passage.
22

23 **HB10-1342** by Representative(s) Levy, Benefield, Court, Ferrandino,
24 Fischer, Gagliardi, Hulinghorst, Kagan, Merrifield,
25 Peniston, Pommer, Primavera, Solano, Tyler; also
26 Senator(s) Williams, Newell--Concerning measures to
27 encourage additional investment in solar energy generation
28 facilities, and, in connection therewith, authorizing the
29 creation of community solar gardens.
30

31 Amendment No. 1, Transportation & Energy Report, dated
32 March 11, 2010, and placed in member's bill file; Report also printed in
33 House Journal, March 12, pages 782-783.
34

35 Amendment No. 2, by Representative(s) Levy.
36

37 Amend the Transportation and Energy Committee Report, dated March
38 11, 2010, page 2, after line 6 insert:
39

40 "Page 9 of the printed bill, line 23, after "EXCEEDS THE" insert
41 "ELECTRICITY GENERATION CHARGE ON A".".
42

43 Page 2 of the report, after line 8 insert:
44

45 "Page 10 of the bill, line 26, after "INCENTIVES" insert "AND SUBJECT TO
46 THE OWNERSHIP LIMITATIONS".".
47

48 Amendment No. 3, by Representative(s) Levy.
49

50 Amend the Transportation and Energy Committee Report, dated March
51 11, 2010, page 2, after line 2 insert:
52

53 "Page 7 of the printed bill, line 27, strike "2013" and substitute "2014".".
54
55

1 Amendment No. 4, by Representative(s) Levy.

2
3 Amend the Transportation and Energy Committee Report, dated March
4 11, 2010, page 1, line 1, strike "page 6," and substitute:

5
6 "page 4, line 15, strike "FACILITIES" AND" and substitute "FACILITIES".".

7
8 Page 4 of the bill, strike lines 16 through 21.

9
10 Page 4 of the bill, line 24, strike "IF HOUSE BILL".

11
12 Page 4 of the bill, strike lines 25 and 26.

13
14 Page 6 of the bill,".

15
16 Page 2 of the report, strike line 1 and substitute:

17
18 "Page 7 of the bill, line 22, strike "THE QUALIFYING RETAIL".

19
20 Page 7 of the bill, strike lines 23 through 25 and substitute "RENEWABLE
21 ENERGY CREDITS GENERATED FROM SOLAR GARDENS SHALL NOT BE USED
22 TO ACHIEVE MORE THAN TWENTY PERCENT OF THE RETAIL DISTRIBUTED
23 GENERATION STANDARD IN YEARS 2011 THROUGH 2014".".

24
25 Amendment No. 5, by Representative(s) Vigil.

26
27 Amend the Transportation and Energy Committee Report, dated March
28 11, 2010, page 1, line 1, strike "page 6," and substitute:

29
30 "page 5 of the printed bill, line 5, change the period to a semicolon and
31 insert "EXCEPT THAT, IF THE SUBSCRIBER LIVES IN A COUNTY WITH A
32 POPULATION OF LESS THAN TWENTY THOUSAND, ACCORDING TO THE MOST
33 RECENT AVAILABLE CENSUS FIGURES, SUCH PHYSICAL LOCATIONS MAY BE
34 IN A COUNTY ADJACENT TO THAT OF THE COMMUNITY SOLAR GARDEN".".

35
36 Page 6 of the bill,".

37
38 As amended, ordered engrossed and placed on the Calendar for Third
39 Reading and Final Passage.

40
41 **SB10-071** by Senator(s) Morse; also Representative(s) Riesberg--
42 Concerning creation of a lifetime pass to state parks and
43 recreation areas that shall be available for purchase by
44 Colorado residents who are of eligible age, and making an
45 appropriation therefor.

46
47 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
48 dated March 17, 2010, and placed in member's bill file; Report also
49 printed in House Journal, March 18, page 840.

50
51 As amended, ordered revised and placed on the Calendar for Third
52 Reading and Final Passage.

53
54
55 **SB10-025** by Senator(s) Whitehead, Brophy, Hodge, Schwartz,
56 White; also Representative(s) Baumgardner, Curry,

1 Fischer, Gardner C., McKinley--Concerning the long-term
2 funding of the water efficiency grant program.

3
4 Ordered revised and placed on the Calendar for Third Reading and Final
5 Passage.

6
7 **SB10-098** by Senator(s) Tochtrop; also Representative(s)
8 Sonnenberg--Concerning the allocation of moneys to
9 promote conservation of the state's natural resources.

10
11 Laid over until March 24, retaining place on Calendar.

12
13 **HB10-1242** by Representative(s) Apuan, Court, Gagliardi,
14 Hullinghorst, Kerr A., Labuda, Massey, McKinley,
15 Miklosi, Peniston, Primavera, Priola, Riesberg, Schafer S.,
16 Solano, Todd, Tyler, Vigil; also Senator(s) Tochtrop--
17 Concerning the implementation of a uniform application
18 form for individual health benefit plans by the
19 commissioner of insurance.

20
21 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
22 March 9, 2010, and placed in member's bill file; Report also printed in
23 House Journal, March 11, page 753.

24
25 As amended, ordered engrossed and placed on the Calendar for Third
26 Reading and Final Passage.

27
28 **SB10-155** by Senator(s) Tochtrop; also Representative(s) Benefield--
29 Concerning limitations on the issuance of gift cards.

30
31 Laid over until March 24, retaining place on Calendar.

32
33 **HB10-1214** by Representative(s) McCann; also Senator(s) Schwartz--
34 Concerning financial support for efforts to reduce the
35 overpopulation of pets, and, in connection therewith,
36 authorizing the issuance of an adopt a shelter pet license
37 plate.

38
39 Amendment No. 1, Transportation & Energy Report, dated
40 March 2, 2010, and placed in member's bill file; Report also printed in
41 House Journal, March 3, page 656.

42
43 Amendment No. 2, Appropriations Report, dated March 19, 2010, and
44 placed in member's bill file; Report also printed in House Journal,
45 March 19, page 852.

46
47 As amended, ordered engrossed and placed on the Calendar for Third
48 Reading and Final Passage.

49
50 **HB10-1278** by Representative(s) Ryden; also Senator(s) Carroll M.--
51 Concerning the creation of an ombudsman for matters
52 arising under the "Colorado Common Interest Ownership
53 Act".

54
55 Laid over until March 24, retaining place on Calendar.

1 **HB10-1332** by Representative(s) Miklosi, Apuan, Gagliardi, Kefalas,
2 Primavera, Tyler; also Senator(s) Romer--Concerning the
3 creation of the "Medical Clean Claims Transparency and
4 Uniformity Act".
5

6 Amendment No. 1, Health & Human Services Report, dated
7 February 25, 2010, and placed in member's bill file; Report also printed
8 in House Journal, February 26, pages 590-591.
9

10 Amendment No. 2, Appropriations Report, dated March 19, 2010, and
11 placed in member's bill file; Report also printed in House Journal,
12 March 19, pages 860-861.
13

14 Amendment No. 3, by Representative(s) Miklosi.
15

16 Amend the Health and Human Services Committee Report, dated
17 February 25, 2010, page 1, strike line 6 and substitute "A NEUTRAL PARTY
18 IN".
19

20 As amended, ordered engrossed and placed on the Calendar for Third
21 Reading and Final Passage.
22

23 **HB10-1272** by Representative(s) McCann; also Senator(s) Steadman--
24 Concerning the establishment of contribution limits under
25 the "Fair Campaign Practices Act" for candidates for
26 certain elected director positions, and, in connection
27 therewith, establishing contribution limits for candidates
28 for boards of education and the board of the regional
29 transportation district and specifying requirements
30 affecting the disclosure of such contributions.
31

32 Amendment No. 1, by Representative(s) McCann.
33

34 Amend printed bill, page 5, line 6, strike "ELECTION;" and substitute
35 "ELECTION; EXCEPT THAT THE REQUIREMENTS OF THIS PARAGRAPH (b)
36 SHALL NOT APPLY IN THE CASE OF A SCHOOL DISTRICT WITH A PUPIL
37 ENROLLMENT OF LESS THAN TEN THOUSAND PUPILS FOR THE APPLICABLE
38 CALENDAR YEAR PURSUANT TO SECTION 22-54-103 (10), C.R.S.".
39

40 As amended, declared **lost** on Second Reading.
41

42 **SB10-101** by Senator(s) Gibbs, Schwartz, Romer, Bacon, Cadman,
43 Hudak, Johnston, Kester, Sandoval, Scheffel, Steadman,
44 Tapia, White; also Representative(s) Scanlan and Massey,
45 Balmer, Baumgardner, Curry, Frangas, Liston, Merrifield,
46 Pace--Concerning authorizing Colorado mountain college
47 to offer baccalaureate degrees.
48

49 Laid over until March 25, retaining place on Calendar.
50

51 On motion of Representative Weissmann, the remainder of the General
52 Orders Calendar (**SB10-016, 038, HB10-1355, SB10-140, 041, 099,**
53 **HB10-1348, SB10-055**) was laid over until March 24, retaining place on
54 Calendar.
55
56

1 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

2
3 Representatives McKinley, Waller, Sonnenberg, Soper, J. Kerr, and
4 Tipton moved to amend the Report of the Committee of the Whole to
5 reverse the action taken by the Committee in not adopting the following
6 McKinley amendment, to HB10-1214, to show that said amendment
7 passed, and that **HB10-1214**, as amended, passed.

8
9 Amend printed bill, page 3, line 14, strike "RESCUES OR TO" and substitute
10 "RESCUES;".

11
12 Page 3, line 15, strike "SUPPORT HUMANE EDUCATION PROGRAMS;".

13
14 The amendment was declared **lost** by the following roll call vote:

	YES	30	NO	34	EXCUSED	1	ABSENT	0
17	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
18	Apuan	N	Hullinghorst	N	McKinley	Y	Scanlan	N
19	Balmer	N	Judd	N	McNulty	Y	Schafer S.	N
20	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
21	Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
22	Bradford	Y	Kerr A.	Y	Miklosi	N	Soper	Y
23	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
24	Court	N	King S.	Y	Nikkel	Y	Summers	Y
25	Curry	Y	Labuda	N	Pace	Y	Swalm	N
26	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
27	Ferrandino	N	Levy	N	Pommer	Y	Todd	N
28	Fischer	N	Liston	Y	Primavera	N	Tyler	N
29	Frangas	N	Looper	N	Priola	N	Vaad	Y
30	Gagliardi	N	Massey	Y	Rice	N	Vigil	Y
31	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
32	Gardner C.	E	McCann	N	Roberts	Y	Weissmann	N
33							Speaker	N

34
35
36
37 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

38
39 Passed Second Reading: **SB10-047 amended, 007, 063, 130, HB10-1342**
40 **amended, SB10-071 amended, 025, HB10-1242 amended, 1214**
41 **amended, 1332 amended.**

42
43 Lost on Second Reading: **HB10-1272 amended.**

44
45 Laid over until date indicated retaining place on Calendar: **HB10-1241,**
46 **1351, 1217, SB10-098, 155, HB10-1278, SB10-016, 038, HB10-1355,**
47 **SB10-140, 041, 099, HB10-1348, SB10-055--March 24, 2010.**
48 **SB10-101--March 25, 2010.**
49 **HB10-1328--March 26, 2010.**

50
51 Rereferred to Committee indicated: **HB10-1234--Judiciary.**

52
53 The Chairman moved the adoption of the Committee of the Whole
54 Report. As shown by the following roll call vote, a majority of those
55 elected to the House voted in the affirmative, and the Report was
56 **adopted.**

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
4	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
6	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
8	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
9	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
10	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
11	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
16	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
17							Speaker	Y

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

After consideration on the merits, the Committee recommends the following:

HB10-1372 be referred to the Committee of the Whole with favorable recommendation.

EDUCATION

After consideration on the merits, the Committee recommends the following:

SB10-026 be postponed indefinitely.

SB10-062 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 2, strike lines 2 through 15.

Strike pages 3 and 4.

Page 5, strike lines 1 through 3.

Re-number succeeding sections accordingly.

Page 13, strike lines 23 through 26.

Re-number succeeding section accordingly.

1 **SB10-154** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
5
6

7 **FINANCE**

8 After consideration on the merits, the Committee recommends the
9 following:
10

11 **SB10-143** be referred to the Committee of the Whole with favorable
12 recommendation.
13
14
15
16

17 **HEALTH & HUMAN SERVICES**

18 After consideration on the merits, the Committee recommends the
19 following:
20

21 **SB10-152** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:
24

25 Amend reengrossed bill page 3, line 18, strike "MEMBERS." and substitute
26 "MEMBERS, AS DEFINED IN SECTION 19-3-304 (2) (aa) (III).".
27

28 Page 3, line 21, after "(e.5)," insert "IF A COUNTY DEPARTMENT RECEIVES
29 AFFIRMATION AS PROVIDED BY RULE OF THE STATE BOARD OF HUMAN
30 SERVICES THAT THE MANDATORY REPORTER CONTINUES TO BE OFFICIALLY
31 AND PROFESSIONALLY INVOLVED IN THE ONGOING CARE OF THE CHILD
32 WHO WAS THE SUBJECT OF THE REPORT,".
33

34 Page 4, line 7, strike "ADDITIONAL" and substitute "UPDATED", and after
35 "INFORMATION" insert "IDENTIFIED IN SUB-SUBPARAGRAPHS (A) TO (E) OF
36 THIS SUBPARAGRAPH (II)".
37

38 Page 4, line 9, strike "ADDITIONAL" and substitute "UPDATED".
39
40
41
42

43 **JUDICIARY**

44 After consideration on the merits, the Committee recommends the
45 following:
46

47 **HB10-1284** be amended as follows, and as so amended, be referred to
48 the Committee on Appropriations with favorable
49 recommendation:
50

51 Amend printed bill, strike everything below the enacting clause and
52 substitute:
53

54 "SECTION 1. Title 12, Colorado Revised Statutes, is amended
55 BY THE ADDITION OF A NEW ARTICLE to read:
56

ARTICLE 43.3
Medical Marijuana

PART 1
COLORADO MEDICAL MARIJUANA CODE

12-43.3-101. Short title. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "COLORADO MEDICAL MARIJUANA CODE".

12-43.3-102. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY DECLARES THAT THIS ARTICLE SHALL BE DEEMED AN EXERCISE OF THE POLICE POWERS OF THE STATE FOR THE PROTECTION OF THE ECONOMIC AND SOCIAL WELFARE AND THE HEALTH, PEACE, AND MORALS OF THE PEOPLE OF THIS STATE.

(2) THE GENERAL ASSEMBLY FURTHER DECLARES THAT IT IS UNLAWFUL UNDER STATE LAW TO CULTIVATE, MANUFACTURE, DISTRIBUTE, OR SELL MEDICAL MARIJUANA, EXCEPT IN COMPLIANCE WITH THE TERMS, CONDITIONS, LIMITATIONS, AND RESTRICTIONS IN SECTION 14 OF ARTICLE XVIII OF THE STATE CONSTITUTION AND THIS ARTICLE OR WHEN ACTING AS A PRIMARY CAREGIVER IN COMPLIANCE WITH THE TERMS, CONDITIONS, LIMITATIONS, AND RESTRICTIONS OF SECTION 25-1.5-106, C.R.S.

12-43.3-103. Applicability. (1) (a) AS OF JULY 1, 2011, A PERSON SHALL NOT OPEN A MEDICAL MARIJUANA CENTER UNTIL THE CENTER HAS BEEN LICENSED PURSUANT TO THIS ARTICLE.

(b) AS OF JULY 1, 2010, A PERSON WHO IS ALREADY OPERATING A MEDICAL MARIJUANA CENTER MAY CONTINUE TO OPERATE THAT CENTER UNTIL JULY 1, 2011. AFTER JULY 1, 2011, THE PERSON MAY CONTINUE OPERATING THE MEDICAL MARIJUANA CENTER ONLY IF THE CENTER IS LICENSED PURSUANT TO THIS ARTICLE. TO CONTINUE OPERATING THE MEDICAL MARIJUANA CENTER THAT WAS OPERATING PRIOR TO JULY 1, 2011, THE OWNER OF THE CENTER SHALL, ON OR BEFORE SEPTEMBER 1, 2010, COMPLETE A FORM PROVIDED BY THE DEPARTMENT OF REVENUE AND MUST PAY A FEE, WHICH SHALL BE CREDITED TO THE MEDICAL MARIJUANA LICENSE CASH FUND ESTABLISHED PURSUANT TO SECTION 12-43.3-501. THE PURPOSE OF THE FEE SHALL BE TO PAY FOR THE DIRECT AND INDIRECT COSTS OF THE STATE LICENSING AUTHORITY, AND DEVELOPMENT OF APPLICATION PROCEDURES AND RULES NECESSARY TO IMPLEMENT THIS ARTICLE. PAYMENT OF THE FEE AND COMPLETION OF THE FORM SHALL NOT CREATE A LOCAL OR STATE MEDICAL MARIJUANA CENTER LICENSE OR A PRESENT OR FUTURE ENTITLEMENT TO RECEIVE A LICENSE. COMMENCING ON JULY 1, 2011, ALL MEDICAL MARIJUANA CENTERS SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THIS ARTICLE AND ANY RULES PROMULGATED PURSUANT TO THIS ARTICLE.

(2) PRIOR TO JULY 1, 2011, A COUNTY, CITY AND COUNTY, OR MUNICIPALITY MAY ADOPT AND ENFORCE A RESOLUTION OR ORDINANCE LICENSING, REGULATING OR PROHIBITING THE CULTIVATION OR SALE OF MEDICAL MARIJUANA. IN A COUNTY, CITY AND COUNTY, OR MUNICIPALITY WHERE SUCH AN ORDINANCE OR RESOLUTION HAS BEEN ADOPTED, A PERSON WHO IS NOT REGISTERED AS A PATIENT OR PRIMARY CAREGIVER PURSUANT TO SECTION 25-1.5-106, C.R.S., AND WHO IS CULTIVATING OR SELLING MEDICAL MARIJUANA SHALL NOT BE ENTITLED

1 TO AN AFFIRMATIVE DEFENSE TO A CRIMINAL PROSECUTION AS PROVIDED
2 FOR IN SECTION 14 OF ARTICLE XVIII OF THE STATE CONSTITUTION
3 UNLESS THE PERSON IS IN COMPLIANCE WITH THE APPLICABLE COUNTY OR
4 MUNICIPAL LAW.

5
6 **12-43.3-104. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
7 CONTEXT OTHERWISE REQUIRES:

8
9 (1) "GOOD CAUSE", FOR PURPOSES OF REFUSING OR DENYING A
10 LICENSE RENEWAL, REINSTATEMENT, OR INITIAL LICENSE ISSUANCE,
11 MEANS:

12
13 (a) THE LICENSEE OR APPLICANT HAS VIOLATED, DOES NOT MEET,
14 OR HAS FAILED TO COMPLY WITH ANY OF THE TERMS, CONDITIONS, OR
15 PROVISIONS OF THIS ARTICLE OR ANY RULES PROMULGATED PURSUANT TO
16 THIS ARTICLE;

17
18 (b) THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH ANY
19 SPECIAL TERMS OR CONDITIONS THAT WERE PLACED ON ITS LICENSE
20 PURSUANT TO AN ORDER OF THE STATE OR LOCAL LICENSING AUTHORITY;

21
22 (c) THE LICENSED PREMISES HAVE BEEN OPERATED IN A MANNER
23 THAT ADVERSELY AFFECTS THE PUBLIC HEALTH OR WELFARE OR THE
24 SAFETY OF THE IMMEDIATE NEIGHBORHOOD IN WHICH THE
25 ESTABLISHMENT IS LOCATED.

26
27 (2) "LICENSE" MEANS TO GRANT A LICENSE OR REGISTRATION
28 PURSUANT TO THIS ARTICLE.

29
30 (3) "LICENSED PREMISES" MEANS THE PREMISES SPECIFIED IN AN
31 APPLICATION FOR A LICENSE UNDER THIS ARTICLE, WHICH ARE OWNED OR
32 IN POSSESSION OF THE LICENSEE AND WITHIN WHICH THE LICENSEE IS
33 AUTHORIZED TO CULTIVATE, MANUFACTURE, DISTRIBUTE, OR SELL
34 MEDICAL MARIJUANA IN ACCORDANCE WITH THE PROVISIONS OF THIS
35 ARTICLE.

36
37 (4) "LICENSEE" MEANS A PERSON LICENSED OR REGISTERED
38 PURSUANT TO THIS ARTICLE.

39
40 (5) "LOCAL LICENSING AUTHORITY" MEANS AN AUTHORITY
41 DESIGNATED BY MUNICIPAL OR COUNTY CHARTER, MUNICIPAL ORDINANCE,
42 OR COUNTY RESOLUTION.

43
44 (6) "LOCATION" MEANS A PARTICULAR PARCEL OF LAND THAT MAY
45 BE IDENTIFIED BY AN ADDRESS OR OTHER DESCRIPTIVE MEANS.

46
47 (7) "MEDICAL MARIJUANA" MEANS MARIJUANA THAT IS GROWN
48 AND SOLD PURSUANT TO THE PROVISIONS OF THIS ARTICLE AND FOR A
49 PURPOSE AUTHORIZED BY SECTION 14 OF ARTICLE XVIII OF THE STATE
50 CONSTITUTION.

51
52 (8) "MEDICAL MARIJUANA CENTER" MEANS A PERSON LICENSED
53 PURSUANT TO THIS ARTICLE TO OPERATE A BUSINESS AS DESCRIBED IN
54 SECTION 12-43.3-402 THAT SELLS MEDICAL MARIJUANA TO REGISTERED
55 PATIENTS OR PRIMARY CAREGIVERS AS DEFINED IN SECTION 14 OF ARTICLE
56 XVIII OF THE STATE CONSTITUTION, BUT IS NOT A PRIMARY CAREGIVER.

1 (9) "MEDICAL MARIJUANA-INFUSED PRODUCT" MEANS A PRODUCT
2 INFUSED WITH MEDICAL MARIJUANA THAT IS INTENDED FOR USE OR
3 CONSUMPTION OTHER THAN BY SMOKING, INCLUDING BUT NOT LIMITED TO
4 EDIBLE PRODUCTS, OINTMENTS, AND TINCTURES. THESE PRODUCTS, WHEN
5 MANUFACTURED OR SOLD BY A LICENSED MEDICAL MARIJUANA CENTER OR
6 A MEDICAL MARIJUANA-INFUSED PRODUCT MANUFACTURER, SHALL NOT
7 BE CONSIDERED A FOOD OR DRUG FOR THE PURPOSES OF THE "COLORADO
8 FOOD AND DRUG ACT", PART 4 OF ARTICLE 5 OF TITLE 25, C.R.S.

9
10 (10) "MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURER"
11 MEANS A PERSON LICENSED PURSUANT TO THIS ARTICLE TO OPERATE A
12 BUSINESS AS DESCRIBED IN SECTION 12-43.3-404.

13
14 (11) "OPTIONAL PREMISES" MEANS THE PREMISES SPECIFIED IN AN
15 APPLICATION FOR A MEDICAL MARIJUANA CENTER LICENSE WITH RELATED
16 GROWING FACILITIES IN COLORADO FOR WHICH THE LICENSEE IS
17 AUTHORIZED TO GROW AND CULTIVATE MARIJUANA FOR A PURPOSE
18 AUTHORIZED BY SECTION 14 OF ARTICLE XVIII OF THE STATE
19 CONSTITUTION.

20
21 (12) "OPTIONAL PREMISES CULTIVATION OPERATION" MEANS A
22 PERSON LICENSED PURSUANT TO THIS ARTICLE TO OPERATE A BUSINESS AS
23 DESCRIBED IN SECTION 12-43.3-403.

24
25 (13) "PERSON" MEANS A NATURAL PERSON, PARTNERSHIP,
26 ASSOCIATION, COMPANY, CORPORATION, LIMITED LIABILITY COMPANY, OR
27 ORGANIZATION, OR A MANAGER, AGENT, OWNER, DIRECTOR, SERVANT,
28 OFFICER, OR EMPLOYEE THEREOF.

29
30 (14) "PREMISES" MEANS A DISTINCT AND DEFINITE LOCATION,
31 WHICH MAY INCLUDE A BUILDING, A PART OF A BUILDING, A ROOM, OR ANY
32 OTHER DEFINITE CONTIGUOUS AREA.

33
34 (15) "SCHOOL" MEANS A PUBLIC OR PRIVATE PRESCHOOL OR A
35 PUBLIC OR PRIVATE ELEMENTARY, MIDDLE, JUNIOR HIGH, OR HIGH SCHOOL.

36
37 (16) "STATE LICENSING AUTHORITY" MEANS THE AUTHORITY
38 CREATED FOR THE PURPOSE OF REGULATING AND CONTROLLING THE
39 LICENSING OF THE CULTIVATION, MANUFACTURE, DISTRIBUTION, AND SALE
40 OF MEDICAL MARIJUANA IN THIS STATE, PURSUANT TO SECTION 12-43.3-
41 201.

42
43 **12-43.3-105. Limited access areas.** NOTWITHSTANDING THE
44 PROVISIONS OF 12-43.3-701, A LIMITED ACCESS AREA SHALL BE A
45 BUILDING, ROOM, OR OTHER CONTIGUOUS AREA UPON THE LICENSED
46 PREMISES WHERE MEDICAL MARIJUANA IS GROWN, CULTIVATED, STORED,
47 WEIGHED, DISPLAYED, PACKAGED, SOLD, OR POSSESSED FOR SALE, UNDER
48 CONTROL OF THE LICENSEE, WITH LIMITED ACCESS TO ONLY THOSE
49 PERSONS LICENSED BY THE STATE LICENSING AUTHORITY. ALL AREAS OF
50 INGRESS OR EGRESS TO LIMITED ACCESS AREAS SHALL BE CLEARLY
51 IDENTIFIED AS SUCH BY A SIGN AS DESIGNATED BY THE STATE LICENSING
52 AUTHORITY.

53
54 PART 2
55 STATE LICENSING AUTHORITY
56

1 **12-43.3-201. State licensing authority - creation.** (1) FOR THE
2 PURPOSE OF REGULATING AND CONTROLLING THE LICENSING OF THE
3 CULTIVATION, MANUFACTURE, DISTRIBUTION, AND SALE OF MEDICAL
4 MARIJUANA IN THIS STATE, THERE IS HEREBY CREATED THE STATE
5 LICENSING AUTHORITY, WHICH SHALL BE THE EXECUTIVE DIRECTOR OF THE
6 DEPARTMENT OF REVENUE OR THE DEPUTY DIRECTOR OF THE DEPARTMENT
7 OF REVENUE IF THE EXECUTIVE DIRECTOR SO DESIGNATES.
8

9 (2) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE
10 SHALL BE THE CHIEF ADMINISTRATIVE OFFICER OF THE STATE LICENSING
11 AUTHORITY AND MAY EMPLOY, PURSUANT TO SECTION 13 OF ARTICLE XII
12 OF THE STATE CONSTITUTION, SUCH OFFICERS AND EMPLOYEES AS MAY BE
13 DETERMINED TO BE NECESSARY, WHICH OFFICERS AND EMPLOYEES SHALL
14 BE PART OF THE DEPARTMENT OF REVENUE.
15

16 **12-43.3-202. Powers and duties of state licensing authority.**
17 (1) THE STATE LICENSING AUTHORITY SHALL:
18

19 (a) GRANT OR REFUSE STATE LICENSES FOR THE CULTIVATION,
20 MANUFACTURE, DISTRIBUTION, AND SALE OF MEDICAL MARIJUANA AS
21 PROVIDED BY LAW; SUSPEND, FINE, RESTRICT, OR REVOKE SUCH LICENSES
22 UPON A VIOLATION OF THIS ARTICLE, OR A RULE PROMULGATED PURSUANT
23 TO THIS ARTICLE; AND IMPOSE ANY PENALTY AUTHORIZED BY THIS
24 ARTICLE OR ANY RULE PROMULGATED PURSUANT TO THIS ARTICLE. THE
25 STATE LICENSING AUTHORITY MAY TAKE ANY ACTION WITH RESPECT TO A
26 REGISTRATION PURSUANT TO THIS ARTICLE AS IT MAY WITH RESPECT TO A
27 LICENSE PURSUANT TO THIS ARTICLE, IN ACCORDANCE WITH THE
28 PROCEDURES ESTABLISHED PURSUANT TO THIS ARTICLE;
29

30 (b) PROMULGATE SUCH RULES AND SUCH SPECIAL RULINGS AND
31 FINDINGS AS NECESSARY FOR THE PROPER REGULATION AND CONTROL OF
32 THE CULTIVATION, MANUFACTURE, DISTRIBUTION, AND SALE OF MEDICAL
33 MARIJUANA AND FOR THE ENFORCEMENT OF THIS ARTICLE. A COUNTY,
34 MUNICIPALITY, OR CITY AND COUNTY THAT HAS ADOPTED A TEMPORARY
35 MORATORIUM REGARDING THE SUBJECT MATTER OF THIS ARTICLE SHALL
36 BE SPECIFICALLY AUTHORIZED TO EXTEND THE MORATORIUM UNTIL THE
37 EFFECTIVE DATE OF THE RULES ADOPTED BY THE DEPARTMENT OF
38 REVENUE IN ACCORDANCE WITH THIS ARTICLE;
39

40 (c) HEAR AND DETERMINE AT PUBLIC HEARING ANY APPEALS OF A
41 STATE LICENSE DENIAL AND ANY COMPLAINTS AGAINST A LICENSEE AND
42 ADMINISTER OATHS AND ISSUE SUBPOENAS TO REQUIRE THE PRESENCE OF
43 PERSONS AND THE PRODUCTION OF PAPERS, BOOKS, AND RECORDS
44 NECESSARY TO THE DETERMINATION OF ANY HEARING SO HELD, ALL IN
45 ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S.;

46
47 (d) MAINTAIN THE CONFIDENTIALITY OF REPORTS OBTAINED FROM
48 A LICENSEE SHOWING THE SALES VOLUME OR QUANTITY OF MEDICAL
49 MARIJUANA SOLD OR ANY OTHER RECORDS THAT ARE EXEMPT FROM
50 PUBLIC INSPECTION PURSUANT TO STATE LAW;
51

52 (e) DEVELOP SUCH FORMS, LICENSES, IDENTIFICATION CARDS, AND
53 APPLICATIONS AS ARE NECESSARY OR CONVENIENT IN THE DISCRETION OF
54 THE STATE LICENSING AUTHORITY FOR THE ADMINISTRATION OF THIS
55 ARTICLE OR ANY OF THE RULES PROMULGATED UNDER THIS ARTICLE;
56

1 (f) PREPARE AND TRANSMIT ANNUALLY, IN THE FORM AND
2 MANNER PRESCRIBED BY THE HEADS OF THE PRINCIPAL DEPARTMENTS
3 PURSUANT TO SECTION 24-1-136, C.R.S., A REPORT ACCOUNTING TO THE
4 GOVERNOR FOR THE EFFICIENT DISCHARGE OF ALL RESPONSIBILITIES
5 ASSIGNED BY LAW OR DIRECTIVE TO THE STATE LICENSING AUTHORITY;
6 AND
7

8 (g) IN RECOGNITION OF THE POTENTIAL MEDICINAL VALUE OF
9 MEDICAL MARIJUANA, MAKE A REQUEST BY JANUARY 1, 2012, TO THE
10 FEDERAL DRUG ENFORCEMENT ADMINISTRATION TO CONSIDER
11 RESCHEDULING, FOR PHARMACEUTICAL PURPOSES, MEDICAL MARIJUANA
12 FROM A SCHEDULE I CONTROLLED SUBSTANCE TO A SCHEDULE II
13 CONTROLLED SUBSTANCE.
14

15 (2) (a) RULES PROMULGATED PURSUANT TO PARAGRAPH (b) OF
16 SUBSECTION (1) OF THIS SECTION MAY INCLUDE, BUT NEED NOT BE LIMITED
17 TO, THE FOLLOWING SUBJECTS:
18

19 (I) COMPLIANCE WITH, ENFORCEMENT OF, OR VIOLATION OF ANY
20 PROVISION OF THIS ARTICLE, OR ANY RULE ISSUED PURSUANT TO THIS
21 ARTICLE, INCLUDING PROCEDURES AND GROUNDS FOR DENYING,
22 SUSPENDING, FINING, RESTRICTING, OR REVOKING A STATE LICENSE ISSUED
23 PURSUANT TO THIS ARTICLE;
24

25 (II) SPECIFICATIONS OF DUTIES OF OFFICERS AND EMPLOYEES OF
26 THE STATE LICENSING AUTHORITY;
27

28 (III) INSTRUCTIONS FOR LOCAL LICENSING AUTHORITIES AND LAW
29 ENFORCEMENT OFFICERS;
30

31 (IV) REQUIREMENTS FOR INSPECTIONS, INVESTIGATIONS,
32 SEARCHES, SEIZURES, AND SUCH ADDITIONAL ACTIVITIES AS MAY BECOME
33 NECESSARY FROM TIME TO TIME;
34

35 (V) CREATION OF A RANGE OF PENALTIES FOR USE BY THE STATE
36 LICENSING AUTHORITY;
37

38 (VI) PROHIBITION OF MISREPRESENTATION AND UNFAIR
39 PRACTICES;
40

41 (VII) CONTROL OF INFORMATIONAL AND PRODUCT DISPLAYS ON
42 LICENSED PREMISES;
43

44 (VIII) DEVELOPMENT OF INDIVIDUAL IDENTIFICATION CARDS FOR
45 OWNERS, OFFICERS, MANAGERS, CONTRACTORS, EMPLOYEES, AND OTHER
46 SUPPORT STAFF OF ENTITIES LICENSED PURSUANT TO THIS ARTICLE,
47 INCLUDING A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK AS
48 MAY BE REQUIRED BY THE STATE LICENSING AUTHORITY PRIOR TO ISSUING
49 A CARD;
50

51 (IX) IDENTIFICATION OF STATE LICENSEES AND THEIR OWNERS,
52 OFFICERS, MANAGERS, AND EMPLOYEES;
53

54 (X) SECURITY REQUIREMENTS FOR MEDICAL MARIJUANA CENTERS
55 AND OPTIONAL PREMISES CULTIVATION OPERATIONS, INCLUDING, AT A
56 MINIMUM, LIGHTING, PHYSICAL SECURITY, VIDEO, ALARM REQUIREMENTS,

1 AND OTHER MINIMUM PROCEDURES FOR INTERNAL CONTROL AS DEEMED
2 NECESSARY BY THE STATE LICENSING AUTHORITY TO PROPERLY
3 ADMINISTER AND ENFORCE THE PROVISIONS OF THIS ARTICLE, INCLUDING
4 REPORTING REQUIREMENTS FOR CHANGES, ALTERATIONS, OR
5 MODIFICATIONS TO THE PREMISES;

6
7 (XI) REGULATION OF THE STORAGE OF, WAREHOUSES FOR, AND
8 TRANSPORTATION OF MEDICAL MARIJUANA;

9
10 (XII) SANITARY REQUIREMENTS FOR MEDICAL MARIJUANA
11 CENTERS, INCLUDING BUT NOT LIMITED TO SANITARY REQUIREMENTS FOR
12 THE PREPARATION OF MEDICAL MARIJUANA-INFUSED PRODUCTS;

13
14 (XIII) THE SPECIFICATION OF ACCEPTABLE FORMS OF PICTURE
15 IDENTIFICATION THAT A MEDICAL MARIJUANA CENTER MAY ACCEPT WHEN
16 VERIFYING A SALE;

17
18 (XIV) LABELING STANDARDS;

19
20 (XV) RECORDS TO BE KEPT BY LICENSEES AND THE REQUIRED
21 AVAILABILITY OF THE RECORDS;

22
23 (XVI) STATE LICENSING PROCEDURES, INCLUDING PROCEDURES
24 FOR RENEWALS, REINSTATEMENTS, INITIAL LICENSES, AND THE PAYMENT
25 OF LICENSING FEES;

26
27 (XVII) THE REPORTING AND TRANSMITTAL OF MONTHLY SALES
28 TAX PAYMENTS BY MEDICAL MARIJUANA CENTERS;

29
30 (XVIII) AUTHORIZATION FOR THE DEPARTMENT OF REVENUE TO
31 HAVE ACCESS TO LICENSING INFORMATION TO ENSURE SALES AND INCOME
32 TAX PAYMENT AND THE EFFECTIVE ADMINISTRATION OF THIS ARTICLE;

33
34 (XIX) THE SIZE, DIMENSIONS, AND ACCEPTABLE COLORS FOR A
35 MEDICAL MARIJUANA CENTER SIGN;

36
37 (XX) AUTHORIZATION FOR THE DEPARTMENT OF REVENUE TO
38 ISSUE ADMINISTRATIVE CITATIONS AND PROCEDURES FOR ISSUING,
39 APPEALING AND CREATING A CITATION VIOLATION LIST AND SCHEDULE OF
40 PENALTIES;

41
42 (XXI) DAYS AND HOURS OF OPERATION; AND

43
44 (XXII) SUCH OTHER MATTERS AS ARE NECESSARY FOR THE FAIR,
45 IMPARTIAL, STRINGENT, AND COMPREHENSIVE ADMINISTRATION OF THIS
46 ARTICLE.

47
48 (b) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED AS
49 DELEGATING TO THE STATE LICENSING AUTHORITY THE POWER TO FIX
50 PRICES FOR MEDICAL MARIJUANA.

51
52 (c) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO LIMIT A
53 LAW ENFORCEMENT AGENCY'S ABILITY TO INVESTIGATE UNLAWFUL
54 ACTIVITY IN RELATION TO A MEDICAL MARIJUANA CENTER, OPTIONAL
55 PREMISES CULTIVATION OPERATION, OR MEDICAL MARIJUANA-INFUSED
56 PRODUCTS MANUFACTURER. A LAW ENFORCEMENT AGENCY SHALL HAVE

1 THE AUTHORITY TO RUN A COLORADO CRIME INFORMATION CENTER
2 CRIMINAL HISTORY RECORD CHECK OF A PRIMARY CAREGIVER, LICENSEE,
3 OR EMPLOYEE OF A LICENSEE DURING AN INVESTIGATION OF UNLAWFUL
4 ACTIVITY RELATED TO MEDICAL MARIJUANA.

5
6 PART 3
7 STATE AND LOCAL LICENSING
8

9 **12-43.3-301. Local licensing authority - applications - licenses.**

10 (1) A LOCAL LICENSING AUTHORITY MAY ISSUE ONLY THE FOLLOWING
11 MEDICAL MARIJUANA LICENSES UPON PAYMENT OF THE FEE AND
12 COMPLIANCE WITH ALL LOCAL LICENSING REQUIREMENTS TO BE
13 DETERMINED BY THE LOCAL LICENSING AUTHORITY:

14
15 (a) A MEDICAL MARIJUANA CENTER LICENSE;

16
17 (b) AN OPTIONAL PREMISES CULTIVATION LICENSE;

18
19 (c) A MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURING
20 LICENSE.

21
22 (2) (a) A LOCAL LICENSING AUTHORITY SHALL NOT ISSUE A LOCAL
23 LICENSE WITHIN A MUNICIPALITY, CITY AND COUNTY, OR THE
24 UNINCORPORATED PORTION OF A COUNTY UNLESS THE GOVERNING BODY
25 OF THE MUNICIPALITY OR CITY AND COUNTY HAS ADOPTED AN ORDINANCE,
26 OR THE GOVERNING BODY OF THE COUNTY HAS ADOPTED A RESOLUTION,
27 CONTAINING SPECIFIC STANDARDS FOR LICENSE ISSUANCE, OR IF NO SUCH
28 ORDINANCE OR RESOLUTION IS ADOPTED PRIOR TO JULY 1, 2011, THEN A
29 LOCAL LICENSING AUTHORITY SHALL CONSIDER THE MINIMUM LICENSING
30 REQUIREMENTS OF PART 3 OF THIS ARTICLE WHEN ISSUING A LICENSE.

31
32 (b) IN ADDITION TO ALL OTHER STANDARDS APPLICABLE TO THE
33 ISSUANCE OF LICENSES UNDER THIS ARTICLE, THE LOCAL GOVERNING BODY
34 MAY ADOPT ADDITIONAL STANDARDS FOR THE ISSUANCE OF MEDICAL
35 MARIJUANA CENTER, OPTIONAL PREMISES CULTIVATION, OR MEDICAL
36 MARIJUANA-INFUSED PRODUCTS MANUFACTURER LICENSES THAT MAY
37 INCLUDE, BUT NEED NOT BE LIMITED TO:

38
39 (I) DISTANCE RESTRICTIONS BETWEEN PREMISES FOR WHICH LOCAL
40 LICENSES ARE ISSUED;

41
42 (II) REASONABLE RESTRICTIONS ON THE SIZE OF AN APPLICANT'S
43 LICENSED PREMISES; AND

44
45 (III) ANY OTHER REQUIREMENTS NECESSARY TO ENSURE THE
46 CONTROL OF THE PREMISES AND THE EASE OF ENFORCEMENT OF THE
47 TERMS AND CONDITIONS OF THE LICENSE.

48
49 (3) AN APPLICATION FOR A LICENSE SPECIFIED IN SUBSECTION (1)
50 OF THIS SECTION SHALL BE FILED WITH THE APPROPRIATE LOCAL
51 LICENSING AUTHORITY ON FORMS PROVIDED BY THE STATE LICENSING
52 AUTHORITY AND SHALL CONTAIN SUCH INFORMATION AS THE STATE
53 LICENSING AUTHORITY MAY REQUIRE AND ANY FORMS AS THE LOCAL
54 LICENSING AUTHORITY MAY REQUIRE. EACH APPLICATION SHALL BE
55 VERIFIED BY THE OATH OR AFFIRMATION OF THE PERSONS PRESCRIBED BY
56 THE STATE LICENSING AUTHORITY.

1 (4) AN APPLICANT SHALL FILE AT THE TIME OF APPLICATION FOR
2 A LOCAL LICENSE PLANS AND SPECIFICATIONS FOR THE INTERIOR OF THE
3 BUILDING IF THE BUILDING TO BE OCCUPIED IS IN EXISTENCE AT THE TIME.
4 IF THE BUILDING IS NOT IN EXISTENCE, THE APPLICANT SHALL FILE A PLOT
5 PLAN AND A DETAILED SKETCH FOR THE INTERIOR AND SUBMIT AN
6 ARCHITECT'S DRAWING OF THE BUILDING TO BE CONSTRUCTED. IN ITS
7 DISCRETION, THE LOCAL OR STATE LICENSING AUTHORITY MAY IMPOSE
8 ADDITIONAL REQUIREMENTS NECESSARY FOR THE APPROVAL OF THE
9 APPLICATION.

10

11 **12-43.3-302. Public hearing notice - posting and publication.**

12 (1) UPON RECEIPT OF AN APPLICATION FOR A LOCAL LICENSE, EXCEPT AN
13 APPLICATION FOR RENEWAL OR FOR TRANSFER OF OWNERSHIP, A LOCAL
14 LICENSING AUTHORITY MAY SCHEDULE A PUBLIC HEARING UPON THE
15 APPLICATION TO BE HELD NOT LESS THAN THIRTY DAYS AFTER THE DATE
16 OF THE APPLICATION. IF THE LOCAL LICENSING AUTHORITY SCHEDULES A
17 HEARING FOR A MEDICAL MARIJUANA CENTER APPLICATION, IT SHALL POST
18 AND PUBLISH PUBLIC NOTICE THEREOF NOT LESS THAN TEN DAYS PRIOR TO
19 THE HEARING. THE LOCAL LICENSING AUTHORITY SHALL GIVE PUBLIC
20 NOTICE BY THE POSTING OF A SIGN IN A CONSPICUOUS PLACE ON THE
21 PREMISES FOR WHICH APPLICATION HAS BEEN MADE AND BY PUBLICATION
22 IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY IN WHICH THE
23 PREMISES ARE LOCATED.

24

25 (2) PUBLIC NOTICE GIVEN BY POSTING SHALL INCLUDE A SIGN OF
26 SUITABLE MATERIAL, NOT LESS THAN TWENTY-TWO INCHES WIDE AND
27 TWENTY-SIX INCHES HIGH, COMPOSED OF LETTERS NOT LESS THAN ONE
28 INCH IN HEIGHT AND STATING THE TYPE OF LICENSE APPLIED FOR, THE
29 DATE OF THE APPLICATION, THE DATE OF THE HEARING, THE NAME AND
30 ADDRESS OF THE APPLICANT, AND SUCH OTHER INFORMATION AS MAY BE
31 REQUIRED TO FULLY APPRISE THE PUBLIC OF THE NATURE OF THE
32 APPLICATION. THE SIGN SHALL CONTAIN THE NAMES AND ADDRESSES OF
33 THE OFFICERS, DIRECTORS, OR MANAGER OF THE FACILITY TO BE LICENSED.

34

35 (3) PUBLIC NOTICE GIVEN BY PUBLICATION SHALL CONTAIN THE
36 SAME INFORMATION AS THAT REQUIRED FOR SIGNS.

37

38 (4) IF THE BUILDING IN WHICH MEDICAL MARIJUANA IS TO BE SOLD
39 IS IN EXISTENCE AT THE TIME OF THE APPLICATION, A SIGN POSTED AS
40 REQUIRED IN SUBSECTIONS (1) AND (2) OF THIS SECTION SHALL BE PLACED
41 SO AS TO BE CONSPICUOUS AND PLAINLY VISIBLE TO THE GENERAL PUBLIC.
42 IF THE BUILDING IS NOT CONSTRUCTED AT THE TIME OF THE APPLICATION,
43 THE APPLICANT SHALL POST A SIGN AT THE PREMISES UPON WHICH THE
44 BUILDING IS TO BE CONSTRUCTED IN SUCH A MANNER THAT THE NOTICE
45 SHALL BE CONSPICUOUS AND PLAINLY VISIBLE TO THE GENERAL PUBLIC.

46

47 (5) (a) A LOCAL LICENSING AUTHORITY, OR A LICENSE APPLICANT
48 WITH LOCAL LICENSING AUTHORITY APPROVAL, MAY REQUEST THAT THE
49 STATE LICENSING AUTHORITY CONDUCT A CONCURRENT REVIEW OF A NEW
50 LICENSE APPLICATION PRIOR TO THE LOCAL LICENSING AUTHORITY'S FINAL
51 APPROVAL OF THE LICENSE APPLICATION. LOCAL LICENSING AUTHORITIES
52 WHO PERMIT A CONCURRENT REVIEW WILL CONTINUE TO INDEPENDENTLY
53 REVIEW THE APPLICANT'S LICENSE APPLICATION.

54

55 (b) WHEN CONDUCTING A CONCURRENT APPLICATION REVIEW, THE
56 STATE LICENSING AUTHORITY MAY ADVISE THE LOCAL LICENSING

1 AUTHORITY OF ANY ITEMS THAT IT FINDS THAT COULD RESULT IN THE
2 DENIAL OF THE LICENSE APPLICATION. UPON CORRECTION OF THE NOTED
3 DISCREPANCIES IF THE CORRECTION IS PERMITTED BY THE STATE
4 LICENSING AUTHORITY, THE STATE LICENSING AUTHORITY SHALL NOTIFY
5 THE LOCAL LICENSING AUTHORITY OF ITS CONDITIONAL APPROVAL OF THE
6 LICENSE APPLICATION SUBJECT TO THE FINAL APPROVAL BY THE LOCAL
7 LICENSING AUTHORITY. THE STATE LICENSING AUTHORITY SHALL THEN
8 ISSUE THE APPLICANT'S STATE LICENSE UPON RECEIVING EVIDENCE OF
9 FINAL APPROVAL BY THE LOCAL LICENSING AUTHORITY.

10

11 (c) ALL APPLICATIONS SUBMITTED FOR CONCURRENT REVIEW
12 SHALL BE ACCOMPANIED BY ALL APPLICABLE STATE LICENSE AND
13 APPLICATION FEES. ANY APPLICATIONS THAT ARE LATER DENIED OR
14 WITHDRAWN MAY ALLOW FOR A REFUND OF LICENSE FEES ONLY. ALL
15 APPLICATION FEES PROVIDED BY AN APPLICANT SHALL BE RETAINED BY
16 THE RESPECTIVE LICENSING AUTHORITY.

17

18 **12-43.3-303. Results of investigation - decision of authorities.**

19 (1) NOT LESS THAN FIVE DAYS PRIOR TO THE DATE OF THE PUBLIC
20 HEARING REQUIRED IN SECTION 12-43.3-302, THE LOCAL LICENSING
21 AUTHORITY SHALL MAKE KNOWN ITS FINDINGS, BASED ON ITS
22 INVESTIGATION, IN WRITING TO THE APPLICANT AND OTHER PARTIES OF
23 INTEREST AS DESCRIBED IN SECTION 12-43.3-302 (5). THE LOCAL
24 LICENSING AUTHORITY HAS AUTHORITY TO REFUSE TO ISSUE A LICENSE
25 PROVIDED FOR IN THIS SECTION FOR GOOD CAUSE, SUBJECT TO JUDICIAL
26 REVIEW.

27

28 (2) BEFORE ENTERING A DECISION APPROVING OR DENYING THE
29 APPLICATION FOR A LOCAL LICENSE, THE LOCAL LICENSING AUTHORITY
30 MAY CONSIDER, EXCEPT WHERE THIS ARTICLE SPECIFICALLY PROVIDES
31 OTHERWISE, THE FACTS AND EVIDENCE ADDUCED AS A RESULT OF ITS
32 INVESTIGATION, AS WELL AS ANY OTHER FACTS PERTINENT TO THE TYPE
33 OF LICENSE FOR WHICH APPLICATION HAS BEEN MADE, INCLUDING THE
34 NUMBER, TYPE, AND AVAILABILITY OF MEDICAL MARIJUANA OUTLETS
35 LOCATED IN OR NEAR THE PREMISES UNDER CONSIDERATION, AND ANY
36 OTHER PERTINENT MATTERS AFFECTING THE QUALIFICATIONS OF THE
37 APPLICANT FOR THE CONDUCT OF THE TYPE OF BUSINESS PROPOSED.

38

39 (3) WITHIN THIRTY DAYS AFTER THE PUBLIC HEARING OR
40 COMPLETION OF THE APPLICATION INVESTIGATION, A LOCAL LICENSING
41 AUTHORITY SHALL ISSUE ITS DECISION APPROVING OR DENYING AN
42 APPLICATION FOR LOCAL LICENSURE. THE DECISION SHALL BE IN WRITING
43 AND SHALL STATE THE REASONS FOR THE DECISION. THE LOCAL LICENSING
44 AUTHORITY SHALL SEND A COPY OF THE DECISION BY CERTIFIED MAIL TO
45 THE APPLICANT AT THE ADDRESS SHOWN IN THE APPLICATION.

46

47 (4) AFTER APPROVAL OF AN APPLICATION, A LOCAL LICENSING
48 AUTHORITY SHALL NOT ISSUE A LOCAL LICENSE UNTIL THE BUILDING IN
49 WHICH THE BUSINESS TO BE CONDUCTED IS READY FOR OCCUPANCY WITH
50 SUCH FURNITURE, FIXTURES, AND EQUIPMENT IN PLACE AS ARE NECESSARY
51 TO COMPLY WITH THE APPLICABLE PROVISIONS OF THIS ARTICLE, AND THEN
52 ONLY AFTER THE LOCAL LICENSING AUTHORITY HAS INSPECTED THE
53 PREMISES TO DETERMINE THAT THE APPLICANT HAS COMPLIED WITH THE
54 ARCHITECT'S DRAWING AND THE PLOT PLAN AND DETAILED SKETCH FOR
55 THE INTERIOR OF THE BUILDING SUBMITTED WITH THE APPLICATION.

56

1 (5) AFTER APPROVAL OF AN APPLICATION FOR LOCAL LICENSURE,
2 THE LOCAL LICENSING AUTHORITY SHALL NOTIFY THE STATE LICENSING
3 AUTHORITY OF SUCH APPROVAL, WHO SHALL INVESTIGATE AND EITHER
4 APPROVE OR DISAPPROVE THE APPLICATION FOR STATE LICENSURE.
5

6 **12-43.3-304. Medical marijuana license bond.** (1) BEFORE THE
7 STATE LICENSING AUTHORITY ISSUES A STATE LICENSE TO AN APPLICANT,
8 THE APPLICANT SHALL PROCURE AND FILE WITH THE STATE LICENSING
9 AUTHORITY EVIDENCE OF A GOOD AND SUFFICIENT BOND IN THE AMOUNT
10 OF FIVE THOUSAND DOLLARS WITH CORPORATE SURETY THEREON DULY
11 LICENSED TO DO BUSINESS WITH THE STATE, APPROVED AS TO FORM BY
12 THE ATTORNEY GENERAL OF THE STATE, AND CONDITIONED THAT THE
13 APPLICANT SHALL REPORT AND PAY ALL SALES AND USE TAXES DUE TO THE
14 STATE, OR FOR WHICH THE STATE IS THE COLLECTOR OR COLLECTING
15 AGENT, IN A TIMELY MANNER, AS PROVIDED IN LAW.
16

17 (2) A CORPORATE SURETY SHALL NOT BE REQUIRED TO MAKE
18 PAYMENTS TO THE STATE CLAIMING UNDER SUCH BOND UNTIL A FINAL
19 DETERMINATION OF FAILURE TO PAY TAXES DUE TO THE STATE HAS BEEN
20 MADE BY THE STATE LICENSING AUTHORITY OR A COURT OF COMPETENT
21 JURISDICTION.
22

23 (3) ALL BONDS REQUIRED PURSUANT TO THIS SECTION SHALL BE
24 RENEWED AT SUCH TIME AS THE BONDHOLDER'S LICENSE IS RENEWED.
25 THE RENEWAL MAY BE ACCOMPLISHED THROUGH A CONTINUATION
26 CERTIFICATE ISSUED BY THE SURETY.
27

28 **12-43.3-305. State licensing authority - application and**
29 **issuance procedures.** (1) APPLICATIONS FOR A STATE LICENSE UNDER
30 THE PROVISIONS OF THIS ARTICLE SHALL BE MADE TO THE STATE
31 LICENSING AUTHORITY ON FORMS PREPARED AND FURNISHED BY THE
32 STATE LICENSING AUTHORITY AND SHALL SET FORTH SUCH INFORMATION
33 AS THE STATE LICENSING AUTHORITY MAY REQUIRE TO ENABLE THE STATE
34 LICENSING AUTHORITY TO DETERMINE WHETHER A STATE LICENSE SHOULD
35 BE GRANTED. THE INFORMATION SHALL INCLUDE THE NAME AND ADDRESS
36 OF THE APPLICANT, THE NAMES AND ADDRESSES OF THE OFFICERS,
37 DIRECTORS, OR MANAGERS, AND ALL OTHER INFORMATION DEEMED
38 NECESSARY BY THE STATE LICENSING AUTHORITY. EACH APPLICATION
39 SHALL BE VERIFIED BY THE OATH OR AFFIRMATION OF SUCH PERSON OR
40 PERSONS AS THE STATE LICENSING AUTHORITY MAY PRESCRIBE.
41

42 (2) THE STATE LICENSING AUTHORITY SHALL NOT ISSUE A STATE
43 LICENSE PURSUANT TO THIS SECTION UNTIL THE LOCAL LICENSING
44 AUTHORITY HAS APPROVED THE APPLICATION FOR A LOCAL LICENSE AND
45 ISSUED A LOCAL LICENSE AS PROVIDED FOR IN SECTIONS 12-43.3-301 TO
46 12-43.3-303.
47

48 (3) NOTHING IN THIS ARTICLE SHALL PREEMPT OR OTHERWISE
49 IMPAIR THE POWER OF A LOCAL GOVERNMENT TO ENACT ORDINANCES OR
50 RESOLUTIONS CONCERNING MATTERS AUTHORIZED TO LOCAL
51 GOVERNMENTS.
52

53 **12-43.3-306. Denial of application.** (1) THE STATE LICENSING
54 AUTHORITY SHALL DENY A STATE LICENSE IF THE PREMISES ON WHICH THE
55 APPLICANT PROPOSES TO CONDUCT ITS BUSINESS DO NOT MEET THE
56 REQUIREMENTS OF THIS ARTICLE OR FOR REASONS SET FORTH IN SECTIONS

1 12-43.3-104 (1) OR 12-43.3-305.

2
3 (2) IF THE STATE LICENSING AUTHORITY DENIES A STATE LICENSE
4 PURSUANT TO SUBSECTION (1) OF THIS SECTION, THE APPLICANT SHALL BE
5 ENTITLED TO A HEARING PURSUANT TO ARTICLE 4 OF TITLE 24, C.R.S. THE
6 STATE LICENSING AUTHORITY SHALL PROVIDE WRITTEN NOTICE OF THE
7 GROUNDS FOR DENIAL OF THE STATE LICENSE TO THE APPLICANT AND TO
8 THE LOCAL LICENSING AUTHORITY AT LEAST FIFTEEN DAYS PRIOR TO THE
9 HEARING.

10
11 **12-43.3-307. Persons prohibited as licensees.** (1) (a) A LICENSE
12 PROVIDED BY THIS ARTICLE SHALL NOT BE ISSUED TO OR HELD BY:

13
14 (I) A PERSON UNTIL THE ANNUAL FEE THEREFORE HAS BEEN PAID;

15
16 (II) A PERSON WHOSE CRIMINAL HISTORY INDICATES THAT HE OR
17 SHE IS NOT OF GOOD MORAL CHARACTER;

18
19 (III) A CORPORATION, ANY OF WHOSE OFFICERS, DIRECTORS, OR
20 STOCKHOLDERS ARE NOT OF GOOD MORAL CHARACTER;

21
22 (IV) A LICENSED PHYSICIAN MAKING PATIENT
23 RECOMMENDATIONS;

24
25 (V) A PERSON EMPLOYING, ASSISTED BY, OR FINANCED IN WHOLE
26 OR IN PART BY ANY OTHER PERSON WHOSE CRIMINAL HISTORY INDICATES
27 HE OR SHE IS NOT OF GOOD CHARACTER AND REPUTATION SATISFACTORY
28 TO THE RESPECTIVE LICENSING AUTHORITY;

29
30 (VI) A PERSON UNDER TWENTY-ONE YEARS OF AGE;

31
32 (VII) A PERSON LICENSED PURSUANT TO THIS ARTICLE WHO,
33 DURING A PERIOD OF LICENSURE, FAILS TO:

34
35 (A) PROVIDE A SURETY BOND OR FAILS TO FILE ANY TAX RETURN
36 WITH A TAXING AGENCY;

37
38 (B) PAY ANY TAXES, INTEREST, OR PENALTIES DUE;

39
40 (C) PAY ANY JUDGMENTS DUE TO A GOVERNMENT AGENCY;

41
42 (D) REPAY GOVERNMENT-INSURED STUDENT LOANS; OR

43
44 (E) PAY CHILD SUPPORT;

45
46 (IX) A PERSON WHO HAS DISCHARGED A SENTENCE IN THE FIVE
47 YEARS IMMEDIATELY PRECEDING THE APPLICATION DATE FOR A
48 CONVICTION OF A FELONY OR A MISDEMEANOR PURSUANT TO ANY STATE
49 OR FEDERAL LAW REGULATING THE POSSESSION, DISTRIBUTION, OR USE OF
50 MARIJUANA OR OF ANY CONTROLLED SUBSTANCE, AS DEFINED IN SECTION
51 18-18-102 (5), C.R.S.;

52
53 (X) A PERSON WHO EMPLOYEES ANOTHER PERSON AT A MEDICAL
54 MARIJUANA FACILITY WHO HAS NOT PASSED A CRIMINAL HISTORY RECORD
55 CHECK;

56

1 (XI) A SHERIFF, DEPUTY SHERIFF, POLICE OFFICER, OR
2 PROSECUTING OFFICER, OR AN OFFICER OR EMPLOYEE OF THE STATE
3 LICENSING AUTHORITY OR A LOCAL LICENSING AUTHORITY;
4

5 (XII) A PERSON WHOSE AUTHORITY TO BE A CAREGIVER HAS BEEN
6 REVOKED BY THE STATE HEALTH AGENCY AS DEFINED IN SECTION 25-1.5-
7 106 (2); OR
8

9 (XIII) A PERSON WHO HAS A LICENSE FOR A PROPERTY AS A RETAIL
10 FOOD ESTABLISHMENT OR A WHOLESALE FOOD REGISTRANT SHALL NOT
11 OBTAIN A MEDICAL MARIJUANA CENTER, OPTIONAL PREMISES, OR INFUSED
12 PRODUCTS MANUFACTURERS LICENSE FOR THE SAME PROPERTY OR
13 PREMISES.
14

15 (2) (a) IN INVESTIGATING THE QUALIFICATIONS OF AN APPLICANT
16 OR A LICENSEE, THE STATE LICENSING AUTHORITY MAY HAVE ACCESS TO
17 CRIMINAL HISTORY RECORD INFORMATION FURNISHED BY A CRIMINAL
18 JUSTICE AGENCY SUBJECT TO ANY RESTRICTIONS IMPOSED BY SUCH
19 AGENCY. IN THE EVENT THE STATE LICENSING AUTHORITY CONSIDERS THE
20 APPLICANT'S CRIMINAL HISTORY RECORD, THE STATE LICENSING
21 AUTHORITY SHALL ALSO CONSIDER ANY INFORMATION PROVIDED BY THE
22 APPLICANT REGARDING SUCH CRIMINAL HISTORY RECORD, INCLUDING BUT
23 NOT LIMITED TO EVIDENCE OF REHABILITATION, CHARACTER REFERENCES,
24 AND EDUCATIONAL ACHIEVEMENTS, ESPECIALLY THOSE ITEMS PERTAINING
25 TO THE PERIOD OF TIME BETWEEN THE APPLICANT'S LAST CRIMINAL
26 CONVICTION AND THE CONSIDERATION OF THE APPLICATION FOR A STATE
27 LICENSE.
28

29 (b) AS USED IN PARAGRAPH (a) OF THIS SUBSECTION (2),
30 "CRIMINAL JUSTICE AGENCY" MEANS ANY FEDERAL, STATE, OR MUNICIPAL
31 COURT OR ANY GOVERNMENTAL AGENCY OR SUBUNIT OF SUCH AGENCY
32 THAT ADMINISTERS CRIMINAL JUSTICE PURSUANT TO A STATUTE OR
33 EXECUTIVE ORDER AND THAT ALLOCATES A SUBSTANTIAL PART OF ITS
34 ANNUAL BUDGET TO THE ADMINISTRATION OF CRIMINAL JUSTICE.
35

36 (c) AT THE TIME OF FILING AN APPLICATION FOR ISSUANCE OR
37 RENEWAL OF A STATE MEDICAL MARIJUANA CENTER LICENSE, MEDICAL
38 MARIJUANA-INFUSED PRODUCT MANUFACTURER LICENSE, OR OPTIONAL
39 PREMISES CULTIVATION LICENSE, AN APPLICANT SHALL SUBMIT A SET OF
40 HIS OR HER FINGERPRINTS AND FILE PERSONAL HISTORY INFORMATION
41 CONCERNING THE APPLICANT'S QUALIFICATIONS FOR A STATE LICENSE ON
42 FORMS PREPARED BY THE STATE LICENSING AUTHORITY. THE STATE
43 LICENSING AUTHORITY SHALL SUBMIT THE FINGERPRINTS TO THE
44 COLORADO BUREAU OF INVESTIGATION FOR THE PURPOSE OF CONDUCTING
45 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECKS. THE COLORADO
46 BUREAU OF INVESTIGATION SHALL FORWARD THE FINGERPRINTS TO THE
47 FEDERAL BUREAU OF INVESTIGATION FOR THE PURPOSE OF CONDUCTING
48 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECKS. THE STATE
49 LICENSING AUTHORITY MAY ACQUIRE A NAME-BASED CRIMINAL HISTORY
50 RECORD CHECK FOR AN APPLICANT OR A LICENSE HOLDER WHO HAS TWICE
51 SUBMITTED TO A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK
52 AND WHOSE FINGERPRINTS ARE UNCLASSIFIABLE. AN APPLICANT WHO HAS
53 PREVIOUSLY SUBMITTED FINGERPRINTS FOR STATE LICENSING PURPOSES
54 MAY REQUEST THAT THE FINGERPRINTS ON FILE BE USED. THE STATE
55 LICENSING AUTHORITY SHALL USE THE INFORMATION RESULTING FROM
56 THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK TO

1 INVESTIGATE AND DETERMINE WHETHER AN APPLICANT IS QUALIFIED TO
2 HOLD A STATE LICENSE PURSUANT TO THIS ARTICLE. THE STATE
3 LICENSING AUTHORITY MAY VERIFY ANY OF THE INFORMATION AN
4 APPLICANT IS REQUIRED TO SUBMIT.

5
6 **12-43.3-308. Restrictions for applications for new licenses.**

7 (1) THE STATE OR A LOCAL LICENSING AUTHORITY SHALL NOT RECEIVE OR
8 ACT UPON AN APPLICATION FOR THE ISSUANCE OF A STATE OR LOCAL
9 LICENSE PURSUANT TO THIS ARTICLE:

10
11 (a) IF THE APPLICATION FOR A STATE OR LOCAL LICENSE CONCERNS
12 A PARTICULAR LOCATION THAT IS THE SAME AS OR WITHIN ONE THOUSAND
13 FEET OF A LOCATION FOR WHICH, WITHIN THE TWO YEARS IMMEDIATELY
14 PRECEDING THE DATE OF THE APPLICATION, THE STATE OR A LOCAL
15 LICENSING AUTHORITY DENIED AN APPLICATION FOR THE SAME CLASS OF
16 LICENSE DUE TO A USE OR OTHER LOCAL CONCERN;

17
18 (b) UNTIL IT IS ESTABLISHED THAT THE APPLICANT IS, OR WILL BE,
19 ENTITLED TO POSSESSION OF THE PREMISES FOR WHICH APPLICATION IS
20 MADE UNDER A LEASE, RENTAL AGREEMENT, OR OTHER ARRANGEMENT
21 FOR POSSESSION OF THE PREMISES OR BY VIRTUE OF OWNERSHIP OF THE
22 PREMISES;

23
24 (c) FOR A LOCATION IN AN AREA WHERE THE CULTIVATION,
25 MANUFACTURE, AND SALE OF MEDICAL MARIJUANA AS CONTEMPLATED IS
26 NOT PERMITTED UNDER THE APPLICABLE ZONING LAWS OF THE
27 MUNICIPALITY, CITY AND COUNTY, OR COUNTY;

28
29 (d) (I) IF THE BUILDING IN WHICH MEDICAL MARIJUANA IS TO BE
30 SOLD IS LOCATED WITHIN ONE THOUSAND FEET OF A SCHOOL, OR THE
31 PRINCIPAL CAMPUS OF A COLLEGE, UNIVERSITY, OR SEMINARY. THE
32 PROVISIONS OF THIS SECTION SHALL NOT AFFECT THE RENEWAL OR
33 RE-ISSUANCE OF A LICENSE ONCE GRANTED OR APPLY TO LICENSED
34 PREMISES LOCATED OR TO BE LOCATED ON LAND OWNED BY A
35 MUNICIPALITY, NOR SHALL THE PROVISIONS OF THIS SECTION APPLY TO AN
36 EXISTING LICENSED PREMISES ON LAND OWNED BY THE STATE, OR APPLY
37 TO A LICENSE IN EFFECT AND ACTIVELY DOING BUSINESS BEFORE SAID
38 PRINCIPAL CAMPUS WAS CONSTRUCTED. THE LOCAL LICENSING
39 AUTHORITY OF A CITY AND COUNTY, BY RULE OR REGULATION, THE
40 GOVERNING BODY OF A MUNICIPALITY, BY ORDINANCE, AND THE
41 GOVERNING BODY OF A COUNTY, BY RESOLUTION, MAY VARY THE
42 DISTANCE RESTRICTIONS IMPOSED BY THIS SUBPARAGRAPH (I) FOR A
43 LICENSE OR MAY ELIMINATE ONE OR MORE TYPES OF SCHOOLS OR
44 CAMPUSES FROM THE APPLICATION OF A DISTANCE RESTRICTION
45 ESTABLISHED BY OR PURSUANT TO THIS SUBPARAGRAPH (I).

46
47 (II) THE DISTANCES REFERRED TO IN THIS PARAGRAPH (d) ARE TO
48 BE COMPUTED BY DIRECT MEASUREMENT FROM THE NEAREST PROPERTY
49 LINE OF THE LAND USED FOR A SCHOOL OR CAMPUS TO THE NEAREST
50 PORTION OF THE BUILDING IN WHICH MEDICAL MARIJUANA IS TO BE SOLD,
51 USING A ROUTE OF DIRECT PEDESTRIAN ACCESS.

52
53 (III) IN ADDITION TO THE REQUIREMENTS OF SECTION 12-43.3-303
54 (2), THE LOCAL LICENSING AUTHORITY SHALL CONSIDER THE EVIDENCE
55 AND MAKE A SPECIFIC FINDING OF FACT AS TO WHETHER THE BUILDING IN
56 WHICH THE MEDICAL MARIJUANA IS TO BE SOLD IS LOCATED WITHIN ANY

1 DISTANCE RESTRICTIONS ESTABLISHED BY OR PURSUANT TO THIS
2 PARAGRAPH (d).

3
4 **12-43.3-309. Transfer of ownership.** (1) A STATE OR LOCAL
5 LICENSE GRANTED UNDER THE PROVISIONS OF THIS ARTICLE SHALL NOT BE
6 TRANSFERABLE EXCEPT AS PROVIDED IN THIS SECTION, BUT THIS SECTION
7 SHALL NOT PREVENT A CHANGE OF LOCATION AS PROVIDED IN SECTION 12-
8 43.3-310 (13).

9
10 (2) FOR A TRANSFER OF OWNERSHIP, A LICENSE HOLDER SHALL
11 APPLY TO THE STATE AND LOCAL LICENSING AUTHORITIES ON FORMS
12 PREPARED AND FURNISHED BY THE STATE LICENSING AUTHORITY. IN
13 DETERMINING WHETHER TO PERMIT A TRANSFER OF OWNERSHIP, THE
14 STATE AND LOCAL LICENSING AUTHORITIES SHALL CONSIDER ONLY THE
15 REQUIREMENTS OF THIS ARTICLE, ANY RULES PROMULGATED BY THE
16 STATE LICENSING AUTHORITY, AND ANY OTHER LOCAL RESTRICTIONS. THE
17 LOCAL LICENSING AUTHORITY MAY HOLD A HEARING ON THE APPLICATION
18 FOR TRANSFER OF OWNERSHIP. THE LOCAL LICENSING AUTHORITY SHALL
19 NOT HOLD A HEARING PURSUANT TO THIS SUBSECTION (2) UNTIL THE
20 LOCAL LICENSING AUTHORITY HAS POSTED A NOTICE OF HEARING IN THE
21 MANNER DESCRIBED IN SECTION 12-43.3-302 (2) ON THE LICENSED
22 PREMISES FOR A PERIOD OF TEN DAYS AND HAS PROVIDED NOTICE OF THE
23 HEARING TO THE APPLICANT AT LEAST TEN DAYS PRIOR TO THE HEARING.
24 ANY TRANSFER OF OWNERSHIP HEARING BY THE STATE LICENSING
25 AUTHORITY SHALL BE HELD IN COMPLIANCE WITH THE REQUIREMENTS
26 SPECIFIED IN SECTION 12-43.3-302.

27
28 **12-43.3-310. Licensing in general.** (1) THIS ARTICLE
29 AUTHORIZES A COUNTY, MUNICIPALITY, OR CITY AND COUNTY TO PROHIBIT
30 THE OPERATION OF MEDICAL MARIJUANA CENTERS, OPTIONAL PREMISES
31 CULTIVATION OPERATIONS, AND MEDICAL MARIJUANA-INFUSED PRODUCTS
32 MANUFACTURERS' LICENSES AND TO ENACT REASONABLE REGULATIONS OR
33 OTHER RESTRICTIONS APPLICABLE TO MEDICAL MARIJUANA CENTERS,
34 OPTIONAL PREMISES CULTIVATION LICENSES, AND MEDICAL MARIJUANA-
35 INFUSED PRODUCTS MANUFACTURERS' LICENSES BASED ON LOCAL
36 GOVERNMENT ZONING, HEALTH, SAFETY, AND PUBLIC WELFARE LAWS FOR
37 THE DISTRIBUTION OF MEDICAL MARIJUANA THAT ARE MORE RESTRICTIVE
38 THAN THIS ARTICLE.

39
40 (2) A MEDICAL MARIJUANA CENTER, OPTIONAL PREMISES
41 CULTIVATION OPERATION, OR MEDICAL MARIJUANA-INFUSED PRODUCTS
42 MANUFACTURER MAY NOT OPERATE UNTIL IT HAS BEEN LICENSED BY THE
43 LOCAL LICENSING AUTHORITY AND THE STATE LICENSING AUTHORITY
44 PURSUANT TO THIS ARTICLE. IN CONNECTION WITH A LICENSE, THE
45 APPLICANT SHALL PROVIDE A COMPLETE AND ACCURATE LIST OF ALL
46 OWNERS, OFFICERS, AND EMPLOYEES WHO WORK AT, MANAGE, OWN, OR
47 ARE OTHERWISE ASSOCIATED WITH THE OPERATION AND SHALL PROVIDE
48 A COMPLETE AND ACCURATE APPLICATION AS REQUIRED BY THE STATE
49 LICENSING AUTHORITY.

50
51 (3) A MEDICAL MARIJUANA CENTER, OPTIONAL PREMISES
52 CULTIVATION OPERATION, OR MEDICAL MARIJUANA-INFUSED PRODUCTS
53 MANUFACTURER SHALL NOTIFY THE STATE LICENSING AUTHORITY IN
54 WRITING WITHIN TEN DAYS AFTER AN OWNER, OFFICER, OR EMPLOYEE
55 CEASES TO WORK AT, MANAGE, OWN, OR OTHERWISE BE ASSOCIATED WITH
56 THE OPERATION. THE OWNER, OFFICER, OR EMPLOYEE SHALL SURRENDER

1 HIS OR HER IDENTIFICATION CARD TO THE STATE AUTHORITY ON OR
2 BEFORE THE DATE OF THE NOTIFICATION.

3
4 (4) A MEDICAL MARIJUANA CENTER, OPTIONAL PREMISES
5 CULTIVATION OPERATION, OR MEDICAL MARIJUANA-INFUSED PRODUCTS
6 MANUFACTURER SHALL NOTIFY THE STATE LICENSING AUTHORITY IN
7 WRITING OF THE NAME, ADDRESS, AND DATE OF BIRTH OF AN OWNER,
8 OFFICER, MANAGER, OR EMPLOYEE BEFORE THE NEW OWNER, OFFICER, OR
9 EMPLOYEE BEGINS WORKING AT, MANAGING, OWNING, OR BEING
10 ASSOCIATED WITH THE OPERATION. THE OWNER, OFFICER, MANAGER, OR
11 EMPLOYEE SHALL PASS A FINGERPRINT-BASED CRIMINAL HISTORY RECORD
12 CHECK AS REQUIRED BY THE STATE LICENSING AUTHORITY AND OBTAIN
13 THE REQUIRED IDENTIFICATION PRIOR TO BEING ASSOCIATED WITH,
14 MANAGING, OWNING, OR WORKING AT THE OPERATION.

15
16 (5) A MEDICAL MARIJUANA CENTER, OPTIONAL PREMISES
17 CULTIVATION OPERATION, OR MEDICAL MARIJUANA-INFUSED PRODUCTS
18 MANUFACTURER SHALL NOT ACQUIRE, POSSESS, CULTIVATE, DELIVER,
19 TRANSFER, TRANSPORT, SUPPLY, OR DISPENSE MARIJUANA FOR ANY
20 PURPOSE EXCEPT TO ASSIST PATIENTS, AS DEFINED BY SECTION 14(1) OF
21 ARTICLE XVIII OF THE STATE CONSTITUTION.

22
23 (6) ALL OPERATORS OF A MEDICAL MARIJUANA CENTER, OPTIONAL
24 PREMISES CULTIVATION OPERATION, OR MEDICAL MARIJUANA-INFUSED
25 PRODUCTS MANUFACTURER SHALL BE RESIDENTS OF COLORADO. A LOCAL
26 LICENSING AUTHORITY SHALL NOT ISSUE A LICENSE PROVIDED FOR IN THIS
27 ARTICLE UNTIL THAT SHARE OF THE LICENSE APPLICATION FEE DUE TO THE
28 STATE HAS BEEN RECEIVED BY THE DEPARTMENT OF REVENUE. ALL
29 LICENSES GRANTED PURSUANT TO THIS ARTICLE SHALL BE VALID FOR A
30 PERIOD NOT TO EXCEED TWO YEARS FROM THE DATE OF ISSUANCE UNLESS
31 REVOKED OR SUSPENDED PURSUANT TO THIS ARTICLE OR THE RULES
32 PROMULGATED PURSUANT TO THIS ARTICLE.

33
34 (7) BEFORE GRANTING A LOCAL OR STATE LICENSE, THE
35 RESPECTIVE LICENSING AUTHORITY MAY CONSIDER, EXCEPT WHERE THIS
36 ARTICLE SPECIFICALLY PROVIDES OTHERWISE, THE REQUIREMENTS OF THIS
37 ARTICLE AND ANY RULES PROMULGATED PURSUANT TO THIS ARTICLE, AND
38 ALL OTHER REASONABLE RESTRICTIONS THAT ARE OR MAY BE PLACED
39 UPON THE LICENSEE BY THE LICENSING AUTHORITY. WITH RESPECT TO A
40 SECOND OR ADDITIONAL LICENSE FOR THE SAME LICENSEE OR THE SAME
41 OWNER OF ANOTHER LICENSED BUSINESS PURSUANT TO THIS ARTICLE,
42 EACH LICENSING AUTHORITY SHALL CONSIDER THE EFFECT ON
43 COMPETITION OF GRANTING OR DENYING THE ADDITIONAL LICENSES TO
44 SUCH LICENSEE AND SHALL NOT APPROVE AN APPLICATION FOR A SECOND
45 OR ADDITIONAL LICENSE THAT WOULD HAVE THE EFFECT OF RESTRAINING
46 COMPETITION.

47
48 (8) (a) EACH LICENSE ISSUED UNDER THIS ARTICLE IS SEPARATE
49 AND DISTINCT. IT IS UNLAWFUL FOR A PERSON TO EXERCISE ANY OF THE
50 PRIVILEGES GRANTED UNDER A LICENSE OTHER THAN THE LICENSE THAT
51 THE PERSON HOLDS OR FOR A LICENSEE TO ALLOW ANY OTHER PERSON TO
52 EXERCISE THE PRIVILEGES GRANTED UNDER THE LICENSEE'S LICENSE. A
53 SEPARATE LICENSE SHALL BE REQUIRED FOR EACH SPECIFIC BUSINESS OR
54 BUSINESS ENTITY AND EACH GEOGRAPHICAL LOCATION.

55
56 (b) AT ALL TIMES, A LICENSEE SHALL POSSESS AND MAINTAIN

1 POSSESSION OF THE PREMISES OR OPTIONAL PREMISES FOR WHICH THE
2 LICENSE IS ISSUED BY OWNERSHIP, LEASE, RENTAL, OR OTHER
3 ARRANGEMENT FOR POSSESSION OF THE PREMISES.
4

5 (9)(a) THE LICENSES PROVIDED PURSUANT TO THIS ARTICLE SHALL
6 SPECIFY THE DATE OF ISSUANCE, THE PERIOD OF LICENSURE, THE NAME OF
7 THE LICENSEE, AND THE PREMISES OR OPTIONAL PREMISES LICENSED. THE
8 LICENSEE SHALL CONSPICUOUSLY PLACE THE LICENSE AT ALL TIMES ON
9 THE LICENSED PREMISES OR OPTIONAL PREMISES.
10

11 (b) A LOCAL LICENSING AUTHORITY SHALL NOT TRANSFER
12 LOCATION OF OR RENEW A LICENSE TO SELL MEDICAL MARIJUANA UNTIL
13 THE APPLICANT FOR THE LICENSE PRODUCES A LICENSE ISSUED AND
14 GRANTED BY THE STATE LICENSING AUTHORITY COVERING THE WHOLE
15 PERIOD FOR WHICH A LICENSE OR LICENSE RENEWAL IS SOUGHT.
16

17 (10) IN COMPUTING ANY PERIOD OF TIME PRESCRIBED BY THIS
18 ARTICLE, THE DAY OF THE ACT, EVENT, OR DEFAULT FROM WHICH THE
19 DESIGNATED PERIOD OF TIME BEGINS TO RUN SHALL NOT BE INCLUDED.
20 SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS SHALL BE COUNTED AS ANY
21 OTHER DAY.
22

23 (11) A LICENSEE SHALL REPORT EACH TRANSFER OR CHANGE OF
24 FINANCIAL INTEREST IN THE LICENSE TO THE STATE AND LOCAL LICENSING
25 AUTHORITIES, THIRTY DAYS PRIOR TO ANY TRANSFER OR CHANGE
26 PURSUANT TO SECTION 12-43.3-309. A REPORT SHALL BE REQUIRED FOR
27 TRANSFERS OF CAPITAL STOCK OF ANY CORPORATION REGARDLESS OF
28 SIZE.
29

30 (12) EACH LICENSEE SHALL MANAGE THE LICENSED PREMISES
31 HIMSELF OR HERSELF OR EMPLOY A SEPARATE AND DISTINCT MANAGER ON
32 THE PREMISES AND SHALL REPORT THE NAME OF THE MANAGER TO THE
33 STATE AND LOCAL LICENSING AUTHORITIES. THE LICENSEE SHALL REPORT
34 ANY CHANGE IN MANAGER TO THE STATE AND LOCAL LICENSING
35 AUTHORITIES THIRTY DAYS PRIOR TO THE CHANGE PURSUANT TO SECTION
36 12-43.3-309.
37

38 (13)(a) A LICENSEE MAY MOVE HIS OR HER PERMANENT LOCATION
39 TO ANY OTHER PLACE IN THE SAME MUNICIPALITY OR CITY AND COUNTY
40 FOR WHICH THE LICENSE WAS ORIGINALLY GRANTED, OR IN THE SAME
41 COUNTY IF THE LICENSE WAS GRANTED FOR A PLACE OUTSIDE THE
42 CORPORATE LIMITS OF A MUNICIPALITY OR CITY AND COUNTY, BUT IT
43 SHALL BE UNLAWFUL TO CULTIVATE, MANUFACTURE, DISTRIBUTE OR SELL
44 MEDICAL MARIJUANA AT ANY SUCH PLACE UNTIL PERMISSION TO DO SO IS
45 GRANTED BY THE STATE AND LOCAL LICENSING AUTHORITIES PROVIDED
46 FOR IN THIS ARTICLE.
47

48 (b) IN PERMITTING A CHANGE OF LOCATION, THE STATE AND LOCAL
49 LICENSING AUTHORITIES SHALL CONSIDER ALL REASONABLE RESTRICTIONS
50 THAT ARE OR MAY BE PLACED UPON THE NEW LOCATION BY THE
51 GOVERNING BOARD OR LOCAL LICENSING AUTHORITY OF THE
52 MUNICIPALITY, CITY AND COUNTY, OR COUNTY AND ANY SUCH CHANGE IN
53 LOCATION SHALL BE IN ACCORDANCE WITH ALL REQUIREMENTS OF THIS
54 ARTICLE AND RULES PROMULGATED PURSUANT TO THIS ARTICLE.
55

56 **12-43.3-311. License renewal.** (1) NINETY DAYS PRIOR TO THE

1 EXPIRATION DATE OF AN EXISTING LICENSE, THE STATE LICENSING
2 AUTHORITY SHALL NOTIFY THE LICENSEE OF THE EXPIRATION DATE BY
3 FIRST CLASS MAIL AT THE LICENSEE'S ADDRESS OF RECORD WITH THE
4 STATE LICENSING AUTHORITY. A LICENSEE SHALL APPLY FOR THE
5 RENEWAL OF AN EXISTING LICENSE TO THE LOCAL LICENSING AUTHORITY
6 NOT LESS THAN FORTY-FIVE DAYS AND TO THE STATE LICENSING
7 AUTHORITY NOT LESS THAN THIRTY DAYS PRIOR TO THE DATE OF
8 EXPIRATION. A LOCAL LICENSING AUTHORITY SHALL NOT ACCEPT AN
9 APPLICATION FOR RENEWAL OF A LICENSE AFTER THE DATE OF EXPIRATION,
10 EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION. THE STATE
11 LICENSING AUTHORITY MAY EXTEND THE EXPIRATION DATE OF THE
12 LICENSE AND ACCEPT A LATE APPLICATION FOR RENEWAL OF A LICENSE
13 PROVIDED THAT THE APPLICANT HAS FILED A TIMELY RENEWAL
14 APPLICATION WITH THE LOCAL LICENSING AUTHORITY. ALL RENEWALS
15 FILED WITH THE LOCAL LICENSING AUTHORITY AND SUBSEQUENTLY
16 APPROVED BY THE LOCAL LICENSING AUTHORITY SHALL NEXT BE
17 PROCESSED BY THE STATE LICENSING AUTHORITY. THE STATE OR THE
18 LOCAL LICENSING AUTHORITY, IN ITS DISCRETION, SUBJECT TO THE
19 REQUIREMENTS OF THIS SUBSECTION (1) AND SUBSECTION (2) OF THIS
20 SECTION AND BASED UPON REASONABLE GROUNDS, MAY WAIVE THE
21 FORTY-FIVE-DAY OR THIRTY-DAY TIME REQUIREMENTS SET FORTH IN THIS
22 SUBSECTION (1). THE LOCAL LICENSING AUTHORITY MAY HOLD A HEARING
23 ON THE APPLICATION FOR RENEWAL ONLY IF THE LICENSEE HAS HAD
24 COMPLAINTS FILED AGAINST IT, HAS A HISTORY OF VIOLATIONS, OR THERE
25 ARE ALLEGATIONS AGAINST THE LICENSEE THAT WOULD CONSTITUTE
26 GOOD CAUSE. THE LOCAL LICENSING AUTHORITY SHALL NOT HOLD A
27 RENEWAL HEARING PROVIDED FOR BY THIS SUBSECTION (1) UNTIL IT HAS
28 POSTED A NOTICE OF HEARING ON THE LICENSED PREMISES IN THE MANNER
29 DESCRIBED IN SECTION 12-43.3-302 (2) FOR A PERIOD OF TEN DAYS AND
30 PROVIDED NOTICE TO THE APPLICANT AT LEAST TEN DAYS PRIOR TO THE
31 HEARING. THE LOCAL LICENSING AUTHORITY MAY REFUSE TO RENEW ANY
32 LICENSE FOR GOOD CAUSE, SUBJECT TO JUDICIAL REVIEW.

33
34 (2) (a) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF
35 THIS SECTION, A LICENSEE WHOSE LICENSE HAS BEEN EXPIRED FOR NOT
36 MORE THAN NINETY DAYS MAY FILE A LATE RENEWAL APPLICATION UPON
37 THE PAYMENT OF A NONREFUNDABLE LATE APPLICATION FEE OF FIVE
38 HUNDRED DOLLARS TO THE LOCAL LICENSING AUTHORITY. A LICENSEE
39 WHO FILES A LATE RENEWAL APPLICATION AND PAYS THE REQUISITE FEES
40 MAY CONTINUE TO OPERATE UNTIL BOTH THE STATE AND LOCAL LICENSING
41 AUTHORITIES HAVE TAKEN FINAL ACTION TO APPROVE OR DENY THE
42 LICENSEE'S LATE RENEWAL APPLICATION UNLESS THE STATE OR LOCAL
43 LICENSING AUTHORITY SUMMARILY SUSPENDS THE LICENSE PURSUANT TO
44 ARTICLE 4 OF TITLE 24, C.R.S., THIS ARTICLE, AND RULES PROMULGATED
45 PURSUANT TO THIS ARTICLE.

46
47 (b) THE STATE AND LOCAL LICENSING AUTHORITIES MAY NOT
48 ACCEPT A LATE RENEWAL APPLICATION MORE THAN NINETY DAYS AFTER
49 THE EXPIRATION OF A LICENSEE'S PERMANENT ANNUAL LICENSE. A
50 LICENSEE WHOSE PERMANENT ANNUAL LICENSE HAS BEEN EXPIRED FOR
51 MORE THAN NINETY DAYS SHALL NOT CULTIVATE, MANUFACTURE,
52 DISTRIBUTE, OR SELL ANY MEDICAL MARIJUANA UNTIL ALL REQUIRED
53 LICENSES HAVE BEEN OBTAINED.

54
55 (c) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE LATE
56 APPLICATION FEE IN PARAGRAPH (a) OF THIS SUBSECTION (2), THE STATE

1 LICENSING AUTHORITY BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY
2 REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION
3 24-75-402 (3), C.R.S., BY REDUCING THE UNCOMMITTED RESERVES OF THE
4 FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE
5 UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE
6 STATE LICENSING AUTHORITY BY RULE OR AS OTHERWISE PROVIDED BY
7 LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-
8 75-402 (4), C.R.S.

9
10 **12-43.3-312. Inactive licenses.** THE STATE OR LOCAL LICENSING
11 AUTHORITY, IN ITS DISCRETION, MAY REVOKE OR ELECT NOT TO RENEW
12 ANY LICENSE IF IT DETERMINES THAT THE LICENSED PREMISES HAVE BEEN
13 INACTIVE, WITHOUT GOOD CAUSE, FOR AT LEAST ONE YEAR.

14
15 **12-43.3-313. Unlawful financial assistance.** (1) THE STATE
16 LICENSING AUTHORITY, BY RULE AND REGULATION, SHALL REQUIRE A
17 COMPLETE DISCLOSURE OF ALL PERSONS HAVING A DIRECT OR INDIRECT
18 FINANCIAL INTEREST, AND THE EXTENT OF SUCH INTEREST, IN EACH
19 LICENSE ISSUED UNDER THIS ARTICLE.

20
21 (2) A PERSON SHALL NOT HAVE AN UNREPORTED FINANCIAL
22 INTEREST IN A LICENSE PURSUANT TO THIS ARTICLE UNLESS THAT PERSON
23 HAS UNDERGONE A FINGERPRINT-BASED CRIMINAL HISTORY RECORD
24 CHECK AS PROVIDED FOR BY THE STATE LICENSING AUTHORITY IN ITS
25 RULES; EXCEPT THAT THIS SUBSECTION (2) SHALL NOT APPLY TO BANKS,
26 SAVINGS AND LOAN ASSOCIATIONS, OR INDUSTRIAL BANKS SUPERVISED
27 AND REGULATED BY AN AGENCY OF THE STATE OR FEDERAL GOVERNMENT,
28 OR TO FHA-APPROVED MORTGAGEES, OR TO STOCKHOLDERS, DIRECTORS,
29 OR OFFICERS THEREOF.

30
31 (3) THIS SECTION IS INTENDED TO PROHIBIT AND PREVENT THE
32 CONTROL OF THE OUTLETS FOR THE SALE OF MEDICAL MARIJUANA BY A
33 PERSON OR PARTY OTHER THAN THE PERSONS LICENSED PURSUANT TO THE
34 PROVISIONS OF THIS ARTICLE.

35 36 PART 4 37 LICENSE TYPES 38

39 **12-43.3-401. Classes of licenses.** (1) FOR THE PURPOSE OF
40 REGULATING THE CULTIVATION, MANUFACTURE, DISTRIBUTION, AND SALE
41 OF MEDICAL MARIJUANA, THE STATE LICENSING AUTHORITY IN ITS
42 DISCRETION, UPON APPLICATION IN THE PRESCRIBED FORM MADE TO IT,
43 MAY ISSUE AND GRANT TO THE APPLICANT A LICENSE FROM ANY OF THE
44 FOLLOWING CLASSES, SUBJECT TO THE PROVISIONS AND RESTRICTIONS
45 PROVIDED BY THIS ARTICLE:

46
47 (a) MEDICAL MARIJUANA CENTER LICENSE;

48
49 (b) OPTIONAL PREMISES CULTIVATION LICENSE;

50
51 (c) MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURING
52 LICENSE; AND

53
54 (d) OCCUPATIONAL LICENSES AND REGISTRATIONS FOR OWNERS,
55 MANAGERS, OPERATORS, EMPLOYEES, CONTRACTORS, AND OTHER
56 SUPPORT STAFF EMPLOYED BY, WORKING IN, OR HAVING ACCESS TO

1 RESTRICTED AREAS OF THE LICENSED PREMISES, AS DETERMINED BY THE
2 STATE LICENSING AUTHORITY. THE STATE LICENSING AUTHORITY MAY
3 TAKE ANY ACTION WITH RESPECT TO A REGISTRATION PURSUANT TO THIS
4 ARTICLE AS IT MAY WITH RESPECT TO A LICENSE PURSUANT TO THIS
5 ARTICLE, IN ACCORDANCE WITH THE PROCEDURES ESTABLISHED PURSUANT
6 TO THIS ARTICLE.

7
8 (2) ALL PERSONS LICENSED PURSUANT TO THIS ARTICLE SHALL
9 COLLECT SALES TAX ON ALL SALES MADE PURSUANT TO THE LICENSING
10 ACTIVITIES.

11
12 **12-43.3-402. Medical marijuana center license.** (1) A MEDICAL
13 MARIJUANA CENTER LICENSE SHALL BE ISSUED ONLY TO A PERSON SELLING
14 MEDICAL MARIJUANA PURSUANT TO THE TERMS AND CONDITIONS OF THIS
15 ARTICLE.

16
17 (2) (a) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, A
18 MEDICAL MARIJUANA CENTER LICENSEE MAY ALSO SELL EDIBLE MEDICAL
19 MARIJUANA-INFUSED PRODUCTS THAT ARE PREPACKAGED AND LABELED
20 SO AS TO CLEARLY INDICATE ALL OF THE FOLLOWING:

21
22 (I) THAT THE PRODUCT CONTAINS MEDICAL MARIJUANA;

23
24 (II) THAT THE PRODUCT IS MANUFACTURED WITHOUT ANY
25 REGULATORY OVERSIGHT FOR HEALTH, SAFETY, OR EFFICACY; AND

26
27 (III) THAT THERE MAY BE HEALTH RISKS ASSOCIATED WITH THE
28 CONSUMPTION OR USE OF THE PRODUCT.

29
30 (b) A LICENSED MEDICAL MARIJUANA CENTER MAY PERMIT THE
31 CONSUMPTION OF EDIBLE MEDICAL MARIJUANA-INFUSED PRODUCTS ON ITS
32 PREMISES AS LONG AS THE CONSUMPTION TAKES PLACE IN AN AREA
33 SEPARATE FROM WHERE MEDICAL MARIJUANA IS SOLD ON THE PREMISES.

34
35 (c) A MEDICAL MARIJUANA LICENSEE MAY CONTRACT WITH
36 MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURING LICENSEE FOR
37 THE MANUFACTURE OF MEDICAL MARIJUANA-INFUSED PRODUCTS UPON A
38 MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURING LICENSEE'S
39 LICENSED PREMISES.

40
41 (3) EVERY PERSON SELLING MEDICAL MARIJUANA AS PROVIDED
42 FOR IN THIS ARTICLE SHALL SELL ONLY MEDICAL MARIJUANA GROWN IN ITS
43 MEDICAL MARIJUANA OPTIONAL PREMISES LICENSED PURSUANT TO THIS
44 ARTICLE.

45
46 (4) NOTWITHSTANDING THE REQUIREMENTS OF SUBSECTION (3) OF
47 THIS SECTION, A MEDICAL MARIJUANA LICENSEE MAY PURCHASE NOT
48 MORE THAN THIRTY PERCENT OF ITS TOTAL ON-HAND INVENTORY OF
49 MEDICAL MARIJUANA FROM ANOTHER LICENSED MEDICAL MARIJUANA
50 CENTER IN COLORADO. A MEDICAL MARIJUANA CENTER MAY SELL NO
51 MORE THAN THIRTY PERCENT OF ITS TOTAL ON-HAND INVENTORY TO
52 ANOTHER COLORADO LICENSED MEDICAL MARIJUANA LICENSEE.

53
54 (5) PRIOR TO CONCLUDING A SALE, THE EMPLOYEE OF THE
55 MEDICAL MARIJUANA CENTER MAKING THE SALE SHALL VERIFY THAT THE
56 PURCHASER HAS A VALID REGISTRATION CARD ISSUED PURSUANT TO

1 SECTION 25-1.5-105, C.R.S., AND A VALID PICTURE IDENTIFICATION CARD
2 THAT MATCHES THE NAME ON THE REGISTRATION CARD.

3
4 (6) A LICENSED MEDICAL MARIJUANA CENTER MAY PROVIDE A
5 SMALL AMOUNT OF ITS MEDICAL MARIJUANA FOR TESTING TO A
6 LABORATORY THAT IS LICENSED PURSUANT TO THE OCCUPATIONAL
7 LICENSING RULES PROMULGATED PURSUANT TO SECTION 12-43.3-202 (2)
8 (a) (VIII), C.R.S.

9
10 **12-43.3-403. Optional premises cultivation license.** AN
11 OPTIONAL PREMISES CULTIVATION LICENSE MAY BE ISSUED ONLY TO A
12 PERSON LICENSED PURSUANT TO 12-43.3-402 (1) WHO GROWS AND
13 CULTIVATES MEDICAL MARIJUANA AT AN ADDITIONAL COLORADO
14 LICENSED PREMISES CONTIGUOUS OR NOT CONTIGUOUS WITH THE
15 LICENSED PREMISES OF THE PERSON'S MEDICAL MARIJUANA CENTER
16 LICENSE.

17
18 **12-43.3-404. Medical marijuana-infused products**
19 **manufacturing license.** (1) A MEDICAL MARIJUANA-INFUSED PRODUCTS
20 MANUFACTURING LICENSE MAY BE ISSUED TO A PERSON WHO
21 MANUFACTURES MEDICAL MARIJUANA-INFUSED PRODUCTS, PURSUANT TO
22 THE TERMS AND CONDITIONS OF THIS ARTICLE.

23
24 (2) MEDICAL MARIJUANA-INFUSED PRODUCTS SHALL BE PREPARED
25 ON A LICENSED PREMISES THAT IS USED EXCLUSIVELY FOR THE
26 MANUFACTURE AND PREPARATION OF MEDICAL MARIJUANA-INFUSED
27 PRODUCTS AND USING EQUIPMENT THAT IS USED EXCLUSIVELY FOR THE
28 MANUFACTURE AND PREPARATION OF MEDICAL MARIJUANA-INFUSED
29 PRODUCTS.

30
31 (3) A MEDICAL MARIJUANA-INFUSED PRODUCTS LICENSEE SHALL
32 HAVE A WRITTEN AGREEMENT OR CONTRACT WITH A MEDICAL MARIJUANA
33 CENTER LICENSEE, WHICH CONTRACT SHALL AT A MINIMUM SET FORTH THE
34 TOTAL AMOUNT OF MEDICAL MARIJUANA OBTAINED FROM A MEDICAL
35 MARIJUANA CENTER LICENSEE TO BE USED IN THE MANUFACTURING
36 PROCESS, AND THE TOTAL AMOUNT OF MEDICAL MARIJUANA-INFUSED
37 PRODUCTS TO BE EXCLUSIVELY MANUFACTURED FROM THE MEDICAL
38 MARIJUANA OBTAINED FROM THE MEDICAL MARIJUANA CENTER. THE
39 MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURING LICENSEE MAY
40 SELL ITS PRODUCTS TO ANY LICENSED MEDICAL MARIJUANA CENTER.

41
42 (4) ALL LICENSED PREMISES ON WHICH MEDICAL
43 MARIJUANA-INFUSED PRODUCTS ARE MANUFACTURED SHALL MEET THE
44 SANITARY STANDARDS FOR MEDICAL MARIJUANA-INFUSED PRODUCT
45 PREPARATION PROMULGATED PURSUANT TO SECTION 12-43.3-202 (2) (a)
46 (XII).

47
48 (5) THE MEDICAL MARIJUANA-INFUSED PRODUCT SHALL BE SEALED
49 AND CONSPICUOUSLY LABELED IN COMPLIANCE WITH THIS ARTICLE AND
50 ANY RULES PROMULGATED PURSUANT TO THIS ARTICLE.

51
52 (6) MEDICAL MARIJUANA-INFUSED PRODUCTS MAY NOT BE
53 UNSEALED OR CONSUMED ON A PREMISES LICENSED PURSUANT TO THIS
54 ARTICLE.

55
56 (7) NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW,

1 SALES OF MEDICAL MARIJUANA-INFUSED PRODUCTS SHALL NOT BE EXEMPT
2 FROM STATE OR LOCAL SALES TAX.

3
4 PART 5
5 FEES
6

7 **12-43.3-501. Medical marijuana license cash fund.** ALL
8 MONEYS COLLECTED BY THE STATE LICENSING AUTHORITY PURSUANT TO
9 THIS ARTICLE SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO
10 SHALL CREDIT THE SAME TO THE MEDICAL MARIJUANA LICENSE CASH
11 FUND, WHICH FUND IS HEREBY CREATED AND REFERRED TO IN THIS
12 SECTION AS THE "FUND". THE MONEYS IN THE FUND SHALL BE SUBJECT TO
13 ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE
14 DEPARTMENT OF REVENUE FOR THE DIRECT AND INDIRECT COSTS
15 ASSOCIATED WITH IMPLEMENTING THIS ARTICLE. ANY MONEYS IN THE
16 FUND NOT EXPENDED FOR THE PURPOSE OF THIS ARTICLE MAY BE
17 INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST
18 AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS
19 IN THE FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND
20 UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A
21 FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR
22 TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

23
24 (2) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE
25 BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT
26 OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-
27 402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO
28 WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED.
29 AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY
30 REDUCED, THE EXECUTIVE DIRECTOR BY RULE OR AS OTHERWISE
31 PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE
32 FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

33
34 (3) (a) THE STATE LICENSING AUTHORITY SHALL ESTABLISH FEES
35 FOR PROCESSING THE FOLLOWING TYPES OF APPLICATIONS, LICENSES,
36 NOTICES, OR REPORTS REQUIRED TO BE SUBMITTED TO THE STATE
37 LICENSING AUTHORITY:

38
39 (I) APPLICATIONS FOR LICENSES LISTED IN SECTION 12-43.3-401
40 AND RULES PROMULGATED PURSUANT TO THAT SECTION;

41
42 (II) APPLICATIONS TO CHANGE LOCATION PURSUANT TO SECTION
43 12-43.3-310 AND RULES PROMULGATED PURSUANT TO THAT SECTION;

44
45 (III) APPLICATIONS FOR TRANSFER OF OWNERSHIP PURSUANT TO
46 SECTION 12-43.3-310 AND RULES PROMULGATED PURSUANT TO THAT
47 SECTION;

48
49 (IV) LICENSE RENEWAL AND EXPIRED LICENSE RENEWAL
50 APPLICATIONS PURSUANT TO SECTION 12-43.3-311; AND

51
52 (V) LICENSES AS DEFINED IN SECTION 12-43.3-401.

53
54 (b) THE AMOUNTS OF SUCH FEES, WHEN ADDED TO THE OTHER FEES
55 TRANSFERRED TO THE FUND PURSUANT TO THIS SECTION SHALL REFLECT
56 THE DIRECT AND INDIRECT COSTS OF THE STATE LICENSING AUTHORITY IN

1 THE ADMINISTRATION AND ENFORCEMENT OF THIS ARTICLE.

2
3 (c) THE STATE LICENSING AUTHORITY MAY CHARGE APPLICANTS
4 LICENSED UNDER THIS ARTICLE A FEE FOR THE COST OF EACH FINGERPRINT
5 ANALYSIS AND BACKGROUND INVESTIGATION UNDERTAKEN TO QUALIFY
6 NEW OFFICERS, DIRECTORS, MANAGERS, OR EMPLOYEES.

7
8 (d) AT LEAST ANNUALLY, THE STATE LICENSING AUTHORITY SHALL
9 REVIEW THE AMOUNTS OF THE FEES AND, IF NECESSARY, ADJUST THE
10 AMOUNTS TO REFLECT THE DIRECT AND INDIRECT COSTS OF THE STATE
11 LICENSING AUTHORITY.

12
13 (3) EXCEPT AS PROVIDED IN SUBSECTION (4) OF THIS SECTION, THE
14 STATE LICENSING AUTHORITY SHALL ESTABLISH A BASIC FEE THAT SHALL
15 BE PAID AT THE TIME OF SERVICE OF ANY SUBPOENA UPON THE STATE
16 LICENSING AUTHORITY, PLUS A FEE FOR MEALS AND A FEE FOR MILEAGE AT
17 THE RATE PRESCRIBED FOR STATE OFFICERS AND EMPLOYEES IN SECTION
18 24-9-104, C.R.S., FOR EACH MILE ACTUALLY AND NECESSARILY TRAVELED
19 IN GOING TO AND RETURNING FROM THE PLACE NAMED IN THE SUBPOENA.
20 IF THE PERSON NAMED IN THE SUBPOENA IS REQUIRED TO ATTEND THE
21 PLACE NAMED IN THE SUBPOENA FOR MORE THAN ONE DAY, THERE SHALL
22 BE PAID, IN ADVANCE, A SUM TO BE ESTABLISHED BY THE STATE LICENSING
23 AUTHORITY FOR EACH DAY OF ATTENDANCE TO COVER THE EXPENSES OF
24 THE PERSON NAMED IN THE SUBPOENA.

25
26 (4) THE SUBPOENA FEE ESTABLISHED PURSUANT TO SUBSECTION
27 (3) OF THIS SECTION SHALL NOT BE APPLICABLE TO ANY FEDERAL, STATE
28 OR LOCAL GOVERNMENTAL AGENCY.

29
30 **12-43.3-502. Fees - allocation.** (1) EXCEPT AS OTHERWISE
31 PROVIDED, ALL FEES AND FINES PROVIDED FOR BY THIS ARTICLE SHALL BE
32 PAID TO THE DEPARTMENT OF REVENUE, WHICH SHALL TRANSMIT THE FEES
33 TO THE STATE TREASURER. THE STATE TREASURER SHALL CREDIT THE
34 FEES AND TAXES TO THE MEDICAL MARIJUANA LICENSE CASH FUND
35 CREATED IN SECTION 12-43.3-501.

36
37 (2) THE EXPENDITURES OF THE STATE LICENSING AUTHORITY
38 SHALL BE PAID OUT OF APPROPRIATIONS FROM MEDICAL MARIJUANA
39 LICENSE CASH FUND CREATED IN SECTION 12-43.3-501.

40
41 **12-43.3-503. Local license fees.** (1) EACH APPLICATION FOR A
42 LOCAL LICENSE PROVIDED FOR IN THIS ARTICLE FILED WITH A LOCAL
43 LICENSING AUTHORITY SHALL BE ACCOMPANIED BY AN APPLICATION FEE
44 IN AN AMOUNT DETERMINED BY THE LOCAL LICENSING AUTHORITY.

45
46 (2) LICENSE FEES AS DETERMINED BY THE LOCAL LICENSING
47 AUTHORITY SHALL BE PAID TO THE TREASURER OF THE MUNICIPALITY,
48 CITY AND COUNTY, OR COUNTY WHERE THE LICENSED PREMISES IS
49 LOCATED IN ADVANCE OF THE APPROVAL, DENIAL, OR RENEWAL OF THE
50 LICENSE.

51
52 PART 6
53 DISCIPLINARY ACTIONS

54
55 **12-43.3-601. Suspension - revocation - fines.** (1) IN ADDITION
56 TO ANY OTHER SANCTIONS PRESCRIBED BY THIS ARTICLE OR RULES

1 PROMULGATED PURSUANT TO THIS ARTICLE, THE STATE LICENSING
2 AUTHORITY OR A LOCAL LICENSING AUTHORITY HAS THE POWER, ON ITS
3 OWN MOTION OR ON COMPLAINT, AFTER INVESTIGATION AND OPPORTUNITY
4 FOR A PUBLIC HEARING AT WHICH THE LICENSEE SHALL BE AFFORDED AN
5 OPPORTUNITY TO BE HEARD, TO SUSPEND OR REVOKE A LICENSE ISSUED BY
6 THE RESPECTIVE AUTHORITY FOR A VIOLATION BY THE LICENSEE OR BY
7 ANY OF THE AGENTS OR EMPLOYEES OF THE LICENSEE OF THE PROVISIONS
8 OF THIS ARTICLE, OR ANY OF THE RULES PROMULGATED PURSUANT TO THIS
9 ARTICLE, OR OF ANY OF THE TERMS, CONDITIONS, OR PROVISIONS OF THE
10 LICENSE ISSUED BY THE STATE OR LOCAL LICENSING AUTHORITY. THE
11 STATE LICENSING AUTHORITY OR A LOCAL LICENSING AUTHORITY HAS THE
12 POWER TO ADMINISTER OATHS AND ISSUE SUBPOENAS TO REQUIRE THE
13 PRESENCE OF PERSONS AND THE PRODUCTION OF PAPERS, BOOKS, AND
14 RECORDS NECESSARY TO THE DETERMINATION OF A HEARING THAT THE
15 STATE OR LOCAL LICENSING AUTHORITY IS AUTHORIZED TO CONDUCT.

16
17 (2) THE STATE OR LOCAL LICENSING AUTHORITY SHALL PROVIDE
18 NOTICE OF SUSPENSION, REVOCATION, FINE, OR OTHER SANCTION, AS WELL
19 AS THE REQUIRED NOTICE OF THE HEARING PURSUANT TO SUBSECTION (1)
20 OF THIS SECTION, BY MAILING THE SAME IN WRITING TO THE LICENSEE AT
21 THE ADDRESS CONTAINED IN THE LICENSE. A SUSPENSION SHALL NOT BE
22 FOR A LONGER PERIOD THAN SIX MONTHS. IF A LICENSE IS SUSPENDED OR
23 REVOKED, A PART OF THE FEES PAID THEREFORE SHALL NOT BE RETURNED
24 TO THE LICENSEE. ANY LICENSE OR PERMIT MAY BE SUMMARILY
25 SUSPENDED BY THE ISSUING LICENSING AUTHORITY WITHOUT NOTICE
26 PENDING ANY PROSECUTION, INVESTIGATION, OR PUBLIC HEARING
27 PURSUANT TO THE TERMS OF SECTION 24-4-104 (4), C.R.S. NOTHING IN
28 THIS SECTION SHALL PREVENT THE SUMMARY SUSPENSION OF A LICENSE
29 PURSUANT TO SECTION 24-4-104 (4), C.R.S. EACH PATIENT REGISTERED
30 WITH A MEDICAL MARIJUANA CENTER THAT HAS HAD ITS LICENSE
31 SUMMARILY SUSPENDED MAY IMMEDIATELY TRANSFER HIS OR HER
32 PRIMARY CENTER TO ANOTHER LICENSED MEDICAL MARIJUANA CENTER.

33
34 (3) (a) WHENEVER A DECISION OF THE STATE LICENSING
35 AUTHORITY OR A LOCAL LICENSING AUTHORITY SUSPENDING A LICENSE
36 FOR FOURTEEN DAYS OR LESS BECOMES FINAL, THE LICENSEE MAY, BEFORE
37 THE OPERATIVE DATE OF THE SUSPENSION, PETITION FOR PERMISSION TO
38 PAY A FINE IN LIEU OF HAVING THE LICENSE SUSPENDED FOR ALL OR PART
39 OF THE SUSPENSION PERIOD. UPON THE RECEIPT OF THE PETITION, THE
40 STATE OR LOCAL LICENSING AUTHORITY MAY, IN ITS SOLE DISCRETION,
41 STAY THE PROPOSED SUSPENSION AND CAUSE ANY INVESTIGATION TO BE
42 MADE WHICH IT DEEMS DESIRABLE AND MAY, IN ITS SOLE DISCRETION,
43 GRANT THE PETITION IF THE STATE OR LOCAL LICENSING AUTHORITY IS
44 SATISFIED THAT:

45
46 (I) THE PUBLIC WELFARE AND MORALS WOULD NOT BE IMPAIRED
47 BY PERMITTING THE LICENSEE TO OPERATE DURING THE PERIOD SET FOR
48 SUSPENSION AND THAT THE PAYMENT OF THE FINE WILL ACHIEVE THE
49 DESIRED DISCIPLINARY PURPOSES;

50
51 (II) THE BOOKS AND RECORDS OF THE LICENSEE ARE KEPT IN SUCH
52 A MANNER THAT THE LOSS OF SALES THAT THE LICENSEE WOULD HAVE
53 SUFFERED HAD THE SUSPENSION GONE INTO EFFECT CAN BE DETERMINED
54 WITH REASONABLE ACCURACY; AND

55
56 (III) THE LICENSEE HAS NOT HAD HIS OR HER LICENSE SUSPENDED

1 OR REVOKED, NOR HAD ANY SUSPENSION STAYED BY PAYMENT OF A FINE,
2 DURING THE TWO YEARS IMMEDIATELY PRECEDING THE DATE OF THE
3 MOTION OR COMPLAINT THAT RESULTED IN A FINAL DECISION TO SUSPEND
4 THE LICENSE OR PERMIT.

5
6 (b) THE FINE ACCEPTED SHALL BE NOT LESS THAN FIVE HUNDRED
7 DOLLARS NOR MORE THAN ONE HUNDRED THOUSAND DOLLARS.

8
9 (c) PAYMENT OF A FINE PURSUANT TO THE PROVISIONS OF THIS
10 SUBSECTION (3) SHALL BE IN THE FORM OF CASH OR IN THE FORM OF A
11 CERTIFIED CHECK OR CASHIER'S CHECK MADE PAYABLE TO THE STATE OR
12 LOCAL LICENSING AUTHORITY, WHICHEVER IS APPROPRIATE.

13
14 (4) UPON PAYMENT OF THE FINE PURSUANT TO SUBSECTION (3) OF
15 THIS SECTION, THE STATE OR LOCAL LICENSING AUTHORITY SHALL ENTER
16 ITS FURTHER ORDER PERMANENTLY STAYING THE IMPOSITION OF THE
17 SUSPENSION. IF THE FINE IS PAID TO A LOCAL LICENSING AUTHORITY, THE
18 GOVERNING BODY OF THE AUTHORITY SHALL CAUSE THE MONEYS TO BE
19 PAID INTO THE GENERAL FUND OF THE LOCAL LICENSING AUTHORITY.
20 FINES PAID TO THE STATE LICENSING AUTHORITY PURSUANT TO
21 SUBSECTION (3) OF THIS SECTION SHALL BE TRANSMITTED TO THE STATE
22 TREASURER WHO SHALL CREDIT THE SAME TO THE MEDICAL MARIJUANA
23 LICENSE CASH FUND CREATED IN SECTION 12-43.3-501.

24
25 (5) IN CONNECTION WITH A PETITION PURSUANT TO SUBSECTION (3)
26 OF THIS SECTION, THE AUTHORITY OF THE STATE OR LOCAL LICENSING
27 AUTHORITY IS LIMITED TO THE GRANTING OF SUCH STAYS AS ARE
28 NECESSARY FOR THE AUTHORITY TO COMPLETE ITS INVESTIGATION AND
29 MAKE ITS FINDINGS AND, IF THE AUTHORITY MAKES SUCH FINDINGS, TO
30 THE GRANTING OF AN ORDER PERMANENTLY STAYING THE IMPOSITION OF
31 THE ENTIRE SUSPENSION OR THAT PORTION OF THE SUSPENSION NOT
32 OTHERWISE CONDITIONALLY STAYED.

33
34 (6) IF THE STATE OR LOCAL LICENSING AUTHORITY DOES NOT MAKE
35 THE FINDINGS REQUIRED IN PARAGRAPH (a) OF SUBSECTION (3) OF THIS
36 SECTION AND DOES NOT ORDER THE SUSPENSION PERMANENTLY STAYED,
37 THE SUSPENSION SHALL GO INTO EFFECT ON THE OPERATIVE DATE FINALLY
38 SET BY THE STATE OR LOCAL LICENSING AUTHORITY.

39
40 (7) EACH LOCAL LICENSING AUTHORITY SHALL REPORT ALL
41 ACTIONS TAKEN TO IMPOSE FINES, SUSPENSIONS, AND REVOCATIONS TO
42 THE STATE LICENSING AUTHORITY IN A MANNER REQUIRED BY THE STATE
43 LICENSING AUTHORITY. NO LATER THAN JANUARY 15 OF EACH YEAR, THE
44 STATE LICENSING AUTHORITY SHALL COMPILE A REPORT OF THE
45 PRECEDING YEAR'S ACTIONS IN WHICH FINES, SUSPENSIONS, OR
46 REVOCATIONS WERE IMPOSED BY LOCAL LICENSING AUTHORITIES AND BY
47 THE STATE LICENSING AUTHORITY. THE STATE LICENSING AUTHORITY
48 SHALL FILE ONE COPY OF THE REPORT WITH THE CHIEF CLERK OF THE
49 HOUSE OF REPRESENTATIVES, ONE COPY WITH THE SECRETARY OF THE
50 SENATE, AND SIX COPIES IN THE JOINT LEGISLATIVE LIBRARY.

51
52 PART 7
53 INSPECTION OF BOOKS AND RECORDS
54

55 **12-43.3-701. Inspection procedures.** (1) EACH LICENSEE SHALL
56 KEEP A COMPLETE SET OF ALL RECORDS NECESSARY TO SHOW FULLY THE

1 BUSINESS TRANSACTIONS OF THE LICENSEE, ALL OF WHICH SHALL BE OPEN
2 AT ALL TIMES DURING BUSINESS HOURS FOR THE INSPECTION AND
3 EXAMINATION OF THE STATE LICENSING AUTHORITY OR ITS DULY
4 AUTHORIZED REPRESENTATIVES. THE STATE LICENSING AUTHORITY MAY
5 REQUIRE ANY LICENSEE TO FURNISH SUCH INFORMATION AS IT CONSIDERS
6 NECESSARY FOR THE PROPER ADMINISTRATION OF THIS ARTICLE AND MAY
7 REQUIRE AN AUDIT TO BE MADE OF THE BOOKS OF ACCOUNT AND RECORDS
8 ON SUCH OCCASIONS AS IT MAY CONSIDER NECESSARY BY AN AUDITOR TO
9 BE SELECTED BY THE STATE LICENSING AUTHORITY WHO SHALL LIKEWISE
10 HAVE ACCESS TO ALL BOOKS AND RECORDS OF THE LICENSEE, AND THE
11 EXPENSE THEREOF SHALL BE PAID BY THE LICENSEE.
12

13 (2) THE LICENSED PREMISES, INCLUDING ANY PLACES OF STORAGE
14 WHERE MEDICAL MARIJUANA IS GROWN, STORED, CULTIVATED, SOLD, OR
15 DISPENSED, SHALL BE SUBJECT TO INSPECTION BY THE STATE OR LOCAL
16 LICENSING AUTHORITIES AND THEIR INVESTIGATORS, DURING ALL
17 BUSINESS HOURS AND OTHER TIMES OF APPARENT ACTIVITY, FOR THE
18 PURPOSE OF INSPECTION OR INVESTIGATION. FOR EXAMINATION OF ANY
19 INVENTORY OR BOOKS AND RECORDS REQUIRED TO BE KEPT BY THE
20 LICENSEES, ACCESS SHALL BE REQUIRED DURING BUSINESS HOURS. WHERE
21 ANY PART OF THE LICENSED PREMISES CONSISTS OF A LOCKED AREA, UPON
22 DEMAND TO THE LICENSEE, SUCH AREA SHALL BE MADE AVAILABLE FOR
23 INSPECTION WITHOUT DELAY, AND, UPON REQUEST BY AUTHORIZED
24 REPRESENTATIVES OF THE STATE OR LOCAL LICENSING AUTHORITY, THE
25 LICENSEE SHALL OPEN THE AREA FOR INSPECTION.
26

27 (3) EACH LICENSEE SHALL RETAIN ALL BOOKS AND RECORDS
28 NECESSARY TO SHOW FULLY THE BUSINESS TRANSACTIONS OF THE
29 LICENSEE FOR A PERIOD OF THE CURRENT TAX YEAR AND THE THREE
30 IMMEDIATELY PRIOR TAX YEARS.
31

32 PART 8 33 JUDICIAL REVIEW 34

35 **12-43.3-801. Judicial review.** DECISIONS BY THE STATE
36 LICENSING AUTHORITY OR A LOCAL LICENSING AUTHORITY SHALL BE
37 SUBJECT TO JUDICIAL REVIEW PURSUANT TO SECTION 24-4-106, C.R.S.
38

39 PART 9 40 UNLAWFUL ACTS - ENFORCEMENT 41

42 **12-43.3-901. Unlawful acts - exceptions.** (1) EXCEPT AS
43 OTHERWISE PROVIDED IN THIS ARTICLE, IT IS UNLAWFUL FOR A PERSON:
44

45 (a) TO CONSUME MEDICAL MARIJUANA IN A LICENSED MEDICAL
46 MARIJUANA CENTER, AND IT SHALL BE UNLAWFUL FOR A MEDICAL
47 MARIJUANA LICENSEE TO ALLOW MEDICAL MARIJUANA TO BE CONSUMED
48 UPON ITS LICENSED PREMISES; EXCEPT THAT EDIBLE MEDICAL MARIJUANA-
49 INFUSED PRODUCTS MAY BE CONSUMED ON THE PREMISES PURSUANT TO
50 SECTION 12-43.3-402 (2) (b); OR
51

52 (b) WITH KNOWLEDGE, TO PERMIT OR FAIL TO PREVENT THE USE OF
53 HIS OR HER REGISTRY IDENTIFICATION BY ANY OTHER PERSON FOR THE
54 UNLAWFUL PURCHASING OF MEDICAL MARIJUANA.
55

56 (2) IT IS UNLAWFUL FOR A PERSON TO BUY, SELL, TRANSFER, GIVE

1 AWAY, OR ACQUIRE MEDICAL MARIJUANA EXCEPT AS ALLOWED PURSUANT
2 TO THIS ARTICLE.

3
4 (3) IT IS UNLAWFUL FOR A PERSON LICENSED PURSUANT TO THIS
5 ARTICLE:

6
7 (a) TO BE WITHIN A LIMITED-ACCESS AREA UNLESS THE PERSON'S
8 LICENSE BADGE IS DISPLAYED AS REQUIRED BY THIS ARTICLE, EXCEPT AS
9 PROVIDED IN SECTION 12-43.3-701;

10
11 (b) TO FAIL TO DESIGNATE AREAS OF INGRESS AND EGRESS FOR
12 LIMITED-ACCESS AREAS AND POST SIGNS IN CONSPICUOUS LOCATIONS AS
13 REQUIRED BY THIS ARTICLE;

14
15 (c) TO FAIL TO REPORT A TRANSFER REQUIRED BY SECTION 12-
16 43.3-310 (11); OR

17
18 (d) TO FAIL TO REPORT THE NAME OF OR A CHANGE IN MANAGERS
19 AS REQUIRED BY SECTION 12-43.3-310 (12).

20
21 (4) IT IS UNLAWFUL FOR ANY PERSON LICENSED TO SELL MEDICAL
22 MARIJUANA PURSUANT TO THIS ARTICLE:

23
24 (a) TO DISPLAY ANY SIGNS THAT ARE INCONSISTENT WITH STATE
25 OR LOCAL LAWS OR REGULATIONS;

26
27 (b) TO USE ADVERTISING MATERIAL THAT IS MISLEADING,
28 DECEPTIVE, OR FALSE, OR THAT IS DESIGNED TO APPEAL TO MINORS;

29
30 (c) TO PROVIDE PUBLIC PREMISES, OR ANY PORTION THEREOF, FOR
31 THE PURPOSE OF CONSUMPTION OF MEDICAL MARIJUANA IN ANY FORM;
32 EXCEPT THAT EDIBLE MEDICAL MARIJUANA-INFUSED PRODUCTS MAY BE
33 CONSUMED ON THE PREMISES PURSUANT TO SECTION 12-43.3-402 (2) (b);

34
35 (d) (I) TO SELL MEDICAL MARIJUANA TO A PERSON NOT LICENSED
36 PURSUANT TO THIS ARTICLE OR TO A PERSON NOT ABLE TO PRODUCE A
37 VALID PATIENT REGISTRY IDENTIFICATION CARD. NOTWITHSTANDING ANY
38 PROVISION IN THIS SUBPARAGRAPH (I) TO THE CONTRARY, A PERSON
39 UNDER TWENTY-ONE YEARS OF AGE SHALL NOT BE EMPLOYED TO SELL OR
40 DISPENSE MEDICAL MARIJUANA AT A MEDICAL MARIJUANA CENTER OR
41 GROW OR CULTIVATE MEDICAL MARIJUANA AT AN OPTIONAL PREMISES
42 CULTIVATION OPERATION.

43
44 (II) IF A LICENSEE OR A LICENSEE'S EMPLOYEE HAS REASONABLE
45 CAUSE TO BELIEVE THAT A PERSON IS EXHIBITING A FRAUDULENT PATIENT
46 REGISTRY IDENTIFICATION CARD IN AN ATTEMPT TO OBTAIN MEDICAL
47 MARIJUANA, THE LICENSEE OR EMPLOYEE SHALL BE AUTHORIZED TO
48 CONFISCATE THE FRAUDULENT PATIENT REGISTRY IDENTIFICATION CARD,
49 IF POSSIBLE, AND SHALL, WITHIN SEVENTY-TWO HOURS AFTER THE
50 CONFISCATION, TURN IT OVER TO THE STATE HEALTH DEPARTMENT OR
51 LOCAL LAW ENFORCEMENT AGENCY. THE FAILURE TO CONFISCATE THE
52 FRAUDULENT PATIENT REGISTRY IDENTIFICATION CARD OR TO TURN IT
53 OVER TO THE STATE HEALTH DEPARTMENT OR A STATE OR LOCAL LAW
54 ENFORCEMENT AGENCY WITHIN SEVENTY-TWO HOURS AFTER THE
55 CONFISCATION SHALL NOT CONSTITUTE A CRIMINAL OFFENSE.

56

1 (e) TO POSSESS MORE THAN SIX MEDICAL MARIJUANA PLANTS AND
2 TWO OUNCES OF MEDICAL MARIJUANA FOR EACH PATIENT WHO HAS
3 REGISTERED THE CENTER AS HIS OR HER PRIMARY CENTER PURSUANT TO
4 SECTION 25-1.5-106 (6) (f), C.R.S.; EXCEPT THAT A MEDICAL MARIJUANA
5 CENTER MAY HAVE AN AMOUNT THAT EXCEEDS THE SIX-PLANT AND TWO-
6 OUNCE PRODUCT PER PATIENT LIMIT IF THE CENTER SELLS TO PATIENTS
7 THAT ARE AUTHORIZED TO HAVE MORE THAN SIX PLANTS AND TWO
8 OUNCES OF PRODUCT. IN THE CASE OF A PATIENT AUTHORIZED TO EXCEED
9 THE SIX-PLANT AND TWO-OUNCE LIMIT, THE CENTER SHALL OBTAIN
10 DOCUMENTATION FROM THE PATIENT'S PHYSICIAN THAT THE PATIENT
11 NEEDS MORE THAN SIX PLANTS AND TWO OUNCES OF PRODUCT.

12
13 (f) TO OFFER FOR SALE OR SOLICIT AN ORDER FOR MEDICAL
14 MARIJUANA IN PERSON EXCEPT WITHIN THE LICENSED PREMISES;

15
16 (g) TO HAVE IN POSSESSION OR UPON THE LICENSED PREMISES ANY
17 MEDICAL MARIJUANA, THE SALE OF WHICH IS NOT PERMITTED BY THE
18 LICENSE;

19
20 (h) TO BUY MEDICAL MARIJUANA FROM A PERSON NOT LICENSED
21 TO SELL AS PROVIDED BY THIS ARTICLE;

22
23 (i) TO SELL MEDICAL MARIJUANA EXCEPT IN THE PERMANENT
24 LOCATION SPECIFICALLY DESIGNATED IN THE LICENSE FOR SALE;

25
26 (j) TO HAVE ON THE LICENSED PREMISES ANY MEDICAL MARIJUANA
27 OR MARIJUANA PARAPHERNALIA THAT SHOWS EVIDENCE OF THE MEDICAL
28 MARIJUANA HAVING BEEN CONSUMED OR PARTIALLY CONSUMED; OR

29
30 (k) TO REQUIRE A MEDICAL MARIJUANA CENTER OR MEDICAL
31 MARIJUANA CENTER WITH AN OPTIONAL PREMISES CULTIVATION LICENSE
32 TO MAKE DELIVERY TO ANY PREMISES OTHER THAN THE SPECIFIC LICENSED
33 PREMISES WHERE THE MEDICAL MARIJUANA IS TO BE SOLD.

34
35 (5) EXCEPT FOR AS PROVIDED IN SECTIONS 12-43.3-402 (4), 12-
36 43.3-403, AND 12-43.3-404, IT IS UNLAWFUL FOR A MEDICAL MARIJUANA
37 CENTER OR MEDICAL MARIJUANA CENTER WITH AN OPTIONAL PREMISES
38 CULTIVATION LICENSE TO SELL, DELIVER, OR CAUSE TO BE DELIVERED TO
39 A LICENSEE ANY MEDICAL MARIJUANA NOT GROWN UPON ITS LICENSED
40 PREMISES, OR FOR A LICENSEE OR MEDICAL MARIJUANA CENTER WITH AN
41 OPTIONAL PREMISES CULTIVATION LICENSE TO SELL, POSSESS, OR PERMIT
42 SALE OF MEDICAL MARIJUANA NOT GROWN UPON ITS LICENSED PREMISES.
43 A VIOLATION OF THE PROVISIONS OF THIS SUBSECTION (5) BY A LICENSEE
44 SHALL BE GROUNDS FOR THE IMMEDIATE REVOCATION OF THE LICENSE
45 GRANTED UNDER THIS ARTICLE.

46
47 (6) IT SHALL BE UNLAWFUL FOR A PHYSICIAN WHO MAKES PATIENT
48 REFERRALS TO A LICENSED MEDICAL MARIJUANA CENTER TO RECEIVE
49 ANYTHING OF VALUE FROM THE MEDICAL MARIJUANA CENTER LICENSEE
50 OR ITS AGENTS, SERVANTS, OFFICERS, OR OWNERS OR ANYONE
51 FINANCIALLY INTERESTED IN THE LICENSEE, AND IT SHALL BE UNLAWFUL
52 FOR A LICENSEE LICENSED PURSUANT TO THIS ARTICLE TO OFFER
53 ANYTHING OF VALUE TO A MEDICAL DOCTOR FOR MAKING PATIENT
54 REFERRALS TO THE LICENSED MEDICAL MARIJUANA CENTER.

55
56 (7) A PERSON WHO COMMITS ANY OF THE UNLAWFUL ACTS IN THIS

1 SECTION COMMITS A CLASS 2 MISDEMEANOR AND SHALL BE PUNISHED AS
2 PROVIDED IN SECTION 18-1.3-501, C.R.S.

3
4 **SECTION 2.** 25-1.5-106, Colorado Revised Statutes, is amended
5 to read:

6
7 **25-1.5-106. Medical marijuana program - powers and duties**
8 **of the state health agency.** (1) **Legislative declaration.** (a) THE
9 GENERAL ASSEMBLY HEREBY DECLARES THAT IT IS NECESSARY TO
10 IMPLEMENT RULES TO ENSURE THAT PATIENTS SUFFERING FROM
11 LEGITIMATE DEBILITATING MEDICAL CONDITIONS ARE ABLE TO SAFELY
12 GAIN ACCESS TO MEDICAL MARIJUANA AND TO ENSURE THAT THESE
13 PATIENTS:

14
15 (I) ARE NOT SUBJECT TO CRIMINAL PROSECUTION FOR THEIR USE
16 OF MEDICAL MARIJUANA IN ACCORDANCE WITH SECTION 14 OF ARTICLE
17 XVIII OF THE STATE CONSTITUTION, THIS SECTION, AND THE RULES OF THE
18 STATE HEALTH AGENCY; AND

19
20 (II) ARE ABLE TO ESTABLISH AN AFFIRMATIVE DEFENSE TO THEIR
21 USE OF MEDICAL MARIJUANA IN ACCORDANCE WITH SECTION 14 OF
22 ARTICLE XVIII OF THE STATE CONSTITUTION, THIS SECTION, AND THE
23 RULES OF THE STATE HEALTH AGENCY.

24
25 (b) THE GENERAL ASSEMBLY HEREBY DECLARES THAT IT IS
26 NECESSARY TO IMPLEMENT RULES TO PREVENT PERSONS WHO DO NOT
27 SUFFER FROM LEGITIMATE DEBILITATING MEDICAL CONDITIONS FROM
28 USING SECTION 14 OF ARTICLE XVIII OF THE STATE CONSTITUTION AS A
29 MEANS TO SELL, ACQUIRE, POSSESS, PRODUCE, USE, OR TRANSPORT
30 MARIJUANA IN VIOLATION OF STATE AND FEDERAL LAWS.

31
32 (2) **Definitions.** IN ADDITION TO THE DEFINITIONS SET FORTH IN
33 SECTION 14 (1) OF ARTICLE XVIII OF THE STATE CONSTITUTION, AS USED
34 IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "PRIMARY
35 CAREGIVER" MEANS A NATURAL PERSON, OTHER THAN THE PATIENT OR
36 THE PATIENT'S PHYSICIAN, WHO IS EIGHTEEN YEARS OF AGE OR OLDER AND
37 HAS SIGNIFICANT RESPONSIBILITY FOR MANAGING THE WELL-BEING OF A
38 PATIENT WHO HAS A DEBILITATING MEDICAL CONDITION.

39
40 ~~(1)~~ (3) **Rule-making.** THE STATE HEALTH AGENCY MAY
41 PROMULGATE RULES REGARDING THE FOLLOWING:

42
43 (I) WHAT CONSTITUTES "SIGNIFICANT RESPONSIBILITY FOR
44 MANAGING THE WELL-BEING OF A PATIENT";

45
46 (II) THE DEVELOPMENT OF A FORM FOR A PRIMARY CAREGIVER TO
47 USE IN APPLYING TO THE REGISTRY, WHICH FORM SHALL REQUIRE, AT A
48 MINIMUM, THAT THE APPLICANT PROVIDE HIS OR HER FULL NAME, HOME
49 ADDRESS, DATE OF BIRTH, AND AN ATTESTATION THAT THE APPLICANT HAS
50 A SIGNIFICANT RESPONSIBILITY FOR MANAGING THE WELL-BEING OF THE
51 PATIENT FOR WHOM HE OR SHE IS DESIGNATED AS THE PRIMARY
52 CAREGIVER AND THAT HE OR SHE UNDERSTANDS AND WILL ABIDE BY
53 SECTION 14 OF ARTICLE XVIII OF THE STATE CONSTITUTION, THIS SECTION,
54 AND THE RULES PROMULGATED BY THE STATE HEALTH AGENCY PURSUANT
55 TO THIS SECTION;

56

1 (III) THE DEVELOPMENT OF A FORM THAT CONSTITUTES "WRITTEN
2 DOCUMENTATION", AS DEFINED AND USED IN SECTION 14 OF ARTICLE
3 XVIII OF THE STATE CONSTITUTION, WHICH FORM A PHYSICIAN SHALL USE
4 WHEN MAKING A MEDICAL MARIJUANA RECOMMENDATION FOR A PATIENT;
5 AND

6
7 (IV) THE GROUNDS AND PROCEDURE FOR A PATIENT TO CHANGE
8 HIS OR HER DESIGNATED PRIMARY CAREGIVER.
9

10 (4) NOTWITHSTANDING ANY OTHER REQUIREMENTS TO THE
11 CONTRARY, NOTICE ISSUED BY THE STATE HEALTH AGENCY FOR A
12 RULEMAKING HEARING PURSUANT TO SECTION 24-4-103, C.R.S., FOR
13 RULES CONCERNING THE MEDICAL MARIJUANA PROGRAM SHALL BE
14 SUFFICIENT IF THE STATE HEALTH AGENCY PROVIDES THE NOTICE NO
15 LATER THAN FORTY-FIVE DAYS IN ADVANCE OF THE RULEMAKING HEARING
16 IN AT LEAST ONE PUBLICATION IN A NEWSPAPER OF GENERAL
17 DISTRIBUTION IN THE STATE AND POSTS THE NOTICE ON THE STATE HEALTH
18 AGENCY'S WEB SITE; EXCEPT THAT EMERGENCY RULES PURSUANT TO
19 SECTION 24-4-103 (6), C.R.S., SHALL NOT REQUIRE ADVANCE NOTICE.
20

21 (5) **Primary caregivers.** (a) A PRIMARY CAREGIVER MAY NOT
22 DELEGATE TO ANY OTHER PERSON HIS OR HER AUTHORITY TO PROVIDE
23 MEDICAL MARIJUANA TO A PATIENT NOR MAY A PRIMARY CAREGIVER
24 ENGAGE OTHERS TO ASSIST IN PROVIDING MEDICAL MARIJUANA TO A
25 PATIENT.
26

27 (b) TWO OR MORE PRIMARY CAREGIVERS SHALL NOT JOIN
28 TOGETHER FOR THE PURPOSE OF CULTIVATING MEDICAL MARIJUANA.
29

30 (c) ONLY A MEDICAL MARIJUANA CENTER WITH AN OPTIONAL
31 PREMISES CULTIVATION LICENSE OR A PRIMARY CAREGIVER FOR HIS OR
32 HER PATIENTS OR A PATIENT FOR HIMSELF OR HERSELF MAY CULTIVATE OR
33 PROVIDE MARIJUANA AND ONLY FOR MEDICAL USE.
34

35 (d) A PRIMARY CAREGIVER SHALL PROVIDE TO A LAW
36 ENFORCEMENT AGENCY, UPON INQUIRY, THE REGISTRY IDENTIFICATION
37 CARD NUMBER OF EACH OF HIS OR HER PATIENTS. THE STATE HEALTH
38 AGENCY SHALL MAINTAIN A REGISTRY OF THIS INFORMATION AND MAKE
39 IT AVAILABLE TWENTY-FOUR HOURS PER DAY AND SEVEN DAYS A WEEK TO
40 LAW ENFORCEMENT FOR VERIFICATION PURPOSES. UPON INQUIRY BY A
41 LAW ENFORCEMENT OFFICER AS TO AN INDIVIDUAL'S STATUS AS A PATIENT
42 OR PRIMARY CAREGIVER, THE STATE HEALTH AGENCY SHALL CHECK THE
43 REGISTRY. IF THE INDIVIDUAL IS NOT REGISTERED AS A PATIENT OR
44 PRIMARY CAREGIVER, THE STATE HEALTH AGENCY MAY PROVIDE THAT
45 RESPONSE TO LAW ENFORCEMENT. IF THE PERSON IS A REGISTERED
46 PATIENT OR PRIMARY CAREGIVER, THE STATE HEALTH AGENCY MAY NOT
47 RELEASE INFORMATION UNLESS CONSISTENT WITH SECTION 14 OF ARTICLE
48 XVIII OF THE STATE CONSTITUTION. THE STATE HEALTH AGENCY MAY
49 PROMULGATE RULES TO PROVIDE FOR THE EFFICIENT ADMINISTRATION OF
50 THIS PARAGRAPH (d).
51

52 (6) **Patient - primary caregiver relationship.** (a) A PERSON
53 SHALL BE LISTED AS A PRIMARY CAREGIVER FOR NO MORE THAN FIVE
54 PATIENTS ON THE MEDICAL MARIJUANA PROGRAM REGISTRY AT ANY GIVEN
55 TIME; EXCEPT THAT THE STATE HEALTH AGENCY MAY ALLOW A PRIMARY
56 CAREGIVER TO CIRCUMSTANCES, AND A PRIMARY CAREGIVER MAY SERVE

1 NO MORE THAN SIXTEEN PATIENTS IF THE LOCALITY WHERE THE PRIMARY
2 CAREGIVER LIVES HAS BANNED MEDICAL MARIJUANA CENTERS. IN
3 DETERMINING WHETHER EXCEPTIONAL CIRCUMSTANCES EXIST, THE STATE
4 HEALTH AGENCY MAY CONSIDER THE PROXIMITY OF MEDICAL MARIJUANA
5 CENTERS TO THE PATIENT. A PRIMARY CAREGIVER SHALL MAINTAIN A LIST
6 OF HIS OR HER PATIENTS INCLUDING THE REGISTRY IDENTIFICATION CARD
7 NUMBER OF EACH PATIENT AT ALL TIMES.

8
9 (b) A PATIENT SHALL HAVE ONLY ONE PRIMARY CAREGIVER AT
10 ANY GIVEN TIME.

11
12 (c) A PATIENT WHO HAS DESIGNATED A PRIMARY CAREGIVER FOR
13 HIMSELF OR HERSELF MAY NOT BE DESIGNATED AS A PRIMARY CAREGIVER
14 FOR ANOTHER PATIENT.

15
16 (d) A PRIMARY CAREGIVER MAY NOT CHARGE A PATIENT MORE
17 THAN THE COST OF CULTIVATING OR PURCHASING THE MEDICAL
18 MARIJUANA, BUT MAY CHARGE FOR CAREGIVER SERVICES.

19
20 (e) (I) THE STATE HEALTH AGENCY SHALL MAINTAIN A SECURE
21 AND CONFIDENTIAL REGISTRY OF AVAILABLE PRIMARY CAREGIVERS FOR
22 THOSE PATIENTS WHO ARE UNABLE TO SECURE THE SERVICES OF A
23 PRIMARY CAREGIVER.

24
25 (II) AN EXISTING PRIMARY CAREGIVER MAY INDICATE AT THE TIME
26 OF REGISTRATION WHETHER HE OR SHE WOULD BE WILLING TO HANDLE
27 ADDITIONAL PATIENTS AND WAIVE CONFIDENTIALITY TO ALLOW RELEASE
28 OF HIS OR HER CONTACT INFORMATION TO PHYSICIANS OR REGISTERED
29 PATIENTS ONLY.

30
31 (III) AN INDIVIDUAL WHO IS NOT REGISTERED BUT IS WILLING TO
32 PROVIDE PRIMARY CAREGIVING SERVICES MAY SUBMIT HIS OR HER
33 CONTACT INFORMATION TO BE PLACED ON THE PRIMARY CAREGIVER
34 REGISTRY.

35
36 (IV) A PATIENT-PRIMARY CAREGIVER ARRANGEMENT SECURED
37 PURSUANT TO THIS PARAGRAPH (e) SHALL BE STRICTLY BETWEEN THE
38 PATIENT AND THE POTENTIAL PRIMARY CAREGIVER. THE STATE HEALTH
39 AGENCY, BY PROVIDING THE INFORMATION REQUIRED BY THIS PARAGRAPH
40 (e), SHALL NOT ENDORSE OR VOUCH FOR A PRIMARY CAREGIVER. TO PASS
41 THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK, THE
42 PRIMARY CAREGIVER SHALL NOT HAVE BEEN CONVICTED OF A FELONY
43 PURSUANT TO PART 4 OF ARTICLE 18 OF TITLE 18, C.R.S., WITHIN THE FIVE
44 YEARS PRECEDING THE CRIMINAL HISTORY RECORD CHECK.

45
46 (V) THE STATE HEALTH AGENCY MAY MAKE AN EXCEPTION, BASED
47 ON A REQUEST FROM A PATIENT, TO PARAGRAPH (a) OF THIS SUBSECTION
48 (6) LIMITING PRIMARY CAREGIVERS TO FIVE PATIENTS. IF THE STATE
49 HEALTH AGENCY MAKES AN EXCEPTION TO THE LIMIT, THE STATE HEALTH
50 AGENCY SHALL NOTE THE EXCEPTION ON THE PRIMARY CAREGIVER'S
51 RECORD IN THE REGISTRY.

52
53 (f) AT THE TIME A PATIENT APPLIES FOR INCLUSION ON THE
54 CONFIDENTIAL REGISTRY, THE PATIENT SHALL INDICATE WHETHER THE
55 PATIENT INTENDS TO CULTIVATE HIS OR HER OWN MEDICAL MARIJUANA OR
56 INTENDS TO OBTAIN IT FROM EITHER A PRIMARY CAREGIVER OR A

1 LICENSED MEDICAL MARIJUANA CENTER. IF THE PATIENT ELECTS TO USE
2 A LICENSED MEDICAL MARIJUANA CENTER, THE PATIENT SHALL REGISTER
3 THE PRIMARY CENTER HE OR SHE INTENDS TO USE.
4

5 **(7) Registry identification card required - denial - revocation -**
6 **renewal.** (a) TO BE CONSIDERED IN COMPLIANCE WITH THE PROVISIONS
7 OF SECTION 14 OF ARTICLE XVIII OF THE STATE CONSTITUTION, THIS
8 SECTION, AND THE RULES OF THE STATE HEALTH AGENCY, A PATIENT OR
9 PRIMARY CAREGIVER SHALL HAVE HIS OR HER REGISTRY IDENTIFICATION
10 CARD IN HIS OR HER POSSESSION AT ALL TIMES THAT HE OR SHE IS IN
11 POSSESSION OF ANY FORM OF MEDICAL MARIJUANA AND PRODUCE THE
12 SAME UPON REQUEST OF A LAW ENFORCEMENT OFFICER TO DEMONSTRATE
13 THAT THE PATIENT OR PRIMARY CAREGIVER IS NOT IN VIOLATION OF THE
14 LAW; EXCEPT THAT, IF MORE THAN THIRTY-FIVE DAYS HAVE PASSED SINCE
15 THE DATE THE PATIENT OR PRIMARY CAREGIVER FILED HIS OR HER
16 MEDICAL MARIJUANA PROGRAM APPLICATION AND THE STATE HEALTH
17 AGENCY HAS NOT YET ISSUED OR DENIED A REGISTRY IDENTIFICATION
18 CARD, A COPY OF THE PATIENT'S OR PRIMARY CAREGIVER'S APPLICATION
19 ALONG WITH PROOF OF THE DATE OF SUBMISSION SHALL BE IN THE
20 PATIENT'S OR PRIMARY CAREGIVER'S POSSESSION AT ALL TIMES THAT HE
21 OR SHE IS IN POSSESSION OF ANY FORM OF MEDICAL MARIJUANA UNTIL THE
22 STATE HEALTH AGENCY ISSUES OR DENIES THE REGISTRY IDENTIFICATION
23 CARD. A PERSON WHO VIOLATES SECTION 14 OF ARTICLE XVIII OF THE
24 STATE CONSTITUTION, THIS SECTION, OR THE RULES PROMULGATED BY THE
25 STATE HEALTH AGENCY MAY BE SUBJECT TO CRIMINAL PROSECUTION FOR
26 VIOLATIONS OF SECTION 18-18-406, C.R.S.
27

28 (b) THE STATE HEALTH AGENCY MAY DENY A PATIENT'S OR
29 PRIMARY CAREGIVER'S APPLICATION FOR A REGISTRY IDENTIFICATION
30 CARD OR REVOKE THE CARD IF THE STATE HEALTH AGENCY, IN
31 ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S., DETERMINES THAT THE
32 PHYSICIAN WHO DIAGNOSED THE PATIENT'S DEBILITATING MEDICAL
33 CONDITION, THE PATIENT, OR THE PRIMARY CAREGIVER VIOLATED SECTION
34 14 OF ARTICLE XVIII OF THE STATE CONSTITUTION, THIS SECTION, OR THE
35 RULES PROMULGATED BY THE STATE HEALTH AGENCY PURSUANT TO THIS
36 SECTION; EXCEPT THAT A PATIENT'S APPLICATION OR REGISTRY
37 IDENTIFICATION CARD MAY ONLY BE DENIED OR REVOKED BASED ON A
38 PHYSICIAN'S VIOLATION THAT IS RELATED TO THE ISSUANCE OF A MEDICAL
39 MARIJUANA RECOMMENDATION.
40

41 (c) A PATIENT OR PRIMARY CAREGIVER REGISTRY IDENTIFICATION
42 CARD SHALL BE VALID FOR ONE YEAR AND SHALL CONTAIN A UNIQUE
43 IDENTIFICATION NUMBER. IT SHALL BE THE RESPONSIBILITY OF THE
44 PATIENT OR PRIMARY CAREGIVER TO APPLY TO RENEW HIS OR HER
45 REGISTRY IDENTIFICATION CARD PRIOR TO THE DATE ON WHICH THE CARD
46 EXPIRES. THE STATE HEALTH AGENCY SHALL DEVELOP A FORM FOR A
47 PATIENT OR PRIMARY CAREGIVER TO USE IN RENEWING HIS OR HER
48 REGISTRY IDENTIFICATION CARD.
49

50 **(8) Use of medical marijuana.** (a) THE USE OF MEDICAL
51 MARIJUANA IS ALLOWED UNDER STATE LAW TO THE EXTENT THAT IT IS
52 CARRIED OUT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 14 OF
53 ARTICLE XVIII OF THE STATE CONSTITUTION, THIS SECTION, AND THE
54 RULES OF THE STATE HEALTH AGENCY.
55

56 (b) A PATIENT OR PRIMARY CAREGIVER SHALL NOT:

- 1 (I) ENGAGE IN THE MEDICAL USE OF MARIJUANA IN A WAY THAT
2 ENDANGERS THE HEALTH AND WELL-BEING OF A PERSON;
3
- 4 (II) ENGAGE IN THE MEDICAL USE OF MARIJUANA IN PLAIN VIEW OF
5 OR IN A PLACE OPEN TO THE GENERAL PUBLIC;
6
- 7 (III) UNDERTAKE ANY TASK WHILE UNDER THE INFLUENCE OF
8 MEDICAL MARIJUANA, WHEN DOING SO WOULD CONSTITUTE NEGLIGENCE
9 OR PROFESSIONAL MALPRACTICE;
10
- 11 (IV) POSSESS MEDICAL MARIJUANA OR OTHERWISE ENGAGE IN THE
12 USE OF MEDICAL MARIJUANA IN A SCHOOL BUS;
13
- 14 (V) ENGAGE IN THE USE OF MEDICAL MARIJUANA WHILE:
15
- 16 (A) IN A CORRECTIONAL FACILITY OR A COMMUNITY CORRECTIONS
17 FACILITY;
18
- 19 (B) SUBJECT TO A SENTENCE TO INCARCERATION; OR
20
- 21 (C) IN A VEHICLE, AIRCRAFT, OR MOTORBOAT;
22
- 23 (VI) OPERATE, NAVIGATE, OR BE IN ACTUAL PHYSICAL CONTROL
24 OF ANY VEHICLE, AIRCRAFT, OR MOTORBOAT WHILE UNDER THE
25 INFLUENCE OF MEDICAL MARIJUANA; OR
26
- 27 (VII) USE MEDICAL MARIJUANA IF THE PERSON DOES NOT HAVE A
28 DEBILITATING MEDICAL CONDITION AS DIAGNOSED BY THE PERSON'S
29 PHYSICIAN IN THE COURSE OF A BONA FIDE PHYSICIAN-PATIENT
30 RELATIONSHIP AND FOR WHICH THE PHYSICIAN HAS RECOMMENDED THE
31 USE OF MEDICAL MARIJUANA.
32
- 33 (c) A PERSON SHALL NOT ESTABLISH A BUSINESS TO PERMIT
34 PATIENTS TO CONGREGATE AND SMOKE OR OTHERWISE CONSUME MEDICAL
35 MARIJUANA.
36
- 37 (9) **Limit on cultivation of medical marijuana.** ONLY
38 REGISTERED PATIENTS, LICENSED PRIMARY CAREGIVERS, AND LICENSED
39 MEDICAL MARIJUANA CENTERS WITH OPTIONAL PREMISES CULTIVATION
40 LICENSES MAY CULTIVATE MEDICAL MARIJUANA.
41
- 42 (10) **Affirmative defense.** IF A PATIENT OR PRIMARY CAREGIVER
43 RAISES AN AFFIRMATIVE DEFENSE AS PROVIDED IN SECTION 14 (4) (b) OF
44 ARTICLE XVIII OF THE STATE CONSTITUTION, THE PATIENT'S PHYSICIAN
45 SHALL CERTIFY THE SPECIFIC AMOUNTS IN EXCESS OF TWO OUNCES THAT
46 ARE NECESSARY TO ADDRESS THE PATIENT'S DEBILITATING MEDICAL
47 CONDITION AND WHY SUCH AMOUNTS ARE NECESSARY. A PATIENT WHO
48 ASSERTS THIS AFFIRMATIVE DEFENSE SHALL WAIVE CONFIDENTIALITY
49 PRIVILEGES RELATED TO THE CONDITION OR CONDITIONS THAT WERE THE
50 BASIS FOR THE RECOMMENDATION. IF A PATIENT, PRIMARY CAREGIVER, OR
51 PHYSICIAN RAISES AN EXCEPTION TO THE STATE CRIMINAL LAWS AS
52 PROVIDED IN SECTION 14 (2) (b) OR (c) OF ARTICLE XVIII OF THE STATE
53 CONSTITUTION, THE PATIENT, PRIMARY CAREGIVER OR PHYSICIAN WAIVES
54 THE CONFIDENTIALITY OF HIS OR HER RECORDS RELATED TO THE
55 CONDITION OR CONDITIONS THAT WERE THE BASIS FOR THE
56 RECOMMENDATION MAINTAINED BY THE STATE HEALTH AGENCY FOR THE

1 MEDICAL MARIJUANA PROGRAM. UPON REQUEST OF A LAW ENFORCEMENT
2 AGENCY FOR SUCH RECORDS, THE STATE HEALTH AGENCY SHALL ONLY
3 PROVIDE RECORDS PERTAINING TO THE INDIVIDUAL RAISING THE
4 EXCEPTION, AND SHALL REDACT ALL OTHER PATIENT, PRIMARY
5 CAREGIVER, OR PHYSICIAN IDENTIFYING INFORMATION.

6
7 (11) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS
8 SUBSECTION (11), THE STATE HEALTH AGENCY SHALL ESTABLISH A BASIC
9 FEE THAT SHALL BE PAID AT THE TIME OF SERVICE OF ANY SUBPOENA UPON
10 THE STATE HEALTH AGENCY, PLUS A FEE FOR MEALS AND A FEE FOR
11 MILEAGE AT THE RATE PRESCRIBED FOR STATE OFFICERS AND EMPLOYEES
12 IN SECTION 24-9-104, C.R.S., FOR EACH MILE ACTUALLY AND
13 NECESSARILY TRAVELED IN GOING TO AND RETURNING FROM THE PLACE
14 NAMED IN THE SUBPOENA. IF THE PERSON NAMED IN THE SUBPOENA IS
15 REQUIRED TO ATTEND THE PLACE NAMED IN THE SUBPOENA FOR MORE
16 THAN ONE DAY, THERE SHALL BE PAID, IN ADVANCE, A SUM TO BE
17 ESTABLISHED BY THE STATE HEALTH AGENCY FOR EACH DAY OF
18 ATTENDANCE TO COVER THE EXPENSES OF THE PERSON NAMED IN THE
19 SUBPOENA.

20
21 (b) THE SUBPOENA FEE ESTABLISHED PURSUANT TO PARAGRAPH
22 (a) OF THIS SUBSECTION (11) SHALL NOT BE APPLICABLE TO ANY FEDERAL,
23 STATE, OR LOCAL GOVERNMENTAL AGENCY.

24
25 ~~(2)~~ (12) **Fees.** The ~~department~~ STATE HEALTH AGENCY may
26 collect fees from patients who, pursuant to section 14 of article XVIII of
27 the state constitution, apply to the medical marijuana program ~~established~~
28 ~~by such section~~ for a marijuana registry identification CARD for the
29 purpose of offsetting the ~~department's~~ STATE HEALTH AGENCY'S direct and
30 indirect costs of administering the program. The amount of ~~such~~ THE fees
31 shall be set by rule of the ~~state board of health~~ STATE HEALTH AGENCY.
32 All fees collected by the ~~department~~ STATE HEALTH AGENCY through the
33 medical marijuana program shall be transferred to the state treasurer who
34 shall credit the same to the medical marijuana program cash fund, which
35 fund is hereby created.

36
37 ~~(3)~~ (13) **Cash fund.** (a) The medical marijuana program cash
38 fund shall be subject to annual appropriation by the general assembly to
39 the ~~department~~ STATE HEALTH AGENCY for the purpose of establishing,
40 operating, and maintaining the medical marijuana program. ~~established~~
41 ~~by section 14 of article XVIII of the state constitution.~~ All moneys
42 credited to the medical marijuana program cash fund and all interest
43 derived from the deposit of such moneys that are not expended during the
44 fiscal year shall be retained in the fund for future use and shall not be
45 credited or transferred to the general fund or any other fund.

46
47 (b) ~~Notwithstanding any provision of paragraph (a) of this~~
48 ~~subsection (3) to the contrary, on April 20, 2009, the state treasurer shall~~
49 ~~deduct two hundred fifty-eight thousand seven hundred thirty-five dollars~~
50 ~~from the medical marijuana program cash fund and transfer such sum to~~
51 ~~the general fund.~~

52
53 **SECTION 3.** 25-5-403, Colorado Revised Statutes, is amended
54 BY THE ADDITION OF A NEW SUBSECTION to read:

55
56 **25-5-403. Offenses.** (3) THE PROVISIONS OF THIS SECTION SHALL

1 NOT APPLY TO A MEDICAL MARIJUANA CENTER OR A
2 MEDICAL-MARIJUANA-INFUSED PRODUCTS MANUFACTURER LICENSED
3 PURSUANT TO ARTICLE 43.3 OF TITLE 12, C.R.S., THAT MANUFACTURES OR
4 SELLS A FOOD PRODUCT THAT CONTAINS MEDICAL MARIJUANA SO LONG AS
5 THE FOOD PRODUCT IS LABELED AS CONTAINING MEDICAL MARIJUANA AND
6 THE LABEL SPECIFIES THAT THE PRODUCT IS MANUFACTURED WITHOUT
7 ANY REGULATORY OVERSIGHT FOR HEALTH, SAFETY, OR EFFICACY, AND
8 THAT THERE MAY BE HEALTH RISKS ASSOCIATED WITH THE CONSUMPTION
9 OR USE OF THE PRODUCT.

10

11 **SECTION 4.** 16-2.5-121, Colorado Revised Statutes, is amended
12 to read:

13

14 **16-2.5-121. Executive director of the department of revenue**
15 **- senior director of enforcement for the department of revenue.** The
16 executive director and the senior director of enforcement of the
17 department of revenue are peace officers while engaged in the
18 performance of their duties whose authority includes the enforcement of
19 laws and rules regarding automobile dealers pursuant to section 12-6-105
20 (1) (d) (II), C.R.S., the lottery pursuant to sections 24-35-205 (3) and
21 24-35-206 (7), C.R.S., MEDICAL MARIJUANA PURSUANT TO ARTICLE 43.3
22 OF TITLE 12, C.R.S., limited gaming pursuant to section 12-47.1-204,
23 C.R.S., liquor pursuant to section 12-47-904 (1), C.R.S., and racing
24 events pursuant to section 12-60-203 (1), C.R.S., and the enforcement of
25 all laws of the state of Colorado and who may be certified by the P.O.S.T.
26 board.

27

28 **SECTION 5.** Part 1 of article 2.5 of title 16, Colorado Revised
29 Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION
30 to read:

31

32 **16-2.5-124.5. Medical marijuana enforcement investigator.** A
33 MEDICAL MARIJUANA ENFORCEMENT INVESTIGATOR IS A PEACE OFFICER
34 WHILE ENGAGED IN THE PERFORMANCE OF HIS OR HER DUTIES AND WHILE
35 ACTING UNDER PROPER ORDERS OR RULES PURSUANT TO ARTICLE 43.3 OF
36 TITLE 12, C.R.S., AND SHALL ALSO INCLUDE THE ENFORCEMENT OF ALL
37 LAWS OF THE STATE OF COLORADO AND WHO MAY BE CERTIFIED BY THE
38 P.O.S.T. BOARD.

39

40 **SECTION 6.** 24-75-402 (5), Colorado Revised Statutes, is
41 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

42

43 **24-75-402. Cash funds - limit on uncommitted reserves -**
44 **reduction in amount of fees - exclusions.** (5) Notwithstanding any
45 provision of this section to the contrary, the following cash funds are
46 excluded from the limitations specified in this section:

47

48 (z) THE MEDICAL MARIJUANA LICENSE CASH FUND CREATED IN
49 SECTION 12-43.3-501, C.R.S.

50

51 **SECTION 7.** 39-26-102, Colorado Revised Statutes, is amended
52 BY THE ADDITION OF A NEW SUBSECTION to read:

53

54 **39-26-102. Definitions.** As used in this article, unless the context
55 otherwise requires:

56

1 (5.8) "MEDICAL MARIJUANA" SHALL HAVE THE SAME MEANING AS
2 SET FORTH IN SECTION 12-43.3-104 (6), C.R.S.

3
4 **SECTION 8.** 39-26-123 (1), Colorado Revised Statutes, is
5 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

6
7 **39-26-123. Receipts - disposition - transfers of general fund**
8 **surplus - sales and use tax holding fund - creation - definitions -**
9 **repeal.** (1) As used in this section, unless the context otherwise requires:

10
11 (a.5) "SALES AND USE TAXES ATTRIBUTABLE TO SALES OR USE OF
12 MEDICAL MARIJUANA" MEANS THE NET REVENUE RAISED FROM THE STATE
13 SALES AND USE TAXES IMPOSED PURSUANT TO THIS ARTICLE ON THE SALES
14 OR USE OF MEDICAL MARIJUANA.

15
16 **SECTION 9.** 39-26-123, Colorado Revised Statutes, is amended
17 BY THE ADDITION OF A NEW SUBSECTION to read:

18
19 **39-26-123. Receipts - disposition - transfers of general fund**
20 **surplus - sales and use tax holding fund - creation - definitions -**
21 **repeal.** (6) (a) FOR ANY STATE FISCAL YEAR COMMENCING ON OR AFTER
22 JULY 1, 2010, THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE
23 THE FIRST TWO MILLION DOLLARS OF SALES AND USE TAXES
24 ATTRIBUTABLE TO SALES OR USE OF MEDICAL MARIJUANA OR EQUALLY
25 APPROPRIATE THE SALES AND USE TAXES ATTRIBUTABLE TO SALES AND
26 USE OF MEDICAL MARIJUANA IF TWO MILLION DOLLARS IS NOT GENERATED.

27
28 (b) (I) ONE HALF OF THE MONEYS DESCRIBED IN PARAGRAPH (a) OF
29 THIS SUBSECTION (6) SHALL BE APPROPRIATED TO THE DEPARTMENT OF
30 HUMAN SERVICES TO BE USED TO PROVIDE SERVICES FOR ADULTS WITH CO-
31 OCCURRING MENTAL HEALTH AND SUBSTANCE ABUSE DISORDERS WHO ARE
32 INVOLVED WITH THE CRIMINAL JUSTICE SYSTEM. THE APPROPRIATION
33 SHALL BE INCLUDED IN THE LINE ITEM OF THE ANNUAL GENERAL
34 APPROPRIATION BILL FOR INDIGENT MENTALLY ILL CLIENTS UNDER
35 MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE SERVICES, MENTAL
36 HEALTH COMMUNITY PROGRAMS, AND THE AMOUNT APPROPRIATED TO THE
37 DEPARTMENT FOR SUCH USE SHALL BE SPECIFIED IN A FOOTNOTE. ANY
38 MONEYS APPROPRIATED PURSUANT TO THIS SUBSECTION (6) SHALL BE IN
39 ADDITION TO ANY OTHER APPROPRIATION REQUIRED BY LAW.

40
41 (II) ONE HALF OF THE MONEYS DESCRIBED IN PARAGRAPH (a) OF
42 THIS SUBSECTION (6) SHALL BE APPROPRIATED TO THE DEPARTMENT OF
43 HEALTH CARE POLICY AND FINANCING FOR SCREENING, BRIEF
44 INTERVENTION, AND REFERRAL TO TREATMENT FOR INDIVIDUALS AT RISK
45 OF SUBSTANCE ABUSE PURSUANT TO SECTION 25.5-5-202 (1) (u), C.R.S.

46
47 **SECTION 10.** 25-14-203 (16), Colorado Revised Statutes, is
48 amended to read:

49
50 **25-14-203. Definitions.** As used in this part 2, unless the context
51 otherwise requires:

52
53 (16) "Smoking" means the burning of a lighted cigarette, cigar,
54 pipe, or any other matter or substance that contains tobacco OR MEDICAL
55 MARIJUANA AS DEFINED BY SECTION 12-43.3-104 (6), C.R.S.

1 **SECTION 11. Specified effective date.** (1) Except as otherwise
2 provided in subsection (2) of this section, this act shall take effect July 1,
3 2011.

4
5 (2) (a) Sections 12-43.3-103 and 12-43.3-104 and parts 2 and 5 of
6 article 43.3 of title 12, set forth in section 1 of this act shall take effect
7 July 1, 2010.

8
9 (b) Sections 2, 7, 8, 9, 10, 11, and 12 of this act shall take effect
10 July 1, 2010.

11
12 **SECTION 12. Safety clause.** The general assembly hereby finds,
13 determines, and declares that this act is necessary for the immediate
14 preservation of the public peace, health, and safety."

15
16
17
18 **HB10-1352** be amended as follows, and as so amended, be referred to
19 the Committee on Appropriations with favorable
20 recommendation:

21
22 Amend printed bill, page 7, line 19, strike "THE FOLLOWING" and
23 substitute "A".

24
25 Page 7, line 20, strike "SECTIONS" and substitute "SECTION".

26
27 Page 7, strike lines 22 through 27 and substitute:

28
29 "(1) EXCEPT AS AUTHORIZED BY PART 3 OF ARTICLE 22 OF TITLE
30 12, C.R.S., OR BY PART 2 OR 3 OF THIS ARTICLE, IT IS UNLAWFUL FOR ANY
31 PERSON KNOWINGLY TO POSSESS A CONTROLLED SUBSTANCE.

32
33 (2) A PERSON WHO VIOLATES SUBSECTION (1) BY POSSESSING:

34
35 (a) (I) ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION
36 WEIGHING FOUR GRAMS OR LESS THAT CONTAINS ANY QUANTITY OF
37 FLUNITRAZEPAM, KETAMINE, OR A CONTROLLED SUBSTANCE LISTED IN
38 SCHEDULE I OR II OF PART 2 OF THIS ARTICLE EXCEPT METHAMPHETAMINE
39 COMMITS A CLASS 6 FELONY.

40
41 (II) ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION
42 WEIGHING MORE THAN FOUR GRAMS THAT CONTAINS ANY QUANTITY OF
43 FLUNITRAZEPAM, KETAMINE, OR A CONTROLLED SUBSTANCE LISTED IN
44 SCHEDULE I OR II OF PART 2 OF THIS ARTICLE EXCEPT METHAMPHETAMINE
45 COMMITS A CLASS 4 FELONY.

46
47 (b) (I) ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION
48 WEIGHING TWO GRAMS OR LESS THAT CONTAINS ANY QUANTITY OF
49 METHAMPHETAMINE COMMITS A CLASS 6 FELONY.

50
51 (II) ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION
52 WEIGHING MORE THAN TWO GRAMS THAT CONTAINS ANY QUANTITY OF
53 METHAMPHETAMINE COMMITS A CLASS 4 FELONY.

54
55 (c) ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION THAT
56 CONTAINS ANY QUANTITY OF A CONTROLLED SUBSTANCE LISTED IN

1 SCHEDULE III, IV, OR V OF PART 2 OF THIS ARTICLE EXCEPT
2 FLUNITRAZEPAM OR KETAMINE COMMITS A CLASS 1 MISDEMEANOR."

3
4 Strike page 8 and substitute:

5
6 "SECTION 5. 18-18-405, Colorado Revised Statutes, is amended
7 BY THE ADDITION OF A NEW SUBSECTION to read:

8
9 **18-18-405. Unlawful distribution, manufacturing, dispensing,
10 sale, or possession.** (7) NOTWITHSTANDING THE PROVISIONS OF
11 SUBSECTION (2) OF THIS SECTION, AND EXCEPT AS OTHERWISE PROVIDED
12 IN SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I) OF PARAGRAPH (a) OF
13 SUBSECTION (2) OR PARAGRAPH (a) OF SUBSECTION (2.5) OF THIS SECTION,
14 A PERSON VIOLATES SUBSECTION (1) OF THIS SECTION BY SELLING,
15 DISPENSING, OR DISTRIBUTING A CONTROLLED SUBSTANCE OTHER THAN
16 MARIJUANA OR MARIJUANA CONCENTRATE TO A MINOR UNDER EIGHTEEN
17 YEARS OF AGE AND WHO IS AT LEAST EIGHTEEN YEARS OF AGE AND AT
18 LEAST TWO YEARS OLDER THAN THE MINOR COMMITS A CLASS 3 FELONY
19 AND, UNLESS A GREATER SENTENCE IS PROVIDED UNDER ANY OTHER
20 STATUTE, SHALL BE SENTENCED TO THE DEPARTMENT OF CORRECTIONS
21 FOR TERM OF AT LEAST THE MINIMUM, BUT NOT MORE THAN TWICE THE
22 MAXIMUM, OF THE PRESUMPTIVE RANGE PROVIDED FOR SUCH OFFENSE IN
23 SECTION 18-1.3-401 (1) (a) AS MODIFIED PURSUANT TO SECTION 18-1.3-
24 410 (10)."

25
26 Page 9, strike lines 1 through 10.

27
28 Renumber succeeding sections accordingly.

29
30 Page 12, line 27, strike "transfers" and substitute "SELLS, transfers,".

31
32 Page 13, line 3, strike "any amount" and substitute "~~any amount~~ LESS
33 THAN ONE POUND".

34
35 Page 13, after line 9 insert:

36
37 "(b) THE SALE, TRANSFER, OR DISPENSING OF FIVE OR MORE
38 POUNDS OF MARIJUANA OR ONE POUND OR MORE OF MARIJUANA
39 CONCENTRATE TO A PERSON UNDER EIGHTEEN YEARS OF AGE BUT AT
40 LEAST FIFTEEN YEARS OF AGE IS A CLASS 3 FELONY."

41
42 Reletter succeeding paragraphs accordingly.

43
44 Page 13, line 10, strike "transfers" and substitute "SELLS, transfers,".

45
46 Page 14, strike lines 5 through 8.

47
48 Page 17, strike lines 9 through 12 and substitute:

49
50 "SECTION 9. 18-19-103 (4) (a) and (5.5), Colorado Revised
51 Statutes, are amended, and the said 18-19-103 is further amended BY
52 THE ADDITION OF A NEW SUBSECTION, to read:

53
54 **18-19-103. Source of revenues - allocation of moneys.**
55 (3.5) MONEYS APPROPRIATED BY THE GENERAL ASSEMBLY PURSUANT TO
56 HOUSE BILL 10-1352, ENACTED IN 2010, SHALL BE DEPOSITED INTO THE

1 DRUG OFFENDER SURCHARGE FUND CREATED PURSUANT TO SUBSECTION
2 (4) OF THIS SECTION AND SHALL BE ALLOCATED PURSUANT TO SECTION 16-
3 11.5-102 (3) (c), C.R.S.

4
5 (4) (a) There is hereby created in the state treasury a drug offender
6 surcharge fund, which shall consist of moneys received by the state
7 treasurer pursuant to paragraph (d) of subsection (3) of this section AND
8 SUBSECTION (3.5) OF THIS SECTION. All interest derived from the deposit
9 and investment of moneys in the fund shall be credited to the fund. Any
10 moneys not appropriated by the general assembly shall remain in the drug
11 offender surcharge fund and shall not be transferred or revert to the
12 general fund of the state at the end of any fiscal year. All moneys in the
13 fund shall be subject to annual appropriation by the general assembly to
14 the judicial department, the department of corrections, the division of
15 criminal justice of the department of public safety, and the department of
16 human services, after consideration of the plan developed pursuant to
17 section 16-11.5-102 (3), C.R.S., to cover the costs associated with
18 substance abuse assessment, testing, education, and treatment.

19
20 (5.5) (a) There is hereby created".

21
22 Page 17, line 25, strike "A PORTION OF", and strike "SENATE BILL 10-___,"
23 and substitute "HOUSE BILL 10-1352,".

24
25 Page 18, after line 5 insert:

26
27 "SECTION 10. 16-11.5-102 (3), Colorado Revised Statutes, is
28 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

29
30 **16-11.5-102. Substance abuse assessment - standardized**
31 **procedure.** (3) (c) (I) THE MONEYS ALLOCATED TO THE DRUG OFFENDER
32 SURCHARGE FUND PURSUANT TO SECTION 18-19-103 (3.5), C.R.S., SHALL
33 ONLY BE USED TO COVER THE COSTS ASSOCIATED WITH THE TREATMENT
34 OF SUBSTANCE ABUSE OR CO-OCCURRING DISORDERS OF ADULT
35 OFFENDERS WHO ARE ASSESSED TO BE IN NEED OF TREATMENT AND WHO
36 ARE:

37
38 (A) ON DIVERSION;

39
40 (B) ON PROBATION;

41
42 (C) ON PAROLE;

43
44 (D) IN COMMUNITY CORRECTIONS; OR

45
46 (E) IN JAIL.

47
48 (II) THE PLAN TO ALLOCATE MONEYS DEPOSITED IN THE DRUG
49 OFFENDER SURCHARGE FUND PURSUANT TO SECTION 18-19-103 (3.5),
50 C.R.S., SHALL BE DEVELOPED PURSUANT TO PARAGRAPH (a) OF
51 SUBSECTION (3) AND SHALL ALSO INCLUDE A REPRESENTATIVE
52 DESIGNATED BY THE COLORADO DISTRICT ATTORNEY'S COUNCIL, THE
53 STATE PUBLIC DEFENDER, A REPRESENTATIVE FROM A STATEWIDE
54 ASSOCIATION REPRESENTING COUNTY SHERIFFS, AND REPRESENTATIVE
55 FROM A STATEWIDE ASSOCIATION REPRESENTING COUNTIES.".

1 Renumber succeeding sections accordingly.

2
3 Page 18, line 10, strike "SENATE" and substitute "HOUSE".

4
5 Page 18, line 11, strike "10-____," and substitute "10-1352,".

6
7
8
9 **SB10-042** be referred to the Committee of the Whole with favorable
10 recommendation.

11
12
13 **SB10-048** be referred to the Committee of the Whole with favorable
14 recommendation.

15
16
17 **SB10-066** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:

20
21 Amend reengrossed bill, page 2, strike lines 21 through 24 and substitute:

22
23 "PERPETRATOR OF THE SUSPECTED ABUSE OR NEGLECT:

24
25 (A) HAS SUBJECTED ANY OTHER CHILD CURRENTLY UNDER
26 EIGHTEEN YEARS OF AGE TO ABUSE OR NEGLECT OR TO CIRCUMSTANCES
27 OR CONDITIONS THAT WOULD LIKELY RESULT IN ABUSE OR NEGLECT; OR

28
29 (B) IS CURRENTLY IN A POSITION OF TRUST, AS DEFINED IN SECTION
30 18-3-401 (3.5), C.R.S., WITH REGARD TO ANY CHILD CURRENTLY UNDER
31 EIGHTEEN YEARS OF AGE."

32
33
34
35 **PRINTING REPORT**

36
37 The Chief Clerk reports the following bill has been correctly printed:
38 **HB10-1372.**

39
40
41
42 **MESSAGE(S) FROM THE SENATE**

43
44 The Senate has passed on Third Reading and transmitted to the Revisor
45 of Statutes:

46
47 SB10-070 amended as printed in Senate Journal, March 19,2010,
48 page 610.

49
50 The Senate has passed on Third Reading and transmitted to the Revisor
51 of Statutes:

52
53 HB10-1212 amended as printed in Senate Journal, March 22, 2010,
54 page 633.

55 HB10-1211 amended as printed in Senate Journal, March 22, 2010,
56 pages 633-634 and March 23, 2010 .

1 HB10-1044 amended as printed in Senate Journal, March 22, 2010,
2 pages 634-635.
3

4 The Senate has passed on Third Reading and returns herewith: HB10-
5 1346, HB10-1256.
6

7
8 **MESSAGE(S) FROM THE REVISOR**
9

10 We herewith transmit:
11 Without comment, as amended, HB10-1212, 1211, and 1044.
12 Without comment, as amended, SB10-070.
13

14
15 **MESSAGE(S) FROM THE GOVERNOR**
16

17
18 I certify I received the following on the 22nd day of March, 2010, at
19 4:45 p.m. The original is on file in the records of the House of
20 Representatives of the General Assembly.
21

22 Marilyn Eddins,
23 Chief Clerk of the House

24 March 22, 2010
25

26 To the Honorable House of Representatives
27 Sixty-seventh General Assembly
28 Second Regular Session
29 State Capitol
30 Denver, CO 80203
31

32 Ladies and Gentlemen:
33

34 I have the honor to inform you that I have approved and filed with the
35 Secretary of State the following Acts:
36

37 **HB10-1001** CONCERNING INCENTIVES FOR THE INSTALLATION OF
38 NEW DISTRIBUTED RENEWABLE ENERGY GENERATION
39 FACILITIES IN COLORADO, AND, IN CONNECTION
40 THEREWITH, INCREASING THE TARGET PERCENTAGES
41 UNDER THE ELECTRIC UTILITY PORTFOLIO STANDARD TO
42 ENCOURAGE COLORADO UTILITIES TO GENERATE THREE
43 PERCENT OF THEIR RETAIL ELECTRICITY SALES FROM
44 DISTRIBUTED RENEWABLE SOURCES BY THE YEAR 2020,
45 ADOPTING STANDARDS FOR THE INSTALLATION OF
46 DISTRIBUTED SOLAR ELECTRIC GENERATION
47 EQUIPMENT, AND MAKING AN APPROPRIATION
48 THEREFOR.
49

50 Approved March 22, 2010 at 3:27 p.m.
51

52 Sincerely,
53 (signed)
54 Bill Ritter, Jr.
55 Governor
56

INTRODUCTION OF BILLS
First Reading

The following bills were read by title and referred to the committees indicated:

HB10-1373 by Representative(s) Carroll T.; also Senator(s) Hudak--
Concerning changes to sentencing provisions for escape crimes.

Committee on Judiciary

HB10-1374 by Representative(s) Ferrandino, Levy, Waller; also
Senator(s) Penry, Morse, Steadman--Concerning parole.

Committee on Judiciary

HB10-1375 by Representative(s) Riesberg, McFadyen; also Senator(s)
Bacon, Schwartz--Concerning the necessary authority for
Metropolitan state college of Denver to access favorable
financing.

Committee on Education

SB10-073 by Senator(s) Tapia; also Representative(s) McFadyen--
Concerning the nurse home visitor program duties of the
health sciences facility at the university of Colorado.

Committee on Health and Human Services

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.

Committee on Business Affairs and Labor

SB10-176 by Senator(s) Tochtrop; also Representative(s) Gagliardi--
Concerning the requirements for inclusion of a
professional nurse on the advanced practice nurse registry.

Committee on Business Affairs and Labor

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the
Calendar (was)were laid over until March 24, retaining place on
Calendar:

Consideration of Resolution(s)--**HJR10-1016, 1017.**

Consideration of Senate Amendment(s)--**HB10-1021, 1137, 1233, 1245,
1010, 1108, 1128, 1132, 1135, 1188.**

On motion of Representative Weissmann, the House adjourned until
9:00 a.m., March 24, 2010.

Attest:
MARILYN EDDINS,
Chief Clerk

Approved:
TERRANCE D. CARROLL,
Speaker

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Seventy-second Legislative Day

Thursday, March 25, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

3 Due to inclement weather the House did not convene on Wednesday,
4 Marcy 24, 2010.

5

6 The Speaker called the House to order at 9:00 a.m., March 25, 2010.

7

8 Pledge of Allegiance led by Colton and Caitriona Callahan, Patrick
9 Ehmann, Fremont Elementary; Abigayle Post, Stott Elementary, Arvada.

10

11 The roll was called with the following result:

12

13 Present--59.

14 Excused--Representative(s) Kagan, Middleton, Scanlan,
15 Sonnenberg, Stephens, Vaad--6.

16 Present after roll call--Representative(s) Kagan, Middleton,
17 Sonnenberg, Stephens.

18

19 The Speaker declared a quorum present.

20

21

22 On motion of Representative King, the reading of the journal of
23 March 23, 2010, was declared dispensed with and approved as corrected
24 by the Chief Clerk.

25

26

27

28 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

29

30 On motion of Representative Weissmann, the rules were suspended and
31 the following resolution was given immediate consideration.

32

33 **HJR10-1018** by Representative(s) Rice; also Senator(s) Newell--
34 Concerning the well-being of Haiti's children in the
35 aftermath of the January earthquake.

36 (Printed and placed in member's file).

37

38 On motion of Representative Rice, the resolution was read at length and
39 **adopted by viva voce** vote.

40

41 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
42 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
43 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou,

1 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
 2 Levy, Liston, Looper, Massey, May, McCann, McFadyen, McKinley, McNulty,
 3 Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer,
 4 Primavera, Priola, Riesberg, Roberts, Ryden, Schafer S., Solano, Sonnenberg,
 5 Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vigil, Waller,
 6 Weissmann, Speaker

MESSAGE(S) FROM THE SENATE

11 The Senate has adopted and transmits herewith: SJR10-023.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

16 On motion of Representative Weissmann, the rules were suspended and
 17 the following resolution was given immediate consideration.

19 **SJR10-023** by Senator(s) Heath; also Representative(s) Swalm--
 20 Concerning recognizing Colorado's community health
 21 centers.

23 (Printed and placed in member's file).

25 On motion of Representative Swalm, the resolution was read at length
 26 and **adopted** by **viva voce** vote.

28 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
 29 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
 30 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou,
 31 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
 32 Levy, Liston, Looper, Massey, May, McCann, McFadyen, McKinley, McNulty,
 33 Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer,
 34 Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Schafer S., Solano,
 35 Sonnenberg, Soper, Stephens, Summers, Tipton, Todd, Tyler, Vigil, Waller,
 36 Weissmann, Speaker

THIRD READING OF BILL(S)--FINAL PASSAGE

41 The following bill(s) was(were) considered on Third Reading. The
 42 title(s) was(were) publicly read. Reading of the bill at length was
 43 dispensed with by unanimous consent.

45 **SB10-047** by Senator(s) King K.; also Representative(s) Looper--
 46 Concerning rights relating to the disposition of the last
 47 remains of members of the armed forces.

49 The question being "Shall the bill pass?".

50 A roll call vote was taken. As shown by the following recorded vote, a
 51 majority of those elected to the House voted in the affirmative and the bill
 52 was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
55	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
56	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E

1	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
2	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
3	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
4	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
5	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
6	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
7	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
8	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
9	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
10	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
11	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
12	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
13	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
14	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Apuan, Balmer, Casso, Court,
 17 DelGrosso, Gerou, Labuda, Lambert, Middleton, Nikkel, Rice, Schafer S.,
 18 Soper, Todd, Vigil

19
 20 **SB10-007** by Senator(s) Hudak; also Representative(s) Gagliardi--
 21 Concerning collaboration in the provision of multi-agency
 22 services.
 23

24 The question being "Shall the bill pass?".
 25 A roll call vote was taken. As shown by the following recorded vote, a
 26 majority of those elected to the House voted in the affirmative and the bill
 27 was declared **passed**.
 28

29	YES	63	NO	0	EXCUSED	2	ABSENT	0
30	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
31	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	E
32	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
33	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
34	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
35	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
36	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
37	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
38	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
39	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
40	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
41	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
42	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
43	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
44	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
45	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
46							Speaker	Y

47 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Gerou, Kefalas,
 48 Labuda, Pommer, Todd
 49

50 **SB10-063** by Senator(s) White; also Representative(s) Waller--
 51 Concerning limiting civil liability for attorneys who
 52 contract to provide certain services for the office of
 53 alternate defense counsel.
 54

55 The question being "Shall the bill pass?".
 56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	62	NO	1	EXCUSED	2	ABSENT	0
5	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	E
7	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
8	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
10	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
12	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
13	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
14	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
18	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
19	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
20	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Court, Pommer, Stephens

23
24 **SB10-130** by Senator(s) Kester; also Representative(s) McCann--
25 Concerning the allocation of powers within the department
26 of corrections.

27
28 The question being "Shall the bill pass?".

29 A roll call vote was taken. As shown by the following recorded vote, a
30 majority of those elected to the House voted in the affirmative and the bill
31 was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
34	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
35	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
36	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
37	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
38	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
39	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
40	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
41	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
42	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
43	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
44	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
45	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
46	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
47	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
48	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
49	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Labuda, Nikkel, Schafer S., Stephens,
52 Todd

53
54 **HB10-1342** by Representative(s) Levy, Benefield, Court, Ferrandino,
55 Fischer, Gagliardi, Hullinghorst, Kagan, Merrifield,
56 Peniston, Pommer, Primavera, Solano, Tyler; also

Senator(s) Williams, Newell--Concerning measures to encourage additional investment in solar energy generation facilities, and, in connection therewith, authorizing the creation of community solar gardens.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	56	NO	7	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	N	Priola	Y	Vaad	E
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	N	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Apuan, Frangas, Gerou, Kefalas, Labuda, Massey, Middleton, Ryden, Todd

SB10-071 by Senator(s) Morse; also Representative(s) Riesberg--Concerning creation of a lifetime pass to state parks and recreation areas that shall be available for purchase by Colorado residents who are of eligible age, and making an appropriation therefor.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	62	NO	1	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	E

1	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
2	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
3	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Apuan, Casso, Fischer, Gerou, Kefalas,
6 Kerr J., King S., Pace, Roberts, Ryden, Schafer S., Solano, Todd, Vigil

7
8 **SB10-025** by Senator(s) Whitehead, Brophy, Hodge, Schwartz,
9 White; also Representative(s) Baumgardner, Curry,
10 Fischer, Gardner C., McKinley--Concerning the long-term
11 funding of the water efficiency grant program.
12

13 The question being "Shall the bill pass?".

14 A roll call vote was taken. As shown by the following recorded vote, a
15 majority of those elected to the House voted in the affirmative and the bill
16 was declared **passed**.
17

18	YES	63	NO	0	EXCUSED	2	ABSENT	0
19	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
20	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
21	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
22	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
23	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
24	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
25	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
26	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
27	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
28	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
29	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
30	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
31	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
32	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
33	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
34	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
35							Speaker	Y

36 Co-sponsor(s) added: Representative(s) Frangas, Gerou, Kefalas, Kerr J.,
37 King S., Roberts, Ryden, Todd, Vigil
38

39 **HB10-1242** by Representative(s) Apuan, Court, Gagliardi,
40 Hullinghorst, Kerr A., Labuda, Massey, McKinley,
41 Miklosi, Peniston, Primavera, Priola, Riesberg, Schafer S.,
42 Solano, Todd, Tyler, Vigil; also Senator(s) Tochtrop--
43 Concerning the implementation of a uniform application
44 form for individual health benefit plans by the
45 commissioner of insurance.
46

47 The question being "Shall the bill pass?".

48 A roll call vote was taken. As shown by the following recorded vote, a
49 majority of those elected to the House voted in the affirmative and the bill
50 was declared **passed**.
51

52	YES	63	NO	0	EXCUSED	2	ABSENT	0
53	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
54	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
55	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
56	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y

1	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
2	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
3	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
4	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
5	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
6	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
7	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
8	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
9	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
10	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
11	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
12	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
13							Speaker	Y

14 Co-sponsor(s) added: Representative(s) Gerou, Kagan, Kefalas, Middleton,
15 Nikkel, Pace, Roberts, Ryden, Soper, Summers

16
17
18 **HB10-1214** by Representative(s) McCann; also Senator(s) Schwartz--
19 Concerning financial support for efforts to reduce the
20 overpopulation of pets, and, in connection therewith,
21 authorizing the issuance of an adopt a shelter pet license
22 plate, and making an appropriation therefor.

23
24 The question being "Shall the bill pass?".

25 A roll call vote was taken. As shown by the following recorded vote, a
26 majority of those elected to the House voted in the affirmative and the bill
27 was declared **passed**.

29	YES	56	NO	7	EXCUSED	2	ABSENT	0
30	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
31	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	E
32	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
33	Baumgardner	Y	Kagan	N	Merrifield	Y	Solano	Y
34	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
35	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
36	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
37	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
38	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
39	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
40	Ferrandino	N	Levy	N	Pommer	Y	Todd	Y
41	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
42	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
43	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
44	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
45	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
46							Speaker	N

47 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Frangas, Primavera,
48 Todd

49
50 **HB10-1332** by Representative(s) Miklosi, Apuan, Gagliardi, Kefalas,
51 Primavera, Tyler; also Senator(s) Romer--Concerning the
52 creation of the "Medical Clean Claims Transparency and
53 Uniformity Act", and making an appropriation therefor.

54
55 The question being "Shall the bill pass?".

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	48	NO	15	EXCUSED	2	ABSENT	0
5	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
7	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
8	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
10	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
12	Court	Y	King S.	N	Nikkel	N	Summers	Y
13	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
14	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	Y	Priola	N	Vaad	E
18	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
19	Gardner B.	Y	May	N	Riesberg	Y	Waller	N
20	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Court, Fischer, Kagan, Todd

25 On motion of Representative Miklosi, the House resolved itself into
26 Committee of the Whole for consideration of General Orders, and he was
27 called to the Chair to act as Chairman.

31 GENERAL ORDERS--SECOND READING OF BILLS

33 The Committee of the Whole having risen, the Chairman reported the
34 titles of the following bills had been read (reading at length had been
35 dispensed with by unanimous consent), the bills considered and action
36 taken thereon as follows:

38 (Amendments to the committee amendment are to the printed committee
39 report which was printed and placed in the members' bill file.)

41 **HB10-1372** by Representative(s) Ferrandino, Pommer, Lambert; also
42 Senator(s) White, Keller, Tapia--Concerning changes to
43 the appropriations sections of House Bill 09-1293 related
44 to a hospital provider fee.

46 Amendment No. 1, by Representative(s) Ferrandino.

48 Amend printed bill, page 2, line 2, after "12" insert "(1) (a),".

50 after line 9, insert:

52 "(a) The appropriation to the executive director's division is
53 increased by six million nine hundred fifty-eight thousand three hundred
54 eighteen dollars (\$6,958,318) and 12.0 FTE. Of said sum, two million
55 four hundred twenty-two thousand seven hundred twenty-five dollars
56 (\$2,422,725) shall be from the hospital provider fee cash fund created in

1 section 25.5-4-402.3 (4), Colorado Revised Statutes, one hundred
2 forty-six thousand one hundred seventy-three dollars (\$146,173) shall be
3 cash funds from local certified funds, and four million three hundred
4 eighty-nine thousand four hundred twenty dollars (\$4,389,420) shall be
5 from federal funds. UP TO TWO MILLION TWO HUNDRED THOUSAND
6 DOLLARS (\$2,200,000) FROM THE APPROPRIATIONS MADE IN THIS
7 PARAGRAPH (a), IF NOT EXPENDED BY JULY 1, 2010, MAY BE ROLLED
8 FORWARD FOR EXPENDITURE IN FISCAL YEAR 2010-11 FOR COMPUTER
9 SYSTEMCHANGES REQUIRED BY THIS ACT. OF THIS AMOUNT, FIVE MILLION
10 FIVE HUNDRED THOUSAND DOLLARS (\$550,000) SHALL BE FROM THE
11 HOSPITAL PROVIDER FEE CASH FUND CREATED IN SECTION 25.5-4-402.3
12 (4), COLORADO REVISED STATUTES AND ONE MILLION SIX HUNDRED FIFTY
13 THOUSAND DOLLARS (\$1,650,000) SHALL BE FEDERAL FUNDS."

14
15 As amended, ordered engrossed and placed on the Calendar for Third
16 Reading and Final Passage.

17
18 **HB10-1355** by Representative(s) Gagliardi, Merrifield; also Senator(s)
19 Kopp--Concerning the off-label use of a prescription drug
20 for a specific type of cancer for which the drug is
21 recognized for treatment in the reference compendia as
22 identified by the secretary of the United States department
23 of health and human services.

24
25 Ordered engrossed and placed on the Calendar for Third Reading and
26 Final Passage.

27
28 **HB10-1241** by Representative(s) Casso; also Senator(s) Tochtrop--
29 Concerning required registration for persons who work on
30 fire suppression systems.

31
32 Laid over until March 26, retaining place on Calendar.

33
34 **HB10-1278** by Representative(s) Ryden; also Senator(s) Carroll M.--
35 Concerning the creation of an ombudsman for matters
36 arising under the "Colorado Common Interest Ownership
37 Act".

38
39 Amendment No. 1, Business Affairs & Labor Report, dated
40 March 3, 2010, and placed in member's bill file; Report also printed in
41 House Journal, March 4, pages 669-670.

42
43 Amendment No. 2, Appropriations Report, dated March 19, 2010, and
44 placed in member's bill file; Report also printed in House Journal,
45 March 19, page 853.

46
47 Amendment No. 3, by Representative(s) Ryden.

48
49 Amend the Business Affairs and Labor Committee report, dated March
50 3, 2010, page 1, strike lines 1 and 2 and substitute:

51
52 "Amend printed bill, page 2, strike lines 6 and 7 and substitute:
53 "(1.2) "HOA" OR "HOMEOWNERS' ASSOCIATION" MEANS AN
54 ASSOCIATION OR UNIT OWNERS' ASSOCIATION FORMED BEFORE, ON, OR
55 AFTER JULY 1, 1992, AS PART OF A COMMON INTEREST COMMUNITY AS
56 DEFINED IN SECTION 38-33.3-103, C.R.S."

1 Page 2 of the bill, strike lines 15 through 19 and substitute:

2

3 "(II) THE COSTS OF THE HOA INFORMATION AND RESOURCE
4 CENTER, CREATED IN SECTION 12-61-406.5, SHALL BE PAID FROM THE
5 HOA INFORMATION AND RESOURCE CENTER CASH FUND CREATED IN
6 SECTION 12-61-406.5. THE DIVISION OF REAL ESTATE SHALL ESTIMATE
7 THE DIRECT AND INDIRECT COSTS OF OPERATING THE HOA INFORMATION
8 AND RESOURCE CENTER AND".

9

10 Page 1 of the report, strike line 7 and substitute:

11

12 "Page 3 of the bill, strike lines 11 and 12 and substitute:

13

14 "(2.5) "HOA" OR "HOMEOWNERS' ASSOCIATION" MEANS AN
15 ASSOCIATION OR UNIT OWNERS' ASSOCIATION FORMED BEFORE, ON, OR
16 AFTER JULY 1, 1992, AS PART OF A COMMON INTEREST COMMUNITY AS
17 DEFINED IN SECTION 38-33.3-103, C.R.S."

18

19 Page 3 of the bill, strike lines 16 through 18 and substitute:

20

21 **"12-61-406.5. HOA information and resource center - creation**
22 **- duties - rules - cash fund - repeal.** (1) THERE IS HEREBY CREATED,
23 WITHIN THE DIVISION OF REAL ESTATE, THE HOA INFORMATION AND
24 RESOURCE CENTER, THE".

25

26 Page 1 of the report, after line 15 insert:

27

28 "Page 4 of the bill, strike lines 25 and 26 and substitute:

29

30 "(4) THE OPERATING EXPENSES OF THE HOA INFORMATION AND
31 RESOURCE CENTER SHALL BE PAID FROM THE HOA INFORMATION AND
32 RESOURCE CENTER CASH FUND,".

33

34 Page 2 of the report, after line 6 insert:

35

36 "Page 5 of the bill, line 10, strike "OFFICE OF THE HOA OMBUDSMAN" and
37 substitute "HOA INFORMATION AND RESOURCE CENTER".

38

39 Page 3 of the report, after line 1 insert:

40

41 "Page 6 of the bill, line 3, strike "OFFICE OF THE HOA OMBUDSMAN," and
42 substitute "HOA INFORMATION AND RESOURCE CENTER,".

43

44 As amended, ordered engrossed and placed on the Calendar for Third
45 Reading and Final Passage.

46

47 **SB10-154** by Senator(s) Sandoval; also Representative(s) Middleton-
48 -Concerning adding categories to the definition of a "high-
49 risk student" for purposes of determining whether a public
50 school qualifies for designation as an alternative education
51 campus.

52

53 Ordered revised and placed on the Calendar for Third Reading and Final
54 Passage.

55

1 **SB10-016** by Senator(s) Williams, Romer, Spence; also
2 Representative(s) Vaad, Fischer, Frangas, King S.,
3 McFadyen, McNulty, Merrifield, Tyler--Concerning
4 modification of the manner in which a civil penalty
5 assessment notice of toll evasion evidenced by automatic
6 vehicle identification technology is provided to the owner
7 of a vehicle so identified.
8

9 Laid over until March 26, retaining place on Calendar.
10

11 **SB10-038** by Senator(s) Hodge; also Representative(s) Fischer--
12 Concerning the "organic certification act", and, in
13 connection therewith, authorizing the commissioner of
14 agriculture to contract with independent organics
15 inspectors and altering the composition of the organic
16 certification advisory board.
17

18 Amendment No. 1, Appropriations Report, dated March 19, 2010, and
19 placed in member's bill file; Report also printed in House Journal,
20 March 19, page 856.
21

22 As amended, ordered revised and placed on the Calendar for Third
23 Reading and Final Passage.
24

25 **SB10-140** by Senator(s) Mitchell, Shaffer B., Carroll M., Spence;
26 also Representative(s) McCann--Concerning human
27 trafficking.
28

29 Ordered revised and placed on the Calendar for Third Reading and Final
30 Passage.
31

32 **SB10-041** by Senator(s) Bacon; also Representative(s) Nikkel--
33 Concerning technical modifications to statutory provisions
34 governing campaign finance.
35

36 Ordered revised and placed on the Calendar for Third Reading and Final
37 Passage.
38

39 On motion of Representative Weissmann, the remainder of the General
40 Orders Calendar (**SB10-099, HB10-1348, SB10-055, HB10-1351, 1217,**
41 **SB10-098, 155, 101, 062, 143, 152, 042, 048, 066**) was laid over until
42 March 26, retaining place on Calendar.
43
44

47 ADOPTION OF COMMITTEE OF THE WHOLE REPORT

48

49 Passed Second Reading: **HB10-1372 amended, 1355, 1278 amended,**
50 **SB10-154, 038 amended, 140, 041.**
51

52 Laid over until date indicated retaining place on Calendar: **HB10-1241,**
53 **SB10-016, 099, HB10-1348, SB10-055, HB10-1351, 1217, SB10-098,**
54 **155, 101, 062, 143, 152, 042, 048, 066--March 26, 2010.**
55

1 The Chairman moved the adoption of the Committee of the Whole
 2 Report. As shown by the following roll call vote, a majority of those
 3 elected to the House voted in the affirmative, and the Report was
 4 **adopted.**

	YES	60	NO	0	EXCUSED	5	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	E	Peniston	Y	Tipton	Y
17	Ferrandino	E	Levy	Y	Pommer	E	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24
 25
 26 House in recess. House reconvened.
 27
 28

30 REPORT(S) OF COMMITTEE(S) OF REFERENCE

32 LOCAL GOVERNMENT

33 After consideration on the merits, the Committee recommends the
 34 following:

35
 36 **HB10-1362** be amended as follows, and as so amended, be referred to
 37 the Committee of the Whole with favorable
 38 recommendation:
 39

40 Amend printed bill, page 3, strike lines 6 and 7 and substitute:

41
 42 "FACILITIES, HAS INITIALLY FILED A NOTICE OF INACTIVE STATUS
 43 PURSUANT TO SECTION 32-1-104 (3), AND, EACH YEAR THEREAFTER, HAS
 44 FILED A NOTICE OF CONTINUING INACTIVE STATUS PURSUANT TO SECTION
 45 32-1-104 (4).".

46
 47 Page 3, line 22, after "GOVERNMENT." insert "THE NOTICE OF INACTIVE
 48 STATUS SHALL BE FILED ON OR BEFORE DECEMBER 15 OF THE YEAR IN
 49 WHICH THE BOARD ADOPTS A RESOLUTION OF INACTIVE STATUS.".

50
 51 Page 4, after line 15 insert:

52 "(c) THE NOTICE OF INACTIVE STATUS, NOTICE OF CONTINUING
 53 INACTIVE STATUS, AND NOTICE OF RETURN TO ACTIVE STATUS SHALL BE
 54 STANDARD FORMS DEVELOPED BY THE DIVISION AND SHALL BE MADE
 55 AVAILABLE ON THE DIVISION'S WEBSITE.".

56

1 **SB10-138** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
5
6

7 **TRANSPORTATION & ENERGY**

8 After consideration on the merits, the Committee recommends the
9 following:
10

11 **HB10-1139** be amended as follows, and as so amended, be referred to
12 the Committee on Appropriations with favorable
13 recommendation:
14

15 Amend printed bill, page 3, strike lines 6 through 11.

16
17 Page 3, strike lines 26 and 27.

18
19 Page 4, strike lines 1 through 4.
20
21
22

23 **SB10-075** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:
26

27 Amend reengrossed bill, page 2, strike lines 11 through 23.

28
29 Page 3, strike lines 1 through 25.
30

31 Renumber succeeding sections accordingly.
32
33
34

35 **SB10-100** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:
38

39 Amend reengrossed bill, page 3, line 16, strike "10-____" and substitute
40 "10-1342".
41

42 Page 3, line 23, before "or" insert "HYDROELECTRIC SYSTEMS,".
43

44 Page 4, line 9, strike "SECTION" and substitute "SECTIONS 40-2-124 (7)
45 AND".
46

47 Page 4, line 10, strike everything after "C.R.S." and substitute "~~The public~~
48 ~~utilities commission shall have primary jurisdiction to adjudicate disputes~~
49 ~~as to whether a renewable energy improvement interferes with such a~~
50 ~~right.~~ PRIMARY JURISDICTION TO HEAR ANY DISPUTES CONCERNING
51 WHETHER A RENEWABLE ENERGY IMPROVEMENT INTERFERES WITH SUCH
52 A RIGHT SHALL LIE:
53

54 (I) IN THE CASE OF A REGULATED UTILITY, WITH THE PUBLIC
55 UTILITIES COMMISSION; AND
56

(II) IN THE CASE OF A MUNICIPALLY OWNED UTILITY, WITH THE GOVERNING BODY OF SUCH MUNICIPALITY."

Page 4, strike lines 11 and 12.

Page 4, line 23, after the period insert "WITHIN THIRTY DAYS OF A PERSON'S SUBMISSION OF AN APPLICATION TO THE DISTRICT, THE BOARD SHALL PROVIDE WRITTEN NOTICE TO THE HOLDER OF ANY FIRST PRIORITY MORTGAGE OR DEED OF TRUST ON THE REAL PROPERTY THAT THE PERSON IS PARTICIPATING IN THE DISTRICT."

Page 10, line 20, strike "10-____" and substitute "10-1342".

Page 10, line 27, before "or" insert "HYDROELECTRIC SYSTEMS,".

Page 11, line 17, after "RIGHT" insert a period.

Page 11, after line 17 insert:

"SECTION 8. 31-25-503 (9), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

31-25-503. What improvements may be made - conditions.
(9) (c) WITHIN THIRTY DAYS OF A PERSON'S SUBMISSION OF AN APPLICATION TO THE DISTRICT, THE GOVERNING BODY SHALL PROVIDE WRITTEN NOTICE TO THE HOLDER OF ANY FIRST PRIORITY MORTGAGE OR DEED OF TRUST ON THE REAL PROPERTY THAT THE PERSON IS PARTICIPATING IN THE DISTRICT."

Renumber succeeding sections accordingly.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB10-1373, 1374, 1375.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB10-1008.**

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB10-1002, 1003, 1007, 1008, 1016, 1028, 1134, 1148, 1204, 1231, 1235, 1247** at 11:21 a.m. on March 25, 2010.

MESSAGE(S) FROM THE SENATE

The Senate has recalled HB10-1128 for the purpose of reconsideration and requests return of the bill herewith.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB10-172.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1062 amended as printed in Senate Journal, March 23, 2010, page 643.

HB10-1288 amended as printed in Senate Journal, March 19, 2010, page 609 and March 25, 2010.

HB10-1109 amended as printed in Senate Journal, March 23, 2010, page 646.

HB10-1058 amended as printed in Senate Journal, March 23, 2010, pages 646-647.

HB10-1202 amended as printed in Senate Journal, March 23, 2010, page 647.

HB10-1043 amended as printed in Senate Journal, March 23, 2010, page 647.

HB10-1244 amended as printed in Senate Journal, March 23, 2010, page 647.

HB10-1133 amended as printed in Senate Journal, March 23, 2010, pages 647-648.

The Senate has passed on Third Reading and returns herewith:

HB10-1096, HB10-1167, HB10-1255, HB10-1216, HB10-1011, HB10-1025, HB10-1052, HB10-1143.

The Senate has adopted and returns herewith HJR10-1018, amended as printed in Senate Journal, March 25, 2010.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB10-1062 , 1288, 1109, 1058, 1202, 1043, 1244 and 1133.

With comment, SB10-172.

APPOINTMENTS

The Senate President and the Speaker of the House hereby create a six-member Joint Select Committee on Child Welfare in Colorado.

Pursuant to Joint Rules, section 41, the Senate President appoints the following Senators:

Senator Linda Newell, Chair

Senator Betty Boyd

1 The Speaker of the House appoints the following Representatives:
2 Representative John Kefalas, Vice-Chair
3 Representative Sara Gagliardi
4

5 Pursuant to Joint Rule 41(b), the Minority Leader of the Senate shall
6 appoint one member; and the Minority Leader of the House of
7 Representatives shall appoint one member. These two appointees will be
8 made in separate letters.
9

10 The Committee shall meet at least twice, and the Chair shall be
11 responsible for establishing the agenda and schedule.
12

13 Sincerely,

14 (signed)

15 Brandon Shaffer

16 President of the Senate

Terrance D. Carroll

Speaker of the House

17 _____
18
19 In accordance with Joint Rule 41(b), I am appointing Representative B.
20 J. Nikkel to the Joint Select Committee on Child Welfare. This is
21 effective immediately.
22

23 Respectfully,

24 (signed)

25 Mike May

26 House Minority Leader
27 _____
28
29

30 NOTICE OF CALENDARED ITEM(S)

31
32 On motion of Representative Weissmann, the following bill(s) will be
33 calendared for Second Reading on March 26, 2010: **HB10-1362**.
34 _____
35

36 LAY OVER OF CALENDAR ITEM(S)

37
38 On motion of Representative Weissmann, the following item(s) on the
39 Calendar (was)were laid over until March 26, retaining place on
40 Calendar:
41

42 Consideration of Resolution(s)--**HJR10-1016, 1017**.

43 Consideration of Senate Amendment(s)--**HB10-1021, 1137, 1233, 1245,**
44 **1010, 1108, 1132, 1135, 1188, 1044, 1211, 1212**.
45 _____
46
47

48 On motion of Representative Weissmann, the House adjourned until
49 9:00 a.m., March 26, 2010.
50

51 Approved:

52 TERRANCE D. CARROLL,

53 Speaker

54 Attest:

55 MARILYN EDDINS,

56 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Seventy-third Legislative Day

Friday, March 26, 2010

1 Prayer by Pastor Mark Phillips, Berean Bible Church, Haxtun.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Logan Sainsbury, Eagle View Elementary,
6 Thornton.

7

8 The roll was called with the following result:

9

10 Present--62.

11 Excused--Representative(s) Acree, Middleton, Vaad--3.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative King, the reading of the journal of
17 March 25, 2010, was declared dispensed with and approved as corrected
18 by the Chief Clerk.

19

20

21

22 **THIRD READING OF BILL(S)--FINAL PASSAGE**

23

24 The following bill(s) was(were) considered on Third Reading. The
25 title(s) was(were) publicly read. Reading of the bill at length was
26 dispensed with by unanimous consent.

27

28 **HB10-1372** by Representative(s) Ferrandino, Pommer, Lambert; also
29 Senator(s) White, Keller, Tapia--Concerning changes to
30 the appropriations sections of House Bill 09-1293 related
31 to a hospital provider fee.

32

33 The question being "Shall the bill pass?".

34 A roll call vote was taken. As shown by the following recorded vote, a
35 majority of those elected to the House voted in the affirmative and the
36 bill was declared **passed**.

37

	YES	36	NO	25	EXCUSED	4	ABSENT	0
39	Acree	E	Gerou	N	McFadyen	Y	Ryden	Y
40	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
41	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
42	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
43	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	N

1	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
2	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
3	Court	Y	King S.	N	Nikkel	N	Summers	N
4	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
5	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
6	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
7	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
8	Frangas	Y	Looper	N	Priola	N	Vaad	E
9	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
10	Gardner B.	N	May	N	Riesberg	Y	Waller	N
11	Gardner C.	N	McCann	E	Roberts	N	Weissmann	Y
12							Speaker	Y

13 Co-sponsor(s) added: Representative(s) Casso, Fischer, Labuda, Riesberg

14
15 **HB10-1355** by Representative(s) Gagliardi, Merrifield; also Senator(s)
16 Kopp--Concerning the off-label use of a prescription drug
17 for a specific type of cancer for which the drug is
18 recognized for treatment in the reference compendia as
19 identified by the secretary of the United States department
20 of health and human services.

21
22 The question being "Shall the bill pass?".

23 A roll call vote was taken. As shown by the following recorded vote, a
24 majority of those elected to the House voted in the affirmative and the bill
25 was declared **passed**.

27	YES	61	NO	0	EXCUSED	4	ABSENT	0
28	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
29	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
30	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
31	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
32	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
33	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
34	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
35	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
36	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
37	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
38	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
39	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
40	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
41	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
42	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
43	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Apuan, Court, Fischer, Gerou, Kefalas,
46 Kerr J., Labuda, Primavera, Riesberg, Schafer S., Soper, Todd, Vigil

47
48 **HB10-1278** by Representative(s) Ryden; also Senator(s) Carroll M.--
49 Concerning the creation of an ombudsman for matters
50 arising under the "Colorado Common Interest Ownership
51 Act", and making an appropriation therefor.

52
53 The question being "Shall the bill pass?".

54 A roll call vote was taken. As shown by the following recorded vote, a
55 majority of those elected to the House voted in the affirmative and the bill
56 was declared **passed**.

	YES	33	NO	28	EXCUSED	4	ABSENT	0
1								
2	Acree	E	Gerou	N	McFadyen	Y	Ryden	Y
3	Apuan	N	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
5	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	N
7	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
9	Court	Y	King S.	N	Nikkel	N	Summers	N
10	Curry	Y	Labuda	N	Pace	Y	Swalm	N
11	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
12	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	N	Priola	N	Vaad	E
15	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
16	Gardner B.	N	May	N	Riesberg	Y	Waller	N
17	Gardner C.	N	McCann	E	Roberts	N	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Casso, Tyler

20
 21 **SB10-154** by Senator(s) Sandoval; also Representative(s) Middleton-
 22 -Concerning adding categories to the definition of a "high-
 23 risk student" for purposes of determining whether a public
 24 school qualifies for designation as an alternative education
 25 campus.
 26

27 Laid over until March 31, retaining place on Calendar.
 28

29 **SB10-038** by Senator(s) Hodge; also Representative(s) Fischer--
 30 Concerning the "organic certification act", and, in
 31 connection therewith, authorizing the commissioner of
 32 agriculture to contract with independent organics
 33 inspectors and altering the composition of the organic
 34 certification advisory board, and making an appropriation
 35 therefor.
 36

37 The question being "Shall the bill pass?".

38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.
 41

	YES	61	NO	0	EXCUSED	4	ABSENT	0
42								
43	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
46	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
48	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
53	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
56	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Apuan, Curry, Frangas, Merrifield,
5 Vigil

6
7 **SB10-140** by Senator(s) Mitchell, Shaffer B., Carroll M., Spence;
8 also Representative(s) McCann--Concerning human
9 trafficking.

10
11 Laid over until March 29, retaining place on Calendar.

12
13 **SB10-041** by Senator(s) Bacon; also Representative(s) Nikkel--
14 Concerning technical modifications to statutory provisions
15 governing campaign finance.

16
17 The question being "Shall the bill pass?".

18 A roll call vote was taken. As shown by the following recorded vote, a
19 majority of those elected to the House voted in the affirmative and the bill
20 was declared **passed**.

22	YES	61	NO	0	EXCUSED	4	ABSENT	0
23	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
24	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
25	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
26	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
27	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
28	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
29	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
30	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
31	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
32	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
33	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
34	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
35	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
36	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
37	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
38	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
39							Speaker	Y

40 Co-sponsor(s) added: Representative(s) Gerou, Kerr J., Lambert, Schafer S.,
41 Summers

42 43 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

44
45 **HB10-1021** by Representative(s) Frangas and McCann; also Senator(s)
46 Foster, Boyd--Concerning required coverages for
47 reproductive services for health insurance policies.

48
49 (Amended as printed in Senate Journal, March 11, pages 488 and mended
50 on March 12, as printed in Senate Journal.)

51
52 Representative Frangas moved that the House **not concur** in Senate
53 amendments and that a Conference Committee be appointed with
54 permission to go beyond the scope of the differences between the House
55 and the Senate. The motion was declared **passed** by the following roll
56 call vote:

	YES	56	NO	5	EXCUSED	4	ABSENT	0
1								
2	Acree	E	Gerou	N	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	N
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	N	McCann	E	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 The Speaker appointed Representatives Frangas, Chairman, McCann and
 20 Swalm as House conferees to the bill.

21
 22 **HB10-1137** by Representative(s) Gardner B.; also Senator(s)
 23 Steadman--Concerning the use of people first language in
 24 the drafting of laws.

25
 26 (Amended as printed in Senate Journal, March 16, page 555.)

27
 28 Representative Gardner B., moved that the House **concur** in Senate
 29 amendments. The motion was declared **passed** by the following roll call
 30 vote:

	YES	58	NO	3	EXCUSED	4	ABSENT	0
31								
32								
33	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
35	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	N
38	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
48	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	N
49							Speaker	Y
50								

51 The question being, "Shall the bill, as amended, pass?"

52 A roll call vote was taken. As shown by the following recorded vote, a
 53 majority of those elected to the House voted in the affirmative, and the
 54 bill, as amended, was declared **repassed**.

55

	YES	59	NO	2	EXCUSED	4	ABSENT	0
1								
2	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	N
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Kerr J., Massey, McFadyen, Pace,
20 Priola, Speaker

21
22 **HB10-1233** by Representative(s) Ryden; also Senator(s) Newell--
23 Concerning the relocation of the crime of stalking in the
24 Colorado Revised Statutes.

25
26 (Amended as printed in Senate Journal, March 16, page 555.)

27
28 Representative Ryden moved that the House **concur** in Senate
29 amendments. The motion was declared **passed** by the following roll call
30 vote:

	YES	61	NO	0	EXCUSED	4	ABSENT	0
31								
32								
33	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
35	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
38	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
48	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
49							Speaker	Y

50
51
52 The question being, "Shall the bill, as amended, pass?".
53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative, and the
55 bill, as amended, was declared **repassed**.
56

	YES	61	NO	0	EXCUSED	4	ABSENT	0
1								
2	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Fischer, Gerou, Labuda, Todd.

20
 21 **HB10-1245** by Representative(s) Liston, Balmer; also Senator(s)
 22 Johnston--Concerning the continuation of the regulation of
 23 boxing by the boxing commission.
 24

25 (Amended as printed in Senate Journal, March 16, page 551.)

26
 27 Representative Liston moved that the House **concur** in Senate
 28 amendments. The motion was declared **passed** by the following roll call
 29 vote:
 30

	YES	58	NO	3	EXCUSED	4	ABSENT	0
31								
32	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
33	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
34	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
35	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	Y
36	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	N
37	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
38	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
39	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
40	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
41	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
42	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
43	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
44	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
45	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
46	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
47	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	N
48							Speaker	Y

49
 50
 51 The question being, "Shall the bill, as amended, pass?"

52 A roll call vote was taken. As shown by the following recorded vote, a
 53 majority of those elected to the House voted in the affirmative, and the
 54 bill, as amended, was declared **repassed**.
 55

	YES	60	NO	1	EXCUSED	4	ABSENT	0
1								
2	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	N	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Gardner B., Gerou, Levy

20
 21 **HB10-1010** by Representative(s) Ferrandino, Court, Gerou; also
 22 Senator(s) Morse, Brophy, Heath--Concerning
 23 authorization for agencies of the state to enter into public-
 24 private initiative agreements with nonprofit entities.
 25

26 (Amended as printed in Senate Journal, March 19, page 607.)

27
 28 Representative Ferrandino moved that the House **concur** in Senate
 29 amendments. The motion was declared **passed** by the following roll call
 30 vote:
 31

	YES	61	NO	0	EXCUSED	4	ABSENT	0
32								
33	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
35	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
38	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
48	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
49							Speaker	Y
50								

51 The question being, "Shall the bill, as amended, pass?"

52 A roll call vote was taken. As shown by the following recorded vote, a
 53 majority of those elected to the House voted in the affirmative, and the
 54 bill, as amended, was declared **repassed**.
 55

	YES	60	NO	1	EXCUSED	4	ABSENT	0
1	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
4	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
6	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
8	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
9	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
10	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
11	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
16	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
17							Speaker	Y

18
19 Co-sponsor(s) added: Representative(s) Merrifield, Pommer, Summers

20
21 **HB10-1132** by Representative(s) Gardner B., McNulty, Nikkel,
22 Waller; also Senator(s) Hodge--Concerning the production
23 of records by a business in a criminal matter.
24

25 (Amended as printed in Senate Journal, March 19, page 605.)

26
27 Representative Gardner B., moved that the House **concur** in Senate
28 amendments. The motion was declared **passed** by the following roll call
29 vote:
30

	YES	61	NO	0	EXCUSED	4	ABSENT	0
31	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
32	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
33	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
34	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
35	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
36	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
37	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
38	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
39	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
40	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
41	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
42	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
43	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
44	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
45	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
46	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
47							Speaker	Y

48
49
50 The question being, "Shall the bill, as amended, pass?"

51 A roll call vote was taken. As shown by the following recorded vote, a
52 majority of those elected to the House voted in the affirmative, and the
53 bill, as amended, was declared **repassed**.
54
55

	YES	60	NO	1	EXCUSED	4	ABSENT	0
1	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
4	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
6	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
8	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
9	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
10	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
11	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
16	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	N
17							Speaker	Y

18
19 Co-sponsor(s) added: Representative(s) Gerou, King S.

20
21 **HB10-1135** by Representative(s) Ryden, Benefield, Court, Gagliardi,
22 Hullinghorst, Labuda, Looper, McCann, Middleton,
23 Peniston, Primavera, Schafer S., Solano, Todd; also
24 Senator(s) Hudak and Newell, Boyd, Spence, Williams--
25 Concerning the definition of domestic violence when
26 determining the best interests of a child.

27
28 (Amended as printed in Senate Journal, March 19, pages 606-607.)

29
30 Representative Ryden moved that the House **concur** in Senate
31 amendments. The motion was declared **passed** by the following roll call
32 vote:

	YES	61	NO	0	EXCUSED	4	ABSENT	0
35	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
36	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
37	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
38	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
39	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
40	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
41	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
42	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
43	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
44	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
45	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
46	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
47	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
48	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
49	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
50	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
51							Speaker	Y

52
53 The question being, "Shall the bill, as amended, pass?"

54 A roll call vote was taken. As shown by the following recorded vote, a
55 majority of those elected to the House voted in the affirmative, and the
56 bill, as amended, was declared **repassed**.

	YES	61	NO	0	EXCUSED	4	ABSENT	0
1								
2	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Apuan, Gardner B., Kerr J., Miklosi

20
 21 **HB10-1044** by Representative(s) Carroll T., Todd, Benefield, Kefalas,
 22 Massey, McNulty, Merrifield, Middleton, Roberts, Schafer
 23 S., Stephens; also Senator(s) Steadman--Concerning the
 24 licensure of neighborhood youth organizations.

25
 26 (Amended as printed in Senate Journal, March 22, pages 634-635.)

27
 28 Representative Carroll T., moved that the House **concur** in Senate
 29 amendments. The motion was declared **passed** by the following roll call
 30 vote:

	YES	61	NO	0	EXCUSED	4	ABSENT	0
31								
32								
33	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
35	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
38	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
48	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
49							Speaker	Y
50								

51 The question being, "Shall the bill, as amended, pass?"

52 A roll call vote was taken. As shown by the following recorded vote, a
 53 majority of those elected to the House voted in the affirmative, and the
 54 bill, as amended, was declared **repassed**.

55

	YES	58	NO	3	EXCUSED	4	ABSENT	0
1								
2	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Gerou

20
 21 **HB10-1211** by Representative(s) Tyler; also Senator(s) Williams--
 22 Concerning a reduction in the amount of the penalty for
 23 late vehicle registration of a vehicle without motive power
 24 that weighs two thousand pounds or less.

25
 26 (Amended as printed in Senate Journal, March 22, pages 633-634.)

27
 28 Representative Tyler moved that the House **adhere** to its position. A
 29 substitute motion by Representative Murray that the House **concur** in
 30 Senate amendments was declared **lost** by the following roll call vote:

	YES	28	NO	33	EXCUSED	4	ABSENT	0
32								
33	Acree	E	Gerou	Y	McFadyen	N	Ryden	N
34	Apuan	Y	Hullinghorst	N	McKinley	Y	Scanlan	N
35	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
36	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
37	Benefield	N	Kefalas	N	Middleton	E	Sonnenberg	Y
38	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
39	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	N	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	N	Pace	N	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
43	Ferrandino	N	Levy	N	Pommer	N	Todd	N
44	Fischer	N	Liston	Y	Primavera	N	Tyler	N
45	Frangas	N	Looper	Y	Priola	Y	Vaad	E
46	Gagliardi	N	Massey	Y	Rice	N	Vigil	N
47	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
48	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	N
49							Speaker	N

50
 51
 52 A second substitute motion by Representative May that the House **not**
 53 **concur** in Senate amendments and that a Conference Committee be
 54 appointed was declared **lost** by the following roll call vote:

55

	YES	28	NO	33	EXCUSED	4	ABSENT	0
1								
2	Acree	E	Gerou	Y	McFadyen	N	Ryden	N
3	Apuan	Y	Hullinghorst	N	McKinley	Y	Scanlan	N
4	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
5	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
6	Benefield	N	Kefalas	N	Middleton	E	Sonnenberg	Y
7	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
8	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	N	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	N	Pace	N	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
12	Ferrandino	N	Levy	N	Pommer	N	Todd	N
13	Fischer	N	Liston	Y	Primavera	N	Tyler	N
14	Frangas	N	Looper	Y	Priola	Y	Vaad	E
15	Gagliardi	N	Massey	Y	Rice	N	Vigil	N
16	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
17	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	N
18							Speaker	N

Representative Tyler's motion that the House **adhere** to its position was declared **passed** by the following roll call vote:

	YES	33	NO	28	EXCUSED	4	ABSENT	0
24								
25	Acree	E	Gerou	N	McFadyen	Y	Ryden	Y
26	Apuan	N	Hullinghorst	Y	McKinley	N	Scanlan	Y
27	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
28	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	N
30	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
32	Court	Y	King S.	N	Nikkel	N	Summers	N
33	Curry	N	Labuda	Y	Pace	Y	Swalm	N
34	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
37	Frangas	Y	Looper	N	Priola	N	Vaad	E
38	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
39	Gardner B.	N	May	N	Riesberg	Y	Waller	N
40	Gardner C.	N	McCann	E	Roberts	N	Weissmann	Y
41							Speaker	Y

HB10-1212 by Representative(s) Rice; also Senator(s) Schwartz--
Concerning a requirement that the executive director of the
department of revenue promulgate rules that establish
circumstances in which a vehicle owner shall be exempted
from paying the late fee for late registration of a vehicle.

(Amended as printed in Senate Journal, March 22, page 633.)

Representative Rice moved that the House **concur** in Senate amendments.
The motion was declared **passed** by the following roll call vote:

	YES	59	NO	2	EXCUSED	4	ABSENT	0
54								
55	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
56	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y

1	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
2	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
3	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
4	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
5	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
6	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
7	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
8	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
9	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
10	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
11	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
12	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
13	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
14	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
15							Speaker	Y

16

17 The question being, "Shall the bill, as amended, pass?".

18 A roll call vote was taken. As shown by the following recorded vote, a
 19 majority of those elected to the House voted in the affirmative, and the
 20 bill, as amended, was declared **repassed**.

21

22	YES	59	NO	2	EXCUSED	4	ABSENT	0
23	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
24	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
25	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
26	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
27	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
28	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
29	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
30	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
31	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
32	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
33	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
34	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
35	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
36	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
37	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
38	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
39							Speaker	Y

40 Co-sponsor(s) added: Representative(s) Kefalas, Kerr J., Priola, Vigil.

41

42

43

44

MESSAGE(S) FROM THE SENATE

45

46 The Senate has adopted and transmits herewith: SJR10-024.

47

48

49

50

INTRODUCTION AND CONSIDERATION OF RESOLUTION

51

52 On motion of Representative Weissmann, the rules were suspended and
 53 the following resolution was given immediate consideration.

54

55 **SJR10-024** by Senator(s) Tapia; also Representative(s) Frangas--
 56 Concerning recognition of "César Chávez Day".

1 (Printed and placed in member's file).

2
3 On motion of Representative Frangas, the resolution was read at length
4 and **adopted** by **viva voce** vote.

5
6 Co-sponsor(s) added: Representative(s) Apuan, Baumgardner, Benefield,
7 Bradford, Casso, Court, Curry, Ferrandino, Fischer, Gagliardi, Gardner B.,
8 Gerou, Hulinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda,
9 Levy, Liston, Massey, May, McFadyen, McKinley, McNulty, Merrifield,
10 Miklosi, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts,
11 Ryden, Scanlan, Schafer S., Solano, Soper, Stephens, Summers, Tipton, Todd,
12 Tyler, Vigil, Waller, Weissmann, Speaker

13
14
15
16 On motion of Representative Gagliardi, the House resolved itself into
17 Committee of the Whole for consideration of General Orders, and she
18 was called to the Chair to act as Chairman.

19
20
21 **GENERAL ORDERS--SECOND READING OF BILLS**

22
23 The Committee of the Whole having risen, the Chairman reported the
24 titles of the following bills had been read (reading at length had been
25 dispensed with by unanimous consent), the bills considered and action
26 taken thereon as follows:

27
28 (Amendments to the committee amendment are to the printed committee
29 report which was printed and placed in the members' bill file.)

30
31 **SB10-016** by Senator(s) Williams, Romer, Spence; also
32 Representative(s) Vaad, Fischer, Frangas, King S.,
33 McFadyen, McNulty, Merrifield, Tyler--Concerning
34 modification of the manner in which a civil penalty
35 assessment notice of toll evasion evidenced by automatic
36 vehicle identification technology is provided to the owner
37 of a vehicle so identified.

38
39 Laid over until April 1, retaining place on Calendar.

40
41 **SB10-099** by Senator(s) Cadman, Morse, Penry; also
42 Representative(s) Weissmann--Concerning the acceptance
43 by members of the general assembly from a joint
44 governmental agency of this state of the payment of or
45 reimbursement for certain expenses related to the
46 member's attendance at a meeting of the joint
47 governmental agency.

48
49 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
50 March 18, 2010, and placed in member's bill file; Report also printed in
51 House Journal, March 19, page 862.

52
53 Amendment No. 2, by Representative(s) Weissmann.

54
55 Amend reengrossed bill, page 5, line 1, after "MEETING;" insert "EXCEPT
56 THAT NOTHING IN THIS SUB-SUBPARAGRAPH (C) SHALL PROHIBIT A

1 MEMBER FROM EXTENDING THE DURATION OF HIS OR HER STAY LONGER
2 THAN IS REASONABLY NECESSARY AT THE MEMBER'S OWN EXPENSE;".

3
4 As amended, ordered revised and placed on the Calendar for Third
5 Reading and Final Passage.

6
7 **HB10-1348** by Representative(s) McFadyen, Massey; also Senator(s)
8 Kester and Bacon--Concerning increased regulatory
9 authority regarding radioactive materials.

10
11 Laid over until April 1, retaining place on Calendar.

12
13 **SB10-055** by Senator(s) Harvey; also Representative(s) Gardner C.--
14 Concerning the receipt of donations by the division of
15 motor vehicles in the department of revenue to be
16 deposited in the Colorado state titling and registration
17 account in the highway users tax fund.

18
19 Ordered revised and placed on the Calendar for Third Reading and Final
20 Passage.

21
22 **HB10-1241** by Representative(s) Casso; also Senator(s) Tochtrop--
23 Concerning required registration for persons who work on
24 fire suppression systems.

25
26 Amendment No. 1, Business Affairs & Labor Report,
27 dated February 24, 2010, and placed in member's bill file; Report also
28 printed in House Journal, February 25, pages 549-550.

29
30 Amendment No. 2, Appropriations Report, dated March 12, 2010, and
31 placed in member's bill file; Report also printed in House Journal,
32 March 12, page 768.

33
34 Amendment No. 3, by Representative(s) Casso.

35
36 Amend printed bill, page 2, after line 9 insert:

37
38 "SECTION 2. 12-58-104 (1), Colorado Revised Statutes, is
39 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

40
41 **12-58-104. Powers of board - fees - rules.** (1) In addition to all
42 other powers and duties conferred or imposed upon the board by this
43 article, the board is authorized and empowered to:

44
45 (k) ESTABLISH MINIMUM REQUIREMENTS AND STANDARDS FOR THE
46 INSPECTION OF MULTI-PURPOSE RESIDENTIAL FIRE SPRINKLER SYSTEMS IN
47 ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES THAT ARE PART OF
48 THE POTABLE WATER SUPPLY, BY REQUIRING INSPECTORS OR
49 MULTI-PURPOSE RESIDENTIAL FIRE SPRINKLER SYSTEMS IN ONE- AND
50 TWO-FAMILY DWELLINGS AND TOWNHOUSES TO BE CERTIFIED BY THE
51 DIVISION OF FIRE SAFETY IN THE DEPARTMENT OF PUBLIC SAFETY PURSUANT
52 TO SECTION 24-33.5-1206.4, C.R.S.". "

53
54 Renumber succeeding sections accordingly.

55
56 Page 2, after line 14 insert:

1 "(3.4) "CROSS-CONNECTION CONTROL DEVICE" MEANS AN
2 INSTALLATION, DEVICE, OR ASSEMBLY LOCATED BETWEEN THE WATER
3 SUPPLY AND FIRE SUPPRESSION PIPING TO PREVENT THE UNDESIRABLE
4 REVERSAL IN THE FLOW OF WATER FROM A REAL OR POTENTIAL SOURCE OF
5 CONTAMINATION BACK TO THE POTABLE WATER SUPPLY. A
6 CROSS-CONNECTION CONTROL DEVICE IS ALSO REFERRED TO AS A BACK
7 FLOW PREVENTER."

8
9 Page 2, line 17, after the period add "A SPRINKLER FITTER DOES NOT
10 INCLUDE A PERSON WHO PERFORMS WORK EXCLUSIVELY ON
11 CROSS-CONNECTION CONTROL DEVICES OR A PERSON WHO PERFORMS
12 WORK EXCLUSIVELY ON AN UNDERGROUND SYSTEM."

13
14 Page 3, line 4, after "SEQ.," insert "OR OTHER SIMILAR APPRENTICE
15 PROGRAM APPROVED BY THE ADMINISTRATOR,".

16
17 Page 3, after line 8 insert:

18
19 "(13.9) "UNDERGROUND SYSTEM" MEANS THE SYSTEM OF BELOW
20 GROUND PIPING, VALVES, APPLIANCES, AND APPURTENANCES THAT
21 PHYSICALLY CONNECT THE WATER SUPPLY TO A FIRE SUPPRESSION
22 SYSTEM."

23
24 Page 3, line 14, strike "ADMINISTRATOR OR" and substitute
25 "ADMINISTRATOR."

26
27 Page 3, strike lines 15 through 17.

28
29 Amendment No. 4, by Representative(s) Casso.

30
31 Amend printed bill, page 2, strike line 17 and substitute "INSTALLS FIRE
32 SUPPRESSION SYSTEMS. "SPRINKLER FITTER" DOES NOT INCLUDE A PERSON
33 WHO PERFORMS MAINTENANCE AND REPAIR ON FIRE SUPPRESSION SYSTEMS
34 AS A PART OF HIS OR HER EMPLOYMENT."

35
36 As amended, ordered engrossed and placed on the Calendar for Third
37 Reading and Final Passage.

38
39 **HB10-1351** by Representative(s) Ferrandino, Apuan, Casso, Curry,
40 Gagliardi, Hulinghorst, Kerr A., McCann, Merrifield,
41 Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Tyler,
42 Vigil; also Senator(s) Romer, Carroll M., Foster, Keller,
43 Morse--Concerning the maximum authorized interest rate
44 for a payday loan.

45
46 Laid over until April 1, retaining place on Calendar.

47
48 **HB10-1217** by Representative(s) McKinley, McFadyen, Looper, Pace,
49 Vigil--Concerning the repeal of the authority of the
50 executive director of the department of human services to
51 sell the Trinidad state nursing home.

52
53 Laid over until April 1, retaining place on Calendar.

54
55 **HB10-1362** by Representative(s) Vigil; also Senator(s) Schwartz--
56 Concerning the inactive status of a special district.

1 Amendment No. 1, Local Government Report, dated March 23, 2010, and
2 placed in member's bill file; Report also printed in House Journal,
3 March 25, page 960.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB10-1328** by Representative(s) Miklosi, Apuan, Benefield, Casso,
9 Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi,
10 Hullinghorst, Kefalas, Kerr A., Labuda, Levy, McCann,
11 McFadyen, Merrifield, Middleton, Peniston, Pommer,
12 Primavera, Ryden, Scanlan, Solano, Todd, Tyler, Vigil,
13 Weissmann; also Senator(s) Schwartz--Concerning the
14 "New Energy Jobs Creation Act of 2010", and, in
15 connection therewith, creating the Colorado new energy
16 improvement district and authorizing the district to fund
17 new energy improvements by issuing special assessment
18 bonds payable from special assessments levied on eligible
19 real property owned by persons who voluntarily join the
20 district in order to have the district help them fund new
21 energy improvements to the eligible real property.

22
23 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
24 March 4, 2010, and placed in member's bill file; Report also printed in
25 House Journal, March 5, pages 692-694.

26
27 Amendment No. 2, by Representative(s) Miklosi.

28
29 Amend the State, Veterans, & Military Affairs Committee Report, dated
30 March 4, 2010, page 3, line 11, strike ""INSTALLMENTS"." and substitute
31 ""THE DELINQUENT INSTALLMENTS".".

32
33 Page 3 of the report, strike lines 12 through 16 and substitute:

34
35 "Page 25 of the bill, strike lines 2 through 4.

36
37 Page 25 of the bill, line 5, strike "AND, AT" and substitute "SALE. AT".

38
39 Page 26 of the bill, line 20, strike "HOWEVER, IF THE".

40
41 Page 26 of the bill, strike lines 21 through 25 and substitute "NEITHER
42 THE SALE OF ELIGIBLE REAL PROPERTY IN THE DISTRICT TO ENFORCE THE
43 PAYMENT OF GENERAL AD VALOREM TAXES NOR THE ISSUANCE OF A
44 TREASURER'S DEED IN CONNECTION WITH SUCH A SALE SHALL EXTINGUISH
45 THE LIEN OF A SPECIAL ASSESSMENT. IF ELIGIBLE".

46
47 Page 27 of the bill, line 27, after "(4)" insert "(a)".

48
49 Page 28 of the bill, line 4, strike "ASSESSMENTS." and substitute
50 "INSTALLMENT OF PRINCIPAL AND INTEREST".

51
52 Page 28 of the bill, after line 8, insert:

53
54 "(b) AT ANY SALE BY A COUNTY TREASURER OF ANY ELIGIBLE
55 REAL PROPERTY FOR THE PURPOSE OF PAYING A SPECIAL ASSESSMENT, THE
56 BOARD MAY PURCHASE THE PROPERTY FOR THE DISTRICT WITHOUT PAYING

1 FOR THE PROPERTY IN CASH AND SHALL RECEIVE CERTIFICATES OF
2 PURCHASE FOR THE PROPERTY IN THE NAME OF THE DISTRICT. THE
3 CERTIFICATES SHALL BE RECEIVED AND CREDITED AT THEIR FACE VALUE,
4 WITH ALL INTEREST AND PENALTIES ACCRUED, ON ACCOUNT OF THE
5 ASSESSMENT INSTALLMENT IN PURSUANCE OF WHICH THE SALE WAS MADE.
6 THE CERTIFICATES MAY THEREAFTER BE SOLD BY THE BOARD AT THEIR
7 FACE VALUE, WITH ALL INTEREST AND PENALTIES ACCRUED, AND
8 ASSIGNED TO THE PURCHASER IN THE NAME OF THE DISTRICT. THE
9 PROCEEDS OF THE SALE SHALL BE CREDITED TO THE FUND CREATED BY
10 RESOLUTION FOR THE PAYMENT OF SUCH ASSESSMENTS RESPECTIVELY. IF
11 THE DISTRICT HAS REPAID ALL SPECIAL ASSESSMENT BONDS IN FULL, THE
12 CERTIFICATES MAY BE SOLD BY THE BOARD FOR THE BEST PRICE
13 OBTAINABLE AT PUBLIC SALE, AT AUCTION, OR BY SEALED BIDS IN THE
14 SAME MANNER AND UNDER THE SAME CONDITIONS AS PROVIDED IN
15 PARAGRAPH (d) OF THIS SUBSECTION (4). SUCH ASSIGNMENTS SHALL BE
16 WITHOUT RECOURSE, AND THE SALE AND ASSIGNMENTS SHALL OPERATE
17 AS A LIEN IN FAVOR OF THE PURCHASER AND ASSIGNEE AS IS PROVIDED BY
18 LAW IN THE CASE OF SALE OF REAL ESTATE IN DEFAULT OF PAYMENT OF
19 THE GENERAL PROPERTY TAX.

20
21 (c) THE BOARD, AS A PURCHASER, HAS THE RIGHT TO APPLY FOR
22 TAX DEEDS ON CERTIFICATES OF PURCHASE AT ANY TIME AFTER THREE
23 YEARS FROM THE DATE OF ISSUANCE OF THE CERTIFICATES, AND THE
24 DEEDS SHALL BE ISSUED AS PROVIDED BY LAW FOR ISSUANCE OF TAX
25 DEEDS FOR THE NONPAYMENT OF THE GENERAL PROPERTY TAX.

26
27 (d) CUMULATIVELY WITH ALL OTHER REMEDIES, THE DISTRICT, AS
28 THE OWNER OF PROPERTY BY VIRTUE OF A TAX DEED OR OF PROPERTY
29 OTHERWISE ACQUIRED, IN SATISFACTION OR DISCHARGE OF THE LIENS
30 REPRESENTED BY CERTIFICATES OF SALE, MAY SELL THE PROPERTY FOR
31 THE BEST PRICE OBTAINABLE AT PUBLIC SALE, AT AUCTION, OR BY SEALED
32 BIDS. A SALE SHALL BE HELD AFTER PUBLIC NOTICE BY THE BOARD TO ALL
33 PERSONS HAVING OR CLAIMING ANY INTEREST IN THE ELIGIBLE REAL
34 PROPERTY TO BE SOLD OR IN THE PROCEEDS OF THE SALE BY PUBLICATION
35 OF THE NOTICE THREE TIMES, A WEEK APART, IN A WEEKLY OR DAILY
36 NEWSPAPER OF GENERAL CIRCULATION WITHIN THE COUNTY IN WHICH THE
37 PROPERTY IS LOCATED. THE NOTICE SHALL DESCRIBE THE PROPERTY AND
38 STATE THE TIME, PLACE, AND MANNER OF RECEIVING BIDS; EXCEPT THAT
39 THE TIME FIXED FOR THE SALE SHALL NOT BE LESS THAN TEN DAYS AFTER
40 THE LAST PUBLICATION. THE BOARD MAY REJECT ANY AND ALL BIDS.
41 ANY INTERESTED PARTY, AT ANY TIME WITHIN TEN DAYS AFTER THE
42 RECEIPT OF BIDS FOR THE SALE OF PROPERTY, MAY FILE WITH THE BOARD
43 A WRITTEN PROTEST AS TO THE SUFFICIENCY OF THE AMOUNT OF ANY BID
44 MADE OR THE VALIDITY OF THE PROCEEDINGS FOR THE SALE. IF THE
45 PROTEST IS DENIED, THE PROTESTOR, WITHIN TEN DAYS THEREAFTER,
46 SHALL COMMENCE AN ACTION IN A COURT OF COMPETENT JURISDICTION TO
47 ENJOIN OR RESTRAIN THE BOARD FROM COMPLETING THE SALE. IF NO
48 SUCH ACTION IS COMMENCED, ALL PROTESTS OR OBJECTIONS TO THE SALE
49 SHALL BE WAIVED, AND THE BOARD SHALL THEN CONVEY THE PROPERTY
50 TO THE SUCCESSFUL BIDDER BY QUITCLAIM DEED.

51
52 (e) IN ADDITION TO ALL OTHER REMEDIES, THE DISTRICT, AS A
53 HOLDER OF CERTIFICATES OF PURCHASE, MAY BRING A CIVIL ACTION FOR
54 FORECLOSURE THEREOF IN ACCORDANCE WITH ARTICLE 38 OF TITLE 38,
55 C.R.S., JOINING AS DEFENDANTS ALL PERSONS HOLDING RECORD TITLE,
56 PERSONS OCCUPYING OR IN POSSESSION OF THE PROPERTY, PERSONS

1 HAVING OR CLAIMING ANY INTEREST IN THE PROPERTY OR IN THE
2 PROCEEDS OF A FORECLOSURE SALE, ALL GOVERNMENTAL TAXING UNITS
3 HAVING TAXES OR OTHER CLAIMS AGAINST THE PROPERTY, AND ALL
4 UNKNOWN PERSONS HAVING OR CLAIMING ANY INTEREST IN THE
5 PROPERTY. ANY NUMBER OF CERTIFICATES MAY BE FORECLOSED IN THE
6 SAME PROCEEDING. IN SUCH A PROCEEDING, THE DISTRICT, AS PLAINTIFF,
7 IS ENTITLED TO ALL RELIEF PROVIDED BY LAW IN ACTIONS FOR AN
8 ADJUDICATION OF RIGHTS WITH RESPECT TO REAL PROPERTY, INCLUDING
9 ACTIONS TO QUIET TITLE.

10

11 (f) THE PROCEEDS OF ANY SALE OF PROPERTY SHALL BE CREDITED
12 TO THE APPROPRIATE SPECIAL ASSESSMENT FUND. THE DISTRICT SHALL
13 DEDUCT THEREFROM THE NECESSARY EXPENSES IN SECURING DEEDS AND
14 TAKING PROCEEDINGS FOR THE SALE OR FORECLOSURE.

15

16 (5) WHEN THE DISTRICT HAS SOLD OR CONVEYED AT A FAIR
17 MARKET VALUE CERTIFICATES OF PURCHASE OR PROPERTY THAT THE
18 DISTRICT HAS ACQUIRED IN SATISFACTION OR DISCHARGE OF SPECIAL
19 ASSESSMENT LIENS, THE SALES AND CONVEYANCES ARE HEREBY
20 VALIDATED AND CONFIRMED AS AGAINST ALL PARTIES HAVING OR
21 CLAIMING ANY INTEREST IN THE PROPERTY OR SALE PROCEEDS."."

22

23 Amendment No. 3, by Representative(s) Miklosi.

24

25 Amend printed bill, page 10, line 19, strike "C.R.S., AND THE".

26

27 Page 10, strike lines 20 through 22 and substitute "C.R.S. NOTHING IN
28 THIS ARTICLE SHALL LIMIT THE RIGHT OF A PUBLIC UTILITY, SUBJECT TO
29 ARTICLE 3 OR 3.5 OF TITLE 40, C.R.S., OR SECTION 40-9.5-106, C.R.S., TO
30 ASSESS FEES FOR THE USE OF ITS FACILITIES OR MODIFY OR EXPAND THE
31 NET METERING LIMITATIONS ESTABLISHED IN SECTIONS 40-9.5-118 AND
32 40-2-124 (7), C.R.S. PRIMARY JURISDICTION TO HEAR ANY DISPUTES AS
33 TO WHETHER A RENEWABLE ENERGY IMPROVEMENT INTERFERES WITH
34 SUCH A RIGHT SHALL LIE:

35

36 (a) IN THE CASE OF A REGULATED UTILITY, WITH THE PUBLIC
37 UTILITIES COMMISSION; AND

38

39 (b) IN THE CASE OF A MUNICIPALLY-OWNED ELECTRIC UTILITY,
40 WITH THE GOVERNING BODY OF THE MUNICIPALITY."."

41

42 Amendment No. 4, by Representative(s) Miklosi.

43

44 Amend printed bill, page 8, after line 15 insert:

45

46 "(6) "LOAN BALANCE" MEANS THE OUTSTANDING PRINCIPAL
47 BALANCE OF LOANS SECURED BY A MORTGAGE OR DEED OF TRUST WITH A
48 FIRST OR SECOND LIEN ON ELIGIBLE REAL PROPERTY."."

49

50 Renumber succeeding subsections accordingly.

51

52 Page 9, line 7, strike "PROPERTY;" and substitute "PROPERTY THAT HAS A
53 RATIO OF LOAN BALANCE TO ITS ACTUAL VALUE OF NINETY-FIVE PERCENT
54 OR LESS AT THE TIME THE PERSON'S PROGRAM APPLICATION IS APPROVED,
55 AS SHOWN IN THE RECORDS OF THE COUNTY ASSESSOR, UNLESS THE
56 HOLDER OF THE DEED OF TRUST OR MORTGAGE RECORDED AGAINST THE

1 ELIGIBLE REAL PROPERTY THAT HAS PRIORITY OVER ALL OTHER DEEDS OF
2 TRUST OR MORTGAGES RECORDED AGAINST THE ELIGIBLE REAL PROPERTY
3 HAS CONSENTED IN WRITING TO THE LEVYING OF A SPECIAL ASSESSMENT
4 AGAINST THE ELIGIBLE REAL PROPERTY."
5

6 Page 20, line 2, strike "IF DEEMED NECESSARY BY THE BOARD," and
7 substitute "TAKE APPROPRIATE STEPS TO".
8

9 Amendment No. 5, by Representative(s) Judd.
10

11 Amend printed bill, page 28, line 22, after "PAYABLE." insert "THE BONDS
12 SHALL NOT CONSTITUTE A DEBT OR OTHER FINANCIAL OBLIGATION OF THE
13 STATE."
14

15 Page 30, line 24, after "PRICE." add "THE RESOLUTION OR TRUST
16 INDENTURE SHALL CONTAIN A PROVISION THAT STATES THAT THE BONDS
17 DO NOT CONSTITUTE A DEBT OR OTHER FINANCIAL OBLIGATION OF THE
18 STATE, AND THE SAME OR A SIMILAR PROVISION SHALL ALSO APPEAR ON
19 THE BONDS."
20

21 As amended, ordered engrossed and placed on the Calendar for Third
22 Reading and Final Passage.
23

24 **SB10-098** by Senator(s) Tochtrop; also Representative(s)
25 Sonnenberg--Concerning the allocation of moneys to
26 promote conservation of the state's natural resources.
27

28 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
29 dated March 17, 2010, and placed in member's bill file; Report also
30 printed in House Journal, March 18, page 840.
31

32 Amendment No. 2, by Representative(s) Sonnenberg.
33

34 Amend the Agriculture, Livestock, & Natural Resources Committee
35 Report, page 1, strike line 1 and substitute:
36

37 "Amend reengrossed bill, page 4, strike lines 10 through 27.
38

39 Page 5 of the bill, strike line 1 and substitute:
40

41 "(b) Allowing counties to cooperate or contract with conservation
42 districts and local noxious weed control programs will assist these entities
43 in developing, administering, and maintaining soil conservation and
44 noxious weed control efforts, addressing small acreage management,
45 protecting rangeland and wildlife habitat, improving water delivery
46 systems, water quality, and forest health, and reducing soil erosion in
47 parks, recreation areas, and open space."
48

49 Page 5 of the bill, line 4, strike "(a)".
50

51 Page 1 of the report, line 3, strike "SECTION." and substitute "SECTION
52 IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE XXVII OF THE STATE
53 CONSTITUTION."
54

55 As amended, ordered revised and placed on the Calendar for Third
56 Reading and Final Passage.

1 On motion of Representative Weissmann, the remainder of the General
 2 Orders Calendar (**SB10-155, 101, 062, 143, 152, 042, 048, 066**) was laid
 3 over until April 1, retaining place on Calendar.

AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT

9 Representative DelGrosso moved to amend the Report of the Committee
 10 of the Whole to reverse the action taken by the Committee in not adopting
 11 the following DelGrosso amendment, to HB10-1328, to show that said
 12 amendment passed, and that **HB10-1328**, as amended, passed.

14 Amend printed bill, page 24, line 22, strike "ANY" and substitute "MORE
 15 THAN ONE".

17 The amendment was declared **lost** by the following roll call vote:

	YES	24	NO	34	EXCUSED	7	ABSENT	0
20	Acree	E	Gerou	Y	McFadyen	N	Ryden	N
21	Apuan	N	Hullinghorst	N	McKinley	N	Scanlan	N
22	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
23	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
24	Benefield	N	Kefalas	N	Middleton	E	Sonnenberg	Y
25	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
26	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
27	Court	N	King S.	Y	Nikkel	Y	Summers	Y
28	Curry	N	Labuda	N	Pace	N	Swalm	Y
29	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	E
30	Ferrandino	E	Levy	N	Pommer	E	Todd	N
31	Fischer	N	Liston	Y	Primavera	N	Tyler	N
32	Frangas	N	Looper	Y	Priola	Y	Vaad	E
33	Gagliardi	E	Massey	Y	Rice	N	Vigil	N
34	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
35	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
36							Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

42 Passed Second Reading: **SB10-099 amended, 055, HB10-1241**
 43 **amended, 1362 amended, 1328 amended, SB10-098 amended.**

45 Laid over until date indicated retaining place on Calendar: **SB10-016,**
 46 **HB10-1348, 1351, 1217, SB10-155, 101, 062, 143, 152, 042, 048, 066--**
 47 April 1, 2010.

49 The Chairman moved the adoption of the Committee of the Whole
 50 Report. As shown by the following roll call vote, a majority of those
 51 elected to the House voted in the affirmative, and the Report was
 52 **adopted.**

	YES	58	NO	0	EXCUSED	7	ABSENT	0
55	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
56	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y

1	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
2	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
3	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
4	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
5	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
6	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
7	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
8	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
9	Ferrandino	E	Levy	Y	Pommer	E	Todd	Y
10	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
11	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
12	Gagliardi	E	Massey	Y	Rice	Y	Vigil	Y
13	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
14	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
15							Speaker	Y

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

After consideration on the merits, the Committee recommends the following:

HB10-1060 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Strike the Agriculture, Livestock, & Natural Resources Committee Report, dated January 27, 2010, and substitute:

"Amend printed bill, page 2, line 3, strike "A NEW SUBSECTION" and substitute "THE FOLLOWING NEW SUBSECTIONS".

Page 2 of the bill, line 6, strike "TEN" and substitute "UP TO THIRTY".

Page 2 of the bill, line 7, strike "FIFTY" and substitute "THIRTY".

Page 2 of the bill, line 13, strike "THIRTY" and substitute "UP TO FIFTEEN".

Page 2 of the bill, line 14, strike "FIVE THOUSAND" and substitute "TWO THOUSAND FIVE HUNDRED".

Page 2 of the bill, line 15, after "AMOUNT." insert "THE PENALTY SET FORTH IN THIS SUBSECTION (1.5) FOR FAILING TO WITHHOLD INCOME AND MAKE A PAYMENT SHALL NOT APPLY IF THE INCOME WAS FROM A WELL THAT QUALIFIED FOR THE EXEMPTION SET FORTH IN SECTION 39-29-105 (1) (b) FOR THE PRIOR TAXABLE YEAR.

(4) THE EXECUTIVE DIRECTOR MAY WAIVE, FOR GOOD CAUSE SHOWN, ANY OF THE PENALTIES AUTHORIZED BY THIS SECTION."

Page 3 of the bill, line 3, strike "payments" and substitute "payments, taxes,".

1 **HB10-1209** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend State, Veterans, & Military Affairs committee report dated March
6 4, 2010, page 3, after line 6, insert:
7

8 "SECTION 3. Appropriation. In addition to any other
9 appropriation, there is hereby appropriated, out of any moneys in the
10 highway user tax fund created in section 43-4-201 (1) (a), Colorado
11 Revised Statutes, not otherwise appropriated, to the department of
12 revenue, for allocation to the division of motor vehicles, driver and
13 vehicle services, for the fiscal year beginning July 1, 2010, the sum of
14 eighty-three thousand eighty-eight dollars (\$83,088) cash funds, or so
15 much thereof as may be necessary, for the implementation of this act."
16

17 Page 3 of the committee report, line 7, strike "3." and substitute "4."
18

19 Page 3 of the committee report, line 10, strike "4." and substitute "5."
20

21 Page 3 of the committee report, after line 12, insert:
22

23 "Page 1 of the bill, line 104, strike "REVENUE." and substitute "REVENUE,
24 AND MAKING AN APPROPRIATION THEREFOR."."
25
26
27

28 **HB10-1243** be referred to the Committee of the Whole with favorable
29 recommendation.
30
31

32 **HB10-1334** be referred to the Committee of the Whole with favorable
33 recommendation.
34
35

36 **SB10-068** be referred to the Committee of the Whole with favorable
37 recommendation.
38
39

40 **SB10-072** be referred to the Committee of the Whole with favorable
41 recommendation.
42
43
44
45

46 **EDUCATION**

47 After consideration on the merits, the Committee recommends the
48 following:
49

50 **SB10-079** be referred to the Committee of the Whole with favorable
51 recommendation.
52
53

54 **SB10-088** be referred to the Committee of the Whole with favorable
55 recommendation.
56

1 **SB10-108** be referred favorably to the Committee on Appropriations.

2
3
4 **SB10-111** be amended as follows, and as so amended, be referred to
5 the Committee of the Whole with favorable
6 recommendation:
7

8 Amend reengrossed bill, page 3, line 21, after "SHALL" insert "CONVENE
9 A STUDY GROUP TO".
10

11 Page 3, line 24, after the period, insert "AT A MINIMUM, THE STUDY GROUP
12 SHALL INCLUDE REPRESENTATIVES FROM THE DEPARTMENT, A STATEWIDE
13 ASSOCIATION THAT REPRESENTS SCHOOL EXECUTIVES, A STATEWIDE
14 ASSOCIATION THAT REPRESENTS SCHOOL DISTRICT BOARDS OF EDUCATION,
15 A STATEWIDE ASSOCIATION THAT REPRESENTS CHARTER SCHOOLS, A
16 STATEWIDE ASSOCIATION THAT REPRESENTS TEACHERS, AND THE BOARDS
17 OF COOPERATIVE SERVICES."
18

19 Page 3, line 25, strike "ITS" and substitute "THE STUDY GROUP'S".
20

21 Page 8, strike lines 26 and 27 and substitute:
22

23 "SECTION 10. 22-30.5-505 (12) (a), (12) (b) (I), and (12) (b) (II)
24 (B), Colorado Revised Statutes, are amended to read:
25

26 **22-30.5-505. State charter school institute - institute board -**
27 **appointment - powers and duties - rules.** (12) (a) ~~On or before August~~
28 ~~1, 2008;~~ The institute shall collect from ~~institute charter schools~~ EACH
29 INSTITUTE CHARTER SCHOOL AUTHORIZED ON OR AFTER JULY 1, 2010, the
30 data specified in paragraph (b) of this subsection (12) FOR THE INSTITUTE
31 CHARTER SCHOOL'S FIRST ACADEMIC YEAR OF OPERATION. At a minimum,
32 the institute shall require the institute charter schools to update SCHOOL
33 TO SUBMIT the collected data ~~on March 1, May 1, and July 1 of each year~~
34 ~~starting in 2009~~ BY AUGUST 1 OF THE INSTITUTE CHARTER SCHOOL'S FIRST
35 ACADEMIC YEAR OF OPERATION AND TO UPDATE THE INFORMATION, IF
36 NECESSARY, BY THE FOLLOWING MAY 1. Upon receipt of a request from
37 a school district, the institute shall provide a copy of the collected data to
38 the school district.
39

40 (b) The data collected pursuant to this subsection (12) shall
41 include, at a minimum:
42

43 (I) The projected aggregate number of students enrolling in THE
44 institute charter schools SCHOOL for the ~~upcoming~~ academic year who
45 were enrolled in schools of the school district for the preceding academic
46 year; and
47

48 (II) For each student included in subparagraph (I) of this
49 paragraph (b), to the extent known:
50

51 (B) The name of the institute charter school and the grade in
52 which the student is enrolled for the ~~upcoming~~ academic year."
53

54 Page 9, strike lines 1 through 20.
55

56 Page 11, after line 5 insert:

1 **"SECTION 14.** 22-30.5-513 (4), Colorado Revised Statutes, is
2 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

3
4 **22-30.5-513. Institute charter schools - definitions - funding.**

5 (4) (d) NOTWITHSTANDING THE PROVISIONS OF SUB-SUBPARAGRAPH (B)
6 OF SUBPARAGRAPH (I.5) OF PARAGRAPH (a) OF THIS SUBSECTION (4), FOR
7 ANY BUDGET YEAR IN WHICH THE TOTAL AMOUNT OF TOTAL PROGRAM
8 FUNDING, INCLUDING FUNDING FOR INSTITUTE CHARTER SCHOOLS, IS
9 REDUCED PURSUANT TO SECTION 22-54-104 (5) (g), THE INSTITUTE SHALL
10 NOT WITHHOLD FROM AN INSTITUTE CHARTER SCHOOL THE AMOUNT
11 SPECIFIED IN SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I.5) OF
12 PARAGRAPH (a) OF THIS SUBSECTION (4).".

13
14 Renumber succeeding section accordingly.

15
16 Page 11, line 15, strike "governor." and substitute "governor; except that
17 section 14 of this act shall take effect only if House Bill 10-1369 is
18 enacted and becomes law.".

19
20
21
22
23 **HEALTH & HUMAN SERVICES**

24 After consideration on the merits, the Committee recommends the
25 following:

26
27 **HB10-1359** be referred to the Committee of the Whole with favorable
28 recommendation.

29
30
31 **SB10-170** be postponed indefinitely.

32
33
34
35
36 **JUDICIARY**

37 After consideration on the merits, the Committee recommends the
38 following:

39
40 **HB10-1364** be amended as follows, and as so amended, be referred to
41 the Committee on Appropriations with favorable
42 recommendation:

43
44 Amend printed bill, page 9, line 18, strike "OFFENDER." and substitute
45 "OFFENDER BASED UPON THE KNOWLEDGE THAT SOME ADULT SEX
46 OFFENDERS ARE EXTREMELY HABITUATED AND THAT, FOR SOME ADULT
47 SEX OFFENDERS, THERE IS NO KNOWN CURE FOR THE PROPENSITY TO
48 COMMIT SEX OFFENSES.".

49
50 Page 9, line 27, strike "BY" and substitute "IN THE TREATMENT OF".

51
52 Page 11, line 1, after "ARTICLE" insert "AND THE SEX OFFENDER
53 TREATMENT PROGRAM".

54
55 Page 11, line 6, strike "INDIVIDUAL'S" and substitute "PROVIDER'S".

1 Page 12, strike lines 18 through 23 and substitute:

2
3 "(e) (I) THE BOARD SHALL RESEARCH, THROUGH DIRECT
4 EVALUATION OR THROUGH A REVIEW OF RELEVANT RESEARCH ARTICLES
5 AND SEX OFFENDER TREATMENT EMPIRICAL DATA, AND ANALYZE,
6 THROUGH A COMPREHENSIVE REVIEW OF EVIDENCE-BASED PRACTICES, THE
7 EFFECTIVENESS OF THE EVALUATION, IDENTIFICATION, AND TREATMENT
8 POLICIES AND PROCEDURES FOR ADULT SEX OFFENDERS DEVELOPED
9 PURSUANT TO THIS ARTICLE. THIS RESEARCH SHALL SPECIFICALLY
10 INCLUDE, BUT SHALL NOT BE LIMITED TO, REVIEWING AND RESEARCHING
11 THE NO-CURE POLICY AS IT RELATES TO ALL SEX OFFENDERS AS DEFINED
12 IN THIS ARTICLE AND THE CONTAINMENT MODEL FOR ADULT SEX
13 OFFENDER MANAGEMENT AND TREATMENT AND ITS EFFECTIVE
14 APPLICATION. THE BOARD SHALL REVISE THE".

15
16 Page 16, line 14, after "ARTICLE" insert "AND A PROGRAM TREATING
17 JUVENILES WHO HAVE COMMITTED SEXUAL OFFENSES".

18
19 Page 16, line 18, strike "INDIVIDUAL'S" and substitute "PROVIDER'S".

20
21 Page 17, strike lines 17 and 18 and substitute "GOOD FAITH PERFORMANCE
22 OF THE DUTIES OF THE BOARD.".

23
24 Page 25, strike lines 13 and 14 and substitute:

25
26 "(II) THE NUMBER OF TREATMENT PROVIDERS IN THE STATE;".

27
28
29
30 **SB10-043** be referred to the Committee of the Whole with favorable
31 recommendation.

32
33
34 **SB10-147** be referred to the Committee of the Whole with favorable
35 recommendation.

36
37
38
39
40 **STATE, VETERANS, & MILITARY AFFAIRS**

41 After consideration on the merits, the Committee recommends the
42 following:

43
44 **HB10-1156** be postponed indefinitely.

45
46
47 **HB10-1354** be amended as follows, and as so amended, be referred to
48 the Committee of the Whole with favorable
49 recommendation:

50
51 Amend printed bill, page 4, line 11, after "(4)" insert "(a)".

52
53 Page 4, line 18, strike "(a)" and substitute "(I)".

54
55 Page 4, line 22, strike "(b)" and substitute "(II)".

56

1 Page 4, after line 25 insert:

2
3 "(b) (I) UPON THE REQUEST OF A REPRESENTATIVE, THE SPEAKER
4 OF THE HOUSE OF REPRESENTATIVES MAY SUBSTITUTE THE
5 REPRESENTATIVE AS A MEMBER OF A JOINT COMMITTEE OF REFERENCE FOR
6 PURPOSES OF A SPECIFIC INTERIM STUDY IN THE PLACE OF A CONSENTING
7 APPOINTED HOUSE MEMBER OF THE JOINT COMMITTEE OF REFERENCE, BUT
8 ONLY FOR MEETINGS AT WHICH THE JOINT COMMITTEE OF REFERENCE
9 CONDUCTS THE INTERIM STUDY. IN MAKING A SUBSTITUTION PURSUANT
10 TO THIS SUBPARAGRAPH (I), THE SPEAKER SHALL MAINTAIN THE BALANCE
11 OF PARTY REPRESENTATION ON THE JOINT COMMITTEE OF REFERENCE.
12

13 (II) IF A SENATOR REQUESTS A SUBSTITUTION, THE MAJORITY
14 LEADER OR MINORITY LEADER OF THE SENATE, DEPENDING ON THE
15 REQUESTING SENATOR'S PARTY, MAY SUBSTITUTE THE SENATOR AS A
16 MEMBER OF A JOINT COMMITTEE OF REFERENCE FOR PURPOSES OF A
17 SPECIFIC INTERIM STUDY IN THE PLACE OF A CONSENTING APPOINTED
18 SENATE MEMBER OF THE JOINT COMMITTEE OF REFERENCE, BUT ONLY FOR
19 MEETINGS AT WHICH THE JOINT COMMITTEE OF REFERENCE CONDUCTS THE
20 INTERIM STUDY. IN MAKING A SUBSTITUTION PURSUANT TO THIS
21 SUBPARAGRAPH (II), THE MAJORITY LEADER AND THE MINORITY LEADER
22 SHALL MAINTAIN THE BALANCE OF PARTY REPRESENTATION ON THE JOINT
23 COMMITTEE OF REFERENCE."
24

25 Page 9, line 7, strike "part 15 of".

26
27 Page 9, line 8, strike "article 3 of title 2,".

28
29 Page 9, line 8, strike "article 1.9 of title 18," and substitute "18-1.9-103,".

30
31 Page 9, strike lines 24 through 27.

32
33 Page 10, strike lines 1 through 6 and substitute:

34
35 "SECTION 4. 18-1.9-101 (4), Colorado Revised Statutes, is
36 amended to read:

37
38 **18-1.9-101. Legislative declaration.** (4) Therefore, the general
39 assembly declares that it is necessary to create a task force to continue to
40 examine the identification, diagnosis, and treatment of persons with
41 mental illness who are involved in the state criminal and juvenile justice
42 systems and to make additional recommendations to ~~a legislative~~
43 ~~oversight committee~~ THE JUDICIARY COMMITTEES OF THE HOUSE OF
44 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, for
45 the continuing development of legislative proposals related to this issue.
46

47 **SECTION 5.** 18-1.9-102, Colorado Revised Statutes, is amended
48 to read:

49
50 **18-1.9-102. Definitions.** As used in this article, unless the context
51 otherwise requires:

52
53 ~~(1) "Committee" means the legislative oversight committee~~
54 ~~established pursuant to section 18-1.9-103.~~

55
56 ~~(1.5)~~(1) "Co-occurring disorder" means a disorder that commonly

1 coincides with mental illness and may include, but is not limited to,
2 substance abuse, developmental disability, fetal alcohol syndrome, and
3 traumatic brain injury.

4
5 (2) "JOINT COMMITTEE CHAIRS" MEANS THE CHAIRS OF THE
6 JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE
7 SENATE, OR ANY SUCCESSOR COMMITTEES.

8
9 (3) "JOINT JUDICIARY COMMITTEES" MEANS THE JUDICIARY
10 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR
11 ANY SUCCESSOR COMMITTEES, MEETING JOINTLY.

12
13 ~~(2)~~ (4) "Task force" means the task force for the continuing
14 examination of the treatment of persons with mental illness who are
15 involved in the criminal and juvenile justice systems established pursuant
16 to section 18-1.9-104.

17
18 **SECTION 6.** The introductory portion to 18-1.9-104 (1) (c),
19 18-1.9-104 (1) (e), the introductory portion to 18-1.9-104 (3), 18-1.9-104
20 (3) (b), and the introductory portion to 18-1.9-104 (3) (e), Colorado
21 Revised Statutes, are amended to read:

22
23 **18-1.9-104. Mentally ill offender task force - creation -**
24 **membership - duties.** (1) **Creation.** (c) ~~The chair and vice-chair of the~~
25 ~~committee~~ JOINT COMMITTEE CHAIRS shall appoint twenty-six members
26 as follows:

27
28 (e) A vacancy occurring in a position filled by the ~~chair and~~
29 ~~vice-chair of the~~ JOINT committee CHAIRS pursuant to paragraph (c) of
30 this subsection (1) shall be filled as soon as possible by the ~~chair and~~
31 ~~vice-chair of the~~ JOINT committee CHAIRS in accordance with the
32 limitations specified in paragraph (c) of this subsection (1). In addition,
33 the ~~chair and vice-chair of the~~ JOINT committee CHAIRS may remove and
34 replace any appointment to the task force made pursuant to paragraph (c)
35 of this subsection (1).

36
37 (3) **Additional duties of the task force.** The task force shall
38 provide guidance and make findings and recommendations to the
39 ~~committee for its development of reports and legislative~~
40 ~~recommendations~~ JOINT JUDICIARY COMMITTEES for modification of the
41 criminal and juvenile justice systems, with respect to persons with mental
42 illness who are involved in these systems. In addition, the task force
43 shall:

44
45 (b) Meet at least six times each year from the date of the first
46 meeting until January 1, 2015, or more often as directed by the ~~chair of~~
47 ~~the~~ JOINT committee CHAIRS;

48
49 (e) Submit a report to the ~~committee by October 1, 2004, and by~~
50 ~~each October 1 thereafter through October 1, 2014~~ JOINT JUDICIARY
51 COMMITTEES BY JANUARY 20, 2011, AND BY JANUARY 20 EACH YEAR
52 THEREAFTER THROUGH 2015. At a minimum, ~~specifying~~ THE REPORT
53 SHALL SPECIFY the following:

54
55 **SECTION 7.** 18-1.9-106 (2), Colorado Revised Statutes, is
56 amended to read:

1 **18-1.9-106. Cash fund.** (2) Compensation as provided in sections
2 18-1.9-103 (1) (d) and 18-1.9-105 (2) for ~~members of the general~~
3 ~~assembly and for~~ staff assistance to the ~~committee and~~ task force
4 provided by the director of research of the legislative council and the
5 director of the office of legislative legal services shall be approved by the
6 chair of the legislative council and paid by vouchers and warrants drawn
7 as provided by law from moneys appropriated for such purpose and
8 allocated to the legislative council from the fund.".

9
10 Renumber succeeding sections accordingly.

11
12 Page 11, line 2, strike "(7) and (10)," and substitute "(7),".

13
14 Page 11, line 3, strike "are" and substitute "is".

15
16 Page 11, strike lines 10 through 27.

17
18 Page 12, strike lines 1 through 6.

19
20 Renumber succeeding sections accordingly.

21
22 Page 12, line 12, strike "~~the task force~~," and substitute "the task force,".

23
24 Page 12, line 13, strike "coalition" and substitute "coalition,".

25
26 Page 12, line 18, strike "~~the task force~~," and substitute "the task force,".

27
28 Page 12, line 19, strike "coalitions" and substitute "coalitions,".

29
30 Page 12, line 27, strike "~~the task~~" and substitute "the task force,".

31
32 Page 13, line 1, strike "~~force~~," and strike "programs" and substitute
33 "programs,".

34
35 Page 13, line 3, strike "AND family advocacy coalitions ~~and the task~~
36 ~~force~~" and substitute "family advocacy coalitions, and the task force".

37
38 Page 13, after line 23 insert:

39
40 **"SECTION 13.** 31-31-202, Colorado Revised Statutes, is
41 amended BY THE ADDITION OF A NEW SUBSECTION to read:

42
43 **31-31-202. Powers and duties of the board.** (7) (a) ON OR
44 BEFORE JANUARY 20, 2011, AND ON OR BEFORE JANUARY 20 EACH YEAR
45 THEREAFTER, THE BOARD SHALL SUBMIT TO THE FINANCE COMMITTEES OF
46 THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
47 COMMITTEES, A REPORT CONCERNING IMPLEMENTATION OF THE
48 PROVISIONS OF THIS ARTICLE AND ARTICLE 30.5 OF THIS TITLE FOR THE
49 PRECEDING FISCAL YEAR AND ANY RECOMMENDATIONS FOR LEGISLATION
50 PERTAINING TO THIS ARTICLE AND ARTICLE 30.5 OF THIS TITLE.

51
52 (b) THE CHAIRPERSONS OF THE FINANCE COMMITTEES OF THE
53 HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
54 COMMITTEES, OR DESIGNEES OF THE CHAIRPERSONS, MAY ANNUALLY
55 INTRODUCE NO MORE THAN FOUR BILLS BASED ON THE
56 RECOMMENDATIONS MADE IN THE ANNUAL REPORT. ANY BILLS

1 INTRODUCED PURSUANT TO THIS PARAGRAPH (b) SHALL NOT BE SUBJECT
2 TO ANY LIMITATIONS IMPOSED BY LEGISLATIVE RULE ON THE NUMBER OF
3 BILLS THAT A LEGISLATOR MAY INTRODUCE. ANY BILLS INTRODUCED
4 PURSUANT TO THIS PARAGRAPH (b) SHALL BE SUBJECT TO THE FINAL
5 INTRODUCTION DEADLINE FOR BILLS IN THE HOUSE OF INTRODUCTION
6 UNLESS THE INTRODUCTION DEADLINE IS WAIVED AS PROVIDED IN THE
7 JOINT RULES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE."

8
9 Renumber succeeding sections accordingly.

10

11

12

13 **HJR10-1014** be postponed indefinitely.

14

15

16 **SB10-028** be referred favorably to the Committee on Appropriations.

17

18

19 **SB10-087** be amended as follows, and as so amended, be referred to
20 the Committee on Appropriations with favorable
21 recommendation:

22

23 Amend reengrossed bill, page 5, strike lines 7 through 10.

24

25 Page 6, strike lines 11 and 12 and substitute:

26

27 "(3) (a) ~~Disclosure statements~~ A DISCLOSURE STATEMENT shall be
28 filed within fifteen days after the end of".

29

30 Page 6, strike lines 17 through 21.

31

32 Page 7, strike lines 23 through 26 and substitute "HER official capacity".

33

34 Page 8, strike line 17 and substitute:

35

36 "(7) In".

37

38 Page 8, line 20, strike "ten" and substitute "~~ten~~ TWENTY".

39

40 Page 9, line 2, strike "ONE".

41

42 Page 9, line 3, strike "HUNDRED" and substitute "FIFTY".

43

44 Page 9, line 11, strike "(1.5)," and strike "(4),".

45

46 Page 10, strike lines 14 and 15 and substitute "by this part 3, AND IN
47 REQUIRING THE REGISTRATION OF VOLUNTEER LOBBYISTS IN ACCORDANCE
48 WITH THE PROVISIONS OF SUBSECTION (7) OF THIS SECTION. The".

49

50 Page 10, strike lines 23 through 26.

51

52 Page 11, strike line 4 and substitute "statements of professional lobbyists
53 AND FIRMS".

54

55 Page 11, strike lines 9 through 14.

56

1 Page 11, line 19, strike "~~volunteer lobbyist~~," and substitute "volunteer
2 lobbyist, EXCEPT AS PROVIDED IN SUBSECTION (7) OF THIS SECTION,".
3

4 Page 11, strike lines 23 through 27.
5

6 Page 12, strike lines 1 through 24 and substitute:
7

8 "(7) NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART 3, ON
9 OR AFTER JANUARY 1, 2011, ANY VOLUNTEER LOBBYIST SHALL REGISTER
10 WITH THE SECRETARY OF STATE BY MEANS OF AN ON-LINE REGISTRATION
11 SYSTEM DEVELOPED FOR THE REGISTRATION OF SUCH LOBBYISTS BY THE
12 SECRETARY. IN CONNECTION WITH SUCH REGISTRATION, A VOLUNTEER
13 LOBBYIST SHALL BE REQUIRED TO PROVIDE HIS OR HER NAME AND
14 CONTACT INFORMATION, THE NAME OF ANY PERSON FOR WHOM HE OR SHE
15 IS LOBBYING, AND SUCH OTHER INFORMATION AS MAY BE REQUIRED BY
16 THE SECRETARY.".
17

18 Page 12, line 26, strike "(2) (b) and (3)," and substitute "(2) (b),".
19

20 Page 13, strike lines 17 through 22.
21

22 Page 14, line 5, strike "~~professional~~" and substitute "professional".
23

24 Page 14, line 16, strike "~~professional~~" and substitute "professional".
25
26
27

28 **SB10-114** be amended as follows, and as so amended, be referred to
29 the Committee of the Whole with favorable
30 recommendation:
31

32 Amend reengrossed bill, page 2, strike lines 16 through 21.
33

34 Page 3, strike lines 1 through 8.
35

36 Renumber succeeding sections accordingly.
37

38 Page 3, line 21, strike "BODY" and substitute "BODY. ONLY RECORDS
39 THAT ARE IN THE POSSESSION OF THE GOVERNMENTAL BODY PURSUANT TO
40 THIS PARAGRAPH (b) SHALL BE SUBJECT TO INSPECTION".
41

42 Page 3, strike lines 23 through 27.
43

44 Page 4, strike line 1.
45

46 Reletter succeeding paragraphs accordingly.
47

48 Page 4, line 15, strike "(E)" and substitute "(d)".
49

50 Page 4, line 19, strike "(e)" and substitute "(d)".
51

52 Page 4, strike lines 21 through 27.
53

54 Page 5, strike lines 1 through 16.
55

56 Renumber succeeding section accordingly.

1 **TRANSPORTATION & ENERGY**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HB10-1238** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:
8

9 Amend printed bill, page 3, line 1, strike "**zones - report**" and substitute
10 "**zones - cash fund - report - repeal**".

11
12 Page 4, line 13, strike "THE FOLLOWING FACTORS:" and substitute
13 "FACTORS INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:".
14

15 Page 4, after line 21 insert:
16

17 "(6) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
18 REQUIRES, "WILDLIFE" SHALL HAVE THE SAME MEANING AS "BIG GAME" AS
19 SET FORTH IN SECTION 33-1-102 (2), C.R.S."
20

21 (7) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE
22 WILDLIFE CROSSING ZONES CASH FUND, REFERRED TO IN THIS SECTION AS
23 THE "FUND". THE FUND SHALL CONSIST OF MONEYS TRANSFERRED TO THE
24 FUND PURSUANT TO SECTION 42-4-1701 (4) (d) (II). THE MONEYS IN THE
25 FUND SHALL BE CONTINUOUSLY APPROPRIATED BY THE GENERAL
26 ASSEMBLY TO THE DEPARTMENT OF TRANSPORTATION FOR THE DIRECT
27 AND INDIRECT COSTS ASSOCIATED WITH:
28

29 (I) PLACEMENT OF SIGNS IDENTIFYING WILDLIFE CROSSING ZONES
30 AND ESTABLISHING A LOWER SPEED LIMIT FOR THE PORTION OF THE
31 HIGHWAY THAT LIES WITHIN EACH ZONE;
32

33 (II) CONSTRUCTION, RECONSTRUCTION, REPAIRS, IMPROVEMENT,
34 PLANNING, SUPERVISION, AND MAINTENANCE OF THE PORTIONS OF THE
35 PUBLIC HIGHWAYS OF THE STATE THAT HAVE BEEN ESTABLISHED AS
36 WILDLIFE CROSSING ZONES PURSUANT TO SUBSECTION (1) OF THIS
37 SECTION, TOGETHER WITH THE ACQUISITION OF RIGHTS-OF-WAY AND
38 ACCESS RIGHTS FOR THE SAME; AND
39

40 (III) REIMBURSING THE HIGHWAY USERS TAX FUND CREATED IN
41 SECTION 43-4-201, C.R.S., FOR ANY MONEYS THAT ARE USED FROM THE
42 HIGHWAY USERS TAX FUND FOR THE PURPOSES DESCRIBED IN
43 SUBPARAGRAPHS (I) OR (II) OF THIS PARAGRAPH (a).
44

45 (b) THE DEPARTMENT OF TRANSPORTATION IS AUTHORIZED TO
46 EXPEND MONEYS IN THE FUND FOR THE PURPOSES DESCRIBED IN
47 PARAGRAPH (a) OF THIS SUBSECTION (7).
48

49 (c) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSES
50 DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (7) MAY BE INVESTED
51 BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND
52 INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE
53 FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND
54 UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A
55 FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR
56 TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND."

1 Renumber succeeding subsection accordingly.

2
3 Page 4, line 22, after "(8)" insert "(a)".

4
5 Page 5, line 1, strike "(a)" and substitute "(I)".

6
7 Page 5, line 4, strike "(b)" and substitute "(II)".

8
9 Page 5, line 7, strike "(c)" and substitute "(III)".

10
11 Page 5, line 12, strike "(d)" and substitute "(IV)".

12
13 Page 5, line 16, strike "(e)" and substitute "(V)".

14
15 Page 5, line 18, strike "(I)" and substitute "(A)".

16
17 Page 5, line 20, strike "(II)" and substitute "(B)".

18
19 Page 5, line 23, strike "(III)" and substitute "(C)".

20
21 Page 5, after line 25 insert:

22
23 "(b) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE MARCH 2,
24 2012."

25
26 Page 6, line 24, after "(3)" insert "(a)".

27
28 Page 7, line 1, strike "(a)" and substitute "(I)" and after "TIMES" insert "OF
29 DAY AND THE PERIODS OF THE CALENDAR YEAR".

30
31 Page 7, line 4, strike "(b)" and substitute "(II)" and after "TIMES" insert
32 "OF DAY AND THE PERIODS OF THE CALENDAR YEAR".

33
34 Page 7, after line 6 insert:

35
36 "(b) IN ERECTING SIGNS AS DESCRIBED IN PARAGRAPH (a) OF THIS
37 SUBSECTION (3), THE DEPARTMENT OF TRANSPORTATION, PURSUANT TO
38 SECTION 42-4-118, SHALL NOT ERECT SIGNS ESTABLISHING A LOWER SPEED
39 LIMIT FOR MORE THAN ONE HUNDRED MILES OF THE PUBLIC HIGHWAYS OF
40 THE STATE THAT HAVE BEEN ESTABLISHED AS WILDLIFE CROSSING
41 ZONES."

42
43 Page 7, line 22, after "(4) (d)" insert "(I)".

44
45 Page 7, after line 26 insert:

46
47 "(II) FOR EACH PENALTY AND SURCHARGE THAT THE DEPARTMENT
48 OF TRANSPORTATION IMPOSES FOR A MOVING TRAFFIC VIOLATION THAT
49 OCCURS WITHIN A WILDLIFE CROSSING ZONE PURSUANT TO SECTION
50 42-4-616, THE DEPARTMENT SHALL TRANSMIT ONE HALF OF THE AMOUNT
51 COLLECTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO
52 THE WILDLIFE CROSSING ZONES CASH FUND CREATED IN SECTION
53 42-4-118."

54
55
56

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 25th day of March, 2010, at 3:25 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 23, 2010

To the Honorable
House of Representatives
Sixty-seventh General Assembly
Second Regular Session
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following act:

HB10-1059 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.

Approved March 23, 2010 at 5:29 p.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

March 25, 2010

To the Honorable
House of Representatives
Sixty-sixth General Assembly
Second Regular Session
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following act:

HB10-1097 CONCERNING TEMPORARY INJUNCTIONS IN PROCEEDINGS INVOLVING MINOR CHILDREN.

Approved March 25, 2010 at 2:50 p.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

INTRODUCTION OF BILLS
First Reading

The following bills were read by title and referred to the committees indicated:

HB10-1376 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2010, except as otherwise noted.

Committee on Appropriations

HB10-1377 by Representative(s) Lambert, Ferrandino, Pommer; also Senator(s) Tapia, Keller, White--Concerning the temporary funding of certain agriculture programs entirely with cash funds, and making appropriations therefor.

Committee on Appropriations

HB10-1378 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) Keller, Tapia, White--Concerning moneys appropriated in the 2010-11 fiscal year for health clinics, and making appropriations therefor.

Committee on Appropriations

HB10-1379 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) White, Keller, Tapia--Concerning a reduction in the general fund portion of the per diem rates paid to nursing facilities for the 2010-11 fiscal year, and making an appropriation in connection therewith.

Committee on Appropriations

HB10-1380 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia--Concerning the use of moneys in the supplemental old age pension health and medical care fund to pay for services received by certain persons in the state medicaid program, and making an appropriation therefor.

Committee on Appropriations

HB10-1381 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) White, Keller, Tapia--Concerning the use of tobacco revenues for health-related purposes during a state fiscal emergency, and making an appropriation therefor.

Committee on Appropriations

HB10-1382 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) White, Keller, Tapia--Concerning the repeal of the delay of certain payments made under public medical assistance programs.

Committee on Appropriations

- 1 **HB10-1383** by Representative(s) Pommer, Ferrandino, Lambert; also
2 Senator(s) White, Keller, Tapia--Concerning funding for
3 student financial aid for higher education, and making an
4 appropriation therefor.
5 Committee on Appropriations
6
- 7 **HB10-1384** by Representative(s) Lambert, Ferrandino, Pommer; also
8 Senator(s) White, Keller, Tapia--Concerning the
9 alignment of eligibility for the old age pension program
10 with eligibility for other public benefit programs, and, in
11 connection therewith, aligning the waiting period for the
12 old age pension with the waiting period for other public
13 benefit programs, enforcing financial responsibility
14 requirements for relative sponsors of noncitizens, and
15 making an appropriation.
16 Committee on Appropriations
17
- 18 **HB10-1385** by Representative(s) Lambert, Ferrandino, Pommer; also
19 Senator(s) Tapia, Keller, White--Concerning fees
20 collected by the division of insurance to fund insurance
21 fraud cases pursued by the department of law.
22 Committee on Appropriations
23
- 24 **HB10-1386** by Representative(s) Ferrandino, Pommer, Lambert; also
25 Senator(s) White, Keller, Tapia--Concerning the
26 amounts of filing fees charged by the property tax
27 administrator for purposes of exemption of property
28 from general taxation.
29 Committee on Appropriations
30
- 31 **HB10-1387** by Representative(s) Pommer, Ferrandino, Lambert; also
32 Senator(s) White, Keller, Tapia--Concerning the
33 financing of the division of motor vehicles in the
34 department of revenue, and making appropriations
35 therefor.
36 Committee on Appropriations
37
- 38 **HB10-1388** by Representative(s) Ferrandino, Pommer, Lambert; also
39 Senator(s) Tapia, Keller, White--Concerning the
40 augmentation of the general fund through transfers of
41 certain moneys.
42 Committee on Appropriations
43
- 44 **HB10-1389** by Representative(s) Ferrandino, Pommer, Lambert; also
45 Senator(s) Tapia, Keller, White--Concerning transfers of
46 moneys relating to capital construction.
47 Committee on Appropriations
48
- 49 **HB10-1390** by Representative(s) Pommer, Ferrandino, Lambert; also
50 Senator(s) White, Keller, Tapia--Concerning the general
51 fund reserve required for the 2010-11 state fiscal year.
52 Committee on Appropriations
53
54
55
56
-

NOTICE OF CALENDARED ITEM(S)

On motion of Representative Weissmann, the following bill(s) will be calendared for Second Reading on April 1, 2010: **SB10-114, HB10-1060, 1209, 1243, 1334, SB10-068, 072, 079, 088, 111, HB10-1359, SB10-043, 147, HB10-1354.**

On motion of Representative Weissmann, the following bill(s) calendared for Second Reading, March 29, will be laid over until April 1, 2010: **SB10-138, 075, 100.**

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until March 29, retaining place on Calendar:

Consideration of Resolution(s)--**HJR10-1016, 1017.**

Consideration of Senate Amendment(s)--**HB10-1108, 1188, 1043, 1058, 1062, 1109, 1133, 1202, 1244, 1288.**

On motion of Representative Weissmann, the House adjourned until 10:00 a.m., March 29, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Seventy-sixth Legislative Day

Monday, March 29, 2010

1 Prayer by Father Eustace Sequeira, SJ., St. Ignatius Loyola Catholic
 2 Church, Denver.

3
 4 The Speaker called the House to order at 10:00 a.m.

5
 6 Pledge of Allegiance led by Celeste Reichert, Malik Neal, Tomarrah
 7 Wilson, Patrick Odeki, Loyola Elementary, Denver.

8
 9 The roll was called with the following result:

10
 11 Present--62.
 12 Excused--Representative(s) Acree, King, Middleton--3.
 13 Present after roll call--Representative(s) Acree.

14
 15 The Speaker declared a quorum present.

16
 17
 18 On motion of Representative Labuda, the reading of the journal of
 19 March 26, 2010, was declared dispensed with and approved as corrected
 20 by the Chief Clerk.

21
 22
 23
 24 **THIRD READING OF BILL(S)--FINAL PASSAGE**

25
 26 The following bill(s) was(were) considered on Third Reading. The
 27 title(s) was(were) publicly read. Reading of the bill at length was
 28 dispensed with by unanimous consent.

29
 30 **SB10-140** by Senator(s) Mitchell, Shaffer B., Carroll M., Spence;
 31 also Representative(s) McCann--Concerning human
 32 trafficking.

33
 34 The question being "Shall the bill pass?".
 35 A roll call vote was taken. As shown by the following recorded vote, a
 36 majority of those elected to the House voted in the affirmative and the bill
 37 was declared **passed**.

38
 39

	YES	63	NO	0	EXCUSED	2	ABSENT	0
40	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
41	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
42	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
43	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y

1	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
2	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
3	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
4	Court	Y	King S.	E	Nikkel	Y	Summers	Y
5	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
6	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
7	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
8	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
9	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
10	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
11	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
12	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
13							Speaker	Y

14 Co-sponsor(s) added: Representative(s) Apuan, Court, Fischer, Gardner B.,
 15 Kefalas, Kerr A., Kerr J., Labuda, Lambert, Looper, Massey, Merrifield,
 16 Miklosi, Nikkel, Pace, Primavera, Priola, Schafer S., Todd, Tyler, Vigil, Waller
 17

18 **SB10-099** by Senator(s) Cadman, Morse, Penry; also
 19 Representative(s) Weissmann--Concerning the acceptance
 20 by members of the general assembly from a joint
 21 governmental agency of this state of the payment of or
 22 reimbursement for certain expenses related to the
 23 member's attendance at a meeting of the joint
 24 governmental agency.
 25

26 The question being "Shall the bill pass?".

27 A roll call vote was taken. As shown by the following recorded vote, a
 28 majority of those elected to the House voted in the affirmative and the bill
 29 was declared **passed**.
 30

31	YES	63	NO	0	EXCUSED	2	ABSENT	0
32	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
33	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
34	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
35	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
36	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
37	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
38	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
39	Court	Y	King S.	E	Nikkel	Y	Summers	Y
40	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
41	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
42	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
43	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
44	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
45	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
46	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
47	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Kerr J., Labuda, Lambert, Todd
 50

51 **SB10-055** by Senator(s) Harvey; also Representative(s) Gardner C.--
 52 Concerning the receipt of donations by the division of
 53 motor vehicles in the department of revenue to be
 54 deposited in the Colorado state titling and registration
 55 account in the highway users tax fund.
 56

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	E	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Peniston, Stephens, Todd

25
 26 **HB10-1241** by Representative(s) Casso; also Senator(s) Tochtrop--
 27 Concerning required registration for persons who work on
 28 fire suppression systems, and making an appropriation
 29 therefor.

30
 31 The question being "Shall the bill pass?".
 32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative and the bill
 34 was declared **passed**.

	YES	35	NO	28	EXCUSED	2	ABSENT	0
37	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
39	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
40	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	N
42	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
43	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
44	Court	Y	King S.	E	Nikkel	N	Summers	N
45	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
46	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
47	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
48	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
49	Frangas	Y	Looper	N	Priola	N	Vaad	N
50	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
51	Gardner B.	N	May	N	Riesberg	Y	Waller	N
52	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Hullinghorst, Kagan,
 55 Labuda, Pace, Soper, Vigil

56

1 **HB10-1362** by Representative(s) Vigil; also Senator(s) Schwartz--
 2 Concerning the inactive status of a special district.
 3

4 The question being "Shall the bill pass?".

5 A roll call vote was taken. As shown by the following recorded vote, a
 6 majority of those elected to the House voted in the affirmative and the bill
 7 was declared **passed**.
 8

	YES	63	NO	0	EXCUSED	2	ABSENT	0
10	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
11	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
12	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
13	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
14	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
15	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
16	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
17	Court	Y	King S.	E	Nikkel	Y	Summers	Y
18	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
19	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
20	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
21	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
22	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
23	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
24	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
25	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
26							Speaker	Y

27 Co-sponsor(s) added: Representative(s) Kerr J., Pace, Schafer S.
 28

29 **HB10-1328** by Representative(s) Miklosi, Apuan, Benefield, Casso,
 30 Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi,
 31 Hullinghorst, Kefalas, Kerr A., Labuda, Levy, McCann,
 32 McFadyen, Merrifield, Middleton, Peniston, Pommer,
 33 Primavera, Ryden, Scanlan, Solano, Todd, Tyler, Vigil,
 34 Weissmann; also Senator(s) Schwartz--Concerning the
 35 "New Energy Jobs Creation Act of 2010", and, in
 36 connection therewith, creating the Colorado new energy
 37 improvement district and authorizing the district to fund
 38 new energy improvements by issuing special assessment
 39 bonds payable from special assessments levied on eligible
 40 real property owned by persons who voluntarily join the
 41 district in order to have the district help them fund new
 42 energy improvements to the eligible real property.
 43

44 The question being "Shall the bill pass?".

45 A roll call vote was taken. As shown by the following recorded vote, a
 46 majority of those elected to the House voted in the affirmative and the bill
 47 was declared **passed**.
 48

	YES	37	NO	26	EXCUSED	2	ABSENT	0
50	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
53	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	N
55	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	Y	Kerr J.	N	Murray	N	Stephens	N

1	Court	Y	King S.	E	Nikkel	N	Summers	N
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
3	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
6	Frangas	Y	Looper	N	Priola	N	Vaad	N
7	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
8	Gardner B.	N	May	N	Riesberg	Y	Waller	N
9	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
10							Speaker	Y

11 Co-sponsor(s) added: Representative(s) Pace, Soper

12
13 **SB10-098** by Senator(s) Tochtrop; also Representative(s)
14 Sonnenberg--Concerning the allocation of moneys to
15 promote conservation of the state's natural resources.

16
17 (Amended as printed in House Journal, March 26, page 885.)

18
19 The question being "Shall the bill pass?".

20 A roll call vote was taken. As shown by the following recorded vote, a
21 majority of those elected to the House voted in the affirmative and the bill
22 was declared **passed**.

23	YES	61	NO	2	EXCUSED	2	ABSENT	0
24								
25	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
28	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
30	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
32	Court	Y	King S.	E	Nikkel	Y	Summers	Y
33	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
34	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
37	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
38	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
39	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
40	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Apuan, Baumgardner, Curry, Gerou,
43 Hullinghorst, Labuda, Pace, Priola, Ryden, Vigil

44
45
46 House in recess. House reconvened.

47 48 49 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

50 51 **STATE, VETERANS, & MILITARY AFFAIRS**

52 After consideration on the merits, the Committee recommends the
53 following:

54
55 **HB10-1361** be postponed indefinitely.

56

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB10-1036, 1050, 1170, 1185.**

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB10-124 amended as printed in Senate Journal, March 25, 2010, page 673.

SB10-061 amended as printed in Senate Journal, March 25, 2010, page 673.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1232 amended as printed in Senate Journal, March 23, 2010, page 644.

HB10-1222 amended as printed in Senate Journal, March 25, 2010, pages 671-672.

HB10-1225 amended as printed in Senate Journal, March 25, 2010, page 672.

HB10-1004 amended as printed in Senate Journal, March 25, 2010, page 672.

HB10-1183 amended as printed in Senate Journal, March 25, 2010, page 672.

HB10-1236 amended as printed in Senate Journal, March 25, 2010, page 672.

HB10-1240 amended as printed in Senate Journal, March 25, 2010, page 672.

HB10-1114 amended as printed in Senate Journal, March 25, 2010, pages 673-674 and March 26, 2010.

The Senate has passed on Third Reading and returns herewith:
HB10-1226, HB10-1026.

The Senate has voted to concur in House amendments to SB10-008 and repassed the bill as amended.

The Senate has voted not to concur in House amendments to SB10-109, and requests that a conference committee be appointed. The President has appointed Senators Romer, chair, Spence and Johnston to the first conference committee on SB10-109. The bill is transmitted herewith. The Senate has granted permission for the first conference committee on SB10-109 to go beyond the scope of the differences between the two houses.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB10-162 amended as printed in Senate Journal, March 26, 2010, page 690.

1 SB10-106 amended as printed in Senate Journal, March 26, 2010,
2 page 691.
3

4 The Senate has passed on Third Reading and transmitted to the Revisor
5 of Statutes:
6

7 HB10-1197 amended as printed in Senate Journal, March 26, 2010,
8 page 690.

9 HB10-1201 amended as printed in Senate Journal, March 26, 2010,
10 page 690-691.

11 HB10-1180 amended as printed in Senate Journal, March 26, 2010,
12 page 691.

13 HB10-1249 amended as printed in Senate Journal, March 26, 2010,
14 page 691.

15 HB10-1168 amended as printed in Senate Journal, March 26, 2010,
16 page 691.

17 HB10-1166 amended as printed in Senate Journal, March 26, 2010,
18 page 691.
19

20 Upon reconsideration, the Senate has passed on Third Reading and
21 transmitted to the Revisor of Statutes:
22

23 HB10-1128 amended as printed in Senate Journal, March 19, 2010,
24 page 605 and on March 29, 2010.
25

26 The Senate has postponed HB10-1292 until May 13, 2010. The bill is
27 returned herewith.
28

29 The President has announced that Representative May has been added as
30 a House joint prime sponsor to SB10-162.
31

32
33
34
35 **MESSAGE(S) FROM THE REVISOR**

36
37 We herewith transmit:

38 Without comment, as amended, HB10-1232, 1222, 1225, 1004, 1183,
39 1236, 1240 and 1114.

40 Without comment, as amended, SB10-124 and 061.
41

42
43 We herewith transmit:

44 Without comment, as amended, HB10-1197, 1201, 1180, 1249, 1168, and
45 1166.

46 Without comment, as amended, SB10-162 and 106.

47 We herewith retransmit:

48 Without comment, as amended, HB10-1128.
49
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55

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 29th day of March, 2010, at 2:55 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 29, 2010

To the Honorable House of Representatives
Sixty-seventh General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB10-1008 CONCERNING A PROHIBITION AGAINST CONSIDERATION
OF GENDER IN SETTING RATES FOR INDIVIDUAL HEALTH
INSURANCE POLICIES.

Approved March 29, 2010 at 11:42 a.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

March 29, 2010

To the Honorable House of Representatives
Sixty-seventh General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB10-1023 CONCERNING CLARIFYING CIVIL LIABILITY REGARDING
NEGLIGENT HIRING PRACTICES FOR AN EMPLOYER THAT
HIRES A PERSON WITH A CRIMINAL RECORD.

Approved March 29, 2010 at 1:35 p.m.

HB10-1037 CONCERNING THE CONTINUATION OF FUNDING FOR
SUPPLEMENTAL ON-LINE EDUCATION SERVICES.

Approved March 29, 2010 at 1:36 p.m.

1 **HB10-1071** CONCERNING ELIMINATION OF THE REQUIREMENT THAT
2 A PERSON EMPLOYED IN A TECHNICAL FORESTRY
3 CAPACITY BY THE BOARD OF GOVERNORS OF THE
4 COLORADO STATE UNIVERSITY SYSTEM POSSESS AT
5 LEAST TWO YEARS' EXPERIENCE IN FOREST PRACTICE.

6
7 Approved March 29, 2010 at 1:38 p.m.

8
9 **HB10-1090** CONCERNING THE PUNISHMENT FOR A PERSON WHO IS
10 CONVICTED OF DRIVING A MOTOR VEHICLE WITH
11 KNOWLEDGE THAT HIS OR HER DRIVER'S LICENSE IS
12 UNDER RESTRAINT.

13
14 Approved March 29, 2010 at 1:39 p.m.

15
16 **HB10-1175** CONCERNING THE DEMONSTRATION OF COMPETENCY BY
17 AND OUT-OF-STATE APPLICANT IN A FIELD REGULATED
18 BY THE DEPARTMENT OF REGULATORY AGENCIES.

19
20 Approved March 29, 2010 at 1:40 p.m.

21
22 **HB10-1203** CONCERNING THE ISSUING OF GROUP LIFE INSURANCE,
23 AND, IN CONNECTION THEREWITH, DELETING THE
24 REQUIREMENT REGARDING THE MINIMUM NUMBER OF
25 PERSONS THAT MUST BE COVERED BY THE POLICY.

26
27 Approved March 29, 2010 at 1:41 p.m.

28
29 **HB10-1223** CONCERNING THE CONTINUATION OF THE FORESTRY
30 ADVISORY BOARD, AND, IN CONNECTION THEREWITH,
31 REPEALING THE FORESTRY ADVISORY BOARD.

32
33 Approved March 29, 2010 at 1:32 p.m.

34
35 **HB10-1321** CONCERNING THE MONEYS APPROPRIATED FOR HEALTH
36 CLINICS.

37
38 Approved March 29, 2010 at 1:42 p.m.

39
40 Sincerely,
41 (signed)
42 Bill Ritter, Jr.
43 Governor

44
45
46
47 **INTRODUCTION OF MEMORIAL**

48
49 The following memorial was read by title and laid over to April 6, 2010
50 under the rules:

51
52 **HM10-1002** by Representative(s) May--Memorializing former
53 Representative Betty McWilliams Chronic.
54
55
56

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HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Seventy-seventh Legislative Day

Tuesday, March 30, 2010

1 Prayer by the Reverend Terrance D. Carroll.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Francesca Rubin, Evergreen Middle School.

6

7 The roll was called with the following result:

8

9 Present--50.

10 Excused--Representative(s) Ferrandino, Fischer, Gardner B.,
11 Hulinghorst, Judd, Kefalas, King, Lambert, McFadyen,
12 Middleton, Pace, Pommer, Riesberg, Sonnenberg, Vaad--15.

13 Present after roll call--Representative(s) Ferrandino, Fischer,
14 Gardner B., Hulinghorst, Judd, Kefalas, Lambert, McFadyen,
15 Middleton, Pace, Pommer, Riesberg, Sonnenberg.

16

17 The Speaker declared a quorum present.

18

19

20 On motion of Representative Labuda, the reading of the journal of
21 March 29, 2010, was declared dispensed with and approved as corrected
22 by the Chief Clerk.

23

24

25

House in recess. House reconvened.

26

27

28

29

REPORT(S) OF COMMITTEE(S) OF REFERENCE

30

APPROPRIATIONS

32 After consideration on the merits, the Committee recommends the
33 following:

34

35 **HB10-1376** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:

38

39 Amend printed bill, page 125, line 6, in the ITEM & SUBTOTAL column
40 strike "10,726,063" and substitute "10,430,371" and in the GENERAL
41 FUND column strike "10,434,912" and substitute "10,139,220".

42

43 Adjust affected totals accordingly.

1 Page 142, line 9, strike "institutions" and substitute "governing boards,
2 with the exception of Fort Lewis College,".
3

4 Page 142, line 10, after the period insert "It is the intent of the General
5 Assembly that Fort Lewis College be prohibited from raising nonresident
6 tuition rates in FY 2010-11."
7
8
9

10 **HB10-1377** be referred to the Committee of the Whole with favorable
11 recommendation.
12
13

14 **HB10-1378** be referred to the Committee of the Whole with favorable
15 recommendation.
16
17

18 **HB10-1379** be referred to the Committee of the Whole with favorable
19 recommendation.
20
21

22 **HB10-1380** be referred to the Committee of the Whole with favorable
23 recommendation.
24
25

26 **HB10-1381** be amended as follows, and as so amended, be referred to
27 the Committee of the Whole with favorable
28 recommendation:
29

30 Amend printed bill, page 6, strike lines 23 and 24 and substitute "million
31 four hundred fifty thousand four hundred thirty-five dollars
32 (\$4,450,435)".
33

34 Page 7, strike lines 18 and 19 and substitute "grants appropriation is
35 decreased by five million five hundred twenty-four thousand three
36 hundred fifty-eight dollars (\$5,524,358)".
37

38 Page 8, strike lines 4 and 5 and substitute "appropriation is decreased by
39 fifteen million three hundred forty-six thousand six hundred twenty-five
40 dollars (\$15,346,625)".
41
42
43

44 **HB10-1382** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:
47

48 Amend printed bill, page 10, line 1, in the ITEM & SUBTOTAL column,
49 strike "222,272,707" and substitute "245,487,785".
50
51
52

53 **HB10-1383** be referred to the Committee of the Whole with favorable
54 recommendation.
55
56

1 **HB10-1384** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 3, line 5, strike "paragraph (d)" and substitute
6 "~~paragraph~~ PARAGRAPHS (c) AND (d)".
7

8 Page 4, strike lines 19 through 22 and substitute the following:
9

10 "SUBSECTION (2) IF IT IS DETERMINED PURSUANT TO RULES OF THE STATE
11 DEPARTMENT THAT:
12

13 (A) THE QUALIFIED ALIEN HAS BEEN ABANDONED BY OR IS A
14 VICTIM OF MISTREATMENT BY HIS OR HER SPONSOR OR IS AN ABUSED
15 SPOUSE AND WOULD INCUR A SIGNIFICANT FINANCIAL HARDSHIP; OR
16

17 (B) THE QUALIFIED ALIEN WHO DOES NOT HAVE A SPONSOR
18 WOULD HAVE INSUFFICIENT INCOME TO SUPPORT HIMSELF OR HERSELF OR
19 WOULD OTHERWISE INCUR A SIGNIFICANT FINANCIAL HARDSHIP."
20

21 Page 7, line 24, strike "10-____," and substitute "10-1384,".
22

23 Page 8, strike lines 17 through 21 and substitute:
24

25 "age pension in paragraph (a) of this subsection (2) if it is determined
26 pursuant to rules of the state department that:
27

28 (A) The qualified alien has been abandoned by or is a victim of
29 mistreatment by his or her sponsor or is an abused spouse and would
30 incur a significant financial hardship; or
31

32 (B) The qualified alien who does not have a sponsor would have
33 insufficient income to support himself or herself or would otherwise
34 incur a significant financial hardship; OR".
35

36 Page 8, line 22, strike "(B)" and substitute "(C)".
37

38 Page 8, strike lines 26 and 27 and substitute:
39

40 "QUALIFIED ALIEN."
41

42 Page 12, line 26, strike "fourteen".
43

44 Page 12, strike line 27.
45

46 Page 13, strike line 1 and substitute "thirteen million four hundred thirty-
47 nine thousand nine hundred eighty-seven dollars (\$13,439,987)".
48

49
50
51 **HB10-1385** be amended as follows, and as so amended, be referred to
52 the Committee of the Whole with favorable
53 recommendation:
54

55 Amend printed bill, page 7, line 14, strike "an" and substitute "the".
56

1 Page 7, line 14, after "appropriation" insert "for insurance fraud
2 prosecution".

3
4 Page 7, line 18, strike "an" and substitute "the".

5
6 Page 7, line 18, after "appropriation" insert "for insurance fraud
7 prosecution".

8
9 Page 7, after line 20, insert:

10
11 "(2) For the implementation of this act, appropriations made in the
12 annual general appropriation act to the department of law, administration
13 division, for the fiscal year beginning July 1, 2010, are adjusted as
14 follows:

15
16 (a) The appropriation from various sources of reappropriated funds
17 is decreased by one hundred eleven thousand two hundred thirty-two
18 dollars (\$111,232).

19
20 (b) The appropriation from various sources of cash funds is
21 increased by one hundred eleven thousand two hundred thirty-two dollars
22 (\$111,232).".

23
24 Page 7, line 21, strike "(2)" and substitute "(3)".

25
26 Page 8, after line 3, insert:

27
28 "(4) For the implementation of this act, the appropriation of
29 reappropriated funds to the department of regulatory agencies, division
30 of insurance, for insurance fraud prosecution, from the division of
31 insurance cash fund, for the fiscal year beginning July 1, 2010, is reduced
32 by eight hundred sixty thousand one hundred eighty-six dollars
33 (\$860,186).".

34
35 Page 1, strike line 103 and substitute "OF LAW, AND MAKING
36 APPROPRIATIONS IN CONNECTION THEREWITH.".

37
38
39
40 **HB10-1386** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:

43
44 Amend printed bill, page 5, after line 24 insert:

45
46 **"SECTION 3. Appropriation - adjustments to the 2010 long**
47 **bill.** (1) For the implementation of this act, the general fund
48 appropriation made in the annual general appropriation act for the fiscal
49 year beginning July 1, 2010, to the department of local affairs, property
50 tax, division of property taxation line item, is decreased by one hundred
51 sixty-nine thousand seven hundred forty-two dollars (\$169,742) and 2.1
52 FTE.

53
54 (2) In addition to any other appropriation, there is hereby
55 appropriated, out of any moneys in the property tax exemption fund
56 created in section 39-2-117 (8), Colorado Revised Statutes, not otherwise

1 appropriated, to the department of local affairs, property tax, division of
2 property taxation line item, for the direct and indirect costs of
3 administering the property tax exemption program, for the fiscal year
4 beginning July 1, 2010, the sum of three hundred one thousand
5 seventy-three dollars (\$301,073) and 2.1 FTE, or so much thereof as may
6 be necessary, for the implementation of this act.".

7
8 Renumber succeeding section accordingly.

9
10 Page 1, line 103, strike "TAXATION." and substitute "TAXATION, AND
11 MAKING AN APPROPRIATION THEREFOR.".

12
13
14
15 **HB10-1387** be referred to the Committee of the Whole with favorable
16 recommendation.

17
18
19 **HB10-1388** be referred to the Committee of the Whole with favorable
20 recommendation.

21
22
23 **HB10-1389** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:

26
27 Amend printed bill, page 5, line 21, strike "2008," and substitute "2008
28 2010,"

29
30
31
32 **HB10-1390** be referred to the Committee of the Whole with favorable
33 recommendation.

PRINTING REPORT

37
38
39
40 The Chief Clerk reports the following bills have been correctly printed:
41 **HB10-1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385,**
42 **1386, 1387, 1388, 1389, 1390.**

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

47
48
49 The Speaker has signed: **HM10-1001.**

INTRODUCTION OF BILLS
First Reading

The following bills were read by title and referred to the committees indicated:

HB10-1391 by Representative(s) Rice, Court, Levy, McCann, Ryden; also Senator(s) Boyd, Hudak, Newell, Steadman-- Concerning the elimination of the repeal of certain provisions requiring that the Colorado bureau of investigation deny the transfer of a firearm to a person if the bureau receives certain information about the person's criminal history in response to a search of a criminal history records database.

Committee on Judiciary

HB10-1392 by Representative(s) Benefield; also Senator(s) Johnston-- Concerning the membership of the government data advisory board.

Committee on State, Veterans, & Military Affairs

HB10-1393 by Representative(s) Nikkel; also Senator(s) Kopp-- Concerning the information included in the web-based system that provides the public access to state financial information.

Committee on State, Veterans, & Military Affairs

SB10-061 by Senator(s) Tochtrop and Williams, Newell; also Representative(s) Soper and Riesberg, Roberts, Tyler-- Concerning medicaid payments for inpatient care for hospice recipients, and making an appropriation therefor.

Committee on Health and Human Services

SB10-070 by Senator(s) Kester; also Representative(s) McCann-- Concerning a statutory mechanism for the referral of a ballot question regarding the term limit of a district attorney.

Committee on State, Veterans, & Military Affairs

SB10-106 by Senator(s) Bacon, Boyd, Newell, Sandoval; also Representative(s) Looper--Concerning the creation of a food systems advisory council, and making an appropriation therefor.

Committee on Agriculture, Livestock, & Natural Resources

SB10-124 by Senator(s) Carroll M.; also Representative(s) Ryden-- Concerning a requirement that certain health care providers disclose information about their practice history, and making an appropriation therefor.

Committee on Health and Human Services

SB10-162 by Senator(s) Heath; also Representative(s) Hulinghorst and May--Concerning modifications to the "Urban and Rural Enterprise Zone Act" to improve the accountability of income tax credits allowed by the act.

Committee on Finance

1 **SB10-172** by Senator(s) Steadman, Foster, Hudak, Johnston, Kester,
2 Newell, Sandoval; also Representative(s) Primavera--
3 Concerning the continuation of voluntary contribution
4 designation lines on state individual income tax forms for
5 certain funds set to expire January 1, 2011.

6 Committee on Finance

7
8
9

10 INTRODUCTION OF CONCURRENT RESOLUTION

11

12 The following resolutions were read by title and referred to the
13 committees indicated:

14

15 **HCR10-1002** by Representative(s) Benefield, Frangas, McKinley,
16 Merrifield, Middleton, Peniston, Rice, Scanlan, Schafer S.,
17 Solano, Todd, Hullinghorst, Apuan, Casso, Fischer,
18 Gagliardi, Kagan, Labuda, Levy, McCann, Miklosi, Pace,
19 Pommer, Primavera, Ryden, Soper, Tyler, Vigil,
20 Weissmann; also Senator(s) Williams and Romer, Bacon,
21 Shaffer B.--Submitting to the registered electors of the
22 state of Colorado an amendment to article IX of the
23 constitution of the state of Colorado, concerning the
24 authority of the general assembly to generate additional
25 state revenues for funding preschool through
26 postsecondary public education without prior voter
27 approval, and, in connection therewith, notwithstanding
28 the prior voter approval requirement of section 20 (4) (a)
29 of article X of the state constitution, allowing the general
30 assembly to enact statutes that result in additional state
31 revenues to be used to fund preschool through
32 postsecondary public education and exempting any
33 additional state revenues raised for this purpose from the
34 constitutional limitations on fiscal year spending.

35 Committee on Education

36

37 **HCR10-1003** by Representative(s) Curry; also Senator(s) Penry--
38 Submitting to the registered electors of the state of
39 Colorado an amendment to article X of the constitution of
40 the state of Colorado, concerning a state rainy day fund,
41 and, in connection therewith, creating the state rainy day
42 fund; beginning July 1, 2011, requiring twenty-five million
43 dollars of severance tax revenues to be credited to the fund
44 for each fiscal year in which total severance tax revenues
45 are greater than fifty million dollars; and allowing the
46 moneys in the fund to be used only during economic
47 downturns and with a three-fifths majority vote of both
48 houses of the general assembly.

49 Committee on Finance

50 Committee on Appropriations

51
52
53
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55

NOTICE OF CALENDARED ITEM(S)

On motion of Representative Weissmann, the following bill(s) will be calendared for Second Reading on March 31, 2010: **HB10-1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390.**

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until March 31, retaining place on Calendar:

Consideration of Resolution(s)--**HJR10-1016, 1017.**

Consideration of Senate Amendment(s)---**HB10-1108, 1188, 1043, 1058, 1062, 1109, 1133, 1202, 1244, 1288, 1004, 1114, 1183, 1222, 1225, 1232, 1236, 1240, 1128, 1166, 1168, 1180, 1197, 1201, 1249.**

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., March 31, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Seventy-eighth Legislative Day

Wednesday, March 31, 2010

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Jennifer Negley, Jake Fox, Eads High
7 School.

8
9 The roll was called with the following result:

10
11 Present--63.

12 Excused--Representative(s) Acree, Looper--2.

13 Present after roll call--Representative(s) Acree, Looper.

14
15 The Speaker declared a quorum present.

16
17
18 On motion of Representative Labuda, the reading of the journal of
19 March 30, 2010, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21
22
23
24
25 **THIRD READING OF BILL(S)--FINAL PASSAGE**

26
27 The following bill(s) was(were) considered on Third Reading. The
28 title(s) was(were) publicly read. Reading of the bill at length was
29 dispensed with by unanimous consent.

30
31 **SB10-154** by Senator(s) Sandoval; also Representative(s) Middleton-
32 -Concerning adding categories to the definition of a "high-
33 risk student" for purposes of determining whether a public
34 school qualifies for designation as an alternative education
35 campus.

36
37 The question being "Shall the bill pass?".

38 A roll call vote was taken. As shown by the following recorded vote, a
39 majority of those elected to the House voted in the affirmative and the
40 bill was declared **passed**.

41
42

	YES	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Kerr J., King S.,
 20 Labuda, Merrifield, Nikkel, Priola, Scanlan, Schafer S., Stephens, Summers,
 21 Todd, Speaker.

22
 23
 24 House in recess. House reconvened.
 25
 26

27
 28 On motion of Representative Judd, the House resolved itself into
 29 Committee of the Whole for consideration of General Orders, and he was
 30 called to the Chair to act as Chairman.

31 32 33 34 GENERAL ORDERS--SECOND READING OF BILLS

35
 36 The Committee of the Whole having risen, the Chairman reported the
 37 titles of the following bills had been read (reading at length had been
 38 dispensed with by unanimous consent), the bills considered and action
 39 taken thereon as follows:

40
 41 (Amendments to the committee amendment are to the printed committee
 42 report which was printed and placed in the members' bill file.)

43
 44 **HB10-1377** by Representative(s) Lambert, Ferrandino, Pommer; also
 45 Senator(s) Tapia, Keller, White--Concerning the
 46 temporary funding of certain agriculture programs entirely
 47 with cash funds, and making appropriations therefor.
 48

49 Ordered engrossed and placed on the Calendar for Third Reading and
 50 Final Passage.

51
 52 **HB10-1378** by Representative(s) Ferrandino, Pommer, Lambert; also
 53 Senator(s) Keller, Tapia, White--Concerning moneys
 54 appropriated in the 2010-11 fiscal year for health clinics,
 55 and making appropriations therefor.
 56

1 Amendment No. 1, by Representative(s) Ferrandino.

2
3 Amend printed bill, page 5, line 14, strike "10-____," and substitute
4 "10-1378,".

5
6 As amended, ordered engrossed and placed on the Calendar for Third
7 Reading and Final Passage.

8
9
10 **HB10-1379** by Representative(s) Ferrandino, Pommer, Lambert; also
11 Senator(s) White, Keller, Tapia--Concerning a reduction
12 in the general fund portion of the per diem rates paid to
13 nursing facilities for the 2010-11 fiscal year, and making
14 an appropriation in connection therewith.

15
16 Ordered engrossed and placed on the Calendar for Third Reading and
17 Final Passage.

18
19
20 **HB10-1380** by Representative(s) Pommer, Ferrandino, Lambert; also
21 Senator(s) White, Keller, Tapia--Concerning the use of
22 moneys in the supplemental old age pension health and
23 medical care fund to pay for services received by certain
24 persons in the state medicaid program, and making an
25 appropriation therefor.

26
27 Ordered engrossed and placed on the Calendar for Third Reading and
28 Final Passage.

29
30
31 **HB10-1382** by Representative(s) Ferrandino, Pommer, Lambert; also
32 Senator(s) White, Keller, Tapia--Concerning the repeal of
33 the delay of certain payments made under public medical
34 assistance programs.

35
36 Amendment No. 1, Appropriations Report, dated March 30, 2010, and
37 placed in member's bill file; Report also printed in House Journal,
38 March 30, page 1014.

39
40 As amended, ordered engrossed and placed on the Calendar for Third
41 Reading and Final Passage.

42
43
44 **HB10-1381** by Representative(s) Ferrandino, Pommer, Lambert; also
45 Senator(s) White, Keller, Tapia--Concerning the use of
46 tobacco revenues for health-related purposes during a state
47 fiscal emergency, and making an appropriation therefor.

48
49 Amendment No. 1, Appropriations Report, dated March 30, 2010, and
50 placed in member's bill file; Report also printed in House Journal,
51 March 30, page 1014.

52
53 As amended, ordered engrossed and placed on the Calendar for Third
54 Reading and Final Passage.

55
56

- 1 **HB10-1383** by Representative(s) Pommer, Ferrandino, Lambert; also
2 Senator(s) White, Keller, Tapia--Concerning funding for
3 student financial aid for higher education, and making an
4 appropriation therefor.
5
- 6 Ordered engrossed and placed on the Calendar for Third Reading and
7 Final Passage.
8
- 9 **HB10-1384** by Representative(s) Lambert, Ferrandino, Pommer; also
10 Senator(s) White, Keller, Tapia--Concerning the alignment
11 of eligibility for the old age pension program with
12 eligibility for other public benefit programs, and, in
13 connection therewith, aligning the waiting period for the
14 old age pension with the waiting period for other public
15 benefit programs, enforcing financial responsibility
16 requirements for relative sponsors of noncitizens, and
17 making an appropriation.
18
- 19 Amendment No. 1, Appropriations Report, dated March 30, 2010, and
20 placed in member's bill file; Report also printed in House Journal,
21 March 30, page 1015.
22
- 23 As amended, ordered engrossed and placed on the Calendar for Third
24 Reading and Final Passage.
25
- 26 **HB10-1385** by Representative(s) Lambert, Ferrandino, Pommer; also
27 Senator(s) Tapia, Keller, White--Concerning fees collected
28 by the division of insurance to fund insurance fraud cases
29 pursued by the department of law.
30
- 31 Amendment No. 1, Appropriations Report, dated March 30, 2010, and
32 placed in member's bill file; Report also printed in House Journal,
33 March 30, pages 1015-1016.
34
- 35 As amended, ordered engrossed and placed on the Calendar for Third
36 Reading and Final Passage.
37
- 38 **HB10-1386** by Representative(s) Ferrandino, Pommer, Lambert; also
39 Senator(s) White, Keller, Tapia--Concerning the amounts
40 of filing fees charged by the property tax administrator for
41 purposes of exemption of property from general taxation.
42
- 43 Amendment No. 1, Appropriations Report, dated March 30, 2010, and
44 placed in member's bill file; Report also printed in House Journal,
45 March 30, pages 1016-1017.
46
- 47 Amendment No. 2, by Representative(s) Ferrandino.
48
- 49 Amend printed bill, page 3, line 23, after "WAIVE" insert "ALL OR A
50 PORTION OF".
51
- 52 Page 4, line 26, after "WAIVE" insert "ALL OR A PORTION OF".
53
- 54 Page 5, line 19, after "WAIVING" insert "ALL OR A PORTION OF".
55
- 56 Page 5, strike lines 22 through 24 and substitute:

1 **"SECTION 2. Specified effective date - applicability.** This act
2 shall take effect July 1, 2010, and shall apply to any application for
3 exemption, annual report, or delinquent annual report filed on or after
4 said date.".

5
6 As amended, ordered engrossed and placed on the Calendar for Third
7 Reading and Final Passage.

8
9 **HB10-1388** by Representative(s) Ferrandino, Pommer, Lambert; also
10 Senator(s) Tapia, Keller, White--Concerning the
11 augmentation of the general fund through transfers of
12 certain moneys.

13
14 Ordered engrossed and placed on the Calendar for Third Reading and
15 Final Passage.

16
17 **HB10-1389** by Representative(s) Ferrandino, Pommer, Lambert; also
18 Senator(s) Tapia, Keller, White--Concerning transfers of
19 moneys relating to capital construction.

20
21 Amendment No. 1, Appropriations Report, dated March 30, 2010, and
22 placed in member's bill file; Report also printed in House Journal,
23 March 30, page 1017.

24
25 As amended, ordered engrossed and placed on the Calendar for Third
26 Reading and Final Passage.

27
28 A motion by Representative Weissmann that the Committee rise, report
29 progress and beg leave to sit again at 1:30 p.m., was adopted by
30 unanimous consent. (General Orders continued on page 1026.)

31
32
33 _____
34 House reconvened.

35 The Committee of the Whole reported it had risen, reported progress and
36 would sit again at 1:30 p.m.

37
38
39 _____
40 House in recess. House reconvened.

41
42
43
44 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

45
46 **LEGAL SERVICES**

47 After consideration on the merits, the Committee recommends the
48 following:

49
50 **SB10-060** be referred to the Committee of the Whole with favorable
51 recommendation.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB10-1391, 1392, 1393; HCR10-1002, 1003.

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB10-1036, 1050, 1170, 1185** at 9:28 a.m. on March 31, 2010.

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1178 amended as printed in Senate Journal, March 29, 2010, page 703.
HB10-1116 amended as printed in Senate Journal, March 29, 2010, page 703.
HB10-1104 amended as printed in Senate Journal, March 29, 2010, page 703.
HB10-1076 amended as printed in Senate Journal, March 29, 2010, page 703.
HB10-1171 amended as printed in Senate Journal, March 29, 2010, page 704, and March 31, 2010.
HB10-1365 amended as printed in Senate Journal, March 29, 2010, pages 712, 716, and March 31, 2010.

The Senate has passed on Third Reading and returns herewith: HB10-1215, HB10-1165.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, as amended, HB10-1178, 1116, 1104, 1076, 1171 and 1365.

On motion of Representative Judd, the House resolved itself into Committee of the Whole for continuation of consideration of General Orders, and he returned to the Chair to act as Chairman.

GENERAL ORDERS--SECOND READING OF BILLS

(General Orders continued from page 1025)

HB10-1376 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--Concerning the provision for payment of the expenses of the executive, legislative,

1 and judicial departments of the state of Colorado, and of
2 its agencies and institutions, for and during the fiscal year
3 beginning July 1, 2010, except as otherwise noted.
4

5 Amendment No. 1, Appropriations Report, dated March 30, 2010, and
6 placed in member's bill file; Report also printed in House Journal,
7 March 30, pages 1013-1014.
8

9 Amendment No. 2, by Representative(s) Roberts.
10

11 Amend the Appropriations Committee Report dated March 30, 2010,
12 strike lines 5 through 9.
13

14 Amendment No. 3, by Representative(s) Balmer.
15

16 Amend printed bill, page 3, strike line 8 and substitute:
17

18 "Governor. The Governor shall designate specific state properties
19 equaling \$70,700,000 and shall submit the list of specifically designated
20 properties to the General Assembly by May 31, 2010."
21

22 Amendment No. 4, by Representative(s) Levy.
23

24 Amend printed bill, page 29, line 7 strike "**Subprogram**" and substitute
25 "**Subprogram**^{4a}".
26

27 Page 48, after line 2 insert:
28

29 "4a Department of Corrections, Institutions, Mental Health
30 Subprogram -- It is the intent of the General Assembly that
31 the funds being appropriated to convert beds at Colorado
32 State Penitentiary (CSP) for use by offenders with mental
33 illness (OMIs) are being appropriated to create an
34 appropriate, secure, therapeutic environment for OMIs
35 within CSP and that the beds shall not be occupied or
36 managed solely for disciplinary purposes."
37

38 Amendment No. 5, by Representative(s) Levy.
39

40 Amend printed bill, page 29, line 7 strike "**Subprogram**" and substitute
41 "**Subprogram**^{4a}".
42

43 Page 48, after line 2 insert:
44

45 "4a Department of Corrections, Institutions, Mental Health
46 Subprogram – It is the intent of the General Assembly that
47 the Department of Corrections submit a plan to the House
48 Judiciary Committee and the Senate Judiciary Committee
49 before offenders with mental illness (OMIs) are placed in
50 the beds at Colorado State Penitentiary (CSP) being
51 converted for use by OMIs. Without limiting the scope of
52 the report, the report shall include, at a minimum, plans in
53 the following areas: (1) the basic purpose of the OMI beds
54 at CSP in terms of the role those beds serve relative to the
55 offender's mental health status; (2) the criteria the DOC
56 will use to place offenders in the beds; (3) the services that

1 will be provided to the offenders; (4) the classification
 2 levels that will be used and an explanation of the
 3 characteristics of those levels; (5) whether and, if so, how
 4 offenders will transition from CSP to the general
 5 population; and (6) a description of the conditions of
 6 confinement, such as the amount of time offenders will be
 7 out of their cells, the amount of time in solitary
 8 confinement, the availability of recreational, visitation,
 9 educational, therapeutic and other programming
 10 opportunities and conditions for participating in those
 11 opportunities."

12
 13 Amendment No. 6, by Representative(s) Merrifield.

14
 15 Amend printed bill, page 56, line 13, in the GENERAL FUND column
 16 strike "3,215,790,681" and substitute "3,215,715,681" and in the CASH
 17 FUNDS column strike "386,058,684" and substitute "386,133,684".

18
 19 Adjust affected total accordingly.

20
 21 Page 57, line 5, strike "\$284,232,808" and substitute "\$284,307,808".

22
 23 Page 63, after line 12 insert:

24		ITEM &	GENERAL
25		SUBTOTAL	FUND
26		\$	\$
27			
28			
29	"School Leadership		
30	Academy Program	75,000	75,000
31			(0.7 FTE)".
32			

33 Adjust affected totals accordingly.

34
 35 Amendment No. 7, by Representative(s) Swalm.

36
 37 Amend printed bill, page 79, line 11, strike "**BUDGETING**" and
 38 substitute "**BUDGETING**^{7a}".

39
 40 Page 92, after line 8 insert:

41
 42 "**FOOTNOTES** -- The following statement is referenced to the numbered
 43 footnotes throughout section 2.

44
 45 7a Governor - Lieutenant Governor - State Planning and Budgeting,
 46 Office of State Planning and Budgeting -- It is the intent of the
 47 General Assembly that the Office of State Planning and Budgeting
 48 study the effectiveness of consolidating executive branch human
 49 resource services within a single executive branch agency and
 50 provide a report of the findings to the Joint Budget Committee and
 51 the House and Senate Committees on State, Veterans, and Military
 52 Affairs no later than December 1, 2010."

53
 54
 55

1 Amendment No. 8, by Representative(s) McKinley, McFadyen, Kerr J.,
2 Looper, Pace.

3
4 Amend printed bill, page 189, line 4, strike "**Homes**" and substitute
5 "**Homes^{25a}**".

6
7 Page 202, after line 3 insert:

8
9 "**25a** Department of Human Services, Services for People with
10 Disabilities, Homelake Domiciliary and State and Veterans
11 Nursing Homes -- It is the intent of the General Assembly that the
12 executive director of the Department of Human Services delay the
13 transfer of title for the Trinidad State Nursing Home to a private
14 entity for at least one year, increase placements at the facility of
15 geriatric patients who are not guilty by reason of insanity, and
16 pursue alternative funding sources to the General Fund to maintain
17 the Trinidad State Nursing Home as a state facility. Furthermore,
18 it is the intent of the General Assembly that no revenue shall be
19 transferred from veterans nursing homes to pay for costs at the
20 Trinidad State Nursing Home, or vice versa.".

21
22 As amended, ordered engrossed and placed on the Calendar for Third
23 Reading and Final Passage.

24
25 **HB10-1387** by Representative(s) Pommer, Ferrandino, Lambert; also
26 Senator(s) White, Keller, Tapia--Concerning the financing
27 of the division of motor vehicles in the department of
28 revenue, and making appropriations therefor.

29
30 Amendment No. 1, by Representative(s) McFadyen.

31
32 Amend printed bill, page 5, after line 13, insert:

33 "**SECTION 4.** 42-2-114.5 (1), Colorado Revised Statutes, is
34 amended to read:

35
36 **42-2-114.5. Licensing services cash fund.** (1) The licensing
37 services cash fund is hereby created in the state treasury. Moneys in the
38 fund shall be appropriated by the general assembly to the department for
39 the cost of personal services and operating expenses incurred in the
40 operation of driver's license offices. ~~Moneys in the fund at the end of~~
41 ~~each fiscal year, as well as interest earned on the investment of moneys~~
42 ~~in the fund, shall be retained in the fund and shall not revert to the general~~
43 ~~fund or any other fund.~~ AT THE END OF EACH FISCAL YEAR, THE STATE
44 TREASURER SHALL CREDIT THE MONEY IN THE FUND, LESS SIXTEEN AND
45 ONE HALF PERCENT OF THE AMOUNT APPROPRIATED FROM THE FUND FOR
46 SUCH OPERATION IN THE FISCAL YEAR, TO THE HIGHWAY USERS TAX
47 FUND.".

48
49 Renumber succeeding sections accordingly.

50
51 As amended, ordered engrossed and placed on the Calendar for Third
52 Reading and Final Passage.

53
54 On motion of Representative Weissmann, the remainder of the General
55 Orders Calendar (**HB10-1390**) was laid over until April 1, retaining place
56 on Calendar.

1 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

2
3 Representative Balmer moved to amend the Report of the Committee of
4 the Whole to reverse the action taken by the Committee in not adopting
5 the following Balmer amendment, to HB10-1376, to show that said
6 amendment passed, and that **HB10-1376**, as amended, passed.

7
8 Amend printed bill, page 3, line 6, strike "and".

9
10 Page 3, strike lines 7 and 8 and substitute:

11
12 "(III) The general fund, created in section 24-75-201 (1),
13 Colorado Revised Statutes, up to a maximum of \$55,700,000; and

14
15 (IV) Up to \$15,000,000 of state properties as designated by the
16 Governor. The Governor shall designate specific state properties
17 equaling \$15,000,000 and shall submit the list of specifically designated
18 state properties to the General Assembly by May 31, 2010."

19
20 The amendment was declared **lost** by the following roll call vote:

	YES	28	NO	37	EXCUSED	0	ABSENT	0
23	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
24	Apuan	N	Hullinghorst	N	McKinley	N	Scanlan	N
25	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
26	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
27	Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
28	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
29	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
30	Court	N	King S.	Y	Nikkel	Y	Summers	Y
31	Curry	Y	Labuda	N	Pace	N	Swalm	Y
32	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
33	Ferrandino	N	Levy	N	Pommer	N	Todd	N
34	Fischer	N	Liston	Y	Primavera	N	Tyler	N
35	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
36	Gagliardi	N	Massey	Y	Rice	N	Vigil	N
37	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
38	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
39							Speaker	N

40
41 Representative Frangas moved to amend the Report of the Committee of
42 the Whole to reverse the action taken by the Committee in not adopting
43 the following Frangas amendment, to HB10-1376, to show that said
44 amendment passed, and that **HB10-1376**, as amended, passed.

45
46 Amend printed bill, page 22, line 5 strike "\$54.93" and substitute
47 "\$51.53".

48
49 Page 22, line 6, in the ITEM & SUBTOTAL column strike "70,221,385"
50 and substitute "68,538,065" and in the GENERAL FUND column strike
51 "67,862,678" and substitute "66,179,358".

52
53 Page 22, line 9 strike "\$54.93" and substitute "\$51.53", in the ITEM &
54 SUBTOTAL column strike "12,985,082" and substitute "12,699,208",
55 and in the GENERAL FUND column strike "12,985,082" and substitute
56 "12,699,208".

1 Adjust affected totals accordingly.

2
3 Page 47, line 15, strike the first "\$54.93" and substitute "\$51.53" and
4 strike the second "\$54.93" and substitute "\$51.53".

5
6 Page 114, line 3, in the ITEM & SUBTOTAL column strike "14,218,063"
7 and substitute "14,363,146", in the GENERAL FUND column strike
8 "5,461,158(M)" and substitute "5,516,885(M)", and in the FEDERAL
9 FUNDS column strike "8,756,905" and substitute "8,846,261".

10
11 Adjust affected totals accordingly.

12
13 Page 156, line 15, in the ITEM & SUBTOTAL column strike
14 "338,008,114^c" and substitute "341,325,694^c", in the GENERAL FUND
15 column strike "156,940,714" and substitute "158,854,181", in the CASH
16 FUNDS column strike "64,149,526(L)^c" and substitute "64,813,042(L)^c",
17 in the REAPPROPRIATED FUNDS column strike "14,218,063^a" and
18 substitute "14,363,146^a", and in the FEDERAL FUNDS column strike
19 "102,699,811^f" and substitute "103,295,325^f".

20
21 Adjust affected totals and affected (L) notation totals accordingly.

22
23 Page 158, line 11, strike "\$333,403,103" and substitute "\$336,720,683"
24 and strike "\$255,035,514" and substitute "\$257,544,495".

25
26 Page 158, line 12, strike "\$64,149,526" and substitute "\$64,813,042".

27
28 Page 158, line 13, strike "\$14,218,063" and substitute "\$14,363,146".

29
30 Page 159, line 1, strike "\$67,120,237" and substitute "\$67,715,751".

31
32 The amendment was declared **lost** by the following roll call vote:

	YES	17	NO	48	EXCUSED	0	ABSENT	0
35	Acree	N	Gerou	N	McFadyen	Y	Ryden	N
36	Apuan	Y	Hullinghorst	N	McKinley	N	Scanlan	N
37	Balmer	N	Judd	N	McNulty	N	Schafer S.	N
38	Baumgardner	N	Kagan	N	Merrifield	Y	Solano	N
39	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
40	Bradford	N	Kerr A.	N	Miklosi	N	Soper	N
41	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
42	Court	N	King S.	N	Nikkel	N	Summers	N
43	Curry	Y	Labuda	N	Pace	Y	Swalm	N
44	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
45	Ferrandino	N	Levy	N	Pommer	N	Todd	Y
46	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
47	Frangas	Y	Looper	N	Priola	N	Vaad	N
48	Gagliardi	Y	Massey	N	Rice	Y	Vigil	N
49	Gardner B.	N	May	N	Riesberg	N	Waller	N
50	Gardner C.	N	McCann	N	Roberts	N	Weissmann	N
51							Speaker	N

52
53 Representative J. Kerr moved to amend the Report of the Committee of
54 the Whole to reverse the action taken by the Committee in not adopting
55 the following Rice and J. Kerr, et al., amendment, to HB10-1376, to show
56 that said amendment passed, and that **HB10-1376**, as amended, passed.

1 Amend printed bill, page 204, line 15, strike "**Technology**" and substitute
2 "**Technology**^{27a}".
3

4 Page 205, line 1, in the ITEM & SUBTOTAL column strike "15,994,421"
5 and substitute "14,278,583" and in the CASH FUNDS column strike
6 "1,825,845^a" and substitute "110,007^a".
7

8 Page 205, line 2, in the CASH FUNDS column strike "(19.0 FTE)".
9

10 Page 205, line 4, in the ITEM & SUBTOTAL column strike "4,269,146"
11 and substitute "3,061,486" and in the CASH FUNDS column strike
12 "3,866,052" and substitute "2,658,392^c".
13

14 Adjust affected totals accordingly.
15

16 Page 205, strike lines 11 and 12 and substitute "^a This amount shall be
17 from various sources of cash funds.".
18

19 Page 220, after line 10 insert:
20

21 ^{27a} Judicial Department, Courts Administration,
22 Administration and Technology -- It is the intent of
23 the General Assembly to provide an opportunity for
24 all the stakeholders to transition from the existing
25 public access system that is operated by LexisNexis
26 to the Department's in-house public access system,
27 allowing more time for the Department to test the
28 in-house system and confirm its effectiveness. It is
29 further the intent of the General Assembly that the
30 Department provide information to public access
31 system users in the same manner as the existing
32 public access system that is operated by
33 LexisNexis.".
34

35 The amendment was declared **lost** by the following roll call vote:
36

	YES	32	NO	33	EXCUSED	0	ABSENT	0
38	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
39	Apuan	N	Hullingerhorst	N	McKinley	Y	Scanlan	N
40	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
41	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
42	Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
43	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
44	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
45	Court	N	King S.	Y	Nikkel	Y	Summers	Y
46	Curry	Y	Labuda	N	Pace	N	Swalm	Y
47	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
48	Ferrandino	N	Levy	N	Pommer	N	Todd	N
49	Fischer	N	Liston	Y	Primavera	N	Tyler	N
50	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
51	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N
52	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
53	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
54							Speaker	N

1 Representatives Sonnenberg and McNulty moved to amend the Report of
2 the Committee of the Whole to reverse the action taken by the Committee
3 in not adopting the following Sonnenberg amendment, to HB10-1387, to
4 show that said amendment passed, and that **HB 10-1387**, as amended,
5 passed.
6
7 Amend printed bill, page 2 of the bill, strike lines 12 through 15 and
8 substitute "who shall credit ten dollars to the highway users tax fund and
9 three dollars and forty cents to the licensing services cash fund created in
10 section 42-2-114.5; except that, for ~~the fiscal year 2009-10~~ YEARS
11 2010-11 THROUGH 2013-14, the state treasurer shall credit ~~all of such~~ THE
12 fees to the licensing services".
13
14 Page 3, strike lines 5 through 8 and substitute "42-2-114 and remit the
15 same to the department, which shall deposit the same in the state treasury
16 to the credit of the highway users tax fund; except that, for ~~the fiscal year~~
17 ~~2009-10~~ YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit
18 ~~all of such~~ THE fees to the".
19
20 Page 3, strike lines 18 through 21 and substitute "fee shall be transferred
21 to the state treasurer, who shall credit fifteen dollars to the highway users
22 tax fund and five dollars and forty cents to the licensing services cash
23 fund created in section 42-2-114.5; except that, for ~~the fiscal year~~
24 ~~2009-10~~ YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit
25 ~~all of such~~".
26
27 Page 3, strike line 27 and substitute "the state treasurer, who shall credit
28 three dollars and forty cents to the".
29
30 Page 4, strike lines 1 through 7 and substitute "licensing services cash
31 fund and nine dollars to the highway users tax fund; except that, for ~~the~~
32 ~~fiscal year 2009-10~~ YEARS 2010-11 THROUGH 2013-14, the state treasurer
33 shall credit ~~all of such fees~~ SUCH AMOUNT to the licensing services cash
34 fund. The general assembly shall make appropriations therefrom for the
35 expenses of the administration of this part 1 and part 2 of this article;
36 except that eight dollars and fifty cents of each fee shall be allocated
37 pursuant to section 43-4-205 (6) (b), C.R.S., other than during fiscal year
38 ~~2009-10~~ YEARS 2010-11 THROUGH 2013-14."
39
40 Page 4, strike lines 12 through 15 and substitute "treasurer, who shall
41 credit fifteen dollars to the highway users tax fund and five dollars and
42 forty cents to the licensing services cash fund created in section
43 42-2-114.5; except that, for ~~the fiscal year 2009-10~~ YEARS 2010-11
44 THROUGH 2013-14, the state treasurer shall credit ~~all of such~~ THE fees to
45 the licensing services cash".
46
47 Page 4, strike lines 20 through 23 and substitute "department for
48 transmission to the state treasurer, who shall credit three dollars and forty
49 cents to the licensing services cash fund and nine dollars to the highway
50 users tax fund; except that, for the fiscal year ~~2009-10~~ YEARS 2010-11
51 THROUGH 2013-14, the state treasurer shall credit ~~all of such fees~~ SUCH
52 AMOUNT to the licensing".
53
54 Page 4, strike lines 26 and 27 and substitute "of this article; except that
55 eight dollars and fifty cents of each fee shall be allocated pursuant to
56 section 43-4-205 (6) (b), C.R.S., other than during".

1 Page 5, strike line 1 and substitute "fiscal ~~year 2009-10~~ YEARS 2010-11
2 THROUGH 2013-14."

3
4 Page 5, strike lines 5 through 8 and substitute "to the state treasurer, who
5 shall credit fifteen dollars to the highway users tax fund and five dollars
6 and forty cents to the licensing services cash fund created in section
7 42-2-114.5; except that, for ~~the fiscal year 2009-10~~ YEARS 2010-11
8 THROUGH 2013-14, the state treasurer shall credit ~~all of such~~ THE fees to
9 the".

10
11 Page 5, strike lines 26 and 27 and substitute "who shall credit five dollars
12 to the highway users tax fund and one dollar and ninety cents to the
13 licensing services cash fund created in section".

14
15 Page 6, strike lines 1 through 8 and substitute "42-2-114.5; except that,
16 for ~~the fiscal year 2009-10~~ YEARS 2010-11 THROUGH 2013-14, the state
17 treasurer shall credit ~~all of such~~ THE fees to the licensing services cash
18 fund CREATED IN SECTION 42-2-114.5. The fee for a subsequent duplicate
19 license shall be transferred to the state treasurer, who shall credit ten
20 dollars to the highway users tax fund and three dollars and forty cents to
21 the licensing services cash fund; except that, for ~~the fiscal year 2009-10~~
22 YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit ~~all of~~
23 ~~such~~ THE fees to the licensing services cash fund."

24
25 Page 6, strike lines 13 through 16 and substitute "be transferred to the
26 state treasurer, who shall credit twenty-five dollars to the highway users
27 tax fund and nine dollars and forty cents to the licensing services cash
28 fund created in section 42-2-114.5; except that, for ~~the fiscal year~~
29 ~~2009-10~~ YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit
30 ~~all of such~~ THE fees".

31
32 Page 6, line 17, strike "FEE".

33
34 Page 6, strike lines 23 through 25 and substitute "nineteen dollars to the
35 highway users tax fund and seven dollars and forty cents to the licensing
36 services cash fund; except that, for ~~the fiscal year 2009-10~~ YEARS
37 2010-11 THROUGH 2013-14, the state treasurer shall credit ~~all of such~~ THE
38 fees to the".

39
40 Page 7, strike lines 1 through 3 and substitute "1 and 2 of this article and
41 this part 4; except that eight dollars and fifty cents of each commercial
42 driver's license fee shall be allocated pursuant to section 43-4-205 (6) (b),
43 C.R.S., other than during fiscal ~~year 2009-10~~ YEARS 2010-11 THROUGH
44 2013-14."

45
46 Page 7, strike lines 8 through 11 and substitute "shall be transferred to the
47 state treasurer, who shall credit twenty-five dollars to the highway users
48 tax fund and nine dollars and forty cents to the licensing services cash
49 fund created in section 42-2-114.5; except that, for ~~the fiscal year~~
50 ~~2009-10~~ YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit
51 ~~all of such~~".

52
53 Page 7, line 12, strike "~~fees~~ THE FEE" and substitute "THE fees".

54
55 Page 7, strike lines 16 through 19 and substitute "the state treasurer, who
56 shall credit nineteen dollars to the highway users tax fund and seven

1 dollars and forty cents to the licensing services cash fund; except that, for
 2 ~~the fiscal year 2009-10~~ YEARS 2010-11 THROUGH 2013-14, the state
 3 treasurer shall credit ~~all of such fees~~ SUCH AMOUNT to the licensing
 4 services cash fund".

5
 6 Page 7, strike lines 22 through 25 and substitute "parts 1 and 2 of this
 7 article and this part 4; except that eight dollars and fifty cents of each
 8 such minor driver's license fee shall be allocated pursuant to section
 9 43-4-205 (6) (b), C.R.S., other than during fiscal ~~year 2009-10~~ YEARS
 10 2010-11 THROUGH 2013-14."

11
 12 Page 8, strike line 6 and substitute "in section 43-4-205 (5.5) (f), C.R.S.,
 13 other than during fiscal ~~year 2009-10~~ YEARS 2010-11 THROUGH
 14 2013-14".

15
 16 Page 8, strike lines 10 and 11 and substitute "treasurer, who shall credit
 17 the same to the highway users tax fund; except that, for ~~the fiscal year~~
 18 ~~2009-10~~ YEARS 2010-11 THROUGH 2013-14, the state treasurer shall credit
 19 ~~all of such~~ THE".

20
 21 Page 8, strike line 17 and substitute "43-4-205 (5.5) (f), C.R.S., other than
 22 during fiscal ~~year 2009-10~~ YEARS 2010-11 THROUGH 2013-14".

23
 24 Page 9, strike lines 6 and 7 and substitute "identification database
 25 program, created in section 42-7-604 and for state fiscal ~~year 2008-09~~
 26 YEARS 2010-11 THROUGH 2013-14, for expenses incurred in connection
 27 with the".

28
 29 The amendment was declared **lost** by the following roll call vote:

	YES	32	NO	33	EXCUSED	0	ABSENT	0
31								
32	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
33	Apuan	N	Hullinghorst	N	McKinley	Y	Scanlan	N
34	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
35	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
36	Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
37	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
38	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
39	Court	N	King S.	Y	Nikkel	Y	Summers	Y
40	Curry	Y	Labuda	N	Pace	N	Swalm	Y
41	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
42	Ferrandino	N	Levy	N	Pommer	N	Todd	N
43	Fischer	N	Liston	Y	Primavera	N	Tyler	N
44	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
45	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N
46	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
47	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
48							Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

51
 52
 53
 54 Passed Second Reading: **HB10-1377, 1378 amended, 1379, 1380, 1382**
 55 **amended, 1381 amended, 1383, 1384 amended, 1385 amended, 1386**
 56 **amended, 1388, 1389 amended, 1376 amended, 1387 amended.**

Laid over until date indicated retaining place on Calendar: **HB10-1390--**
April 1, 2010.

The Chairman moved the adoption of the Committee of the Whole
Report. As shown by the following roll call vote, a majority of those
elected to the House voted in the affirmative, and the Report was
adopted.

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 31st day of March, 2010, at
4:10 p.m. The original is on file in the records of the House of
Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 31, 2010

To the Honorable
House of Representatives
Sixty-seventh General Assembly
Second Regular Session
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with
the Secretary of State the following act:

HB10-1064 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.

Approved March 31, 2010 at 2:19 p.m.

1 **HB10-1080** CONCERNING THE EXPANSION OF DUTIES OF THE
 2 LEGISLATIVE EMERGENCY EPIDEMIC RESPONSE
 3 COMMITTEE TO INCLUDE PREPARATION FOR DISASTER
 4 EMERGENCIES, AND, IN CONNECTION THEREWITH,
 5 CHANGING THE NAME OF THE COMMITTEE AND ALLOWING
 6 THE COMMITTEE TO RECOMMEND LEGISLATION
 7 PERTAINING TO THE PREPAREDNESS, RESPONSE, AND
 8 RECOVERY BY THE GENERAL ASSEMBLY IN THE EVENT OF
 9 AN EMERGENCY EPIDEMIC OR DISASTER.

10
 11 Approved March 31, 2010 at 2:19 p.m.

12
 13 **HB10-1089** CONCERNING PLACEMENT AFTER A PAROLE REVOCATION
 14 OF A PAROLEE WHO IS A SEXUALLY VIOLENT PREDATOR.

15
 16 Approved March 31, 2010 at 2:21 p.m.

17
 18 **HB10-1112** CONCERNING THE "CORRECTIONAL EDUCATION
 19 PROGRAM ACT OF 1990".

20
 21 Approved March 31, 2010 at 2:21 p.m.

22
 23 Sincerely,
 24 (signed)
 25 Bill Ritter, Jr.
 26 Governor

27
 28
 29 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

30
 31 **HB10-1108** by Representative(s) McCann; also Senator(s) Johnston--
 32 Concerning an exclusion from the employment
 33 relationship for purposes of state employment laws for
 34 certain coaches who enter into independent contractor
 35 relationships with nonprofit youth sports organizations
 36 that are evidenced by a written agreement.

37
 38 (Amended as printed in Senate Journal, March 19, page 605.)

39
 40 Representative McCann moved that the House **concur** in Senate
 41 amendments. The motion was declared **passed** by the following roll call
 42 vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
45	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
46	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
47	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
48	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
49	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
50	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
51	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
52	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
53	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
54	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
55	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
56	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y

1	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
2	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
3	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
4	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
5							Speaker	Y

7 The question being, "Shall the bill, as amended, pass?".

8 A roll call vote was taken. As shown by the following recorded vote, a
9 majority of those elected to the House voted in the affirmative, and the
10 bill, as amended, was declared **repassed**.

12	YES	65	NO	0	EXCUSED	0	ABSENT	0
13	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
14	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
15	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
16	Baumgardne	Y	Kagan	Y	Merrifield	Y	Solano	Y
17	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
18	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
19	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
20	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
21	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
22	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
23	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
24	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
25	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
26	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
27	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
28	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Gardner B., Nikkel, Summers

31
32 **HB10-1043** by Representative(s) Apuan; also Senator(s) Sandoval--
33 Concerning outdated references to the federal aid to
34 families with dependent children.

35
36 (Amended as printed in Senate Journal, March 23, page 647.)

37
38 Representative Apuan moved that the House **concur** in Senate
39 amendments. The motion was declared **passed** by the following roll call
40 vote:

42	YES	65	NO	0	EXCUSED	0	ABSENT	0
43	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
46	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
48	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
53	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
56	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Labuda

HB10-1058 by Representative(s) Riesberg; also Senator(s) Hodge--
Concerning the authority of the department of revenue to
impose a civil penalty for unstamped cigarettes, and
making an appropriation therefor.

(Amended as printed in Senate Journal, March 23, pages 646-647.)

Representative Riesberg moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
3							Speaker	Y

4
5 The question being, "Shall the bill, as amended, pass?".

6 A roll call vote was taken. As shown by the following recorded vote, a
7 majority of those elected to the House voted in the affirmative, and the
8 bill, as amended, was declared **repassed**.

9								
10	YES	64	NO	1	EXCUSED	0	ABSENT	0
11	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
13	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
14	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
16	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
17	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
18	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
19	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
20	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
21	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
22	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
24	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
25	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
26	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Fischer

29
30
31 **HB10-1062** by Representative(s) Schafer S.; also Senator(s) Hodge--
32 Concerning the ability to allow a county to purchase
33 crime insurance coverage in lieu of surety bonds.
34

35 (Amended as printed in Senate Journal, March 23, page 643.)

36
37 Representative Schafer moved that the House **concur** in Senate
38 amendments. The motion was declared **passed** by the following roll call
39 vote:

40								
41	YES	65	NO	0	EXCUSED	0	ABSENT	0
42	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
43	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
44	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
45	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
46	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
47	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
48	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
49	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
50	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
51	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
52	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
53	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
54	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
55	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
56	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y

Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

	YES	64	NO	1	EXCUSED	0	ABSENT	0
Acree	Y		Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y		Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y		Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y		Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y		Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y		Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y		Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y		King S.	Y	Nikkel	Y	Summers	Y
Curry	Y		Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y		Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y		Levy	Y	Pommer	Y	Todd	Y
Fischer	Y		Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y		Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y		Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y		May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y		McCann	Y	Roberts	Y	Weissmann	N
							Speaker	Y

Co-sponsor(s) added: Representative(s) Baumgardner

On motion of Representative Weissmann, the rules were suspended for immediate consideration of Senate Amendments on HB10-1365.

HB10-1365

by Representative(s) Solano and Roberts, Balmer, Benefield, Carroll T., Court, Fischer, Frangas, Gerou, Hullinghorst, Kagan, Kerr A., Kerr J., King S., Levy, Liston, Massey, May, McFadyen, McNulty, Merrifield, Middleton, Miklosi, Peniston, Pommer, Primavera, Rice, Ryden, Scanlan, Schafer S., Stephens, Todd, Tyler, Vaad, Vigil; also Senator(s) Whitehead and Penry--Concerning incentives for electric utilities to reduce air emissions, and, in connection therewith, requiring plans to achieve such reductions that give primary consideration to replacing or repowering coal generation with natural gas and also considering other low-emitting resources, and making an appropriation.

(Amended as printed in Senate Journal, March 29, page 712, 716 and on March 31.)

Representative Solano moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y		Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y		Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y		Judd	Y	McNulty	Y	Schafer S.	Y

1	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
2	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
3	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
4	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
5	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
6	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
7	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
8	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
9	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
10	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
11	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
12	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
13	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
14							Speaker	Y

15
 16 The question being, "Shall the bill, as amended, pass?".
 17 A roll call vote was taken. As shown by the following recorded vote, a
 18 majority of those elected to the House voted in the affirmative, and the
 19 bill, as amended, was declared **repassed**.

21	YES	53	NO	12	EXCUSED	0	ABSENT	0
22	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
23	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
24	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
25	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
26	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
27	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
28	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
29	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
30	Curry	N	Labuda	Y	Pace	Y	Swalm	N
31	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
32	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
33	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
34	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
35	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
36	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
37	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
38							Speaker	Y

39 Representative Balmer requested his name be removed as sponsor.
 40 Co-sponsor(s) added: Representative(s) McCann, Nikkel, Riesberg, Summers

41
 42 **HB10-1109** by Representative(s) McCann; also Senator(s) Mitchell--
 43 Concerning the availability of workers' compensation to
 44 jail inmates who are working for a program that has been
 45 certified by the federal prison industry enhancement
 46 certification program.

47
 48 (Amended as printed in Senate Journal, March 23, page 646.)

49
 50 Representative McCann moved that the House **concur** in Senate
 51 amendments. The motion was declared **passed** by the following roll call
 52 vote:

54	YES	60	NO	5	EXCUSED	0	ABSENT	0
55	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
56	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y

1	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
2	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
3	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
4	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
5	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
6	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
7	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
8	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
9	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
10	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
11	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
12	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
13	Gardner B.	N	May	Y	Riesberg	Y	Waller	Y
14	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
15							Speaker	Y

16
 17 The question being, "Shall the bill, as amended, pass?".
 18 A roll call vote was taken. As shown by the following recorded vote, a
 19 majority of those elected to the House voted in the affirmative, and the
 20 bill, as amended, was declared **repassed**.

	YES	46	NO	19	EXCUSED	0	ABSENT	0
23	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
24	Apuan	Y	Hullingshorst	Y	McKinley	N	Scanlan	Y
25	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
26	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
27	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
28	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
29	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
30	Court	Y	King S.	N	Nikkel	Y	Summers	N
31	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
32	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
33	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
34	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
35	Frangas	Y	Looper	N	Priola	N	Vaad	Y
36	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
37	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
38	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
39							Speaker	Y

40
 41 **HB10-1133** by Representative(s) Massey; also Senator(s) Tochtrop--
 42 Concerning amendments to the "Colorado Foreclosure
 43 Protection Act".
 44

45 (Amended as printed in Senate Journal, March 23, pages 647-648.)

46
 47 Representative Massey moved that the House **concur** in Senate
 48 amendments. The motion was declared **passed** by the following roll call
 49 vote:
 50

	YES	65	NO	0	EXCUSED	0	ABSENT	0
52	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
53	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
54	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
55	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
56	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y

1	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
2	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
3	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
4	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
5	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
6	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
7	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
8	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
9	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
10	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
11	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
12							Speaker	Y

13
14 The question being, "Shall the bill, as amended, pass?".
15 A roll call vote was taken. As shown by the following recorded vote, a
16 majority of those elected to the House voted in the affirmative, and the
17 bill, as amended, was declared **repassed**.

19	YES	65	NO	0	EXCUSED	0	ABSENT	0
20	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
21	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
22	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
23	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
24	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
25	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
26	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
27	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
28	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
29	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
30	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
31	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
32	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
33	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
34	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
35	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
36							Speaker	Y

37 Co-sponsor(s) added: Representative(s) Middleton, Schafer S.

38
39 **HB10-1202** by Representative(s) Primavera and McNulty, Pace,
40 Gerou, Summers, Benefield, Casso, Court, Ferrandino,
41 Fischer, Frangas, Gagliardi, Hullinghorst, Kagan,
42 Kefalas, Levy, Looper, Merrifield, Miklosi, Peniston,
43 Pommer, Solano, Soper, Todd, Tyler, Vigil, Weissmann;
44 also Senator(s) Tochtrop, Penry, Heath, Hudak, Newell--
45 Concerning health benefit coverage for chemotherapy
46 treatment.

47
48 (Amended as printed in Senate Journal, March 23, page 647.)

49
50 Representative McNulty moved that the House **concur** in Senate
51 amendments. The motion was declared **passed** by the following roll call
52 vote:

54	YES	65	NO	0	EXCUSED	0	ABSENT	0
55	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
56	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y

1	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
2	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
3	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
4	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
5	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
6	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
7	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
8	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
9	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
10	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
11	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
12	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
13	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
14	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
15							Speaker	Y

16

17 The question being, "Shall the bill, as amended, pass?".

18 A roll call vote was taken. As shown by the following recorded vote, a
 19 majority of those elected to the House voted in the affirmative, and the
 20 bill, as amended, was declared **repassed**.

21

22	YES	53	NO	12	EXCUSED	0	ABSENT	0
23	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
24	Apuan	Y	Hullingshorst	Y	McKinley	N	Scanlan	Y
25	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
26	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
27	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
28	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
29	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
30	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
31	Curry	N	Labuda	Y	Pace	Y	Swalm	N
32	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
33	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
34	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
35	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
36	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
37	Gardner B.	N	May	Y	Riesberg	N	Waller	N
38	Gardner C.	Y	McCann	Y	Roberts	N	Weissmann	Y
39							Speaker	Y

40 Co-sponsor(s) added: Representative(s) Apuan, Kerr A., Kerr J., Nikkel,
 41 Stephens

42

43

44

45

46 LAY OVER OF CALENDAR ITEM(S)

47

48 On motion of Representative Weissmann, the following item(s) on the
 49 Calendar (was)were laid over until April 1, retaining place on Calendar:

50

51 Consideration of Resolution(s)--**HJR10-1016, 1017.**

52 Consideration of Senate Amendment(s)--**HB10-1188, 1244, 1288, 1004,**
 53 **1114, 1183, 1222, 1225, 1232, 1236, 1240, 1128, 1166, 1168, 1180,**
 54 **1197, 1201, 1249.**

55

56

1 On motion of Representative Weissmann, the House adjourned until
2 9:00 a.m., April 1, 2010.

3

4

5

6

Approved:
TERRANCE D. CARROLL,
Speaker

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Seventy-ninth Legislative Day

Thursday, April 1, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Masani Rose Salazar, Coal Creek
6 Elementary, Louisville.

7

8 The roll was called with the following result:

9

10 Present--61.

11 Excused--Representative(s) Carroll T., Middleton, Pommer,
12 Stephens--4.

13 Present after roll call--Representative(s) Carroll T., Middleton,
14 Pommer, Stephens.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Labuda, the reading of the journal of
20 March 31, 2010, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22

23

24

25

THIRD READING OF BILL(S)--FINAL PASSAGE

26

27 The following bill(s) was(were) considered on Third Reading. The
28 title(s) was(were) publicly read. Reading of the bill at length was
29 dispensed with by unanimous consent.

30

31 **HB10-1376** by Representative(s) Pommer, Ferrandino, Lambert; also
32 Senator(s) Keller, Tapia, White--Concerning the provision
33 for payment of the expenses of the executive, legislative,
34 and judicial departments of the state of Colorado, and of
35 its agencies and institutions, for and during the fiscal year
36 beginning July 1, 2010, except as otherwise noted.

37

38 The question being "Shall the bill pass?".

39 A roll call vote was taken. As shown by the following recorded vote, a
40 majority of those elected to the House voted in the affirmative and the bill
41 was declared **passed**.

42

	YES	40	NO	25	EXCUSED	0	ABSENT	0
1								
2	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
5	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
7	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	N	Kerr J.	N	Murray	N	Stephens	N
9	Court	Y	King S.	N	Nikkel	N	Summers	N
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
11	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	N	Priola	N	Vaad	N
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
17	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

HB10-1377 by Representative(s) Lambert, Ferrandino, Pommer; also Senator(s) Tapia, Keller, White--Concerning the temporary funding of certain agriculture programs entirely with cash funds, and making appropriations therefor.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

	YES	38	NO	27	EXCUSED	0	ABSENT	0
31								
32	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
33	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
34	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
35	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
36	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
37	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
38	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
39	Court	Y	King S.	N	Nikkel	N	Summers	Y
40	Curry	N	Labuda	Y	Pace	N	Swalm	N
41	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
42	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
43	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
44	Frangas	Y	Looper	N	Priola	N	Vaad	N
45	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
46	Gardner B.	N	May	N	Riesberg	Y	Waller	N
47	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
48							Speaker	Y

HB10-1378 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) Keller, Tapia, White--Concerning moneys appropriated in the 2010-11 fiscal year for health clinics, and making appropriations therefor.

5

24

30

35

54

55

1 **HB10-1380** by Representative(s) Pommer, Ferrandino, Lambert; also
 2 Senator(s) White, Keller, Tapia--Concerning the use of
 3 moneys in the supplemental old age pension health and
 4 medical care fund to pay for services received by certain
 5 persons in the state medicaid program, and making an
 6 appropriation therefor.

7
 8 The question being "Shall the bill pass?".
 9 A roll call vote was taken. As shown by the following recorded vote, a
 10 majority of those elected to the House voted in the affirmative and the bill
 11 was declared **passed**.

	YES	61	NO	4	EXCUSED	0	ABSENT	0
14	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
15	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
16	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
17	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
18	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
19	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
20	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
21	Court	Y	King S.	Y	Nikkel	N	Summers	Y
22	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
23	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
24	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
25	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
26	Frangas	Y	Looper	N	Priola	N	Vaad	Y
27	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
28	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
29	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
30							Speaker	Y

31
 32 **HB10-1382** by Representative(s) Ferrandino, Pommer, Lambert; also
 33 Senator(s) White, Keller, Tapia--Concerning the repeal of
 34 the delay of certain payments made under public medical
 35 assistance programs.

36
 37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
43	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
46	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
48	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
53	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
56	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
3							Speaker	Y

4
5 **HB10-1383** by Representative(s) Pommer, Ferrandino, Lambert; also
6 Senator(s) White, Keller, Tapia--Concerning funding for
7 student financial aid for higher education, and making an
8 appropriation therefor.
9

10 The question being "Shall the bill pass?".

11 A roll call vote was taken. As shown by the following recorded vote, a
12 majority of those elected to the House voted in the affirmative and the bill
13 was declared **passed**.
14

15	YES	58	NO	7	EXCUSED	0	ABSENT	0
16	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
17	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
18	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
19	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
20	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
21	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
22	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
23	Court	Y	King S.	Y	Nikkel	N	Summers	Y
24	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
25	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
26	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
27	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
28	Frangas	N	Looper	N	Priola	N	Vaad	Y
29	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
30	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
31	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
32							Speaker	Y

33
34 **HB10-1384** by Representative(s) Lambert, Ferrandino, Pommer; also
35 Senator(s) White, Keller, Tapia--Concerning the alignment
36 of eligibility for the old age pension program with
37 eligibility for other public benefit programs, and, in
38 connection therewith, aligning the waiting period for the
39 old age pension with the waiting period for other public
40 benefit programs, enforcing financial responsibility
41 requirements for relative sponsors of noncitizens, and
42 making an appropriation.
43

44 The question being "Shall the bill pass?".

45 A roll call vote was taken. As shown by the following recorded vote, a
46 majority of those elected to the House voted in the affirmative and the bill
47 was declared **passed**.
48

49	YES	60	NO	5	EXCUSED	0	ABSENT	0
50	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
51	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
55	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y

1	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
2	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
3	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
6	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
7	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
8	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
9	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
10							Speaker	Y

11 Co-sponsor(s) added: Representative(s) Balmer, Labuda, Looper, Murray,
12 Swalm

13
14 **HB10-1385** by Representative(s) Lambert, Ferrandino, Pommer; also
15 Senator(s) Tapia, Keller, White--Concerning fees collected
16 by the division of insurance to fund insurance fraud cases
17 pursued by the department of law, and making
18 appropriations in connection therewith
19

20 The question being "Shall the bill pass?".

21 A roll call vote was taken. As shown by the following recorded vote, a
22 majority of those elected to the House voted in the affirmative and the bill
23 was declared **passed**.
24

25	YES	53	NO	12	EXCUSED	0	ABSENT	0
26	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
27	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
28	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
29	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
30	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
31	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
32	Casso	Y	Kerr J.	N	Murray	N	Stephens	Y
33	Court	Y	King S.	N	Nikkel	Y	Summers	Y
34	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
35	DelGrosso	N	Lambert	Y	Peniston	Y	Tipton	N
36	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
37	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
38	Frangas	Y	Looper	N	Priola	Y	Vaad	N
39	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
40	Gardner B.	Y	May	Y	Riesberg	Y	Waller	N
41	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
42							Speaker	Y

43
44
45 **HB10-1386** by Representative(s) Ferrandino, Pommer, Lambert; also
46 Senator(s) White, Keller, Tapia--Concerning the amounts
47 of filing fees charged by the property tax administrator for
48 purposes of exemption of property from general taxation,
49 and making an appropriation therefor.
50

51 The question being "Shall the bill pass?".

52 A roll call vote was taken. As shown by the following recorded vote, a
53 majority of those elected to the House voted in the affirmative and the bill
54 was declared **passed**.
55

	YES	37	NO	28	EXCUSED	0	ABSENT	0
1								
2	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
5	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
7	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
9	Court	Y	King S.	N	Nikkel	N	Summers	N
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
11	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	N	Priola	N	Vaad	N
15	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
16	Gardner B.	N	May	N	Riesberg	Y	Waller	N
17	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
18							Speaker	Y

HB10-1387 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia--Concerning the financing of the division of motor vehicles in the department of revenue, and making appropriations therefor.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

	YES	38	NO	27	EXCUSED	0	ABSENT	0
31	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
32	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
33	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
34	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
35	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
36	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
37	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
38	Court	Y	King S.	N	Nikkel	N	Summers	N
39	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
40	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
41	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
42	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
43	Frangas	Y	Looper	Y	Priola	N	Vaad	N
44	Gagliardi	Y	Massey	N	Rice	N	Vigil	Y
45	Gardner B.	N	May	N	Riesberg	Y	Waller	N
46	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
47							Speaker	Y

Co-sponsor(s) added: Representative(s) Fischer, Hullinghorst, Labuda, Looper, Weissmann.

HB10-1388 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) Tapia, Keller, White--Concerning the augmentation of the general fund through transfers of certain moneys.

As shown by the following roll call vote, a majority of all members elected to the House voted in the affirmative, and Representative Curry was given permission to offer a Third Reading amendment:

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Third Reading amendment No. 1, by Representatives Curry, Tipton, Baumgardner.

Amend engrossed bill, page 3, strike line 7 and substitute:

"THIS SECTION TO THE CONTRARY:

(a) ON JUNE 30, 2011, THE STATE".

Page 3, after line 10, insert:

"(b) DUE TO THE TRANSFER MADE PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (6), FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2010, THE AMOUNT OF THE GROSS RECEIPTS CREDITED TO THE LOCAL GOVERNMENT SEVERANCE TAX FUND THAT ARE DISTRIBUTED PURSUANT TO PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION SHALL BE DECREASED BY THREE MILLION DOLLARS AND THE AMOUNT OF GROSS RECEIPTS THAT ARE DISTRIBUTED PURSUANT TO PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION SHALL BE INCREASED BY THREE MILLION DOLLARS."

The amendment was declared **passed** by the following roll call vote:

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y

1	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
2	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
3	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
4	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
5	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
6	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
7							Speaker	Y

8
9 The question being, "Shall the bill, as amended, pass?".
10 A roll call vote was taken. As shown by the following recorded vote, a
11 majority of those elected to the House voted in the affirmative, and the
12 bill, as amended, was declared **passed**.

13								
14	YES	39	NO	26	EXCUSED	0	ABSENT	0
15	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
16	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
17	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
18	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
19	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
20	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
21	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
22	Court	Y	King S.	N	Nikkel	N	Summers	N
23	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
24	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
25	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
26	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
27	Frangas	Y	Looper	N	Priola	N	Vaad	N
28	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
29	Gardner B.	N	May	N	Riesberg	Y	Waller	N
30	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	N
31							Speaker	Y

32
33 **HB10-1389** by Representative(s) Ferrandino, Pommer, Lambert; also
34 Senator(s) Tapia, Keller, White--Concerning transfers of
35 moneys relating to capital construction.

36
37 The question being "Shall the bill pass?".
38 A roll call vote was taken. As shown by the following recorded vote, a
39 majority of those elected to the House voted in the affirmative and the bill
40 was declared **passed**.

41								
42	YES	65	NO	0	EXCUSED	0	ABSENT	0
43	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
46	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
48	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
53	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
56	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

HB10-1381 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) White, Keller, Tapia--Concerning the use of tobacco revenues for health-related purposes during a state fiscal emergency, and making an appropriation therefor.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	34	NO	31	EXCUSED	0	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	N	Middleton	Y	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
Court	N	King S.	N	Nikkel	N	Summers	N
Curry	Y	Labuda	Y	Pace	N	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	N	Liston	N	Primavera	Y	Tyler	Y
Frangas	N	Looper	N	Priola	N	Vaad	N
Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
Gardner B.	N	May	N	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
						Speaker	Y

On motion of Representative Ferrandino, the House resolved itself into Committee of the Whole for consideration of General Orders, and he 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 the titles of the following bills had been read (reading at length had been dispensed with by unanimous consent), the bills considered and action taken thereon as follows:

(Amendments to the committee amendment are to the printed committee report which was printed and placed in the members' bill file.)

1 **HB10-1390** by Representative(s) Pommer, Ferrandino, Lambert; also
2 Senator(s) White, Keller, Tapia--Concerning the general
3 fund reserve required for the 2010-11 state fiscal year.
4

5 Laid over until April 5, retaining place on Calendar.
6

7 **SB10-016** by Senator(s) Williams, Romer, Spence; also
8 Representative(s) Vaad, Fischer, Frangas, King S.,
9 McFadyen, McNulty, Merrifield, Tyler--Concerning
10 modification of the manner in which a civil penalty
11 assessment notice of toll evasion evidenced by automatic
12 vehicle identification technology is provided to the owner
13 of a vehicle so identified.
14

15 Ordered revised and placed on the Calendar for Third Reading and Final
16 Passage.
17

18 **HB10-1348** by Representative(s) McFadyen, Massey; also Senator(s)
19 Kester and Bacon--Concerning increased regulatory
20 authority regarding radioactive materials.
21

22 Amendment No. 1, Transportation & Energy Report, dated March 18, and
23 placed in member's bill file; Report also printed in House Journal,
24 March 19, pages 863-864.
25

26 As amended, ordered engrossed and placed on the Calendar for Third
27 Reading and Final Passage.
28

29 **HB10-1351** by Representative(s) Ferrandino, Apuan, Casso, Curry,
30 Gagliardi, Hullinghorst, Kerr A., McCann, Merrifield,
31 Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Tyler,
32 Vigil; also Senator(s) Romer, Carroll M., Foster, Keller,
33 Morse--Concerning the maximum authorized interest rate
34 for a payday loan.
35

36 Laid over until April 5, retaining place on Calendar.
37

38 **HB10-1217** by Representative(s) McKinley, McFadyen, Looper, Pace,
39 Vigil--Concerning the repeal of the authority of the
40 executive director of the department of human services to
41 sell the Trinidad state nursing home.
42

43 Laid over until April 9, retaining place on Calendar.
44

45 **SB10-155** by Senator(s) Tochtrop; also Representative(s) Benefield--
46 Concerning limitations on the issuance of gift cards.
47

48 Amendment No. 1, Business Affairs & Labor Report, dated
49 March 10, 2010, and placed in member's bill file; Report also printed in
50 House Journal, March 11, page 748.
51

52 As amended, ordered revised and placed on the Calendar for Third
53 Reading and Final Passage.
54

55 **SB10-101** by Senator(s) Gibbs, Schwartz, Romer, Bacon, Cadman,
56 Hudak, Johnston, Kester, Sandoval, Scheffel, Steadman,

1 Tapia, White; also Representative(s) Scanlan and Massey,
2 Balmer, Baumgardner, Curry, Frangas, Liston, Merrifield,
3 Pace--Concerning authorizing Colorado mountain college
4 to offer baccalaureate degrees.

5
6 Ordered revised and placed on the Calendar for Third Reading and Final
7 Passage.

8
9
10 **SB10-062** by Senator(s) Steadman; also Representative(s) Peniston--
11 Concerning the existing categorical education programs
12 described by section 17 of article IX of the state
13 constitution.

14
15 Amendment No. 1, Education Report, dated March 22, 2010, and placed
16 in member's bill file; Report also printed in House Journal, March 23,
17 page 905.

18
19 As amended, ordered revised and placed on the Calendar for Third
20 Reading and Final Passage.

21
22 **SB10-143** by Senator(s) Morse; also Representative(s) Scanlan and
23 Massey--Concerning the refund of moneys erroneously
24 collected by the Colorado department of state on or after
25 a certain date, and, in connection therewith, authorizing
26 the state controller to issue warrants to refund such
27 moneys to the proper persons, and making an
28 appropriation.

29
30 Ordered revised and placed on the Calendar for Third Reading and Final
31 Passage.

32
33
34 **SB10-042** by Senator(s) Schwartz; also Representative(s) Frangas
35 and Kefalas--Concerning prior consent for release of
36 financial information to facilitate investigations of
37 financial exploitation of at-risk adults.

38
39 Ordered revised and placed on the Calendar for Third Reading and Final
40 Passage.

41
42 **SB10-048** by Senator(s) Heath; also Representative(s) Levy--
43 Concerning the regulation of the purchase of commodity
44 scrap metals.

45
46 Ordered revised and placed on the Calendar for Third Reading and Final
47 Passage.

48
49
50 **SB10-066** by Senator(s) Hudak, Carroll M., Steadman; also
51 Representative(s) Levy, Ryden--Concerning the
52 requirement that certain persons report child abuse or
53 neglect.

54
55

1 Amendment No. 1, Judiciary Report, dated March 22, 2010, and placed
2 in member's bill file; Report also printed in House Journal, March 23,
3 page 945.

4
5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **SB10-138** by Senator(s) Heath; also Representative(s) Peniston--
9 Concerning the award of expenses in a proceeding to
10 appeal the valuation of property for property tax purposes.

11
12 Ordered revised and placed on the Calendar for Third Reading and Final
13 Passage.

14
15 **SB10-075** by Senator(s) White; also Representative(s) Baumgardner--
16 Concerning the requirement that military vehicles valued
17 for historical purposes bear a license plate.

18
19 Amendment No. 1, Transportation & Energy Report, dated
20 March 23, 2010, and placed in member's bill file; Report also printed in
21 House Journal, March 25, page 961.

22
23 As amended, ordered revised and placed on the Calendar for Third
24 Reading and Final Passage.

25
26 **SB10-152** by Senator(s) Newell, Bacon, Boyd, Foster, Hodge, Keller,
27 Sandoval, Schwartz, Steadman, Tochtrop; also
28 Representative(s) Gagliardi, Apuan, May, Merrifield,
29 Peniston, Primavera, Todd--Concerning information
30 relating to a referral of suspected child abuse by certain
31 mandatory reporters.

32
33 Amendment No. 1, Health & Human Services Report, dated
34 March 22, 2010, and placed in member's bill file; Report also printed in
35 House Journal, March 23, page 906.

36
37 Amendment No. 2, by Representative(s) Gagliardi.

38
39 Amend the Health and Human Services Committee report, dated March
40 22, 2010, page 1, strike line 1 and substitute:

41
42 "Amend reengrossed bill, page 2, line 16, after the period, insert "A
43 COUNTY DEPARTMENT MAY REQUEST WRITTEN AFFIRMATION FROM A
44 MANDATORY REPORTER STATING THAT THE REPORTER CONTINUES TO BE
45 OFFICIALLY AND PROFESSIONALLY INVOLVED IN THE ONGOING CARE OF
46 THE CHILD WHO WAS THE SUBJECT OF THE REPORT AND DESCRIBING THE
47 NATURE OF THE INVOLVEMENT."

48
49 Page 3, line 18, strike "MEMBERS." and substitute".

50
51 Page 1 of the committee report, strike lines 3 through 7.

52
53 As amended, ordered revised and placed on the Calendar for Third
54 Reading and Final Passage.

55

- 1 **SB10-100** by Senator(s) Schwartz, Carroll M., Foster, Gibbs, Heath,
2 Newell, Romer; also Representative(s) Miklosi--
3 Concerning greater financing flexibility for local districts
4 organized for purposes related to energy.
5
- 6 Laid over until April 5, retaining place on Calendar.
7
- 8 **HB10-1060** by Representative(s) Kagan; also Senator(s) Steadman--
9 Concerning the creation of a penalty for the failure to
10 comply with severance tax withholding requirements.
11
- 12 Amendment No. 1, Appropriations Report, dated March 26, 2010, and
13 placed in member's bill file; Report also printed in House Journal,
14 March 26, page 887.
15
- 16 As amended, ordered engrossed and placed on the Calendar for Third
17 Reading and Final Passage.
18
- 19 **HB10-1209** by Representative(s) Balmer--Concerning authorization to
20 place voluntarily an identifier of a branch of the United
21 States armed forces on certain identification documents
22 issued by the department of revenue.
23
- 24 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
25 March 4, 2010, and placed in member's bill file; Report also printed in
26 House Journal, March 5, pages 690-691.
27
- 28 Amendment No. 2, Appropriations Report, dated March 26, 2010, and
29 placed in member's bill file; Report also printed in House Journal,
30 March 26, page 888.
31
- 32 Amendment No. 3, by Representative(s) Balmer, Ferrandino.
33 Amend the State, Veterans, and Military Affairs Committee Report, dated
34 March 4, 2010, page 1, line 23, after "IDENTIFIER," insert "OR TO HAVE
35 SUCH LICENSE RENEWED,".
36
- 37 Page 2, line 35, after "IDENTIFIER," insert "OR TO HAVE SUCH LICENSE
38 RENEWED,".
39
- 40 As amended, ordered engrossed and placed on the Calendar for Third
41 Reading and Final Passage.
42
- 43 **HB10-1243** by Representative(s) McFadyen, Massey, May, Scanlan;
44 also Senator(s) Gibbs, Tapia, Williams--Concerning the
45 powers of a special district that provides transportation-
46 related services, and, in connection therewith, authorizing
47 a special district that provides such services to levy a
48 voter-approved sales tax and to join a regional
49 transportation authority.
50
- 51 Amendment No. 1, Transportation & Energy Report, dated
52 March 11, 2010, and placed in member's bill file; Report also printed in
53 House Journal, March 12, pages 781-782.
54
- 55 As amended, ordered engrossed and placed on the Calendar for Third
56 Reading and Final Passage.

1 **HB10-1334** by Representative(s) King S.; also Senator(s) Steadman--
2 Concerning changes to indecency crimes.
3

4 Amendment No. 1, Judiciary Report, dated March 1, 2010, and placed in
5 member's bill file; Report also printed in House Journal, March 2,
6 pages 626-627.
7

8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.
10

11 **SB10-068** by Senator(s) Boyd; also Representative(s) Massey--
12 Concerning streamlining eligibility requirements for the
13 Colorado works program, and making an appropriation in
14 connection therewith.
15

16 Ordered revised and placed on the Calendar for Third Reading and Final
17 Passage.
18

19 **SB10-072** by Senator(s) Schwartz; also Representative(s) Vigil--
20 Concerning creation of the "Colorado Seed Potato Act",
21 and making an appropriation therefor.
22

23 Ordered revised and placed on the Calendar for Third Reading and Final
24 Passage.
25

26
27 **SB10-079** by Senator(s) Penry; also Representative(s) Bradford and
28 King S.--Concerning authority to offer additional
29 programs at Mesa state college.
30

31 Ordered revised and placed on the Calendar for Third Reading and Final
32 Passage.
33

34 **SB10-088** by Senator(s) Johnston; also Representative(s) Massey--
35 Concerning authorization of two-year degrees with
36 academic designation.
37

38 Ordered revised and placed on the Calendar for Third Reading and Final
39 Passage.
40

41 **SB10-111** by Senator(s) King K., Bacon, Johnston, Scheffel,
42 Schultheis, Spence, Steadman; also Representative(s)
43 Massey, Summers, Gardner B., King S., McNulty,
44 Middleton, Murray--Concerning public schools that are
45 authorized by the state charter school institute.
46

47 Amendment No. 1, Education Report, dated March 25, 2010, and placed
48 in member's bill file; Report also printed in House Journal, March 26,
49 pages 889-890.
50

51 As amended, ordered revised and placed on the Calendar for Third
52 Reading and Final Passage.
53

54 **HB10-1359** by Representative(s) McCann; also Senator(s) Steadman--
55 Concerning change of venue in dependency and neglect
56 proceedings, and, in connection therewith, clarifying the

1 role of the county departments of social or human services
2 when jurisdiction over a case is transferred between
3 counties.
4

5 Ordered engrossed and placed on the Calendar for Third Reading and
6 Final Passage.
7

8 **SB10-043** by Senator(s) White; also Representative(s) Pommer--
9 Concerning the repeal date of the office of the child's
10 representative.
11

12 Ordered revised and placed on the Calendar for Third Reading and Final
13 Passage.
14

15 **SB10-147** by Senator(s) Lundberg, Penry; also Representative(s)
16 DelGrosso--Concerning exempting from execution by
17 creditors certain assets that are payable upon death.
18

19 Ordered revised and placed on the Calendar for Third Reading and Final
20 Passage.
21

22 **HB10-1354** by Representative(s) Benefield and Looper, Weissmann,
23 Acree, Apuan, Balmer, Bradford, Casso, Curry,
24 DelGrosso, Ferrandino, Frangas, Gagliardi, Gardner C.,
25 Gerou, Hullinghorst, Kerr J., King S., Labuda, McFadyen,
26 Merrifield, Middleton, Miklosi, Murray, Nikkel, Rice,
27 Roberts, Scanlan, Schafer S., Solano, Summers, Swalm,
28 Tipton, Todd, Vaad, Vigil; also Senator(s) Morse, Hodge,
29 Newell, Penry, Spence, Steadman--Concerning policy
30 studies conducted by the general assembly during the
31 legislative interim.
32

33 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
34 March 23, 2010, and placed in member's bill file; Report also printed in
35 House Journal, March 26, pages 891-895.
36

37 Amendment No. 2, by Representative(s) Looper, Benefield.
38

39 Amend the State, Veterans, & Military Affairs committee report, dated
40 March 23, 2010, page 1, strike lines 1 through 19 and substitute:
41

42 "Amend printed bill, page 4, line 10, strike "(5)" and substitute "(6)".
43

44 Page 4 of the printed bill, after line 25, insert:
45

46 "(5) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO RESTRICT
47 THE AUTHORITY OF THE SPEAKER AND THE MINORITY LEADER OF THE
48 HOUSE OF REPRESENTATIVES TO APPOINT OR REMOVE MEMBERS OF A
49 COMMITTEE OF REFERENCE PURSUANT TO THE RULES OF THE HOUSE OF
50 REPRESENTATIVES OR TO RESTRICT THE AUTHORITY OF THE MAJORITY
51 LEADER AND THE MINORITY LEADER OF THE SENATE TO APPOINT OR
52 REMOVE MEMBERS OF A COMMITTEE OF REFERENCE PURSUANT TO THE
53 RULES OF THE SENATE."
54

55 Renumber succeeding subsections accordingly.
56

1 Page 6 of the printed bill, line 18, strike "(6)" and substitute "(7)".
 2
 3 Page 7 of the printed bill, line 7, strike "(7)." and substitute "(8)".
 4
 5 Page 7 of the printed bill, line 9, strike "(7)" and substitute "(8)".
 6
 7 Page 7 of the printed bill, line 27, strike "(7)" and substitute "(8)".
 8
 9 Page 8 of the printed bill, line 1, strike "(8)" and substitute "(9)".
 10
 11 Page 8 of the printed bill, line 6, strike "(10)" and substitute "(11)".
 12
 13 Page 9 of the printed bill, line 2, strike "(7)" and substitute "(8)".
 14
 15 Page 2 of the committee report, strike lines 1 through 5.
 16
 17 As amended, ordered engrossed and placed on the Calendar for Third
 18 Reading and Final Passage.
 19
 20 On motion of Representative Weissmann, the remainder of the General
 21 Orders Calendar (**SB10-114**) was laid over until April 5, retaining place
 22 on Calendar.
 23

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

24
 25
 26
 27
 28 Passed Second Reading: **SB10-016, HB10-1348 amended, SB10-155**
 29 **amended, 101, 062 amended, 143, 042, 048, 066 amended, 138, 075**
 30 **amended, 152 amended, HB10-1060 amended, 1209 amended, 1243**
 31 **amended, 1334 amended, SB10-068, 072, 079, 088, 111 amended,**
 32 **HB10-1359, SB10-043, 147, HB10-1354 amended.**
 33

34 Laid over until date indicated retaining place on Calendar: **HB10-1390,**
 35 **1351, SB10-100, 114--April 5, 2010.**
 36 **HB10-1217--April 9, 2010.**
 37

38 The Chairman moved the adoption of the Committee of the Whole
 39 Report. As shown by the following roll call vote, a majority of those
 40 elected to the House voted in the affirmative, and the Report was
 41 **adopted.**
 42

	YES	64	NO	0	EXCUSED	1	ABSENT	0
44	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
46	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
47	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
49	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
50	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
51	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
52	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
53	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
54	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
56	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y

1	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
2	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
3	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
4							Speaker	Y

5
6
7 House in recess. House reconvened.
8
9

10
11 **MESSAGE(S) FROM THE SENATE**

12
13 The Senate has passed on Third Reading and transmitted to the Revisor
14 of Statutes:

15
16 HB10-1369 amended as printed in Senate Journal, March 31, 2010,
17 pages 727-729.

18 HB10-1372 amended as printed in Senate Journal, March 31, 2010,
19 page 729, and April 1, 2010.
20

21 The Senate has passed on Third Reading and returns herewith:
22 HB10-1367.
23

24 The Senate has adopted and transmits herewith: SJR10-010.
25

26 In response to the request of the House for a Conference committee on
27 HB10-1021, the President appoints Senators Foster, chair, Boyd and
28 Scheffel. The Senate has granted permission for the first conference
29 committee on HB10-1021 to go beyond the scope of the differences
30 between the two houses.
31

32 **MESSAGE(S) FROM THE REVISOR**

33
34 We herewith transmit:

35 Without comment, as amended, HB10-1369 and 1372.
36
37

38
39 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

40
41 On motion of Representative Weissmann, the rules were suspended and
42 the following resolution was given immediate consideration.
43

44 **SJR10-010** by Senator(s) White, Keller, Tapia; also Representative(s)
45 Ferrandino, Pommer, Lambert--Concerning the declaration
46 of a state fiscal emergency pursuant to section 21 (7) of
47 article X of the state constitution.
48

49 (Printed and placed in member's file).
50

51 Representative Ferrandino moved to adopt the resolution.
52

53 Amendment No. 1, moved by Representatives May, Looper, Swalm.
54

55 Amend reengrossed resolution, page 2, line 5, strike "million," and
56 substitute "billion,".

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1 The question being, "Shall the bill, as amended, pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative, and the
 4 bill, as amended, was declared **repassed**.

	YES	62	NO	2	EXCUSED	1	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
23							Speaker	Y

24
 25
 26 **HB10-1183** by Representative(s) Middleton; also Senator(s) Johnston--
 27 Concerning authorization of a pilot program to collect data
 28 concerning alternative school finance funding models.

29
 30 (Amended as printed in Senate Journal, March 25, page 672.)

31
 32 Representative Middleton moved that the House **concur** in Senate
 33 amendments. The motion was declared **passed** by the following roll call
 34 vote:

	YES	52	NO	12	EXCUSED	1	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
39	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
40	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
42	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
43	Casso	Y	Kerr J.	N	Murray	E	Stephens	Y
44	Court	Y	King S.	N	Nikkel	N	Summers	Y
45	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
46	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
47	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
48	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
49	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
50	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
51	Gardner B.	N	May	Y	Riesberg	Y	Waller	Y
52	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
53							Speaker	Y

54
 55 The question being, "Shall the bill, as amended, pass?".
 56 A roll call vote was taken. As shown by the following recorded vote, a

majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

YES	58	NO	6	EXCUSED	1	ABSENT	0
Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	N	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
						Speaker	Y

Co-sponsor(s) added: Representative(s) Todd.

HB10-1222 by Representative(s) Middleton; also Senator(s) Carroll M.--Concerning continuation of the requirement that a collection agency maintain an office in Colorado.

(Amended as printed in Senate Journal, March 25, pages 671-672.)

Representative Middleton moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

	YES	62	NO	2	EXCUSED	1	ABSENT	0
1	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
4	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
6	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
8	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
9	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
10	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
11	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
16	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
17							Speaker	Y

HB10-1225 by Representative(s) Soper; also Senator(s) Tochtrop--
Concerning continuation of the regulation of electrical
work by the state electrical board.

(Amended as printed in Senate Journal, March 25, page 672.)

Representative Soper moved that the House **concur** in Senate
amendments. The motion was declared **passed** by the following roll call
vote:

	YES	63	NO	1	EXCUSED	1	ABSENT	0
31	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
32	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
33	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
34	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
35	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
36	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
37	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
38	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
39	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
40	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
41	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
42	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
43	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
44	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
45	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
46	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
47							Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a
majority of those elected to the House voted in the affirmative, and the
bill, as amended, was declared **repassed**.

	YES	43	NO	21	EXCUSED	1	ABSENT	0
55	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
56	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y

1	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
2	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
3	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
4	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
5	Casso	Y	Kerr J.	Y	Murray	E	Stephens	N
6	Court	Y	King S.	N	Nikkel	N	Summers	N
7	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
8	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
9	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
10	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
11	Frangas	Y	Looper	N	Priola	N	Vaad	N
12	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
13	Gardner B.	N	May	N	Riesberg	Y	Waller	N
14	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Pommer.

17
18 **HB10-1232** by Representative(s) Baumgardner; also Senator(s)
19 King K.--Concerning the definition of school vehicles.

20
21 (Amended as printed in Senate Journal, March 25, page 644.)

22
23 Representative Baumgardner moved that the House **concur** in Senate
24 amendments. The motion was declared **passed** by the following roll call
25 vote:

27	YES	63	NO	1	EXCUSED	1	ABSENT	0
28	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
29	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
30	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
31	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
32	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
33	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
34	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
35	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
36	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
37	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
38	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
39	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
40	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
41	Gagliardi	Y	Massey	Y	Rice	N	Vigil	Y
42	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
43	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
44							Speaker	Y

45
46 The question being, "Shall the bill, as amended, pass?"

47 A roll call vote was taken. As shown by the following recorded vote, a
48 majority of those elected to the House voted in the affirmative, and the
49 bill, as amended, was declared **repassed**.

51	YES	64	NO	0	EXCUSED	1	ABSENT	0
52	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
53	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
54	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
55	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
56	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y

1	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
2	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
3	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
4	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
5	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
6	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
7	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
8	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
9	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
10	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
11	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
12							Speaker	Y

13 Co-sponsor(s) added: Representative(s) Tipton, Vigil, Waller.

14
15 **HB10-1240** by Representative(s) Ferrandino; also Senator(s)
16 Carroll M.--Concerning the foreclosure deferment process
17 for residential properties.

18
19 (Amended as printed in Senate Journal, March 25, page 672.)

20
21 Representative Ferrandino moved that the House **concur** in Senate
22 amendments. The motion was declared **passed** by the following roll call
23 vote:

25	YES	63	NO	1	EXCUSED	1	ABSENT	0
26	Acree	Y	Gerou	Y	McFadyen	N	Ryden	Y
27	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
28	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
29	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
30	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
31	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
32	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
33	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
34	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
35	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
36	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
37	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
38	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
39	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
40	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
41	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
42							Speaker	Y

43
44 The question being, "Shall the bill, as amended, pass?"

45 A roll call vote was taken. As shown by the following recorded vote, a
46 majority of those elected to the House voted in the affirmative, and the
47 bill, as amended, was declared **repassed**.

49	YES	64	NO	0	EXCUSED	1	ABSENT	0
50	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
55	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y

1	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
3	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
6	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
7	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
8	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
9	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
10							Speaker	Y

11 Co-sponsor(s) added: Representative(s) Priola.

12
 13 **HB10-1128** by Representative(s) Looper; also Senator(s) Hudak and
 14 Bacon--Concerning measures to increase the efficiency of
 15 the activities of entities in the division of registrations
 16 relating to the supervision of regulated professionals, and,
 17 in connection therewith, making the "Colorado Licensing
 18 of Controlled Substances Act" and the sunset law
 19 consistent with provisions enacted in 2009 to continue the
 20 regulation of administration of medication by unlicensed
 21 persons, clarifying that moneys collected on behalf of
 22 administering entities of professional peer review
 23 programs do not constitute state fiscal year spending for
 24 purposes of section 20 of article X of the state constitution,
 25 clarifying exemptions from the "Dental Practice Law of
 26 Colorado", authorizing the director of the division of
 27 registrations to take disciplinary action under the
 28 "Massage Therapy Practice Act" against persons convicted
 29 of unlawful sexual behavior or prostitution-related
 30 offenses, repealing duplicative regulatory requirements for
 31 medical doctors, replacing limited temporary license
 32 requirements for medical doctors and chiropractors, and
 33 repealing regulatory functions of the division of
 34 registrations with respect to athlete agents, and making an
 35 appropriation therefor.

36
 37 (Amended as printed in Senate Journal, March 19, page 605 and on
 38 March 29.)

39
 40 Representative Looper moved that the House **concur** in Senate
 41 amendments. The motion was declared **passed** by the following roll call
 42 vote:

44	YES	63	NO	1	EXCUSED	1	ABSENT	0
45	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
46	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
47	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
48	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
49	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
50	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
51	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
52	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
53	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
54	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
55	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
56	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y

1	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
2	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
3	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
4	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
5							Speaker	Y

6
7 The question being, "Shall the bill, as amended, pass?".
8 A roll call vote was taken. As shown by the following recorded vote, a
9 majority of those elected to the House voted in the affirmative, and the
10 bill, as amended, was declared **repassed**.

11								
12	YES	62	NO	2	EXCUSED	1	ABSENT	0
13	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
14	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
15	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
16	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
17	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
18	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
19	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
20	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
21	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
22	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
23	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
24	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
25	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
26	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
27	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
28	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
29							Speaker	Y

30
31 **HB10-1166** by Representative(s) Kefalas, Casso, Fischer, Frangas,
32 Gagliardi, Hullinghorst, Primavera, Tyler, Vigil; also
33 Senator(s) Newell--Concerning the use of plain language
34 in insurance policies.

35
36 (Amended as printed in Senate Journal, March 26, page 691.)

37
38 Representative Kefalas moved that the House **concur** in Senate
39 amendments. The motion was declared **passed** by the following roll call
40 vote:

41								
42	YES	51	NO	13	EXCUSED	1	ABSENT	0
43	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
46	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
48	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
50	Court	Y	King S.	N	Nikkel	N	Summers	Y
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
52	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
53	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	Y	Priola	Y	Vaad	N
56	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	N	May	N	Riesberg	Y	Waller	N
2	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
3							Speaker	Y

5 The question being, "Shall the bill, as amended, pass?".

6 A roll call vote was taken. As shown by the following recorded vote, a
7 majority of those elected to the House voted in the affirmative, and the
8 bill, as amended, was declared **repassed**.

10	YES	51	NO	13	EXCUSED	1	ABSENT	0
11	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
13	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
14	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
16	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
17	Casso	Y	Kerr J.	N	Murray	E	Stephens	Y
18	Court	Y	King S.	N	Nikkel	Y	Summers	Y
19	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
20	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
21	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
22	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	Y	Priola	Y	Vaad	N
24	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
25	Gardner B.	N	May	N	Riesberg	Y	Waller	N
26	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Court, Kagan, Looper, Soper.

30 **HB10-1168** by Representative(s) Levy, Judd, Kagan, Kerr A., Miklosi,
31 Pace, Ryden, Tyler, Vigil, Weissmann, Apuan, Benefield,
32 Carroll T., Casso, Court, Ferrandino, Hullinghorst,
33 Labuda, McFadyen, Merrifield, Middleton, Pommer,
34 Primavera, Scanlan, Schafer S., Solano, Todd; also
35 Senator(s) Steadman, Brophy, Foster, Hodge, Hudak,
36 Newell, Romer, Tochtrop, Bacon, Carroll M., Shaffer B.--
37 Concerning a limitation on the ability of an insurer to
38 obtain repayment of benefits from an injured party who
39 recovers damages from the party responsible for the injury
40 in situations when the injured party would not be fully
41 compensated if the benefits are repaid to the insurer.

43 (Amended as printed in Senate Journal, March 26, page 691.)

45 Representative Levy moved that the House **concur** in Senate
46 amendments. The motion was declared **passed** by the following roll call
47 vote:

49	YES	50	NO	14	EXCUSED	1	ABSENT	0
50	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
55	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	Y	Kerr J.	N	Murray	E	Stephens	Y

1	Court	Y	King S.	N	Nikkel	Y	Summers	Y
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
3	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
6	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
7	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
8	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
9	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
10							Speaker	Y

11
 12 The question being, "Shall the bill, as amended, pass?".
 13 A roll call vote was taken. As shown by the following recorded vote, a
 14 majority of those elected to the House voted in the affirmative, and the
 15 bill, as amended, was declared **repassed**.

16	YES	42	NO	22	EXCUSED	1	ABSENT	0
18	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
19	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
20	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
21	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
22	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
23	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
24	Casso	Y	Kerr J.	N	Murray	E	Stephens	N
25	Court	Y	King S.	N	Nikkel	Y	Summers	N
26	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
27	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
28	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
29	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
30	Frangas	Y	Looper	N	Priola	N	Vaad	N
31	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
32	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
33	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
34							Speaker	Y

35
 36 **HB10-1180** by Representative(s) Massey, Gerou, Rice; also Senator(s)
 37 Gibbs and Spence--Concerning the criteria to qualify for
 38 a performance-based incentive for film production
 39 activities in Colorado.

40
 41 (Amended as printed in Senate Journal, March 26, page 691.)

42
 43 Representative Massey moved that the House **concur** in Senate
 44 amendments. The motion was declared **passed** by the following roll call
 45 vote:

46	YES	62	NO	2	EXCUSED	1	ABSENT	0
48	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
50	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
51	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
53	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
54	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
55	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y

1	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
2	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
3	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
4	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
5	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
6	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
7	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
8							Speaker	Y

9
10 The question being, "Shall the bill, as amended, pass?".
11 A roll call vote was taken. As shown by the following recorded vote, a
12 majority of those elected to the House voted in the affirmative, and the
13 bill, as amended, was declared **repassed**.
14

15	YES	46	NO	18	EXCUSED	1	ABSENT	0
16	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
17	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
18	Balmer	N	Judd	N	McNulty	Y	Schafer S.	Y
19	Baumgardner	N	Kagan	N	Merrifield	Y	Solano	Y
20	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
21	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
22	Casso	Y	Kerr J.	Y	Murray	E	Stephens	N
23	Court	Y	King S.	Y	Nikkel	N	Summers	Y
24	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
25	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
26	Ferrandino	Y	Levy	N	Pommer	N	Todd	Y
27	Fischer	Y	Liston	Y	Primavera	Y	Tyler	N
28	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
29	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
30	Gardner B.	N	May	N	Riesberg	Y	Waller	N
31	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	N
32							Speaker	Y

33 Co-sponsor(s) added: Representative(s) Kerr J., McFadyen.
34

35 **HB10-1197** by Representative(s) Ferrandino; also Senator(s) Heath--
36 Concerning a decrease in the maximum amount of a state
37 income tax credit that may be claimed for the donation of
38 a conservation easement in gross, and making an
39 appropriation therefor.
40

41 (Amended as printed in Senate Journal, March 26, page 690.)
42

43 Representative Ferrandino moved that the House **concur** in Senate
44 amendments. The motion was declared **passed** by the following roll call
45 vote:
46

47	YES	41	NO	23	EXCUSED	1	ABSENT	0
48	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
50	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
51	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
53	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
54	Casso	Y	Kerr J.	N	Murray	E	Stephens	N
55	Court	Y	King S.	N	Nikkel	N	Summers	Y
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y

1	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
2	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
3	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
4	Frangas	Y	Looper	Y	Priola	N	Vaad	N
5	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
6	Gardner B.	N	May	N	Riesberg	Y	Waller	N
7	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
8							Speaker	Y

9
10 The question being, "Shall the bill, as amended, pass?".
11 A roll call vote was taken. As shown by the following recorded vote, a
12 majority of those elected to the House voted in the affirmative, and the
13 bill, as amended, was declared **repassed**.
14

15	YES	38	NO	26	EXCUSED	1	ABSENT	0
16	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
17	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
18	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
19	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
20	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
21	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
22	Casso	Y	Kerr J.	N	Murray	E	Stephens	N
23	Court	Y	King S.	N	Nikkel	N	Summers	N
24	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
25	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
26	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
27	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
28	Frangas	Y	Looper	N	Priola	N	Vaad	N
29	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
30	Gardner B.	N	May	N	Riesberg	Y	Waller	N
31	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
32							Speaker	Y

33 Co-sponsor(s) added: Representative(s) Fischer.
34

35 **HB10-1201** by Representative(s) Middleton, Carroll T., Ferrandino,
36 McFadyen, Miklosi, Pace, Vigil, Weissmann; also
37 Senator(s) Steadman--Concerning duties related to peace
38 officer contacts.
39

40 (Amended as printed in Senate Journal, March 26, pages 690-691.)
41

42 Representative Middleton moved that the House **concur** in Senate
43 amendments. The motion was declared **passed** by the following roll call
44 vote:
45

46	YES	51	NO	13	EXCUSED	1	ABSENT	0
47	Acree	Y	Gerou	N	McFadyen	N	Ryden	Y
48	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
49	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
50	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
51	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
52	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
53	Casso	Y	Kerr J.	N	Murray	E	Stephens	Y
54	Court	Y	King S.	N	Nikkel	Y	Summers	N
55	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
56	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y

1	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
2	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
3	Frangas	N	Looper	Y	Priola	N	Vaad	N
4	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
5	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
6	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
7							Speaker	Y

8
9 The question being, "Shall the bill, as amended, pass?".
10 A roll call vote was taken. As shown by the following recorded vote, a
11 majority of those elected to the House voted in the affirmative, and the
12 bill, as amended, was declared **repassed**.

14	YES	42	NO	22	EXCUSED	1	ABSENT	0
15	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
16	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
17	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
18	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
19	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
20	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
21	Casso	N	Kerr J.	N	Murray	E	Stephens	N
22	Court	Y	King S.	N	Nikkel	Y	Summers	N
23	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
24	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
25	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
26	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
27	Frangas	Y	Looper	N	Priola	N	Vaad	N
28	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
29	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
30	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) May, Schafer S.

33
34 **HB10-1249** by Representative(s) Labuda and Primavera; also
35 Senator(s) Johnston, Hudak--Concerning expedited
36 residential foreclosure sales.

37
38 (Amended as printed in Senate Journal, March 26, page 691.)

39
40 Representative Labuda moved that the House **concur** in Senate amend-
41 ments. The motion was declared **passed** by the following roll call vote:

43	YES	62	NO	2	EXCUSED	1	ABSENT	0
44	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
46	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
47	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
49	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
50	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
51	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
52	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
53	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
54	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
56	Frangas	N	Looper	Y	Priola	Y	Vaad	Y

Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

YES	63	NO	1	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Vigil.

HB10-1076 by Representative(s) DelGrosso; also Senator(s) Heath--
Concerning the classification of a participant in a property
tax work-off program for purposes of employee labor
benefits.

(Amended as printed in Senate Journal, March 29, page 703.)

Representative DelGrosso moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

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1 The question being, "Shall the bill, as amended, pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative, and the
 4 bill, as amended, was declared **repassed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Labuda.

25
 26 **HB10-1171** by Representative(s) Benefield, Scanlan; also Senator(s)
 27 Steadman--Concerning education-related data reporting
 28 requirements.

29
 30 (Amended as printed in Senate Journal, March 29, page 704 and on
 31 March 31.)

32
 33 Representative Benefield moved that the House **not concur** in Senate
 34 amendments and that a Conference Committee be appointed. The motion
 35 was declared **passed** by the following roll call vote:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
38	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
39	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
40	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
41	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
42	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
43	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
44	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
45	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
46	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
47	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
48	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
49	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
50	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
51	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
52	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
53	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
54							Speaker	Y

55 The Speaker appointed Representatives Benefield, Chairman, Massey and
 56 Solano as House conferees to the bill.

1 **HB10-1178** by Representative(s) Stephens; also Senator(s) Scheffell--
 2 Concerning increasing the transparency in the use of gifts,
 3 grants, and donations to fund programs by state agencies.
 4

5 (Amended as printed in Senate Journal, March 29, page 703.)
 6

7 Representative Stephens moved that the House **concur** in Senate
 8 amendments. The motion was declared **passed** by the following roll call
 9 vote:
 10

	YES	63	NO	1	EXCUSED	1	ABSENT	0
12	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
14	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
15	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
19	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
20	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
21	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N
22	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
26	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
27	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

29
 30 The question being, "Shall the bill, as amended, pass?".
 31 A roll call vote was taken. As shown by the following recorded vote, a
 32 majority of those elected to the House voted in the affirmative, and the
 33 bill, as amended, was declared **repassed**.
 34

	YES	64	NO	0	EXCUSED	1	ABSENT	0
36	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
37	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
38	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
39	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
40	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
41	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
42	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
43	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
44	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
45	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
46	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
47	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
48	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
49	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
50	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
51	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Court, King S., Massey, Pommer.
 54
 55

1 **HB10-1236** by Representative(s) Kerr A.; also Senator(s) Tochtrop--
 2 Concerning the continuation of the regulation of certified
 3 public accountants by the state board of accountancy.
 4

5 (Amended as printed in Senate Journal, March 25, page 672.)
 6

7 Representative Kerr A., moved that the House **not concur** in Senate
 8 amendments and that a Conference Committee be appointed. The motion
 9 was declared **passed** by the following roll call vote:
 10

	YES	64	NO	0	EXCUSED	1	ABSENT	0
12	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
14	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
15	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
19	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
20	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
21	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
22	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
26	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
27	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

29 The Speaker appointed Representatives Kerr A., Chairman, May and
 30 Kagan as House conferees to the bill.
 31

32 **HB10-1244** by Representative(s) Labuda, Apuan, Casso, Curry,
 33 Frangas, Gagliardi, Murray, Riesberg, Scanlan, Schafer S.,
 34 Soper; also Senator(s) Mitchell--Concerning allowing an
 35 heir of a deceased physician shareholder of a professional
 36 service corporation to become a shareholder of the
 37 corporation.
 38

39 (Amended as printed in Senate Journal, March 23, page 647.)
 40

41 Representative Labuda moved that the House **concur** in Senate
 42 amendments. The motion was declared **passed** by the following roll call
 43 vote:
 44

	YES	64	NO	0	EXCUSED	1	ABSENT	0
46	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
47	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
48	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
49	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
50	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
51	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
52	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
53	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
54	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
55	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
56	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y

1	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
2	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
3	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
4	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
5	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
6							Speaker	Y

7
8 The question being, "Shall the bill, as amended, pass?".
9 A roll call vote was taken. As shown by the following recorded vote, a
10 majority of those elected to the House voted in the affirmative, and the
11 bill, as amended, was declared **repassed**.
12

13	YES	64	NO	0	EXCUSED	1	ABSENT	0
14	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
15	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
16	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
17	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
18	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
19	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
20	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
21	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
22	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
23	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
24	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
25	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
26	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
27	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
28	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
29	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) King S., Looper.
32
33
34

35 CONSIDERATION OF RESOLUTION(S)

36
37 **HJR10-1016** by Representative(s) Weissmann; also Senator(s) Morse--
38 Concerning the convening date for the 2011 First Regular
39 Session of the Sixty-eighth General Assembly.
40

41 (Printed and placed in members' file.)
42

43 On motion of Representative Weissmann, the resolution was **adopted** by
44 **viva voce** vote.
45

46 Co-sponsor(s) added: Representative(s) Apuan, Court, Curry, Fischer,
47 Hullinghorst, Kerr A., Labuda, McFadyen, Merrifield, Peniston, Riesberg,
48 Schafer S., Todd, Tyler, Vigil, Waller.
49

50 **HJR10-1017** by Representative(s) Weissmann; also Senator(s) Spence--
51 Concerning amendments to the Joint Rules of the Senate
52 and the House of Representatives regarding certain rules
53 of procedure during a declared disaster emergency.
54

55 (Printed and placed in members' file.)
56

1 On motion of Representative Weissmann, the resolution was **adopted** by
2 **viva voce** vote.

3
4 Co-sponsor(s) added: Representative(s) Kerr J., Lambert, Pommer

5
6
7
8 **INTRODUCTION OF BILLS**
9 **First Reading**

10
11 The following bills were read by title and referred to the committees
12 indicated:

13
14 **HB10-1394** by Representative(s) Rice; also Senator(s) Scheffel--
15 Concerning professional liability insurance policies issued
16 to construction professionals.
17 Committee on Business Affairs and Labor

18
19 **HB10-1395** by Representative(s) Gardner B.; also Senator(s)
20 Steadman--Concerning interlocutory appeals in civil cases.
21 Committee on Judiciary

22
23
24
25 **LAY OVER OF CALENDAR ITEM(S)**

26
27 On motion of Representative Weissmann, the following item(s) on the
28 Calendar (was)were laid over until April 5, retaining place on Calendar:

29
30 Consideration of Senate Amendment(s)--**HB10-1188, 1288.**

31
32
33
34 On motion of Representative Weissmann, the House adjourned until
35 10:00 a.m., April 5, 2010.

36
37 Approved:
38 TERRANCE D. CARROLL,
39 Speaker

40 Attest:
41 MARILYN EDDINS,
42 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Eighty-third Legislative Day

Monday, April 5, 2010

1 Prayer by Pastor Curtis Miller, Worship Center, Brighton.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Keely Gray, Dwayne Dzurik, DeVanté
6 Wesley, Discovery High School, Widefield.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Balmer. Schafer--2.

12 Present after roll call--Representative(s) Schafer.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Levy, the reading of the journal of
18 April 1, 2010, was declared dispensed with and approved as corrected by
19 the Chief Clerk.

20

21

22

23

24 **THIRD READING OF BILL(S)--FINAL PASSAGE**

25

26 The following bill(s) was(were) considered on Third Reading. The
27 title(s) was(were) publicly read. Reading of the bill at length was
28 dispensed with by unanimous consent.

29

30 **SB10-016** by Senator(s) Williams, Romer, Spence; also
31 Representative(s) Vaad, Fischer, Frangas, King S.,
32 McFadyen, McNulty, Merrifield, Tyler--Concerning
33 modification of the manner in which a civil penalty
34 assessment notice of toll evasion evidenced by automatic
35 vehicle identification technology is provided to the owner
36 of a vehicle so identified.

37

38 The question being "Shall the bill pass?".

39 A roll call vote was taken. As shown by the following recorded vote, a
40 majority of those elected to the House voted in the affirmative and the
41 bill was declared **passed**.

42

	YES	53	NO	11	EXCUSED	1	ABSENT	0
1	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	E	Judd	N	McNulty	Y	Schafer S.	Y
4	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
6	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
8	Court	Y	King S.	Y	Nikkel	N	Summers	Y
9	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
10	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
11	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
16	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	N
17							Speaker	Y

18
19 Co-sponsor(s) added: Representative(s) Liston, Looper.

20
21 **HB10-1348** by Representative(s) McFadyen, Massey; also Senator(s)
22 Kester and Bacon--Concerning increased regulatory
23 authority regarding radioactive materials.
24

25 The question being "Shall the bill pass?".

26 A roll call vote was taken. As shown by the following recorded vote, a
27 majority of those elected to the House voted in the affirmative and the bill
28 was declared **passed**.
29

	YES	62	NO	2	EXCUSED	1	ABSENT	0
30	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
31	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
32	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
33	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
34	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
35	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
36	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
37	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
38	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
39	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
40	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
41	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
42	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
43	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
44	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
45	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
46							Speaker	Y

47
48 Co-sponsor(s) added: Representative(s) Frangas, Hullinghorst, Kefalas, Kerr A.,
49 Labuda, Levy, Looper, Merrifield, Pace, Primavera, Vigil.
50

51
52 **SB10-155** by Senator(s) Tochtrop; also Representative(s) Benefield--
53 Concerning limitations on the issuance of gift cards.
54

55 The question being "Shall the bill pass?".

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	40	NO	24	EXCUSED	1	ABSENT	0
5	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
7	Balmer	E	Judd	Y	McNulty	N	Schafer S.	Y
8	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
10	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
12	Court	Y	King S.	N	Nikkel	N	Summers	N
13	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
14	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	N	Priola	Y	Vaad	N
18	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
19	Gardner B.	N	May	N	Riesberg	Y	Waller	N
20	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Apuan, Court, Ferrandino, Kerr A.,
23 Labuda, Merrifield, Pace, Peniston, Pommer, Primavera, Schafer S., Solano,
24 Soper, Vigil.

25
26 **SB10-101** by Senator(s) Gibbs, Schwartz, Romer, Bacon, Cadman,
27 Hudak, Johnston, Kester, Sandoval, Scheffel, Steadman,
28 Tapia, White; also Representative(s) Scanlan and Massey,
29 Balmer, Baumgardner, Curry, Frangas, Liston, Merrifield,
30 Pace--Concerning authorizing Colorado mountain college
31 to offer baccalaureate degrees.

32
33 The question being "Shall the bill pass?".

34 A roll call vote was taken. As shown by the following recorded vote, a
35 majority of those elected to the House voted in the affirmative and the bill
36 was declared **passed**.

	YES	55	NO	9	EXCUSED	1	ABSENT	0
39	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
40	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
41	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
42	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
43	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
44	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
45	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
46	Court	Y	King S.	Y	Nikkel	N	Summers	Y
47	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
48	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
49	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
50	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
51	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
52	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
53	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
54	Gardner C.	Y	McCann	Y	Roberts	N	Weissmann	Y
55							Speaker	Y

56 Co-sponsor(s) added: Representative(s) Casso, Labuda, Priola, Summers, Todd.

1 **SB10-062** by Senator(s) Steadman; also Representative(s) Peniston--
 2 Concerning the existing categorical education programs
 3 described by section 17 of article IX of the state
 4 constitution.
 5

6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.
 10

	YES	64	NO	0	EXCUSED	1	ABSENT	0
12	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
14	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
15	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
19	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
20	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
21	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
22	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
26	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
27	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

29
 30 **SB10-143** by Senator(s) Morse; also Representative(s) Scanlan and
 31 Massey--Concerning the refund of moneys erroneously
 32 collected by the Colorado department of state on or after
 33 a certain date, and, in connection therewith, authorizing
 34 the state controller to issue warrants to refund such
 35 moneys to the proper persons, and making an
 36 appropriation.
 37

38 As shown by the following roll call vote, a majority of all members
 39 elected to the House voted in the affirmative, and Representative Massey
 40 was given permission to offer a Third Reading amendment:
 41

	YES	63	NO	1	EXCUSED	1	ABSENT	0
43	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
46	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
48	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
53	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
56	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Third Reading amendment No. 1, by Representative Massey.

Amend revised bill, page 1, line 102, strike "ON OR AFTER" and substitute "PRIOR TO".

The amendment was declared **passed** by the following roll call vote:

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **passed**.

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Gerou, Labuda, Pace, Priola, Todd.

1 **SB10-066** by Senator(s) Hudak, Carroll M., Steadman; also
 2 Representative(s) Levy, Ryden--Concerning the
 3 requirement that certain persons report child abuse or
 4 neglect.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
12	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
14	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
15	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
19	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
20	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
21	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
22	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
26	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
27	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Apuan, Casso, Curry, Fischer,
 30 Hullinghorst, Kefalas, Labuda, Merrifield, Pace, Pommer, Schafer S., Todd.

31
 32
 33 **SB10-138** by Senator(s) Heath; also Representative(s) Peniston--
 34 Concerning the award of expenses in a proceeding to
 35 appeal the valuation of property for property tax purposes.

36
 37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.

	YES	43	NO	21	EXCUSED	1	ABSENT	0
43	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	E	Judd	Y	McNulty	N	Schafer S.	Y
46	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
48	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
50	Court	Y	King S.	N	Nikkel	N	Summers	N
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
52	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
53	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
56	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	N	May	N	Riesberg	Y	Waller	N
2	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Vigil.

5
6 **SB10-075** by Senator(s) White; also Representative(s) Baumgardner-
7 -Concerning the requirement that military vehicles valued
8 for historical purposes bear a license plate.
9

10 The question being "Shall the bill pass?".

11 A roll call vote was taken. As shown by the following recorded vote, a
12 majority of those elected to the House voted in the affirmative and the bill
13 was declared **passed**.
14

15	YES	63	NO	1	EXCUSED	1	ABSENT	0
16	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
17	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
18	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
19	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
20	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
21	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
22	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
23	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
24	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
25	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
26	Ferrandino	Y	Levy	Y	Pommer	N	Todd	Y
27	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
28	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
29	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
30	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
31	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
32							Speaker	Y

33 Co-sponsor(s) added: Representative(s) Apuan, Lambert, Nikkel.
34

35 **SB10-152** by Senator(s) Newell, Bacon, Boyd, Foster, Hodge, Keller,
36 Sandoval, Schwartz, Steadman, Tochtrop; also
37 Representative(s) Gagliardi, Apuan, May, Merrifield,
38 Peniston, Primavera, Todd--Concerning information
39 relating to a referral of suspected child abuse by certain
40 mandatory reporters.
41

42 The question being "Shall the bill pass?".

43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative and the bill
45 was declared **passed**.
46

47	YES	64	NO	0	EXCUSED	1	ABSENT	0
48	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
50	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
51	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
53	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
54	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
55	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y

1	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
2	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
3	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
4	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
5	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
6	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
7	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Casso, Fischer, Gerou, Kefalas, Kerr J.,
10 Labuda, Massey, Pace, Priola, Schafer S., Vigil.

11
12 **HB10-1060** by Representative(s) Kagan; also Senator(s) Steadman--
13 Concerning the creation of a penalty for the failure to
14 comply with severance tax withholding requirements.

15
16 The question being "Shall the bill pass?".

17 A roll call vote was taken. As shown by the following recorded vote, a
18 majority of those elected to the House voted in the affirmative and the bill
19 was declared **passed**.

20								
21	YES	37	NO	27	EXCUSED	1	ABSENT	0
22	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
23	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
24	Balmer	E	Judd	Y	McNulty	N	Schafer S.	Y
25	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
26	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
27	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
28	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
29	Court	Y	King S.	N	Nikkel	N	Summers	N
30	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
31	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
32	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
33	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
34	Frangas	Y	Looper	N	Priola	N	Vaad	N
35	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
36	Gardner B.	N	May	N	Riesberg	Y	Waller	N
37	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
38							Speaker	Y

39 Co-sponsor(s) added: Representative(s) Kerr A., Labuda, Merrifield, Todd,
40 Vigil.

41
42 **HB10-1209** by Representative(s) Balmer--Concerning authorization to
43 place voluntarily an identifier of a branch of the United
44 States armed forces on certain identification documents
45 issued by the department of revenue, and making an
46 appropriation therefor.

47
48 Laid over until April 6, retaining place on Calendar.

49
50 **HB10-1243** by Representative(s) McFadyen, Massey, May, Scanlan;
51 also Senator(s) Gibbs, Tapia, Williams--Concerning the
52 powers of a special district that provides transportation-
53 related services, and, in connection therewith, authorizing
54 a special district that provides such services to levy a
55 voter-approved sales tax and to join a regional
56 transportation authority.

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	63	NO	1	EXCUSED	1	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Gerou, Merrifield, Tyler.

25
 26 **HB10-1334** by Representative(s) King S.; also Senator(s) Steadman--
 27 Concerning changes to indecency crimes.

28
 29 The question being "Shall the bill pass?".
 30 A roll call vote was taken. As shown by the following recorded vote, a
 31 majority of those elected to the House voted in the affirmative and the bill
 32 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
35	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
36	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
37	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
38	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
39	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
40	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
41	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
42	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
43	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
44	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
45	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
46	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
47	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
48	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
49	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
50	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Court, Gerou, Kagan, Peniston,
 53 Schafer S., Vigil.

54
 55

1 **SB10-068** by Senator(s) Boyd; also Representative(s) Massey--
 2 Concerning streamlining eligibility requirements for the
 3 Colorado works program, and making an appropriation in
 4 connection therewith.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	44	NO	20	EXCUSED	1	ABSENT	0
12	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
14	Balmer	E	Judd	Y	McNulty	N	Schafer S.	Y
15	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	Y	Murray	N	Stephens	N
19	Court	Y	King S.	N	Nikkel	N	Summers	Y
20	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
21	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
22	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	N	Priola	N	Vaad	N
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
26	Gardner B.	N	May	N	Riesberg	Y	Waller	N
27	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Apuan, Ferrandino, Kefalas, Merrifield,
 30 Pommer, Solano, Todd.

31
 32 **SB10-072** by Senator(s) Schwartz; also Representative(s) Vigil--
 33 Concerning creation of the "Colorado Seed Potato Act",
 34 and making an appropriation therefor.

35
 36 The question being "Shall the bill pass?".
 37 A roll call vote was taken. As shown by the following recorded vote, a
 38 majority of those elected to the House voted in the affirmative and the bill
 39 was declared **passed**.

	YES	61	NO	3	EXCUSED	1	ABSENT	0
42	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
43	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
44	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
45	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
46	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
47	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
48	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
49	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
50	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
51	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
52	Ferrandino	Y	Levy	Y	Pommer	N	Todd	Y
53	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
54	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
55	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
56	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y

1 Gardner C. Y McCann Y Roberts Y Weissmann N
 2 Speaker Y

3 Co-sponsor(s) added: Representative(s) Curry, Fischer, Gerou, Kerr J., Pace,
 4 Schafer S.

5
 6 **SB10-079** by Senator(s) Penry; also Representative(s) Bradford and
 7 King S.--Concerning authority to offer additional
 8 programs at Mesa state college.
 9

10 The question being "Shall the bill pass?".

11 A roll call vote was taken. As shown by the following recorded vote, a
 12 majority of those elected to the House voted in the affirmative and the bill
 13 was declared **passed**.
 14

	YES	53	NO	11	EXCUSED	1	ABSENT	0
16 Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y	
17 Apuan	Y	Hullingshorst	N	McKinley	Y	Scanlan	Y	
18 Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y	
19 Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y	
20 Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
21 Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y	
22 Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y	
23 Court	N	King S.	Y	Nikkel	Y	Summers	Y	
24 Curry	Y	Labuda	Y	Pace	Y	Swalm	N	
25 DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y	
26 Ferrandino	Y	Levy	N	Pommer	N	Todd	Y	
27 Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y	
28 Frangas	Y	Looper	N	Priola	Y	Vaad	Y	
29 Gagliardi	Y	Massey	Y	Rice	Y	Vigil	N	
30 Gardner B.	Y	May	N	Riesberg	Y	Waller	Y	
31 Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N	
32						Speaker	Y	

33 Co-sponsor(s) added: Representative(s) Casso, Labuda, Pace, Summers, Todd.
 34

35 **SB10-088** by Senator(s) Johnston; also Representative(s) Massey--
 36 Concerning authorization of two-year degrees with
 37 academic designation.
 38

39 The question being "Shall the bill pass?".

40 A roll call vote was taken. As shown by the following recorded vote, a
 41 majority of those elected to the House voted in the affirmative and the bill
 42 was declared **passed**.
 43

	YES	64	NO	0	EXCUSED	1	ABSENT	0
45 Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
46 Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y	
47 Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y	
48 Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y	
49 Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
50 Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y	
51 Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y	
52 Court	Y	King S.	Y	Nikkel	Y	Summers	Y	
53 Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	
54 DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y	
55 Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
56 Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y	

1	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
2	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
3	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
4	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Apuan, Frangas, King S., Labuda,
 7 Lambert, Looper, McFadyen, Merrifield, Murray, Pace, Primavera, Priola,
 8 Roberts, Ryden, Scanlan, Solano, Stephens, Summers, Todd, Vigil, Speaker.

9
 10 **SB10-111** by Senator(s) King K., Bacon, Johnston, Scheffel,
 11 Schultheis, Spence, Steadman; also Representative(s)
 12 Massey, Summers, Gardner B., King S., McNulty,
 13 Middleton, Murray--Concerning public schools that are
 14 authorized by the state charter school institute.

15
 16 The question being "Shall the bill pass?".

17 A roll call vote was taken. As shown by the following recorded vote, a
 18 majority of those elected to the House voted in the affirmative and the bill
 19 was declared **passed**.

21	YES	64	NO	0	EXCUSED	1	ABSENT	0
22	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
23	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
24	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
25	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
26	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
27	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
28	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
29	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
30	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
31	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
32	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
33	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
34	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
35	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
36	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
37	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
38							Speaker	Y

39 Co-sponsor(s) added: Representative(s) Gerou, Kerr J., Lambert, Roberts,
 40 Stephens, Speaker.

41
 42
 43 **HB10-1359** by Representative(s) McCann; also Senator(s) Steadman--
 44 Concerning change of venue in dependency and neglect
 45 proceedings, and, in connection therewith, clarifying the
 46 role of the county departments of social or human services
 47 when jurisdiction over a case is transferred between
 48 counties.

49
 50 The question being "Shall the bill pass?".

51 A roll call vote was taken. As shown by the following recorded vote, a
 52 majority of those elected to the House voted in the affirmative and the bill
 53 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
4	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
6	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
8	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
9	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
10	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
11	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
16	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
17							Speaker	Y

18
19 Co-sponsor(s) added: Representative(s) Acree, Apuan, Gerou, Hullinghorst,
20 Massey, McFadyen, Riesberg, Roberts, Todd.

21
22 **SB10-043** by Senator(s) White; also Representative(s) Pommer--
23 Concerning the repeal date of the office of the child's
24 representative.
25

26 The question being "Shall the bill pass?".
27 A roll call vote was taken. As shown by the following recorded vote, a
28 majority of those elected to the House voted in the affirmative and the bill
29 was declared **passed**.
30

	YES	63	NO	1	EXCUSED	1	ABSENT	0
31	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
32	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
33	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
34	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
35	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
36	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
37	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
38	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
39	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
40	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
41	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
42	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
43	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
44	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
45	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
46	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
47							Speaker	Y

48
49 Co-sponsor(s) added: Representative(s) Frangas, Gerou, Hullinghorst, Liston,
50 Massey, McFadyen, Pace, Roberts, Scanlan, Stephens, Todd, Vigil.
51

52
53 **SB10-147** by Senator(s) Lundberg, Penry; also Representative(s)
54 DelGrosso--Concerning exempting from execution by
55 creditors certain assets that are payable upon death.
56

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	56	NO	8	EXCUSED	1	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	E	Judd	N	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	N	Liston	Y	Primavera	Y	Tyler	N
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Gardner B., Gerou, King S., Lambert,
 25 McNulty, Pace, Priola.

26
 27 **HB10-1354** by Representative(s) Benefield and Looper, Weissmann,
 28 Acree, Apuan, Balmer, Bradford, Casso, Curry,
 29 DelGrosso, Ferrandino, Frangas, Gagliardi, Gardner C.,
 30 Gerou, Hullinghorst, Kerr J., King S., Labuda, McFadyen,
 31 Merrifield, Middleton, Miklosi, Murray, Nikkel, Rice,
 32 Roberts, Scanlan, Schafer S., Solano, Summers, Swalm,
 33 Tipton, Todd, Vaad, Vigil; also Senator(s) Morse, Hodge,
 34 Newell, Penry, Spence, Steadman--Concerning policy
 35 studies conducted by the general assembly during the
 36 legislative interim.

37
 38 The question being "Shall the bill pass?".
 39 A roll call vote was taken. As shown by the following recorded vote, a
 40 majority of those elected to the House voted in the affirmative and the bill
 41 was declared **passed**.

	YES	47	NO	17	EXCUSED	1	ABSENT	0
44	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
46	Balmer	E	Judd	Y	McNulty	N	Schafer S.	Y
47	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
49	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
50	Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
51	Court	Y	King S.	N	Nikkel	N	Summers	Y
52	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
53	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
54	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
56	Frangas	Y	Looper	Y	Priola	N	Vaad	Y

1	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
2	Gardner B.	N	May	N	Riesberg	Y	Waller	N
3	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
4							Speaker	Y

5 Representatives Bradford, Kerr J., King, Nikkel requested their names be
6 removed as sponsors.

7 Co-sponsor(s) added: Representative(s) Soper.

11 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

13 **HB10-1288** by Representative(s) Nikkel, Rice, Ferrandino, Kerr J.,
14 Lambert, Liston, McNulty, Merrifield, Peniston, Priola,
15 Scanlan, Waller; also Senator(s) Williams, Kopp, Penry,
16 Tochtrop--Concerning the ability of a commercial real
17 estate broker to secure payment of commissions earned,
18 and, in connection therewith, enacting the "Commercial
19 Real Estate Brokers Commission Security Act".

21 (Amended as printed in Senate Journal, March 23, page 609 and on
22 March 25.)

24 Representative Nikkel moved that the House **concur** in Senate
25 amendments. The motion was declared **passed** by the following roll call
26 vote:

28	YES	49	NO	15	EXCUSED	1	ABSENT	0
29	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
30	Apuan	N	Hullinghorst	N	McKinley	N	Scanlan	Y
31	Balmer	E	Judd	N	McNulty	Y	Schafer S.	Y
32	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	N
33	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	Y
34	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
35	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
36	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
37	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
38	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
39	Ferrandino	Y	Levy	Y	Pommer	N	Todd	N
40	Fischer	N	Liston	Y	Primavera	N	Tyler	Y
41	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
42	Gagliardi	N	Massey	Y	Rice	Y	Vigil	Y
43	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
44	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
45							Speaker	N

47 The question being, "Shall the bill, as amended, pass?"

48 A roll call vote was taken. As shown by the following recorded vote, a
49 majority of those elected to the House voted in the affirmative, and the
50 bill, as amended, was declared **repassed**.

52	YES	47	NO	17	EXCUSED	1	ABSENT	0
53	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
54	Apuan	N	Hullinghorst	N	McKinley	N	Scanlan	Y
55	Balmer	E	Judd	N	McNulty	Y	Schafer S.	Y
56	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	N

1	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
2	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
3	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
4	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
5	Curry	Y	Labuda	N	Pace	Y	Swalm	N
6	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
7	Ferrandino	Y	Levy	N	Pommer	N	Todd	Y
8	Fischer	Y	Liston	Y	Primavera	N	Tyler	Y
9	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
10	Gagliardi	N	Massey	Y	Rice	Y	Vigil	Y
11	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
12	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
13							Speaker	N

14 Representative Merrifield requested his name be removed as sponsor.

15 Co-sponsor(s) added: Representative(s) Bradford, Vigil.

16
17 **HB10-1369** by Representative(s) Scanlan and Pommer; also Senator(s)
18 Bacon--Concerning the financing of public schools, and
19 making an appropriation therefor.

20
21 (Amended as printed in Senate Journal, March 31, pages 727-729.)

22
23 Representative Scanlan moved that the House **not concur** in Senate
24 amendments and that a Conference Committee be appointed with
25 permission to go beyond the scope of the differences between the House
26 and the Senate. The motion was declared **passed** by the following roll
27 call vote:

29	YES	64	NO	0	EXCUSED	1	ABSENT	0
30	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
31	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
32	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
33	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
34	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
35	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
36	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
37	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
38	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
39	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
40	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
41	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
42	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
43	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
44	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
45	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
46							Speaker	Y

47 The Speaker appointed Representatives Scanlan, Chairman, Pommer and
48 Massey as House conferees to the bill.

49
50 **HB10-1372** by Representative(s) Ferrandino, Pommer, Lambert; also
51 Senator(s) White, Keller, Tapia--Concerning changes to
52 the appropriations sections of House Bill 09-1293 related
53 to a hospital provider fee.

54
55 (Amended as printed in Senate Journal, March 31, page 729, and on
56 April 1.)

Representative Ferrandino moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	56	NO	8	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
Court	Y	King S.	Y	Nikkel	N	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	N	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

YES	38	NO	26	EXCUSED	1	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	E	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	N	Stephens	N
Court	Y	King S.	N	Nikkel	N	Summers	N
Curry	Y	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	N	Priola	N	Vaad	N
Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
Gardner B.	N	May	N	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
						Speaker	Y

CONSENT GRANTED TO CONFERENCE COMMITTEE

Representative Massey moved that the First Conference Committee on **SB10-109** be granted permission to go beyond the scope of the difference between the House and the Senate. The motion was passed by the following roll call vote:

	YES	36	NO	28	EXCUSED	1	ABSENT	0
1	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	E	Judd	Y	McNulty	N	Schafer S.	Y
4	Baumgardner	N	Kagan	Y	Merrifield	N	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
6	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	N	Kerr J.	N	Murray	N	Stephens	N
8	Court	Y	King S.	N	Nikkel	N	Summers	N
9	Curry	Y	Labuda	N	Pace	N	Swalm	Y
10	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
11	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	N	Vaad	N
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	N	May	N	Riesberg	Y	Waller	N
16	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	N
17							Speaker	N

**CONSIDERATION OF SENATE AMENDMENTS
TO HOUSE RESOLUTION**

HJR10-1018 by Representative(s) Rice; also Senator(s) Newell--
Concerning the well-being of Haiti's children in the
aftermath of the January earthquake.

(Amended as printed in Senate Journal, March 25, page 671.)

Representative Rice moved that the House **concur** in Senate amendments.
The motion was declared **passed** by the following roll call vote:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
34	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
35	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
36	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
37	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
38	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
39	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
40	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
41	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
42	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
43	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
44	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
45	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
46	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
47	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
48	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
49	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
50							Speaker	Y

The question being, "Shall the resolution, as amended, be adopted?".
The resolution, as amended, was declared **readopted** by **viva voce** vote.

Co-sponsor(s) added: Representative(s) Scanlan, Vaad.

HOUSE RECEDES ON HB10-1236

Representative Kerr A., moved that the House **recede** from its position on **HB10-1236** and that the Conference Committee be discharged. The motion was declared **passed** by the following roll call vote:

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Representative Kerr A., moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y

1	Balmer	E	Judd	Y	McNulty	Y	Schafer S.	Y
2	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
3	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
4	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
5	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
6	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
7	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
8	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
9	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
10	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
11	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
12	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
13	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
14	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
15							Speaker	Y

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

After consideration on the merits, the Committee recommends the following:

HB10-1200 be referred favorably to the Committee on Finance.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB10-1394, 1395.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB10-1024, 1025, 1030, 1034, 1044, 1054, 1057, 1085, 1115, 1123, 1132, 1140, 1227, 1320, 1327, 1339, 1367; SB10-080, 118, 123, 129, 148, 149, 150, 151; SJM10-001; SJR10-017, 019, 020, 022, 023, 024.**

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB10-133 amended in Senate Journal, March 25, 2010, page 672.
SB10-171 amended as printed in Senate Journal, April 1, 2010, pages 742-743.
SB10-153 amended as printed in Senate Journal, April 1, 2010, page 743.

1 SB10-182 amended as printed in Senate Journal, April 1, 2010,
2 page 744.
3

4 The Senate has passed on Third Reading and transmitted to the Revisor
5 of Statutes:
6

7 HB10-1017 amended as printed in Senate Journal, April 1, 2010,
8 page 740.

9 HB10-1213 amended as printed in Senate Journal, April 1, 2010,
10 pages 740-741.

11 HB10-1098 amended as printed in Senate Journal, April 1, 2010,
12 page 741.

13 HB10-1276 amended as printed in Senate Journal, April 1, 2010,
14 page 741.

15 HB10-1029 amended as printed in Senate Journal, April 1, 2010,
16 pages 741-742.

17 HB10-1164 amended as printed in Senate Journal, April 1, 2010,
18 page 742.
19

20 The Senate has passed on Third Reading and returned herewith:
21

22 HB10-1117, HB10-1083, HB10-1265, HB10-1218, HB10-1340,
23 HB10-1259, HB10-1020, HB10-1101, HB10-1182, HB10-1275.
24

25
26 In response to a request from the House, HB10-1236 is returned
27 herewith.
28

29 30 MESSAGE(S) FROM THE REVISOR

31 We herewith transmit:

32 Without comment, as amended, HB10-1017, 1213, 1098, 1276, 1029, and
33 1164.
34

35 Without comment, as amended, SB10-133, 171, 153, and 182.
36

37 38 INTRODUCTION OF BILLS 39 First Reading

40
41 The following bills were read by title and referred to the committees
42 indicated:
43

44 **HB10-1396** by Representative(s) Judd, Benefield, Frangas, Labuda,
45 Weissmann--Concerning the reduction in tax incentive
46 revenue loss through the "Urban and Rural Enterprise
47 Zone Act".

48 Committee on Finance
49

50 **HB10-1397** by Representative(s) Peniston, Fischer, Kagan, Middleton,
51 Soper, Casso, Court, Frangas; also Senator(s) Carroll M.,
52 Boyd, Tochtrop, Hudak--Concerning the requirement that
53 employers provide employee-earned paid sick time to their
54 employees.

55 Committee on Business Affairs and Labor
56

1 **NOTICE OF CALENDARED ITEM(S)**

2
3 On motion of Representative Weissmann, the following bill(s) calendared
4 for Second Reading, April 6, will be laid over until April 7: **HB10-1390,**
5 **1351, SB10-100, 114, 060.**

6
7
8
9 **LAY OVER OF CALENDAR ITEM(S)**

10
11 On motion of Representative Weissmann, the following item(s) on the
12 Calendar (was)were laid over until April 6, retaining place on Calendar:

13
14 Consideration of Senate Amendment(s)--**HB10-1188.**

15
16
17 On motion of Representative Weissmann, the House adjourned until
18 9:00 a.m., April 6, 2010.

19
20
21 Approved:
22 TERRANCE D. CARROLL,
 Speaker

23 Attest:
24 MARILYN EDDINS,
25 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Eighty-fourth Legislative Day

Tuesday, April 6, 2010

1 Prayer by Representative Ken Summers.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Tori and Cooper Edgar, San Diego,
6 California.

7

8 The roll was called with the following result:

9

10 Present--64.

11 Excused--Representative(s) McNulty--1.

12 Present after roll call--Representative(s) McNulty.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Levy, the reading of the journal of
18 April 5, 2010, was declared dispensed with and approved as corrected by
19 the Chief Clerk.

20

21

22

CONSIDERATION OF MEMORIAL

23

24 **HM10-1002** by Representative(s) May--Memorializing former
25 Representative Betty McWilliams Chronic.

26

27 (Printed and placed in members' file.)

28

29 On motion of Representative May, the memorial was read at length.

30

31 On motion of Representative May, the memorial was **adopted** by **viva**
32 **voce** vote:

33

34 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
35 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
36 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou,
37 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
38 Levy, Liston, Looper, Massey, McCann, McFadyen, McKinley, Merrifield,
39 Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera,
40 Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
41 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad,
42 Vigil, Waller, Weissmann, Speaker.

43

House in recess. House reconvened.

**MEMORANDUM
REPORT FROM THE HOUSE AND SENATE
COMMITTEES ON DELAYED BILLS**

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadline for House Bill 10-1369, Concerning the Financing of Public Schools:

The Friday, March 19 deadline (the 66th legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, as previously extended until Monday, April 5, 2010 (the 83rd legislative day) is further extended until Tuesday, April 13, 2010 (the 91st legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

(signed)

Representative T. Carroll
Speaker of the House of Representatives

Senator Shaffer
President of the Senate

Representative Weissmann
House Majority Leader

Senator Morse
Senate Majority Leader

Representative May
House Minority Leader

Senator Penry
Senate Minority Leader

REPORT(S) OF COMMITTEE(S) OF REFERENCE

HEALTH & HUMAN SERVICES

After consideration on the merits, the Committee recommends the following:

HB10-1371 be postponed indefinitely.

SB10-020 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 2, line 23, strike "COMMITTEE, IN" and substitute "COMMITTEE:

(A) IN".

Page 3, line 7, after "NOTICE" insert "SUBMITTED" and strike "COMMITTEE," and substitute "COMMITTEE PURSUANT TO THIS

1 SUB-SUBPARAGRAPH (A),".

2
3 Page 3, strike line 10 and substitute "UNAVAILABLE; OR

4
5 (B) IN THE CASE OF A FINANCIAL EMERGENCY OR THREAT OF
6 INSOLVENCY THAT ARISES AT ANY TIME DURING THE FISCAL YEAR, OF THE
7 IMMEDIATE NEED TO LIMIT NEW ENROLLMENT IN THE PROGRAM. THE
8 BOARD SHALL NOT IMPLEMENT A LIMITATION ON NEW ENROLLMENT
9 SOONER THAN SIXTY DAYS AFTER PROVIDING NOTICE TO THE JOINT
10 BUDGET COMMITTEE PURSUANT TO THIS SUB-SUBPARAGRAPH (B), DURING
11 WHICH TIME THE JOINT BUDGET COMMITTEE SHALL DETERMINE WHETHER
12 ADDITIONAL FUNDING WILL BE MADE AVAILABLE TO THE PROGRAM. THE
13 JOINT BUDGET COMMITTEE SHALL NOTIFY THE BOARD WITHIN SAID SIXTY
14 DAYS WHETHER ADDITIONAL FUNDING IS AVAILABLE, AND IF THE JOINT
15 BUDGET COMMITTEE NOTIFIES THE BOARD THAT NO ADDITIONAL FUNDING
16 IS AVAILABLE, THE BOARD MAY IMPLEMENT THE PROPOSED LIMITATION ON
17 NEW ENROLLMENT.".

18
19 Page 4, strike lines 1 through 3 and substitute "PROVIDER BY MEDICARE.
20 ADDITIONALLY, IN".

21
22 Page 4, strike lines 12 through 17 and substitute:

23
24 "(b) (I) PRIOR TO ESTABLISHING A FEE SCHEDULE PURSUANT TO
25 THIS SECTION, THE BOARD SHALL CREATE ONE OR MORE MECHANISMS,
26 SUCH AS AN ADVISORY REIMBURSEMENT COMMITTEE, TO ASSIST AND
27 MAKE RECOMMENDATIONS TO THE BOARD IN ESTABLISHING THE FEE
28 SCHEDULE. THE BOARD SHALL TAKE SUCH RECOMMENDATIONS AND
29 OTHER INPUT FROM PROVIDERS INTO CONSIDERATION WHEN ESTABLISHING
30 A FEE SCHEDULE.

31
32 (II) IF THE BOARD ESTABLISHES A FEE SCHEDULE, THE BOARD
33 SHALL REVIEW THE FEE SCHEDULE ANNUALLY TO DETERMINE WHETHER
34 ANY MODIFICATIONS ARE NEEDED. PRIOR TO DETERMINING WHETHER TO
35 MODIFY OR ACTUALLY MODIFYING THE FEE SCHEDULE, THE BOARD SHALL
36 CONSULT WITH AND CONSIDER THE RECOMMENDATIONS OF ANY ADVISORY
37 REIMBURSEMENT COMMITTEE OR OTHER MECHANISM CREATED PURSUANT
38 TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) AND SHALL CONSIDER ANY
39 OTHER INPUT FROM PROVIDERS.".

40

41

42

43 **SB10-175** be referred to the Committee of the Whole with favorable
44 recommendation.

45

46

47

48

49 **JUDICIARY**

50 After consideration on the merits, the Committee recommends the
51 following:

52

53 **HB10-1234** be amended as follows, and as so amended, be referred to
54 the Committee of the Whole with favorable
55 recommendation:

56

1 Strike the Judiciary Committee Report, dated March 8, 2010.

2
3 Amend printed bill, strike everything below the enacting clause and
4 substitute:

5 "SECTION 1. 10-3-1115 (1) (b) and (2), Colorado Revised
6 Statutes, are amended to read:

7
8 **10-3-1115. Improper denial of claims - prohibited - definitions**
9 **- severability.** (1) (b) For the purposes of this section and section
10 10-3-1116:

11
12 (I) "CARRIER" SHALL HAVE THE SAME MEANING AS SET FORTH IN
13 SECTION 10-16-102.

14
15 (⊕) (II) "First-party claimant" means an individual, corporation,
16 association, partnership, or other legal entity asserting an entitlement to
17 benefits owed directly to or on behalf of an insured under an insurance
18 policy. "First-party claimant" includes a public entity that has paid a
19 claim for benefits due to an insurer's unreasonable delay or denial of the
20 claim.

21
22 (⊕) (III) "First-party claimant" does not include:

23
24 (A) A nonparticipating provider performing services; or

25
26 (B) A person asserting a claim against an insured under a liability
27 policy.

28
29 (IV) "HEALTH COVERAGE PLAN" SHALL HAVE THE SAME MEANING
30 AS SET FORTH IN SECTION 10-16-102.

31
32 (2) (a) Notwithstanding section 10-3-1113 (3), for the purposes of
33 an action brought pursuant to this section and section 10-3-1116, an
34 insurer's delay or denial ~~was~~ is unreasonable if the insurer delayed or
35 denied authorizing payment of a covered benefit without a reasonable
36 basis for that action.

37
38 (b) NOTWITHSTANDING SECTION 10-3-1113 (3), FOR PURPOSES OF
39 AN ACTION BROUGHT PURSUANT TO THIS SECTION AND SECTION 10-3-1116,
40 A CARRIER'S DELAY OR DENIAL OF THE PAYMENT OF A CLAIM FOR MEDICAL
41 BENEFITS OR OF A REQUEST FOR AUTHORIZATION FOR MEDICAL SERVICES
42 UNDER A HEALTH COVERAGE PLAN IS UNREASONABLE IF THE DECISION TO
43 DELAY OR DENY IS BASED ON THE MEDICAL APPROPRIATENESS, NECESSITY,
44 OR REASONABLENESS OF THE MEDICAL CLAIM AND IS NOT:

45
46 (I) (A) MADE BY A PERSON LICENSED IN GOOD STANDING IN ANY
47 STATE WHO IS ENGAGED IN ACTIVE CLINICAL PRACTICE WITH EXPERTISE IN
48 THE MEDICAL ISSUE INVOLVED IN THE CLAIM OR REQUESTED MEDICAL
49 SERVICE; OR

50
51 (B) MADE BY A PERSON LICENSED IN GOOD STANDING IN ANY
52 STATE WHO IS A PHYSICIAN EMPLOYED TO TEACH AT AN ACCREDITED
53 MEDICAL SCHOOL IN THE SAME OR SIMILAR FIELD OR SPECIALTY AS THE
54 MEDICAL ISSUE INVOLVED IN THE CLAIM OR REQUESTED MEDICAL SERVICE;

55
56 (II) SIGNED BY THE PERSON MAKING THE DECISION, INCLUDING

1 INDICATION OF ANY BOARD CERTIFICATIONS, SPECIALTIES, OR AREAS OF
2 EXPERTISE HELD BY THE PERSON; AND

3
4 (III) SIGNED BY THE MEDICAL DIRECTOR FOR THE HEALTH
5 COVERAGE PLAN, WHO IS LICENSED IN GOOD STANDING IN COLORADO.

6
7 **SECTION 2. Act subject to petition - effective date.** This act
8 shall take effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly (August
10 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
11 referendum petition is filed pursuant to section 1 (3) of article V of the
12 state constitution against this act or an item, section, or part of this act
13 within such period, then the act, item, section, or part shall not take effect
14 unless approved by the people at the general election to be held in
15 November 2010 and shall take effect on the date of the official
16 declaration of the vote thereon by the governor."

17
18
19
20 **HB10-1237** be postponed indefinitely.

21
22
23 **HB10-1283** be postponed indefinitely.

24
25
26
27 **PRINTING REPORT**

28
29 The Chief Clerk reports the following bills have been correctly printed:
30 **HB10-1396, 1397.**

31
32
33
34 **MESSAGE(S) FROM THE GOVERNOR**

35
36 I certify I received the following on the 5th day of April, 2010, at
37 3:10 p.m. The original is on file in the records of the House of
38 Representatives of the General Assembly.

39
40
41 Marilyn Eddins,
42 Chief Clerk of the House

43
44 April 5, 2010

45 To the Honorable House of Representatives
46 Sixty-seventh General Assembly
47 Second Regular Session
48 State Capitol
49 Denver, CO 80203

50 Ladies and Gentlemen:

51
52 I have the honor to inform you that I have approved and filed with the
53 Secretary of State the following Acts:

54
55 **HB10-1002** CONCERNING AN INCREASE IN THE THRESHOLD
56 NECESSARY TO TRIGGER TEMPORARY INCOME TAX RATE

1 REDUCTION AS A METHOD TO REFUND EXCESS STATE
2 REVENUES BY AN AMOUNT EQUAL TO THE THRESHOLD
3 NECESSARY TO TRIGGER THE EARNED INCOME TAX
4 CREDIT REFUND.

5
6 Approved April 5, 2010 at 1:51 p.m.

7
8 **HB10-1003** CONCERNING THE EXTENSION OF THE DEADLINE FOR
9 THE REVIEW OF GRIEVANCE PETITIONS FILED WITH THE
10 STATE PERSONNEL BOARD.

11
12 Approved April 5, 2010 at 1:52 p.m.

13
14 **HB10-1007** CONCERNING AN ADJUSTMENT OF FEES CHARGED BY A
15 COUNTY CLERK AND RECORDER FOR FILING A
16 DOCUMENT WITH THE COUNTY.

17
18 Approved April 5, 2010 at 1:52 p.m.

19
20 **HB10-1016** CONCERNING THE EXTENSION OF THE TERM OF THE
21 RETIRED MEMBER OF THE BOARD OF DIRECTORS OF THE
22 FIRE AND POLICE PENSION ASSOCIATION.

23
24 Approved April 5, 2010 at 1:53 p.m.

25
26 **HB10-1028** CONCERNING A UNIVERSAL APPLICATION FOR
27 PROGRAMS RELATED TO EARLY CHILDHOOD ISSUES.

28
29 Approved April 5, 2010 at 1:54 p.m.

30
31 **HB10-1134** CONCERNING MEASURES TO PREVENT ILLEGAL
32 INTERSTATE PARI-MUTUEL WAGERING ON RACING,
33 AND, IN CONNECTION THEREWITH, AUTHORIZING THE
34 ENTRY BY COLORADO INTO INTERSTATE COMPACTS
35 GOVERNING RACING AND THE COLLECTION OF SOURCE
36 MARKET FEES FROM OUT-OF-STATE SIMULCAST
37 ACTIVITY.

38
39 Approved April 5, 2010 at 1:55 p.m.

40
41 **HB10-1148** CONCERNING THE ELIMINATION OF THE REQUIREMENT
42 THAT AN ARCHITECT MAINTAIN CONTINUING
43 PROFESSIONAL COMPETENCY IN ORDER TO RENEW A
44 LICENSE TO PRACTICE ARCHITECTURE, AND MAKING AN
45 APPROPRIATION THEREFOR.

46
47 Approved April 5, 2010 at 1:42 p.m.

48
49 **HB10-1204** CONCERNING THE INCLUSION OF CONSERVATION
50 STANDARDS IN THE PLUMBING CODE.

51
52 Approved April 5, 2010 at 1:39 p.m.

53
54 **HB10-1231** CONCERNING THE REGULATION OF CONVEYANCES.

55
56 Approved April 5, 2010 at 1:57 p.m.

1 **HB10-1235** CONCERNING THE REQUIREMENTS IN THE "STATE
2 ADMINISTRATIVE PROCEDURE ACT" FOR
3 INCORPORATION BY REFERENCE OF RULE-MAKING
4 MATERIALS BY EXECUTIVE BRANCH AGENCIES.

5
6 Approved April 5, 2010 at 1:58 p.m.

7
8 **HB10-1247** CONCERNING THE CONTINUATION OF THE WORKERS'
9 COMPENSATION CLASSIFICATION APPEALS BOARD.

10
11 Approved April 5, 2010 at 1:59 p.m.

12
13 Sincerely,
14 (signed)
15 Bill Ritter, Jr.
16 Governor

17 _____

18
19
20 **LAY OVER OF CALENDAR ITEM(S)**

21
22 On motion of Representative Kefalas, the following item(s) on the
23 Calendar (was)were laid over until April 7, retaining place on Calendar:

24
25 Consideration of Third Reading--**HB10-1209**.
26 Consideration of Senate Amendment(s)--**HB10-1188, 1017, 1029, 1098,**
27 **1164, 1213, 1276**.

28 _____

29
30 On motion of Representative Kefalas, the House adjourned until
31 9:00 a.m., April 7, 2010.

32
33 Approved:
34 TERRANCE D. CARROLL,
35 Speaker

36 Attest:
37 MARILYN EDDINS,
38 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Eighty-fifth Legislative Day

Wednesday, April 7, 2010

1 Prayer by Chaplain Major Arthur Ford, Civil Air Patrol.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Nick Devries, Kelli Nasseth, Julia Ross,
 6 Keely Jester, Sam Crockett, Timber Trails Elementary, Castle Pines.

7

8 The roll was called with the following result:

9

10 Present--64.

11 Excused--Representative(s) Stephens--1.

12 Present after roll call--Representative(s) Stephens.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Levy, the reading of the journal of
 18 April 6, 2010, was declared dispensed with and approved as corrected by
 19 the Chief Clerk.

20

21

22

23 **THIRD READING OF BILL(S)--FINAL PASSAGE**

24

25 The following bill(s) was(were) considered on Third Reading. The
 26 title(s) was(were) publicly read. Reading of the bill at length was
 27 dispensed with by unanimous consent.

28

29 **HB10-1209** by Representative(s) Balmer; also Senator Gibbs--
 30 Concerning authorization to place voluntarily an identifier
 31 of a branch of the United States armed forces on certain
 32 identification documents issued by the department of
 33 revenue, and making an appropriation therefor.

34

35 The question being "Shall the bill pass?".

36 A roll call vote was taken. As shown by the following recorded vote, a
 37 majority of those elected to the House voted in the affirmative and the bill
 38 was declared **passed**.

39

	YES	61	NO	4	EXCUSED	0	ABSENT	0
41	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
42	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
43	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y

1	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
2	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	Y
3	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
4	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
5	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
6	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
7	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
8	Ferrandino	Y	Levy	Y	Pommer	N	Todd	Y
9	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
10	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
11	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
12	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
13	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
14							Speaker	Y

15 Co-sponsor(s) added: Representative(s) Casso, Court, Gardner B., Gerou,
 16 Kefalas, Looper, Nikkel, Summers, Swalm, Todd, Speaker.

21 On motion of Representative Kerr A., the House resolved itself into
 22 Committee of the Whole for consideration of General Orders, and he was
 23 called to the Chair to act as Chairman.

26 GENERAL ORDERS--SECOND READING OF BILLS

28 The Committee of the Whole having risen, the Chairman reported the
 29 titles of the following bills had been read (reading at length had been
 30 dispensed with by unanimous consent), the bills considered and action
 31 taken thereon as follows:

33 (Amendments to the committee amendment are to the printed committee
 34 report which was printed and placed in the members' bill file.)

36 **HB10-1390** by Representative(s) Pommer, Ferrandino, Lambert; also
 37 Senator(s) White, Keller, Tapia--Concerning the general
 38 fund reserve required for the 2010-11 state fiscal year.

40 Laid over until April 12, retaining place on Calendar.

42 **HB10-1351** by Representative(s) Ferrandino, Apuan, Casso, Curry,
 43 Gagliardi, Hullinghorst, Kerr A., McCann, Merrifield,
 44 Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Tyler,
 45 Vigil; also Senator(s) Romer, Carroll M., Foster, Keller,
 46 Morse--Concerning the maximum authorized interest rate
 47 for a payday loan.

49 Rereferred to the Committee on Judiciary.

51 **SB10-100** by Senator(s) Schwartz, Carroll M., Foster, Gibbs, Heath,
 52 Newell, Romer; also Representative(s) Miklosi--
 53 Concerning greater financing flexibility for local districts
 54 organized for purposes related to energy.

1 Amendment No. 1, Transportation & Energy Report, dated
2 March 23, 2010, and placed in member's bill file; Report also printed in
3 House Journal, March 25, pages 961-962.

4
5 Amendment No. 2, by Representative(s) Miklosi.

6
7 Amend the Transportation and Energy Committee Report, dated March
8 23, 2010, page 1, line 17, strike ""WITHIN" and substitute ""THE
9 CONTRACT OR AGREEMENT SHALL NOTE THE EXISTENCE OF ANY FIRST
10 PRIORITY MORTGAGE OR DEED OF TRUST ON THE PROPERTY AND THE
11 IDENTITY OF THE RECORD HOLDER THEREOF. WITHIN".

12
13 Page 2, line 1, before "HOLDER" insert "RECORD".

14
15 Page 2, line 11, before "WITHIN" insert "THE CONTRACT OR AGREEMENT
16 SHALL NOTE THE EXISTENCE OF ANY FIRST PRIORITY MORTGAGE OR DEED
17 OF TRUST ON THE PROPERTY AND THE IDENTITY OF THE RECORD HOLDER
18 THEREOF.".

19
20 Page 2, line 13, before "HOLDER" insert "RECORD".

21
22 As amended, ordered revised and placed on the Calendar for Third
23 Reading and Final Passage.

24
25 **SB10-114** by Senator(s) Carroll M.; also Representative(s)
26 Weissmann--Concerning the "Colorado Taxpayer
27 Transparency Act of 2010".

28
29 Laid over until April 12, retaining place on Calendar.

30
31 **SB10-060** by Senator(s) Morse, Carroll M., Mitchell, Schwartz; also
32 Representative(s) Labuda, Gardner B., Kagan, Levy,
33 Roberts--Concerning implementation of recommendations
34 of the committee on legal services in connection with
35 legislative review of rules and regulations of state
36 agencies.

37
38 Ordered revised and placed on the Calendar for Third Reading and Final
39 Passage.

43 ADOPTION OF COMMITTEE OF THE WHOLE REPORT

44
45 Passed Second Reading: **SB10-100 amended, 060.**

46
47 Laid over until date indicated retaining place on Calendar: **HB10-1390,**
48 **SB10-114**--April 12, 2010.

49
50 Rereferred to Committee indicated: **HB10-1351**--Judiciary.

51
52 The Chairman moved the adoption of the Committee of the Whole
53 Report. As shown by the following roll call vote, a majority of those
54 elected to the House voted in the affirmative, and the Report was
55 **adopted.**

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HB10-1017 by Representative(s) Kagan, Gagliardi; also Senator(s) Boyd--Concerning authorization for certain public entities to enter into voluntary agreements affecting rent on private residential property.

(Amended as printed in Senate Journal, April 1, page 740.)

Representative Kagan moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

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24 Co-sponsor(s) added: Representative(s) Court, Gerou, Kefalas, King S., Vigil.

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1 The question being, "Shall the bill, as amended, pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative, and the
 4 bill, as amended, was declared **repassed**.

	YES	54	NO	11	EXCUSED	0	ABSENT	0
7	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
12	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
16	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	N	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Schafer S., Vigil.

25
 26
 27 House in recess. House reconvened.
 28
 29

30 REPORT(S) OF COMMITTEE(S) OF REFERENCE

31 BUSINESS AFFAIRS & LABOR

32
 33 After consideration on the merits, the Committee recommends the
 34 following:
 35

36
 37 **HB10-1356** be postponed indefinitely.

38
 39
 40 **SB10-094** be amended as follows, and as so amended, be referred to
 41 the Committee of the Whole with favorable
 42 recommendation:
 43

44 Amend reengrossed bill, page 5, after line 22 insert:

45 "SECTION 4. 24-48.5-312 (3) (a), Colorado Revised Statutes,
 46 as amended by Senate Bill 10-158, is amended to read:
 47

48 **24-48.5-312. [Formerly 24-80.5-101] Art in public places**
 49 **program - allocations from capital construction costs - guidelines -**
 50 **fund created - definitions - repeal.** (3) (a) (I) EXCEPT AS PROVIDED IN
 51 SUBPARAGRAPH (III) OF THIS PARAGRAPH (a), each capital construction
 52 appropriation for a public construction project shall include as a
 53 nondeductible item an allocation of not less than one percent of the
 54 STATE FUNDED PORTION OF THE TOTAL capital construction costs to be
 55 used for the acquisition of works of art. ~~except that the requirements~~
 56 ~~specified in this subparagraph (I) shall not apply to:~~

- 1 ~~(A) Capital construction appropriations covered by section~~
2 ~~24-48.5-313;~~
3
4 ~~(B) Agricultural facilities where livestock are housed or~~
5 ~~agricultural products are grown;~~
6
7 ~~(C) The diagnostic center located in the city and county of~~
8 ~~Denver;~~
9
10 ~~(D) The facilities authorized by section 1 of Senate Bill 86-101,~~
11 ~~enacted in 1986;~~
12
13 ~~(E) The Front Range community college - Larimer campus,~~
14 ~~Mount Antero and Blanca Peak buildings renovation, phase 2 of 2;~~
15
16 ~~(F) The Pueblo community college - industrial~~
17 ~~technology/technical education renovation, phase 1 of 2 and phase 2 of~~
18 ~~2;~~
19
20 ~~(G) The Morgan community college - automotive programs~~
21 ~~relocation, phase 1 of 2 and phase 2 of 2;~~
22
23 ~~(H) The Fort Lewis college - exercise science/athletic facilities,~~
24 ~~phase 1 of 2 and phase 2 of 2;~~
25
26 ~~(I) Department of public safety - Colorado state patrol, Grand~~
27 ~~Junction troop office construction;~~
28
29 ~~(J) Department of public safety - Colorado state patrol, Castle~~
30 ~~Rock troop office construction - office portion only; and~~
31
32 ~~(K) Department of personnel - North campus upgrades.~~
33
34 ~~(II) Notwithstanding the provisions of subparagraph (I) of this~~
35 ~~paragraph (a), the percentage of the capital construction costs for the~~
36 ~~juvenile detention and juvenile commitment beds authorized by sections~~
37 ~~15 and 16 of House Bill 94-1340, enacted in 1994, and sections 25, 26,~~
38 ~~and 27 of House Bill 95-1352, enacted in 1995, allocated to acquisition~~
39 ~~of works of art shall be one-tenth of one percent. It is the intent of the~~
40 ~~general assembly that these allocations be utilized to acquire artworks~~
41 ~~produced by residents of the state's juvenile facilities. EXCEPT AS~~
42 ~~PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH (a), COMMENCING~~
43 ~~AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH (a), AS AMENDED, ANY~~
44 ~~CAPITAL CONSTRUCTION PROJECT THAT IS THE SUBJECT OF A~~
45 ~~LEASE-PURCHASE AGREEMENT, AS DEFINED IN SECTION 24-82-801 (4),~~
46 ~~THAT PROVIDES FOR LEASE PAYMENTS FROM MONEYS THAT HAVE BEEN~~
47 ~~APPROPRIATED IN FULL OR IN PART BY THE STATE SHALL INCLUDE AS A~~
48 ~~NONDEDUCTIBLE ITEM IN THE PROJECT BUDGET AN ALLOCATION OF NOT~~
49 ~~LESS THAN ONE PERCENT OF THE TOTAL CONSTRUCTION COSTS TO BE USED~~
50 ~~FOR THE ACQUISITION OF WORKS OF ART.~~
51
52 ~~(III) THE REQUIREMENTS SPECIFIED IN THIS PARAGRAPH (a) SHALL~~
53 ~~NOT APPLY TO:~~
54
55 ~~(A) CAPITAL CONSTRUCTION APPROPRIATIONS COVERED BY~~
56 ~~SECTION 24-48.5-313;~~

1 (B) AGRICULTURAL FACILITIES WHERE LIVESTOCK ARE HOUSED
2 OR AGRICULTURAL PRODUCTS ARE GROWN;
3

4 (C) CAPITAL CONSTRUCTION APPROPRIATIONS FOR CONTROLLED
5 MAINTENANCE AS DEFINED IN SECTION 24-30-1301 (2);
6

7 (D) ANY LEASE-PURCHASE AGREEMENTS ENTERED INTO BY THE
8 STATE TREASURER ON BEHALF OF THE STATE PURSUANT TO ARTICLE 43.7
9 OF TITLE 22, C.R.S.;

10
11 (E) ANY CONSTRUCTION BY THE COLORADO DEPARTMENT OF
12 PUBLIC HEALTH AND ENVIRONMENT FOR CLEANUP AND REDEVELOPMENT
13 OF CONTAMINATED SITES; AND
14

15 (F) ANY STATE APPROPRIATION FOR CHARTER SCHOOL CAPITAL
16 CONSTRUCTION PURSUANT TO PART 4 OF ARTICLE 30.5 OF TITLE 22, C.R.S.
17

18 **SECTION 5.** 24-82-801, Colorado Revised Statutes, is amended
19 BY THE ADDITION OF A NEW SUBSECTION to read:
20

21 **24-82-801. Lease-purchase agreements for acquisition of real**
22 **or personal property.** (8) ALL LEASE-PURCHASE AGREEMENTS
23 DESCRIBED IN SECTION 24-48.5-312 (3) (a) (II) SHALL INCLUDE THE TERMS
24 SPECIFIED IN SAID SECTION."
25

26 Page 5, strike lines 23 through 27.
27

28 Strike page 6 and substitute:
29

30 **"SECTION 6. Act subject to petition - effective date.**

31 (1) Except as otherwise provided in subsection (2) of this section, this
32 act shall take effect at 12:01 a.m. on the day following the expiration of
33 the ninety-day period after final adjournment of the general assembly
34 (August 11, 2010, if adjournment sine die is on May 12, 2010); except
35 that, if a referendum petition is filed pursuant to section 1 (3) of article
36 V of the state constitution against this act or an item, section, or part of
37 this act within such period, then the act, item, section, or part shall not
38 take effect unless approved by the people at the general election to be
39 held in November 2010 and shall take effect on the date of the official
40 declaration of the vote thereon by the governor.

41 (2) This act shall take effect either upon the applicable effective
42 date of this act or upon the applicable effective date of Senate Bill
43 10-158, whichever is later; except that:
44

45 (a) Sections 2 and 3 of this act shall not take effect if Senate Bill
46 10-158 is enacted and becomes law;
47

48 (b) Sections 4 and 5 of this act shall take effect only if Senate
49 Bill 10-158 is enacted and becomes law."
50

51
52
53 **SB10-120** be referred favorably to the Committee on Appropriations.
54
55
56

1 **FINANCE**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB10-172** be referred to the Committee of the Whole with favorable
6 recommendation.
7

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10
11 **LOCAL GOVERNMENT**

12 After consideration on the merits, the Committee recommends the
13 following:

14
15 **HCR10-1001** be postponed indefinitely.
16

17
18 **SB10-174** be referred to the Committee of the Whole with favorable
19 recommendation.
20

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23
24 **STATE, VETERANS, & MILITARY AFFAIRS**

25 After consideration on the merits, the Committee recommends the
26 following:

27
28 **HB10-1366** be amended as follows, and as so amended, be referred to
29 the Committee on Finance with favorable
30 recommendation:
31

32 Amend printed bill, page 2, strike lines 2 through 10.
33

34 Renumber succeeding sections accordingly.
35

36 Page 2, line 18, strike "AS DEFINED".
37

38 Page 2, strike line 19 and substitute "PURSUANT TO SECTION 1-4-905,
39 PART 1 OF ARTICLE 12 OF TITLE 1, SECTION 1-40-112, PART 2 OF ARTICLE
40 2 OF TITLE 31, PART 5 OF ARTICLE 4 OF TITLE 31, PART 3 OF ARTICLE 10 OF
41 TITLE 31, ARTICLE 11 OF TITLE 31, PART 1 OF ARTICLE 12 OF TITLE 31, AND
42 PART 4 OF ARTICLE 4 OF TITLE 32, C.R.S."
43

44 Page 2, line 23, strike "AS".
45

46 Page 2, strike line 24 and substitute "PURSUANT TO SECTION 1-4-905,
47 PART 1 OF ARTICLE 12 OF TITLE 1, SECTION 1-40-112, PART 2 OF ARTICLE
48 2 OF TITLE 31, PART 5 OF ARTICLE 4 OF TITLE 31, PART 3 OF ARTICLE 10 OF
49 TITLE 31, ARTICLE 11 OF TITLE 31, PART 1 OF ARTICLE 12 OF TITLE 31, AND
50 PART 4 OF ARTICLE 4 OF TITLE 32, C.R.S."
51

52 Page 3, line 8, strike "AS DEFINED IN SECTION".
53

54 Page 3, strike line 9 and substitute "PURSUANT TO SECTION 1-4-905, PART
55 1 OF ARTICLE 12 OF TITLE 1, SECTION 1-40-112, PART 2 OF ARTICLE 2 OF
56 TITLE 31, PART 5 OF ARTICLE 4 OF TITLE 31, PART 3 OF ARTICLE 10 OF TITLE

1 31, ARTICLE 11 OF TITLE 31, PART 1 OF ARTICLE 12 OF TITLE 31, AND PART
2 4 OF ARTICLE 4 OF TITLE 32, C.R.S."

3

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6 **HB10-1370** be amended as follows, and as so amended, be referred to
7 the Committee on Appropriations with favorable
8 recommendation:

9

10 Amend printed bill, page 3, line 27, strike "10-____," and substitute
11 "10-1370,".

12

13

14

15 **HB10-1392** be referred to the Committee of the Whole with favorable
16 recommendation.

17

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21 **TRANSPORTATION & ENERGY**

22 After consideration on the merits, the Committee recommends the
23 following:

24

25 **HB10-1331** be amended as follows, and as so amended, be referred to
26 the Committee on Appropriations with favorable
27 recommendation:

28

29 Amend printed bill, page 5, line 17, strike "ON".

30

31 Page 5, strike line 18 and substitute "THE GOVERNOR'S".

32

33 Page 7, line 23, strike "OFFICE,".

34

35 Page 7, strike lines 24 and 25 and substitute "OFFICE".

36

37 Page 8, strike lines 5 through 7 and substitute:

38 **"SECTION 2. Act subject to petition - effective date.** This act
39 shall take effect at 12:01 a.m. on the day following the expiration of the
40 ninety-day period after final adjournment of the general assembly (August
41 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
42 referendum petition is filed pursuant to section 1 (3) of article V of the
43 state constitution against this act or an item, section, or part of this act
44 within such period, then the act, item, section, or part shall not take effect
45 unless approved by the people at the general election to be held in
46 November 2010 and shall take effect on the date of the official
47 declaration of the vote thereon by the governor."

48

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51 **HB10-1349** be amended as follows, and as so amended, be referred to
52 the Committee on Appropriations with favorable
53 recommendation:

54

55 Amend printed bill, page 2, line 9, after "THE" insert "DIVISION OF PARKS
56 AND OUTDOOR RECREATION IN THE".

- 1 Page 2, line 10, strike "RESOURCES OR OTHER STATE AGENCIES" and
2 substitute "RESOURCES, ALSO REFERRED TO IN THIS SECTION AS THE
3 "DIVISION",".
4
- 5 Page 3, strike lines 1 through 3 and substitute "GENERATION PROJECTS".
6
- 7 Page 3, line 6, strike "DEPARTMENT OF NATURAL RESOURCES" and
8 substitute "DIVISION".
9
- 10 Page 3, line 7, strike "OR OTHER STATE AGENCIES".
11
- 12 Page 3, strike lines 9 and 10 and substitute "40-2-124, C.R.S.".
13
- 14 Page 3, strike lines 14 and 15 and substitute "GENERATION DEVELOPMENT
15 AREAS;".
16
- 17 Page 3, line 23, after "ACCEPT" insert "PUBLIC AND".
18
- 19 Page 4, line 3, after "OF" insert "MONEYS IN".
20
- 21 Page 4, strike line 8 and substitute "GENERAL FUND".
22
- 23 Page 4, line 21, strike "ACCOUNT" and substitute "FUND".
24
- 25 Page 5, line 2, strike "**director.**" and substitute "**director - repeal.**".
26
- 27 Page 5, line 16, strike "DEPARTMENT OF NATURAL RESOURCES" and
28 substitute "DIVISION".
29
- 30 Page 5, strike lines 17 and 18 and substitute:
31 "(b) TO DEMONSTRATE BEST PRACTICES IN THE EFFICIENT
32 DEPLOYMENT OF ELIGIBLE".
33
- 34 Page 6, strike lines 5 through 8.
35
- 36 Reletter succeeding paragraphs accordingly.
37
- 38 Page 6, after line 27 insert:
39 "(4) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PERMIT
40 ANY STATE AGENCY TO MAKE RETAIL SALES OF ELECTRIC ENERGY OR TO
41 TRANSMIT OR DISTRIBUTE ELECTRIC ENERGY BETWEEN OR AMONG STATE
42 AGENCIES OR PROPERTIES.
43
- 44 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2020".
45
- 46 Page 7, line 7, after "INCLUDING" insert "LAND UNDER THE CONTROL OF
47 THE DIVISION OF PARKS AND OUTDOOR RECREATION THAT HAS".
48
49
50
- 51 **HB10-1358** be amended as follows, and as so amended, be referred to
52 the Committee of the Whole with favorable
53 recommendation:
54
- 55 Amend printed bill, page 2, line 17, strike everything before "QUALIFIED"
56 and substitute "BUILDER SHALL OFFER A MODEL THAT IS".

1 Page 3, strike lines 5 through 20 and substitute:
2

3 (III) IF LANDSCAPING IS FINANCED, INSTALLED, OR SOLD AS
4 UPGRADES THROUGH THE HOME BUILDER AND WILL BE MAINTAINED BY
5 THE HOME OWNER, THE HOME BUILDER SHALL OFFER A LANDSCAPE DESIGN
6 THAT FOLLOWS THE LANDSCAPE PRACTICES SPECIFIED IN THIS
7 SUBPARAGRAPH (III) TO ENSURE BOTH THE PROFESSIONAL DESIGN AND
8 INSTALLATION OF SUCH LANDSCAPING AND THAT WATER CONSERVATION
9 WILL BE ACCOMPLISHED. THESE BEST MANAGEMENT PRACTICES ARE
10 CONTAINED IN THE DOCUMENT TITLED: "GREEN INDUSTRY BEST
11 MANAGEMENT PRACTICES (BMP) FOR THE CONSERVATION AND
12 PROTECTION OF WATER RESOURCES IN COLORADO, 3RD EDITION", AND
13 APPENDIX, RELEASED IN MAY 2008, OR THIS DOCUMENT'S SUCCESSORS
14 DUE TO FUTURE INCLUSION OF IMPROVED LANDSCAPING PRACTICES,
15 WATER CONSERVATION ADVANCEMENTS, AND NEW IRRIGATION
16 TECHNOLOGY. THE BEST MANAGEMENT PRACTICES SPECIFIED IN THIS
17 SUBPARAGRAPH (III), THROUGH UTILIZATION OF THE PROPER LANDSCAPE
18 DESIGN, INSTALLATION, AND IRRIGATION TECHNOLOGY, ACCOMPLISH
19 SUBSTANTIAL WATER SAVINGS COMPARED TO LANDSCAPE DESIGNS,
20 INSTALLATION, AND IRRIGATION SYSTEM UTILIZATION WHERE THESE
21 PRACTICES ARE NOT ADHERED TO. THE FOLLOWING BEST MANAGEMENT
22 PRACTICES AND WATER BUDGET CALCULATOR FORM THE BASIS FOR THE
23 DESIGN AND INSTALLATION FOR THE FRONT YARD LANDSCAPING OPTION
24 IF SELECTED BY THE HOMEOWNER AS AN UPGRADE:
25

26 (A) XERISCAPE: TO INCLUDE THE SEVEN PRINCIPLES OF XERISCAPE
27 THAT PROVIDE A COMPREHENSIVE APPROACH FOR CONSERVING WATER;
28

29 (B) WATER BUDGETING: TO INCLUDE EITHER A WATER ALLOTMENT
30 BY THE WATER UTILITY FOR THE PROPERTY OR A LANDSCAPE WATER
31 BUDGET BASED ON PLANT WATER REQUIREMENTS;
32

33 (C) LANDSCAPE DESIGN: TO INCLUDE A PLAN AND DESIGN FOR THE
34 LANDSCAPE TO COMPREHENSIVELY CONSERVE WATER AND PROTECT
35 WATER QUALITY;
36

37 (D) LANDSCAPE INSTALLATION AND EROSION CONTROL: TO
38 MINIMIZE SOIL EROSION AND EMPLOY PROPER SOIL CARE AND PLANTING
39 TECHNIQUES DURING CONSTRUCTION;
40

41 (E) SOIL AMENDMENT AND GROUND PREPARATION: TO INCLUDE AN
42 EVALUATION OF THE SOIL AND IMPROVE, IF NECESSARY, TO ADDRESS
43 WATER RETENTION, PERMEABILITY, WATER INFILTRATION, AERATION, AND
44 STRUCTURE;
45

46 (F) TREE PLACEMENT AND TREE PLANTING: TO INCLUDE PROPER
47 SOIL AND SPACE FOR ROOT GROWTH AND TO INCLUDE PROPER PLANTING OF
48 TREES, SHRUBS, AND OTHER WOODY PLANTS TO PROMOTE LONG-TERM
49 HEALTH OF THESE PLANTS;
50

51 (G) IRRIGATION DESIGN AND INSTALLATION: TO INCLUDE DESIGN
52 OF THE IRRIGATION SYSTEM FOR THE EFFICIENT AND UNIFORM
53 DISTRIBUTION OF WATER TO PLANT MATERIAL AND THE DEVELOPMENT OF
54 AN IRRIGATION SCHEDULE;
55

56 (H) IRRIGATION TECHNOLOGY AND SCHEDULING: TO INCLUDE

1 WATER CONSERVING DEVICES THAT STOP WATER APPLICATION DURING
2 RAIN, HIGH WIND, AND OTHER WEATHER EVENTS AND INCORPORATE
3 EVAPOTRANSPIRATION CONDITIONS. IRRIGATION SCHEDULING SHOULD
4 ADDRESS FREQUENCY AND DURATION OF WATER APPLICATION IN THE
5 MOST EFFICIENT MANNER; AND

6
7 (I) MULCHING: TO INCLUDE THE USE OF ORGANIC MULCHES TO
8 REDUCE WATER LOSS THROUGH EVAPORATION, REDUCE SOIL LOSS, AND
9 SUPPRESS WEEDS."

10
11 Page 4, line 26, strike "ARE NOT INTENDED TO" and substitute "SHALL
12 NOT".

13
14
15
16 **SB10-110** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:

19
20 Amend reengrossed bill, page 5, line 4, after "in a" insert "REAR-FACING
21 OR".

22
23 Page 6, line 25, strike "ECONOMIC DISADVANTAGE AND".

24
25 Page 6, line 26, strike "CERTIFIED".

26
27 Page 7, strike lines 1 through 5 and substitute:

28
29 ~~"(9) No driver in a motor vehicle shall be cited for a violation of~~
30 ~~subparagraph (I) of paragraph (b) of subsection (2) of this section unless~~
31 ~~such driver was stopped by a law enforcement officer for an alleged~~
32 ~~violation of articles 1 to 4 of this title other than a violation of this section~~
33 ~~or section 42-4-237."~~

34
35 Page 7, line 8, strike "THIS SECTION" and substitute "SUBPARAGRAPH (I)
36 OF PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION".

37
38 Page 7, strike lines 12 through 15.

39
40 Page 7, line 17, strike "June" and substitute "August".

41
42
43
44 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

45
46 The Speaker has signed: **HB10-1020, 1026, 1104, 1135, 1167, 1216,**
47 **1226, 1233, 1255, 1256, 1346; HJR10-1018; HM10-1002; SB10-009,**
48 **027, 032, 063, 081, 083, 102, 115, 119, 130.**

49
50
51 **DELIVERY OF BILLS TO GOVERNOR**

52
53 The Chief Clerk of the House of Representatives reports the following
54 bill has been delivered to the Office of the Governor: **HB10-1367** at
55 1:46 p.m. on April 6, 2010.

1 The Chief Clerk of the House of Representatives reports the following
2 bills have been delivered to the Office of the Governor: **HB10-1024,**
3 **1025, 1030, 1034, 1044, 1054, 1057, 1085, 1115, 1123, 1132, 1140,**
4 **1227, 1320, 1327, 1339** at 11:57 a.m. on April 7, 2010.

5
6
7
8 **LAY OVER OF CALENDAR ITEM(S)**
9

10 On motion of Representative Todd, the following item(s) on the Calendar
11 (was)were laid over until April 8, retaining place on Calendar:
12

13 Consideration of Senate Amendment(s)--**HB10-1188, 1098.**
14

15
16 On motion of Representative Todd, the House adjourned until 9:00 a.m.,
17 April 8, 2010.

18
19 Approved:
20 TERRANCE D. CARROLL,
21 Speaker

22 Attest:
23 MARILYN EDDINS,
24 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Eighty-sixth Legislative Day

Thursday, April 8, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Alyssa Liddle, West Ranch High School,
6 Stevenson Ranch, California.
7
8 The roll was called with the following result:
9
10 Present--60.
11 Excused--Representative(s) Kagan, Kefalas, King, Miklosi, Vigil--5.
12 Present after roll call--Representative(s) Kagan, King, Miklosi.
13
14 The Speaker declared a quorum present.
15
16
17 On motion of Representative Levy, the reading of the journal of
18 April 7, 2010, was declared dispensed with and approved as corrected by
19 the Chief Clerk.
20
21
22

THIRD READING OF BILL(S)--FINAL PASSAGE

23
24
25 The following bill(s) was(were) considered on Third Reading. The
26 title(s) was(were) publicly read. Reading of the bill at length was
27 dispensed with by unanimous consent.
28

29 **SB10-060** by Senator(s) Morse, Carroll M., Mitchell, Schwartz; also
30 Representative(s) Labuda, Gardner B., Kagan, Levy,
31 Roberts--Concerning implementation of recommendations
32 of the committee on legal services in connection with
33 legislative review of rules and regulations of state
34 agencies.
35

36 The question being "Shall the bill pass?".
37 A roll call vote was taken. As shown by the following recorded vote, a
38 majority of those elected to the House voted in the affirmative and the bill
39 was declared **passed**.
40

	YES	55	NO	6	EXCUSED	4	ABSENT	0
42 Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
43 Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y	

1	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
2	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
3	Benefield	Y	Kefalas	E	Middleton	Y	Sonnenberg	N
4	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
5	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
6	Court	Y	King S.	E	Nikkel	Y	Summers	Y
7	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
8	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
9	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
10	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
11	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
12	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	E
13	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
14	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Schafer S.

17
18
19
20 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL(S)**

21
22 **HB10-1098** by Representative(s) Levy; also Senator(s) Hodge--
23 Concerning increased transparency in the governance of
24 cooperative electric associations.

25
26 (Amended as printed in Senate Journal, April 1, page 741.)

27
28 Representative Levy moved that the House **not concur** in Senate
29 amendments and that a Conference Committee be appointed. The motion
30 was declared **passed** by the following roll call vote:

	YES	35	NO	26	EXCUSED	4	ABSENT	0
33	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullingshorst	Y	McKinley	N	Scanlan	Y
35	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
36	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	E	Middleton	Y	Sonnenberg	N
38	Bradford	N	Kerr A.	Y	Miklosi	E	Soper	Y
39	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
40	Court	Y	King S.	E	Nikkel	N	Summers	N
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
42	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	N	Priola	Y	Vaad	N
46	Gagliardi	Y	Massey	N	Rice	Y	Vigil	E
47	Gardner B.	N	May	N	Riesberg	Y	Waller	N
48	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
49							Speaker	Y

50 The Speaker appointed Representatives Levy, Chairman, Priola and
51 Fischer as House conferees to the bill.

52
53
54 House in recess. House reconvened.
55
56

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR10-028.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

On motion of Representative Weissmann, the rules were suspended and the following resolution was given immediate consideration.

SJR10-028 by Senator(s) Romer and Boyd; also Representative(s) McCann and Riesberg--Concerning recognition of National Jewish Health and the opening of its Lung Cancer Center.

(Printed and placed in member's file).

On motion of Representative Riesberg, the resolution was read at length and **adopted** by **viva voce** vote.

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Hulinghorst, Judd, Kagan, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Massey, May, McFadyen, McKinley, McNulty, Merrifield, Middleton, Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad, Waller, Weissmann, Speaker.

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

After consideration on the merits, the Committee recommends the following:

HB10-1051 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 2, strike everything after "**SECTION 1.**".

Page 2, line 3, strike "(I)," and substitute "(I and (9) (a))."

Page 2, line 10, strike "shall at a minimum," and substitute "shall, at a minimum," and strike "a full evaluation of" and substitute "a full evaluation of".

Page 2, line 18, after "(4.5)" insert "(a)".

Page 2, strike lines 19 through 23.

1 Page 3, strike lines 1 through 20 and substitute "2014, COVERED ENTITIES
2 SHALL REPORT WATER USE AND CONSERVATION DATA, TO BE USED FOR
3 STATEWIDE WATER SUPPLY PLANNING, FOLLOWING BOARD GUIDELINES
4 PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (4.5), TO THE BOARD
5 BY THE END OF THE SECOND QUARTER OF EACH YEAR FOR THE PREVIOUS
6 CALENDAR YEAR.

7
8 (b) NO LATER THAN FEBRUARY 1, 2012, THE BOARD SHALL ADOPT
9 GUIDELINES REGARDING THE REPORTING OF WATER USE AND
10 CONSERVATION DATA BY COVERED ENTITIES, AND SHALL PROVIDE A
11 REPORT TO THE SENATE AGRICULTURE AND NATURAL RESOURCES
12 COMMITTEE AND THE HOUSE OF REPRESENTATIVES AGRICULTURE,
13 LIVESTOCK, AND NATURAL RESOURCES COMMITTEE, OR THEIR SUCCESSOR
14 COMMITTEES, REGARDING THE GUIDELINES. THESE GUIDELINES SHALL:

15
16 (I) BE ADOPTED PURSUANT TO THE BOARD'S PUBLIC PARTICIPATION
17 PROCESS AND SHALL INCLUDE OUTREACH TO STAKEHOLDERS FROM WATER
18 PROVIDERS WITH GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY,
19 NONGOVERNMENTAL ORGANIZATIONS, AND WATER CONSERVATION
20 PROFESSIONALS; AND

21
22 (II) INCLUDE CLEAR DESCRIPTIONS OF: CATEGORIES OF
23 CUSTOMERS, USES, AND MEASUREMENTS; HOW GUIDELINES WILL BE
24 IMPLEMENTED; AND HOW DATA WILL BE REPORTED TO THE BOARD.

25
26 (c) (I) NO LATER THAN FEBRUARY 1, 2019, THE BOARD SHALL
27 REPORT TO THE SENATE AGRICULTURE AND NATURAL RESOURCES
28 COMMITTEE AND THE HOUSE OF REPRESENTATIVES AGRICULTURE,
29 LIVESTOCK, AND NATURAL RESOURCES COMMITTEE, OR THEIR SUCCESSOR
30 COMMITTEES, ON THE GUIDELINES AND DATA COLLECTED BY THE BOARD
31 UNDER THE GUIDELINES.

32
33 (II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2020.

34
35 (9) (a) Neither the board nor the Colorado water resources and
36 power development authority shall release grant or loan proceeds to a
37 covered entity unless ~~such~~ THE covered entity provides a copy of the
38 water conservation plan adopted pursuant to this section; except that the
39 board or the authority may release ~~such~~ THE grant or loan proceeds
40 NOTWITHSTANDING A COVERED ENTITY'S FAILURE TO COMPLY WITH THE
41 REPORTING REQUIREMENTS OF SUBSECTION (4.5) OF THIS SECTION OR if the
42 board or the authority, as applicable, determines that an unforeseen
43 emergency exists in relation to the covered entity's loan application, in
44 which case the board or the authority, as applicable, may impose a grant
45 or loan surcharge upon the covered entity that may be rebated or reduced
46 if the covered entity submits and adopts a plan in compliance with this
47 section in a timely manner as determined by the board or the authority, as
48 applicable."

49
50
51
52 **SB10-106** be amended as follows, and as so amended, be referred to
53 the Committee on Appropriations with favorable
54 recommendation:
55
56

1 Amend reengrossed bill, page 3, line 10, strike "LOCAL" and substitute
2 "LOCAL, REGIONAL, AND STATE".
3

4 Page 3, line 17, strike "WILL" and substitute "IS INTENDED TO".
5

6 Page 3, strike line 24 and substitute:
7

8 "HEALTH;
9

10 (e) NOTHING IN THIS ARTICLE IS INTENDED TO IMPEDE, CAUSE
11 HARM TO, OR LIMIT CONVENTIONALLY PRODUCED AGRICULTURAL
12 PRODUCTS OR THE PERSONS WHO PRODUCE THEM."
13

14 Page 3, line 26, strike "LOCAL" and substitute "LOCAL, REGIONAL, AND
15 STATE".
16

17 Page 6, line 3, after the period add "A MEMBER OF THE COUNCIL WHO IS
18 AN EXECUTIVE DIRECTOR OF A STATE DEPARTMENT OR HIS OR HER
19 DESIGNEE MAY BE ELECTED TO BE A CHAIR OR A VICE-CHAIR OF THE
20 COUNCIL, BUT BOTH POSITIONS SHALL NOT BE HELD AT THE SAME TIME BY
21 MEMBERS WHO ARE EXECUTIVE DIRECTORS OF STATE DEPARTMENTS OR
22 THEIR DESIGNEES."
23

24 Page 8, line 13, strike "COUNCIL" and substitute "COUNCIL, BY
25 CONSENSUS,".
26
27
28

29 **SB10-139** be referred favorably to the Committee on Appropriations.
30
31
32
33

34 **BUSINESS AFFAIRS & LABOR**

35 After consideration on the merits, the Committee recommends the
36 following:
37

38 **HB10-1279** be amended as follows, and as so amended, be referred to
39 the Committee on Finance with favorable
40 recommendation:
41

42 Amend printed bill, page 3, line 13, strike "ACQUIRED A RETAIL LIQUOR".
43

44 Page 3, strike line 14 and substitute "TRANSFERRED OWNERSHIP OF TWO
45 RETAIL LIQUOR STORES, CHANGED THE LOCATION OF ONE OF THE RETAIL
46 LIQUOR STORES, AND MERGED AND CONVERTED THE TWO RETAIL LIQUOR
47 STORE LICENSES INTO A SINGLE".
48

49 Page 3, line 23, after "12-47-301" insert "(4) (b),".
50

51 Page 3, strike line 25 and substitute:
52

53 "12-47-301. Licensing in general. (4) (b) EXCEPT AS PROVIDED
54 IN SUBPARAGRAPH (IV) OF PARAGRAPH (a) OF SUBSECTION (11) OF THIS
55 SECTION, no local licensing authority shall issue, transfer location of, or
56 renew any license to sell any alcohol beverages until the person applying

1 for such license produces a license issued and granted by the state
2 licensing authority covering the whole period for which a license or
3 license renewal is sought.

4
5 (10) (b) A retail liquor store".

6
7 Page 4, after line 21 insert:

8
9 "SECTION 3. 12-47-301, Colorado Revised Statutes, is amended
10 BY THE ADDITION OF A NEW SUBSECTION to read:

11
12 **12-47-301. Licensing in general - repeal.**

13 (11) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE TO
14 THE CONTRARY, THE STATE LICENSING AUTHORITY SHALL NOT ISSUE A
15 NEW RETAIL LIQUOR LICENSE ON OR AFTER THE EFFECTIVE DATE OF THIS
16 SECTION AND BEFORE JANUARY 1, 2021. THIS SECTION DOES NOT
17 PROHIBIT:

18
19 (I) THE RENEWAL OF A RETAIL LIQUOR STORE LICENSE INITIALLY
20 ISSUED PRIOR TO THE EFFECTIVE DATE OF THIS SECTION;

21
22 (II) A TRANSFER OF OWNERSHIP OF A RETAIL LIQUOR STORE
23 INITIALLY LICENSED BY THE STATE LICENSING AUTHORITY PRIOR TO THE
24 EFFECTIVE DATE OF THIS SECTION;

25
26 (III) A CHANGE IN LOCATION OF A RETAIL LIQUOR STORE INITIALLY
27 LICENSED BY THE STATE LICENSING AUTHORITY PRIOR TO THE EFFECTIVE
28 DATE OF THIS SECTION; OR

29
30 (IV) A LOCAL LICENSING AUTHORITY FROM ISSUING A NEW RETAIL
31 LIQUOR STORE LICENSE; EXCEPT THAT, A PERSON WHO OBTAINS A RETAIL
32 LIQUOR STORE LICENSE FROM A LOCAL LICENSING AUTHORITY IS NOT
33 AUTHORIZED TO SELL AT RETAIL PURSUANT TO THIS ARTICLE UNTIL THE
34 PERSON APPLIES TO THE STATE LICENSING AUTHORITY PURSUANT TO
35 SECTION 12-47-303 (1) (c), AND THE STATE LICENSING AUTHORITY
36 GRANTS THE PERSON'S APPLICATION, FOR A TRANSFER OF OWNERSHIP OF
37 A LICENSED RETAIL LIQUOR STORE.

38
39 (b) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2021."

40
41 Renumber succeeding sections accordingly.

42
43 Page 4, line 25, strike "SUBPARAGRAPH (II)" and substitute
44 "SUBPARAGRAPHS (II) AND (III)".

45
46 Page 5, line 5, strike "cause" and substitute "cause HOLD".

47
48 Page 5, line 6, strike "ownership to be held. No" and substitute
49 "ownership. ~~to be held. No~~".

50
51 Page 5, strike lines 7 through 10 and substitute:

52
53 ~~"hearing provided for by this paragraph (c) shall be held by the local~~
54 ~~licensing authority until a notice of hearing has been conspicuously~~
55 ~~posted on the licensed premises for a period of ten days and notice of the~~
56 ~~hearing has been provided the applicant at least ten days prior to the~~

1 ~~hearing.~~".

2
3 Page 5, line 11, strike "hearing.".

4
5 Page 5, after line 12 insert:

6
7 "(II) A PERSON WHO HAS OBTAINED A RETAIL LIQUOR STORE
8 LICENSE FROM A LOCAL LICENSING AUTHORITY PURSUANT TO SECTION
9 12-47-301 (11) (a) (IV) SHALL SUBMIT ITS APPLICATION FOR A TRANSFER
10 OF OWNERSHIP ONLY TO THE STATE LICENSING AUTHORITY ON FORMS
11 PREPARED AND FURNISHED BY THE STATE LICENSING AUTHORITY. IN
12 MAKING ITS DETERMINATION ON THE TRANSFER OF OWNERSHIP
13 APPLICATION, THE STATE LICENSING AUTHORITY SHALL CONSIDER ONLY
14 THE REQUIREMENTS OF SECTION 12-47-307 AND 1 CCR 203-2, RULE
15 47-302, ENTITLED "CHANGING, ALTERING, OR MODIFYING LICENSED
16 PREMISES", OR ANY ANALOGOUS SUCCESSOR RULE. ANY TRANSFER OF
17 OWNERSHIP HEARING BY THE STATE LICENSING AUTHORITY SHALL BE
18 PURSUANT TO SECTION 12-47-305 (2).".

19
20 Page 5, line 13, strike "(II)" and substitute "(III)" and after "LICENSE"
21 insert "MERGER AND".

22
23 Page 5, line 14, strike "OWNERSHIP,".

24
25 Page 5, strike line 15 and substitute "OWNERSHIP OF TWO RETAIL LIQUOR
26 STORES, A CHANGE OF LOCATION OF ONE OF THE RETAIL LIQUOR STORES,
27 AND A MERGER AND CONVERSION OF THE TWO RETAIL LIQUOR STORE
28 LICENSES INTO A SINGLE LIQUOR-LICENSED DRUGSTORE LICENSE, ALL AS
29 PART OF A SINGLE".

30
31 Page 5, line 18, after "LICENSE" insert "MERGER AND".

32
33 Page 5, strike lines 23 and 24 and substitute "DETERMINATION ON THE
34 MERGER AND CONVERSION OF THE TWO RETAIL LIQUOR STORE LICENSES TO
35 A SINGLE LIQUOR-LICENSED DRUGSTORE LICENSE. THE LOCAL LICENSING
36 AUTHORITY MAY HOLD A HEARING ON THE APPLICATION FOR THE LICENSE
37 MERGER AND CONVERSION.

38
39 (IV) PRIOR TO HOLDING A HEARING AS PROVIDED IN THIS
40 PARAGRAPH (c), THE LOCAL LICENSING AUTHORITY SHALL NOTIFY THE
41 APPLICANT OF THE HEARING AT LEAST TEN DAYS BEFORE THE HEARING
42 AND SHALL POST, OR MAY DIRECT THE LICENSE APPLICANT TO POST, A
43 NOTICE OF THE HEARING IN A CONSPICUOUS LOCATION ON THE LICENSED
44 PREMISES FOR AT LEAST TEN CONSECUTIVE DAYS BEFORE THE HEARING.".

45
46 Page 6, line 4, strike "A LICENSED RETAIL LIQUOR STORE" and substitute
47 "LICENSED RETAIL LIQUOR STORES".

48
49 Page 6, strike line 27 and substitute "MERGER AND CONVERSION OF TWO
50 RETAIL LIQUOR STORE LICENSES TO A SINGLE".

51
52 Page 7, line 1, after "DRUGSTORE" insert "LICENSE".

53
54 Page 7, line 7, strike "LICENSE CONVERSION FROM A RETAIL" and
55 substitute "MERGER AND CONVERSION OF TWO RETAIL LIQUOR STORE
56 LICENSES TO A SINGLE".

1 Page 7, line 8, strike "LIQUOR STORE TO A".

2

3 Page 8, line 13, strike "A LICENSED RETAIL LIQUOR STORE," and substitute
4 "TWO LICENSED RETAIL LIQUOR STORES,".

5

6 Page 8, strike lines 14 and 15 and substitute "OF LOCATION OF ONE OF THE
7 RETAIL LIQUOR STORES, AND A MERGER OF AND CONVERSION OF THE TWO
8 RETAIL LIQUOR STORES LICENSED INTO A SINGLE LIQUOR-LICENSED".

9

10 Page 8, line 19, strike "STORE THAT IS" and substitute "STORES THAT ARE".

11

12 Page 8, line 20, strike "IS" and substitute "ARE".

13

14 Page 8, strike line 22 and substitute "APPLICATION, AND ONE OF THE
15 RETAIL LIQUOR STORES IS LOCATED WITHIN ONE THOUSAND FEET OF THE
16 GROCERY STORE, AS DETERMINED BY A RADIUS MEASUREMENT THAT
17 BEGINS AT THE PRINCIPAL DOORWAY OF THE GROCERY STORE AND ENDS
18 AT THE PRINCIPAL DOORWAY OF THE RETAIL LIQUOR STORE.".

19

20 Page 8, line 23, after "THE" insert "TWO".

21

22 Page 8, line 24, strike "LICENSE TO A" and substitute "LICENSES TO A
23 SINGLE".

24

25 Page 9, line 10, strike "CONVERSION OF CLASS OF" and substitute "LICENSE
26 MERGER AND CONVERSION".

27

28 Page 9, line 11, strike "LICENSE".

29

30 Page 9, line 21, strike "CONVERSION OF CLASS OF LICENSE" and substitute
31 "LICENSE MERGER AND CONVERSION".

32

33 Page 9, after line 22 insert:

34

35 **"SECTION 9.** 12-47-501 (2) (a) (III), Colorado Revised Statutes,
36 is amended to read:

37

38 **12-47-501. State fees.** (2) (a) The state licensing authority shall
39 establish fees for processing the following types of applications, notices,
40 or reports required to be submitted to the state licensing authority:

41

42 (III) Applications for transfer of ownership pursuant to section
43 12-47-303 (1) (c) and rules adopted pursuant to that section, INCLUDING
44 APPLICATIONS FOR A TRANSFER OF OWNERSHIP AS DESCRIBED IN SECTION
45 12-47-301 (11) (a) (IV);".

46

47 Renumber succeeding sections accordingly.

48

49 Page 10, line 4, strike "CONVERSION OF CLASS OF LICENSE" and substitute
50 "LICENSE MERGER AND CONVERSION".

51

52 Page 10, line 6, after "(1) (h) (III)," insert "(5) (a) (I),".

53

54 Page 10, after line 18 insert:

55

56 "(a) (I) (A) To sell an alcohol beverage to any person under the

1 age of twenty-one years, to a habitual drunkard, or to a visibly intoxicated
2 person, or to permit any alcohol beverage to be sold or dispensed by a
3 person under eighteen years of age, or to permit any such person to
4 participate in the sale or dispensing thereof. If a person who, in fact, is
5 not twenty-one years of age exhibits a fraudulent proof of age, any action
6 relying on such fraudulent proof of age shall not constitute grounds for
7 the revocation or suspension of any license issued under this article or
8 article 46 of this title.

9
10 (B) Notwithstanding any provision in this subparagraph (I) to the
11 contrary, ~~no~~ A person under twenty-one years of age ~~shall~~ MAY be
12 employed to sell or dispense malt, vinous, or spirituous liquors ~~unless he~~
13 ~~or she~~ IF THE PERSON is supervised by another person EMPLOYEE who is
14 on ~~premise~~ THE LICENSED PREMISES and ~~has attained~~ IS AT LEAST
15 twenty-one years of age; ~~No~~ EXCEPT THAT, AN employee of a tavern
16 licensed pursuant to section 12-47-412, that does not regularly serve
17 meals as defined in section 12-47-103 (20), A LIQUOR-LICENSED
18 DRUGSTORE, or a retail liquor store shall NOT sell malt, vinous, or
19 spirituous liquors ~~unless such person~~ IF THE EMPLOYEE is NOT at least
20 twenty-one years of age.

21
22 (C) NOTWITHSTANDING SUB-SUBPARAGRAPH (B) OF THIS
23 SUBPARAGRAPH (I), A RETAIL LIQUOR STORE OR LIQUOR-LICENSED
24 DRUGSTORE MAY EMPLOY A PERSON WHO IS AT LEAST EIGHTEEN YEARS OF
25 AGE TO HANDLE OR STOCK MALT, VINOUS, AND SPIRITUOUS LIQUORS IF THE
26 PERSON IS UNDER THE DIRECT SUPERVISION OF AN EMPLOYEE ON THE
27 LICENSED PREMISES WHO IS AT LEAST TWENTY-ONE YEARS OF AGE. AN
28 EMPLOYEE OF A RETAIL LIQUOR STORE OR LIQUOR-LICENSED DRUGSTORE
29 WHO IS LESS THAN TWENTY-ONE YEARS OF AGE SHALL NOT SELL, DELIVER,
30 OR CARRY MALT, VINOUS, OR SPIRITUOUS LIQUORS TO A CUSTOMER'S
31 VEHICLE, AND SHALL NOT CHECK PROOF OF AGE OF A CUSTOMER
32 ATTEMPTING TO PURCHASE MALT, VINOUS, OR SPIRITUOUS LIQUORS."

33
34 Page 1, strike lines 104 and 105 and substitute "OWNERSHIP OF TWO
35 RETAIL LIQUOR STORES, CHANGE LOCATION OF ONE OF THE RETAIL
36 LIQUOR STORES, AND MERGE AND CONVERT THE TWO RETAIL LIQUOR
37 STORE LICENSES TO A SINGLE".

38
39 Page 1, line 106, strike "TO A" and strike "LICENSE." and substitute
40 "LICENSE AND PROHIBITING ANY NEW STATE-ISSUED RETAIL LIQUOR
41 STORE LICENSES FOR TEN YEARS."

42
43
44
45 **HB10-1394** be amended as follows, and as so amended, be referred to
46 the Committee of the Whole with favorable
47 recommendation:

48
49 Amend printed bill, page 3, strike lines 3 and 4 and substitute "ARISING
50 OUT OF CONSTRUCTION DEFECTS IS IN THE BEST INTEREST OF INSURERS,
51 CONSTRUCTION PROFESSIONALS, AND PROPERTY".

52
53 Page 4, line 12, after "AMBIGUITY" insert "OR UNCERTAINTY".

54
55 Page 4, strike lines 17 and 18 and substitute "IN PROPERTY DAMAGE,
56 INCLUDING DAMAGE TO THE WORK ITSELF, OTHER WORK, OR PROPERTY, IS

1 AN ACCIDENT UNLESS THE PROPERTY DAMAGE IS INTENDED AND EXPECTED
2 FROM THE STANDPOINT OF".

3
4 Page 4, line 24, after "POLICY;" add "AND".

5
6 Page 4, line 27, strike "PROPERTY; AND" and substitute "PROPERTY.".

7
8 Page 5, line 6, strike "ORGANIZATION," and substitute "ORGANIZATION
9 EXCEPT WRITINGS PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE,".

10
11 Page 5, line 7, strike "ORGANIZATION" and substitute "OFFICE, INC.,".

12
13 Page 5, line 12, strike "CONTRACT;" and substitute "CONTRACT; AND".

14
15 Page 5, line 15, after "GRANT" insert "OR RESTORE".

16
17 Page 5, line 17, after "EXCLUDE" insert "OR LIMIT".

18
19 Page 5, line 18, strike "CONTRACT" and substitute "INSURANCE POLICY".

20
21 Page 5, line 20, strike "COVERAGE IN A" and substitute "OR LIMITS
22 COVERAGE UNDER AN INSURANCE".

23
24 Page 5, strike lines 24 and 25 and substitute "INSURANCE POLICY BARS OR
25 LIMITS COVERAGE FOR THE INSURED'S LEGAL LIABILITY IN AN ACTION OR
26 NOTICE OF CLAIM CONCERNING A CONSTRUCTION DEFECT; AND".

27
28 Page 5, line 27, strike "COVERAGE GRANT" and substitute "INSURANCE
29 POLICY".

30
31 Page 6, after line 1 insert:

32
33 "(7) (a) AN INSURER'S DUTY TO DEFEND A CONSTRUCTION
34 PROFESSIONAL OR OTHER INSURED UNDER A LIABILITY INSURANCE POLICY
35 ISSUED TO A CONSTRUCTION PROFESSIONAL SHALL BE TRIGGERED:

36
37 (I) BY A POTENTIALLY COVERED LIABILITY DESCRIBED IN THE
38 NOTICE OF CLAIM MADE PURSUANT TO SECTION 13-20-803.5; OR

39
40 (II) BY A POTENTIALLY COVERED LIABILITY DESCRIBED IN THE
41 COMPLAINT, CROSS-CLAIM, COUNTERCLAIM, OR THIRD-PARTY CLAIM FILED
42 IN AN ACTION AGAINST THE CONSTRUCTION PROFESSIONAL CONCERNING
43 A CONSTRUCTION DEFECT.

44
45 (b) AN INSURER SHALL NOT DENY ITS DEFENSE OF AN INSURED
46 CONSTRUCTION PROFESSIONAL UNLESS AUTHORIZED BY LAW. AN INSURER
47 SHALL NOT WITHDRAW ITS DEFENSE OF AN INSURED CONSTRUCTION
48 PROFESSIONAL UNLESS AUTHORIZED BY LAW AND UNLESS THE INSURER
49 HAS RESERVED THE RIGHT IN WRITING WHEN ACCEPTING THE DEFENSE
50 OBLIGATION.".

51
52 Page 6, line 5, strike "of" and substitute "in".

53
54 Page 6, strike lines 14 and 15 and substitute "INSURER SHALL NOT ISSUE
55 A LIABILITY INSURANCE POLICY TO A CONSTRUCTION PROFESSIONAL THAT
56 INCLUDES A".

1 Page 6, line 17, strike "A CLAIM" and substitute "ONE OR MORE CLAIMS".

2
3 Page 6, strike lines 21 through 23 and substitute:

4
5 "(3) AN INSURER SHALL NOT ISSUE A LIABILITY INSURANCE POLICY
6 TO A CONSTRUCTION PROFESSIONAL THAT EXCLUDES OR LIMITS COVERAGE
7 UNDER THE POLICY FOR ONE OR MORE CLAIMS ARISING".

8
9 Page 6, line 26, strike "IF:" and substitute "UNLESS THE EXCLUSION OR
10 LIMITATION APPLIES TO THE FOLLOWING:".

11
12 Page 7, line 1, before "BODILY" insert "MANIFESTATION OF THE".

13
14 Page 7, line 6, strike "RESULTING FROM" and substitute "BECAUSE OF A
15 LOSS ARISING OUT OF".

16
17 Page 7, line 12, strike "FROM" and substitute "OUT OF".

18
19 Page 7, line 17, strike "REQUIRED" and substitute "DESCRIBED".

20
21 Page 7, line 20, strike "UNENFORCEABLE." and substitute
22 "UNENFORCEABLE AS AGAINST PUBLIC POLICY.".

23
24 Page 7, after line 23 insert:

25
26 "(6) THIS SECTION APPLIES ONLY TO INSURANCE POLICIES THAT
27 COVER THE WORK OF A CONSTRUCTION PROFESSIONAL.".

28
29 Page 1, line 101, strike "PROFESSIONAL" and substitute "COMMERCIAL".

30
31
32
33 **HB10-1397** be postponed indefinitely.

34
35
36 **SB10-166** be amended as follows, and as so amended, be referred to
37 the Committee of the Whole with favorable
38 recommendation:

39
40 Amend reengrossed bill, strike everything below the enacting clause and
41 substitute:

42
43 "SECTION 1. Part 8 of article 82 of title 24, Colorado Revised
44 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
45 read:

46
47 **24-82-802. Lease-purchase agreements for real property -**
48 **definitions - lease-purchase rental cash fund.** (1) AS USED IN THIS
49 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

50
51 (a) (I) "ANNUAL LEASE-PURCHASE PAYMENT" MEANS THE TOTAL
52 AMOUNT DUE FROM THE STATE ON PROPERTY SUBJECT TO A
53 LEASE-PURCHASE AGREEMENT AND INCLUDES:

54
55 (A) THE ANNUAL BASE RENT SCHEDULED TO BE PAID AND THE
56 ADDITIONAL RENT ESTIMATED TO BE PAID ON OR PURSUANT TO THE

1 LEASE-PURCHASE AGREEMENT AND ANY ANCILLARY AGREEMENTS THAT
2 MAY INCLUDE, BUT NEED NOT BE LIMITED TO, ANY OF THE FOLLOWING
3 THAT ARE PAID ON A CURRENT BASIS AND NOT PAID BY A LESSOR OR OTHER
4 THIRD PARTY AS PART OF A LEASE-PURCHASE AGREEMENT: ALL
5 ACQUISITION COSTS, SUCH AS DUE DILIGENCE COSTS ASSOCIATED WITH
6 EVALUATION OF AN EXISTING BUILDING; LAND ACQUISITION; PENALTIES
7 FOR BREAKING LEASE AGREEMENTS; A CAPITAL RESERVE FOR SPACE
8 PLANNING AND CAPITAL IMPROVEMENTS NEEDED IN THE BUILDING FOR
9 DEMOLITION AND CONSTRUCTION OF TENANT SPACE FOR STATE AGENCIES
10 OR THE RELEASE TO EXISTING TENANTS; RELOCATION COSTS; OFFICE
11 FURNITURE AND EQUIPMENT; INSURANCE; AND THE COSTS ASSOCIATED
12 WITH ANY LEASE-PURCHASE FINANCING; PLUS

13
14 (B) OPERATING AND MAINTENANCE COSTS AND A RESERVE FOR
15 CONTROLLED MAINTENANCE COSTS.

16
17 (II) FOR THE CONSTRUCTION OF A NEW BUILDING ON LAND OWNED
18 OR LEASED BY THE STATE, THE ACQUISITION COSTS MAY ALSO INCLUDE
19 THE ARCHITECTURAL AND ENGINEERING DESIGN AND ENGINEERING COSTS,
20 SITE PREPARATION, PROVISIONS FOR UTILITIES AND TAP FEES, AND
21 MATERIALS AND CONSTRUCTION COSTS.

22
23 (b) "ANNUAL RENT COSTS" MEANS BASE RENT TYPICALLY FOUND
24 IN THE LEASED SPACE LINE ITEM IN THE ANNUAL GENERAL APPROPRIATION
25 BILL PLUS ALL OPERATION, MAINTENANCE, AND RELATED COSTS PAID TO
26 A LESSOR OR OTHER THIRD PARTY.

27
28 (c) "DEPARTMENT" MEANS THE DEPARTMENT OF PERSONNEL,
29 CREATED IN SECTION 24-1-128.

30
31 (d) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
32 THE DEPARTMENT OF PERSONNEL.

33
34 (e) "LEASE-PURCHASE AGREEMENT" SHALL HAVE THE SAME
35 DEFINITION AS PROVIDED IN SECTION 24-82-801 (4).

36
37 (2) (a) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE STATE
38 TREASURER, ON BEHALF OF THE STATE OF COLORADO FOR THE USE OF THE
39 DEPARTMENT, IS AUTHORIZED TO ENTER INTO ONE OR MORE
40 LEASE-PURCHASE AGREEMENTS FOR REAL AND ASSOCIATED PERSONAL
41 PROPERTY EXISTING OR TO BE CONSTRUCTED PURSUANT TO
42 REQUIREMENTS OF THE STATE TO BE EXCLUSIVELY USED, POSSESSED, AND
43 MANAGED BY THE DEPARTMENT FOR STATE AGENCIES AND NON-STATE
44 LESSEES OF THE DEPARTMENT AS THE EXECUTIVE DIRECTOR MAY SOLELY
45 DETERMINE ACCORDING TO THE PLAN APPROVED PURSUANT TO
46 SUBSECTION (4) OF THIS SECTION AND SUBJECT TO THE TERMS OF THE
47 LEASE-PURCHASE AGREEMENT.

48
49 (b) SUBJECT TO THE PROVISIONS OF SECTION 2 OF ARTICLE XI OF
50 THE STATE CONSTITUTION, THE STATE TREASURER, FOR THE USE AND
51 BENEFIT OF THE DEPARTMENT, MAY ENTER INTO SUCH LEASE-PURCHASE
52 AGREEMENTS IN CONJUNCTION WITH THE STATE BOARD OF LAND
53 COMMISSIONERS, CREATED PURSUANT TO SECTION 9 OF ARTICLE IX OF THE
54 STATE CONSTITUTION, OR WITH A PRIVATE PERSON. THE STATE
55 TREASURER SHALL TRANSFER ALL BENEFITS AND RESPONSIBILITIES UNDER
56 THE LEASE-PURCHASE AGREEMENT TO THE DEPARTMENT. THE

1 DEPARTMENT SHALL MANAGE THE PROPERTY FOR THE STATE AS THE
2 EXECUTIVE DIRECTOR MAY SOLELY DETERMINE, SUBJECT TO THE TERMS
3 OF THE LEASE-PURCHASE AGREEMENT.

4
5 (3) THE STATE TREASURER SHALL ENTER INTO A LEASE-PURCHASE
6 AGREEMENT AUTHORIZED PURSUANT TO SUBSECTION (2) OF THIS SECTION
7 ON BEHALF OF THE STATE FOR THE USE AND BENEFIT OF THE DEPARTMENT
8 ONLY IF, AT THE TIME THAT THE LEASE-PURCHASE AGREEMENT IS
9 EXECUTED:

10
11 (a) THE STATE AGENCIES THAT WILL BE LOCATED IN THE PROPERTY
12 THAT IS THE SUBJECT OF THE LEASE-PURCHASE AGREEMENT ARE FUNDED,
13 IN WHOLE OR IN PART, BY APPROPRIATIONS AND A PORTION OF THE
14 APPROPRIATIONS ARE BEING EXPENDED TO PAY RENT TO A LESSOR;

15
16 (b) THE PROJECTED ANNUAL RENT COSTS OF THE STATE AGENCIES
17 THAT WILL BE LOCATED IN THE PROPERTY PLUS ANY CURRENT RENTAL
18 PAYMENTS OR RENTAL PAYMENTS PROJECTED TO BE RECEIVED FROM
19 NON-STATE LESSEES FOR EACH FISCAL YEAR DURING THE MAXIMUM TERM
20 OF THE LEASE-PURCHASE AGREEMENT EXCEED THE ANNUAL
21 LEASE-PURCHASE PAYMENT FOR THE PROPERTY, ADJUSTED AS
22 APPROPRIATE TO ACCOUNT FOR ANY DIFFERENCES IN SERVICES PROVIDED
23 TO, OR COSTS PAID FOR THE BENEFIT OF, THE STATE UNDER THE RELATED
24 LEASES AND LEASE-PURCHASE AGREEMENTS;

25
26 (c) THE PROPERTY OR PROPOSED CONSTRUCTION PLAN FOR THE
27 PROPERTY HAS BEEN REVIEWED BY THE STATE ARCHITECT WHO SHALL
28 MAKE WRITTEN RECOMMENDATIONS TO THE EXECUTIVE DIRECTOR FOR
29 CONTROLLED MAINTENANCE NEEDS DURING THE TERM OF THE
30 LEASE-PURCHASE AGREEMENT;

31
32 (d) THE PLAN FOR THE LEASE-PURCHASE TRANSACTION HAS BEEN
33 APPROVED FIRST BY THE OFFICE OF STATE PLANNING AND BUDGETING AND
34 THE CAPITAL DEVELOPMENT COMMITTEE OF THE GENERAL ASSEMBLY
35 PURSUANT TO SUBSECTION (4) OF THIS SECTION;

36
37 (e) THE EXECUTIVE DIRECTOR ACKNOWLEDGES HIS OR HER
38 APPROVAL OF THE TERMS OF THE LEASE-PURCHASE AGREEMENTS AND ANY
39 ANCILLARY AGREEMENTS;

40
41 (f) THE AGREEMENTS FOR THE LEASE-PURCHASE TRANSACTION
42 ACCURATELY REFLECT THE PLAN APPROVED BY THE OFFICE OF STATE
43 PLANNING AND BUDGETING AND THE CAPITAL DEVELOPMENT COMMITTEE;
44 AND

45
46 (g) THE STATE CONTROLLER HAS APPROVED ALL AGREEMENTS
47 PURSUANT TO SECTION 24-30-202.

48
49 (4) PRIOR TO THE STATE TREASURER ENTERING INTO ANY
50 LEASE-PURCHASE AGREEMENT PURSUANT TO THIS SECTION, THE
51 EXECUTIVE DIRECTOR SHALL SUBMIT THE REPORT REQUIRED BY SECTION
52 24-82-102 (1) AND THE PLAN FOR THE LEASE-PURCHASE TRANSACTION TO
53 THE OFFICE OF STATE PLANNING AND BUDGETING. IF THE OFFICE OF STATE
54 PLANNING AND BUDGETING APPROVES THE REPORT AND THE PLAN, IT
55 SHALL SUBMIT THE REPORT AND THE PLAN TO THE CAPITAL DEVELOPMENT
56 COMMITTEE OF THE GENERAL ASSEMBLY. THE CAPITAL DEVELOPMENT

1 COMMITTEE SHALL APPROVE THE PLAN OR REFER ITS RECOMMENDATIONS
2 REGARDING THE PLAN, WITH WRITTEN COMMENTS, TO THE EXECUTIVE
3 DIRECTOR AND THE OFFICE OF STATE PLANNING AND BUDGETING.

4
5 (5) APPROVAL OF THE PLAN BY THE OFFICE OF STATE PLANNING
6 AND BUDGETING SHALL NOT AUTHORIZE THE DEPARTMENT TO EXPEND
7 ANY MONEYS ON THE ANNUAL LEASE-PURCHASE PAYMENT IN ANY FISCAL
8 YEAR IN AN AMOUNT GREATER THAN THE PROJECTED ANNUAL RENT COSTS
9 OF THE STATE AGENCIES PLUS ANY RENTAL PAYMENTS PROJECTED TO BE
10 RECEIVED FROM NON-STATE LESSEES FOR SUCH FISCAL YEAR, ADJUSTED
11 AS APPROPRIATE TO ACCOUNT FOR ANY DIFFERENCES IN SERVICES
12 PROVIDED TO, OR COSTS PAID FOR THE BENEFIT OF, THE STATE UNDER THE
13 RELATED LEASES AND LEASE-PURCHASE AGREEMENTS.

14
15 (6) THE STATE OF COLORADO, ACTING BY AND THROUGH THE
16 STATE TREASURER, FOR THE USE AND BENEFIT OF THE DEPARTMENT MAY,
17 AT THE STATE TREASURER'S SOLE DISCRETION, ENTER INTO ONE OR MORE
18 LEASE-PURCHASE AGREEMENTS AUTHORIZED BY SUBSECTION (2) OF THIS
19 SECTION WITH ANY FOR-PROFIT OR NONPROFIT CORPORATION, TRUST, OR
20 COMMERCIAL BANK AS A TRUSTEE, AS LESSOR.

21
22 (7) (a) A LEASE-PURCHASE AGREEMENT AUTHORIZED IN
23 SUBSECTION (2) OF THIS SECTION SHALL PROVIDE THAT ALL OF THE
24 OBLIGATIONS OF THE STATE UNDER THE LEASE-PURCHASE AGREEMENT
25 SHALL BE SUBJECT TO THE ACTION OF THE GENERAL ASSEMBLY IN
26 ANNUALLY MAKING MONEYS AVAILABLE FOR ALL PAYMENTS
27 THEREUNDER. THE LEASE-PURCHASE AGREEMENT SHALL ALSO PROVIDE
28 THAT THE OBLIGATIONS SHALL NOT BE DEEMED OR CONSTRUED AS
29 CREATING AN INDEBTEDNESS OF THE STATE WITHIN THE MEANING OF ANY
30 PROVISION OF THE STATE CONSTITUTION OR THE LAWS OF THE STATE OF
31 COLORADO CONCERNING OR LIMITING THE CREATION OF INDEBTEDNESS BY
32 THE STATE OF COLORADO AND SHALL NOT CONSTITUTE A MULTIPLE
33 FISCAL-YEAR DIRECT OR INDIRECT DEBT OR OTHER FINANCIAL OBLIGATION
34 OF THE STATE WITHIN THE MEANING OF SECTION 20 (4) OF ARTICLE X OF
35 THE STATE CONSTITUTION. IN THE EVENT THE STATE OF COLORADO DOES
36 NOT RENEW A LEASE-PURCHASE AGREEMENT AUTHORIZED IN SUBSECTION
37 (2) OF THIS SECTION, THE SOLE SECURITY AVAILABLE TO THE LESSOR
38 SHALL BE THE PROPERTY ENCUMBERED TO SECURE THE NONRENEWED
39 LEASE-PURCHASE AGREEMENT OR EQUIVALENT SUBSTITUTE COLLATERAL
40 PROVIDED BY THE STATE.

41
42 (b) A LEASE-PURCHASE AGREEMENT AUTHORIZED IN SUBSECTION
43 (2) OF THIS SECTION MAY CONTAIN SUCH TERMS, PROVISIONS, AND
44 CONDITIONS AS THE STATE TREASURER, ACTING ON BEHALF OF THE STATE
45 OF COLORADO AND FOR THE USE AND BENEFIT OF THE DEPARTMENT, MAY
46 DEEM APPROPRIATE, INCLUDING ALL OPTIONAL TERMS; EXCEPT THAT A
47 LEASE-PURCHASE AGREEMENT:

48
49 (I) SHALL NOT EXCEED IN ITS TERM THE SHORTER OF THE
50 REMAINING USEFUL LIFE OF THE BUILDING OR TWENTY-FIVE YEARS; AND

51
52 (II) SHALL SPECIFICALLY AUTHORIZE THE STATE OF COLORADO:

53
54 (A) TO RECEIVE TITLE TO ALL REAL AND PERSONAL PROPERTY
55 THAT IS THE SUBJECT OF THE LEASE-PURCHASE AGREEMENT ON OR PRIOR
56 TO THE EXPIRATION OF THE TERMS OF THE LEASE-PURCHASE AGREEMENT;

1 AND

2
3 (B) TO REDUCE THE TERM OF THE LEASE THROUGH PREPAYMENT
4 OF RENTAL AND OTHER PAYMENTS SUBJECT TO THE TERMS OF THE
5 LEASE-PURCHASE AGREEMENT AND ANY ANCILLARY AGREEMENT.

6
7 (c) A LEASE-PURCHASE AGREEMENT AUTHORIZED IN SUBSECTION
8 (2) OF THIS SECTION MAY PROVIDE FOR THE ISSUANCE, DISTRIBUTION, AND
9 SALE OF INSTRUMENTS EVIDENCING RIGHTS TO RECEIVE RENTALS AND
10 OTHER PAYMENTS MADE AND TO BE MADE UNDER THE LEASE-PURCHASE
11 AGREEMENT. THE INSTRUMENTS SHALL NOT BE NOTES, BONDS, OR ANY
12 OTHER EVIDENCE OF INDEBTEDNESS OF THE STATE WITHIN THE MEANING
13 OF ANY PROVISION OF THE STATE CONSTITUTION OR THE LAW OF THE
14 STATE CONCERNING OR LIMITING THE CREATION OF INDEBTEDNESS OF THE
15 STATE AND SHALL NOT CONSTITUTE A MULTIPLE FISCAL-YEAR DIRECT OR
16 INDIRECT DEBT OR OTHER FINANCIAL OBLIGATION OF THE STATE WITHIN
17 THE MEANING OF SECTION 20 (4) OF ARTICLE X OF THE STATE
18 CONSTITUTION.

19
20 (d) INTEREST PAID UNDER A LEASE-PURCHASE AGREEMENT
21 AUTHORIZED IN SUBSECTION (2) OF THIS SECTION, INCLUDING INTEREST
22 REPRESENTED BY THE INSTRUMENTS, SHALL BE EXEMPT FROM COLORADO
23 INCOME TAX.

24
25 (e) THE STATE OF COLORADO, ACTING THROUGH THE STATE
26 TREASURER, FOR THE USE AND BENEFIT OF THE DEPARTMENT, IS
27 AUTHORIZED, IF THE EXECUTIVE DIRECTOR CONCURS, TO ENTER INTO
28 ANCILLARY AGREEMENTS AND INSTRUMENTS AS ARE DEEMED NECESSARY
29 OR APPROPRIATE IN CONNECTION WITH A LEASE-PURCHASE AGREEMENT,
30 INCLUDING BUT NOT LIMITED TO GROUND LEASES, SITE LEASES,
31 EASEMENTS, OR OTHER INSTRUMENTS RELATING TO THE REAL PROPERTY
32 ON WHICH THE FACILITIES ARE LOCATED; EXCEPT THAT NO ANCILLARY
33 AGREEMENT IS AUTHORIZED THAT WOULD CAUSE THE ANNUAL
34 LEASE-PURCHASE PAYMENT TO EXCEED THE ANNUAL RENT COSTS
35 APPROPRIATED TO THE STATE AGENCIES PRIOR TO THE LEASE-PURCHASE
36 AGREEMENT PLUS ANY RENT PROJECTED TO BE RECEIVED FROM
37 NON-STATE LESSEES.

38
39 (f) A LEASE-PURCHASE AGREEMENT AUTHORIZED IN SUBSECTION
40 (2) OF THIS SECTION MAY REQUIRE THE STATE TO PROVIDE INSURANCE;
41 EXCEPT THAT NO INSURANCE IS AUTHORIZED THAT WOULD CAUSE THE
42 ANNUAL LEASE-PURCHASE PAYMENT TO EXCEED THE ANNUAL RENT COSTS
43 OF THE STATE AGENCIES PRIOR TO THE LEASE-PURCHASE AGREEMENT PLUS
44 ANY RENT PROJECTED TO BE RECEIVED FROM NON-STATE LESSEES,
45 ADJUSTED AS DESCRIBED IN PARAGRAPH (b) OF SUBSECTION (3) OF THIS
46 SECTION. THE INSURANCE MAY BE PROVIDED THROUGH THE SELF-INSURED
47 PROPERTY FUND CREATED PURSUANT TO SECTION 24-30-1510.5.

48
49 (8) ANY PROVISION OF THE FISCAL RULES PROMULGATED
50 PURSUANT TO SECTION 24-30-202 (1) AND (13) THAT THE STATE
51 CONTROLLER DEEMS TO BE INCOMPATIBLE OR INAPPLICABLE WITH
52 RESPECT TO SAID LEASE-PURCHASE AGREEMENTS OR ANY SUCH
53 ANCILLARY AGREEMENT MAY BE WAIVED BY THE CONTROLLER OR HIS OR
54 HER DESIGNEE.

55
56 (9) IF A LEASE-PURCHASE AGREEMENT AUTHORIZED PURSUANT TO

1 SUBSECTION (2) OF THIS SECTION IS EXECUTED, DURING THE TERM OF THE
2 LEASE-PURCHASE AGREEMENT, MONEYS THAT AT THE TIME OF THE
3 EXECUTION ARE APPROPRIATED TO A STATE AGENCY FOR RENTAL
4 PAYMENTS IN AN AMOUNT EQUAL TO THE ANNUAL LEASE-PURCHASE
5 PAYMENT, LESS ANY PAYMENTS PROJECTED TO BE RECEIVED FROM
6 NON-STATE LESSEES PURSUANT TO SUBSECTION (10) OF THIS SECTION,
7 SHALL BE TRANSFERRED TO THE LEASE-PURCHASE SERVICING ACCOUNT OF
8 THE CAPITAL CONSTRUCTION FUND, CREATED IN SECTION 24-75-302 (3.5),
9 AND, SUBJECT TO ANNUAL APPROPRIATION, SHALL BE USED TO PAY THE
10 ANNUAL LEASE-PURCHASE PAYMENTS FOR THE PROPERTY THAT IS THE
11 SUBJECT OF THE LEASE-PURCHASE AGREEMENT OR FOR OPERATING,
12 MAINTENANCE, AND CONTROLLED MAINTENANCE COSTS FOR THE
13 PROPERTY SUBJECT TO THE LEASE-PURCHASE AGREEMENT. MONEYS HELD
14 IN THE LEASE-PURCHASE SERVICING ACCOUNT SHALL BE FOR THE BENEFIT
15 OF THE DEPARTMENT.

16
17 (10) (a) IF THE EXECUTIVE DIRECTOR DETERMINES THAT, IN A
18 PROPERTY SUBJECT TO A LEASE-PURCHASE AGREEMENT AUTHORIZED
19 PURSUANT TO SUBSECTION (2) OF THIS SECTION, THERE IS SPACE THAT IS
20 NOT NEEDED BY A STATE AGENCY, THE EXECUTIVE DIRECTOR,
21 SEPARATELY OR IN CONJUNCTION WITH THE STATE BOARD OF LAND
22 COMMISSIONERS OR ANOTHER PERSON, MAY:

23
24 (I) HIRE A BUILDING MANAGER TO MANAGE THE SPACE; OR
25

26 (II) SUBJECT TO THE APPROVAL OF THE OFFICE OF STATE PLANNING
27 AND BUDGETING, LEASE THE SPACE TO ANY PERSON ON COMMERCIALY
28 REASONABLE TERMS.
29

30 (b) (I) ANY MONEYS RECEIVED BY THE EXECUTIVE DIRECTOR ON
31 BEHALF OF NON-STATE LESSEES PURSUANT TO PARAGRAPH (a) OF THIS
32 SUBSECTION (10) SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO
33 SHALL CREDIT THE SAME TO THE LEASE-PURCHASE RENTAL CASH FUND
34 FOR THE BENEFIT OF THE DEPARTMENT, WHICH FUND IS HEREBY CREATED
35 AND REFERRED TO IN THIS SECTION AS THE "FUND". THE MONEYS IN THE
36 FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
37 ASSEMBLY TO THE DEPARTMENT OF PERSONNEL AND SHALL ONLY BE USED
38 FOR THE ANNUAL LEASE-PURCHASE PAYMENTS FOR LEASE-PURCHASE
39 AGREEMENTS AUTHORIZED PURSUANT TO SUBSECTION (2) OF THIS SECTION
40 OR FOR OPERATING, MAINTENANCE, AND CONTROLLED MAINTENANCE
41 COSTS FOR THE BUILDINGS SUBJECT TO THE LEASE-PURCHASE
42 AGREEMENTS.

43
44 (II) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE
45 OF THIS SUBSECTION (10) MAY BE INVESTED BY THE STATE TREASURER AS
46 PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE
47 INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED
48 TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS
49 REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN
50 THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE
51 GENERAL FUND OR ANOTHER FUND.

52
53 **SECTION 2.** 24-75-302, Colorado Revised Statutes, is amended
54 BY THE ADDITION OF A NEW SUBSECTION to read:

55
56 **24-75-302. Capital construction fund - capital assessment fees**

1 **- calculation.** (3.5) THERE IS HEREBY CREATED A SPECIAL ACCOUNT
2 WITHIN THE CAPITAL CONSTRUCTION FUND ESTABLISHED PURSUANT TO
3 SUBSECTION (1) OF THIS SECTION TO BE KNOWN AS THE "LEASE-PURCHASE
4 SERVICING ACCOUNT" FOR THE BENEFIT OF THE DEPARTMENT OF
5 PERSONNEL. THE STATE TREASURER SHALL DEPOSIT INTO THE
6 LEASE-PURCHASE SERVICING ACCOUNT ALL MONEYS TRANSFERRED OR
7 RECEIVED PURSUANT TO SECTION 24-82-802 (9). MONEYS IN THE
8 LEASE-PURCHASE SERVICING ACCOUNT SHALL BE SUBJECT TO ANNUAL
9 APPROPRIATION AND SHALL ONLY BE USED TO PAY ANNUAL
10 LEASE-PURCHASE PAYMENTS, AS DEFINED IN SECTION 24-82-802 (1) (a),
11 FOR LEASE-PURCHASE AGREEMENTS AUTHORIZED PURSUANT TO SECTION
12 24-82-802 OR FOR OPERATING, MAINTENANCE, AND CONTROLLED
13 MAINTENANCE COSTS AND TO ESTABLISH A RESERVE FOR CONTROLLED
14 MAINTENANCE COSTS FOR THE BUILDINGS SUBJECT TO THE
15 LEASE-PURCHASE AGREEMENTS. ALL INTEREST AND INCOME DERIVED
16 FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE ACCOUNT SHALL
17 BE CREDITED TO THE ACCOUNT. ALL MONEYS REMAINING IN THE ACCOUNT
18 AT THE END OF A FISCAL YEAR THAT ARE UNEXPENDED OR
19 UNENCUMBERED SHALL REMAIN IN THE ACCOUNT.
20

21 **SECTION 3. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety."
24

25 Page 1, strike lines 101 through 103 and substitute:
26

27 **"CONCERNING THE AUTHORITY OF THE STATE TREASURER TO ENTER**
28 **INTO LEASE-PURCHASE AGREEMENTS FOR THE DEPARTMENT OF**
29 **PERSONNEL."**
30

31
32
33 **SB10-176** be referred to the Committee of the Whole with favorable
34 recommendation.
35

36
37
38
39 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
40

41 The Speaker has signed: **HB10-1010, 1011, 1043, 1052, 1107, 1108,**
42 **1137, 1143, 1165, 1202, 1212, 1215, 1245, 1365.**
43

44
45
46 **DELIVERY OF BILLS TO GOVERNOR**
47

48 The Chief Clerk of the House of Representatives reports the following
49 bills have been delivered to the Office of the Governor: **HB10-1010,**
50 **1020, 1026, 1052, 1104, 1135, 1137, 1143, 1167, 1212, 1216, 1226,**
51 **1233, 1255, 1256, 1346** at 10:33 a.m. on April 8, 2010.
52
53
54
55

INTRODUCTION OF BILLS
First Reading

The following bills were read by title and referred to the committees indicated:

HB10-1398 by Representative(s) Fischer; also Senator(s) Whitehead--
Concerning the species conservation trust fund, and, in
connection therewith, approving the species conservation
eligibility list.

Committee on Agriculture, Livestock, & Natural Resources

HB10-1399 by Representative(s) Weissmann; also Senator(s) Gibbs--
Concerning the authority of the Colorado bureau of
investigation to assist a chief of a fire department in the
investigation of a fire related to the crime of arson.

Committee on Judiciary

HB10-1400 by Representative(s) Apuan, Ferrandino; also Senator(s)
Johnston, Steadman--Concerning refund anticipation loan
facilitators, and, in connection therewith, requiring refund
anticipation loan facilitators to be registered as electronic
return originators with the federal internal revenue service
and to make certain disclosures when facilitating refund
anticipation loans.

Committee on Business Affairs and Labor

SB10-133 by Senator(s) Heath and Romer; also Representative(s)
Rice--Concerning the creation of an income tax credit to
incentivize Colorado businesses to rehire laid-off workers
sooner.

Committee on Business Affairs and Labor

Committee on Finance

SB10-153 by Senator(s) Boyd; also Representative(s) Frangas--
Concerning behavioral health transformation.

Committee on Health and Human Services

SB10-171 by Senator(s) Newell, Bacon, Boyd, Heath, Hodge, Hudak,
Keller, Kester, Lundberg, Morse, Penry, Romer, Shaffer
B., Spence, Steadman, Williams; also Representative(s)
Gagliardi, Acree, Casso, DelGrosso, Ferrandino, Frangas,
Hullinghorst, Kefalas, Kerr J., Labuda, Levy, McNulty,
Middleton, Nikkel, Primavera, Rice, Ryden, Scanlan,
Todd, Tyler--Concerning the creation of a child protection
ombudsman program.

Committee on Health and Human Services

SB10-182 by Senator(s) Schwartz, Foster, Kester, Newell; also
Representative(s) Peniston--Concerning the
implementation of certain recommendations of the county
elected officials' salary commission.

Committee on Local Government

INTRODUCTION OF CONCURRENT RESOLUTION

The following resolution was read by title and referred to the committee indicated:

HCR10-1004 by Representative(s) Lambert; also Senator(s) Sandoval-- Submitting to the registered electors of the state of Colorado an amendment to section 3 of article VIII of the constitution of the state of Colorado, concerning a process for temporarily moving the seat of government in a disaster emergency that substantially affects the ability of the state government to operate in the city and county of Denver, and, in connection therewith, requiring the general assembly to convene in a temporary meeting location designated by the governor and authorizing the general assembly to determine by law a temporary location for the seat of government of the state.
Committee on State, Veterans, & Military Affairs

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

HJR10-1019 by Representative(s) Baumgardner, Acree, Balmer, Bradford, Curry, DelGrosso, Fischer, Gardner B., Gardner C., Gerou, Kerr J., King S., Labuda, Lambert, Liston, Looper, Massey, May, McKinley, McNulty, Murray, Priola, Roberts, Scanlan, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Tyler, Vaad, Vigil, Waller; also Senator(s) Penry, White--Concerning the distribution of federal mineral leasing revenues to counties in Colorado.
Committee on Agriculture, Livestock, & Natural Resources

The following resolutions were read by title and laid over one day under the rules:

HJR10-1020 by Representative(s) Frangas, Fischer, McFadyen, Primavera; also Senator(s) Boyd--Concerning the inclusion of organ donation awareness education in Colorado's driver's education courses.

HJR10-1021 by Representative(s) Nikkel and McCann; also Senator(s) Newell and Kopp--Concerning recognition of the month of April as Child Abuse Prevention Month.

NOTICE OF CALENDARED ITEM(S)

On motion of Representative Weissmann, the following bill(s) calendared for Second Reading, April 8, 2010, will be laid over until April 13, 2010:
SB10-020.

1 On motion of Representative Weissmann, the following bill(s) calendared
2 for Second Reading, April 9, 2010, will be laid over until April 13, 2010:
3 **SB10-110.**

4 On motion of Representative Weissmann, the following bill(s) calendared
5 for Second Reading, April 9, 2010, will be laid over until April 16, 2010:
6 **HB10-1217.**

7 On motion of Representative Weissmann, the following bill(s) calendared
8 for Second Reading, April 12, 2010, will be laid over until
9 April 16, 2010: **SB10-114.**

10

11

12

13

LAY OVER OF CALENDAR ITEM(S)

14

15 On motion of Representative Weissmann, the following item(s) on the
16 Calendar (was)were laid over until April 9, retaining place on Calendar:

17

18 Consideration of Third Reading--**SB10-100.**

19 Consideration of General Orders--**SB10-175, HB10-1234.**

20 Consideration of Senate Amendment(s)--**HB10-1188.**

21

22

23 On motion of Representative Weissmann, the House adjourned until
24 10:30 a.m., April 9, 2010.

25

26

27

28

Approved:
TERRANCE D. CARROLL,
Speaker

29 Attest:

30 MARILYN EDDINS,

31 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Eighty-seventh Legislative Day

Friday, April 9, 2010

1 Prayer by Father Eustace Sequeira, SJ., St. Ignatius Loyola Catholic
2 Church, Denver.

3
4 The Speaker called the House to order at 10:30 a.m.

5
6 Pledge of Allegiance led by Helen Kuskin, Carly Gilbert, Molly
7 Mouchawar, Adrianna VanHansen, Running River School, Lafayette.

8
9 The roll was called with the following result:

10
11 Present--61.

12 Excused--Representative(s)--Fischer, Gardner C., McKinley, Tyler--4.

13 Present after roll call--Representative(s) Fischer.

14
15 The Speaker declared a quorum present.

16
17
18 On motion of Representative Levy, the reading of the journal of
19 April 8, 2010, was declared dispensed with and approved as corrected by
20 the Chief Clerk.

21
22 **MESSAGE(S) FROM THE SENATE**

23
24 The Senate has adopted and transmits herewith : SJR10-021, amended
25 as printed in Senate Journal, April 9, 2010.

26
27
28 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

29
30 On motion of Representative Weissmann, the rules were suspended and
31 the following resolution was given immediate consideration.

32
33 **SJR10-021** by Senator(s) Kopp; also Representative(s) Kerr J.--
34 Concerning the response to violence at Deer Creek
35 Middle School on February 23, 2010.

36
37 (Printed and placed in member's file).

38
39 On motion of Representative Kerr J., the resolution was read at length
40 and **adopted** by **viva voce** vote.

41
42 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
43 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,

1 Ferrandino, Frangas, Gagliardi, Gardner B., Gerou, Hullinghorst, Judd, Kagan,
2 Kefalas, Kerr A., King S., Labuda, Lambert, Levy, Liston, Looper, Massey,
3 May, McCann, McFadyen, McNulty, Merrifield, Middleton, Miklosi, Murray,
4 Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts,
5 Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers,
6 Swalm, Tipton, Todd, Vaad, Vigil, Waller, Weissmann, Speaker.

7
8
9 House in recess. House reconvened.

10
11
12 On motion of Representative Solano, the House resolved itself into
13 Committee of the Whole for consideration of General Orders, and she
14 was called to the Chair to act as Chairman.

15
16
17 **GENERAL ORDERS--SECOND READING OF BILLS**

18
19 The Committee of the Whole having risen, the Chairman reported the
20 titles of the following bills had been read (reading at length had been
21 dispensed with by unanimous consent), the bills considered and action
22 taken thereon as follows:

23
24 (Amendments to the committee amendment are to the printed committee
25 report which was printed and placed in the members' bill file.)

26
27 **SB10-175** by Senator(s) Boyd; also Representative(s) Riesberg--
28 Concerning the relocation of provisions relating to
29 behavioral health.

30
31 Ordered revised and placed on the Calendar for Third Reading and Final
32 Passage.

33
34 **HB10-1234** by Representative(s) Primavera--Concerning the fair
35 settlement of claims for benefits under an insurance
36 policy.

37
38 Laid over until April 12, retaining place on Calendar.

39
40 **SB10-094** by Senator(s) Steadman, Bacon, Newell, Schwartz, Boyd,
41 Carroll M., Foster, Heath, Hudak, Johnston, Romer,
42 Spence, Tapia, Tochtrop, Whitehead, Williams; also
43 Representative(s) Rice, Benefield, Ferrandino, Fischer,
44 Frangas, Gagliardi, Hullinghorst, Kerr A., Labuda,
45 Massey, McFadyen, Merrifield, Middleton, Miklosi,
46 Peniston, Ryden, Scanlan, Schafer S., Solano, Todd, Vigil--
47 Concerning the definition of capital construction
48 appropriation for purposes of the art in public places
49 program administered by the state council on the arts.

50
51 Amendment No. 1, Business Affairs & Labor Report, dated April 6, 2010,
52 and placed in member's bill file; Report also printed in House Journal,
53 April 7, pages 1127-1129.

54
55 As amended, ordered revised and placed on the Calendar for Third
56 Reading and Final Passage.

1 **SB10-172** by Senator(s) Steadman, Foster, Hudak, Johnston, Kester,
 2 Newell, Sandoval; also Representative(s) Primavera--
 3 Concerning the continuation of voluntary contribution
 4 designation lines on state individual income tax forms for
 5 certain funds set to expire January 1, 2011.

6
 7 Ordered revised and placed on the Calendar for Third Reading and Final
 8 Passage.

9
 10 **SB10-174** by Senator(s) Schwartz, Gibbs, Whitehead; also
 11 Representative(s) Massey and Scanlan--Concerning the
 12 regulation of the development of geothermal resources.

13
 14 Ordered revised and placed on the Calendar for Third Reading and Final
 15 Passage.

16
 17 **HB10-1392** by Representative(s) Benefield; also Senator(s) Johnston--
 18 Concerning the membership of the government data
 19 advisory board.

20
 21 Ordered engrossed and placed on the Calendar for Third Reading and
 22 Final Passage.

23
 24 **HB10-1358** by Representative(s) Fischer, Apuan, Court, Frangas,
 25 Gagliardi, Hullinghorst, Kagan, Kefalas, Kerr A., Labuda,
 26 Levy, Merrifield, Middleton, Pace, Peniston, Primavera,
 27 Ryden, Solano, Todd, Tyler, Vigil, Weissmann; also
 28 Senator(s) Johnston, Bacon, Hodge, Steadman, Tapia,
 29 Williams--Concerning a requirement for new home
 30 builders to offer home buyers water efficiency options.

31
 32 Laid over until April 12, retaining place on Calendar.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

33
 34
 35
 36
 37
 38 Passed Second Reading: **SB10-175, 094 amended, 172, 174,**
 39 **HB10-1392.**

40
 41 Laid over until date indicated retaining place on Calendar: **HB10-1234,**
 42 **1358--April 12, 2010.**

43
 44 The Chairman moved the adoption of the Committee of the Whole
 45 Report. As shown by the following roll call vote, a majority of those
 46 elected to the House voted in the affirmative, and the Report was
 47 **adopted.**

	YES	60	NO	2	EXCUSED	3	ABSENT	0
50	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
52	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
55	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y

1	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
3	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	Y	Primavera	Y	Tyler	E
6	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
7	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
8	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
9	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
10							Speaker	Y

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1376 amended as printed in Senate Journal, April 8, 2010, pages 798-799, 805.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, HB10-1376.

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL(S)

HB10-1376 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2010, except as otherwise noted.

(Amended as printed in Senate Journal, April 8, 2010, pages 798-799, 805.)

Representative Pommer moved that the House **not concur** in Senate amendments and that a Conference Committee be appointed with permission to go beyond the scope of the differences between the House and the Senate. The motion was declared **passed** by the following roll call vote:

	YES	62	NO	0	EXCUSED	3	ABSENT	0
50	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullingerhorst	Y	McKinley	E	Scanlan	Y
52	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
55	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y

1	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
3	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	Y	Primavera	Y	Tyler	E
6	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
7	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
8	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
9	Gardner C.	E	McCann	Y	Roberts	Y	Weissmann	Y
10							Speaker	Y

11 The Speaker appointed Representatives Pommer, Chairman, Ferrandino
 12 and Lambert as House conferees to the bill.

13
 14
 15
 16 House in recess. House reconvened.
 17
 18

19 20 REPORT(S) OF COMMITTEE(S) OF REFERENCE

21 22 APPROPRIATIONS

23 After consideration on the merits, the Committee recommends the
 24 following:

25
 26 **HB10-1005** be amended as follows, and as so amended, be referred to
 27 the Committee of the Whole with favorable
 28 recommendation:
 29

30 Amend printed bill, page 2, line 4, after "**care -**" insert "**home health**
 31 **telemedicine cash fund -**".

32
 33 Page 3, after line 17, insert:

34
 35 "(c) FOR THE FIRST TWO YEARS AFTER THE EFFECTIVE DATE OF
 36 THIS PARAGRAPH (c), GIFTS, GRANTS, AND DONATIONS SHALL BE USED TO
 37 IMPLEMENT THIS SECTION. GIFTS, GRANTS, AND DONATIONS MADE FOR
 38 THIS PURPOSE SHALL BE TRANSFERRED TO THE HOME HEALTH
 39 TELEMEDICINE CASH FUND, WHICH IS HEREBY CREATED IN THE STATE
 40 TREASURY. MONEYS IN THE HOME HEALTH TELEMEDICINE CASH FUND
 41 SHALL BE APPROPRIATED TO THE STATE BOARD AND USED TO IMPLEMENT
 42 THIS SECTION. MONEYS IN THE FUND SHALL REMAIN IN THE FUND AND NOT
 43 BE TRANSFERRED TO THE GENERAL FUND AT THE END OF ANY FISCAL
 44 YEAR."
 45

46 Page 3, after line 23, insert:

47
 48 "**SECTION 2. Appropriation.** In addition to any other
 49 appropriation, there is hereby appropriated, to the department of health
 50 care policy and financing, for medical services premiums, for the fiscal
 51 year beginning July 1, 2010, the sum of one hundred twenty-three
 52 thousand two hundred seventy dollars (\$123,270), or so much thereof as
 53 may be necessary, for the implementation of this act. Of said sum, forty-
 54 seven thousand three hundred forty-eight dollars (\$47,348) shall be from
 55 the home health telemedicine cash fund created in section 25.5-5-321 (1)
 56 (c), Colorado Revised Statutes, and seventy-five thousand nine hundred

1 twenty-two dollars (\$75,922) shall be from federal funds."

2
3 Renumber succeeding section accordingly.

4
5 Page 1, line 102, strike "ACT"." and substitute, "ACT", AND MAKING AN
6 APPROPRIATION THEREFOR."

7
8
9
10 **HB10-1013** be amended as follows, and as so amended, be referred to
11 the Committee of the Whole with favorable
12 recommendation:

13
14 Amend printed bill, page 11, strike lines 8 through 22.

15
16 Renumber succeeding section accordingly.

17
18 Page 12, after line 12 insert:

19 "SECTION 9. Repeal. 22-54-128, Colorado Revised Statutes,
20 is repealed as follows:

21
22 **22-54-128. Military dependent supplemental pupil enrollment**
23 **aid - definitions - repeal.** (1) ~~As used in this section, unless the context~~
24 ~~otherwise requires:~~

25
26 (a) ~~"Eligible pupil" means a pupil who is the dependent of a~~
27 ~~full-time active duty member of the United States military or the~~
28 ~~dependent of a member of the United States military reserve forces who~~
29 ~~has been called to active duty.~~

30
31 (b) ~~"Military dependent supplemental pupil enrollment" means the~~
32 ~~number of eligible pupils enrolled in a school district on February 1~~
33 ~~within the applicable budget year or the school day nearest said date who~~
34 ~~were not enrolled in the district or in any other school district in the state~~
35 ~~on October 1 of the budget year or the school day nearest said date. An~~
36 ~~eligible pupil shall be considered enrolled in a district as evidenced by the~~
37 ~~actual attendance of such eligible pupil prior to February 1 of the~~
38 ~~applicable budget year.~~

39
40 (2) ~~For the 2007-08 through 2010-11 budget years, any school~~
41 ~~district may apply for military dependent supplemental pupil enrollment~~
42 ~~aid pursuant to this section. A district shall be eligible for such aid only~~
43 ~~if:~~

44
45 (a) ~~The district submits an estimate of its military dependent~~
46 ~~supplemental pupil enrollment for the applicable budget year to the~~
47 ~~department of education pursuant to subsection (4) of this section;~~

48
49 (b) ~~The district submits its military dependent supplemental pupil~~
50 ~~enrollment for the applicable budget year to the department of education~~
51 ~~pursuant to subsection (5) of this section; and~~

52
53 (c) ~~The district's military dependent supplemental pupil~~
54 ~~enrollment represents either an increase equal to or greater than one~~
55 ~~percent over the district's pupil enrollment for the applicable budget year~~
56 ~~or an increase equal to or greater than twenty-five pupils over the district's~~

1 per pupil enrollment for the applicable budget year.

2
3 (3) Each district that meets the requirements of this section shall
4 be eligible to receive military dependent supplemental pupil enrollment
5 aid as calculated by computing a number equal to the district's military
6 dependent pupil enrollment, multiplied by an amount equal to one-half of
7 the district's per pupil revenues for the applicable budget year.

8
9 (4) On or before January 15, 2008, and on or before January 15
10 each year thereafter through January 15, 2011, any school district may
11 apply for military dependent supplemental pupil enrollment aid pursuant
12 to this section by submitting to the department of education an estimate
13 of the district's military dependent supplemental pupil enrollment for the
14 applicable budget year.

15
16 (5) To receive military dependent supplemental pupil enrollment
17 aid pursuant to this section, a district that submitted an estimate to the
18 department of education pursuant to subsection (4) of this section shall
19 submit to the department the district's military dependent pupil
20 supplemental enrollment within fifteen days of February 1 of the
21 applicable budget year or within fifteen days of the school day nearest
22 said date.

23
24 (6) Notwithstanding the provisions of section 24-37-304(1)(b.5),
25 C.R.S., on or before March 1, 2008, and on or before March 1 each year
26 thereafter through March 1, 2011, the department of education shall
27 submit a request to the general assembly for a supplemental appropriation
28 in an amount that will fully fund the aggregate amount of the military
29 dependent supplemental pupil enrollment aid allowed for the budget year
30 pursuant to subsection (3) of this section. The department shall calculate
31 the amount of the request by applying the total military dependent
32 supplemental pupil enrollment submitted to the department by all eligible
33 districts pursuant to subsection (5) of this section to the formula specified
34 in subsection (3) of this section. The department shall make the request
35 to the general assembly during the fiscal year in which the school districts
36 apply for the military dependent supplemental pupil enrollment aid.

37
38 (7) In each applicable fiscal year, the general assembly shall
39 appropriate, subject to available appropriations, the amount authorized for
40 military dependent supplemental pupil enrollment aid pursuant to
41 subsection (3) of this section to the department of education to be
42 distributed by the department to eligible districts. In the event that the
43 amount appropriated by the general assembly is less than the amount of
44 aid authorized for each eligible district pursuant to subsection (3) of this
45 section, the department shall distribute an amount to each eligible district
46 that is in the same proportion that the eligible district's military dependent
47 supplemental pupil enrollment bears to the total military dependent
48 supplemental pupil enrollment in all eligible districts.

49
50 (8) This section is repealed, effective July 1, 2011."

51
52 Renumber succeeding sections accordingly.

53
54 Page 14, strike lines 5 through 11.

55
56 Renumber succeeding sections accordingly.

1 **HB10-1027** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 3, after line 5, insert:
6

7 "(c) THE STATE DEPARTMENT IS AUTHORIZED TO SEEK AND ACCEPT
8 GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR
9 THE PURPOSE OF PROVIDING FOR THE ADMINISTRATIVE COSTS OF
10 PREPARING AND SUBMITTING THE REQUEST FOR FEDERAL APPROVAL FOR
11 THE CHANGE FROM SIX MONTHS TO NINE MONTHS DESCRIBED IN
12 PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION. ALL SUCH PRIVATE
13 AND PUBLIC MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS
14 SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT
15 THE SAME TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING
16 CASH FUND CREATED PURSUANT TO SECTION 25.5-1-109.
17

18 **SECTION 2. Appropriation.** In addition to any other
19 appropriation, there is hereby appropriated, to the department of health
20 care policy and financing, for allocation to the executive director's office,
21 for general professional services and special projects, for the fiscal year
22 beginning July 1, 2010, the sum of twenty-five thousand dollars
23 (\$25,000), or so much thereof as may be necessary, for the
24 implementation of this act. Of said sum, twelve thousand five hundred
25 dollars (\$12,500) shall be from the department of health care policy and
26 financing cash fund created pursuant to section 25.5-1-109, Colorado
27 Revised Statutes and twelve thousand five hundred dollars (\$12,500)
28 shall be from federal funds."
29

30 Renumber succeeding section accordingly.
31

32 Page 1, line 103, strike "MEDICAID." and substitute, "MEDICAID, AND
33 MAKING AN APPROPRIATION THEREFOR."
34
35
36

37 **HB10-1033** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:
40

41 Amend printed bill, page 2, after line 18 insert:
42

43 **"SECTION 2. Appropriation.** In addition to any other
44 appropriation, there is hereby appropriated, to the department of health
45 care policy and financing, for medical service premiums, for the fiscal
46 year beginning July 1, 2010, the sum of eight hundred seventy thousand
47 one hundred fifty-five dollars (\$870,155), or so much thereof as may be
48 necessary, for the implementation of this act. Of said sum, three hundred
49 thirty-four thousand two hundred twenty-seven dollars (\$334,227) shall
50 be from the general fund and five hundred thirty-five thousand nine
51 hundred twenty-eight dollars (\$535,928) shall be from federal funds."
52

53 Page 2, strike line 19 and substitute:
54

55 **"SECTION 3. Act subject to petition - effective date.**
56 (1) Except as otherwise provided in subsection (2) of this section, this
act".

1 Page 3, after line 2 insert:

2
3 "(2) This act shall take effect on the date specified in subsection
4 (1) of this section only if House Bill 10-1284 is enacted and becomes
5 law."

6
7 Page 1, line 102, strike "ABUSE." and substitute "ABUSE, AND MAKING AN
8 APPROPRIATION THEREFOR."

9

10

11

12 **HB10-1048** be postponed indefinitely.

13

14

15 **HB10-1073** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:

18

19 Amend printed bill, page 4, after line 19, insert:

20

21 "SECTION 2. **Appropriation.** In addition to any other
22 appropriation, there is hereby appropriated, out of any moneys in the
23 Colorado 2-1-1- first call for help fund created in section 39-22-3703 (1),
24 Colorado Revised Statutes, not otherwise appropriated, to the department
25 of revenue, for allocation to the central department operations division,
26 for the fiscal year beginning July 1, 2010, the sum of one hundred seven
27 dollars (\$107) cash funds, or so much thereof as may be necessary, for the
28 implementation of this act."

29

30 Renumber succeeding section accordingly.

31

32 Page 1, line 104, strike "FUND." and substitute "FUND, AND MAKING AN
33 APPROPRIATION THEREFOR."

34

35

36

37 **HB10-1081** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40

41 Amend the Judiciary Committee Report, dated February 18, 2010, page
42 3, after line 28, add:

43

44 "Page 4, after line 24 insert:

45

46 "SECTION 5. Article 18 of title 17, Colorado Revised Statutes,
47 is amended BY THE ADDITION OF A NEW SECTION to read:

48

49 **17-18-105. Appropriation to comply with section 2-2-703 - HB**
50 **10-1081 - repeal.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE
51 FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY
52 BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT HOUSE BILL 10-1081,
53 ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH
54 GENERAL ASSEMBLY:

55

56 (a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, IN ADDITION

1 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM
2 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
3 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
4 SECTION 17-1-116, C.R.S., THE SUM OF NINETY-ONE THOUSAND THREE
5 HUNDRED SEVENTY DOLLARS (\$91,370).

6
7 (b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2011, IN ADDITION TO
8 ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
9 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
10 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-EIGHT
11 THOUSAND EIGHT HUNDRED DOLLARS (\$28,800).

12
13 (c) FOR THE FISCAL YEAR BEGINNING JULY 1, 2012, IN ADDITION
14 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
15 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
16 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-EIGHT
17 THOUSAND EIGHT HUNDRED DOLLARS (\$28,800).

18
19 (d) FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, IN ADDITION
20 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
21 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
22 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-EIGHT
23 THOUSAND EIGHT HUNDRED DOLLARS (\$28,800).

24
25 (e) FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, IN ADDITION
26 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
27 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
28 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-EIGHT
29 THOUSAND EIGHT HUNDRED DOLLARS (\$28,800).

30
31 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2015.

32
33 **SECTION 6.** 24-75-302 (2) (w), Colorado Revised Statutes, is
34 amended to read:

35
36 **24-75-302. Capital construction fund - capital assessment fees**
37 **- calculation.** (2) As of July 1, 1988, and July 1 of each year thereafter
38 through July 1, 2012, a sum as specified in this subsection (2) shall accrue
39 to the capital construction fund. The state treasurer and the controller
40 shall transfer such sum out of the general fund and into the capital
41 construction fund as moneys become available in the general fund during
42 the fiscal year beginning on said July 1. Transfers between funds
43 pursuant to this subsection (2) shall not be deemed to be appropriations
44 subject to the limitations of section 24-75-201.1. The amount that shall
45 accrue pursuant to this subsection (2) shall be as follows:

46
47 (w) On July 1, 2010, five hundred twenty-three thousand one
48 hundred sixty-four dollars pursuant to S.B. 06-206, enacted at the second
49 regular session of the sixty-fifth general assembly; plus five hundred
50 twenty-three thousand one hundred sixty-four dollars pursuant to S.B.
51 06-207, enacted at the second regular session of the sixty-fifth general
52 assembly; plus forty-three thousand five hundred ninety-seven dollars
53 pursuant to H.B. 06-1145, enacted at the second regular session of the
54 sixty-fifth general assembly; plus five hundred twenty-three thousand one
55 hundred sixty-four dollars pursuant to H.B. 06-1011, enacted at the
56 second regular session of the sixty-fifth general assembly; plus sixty-nine

1 thousand seven hundred fifty-five dollars pursuant to S.B. 06S-004,
2 enacted at the first extraordinary session of the sixty-fifth general
3 assembly; plus seven hundred fifty thousand nine hundred ninety dollars
4 pursuant to S.B. 07-096, enacted at the first regular session of the
5 sixty-sixth general assembly; plus one hundred twelve thousand six
6 hundred forty-nine dollars pursuant to H.B. 08-1115, enacted at the
7 second regular session of the sixty-sixth general assembly; plus one
8 hundred thirty-seven thousand six hundred eighty-two dollars pursuant to
9 S.B. 08-239, enacted at the second regular session of the sixty-sixth
10 general assembly; PLUS NINETY-ONE THOUSAND THREE HUNDRED
11 SEVENTY DOLLARS PURSUANT TO H.B. 10-1081, ENACTED AT THE SECOND
12 REGULAR SESSION OF THE SIXTY-SEVENTH GENERAL ASSEMBLY;"

13

14 Renumber succeeding sections accordingly.

15

16 Page 5, strike lines 2 through 7 and substitute:

17

18 "May 12, 2010); except that:

19

20 (a) This act shall not take effect if House Bill 10-1338 is not
21 enacted and does not become law; and

22

23 (b) If a referendum petition is filed pursuant to section 1 (3) of
24 article V of the state constitution against this act or an item section, or
25 part of this act within such period, then the act, item, section, or part shall
26 not take effect unless approved by the people at the general election to be
27 held in November 2010 and shall take effect on the date of the official
28 declaration of the vote thereon by the governor."

29

30 Page 1, line 101, strike "LAUNDERING." and substitute "LAUNDERING,
31 AND MAKING AN APPROPRIATION THEREFOR.".

32

33

34

35 **HB10-1139** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:

38

39 Amend printed bill, page 4, before line 5, insert:

40

41 **"SECTION 3. Appropriation.** In addition to any other
42 appropriation, there is hereby appropriated, out of any moneys in the
43 license plate cash fund created in section 42-3-301 (1) (b), Colorado
44 Revised Statutes, not otherwise appropriated, to the department of
45 revenue, for allocation to the division of motor vehicles, driver and
46 vehicle services, for the fiscal year beginning July 1, 2010, the sum of
47 thirty-five thousand five hundred twenty dollars (\$35,520) cash funds, or
48 so much thereof as may be necessary, for the implementation of this act."

49

50 Renumber succeeding section accordingly.

51

52 Page 1, line 103, strike "2001." and substitute "**2001, AND MAKING AN**
53 **APPROPRIATION THEREFOR.**".

54

55

56

1 **HB10-1176** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 8, line 15, strike "AUDIT." and substitute "AUDIT
6 OR ANY ADDITIONAL COSTS INCURRED BY ANY OTHER STATE AGENCY IN
7 RELATION TO THE RECOVERY AUDITS REQUIRED BY THIS PART 4. THE
8 DIRECTOR SHALL REIMBURSE ANY STATE AGENCY THAT INCURS
9 ADDITIONAL COSTS IN RELATION TO RECOVERY AUDITS FOR SUCH COSTS
10 FROM THE PORTION OF ANY AMOUNTS RECOVERED FROM RECOVERY
11 AUDITS THAT THE DIRECTOR RETAINS."
12
13
14

15 **HB10-1179** be postponed indefinitely.
16
17

18 **HB10-1238** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:
21

22 Amend the Transportation & Energy Committee Report, dated March 25,
23 2010, page 1, line 2, strike "**cash fund** -".
24

25 Page 1, strike lines 9 through 18.
26

27 Page 2, strike lines 1 through 21.
28

29 Page 2, strike line 23 and substitute "Page 4, line 22, strike "(6)" and
30 substitute "(7) (a)".
31

32 Page 3 of the committee report, line 4, strike "(8)" and substitute "(7)".
33

34 Page 3 of the committee report, after line 4, insert:
35

36 "Page 6, line 6, strike "(d)." and substitute "(d.5)".
37

38 Page 3 of the committee report, strike lines 18 through 26 and substitute:
39

40 "Page 7, strike lines 19 through 26 and substitute:
41

42 **"SECTION 3.** 42-4-1701 (4), Colorado Revised Statutes, is
43 amended BY THE ADDITION OF A NEW PARAGRAPH to read:
44

45 **42-4-1701. Traffic offenses and infractions classified -**
46 **penalties - penalty and surcharge schedule - repeal.** (4) (d.5) (I) THE
47 PENALTY AND SURCHARGE IMPOSED FOR ANY MOVING TRAFFIC VIOLATION
48 UNDER SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (4) ARE
49 DOUBLED IF THE VIOLATION OCCURS WITHIN A WILDLIFE CROSSING ZONE
50 PURSUANT TO SECTION 42-4-616.
51

52 (II) (A) THERE IS HEREBY CREATED, WITHIN THE HIGHWAY USERS
53 TAX FUND, THE WILDLIFE CROSSING ZONES SAFETY ACCOUNT.
54

55 (B) IF A PENALTY AND SURCHARGE ARE DOUBLED PURSUANT TO
56 SUBPARAGRAPH (I) OF THIS PARAGRAPH (d.5), ONE-HALF OF THE PENALTY

1 AND SURCHARGE ALLOCATED TO THE STATE BY SECTIONS 42-1-217 AND
2 43-4-205, C.R.S., SHALL BE TRANSFERRED TO THE STATE TREASURER,
3 WHO SHALL DEPOSIT THE MONEYS IN THE WILDLIFE CROSSING ZONES
4 SAFETY ACCOUNT WITHIN THE HIGHWAY USERS TAX FUND TO BE
5 CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT OF TRANSPORTATION
6 FOR WILDLIFE CROSSING ZONES SIGNS AND LAW ENFORCEMENT."."

7
8 Page 3 of the committee report, after line 26 add:

9
10 "Page 8, strike lines 2 through 4 and substitute:

11
12 **"SECTION 5. Act subject to petition - specified effective date.**
13 This act shall take effect September 1, 2010; except that, if a referendum
14 petition is filed pursuant to section 1 (3) of article V of the state
15 constitution against this act or an item, section, or part of this act within
16 the ninety-day period after final adjournment of the general assembly,
17 then the act, item, section, or part shall not take effect unless approved by
18 the people at the general election to be held in November 2010 and shall
19 take effect on the date of the official declaration of the vote thereon by
20 the governor."."

21
22
23
24 **HB10-1262** be postponed indefinitely.

25
26
27 **HB10-1269** be amended as follows, and as so amended, be referred to
28 the Committee of the Whole with favorable
29 recommendation:

30
31 Amend the Judiciary Committee Report, dated March 1, 2010, page 1,
32 strike line 1 and substitute:

33
34 "Amend printed bill, page 3, line 4, after "**authorized**" insert "**- civil**
35 **penalties**".

36
37 Page 8, after line 26 insert:

38
39 "(10) IN ADDITION TO THE REMEDIES AVAILABLE PURSUANT TO
40 THIS SECTION, THE COURT SHALL ORDER A DEFENDANT FOUND TO HAVE
41 ENGAGED IN AN UNFAIR OR DISCRIMINATORY EMPLOYMENT PRACTICE TO
42 PAY A CIVIL PENALTY IN AN AMOUNT NOT TO EXCEED TEN PERCENT OF ANY
43 MONETARY DAMAGES AWARDED TO THE PLAINTIFF PURSUANT TO THIS
44 SECTION. CIVIL PENALTIES IMPOSED PURSUANT TO THIS SUBSECTION (10)
45 SHALL BE TRANSMITTED TO THE STATE TREASURER FOR DEPOSIT IN THE
46 CIVIL RIGHTS DIVISION CASH FUND CREATED IN SECTION 24-34-309.".

47
48 Page 1 of the committee report, line 2, strike ""**SECTION**"" and substitute
49 "**SECTION**".

50
51 Page 2 of the committee report, strike line 1 and substitute "~~mitigate his~~
52 ~~or her damages.~~"

53
54 **SECTION 3.** 24-34-306 (2), Colorado Revised Statutes, is
55 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

56

1 **24-34-306. Charge - complaint - hearing - procedure - fees and**
2 **civil penalties - exhaustion of administrative remedies.** (2) (d) (I) If
3 A COMPLAINT ALLEGING UNFAIR OR DISCRIMINATORY EMPLOYMENT
4 PRACTICES PURSUANT TO PART 4 OF THIS ARTICLE IS SETTLED THROUGH
5 COMPULSORY MEDIATION, THE CHARGING PARTY AND THE RESPONDENT
6 SHALL PAY A FEE TO COVER THE DIRECT AND INDIRECT COSTS OF THE
7 MEDIATION. THE PARTIES SHALL PAY THE FEE TO THE DIRECTOR OR THE
8 DIRECTOR'S DESIGNEE IN AN AMOUNT EQUAL TO FOUR PERCENT OF THE
9 AMOUNT OF THE MEDIATED SETTLEMENT, SPLIT EQUALLY BETWEEN THE
10 CHARGING PARTY AND THE RESPONDENT.

11
12 (II) IF A COMPLAINT ALLEGING UNFAIR OR DISCRIMINATORY
13 EMPLOYMENT PRACTICES PURSUANT TO PART 4 OF THIS ARTICLE IS
14 RESOLVED THROUGH CONCILIATION, THE RESPONDENT SHALL PAY A FEE
15 TO THE DIRECTOR OR THE DIRECTOR'S DESIGNEE TO COVER THE DIRECT
16 AND INDIRECT COSTS OF THE CONCILIATION. THE FEE SHALL BE AN
17 AMOUNT EQUAL TO SIX PERCENT OF THE SETTLEMENT AMOUNT.

18
19 (III) THE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL
20 TRANSMIT FEES COLLECTED PURSUANT TO THIS PARAGRAPH (d) TO THE
21 STATE TREASURER FOR DEPOSIT IN THE CIVIL RIGHTS DIVISION CASH FUND
22 CREATED IN SECTION 24-34-309.

23
24 **SECTION 4.** 24-34-306 (9), Colorado Revised Statutes, is
25 amended to read:

26
27 **24-34-306. Charge - complaint - hearing - procedure - fees and**
28 **civil penalties - exhaustion of administrative remedies.** (9) If, upon
29 all the evidence at a hearing, there is a statement of findings and
30 conclusions in accordance with section 24-4-105, together with a
31 statement of reasons for such conclusions, showing that a respondent has
32 engaged in or is engaging in any discriminatory or unfair practice as
33 defined in parts 4 to 7 of this article, the commission shall issue and cause
34 to be served upon the respondent an order requiring ~~such~~ THE respondent
35 to cease and desist from ~~such~~ THE discriminatory or unfair practice and
36 to take such action as it may order in accordance with the provisions of
37 parts 4 to 7 of this article. IN CASES WHERE THE COMMISSION FINDS AN
38 UNFAIR OR DISCRIMINATORY EMPLOYMENT PRACTICE, AS DEFINED IN PART
39 4 OF THIS ARTICLE, THE COMMISSION SHALL ORDER THE RESPONDENT TO
40 PAY A CIVIL PENALTY IN AN AMOUNT NOT TO EXCEED EIGHT PERCENT OF
41 THE AMOUNT OF ANY MONETARY DAMAGE AWARD CONTAINED IN THE
42 ORDER. THE COMMISSION SHALL TRANSMIT ANY CIVIL PENALTIES IMPOSED
43 AND COLLECTED PURSUANT TO THIS SUBSECTION (9) TO THE STATE
44 TREASURER FOR DEPOSIT IN THE CIVIL RIGHTS DIVISION CASH FUND
45 CREATED IN SECTION 24-34-309.

46
47 **SECTION 5.** Part 3 of article 34 of title 24, Colorado Revised
48 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
49 read:

50
51 **24-34-309. Civil rights division cash fund - creation.**
52 (1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE CIVIL RIGHTS
53 DIVISION CASH FUND, REFERRED TO IN THIS SECTION AS THE "FUND". THE
54 FUND SHALL CONSIST OF FEES AND CIVIL PENALTIES COLLECTED PURSUANT
55 TO SECTION 24-34-306 (2) (d) OR (9) OR SECTION 24-34-405 (10).
56 INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN

1 THE FUND SHALL REMAIN IN THE FUND.

2
3 (2) MONEYS IN THE FUND ARE SUBJECT TO ANNUAL
4 APPROPRIATION BY THE GENERAL ASSEMBLY TO THE CIVIL RIGHTS
5 DIVISION FOR THE DIVISION'S DIRECT AND INDIRECT COSTS IN RESOLVING
6 COMPLAINTS FILED WITH THE DIVISION ALLEGING UNFAIR OR
7 DISCRIMINATORY EMPLOYMENT PRACTICES.

8
9 **SECTION 6. Appropriation.** (1) In addition to any other
10 appropriation, there is hereby appropriated, out of any moneys in the
11 general fund not otherwise appropriated, to the department of regulatory
12 agencies, for allocation to the civil rights division, for the fiscal year
13 beginning July 1, 2010, the sum of twenty-one thousand six hundred
14 ninety-four dollars (\$21,694) and 0.1 FTE, or so much thereof as may be
15 necessary, for the implementation of this act.

16
17 (2) In addition to any other appropriation, there is hereby
18 appropriated, out of any moneys in the civil rights division cash fund
19 created in section 24-34-309 (1), Colorado Revised Statutes, not
20 otherwise appropriated, to the department of regulatory agencies, for
21 allocation to the civil rights division, for the fiscal year beginning July 1,
22 2010, the sum of fifty-three thousand seven hundred fifty-one dollars
23 (\$53,751) cash funds and 1.0 FTE, or so much thereof as may be
24 necessary, for the implementation of this act.

25
26 (3) In addition to any other appropriation, there is hereby
27 appropriated to the department of law, for the fiscal year beginning July
28 1, 2010, the sum of fourteen thousand three hundred twenty-two dollars
29 (\$14,322) and 0.1 FTE, or so much thereof as may be necessary, for the
30 provision of legal services to the department of regulatory agencies
31 related to the implementation of this act. Said sum shall be from
32 reappropriated funds received from the department of regulatory agencies
33 out of the appropriation made in subsection (1) of this section."."

34
35 Page 2 of the committee report, after line 2 insert:

36
37 "Page 1 of the bill, line 102, strike "CASES." and substitute "CASES, AND
38 MAKING AN APPROPRIATION THEREFOR."."

39
40
41
42 **HB10-1277** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:

45
46 Amend printed bill, page 4, line 18 strike "**10-####**" and substitute "**10-**
47 **1277**".

48
49 Page 4, line 20 strike "10-____," and substitute "10-1277,".

50
51 Page 4, line 26 strike "OF _____ DOLLARS (\$)." and substitute "OF
52 EIGHTY-THREE THOUSAND EIGHT HUNDRED SIXTY-ONE DOLLARS
53 (\$83,861).".

54
55 Page 4 strike line 27.

56

1 Page 5 strike lines 1 through 4.

2

3 Page 5, line 5 strike "(II)" and substitute "(b)".

4

5 Page 5, line 8 strike "OF _____ DOLLARS (\$)." and substitute "OF
6 TWENTY-EIGHT THOUSAND FOURTEEN DOLLARS (\$28,014).".

7

8 Page 5 strike lines 9 through 13.

9

10 Page 5, line 14 strike "(II)" and substitute "(c)".

11

12 Page 5, line 17 strike "OF _____ DOLLARS (\$)." and substitute "OF FOUR
13 THOUSAND FOUR HUNDRED EIGHTY-TWO DOLLARS (\$4,482).".

14

15 Page 5 strike lines 18 through 27.

16

17 Page 6 strike lines 1 through 8.

18

19 Page 6, line 9 strike "2015." and substitute "2013".

20

21 Page 6, line 11 strike "(2) (x), and (2) (y),".

22

23 Page 6, line 11 strike "are".

24

25 Page 6, line 12 strike "amended, and the said 24-75-302 (2) is further
26 amended BY THE" and substitute "is amended".

27

28 Page 6, line 13 strike "ADDITION OF THE FOLLOWING NEW PARAGRAPHS,".

29

30 Page 6, line 16 strike "~~2012~~ 2014," and substitute "2012,".

31

32 Page 7, line 16 strike "PLUS _____ DOLLARS PURSUANT TO H.B. 10-____,"
33 and substitute "PLUS EIGHTY-THREE THOUSAND EIGHT HUNDRED SIXTY-
34 ONE DOLLARS PURSUANT TO H.B. 10-1277,".

35

36 Page 7, line 17 strike "ENACTED IN 2010;" and substitute "ENACTED AT
37 THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH GENERAL
38 ASSEMBLY;".

39

40 Page 7 strike lines 18 through 27.

41

42 Page 8 strike lines 1 through 7.

43

44 Page 8, after line 7, insert:

45

46 **"SECTION 6. Appropriation - legislative intent.** (1) It is the
47 intent of the general assembly that the general fund appropriation for the
48 implementation of this act shall be derived from savings generated from
49 the implementation of the provisions of House Bill 10-1338, as enacted
50 during the second regular session of the sixty-seventh general assembly.

51

52 **SECTION 7. Effective date.** (1) This act shall take effect upon
53 passage.

54

55 (2) Notwithstanding the provisions of subsection (1) of this
56 section, this act shall only take effect if:

1 (a) The final fiscal estimate for House Bill 10-1338, as reflected
2 in the appropriations clause for said act, shows a net general fund savings
3 that is equal to or greater than the final general fund fiscal estimate for
4 this act, as reflected in section 4 of this act; and

5
6 (b) House Bill 10-1338 is enacted at the second regular session of
7 the sixty-seventh general assembly and becomes law; and

8
9 (c) The staff director of the joint budget committee files written
10 notice with the revisor of statutes no later than July 15, 2010, that the
11 requirement set forth in paragraph (a) of this subsection (2) has been
12 met.".

13
14 Renumber succeeding section accordingly.

15
16
17
18 **HB10-1280** be postponed indefinitely.

19
20
21 **HB10-1347** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:

24
25 Amend printed bill, page 18, strike lines 24 through 26 and substitute:

26
27 **"SECTION 11. Appropriation.** (1) In addition to any other
28 appropriation, there is hereby appropriated, out of any moneys in the
29 general fund not otherwise appropriated, to the judicial department,
30 probation and related services, for probation programs, for the fiscal year
31 beginning July 1, 2010, the sum four hundred thirty-eight thousand five
32 hundred eighteen dollars (\$438,518) and 7.3 FTE, or so much thereof as
33 may be necessary, for the implementation of this act.

34
35 (2) In addition to any other appropriation, there is hereby
36 appropriated, out of any moneys in the persistent drunk driver cash fund
37 created in section 42-3-303 (1), Colorado Revised Statutes, not otherwise
38 appropriated, to the judicial department, probation and related services,
39 for offender treatment and services, for the fiscal year beginning July 1,
40 2010, the sum of two hundred forty-nine thousand seven hundred fifty
41 dollars (\$249,750) cash funds, or so much thereof as may be necessary,
42 for the implementation of this act.

43
44 (3) It is the intent of the general assembly that the general fund
45 appropriation in subsection (1) of this section shall be derived from
46 savings generated from the implementation of the provisions of House
47 Bill 10-1338, as enacted during the Second Regular Session of the Sixty-
48 seventh General Assembly.

49
50 **SECTION 12. Specified effective date - applicability.** (1) This
51 act shall take effect July 1, 2010, and shall apply to offenses committed
52 on or after said date; except that this act shall only take effect if:

53
54 (a) House Bill 10-1338 is enacted at the Second Regular Session
55 of the Sixty-seventh General Assembly and becomes law; and

56

1 (b) The final fiscal estimate for House Bill 10-1338, as
2 determined from the appropriations enacted in said bill, shows a net
3 reduction in the amount of general fund revenues appropriated for the
4 state fiscal year 2010-11, that is equal to or greater than the amount of the
5 general fund appropriation made for the implementation of this act for the
6 state fiscal year 2010-11, as reflected in section 11 of this act; and

7
8 (c) The staff director of the joint budget committee files written
9 notice with the revisor of statutes no later than July 15, 2010, that the
10 requirement set forth in paragraph (b) of this subsection (1) has been
11 met."

12
13 Renumber succeeding section accordingly.

14
15 Page 1, line 103, strike "DRUGS." and substitute "DRUGS, AND MAKING AN
16 APPROPRIATION THEREFOR."

17
18
19
20 **HB10-1352** be amended as follows, and as so amended, be referred to
21 the Committee of the Whole with favorable
22 recommendation:

23
24 Amend printed bill, page 24, after line 12, insert the following:

25
26 "SECTION 24. 18-19-103 (1) (c), (1) (d), (1) (e), (1) (f), (1) (g),
27 (1) (h), and (2), Colorado Revised Statutes, are amended to read:

28
29 **18-19-103. Source of revenues - allocation of moneys.** (1) For
30 offenses committed on and after July 1, 1996, each drug offender who is
31 convicted, or receives a deferred sentence pursuant to section 18-1.3-102,
32 shall be required to pay a surcharge to the clerk of the court in the county
33 in which the conviction occurs or in which the deferred sentence is
34 entered. Such surcharge shall be in the following amounts:

35
36 (c) For each class 4 felony of which a person is convicted, ~~one~~
37 TWO thousand ~~five hundred~~ dollars;

38
39 (d) For each class 5 felony of which a person is convicted, one
40 thousand ~~one~~ FIVE hundred ~~twenty-five~~ dollars;

41
42 (e) For each class 6 felony of which a person is convicted, ~~seven~~
43 ONE THOUSAND TWO hundred fifty dollars;

44
45 (f) For each class 1 misdemeanor of which a person is convicted,
46 ~~six hundred~~ ONE THOUSAND dollars;

47
48 (g) For each class 2 misdemeanor of which a person is convicted,
49 ~~four~~ SIX hundred ~~fifty~~ dollars;

50
51 (h) For each class 3 misdemeanor of which a person is convicted,
52 ~~two~~ THREE hundred ~~twenty-five~~ dollars.

53
54 (2) Each drug offender convicted of a violation of section
55 18-18-406 (1), or who receives a deferred sentence pursuant to section
56 18-1.3-102 for a violation of section 18-18-406 (1), shall be assessed a

1 surcharge of ~~one~~ TWO hundred dollars.

2
3 **SECTION 25. Appropriation - adjustments to the 2010 long**
4 **bill.** (1) In addition to any other appropriation, there is hereby
5 appropriated, out of any moneys in the general fund not otherwise
6 appropriated, to the judicial department, for allocation to the probation
7 and related services division, for probation programs, for the fiscal year
8 beginning July 1, 2010, the sum of two hundred sixty-three thousand
9 three hundred seventy-seven dollars (\$263,377) and 4.8 FTE, or so much
10 thereof as may be necessary, for the implementation of this act.

11
12 (2) In addition to any other appropriation, there is hereby
13 appropriated, out of any moneys in the general fund not otherwise
14 appropriated, to the department of public safety, for allocation to the
15 division of criminal justice, for analyzing and reporting on the annual
16 fiscal savings generated by House Bill 10-1352, for the fiscal year
17 beginning July 1, 2010, the sum of thirty-six thousand five hundred
18 twenty-eight dollars (\$36,528) and 0.5 FTE, or so much thereof as may
19 be necessary, for the implementation of this act.

20
21 (3) In addition to any other appropriation, there is hereby
22 appropriated, out of any moneys in the general fund not otherwise
23 appropriated, to the judicial department, for allocation to the probation
24 and related services division, to be credited to the drug offender surcharge
25 fund created in section 18-19-103 (4), Colorado Revised Statutes, for the
26 fiscal year beginning July 1, 2010, the sum of one million four hundred
27 sixty-eight thousand one hundred ninety-six dollars (\$1,468,196).

28
29 (4) For the implementation of this act, the general fund
30 appropriation made in the annual general appropriation act for the fiscal
31 year beginning July 1, 2010, to the department of corrections,
32 management, external capacity subprogram, for payments to house state
33 prisoners, is decreased by one million five hundred twenty-three thousand
34 five hundred eighty-nine dollars (\$1,523,589).

35
36 (5) For the implementation of this act, the general fund
37 appropriation made in the annual general appropriation act for the fiscal
38 year beginning July 1, 2010, to the judicial department, public defender,
39 for personal services and operating expenses, is decreased by two
40 hundred forty-four thousand five hundred twelve dollars (\$244,512) and
41 5.6 FTE."

42
43 Renumber succeeding section accordingly.

44
45 Page 1, line 102 strike "SUBSTANCES." and substitute "SUBSTANCES, AND
46 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

47
48
49
50
51 **EDUCATION**

52 After consideration on the merits, the Committee recommends the
53 following:

54
55 **HB10-1375** be referred to the Committee of the Whole with favorable
56 recommendation.

1 **FINANCE**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB10-162** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation
8

9 Amend reengrossed bill, page 5, line 25, strike "A" and substitute "ON
10 AND AFTER JANUARY 1, 2012, A".

11
12 Page 5, strike lines 26 and 27 and substitute "BE REQUIRED TO SUBMIT A
13 PRE-CERTIFICATION FORM."

14
15 Page 6, strike lines 1 through 3 and substitute "IN CONNECTION".

16
17 Page 6, line 18, strike "THE END OF THE BUSINESS'S THEN-CURRENT".

18
19 Page 6, strike line 19 and substitute "COMPLETION OF THE PROJECT".
20
21
22
23

24 **JUDICIARY**

25 After consideration on the merits, the Committee recommends the
26 following:

27
28 **HB10-1251** be postponed indefinitely.
29
30

31 **HB10-1351** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:
34

35 Amend the Judiciary Committee Report, dated March 8, 2010, page 1,
36 strike line 1 and substitute:

37
38 "Amend printed bill, page 2, line 7, strike "thirty-six" and substitute
39 "forty-five".
40

41 Page 2, strike lines 9 through 12 and substitute".

42
43 Page 1 of the report, line 2, strike ""thirty-six" and substitute
44 ""forty-five".
45

46 Page 1 of the report, line 4, strike "thirty-six" and substitute "forty-five".

47
48 Page 1 of the report, after line 4 insert:

49
50 "Page 3, line 12, strike "THIRTY-SIX" and substitute "FORTY-FIVE".
51

52 Page 3, line 13, strike "percent." and substitute "percent;".
53

54 Page 3, line 15, before "The" insert "EXCEPT THAT A LENDER MAY ALSO
55 CHARGE A FINANCE CHARGE OF NOT MORE THAN TEN DOLLARS FOR EACH
56 ONE HUNDRED DOLLARS LOANED FOR THE INITIAL LOAN IN A

1 TWELVE-MONTH PERIOD."

2

3 Page 3, line 16, after "RATE" insert "AND FINANCE CHARGE".

4

5 Page 4, line 5, strike "DOES NOT EVADE" and substitute "VIOLATES".

6

7 Page 4, line 6, strike "ACT," and substitute "ACT THAT LIMITS OR

8 RESTRICTS THE APPLICATION OF THIS ARTICLE,"."

9

10

11

12

13 **STATE, VETERANS, & MILITARY AFFAIRS**

14 After consideration on the merits, the Committee recommends the
15 following:

16

17 **SB10-070** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:
20

21

22 Amend reengrossed bill, page 4, line 12, strike "DISTRICT." and substitute
23 "DISTRICT AND THE ALPHABETICAL, NUMERICAL, OR ALPHANUMERICAL
24 DESIGNATION USED TO IDENTIFY THE MEASURE SHALL BE IDENTICAL ON
25 EACH BALLOT THAT INCLUDES THE MEASURE."
26

27

28

29

30

31 **TRANSPORTATION & ENERGY**

32 After consideration on the merits, the Committee recommends the
33 following:

34

35 **HB10-1363** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:
38

39

40 Amend printed bill, page 2, strike lines 2 through 14.

41

42 Page 3, strike lines 1 through 22 and substitute:

43

44 "SECTION 1. 40-2-123, Colorado Revised Statutes, is amended
45 BY THE ADDITION OF A NEW SUBSECTION to read:

46

47 **40-2-123. New energy technologies - consideration by
48 commission - incentives - demonstration projects - definitions -
49 legislative declaration - repeal. (3.2) IN ITS CONSIDERATION OF
50 GENERATION ACQUISITIONS FOR ELECTRIC UTILITIES, THE COMMISSION
51 MAY GIVE THE FULLEST POSSIBLE CONSIDERATION TO THE COST-EFFECTIVE
52 IMPLEMENTATION OF NEW ENERGY TECHNOLOGIES FOR THE GENERATION
53 OF ELECTRICITY FROM METHANE PRODUCED BIOGENICALLY IN GEOLOGIC
54 STRATA AS A RESULT OF HUMAN INTERVENTION."**
55

1 **SB10-177** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 9, line 3, after "UTILITY" insert "EITHER
6 RECEIVES A PERMIT PURSUANT TO ARTICLE 7 OR 8 OF TITLE 25, C.R.S., FOR
7 A GENERATION FACILITY THAT RELIES ON OR IS AFFECTED BY THE
8 DEFINITIONS OF ELIGIBLE ENERGY RESOURCES OR".
9

10 Page 9, line 5, strike "DURING ITS TERM" and substitute "OR FACILITY".
11
12

13 14 **DELIVERY OF BILLS TO GOVERNOR**

15
16 The Chief Clerk of the House of Representatives reports the following
17 bills have been delivered to the Office of the Governor: **HB10-1011,**
18 **1043, 1107, 1108, 1165, 1202, 1215, 1245, 1365** at 11:00 a.m. on
19 April 9, 2010.
20

21 22 23 **INTRODUCTION OF MEMORIAL**

24
25 The following memorial was read by title and laid over until
26 April 13, 2010 under the rules:
27

28 **HM10-1003** by Representative(s) McNulty, Acree, May, Murray--
29 Memorializing former Representative Charles S. "Bud"
30 Hover, Jr.
31
32

33 34 **LAY OVER OF CALENDAR ITEM(S)**

35
36 On motion of Representative Weissmann, the following item(s) on the
37 Calendar (was)were laid over until April 12, retaining place on Calendar:
38

39 Consideration of Third Reading--**SB10-100.**
40 Consideration of Resolution(s)--**HJR10-1020, 1021.**
41 Consideration of Senate Amendment(s)--**HB10-1188.**
42
43

44 On motion of Representative Weissmann, the House adjourned until
45 10:00 a.m., April 12, 2010.
46

47 Approved:
48 TERRANCED. CARROLL,
49 Speaker

50 Attest:
51 MARILYN EDDINS,
52 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Ninetieth Legislative Day

Monday, April 12, 2010

1 Prayer by Pastor Curtis Miller, Worship Center, Brighton.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Daniel Admasu, Chidera Agwu, Monae
 6 Bishop, Sydney Cunningham, Loyola School, Denver.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Curry, Massey--2.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative McCann, the reading of the journal of
 17 April 9, 2010, was declared dispensed with and approved as corrected by
 18 the Chief Clerk.

19

20

21

22 **THIRD READING OF BILL(S)--FINAL PASSAGE**

23

24 The following bill(s) was(were) considered on Third Reading. The
 25 title(s) was(were) publicly read. Reading of the bill at length was
 26 dispensed with by unanimous consent.

27

28 **SB10-100** by Senator(s) Schwartz, Carroll M., Foster, Gibbs, Heath,
 29 Newell, Romer; also Representative(s) Miklosi--
 30 Concerning greater financing flexibility for local districts
 31 organized for purposes related to energy.

32

33 As shown by the following roll call vote, a majority of all members
 34 elected to the House voted in the affirmative, and Representative Miklosi
 35 was given permission to offer a Third Reading amendment:

36

	YES	61	NO	2	EXCUSED	2	ABSENT	0
38	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
39	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
40	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
41	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
42	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
43	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y

1	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
2	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
3	Curry	E	Labuda	Y	Pace	Y	Swalm	Y
4	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
5	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
6	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
7	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
8	Gagliardi	Y	Massey	E	Rice	Y	Vigil	Y
9	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
10	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
11							Speaker	Y

Third Reading amendment No. 1, by Representative Miklosi.

Amend revised bill, page 2, line 5, strike "**Definitions - repeal.**" and substitute "**Definitions.**".

Page 3, strike lines 17 and 18 and substitute "NOT TAKE EFFECT, THERE SHALL BE NO QUALIFIED COMMUNITY LOCATIONS IN THE SERVICE TERRITORIES OF INVESTOR-OWNED UTILITIES."

Page 5, line 5, strike "PROPERTY AND" and substitute "PROPERTY,".

Page 5, line 6, strike "THEREOF." and substitute "THEREOF, AND THE PENALTY FOR DEFAULT PROVIDED IN SECTION 30-20-615 CLEARLY STATING THAT DEFAULT, LIKE THE PENALTIES THAT EXIST FOR DEFAULT ON ANY MORTGAGE OR ANY OTHER SPECIAL ASSESSMENT, MAY RESULT IN THE LOSS OF THE APPLICANT'S HOME."

Page 10, line 18, strike "**Definitions - repeal.**" and substitute "**Definitions.**".

Page 11, strike lines 8 and 9 and substitute "NOT TAKE EFFECT, THERE SHALL BE NO QUALIFIED COMMUNITY LOCATIONS IN THE SERVICE TERRITORIES OF INVESTOR-OWNED UTILITIES."

Page 12, line 9, strike "PROPERTY AND" and substitute "PROPERTY,".

Page 12, line 10, strike "THEREOF." and substitute "THEREOF, AND THE PENALTY FOR DEFAULT PROVIDED IN SECTION 31-25-530 CLEARLY STATING THAT DEFAULT, LIKE THE PENALTIES THAT EXIST FOR DEFAULT ON ANY MORTGAGE OR ANY OTHER SPECIAL ASSESSMENT, MAY RESULT IN THE LOSS OF THE APPLICANT'S HOME."

The amendment was declared **passed** by the following roll call vote:

	YES	63	NO	0	EXCUSED	2	ABSENT	0
48	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
50	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
51	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
53	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
54	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
55	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
56	Curry	E	Labuda	Y	Pace	Y	Swalm	Y

1	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
2	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
3	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
4	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
5	Gagliardi	Y	Massey	E	Rice	Y	Vigil	Y
6	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
7	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
8							Speaker	Y

9
10 The question being, "Shall the bill, as amended, pass?".
11 A roll call vote was taken. As shown by the following recorded vote, a
12 majority of those elected to the House voted in the affirmative, and the
13 bill, as amended, was declared **passed**.
14

15	YES	37	NO	26	EXCUSED	2	ABSENT	0
16	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
17	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
18	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
19	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
20	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
21	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
22	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
23	Court	Y	King S.	N	Nikkel	N	Summers	N
24	Curry	E	Labuda	Y	Pace	Y	Swalm	N
25	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
26	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
27	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
28	Frangas	Y	Looper	N	Priola	N	Vaad	N
29	Gagliardi	Y	Massey	E	Rice	Y	Vigil	Y
30	Gardner B.	N	May	N	Riesberg	Y	Waller	N
31	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
32							Speaker	Y

33 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Labuda, Levy,
34 Merrifield, Pace, Pommer, Schafer S., Solano, Tyler, Vigil.
35

36 **SB10-175** by Senator(s) Boyd; also Representative(s) Riesberg--
37 Concerning the relocation of provisions relating to
38 behavioral health.
39

40 The question being "Shall the bill pass?".
41 A roll call vote was taken. As shown by the following recorded vote, a
42 majority of those elected to the House voted in the affirmative and the bill
43 was declared **passed**.
44

45	YES	63	NO	0	EXCUSED	2	ABSENT	0
46	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
47	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
48	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
49	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
50	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
51	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
52	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
53	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
54	Curry	E	Labuda	Y	Pace	Y	Swalm	Y
55	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
56	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y

1	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
2	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
3	Gagliardi	Y	Massey	E	Rice	Y	Vigil	Y
4	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
5	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
6							Speaker	Y

7 Co-sponsor(s) added: Representative(s) Gerou, Schafer S., Todd, Vigil.

8
9 **SB10-094** by Senator(s) Steadman, Bacon, Newell, Schwartz, Boyd,
10 Carroll M., Foster, Heath, Hudak, Johnston, Romer,
11 Spence, Tapia, Tochtrop, Whitehead, Williams; also
12 Representative(s) Rice, Benefield, Ferrandino, Fischer,
13 Frangas, Gagliardi, Hulinghorst, Kerr A., Labuda,
14 Massey, McFadyen, Merrifield, Middleton, Miklosi,
15 Peniston, Ryden, Scanlan, Schafer S., Solano, Todd, Vigil--
16 Concerning the definition of capital construction
17 appropriation for purposes of the art in public places
18 program administered by the state council on the arts.
19

20 The question being "Shall the bill pass?".

21 A roll call vote was taken. As shown by the following recorded vote, a
22 majority of those elected to the House voted in the affirmative and the bill
23 was declared **passed**.
24

25	YES	42	NO	21	EXCUSED	2	ABSENT	0
26	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
27	Apuan	Y	Hulinghorst	Y	McKinley	Y	Scanlan	Y
28	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
29	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
30	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
31	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
32	Casso	Y	Kerr J.	N	Murray	N	Stephens	Y
33	Court	Y	King S.	N	Nikkel	N	Summers	N
34	Curry	E	Labuda	Y	Pace	Y	Swalm	N
35	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
36	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
37	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
38	Frangas	Y	Looper	N	Priola	Y	Vaad	N
39	Gagliardi	Y	Massey	E	Rice	Y	Vigil	Y
40	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
41	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Apuan, Pace, Pommer, Riesberg.
44

45 **SB10-172** by Senator(s) Steadman, Foster, Hudak, Johnston, Kester,
46 Newell, Sandoval; also Representative(s) Primavera--
47 Concerning the continuation of voluntary contribution
48 designation lines on state individual income tax forms for
49 certain funds set to expire January 1, 2011.
50

51 The question being "Shall the bill pass?".

52 A roll call vote was taken. As shown by the following recorded vote, a
53 majority of those elected to the House voted in the affirmative and the bill
54 was declared **passed**.
55

	YES	58	NO	5	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	N	Summers	Y
10	Curry	E	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	E	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Frangas.

20
21 **SB10-174** by Senator(s) Schwartz, Gibbs, Whitehead; also
22 Representative(s) Massey and Scanlan--Concerning the
23 regulation of the development of geothermal resources.
24

25 The question being "Shall the bill pass?".

26 A roll call vote was taken. As shown by the following recorded vote, a
27 majority of those elected to the House voted in the affirmative and the bill
28 was declared **passed**.
29

	YES	63	NO	0	EXCUSED	2	ABSENT	0
30								
31	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
32	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
33	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
34	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
35	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
36	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
37	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
38	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
39	Curry	E	Labuda	Y	Pace	Y	Swalm	Y
40	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
41	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
42	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
43	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
44	Gagliardi	Y	Massey	E	Rice	Y	Vigil	Y
45	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
46	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
47							Speaker	Y

48 Co-sponsor(s) added: Representative(s) Apuan, Court, Fischer, Labuda,
49 Merrifield, Pace, Peniston, Priola, Summers.
50

51 **HB10-1392** by Representative(s) Benefield; also Senator(s) Johnston--
52 Concerning the membership of the government data
53 advisory board.
54

55 The question being "Shall the bill pass?".

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	51	NO	12	EXCUSED	2	ABSENT	0
5	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
7	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
8	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
10	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
12	Court	Y	King S.	N	Nikkel	Y	Summers	Y
13	Curry	E	Labuda	Y	Pace	Y	Swalm	Y
14	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
18	Gagliardi	Y	Massey	E	Rice	Y	Vigil	Y
19	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
20	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Kagan.

26 On motion of Representative Pommer, the House resolved itself into
27 Committee of the Whole for consideration of General Orders, and he was
28 called to the Chair to act as Chairman.

31 **GENERAL ORDERS--SECOND READING OF BILLS**

33 The Committee of the Whole having risen, the Chairman reported the
34 titles of the following bills had been read (reading at length had been
35 dispensed with by unanimous consent), the bills considered and action
36 taken thereon as follows:

38 (Amendments to the committee amendment are to the printed committee
39 report which was printed and placed in the members' bill file.)

41 **HB10-1390** by Representative(s) Pommer, Ferrandino, Lambert; also
42 Senator(s) White, Keller, Tapia--Concerning the general
43 fund reserve required for the 2010-11 state fiscal year.

45 Laid over until April 13, retaining place on Calendar.

47 **HB10-1051** by Representative(s) Pommer; also Senator(s) Whitehead--
48 Concerning additional information regarding covered
49 entities' water efficiency plans.

51 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
52 dated April 7, 2010, and placed in member's bill file; Report also printed
53 in House Journal, April 8, pages 1139-1140.

55 As amended, ordered engrossed and placed on the Calendar for Third
56 Reading and Final Passage.

1 **HB10-1394** by Representative(s) Rice; also Senator(s) Scheffel--
2 Concerning professional liability insurance policies issued
3 to construction professionals.
4

5 Laid over until April 13, retaining place on Calendar.
6

7 **SB10-166** by Senator(s) Bacon, Schwartz; also Representative(s)
8 Riesberg and Sonnenberg, McFadyen--Concerning the
9 authority of the executive director of the department of
10 personnel to enter into lease-purchase agreements.
11

12 Amendment No. 1, Business Affairs & Labor Report, dated April 7, 2010,
13 and placed in member's bill file; Report also printed in House Journal,
14 April 8, pages 1147-1153.
15

16 As amended, ordered revised and placed on the Calendar for Third
17 Reading and Final Passage.
18

19 **SB10-176** by Senator(s) Tochtrop; also Representative(s) Gagliardi--
20 Concerning the requirements for inclusion of a
21 professional nurse on the advanced practice nurse registry.
22

23 Ordered revised and placed on the Calendar for Third Reading and Final
24 Passage.
25

26 **HB10-1234** by Representative(s) Primavera--Concerning the fair
27 settlement of claims for benefits under an insurance
28 policy.
29

30 Laid over until April 16, retaining place on Calendar.
31

32 **HB10-1358** by Representative(s) Fischer, Apuan, Court, Frangas,
33 Gagliardi, Hullinghorst, Kagan, Kefalas, Kerr A., Labuda,
34 Levy, Merrifield, Middleton, Pace, Peniston, Primavera,
35 Ryden, Solano, Todd, Tyler, Vigil, Weissmann; also
36 Senator(s) Johnston, Bacon, Hodge, Steadman, Tapia,
37 Williams--Concerning a requirement for new home
38 builders to offer home buyers water efficiency options.
39

40 Amendment No. 1, Transportation & Energy Report, dated April 6, 2010,
41 and placed in member's bill file; Report also printed in House Journal,
42 April 7, pages 1132-1134.
43

44 Amendment No. 2, by Representative(s) Gerou.
45

46 Amend printed bill, page 4, after line 22 insert:
47

48 "(3) NOTHING IN THIS SECTION SHALL PRECLUDE A HOMEOWNER
49 FROM USING GRAY WATER FOR LANDSCAPING AND GARDENING
50 PURPOSES."
51

52 Renumber succeeding subsections accordingly.
53

54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.
56

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1051 amended, SB10-166 amended, 176, HB10-1358 amended.**

Laid over until date indicated retaining place on Calendar: **HB10-1390, 1394--April 13, 2010.**

HB10-1234--April 16, 2010.

The Chairman moved the adoption of the Committee of the Whole Report. As shown by the following roll call vote, a majority of those elected to the House voted in the affirmative, and the Report was **adopted.**

YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	E	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	E	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR10-030.

The Senate has adopted and transmits herewith:

SJR10-029 amended as printed in Senate Journal, April 12, 2010.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

On motion of Representative Weissmann, the rules were suspended and the following resolution was given immediate consideration.

SJR10-030 by Senator(s) Bacon, Carroll M., Foster, Hudak, Shaffer B.; also Representative(s) Kefalas--Concerning the declaration of April 11th through 18th, 2010, as "Holocaust Awareness Week".

1 (Printed and placed in member's file).

2
3 On motion of Representative Kefalas, the resolution was read at length
4 and **adopted** by **viva voce** vote.

5
6 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
7 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, DelGrosso,
8 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou,
9 Hulinghorst, Judd, Kagan, Kerr A., Kerr J., King S., Labuda, Lambert, Levy,
10 Liston, Looper, May, McCann, McFadyen, McKinley, McNulty, Merrifield,
11 Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera,
12 Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
13 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad,
14 Vigil, Waller, Weissmann, Speaker.

15
16
17 House in recess. House reconvened.
18

19
20 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

21
22 On motion of Representative Weissmann, the rules were suspended and
23 the following resolution was given immediate consideration.

24
25 **SJR10-029** by Senator(s) Spence; also Representative(s) Swalm--
26 Concerning the recognition of organ and tissue donors
27 through the observation of "Donate Life Colorado Month".
28

29 (Printed and placed in member's file).

30
31 On motion of Representative Swalm, the resolution was read at length
32 and **adopted** by **viva voce** vote.

33
34 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
35 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, DelGrosso,
36 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou,
37 Hulinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
38 Levy, Liston, Looper, May, McCann, McFadyen, McKinley, McNulty,
39 Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer,
40 Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
41 Sonnenberg, Soper, Stephens, Summers, Tipton, Todd, Tyler, Vaad, Vigil,
42 Waller, Weissmann, Speaker.

43
44
45 House in recess. House reconvened.
46

47
48
49 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
50 **on SB10-109**

51
52 This Report Amends the Rerevised Bill.

53
54 To the President of the Senate and the
55 Speaker of the House of Representatives:
56

1 Your first conference committee appointed on SB10-109,
2 concerning regulation of the physician-patient relationship for medical
3 marijuana patients, and making appropriations in connection therewith,
4 has met and reports that it has agreed upon the following:

5
6 1. That the Senate accede to the House amendments made to the
7 bill, as the amendments appear in the rerevised bill, with the following
8 changes:

9
10 Amend rerevised bill, page 6, line 1, before "CONDITION" insert
11 "MEDICAL".

12
13 Page 7, after line 5, insert:

14
15 **"(4) Patients eighteen to twenty-three years of age.** (a) A
16 PATIENT WHO IS AT LEAST EIGHTEEN YEARS OF AGE BUT LESS THAN
17 TWENTY-THREE YEARS OF AGE, UNLESS THE PATIENT IS LEGALLY
18 EMANCIPATED OR IS A DISABLED VETERAN OF MILITARY SERVICE, WHO
19 INITIALLY APPLIES TO BE PLACED ON THE CONFIDENTIAL REGISTRY OF
20 MEDICAL MARIJUANA PATIENTS, OR WHO APPLIES AFTER THE EFFECTIVE
21 DATE OF THIS SUBSECTION (4) FOR THE FIRST RENEWAL OF HIS OR HER
22 REGISTRY STATUS, SHALL PROVIDE TO THE STATE HEALTH AGENCY
23 WRITTEN RECOMMENDATIONS FOR MEDICAL MARIJUANA USE FROM TWO
24 PHYSICIANS WHO ARE IN GOOD STANDING AND WHO HAVE ADVISED THE
25 PATIENT AT SEPARATE APPOINTMENTS. EACH RECOMMENDATION SHALL
26 STATE THAT THE PHYSICIAN HAS DIAGNOSED THE PATIENT AS HAVING A
27 DEBILITATING MEDICAL CONDITION AND HAS ADVISED THE PATIENT THAT
28 THE PATIENT MIGHT BENEFIT FROM THE MEDICAL USE OF MEDICAL
29 MARIJUANA IN CONNECTION WITH THE DEBILITATING MEDICAL CONDITION.

30
31 (b) A PATIENT WHO CLAIMS INDIGENCE MAY APPLY TO THE STATE
32 HEALTH AGENCY FOR A WAIVER OF THE SECOND PHYSICIAN
33 RECOMMENDATION REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (4)
34 PURSUANT TO RULES OF THE STATE HEALTH AGENCY PROMULGATED
35 PURSUANT TO SUBSECTION (8) OF THIS SECTION."

36
37 Renumber succeeding subsections accordingly.

38
39 Page 9, strike lines 5 through 27 and substitute:

40
41 **"(2)(8) Fees.** The ~~department~~ STATE HEALTH AGENCY may collect
42 fees from patients who, pursuant to section 14 of article XVIII of the state
43 constitution, apply to the medical marijuana program ~~established by such~~
44 ~~section~~ for a ~~marijuana~~ registry identification CARD for the purpose of
45 offsetting the ~~department's~~ STATE HEALTH AGENCY'S direct and indirect
46 costs of administering the program, AND THE STATE BOARD OF MEDICAL
47 EXAMINERS' DIRECT AND INDIRECT COSTS ASSOCIATED WITH
48 INVESTIGATING AND PROSECUTING REFERRALS OF PHYSICIANS FROM THE
49 STATE HEALTH AGENCY IN RELATION TO THE MEDICAL MARIJUANA
50 PROGRAM. The amount of ~~such~~ THE fees shall be set by rule of the ~~state~~
51 ~~board of health~~ STATE HEALTH AGENCY. THE STATE HEALTH AGENCY
52 SHALL ALSO PROMULGATE RULES THAT ALLOW A PATIENT TO CLAIM
53 INDIGENCE AS IT RELATES TO PAYING THE FEE APPROVED PURSUANT TO
54 THIS SUBSECTION (8) AND AS IT RELATES TO WAIVER OF THE REQUIREMENT
55 OF A SECOND PHYSICIAN RECOMMENDATION PURSUANT TO SUBSECTION (4)
56 OF THIS SECTION. THE RULES SHALL ESTABLISH THE STANDARD FOR

1 INDIGENCE, THE PROCESS THE STATE HEALTH AGENCY SHALL USE TO
2 DETERMINE WHETHER A PERSON WHO CLAIMS INDIGENCE MEETS THE
3 STANDARD FOR INDIGENCE, AND THE PROCESS FOR GRANTING A WAIVER
4 IF THE STATE HEALTH AGENCY DETERMINES THAT THE PATIENT MEETS THE
5 STANDARD FOR INDIGENCE. All fees collected by the ~~department~~ STATE
6 HEALTH AGENCY through the medical marijuana program shall be
7 transferred to the state treasurer who shall credit the same to the medical
8 marijuana program cash fund, which fund is hereby created.
9

10 ~~(3)~~ (9) **Cash fund.** (a) The medical marijuana program cash fund
11 shall be subject to annual appropriation by the general assembly to the
12 ~~department~~ STATE HEALTH AGENCY for the purpose of establishing,
13 operating, and maintaining the medical marijuana program. ~~established~~
14 ~~by section 14 of article XVIII of the state constitution.~~ THE STATE
15 HEALTH AGENCY SHALL TRANSFER FROM THE MEDICAL MARIJUANA
16 PROGRAM CASH FUND TO THE DEPARTMENT OF REGULATORY AGENCIES
17 FOR THE BENEFIT OF THE STATE BOARD OF MEDICAL EXAMINERS MONEYS
18 TO COVER THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH
19 INVESTIGATING AND PROSECUTING REFERRALS OF PHYSICIANS FROM THE
20 STATE HEALTH AGENCY IN RELATION TO THE MEDICAL MARIJUANA
21 PROGRAM. All moneys credited to the medical marijuana program cash
22 fund and all interest derived from the deposit of such moneys that are not
23 expended during the fiscal year shall be retained in the fund for future use
24 and shall not be credited or transferred to the general fund or any other
25 fund.
26

27 (b) Notwithstanding any provision of paragraph (a) of this
28 subsection ~~(3)~~ (9) to the contrary, on April 20, 2009, the state treasurer
29 shall deduct two hundred fifty-eight thousand seven hundred thirty-five
30 dollars from the medical marijuana program cash fund and transfer such
31 sum to the general fund."
32

33 Page 10, strike lines 1 and 2.
34

35 2. That, under the authority granted the committee to consider
36 matters not at issue between the two houses, the following amendment be
37 recommended:
38

39 Amend rerevised bill, page 12, after line 19 insert:
40

41 **"SECTION 6. Severability.** If any provision of this act or the
42 application thereof to any person or circumstance is held invalid, such
43 invalidity shall not affect other provisions or applications of the act that
44 can be given effect without the invalid provision or application, and to
45 this end the provisions of this act are declared to be severable."
46

47 Renumber succeeding section accordingly.
48

49 Respectfully submitted,
50

51 Senate Committee:

52 (signed)

53 Chris Romer

54 Nancy Spence

55 Michael Johnston

House Committee:

(signed)

Tom Massey

Beth McCann

Joe Rice

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The Speaker has signed: SB10-007, 008, 016, 041, 043, 055, 068, 079, 088, 138, 140, 147, 154; SJR10-021, 028.

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB10-169 amended as printed in Senate Journal, April 8, 2010, page 802.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1388 amended as printed in Senate Journal, April 8, 2010, page 800 and April 9, 2010.

HB10-1384 amended as printed in Senate Journal, April 8, 2010, page 800.

HB10-1383 amended as printed in Senate Journal, April 8, 2010, pages 800-801.

HB10-1381 amended as printed in Senate Journal, April 8, 2010, page 801.

HB10-1379 amended as printed in Senate Journal, April 8, 2010, page 801.

HB10-1378 amended as printed in Senate Journal, April 8, 2010, page 801.

HB10-1386 amended as printed in Senate Journal, April 8, 2010, pages 801-802.

HB10-1385 amended as printed in Senate Journal, April 8, 2010, page 802.

The Senate has passed on Third Reading and returns herewith:

HB10-1389, HB10-1382, HB10-1380, HB10-1377.

The Senate has voted to concur in House amendments to SB10-047, SB10-038, SB10-099, SB10-098, SB10-155, SB10-062, SB10-066, SB10-075, SB10-152, SB10-111 and repassed the bills as amended.

In response to the request of the House for a Conference Committee on HB10-1376, the President appoints Senators Keller, chair, Tapia and White. The Senate has granted permission to the First Conference Committee to go beyond the scope of the differences between the two houses.

In response to the request of the House for a Conference Committee on HB10-1171, the President appoints Senators Steadman, chair, Hudak and King.

1 In response to the request of the House for a Conference Committee on
2 HB10-1369, the President appoints Senators Bacon, chair, King and
3 Steadman. The Senate has granted permission to the First Conference
4 Committee on HB10-1369 to go beyond the scope of the differences
5 between the two houses.

6
7
8
9 **MESSAGE(S) FROM THE REVISOR**

10 We herewith transmit:
11 Without comment, as amended, HB10-1388, 1384, 1383, 1381, 1379,
12 1378, 1386, and 1385.
13 Without comment, as amended, SB10-169.
14

15
16
17 **INTRODUCTION OF MEMORIAL**

18 The following memorial was read by title and laid over until
19 April 19, 2010 under the rules:

20 **HM10-1004** by Representative(s) King S., Bradford--Memorializing
21 former Representative Edward F. Carpenter.
22

23
24
25
26
27 **LAY OVER OF CALENDAR ITEM(S)**

28 On motion of Representative Weissmann, the following item(s) on the
29 Calendar (was)were laid over until April 13, retaining place on Calendar:

30 Consideration of Resolution(s)--**HJR10-1020, 1021.**
31 Consideration of Senate Amendment(s)--**HB10-1188.**
32

33 On motion of Representative Weissmann, the House adjourned until
34 9:00 a.m., April 13, 2010.
35

36
37
38
39
40 Approved:
41 TERRANCE D. CARROLL,
42 Speaker

43 Attest:
44 MARILYN EDDINS,
45 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Ninety-first Legislative Day

Tuesday, April 13, 2010

1 Prayer by Father Tom Carzon, Holy Ghost Catholic Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Braden Kerr, K. C. Rizzo, Ananda Tennesen,
6 Kili McCabe, Kate Zavada, Kendrick Lakes Elementary, Lakewood.
7
8 The roll was called with the following result:
9
10 Present--64.
11 Excused--Representative(s) Casso--1.
12 Present after roll call--Representative(s) Casso.
13
14 The Speaker declared a quorum present.
15
16
17 On motion of Representative McCann, the reading of the journal of
18 April 12, 2010, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20

CONSIDERATION OF MEMORIAL

21
22
23
24
25 **HM10-1003** by Representative(s) McNulty, Acree, May, Murray--
26 Memorializing former Representative Charles S. "Bud"
27 Hover, Jr.
28
29 (Printed and placed in Members' file)
30
31 On motion of Representative McNulty, the memorial was read at length.
32
33
34 Pursuant to House Rule 26(f) the House stood in recess to allow the
35 following former members to speak on behalf of the honorable
36 Charles S. "Bud" Hover, Jr.: Former Speaker of the House Chuck Berry;
37 Former Representatives Jim Sullivan, Paul Schauer, Jeanne Adkins;
38 Former Senators Norma Anderson, Richard Mutzebaugh, Bill Schroeder,
39 Ron Teck.
40
41
42 House reconvened.
43

1 On motion of Representative McNulty, the memorial was **adopted** by the
 2 following roll call vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
5	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
7	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
8	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
10	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
12	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
13	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
14	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
18	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
19	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
20	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
21							Speaker	Y

22 Current Roll Call added as co-sponsor(s): Representative(s) Apuan, Balmer,
 23 Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
 24 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou,
 25 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
 26 Levy, Liston, Looper, Massey, McCann, McFadyen, McKinley, Merrifield,
 27 Middleton, Miklosi, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice,
 28 Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper,
 29 Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller,
 30 Weissmann, Speaker.

31
 32 Representative McNulty introduced members of the family that were
 33 present.

36 House in recess. House reconvened.

40 MESSAGE(S) FROM THE SENATE

42 The Senate has adopted and transmits herewith: SJM10-003.

46 IMMEDIATE CONSIDERATION OF MEMORIAL

48 On motion of Representative Weissmann, the rules were suspended for
 49 immediate consideration of SJM10-003.

51 **SJM10-003** by Senator(s) Kester; also Representative(s) Massey--
 52 Memorializing former Senator Harold L. McCormick.

54 On motion of Representative Massey, the memorial was read at length.

Pursuant to House Rule 26(f) the House stood in recess to allow the following former members to speak on behalf of the honorable Harold L. McCormick: Former Speaker of the House Chuck Berry; Former Senator Bill Schroeder.

House reconvened.

On motion of Representative Massey, the memorial was **adopted** by the following roll call vote:

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, May, McCann, McFadyen, McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann, Speaker.

Representative Massey introduced members of the family that were present.

House in recess. House reconvened.

THIRD READING OF BILL(S)--FINAL PASSAGE

The following bill(s) was(were) considered on Third Reading. The title(s) was(were) publicly read. Reading of the bill at length was dispensed with by unanimous consent.

HB10-1051 by Representative(s) Pommer; also Senator(s) Whitehead--Concerning additional information regarding covered entities' water efficiency plans.

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	48	NO	17	EXCUSED	0	ABSENT	0
7	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	N	Murray	N	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	N	Summers	N
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	N
20	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
21	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
22	Gardner C.	Y	McCann	Y	Roberts	N	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Hullinghorst, Labuda,
 25 Looper, Pace.

26
 27 **SB10-166** by Senator(s) Bacon, Schwartz; also Representative(s)
 28 Riesberg and Sonnenberg, McFadyen--Concerning the
 29 authority of the state treasurer to enter into lease-purchase
 30 agreements for the department of personnel.

31
 32 The question being "Shall the bill pass?".
 33 A roll call vote was taken. As shown by the following recorded vote, a
 34 majority of those elected to the House voted in the affirmative and the bill
 35 was declared **passed**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
38	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
39	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
40	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
41	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
42	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
43	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
44	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
45	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
46	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
47	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
48	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
49	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
50	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
51	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
52	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
53	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Fischer, Labuda.

1 **SB10-176** by Senator(s) Tochtrop; also Representative(s) Gagliardi--
 2 Concerning the requirements for inclusion of a
 3 professional nurse on the advanced practice nurse registry.
 4

5 The question being "Shall the bill pass?".

6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

	YES	65	NO	0	EXCUSED	0	ABSENT	0
11	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
13	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
14	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
16	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
17	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
18	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
19	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
20	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
21	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
22	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
24	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
25	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
26	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Fischer, Schafer S., Soper, Summers,
 29 Todd, Vigil.
 30

31 **HB10-1358** by Representative(s) Fischer, Apuan, Court, Frangas,
 32 Gagliardi, Hullinghorst, Kagan, Kefalas, Kerr A., Labuda,
 33 Levy, Merrifield, Middleton, Pace, Peniston, Primavera,
 34 Ryden, Solano, Todd, Tyler, Vigil, Weissmann; also
 35 Senator(s) Johnston, Bacon, Hodge, Steadman, Tapia,
 36 Williams--Concerning a requirement for new home
 37 builders to offer home buyers water efficiency options.
 38

39 The question being "Shall the bill pass?".

40 A roll call vote was taken. As shown by the following recorded vote, a
 41 majority of those elected to the House voted in the affirmative and the bill
 42 was declared **passed**.
 43

	YES	38	NO	27	EXCUSED	0	ABSENT	0
45	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
46	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
47	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
48	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
49	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
50	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
51	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
52	Court	Y	King S.	N	Nikkel	N	Summers	N
53	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
54	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
55	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
56	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y

1	Frangas	Y	Looper	N	Priola	N	Vaad	N
2	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
3	Gardner B.	N	May	N	Riesberg	Y	Waller	N
4	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Miklosi, Soper.

7
8
9
10 House in recess. House reconvened.

11
12
13
14 On motion of Representative Merrifield, the House resolved itself into
15 Committee of the Whole for consideration of General Orders, and he was
16 called to the Chair to act as Chairman.

17
18
19
20 **GENERAL ORDERS--SECOND READING OF BILLS**

21
22 The Committee of the Whole having risen, the Chairman reported the
23 titles of the following bills had been read (reading at length had been
24 dispensed with by unanimous consent), the bills considered and action
25 taken thereon as follows:

26
27 (Amendments to the committee amendment are to the printed committee
28 report which was printed and placed in the members' bill file.)

29
30 On motion of Representative Weissmann the following bills are laid over
31 until April 15, 2010: **HB10-1013, 1269, 1351.**

32 On motion of Representative Weissmann the following bills are laid over
33 until April 16, 2010: **HB10-1390, 1394, SB10-110, 162.**

34
35 **SB10-020** by Senator(s) Boyd, Foster, Schwartz; also
36 Representative(s) Massey, Apuan--Concerning measures
37 to address the financial viability of the CoverColorado
38 program.

39
40 Amendment No. 1, Health & Human Services Report, dated
41 March 5, 2010, and placed in member's bill file; Report also printed in
42 House Journal, March 6, pages 1112-1113.

43
44 Amendment No. 2, by Representative(s) Roberts.

45
46 Amend reengrossed bill, page 6, after line 4 insert:

47 **"SECTION 4.** 10-8-513.5 (3), Colorado Revised Statutes, is
48 amended to read:

49
50 **10-8-513.5. Federally eligible individuals.** (3) ~~The program~~
51 ~~may, but need not, offer the federally eligible individual the same health~~
52 ~~benefit plans offered to individuals eligible under section 10-8-513;~~
53 ~~except that any health benefit plan offered shall meet the requirements of~~
54 ~~this part 5 with respect to benefits and premiums.~~ THE REQUIREMENTS OF
55 THIS PART 5 REGARDING BENEFITS, PREMIUMS, AND LIFETIME OR ANNUAL
56 BENEFIT LIMITS, AND THE PREEXISTING CONDITION LIMITATION PERIODS

1 ALLOWED BY SECTION 10-8-516, APPLY TO FEDERALLY ELIGIBLE
2 INDIVIDUALS WHO PARTICIPATE IN THE PROGRAM, UNLESS OTHERWISE
3 PROVIDED IN THE FEDERAL LAW ESTABLISHING THE ELIGIBILITY FOR THE
4 INDIVIDUALS.

5
6 **SECTION 5.** 10-8-530 (1), Colorado Revised Statutes, is
7 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

8
9 **10-8-530. Funding of program - rules - repeal.**
10 (1) (b.5) NOTHING IN PARAGRAPH (b) OF THIS SUBSECTION (1) LIMITS THE
11 ABILITY OF THE PROGRAM TO APPLY FOR, ACCEPT, OR EXPEND FEDERAL
12 FUNDS, GRANTS, OR DONATIONS PROVIDED TO THE PROGRAM FOR THE
13 IMPLEMENTATION AND ADMINISTRATION OF A TEMPORARY HIGH RISK
14 HEALTH INSURANCE POOL PROGRAM AS REQUIRED BY SECTION 1101 OF
15 THE FEDERAL "PATIENT PROTECTION AND AFFORDABLE CARE ACT", H.R.
16 3590, PUB.L. 111-148, OR FOR THE PAYMENT OF CLAIM EXPENSES OF THE
17 FEDERALLY ELIGIBLE INDIVIDUALS WHO PARTICIPATE IN THE PROGRAM
18 UNDER A TEMPORARY HIGH RISK HEALTH INSURANCE POOL PROGRAM
19 PURSUANT TO SAID FEDERAL ACT. ANY FEDERAL FUNDS, GRANTS, OR
20 DONATIONS PROVIDED TO THE PROGRAM FOR THE PURPOSES SPECIFIED IN
21 THIS PARAGRAPH (b.5) SHALL NOT BE COMMINGLED WITH MONEYS
22 DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1) AND SHALL NOT BE
23 INCLUDED AS A SOURCE OF FUNDING OR AS PART OF THE FUNDING
24 FORMULA FOR THE PROGRAM AS SET FORTH IN PARAGRAPH (b) OF THIS
25 SUBSECTION (1).".

26
27 Renumber succeeding sections accordingly.

28
29 Amendment No. 3, by Representative(s) Massey.

30
31 Amend reengrossed bill, page 5, line 2, strike "WITH," and substitute
32 "WITH OR OTHERWISE DEMAND PAYMENT FROM".

33
34 Page 5, line 3, strike "BILL, OR CHARGE" and strike "A FEE" and substitute
35 "FOR AMOUNTS".

36
37 Page 5, line 4, strike "IS" and substitute "ARE".

38
39 Page 5, line 5, strike "BILL OR" and substitute "DEMAND FOR PAYMENT OF
40 CHARGES THAT EXCEEDS".

41
42 Page 5, strike line 6.

43
44 Amendment No. 4, by Representative(s) Massey.

45
46 Amend reengrossed bill, page 4, before line 18 insert:

47 "(III) ANY MECHANISMS FOR INPUT CREATED BY THE BOARD
48 PURSUANT TO THIS PARAGRAPH (b), INCLUDING AN ADVISORY
49 REIMBURSEMENT COMMITTEE, SHALL BE PUBLIC AND OPEN TO
50 PARTICIPATION BY HEALTH CARE PROVIDERS, HOSPITAL REPRESENTATIVES,
51 CONSUMERS, AND OTHER STAKEHOLDERS WHO POSSESS INFORMATION
52 THAT WILL CONTRIBUTE TO AND ASSIST IN THE ESTABLISHMENT OR
53 MODIFICATION OF A FEE SCHEDULE AS AUTHORIZED BY THIS SECTION.".

54
55 As amended, ordered revised and placed on the Calendar for Third
56 Reading and Final Passage.

1 **HB10-1005** by Representative(s) Massey, Frangas, Kerr J., McCann;
2 also Senator(s) Foster, Boyd, Lundberg, Schwartz--
3 Concerning home health care through telemedicine
4 pursuant to the "Colorado Medical Assistance Act".
5

6 Amendment No. 1, Appropriations Report, dated April 9, 2010, and
7 placed in member's bill file; Report also printed in House Journal,
8 April 9, pages 1161-1162.
9

10 As amended, ordered engrossed and placed on the Calendar for Third
11 Reading and Final Passage.
12

13 **HB10-1033** by Representative(s) Massey, Frangas, Kerr J., McCann;
14 also Senator(s) Boyd and Schwartz, Foster--Concerning
15 the provision of services through the medicaid program
16 that are related to substance abuse.
17

18 Amendment No. 1, Appropriations Report, dated April 9, 2010, and
19 placed in member's bill file; Report also printed in House Journal,
20 April 9, pages 1164-1165.
21

22 As amended, ordered engrossed and placed on the Calendar for Third
23 Reading and Final Passage.
24

25 **HB10-1027** by Representative(s) Roberts and Tyler, Soper; also
26 Senator(s) Williams, Newell--Concerning the requirement
27 for a certain life expectancy prognosis for persons
28 receiving hospice care through medicaid.
29

30 Amendment No. 1, Appropriations Report, dated April 9, 2010, and
31 placed in member's bill file; Report also printed in House Journal,
32 April 9, page 1164.
33

34 As amended, ordered engrossed and placed on the Calendar for Third
35 Reading and Final Passage.
36

37 **HB10-1073** by Representative(s) Roberts; also Senator(s) Sandoval--
38 Concerning the addition of a line to Colorado state
39 individual income tax return forms whereby individual
40 taxpayers may make a voluntary contribution benefitting
41 the Colorado 2-1-1 first call for help fund.
42

43 Amendment No. 1, Appropriations Report, dated April 9, 2010, and
44 placed in member's bill file; Report also printed in House Journal,
45 April 9, page 1165.
46

47 As amended, ordered engrossed and placed on the Calendar for Third
48 Reading and Final Passage.
49

50 **HB10-1081** by Representative(s) Priola; also Senator(s) Steadman--
51 Concerning money laundering.
52

53 Amendment No. 1, Judiciary Report, dated February 18, 2010, and placed
54 in member's bill file; Report also printed in House Journal, February 19,
55 pages 453-455.
56

1 Amendment No. 2, Appropriations Report, dated April 9, 2010, and
2 placed in member's bill file; Report also printed in House Journal,
3 April 9, pages 1165-1167.

4
5 Amendment No. 3, by Representative(s) Priola.

6
7 Amend the Appropriations Committee Report, dated April 9, 2010, page
8 3, strike lines 23 through 30 and substitute:

9 "(a) If a referendum petition is filed pursuant to section 1 (3) of
10 article V of the state constitution against this act or an item, section, or
11 part of this act within such period, then the act, item, section, or part shall
12 not take effect unless approved by the people at the general election to be
13 held in November 2010 and shall take effect on the date of the official
14 declaration of the vote thereon by the governor; and

15
16 (b) This act shall only take effect if:

17
18 (I) The final fiscal estimate for House Bill 10-1338, as reflected
19 in the appropriations clause for said act, shows a net general fund savings
20 that is equal to or greater than the final general fund fiscal estimate for
21 this act, as reflected in section 5 of this act; and

22
23 (II) House Bill 10-1338 is enacted at the second regular session
24 of the sixty-seventh general assembly and becomes law; and

25
26 (III) The staff director of the joint budget committee files written
27 notice with the revisor of statutes no later than July 15, 2010, that the
28 requirement set forth in paragraph (a) of this subsection (1) has been
29 met."."

30
31 As amended, ordered engrossed and placed on the Calendar for Third
32 Reading and Final Passage.

33
34 **HB10-1139** by Representative(s) Apuan; also Senator Heath--
35 Concerning the creation of special license plates for
36 military veterans of the conflicts occurring after
37 September 11, 2001.

38
39 Amendment No. 1, Transportation & Energy Report, dated
40 March 23, 2010, and placed in member's bill file; Report also printed in
41 House Journal, March 25, page 961.

42
43 Amendment No. 2, Appropriations Report, dated April 9, 2010, and
44 placed in member's bill file; Report also printed in House Journal,
45 April 9, page 1167.

46
47 Amendment No. 3, by Representative(s) Apuan.

48
49 Amend printed bill, page 2, line 20, strike "A NATURAL" and substitute
50 "EFFECTIVE JANUARY 1, 2011, A NATURAL".

51
52 Page 3, line 16, strike "A NATURAL" and substitute "EFFECTIVE JANUARY
53 1, 2011, A NATURAL".

54
55 As amended, ordered engrossed and placed on the Calendar for Third
56 Reading and Final Passage.

1 **HB10-1176** by Representative(s) Vaad; also Senator(s) Mitchell--
2 Concerning recovery audits for government overpayments
3 of tax dollars.
4

5 Amendment No. 1, by Representative(s) Vaad.
6

7 Amend printed bill, strike everything below the enacting clause and
8 substitute:
9

10 **"SECTION 1. Legislative declaration.** (1) The general
11 assembly hereby finds and declares that:
12

13 (a) Overpayments are a serious problem for certain government
14 entities, and especially for state agencies given the magnitude and
15 complexity of state operations;
16

17 (b) Overpayments waste tax dollars and detract from the
18 efficiency and effectiveness of governmental operations by diverting
19 resources from their intended uses;
20

21 (c) An overpayment occurs when an individual, vendor, or other
22 entity receives a payment from a state agency or another government
23 entity in error or in excess of the legal amount to which the individual,
24 vendor, or other entity is entitled.
25

26 (2) The general assembly further finds and declares that:
27

28 (a) Recovery audits are a nationally recognized best practice for
29 disbursements management and provide insight for improving operational
30 efficiency and internal controls in the disbursement of tax dollars;
31

32 (b) In order to improve the economy and efficiency of government
33 operations, it is necessary, appropriate, and in the best interests of the
34 state:
35

36 (I) To require the state controller to contract for recovery audits
37 to recoup overpayments by state executive and judicial branch agencies
38 or certain other government entities of state or federal tax dollars; and
39

40 (II) To require the state auditor to contract for recovery audits to
41 recoup overpayments by state legislative branch agencies of state or
42 federal tax dollars.
43

44 (c) Recovery audits will not cost the state any money because the
45 contractor's costs are deducted from any dollars recovered, which makes
46 recovery audits self-funding.
47

48 **SECTION 2.** Part 2 of article 30 of title 24, Colorado Revised
49 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
50 read:
51

52 **24-30-203.5. Recovery audits - definitions - contracting -**
53 **covered entities - reporting.** (1) AS USED IN THIS SECTION, UNLESS THE
54 CONTEXT OTHERWISE REQUIRES:
55

56 (a) "CONSULTANT" MEANS A PRIVATE CONTRACTOR WITH

1 RECOVERY AUDIT EXPERTISE.

2
3 (b) "OTHER COVERED ENTITY" MEANS A SCHOOL DISTRICT, AS
4 DEFINED IN SECTION 22-30-103 (13), C.R.S., A SPECIAL PURPOSE
5 AUTHORITY SPECIFICALLY IDENTIFIED IN SECTION 24-77-102 (15) (b), OR
6 A SPECIAL STATUTORY DISTRICT CREATED, EXISTING, AND OPERATING
7 PURSUANT TO ARTICLES 8 TO 15 OF TITLE 32, C.R.S.

8
9 (c) "OVERPAYMENT" MEANS A PAYMENT, INCLUDING THE
10 PAYMENT OF BENEFITS SUCH AS, BUT NOT LIMITED TO, UNEMPLOYMENT
11 COMPENSATION OR WORKERS' COMPENSATION BENEFITS, BY A STATE
12 AGENCY OR OTHER COVERED ENTITY TO AN INDIVIDUAL, VENDOR, OR
13 OTHER ENTITY THAT IS MADE IN ERROR OR IS IN EXCESS OF THE AMOUNT
14 TO WHICH THE RECIPIENT IS ENTITLED, INCLUDING:

15
16 (I) A PAYMENT TO A RECIPIENT WHO DOES NOT MEET APPLICABLE
17 ELIGIBILITY REQUIREMENTS FOR RECEIVING THE PAYMENT;

18
19 (II) A DUPLICATE PAYMENT;

20
21 (III) A PAYMENT RESULTING FROM AN INVOICE OR PRICING ERROR;

22
23 (IV) A PAYMENT RESULTING FROM A FAILURE TO APPLY AN
24 APPLICABLE DISCOUNT, REBATE, OR OTHER ALLOWANCE;

25
26 (V) A PAYMENT RESULTING FROM A FAILURE TO COMPLY WITH A
27 PURCHASING AGREEMENT; AND

28
29 (VI) A PAYMENT RESULTING FROM ANY OTHER INADVERTENT
30 ERROR.

31
32 (d) "RECOVERY AUDIT" MEANS A FINANCIAL MANAGEMENT
33 TECHNIQUE USED TO IDENTIFY OVERPAYMENTS MADE BY A STATE AGENCY
34 OR OTHER COVERED ENTITY TO INDIVIDUALS, VENDORS, AND OTHER
35 ENTITIES IN CONNECTION WITH THE PAYMENT ACTIVITIES OF THE STATE
36 AGENCY OR OTHER COVERED ENTITY.

37
38 (e) "STATE AGENCY" MEANS AN AGENCY, AS DEFINED IN SECTION
39 24-3-101, A GOVERNMENTAL UNIT OF THE JUDICIAL BRANCH OF STATE
40 GOVERNMENT, OR A STATE-SUPPORTED INSTITUTION OF HIGHER
41 EDUCATION.

42
43 (2) (a) THE STATE CONTROLLER SHALL CONTRACT WITH ONE OR
44 MORE CONSULTANTS TO CONDUCT RECOVERY AUDITS.

45
46 (b) A CONTRACT WITH A CONSULTANT ENTERED INTO AS REQUIRED
47 BY PARAGRAPH (a) OF THIS SUBSECTION (2):

48
49 (I) SHALL PROVIDE FOR REASONABLE COMPENSATION FOR THE
50 RECOVERY AUDIT SERVICES PROVIDED UNDER THE CONTRACT, INCLUDING
51 COMPENSATION DETERMINED BY THE APPLICATION OF A SPECIFIED
52 PERCENTAGE TO THE TOTAL AMOUNT COLLECTED BY THE CONSULTANT IN
53 THE COURSE OF THE CONSULTANT'S RECOVERY AUDIT AND RELATED
54 COLLECTION ACTIVITIES;

55
56 (II) SHALL REQUIRE THE CONSULTANT TO PROVIDE WRITTEN

1 NOTIFICATION TO ANY PERSON WHO HAS BEEN FOUND BY THE CONSULTANT
2 TO HAVE RECEIVED ONE OR MORE OVERPAYMENTS THAT RECOVERY OF
3 THE OVERPAYMENT IS BEING SOUGHT. THE NOTIFICATION SHALL SPECIFY:

4
5 (A) THE NATURE AND AMOUNT OF THE OVERPAYMENT, INCLUDING
6 THE NAME OF THE STATE AGENCY THAT MADE THE OVERPAYMENT OR
7 OVERPAYMENTS;

8
9 (B) THE TOTAL AMOUNT OF RECOVERY SOUGHT;

10
11 (C) THE LEGAL AUTHORITY UNDER WHICH RECOVERY OF THE
12 OVERPAYMENT IS BEING SOUGHT;

13
14 (D) A DEADLINE AT LEAST THIRTY DAYS AFTER THE DATE THE
15 NOTIFICATION IS SENT BY WHICH THE PERSON MAY CONTACT THE
16 CONSULTANT BEFORE THE CONSULTANT PURSUES A JUDICIAL ACTION TO
17 RECOVER THE OVERPAYMENT; AND

18
19 (E) THE IDENTITY AND CONTACT INFORMATION FOR THE
20 CONSULTANT SO THAT THE PERSON CAN EFFICIENTLY REPAY THE AMOUNT
21 OF THE OVERPAYMENT, PROTEST THE CONCLUSION THAT ONE OR MORE
22 OVERPAYMENTS HAS BEEN MADE, OR NEGOTIATE REPAYMENT TERMS
23 BEFORE THE CONSULTANT FILES A JUDICIAL ACTION TO RECOVER THE
24 OVERPAYMENT OR OVERPAYMENTS. IF PERMITTED BY THE CONTRACT,
25 AND SUBJECT TO SUCH LIMITATIONS AS ARE SPECIFIED IN THE CONTRACT,
26 THE CONSULTANT MAY NEGOTIATE A RECOVERY AMOUNT FROM ANY
27 PERSON THAT IS LESS THAN THE FULL AMOUNT OF THE OVERPAYMENT
28 RECEIVED BY THE PERSON;

29
30 (III) MAY PERMIT OR REQUIRE THE CONSULTANT TO PURSUE A
31 JUDICIAL ACTION IN A COURT INSIDE OR OUTSIDE THIS STATE TO RECOVER
32 AN OVERPAYMENT; AND

33
34 (IV) TO ALLOW TIME FOR THE PERFORMANCE OF EXISTING
35 PAYMENT AUDITING PROCEDURES, MAY NOT ALLOW A RECOVERY AUDIT
36 OF A PAYMENT DURING THE NINETY-DAY PERIOD AFTER THE DATE THE
37 PAYMENT WAS MADE.

38
39 (c) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY
40 AND EXCEPT TO THE EXTENT PROHIBITED BY FEDERAL LAW OR
41 REGULATIONS OR BY AN AGREEMENT BETWEEN THE STATE OR A STATE
42 AGENCY OR OTHER COVERED ENTITY AND THE FEDERAL GOVERNMENT,
43 THE GOVERNMENT OF ANOTHER STATE, OR AN AGENCY OR OTHER
44 GOVERNMENT ENTITY OF ANOTHER STATE, THE STATE CONTROLLER OR A
45 STATE AGENCY OR OTHER COVERED ENTITY BEING SUBJECTED TO A
46 RECOVERY AUDIT, AND ANY CONTRACTOR OR VENDOR THAT HAS A
47 CONTRACT WITH SUCH A STATE AGENCY OR OTHER COVERED ENTITY,
48 SHALL PROVIDE A CONSULTANT ACTING UNDER A CONTRACT REQUIRED BY
49 PARAGRAPH (a) OF THIS SUBSECTION (2) WITH ANY CONFIDENTIAL
50 INFORMATION IN THE CUSTODY OF THE STATE CONTROLLER, THE STATE
51 AGENCY, THE OTHER COVERED ENTITY, OR THE CONTRACTOR OR VENDOR
52 THAT IS NECESSARY FOR THE PERFORMANCE OF THE RECOVERY AUDIT. A
53 CONSULTANT ACTING UNDER SUCH A CONTRACT, OR ANY EMPLOYEE OR
54 AGENT OF THE CONSULTANT, IS SUBJECT TO ALL PROHIBITIONS AGAINST
55 THE DISCLOSURE OF CONFIDENTIAL INFORMATION OBTAINED FROM THE
56 STATE, THE OTHER COVERED ENTITY, OR THE CONTRACTOR OR VENDOR IN

1 CONNECTION WITH THE CONTRACT THAT APPLY TO THE STATE
2 CONTROLLER, THE APPLICABLE STATE AGENCY OR OTHER COVERED
3 ENTITY, THE CONTRACTOR OR VENDOR, OR AN EMPLOYEE THEREOF AND TO
4 ALL CIVIL OR CRIMINAL PENALTIES THAT APPLY TO A VIOLATION OF ANY
5 SUCH PROHIBITION.

6
7 (3) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF
8 THIS SUBSECTION (3), THE STATE CONTROLLER SHALL REQUIRE RECOVERY
9 AUDITS TO BE PERFORMED ON THE PAYMENTS TO INDIVIDUALS, VENDORS,
10 AND OTHER ENTITIES MADE BY A STATE AGENCY OR OTHER COVERED
11 ENTITY THAT HAS TOTAL EXPENDITURES DURING A STATE FISCAL YEAR OF
12 MORE THAN TWENTY-FIVE MILLION DOLLARS. THE STATE CONTROLLER
13 SHALL ALSO REQUIRE RECOVERY AUDITS FOR ANY STATE AGENCY OR
14 OTHER COVERED ENTITY THAT RECEIVES AN AUDIT FINDING BY THE STATE
15 AUDITOR FOR INTERNAL CONTROL WEAKNESSES CONCERNING PAYMENTS
16 AND CONTRACTS. EACH STATE AGENCY OR OTHER COVERED ENTITY FOR
17 WHICH RECOVERY AUDITS ARE REQUIRED SHALL PROVIDE THE RECOVERY
18 AUDIT CONSULTANT WITH ALL INFORMATION NECESSARY FOR THE
19 RECOVERY AUDITS.

20
21 (b) (I) THE STATE CONTROLLER MAY EXEMPT FROM THE RECOVERY
22 AUDITS OTHERWISE REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (3)
23 A STATE AGENCY OR OTHER COVERED ENTITY OR THAT HAS A LOW
24 PROPORTION OF ITS TOTAL EXPENDITURES MADE TO INDIVIDUALS,
25 VENDORS, AND OTHER ENTITIES OR THAT IS OTHERWISE REQUIRED TO BE
26 SUBJECTED TO RECOVERY AUDITS UNDER ANY FEDERAL LAW OR
27 REGULATION OR STATE LAW, RULE, OR POLICY, INCLUDING BUT NOT
28 LIMITED TO THE DEPARTMENTS OF EDUCATION, HIGHER EDUCATION,
29 HEALTH CARE POLICY AND FINANCING, HUMAN SERVICES, AND
30 TRANSPORTATION AND THE GOVERNOR'S OFFICE OF INFORMATION
31 TECHNOLOGY. THE STATE CONTROLLER SHALL MAKE ANY SUCH
32 EXEMPTION IN ACCORDANCE WITH CRITERIA ADOPTED BY RULES
33 PROMULGATED BY THE STATE CONTROLLER PURSUANT TO THE PROVISIONS
34 OF ARTICLE 4 OF THIS TITLE AFTER CONSIDERATION OF THE LIKELY COSTS
35 AND BENEFITS OF PERFORMING RECOVERY AUDITS FOR SUCH AGENCIES OR
36 OTHER COVERED ENTITIES THAT ARE OTHERWISE REQUIRED TO BE
37 SUBJECTED TO RECOVERY AUDITS UNDER ANY FEDERAL LAW OR
38 REGULATION OR STATE LAW, RULE, OR POLICY OR THAT MAKE RELATIVELY
39 FEW OR SMALL PAYMENTS TO VENDORS.

40
41 (II) THE STATE CONTROLLER SHALL PROVIDE THE STATE AUDITOR
42 AND THE LEGISLATIVE AUDIT AND JOINT BUDGET COMMITTEES WITH A
43 REPORT BY MAY 1 OF EACH YEAR THAT DETAILS ANY EXEMPTIONS FROM
44 RECOVERY AUDITS PROPOSED TO BE ALLOWED BY THE STATE CONTROLLER
45 FOR THE NEXT FISCAL YEAR.

46
47 (III) THE LEGISLATIVE AUDIT AND JOINT BUDGET COMMITTEES
48 MAY VETO ANY EXEMPTION FROM RECOVERY AUDITS PROPOSED BY THE
49 STATE CONTROLLER FOR A FISCAL YEAR BY MAJORITY VOTES OF THE
50 MEMBERS OF EACH OF THE COMMITTEES TAKEN BEFORE THE START OF THE
51 FISCAL YEAR.

52
53 (4) THE STATE CONTROLLER SHALL ADOPT RULES FOR
54 REASONABLE COMPENSATION FOR SERVICES PROVIDED UNDER RECOVERY
55 AUDIT CONTRACTS BASED ON THE APPLICATION OF A SPECIFIED
56 PERCENTAGE TO THE TOTAL AMOUNT RECOVERED DUE TO A CONSULTANT'S

1 RECOVERY AUDIT ACTIVITIES. THE STATE CONTROLLER MAY ALSO RETAIN
2 A PORTION OF ANY AMOUNT RECOVERED DUE TO A RECOVERY AUDIT IN
3 ORDER TO DEFRAY THE REASONABLE AND NECESSARY ADMINISTRATIVE
4 COSTS INCURRED BY THE STATE CONTROLLER AND THE DIVISION OF
5 ACCOUNTS AND CONTROL IN CONTRACTING FOR AND PROVIDING
6 OVERSIGHT OF THE RECOVERY AUDIT OR ANY ADDITIONAL COSTS
7 INCURRED BY ANY OTHER STATE AGENCY IN RELATION TO THE RECOVERY
8 AUDITS REQUIRED BY THIS SECTION. THE STATE CONTROLLER SHALL
9 REIMBURSE ANY STATE AGENCY THAT INCURS ADDITIONAL COSTS IN
10 RELATION TO RECOVERY AUDITS FOR SUCH COSTS FROM THE PORTION OF
11 ANY AMOUNTS RECOVERED FROM RECOVERY AUDITS THAT THE STATE
12 CONTROLLER RETAINS.

13
14 (5) A STATE AGENCY OR OTHER COVERED ENTITY SHALL EXPEND
15 OR SHALL RETURN TO THE FEDERAL GOVERNMENT ANY FEDERAL MONEY
16 THAT IS RECOVERED THROUGH A RECOVERY AUDIT CONDUCTED UNDER
17 THIS SECTION. THE STATE AGENCY OR OTHER COVERED ENTITY SHALL
18 EXPEND OR RETURN THE FEDERAL MONEY IN ACCORDANCE WITH THE LAWS
19 AND REGULATIONS GOVERNING THE FEDERAL PROGRAM THROUGH WHICH
20 THE AGENCY OR OTHER COVERED ENTITY RECEIVED THE FEDERAL MONEY.

21
22 (6) (a) THE STATE CONTROLLER SHALL PROVIDE COPIES,
23 INCLUDING ELECTRONIC FORM COPIES, OF ANY REPORTS RECEIVED FROM
24 A CONSULTANT CONTRACTING WITH A STATE AGENCY OR OTHER COVERED
25 ENTITY TO PERFORM RECOVERY AUDITS PURSUANT TO THIS SECTION TO:

26
27 (I) THE GOVERNOR;

28
29 (II) THE STATE AUDITOR; AND

30
31 (III) THE LEGISLATIVE AUDIT AND JOINT BUDGET COMMITTEES OF
32 THE GENERAL ASSEMBLY.

33
34 (b) THE STATE CONTROLLER SHALL PROVIDE THE COPIES OF
35 REPORTS REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (6) NOT LATER
36 THAN THE SEVENTH BUSINESS DAY AFTER THE DATE THE STATE
37 CONTROLLER RECEIVES THE CONSULTANT'S REPORT.

38
39 (c) NOT LATER THAN DECEMBER 31 OF EACH YEAR, THE STATE
40 CONTROLLER SHALL ISSUE A REPORT TO THE GENERAL ASSEMBLY
41 SUMMARIZING THE CONTENTS OF ALL REPORTS RECEIVED FROM
42 CONSULTANTS PURSUANT TO THIS SECTION DURING THE PAST FISCAL YEAR.
43 THIS REPORT SHALL ALSO BE POSTED ON THE WEB SITE OF THE STATE
44 CONTROLLER.

45
46 (7) THE STATE CONTROLLER SHALL ADOPT RULES PROMULGATED
47 IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION TO THE EXTENT
48 NECESSARY TO IMPLEMENT THIS SECTION IN A TIMELY MANNER SO THAT
49 THE STATE CONTROLLER MAY BEGIN CONTRACTING WITH CONSULTANTS
50 FOR RECOVERY AUDITS NOT LATER THAN JANUARY 1, 2011.

51
52 **SECTION 3.** Part 1 of article 3 of title 2, Colorado Revised
53 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
54 read:

55
56 **2-3-120. Legislative branch recovery audits - definitions -**

1 **contracting - reporting.** (1) AS USED IN THIS SECTION, UNLESS THE
2 CONTEXT OTHERWISE REQUIRES:

3
4 (a) "CONSULTANT" MEANS A PRIVATE CONTRACTOR WITH
5 RECOVERY AUDIT EXPERTISE.

6
7 (b) "OVERPAYMENT" MEANS A PAYMENT, INCLUDING THE
8 PAYMENT OF BENEFITS SUCH AS, BUT NOT LIMITED TO, UNEMPLOYMENT
9 COMPENSATION OR WORKERS' COMPENSATION BENEFITS, BY A STATE
10 AGENCY TO AN INDIVIDUAL, VENDOR, OR OTHER ENTITY THAT IS MADE IN
11 ERROR OR IS IN EXCESS OF THE AMOUNT TO WHICH THE RECIPIENT IS
12 ENTITLED INCLUDING:

13
14 (I) A PAYMENT TO A RECIPIENT WHO DOES NOT MEET APPLICABLE
15 ELIGIBILITY REQUIREMENTS FOR RECEIVING THE PAYMENT;

16
17 (II) A DUPLICATE PAYMENT;

18
19 (III) A PAYMENT RESULTING FROM AN INVOICE OR PRICING ERROR;

20
21 (IV) A PAYMENT RESULTING FROM A FAILURE TO APPLY AN
22 APPLICABLE DISCOUNT, REBATE, OR OTHER ALLOWANCE;

23
24 (V) A PAYMENT RESULTING FROM A FAILURE TO COMPLY WITH A
25 PURCHASING AGREEMENT; AND

26
27 (VI) A PAYMENT RESULTING FROM ANY OTHER INADVERTENT
28 ERROR.

29
30 (c) "RECOVERY AUDIT" MEANS A FINANCIAL MANAGEMENT
31 TECHNIQUE USED TO IDENTIFY OVERPAYMENTS MADE BY A STATE AGENCY
32 TO INDIVIDUALS, VENDORS, AND OTHER ENTITIES IN CONNECTION WITH
33 THE PAYMENT ACTIVITIES OF THE STATE AGENCY.

34
35 (d) "STATE AGENCY" MEANS THE GENERAL ASSEMBLY OR A STAFF
36 AGENCY OF THE GENERAL ASSEMBLY.

37
38 (2) (a) THE STATE AUDITOR SHALL CONTRACT WITH ONE OR MORE
39 CONSULTANTS TO CONDUCT RECOVERY AUDITS.

40
41 (b) A CONTRACT WITH A CONSULTANT ENTERED INTO AS REQUIRED
42 BY PARAGRAPH (a) OF THIS SUBSECTION (2):

43
44 (I) SHALL PROVIDE FOR REASONABLE COMPENSATION FOR THE
45 RECOVERY AUDIT SERVICES PROVIDED UNDER THE CONTRACT, INCLUDING
46 COMPENSATION DETERMINED BY THE APPLICATION OF A SPECIFIED
47 PERCENTAGE TO THE TOTAL AMOUNT COLLECTED BY THE CONSULTANT IN
48 THE COURSE OF THE CONSULTANT'S RECOVERY AUDIT AND RELATED
49 COLLECTION ACTIVITIES;

50
51 (II) SHALL REQUIRE THE CONSULTANT TO PROVIDE WRITTEN
52 NOTIFICATION TO ANY PERSON WHO HAS BEEN FOUND BY THE CONSULTANT
53 TO HAVE RECEIVED ONE OR MORE OVERPAYMENTS THAT RECOVERY OF
54 THE OVERPAYMENT IS BEING SOUGHT. THE NOTIFICATION SHALL SPECIFY:

55
56 (A) THE NATURE AND AMOUNT OF THE OVERPAYMENT, INCLUDING

1 THE NAME OF THE STATE AGENCY THAT MADE THE OVERPAYMENT OR
2 OVERPAYMENTS;

3

4 (B) THE TOTAL AMOUNT OF RECOVERY SOUGHT;

5

6 (C) THE LEGAL AUTHORITY UNDER WHICH RECOVERY OF THE
7 OVERPAYMENT IS BEING SOUGHT;

8

9 (D) A DEADLINE AT LEAST THIRTY DAYS AFTER THE DATE THE
10 NOTIFICATION IS SENT BY WHICH THE PERSON MAY CONTACT THE
11 CONSULTANT BEFORE THE CONSULTANT PURSUES A JUDICIAL ACTION TO
12 RECOVER THE OVERPAYMENT; AND

13

14 (E) THE IDENTITY AND CONTACT INFORMATION FOR THE
15 CONSULTANT SO THAT THE PERSON CAN EFFICIENTLY REPAY THE AMOUNT
16 OF THE OVERPAYMENT, PROTEST THE CONCLUSION THAT ONE OR MORE
17 OVERPAYMENTS HAS BEEN MADE, OR NEGOTIATE REPAYMENT TERMS
18 BEFORE THE CONSULTANT FILES A JUDICIAL ACTION TO RECOVER THE
19 OVERPAYMENT. IF PERMITTED BY THE CONTRACT, AND SUBJECT TO SUCH
20 LIMITATIONS AS ARE SPECIFIED IN THE CONTRACT, THE CONSULTANT MAY
21 NEGOTIATE A RECOVERY AMOUNT FROM ANY PERSON THAT IS LESS THAN
22 THE FULL AMOUNT OF THE OVERPAYMENT RECEIVED BY THE PERSON.

23

24 (III) MAY PERMIT OR REQUIRE THE CONSULTANT TO PURSUE A
25 JUDICIAL ACTION IN A COURT INSIDE OR OUTSIDE THIS STATE TO RECOVER
26 AN OVERPAYMENT; AND

27

28 (IV) TO ALLOW TIME FOR THE PERFORMANCE OF EXISTING
29 PAYMENT AUDITING PROCEDURES, MAY NOT ALLOW A RECOVERY AUDIT
30 OF A PAYMENT DURING THE NINETY-DAY PERIOD AFTER THE DATE THE
31 PAYMENT WAS MADE.

32

33 (c) NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW TO
34 THE CONTRARY AND EXCEPT TO THE EXTENT PROHIBITED BY FEDERAL LAW
35 OR REGULATIONS OR BY AN AGREEMENT BETWEEN THE STATE OR A STATE
36 AGENCY AND THE FEDERAL GOVERNMENT, THE GOVERNMENT OF ANOTHER
37 STATE, OR AN AGENCY OR OTHER GOVERNMENT ENTITY OF ANOTHER
38 STATE, THE STATE AUDITOR OR A STATE AGENCY BEING SUBJECTED TO A
39 RECOVERY AUDIT, AND ANY CONTRACTOR OR VENDOR THAT HAS A
40 CONTRACT WITH SUCH A STATE AGENCY OR OTHER COVERED ENTITY,
41 SHALL PROVIDE A CONSULTANT ACTING UNDER A CONTRACT REQUIRED BY
42 PARAGRAPH (a) OF THIS SUBSECTION (2) WITH ANY CONFIDENTIAL
43 INFORMATION IN THE CUSTODY OF THE STATE AUDITOR, THE STATE
44 AGENCY, OR THE CONTRACTOR OR VENDOR THAT IS NECESSARY FOR THE
45 PERFORMANCE OF THE RECOVERY AUDIT. A CONSULTANT ACTING UNDER
46 SUCH A CONTRACT, OR ANY EMPLOYEE OR AGENT OF THE CONSULTANT, IS
47 SUBJECT TO ALL PROHIBITIONS AGAINST THE DISCLOSURE OF
48 CONFIDENTIAL INFORMATION OBTAINED FROM THE STATE OR THE
49 CONTRACTOR OR VENDOR IN CONNECTION WITH THE CONTRACT THAT
50 APPLY TO THE STATE AUDITOR, THE APPLICABLE STATE AGENCY, THE
51 CONTRACTOR OR VENDOR, OR AN EMPLOYEE THEREOF AND TO ALL CIVIL
52 OR CRIMINAL PENALTIES THAT APPLY TO A VIOLATION OF ANY SUCH
53 PROHIBITION.

54

55 (3) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF
56 THIS SUBSECTION (3), THE STATE AUDITOR SHALL REQUIRE RECOVERY

1 AUDITS TO BE PERFORMED ON THE PAYMENTS TO INDIVIDUALS, VENDORS,
2 AND OTHER ENTITIES MADE BY A STATE AGENCY. THE STATE AUDITOR
3 SHALL ALSO REQUIRE RECOVERY AUDITS FOR ANY STATE AGENCY THAT
4 RECEIVES AN AUDIT FINDING BY THE STATE AUDITOR FOR INTERNAL
5 CONTROL WEAKNESSES CONCERNING PAYMENTS AND CONTRACTS. EACH
6 STATE AGENCY FOR WHICH RECOVERY AUDITS ARE REQUIRED SHALL
7 PROVIDE THE RECOVERY AUDIT CONSULTANT WITH ALL INFORMATION
8 NECESSARY FOR THE RECOVERY AUDITS.

9
10 (b) (I) THE STATE AUDITOR MAY EXEMPT FROM THE RECOVERY
11 AUDITS OTHERWISE REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (3)
12 A STATE AGENCY THAT IS OTHERWISE REQUIRED TO BE SUBJECTED TO
13 RECOVERY AUDITS UNDER ANY FEDERAL LAW OR REGULATION OR STATE
14 LAW, RULE, OR POLICY OR THAT HAS A LOW PROPORTION OF ITS TOTAL
15 EXPENDITURES MADE TO INDIVIDUALS, VENDORS, AND OTHER ENTITIES.
16 THE STATE AUDITOR SHALL MAKE ANY SUCH EXEMPTION IN ACCORDANCE
17 WITH CRITERIA ADOPTED BY RULES PROMULGATED BY THE STATE AUDITOR
18 PURSUANT TO THE PROVISIONS OF ARTICLE 4 OF TITLE 24, C.R.S., AFTER
19 CONSIDERATION OF THE LIKELY COSTS AND BENEFITS OF PERFORMING
20 RECOVERY AUDITS FOR SUCH AGENCIES THAT ARE OTHERWISE REQUIRED
21 TO BE SUBJECTED TO RECOVERY AUDITS UNDER ANY FEDERAL LAW OR
22 REGULATION OR STATE LAW, RULE, OR POLICY OR THAT MAKE RELATIVELY
23 FEW OR SMALL PAYMENTS TO VENDORS.

24
25 (II) THE STATE AUDITOR SHALL PROVIDE THE LEGISLATIVE AUDIT
26 AND JOINT BUDGET COMMITTEES WITH A REPORT BY MAY 1 OF EACH YEAR
27 THAT DETAILS ANY EXEMPTIONS FROM RECOVERY AUDITS PROPOSED TO
28 BE ALLOWED BY THE STATE AUDITOR FOR THE NEXT FISCAL YEAR.

29
30 (III) THE LEGISLATIVE AUDIT AND JOINT BUDGET COMMITTEES
31 MAY VETO ANY EXEMPTION FROM RECOVERY AUDITS PROPOSED BY THE
32 STATE AUDITOR FOR A FISCAL YEAR BY MAJORITY VOTES OF THE MEMBERS
33 OF EACH OF THE COMMITTEES TAKEN BEFORE THE START OF THE FISCAL
34 YEAR.

35
36 (4) THE STATE AUDITOR SHALL ESTABLISH REASONABLE
37 COMPENSATION FOR SERVICES PROVIDED UNDER RECOVERY AUDIT
38 CONTRACTS BASED ON THE APPLICATION OF A SPECIFIED PERCENTAGE TO
39 THE TOTAL AMOUNT RECOVERED DUE TO A CONSULTANT'S RECOVERY
40 AUDIT ACTIVITIES. THE STATE AUDITOR MAY ALSO RETAIN A PORTION OF
41 ANY AMOUNT RECOVERED DUE TO A RECOVERY AUDIT IN ORDER TO
42 DEFRAY THE REASONABLE AND NECESSARY ADMINISTRATIVE COSTS
43 INCURRED BY THE STATE AUDITOR IN CONTRACTING FOR AND PROVIDING
44 OVERSIGHT OF THE RECOVERY AUDIT OR ANY ADDITIONAL COSTS
45 INCURRED BY ANY OTHER STATE AGENCY IN RELATION TO THE RECOVERY
46 AUDITS REQUIRED BY THIS SECTION. THE STATE AUDITOR SHALL
47 REIMBURSE ANY STATE AGENCY THAT INCURS ADDITIONAL COSTS IN
48 RELATION TO RECOVERY AUDITS FOR SUCH COSTS FROM THE PORTION OF
49 ANY AMOUNTS RECOVERED FROM RECOVERY AUDITS THAT THE STATE
50 AUDITOR RETAINS.

51
52 (5) A STATE AGENCY OR OTHER COVERED ENTITY SHALL EXPEND
53 OR SHALL RETURN TO THE FEDERAL GOVERNMENT ANY FEDERAL MONEY
54 THAT IS RECOVERED THROUGH A RECOVERY AUDIT CONDUCTED UNDER
55 THIS SECTION. THE STATE AGENCY OR OTHER COVERED ENTITY SHALL
56 EXPEND OR RETURN THE FEDERAL MONEY IN ACCORDANCE WITH THE LAWS

1 AND REGULATIONS GOVERNING THE FEDERAL PROGRAM THROUGH WHICH
2 THE AGENCY OR OTHER COVERED ENTITY RECEIVED THE FEDERAL MONEY.

3
4 (6) (a) THE STATE AUDITOR SHALL PROVIDE COPIES, INCLUDING
5 ELECTRONIC FORM COPIES, OF ANY REPORTS RECEIVED FROM A
6 CONSULTANT CONTRACTING WITH A STATE AGENCY OR OTHER COVERED
7 ENTITY TO PERFORM RECOVERY AUDITS PURSUANT TO THIS SECTION TO
8 THE LEGISLATIVE AUDIT AND JOINT BUDGET COMMITTEES OF THE GENERAL
9 ASSEMBLY.

10
11 (b) THE STATE AUDITOR SHALL PROVIDE THE COPIES OF REPORTS
12 REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (6) NOT LATER THAN
13 THE SEVENTH BUSINESS DAY AFTER THE DATE THE STATE AUDITOR
14 RECEIVES THE CONSULTANT'S REPORT.

15
16 (c) NOT LATER THAN DECEMBER 31 OF EACH YEAR, THE STATE
17 AUDITOR SHALL ISSUE A REPORT TO THE GENERAL ASSEMBLY
18 SUMMARIZING THE CONTENTS OF ALL REPORTS RECEIVED FROM
19 CONSULTANTS PURSUANT TO THIS SECTION DURING THE PAST FISCAL YEAR.
20 THIS REPORT SHALL ALSO BE POSTED ON THE WEB SITE OF THE STATE
21 AUDITOR.

22
23 (7) THE STATE AUDITOR SHALL BEGIN CONTRACTING WITH
24 CONSULTANTS FOR RECOVERY AUDITS NO LATER THAN JANUARY 1, 2011.

25
26 **SECTION 4. Safety clause.** The general assembly hereby finds,
27 determines, and declares that this act is necessary for the immediate
28 preservation of the public peace, health, and safety."

29
30 As amended, ordered engrossed and placed on the Calendar for Third
31 Reading and Final Passage.

32
33 **HB10-1238** by Representative(s) Curry; also Senator(s) Schwartz--
34 Concerning wildlife crossing zones.

35
36 Amendment No. 1, Transportation & Energy, Report, dated
37 March 25, 2010, and placed in member's bill file; Report also printed in
38 House Journal, March 26, pages 997-998.

39
40 Amendment No. 2, Appropriations Report, dated April 9, 2010, and
41 placed in member's bill file; Report also printed in House Journal,
42 April 9, pages 1168-1169.

43
44 As amended, ordered engrossed and placed on the Calendar for Third
45 Reading and Final Passage.

46
47 On motion of Representative Weissmann, the remainder of the General
48 Orders Calendar (**HB10-1347, 1277, 1352, 1375, SB10-070, HB10-1363,**
49 **SB10-177**) was laid over until April 14, retaining place on Calendar.

50
51
52
53
54
55

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **SB10-020 amended, HB10-1005 amended, 1033 amended, 1027 amended, 1073 amended, 1081 amended, 1139 amended, 1176 amended, 1238 amended.**

Laid over until date indicated retaining place on Calendar: **HB10-1347, 1277, 1352, 1375, SB10-070, HB10-1363, SB10-177--April 14, 2010. HB10-1013, 1269, 1351--April 15, 2010 HB10-1390, 1394, SB10-110, 162--April 16, 2010.**

The Chairman moved the adoption of the Committee of the Whole Report. As shown by the following roll call vote, a majority of those elected to the House voted in the affirmative, and the Report was **adopted.**

YES	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	E
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	E	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

House in recess. House reconvened.

MEMORANDUM REPORT FROM THE HOUSE AND SENATE COMMITTEES ON DELAYED BILLS

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadline for House Bill 10-1369, Concerning the Financing of Public Schools:

The Friday, March 19 deadline (the 66th legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, as previously extended until Monday, April 5, 2010 (the 83rd legislative day) and subsequently extended until Tuesday, April 13,

1 2010 (the 91st legislative day), is further extended until Friday, April 23,
2 2010 (the 101st legislative day).

3
4 This memorandum shall be printed in the journal of each house as is
5 required by said Joint Rule 23 (c).

6
7 (signed)

8 Representative T. Carroll

Senator Shaffer

9 Speaker of the House of Representatives

President of the Senate

10

11 Representative Weissmann

Senator Morse

12 House Majority Leader

Senate Majority Leader

13

14 Representative May

Senator Penry

15 House Minority Leader

Senate Minority Leader

16

17

18

19

REPORT(S) OF COMMITTEE(S) OF REFERENCE

20

HEALTH & HUMAN SERVICES

22 After consideration on the merits, the Committee recommends the
23 following:

24

25 **SB10-061** be referred favorably to the Committee on Appropriations.

26

27

28 **SB10-073** be referred to the Committee of the Whole with favorable
29 recommendation.

30

31

32 **SB10-117** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:

35

36 Amend reengrossed bill, page 2, line 14, strike "THE" and substitute
37 "(a) SUBJECT TO APPROVAL THROUGH THE STATE BUDGET PROCESS IN
38 PARAGRAPH (b) OF THIS SUBSECTION (1), THE".

39

40 Page 2, line 23, strike "25.5-5-506." and substitute "25.5-5-506, AND
41 SHALL BE LIMITED TO MEDICATIONS THAT, IF REIMBURSED, SHALL RESULT
42 IN OVERALL COST SAVINGS TO THE STATE."

43

44 Page 2, after line 23, insert:

45

46 "(b) AFTER THE LIST OF OVER-THE-COUNTER MEDICATIONS IS
47 IDENTIFIED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1), THE
48 STATE DEPARTMENT SHALL REQUEST, THROUGH THE STATE BUDGET
49 PROCESS, THAT THE REIMBURSEMENTS BE IMPLEMENTED. THE STATE
50 DEPARTMENT SHALL REPORT TO THE JOINT BUDGET COMMITTEE
51 ANNUALLY CONCERNING THE AMOUNT OF ANY SAVINGS REALIZED FROM
52 THE REIMBURSEMENTS."

53

54 Page 4, line 1, after "EXCEPT" insert "THAT A PHARMACIST MAY
55 PRESCRIBE ONLY OVER-THE-COUNTER MEDICATIONS TO A RECIPIENT
56 UNDER THE "COLORADO MEDICAL ASSISTANCE ACT"".

1 **SB10-124** be amended as follows, and as so amended, be referred to
2 the Committee on Finance with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 4, line 17, strike "NEW" and substitute
6 "NEW, ACTIVE".
7

8 Page 4, line 18, strike "A" and substitute "AN ACTIVE".
9

10 Page 6, line 25, after "with" insert "OR CLINICAL PRIVILEGES HELD IN".
11

12 Page 6, line 27, after "EMPLOYER," insert "IF ANY,".
13

14 Page 7, line 9, strike "index;" and substitute "index. NOTHING IN THIS
15 SUBPARAGRAPH (X) REQUIRES AN APPLICANT TO REPORT SUCH
16 INFORMATION REGARDING CONTRACTS WITH INSURANCE CARRIERS FOR
17 REIMBURSEMENT OF HEALTH CARE SERVICES PROVIDED TO PATIENTS.".
18

19 Page 13, strike line 5 and substitute "~~determined by the board by rule~~
20 PROVIDED IN THE ARTICLE OF TITLE 12, C.R.S., THAT REGULATES THE
21 APPLICANT'S, LICENSEE'S, CERTIFICATE HOLDER'S, OR REGISTRANT'S
22 PROFESSION to ensure that the information".
23
24
25
26

27 **JUDICIARY**

28 After consideration on the merits, the Committee recommends the
29 following:
30

31 **HB10-1391** be referred to the Committee of the Whole with favorable
32 recommendation.
33
34

35 **HB10-1395** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:
38

39 Amend printed bill, page 2, after line 22 insert:
40

41 "(2) A MAJORITY OF THE JUDGES WHO ARE IN REGULAR ACTIVE
42 SERVICE ON THE COURT OF APPEALS AND WHO ARE NOT DISQUALIFIED
43 MAY, UNDER RULES PROMULGATED BY THE COLORADO SUPREME COURT,
44 ORDER THAT AN INTERLOCUTORY APPEAL BE HEARD OR REHEARD BY THE
45 COURT OF APPEALS EN BANC."
46
47
48

49 **HB10-1399** be amended as follows, and as so amended, be referred to
50 the Committee of the Whole with favorable
51 recommendation:
52

53 Amend printed bill, page 2, strike lines 9 through 17 and substitute:
54

55 "(s) WHEN REQUESTED BY THE CHIEF OF A FIRE DEPARTMENT OR
56 HIS OR HER DESIGNEE, AND APPROVED BY THE DIRECTOR OR HIS OR HER

1 DESIGNEE, THE BUREAU MAY ASSIST IN THE INVESTIGATION OF A POSSIBLE
2 CRIME RELATED TO ARSON. WHEN SUCH A REQUEST IS MADE BY A FIRE
3 DEPARTMENT, THE FIRE DEPARTMENT SHALL NOTIFY THE APPROPRIATE
4 LAW ENFORCEMENT AGENCY THAT A REQUEST FOR ASSISTANCE FROM THE
5 BUREAU HAS BEEN MADE."

6
7
8
9 **MESSAGE(S) FROM THE SENATE**

10
11 The Senate has passed on Third Reading and transmitted to the Revisor
12 of Statutes: SB10-181.

13
14 The Senate has passed on Third Reading and transmitted to the Revisor
15 of Statutes:

16
17 SB10-156 amended as printed in Senate Journal, April 12, 2010,
18 pages 847-849.

19
20 The Senate has passed on Third Reading and transmitted to the Revisor
21 of Statutes:

22
23 HB10-1220 amended as printed in Senate Journal, April 12, 2010,
24 pages 843-844.

25 HB10-1387 amended as printed in Senate Journal, April 12, 2010,
26 pages 844-846.

27 HB10-1293 amended as printed in Senate Journal, April 12, 2010,
28 page 850.

29
30 The Senate has passed on Third Reading and returns herewith:
31 HB10-1205, HB10-1229.

32
33
34 **MESSAGE(S) FROM THE REVISOR**

35
36 We herewith transmit:

37 Without comment, SB10-181.

38 Without comment, as amended, HB10-1220, 1387, and 1293.

39 Without comment, as amended, SB10-156.

40
41
42 **MESSAGE(S) FROM THE GOVERNOR**

43
44 I certify I received the following on the 12th day of April, 2010, at
45 4:55 p.m. The original is on file in the records of the House of
46 Representatives of the General Assembly.

47
48 Marilyn Eddins,
49 Chief Clerk of the House

50 April 12, 2010

51
52 To the Honorable House of Representatives
53 Sixty-seventh General Assembly
54 Second Regular Session
55 State Capitol
56 Denver, CO 80203

1 Ladies and Gentlemen:

2
3 I have the honor to inform you that I have approved and filed with the
4 Secretary of State the following Acts:

5
6 **HB10-1036** CONCERNING ON-LINE PUBLIC ACCESS TO PUBLIC
7 SCHOOL FINANCIAL INFORMATION.

8
9 Approved April 12, 2010 at 4:00 p.m.

10
11 **HB10-1050** CONCERNING A CENTRAL ON-LINE REGISTRY OF
12 MEDICAL ORDERS FOR SCOPE AND TREATMENT FORMS.

13
14 Approved April 12, 2010 at 4:01 p.m.

15
16 **HB10-1170** CONCERNING THE PROVISION OF ALCOHOL BEVERAGES
17 IN SEALED CONTAINERS IN LUXURY BOXES LOCATED IN
18 ENTERTAINMENT VENUES WITH A SEATING CAPACITY OF
19 AT LEAST ONE THOUSAND FIVE HUNDRED SEATS.

20
21 Approved April 12, 2010 at 4:02 p.m.

22
23 **HB10-1185** CONCERNING EXTENDING CERTAIN DATES RELATED TO
24 THE PETROLEUM STORAGE TANK FUND.

25
26 Approved April 12, 2010 at 4:04 p.m.

27
28 Sincerely,
29 (signed)
30 Bill Ritter, Jr.
31 Governor

32 INTRODUCTION OF BILLS 33 First Reading

34
35
36 The following bills were read by title and referred to the committees
37 indicated:

38
39 **HB10-1401** by Representative(s) Ferrandino--Concerning the
40 management of information technology in state agencies.
41 Committee on State, Veterans, & Military Affairs

42
43 **HB10-1402** by Representative(s) Riesberg, McFadyen; also Senator(s)
44 Bacon, Schwartz--Concerning legislative authorization of
45 a privately run fund-raising campaign using cause-related
46 marketing for the essential restoration of the cast iron
47 structure of the Colorado state capitol dome.
48 Committee on State, Veterans, & Military Affairs

49
50 **HB10-1403** by Representative(s) Kerr A.--Concerning commercial
51 notifications with regard to the secretary of state.
52 Committee on State, Veterans, & Military Affairs

53
54 **HB10-1404** by Representative(s) McCann--Concerning the
55 administration of the independent ethics commission.
56 Committee on Judiciary

- 1 **HB10-1405** by Representative(s) Vaad and Pommer, Baumgardner,
2 King S., Liston, Looper, May, McKinley, McNulty,
3 Primavera, Swalm; also Senator(s) Spence and Tochtrop--
4 Concerning a study of the options for devolution of state
5 highways that are commuter highways to local
6 governments.
7 Committee on Transportation & Energy
8
9 **HB10-1406** by Representative(s) Kerr A., Summers, Merrifield,
10 Middleton, Scanlan, Solano, Todd--Concerning a
11 requirement that public school structures satisfy minimum
12 energy-efficiency design standards.
13 Committee on Education
14
15 **SB10-156** by Senator(s) Heath; also Representative(s) Hulinghorst--
16 Concerning increased protections for mobile home owners
17 who lease space in mobile home parks.
18 Committee on Judiciary
19
20 **SB10-169** by Senator(s) Boyd; also Representative(s) Riesberg--
21 Concerning authority for moneys in the hospital provider
22 fee cash fund generated by an enhanced federal match
23 through the 2010-11 fiscal year to be used to offset general
24 fund expenditures in the medicaid program, and making an
25 appropriation therefor.
26 Committee on Health and Human Services
27 Committee on Appropriations
28
29 **SB10-181** by Senator(s) Kester; also Representative(s) McKinley--
30 Concerning the authority of a municipality in the state to
31 lease lands owned by the municipality.
32 Committee on Local Government
33

LAY OVER OF CALENDAR ITEM(S)

- 34
35
36
37 On motion of Representative Kerr A., the following item(s) on the
38 Calendar (was)were laid over until April 14, retaining place on Calendar:
39
40 Consideration of Conference Committee Report(s)--**SB10-109**.
41 Consideration of Resolution(s)--**HJR10-1020, 1021**.
42 Consideration of Senate Amendment(s)--**HB10-1188, 1378, 1379, 1381,**
43 **1383, 1384, 1385, 1386, 1388**.
44

- 45
46 On motion of Representative Middleton, the House adjourned until
47 9:00 a.m., April 14, 2010.
48

49 Approved:
50 TERRANCE D. CARROLL,
51 Speaker

52 Attest:
53 MARILYN EDDINS,
54 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Ninety-second Legislative Day

Wednesday, April 14, 2010

1 Prayer by Chief Chaplain Ed Maxwell, Colorado State Patrol, Golden.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Jessie Lee, Bailey Mattice, Madisen
6 Martinez, Taylor Pitaniello, Buffalo Trail Elementary, Aurora.
7
8 The roll was called with the following result:
9
10 Present--57.
11 Excused--Representative(s) Apuan, Kagan, May, McFadyen,
12 Middleton, Pommer, Solano, Vigil--8.
13 Present after roll call--Representative(s) Apuan, Kagan, May,
14 McFadyen, Middleton, Pommer.
15
16 The Speaker declared a quorum present.
17
18
19 On motion of Representative McCann, the reading of the journal of
20 April 13, 2010, was declared dispensed with and approved as corrected
21 by the Chief Clerk.
22
23
24

THIRD READING OF BILL(S)--FINAL PASSAGE

25
26
27 The following bill(s) was(were) considered on Third Reading. The
28 title(s) was(were) publicly read. Reading of the bill at length was
29 dispensed with by unanimous consent.
30
31 **SB10-020** by Senator(s) Boyd, Foster, Schwartz; also
32 Representative(s) Massey, Apuan--Concerning measures
33 to address the financial viability of the CoverColorado
34 program.
35
36 The question being "Shall the bill pass?".
37 A roll call vote was taken. As shown by the following recorded vote, a
38 majority of those elected to the House voted in the affirmative and the bill
39 was declared **passed**.
40

	YES	53	NO	10	EXCUSED	2	ABSENT	0
42 Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
43 Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y	

1	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
2	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	E
3	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
4	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
5	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
6	Court	Y	King S.	N	Nikkel	N	Summers	Y
7	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
8	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
9	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
10	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
11	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
12	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	E
13	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
14	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Court, Gerou, Looper, McFadyen,
17 Merrifield, Middleton, Scanlan.

18
19 **HB10-1005** by Representative(s) Massey, Frangas, Kerr J., McCann;
20 also Senator(s) Foster, Boyd, Lundberg, Schwartz--
21 Concerning home health care through telemedicine
22 pursuant to the "Colorado Medical Assistance Act", and
23 making an appropriation therefor.
24

25 The question being "Shall the bill pass?".
26 A roll call vote was taken. As shown by the following recorded vote, a
27 majority of those elected to the House voted in the affirmative and the bill
28 was declared **passed**.
29

30	YES	63	NO	0	EXCUSED	2	ABSENT	0
31	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
32	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
33	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
34	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	E
35	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
36	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
37	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
38	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
39	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
40	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
41	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
42	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
43	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
44	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	E
45	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
46	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
47							Speaker	Y

48 Co-sponsor(s) added: Representative(s) Acree, Baumgardner, Fischer,
49 Gardner C., Gerou, Kefalas, Labuda, Pommer, Priola, Roberts, Schafer S.,
50 Todd.
51

52 **HB10-1033** by Representative(s) Massey, Frangas, Kerr J., McCann;
53 also Senator(s) Boyd and Schwartz, Foster--Concerning
54 the provision of services through the medicaid program
55 that are related to substance abuse, and making an
56 appropriation therefor.

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	62	NO	1	EXCUSED	2	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	E
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	E
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Labuda, Summers, Todd.

25
 26 **HB10-1027** by Representative(s) Roberts and Tyler, Soper; also
 27 Senator(s) Williams, Newell--Concerning the requirement
 28 for a certain life expectancy prognosis for persons
 29 receiving hospice care through medicaid, and making an
 30 appropriation therefor.

31
 32 The question being "Shall the bill pass?".
 33 A roll call vote was taken. As shown by the following recorded vote, a
 34 majority of those elected to the House voted in the affirmative and the bill
 35 was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
38	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
39	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
40	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
41	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	E
42	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
43	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
44	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
45	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
46	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
47	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
48	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
49	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
50	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
51	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	E
52	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
53	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Acree, Apuan, Curry, Fischer, Gerou,
 56 Kefalas, Kerr J., King S., Looper, Massey, Schafer S., Summers, Todd.

1 **HB10-1073** by Representative(s) Roberts; also Senator(s) Sandoval--
 2 Concerning the addition of a line to Colorado state
 3 individual income tax return forms whereby individual
 4 taxpayers may make a voluntary contribution benefitting
 5 the Colorado 2-1-1 first call for help fund, and making an
 6 appropriation therefor.

7
 8 The question being "Shall the bill pass?".
 9 A roll call vote was taken. As shown by the following recorded vote, a
 10 majority of those elected to the House voted in the affirmative and the bill
 11 was declared **passed**.

	YES	61	NO	2	EXCUSED	2	ABSENT	0
14	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
15	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
16	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
17	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	E
18	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
19	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
20	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
21	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
22	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
23	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
24	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
25	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
26	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
27	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	E
28	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
29	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Gerou, Kefalas,
 32 Schafer S., Summers, Todd.

33
 34 **HB10-1081** by Representative(s) Priola; also Senator(s) Steadman--
 35 Concerning money laundering, and making an
 36 appropriation therefor.

37
 38 The question being "Shall the bill pass?".
 39 A roll call vote was taken. As shown by the following recorded vote, a
 40 majority of those elected to the House voted in the affirmative and the bill
 41 was declared **passed**.

	YES	62	NO	1	EXCUSED	2	ABSENT	0
44	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
46	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
47	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	E
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
49	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
50	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
51	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
52	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
53	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
54	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
56	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y

1	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	E
2	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
3	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Bradford, Fischer, Kerr J., King S.,
6 Lambert, Schafer S.

7
8 **HB10-1139** by Representative(s) Apuan; also Senator(s) Heath--
9 Concerning the creation of special license plates for
10 military veterans of the conflicts occurring after
11 September 11, 2001, and making an appropriation
12 therefor.

13
14 The question being "Shall the bill pass?".

15 A roll call vote was taken. As shown by the following recorded vote, a
16 majority of those elected to the House voted in the affirmative and the bill
17 was declared **passed**.

19	YES	58	NO	5	EXCUSED	2	ABSENT	0
20	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
21	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
22	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
23	Baumgardner	Y	Kagan	N	Merrifield	Y	Solano	E
24	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
25	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
26	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
27	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
28	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
29	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
30	Ferrandino	N	Levy	N	Pommer	Y	Todd	Y
31	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
32	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
33	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	E
34	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
35	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
36							Speaker	Y

37 Co-sponsor(s) added: Representative(s) Casso, Fischer, Labuda, Merrifield,
38 Pace, Schafer S., Todd.

39
40 **HB10-1176** by Representative(s) Vaad; also Senator(s) Mitchell--
41 Concerning recovery audits for government overpayments
42 of tax dollars.

43
44 The question being "Shall the bill pass?".

45 A roll call vote was taken. As shown by the following recorded vote, a
46 majority of those elected to the House voted in the affirmative and the bill
47 was declared **passed**.

49	YES	63	NO	0	EXCUSED	2	ABSENT	0
50	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	E
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
55	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y

1	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
3	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
6	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
7	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	E
8	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
9	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
10							Speaker	Y

11 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Gerou, Kefalas,
12 Kerr J., King S., Roberts, Summers.

13
14 **HB10-1238** by Representative(s) Curry; also Senator(s) Schwartz--
15 Concerning wildlife crossing zones.

16
17 The question being "Shall the bill pass?".

18 A roll call vote was taken. As shown by the following recorded vote, a
19 majority of those elected to the House voted in the affirmative and the bill
20 was declared **passed**.

21	YES	35	NO	28	EXCUSED	2	ABSENT	0
23	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
24	Apuan	Y	Hullingshorst	Y	McKinley	N	Scanlan	Y
25	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
26	Baumgardner	N	Kagan	N	Merrifield	Y	Solano	E
27	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
28	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
29	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
30	Court	N	King S.	N	Nikkel	N	Summers	N
31	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
32	DelGrosso	N	Lambert	N	Peniston	N	Tipton	N
33	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
34	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
35	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
36	Gagliardi	Y	Massey	N	Rice	Y	Vigil	E
37	Gardner B.	N	May	N	Riesberg	Y	Waller	N
38	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	N
39							Speaker	Y

40 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Levy, Primavera.

41 42 43 44 MESSAGE(S) FROM THE SENATE

45
46 The Senate has adopted and transmits herewith: SJR10-031.

47 48 49 INTRODUCTION AND CONSIDERATION OF RESOLUTION

50
51 On motion of Representative Weissmann, the rules were suspended and
52 the following resolution was given immediate consideration.

53
54 **SJR10-031** by Senator(s) Newell; also Representative(s) Rice--
55 Concerning recognition of the Freedom Service Dogs
56 program.

1 (Printed and placed in member's file).

2
3 On motion of Representative Rice, the resolution was read at length and
4 **adopted by viva voce** vote.

5
6 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
7 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
8 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou,
9 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
10 Levy, Liston, Looper, Massey, May, McCann, McFadyen, McKinley, McNulty,
11 Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer,
12 Primavera, Priola, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Sonnenberg,
13 Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad, Waller,
14 Weissmann, Speaker.

15
16
17 On motion of Representative Tyler, the House resolved itself into
18 Committee of the Whole for consideration of General Orders, and he was
19 called to the Chair to act as Chairman.

20
21
22 **GENERAL ORDERS--SECOND READING OF BILLS**

23
24 The Committee of the Whole having risen, the Chairman reported the
25 titles of the following bills had been read (reading at length had been
26 dispensed with by unanimous consent), the bills considered and action
27 taken thereon as follows:

28
29 (Amendments to the committee amendment are to the printed committee
30 report which was printed and placed in the members' bill file.)

31
32 On motion of Representative Weissmann the following bill is laid over
33 until April 16, 2010: **HB10-1347**.

34
35 **HB10-1277** by Representative(s) DelGrosso, Waller; also Senator(s)
36 Steadman--Concerning an extension of the prohibition
37 against sexual conduct in correctional institutions, and
38 making an appropriation therefor.

39
40 Amendment No. 1, Judiciary Report, dated March 1, 2010, and placed in
41 member's bill file; Report also printed in House Journal, March 2,
42 page 626.

43
44 Amendment No. 2, Appropriations Report, dated April 9, 2010, and
45 placed in member's bill file; Report also printed in House Journal,
46 April 9, pages 1171-1173.

47
48 As amended, ordered engrossed and placed on the Calendar for Third
49 Reading and Final Passage.

50
51 **HB10-1352** by Representative(s) Waller, Pace, Court, Gardner B.,
52 Gerou, Kagan, King S., Levy, Looper, Massey, May,
53 McCann, Miklosi, Nikkel, Roberts, Ryden, Stephens; also
54 Senator(s) Steadman and Mitchell, Carroll M., Hudak,
55 Morse, Newell, Penry, White--Concerning changes to
56 crimes involving controlled substances.

1 Amendment No. 1, Judiciary Report, dated March 22, 2010, and placed
2 in member's bill file; Report also printed in House Journal, March 23,
3 pages 942-945.

4
5 Amendment No. 2, Appropriations Report, dated April 9, 2010, and
6 placed in member's bill file; Report also printed in House Journal,
7 April 9, pages 1174-1175.

8
9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.

11
12 **HB10-1363** by Representative(s) Scanlan, Liston, McFadyen; also
13 Senator(s) White, Boyd, Gibbs, Hodge, Johnston--
14 Concerning incentives for the production of biogenic gas
15 that was created as a result of human intervention.

16
17 Amendment No. 1, Transportation & Energy Report, dated April 8, 2010,
18 and placed in member's bill file; Report also printed in House Journal,
19 April 9, page 1177.

20
21 As amended, ordered engrossed and placed on the Calendar for Third
22 Reading and Final Passage.

23
24 **SB10-070** by Senator(s) Kester; also Representative(s) McCann--
25 Concerning a statutory mechanism for the referral of a
26 ballot question regarding the term limit of a district
27 attorney.

28
29 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
30 April 8, 2010, and placed in member's bill file; Report also printed in
31 House Journal, April 9, page 1177.

32
33 Amendment No. 2, by Representative(s) Weissmann.
34 Amend reengrossed bill, page 2, line 8, after "DETERMINES," insert
35 "AFFIRMS,".

36
37 Page 2, line 13, strike "STATE;" and substitute "STATE WITH POLITICAL
38 CONTROL BY A COMMUNITY OTHER THAN THE STATE AS A WHOLE, AND
39 DISTRICT ATTORNEYS CONTINUE TO EXHIBIT A FUNDAMENTAL
40 CHARACTERISTIC OF REPRESENTING THE PEOPLE OF THE JUDICIAL DISTRICT
41 IN ORDER TO PROTECT THEIR HEALTH, SAFETY, AND WELFARE;".

42
43 As amended, ordered revised and placed on the Calendar for Third
44 Reading and Final Passage.

45
46 **HB10-1375** by Representative(s) Riesberg, McFadyen; also Senator(s)
47 Bacon, Schwartz--Concerning the necessary authority for
48 Metropolitan state college of Denver to access favorable
49 financing.

50
51 Ordered engrossed and placed on the Calendar for Third Reading and
52 Final Passage.

53
54 On motion of Representative Weissmann, the remainder of the General
55 Orders Calendar (**SB10-177**) was laid over until April 15, retaining place
56 on Calendar.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1277 amended, 1352 amended, 1363 amended, SB10-070 amended, 1375.**

Laid over until date indicated retaining place on Calendar: **SB10-177--**
April 15, 2010.

HB10-1347--April 16, 2010.

The Chairman moved the adoption of the Committee of the Whole Report. As shown by the following roll call vote, a majority of those elected to the House voted in the affirmative, and the Report was **adopted.**

YES	61	NO	2	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	E
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	E
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

LOCAL GOVERNMENT

After consideration on the merits, the Committee recommends the following:

SB10-182 be referred to the Committee of the Whole with favorable recommendation.

1 **STATE, VETERANS, & MILITARY AFFAIRS**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HB10-1393** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 8, strike lines 11 through 21.

10
11 Renumber succeeding section accordingly.
12
13

14
15 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
16 **on HB10-1099**
17

18 This Report Amends the Rerevised Bill.
19

20 To the President of the Senate and the
21 Speaker of the House of Representatives:
22

23 Your first conference committee appointed on HB10-1099,
24 concerning authorization to consume an alcohol beverage purchased at
25 the Colorado state fair at any location on the fairgrounds licensed for
26 consumption, has met and reports that it has agreed upon the following:
27

28 That the House accede to the Senate amendments made to the bill,
29 as the amendments appear in the rerevised bill, with the following
30 changes:
31

32 Amend rerevised bill, page 2, line 12, after the period add "THIS SECTION
33 DOES NOT AUTHORIZE A PERSON TO BRING INTO THE FAIRGROUNDS AN
34 ALCOHOL BEVERAGE PURCHASED OUTSIDE OF THE FAIRGROUNDS."
35

36 Page 2, line 21, strike "AUTHORITY," and substitute "AUTHORITY OR AT A
37 LICENSED PREMISES ON THE FAIRGROUNDS WHEN NOT PURCHASED AT THE
38 LICENSED PREMISES,".
39

40 Respectfully submitted,

41 House Committee:
42 (signed)
43 Sal Pace
44 Tom Massey
45 Edward Vigil
46

Senate Committee:
(signed)
Abel Tapia
Mary Hodge
Greg Brophy
47

48
49 **PRINTING REPORT**
50

51 The Chief Clerk reports the following bills have been correctly printed:
52 **HB10-1401, 1402, 1403, 1404, 1405, 1406.**
53
54
55
56

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR10-025.

The Senate has concurred in House amendments to SJR10-010 and readopted the resolution.

The Senate has adopted and returns herewith: HJR10-1016.
HJR10-1015 amended as printed in Senate Journal, April 13, 2010.

The Senate has adopted the First Conference Report on HB10-1099, as printed Senate Journal, April 1, 2010, pages 762-763 and repassed the bill as amended. The bill is returned herewith.

The Senate has voted to recall HB10-1096 for purposes of reconsideration and requests the return of the bill.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB10-183.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1208 amended as printed in Senate Journal, April 13, 2010, page 857.

HB10-1252 amended as printed in Senate Journal, April 13, 2010, page 857.

HB10-1273 amended as printed in Senate Journal, April 13, 2010, page 857.

Upon reconsideration, the Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1096 amended as printed in Senate Journal, April 14, 2010.

The Senate has passed on Third Reading and returns herewith:
HB10-1138, HB10-1042.

In response to the request of the House for a Conference Committee on HB10-1098, the President appoints Senators Hodge, chair, Boyd and Cadman.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, SB10-183.

Without comment, as amended, HB10-1208, 1096, 1252, and 1273.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 13th day of April, 2010, at 4:10 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

April 13, 2010

To the Honorable House of Representatives
Sixty-seventh General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB10-1052 CONCERNING THE RECYCLING RESOURCES ECONOMIC OPPORTUNITY FUND, AND, IN CONNECTION THEREWITH, EXTENDING THE LIFE OF THE FUND.

Approved April 13, 2010 at 3:21 p.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

SJR10-025 by Senator(s) Kester; also Representative(s) Gardner C.-- Concerning the designation of the portion of State Highway 96 located in Crowley County as the "All Veterans Memorial Highway".

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Middleton, the following item(s) on the Calendar (was)were laid over until April 15, retaining place on Calendar:

Consideration of Conference Committee Report(s)--**SB10-109**.
Consideration of Resolution(s)--**HJR10-1020, 1021**.
Consideration of Senate Amendment(s)--**HB10-1188, 1378, 1379, 1381, 1383, 1384, 1385, 1386, 1388, 1220, 1293, 1387**.

1 On motion of Representative Middleton, the House adjourned until
2 9:00 a.m., April 15, 2010.

3

4

5

6

Approved:
TERRANCE D. CARROLL,
Speaker

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Ninety-third Legislative Day

Thursday, April 15, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Thuyminh Tran, Evan Tooley, Andrew
6 Arney, Blue Heron Elementary, Lakewood.
7
8 The roll was called with the following result:
9
10 Present--63.
11 Excused--Representative(s) Solano, Sonnenberg--2.
12 Present after roll call--Representative(s) Solano.
13
14 The Speaker declared a quorum present.
15
16
17 On motion of Representative McCann, the reading of the journal of
18 April 14, 2010, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21
22

THIRD READING OF BILL(S)--FINAL PASSAGE

23
24
25 The following bill(s) was(were) considered on Third Reading. The
26 title(s) was(were) publicly read. Reading of the bill at length was
27 dispensed with by unanimous consent.
28
29 **HB10-1277** by Representative(s) DelGrosso, Waller; also Senator(s)
30 Steadman--Concerning an extension of the prohibition
31 against sexual conduct in correctional institutions, and
32 making an appropriation therefor.
33
34 The question being "Shall the bill pass?".
35 A roll call vote was taken. As shown by the following recorded vote, a
36 majority of those elected to the House voted in the affirmative and the
37 bill was declared **passed**.
38

	YES	63	NO	0	EXCUSED	2	ABSENT	0
40	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
41	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
42	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
43	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	E

1	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
2	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
3	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
4	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
5	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
6	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
7	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
8	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
9	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
10	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
11	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
12	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
13							Speaker	Y

14 Co-sponsor(s) added: Representative(s) Apuan, Bradford, Gerou, Hullinghorst,
15 Kagan, King S., Nikkel, Primavera, Schafer S., Stephens, Vigil.

16
17 **HB10-1352** by Representative(s) Waller, Pace, Court, Gardner B.,
18 Gerou, Kagan, King S., Levy, Looper, Massey, May,
19 McCann, Miklosi, Nikkel, Roberts, Ryden, Stephens; also
20 Senator(s) Steadman and Mitchell, Carroll M., Hudak,
21 Morse, Newell, Penry, White--Concerning changes to
22 crimes involving controlled substances, and making an
23 appropriation in connection therewith.

24
25 As shown by the following roll call vote, a majority of all members
26 elected to the House voted in the affirmative, and Representative Waller
27 was given permission to offer a Third Reading amendment:

29	YES	55	NO	8	EXCUSED	2	ABSENT	0
30	Acree	Y	Gerou	Y	McFadyen	N	Ryden	Y
31	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
32	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
33	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	E
34	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
35	Bradford	N	Kerr A.	N	Miklosi	Y	Soper	Y
36	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
37	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
38	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
39	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N
40	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
41	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
42	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
43	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
44	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
45	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
46							Speaker	Y

47
48 **Third Reading amendment No. 1**, by Representative .

49
50 Amend engrossed bill, page 23, strike lines 10 and 11.

51
52 Renumber succeeding sections accordingly.

53
54 The amendment was declared **passed** by the following roll call vote:

55

	YES	61	NO	2	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	N	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	E
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

The question being, "Shall the bill, as amended, pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **passed**.

	YES	58	NO	5	EXCUSED	2	ABSENT	0
25								
26	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
27	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
28	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
29	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	E
30	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
31	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
32	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
33	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
34	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
35	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N
36	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
37	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
38	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
39	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
40	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
41	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
42							Speaker	Y

Co-sponsor(s) added: Representative(s) Bradford, Casso, Kerr A., Kerr J., Labuda, Liston, Merrifield, Summers, Todd, Vigil, Weissmann.

SB10-070 by Senator(s) Kester; also Representative(s) McCann--
Concerning a statutory mechanism for the referral of a
ballot question regarding the term limit of a district
attorney.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

	YES	60	NO	3	EXCUSED	2	ABSENT	0
1	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
4	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	E
5	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
6	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
8	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
9	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
10	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
11	Ferrandino	Y	Levy	Y	Pommer	N	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
16	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
17							Speaker	Y

18
19 Co-sponsor(s) added: Representative(s) Labuda, Murray, Stephens.

20
21 **HB10-1363** by Representative(s) Scanlan, Liston, McFadyen; also
22 Senator(s) White, Boyd, Gibbs, Hodge, Johnston--
23 Concerning incentives for the production of biogenic gas
24 that was created as a result of human intervention.
25

26 The question being "Shall the bill pass?".

27 A roll call vote was taken. As shown by the following recorded vote, a
28 majority of those elected to the House voted in the affirmative and the bill
29 was declared **passed**.
30

	YES	63	NO	0	EXCUSED	2	ABSENT	0
31	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
32	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
33	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
34	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	E
35	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
36	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
37	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
38	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
39	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
40	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
41	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
42	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
43	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
44	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
45	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
46	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
47							Speaker	Y

48
49 Co-sponsor(s) added: Representative(s) Apuan, Baumgardner, Curry, Fischer,
50 Kerr J., King S., Labuda, Massey, Merrifield, Middleton, Pace, Priola, Tyler,
51 Vaad, Vigil.
52

53 **HB10-1375** by Representative(s) Riesberg, McFadyen; also Senator(s)
54 Bacon, Schwartz--Concerning the necessary authority for
55 Metropolitan state college of Denver to access favorable
56 financing.

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	39	NO	24	EXCUSED	2	ABSENT	0
7	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
9	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	E
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
12	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
14	Court	Y	King S.	N	Nikkel	N	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
16	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	N	Priola	N	Vaad	N
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	N	May	N	Riesberg	Y	Waller	N
22	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Casso, Court, Kagan, Labuda,
 25 Middleton, Miklosi, Schafer S., Todd, Speaker.

29 On motion of Representative Hullinghorst, the House resolved itself into
 30 Committee of the Whole for consideration of General Orders, and she
 31 was called to the Chair to act as Chairman.

34 GENERAL ORDERS--SECOND READING OF BILLS

36 The Committee of the Whole having risen, the Chairman reported the
 37 titles of the following bills had been read (reading at length had been
 38 dispensed with by unanimous consent), the bills considered and action
 39 taken thereon as follows:

41 (Amendments to the committee amendment are to the printed committee
 42 report which was printed and placed in the members' bill file.)

44 On motion of Representative Weissmann the following bill is laid over
 45 until April 16, 2010: **SB10-177, HB10-1395**.

46 On motion of Representative Weissmann the following bill is laid over
 47 until April 19, 2010: **HB10-1391**.

50 **HB10-1013** by Representative(s) Middleton, Massey, Merrifield,
 51 Scanlan, Stephens; also Senator(s) Romer, King K.,
 52 Spence, Steadman--Concerning the modification of certain
 53 provisions related to the administration of public schools
 54 from kindergarten through the twelfth grade.

1 Amendment No. 1, Appropriations Report, dated April 9, 2010, and
2 placed in member's bill file; Report also printed in House Journal,
3 April 9, pages 1162-1163.

4
5 Amendment No. 2, by Representative(s) Middleton.

6
7 Amend the Appropriations Committee Report, dated April 9, 2010, page
8 1, strike lines 4 and 5 and substitute:

9
10 "SECTION 9. The introductory portion to 22-54-128 (2) and
11 22-54-128 (4), (6), and (8), Colorado Revised Statutes, are amended, and
12 the said 22-54-128 is further amended BY THE ADDITION OF A NEW
13 SUBSECTION, to read:".

14
15 Page 1, strike lines 7 through 18.

16
17 Strike page 2.

18
19 Page 3, strike lines 1 through 26 and substitute:

20
21 "**aid - definitions.** (2) For the 2007-08 through ~~2010-11 budget years~~
22 2009-10 BUDGET YEARS, any school district may apply for military
23 dependent supplemental pupil enrollment aid pursuant to this section. A
24 district shall be eligible for such aid only if:

25
26 (4) On or before January 15, 2008, and on or before January 15
27 each year thereafter through ~~January 15, 2011~~ JANUARY 15, 2010, any
28 school district may apply for military dependent supplemental pupil
29 enrollment aid pursuant to this section by submitting to the department of
30 education an estimate of the district's military dependent supplemental
31 pupil enrollment for the applicable budget year.

32
33 (6) Notwithstanding the provisions of section 24-37-304 (1) (b.5),
34 C.R.S., on or before March 1, 2008, and on or before March 1 each year
35 thereafter through ~~March 1, 2011~~ MARCH 1, 2010, the department of
36 education shall submit a request to the general assembly for a
37 supplemental appropriation in an amount that will fully fund the
38 aggregate amount of the military dependent supplemental pupil
39 enrollment aid allowed for the budget year pursuant to subsection (3) of
40 this section. The department shall calculate the amount of the request by
41 applying the total military dependent supplemental pupil enrollment
42 submitted to the department by all eligible districts pursuant to subsection
43 (5) of this section to the formula specified in subsection (3) of this
44 section. The department shall make the request to the general assembly
45 during the fiscal year in which the school districts apply for the military
46 dependent supplemental pupil enrollment aid.

47
48 (8) ~~This section is repealed, effective July 1, 2011.~~

49
50 (9) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION TO THE
51 CONTRARY, IN ANY BUDGET YEAR IN WHICH THE DEPARTMENT OF
52 EDUCATION REQUESTS IN ITS ANNUAL BUDGET REQUEST AN
53 APPROPRIATION FOR THE PURPOSE OF FUNDING MILITARY DEPENDENT
54 SUPPLEMENTAL PUPIL ENROLLMENT AID AND THE GENERAL ASSEMBLY
55 MAKES AN APPROPRIATION FOR SUCH PURPOSE, THE APPLICABLE
56 PROVISIONS OF THIS SECTION SHALL BE IN EFFECT FOR THE APPLICABLE

1 BUDGET YEAR."

2
3 Amendment No. 3, by Representative(s) Middleton.

4
5 Amend printed bill, page 14, after line 25 insert:

6
7 "SECTION 13. The introductory portion to 22-2-106 (1) (a.5),
8 Colorado Revised Statutes, is amended to read:

9
10 **22-2-106. State board - duties.** (1) It is the duty of the state
11 board:

12
13 (a.5) To adopt, on or before ~~December 15, 2009~~ DECEMBER 15,
14 2011, a comprehensive set of guidelines for the establishment of high
15 school graduation requirements to be used by each school district board
16 of education in developing local high school graduation requirements.
17 Each school district board of education shall retain the authority to
18 develop its own unique high school graduation requirements, so long as
19 those local high school graduation requirements meet or exceed any
20 minimum standards or basic core competencies or skills identified in the
21 comprehensive set of guidelines for high school graduation developed by
22 the state board pursuant to this paragraph (a.5). In developing the
23 guidelines for high school graduation, the state board shall utilize the
24 recommendations of the state graduation guidelines development council
25 established in section 22-7-414, as it existed prior to July 1, 2008, and
26 shall:

27
28 **SECTION 14.** 22-2-306 (3) (b) and (4) (b), Colorado Revised
29 Statutes, are amended to read:

30
31 **22-2-306. Advance notice - legislative declaration - data**
32 **collection - data submission changes - web site update - submission**
33 **windows.** (3) (b) Notwithstanding any provision of paragraph (a) of this
34 subsection (3) to the contrary, if federally required OR STATE-REQUIRED
35 timelines for implementing federal data reporting requirements conflict
36 with the provisions of paragraph (a) of this subsection (3), the
37 department, the school districts, and the public schools shall comply with
38 the federally required timelines.

39
40 (4) (b) Notwithstanding any provision of paragraph (a) of this
41 subsection (4) to the contrary, if federally required OR STATE-REQUIRED
42 timelines for implementing federal data reporting requirements conflict
43 with the provisions of paragraph (a) of this subsection (4), the state board,
44 the school districts, and the public schools shall comply with the federally
45 required timelines.

46
47 **SECTION 15.** 22-5.5-106 (4), Colorado Revised Statutes, is
48 amended to read:

49
50 **22-5.5-106. Funding.** (4) Funding for a regional service area
51 after the first grant pursuant to this section is contingent upon the
52 successful implementation of the regional service area's plan, as evaluated
53 by the state board and the department. The state board shall annually
54 notify each regional service council on or before ~~August 1~~ SEPTEMBER 1
55 regarding whether the regional service area will receive moneys pursuant
56 to subsections (2) and (3) of this section in the coming year and the

1 amounts.

2
3 **SECTION 16.** 22-7-1004 (3) (a), Colorado Revised Statutes, is
4 amended to read:

5
6 **22-7-1004. School readiness description - school readiness**
7 **assessment - adoption - revisions.** (3) (a) On or before ~~July 1, 2015~~
8 JULY 1, 2017, and on or before July 1 every six years thereafter, the state
9 board shall review the school readiness description ~~and the school~~
10 ~~readiness assessments~~ and shall adopt any appropriate revisions to ~~either~~
11 ~~the description. or the assessments~~ THE STATE BOARD SHALL REVIEW THE
12 SCHOOL READINESS ASSESSMENTS AND ADOPT ANY APPROPRIATE
13 REVISIONS TO THE SCHOOL READINESS ASSESSMENTS WHEN THE BOARD
14 REVIEWS THE ASSESSMENTS AS SPECIFIED IN SECTION 22-7-1006 (5).

15
16 **SECTION 17.** 22-7-1005 (6), Colorado Revised Statutes, is
17 amended to read:

18
19 **22-7-1005. Preschool through elementary and secondary**
20 **education - aligned standards - adoption - revisions.** (6) On or before
21 ~~July 1, 2015~~ JULY 1, 2018, and on or before July 1 every six years
22 thereafter, the state board shall review and adopt any appropriate
23 revisions to the preschool through elementary and secondary education
24 standards specified in this section. In adopting revisions, the state board
25 may add or delete one or more of the specific instructional areas based on
26 the needs of the state and changes in national and international academic
27 expectations. In adopting revisions to the standards pursuant to this
28 subsection (6), the state board shall ensure that the standards continue to
29 meet the requirements specified in subsection (3) of this section.

30
31 **SECTION 18.** The introductory portion to 22-7-1006 (1) (a) and
32 22-7-1006 (5), Colorado Revised Statutes, are amended to read:

33
34 **22-7-1006. Preschool through elementary and secondary**
35 **education - aligned assessments - adoption - revisions.** (1) (a) On or
36 before December 15, 2010, OR AS SOON THEREAFTER AS FISCALLY
37 PRACTICABLE, the state board shall adopt a system of assessments that are
38 aligned with the preschool through elementary and secondary education
39 standards and are designed to measure students' levels of attainment of
40 the standards and to longitudinally measure students' academic progress
41 toward attaining the standards and toward attaining postsecondary and
42 workforce readiness. In adopting the system of assessments, the state
43 board shall ensure, at a minimum, that the system is designed to:

44
45 (5) ~~On or before July 1, 2016, and on or before July 1 every six~~
46 ~~years thereafter~~ EVERY SIX YEARS AFTER THE ADOPTION OF THE SYSTEM
47 OF ASSESSMENTS PURSUANT TO PARAGRAPH (a) OF SUBSECTION (1) OF THIS
48 SECTION, the state board shall review and adopt any appropriate revisions
49 to ~~the~~ SUCH system of assessments. ~~specified in this section.~~ The state
50 board may adopt revisions to an assessment or adopt additional
51 assessments, regardless of whether it adopts any revision to the standards
52 with which the assessment is aligned. In adopting revisions to the system
53 of assessments, the state board shall ensure that the system of assessments
54 continues to meet the requirements specified in this section.

55
56 **SECTION 19.** 22-7-1008 (2) (a) and (3) (b), Colorado Revised

1 Statutes, are amended to read:

2
3 **22-7-1008. Postsecondary and workforce readiness description**
4 **- postsecondary and workforce planning, preparation, and readiness**
5 **assessments - adoption - revision.** (2) (a) On or before December 15,
6 2010, OR AS SOON THEREAFTER AS FISCALLY PRACTICABLE, the state board
7 and the commission shall negotiate a consensus and adopt one or more
8 postsecondary and workforce planning assessments, postsecondary and
9 workforce preparation assessments, and postsecondary and workforce
10 readiness assessments that local education providers shall administer
11 pursuant to section 22-7-1016. The state board and the commission shall
12 base the selection of the postsecondary and workforce planning,
13 preparation, and readiness assessments on the information received
14 through the operation of the pilot program, ensuring that the selected
15 assessments are aligned with the standards for grades nine through twelve
16 and with the description of postsecondary and workforce readiness.

17
18 ~~(3) (b) On or before July 1, 2016, and on or before July 1 every six~~
19 ~~years thereafter~~ EVERY SIX YEARS AFTER THE ADOPTION OF THE
20 POSTSECONDARY AND WORKFORCE PLANNING, PREPARATION, AND
21 READINESS ASSESSMENTS PURSUANT TO PARAGRAPH (a) OF SUBSECTION
22 (2) OF THIS SECTION, the state board and the commission shall review,
23 negotiate a consensus, and adopt any appropriate revisions to ~~the~~
24 ~~postsecondary and workforce planning, preparation, and readiness~~ SUCH
25 assessments. The state board and the commission may adopt revisions to
26 the postsecondary and workforce planning, preparation, and readiness
27 assessments, regardless of whether they adopt any revisions to the
28 postsecondary and workforce readiness description. In adopting revisions
29 to the assessments, the state board and the commission shall ensure that
30 the assessments continue to meet the requirements specified in subsection
31 (2) of this section. The state board and the commission shall also review
32 and adopt any appropriate revisions to the scoring criteria.

33
34 **SECTION 20.** 22-7-1009 (1) and (6), Colorado Revised Statutes,
35 are amended to read:

36
37 **22-7-1009. Diploma endorsements - adoption - revisions.**
38 (1) On or before July 1, 2011, OR AS SOON THEREAFTER AS FISCALLY
39 PRACTICABLE, the state board shall adopt criteria that a local school board,
40 BOCES, or institute charter high school may apply if the local school
41 board, BOCES, or institute charter high school chooses to endorse high
42 school diplomas to indicate that students have achieved postsecondary
43 and workforce readiness. The criteria shall include, but need not be
44 limited to, the required minimum level of postsecondary and workforce
45 readiness that a student must achieve to receive a readiness endorsement
46 on his or her diploma from the local school board, BOCES, or institute
47 charter high school. In identifying the required minimum level of
48 postsecondary and workforce readiness, the state board shall ensure that
49 the minimum level of postsecondary and workforce readiness reflects the
50 expectations for postsecondary and workforce readiness that are applied
51 nationally and internationally.

52
53 ~~(6) On or before July 1, 2017, and on or before July 1 every six~~
54 ~~years thereafter~~ EVERY SIX YEARS AFTER THE ADOPTION OF CRITERIA FOR
55 ENDORSEMENTS PURSUANT TO SUBSECTION (1) OF THIS SECTION, the state
56 board shall revise and adopt any appropriate revisions to ~~the~~ SUCH criteria

1 for endorsements. ~~specified in this section.~~

2
3 **SECTION 21.** 22-7-1014 (1) (a), Colorado Revised Statutes, is
4 amended to read:

5
6 **22-7-1014. Preschool individualized readiness plans - school**
7 **readiness - assessments.** (1) (a) Beginning in the fall semester of ~~2012~~
8 2013, each local education provider that provides a preschool or
9 kindergarten program shall ensure that each student enrolled in a
10 preschool or kindergarten program operated by the local education
11 provider receives an individualized readiness plan that addresses the
12 preschool standards or kindergarten standards, as appropriate, knowledge
13 and skill areas in which a student needs assistance to make progress
14 toward school readiness.

15
16 **SECTION 22.** 22-7-1015 (3) (a), Colorado Revised Statutes, is
17 amended to read:

18
19 **22-7-1015. Postsecondary and workforce readiness program**
20 **- technical assistance.** (3) (a) It is the intent of the general assembly
21 that, on or before ~~December 15, 2012~~ DECEMBER 15, 2013, each student
22 who enrolls in a public high school operated by a local education provider
23 shall enroll in and successfully complete a postsecondary and workforce
24 readiness program. Each local education provider shall require each high
25 school student, beginning in ninth grade and continuing through twelfth
26 grade, to enroll in the local education provider's postsecondary and
27 workforce readiness program.

28
29 **SECTION 23.** 22-7-1016 (1) and (5) (a), Colorado Revised
30 Statutes, are amended to read:

31
32 **22-7-1016. Postsecondary and workforce planning,**
33 **preparation, and readiness assessments - transcripts.** (1) ~~On or~~
34 ~~before December 15, 2012,~~ Each local education provider shall
35 administer the postsecondary and workforce planning, preparation, and
36 readiness assessments adopted by the state board and the commission
37 pursuant to section 22-7-1008 WITHIN TWO YEARS OF THE ADOPTION OF
38 SUCH ASSESSMENTS. Upon receiving the results following administration
39 of the postsecondary and workforce planning, preparation, and readiness
40 assessments, the local education provider shall provide to each student a
41 printed copy of the student's assessment results, and a teacher or
42 counselor shall review each student's results with the student and, to the
43 extent practicable, with the student's parent or legal guardian and
44 determine the areas in which the student continues to need instruction in
45 order to demonstrate postsecondary and workforce readiness prior to or
46 upon attaining a high school diploma.

47
48 (5) (a) Beginning in the ~~2011-12~~ 2012-13 academic year, if a
49 student whose dominant language is not English, as defined in section
50 22-24-103 (4), is enrolled in eleventh or twelfth grade and the student has
51 not demonstrated attainment of the standard for English language
52 competency and has not demonstrated postsecondary and workforce
53 readiness, the local education provider with which the student is enrolled
54 shall provide to the student additional services and supports as necessary
55 to assist the student in attaining the standard.

56

1 **SECTION 24.** 22-7-1018 (2) (b) and (2) (c), Colorado Revised
2 Statutes, are amended to read:

3
4 **22-7-1018. Cost study.** (2) The entity selected to conduct the
5 cost study shall submit reports to the department of education and the
6 department of higher education in accordance with the following time
7 line:

8
9 (b) On or before ~~October 1, 2010~~ OCTOBER 1, 2011, a report of the
10 costs pertaining to implementation of the school readiness assessments,
11 the system of assessments that is aligned with the preschool through
12 elementary and secondary education standards, and the postsecondary and
13 workforce planning, preparation, and readiness assessments; and

14
15 (c) On or before ~~October 1, 2011~~ OCTOBER 1, 2012, a report of the
16 costs pertaining to implementation of the diploma endorsements.

17
18 **SECTION 25.** 22-7-1019 (2), Colorado Revised Statutes, is
19 amended to read:

20
21 **22-7-1019. Preschool to postsecondary and workforce**
22 **readiness - progress reports - effectiveness reports.** (2) On or before
23 ~~February 15, 2013~~ FEBRUARY 15, 2014, and on or before February 15
24 each year thereafter, the department of education shall submit to the
25 education committees of the senate and the house of representatives, or
26 any successor committees, a report concerning the results achieved
27 through implementation of school readiness, the preschool through
28 elementary and secondary education standards, and postsecondary and
29 workforce readiness.

30
31 **SECTION 26.** 22-30.7-103 (3) (h), Colorado Revised Statutes,
32 is amended to read:

33
34 **22-30.7-103. Division of on-line learning - created - duties.**
35 (3) **Duties.** The on-line division shall have the following duties:

36
37 (h) To compile the reports submitted by authorizers and school
38 districts pursuant to section 22-30.7-109 and prepare a summary report to
39 be submitted on or before February 1, 2009, and on or before ~~February 1~~
40 JUNE 1 each year thereafter, to the state board and the education
41 committees of the house of representatives and the senate, or any
42 successor committees;

43
44 **SECTION 27.** 22-32-109 (1) (kk) (I), Colorado Revised Statutes,
45 is amended to read:

46
47 **22-32-109. Board of education - specific duties.** (1) In addition
48 to any other duty required to be performed by law, each board of
49 education shall have and perform the following specific duties:

50
51 (kk) (I) To undertake a community-based process to develop a
52 blueprint for the education system in the community and to determine the
53 skills students will need to be successful after graduation. Each board of
54 education shall seek input from the community at large, which may
55 include, but need not be limited to, students, parents, business persons,
56 neighboring school districts, and regional boards of cooperative services.

1 Each board of education shall use this blueprint, together with the
2 guidelines for high school graduation requirements developed by the state
3 board pursuant to section 22-2-106 (1) (a.5), to establish local high school
4 graduation requirements applicable to students enrolling in ninth grade
5 beginning ~~July 1, 2010~~ IN THE 2012-13 SCHOOL YEAR. To assist the state
6 board of education in fulfilling its duties under part 10 of article 7 of this
7 title, each board of education shall provide to the state board of education
8 information concerning the blueprint and the input received in developing
9 the blueprint. A board of education that has undertaken a comprehensive
10 community-based process and has revised its high school graduation
11 requirements within the previous two years shall not be required to
12 develop a new blueprint for the education system in its community or
13 make any revisions to its high school graduation requirements.

14
15 **SECTION 28.** 23-1-113 (6) (b), Colorado Revised Statutes, is
16 amended to read:

17
18 **23-1-113. Commission directive - admission standards for**
19 **baccalaureate and graduate institutions of higher education.**

20 (6) (b) ~~On or before July 1, 2016, and on or before July 1 every six years~~
21 ~~thereafter~~ EVERY SIX YEARS AFTER THE ADOPTION OF THE
22 POSTSECONDARY AND WORKFORCE PLANNING, PREPARATION, AND
23 READINESS ASSESSMENTS PURSUANT TO SECTION 22-7-1008, the
24 commission and the state board of education may negotiate a consensus
25 and adopt revisions to ~~the postsecondary and workforce planning,~~
26 ~~preparation, and readiness~~ SUCH assessments. The commission and the
27 state board of education may also revise the scoring criteria for the
28 postsecondary and workforce planning, preparation, and readiness
29 assessments, as necessary."

30
31 Renumber succeeding section accordingly.

32
33 Amendment No. 4, by Representative(s) Middleton.

34
35 Amend printed bill, page 14, after line 25 insert:

36
37 **"SECTION 13.** 22-20-109 (2), Colorado Revised Statutes, is
38 amended to read:

39
40 **22-20-109. Tuition.** (2) The state board shall promulgate rules
41 to define the contract approval process to define the types and amounts
42 of costs in excess of the state average per pupil ~~operating~~ revenues, as
43 defined in section 22-54-103 (12), and to define other applicable revenues
44 that a school district of residence of a child with a disability shall pay as
45 tuition to educate that child elsewhere at a community centered board or
46 an eligible facility. These rules shall include, but need not be limited to,
47 the limitations on the number of staff members per number of students,
48 the amount of equipment necessary for classroom instruction of the child,
49 the number of days of school, and any other expenses involved in the
50 provision of educational services as determined by the child's IEP.
51 However, these rules shall not require that, in calculating the amount of
52 the tuition charge for educating a child with a disability in any community
53 centered board or eligible facility, the costs incurred by a community
54 centered board or eligible facility in providing such special education
55 program be reduced by the amount of revenues, if any, received by the
56 community centered board or eligible facility as donations or special

1 education grants. The school district of residence shall be responsible for
2 paying as tuition any excess costs above the state average per pupil
3 ~~operating~~ revenues to provide these services.

4
5 **SECTION 14.** 22-24-104 (4) (c) (I) and (4) (c) (II), Colorado
6 Revised Statutes, are amended to read:

7
8 **22-24-104. English language proficiency program established**
9 **- funding.** (4) (c) (I) An amount equal to seventy-five percent of the
10 appropriation made to the department for the 1998-99 fiscal year plus any
11 increase in the annual appropriation made to the department over the
12 appropriation made for the 1998-99 fiscal year or the amount needed to
13 fully fund the program pursuant to this subparagraph (I), whichever is
14 less, shall be used by the districts, the state charter school institute, and
15 the facility schools for students certified to be within section 22-24-103
16 (4) (a) or (4) (b). No such student shall be funded for more than an
17 amount equal to four hundred dollars per year or an amount equal to
18 twenty percent of the state average per pupil ~~operating~~ revenues, as
19 defined in section 22-54-103 (12) for the preceding year as annually
20 determined by the department, whichever is greater.

21
22 (II) The remainder of the annual appropriation shall be used by the
23 districts, the state charter school institute, and the facility schools for
24 students certified to be within section 22-24-103 (4) (c). No such student
25 shall be funded for an amount greater than two hundred dollars per year
26 or an amount equal to ten percent of the state average per pupil ~~operating~~
27 revenues, as defined in section 22-54-103 (12), for the preceding year as
28 annually determined by the department, whichever is greater.

29
30 **SECTION 15.** 22-30.5-112 (2) (a) (II), (2) (a.5) (III), and (2) (c)
31 (I), Colorado Revised Statutes, are amended to read:

32
33 **22-30.5-112. Charter schools - financing - definitions -**
34 **guidelines.** (2) (a) (II) For the 1999-2000 budget year, the charter school
35 and the school district shall begin discussions on the contract using eighty
36 percent of the district per pupil ~~operating~~ revenues.

37
38 (a.5) As used in this subsection (2):

39
40 (III) ~~"Per pupil operating revenues" shall have the same meaning~~
41 ~~as provided in section 22-54-103 (9).~~

42
43 ~~(c) (I) For the 1999-2000 budget year, in no event shall the~~
44 ~~amount of funding negotiated pursuant to this subsection (2) be less than~~
45 ~~eighty percent of the district per pupil operating revenues multiplied by~~
46 ~~the number of pupils enrolled in the charter school.~~

47
48 **SECTION 16.** 22-33-204 (3), Colorado Revised Statutes, is
49 amended to read:

50
51 **22-33-204. Services for at-risk students - agreements with**
52 **state agencies and community organizations.** (3) Each school district
53 shall use a portion of its per pupil ~~operating revenue~~ REVENUES to provide
54 services under agreements entered into pursuant to this section for each
55 student who is at risk of suspension or expulsion or who is suspended or
56 expelled. In addition, the school district may use federal moneys, moneys

1 received from any other state appropriation, and moneys received from
2 any other public or private grant to provide said services.

3
4 **SECTION 17.** 22-43.7-109 (9) (c) (I), Colorado Revised Statutes,
5 is amended to read:

6
7 **22-43.7-109. Financial assistance for public school capital**
8 **construction - application requirements - evaluation criteria - local**
9 **match requirements.** (9) Except as otherwise provided in subsection
10 (10) of this section, the board shall recommend and the state board shall
11 approve financial assistance for a public school facility capital
12 construction project only if the applicant provides matching moneys in an
13 amount equal to a percentage of the total financing for the project
14 determined by the board after consideration of the applicant's financial
15 capacity, as determined by the following factors:

16
17 (c) With respect to a charter school's application for financial
18 assistance:

19
20 (I) The amount of per pupil ~~operating revenue~~ REVENUES that the
21 charter school has budgeted to expend in order to meet its facilities
22 obligations during the fiscal year for which an application is made
23 relative to other charter schools in the state, measured both in terms of
24 total dollars and as a percentage of the charter school's total per pupil
25 ~~operating revenue~~ REVENUES;

26
27 **SECTION 18.** 22-52-104 (2) (b) (I) (B), Colorado Revised
28 Statutes, is amended to read:

29
30 **22-52-104. Application - payment.** (2) (b) (I) (B) Effective
31 January 1, 1989, pursuant to rules and regulations promulgated by the
32 state board of education, the school district of residence of the student
33 shall transmit monthly eighty-five percent of the district of residence's per
34 pupil ~~operating~~ revenues, as defined in ~~section 22-54-103 (9)~~ SECTION
35 22-54-103 (9.3) to the school district or eligible school enrolling the
36 student or the actual educational cost of the program provided, whichever
37 is less.

38
39 **SECTION 19.** 22-54-103 (9) and (12), Colorado Revised
40 Statutes, are amended to read:

41
42 **22-54-103. Definitions - repeal.** As used in this article, unless
43 the context otherwise requires:

44
45 (9) ~~"Per pupil operating revenues" means the district's total~~
46 ~~program for any budget year divided by the district's funded pupil count~~
47 ~~for said budget year, minus the minimum amount per pupil required by~~
48 ~~section 22-54-105 to be transferred for the capital reserve fund or any~~
49 ~~fund or account within the general fund established solely for the~~
50 ~~management of risk-related activities.~~

51
52 (12) "State average per pupil ~~operating~~ revenues" means the total
53 program of all districts for any budget year divided by the total funded
54 pupil count of all districts for said budget year. ~~minus the minimum~~
55 ~~amount per pupil required by section 22-54-105 to be budgeted for the~~
56 ~~capital reserve fund, the insurance reserve fund, or any other fund for the~~

1 ~~management of risk-related activities.~~

2
3 **SECTION 20.** 22-54-109 (4), Colorado Revised Statutes, is
4 amended to read:

5
6 **22-54-109. Attendance in district other than district of**
7 **residence.** (4) For a child with disabilities residing in a particular school
8 district but receiving educational services from another school district, the
9 state average per pupil ~~operating~~ revenues shall be the district of
10 residence's total responsibility under this article for the education of that
11 child. The provisions of this subsection (4) shall not apply to children
12 with disabilities enrolled in an interdistrict participating school district
13 pursuant to the provisions of article 36 of this title.

14
15 **SECTION 21.** 22-80-113 (4), Colorado Revised Statutes, is
16 amended to read:

17
18 **22-80-113. Educational training - expenditures.** (4) Effective
19 ~~for budget years beginning on and after January 1, 1989, each school~~
20 ~~district which has pupils of residence in the district attending the~~
21 ~~Colorado school for the deaf and the blind shall count such pupils in the~~
22 ~~district's pupil enrollment pursuant to section 22-54-103 (10).~~ No later
23 ~~than October 10~~ OCTOBER 5 each year, the Colorado school for the deaf
24 and the blind shall notify ~~each district of residence in writing~~ THE
25 DEPARTMENT OF EDUCATION of the pupils' placement at the Colorado
26 school for the deaf and the blind. The Colorado school for the deaf and
27 the blind is entitled to receive, from the department of education, an
28 amount equal to the state average per pupil ~~operating~~ revenues, as defined
29 in section 22-54-103 (12), for the current fiscal year for those students in
30 attendance. The Colorado school for the deaf and the blind shall bill the
31 department of education for the applicable portion of such amount at the
32 conclusion of each month during which such pupils continue to be placed
33 at the Colorado school for the deaf and the blind.

34
35 **SECTION 22.** 22-81.5-102 (2), Colorado Revised Statutes, is
36 amended to read:

37
38 **22-81.5-102. Legislative declaration.** (2) It is the intent of the
39 general assembly that, for purposes of this article, any school that
40 provides educational services to students who are ~~included on the roll of~~
41 ~~out-of-district placed children~~ PLACED IN AN ELIGIBLE FACILITY OR STATE
42 OPERATED PROGRAM and receives a portion of the STATE AVERAGE per
43 pupil ~~operating~~ revenues ~~of a school district in exchange for providing~~
44 ~~such services~~ shall be considered eligible under this article.

45
46 **SECTION 23.** The introductory portion to 23-8-101.5 (4) and
47 23-8-101.5 (4) (a) and (4) (c), Colorado Revised Statutes, are amended to
48 read:

49
50 **23-8-101.5. Definitions.** As used in this article, unless the context
51 otherwise requires:

52
53 (4) "Education provider's per pupil ~~operating~~ revenues" means:

54
55 (a) For a school district, the district's per pupil ~~operating~~ revenues,
56 as defined in ~~section 22-54-103 (9), C.R.S.~~ SECTION 22-54-103 (9.3),

1 C.R.S.;

2

3 (c) For an institute charter school, the amount received by an
4 institute charter school pursuant to the provisions of section 22-54-115
5 (1.3), C.R.S., for any budget year, divided by the number of pupils
6 enrolled in the institute charter school for that budget year; ~~minus the~~
7 ~~minimum amount per pupil required by section 22-30.5-513, C.R.S., to~~
8 ~~be allocated for capital reserve or risk management purposes; and~~

9

10 **SECTION 24.** 23-8-102 (1) (b), Colorado Revised Statutes, is
11 amended to read:

12

13 **23-8-102. School districts, boards of cooperative services, and**
14 **institute charter schools conducting career and technical education**
15 **courses - eligibility for state moneys.** (1) An education provider of the
16 state conducting a course of career and technical education approved
17 pursuant to section 23-8-103 by the board is entitled to career and
18 technical education program support from moneys appropriated for that
19 purpose by the general assembly. The amount of career and technical
20 education program support that an education provider is entitled to
21 receive pursuant to the provisions of this article shall be computed as
22 follows:

23

24 (b) As career and technical education program support, the state
25 shall provide, to each education provider conducting an approved career
26 and technical education program for each twelve-month period beginning
27 July 1, eighty percent of the first one thousand two hundred fifty dollars,
28 or part thereof, by which the education provider's approved career and
29 technical education program cost per full-time equivalent student exceeds
30 seventy percent of the education provider's per pupil ~~operating~~ revenues,
31 for the school budget year during which the twelve-month period begins.
32 In addition, if the education provider's approved career and technical
33 education cost per full-time equivalent student exceeds seventy percent
34 of its per pupil ~~operating~~ revenues by an additional amount in excess of
35 one thousand two hundred fifty dollars, the state shall provide fifty
36 percent of the additional amount.

37

38 **SECTION 25.** 27-10.5-104 (7) (b), Colorado Revised Statutes,
39 is amended to read:

40

41 **27-10.5-104. Authorized services and supports - conditions of**
42 **funding - purchase of services and supports - boards of county**
43 **commissioners - appropriation.** (7) (b) Each school district shall pay
44 to the community centered board providing programs attended by a
45 student with a developmental disability, who is domiciled in the school
46 district and may be counted in the district's pupil enrollment, an amount
47 at least equal to the district's per pupil ~~operating~~ revenues as determined
48 pursuant to the "Public School Finance Act of 1994", article 54 of title 22,
49 C.R.S. This subsection (7) shall apply to students who are less than
50 twenty-two years of age."

51

52 Renumber succeeding section accordingly.

53

54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.

56

1 **HB10-1269** by Representative(s) Levy, Casso, Court, Ferrandino,
2 Hullinghorst, Judd, McFadyen, Middleton, Miklosi,
3 Pommer, Solano, Tyler, Weissmann, Carroll T., Frangas,
4 Kagan, Labuda, Pace, Schafer S.; also Senator(s) Carroll
5 M., Bacon, Boyd, Hodge, Hudak, Morse, Romer,
6 Steadman, Tapia--Concerning the creation of remedies
7 available in employment discrimination cases.
8

9 Amendment No. 1, Judiciary Report, dated March 1, 2010, and placed in
10 member's bill file; Report also printed in House Journal, March 2,
11 page 625.
12

13 Amendment No. 2, Appropriations Report, dated April 9, 2010, and
14 placed in member's bill file; Report also printed in House Journal,
15 April 9, pages 1169-1171.
16

17 Amendment No. 3, by Representative(s) Levy.
18

19 Amend printed bill, page 8, strike line 14.
20

21 Page 8, line 15, strike "AND PUNITIVE DAMAGES PURSUANT TO" and
22 substitute "2011, THE DAMAGES SPECIFIED IN".
23

24 Page 8, line 17, strike "ONLY" and substitute "SHALL BE AVAILABLE ONLY
25 IN CLAIMS ASSERTED".
26

27 Page 8, line 21, strike "A COMPLAINING PARTY OR PLAINTIFF MAY
28 RECOVER".
29

30 Page 8, line 24, after "SECTION" insert "SHALL BE AVAILABLE IN CLAIMS
31 ASSERTED".
32

33 As amended, declared **lost** on Second Reading.
34

35 **HB10-1351** by Representative(s) Ferrandino, Apuan, Casso, Curry,
36 Gagliardi, Hullinghorst, Kerr A., McCann, Merrifield,
37 Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Tyler,
38 Vigil; also Senator(s) Romer, Carroll M., Foster, Keller,
39 Morse--Concerning the maximum authorized interest rate
40 for a payday loan.
41

42 Amendment No. 1, Judiciary Report, dated March 8, 2010, and placed in
43 member's bill file; Report also printed in House Journal, March 9,
44 pages 721-722.
45

46 Amendment No. 2, Judiciary Report, dated April 8, 2010, and placed in
47 member's bill file; Report also printed in House Journal, April 9,
48 pages 1176-1177.
49

50 As amended, ordered engrossed and placed on the Calendar for Third
51 Reading and Final Passage.
52
53
54
55

1 **SB10-073** by Senator(s) Tapia; also Representative(s) McFadyen--
 2 Concerning the nurse home visitor program duties of the
 3 health sciences facility at the university of Colorado.
 4

5 Ordered revised and placed on the Calendar for Third Reading and Final
 6 Passage.
 7

8 **SB10-117** by Senator(s) Foster; also Representative(s) Primavera--
 9 Concerning medicaid coverage for over-the-counter
 10 medications.
 11

12 Amendment No. 1, Health & Human Services Report, dated
 13 April 12, 2010, and placed in member's bill file; Report also printed in
 14 House Journal, April 13, page 1212.
 15

16 As amended, ordered revised and placed on the Calendar for Third
 17 Reading and Final Passage.
 18

19 **HB10-1399** by Representative(s) Weissmann; also Senator(s) Gibbs--
 20 Concerning the authority of the Colorado bureau of
 21 investigation to assist a chief of a fire department in the
 22 investigation of a fire related to the crime of arson.
 23

24 Amendment No. 1, Judiciary Report, dated April 12, 2010, and placed in
 25 member's bill file; Report also printed in House Journal, April 13,
 26 pages 1213-1214.
 27

28 As amended, ordered engrossed and placed on the Calendar for Third
 29 Reading and Final Passage.
 30

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

35 Passed Second Reading: **HB10-1013 amended, 1351 amended,**
 36 **SB10-073, 117 amended, HB10-1399 amended.**
 37

38 Lost on Second Reading: **HB10-1269 amended.**
 39

40 Laid over until date indicated retaining place on Calendar: **SB10-177,**
 41 **HB10-1395--April 16, 2010.**
 42 **HB10-1391--April 19, 2010.**
 43

44 The Chairman moved the adoption of the Committee of the Whole
 45 Report. As shown by the following roll call vote, a majority of those
 46 elected to the House voted in the affirmative, and the Report was
 47 **adopted.**
 48

	YES	63	NO	1	EXCUSED	1	ABSENT	0
50	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
55	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y

1	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
3	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
6	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
7	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
8	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
9	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
10							Speaker	Y

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

After consideration on the merits, the Committee recommends the following:

HB10-1398 be referred favorably to the Committee on Appropriations.

HJR10-1019 be amended, as follows, and as so amended, be referred out to the House for final action.

Amend printed joint resolution, page 2, line 40, after "to" insert "Governor Bill Ritter, Jr., Colorado Department of Local Affairs Executive Director Susan Kirkpatrick, Colorado Department of Natural Resources Executive Director Jim Martin,".

BUSINESS AFFAIRS & LABOR

After consideration on the merits, the Committee recommends the following:

HB10-1400 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 3, line 4, after "A" insert "NATURAL".

Page 3, line 13, strike "TAXPAYER" and substitute "COLORADO CONSUMER" and strike "TAXPAYER'S" and substitute "COLORADO CONSUMER'S".

Page 4, line 19, strike "INTEREST" and substitute "ANNUAL PERCENTAGE".

Page 7, line 11, strike "ESTIMATED".

Page 7, line 27, before "- penalties." insert "- investigation".

1 Page 8, after line 8 insert:

2
3 "(c) MAKE INVESTIGATIONS, ISSUE SUBPOENAS TO REQUIRE THE
4 ATTENDANCE OF WITNESSES OR THE PRODUCTION OF DOCUMENTS,
5 ADMINISTER OATHS, AND CONDUCT HEARINGS IN AID OF ANY
6 INVESTIGATION OR INQUIRY NECESSARY TO ADMINISTER THE PROVISIONS
7 OF THIS ARTICLE;"

8
9 Reletter succeeding paragraphs accordingly.

10
11 Page 8, line 14, strike "MAKING" and substitute "MAKING, FACILITATING,".

12

13

14

15

16 **FINANCE**

17 After consideration on the merits, the Committee recommends the
18 following:

19

20 **HB10-1285** be amended as follows, and as so amended, be referred to
21 the Committee on Appropriations with favorable
22 recommendation:

23

24 Amend printed bill, page 2, line 6, before "THE" insert "(1)"

25

26 Page 2, strike lines 9 through 17 and substitute "THE GENERAL ASSEMBLY
27 SHALL ANNUALLY APPROPRIATE THE MONEYS IN THE FUND TO COVER THE
28 COST OF THE SALES TAX REFUND CREATED BY SECTION 39-26-113.5,
29 C.R.S., AND THE ACTUAL COST OF ADMINISTERING SECTIONS 39-26-113.5
30 AND 39-30-104 (1) (b), C.R.S. AFTER RECEIVING THE STATEMENT
31 PURSUANT TO SECTION 39-30-104 (1) (b) (V), THE STATE TREASURER
32 SHALL CREDIT THE TOTAL COST OF THE AMOUNT OF THE TAX CREDITS
33 STATED THEREIN TO THE GENERAL FUND. ANY MONEYS REMAINING IN THE
34 COMMERCIAL VEHICLE ENTERPRISE TAX FUND AT THE END OF THE FISCAL
35 YEAR SHALL NOT REVERT TO THE GENERAL FUND.

36

37 (2) (a) ON JULY 1, 2011, AND EACH JULY 1 THEREAFTER, THE
38 DEPARTMENT SHALL ALLOCATE ONE-THIRD OF THE FUND BALANCE, NOT
39 INCLUDING THE AMOUNT APPROPRIATED TO COVER THE ACTUAL COST OF
40 ADMINISTERING SECTIONS 39-26-113.5 AND 39-30-104 (1) (b), C.R.S., TO
41 MAKE THE SALES TAX REFUNDS GRANTED IN SECTION 39-26-113.5, C.R.S.

42

43 (b) ON JULY 1, 2011, AND EACH JULY 1 THEREAFTER, THE
44 DEPARTMENT SHALL ALLOCATE TWO-THIRDS OF THE FUND BALANCE, NOT
45 INCLUDING THE AMOUNT APPROPRIATED TO COVER THE ACTUAL COST OF
46 ADMINISTERING SECTIONS 39-26-113.5 AND 39-30-104 (1) (b), C.R.S., TO
47 OFFSET THE INCOME TAX CREDIT GRANTED IN SECTION 39-30-104 (1) (b),
48 C.R.S. BY JANUARY 1, 2012, THE DEPARTMENT SHALL NOTIFY THE
49 COLORADO ECONOMIC DEVELOPMENT COMMISSION CREATED IN SECTION
50 24-46-102, C.R.S., OF THE AMOUNT ALLOCATED FOR SUCH PURPOSES."

51

52 Page 6, strike lines 16 through 26 and substitute:

53

54 "SECTION 4. 39-26-113.5 (1) (a) and (1) (c), Colorado Revised
55 Statutes, are amended, and the said 39-26-113.5 is further amended BY
56 THE ADDITION OF A NEW SUBSECTION to read:

1 **39-26-113.5. Refund of state sales taxes for vehicles used in**
2 **interstate commerce - fund.** (1) (a) EXCEPT AS PROVIDED IN
3 SUBSECTION (3) OF THIS SECTION, for the calendar year commencing on
4 January 1, 2011, and for each calendar year thereafter, a taxpayer may
5 claim a refund of a percentage of all state sales and use taxes paid by the
6 taxpayer pursuant to this part 1 and part 2 of this article on the sale,
7 storage, or use of a model year 2010 or newer truck tractor OR
8 SEMITRAILER with a gross vehicle weight rating of ~~twenty-six~~ FIFTY-FOUR
9 thousand pounds or greater ~~designated as Class A personal property as~~
10 ~~specified in section 42-3-106 (2) (a), C.R.S.~~ THAT IS PURCHASED ON OR
11 AFTER JULY 1, 2011.

12
13 (c) The total refund shall be claimed as follows:

14
15 (I) For the calendar year in which the truck tractor OR
16 SEMITRAILER was purchased, stored, or used, ~~ten~~ THIRTY-THREE percent
17 of the total amount of the refund IF THE MODEL YEAR OF THE TRUCK
18 TRACTOR OR SEMITRAILER WAS SOLD AS NEW DURING SUCH CALENDAR
19 YEAR;

20
21 (II) For the first calendar year after the calendar year in which the
22 truck tractor OR SEMITRAILER was purchased, stored, or used, ~~fifteen~~
23 THIRTY-THREE percent of the total amount of the refund IF THE MODEL
24 YEAR OF THE TRUCK TRACTOR OR SEMITRAILER WAS SOLD AS NEW DURING
25 SUCH CALENDAR YEAR; AND

26
27 (III) For the second calendar year after the calendar year in which
28 the truck tractor OR SEMITRAILER was purchased, stored, or used,
29 ~~twenty-five~~ THIRTY-THREE percent of the total amount of the refund IF
30 THE MODEL YEAR OF THE TRUCK TRACTOR OR SEMITRAILER WAS SOLD AS
31 NEW DURING SUCH CALENDAR YEAR.

32
33 (IV) ~~For the third calendar year after the calendar year in which~~
34 ~~the truck tractor was purchased, stored, or used, twenty-five percent of the~~
35 ~~total amount of the refund; and~~

36
37 (V) ~~For the fourth calendar year after the calendar year in which~~
38 ~~the truck tractor was purchased, stored, or used, twenty-five percent of the~~
39 ~~total amount of the refund.~~

40
41 (3) (a) THE DEPARTMENT OF REVENUE SHALL DENY A CLAIMANT
42 THE SALES TAX REFUND OR A PORTION OF SUCH REFUND GRANTED IN THIS
43 SECTION IF THE CLAIM RESULTS IN MORE THAN THE AMOUNT ALLOCATED
44 FOR THE CREDIT PURSUANT TO SECTION 42-1-224, C.R.S.

45
46 (b) TO IMPLEMENT THIS SECTION, THE DEPARTMENT OF REVENUE
47 SHALL TRACK THE AMOUNT OF THE REFUNDS GRANTED UNDER THIS
48 SECTION.

49
50 **SECTION 5.** 39-26-712 (2), Colorado Revised Statutes, is
51 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

52
53 **39-26-712. Trailers and trucks.** (2) The following shall be
54 exempt from taxation under the provisions of part 2 of this article:

55
56 (c) THE STORAGE OR USE OF A NEW OR USED TRAILER,

1 SEMITRAILER, TRUCK, TRUCK TRACTOR, OR TRUCK BODY IF THE VEHICLE
2 HAS BEEN RELOCATED WITHIN THIS STATE, WAS USED IN INTERSTATE
3 COMMERCE, AND THE OWNER CAN PROVIDE EVIDENCE OF THE VEHICLE
4 BEING PREVIOUSLY REGISTERED IN ANOTHER STATE FOR AT LEAST SIX
5 MONTHS.".

6
7 Renumber succeeding sections accordingly.

8
9 Strike pages 7 and 8 and substitute "Colorado Revised Statutes, are
10 amended, and the said 39-30-104 (1) (b) is further amended BY THE
11 ADDITION OF THE FOLLOWING NEW SUBPARAGRAPHS, to read:

12
13 **39-30-104. Credit against tax - investment in certain property**
14 **- repeal.** (1) (b) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (IV) OF THIS
15 PARAGRAPH (b), for income tax years commencing on or after January 1,
16 2011, ~~but before January 1, 2016~~ AND FOR EACH INCOME TAX YEAR
17 THEREAFTER, a commercial truck, truck tractor, tractor, or semitrailer with
18 a gross vehicle weight rating of ~~sixteen~~ FIFTY-FOUR thousand pounds or
19 greater that is model year 2010 or newer AND IS DESIGNATED AS CLASS A
20 PERSONAL PROPERTY AS SPECIFIED IN SECTION 42-3-106 (2) (a), C.R.S., as
21 well as any parts associated with the vehicle at the time of purchase, shall
22 be deemed to be used solely and exclusively in an enterprise zone if it is
23 licensed and registered within the state and predominantly housed and
24 based at the taxpayer's business trucking facility within an enterprise zone
25 for the twelve-month period following its purchase.

26
27 (II) The income tax credit for a qualified investment in a
28 commercial truck, truck tractor, tractor, or semitrailer with a gross vehicle
29 weight rating of ~~sixteen~~ FIFTY-FOUR thousand pounds or greater that is
30 model year 2010 or newer AND IS DESIGNATED AS CLASS A PERSONAL
31 PROPERTY AS SPECIFIED IN SECTION 42-3-106 (2) (a), C.R.S., as well as
32 any parts associated with the vehicle at the time of purchase, shall be
33 allowed as follows:

34
35 ~~(A) For the income tax year commencing on January 1, 2011, an~~
36 ~~amount equal to ONE AND one-half of one percent of the total qualified~~
37 ~~investment IF THE MODEL YEAR OF THE COMMERCIAL TRUCK, TRUCK~~
38 ~~TRACTOR, TRACTOR, OR SEMITRAILER WAS SOLD AS NEW DURING SUCH~~
39 ~~INCOME TAX YEAR;~~

40
41 ~~(B) For the income tax year commencing on January 1, 2012, an~~
42 ~~amount equal to one percent of the total qualified investment;~~

43
44 ~~(C) For the income tax year commencing on January 1, 2013, an~~
45 ~~amount equal to one and one-half percent of the total qualified~~
46 ~~investment;~~

47
48 ~~(D) For the income tax year commencing on January 1, 2014, an~~
49 ~~amount equal to two percent of the total qualified investment; and~~

50
51 ~~(E) For the income tax year commencing on January 1, 2015, an~~
52 ~~amount equal to three percent of the total qualified investment.~~

53
54 (IV) ~~This paragraph (b) is repealed, effective January 1, 2017. To~~
55 ~~QUALIFY FOR THE TAX CREDIT GRANTED UNDER THIS PARAGRAPH (b), A~~
56 ~~CLAIMANT SHALL BE CERTIFIED BY THE COLORADO ECONOMIC~~

1 DEVELOPMENT COMMISSION CREATED IN SECTION 24-46-102, C.R.S.

2
3 (V) THE COLORADO ECONOMIC DEVELOPMENT COMMISSION SHALL
4 CERTIFY PEOPLE ELIGIBLE FOR THE INCOME TAX CREDIT GRANTED IN THIS
5 PARAGRAPH (b) BUT SHALL NOT CERTIFY THE INCOME TAX CREDIT
6 GRANTED IN THIS PARAGRAPH (b) IF THE CERTIFICATION RESULTS IN MORE
7 CREDITS BEING CLAIMED THAN ARE ALLOCATED PURSUANT TO SECTION
8 42-1-224, C.R.S.

9
10 (VI) TO IMPLEMENT THIS SECTION, THE COLORADO ECONOMIC
11 DEVELOPMENT COMMISSION SHALL TRACK THE AMOUNT OF THE CREDITS
12 AUTHORIZED AND, BY JANUARY 30 OF EACH YEAR, TRANSMIT TO THE
13 STATE TREASURER A STATEMENT OF THE AMOUNT OF TAX CREDITS
14 CERTIFIED PURSUANT TO THIS PARAGRAPH (b) FOR THE PREVIOUS YEAR.

15
16 (VII) NO LATER THAN SEPTEMBER 1, 2012, AND NO LATER THAN
17 SEPTEMBER 1 OF EACH YEAR THEREAFTER THROUGH SEPTEMBER 1, 2014,
18 THE COLORADO ECONOMIC DEVELOPMENT COMMISSION SHALL PROVIDE
19 THE DEPARTMENT OF REVENUE WITH AN ELECTRONIC REPORT OF THE
20 TAXPAYERS RECEIVING A CREDIT ALLOWED IN THIS PARAGRAPH (b) FOR
21 THE PRECEDING CALENDAR YEAR OR ANY FISCAL YEAR ENDING IN THE
22 PRECEDING CALENDAR YEAR AND ANY CREDITS DISALLOWED PURSUANT
23 TO SUBPARAGRAPH (V) OF THIS PARAGRAPH (b). THE REPORT SHALL
24 CONTAIN THE FOLLOWING INFORMATION:

25
26 (A) THE TAXPAYER'S NAME;

27
28 (B) THE TAXPAYER'S COLORADO ACCOUNT NUMBER AND FEDERAL
29 EMPLOYER IDENTIFICATION NUMBER;

30
31 (C) THE AMOUNT OF THE CREDIT ALLOWED IN THIS SECTION; AND

32
33 (D) ANY ASSOCIATED TAXPAYER'S NAMES, COLORADO ACCOUNT
34 NUMBERS, AND FEDERAL EMPLOYER IDENTIFICATION NUMBERS OR SOCIAL
35 SECURITY NUMBERS, IF THE CREDIT ALLOWED IN THIS SECTION IS
36 ALLOCATED FROM A PASS-THROUGH ENTITY.

37
38 **SECTION 7.** Section 7 of chapter 417, Session Laws of Colorado
39 2009, is amended to read:

40
41 Section 7. **Effective date.** This act shall take effect upon passage.
42 ~~except that sections 1 and 2 of this act shall not take effect unless a~~
43 ~~sustainable source of revenue has been identified for the implementation~~
44 ~~of sections 1 and 2 of this act and the revisor of statutes has received~~
45 ~~written notice from the executive director of the department of revenue~~
46 ~~to that effect.~~

47
48 **SECTION 8. Specified effective date - applicability.** This act
49 shall take effect July 1, 2010, and shall apply to offenses committed on
50 or after July 1, 2010, and vehicles purchased on or after July 1, 2011.

51
52 **SECTION 9. Safety clause.** The general assembly hereby finds,
53 determines, and declares that this act is necessary for the immediate
54 preservation of the public peace, health, and safety."
55
56

1 **HB10-1287** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Strike the State, Veterans, & Military Affairs Committee Report, dated
6 February 23, 2010, and substitute:
7

8 "Amend printed bill, strike everything below the enacting clause and
9 substitute:
10

11 **"SECTION 1. Legislative declaration.** (1) The general
12 assembly hereby finds, determines, and declares that:
13

14 (a) The state of Colorado should generally limit the use of
15 state-owned motor vehicles to official state business, but incidental
16 personal use is sometimes unavoidable, reasonable, and for the benefit of
17 the state;
18

19 (b) Regular personal use of state-owned motor vehicles for
20 commuting is considered to be a fringe benefit, and in most instances
21 employees should fairly and fully reimburse the state for this personal
22 use;
23

24 (c) Unreimbursed fringe benefits may be subject to federal and
25 state taxation; and
26

27 (d) Actual vehicle operating costs and reimbursements for
28 commuting must be reported accurately to ensure appropriate oversight
29 of state assets, preparation of the state budget, and compliance with
30 federal and state laws.
31

32 (2) Now, therefore, the general assembly intends to increase
33 transparency and oversight of the use of state-owned motor vehicles and
34 to ensure that such vehicles used for commuting are managed in a fair,
35 responsible, and economical manner.
36

37 **SECTION 2.** 24-30-1113, Colorado Revised Statutes, is amended
38 to read:
39

40 **24-30-1113. Commuting - reimbursement by state officers and**
41 **employees - state-owned motor vehicle commuter cash fund -**
42 **creation - definitions.** (1) Except as provided in this section, ~~the~~ A state
43 agency shall not assign any state-owned motor vehicle to an ~~officer or~~
44 employee of a state agency for any reason other than as necessitated by
45 the conduct of official state business.
46

47 (2) The use of state-owned motor vehicles for commuting
48 ~~purposes by officers and employees of state agencies between official~~
49 ~~work stations and residences~~ may be authorized by the state agency's
50 executive director where the state agency's executive director determines
51 that such use is based on rules ~~and regulations~~ promulgated by the
52 division. ~~and which includes~~ SUCH RULES SHALL INCLUDE THE FOLLOWING
53 REQUIREMENTS:
54

55 (a) ~~Promotion of~~ COMMUTING WITH THE STATE-OWNED MOTOR
56 VEHICLE PROMOTES a legitimate nonpartisan state interest;

1 (b) ~~Promotion of~~ COMMUTING WITH THE STATE-OWNED MOTOR
2 VEHICLE PROMOTES the efficient operation of the state motor vehicle fleet
3 system; and
4

5 (c) COMMUTING WITH THE STATE-OWNED MOTOR VEHICLE is
6 cost-effective to the state agency; AND
7

8 (d) THE NEED FOR AN EMPLOYEE TO COMMUTE WITH A
9 STATE-OWNED MOTOR VEHICLE IS SET FORTH IN THE POSITION
10 DESCRIPTION QUESTIONNAIRE FOR THE EMPLOYEE'S POSITION.
11

12 (3) (a) A STATE AGENCY SHALL SUBMIT A WRITTEN APPLICATION
13 FOR EACH EMPLOYEE WHO THE EXECUTIVE DIRECTOR OF THE STATE
14 AGENCY AUTHORIZES FOR COMMUTING WITH A STATE-OWNED MOTOR
15 VEHICLE. BEGINNING OCTOBER 1, 2010, NO EMPLOYEE SHALL USE A
16 STATE-OWNED MOTOR VEHICLE FOR COMMUTING, UNLESS THE DIVISION
17 DETERMINES THAT THE USE MEETS THE CRITERIA FOR COMMUTING
18 AUTHORIZATION AND APPROVES SUCH USE. A determination by the
19 ~~director~~ DIVISION that ~~commuting purposes meet~~ AN EMPLOYEE MEETS the
20 criteria for commuting authorization shall be based on review and
21 verification of written application forms and supporting documentation
22 submitted in the manner provided in rules and regulations adopted by the
23 division. THE DIVISION SHALL NOT GRANT APPROVAL FOR AN EMPLOYEE
24 TO USE A STATE-OWNED MOTOR VEHICLE FOR COMMUTING IF THE
25 APPLICATION FORM FOR THE EMPLOYEE IS INCOMPLETE.
26

27 (b) BEGINNING OCTOBER 1, 2010, AN EMPLOYEE WHO IS NOT
28 EXEMPT FROM REIMBURSEMENT PURSUANT TO PARAGRAPH (b) OF
29 SUBSECTION (4) OF THIS SECTION SHALL NOT BE ASSIGNED A MOTOR
30 VEHICLE FOR COMMUTING UNLESS THE EMPLOYEE AGREES IN WRITING
31 THAT THE REIMBURSEMENT FOR COMMUTING MAY BE DEDUCTED FROM HIS
32 OR HER SALARY.
33

34 (c) IF AN EMPLOYEE AUTHORIZED TO USE A STATE-OWNED MOTOR
35 VEHICLE FOR COMMUTING HAS THE ASSIGNMENT OF THAT MOTOR VEHICLE
36 REVOKED PURSUANT TO SECTION 24-30-1112 (3) (a), THE DIVISION SHALL
37 COLLECT REIMBURSEMENT FROM THE EMPLOYEE FOR THE OTHER THAN
38 OFFICIAL BUSINESS USE THAT LEAD TO THE REVOCATION, WHICH AMOUNT
39 SHALL BE IN ADDITION TO ANY OTHER REIMBURSEMENT REQUIRED
40 PURSUANT TO THIS SECTION.
41

42 (4) (a) EXCEPT AS SET FORTH IN PARAGRAPH (b) OF THIS
43 SUBSECTION (4), any ~~individual~~ EMPLOYEE who has received the state
44 agency executive director's authorization to use a state-owned motor
45 vehicle for commuting purposes shall reimburse the state for such use at
46 a rate ~~computed by the division. This rate shall approximate the benefit~~
47 ~~derived from the use of the vehicle. Reimbursement shall be for twenty~~
48 ~~days per month regardless of how many days the individual uses the~~
49 ~~vehicle to commute during the month. Reimbursement shall be made as~~
50 ~~provided by rule~~ THAT IS ESTABLISHED ANNUALLY BASED ON THE
51 AUTOMOBILE LEASE-VALUE RULE ESTABLISHED BY THE INTERNAL
52 REVENUE SERVICE PURSUANT TO 26 CFR 1.61-21 OR ANY SUCCESSOR
53 PROVISION. SUCH REIMBURSEMENT SHALL BE DEDUCTED FROM THE
54 EMPLOYEE'S SALARY BY THE STATE AGENCY, BUT SHALL NOT BE
55 CONSIDERED TO BE STATE AGENCY MONEYS OR APPROPRIATED TO THE
56 STATE AGENCY. THE STATE AGENCY SHALL CAUSE THE REIMBURSEMENT

1 TO BE PAID TO THE DIVISION AND THE REIMBURSEMENT SHALL BE
2 CREDITED TO THE STATE-OWNED MOTOR VEHICLE COMMUTER CASH FUND,
3 WHICH IS HEREBY CREATED IN THE STATE TREASURY. MONEYS IN THE
4 FUND SHALL BE APPROPRIATED TO THE DIVISION TO PAY THE OPERATING
5 EXPENSES FOR THE STATE-OWNED MOTOR VEHICLE USED BY THE
6 EMPLOYEE FOR COMMUTING, AND THE APPROPRIATION TO THE STATE
7 AGENCY OR OTHER FUNDING FOR OPERATING EXPENSES FOR THE
8 STATE-OWNED MOTOR VEHICLE SHALL BE REDUCED BY THE AMOUNT OF
9 SUCH APPROPRIATION FROM THE FUND. ALL INTEREST AND INCOME
10 DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND
11 SHALL BE CREDITED TO THE FUND. ANY MONEYS NOT APPROPRIATED BY
12 THE GENERAL ASSEMBLY SHALL REMAIN IN THE FUND AND SHALL NOT BE
13 TRANSFERRED OR REVERT TO THE GENERAL FUND AT THE END OF ANY
14 FISCAL YEAR.

15
16 ~~(b) Unless provided by rule, no exceptions shall be made to the~~
17 ~~reimbursement provisions of this subsection (4)~~ REIMBURSEMENT SHALL
18 NOT BE REQUIRED IF THE DIVISION DETERMINES THAT THE EMPLOYEE IS
19 DRIVING A CLEARLY MARKED POLICE OR FIRE VEHICLE OR OTHER
20 QUALIFIED NONPERSONAL USE VEHICLE.

21
22 (c) THE STATE AGENCY SHALL TAX THE BENEFIT ASSOCIATED WITH
23 USING THE STATE-OWNED MOTOR VEHICLE FOR COMMUTING IF THE
24 AMOUNT OF REIMBURSEMENT REQUIRED BY THIS SECTION FOR COMMUTING
25 IS LESS THAN THE VALUE OF THE BENEFIT AS DETERMINED BY THE
26 REGULATIONS ESTABLISHED BY THE INTERNAL REVENUE SERVICE.

27
28 (5) ON OR BEFORE OCTOBER 1, 2011, AND ON OR BEFORE OCTOBER
29 1 OF EACH YEAR THEREAFTER, THE DIVISION SHALL PROVIDE A REPORT TO
30 THE JOINT BUDGET COMMITTEE THAT INCLUDES THE FOLLOWING
31 INFORMATION:

32
33 (a) AN ESTIMATE OF THE AUTOMOBILE LEASE-VALUE RULE THAT
34 WILL BE USED FOR THE NEXT STATE FISCAL YEAR TO DETERMINE THE
35 REIMBURSEMENT OWED BY EACH EMPLOYEE PURSUANT TO THIS SECTION;

36
37 (b) THE NAME OF EACH EMPLOYEE AUTHORIZED TO USE A
38 STATE-OWNED MOTOR VEHICLE FOR COMMUTING AND THE ESTIMATED
39 REIMBURSEMENT TO BE PAID BY THE EMPLOYEE FOR THE NEXT STATE
40 FISCAL YEAR, WHICH INFORMATION SHALL BE ORGANIZED BY
41 DEPARTMENT, DIVISION, AND PROGRAM;

42
43 (c) FOR EACH EMPLOYEE IDENTIFIED IN PARAGRAPH (b) OF THIS
44 SUBSECTION (5), THE ANTICIPATED APPROPRIATION LINE ITEM IN THE
45 ANNUAL GENERAL APPROPRIATION ACT AND FUNDING SOURCE THAT WILL
46 BE USED TO PAY EXPENSES FOR THE STATE-OWNED MOTOR VEHICLE USED
47 FOR COMMUTING;

48
49 (d) THE TOTAL PERCENTAGE OF MILES TRAVELED AND OPERATING
50 COSTS FOR STATE-OWNED MOTOR VEHICLES ATTRIBUTED TO COMMUTING
51 FOR EACH DEPARTMENT FOR THE PRIOR STATE FISCAL YEAR;

52
53 (e) THE TOTAL NUMBER OF EMPLOYEES FROM EACH DEPARTMENT
54 FOR THE PRIOR STATE FISCAL YEAR WHO WERE NOT REQUIRED TO
55 REIMBURSE THE STATE FOR THE USE OF A STATE-OWNED MOTOR VEHICLE
56 FOR COMMUTING; AND

1 (f) THE TOTAL MAINTENANCE COSTS FOR EACH DEPARTMENT FOR
2 THE PRIOR STATE FISCAL YEAR FOR STATE-OWNED MOTOR VEHICLES USED
3 FOR COMMUTING.

4
5 (6) THE DIVISION SHALL PROMULGATE, IN ACCORDANCE WITH
6 ARTICLE 4 OF THIS TITLE, ANY RULES NECESSARY FOR THE
7 ADMINISTRATION OF THIS SECTION.

8
9 (7) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
10 REQUIRES:

11
12 (a) "CLEARLY MARKED POLICE OR FIRE VEHICLE" SHALL HAVE THE
13 SAME MEANING AS SET FORTH IN 26 CFR 1.274-5T (k) (3) OR ANY
14 SUCCESSOR PROVISION.

15
16 (b) (I) "COMMUTING" MEANS DRIVING BETWEEN AN EMPLOYEE'S
17 RESIDENCE AND:

18
19 (A) THE EMPLOYEE'S PRINCIPAL PLACE OF BUSINESS; OR

20
21 (B) TEMPORARY WORK LOCATIONS, IF SUB-SUBPARAGRAPH (B) OF
22 SUBPARAGRAPH (II) OF THIS PARAGRAPH (b) DOES NOT APPLY.

23
24 (II) "COMMUTING" DOES NOT INCLUDE DRIVING BETWEEN AN
25 EMPLOYEE'S RESIDENCE AND:

26
27 (A) A LOCATION OTHER THAN THE EMPLOYEE'S PRINCIPAL
28 WORKPLACE THAT IS IN RESPONSE TO AN EMERGENCY SITUATION; OR

29
30 (B) TEMPORARY WORK LOCATIONS, IF THE EMPLOYEE HAS AN
31 OFFICE IN HIS OR HER RESIDENCE, WHICH OFFICE QUALIFIES AS A PRINCIPAL
32 PLACE OF BUSINESS.

33
34 (c) "DIVISION" MEANS THE DIVISION OF CENTRAL SERVICES IN THE
35 DEPARTMENT OF PERSONNEL.

36
37 (d) "EMPLOYEE" MEANS AN EMPLOYEE OF A STATE AGENCY AND
38 INCLUDES AN OFFICER.

39
40 (e) "QUALIFIED NONPERSONAL USE VEHICLE" SHALL HAVE THE
41 SAME MEANING AS SET FORTH IN 26 CFR 1.274-5T (k) (2) OR ANY
42 SUCCESSOR PROVISION.

43
44 **SECTION 3. Safety clause.** The general assembly hereby finds,
45 determines, and declares that this act is necessary for the immediate
46 preservation of the public peace, health, and safety."."

47
48
49
50 **HCR10-1003** be amended as follows, and as so amended, be referred to
51 the Committee on Appropriations with favorable
52 recommendation:

53
54 Amend printed concurrent resolution, page 2, line 9, strike "**use.**" and
55 substitute "**use - definitions.**".

1 Page 2, strike line 10 and substitute:

2
3 "(1) AS USED IN THIS SECTION, "SEVERANCE TAX REVENUES"
4 MEANS THE TOTAL GROSS RECEIPTS RECEIVED BY THE STATE FROM THE
5 COLLECTION OF ALL OF THE SEVERANCE TAXES IMPOSED PURSUANT TO
6 ARTICLE 29 OF TITLE 39, COLORADO REVISED STATUTES, OR ANY
7 SUCCESSOR PROVISION OF LAW.

8
9 (2) THE STATE RAINY DAY FUND IS HEREBY CREATED IN THE
10 STATE".

11
12 Renumber succeeding subsection accordingly.

13
14 Page 2, line 11, strike "GROSS RECEIPTS".

15
16 Page 2, strike line 12.

17
18 Page 2, line 13, strike "MINERAL FUELS" and substitute "SEVERANCE TAX
19 REVENUES".

20
21 Page 2, line 14, strike "RECEIPTS" and substitute "REVENUES".

22
23
24
25 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

26
27 The Speaker has signed: **HB10-1058, 1062, 1083, 1236.**

28
29
30
31 **MESSAGE(S) FROM THE SENATE**

32
33 The Senate voted to concur in House amendments to SB10-143,
34 SB10-094, SB10-100, SB10-166 and repassed the bills as amended.

35
36 The Senate has adopted and returns herewith: HJR10-1017.

37
38
39
40 **INTRODUCTION OF BILLS**
41 **First Reading**

42
43 The following bills were read by title and referred to the committees
44 indicated:

45
46 **HB10-1407** by Representative(s) Kagan, Gagliardi, Hullinghorst,
47 Looper, Solano, Vigil; also Senator(s) Steadman--
48 Concerning the creation of the range worker advisory
49 council.
50 Committee on Agriculture, Livestock, & Natural Resources

51
52 **HB10-1408** by Representative(s) Weissmann; also Senator(s) Morse--
53 Concerning the repeal of statutory directions concerning
54 congressional districts.
55 Committee on State, Veterans, & Military Affairs
56

1 **HB10-1409** by Representative(s) Pommer, Ferrandino, Lambert; also
2 Senator(s) Tapia, Keller, White--Concerning the process
3 by which annual salary increases may be awarded to
4 employees in the state personnel system based on
5 performance, job core competencies, and years of service.

6 Committee on State, Veterans, & Military Affairs
7

8 **HB10-1410** by Representative(s) Rice; also Senator(s) Steadman--
9 Concerning a requirement that the state treasurer transmit
10 moneys appropriated to departments of state government
11 that are unexpended and unencumbered at the end of a
12 fiscal year to the state employee payday shift fund so that
13 the moneys may be used to pay salaries in June for work
14 performed by state employees during the month of June.

15 Committee on Business Affairs and Labor
16

17 **SB10-183** by Senator(s) Morse and Tochtrop, Boyd, Penry,
18 Steadman, Williams; also Representative(s) Gagliardi,
19 Balmer, Kagan, Primavera, Riesberg--Concerning the
20 continuation of a statutory prohibition on balance billing
21 of certain charges for health care services.

22 Committee on Health and Human Services
23

24 INTRODUCTION OF RESOLUTIONS

25
26
27
28 The following resolution was read by title and referred to the committee
29 indicated:

30
31 **HJR10-1022** by Representative(s) Tipton and Baumgardner; also
32 Senator(s) White--Concerning modification of the federal
33 "Hatch Act of 1939" for certain government employees in
34 rural areas whose positions preclude them from running
35 for partisan political office.

36 Committee on State, Veterans, & Military Affairs
37

38
39 The following resolution was read by title and laid over one day under the
40 rules:

41
42 **HJR10-1023** by Representative(s) Vaad, Baumgardner, Bradford,
43 DelGrosso, Frangas, Gardner C., King S., Lambert,
44 Looper, Massey, McFadyen, Merrifield, Primavera, Rice,
45 Sonnenberg, Stephens--Concerning a recommendation to
46 lift the freeze on longer combination vehicles in western
47 states.
48
49
50
51
52
53
54
55

LAY OVER OF CALENDAR ITEM(S)

1
2
3 On motion of Representative Weissmann, the following item(s) on the
4 Calendar (was)were laid over until April 16, retaining place on Calendar:
5
6 Consideration of Conference Committee Report(s)--**SB10-109,**
7 **HB10-1099.**
8 Consideration of Resolution(s)--**HJR10-1020, 1021, SJR10-025.**
9 Consideration of Senate Amendment(s)--**HB10-1188, 1378, 1379, 1381,**
10 **1383, 1384, 1385, 1386, 1388, 1220, 1293, 1387, HJR10-1015,**
11 **HB10-1096, 1208, 1252, 1273.**

12
13
14
15 On motion of Representative Weissmann, the House adjourned until
16 9:00 a.m., April 16, 2010.

17
18 Approved:
19 TERRANCE D. CARROLL,
20 Speaker

21 Attest:
22 MARILYN EDDINS,
23 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Ninety-fourth Legislative Day

Friday, April 16, 2010

1 Prayer by Archbishop Charles Chaput, Archdiocese, Denver; Cowboy
2 Preacher Rex Townsley, Swink.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Brandon Rains, Otero Junior, College,
7 LaJunta.

8
9 The roll was called with the following result:

10
11 Present--45.

12 Excused--Representative(s) Casso, Court, Ferrandino, Fischer,
13 Gardner B., Hullinghorst, Judd, Kefalas, Kerr J., King, Lambert,
14 Massey, McCann, Pace, Pommer, Riesberg, Roberts, Ryden,
15 Sonnenberg, Vaad--20.

16 Present after roll call--Representative(s) Court, Ferrandino,
17 Fischer, Gardner B., Hullinghorst, Judd, Kefalas, Kerr J., King,
18 Lambert, Massey, McCann, Pace, Pommer, Riesberg, Ryden,
19 Sonnenberg, Vaad.

20
21 The Speaker declared a quorum present.

22
23
24 On motion of Representative McCann, the reading of the journal of
25 April 15, 2010, was declared dispensed with and approved as corrected
26 by the Chief Clerk.

27
28
29 House in recess. House reconvened.

30
31
32
33 **MESSAGE(S) FROM THE SENATE**

34
35 The Senate has adopted and transmits herewith: SJR10-026, 027.

36
37
38 The Senate has adopted the First Report of the First Conference
39 Committee on HB10-1376, as printed in Senate Journal, April 15, 2010,
40 pages 893-899 and repassed the bill as amended. The bill is returned
41 herewith.

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on HB10-1376**

This Report Amends the Rerevised Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB10-1376, concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2010, except as otherwise noted, has met and reports that it has agreed upon the following:

1. That the House accede to the Senate amendments made to the bill, as said amendments appear in the rerevised bill, with the following changes:

Page 29, line 7, strike "**Subprogram**^{4a,4b}" and substitute "**Subprogram**^{4a, 4b, 4c}".

Page 48, after line 11 insert:

"4c Department of Corrections, Institutions, Mental Health Subprogram – It is the intent of the General Assembly that the Department of Corrections submit a plan to the House Judiciary Committee and the Senate Judiciary Committee before offenders with mental illness (OMIs) are placed in the beds at Colorado State Penitentiary (CSP) being converted for use by OMIs. Without limiting the scope of the report, the report shall include, at a minimum, plans in the following areas: (1) the basic purpose of the OMI beds at CSP in terms of the role those beds serve relative to the offender's mental health status; (2) the criteria the DOC will use to place offenders in the beds; (3) the services that will be provided to the offenders; (4) the classification levels that will be used and an explanation of the characteristics of those levels; (5) whether and, if so, how offenders will transition from CSP to the general population; and (6) a description of the conditions of confinement, such as the amount of time offenders will be out of their cells, the amount of time in solitary confinement, the availability of recreational, visitation, educational, therapeutic and other programming opportunities and conditions for participating in those opportunities."

Page 114, line 3, in the ITEM & SUBTOTAL column strike "14,363,146" and substitute "14,218,063", in the GENERAL FUND column strike "5,516,885(M)" and substitute "5,461,158(M)", and in the FEDERAL FUNDS column strike "8,846,261" and substitute "8,756,905".

Adjust affected totals accordingly.

Page 156, line 15, in the ITEM & SUBTOTAL column strike "341,325,694^c" and substitute "338,008,114^c", in the GENERAL FUND column strike "158,854,181" and substitute "156,940,714", in the CASH FUNDS column strike "64,813,042(L)^c" and substitute "64,149,526(L)^c", in the REAPPROPRIATED FUNDS column strike "14,363,146^a and

1 substitute "14,218,063^a", and in the FEDERAL FUNDS column strike
2 "103,295,325^f" and substitute "102,699,811^f".
3

4 Page 157, line 4, in the ITEM & SUBTOTAL column strike "45,232,952"
5 and substitute "44,776,053", in the GENERAL FUND column strike
6 "28,507,899" and substitute "28,132,328", in the CASH FUNDS column
7 strike "5,163,696(L)^c" and substitute "5,113,437(L)^c", and in the
8 FEDERAL FUNDS column strike "11,561,357^f" and substitute
9 "11,530,288^f".
10

11 Adjust affected totals and affected (L) notation totals accordingly.
12

13 Page 158, line 11, strike "\$336,720,683" and substitute "\$333,403,103"
14 and strike "\$257,544,495" and substitute "\$255,035,514".
15

16 Page 158, line 12, strike "\$64,813,042" and substitute "\$64,149,526".
17

18 Page 158, line 13, strike "\$14,363,146" and substitute "\$14,218,063".
19

20 Page 159, line 1, strike "\$67,746,820" and substitute "\$67,120,237".
21

22 2. That, under the authority granted the committee to consider
23 matters not at issue between the two houses, the following amendments
24 be recommended:
25

26 Page 79, line 14, in the ITEM & SUBTOTAL column strike "50,944" and
27 substitute "75,944" and in the GENERAL FUND column insert "25,000".
28

29 Adjust affected totals accordingly.
30

31 Page 204, line 15, strike "**Technology**" and substitute "**Technology**^{27a}".
32

33 Page 220, after line 10 insert:
34

35 27a Judicial Department, Courts Administration, Administration and
36 Technology -- In the event that the Judicial Department determines
37 that the in-house public access system is not operational on July 1,
38 2010, it is the intent of the General Assembly that the Department
39 extend the existing contract for operation of a public access system
40 for up to three months."
41

42 Page 590, line 1, after "(9) (B)," insert "(13) (B),".
43

44 Page 594, line 11, in the ITEM & SUBTOTAL column strike
45 "30,000,000" and substitute "30,000,000" and in the CASH FUNDS
46 column strike "30,000,000^a" and substitute "30,000,000^a".
47

48 Page 594, after line 11, in the ITEM & SUBTOTAL column insert
49 "40,500,000" and in the CASH FUNDS column insert "40,500,000^a".
50

51 Page 594, line 13, in the ITEM & SUBTOTAL column strike
52 "58,762,603" and substitute "69,262,603".
53

54 Page 595, line 5, in the TOTAL column strike "59,512,253" and
55 substitute "70,012,253".
56

57 Page 596, after line 14 insert:

		APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	CAPITOL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$
1	"(13) COLORADO NORTHWESTERN COMMUNITY COLLEGE					
2	(B) Capital Construction					
3	Craig Campus, Academic Building	2,153,842	1,990,056	163,786 ^a		
4	Craig Campus, Career and Technical					
5	Center	2,646,918		2,646,918 *		
6		<u>3,251,080</u>		3,251,080 ^a		
7		4,800,760				
8		5,404,922				
9						
10	^a These amounts shall be from exempt institutional sources.					
11						
12		5,482,760				
13		6,086,922				".
14	Page 597, line 2, in the TOTAL column strike "\$769,857,552" and substitute "\$780,961,714" and in the CASH FUNDS column strike "\$657,586,458" and substitute					
15	"\$668,690,620".					
16	Page 599, line 14, in the TOTAL column strike "\$905,741,076" and substitute "\$916,845,238" and in the CASH FUNDS column strike "\$702,601,226" and substitute					
17	"\$713,705,388".					
18						

1 Page 113, line 6, in the ITEM & SUBTOTAL column strike "496,298"
2 and substitute "540,940", in the GENERAL FUND column strike
3 "198,376(M)" and substitute "216,220(M)", and in the FEDERAL
4 FUNDS column strike "297,922" and substitute "324,720".

5
6 Adjust affected totals accordingly.

7
8 Page 122, line 4, strike "^a This amount" and substitute "^a Of this amount,
9 \$175,745" and strike "Assist." and substitute "Assist and \$31,500 shall be
10 from private college and university fees paid pursuant to Section
11 23-2-104.5, C.R.S.".

12
13 Page 122, line 5, strike "^b This amount" and substitute "^b Of this amount,
14 \$2,100,810" and strike "recoveries." and substitute "recoveries and
15 \$105,180 shall be from the Department of Education for assistance in
16 aligning public education with postsecondary and workforce readiness
17 standards.".

18
19 Page 130, line 14, strike "2009 calendar" and substitute "2010 calendar"
20 and strike "2009," and substitute "2010,".

21
22 Page 130, line 15, strike "2010." and substitute "2011.".

23
24 Page 131, line 11, strike "2009 calendar" and substitute "2010 calendar"
25 and strike "2009," and substitute "2010,".

26
27 Page 131, line 12, strike "2010." and substitute "2011.".

28
29 Page 132, line 10, strike "2009 calendar" and substitute "2010 calendar"
30 and strike "2009," and substitute "2010,".

31
32 Page 132, line 11, strike "2010." and substitute "2011.".

33
34 Page 156, line 15, strike "Services" and substitute "Services^{21a}".

35
36 Page 157, line 4, strike "Programs" and substitute "Programs^{21b, 21c}".

37
38 Page 157, line 7, strike "Incentives" and substitute "Incentives^{21d}".

39
40 Page 162, line 5, strike "Grants^{20,22}" and substitute "Grants^{20, 22, 22a}".

41
42 Page 200, after line 9 insert:

43
44 "21a Department of Human Services, Division of Child Welfare, Child
45 Welfare Services -- Pursuant to Section 26-5-104 (6), C.R.S.,
46 subject to Department rules, counties are authorized to negotiate
47 rates, services, and outcomes with child welfare services providers
48 and are thus not required to provide a specific rate decrease for any
49 individual provider. This provision does not apply, however, to
50 Medicaid treatment rates. The funding appropriated for this line
51 item includes a decrease of \$6,635,156 based on a 2.0 percent
52 decrease in funding for county staff salaries and benefits,
53 community provider rates including subsidized adoption rates, and
54 Medicaid treatment rates.

55
56 21b Department of Human Services, Division of Child Welfare, Family

1 and Children's Programs -- Pursuant to Section 26-5-104 (6),
2 C.R.S., subject to Department rules, counties are authorized to
3 negotiate rates, services, and outcomes with child welfare services
4 providers and are thus not required to provide a specific rate
5 decrease for any individual provider. The funding appropriated for
6 this line item includes a decrease of \$913,797 based on a 2.0
7 percent decrease in funding for community provider rates.
8

9 21c Department of Human Services, Division of Child Welfare, Family
10 and Children's Programs -- It is the intent of the General Assembly
11 that \$4,006,949 of the funds appropriated for this line item be used
12 to assist county departments of social services in implementing and
13 expanding family- and community-based services for adolescents.
14 It is the intent of the General Assembly that such services be based
15 on a program or programs that have been demonstrated to be
16 effective in reducing the need for higher cost residential services.
17

18 21d Department of Human Services, Division of Child Welfare,
19 Performance-based Collaborative Management Incentives -- The
20 total appropriation in this line item exceeds the projected ongoing
21 revenue stream for the Collaborative Management Incentives Cash
22 Fund. Therefore, appropriations at the current level may not be
23 available when reserves are exhausted."
24

25 Page 200, after line 17 insert:
26

27 "22a Department of Human Services, Office of Self Sufficiency,
28 Colorado Works Program, County Block Grants -- It is the intent
29 of the General Assembly that the appropriation of local funds for
30 Colorado Works program county block grants may be decreased by
31 a maximum of \$500,000 to reduce one or more small counties'
32 fiscal year 2010-11 targeted or actual spending level pursuant to
33 Section 26-2-714 (8), C.R.S."
34

35 Page 156, line 15, in the ITEM & SUBTOTAL column strike
36 "341,325,694^e" and substitute "340,792,680^e", in the CASH FUNDS
37 column strike "64,813,042(L)^c" and substitute "64,316,926(L)^c", and in the
38 FEDERAL FUNDS column strike "103,295,325^f" and substitute
39 "103,258,427^f".
40

41 Adjust affected totals and affected (L) notation totals accordingly.
42

43 Page 158, line 11, strike "\$336,720,683" and substitute "\$336,187,669"
44 and strike "\$257,544,495" and substitute "\$257,507,597".
45

46 Page 158, line 12, strike "\$64,813,042" and substitute "\$64,316,926".
47

48 Page 159, line 1, strike "\$67,746,820" and substitute "\$67,709,922".
49

50 Page 203, line 8, strike "Committees".
51

52 Page 203, line 12, strike "Law Examiner Board" and substitute "State
53 Board of Law Examiners".
54

55 Page 204, strike lines 3 through 9 and substitute:
56

- 1 ^b This amount shall be from annual attorney registration fees established
2 by the Colorado Supreme Court pursuant to the Colorado Rules of Civil
3 Procedure, Chapter 18, Rule 227 for the Attorney Regulation Committee,
4 the Attorney Regulation Counsel, and the Presiding Disciplinary Judge
5 established by the Colorado Rules of Civil Procedure, Chapter 20, Rules
6 251.2, 251.3, and 251.16. These moneys are included for informational
7 purposes as they are continuously appropriated under the Judicial Branch's
8 constitutional authority.
9
- 10 ^c This amount shall be from annual attorney registration fees established
11 by the Colorado Supreme Court pursuant to the Colorado Rules of Civil
12 Procedure, Chapter 18, Rule 227 for the Board of Continuing Legal and
13 Judicial Education established by the Colorado Rules of Civil Procedure,
14 Chapter 20, Rule 260.3. These moneys are included for informational
15 purposes as they are continuously appropriated under the Judicial Branch's
16 constitutional authority.
17
- 18 ^d This amount shall be from law examination application fees established
19 by the Colorado Supreme Court pursuant to the Colorado Rules of Civil
20 Procedure, Chapter 18, Rules 201.2 and 201.4. These moneys are included
21 for informational purposes as they are continuously appropriated under the
22 Judicial Branch's constitutional authority."
23
- 24 Page 320, line 11, strike "Program"⁴³ and substitute "Program"⁴².
25
- 26 Page 320, line 14, strike "Grants"⁴⁴ and substitute "Grants"⁴³.
27
- 28 Page 349, line 1, strike "**Planning**"⁴⁵ and substitute "**Planning**"⁴⁴.
29
- 30 Page 361, line 2, strike "43" and substitute "42".
31
- 32 Page 361, line 6, strike "44" and substitute "43".
33
- 34 Page 361, line 10, strike "45" and substitute "44".
35
- 36 Page 376, line 4, strike "**Corrections**"⁴² and substitute "**Corrections**"⁴⁵.
37
- 38 Page 387, line 11, strike "42" and substitute "45".
39
- 40 Page 336, strike line 9 and substitute "-Related".
41
- 42 Page 341, line 8, strike "Disease," and substitute "Infections,".
43
- 44 Page 342, line 8, strike "This amount" and substitute "Of these amounts,
45 \$3,361,116" and strike "which is received as a damage award and, as such,
46 does" and substitute "and \$261,040 shall be from the AIDS and HIV
47 Prevention Fund created in Section 25-4-1415 (1), C.R.S. These amounts
48 are received as damage awards and, as such, do".
49
- 50 Page 398, line 12, in the ITEM & SUBTOTAL column strike "(181.6
51 FTE)" and substitute "(181.8 FTE)".
52
- 53 Page 444, line 11, strike "\$105,548,809" and substitute "\$106,548,809".
54
- 55 Page 454, strike lines 4 through 9.
56

1 Page 455, after line 7 insert:

2		
3	TOTAL	CASH
4		FUNDS
5	\$	\$
6		
7	"(5) UNIVERSITY OF COLORADO AT COLORADO SPRINGS	
8	(A) Controlled Maintenance	
9	Upgrade Fire Sprinkler System,	497,152
10	University Hall	497,152 ^a

11
12 ^a This amount shall be from revenues from land for public buildings pursuant to section 8 of the
13 enabling act of Colorado."

14
15 Renumber succeeding subsections accordingly.

16
17 Page 458, line 9, strike "\$3,000,000" and substitute "\$2,000,000" and
18 strike "\$2,000,000" and substitute "\$3,000,000".

19
20 Page 470, line 5, in the TOTAL column strike "8,318,127" and substitute
21 "8,877,550" and in the CASH FUNDS column strike "8,318,127^a" and
22 substitute "8,877,550^a".

23
24 Adjust affected totals accordingly.

25
26 Page 588, line 9, in the REAPPROPRIATED FUNDS column insert
27 "2,700,000^a" and in the FEDERAL FUNDS column strike "2,700,000^a"
28 and substitute "24,300,000".

29
30 Page 588, line 15, before "Substance" insert "Hazardous".

31
32 Page 613, line 15, in the TOTAL column strike "15,671,117" and
33 substitute "15,820,365" and in the CASH FUNDS column strike
34 "15,671,117^a" and substitute "15,820,365^a".

35
36 Page 614, line 6, in the TOTAL column strike "\$15,671,117" and
37 substitute "\$15,820,365" and in the CASH FUNDS column strike
38 "\$15,671,117" and substitute "\$15,820,365".

39
40 Page 614, line 10, in the TOTAL column strike "\$829,719,768" and
41 substitute "\$829,869,016" and in the CASH FUNDS column strike
42 "\$716,239,078^a" and substitute "\$716,388,326^a".

43
44 Respectfully submitted,

45 House Committee:
46 (signed)
47 Jack Pommer
48 Mark Ferrandino
49 Kent D. Lambert

Senate Committee:
(signed)
Moe Keller
Abel Tapia
Al White

50
51
52
53
54
55

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

On motion of Representative Weissmann, the rules were suspended and the following resolutions were given immediate consideration.

SJR10-026 by Senator(s) Lundberg, Bacon, Cadman, King K., Gibbs, Keller, Heath, Romer, Johnston, Schultheis, Williams, Boyd, Brophy, Carroll M., Foster, Harvey, Hodge, Hudak, Kester, Kopp, Morse, Newell, Penry, Renfro, Sandoval, Scheffel, Schwartz, Shaffer B., Spence, Steadman, Tapia, Tochtrop, White, Whitehead; also Representative(s) Nikkel and Kefalas, Acree, Apuan, Balmer, Baumgardner, Bradford, Carroll T., Casso, Court, Curry, DelGrosso, Ferrandino, Fischer, Frangas, Gagliardi, Gardner C., Hunninghorst, Kagan, Kerr A., Kerr J., Labuda, Liston, Looper, May, McFadyen, McKinley, Miklosi, Murray, Pace, Pommer, Rice, Ryden, Scanlan, Schafer S., Solano, Soper, Stephens, Summers, Tipton, Todd, Tyler, Vigil, Waller--Concerning the designation of a portion of state highway 56 as the "Staff Sergeant Justin Bauer Memorial Highway".

On motion of Representatives Nikkel and Kefalas, the resolution was read at length and **adopted** by **viva voce** vote.

Current Roll Call added as co-sponsor(s): Representative(s) Benefield, Gardner B., Gerou, Judd, King S., Lambert, Levy, Massey, McCann, McNulty, Merrifield, Middleton, Peniston, Primavera, Priola, Riesberg, Sonnenberg, Swalm, Vaad, Weissmann.

SJR10-027 by Senator(s) Bacon; also Representative(s) Primavera--Concerning the role of the Colorado developmental disabilities council in facilitating collaboration among stakeholders in the system for persons with developmental disabilities.

On motion of Representative Primavera, the resolution was read at length and **adopted** by **viva voce** vote.

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan, Balmer, Baumgardner, Benefield, Bradford, Court, Curry, DelGrosso, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Hunninghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Priola, Rice, Riesberg, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann, Speaker.

THIRD READING OF BILL(S)--FINAL PASSAGE

The following bill(s) was(were) considered on Third Reading. The title(s) was(were) publicly read. Reading of the bill at length was dispensed with by unanimous consent.

HB10-1013 by Representative(s) Middleton, Massey, Merrifield, Scanlan, Stephens; also Senator(s) Romer, King K.,

Spence, Steadman--Concerning the modification of certain provisions related to the administration of public schools from kindergarten through the twelfth grade.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Apuan, Gardner B., Labuda, Todd.

HB10-1351 by Representative(s) Ferrandino, Apuan, Casso, Curry, Gagliardi, Hullinghorst, Kerr A., McCann, Merrifield, Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Tyler, Vigil; also Senator(s) Romer, Carroll M., Foster, Keller, Morse--Concerning the maximum authorized interest rate for a payday loan.

Laid over until April 19, retaining place on Calendar.

SB10-073 by Senator(s) Tapia; also Representative(s) McFadyen--Concerning the nurse home visitor program duties of the health sciences facility at the university of Colorado.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y

1	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
2	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
3	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
4	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
5	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
6	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
7	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
8	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
9	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
10	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Apuan, Gerou, Kefalas, Labuda,
13 Merrifield, Pommer, Primavera, Todd.

14
15 **SB10-117** by Senator(s) Foster; also Representative(s) Primavera--
16 Concerning medicaid coverage for over-the-counter
17 medications.

18
19 The question being "Shall the bill pass?".

20 A roll call vote was taken. As shown by the following recorded vote, a
21 majority of those elected to the House voted in the affirmative and the bill
22 was declared **passed**.

24	YES	59	NO	4	EXCUSED	2	ABSENT	0
25	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
28	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
30	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
32	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
33	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
34	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
37	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
38	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
39	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
40	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Kagan, Kefalas,
43 Kerr J., Labuda, Pace, Schafer S., Soper, Summers, Todd, Tyler.

44
45
46 **HB10-1399** by Representative(s) Weissmann; also Senator(s) Gibbs--
47 Concerning the authority of the Colorado bureau of
48 investigation to assist a chief of a fire department in the
49 investigation of a fire related to the crime of arson.

50
51 The question being "Shall the bill pass?".

52 A roll call vote was taken. As shown by the following recorded vote, a
53 majority of those elected to the House voted in the affirmative and the bill
54 was declared **passed**.

55

1	YES	62	NO	1	EXCUSED	2	ABSENT	0
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	N	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Labuda, Todd.

20
21
22
23 On motion of Representative Todd, the House resolved itself into
24 Committee of the Whole for consideration of General Orders, and she was
25 called to the Chair to act as Chairman.

26 27 28 29 **GENERAL ORDERS--SECOND READING OF BILLS**

30
31 The Committee of the Whole having risen, the Chairman reported the
32 titles of the following bills had been read (reading at length had been
33 dispensed with by unanimous consent), the bills considered and action
34 taken thereon as follows:

35
36 (Amendments to the committee amendment are to the printed committee
37 report which was printed and placed in the members' bill file.)

38
39 On motion of Representative Weissmann the following bills are laid over
40 until April 19, 2010: **HB10-1217, 1390, 1234.**

41
42 On motion of Representative Weissmann the following bill is laid over
43 until April 20, 2010: **HB10-1394.**

44
45 On motion of Representative Weissmann the following bills are laid over
46 until April 23, 2010: **SB10-114, 162.**

47
48 **SB10-110** by Senator(s) Williams; also Representative(s) Ryden,
49 Court, Hullinghorst, Judd, Levy, Middleton, Rice--
50 Concerning the enforcement of offenses involving failure
51 of certain persons to properly restrain a child in a vehicle.

52
53 Amendment No. 1, Transportation & Energy Report, dated April 6, 2010,
54 and placed in member's bill file; Report also printed in House Journal,
55 April 7, page 1134.

56

1 Amendment No. 2, by Representative(s) Ryden.

2
3 Amend reengrossed bill, page 6, line 17, strike "or" and substitute "or".

4
5 Page 6, line 19, strike "OR".

6
7 Page 6, line 23, strike "BELTS." and substitute "BELTS; OR".

8
9 Page 6, after line 23, insert:

10
11 "(f) IS BEING TRANSPORTED IN A MOTOR VEHICLE THAT IS
12 OPERATED IN THE BUSINESS OF TRANSPORTING PERSONS FOR
13 COMPENSATION OR HIRE BY OR ON BEHALF OF A MOTOR VEHICLE CARRIER
14 AS DEFINED IN SECTION 40-10-101 (4) (a), C.R.S., A CONTRACT CARRIER
15 BY MOTOR VEHICLE AS DEFINED IN SECTION 40-11-101 (3), C.R.S., OR AN
16 OPERATOR OF A LUXURY LIMOUSINE SERVICE AS DEFINED IN SECTION
17 40-16-101 (3.3), C.R.S.".

18
19 Amendment No. 3, by Representative(s) Ryden.

20
21 Amend reengrossed bill, page 4, line 19, strike "SYSTEM IN A REAR SEAT
22 OF" and substitute "SYSTEM,".

23
24 Page 4, line 20, strike "THE VEHICLE," and strike "INSTRUCTIONS;" and
25 substitute "INSTRUCTIONS.".

26
27 Page 4, strike lines 21 through 25.

28
29 Page 5, strike line 5 and substitute "restraint system.".

30
31 As amended, ordered revised and placed on the Calendar for Third
32 Reading and Final Passage.

33
34 **HB10-1347** by Representative(s) Levy; also Senator(s) Morse--
35 Concerning misdemeanor penalties for persons who are
36 convicted of multiple traffic offenses involving alcohol or
37 drugs.

38 Amendment No. 1, Judiciary Report, dated March 11, 2010, and placed
39 in member's bill file; Report also printed in House Journal, March 12,
40 pages 778-780.

41
42 Amendment No. 2, Appropriations Report, dated April 9, 2010, and
43 placed in member's bill file; Report also printed in House Journal, April 9,
44 pages 1173-1174.

45
46 Amendment No. 3, by Representative(s) Levy.

47
48 Amend the House Judiciary Committee report dated March 11, 2010, page
49 1, after line 16, insert:

50
51 "Page 5, line 5, strike "OR".

52
53 Page 5, line 6, strike "OR OF" and substitute "AGGRAVATED DRIVING WITH
54 A REVOKED LICENSE PURSUANT TO SECTION 42-2-206 (1) (b) (I) (A) OR (1)
55 (b) (I) (B), OR".

56

1 Page 2 of the committee report, after line 4, insert:

2
3 "Page 6, line 17, after "C.R.S.," insert "AGGRAVATED DRIVING WITH A
4 REVOKED LICENSE PURSUANT TO SECTION 42-2-206 (1) (b) (I) (A) OR (1)
5 (b) (I) (B),".".

6
7 Page 2 of the committee report, after line 22, insert:

8
9 "Page 7, line 2, strike "OR".

10
11 Page 7, line 3, strike "OR OF" and substitute "AGGRAVATED DRIVING WITH
12 A REVOKED LICENSE PURSUANT TO SECTION 42-2-206 (1) (b) (I) (A) OR (1)
13 (b) (I) (B), OR".".

14
15 Page 3 of the committee report, strike line 26 and substitute:

16
17 "Page 14, strike lines 17 through 27 and substitute:

18
19 "(15) IF A DEFENDANT IS CONVICTED OF AGGRAVATED DRIVING
20 WITH A REVOKED LICENSE BASED UPON THE COMMISSION OF DUI, DUI PER
21 SE, OR DWAI PURSUANT TO SECTION 42-2-206 (1) (b) (I) (A) OR (1) (b) (I)
22 (B):

23
24 (a) THE COURT SHALL CONVICT AND SENTENCE THE OFFENDER FOR
25 EACH OFFENSE SEPARATELY;

26
27 (b) THE COURT SHALL IMPOSE ALL OF THE PENALTIES FOR THE
28 ALCOHOL-RELATED DRIVING OFFENSE, AS SUCH PENALTIES ARE DESCRIBED
29 IN THIS SECTION;

30
31 (c) THE PROVISIONS OF SECTION 18-1-408, C.R.S, SHALL NOT
32 APPLY TO THE SENTENCES IMPOSED FOR EITHER CONVICTION;

33
34 (d) ANY PROBATION IMPOSED FOR A CONVICTION UNDER SECTION
35 42-2-206 MAY RUN CONCURRENTLY WITH ANY PROBATION REQUIRED BY
36 THIS SECTION; AND

37
38 (e) THE DEPARTMENT SHALL REFLECT BOTH CONVICTIONS ON THE
39 DEFENDANT'S DRIVING RECORD.

40
41 **SECTION 3.** 42-2-206 (1) (b), Colorado Revised Statutes, is
42 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

43
44 **42-2-206. Driving after revocation prohibited.** (1) (b) (III) IF
45 A DEFENDANT IS CONVICTED OF AGGRAVATED DRIVING WITH A REVOKED
46 LICENSE BASED UPON THE COMMISSION OF DUI, DUI PER SE, OR DWAI
47 PURSUANT TO SUB-SUBPARAGRAPH (A) OR (B) OF SUBPARAGRAPH (I) OF
48 THIS PARAGRAPH (b):

49
50 (a) THE COURT SHALL CONVICT AND SENTENCE THE OFFENDER FOR
51 EACH OFFENSE SEPARATELY;

52
53 (b) THE COURT SHALL IMPOSE ALL OF THE PENALTIES FOR THE
54 ALCOHOL-RELATED DRIVING OFFENSE, AS SUCH PENALTIES ARE DESCRIBED
55 IN SECTION 42-4-1307;

56

1 (c) THE PROVISIONS OF SECTION 18-1-408, C.R.S, SHALL NOT
2 APPLY TO THE SENTENCES IMPOSED FOR EITHER CONVICTION;
3

4 (d) ANY PROBATION IMPOSED FOR A CONVICTION UNDER THIS
5 SECTION MAY RUN CONCURRENTLY WITH ANY PROBATION REQUIRED BY
6 SECTION 42-4-1307; AND
7

8 (e) THE DEPARTMENT SHALL REFLECT BOTH CONVICTIONS ON THE
9 DEFENDANT'S DRIVING RECORD."
10

11 Renumber succeeding sections accordingly."
12

13 Page 4 of the committee report, line 2, strike "3." and substitute "4."
14

15 As amended, ordered engrossed and placed on the Calendar for Third
16 Reading and Final Passage.
17

18 **SB10-177** by Senator(s) Schwartz and Gibbs; also Representative(s)
19 Scanlan, Merrifield--Concerning the promotion of clean
20 energy technologies.
21

22 Amendment No. 1, Transportation & Energy Report, dated April 8, 2010,
23 and placed in member's bill file; Report also printed in House Journal,
24 April 9, page 1178.
25

26 Amendment No. 2, by Representative(s) Scanlan.
27

28 Amend reengrossed bill, page 3, strike lines 14 through 16 and substitute
29 ""IMPLEMENTS OF HUSBANDRY" INCLUDES PERSONAL PROPERTY VALUED
30 BY THE COUNTY ASSESSOR AS SILVICULTURAL."
31

32 As amended, ordered revised and placed on the Calendar for Third
33 Reading and Final Passage.
34

35 **HB10-1395** by Representative(s) Gardner B.; also Senator(s)
36 Steadman--Concerning interlocutory appeals in civil cases.
37

38 Amendment No. 1, Judiciary Report, dated April 12, 2010, and placed in
39 member's bill file; Report also printed in House Journal, April 13,
40 page 1213.
41

42 Amendment No. 2, by Representative(s) Gardner B.
43

44 Amend the Judiciary Committee Report, dated April 12, 2010, page 1, line
45 4, strike "UNDER" and substitute "IF APPROVED BY".
46

47 Page 1, line 5, after "APPEAL" insert "PERMITTED BY THE COURT OF
48 APPEALS".
49

50 As amended, ordered engrossed and placed on the Calendar for Third
51 Reading and Final Passage.
52
53
54
55

1 **SB10-182** by Senator(s) Schwartz, Foster, Kester, Newell; also
 2 Representative(s) Peniston--Concerning the
 3 implementation of certain recommendations of the county
 4 elected officials' salary commission.
 5

6 Ordered revised and placed on the Calendar for Third Reading and Final
 7 Passage.
 8

9 **HB10-1393** by Representative(s) Nikkel; also Senator(s) Kopp--
 10 Concerning the information included in the web-based
 11 system that provides the public access to state financial
 12 information.
 13

14 Amendment No. 1, by Representative(s) Nikkel.
 15

16 Amend printed bill, page 8, line 14, strike "**liability.**" and substitute
 17 "**duty.**".
 18

19 Page 8, strike lines 15 through 17 and substitute "CONTROLLER MAY
 20 REASONABLY RELY UPON REPRESENTATIONS BY A STATE AGENCY IN
 21 DETERMINING WHAT INFORMATION TO INCLUDE IN THE WEB-BASED
 22 SYSTEM, AND NEITHER THE CHIEF INFORMATION OFFICER NOR THE STATE
 23 CONTROLLER SHALL HAVE A DUTY TO INDEPENDENTLY REVIEW THE
 24 INFORMATION FOR COMPLIANCE WITH THIS ARTICLE PRIOR TO POSTING THE
 25 INFORMATION ON THE WEB-BASED SYSTEM."
 26

27 Page 8, line 18, strike "LIABILITY" and substitute "DUTY".
 28

29 Page 8, line 19, after "LIMITATION" insert "ON DUTY AND LIABILITY".
 30

31 As amended, ordered engrossed and placed on the Calendar for Third
 32 Reading and Final Passage.
 33

34 35 36 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

37
 38 Passed Second Reading: **SB10-110 amended, HB10-1347 amended,**
 39 **SB10-177 amended, HB10-1395 amended, SB10-182, HB10-1393**
 40 **amended.**
 41

42 Laid over until date indicated retaining place on Calendar: **HB10-1217,**
 43 **1390, 1234--April 19, 2010.**
 44 **HB10-1394--April 20, 2010.**
 45 **SB10-114, 162--April 23, 2010.**
 46

47 The Chairman moved the adoption of the Committee of the Whole Report.
 48 As shown by the following roll call vote, a majority of those elected to the
 49 House voted in the affirmative, and the Report was **adopted.**
 50

51	YES	60	NO	3	EXCUSED	2	ABSENT	0
52	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
53	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
54	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
55	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
56	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y

1	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
2	Casso	E	Kerr J.	N	Murray	Y	Stephens	Y
3	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
4	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
5	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
6	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
7	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
8	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
9	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
10	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
11	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
12							Speaker	Y

CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)

SB10-109 by Senator(s) Romer and Spence, Boyd, Bacon, Hodge, Hudak, Johnston, Tapia, Tochtrop; also Representative(s) Massey and McCann, Rice, Frangas, McFadyen-- Concerning regulation of the physician-patient relationship for medical marijuana patients, and making appropriations in connection therewith.

(Conference Committee Report printed in House Journal, April 12, pages 1187-1189)

Representative Massey moved for the adoption of the Conference Committee Report. A substitute motion by Representative Weissmann that the House reject the Conference Committee Report, discharge the First Conference Committee for **SB10-109**, that a Second Conference Committee be appointed and that they be granted permission to go beyond the scope of the difference between the House and Senate was declared **passed** by the following roll call vote:

YES	39	NO	24	EXCUSED	2	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	N
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	N	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	N
Casso	E	Kerr J.	N	Murray	N	Stephens	N
Court	N	King S.	Y	Nikkel	N	Summers	N
Curry	N	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	N	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	N	Priola	N	Vaad	Y
Gagliardi	N	Massey	N	Rice	N	Vigil	Y
Gardner B.	N	May	Y	Riesberg	Y	Waller	N
Gardner C.	Y	McCann	N	Roberts	E	Weissmann	Y
						Speaker	Y

The first Conference Committee was discharged and the Speaker appointed Representatives Massey Chairman, McCann and Weissmann as House conferees to the Second Conference Committee.

1 **HB10-1099** by Representative(s) Pace; also Senator(s) Tapia--
 2 Concerning authorization to consume an alcohol beverage
 3 purchased at the Colorado state fair at any location on the
 4 fairgrounds licensed for consumption.

5
 6 Laid over until April 19, retaining place on Calendar.

7
 8 On motion of Representative Weissmann, the rules were suspended for
 9 immediate consideration of HB10-1376.

10
 11 **HB10-1376** by Representative(s) Pommer, Ferrandino, Lambert; also
 12 Senator(s) Keller, Tapia, White--Concerning the provision
 13 for payment of the expenses of the executive, legislative,
 14 and judicial departments of the state of Colorado, and of its
 15 agencies and institutions, for and during the fiscal year
 16 beginning July 1, 2010, except as otherwise noted.

17
 18 (Conference Committee Report printed in House Journal, April 16,
 19 pages 1262-1268.)

20
 21 On motion of Representative Pommer, the Conference Committee Report
 22 was **adopted** by the following roll call vote:

	YES	59	NO	4	EXCUSED	2	ABSENT	0
25	Acree	Y	Gerou	Y	McFadyen	N	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
28	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
30	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
32	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
33	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
34	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
37	Frangas	N	Looper	N	Priola	Y	Vaad	Y
38	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
39	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
40	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
41							Speaker	Y

42
 43 The question being "Shall the bill, as amended, pass?".

44 A roll call vote was taken. As shown by the following recorded vote, a
 45 majority of those elected to the House voted in the affirmative and the bill,
 46 as amended, was declared **repassed**.

	YES	38	NO	25	EXCUSED	2	ABSENT	0
48	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
50	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
51	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
53	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
54	Casso	E	Kerr J.	N	Murray	N	Stephens	N
55	Court	Y	King S.	N	Nikkel	N	Summers	N
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	N

1	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
2	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
3	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
4	Frangas	Y	Looper	N	Priola	N	Vaad	N
5	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
6	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
7	Gardner C.	N	McCann	Y	Roberts	E	Weissmann	Y
8							Speaker	Y

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

HB10-1378 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) Keller, Tapia, White--Concerning moneys appropriated in the 2010-11 fiscal year for health clinics, and making appropriations therefor.

(Amended as printed in Senate Journal, April 8 page 801.)

Representative Ferrandino moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

	YES	63	NO	0	EXCUSED	2	ABSENT	0
26	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
27	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
28	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
29	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
30	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
31	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
32	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
33	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
34	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
35	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
36	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
37	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
38	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
39	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
40	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
41	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
42							Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

	YES	61	NO	2	EXCUSED	2	ABSENT	0
50	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
55	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y

1	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
3	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
6	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
7	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
8	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
9	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
10							Speaker	Y

11 Co-sponsor(s) added: Representative(s) Todd.

12
13 **HB10-1379** by Representative(s) Ferrandino, Pommer, Lambert; also
14 Senator(s) White, Keller, Tapia--Concerning a reduction in
15 the general fund portion of the per diem rates paid to
16 nursing facilities for the 2010-11 fiscal year, and making
17 an appropriation in connection therewith.

18
19 (Amended as printed in Senate Journal, April 8 page 801.)

20
21 Representative Ferrandino moved that the House **concur** in Senate
22 amendments. The motion was declared **passed** by the following roll call
23 vote:

25	YES	63	NO	0	EXCUSED	2	ABSENT	0
26	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
27	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
28	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
29	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
30	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
31	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
32	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
33	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
34	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
35	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
36	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
37	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
38	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
39	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
40	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
41	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
42							Speaker	Y

43
44 The question being, "Shall the bill, as amended, pass?"

45 A roll call vote was taken. As shown by the following recorded vote, a
46 majority of those elected to the House voted in the affirmative, and the
47 bill, as amended, was declared **repassed**.

49	YES	38	NO	25	EXCUSED	2	ABSENT	0
50	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
53	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
55	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	E	Kerr J.	N	Murray	N	Stephens	N

1	Court	Y	King S.	N	Nikkel	N	Summers	N
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
3	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
6	Frangas	Y	Looper	N	Priola	N	Vaad	N
7	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
8	Gardner B.	N	May	N	Riesberg	Y	Waller	N
9	Gardner C.	N	McCann	Y	Roberts	E	Weissmann	Y
10							Speaker	Y

11
12 **HB10-1381** by Representative(s) Ferrandino, Pommer, Lambert; also
13 Senator(s) White, Keller, Tapia--Concerning the use of
14 tobacco revenues for health-related purposes during a state
15 fiscal emergency, and making an appropriation therefor.

16
17 (Amended as printed in Senate Journal, April 8 page 801.)

18
19 Representative Ferrandino moved that the House **concur** in Senate
20 amendments. The motion was declared **passed** by the following roll call
21 vote:

23	YES	58	NO	5	EXCUSED	2	ABSENT	0
24	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
25	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
26	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
27	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
28	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
29	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
30	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
31	Court	N	King S.	Y	Nikkel	Y	Summers	Y
32	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
33	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N
34	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
35	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
36	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
37	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
38	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
39	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
40							Speaker	Y

41
42 The question being, "Shall the bill, as amended, pass?".
43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative, and the
45 bill, as amended, was declared **repassed**.

47	YES	38	NO	25	EXCUSED	2	ABSENT	0
48	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
50	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
51	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
53	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
54	Casso	E	Kerr J.	N	Murray	N	Stephens	Y
55	Court	N	King S.	N	Nikkel	N	Summers	N
56	Curry	Y	Labuda	Y	Pace	N	Swalm	Y

1	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
2	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
3	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
4	Frangas	N	Looper	N	Priola	N	Vaad	N
5	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
6	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
7	Gardner C.	N	McCann	Y	Roberts	E	Weissmann	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Todd.

10
11 **HB10-1383** by Representative(s) Pommer, Ferrandino, Lambert; also
12 Senator(s) White, Keller, Tapia--Concerning funding for
13 student financial aid for higher education, and making an
14 appropriation therefor.

15
16 (Amended as printed in Senate Journal, April 8 pages 800-801.)

17
18 Representative Pommer moved that the House **concur** in Senate
19 amendments. A substitute motion by Representative Weissmann that the
20 House **not concur** in Senate amendments and that a Conference
21 Committee be appointed was declared **passed** by the following roll call
22 vote:

23								
24	YES	55	NO	8	EXCUSED	2	ABSENT	0
25	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	N
27	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
28	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	N	Sonnenberg	Y
30	Bradford	Y	Kerr A.	Y	Miklosi	N	Soper	Y
31	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
32	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
33	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
34	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
35	Ferrandino	N	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	N	Liston	Y	Primavera	Y	Tyler	Y
37	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
38	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
39	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
40	Gardner C.	Y	McCann	N	Roberts	E	Weissmann	Y
41							Speaker	Y

42 The Speaker appointed Representatives Pommer, Chairman, Ferrandino
43 and Lambert as House conferees to the bill.

44
45 **HB10-1384** by Representative(s) Lambert, Ferrandino, Pommer; also
46 Senator(s) White, Keller, Tapia--Concerning the alignment
47 of eligibility for the old age pension program with
48 eligibility for other public benefit programs, and, in
49 connection therewith, aligning the waiting period for the
50 old age pension with the waiting period for other public
51 benefit programs, enforcing financial responsibility
52 requirements for relative sponsors of noncitizens, and
53 making an appropriation.

54
55 (Amended as printed in Senate Journal, April 8 page 800.)

56

Representative Lambert moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	62	NO	1	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

YES	58	NO	5	EXCUSED	2	ABSENT	0
Acree	N	Gerou	Y	McFadyen	Y	Ryden	N
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	N
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	N	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Merrifield.

HB10-1388 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) Tapia, Keller, White--Concerning the augmentation of the general fund through transfers of certain moneys.

(Amended as printed in Senate Journal, April 8 page 800 and on April 9, page 815.)

1 Representative Ferrandino moved that the House **not concur** in Senate
 2 amendments and that a Conference Committee be appointed. The motion
 3 was declared **passed** by the following roll call vote:

YES	62	NO	1	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	N	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
						Speaker	Y

23 The Speaker appointed Representatives Ferrandino, Chairman, Lambert
 24 and Pommer as House conferees to the bill.

25
 26 **HB10-1252** by Representative(s) Primavera, Massey; also Senator(s)
 27 Boyd and Schwartz--Concerning health care services for
 28 breast cancer screening.

29
 30 (Amended as printed in Senate Journal, April 13, pages 857.)

31
 32 Representative Primavera moved that the House **not concur** in Senate
 33 amendments and that a Conference Committee be appointed. The motion
 34 was declared **passed** by the following roll call vote:

YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
						Speaker	Y

54 The Speaker appointed Representatives Primavera, Chairman, Gagliardi
 55 and Massey as House conferees to the bill.

1 **HB10-1273** by Representative(s) Merrifield, Rice, Ryden, Apuan,
 2 Benefield, Carroll T., Casso, Gagliardi, Gerou, Kerr A.,
 3 May, McKinley, Middleton, Nikkel, Peniston, Primavera,
 4 Roberts, Scanlan, Schafer S., Solano, Todd, Tyler; also
 5 Senator(s) Spence and Steadman, Newell, Hudak, Bacon,
 6 Boyd, Foster, Gibbs, Heath, Johnston, Romer, Tapia,
 7 Williams--Concerning improved workforce development
 8 through increased participation in arts education in public
 9 schools.

10
 11 (Amended as printed in Senate Journal, April 13, pages 857.)
 12

13 Representative Merrifield moved that the House **not concur** in Senate
 14 amendments and that a Conference Committee be appointed. The motion
 15 was declared **passed** by the following roll call vote:
 16

	YES	42	NO	21	EXCUSED	2	ABSENT	0
18	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
19	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
20	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
21	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
22	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
23	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
24	Casso	E	Kerr J.	N	Murray	N	Stephens	Y
25	Court	Y	King S.	N	Nikkel	N	Summers	N
26	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
27	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
28	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
29	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
30	Frangas	Y	Looper	N	Priola	N	Vaad	N
31	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
32	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
33	Gardner C.	N	McCann	Y	Roberts	E	Weissmann	Y
34							Speaker	Y

35 The Speaker appointed Representatives Merrifield, Chairman, Solano and
 36 McNulty as House conferees to the bill.
 37
 38
 39

40 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

41 **APPROPRIATIONS**

42 After consideration on the merits, the Committee recommends the
 43 following:
 44

45
 46 **HB10-1019** be amended as follows, and as so amended, be referred to
 47 the Committee of the Whole with favorable
 48 recommendation:
 49

50 Amend the Transportation and Energy Committee Report, dated February
 51 23, 2010, page 2, line 20, strike "**rules.**" and substitute "**rules - repeal.**".
 52

53 Page 2, strike lines 25 through 27 and substitute "PROFESSIONAL. TO BE
 54 VALID, THE VERIFYING PROFESSIONAL SHALL CERTIFY TO THE
 55 DEPARTMENT THAT THE PERSON MEETS THE STANDARDS ON FORMS
 56 PUBLISHED BY THE DEPARTMENT.".

1 Page 5, after line 20 insert:

2

3 "(H) SUB-SUBPARAGRAPH (G) OF THIS SUBPARAGRAPH (II) DOES
4 NOT REQUIRE THE DEPARTMENT TO ISSUE IDENTIFYING PLACARDS IN
5 COMPLIANCE WITH THIS SECTION WHILE IT CONTINUES TO HAVE THE
6 PLACARDS PURCHASED BEFORE JANUARY 1, 2011, IN STOCK. THIS
7 SUB-SUBPARAGRAPH (H) IS REPEALED EFFECTIVE JULY 1, 2011."

8

9 Page 8, line 5, after "(f)" insert "(I)".

10

11 Page 8, after line 11 insert:

12

13 "(II) THIS PARAGRAPH (f) DOES NOT REQUIRE THE DEPARTMENT TO
14 ISSUE IDENTIFYING PLACARDS IN COMPLIANCE WITH THIS SECTION WHILE
15 IT CONTINUES TO HAVE THE TEMPORARY PLACARDS PURCHASED BEFORE
16 JANUARY 1, 2011, IN STOCK. THIS SUBPARAGRAPH (II) IS REPEALED
17 EFFECTIVE JULY 1, 2011."

18

19 Page 12, strike lines 8 and 9 and substitute "COMMUNITY SERVICE. THE
20 STATE OR LOCAL AUTHORITY ISSUING A CITATION UNDER THIS SUBSECTION
21 (a) OR ANY LOCAL ORDINANCE OF A SUBSTANTIALLY EQUIVALENT OFFENSE
22 SHALL TRANSFER ONE-HALF OF THE FINE TO THE STATE TREASURER, WHO
23 SHALL CREDIT THE FINE TO THE DISABLED".

24

25 Page 12, strike lines 32 and 33 and substitute "TEN HOURS OF COMMUNITY
26 SERVICE. THE STATE OR LOCAL AUTHORITY ISSUING A CITATION UNDER
27 THIS SECTION (7) OR ANY LOCAL ORDINANCE OF A SUBSTANTIALLY
28 EQUIVALENT OFFENSE SHALL TRANSFER ONE-HALF OF THE FINE TO THE
29 STATE TREASURER, WHO SHALL CREDIT THE FINE TO".

30

31 Page 16, line 28, after "VIOLATION" insert "OF SUBSECTION (9), (15), OR
32 (16)".

33

34 page 19, after line 19, insert:

35

36 **"SECTION 8. Appropriation.** (1) In addition to any other
37 appropriation, there is hereby appropriated, out of any moneys in the
38 disabled parking education and enforcement fund created in section 42-1-
39 224, Colorado Revised Statutes, not otherwise appropriated, to the
40 governor - lieutenant governor - state planning and budgeting, for
41 allocation to the office of the governor, other programs and grants, for the
42 Colorado advisory council for persons with disabilities, for the fiscal year
43 beginning July 1, 2010, the sum of \$28,307 cash funds and 0.5 FTE, or
44 so much thereof as may be necessary, for the implementation of this act.

45

46 In addition to any other appropriation, there is hereby appropriated,
47 to the department of revenue, for the fiscal year beginning July 1, 2010,
48 the sum of sixty-three thousand forty-nine dollars (\$63,049) and 0.6 FTE,
49 or so much thereof as may be necessary, for the implementation of this
50 act. Of said sum, eight thousand six hundred twenty-one dollars (\$8,621)
51 shall be from the general fund, and fifty-four thousand four hundred
52 twenty-eight dollars (\$54,428) shall be from cash funds from the
53 Colorado state titling and registration account of the highway users tax
54 fund created in section 42-1-211 (2), Colorado Revised Statutes."

55

56 Page 19, strike lines 20 through 31 and substitute:

1 **"SECTION 9. Act subject to petition - specified effective date**
2 **- applicability.** (1) This act shall take effect January 1, 2011; except
3 that, if a referendum petition is filed pursuant to section 1 (3) of article V
4 of the state constitution against this act or an item, section, or part of this
5 act within the ninety-day period after final adjournment of the general
6 assembly, then the act, item, section, or part shall not take effect unless
7 approved by the people at the general election to be held in November
8 2010 and shall take effect on January 1, 2011, or on the date of the
9 official declaration of the vote thereon by the governor, whichever is
10 later.

11
12 (2) The provisions of this act shall apply to offenses committed
13 and applications submitted on or after the applicable effective date of this
14 act."."

15
16 Page 19 of the report, after line 31, insert:

17
18 "Page 1 of the bill, line 101, strike "**DISABILITIES.**" and substitute
19 "**DISABILITIES, AND MAKING AN APPROPRIATION THEREFOR.**"."

20
21
22
23 **HB10-1022** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:

26
27 Amend Health and Human Services Report dated February 11, 2010,
28 page 1, after line 8 insert:

29
30 "Page 4, line 1, strike "MAY" and substitute "SHALL".

31
32 Page 4, strike lines 2 through 6 and substitute "MORE COUNTIES AND
33 NONPROFIT ORGANIZATIONS FOR THE DEVELOPMENT AND
34 IMPLEMENTATION OF THE OUTREACH PLAN. IF THE STATE DEPARTMENT
35 ENTERS INTO A CONTRACT WITH A NONPROFIT ORGANIZATION RELATING
36 TO THE OUTREACH PLAN, THE CONTRACT MAY SPECIFY THAT THE
37 NONPROFIT"."

38
39 Page 1 of the committee report, strike lines 15 and 16 and substitute:

40
41 "Page 4, strike lines 19 through 25 and substitute:

42
43 "(c) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OR (b)
44 OF THIS SUBSECTION (4), THE STATE DEPARTMENT SHALL BE EXEMPT FROM
45 IMPLEMENTING OR ADMINISTERING AN OUTREACH PLAN, BUT NOT FROM
46 DEVELOPING AN OUTREACH PLAN, IF THE STATE DEPARTMENT WILL NOT BE
47 RECEIVING PRIVATE OR FEDERAL MONEYS SUFFICIENT TO COVER THE
48 STATE'S COSTS ASSOCIATED WITH THE IMPLEMENTATION AND
49 ADMINISTRATION OF THE OUTREACH PLAN, INCLUDING ANY COSTS
50 ASSOCIATED WITH INCREASED CASELOAD RESULTING FROM THE
51 IMPLEMENTATION OF THE OUTREACH PLAN."."

52
53 Page 2 of the committee report, strike lines 1 through 7.

54
55
56

1 **HB10-1032** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend the Health and Human Services Committee Report, dated
6 February 18, 2010, page 3, line 3, after the period add "THE STATE
7 DEPARTMENT SHALL COMPLETE THE REVIEW, FORMULATE THE PLAN, AND
8 PREPARE THE REPORT REQUIRED IN PARAGRAPH (b) OF THIS SUBSECTION
9 (2) WITHIN EXISTING APPROPRIATIONS AND SHALL DESIGN THE PLAN TO BE
10 IMPLEMENTED WITHIN EXISTING APPROPRIATIONS."
11

12 Page 3, line 4, strike "2011," and substitute "2013,".
13
14
15

16 **HB10-1103** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:
19

20 Amend printed bill, page 9, after line 8, insert:
21

22 **"SECTION 2. Appropriation.** (1) For the implementation of this
23 act, appropriations made in the annual general appropriation act for the
24 fiscal year beginning July 1, 2010, to the department of health care policy
25 and financing shall be adjusted as follows:
26

27 (a) The cash fund appropriation to the executive director's division
28 for general administration is increased by seventy-eight thousand nine
29 hundred sixty-four dollars (\$78,964) and 1.5 FTE. Said sum shall be
30 from the relief fund for children with a catastrophic medical condition
31 created in section 25.5-1-126 (2) (a), Colorado Revised Statutes.
32

33 (b) The cash appropriation to the other medical services for
34 financial assistance for families is increased by two million seven
35 hundred sixty-one thousand seven hundred fifty-three dollars
36 (\$2,761,753). Said sum shall be from the relief fund for children with a
37 catastrophic medical condition created in section 25.5-1-126 (2) (a),
38 Colorado Revised Statutes."
39

40 Page 1, line 102, "CONDITION." and substitute "CONDITION, AND MAKING
41 AN APPROPRIATION THEREFOR."
42
43
44

45 **HB10-1146** be amended as follows, and as so amended, be referred to
46 the Committee of the Whole with favorable
47 recommendation:
48

49 Amend the Health and Human Services Committee Report, dated March
50 1, 2010, page 1, line 6, strike "15" and substitute "17".
51

52 Page 1 of the Committee Report, strike lines 9 through 13 and substitute
53 "RULE AND ARE RECEIVING old age pension, aid to the needy disabled, or
54 aid to the blind, OR SUPPLEMENTAL SOCIAL SECURITY INCOME BENEFITS."
55

56 Page 2 of the Committee Report, strike lines 7 through 18 and substitute:

1 **"SECTION 6.** 26-2-122.3 (1) (b) (I), Colorado Revised Statutes,
2 as amended in House Bill 10-1146, is amended to read:

3
4 **26-2-122.3. Adult foster care and home care allowance.**
5 (1) (b) (I) Except as provided in subparagraph (II) of this paragraph (b),
6 the state department, subject to available appropriations, may provide
7 home care allowance for persons who meet the functional impairment and
8 financial eligibility criteria as established by the state department by rule
9 and:

10
11 (A) ~~are~~ WERE receiving old age pension BENEFITS AND HOME
12 CARE ALLOWANCE ON THE DAY PRIOR TO THE EFFECTIVE DATE OF THIS
13 SUB-SUBPARAGRAPH (A) AND REMAIN CONTINUOUSLY ELIGIBLE FOR SUCH
14 BENEFITS; OR

15
16 (B) ARE RECEIVING aid to the needy disabled, aid to the blind, or
17 supplemental social security income benefits.

18
19 **SECTION 7. Appropriation - adjustment in 2010 long bill.**
20 (1) In addition to any other appropriation, there is hereby appropriated,
21 from the general fund, to the department of health care policy and
22 financing, for medical services premiums, for the fiscal year beginning
23 July 1, 2010, the sum of one hundred thirty-one thousand sixty dollars
24 (\$131,060), or so much thereof as may be necessary, for the
25 implementation of this act. In addition to said appropriation, the general
26 assembly anticipates that, for the fiscal year beginning July 1, 2010, the
27 department of health care policy and financing will receive the sum of
28 one hundred sixty-five thousand four hundred twenty-one dollars
29 (\$165,421) in federal funds for the implementation of this act. Although
30 the federal funds are not appropriated in this act, they are noted for the
31 purpose of indicating the assumptions used relative to these funds in
32 developing state appropriation amounts.

33
34 (2) For the implementation of this act, the general fund
35 appropriation to the department of health care policy and financing,
36 medical services premiums, for single entry point contracts for the home
37 care allowance program, for the fiscal year beginning July 1, 2010, shall
38 be decreased by one million nine hundred two dollars (\$1,000,902).

39
40 (3) In addition to any other appropriation, there is hereby
41 appropriated, to the department of health care policy and financing, for
42 allocation to the department of human services medicaid-funded
43 programs, office of information technology services - medicaid funding,
44 for the Colorado benefits management system, for the fiscal year
45 beginning July 1, 2010, the sum of ninety-two thousand two hundred
46 fifty-two dollars (\$92,252), or so much thereof as may be necessary, for
47 the implementation of this act. Of said sum, ninety-one thousand four
48 hundred thirty-four dollars (\$91,434) shall be from the general fund, four
49 hundred forty-one dollars (\$441) shall be cash funds from the old age
50 pension fund created in article XXIV of the Colorado constitution, and
51 three hundred seventy-seven dollars (\$377) shall be cash funds from the
52 children's basic health plan trust created in section 25.5-8-105 (1),
53 Colorado Revised Statutes. In addition to said appropriation, the general
54 assembly anticipates that, for the fiscal year beginning July 1, 2010, the
55 department of health care policy and financing will receive the sum of
56 ninety-two thousand one hundred thirty-five dollars (\$92,135) in federal

1 funds for the implementation of this act. Although the federal funds are
2 not appropriated in this act, they are noted for the purpose of indicating
3 the assumptions used relative to these funds in developing state
4 appropriation amounts.

5
6 (4) In addition to any other appropriation, there is hereby
7 appropriated, to the department of human services, for allocation to the
8 office of information technology services, for the Colorado benefits
9 management system, for the fiscal year beginning July 1, 2010, the sum
10 of three hundred twenty-eight thousand seventy-nine dollars (\$328,079),
11 or so much thereof as may be necessary, for the implementation of this
12 act. Of said sum, one hundred twenty thousand eight hundred seventy
13 dollars (\$120,870) shall be from the general fund, twenty-two thousand
14 eight hundred twenty-two dollars (\$22,822) shall be cash funds from the
15 old age pension fund created in article XXIV of the Colorado
16 constitution, and one hundred eighty-four thousand three hundred
17 eighty-seven dollars (\$184,387) shall be from reappropriated funds
18 transferred from the department of health care policy and financing from
19 the appropriation in subsection (3) of this section. In addition to said
20 appropriation, the general assembly anticipates that, for the fiscal year
21 beginning July 1, 2010, the department of human services will receive the
22 sum of one hundred sixty-one thousand nine hundred twenty-one dollars
23 (\$161,921) in federal funds for the implementation of this act. Although
24 the federal funds are not appropriated in this act, they are noted for the
25 purpose of indicating the assumptions used relative to these funds in
26 developing state appropriation amounts.

27
28 (5) For the implementation of this act, the general fund
29 appropriation to the department of human services, adult assistance
30 programs, for home care allowance, for the fiscal year beginning July 1,
31 2010, shall be decreased by three hundred sixty thousand five hundred
32 forty-five dollars (\$360,545).

33
34 (6) In addition to any other appropriation, there is hereby
35 appropriated, from the general fund, to the department of human services,
36 adult assistance programs, for single entry point contracts for the home
37 care allowance program, for the fiscal year beginning July 1, 2010, the
38 sum of one million nine hundred two dollars (\$1,000,902).

39
40 (7) In addition to any other appropriation, there is hereby
41 appropriated, to the Governor-Lieutenant Governor-office of state
42 planning and budgeting, for allocation to the office of information
43 technology, for the Colorado benefits management system, for the fiscal
44 year beginning July 1, 2010, the sum of four hundred ninety thousand
45 dollars (\$490,000), or so much thereof as may be necessary, for the
46 implementation of this act. Said sum shall be from reappropriated funds
47 received from the department of human services out of the appropriation
48 made in subsection (4) of this section.

49
50 **SECTION 8. Specified effective date.** (1) This section and
51 section 9 of this act shall take effect upon passage.

52
53 (2) Sections 1 through 4 of this act shall take effect January 1,
54 2011.

55
56 (3) Sections 5 and 7 of this act shall take effect July 1, 2010.

1 (4) Section 6 of this act shall take effect upon the earlier of:

2
3 (a) January 1, 2014; or

4
5 (b) The date upon which the revisor of statutes receives
6 notification from the executive director of the department of health care
7 policy and financing that the federal centers for medicare and medicaid
8 services, having taken into consideration the requirements for
9 maintenance of effort for medicaid eligibility contained in the federal
10 "American Reinvestment and Recovery Act", Pub.L. 111-5, or any
11 amendment thereto, and in the federal "Patient Protection and Affordable
12 Care Act", Pub.L. 111-148, or any amendment thereto, has authorized
13 Colorado to reduce eligibility for its medicaid program consistent with the
14 provisions of this act without federal penalty."

15
16 Renumber succeeding section accordingly.

17
18 Page 1 of the printed bill, line 103, strike "**PROGRAMS.**" and substitute
19 "**PROGRAMS, AND MAKING AN APPROPRIATION THEREFOR.**".

20
21
22
23 **HB10-1152** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:

26
27 Amend the Judiciary Committee report dated February 18, 2010, page 26,
28 strike lines 12 through 15 and substitute:

29
30 "**SECTION 27. Appropriation.** In addition to any other
31 appropriation, there is hereby appropriated, out of any moneys in the
32 Colorado civil rights commission cash fund created in section 24-34-309,
33 Colorado Revised Statutes, not otherwise appropriated, to the department
34 of regulatory agencies, for allocation to the civil rights division, for the
35 fiscal year beginning July 1, 2010, the sum of nineteen thousand two
36 hundred forty-six dollars (\$19,246) cash funds and 0.4 FTE, or so much
37 thereof as may be necessary, for the implementation of this act."

38
39 Page 26 of the committee report, after line 27, insert "Page 1 of the bill,
40 line 101, strike "**DISABILITIES.**" and substitute "**DISABILITIES, AND**
41 **MAKING AN APPROPRIATION THEREFOR.**".

42
43
44
45 **HB10-1162** be amended as follows, and as so amended, be referred to
46 the Committee of the Whole with favorable
47 recommendation:

48
49 Amend the Business Affairs and Labor Committee Report, dated March
50 3, 2010, page 3, strike lines 24 through 33 and substitute "CONTRACT OR
51 A SUBCONTRACT THEREOF."

52
53 Page 4, strike lines 13 through 32.

54
55 Renumber succeeding C.R.S. sections accordingly.

56

1 Page 5, strike lines 6 and 7 and substitute "CONTRACT PRICE WITHIN
2 THIRTY DAYS AFTER".

3
4 Page 6, line 16, strike "(1)".

5
6 Page 6, line 18, strike "38-15-104" and substitute "38-15-103".

7
8 Page 6, strike lines 22 through 26.

9
10 Page 7, strike lines 13 through 26 and substitute "calculated value of any
11 work THE completed shall be paid until fifty percent of the work required
12 by the contract has been performed. Thereafter, the public entity shall
13 pay any of the remaining installments without retaining additional funds
14 if, in the opinion of the public entity, satisfactory progress is being made
15 in the work.".

16
17 Page 7, strike lines 27 through 37 and substitute:

18
19 "(b) (I) The withheld percentage of the contract price of any such
20 CONTRACTED work, improvement, or construction shall be retained until
21 the contract is completed satisfactorily and finally accepted by the public
22 entity. If the public entity finds that satisfactory progress is being made
23 in all ANY phases of the contract, it may, upon written request by the
24 contractor, authorize final payment from the withheld percentage to the
25 contractor or subcontractors who have completed their work in a manner
26 finally acceptable to the public entity. Before such payment is made, the
27 public entity shall determine that satisfactory and substantial reasons exist
28 for the payment and shall require written approval from any surety
29 furnishing bonds for the contract work.".

30
31 Page 8, strike lines 1 through 7.

32
33 Page 8, line 8, strike "(III)" and substitute "(II)".

34
35 Page 8, strike lines 31 and 32.

36
37 Page 9, strike lines 1 through 12.

38
39 Renumber succeeding sections accordingly.

40
41 Page 10, line 2, strike "BUILDING CLIENT," and substitute "PUBLIC
42 ENTITY,".

43
44 Page 10, line 5, strike "BUILDING CLIENT" and substitute "PUBLIC ENTITY".

45
46
47
48 **HB10-1172** be amended as follows, and as so amended, be referred to
49 the Committee of the Whole with favorable
50 recommendation:

51
52 Amend the Transportation and Energy Committee Report, dated February
53 25, 2010, page 1, strike line 9 and substitute:

54
55 "Page 3 of the bill, line 12, strike "WEIGHING AT LEAST ONE THOUSAND
56 POUNDS".".

1 Page 2 of the report, strike lines 21 and 22 and substitute:

2
3 "Page 15 of the bill, strike lines 6 through 11 and substitute:

4
5 **"SECTION 19. Appropriation.** In addition to any other
6 appropriation, there is hereby appropriated, out of any moneys in the
7 license plate cash fund created in section 42-3-301 (1) (b), Colorado
8 Revised Statutes, not otherwise appropriated, to the department of
9 revenue, for allocation to the division of motor vehicles, driver and
10 vehicle services, for the fiscal year beginning July 1, 2010, the sum of
11 five hundred sixty dollars (\$560) cash funds, or so much thereof as may
12 be necessary, for the implementation of this act.
13

14 **SECTION 20. Act subject to petition - specified effective date**
15 **- applicability.** (1) This act shall take effect October 1, 2010; except
16 that, if a referendum petition is filed pursuant to section 1 (3) of article V
17 of the state constitution against this act or an item, section, or part of this
18 act within the ninety-day period after final adjournment of the general
19 assembly, then the act, item, section, or part shall not take effect unless
20 approved by the people at the general election to be held in November
21 2010 and shall take effect on the date of the official declaration of the
22 vote thereon by the governor.
23

24 (2) The provisions of this act shall apply to offenses committed
25 and applications submitted on or after the applicable effective date of this
26 act."
27

28 Page 1 of the bill, line 102, strike "TAX." and substitute "TAX, AND
29 MAKING AN APPROPRIATION THEREFOR."."
30

31
32
33 **HB10-1264** be amended as follows, and as so amended, be referred to
34 the Committee of the Whole with favorable
35 recommendation:
36

37 Amend the State, Veterans, & Military Affairs Committee Report, dated
38 February 23, 2010, page 2, after line 2 insert:
39

40 "Page 7 of the bill, after line 11 insert:

41
42 "(D) FOR ANY IDEA APPLICATION THAT THE EXECUTIVE DIRECTOR
43 APPROVES, THE EXECUTIVE DIRECTOR SHALL CAUSE TO BE TRANSFERRED
44 NO LESS THAN THIRTY PERCENT OF THE PROJECTED SAVINGS
45 CALCULATION, UP TO THIRTY THOUSAND DOLLARS, TO THE STATE
46 EMPLOYEE INCENTIVE FUND CREATED IN SUBSECTION (5) OF THIS SECTION
47 NO LATER THAN NINETY DAYS AFTER APPROVING THE APPLICATION.
48 AFTER THE IDEA APPLICATION IS FULLY IMPLEMENTED AND THE STATE
49 AUDITOR HAS PERFORMED THE REVIEW AND VERIFICATION OF THE SAVINGS
50 REALIZED CALCULATION AND SUBMITTED THE REPORT AS SPECIFIED IN
51 PARAGRAPH (b) OF SUBSECTION (4) OF THIS SECTION, THE STATE AGENCY
52 SHALL CAUSE TO BE DISTRIBUTED THE SAVINGS REALIZED AS SPECIFIED IN
53 PARAGRAPH (d) OF SUBSECTION (4) OF THIS SECTION. IF, AFTER THE STATE
54 AUDITOR'S REVIEW, THE SAVINGS REALIZED CALCULATION IS GREATER
55 THAN THE PROJECTED SAVINGS CALCULATION, THEN THE STATE AGENCY
56 SHALL CAUSE TO BE TRANSFERRED MORE MONEY INTO THE STATE

1 EMPLOYEE INCENTIVE FUND CREATED IN SUBSECTION (5) OF THIS SECTION
2 TO COVER THE REQUIRED DISTRIBUTIONS SPECIFIED IN PARAGRAPH (d) OF
3 SUBSECTION (4) OF THIS SECTION. IF, AFTER THE STATE AUDITOR'S
4 REVIEW, THE SAVINGS REALIZED CALCULATION IS LESS THAN THE
5 PROJECTED SAVINGS CALCULATION, THEN THE EXCESS MONEY PREVIOUSLY
6 TRANSFERRED BY THE STATE AGENCY SHALL REVERT TO THE GENERAL
7 FUND."

8
9 Page 2 of the report, after line 4 insert:

10
11 "Page 7 of the bill, line 27, strike "THE" and substitute "ANY".".
12

13 Page 2 of the report, after line 17 insert:

14
15 "Page 8 of the bill, line 18, strike "TWELVE" and substitute "THIRTEEN".
16

17 Page 8 of the bill, line 20, strike "REALIZED." and substitute "REALIZED
18 FOR THE FIRST TWELVE MONTHS OF FULL IMPLEMENTATION.". ".
19

20 Page 2 of the report, after line 18 insert:

21
22 "Page 9 of the bill, strike lines 9 and 10 and substitute "ANY MEMBERS OF
23 THE GENERAL ASSEMBLY WHO CARRIED ANY LEGISLATION TO IMPLEMENT
24 THE IDEA.". ".
25

26 Page 2 of the report, line 20, after "(d)," insert "AND UNLESS OTHERWISE
27 PROHIBITED,".
28

29 Page 2 of the report, after line 21 insert:

30
31 "Page 9, line 16, strike "AN" and substitute "A ONE-TIME".".
32

33 Page 3 of the report, after line 8 insert:

34
35 "Page 10 of the bill, line 2, strike "EMPLOYEES." and substitute
36 "EMPLOYEES OR FOR PERSONNEL SERVICES EXPENDITURES OTHER THAN
37 THE DISTRIBUTION SPECIFIED IN SUB-SUBPARAGRAPH (A) OF
38 SUBPARAGRAPH (I) OF PARAGRAPH (d) OF THIS SUBSECTION (4)".
39

40 Page 3 of the report, strike lines 9 through 11 and substitute:

41
42 "Page 10 of the bill, strike lines 3 through 14 and substitute:
43 "(5) THERE IS HEREBY CREATED IN THE STATE TREASURY THE
44 STATE EMPLOYEE INCENTIVE FUND, WHICH SHALL CONSIST OF MONEYS
45 TRANSFERRED BY STATE AGENCIES AS SPECIFIED IN SUB-SUBPARAGRAPH
46 (D) OF SUBPARAGRAPH (III) OF PARAGRAPH (c) OF SUBSECTION (1) OF THIS
47 SECTION. THE FUND SHALL CONSIST OF SPECIFIC ACCOUNTS FOR EACH
48 IDEA APPLICATION APPROVED FOR EACH STATE AGENCY. THE MONEYS IN
49 EACH ACCOUNT SHALL BE AVAILABLE FOR DISTRIBUTION BY EACH STATE
50 AGENCY PURSUANT TO THE DISTRIBUTION SPECIFIED IN SUBPARAGRAPH (I)
51 OF PARAGRAPH (D) OF SUBSECTION (4) OF THIS SECTION NO LATER THAN
52 THIRTY DAYS AFTER THE STATE AUDITOR'S REVIEW AND VERIFICATION OF
53 THE SAVINGS REALIZED CALCULATION. IF THE MONEYS IN THE ACCOUNT
54 ARE NOT DISTRIBUTED BY A STATE AGENCY WITHIN THAT THIRTY-DAY
55 PERIOD, THE MONEYS IN THAT ACCOUNT SHALL REVERT TO THE GENERAL
56 FUND.". ".
57

1 **HB10-1268** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4

5 **HB10-1284** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend the Judiciary Committee Report, dated March 22, 2010, page 48,
10 line 21, strike "SERVICES FOR" and substitute "INTEGRATED BEHAVIORAL
11 HEALTH SERVICES FOR JUVENILES AND".
12

13 Strike lines 22 through 30 and substitute:
14

15 "SUBSTANCE USE DISORDERS AND MENTAL HEALTH TREATMENT NEEDS
16 WHO ARE INVOLVED WITH, OR AT RISK OF INVOLVEMENT WITH, THE
17 CRIMINAL JUSTICE SYSTEM. THE MONEYS DESCRIBED IN PARAGRAPH (a) OF
18 THIS SUBSECTION (6) SHALL BE APPROPRIATED TO THE DEPARTMENT OF
19 HUMAN SERVICES TO BE USED TO PROVIDE INTEGRATED BEHAVIORAL
20 HEALTH SERVICES FOR JUVENILES AND ADULTS WITH SUBSTANCE USE
21 DISORDERS OR WITH SUBSTANCE USE DISORDERS AND MENTAL HEALTH
22 TREATMENT NEEDS WHO ARE INVOLVED WITH, OR AT RISK OF
23 INVOLVEMENT WITH, THE CRIMINAL JUSTICE SYSTEM. THE DEPARTMENT
24 SHALL ENSURE THAT APPROPRIATIONS IN THIS LINE ITEM ARE DISTRIBUTED
25 THROUGH THE DEPARTMENT'S DESIGNATED MANAGED SERVICE
26 ORGANIZATIONS AND COMMUNITY MENTAL HEALTH CENTERS. THE
27 APPROPRIATIONS SHALL BE BASED ON, INCLUDING BUT NOT LIMITED TO
28 SUBSTANCE USE AND MENTAL HEALTH PREVALENCE DATA THAT IS
29 DEVELOPED WORKING COLLABORATIVELY WITH THE MANAGED SERVICES
30 ORGANIZATIONS AND COMMUNITY HEALTH CENTERS.".
31

32 Page 48, after line 35, insert:
33

34 "SECTION 10. 39-26-123, Colorado Revised Statutes, is
35 amended BY THE ADDITION OF A NEW SUBSECTION to read:
36

37 **39-26-123. Receipts - disposition - transfers of general fund**
38 **surplus - sales and use tax holding fund - creation - definitions -**
39 **repeal.** (6) FOR ANY STATE FISCAL YEAR COMMENCING ON OR AFTER
40 JULY 1, 2010, THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE
41 THE FIRST TWO MILLION DOLLARS OF SALES AND USE TAXES
42 ATTRIBUTABLE TO SALES OR USE OF MEDICAL MARIJUANA OR EQUALLY
43 APPROPRIATE THE SALES AND USE TAXES ATTRIBUTABLE TO SALES AND
44 USE OF MEDICAL MARIJUANA IF TWO MILLION DOLLARS IS NOT GENERATED.
45 THE MONEYS DESCRIBED IN THIS SUBSECTION (6) SHALL BE APPROPRIATED
46 TO THE DEPARTMENT OF HUMAN SERVICES TO BE USED TO PROVIDE
47 INTEGRATED BEHAVIORAL HEALTH SERVICES FOR JUVENILES AND ADULTS
48 WITH SUBSTANCE USE DISORDERS OR WITH SUBSTANCE USE DISORDERS
49 AND MENTAL HEALTH TREATMENT NEEDS WHO ARE INVOLVED WITH, OR
50 AT RISK OF INVOLVEMENT WITH, THE CRIMINAL JUSTICE SYSTEM. THE
51 DEPARTMENT SHALL ENSURE THAT APPROPRIATIONS IN THIS LINE ITEM ARE
52 DISTRIBUTED THROUGH THE DEPARTMENT'S DESIGNATED MANAGED
53 SERVICE ORGANIZATIONS AND COMMUNITY MENTAL HEALTH CENTERS.
54 THE APPROPRIATIONS SHALL BE BASED ON, INCLUDING BUT NOT LIMITED
55 TO SUBSTANCE USE AND MENTAL HEALTH PREVALENCE DATA THAT IS
56 DEVELOPED WORKING COLLABORATIVELY WITH THE MANAGED SERVICES

1 ORGANIZATIONS AND COMMUNITY HEALTH CENTERS.".

2
3 Renumber succeeding sections accordingly.

4
5 page 49, after line 7, insert:

6
7 **"SECTION 12. Appropriation.** (1) In addition to any other
8 appropriation, there is hereby appropriated, out of any moneys in the
9 general fund not otherwise appropriated, to the department of human
10 services, for allocation to mental health and alcohol and drug abuse
11 services, for the fiscal year beginning July 1, 2010, the sum of three
12 hundred thirty-four thousand two hundred twenty-seven dollars
13 (\$334,227), or so much thereof as may be necessary, for the
14 implementation of this act.

15
16 (2) In addition to any other appropriation, there is hereby
17 appropriated, out of any moneys in the medical marijuana license cash
18 fund cash fund created in section 12-43.3-501 (1), Colorado Revised
19 Statutes, not otherwise appropriated, to the department of revenue, for
20 allocation to the enforcement business group, for the fiscal year beginning
21 July 1, 2010, the sum of two million seven hundred nineteen thousand
22 four hundred twenty-two dollars (\$2,719,422) and 23.2 FTE, or so much
23 thereof as may be necessary, for the implementation of this act.

24
25 (3) In addition to any other appropriation, there is hereby
26 appropriated to the department of law, for the fiscal year beginning July
27 1, 2010, the sum of one hundred thirteen thousand seventy dollars
28 (\$113,070) and 1.0 FTE, or so much thereof as may be necessary, for the
29 provision of legal services to the department of revenue related to the
30 implementation of this act. Said sum shall be from reappropriated funds
31 received from the department of revenue out of the appropriation made
32 in subsection (2) of this section.

33
34 (4) In addition to any other appropriation, there is hereby
35 appropriated to the department of public safety, Colorado bureau of
36 investigation, for the fiscal year beginning July 1, 2010, the sum of two
37 hundred sixty thousand seven hundred dollars (\$260,700) and 1.2 FTE,
38 or so much thereof as may be necessary, for the provision of background
39 checks to the department of revenue related to the implementation of this
40 act. Said sum shall be from reappropriated funds received from the
41 department of revenue out of the appropriation made in subsection (2) of
42 this section.

43
44 (5) In addition to any other appropriation, there is hereby
45 appropriated, out of any moneys in the medical marijuana program cash
46 fund created in section 25-1.5-106 (12), Colorado Revised Statutes, not
47 otherwise appropriated, to the department of public health and
48 environment, for allocation to the center for health and environmental
49 education, for the fiscal year beginning July 1, 2010, the sum of two
50 hundred seventy-one thousand four hundred sixty-seven dollars
51 (\$271,467) cash funds and 1.2 FTE, or so much thereof as may be
52 necessary, for the implementation of this act.

53
54 (6) In addition to any other appropriation, there is hereby
55 appropriated to the department of public safety, Colorado bureau of
56 investigation, for the fiscal year beginning July 1, 2010, the sum of two

1 hundred eleven thousand seven hundred twenty dollars (\$211,720) and
2 0.9 FTE, or so much thereof as may be necessary, for the provision of
3 background checks to the department of public health and environment
4 related to the implementation of this act. Said sum shall be from
5 reappropriated funds received from the department of public health and
6 environment out of the appropriation made in subsection (5) of this
7 section.

8
9 **SECTION 13. Appropriation.** (1) In addition to any other
10 appropriation, there is hereby appropriated, out of any moneys in the
11 general fund not otherwise appropriated, to the department of human
12 services, for allocation to mental health and alcohol and drug abuse
13 services, for the fiscal year beginning July 1, 2010, the sum of six
14 hundred sixty-eight thousand four hundred fifty-four dollars (\$668,454),
15 or so much thereof as may be necessary, for the implementation of this
16 act.

17
18 (2) In addition to any other appropriation, there is hereby
19 appropriated, out of any moneys in the medical marijuana license cash
20 fund cash fund created in section 12-43.3-501 (1), Colorado Revised
21 Statutes, not otherwise appropriated, to the department of revenue, for
22 allocation to the enforcement business group, for the fiscal year beginning
23 July 1, 2010, the sum of two million seven hundred nineteen thousand
24 four hundred twenty-two dollars (\$2,719,422) and 23.2 FTE, or so much
25 thereof as may be necessary, for the implementation of this act.

26
27 (3) In addition to any other appropriation, there is hereby
28 appropriated to the department of law, for the fiscal year beginning July
29 1, 2010, the sum of one hundred thirteen thousand seventy dollars
30 (\$113,070) and 1.0 FTE, or so much thereof as may be necessary, for the
31 provision of legal services to the department of revenue related to the
32 implementation of this act. Said sum shall be from reappropriated funds
33 received from the department of revenue out of the appropriation made
34 in subsection (2) of this section.

35
36 (4) In addition to any other appropriation, there is hereby
37 appropriated to the department of public safety, Colorado bureau of
38 investigation, for the fiscal year beginning July 1, 2010, the sum of two
39 hundred sixty thousand seven hundred dollars (\$260,700) and 1.2 FTE,
40 or so much thereof as may be necessary, for the provision of background
41 checks to the department of revenue related to the implementation of this
42 act. Said sum shall be from reappropriated funds received from the
43 department of revenue out of the appropriation made in subsection (2) of
44 this section.

45
46 (5) In addition to any other appropriation, there is hereby
47 appropriated, out of any moneys in the medical marijuana program cash
48 fund created in section 25-1.5-106 (12), Colorado Revised Statutes, not
49 otherwise appropriated, to the department of public health and
50 environment, for allocation to the center for health and environmental
51 education, for the fiscal year beginning July 1, 2010, the sum of two
52 hundred seventy-one thousand four hundred sixty-seven dollars
53 (\$271,467) cash funds and 1.2 FTE, or so much thereof as may be
54 necessary, for the implementation of this act.

55
56 (6) In addition to any other appropriation, there is hereby

1 appropriated to the department of public safety, Colorado bureau of
2 investigation, for the fiscal year beginning July 1, 2010, the sum of two
3 hundred eleven thousand seven hundred twenty dollars (\$211,720) and
4 0.9 FTE, or so much thereof as may be necessary, for the provision of
5 background checks to the department of public health and environment
6 related to the implementation of this act. Said sum shall be from
7 reappropriated funds received from the department of public health and
8 environment out of the appropriation made in subsection (5) of this
9 section."

10

11 Renumber succeeding sections accordingly.

12

13 Page 49, strike lines 14 and 15 and substitute:

14

15 "(b) This section and sections 2, 7, 8, 11, and 15 of this act shall
16 take effect July 1, 2010.

17

18 (c) Sections 9 and 12 of this act shall take effect only if House Bill
19 10-1033 is enacted and becomes law and shall take effect upon the
20 effective date of House Bill 10-1033.

21

22 (d) Sections 10 and 13 of this act shall take effect if section 9 of
23 this act does not take effect and does not become law."

24

25 Page 49, after line 18, insert:

26

27 "Page 1, line 101, strike "MARIJUANA." and substitute "MARIJUANA, AND
28 MAKING AN APPROPRIATION THEREFOR."."

29

30

31

32 **HB10-1287** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:

35

36 Amend the Finance Committee Report, dated April 14, 2010, page 5, line
37 15, strike "MAINTENANCE COSTS" and substitute "OPERATING EXPENSES".

38

39

40

41 **HB10-1331** be postponed indefinitely.

42

43

44 **HB10-1338** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:

47

48 Amend the House Judiciary Committee Report dated March 11, 2010,
49 page 3, after line 20 insert:

50

51 **"SECTION 3. Appropriation - adjustments to the 2010 long**
52 **bill.** (1) In addition to any other appropriation, there is hereby
53 appropriated, out of any moneys in the general fund not otherwise
54 appropriated, to the judicial department, probation and related services,
55 for probation programs, for the fiscal year beginning July 1, 2010, the
56 sum of three hundred eight thousand six hundred twenty-eight dollars

1 (\$308,628) and 5.2 FTE, or so much thereof as may be necessary, for the
2 implementation of this act.

3
4 (2) For the implementation of this act, the general fund
5 appropriation made in the annual general appropriation act for the fiscal
6 year beginning July 1, 2010, to the department of corrections,
7 management, external capacity subprogram, for payments to house state
8 prisoners, is decreased by two million five hundred forty-one thousand
9 eight hundred ten dollars (\$2,541,810).

10
11 **SECTION 4. Appropriation.** In addition to any other
12 appropriation, there is hereby appropriated, out of any moneys in the
13 general fund not otherwise appropriated, to the department of revenue,
14 executive director's office, for personal services, for the fiscal year
15 beginning July 1, 2010, the sum of three hundred thirty-six thousand fifty-
16 seven dollars (\$336,057), or so much thereof as may be necessary, for the
17 implementation of House Bill 09-1137, which was passed during the
18 2009 regular session and enacted into law.

19
20 **SECTION 5. Appropriation.** (1) In addition to any other
21 appropriation, there is hereby appropriated, to the department of health
22 care policy and financing, department of human services medicaid-funded
23 programs, for child welfare services, for the fiscal year beginning July 1,
24 2010, the sum of thirty-one thousand three dollars (\$31,003), or so much
25 thereof as may be necessary, for the implementation of this act. Said sum
26 from the general fund shall be subject to the "(M)" notation as defined in
27 the general appropriation act. The general assembly anticipates that, for
28 the fiscal year beginning July 1, 2010, the department of health care
29 policy and financing will receive the sum of forty-nine thousand seven
30 hundred fourteen dollars (\$49,714) in federal funds for the
31 implementation of this act. Although these funds are not appropriated in
32 this act, they are noted for the purpose of indicating the assumptions used
33 relative to these funds.

34
35 (2) In addition to any other appropriation, there is hereby
36 appropriated, to the department of human services, division of child
37 welfare, for child welfare services, for the fiscal year beginning July 1,
38 2010, the sum of one million eight hundred forty-five thousand seven
39 hundred thirty-seven dollars (\$1,845,737), or so much thereof as may be
40 necessary, for the implementation of this act. Of said sum, one million
41 sixty-four thousand five hundred fifty-nine dollars (\$1,064,559) shall be
42 from the general fund, three hundred sixty-nine thousand one hundred
43 forty-seven dollars (\$369,147) shall be cash funds from local funds,
44 eighty thousand seven hundred seventeen dollars (\$80,717) shall be from
45 reappropriated funds received from the department of health care policy
46 and financing out of the appropriation made in subsection (1) of this
47 section, and three hundred thirty-one thousand three hundred fourteen
48 dollars (\$331,314) shall be from federal funds anticipated to be received
49 pursuant to Title IV-E of the Social Security Act."

50
51 Page 3, line 21, strike "**SECTION 3.**" and substitute "**SECTION 6.**".

52
53 Page 3, after line 23, insert:

54 "Page 1 of the printed bill, line 102, strike "**CONVICTIONS.**" and substitute
55 "**CONVICTIONS, AND MAKING APPROPRIATIONS IN CONNECTION**
56 **THEREWITH.**".

1 **HB10-1349** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 4, strike lines 14 and 15 and substitute:
6

7 "(c) IF, BY JULY 1, 2010, THE COMBINED TOTAL AMOUNT OF
8 MONEYS IN THE FUND CREATED PURSUANT TO PARAGRAPH (a) OF THIS
9 SUBSECTION (4), TOGETHER WITH ANY FEDERAL MONEYS THAT MAY BE
10 AVAILABLE FOR PURPOSES OF IMPLEMENTING THIS SECTION, HAVE NOT
11 REACHED AN".
12

13 Page 8, after line 16 insert:
14

15 **"SECTION 5. Appropriation.** The general assembly anticipates
16 that, for the fiscal year beginning July 1, 2010, the department of
17 governor-lieutenant governor-state planning and budgeting, governor's
18 energy office, will receive the sum of fifty thousand dollars (\$50,000) in
19 federal funds for the implementation of this act. Said sum shall be from
20 federal State Energy Planning funds received through the American
21 Recovery and Reinvestment Act of 2009. Although these funds are not
22 appropriated in this act, they are noted for the purpose of indicating the
23 assumptions used relative to these funds."
24

25 Renumber succeeding section accordingly.
26

27 Page 1, line 108, strike "**RESOURCES.**" and substitute "**RESOURCES, AND**
28 **MAKING AN APPROPRIATION THEREFOR.**".
29
30
31

32 **HB10-1357** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:
35

36 Amend printed bill, page 45, after line 10 insert:
37

38 **"SECTION 3. Appropriation.** In addition to any other
39 appropriation, there is hereby appropriated to the department of law,
40 criminal justice and appellate division, for allocation to the Medicaid
41 fraud control unit, for the fiscal year beginning July 1, 2010, the sum of
42 two hundred seventy-six thousand five hundred eighty dollars (\$276,580)
43 and 3.0 FTE, or so much thereof as may be necessary, for the
44 implementation of the provisions of this act that pertain to the "Colorado
45 Medical Assistance Act" of title 25.5, Colorado Revised Statutes. Of this
46 sum, sixty-nine thousand one hundred forty-five dollars (\$69,145) shall
47 be from the general fund and two hundred seven thousand four hundred
48 thirty-five dollars (\$207,435) shall be from federal funds. The
49 appropriation from the general fund shall be subject to the "(M)" notation
50 as defined in the general appropriation act.
51

52 **SECTION 4. Appropriation.** In addition to any other
53 appropriation, there is hereby appropriated, out of any moneys in the
54 general fund not otherwise appropriated, to the department of law, special
55 purpose division, for the fiscal year beginning July 1, 2010, the sum of
56 one hundred seventy-seven thousand two hundred twenty-six dollars

1 (\$177,226) and 2.0 FTE, or so much thereof as may be necessary, for the
2 implementation of the provisions of this act that do not pertain to the
3 "Colorado Medical Assistance Act" of title 25.5, Colorado Revised
4 Statutes."

5
6 Renumber succeeding section accordingly.

7
8 Page 1, line 101, strike "ACT." and substitute "ACT, AND MAKING AN
9 APPROPRIATION IN CONNECTION THEREWITH."

10
11
12
13 **HB10-1364** be amended as follows, and as so amended, be referred to
14 the Committee of the Whole with favorable
15 recommendation:
16

17 Amend printed bill, page 29, after line 15 insert:
18

19 **"SECTION 15. Appropriation - legislative intent.** (1) In
20 addition to any other appropriation, there is hereby appropriated, out of
21 any moneys in the general fund not otherwise appropriated, to the judicial
22 department, for allocation to the probation and related services division,
23 for probation programs, for the fiscal year beginning July 1, 2010, the
24 sum of eighty-six thousand eight hundred eighty-eight dollars (\$86,888)
25 and 1.5 FTE, or so much thereof as may be necessary, for the
26 implementation of this act.
27

28 (2) In addition to any other appropriation, there is hereby
29 appropriated, out of any moneys in the general fund not otherwise
30 appropriated, to the department of public safety, for allocation to the
31 division of criminal justice, for research and reporting functions, for the
32 fiscal year beginning July 1, 2010, the sum of one hundred thousand nine
33 hundred twenty-six dollars (\$100,926) and 0.3 FTE, or so much thereof
34 as may be necessary, for the implementation of this act.
35

36 (3) It is the intent of the general assembly that the general fund
37 appropriation for the implementation of this act shall be derived from
38 savings generated from the implementation of the provisions of House
39 Bill 10-1338, as enacted during the second regular session of the sixty-
40 seventh general assembly.
41

42 **SECTION 16. Effective date.** (1) This act shall take effect upon
43 passage.
44

45 (2) Notwithstanding the provisions of subsection (1) of this
46 section, this act shall take effect only if:
47

48 (a) The final fiscal estimate for House Bill 10-1338, as determined
49 from the appropriations enacted in said bill, shows a net reduction in the
50 amount of general fund revenues appropriated for the state fiscal year
51 2010-11, that is equal to or greater than the amount of the general fund
52 appropriation made for the implementation of this act for the state fiscal
53 year 2010-11, as reflected in section 15 of this act; and
54

55 (b) House Bill 10-1338 is enacted at the second regular session of
56 the sixty-seventh general assembly and becomes law; and

1 (c) The staff director of the joint budget committee files written
2 notice with the revisor of statutes no later than July 15, 2010, that the
3 requirement set forth in paragraph (a) of this subsection (2) has been
4 met."

5
6 Renumber succeeding section accordingly.

7
8 Page 1, line 103 strike "BOARD." and substitute "BOARD, AND MAKING AN
9 APPROPRIATION."

10

11

12

13 **HB10-1370** be referred to the Committee of the Whole with favorable
14 recommendation.

15

16

17 **HB10-1398** be referred to the Committee of the Whole with favorable
18 recommendation.

19

20

21

22

23 **HEALTH & HUMAN SERVICES**

24 After consideration on the merits, the Committee recommends the
25 following:

26

27 **SB10-153** be referred to the Committee of the Whole with favorable
28 recommendation.

29

30

31 **SB10-169** be referred favorably to the Committee on Appropriations.

32

33

34

35 **SB10-171** be amended as follows, and as so amended, be referred to
36 the Committee on Appropriations with favorable
37 recommendation:

38

39 Amend reengrossed bill, page 6, line 25, after "19-3.3-106," insert "AND
40 SUBJECT TO AVAILABLE APPROPRIATIONS FOR THE PROGRAM,".

41

42 Page 11, strike lines 22 through 24 and substitute "PROTECTION
43 ADVOCATES, AND LAW ENFORCEMENT AGENCIES."

44

45 Page 12, strike lines 7 and 8 and substitute "COMPENSATION."

46

47 Page 13, line 23, strike "(a)".

48

49 Page 14, strike lines 2 through 5.

50

51 Page 14, strike lines 26 and 27 and substitute "ASSOCIATED WITH
52 IMPLEMENTING THIS ARTICLE."

53

54 Page 15, strike lines 1 through 5.

55

56

JUDICIARY

After consideration on the merits, the Committee recommends the following:

HB10-1373 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. 18-8-208.1 (1) and (5), Colorado Revised Statutes, are amended, and the said 18-8-208.1 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

18-8-208.1. Attempt to escape. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1.5) OF THIS SECTION, if a person, while in custody or confinement following conviction of a felony, knowingly attempts to escape from said custody or confinement, he OR SHE commits a class 4 felony. The sentence imposed pursuant to this subsection (1) shall run consecutively with any sentences being served by the offender.

(1.5) IF A PERSON, WHILE IN CUSTODY OR CONFINEMENT FOLLOWING CONVICTION OF A FELONY AND EITHER SERVING A DIRECT SENTENCE TO A COMMUNITY CORRECTIONS PROGRAM PURSUANT TO SECTION 18-1.3-301, OR HAVING BEEN PLACED IN AN INTENSIVE SUPERVISION PAROLE PROGRAM PURSUANT TO SECTION 17-27.5-101, C.R.S., KNOWINGLY ATTEMPTS TO ESCAPE FROM HIS OR HER CUSTODY OR CONFINEMENT, HE OR SHE COMMITS A CLASS 5 FELONY. THE SENTENCE IMPOSED PURSUANT TO THIS SUBSECTION (1.5) MAY RUN CONCURRENTLY OR CONSECUTIVELY WITH ANY SENTENCE BEING SERVED BY THE OFFENDER.

(5) The sentences imposed by ~~subsections (1) and (2)~~ SUBSECTIONS (1), (1.5), AND (2) of this section and the minimum sentences imposed by subsections (3) and (4) of this section shall be mandatory, and the court shall not grant probation or a suspended sentence, in whole or in part; except that the court may grant a suspended sentence if the court is sentencing a person to the youthful offender system pursuant to section 18-1.3-407.

SECTION 2. 18-8-209, Colorado Revised Statutes, is amended to read:

18-8-209. Concurrent and consecutive sentences. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2) OF THIS SECTION, any sentence imposed following conviction of an offense under sections 18-8-201 to 18-8-208 or section 18-8-211 shall run consecutively and not concurrently with any sentence which the offender was serving at the time of the conduct prohibited by those sections.

(2) IF AN OFFENDER WAS SERVING A DIRECT SENTENCE TO A COMMUNITY CORRECTIONS PROGRAM PURSUANT TO SECTION 18-1.3-301 OR WAS IN AN INTENSIVE SUPERVISION PAROLE PROGRAM PURSUANT TO SECTION 17-27.5-101, C.R.S., AT THE TIME HE OR SHE COMMITTED AN OFFENSE SPECIFIED IN SECTION 18-8-201 OR 18-8-208, THE SENTENCE

1 IMPOSED FOLLOWING A CONVICTION OF SAID OFFENSE MAY RUN
2 CONCURRENTLY WITH ANY SENTENCE THE OFFENDER WAS SERVING AT THE
3 TIME HE OR SHE COMMITTED SAID OFFENSE.

4
5 **SECTION 3. Safety clause.** The general assembly hereby finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, and safety."

8
9
10
11 **HB10-1374** be amended as follows, and as so amended, be referred to
12 the Committee on Appropriations with favorable
13 recommendation:
14

15 Amend printed bill, page 3, strike lines 23 through 25 and substitute:
16

17 **"17-2-207. Parole - regulations.** (3) Offenders on parole shall
18 remain under legal custody and shall be subject at any time to be returned
19 to a correctional facility. ~~If any paroled offender leaves the state~~
20 ~~without~~".
21
22
23

24 **SB10-159** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:
27

28 Amend reengrossed bill, strike everything below the enacting clause and
29 substitute:
30

31 **"SECTION 1.** Article 27 of title 17, Colorado Revised Statutes,
32 is amended BY THE ADDITION OF A NEW SECTION to read:
33

34 **17-27-103.5. Statements relating to a transitional referral to**
35 **community corrections.** (1) PURSUANT TO THE PROVISIONS OF SECTION
36 24-4.1-302.5 (1) (j.5), C.R.S., A VICTIM SHALL HAVE THE RIGHT TO
37 PROVIDE A WRITTEN VICTIM IMPACT STATEMENT AND A SEPARATE ORAL
38 STATEMENT TO A COMMUNITY CORRECTIONS BOARD CONSIDERING AN
39 OFFENDER'S TRANSITIONAL REFERRAL TO COMMUNITY CORRECTIONS.
40

41 (2) (a) (I) A COMMUNITY CORRECTIONS BOARD SHALL ALLOW,
42 WITHIN THE PARAMETERS SET BY THE BOARD, AN OFFENDER WHO IS UNDER
43 CONSIDERATION FOR TRANSITIONAL PLACEMENT IN A COMMUNITY
44 CORRECTIONS PROGRAM UNDER THE BOARD'S JURISDICTION TO PROVIDE
45 A WRITTEN STATEMENT TO THE COMMUNITY CORRECTIONS BOARD
46 CONCERNING THE OFFENDER'S TRANSITION PLAN AND COMMUNITY
47 SUPPORT AND THE APPROPRIATENESS OF PLACING THE OFFENDER IN A
48 COMMUNITY CORRECTIONS PROGRAM.
49

50 (II) IF AN OFFENDER ELECTS TO SUBMIT A WRITTEN STATEMENT TO
51 A COMMUNITY CORRECTIONS BOARD PURSUANT TO SUBPARAGRAPH (I) OF
52 THIS PARAGRAPH (a), AND THE OFFENDER PROVIDES A WRITTEN
53 STATEMENT TO THE DEPARTMENT PURSUANT TO THE PROCEDURES AND
54 TIME FRAME ESTABLISHED BY THE DEPARTMENT, THE DEPARTMENT SHALL
55 INCLUDE THE STATEMENT WITH ANY REFERRAL TO A COMMUNITY
56 CORRECTIONS BOARD CONSIDERING THE OFFENDER'S TRANSITIONAL

1 REFERRAL TO A COMMUNITY CORRECTIONS PROGRAM.

2
3 (b) A COMMUNITY CORRECTIONS BOARD MAY ALLOW, WITHIN THE
4 PARAMETERS SET BY THE BOARD, AN OFFENDER TO DESIGNATE A PERSON
5 OTHER THAN THE OFFENDER TO SUBMIT A WRITTEN STATEMENT OR GIVE
6 AN ORAL STATEMENT ON THE OFFENDER'S BEHALF TO A COMMUNITY
7 CORRECTIONS BOARD CONSIDERING THE OFFENDER'S TRANSITIONAL
8 REFERRAL TO A COMMUNITY CORRECTIONS PROGRAM.

9
10 (3) A COMMUNITY CORRECTIONS BOARD SHALL DEVELOP WRITTEN
11 POLICIES AND PROCEDURES CONSISTENT WITH THE PROVISIONS OF THIS
12 SECTION AND SECTION 24-4.1-302.5 (1) (j.5), C.R.S., THAT ARE
13 AVAILABLE TO THE PUBLIC CONCERNING THE PARAMETERS FOR WRITTEN
14 AND ORAL STATEMENTS BY VICTIMS AND THE PERMISSIBILITY OF AND THE
15 PARAMETERS FOR A WRITTEN OR ORAL STATEMENT BY A PERSON
16 DESIGNATED BY AN OFFENDER.

17
18 (4) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE
19 THE DEPARTMENT OR A COMMUNITY CORRECTIONS BOARD TO PROVIDE
20 TRANSPORTATION OR MAKE ARRANGEMENTS FOR THE APPEARANCE AT A
21 COMMUNITY CORRECTIONS HEARING OF AN OFFENDER OR, IF PERMITTED
22 BY A COMMUNITY CORRECTIONS BOARD, THE PERSON DESIGNATED BY THE
23 OFFENDER PURSUANT TO PARAGRAPH (b) OF SUBSECTION (2) OF THIS
24 SECTION TO GIVE AN ORAL STATEMENT OR TO SUBMIT A WRITTEN
25 STATEMENT ON THE OFFENDER'S BEHALF.

26
27 (5) THE DEPARTMENT SHALL NOT BE REQUIRED TO PROVIDE NOTICE
28 TO ANY PERSON, OTHER THAN A REGISTERED VICTIM, OF A COMMUNITY
29 CORRECTIONS BOARD HEARING RELATING TO THE OFFENDER.

30
31 **SECTION 2. Act subject to petition - effective date.** This act
32 shall take effect at 12:01 a.m. on the day following the expiration of
33 the ninety-day period after final adjournment of the general assembly
34 (August 11, 2010, if adjournment sine die is on May 12, 2010); except
35 that, if a referendum petition is filed pursuant to section 1 (3) of article
36 V of the state constitution against this act or an item, section, or part of
37 this act within such period, then the act, item, section, or part shall not
38 take effect unless approved by the people at the general election to be
39 held in November 2010 and shall take effect on the date of the official
40 declaration of the vote thereon by the governor."

41
42
43
44 **PRINTING REPORT**

45
46 The Chief Clerk reports the following bills have been correctly printed:
47 **HB10-1407, 1408, 1409, 1410.**

48
49
50
51 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

52
53 The Speaker has signed: SB10-038, 047, 060, 062, 075, 111;
54 SJM10-003; SJR10-010, 029, 030, 031.

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB10-1058, 1062, 1083, 1236** at 9:16 a.m. on April 16, 2010.

MESSAGE(S) FROM THE SENATE

The Senate has voted to concur in House amendments to SB10-020 and repassed the bill as amended.

The Senate has voted to recede from its position on HB10-1211 and repassed the bill. The bill is returned herewith.

**INTRODUCTION OF BILLS
First Reading**

The following bills were read by title and referred to the committees indicated:

HB10-1411 by Representative(s) Waller, Liston, Pace--Concerning the national instant criminal background check system.
Committee on Judiciary

HB10-1412 by Representative(s) Carroll T.--Concerning the creation of the charter school and charter authorizer standards review committee.
Committee on Education

HB10-1413 by Representative(s) Levy and May, Carroll T.; also Senator(s) Newell and Lundberg--Concerning juveniles who are tried as adults.
Committee on Judiciary

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until April 19, retaining place on Calendar:

Consideration of Resolution(s)--**HJR10-1020, 1021, SJR10-025, HJR10-1023, HJR10-1019.**

Consideration of Senate Amendment(s)--**HB10-1188, 1385, 1386, 1220, 1293, 1387, HJR10-1015, HB10-1096, 1208.**

1 On motion of Representative Weissmann, the House adjourned until
2 10:00 a.m., April 19, 2010.

3

4

5

6

Approved:
TERRANCE D. CARROLL,
Speaker

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Ninety-seventh Legislative Day

Monday, April 19, 2010

1 Prayer by Father Ben Bacino, St. Mary Help of Christians, Pueblo.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Sam Blehm, Joshua Clyncke, Patrick Lester,
6 Kyle Schoonover, Cub Scout Den 3, Pack 2000, Colorado Springs.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Baumgardner, McFadyen--2.

12 Present after roll call--Representative(s) McFadyen.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Miklosi, the reading of the journal of
18 April 16, 2010, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22

23

CONSIDERATION OF MEMORIAL

24

25 **HM10-1004** by Representative(s) King S., Bradford--Memorializing
26 former Representative Edward F. Carpenter.

27

28 (Printed and placed in Members' file)

29

30 On motion of Representative King S., the memorial was read at length.

31

32

33 Pursuant to House Rule 26(f) the House stood in recess to allow the
34 following former members to speak on behalf of the honorable
35 Edward F. Carpenter: Former Representatives Paul Schauer, Gail Berry;
36 Former Senators Norma Anderson, Ron Teck.

37

38

39

House reconvened.

40

41

42 On motion of Representative King S., the memorial was **adopted** by the
43 following roll call vote:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
4	Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
6	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
8	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
9	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
10	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
11	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
16	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
17							Speaker	Y

18
19 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
20 Balmer, Benefield, Casso, Court, Curry, DelGrosso, Ferrandino, Fischer,
21 Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Hullinghorst, Judd, Kagan,
22 Kefalas, Kerr A., Kerr J., Labuda, Lambert, Levy, Liston, Looper, Massey, May,
23 McCann, McFadyen, McKinley, McNulty, Merrifield, Middleton, Miklosi,
24 Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg,
25 Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens,
26 Summers, Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann,
27 Speaker.

28
29 Representative Bradford introduced members of the family that were
30 present.

31
32 House in recess. House reconvened.
33
34

35 36 THIRD READING OF BILL(S)--FINAL PASSAGE

37
38 The following bill(s) was(were) considered on Third Reading. The
39 title(s) was(were) publicly read. Reading of the bill at length was
40 dispensed with by unanimous consent.

41
42 **HB10-1351** by Representative(s) Ferrandino, Apuan, Casso, Curry,
43 Gagliardi, Hullinghorst, Kerr A., McCann, Merrifield,
44 Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Tyler,
45 Vigil; also Senator(s) Romer, Carroll M., Foster, Keller,
46 Morse--Concerning the maximum authorized interest rate
47 for a payday loan.

48
49 The question being "Shall the bill pass?".
50 A roll call vote was taken. As shown by the following recorded vote, a
51 majority of those elected to the House voted in the affirmative and the bill
52 was declared **passed**.

	YES	33	NO	31	EXCUSED	1	ABSENT	0
54	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
55	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y

1	Balmer	N	Judd	Y	McNulty	N	Schafer S.	N
2	Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
3	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	N
4	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
5	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
6	Court	Y	King S.	N	Nikkel	N	Summers	N
7	Curry	Y	Labuda	N	Pace	Y	Swalm	N
8	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
9	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
10	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
11	Frangas	Y	Looper	N	Priola	N	Vaad	N
12	Gagliardi	Y	Massey	N	Rice	N	Vigil	Y
13	Gardner B.	N	May	N	Riesberg	N	Waller	N
14	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
15							Speaker	Y

16 Representative Casso requested his name be removed as sponsor.

17 Co-sponsor(s) added: Representative(s) Frangas, Speaker.

18

19 **SB10-110** by Senator(s) Williams; also Representative(s) Ryden,
 20 Court, Hullinghorst, Judd, Levy, Middleton, Rice--
 21 Concerning the enforcement of offenses involving failure
 22 of certain persons to properly restrain a child in a vehicle.
 23

24 Laid over until April 20, retaining place on Calendar.

25

26 **HB10-1347** by Representative(s) Levy; also Senator(s) Morse--
 27 Concerning misdemeanor penalties for persons who are
 28 convicted of multiple traffic offenses involving alcohol or
 29 drugs, and making an appropriation therefor.
 30

31 The question being "Shall the bill pass?".

32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative and the bill
 34 was declared **passed**.

35

36	YES	64	NO	0	EXCUSED	1	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
39	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
42	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
44	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
45	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
47	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
48	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
49	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
50	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
51	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
52	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Apuan, Court, Curry, Ferrandino,
 55 Frangas, Gardner B., Gardner C., Hullinghorst, Kagan, McCann, Nikkel,
 56 Peniston, Pommer, Primavera, Schafer S., Waller.

1 **SB10-177** by Senator(s) Schwartz and Gibbs; also Representative(s)
 2 Scanlan, Merrifield--Concerning the promotion of clean
 3 energy technologies.
 4

5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

	YES	63	NO	1	EXCUSED	1	ABSENT	0
11	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
13	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
14	Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
16	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
17	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
18	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
19	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
20	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
21	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
22	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
24	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
25	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
26	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Apuan, Curry, Fischer, Frangas, Gerou,
 29 Kerr J., King S., McFadyen, Middleton, Nikkel, Pace, Pommer, Priola, Tyler,
 30 Speaker.
 31
 32

33 **HB10-1395** by Representative(s) Gardner B.; also Senator(s)
 34 Steadman--Concerning interlocutory appeals in civil cases.
 35

36 The question being "Shall the bill pass?".
 37 A roll call vote was taken. As shown by the following recorded vote, a
 38 majority of those elected to the House voted in the affirmative and the bill
 39 was declared **passed**.
 40

	YES	63	NO	1	EXCUSED	1	ABSENT	0
42	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
43	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
44	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
45	Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
46	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
47	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
48	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
49	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
50	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
51	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
52	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
53	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
54	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
55	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
56	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y

1 Gardner C. Y McCann Y Roberts Y Weissmann Y
 2 Speaker Y
 3 Co-sponsor(s) added: Representative(s) Kagan, King S., Levy, Liston, Nikkel,
 4 Waller, Speaker.

5
 6 **SB10-182** by Senator(s) Schwartz, Foster, Kester, Newell; also
 7 Representative(s) Peniston--Concerning the
 8 implementation of certain recommendations of the county
 9 elected officials' salary commission.

10
 11 The question being "Shall the bill pass?".
 12 A roll call vote was taken. As shown by the following recorded vote, a
 13 majority of those elected to the House voted in the affirmative and the bill
 14 was declared **passed**.

	YES	33	NO	31	EXCUSED	1	ABSENT	0
17 Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y	
18 Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y	
19 Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y	
20 Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y	
21 Benefield	Y	Kefalas	N	Middleton	Y	Sonnenberg	N	
22 Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y	
23 Casso	Y	Kerr J.	N	Murray	N	Stephens	N	
24 Court	Y	King S.	N	Nikkel	N	Summers	N	
25 Curry	Y	Labuda	Y	Pace	N	Swalm	N	
26 DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N	
27 Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
28 Fischer	Y	Liston	N	Primavera	Y	Tyler	Y	
29 Frangas	N	Looper	N	Priola	Y	Vaad	N	
30 Gagliardi	N	Massey	N	Rice	Y	Vigil	Y	
31 Gardner B.	N	May	N	Riesberg	N	Waller	N	
32 Gardner C.	N	McCann	Y	Roberts	N	Weissmann	N	
33						Speaker	Y	

34
 35 **HB10-1393** by Representative(s) Nikkel; also Senator(s) Kopp--
 36 Concerning the information included in the web-based
 37 system that provides the public access to state financial
 38 information.

39
 40 Laid over until April 21, retaining place on Calendar.

41 42 43 44 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

45
 46 **HB10-1385** by Representative(s) Lambert, Ferrandino, Pommer; also
 47 Senator(s) Tapia, Keller, White--Concerning fees collected
 48 by the division of insurance to fund insurance fraud cases
 49 pursued by the department of law, and making
 50 appropriations in connection therewith.

51
 52 (Amended as printed in Senate Journal, April 8 page 802.)

53
 54 Representative Lambert moved that the House **concur** in Senate
 55 amendments. The motion was declared **passed** by the following roll call
 56 vote:

	YES	63	NO	1	EXCUSED	1	ABSENT	0
1	Acree	Y	Gerou	Y	McFadyen	N	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
4	Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
6	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
8	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
9	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
10	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
11	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
16	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
17							Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

	YES	52	NO	12	EXCUSED	1	ABSENT	0
25	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
28	Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
30	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
32	Court	Y	King S.	N	Nikkel	Y	Summers	Y
33	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
34	DelGrosso	N	Lambert	Y	Peniston	Y	Tipton	Y
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
37	Frangas	Y	Looper	N	Priola	N	Vaad	N
38	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
39	Gardner B.	Y	May	Y	Riesberg	Y	Waller	N
40	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
41							Speaker	Y

HB10-1386 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) White, Keller, Tapia--Concerning the amounts of filing fees charged by the property tax administrator for purposes of exemption of property from general taxation, and making an appropriation therefor.

(Amended as printed in Senate Journal, April 8 pages 801-802.)

Representative Ferrandino moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

	YES	50	NO	14	EXCUSED	1	ABSENT	0
1								
2	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
5	Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
9	Court	Y	King S.	N	Nikkel	N	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
11	DelGrosso	N	Lambert	Y	Peniston	Y	Tipton	N
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	N
17	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
18							Speaker	Y

19
20 The question being, "Shall the bill, as amended, pass?".
21 A roll call vote was taken. As shown by the following recorded vote, a
22 majority of those elected to the House voted in the affirmative, and the
23 bill, as amended, was declared **repassed**.
24

	YES	37	NO	27	EXCUSED	1	ABSENT	0
25								
26	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
27	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
28	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
29	Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
30	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
31	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
32	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
33	Court	Y	King S.	N	Nikkel	N	Summers	N
34	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
35	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
36	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
37	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
38	Frangas	Y	Looper	N	Priola	N	Vaad	N
39	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
40	Gardner B.	N	May	N	Riesberg	Y	Waller	N
41	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
42							Speaker	Y

43
44 **HB10-1220** by Representative(s) Priola, Liston, Rice, Stephens; also
45 Senator(s) Schwartz--Concerning the sunset review of the
46 functions of the division of insurance related to the
47 regulation of specified lines of insurance, and, in
48 connection therewith, continuing the functions of the
49 division related to the regulation of property and casualty,
50 automobile, and other insurers that do not offer health,
51 life, property, casualty, or automobile insurance through
52 July 1, 2017; consolidating the sunset review of all
53 functions of the division of insurance other than those
54 related to the licensing of bail bonding agents; and
55 implementing other recommendations contained in the
56 sunset report.

(Amended as printed in Senate Journal, April 12, pages 843-844.)

Representative Priola moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Gerou.

HB10-1293 by Representative(s) Massey; also Senator(s) Whitehead--
Concerning the creation of a task force to study property
tax assessment issues related to the use of land for
agricultural purposes.

(Amended as printed in Senate Journal, April 12, page 850.)

Representative Massey moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

YES	48	NO	16	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
Court	Y	King S.	N	Nikkel	N	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	N	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	N	May	Y	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Hullinghorst, Merrifield, Middleton.

HB10-1387 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia--Concerning the financing of the division of motor vehicles in the department of revenue, and making appropriations therefor.

(Amended as printed in Senate Journal, April 12, pages 844-846.)

1 Representative Pommer moved that the House **concur** in Senate
 2 amendments. The motion was declared **passed** by the following roll call
 3 vote:

	YES	33	NO	31	EXCUSED	1	ABSENT	0
5	Acree	N	Gerou	N	McFadyen	N	Ryden	N
6	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
7	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
8	Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	N	Middleton	Y	Sonnenberg	Y
10	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
12	Court	Y	King S.	N	Nikkel	N	Summers	N
13	Curry	N	Labuda	Y	Pace	N	Swalm	N
14	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	N	Primavera	Y	Tyler	N
17	Frangas	Y	Looper	N	Priola	N	Vaad	N
18	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
19	Gardner B.	N	May	N	Riesberg	Y	Waller	N
20	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
21							Speaker	Y

22
 23 The question being, "Shall the bill, as amended, pass?".
 24 A roll call vote was taken. As shown by the following recorded vote, a
 25 majority of those elected to the House voted in the affirmative, and the
 26 bill, as amended, was declared **repassed**.

	YES	36	NO	28	EXCUSED	1	ABSENT	0
29	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
30	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
31	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
32	Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
33	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
34	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
35	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
36	Court	Y	King S.	N	Nikkel	N	Summers	N
37	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
38	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
39	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
40	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
41	Frangas	Y	Looper	N	Priola	N	Vaad	N
42	Gagliardi	Y	Massey	N	Rice	N	Vigil	Y
43	Gardner B.	N	May	N	Riesberg	Y	Waller	N
44	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
45							Speaker	Y

46 Representative Looper requested her name be removed as co-sponsor.

47
 48 **HJR10-1015** by Representative(s) Roberts, Tipton; also Senator(s)
 49 Whitehead--Concerning the removal of FCC broadcasting
 50 restrictions to allow access to Denver television stations in
 51 southwestern Colorado.

52
 53 Laid over until April 20, retaining place on Calendar.

54
 55 **HB10-1096** by Representative(s) Tipton; also Senator(s) Morse--
 56 Concerning the designation of vehicle identification

number inspectors by law enforcement officials of local governments.

(Amended as printed in Senate Journal, April 13, pages 857.)

Representative Tipton moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	62	NO	2	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	N	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

HB10-1208 by Representative(s) Todd and Murray, Massey, Baumgardner, Benefield, Carroll T., Casso, Frangas, Gardner C., Looper, May, McFadyen, McKinley, McNulty, Merrifield, Middleton, Peniston, Priola, Ryden,

Scanlan, Schafer S., Solano, Sonnenberg, Summers, Tipton; also Senator(s) Shaffer B. And King K., Cadman, Carroll M., Foster, Hodge, Johnston, Keller, Kester, Kopp, Lundberg, Newell, Penry, Renfroe, Romer, Scheffel, Schultheis, Spence, Steadman, White, Whitehead, Williams--Concerning requiring statewide agreements for the transfer of two-year degrees among all state institutions of higher education in Colorado.

(Amended as printed in Senate Journal, April 13, pages 857.)

Representative Todd moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y

House in recess. House reconvened.

Renumber succeeding sections accordingly.

1 Page 6, after line 13 insert:

2
3 "SECTION 3. 24-30-1102 (5), Colorado Revised Statutes, is
4 amended to read:

5
6 **24-30-1102. Definitions.** As used in this part 11, unless the
7 context otherwise requires:

8
9 (5) "State agency" means this state or any department, board,
10 bureau, commission, institution, or other agency of the state; ~~including~~
11 ~~institutions of higher education but~~ EXCEPT THAT "STATE AGENCY" shall
12 not include ANY STATE INSTITUTION OF HIGHER EDUCATION OR the state
13 board of stock INSPECTION commissioners, created pursuant to section
14 35-41-101, C.R.S.

15
16 **SECTION 4.** 24-30-1104 (1), Colorado Revised Statutes, is
17 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

18
19 **24-30-1104. Central services functions of the department -**
20 **definitions.** (1) Within the counties of Adams, Arapahoe, Boulder,
21 Douglas, Pueblo, El Paso, and Jefferson, the city and county of
22 Broomfield, and the city and county of Denver, and within any other areas
23 in the state of Colorado Where central services are offered, the
24 department of personnel shall perform the following functions for the
25 executive branch of the state of Colorado, its departments, institutions,
26 and agencies, under the direction of the executive director:

27
28 (m) OFFER SERVICES TO ANY STATE INSTITUTION OF HIGHER
29 EDUCATION THAT CHOOSES TO PURCHASE SUCH SERVICES, PROVIDED THAT
30 THE DEPARTMENT OF PERSONNEL IS ABLE TO OFFER SUCH SERVICES
31 WITHOUT EXPANDING ITS CURRENT OPERATIONS.

32
33 **SECTION 5.** 24-30-1104 (1), Colorado Revised Statutes, is
34 amended BY THE ADDITION OF A NEW SUBSECTION to read:

35
36 **24-30-1104. Central services functions of the department -**
37 **definitions.** (1.5) THE DEPARTMENT OF PERSONNEL SHALL ESTABLISH A
38 RULE PROVIDING FOR A WAIVER TO A STATE AGENCY OF SUBSECTION (1)
39 OF THIS SECTION WHEN THE STATE AGENCY CAN PROCURE THE SERVICES
40 DESCRIBED IN THIS PART 11 AT A NET COST SAVINGS TO THE STATE.

41
42 **SECTION 6.** 24-30-1108 (1), Colorado Revised Statutes, is
43 amended to read:

44
45 **24-30-1108. Revolving fund - service charges - pricing policy.**
46 (1) There is hereby created a department of personnel revolving fund for
47 use in acquiring such materials, supplies, labor, and overhead as are
48 required. MONEYS COLLECTED AND DEPOSITED IN THE FUND SHALL BE
49 FROM STATE AND LOCAL GOVERNMENT USER FEES AND FROM REBATES,
50 INCLUDING, BUT NOT LIMITED TO, REBATES FROM CAR RENTALS, TRAVEL
51 AGENCIES, LODGING, AND TRAVEL CARDS. The fund shall be under the
52 direction of the executive director.

53
54 **SECTION 7.** 24-30-1303 (5), Colorado Revised Statutes, is
55 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

56

24-30-1303. Department of personnel - responsibilities.

(5) (d) UPON APPLICATION BY ANY STATE AGENCY THAT DEMONSTRATES INTERNAL EXPERTISE RELATED TO THE LEASING AND ACQUISITION OF COMMERCIAL REAL PROPERTY, THE DEPARTMENT MAY DELEGATE AN INDIVIDUAL EMPLOYED BY THE STATE AGENCY TO ACT ON BEHALF OF THE DEPARTMENT IN THE PERFORMANCE OF THE RESPONSIBILITIES AND FUNCTIONS DESCRIBED IN PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION. THE DELEGATION AUTHORIZED PURSUANT TO THIS PARAGRAPH (d) MAY INCLUDE, WITH THE CONSENT OF THE DEPARTMENT, THE AUTHORITY TO WAIVE THE USE OF THE DEPARTMENT-APPROVED REAL ESTATE LEASE FORM OR REAL ESTATE LEASE AMENDMENT FORM."

Renumber succeeding sections accordingly.

Page 17, after line 10 insert:

"SECTION 21. 24-92-102 (8) (b), Colorado Revised Statutes, is amended to read:

24-92-102. Definitions. As used in this article, unless the context otherwise requires:

(8) (b) Except as provided in paragraph (c) of this subsection (8), "public project" does not include any project for which appropriation or expenditure of ~~funds~~ MONEYS may be reasonably expected not to exceed ~~one~~ FIVE hundred fifty thousand dollars in the aggregate for any fiscal year. Nothing in this paragraph (b) shall affect the requirements for the delivery of bonds or security pursuant to sections 24-105-202, 38-26-105, and 38-26-106, C.R.S."

Renumber succeeding sections accordingly.

Page 18, strike lines 4 through 8 and substitute "DEPOSITED AS CASH REVENUE IN THE GENERAL FUND AND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY. UNLESS OTHERWISE DIRECTED BY THE GENERAL ASSEMBLY, THE STATE CONTROLLER SHALL MAKE ADJUSTMENTS EQUIVALENT TO SUCH REVENUES IN THE FORM OF A REDUCTION OF ADMINISTRATIVE COSTS ALLOCATED TO STATE AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION ON A BASIS PROPORTIONAL TO EACH STATE AGENCY'S OR INSTITUTION OF HIGHER EDUCATION'S CONTRIBUTION TO STATEWIDE PROCUREMENT CARD EXPENDITURES, AS DETERMINED BY THE STATE CONTROLLER, TO ENSURE THAT THE FEDERAL GOVERNMENT RECEIVES ITS SHARE OF PROCUREMENT CARD REVENUES AS REQUIRED BY FEDERAL REGULATIONS. FOR PURPOSES OF THIS SUBSECTION (3) THE TERM "ALLOCATED" DOES NOT MEAN AN APPROPRIATION OR CASH TRANSFER TO ANY STATE AGENCY OR INSTITUTION OF HIGHER EDUCATION, BUT REFERS TO AN INTERNAL PROCESS WITHIN THE OFFICE OF THE STATE CONTROLLER."

Page 23, after line 10 insert:

"SECTION 31. Appropriation - adjustments to the 2010 long bill. For the implementation of this act, appropriations made in the annual general appropriation act, to the department of personnel and administration, for the fiscal year beginning July 1, 2010, shall be adjusted as follows:

1 (a) The appropriation from the general fund for the executive
2 director's office, statewide special purpose, Colorado state archives,
3 personal services, is decreased by six thousand eight hundred two dollars
4 (\$6,802).

5
6 (b) The appropriation to the department of personnel and
7 administration, executive director's office, statewide special purpose,
8 Colorado state archives, personal services, is increased by six thousand
9 eight hundred two dollars (\$6,802) cash funds from the state archives and
10 public records cash fund, created in section 24-80-102 (10), Colorado
11 Revised Statutes.

12
13 (c) The appropriation from the debt collection fund created in
14 section 24-30-202.4 (3) (e), Colorado Revised Statutes, for the division
15 of accounts and control - controller, collections services, private
16 collection agency fees is decreased by ninety-four thousand eight hundred
17 sixty-four dollars (\$94,864) cash funds."

18
19 Renumber succeeding section accordingly.

20
21 Page 1, line 102 strike "PERSONNEL." and substitute "PERSONNEL, AND
22 MAKING AN APPROPRIATION THEREFOR."

23 24 25 26 PRINTING REPORT

27
28 The Chief Clerk reports the following bills have been correctly printed:
29 **HB10-1411, 1412, 1413.**

30 31 32 SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

33
34 The Speaker has signed: **HB10-1004, 1076, 1109, 1128, 1138, 1166,**
35 **1168, 1178, 1183, 1197, 1201, 1218, 1232, 1249, 1265, 1288; SB10-058.**

36 37 38 DELIVERY OF BILLS TO GOVERNOR

39
40 The Chief Clerk of the House of Representatives reports the following
41 bills have been delivered to the Office of the Governor: **HB10-1004,**
42 **1076, 1109, 1128, 1138, 1166, 1168, 1178, 1183, 1197, 1201, 1218,**
43 **1232, 1249, 1265, 1288** at 10:54 a.m. on April 19, 2010.

44 45 46 MESSAGE(S) FROM THE SENATE

47
48 The Senate has voted to recall HB10-1133 for the purposes of
49 reconsideration and requests the return of the bill.

50
51
52 The Senate has passed on Third Reading and transmitted to the Revisor
53 of Statutes:

54
55 HB10-1118 amended as printed in Senate Journal, March 23, 2010,
56 page 646.

1 In response to the request of the House for a Conference Committee on
2 HB10-1273, the President appoints Senators Spence, chair, Steadman
3 and Hudak as conferees on the First Conference Committee on
4 HB10-1273.

5
6 In response to the request of the House for a Conference Committee on
7 HB10-1388, the President appoints Senators Tapia, chair, Keller and
8 White to the First Conference Committee on HB10-1388.

9
10 In response to the request of the House for a Conference Committee on
11 HB10-1383, the President appoints Senators White, chair, Tapia and
12 Keller to the First Conference Committee on HB10-1383.

13
14 In response to the request of the House for a Conference Committee on
15 HB10-1252, the President appoints Senators Boyd, chair, Schwartz and
16 Mitchell to the First Conference Committee on HB10-1252.

17
18 The Senate voted to reject the First Report of the First Conference
19 Committee on SB10-109 as printed in Senate Journal, April 12, 2010,
20 pages 841-843 and dissolved the Conference Committee. The President
21 appointed Senators Romer, chair, Spence and Steadman as members of
22 the Second Conference Committee. The Senate has granted permission
23 to the Second Conference Committee to go beyond the scope of the
24 differences between the two houses.

25
26
27
28 **MESSAGE(S) FROM THE REVISOR**

29
30 We herewith transmit:
31 Without comment, as amended, HB10-1118.

32
33
34
35 **MESSAGE(S) FROM THE GOVERNOR**

36
37 I certify I received the following on the 16th day of April, 2010, at
38 3:35 p.m. The original is on file in the records of the House of
39 Representatives of the General Assembly.

40
41 Marilyn Eddins,
42 Chief Clerk of the House

43
44 April 14, 2010

45
46 To the Honorable House of Representatives
47 Sixty-seventh General Assembly
48 Second Regular Session
49 State Capitol
50 Denver, CO 80203

51
52 Ladies and Gentlemen:

53
54 I have the honor to inform you that I have approved and filed with the
55 Secretary of State the following Acts:

56

1 **HB10-1044** CONCERNING THE LICENSURE OF NEIGHBORHOOD
2 YOUTH ORGANIZATIONS.

3

4 Approved April 14, 2010 at 2:06 p.m.

5

6 **HB10-1107** CONCERNING LIMITATIONS ON THE INCLUSION OF
7 AGRICULTURAL LANDS WITHIN URBAN RENEWAL
8 AREAS.

9

10 Approved April 14, 2010 at 2:52 p.m.

11

12 **HB10-1135** CONCERNING THE DEFINITION OF DOMESTIC VIOLENCE
13 WHEN DETERMINING THE BEST INTEREST OF A CHILD.

14

15 Approved April 14, 2010 at 2:31 p.m.

16

17 **HB10-1233** CONCERNING THE RELOCATION OF THE CRIME OF
18 STALKING IN THE COLORADO REVISED STATUTES.

19

20 Approved April 14, 2010 at 2:34 p.m.

21

22 Sincerely,
23 (signed)
24 Bill Ritter, Jr.
25 Governor

26

27

28

29

30 April 15, 2010

31

32 To the Honorable House of Representatives
33 Sixty-seventh General Assembly
34 Second Regular Session
35 State Capitol
36 Denver, CO 80203

37

38 Ladies and Gentlemen:

39

40 I have the honor to inform you that I have approved and filed with the
41 Secretary of State the following Acts:

42

43 **HB10-1010** CONCERNING AUTHORIZATION FOR AGENCIES OF THE
44 STATE TO ENTER INTO PUBLIC-PRIVATE INITIATIVE
45 AGREEMENTS WITH NONPROFIT ENTITIES.

46

47 Approved April 15, 2010 at 3:10 p.m.

48

49 **HB10-1011** CONCERNING AUTHORIZATION FOR THE DEPARTMENT
50 OF REVENUE TO OBTAIN FINGERPRINT-BASED CRIMINAL
51 HISTORY RECORD CHECKS FOR EMPLOYMENT PURPOSES.

52

53 Approved April 15, 2010 at 3:50 p.m.

54

55

56

- 1 **HB10-1020** CONCERNING CONTRACTS OF THE LEGISLATIVE
2 DEPARTMENT, AND MAKING AN APPROPRIATION
3 THEREFOR.
4
5 Approved April 15, 2010 at 3:51 p.m.
6
- 7 **HB10-1024** CONCERNING ELIMINATING THE ABILITY OF ADVANCED
8 PRACTICE NURSES TO DECLARE PATIENT TERMINALLY
9 ILL.
10
11 Approved April 15, 2010 at 3:52 p.m.
12
- 13 **HB10-1025** CONCERNING UPDATES TO THE "COLORADO MEDICAL
14 TREATMENT DECISION ACT".
15
16 Approved April 15, 2010 at 3:52 p.m.
17
- 18 **HB10-1026** CONCERNING THE CREATION OF THE COLORADO
19 QUALITY IN CHILD CARE INCENTIVE PROGRAM.
20
21 Approved April 15, 2010 at 3:53 p.m.
22
- 23 **HB10-1030** CONCERNING THE CREATION OF THE EARLY CHILDHOOD
24 EDUCATOR DEVELOPMENT SCHOLARSHIP PROGRAM.
25
26 Approved April 15, 2010 at 3:53 p.m.
27
- 28 **HB10-1034** CONCERNING THE CREDENTIALING OF SCHOOL SPEECH-
29 LANGUAGE PATHOLOGY ASSISTANTS.
30
31 Approved April 15, 2010 at 3:54 p.m.
32
- 33 **HB10-1043** CONCERNING OUTDATED REFERENCES TO THE FEDERAL
34 AID TO FAMILIES WITH DEPENDENT CHILDREN.
35
36 Approved April 15, 2010 at 3:15 p.m.
37
- 38 **HB10-1054** CONCERNING PRESENTING SCHOOL SAFETY
39 INFORMATION AT INSTITUTIONS OF HIGHER EDUCATION.
40
41 Approved April 15, 2010 at 3:54 p.m.
42
- 43 **HB10-1057** CONCERNING FEES CHARGED BY COUNTY SHERIFFS
44 RELATING TO THE SERVICE OF PROCESS.
45
46 Approved April 15, 2010 at 3:55 p.m.
47
- 48 **HB10-1085** CONCERNING LAND SURVEYING, AND, IN CONNECTION
49 THEREWITH, ALTERING LICENSURE CRITERIA FOR LAND
50 SURVEYOR APPLICANTS AND SPECIFYING PROCEDURES
51 FOR ISSUANCE OF A SURVEYOR'S AFFIDAVIT OF
52 CORRECTION.
53
54 Approved April 15, 2010 at 3:38 p.m.
55
56

- 1 **HB10-1108** CONCERNING AN EXCLUSION FROM THE EMPLOYMENT
2 RELATIONSHIP FOR PURPOSES OF STATE EMPLOYMENT
3 LAWS FOR CERTAIN COACHES WHO ENTER INTO
4 INDEPENDENT CONTRACTOR RELATIONSHIPS WITH
5 NONPROFIT YOUTH SPORTS ORGANIZATIONS THAT ARE
6 EVIDENCED BY A WRITTEN AGREEMENT.
7
8 Approved April 15, 2010 at 3:55 p.m.
9
- 10 **HB10-1115** CONCERNING THE ASSESSMENT OF COSTS BY COUNTY
11 DEPARTMENTS OF SOCIAL SERVICES TO FAMILIES
12 RECEIVING CHILD WELFARE SERVICES.
13
14 Approved April 15, 2010 at 3:56 p.m.
15
- 16 **HB10-1123** CONCERNING CONTROLLED AGRICULTURE BURNS IN
17 ARSON CASES.
18
19 Approved April 15, 2010 at 3:56 p.m.
20
- 21 **HB10-1132** CONCERNING THE PRODUCTION OF RECORDS BY A
22 BUSINESS IN A CRIMINAL MATTER.
23
24 Approved April 15, 2010 at 3:56 p.m.
25
- 26 **HB10-1137** CONCERNING THE USE OF PEOPLE FIRST LANGUAGE IN
27 THE DRAFTING OF LAWS.
28
29 Approved April 15, 2010 at 3:27 p.m.
30
- 31 **HB10-1143** CONCERNING THE AUTHORITY OF THE REGIONAL
32 TRANSPORTATION DISTRICT TO ENTER INTO
33 AGREEMENTS PERMITTING SPECIFIED USES AT ITS
34 TRANSFER FACILITIES.
35
36 Approved April 15, 2010 at 3:57 p.m.
37
- 38 **HB10-1165** CONCERNING THE AUTHORITY OF THE STATE BOARD OF
39 LAND COMMISSIONERS REGARDING STATE LAND.
40
41 Approved April 15, 2010 at 3:57 p.m.
42
- 43 **HB10-1167** CONCERNING THE REGULATION OF INTRASTATE MOTOR
44 CARRIERS OF PROPERTY FOR HIRE, AND, IN CONNECTION
45 THEREWITH, CONFORMING STATE LAW IN RESPONSE TO
46 FEDERAL PREEMPTION AND GRANTING PORTS OF ENTRY
47 ADDITIONAL AUTHORITY TO ENFORCE INSURANCE AND
48 SAFETY PROVISIONS.
49
50 Approved April 15, 2010 at 3:57 p.m.
51
- 52 **HB10-1202** CONCERNING HEALTH BENEFIT COVERAGE FOR
53 CHEMOTHERAPY TREATMENT.
54
55 Approved April 15, 2010 at 3:13 p.m.
56

- 1 **HB10-1212** CONCERNING A REQUIREMENT THAT THE EXECUTIVE
2 DIRECTOR OF THE DEPARTMENT OF REVENUE
3 PROMULGATE RULES THAT ESTABLISH CIRCUMSTANCES
4 IN WHICH A VEHICLE OWNER SHALL BE EXEMPTED FROM
5 PAYING THE LATE FEE FOR LATE REGISTRATION OF A
6 VEHICLE.
7
8 Approved April 15, 2010 at 3:59 p.m.
9
- 10 **HB10-1215** CONCERNING THE USE OF CASH BOND DEPOSITS AFTER
11 THE DISCHARGE OF THE BOND TO SATISFY
12 OUTSTANDING COURT-ORDERED DEBTS.
13
14 Approved April 15, 2010 at 4:00 p.m.
15
- 16 **HB10-1216** CONCERNING THE OFF-SITE ADMINISTRATION OF
17 MEDICATIONS BY PERSONS AUTHORIZED TO INJECT
18 MEDICATIONS PURSUANT TO THE PHARMACY PRACTICE
19 ACT.
20
21 Approved April 15, 2010 at 4:01 p.m.
22
23
- 24 **HB10-1226** CONCERNING AN ALTERNATIVE APPROACH FOR A
25 COUNTY DEPARTMENT OF SOCIAL SERVICES TO USE IN
26 ADDRESSING CERTAIN INTRAFAMILIAL CHILD ABUSE OR
27 NEGLECT CASES.
28
29 Approved April 15, 2010 at 4:01 p.m.
30
- 31 **HB10-1227** CONCERNING COMPLIANCE WITH FINANCIAL
32 RESPONSIBILITY REQUIREMENTS OF THE "HEALTH CARE
33 AVAILABILITY ACT" BY MAINTAINING INSURANCE
34 THROUGH APPROVED NONADMITTED INSURERS
35 AUTHORIZED BY LAW TO INSURE IN COLORADO.
36
37 Approved April 15, 2010 at 4:02 p.m.
38
- 39 **HB10-1245** CONCERNING THE CONTINUATION OF THE REGULATION
40 OF BOXING BY THE BOXING COMMISSION.
41
42 Approved April 15, 2010 at 4:03 p.m.
43
44
- 45 **HB10-1255** CONCERNING EXTENDING THE REPEAL DATE FOR THE
46 COLORADO COMMISSION FOR THE DEAF AND HARD OF
47 HEARING.
48
49 Approved April 15, 2010 at 4:03 p.m.
50
- 51 **HB10-1256** CONCERNING THE COLORADO HIGH TECHNOLOGY
52 SCHOLARSHIP PROGRAM.
53
54 Approved April 15, 2010 at 4:04 p.m.
55
56

1 **HB10-1320** CONCERNING THE USE OF TOBACCO REVENUES
2 GENERATED UNDER SECTION 21 OF ARTICLE X OF THE
3 STATE CONSTITUTION IN A STATE FISCAL EMERGENCY,
4 AND MAKING AN APPROPRIATION THEREFOR.

5
6 Approved April 15, 2010 at 4:05 p.m.

7
8 **HB10-1327** CONCERNING THE AUGMENTATION OF THE GENERAL
9 FUND THROUGH TRANSFERS OF CERTAIN MONEYS.

10
11 Approved April 15, 2010 at 4:05 p.m.

12
13 **HB10-1339** CONCERNING THE DISTRIBUTION OF LIMITED GAMING
14 FUND MONEYS FOR THE 2009-10 STATE FISCAL YEAR, AND
15 MAKING AN APPROPRIATION IN CONNECTION
16 THEREWITH.

17
18 Approved April 15, 2010 at 4:06 p.m.

19
20 **HB10-1346** CONCERNING AN INCREASE IN THE NUMBER OF DAYS
21 EMERGENCY RULES ADOPTED BY EXECUTIVE BRANCH
22 AGENCIES PURSUANT TO THE "STATE ADMINISTRATIVE
23 PROCEDURE ACT" MAY BE IN EFFECT.

24
25 Approved April 15, 2010 at 4:07 p.m.

26
27 **HB10-1367** CONCERNING PAYMENT OF EXPENSES OF THE
28 LEGISLATIVE DEPARTMENT.

29
30 Approved April 15, 2010 at 4:07 p.m.

31
32 Sincerely,
33 (signed)
34 Bill Ritter, Jr.
35 Governor

36
37
38 I certify I received the following on the 19th day of April, 2010, at
39 1:35 p.m. The original is on file in the records of the House of
40 Representatives of the General Assembly.

41
42 Marilyn Eddins,
43 Chief Clerk of the House

44 April 16, 2010

45
46 To the Honorable
47 House of Representatives
48 Sixty-seventh General Assembly
49 Second Regular Session
50 Denver, CO 80203

51
52 Ladies and Gentlemen:

53
54 I have the honor to inform you that I have approved and filed with the
55 Secretary of State the following act:

56

1 **HB10-1104** CONCERNING AUTHORIZATION FOR THE ESTABLISHMENT OF A
2 VETERANS TREATMENT COURT PROGRAM IN JUDICIAL
3 DISTRICTS.
4

5 Approved April 16, 2010 at 8:56 a.m.
6

7 **HB10-1140** CONCERNING USING MONEYS IN THE COLORADO STATE
8 VETERANS TRUST FUND TO CONSTRUCT NATIONAL GUARD
9 ARMORIES.
10

11 Approved April 16, 2010 at 8:44 a.m.
12

13 Sincerely,
14 (signed)
15 Bill Ritter, Jr.
16 Governor
17 _____

18
19 April 19, 2010
20

21 To the Honorable
22 House of Representatives
23 Sixty-seventh General Assembly
24 Second Regular Session
25 Denver, CO 80203
26

27 Ladies and Gentlemen:
28

29 I have the honor to inform you that I have approved and filed with the
30 Secretary of State the following act:
31

32 **HB10-1365** CONCERNING INCENTIVES FOR ELECTRIC UTILITIES TO REDUCE
33 AIR EMISSIONS, AND, IN CONNECTION THEREWITH, REQUIRING
34 PLANS TO ACHIEVE SUCH REDUCTIONS THAT GIVE PRIMARY
35 CONSIDERATION TO REPLACING OR REPOWERING COAL
36 GENERATION WITH NATURAL GAS AND ALSO CONSIDERING
37 OTHER LOW-EMITTING RESOURCES, AND MAKING AN
38 APPROPRIATION.
39

40 Approved April 19, 2010 at 9:34 a.m.
41

42 Sincerely,
43 (signed)
44 Bill Ritter, Jr.
45 Governor
46 _____

47
48 **INTRODUCTION OF BILLS**
49 **First Reading**
50

51 The following bills were read by title and referred to the committees
52 indicated:
53

54 **HB10-1414** by Representative(s) Benefield; also Senator(s) Foster--
55 Concerning the requirement that a health care facility
56 report information identifying any individual responsible

1 for the diversion of injectable drugs that were intended for
2 use by patients of the facility.
3 Committee on Health and Human Services

4
5 **HB10-1415** by Representative(s) Gagliardi; also Senator(s) Morse--
6 Concerning the registration of persons who assist
7 surgeons.

8 Committee on Health and Human Services

9
10 **HB10-1416** by Representative(s) Riesberg--Concerning the
11 administration of drugs by trained chiropractors for the
12 treatment of neuromusculoskeletal ailments.

13 Committee on Health and Human Services

14
15 **HB10-1417** by Representative(s) Peniston, Casso, Court, Frangas,
16 Gagliardi, Kefalas, Kerr A., Levy, Merrifield, Middleton,
17 Pace, Primavera, Ryden, Schafer S., Todd; also Senator(s)
18 Williams, Bacon, Boyd, Carroll M., Foster, Heath, Hudak,
19 Keller, Morse, Newell, Romer, Sandoval, Steadman,
20 Tapia, Tochtrop--Concerning the creation of the pay
21 equity commission within the department of labor and
22 employment.

23 Committee on Business Affairs and Labor

24
25 **HB10-1418** by Representative(s) McFadyen and Sonnenberg; also
26 Senator(s) Bacon--Concerning requirements applicable to
27 community-based projects that qualify for special
28 treatment under the renewable energy portfolio standard.

29 Committee on Transportation & Energy

30
31 **HB10-1419** by Representative(s) Middleton, Carroll T., Fischer, Kerr
32 A., Schafer S.; also Senator(s) Bacon, Steadman--
33 Concerning standards for the charter school application
34 review process.

35 Committee on Education

39 LAY OVER OF CALENDAR ITEM(S)

40
41 On motion of Representative Weissmann, the following item(s) on the
42 Calendar (was)were laid over until April 20, retaining place on Calendar:

43
44 Consideration of General Orders--**HB10-1217, 1234, 1390, 1391, 1400.**

45 Consideration of Conference Committee Report(s)--**HB10-1099.**

46 Consideration of Resolution(s)--**HJR10-1020, 1021, SJR10-025,**
47 **HJR10-1023, 1019.**

48 Consideration of Senate Amendment(s)--**HB10-1188.**

49
50
51
52
53
54
55

1 On motion of Representative Weissmann, the House adjourned until
2 9:00 a.m., April 20, 2010.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

TERRANCE D. CARROLL,

Speaker

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Ninety-eighth Legislative Day

Tuesday, April 20, 2010

1 Prayer by Reverend Leon Kelly, Director of Youth Gang Alternatives,
 2 Denver.

3
 4 The Speaker called the House to order at 9:00 a.m.

5
 6 Pledge of Allegiance led by Micaela Kurtz, Lala Redwine, Savanna
 7 Jones, Bill Roberts Elementary, Denver.

8
 9 The roll was called with the following result:

10
 11 Present--63.
 12 Excused--Representative(s) Scanlan, Sonnenberg--2.
 13 Present after roll call--Representative(s) Sonnenberg.

14
 15 The Speaker declared a quorum present.

16
 17
 18 On motion of Representative Miklosi, the reading of the journal of
 19 April 19, 2010, was declared dispensed with and approved as corrected
 20 by the Chief Clerk.

21
 22
 23
 24 **THIRD READING OF BILL(S)--FINAL PASSAGE**

25
 26 The following bill(s) was(were) considered on Third Reading. The
 27 title(s) was(were) publicly read. Reading of the bill at length was
 28 dispensed with by unanimous consent.

29
 30 **SB10-110** by Senator(s) Williams; also Representative(s) Ryden,
 31 Court, Hullinghorst, Judd, Levy, Middleton, Rice--
 32 Concerning the enforcement of offenses involving failure
 33 of certain persons to properly restrain a child in a vehicle.

34
 35 The question being "Shall the bill pass?".
 36 A roll call vote was taken. As shown by the following recorded vote, a
 37 majority of those elected to the House voted in the affirmative and the bill
 38 was declared **passed**.

39
 40

	YES	51	NO	13	EXCUSED	1	ABSENT	0
41	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
42	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	E
43	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y

1	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
2	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	N
3	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
4	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
5	Court	Y	King S.	Y	Nikkel	N	Summers	N
6	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
7	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
8	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
9	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
10	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
11	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
12	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
13	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
14							Speaker	Y

15 Co-sponsor(s) added: Representative(s) Apuan, Fischer, King S., Labuda, Todd,
 16 Vaad, Vigil.

17
 18
 19
 20 On motion of Representative Ryden, the House resolved itself into
 21 Committee of the Whole for consideration of General Orders, and she
 22 was called to the Chair to act as Chairman.

23 24 25 **GENERAL ORDERS--SECOND READING OF BILLS**

26
 27 The Committee of the Whole having risen, the Chairman reported the
 28 titles of the following bills had been read (reading at length had been
 29 dispensed with by unanimous consent), the bills considered and action
 30 taken thereon as follows:

31
 32 (Amendments to the committee amendment are to the printed committee
 33 report which was printed and placed in the members' bill file.)

34
 35 On motion of Representative Weissmann the following bills are laid over
 36 until April 23, 2010: **HB10-1390, 1391, 1400, 1394, 1103, 1152, 1357.**

37
 38 On motion of Representative Weissmann the following bill is laid over
 39 until April 26, 2010: **HB10-1217.**

40
 41 **HB10-1234** by Representative(s) Primavera; also Senator Carroll M.--
 42 Concerning the fair settlement of claims for benefits under
 43 an insurance policy.

44
 45 Amendment No. 1, Judiciary Report, dated April 5, 2010, and placed in
 46 member's bill file; Report also printed in House Journal, April 6,
 47 pages 1113-1114.

48
 49 Amendment No. 2, by Representative(s) Primavera.

50
 51 Amend the Judiciary Committee Report, dated April 5, 2010, page 2, line
 52 13, after "MEDICAL" insert "OR DENTAL".

53
 54 Page 2, line 14, after "MEDICAL" insert "OR DENTAL".

55
 56 Page 2, line 16, after "MEDICAL" insert "OR DENTAL".

1 Page 2, line 17, after "MEDICAL" insert "OR DENTAL".

2
3 Page 2, line 20, after the first "MEDICAL" insert "OR DENTAL" and after the
4 second "MEDICAL" insert "OR DENTAL".

5
6 Page 2, line 23, strike "A PHYSICIAN".

7
8 Page 2, line 24, after "MEDICAL" insert "OR DENTAL".

9
10 Page 2, line 25, after the first "MEDICAL" insert "OR DENTAL" and after the
11 second "MEDICAL" insert "OR DENTAL".

12
13 Amendment No. 3, by Representative(s) Primavera.

14
15 Amend the Judiciary Committee Report, dated April 5, 2010, page 2, line
16 19, after "STATE" insert "IN THE UNITED STATES".

17
18 Page 2, line 23, after "STATE" insert "IN THE UNITED STATES".

19
20 Amendment No. 4, by Representative(s) McCann.

21
22 Amend the Judiciary Committee Report, dated April 5, 2010, page 2,
23 strike lines 19 through 21 and substitute "STATE WHO HAS EXPERIENCE IN
24 THE MEDICAL ISSUE INVOLVED IN THE CLAIM OR REQUESTED MEDICAL
25 SERVICE OR HAS CONSULTED WITH A CLINICAL PEER WHO HAS SUCH
26 EXPERIENCE; OR".

27
28 As amended, declared **lost** on Second Reading.

29
30 **HB10-1022** by Representative(s) Summers and Gagliardi, Kagan,
31 Kefalas; also Senator(s) Boyd, Hudak--Concerning the
32 administration of the supplemental nutrition assistance
33 program.

34
35 Amendment No. 1, Health and Human Services Report, dated
36 February 11, 2010, and placed in member's bill file; Report also printed
37 in House Journal, February 12, pages 312-313.

38
39 Amendment No. 2, Appropriations Report, dated April 16, 2010, and
40 placed in member's bill file; Report also printed in House Journal,
41 April 16, page 1287.

42
43 Amendment No. 3, by Representative(s) Gagliardi, Summers.

44
45 Amend the Appropriations Committee Report, dated April 16, 2010, page
46 1, line 18, after "ANY" insert "STATE OR COUNTY".

47
48 As amended, ordered engrossed and placed on the Calendar for Third
49 Reading and Final Passage.

50
51
52 **HB10-1032** by Representative(s) Frangas, Apuan, Massey; also
53 Senator(s) Boyd, Foster, Schwartz--Concerning behavioral
54 health crisis response services.

55

Amendment No. 1, Health & Human Services Report, dated February 18, 2010, and placed in member's bill file; Report also printed in House Journal, February 19, pages 450-452.

Amendment No. 2, Appropriations Report, dated April 16, 2010, and placed in member's bill file; Report also printed in House Journal, April 16, page 1288.

Amendment No. 3, by Representative(s) Kagan.

Amend Health and Human Services Committee Report, dated February 18, 2010, page 3, after line 10 insert:

"SECTION 2. 25-1.5-301 (2) (h), and (2) (i), Colorado Revised Statutes, are amended, and the said 25-1.5-301 is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

25-1.5-301. Definitions. As used in this part 3, unless the context otherwise requires:

(2) "Facility" means:

(h) All services funded through and regulated by the department of human services pursuant to article 10.5 of title 27, C.R.S., in support of persons with developmental disabilities; ~~and~~

(i) Adult day care facilities providing services in support of persons as defined in section 25.5-6-303 (1), C.R.S.; AND

(j) ALCOHOL AND DRUG TREATMENT FACILITIES AS DEFINED IN SECTIONS 25-1-302 (3) AND 25-1-1101 (3).".

Renumber succeeding section accordingly.

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

HB10-1146 by Representative(s) Hullinghorst, Gagliardi, Kefalas, Kerr J., Labuda, Miklosi, Pommer, Primavera; also Senator(s) Tochtrop, Newell, Steadman, Tapia-- Concerning certain state-funded, community-based, long-term care assistance provided to recipients of certain public benefit programs.

Amendment No. 1, Health & Human Services Report, dated March 1, 2010, and placed in member's bill file; Report also printed in House Journal, March 2, pages 624-625.

Amendment No. 2, Appropriations Report, dated April 16, 2010, and placed in member's bill file; Report also printed in House Journal, April 16, pages 1288-1291.

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

1 **HB10-1162** by Representative(s) Soper; also Senator(s) Bacon--
2 Concerning payment of amounts due under a construction
3 contract.
4

5 Amendment No. 1, Business Affairs & Labor Report, dated
6 March 3, 2010, and placed in member's bill file; Report also printed in
7 House Journal, March 4, pages 661-668.
8

9 Amendment No. 2, Appropriations Report, dated April 16, 2010, and
10 placed in member's bill file; Report also printed in House Journal,
11 April 16, pages 1291-1292.
12

13 Amendment No. 3, by Representative(s) Soper.
14

15 Amend the Business Affairs and Labor Committee Report, dated March
16 3, 2010, page 5, strike lines 19 through 35.
17

18 Page 6, strike lines 1 through 15.
19

20 Renumber succeeding C.R.S. section accordingly.
21

22 Page 9, strike lines 13 through 34.
23

24 Page 10, strike lines 1 through 10.
25

26 Renumber succeeding C.R.S. section accordingly.
27

28 As amended, declared **lost** on Second Reading.
29

30 **HB10-1172** by Representative(s) Bradford, Nikkel, Sonnenberg,
31 Tipton; also Senator Cadman--Concerning the registration
32 of mobile machinery in order to pay specific ownership
33 tax.
34

35 Amendment No. 1, Transportation & Energy Report, dated
36 February 25, 2010, and placed in member's bill file; Report also printed
37 in House Journal, February 26, pages 599-600.
38

39 Amendment No. 2, Appropriations Report, dated April 16, 2010, and
40 placed in member's bill file; Report also printed in House Journal,
41 April 16, pages 1292-1293.
42

43 Amendment No. 3, by Representative(s) Bradford.
44

45 Amend the Transportation and Energy Committee Report, dated February
46 25, 2010, page 1, line 17, strike "MAY" and substitute "SHALL".
47

48 As amended, ordered engrossed and placed on the Calendar for Third
49 Reading and Final Passage.
50

51
52 **HB10-1264** by Representative(s) Priola; also Senator(s) Heath--
53 Concerning the establishment of an incentive process
54 whereby state employees can submit suggestions for state
55 agency improvements that result in cost savings.
56

1 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
2 February 23, 2010, and placed in member's bill file; Report also printed
3 in House Journal, February 25, pages 553-555.

4
5 Amendment No. 2, Appropriations Report, dated April 16, 2010, and
6 placed in member's bill file; Report also printed in House Journal,
7 April 16, pages 1293-1294.

8
9 Amendment No. 3, by Representative(s) Priola.

10
11 Amend the printed bill, page 9, line 24, strike "(e) THE" and substitute
12 "(e) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH
13 (e), THE".

14
15 Page 10, before line 3, insert:

16
17 "(II) ANY SAVINGS REALIZED DISTRIBUTED TO THE DEPARTMENT
18 OF TRANSPORTATION PURSUANT TO SUB-SUBPARAGRAPH (B) OF
19 SUBPARAGRAPH (I) OF PARAGRAPH (d) OF THIS SUBSECTION (4) SHALL BE
20 TRANSFERRED TO THE STATE HIGHWAY FUND CREATED IN SECTION
21 43-1-219, C.R.S., AND SHALL ONLY BE USED FOR MATERIAL COSTS OF
22 ROAD AND BRIDGE REPAIRS."

23
24 As amended, ordered engrossed and placed on the Calendar for Third
25 Reading and Final Passage.

26
27 **HB10-1268** by Representative(s) King S.; also Senator Harvey--
28 Concerning establishment of a two-year registration for
29 vehicles.

30
31 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
32 February 23, 2010, and placed in member's bill file; Report also printed
33 in House Journal, February 25, page 555.

34
35 Amendment No. 2, by Representative(s) Fischer.

36
37 Amend printed bill, page 2, strike lines 17 through 27.

38
39 Renumber succeeding section accordingly.

40
41 As amended, ordered engrossed and placed on the Calendar for Third
42 Reading and Final Passage.

43
44 **HB10-1284** by Representative(s) Massey and Summers, McCann,
45 Rice; also Senator(s) Romer and Spence--Concerning
46 regulation of medical marijuana.

47
48 Amendment No. 1, Judiciary Report, dated March 22, 2010, and placed
49 in member's bill file; Report also printed in House Journal, March 23,
50 pages 906-945.

51
52 Amendment No. 2, Appropriations Report, dated April 16, 2010, and
53 placed in member's bill file; Report also printed in House Journal,
54 April 16, pages 1295-1298.

55
56

1 Amendment No. 3, by Representative(s) Levy.
2
3 Amend the Judiciary Committee Report, dated March 22, 2010, page 2,
4 line 6, strike "AS OF" and substitute "AFTER".
5
6 Page 2, line 9, strike "AS OF" and substitute "ON".
7
8 Page 2, line 13, strike "THE" and substitute "A".
9
10 Page 2, line 15, strike "2011," and substitute "2010,".
11
12 Page 10, line 20, after "LICENSES" insert "CONSISTENT WITH THE INTENT
13 OF THIS ARTICLE".
14
15 Page 11, line 23, after the second "THE" insert "MEDICAL MARIJUANA
16 CENTER".
17
18 Page 11, line 25, after the second "THE" insert "MEDICAL MARIJUANA
19 CENTER".
20
21 Page 12, line 35, strike "REQUIRED" and substitute "AUTHORIZED".
22
23 Page 13, line 3, strike "CAUSE," and substitute "CAUSE BASED UPON THE
24 STANDARDS ADOPTED IN ITS ORDINANCE OR RESOLUTION,".
25
26 Page 15, line 21, strike "ANY OF WHOSE" and substitute "IF THE CRIMINAL
27 HISTORY OF ANY OF ITS".
28
29 Page 15, line 22, strike "ARE" and substitute "INDICATES THAT THE
30 OFFICER, DIRECTOR, OR STOCKHOLDER IS".
31
32 Page 15, line 31, strike "FAILS" and substitute "AND WHO, AT THE TIME OF
33 APPLICATION, HAS FAILED".
34
35 Page 16, line 1, strike "FAILS TO"
36
37 Page 16, line 5, strike "OR"
38
39 Page 16, line 6, after the semicolon insert "OR".
40
41 Page 16, after line 6 insert:
42
43 "(F) REMEDY AN OUTSTANDING DELINQUENCY FOR TAXES OWED,
44 AN OUTSTANDING DELINQUENCY FOR JUDGMENTS OWED TO A
45 GOVERNMENT AGENCY, OR AN OUTSTANDING DELINQUENCY FOR CHILD
46 SUPPORT.".
47
48 Page 18, line 10, strike "A" and substitute "THE NATURE OF THE" and
49 strike "LOCAL CONCERN;" and substitute "CONCERN RELATED TO THE
50 LOCATION;".
51
52 Page 19, line 28, after "LICENSED" insert "MEDICAL MARIJUANA CENTER".
53
54 Page 27, line 5, after the period add "THE PROVISIONS OF THIS
55 SUBSECTION (3) SHALL NOT APPLY TO MEDICAL MARIJUANA-INFUSED
56 PRODUCTS.".

1 Page 27, line 7, strike "SECTION," and substitute "SECTION TO THE
2 CONTRARY,".

3
4 Page 28, line 13, strike "EXCLUSIVELY".

5
6 Page 28, line 14, after the period insert "A MEDICAL MARIJUANA-INFUSED
7 PRODUCTS LICENSEE SHALL NOT USE MEDICAL MARIJUANA FROM TWO
8 DIFFERENT MEDICAL MARIJUANA CENTERS IN THE PRODUCTION OF ONE
9 MEDICAL MARIJUANA-INFUSED PRODUCT.".

10
11 Page 38, line 11, strike "OF THE" and substitute "ACTS THAT ARE" and
12 strike "ACTS IN" and substitute "PURSUANT TO".

13
14 Page 38, line 13, after the period add "IF THE UNLAWFUL ACT ALSO
15 CONSTITUTES A DIFFERENT CRIMINAL ACT, NOTHING IN THIS SUBSECTION
16 (7) PRECLUDES CONVICTION AND PUNISHMENT OF THAT CRIMINAL ACT.".

17
18 Page 42, line 14, strike "MARIJUANA" and substitute "MARIJUANA, BOTH
19 CULTIVATE HIS OR HER OWN MEDICAL MARIJUANA AND OBTAIN IT FROM
20 EITHER A PRIMARY CAREGIVER OR LICENSED MEDICAL MARIJUANA
21 CENTER,".

22
23 Amendment No. 4, by Representative(s) Massey.

24
25 Amend the Judiciary Committee Report, dated March 22, 2010, page 5,
26 after line 20, insert the following:

27
28 **"12-43.3-106. Local option.** THE OPERATION OF THIS ARTICLE
29 SHALL BE STATEWIDE UNLESS A MUNICIPALITY, COUNTY, CITY, OR CITY
30 AND COUNTY, BY A MAJORITY OF THE REGISTERED ELECTORS OF THE
31 MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY VOTING AT A
32 REGULAR ELECTION OR SPECIAL ELECTION CALLED IN ACCORDANCE WITH
33 THE "COLORADO MUNICIPAL ELECTION CODE OF 1965", ARTICLE 10 OF
34 TITLE 31, C.R.S., OR THE "UNIFORM ELECTION CODE OF 1992", ARTICLES
35 1 TO 13 OF TITLE 1, C.R.S., AS APPLICABLE, VOTE TO PROHIBIT RETAIL
36 SALE, DISTRIBUTION, CULTIVATION, AND DISPENSING OF MEDICAL
37 MARIJUANA.".

38
39 Amendment No. 5, by Representative(s) Murray.

40
41 Amend, Amendment No. 4, by Representative Massey, as printed in
42 House Journal, page 1342, line 30, after "BY" insert "EITHER";

43
44 line 35, after "APPLICABLE," insert "OR A MAJORITY OF THE MEMBERS OF
45 THE GOVERNING BOARD FOR THE MUNICIPALITY, COUNTY, CITY, OR CITY
46 AND COUNTY,".

47
48 Amendment No. 6, by Representative(s) Massey.

49
50 Amend the Judiciary Committee Report, dated March 22, 2010, page 2,
51 line 11, strike "2011." and substitute "2011, IN ACCORDANCE WITH ANY
52 APPLICABLE STATE OR LOCAL LAWS.".

53
54 Page 2, line 17, strike "MUST" and substitute "SHALL".

55
56 Page 6, line 12, change the semicolon to a period.

- 1 Page 6, line 21, change the semicolon to a period.
2
3 Page 6, line 22, after "AT" insert "A".
4
5 Page 10, line 15, strike "PART 3 OF THIS ARTICLE" and substitute "THIS
6 PART 3".
7
8 Page 15, line 7, strike "SECTIONS" and substitute "SECTION".
9
10 Page 16, line 19 strike "CAREGIVER" and substitute "PRIMARY CAREGIVER
11 AS DEFINED IN SECTION 25-1.5-106 (2)".
12
13 Page 16, strike lines 20 and 21 and substitute:
14
15 "REVOKED BY THE STATE HEALTH AGENCY; OR".
16
17 Page 16, strike lines 22 through 26 and substitute:
18
19 "(XIII) A PERSON FOR A LICENSE FOR A LOCATION THAT IS
20 CURRENTLY LICENSED AS A RETAIL FOOD ESTABLISHMENT OR WHOLESALE
21 FOOD REGISTRANT.".
22
23 Page 20, line 24, after "STATE" insert "LICENSING".
24
25 Page 26, line 30, after "WITH" insert "A".
26
27 Page 27, line 16, strike "25-1.5-105," and substitute "25-1.5-106,".
28
29 Page 27, strike line 22 and substitute "(a) (VIII)".
30
31 Page 27, line 25, after "TO" insert "SECTION".
32
33 Page 28, line 33, strike "ALL" and substitute "(1) ALL".
34
35 Page 30, line 2, strike "DEFINED" and substitute "LISTED".
36
37 Page 37, line 26, strike "FOR".
38
39 Page 38, line 9, strike "MEDICAL DOCTOR" and substitute "PHYSICIAN".
40
41 Page 47, line 31, strike "(6)," and substitute "(7),".
42
43 Page 49, line 7, strike "(6)," and substitute "(7),".
44
45 Amendment No. 7, by Representative(s) Massey.
46
47 Amend the Judiciary Committee Report, dated March 22, 2010, page 2,
48 line 10, after "CENTER" insert "OR HAS APPLIED FOR A LICENSE THAT IS
49 SUBSEQUENTLY GRANTED" and after "MAY" insert "OPERATE OR".
50
51 Amendment No.8, by Representative(s) Massey.
52
53 Amend the Judiciary Committee Report, dated March 22, 2010, page 39,
54 strike line 10 and substitute the following:
55
56 "(+) (3) **Rule-making.** (a) The department shall, pursuant to

1 section 14 of article XVIII of the state constitution, promulgate rules of
2 administration concerning the implementation of the medical marijuana
3 program established by such section and that specifically govern the
4 following:

5
6 (a) (I) The establishment and maintenance of a confidential
7 registry of patients who have applied for and are entitled to receive a
8 registry identification card;

9
10 (b) (II) The development by the department of an application form
11 and making such form available to residents of this state seeking to be
12 listed on the confidential registry of patients who are entitled to receive
13 a registry identification card;

14
15 (c) (III) The verification by the department of medical information
16 concerning patients who have applied for a confidential registry card;

17
18 (d) (IV) The issuance and form of confidential registry
19 identification cards;

20
21 (e) (V) Communications with law enforcement officials about
22 confidential registry identification cards that have been suspended where
23 a patient is no longer diagnosed as having a debilitating medical
24 condition; and

25
26 (f) (VI) The manner in which the department may consider adding
27 debilitating medical conditions to the list of debilitating medical
28 conditions contained in section 14 of article XVIII of the state
29 constitution.

30
31 (b) THE STATE HEALTH AGENCY MAY".

32
33 Amendment No. 9, by Representative(s) McCann.

34
35 Amend the Judiciary Committee Report, dated March 22, 2010, page 41,
36 strike line 2 and substitute "CAREGIVER TO SERVE MORE THAN FIVE
37 PATIENTS IN EXCEPTIONAL CIRCUMSTANCES".

38
39 Page 41, strike lines 3 and 4 and substitute "IN".

40
41 Amendment No. 10, by Representative(s) McCann.

42
43 Amend the Judiciary Committee Report, dated March 22, 2010, page 26,
44 strike lines 26 through 29.

45
46 Reletter succeeding paragraph accordingly.

47
48 Page 35, strike lines 13 through 15 and substitute:

49
50 "UPON ITS LICENSED PREMISES; OR".

51
52 Page 36, strike lines 11 and 12.

53
54 Amendment No. 11, by Representative(s) McCann.

55
56 Amend the Judiciary Committee Report, dated March 22, 2010, page 16,

1 line 9, after "FELONY" insert "OR A PERSON WHO AT ANY TIME HAS BEEN
2 CONVICTED OF A FELONY PURSUANT TO ANY STATE OR FEDERAL LAW
3 REGARDING THE POSSESSION, DISTRIBUTION, OR USE OF A CONTROLLED
4 SUBSTANCE."

5
6 Amendment No. 12, by Representative(s) Levy.

7
8 Amend Judiciary Committee Report, dated March 22, 2010, page 16, line
9 9, strike everything after "FELONY".

10
11 Page 16, strike lines 10 through 12.

12
13 Amendment No. 13, by Representative(s) Weissmann.

14
15 Amend the Judiciary Committee Report, dated March 22, 2010, page 9,
16 strike lines 6 and 7.

17
18 Page 9, line 11, after the semicolon add "AND".

19
20 Page 9, strike line 12.

21
22 Renumber succeeding subparagraphs accordingly.

23
24 Amendment No. 14, by Representative(s) Summers.

25
26 Amend the Judiciary Committee Report, page 18, line 21, after "SCHOOL,"
27 insert "AN ALCOHOL OR DRUG TREATMENT FACILITY,".

28
29 Amendment No. 15, by Representative(s) Levy.

30
31 Amend the Judiciary Committee Report, dated March 22, 2010, page 27,
32 line 8, strike "THIRTY" and substitute "FIFTY".

33
34 Amendment No. 16, by Representative(s) Pace.

35
36 Amend the Judiciary Committee Report, dated March 22, 2010, page 27,
37 after line 22, insert:

38
39 "(7) ALL MEDICAL MARIJUANA SOLD AT A LICENSED MEDICAL
40 MARIJUANA CENTER SHALL BE LABELED WITH A LIST OF ALL CHEMICAL
41 ADDITIVES, INCLUDING BUT NOT LIMITED TO NONORGANIC PESTICIDES,
42 HERBICIDES, AND FERTILIZERS, THAT WERE USED IN THE CULTIVATION AND
43 THE PRODUCTION OF THE MEDICAL MARIJUANA."

44
45 Amendment No. 17, by Representative(s) Frangas.

46
47 Amend the Judiciary Committee Report, dated March 22, 2010, page 18,
48 line 22, strike "SEMINARY." and substitute "SEMINARY, OR A RESIDENTIAL
49 CHILD CARE FACILITY."

50
51 Amendment No. 18, by Representative(s) Pace.

52
53 Amend the Judiciary Committee Report, dated March 22, 2010, page 46,
54 after line 15 insert:

55
56 "(14) **Petitions to add debilitating conditions.** WHEN THE STATE

1 HEALTH AGENCY RECEIVES A PHYSICIAN- OR PATIENT-INITIATED PETITION
2 TO ADD A DEBILITATING MEDICAL CONDITION TO THE LIST PROVIDED IN
3 SECTION 14 (1) (a) OF ARTICLE XVIII OF THE STATE CONSTITUTION, IT
4 SHALL CONDUCT A PUBLIC HEARING ON THE PETITION WITHIN ONE
5 HUNDRED EIGHTY DAYS AFTER SUBMISSION. AT THE HEARING, THE
6 PETITIONER SHALL BE PERMITTED TO PRESENT ITS BASIS FOR ADDING THE
7 CONDITION."

8
9 Amendment No. 19, by Representative(s) Summers.

10
11 Amend the Judiciary Committee Report, dated March 22, 2010, page 38,
12 after line 13 insert:

13
14 "PART 10
15 SUNRISE REVIEW

16
17 **12-43.3-1001. Sunrise review - article repeal.** (1) THIS ARTICLE
18 IS REPEALED, EFFECTIVE JULY 1, 2015.

19
20 (2) PRIOR TO THE REPEAL OF THIS ARTICLE, THE DEPARTMENT OF
21 REGULATORY AGENCIES SHALL CONDUCT A SUNRISE REVIEW AS
22 DESCRIBED IN SECTION 24-34-104.1 (8), C.R.S."

23
24 Page 49, after line 7 insert:

25
26 "SECTION 11. 24-34-104.1, Colorado Revised Statutes, is
27 amended BY THE ADDITION OF A NEW SUBSECTION to read:

28
29 **24-34-104.1. General assembly sunrise review of new**
30 **regulation of occupations and professions - repeal.** (8) (a) THE
31 DEPARTMENT OF REGULATORY AGENCIES SHALL CONDUCT A REVIEW AS
32 DESCRIBED IN SUBSECTIONS (2), (3), AND (4) OF THIS SECTION OF PERSONS
33 LICENSED PURSUANT TO PART 4 OF ARTICLE 43.3 OF TITLE 12, C.R.S., AND
34 PRIMARY CAREGIVERS AS DESCRIBED IN SECTION 25-1.5-106, C.R.S.

35
36 (b) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE JULY 1, 2016."

37
38 Renumber succeeding sections accordingly.

39
40 Page 49, line 14, strike "and 12" and substitute "12, and 13".

41
42 As amended, ordered engrossed and placed on the Calendar for Third
43 Reading and Final Passage.
44 (For change in action, see Amendments to Report, pages 1347 and 1348.)

45
46 On motion of Representative Weissmann, the remainder of the General
47 Orders Calendar (**HB10-1019, 1287, 1338, 1349, 1364, 1370, 1398, 1373,**
48 **SB10-153, 159**) was laid over until April 21, retaining place on Calendar.

49
50
51
52 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

53
54 Representative Soper moved to amend the Report of the Committee of the
55 Whole to reverse the action taken by the Committee in not adopting
56 HB10-1162, to show that **HB10-1162**, as amended, passed.

1 The amendment was declared **lost** by the following roll call vote:

	YES	29	NO	31	EXCUSED	5	ABSENT	0
4	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
5	Apuan	E	Hullinghorst	Y	McKinley	N	Scanlan	E
6	Balmer	N	Judd	N	McNulty	N	Schafer S.	Y
7	Baumgardner	N	Kagan	Y	Merrifield	E	Solano	Y
8	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
9	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
10	Casso	Y	Kerr J.	E	Murray	N	Stephens	N
11	Court	Y	King S.	N	Nikkel	N	Summers	N
12	Curry	Y	Labuda	N	Pace	Y	Swalm	N
13	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
14	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
15	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
16	Frangas	Y	Looper	N	Priola	N	Vaad	N
17	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
18	Gardner B.	N	May	N	Riesberg	Y	Waller	N
19	Gardner C.	N	McCann	N	Roberts	N	Weissmann	Y
20							Speaker	N

21
22 Representatives Waller, Balmer, Gardner C., and Summers moved to
23 amend the Report of the Committee of the Whole to reverse the action
24 taken by the Committee in adopting Amendment No 12, by
25 Representative Levy, (printed in House Journal April 20, 2010,
26 page 1345, lines 6-11) to HB10-1284, to show that said amendment lost,
27 and that **HB10-1284**, as amended, passed.

28
29 The amendment was declared **lost** by the following roll call vote:

	YES	32	NO	28	EXCUSED	5	ABSENT	0
32	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
33	Apuan	E	Hullinghorst	N	McKinley	N	Scanlan	E
34	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
35	Baumgardner	Y	Kagan	N	Merrifield	E	Solano	N
36	Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
37	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	Y
38	Casso	Y	Kerr J.	E	Murray	Y	Stephens	Y
39	Court	N	King S.	Y	Nikkel	Y	Summers	Y
40	Curry	Y	Labuda	N	Pace	N	Swalm	Y
41	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
42	Ferrandino	E	Levy	N	Pommer	N	Todd	N
43	Fischer	N	Liston	Y	Primavera	N	Tyler	N
44	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
45	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N
46	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
47	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
48							Speaker	N

49
50 Representative Massey moved to amend the Report of the Committee of
51 the Whole to reverse the action taken by the Committee in adopting
52 Amendment No. 15, by Representative Levy, (printed in House Journal
53 April 20, 2010, page 1345, lines 29-32) to HB10-1284, to show that said
54 amendment lost, and that **HB10-1284**, as amended, passed.

55
56 The amendment was declared **passed** by the following roll call vote:

	YES	42	NO	18	EXCUSED	5	ABSENT	0
1								
2								
3	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
4	Apuan	E	Hullinghorst	N	McKinley	N	Scanlan	E
5	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
6	Baumgardner	Y	Kagan	N	Merrifield	E	Solano	Y
7	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
8	Bradford	Y	Kerr A.	Y	Miklosi	N	Soper	Y
9	Casso	Y	Kerr J.	E	Murray	Y	Stephens	Y
10	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
11	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
12	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
13	Ferrandino	E	Levy	N	Pommer	Y	Todd	Y
14	Fischer	N	Liston	Y	Primavera	N	Tyler	N
15	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
16	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N
17	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
18	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
19							Speaker	Y

20
21 Representatives Tipton and Summers moved to amend the Report of the
22 Committee of the Whole to reverse the action taken by the Committee in
23 not adopting the following Tipton amendment, to HB10-1284, to show
24 that said amendment passed, and that **HB10-1284**, as amended, passed.

25
26 Amend Judiciary Committee Report, dated March 22, 2010, page 27, line
27 13, strike "CONCLUDING" and substitute "INITIATING".

28
29 The amendment was declared **passed** by the following roll call vote:

	YES	33	NO	27	EXCUSED	5	ABSENT	0
31								
32	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
33	Apuan	E	Hullinghorst	N	McKinley	N	Scanlan	E
34	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
35	Baumgardner	Y	Kagan	Y	Merrifield	E	Solano	N
36	Benefield	N	Kefalas	Y	Middleton	N	Sonnenberg	Y
37	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	Y
38	Casso	Y	Kerr J.	E	Murray	Y	Stephens	Y
39	Court	N	King S.	Y	Nikkel	Y	Summers	Y
40	Curry	Y	Labuda	N	Pace	N	Swalm	Y
41	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
42	Ferrandino	E	Levy	N	Pommer	N	Todd	N
43	Fischer	N	Liston	Y	Primavera	N	Tyler	N
44	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
45	Gagliardi	N	Massey	N	Rice	Y	Vigil	N
46	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
47	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
48							Speaker	N

49
50 Representative Gardner B. moved to amend the Report of the Committee
51 of the Whole to reverse the action taken by the Committee in adopting
52 Amendment No. 18 by Representative Pace, (printed in House Journal
53 April 20, 2010, page 1345, lines 51-56, and page 1346, lines 1-7) to
54 HB10-1284, to show that said amendment lost, and that **HB10-1284**, as
55 amended, passed.

1 The amendment was declared **passed** by the following roll call vote:

	YES	39	NO	21	EXCUSED	5	ABSENT	0
4	Acree	Y	Gerou	Y	McFadyen	N	Ryden	Y
5	Apuan	E	Hullinghorst	N	McKinley	N	Scanlan	E
6	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
7	Baumgardner	Y	Kagan	N	Merrifield	E	Solano	Y
8	Benefield	N	Kefalas	Y	Middleton	N	Sonnenberg	Y
9	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	Y
10	Casso	Y	Kerr J.	E	Murray	Y	Stephens	Y
11	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
12	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
13	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
14	Ferrandino	E	Levy	N	Pommer	Y	Todd	N
15	Fischer	N	Liston	Y	Primavera	N	Tyler	N
16	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
17	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N
18	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
19	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
20							Speaker	Y

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

26 Passed Second Reading: **HB10-1022 amended, 1032 amended, 1146**
 27 **amended, 1172 amended, 1264 amended, 1268 amended, 1284**
 28 **amended.**

30 Lost on Second Reading: **HB10-1234 amended, 1162 amended.**

32 Laid over until date indicated retaining place on Calendar: **HB10-1019,**
 33 **1287, 1338, 1349, 1364, 1370, 1398, 1373, SB10-153, 159--**
 34 **April 21, 2010.**

35 **HB10-1390, 1391, 1400, 1394, 1103, 1152, 1357--April 23, 2010.**

36 **HB10-1217--April 26, 2010.**

38 The Chairman moved the adoption of the Committee of the Whole
 39 Report. As shown by the following roll call vote, a majority of those
 40 elected to the House voted in the affirmative, and the Report was
 41 **adopted.**

	YES	60	NO	0	EXCUSED	5	ABSENT	0
44	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
45	Apuan	E	Hullinghorst	Y	McKinley	Y	Scanlan	E
46	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
47	Baumgardner	Y	Kagan	Y	Merrifield	E	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
49	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
50	Casso	Y	Kerr J.	E	Murray	Y	Stephens	Y
51	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
52	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
53	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
54	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
56	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y

1	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
2	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
3	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
4							Speaker	Y

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith:

SJR10-034 amended as printed in Senate Journal, April 20, 2010.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

On motion of Representative Weissmann, the rules were suspended and the following resolution was given immediate consideration.

SJR10-034 by Senator(s) Hudak, Carroll M., Newell, Steadman, Tapia, Tochtrop; also Representative(s) Gagliardi, Apuan, Carroll T., Ferrandino, Fischer, Kagan, Kefalas, Kerr A., Labuda, Levy, McCann, Middleton, Miklosi, Pace, Peniston, Primavera, Schafer S.--Concerning the designation of April 20, 2010, as "Equal Pay Day" in Colorado, and, in connection therewith, acknowledging the persisting problem of wage disparity among various groups.

(Printed and placed in member's file).

On motion of Representative Gagliardi, the resolution was read at length and **adopted** by **viva voce** vote.

Co-sponsor(s) added: Representative(s) Acree, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso, Frangas, Gardner B., Gardner C., Gerou, Hulinghorst, Judd, King S., Liston, Looper, Massey, May, McFadyen, McNulty, Murray, Nikkel, Pommer, Priola, Rice, Riesberg, Roberts, Ryden, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

EDUCATION

After consideration on the merits, the Committee recommends the following:

HCR10-1002 be referred to the Committee of the Whole with favorable recommendation.

JUDICIARY

After consideration on the merits, the Committee recommends the following:

HB10-1360 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. 16-2.5-136, Colorado Revised Statutes, is amended to read:

16-2.5-136. Community parole officer. A community parole officer employed by the department of corrections IS responsible for ~~the supervision of~~ SUPERVISING offenders in the community AND SUPPORTING THE DIVISION OF ADULT PAROLE IN PROVIDING ASSISTANCE TO PAROLEES TO SECURE EMPLOYMENT, HOUSING, AND OTHER SERVICES TO SUPPORT THEIR SUCCESSFUL REINTEGRATION INTO THE COMMUNITY WHILE RECOGNIZING THE NEED FOR PUBLIC SAFETY. A COMMUNITY PAROLE OFFICER is a peace officer whose authority shall be pursuant to section 17-27-105.5, C.R.S., and whose authority shall include the enforcement of all laws of the state of Colorado, and who shall be certified by the P.O.S.T. board.

SECTION 2. The introductory portion to 17-2-103 (11) (b) (II), Colorado Revised Statutes, is amended, and the said 17-2-103 (11) (b) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

17-2-103. Arrest of parolee - revocation proceedings. (11) (b) (II) If the board determines that the parolee has violated any condition of parole other than commission of a crime and is not subject to the provisions of subparagraph (III), (III.5), or ~~subparagraph~~ (IV) of this paragraph (b), the board may:

(III.5) IF THE BOARD DETERMINES THAT THE PAROLEE HAS VIOLATED ANY CONDITION OF PAROLE THAT DOES NOT INVOLVE THE COMMISSION OF A CRIME, THE PAROLEE HAS NO ACTIVE FELONY WARRANT, FELONY DETAINER, OR PENDING FELONY CRIMINAL CHARGE, AND THE PAROLEE WAS ON PAROLE FOR AN OFFENSE THAT WAS A CLASS 4 NONVIOLENT FELONY AS DEFINED IN SECTION 17-22.5-405 (5) (b), EXCEPT FOR MENACING AS DEFINED IN SECTION 18-3-206, C.R.S., STALKING AS DESCRIBED IN SECTION 18-9-111 (4), C.R.S., OR ANY UNLAWFUL SEXUAL BEHAVIOR DESCRIBED IN SECTION 16-22-102 (9), C.R.S., OR UNLESS THE PAROLEE WAS SUBJECT TO ARTICLE 6.5 OF TITLE 18, C.R.S., OR SECTION 18-6-801, C.R.S., AND THE BOARD REVOKES PAROLE, THE BOARD MAY REQUEST THE SHERIFF OF THE COUNTY IN WHICH THE HEARING IS HELD TO TRANSPORT THE PAROLEE TO THE FACILITY DESCRIBED IN SECTION 17-1-206.5 (3) FOR A PERIOD NOT TO EXCEED ONE HUNDRED EIGHTY DAYS.

SECTION 3. The introductory portion to 17-2-103 (11) (b) (II), Colorado Revised Statutes, is amended, and the said 17-2-103 (11) (b) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

17-2-103. Arrest of parolee - revocation proceedings.

(11) (b) (II) If the board determines that the parolee has violated any condition of parole other than commission of a crime and is not subject to the provisions of subparagraph (III), (III.5), or ~~subparagraph~~ (IV) of this paragraph (b), the board may:

(III.5) IF THE BOARD DETERMINES THAT THE PAROLEE HAS VIOLATED ANY CONDITION OF PAROLE THAT DOES NOT INVOLVE THE COMMISSION OF A CRIME, THE PAROLEE HAS NO ACTIVE FELONY WARRANT, FELONY DETAINER, OR PENDING FELONY CRIMINAL CHARGE, AND THE PAROLEE WAS ON PAROLE FOR AN OFFENSE THAT WAS A CLASS 4 NONVIOLENT FELONY AS DEFINED IN SECTION 17-22.5-405 (5) (b), EXCEPT FOR MENACING AS DEFINED IN SECTION 18-3-206, C.R.S., STALKING AS DESCRIBED IN SECTION 18-9-111 (4), C.R.S., AS IT EXISTED PRIOR TO THE EFFECTIVE DATE OF HOUSE BILL 10-1233, ENACTED IN 2010, OR SECTION 18-3-602, C.R.S., OR ANY UNLAWFUL SEXUAL BEHAVIOR DESCRIBED IN SECTION 16-22-102 (9), C.R.S., OR UNLESS THE PAROLEE WAS SUBJECT TO ARTICLE 6.5 OF TITLE 18, C.R.S., OR SECTION 18-6-801, C.R.S., AND THE BOARD REVOKES PAROLE, THE BOARD MAY REQUEST THE SHERIFF OF THE COUNTY IN WHICH THE HEARING IS HELD TO TRANSPORT THE PAROLEE TO THE FACILITY DESCRIBED IN SECTION 17-1-206.5 (3) FOR A PERIOD NOT TO EXCEED ONE HUNDRED EIGHTY DAYS.

SECTION 4. 17-2-103 (11) (b) (IV) and (11) (b) (V), Colorado Revised Statutes, are amended, and the said 17-2-103 (11) is further amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

17-2-103. Arrest of parolee - revocation proceedings.

(11) (b) (IV) If the board determines that the parolee has violated any condition of parole other than commission of a new crime and the parolee was not on parole for a crime of violence as defined in section 18-1.3-406 (2), C.R.S., the board may:

(A) Revoke parole for a period not to exceed ~~one hundred eighty~~ NINETY days and request the sheriff of the county in which the hearing is held to transport the parolee to a place of confinement designated by the executive director IF, AT THE TIME OF THE REVOCATION HEARING, THE INMATE IS ASSESSED AS BELOW HIGH RISK BASED UPON A RESEARCH-BASED RISK ASSESSMENT INSTRUMENT APPROVED BY THE DEPARTMENT OF CORRECTIONS AND THE STATE BOARD OF PAROLE; or

(B) REVOKE PAROLE FOR A PERIOD NOT TO EXCEED ONE HUNDRED EIGHTY DAYS AND REQUEST THE SHERIFF OF THE COUNTY IN WHICH THE HEARING IS HELD TO TRANSPORT THE PAROLEE TO A PLACE OF CONFINEMENT DESIGNATED BY THE EXECUTIVE DIRECTOR IF, AT THE TIME OF THE REVOCATION HEARING, THE INMATE IS ASSESSED AS HIGH RISK OR GREATER BASED UPON A RESEARCH-BASED RISK ASSESSMENT INSTRUMENT APPROVED BY THE DEPARTMENT OF CORRECTIONS AND THE STATE BOARD OF PAROLE; OR

~~(B)~~ (C) Revoke parole for a period not to exceed one hundred eighty days and request the sheriff of the county in which the hearing is held to transport the parolee to a community corrections program; or

~~(C)~~ (D) Revoke parole for a period not to exceed one hundred

1 eighty days and request the sheriff of the county in which the hearing is
2 held to transport the parolee to the facility described in section
3 17-1-206.5.

4
5 (V) The board may extend a period of parole revocation imposed
6 pursuant to sub-subparagraph (A), (B), ~~or~~ (C), OR (D) of subparagraph
7 (IV) of this paragraph (b) beyond the specified maximum if the parolee
8 violates a condition of the parolee's placement pursuant to the notice and
9 hearing procedures in this section.

10
11 (c) IF THE BOARD DETERMINES THAT THE PAROLEE IS IN NEED OF
12 TREATMENT AND IS AMENABLE TO TREATMENT, THE BOARD SHALL
13 CONSIDER PLACING THE PAROLEE IN ONE OF THE FOLLOWING TREATMENT
14 OPTIONS AND, IF APPROPRIATE, MAY MODIFY THE CONDITION OF PAROLE
15 TO INCLUDE:

16
17 (I) PARTICIPATION IN AN OUTPATIENT PROGRAM FOR THE
18 TREATMENT OF SUBSTANCE ABUSE, MENTAL ILLNESS, OR CO-OCCURRING
19 DISORDERS; OR

20
21 (II) (A) PLACEMENT IN A RESIDENTIAL TREATMENT PROGRAM FOR
22 THE TREATMENT OF SUBSTANCE ABUSE, MENTAL ILLNESS, OR
23 CO-OCCURRING DISORDERS, WHICH PROGRAM IS UNDER CONTRACT WITH
24 THE DEPARTMENT OF PUBLIC SAFETY AND MAY INCLUDE, BUT NEED NOT
25 BE LIMITED TO, INTENSIVE RESIDENTIAL TREATMENT, THERAPEUTIC
26 COMMUNITY, AND MENTAL HEALTH PROGRAMS.

27
28 (B) A PAROLEE MAY BE PLACED IN A RESIDENTIAL TREATMENT
29 PROGRAM ONLY UPON ACCEPTANCE BY THE RESIDENTIAL TREATMENT
30 PROGRAM AND ANY COMMUNITY CORRECTIONS BOARD WITH JURISDICTION
31 OVER THE RESIDENTIAL TREATMENT PROGRAM. RESIDENTIAL TREATMENT
32 PROGRAMS AND COMMUNITY CORRECTIONS BOARDS ARE ENCOURAGED TO
33 DEVELOP AN EXPEDITED REVIEW PROCESS TO FACILITATE
34 DECISION-MAKING AND PLACEMENT OF THE PAROLEE, IF ACCEPTED.

35
36 (d) IF THE PAROLE BOARD ORDERS THE PAROLEE TO PARTICIPATE
37 IN A TREATMENT PROGRAM AS A CONDITION OF PAROLE PURSUANT TO
38 PARAGRAPH (c) OF THIS SUBSECTION (11), THE LEVEL OF TREATMENT
39 ORDERED SHALL BE CONSISTENT WITH THE TREATMENT LEVEL NEED OF
40 THE PAROLEE BASED UPON AN ASSESSMENT INSTRUMENT APPROVED FOR
41 USE BY THE DIVISION OF BEHAVIORAL HEALTH WITHIN THE DEPARTMENT
42 OF HUMAN SERVICES.

43
44 (e) IF THE PAROLEE IS UNSUCCESSFUL IN PARTICIPATING IN A
45 TREATMENT PROGRAM ORDERED PURSUANT TO PARAGRAPH (c) OF THIS
46 SUBSECTION (11) AND HIS OR HER PARTICIPATION IS TERMINATED, THE
47 BOARD MAY CONSIDER PLACEMENT OF THE PAROLEE IN ADDITIONAL
48 TREATMENT, AS APPROPRIATE, INCLUDING A HIGHER LEVEL OF
49 TREATMENT.

50
51 **SECTION 5.** 17-2-103, Colorado Revised Statutes, is amended
52 BY THE ADDITION OF A NEW SUBSECTION to read:

53
54 **17-2-103. Arrest of parolee - revocation proceedings.**
55 (11.5) EACH FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE
56 A PORTION OF THE SAVINGS GENERATED BY HOUSE BILL 10-1360,

1 ENACTED IN 2010. THIS APPROPRIATION SHALL BE USED ONLY FOR
2 RE-ENTRY SUPPORT SERVICES FOR PAROLEES RELATED TO OBTAINING
3 EMPLOYMENT, HOUSING, TRANSPORTATION, SUBSTANCE ABUSE
4 TREATMENT, MENTAL HEALTH TREATMENT, MENTAL HEALTH MEDICATION,
5 OR OFFENDER SPECIFIC SERVICES. THE APPROPRIATION SHALL BE MADE
6 AFTER CONSIDERATION OF THE DIVISION OF ADULT PAROLE'S STATUS
7 REPORT REQUIRED PURSUANT TO SECTION 17-2-102 (11).

8
9 **SECTION 6.** 24-33.5-503 (1), Colorado Revised Statutes, is
10 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

11
12 **24-33.5-503. Duties of division.** (1) The division has the
13 following duties:

14
15 (u) TO PROVIDE TO THE JUDICIARY COMMITTEES OF THE SENATE
16 AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES,
17 A STATUS REPORT ON THE EFFECT ON PAROLE OUTCOMES AND USE OF ANY
18 MONEYS ALLOCATED PURSUANT TO HOUSE BILL 10-1360, ENACTED IN
19 2010.

20
21 **SECTION 7.** 17-2-102, Colorado Revised Statutes, is amended
22 BY THE ADDITION OF A NEW SUBSECTION to read:

23
24 **17-2-102. Division of adult parole - general powers, duties, and**
25 **functions - definitions.** (11) THE DIVISION OF ADULT PAROLE SHALL
26 PROVIDE TO THE JUDICIARY COMMITTEES OF THE SENATE AND THE HOUSE
27 OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, A STATUS REPORT
28 ON THE EFFECT ON PAROLE OUTCOMES AND USE OF ANY MONEYS
29 ALLOCATED PURSUANT TO HOUSE BILL 10-1360, ENACTED IN 2010.

30
31 **SECTION 8. Appropriation.** (1) In addition to any other
32 appropriation, there is hereby appropriated, out of any moneys in the
33 general fund not otherwise appropriated, for the fiscal year beginning July
34 1, 2010, the sum of three million thirty-two thousand nine hundred eighty
35 dollars (\$3,032,980).

36
37 (a) Of said sum, two hundred sixty thousand dollars (\$260,000),
38 is appropriated to the department of public safety, division of criminal
39 justice for ten transition community corrections beds specifically for sex
40 offenders, which beds may not be transferred for diversion.

41
42 (b) Of said sum, two million seven hundred seventy-two thousand
43 nine hundred eighty dollars (\$2,772,980), is appropriated to the
44 department of correction, division of adult parole. Of said sum, two
45 hundred fifty thousand dollars (\$250,000) is for allocation to ongoing
46 outpatient substance abuse treatment for transition parolees. Of said sum,
47 two hundred fifty thousand dollars (\$250,000) is for allocation to ongoing
48 outpatient mental health treatment for transition parolee. Of said sum,
49 five hundred thousand dollars (\$500,000) is for allocation to employment
50 and job training services. Of said sum, seventy-five thousand dollars
51 (\$75,000) and 1.0 FTE, is for allocation for revocation officer. Of said
52 sum, one million six hundred ninety-seven thousand nine hundred eighty
53 dollars (\$1,697,980) is for allocation to wrap-around services.

54
55 **SECTION 9. Specified effective date.** (1) This section and
56 sections 1, 4, 5, 7, 8, and 10 of this act shall take effect upon passage.

1 (2) Section 2 of this act shall take effect upon passage and:

2
3 (a) Shall remain in effect only if House Bill 10-1233 does not
4 become law; or

5
6 (b) Shall remain in effect only until House Bill 10-1233 is enacted
7 and becomes law.

8
9 (3) Section 3 of this act shall take effect only if House Bill
10 10-1233 is enacted and becomes law and shall have the same effective
11 date as House Bill 10-1233.

12
13 **SECTION 10. Safety clause.** The general assembly hereby finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, and safety."

16
17
18
19 **PRINTING REPORT**

20
21 The Chief Clerk reports the following bills have been correctly printed:
22 **HB10-1414, 1415, 1416, 1417, 1418, 1419.**

23
24
25
26 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

27
28 The Speaker has signed: **HB10-1376; SB10-099, 174, 175.**

29
30
31
32 **DELIVERY OF BILL TO GOVERNOR**

33
34 The Chief Clerk of the House of Representatives reports the following
35 bill have been delivered to the Office of the Governor: **HB10-1376** at
36 4:12 p.m. on April 19, 2010.

37
38
39
40 **MESSAGE(S) FROM THE SENATE**

41
42 The Senate has passed on Third Reading and transmitted to the Revisor
43 of Statutes:

44
45 SB10-178 amended as printed in Senate Journal, April 19, 2010,
46 pages 927-928.

47 SB10-189 amended as printed in Senate Journal, April 19, 2010,
48 page 930.

49
50 The Senate has passed on Third Reading and transmitted to the Revisor
51 of Statutes:

52
53 HB10-1147 amended in Senate Journal, April 19, 2010,
54 pages 926-927.

55 HB10-1149 amended in Senate Journal, April 19, 2010,
56 pages 928-929.

1 On reconsideration, the Senate has passed on Third Reading and
2 transmitted to the Revisor of Statutes:

3
4 HB10-1133 amended as printed in Senate Journal, April 20, 2010.
5

6
7 The Senate voted to concur in House amendments to SB10-070,
8 SB10-117 and repassed the bills as amended.
9

10 11 MESSAGE(S) FROM THE REVISOR

12
13 We herewith transmit:

14 Without comment, as amended, HB10-1147 and 1149.

15 Without comment, as amended, SB10-178 and 189.

16 We herewith retransmit:

17 Without comment, as amended, HB10-1133.
18
19
20

21 INTRODUCTION OF BILLS 22 First Reading

23
24 The following bills were read by title and referred to the committees
25 indicated:

26
27 **HB10-1420** by Representative(s) Peniston; also Senator(s) Morse--
28 Concerning collection of the penalty surcharge imposed on
29 persons referred to a driver improvement school by a court
30 for a traffic violation.

31 Committee on Transportation & Energy
32

33 **SB10-178** by Senator(s) Hodge and Mitchell; also Representative(s)
34 Gerou and Miklosi--Concerning fairness in workers'
35 compensation health care provider review processes, and,
36 in connection therewith, requiring performance program
37 programs to be transparent, include objective and
38 standardized criteria that are applied consistently, and
39 provide minimum due process to providers.

40 Committee on Business Affairs and Labor
41
42

43 INTRODUCTION OF RESOLUTIONS

44
45 The following resolutions were read by title and laid over one day under
46 the rules:

47
48 **HJR10-1024** by Representative(s) Scanlan, Curry, Gerou, King S.,
49 Levy, Massey, Nikkel, Roberts, Vigil--Concerning the
50 Colorado bark beetle epidemic.
51

52 **HJR10-1025** by Representative(s) Primavera, Benefield, Frangas,
53 Merrifield--Concerning recognition of the history of the
54 disability rights movement, and, in connection therewith,
55 proclaiming Disability History Week in Colorado.
56

INTRODUCTION OF MEMORIAL

The following memorial was read by title and laid over until April 22, 2010 under the rules:

HM10-1005 by Representative(s) Stephens, Balmer, Gardner C., May--
Memorializing former Representative Blanche
Cowperthwaite.

NOTICE OF CALENDARED ITEM(S)

On motion of Representative Weissmann, the following bill(s) will be calendared for Third Reading, on the date indicated:

HB10-1022, 1032, 1146, 1172, 1264, 1268, 1284--April 22, 2010.

On motion of Representative Weissmann, the following bill(s) will be calendared for Second Reading on the dates indicated:

HB10-1394--April 21, 2010.

HB10-1019, 1349--April 23, 2010.

HB10-1357--April 26, 2010.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until April 21, retaining place on Calendar:

Consideration of Conference Committee Report(s)--**HB10-1099**.

Consideration of Resolution(s)--**HJR10-1020, 1021, SJR10-025, HJR10-1023, 1019**.

Consideration of Senate Amendment(s)--**HB10-1188, HJR10-1015, HB10-1118**.

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., April 21, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Ninety-ninth Legislative Day

Wednesday, April 21, 2010

1 Prayer by the Reverend Rhoades Hollowell, St. Mary Magdalene
2 Episcopal Church, Boulder.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Lakeif McDonald, Columbine Elementary,
7 Denver.

8
9 The roll was called with the following result:

10
11 Present--58.

12 Excused--Representative(s) Labuda, Looper, Merrifield,
13 Middleton, Nikkel, Scanlan, Solano--7.

14 Present after roll call--Representative(s) Labuda, Middleton.

15
16 The Speaker declared a quorum present.

17
18
19 On motion of Representative Miklosi, the reading of the journal of
20 April 20, 2010, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22
23
24
25
26 On motion of Representative Primavera, the House resolved itself into
27 Committee of the Whole for consideration of General Orders, and she
28 was called to the Chair to act as Chairman.

29
30
31 **GENERAL ORDERS--SECOND READING OF BILLS**

32
33 The Committee of the Whole having risen, the Chairman reported the
34 titles of the following bills had been read (reading at length had been
35 dispensed with by unanimous consent), the bills considered and action
36 taken thereon as follows:

37
38 (Amendments to the committee amendment are to the printed committee
39 report which was printed and placed in the members' bill file.)

40

1 **HB10-1287** by Representative(s) Lambert, Acree, Baumgardner,
2 Bradford, DelGrosso, Ferrandino, Gardner C., Gerou,
3 Kerr J., Looper, May, McNulty, Murray, Nikkel, Pommer,
4 Priola, Sonnenberg, Stephens, Summers, Tipton; also
5 Senator(s) Cadman, Renfroe, Harvey, Mitchell, Keller,
6 King K., Kopp, Lundberg, Schultheis, Spence, Tapia,
7 White--Concerning the use of a state-owned motor vehicle
8 for commuting purposes.
9

10 Amendment No. 1, Finance Report, dated April 14, 2010, and placed in
11 member's bill file; Report also printed in House Journal, April 15,
12 pages 1254-1257.
13

14 Amendment No. 2, Appropriations Report, dated April 16, 2010, and
15 placed in member's bill file; Report also printed in House Journal,
16 April 16, page 1298.
17

18 As amended, ordered engrossed and placed on the Calendar for Third
19 Reading and Final Passage.
20

21 **HB10-1338** by Representative(s) McCann; also Senator(s) Steadman--
22 Concerning the eligibility for probation of a person who
23 has two or more felony convictions.
24

25 Amendment No. 1, Judiciary Report, dated March 11, 2010, and placed
26 in member's bill file; Report also printed in House Journal, March 12,
27 pages 776-778.
28

29 Amendment No. 2, Appropriations Report, dated April 16, 2010, and
30 placed in member's bill file; Report also printed in House Journal,
31 April 16, pages 1298-1299.
32

33 As amended, ordered engrossed and placed on the Calendar for Third
34 Reading and Final Passage.
35

36 **HB10-1364** by Representative(s) Ryden; also Senator(s) Hudak--
37 Concerning the sex offender management board, and, in
38 connection therewith, continuing the sex offender
39 management board.
40

41 Amendment No. 1, Judiciary Report, dated March 25, 2010, and placed
42 in member's bill file; Report also printed in House Journal, March 26,
43 pages 990-991.
44

45 Amendment No. 2, Appropriations Report, dated April 16, 2010, and
46 placed in member's bill file; Report also printed in House Journal,
47 April 16, pages 1301-1302.
48

49 Amendment No. 3, by Representative(s) Ferrandino.
50

51 Amend the Judiciary Committee Report, dated March 25, 2010, before
52 line 1 insert:
53

54 "Amend printed bill, page 4, line 19, strike "some sex" and substitute
55 "some sex CERTAIN".".
56

1 Page 1 of the committee report, line 1, strike "Amend printed bill, page"
2 and substitute "Page".

3
4 Page 1 of the committee report, line 2, strike "SOME" and substitute
5 "CERTAIN".

6
7 Page 1 of the committee report, line 3, strike "SOME" and substitute
8 "CERTAIN".

9
10 As amended, ordered engrossed and placed on the Calendar for Third
11 Reading and Final Passage.

12
13 **HB10-1370** by Representative(s) Court, Apuan, Carroll T., Casso,
14 Curry, Ferrandino, Fischer, Frangas, Gagliardi,
15 Hullinghorst, Kagan, Kerr A., King S., Labuda, Levy,
16 Looper, Massey, McCann, McFadyen, Merrifield,
17 Middleton, Miklosi, Murray, Pace, Peniston, Pommer,
18 Primavera, Rice, Roberts, Ryden, Scanlan, Schafer S.,
19 Solano, Soper, Todd, Tyler, Vaad, Vigil, Weissmann; also
20 Senator(s) Steadman--Concerning certain disclosure
21 requirements that apply to statewide ballot measures.

22
23 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
24 April 6, 2010, and placed in member's bill file; Report also printed in
25 House Journal, April 7, page 1131.

26
27 As amended, ordered engrossed and placed on the Calendar for Third
28 Reading and Final Passage.

29
30 **HB10-1398** by Representative(s) Fischer; also Senator(s) Whitehead--
31 Concerning the species conservation trust fund, and, in
32 connection therewith, approving the species conservation
33 eligibility list.

34
35 Ordered engrossed and placed on the Calendar for Third Reading and
36 Final Passage.

37
38 **HB10-1394** by Representative(s) Rice; also Senator(s) Scheffel--
39 Concerning professional liability insurance policies issued
40 to construction professionals.

41
42 Amendment No. 1, by Representative(s) Rice.

43
44 Strike the Business Affairs and Labor Committee Report, dated April 7,
45 2010, and substitute:

46
47 "Amend printed bill, page 3, strike lines 3 and 4 and substitute "ARISING
48 OUT OF CONSTRUCTION DEFECTS IS IN THE BEST INTEREST OF INSURERS,
49 CONSTRUCTION PROFESSIONALS, AND PROPERTY".

50
51 Page 3, line 11, before "INSURANCE" insert "LIABILITY".

52
53 Page 4, after line 4 insert:

54
55 "(d) "LIABILITY INSURANCE POLICY" MEANS A CONTRACT OF
56 INSURANCE COVERING OCCURRENCES OF DAMAGE OR INJURY DURING THE

1 POLICY PERIOD AND THAT INSURES A CONSTRUCTION PROFESSIONAL FOR
2 LIABILITY ARISING FROM CONSTRUCTION-RELATED WORK."

3
4 Page 4, strike lines 5 through 19 and substitute:

5
6 "(3) (a) IN INTERPRETING A LIABILITY INSURANCE POLICY ISSUED
7 TO A CONSTRUCTION PROFESSIONAL, A COURT SHALL PRESUME THAT:

8
9 (I) COMPLIANCE WITH A CONSTRUCTION PROFESSIONAL'S
10 OBJECTIVE, REASONABLE EXPECTATIONS IS INTENDED;

11
12 (II) THE ENTIRE POLICY IS TO BE EFFECTIVE AND IS INTENDED TO
13 BE READ HARMONIOUSLY AS A WHOLE;

14
15 (III) A JUST AND REASONABLE RESULT IS INTENDED;

16
17 (IV) AMBIGUITY IN THE INTERPRETATION OF A POLICY IS TO BE
18 CONSTRUED IN FAVOR OF COVERAGE;

19
20 (V) AN INTERPRETATION THAT RENDERS A COVERAGE PROVISION
21 ILLUSORY IS NOT INTENDED; AND

22
23 (VI) THE WORK OF A CONSTRUCTION PROFESSIONAL THAT RESULTS
24 IN PROPERTY DAMAGE, INCLUDING DAMAGE TO THE WORK ITSELF OR
25 OTHER WORK, IS AN ACCIDENT UNLESS THE PROPERTY DAMAGE IS
26 INTENDED AND EXPECTED BY THE INSURED.

27
28 (b) THE PRESUMPTION OF SUBPARAGRAPH (I) OF PARAGRAPH (a)
29 OF THIS SUBSECTION (3) IS REBUTTABLE."

30
31 Page 4, line 22, strike "SHALL" and substitute "MAY".

32
33 Page 4, line 24, after "POLICY;" add "AND".

34
35 Page 4, line 27, strike "PROPERTY; AND" and substitute "PROPERTY".

36
37 Page 5, strike lines 3 through 14 and substitute "A COURT MAY CONSIDER
38 AND GIVE WEIGHT TO ANY WRITING CONCERNING THE INSURANCE POLICY
39 PROVISION IN DISPUTE THAT IS NOT PROTECTED FROM DISCLOSURE BY THE
40 ATTORNEY-CLIENT PRIVILEGE, WORK-PRODUCT PRIVILEGE, OR ARTICLE 72
41 OF TITLE 24, C.R.S., AND THAT IS GENERATED, APPROVED, ADOPTED, OR
42 RELIED ON BY THE INSURER OR ITS PARENT OR SUBSIDIARY COMPANY; OR
43 AN INSURANCE RATING OR POLICY DRAFTING ORGANIZATION, SUCH AS THE
44 INSURANCE SERVICES OFFICE, INC., OR ITS PREDECESSOR OR SUCCESSOR
45 ORGANIZATIONS; EXCEPT THAT SUCH WRITING SHALL NOT BE USED TO
46 RESTRICT, LIMIT, EXCLUDE, OR CONDITION COVERAGE OR THE INSURER'S
47 OBLIGATION BEYOND THAT WHICH IS REASONABLY INFERRED FROM THE
48 WORDS USED IN THE INSURANCE POLICY."

49
50 Page 5, line 15, after "GRANT" insert "OR RESTORE".

51
52 Page 5, line 17, after "EXCLUDE" insert "OR LIMIT".

53
54 Page 5, line 18, strike "CONTRACT" and substitute "INSURANCE POLICY".

55
56 Page 5, strike line 20 and substitute:

1 "(6) IF AN INSURER DISCLAIMS OR LIMITS COVERAGE UNDER A
2 LIABILITY INSURANCE POLICY ISSUED TO A".

3
4 Page 5, strike lines 24 and 25 and substitute "INSURANCE POLICY BARS OR
5 LIMITS COVERAGE FOR THE INSURED'S LEGAL LIABILITY IN AN ACTION OR
6 NOTICE OF CLAIM MADE PURSUANT TO SECTION 13-20-803.5 CONCERNING
7 A CONSTRUCTION DEFECT; AND".

8
9 Page 5, line 27, strike "COVERAGE GRANT" and substitute "INSURANCE
10 POLICY".

11
12 Page 6, after line 1 insert:

13
14 "(7) (a) AN INSURER'S DUTY TO DEFEND A CONSTRUCTION
15 PROFESSIONAL OR OTHER INSURED UNDER A LIABILITY INSURANCE POLICY
16 ISSUED TO A CONSTRUCTION PROFESSIONAL SHALL BE TRIGGERED BY A
17 POTENTIALLY COVERED LIABILITY DESCRIBED IN:

18
19 (I) A NOTICE OF CLAIM MADE PURSUANT TO SECTION 13-20-803.5;
20 OR

21
22 (II) A COMPLAINT, CROSS-CLAIM, COUNTERCLAIM, OR
23 THIRD-PARTY CLAIM FILED IN AN ACTION AGAINST THE CONSTRUCTION
24 PROFESSIONAL CONCERNING A CONSTRUCTION DEFECT.

25
26 (b) (I) AN INSURER SHALL DEFEND A CONSTRUCTION
27 PROFESSIONAL WHO HAS RECEIVED A NOTICE OF CLAIM MADE PURSUANT
28 TO SECTION 13-20-803.5 REGARDLESS OF WHETHER ANOTHER INSURER
29 MAY ALSO OWE THE INSURED A DUTY TO DEFEND THE NOTICE OF CLAIM
30 UNLESS AUTHORIZED BY LAW. IN DEFENDING THE CLAIM, THE INSURER
31 SHALL:

32
33 (A) REASONABLY INVESTIGATE THE CLAIM; AND

34
35 (B) REASONABLY COOPERATE WITH THE INSURED IN THE NOTICE
36 OF CLAIMS PROCESS.

37
38 (II) THIS PARAGRAPH (b) DOES NOT REQUIRE THE INSURER TO
39 RETAIN LEGAL COUNSEL FOR THE INSURED OR TO PAY ANY SUMS TOWARD
40 SETTLEMENT OF THE NOTICE OF CLAIM THAT ARE NOT COVERED BY THE
41 INSURANCE POLICY.

42
43 (III) AN INSURER SHALL NOT WITHDRAW ITS DEFENSE OF AN
44 INSURED CONSTRUCTION PROFESSIONAL OR COMMENCE AN ACTION
45 SEEKING REIMBURSEMENT FROM AN INSURED FOR EXPENDED DEFENSE
46 COST UNLESS AUTHORIZED BY LAW AND UNLESS THE INSURER HAS
47 RESERVED SUCH RIGHT IN WRITING WHEN ACCEPTING OR ASSUMING THE
48 DEFENSE OBLIGATION.

49
50 (8) NOTHING IN THIS SECTION CREATES INSURANCE COVERAGE NOT
51 INCLUDED IN THE CONTRACT OF INSURANCE."

52
53 Page 6, line 5, strike "of" and substitute "in".

54
55 Page 6, strike lines 13 through 27 and substitute:

56

"(2) (a) A PROVISION IN A LIABILITY INSURANCE POLICY ISSUED TO A CONSTRUCTION PROFESSIONAL EXCLUDING OR LIMITING COVERAGE FOR ONE OR MORE CLAIMS ARISING FROM BODILY INJURY, PROPERTY DAMAGE, ADVERTISING INJURY, OR PERSONAL INJURY THAT OCCURS BEFORE THE POLICY'S INCEPTION DATE AND THAT CONTINUES, WORSENS, OR PROGRESSES WHEN THE POLICY IS IN EFFECT IS VOID AND UNENFORCEABLE UNLESS THE EXCLUSION OR LIMITATION APPLIES ONLY IF THE INSURED HAD ACTUAL KNOWLEDGE BEFORE THE POLICY'S INCEPTION DATE OF:

(I) THE MANIFESTATION OF THE INJURY OR DAMAGE AND THAT THE INJURY WAS CAUSED BY THE FAULT OF THE INSURED; OR

(II) A WRITTEN OR ORAL CLAIM THAT THE INSURED WAS LEGALLY LIABLE FOR THE INJURY OR DAMAGE, INCLUDING A NOTICE OF CLAIM OR ACTION.

(b) AN INSURED'S KNOWLEDGE OF ORDINARY WARRANTY OR PUNCHLIST SERVICE DOES NOT CONSTITUTE ACTUAL KNOWLEDGE FOR THE PURPOSES OF PARAGRAPH (a) THIS SUBSECTION (2).

(3) IF IT IS AT ISSUE, THE INSURER SHALL BEAR THE BURDEN OF PROVING IN AN ACTION, BY A PREPONDERANCE OF THE EVIDENCE, THAT:

(a) THE INSURANCE POLICY PROVISION IS NOT SUBJECT TO SUBSECTION (2) OF THIS SECTION; OR

(b) THE INSURED HAD THE ACTUAL KNOWLEDGE OF THE MATERIAL FACTS DESCRIBED IN SUBPARAGRAPH (I) OR (II) OF PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION."

Page 7, strike lines 1 through 11.

Page 7, line 12, strike "FROM" and substitute "OUT OF".

Page 7, line 17, strike "REQUIRED" and substitute "DESCRIBED".

Page 7, line 20, strike "UNENFORCEABLE." and substitute "UNENFORCEABLE AS AGAINST PUBLIC POLICY."

Page 7, after line 23 insert:

"(6) THIS SECTION APPLIES ONLY TO AN INSURANCE POLICY THAT COVERS OCCURRENCES OF DAMAGE OR INJURY DURING THE POLICY PERIOD AND THAT INSURES A CONSTRUCTION PROFESSIONAL FOR LIABILITY ARISING FROM CONSTRUCTION-RELATED WORK."

Page 1, line 101, strike "**PROFESSIONAL**" and substitute "**COMMERCIAL**".

Amendment No. 2, by Representative(s) Rice.

Amend, Amendment No. 1, by Representative Rice, as printed in House Journal, page 1364, strike lines 8 through 15, and substitute "ACTUAL KNOWLEDGE OF THE INJURY OR DAMAGES BEFORE THE POLICY'S INCEPTION DATE."

Amendment No. 3, by Representative(s) Rice.

Amend Amendment No. 1, by Representative Rice, as printed in House Journal, page 1362, line 26, strike "INSURED." and substitute "INSURED, BUT NOTHING IN THIS SUBPARAGRAPH (VI) CREATES INSURANCE COVERAGE NOT INCLUDED IN THE CONTRACT OF INSURANCE.".

Page 1363, strike lines 48 through 51 and substitute "DEFENSE OBLIGATION.".

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

On motion of Representative Weissmann, the remainder of the General Orders Calendar (**HB10-1373, SB10-153, 159, HB10-1181**) was laid over until April 23, retaining place on Calendar.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1287 amended, 1338 amended, 1364 amended, 1370 amended, 1398, 1394 amended.**

Laid over until date indicated retaining place on Calendar: **HB10-1373, SB10-153, 159, HB10-1181--April 23, 2010.**

The Chairman moved the adoption of the Committee of the Whole Report. As shown by the following roll call vote, a majority of those elected to the House voted in the affirmative, and the Report was **adopted.**

	YES	60	NO	0	EXCUSED	5	ABSENT	0
Acree	Y		Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y		Hullinghorst	Y	McKinley	Y	Scanlan	E
Balmer	Y		Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y		Kagan	Y	Merrifield	E	Solano	E
Benefield	Y		Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y		Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y		Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y		King S.	Y	Nikkel	E	Summers	Y
Curry	Y		Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y		Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y		Levy	Y	Pommer	Y	Todd	Y
Fischer	Y		Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y		Looper	E	Priola	Y	Vaad	Y
Gagliardi	Y		Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y		May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y		McCann	Y	Roberts	Y	Weissmann	Y
							Speaker	Y

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**STATE, VETERANS, & MILITARY AFFAIRS**

After consideration on the merits, the Committee recommends the following:

HB10-1402 be referred favorably to the Committee on Appropriations.

HCR10-1004 be referred to the Committee of the Whole with favorable recommendation.

PRINTING REPORT

The Chief Clerk reports the following bill has been correctly printed:
HB10-1420.

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third reading and transmitted to the Revisor of Statutes: SB10-186.

SB10-054 amended as printed in Senate Journal, April 20, 2010, pages 946-947 and April 21, 2010.

SB10-039 amended as printed in Senate Journal, April 20, 2010, page 947.

SB10-126 amended as printed in Senate Journal, April 20, 2010, page 947.

SB10-128 amended as printed in Senate Journal, April 20, 2010, page 947.

SB10-141 amended as printed in Senate Journal, April 20, 2010, page 948.

SB10-187 amended as printed in Senate Journal, April 20, 2010, page 948.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1328 amended as printed in Senate Journal, April 19, 2010, pages 929-930 and April 21, 2010.

The Senate has passed on Third Reading and returns herewith:
HB10-1242.

The Senate voted to concur in House amendments to SB10-177 and repassed the bill as amended.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, SB10-186.
Without comment, as amended, HB10-1328.
Without comment, as amended, SB10-054, 039, 126, 128, 141, and 187.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 20th day of April, 2010, at 2:55 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

April 20, 2010

To the Honorable House of Representatives
Sixty-seventh General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB10-1004 CONCERNING STANDARDIZATION OF HEALTH INSURANCE INFORMATION PROVIDED TO CONSUMERS.

Approved April 20, 2010 at 12:54 p.m.

HB10-1138 CONCERNING THE PROGRAM TO REPAY EDUCATIONAL LOANS OF HEALTH CARE PROFESSIONALS.

Approved April 20, 2010 at 12:55 p.m.

HB10-1166 CONCERNING THE USE OF PLAIN LANGUAGE IN INSURANCE POLICIES.

Approved April 20, 2010 at 12:56 p.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

INTRODUCTION OF BILLS
First Reading

The following bills were read by title and referred to the committees indicated:

SB10-039 by Senator(s) Carroll M., Heath, Hudak, Shaffer B., Tochtrop, Williams; also Representative(s) Gagliardi, Fischer, Kefalas--Concerning scholarships for job training, and making an appropriation therefor.
Committee on Education

SB10-054 by Senator(s) Hudak, Steadman; also Representative(s) Levy--Concerning the provision of educational services for juveniles against whom charges have been filed in district court, and making an appropriation therefor.
Committee on Judiciary

SB10-126 by Senator(s) Carroll M.; also Representative(s) Tyler--Concerning increased transparency reporting requirements for certain pharmaceutical manufacturers.
Committee on Health and Human Services

SB10-128 by Senator(s) Hudak, Newell, Carroll M., Steadman; also Representative(s) Rice--Concerning invasion of privacy, and making an appropriation in connection therewith.
Committee on Judiciary

SB10-141 by Senator(s) King K.; also Representative(s) Lambert--Concerning the transfer of responsibility for the regulation of games of chance from the secretary of state to the department of revenue in accordance with House Concurrent Resolution 09-1003, and making an appropriation therefor.
Committee on Finance

SB10-186 by Senator(s) Tochtrop, Carroll M., Mitchell, Schultheis; also Representative(s) Primavera, Kerr J., McNulty, Miklosi--Concerning state warrants for tax refunds that are not presented for payment within six months from the date of issuance.
Committee on Finance

SB10-187 by Senator(s) Tochtrop; also Representative(s) Riesberg--Concerning workers' compensation.
Committee on Business Affairs and Labor

SB10-189 by Senator(s) Steadman, Boyd, Carroll M., Heath, Romer, Tochtrop; also Representative(s) Weissmann, Levy, Riesberg--Concerning authorization for government agencies to approve clean syringe exchange programs to reduce the spread of blood-borne disease.
Committee on Health and Human Services

LAY OVER OF CALENDAR ITEM(S)

1
2
3 On motion of Representative Weissmann, the following item(s) on the
4 Calendar (was)were laid over until April 22, retaining place on Calendar:
5
6 Consideration of Third Reading--**HB10-1393**.
7 Consideration of Conference Committee Report(s)--**HB10-1099**.
8 Consideration of Resolution(s)---**HJR10-1020, 1021, SJR10-025,**
9 **HJR10-1023, 1019, 1024, 1025**.
10 Consideration of Senate Amendment(s)--**HB10-1188, HJR10-1015,**
11 **HB10-1118, 1133, 1147, 1149**.

12
13
14
15 On motion of Representative Weissmann, the House adjourned until
16 9:00 a.m., April 22, 2010.

17
18 Approved:
19 TERRANCE D. CARROLL,
20 Speaker

21 Attest:
22 MARILYN EDDINS,
23 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundredth Legislative Day

Thursday, April 22, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Turin Priola, Aurora Options, and
 6 Bremma Priola.

7

8 The roll was called with the following result:

9

10 Present--56.

11 Excused--Representative(s) DelGrosso, Frangas, Murray,
 12 Pommer, Stephens, Summers, Swalm, Tipton, Vaad--9.

13 Present after roll call--Representative(s) DelGrosso, Murray,
 14 Pommer, Stephens, Summers, Swalm.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Miklosi, the reading of the journal of
 20 April 21, 2010, was declared dispensed with and approved as corrected
 21 by the Chief Clerk.

22

23

24

25

CONSIDERATION OF MEMORIAL

26

27 **HM10-1005** by Representative(s) Stephens, Balmer, Gardner C., May--
 28 Memorializing former Representative Blanche
 29 Cowperthwaite.

30

31 (Printed and placed in members' file)

32

33 On motion of Representative Stephens, the memorial was read at length.

34

35 On motion of Representative Stephens, the memorial was **adopted** by the
 36 following roll call vote:

37

	YES	62	NO	0	EXCUSED	3	ABSENT	0
39	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
40	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
41	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
42	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
43	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y

1	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
2	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
3	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
4	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
5	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
6	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
7	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
8	Frangas	E	Looper	Y	Priola	Y	Vaad	E
9	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
10	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
11	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
12							Speaker	Y

13 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
 14 Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
 15 Ferrandino, Fischer, Gagliardi, Gardner B., Gerou, Hullinghorst, Judd, Kagan,
 16 Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper,
 17 Massey, McCann, McFadyen, McKinley, McNulty, Merrifield, Middleton,
 18 Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice,
 19 Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper,
 20 Summers, Swalm, Todd, Tyler, Vigil, Waller, Weissmann, Speaker.

21
 22 Representative Balmer introduced members of the family that were
 23 present.

24
 25 House in recess. House reconvened.

26 27 28 MESSAGE(S) FROM THE SENATE

29
 30 The Senate has adopted and transmits herewith:

31
 32 SJR10-032 amended as printed in Senate Journal, April 22, 2010.

33 34 35 INTRODUCTION AND CONSIDERATION OF RESOLUTION

36
 37 On motion of Representative Weissmann, the rules were suspended and
 38 the following resolution was given immediate consideration.

39
 40 **SJR10-032** by Senator(s) Williams, Gibbs, Heath, Hodge, Morse,
 41 Schwartz, Whitehead; also Representative(s) Todd,
 42 Fischer, Kerr A., Levy, Miklosi, Ryden, Solano, Tyler--
 43 Concerning the acknowledgment of April 22, 2010, as
 44 Earth Day.

45
 46 (Printed and placed in member's file).

47
 48 On motion of Representative Todd, the resolution was read at length and
 49 **adopted by viva voce** vote.

50
 51 Co-sponsor(s) added: Representative(s) Acree, Apuan, Benefield, Bradford,
 52 Court, Curry, Ferrandino, Gagliardi, Gardner B., Gerou, Hullinghorst, Judd,
 53 Kagan, Kefalas, King S., Labuda, Liston, Massey, May, McCann, McFadyen,
 54 McKinley, Merrifield, Middleton, Murray, Pace, Peniston, Primavera, Priola,
 55 Rice, Riesberg, Roberts, Scanlan, Schafer S., Soper, Stephens, Vigil, Waller,
 56 Weissmann, Speaker.

THIRD READING OF BILL(S)--FINAL PASSAGE

The following bill(s) was(were) considered on Third Reading. The title(s) was(were) publicly read. Reading of the bill at length was dispensed with by unanimous consent.

HB10-1022 by Representative(s) Summers and Gagliardi, Kagan, Kefalas; also Senator(s) Boyd, Hudak--Concerning the administration of the supplemental nutrition assistance program.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	52	NO	10	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
Court	Y	King S.	Y	Nikkel	N	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	E
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	E	Looper	Y	Priola	Y	Vaad	E
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Apuan, Fischer, Gerou, Labuda, Looper, Peniston, Riesberg, Ryden, Schafer S., Todd.

HB10-1032 by Representative(s) Frangas, Apuan, Massey; also Senator(s) Boyd, Foster, Schwartz--Concerning behavioral health crisis response services.

Laid over until April 23, retaining place on Calendar.

HB10-1146 by Representative(s) Hullinghorst, Gagliardi, Kefalas, Kerr J., Labuda, Miklosi, Pommer, Primavera; also Senator(s) Tochtrop, Newell, Steadman, Tapia--Concerning certain state-funded, community-based, long-term care assistance provided to recipients of certain public benefit programs, and making an appropriation therefor.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

	YES	62	NO	0	EXCUSED	3	ABSENT	0
1	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
4	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
6	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
8	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
9	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
10	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
11	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	E	Looper	Y	Priola	Y	Vaad	E
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
16	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
17							Speaker	Y

18
19 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Gerou, Merrifield,
20 Ryden, Schafer S., Soper, Todd, Vigil.

21
22 **HB10-1172** by Representative(s) Bradford, Nikkel, Sonnenberg,
23 Tipton; also Senator(s) Cadman--Concerning the
24 registration of mobile machinery in order to pay specific
25 ownership tax, and making an appropriation therefor.

26
27 The question being "Shall the bill pass?".

28 A roll call vote was taken. As shown by the following recorded vote, a
29 majority of those elected to the House voted in the affirmative and the bill
30 was declared **passed**.

	YES	59	NO	3	EXCUSED	3	ABSENT	0
31	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
32	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
33	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
34	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
35	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
36	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
37	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
38	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
39	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
40	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
41	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
42	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
43	Frangas	E	Looper	Y	Priola	Y	Vaad	E
44	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
45	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
46	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
47							Speaker	Y

48
49
50 Co-sponsor(s) added: Representative(s) King S., Liston, McFadyen, Murray,
51 Priola, Todd.

52
53 **HB10-1264** by Representative(s) Priola; also Senator(s) Heath--
54 Concerning the establishment of an incentive process
55 whereby state employees can submit suggestions for state
56 agency improvements that result in cost savings.

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	62	NO	0	EXCUSED	3	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	E	Looper	Y	Priola	Y	Vaad	E
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Acree, Apuan, Casso, DelGrosso,
 25 Gerou, Kefalas, Kerr J., Labuda, Lambert, Liston, Looper, Massey, Primavera,
 26 Rice, Summers, Todd.

27
 28 **HB10-1268** by Representative(s) King S.; also Senator(s) Harvey--
 29 Concerning establishment of a two-year registration for
 30 vehicles.

31
 32 The question being "Shall the bill pass?".
 33 A roll call vote was taken. As shown by the following recorded vote, a
 34 majority of those elected to the House voted in the affirmative and the bill
 35 was declared **passed**.

	YES	56	NO	6	EXCUSED	3	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
39	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	Y
42	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
44	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
45	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
47	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
48	Fischer	N	Liston	Y	Primavera	Y	Tyler	Y
49	Frangas	E	Looper	Y	Priola	Y	Vaad	E
50	Gagliardi	N	Massey	Y	Rice	Y	Vigil	Y
51	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
52	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
53							Speaker	N

54 Co-sponsor(s) added: Representative(s) Bradford, Gerou, Kerr J., Lambert,
 55 Liston, Looper, McFadyen, McKinley, Murray, Roberts, Schafer S., Stephens,
 56 Todd, Waller.

1 **HB10-1284** by Representative(s) Massey and Summers, McCann,
 2 Rice; also Senator(s) Romer and Spence--Concerning
 3 regulation of medical marijuana, and making an
 4 appropriation therefor.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	39	NO	23	EXCUSED	3	ABSENT	0
12	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	N	McKinley	Y	Scanlan	Y
14	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
15	Baumgardner	N	Kagan	Y	Merrifield	N	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	N	Sonnenberg	Y
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
19	Court	Y	King S.	N	Nikkel	N	Summers	Y
20	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
21	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	E
22	Ferrandino	N	Levy	N	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	Y	Primavera	N	Tyler	N
24	Frangas	E	Looper	N	Priola	Y	Vaad	E
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	N
26	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
27	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	N
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Labuda, Todd.

30
 31
 32 **HB10-1394** by Representative(s) Rice; also Senator(s) Scheffel--
 33 Concerning commercial liability insurance policies issued
 34 to construction professionals.

35
 36 The question being "Shall the bill pass?".
 37 A roll call vote was taken. As shown by the following recorded vote, a
 38 majority of those elected to the House voted in the affirmative and the bill
 39 was declared **passed**.

	YES	61	NO	0	EXCUSED	4	ABSENT	0
42	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
43	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
44	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
45	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
46	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
47	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
48	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	E
49	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
50	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
51	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
52	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
53	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
54	Frangas	E	Looper	Y	Priola	Y	Vaad	E
55	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
56	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y

1 Gardner C. Y McCann Y Roberts Y Weissmann Y
 2 Speaker Y
 3 Co-sponsor(s) added: Representative(s) Fischer, Gerou, Labuda, Swalm,
 4 Speaker.

5
 6 **HB10-1287** by Representative(s) Lambert, Acree, Baumgardner,
 7 Bradford, DelGrosso, Ferrandino, Gardner C., Gerou, Kerr
 8 J., Looper, May, McNulty, Murray, Nikkel, Pommer,
 9 Priola, Sonnenberg, Stephens, Summers, Tipton; also
 10 Senator(s) Cadman, Renfroe, Harvey, Mitchell, Keller,
 11 King K., Kopp, Lundberg, Schultheis, Spence, Tapia,
 12 White--Concerning the use of a state-owned motor vehicle
 13 for commuting purposes.

14
 15 The question being "Shall the bill pass?".
 16 A roll call vote was taken. As shown by the following recorded vote, a
 17 majority of those elected to the House voted in the affirmative and the bill
 18 was declared **passed**.

	YES	59	NO	2	EXCUSED	4	ABSENT	0
21	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
22	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
23	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
24	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
25	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
26	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
27	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	E
28	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
29	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
30	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
31	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
32	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
33	Frangas	E	Looper	Y	Priola	Y	Vaad	E
34	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
35	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
36	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
37							Speaker	Y

38 Co-sponsor(s) added: Representative(s) Court, Hullinghorst, Kagan, Labuda,
 39 Massey, McFadyen, Todd.

40
 41 **HB10-1338** by Representative(s) McCann; also Senator(s) Steadman--
 42 Concerning the eligibility for probation of a person who
 43 has two or more felony convictions, and making
 44 appropriations in connection therewith.

45
 46 The question being "Shall the bill pass?".
 47 A roll call vote was taken. As shown by the following recorded vote, a
 48 majority of those elected to the House voted in the affirmative and the bill
 49 was declared **passed**.

	YES	54	NO	7	EXCUSED	4	ABSENT	0
52	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
53	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
54	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
55	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
56	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N

1	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
2	Casso	N	Kerr J.	Y	Murray	Y	Stephens	E
3	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
4	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
5	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	E
6	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
7	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
8	Frangas	E	Looper	Y	Priola	Y	Vaad	E
9	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
10	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
11	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
12							Speaker	Y

13 Co-sponsor(s) added: Representative(s) Court, Kagan, Labuda, Levy, Nikkel,
14 Pace, Pommer, Ryden, Schafer S., Todd, Speaker.

15
16 **HB10-1364** by Representative(s) Ryden; also Senator(s) Hudak--
17 Concerning the sex offender management board, and, in
18 connection therewith, continuing the sex offender
19 management board, and making an appropriation.

20
21 The question being "Shall the bill pass?".

22 A roll call vote was taken. As shown by the following recorded vote, a
23 majority of those elected to the House voted in the affirmative and the bill
24 was declared **passed**.

25	YES	61	NO	0	EXCUSED	4	ABSENT	0
26								
27	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
28	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
29	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
30	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
31	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
32	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
33	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	E
34	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
35	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
36	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
37	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
38	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
39	Frangas	E	Looper	Y	Priola	Y	Vaad	E
40	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
41	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
42	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
43							Speaker	Y

44 Co-sponsor(s) added: Representative(s) Court, Kagan, Labuda, Levy, Miklosi,
45 Schafer S., Todd.

46
47 **HB10-1370** by Representative(s) Court, Apuan, Carroll T., Casso,
48 Curry, Ferrandino, Fischer, Frangas, Gagliardi,
49 Hullinghorst, Kagan, Kerr A., King S., Labuda, Levy,
50 Looper, Massey, McCann, McFadyen, Merrifield,
51 Middleton, Miklosi, Murray, Pace, Peniston, Pommer,
52 Primavera, Rice, Roberts, Ryden, Scanlan, Schafer S.,
53 Solano, Soper, Todd, Tyler, Vaad, Vigil, Weissmann; also
54 Senator(s) Steadman--Concerning certain disclosure
55 requirements that apply to statewide ballot measures.
56

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	51	NO	10	EXCUSED	4	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	N	Murray	Y	Stephens	E
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
16	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	E
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	E	Looper	Y	Priola	Y	Vaad	E
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
22	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Riesberg.

25
 26 **HB10-1398** by Representative(s) Fischer; also Senator(s) Whitehead--
 27 Concerning the species conservation trust fund, and, in
 28 connection therewith, approving the species conservation
 29 eligibility list.

30
 31 The question being "Shall the bill pass?".
 32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative and the bill
 34 was declared **passed**.

	YES	61	NO	0	EXCUSED	4	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
39	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
42	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	E
44	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
45	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
47	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
48	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
49	Frangas	E	Looper	Y	Priola	Y	Vaad	E
50	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
51	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
52	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Gagliardi, Gerou, Hullinghorst,
 55 Kefalas, Pace, Primavera, Sonnenberg, Vigil.

**CONSIDERATION OF SENATE AMENDMENTS
TO HOUSE JOINT RESOLUTION**

HJR10-1015 by Representative(s) Roberts, Tipton; also Senator(s) Whitehead--Concerning the removal of FCC broadcasting restrictions to allow access to Denver television stations in southwestern Colorado.

(Amended as printed in Senate Journal, April 13, pages 860-861.)

Representative Roberts moved that the House **not concur** in Senate amendments and that a Conference Committee be appointed. The motion was declared **passed** by the following roll call vote:

YES	60	NO	1	EXCUSED	4	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	E
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	E	Looper	Y	Priola	Y	Vaad	E
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
						Speaker	Y

The Speaker appointed Representatives Roberts, Chairman, Labuda and Ryden as House conferees to the bill.

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

BUSINESS AFFAIRS & LABOR

After consideration on the merits, the Committee recommends the following:

HB10-1410 be referred favorably to the Committee on Finance.

FINANCE

After consideration on the merits, the Committee recommends the following:

HB10-1200 be referred to the Committee of the Whole with favorable recommendation.

1 **HB10-1350** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, strike everything below the enacting clause and
6 substitute:
7

8 "SECTION 1. 24-46-104 (2), Colorado Revised Statutes, is
9 amended, and the said 24-46-104 is further amended BY THE
10 ADDITION OF A NEW SUBSECTION, to read:
11

12 **24-46-104. Powers and duties of commission - repeal.** (2) The
13 commission shall report to the general assembly no later than February 1
14 of each year regarding the work of the commission. The report shall
15 include, but shall not be limited to, the information required to be
16 collected by the commission pursuant to section 24-46-105.1. IN
17 ADDITION, THE REPORT SHALL INCLUDE THE NUMBER OF PEOPLE
18 EMPLOYED AS A RESULT OF ANY PROJECT, ALONG WITH THE AVERAGE AND
19 MEDIAN SALARIES OF ANY PEOPLE EMPLOYED AS A RESULT OF ANY
20 PROJECT.
21

22 (3) (a) FOR THE 2011 REGULAR SESSION OF THE GENERAL
23 ASSEMBLY ONLY, THE COMMISSION SHALL REPORT TO THE FINANCE
24 COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES NO
25 LATER THAN THE FIFTH DAY OF THE REGULAR SESSION. THE REPORT
26 SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, A COMPREHENSIVE PLAN
27 DETAILING HOW THE STATE CAN IMPLEMENT A PROGRAM FOR TRACKING
28 THE SUCCESS OF EVERY GRANT, LOAN, OR TAX CREDIT PROGRAM INTENDED
29 TO GENERATE JOBS. THE PLAN SHALL INCLUDE A MEANS OF DETERMINING
30 A METHOD FOR IDENTIFYING ON AN ANNUAL BASIS THE NUMBER OF JOBS
31 CREATED AS A RESULT OF EACH GRANT, LOAN, OR TAX CREDIT.
32

33 (b) FOR THE PURPOSES OF THE REPORT REQUIRED BY PARAGRAPH
34 (a) OF THIS SUBSECTION (3), THE FINANCE COMMITTEES OF THE SENATE
35 AND THE HOUSE OF REPRESENTATIVES MAY CONDUCT A JOINT HEARING.
36

37 (c) THIS SUBPARAGRAPH (3) IS REPEALED, EFFECTIVE JULY 1, 2011.
38

39 **SECTION 2. Safety clause.** The general assembly hereby finds,
40 determines, and declares that this act is necessary for the immediate
41 preservation of the public peace, health, and safety."
42
43
44

45 **HB10-1366** be amended as follows, and as so amended, be referred to
46 the Committee on Appropriations with favorable
47 recommendation:
48

49 Amend the State, Veterans, & Military Affairs Committee Report, dated
50 April 6, 2010, page 1, line 8, strike "C.R.S." and substitute "C.R.S.;
51 EXCEPT THAT THE OFFENDER MAY CIRCULATE PETITIONS UPON RECEIVING
52 WRITTEN PERMISSION FROM THE BOARD."."
53

54 Page 1 of the report, line 14, strike "C.R.S." and substitute "C.R.S.;
55 EXCEPT THAT THE OFFENDER MAY CIRCULATE PETITIONS UPON RECEIVING
56 WRITTEN PERMISSION FROM THE BOARD."."
57

1 Page 2 of the report, line 2, strike "C.R.S." and substitute "C.R.S.;
2 EXCEPT THAT THE DEFENDANT MAY CIRCULATE PETITIONS UPON
3 RECEIVING WRITTEN PERMISSION FROM THE COURT OR FROM THE
4 APPROPRIATE PROBATION OFFICER.".

5
6 Page 2 of the report, after line 2, insert:

7
8 "Page 1 of printed bill, line 104, strike "CIRCULATOR." and substitute
9 "CIRCULATOR UNLESS THE PERSON RECEIVES WRITTEN PERMISSION
10 FROM THE APPROPRIATE SUPERVISORY ENTITY PRIOR TO CIRCULATING
11 ANY PETITION.".

12
13 **FIRST MAJORITY REPORT OF FIRST CONFERENCE COMMITTEE**
14 **on HB10-1021**

15
16 This Report Amends the Reengrossed Bill.

17
18 To the President of the Senate and the
19 Speaker of the House of Representatives:

20
21 Your first conference committee appointed on HB10-1021,
22 concerning required coverages for reproductive services for health
23 insurance policies, has met, and a majority thereof reports that it has
24 agreed upon the following:

25 1. That the Senate recede from its amendments made to the bill,
26 as the amendments appear in the rerevised bill, and that the following
27 amendment be substituted therefor:

28
29 Amend reengrossed bill, page 2, line 9, strike "AND".

30
31 Page 2, line 11, strike "ARTICLE" and substitute "ARTICLE, AND ALL
32 INDIVIDUAL HEALTH CARE OR INDEMNITY CONTRACTS ISSUED BY AN
33 ENTITY SUBJECT TO PART 3 OR 4 OF THIS ARTICLE, EXCEPT SUPPLEMENTAL
34 POLICIES COVERING A SPECIFIED DISEASE OR OTHER LIMITED BENEFIT,".

35
36 2. That, under the authority granted the committee to consider
37 matters not at issue between the two houses, the following amendments
38 be recommended:

39
40 Amend reengrossed bill, page 2, line 15, strike "Policies" and substitute
41 "INDIVIDUAL SICKNESS AND ACCIDENT INSURANCE POLICIES OR
42 CONTRACTS MAY EXCLUDE COVERAGE FOR PREGNANCY AND DELIVERY
43 EXPENSES ON THE GROUNDS THAT PREGNANCY WAS A PREEXISTING
44 CONDITION. THE EXCLUSION FOR THE PREGNANCY AS A PREEXISTING
45 CONDITION UNDER THE POLICY OR CONTRACT SHALL NOT APPLY FOR ANY
46 SUBSEQUENT PREGNANCIES. GROUP SICKNESS AND ACCIDENT INSURANCE
47 policies".

48
49 Page 3, line 4, after "to" insert "group and".

50
51 Respectfully submitted,

52 House Committee:
53 (signed)
54 K. Jerry Frangas
55 Elizabeth H. McCann

Senate Committee:
(signed)
Joyce Foster
Betty Boyd

56

**FIRST MINORITY REPORT OF FIRST CONFERENCE COMMITTEE
on HB10-1021**

This Report Amends the Reengrossed Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB10-1021, concerning required coverages for reproductive services for health insurance policies, has met, and a minority thereof reports that it has agreed upon the following:

That the Senate recede from its amendments made to the bill, as the amendments appear in the rerevised bill, and that the following amendments be substituted therefor:

Amend reengrossed bill, page 2, line 9, strike "AND".

Page 2, strike lines 10 and 11 and substitute "shall insure against the".

Page 2, strike line 13 and substitute "maternity care ~~therefor~~ in".

Page 2, line 17, after the period add "AN ENTITY THAT OFFERS INDIVIDUAL SICKNESS AND ACCIDENT INSURANCE SUBJECT TO PART 2 OF THIS ARTICLE, AND AN ENTITY THAT ISSUES INDIVIDUAL HEALTH CARE OR INDEMNITY CONTRACTS AND THAT IS SUBJECT TO PART 3 OR 4 OF THIS ARTICLE, EXCEPT SUPPLEMENTAL POLICIES COVERING A SPECIFIED DISEASE OR OTHER LIMITED BENEFIT, SHALL OFFER A POLICY OR CONTRACT THAT INCLUDES COVERAGE FOR MATERNITY CARE IN THE SAME MANNER AS ANY OTHER SICKNESS, INJURY, DISEASE, OR CONDITION THAT IS COVERED IN THE POLICY.".

Respectfully submitted,

House Committee:

(signed)

Spencer Swalm

Senate Committee:

(signed)

Mark Sheffel

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The Speaker has signed: SB10-098, 166, 172 and 176.

MESSAGE(S) FROM THE SENATE

The Senate has adopted the First Majority Report of the First Conference on HB10-1021, as printed in Senate Journal, April 20, 2010, page 955, and repassed the bill as amended .

The bill is returned herewith.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 22nd day of April, 2010, at 9:20 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

April 21, 2010

To the Honorable House of Representatives
Sixty-seventh General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB10-1058 CONCERNING THE AUTHORITY OF THE DEPARTMENT OF REVENUE TO IMPOSE A CIVIL PENALTY FOR UNSTAMPED CIGARETTES, AND MAKING AN APPROPRIATION THEREFOR.

Approved April 21, 2010 at 2:29 p.m.

HB10-1062 CONCERNING THE ABILITY TO ALLOW A COUNTY TO PURCHASE CRIME INSURANCE COVERAGE IN LIEU OF SURETY BONDS.

Approved April 21, 2010 at 2:32 p.m.

HB10-1083 CONCERNING THE AUTHORITY OF THE STATE TO ENTER INTO LEASE-PURCHASE AGREEMENTS FOR A DAY SURGERY CENTER.

Approved April 21, 2010 at 2:30 p.m.

HB10-1236 CONCERNING THE CONTINUATION OF THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS BY THE STATE BOARD OF ACCOUNTANCY.

Approved April 21, 2010 at 2:17 p.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until April 23, retaining place on Calendar:

Consideration of Third Reading--**HB10-1393.**

Consideration of General Orders--**HCR10-1002.**

Consideration of Conference Committee Report(s)--**HB10-1099.**

Consideration of Resolution(s)--**HJR10-1020, 1021, SJR10-025, HJR10-1023, 1019, 1024, 1025.**

Consideration of Senate Amendment(s)---**HB10-1188, 1118, 1133, 1147, 1149, 1328.**

On motion of Representative Weissmann, the House adjourned until 9:10 a.m., April 23, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-first Legislative Day

Friday, April 23, 2010

1 Prayer by the Reverend Father Zaven Markosyan, President of
2 Armenians of Colorado Inc., Denver.

3
4 The Speaker called the House to order at 9:10 a.m.

5
6 Pledge of Allegiance led by Molly, Colton, Ryland, Britton Lancaster,
7 Wilmer-Davis Elementary, Wheatridge, and Turnberry Elementary,
8 Commerce City.

9
10 The roll was called with the following result:

11
12 Present--62.

13 Excused--Representative(s) McKinley, Stephens, Vaad--3.

14 Present after Roll Call--Representative(s) Stephens.

15
16 The Speaker declared a quorum present.

17
18
19 On motion of Representative Miklosi, the reading of the journal of
20 April 22, 2010, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22
23
24
25
26 **MESSAGE(S) FROM THE SENATE**

27
28 The Senate has adopted and transmits herewith: SJR10-036.

29
30
31
32 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

33
34 On motion of Representative Weissmann, the rules were suspended and
35 the following resolution was given immediate consideration.

36
37 **SJR10-036** by Senator(s) Morse; also Representative(s) King S.--
38 Concerning declaring the week of May 9-15, 2010, as
39 Police Week and May 15, 2010, as Peace Officers
40 Memorial Day.

41
42 (Printed and placed in member's file).

43

1 On motion of Representative King, the resolution was read at length and
2 **adopted by viva voce** vote.
3

4 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
5 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
6 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou,
7 Hulinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lambert, Levy,
8 Liston, Looper, Massey, May, McCann, McFadyen, McNulty, Merrifield,
9 Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera,
10 Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
11 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vigil,
12 Waller, Weissmann, Speaker.
13

14
15 House in recess. House reconvened.
16

17
18
19 **MESSAGE(S) FROM THE SENATE**
20

21 The Senate has adopted and transmits herewith: SJR10-038.
22
23

24
25 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**
26

27 On motion of Representative Weissmann, the rules were suspended and
28 the following resolution was given immediate consideration.
29

30 **SJR10-038** by Senator(s) Tochtrop; also Representative(s) Ryden--
31 Concerning remembrance of the Armenian Genocide on
32 April 24, 2010, and, in connection therewith, designating
33 every April 24 hereafter as "Colorado Day of
34 Remembrance of the Armenian Genocide".
35

36 (Printed and placed in member's file).
37

38 On motion of Representative Ryden the resolution was read at length and
39 **adopted by viva voce** vote.
40

41 Co-sponsor(s) added: Representative(s) Acree, Apuan, Balmer, Baumgardner,
42 Benefield, Bradford, Casso, Court, Curry, DelGrosso, Ferrandino, Fischer,
43 Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Hulinghorst, Kagan,
44 Kefalas, Kerr A., Kerr J., King S., Lambert, Levy, Looper, Massey, May,
45 McCann, McFadyen, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel,
46 Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Scanlan,
47 Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton,
48 Todd, Tyler, Vigil, Waller, Weissmann, Speaker.
49

50
51
52 House in recess. House reconvened.
53
54
55
56

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR10-037.

The Senate has adopted the First Report of the First Conference on HB10-1369, as printed in Senate Journal, April 20, 2010, pages 941-942 and repassed the bill as amended. The bill is returned herewith.

THIRD READING OF BILL(S)--FINAL PASSAGE

The following bill(s) was(were) considered on Third Reading. The title(s) was(were) publicly read. Reading of the bill at length was dispensed with by unanimous consent.

HB10-1393 by Representative(s) Nikkel; also Senator(s) Kopp-- Concerning the information included in the web-based system that provides the public access to state financial information.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y	
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y	
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y	
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y	
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y	
Court	Y	King S.	Y	Nikkel	Y	Summers	Y	
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y	
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y	
Frangas	Y	Looper	Y	Priola	Y	Vaad	E	
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y	
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y	
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y	
						Speaker	Y	

Co-sponsor(s) added: Representative(s) Acree, Balmer, Bradford, Frangas, Gardner C., Gerou, Kefalas, Kerr J., Looper, Massey, Middleton, Priola, Roberts, Stephens, Summers.

1 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

2
3 On motion of Representative Weissmann, the rules were suspended and
4 the following resolution was given immediate consideration.

5
6 **SJR10-037** by Senator(s) Gibbs, Schwartz, Kester, Kopp, Penry,
7 Johnston, Spence, Keller, Cadman, Brophy, Harvey,
8 Heath, Hodge, Lundberg, Mitchell, Newell, Sandoval,
9 Scheffel, Tapia, Tochtrop, White, Whitehead; also
10 Representative(s) Scanlan--Concerning the designation of
11 April 23, 2010, as "Colorado Forest Products Day", and,
12 in connection therewith, recognizing the economic and
13 environmental importance of Colorado's forests.

14
15 (Printed and placed in member's file).

16
17 On motion of Representative Scanlan, the resolution was **adopted by viva**
18 **voce** vote.

19
20 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
21 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
22 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou,
23 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
24 Levy, Liston, Looper, Massey, May, McCann, McFadyen, McNulty, Merrifield,
25 Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera,
26 Priola, Rice, Riesberg, Roberts, Ryden, Schafer S., Solano, Sonnenberg, Soper,
27 Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vigil, Waller, Weissmann,
28 Speaker.

29
30
31
32 On motion of Representative Soper, the House resolved itself into
33 Committee of the Whole for consideration of General Orders, and he was
34 called to the Chair to act as Chairman.

35
36
37 **GENERAL ORDERS--SECOND READING OF BILLS**

38
39 The Committee of the Whole having risen, the Chairman reported the
40 titles of the following bills had been read (reading at length had been
41 dispensed with by unanimous consent), the bills considered and action
42 taken thereon as follows:

43
44 (Amendments to the committee amendment are to the printed committee
45 report which was printed and placed in the members' bill file.)

46
47 On motion of Representative Weissmann the following bills were laid
48 over until April 26, 2010: **HCR10-1002, SB10-114, 162, HB10-1390,**
49 **HCR10-1004.**

50
51 On motion of Representative Weissmann the following bill was laid over
52 until April 28, 2010: **HB10-1391**

53
54 **HB10-1373** by Representative(s) Carroll T.; also Senator(s) Hudak--
55 Concerning changes to sentencing provisions for escape
56 crimes.

1 Amendment No. 1, Judiciary Report, dated April 15, 2010, and placed in
2 member's bill file; Report also printed in House Journal, April 16,
3 pages 1303-1304.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **SB10-159** by Senator(s) Foster; also Representative(s) Miklosi--
9 Concerning defendant's statements at a community
10 corrections hearing.

11
12 Amendment No. 1, Judiciary Report, dated April 15, 2010, and placed in
13 member's bill file; Report also printed in House Journal, April 16,
14 pages 1304-1305.

15
16 As amended, ordered revised and placed on the Calendar for Third
17 Reading and Final Passage.

18
19 **HB10-1181** by Representative(s) Todd; also Senator(s) Bacon--
20 Concerning adjustments to the administration of the
21 department of personnel.

22
23 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
24 February 16, 2010, and placed in member's bill file; Report also printed
25 in House Journal, February 17, page 399.

26
27 Amendment No. 2, Appropriations Report, dated April 16, 2010, and
28 placed in member's bill file; Report also printed in House Journal,
29 April 19, pages 1321-1324.

30
31 Amendment No. 3, by Representative(s) McFadyen.

32
33 Amend the Appropriations Committee Report, dated April 16, 2010, page
34 2, line 26, strike "SERVICES, PROVIDED THAT".

35
36 Page 2 of the report, strike lines 27 and 28 and substitute: "SERVICES.
37 WHEN A HIGHER EDUCATION INSTITUTION INTENDS TO PURCHASE A
38 SERVICE PROVIDED BY THE DEPARTMENT, THE INSTITUTION WILL INCLUDE
39 THE DEPARTMENT ON ANY INQUIRY, REQUEST, SOLICITATION, OR LIST OF
40 QUALIFIED BIDDERS FOR THE SERVICE. WHENEVER PRACTICABLE, THE
41 INSTITUTION OF HIGHER EDUCATION WILL SEEK PARTNERSHIP WITH THE
42 DEPARTMENT FOR THE PURPOSE OF PROCURING SERVICES AT A COST
43 SAVING TO THE INSTITUTION AND THE STATE."

44
45 As amended, ordered engrossed and placed on the Calendar for Third
46 Reading and Final Passage.

47
48
49 **HB10-1400** by Representative(s) Apuan, Ferrandino; also Senator(s)
50 Johnston, Steadman--Concerning refund anticipation loan
51 facilitators, and, in connection therewith, requiring refund
52 anticipation loan facilitators to be registered as electronic
53 return originators with the federal internal revenue service
54 and to make certain disclosures when facilitating refund
55 anticipation loans.

56

1 Amendment No. 1, Business Affairs & Labor Report, dated
2 April 14, 2010, and placed in member's bill file; Report also printed in
3 House Journal, April 15, pages 1249-1250.

4
5 Amendment No. 2, by Representative(s) Apuan.

6
7 Amend the Business Affairs and Labor Committee report, dated April 14,
8 2010, page 1, after line 4 insert:

9
10 "Page 3 of the bill, strike line 27 and substitute:

11
12 "(II) PRACTICING AS A CERTIFIED PUBLIC ACCOUNTANT LICENSED
13 UNDER ARTICLE 2 OF".

14
15 Page 1 of the report, line 15, strike "MAKING, FACILITATING,." and
16 substitute "FACILITATING".

17
18 As amended, ordered engrossed and placed on the Calendar for Third
19 Reading and Final Passage.

20
21 **HB10-1019** by Representative(s) Frangas, Fischer, McFadyen,
22 Merrifield, Primavera, Tyler; also Senator(s) Williams,
23 Gibbs, Romer--Concerning parking privileges for people
24 with disabilities.

25
26 Amendment No. 1, Transportation & Energy Report, dated
27 February 23, 2010, and placed in member's bill file; Report also printed
28 in House Journal, February 24, pages 522-536.

29
30 Amendment No. 2, Appropriations Report, dated April 16, 2010, and
31 placed in member's bill file; Report also printed in House Journal,
32 April 16, pages 1285-1287.

33
34 As amended, ordered engrossed and placed on the Calendar for Third
35 Reading and Final Passage.

36
37 **HB10-1103** by Representative(s) Todd; also Senator(s) Steadman--
38 Concerning the creation of the relief fund for children with
39 a catastrophic medical condition.

40
41 Amendment No. 1, Health & Human Services Report, dated
42 February 25, 2010, and placed in member's bill file; Report also printed
43 in House Journal, February 26, page 578.

44
45 Amendment No. 2, Finance Report, dated March 10, 2010, and placed in
46 member's bill file; Report also printed in House Journal, March 12,
47 pages 775-776.

48
49 Amendment No. 3, Appropriations Report, dated April 16, 2010, and
50 placed in member's bill file; Report also printed in House Journal,
51 April 16, page 1288.

52
53 As amended, ordered engrossed and placed on the Calendar for Third
54 Reading and Final Passage.

55 (For change in action, see Amendments to Report, page 1394.)

56

1 **HB10-1152** by Representative(s)Frangas; also Senator Shaffer--
2 Concerning the civil rights of persons with disabilities.
3

4 Amendment No. 1, Judiciary Report, dated February 18, 2010, and placed
5 in member's bill file; Report also printed in House Journal, February 19,
6 pages 455-474.
7

8 Amendment No. 2, Appropriations Report, dated April 16, 2010, and
9 placed in member's bill file; Report also printed in House Journal,
10 April 16, page 1291.
11

12 As amended, ordered engrossed and placed on the Calendar for Third
13 Reading and Final Passage.

14 (For change in action, see Amendments to Report, page 1394.)
15
16

17 **HB10-1349** by Representative(s) Fischer and Pace; also Senator(s)
18 Schwartz and Tapia--Concerning the use of renewable
19 energy resources to supply the energy needs of state
20 government, and, in connection therewith, commissioning
21 the creation of a statewide map of available renewable
22 energy generation areas on state lands and establishing the
23 "Re-energize Colorado" program in the division of parks
24 and outdoor recreation in the department of natural
25 resources.
26

27 Amendment No. 1, Transportation & Energy Report, dated April 6, 2010,
28 and placed in member's bill file; Report also printed in House Journal,
29 April 7, pages 1131-1132.
30

31 Amendment No. 2, Appropriations Report, dated April 16, 2010, and
32 placed in member's bill file; Report also printed in House Journal,
33 April 16, page 1300.
34

35 As amended, ordered engrossed and placed on the Calendar for Third
36 Reading and Final Passage.
37
38

39 **SB10-153** by Senator(s) Boyd; also Representative(s) Frangas--
40 Concerning behavioral health transformation.
41

42 Amendment No. 1, by Representative(s) Frangas.
43

44 Amend the reengrossed bill, page 5, line 19, strike "LEADER;" and
45 substitute "LEADER, WITH PREFERENCE GIVEN TO MEMBERS FAMILIAR WITH
46 RECENT AUDIT ISSUES REGARDING BEHAVIORAL HEALTH SERVICES;"
47

48 Page 6, line 20, strike "ACCOUNTABILITY AND TO IMPROVE SERVICES;" and
49 substitute "ACCOUNTABILITY, IMPROVE SERVICES, AND INCREASE
50 RECOVERY, SELF-SUFFICIENCY, AND ECONOMIC OPPORTUNITY;"
51

52 Page 7, line 12, strike "AND".
53

54 Page 7, line 14, after "SYSTEM;" insert "AND"
55

(X) DEVELOPING A COMPREHENSIVE BEHAVIORAL HEALTH SERVICE SYSTEM THAT INCLUDES SERVICES TO PERSONS WITH MENTAL ILLNESS, ADDICTIONS, DISABILITIES, AND CO-OCCURRING ISSUES;".

As amended, ordered revised and placed on the Calendar for Third Reading and Final Passage.

AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT

Representative Levy moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in adopting HB10-1152, to show that **HB10-1152** was rereferred to the Judiciary Committee unamended.

The amendment was declared **passed** by the following roll call vote:

YES	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	E
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
						Speaker	Y

Representative Todd and J. Kerr moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting the following J. Kerr amendment, to HB10-1103, to show that said amendment passed, and that **HB10-1103**, as amended, passed.

Amend printed bill, page 8, line 15, strike "SECTION 10-16-102 (8)," and substitute "SECTIONS 10-16-102 (8) AND 24-50-603 (2),".

The amendment was declared **passed** by the following roll call vote:

YES	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y

1	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
2	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
3	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
4	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
5	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
6	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
7	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
8	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
9							Speaker	Y

10

11 Representatives Stephens and Swalm moved to amend the Report of the
 12 Committee of the Whole to reverse the action taken by the Committee in
 13 not adopting the following Waller amendment, to HB10-1103, to show
 14 that said amendment passed, and that **HB10-1103**, as amended, passed.

15

16 Amend printed bill, page 8, line 17, after "STATE." insert "THE
 17 SURCHARGE SHALL BE COLLECTED ONLY IF THE INSURED, AT THE TIME OF
 18 ENROLLMENT OR RENEWAL, CONSENTS IN WRITING TO PAYMENT OF THE
 19 SURCHARGE. SAID".

20

21 The amendment was declared **lost** by the following roll call vote:

22

23	YES	28	NO	34	EXCUSED	3	ABSENT	0
24	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
25	Apuan	N	Hullingerhorst	N	McKinley	E	Scanlan	N
26	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
27	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
28	Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
29	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
30	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
31	Court	N	King S.	Y	Nikkel	Y	Summers	Y
32	Curry	Y	Labuda	N	Pace	N	Swalm	Y
33	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
34	Ferrandino	N	Levy	Y	Pommer	N	Todd	N
35	Fischer	N	Liston	Y	Primavera	N	Tyler	N
36	Frangas	N	Looper	Y	Priola	Y	Vaad	E
37	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N
38	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
39	Gardner C.	Y	McCann	N	Roberts	E	Weissmann	N
40							Speaker	N

41

42

43

44

45

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

46

47 Passed Second Reading: **HB10-1373 amended, SB10-159 amended,**
 48 **HB10-1181 amended, 1400 amended, 1019 amended, 1103 amended,**
 49 **1152 amended, 1349 amended, SB10-153 amended.**

50

51 Laid over until date indicated retaining place on Calendar: **HCR10-1002,**
 52 **SB10-114, 162, HB10-1390, HCR10-1004--April 26, 2010.**
 53 **HB10-1391--April 28, 2010.**

54

55 Rereferred to Committee indicated: **HB10-1152--Judiciary.**

56

1 The Chairman moved the adoption of the Committee of the Whole
 2 Report. As shown by the following roll call vote, a majority of those
 3 elected to the House voted in the affirmative, and the Report was
 4 **adopted.**

	YES	62	NO	0	EXCUSED	3	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
23							Speaker	Y

27 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE** 28 **on HB10-1369**

30 This Report Amends the Rerevised Bill.

32 To the President of the Senate and the
 33 Speaker of the House of Representatives:

35 Your first conference committee appointed on HB10-1369,
 36 concerning the financing of public schools, and making an appropriation
 37 therefor, has met and reports that it has agreed upon the following:

40 1. That the House accede to the Senate amendments made to the
 41 bill, as the amendments appear in the rerevised bill, with the following
 42 changes:

44 Amend rerevised bill, page 6, line 9, after "APPLICABLE." add "ANY SUCH
 45 DISTRICT SHALL USE THE REVENUES GENERATED BY THE NUMBER OF MILLS
 46 THAT THE DISTRICT LEVIES PURSUANT TO SECTION 22-54-106 (2) (a) (II)
 47 TO REPLACE ANY CATEGORICAL PROGRAM SUPPORT FUNDS THAT THE
 48 DISTRICT WOULD OTHERWISE BE ELIGIBLE TO RECEIVE FROM THE STATE;
 49 EXCEPT THAT THE AMOUNT OF CATEGORICAL PROGRAM SUPPORT FUNDS
 50 THAT THE DISTRICT IS REQUIRED TO REPLACE SHALL NOT EXCEED AN
 51 AMOUNT EQUAL TO THE DISTRICT'S STATE BUDGET STABILIZATION
 52 REDUCTION AMOUNT. THE DEPARTMENT SHALL USE THE AMOUNT OF
 53 CATEGORICAL PROGRAM SUPPORT FUNDS REPLACED BY PROPERTY TAX
 54 REVENUE PURSUANT TO THIS SUBPARAGRAPH (IV) TO MAKE PAYMENTS OF
 55 CATEGORICAL PROGRAM SUPPORT FUNDS TO ELIGIBLE DISTRICTS AS
 56 SPECIFIED IN SECTION 22-54-107 (4).".

1 Page 6, line 17, after "AID." add "ANY SUCH DISTRICT SHALL USE THE
2 REVENUES GENERATED BY THE NUMBER OF MILLS THAT THE DISTRICT
3 LEVIES PURSUANT TO SECTION 22-54-106 (2) (a) (I) TO REPLACE ANY
4 CATEGORICAL PROGRAM SUPPORT FUNDS THAT THE DISTRICT WOULD
5 OTHERWISE BE ELIGIBLE TO RECEIVE FROM THE STATE; EXCEPT THAT THE
6 AMOUNT OF CATEGORICAL PROGRAM SUPPORT FUNDS THAT THE DISTRICT
7 IS REQUIRED TO REPLACE SHALL NOT EXCEED AN AMOUNT EQUAL TO THE
8 REMAINDER OF THE DISTRICT'S STATE BUDGET STABILIZATION REDUCTION
9 AMOUNT AFTER THE REDUCTION TO THE DISTRICT'S TOTAL PROGRAM HAS
10 BEEN APPLIED PURSUANT TO THIS SUBPARAGRAPH (V). THE DEPARTMENT
11 SHALL USE THE AMOUNT OF CATEGORICAL PROGRAM SUPPORT FUNDS
12 REPLACED BY PROPERTY TAX REVENUE PURSUANT TO THIS SUBPARAGRAPH
13 (V) TO MAKE PAYMENTS OF CATEGORICAL PROGRAM SUPPORT FUNDS TO
14 ELIGIBLE DISTRICTS AS SPECIFIED IN SECTION 22-54-107 (4).".

15
16 Page 9, after line 24 insert:

17
18 "SECTION 6. 22-54-107, Colorado Revised Statutes, is amended
19 BY THE ADDITION OF A NEW SUBSECTION to read:

20
21 **22-54-107. Buy-out of categorical programs.** (4) IN A BUDGET
22 YEAR IN WHICH THE PROVISIONS OF SECTION 22-54-104 (5) (g) APPLY, THE
23 DEPARTMENT SHALL USE THE AMOUNT OF CATEGORICAL PROGRAM
24 SUPPORT FUNDS REPLACED BY PROPERTY TAX REVENUE PURSUANT TO THE
25 PROVISIONS OF SECTION 22-54-104 (5) (g) (IV) AND (5) (g) (V) TO MAKE
26 PAYMENTS OF CATEGORICAL PROGRAM SUPPORT FUNDS TO ELIGIBLE
27 DISTRICTS AS SPECIFIED IN SUBSECTION (2) OF THIS SECTION.".

28
29 Renumber succeeding sections accordingly.

30
31 Page 12, strike lines 17 through 27.

32
33 Page 13, strike line 1.

34
35 Renumber succeeding sections accordingly.

36
37 2. That, under the authority granted the committee to consider
38 matters not at issue between the two houses, the following amendments
39 be recommended:

40
41 Amend rerevised bill, page 11, after line 6 insert:

42
43 "SECTION 8. 22-54-103 (7) (e), Colorado Revised Statutes, is
44 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

45
46 **22-54-103. Definitions - repeal.** As used in this article, unless
47 the context otherwise requires:

48
49 (7) "Funded pupil count" means:

50
51 (e) (V) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
52 CONTRARY, FOR THE 2010-11 BUDGET YEAR AND EACH BUDGET YEAR
53 THEREAFTER, FOR THE PURPOSES OF THIS PARAGRAPH (e), A DISTRICT'S
54 PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR AND A DISTRICT'S
55 PUPIL ENROLLMENT FOR ANY PRECEDING BUDGET YEAR SHALL NOT
56 INCLUDE ANY PUPIL WHO IS OR WAS ENROLLED IN A CHARTER SCHOOL

Renumber succeeding sections accordingly.

Page 13, strike lines 20 and 21 and substitute "sixty-three million four hundred seventy-six thousand four hundred fifty-four dollars (\$363,476,454)".

Tom Massey

Keith King

On motion of Representative Weissmann, the rules were suspended for immediate consideration of HB10-1369.

HB10-1369 by Representative(s) Scanlan and Pommer; also Senator(s) Bacon--Concerning the financing of public schools, and making an appropriation therefor.

(Conference Committee Report printed in House Journal, April 23, pages 1396-1398.)

On motion of Representative Scanlan, the Conference Committee Report was **adopted** by the following roll call vote:

YES	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	E
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	E	Weissmann	Y
						Speaker	Y

1 The question being "Shall the bill, as amended, pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the
 4 bill, as amended, was declared **repassed**.

	YES	55	NO	7	EXCUSED	3	ABSENT	0
7	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	N	Tyler	Y
19	Frangas	N	Looper	Y	Priola	Y	Vaad	E
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	N	McCann	Y	Roberts	E	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Labuda.

28 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL(S)

30 **HB10-1188** by Representative(s) Curry, Fischer, Labuda, Massey,
 31 Scanlan; also Senator(s) Hodge, Gibbs, Heath, Tochtrop--
 32 Concerning clarification of the scope of the existing right
 33 of navigation of guides employed by river outfitters.

35 (Amended as printed in Senate Journal, March 19, page 609.)

37 Representative Curry moved that the House **not concur** in Senate
 38 amendments and that a Conference Committee be appointed with
 39 permission to go beyond the scope of the differences between the House
 40 and the Senate. The motion was declared **passed** by the following roll
 41 call vote:

	YES	41	NO	21	EXCUSED	3	ABSENT	0
44	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
46	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
47	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
49	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
50	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
51	Court	Y	King S.	Y	Nikkel	Y	Summers	N
52	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
53	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
54	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
56	Frangas	Y	Looper	N	Priola	N	Vaad	E

1	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	N
2	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
3	Gardner C.	N	McCann	Y	Roberts	E	Weissmann	Y
4							Speaker	Y

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

After consideration on the merits, the Committee recommends the following:

HB10-1113 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Strike the Transportation & Energy Committee Report, dated March 4, 2010, and substitute:

"Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. 24-1-128.6 (2) (a), Colorado Revised Statutes, is amended to read:

24-1-128.6. Department of public safety - creation - repeal.

(2) The department of public safety shall consist of the following divisions:

(a) (I) Colorado state patrol, the head of which shall be the chief of the Colorado state patrol. The Colorado state patrol and the office of chief thereof, created by part 2 of article 33.5 of this title, and their powers, duties, and functions are transferred by a **type 2** transfer to the department of public safety.

(II) The powers, duties, and functions of the state department of highways relating to the Colorado state patrol are transferred by a **type 2** transfer to the department of public safety and allocated to the Colorado state patrol.

(III) (A) THE POWERS, DUTIES, AND FUNCTIONS OF THE PORT OF ENTRY SAFETY PROGRAM AND OF THE MOTOR CARRIER SAFETY PROGRAM OF THE PORTS OF ENTRY SECTION IN THE DEPARTMENT OF REVENUE ARE TRANSFERRED BY A **TYPE 2** TRANSFER TO THE DEPARTMENT OF PUBLIC SAFETY AND ALLOCATED TO THE COLORADO STATE PATROL; EXCEPT THAT NO PORT OF ENTRY PERSONNEL SHALL BE TRANSFERRED AND SUCH PERSONNEL SHALL REMAIN WITH THE DEPARTMENT OF REVENUE. WHENEVER ANY LAW OF THIS STATE OR ANY RULE PROMULGATED UNDER THE LAWS OF THIS STATE REFERS TO THE PORT OF ENTRY SAFETY PROGRAM OR THE MOTOR CARRIER SAFETY PROGRAM OF THE PORTS OF ENTRY SECTION OF THE DEPARTMENT OF REVENUE, SUCH LAW OR RULE SHALL BE DEEMED TO REFER TO THE DEPARTMENT OF PUBLIC SAFETY.

(B) THE DEPARTMENT OF PUBLIC SAFETY, IN COLLABORATION WITH THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF

1 REVENUE, SHALL ISSUE A REQUEST FOR PROPOSAL FOR A PERFORMANCE
2 STUDY TO BE CONDUCTED BY AN INDEPENDENT PRIVATE VENDOR. THE
3 DEPARTMENTS SHALL WORK COOPERATIVELY TO DETERMINE THE SCOPE
4 OF THE STUDY AND THE INDEPENDENT PRIVATE VENDOR SHALL REQUEST
5 AND CONSIDER INPUT FROM POTENTIALLY IMPACTED PARTIES DURING THE
6 COURSE OF THE STUDY. THE STUDY SHALL INCLUDE, BUT NOT BE LIMITED
7 TO, AN EXAMINATION OF THE PORTS OF ENTRY OPERATIONS,
8 INFRASTRUCTURE, MANAGEMENT, POTENTIAL COST SAVINGS OR
9 EFFICIENCIES, AS WELL AS HOW THE PORT OF ENTRY SECTION MAY
10 MAXIMIZE RESOURCES AND TECHNOLOGY. THE STUDY SHALL ALSO
11 DETERMINE WHICH PRINCIPAL DEPARTMENT IS MOST APPROPRIATE FOR
12 OPERATING THE PORTS OF ENTRY SECTION IN A COST EFFECTIVE MANNER.
13 THE INDEPENDENT PRIVATE VENDOR SHALL COMPLETE THE PERFORMANCE
14 REVIEW AND REPORT ITS FINDINGS TO THE TRANSPORTATION COMMITTEES
15 OF THE SENATE AND THE HOUSE OF REPRESENTATIVES NO LATER THAN
16 JUNE 1, 2011.

17
18 (C) NO LATER THAN JULY 1, 2010, THE DEPARTMENT OF REVENUE
19 AND THE COLORADO STATE PATROL, THROUGH THE DEPARTMENT OF
20 PUBLIC SAFETY, SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING
21 AGREEING TO MAINTAIN, TO THE EXTENT POSSIBLE, CONSISTENCY AND
22 UNIFORMITY IN THE APPLICATION OF ANY STATE LAWS, STATE
23 ADMINISTRATIVE RULES, FEDERAL LAWS, OR FEDERAL REGULATIONS
24 CONCERNING MOTOR VEHICLE SAFETY AS THOSE LAWS OR RULES RELATE
25 TO THE PORTS OF ENTRY TO ENSURE THAT THE PORT OF ENTRY SECTION
26 REMAINS ELIGIBLE FOR FEDERAL FUNDING.

27
28 **SECTION 2. Appropriation - adjustments to the 2010 long**
29 **bill.** (1) In addition to any other appropriation, there is hereby
30 appropriated, out of any moneys in the highway users tax fund pursuant
31 to section 43-4-201 (3) (a) (III) (C), Colorado Revised Statutes, not
32 otherwise appropriated, to the department of public safety, for allocation
33 to the Colorado state patrol, for the fiscal year beginning July 1, 2010, the
34 sum of two hundred ninety-one thousand four hundred forty-one dollars
35 (\$291,441) cash funds, or so much thereof as may be necessary, for the
36 implementation of this act.

37
38 (2) For the implementation of this act, appropriations made in the
39 annual general appropriation act for the fiscal year beginning July 1,
40 2010, shall be adjusted as follows:

41
42 (a) The appropriation to the department of public safety, executive
43 directors office, for centrally appropriated line items, is increased by
44 eleven thousand dollars (\$11,000) cash funds. Said cash funds shall be
45 from the highway users tax fund pursuant to section 43-4-201 (3) (a) (III)
46 (C), Colorado Revised Statutes.

47
48 (b) The appropriation to the department of public safety, Colorado
49 state patrol, is increased by nine hundred fifteen thousand three hundred
50 four dollars (\$915,304) total funds and 10.0 FTE. Of said sum, thirty-five
51 thousand one hundred sixty-six dollars (\$35,166) shall be cash funds from
52 the highway users tax fund pursuant to section 43-4-201 (3) (a) (III) (C),
53 Colorado Revised Statutes, thirty-three thousand three hundred forty-four
54 dollars (\$33,344) shall be cash funds from the nuclear materials
55 transportation fund created in section 42-20-511, Colorado Revised
56 Statutes, eighty-three thousand eight hundred forty-four dollars (\$83,844)

1 shall be reappropriated funds from the motor carrier safety assistance
2 program, and seven hundred sixty-two thousand nine hundred fifty dollars
3 (\$762,950) shall be federal funds from the motor carrier safety assistance
4 program grant.

5
6 (c) The appropriation to the department of revenue, executive
7 directors office, for centrally appropriated line items, is decreased by
8 eleven thousand dollars (\$11,000) cash funds. These funds shall be from
9 the highway users tax fund pursuant to section 43-4-201 (3) (a) (III) (C),
10 Colorado Revised Statutes.

11
12 (d) The appropriation to the department of revenue, motor carrier
13 services division, is decreased by nine hundred fifteen thousand three
14 hundred four dollars (\$915,304) total funds and 10.0 FTE. Of said sum,
15 thirty-five thousand one hundred sixty-six dollars (\$35,166) shall be cash
16 funds from the highway users tax fund pursuant to section 43-4-201 (3)
17 (a) (III) (C), Colorado Revised Statutes, thirty-three thousand three
18 hundred forty-four dollars (\$33,344) shall be cash funds from the nuclear
19 materials transportation fund created in section 42-20-511, Colorado
20 Revised Statutes, eighty-three thousand eight hundred forty-four dollars
21 (\$83,844) shall be reappropriated funds from the motor carrier safety
22 assistance program, and seven hundred sixty-two thousand nine hundred
23 fifty dollars (\$762,950) shall be federal funds from the motor carrier
24 safety assistance program grant.

25
26 **SECTION 3. Safety clause.** The general assembly hereby finds,
27 determines, and declares that this act is necessary for the immediate
28 preservation of the public peace, health, and safety."

29
30 Page 1 of the bill, line 105, strike "TRANSFER." and substitute
31 "TRANSFER, AND MAKING AN APPROPRIATION THEREFOR."."

32
33
34
35 **HB10-1266** be postponed indefinitely.

36
37
38 **HB10-1285** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:

41
42 Amend the Finance Committee Report, dated April 14, 2010, page 5,
43 after line 28 insert:

44
45 **"SECTION 7. Appropriation.** In addition to any other
46 appropriation, there is hereby appropriated, out of any moneys in the
47 commercial vehicle enterprise tax fund created in section 42-1-224,
48 Colorado Revised Statutes, not otherwise appropriated, to the department
49 of revenue, for allocation to the information technology division, for the
50 fiscal year beginning July 1, 2010, the sum of fifty-six thousand nine
51 hundred ninety-three dollars (\$56,993) cash funds, or so much thereof as
52 may be necessary, for the implementation of this act."

53
54 Renumber succeeding sections accordingly.

55
56 Page 6 of the report, after line 9 insert:

1 "Page 1 of the bill, line 102, strike "VEHICLES." and substitute
2 "VEHICLES, AND MAKING AN APPROPRIATION IN CONNECTION
3 THEREWITH."
4
5
6

7 **HB10-1360** be amended as follows, and as so amended, be referred to
8 the Committee of the Whole with favorable
9 recommendation:
10

11 Amend the House Judiciary Committee Report dated April 19, 2010, page
12 6, strike lines 2 through 22 and substitute:
13

14 **"SECTION 8. Appropriation - adjustments to the 2010 long**
15 **bill.** (1) In addition to any other appropriation, there is hereby
16 appropriated, out of any moneys in the general fund not otherwise
17 appropriated, to the department of public safety, for allocation to the
18 division of criminal justice, for community corrections residential
19 treatment beds, for the fiscal year beginning July 1, 2010, the sum of one
20 million two hundred eighty-five thousand four hundred nine dollars
21 (\$1,285,409) and 0.8 FTE, or so much thereof as may be necessary, for
22 the implementation of this act.
23

24 (2) In addition to any other appropriation, there is hereby
25 appropriated, out of any moneys in the general fund not otherwise
26 appropriated, to the department of public safety, for allocation to the
27 division of criminal justice, for ten transition community corrections beds
28 specifically for sex offenders, which beds may not be transferred for
29 diversion, for the fiscal year beginning July 1, 2010, the sum of two
30 hundred sixty thousand dollars (\$260,000).
31

32 (3) In addition to any other appropriation, there is hereby
33 appropriated, out of any moneys in the general fund not otherwise
34 appropriated, to the department of corrections, for allocation to the parole
35 subprogram, for community parole officers, for the fiscal year beginning
36 July 1, 2010, the sum of one hundred seventy-four thousand one hundred
37 seven dollars (\$174,107) and 2.1 FTE, or so much thereof as may be
38 necessary, for the implementation of this act.
39

40 (4) In addition to any other appropriation, there is hereby
41 appropriated, out of any moneys in the general fund not otherwise
42 appropriated, to the department of corrections, for allocation to the parole
43 subprogram, for administrative support, for the fiscal year beginning July
44 1, 2010, the sum of eighty thousand seven hundred seventy-four dollars
45 (\$80,774) and 2.0 FTE, or so much thereof as may be necessary, for the
46 implementation of this act.
47

48 (5) In addition to any other appropriation, there is hereby
49 appropriated, out of any moneys in the general fund not otherwise
50 appropriated, to the department of corrections, for allocation to the
51 business operations subprogram, for information technology support, for
52 the fiscal year beginning July 1, 2010, the sum of sixty-five thousand five
53 hundred fifty-three dollars (\$65,553) and 1.0 FTE, or so much thereof as
54 may be necessary, for the implementation of this act.
55

56 (6) In addition to any other appropriation, there is hereby

1 appropriated, out of any moneys in the general fund not otherwise
2 appropriated, to the department of corrections, for allocation to the parole
3 subprogram, for parole wrap-around services, for the fiscal year
4 beginning July 1, 2010, the sum of one million seven hundred ninety-
5 seven thousand nine hundred eighty dollars (\$1,797,980).
6

7 (7) In addition to any other appropriation, there is hereby
8 appropriated, out of any moneys in the general fund not otherwise
9 appropriated, to the department of corrections, for allocation to the parole
10 subprogram, for employment and job training services, for the fiscal year
11 beginning July 1, 2010, the sum of five hundred thousand dollars
12 (\$500,000).
13

14 (8) In addition to any other appropriation, there is hereby
15 appropriated, out of any moneys in the general fund not otherwise
16 appropriated, to the department of corrections, for allocation to the parole
17 subprogram, for outpatient substance abuse treatment for transition
18 parolees, for the fiscal year beginning July 1, 2010, the sum of two
19 hundred fifty thousand dollars (\$250,000).
20

21 (9) In addition to any other appropriation, there is hereby
22 appropriated, out of any moneys in the general fund not otherwise
23 appropriated, to the department of corrections, for allocation to the parole
24 subprogram, for outpatient mental health treatment for transition parolees,
25 for the fiscal year beginning July 1, 2010, the sum of two hundred fifty
26 thousand dollars (\$250,000).
27

28 (10) In addition to any other appropriation, there is hereby
29 appropriated, out of any moneys in the general fund not otherwise
30 appropriated, to the department of corrections, for allocation to the parole
31 board, for a parole revocation hearing officer, for the fiscal year
32 beginning July 1, 2010, the sum of seventy-five thousand dollars
33 (\$75,000) and 1.0 FTE.
34

35 (11) For the implementation of this act, the general fund
36 appropriation made in the annual general appropriation act for the fiscal
37 year beginning July 1, 2010, to the department of corrections,
38 management, external capacity subprogram, for payments to house state
39 prisoners, is decreased by four million seven hundred thirty-eight
40 thousand eight hundred twenty-three dollars (\$4,738,823)."
41

42 Page 7, after line 3 insert "Page 1 of the bill, line 103, strike
43 "CORRECTIONS." and substitute "CORRECTIONS, AND MAKING AN
44 APPROPRIATION IN CONNECTION THEREWITH."."
45

46
47
48 **HB10-1374** be amended as follows, and as so amended, be referred to
49 the Committee of the Whole with favorable
50 recommendation:
51

52 Amend printed bill, page 14, after line 23 insert:
53

54 **"SECTION 8. Appropriation - adjustments to the 2010 long**
55 **bill.** (1) In addition to any other appropriation, there is hereby
56 appropriated, out of any moneys in the general fund not otherwise

1 appropriated, to the department of corrections, for allocation to the
2 executive director's office and parole subprograms, for research and
3 parole services, for the fiscal year beginning July 1, 2010, the sum of
4 three hundred fifty-three thousand seven hundred eighty-six dollars
5 (\$353,786) and 7.9 FTE, or so much thereof as may be necessary, for the
6 implementation of this act.

7
8 (2) In addition to any other appropriation, there is hereby
9 appropriated, out of any moneys in the general fund not otherwise
10 appropriated, to the department of public safety, for allocation to the
11 division of criminal justice, for parole guideline duties and actuarial
12 consultation, for the fiscal year beginning July 1, 2010, the sum of eighty
13 thousand one hundred fifty-four dollars (\$80,154) and 0.7 FTE, or so
14 much thereof as may be necessary, for the implementation of this act.

15
16 (3) In addition to any other appropriation, there is hereby
17 appropriated, out of any moneys in the general fund not otherwise
18 appropriated, to the department of public safety, for allocation to the
19 division of criminal justice, for costs associated with the Colorado
20 criminal and juvenile justice commission, for the fiscal year beginning
21 July 1, 2010, the sum of one hundred fourteen thousand one hundred
22 twenty-seven dollars (\$114,127).

23
24 (4) For the implementation of this act, the general fund
25 appropriation made in the annual general appropriation act for the fiscal
26 year beginning July 1, 2010, to the department of corrections,
27 management, external capacity subprogram, for payments to house state
28 prisoners, is decreased by five hundred forty-eight thousand sixty-seven
29 dollars (\$548,067).".

30
31 Renumber succeeding section accordingly.

32
33 Page 1, line 101 strike "PAROLE." and substitute "PAROLE, AND MAKING
34 AN APPROPRIATION IN CONNECTION THEREWITH.".

35
36
37
38 **HB10-1402** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:

41
42 Amend printed bill, page 9, after line 19 insert:

43 "SECTION 3. Appropriation. In addition to any other
44 appropriation, there is hereby appropriated, out of any moneys in the
45 capitol dome restoration trust fund created in section 2-3-1304.3 (6) (b),
46 Colorado Revised Statutes, not otherwise appropriated, to capital
47 construction, department of personnel and administration, office of the
48 state architect, for controlled maintenance expenses associated with the
49 state capitol dome restoration project, for the fiscal year beginning July
50 1, 2010, the sum of four million dollars (\$4,000,000) cash funds, or so
51 much thereof as may be necessary, for the implementation of this act.".

52
53 Renumber succeeding section accordingly.

54
55 Page 1, line 104, strike "DOME." and substitute "DOME, AND MAKING AN
56 APPROPRIATION THEREFOR.".

1 **SB10-006** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 5, line 2, strike "(3) OR" and substitute
6 "(3)", and after "26-2-106 (3)", insert "OR 26-5-101 (3) (o)".
7

8 Page 5, line 3, strike "OR RELEASED WITHIN THE PRIOR SIX MONTHS".
9

10 Page 5, line 4, strike "FROM".
11
12
13

14 **SB10-028** be referred to the Committee of the Whole with favorable
15 recommendation.
16
17

18 **SB10-061** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:
21

22 Amend reengrossed bill, page 3, line 9, after the period, add "IF FEDERAL
23 AUTHORIZATION TO IMPLEMENT THE CHANGES DESCRIBED IN PARAGRAPHS
24 (a) AND (b) OF THIS SUBSECTION (3) IS OBTAINED, THE STATE DEPARTMENT
25 SHALL REQUEST, THROUGH THE STATE BUDGET PROCESS, THAT THE
26 CHANGES BE IMPLEMENTED DURING THE FISCAL YEAR FOLLOWING THE
27 YEAR IN WHICH THE APPROVAL IS OBTAINED."
28

29 Page 4, line 5 strike "Statutes.," and substitute "Statutes,".
30
31
32

33 **SB10-103** be amended as follows, and as so amended, be referred to
34 the Committee of the Whole with favorable
35 recommendation:
36

37 Amend reengrossed bill, page 2 strike lines 15 through 26 and substitute:
38

39 "(3) A PERSON MAY APPLY FOR THE COLORADO STATE PARKS
40 SPECIAL LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES
41 REQUIRED UNDER THIS SECTION PLUS A ONE-TIME FEE OF FORTY-FOUR
42 DOLLARS. THE DEPARTMENT SHALL TRANSFER THE FORTY-FOUR-DOLLAR
43 FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE PARKS
44 AND OUTDOOR RECREATION CASH FUND CREATED IN SECTION 33-10-111,
45 C.R.S.".
46

47 Page 3, strike lines 1 and 2.
48
49
50

51 **SB10-106** be referred to the Committee of the Whole with favorable
52 recommendation.
53
54

55 **SB10-108** be referred to the Committee of the Whole with favorable
56 recommendation.

1 **SB10-120** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **SB10-139** be referred favorably to the Committee on Finance.
6

7
8 **SB10-169** be referred to the Committee of the Whole with favorable
9 recommendation.
10

11
12 **SB10-171** be amended as follows, and as so amended, be referred to
13 the Committee of the Whole with favorable
14 recommendation:
15

16 Amend the Health and Human Services Committee Report, dated April
17 15, 2010, page 1, after line 10 insert:
18

19 "Page 18 of the reengrossed bill, after line 2, insert:
20

21 "SECTION 5. Appropriation. In addition to any other
22 appropriation, there is hereby appropriated, out of any moneys in the
23 general fund not otherwise appropriated, to the department of human
24 services, for allocation to the executive director's office, for the child
25 protection ombudsman program, for the fiscal year beginning July 1,
26 2010, the sum of one hundred seventy-five thousand dollars (\$175,000),
27 or so much thereof as may be necessary, for the implementation of this
28 act." .
29

30 Renumber succeeding section accordingly.
31

32 Page 1 of the bill, line 102, strike "PROGRAM." and substitute "PROGRAM,
33 AND MAKING AN APPROPRIATION THEREFOR." .
34
35
36
37

38 **HEALTH & HUMAN SERVICES**

39 After consideration on the merits, the Committee recommends the
40 following:
41

42 **HB10-1416** be amended as follows, and as so amended, be referred to
43 the Committee on Appropriations with favorable
44 recommendation:
45

46 Amend printed bill, page 2, line 9, after "FORMULARY" insert "AS
47 DETERMINED BY THE COLORADO BOARD OF CHIROPRACTIC EXAMINERS".
48

49 Page 2, strike line 10 and substitute "BY APPROPRIATELY TRAINED
50 DOCTORS OF CHIROPRACTIC WHO HAVE ACUPUNCTURE CERTIFICATION".
51

52 Page 2, line 11, strike "BY THE COLORADO BOARD OF CHIROPRACTIC
53 EXAMINERS".
54
55

Page 2, line 14, after the period insert "THE BOARD SHALL DETERMINE THE APPROPRIATE TRAINING NECESSARY FOR A DOCTOR OF CHIROPRACTIC TO ADMINISTER THE FORMULARY."

SB10-183 be referred to the Committee of the Whole with favorable recommendation.

LOCAL GOVERNMENT

After consideration on the merits, the Committee recommends the following:

HB10-1368 be postponed indefinitely.

SB10-181 be referred to the Committee of the Whole with favorable recommendation.

STATE, VETERANS, & MILITARY AFFAIRS

After consideration on the merits, the Committee recommends the following:

HB10-1403 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 7, strike lines 1 through 14.

Renumber succeeding sections accordingly.

FIRST REPORT OF SECOND CONFERENCE COMMITTEE on SB10-109

This Report Amends the Rerevised Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your second conference committee appointed on SB10-109, concerning regulation of the physician-patient relationship for medical marijuana patients, and making appropriations in connection therewith, has met and reports that it has agreed upon the following:

1. That the Senate accede to the House amendments made to the bill, as the amendments appear in the rerevised bill, with the following changes:

1 Amend rerevised bill, page 6, line 1, before "CONDITION" insert
2 "MEDICAL".
3

4 Page 9, strike lines 5 through 27 and substitute:
5

6 ~~"(2)~~ (7) **Fees - repeal.** (a) The ~~department~~ STATE HEALTH
7 AGENCY may collect fees from patients who, pursuant to section 14 of
8 article XVIII of the state constitution, apply to the medical marijuana
9 program ~~established by such section~~ for a marijuana registry identification
10 CARD for the purpose of offsetting the ~~department's~~ STATE HEALTH
11 AGENCY'S direct and indirect costs of administering the program. The
12 amount of ~~such~~ THE fees shall be set by rule of the ~~state board of health~~
13 STATE HEALTH AGENCY. THE STATE HEALTH AGENCY SHALL ALSO
14 PROMULGATE RULES THAT ALLOW A PATIENT TO CLAIM INDIGENCE AS IT
15 RELATES TO PAYING THE FEE APPROVED PURSUANT TO THIS SUBSECTION
16 (7). THE RULES SHALL ESTABLISH THE STANDARD FOR INDIGENCE, THE
17 PROCESS THE STATE HEALTH AGENCY SHALL USE TO DETERMINE WHETHER
18 A PATIENT WHO CLAIMS INDIGENCE MEETS THE STANDARD FOR INDIGENCE,
19 AND THE PROCESS FOR GRANTING A WAIVER IF THE STATE HEALTH AGENCY
20 DETERMINES THAT THE PATIENT MEETS THE STANDARD FOR INDIGENCE.
21 All fees collected by the ~~department~~ STATE HEALTH AGENCY through the
22 medical marijuana program shall be transferred to the state treasurer who
23 shall credit the same to the medical marijuana program cash fund, which
24 fund is hereby created.
25

26 (b) (I) THE FEES COLLECTED PURSUANT TO PARAGRAPH (a) OF THIS
27 SUBSECTION (7) MAY BE USED FOR THE DIRECT AND INDIRECT COSTS TO
28 THE STATE BOARD OF MEDICAL EXAMINERS ASSOCIATED WITH
29 INVESTIGATING AND PROSECUTING UP TO FIVE OF THE REFERRALS OF
30 PHYSICIANS RECEIVED PER YEAR FROM THE STATE HEALTH AGENCY IN
31 RELATION TO THE MEDICAL MARIJUANA PROGRAM.
32

33 (II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2012.
34

35 ~~(3)~~ (8) **Cash fund - repeal.** (a) The medical marijuana program
36 cash fund shall be subject to annual appropriation by the general assembly
37 to the ~~department~~ STATE HEALTH AGENCY for the purpose of establishing,
38 operating, and maintaining the medical marijuana program. ~~established~~
39 ~~by section 14 of article XVIII of the state constitution.~~ All moneys
40 credited to the medical marijuana program cash fund and all interest
41 derived from the deposit of such moneys that are not expended during the
42 fiscal year shall be retained in the fund for future use and shall not be
43 credited or transferred to the general fund or any other fund.
44

45 (b) Notwithstanding any provision of paragraph (a) of this
46 subsection ~~(3)~~ (8) to the contrary, on April 20, 2009, the state treasurer
47 shall deduct two hundred fifty-eight thousand seven hundred thirty-five
48 dollars from the medical marijuana program cash fund and transfer such
49 sum to the general fund.
50

51 (c) (I) THE STATE HEALTH AGENCY SHALL TRANSFER FROM THE
52 MEDICAL MARIJUANA PROGRAM CASH FUND TO THE DEPARTMENT OF
53 REGULATORY AGENCIES FOR ALLOCATION TO THE STATE BOARD OF
54 MEDICAL EXAMINERS MONEYS TO COVER THE DIRECT AND INDIRECT COSTS
55 ASSOCIATED WITH INVESTIGATING AND PROSECUTING UP TO FIVE OF THE
56 REFERRALS OF PHYSICIANS RECEIVED PER YEAR FROM THE STATE HEALTH

1 AGENCY IN RELATION TO THE MEDICAL MARIJUANA PROGRAM.

2

3 (II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2012.".

4

5 Page 10, strike lines 1 and 2.

6

7 2. That, under the authority granted the committee to consider
8 matters not at issue between the two houses, the following amendments
9 be recommended:

10

11 Amend rerevised bill, page 2, line 14, strike "A" and substitute "AN
12 APPROPRIATE".

13

14 Page 10, after line 2, insert:

15

16 "(9) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2019.".

17

18 Page 11, after line 1373

19 4 insert:

20

21 "SECTION 5. 12-36-103 (6) (a), Colorado Revised Statutes, is
22 amended to read:

23

24 **12-36-103. State board of medical examiners - immunity -**
25 **subject to termination - repeal of article.** (6) (a) (I) The provisions of
26 section 24-34-104, C.R.S., concerning the termination schedule for
27 regulatory bodies of the state unless extended as provided in that section,
28 are applicable to the Colorado state board of medical examiners created
29 by this section.

30

31 (II) THE REVIEW REQUIRED BY THIS SUBSECTION (6) SHALL
32 INCLUDE AN ANALYSIS OF PHYSICIAN RESPONSIBILITIES RELATED TO
33 RECOMMENDATIONS FOR MEDICAL MARIJUANA AND THE PROVISIONS OF
34 SECTION 25-1.5-106, C.R.S.".

35

36 Renumber succeeding sections accordingly.

37

38 Page 12, after line 19, insert:

39

40 "SECTION 7. **Severability.** If any provision of this act or the
41 application thereof to any person or circumstance is held invalid, such
42 invalidity shall not affect other provisions or applications of the act that
43 can be given effect without the invalid provision or application, and to
44 this end the provisions of this act are declared to be severable.".

45

46 Renumber succeeding section accordingly.

47

48 Respectfully submitted,

49 Senate Committee:

50 (signed)

51 Chris Romer

52 Nancy Spence

53 Pat Steadman

54

55

56

House Committee:

(signed)

Tom Massey

Elizabeth McCann

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The Speaker has signed: SB10-082 and 155.

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB10-190 amended as printed in Senate Journal, April 20, 2010,
pages 947-948.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1160 amended as printed in Senate Journal, April 20, 2010,
pages 953-955 and April 23, 2010.

HB10-1332 amended as printed in Senate Journal, April 20, 2010,
page 953 and April 23, 2010.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB10-1160 and HB 10-1332.

Without comment, as amended, SB 10-190.

INTRODUCTION OF BILLS**First Reading**

The following bills were read by title and referred to the committees indicated:

HB10-1421 by Representative(s) May and Weissmann, Ferrandino,
Pommer, Lambert, Gardner B., Waller; also Senator(s)
King K. and Tochtrop--Concerning the decommission of
a correctional facility operated by the department of
corrections.

Committee on Judiciary

HB10-1422 by Representative(s) Gardner B., Kagan, Labuda, Levy,
Roberts; also Senator(s) Brophy, Carroll M., Mitchell,
Morse, Schwartz--Concerning the revision of statutes in
the Colorado Revised Statutes, as amended, and, in
connection therewith, amending or repealing obsolete,
inconsistent, and conflicting provisions of law and
clarifying the language to reflect the legislative intent of
the laws.

Committee on Judiciary

INTRODUCTION OF CONCURRENT RESOLUTION

The following resolution was read by title and referred to the committee indicated:

HCR10-1005 by Representative(s) Baumgardner; also Senator(s) Kopp-- Submitting to the registered electors of the state of Colorado an amendment to section 3 (1) (B) of article X of the constitution of the state of Colorado, concerning an exemption from property taxation for possessory interests in real property with specified actual values.

Committee on Finance

Committee on Appropriations

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and laid over one day under the rules:

HJR10-1026 by Representative(s) Massey, Middleton; also Senator(s) Bacon--Concerning the expansion of broadband access to all areas of the state through Colorado's application to the Broadband Technology Opportunities Program.

HJR10-1027 by Representative(s) Curry and Sonnenberg; also Senator(s) Williams, White--Concerning the recognition of industrial hemp as a valuable agricultural commodity, and, in connection therewith, urging Congress to clarify the federal definition of industrial hemp, facilitate domestic production of industrial hemp, and remove barriers to state regulation of the production of industrial hemp.

HJR10-1028 by Representative(s) Kerr A., Apuan, Benefield, Casso, Court, Hullinghorst, McCann, Merrifield, Middleton, Miklosi, Pace, Scanlan, Solano, Todd, Tyler, Vigil; also Senator(s) Williams, Bacon, Foster, Gibbs, Heath, Hudak, Johnston, Morse, Newell, Romer, Sandoval, Schwartz, Steadman, Tapia, Tochtrop--Concerning a request for the United States Congress to adopt legislation that promotes jobs and innovative energy development, heightens national energy and economic security, positions the United States to be an international leader in the field of clean energy, and addresses the consequences of climate change without preempting states' rights to control emissions or promote renewable energy.

HJR10-1029 by Representative(s) Fischer, Kefalas, Levy; also Senator(s) Bacon--Concerning the intent of the general assembly to prevent distracted driving.

1 The following resolutions were read by title and referred to the
2 committees indicated:

3
4 **HJR10-1030** by Representative(s) Swalm, Gerou; also Senator(s)
5 Spence--Concerning avoiding teacher layoffs in times of
6 state fiscal emergency.
7 Committee on Education

8
9 **HJR10-1031** by Representative(s) Swalm, Balmer, Bradford, Gardner
10 C., Gerou, Kerr J., Liston, Looper, Nikkel, Roberts,
11 Stephens; also Senator(s) Kopp--Concerning a request that
12 Congress call a convention for the limited purpose of
13 considering an amendment to the United States
14 Constitution to require a balanced federal budget.
15 Committee on State, Veterans, & Military Affairs

16
17 **HR10-1008** by Representative(s) Balmer--Concerning the support of
18 Colorado Attorney General John Suthers in filing legal
19 action challenging the constitutionality of recently enacted
20 federal health care law.
21 Committee on Judiciary

22 23 24 25 NOTICE OF CALENDARED ITEM(S)

26
27 On motion of Representative Weissmann, the following bill(s) will be
28 calendared for Second reading on April 26: **HB10-1113, 1285, 1360,**
29 **1374, 1402.**

30 31 32 33 LAY OVER OF CALENDAR ITEM(S)

34
35 On motion of Representative Weissmann, the following item(s) on the
36 Calendar (was)were laid over until April 26, retaining place on Calendar:

37
38 Consideration of Third Reading--**HB10-1032.**
39 Consideration of Conference Committee Report(s)--**HB10-1099, 1021.**
40 Consideration of Resolution(s)--**HJR10-1020, 1021, SJR10-025,**
41 **HJR10-1023, 1019, 1024, 1025.**
42 Consideration of Senate Amendment(s)--**HB10-1118, 1133, 1147, 1149,**
43 **1328.**

44
45
46 On motion of Representative Weissmann, the House adjourned until
47 10:00 a.m., April 26, 2010.

48
49 Approved:
50 TERRANCE D. CARROLL,
51 Speaker

52 Attest:
53 MARILYN EDDINS,
54 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-fourth Legislative Day

Monday, April 26, 2010

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Michael Ranson, Thomas Edison State
 6 College.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Middleton, Sonnenberg--2.

12 Present after roll call--Representative(s) Middleton, Sonnenberg.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Murray, the reading of the journal of
 18 April 23, 2010, was declared dispensed with and approved as corrected
 19 by the Chief Clerk.

20

21

22 **THIRD READING OF BILL(S)--FINAL PASSAGE**

23

24 The following bill(s) was(were) considered on Third Reading. The
 25 title(s) was(were) publicly read. Reading of the bill at length was
 26 dispensed with by unanimous consent.

27

28 **HB10-1032** by Representative(s) Frangas, Apuan, Massey; also
 29 Senator(s) Boyd, Foster, Schwartz--Concerning behavioral
 30 health crisis response services.

31

32 The question being "Shall the bill pass?".

33 A roll call vote was taken. As shown by the following recorded vote, a
 34 majority of those elected to the House voted in the affirmative and the bill
 35 was declared **passed**.

36

37	YES	59	NO	6	EXCUSED	0	ABSENT	0
38	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
39	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
40	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
41	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
42	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
43	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y

1	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
2	Court	Y	King S.	Y	Nikkel	N	Summers	Y
3	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
4	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
5	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
6	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
7	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
8	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
9	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
10	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Casso, Gerou, Kagan, Labuda,
13 Merrifield, Pommer, Todd, Vigil.

14
15 **HB10-1373** by Representative(s) Carroll T.; also Senator(s) Hudak--
16 Concerning changes to sentencing provisions for escape
17 crimes.

18
19 The question being "Shall the bill pass?".

20 A roll call vote was taken. As shown by the following recorded vote, a
21 majority of those elected to the House voted in the affirmative and the bill
22 was declared **passed**.

24	YES	58	NO	7	EXCUSED	0	ABSENT	0
25	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
28	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
30	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
32	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
33	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
34	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
37	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
38	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
39	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
40	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Court, Fischer, Labuda, Levy, McCann,
43 Merrifield, Middleton, Ryden, Todd, Tyler, Vigil.

44
45 **SB10-153** by Senator(s) Boyd; also Representative(s) Frangas--
46 Concerning behavioral health transformation.

47
48 The question being "Shall the bill pass?".

49 A roll call vote was taken. As shown by the following recorded vote, a
50 majority of those elected to the House voted in the affirmative and the bill
51 was declared **passed**.

53	YES	38	NO	27	EXCUSED	0	ABSENT	0
54	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
55	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
56	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y

1	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
2	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
3	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
4	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
5	Court	Y	King S.	N	Nikkel	N	Summers	N
6	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
7	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
8	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
9	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
10	Frangas	Y	Looper	N	Priola	N	Vaad	N
11	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
12	Gardner B.	N	May	N	Riesberg	Y	Waller	N
13	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
14							Speaker	Y

15 Co-sponsor(s) added: Representative(s) Casso, Fischer, Labuda, Middleton,
16 Riesberg, Solano, Todd, Tyler.

17
18 **SB10-159** by Senator(s) Foster; also Representative(s) Miklosi--
19 Concerning defendant's statements at a community
20 corrections hearing.

21
22 The question being "Shall the bill pass?".
23 A roll call vote was taken. As shown by the following recorded vote, a
24 majority of those elected to the House voted in the affirmative and the bill
25 was declared **passed**.

27	YES	65	NO	0	EXCUSED	0	ABSENT	0
28	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
29	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
30	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
31	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
32	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
33	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
34	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
35	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
36	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
37	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
38	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
39	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
40	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
41	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
42	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
43	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Apuan, Court, Kagan, Labuda, Pace,
46 Todd, Vigil, Speaker.

47
48 **HB10-1181** by Representative(s) Todd; also Senator(s) Bacon--
49 Concerning adjustments to the administration of the
50 department of personnel, and making an appropriation
51 therefor.

52
53 The question being "Shall the bill pass?".
54 A roll call vote was taken. As shown by the following recorded vote, a
55 majority of those elected to the House voted in the affirmative and the bill
56 was declared **passed**.

	YES	58	NO	7	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
5	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Labuda, Vigil.

20
 21 **HB10-1400** by Representative(s) Apuan, Ferrandino; also Senator(s)
 22 Johnston, Steadman--Concerning refund anticipation loan
 23 facilitators, and, in connection therewith, requiring refund
 24 anticipation loan facilitators to be registered as electronic
 25 return originators with the federal internal revenue service
 26 and to make certain disclosures when facilitating refund
 27 anticipation loans.

28
 29 The question being "Shall the bill pass?".

30 A roll call vote was taken. As shown by the following recorded vote, a
 31 majority of those elected to the House voted in the affirmative and the bill
 32 was declared **passed**.

	YES	42	NO	23	EXCUSED	0	ABSENT	0
34								
35	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
36	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
37	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
38	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
39	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
40	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
41	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
42	Court	Y	King S.	N	Nikkel	N	Summers	N
43	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
44	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
45	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
46	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
47	Frangas	Y	Looper	N	Priola	Y	Vaad	N
48	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
49	Gardner B.	N	May	N	Riesberg	Y	Waller	N
50	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Casso, Fischer, Frangas, Labuda, Levy,
 53 Merrifield, Middleton, Pommer, Primavera, Ryden, Schafer S., Speaker.

54
 55

1 **HB10-1019** by Representative(s) Frangas, Fischer, McFadyen,
 2 Merrifield, Primavera, Tyler; also Senator(s) Williams,
 3 Gibbs, Romer--Concerning parking privileges for people
 4 with disabilities, and making an appropriation therefor.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	58	NO	7	EXCUSED	0	ABSENT	0
12	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
14	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
15	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
19	Court	Y	King S.	Y	Nikkel	N	Summers	Y
20	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
21	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
22	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
26	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
27	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Apuan, Court, Kefalas, Labuda,
 30 Middleton, Pace, Pommer, Riesberg, Ryden, Soper, Todd, Vigil.

31
 32 **HB10-1103** by Representative(s) Todd; also Senator(s) Steadman--
 33 Concerning the creation of the relief fund for children with
 34 a catastrophic medical condition, and making an
 35 appropriation therefor.

36
 37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.

	YES	38	NO	27	EXCUSED	0	ABSENT	0
43	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
46	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
48	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
50	Court	Y	King S.	N	Nikkel	N	Summers	N
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
52	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
53	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	N	Priola	Y	Vaad	N
56	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y

1	Gardner B.	N	May	N	Riesberg	Y	Waller	N
2	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Fischer, Frangas,
 5 Gagliardi, Hulinghorst, Kagan, Kefalas, Labuda, Merrifield, Middleton, Pace,
 6 Peniston, Pommer, Primavera, Ryden, Schafer S., Soper, Tyler, Vigil.

8 **HB10-1349** by Representative(s) Fischer and Pace; also Senator(s)
 9 Schwartz and Tapia--Concerning the use of renewable
 10 energy resources to supply the energy needs of state
 11 government, and, in connection therewith, commissioning
 12 the creation of a statewide map of available renewable
 13 energy generation areas on state lands and establishing the
 14 "Re-energize Colorado" program in the division of parks
 15 and outdoor recreation in the department of natural
 16 resources, and making an appropriation therefor.

18 The question being "Shall the bill pass?".

19 A roll call vote was taken. As shown by the following recorded vote, a
 20 majority of those elected to the House voted in the affirmative and the bill
 21 was declared **passed**.

23	YES	39	NO	26	EXCUSED	0	ABSENT	0
24	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
25	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
26	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
27	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
28	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
29	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
30	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
31	Court	Y	King S.	N	Nikkel	N	Summers	N
32	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
33	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
34	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
35	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
36	Frangas	Y	Looper	N	Priola	Y	Vaad	N
37	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
38	Gardner B.	N	May	N	Riesberg	Y	Waller	N
39	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
40							Speaker	Y

41 Co-sponsor(s) added: Representative(s) Curry, Ferrandino, Frangas,
 42 Hulinghorst, Kefalas, Labuda, McFadyen, Merrifield, Middleton, Pommer,
 43 Ryden, Soper, Todd, Vigil.

48 On motion of Representative Middleton, the House resolved itself into
 49 Committee of the Whole for consideration of General Orders, and she
 50 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 the titles of the following bills had been read (reading at length had been dispensed with by unanimous consent), the bills considered and action taken thereon as follows:

(Amendments to the committee amendment are to the printed committee report which was printed and placed in the members' bill file.)

On motion of Representative Weissmann the following bills were laid over until April 27, 2010: **HB10-1350, 1360, 1374.**

On motion of Representative Weissmann the following bills were laid over until April 28, 2010: **HCR10-1002, SB10-114, HB10-1390, HCR10-1004, HB10-1217, 1113.**

HB10-1357 by Representative(s) McFadyen and Judd, Carroll T., Vaad; also Senator(s) Romer and Boyd, Mitchell--
Concerning creation of a false claims act.

Amendment No. 1, Judiciary Report, dated March 18, 2010, and placed in member's bill file; Report also printed in House Journal, March 19, pages 861-862.

Amendment No. 2, Appropriations Report, dated April 16, 2010, and placed in member's bill file; Report also printed in House Journal, April 16, pages 1300-1301.

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

HB10-1200 by Representative(s) Hulinghorst; also Senator(s) Heath--
Concerning a temporary requirement that a taxpayer defer claiming any amount of an enterprise zone investment income tax credit that exceeds two hundred fifty thousand dollars.

Ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

SB10-162 by Senator(s) Heath; also Representative(s) Hulinghorst and May--Concerning modifications to the "Urban and Rural Enterprise Zone Act" to improve the accountability of income tax credits allowed by the act.

Amendment No. 1, by Representative(s) Hulinghorst.

Strike the Finance Committee Report, dated April 7, 2010, and substitute:

"Amend reengrossed bill, page 5, strike line 19 and substitute:

"(7) (a) BEGINNING ON JANUARY 1, 2012, BEFORE A TAXPAYER ENGAGES IN ANY ACTIVITY FOR WHICH THE".

Page 5 of the bill, strike lines 25 through 27.

1 Page 6 of the bill, strike lines 1 through 3 and substitute "SPECIFIED IN
2 THIS SUBSECTION (7). A TAXPAYER THAT COMPLETES AN ACTIVITY PRIOR
3 TO JANUARY 1, 2012, FOR WHICH THE TAXPAYER INTENDS TO CLAIM AN
4 INCOME TAX CREDIT PURSUANT TO THIS ARTICLE SHALL SUBMIT TO THE
5 ZONE ADMINISTRATOR ON OR BEFORE DECEMBER 31, 2012, ANY
6 INFORMATION RELATED TO SUCH COMPLETED ACTIVITY THAT IS
7 NECESSARY TO RECEIVE CERTIFICATION FROM THE ZONE ADMINISTRATOR
8 THAT THE TAXPAYER'S BUSINESS IS LOCATED IN THE ENTERPRISE ZONE.
9 NOTHING IN THIS SUBSECTION (7) SHALL BE CONSTRUED TO REQUIRE A
10 TAXPAYER TO SUBMIT A PRE-CERTIFICATION FORM TO THE ZONE
11 ADMINISTRATOR FOR ACTIVITIES COMPLETED PRIOR TO JANUARY 1, 2012.
12 IN CONNECTION".

13
14 Page 8, line 2, strike "AUTHORIZATION OR".

15
16 Page 9, line 12, strike "AUTHORIZED" and substitute "CERTIFIED".

17
18 As amended, ordered revised and placed on the Calendar for Third
19 Reading and Final Passage.

20
21 **HB10-1285** by Representative(s) Priola, Casso, Kefalas, Looper,
22 McFadyen, Rice, Acree, Apuan, Bradford, Frangas, Kerr
23 A., Kerr J., Lambert, Liston, Massey, Middleton, Nikkel,
24 Schafer S., Stephens, Summers, Vaad, Waller; also
25 Senator(s) Tapia, Hudak, Hodge--Concerning an increase
26 in fines to fund tax incentives for commercial vehicles.

27
28 Amendment No. 1, Transportation & Energy Report, dated
29 March 9, 2010, and placed in member's bill file; Report also printed in
30 House Journal, March 10, pages 733-734.

31
32 Amendment No. 2, Finance Report, dated April 14, 2010, and placed in
33 member's bill file; Report also printed in House Journal, April 15,
34 pages 1250-1253.

35
36 Amendment No. 3, Appropriations Report, dated April 23, 2010, and
37 placed in member's bill file; Report also printed in House Journal,
38 April 23, pages 1402-1403.

39
40 As amended, ordered engrossed and placed on the Calendar for Third
41 Reading and Final Passage.

42
43 **HB10-1402** by Representative(s) Riesberg, McFadyen; also Senator(s)
44 Bacon, Schwartz--Concerning legislative authorization of
45 a privately run fund-raising campaign using cause-related
46 marketing for the essential restoration of the cast iron
47 structure of the Colorado state capitol dome.

48
49 Amendment No. 1, Appropriations Report, dated April 23, 2010, and
50 placed in member's bill file; Report also printed in House Journal,
51 April 23, page 1405.

52
53 Amendment No. 2, by Representative(s) Riesberg.

54
55 Amend the printed bill, page 8, after line 5, insert the following:

56

"(c) IF A GRANT IS MADE BY THE STATE HISTORICAL SOCIETY FROM THE STATE HISTORICAL FUND FOR THE CAPITOL DOME RESTORATION PROJECT, THE ADMINISTRATIVE FEE RETAINED BY THE NONPROFIT, STATEWIDE HISTORIC PRESERVATION ORGANIZATION AS A COMMISSION FOR CONDUCTING THE CAUSE-RELATED FUND-RAISING PROGRAM SHALL NOT APPLY TO SUCH GRANT."

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1357 amended, 1200, SB10-162 amended, HB10-1285 amended, 1402 amended.**

Laid over until date indicated retaining place on Calendar: **HB10-1350, 1360, 1374--April 27, 2010. HCR10-1002, SB10-114, HB10-1390, HCR10-1004, HB10-1217, 1113--April 28, 2010.**

The Chairman moved the adoption of the Committee of the Whole Report. As shown by the following roll call vote, a majority of those elected to the House voted in the affirmative, and the Report was **adopted.**

YES	59	NO	4	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	E	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	N	Lambert	Y	Peniston	Y	Tipton	N
Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**JUDICIARY**

After consideration on the merits, the Committee recommends the following:

HB10-1404 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 9 and 10 and substitute "24-30-1001, IS HEREBY TRANSFERRED TO AND ESTABLISHED IN THE JUDICIAL DEPARTMENT AS AN INDEPENDENT AGENCY, EFFECTIVE ON THE EFFECTIVE DATE OF THIS PARAGRAPH (a),".

Page 3, strike lines 22 through 27 and substitute "WITH THE AGENCY AND SHALL BECOME AN EMPLOYEE OF THE AGENCY.".

Page 4, strike lines 1 through 8 and substitute:

"SECTION 2. Repeal. 24-18-111, Colorado Revised Statutes, is repealed as follows:

24-18-111. Powers of the secretary of state. ~~(1) The secretary of state may:~~

~~(a) Issue advisory opinions to persons subject to the provisions of this article concerning issues relating to the requesting person's conduct and the provisions of this article with such deletions as are necessary to protect the identity of the requesting party or the party about whom the opinion is written;~~

~~(b) Keep and permit reasonable public access to voluntary disclosure statements;~~

~~(c) Make rules for the conduct of his affairs under this part 1.~~

~~(2) Any advisory opinion issued by the secretary of state shall take priority over any comment issued by the board of ethics for the executive branch pursuant to section 24-18-112 or any opinion issued by the board of ethics for the general assembly pursuant to section 24-18-113 if the comment or the opinion covers the same circumstances and the same issues as covered by the opinion of the secretary of state and if the comment or the opinion reached a separate conclusion from that reached by the opinion of the secretary of state."~~

Renumber succeeding section accordingly.

SB10-156 be referred to the Committee of the Whole with favorable recommendation.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB10-1421, 1422; HCR10-1005.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB10-1101, 1114, 1116, 1117, 1182, 1213, 1222, 1225, 1240, 1244, 1275, 1340, 1372.**

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB10-012 amended as printed in Senate Journal, April 23, 2010,
pages 986-987.
SB10-011 amended as printed in Senate Journal, April 23, 2010,
page 987.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1122 amended as printed in Senate Journal, April 23, 2010,
page 987.

The Senate has passed on Third Reading and returns herewith:
HB10-1038.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, as amended, HB10-1122.
Without comment, as amended, SB10-011 and 012.

**INTRODUCTION OF BILLS
First Reading**

The following bills were read by title and referred to the committees indicated:

HB10-1423 by Representative(s) Court; also Senator(s) Heath--
Concerning the elimination of the requirement that an
initiative petition circulator be a resident of the state.
Committee on State, Veterans, & Military Affairs

HB10-1424 by Representative(s) Court; also Senator(s) Heath--
Concerning the deadline for filing an initiative petition
with the secretary of state.
Committee on State, Veterans, & Military Affairs

- 1 **HB10-1425** by Representative(s) Miklosi--Concerning the exemption
2 from the postretirement employment limit for certain
3 employees of the Denver public school district who are
4 retirees of the public employees' retirement association.
5 Committee on Finance
6
7 **HB10-1426** by Representative(s) Riesberg and Todd--Concerning
8 creation of a separate fund for the Trinidad state nursing
9 home.
10 Committee on Health and Human Services
11
12 **SB10-190** by Senator(s) White and Keller, Tapia; also
13 Representative(s) Riesberg and Pommer--Concerning the
14 suspension of the property tax exemption for qualifying
15 seniors for specified property tax years, and making an
16 appropriation therefor.
17 Committee on Appropriations
18
19
20
21

22 INTRODUCTION OF CONCURRENT RESOLUTIONS

23
24 The following resolutions were read by title and referred to the
25 committees indicated:
26

- 27 **HCR10-1006** by Representative(s) McNulty, Acree, Bradford, Gardner
28 B., Gardner C., Gerou, Kerr J., Lambert, May, Nikkel,
29 Waller; also Senator(s) Brophy, Penry, Scheffel, Harvey--
30 Submitting to the registered electors of the state of
31 Colorado an amendment to section 20 of article X of the
32 constitution of the state of Colorado, concerning prior
33 voter approval for a tax policy change directly causing a
34 net tax revenue gain to any district.
35 Committee on State, Veterans, & Military Affairs
36 Committee on Finance
37 Committee on Appropriations
38
39 **HCR10-1007** by Representative(s) Sonnenberg--Submitting to the
40 registered electors of the state of Colorado an amendment
41 to section 3 of article XXVII of the constitution of the
42 state of Colorado, concerning the transfer of all available
43 net proceeds of every state-supervised lottery game
44 operated under the authority of section 2 of article XVIII
45 of said constitution to the state education fund created in
46 section 17 (4) of article IX of said constitution if the
47 general assembly declares a state fiscal emergency.
48 Committee on Education
49 Committee on State, Veterans, & Military Affairs
50
51 **HCR10-1008** by Representative(s) Lambert, Baumgardner, Bradford,
52 DelGrosso, Gardner B., Gardner C., King S., Liston,
53 Priola, Sonnenberg, Waller; also Senator(s) Schultheis,
54 Brophy, Harvey, King K., Lundberg, Mitchell, Renfro,
55 Scheffel--Submitting to the registered electors of the state
56 of Colorado an amendment to section 33 of article V of the

1 constitution of the state of Colorado, concerning a
2 requirement that all expenditures by the state be subject to
3 appropriation by the general assembly.
4 Committee on Appropriations

5
6
7
8 **APPOINTMENTS TO CONFERENCE COMMITTEE(S)**
9

10 The Speaker appointed House conferees to the First Conference
11 Committee as follows:

12
13 **HB10-1188**--Representatives Curry, Chairman, Scanlan and Sonnenberg
14

15
16
17 **LAY OVER OF CALENDAR ITEM(S)**
18

19 On motion of Representative McFadyen, the following item(s) on the
20 Calendar (was)were laid over until April 27, retaining place on Calendar:

21
22 Consideration of Conference Committee Report(s)---**HB10-1099, 1021,**
23 **SB10-109.**

24 Consideration of Resolution(s)--**HJR10-1020, 1021, SJR10-025,**
25 **HJR10-1023, 1019, 1024, 1025, 1026, 1027, 1028, 1029.**

26 Consideration of Senate Amendment(s)--**HB10-1118, 1133, 1147, 1149,**
27 **1328, 1160, 1332.**
28

29
30
31 On motion of Representative McFadyen, the House adjourned until
32 9:00 a.m., April 27, 2010.
33

34 Approved:
35 TERRANCE D. CARROLL,
36 Speaker

37 Attest:
38 MARILYN EDDINS,
39 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-fifth Legislative Day

Tuesday, April 27, 2010

1 Prayer by Father Tom Carzon, Holy Ghost Catholic Church, Denver.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Harrison and Lexie Rice, Wilder Elementary,
 6 and Dalton Rice from Willows Preschool, Littleton.

7

8 The roll was called with the following result:

9

10 Present--60.

11 Excused--Representative(s) Acree, Casso, McFadyen, Miklosi,
 12 Pommer--5.

13 Present after roll call--Representative(s) Acree, Casso, McFadyen,
 14 Miklosi, Pommer.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Murray, the reading of the journal of
 20 April 26, 2010, was declared dispensed with and approved as corrected
 21 by the Chief Clerk.

22

23 **THIRD READING OF BILL(S)--FINAL PASSAGE**

24

25 The following bill(s) was(were) considered on Third Reading. The
 26 title(s) was(were) publicly read. Reading of the bill at length was
 27 dispensed with by unanimous consent.

28

29 **SB10-162** by Senator(s) Heath; also Representative(s) Hullinghorst
 30 and May--Concerning modifications to the "Urban and
 31 Rural Enterprise Zone Act" to improve the accountability
 32 of income tax credits allowed by the act.

33

34 The question being "Shall the bill pass?".

35 A roll call vote was taken. As shown by the following recorded vote, a
 36 majority of those elected to the House voted in the affirmative and the
 37 bill was declared **passed**.

38

39	YES	55	NO	9	EXCUSED	1	ABSENT	0
40	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
41	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
42	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
43	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y

1	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
2	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
3	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
4	Court	Y	King S.	N	Nikkel	Y	Summers	Y
5	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
6	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
7	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
8	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
9	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
10	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
11	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
12	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
13							Speaker	Y

14 Co-sponsor(s) added: Representative(s) Court, Ferrandino, Frangas, Kagan,
15 Kefalas, Kerr J., Labuda, Looper, Weissmann.

16
17 **HB10-1357** by Representative(s) McFadyen and Judd, Carroll T.,
18 Vaad; also Senator(s) Romer and Boyd, Mitchell--
19 Concerning creation of a false claims act, and making an
20 appropriation in connection therewith.

21
22 The question being "Shall the bill pass?".

23 A roll call vote was taken. As shown by the following recorded vote, a
24 majority of those elected to the House voted in the affirmative and the bill
25 was declared **passed**.

27	YES	40	NO	24	EXCUSED	1	ABSENT	0
28	Acree	E	Gerou	N	McFadyen	Y	Ryden	Y
29	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
30	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
31	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
32	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
33	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
34	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
35	Court	Y	King S.	N	Nikkel	Y	Summers	N
36	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
37	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
38	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
39	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
40	Frangas	Y	Looper	Y	Priola	N	Vaad	N
41	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
42	Gardner B.	N	May	N	Riesberg	Y	Waller	N
43	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
44							Speaker	Y

45 Representative Vaad requested his name be removed as sponsor.

46 Co-sponsor(s) added: Representative(s) Fischer, Hullinghorst, Kagan, Labuda,
47 Levy, Looper, Merrifield, Pommer.

48
49 **HB10-1200** by Representative(s) Hullinghorst; also Senator(s) Heath--
50 Concerning a temporary requirement that a taxpayer defer
51 claiming any amount of an enterprise zone investment
52 income tax credit that exceeds two hundred fifty thousand
53 dollars.

54
55 The question being "Shall the bill pass?".

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	33	NO	32	EXCUSED	0	ABSENT	0
5	Acree	N	Gerou	N	McFadyen	N	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
7	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
8	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
10	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	N	Kerr J.	N	Murray	N	Stephens	N
12	Court	Y	King S.	N	Nikkel	N	Summers	N
13	Curry	Y	Labuda	Y	Pace	N	Swalm	N
14	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	N	Priola	N	Vaad	N
18	Gagliardi	Y	Massey	N	Rice	Y	Vigil	N
19	Gardner B.	N	May	N	Riesberg	Y	Waller	N
20	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Frangas, Judd, Kagan, Labuda,
23 Pommer.

24
25 **HB10-1285** by Representative(s) Priola, Casso, Kefalas, Looper,
26 McFadyen, Rice, Acree, Apuan, Bradford, Frangas, Kerr
27 A., Kerr J., Lambert, Liston, Massey, Middleton, Nikkel,
28 Schafer S., Stephens, Summers, Vaad, Waller; also
29 Senator(s) Tapia, Hudak, Hodge--Concerning an increase
30 in fines to fund tax incentives for commercial vehicles,
31 and making an appropriation in connection therewith.

32
33 The question being "Shall the bill pass?".

34 A roll call vote was taken. As shown by the following recorded vote, a
35 majority of those elected to the House voted in the affirmative and the bill
36 was declared **passed**.

	YES	57	NO	8	EXCUSED	0	ABSENT	0
39	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
40	Apuan	Y	Hullinghorst	N	McKinley	N	Scanlan	Y
41	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
42	Baumgardner	N	Kagan	Y	Merrifield	N	Solano	N
43	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	N
44	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
45	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
46	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
47	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
48	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
49	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
50	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
51	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
52	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
53	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
54	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
55							Speaker	Y

56 Co-sponsor(s) added: Representative(s) Gerou, Roberts, Vigil.

1 **HB10-1402** by Representative(s) Riesberg, McFadyen; also Senator(s)
 2 Bacon, Schwartz--Concerning legislative authorization of
 3 a privately run fund-raising campaign using cause-related
 4 marketing for the essential restoration of the cast iron
 5 structure of the Colorado state capitol dome, and making
 6 an appropriation therefor.

7
 8 The question being "Shall the bill pass?".
 9 A roll call vote was taken. As shown by the following recorded vote, a
 10 majority of those elected to the House voted in the affirmative and the bill
 11 was declared **passed**.

	YES	55	NO	10	EXCUSED	0	ABSENT	0
14	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
15	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
16	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
17	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
18	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
19	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
20	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
21	Court	Y	King S.	Y	Nikkel	N	Summers	N
22	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
23	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
24	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
25	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
26	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
27	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
28	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
29	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) Casso, Court, Fischer, Gerou, Labuda,
 32 Massey, Murray, Pace, Ryden, Schafer S., Soper, Todd, Vigil.

MESSAGE(S) FROM THE SENATE

38 The Senate has adopted and transmits herewith: SJR10-040.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

44 On motion of Representative Weissmann, the rules were suspended and
 45 the following resolution was given immediate consideration.

47 **SJR10-040** by Senator(s) Scheffel, Gibbs, Kopp; also
 48 Representative(s) Scanlan--Concerning the designation of
 49 a portion of State Highway 91 as the "Fallen Heroes
 50 Highway".

52 (Printed and placed in member's file).

54 Representative Scanlan moved that the resolution be adopted and
 55 requested it be read at length.

House in recess. House reconvened.

Amendment No. 1, moved by Representative Weissmann.

Amend revised joint resolution, page 2, line 34, strike everything after "fallen" and substitute "heroes."

Page 2, line 36, strike everything after "memorial" and substitute "plaque."

The amendment was declared **passed** by viva voce vote.

On motion of Representative Scanlan, the resolution as amended was **adopted** by viva voce vote.

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann, Speaker.

On motion of Representative Fischer, the House resolved itself into Committee of the Whole for consideration of General Orders, and he 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 the titles of the following bills had been read (reading at length had been dispensed with by unanimous consent), the bills considered and action taken thereon as follows:

(Amendments to the committee amendment are to the printed committee report which was printed and placed in the members' bill file.)

HB10-1350 by Representative(s) Pace, Ferrandino, Frangas, Gagliardi, Labuda, Hullinghorst, Levy, Pommer; also Senator(s) Carroll M.--Concerning requirements for recipients of economic development incentives.

Amendment No. 1, Finance Report, dated April 21, 2010, and placed in member's bill file; Report also printed in House Journal, April 22, page 1381.

Amendment No. 2, by Representative(s) Ferrandino.

Amend the Finance Committee Report, dated April 21, 2010, page 2, after line 6 insert:

1 "(c) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
2 BY FEBRUARY 1, 2011, THE GOVERNOR'S ENERGY OFFICE SHALL CONDUCT
3 A STUDY OF ALL SO-CALLED "GREEN" JOBS CREATED THROUGH TAX
4 INCENTIVES."

5
6 Reletter succeeding paragraph accordingly.

7
8 Amendment No. 3, by Representative(s) Pace.

9
10 Amend printed bill, page 1, strike lines 101 and 102 and substitute:

11
12 **"CONCERNING REQUIREMENTS FOR CONDUCTING A STUDY BY THE**
13 **OFFICE OF ECONOMIC DEVELOPMENT IN THE OFFICE OF THE**
14 **GOVERNOR TO ESTABLISH A PLAN FOR TRACKING CERTAIN JOB**
15 **CREATION ACTIVITIES BY RECIPIENTS OF CERTAIN ECONOMIC**
16 **DEVELOPMENT INCENTIVES, AND, IN CONNECTION THEREWITH,**
17 **CREATING A PLAN FOR TRACKING JOB RETENTION AND**
18 **REQUIRING THE OFFICE OF ECONOMIC DEVELOPMENT TO**
19 **COLLECT AND REPORT INFORMATION REGARDING THE NUMBER**
20 **OF JOBS CREATED AND MEDIAN AND AVERAGE SALARIES OF**
21 **THOSE JOBS IN THE ANNUAL REPORT FILED PURSUANT TO LAW."**

22
23 As amended, ordered engrossed and placed on the Calendar for Third
24 Reading and Final Passage.

25
26 **HB10-1360** by Representative(s) Pace, Apuan, Casso, Court,
27 Ferrandino, Fischer, Kagan, Kefalas, Levy, Looper,
28 McCann, McFadyen, Merrifield, Miklosi, Ryden, Vigil,
29 Weissmann; also Senator(s) Steadman, Carroll M., Foster,
30 Hudak, Morse, Newell, Romer, Tapia--Concerning
31 changes to certain parole-related statutes to reduce the
32 number of parolees who return to the department of
33 corrections.

34
35 Amendment No. 1, Judiciary Report, dated April 19, 2010, and placed in
36 member's bill file; Report also printed in House Journal, April 20,
37 pages 1351-1355.

38
39 Amendment No. 2, Appropriations Report, dated April 23, 2010, and
40 placed in member's bill file; Report also printed in House Journal,
41 April 23, pages 1403-1404.

42
43 Amendment No. 3, by Representative(s) Levy.

44
45 Amend the Appropriations Committee Report, dated April 23, 2010, page
46 2, line 23, strike "seven hundred ninety-" and substitute "eight hundred
47 seven thousand two hundred twenty-five dollars (\$1,807,225)."

48
49 Page 2, strike line 24,

50
51 Page 2, strike lines 31 through 36.

52
53 Renumber succeeding sections accordingly.

54
55 As amended, ordered engrossed and placed on the Calendar for Third
56 Reading and Final Passage.

1 **HB10-1374** by Representative(s) Ferrandino, Levy, Waller; also
 2 Senator(s) Penry, Morse, Steadman--Concerning parole.

3
 4 Amendment No. 1, Judiciary Report, dated April 15, 2010, and placed in
 5 member's bill file; Report also printed in House Journal, April 16,
 6 page 1304.

7
 8 Amendment No. 2, Appropriations Report, dated April 23, 2010, and
 9 placed in member's bill file; Report also printed in House Journal,
 10 April 23, pages 1404-1405.

11
 12 Amendment No. 3, by Representative(s) Frangas.

13
 14 Amend printed bill, page 9, strike line 15.

15
 16 Page 9, strike line 18 and substitute:

17
 18 "SUPERVISION; AND

19
 20 (XI) WHETHER THE OFFENDER COMPLETED OR WORKED TOWARDS
 21 COMPLETING A HIGH SCHOOL DIPLOMA, A GENERAL EQUIVALENCY DEGREE,
 22 OR A COLLEGE DEGREE DURING HIS OR HER PERIOD OF INCARCERATION."

23
 24 As amended, ordered engrossed and placed on the Calendar for Third
 25 Reading and Final Passage.

26
 27 On motion of Representative Weissmann, the remainder of the General
 28 Orders Calendar (**SB10-006, 028, 061, 103, 106, 108, 120, 169, 171, 183,**
 29 **181**) was laid over until April 28, retaining place on Calendar.

30 31 32 33 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

34
 35 Passed Second Reading: **HB10-1350 amended, 1360 amended, 1374**
 36 **amended.**

37
 38 Laid over until date indicated retaining place on Calendar: **SB10-006,**
 39 **028, 061, 103, 106, 108, 120, 169, 171, 183, 181**--April 28, 2010.

40
 41 The Chairman moved the adoption of the Committee of the Whole
 42 Report. As shown by the following roll call vote, a majority of those
 43 elected to the House voted in the affirmative, and the Report was
 44 **adopted.**

45

46	YES	65	NO	0	EXCUSED	0	ABSENT	0
47	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
48	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
49	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
50	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
51	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
52	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
53	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
54	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
55	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
56	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y

1	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
2	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
3	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
4	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
5	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
6	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
7							Speaker	Y

CONSIDERATION OF RESOLUTION(S)

HJR10-1021 by Representative(s) Nikkel and McCann; also Senator(s) Newell and Kopp--Concerning recognition of the month of April as Child Abuse Prevention Month.

(Printed and placed in members' file)

On motion of Representative Nikkel, the resolution was read at length and **adopted by viva voce** vote.

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Hulinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Massey, May, McFadyen, McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann, Speaker.

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

After consideration on the merits, the Committee recommends the following:

HB10-1407 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, line 9, strike "TEN" and substitute "ELEVEN".

Page 3, line 1, strike "A REPRESENTATIVE" and substitute "TWO REPRESENTATIVES".

Page 3, line 2, strike "EMPLOYS" and substitute "EMPLOY" and strike "HAS" and substitute "HAVE".

Page 3, line 7, after "LEAST" insert "TWO AND UP TO".

Page 3, line 9, after the period add "AT LEAST HALF OF THE MEETINGS

1 SHALL BE ON THE WESTERN SLOPE IN A LOCATION THAT IS CONVENIENT TO
2 THE REPRESENTATIVES OF THE AGRICULTURE INDUSTRY WHO EMPLOY OR
3 HAVE EMPLOYED RANGE WORKERS.".

4
5 Page 4, line 8, strike "JANUARY 1, 2014." and substitute "UPON WRITTEN
6 NOTIFICATION TO THE REVISOR OF STATUTES BY THE ADVISORY
7 COMMITTEE THAT THE REPORT REQUIRED PURSUANT TO SUBSECTION (4)
8 OF THIS SECTION HAS BEEN SUBMITTED TO THE GENERAL ASSEMBLY.".

9
10
11
12
13 **BUSINESS AFFAIRS & LABOR**

14 After consideration on the merits, the Committee recommends the
15 following:

16
17 **SB10-133** be amended as follows, and as so amended, be referred to
18 the Committee on Finance with favorable
19 recommendation:
20

21 Amend reengrossed bill, strike everything below the enacting clause and
22 substitute:

23
24 "SECTION 1. Part 5 of article 22 of title 39, Colorado Revised
25 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
26 read:

27
28 **39-22-534. Incentive tax credit for rehiring laid-off employees**
29 **- rules - definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE
30 CONTEXT OTHERWISE REQUIRES:

31
32 (a) "CREDIT CERTIFICATE" MEANS A STATEMENT ISSUED BY THE
33 DEPARTMENT CERTIFYING THAT THE TAXPAYER QUALIFIES FOR THE
34 INCENTIVE TAX CREDIT FOR REHIRING LAID-OFF EMPLOYEES ALLOWED IN
35 THIS SECTION.

36
37 (b) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND
38 EMPLOYMENT CREATED IN SECTION 24-1-121, C.R.S.

39
40 (c) "PERSON" SHALL HAVE THE SAME MEANING AS SET FORTH IN
41 SECTION 39-21-101 (3).

42
43 (d) "TAXPAYER" MEANS ANY PERSON DOING BUSINESS IN THE
44 STATE.

45
46 (2) FOR THE INCOME TAX YEAR COMMENCING ON JANUARY 1,
47 2011, ONLY, AT THE DISCRETION OF THE DEPARTMENT AS SPECIFIED IN
48 SUBSECTION (3) OF THIS SECTION, THERE MAY BE ALLOWED TO ANY
49 TAXPAYER AN INCENTIVE TAX CREDIT WITH RESPECT TO THE INCOME
50 TAXES IMPOSED BY THIS ARTICLE.

51
52 (3) (a) THE DEPARTMENT MAY APPROVE AN APPLICATION FOR AN
53 INCENTIVE TAX CREDIT FOR REHIRING LAID-OFF EMPLOYEES ALLOWED
54 PURSUANT TO SUBSECTION (2) OF THIS SECTION IF THE TAXPAYER MEETS
55 THE FOLLOWING QUALIFICATIONS:
56

1 (I) THE EMPLOYEE HIRED WAS RECEIVING ANY CLASSIFICATION OF
2 BENEFITS UNDER THE "COLORADO EMPLOYMENT SECURITY ACT",
3 ARTICLES 70 TO 82 OF TITLE 8, C.R.S., AS OF THE DATE HE OR SHE WAS
4 HIRED AND HAS CONTINUOUSLY RECEIVED SUCH BENEFITS SINCE MARCH
5 31, 2010;

6
7 (II) WHEN THE APPLICATION IS SUBMITTED, THE EMPLOYEE HAS
8 BEEN EMPLOYED BY THE TAXPAYER FOR A MINIMUM OF ONE HUNDRED
9 TWENTY DAYS; AND

10
11 (III) THE EMPLOYEE WAS HIRED BY THE TAXPAYER BETWEEN THE
12 EFFECTIVE DATE OF THIS SECTION AND AUGUST 31, 2011.

13
14 (b) THE DEPARTMENT SHALL REVIEW ALL APPLICATIONS IT
15 RECEIVES FROM TAXPAYERS SEEKING TO RECEIVE AN INCENTIVE TAX
16 CREDIT FOR REHIRING LAID-OFF EMPLOYEES ALLOWED PURSUANT TO
17 SUBSECTION (2) OF THIS SECTION. A TAXPAYER SHALL FILE ONE
18 APPLICATION FOR EACH EMPLOYEE REHIRED. A TAXPAYER SHALL RECEIVE
19 NO MORE THAN FIVE CREDIT CERTIFICATES FOR AN INCENTIVE TAX CREDIT
20 FOR REHIRING LAID-OFF EMPLOYEES. THE APPLICATION SHALL BE SIGNED
21 UNDER PENALTY OF PERJURY AND SHALL IDENTIFY:

22
23 (I) THE DATE OF THE APPLICATION;

24
25 (II) THE NAME OF THE EMPLOYEE THAT THE TAXPAYER HAS HIRED
26 AND ANY IDENTIFIER THE DEPARTMENT REQUIRES TO CONFIRM THE
27 EMPLOYEE WAS RECEIVING ANY CLASSIFICATION OF BENEFITS UNDER THE
28 "COLORADO EMPLOYMENT SECURITY ACT", ARTICLES 70 TO 82 OF TITLE
29 8, C.R.S., ON OR BEFORE MARCH 31, 2009;

30
31 (III) THE DATE THE EMPLOYEE WAS HIRED BY THE TAXPAYER; AND

32
33 (IV) WHETHER THE EMPLOYEE IS STILL EMPLOYED BY THE
34 TAXPAYER, AND, IF NOT, WHETHER THE EMPLOYEE WAS RETAINED BY THE
35 TAXPAYER FOR NO LESS THAN ONE HUNDRED TWENTY DAYS.

36
37 (c) UPON APPROVAL OF A TAXPAYER'S APPLICATION FOR AN
38 INCENTIVE TAX CREDIT FOR REHIRING LAID-OFF EMPLOYEES, THE
39 DEPARTMENT SHALL ISSUE TO THE TAXPAYER A CREDIT CERTIFICATE. IF
40 THE DEPARTMENT ISSUES A CREDIT CERTIFICATE, THE DEPARTMENT SHALL
41 PROVIDE AN ELECTRONIC COPY OF THE CREDIT CERTIFICATE TO THE
42 DEPARTMENT OF REVENUE. IN NO EVENT SHALL THE DEPARTMENT ISSUE
43 A CREDIT CERTIFICATE WHEN THE DEPARTMENT HAS GIVEN PUBLIC NOTICE
44 THAT THE AGGREGATE AMOUNT OF ALL CREDITS CLAIMED UNDER THIS
45 SECTION BY ALL TAXPAYERS HAS REACHED THE MAXIMUM AMOUNT
46 SPECIFIED IN SUBSECTION (8) OF THIS SECTION.

47
48 (4) THE CREDIT ALLOWED IN THIS SECTION SHALL EQUAL ONE
49 THOUSAND DOLLARS PER EMPLOYEE REHIRED PURSUANT TO THE
50 REQUIREMENTS OF THIS SECTION, UP TO A MAXIMUM OF FIVE CREDITS, OR
51 FIVE THOUSAND DOLLARS, PER TAXPAYER.

52
53 (5) IF THE AMOUNT OF THE CREDIT ALLOWED IN THIS SECTION
54 EXCEEDS THE AMOUNT OF INCOME TAXES OTHERWISE DUE ON THE
55 TAXPAYER'S INCOME IN THE INCOME TAX YEAR FOR WHICH THE CREDIT IS
56 BEING CLAIMED, THE AMOUNT OF THE CREDIT NOT USED AS AN OFFSET

1 AGAINST INCOME TAXES IN THE CURRENT INCOME TAX YEAR MAY BE
2 CARRIED FORWARD AND USED AS A CREDIT AGAINST SUBSEQUENT YEARS'
3 INCOME TAX LIABILITY FOR A PERIOD NOT TO EXCEED FIVE YEARS AND
4 SHALL BE APPLIED FIRST TO THE EARLIEST INCOME TAX YEARS POSSIBLE.
5 ANY CREDIT REMAINING AFTER SAID PERIOD SHALL NOT BE REFUNDED OR
6 CREDITED TO THE TAXPAYER.

7
8 (6) IF A TAXPAYER RECEIVING A CREDIT ALLOWED IN THIS SECTION
9 IS A PARTNERSHIP, LIMITED LIABILITY COMPANY, S CORPORATION, OR
10 SIMILAR PASS-THROUGH ENTITY, THE TAXPAYER MAY ALLOCATE THE
11 CREDIT AMONG ITS PARTNERS, SHAREHOLDERS, MEMBERS, OR OTHER
12 CONSTITUENT TAXPAYERS IN ANY MANNER AGREED TO BY SUCH
13 PARTNERS, SHAREHOLDERS, MEMBERS, OR OTHER CONSTITUENT
14 TAXPAYERS. THE TAXPAYER SHALL CERTIFY TO THE DEPARTMENT THE
15 AMOUNT OF THE CREDIT ALLOCATED TO EACH PARTNER, SHAREHOLDER,
16 MEMBER, OR OTHER CONSTITUENT TAXPAYER, AND THE DEPARTMENT
17 SHALL ISSUE CREDIT CERTIFICATES IN THE APPROPRIATE AMOUNTS TO
18 EACH PARTNER, SHAREHOLDER, MEMBER, OR OTHER CONSTITUENT
19 TAXPAYER. EACH PARTNER, SHAREHOLDER, MEMBER, OR OTHER
20 CONSTITUENT TAXPAYER SHALL BE ALLOWED TO CLAIM SUCH AMOUNT
21 SUBJECT TO ANY RESTRICTIONS SET FORTH IN THIS SECTION.

22
23 (7) NO LATER THAN OCTOBER 1, 2011, IN ADDITION TO THE
24 ELECTRONIC COPY OF ANY CREDIT CERTIFICATES PROVIDED PURSUANT TO
25 PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION, THE DEPARTMENT
26 SHALL PROVIDE THE DEPARTMENT OF REVENUE WITH AN ELECTRONIC
27 REPORT FOR EACH TAXPAYER RECEIVING A CREDIT ALLOWED IN THIS
28 SECTION FOR THE PRECEDING CALENDAR YEAR, OR ANY FISCAL YEAR
29 ENDING IN THE PRECEDING CALENDAR YEAR, THAT INCLUDES THE
30 FOLLOWING INFORMATION:

- 31
32 (a) THE TAXPAYER'S NAME;
33
34 (b) THE TAXPAYER'S COLORADO ACCOUNT NUMBER AND FEDERAL
35 EMPLOYER IDENTIFICATION NUMBER;
36
37 (c) THE TOTAL CREDITS ALLOWED FOR EACH TAXPAYER PURSUANT
38 TO THIS SECTION; AND
39
40 (d) ANY ASSOCIATED TAXPAYERS' NAMES, COLORADO ACCOUNT
41 NUMBERS, AND FEDERAL EMPLOYER IDENTIFICATION NUMBERS OR SOCIAL
42 SECURITY NUMBERS, IF THE CREDIT ALLOWED IN THIS SECTION IS
43 ALLOCATED FROM A PASS-THROUGH ENTITY PURSUANT TO SUBSECTION (6)
44 OF THIS SECTION.

45
46 (8) WHEN THE DEPARTMENT HAS DETERMINED THAT THE
47 AGGREGATE AMOUNT OF ALL CREDITS CLAIMED BY TAXPAYERS UNDER
48 THIS SECTION HAS REACHED FIVE MILLION THREE HUNDRED THOUSAND
49 DOLLARS FROM THE EFFECTIVE DATE OF THIS SECTION THROUGH
50 DECEMBER 31, 2011, MINUS ANY ADMINISTRATIVE EXPENSES INCURRED
51 BY THE DEPARTMENT IN REVIEWING APPLICATIONS AND ISSUING CREDIT
52 CERTIFICATES, THE DEPARTMENT SHALL GIVE NOTICE TO THE PUBLIC THAT
53 FURTHER CREDITS SHALL NOT BE ALLOWED. IN CALCULATING THE
54 AGGREGATE AMOUNT, THE DEPARTMENT SHALL USE THE FULL AMOUNT
55 STATED ON EACH CREDIT CERTIFICATE, NOTWITHSTANDING ANY CREDIT
56 CARRIED FORWARD BY A TAXPAYER IN SUBSEQUENT YEARS PURSUANT TO

1 SUBSECTION (5) OF THIS SECTION.
2

3 (9) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR AND
4 EMPLOYMENT AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
5 REVENUE MAY PROMULGATE RULES AS MAY BE NECESSARY TO
6 ADMINISTER AND ENFORCE THIS SECTION. THE RULES SHALL BE
7 PROMULGATED IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S.
8

9 (10) ANY TAXPAYER WHO OFFSETS A TAX DEFICIENCY WITH A
10 CREDIT ALLOWED IN THIS SECTION THAT IS DISALLOWED PURSUANT TO
11 THIS SECTION SHALL BE LIABLE FOR SUCH TAX DEFICIENCY, INTEREST, AND
12 PENALTIES AS MAY BE SPECIFIED IN THIS ARTICLE OR OTHERWISE
13 PROVIDED BY LAW.
14

15 (11) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2025.
16

17 **SECTION 2. Safety clause.** The general assembly hereby finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, and safety."
20

21
22
23 **SB10-178** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:
26

27 Amend reengrossed bill, page 1, line 103, strike "**PROGRAM**".
28
29
30

31 **SB10-187** be referred favorably to the Committee on Appropriations.
32
33
34
35

36 **EDUCATION**

37 After consideration on the merits, the Committee recommends the
38 following:
39

40 **HB10-1406** be postponed indefinitely.
41
42
43
44

45 **HEALTH & HUMAN SERVICES**

46 After consideration on the merits, the Committee recommends the
47 following:
48

49 **SB10-126** be referred to the Committee of the Whole with favorable
50 recommendation.
51

52
53 **SB10-189** be referred to the Committee of the Whole with favorable
54 recommendation.
55
56

JUDICIARY

After consideration on the merits, the Committee recommends the following:

HB10-1411 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, strike lines 2 through 17 and substitute:

"**SECTION 1.** 24-33.5-424 (5) (b) and (5) (c), Colorado Revised Statutes, are amended to read:

24-33.5-424. National instant criminal background check system - state point of contact - grounds for denial of firearm transfer - appeal - rule-making - unlawful acts - repeal. (5) (b) Upon denial of a firearm transfer, the transferor shall provide the transferee with written information prepared by the bureau concerning the procedure by which the transferee, WITHIN THIRTY DAYS AFTER THE DENIAL, may request a review of the denial and of the instant criminal background check records that prompted the denial. WITHIN THIRTY DAYS OF RECEIVING SUCH A REQUEST, the bureau shall:

(I) PERFORM A THOROUGH REVIEW OF THE INSTANT CRIMINAL BACKGROUND CHECK RECORDS THAT PROMPTED THE DENIAL; AND

(II) Render a final administrative decision regarding THE denial within thirty days after receiving information from the transferee that ~~demonstrates~~ ALLEGES the transfer was improperly denied.

(c) In the case of any transfer denied pursuant to paragraph (b) of subsection (3) of this section, the inability of the ~~transferee~~ BUREAU to obtain the final disposition of a case that is no longer pending shall not constitute the basis for the continued denial of the transfer. ~~so long as the transferee provides a letter signed and verified by the clerk of the court or his or her designee that indicates that no final case disposition information is available. Upon presentation of such letter to the bureau, the bureau shall reverse the denial."~~

HB10-1413 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.** 19-2-517, Colorado Revised Statutes, is REPEALED AND REENACTED, WITH AMENDMENTS, to read:

19-2-517. Direct filing. (1) A JUVENILE MAY BE CHARGED BY THE DIRECT FILING OF AN INFORMATION IN THE DISTRICT COURT OR BY INDICTMENT ONLY IF:

(a) THE JUVENILE IS SIXTEEN YEARS OF AGE OR OLDER AT THE TIME OF THE COMMISSION OF THE ALLEGED OFFENSE AND:

- 1 (I) IS ALLEGED TO HAVE COMMITTED A CLASS 1 OR CLASS 2
2 FELONY; OR
3
- 4 (II) IS ALLEGED TO HAVE COMMITTED A FELONY ENUMERATED AS
5 A CRIME OF VIOLENCE PURSUANT TO SECTION 18-1.3-406, C.R.S.; OR
6
- 7 (III) IS ALLEGED TO HAVE COMMITTED A FELONY OFFENSE
8 DESCRIBED IN PART 1 OF ARTICLE 12 OF TITLE 18, C.R.S., EXCEPT FOR THE
9 POSSESSION OF A HANDGUN BY A JUVENILE, AS SET FORTH IN SECTION
10 18-12-108.5, C.R.S.; OR
11
- 12 (IV) IS ALLEGED TO HAVE USED, OR POSSESSED AND THREATENED
13 THE USE OF, A DEADLY WEAPON DURING THE COMMISSION OF A FELONY
14 OFFENSE AGAINST A PERSON DESCRIBED IN ARTICLE 3 OF TITLE 18, C.R.S.;
15 OR
16
- 17 (V) IS ALLEGED TO HAVE COMMITTED VEHICULAR HOMICIDE, AS
18 DESCRIBED IN SECTION 18-3-106, C.R.S., VEHICULAR ASSAULT, AS
19 DESCRIBED IN SECTION 18-3-205, C.R.S., OR FELONIOUS ARSON, AS
20 DESCRIBED IN PART 1 OF ARTICLE 4 OF TITLE 18, C.R.S.; OR
21
- 22 (VI) IS ALLEGED TO HAVE COMMITTED A CLASS 3 FELONY, OR
23 SEXUAL ASSAULT AS DESCRIBED IN SECTION 18-3-402 (1) (d), C.R.S., OR
24 SECTION 18-3-403 (1) (e), C.R.S., AS IT EXISTED PRIOR TO JULY 1, 2000,
25 AND THE JUVENILE, WITHIN THE TWO PREVIOUS YEARS, HAS BEEN
26 ADJUDICATED A JUVENILE DELINQUENT FOR AN ACT THAT CONSTITUTES A
27 FELONY; OR
28
- 29 (VII) IS ALLEGED TO HAVE COMMITTED A DELINQUENT ACT THAT
30 CONSTITUTES A FELONY, AND IS DETERMINED TO BE AN HABITUAL
31 JUVENILE OFFENDER. FOR PURPOSES OF THIS SECTION, "HABITUAL
32 JUVENILE OFFENDER" IS DEFINED IN SECTION 19-1-103 (61).
33
- 34 (b) THE JUVENILE IS FOURTEEN OR FIFTEEN YEARS OF AGE AT THE
35 TIME OF THE COMMISSION OF THE ALLEGED OFFENSE AND:
36
- 37 (I) IS ALLEGED TO HAVE COMMITTED MURDER IN THE FIRST
38 DEGREE, AS DESCRIBED IN SECTION 18-3-102, C.R.S., OR MURDER IN THE
39 SECOND DEGREE, AS DESCRIBED IN SECTION 18-3-103, C.R.S.; OR
40
- 41 (II) IS ALLEGED TO HAVE COMMITTED SEXUAL ASSAULT UNDER
42 THE CIRCUMSTANCES DESCRIBED IN SECTION 18-3-402 (5) (a), C.R.S.; OR
43
- 44 (III) IS ALLEGED TO HAVE COMMITTED ANY SEXUAL OFFENSE THAT
45 IS ENUMERATED AS A CRIME OF VIOLENCE PURSUANT TO SECTION
46 18-1.3-406, C.R.S.; OR
47
- 48 (IV) IS ALLEGED TO HAVE COMMITTED ANY SEXUAL OFFENSE
49 CLASSIFIED AS A CLASS 3 FELONY, OR SEXUAL ASSAULT AS DESCRIBED IN
50 SECTION 18-3-402 (1) (d), C.R.S., OR SECTION 18-3-403 (1) (e), C.R.S., AS
51 IT EXISTED PRIOR TO JULY 1, 2000, AND THE JUVENILE, WITHIN THE TWO
52 PREVIOUS YEARS, HAS BEEN ADJUDICATED A JUVENILE DELINQUENT FOR
53 AN ACT THAT CONSTITUTES A FELONY; OR
54
- 55 (V) IS ALLEGED TO HAVE COMMITTED ANY FELONY SEXUAL
56 OFFENSE AND IS DETERMINED TO BE AN HABITUAL JUVENILE OFFENDER.

1 (c) THE JUVENILE IS FOURTEEN OR FIFTEEN YEARS OF AGE AT THE
2 TIME OF THE COMMISSION OF THE ALLEGED OFFENSE, IS ALLEGED TO HAVE
3 COMMITTED ANY FELONY, AND IS CURRENTLY SERVING A SENTENCE AS A
4 RESULT OF A DIRECT FILING PURSUANT TO THIS SECTION OR A TRANSFER
5 PURSUANT TO SECTION 19-2-518; EXCEPT THAT, IF A JUVENILE IS FOUND
6 NOT GUILTY IN THE DISTRICT COURT OF THE PRIOR FELONY OR ANY LESSER
7 INCLUDED OFFENSE, THE SUBSEQUENT CHARGE SHALL BE REMANDED BACK
8 TO THE JUVENILE COURT.
9

10 (2) NOTWITHSTANDING THE PROVISIONS OF SECTION 19-2-518,
11 AFTER FILING CHARGES IN THE JUVENILE COURT BUT PRIOR TO THE TIME
12 THAT THE JUVENILE COURT CONDUCTS A TRANSFER HEARING, THE
13 DISTRICT ATTORNEY MAY FILE THE SAME OR DIFFERENT CHARGES AGAINST
14 THE JUVENILE BY DIRECT FILING OF AN INFORMATION IN THE DISTRICT
15 COURT OR BY INDICTMENT PURSUANT TO THIS SECTION. UPON SAID FILING
16 OR INDICTMENT IN THE DISTRICT COURT, THE JUVENILE COURT SHALL NO
17 LONGER HAVE JURISDICTION OVER PROCEEDINGS CONCERNING SAID
18 CHARGES.
19

20 (3) (a) IN DETERMINING WHETHER TO FILE CHARGES IN DISTRICT
21 COURT PURSUANT TO THIS SECTION, THE DISTRICT ATTORNEY SHALL FIRST
22 CONSIDER THE FOLLOWING CRITERIA:
23

24 (I) THE SERIOUSNESS OF THE OFFENSE AND WHETHER THE
25 PROTECTION OF THE COMMUNITY REQUIRES RESPONSE OR CONSEQUENCE
26 BEYOND THAT AFFORDED BY THIS ARTICLE;
27

28 (II) WHETHER THE ALLEGED OFFENSE WAS COMMITTED IN AN
29 AGGRESSIVE, VIOLENT, PREMEDITATED, OR WILLFUL MANNER;
30

31 (III) WHETHER THE ALLEGED OFFENSE WAS AGAINST PERSONS OR
32 PROPERTY, GREATER WEIGHT BEING GIVEN TO OFFENSES AGAINST
33 PERSONS;
34

35 (IV) THE AGE OF THE JUVENILE, AND THE MATURITY OF THE
36 JUVENILE AS DETERMINED BY CONSIDERATIONS OF THE JUVENILE'S HOME,
37 ENVIRONMENT, EMOTIONAL ATTITUDE, AND PATTERN OF LIVING;
38

39 (V) THE RECORD AND PREVIOUS HISTORY OF THE JUVENILE;
40

41 (VI) THE LIKELIHOOD OF REHABILITATION OF THE JUVENILE BY USE
42 OF THE SENTENCING OPTIONS AVAILABLE IN THE JUVENILE AND DISTRICT
43 COURTS;
44

45 (VII) THE INTEREST OF THE COMMUNITY IN THE IMPOSITION OF A
46 PUNISHMENT COMMENSURATE WITH THE GRAVITY OF THE OFFENSE;
47

48 (VIII) THE IMPACT OF THE OFFENSE ON THE VICTIM;
49

50 (IX) WHETHER THE JUVENILE WAS PREVIOUSLY COMMITTED TO
51 THE DEPARTMENT OF HUMAN SERVICES FOLLOWING AN ADJUDICATION FOR
52 A DELINQUENT ACT THAT CONSTITUTES A FELONY; AND
53

54 (X) WHETHER THE JUVENILE USED, OR POSSESSED AND
55 THREATENED THE USE OF, A DEADLY WEAPON IN THE COMMISSION OF A
56 DELINQUENT ACT.

1 (b) THE AMOUNT OF WEIGHT GIVEN TO EACH OF THE FACTORS
2 LISTED IN PARAGRAPH (a) OF THIS SUBSECTION (3) IS DISCRETIONARY WITH
3 THE DISTRICT ATTORNEY. THE INSUFFICIENCY OF ANY FACTOR OR SET OF
4 FACTORS SHALL NOT PRECLUDE THE DISTRICT ATTORNEY FROM CHARGING
5 BY DIRECT FILING, SO LONG AS THE DISTRICT ATTORNEY IS SATISFIED THAT
6 THE INFORMATION AVAILABLE SUPPORTS THE DECISION.
7

8 (4) (a) IF, AFTER OR CONTEMPORANEOUSLY WITH THE FILING OF A
9 DELINQUENCY PETITION AND AFTER INITIAL CONSIDERATION OF THE
10 FACTORS SET FORTH IN SUBSECTION (3) OF THIS SECTION, THE DISTRICT
11 ATTORNEY BELIEVES THE CASE MAY BE APPROPRIATE FOR CHARGING BY
12 DIRECT FILING, THE DISTRICT ATTORNEY SHALL FILE WITH THE JUVENILE
13 COURT, WITH A COPY TO THE JUVENILE'S COUNSEL OF RECORD, OR TO THE
14 JUVENILE IF THE JUVENILE HAS WAIVED COUNSEL OR IF THERE IS NO
15 COUNSEL OF RECORD, A NOTICE OF CONSIDERATION OF DIRECT FILE. NO
16 LATER THAN FORTY-EIGHT HOURS AFTER THE FILING OF THE NOTICE OF
17 CONSIDERATION, THE JUVENILE COURT SHALL READVICE THE JUVENILE OF
18 HIS OR HER RIGHT TO COUNSEL. IF THE JUVENILE HAS PREVIOUSLY WAIVED
19 HIS OR HER RIGHT TO COUNSEL, THE JUVENILE SHALL HAVE AN
20 OPPORTUNITY TO WITHDRAW SUCH WAIVER.
21

22 (b) AFTER THE FILING OF THE NOTICE OF CONSIDERATION OF
23 DIRECT FILE, THE JUVENILE SHALL HAVE FOURTEEN DAYS TO PROVIDE TO
24 THE DISTRICT ATTORNEY ANY AND ALL INFORMATION THE JUVENILE
25 REQUESTS THE DISTRICT ATTORNEY TO CONSIDER RELATING TO THE
26 FACTORS SET FORTH IN SUBSECTION (3) OF THIS SECTION IN MAKING THE
27 DECISION WHETHER TO DIRECT FILE CHARGES. THE DISTRICT ATTORNEY
28 SHALL NOT DIRECT FILE CHARGES UNTIL THE FOURTEEN-DAY PERIOD FOR
29 CONSIDERATION HAS PASSED. NOTHING IN THIS SECTION SHALL REQUIRE
30 THE DISTRICT ATTORNEY TO EXTEND THE PERIOD FOR CONSIDERATION;
31 NOR SHALL ANYTHING IN THIS SECTION PROHIBIT THE DISTRICT ATTORNEY
32 FROM AGREEING WITH THE JUVENILE'S COUNSEL OF RECORD TO EXTEND
33 THE PERIOD FOR CONSIDERATION. FURTHER, NOTHING IN THIS SECTION
34 SHALL PRECLUDE THE DISTRICT ATTORNEY FROM DIRECT FILING THE
35 CHARGES AFTER THE EXPIRATION OF THE PERIOD FOR CONSIDERATION.
36

37 (c) THE JUVENILE COURT SHALL NOT ACCEPT A PLEA OF GUILTY
38 DURING THE PERIOD FOR CONSIDERATION OF DIRECT FILE UNLESS THE PLEA
39 IS ENTERED WITH THE AGREEMENT OF THE DISTRICT ATTORNEY.
40

41 (d) THE DISTRICT ATTORNEY IS ENCOURAGED TO PROVIDE THE
42 JUVENILE'S COUNSEL OF RECORD AN OPPORTUNITY TO MEET TO DISCUSS
43 ANY AND ALL INFORMATION RELEVANT TO THE FACTORS SET FORTH IN
44 SUBSECTION (3) OF THIS SECTION BEFORE A DECISION TO DIRECT FILE
45 OCCURS. HOWEVER, THE LACK OF ANY SUCH MEETING SHALL NOT
46 REQUIRE AN EXTENSION OF THE PERIOD FOR CONSIDERATION.
47

48 (e) AT THE DISCRETION OF THE DISTRICT ATTORNEY, THE
49 PROVISIONS OF THIS SUBSECTION (4) SHALL NOT APPLY TO CHARGES FOR
50 FIRST DEGREE MURDER AS DESCRIBED IN SECTION 18-3-102, C.R.S.,
51 SECOND DEGREE MURDER, AS DESCRIBED IN SECTION 18-3-103, C.R.S., OR
52 ANY SEXUAL OFFENSE THAT IS ELIGIBLE FOR DIRECT FILE PURSUANT TO
53 SUBSECTION (1) OF THIS SECTION.
54

55 (5) UPON THE DIRECT FILING OF CHARGES IN THE DISTRICT COURT
56 PURSUANT TO THIS SECTION, THE DISTRICT ATTORNEY SHALL FILE A

1 WRITTEN STATEMENT LISTING THE SPECIFIC FACTORS SET FORTH IN
2 SUBSECTION (3) OF THIS SECTION UPON WHICH THE DECISION TO DIRECT
3 FILE WAS BASED.

4
5 (6) (a) IF A JUVENILE IS CONVICTED FOLLOWING THE FILING OF
6 CRIMINAL CHARGES BY INFORMATION OR INDICTMENT IN THE DISTRICT
7 COURT PURSUANT TO THIS SECTION, THE DISTRICT JUDGE SHALL SENTENCE
8 THE JUVENILE AS FOLLOWS:

9
10 (I) AS AN ADULT; OR

11
12 (II) TO THE YOUTHFUL OFFENDER SYSTEM IN THE DEPARTMENT OF
13 CORRECTIONS IN ACCORDANCE WITH SECTION 18-1.3-407, C.R.S.; EXCEPT
14 THAT A JUVENILE SHALL BE INELIGIBLE FOR SENTENCING TO THE
15 YOUTHFUL OFFENDER SYSTEM IF THE JUVENILE IS CONVICTED OF:

16
17 (A) A CLASS 1 FELONY;

18
19 (B) ANY SEXUAL OFFENSE DESCRIBED IN SECTION 18-6-301 OR
20 18-6-302, C.R.S., OR PART 4 OF ARTICLE 3 OF TITLE 18, C.R.S.; OR

21
22 (C) A SECOND OR SUBSEQUENT OFFENSE, IF THE JUVENILE
23 RECEIVED A SENTENCE TO THE DEPARTMENT OF CORRECTIONS OR TO THE
24 YOUTHFUL OFFENDER SYSTEM FOR THE PRIOR OFFENSE; OR

25
26 (III) PURSUANT TO THE PROVISIONS OF THIS ARTICLE, IF THE
27 JUVENILE IS LESS THAN SIXTEEN YEARS OF AGE AT THE TIME OF
28 COMMISSION OF THE CRIME AND IS CONVICTED OF AN OFFENSE OTHER
29 THAN A CLASS 1 OR CLASS 2 FELONY, A CRIME OF VIOLENCE AS DEFINED
30 UNDER SECTION 18-1.3-406, C.R.S., OR AN OFFENSE DESCRIBED IN
31 SUBPARAGRAPH (V) OF PARAGRAPH (b) OF SUBSECTION (1) OF THIS
32 SECTION AND THE JUDGE MAKES A FINDING OF SPECIAL CIRCUMSTANCES.

33
34 (b) THE DISTRICT COURT JUDGE MAY SENTENCE A JUVENILE
35 PURSUANT TO THE PROVISIONS OF THIS ARTICLE IF THE JUVENILE IS
36 CONVICTED OF A LESSER INCLUDED OR NONENUMERATED OFFENSE FOR
37 WHICH CRIMINAL CHARGES COULD NOT HAVE BEEN ORIGINALLY FILED BY
38 INFORMATION OR INDICTMENT IN THE DISTRICT COURT PURSUANT TO THIS
39 SECTION.

40
41 (7) IN THE CASE OF A PERSON WHO IS SENTENCED AS A JUVENILE
42 PURSUANT TO SUBSECTION (6) OF THIS SECTION, THE FOLLOWING
43 PROVISIONS SHALL APPLY:

44
45 (a) SECTION 19-2-908(1)(a), REGARDING MANDATORY SENTENCE
46 OFFENDERS;

47
48 (b) SECTION 19-2-908 (1) (b), REGARDING REPEAT JUVENILE
49 OFFENDERS;

50
51 (c) SECTION 19-2-908 (1) (c), REGARDING VIOLENT JUVENILE
52 OFFENDERS; AND

53
54 (d) SECTION 19-2-601, REGARDING AGGRAVATED JUVENILE
55 OFFENDERS.

56

(8) THE COURT IN ITS DISCRETION MAY APPOINT A GUARDIAN AD LITEM FOR A JUVENILE CHARGED BY THE DIRECT FILING OF AN INFORMATION IN THE DISTRICT COURT OR BY INDICTMENT PURSUANT TO THIS SECTION.

(9) THE OFFENSES DESCRIBED IN THIS SECTION SHALL INCLUDE ATTEMPT, CONSPIRACY, OR SOLICITATION TO COMMIT SUCH OFFENSES.

SECTION 2. 19-2-518 (1) (d) (II) (B), (1) (d) (II) (C), (1) (d) (II) (D), (1) (d.5), and (5), Colorado Revised Statutes, are amended to read:

19-2-518. Transfers. (1) (d) (II) In cases in which criminal charges are transferred to the district court pursuant to the provisions of this section, the judge of the district court may sentence to the youthful offender system created in section 18-1.3-407, C.R.S., any juvenile who would otherwise be sentenced pursuant to the provisions of subparagraph (I) of this paragraph (d); except that a juvenile shall be ineligible for sentencing to the youthful offender system if the juvenile is convicted of:

(B) ~~A class 2 felony as a result of a plea agreement in cases where the juvenile is charged with a class 1 felony;~~

(C) ~~A class 2 felony and the juvenile has one or more prior convictions for a crime of violence, as defined in section 18-1.3-406, C.R.S., or prior adjudications for an offense that would constitute a crime of violence if committed by an adult;~~

(D) ~~A class 2 felony and the juvenile is sixteen years of age or older;~~

(d.5) ~~Notwithstanding the provisions of subparagraph (II) of paragraph (d) of this subsection (1), a juvenile who is charged with first degree murder as described in section 18-3-102 (1) (b), C.R.S., and pleads guilty to a class 2 felony as a result of a plea agreement is eligible for sentencing to the youthful offender system if the juvenile would be eligible for sentencing to the youthful offender system for a conviction of the felony underlying the charge of first degree murder as described in section 18-3-102 (1) (b), C.R.S.~~

(5) When an action has been remanded to the juvenile court pursuant to section 19-2-517 (1) (a) ~~(IV)~~ (c) and the prosecution seeks waiver of jurisdiction pursuant to this section, the court's findings from the prior transfer hearing regarding the factor listed in paragraph (c) of subsection (4) of this section shall establish prima facie evidence that to retain jurisdiction in juvenile court would be contrary to the best interests of the juvenile or of the community.

SECTION 3. 16-11-102 (1.8), Colorado Revised Statutes, is amended to read:

16-11-102. Presentence or probation investigation. (1.8) Upon the request of either the prosecution or the defense, each presentence report prepared regarding a youthful offender, as defined in section 18-1.3-407, C.R.S., who is eligible for sentencing to the youthful offender system pursuant to section 18-1.3-407.5, 19-2-517 ~~(3)~~ (6), or 19-2-518 (1) (d) (II), ~~or (1) (d.5)~~, C.R.S., shall include a determination by the warden

1 of the youthful offender system whether the youthful offender is
2 acceptable for sentencing to the youthful offender system. When making
3 a determination, the warden shall consider the nature and circumstances
4 of the crime, the circumstances and criminal history of the youthful
5 offender, the available bed space in the youthful offender system, and any
6 other appropriate considerations.

7
8 **SECTION 4.** 18-1.3-104 (1) (h) (I), Colorado Revised Statutes,
9 is amended to read:

10
11 **18-1.3-104. Alternatives in imposition of sentence.** (1) Within
12 the limitations of the applicable statute pertaining to sentencing and
13 subject to the provisions of this title, the trial court has the following
14 alternatives in entering judgment imposing a sentence:

15
16 (h) (I) If the defendant is eligible pursuant to section 18-1.3-407.5
17 or section 19-2-517 ~~(3)~~ (6), C.R.S., the defendant may be sentenced to the
18 youthful offender system in accordance with section 18-1.3-407.

19
20 **SECTION 5.** 18-1.3-407 (1) (b) and (2) (a) (I) and the
21 introductory portion to 18-1.3-407 (2.1) (a), Colorado Revised Statutes,
22 are amended to read:

23
24 **18-1.3-407. Sentences - youthful offenders - legislative**
25 **declaration - powers and duties of district court - authorization for**
26 **youthful offender system - powers and duties of department of**
27 **corrections - definitions.** (1) (b) It is the further intent of the general
28 assembly in enacting this section that female and male offenders who are
29 eligible for sentencing to the youthful offender system pursuant to section
30 18-1.3-407.5 or section 19-2-517 ~~(3)~~ (6) or 19-2-518 (1) (d) (II), ~~or (1) (d.5)~~, C.R.S., receive equitable treatment in sentencing, particularly in
31 regard to the option of being sentenced to the youthful offender system.
32 Accordingly, it is the general assembly's intent that necessary measures
33 be taken by the department of corrections to establish separate housing
34 for female and male offenders who are sentenced to the youthful offender
35 system without compromising the equitable treatment of either.

36
37
38 (2) (a) (I) A juvenile may be sentenced to the youthful offender
39 system created pursuant to this section under the circumstances set forth
40 in section 19-2-517 ~~(3) (a) (II) or (3) (a.5)~~ (6) (a) (II) or 19-2-518 (1) (d)
41 (II), ~~or (1) (d.5)~~, C.R.S. A young adult offender may be sentenced to the
42 youthful offender system created pursuant to this section under the
43 circumstances set forth in section 18-1.3-407.5. In order to sentence a
44 juvenile or young adult offender to the youthful offender system, the
45 court shall first impose upon such person a sentence to the department of
46 corrections in accordance with section 18-1.3-401. The court shall
47 thereafter suspend such sentence conditioned on completion of a sentence
48 to the youthful offender system, including a period of community
49 supervision. The court shall impose any such sentence to the youthful
50 offender system for a determinate period of not fewer than two years nor
51 more than six years; except that a juvenile or young adult offender
52 convicted of a class 2 felony may be sentenced for a determinate period
53 of up to seven years. In imposing such sentence, the court shall grant
54 authority to the department of corrections to place the offender under a
55 period of community supervision for a period of not fewer than six
56 months and up to twelve months any time after the date on which the

1 offender has twelve months remaining to complete the determinate
2 sentence. The court may award an offender sentenced to the youthful
3 offender system credit for presentence confinement; except that such
4 credit shall not reduce the offender's actual time served in the youthful
5 offender system to fewer than two years. The court shall have a
6 presentence investigation conducted before sentencing a juvenile or
7 young adult offender pursuant to this section. Upon the request of either
8 the prosecution or the defense, the presentence report shall include a
9 determination by the warden of the youthful offender system whether the
10 offender is acceptable for sentencing to the youthful offender system.
11 When making a determination, the warden shall consider the nature and
12 circumstances of the crime; the age, circumstances, and criminal history
13 of the offender; the available bed space in the youthful offender system;
14 and any other appropriate considerations.
15

16 (2.1) (a) As originally enacted, this section applied only to
17 offenses committed by juveniles on or after September 13, 1993. For
18 purposes of extending the availability of sentencing options, a juvenile
19 who meets the criteria set forth in section 19-2-517 ~~(3)~~ (6) (a) (II), C.R.S.,
20 may be sentenced to the youthful offender system pursuant to this section,
21 under the following circumstances:
22

23 **SECTION 6. Act subject to petition - effective date -**
24 **applicability.** (1) This act shall take effect at 12:01 a.m. on the day
25 following the expiration of the ninety-day period after final adjournment
26 of the general assembly (August 11, 2010, if adjournment sine die is on
27 May 12, 2010); except that, if a referendum petition is filed pursuant to
28 section 1 (3) of article V of the state constitution against this act or an
29 item, section, or part of this act within such period, then the act, item,
30 section, or part shall not take effect unless approved by the people at the
31 general election to be held in November 2010 and shall take effect on the
32 date of the official declaration of the vote thereon by the governor.
33

34 (2) (a) Except as otherwise provided in paragraph (b) of this
35 subsection (2), the provisions of this act shall apply to the filing of
36 charges on or after the effective date of this act.
37

38 (b) Section 19-2-517 (6) and (7), Colorado Revised Statutes, as
39 enacted in section 1 of this act shall apply to persons sentenced on or after
40 the effective date of this act."
41
42
43
44

45 **TRANSPORTATION & ENERGY**

46 After consideration on the merits, the Committee recommends the
47 following:
48

49 **HB10-1282** be amended as follows, and as so amended, be referred to
50 the Committee of the Whole with favorable
51 recommendation:
52

53 Amend printed bill, page 3, line 17, strike "JULY 1, 2012." and substitute
54 "AUGUST 31, 2011."
55
56

1 **HB10-1405** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 3, line 12, after "SHALL" insert "FIRST HAVE
6 RECEIVED THE INPUT OF ONE LOCAL GOVERNMENT ELECTED OFFICIAL
7 APPOINTED BY EACH OF THE FIVE METROPOLITAN PLANNING
8 ORGANIZATIONS IN THE STATE FOR THE PURPOSE OF PROVIDING SUCH
9 INPUT AND SHALL".
10

11 Page 3, line 16, strike "IN ORDER TO ACCOUNT FOR" and substitute "TO
12 PROVIDE THE LEVEL OF FUNDING NECESSARY TO AVOID ANY UNFUNDED
13 MANDATES CREATED BY".
14

15 Page 3, line 19, after "REMOVAL." add "A REPORT MADE PURSUANT TO
16 THIS SECTION THAT INCLUDES RECOMMENDATIONS AS TO WHETHER
17 COMMUTER HIGHWAYS SHOULD BE REMOVED FROM THE STATE HIGHWAY
18 SYSTEM SHALL INCLUDE A STATEMENT REGARDING THE EXTENT TO WHICH
19 THE ELECTED OFFICIALS APPOINTED BY THE METROPOLITAN PLANNING
20 ORGANIZATIONS IN THE STATE AGREE WITH THE COMMISSION'S
21 RECOMMENDATIONS."
22

23
24 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
25 **on HB10-1171**

26 This Report Amends the Rerevised Bill.
27

28 To the President of the Senate and the
29 Speaker of the House of Representatives:
30

31 Your first conference committee appointed on HB10-1171,
32 concerning education-related data reporting requirements, has met and
33 reports that it has agreed upon the following:
34

35 That the House accede to the Senate amendments made to the bill,
36 as the amendments appear in the rerevised bill, with the following
37 changes:
38

39 Amend rerevised bill, page 4, strike lines 16 through 27 and substitute:
40 **"SECTION 3. Repeal.** 22-44-111 (3), Colorado Revised
41 Statutes, is repealed as follows:
42

43 **22-44-111. Budget - filing.** (3) ~~Each board of education shall~~
44 ~~submit its adopted annual budget to the department of education on or~~
45 ~~before January 31, 2009, and on or before January 31 each year thereafter.~~
46 ~~The budget shall include data available to the board of education as of~~
47 ~~December 31 of the immediately preceding calendar year."~~
48

49 Page 5, strike line 1.
50

51 Respectfully submitted,
52

52 House Committee:
53 (signed)
54 Debbie Benefield
55 Judy Solano
56 Tom Massey

Senate Committee:
(signed)
Pat Steadman
Keith King

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB10-1423, 1424, 1425, 1426; HCR10-1006, 1007, 1008.

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB10-179	amended as printed in Senate Journal, April 26, 2010, pages 1015-1017.
SB10-161	amended as printed in Senate Journal, April 26, 2010, page 1018.
SB10-180	amended as printed in Senate Journal, April 26, 2010, pages 1018-1019.
SB10-144	amended as printed in Senate Journal, April 26, 2010, page 1019.
SB10-013	amended as printed in Senate Journal, April 26, 2010, page 1019.
SB10-002	amended as printed in Senate Journal, April 26, 2010, pages 1019-1020.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1342	amended as printed in Senate Journal, April 26, 2010, pages 1017.
HB10-1221	amended as printed in Senate Journal, April 26, 2010, page 1018.
HB10-1060	amended as printed in Senate Journal, April 26, 2010, page 1020.

The Senate has passed on Third Reading and returns herewith:
HB10-1355.

The Senate has voted to concur in House amendments to SB10-110 and repassed the bill as amended.

The Senate has adopted the First Report of the First Conference Committee on HB10-1171, as printed in Senate Journal, April 19, 2010, pages 922-923, and repassed the bill as amended. The bill is returned herewith.

In response to the request of the House for a Conference Committee on HJR10-1015, the President appoints Senators Whitehead, chair, Steadman and White as conferees on the First Conference Committee on HJR10-1015.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB10-1342, 1221, and 1060.

Without comment, as amended, SB10-179, 161, 180, 144, 013, and 002.

INTRODUCTION OF BILLS**First Reading**

The following bills were read by title and referred to the committees indicated:

SB10-002 by Senator(s) Steadman and Keller; also Representative(s) Looper and Primavera, Acree, Todd--Concerning the denial of benefits by health coverage plans, and, in connection therewith, increasing recoveries to the medicaid program, providing additional assistance to families eligible for certain benefits, and making an appropriation in connection therewith.

Committee on Health and Human Services

SB10-012 by Senator(s) Tochtrop, Carroll M., Hodge; also Representative(s) Pace, Miklosi, Ryden--Concerning increased penalties for violations of the workers' compensation laws.

Committee on Judiciary

SB10-013 by Senator(s) Hodge, Carroll M., Tochtrop; also Representative(s) Ryden, Miklosi, Pace--Concerning accountability for workers' compensation insurers, and making an appropriation therefor.

Committee on Business Affairs and Labor

SB10-144 by Senator(s) Scheffel; also Representative(s) Rice--Concerning the registration of equipment mounted on a motor vehicle.

Committee on Transportation & Energy

SB10-161 by Senator(s) King K.; also Representative(s) Massey--Concerning authorizing charter schools to enter into contractual agreements.

Committee on Education

SB10-179 by Senator(s) Steadman; also Representative(s) Weissmann and Casso--Concerning the voting rights of persons involved in the criminal justice system, and making an appropriation in connection therewith.

Committee on Judiciary

SB10-180 by Senator(s) Williams, Penry, Schwartz, Kester, Boyd, Carroll M., Hudak, Johnston, Morse, Romer, Bacon, Heath, Hodge, Keller, Newell, Shaffer B., Tapia; also Representative(s) Kerr A., Casso, Court, Curry, Fischer, Hullinghorst, Miklosi, Solano--Concerning the

development of a smart grid for Colorado, and, in connection therewith, convening a task force to recommend legislative and administrative measures to encourage the orderly implementation of smart grid technology in Colorado.

Committee on Transportation & Energy

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and laid over one day under the rules:

HJR10-1032 by Representative(s) May, Carroll T., Weissmann; also Senator(s) Shaffer B., Morse, Penry--Concerning complaints filed pursuant to rule 36 (d) of the joint rules of the Senate and House of Representatives addressing lobbying practices.

The following resolution was read by title and referred to the committees indicated:

HR10-1009 by Representative(s) Balmer--Concerning an amendment to the United States Constitution to prohibit Congressional exemptions from federal law.
Committee on State, Veterans, & Military Affairs
Committee on Judiciary

CHANGE IN SPONSORSHIP

The Speaker announced the following change in sponsorship:
SB10-190--Representative Pommer to be removed as dual prime sponsor.

NOTICE OF CALENDARED ITEM(S)

On motion of Representative Weissmann, the following bill(s) will be calendared for Second Reading on April 28, 2010: **HB10-1282, 1405.**

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until April 28, retaining place on Calendar:

Consideration of Conference Committee Report(s)--**HB10-1099, 1021, SB10-109.**

Consideration of Resolution(s)---**HJR10-1020, SJR10-025, HJR10-1023, 1019, 1024, 1025, 1026, 1027, 1028, 1029.**

Consideration of Senate Amendment(s)---**HB10-1118, 1133, 1147, 1149, 1328, 1160, 1332, 1122.**

1 On motion of Representative Weissmann, the House adjourned until
2 9:00 a.m., April 28, 2010.

3

4

5

6

Approved:
TERRANCE D. CARROLL,
Speaker

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-sixth Legislative Day

Wednesday, April 28, 2010

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

3
4 The Temporary Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Katie and Spencer Groves, Rock Academy,
7 Castle Rock.

8
9 The roll was called with the following result:

10
11 Present--60.

12 Excused--Representative(s) Gagliardi, Massey, McNulty,
13 Middleton, Ryden--5.

14 Present after roll call--Representative(s) Gagliardi, McNulty,
15 Middleton, Ryden.

16
17 The Speaker declared a quorum present.

18
19
20 On motion of Representative Murray, the reading of the journal of
21 April 27, 2010, was declared dispensed with and approved as corrected
22 by the Chief Clerk.

23
24
25
26 **THIRD READING OF BILL(S)--FINAL PASSAGE**

27
28 The following bill(s) was(were) considered on Third Reading. The
29 title(s) was(were) publicly read. Reading of the bill at length was
30 dispensed with by unanimous consent.

31
32 **HB10-1360** by Representative(s) Pace, Apuan, Casso, Court,
33 Ferrandino, Fischer, Kagan, Kefalas, Levy, Looper,
34 McCann, McFadyen, Merrifield, Miklosi, Ryden, Vigil,
35 Weissmann; also Senator(s) Steadman, Carroll M., Foster,
36 Hudak, Morse, Newell, Romer, Tapia--Concerning
37 changes to certain parole-related statutes to reduce the
38 number of parolees who return to the department of
39 corrections, and making an appropriation in connection
40 therewith.

41
42 The question being "Shall the bill pass?".

43 A roll call vote was taken. As shown by the following recorded vote, a

majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	54	NO	9	EXCUSED	2	ABSENT	0
Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	E	Massey	E	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Frangas, Hullinghorst, Labuda, May, Pommer, Primavera, Schafer S., Solano, Summers, Todd, Speaker.

HB10-1374 by Representative(s) Ferrandino, Levy, Waller; also Senator(s) Penry, Morse, Steadman--Concerning parole, and making an appropriation in connection therewith.

As shown by the following roll call vote, a majority of all members elected to the House voted in the affirmative, and Representative Ferrandino was given permission to offer a Third Reading amendment:

YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	E	Massey	E	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Third Reading amendment No. 1, by Representative Ferrandino.

Amend engrossed bill, page 2, after line 7 insert:

"SECTION 2. 16-11.7-103 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

16-11.7-103. Sex offender management board - creation - duties - repeal. (4) The board shall carry out the following duties:

(1) THE BOARD SHALL DEVELOP THE SPECIFIC SEX OFFENDER RELEASE GUIDELINE INSTRUMENT AS DESCRIBED BY SECTION 17-22.5-404 (4) (c) (II), C.R.S."

Renumber succeeding sections accordingly.

Page 16, after line 2 insert:

"SECTION 10. Specified effective date. (1) Sections 3 through 11 of this act shall take effect upon passage.

(2) Section 1 of this act shall take effect only if House Bill 10-1364 is not enacted and shall effect upon passage of this act.

(3) Section 2 of this act shall take effect only if House 10-1364 is enacted and becomes law and shall have the same effective date as House Bill 10-1364."

Renumber succeeding section accordingly.

The amendment was declared **passed** by the following roll call vote:

	YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y		Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y		Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y		Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y		Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y		Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y		Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y		Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y		King S.	Y	Nikkel	Y	Summers	Y
Curry	Y		Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y		Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y		Levy	Y	Pommer	Y	Todd	Y
Fischer	Y		Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y		Looper	Y	Priola	Y	Vaad	Y
Gagliardi	E		Massey	E	Rice	Y	Vigil	Y
Gardner B.	Y		May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y		McCann	Y	Roberts	Y	Weissmann	Y
							Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y		Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y		Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y		Judd	Y	McNulty	Y	Schafer S.	Y

1	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
2	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
3	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
4	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
5	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
6	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
7	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
8	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
9	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
10	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
11	Gagliardi	E	Massey	E	Rice	Y	Vigil	Y
12	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
13	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
14							Speaker	Y

15 Co-sponsor(s) added: Representative(s) Casso, Fischer, Frangas, Kagan,
 16 Labuda, May, McCann, Middleton, Pace, Pommer, Ryden, Schafer S., Solano,
 17 Todd, Vigil, Speaker.

21 CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)

23 **HB10-1099** by Representative(s) Pace; also Senator(s) Tapia--
 24 Concerning authorization to consume an alcohol beverage
 25 purchased at the Colorado state fair at any location on the
 26 fairgrounds licensed for consumption.

28 (Conference Committee Report printed in House Journal, April 14,
 29 page 1226.)

31 On motion of Representative Pace, the Conference Committee Report
 32 was **adopted** by the following roll call vote:

34	YES	62	NO	1	EXCUSED	2	ABSENT	0
35	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
36	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
37	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
38	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
39	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
40	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
41	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
42	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
43	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
44	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
45	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
46	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
47	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
48	Gagliardi	E	Massey	E	Rice	Y	Vigil	Y
49	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
50	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
51							Speaker	Y

53 The question being "Shall the bill, as amended, pass?".

54 A roll call vote was taken. As shown by the following recorded vote, a
 55 majority of those elected to the House voted in the affirmative and the
 56 bill, as amended, was declared **repassed**.

	YES	61	NO	2	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	E	Massey	E	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Labuda.

20
21
22 **HB10-1171** by Representative(s) Benefield, Scanlan; also Senator(s)
23 Steadman--Concerning education-related data reporting
24 requirements.
25

26 (Conference Committee Report printed in House Journal, April 27,
27 page 1449.)
28

29 On motion of Representative Benefield, the Conference Committee
30 Report was **adopted** by the following roll call vote:
31

	YES	46	NO	17	EXCUSED	2	ABSENT	0
32								
33	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
35	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
36	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
38	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	N	Nikkel	N	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
42	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
46	Gagliardi	E	Massey	E	Rice	Y	Vigil	Y
47	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
48	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
49							Speaker	Y

50
51 The question being "Shall the bill, as amended, pass?".

52 A roll call vote was taken. As shown by the following recorded vote, a
53 majority of those elected to the House voted in the affirmative and the
54 bill, as amended, was declared **repassed**.
55

	YES	49	NO	14	EXCUSED	2	ABSENT	0
1								
2	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
7	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	N	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
11	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
15	Gagliardi	E	Massey	E	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	N	Riesberg	Y	Waller	N
17	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) May, Summers, Vigil, Speaker.

23 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

25 **HB10-1118** by Representative(s) Kerr J.; also Senator(s) Hudak--
 26 Concerning the regulation of distressed real property by a
 27 board of county commissioners.

29 (Amended as printed in Senate Journal, March 23, pages 646.)

31 Representative Kerr J., moved that the House **concur** in Senate amend-
 32 ments. The motion was declared **passed** by the following roll call vote:

	YES	63	NO	0	EXCUSED	2	ABSENT	0
35	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
36	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
37	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
38	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
39	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
40	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
41	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
42	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
43	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
44	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
45	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
46	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
47	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
48	Gagliardi	E	Massey	E	Rice	Y	Vigil	Y
49	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
50	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
51							Speaker	Y

53 The question being, "Shall the bill, as amended, pass?"

54 A roll call vote was taken. As shown by the following recorded vote, a
 55 majority of those elected to the House voted in the affirmative, and the
 56 bill, as amended, was declared **repassed**.

	YES	58	NO	5	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
15	Gagliardi	E	Massey	E	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Labuda.

20
 21 **HB10-1147** by Representative(s) Kefalas, Fischer, Gagliardi,
 22 Hullinghorst, Kerr A., McFadyen, Merrifield, Primavera,
 23 Vigil; also Senator(s) Bacon--Concerning safer use of
 24 nonmotorized wheeled transportation by minors, and, in
 25 connection therewith, codifying into law the existing bike
 26 and pedestrian policy directive of the department of
 27 transportation and requiring the department of
 28 transportation, in collaboration with the departments of
 29 education and public safety and appropriate nonprofit
 30 organizations and advocacy groups, to notify schools of
 31 the availability of and make available to schools existing
 32 educational curriculum for minors regarding the safe use
 33 of public streets and premises open to the public.
 34

35 (Amended as printed in Senate Journal, April 19, pages 926-927.)

36
 37 Representative Kefalas moved that the House **concur** in Senate
 38 amendments. The motion was declared **passed** by the following roll call
 39 vote:

	YES	57	NO	6	EXCUSED	2	ABSENT	0
41								
42	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
43	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
44	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
45	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	Y
46	Benefield	Y	Kefalas	N	Middleton	Y	Sonnenberg	Y
47	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	N
48	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
49	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
50	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
51	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
52	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
53	Fischer	N	Liston	Y	Primavera	Y	Tyler	Y
54	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
55	Gagliardi	E	Massey	E	Rice	Y	Vigil	Y
56	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y

Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

	YES	34	NO	29	EXCUSED	2	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y	
Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y	
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y	
Baumgardner	N	Kagan	Y	Merrifield	N	Solano	Y	
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N	
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y	
Casso	Y	Kerr J.	N	Murray	N	Stephens	N	
Court	Y	King S.	N	Nikkel	N	Summers	N	
Curry	N	Labuda	Y	Pace	Y	Swalm	N	
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N	
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y	
Frangas	Y	Looper	N	Priola	N	Vaad	N	
Gagliardi	E	Massey	E	Rice	Y	Vigil	Y	
Gardner B.	N	May	N	Riesberg	Y	Waller	N	
Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y	
						Speaker	Y	

Representative Merrifield requested his name be removed as sponsor.

Representative Carroll T., requested his name be removed as co-sponsor.

Co-sponsor(s) added: Representative(s) May, Pace.

HB10-1149 by Representative(s) Hullinghorst; also Senator(s) Foster--
Concerning the regulation prior to disposal of sources that
emit radiation.

(Amended as printed in Senate Journal, April 19, pages 928-929.)

Representative Hullinghorst moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

	YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y	
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y	
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y	
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y	
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y	
Court	Y	King S.	Y	Nikkel	Y	Summers	Y	
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y	
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y	
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y	
Gagliardi	E	Massey	E	Rice	Y	Vigil	Y	
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y	

Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

	YES	40	NO	23	EXCUSED	2	ABSENT	0
Acree	N		Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y		Hullinghorst	Y	McKinley	N	Scanlan	Y
Balmer	N		Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N		Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y		Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	N		Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y		Kerr J.	N	Murray	N	Stephens	N
Court	Y		King S.	N	Nikkel	N	Summers	N
Curry	Y		Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	N		Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y		Levy	Y	Pommer	Y	Todd	Y
Fischer	Y		Liston	N	Primavera	Y	Tyler	Y
Frangas	Y		Looper	Y	Priola	N	Vaad	N
Gagliardi	E		Massey	E	Rice	Y	Vigil	Y
Gardner B.	N		May	N	Riesberg	Y	Waller	N
Gardner C.	N		McCann	Y	Roberts	Y	Weissmann	Y
							Speaker	Y

Co-sponsor(s) added: Representative(s) McFadyen.

HB10-1328 by Representative(s) Miklosi, Apuan, Benefield, Casso, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst, Kefalas, Kerr A., Labuda, Levy, McCann, McFadyen, Merrifield, Middleton, Peniston, Pommer, Primavera, Ryden, Scanlan, Solano, Todd, Tyler, Vigil, Weissmann; also Senator(s) Schwartz--Concerning the "New Energy Jobs Creation Act of 2010", and, in connection therewith, creating the Colorado new energy improvement district and authorizing the district to fund new energy improvements by issuing special assessment bonds payable from special assessments levied on eligible real property owned by persons who voluntarily join the district in order to have the district help them fund new energy improvements to the eligible real property.

(Amended as printed in Senate Journal, April 19, pages 929-930, and on April 21.)

Representative Miklosi moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

	YES	44	NO	19	EXCUSED	2	ABSENT	0
Acree	N		Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y		Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N		Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N		Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y		Kefalas	Y	Middleton	Y	Sonnenberg	N

1	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
2	Casso	Y	Kerr J.	N	Murray	N	Stephens	Y
3	Court	Y	King S.	N	Nikkel	Y	Summers	N
4	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
5	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
6	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
7	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
8	Frangas	Y	Looper	N	Priola	N	Vaad	N
9	Gagliardi	E	Massey	E	Rice	Y	Vigil	Y
10	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
11	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
12							Speaker	Y

13
 14 The question being, "Shall the bill, as amended, pass?".
 15 A roll call vote was taken. As shown by the following recorded vote, a
 16 majority of those elected to the House voted in the affirmative, and the
 17 bill, as amended, was declared **repassed**.

	YES	37	NO	26	EXCUSED	2	ABSENT	0
20	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
21	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
22	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
23	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
24	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
25	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
26	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
27	Court	Y	King S.	N	Nikkel	N	Summers	N
28	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
29	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
30	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
31	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
32	Frangas	Y	Looper	N	Priola	N	Vaad	N
33	Gagliardi	E	Massey	E	Rice	Y	Vigil	Y
34	Gardner B.	N	May	N	Riesberg	Y	Waller	N
35	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
36							Speaker	Y

37
 38 **HB10-1332** by Representative(s) Miklosi, Apuan, Gagliardi, Kefalas,
 39 Primavera, Tyler; also Senator(s) Romer--Concerning the
 40 creation of the "Barry Keene Medical Clean Claims
 41 Transparency and Uniformity Act".

42
 43 (Amended as printed in Senate Journal, April 20, page 953, and on
 44 April 23.)

45
 46 Representative Miklosi moved that the House **concur** in Senate
 47 amendments. The motion was declared **passed** by the following roll call
 48 vote:

	YES	63	NO	0	EXCUSED	2	ABSENT	0
51	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
52	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
53	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
54	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
55	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
56	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y

1	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
2	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
3	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
4	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
5	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
6	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
7	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
8	Gagliardi	E	Massey	E	Rice	Y	Vigil	Y
9	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
10	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
11							Speaker	Y

12
13 The question being, "Shall the bill, as amended, pass?".
14 A roll call vote was taken. As shown by the following recorded vote, a
15 majority of those elected to the House voted in the affirmative, and the
16 bill, as amended, was declared **repassed**.

17	YES	49	NO	14	EXCUSED	2	ABSENT	0
19	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
20	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
21	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
22	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
23	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
24	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
25	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
26	Court	Y	King S.	Y	Nikkel	N	Summers	Y
27	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
28	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
29	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
30	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
31	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
32	Gagliardi	E	Massey	E	Rice	Y	Vigil	Y
33	Gardner B.	N	May	N	Riesberg	Y	Waller	N
34	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
35							Speaker	Y

36 Co-sponsor(s) added: Representative(s) Frangas, Labuda, Soper.

40 MESSAGE(S) FROM THE SENATE

42 The Senate has adopted and transmits herewith: SJR10-046.

46 INTRODUCTION AND CONSIDERATION OF RESOLUTION

48 On motion of Representative Weissmann, the rules were suspended and
49 the following resolution was given immediate consideration.

51 **SJR10-046** by Senator(s) Newell; also Representative(s) Miklosi--
52 Concerning the value of conflict resolution, and, in
53 connection therewith, recognizing October as "Conflict
54 Resolution Month".

56 (Printed and placed in member's file).

1 On motion of Representative Miklosi, the resolution was read at length
2 and **adopted** by **viva voce** vote.

3
4 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
5 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
6 Ferrandino, Fischer, Frangas, Gardner B., Gardner C., Gerou, Hullinghorst,
7 Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
8 Looper, May, McCann, McFadyen, McKinley, McNulty, Merrifield, Middleton,
9 Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg,
10 Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens,
11 Summers, Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann,
12 Speaker.

13
14
15 House in recess. House reconvened.
16

17
18 On motion of Representative Pace, the House resolved itself into
19 Committee of the Whole for consideration of General Orders, and he was
20 called to the Chair to act as Chairman.

21
22
23 **GENERAL ORDERS--SECOND READING OF BILLS**
24

25 The Committee of the Whole having risen, the Chairman reported the
26 titles of the following bills had been read (reading at length had been
27 dispensed with by unanimous consent), the bills considered and action
28 taken thereon as follows:

29
30 (Amendments to the committee amendment are to the printed committee
31 report which was printed and placed in the members' bill file.)
32

33 On motion of Representative Weissmann the following bills were laid
34 over until April 29, 2010: **SB10-028, HB10-1217, 1113.**

35
36 On motion of Representative Weissmann the following bills were laid
37 over until April 30, 2010: **HB10-1391, HCR10-1002, SB10-114,**
38 **HB10-1390.**

39
40 On motion of Representative Weissmann the following bill was laid over
41 until May 5, 2010: **HB10-1282.**

42
43 **SB10-006** by Senator(s) Boyd, Hudak, Sandoval, White; also
44 Representative(s) Summers, Gagliardi, Kefalas, Waller--
45 Concerning reductions in barriers to obtaining identity-
46 related documents.

47
48 Amendment No. 1, Health & Human Services Report, dated
49 March 15, 2010, and placed in member's bill file; Report also printed in
50 House Journal, March 16, page 814.

51
52 Amendment No. 2, Appropriations Report, dated April 23, 2010, and
53 placed in member's bill file; Report also printed in House Journal,
54 April 23, page 1406.

55

1 Amendment No. 3, by Representative(s) Summers.

2
3 Amend reengrossed bill, page 5, line 22, strike "AND".

4
5 Page 5, after line 22 insert:

6
7 "(b) THE PROPOSED NAME CHANGE IS TO A NAME UNDER WHICH
8 THE PETITIONER WAS CONVICTED OR ADJUDICATED; EXCEPT THAT, FOR
9 GOOD CAUSE, THE COURT MAY ALLOW A CHANGE TO A NAME OTHER THAN
10 A NAME UNDER WHICH THE PETITIONER WAS CONVICTED OR
11 ADJUDICATED;".

12
13 Reletter succeeding paragraphs accordingly.

14
15 As amended, ordered revised and placed on the Calendar for Third
16 Reading and Final Passage.

17
18 **SB10-061** by Senator(s) Tochtrop and Williams, Newell; also
19 Representative(s) Soper and Riesberg, Roberts, Tyler--
20 Concerning medicaid payments for inpatient care for
21 hospice recipients, and making an appropriation therefor.

22
23 Amendment No. 1, Appropriations Report, dated April 23, 2010, and
24 placed in member's bill file; Report also printed in House Journal,
25 April 23, page 1406.

26
27 As amended, ordered revised and placed on the Calendar for Third
28 Reading and Final Passage.

29
30 **SB10-103** by Senator(s) Sandoval, Schwartz, Gibbs, Harvey, Hudak,
31 Kester, Morse, Romer, Tochtrop, White, Williams; also
32 Representative(s) Baumgardner, Bradford, Fischer,
33 Frangas, Gardner B., Kerr A., McFadyen, McNulty,
34 Miklosi, Murray, Nikkel, Primavera, Priola, Solano, Tyler--
35 -Concerning the creation of a Colorado state parks special
36 license plate, and making an appropriation therefor.

37
38 Amendment No. 1, by Representative(s) Ferrandino.

39
40 Strike the Appropriation Committee Report, dated April 23, 2010, and
41 substitute:

42
43 "Amend reengrossed bill, page 2, line 24, strike "PROJECTS." and
44 substitute "PROJECTS AND SHALL NOT BE USED FOR THE ADMINISTRATION
45 OF THE FOUNDATION FOR COLORADO STATE PARKS OR A SUCCESSOR
46 ORGANIZATION.".

47
48 Page 2 of the bill, line 26, after "SHALL" insert "HOLD THE MONEYS
49 COLLECTED PURSUANT TO THIS SUBSECTION (3) IN A SEPARATE ACCOUNT
50 FROM ALL OTHER MONEYS AND".

51
52 As amended, ordered revised and placed on the Calendar for Third
53 Reading and Final Passage.

54
55

1 **SB10-106** by Senator(s) Bacon, Boyd, Newell, Sandoval; also
2 Representative(s) Looper--Concerning the creation of a
3 food systems advisory council, and making an
4 appropriation therefor.
5

6 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
7 dated April 7, 2010, and placed in member's bill file; Report also printed
8 in House Journal, April 8, pages 1140-1141.
9

10 Amendment No. 2, by Representative(s) Looper.
11

12 Amend reengrossed bill, page 5, strike line 9 and substitute:
13

14 "(V) ONE MEMBER WHO IS KNOWLEDGEABLE ABOUT A LOCAL,
15 STATE, OR FEDERAL AGENCY AND WHO HAS EXPERTISE IN RURAL
16 COMMUNITY AND REGIONAL DEVELOPMENT PROGRAMS OR COMMUNITY
17 AND ECONOMIC DEVELOPMENT PROGRAMS."
18

19 Amendment No. 3, by Representative(s) Weissmann.
20

21 Amend reengrossed bill, page 7, strike line 25 and substitute the
22 following:
23

24 "POSSIBILITY OF USING ELECTRONIC BENEFIT CARDS FOR THE
25 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) AND FEDERAL
26 FARMERS' MARKET NUTRITION PROGRAM (FMNP) COUPONS AT LOCAL
27 FARMERS' MARKETS;"
28

29 As amended, ordered revised and placed on the Calendar for Third
30 Reading and Final Passage.
31

32 **SB10-108** by Senator(s) King K., Bacon, Scheffel, Schultheis,
33 Spence, Steadman; also Representative(s) Middleton,
34 Massey, Summers, Gardner B., King S., McNulty,
35 Murray--Concerning implementation of general education
36 core courses at institutions of higher education, and
37 making an appropriation therefor.
38

39 Ordered revised and placed on the Calendar for Third Reading and Final
40 Passage.
41

42 **SB10-120** by Senator(s) White, Bacon, Steadman; also
43 Representative(s) Rice, Bradford, McCann--Concerning
44 the inclusion of prepaid wireless telephone service among
45 the services subject to the surcharge that funds enhanced
46 911 emergency services, and making an appropriation in
47 connection therewith.
48

49 Amendment No. 1, by Representative(s) Liston.
50

51 Amend reengrossed bill, page 2, line 21, strike "**definitions.**" and
52 substitute "**definitions - repeal.**"
53

54 Page 5, strike lines 13 through 15 and substitute:
55

56 "(b) (I) EFFECTIVE JULY 1, 2011, A SELLER MAY DEDUCT AND

1 RETAIN THREE AND THREE-TENTHS PERCENT OF THE PREPAID WIRELESS
2 E911 CHARGES THAT ARE COLLECTED BY THE SELLER FROM CONSUMERS.

3
4 (II) (A) A SELLER MAY DEDUCT AND RETAIN TWO PERCENT OF THE
5 PREPAID WIRELESS E911 CHARGES THAT ARE COLLECTED BY THE SELLER
6 FROM CONSUMERS.

7
8 (B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 1,
9 2012."

10
11 As amended, ordered revised and placed on the Calendar for Third
12 Reading and Final Passage.

13
14 **SB10-169** by Senator(s) Boyd; also Representative(s) Riesberg--
15 Concerning authority for moneys in the hospital provider
16 fee cash fund generated by an enhanced federal match
17 through the 2010-11 fiscal year to be used to offset general
18 fund expenditures in the medicaid program, and making an
19 appropriation therefor.

20
21 Ordered revised and placed on the Calendar for Third Reading and Final
22 Passage.

23
24 **SB10-171** by Senator(s) Newell, Bacon, Boyd, Heath, Hodge, Hudak,
25 Keller, Kester, Lundberg, Morse, Penry, Romer,
26 Shaffer B., Spence, Steadman, Williams; also
27 Representative(s) Gagliardi, Acree, Casso, DelGrosso,
28 Ferrandino, Frangas, Hullinghorst, Kefalas, Kerr J.,
29 Labuda, Levy, McNulty, Middleton, Nikkel, Primavera,
30 Rice, Ryden, Scanlan, Todd, Tyler--Concerning the
31 creation of a child protection ombudsman program.

32
33 Amendment No. 1, Health & Human Services Report, dated
34 April 15, 2010, and placed in member's bill file; Report also printed in
35 House Journal, April 16, page 1302.

36
37 Amendment No. 2, Appropriations Report, dated April 23, 2010, and
38 placed in member's bill file; Report also printed in House Journal,
39 April 23, page 1407.

40
41 Amendment No. 3, by Representative(s) Hullinghorst.

42
43 Amend reengrossed bill, page 11, line 18, after "DEPARTMENTS," insert
44 "COUNTY ATTORNEYS, COUNTY COMMISSIONERS,".

45
46 As amended, ordered revised and placed on the Calendar for Third
47 Reading and Final Passage.

48
49 **SB10-183** by Senator(s) Morse and Tochtrop, Boyd, Penry,
50 Steadman, Williams; also Representative(s) Gagliardi,
51 Balmer, Kagan, Primavera, Riesberg--Concerning the
52 continuation of a statutory prohibition on balance billing
53 of certain charges for health care services.

54
55 Ordered revised and placed on the Calendar for Third Reading and Final
56 Passage.

1 **SB10-181** by Senator(s) Kester; also Representative(s) McKinley--
2 Concerning the authority of a municipality in the state to
3 lease lands owned by the municipality.
4

5 Ordered revised and placed on the Calendar for Third Reading and Final
6 Passage.
7

8 **HCR10-1004** by Representative(s) Lambert; also Senator(s) Sandoval--
9 Submitting to the registered electors of the state of
10 Colorado an amendment to section 3 of article VIII of the
11 constitution of the state of Colorado, concerning a process
12 for temporarily moving the seat of government in a
13 disaster emergency that substantially affects the ability of
14 the state government to operate in the city and county of
15 Denver, and, in connection therewith, requiring the general
16 assembly to convene in a temporary meeting location
17 designated by the governor and authorizing the general
18 assembly to determine by law a temporary location for the
19 seat of government of the state.
20

21 Amendment No. 1, by Representative(s) Gardner C.
22

23 Amend printed concurrent resolution, page 3, line 10, after the period,
24 add "THE CITY OF YUMA, COLORADO, SHALL HAVE FIRST PRIORITY AS THE
25 TEMPORARY MEETING LOCATION FOR THE GENERAL ASSEMBLY."
26

27 As amended, ordered engrossed and placed on the Calendar for Third
28 Reading and Final Passage.
29 (For change in action, see Amendments to Report, page 1471.)
30

31 **HB10-1404** by Representative(s) McCann; also Senator Steadman--
32 Concerning the administration of the independent ethics
33 commission.
34

35 Amendment No. 1, Judiciary Report, dated April 22, 2010, and placed in
36 member's bill file; Report also printed in House Journal, April 26,
37 page 1424.
38

39 As amended, ordered engrossed and placed on the Calendar for Third
40 Reading and Final Passage.
41

42 **SB10-156** by Senator(s) Heath; also Representative(s) Hulinghorst--
43 Concerning increased protections for mobile home owners
44 who lease space in mobile home parks.
45

46 Amendment No. 1, by Representative(s) Hulinghorst.
47

48 Amend reengrossed bill, page 4, line 20, strike "multisection" and
49 substitute "~~multisection~~".
50

51 As amended, ordered revised and placed on the Calendar for Third
52 Reading and Final Passage.
53

54 **HB10-1405** by Representative(s) Vaad and Pommer, Baumgardner,
55 King S., Liston, Looper, May, McKinley, McNulty,
56 Primavera, Swalm; also Senator(s) Spence and Tochtrop--

Concerning a study of the options for devolution of state highways that are commuter highways to local governments.

Amendment No. 1, Transportation & Energy Report, dated April 27, 2010, and placed in member's bill file; Report also printed in House Journal, April 27, page 1449.

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT

Representatives May and Lambert moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in adopting Amendment No. 1 by Representative Gardner C. (printed in House Journal, page 1470, lines 21-25) to show that the amendment lost, and that **HCR10-1004** passed.

Amend printed concurrent resolution, page 3, line 10, after the period, add "THE CITY OF YUMA, COLORADO, SHALL HAVE FIRST PRIORITY AS THE TEMPORARY MEETING LOCATION FOR THE GENERAL ASSEMBLY."

The amendment was declared **passed** by the following roll call vote:

YES	59	NO	3	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	N
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	E	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	E	Rice	Y	Vigil	Y
Gardner B.	E	May	Y	Riesberg	Y	Waller	Y
Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **SB10-006 amended, 061 amended, 103 amended, 106 amended, 108, 120 amended, 169, 171 amended, 183, 181, HCR10-1004, HB10-1404 amended, SB10-156 amended, HB10-1405 amended.**

1 Laid over until date indicated retaining place on Calendar: **SB10-028,**
 2 **HB10-1217, 1113**--April 29, 2010.
 3 **HB10-1391, HCR10-1002, SB10-114, HB10-1390**--April 30, 2010.
 4 **HB10-1282**--May 5, 2010.

5
 6 The Chairman moved the adoption of the Committee of the Whole
 7 Report. As shown by the following roll call vote, a majority of those
 8 elected to the House voted in the affirmative, and the Report was
 9 **adopted.**

10

	YES	62	NO	0	EXCUSED	3	ABSENT	0
12	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
14	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
15	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
19	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
20	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
21	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
22	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
24	Frangas	E	Looper	Y	Priola	Y	Vaad	Y
25	Gagliardi	Y	Massey	E	Rice	Y	Vigil	Y
26	Gardner B.	E	May	Y	Riesberg	Y	Waller	Y
27	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

29

30

31

32

32 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

33

34 **HB10-1160** by Representative(s) Rice and Stephens; also Senator(s)
 35 Mitchell and Newell--Concerning the ability of health
 36 insurance carriers to offer incentives for participation in
 37 wellness programs based on satisfaction of a standard
 38 related to a health risk factor.

39

40 (Amended as printed in Senate Journal, April 20, pages 953-955, and on
 41 April 23.)

42

43 Representative Rice moved that the House **concur** in Senate amendments.
 44 The motion was declared **passed** by the following roll call vote:

45

	YES	60	NO	3	EXCUSED	2	ABSENT	0
47	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
48	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
49	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
50	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
51	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
52	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
53	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
54	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
55	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
56	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y

1	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
2	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
3	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
4	Gagliardi	N	Massey	E	Rice	Y	Vigil	Y
5	Gardner B.	E	May	Y	Riesberg	Y	Waller	Y
6	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
7							Speaker	Y

8 The question being, "Shall the bill, as amended, pass?".

9 A roll call vote was taken. As shown by the following recorded vote, a
10 majority of those elected to the House voted in the affirmative, and the
11 bill, as amended, was declared **repassed**.

13	YES	39	NO	24	EXCUSED	2	ABSENT	0
14	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
15	Apuan	Y	Hullinghorst	N	McKinley	Y	Scanlan	Y
16	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	N
17	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
18	Benefield	Y	Kefalas	N	Middleton	N	Sonnenberg	Y
19	Bradford	Y	Kerr A.	N	Miklosi	Y	Soper	N
20	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
21	Court	N	King S.	Y	Nikkel	Y	Summers	Y
22	Curry	Y	Labuda	N	Pace	N	Swalm	Y
23	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
24	Ferrandino	N	Levy	N	Pommer	N	Todd	Y
25	Fischer	N	Liston	Y	Primavera	N	Tyler	N
26	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
27	Gagliardi	N	Massey	E	Rice	Y	Vigil	N
28	Gardner B.	E	May	Y	Riesberg	N	Waller	Y
29	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) Liston, McFadyen, Nikkel, Summers,
32 Speaker.

34 On motion of Representative Weissmann, the rules were suspended for
35 Immediate Consideration of Senate Amendments on HB10-1348.

37 **HB10-1348** by Representative(s) McFadyen, Massey; also Senator(s)
38 Kester and Bacon--Concerning increased regulatory
39 authority regarding radioactive materials.

41 (Amended as printed in Senate Journal, April 26, page 1020.)

43 Representative McFadyen moved that the House **concur** in Senate
44 amendments. The motion was declared **passed** by the following roll call
45 vote:

47	YES	61	NO	2	EXCUSED	2	ABSENT	0
48	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
50	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
51	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
53	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
54	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
55	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	N

1	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
2	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
3	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
4	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
5	Gagliardi	Y	Massey	E	Rice	Y	Vigil	Y
6	Gardner B.	E	May	Y	Riesberg	Y	Waller	Y
7	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
8							Speaker	Y

9
10 The question being, "Shall the bill, as amended, pass?".
11 A roll call vote was taken. As shown by the following recorded vote, a
12 majority of those elected to the House voted in the affirmative, and the
13 bill, as amended, was declared **repassed**.
14

15	YES	60	NO	3	EXCUSED	2	ABSENT	0
16	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
17	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
18	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
19	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
20	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
21	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
22	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
23	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
24	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
25	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
26	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
27	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
28	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
29	Gagliardi	Y	Massey	E	Rice	Y	Vigil	Y
30	Gardner B.	E	May	Y	Riesberg	Y	Waller	Y
31	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
32							Speaker	Y

33 Co-sponsor(s) added: Representative(s) Fischer, Kagan, King S., Nikkel,
34 Pommer, Tipton.
35

36 37 **THIRD READING OF BILL(S)--FINAL PASSAGE**

38 The following bill(s) was(were) considered on Third Reading. The
39 title(s) was(were) publicly read. Reading of the bill at length was
40 dispensed with by unanimous consent.
41

42 **HB10-1350** by Representative(s) Pace, Ferrandino, Frangas, Gagliardi,
43 Labuda, Hullinghorst, Levy, Pommer; also Senator(s)
44 Carroll M.-Concerning requirements for conducting a
45 study by the office of economic development in the office
46 of the governor to establish a plan for tracking certain job
47 creation activities by recipients of certain economic
48 development incentives, and, in connection therewith,
49 creating a plan for tracking job retention and requiring the
50 office of economic development to collect and report
51 information regarding the number of jobs created and
52 median and average salaries of those jobs in the annual
53 report filed pursuant to law.
54

55 The question being "Shall the bill pass?".

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	33	NO	30	EXCUSED	2	ABSENT	0
5	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	N
7	Balmer	N	Judd	Y	McNulty	N	Schafer S.	N
8	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	Y	Middleton	N	Sonnenberg	N
10	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
12	Court	Y	King S.	N	Nikkel	N	Summers	N
13	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
14	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	N	Priola	N	Vaad	N
18	Gagliardi	Y	Massey	E	Rice	N	Vigil	Y
19	Gardner B.	E	May	N	Riesberg	N	Waller	N
20	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
21							Speaker	Y

REPORT(S) OF COMMITTEE(S) OF REFERENCE

FINANCE

28 After consideration on the merits, the Committee recommends the
29 following:

31 **HB10-1169** be postponed indefinitely.

34 **HB10-1396** be postponed indefinitely.

37 **HB10-1410** be amended as follows, and as so amended, be referred to
38 the Committee on Appropriations with favorable
39 recommendation:

41 Amend printed bill, page 3, line 6, strike "A NEW".

43 Page 3, line 7, strike "PARAGRAPH," and substitute "THE
44 FOLLOWING NEW PARAGRAPHS,".

46 Page 4, line 4, strike "LEGISLATIVE".

48 Page 4, line 5, strike "DEPARTMENT AND".

50 Page 6, before line 1 insert:

52 "(f) (I) EFFECTIVE JUNE 30 OF STATE FISCAL YEAR 2010-11, AND
53 FOR THE JUNE 30 OF EACH STATE FISCAL YEAR THEREAFTER, THE STATE
54 TREASURER SHALL TRANSFER AN AMOUNT EQUAL TO ANY UNEXPENDED
55 AND UNENCUMBERED GENERAL FUND MONEYS APPROPRIATED BY THE
56 GENERAL ASSEMBLY FOR THE STATE FISCAL YEAR TO THE LEGISLATIVE

1 DEPARTMENT, AND EACH SERVICE AGENCY THEREOF, FROM THE GENERAL
2 FUND TO THE LEGISLATIVE DEPARTMENT CASH FUND CREATED IN SECTION
3 2-2-1601, C.R.S.; EXCEPT THAT MONEYS OTHERWISE RESERVED OR
4 PREVIOUSLY TRANSFERRED BY THE ANNUAL GENERAL APPROPRIATION ACT
5 FOR THE LEGISLATIVE DEPARTMENT SHALL NOT BE SUBJECT TO SUCH A
6 TRANSFER.

7
8 (II) ANY MONEYS TRANSFERRED TO THE LEGISLATIVE
9 DEPARTMENT CASH FUND PURSUANT TO SUBPARAGRAPH (I) OF THIS
10 PARAGRAPH (f) SHALL BE USED FOR THE SAME PURPOSES OF AND IN THE
11 SAME MANNER AS ANY MONEYS TRANSFERRED PURSUANT TO PARAGRAPH
12 (e) OF THIS SUBSECTION (8).

13
14 (III) ANY MONEYS IN THE LEGISLATIVE DEPARTMENT CASH FUND
15 NOT EXPENDED PURSUANT TO THIS PARAGRAPH (f) AND REMAINING IN THE
16 FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND AND
17 SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY
18 OTHER FUND. ONCE THE PURPOSES OF PARAGRAPH (e) HAVE BEEN
19 ACCOMPLISHED, ANY MONEYS REMAINING IN THE FUND MAY BE EXPENDED
20 BY THE LEGISLATIVE DEPARTMENT AS SPECIFIED IN SECTION 2-2-1601,
21 C.R.S.

22
23 (g) UPON A DETERMINATION BY THE STATE TREASURER THAT
24 SUFFICIENT MONEYS HAVE BEEN TRANSFERRED TO PAY ALL STATE
25 EMPLOYEE SALARIES ON THE LAST WORKING DAY OF JUNE FOR WORK
26 PERFORMED DURING THE MONTH OF JUNE, THE STATE TREASURER SHALL
27 CEASE THE TRANSFERS REQUIRED BY PARAGRAPHS (e) AND (f) OF THIS
28 SUBSECTION (8) AND SHALL TRANSFER ANY MONEYS REMAINING IN THE
29 STATE EMPLOYEE PAYDAY SHIFT FUND TO THE GENERAL FUND."

30
31
32
33 **HB10-1425** be referred to the Committee of the Whole with favorable
34 recommendation.

35
36
37 **SB10-139** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40
41 Amend reengrossed bill, page 3, strike lines 14 through 16 and substitute:

42
43 **"39-22-3702. Voluntary contribution designation - procedure**
44 **- effective date.** (1) FOR THE THREE CONSECUTIVE INCOME TAX YEARS
45 IMMEDIATELY FOLLOWING THE YEAR IN WHICH THE EXECUTIVE DIRECTOR
46 FILES WRITTEN CERTIFICATION WITH THE REVISOR OF STATUTES AS
47 SPECIFIED IN SUBSECTION (2) OF THIS SECTION, THE COLORADO STATE
48 INDIVIDUAL".

49
50 Page 3, after line 20 insert:

51
52 "(2) THIS PART 37 SHALL TAKE EFFECT ON SEPTEMBER 1 OF THE
53 YEAR IN WHICH THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
54 REVENUE FILES A WRITTEN CERTIFICATION WITH THE REVISOR OF
55 STATUTES THAT THERE ARE NO MORE THAN FOURTEEN OTHER LINES ON
56 THE COLORADO STATE INDIVIDUAL INCOME TAX RETURN FORM FOR

1 VOLUNTARY CONTRIBUTIONS FOR THE STATE INCOME TAX YEAR
2 COMMENCING IN JANUARY OF THE FOLLOWING YEAR.".

3
4 Page 4, line 12, strike "JANUARY 1, 2014," and substitute "JANUARY 1 OF
5 THE FOURTH INCOME TAX YEAR FOLLOWING THE YEAR IN WHICH THE
6 EXECUTIVE DIRECTOR FILES WRITTEN CERTIFICATION WITH THE REVISOR
7 OF STATUTES AS SPECIFIED IN SECTION 39-22-3702 (2),".

8
9
10
11 **SB10-141** be referred favorably to the Committee on Appropriations.

12
13
14 **SB10-186** be referred to the Committee of the Whole with favorable
15 recommendation.

16
17
18
19 **STATE, VETERANS, & MILITARY AFFAIRS**

20 After consideration on the merits, the Committee recommends the
21 following:

22
23 **HB10-1401** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:

26
27 Amend printed bill, page 2, line 3, strike "A NEW SUBSECTION" and
28 substitute "THE FOLLOWING NEW SUBSECTIONS".

29
30 Page 3, strike lines 2 through 9 and substitute:

31
32 "(1.5) (a) "COLLABORATION, OFFICE PRODUCTIVITY, AND
33 ELECTRONIC MAIL SOFTWARE" OR "COPE" MEANS SOFTWARE THAT IS
34 DELIVERED VIA AN SAAS MODEL AND OFFERED AS A SPECIFIC SERVICE BY
35 THE STATEWIDE INTERNET PORTAL AUTHORITY OR ANY PRIVATE SECTOR
36 PROVIDER OF INFORMATION TECHNOLOGY RESOURCES.

37
38 (b) THIS SUBSECTION (1.5) IS REPEALED, EFFECTIVE JULY 1, 2014.

39
40 (3.5) (a) "SOFTWARE AS A SERVICE" OR "SAAS" MEANS A MODEL OF
41 SOFTWARE DEPLOYMENT VIA THE INTERNET THAT:

42
43 (I) ALLOWS A CUSTOMER TO USE THE SOFTWARE AS A SERVICE ON
44 DEMAND THROUGH A SUBSCRIPTION OR A PAY-AS-YOU-GO MODEL;

45
46 (II) DOES NOT REQUIRE THE USER TO PURCHASE HARDWARE OR
47 SOFTWARE DIRECTLY TO RUN AN INFORMATION TECHNOLOGY APPLICATION
48 SINCE THE APPLICATION IS ACCESSIBLE VIA THE INTERNET; AND

49
50 (III) MAY BE UTILIZED FOR VARIOUS INFORMATION TECHNOLOGY
51 APPLICATIONS, INCLUDING BUT NOT LIMITED TO ELECTRONIC MAIL, VIDEO
52 CONFERENCING, INSTANT MESSAGING, OFFICE PRODUCTIVITY
53 APPLICATIONS, AND ELECTRONIC CALENDARING.

54
55 (b) THIS SUBSECTION (3.5) IS REPEALED, EFFECTIVE JULY 1, 2014.".

56

1 Page 3, line 13, after "COPE" insert "SERVICES".

2
3 Page 3, line 19, after "COPE" insert "SERVICE".

4
5 Page 3, line 21, after "COPE" insert "SERVICES".

6
7 Page 3, line 24, after "COPE" insert "SERVICES".

8
9 Page 4, line 1, strike "IS" and substitute "SERVICES ARE".

10
11 Page 4, line 12, after "COPE" insert "SERVICES".

12
13 Page 5, strike lines 8 through 15 and substitute:

14
15 **"24-37.7-114. Financial and performance audits.** (1) (a) IF A
16 FINANCIAL AUDIT OF THE AUTHORITY IS CONDUCTED BY AN INDEPENDENT
17 CERTIFIED PUBLIC ACCOUNTANT PURSUANT TO A CONTRACT WITH THE
18 AUTHORITY, ANY STATEMENTS, RECORDS, SCHEDULES, WORKING PAPERS,
19 AND MEMORANDA PREPARED BY THE CERTIFIED PUBLIC ACCOUNTANT
20 SHALL BE MADE AVAILABLE TO THE STATE AUDITOR'S OFFICE AND SHALL
21 BE KEPT CONFIDENTIAL UNLESS A MAJORITY OF THE MEMBERS OF THE
22 LEGISLATIVE AUDIT COMMITTEE VOTE TO OPEN SUCH DOCUMENTS.

23
24 (b) THE STATE AUDITOR MAY, AT HIS OR HER DISCRETION,
25 CONDUCT OR CAUSE TO BE CONDUCTED PERFORMANCE AUDITS
26 COMMENCING ON OR AFTER MAY 1, 2011, OF THE AUTHORITY TO
27 DETERMINE WHETHER THE AUTHORITY IS EFFECTIVELY AND EFFICIENTLY
28 FULFILLING ITS STATUTORY OBLIGATIONS. THE STATE AUDITOR SHALL
29 CONSIDER INPUT AND RECOMMENDATIONS FOR THE AUTHORITY AND THE
30 BOARD DURING THE PLANNING PROCESS FOR ANY SUCH AUDIT SO AS TO
31 MINIMIZE THE IMPACTS ON THE AUTHORITY'S STAFF, PLANNING, AND
32 PROJECT SCHEDULES AND TO NOT CONFLICT WITH THE FINANCIAL AUDIT
33 DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1).".

34
35

36
37 **HB10-1408** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40

41 Amend printed bill, page 2, strike lines 5 through 7 and substitute:

42

43 **"congressional districts.** (1) In determining whether one or more of the
44 congressional districts established in section 2-1-101 are lawful and in
45 adopting or enforcing any change to any such district, courts:

46

47 (a) Shall UTILIZE THE FOLLOWING FACTORS:".

48

49 Page 2, strike lines 15 through 27 and substitute:

50

51 "(I) ~~First,~~ A good faith effort to achieve precise mathematical
52 population equality between districts, justifying each variance, no matter
53 how small, as required by the constitution of the United States. Each
54 district shall consist of contiguous whole general election precincts.
55 Districts shall not overlap.

56

1 (II) ~~Second~~, Compliance with the federal "Voting Rights Act of
2 1965", in particular 42 U.S.C. sec. 1973; AND

3
4 "(b) MAY, WITHOUT WEIGHT TO ANY FACTOR, UTILIZE FACTORS
5 INCLUDING BUT NOT LIMITED TO:

6
7 ~~(HH) (I) Third, except when necessary to comply with~~
8 ~~subparagraph (I) or (II) of this paragraph (b) THE PRESERVATION OF~~
9 ~~political subdivisions such as counties, cities, and towns. shall be~~
10 ~~preserved intact and shall not be fragmented or dispersed across district~~
11 ~~lines. When applying this criterion, preservation of the most populous~~
12 ~~counties, cities, and towns shall take precedence. When county, city, or~~
13 ~~town boundaries are changed, adjustments, if any, in districts shall be as~~
14 ~~prescribed by law.~~

15
16 ~~(IV) (II) Fourth, THE PRESERVATION OF communities of interest,~~
17 ~~including ethnic, cultural, economic, trade area, geographic, and~~
18 ~~demographic factors. shall be preserved within a single district whenever~~
19 ~~possible. Traditional communities of interest in Colorado include the~~
20 ~~western slope and the eastern plains.~~

21
22 ~~(V) (III) Fifth, Each THE COMPACTNESS OF EACH congressional~~
23 ~~district; shall be as compact in area as possible, and the aggregate linear~~
24 ~~distance of all district boundaries shall be as short as possible; and~~

25
26 ~~(VI) (IV) Sixth, THE MINIMIZATION OF disruption of prior district~~
27 ~~lines. shall be minimized."~~

28
29 Page 3, strike lines 1 through 10.

30
31 Page 1, line 101, strike "THE REPEAL OF".

32
33
34
35 **HB10-1409** be amended as follows, and as so amended, be referred to
36 the Committee on Appropriations with favorable
37 recommendation:

38
39 Amend printed bill, page 6, line 25, strike "FOR THE".

40
41 Page 6, strike line 26 and substitute "ON JANUARY 1, 2011:".

42
43 Page 6, line 27, strike "IN THE STATE PERSONNEL".

44
45 Page 7, line 1, strike "SYSTEM" and substitute "DESCRIBED IN
46 SUBPARAGRAPH (II) OF THIS PARAGRAPH (g)".

47
48 Page 7, line 5, strike "IN THE STATE PERSONNEL".

49
50 Page 7, line 6, strike "SYSTEM" and substitute "DESCRIBED IN
51 SUBPARAGRAPH (II) OF THIS PARAGRAPH (g)".

52
53 Page 7, strike line 10 and substitute:

54 "(II) ON OR AFTER JANUARY 1, 2011, FOR THE 2010-11 FISCAL
55 YEAR AND ON OR AFTER JANUARY 1, 2012, FOR THE 2011-12 FISCAL
56 YEAR:".

Page 7, line 27, strike "POSITIONS," and substitute "POSITIONS OR ANY OTHER SAVINGS IN SUCH APPROPRIATION FOR PERSONAL SERVICES,".

Page 9, line 8, strike "2013," and substitute "2012,".

HJR10-1022 be referred out for final action.

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on HB10-1383**

This Report Adopts the Rerevised Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB10-1383, concerning funding for student financial aid for higher education, and making an appropriation therefor, 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:

(signed)

Jack Pommer

Mark Ferrandino

Kent D. Lambert

Senate Committee:

(signed)

Al White

Abel Tapia

Moe Keller

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on HB10-1388**

This Report Amends the Rerevised Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB10-1388, 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, as the amendments appear in the rerevised bill, with the following changes:

Amend rerevised bill, page 3, strike line 27.

1 Page 4, strike lines 1 through 15.

2

3 Renumber succeeding sections accordingly.

4

5 Respectfully submitted,

6 House Committee:

7 (signed)

8 Mark Ferrandino

9 Jack Pommer

10 Kent D. Lambert

Senate Committee:

(signed)

Abel Tapia

Moe Keller

Al White

11

12

13

14 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

15

16 The Speaker has signed: **HB10-1017, 1029, 1164, 1229, 1259, 1276,**
17 **1377, 1380, 1382, 1389.**

18

19

20

21

MESSAGE(S) FROM THE SENATE

22

23 The Senate has passed on Third Reading and transmitted to the Revisor
24 of Statutes: SB10-194.

25

26 The Senate has passed on Third Reading and transmitted to the Revisor
27 of Statutes:

28

29 SB10-064 amended as printed in Senate Journal, April 27, 2010,
30 page 1038.

31 SB10-184 amended as printed in Senate Journal, April 27, 2010,
32 page 1039.

33

34 The Senate has passed on Third Reading and transmitted to the Revisor
35 of Statutes:

36

37 HB10-1362 amended as printed in Senate Journal, April 27, 2010,
38 page 1037.

39 HB10-1224 amended as printed in Senate Journal, April 27, 2010,
40 page 1038.

41 HB10-1260 amended as printed in Senate Journal, April 27, 2010,
42 pages 1037-1038 and April 28, 2010.

43 HB10-1348 amended as printed in Senate Journal, April 26, 2010,
44 page 1020.

45 HB10-1035 amended as printed in Senate Journal, April 27, 2010,
46 page 1040.

47 HB10-1125 amended as printed in Senate Journal, April 27, 2010,
48 page 1040.

49 HB10-1335 amended as printed in Senate Journal, April 27, 2010,
50 page 1040.

51 HB10-1330 amended as printed in Senate Journal, April 27, 2010,
52 page 1041.

53 HB10-1106 amended as printed in Senate Journal, April 27, 2010,
54 pages 1041-1042.

55 HB10-1053 amended as printed in Senate Journal, April 27, 2010,
56 page 1042.

1 HB10-1333 amended as printed in Senate Journal, April 27, 2010,
2 pages 1042-1043.
3

4 The Senate has passed on Third Reading and returns herewith:
5

6 HB10-1359, HB10-1267, HB10-1045, HB10-1291, HB10-1243,
7 HB10-1051, HB10-1363, HB10-1341, HB10-1210, HB10-1161,
8 HB10-1228.
9

10 The Senate has adopted the First Report of the First Conference
11 Committee on HB10-1383, as printed in Senate Journal, April 21, 2010,
12 pages 967-968. The bill is returned herewith.
13

14 The Senate has adopted the First Report of the First Conference
15 Committee on HB10-1388, as printed in Senate Journal, April 21, 2010,
16 page 968. The bill is returned herewith.
17

18 The Senate voted to reject the First Report of the First Conference
19 Committee on HB10-1098, as printed in Senate Journal, April 21, 2010,
20 pages 969-970, and to adhere to its position. The bill is returned
21 herewith.
22

23 MESSAGE(S) FROM THE REVISOR

24
25 We herewith transmit:
26

27 Without comment, SB10-194.

28 Without comment, as amended, HB10-1362, 1224, 1260, 1348, 1035,
29 1125, 1335, 1330, 1106, 1053, and 1333.
30

31 Without comment, as amended, SB10-064 and 184.
32

33 INTRODUCTION OF BILLS

34 First Reading

35
36 The following bills were read by title and referred to the committees
37 indicated:
38

39
40 **HB10-1427** by Representative(s) Todd, Hullinghorst, Kerr A., Levy,
41 Primavera, Solano, Summers, Ryden; also Senator(s)
42 Heath, Bacon, Hodge, Hudak, King K., Williams--
43 Concerning the authority of institutions of higher
44 education to offer group benefit coverage to employees of
45 the institution who are in the state personnel system.
46

47 Committee on Education
48

49 **HB10-1428** by Representative(s) Middleton; also Senator(s) Romer--
50 Concerning student loans.

51 Committee on Education
52

53 **HB10-1429** by Representative(s) Weissmann, Judd--Concerning the
54 legislative review of tax benefits.

55 Committee on Finance
56

1 **SB10-011** by Senator(s) Carroll M., Hodge, Tochtrop; also
2 Representative(s) Miklosi, Pace, Ryden--Concerning
3 measures to reduce conflicts of interest in workers'
4 compensation cases.

5 Committee on Judiciary
6

7 **SB10-064** by Senator(s) Bacon; also Representative(s) Merrifield--
8 Concerning authorization for an institution of higher
9 education to apply for stipends from the college
10 opportunity fund, and making an appropriation therefor.

11 Committee on Education
12

13 **SB10-184** by Senator(s) Romer and Gibbs, Penry, Schwartz, Hodge,
14 Kopp, Williams, Bacon, Boyd, Carroll M., Foster, Heath,
15 Hudak, Johnston, Kester, Lundberg, Mitchell, Morse,
16 Newell, Renfroe, Scheffel, Schultheis, Shaffer B., Spence,
17 Steadman, Tapia, Tochtrop, Whitehead; also
18 Representative(s) Scanlan and King S., Casso, Court,
19 Curry, Ferrandino, Fischer, Frangas, Kerr A., Kerr J.,
20 Levy, Looper, Massey, McCann, McFadyen, Miklosi,
21 Pace, Peniston, Pommer, Primavera, Rice, Schafer S.,
22 Soper, Swalm, Todd, Tyler--Concerning transportation
23 demand management solutions for traffic congestion in the
24 interstate 70 mountain corridor, and, in connection
25 therewith, authorizing the high-performance transportation
26 enterprise to contract with the department of transportation
27 to provide and operate reversible highway lanes within a
28 specified portion of the corridor.

29 Committee on Transportation & Energy
30

31 **SB10-194** by Senator(s) Boyd; also Representative(s) Riesberg--
32 Concerning the requirement that entities operating
33 pursuant to certain federal waivers that provide certain
34 services to persons with developmental disabilities obtain
35 licensure as home care agencies.

36 Committee on Health and Human Services
37

38 INTRODUCTION OF RESOLUTIONS

39
40
41 The following resolutions were read by title and laid over one day under
42 the rules:

43
44 **HJR10-1033** by Representative(s) McKinley, Apuan, Casso,
45 Hullinghorst, Kefalas, Labuda, McFadyen, Miklosi, Pace,
46 Soper; also Senator(s) Tochtrop--Concerning measures to
47 protect the health and safety of visitors to the Rocky Flats
48 National Wildlife Refuge, and, in connection therewith,
49 memorializing Congress to provide informed consent
50 information to persons entering areas of Rocky Flats that
51 are under federal control.

52
53 **HJR10-1034** by Representative(s) Acree, Carroll T., Gerou, Priola,
54 Roberts, Stephens; also Senator(s) Spence--Concerning
55 stroke awareness.
56

NOTICE OF CALENDARED ITEM(S)

On motion of Representative Weissmann, the following bill(s) will be calendared for Second Reading on April 29, 2010: **HB10-1425, SB10-186, HB10-1401, 1408.**

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until April 29, retaining place on Calendar:

Consideration of Conference Committee Report(s)--**HB10-1021, SB10-109.**

Consideration of Resolution(s)---**HJR10-1020, SJR10-025, HJR10-1023, 1019, 1024, 1025, 1026, 1027, 1028, 1029, 1032.**

Consideration of Senate Amendment(s)--**HB10-1133, 1060, 1221, 1342.**

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., April 29, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-seventh Legislative Day

Thursday, April 29, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Kerry McCauley, Flynn Elementary,
6 Westminster.

7

8 The roll was called with the following result:

9

10 Present--58.

11 Excused--Representative(s) Acree, Kagan, Merrifield, Scanlan,
12 Stephens, Swalm, Todd--7.

13 Present after roll call--Representative(s) Acree, Kagan,
14 Merrifield, Scanlan, Stephens, Swalm.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Murray, the reading of the journal of
20 April 28, 2010, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22

23

24

25

CONSIDERATION OF RESOLUTION(S)

26

27 **HJR10-1029** by Representative(s) Fischer, Kefalas, Levy; also
28 Senator(s) Bacon--Concerning the intent of the general
29 assembly to prevent distracted driving.

30

31 (Printed and placed in members' file)

32

33 On motion of Representative Fischer, the resolution was **adopted by viva**
34 **voce** vote.

35

36 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Court, Hullinghorst,
37 Kerr A., Labuda, Miklosi, Pace, Peniston, Rice, Riesberg, Ryden, Schafer S.,
38 Weissmann.

39

40

41

42

43

THIRD READING OF BILL(S)--FINAL PASSAGE

The following bill(s) was(were) considered on Third Reading. The title(s) was(were) publicly read. Reading of the bill at length was dispensed with by unanimous consent.

HB10-1404 by Representative(s) McCann; also Senator(s) Steadman--
Concerning the administration of the independent ethics commission.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	E	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	E
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Court, Labuda, Ryden, Solano, Vigil.

HB10-1405 by Representative(s) Vaad and Pommer, Baumgardner, King S., Liston, Looper, May, McKinley, McNulty, Primavera, Swalm; also Senator(s) Spence and Tochtrop--
Concerning a study of the options for devolution of state highways that are commuter highways to local governments.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	59	NO	3	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	E	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	E
Court	Y	King S.	Y	Nikkel	Y	Summers	Y

1	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
2	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
3	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
4	Fischer	N	Liston	Y	Primavera	Y	Tyler	Y
5	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
6	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
7	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
8	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
9							Speaker	Y

10 Co-sponsor(s) added: Representative(s) Bradford, Ferrandino, Gerou,
 11 Hullinghorst, Kerr J., Lambert, McFadyen, Murray, Pace, Priola, Tipton, Vigil,
 12 Weissmann.

16 MESSAGE(S) FROM THE SENATE

18 The Senate has adopted and transmits herewith: SJR10-041.

22 INTRODUCTION AND CONSIDERATION OF RESOLUTION

24 On motion of Representative Weissmann, the rules were suspended and
 25 the following resolution was given immediate consideration.

27 **SJR10-041** by Senator(s) Boyd, Hodge, Tochtrop; also
 28 Representative(s) Riesberg, Gagliardi, Priola--Concerning
 29 the designation of University of Colorado Hospital as a
 30 magnet hospital by the American Nurses Credentialing
 31 Center, which recognizes nursing excellence.

33 (Printed and placed in member's file).

35 On motion of Representative Riesberg, the resolution was read at length
 36 and **adopted** by **viva voce** vote.

38 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
 39 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
 40 Ferrandino, Fischer, Frangas, Gardner B., Gardner C., Gerou, Hullinghorst,
 41 Judd, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
 42 Looper, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield,
 43 Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Rice,
 44 Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Summers,
 45 Swalm, Tipton, Tyler, Vaad, Vigil, Waller, Weissmann, Speaker.

50 On motion of Representative Riesberg, the House resolved itself into
 51 Committee of the Whole for consideration of General Orders, and he was
 52 called to the Chair to act as Chairman.

GENERAL ORDERS--SECOND READING OF BILLS

The Committee of the Whole having risen, the Chairman reported the titles of the following bills had been read (reading at length had been dispensed with by unanimous consent), the bills considered and action taken thereon as follows:

(Amendments to the committee amendment are to the printed committee report which was printed and placed in the members' bill file.)

HB10-1217 by Representative(s) McKinley, McFadyen, Looper, Pace, Vigil; also Senator Kester--Concerning the repeal of the authority of the executive director of the department of human services to sell the Trinidad state nursing home.

Amendment No. 1, by Representative(s) Kerr J., McKinley.

Amend printed bill, strike everything below the enacting clause and substitute the following:

"SECTION 1. 26-12-112 (5), Colorado Revised Statutes, is amended to read:

26-12-112. Powers and duties of state department - repeal.

(5) (a) The executive director shall have the authority, ON AND AFTER APRIL 30, 2011, to transfer title to any real or personal property at the Trinidad state nursing home, established pursuant to section 26-12-201, on terms and conditions he or she deems appropriate. In the process of transferring the property pursuant to this subsection (5), the executive director shall work in consultation with the board of county commissioners for Las Animas county and shall encourage and entertain bids that include an assurance of continuity of care for residents and an employee retention plan. In making a decision, the state department shall consider any independent feasibility study that may be conducted by or on behalf of any Trinidad or Las Animas county organization and shall make available upon request any nonconfidential information concerning the Trinidad state nursing home that may be needed for such feasibility study.

(b) Any proceeds from the sale of property pursuant to paragraph (a) of this subsection (5) shall be deposited in the central fund and applied toward projects and programs for state nursing homes.

(c) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2012.

SECTION 2. Repeal. 26-12-201 (1) (b), Colorado Revised Statutes, is repealed.

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."

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

1 **HB10-1113** by Representative(s) McFadyen, Sonnenberg, Vaad; also
2 Senator(s) Hodge, Kester--Concerning the modification of
3 agencies that perform oversight of the commercial vehicle
4 industry through a transfer of the ports of entry section in
5 the department of revenue to the Colorado state patrol in
6 the department of public safety by a type 2 transfer.
7

8 Amendment No. 1, by Representative(s) McFadyen.
9 Amend printed bill, strike everything below the enacting clause and
10 substitute:
11

12 **"SECTION 1. Legislative declaration - intent.** (1) The general
13 assembly hereby finds and declares that:
14

15 (a) Although the ports of entry section is currently operated by the
16 department of revenue, many duties and functions of the ports of entry
17 section are also performed by the Colorado state patrol in the department
18 of public safety;
19

20 (b) The motor carrier safety assistance program of the port of
21 entry section of the department of revenue would operate more efficiently
22 if consolidated within the Colorado state patrol in the department of
23 public safety;
24

25 (c) Such a transfer would promote operational efficiency and
26 programmatic consolidation of state safety inspection and enforcement
27 responsibilities by assigning program administration to a single agency;
28

29 (d) Such a transfer would improve traffic safety by implementing
30 a broader and more effective commercial vehicle safety enforcement
31 program because more state troopers would be strategically located
32 throughout the state; and
33

34 (e) Certain statutory changes are required to clarify the authority
35 of the department of revenue and the Colorado state patrol in the
36 department of public safety as the authority of those departments relate
37 to the ports of entry.
38

39 (2) Therefore, it is the intent of the general assembly that:
40

41 (a) Such a transfer be completed prior to the implementation of
42 the "CSA 2010" initiative by the federal motor carrier safety
43 administration; and
44

45 (b) That the department of public safety, in coordination with the
46 department of revenue and the department of transportation, initiate a
47 study to examine additional efficiencies within the port of entry section,
48 as specified in section 2 of this act.
49

50 **SECTION 2.** Part 1 of article 33.5 of title 24, Colorado Revised
51 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
52 read:
53

54 **24-33.5-111. Motor carrier safety assistance - study.** (1) ON
55 AUGUST 15, 2010, THE MOTOR CARRIER SAFETY INSPECTION PROGRAM OF
56 THE PORTS OF ENTRY SECTION IN THE DEPARTMENT OF REVENUE IS HEREBY

1 TRANSFERRED TO THE DEPARTMENT OF PUBLIC SAFETY AND ALLOCATED
2 TO THE COLORADO STATE PATROL.

3
4 (2) NO LATER THAN JULY 1, 2010, THE DEPARTMENT OF PUBLIC
5 SAFETY, IN COLLABORATION WITH THE DEPARTMENT OF TRANSPORTATION
6 AND THE DEPARTMENT OF REVENUE, SHALL ISSUE A REQUEST FOR
7 PROPOSAL FOR A PERFORMANCE STUDY TO BE CONDUCTED BY AN
8 INDEPENDENT PRIVATE VENDOR, SUBJECT TO AVAILABLE APPROPRIATIONS.
9 THE DEPARTMENTS SHALL WORK COOPERATIVELY TO DETERMINE THE
10 SCOPE OF THE STUDY AND THE INDEPENDENT PRIVATE VENDOR SHALL
11 REQUEST AND CONSIDER INPUT FROM POTENTIALLY IMPACTED PARTIES
12 DURING THE COURSE OF THE STUDY. THE STUDY SHALL INCLUDE, BUT NOT
13 BE LIMITED TO, AN EXAMINATION OF THE PORTS OF ENTRY OPERATIONS,
14 INFRASTRUCTURE, MANAGEMENT, POTENTIAL COST SAVINGS OR
15 EFFICIENCIES, AS WELL AS HOW THE PORT OF ENTRY SECTION MAY
16 MAXIMIZE RESOURCES AND TECHNOLOGY. THE STUDY SHALL ALSO
17 DETERMINE WHICH PRINCIPAL DEPARTMENT IS MOST APPROPRIATE FOR
18 OPERATING THE PORTS OF ENTRY SECTION IN A COST-EFFECTIVE MANNER.
19 THE INDEPENDENT PRIVATE VENDOR SHALL COMPLETE THE PERFORMANCE
20 REVIEW AND REPORT ITS FINDINGS TO THE TRANSPORTATION COMMITTEES
21 OF THE SENATE AND THE HOUSE OF REPRESENTATIVES NO LATER THAN
22 JUNE 1, 2011.

23
24 **SECTION 3.** 42-8-104 (2), Colorado Revised Statutes, is
25 amended to read:

26
27 **42-8-104. Powers and duties.** (2) The personnel of a port of
28 entry weigh station, during the time that they are actually engaged in
29 performing their duties as such and while acting under proper orders or
30 regulations issued by the executive director of the department of revenue,
31 shall have and exercise all the powers invested in peace officers in
32 connection with the enforcement of the provisions of this article, ~~articles~~
33 ~~2 and 20~~ ARTICLE 2, PARTS 2, 3, AND 5 OF ARTICLE 20 of this title, part 5
34 of article 4 of this title, and sections 42-3-107 (17), 42-4-225 (1.5), and
35 42-4-235; except that they shall not have the power to serve civil writs
36 and process and, in the exercise of their duties, such personnel shall have
37 the authority to restrain and detain persons or vehicles and may impound
38 any vehicle until any tax or license fee imposed by law is paid or until
39 compliance is had with any tax or regulatory law or regulation issued
40 thereunder.

41
42 **SECTION 4.** 42-8-111 (2) (b) (II), Colorado Revised Statutes, is
43 amended to read:

44
45 **42-8-111. Cooperative agreements with contiguous states for**
46 **operations of ports of entry - regulations.** (2) An agreement with a
47 contiguous state or contiguous states for the operation of ports of entry at
48 the borders between Colorado and such contiguous state or states entered
49 into under the provisions of this section may include, but shall not be
50 limited to, the following provisions:

51
52 (b) A grant of authority to the port of entry employees and
53 officials of Colorado and to the port of entry employees and officials of
54 each other state which is a party to such agreement to:

55
56 (II) Take actions to enforce the laws of other states ~~which~~ THAT

1 are parties to the agreement, including, but not limited to, the monitoring
2 of licenses and other credential usage, the enforcement of tax restraint,
3 distraint, or levy orders, the issuance of civil citations, and the conduct of
4 any necessary safety and equipment inspections. PORT OF ENTRY
5 PERSONNEL SHALL HAVE AND MAINTAIN THE AUTHORITY TO ENFORCE THE
6 PROVISIONS OF SECTION 42-4-1414 REGARDING THE PROHIBITION ON THE
7 USE OF DYED FUEL ON COLORADO HIGHWAYS.

8
9 **SECTION 5.** 42-20-404, Colorado Revised Statutes, is amended
10 to read:

11
12 **42-20-404. Inspections.** All vehicles carrying nuclear materials
13 entering the state on the public highways shall be inspected by ~~port of~~
14 ~~entry personnel or~~ Colorado state patrol officers at the ~~port of entry weigh~~
15 ~~station~~ nearest the point at which the shipment enters the state or at a
16 location specified by the Colorado state patrol. For all shipments
17 originating within the state, inspection shall be made at the point of
18 origination by Colorado state patrol officers. All such inspections
19 conducted by ~~port of entry weigh station personnel and~~ Colorado state
20 patrol officers shall be in accordance with the rules promulgated pursuant
21 to sections 42-4-235, 42-20-108 (2), and 42-20-403.

22
23 **SECTION 6.** 42-20-406 (1) and (2), Colorado Revised Statutes,
24 are amended to read:

25
26 **42-20-406. Violations - civil penalties - motor vehicles.**
27 (1) Any person who violates any provision of this part 4 or part 5 of this
28 article or a rule or regulation promulgated by the chief pursuant to this
29 part 4 and part 5 of this article, except for the violations enumerated in
30 subsection (3) of this section and section 42-20-505, shall be subject to
31 a civil penalty of not more than ten thousand dollars per day for each day
32 during which such violation occurs. The penalty shall be assessed by the
33 chief upon receipt of a complaint by any investigative personnel of the
34 commission ~~port of entry personnel~~, or Colorado state patrol officer and
35 after written notice and an opportunity for a hearing pursuant to section
36 24-4-105, C.R.S. Payment of a civil penalty under this section shall not
37 relieve any person from liability pursuant to article 11 of title 25, part 3
38 of article 15 of title 25, or article 22 of title 29, C.R.S. Any person who
39 is assessed a penalty pursuant to this subsection (1) shall have the right
40 to appeal the chief's decision by filing a notice of appeal with the court
41 of appeals as specified in section 24-4-106 (11), C.R.S.

42
43 (2) Any person who commits any of the acts enumerated in
44 subsection (3) of this section shall be subject to the civil penalty listed in
45 said subsection (3). ~~Ports of entry personnel~~, Investigative personnel of
46 the commission, and officers of the Colorado state patrol shall have the
47 authority to issue civil penalty assessments for the enumerated violations.
48 At any time that a person is cited for a violation enumerated in subsection
49 (3) of this section, the person in charge of or operating the motor vehicle
50 involved shall be given a notice in the form of a civil penalty assessment
51 notice. Such notice shall be tendered by the enforcement official and
52 shall contain the name and address of such person, the license number of
53 the motor vehicle involved, if any, the number of such person's driver's
54 license, the nature of the violation, the amount of the penalty prescribed
55 for such violation, the date of the notice, a place for such person to
56 execute a signed acknowledgment of his or her receipt of the civil

1 penalty assessment notice, a place for such person to execute a signed
2 acknowledgment of liability for the cited violation, and such other
3 information as may be required by law to constitute such notice as a
4 complaint to appear in court should the prescribed penalty not be paid
5 within ten days. Every cited person shall execute the signed
6 acknowledgment of his or her receipt of the civil penalty assessment
7 notice. The acknowledgment of liability shall be executed at the time the
8 cited person pays the prescribed penalty. The person cited shall pay the
9 civil penalty specified in subsection (3) of this section for the violation
10 involved at the office of the department of revenue either in person or by
11 postmarking such payment within ten days of the citation. The
12 department of revenue shall accept late payment of any penalty
13 assessment up to twenty days after such payment becomes due. If the
14 person cited does not pay the prescribed penalty within ten days of the
15 notice, the civil penalty assessment notice shall constitute a complaint to
16 appear in court unless payment for such penalty assessment has been
17 accepted by the department of revenue as evidenced by receipt, and the
18 person cited shall, within the time specified in the civil penalty
19 assessment notice, file an answer to this complaint with the county court
20 for the county in which the penalty assessment was issued. The attorney
21 general shall represent the state agency that issued the civil penalty
22 assessment notice if so requested by the agency.

23
24 **SECTION 7. Appropriation - adjustments to the 2010 long**
25 **bill.** (1) In addition to any other appropriation, there is hereby
26 appropriated, out of any moneys in the highway users tax fund pursuant
27 to section 43-4-201 (3) (a) (III) (C), Colorado Revised Statutes, not
28 otherwise appropriated, to the department of public safety, for allocation
29 to the Colorado state patrol, for the fiscal year beginning July 1, 2010, the
30 sum of two hundred fifty-five thousand eleven dollars (\$255,011) cash
31 funds, or so much thereof as may be necessary, for the implementation of
32 this act.

33
34 (2) For the implementation of this act, appropriations made in the
35 annual general appropriation act for the fiscal year beginning July 1,
36 2010, shall be adjusted as follows:

37
38 (a) The appropriation to the department of public safety, executive
39 directors office, for centrally appropriated line items, is increased by nine
40 thousand six hundred twenty-five dollars (\$9,625) cash funds. Said cash
41 funds shall be from the highway users tax fund pursuant to section
42 43-4-201 (3) (a) (III) (C), Colorado Revised Statutes.

43
44 (b) The appropriation to the department of public safety, Colorado
45 state patrol, is increased by eight hundred thousand eight hundred
46 ninety-one dollars (\$800,891) total funds and 8.8 FTE. Of said sum,
47 thirty thousand seven hundred seventy dollars (\$30,770) shall be cash
48 funds from the highway users tax fund pursuant to section 43-4-201 (3)
49 (a) (III) (C), Colorado Revised Statutes, twenty-nine thousand one
50 hundred seventy-six dollars (\$29,176) shall be cash funds from the
51 nuclear materials transportation fund created in section 42-20-511,
52 Colorado Revised Statutes, seventy-three thousand three hundred
53 sixty-four dollars (\$73,364) shall be reappropriated funds from the motor
54 carrier safety assistance program, and six hundred sixty-seven thousand
55 five hundred eighty-one dollars (\$667,581) shall be federal funds from
56 the motor carrier safety assistance program grant.

(c) The appropriation to the department of revenue, executive directors office, for centrally appropriated line items, is decreased by nine thousand six hundred twenty-five dollars (\$9,625) cash funds. These funds shall be from the highway users tax fund pursuant to section 43-4-201 (3) (a) (III) (C), Colorado Revised Statutes.

(d) The appropriation to the department of revenue, motor carrier services division, is decreased by eight hundred thousand eight hundred ninety-one dollars (\$800,891) total funds and 8.8 FTE. Of said sum, thirty thousand seven hundred seventy dollars (\$30,770) shall be cash funds from the highway users tax fund pursuant to section 43-4-201 (3) (a) (III) (C), Colorado Revised Statutes, twenty-nine thousand one hundred seventy-six dollars (\$29,176) shall be cash funds from the nuclear materials transportation fund created in section 42-20-511, Colorado Revised Statutes, seventy-three thousand three hundred sixty-four dollars (\$73,364) shall be reappropriated funds from the motor carrier safety assistance program, and six hundred sixty-seven thousand five hundred eighty-one dollars (\$667,581) shall be federal funds from the motor carrier safety assistance program grant.

SECTION 8. Specified effective date. This act shall take effect July 1, 2010.

SECTION 9. 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."

Page 1, strike lines 103 through 105 and substitute "A TRANSFER OF THE MOTOR CARRIER SAFETY ASSISTANCE PROGRAM OF THE PORTS OF ENTRY SECTION IN THE DEPARTMENT OF REVENUE TO THE COLORADO STATE PATROL IN THE DEPARTMENT OF PUBLIC SAFETY, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

HB10-1425 by Representative(s) Miklosi; also Senator Foster-- Concerning the exemption from the postretirement employment limit for certain employees of the Denver public school district who are retirees of the public employees' retirement association.

Ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

HB10-1408 by Representative(s) Weissmann; also Senator(s) Morse-- Concerning the repeal of statutory directions concerning congressional districts.

Amendment No. 1, State, Veterans, & Military Affairs Report, dated April 27, 2010, and placed in member's bill file; Report also printed in House Journal, April 28, pages 1478-1479.

Amendment No. 2, by Representative(s) Weissmann.

Amend the State, Veterans, and Military Affairs Committee Report, dated

1 April 27, 2010, page 1, strike line 1 and substitute:

2
3 "Amend printed bill, page 2, line 2, strike "**Repeal**".

4
5 Page 2 of the bill, line 3, strike "repealed as follows:" and substitute
6 "amended to read:".

7
8 Page 2 of the bill, strike lines 5 through 7 and substitute:".

9
10 As amended, ordered engrossed and placed on the Calendar for Third
11 Reading and Final Passage.

12
13 **HB10-1401** by Representative(s) Ferrandino; also Senator Carroll M.--
14 Concerning the management of information technology in
15 state agencies.

16
17 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
18 April 27, 2010, and placed in member's bill file; Report also printed in
19 House Journal, April 28, pages 1477-1478.

20
21 As amended, ordered engrossed and placed on the Calendar for Third
22 Reading and Final Passage.

23
24 On motion of Representative Weissmann, the remainder of the General
25 Orders Calendar (**SB10-028, 178, 126, 189, 186**) was laid over until
26 April 30, retaining place on Calendar.

27
28
29
30 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

31
32 Representative Gardner B. moved to amend the Report of the Committee
33 of the Whole to reverse the action taken by the Committee in not adopting
34 the following Gardner B. amendment, to HB10-1408, to show that said
35 amendment passed, and that **HB10-1408**, as amended, passed.

36
37 Amend the State, Veterans, and Military Affairs Committee Report, dated
38 April 27, 2010, page 1, line 1, strike "7" and substitute "11".

39
40 Page 1, after line 4 insert:

41
42 "(a) Not utilize nonneutral factors. For purposes of this section,
43 "nonneutral factors" include political party registration, political party
44 election performance, and other factors that invite the court to speculate
45 about the outcome of an election."

46
47 Page 1, line 5, strike "(a)" and substitute "(b)".

48
49 Page 1, line 14, strike "(b)" and substitute "(c)".

50
51 The amendment was declared **lost** by the following roll call vote:

52

	YES	28	NO	36	EXCUSED	1	ABSENT	0
54	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
55	Apuan	N	Hullinghorst	N	McKinley	N	Scanlan	N
56	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N

1	Baumgardner	N	Kagan	N	Merrifield	N	Solano	N
2	Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
3	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
4	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
5	Court	N	King S.	Y	Nikkel	Y	Summers	Y
6	Curry	Y	Labuda	N	Pace	N	Swalm	Y
7	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
8	Ferrandino	N	Levy	N	Pommer	N	Todd	E
9	Fischer	N	Liston	Y	Primavera	N	Tyler	N
10	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
11	Gagliardi	N	Massey	Y	Rice	N	Vigil	N
12	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
13	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
14							Speaker	N

15
16 Representative Waller moved to amend the Report of the Committee of
17 the Whole to reverse the action taken by the Committee in not adopting
18 the following Murray amendment, to HB10-1408, to show that said
19 amendment passed, and that **HB10-1408**, as amended, passed.

20
21 Amend the State, Veterans, and Military Affairs Committee Report, dated
22 April 27, 2010, page 1, line 14, strike "MAY," and substitute "SHALL,".

23
24 The amendment was declared **lost** by the following roll call vote:

25	YES	28	NO	36	EXCUSED	1	ABSENT	0
26								
27	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
28	Apuan	N	Hullingerhorst	N	McKinley	N	Scanlan	N
29	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
30	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
31	Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
32	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
33	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
34	Court	N	King S.	Y	Nikkel	Y	Summers	Y
35	Curry	Y	Labuda	N	Pace	N	Swalm	Y
36	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
37	Ferrandino	N	Levy	N	Pommer	N	Todd	E
38	Fischer	N	Liston	Y	Primavera	N	Tyler	N
39	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
40	Gagliardi	N	Massey	Y	Rice	N	Vigil	N
41	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
42	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
43							Speaker	N

44 45 46 47 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

48
49 Passed Second Reading: **HB10-1217 amended, 1113 amended, 1425,**
50 **1408 amended, 1401 amended.**

51
52 Laid over until date indicated retaining place on Calendar: **SB10-028,**
53 **178, 126, 189, 186--April 30, 2010.**

54
55 The Chairman moved the adoption of the Committee of the Whole
56 Report. As shown by the following roll call vote, a majority of those

1 elected to the House voted in the affirmative, and the Report was
 2 **adopted.**

	YES	39	NO	25	EXCUSED	1	ABSENT	0
5	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
7	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
8	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
10	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
12	Court	Y	King S.	N	Nikkel	N	Summers	N
13	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
14	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
16	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	N	Priola	N	Vaad	N
18	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
19	Gardner B.	N	May	N	Riesberg	Y	Waller	N
20	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
21							Speaker	Y

22
 23
 24 House in recess. House reconvened.

25 26 27 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

28 29 **BUSINESS AFFAIRS & LABOR**

30 After consideration on the merits, the Committee recommends the
 31 following:

32
 33 **HB10-1417** be amended as follows, and as so amended, be referred to
 34 the Committee of the Whole with favorable
 35 recommendation:

36
 37 Amend printed bill, page 3, line 1, strike "APPOINTED BY THE GOVERNOR".

38
 39 Page 3, strike lines 2 through 24 and substitute:

40 "(I) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR
 41 AND EMPLOYMENT OR HIS OR HER DESIGNEE;

42
 43 (II) THE DIRECTOR OF THE CIVIL RIGHTS DIVISION IN THE
 44 DEPARTMENT OF REGULATORY AGENCIES OR HIS OR HER DESIGNEE;

45
 46 (III) ONE MEMBER REPRESENTING HIGHER EDUCATION WHO HAS
 47 EXPERTISE IN PAY EQUITY ISSUES, APPOINTED BY THE GOVERNOR;

48
 49 (IV) TWO MEMBERS APPOINTED BY THE PRESIDENT OF THE SENATE
 50 AS FOLLOWS:

51
 52 (A) ONE MEMBER REPRESENTING A STATEWIDE LABOR UNION
 53 FEDERATION THAT INCLUDES PRIVATE AND PUBLIC SECTOR UNIONS; AND

54
 55 (B) ONE MEMBER REPRESENTING A NATIONAL ORGANIZATION
 56 THAT SERVES MINORITY COMMUNITIES AND COMMUNITIES OF COLOR;

1 (V) TWO MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE OF
2 REPRESENTATIVES AS FOLLOWS:

3
4 (A) ONE MEMBER OF A WOMEN'S NATIONAL ASSOCIATION OR
5 ORGANIZATION; AND

6
7 (B) ONE MEMBER WHO IS AN ATTORNEY WITH EXPERIENCE IN
8 LABOR AND EMPLOYMENT ISSUES, IS AN ACTIVE MEMBER OF A STATEWIDE
9 ASSOCIATION OF ATTORNEYS, AND REPRESENTS EMPLOYEES;

10
11 (VI) ONE MEMBER REPRESENTING A BUSINESS ASSOCIATION,
12 APPOINTED BY THE MINORITY LEADER OF THE SENATE;

13
14 (VII) ONE MEMBER REPRESENTING A CHAMBER OF COMMERCE OR
15 A CONSORTIUM OF CHAMBERS OF COMMERCE, APPOINTED BY THE
16 MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES;

17
18 (VIII) ONE MEMBER WHO IS A PRIVATE, FOR-PROFIT EMPLOYER
19 WITH FEWER THAN FIFTEEN EMPLOYEES, APPOINTED JOINTLY BY THE
20 MINORITY LEADERS OF THE SENATE AND HOUSE OF REPRESENTATIVES; AND

21
22 (IX) ONE MEMBER WHO IS A PRIVATE, FOR-PROFIT EMPLOYER WITH
23 FIFTEEN OR MORE EMPLOYEES, APPOINTED JOINTLY AND WITH THE
24 UNANIMOUS CONSENT OF THE PRESIDENT AND MINORITY LEADER OF THE
25 SENATE AND THE SPEAKER AND MINORITY LEADER OF THE HOUSE OF
26 REPRESENTATIVES.

27
28 (b) (I) THE INITIAL APPOINTMENTS TO THE COMMISSION SHALL BE
29 MADE WITHIN NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION.
30 IF THE APPOINTING AUTHORITY FOR A PARTICULAR POSITION ON THE
31 COMMISSION FAILS TO APPOINT A PERSON TO FILL THE POSITION BY THE
32 NINETIETH DAY AFTER THE EFFECTIVE DATE OF THIS SECTION, THE
33 COMMISSION, BY A MAJORITY VOTE OF THE MEMBERS APPOINTED BY SUCH
34 DATE, SHALL SELECT A QUALIFIED PERSON TO FILL THE POSITION.
35 MEMBERS OF THE COMMISSION SHALL".

36
37 Page 4, line 1, strike "GOVERNOR" and substitute "APPOINTING AUTHORITY
38 FOR THAT POSITION ON THE COMMISSION".

39
40 Page 4, line 2, strike "GOVERNOR" and substitute "APPOINTING
41 AUTHORITY".

42
43 Page 5, line 17, strike "THE BUSINESS, LABOR, AND TECHNOLOGY".

44
45 Page 5, strike lines 18 and 19.

46
47 Page 5, line 20, strike "COMMITTEES,".

48
49 Page 5, line 27, after "INFORMATION." add "THE EXECUTIVE DIRECTOR OF
50 THE DEPARTMENT SHALL PRESENT THE WRITTEN REPORT TO THE BUSINESS,
51 LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE AND THE BUSINESS
52 AFFAIRS AND LABOR COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR
53 THEIR SUCCESSOR COMMITTEES. FOLLOWING PRESENTATION OF THE
54 REPORT TO THE LEGISLATIVE COMMITTEES, THE DEPARTMENT SHALL POST
55 THE REPORT ON ITS WEB SITE.".

1 **EDUCATION**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HB10-1345** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, strike everything below the enacting clause and
10 substitute:

11
12 "SECTION 1. 22-2-113 (1), Colorado Revised Statutes, is
13 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

14
15 **22-2-113. Commissioner - powers.** (1) Subject to the
16 supervision of the state board, the commissioner has the following
17 powers:

18
19 (i) TO ISSUE EMERGENCY ORDERS CONCERNING A CHARTER
20 SCHOOL PURSUANT TO SECTION 22-30.5-603.

21
22 **SECTION 2.** Article 30.5 of title 22, Colorado Revised Statutes,
23 is amended BY THE ADDITION OF A NEW PART to read:

24
25 **PART 6**
26 **EMERGENCY POWERS**

27
28 **22-30.5-601. Short title.** THIS PART 6 SHALL BE KNOWN AND MAY
29 BE CITED AS THE "CHARTER SCHOOL EMERGENCY POWERS ACT".

30
31 **22-30.5-602. Definitions.** AS USED IN THIS PART 6, UNLESS THE
32 CONTEXT OTHERWISE REQUIRES:

33
34 (1) "AUTHORIZER" MEANS A SCHOOL DISTRICT BOARD OF
35 EDUCATION THAT AUTHORIZES A CHARTER SCHOOL PURSUANT TO PART 1
36 OF THIS ARTICLE OR THE STATE CHARTER SCHOOL INSTITUTE ESTABLISHED
37 PURSUANT TO SECTION 22-30.5-503.

38
39 (2) "CHARTER MANAGEMENT ORGANIZATION" MEANS THE
40 COLORADO OPERATIONS OF AN ENTITY THAT OPERATES ONE OR MORE
41 CHARTER SCHOOLS.

42
43 (3) "CHARTER RESPONDENT" MEANS A CHARTER SCHOOL OR
44 CHARTER MANAGEMENT ORGANIZATION THAT IS THE SUBJECT OF A
45 REQUEST FOR OR AN ORDER GRANTING EMERGENCY POWERS PURSUANT TO
46 THIS PART 6.

47
48 (4) "CHARTER SCHOOL" MEANS A CHARTER SCHOOL AS DEFINED IN
49 SECTION 22-30.5-103 (2) OR AN INSTITUTE CHARTER SCHOOL AS DEFINED
50 IN SECTION 22-30.5-502 (6).

51
52 (5) "COMMISSIONER" MEANS THE OFFICE OF THE COMMISSIONER
53 OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 1 OF
54 ARTICLE IX OF THE STATE CONSTITUTION.

55
56 (6) "EMERGENCY" MEANS A SITUATION THAT:

1 (a) PRESENTS A SIGNIFICANT THREAT, AS DETERMINED BY THE
2 COMMISSIONER, TO THE HEALTH OR SAFETY OF THE STUDENTS, STAFF, OR
3 OTHER INDIVIDUALS INVOLVED WITH A CHARTER SCHOOL;
4

5 (b) PRESENTS A SIGNIFICANT THREAT, AS DETERMINED BY THE
6 COMMISSIONER, TO SUBSTANTIAL PROPERTY RIGHTS OF AN AUTHORIZER
7 OR A SIGNIFICANT RISK, AS DETERMINED BY THE COMMISSIONER, TO A
8 CHARTER RESPONDENT'S SOLVENCY;
9

10 (c) INDICATES A SUBSTANTIAL DIVERSION, AS DETERMINED BY THE
11 COMMISSIONER, OF CHARTER SCHOOL MONEYS THROUGH ONE OR MORE
12 EXCESS BENEFIT TRANSACTIONS; OR
13

14 (d) IS DEFINED BY RULE OF THE STATE BOARD AS ONE THAT
15 JUSTIFIES ACTION PURSUANT TO THIS PART 6.
16

17 (7) "EXCESS BENEFIT" MEANS A FINANCIAL BENEFIT ARISING
18 DIRECTLY OR INDIRECTLY FROM A TRANSACTION WITH A CHARTER SCHOOL
19 THAT WOULD BE CONSIDERED AN EXCESS BENEFIT UNDER SECTION 4958
20 (c) (1) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS
21 AMENDED, AND REGULATIONS ADOPTED THEREUNDER; EXCEPT THAT THE
22 DEFINITION OF EXCESS BENEFIT SHALL EXTEND TO ALL CHARTER SCHOOLS
23 REGARDLESS OF WHETHER THEY HAVE APPLIED FOR OR RECEIVED
24 NONPROFIT STATUS UNDER SECTION 501 (c) (3) OF THE FEDERAL
25 "INTERNAL REVENUE CODE OF 1986", AS AMENDED. THE SALARIES OF
26 ADMINISTRATORS IN COMPARABLE POSITIONS AT OTHER COLORADO
27 CHARTER SCHOOLS, CHARTER MANAGEMENT ORGANIZATIONS, BOARDS OF
28 COOPERATIVE SERVICES, AND SCHOOL DISTRICTS SERVING A REASONABLY
29 COMPARABLE NUMBER OF STUDENTS SHALL SERVE AS THE COMPARISON
30 FOR DETERMINING WHETHER THE SALARIES OF CHARTER SCHOOL OR
31 CHARTER MANAGEMENT ORGANIZATION ADMINISTRATORS ARE
32 REASONABLE OR EXCESSIVE FOR THE PURPOSES OF THIS PART 6.
33

34 (8) "FIDUCIARY" MEANS A PERSON WHO MEETS THE
35 REQUIREMENTS OF THE "UNIFORM FIDUCIARIES LAW", PART 1 OF ARTICLE
36 1 OF TITLE 15, C.R.S., AND ANY OTHER APPLICABLE LAW OR RULE.
37

38 (9) "ORGANIC DOCUMENTS" MEANS THE ARTICLES OF
39 INCORPORATION, ARTICLES OF ORGANIZATION, CONSTITUTION, BYLAWS,
40 OR OTHER DOCUMENTS, HOWEVER DENOMINATED, THAT DEFINE THE BASIC
41 GOVERNANCE STRUCTURE FOR A CHARTER SCHOOL AND THE BODY OR
42 BODIES THAT HAVE GOVERNING AUTHORITY FOR A CHARTER SCHOOL.
43

44 (10) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
45 CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE
46 STATE CONSTITUTION.
47

48 **22-30.5-603. Emergency powers - request - orders - process.**

49 (1) AN AUTHORIZER MAY REQUEST THAT THE COMMISSIONER PERMIT
50 EXTERNAL CONTROL OVER CERTAIN FUNCTIONS OF A CHARTER SCHOOL OR
51 CHARTER MANAGEMENT ORGANIZATION BY SUBMITTING TO THE
52 COMMISSIONER AND THE CHARTER SCHOOL OR CHARTER MANAGEMENT
53 ORGANIZATION A CONCISE WRITTEN STATEMENT IDENTIFYING THE
54 EMERGENCY THAT JUSTIFIES EXTERNAL CONTROL AND THE FORM OR
55 FORMS OF EXTERNAL CONTROL REQUESTED. THE AUTHORIZER SHALL
56 STATE CLEARLY IF IT IS REQUESTING AN ORDER OF REORGANIZATION. THE

1 COMMISSIONER MAY AUTHORIZE EXTERNAL CONTROL OVER A CHARTER
2 SCHOOL OR CHARTER MANAGEMENT ORGANIZATION BY ISSUING A
3 TEMPORARY ORDER AS PROVIDED IN SUBSECTION (2) OF THIS SECTION OR
4 A PRELIMINARY ORDER AS PROVIDED IN SUBSECTION (3) OF THIS SECTION.
5

6 (2) THE COMMISSIONER MAY ISSUE A TEMPORARY ORDER IN THE
7 EVENT THAT IMMEDIATE AND IRREPARABLE INJURY, LOSS, OR DAMAGE
8 WILL RESULT FROM THE IDENTIFIED EMERGENCY BEFORE THE CHARTER
9 RESPONDENT IS ABLE TO STATE ITS OPPOSITION AND BEFORE THE
10 AUTHORIZER'S ATTORNEY CERTIFIES IN WRITING OR IN PERSON TO THE
11 COMMISSIONER THE EFFORTS THAT HAVE BEEN MADE TO GIVE NOTICE TO
12 THE CHARTER RESPONDENT. A TEMPORARY ORDER ISSUED PURSUANT TO
13 THIS SUBSECTION (2) SHALL STATE THE DATE AND HOUR OF ISSUANCE,
14 DEFINE THE INJURY, STATE WHY THE INJURY IS IRREPARABLE, AND STATE
15 WHY THE TEMPORARY ORDER WAS GIVEN WITHOUT NOTICE. A
16 TEMPORARY ORDER ISSUED UNDER THIS SUBSECTION (2) SHALL BE VALID
17 FOR TEN DAYS AND MAY BE EXTENDED FOR UP TO AN ADDITIONAL TEN
18 DAYS FOR GOOD CAUSE SHOWN. THE AUTHORIZER SHALL IMMEDIATELY
19 PROVIDE THE CHARTER RESPONDENT WITH A COPY OF ANY TEMPORARY
20 ORDER ISSUED PURSUANT TO THIS SUBSECTION (2). A CHARTER
21 RESPONDENT SHALL PROVIDE AN AUTHORIZER TWO BUSINESS DAYS'
22 NOTICE PRIOR TO REQUESTING THAT THE COMMISSIONER DISSOLVE A
23 TEMPORARY ORDER ISSUED PURSUANT TO THIS SUBSECTION (2).
24

25 (3) THE COMMISSIONER SHALL ISSUE A PRELIMINARY ORDER ONLY
26 IF:
27

28 (a) THE CHARTER RESPONDENT RECEIVED TWO BUSINESS DAYS'
29 WRITTEN NOTICE THAT THE AUTHORIZER HAS REQUESTED EXTERNAL
30 CONTROL OVER CERTAIN FUNCTIONS OF THE CHARTER RESPONDENT AND
31 THE BASIS FOR THE REQUEST;
32

33 (b) IN THE CASE OF A CHARTER RESPONDENT THAT IS A CHARTER
34 MANAGEMENT ORGANIZATION, AUTHORIZERS OF EACH OF THE AFFECTED
35 CHARTER SCHOOLS HAVE RECEIVED TWO BUSINESS DAYS' WRITTEN NOTICE
36 OF THE REQUEST FOR EXTERNAL CONTROL;
37

38 (c) THE AUTHORIZER REQUESTING EXTERNAL CONTROL AND ALL
39 PARTIES THAT RECEIVED NOTICE HAVE HAD THE OPPORTUNITY TO MEET
40 WITH THE COMMISSIONER TO PRESENT SUCH EVIDENCE AND ARGUMENT AS
41 THE COMMISSIONER FINDS APPROPRIATE UNDER THE CIRCUMSTANCES. IN
42 ANY MEETING HELD BEFORE ISSUING A PRELIMINARY ORDER PURSUANT TO
43 THIS SUBSECTION (3), THE COMMISSIONER MAY ACCEPT EVIDENCE AND
44 ARGUMENTS FROM THE PARTIES INVOLVED AS HE OR SHE DEEMS
45 APPROPRIATE, BUT NEITHER A FORMAL ADVERSARIAL HEARING NOR
46 APPLICATION OF THE RULES OF EVIDENCE SHALL BE REQUIRED.
47

48 (d) FOLLOWING A MEETING HELD PURSUANT TO PARAGRAPH (c) OF
49 THIS SUBSECTION (3), THE COMMISSIONER FINDS AND DETERMINES THAT
50 THE AUTHORIZER HAS DEMONSTRATED AN EMERGENCY AND THE RISK OF
51 IRREPARABLE INJURY RESULTING FROM THE EMERGENCY JUSTIFIES AN
52 INTRUSION ON THE INTERNAL OPERATIONS OF THE CHARTER RESPONDENT.
53

54 (4) THE COMMISSIONER MAY DEMAND PRODUCTION OF PUBLIC
55 RECORDS AS OTHERWISE PROVIDED FOR IN SECTION 24-72-203, C.R.S.,
56 MAY ISSUE SUBPOENAS AS OTHERWISE PROVIDED FOR IN SECTION 24-4-105

1 (5), C.R.S., AND MAY DRAW APPROPRIATE INFERENCES FROM FAILURE OF
2 ANY PARTY TO PROMPTLY COMPLY WITH SUCH REQUESTS.

3
4 (5) A PRELIMINARY ORDER ISSUED PURSUANT TO SUBSECTION (3)
5 OF THIS SECTION SHALL BE VALID FOR ONE HUNDRED TWENTY DAYS AND
6 MAY BE EXTENDED FOR UP TO AN ADDITIONAL ONE HUNDRED TWENTY
7 DAYS, UPON GOOD CAUSE SHOWN.

8
9 (6) (a) A TEMPORARY OR PRELIMINARY ORDER MAY APPOINT THE
10 AUTHORIZER OR ANOTHER ENTITY OR PERSON TO ACT AS A FIDUCIARY;
11 EXCEPT THAT, IF MORE THAN ONE AUTHORIZER IS A PARTY TO THE
12 PROCEEDING OR IF THE AUTHORIZER IS REQUESTING AN ORDER OF
13 REORGANIZATION, THE COMMISSIONER SHALL APPOINT A SEPARATE
14 PERSON OR ENTITY THAT IS NOT A PARTY TO THE PROCEEDING TO ACT AS
15 A FIDUCIARY. THE FIDUCIARY MAY EXERCISE, SUBJECT TO THE
16 LIMITATIONS SET FORTH IN PARAGRAPH (b) OF THIS SUBSECTION (6), THE
17 POWERS OVER AND FOR THE CHARTER RESPONDENT THAT ARE ORDINARILY
18 EXERCISED BY THE CHARTER RESPONDENT'S BOARD OF DIRECTORS AND
19 MAY TAKE ACTION RESPECTING EXCESS BENEFITS AS AUTHORIZED
20 PURSUANT TO SECTION 22-30.5-604.

21
22 (b) A TEMPORARY OR PRELIMINARY ORDER SHALL NOT AUTHORIZE,
23 NOR BE CONSTRUED TO PERMIT, A FIDUCIARY TO:

24
25 (I) CONCLUDE, DISSOLVE, RELINQUISH, OR SURRENDER THE
26 CHARTER CONTRACT;

27
28 (II) EFFECT NONRENEWAL OR REVOCATION OF THE CHARTER
29 CONTRACT;

30
31 (III) NEGOTIATE, RENEGOTIATE, OR AMEND THE CHARTER
32 CONTRACT;

33
34 (IV) EXERCISE THE LEGAL STANDING OF THE CHARTER
35 RESPONDENT IN ANY ADMINISTRATIVE OR COURT PROCEEDING OTHER
36 THAN ONE BROUGHT PURSUANT TO THIS SECTION; EXCEPT THAT THE
37 FIDUCIARY MAY SEEK RECOVERY OF UNPAID MONEYS DUE TO THE
38 CHARTER RESPONDENT FROM AN AUTHORIZER;

39
40 (V) TRANSFER INTO A TRUST THE ASSETS OF THE CHARTER
41 RESPONDENT;

42
43 (VI) REPEAL, ALTER, AMEND, RESTATE, OR IN ANY FASHION
44 MODIFY THE CHARTER RESPONDENT'S ORGANIC DOCUMENTS;

45
46 (VII) REMOVE, RECALL, OR APPOINT ANY MEMBER OF THE
47 CHARTER RESPONDENT'S GOVERNING BOARD OR OFFICERS;

48
49 (VIII) TAKE ANY ACTION THAT IS RESERVED FOR THE
50 MEMBERSHIP OF A CHARTER RESPONDENT THAT IS ORGANIZED AS A
51 MEMBERSHIP ORGANIZATION; OR

52
53 (IX) TAKE ANY ACTION THAT IS NOT WITHIN THE POWER OF THE
54 CHARTER RESPONDENT'S GOVERNING BOARD.

55
56 (7) THE COMMISSIONER MAY REQUIRE A FIDUCIARY TO PROVIDE

1 EVIDENCE OF APPROPRIATE INSURANCE COVERAGE, INCLUDING BUT NOT
2 LIMITED TO APPROPRIATE CERTIFICATES OF INSURANCE. THE INSURANCE
3 COVERAGE SHALL BE REASONABLY ADEQUATE TO PROTECT AGAINST RISKS
4 OF LIABILITY FOR ANY ACTIONS TAKEN UNDER AN ORDER GRANTED
5 PURSUANT TO THIS SECTION.

6
7 (8) (a) IF AN AUTHORIZER HAS REQUESTED AN ORDER OF
8 REORGANIZATION AND THE COMMISSIONER, AFTER APPROPRIATE
9 PROCEEDINGS PURSUANT TO THIS SECTION, HAS APPOINTED A FIDUCIARY
10 OTHER THAN THE AUTHORIZER TO EXERCISE CERTAIN POWERS, THE
11 FIDUCIARY SHALL INDEPENDENTLY DETERMINE WHETHER TO CONTINUE TO
12 REQUEST THE ORDER OF REORGANIZATION. AN ORDER OF
13 REORGANIZATION SHALL BE AUTHORIZED ONLY IF IT IS ISSUED IN
14 COMPLIANCE WITH THE PROCESSES, STANDARDS, AND PURPOSES SET
15 FORTH IN THIS SECTION.

16
17 (b) A FIDUCIARY OTHER THAN AN AUTHORIZER MAY REQUEST AN
18 ORDER OF REORGANIZATION AT ANY TIME WHILE A PRELIMINARY ORDER
19 OR AN EXTENSION OF A PRELIMINARY ORDER IS PENDING, SO LONG AS THE
20 FIDUCIARY PROVIDES AT LEAST TEN DAYS' NOTICE TO THE CHARTER
21 RESPONDENT, THE AUTHORIZER, AND THE COMMISSIONER. THE FIDUCIARY
22 SHALL SPECIFICALLY STATE IN THE NOTICE THE POWERS OF
23 REORGANIZATION HE OR SHE IS REQUESTING AND THE REASONS JUSTIFYING
24 THE REQUEST. NOTWITHSTANDING THE LIMITATIONS PLACED ON THE
25 POWERS OF A FIDUCIARY ACTING UNDER A TEMPORARY OR PRELIMINARY
26 ORDER, AS SET FORTH IN SUBSECTION (6) OF THIS SECTION, THE POWERS OF
27 REORGANIZATION SHALL ONLY INCLUDE ONE OR MORE OF THE FOLLOWING
28 POWERS:

29
30 (I) TO FILL ONE OR MORE BOARD VACANCIES, NOTWITHSTANDING
31 THE CHARTER RESPONDENT'S ORGANIC DOCUMENTS;

32
33 (II) TO REMOVE ONE OR MORE BOARD DIRECTORS OR OFFICERS,
34 NOTWITHSTANDING THE CHARTER RESPONDENT'S ORGANIC DOCUMENTS;
35 OR

36
37 (III) TO MAKE SPECIFIC, STATED MODIFICATIONS TO THE CHARTER
38 RESPONDENT'S ORGANIC DOCUMENTS, NOTWITHSTANDING THE PROCESS
39 FOR AMENDMENT OR RESTATEMENT OTHERWISE PRESCRIBED IN THOSE
40 DOCUMENTS.

41
42 (c) THE COMMISSIONER MAY ISSUE AN ORDER OF REORGANIZATION
43 ONLY AFTER GIVING THE AUTHORIZER AND THE CHARTER RESPONDENT A
44 REASONABLE OPPORTUNITY TO BE HEARD, AND THEN ONLY IF THE
45 COMMISSIONER FINDS THAT THE RISKS CREATED BY THE EMERGENCY TO
46 THE CHARTER RESPONDENT AND THE AUTHORIZER CANNOT BE RESOLVED
47 BY ANY LESS RESTRICTIVE MEANS. IN ANY MEETING HELD BEFORE ISSUING
48 AN ORDER OF REORGANIZATION, THE COMMISSIONER MAY ACCEPT
49 EVIDENCE AND ARGUMENT FROM THE PARTIES INVOLVED AS HE OR SHE
50 DEEMS APPROPRIATE, BUT NEITHER A FORMAL ADVERSARIAL HEARING NOR
51 APPLICATION OF THE RULES OF EVIDENCE SHALL BE REQUIRED.

52
53 (d) AN ORDER OF REORGANIZATION SHALL BE VALID FOR THE
54 BALANCE OF THE TERM OF ANY PENDING PRELIMINARY ORDER OR FOR
55 SIXTY DAYS, WHICHEVER IS GREATER, AND MAY BE RENEWED FOR AN
56 ADDITIONAL THIRTY DAYS UPON GOOD CAUSE SHOWN. AN ORDER OF

1 REORGANIZATION SHALL BE VALID FOR NO MORE THAN NINETY DAYS.

2
3 (9) THE FIDUCIARY SHALL SUBMIT APPROPRIATE FINANCIAL
4 INFORMATION TO THE COMMISSIONER AND THE DIRECTOR OF PUBLIC
5 SCHOOL FINANCE WITHIN THE DEPARTMENT OF EDUCATION AND PROVIDE
6 COPIES TO THE CHARTER RESPONDENT AND AUTHORIZER. THE CHARTER
7 RESPONDENT AND AUTHORIZER MAY SUBMIT ADDITIONAL INFORMATION
8 TO THE DIRECTOR OF PUBLIC SCHOOL FINANCE. AFTER RECEIPT OF ALL
9 PERTINENT FINANCIAL INFORMATION, THE DIRECTOR OF PUBLIC SCHOOL
10 FINANCE SHALL MAKE A WRITTEN RECOMMENDATION TO THE
11 COMMISSIONER.

12
13 (10) A TEMPORARY OR PRELIMINARY ORDER OR AN ORDER FOR
14 REORGANIZATION GRANTED PURSUANT TO THIS SECTION SHALL STATE THE
15 REASONS FOR ISSUANCE; BE SPECIFIC IN ITS TERMS; AND DESCRIBE IN
16 REASONABLE DETAIL, WITHOUT REFERENCE TO THE REQUEST OR OTHER
17 DOCUMENTS, THE ACT OR ACTS AUTHORIZED. AN ORDER GRANTED
18 PURSUANT TO THIS SECTION IS BINDING ONLY UPON THE FIDUCIARY AND
19 THE PARTIES TO THE PROCEEDING, THEIR OFFICERS, AGENTS, SERVANTS,
20 EMPLOYEES, AND ATTORNEYS AND UPON THOSE PERSONS IN ACTIVE
21 CONCERT OR PARTICIPATION WITH THEM OR WHO RECEIVE ACTUAL NOTICE
22 OF THE ORDER. AN ORDER APPOINTING A FIDUCIARY MAY SPECIFY OR
23 LIMIT THE FIDUCIARY'S POWERS AND MAY DIRECT THE FIDUCIARY TO ACT
24 ONLY UPON PARTICULAR ISSUES OR ONLY TO EXERCISE CERTAIN POWERS.

25
26 (11) EXPENSES INCURRED BY AN AUTHORIZER IN PURSUING A
27 PROCEEDING PURSUANT TO THIS SECTION SHALL BE BORNE BY THE
28 AUTHORIZER, AND EXPENSES INCURRED BY A CHARTER RESPONDENT IN
29 DEFENDING ANY PROCEEDING PURSUANT TO THIS SECTION SHALL BE
30 BORNE BY THE CHARTER RESPONDENT. EXPENSES INCURRED BY A
31 FIDUCIARY SHALL BE SUBMITTED TO THE CHARTER RESPONDENT AND
32 COMMISSIONER FOR APPROVAL AND, AFTER THE COMMISSIONER RESOLVES
33 ANY DISPUTED CHARGES, SHALL BE BORNE BY THE CHARTER RESPONDENT.

34
35 (12) NOTWITHSTANDING ANY OTHER PROVISION OF COLORADO
36 LAW, INCLUDING BUT NOT LIMITED TO THE "COLORADO REVISED
37 NONPROFIT CORPORATION ACT", ARTICLES 121 TO 137 OF TITLE 7, C.R.S.,
38 OR ANY PROVISION OF A CHARTER CONTRACT TO THE CONTRARY, THE
39 POWERS GRANTED PURSUANT TO THIS PART 6 SHALL BE EFFECTIVE AND
40 VALID AS A MATTER OF LAW.

41
42 (13) NOTHING IN THIS PART 6 SHALL LIMIT THE AUTHORITY OF AN
43 AUTHORIZER TO EXERCISE ANY CONTRACTUAL RIGHTS, INCLUDING ANY
44 REMEDIES, EMERGENCY OR OTHERWISE, FOR BREACH OF A CHARTER
45 CONTRACT. A CHARTER CONTRACT PROVISION THAT PURPORTS TO GRANT
46 AUTHORITY TO AN AUTHORIZER TO EXERCISE EMERGENCY POWERS AS
47 DESCRIBED IN THIS PART 6 SHALL BE CONSTRUED, IF POSSIBLE, TO BE
48 CONSISTENT WITH THIS PART 6. A PROVISION CONSTRUED TO BE
49 INCONSISTENT WITH THIS PART 6 SHALL BE DEEMED CONTRARY TO PUBLIC
50 POLICY, VOID, UNENFORCEABLE, AND OF NO LEGAL EFFECT. THE BURDEN
51 SHALL BE ON THE CHARTER RESPONDENT TO DEMONSTRATE THAT SUCH A
52 PROVISION IS INCONSISTENT WITH THIS PART 6.

53
54 (14) AN ORDER ISSUED PURSUANT TO THIS SECTION SHALL BE
55 FINAL AND BINDING AND NOT SUBJECT TO APPEAL. A CHARTER
56 RESPONDENT MAY SEEK JUDICIAL REVIEW OF AN ORDER ISSUED PURSUANT

1 TO THIS SECTION UNDER RULE 106 (a) (4) OF THE COLORADO RULES OF
2 CIVIL PROCEDURE; EXCEPT THAT A TEMPORARY ORDER SHALL NOT BE
3 SUBJECT TO JUDICIAL REVIEW. A CHARTER RESPONDENT MAY FILE AN
4 ACTION FOR JUDICIAL REVIEW IN THE DISTRICT COURT FOR THE CITY AND
5 COUNTY OF DENVER OR THE DISTRICT COURT IN THE COUNTY IN WHICH
6 THE CHARTER RESPONDENT IS LOCATED.

7
8 (15) AN ORDER ISSUED PURSUANT TO THIS SECTION SHALL NOT BE
9 DEEMED TO BE AN APPOINTMENT OF A TRUSTEE OR RECEIVER UNDER THE
10 TERMS OF ANY FINANCING OF A CHARTER SCHOOL FACILITY OR OTHER
11 INSTRUMENT.

12
13 (16) THE COMMISSIONER MAY FILL ANY VACANCY CREATED BY
14 THE DEATH OR INABILITY OF A FIDUCIARY OR, FOR GOOD CAUSE SHOWN,
15 MAY REMOVE A FIDUCIARY THAT IS EXERCISING POWERS PURSUANT TO A
16 PRELIMINARY ORDER OR ORDER OF REORGANIZATION AND APPOINT A NEW
17 FIDUCIARY.

18
19 (17) A MEETING CONDUCTED BY THE COMMISSIONER PURSUANT TO
20 THIS SECTION SHALL BE OPEN TO ALL PARTIES TO THE PROCEEDING. AN
21 ORDER OF THE COMMISSIONER ISSUED PURSUANT TO THIS SECTION AND
22 ALL REQUESTS FOR ORDERS, BY ANY PARTY, SHALL BE CONSIDERED PUBLIC
23 DOCUMENTS.

24
25 **22-30.5-604. Excess benefits - cancellation of contracts - civil**
26 **action and penalty.** (1) IF A FIDUCIARY OTHER THAN AN AUTHORIZER,
27 OPERATING UNDER THE AUTHORITY OF A PRELIMINARY ORDER OR AN
28 ORDER FOR REORGANIZATION, DETERMINES THAT A CHARTER RESPONDENT
29 HAS ENGAGED IN AN EXCESS BENEFIT TRANSACTION, THE FIDUCIARY MAY:

30
31 (a) CANCEL IN WRITING AND WITHOUT PENALTY ANY CONTRACT
32 ENTERED INTO BY THE CHARTER SCHOOL THAT AWARDS THE EXCESS
33 BENEFIT TO AN INDIVIDUAL OR ANOTHER ENTITY AND CANCEL ANY
34 FURTHER COMPENSATION TO THE PARTY THAT RECEIVED THE EXCESS
35 BENEFIT. THE FIDUCIARY MAY DEMAND THE RETURN, WITHIN TEN
36 BUSINESS DAYS, TO THE CHARTER RESPONDENT OF ALL EXCESS BENEFITS
37 PAID WITHIN THE PRECEDING THREE YEARS OR, IF THE EXCESSIVE
38 PAYMENT HAS BEEN CONCEALED FROM THE CHARTER RESPONDENT'S FULL
39 GOVERNING BOARD, THE PRECEDING SIX YEARS.

40
41 (b) IF PAYMENT IS NOT MADE AS DEMANDED PURSUANT TO
42 PARAGRAPH (a) OF THIS SUBSECTION (1), FILE IN THE NAME OF THE
43 CHARTER RESPONDENT, A CIVIL ACTION FOR RECOVERY OF THE EXCESS
44 BENEFIT AND IMPOSITION OF A CIVIL PENALTY. IF THE COURT FINDS THAT
45 THE CHARTER RESPONDENT PAID THE EXCESS BENEFIT AND THE PERSON
46 RECEIVING THE EXCESS BENEFIT DID NOT REPAY THE AMOUNT WITHIN TEN
47 BUSINESS DAYS FOLLOWING THE DEMAND FOR REPAYMENT, THE COURT
48 SHALL DEEM THE EXCESS BENEFIT AN UNAUTHORIZED PAYMENT OF
49 CHARTER SCHOOL MONEYS AND AWARD THE CHARTER RESPONDENT,
50 THROUGH THE FIDUCIARY, AN AMOUNT FIXED IN THE COURT'S DISCRETION
51 AND BASED ON ALL THE CIRCUMSTANCES. HOWEVER, THE AMOUNT SHALL
52 NOT BE LESS THAN THE EXCESS BENEFIT PAID AND SHALL NOT BE MORE
53 THAN DOUBLE THE EXCESS BENEFIT PAID PLUS ALL REASONABLE
54 ATTORNEY FEES AND COSTS. IF THE COURT FINDS THAT THE FIDUCIARY
55 DID NOT HAVE A REASONABLE BASIS IN LAW AND FACT FOR CLAIMING AN
56 EXCESS BENEFIT AND FILING THE ACTION, IT MAY AWARD THE PARTY

1 DEFENDING THE ACTION ATTORNEY FEES AND COSTS.

2

3 **SECTION 3. Safety clause.** The general assembly hereby finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, and safety."

6

7

8

9 **HB10-1412** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:

12

13 Amend printed bill, page 5, line 10, strike "AND".

14

15 Page 5, line 11, strike "GOVERNANCE." and substitute "GOVERNANCE, THE
16 NECESSITY THAT CHARTER SCHOOLS AND PROPOSED CHARTER SCHOOLS
17 ADHERE TO THE REQUIREMENTS OF THE SEPARATION OF CHURCH AND
18 STATE, AND PREVENTION OF DISCRIMINATION AGAINST STUDENTS ON THE
19 BASIS OF DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION,
20 NATIONAL ORIGIN, RELIGION, ANCESTRY, OR NEED FOR SPECIAL
21 EDUCATION SERVICES."

22

23 Page 5, line 12, strike "JUNE 30, 2012." and substitute "AUGUST 30,
24 2011."

25

26 Page 5, line 19, strike "To" and substitute "ON OR BEFORE JANUARY 15,
27 2012, TO".

28

29

30

31 **HB10-1419** be postponed indefinitely.

32

33

34 **SB10-039** be postponed indefinitely.

35

36

37

38

39 **HEALTH & HUMAN SERVICES**

40 After consideration on the merits, the Committee recommends the
41 following:

42

43 **HB10-1414** be amended as follows, and as so amended, be referred to
44 the Committee of the Whole with favorable
45 recommendation:

46

47 Amend printed bill, page 2, line 11, strike "RESPONSIBLE FOR".

48

49 Page 2, line 12, strike "THE DIVERSION OF" and substitute "WHO
50 DIVERTED".

51

52

53

54 **HB10-1415** be amended as follows, and as so amended, be referred to
55 the Committee on Appropriations with favorable
56 recommendation:

- 1 Amend printed bill, page 3, line 5, strike "WORKS UNDER".
2
3 Page 3, strike lines 6 through 8.
4
5 Page 3, line 9, strike "BY PERFORMING" and substitute "PERFORMS".
6
7 Page 3, strike line 13 and substitute "HEMOSTASIS;".
8
9 Page 3, line 22, strike "WORKS".
10
11 Page 3, strike lines 23 through 25.
12
13 Page 3, line 26, strike "PATIENT SAFETY BY PERFORMING" and substitute
14 "PERFORMS".
15
16 Page 5, line 24, strike "DISCIPLINARY" and substitute "CIVIL, CRIMINAL, OR
17 ADMINISTRATIVE".
18
19 Page 6, line 2, strike "DISCIPLINARY" and substitute "CIVIL, CRIMINAL, OR
20 ADMINISTRATIVE".
21
22 Page 6, line 6, strike everything after "TO" and substitute "DRUGS OR
23 ALCOHOL".
24
25 Page 6, line 7, strike everything before "OR".
26
27 Page 7, line 15, strike "ANY INFORMATION" and substitute "INFORMATION
28 KNOWN".
29
30 Page 7, line 17, strike everything after "PATIENT ABUSE," and substitute
31 "VIOLATION OF DRUG OR ALCOHOL POLICIES,".
32
33 Page 9, line 27, strike everything after the second "TO" and substitute
34 "DRUGS OR ALCOHOL".
35
36 Page 10, line 1, strike everything before the second "OR".
37
38
39
40

41 **TRANSPORTATION & ENERGY**

42 After consideration on the merits, the Committee recommends the
43 following:

44
45 **HB10-1281** be amended as follows, and as so amended, be referred to
46 the Committee on Appropriations with favorable
47 recommendation:
48

49 Amend printed bill, strike everything below the enacting clause and
50 substitute:

51
52 "SECTION 1. 40-15-102, Colorado Revised Statutes, is amended
53 BY THE ADDITION OF A NEW SUBSECTION to read:

54
55 **40-15-102. Definitions.** As used in this article, unless the context
56 otherwise requires:

1 (10.5) "INTERCONNECTED VOICE-OVER-INTERNET-PROTOCOL
2 (VOIP) SERVICE" MEANS A SERVICE THAT:

3
4 (a) ENABLES REAL-TIME, TWO-WAY VOICE COMMUNICATIONS;

5
6 (b) REQUIRES A BROADBAND CONNECTION FROM THE USER'S
7 LOCATION;

8
9 (c) REQUIRES INTERNET PROTOCOL-COMPATIBLE CUSTOMER
10 PREMISES EQUIPMENT (CPE); AND

11
12 (d) PERMITS USERS GENERALLY TO RECEIVE CALLS THAT
13 ORIGINATE ON THE PUBLIC SWITCHED TELEPHONE NETWORK AND TO
14 TERMINATE CALLS TO THE PUBLIC SWITCHED TELEPHONE NETWORK.

15
16 **SECTION 2. Repeal.** 40-15-201 (2) (a), (2) (f), (2) (g), Colorado
17 Revised Statutes, are repealed as follows:

18
19 **40-15-201. Regulation by commission.** (2) The following
20 products, services, and providers are declared to be subject to regulation
21 pursuant to this part 2 and subject to potential reclassification under
22 section 40-15-207:

23
24 (a) ~~Basic local exchange service;~~

25
26 (f) ~~New products and services included in the definition of basic~~
27 ~~local exchange service;~~

28
29 (g) ~~Dual tone multifrequency signaling;~~

30
31 **SECTION 3.** 40-15-301 (2), Colorado Revised Statutes, is
32 amended BY THE ADDITION OF THE FOLLOWING NEW
33 PARAGRAPHS to read:

34
35 **40-15-301. Regulation by the commission.** (2) The following
36 telecommunications products, services, and providers are declared to be
37 initially subject to regulation pursuant to this part 3 and subject to
38 potential deregulation under section 40-15-305:

39
40 (h) BASIC LOCAL EXCHANGE SERVICE; AND

41
42 (i) NEW PRODUCTS AND SERVICES INCLUDED IN THE DEFINITION OF
43 BASIC LOCAL EXCHANGE SERVICE.

44
45 **SECTION 4.** 40-15-401 (1), Colorado Revised Statutes, is
46 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

47
48 **40-15-401. Services, products, and providers exempt from**
49 **regulation.** (1) The following products, services, and providers are
50 exempt from regulation under this article or under the "Public Utilities
51 Law" of the state of Colorado:

52
53 (q) INTERCONNECTED VOICE-OVER-INTERNET-PROTOCOL (VOIP)
54 SERVICE."

55
56 **SECTION 5.** 40-15-502 (2), Colorado Revised Statutes, is

1 amended to read:

2

3 **40-15-502. Expressions of state policy. (2) Basic service.**

4 (a) Basic service is the availability of high quality, minimum elements of
5 telecommunications services, as defined by the commission, at just,
6 reasonable, and affordable rates to all people of the state of Colorado.
7 The commission shall conduct a proceeding when appropriate, but no
8 later than July 1, 1999, and no less frequently than every three years to
9 consider the revision of the definition of basic service, with the goal that
10 every citizen of this state shall have access to a wider range of services at
11 rates that are reasonably comparable as between urban and rural areas.

12

13 (b) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE,
14 THE COMMISSION MAY REQUIRE A PROVIDER TO CHARGE UNIFORM RATES
15 FOR BASIC LOCAL EXCHANGE SERVICES THROUGHOUT A PROVIDER'S
16 SERVICE TERRITORY.

17

18 **SECTION 6. Act subject to petition - effective date.** This act
19 shall take effect at 12:01 a.m. on the day following the expiration of the
20 ninety-day period after final adjournment of the general assembly (August
21 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
22 referendum petition is filed pursuant to section 1 (3) of article V of the
23 state constitution against this act or an item, section, or part of this act
24 within such period, then the act, item, section, or part shall not take effect
25 unless approved by the people at the general election to be held in
26 November 2010 and shall take effect on the date of the official
27 declaration of the vote thereon by the governor."

28

29

30

31 **HB10-1418** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:

34

35 Amend printed bill, page 2, line 2, strike everything after "1."

36

37 Page 2, line 3, strike "and" and strike "are amended" and substitute "is
38 amended, and the said 40-2-124 (1) (c) is further amended BY THE
39 ADDITION OF A NEW SUBPARAGRAPH,".

40

41 Page 2, line 19, strike "~~one~~" and substitute "one".

42

43 Page 2, strike line 20 and substitute "and one-half kilowatt-hours".

44

45 Page 3, strike lines 1 through 3.

46

47 Page 3, line 4, strike everything before "For".

48

49 Page 3, line 7, strike everything after "That".

50

51 Page 3, strike line 8.

52

53 Page 3, line 9, strike everything before "is".

54

55 Page 3, after line 12 insert:

56

1 "(IX) FOR PURPOSES OF STIMULATING RURAL ECONOMIC
2 DEVELOPMENT AND FOR PROJECTS UP TO THIRTY MEGAWATTS OF
3 NAMEPLATE CAPACITY, EACH KILOWATT HOUR OF ELECTRICITY
4 GENERATED FROM RENEWABLE ENERGY RESOURCES THAT INTERCONNECTS
5 TO ELECTRIC TRANSMISSION OR DISTRIBUTION FACILITIES OWNED BY A
6 COOPERATIVE ELECTRIC ASSOCIATION OR MUNICIPALLY OWNED UTILITY
7 COUNTS AS TWO KILOWATT HOURS FOR COMPLIANCE WITH THE
8 REQUIREMENTS OF THIS PARAGRAPH (c) BY QUALIFYING RETAIL UTILITIES.
9 THIS MULTIPLIER SHALL NOT BE CLAIMED FOR INTERCONNECTIONS THAT
10 FIRST OCCUR AFTER DECEMBER 31, 2014, AND SHALL NOT BE USED IN
11 CONJUNCTION WITH ANOTHER COMPLIANCE MULTIPLIER. TO THE EXTENT
12 THAT A QUALIFYING RETAIL UTILITY CLAIMS THE BENEFIT DESCRIBED IN
13 THIS SUBPARAGRAPH (IX), THOSE KILOWATT-HOURS OF ELECTRICITY DO
14 NOT QUALIFY FOR SATISFACTION OF THE DISTRIBUTED GENERATION
15 REQUIREMENT OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (c). THE
16 COMMISSION SHALL SUBMIT A REPORT TO THE SENATE LOCAL
17 GOVERNMENT AND ENERGY COMMITTEE AND THE HOUSE OF
18 REPRESENTATIVES COMMITTEE ON TRANSPORTATION AND ENERGY, OR
19 THEIR SUCCESSOR COMMITTEES, BY DECEMBER 31, 2012, REGARDING
20 IMPLEMENTATION OF THIS SUBPARAGRAPH (IX), INCLUDING HOW MANY
21 MEGAWATTS OF ELECTRICITY HAVE BEEN CLAIMED PURSUANT TO THIS
22 SUBPARAGRAPH (IX) AND WHETHER THE COMMISSION RECOMMENDS THAT
23 THE MULTIPLIER ESTABLISHED BY THIS SUBPARAGRAPH (IX) SHOULD BE
24 CONTINUED."

25 26 27 28 **WITHDRAWAL OF BILL(S)**

29
30 Representative Court has withdrawn **HB10-1423, 1424** from further
31 consideration in the Second Regular Session of the Sixty-seventh General
32 Assembly.

33 34 35 **PRINTING REPORT**

36
37 The Chief Clerk reports the following bills have been correctly printed:
38 **HB10-1427, 1428, 1429.**

39 40 41 42 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

43
44 The Speaker has signed: **HB10-1042, 1208, 1220, 1242, 1378, 1379,**
45 **1381, 1384, 1385, 1387.**

46 47 48 49 **DELIVERY OF BILL TO GOVERNOR**

50
51 The Chief Clerk of the House of Representatives reports the following
52 bill has been delivered to the Office of the Governor: **HB10-1101** at
53 2:14 p.m. on April 29, 2010.

MESSAGE(S) FROM THE SENATE

The President has announced that Senator Penry has been added as a joint prime sponsor on SB10-003, and that Representatives Middleton and May will replace Representative Ferrandino as joint prime sponsors on SB10-003.

**INTRODUCTION OF BILL
First Reading**

The following bill was read by title and referred to the committee indicated:

HB10-1430 by Representative(s) Solano and Scanlan, Benefield, Ferrandino, Fischer, Massey, Merrifield, Middleton, Peniston, Ryden, Schafer S., Todd, Vigil; also Senator(s) Hudak--Concerning assessments in the elementary and secondary education system.
Committee on Education

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until April 30, retaining place on Calendar:

Consideration of Third Reading--**SB10-006, 061, 103, 106, 108, 120, 169, 171, 183, 181, HCR10-1004, SB10-156.**

Consideration of Conference Committee Report(s)---**HB10-1021, SB10-109, HB10-1383, 1388.**

Consideration of Resolution(s)--**HJR10-1020, SJR10-025, HJR10-1023, 1019, 1024, 1025, 1026, 1027, 1028, 1032, 1022, 1033, 1034.**

Consideration of Senate Amendment(s)--**HB10-1133, 1060, 1221, 1342, 1035, 1053, 1106, 1125, 1224, 1260, 1330, 1333, 1335, 1362.**

Consideration of Adherence--**HB10-1098.**

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., April 30, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

On hundred-eighth Legislative Day

Friday, April 30, 2010

1 Prayer by Susie Walz, Clinical Counseling Hypnotherapist, Evergreen.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Yolexy Morales, Angel Garcia, Ashley
6 Gomez, Jefferson High School, Edgewater.

7

8 The roll was called with the following result:

9

10 Present--46.

11 Excused--Representative(s) Curry, Ferrandino, Fischer,
12 Gardner B., Hullinghorst, Judd, Kefalas, Kerr J., Lambert,
13 Liston, McKinley, Merrifield, Pace, Pommer, Riesberg,
14 Sonnenberg, Todd, Vaad, Waller--19.

15 Present after roll call--Representative(s) Curry,
16 Ferrandino, Fischer, Gardner B., Hullinghorst, Judd, Kefalas,
17 Kerr J., Lambert, Liston, Merrifield, Pace, Pommer, Riesberg,
18 Sonnenberg, Vaad, Waller.

19

20 The Speaker declared a quorum present.

21

22

23 On motion of Representative Murray, the reading of the journal of
24 April 29, 2010, was declared dispensed with and approved as corrected
25 by the Chief Clerk.

26

27

House in recess. House reconvened.

28

29

30

31

REPORT(S) OF COMMITTEE(S) OF REFERENCE

32

APPROPRIATIONS

33

34 After consideration on the merits, the Committee recommends the

35

36 following:

37

38

39

40

41

42

43

HB10-1366 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 9 insert:

**"SECTION 3. Exception to the requirements of section
2-2-703, Colorado Revised Statutes. The general assembly hereby finds**

1 that the amendments to sections 17-2-201 and 18-1.3-204, Colorado
2 Revised Statutes, enacted in sections 1 and 2 of this act, will result in the
3 minor fiscal impact of one additional offender being convicted and
4 sentenced to the department of corrections every two years during the five
5 years following passage of this act. Because of the relative insignificance
6 of this degree of fiscal impact, these amendments are an exception to the
7 five-year appropriation requirements specified in section 2-2-703,
8 Colorado Revised Statutes.".

9
10 Renumber succeeding section accordingly.

11
12
13
14 **HB10-1403** be amended as follows, and as so amended, be referred to
15 the Committee of the Whole with favorable
16 recommendation:

17
18 Amend printed bill, page 16, after line 18 insert:

19
20 "SECTION 32. **Appropriation.** In addition to any other
21 appropriation, there is hereby appropriated, out of any moneys in the
22 department of state cash fund created in section 24-21-104 (3) (b),
23 Colorado Revised Statutes, not otherwise appropriated, to the department
24 of state, for the fiscal year beginning July 1, 2010, the sum of one
25 hundred five thousand two hundred dollars (\$105,200) cash funds, or so
26 much thereof as may be necessary, for the implementation of this act.".

27
28 Renumber succeeding section accordingly.

29
30 Page 1, line 102 strike "STATE." and substitute "STATE, AND MAKING AN
31 APPROPRIATION THEREFOR."

32
33
34
35 **HB10-1407** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:

38
39 Amend the Agriculture, Livestock, and Natural Resources Committee
40 Report, dated April 27, 2010, page 1, after line 5 insert:

41
42 "Page 3 of the printed bill, line 6, strike "THE" and substitute "IF THREE
43 THOUSAND EIGHT HUNDRED SEVENTY-TWO DOLLARS IS RECEIVED
44 THROUGH GIFTS, GRANTS, AND DONATIONS TO PAY FOR THE COSTS
45 ASSOCIATED WITH THE ADVISORY COUNCIL ON OR BEFORE AUGUST 1,
46 2010, THE"."

47
48 Page 1 of the report, line 10, strike "WORKERS." and substitute
49 "WORKERS. IF ENOUGH MONEYS ARE NOT RECEIVED, THE RANGE WORKER
50 ADVISORY COUNCIL SHALL BE DISSOLVED AND RELIEVED OF ITS DUTIES
51 PURSUANT TO THIS SECTION. IF THE ADVISORY COUNCIL DETERMINES
52 THAT ENOUGH GIFTS, GRANTS, AND DONATIONS ARE RECEIVED, THE
53 ADVISORY COMMITTEE MAY CONTRACT WITH A PRIVATE ENTITY TO
54 FACILITATE THE MEETINGS."."

55
56 Page 1 of the report, after line 10, insert:

1 "Page 4 of the bill, line 2, strike "ANNUALLY" and substitute
2 "CONTINUOUSLY".".

3
4 Page 1 of the report, after line 14, insert:

5
6 "Page 4 of the bill, after line 8 insert:

7
8 **"SECTION 2. Appropriation.** In addition to any other
9 appropriation, there is hereby appropriated, out of any moneys in the
10 range worker advisory council cash fund created in section 8-3.7-101 (5),
11 Colorado Revised Statutes, not otherwise appropriated, to the department
12 of labor and employment, for the fiscal year beginning July 1, 2010, the
13 sum of three thousand eight hundred seventy-two dollars (\$3,872) cash
14 funds, or so much thereof as may be necessary, for the implementation of
15 this act.".

16
17 Renumber succeeding section accordingly.

18
19 Page 1, line 102, strike "COUNCIL." and substitute "COUNCIL, AND
20 MAKING AN APPROPRIATION THEREFOR.".

21
22
23
24 **HB10-1409** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:

27
28 Amend printed bill, page 4, line 1, strike "THE FOLLOWING".

29
30 Page 4, line 2, strike "NEW PARAGRAPHS," and substitute "A NEW
31 PARAGRAPH,".

32
33 Page 6, strike lines 11 through 21.

34
35
36
37 **HB10-1410** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40
41 Amend the Finance Committee Report, dated April 27, 2010, page 1,
42 before line 1 insert:

43
44 "Page 2 of the printed bill, line 14, strike "10-____" and substitute "10-
45 1410".".

46
47 Page 1 of the report, after line 3 insert:

48
49 "Page 3 of the printed bill, line 26, strike "2010-11," and substitute
50 "2009-10,".

51
52 Page 1 of the report, after line 5 insert:

53
54 "Page 4 of the bill, line 8, after ""FUND"." add "IN NO INSTANCE SHALL
55 THE TRANSFER REQUIRED BY THIS PARAGRAPH (e) EXCEED THE AMOUNT
56 OF THE GENERAL FUND SURPLUS THAT REMAINS AFTER THE REQUIRED

1 RESERVES SPECIFIED IN SECTION 24-75-201.1 (1) (d).".

2
3 Page 5 of the bill, strike lines 18 and 19 and substitute "TO PAY ITS
4 EMPLOYEES FOR WORK PERFORMED DURING THE MONTH OF JUNE ON THE
5 SAME SCHEDULE THAT THE DEPARTMENT, OFFICE, OR AGENCY TYPICALLY
6 FOLLOWS FOR MONTHS OTHER THAN JUNE."."

7
8 Page 1 of the report, line 7, strike "2010-11," and substitute "2009-10,".

9
10

11

12 **HB10-1411** be amended as follows, and as so amended, be referred to
13 the Committee of the Whole with favorable
14 recommendation:

15

16 Amend printed bill, page 2, after line 17 insert:

17

18 **"SECTION 2. Appropriation.** In addition to any other
19 appropriation, there is hereby appropriated out of any moneys in the
20 general fund, not otherwise appropriated, to the department of public
21 safety, colorado bureau of investigation, state point of contact - national
22 instant criminal background check program, for personal services and
23 operating expenses, for the fiscal year beginning July 1, 2010, the sum of
24 fifty-one thousand five hundred fifty-one dollars (\$51,551) and 1.3 FTE,
25 or so much thereof as may be necessary, for the implementation of this
26 act.".

27

28 Page 1, strike lines 101 and 102 and substitute "**CONCERNING THE
29 PROCESS FOR RESOLVING A DENIAL OF A TRANSFER OF A FIREARM
30 WHEN THE DENIAL IS BASED ON A PROSPECTIVE TRANSFEREE'S
31 CRIMINAL RECORD, WHICH CRIMINAL RECORD INCLUDES A CASE FOR
32 WHICH THERE APPEARS TO BE NO FINAL DISPOSITION, AND MAKING AN
33 APPROPRIATION THEREFOR.**".

34

35

36

37 **HB10-1413** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40

41 Amend the Judiciary Committee Report, dated April 26, 2010, page 10,
42 after line 18 insert:

43

44 **"SECTION 6. Appropriation - adjustments to the 2010 long
45 bill - legislative intent.** (1) In addition to any other appropriation, there
46 is hereby appropriated, out of any moneys in the general fund not
47 otherwise appropriated, to the department of human services, for
48 allocation to the division of youth corrections, for the purchase of contract
49 placements , for the fiscal year beginning July 1, 2010, the sum of three
50 hundred seventy-one thousand eight hundred eighty dollars (\$371,880),
51 or so much thereof as may be necessary, for the implementation of this
52 act.

53

54 (2) In addition to any other appropriation, there is hereby
55 appropriated, out of any moneys in the general fund not otherwise
56 appropriated, to the department of corrections, institutions, for the

1 youthful offender system subprogram, for the fiscal year beginning July
2 1, 2010, the sum of one hundred thirty-five thousand six hundred seventy-
3 eight dollars (\$135,678), or so much thereof as may be necessary, for the
4 implementation of this act.

5
6 (3) For the implementation of this act, the general fund
7 appropriation made in the annual general appropriation act for the fiscal
8 year beginning July 1, 2010, to the department of corrections,
9 management, external capacity subprogram, for payments to house state
10 prisoners, is decreased by two hundred sixty-six thousand eight hundred
11 three dollars (\$266,803).

12
13 (4) It is the intent of the general assembly that the general fund
14 appropriation for the implementation of this act shall be derived from
15 savings generated from the implementation of the provisions of House
16 Bill 10-1360, as enacted during the second regular session of the
17 sixty-seventh general assembly."

18
19 Renumber succeeding section accordingly.

20
21 Page 10, line 20, strike "This" and substitute "Except as otherwise
22 provided in subsection (2) of this section, this".

23
24 Page 10, after line 28 insert:

25
26 "(2) This act shall only take effect if:

27
28 (a) The final fiscal estimate for House Bill 10-1360, as determined
29 from the appropriations enacted in said bill, shows a net reduction in the
30 amount of general fund revenues appropriated for state fiscal year
31 2010-11, that is equal to or greater than amount of the general fund
32 appropriation made for the implementation of this act for state fiscal year
33 2010-11, as reflected in section 6 of this act; and

34
35 (b) House Bill 10-1360 is enacted at the second regular session of
36 the sixty-seventh general assembly and becomes law; and

37
38 (c) The staff director of the joint budget committee files written
39 notice with the revisor of statutes no later than July 15, 2010, that the
40 requirement set forth in paragraph (a) of this subsection (2) has been
41 met."

42
43 Page 10, line 29, strike "(2)" and substitute "(3)".

44
45 Page 10, line 30, strike "(2)," and substitute "(3),".

46
47 Page 10 of the report, after line 34 insert:

48
49 "Page 1 of the bill, line 101, strike "ADULTS." and substitute "ADULTS,
50 AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."."

51
52
53
54 **HB10-1416** be postponed indefinitely.

55
56

1 **HCR10-1003** be postponed indefinitely.

2
3
4 **HCR10-1008** be amended as follows, and as so amended, be referred to
5 the Committee of the Whole with favorable
6 recommendation:

7
8 Amend printed bill, page 2, line 9, strike "ALL" and substitute
9 "NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL".

10
11 Page 2, line 11, before "MONEYS" insert "PUBLIC".
12
13
14
15

16 **HEALTH & HUMAN SERVICES**

17 After consideration on the merits, the Committee recommends the
18 following:

19
20 **HB10-1426** be amended as follows, and as so amended, be referred to
21 the Committee on Appropriations with favorable
22 recommendation:

23
24 Amend printed bill, page 3, after line 20 insert :

25
26 "(IV) IN ENACTING THIS SUBSECTION (1.5), IT IS THE INTENT OF THE
27 GENERAL ASSEMBLY NOT TO CHANGE THE ELIGIBILITY OF OR THE PROCESS
28 FOR THE TRINIDAD STATE NURSING HOME FOR CAPITAL CONSTRUCTION OR
29 CONTROLLED MAINTENANCE MONEYS."
30
31
32
33

34 **JUDICIARY**

35 After consideration on the merits, the Committee recommends the
36 following:

37
38 **HB10-1152** be amended as follows, and as so amended, be rereferred
39 to the Committee on Appropriations with favorable
40 recommendation:

41
42 Strike the House Judiciary Committee Report dated February 18, 2010,
43 and substitute:

44
45 "Amend printed bill, strike everything below the enacting clause and
46 substitute:

47
48 "SECTION 1. 18-13-107 (3) and (4), Colorado Revised Statutes,
49 are amended, and the said 18-13-107 is further amended BY THE
50 ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

51
52 **18-13-107. Interference with persons with disabilities.** (3) ~~No~~
53 A person shall NOT beat, harass, intimidate, entice, distract, or otherwise
54 interfere with ~~any dog~~ AN ANIMAL on a blaze orange leash or
55 accompanying a person carrying a white or white tipped with red or
56 metallic colored cane or walking stick or any assistance ~~dog~~ ANIMAL, as

1 defined in section 24-34-803 (7), C.R.S. ~~accompanying a person when~~
2 ~~that dog is being controlled by or wearing a harness normally used for~~
3 ~~dogs accompanying or leading persons with disabilities.~~

4
5 (4) ~~Violation of the provisions of subsection (1) of this section is~~
6 ~~a class 1 petty offense. Violation of the provisions of subsection (3) of~~
7 ~~this section is a class 3 misdemeanor~~ A PERSON SHALL NOT DENY A
8 PERSON WITH A DISABILITY FULL AND EQUAL ACCESS TO ANY PLACE OF
9 PUBLIC ACCOMMODATION AS DEFINED IN SECTION 24-34-301, C.R.S., OR
10 OTHERWISE VIOLATE THE PROVISIONS OF PARTS 5 TO 8 AND PART 10 OF
11 ARTICLE 34 OF TITLE 24, C.R.S., WITH RESPECT TO A PERSON BECAUSE OF
12 DISABILITY.

13
14 (5) A PERSON SHALL NOT DENY A PERSON WITH A DISABILITY WHO
15 IS USING AN ASSISTANCE ANIMAL OR A PERSON WHO IS TRAINING AN
16 ASSISTANCE ANIMAL, AS DEFINED IN SECTION 24-34-803 (7), C.R.S., THE
17 ABILITY TO ACCESS A GOVERNMENT BUILDING, A PLACE OF PUBLIC
18 ACCOMMODATION, HOUSING, OR PUBLIC TRANSPORTATION.

19
20 (6) VIOLATION OF THE PROVISIONS OF SUBSECTION (1) OF THIS
21 SECTION IS A CLASS 1 PETTY OFFENSE. VIOLATION OF ANY OF THE
22 PROVISIONS OF SUBSECTIONS (3) TO (5) OF THIS SECTION IS A CLASS 3
23 MISDEMEANOR.

24
25 **SECTION 2.** The introductory portion to 24-34-301 and
26 24-34-301 (2.5), (5), and (6), Colorado Revised Statutes, are amended,
27 and the said 24-34-301 is further amended BY THE ADDITION OF THE
28 FOLLOWING NEW SUBSECTIONS, to read:

29
30 **24-34-301. Definitions.** As used in THIS PART 3 AND parts 3 to 7
31 4 TO 8 AND PART 10 of this article, unless the context otherwise requires:

32
33 (1.3) "AGENCY" OR "STATE AGENCY" SHALL HAVE THE SAME
34 MEANING AS SET FORTH IN SECTION 24-4-102 (3).

35
36 (2.5) (a) ~~"Disability" means a physical impairment which~~
37 ~~substantially limits one or more of a person's major life activities and~~
38 ~~includes a record of such an impairment and being regarded as having~~
39 ~~such an impairment~~ SHALL HAVE THE SAME MEANING AS SET FORTH IN THE
40 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.
41 12101 ET SEQ.

42
43 (b) (I) ~~On and after July 1, 1990, as to part 5 of this article,~~
44 ~~"disability" shall also include such a person who has a mental impairment,~~
45 ~~but such term does not include any person currently involved in the illegal~~
46 ~~use of or addiction to a controlled substance.~~

47
48 (II) ~~On and after July 1, 1992, as to parts 4, 6, and 7 of this article,~~
49 ~~"disability" shall also include such a person who has a mental impairment.~~

50
51 (III) ~~The term "mental impairment" as used in subparagraphs (I)~~
52 ~~and (II) of this paragraph (b) shall mean any mental or psychological~~
53 ~~disorder such as developmental disability, organic brain syndrome, mental~~
54 ~~illness, or specific learning disabilities.~~

55
56 (5) "Person" means one or more individuals, limited liability

1 companies, partnerships, associations, corporations, legal representatives,
2 trustees, OR receivers. ~~or the state of Colorado, and all political~~
3 ~~subdivisions and agencies thereof.~~

4
5 (5.3) "PLACE OF PUBLIC ACCOMMODATION" SHALL HAVE THE SAME
6 MEANING AS SET FORTH IN TITLE III OF THE FEDERAL "AMERICANS WITH
7 DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12181 (7), AND MEANS ANY OF
8 THE FOLLOWING PRIVATE ENTITIES IF THE OPERATIONS OF THE ENTITY
9 AFFECT COMMERCE:

10
11 (a) AN INN, HOTEL, MOTEL, OR OTHER PLACE OF LODGING, EXCEPT
12 FOR AN ESTABLISHMENT LOCATED WITHIN A BUILDING THAT CONTAINS
13 NOT MORE THAN FIVE ROOMS FOR RENT OR HIRE AND THAT IS ACTUALLY
14 OCCUPIED BY THE PROPRIETOR OF THE ESTABLISHMENT AS HIS OR HER
15 RESIDENCE;

16
17 (b) A RESTAURANT, BAR, OR OTHER ESTABLISHMENT SERVING
18 FOOD OR DRINK;

19
20 (c) A MOTION PICTURE HOUSE, THEATER, CONCERT HALL,
21 STADIUM, OR OTHER PLACE OF EXHIBITION OR ENTERTAINMENT;

22
23 (d) AN AUDITORIUM, CONVENTION CENTER, LECTURE HALL, OR
24 OTHER PLACE OF PUBLIC GATHERING;

25
26 (e) A BAKERY, GROCERY STORE, CLOTHING STORE, HARDWARE
27 STORE, SHOPPING CENTER, OR OTHER SALES OR RETAIL ESTABLISHMENT;

28
29 (f) A LAUNDROMAT, DRY CLEANER, BANK, BARBER SHOP, BEAUTY
30 SHOP, TRAVEL SERVICE, SHOE REPAIR SERVICE, FUNERAL PARLOR, GAS
31 STATION, OFFICE OF AN ACCOUNTANT OR LAWYER, PHARMACY, INSURANCE
32 OFFICE, PROFESSIONAL OFFICE OF A HEALTH CARE PROVIDER, HOSPITAL, OR
33 OTHER SERVICE ESTABLISHMENT;

34
35 (g) A TERMINAL, DEPOT, OR OTHER STATION USED FOR SPECIFIED
36 PUBLIC TRANSPORTATION;

37
38 (h) A MUSEUM, LIBRARY, GALLERY, OR OTHER PLACE OF PUBLIC
39 DISPLAY OR COLLECTION;

40
41 (i) A PARK, ZOO, AMUSEMENT PARK, OR OTHER PLACE OF
42 RECREATION;

43
44 (j) A NURSERY, ELEMENTARY, SECONDARY, UNDERGRADUATE, OR
45 POSTGRADUATE PRIVATE SCHOOL, OR OTHER PLACE OF EDUCATION;

46
47 (k) A DAY CARE CENTER, SENIOR CITIZEN CENTER, HOMELESS
48 SHELTER, FOOD BANK, ADOPTION AGENCY, OR OTHER SOCIAL SERVICE
49 CENTER ESTABLISHMENT; OR

50
51 (l) A GYMNASIUM, HEALTH SPA, BOWLING ALLEY, GOLF COURSE,
52 OR OTHER PLACE OF EXERCISE OR RECREATION.

53
54 (5.5) "PUBLIC ENTITY" MEANS:

55
56 (a) THE STATE OF COLORADO, A POLITICAL SUBDIVISION OF THE

1 STATE, OR A LOCAL GOVERNMENT;

2
3 (b) A DEPARTMENT, AGENCY, SPECIAL DISTRICT, SPECIAL PURPOSE
4 AUTHORITY, OR OTHER INSTRUMENTALITY OF THE STATE OR A LOCAL
5 GOVERNMENT.

6
7 (5.7) "QUALIFIED PERSON WITH A DISABILITY" MEANS A PERSON
8 WITH A DISABILITY WHO MEETS THE ESSENTIAL ELIGIBILITY
9 REQUIREMENTS OF A PUBLIC ENTITY TO RECEIVE ITS SERVICES OR
10 PARTICIPATE IN ITS PROGRAMS OR ACTIVITIES, WITH OR WITHOUT
11 REASONABLE MODIFICATIONS TO RULES, POLICIES, OR PRACTICES;
12 REMOVAL OF ARCHITECTURAL, COMMUNICATION, OR TRANSPORTATION
13 BARRIERS; OR PROVISION OF AUXILIARY AIDS AND SERVICES.

14
15 (6) "Respondent" means any person, agency, organization, or
16 other entity against whom a charge is filed pursuant to any of the
17 provisions of parts 3 to 7 8 AND PART 10 of this article.

18
19 **SECTION 3.** The introductory portion to 24-34-401, Colorado
20 Revised Statutes, is amended to read:

21
22 **24-34-401. Definitions.** THE DEFINITIONS PROVIDED FOR TERMS
23 IN SECTION 24-34-301 SHALL APPLY TO SAID TERMS AS USED IN THIS PART
24 4. IN ADDITION, as used in this part 4, unless the context otherwise
25 requires:

26
27 **SECTION 4.** The introductory portion to 24-34-501, Colorado
28 Revised Statutes, is amended to read:

29
30 **24-34-501. Definitions.** THE DEFINITIONS PROVIDED FOR TERMS
31 IN SECTION 24-34-301 SHALL APPLY TO SAID TERMS AS USED IN THIS PART
32 5. IN ADDITION, as used in this part 5, unless the context otherwise
33 requires:

34
35 **SECTION 5.** 24-34-502.2, Colorado Revised Statutes, is
36 amended BY THE ADDITION OF A NEW SUBSECTION to read:

37
38 **24-34-502.2. Unfair or discriminatory housing practices**
39 **against persons with disabilities prohibited - penalty.** (3.5) A PERSON
40 WHO DENIES THE RIGHTS OF A PERSON WITH A DISABILITY PROTECTED BY
41 THIS PART 5 COMMITS A CLASS 3 MISDEMEANOR AND SHALL BE SENTENCED
42 IN ACCORDANCE WITH SECTION 18-1.3-501 (1) (a), C.R.S.

43
44 **SECTION 6.** 24-34-601 (1), Colorado Revised Statutes, is
45 amended, and the said 24-34-601 is further amended BY THE
46 ADDITION OF A NEW SUBSECTION, to read:

47
48 **24-34-601. Discrimination in places of public accommodation.**
49 ~~(1) As used in this part 6 "place of public accommodation" means any~~
50 ~~place of business engaged in any sales to the public and any place~~
51 ~~offering services, facilities, privileges, advantages, or accommodations~~
52 ~~to the public, including but not limited to any business offering wholesale~~
53 ~~or retail sales to the public; any place to eat, drink, sleep, or rest, or any~~
54 ~~combination thereof; any sporting or recreational area and facility; any~~
55 ~~public transportation facility; a barber shop, bathhouse, swimming pool,~~
56 ~~bath, steam or massage parlor, gymnasium, or other establishment~~

1 conducted to serve the health, appearance, or physical condition of a
2 person; a campsite or trailer camp; a dispensary, clinic, hospital,
3 convalescent home, or other institution for the sick, ailing, aged, or
4 infirm; a mortuary, undertaking parlor, or cemetery; an educational
5 institution; or any public building, park, arena, theater, hall, auditorium,
6 museum, library, exhibit, or public facility of any kind whether indoor or
7 outdoor. "Place of public accommodation" shall not include a church,
8 synagogue, mosque, or other place that is principally used for religious
9 purposes THE DEFINITIONS PROVIDED FOR TERMS IN SECTION 24-34-301
10 SHALL APPLY TO SAID TERMS AS USED IN THIS PART 6.

11

12 (4) WITH RESPECT TO DISABILITY DISCRIMINATION, NOTHING IN
13 THIS PART 6 SHALL BE CONSTRUED TO IMPOSE BROADER DESIGN AND
14 CONSTRUCTION AND BARRIER-REMOVAL REQUIREMENTS THAN PROVIDED
15 FOR IN THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42
16 U.S.C. SEC. 12101 ET SEQ.

17

18 **SECTION 7.** 24-34-602 (1) and (2), Colorado Revised Statutes,
19 are amended, and the said 24-34-602 is further amended BY THE
20 ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

21

22 **24-34-602. Penalties and civil liability.** (1) Any person who
23 violates section 24-34-601 ~~shall be fined not less than fifty dollars nor~~
24 ~~more than five hundred dollars~~ SHALL PAY ACTUAL DAMAGES OR
25 STATUTORY DAMAGES OF FOUR THOUSAND DOLLARS, WHICHEVER IS
26 GREATER, TO THE PERSON AGGRIEVED for each violation. A person
27 aggrieved by the violation of section 24-34-601 shall bring an action in
28 any court of competent jurisdiction in the county where the violation
29 occurred. Upon finding a violation, the court shall order the defendant to
30 pay the fine DAMAGES to the aggrieved party. THE COURT SHALL ORDER
31 INJUNCTIVE RELIEF AND ANY OTHER RELIEF THE COURT DEEMS
32 APPROPRIATE AND NECESSARY TO PREVENT FUTURE VIOLATIONS.

33

34 (2) ~~For each violation of section 24-34-601, the person is guilty~~
35 ~~of a misdemeanor and, upon conviction thereof, shall be punished by a~~
36 ~~fine of not less than ten dollars nor more than three hundred dollars, or by~~
37 ~~imprisonment in the county jail for not more than one year, or by both~~
38 ~~such fine and imprisonment~~ A PERSON WHO DENIES THE RIGHTS OF A
39 PERSON WITH A DISABILITY PROTECTED BY THIS PART 6 COMMITS A CLASS
40 3 MISDEMEANOR AND SHALL BE SENTENCED IN ACCORDANCE WITH
41 SECTION 18-1.3-501 (1) (a), C.R.S.

42

43 (4) A PERSON WHO IS THE PREVAILING PARTY IN A LAWSUIT UNDER
44 THIS SECTION IS ENTITLED TO RECOVER REASONABLE ATTORNEY FEES AND
45 COSTS PURSUANT TO THE "PREVAILING PARTY" STANDARDS UNDER THE
46 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.
47 12101 ET SEQ.

48

49 (5) IN ADDITION TO THE RELIEF AUTHORIZED BY THIS SECTION AND
50 SECTION 24-34-306 (9), THE COMMISSION OR A COURT MAY ORDER A
51 RESPONDENT WHO HAS BEEN FOUND IN VIOLATION OF THE PROVISIONS OF
52 SECTION 24-34-601 TO PAY TO THE GENERAL FUND ACCORDING TO THE
53 FOLLOWING SCHEDULE:

54

55 (a) AN AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS; OR

56

1 (b) AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND
2 DOLLARS IF THE RESPONDENT HAS BEEN ADJUDGED TO HAVE COMMITTED
3 ANY OTHER VIOLATION OF SECTION 24-34-601 DURING THE FIVE-YEAR
4 PERIOD PRECEDING THE DATE OF THE FILING OF THE CHARGE.

5
6 **SECTION 8.** 24-34-703, Colorado Revised Statutes, is amended
7 to read:

8
9 **24-34-703. Definitions.** ~~A place of public accommodation, resort,~~
10 ~~or amusement, within the meaning of this part 7, shall be deemed to~~
11 ~~include any inn, tavern, or hotel, whether conducted for the entertainment,~~
12 ~~housing, or lodging of transient guests or for the benefit, use, or~~
13 ~~accommodation of those seeking health, recreation, or rest, and any~~
14 ~~restaurant, eating house, public conveyance on land or water, bathhouse,~~
15 ~~barber shop, theater, and music hall~~ THE DEFINITIONS PROVIDED FOR
16 TERMS IN SECTION 24-34-301 SHALL APPLY TO SAID TERMS AS USED IN
17 THIS PART 7.

18
19 **SECTION 9.** 24-34-705, Colorado Revised Statutes, is amended
20 to read:

21
22 **24-34-705. Penalties.** (1) ~~Any~~ A person who violates any of the
23 provisions of this part 7 or who aids in, incites, causes, or brings about in
24 whole or in part the violation of any of such provisions, for each and
25 every violation thereof, is guilty of a CLASS 3 misdemeanor and, upon
26 conviction thereof, shall be ~~punished by a fine of not less than one~~
27 ~~hundred dollars nor more than five hundred dollars, or by imprisonment~~
28 ~~in the county jail for not less than thirty days nor more than ninety days,~~
29 ~~or by both such fine and imprisonment~~ SENTENCED IN ACCORDANCE WITH
30 SECTION 18-1.3-501 (1) (a), C.R.S. The penalty provided by this section
31 shall be an alternative to the relief authorized by section 24-34-306 (9),
32 and a person who seeks redress under this section shall not be permitted
33 to seek relief from the commission.

34
35 (2) A PERSON, FIRM, OR CORPORATION OR THE AGENT OF A PERSON,
36 FIRM, OR CORPORATION THAT VIOLATES THE PROVISIONS OF THIS PART 7
37 SHALL PAY ACTUAL DAMAGES OR STATUTORY DAMAGES OF FOUR
38 THOUSAND DOLLARS, WHICHEVER IS GREATER, TO THE PERSON
39 AGGRIEVED. THE COURT SHALL ORDER INJUNCTIVE RELIEF AND ANY
40 OTHER RELIEF THE COURT DEEMS APPROPRIATE AND NECESSARY TO
41 PREVENT FUTURE VIOLATIONS.

42
43 (3) A PERSON WHO IS THE PREVAILING PARTY IN A LAWSUIT UNDER
44 THIS SECTION IS ENTITLED TO RECOVER REASONABLE ATTORNEY FEES AND
45 COSTS PURSUANT TO THE "PREVAILING PARTY" STANDARDS UNDER THE
46 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.
47 12101 ET SEQ.

48
49 (4) IN ADDITION TO THE RELIEF AUTHORIZED BY THIS SECTION AND
50 SECTION 24-34-306 (9), THE COMMISSION OR A COURT MAY ORDER A
51 RESPONDENT WHO HAS BEEN FOUND IN VIOLATION OF THE PROVISIONS OF
52 THIS PART 7 TO PAY TO THE GENERAL FUND ACCORDING TO THE
53 FOLLOWING SCHEDULE:

54
55 (a) AN AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS; OR
56

1 (b) AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND
2 DOLLARS IF THE RESPONDENT HAS BEEN ADJUDGED TO HAVE COMMITTED
3 ANY OTHER VIOLATION OF THIS PART 7 DURING THE FIVE-YEAR PERIOD
4 PRECEDING THE DATE OF THE FILING OF THE CHARGE.

5
6 **SECTION 10.** 24-34-801 (1), Colorado Revised Statutes, is
7 amended to read:

8
9 **24-34-801. Legislative declaration.** (1) The general assembly
10 hereby declares that it is the policy of the state:

11
12 (a) To encourage and enable ~~the blind, the visually impaired, the~~
13 ~~deaf, the partially deaf, and the otherwise physically disabled~~ PERSONS
14 WITH DISABILITIES to participate fully in the social and economic life of
15 the state and to engage in remunerative employment;

16
17 (b) That ~~the blind, the visually impaired, the deaf, the partially~~
18 ~~deaf, and the otherwise physically disabled~~ PERSONS WITH DISABILITIES
19 shall be employed in the state service, the service of the political
20 subdivisions of the state, the public schools, and in all other employment
21 supported in whole or in part by public funds on the same terms and
22 conditions as the able-bodied unless it is shown that the particular
23 disability prevents the performance of the work involved;

24
25 (c) That ~~the blind, the visually impaired, the deaf, the partially~~
26 ~~deaf, and the otherwise physically disabled~~ PERSONS WITH DISABILITIES
27 have the same rights as the able-bodied to the full and free use of the
28 streets, highways, sidewalks, walkways, public buildings, public facilities,
29 and other public places;

30
31 (d) That ~~the blind, the visually impaired, the deaf, the partially~~
32 ~~deaf, and the otherwise physically disabled~~ PERSONS WITH DISABILITIES
33 are entitled to full and equal housing and full and equal accommodations,
34 advantages, facilities, and privileges of all common carriers, airplanes,
35 motor vehicles, railroad trains, motor buses, streetcars, boats, or any other
36 public conveyances or modes of transportation, hotels, motels, lodging
37 places, places of public accommodation, amusement, or resort, and other
38 places to which the general public is invited, including restaurants and
39 grocery stores; and that ~~the blind, the visually impaired, the deaf, the~~
40 ~~partially deaf, or the otherwise physically disabled person assume~~ THE
41 PERSON WITH A DISABILITY ASSUMES the liability for any injury that he or
42 she might sustain which is attributable solely to causes originating with
43 the nature of the particular disability involved and otherwise subject only
44 to the conditions and limitations established by law and applicable alike
45 to all persons.

46
47 (e) and (f) Repealed.

48
49 **SECTION 11.** 24-34-802, Colorado Revised Statutes, is amended
50 to read:

51
52 **24-34-802. Violations - penalties.** (1) ~~Any~~ A person, firm, or
53 corporation or the agent of ~~any~~ A person, firm, or corporation that denies
54 or interferes with the rights and the admittance to or enjoyment of the
55 public facilities enumerated in ~~section 24-34-801 (1) (b) to (1) (d)~~ is
56 ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished~~

1 ~~by a fine of not more than one hundred dollars, or by imprisonment in the~~
2 ~~county jail for not more than sixty days, or by both such fine and~~
3 ~~imprisonment~~ THIS PART 8 COMMITS A CLASS 3 MISDEMEANOR AND SHALL
4 BE SENTENCED IN ACCORDANCE WITH SECTION 18-1.3-501 (1) (a), C.R.S.

5
6 (2) IT SHALL BE UNLAWFUL FOR A PERSON, FIRM, OR CORPORATION
7 OR THE AGENT OF A PERSON, FIRM, OR CORPORATION TO DISCRIMINATE
8 AGAINST AN INDIVIDUAL BECAUSE THE INDIVIDUAL HAS:

9
10 (a) OPPOSED ANY DISCRIMINATORY PRACTICE SET FORTH IN THIS
11 PART 8; OR

12
13 (b) MADE A COMPLAINT, TESTIFIED, ASSISTED, OR PARTICIPATED
14 IN ANY MANNER IN AN INVESTIGATION, PROCEEDING, OR HEARING
15 CONDUCTED PURSUANT TO THIS PART 8.

16
17 (3) A PERSON, FIRM, OR CORPORATION OR THE AGENT OF A PERSON,
18 FIRM, OR CORPORATION THAT VIOLATES THE PROVISIONS OF THIS SECTION
19 OR ANY OTHER PROVISION OF THIS PART 8 SHALL PAY ACTUAL DAMAGES
20 OR STATUTORY DAMAGES OF FOUR THOUSAND DOLLARS, WHICHEVER IS
21 GREATER, TO THE PERSON AGGRIEVED. THE COURT SHALL ORDER
22 INJUNCTIVE RELIEF AND ANY OTHER RELIEF THE COURT DEEMS
23 APPROPRIATE AND NECESSARY TO PREVENT FUTURE VIOLATIONS.

24
25 (4) A PERSON WHO IS THE PREVAILING PARTY IN A LAWSUIT UNDER
26 THIS SECTION IS ENTITLED TO RECOVER REASONABLE ATTORNEY FEES AND
27 COSTS PURSUANT TO THE "PREVAILING PARTY" STANDARDS UNDER THE
28 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.
29 12101 ET SEQ.

30
31 (5) IN ADDITION TO THE RELIEF AUTHORIZED BY THIS SECTION AND
32 SECTION 24-34-306 (9), THE COLORADO CIVIL RIGHTS COMMISSION OR A
33 COURT MAY ORDER A RESPONDENT WHO HAS BEEN FOUND IN VIOLATION
34 OF THE PROVISIONS OF SECTION 24-34-801 TO PAY TO THE GENERAL FUND
35 ACCORDING TO THE FOLLOWING SCHEDULE:

36
37 (a) AN AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS; OR

38
39 (b) AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND
40 DOLLARS IF THE RESPONDENT HAS BEEN ADJUDGED TO HAVE COMMITTED
41 ANY OTHER VIOLATION OF SECTION 24-34-801 DURING THE FIVE-YEAR
42 PERIOD PRECEDING THE DATE OF THE FILING OF THE CHARGE.

43
44 **SECTION 12.** 24-34-803, Colorado Revised Statutes, is amended
45 to read:

46
47 **24-34-803. Rights of persons with assistance animals -**
48 **definitions.** (1) A person with a disability ~~including but not limited to~~
49 ~~a blind, visually impaired, deaf, hard of hearing, or otherwise physically~~
50 ~~disabled person,~~ has the right to be accompanied by an assistance dog
51 ANIMAL specially trained for that person without being required to pay an
52 extra charge for the assistance dog ~~in or on the following places and~~
53 ~~subject to the conditions and limitations established by law and applicable~~
54 ~~alike to all persons:~~ ANIMAL IN OR ON THE PROPERTY OF ANY PLACE OF
55 EMPLOYMENT, HOUSING, PUBLIC ACCOMMODATION, PUBLIC ENTITY, OR
56 PUBLIC TRANSPORTATION SERVICES.

1 ~~(a) Public streets, highways, walkways, public buildings, public~~
2 ~~facilities and services, and other public places;~~

3
4 ~~(b) Any place of public accommodation or on public~~
5 ~~transportation services; and~~

6
7 ~~(c) Any housing accommodation offered for rent, lease, or other~~
8 ~~compensation in the state.~~

9
10 (2) A trainer of an assistance ~~dog~~ ANIMAL has the right to be
11 accompanied by ~~an~~ THE assistance ~~dog~~ ANIMAL that the trainer is in the
12 process of training without being required to pay an extra charge for the
13 assistance ~~dog in or on the following places:~~ ANIMAL IN OR ON THE
14 PROPERTY OF ANY PLACE OF EMPLOYMENT, HOUSING, PUBLIC
15 ACCOMMODATION, PUBLIC ENTITY, OR PUBLIC TRANSPORTATION SERVICES.

16
17 ~~(a) Public streets, highways, walkways, public buildings, public~~
18 ~~facilities and services, and other public places; and~~

19
20 ~~(b) Any place of public accommodation or on public~~
21 ~~transportation services.~~

22
23 (3) (a) An employer shall ~~not refuse to~~ permit an employee with
24 a disability who is accompanied by an assistance ~~dog~~ ANIMAL to keep the
25 employee's assistance ~~dog~~ ANIMAL with ~~the employee~~ HIM OR HER at all
26 times in the place of employment. An employer shall not fail or refuse to
27 hire or discharge any person with a disability, or otherwise discriminate
28 against any person with a disability, with respect to compensation, terms,
29 conditions, or privileges of employment because ~~that person with a~~
30 ~~disability~~ HE OR SHE is accompanied by an assistance ~~dog~~ ANIMAL
31 specially trained ~~for that person~~ TO ASSIST THE PERSON WITH HIS OR HER
32 DISABILITY.

33
34 (b) An employer shall make reasonable accommodation to make
35 the workplace accessible for an otherwise qualified person with a
36 disability who is an applicant or employee and who is accompanied by an
37 assistance ~~dog~~ ANIMAL specially trained for that person unless the
38 employer can show that the accommodation would impose an undue
39 hardship on the employer's business. For purposes of this paragraph (b),
40 "undue hardship" means an action requiring significant difficulty or
41 expense.

42
43 (4) (a) The owner or ~~the~~ person having control or custody of an
44 assistance ~~dog~~ ANIMAL or an assistance ~~dog~~ ANIMAL in training is liable
45 for any damage to persons, premises, or facilities, including places of
46 housing accommodation and places of employment, NEGLIGENTLY caused
47 by that person's assistance ~~dog~~ ANIMAL or assistance ~~dog~~ ANIMAL in
48 training. The OWNER OR person having control or custody of an
49 assistance ~~dog~~ ANIMAL or an assistance ~~dog~~ ANIMAL in training shall be
50 subject to the provisions of section 18-9-204.5, C.R.S.

51
52 (b) A PERSON WHO NEGLIGENTLY HARMS AN ASSISTANCE ANIMAL
53 OR AN ASSISTANCE ANIMAL IN TRAINING SHALL BE LIABLE TO THE OWNER
54 OF THE ASSISTANCE ANIMAL OR ASSISTANCE ANIMAL IN TRAINING FOR
55 TREBLE THE AMOUNT OF ACTUAL DAMAGES.

56

1 (c) THE OWNER OF AN ANIMAL THAT NEGLIGENTLY HARMS AN
2 ASSISTANCE ANIMAL OR AN ASSISTANCE ANIMAL IN TRAINING SHALL BE
3 LIABLE TO THE OWNER OF THE ASSISTANCE ANIMAL OR ASSISTANCE
4 ANIMAL IN TRAINING FOR TREBLE THE AMOUNT OF ACTUAL DAMAGES.

5
6 (5) A person with a disability is exempt from any state or local
7 licensing fees or charges that might otherwise apply in connection with
8 owning an assistance ~~dog~~ ANIMAL.

9
10 (6) The mere presence of an assistance ~~dog~~ ANIMAL in a place of
11 public accommodation shall not be grounds for any violation of a sanitary
12 standard, rule, or regulation promulgated pursuant to section 25-4-1604,
13 C.R.S.

14
15 (7) THE DEFINITIONS PROVIDED FOR TERMS IN SECTION 24-34-301
16 SHALL APPLY TO SAID TERMS AS USED IN THIS SUBSECTION (7). IN
17 ADDITION, as used in this section, unless the context otherwise requires:

18
19 (a) (I) "Assistance ~~dog~~ ANIMAL" means ~~a dog~~ AN ANIMAL that has
20 been or is being trained as ~~a guide dog, hearing dog, or service dog. Such~~
21 ~~terms are further defined as follows:~~ TO PERFORM ONE OR MORE SPECIFIC
22 FUNCTIONS FOR A PERSON WITH A DISABILITY. THIS PARAGRAPH (a) SHALL
23 NOT BE CONSTRUED TO PROVIDE ANY BROADER PROTECTIONS THAN
24 REQUIRED BY THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF
25 1990".

26
27 (II) AN ASSISTANCE ANIMAL SHALL NOT INCLUDE AN ANIMAL THAT
28 POSES A DIRECT THREAT TO THE HEALTH OR SAFETY OF OTHERS. FOR THE
29 PURPOSES OF THIS SECTION, "DIRECT THREAT" MEANS A SIGNIFICANT RISK
30 TO THE HEALTH OR SAFETY OF OTHERS THAT CANNOT BE ELIMINATED BY
31 A MODIFICATION OF POLICIES, PRACTICES, OR PROCEDURES, OR BY THE
32 PROVISION OF AUXILIARY AIDS OR SERVICES.

33
34 (I) "~~Guide dog~~" means ~~a dog that has been or is being specially~~
35 ~~trained to aid a particular blind or visually impaired person.~~

36
37 (II) "~~Hearing dog~~" means ~~a dog that has been or is being specially~~
38 ~~trained to aid a particular deaf or hearing impaired person.~~

39
40 (III) "~~Service dog~~" means ~~a dog that has been or is being specially~~
41 ~~trained to aid a particular physically disabled person with a physical~~
42 ~~disability other than sight or hearing impairment.~~

43
44 (b) "~~Disability~~" has the same meaning as set forth in the federal
45 "~~Americans with Disabilities Act of 1990~~", 42 U.S.C. sec. 12102 (2), as
46 amended.

47
48 (c) "Employer" has the same meaning as set forth in the federal
49 "Americans with Disabilities Act of 1990", 42 U.S.C. sec. 12111 (5), as
50 amended, OR IN SECTION 24-34-401 (3), WHICHEVER DEFINITION PROVIDES
51 GREATER PROTECTION FOR THE PERSON WITH THE DISABILITY.

52
53 (d) "Housing accommodations" means any real property or portion
54 thereof that is used or occupied, or intended, arranged, or designed to be
55 used or occupied, as the home, residence, or sleeping place of one or
56 more persons but does not include any single family residence, the

1 occupants of which rent, lease, or furnish for compensation not more than
2 one room in that residence.

3
4 (e) ~~"Places of public accommodation" means the following~~
5 ~~categories of private entities:~~

6
7 ~~(I) Inns, hotels, motels, or other places of lodging, except~~
8 ~~establishments located within buildings actually occupied by the~~
9 ~~proprietor as the proprietor's residence containing five or fewer rooms for~~
10 ~~rent or hire;~~

11
12 ~~(II) Restaurants, bars, cafeterias, lunchrooms, lunch counters, soda~~
13 ~~fountains, casinos, or other establishments serving food or drink,~~
14 ~~including any such facility located on the premises of any retail~~
15 ~~establishment;~~

16
17 ~~(III) Gasoline stations or garages;~~

18
19 ~~(IV) Motion picture theaters, theaters, billiard or pool halls,~~
20 ~~concert halls, stadiums, sports arenas, amusement or recreation parks, or~~
21 ~~other places of exhibition or entertainment;~~

22
23 ~~(V) Auditoriums, convention centers, lecture halls, or other places~~
24 ~~of public gathering;~~

25
26 ~~(VI) Bakeries, grocery stores, clothing stores, hardware stores,~~
27 ~~shopping centers, or other sales or retail establishments;~~

28
29 ~~(VII) Laundromats, dry cleaners, banks, barber shops, beauty~~
30 ~~shops, travel services, shoe repair services, funeral parlors, offices of~~
31 ~~accountants or attorneys-at-law, pharmacies, insurance offices,~~
32 ~~professional offices of health care providers, hospitals, or other service~~
33 ~~establishments;~~

34
35 ~~(VIII) Terminals, depots, or other stations used for specified~~
36 ~~purposes;~~

37
38 ~~(IX) Museums, libraries, galleries, or other places of public~~
39 ~~display or collection;~~

40
41 ~~(X) Parks, zoos, or other places of recreation;~~

42
43 ~~(XI) Nursery, elementary, secondary, undergraduate, or graduate~~
44 ~~schools or other places of education;~~

45
46 ~~(XII) Day care centers, senior citizen centers, homeless shelters,~~
47 ~~food banks, adoption agencies, or other social service center~~
48 ~~establishments;~~

49
50 ~~(XIII) Gymnasiums, health spas, bowling alleys, golf courses, or~~
51 ~~other places of exercise or recreation;~~

52
53 ~~(XIV) Any other establishment or place to which the public is~~
54 ~~invited; or~~

55
56 ~~(XV) Any establishment physically containing or contained within~~

1 ~~any of the establishments described in this paragraph (e) that holds itself~~
2 ~~out as serving patrons of the described establishment.~~
3

4 (f) "Public transportation services" means common carriers of
5 passengers or any other means of public conveyance or modes of
6 transportation, including but not limited to airplanes, motor vehicles,
7 railroad trains, motor buses, streetcars, boats, or taxis.
8

9 (g) "Trainer of an assistance ~~dog~~ ANIMAL" means a person who is
10 qualified to train ~~dogs~~ AN ANIMAL to serve as AN assistance ~~dogs~~ ANIMAL.
11

12 **SECTION 13.** 24-34-804, Colorado Revised Statutes, is amended
13 to read:
14

15 **24-34-804. Violations - penalties.** (1) It is unlawful for any
16 person, firm, corporation, or agent of any person, firm, or corporation to:
17

18 (a) Withhold, deny, deprive, or attempt to withhold, deny, or
19 deprive any person with a disability or trainer OF AN ASSISTANCE ANIMAL
20 of any of the rights or privileges secured in section 24-34-803;
21

22 (b) Threaten to interfere with any of the rights ~~of persons with~~
23 ~~disabilities or trainers secured in section 24-34-803~~ SECURED IN SECTION
24 24-34-803 FOR A PERSON WITH A DISABILITY OR A TRAINER OF AN
25 ASSISTANCE ANIMAL;
26

27 (c) Punish or attempt to punish any person with a disability or
28 trainer OF AN ASSISTANCE ANIMAL for exercising or attempting to exercise
29 any right or privilege secured by section 24-34-803; ~~or~~
30

31 (d) Interfere with, injure, or harm, or cause another dog to
32 interfere with, injure, or harm, an assistance ~~dog~~ ANIMAL; OR
33

34 (e) DISCRIMINATE AGAINST AN INDIVIDUAL BECAUSE THAT
35 INDIVIDUAL HAS OPPOSED A PRACTICE MADE A DISCRIMINATORY PRACTICE
36 BY THIS PART 8 OR BECAUSE THE INDIVIDUAL HAS MADE A CHARGE,
37 TESTIFIED, ASSISTED, OR PARTICIPATED IN ANY MANNER IN AN
38 INVESTIGATION, PROCEEDING, OR HEARING CONDUCTED PURSUANT TO THIS
39 PART 8.
40

41 (2) Any person who violates any provision of ~~subsection (1) of~~
42 ~~this section~~ THIS PART 8 commits a class 3 misdemeanor and shall be
43 punished as provided in section 18-1.3-501, C.R.S.
44

45 (3) (a) Any person who violates any provision of subsection (1)
46 of this section shall be liable to the person with a disability or trainer OF
47 THE ASSISTANCE ANIMAL whose rights were affected for actual damages
48 for economic loss OR STATUTORY DAMAGES OF FOUR THOUSAND
49 DOLLARS, WHICHEVER IS GREATER, FOR EACH VIOLATION to be recovered
50 in a civil action in a court in the county where the infringement of rights
51 occurred or where the defendant resides. THE COURT SHALL ORDER
52 INJUNCTIVE RELIEF AND ANY OTHER RELIEF THE COURT DEEMS
53 APPROPRIATE AND NECESSARY TO PREVENT FUTURE VIOLATIONS.
54

55 (b) In any action commenced pursuant to this subsection (3), a
56 court may award costs and reasonable attorney fees.

1 (3.5) IN ADDITION TO THE RELIEF AUTHORIZED BY THIS SECTION
2 AND SECTION 24-34-306 (9), THE COLORADO CIVIL RIGHTS COMMISSION
3 OR A COURT MAY ORDER A RESPONDENT WHO HAS BEEN FOUND IN
4 VIOLATION OF THE PROVISIONS OF SECTION 24-34-803 TO PAY TO THE
5 GENERAL FUND ACCORDING TO THE FOLLOWING SCHEDULE:

6
7 (a) AN AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS; OR

8
9 (b) AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND
10 DOLLARS IF THE RESPONDENT HAS BEEN ADJUDGED TO HAVE COMMITTED
11 ANY OTHER VIOLATION OF SECTION 24-34-803 DURING THE FIVE-YEAR
12 PERIOD PRECEDING THE DATE OF THE FILING OF THE CHARGE.

13
14 (4) Nothing in this section is intended to interfere with remedies
15 or relief that any person might be entitled to pursuant to parts 3 to 7 8 AND
16 PART 10 of this article.

17
18 **SECTION 14.** Article 34 of title 24, Colorado Revised Statutes,
19 is amended BY THE ADDITION OF A NEW PART to read:

20
21 **PART 10**
22 **DISCRIMINATION BY PUBLIC ENTITIES**
23 **AND STATE AGENCIES**
24

25 **24-34-1001. Definitions.** THE DEFINITIONS PROVIDED FOR TERMS
26 IN SECTION 24-34-301 SHALL APPLY TO SAID TERMS AS USED IN THIS PART
27 10.
28

29 **24-34-1002. Prohibition against discrimination by public**
30 **entities.** (1) A QUALIFIED PERSON WITH A DISABILITY SHALL NOT BE
31 EXCLUDED FROM PARTICIPATION IN OR DENIED THE BENEFITS OF THE
32 SERVICES, PROGRAMS, OR ACTIVITIES OF A PUBLIC ENTITY, OR BE
33 SUBJECTED TO DISCRIMINATION BY A PUBLIC ENTITY, BY REASON OF THE
34 PERSON'S DISABILITY.
35

36 (2) DISCRIMINATION BY REASON OF DISABILITY INCLUDES ANY
37 ACTION THAT WOULD CONSTITUTE A VIOLATION OF TITLE II OF THE
38 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.
39 12131 ET SEQ., AND ITS IMPLEMENTING REGULATIONS.
40

41 (3) IT SHALL BE UNLAWFUL FOR A PUBLIC ENTITY TO DISCRIMINATE
42 AGAINST A PERSON BECAUSE THE PERSON HAS OPPOSED A PRACTICE THAT
43 IS MADE A DISCRIMINATORY PRACTICE BY THIS PART 10 OR BECAUSE THE
44 PERSON HAS MADE A CHARGE, TESTIFIED, ASSISTED, OR PARTICIPATED IN
45 ANY MANNER IN AN INVESTIGATION, PROCEEDING, OR HEARING
46 CONDUCTED PURSUANT TO THIS PART 10.
47

48 (4) WITH RESPECT TO DISABILITY DISCRIMINATION, NOTHING IN
49 THIS PART 10 SHALL BE CONSTRUED TO IMPOSE BROADER DESIGN AND
50 CONSTRUCTION REQUIREMENTS THAN PROVIDED FOR IN THE FEDERAL
51 "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET
52 SEQ."
53

54 **24-34-1003. Discrimination by public entities - remedies -**
55 **penalties.** (1) A PERSON WHO HAS BEEN SUBJECTED TO A
56 DISCRIMINATORY ACT PROHIBITED BY SECTION 24-34-1002 MAY BRING A

1 CIVIL SUIT IN A COURT OF COMPETENT JURISDICTION AND MAY OBTAIN A
2 COURT ORDER FOR COMPLIANCE WITH THIS PART 10. A PERSON WHO
3 BRINGS SUIT PURSUANT TO THIS SECTION IS ENTITLED TO THE RECOVERY
4 OF ACTUAL DAMAGES OR STATUTORY DAMAGES OF FOUR THOUSAND
5 DOLLARS, WHICHEVER IS GREATER, FOR EACH VIOLATION. A PERSON WHO
6 IS THE PREVAILING PARTY IN A LAWSUIT UNDER THIS SECTION IS ENTITLED
7 TO RECOVER REASONABLE ATTORNEY FEES AND COSTS PURSUANT TO THE
8 "PREVAILING PARTY" STANDARDS UNDER THE FEDERAL "AMERICANS WITH
9 DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ. THE COURT
10 SHALL ORDER INJUNCTIVE RELIEF AND ANY OTHER RELIEF THE COURT
11 DEEMS APPROPRIATE AND NECESSARY TO PREVENT FUTURE VIOLATIONS.

12
13 (2) IN ADDITION TO THE RELIEF AUTHORIZED BY THIS SECTION AND
14 SECTION 24-34-306 (9), THE COLORADO CIVIL RIGHTS COMMISSION OR A
15 COURT MAY ORDER A RESPONDENT WHO HAS BEEN FOUND IN VIOLATION
16 OF THE PROVISIONS OF THIS PART 10 TO PAY TO THE GENERAL FUND
17 ACCORDING TO THE FOLLOWING SCHEDULE:

18
19 (a) AN AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS; OR

20
21 (b) AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND
22 DOLLARS IF THE RESPONDENT HAS BEEN ADJUDGED TO HAVE COMMITTED
23 ANY OTHER VIOLATION OF THIS PART 10 DURING THE FIVE-YEAR PERIOD
24 PRECEDING THE DATE OF THE FILING OF THE CHARGE.

25
26 **24-34-1004. Discrimination by state agencies - requirements**
27 **for compliance.** (1) A STATE AGENCY IS REQUIRED TO COMPLY WITH ALL
28 APPLICABLE DISCRIMINATION POLICIES, INCLUDING BUT NOT LIMITED TO
29 FEDERAL AND STATE LAWS AND ANY RULES PROMULGATED BY THE
30 AGENCY.

31
32 (2) A PERSON WHO IS AGGRIEVED BY A VIOLATION OF THIS SECTION
33 HAS A PRIVATE RIGHT OF ACTION TO BRING A CIVIL LAWSUIT IN A COURT
34 OF COMPETENT JURISDICTION AGAINST THE VIOLATING STATE AGENCY.

35
36 (3) REMEDIES UNDER THIS SECTION INCLUDE, BUT ARE NOT
37 LIMITED TO:

38
39 (a) INJUNCTIVE RELIEF IN THE FORM OF A COURT ORDER REQUIRING
40 COMPLIANCE WITH THIS SECTION AND SPECIFYING THE FORM OF
41 COMPLIANCE;

42
43 (b) ACTUAL DAMAGES OR STATUTORY DAMAGES OF FOUR
44 THOUSAND DOLLARS, WHICHEVER IS GREATER, FOR EACH VIOLATION OF
45 THIS SECTION; AND

46
47 (c) RECOVERY OF REASONABLE ATTORNEY FEES AND COSTS TO THE
48 PREVAILING PARTY PURSUANT TO THE "PREVAILING PARTY" STANDARDS
49 UNDER THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42
50 U.S.C. SEC. 12101 ET SEQ.

51
52 (4) IT SHALL BE AN UNLAWFUL DISCRIMINATORY PRACTICE FOR AN
53 AGENCY TO DISCRIMINATE AGAINST A PERSON BECAUSE THAT PERSON HAS
54 OPPOSED A PRACTICE THAT IS MADE A DISCRIMINATORY PRACTICE BY THIS
55 PART 10 OR BECAUSE THAT PERSON HAS MADE A CHARGE, TESTIFIED,
56 ASSISTED, OR PARTICIPATED IN ANY MANNER IN AN INVESTIGATION,

1 PROCEEDING, OR HEARING CONDUCTED PURSUANT TO THIS PART 10.

2
3 **SECTION 15.** 25.5-4-107, Colorado Revised Statutes, is
4 amended BY THE ADDITION OF A NEW SUBSECTION to read:

5
6 **25.5-4-107. Retaliation definition - penalties.** (3) (a) A PERSON
7 OR ENTITY WHO VIOLATES THIS SECTION SHALL BE HELD LIABLE TO THE
8 PERSON AGGRIEVED IN A COURT OF COMPETENT JURISDICTION FOR
9 INJUNCTIVE RELIEF AND FOR ACTUAL DAMAGES OR STATUTORY DAMAGES
10 OF FOUR THOUSAND DOLLARS, WHICHEVER IS GREATER, FOR EACH
11 VIOLATION. THE COURT MAY AWARD REASONABLE ATTORNEY FEES AND
12 COSTS TO THE PREVAILING PARTY PURSUANT TO THE "PREVAILING PARTY"
13 STANDARDS UNDER THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF
14 1990", 42 U.S.C. SEC. 12101 ET SEQ.

15
16 (b) IN ADDITION TO THE RELIEF AUTHORIZED BY THIS SECTION AND
17 SECTION 24-34-306 (9), C.R.S., THE COLORADO CIVIL RIGHTS COMMISSION
18 OR A COURT MAY ORDER A RESPONDENT WHO HAS BEEN FOUND IN
19 VIOLATION OF THE PROVISIONS OF THIS SECTION TO PAY TO THE GENERAL
20 FUND ACCORDING TO THE FOLLOWING SCHEDULE:

21
22 (I) AN AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS; OR

23
24 (II) AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND
25 DOLLARS IF THE RESPONDENT HAS BEEN ADJUDGED TO HAVE COMMITTED
26 ANY OTHER VIOLATION OF THIS SECTION DURING THE FIVE-YEAR PERIOD
27 PRECEDING THE DATE OF THE FILING OF THE CHARGE.

28
29 **SECTION 16.** 24-34-302 (2), Colorado Revised Statutes, is
30 amended to read:

31
32 **24-34-302. Civil rights division - director - powers and duties.**
33 (2) The director shall appoint ~~such~~ investigators and other personnel as
34 ~~may be~~ necessary to carry out the functions and duties of the division.
35 The director and the staff of the division shall receive, investigate, and
36 make determinations on charges alleging unfair or discriminatory
37 practices in violation of parts 4 to 7 8 AND PART 10 of this article.

38
39 **SECTION 17.** 24-34-305 (1) (a), (1) (c), (1) (e), (1) (i), (1) (i.5),
40 (2), (3), and (4), Colorado Revised Statutes, are amended to read:

41
42 **24-34-305. Powers and duties of commission.** (1) The
43 commission has the following powers and duties:

44
45 (a) To adopt, publish, amend, and rescind rules ~~and regulations,~~
46 in accordance with the provisions of section 24-4-103, ~~which~~ THAT are
47 consistent with and for the implementation of THIS PART 3 AND parts 3 to
48 7 4 TO 8 AND PART 10 of this article. All such rules adopted or amended
49 on or after July 1, 1979, shall be subject to sections 24-4-103 (8) (c) and
50 (8) (d) and 24-34-104 (9) (b) (II).

51
52 (c) To investigate and study the existence, character, causes, and
53 extent of unfair or discriminatory practices as defined in parts 4 to 7 8
54 AND PART 10 of this article and to formulate plans for the elimination
55 thereof by educational or other means;

56

1 (e) To issue such publications and reports of investigations and
2 research as in its judgment will tend to promote goodwill among the
3 various racial, religious, age, and ethnic groups of the state and which
4 will tend to minimize or eliminate discriminatory or unfair practices as
5 specified by THIS PART 3 AND parts ~~3 to 7~~ 4 TO 8 AND PART 10 of this
6 article. Publications of the commission circulated in quantity outside the
7 executive branch shall be issued in accordance with the provisions of
8 section 24-1-136.

9
10 (i) To cooperate, within the limits of any appropriations made for
11 its operation, with other agencies or organizations, both public and
12 private, whose purposes are consistent with those of THIS PART 3 AND
13 parts ~~3 to 7~~ 4 to 8 AND PART 10 of this article, in the planning and
14 conducting of educational programs designed to eliminate racial,
15 religious, cultural, age, and intergroup tensions;

16
17 (i.5) To intervene in racial, religious, cultural, age, and intergroup
18 tensions or conflicts for the purpose of informal mediation using
19 alternative dispute resolution techniques. Such intervention may be made
20 in cooperation with other agencies or organizations, both public and
21 private, whose purposes are consistent with those of THIS PART 3 AND
22 parts ~~3 to 7~~ 4 to 8 AND PART 10 of this article.

23
24 (2) Any provision of this article to the contrary notwithstanding,
25 ~~no~~ A person shall NOT be required to alter, modify, or purchase any
26 building, structure, or equipment or incur any additional expense ~~which~~
27 THAT would not otherwise be incurred in order to comply with THIS PART
28 3 AND parts ~~3, 4, 6, and 7~~ 4, 6 TO 8, AND 10 of this article.

29
30 (3) In exercising the powers and performing the duties and
31 functions under THIS PART 3 AND parts ~~3 to 7~~ 4 TO 8 AND PART 10 of this
32 article, the commission, the division, and the director shall presume that
33 the conduct of ~~any~~ A respondent is not unfair or discriminatory until
34 proven otherwise.

35
36 (4) Whether by rule ~~regulation~~, or other action or whether as a
37 remedy for violation of any provision of THIS PART 3 OR parts ~~3 to 7~~ 4 TO
38 8 AND PART 10 of this article or otherwise, the commission shall not
39 prescribe or require the implementation of a quota system.

40
41 **SECTION 18.** 24-34-306 (1) (a), (2) (a), (9), (11), (13), and (14),
42 Colorado Revised Statutes, are amended to read:

43
44 **24-34-306. Charge - complaint - hearing - procedure -**
45 **exhaustion of administrative remedies.** (1) (a) Any person claiming
46 to be aggrieved by a discriminatory or unfair practice as defined by parts
47 4 to ~~7~~ 8 AND PART 10 of this article may, by himself or herself or through
48 his or her attorney-at-law, make, sign, and file with the division a verified
49 written charge stating the name and address of the respondent alleged to
50 have committed the discriminatory or unfair practice, setting forth the
51 particulars of the alleged discriminatory or unfair practice, and containing
52 any other information required by the division.

53
54 (2) (a) After the filing of a charge alleging a discriminatory or
55 unfair practice as defined by parts 4 to ~~7~~ 8 AND PART 10 of this article, the
56 director, with the assistance of the division's staff, shall make a prompt

1 investigation of the charge. The director may subpoena witnesses and
2 compel the testimony of witnesses and the production of books, papers,
3 and records if the testimony, books, papers, and records sought are
4 limited to matters directly related to the charge. Any subpoena issued
5 pursuant to this paragraph (a) shall be enforceable in the district court for
6 the district in which the alleged discriminatory or unfair practice occurred
7 and shall be issued only if the person or entity to be subpoenaed has
8 refused or failed, after a proper request from the director, to provide
9 voluntarily to the director the information sought by the subpoena.

10

11 (9) If, upon all the evidence at a hearing, there is a statement of
12 findings and conclusions in accordance with section 24-4-105, together
13 with a statement of reasons for such conclusions, showing that a
14 respondent has engaged in or is engaging in any discriminatory or unfair
15 practice as defined in parts 4 to 7 8 AND PART 10 of this article, the
16 commission shall issue and cause to be served upon the respondent an
17 order requiring such respondent to cease and desist from such
18 discriminatory or unfair practice and to take such action as it may order
19 in accordance with the provisions of THIS PART 3 AND parts 4 to 7 8 AND
20 PART 10 of this article.

21

22 (11) If written notice that a formal hearing will be held is not
23 served within two hundred seventy days after the filing of the charge, if
24 the complainant has requested and received a notice of right to sue
25 pursuant to subsection (15) of this section, or if the hearing is not
26 commenced within the one-hundred-twenty-day period prescribed by
27 subsection (4) of this section, the jurisdiction of the commission over the
28 complaint shall cease, and the complainant may seek the relief authorized
29 under this part 3 and parts 4 to 7 8 AND PART 10 of this article against the
30 respondent by filing a civil action in the district court for the district in
31 which the alleged discriminatory or unfair practice occurred. ~~SUCH~~ THE
32 action must be filed within ninety days of the date upon which the
33 jurisdiction of the commission ceased, and if not so filed, it shall be
34 barred and the district court shall have no jurisdiction to hear ~~such~~ THE
35 action. If any party requests the extension of any time period prescribed
36 by this subsection (11), ~~such~~ THE extension may be granted for good
37 cause by the commission, a commissioner, or the administrative law
38 judge, as the case may be, but the total period of all such extensions to
39 either the respondent or the complainant shall not exceed ninety days
40 each, and, in the case of multiple parties, the total period of all extensions
41 shall not exceed one hundred eighty days.

42

43 (13) Any member of the commission and any person participating
44 in good faith in the making of a complaint or a report or in any
45 investigative or administrative proceeding authorized by THIS PART 3 AND
46 parts 3 to 7 4 TO 8 AND PART 10 of this article shall be immune from
47 liability in any civil action brought against him OR HER for acts occurring
48 while acting in his OR HER capacity as a commission member or
49 participant, respectively, if ~~such~~ THE individual was acting in good faith
50 within the scope of his OR HER respective capacity, made a reasonable
51 effort to obtain the facts of the matter as to which he OR SHE acted, and
52 acted in the reasonable belief that ~~the~~ HIS OR HER action ~~taken by him~~ was
53 warranted by the facts.

54

55 (14) ~~No~~ A person may NOT file a civil action in a district court in
56 this state based on an alleged discriminatory or unfair practice prohibited

1 by parts 4 to 7 8 AND PART 10 of this article without first exhausting the
2 proceedings and remedies available to him OR HER under this part 3
3 unless he OR SHE shows, in an action filed in the appropriate district court,
4 by clear and convincing evidence, THAT his OR HER ill health ~~which~~ is of
5 such a nature that pursuing administrative remedies would not provide
6 timely and reasonable relief and would cause irreparable harm.

7
8 **SECTION 19.** 24-34-308, Colorado Revised Statutes, is amended
9 to read:

10
11 **24-34-308. Enforcement of federal law prohibited.** Nothing in
12 THIS PART 3 AND parts 3 4 to 8 AND PART 10 of this article shall be
13 construed to authorize the commission, the director, or the division to
14 enforce any provision of federal law. Nothing in this section shall
15 prevent the commission from accepting federal grants for the enforcement
16 of THIS PART 3 AND parts 3 to 7 4 to 8 AND PART 10 OF THIS ARTICLE.

17
18 **SECTION 20.** 18-6.5-102 (3) (f), Colorado Revised Statutes, is
19 amended to read:

20
21 **18-6.5-102. Definitions.** As used in this article, unless the context
22 otherwise requires:

23
24 (3) A "person with a disability" means any person who:

25
26 (f) Is mentally impaired as the term is defined in section
27 24-34-301 (2.5), ~~(b) (H)~~, C.R.S.;

28
29 **SECTION 21.** 40-9-109, Colorado Revised Statutes, is amended
30 to read:

31
32 **40-9-109. Transportation of assistance animals.** When a ~~totally~~
33 ~~or partially blind, totally or partially deaf, or physically disabled person~~
34 WITH A DISABILITY, AS DEFINED IN SECTION 24-34-301 (2.5), C.R.S., is
35 accompanied by a ~~dog which serves as an assistance dog~~ ANIMAL or
36 ~~which~~ AN ANIMAL THAT is being trained by a qualified trainer as an
37 assistance ~~dog~~ ANIMAL, as defined in section 24-34-803 (7), C.R.S., ~~for~~
38 ~~such disabled person~~, neither the disabled person WITH A DISABILITY nor
39 the ~~dog~~ ANIMAL shall be denied the facilities of any common carrier, nor
40 shall ~~such disabled~~ THE person WITH A DISABILITY be denied the
41 immediate custody of the ~~dog~~ ANIMAL while riding upon a common
42 carrier. The provisions of this section shall also apply to any qualified
43 trainer who is training a ~~dog for use by a totally or partially blind, totally~~
44 ~~or partially deaf, or physically disabled person~~ AN ASSISTANCE ANIMAL,
45 unless the ~~dog~~ ANIMAL presents an imminent danger to the public health
46 or safety. ~~Such disabled~~ THE person WITH A DISABILITY or ~~any~~ A
47 qualified trainer who is training a ~~dog for use by a disabled person~~ AN
48 ASSISTANCE ANIMAL shall be liable for any damage done to the premises
49 or facilities of the common carrier by ~~such dog. Any dog~~ THE ANIMAL.
50 AN ANIMAL being trained for the purpose of aiding a disabled person AS
51 AN ASSISTANCE ANIMAL shall be visibly and prominently identified as an
52 assistance ~~dog~~ ANIMAL in training.

53
54 **SECTION 22.** 42-4-808 (1), Colorado Revised Statutes, is
55 amended to read:

1 **42-4-808. Drivers and pedestrians, other than persons in**
2 **wheelchairs, to yield to persons with disabilities.** (1) Any pedestrian,
3 other than a person in a wheelchair, or any driver of a vehicle who
4 approaches a person who has an obviously apparent disability of
5 blindness, deafness, or mobility impairment shall immediately come to a
6 full stop and take such precautions before proceeding as are necessary to
7 avoid an accident or injury to said person. A disability shall be deemed to
8 be obviously apparent if, by way of example and without limitation, the
9 person is using a cane or crutches, is assisted by an assistance ~~dog~~
10 ANIMAL, as defined in section 24-34-803 (7), C.R.S., is being assisted by
11 another person, is in a wheelchair, or is walking with an obvious physical
12 impairment. Any person who violates any provision of this section
13 commits a class A traffic offense.

14
15 **SECTION 23. No appropriation.** The general assembly has
16 determined that this act can be implemented within existing
17 appropriations, and therefore no separate appropriation of state moneys
18 is necessary to carry out the purposes of this act.

19
20 **SECTION 24. Act subject to petition - effective date -**
21 **applicability.** (1) This act shall take effect at 12:01 a.m. on the day
22 following the expiration of the ninety-day period after final adjournment
23 of the general assembly (August 11, 2010, if adjournment sine die is on
24 May 12, 2010); except that, if a referendum petition is filed pursuant to
25 section 1 (3) of article V of the state constitution against this act or an
26 item, section, or part of this act within such period, then the act, item,
27 section, or part shall not take effect unless approved by the people at the
28 general election to be held in November 2010 and shall take effect on the
29 date of the official declaration of the vote thereon by the governor.

30
31 (2) The provisions of this act shall apply to offenses committed on
32 or after the applicable effective date of this act."."

33
34
35
36 **HB10-1421** be amended as follows, and as so amended, be referred to
37 the Committee of the Whole with favorable
38 recommendation:

39
40 Amend printed bill, page 2, line 20, strike "THE PRIVATE PRISON PER DIEM
41 RATE" and substitute "THE LINE ITEM OF THE ANNUAL GENERAL
42 APPROPRIATION BILL FOR THE COMMUNITY RE-ENTRY SUBPROGRAM IN THE
43 COMMUNITY SERVICES PROGRAM IN THE DEPARTMENT OF CORRECTIONS".

44
45 Page 2, line 21, strike "RECIDIVISM." and substitute "RECIDIVISM AND AT
46 LEAST THIRTY PERCENT TO VOCATIONAL, ACADEMIC, AND TREATMENT
47 PROGRAMS FOR INMATES AND TO IMPROVE STATE CORRECTIONAL FACILITY
48 STAFFING RATIOS AT STATE-OPERATED CORRECTIONAL FACILITIES".

49
50
51
52 **HB10-1422** be amended as follows, and as so amended, be referred to
53 the Committee of the Whole with favorable
54 recommendation:

55
56 Amend printed bill, page 64, line 3, strike "DIRECTOR" and substitute

1 "DIRECTOR, OR THE CHIEF MEDICAL OFFICER,".

2

3 Page 64, line 8, strike "DIRECTOR" and substitute "DIRECTOR, OR THE
4 CHIEF MEDICAL OFFICER,".

5

6

7

8 **SB10-076** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11

12 Amend reengrossed bill, page 2, line 2, strike "(1) (h)," and substitute
13 "(1),".

14

15 Page 2, line 3, strike "SUBPARAGRAPH," and substitute
16 "PARAGRAPH,".

17

18 Page 2, strike lines 8 through 20.

19

20 Page 3, strike lines 1 through 3 and substitute:

21

22 "(hh) UNFAIR COMPENSATION PRACTICES: BASING THE
23 COMPENSATION OF CLAIMS EMPLOYEES OR CONTRACTED CLAIMS
24 PERSONNEL, INCLUDING COMPENSATION IN THE FORM OF PERFORMANCE
25 BONUSES OR INCENTIVES, ON ANY OF THE FOLLOWING:

26

27 (I) THE NUMBER OF POLICIES CANCELED;

28

29 (II) THE NUMBER OF TIMES COVERAGE IS DENIED;

30

31 (III) THE USE OF A QUOTA LIMITING OR RESTRICTING THE NUMBER
32 OR VOLUME OF CLAIMS; OR

33

34 (IV) THE USE OF AN ARBITRARY QUOTA OR CAP LIMITING OR
35 RESTRICTING THE AMOUNT OF CLAIMS PAYMENTS WITHOUT DUE
36 CONSIDERATION OF THE MERITS OF THE CLAIM.".

37

38

39

40

PRINTING REPORT

41

42 The Chief Clerk reports the following bill has been correctly printed:
43 **HB10-1430.**

44

45

46

47

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

48

49 The Speaker has signed: SB10-020, 070, 073, 100 and 182; SJR10-026,
50 027, 032, 034, 036, 037, 038 and 046.

51

52

53

54

55

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 29th day of April, 2010, at 4:50 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

April 28, 2010

To the Honorable House of Representatives
Sixty-seventh General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB10-1076 CONCERNING THE CLASSIFICATION OF A PARTICIPANT IN A PROPERTY TAX WORK-OFF PROGRAM FOR PURPOSES OF EMPLOYMENT BENEFITS.

Approved April 28, 2010 at 1:47 p.m.

HB10-1168 CONCERNING A LIMITATION ON THE ABILITY OF AN INSURER TO OBTAIN REPAYMENT OF BENEFITS FROM AN INJURED PARTY WHO RECOVERS DAMAGES FROM THE PARTY RESPONSIBLE FOR THE INJURY IN SITUATIONS WHEN THE INJURED PARTY WOULD NOT BE FULLY COMPENSATED IF THE BENEFITS ARE REPAYED TO THE INSURER.

Approved April 28, 2010 at 2:05 p.m.

HB10-1232 CONCERNING THE DEFINITION OF SCHOOL VEHICLES.

Approved April 28, 2010 at 1:59 p.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

April 29, 2010

To the Honorable House of Representatives
Sixty-seventh General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

1 Ladies and Gentlemen:

2
3 I have the honor to inform you that I have approved and filed with the
4 Secretary of State the following Acts:

5
6 **HB10-1109** CONCERNING THE AVAILABILITY OF WORKERS'
7 COMPENSATION TO JAIL INMATES WHO ARE WORKING
8 FOR A PROGRAM THAT HAS BEEN CERTIFIED BY THE
9 FEDERAL PRISON INDUSTRY ENHANCEMENT
10 CERTIFICATION PROGRAM.

11
12 Approved April 29, 2010 at 8:53 a.m.

13
14 **HB10-1128** CONCERNING MEASURES TO INCREASE THE EFFICIENCY
15 OF THE ACTIVITIES OF ENTITIES IN THE DIVISION OF
16 REGISTRATIONS RELATING TO THE SUPERVISION OF
17 REGULATED PROFESSIONALS, AND, IN CONNECTION
18 THEREWITH, MAKING THE "COLORADO LICENSING OF
19 CONTROLLED SUBSTANCES ACT" AND THE SUNSET LAW
20 CONSISTENT WITH PROVISIONS ENACTED IN 2009 TO
21 CONTINUE THE REGULATION OF ADMINISTRATION OF
22 MEDICATION BY UNLICENSED PERSONS, CLARIFYING
23 THAT MONEYS COLLECTED ON BEHALF OF
24 ADMINISTERING ENTITIES OF PROFESSIONAL PEER
25 REVIEW PROGRAMS DO NOT CONSTITUTE STATE FISCAL
26 YEAR SPENDING FOR PURPOSES OF SECTION 20 OF
27 ARTICLE X OF THE STATE CONSTITUTION, CLARIFYING
28 EXEMPTIONS FROM THE "DENTAL PRACTICE LAW OF
29 COLORADO", AUTHORIZING THE DIRECTOR OF THE
30 DIVISION OF REGISTRATIONS TO TAKE DISCIPLINARY
31 ACTION UNDER THE "MASSAGE THERAPY PRACTICE ACT"
32 AGAINST PERSONS CONVICTED OF UNLAWFUL SEXUAL
33 BEHAVIOR OR PROSTITUTION-RELATED OFFENSES,
34 REPEALING DUPLICATIVE REGULATORY REQUIREMENTS
35 FOR MEDICAL DOCTORS, REPLACING LIMITED
36 TEMPORARY LICENSE REQUIREMENTS FOR MEDICAL
37 DOCTORS AND CHIROPRACTORS, AND REPEALING
38 REGULATORY FUNCTIONS OF THE DIVISION OF
39 REGISTRATIONS WITH RESPECT TO ATHLETE AGENTS,
40 AND MAKING AN APPROPRIATION THEREFOR.

41
42 Approved April 29, 2010 at 8:53 a.m.

43
44 **HB10-1178** CONCERNING INCREASING THE TRANSPARENCY IN THE
45 USE OF GIFTS, GRANTS, AND DONATIONS TO FUND
46 PROGRAMS BY STATE AGENCIES.

47
48 Approved April 29, 2010 at 8:55 a.m.

49
50 **HB10-1183** CONCERNING AUTHORIZATION OF A PILOT PROGRAM TO
51 COLLECT DATA CONCERNING ALTERNATIVE SCHOOL
52 FINANCE FUNDING MODELS.

53
54 Approved April 29, 2010 at 8:55 a.m.

55

1 **HB10-1197** CONCERNING A DECREASE IN THE MAXIMUM AMOUNT
2 OF A STATE INCOME TAX CREDIT THAT MAY BE CLAIMED
3 FOR THE DONATION OF A CONSERVATION EASEMENT IN
4 GROSS, AND MAKING AN APPROPRIATION THEREFOR.

5
6 Approved April 29, 2010 at 8:56 a.m.

7
8 **HB10-1201** CONCERNING DUTIES RELATED TO PEACH OFFICER
9 CONTACTS.

10
11 Approved April 29, 2010 at 8:57 a.m.

12
13 **HB10-1218** CONCERNING INFORMATION IN THE CENTRAL REGISTRY
14 OF PROTECTION ORDERS.

15
16 Approved April 29, 2010 at 8:58 a.m.

17
18 **HB10-1249** CONCERNING EXPEDITED RESIDENTIAL FORECLOSURE
19 SALES.

20
21 Approved April 29, 2010 at 2:16 p.m.

22
23 **HB10-1265** CONCERNING A COURT'S AUTHORITY TO WAIVE CERTAIN
24 CHARGES LEVIED AGAINST INDIGENT DEFENDANTS.

25
26 Approved April 29, 2010 at 8:58 a.m.

27
28 **HB10-1288** CONCERNING THE ABILITY OF A COMMERCIAL REAL
29 ESTATE BROKER TO SECURE PAYMENT OF COMMISSIONS
30 EARNED, AND, IN CONNECTION THEREWITH, ENACTING
31 THE "COMMERCIAL REAL ESTATE BROKERS COMMISSION
32 SECURITY ACT".

33
34 Approved April 29, 2010 at 8:59 a.m.

35
36 Sincerely,
37 (signed)
38 Bill Ritter, Jr.
39 Governor

40
41
42 April 29, 2010

43
44 The Honorable Colorado House of Representatives
45 Sixty-Seventh General Assembly
46 Second Regular Session
47 State Capitol Building
48 Denver, CO 80203

49
50 Ladies and Gentlemen:

51
52 I have the honor to inform you that I have approved and filed with the Secretary
53 of State the following Act:

54
55 HOUSE BILL 10-1376 CONCERNING THE PROVISION FOR PAYMENT OF
56 THE EXPENSES OF THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL

1 DEPARTMENTS OF THE STATE OF COLORADO, AND OF ITS
2 AGENCIES AND INSTITUTIONS, FOR AND DURING THE FISCAL YEAR
3 BEGINNING JULY 1, 2010, EXCEPT AS OTHERWISE NOTED.

4
5 Approved on April 29, 2010, at 12:18 p.m.

6
7 It is my constitutional obligation to review the general appropriations bill and
8 exercise the line item veto when necessary. This year I have not exercised the
9 line item veto; therefore, I have approved House Bill 10-1376 (the "FY 2010-11
10 Long Bill") as a whole. However, in this letter, I am providing additional
11 directions for five footnotes.

12
13 I would like to thank the General Assembly for working with me to balance
14 Colorado's critical priorities during these difficult budgetary times. Due to
15 projections of insufficient revenue, this budget reflects minimal increases to
16 support caseload increases and meet statutory and constitutional requirements.
17 It also implements significant General Fund spending reductions in many areas.

18
19 I have approved House Bill 10-1376 based on the assumption that Senate Bill
20 10-190, Suspension of the Senior Property Tax Exemption (White/Riesberg),
21 will be passed. If this piece of legislation is not passed by the General
22 Assembly, I will take necessary actions to maintain a balanced budget in FY
23 2010-11.

24 25 FOOTNOTES

-
- 26
27
28 **1. Footnote 4c, page 27: Department of Corrections, Institutions,**
29 **Mental Health Subprogram --** It is the intent of the General Assembly
30 that the Department of Corrections submit a plan to the House Judiciary
31 Committee and the Senate Judiciary Committee before offenders with
32 mental illness (OMIs) are placed in the beds at Colorado State
33 Penitentiary (CSP) being converted for use by OMIs. Without limiting
34 the scope of the report, the report shall include, at a minimum, plans in
35 the following areas: (1) the basic purpose of the OMI beds at CSP in
36 terms of the role those beds serve relative to the offender's mental
37 health status; (2) the criteria the DOC will use to place offenders in the
38 beds; (3) the services that will be provided to the offenders; (4) the
39 classification levels that will be used and an explanation of the
40 characteristics of those levels; (5) whether and, if so, how offenders will
41 transition from CSP to the general population; and (6) a description of
42 the conditions of confinement, such as the amount of time offenders
43 will be out of their cells, the amount of time in solitary confinement, the
44 availability of recreational, visitation, educational, therapeutic and other
45 programming opportunities and conditions for participating in those
46 opportunities.

47
48 **I am not vetoing this footnote; however, I am directing the Department to**
49 **comply only to the extent feasible.** Requesting that the Department submit a
50 plan to various legislative committees before the placement of mentally ill
51 offenders at the Colorado State Penitentiary is administratively burdensome.
52 This footnote goes beyond simply expressing legislative intent and violates the
53 separation of powers in Article III of the Colorado Constitution by attempting
54 to administer the appropriation and runs afoul of House Bill 08-1321. However,
55 I am directing the Department to comply only to the extent feasible by
56 providing an annual report to include the information requested in the footnote.

1
2 **2. Footnote 7a, page 49: Department of Governor - Lieutenant**
3 **Governor - State Planning and Budgeting, Office of State Planning**
4 **and Budgeting, Operating Expenses** – It is the intent of the General
5 Assembly that the Office of State Planning and Budgeting study the
6 effectiveness of consolidating executive branch human resources within
7 a single executive branch agency and provide a report of the findings to
8 the Joint Budget Committee and the House and Senate Committees on
9 State, Veteran’s and Military Affairs no later than December 1, 2010.

10
11 **I not vetoing this footnote;** however, I am directing the Office of State
12 Planning and Budgeting to work with the executive departments to determine
13 a further course of action and whether and to what extent compliance with the
14 intent set forth in the footnote is in the best interest of the efficient management
15 of executive branch agencies.

16
17 **3 Footnote 18, page 103: Department of Human Services, Office of**
18 **Information Technology Services, Child Care Automated Tracking**
19 **System; and Division of Child Care** -- It is the intent of the General
20 Assembly that this project: 1) have a steering committee that includes
21 a county commissioner, a county human services director, and a user of
22 the system; 2) that the Department pilot the program before rolling it
23 out; 3) that the steering committee, including the county representatives,
24 should decide whether the system is "go" or "no go" at the roll out
25 stages; and 4) that ongoing costs for maintenance and administration of
26 this system be covered through savings in or reductions to the Colorado
27 Child Care Assistance Program and remaining Child Care Development
28 Fund reserves. The new system will not drive additional costs to the
29 state General Fund.

30
31 **I am not vetoing this footnote, but am directing the Department to comply**
32 **only to the extent feasible.** By detailing the intended membership of the
33 steering committee, requesting a pilot program be conducted, vesting the “go”
34 or “no go” decision in the steering committee, and specifying the manner in
35 which maintenance and administration costs be covered, this footnote goes well
36 beyond simply expressing legislative intent and violates the separation of
37 powers in Article III of the Colorado Constitution by attempting to administer
38 the appropriation and runs afoul of House Bill 08-1321 by requesting that
39 certain administrative action be taken in connection with an appropriation. I,
40 however, am not vetoing this footnote because the direction provided is framed
41 as the intent of the General Assembly; I will, therefore direct the Department
42 to consider the General Assembly’s suggestions during the implementation of
43 this project.

44
45
46 **4 Footnote 24, page 105: Department of Human Services, Services for**
47 **People with Disabilities, Community Services for People with**
48 **Developmental Disabilities, Program Costs** – It is the intent of the
49 General Assembly that all adults with developmental disabilities
50 receiving Medicaid or State funding shall be offered all available day
51 services, including supported employment, facility and community
52 based activities, and pre-vocational services. Medicaid waivers for
53 services for people with developmental disabilities shall be amended as
54 soon as possible to include pre-vocational services as a program option.
55 The waiver amendments shall indicate that the progress towards
56 community employment of individuals receiving pre-vocational services

1 will be reviewed every five years. If the review indicates, and the
2 consumer and guardian agree, that a move to community employment
3 is appropriate, then that change may be made. This does not preclude
4 the individual continuing in pre-vocational services until a community
5 job can be secured. Medicaid guidelines do not require, nor shall the
6 waiver amendment include, a limit on the time an individual may
7 receive pre-vocational services. Further, the Department shall provide
8 non-integrated work services for consumers who are currently enrolled,
9 or who choose to enroll, in programs offering facility-based work until
10 the waivers for the provision of pre-vocational services are approved.
11 The Department shall report back to the Joint Budget Committee and
12 the Health and Human Services of the House and Senate by September
13 2010 on the status of the waiver amendments to include pre-vocational
14 services, the pre-vocational rate, and any transition issues.
15

16 **I am not vetoing this footnote, but am directing the Department to comply**
17 **only to the extent feasible.** By detailing the content of amendments to the
18 Medicaid waivers for persons with developmental disabilities, how/when
19 individuals receiving pre-vocational services are reviewed, continued provision
20 of pre-vocational services post review, continued provision of non-integrated
21 work services for currently enrolled individuals, and the provision of a report
22 to the Joint Budget Committee and the Health and Human Services of the
23 House and Senate, this footnote goes well beyond simply expressing legislative
24 intent and violates the separation of powers in Article III of the Colorado
25 Constitution by attempting to administer the appropriation and runs afoul of
26 House Bill 08-1321 by requesting that certain administrative action be taken in
27 connection with an appropriation. I, however, am not vetoing this footnote
28 because the direction provided is framed as the intent of the General Assembly;
29 I will, therefore direct the Department and the Department of Health Care
30 Policy and Financing to consider the General Assembly's suggestions.
31

32 **5. Footnote 45a, page 223: Department of Revenue, Enforcement**
33 **Business Group, Limited Gaming Division** -- It is the intent of the
34 General Assembly that the Department of Revenue shall not spend more
35 than 5.0 percent of Amendment 50 revenues for administrative expenses
36 of the Limited Gaming Division.
37

38 **I am not vetoing this footnote; however, I am directing the Department not**
39 **to comply.** Intending that the Department not spend more than 5.0 percent of
40 Amendment 50 revenues on administrative expenses of the Limited Gaming
41 Division, constitutes extensive oversight of the appropriation which is in
42 violation of Article XVIII, Section 9, Paragraph 5(b)(I), which states in part,
43 payments of on-going expenses of the Commission "shall not be conditioned
44 on any appropriation by the general assembly." I, however, am not vetoing this
45 footnote because the direction provided is framed as the intent of the General
46 Assembly.
47

48 Sincerely,
49 (signed)
50 Bill Ritter, Jr.
51 Governor
52
53
54
55
56

1 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL(S)**

2
3 **HB10-1125** by Representative(s) Hullinghorst; also Senator(s)
4 Schwartz--Concerning the authority of the department of
5 public health and environment to regulate certain activities
6 with respect to waste grease derived from food preparation,
7 and making an appropriation therefor.

8
9 (Amended as printed in Senate Journal, April 27, page 1040.)

10
11 Representative Hullinghorst moved that the House **not concur** in Senate
12 amendments and that a Conference Committee be appointed with
13 permission to go beyond the scope of the differences between the House
14 and the Senate. The motion was declared **passed** by the following roll
15 call vote:

YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

34 The Speaker appointed Representatives Hullinghorst, Chairman,
35 McFadyen and Looper as House conferees to the bill.

36
37 **HB10-1330** by Representative(s) Kefalas and Kagan, Apuan, Court,
38 Fischer, Gagliardi, Levy, Miklosi, Pace, Primavera, Rice,
39 Riesberg, Solano, Tyler, Vigil; also Senator(s) Morse--
40 Concerning the creation of an advisory committee to make
41 recommendations regarding the creation of a Colorado all-
42 payer health claims database for the purpose of transparent
43 public reporting of health care information.

44
45 (Amended as printed in Senate Journal, April 27, page 1041.)

46
47 Representative Kefalas moved that the House **not concur** in Senate
48 amendments and that a Conference Committee be appointed. The motion
49 was declared **passed** by the following roll call vote:

YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y

The Speaker appointed Representatives Kefauver, Chairman, Kagan and Roberts as House conferees to the bill.

The following bill(s) was(were) considered on Third Reading. The title(s) was(were) publicly read. Reading of the bill at length was dispensed with by unanimous consent.

As shown by the following roll call vote, a majority of all members elected to the House voted in the affirmative, and Representative Pommer was given permission to offer a Third Reading amendment:

YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

1 **Third Reading amendment No. 1**, by Representative Pommer.

2
3 Amend engrossed bill, page 3, line 22, strike "NO LATER THAN JULY 1,
4 2010, THE" and substitute "THE".

5
6 The amendment was declared **passed** by the following roll call vote:

	YES	62	NO	1	EXCUSED	2	ABSENT	0
9	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
10	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
11	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
12	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
13	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
14	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
15	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
16	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
17	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
18	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
19	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
20	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
21	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
22	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
23	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
24	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
25							Speaker	Y

26
27 The question being, "Shall the bill, as amended, pass?".

28 A roll call vote was taken. As shown by the following recorded vote, a
29 majority of those elected to the House voted in the affirmative, and the
30 bill, as amended, was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
33	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
35	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
38	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
48	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Bradford, Casso, Hullinghorst, King S.,
51 Looper, Pace, Pommer, Priola, Rice, Swalm, Vigil, Speaker.

52
53
54 **HB10-1425** by Representative(s) Miklosi; also Senator(s) Foster--
55 Concerning the exemption from the postretirement
56 employment limit for certain employees of the Denver

public school district who are retirees of the public employees' retirement association.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	52	NO	11	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
Court	Y	King S.	Y	Nikkel	N	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Court, Frangas, Kagan, Labuda, Pommer, Speaker.

HB10-1401 by Representative(s) Ferrandino; also Senator(s) Carroll--
Concerning the management of information technology in
state agencies.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	61	NO	2	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Murray.

1 **HB10-1408** by Representative(s) Weissmann; also Senator(s) Morse--
 2 Concerning statutory directions concerning congressional
 3 districts.
 4

5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

	YES	35	NO	28	EXCUSED	2	ABSENT	0
11	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
13	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
14	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
16	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
17	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
18	Court	Y	King S.	N	Nikkel	N	Summers	N
19	Curry	N	Labuda	Y	Pace	Y	Swalm	N
20	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
21	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
22	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	N	Priola	N	Vaad	N
24	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
25	Gardner B.	N	May	N	Riesberg	Y	Waller	N
26	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Court, Hullinghorst, Labuda, Pommer,
 29 Ryden.
 30
 31
 32

33 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

34
 35 **HB10-1133** by Representative(s) Massey; also Senator(s) Tochtrop--
 36 Concerning amendments to the "Colorado Foreclosure
 37 Protection Act".
 38

39 (Amended as printed in Senate Journal, April 20.)
 40

41 Representative Massey moved that the House **concur** in Senate
 42 amendments. The motion was declared **passed** by the following roll call
 43 vote:
 44

	YES	62	NO	1	EXCUSED	2	ABSENT	0
46	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
47	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
48	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
49	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
50	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
51	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
52	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
53	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
54	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
55	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
56	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E

1	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
2	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
3	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
4	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
5	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
6							Speaker	Y

7
8 The question being, "Shall the bill, as amended, pass?".
9 A roll call vote was taken. As shown by the following recorded vote, a
10 majority of those elected to the House voted in the affirmative, and the
11 bill, as amended, was declared **repassed**.
12

13	YES	63	NO	0	EXCUSED	2	ABSENT	0
14	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
15	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
16	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
17	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
18	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
19	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
20	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
21	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
22	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
23	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
24	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
25	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
26	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
27	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
28	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
29	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) Curry, Gagliardi.
32

33 **HB10-1060** by Representative(s) Kagan; also Senator(s) Steadman--
34 Concerning the creation of a penalty for the failure to
35 comply with severance tax withholding requirements.
36

37 (Amended as printed in Senate Journal, April 26, page 1020.)
38

39 Representative Kagan moved that the House **concur** in Senate
40 amendments. The motion was declared **passed** by the following roll call
41 vote:
42

43	YES	52	NO	11	EXCUSED	2	ABSENT	0
44	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
46	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
47	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
49	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
50	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
51	Court	Y	King S.	Y	Nikkel	N	Summers	Y
52	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
53	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
54	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
55	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
56	Frangas	N	Looper	Y	Priola	Y	Vaad	Y

1	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
2	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
3	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
4							Speaker	Y

5
6 The question being, "Shall the bill, as amended, pass?".
7 A roll call vote was taken. As shown by the following recorded vote, a
8 majority of those elected to the House voted in the affirmative, and the
9 bill, as amended, was declared **repassed**.

10								
11	YES	36	NO	27	EXCUSED	2	ABSENT	0
12	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
14	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
15	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
17	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
19	Court	Y	King S.	N	Nikkel	N	Summers	N
20	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
21	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
22	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
23	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	N	Priola	N	Vaad	N
25	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
26	Gardner B.	N	May	N	Riesberg	Y	Waller	N
27	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Court, Hullinghorst.

30
31 **HB10-1221** by Representative(s) Curry; also Senator(s) Schwartz--
32 Concerning the continuation of the licensing of river
33 outfitters by the board of parks and outdoor recreation, and,
34 in connection therewith, implementing the sunset review
35 recommendations of the department of regulatory agencies.

36
37 (Amended as printed in Senate Journal, April 26, page 1018.)

38
39 Representative Curry moved that the House **concur** in Senate
40 amendments. The motion was declared **passed** by the following roll call
41 vote:

42								
43	YES	63	NO	0	EXCUSED	2	ABSENT	0
44	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
46	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
47	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
49	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
50	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
51	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
52	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
53	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
54	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
55	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
56	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y

Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

YES	61	NO	2	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	N	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	N
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Frangas, Pommer, Stephens.

HB10-1342 by Representative(s) **Levy**, Benefield, Court, Ferrandino, Fischer, Gagliardi, Hullinghorst, Kagan, Merrifield, Peniston, Pommer, Primavera, Solano, Tyler; also Senator(s) Williams, Newell--Concerning measures to encourage additional investment in solar energy generation facilities, and, in connection therewith, authorizing the creation of community solar gardens.

(Amended as printed in Senate Journal, April 26, page 1017.)

Representative Levy moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y

1	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
2	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
3	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
4	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
5							Speaker	Y

6
7 The question being, "Shall the bill, as amended, pass?".

8 A roll call vote was taken. As shown by the following recorded vote, a
9 majority of those elected to the House voted in the affirmative, and the
10 bill, as amended, was declared **repassed**.

12	YES	48	NO	15	EXCUSED	2	ABSENT	0
13	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
14	Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
15	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
16	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
17	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
18	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
19	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
20	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
21	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
22	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
23	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
24	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
25	Frangas	Y	Looper	N	Priola	Y	Vaad	N
26	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
27	Gardner B.	N	May	N	Riesberg	Y	Waller	N
28	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Schafer S., Soper.

31
32
33
34 On motion of Representative Weissmann, **HB10-1413, 1366, 1417, 1414,**
35 **1412, 1345, 1407, 1411, 1391, 1403, 1421, 1422, 1410, 1409,**
36 **HCR10-1008** were made Special Orders on Friday, April 30, 2009, at
37 10:20 a.m.

38
39
40 The hour of 10:20 a.m., having arrived, on motion of Representative
41 Kefalas, the House resolved itself into Committee of the Whole for
42 consideration of Special Orders and he was called to the Chair to act as
43 Chairman.

47 SPECIAL ORDERS--SECOND READING OF BILLS

48
49 The Committee of the Whole having risen, the Chairman reported the
50 titles of the following bills had been read (reading at length had been
51 dispensed with by unanimous consent), the bills considered and action
52 taken thereon as follows:

53
54 (Amendments to the committee amendment are to the printed committee
55 report which was printed and placed in the members' bill file.)
56

1 **HB10-1366** by Representative(s) Apuan, Casso, Court, Hullinghorst,
2 Labuda, McCann, Middleton, Miklosi, Murray, Scanlan,
3 Todd--Concerning the prohibition of a person who is
4 serving a sentence under community supervision as a result
5 of conviction for certain offenses from acting as a petition
6 circulator.

7
8 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
9 April 6, 2010, and placed in member's bill file; Report also printed in
10 House Journal, April 7, pages 1130-1131.

11
12 Amendment No. 2, Finance Report, dated April 21, 2010, and placed in
13 member's bill file; Report also printed in House Journal, April 22,
14 pages 1130-1131.

15
16 Amendment No. 1, Appropriations Report, dated April 30, 2010, and
17 placed in member's bill file; Report also printed in House Journal,
18 April 30, page 1511-1512.

19
20 As amended, ordered engrossed and placed on the Calendar for Third
21 Reading and Final Passage.

22
23 **HB10-1417** by Representative(s) Peniston, Casso, Court, Frangas,
24 Gagliardi, Kefalas, Kerr A., Levy, Merrifield, Middleton,
25 Pace, Primavera, Ryden, Schafer S., Todd; also Senator(s)
26 Williams, Bacon, Boyd, Carroll M., Foster, Heath, Hudak,
27 Keller, Morse, Newell, Romer, Sandoval, Steadman, Tapia,
28 Tochtrop--Concerning the creation of the pay equity
29 commission within the department of labor and
30 employment.

31
32 Amendment No. 1, Business Affairs & Labor Report, dated
33 April 28, 2010, and placed in member's bill file; Report also printed in
34 House Journal, April 29, pages 1496-1497.

35
36 Laid over until later in the day.

37
38 A motion by Representative Weissmann that the Committee rise, report
39 progress and beg leave to sit again later in the day, was adopted by
40 unanimous consent. (Special Orders continued on page 1552.)

41
42
43 _____
44 House reconvened.

45 The Committee of the Whole reported it had risen, reported progress and
46 would sit again until later in the day.

47
48
49
50 **MESSAGE(S) FROM THE SENATE**

51
52 The Senate has adopted and transmits herewith: SJR10-048.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

On motion of Representative Weissmann, the rules were suspended and the following resolution was given immediate consideration.

SJR10-048 by Senator(s) Shaffer B.; also Representative(s) Primavera--Concerning recognition of military personnel from Colorado who served in the Vietnam war and honoring those who were injured or who died while serving their country.

(Printed and placed in member's file).

On motion of Representative Primavera, the resolution was read at length and **adopted** by **viva voce** vote.

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Hulinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Massey, May, McCann, McFadyen, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Tyler, Vaad, Vigil, Waller, Weissmann, Speaker.

House in recess. House reconvened.

On motion of Representative Kefalas, the House resolved itself into Committee of the Whole for continuation of consideration of Special Orders, and he returned to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

(Continued from page 1551)

HB10-1417 (continued)

Amendment No. 2, by Representative(s) Peniston.

Amend printed bill, page 6, line 24, after "THE" insert "COLORADO" and strike "EDUCATION AND OUTREACH".

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

HB10-1413 by Representative(s) Levy and May, Carroll T.; also Senator(s) Newell and Lundberg--Concerning juveniles who are tried as adults.

Amendment No. 1, Judiciary Report, dated April 26, 2010, and placed in member's bill file; Report also printed in House Journal, April 27, pages 1441-1448.

1 Amendment No. 2, Appropriations Report, dated April 30, 2010, and
2 placed in member's bill file; Report also printed in House Journal,
3 April 30, pages 1514-1515.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB10-1414** by Representative(s) Benefield; also Senator(s) Foster--
9 Concerning the requirement that a health care facility
10 report information identifying any individual responsible
11 for the diversion of injectable drugs that were intended for
12 use by patients of the facility.

13
14 Amendment No. 1, Health & Human Services Report, dated
15 April 29, 2010, and placed in member's bill file; Report also printed in
16 House Journal, April 29, pages 1505.

17
18 As amended, ordered engrossed and placed on the Calendar for Third
19 Reading and Final Passage.

20
21 **HB10-1412** by Representative(s) Carroll T.; also Senator Johnston--
22 Concerning the creation of the charter school and charter
23 authorizer standards review committee.

24
25 Amendment No. 1, Education Report, dated April 29, 2010, and placed
26 in member's bill file; Report also printed in House Journal, April 29,
27 page 1505.

28
29 Amendment No. 2, by Representative(s) Merrifield.

30
31 Amend the Education Committee Report, dated April 29, 2010, page 1,
32 strike lines 1 through 8 and substitute:

33
34 "Amend printed bill, page 5, line 8, strike "AND".

35
36 Page 5, line 11, strike "GOVERNANCE." and substitute "GOVERNANCE;
37 AND"

38
39 (g) NONDISCRIMINATION, INCLUDING APPLICABLE STANDARDS AND
40 ACCOUNTABILITY RELATING TO FEDERAL AND STATE
41 ANTI-DISCRIMINATION LAWS, INCLUDING THE AUTHORIZER'S ROLE IN
42 MONITORING, OVERSEEING, AND COMPLIANCE THEREWITH AND THE
43 CHARTER SCHOOL'S DEMONSTRATION OF COMPLIANCE."

44
45 Amendment No. 3, by Representative(s) Massey.

46
47 Amend printed bill, page 3, line 1, strike "FINANCE; AND" and substitute
48 "FINANCE."

49
50 Page 3, strike lines 2 through 4.

51
52 Page 3, strike lines 9 through 11.

53
54 Reletter succeeding sub-subparagraphs accordingly.

55
56 Page 3, line 19, strike "DISTRICT;" and substitute "DISTRICT, AND ONE

1 MEMBER WHO IS A PARENT OF A CHILD ENROLLED IN A CHARTER SCHOOL
2 OR IN AN INSTITUTE CHARTER SCHOOL AUTHORIZED PURSUANT TO PART 5
3 OF THIS ARTICLE;"

4
5 Page 3, line 23, strike "INSTITUTE;" and substitute "INSTITUTE, AND ONE
6 MEMBER WHO IS A SCHOOL DISTRICT ADMINISTRATOR WITH EXPERTISE IN
7 FINANCIAL POLICIES AND PROCEDURES FROM A SCHOOL DISTRICT THAT
8 HAS AUTHORIZED A CHARTER SCHOOL;"

9
10 As amended, ordered engrossed and placed on the Calendar for Third
11 Reading and Final Passage.

12
13 **HB10-1345** by Representative(s) Carroll T.; also Senator Steadman--
14 Concerning the granting of emergency powers during
15 emergency situations at charter schools.

16
17 Amendment No. 1, Education Report, dated April 29, 2010, and placed
18 in member's bill file; Report also printed in House Journal, April 29,
19 pages 1498-1505.

20
21 Amendment No. 2, by Representative(s) Carroll T.

22
23 Amend the Education Committee Report, dated April 29, 2010, page 5,
24 line 10, strike "PUBLIC".

25
26 Page 5, strike line 11 and substitute:

27
28 "INFORMATION FROM THE CHARTER RESPONDANT THAT MAY BE
29 NECESSARY TO CONDUCT AN INVESTIGATION PURSUANT TO THIS
30 SECTION,"

31
32 As amended, ordered engrossed and placed on the Calendar for Third
33 Reading and Final Passage.

34
35 **HB10-1407** by Representative(s) Kagan, Gagliardi, Hullinghorst,
36 Looper, Solano, Vigil; also Senator(s) Steadman--
37 Concerning the creation of the range worker advisory
38 council.

39
40 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
41 dated April 27, 2010, and placed in member's bill file; Report also printed
42 in House Journal, April 27, pages 1436-1437.

43
44 Amendment No. 2, Appropriations Report, dated April 30, 2010, and
45 placed in member's bill file; Report also printed in House Journal,
46 April 30, pages 1512-1513.

47
48 As amended, ordered engrossed and placed on the Calendar for Third
49 Reading and Final Passage.

50
51 **HB10-1411** by Representative(s) Waller, Liston, Pace--Concerning the
52 national instant criminal background check system.

53
54 Amendment No. 1, Judiciary Report, dated April 26, 2010, and placed in
55 member's bill file; Report also printed in House Journal, April 27,
56 page 1441.

1 Amendment No. 2, Appropriations Report, dated April 30, 2010, and
2 placed in member's bill file; Report also printed in House Journal,
3 April 30, page 1514.

4
5 Amendment No. 3, by Representative(s) Rice.

6
7 Amend printed bill, page 2, strike line 18 and substitute:

8
9 "SECTION 2. Specified effective date. This act shall take effect
10 upon signature of the governor; except that, this act shall not take effect
11 if House Bill 10-1391 is not enacted at the Second Regular Session of the
12 Sixty-seventh General Assembly and does not become law.

13
14 SECTION 3. Safety clause. The general assembly hereby
15 finds,".

16
17 As amended, ordered engrossed and placed on the Calendar for Third
18 Reading and Final Passage.

19
20 **HB10-1391** by Representative(s) Rice, Court, Levy, McCann, Ryden;
21 also Senator(s) Boyd, Hudak, Newell, Steadman--
22 Concerning the elimination of the repeal of certain
23 provisions requiring that the Colorado bureau of
24 investigation deny the transfer of a firearm to a person if
25 the bureau receives certain information about the person's
26 criminal history in response to a search of a criminal
27 history records database.

28
29 Ordered engrossed and placed on the Calendar for Third Reading and
30 Final Passage.

31
32 **HB10-1403** by Representative(s) Kerr A.; also Senator Whitehead--
33 Concerning commercial notifications with regard to the
34 secretary of state.

35
36 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
37 April 22, 2010, and placed in member's bill file; Report also printed in
38 House Journal, April 23, page 1408.

39
40 Amendment No. 2, Appropriations Report, dated April 30, 2010, and
41 placed in member's bill file; Report also printed in House Journal,
42 April 30, page 1512.

43
44 Amendment No. 3, by Representative(s) Gardner B.

45
46 Amend printed bill, page 8, line 9, after the semicolon add "EXCEPT THAT,
47 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE SECRETARY OF
48 STATE SHALL NOT ELIMINATE A REPORTING ENTITY'S ABILITY TO ELECT TO
49 CONTINUE TO RECEIVE NOTICE OF THE DUE DATE OF A PERIODIC REPORT BY
50 MAIL;"

51
52 As amended, ordered engrossed and placed on the Calendar for Third
53 Reading and Final Passage.

54
55 **HB10-1421** by Representative(s) May and Weissmann, Ferrandino,
56 Pommer, Lambert, Gardner B., Waller; also Senator(s)

King K. And Tochtrop--Concerning the decommission of a correctional facility operated by the department of corrections.

Amendment No. 1, Judiciary Report, dated April 30, 2010, and placed in member's bill file; Report also printed in House Journal, April 30, page 1534.

Amendment No. 2, by Representative(s) McFadyen, May.

Amend printed bill, page 2, line 16, after the period add "WHEN THE DEPARTMENT TRANSFERS INMATES FROM THE DECOMMISSIONED FACILITY, THOSE INMATES SHALL BE FIRST TRANSFERRED TO ALL AVAILABLE STATE-OPERATED CORRECTIONAL FACILITY BEDS THAT ARE APPROPRIATE FOR THAT INMATE'S CUSTODY LEVEL BEFORE AN INMATE IS TRANSFERRED TO A PRIVATE CONTRACT PRISON."

Page 2, before line 22 insert:

"(c) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (6) TO THE CONTRARY, IF THE DEPARTMENT DETERMINES THAT IT IS NOT BE ABLE TO COMPLY WITH THE NOVEMBER 1, 2010, DEADLINE SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (6), THE DEPARTMENT MAY REQUEST APPROVAL OF AN EXTENSION OF UP TO NINETY DAYS OF THE NOVEMBER 1, 2010, DEADLINE FROM THE CAPITAL DEVELOPMENT COMMITTEE.

(d) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (6) TO THE CONTRARY, IF THE DEPARTMENT DETERMINES PARAGRAPH (a) OF THIS SUBSECTION (6) WOULD CREATE AN IMPLEMENTATION ISSUE, THE DEPARTMENT MAY REQUEST THAT THE EXECUTIVE COMMITTEE OF LEGISLATIVE COUNCIL CREATED IN SECTION 2-3-301, C.R.S., APPROVE A SUSPENSION OF THE DEPARTMENT'S REQUIREMENT TO DECOMMISSION A PRISON AS REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (6)."

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

HB10-1422 by Representative(s) Gardner B., Kagan, Labuda, Levy, Roberts; also Senator(s) Brophy, Carroll M., Mitchell, Morse, Schwartz--Concerning the revision of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, inconsistent, and conflicting provisions of law and clarifying the language to reflect the legislative intent of the laws.

Amendment No. 1, Report, dated Judiciary, April 30, 2010, and placed in member's bill file; Report also printed in House Journal, April 30, pages 1534-1535.

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

HB10-1410 by Representative(s) Rice; also Senator(s) Steadman--Concerning a requirement that the state treasurer transmit moneys appropriated to departments of state government

1 that are unexpended and unencumbered at the end of a
2 fiscal year to the state employee payday shift fund so that
3 the moneys may be used to pay salaries in June for work
4 performed by state employees during the month of June.
5

6 Amendment No. 1, Finance Report, dated April 27, 2010, and placed in
7 member's bill file; Report also printed in House Journal, April 28,
8 pages 1475-1476.
9

10 Amendment No. 2, Appropriations Report, dated April 30, 2010, and
11 placed in member's bill file; Report also printed in House Journal,
12 April 30, pages 1513-1514.
13

14 As amended, ordered engrossed and placed on the Calendar for Third
15 Reading and Final Passage.
16

17 **HB10-1409** by Representative(s) Pommer, Ferrandino, Lambert; also
18 Senator(s) Tapia, Keller, White--Concerning the process by
19 which annual salary increases may be awarded to
20 employees in the state personnel system based on
21 performance, job core competencies, and years of service.
22

23 Laid over until May 3, retaining place on Calendar.
24

25 **HCR10-1008** by Representative(s) Lambert, Baumgardner,
26 Bradford, DelGrosso, Gardner B., Gardner C., King
27 S., Liston, Priola, Sonnenberg, Waller; also
28 Senator(s) Schultheis, Brophy, Harvey, King K.,
29 Lundberg, Mitchell, Renfroe, Scheffel--Submitting
30 to the registered electors of the state of Colorado an
31 amendment to section 33 of article V of the
32 constitution of the state of Colorado, concerning a
33 requirement that all expenditures by the state be
34 subject to appropriation by the general assembly.
35

36 Referred to the Committee on Finance.
37
38
39

40 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

41
42 Representative Stephens moved to amend the Report of the Committee
43 of the Whole to reverse the action taken by the Committee in not adopting
44 the following Stephens amendment, to HB10-1417, to show that said
45 amendment passed, and that **HB10-1417**, as amended, passed.
46

47 Amend printed bill, page 4, after line 14 insert:
48

49 "(f) NO PERSON WHO MEETS THE QUALIFICATIONS FOR
50 APPOINTMENT TO THE COMMISSION SHALL BE APPOINTED TO OR SERVE ON
51 THE COMMISSION IF THE ORGANIZATION THE PERSON REPRESENTS ON THE
52 COMMISSION HAS MADE A GIFT, GRANT, OR DONATION PURSUANT TO
53 SUBSECTION (2) OF THIS SECTION FOR THE BENEFIT OF THE COMMISSION."
54

55 The amendment was declared **lost** by the following roll call vote:
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YES	58	NO	0	EXCUSED	7	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	E	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
Bradford	E	Kerr A.	Y	Miklosi	E	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
Fischer	Y	Liston	E	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

REPORT(S) OF COMMITTEE(S) OF REFERENCE**APPROPRIATIONS**

After consideration on the merits, the Committee recommends the following:

SB10-087 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the State, Veterans, & Military Affairs Committee Report, dated March 25, 2010, page 1, strike lines 13 through 15 and substitute:

"Page 9 of reengrossed bill, strike lines 17 and 18 and substitute **"declaration.** (1) Any professional lobbyist, before engaging in lobbying,".

Page 10 of the bill, strike lines 14 and 15 and substitute "by this part 3, AND FOR INCLUDING IN THE ON-LINE LOBBYIST DIRECTORY MAINTAINED BY THE SECRETARY PURSUANT TO SECTION 24-6-304 (2) INFORMATION CONCERNING VOLUNTEER LOBBYISTS WHO HAVE REGISTERED WITH THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES AND WHOSE REGISTRATION INFORMATION HAS BEEN TRANSMITTED BY THE CHIEF CLERK TO THE SECRETARY IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (7) OF THIS SECTION. The".

Page 2 of the report, strike lines 9 through 17 and substitute:

""(7) COMMENCING JULY 10, 2010, AND BY THE TENTH DAY OF EACH MONTH THEREAFTER, THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES, OR HIS OR HER DESIGNEE, SHALL TRANSMIT TO THE SECRETARY OF STATE THE NAME, BUSINESS ADDRESS AND TELEPHONE NUMBER, HOME ADDRESS AND TELEPHONE NUMBER, AND LOBBYIST GROUP OR OTHER AFFILIATION, AS APPLICABLE, OF ANY VOLUNTEER LOBBYIST WHO HAS REGISTERED WITH THE CHIEF CLERK DURING THE PREVIOUS MONTH IN ACCORDANCE WITH THE PROVISIONS OF RULE 40 (a) OF THE RULES OF THE HOUSE OF REPRESENTATIVES OR RULE 36 (c) (2) OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES. THE SECRETARY OF STATE SHALL THEREUPON INCLUDE THE NAME AND ACCOMPANYING INFORMATION OF ANY SUCH REGISTERED VOLUNTEER LOBBYIST, ALONG WITH AN APPROPRIATE NOTATION IDENTIFYING THE PERSON AS A VOLUNTEER LOBBYIST, IN THE ON-LINE LOBBYIST DIRECTORY MAINTAINED BY THE SECRETARY PURSUANT TO SECTION 24-6-304 (2) AND PREVIOUSLY LIMITED, PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION (7), TO REGISTERED PROFESSIONAL LOBBYISTS.".

Page 2 of the report, after line 21 insert:

"Page 15 of the bill, line 16, strike "PERSON" and substitute "PRINCIPAL".

Page 15 of the bill, line 23, strike "PERSON" and substitute "PRINCIPAL".

Page 19 of the bill, line 17, strike "forty-seven".

Page 19 of the bill, strike line 18 and substitute:

"thirty-two thousand five hundred sixty dollars (\$32,560) cash funds, or so much".

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB10-1017, 1029, 1042, 1114, 1116, 1117, 1164, 1182, 1208, 1213, 1220, 1222, 1225, 1229, 1240, 1242, 1244, 1259, 1275, 1276, 1340, 1372, 1377, 1378, 1379, 1380, 1381, 1382, 1384, 1385, 1387, 1389** at 12:43 p.m. on April 30, 2010.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until May 3, retaining place on Calendar:

Consideration of Third Reading---**SB10-006, 061, 103, 106, 108, 120, 169, 171, 183, 181, HCR10-1004, SB10-156, HB10-1217.**

Consideration of General Orders--**SB10-028, 178, 126, 189, 186, HCR10-1002, SB10-114, HB10-1390, SB10-139.**

Consideration of Conference Committee Report(s)---**HB10-1021, SB10-109, HB10-1383, 1388.**

Consideration of Resolution(s)---**HJR10-1020, SJR10-025, HJR10-1023, 1019, 1024, 1025, 1026, 1027, 1028, 1032, 1022, 1033, 1034.**

Consideration of Senate Amendment(s)--**HB10-1035, 1053, 1106, 1224, 1260, 1333, 1335, 1362.**

Consideration of Adherence--**HB10-1098.**

On motion of Representative Weissmann, the House adjourned until 10:00 a.m., May 3, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-eleventh Legislative Day

Monday, May 3, 2010

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Evelyne, Corrine, Chase, Gretchen
 6 Czelaldko, Pinon Valley Elementary, Colorado Springs.

7

8 The roll was called with the following result:

9

10 Present--62.

11 Excused--Representative(s) McFadyen, Miklosi, Scanlan--3.

12 Present after roll call--Representative(s) McFadyen.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Nikkel, the reading of the journal of
 18 April 30, 2010, was declared dispensed with and approved as corrected
 19 by the Chief Clerk.

20

21

22

23 **CONSIDERATION OF RESOLUTION(S)**

24

25 **HJR10-1020** by Representative(s) Frangas, Fischer, McFadyen,
 26 Primavera; also Senator(s) Boyd--Concerning the
 27 inclusion of organ donation awareness education in
 28 Colorado's driver's education courses.

29

30 (Printed and placed in members' file)

31

32 On motion of Representative Frangas, the resolution was read at length
 33 and **adopted** by the following roll call vote:

34

35	YES	63	NO	0	EXCUSED	2	ABSENT	0
36	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
37	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	E
38	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
39	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
40	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
41	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
42	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
43	Court	Y	King S.	Y	Nikkel	Y	Summers	Y

1	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
2	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
3	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
4	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
5	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
6	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
7	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
8	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
9							Speaker	Y

10 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
 11 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
 12 Ferrandino, Gagliardi, Gardner B., Gardner C., Gerou, Hullinghorst, Judd,
 13 Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
 14 Looper, Massey, May, McCann, McKinley, McNulty, Merrifield, Middleton,
 15 Murray, Nikkel, Pace, Peniston, Pommer, Priola, Rice, Riesberg, Roberts,
 16 Ryden, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm,
 17 Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann, Speaker.

18
 19 **HJR10-1034** by Representative(s) Acree, Carroll T., Gerou, Priola,
 20 Roberts, Stephens; also Senator(s) Spence--Concerning
 21 stroke awareness.
 22

23 (Printed and placed in members' file)
 24

25 On motion of Representative Acree, the resolution was **adopted** by **viva**
 26 **voce** vote.
 27

28 Current Roll Call added as co-sponsor(s): Representative(s) Apuan, Balmer,
 29 Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
 30 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Hullinghorst,
 31 Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
 32 Looper, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield,
 33 Middleton, Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Rice,
 34 Riesberg, Ryden, Schafer S., Solano, Sonnenberg, Soper, Summers, Swalm,
 35 Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann.
 36
 37
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 39

40 MESSAGE(S) FROM THE SENATE

41
 42 The Senate has adopted and transmits herewith: SJR10-033.
 43
 44
 45

46 INTRODUCTION AND CONSIDERATION OF RESOLUTION

47
 48 On motion of Representative Weissmann, the rules were suspended and
 49 the following resolution was given immediate consideration.
 50

51 **SJR10-033** by Senator(s) Keller; also Representative(s) Frangas--
 52 Concerning the month of May as Foster Care Month in
 53 Colorado.
 54

55 (Printed and placed in member's file).
 56

1 On motion of Representative Frangas, the resolution was read at length
2 and **adopted** by **viva voce** vote.

3
4 Current Roll Call added as Co-sponsor(s) added: Representative(s) Acree,
5 Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry,
6 DelGrosso, Ferrandino, Fischer, Gagliardi, Gardner B., Gardner C., Gerou,
7 Hulinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
8 Levy, Liston, Looper, Massey, May, McCann, McFadyen, McKinley, McNulty,
9 Merrifield, Middleton, Murray, Nikkel, Pace, Peniston, Pommer, Primavera,
10 Priola, Rice, Riesberg, Roberts, Ryden, Schafer S., Solano, Sonnenberg, Soper,
11 Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller,
12 Weissmann, Speaker.

16 **THIRD READING OF BILL(S)--FINAL PASSAGE**

17
18 The following bill(s) was(were) considered on Third Reading. The
19 title(s) was(were) publicly read. Reading of the bill at length was
20 dispensed with by unanimous consent.

21
22 **HB10-1217** by Representative(s) McKinley, McFadyen, Looper, Pace,
23 Vigil; also Senator(s) Kester--Concerning the repeal of the
24 authority of the executive director of the department of
25 human services to sell the Trinidad state nursing home.

26
27 The question being "Shall the bill pass?".

28 A roll call vote was taken. As shown by the following recorded vote, a
29 majority of those elected to the House voted in the affirmative and the bill
30 was declared **passed**.

	YES	47	NO	16	EXCUSED	2	ABSENT	0
33	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hulinghorst	Y	McKinley	Y	Scanlan	E
35	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
38	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	N	Stephens	N
40	Court	Y	King S.	N	Nikkel	N	Summers	N
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
42	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	N	May	N	Riesberg	Y	Waller	N
48	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Frangas, Kerr J., Labuda.

51
52 **HB10-1417** by Representative(s) Peniston, Casso, Court, Frangas,
53 Gagliardi, Kefalas, Kerr A., Levy, Merrifield, Middleton,
54 Pace, Primavera, Ryden, Schafer S., Todd; also Senator(s)
55 Williams, Bacon, Boyd, Carroll M., Foster, Heath, Hudak,
56 Keller, Morse, Newell, Romer, Sandoval, Steadman,

1 Tapia, Tochtrop--Concerning the creation of the pay
2 equity commission within the department of labor and
3 employment.
4

5 The question being "Shall the bill pass?".

6 A roll call vote was taken. As shown by the following recorded vote, a
7 majority of those elected to the House voted in the affirmative and the bill
8 was declared **passed**.
9

	YES	35	NO	28	EXCUSED	2	ABSENT	0
11	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
13	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
14	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
16	Bradford	N	Kerr A.	Y	Miklosi	E	Soper	Y
17	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
18	Court	Y	King S.	N	Nikkel	N	Summers	N
19	Curry	N	Labuda	Y	Pace	Y	Swalm	N
20	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
21	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
22	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	N	Priola	N	Vaad	N
24	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
25	Gardner B.	N	May	N	Riesberg	Y	Waller	N
26	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Apuan, Ferrandino, Fischer,
29 Hullinghorst, Labuda, Soper.
30
31

32 **HB10-1413** by Representative(s) Levy and May, Carroll T.; also
33 Senator(s) Newell and Lundberg--Concerning juveniles
34 who are tried as adults, and making an appropriation in
35 connection therewith.
36

37 The question being "Shall the bill pass?".

38 A roll call vote was taken. As shown by the following recorded vote, a
39 majority of those elected to the House voted in the affirmative and the bill
40 was declared **passed**.
41

	YES	55	NO	8	EXCUSED	2	ABSENT	0
43	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
45	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
46	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
48	Bradford	N	Kerr A.	Y	Miklosi	E	Soper	Y
49	Casso	N	Kerr J.	N	Murray	Y	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	N
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N
53	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
56	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Court, Ferrandino, Fischer, Kagan,
 5 Labuda, McFadyen, Merrifield, Middleton, Nikkel, Pace, Pommer, Ryden,
 6 Schafer S., Solano, Stephens, Todd, Tyler, Vigil, Weissmann.

7
 8 **HB10-1414** by Representative(s) Benefield; also Senator(s) Foster--
 9 Concerning the requirement that a health care facility
 10 report information identifying any individual responsible
 11 for the diversion of injectable drugs that were intended for
 12 use by patients of the facility.

13
 14 The question being "Shall the bill pass?".

15 A roll call vote was taken. As shown by the following recorded vote, a
 16 majority of those elected to the House voted in the affirmative and the bill
 17 was declared **passed**.

18	YES	63	NO	0	EXCUSED	2	ABSENT	0
19	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
20	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
21	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
22	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
23	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
24	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
25	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
26	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
27	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
28	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
29	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
30	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
31	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
32	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
33	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
34	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
35							Speaker	Y

36
 37 Co-sponsor(s) added: Representative(s) Apuan, Court, Gerou, Kefalas, Labuda,
 38 Merrifield, Pommer, Riesberg, Schafer S., Solano, Todd, Vigil.

39
 40 **HB10-1412** by Representative(s) Carroll T.; also Senator(s) Johnston
 41 and Spence--Concerning the creation of the charter school
 42 and charter authorizer standards review committee.

43
 44 The question being "Shall the bill pass?".

45 A roll call vote was taken. As shown by the following recorded vote, a
 46 majority of those elected to the House voted in the affirmative and the bill
 47 was declared **passed**.

48	YES	62	NO	1	EXCUSED	2	ABSENT	0
49	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
50	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
51	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
52	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
53	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
54	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
55	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y

1	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
3	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
6	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
7	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
8	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
9	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
10							Speaker	Y

11 Co-sponsor(s) added: Representative(s) Apuan, Kerr J., King S., Labuda,
 12 Looper, Massey, Pace, Schafer S., Stephens.

13
 14 **HB10-1345** by Representative(s) Carroll T.; also Senator(s) Steadman
 15 and King--Concerning the granting of emergency powers
 16 during emergency situations at charter schools.

17
 18 The question being "Shall the bill pass?".

19 A roll call vote was taken. As shown by the following recorded vote, a
 20 majority of those elected to the House voted in the affirmative and the bill
 21 was declared **passed**.

22	YES	63	NO	0	EXCUSED	2	ABSENT	0
24	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
25	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
26	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
27	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
28	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
29	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
30	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
31	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
32	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
33	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
34	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
35	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
36	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
37	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
38	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
39	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
40							Speaker	Y

41 Co-sponsor(s) added: Representative(s) Acree, Apuan, Kerr J., Labuda, Massey,
 42 Pace, Summers, Vigil.

43
 44 **HB10-1407** by Representative(s) Kagan, Gagliardi, Hullinghorst,
 45 Looper, Solano, Vigil; also Senator(s) Steadman--
 46 Concerning the creation of the range worker advisory
 47 council, and making an appropriation therefor.

48
 49 The question being "Shall the bill pass?".

50 A roll call vote was taken. As shown by the following recorded vote, a
 51 majority of those elected to the House voted in the affirmative and the bill
 52 was declared **passed**.

53	YES	35	NO	28	EXCUSED	2	ABSENT	0
55	Acree	N	Gerou	N	McFadyen	Y	Ryden	N
56	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	E

1	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
2	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
3	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
4	Bradford	N	Kerr A.	Y	Miklosi	E	Soper	Y
5	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
6	Court	Y	King S.	N	Nikkel	N	Summers	N
7	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
8	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
9	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
10	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
11	Frangas	Y	Looper	Y	Priola	N	Vaad	N
12	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
13	Gardner B.	N	May	N	Riesberg	Y	Waller	N
14	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Merrifield, Pommer.

17
18 **HB10-1411** by Representative(s) Waller, Liston, Pace; also Senator
19 Tochtrop--Concerning the process for resolving a denial of
20 a transfer of a firearm when the denial is based on a
21 prospective transferee's criminal record, which criminal
22 record includes a case for which there appears to be no
23 final disposition, and making an appropriation therefor.

24
25 Laid over until May 4, retaining place on Calendar.

26
27 **HB10-1391** by Representative(s) Rice, Court, Levy, McCann, Ryden;
28 also Senator(s) Boyd, Hudak, Newell, Steadman--
29 Concerning the elimination of the repeal of certain
30 provisions requiring that the Colorado bureau of
31 investigation deny the transfer of a firearm to a person if
32 the bureau receives certain information about the person's
33 criminal history in response to a search of a criminal
34 history records database.

35
36 Laid over until May 4, retaining place on Calendar.

37
38 **HB10-1403** by Representative(s) Kerr A.; also Senator(s) Whitehead--
39 Concerning commercial notifications with regard to the
40 secretary of state, and making an appropriation therefor.

41
42 The question being "Shall the bill pass?".

43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative and the bill
45 was declared **passed**.

47	YES	63	NO	0	EXCUSED	2	ABSENT	0
48	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
50	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
51	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
53	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
54	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
55	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y

1	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
2	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
3	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
4	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
5	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
6	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
7	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Kerr J., Labuda.

10
11 **HB10-1421** by Representative(s) May and Weissmann, Ferrandino,
12 Pommer, Lambert, Gardner B., Waller; also Senator(s)
13 King K. And Tochtrop--Concerning the decommission of
14 a correctional facility operated by the department of
15 corrections.

16
17 The question being "Shall the bill pass?".

18 A roll call vote was taken. As shown by the following recorded vote, a
19 majority of those elected to the House voted in the affirmative and the bill
20 was declared **passed**.

21								
22	YES	57	NO	6	EXCUSED	2	ABSENT	0
23	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
24	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	E
25	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
26	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
27	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
28	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
29	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
30	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
31	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
32	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
33	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
34	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
35	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
36	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	N
37	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
38	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	Y
39							Speaker	Y

40 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Gerou, Kerr J., Looper,
41 Murray, Priola, Tyler.

42
43 **HB10-1422** by Representative(s) Gardner B., Kagan, Labuda, Levy,
44 Roberts; also Senator(s) Brophy, Carroll M., Mitchell,
45 Morse, Schwartz--Concerning the revision of statutes in
46 the Colorado Revised Statutes, as amended, and, in
47 connection therewith, amending or repealing obsolete,
48 inconsistent, and conflicting provisions of law and
49 clarifying the language to reflect the legislative intent of
50 the laws.

51
52 The question being "Shall the bill pass?".

53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.

56

	YES	63	NO	0	EXCUSED	2	ABSENT	0
1	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
3	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
4	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
6	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
7	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
8	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
9	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
10	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
11	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
16	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
17							Speaker	Y

18
19 Co-sponsor(s) added: Representative(s) Acree, Baumgardner, Bradford,
20 King S., Liston, Priola, Stephens, Summers, Tipton, Waller, Speaker.

21
22 **HB10-1410** by Representative(s) Rice; also Senator(s) Steadman--
23 Concerning a requirement that the state treasurer transmit
24 moneys appropriated to departments of state government
25 that are unexpended and unencumbered at the end of a
26 fiscal year to the state employee payday shift fund so that
27 the moneys may be used to pay salaries in June for work
28 performed by state employees during the month of June.
29

30 The question being "Shall the bill pass?".

31 A roll call vote was taken. As shown by the following recorded vote, less
32 than a majority of those elected to the House voted in the affirmative and
33 the bill was declared **lost**.
34

	YES	32	NO	31	EXCUSED	2	ABSENT	0
35	Acree	N	Gerou	Y	McFadyen	N	Ryden	Y
36	Apuan	Y	Hullinghorst	N	McKinley	Y	Scanlan	E
37	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
38	Baumgardner	N	Kagan	Y	Merrifield	N	Solano	N
39	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
40	Bradford	N	Kerr A.	Y	Miklosi	E	Soper	Y
41	Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
42	Court	N	King S.	N	Nikkel	N	Summers	Y
43	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
44	DelGrosso	N	Lambert	N	Peniston	N	Tipton	N
45	Ferrandino	N	Levy	N	Pommer	N	Todd	Y
46	Fischer	Y	Liston	N	Primavera	N	Tyler	Y
47	Frangas	Y	Looper	N	Priola	Y	Vaad	N
48	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	N
49	Gardner B.	Y	May	N	Riesberg	Y	Waller	N
50	Gardner C.	N	McCann	N	Roberts	Y	Weissmann	Y
51							Speaker	Y

1 On motion of Representative McCann, the House resolved itself into
2 Committee of the Whole for consideration of Special Orders and she was
3 called to the Chair to act as Chairman.

4
5
6 **SPECIAL ORDERS--SECOND READING OF BILL(S)**

7
8 The Committee of the Whole having risen, the Chairman reported the
9 title(s) of the following bill(s) had been read (reading at length had been
10 dispensed with by unanimous consent), the bill(s) considered and action
11 taken thereon as follows:

12
13 (Amendments to the committee amendment are to the printed committee
14 report which was printed and placed in the members' bill file.)

15
16 **HB10-1409** by Representative(s) Pommer, Ferrandino, Lambert; also
17 Senator(s) Tapia, Keller, White--Concerning the process
18 by which annual salary increases may be awarded to
19 employees in the state personnel system based on
20 performance, job core competencies, and years of service.

21
22 Amendment No. 1, Appropriations Report, dated April 30, 2010, and
23 placed in member's bill file; Report also printed in House Journal,
24 April 30, page 1513.

25
26 Amendment No. 2, by Representative(s) Pommer.
27 Strike the State, Veterans, & Military Affairs Committee Report, dated
28 April 27, 2010, and substitute the following:
29 "Amend printed bill, page 4, strike lines 24 through 26.

30
31 Reletter succeeding sub-subparagraph accordingly.

32
33 Page 5, line 1, strike "(III)" and substitute "(II)".

34
35 Page 6, line 22, strike "JULY 1," and substitute "OCTOBER 1,".

36
37 Page 6, line 25, strike "FOR THE".

38
39 Page 6, strike lines 26 and 27.

40
41 Strike page 7.

42
43 Page 8, strike lines 1 through 19.

44
45 Renumber succeeding subparagraphs accordingly.

46
47 Page 8, line 20, strike "FOR THE 2012-13" and substitute "EXCEPT AS
48 OTHERWISE PROVIDED IN SUB-SUBPARAGRAPH (C) OF THIS SUBPARAGRAPH
49 (II), FOR THE 2010-11".

50
51 Page 8, line 26, strike "AND" and substitute "AND, ON AND AFTER JULY 1,
52 2012,".

53
54 Page 8, line 27, strike "(IV)" and substitute "(III)".

55
56 Page 9, line 7, strike "RANGES." and substitute "RANGES;".

Amendment No. 3, by Representative(s) Pommer.

Amend Amendment No. 2 by Representative Pommer, printed in House Journal, page 1570, after line 56 insert:

"Page 9, after line 7 insert:

"(C) SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II) SHALL APPLY COMMENCING WITH THE FIRST FISCAL YEAR IN WHICH COLORADO PERSONAL INCOME INCREASES BY FIVE PERCENT DURING SUCH FISCAL YEAR. FOR PURPOSES OF THIS SUB-SUBPARAGRAPH (C), COLORADO PERSONAL INCOME SHALL BE CONSIDERED TO INCREASE BY AT LEAST FIVE PERCENT DURING A GIVEN FISCAL YEAR IF, FROM THE CALENDAR YEAR THAT COMMENCES EIGHTEEN MONTHS PRIOR TO THE FIRST DAY OF THE FISCAL YEAR, AND TO THE NEXT CALENDAR YEAR, COLORADO PERSONAL INCOME INCREASES BY AT LEAST FIVE PERCENT. AS USED IN THIS SUB-SUBPARAGRAPH (C), "COLORADO PERSONAL INCOME" MEANS THE TOTAL PERSONAL INCOME FOR COLORADO, AS DEFINED AND OFFICIALLY REPORTED BY THE BUREAU OF ECONOMIC ANALYSIS IN THE UNITED STATES DEPARTMENT OF COMMERCE."

Page 9, line 8, strike "2013," and substitute "2012, "."."

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1409 amended.**

The Chairman moved the adoption of the Committee of the Whole Report. As shown by the following roll call vote, a majority of those elected to the House voted in the affirmative, and the Report was **adopted.**

	YES	58	NO	4	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	E	
Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y	
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y	
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y	
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y	
Court	Y	King S.	N	Nikkel	Y	Summers	Y	
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y	
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y	
Frangas	Y	Looper	E	Priola	Y	Vaad	Y	
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y	
Gardner B.	N	May	N	Riesberg	Y	Waller	Y	
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y	
						Speaker	Y	

NOTICE OF INTENT TO RECONSIDER HB10-1410

Having voted on the prevailing side, Representative McFadyen served notice of intent to reconsider the last House action (Third Reading) on **HB10-1410**.

On motion of Representative McCann, the House resolved itself into Committee of the Whole for consideration of General Orders, and she 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 the titles of the following bills had been read (reading at length had been dispensed with by unanimous consent), the bills considered and action taken thereon as follows:

(Amendments to the committee amendment are to the printed committee report which was printed and placed in the members' bill file.)

HB10-1390 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia--Concerning the general fund reserve required for the 2010-11 state fiscal year.

Laid over until June 9, 2010. Bill deemed lost.

HB10-1418 by Representative(s) McFadyen and Sonnenberg; also Senator(s) Bacon--Concerning requirements applicable to community-based projects that qualify for special treatment under the renewable energy portfolio standard.

Amendment No. 1, Transportation & Energy Report, dated April 29, 2010, and placed in member's bill file; Report also printed in House Journal, April 29, pages 1508-1509.

Amendment No. 2, by Representative(s) Sonnenberg, McFadyen.

Amend the Transportation and Energy Committee Report, dated April 29, 2010, page 2, line 5, strike "COUNTS" and substitute "MAY BE COUNTED".

Page 2, line 6, strike "UTILITIES." and substitute "UTILITIES; EXCEPT THAT, AFTER JANUARY 1, 2015, EACH SUCH KILOWATT OF ELECTRICITY MAY BE COUNTED AS ONE AND ONE-HALF KILOWATT HOURS FOR SUCH COMPLIANCE.".

Page 2, line 7, strike everything after "SHALL".

Page 2, line 8, strike everything before "NOT".

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

1 **SB10-186** by Senator(s) Tochtrop, Carroll M., Mitchell, Schultheis;
 2 also Representative(s) Primavera, Kerr J., McNulty,
 3 Miklosi--Concerning state warrants for tax refunds that are
 4 not presented for payment within six months from the date
 5 of issuance.

6
 7 Ordered revised and placed on the Calendar for Third Reading and Final
 8 Passage.

9
 10 On motion of Representative Weissmann, the remainder of the General
 11 Orders Calendar (**SB10-028, 178, 126, 189, HCR10-1002, 114, 139**) was
 12 laid over until May 4, retaining place on Calendar.

13 14 15 16 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

17
 18 Passed Second Reading: **HB10-1418 amended, SB10-186.**

19
 20 Laid over until date indicated retaining place on Calendar: **SB10-028,**
 21 **178, 126, 189, HCR10-1002, 114, 139--**May 4, 2010.
 22 **HB10-1390--**June 9, 2010. Bill deemed lost.

23
 24 The Chairman moved the adoption of the Committee of the Whole
 25 Report. As shown by the following roll call vote, a majority of those
 26 elected to the House voted in the affirmative, and the Report was
 27 **adopted.**

28	YES	61	NO	0	EXCUSED	4	ABSENT	0
29	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
30	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
31	Balmer	Y	Judd	Y	McNulty	E	Schafer S.	Y
32	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
33	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
34	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
35	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
36	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
37	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
38	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
39	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
40	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
41	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
42	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
43	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
44	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
45							Speaker	Y

46
47
48
49
50 House in recess. House reconvened.
51
52
53
54
55

REPORT(S) OF COMMITTEE(S) OF REFERENCE**APPROPRIATIONS**

After consideration on the merits, the Committee recommends the following:

HB10-1152 be postponed indefinitely.

HB10-1281 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Transportation and Energy Committee Report, dated April 29, 2010, page 2, line 1, strike "**Repeal.**" and after "(f)" insert "and".

Page 2, line 2, strike "repealed as follows" and substitute "amended to read:".

Page 2, strike line 7 and substitute:

"(a) Basic local exchange service OFFERED BY A PROVIDER WITH FEWER THAN ONE HUNDRED THOUSAND ACCESS LINES;".

Page 2, strike line 18 and substitute:

"(h) BASIC LOCAL EXCHANGE SERVICE OFFERED BY A PROVIDER WITH ONE HUNDRED THOUSAND OR MORE ACCESS LINES; AND".

Page 3, after line 13, insert:

"(c) NO PROVIDER WITH MORE THAN ONE HUNDRED THOUSAND ACCESS LINES SHALL BE ELIGIBLE TO RECEIVE SUPPORT FROM THE HIGH COST SUPPORT MECHANISM CREATED IN SECTION 40-15-208.

SECTION 6. 40-15-208 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS to read:

40-15-208. High cost support mechanism - Colorado high cost administration fund - creation - purpose - operation - rules - repeal.

(3) (d) (I) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, NO LATER THAN MAY 15, 2010, THE COMMISSION SHALL TRANSMIT, OR CAUSE TO BE TRANSMITTED, ALL MONEYS FROM THE HIGH COST SUPPORT MECHANISM, NOT TO EXCEED FIFTY MILLION DOLLARS, INTO THE FUND.

(II) THIS PARAGRAPH (d) IS REPEALED, EFFECTIVE JULY 1, 2011.

(e) (I) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (3) TO THE CONTRARY, ON JULY 1, 2010, THE STATE TREASURER SHALL DEDUCT FROM THE FUND FIFTY MILLION DOLLARS AND TRANSFER SUCH AMOUNT TO THE GENERAL FUND.

(II) THIS PARAGRAPH (e) IS REPEALED, EFFECTIVE JULY 1, 2011.

SECTION 7. Appropriation. (1) In addition to any other

1 appropriation, there is hereby appropriated, out of any moneys in the
2 public utilities commission fixed utility fund created in section 40-2-114,
3 Colorado Revised Statutes, not otherwise appropriated, to the department
4 of regulatory agencies, for allocation to the public utilities commission,
5 for the fiscal year beginning July 1, 2010, the sum of two hundred thirteen
6 thousand five hundred six dollars (\$213,506) cash funds and 1.8 FTE, or
7 so much thereof as may be necessary, for the implementation of this act.

8
9 (2) In addition to any other appropriation, there is hereby
10 appropriated to the department of law, for the fiscal year beginning July
11 1, 2010, the sum of fifty-one thousand two hundred fifty-eight dollars
12 (\$51,258) and 0.4 FTE, or so much thereof as may be necessary, for the
13 provision of legal services to the department of regulation agencies
14 related to the implementation of this act. Said sum shall be from
15 reappropriated funds received from the department of regulatory agencies
16 out of the appropriation made in subsection (1) of this section."

17
18 Renumber succeeding section accordingly.

19
20 Page 3 of the report, after line 23 insert:

21
22 "Page 1, line 103, strike "EXISTS." and substitute "EXISTS, AND MAKING
23 AN APPROPRIATION THEREFOR."

24
25
26
27 **HB10-1415** be amended as follows, and as so amended, be referred to
28 the Committee of the Whole with favorable
29 recommendation:

30
31 Amend printed bill, page 19, after line 17 insert:

32
33 **"SECTION 3. Appropriation.** (1) In addition to any other
34 appropriation, there is hereby appropriated, out of any moneys in the
35 division of registrations cash fund created in section 24-34-105 (2) (b) (I),
36 Colorado Revised Statutes, not otherwise appropriated, to the department
37 of regulatory agencies, for allocation to the division of registrations, for
38 the fiscal year beginning July 1, 2010, the sum of forty-three thousand
39 four hundred fourteen dollars (\$43,414) cash funds and 0.4 FTE, or so
40 much thereof as may be necessary, for the implementation of this act.

41
42 (2) In addition to any other appropriation, there is hereby
43 appropriated to the department of law, for the fiscal year beginning July
44 1, 2010, the sum of three thousand seven hundred sixty-nine dollars
45 (\$3,769), or so much thereof as may be necessary, for the provision of
46 legal services to the department of regulatory agencies related to the
47 implementation of this act. Said sum shall be from reappropriated funds
48 received from the department of regulatory agencies out of the
49 appropriation made in subsection (1) of this section."

50
51 Renumber succeeding sections accordingly.

52
53 Page 1, line 101, strike "SURGEONS." and substitute "SURGEONS, AND
54 MAKING AN APPROPRIATION THEREFOR."

55
56

1 **HB10-1426** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 4, line 2, strike "HOME." and substitute "HOME,
6 INCLUDING BUT NOT LIMITED TO ANY PAYMENT TO THE STATE BOARD FOR
7 COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION FOR ANY
8 REVERSIONARY INTEREST THAT SUCH BOARD MAY HOLD."
9

10 Page 4, after line 10, insert:
11

12 **"SECTION 4. Appropriation.** (1) In addition to any other
13 appropriation, there is hereby appropriated, out of any moneys in the
14 general fund not otherwise appropriated, to the Trinidad state nursing
15 home cash fund, for the Department of Human Services, for the fiscal
16 year beginning July 1, 2010, the sum of three million six hundred
17 twenty-two thousand eight hundred eighty dollars (\$3,622,880), or so
18 much thereof as may be necessary, for the implementation of this act.
19

20 (2) It is the intent of the general assembly that the general fund
21 appropriation in subsection (1) of this section shall be derived from
22 savings generated from the implementation of the provisions of House
23 Bill 10-1281, as enacted during the Second Regular Session of the
24 Sixty-seventh General Assembly.
25

26 **SECTION 5. Effective date.** (1) Except as otherwise provided
27 in subsection (2) of this section, this act shall take effect upon passage.
28

29 (2) Section 4 of this act shall take effect July 1, 2010, only if:
30

31 (a) The final fiscal estimate for House Bill 10-1281, as determined
32 from the appropriations enacted in said bill, shows a net reduction in the
33 amount of general fund revenues appropriated for state fiscal year
34 2010-11, that is equal to or greater than the amount of the general fund
35 appropriation made for the implementation of this act for state fiscal year
36 2010-11, as reflected in section 4 of this act;
37

38 (b) House Bill 10-1281 is enacted and becomes law; and
39

40 (c) The staff director of the joint budget committee files written
41 notice with the revisor of statutes no later than July 15, 2010, that the
42 requirement set forth in paragraph (a) of this subsection (2) has been
43 met."
44

45 Renumber succeeding section accordingly.
46

47 Page 1, line 102, strike "HOME." and substitute "**HOME, AND MAKING AN**
48 **APPROPRIATION IN CONNECTION THEREWITH.**"
49

50
51
52 **SB10-141** be amended as follows, and as so amended, be referred to
53 the Committee of the Whole with favorable
54 recommendation:
55

56 Amend reengrossed bill, page 8, strike lines 12 through 26 and substitute:

1 **"SECTION 9. Appropriation.** (1) In addition to any other
2 appropriation, there is hereby appropriated, out of any moneys in the
3 department of state cash fund created in section 24-21-104 (3) (b),
4 Colorado Revised Statutes, not otherwise appropriated, to the department
5 of state, for allocation to the administration division, for operating
6 expenses, for the fiscal year beginning July 1, 2010, the sum of one
7 hundred sixteen thousand twenty dollars (\$116,020) cash funds, or so
8 much thereof as may be necessary, for the implementation of this act.
9
10 (2) In addition to any other appropriation, there is hereby
11 appropriated to the department of revenue, executive director's office, for
12 operating expenses, for the fiscal year beginning July 1, 2010, the sum of
13 one hundred sixteen thousand twenty dollars (\$116,020), or so much
14 thereof as may be necessary, for the implementation of this act. Said sum
15 shall be from reappropriated funds received from the department of state
16 out of the appropriation made in subsection (1) of this section."

17
18
19
20 **SB10-187** be referred to the Committee of the Whole with favorable
21 recommendation.
22
23
24
25

26 **EDUCATION**

27 After consideration on the merits, the Committee recommends the
28 following:
29

30 **HB10-1427** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:
33

34 Amend printed bill, page 2, line 9, strike "STATE".
35

36 Page 2, line 10, strike "CONTRIBUTIONS FOR".
37

38 Page 2, line 12, strike "ANY".
39

40 Page 2, strike lines 13 through 15 and substitute "~~contracted for or~~
41 ~~administered by the state personnel director for medical, dental, and life~~
42 ~~benefits~~ AS DESCRIBED IN SECTION 24-50-603 (9)".
43

44 Page 2, after line 15 insert:
45

46 **"SECTION 2.** 24-50-603 (9), Colorado Revised Statutes, is
47 amended to read:
48

49 **24-50-603. Definitions.** As used in this part 6, unless the context
50 otherwise requires:
51

52 (9) "Group benefit plans" means any group benefit coverages
53 contracted for or administered by the director, including but not limited
54 to, medical, dental, life, and disability benefits. FOR PURPOSES OF
55 SECTION 24-50-104 (1) (a) (I), "GROUP BENEFIT PLANS" INCLUDES ANY
56 GROUP BENEFIT COVERAGES OFFERED BY A STATE INSTITUTION OF HIGHER

1 EDUCATION TO EMPLOYEES OF SUCH INSTITUTION WHO ARE IN THE STATE
2 PERSONNEL SYSTEM."

3

4 Renumber succeeding sections accordingly.

5

6 Page 3, strike lines 8 through 16 and substitute:

7

8 "**education.** A STATE INSTITUTION OF HIGHER EDUCATION THAT HAS, IN
9 THE PLAN YEAR IMMEDIATELY PRECEDING THE EFFECTIVE DATE OF THIS
10 SECTION, OFFERED ONE OR MORE GROUP BENEFIT PLANS OTHER THAN A
11 PLAN CONTRACTED FOR BY THE DIRECTOR PURSUANT TO THIS PART 6 TO
12 EMPLOYEES OF THE INSTITUTION WHO ARE IN THE STATE PERSONNEL
13 SYSTEM MAY CONTINUE TO OFFER GROUP BENEFIT PLANS TO SUCH
14 EMPLOYEES. NOTHING IN THIS PART 6 SHALL BE CONSTRUED TO
15 OTHERWISE LIMIT OR EXPAND THE AUTHORITY OF ANY INSTITUTION OF
16 HIGHER EDUCATION TO ESTABLISH AND OFFER BENEFIT PLANS TO ITS
17 EMPLOYEES."

18

19

20

21 **HB10-1428** be amended as follows, and as so amended, be referred to
22 the Committee on Appropriations with favorable
23 recommendation:

24

25 Amend printed bill, page 6, strike lines 16 through 20.

26

27 Renumber succeeding sections accordingly.

28

29 Page 6, strike lines 21 through 23 and substitute:

30

31 "**SECTION 4.** 23-3.1-104 (1) (g), (1) (o), (2) (j), (2) (k), and (2)
32 (o), Colorado Revised Statutes, are".

33

34 Page 6, strike line 27.

35

36 Page 7, strike lines 1 through 4.

37

38 Page 7, strike lines 6 through 12.

39

40 Page 7, strike lines 17 through 27.

41

42 Page 8, strike lines 1 through 3.

43

44 Page 8, strike lines 8 through 17.

45

46 Page 8, strike line 21 through 27.

47

48 Strike pages 9 and 10.

49

50 Page 11, strike lines 1 through 21.

51

52 Renumber succeeding sections accordingly.

53

54 Page 12, strike lines 8 and 9 and substitute "of higher education and
55 which authority shall make or purchase student obligations ~~shall make~~
56 ~~institutional loans~~, and shall develop and".

1 Page 12, strike lines 13 through 27.

2

3 Page 13, strike lines 1 through 6.

4

5 Renumber succeeding sections accordingly.

6

7 Page 13, strike lines 7 and 8 and substitute:

8

9 "SECTION 6. Repeal. 23-3.1-206 (1) (v) and (1) (x), Colorado
10 Revised Statutes, are".

11

12 Page 13, strike lines 13 through 27.

13

14 Page 14, strike lines 8 and 9 and substitute:.

15

16 "SECTION 7. 23-3.1-206 (1) (h), Colorado Revised Statutes, is
17 amended to read:

18

19 **23-3.1-206. General powers and duties of the authority.** (1) In
20 addition to any other powers and duties specifically granted to the
21 authority in this part 2, the authority has the following powers:

22

23 (h) ~~To make or participate in the making of student obligations or~~
24 ~~institutional loans;~~".

25

26 Renumber succeeding sections accordingly.

27

28 Page 14, strike lines 16 and 17 and substitute "purposes of this part 2 and
29 of part 3 of this article including funding of grants, scholarships, and loan
30 forgiveness; ~~and to do all things necessary~~".

31

32 Page 15, strike lines 6 through 8 and substitute:

33

34 "SECTION 10. Repeal. 23-3.1-206.9, Colorado Revised
35 Statutes, is repealed.".

36

37 Page 15, strike lines 9 through 15.

38

39 Renumber succeeding sections accordingly.

40

41 Page 19, strike lines 23 through 25 and substitute:

42

43 "SECTION 14. Specified effective date. (1) Except as provided
44 in subsection (2) of this section, this act shall take effect upon passage.

45

46 (2) (a) Section 7 of this act shall take effect September 30, 2010.

47

48 (b) Section 13 of this act shall only take effect if Senate Bill
49 10-202 is enacted and becomes law.".

50

51

52

53 **HCR10-1007** be postponed indefinitely.

54

55

56 **HJR10-1030** be postponed indefinitely.

1 **FINANCE**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HB10-1263** be postponed indefinitely.

6
7
8 **HB10-1429** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11
12 Amend printed bill, page 5, strike lines 19 through 23 and substitute:

13
14 "(b) THE DEPARTMENT OF REVENUE SHALL PROVIDE LEGISLATIVE
15 COUNCIL STAFF WITH ANY INFORMATION THAT THE STAFF DEEMS
16 NECESSARY TO PREPARE THE REPORTS REQUIRED PURSUANT TO
17 PARAGRAPH (a) OF THIS SUBSECTION (3); EXCEPT THAT THE DEPARTMENT
18 SHALL NOT PROVIDE ANY INCOME TAX INFORMATION THAT WOULD
19 VIOLATE ANY CONFIDENTIALITY STANDARDS ESTABLISHED BY FEDERAL
20 LAW OR THE INTERNAL REVENUE SERVICE."
21
22
23
24

25 **HEALTH & HUMAN SERVICES**

26 After consideration on the merits, the Committee recommends the
27 following:

28
29 **SB10-002** be amended as follows, and as so amended, be referred to
30 the Committee on Appropriations with favorable
31 recommendation:

32
33 Amend reengrossed bill, page 6, line 16, strike "BY" and substitute
34 "WHEN" and strike "A".
35

36 Page 6, line 17, strike "PERSON DESIGNATES" and substitute "PERSONS
37 ELIGIBLE FOR OR ON THE WAITING LIST FOR THE FOLLOWING PROGRAMS,
38 LISTED IN THIS SUBPARAGRAPH (I), MAY DESIGNATE".
39

40 Page 6, strike line 21, and substitute "10-16-113 OR 10-16-113.5, C.R.S.:

41
42 (A) HOME- AND COMMUNITY-BASED SERVICES FOR PERSONS WITH
43 DEVELOPMENTAL DISABILITIES PURSUANT TO PART 4 OF ARTICLE 6 OF THIS
44 TITLE;
45

46 (B) HOME- AND COMMUNITY-BASED SERVICES FOR CHILDREN WITH
47 AUTISM PURSUANT TO PART 8 OF ARTICLE 6 OF THIS TITLE;
48

49 (C) THE DISABLED CHILDREN CARE PROGRAM PURSUANT TO
50 SECTION 25.5-6-901;
51

52 (D) THE CHILDREN'S PERSONAL ASSISTANCE SERVICES AND FAMILY
53 SUPPORT WAIVER PROGRAM PURSUANT TO SECTION 25.5-6-902; AND
54

55 (E) PEDIATRIC HOSPICE CARE PURSUANT TO SECTION 25.5-5-305.
56

1 (II) NOTHING IN THIS PARAGRAPH (b)".

2
3 Page 6, line 24, strike "BENEFITS." and substitute "BENEFITS FOR A PERSON
4 WHO DESIGNATES THE STATE DEPARTMENT AS THE PERSON'S DESIGNATED
5 REPRESENTATIVE."

6
7 Page 6, line 25, strike "(II)" and substitute "(III)".

8
9 Page 8, line 3, after the first "(e)" insert "(I)".

10
11 Page 8, after line 18 insert:

12
13 "(II) (A) IN 2013, THE STATE DEPARTMENT SHALL INCLUDE IN ITS
14 ANNUAL REPORT TO THE HEALTH AND HUMAN SERVICES COMMITTEES OF
15 THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR
16 COMMITTEES, A REPORT ON THE EFFECTIVENESS OF THE ADDITIONAL
17 PROCESS DEVELOPED PURSUANT TO THIS PARAGRAPH (e).

18
19 (B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 1,
20 2013."

21
22
23
24 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

25
26 The Speaker has signed: **HB10-1096, 1205; HM10-1003.**

27
28
29 **MESSAGE(S) FROM THE SENATE**

30
31 The Senate has adopted and transmits herewith: SJM10-002.

32
33
34 The Senate has passed on Third Reading and transmitted to the Revisor
35 of Statutes:

36
37 SB10-191 amended as printed in Senate Journal, April 29, 2010, pages
38 1078-1084, 1091-1097 and April 30, 2010.

39
40 The Senate has passed on Third Reading and transmitted to the Revisor
41 of Statutes:

42
43 HB10-1351 amended as printed in Senate Journal, April 29, 2010, pages
44 1097-1100 and April 30, 2010.

45
46
47 The Senate has voted to recall HB10-1106 for purposes of reconsideration
48 and requests the return of the bill.

49
50
51 The Senate has adopted and returns herewith: HJR10-1021.

52
53
54 The Senate failed to pass HB10-1354 on Second Reading. The bill is
55 returned herewith.

56

1 The Senate has passed on Third Reading and transmitted to the Revisor
2 of Statutes: SB10-201, SB10-206.

3
4 The Senate has passed on Third Reading and transmitted to the Revisor
5 of Statutes:

6
7 SB10-185 amended as printed in Senate Journal, April 13, 2010,
8 pages 856-857.

9 SB10-199 amended as printed in Senate Journal, April 30, 2010,
10 pages 1143-1144.

11 SB10-195 amended as printed in Senate Journal, April 30, 2010,
12 pages 1144-1145.

13
14 The Senate has passed on Third Reading and transmitted to the Revisor
15 of Statutes:

16
17 HB10-1141 amended as printed in Senate Journal, March 12, 2010,
18 pages 516-518, April 30, 2010, page 1138 and
19 May 3, 2010.

20 HB10-1334 amended as printed in Senate Journal, April 30, 2010,
21 page 1142.

22 HB10-1119 amended as printed in Senate Journal, April 30, 2010,
23 page 1145.

24 HB10-1329 amended as printed in Senate Journal, April 30, 2010,
25 pages 1130-1131.

26 HB10-1005 amended as printed in Senate Journal, April 30, 2010,
27 page 1147.

28 HB10-1073 amended as printed in Senate Journal, April 30, 2010,
29 page 1147.

30 HB10-1241 amended as printed in Senate Journal, April 30, 2010,
31 page 1147.

32
33 The Senate has passed on Third Reading and returns herewith:
34 HB10-1336, HB10-1033, HB10-1139.

35
36 The Senate has adopted and returns herewith: HJR10-1020, HJR10-1034.

37
38 On reconsideration, the Senate has passed on Third Reading and
39 transmitted to the Revisor of Statutes:

40
41 HB10-1106, amended as printed in Senate Journal, May 3, 2010.

42
43 In response to the request from the House for a Conference Committee on
44 HB10-1125, the President appoints Senators Schwartz, chair, Foster and
45 Kester as conferees on the First Conference Committee on HB10-1125.
46 The Senate has granted permission for the First Conference Committee to
47 go beyond the scope of the difference between the two houses.

48
49 In response to the request from the House for a Conference Committee on
50 HB10-1330, the President appoints Senators Morse, chair, Boyd and
51 Schultheis as conferees on the First Conference Committee on
52 HB10-1330.

53
54
55
56

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB10-1351.

Without comment, as amended, SB10-191.

We herewith transmit:

Without comment, SB10-201 and 206.

Without comment, as amended, HB10-1106, 1141, 1241, 1334, 1119, 1329, 1005, and 1073.

Without comment, as amended, SB10-185, 199, and 195.

**INTRODUCTION OF BILLS
First Reading**

The following bills were read by title and referred to the committees indicated:

HB10-1431 by Representative(s) McKinley--Concerning the methodology used to value renewable energy facilities for purposes of property taxation.

Committee on Transportation & Energy

HB10-1432 by Representative(s) Carroll T. and May; also Senator(s) Shaffer B. and Penry--Concerning the documentation assembled by the staff of the legislative council during preparation of the ballot information booklet.

Committee on Agriculture, Livestock, & Natural Resources

SB10-185 by Senator(s) Shaffer B., Bacon, Boyd, Carroll M., Foster, Heath, Hudak, Johnston, Keller, Morse, Sandoval, Schwartz, Steadman, Tapia, Tochtrop, Whitehead, Williams; also Representative(s) Merrifield, Apuan, Benefield, Casso, Ferrandino, Fischer, Gagliardi, Hullinghorst, Kagan, Kefalas, Kerr A., Labuda, Levy, McCann, Miklosi, Pace, Peniston, Pommer, Schafer S., Solano, Soper, Todd, Tyler, Vigil, Weissmann--Concerning modifications to the residential warranty of habitability for the purpose of protecting renters.

Committee on Business Affairs and Labor

SB10-191 by Senator(s) Johnston and Spence, Foster, Gibbs, Hodge, King K., Kopp, Newell, Penry, Romer, Scheffel; also Representative(s) Scanlan and Murray, Carroll T., Gerou, Massey, Rice, Summers--Concerning ensuring quality instruction through educator effectiveness (EQUITEE).

Committee on Education

SB10-195 by Senator(s) Newell; also Representative(s) Solano--Concerning creation of the early childhood leadership commission.

Committee on Health and Human Services

- 1 **SB10-199** by Senator(s) Carroll M.; also Representative(s) Court--
2 Concerning clarifying revisions to certain provisions of the
3 Colorado probate code.
4 Committee on Judiciary
5
6 **SB10-201** by Senator(s) Mitchell and Romer, Foster, Hodge, Kester,
7 Kopp, Morse, Newell, Penry, Scheffel, Shaffer B., Tapia;
8 also Representative(s) Soper and Balmer, Baumgardner,
9 Bradford, Casso, DelGrosso, Hullinghorst, Kagan, Liston,
10 Looper, McNulty, Merrifield, Priola, Rice, Scanlan,
11 Sonnenberg, Stephens--Concerning enforcement of the
12 motor vehicle franchise laws against certain types of
13 licensees.
14 Committee on Business Affairs and Labor
15
16 **SB10-206** by Senator(s) White; also Representative(s) Scanlan--
17 Concerning the distribution of fifty percent of the limited
18 gaming fund allocated to the state general fund or such
19 other fund as the general assembly provides as specified in
20 section 9 (5) (b) (II) of article XVIII of the state
21 constitution.
22 Committee on Finance
23
24
25

INTRODUCTION OF CONCURRENT RESOLUTION

- 26
27
28 The following resolution was read by title and referred to the committee
29 indicated:
30
31 **HCR10-1009** by Representative(s) DelGrosso, Gardner C., McNulty,
32 Baumgardner, Lambert, Tipton; also Senator(s) Lundberg--
33 Submitting to the registered electors of the state of
34 Colorado an amendment to article X of the constitution of
35 the state of Colorado, concerning the creation of a state
36 savings and trust fund, and, in connection therewith,
37 requiring an annual deposit of state general fund moneys
38 into the savings and trust fund in an amount equal to the
39 amount of the state general fund reserve for the prior fiscal
40 year until the balance of the fund reaches a specified level
41 and allowing the general assembly to appropriate moneys
42 from the savings and trust fund for the purpose of budget
43 stabilization during economic downturns if the general
44 assembly has also authorized the expenditure of the entire
45 state general fund reserve.
46 Committee on State, Veterans, & Military Affairs
47 Committee on Finance
48
49
50
51
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55

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

HJR10-1035 by Representative(s) DelGrosso; also Senator(s) Renfroe--
Concerning the recognition of Colorado's business
community.

NOTICE OF CALENDARED ITEM(S)

On motion of Representative Weissmann the following bills were
calendarized for Second Reading on May 4, 2010 to precede SB10-028:
HB10-1281, 1415, 1426, 1427, 1429.

On motion of Representative Weissmann the following bills were
calendarized for Second Reading on May 4, 2010: **SB10-141, 187.**

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the
Calendar (was)were laid over until May 4, retaining place on Calendar:

Consideration of Third Reading--**SB10-006, 061, 103, 106, 108, 120, 169,
171, 183, 181, HCR10-1004, SB10-156, HB10-1366.**

Consideration of Conference Committee Report(s)--**HB10-1021,
SB10-109, HB10-1383, 1388.**

Consideration of Resolution(s)--**SJR10-025, HJR10-1023, 1019, 1024,
1025, 1026, 1027, 1028, 1032, 1022, 1033.**

Consideration of Senate Amendment(s)---**HB10-1035, 1053, 1106, 1224,
1260, 1333, 1335, 1362.**

Consideration of Adherence--**HB10-1098.**

On motion of Representative Weissmann, the House adjourned until
9:00 a.m., May 4, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-twelfth Legislative Day

Tuesday, May 4, 2010

1 Prayer by Pastor Mark Phillips, Berean Bible Church, Haxtun.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Levi Kurtzer, Haxtun Junior High.

6

7 The roll was called with the following result:

8

9 Present--63.

10 Excused--Representative(s) McFadyen, Miklosi--2.

11 Present after roll call--Representative(s) McFadyen, Miklosi.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Nikkel, the reading of the journal of
 17 May 3, 2010, was declared dispensed with and approved as corrected by
 18 the Chief Clerk.

19

20

21

22 **THIRD READING OF BILL(S)--FINAL PASSAGE**

23

24 The following bill(s) was(were) considered on Third Reading. The
 25 title(s) was(were) publicly read. Reading of the bill at length was
 26 dispensed with by unanimous consent.

27

28 **SB10-006** by Senator(s) Boyd, Hudak, Sandoval, White; also
 29 Representative(s) Summers, Gagliardi, Kefalas, Waller--
 30 Concerning reductions in barriers to obtaining identity-
 31 related documents.

32

33 The question being "Shall the bill pass?".

34 A roll call vote was taken. As shown by the following recorded vote, a
 35 majority of those elected to the House voted in the affirmative and the
 36 bill was declared **passed**.

37

	YES	48	NO	16	EXCUSED	1	ABSENT	0
39	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
40	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
41	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
42	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
43	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N

1	Bradford	N	Kerr A.	Y	Miklosi	E	Soper	Y
2	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
3	Court	Y	King S.	N	Nikkel	N	Summers	Y
4	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
5	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
6	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
7	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
8	Frangas	Y	Looper	Y	Priola	Y	Vaad	N
9	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
10	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
11	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
12							Speaker	Y

13 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Gerou, Kagan, Labuda,
14 Pace, Peniston, Roberts, Todd, Vigil.

15
16 **SB10-061** by Senator(s) Tochtrop and Williams, Newell; also
17 Representative(s) Soper and Riesberg, Roberts, Tyler--
18 Concerning medicaid payments for inpatient care for
19 hospice recipients, and making an appropriation therefor.

20
21 The question being "Shall the bill pass?".

22 A roll call vote was taken. As shown by the following recorded vote, a
23 majority of those elected to the House voted in the affirmative and the bill
24 was declared **passed**.

25	YES	50	NO	14	EXCUSED	1	ABSENT	0
26								
27	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
28	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
29	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
30	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
31	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
32	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
33	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
34	Court	Y	King S.	N	Nikkel	N	Summers	Y
35	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
36	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
37	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
38	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
39	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
40	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
41	Gardner B.	Y	May	N	Riesberg	Y	Waller	N
42	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
43							Speaker	Y

44 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Kefalas, Labuda,
45 Schafer S., Solano, Summers, Todd, Vigil.

46
47 **SB10-103** by Senator(s) Sandoval, Schwartz, Gibbs, Harvey, Hudak,
48 Kester, Morse, Romer, Tochtrop, White, Williams; also
49 Representative(s) Baumgardner, Bradford, Fischer,
50 Frangas, Gardner B., Kerr A., McFadyen, McNulty,
51 Miklosi, Murray, Nikkel, Primavera, Priola, Solano, Tyler--
52 -Concerning the creation of a Colorado state parks special
53 license plate, and making an appropriation therefor.

54
55 The question being "Shall the bill pass?".

56 A roll call vote was taken. As shown by the following recorded vote, a

majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	59	NO	5	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	N	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	N	Levy	N	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Apuan, DelGrosso, Middleton, Pace.

SB10-106 by Senator(s) Bacon, Boyd, Newell, Sandoval; also Representative(s) Looper--Concerning the creation of a food systems advisory council, and making an appropriation therefor.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	41	NO	23	EXCUSED	1	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	E	Soper	Y
Casso	Y	Kerr J.	N	Murray	N	Stephens	N
Court	Y	King S.	N	Nikkel	N	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	N	Vaad	N
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	N	May	N	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Curry, Ferrandino, Fischer, Gagliardi, Hullinghorst, Labuda, McFadyen, Primavera, Riesberg, Schafer S., Solano, Summers, Todd, Vigil.

1 **SB10-108** by Senator(s) King K., Bacon, Scheffel, Schultheis,
 2 Spence, Steadman; also Representative(s) Middleton,
 3 Massey, Summers, Gardner B., King S., McNulty,
 4 Murray--Concerning implementation of general education
 5 core courses at institutions of higher education, and
 6 making an appropriation therefor.

7
 8 The question being "Shall the bill pass?".
 9 A roll call vote was taken. As shown by the following recorded vote, a
 10 majority of those elected to the House voted in the affirmative and the bill
 11 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
14	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
15	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
16	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
17	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
18	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
19	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
20	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
21	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
22	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
23	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
24	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
25	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
26	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
27	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
28	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
29	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) Acree, Apuan, Kerr J., Labuda,
 32 Merrifield, Priola, Rice, Scanlan, Solano, Stephens, Tipton, Todd.

33
 34 **SB10-120** by Senator(s) White, Bacon, Steadman; also
 35 Representative(s) Rice, Bradford, McCann--Concerning
 36 the inclusion of prepaid wireless telephone service among
 37 the services subject to the surcharge that funds enhanced
 38 911 emergency services, and making an appropriation in
 39 connection therewith.

40
 41 As shown by the following roll call vote, a majority of all members
 42 elected to the House voted in the affirmative, and Representative Rice
 43 was given permission to offer a Third Reading amendment:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
46	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
47	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
48	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
49	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
50	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
51	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
52	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
53	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
54	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
55	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
56	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y

1	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
2	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
3	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
4	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
5	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
6							Speaker	Y

Third Reading amendment No. 1, by Representative Rice.

Amend revised bill, page 5, strike line 20 and substitute "2011.".

The amendment was declared **passed** by the following roll call vote:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
15	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
16	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
17	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
18	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
19	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
20	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
21	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
22	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
23	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
24	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
25	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
26	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
27	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
28	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
29	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
30	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
31							Speaker	Y

The question being, "Shall the bill, as amended, pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **passed**.

	YES	55	NO	9	EXCUSED	1	ABSENT	0
38	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
39	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
40	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
41	Baumgardne	N	Kagan	Y	Merrifield	Y	Solano	Y
42	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
43	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
44	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
45	Court	Y	King S.	Y	Nikkel	N	Summers	N
46	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
47	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
48	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
49	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
50	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
51	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
52	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
53	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
54							Speaker	Y

Co-sponsor(s) added: Representative(s) Casso, Hullinghorst, Liston, Looper, Soper, Todd

1 **SB10-169** by Senator(s) Boyd; also Representative(s) Riesberg--
 2 Concerning authority for moneys in the hospital provider
 3 fee cash fund generated by an enhanced federal match
 4 through the 2010-11 fiscal year to be used to offset general
 5 fund expenditures in the medicaid program, and making an
 6 appropriation therefor.

7
 8 The question being "Shall the bill pass?".
 9 A roll call vote was taken. As shown by the following recorded vote, a
 10 majority of those elected to the House voted in the affirmative and the bill
 11 was declared **passed**.

	YES	37	NO	27	EXCUSED	1	ABSENT	0
14	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
15	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
16	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
17	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
18	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
19	Bradford	N	Kerr A.	Y	Miklosi	E	Soper	Y
20	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
21	Court	Y	King S.	N	Nikkel	N	Summers	N
22	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
23	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
24	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
25	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
26	Frangas	Y	Looper	N	Priola	N	Vaad	N
27	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
28	Gardner B.	N	May	N	Riesberg	Y	Waller	N
29	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) Apuan, Court, Fischer, Frangas,
 32 Hullinghorst, Kefalas, Ryden, Todd, Tyler, Vigil.

33
 34 **SB10-171** by Senator(s) Newell, Bacon, Boyd, Heath, Hodge, Hudak,
 35 Keller, Kester, Lundberg, Morse, Penry, Romer, Shaffer
 36 B., Spence, Steadman, Williams; also Representative(s)
 37 Gagliardi, Acree, Casso, DelGrosso, Ferrandino, Frangas,
 38 Hullinghorst, Kefalas, Kerr J., Labuda, Levy, McNulty,
 39 Middleton, Nikkel, Primavera, Rice, Ryden, Scanlan,
 40 Todd, Tyler--Concerning the creation of a child protection
 41 ombudsman program, and making an appropriation
 42 therefor.

43
 44 The question being "Shall the bill pass?".
 45 A roll call vote was taken. As shown by the following recorded vote, a
 46 majority of those elected to the House voted in the affirmative and the bill
 47 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
50	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
55	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
56	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y

1	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
3	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
6	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
7	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
8	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
9	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
10							Speaker	Y

11 Co-sponsor(s) added: Representative(s) Apuan, Court, Curry, Fischer,
 12 Gardner C., Kagan, Kerr A., McFadyen, Pace, Schafer S., Weissmann, Speaker.

13
 14 **SB10-183** by Senator(s) Morse and Tochtrop, Boyd, Penry,
 15 Steadman, Williams; also Representative(s) Gagliardi,
 16 Balmer, Kagan, Primavera, Riesberg--Concerning the
 17 continuation of a statutory prohibition on balance billing
 18 of certain charges for health care services.

19
 20 The question being "Shall the bill pass?".

21 A roll call vote was taken. As shown by the following recorded vote, a
 22 majority of those elected to the House voted in the affirmative and the bill
 23 was declared **passed**.

24	YES	64	NO	0	EXCUSED	1	ABSENT	0
25								
26	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
27	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
28	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
29	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
30	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
31	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
32	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
33	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
34	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
35	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
36	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
37	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
38	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
39	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
40	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
41	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Gerou, Kefalas, Labuda, Massey, Todd.

44
 45 **SB10-181** by Senator(s) Kester; also Representative(s) McKinley--
 46 Concerning the authority of a municipality in the state to
 47 lease lands owned by the municipality.

48
 49 The question being "Shall the bill pass?".

50 A roll call vote was taken. As shown by the following recorded vote, a
 51 majority of those elected to the House voted in the affirmative and the bill
 52 was declared **passed**.

53	YES	64	NO	0	EXCUSED	1	ABSENT	0
54								
55	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
56	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y

1	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
2	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
3	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
4	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
5	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
6	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
7	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
8	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
9	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
10	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
11	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
12	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
13	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
14	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Kerr J., Labuda, Nikkel, Pace, Soper.

17
18 **HCR10-1004** by Representative(s) Lambert; also Senator(s) Sandoval--
19 Submitting to the registered electors of the state of
20 Colorado an amendment to section 3 of article VIII of the
21 constitution of the state of Colorado, concerning a process
22 for temporarily moving the seat of government in a
23 disaster emergency that substantially affects the ability of
24 the state government to operate in the city and county of
25 Denver, and, in connection therewith, requiring the general
26 assembly to convene in a temporary meeting location
27 designated by the governor and authorizing the general
28 assembly to determine by law a temporary location for the
29 seat of government of the state.

30
31 The question being "Shall the bill pass?".

32 A roll call vote was taken. As shown by the following recorded vote, a
33 constitutional two-third majority of those elected to the House voted in
34 the affirmative and the bill was declared **passed**.

36	YES	44	NO	20	EXCUSED	1	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
38	Apuan	N	Hullingshorst	Y	McKinley	Y	Scanlan	Y
39	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
40	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
41	Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
42	Bradford	Y	Kerr A.	N	Miklosi	E	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
44	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
45	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
47	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
48	Fischer	N	Liston	Y	Primavera	N	Tyler	Y
49	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
50	Gagliardi	N	Massey	Y	Rice	Y	Vigil	Y
51	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
52	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Kerr J.

55

1 **SB10-156** by Senator(s) Heath; also Representative(s) Hulinghorst--
 2 Concerning increased protections for mobile home owners
 3 who lease space in mobile home parks.
 4

5 As shown by the following roll call vote, a majority of all members
 6 elected to the House voted in the affirmative, and Representative
 7 Hulinghorst was given permission to offer a Third Reading amendment:
 8

	YES	64	NO	0	EXCUSED	1	ABSENT	0
10	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
11	Apuan	Y	Hulinghorst	Y	McKinley	Y	Scanlan	Y
12	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
13	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
14	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
15	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
16	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
17	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
18	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
19	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
20	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
21	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
22	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
23	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
24	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
25	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
26							Speaker	Y

27
 28 **Third Reading amendment No. 1**, by Representative Huling.
 29 Amend revised bill, page 5, line 12, strike "multisection" and substitute
 30 "multisection".
 31

32 The amendment was declared **passed** by the following roll call vote:
 33

	YES	64	NO	0	EXCUSED	1	ABSENT	0
35	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
36	Apuan	Y	Hulinghorst	Y	McKinley	Y	Scanlan	Y
37	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
38	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
39	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
40	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
41	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
42	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
43	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
44	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
45	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
46	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
47	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
48	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
49	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
50	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
51							Speaker	Y

52
 53 The question being, "Shall the bill, as amended, pass?".
 54 A roll call vote was taken. As shown by the following recorded vote, a
 55 majority of those elected to the House voted in the affirmative, and the
 56 bill, as amended, was declared **passed**.

	YES	40	NO	24	EXCUSED	1	ABSENT	0
1	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
4	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
6	Bradford	N	Kerr A.	Y	Miklosi	E	Soper	Y
7	Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
8	Court	Y	King S.	N	Nikkel	N	Summers	N
9	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
10	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
11	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	N	Priola	Y	Vaad	N
14	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
15	Gardner B.	N	May	N	Riesberg	Y	Waller	N
16	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
17							Speaker	Y

18
19 Co-sponsor(s) added: Representative(s) Apuan, Casso, Fischer, Kefalas,
20 Labuda, Primavera, Rice, Ryden, Soper.

21
22 **HB10-1366** by Representative(s) Apuan, Casso, Court, Hullinghorst,
23 Labuda, McCann, Middleton, Miklosi, Murray, Scanlan,
24 Todd; also Senator(s) Newell--Concerning the prohibition
25 of a person who is serving a sentence under community
26 supervision as a result of conviction for certain offenses
27 from acting as a petition circulator unless the person
28 receives written permission from the appropriate
29 supervisory entity prior to circulating any petition.

30
31 The question being "Shall the bill pass?".
32 A roll call vote was taken. As shown by the following recorded vote, a
33 majority of those elected to the House voted in the affirmative and the bill
34 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
36	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
37	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
38	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
39	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
40	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
41	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
42	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
43	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
44	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
45	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
46	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
47	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
48	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
49	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
50	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
51	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
52							Speaker	Y

53
54 Co-sponsor(s) added: Representative(s) Levy, Primavera, Priola, Schafer S.

55
56

1 **HB10-1411** by Representative(s) Waller, Liston, Pace; also Senator(s)
 2 Tochtrop--Concerning the process for resolving a denial of
 3 a transfer of a firearm when the denial is based on a
 4 prospective transferee's criminal record, which criminal
 5 record includes a case for which there appears to be no
 6 final disposition, and making an appropriation therefor.

7
 8 The question being "Shall the bill pass?".
 9 A roll call vote was taken. As shown by the following recorded vote, a
 10 majority of those elected to the House voted in the affirmative and the bill
 11 was declared **passed**.

	YES	51	NO	13	EXCUSED	1	ABSENT	0
14	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
15	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
16	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
17	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	Y
18	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	Y
19	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
20	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
21	Court	N	King S.	Y	Nikkel	Y	Summers	Y
22	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
23	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
24	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
25	Fischer	Y	Liston	Y	Primavera	N	Tyler	N
26	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
27	Gagliardi	N	Massey	Y	Rice	Y	Vigil	Y
28	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
29	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) Casso, Curry, DelGrosso, Gardner B.,
 32 Gerou, Kagan, Kerr J., King S., Lambert, Looper, Massey, May, McFadyen,
 33 Murray, Nikkel, Priola, Rice, Roberts, Stephens, Tipton, Vigil.

34
 35 **HB10-1391** by Representative(s) Rice, Court, Levy, McCann, Ryden;
 36 also Senator(s) Boyd, Hudak, Newell, Steadman--
 37 Concerning the elimination of the repeal of certain
 38 provisions requiring that the Colorado bureau of
 39 investigation deny the transfer of a firearm to a person if
 40 the bureau receives certain information about the person's
 41 criminal history in response to a search of a criminal
 42 history records database.

43
 44 The question being "Shall the bill pass?".
 45 A roll call vote was taken. As shown by the following recorded vote, a
 46 majority of those elected to the House voted in the affirmative and the bill
 47 was declared **passed**.

	YES	41	NO	23	EXCUSED	1	ABSENT	0
50	Acree	N	Gerou	Y	McFadyen	N	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
52	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
53	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
55	Bradford	N	Kerr A.	Y	Miklosi	E	Soper	Y
56	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y

1	Court	Y	King S.	Y	Nikkel	N	Summers	N
2	Curry	Y	Labuda	Y	Pace	N	Swalm	N
3	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
6	Frangas	Y	Looper	N	Priola	Y	Vaad	N
7	Gagliardi	Y	Massey	N	Rice	Y	Vigil	N
8	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
9	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
10							Speaker	Y

11 Co-sponsor(s) added: Representative(s) Fischer, Labuda.

12
13 **HB10-1409** by Representative(s) Pommer, Ferrandino, Lambert; also
14 Senator(s) Tapia, Keller, White--Concerning the process
15 by which annual salary increases may be awarded to
16 employees in the state personnel system based on
17 performance, job core competencies, and years of service.

18
19 The question being "Shall the bill pass?".

20 A roll call vote was taken. As shown by the following recorded vote, a
21 majority of those elected to the House voted in the affirmative and the bill
22 was declared **passed**.

23								
24	YES	37	NO	26	EXCUSED	2	ABSENT	0
25	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
28	Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
30	Bradford	N	Kerr A.	Y	Miklosi	E	Soper	Y
31	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
32	Court	Y	King S.	N	Nikkel	N	Summers	N
33	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
34	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
37	Frangas	Y	Looper	N	Priola	N	Vaad	N
38	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
39	Gardner B.	N	May	N	Riesberg	Y	Waller	N
40	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
41							Speaker	Y

42 Representative Baumgardner excused from voting under House
43 Rule 21(c).

44 Co-sponsor(s) added: Representative(s) Fischer, Hullinghorst, Labuda,
45 McFadyen, Merrifield, Pace, Primavera, Rice, Todd, Vigil, Speaker.

46
47 **HB10-1418** by Representative(s) McFadyen and Sonnenberg; also
48 Senator(s) Bacon--Concerning requirements applicable to
49 community-based projects that qualify for special
50 treatment under the renewable energy portfolio standard.

51
52 The question being "Shall the bill pass?".

53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.

56

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Apuan, Baumgardner, Gerou, Kerr J.,
 20 Lambert, Looper, Massey, Pommer, Priola, Roberts, Vigil.

21
 22 **SB10-186** by Senator(s) Tochtrop, Carroll M., Mitchell, Schultheis;
 23 also Representative(s) Primavera, Kerr J., McNulty,
 24 Miklosi--Concerning state warrants for tax refunds that are
 25 not presented for payment within six months from the date
 26 of issuance.

27
 28 The question being "Shall the bill pass?".

29 A roll call vote was taken. As shown by the following recorded vote, a
 30 majority of those elected to the House voted in the affirmative and the bill
 31 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
33								
34	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
35	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
36	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
37	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
38	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
39	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
40	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
41	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
42	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
43	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
44	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
45	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
46	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
47	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
48	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
49	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
50							Speaker	Y

51
 52
 53
 54
 55

RECONSIDERATION OF HB10-1410

HB10-1410 by Representative(s) Rice; also Senator(s) Steadman--
Concerning a requirement that the state treasurer transmit
moneys appropriated to departments of state government
that are unexpended and unencumbered at the end of a
fiscal year to the state employee payday shift fund so that
the moneys may be used to pay salaries in June for work
performed by state employees during the month of June.

Having voted on the prevailing side, Representative McFadyen moved for
reconsideration of the last House action (Third Reading, May 3, 2010,
pages 1556-1557). As shown by the following recorded vote, less than
a two-thirds majority of those elected to the House voted in the
affirmative and the motion was declared **lost**.

YES	35	NO	29	EXCUSED	1	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	E	Soper	Y
Casso	Y	Kerr J.	N	Murray	N	Stephens	N
Court	Y	King S.	N	Nikkel	N	Summers	N
Curry	Y	Labuda	N	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	N	Pommer	N	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	N	Priola	N	Vaad	N
Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
Gardner B.	N	May	N	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
						Speaker	Y

On motion of Representative Todd, the House resolved itself into
Committee of the Whole for consideration of General Orders, and she
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 the
titles of the following bills had been read (reading at length had been
dispensed with by unanimous consent), the bills considered and action
taken thereon as follows:

(Amendments to the committee amendment are to the printed committee
report which was printed and placed in the members' bill file.)

HB10-1415 by Representative(s) Gagliardi; also Senator(s) Morse--
Concerning the registration of persons who assist
surgeons.

1 Amendment No. 1, Health & Human Services Report, dated
2 April 29, 2010, and placed in member's bill file; Report also printed in
3 House Journal, April 29, pages 1505-1506.

4
5 Amendment No. 2, Appropriations Report, dated May 3, 2010, and placed
6 in member's bill file; Report also printed in House Journal, May 3,
7 page 1575.

8
9 Amendment No. 3, by Representative(s) Gagliardi.

10
11 Amend printed bill, page 5, line 25, strike "PRACTICING AS" and substitute
12 "PERFORMING THE DUTIES OF".

13
14 Page 6, strike lines 24 through 27.

15
16 Page 7, line 1, strike "ARTICLE." and substitute "AFTER A DISCIPLINARY
17 ACTION OR INVESTIGATION THAT IS BASED ON CONDUCT THAT
18 CONSTITUTES A VIOLATION OF THIS ARTICLE. FOR PURPOSES OF THIS
19 PARAGRAPH (b), "DISCIPLINARY ACTION" INCLUDES TERMINATION OR
20 RESIGNATION OF THE REGISTRANT WHILE UNDER INVESTIGATION OR IN
21 LIEU OF INVESTIGATION OR DISCIPLINARY ACTION."

22
23 Page 10, line 27, strike "PARAGRAPH (a) OF".

24
25 Page 11, line 1, strike everything before "UNLESS" and substitute
26 "SUBSECTION (2) OF THIS SECTION,".

27
28 Page 17, line 16, strike "C.R.S." and substitute "C.R.S., AND POST A
29 NOTICE OF SUCH ACTION ON THE DIVISION'S WEB SITE."

30
31 Amendment No. 4, by Representative(s) Gagliardi.

32
33 Amend printed bill, page 6, line 12, after "**exclusion.**" insert "(1)".

34
35 Page 6, line 13, strike "OF A" and substitute "OF:

36
37 (a) A".

38
39 Page 6, line 14, strike "LICENSED OR OTHERWISE REGULATED" and
40 substitute "LICENSED, OTHERWISE REGULATED, OR SPECIFICALLY
41 EXEMPTED".

42
43 Page 6, line 17, strike "REGULATED." and substitute "REGULATED OR
44 REQUIRE A PERSON WHO IS LICENSED, OTHERWISE REGULATED, OR
45 SPECIFICALLY EXEMPTED PURSUANT TO ARTICLES 29 THROUGH 43.9 OF
46 THIS TITLE TO REGISTER PURSUANT TO THIS ARTICLE; OR

47
48 (b) A PERSON PURSUING A COURSE OF STUDY IN AN ACCREDITED
49 EDUCATIONAL SURGICAL ASSISTANT OR SURGICAL TECHNOLOGIST
50 PROGRAM IF THAT PERSON IS DESIGNATED BY A TITLE THAT CLEARLY
51 INDICATES HIS OR HER STATUS AS A STUDENT AND IF HE OR SHE ACTS
52 UNDER APPROPRIATE INSTRUCTION AND SUPERVISION."

53
54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.

56

1 **HB10-1427** by Representative(s) Todd, Hulinghorst, Kerr A., Levy,
2 Primavera, Solano, Summers, Ryden; also Senator(s)
3 Heath, Bacon, Hodge, Hudak, King K., Williams--
4 Concerning the authority of institutions of higher
5 education to offer group benefit coverage to employees of
6 the institution who are in the state personnel system.
7

8 Amendment No. 1, Education Report, dated May 3, 2010, and placed in
9 member's bill file; Report also printed in House Journal, May 3,
10 pages 1577-1578.
11

12 As amended, ordered engrossed and placed on the Calendar for Third
13 Reading and Final Passage.
14

15 **HB10-1429** by Representative(s) Weissmann, Judd--Concerning the
16 legislative review of tax benefits.
17

18 Amendment No. 1, Finance Report, dated April 30, 2010, and placed in
19 member's bill file; Report also printed in House Journal, May 3,
20 page 1580.
21

22 Amendment No. 2, by Representative(s) Weissmann.
23

24 Amend printed bill, page 5, line 13, strike "THE FISCAL IMPACT OF".
25

26 Page 5, line 15, after "SESSION." insert "THE REPORT SHALL INCLUDE THE
27 INFORMATION RELATED TO THE FACTOR SET FORTH IN SUBPARAGRAPH (III)
28 OF PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION AND ANY OTHER
29 INFORMATION THAT THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE
30 COUNCIL DEEMS TO BE APPROPRIATE WITHIN EXISTING RESOURCES."
31

32 Page 6, after line 5 insert:
33

34 "(4) THE JOINT FINANCE COMMITTEE MAY SEEK ANY ADDITIONAL
35 INFORMATION FROM OTHER STATE AND LOCAL GOVERNMENTAL AGENCIES
36 THAT THE COMMITTEE DEEMS TO BE APPROPRIATE TO ASSIST IN ITS REVIEW
37 OF THE TAX BENEFITS."
38

39 Renumber succeeding subsection accordingly.
40

41 As amended, declared **lost** on Second Reading.
42

43 **HB10-1281** by Representative(s) Casso; also Senator(s) Spence--
44 Concerning the deregulation of telecommunications
45 service in areas where sufficient market competition
46 exists.
47

48 Amendment No. 1, Transportation & Energy Report, dated
49 April 29, 2010, and placed in member's bill file; Report also printed in
50 House Journal, April 29, pages 1506-1508.
51

52 Amendment No. 2, Appropriations Report, dated May 3, 2010, and placed
53 in member's bill file; Report also printed in House Journal, May 3,
54 pages 1574-1575.
55

AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT

The amendment was declared **lost** by the following roll call vote:

YES	29	NO	35	EXCUSED	1	ABSENT	0
Acree	N	Gerou	N	McFadyen	N	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	N
Balmer	N	Judd	Y	McNulty	N	Schafer S.	N
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	N	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	E	Soper	Y
Casso	N	Kerr J.	N	Murray	N	Stephens	N
Court	Y	King S.	N	Nikkel	N	Summers	N
Curry	N	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	N	Priola	N	Vaad	N
Gagliardi	Y	Massey	N	Rice	N	Vigil	Y
Gardner B.	N	May	N	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
						Speaker	Y

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1415 amended, 1427 amended, 1281 amended.**

Lost on Second Reading: **HB10-1429 amended.**

Laid over until date indicated retaining place on Calendar: **HB10-1426, SB10-028, 178, 126, 189, HCR10-1002, SB10-114, 139, 087, 076, 141, 187--May 5, 2010.**

The Chairman moved the adoption of the Committee of the Whole Report. As shown by the following roll call vote, a majority of those elected to the House voted in the affirmative, and the Report was **adopted.**

YES	58	NO	6	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	N
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	N	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	N
Fischer	Y	Liston	Y	Primavera	Y	Tyler	N
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	N	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

ANNOUNCEMENT

The Speaker announced that House Rule 32A (a) was waived to allow **HB10-1431** to be heard in the Transportation & Energy Committee without a fiscal note.

House in recess. House reconvened.

ANNOUNCEMENT

The Speaker announced the House was in the last three days of session.

1 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

2
3 **HB10-1035** by Representative(s) Massey and Solano, Benefield,
4 Peniston; also Senator(s) Steadman, Hodge, Hudak,
5 Williams--Concerning eligibility determinations for the
6 Colorado child care assistance program to promote
7 stability in early childhood care, and making an
8 appropriation therefor.
9

10 (Amended as printed in Senate Journal, April 27, page 1040.)

11
12 Representative Massey moved that the House **concur** in Senate
13 amendments. The motion was declared **passed** by the following roll call
14 vote:
15

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

36 The question being, "Shall the bill, as amended, pass?"

37 A roll call vote was taken. As shown by the following recorded vote, a
38 majority of those elected to the House voted in the affirmative, and the
39 bill, as amended, was declared **repassed**.
40

YES	63	NO	1	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y

Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Fischer, Ryden, Schafer S.

HB10-1053 by Representative(s) Riesberg, Kefalas; also Senator(s) Boyd--Concerning community long-term care savings, and making an appropriation therefor.

(Amended as printed in Senate Journal, April 27, page 1042.)

Representative Riesberg moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

	YES	59	NO	5	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y	
Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y	
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y	
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y	
Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y	
Court	Y	King S.	Y	Nikkel	Y	Summers	Y	
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	
DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y	
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y	
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y	
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y	
Gardner B.	Y	May	N	Riesberg	Y	Waller	Y	
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y	
						Speaker	Y	

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

	YES	47	NO	17	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y	
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y	
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y	
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N	
Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y	
Casso	Y	Kerr J.	Y	Murray	N	Stephens	N	
Court	Y	King S.	N	Nikkel	N	Summers	N	
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N	
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y	
Frangas	Y	Looper	Y	Priola	N	Vaad	N	
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y	
Gardner B.	Y	May	N	Riesberg	Y	Waller	N	
Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y	
						Speaker	Y	

Co-sponsor(s) added: Representative(s) Merrifield.

1 **HB10-1224** by Representative(s) Gerou and Gagliardi, Primavera,
 2 Riesberg, Tyler; also Senator(s) Boyd--Concerning the
 3 continuation of the Colorado podiatry board, and making
 4 an appropriation therefor.

5
 6 (Amended as printed in Senate Journal, April 27, page 1038.)

7
 8 Representative Gagliardi moved that the House **concur** in Senate
 9 amendments. The motion was declared **passed** by the following roll call
 10 vote:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
13	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
14	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
15	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
16	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
17	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
18	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
19	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
20	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
21	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
22	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
23	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
24	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
25	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
26	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
27	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
28	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
29							Speaker	Y

30
 31 The question being, "Shall the bill, as amended, pass?".
 32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative, and the
 34 bill, as amended, was declared **repassed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
39	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
42	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
44	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
45	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
47	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
48	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
49	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
50	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
51	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
52	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Middleton.

55
 56

1 **HB10-1260** by Representative(s) Riesberg and Acree, Gerou, Kefalas,
 2 Roberts, Tyler; also Senator(s) Boyd and Newell--
 3 Concerning the sunset review of the Colorado state board
 4 of medical examiners, and, in connection therewith,
 5 continuing the board and the regulation of physicians and
 6 physician assistants until July 1, 2019, and implementing
 7 the recommendations contained in the sunset review and
 8 report of the board, and making an appropriation therefor.
 9
 10 (Amended as printed in Senate Journal, April 27, pages 1037-1038 and
 11 April 28.)
 12

13 Representative Riesberg moved that the House **concur** in Senate
 14 amendments. The motion was declared **passed** by the following roll call
 15 vote:
 16

	YES	63	NO	1	EXCUSED	1	ABSENT	0
18	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
19	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
20	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
21	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
22	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
23	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
24	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
25	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
26	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
27	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
28	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
29	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
30	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
31	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
32	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
33	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
34							Speaker	Y

35
 36
 37 The question being, "Shall the bill, as amended, pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative, and the
 40 bill, as amended, was declared **repassed**.
 41

	YES	64	NO	0	EXCUSED	1	ABSENT	0
43	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
46	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
48	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
49	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
53	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
56	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Bradford.

5
6 **HB10-1333** by Representative(s) Vigil, Todd, Apuan, Court, Curry,
7 Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst,
8 Kagan, Kefalas, Levy, Massey, McFadyen, McKinley,
9 Middleton, Miklosi, Pace, Peniston, Pommer, Riesberg,
10 Ryden, Scanlan, Schafer S., Solano, Soper, Tyler; also
11 Senator(s) Schwartz and Newell--Concerning the creation
12 of the green jobs Colorado training program in the office
13 of the governor, and, in connection therewith, creating the
14 green jobs Colorado advisory council and the green jobs
15 Colorado training fund, and making an appropriation.

16
17 (Amended as printed in Senate Journal, April 27, pages 1042-1043.)

18
19 Representative Vigil moved that the House **concur** in Senate
20 amendments. The motion was declared **passed** by the following roll call
21 vote:

23	YES	38	NO	26	EXCUSED	1	ABSENT	0
24	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
25	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
26	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
27	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
28	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
29	Bradford	N	Kerr A.	Y	Miklosi	E	Soper	Y
30	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
31	Court	Y	King S.	N	Nikkel	N	Summers	N
32	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
33	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
34	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
35	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
36	Frangas	Y	Looper	N	Priola	N	Vaad	Y
37	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
38	Gardner B.	N	May	N	Riesberg	Y	Waller	N
39	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	N
40							Speaker	Y

41
42 The question being, "Shall the bill, as amended, pass?"

43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative, and the
45 bill, as amended, was declared **repassed**.

47	YES	39	NO	25	EXCUSED	1	ABSENT	0
48	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
50	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
51	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
53	Bradford	N	Kerr A.	Y	Miklosi	E	Soper	Y
54	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
55	Court	Y	King S.	N	Nikkel	N	Summers	N
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	N

1	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
2	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
3	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
4	Frangas	Y	Looper	N	Priola	N	Vaad	N
5	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
6	Gardner B.	N	May	N	Riesberg	Y	Waller	N
7	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
8							Speaker	Y

9
10 **HB10-1335** by Representative(s) Massey and Scanlan; also Senator(s)
11 Sandoval--Concerning the authorization of boards of
12 cooperative services as school food authorities, and, in
13 connection therewith, creating the BOCES healthy food
14 grant program.

15
16 (Amended as printed in Senate Journal, April 27, page 1040.)

17
18 Representative Massey moved that the House **concur** in Senate
19 amendments. The motion was declared **passed** by the following roll call
20 vote:

21								
22	YES	53	NO	11	EXCUSED	1	ABSENT	0
23	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
24	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
25	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
26	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
27	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
28	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
29	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
30	Court	Y	King S.	N	Nikkel	N	Summers	Y
31	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
32	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
33	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
34	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
35	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
36	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
37	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
38	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	N
39							Speaker	Y

40
41 The question being, "Shall the bill, as amended, pass?".
42 A roll call vote was taken. As shown by the following recorded vote, a
43 majority of those elected to the House voted in the affirmative, and the
44 bill, as amended, was declared **repassed**.

45								
46	YES	55	NO	9	EXCUSED	1	ABSENT	0
47	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
48	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
49	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
50	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
51	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
52	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
53	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
54	Court	Y	King S.	N	Nikkel	N	Summers	Y
55	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
56	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y

1	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
2	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
3	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
4	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
5	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
6	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
7							Speaker	Y

8 Co-sponsor(s) added: Representative(s) Looper, Merrifield, Pace, Summers.

9
10 **HB10-1362** by Representative(s) Vigil; also Senator(s) Schwartz--
11 Concerning the inactive status of a special district.

12
13 (Amended as printed in Senate Journal, April 27, page 1037.)

14
15 Representative Vigil moved that the House **concur** in Senate
16 amendments. The motion was declared **passed** by the following roll call
17 vote:

19	YES	64	NO	0	EXCUSED	1	ABSENT	0
20	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
21	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
22	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
23	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
24	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
25	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
26	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
27	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
28	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
29	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
30	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
31	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
32	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
33	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
34	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
35	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
36							Speaker	Y

37
38 The question being, "Shall the bill, as amended, pass?".

39 A roll call vote was taken. As shown by the following recorded vote, a
40 majority of those elected to the House voted in the affirmative, and the
41 bill, as amended, was declared **repassed**.

43	YES	64	NO	0	EXCUSED	1	ABSENT	0
44	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
46	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
47	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
49	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
50	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
51	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
52	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
53	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
54	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
56	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y

1	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
2	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
3	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Hulinghorst.

6
7 **HB10-1005** by Representative(s) Massey, Frangas, Kerr J., McCann;
8 also Senator(s) Foster, Boyd, Lundberg, Schwartz--
9 Concerning home health care through telemedicine
10 pursuant to the "Colorado Medical Assistance Act", and
11 making an appropriation therefor.
12

13 (Amended as printed in Senate Journal, April 30, page 1147.)

14
15 Representative Massey moved that the House **concur** in Senate
16 amendments. The motion was declared **passed** by the following roll call
17 vote:
18

19	YES	62	NO	2	EXCUSED	1	ABSENT	0
20	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
21	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
22	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
23	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
24	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
25	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
26	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
27	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
28	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
29	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
30	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
31	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
32	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
33	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
34	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
35	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
36							Speaker	Y

37
38 The question being, "Shall the bill, as amended, pass?"

39 A roll call vote was taken. As shown by the following recorded vote, a
40 majority of those elected to the House voted in the affirmative, and the
41 bill, as amended, was declared **repassed**.
42

43	YES	64	NO	0	EXCUSED	1	ABSENT	0
44	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
46	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
47	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
49	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
50	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
51	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
52	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
53	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
54	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
56	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y

1	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
2	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
3	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Merrifield, Middleton, Pace, Riesberg,
6 Summers, Vigil.

7
8 **HB10-1073** by Representative(s) Roberts; also Senator(s) Sandoval--
9 Concerning the addition of a line to Colorado state
10 individual income tax return forms whereby individual
11 taxpayers may make a voluntary contribution benefitting
12 the Colorado 2-1-1 first call for help fund, and making an
13 appropriation therefor.
14

15 (Amended as printed in Senate Journal, April 30, page 1147.)

16
17 Representative Roberts moved that the House **concur** in Senate
18 amendments. The motion was declared **passed** by the following roll call
19 vote:
20

21	YES	64	NO	0	EXCUSED	1	ABSENT	0
22	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
23	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
24	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
25	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
26	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
27	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
28	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
29	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
30	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
31	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
32	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
33	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
34	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
35	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
36	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
37	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
38							Speaker	Y

39
40 The question being, "Shall the bill, as amended, pass?"

41 A roll call vote was taken. As shown by the following recorded vote, a
42 majority of those elected to the House voted in the affirmative, and the
43 bill, as amended, was declared **repassed**.
44

45	YES	61	NO	3	EXCUSED	1	ABSENT	0
46	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
47	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
48	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
49	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
50	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
51	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
52	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
53	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
54	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
55	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
56	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y

1	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
2	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
3	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
4	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
5	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
6							Speaker	Y

7 Co-sponsor(s) added: Representative(s) Pommer.

8
9 **HB10-1106** by Representative(s) Casso; also Senator(s) Sandoval--
10 Concerning bringing certain statutory provisions
11 concerning child welfare into compliance with federal law,
12 and making an appropriation therefor.

13
14 (Amended as printed in Senate Journal, May 3.)

15
16 Representative Casso moved that the House **concur** in Senate
17 amendments. The motion was declared **passed** by the following roll call
18 vote:

19								
20	YES	58	NO	7	EXCUSED	0	ABSENT	0
21	Acree	Y	Gerou	Y	McFadyen	N	Ryden	Y
22	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
23	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
24	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
25	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
26	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
27	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
28	Court	Y	King S.	Y	Nikkel	Y	Summers	N
29	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
30	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
31	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
32	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
33	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
34	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
35	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
36	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
37							Speaker	Y

38
39 The question being, "Shall the bill, as amended, pass?"

40 A roll call vote was taken. As shown by the following recorded vote, a
41 majority of those elected to the House voted in the affirmative, and the
42 bill, as amended, was declared **repassed**.

43								
44	YES	65	NO	0	EXCUSED	0	ABSENT	0
45	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
46	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
47	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
48	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
49	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
50	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
51	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
52	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
53	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
54	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
55	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
56	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y

1	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
2	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
3	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
4	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Speaker.

7
8 **HB10-1119** by Representative(s) Ferrandino, Carroll T., Court,
9 Fischer, Gagliardi, Hullinghorst, Kerr A., Labuda, Levy,
10 Merrifield, Middleton, Pace, Pommer, Primavera, Rice,
11 Scanlan, Schafer S., Solano, Todd, Weissmann; also
12 Senator(s) Shaffer B., Boyd, Steadman--Concerning the
13 process by which the state annually allocates moneys for
14 its budget and, in connection therewith, anticipating the
15 receipt of federal funds to be used therefor.

16
17 (Amended as printed in Senate Journal, April 30, page 1145.)

18
19 Representative Ferrandino moved that the House **concur** in Senate
20 amendments. The motion was declared **passed** by the following roll call
21 vote:

23	YES	35	NO	30	EXCUSED	0	ABSENT	0
24	Acree	N	Gerou	N	McFadyen	N	Ryden	Y
25	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
26	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
27	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
28	Benefield	Y	Kefalas	N	Middleton	Y	Sonnenberg	N
29	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
30	Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
31	Court	Y	King S.	N	Nikkel	N	Summers	N
32	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
33	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
34	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
35	Fischer	N	Liston	N	Primavera	Y	Tyler	Y
36	Frangas	N	Looper	N	Priola	N	Vaad	Y
37	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
38	Gardner B.	N	May	N	Riesberg	Y	Waller	N
39	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	N
40							Speaker	Y

41
42 The question being, "Shall the bill, as amended, pass?"

43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative, and the
45 bill, as amended, was declared **repassed**.

47	YES	62	NO	3	EXCUSED	0	ABSENT	0
48	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
50	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
51	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
53	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
54	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
55	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y

1	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
2	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
3	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
4	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
5	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
6	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
7	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Massey, Miklosi.

10
11 **HB10-1141** by Representative(s) Carroll T.; also Senator(s) Tochtrop--
12 Concerning a requirement for mortgage companies to be
13 registered by the division of real estate, and making an
14 appropriation therefor.

15
16 (Amended as printed in Senate Journal, March 12, pages 516-518,
17 April 30, page 1138 and May 3.)

18
19 Representative Carroll T. moved that the House **concur** in Senate
20 amendments. The motion was declared **passed** by the following roll call
21 vote:

22								
23	YES	49	NO	16	EXCUSED	0	ABSENT	0
24	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
25	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
26	Balmer	Y	Judd	N	McNulty	N	Schafer S.	Y
27	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
28	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
29	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
30	Casso	Y	Kerr J.	Y	Murray	N	Stephens	N
31	Court	Y	King S.	Y	Nikkel	N	Summers	Y
32	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
33	DelGrosso	N	Lambert	Y	Peniston	Y	Tipton	N
34	Ferrandino	N	Levy	Y	Pommer	Y	Todd	Y
35	Fischer	Y	Liston	Y	Primavera	Y	Tyler	N
36	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
37	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
38	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
39	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
40							Speaker	Y

41
42 The question being, "Shall the bill, as amended, pass?".
43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative, and the
45 bill, as amended, was declared **repassed**.

46								
47	YES	51	NO	14	EXCUSED	0	ABSENT	0
48	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
50	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
51	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
53	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
54	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
55	Court	Y	King S.	Y	Nikkel	N	Summers	Y
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	N

1	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
2	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
3	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
4	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
5	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
6	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
7	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	N
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) May, Middleton, Pace, Scanlan,
10 Summers.

11
12 **HB10-1329** by Representative(s) Peniston, Casso, Court, Fischer,
13 Frangas, Hullinghorst, Labuda, Levy, McCann, Miklosi,
14 Pommer, Riesberg, Solano, Tyler, Vigil; also Senator(s)
15 Boyd, Bacon, Hodge, Hudak, Keller, Romer, Steadman,
16 Tochtrop, Williams--Concerning solid waste user fees, and
17 making an appropriation in connection therewith.

18
19 (Amended as printed in Senate Journal, April 30, pages 1130-1131.)

20
21 Representative Peniston moved that the House **concur** in Senate
22 amendments. The motion was declared **passed** by the following roll call
23 vote:

24								
25	YES	41	NO	24	EXCUSED	0	ABSENT	0
26	Acree	Y	Gerou	Y	McFadyen	N	Ryden	Y
27	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
28	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
29	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
30	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
31	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
32	Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
33	Court	Y	King S.	N	Nikkel	N	Summers	Y
34	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
35	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
36	Ferrandino	N	Levy	Y	Pommer	Y	Todd	Y
37	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
38	Frangas	N	Looper	N	Priola	N	Vaad	Y
39	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
40	Gardner B.	Y	May	N	Riesberg	Y	Waller	N
41	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	N
42							Speaker	Y

43
44 The question being, "Shall the bill, as amended, pass?".
45 A roll call vote was taken. As shown by the following recorded vote, a
46 majority of those elected to the House voted in the affirmative, and the
47 bill, as amended, was declared **repassed**.

48								
49	YES	40	NO	25	EXCUSED	0	ABSENT	0
50	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
52	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
53	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
55	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	Y	Kerr J.	N	Murray	N	Stephens	N

1	Court	Y	King S.	N	Nikkel	N	Summers	N
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
3	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
6	Frangas	Y	Looper	N	Priola	N	Vaad	Y
7	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
8	Gardner B.	N	May	N	Riesberg	Y	Waller	N
9	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
10							Speaker	Y

11
12 **HB10-1334** by Representative(s) King S.; also Senator(s) Steadman--
13 Concerning changes to indecency crimes.
14

15 Laid over until May 5, retaining place on Calendar.
16

17 **HB10-1351** by Representative(s) Ferrandino, Apuan, Curry, Gagliardi,
18 Hullinghorst, Kerr A., McCann, Merrifield, Miklosi, Pace,
19 Pommer, Ryden, Scanlan, Solano, Tyler, Vigil; also
20 Senator(s) Romer, Carroll M., Foster, Keller, Morse--
21 Concerning the maximum authorized interest rate for a
22 payday loan.
23

24 (Amended as printed in Senate Journal, April 29, pages 1097-1199, and
25 on April 30.)
26

27 Representative Ferrandino moved that the House **concur** in Senate
28 amendments. The motion was declared **passed** by the following roll call
29 vote:
30

31	YES	52	NO	13	EXCUSED	0	ABSENT	0
32	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
33	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
34	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
35	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
36	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	Y
37	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
38	Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
39	Court	Y	King S.	N	Nikkel	N	Summers	Y
40	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
41	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
42	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
43	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
44	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
45	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
46	Gardner B.	N	May	Y	Riesberg	N	Waller	Y
47	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
48							Speaker	Y

49
50
51 The question being, "Shall the bill, as amended, pass?".
52 A roll call vote was taken. As shown by the following recorded vote, a
53 majority of those elected to the House voted in the affirmative, and the
54 bill, as amended, was declared **repassed**.
55
56

	YES	33	NO	32	EXCUSED	0	ABSENT	0
1								
2	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	N	Schafer S.	N
5	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	N
7	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
9	Court	Y	King S.	N	Nikkel	N	Summers	N
10	Curry	Y	Labuda	N	Pace	Y	Swalm	N
11	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	N	Priola	N	Vaad	N
15	Gagliardi	Y	Massey	N	Rice	N	Vigil	Y
16	Gardner B.	N	May	N	Riesberg	N	Waller	N
17	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
18							Speaker	Y

HOUSE RECEDES ON HB10-1273

HB10-1273 by Representative(s) Merrifield, Rice, Ryden, Apuan, Benefield, Carroll T., Casso, Gagliardi, Gerou, Kerr A., May, McKinley, Middleton, Nikkel, Peniston, Primavera, Roberts, Scanlan, Schafer S., Solano, Todd, Tyler; also Senator(s) Spence and Steadman, Newell, Hudak, Bacon, Boyd, Foster, Gibbs, Heath, Johnston, Romer, Tapia, Williams--Concerning improved workforce development through increased participation in arts education in public schools.

(Amended as printed in Senate Journal, April 13, pages 857.)

Representative Merrifield moved that the House **recede** from its position and discharge the Conference Committee on HB10-1273. The motion was declared **passed** by the following roll call vote:

	YES	54	NO	11	EXCUSED	0	ABSENT	0
42	Acree	N	Gerou	Y	McFadyen	N	Ryden	Y
43	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
44	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
45	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	N
46	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
47	Bradford	Y	Kerr A.	N	Miklosi	Y	Soper	Y
48	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
49	Court	Y	King S.	Y	Nikkel	N	Summers	Y
50	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
51	DelGrosso	N	Lambert	Y	Peniston	Y	Tipton	Y
52	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	N
53	Fischer	N	Liston	Y	Primavera	Y	Tyler	Y
54	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
55	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
56	Gardner B.	N	May	N	Riesberg	Y	Waller	Y

Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Representative Merrifield moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

	YES	52	NO	13	EXCUSED	0	ABSENT	0
Acree	Y		Gerou	Y	McFadyen	N	Ryden	Y
Apuan	Y		Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y		Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y		Kagan	Y	Merrifield	N	Solano	N
Benefield	Y		Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y		Kerr A.	N	Miklosi	Y	Soper	Y
Casso	Y		Kerr J.	N	Murray	Y	Stephens	Y
Court	Y		King S.	Y	Nikkel	N	Summers	Y
Curry	Y		Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y		Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y		Levy	Y	Pommer	Y	Todd	N
Fischer	N		Liston	N	Primavera	N	Tyler	Y
Frangas	Y		Looper	Y	Priola	Y	Vaad	Y
Gagliardi	N		Massey	Y	Rice	Y	Vigil	Y
Gardner B.	N		May	N	Riesberg	Y	Waller	Y
Gardner C.	Y		McCann	Y	Roberts	Y	Weissmann	Y
							Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

	YES	51	NO	14	EXCUSED	0	ABSENT	0
Acree	Y		Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y		Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N		Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	N		Kagan	Y	Merrifield	Y	Solano	N
Benefield	Y		Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	Y		Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y		Kerr J.	N	Murray	Y	Stephens	Y
Court	Y		King S.	Y	Nikkel	Y	Summers	Y
Curry	Y		Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	N		Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y		Levy	Y	Pommer	Y	Todd	Y
Fischer	Y		Liston	N	Primavera	Y	Tyler	Y
Frangas	Y		Looper	Y	Priola	Y	Vaad	N
Gagliardi	Y		Massey	Y	Rice	Y	Vigil	Y
Gardner B.	N		May	Y	Riesberg	Y	Waller	N
Gardner C.	N		McCann	Y	Roberts	Y	Weissmann	N
							Speaker	Y

Co-sponsor(s) added: Representative(s) Ferrandino, Massey.

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1 The question being "Shall the bill, as amended, pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the
 4 bill, as amended, was declared **repassed**.

	YES	37	NO	28	EXCUSED	0	ABSENT	0
7	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
12	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
14	Court	Y	King S.	N	Nikkel	N	Summers	N
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
16	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	N	Priola	N	Vaad	N
20	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
21	Gardner B.	N	May	N	Riesberg	N	Waller	N
22	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Merrifield, Miklosi, Pace, Ryden.

25
 26
 27 **SB10-109** by Senator(s) Romer and Spence, Boyd, Bacon, Hodge,
 28 Hudak, Johnston, Tapia, Tochtrop; also Representative(s)
 29 Massey and McCann, Rice, Frangas, McFadyen--
 30 Concerning regulation of the physician-patient relationship
 31 for medical marijuana patients, and making appropriations
 32 in connection therewith.

33
 34 (First Report of the Second Conference Committee Report printed in
 35 House Journal, April 22, page 1383.)

36
 37 On motion of Representative Massey, the First Report of the Second
 38 Conference Committee Report was **adopted** by the following roll call
 39 vote:

	YES	59	NO	5	EXCUSED	1	ABSENT	0
42	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
43	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
44	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
45	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
46	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
47	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
48	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
49	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
50	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
51	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
52	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
53	Fischer	Y	Liston	Y	Primavera	Y	Tyler	N
54	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
55	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N
56	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y

Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
						Speaker	E

The question being "Shall the bill, as amended, pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill, as amended, was declared **repassed**.

	YES	62	NO	3	EXCUSED	0	ABSENT	0
Acree	Y		Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y		Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y		Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y		Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y		Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y		Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y		Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y		King S.	Y	Nikkel	Y	Summers	Y
Curry	Y		Labuda	Y	Pace	N	Swalm	Y
DelGrosso	Y		Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y		Levy	Y	Pommer	Y	Todd	Y
Fischer	Y		Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y		Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y		Massey	Y	Rice	Y	Vigil	N
Gardner B.	Y		May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y		McCann	Y	Roberts	Y	Weissmann	N
							Speaker	Y

Representative Pace requested his name be removed as co-sponsor.

Co-sponsor(s) added: Representative(s) Kagan, Looper, Waller.

HB10-1383 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia--Concerning funding for student financial aid for higher education, and making an appropriation therefor.

(Conference Committee Report printed in House Journal, April 28, page 1480.)

On motion of Representative Pommer, the Conference Committee Report was **adopted** by the following roll call vote:

	YES	63	NO	2	EXCUSED	0	ABSENT	0
Acree	Y		Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y		Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y		Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y		Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y		Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	Y		Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y		Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y		King S.	Y	Nikkel	Y	Summers	Y
Curry	Y		Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y		Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y		Levy	Y	Pommer	Y	Todd	Y
Fischer	Y		Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y		Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y		Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y		May	Y	Riesberg	Y	Waller	Y

Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
						Speaker	Y

The question being "Shall the bill, as amended, pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill, as amended, was declared **repassed**.

	YES	62	NO	3	EXCUSED	0	ABSENT	0
Acree	N		Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y		Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y		Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y		Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y		Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y		Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y		Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y		King S.	Y	Nikkel	Y	Summers	Y
Curry	Y		Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y		Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y		Levy	Y	Pommer	Y	Todd	Y
Fischer	Y		Liston	Y	Primavera	Y	Tyler	Y
Frangas	N		Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y		Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y		May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y		McCann	Y	Roberts	Y	Weissmann	N
							Speaker	Y

HB10-1388 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) Tapia, Keller, White--Concerning the augmentation of the general fund through transfers of certain moneys.

(Conference Committee Report printed in House Journal, April 28, pages 1480-1481.)

On motion of Representative Ferrandino, the Conference Committee Report was **adopted** by the following roll call vote:

	YES	41	NO	24	EXCUSED	0	ABSENT	0
Acree	N		Gerou	N	McFadyen	N	Ryden	Y
Apuan	Y		Hullinghorst	Y	McKinley	N	Scanlan	Y
Balmer	N		Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N		Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y		Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	N		Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y		Kerr J.	N	Murray	N	Stephens	N
Court	Y		King S.	N	Nikkel	N	Summers	Y
Curry	Y		Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N		Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y		Levy	Y	Pommer	Y	Todd	Y
Fischer	Y		Liston	N	Primavera	Y	Tyler	Y
Frangas	Y		Looper	N	Priola	N	Vaad	N
Gagliardi	Y		Massey	Y	Rice	Y	Vigil	Y
Gardner B.	N		May	N	Riesberg	Y	Waller	Y
Gardner C.	N		McCann	Y	Roberts	N	Weissmann	Y
							Speaker	Y

1 The question being "Shall the bill, as amended, pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the
 4 bill, as amended, was declared **repassed**.

	YES	36	NO	29	EXCUSED	0	ABSENT	0
7	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
9	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
12	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
14	Court	Y	King S.	N	Nikkel	N	Summers	N
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
16	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	N	Priola	N	Vaad	N
20	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
21	Gardner B.	N	May	N	Riesberg	Y	Waller	N
22	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	N
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Middleton.

25
 26
 27 House in recess. House reconvened.
 28
 29

30 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

31 **BUSINESS AFFAIRS & LABOR**

32
 33 After consideration on the merits, the Committee recommends the
 34 following:
 35

36
 37 **SB10-201** be referred to the Committee of the Whole with favorable
 38 recommendation.
 39

40 41 42 **EDUCATION**

43 After consideration on the merits, the Committee recommends the
 44 following:
 45

46
 47 **HB10-1430** be amended as follows, and as so amended, be referred to
 48 the Committee on Appropriations with favorable
 49 recommendation:
 50

51 Amend printed bill, page 7, strike lines 9 through 13 and substitute
 52 "assessments."
 53

54 Page 8, line 20, strike "reading, writing," and substitute "reading
 55 writing."
 56

1 Page 9, line 8, strike "WRITING,".

2

3 Page 11, after line 18 insert:

4 "(I) DISCONTINUE THE WRITING ASSESSMENT IN GRADES THREE
5 THROUGH TEN;".

6

7 Renumber succeeding subparagraphs accordingly.

8

9 Page 11, line 20, strike "READING, WRITING," and substitute "READING".

10

11 Page 11, line 24, strike "WRITING,".

12

13 Page 12, line 2, after "REFLECT" insert "DISCONTINUANCE OF THE WRITING
14 ASSESSMENT,".

15

16 Page 12, line 3, strike "WRITING,".

17

18 Page 12, line 4, strike "ASSESSMENT" and substitute "ASSESSMENT,"

19

20 Page 12, line 6, strike "WRITING.".

21

22 Page 12, line 9, after "BY" insert "DISCONTINUING THE WRITING
23 ASSESSMENT IN GRADES THREE THROUGH TEN AND".

24

25 Page 12, after line 13 insert:

26 "(7) IT IS FURTHER THE INTENT OF THE GENERAL ASSEMBLY THAT
27 SCHOOL DISTRICTS AND CHARTER SCHOOLS CONTINUE TO ASSESS
28 STUDENTS IN WRITING AS APPROPRIATE TO DETERMINE STUDENT
29 ACADEMIC PROGRESS IN MEETING THE WRITING CONTENT STANDARDS.".

30

31 Page 15, line 8, strike "DIAGNOSTIC PURPOSES" and substitute "DIAGNOSIS
32 OF STUDENT ACADEMIC GROWTH".

33

34 Page 15, strike lines 20 through 27.

35

36 Page 16, strike lines 1 through 11 and substitute:

37

38 "(1.5) THE DEPARTMENT SHALL SUPPORT LOCAL EDUCATION".

39

40 Page 23, strike lines 10 through 13 and substitute "CONTENT STANDARDS.
41 IN SELECTING INTERIM ASSESSMENTS, THE LOCAL".

42

43 Page 24, line 5, strike "DIAGNOSTIC" and substitute "DIAGNOSIS OF
44 STUDENT ACADEMIC GROWTH".

45

46 Page 24, line 6, strike "PURPOSES".

47

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51 **HEALTH & HUMAN SERVICES**

52 After consideration on the merits, the Committee recommends the
53 following:

54

55 **SB10-194** be referred to the Committee of the Whole with favorable
56 recommendation.

1 **JUDICIARY**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HR10-1008** be postponed indefinitely.

6
7
8 **SB10-012** be referred to the Committee of the Whole with favorable
9 recommendation.

10
11
12 **SB10-054** be referred favorably to the Committee on Appropriations.

13
14
15 **SB10-128** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:

18
19 Amend reengrossed bill, page 6, line 1, strike "OR".

20
21 Page 6, line 3, strike "18-3-405.6." and substitute "18-3-405.6; OR".

22
23 Page 6, after line 3 insert:

24
25 "(g) CRIMINAL INVASION OF PRIVACY IN VIOLATION OF SECTION
26 18-7-801.".

27
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29
30 **SB10-179** be referred favorably to the Committee on Appropriations.

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34 **PRINTING REPORT**

35
36 The Chief Clerk reports the following bills have been correctly printed:
37 **HB10-1431, 1432; HCR10-1009.**

38
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40
41 **MESSAGE(S) FROM THE SENATE**

42
43 The Senate has passed on Third Reading and transmitted to the Revisor
44 of Statutes: SB10-197.

45
46 The Senate has passed on Third Reading and transmitted to the Revisor
47 of Statutes:

48
49 SB10-167 amended as printed in Senate Journal, May 3, 2010, pages
50 1164-1166 and May 4, 2010.

51
52 The Senate has passed on Third Reading and transmitted to the Revisor
53 of Statutes:

54
55 HB10-1018 amended as printed in Senate Journal, May 3, 2010, pages
56 1164-1166 and May 4, 2010.

1 The Senate has passed on Third Reading and returns herewith:
2 HB10-1395, HB10-1399, HB10-1375, HB10-1392, HB10-1394.

3
4 The Senate has postponed indefinitely:
5 HB10-1105, HB10-1047, HB10-1268. The bills are returned herewith.

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9 **MESSAGE(S) FROM THE REVISOR**

10
11 We herewith transmit:
12 Without comment, SB10-197.
13 Without comment, as amended, HB10-1018.
14 Without comment, as amended, SB10-167.

15
16
17
18 **INTRODUCTION OF BILLS**
19 **First Reading**

20
21 The following bills were read by title and referred to the committees
22 indicated:

23
24 **SB10-167** by Senator(s) Boyd; also Representative(s) Riesberg--
25 Concerning increased efficiency in the administration of
26 the "Colorado Medical Assistance Act", and, in connection
27 therewith, creating the "Colorado Medicaid False Claims
28 Act", requiring a post-enactment review of the
29 implementation of this act, and making an appropriation.
30 Committee on Health and Human Services

31
32 **SB10-197** by Senator(s) Hodge; also Representative(s) Riesberg--
33 Concerning exempting the transfer of prescription drugs
34 purchased with public funds by public entities from the
35 definition of "wholesale distribution" of prescription
36 drugs.
37 Committee on Health and Human Services

38
39
40
41 **NOTICE OF CALENDARED ITEM(S)**

42
43 On motion of Representative Weissmann, the following bill(s) were
44 calendared for Second Reading on May 5, 2010: **SB10-194, 012, 128.**

45
46
47
48 **LAY OVER OF CALENDAR ITEM(S)**

49
50 On motion of Representative Weissmann, the following item(s) on the
51 Calendar (was)were laid over until May 5, retaining place on Calendar:

52
53 Consideration of Resolution(s)---**SJR10-025, HJR10-1023, 1019, 1024,**
54 **1025, 1026, 1027, 1028, 1032, 1022, 1033, 1035.**
55 Consideration of Adherence--**HB10-1098.**

1 On motion of Representative Weissmann, the House adjourned until
2 9:00 a.m., May 5, 2010.

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Approved:
TERRANCE D. CARROLL,
Speaker

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-thirteenth Legislative Day Wednesday, May 5, 2010

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Krista Peterson, Paige Sattler, Kasey
7 Malouff, Rocky Ridge Elementary, Castle Rock.

8
9 The roll was called with the following result:

10
11 Present--61.
12 Excused--Representative(s) Levy, Pommer, Scanlan, Carroll T.--4.
13 Present after roll call--Representative(s) Carroll T., Levy, Pommer,
14 Scanlan.

15
16 The Speaker declared a quorum present.

17
18
19 On motion of Representative Nikkel, the reading of the journal of
20 May 4, 2010, was declared dispensed with and approved as corrected by
21 the Chief Clerk.

22
23
24
25
26 On motion of Representative Schafer, the House resolved itself into
27 Committee of the Whole for consideration of General Orders, and she
28 was called to the Chair to act as Chairman.

29
30
31 **GENERAL ORDERS--SECOND READING OF BILLS**

32
33 The Committee of the Whole having risen, the Chairman reported the
34 titles of the following bills had been read (reading at length had been
35 dispensed with by unanimous consent), the bills considered and action
36 taken thereon as follows:

37
38 (Amendments to the committee amendment are to the printed committee
39 report which was printed and placed in the members' bill file.)

40
41 **HB10-1426** by Representative(s) Riesberg and Todd; also Senator(s)
42 Williams and Spence--Concerning creation of a separate
43 fund for the Trinidad state nursing home.

1 Amendment No. 1, Health & Human Services Report, dated
2 April 29, 2010, and placed in member's bill file; Report also printed in
3 House Journal, April 30, page 1516.

4
5 Amendment No. 2, Appropriations Report, dated May 3, 2010, and placed
6 in member's bill file; Report also printed in House Journal, May 3,
7 page 1576.

8
9 Amendment No. 3, by Representative(s) Riesberg.

10
11 Amend the Appropriations Committee Report, dated May 3, 2010, page
12 1, after line 17, insert:

13
14 **"SECTION 4. Appropriation.** In addition to any other
15 appropriation, there is hereby appropriated, out of any moneys in the
16 general fund not otherwise appropriated, to the department of human
17 services, for allocation to services for people with disabilities, Homelake
18 domiciliary and state and veterans nursing homes, for subsidy of the
19 Trinidad state nursing home, for the fiscal year beginning July 1, 2010,
20 the sum of four hundred thirty-one thousand two hundred sixty-nine
21 dollars (\$431,269), or so much thereof as may be necessary, for the
22 implementation of this act."

23
24 Renumber succeeding sections accordingly.

25
26 Page 2 of the committee report, line 1, strike "4" and substitute "5".

27
28 Page 2 of the committee report, line 7, strike "4" and substitute "5".

29
30 Amendment No. 4, by Representative(s) Riesberg.

31
32 Amend the Appropriations Committee Report, dated May 3, 2010, page
33 2, strike lines 2 through 5 and substitute:

34
35 "(a) The final fiscal estimate for House Bill 10-1281 shows a net
36 increase in the amount of general fund revenues for state fiscal year
37 2010-11 that is equal to or greater than the amount of the general fund".

38
39 Amendment No. 5, by Representative(s) Riesberg.

40
41 Amend Appropriations Committee Report, dated May 3, 2010, page 1,
42 strike line 6 and substitute:

43
44 **"SECTION 4.** 26-12-108 (1.5) (b), Colorado Revised Statutes, as
45 enacted in House Bill 10-1426 is amended BY THE ADDITION OF A
46 NEW SUBPARAGRAPH to read:

47
48 **26-12-108. Payments for care - funds - annual report -**
49 **collections for charges - central fund for state nursing homes created**
50 **- Trinidad state nursing home cash fund created.** (1.5) (b) (I.5) IF THE
51 CASH FUND RECEIVES ADDITIONAL MONEYS FROM THE GENERAL FUND DUE
52 TO THE ENACTMENT OF HOUSE BILL 10-1281, ENACTED IN 2010, THE
53 STATE TREASURER IS DIRECTED TO TRANSFER FROM THE CASH FUND:

54
55 (A) TO THE GENERAL FUND AN AMOUNT EQUAL TO ANY GENERAL
56 FUND MONEYS APPROPRIATED TO THE CASH FUND; AND

1 (B) FROM THE MONEYS REMAINING AFTER THE TRANSFER
2 REQUIRED BY SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (I.5), TO
3 THE CENTRAL FUND AN AMOUNT EQUAL TO THE OPERATING LOSSES
4 ACCRUING AT THE TRINIDAD STATE NURSING HOME AND SUBSIDIZED BY
5 THE CENTRAL FUND.

6
7 **SECTION 5. Appropriation.** (1) In addition to any other".

8
9 Page 2 of the Committee Report, line 1, strike "Section 4" and substitute
10 "Sections 4 and 5".

11
12 Page 2 of the Committee Report, line 7, strike "4" and substitute "5".

13
14 As amended, ordered engrossed and placed on the Calendar for Third
15 Reading and Final Passage.

16
17 **SB10-178** by Senator(s) Hodge and Mitchell; also Representative(s)
18 Gerou and Miklosi--Concerning fairness in workers'
19 compensation health care provider review processes, and,
20 in connection therewith, requiring Performance program
21 programs to be transparent, include objective and
22 standardized criteria that are applied consistently, and
23 provide minimum due process to providers.

24
25 Amendment No. 1, Business Affairs & Labor Report, dated
26 April 27, 2010, and placed in member's bill file; Report also printed in
27 House Journal, April 27, page 1440.

28
29 As amended, ordered revised and placed on the Calendar for Third
30 Reading and Final Passage.

31
32 **SB10-126** by Senator(s) Carroll M.; also Representative(s) Tyler--
33 Concerning increased transparency reporting requirements
34 for certain pharmaceutical manufacturers.

35
36 Ordered revised and placed on the Calendar for Third Reading and Final
37 Passage.

38
39 **SB10-189** by Senator(s) Steadman, Boyd, Carroll M., Heath, Romer,
40 Tochtrop; also Representative(s) Weissmann, Levy,
41 Riesberg--Concerning authorization for government
42 agencies to approve clean syringe exchange programs to
43 reduce the spread of blood-borne disease.

44
45 Ordered revised and placed on the Calendar for Third Reading and Final
46 Passage.

47
48 **SB10-028** by Senator(s) Heath; also Representative(s) Pace--
49 Concerning the establishment of the Colorado "Work
50 Share Program" to allow payment of unemployment
51 compensation benefits to eligible employees who have
52 received a reduction in work hours.

53
54 Ordered revised and placed on the Calendar for Third Reading and Final
55 Passage.

1 **SB10-114** by Senator(s) Carroll M.; also Representative(s)
2 Weissmann--Concerning the "Colorado Taxpayer
3 Transparency Act of 2010".
4

5 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
6 March 25, 2010, and placed in member's bill file; Report also printed in
7 House Journal, March 26, page 896.
8

9 Amendment No. 2, by Representative(s) Weissmann.
10

11 Amend the State, Veterans, & Military Affairs Committee Report, dated
12 March 25, 2010, page 1, strike lines 4 through 6 and substitute:
13

14 "Page 3 of the bill, strike lines 21 and 22 and substitute:
15

16 "GOVERNMENTAL BODY. EXCEPT AS OTHERWISE PROVIDED IN
17 PARAGRAPHS (c) AND (d) OF THIS SUBSECTION (2), THOSE RECORDS SHALL
18 BE AVAILABLE FOR PUBLIC INSPECTION UPON A REQUEST MADE OF THE
19 CUSTODIAN OF RECORDS FOR THE GOVERNMENTAL BODY PURSUANT TO
20 THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF THIS
21 TITLE."."
22

23 Page 1 of the report, strike lines 10 through 12 and substitute:
24

25 "Page 4 of the bill, strike lines 7 through 27 and substitute:
26

27 "(d) UPON RECEIPT OF ANY RECORDS REQUEST PURSUANT TO THIS
28 SUBSECTION (2), THE GOVERNMENTAL BODY SHALL NOTIFY THE
29 GOVERNMENT CONTRACTOR OF THE REQUEST. NOTWITHSTANDING
30 SECTION 24-72-204 (3) (b), THE GOVERNMENTAL BODY SHALL PROVIDE
31 SUCH RECORDS TO THE APPLICANT UNLESS THE GOVERNMENT
32 CONTRACTOR DESIGNATES AND ATTESTS THAT A PORTION OF ANY
33 CONTRACT OR OTHER RECORD REQUESTED IS EXEMPT FROM DISCLOSURE
34 PURSUANT TO STATE OR FEDERAL STATUTE WITHIN TWENTY-ONE DAYS OF
35 SUCH NOTIFICATION. ANY SUCH RECORD THAT IS DESIGNATED AND
36 ATTESTED TO BE EXEMPT FROM DISCLOSURE SHALL INITIALLY BE
37 WITHHELD FROM PUBLIC INSPECTION BY THE GOVERNMENTAL BODY,
38 PENDING DETERMINATION OF THE APPLICABILITY OF AN EXEMPTION FROM
39 INSPECTION PURSUANT TO SECTION 24-72-204."."
40

41 Amendment No. 3, by Representative(s) Weissmann.
42

43 Amend reengrossed bill, page 2, after line 15 insert:
44

45 "SECTION 3. 24-72-204 (3) (a) (IV), Colorado Revised Statutes,
46 is amended to read:
47

48 **24-72-204. Allowance or denial of inspection - grounds -
49 procedure - appeal - definitions.** (3) (a) The custodian shall deny the
50 right of inspection of the following records, unless otherwise provided by
51 law; except that any of the following records, other than letters of
52 reference concerning employment, licensing, or issuance of permits, shall
53 be available to the person in interest under this subsection (3):
54

55 (IV) Trade secrets, privileged information, and confidential
56 commercial, financial, PRICING, geological, or geophysical data, including
a social security number unless disclosure of the number is required,
permitted, or authorized by state or federal law, furnished by or obtained

1 from any person;" .

2
3 Renumber succeeding sections accordingly.

4
5 Amendment No. 4, by Representative(s) Weissmann.

6 Amend reengrossed bill, page 2, after line 3 insert:

7
8 "SECTION 2. 24-51-412 (2), Colorado Revised Statutes, is
9 amended to read:

10
11 **24-51-412. Denver public schools district - contributions and**
12 **disbursements - legislative declaration.** (2) Due to the circumstances
13 specified in subsection (1) of this section, contributions required to be
14 made by employers in the Denver public schools division pursuant to
15 section 24-51-401 (1.7) (a) and disbursements required to be made
16 pursuant to section 24-51-411 shall be reduced by an amount in each year
17 equal to the obligations of the Denver public schools with respect to
18 outstanding PCOPS, or any obligations incurred to refinance the PCOPS,
19 at a fixed effective annual interest rate of eight and one-half percent and
20 with principal maturities as they exist on January 1, 2010, or on the date
21 of issuance of any obligations to refinance the PCOPS, recognizing that
22 it is not the intention to increase substantially the offset by accelerating
23 principal maturities through refinancing. The annual offset may be
24 applied by the Denver public schools in installments as it determines so
25 long as there are sufficient monthly contributions to fund the DPS health
26 care trust fund and the annual increase reserve required pursuant to section
27 24-51-1009, taking into account the true-up provisions in section
28 24-51-401, and the calculation of the offset shall be included in the
29 contribution reports required by section 24-51-401 (1.7) (a). Since, as
30 stated in paragraph (b) of subsection (1) of this section, the funded ratio
31 of the Denver public schools retirement system trust fund presently
32 exceeds that of the school division of the association, the anticipated
33 equalization of the funded ratios over a thirty-year period of the two
34 divisions provided in section 24-51-401 (2) may necessarily result in a
35 decline in the funded ratio of the Denver public schools division trust
36 fund. Denver public schools shall annually submit to the association
37 audited financial statements showing the actual debt service experience
38 related to the PCOPS. SUCH FINANCIAL STATEMENTS SHALL BE PUBLIC
39 RECORDS SUBJECT TO DISCLOSURE PURSUANT TO THE "COLORADO OPEN
40 RECORDS ACT", PART 2 OF ARTICLE 72 OF THIS TITLE."

41
42 As amended, ordered revised and placed on the Calendar for Third
43 Reading and Final Passage.

44
45 **SB10-139** by Senator(s) Kester; also Representative(s) Sonnenberg--
46 Concerning the addition of a line to Colorado state
47 individual income tax return forms whereby individual
48 taxpayers may make a voluntary contribution benefiting
49 the unwanted horse fund.

50
51 Amendment No. 1, Finance Report, dated April 28, 2010, and placed in
52 member's bill file; Report also printed in House Journal, April 28,
53 pages 1476-1477.

54
55 As amended, declared **lost** on Second Reading.
56 (For change in action, see Amendments to Report, page 1636.)

On motion of Representative Weissmann, the remainder of the General Orders Calendar (**HCR10-1002, SB10-087, 076, 141, 187, HB10-1282, SB10-194, 012, 128**) was laid over until May 6, retaining place on Calendar.

AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT

Representative Sonnenberg moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting SB10-139, to show that **SB10-139**, as amended, passed.

The amendment was declared **passed** by the following roll call vote:

YES	38	NO	27	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
Apuan	N	Hullinghorst	N	McKinley	N	Scanlan	N
Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
Benefield	N	Kefalas	Y	Middleton	N	Sonnenberg	Y
Bradford	Y	Kerr A.	N	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	N	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	N	Pace	Y	Swalm	N
DelGrosso	Y	Lambert	N	Peniston	N	Tipton	Y
Ferrandino	Y	Levy	N	Pommer	Y	Todd	N
Fischer	Y	Liston	Y	Primavera	N	Tyler	N
Frangas	N	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	N	Vigil	N
Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
						Speaker	Y

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB10-1426 amended, SB10-178 amended, 126, 189, 028, 114 amended, 139 amended.**

Laid over until date indicated retaining place on Calendar: **HCR10-1002, SB10-087, 076, 141, 187, HB10-1282, SB10-194, 012, 128--** May 6, 2010.

The Chairman moved the adoption of the Committee of the Whole Report. As shown by the following roll call vote, a majority of those elected to the House voted in the affirmative, and the Report was **adopted**.

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y

1	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
2	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
3	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
4	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
5	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
6	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
7	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
8	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
9	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
10	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
11	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
12							Speaker	Y

THIRD READING OF BILL(S)--FINAL PASSAGE

The following bill(s) was(were) considered on Third Reading. The title(s) was(were) publicly read. Reading of the bill at length was dispensed with by unanimous consent.

HB10-1415 by Representative(s) Gagliardi; also Senator(s) Morse-- Concerning the registration of persons who assist surgeons, and making an appropriation therefor.

The question being "Shall the bill pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

	YES	51	NO	14	EXCUSED	0	ABSENT	0
33	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
35	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
36	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
38	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	N	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	N	Riesberg	Y	Waller	N
48	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	N
49							Speaker	Y

Co-sponsor(s) added: Representative(s) Apuan, Labuda, Merrifield, Primavera, Riesberg, Schafer S., Todd, Vigil.

HB10-1427 by Representative(s) Todd, Hullinghorst, Kerr A., Levy, Primavera, Solano, Summers, Ryden; also Senator(s) Heath, Bacon, Hodge, Hudak, King K., Williams-- Concerning the authority of institutions of higher

education to offer group benefit coverage to employees of the institution who are in the state personnel system.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Apuan, Labuda, McFadyen, Merrifield, Priola, Speaker.

HB10-1281 by Representative(s) Casso; also Senator(s) Spence--
Concerning the deregulation of telecommunications
service in areas where sufficient market competition
exists, and making an appropriation therefor.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	57	NO	8	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	N
Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	N	Todd	Y
Fischer	N	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) King S., Looper.

10 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

12 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

13 After consideration on the merits, the Committee recommends the
14 following:

16 **HB10-1432** be postponed indefinitely.

21 **EDUCATION**

22 After consideration on the merits, the Committee recommends the
23 following:

25 **SB10-064** be referred favorably to the Committee on Appropriations.

30 **FINANCE**

31 After consideration on the merits, the Committee recommends the
32 following:

34 **HCR10-1005** be referred favorably to the Committee on Appropriations.

37 **SB10-124** be referred favorably to the Committee on Appropriation.

42 **STATE, VETERANS, & MILITARY AFFAIRS**

43 After consideration on the merits, the Committee recommends the
44 following:

46 **HCR10-1006** be postponed indefinitely.

49 **HJR10-1031** be postponed indefinitely.

1 **TRANSPORTATION & ENERGY**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HB10-1420** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend printed bill, strike everything below the enacting clause and
10 substitute:

11
12 **"SECTION 1. Legislative declaration.** (1) The general
13 assembly finds that, on account of the mobility of drivers and the frequent
14 use of driver improvement schools as a sentencing option for violators of
15 traffic laws, the competence of driver improvement schools is important
16 to the entire traveling public and the citizens of Colorado. Therefore, the
17 general assembly hereby declares that this is a matter of statewide
18 concern and applies to all courts and driver improvement schools that
19 teach students within Colorado.

20
21 (2) In 2009, the general assembly passed House Bill 09-1246 to
22 provide some oversight and evaluation of driver improvement schools
23 because members of the general assembly heard from concerned citizens
24 about the quality of services provided by driver improvement schools.
25 The passage of House Bill 09-1246 did not give the department of
26 revenue sufficient tools to adequately implement a program of oversight
27 and evaluation of driver improvement schools. The department of
28 revenue, through rule-making, plans to meet with stakeholders to provide
29 further input into the development of an oversight mechanism for driver
30 improvement schools. Therefore, the general assembly determines that
31 this act is necessary to adequately provide the department of revenue with
32 the tools it needs to oversee driver improvement schools.

33
34 **SECTION 2.** 42-1-223 (1) and (2), Colorado Revised Statutes,
35 are amended, and the said 42-1-223 is further amended BY THE
36 ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

37
38 **42-1-223. Monitoring driver improvement schools - fund -**
39 **registration - rules.** (1) The defensive driving school fund, referred to
40 in this section as the "fund", is hereby created in the state treasury. The
41 fund shall consist of ~~penalty surcharges~~ FEES collected pursuant to section
42 42-4-1717 (3). The moneys in the fund shall be used to implement a
43 program to monitor and evaluate driver improvement schools pursuant to
44 this section, INCLUDING THE REGISTRATION OF DRIVER IMPROVEMENT
45 SCHOOLS. The moneys in the fund at the end of each fiscal year shall not
46 revert to the general fund.

47
48 (2) (a) The department shall, in accordance with article 103 of title
49 24, C.R.S., contract with a private entity by ~~July 1, 2010~~, MARCH 1, 2011,
50 to monitor and evaluate the curriculum and effectiveness of driver
51 improvement classes required by section 42-4-1717.

52
53 (b) The ~~private entity~~ VENDOR shall submit a report to the
54 referring court within three months after a school has been evaluated
55 summarizing the curriculum, location, security, quality, and effectiveness
56 of the classes. The private entity shall also submit an abstract of such

1 reports to the department annually.

2
3 (4) NO PERSON WHO OPERATES A DRIVER IMPROVEMENT SCHOOL,
4 INCLUDING INTERNET SCHOOLS, SHALL ACCEPT STUDENTS WHO ARE
5 LICENSED DRIVERS UNLESS THE PERSON REGISTERS THE SCHOOL WITH THE
6 DEPARTMENT OF REVENUE OR THE VENDOR IN COMPLIANCE WITH THIS
7 SUBSECTION (4). THE PERSON SHALL ANNUALLY RENEW THE SCHOOL'S
8 REGISTRATION.

9
10 (5) FOR THE PURPOSES OF THIS SECTION, UNLESS THE CONTEXT
11 OTHERWISE REQUIRES:

12
13 (a) "DRIVER IMPROVEMENT SCHOOL" MEANS A SCHOOL THAT
14 ACCEPTS STUDENTS WHO POSSESS A VALID DRIVER'S LICENSE. "DRIVER
15 IMPROVEMENT SCHOOL" DOES NOT MEAN A DRIVING SCHOOL THAT
16 TEACHES DRIVING SKILLS TO NEW OR UNSKILLED DRIVERS FOR THE
17 PURPOSES OF LICENSING OR A COMMERCIAL DRIVING SCHOOL OR
18 INSTRUCTOR REGULATED PURSUANT TO ARTICLE 15 OF TITLE 12, C.R.S.

19
20 (b) "VENDOR" MEANS THE PRIVATE ENTITY WHO CONTRACTS WITH
21 THE DEPARTMENT OF REVENUE TO MONITOR AND EVALUATE THE
22 CURRICULUM AND EFFECTIVENESS OF DRIVER IMPROVEMENT CLASSES
23 PURSUANT TO SUBSECTION (2) OF THIS SECTION.

24
25 **SECTION 3.** 42-4-1717 (3), Colorado Revised Statutes, is
26 amended to read:

27
28 **42-4-1717. Conviction - attendance at driver improvement**
29 **school - rules.** (3) (a) (I) Effective January 1, 2010, a ~~person~~ LICENSED
30 DRIVER who is ~~required to attend~~ ATTENDS a course of instruction
31 ~~pursuant to subsection (1) or (2) of this section~~ TO IMPROVE THE PERSON'S
32 DRIVING SAFETY AND COMPLIANCE WITH TRAFFIC LAWS shall pay, in
33 addition to any other penalties, a ~~penalty surcharge~~ FEE as determined by
34 rules promulgated by the department.

35
36 (II) The driver improvement school shall collect the ~~penalty~~
37 ~~surcharge~~ FEE and remit it to the department OR VENDOR AS DEFINED IN
38 SECTION 42-1-223 at least monthly in accordance with rules promulgated
39 by the department.

40
41 (III) The department shall set the ~~penalty surcharge~~ FEE in an
42 amount to offset the direct and indirect cost of implementing section
43 42-1-223. The ~~penalty surcharge~~ FEE shall be transferred to the state
44 treasurer and credited to the defensive driving school fund created in
45 section 42-1-223.

46
47 (b) The court shall include on the referral form information
48 concerning the amount and purpose of the ~~penalty surcharge~~ FEE. If the
49 court determines that a person is unable to pay the cost of the ~~penalty~~
50 ~~surcharge~~ FEE, the court may waive the ~~surcharge~~ FEE and the driver
51 improvement school shall not collect nor remit the ~~penalty surcharge~~ FEE
52 to the department.

53
54 (c) A person who is required to attend a course of instruction
55 pursuant to subsection (1) or (2) of this section shall register with the
56 entity that monitors the driver improvement school pursuant to section

42-1-223. If the person satisfactorily completes the course, the driver improvement school shall electronically notify the entity.

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."

HB10-1431 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. 39-4-102 (1) (e) (I) (A) and (1.5) (b) (IV), Colorado Revised Statutes, are amended to read:

39-4-102. Valuation of public utilities. (1) The administrator shall determine the actual value of the operating property and plant of each public utility as a unit, giving consideration to the following factors and assigning such weight to each of such factors as in the administrator's judgment will secure a just value of such public utility as a unit:

(e) (I) When determining the actual value of a renewable energy facility that primarily produces more than two megawatts of alternating current electricity, the administrator shall:

(A) Consider the additional incremental cost per kilowatt of the construction of the renewable energy facility over that of the construction cost of a comparable nonrenewable energy facility, INCLUSIVE OF THE COST OF ALL PROPERTY REQUIRED TO GENERATE AND DELIVER ENERGY TO THE INTERCONNECTION METER, that primarily produces alternating current electricity to be an investment cost and shall not include such additional incremental cost in the valuation of the facility; and

(1.5) The administrator shall determine the actual value of a wind energy facility or a solar energy facility as follows:

(b) (IV) As used in this paragraph (b), "tax factor" means a factor annually established by the administrator. The tax factor shall be a number that when applied to the selling price at the interconnection meter results in approximately the same tax revenue over a twenty-year period on a nominal dollar basis that would have been collected using the cost basis method of taxation as determined by the administrator for a renewable energy facility pursuant to paragraph (e) of subsection (1) of this section. FOR A RENEWABLE ENERGY FACILITY THAT BEGINS GENERATING ENERGY ON OR AFTER JANUARY 1, 2012, THE ADMINISTRATOR SHALL INCLUDE ONLY THE COST OF ALL PROPERTY REQUIRED TO GENERATE AND DELIVER RENEWABLE ENERGY TO THE INTERCONNECTION METER THAT DOES NOT EXCEED THE COST OF PROPERTY REQUIRED TO DELIVER NONRENEWABLE ENERGY TO THE INTERCONNECTION METER.

SECTION 2. Act subject to petition - effective date. This act

1 shall take effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly (August
3 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
4 referendum petition is filed pursuant to section 1 (3) of article V of the
5 state constitution against this act or an item, section, or part of this act
6 within such period, then the act, item, section, or part shall not take effect
7 unless approved by the people at the general election to be held in
8 November 2010 and shall take effect on the date of the official
9 declaration of the vote thereon by the governor."

10

11

12

13 **SB10-144** be referred favorably to the Committee on Appropriations.

14

15

16 **SB10-180** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:

19

20 Amend reengrossed bill, page 3, line 23, strike "FOUR" and substitute
21 "SIX".

22

23 Page 4, line 5, strike "SIX" and substitute "FOUR".

24

25 Page 5, line 2, after "TO" insert "THE UTILITY SIDE OF THE METER IN".

26

27 Page 5, line 10, strike "AND".

28

29 Page 5, after line 10 insert:

30

31 "(II) ISSUES RELATED TO THE CUSTOMER SIDE OF THE METER IN
32 THE DEVELOPMENT OF A SMART GRID, INCLUDING:

33

34 (A) CONSUMER METERING PROTOCOLS;

35

36 (B) DRIVING INCREASES IN CONSUMER EFFICIENCY;

37

38 (C) PROVIDING EFFECTIVE CONSUMER INFORMATION;

39

40 (D) INTEGRATION OF DEMAND RESPONSE PROGRAMS; AND

41

42 (E) INTEGRATION OF VARIABLE PRICING MECHANISMS; AND".

43

44 Page 5, line 11, strike "(II)" and substitute "(III)".

45

46

47

48 **SB10-184** be referred to the Committee of the Whole with favorable
49 recommendation.

50

51

52 MESSAGE(S) FROM THE SENATE

53

54 In response to the request of the House, HB 10-1273 is returned herewith.

55

56

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

After consideration on the merits, the Committee recommends the following:

HB10-1428 be referred to the Committee of the Whole with favorable recommendation.

HB10-1430 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 26, after line 21 insert:

"SECTION 13. Appropriation - adjustments to the 2010 long bill. For the implementation of this act, appropriations made in the general appropriation act for the fiscal year beginning July 1, 2010, shall be adjusted as follows:

(a) The cash funds appropriation to the department of education, management and administration, administration and centrally-appropriated line items, assessments and data analyses, Colorado student assessment program, from the state education fund created in section 17 (4) of article IX of the state constitution, is decreased by four million one hundred ten thousand two hundred sixty-nine dollars (\$4,110,269).

(b) The cash funds appropriation to the department of education, management and administration, administration and centrally-appropriated line items, assessments and data analyses, Colorado student assessment program, from the state education fund created in section 17 (4) of article IX of the state constitution, is increased by 1.7 FTE."

Renumber succeeding section accordingly.

Page 1, line 102, strike "SYSTEM." and substitute "SYSTEM, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

SB10-054 be referred to the Committee of the Whole with favorable recommendation.

SB10-179 be referred to the Committee of the Whole with favorable recommendation.

SB10-190 be referred to the Committee of the Whole with favorable recommendation.

1
2 **FINANCE**

3 After consideration on the merits, the Committee recommends the
4 following:

5
6 **HB10-1279** be postponed indefinitely.
7 _____
8
9

10 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
11 **on HB10-1125**
12

13 This Report Amends the Rerevised Bill.
14

15 To the President of the Senate and the
16 Speaker of the House of Representatives:
17

18 Your first conference committee appointed on HB10-1125,
19 concerning the authority of the department of public health and
20 environment to regulate certain activities with respect to waste grease
21 derived from food preparation, and making an appropriation therefor, has
22 met and reports that it has agreed upon the following:
23

24 1. That the House accede to the Senate amendments made to the
25 bill, as the amendments appear in the rerevised bill.
26

27 2. That, under the authority granted the committee to consider
28 matters not at issue between the two houses, the following amendments
29 be recommended:
30

31 Amend rerevised bill, page 5, line 17, strike "ON" and substitute "EXCEPT
32 AS OTHERWISE PROVIDED IN THIS SECTION, ON".
33

34 Page 12, after line 1 insert:
35

36 "(12) (a) A PERSON MAY STORE ON THE PERSON'S PROPERTY
37 GREASE THAT THE PERSON INTENDS TO USE.
38

39 (b) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
40 CONTRARY, THE DEPARTMENT HAS EXCLUSIVE AUTHORITY TO REGULATE
41 THE STORAGE OF GREASE."
42

43 Page 12, strike lines 2 through 27.
44

45 Page 13, strike line 1.
46

47 Renumber succeeding sections accordingly.
48

49 Respectfully submitted,

50 House Committee:

51 (signed)

52 Dickey Lee Hullinghorst

53 Buffie McFadyen

54 Marsha Looper
55
56

Senate Committee:

(signed)

Gail Schwartz

Joyce Foster

Ken Kester

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on HJR10-1015**

This Report Amends the Revised Joint Resolution.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HJR10-1015, concerning the removal of FCC broadcasting restrictions to allow access to Denver television stations in southwestern Colorado, has met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the joint resolution, as the amendments appear in the revised joint resolution, with the following changes:

Amend revised joint resolution, page 3, line 18, after "legislation;" add "and".

Page 3, strike lines 19 through 21.

Page 3, line 22, strike "(3)" and substitute "(2)".

Respectfully submitted,

House Committee:

(signed)

Ellen Roberts

Jeanne Labuda

Su Ryden

Senate Committee:

(signed)

Bruce Whitehead

Pat Steadman

Al White

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB10-196.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB10-193 amended as printed in Senate Journal, May 4, 2010, page 1182.

SB10-192 amended as printed in Senate Journal, May 4, 2010, pages 1182-1183.

SB10-003 amended as printed in Senate Journal, May 4, 2010, pages 1183-1187 and May 5, 2010.

The Senate has voted to concur in House amendments to Senate bills 071, 153, 159, 162, 006, 061, 103, 120, 171, 156, 106 and repassed the bills as amended.

The Senate has voted to concur in House amendments to SJR10-040 and repassed the resolution as amended.

1 The Senate has adopted the First Report of the Second Conference
2 Committee on SB10-109, as printed in Senate Journal, April 23, 2010,
3 pages 996-997, and repassed the bill as amended.
4

5 The Senate has adopted the First Report of the First Conference
6 Committee on HJR10-1015, as printed in Senate Journal, May 3, 2010,
7 page 1167, and repassed the resolution as amended. The resolution is
8 returned herewith.
9

10 The Senate has adopted the First Report of the First Conference
11 Committee on HB10-1125, as printed in Senate Journal, May 5, 2010, and
12 repassed the bill as amended. The bill is returned herewith.
13

14 15 16 MESSAGE(S) FROM THE REVISOR

17 We herewith transmit:

18 Without comment, SB10-196.

19 Without comment, as amended, SB10-193, 192, and 003.
20
21

22
23
24 On motion of Representative Weissmann, **HB10-1430, 1428, 1431, 1420**
25 were made Special Orders on Wednesday, May 5, 2010, at 2:10 p.m.
26

27
28 The hour of 2:10 p.m., having arrived, on motion of Representative
29 Frangas, the House resolved itself into Committee of the Whole for
30 consideration of Special Orders and he was called to the Chair to act as
31 Chairman.
32

33 34 SPECIAL ORDERS--SECOND READING OF BILLS

35
36 The Committee of the Whole having risen, the Chairman reported the
37 titles of the following bills had been read (reading at length had been
38 dispensed with by unanimous consent), the bills considered and action
39 taken thereon as follows:
40

41 (Amendments to the committee amendment are to the printed committee
42 report which was printed and placed in the members' bill file.)
43

44 **HB10-1430** by Representative(s) Solano and Scanlan, Benefield,
45 Ferrandino, Fischer, Massey, Merrifield, Middleton,
46 Peniston, Ryden, Schafer S., Todd, Vigil; also Senator(s)
47 Hudak--Concerning assessments in the elementary and
48 secondary education system.
49

50 Amendment No. 1, Education Report, dated May 3, 2010, and placed in
51 member's bill file; Report also printed in House Journal, May 4,
52 pages 1625-1626.
53

54 Amendment No. 2, Appropriations Report, dated May 5, 2010, and placed
55 in member's bill file; Report also printed in House Journal, May 5,
56 page 1644.

1 Amendment No. 3, by Representative(s) Solano.

2
3 Amend printed bill, page 20, line 23, strike "READING, WRITING," and
4 substitute "READING".

5
6 Page 21, line 2, strike "WRITING,".

7
8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.

10
11 **HB10-1428** by Representative(s) Middleton; also Senator(s) Romer--
12 Concerning student loans.

13
14 Amendment No. 1, Education Report, dated May 3, 2010, and placed in
15 member's bill file; Report also printed in House Journal, May 3,
16 pages 1578-1579.

17
18 Amendment No. 2, by Representative(s) Middleton.

19
20 Amend printed bill, page 18, line 27, strike "10-____," and substitute
21 "10-1428,".

22
23 As amended, ordered engrossed and placed on the Calendar for Third
24 Reading and Final Passage.

25
26 **HB10-1431** by Representative(s) McKinley; also Senator Penry--
27 Concerning the methodology used to value renewable
28 energy facilities for purposes of property taxation.

29
30 Amendment No. 1, Transportation & Energy Report, dated May 4, 2010,
31 and placed in member's bill file; Report also printed in House Journal,
32 May 5, pages 1642-1643.

33
34 As amended, ordered engrossed and placed on the Calendar for Third
35 Reading and Final Passage.

36
37 **HB10-1420** by Representative(s) Peniston; also Senator(s) Morse--
38 Concerning collection of the penalty surcharge imposed on
39 persons referred to a driver improvement school by a court
40 for a traffic violation.

41
42 Amendment No. 1, Transportation & Energy Report, dated May 4, 2010,
43 and placed in member's bill file; Report also printed in House Journal,
44 May 5, pages 1640-1642.

45
46 Amendment No. 2, by Representative(s) Peniston.

47
48 Amend the Transportation and Energy Committee Report, dated May 4,
49 2010, page 2, line 7, strike "~~penalty surcharges~~ FEES" and substitute
50 "penalty surcharges".

51
52 Page 2, strike lines 17 through 21.

53
54 Page 2, strike lines 29 through 35 and substitute "OTHERWISE REQUIRES,
55 "DRIVER IMPROVEMENT SCHOOL" MEANS A SCHOOL THAT ACCEPTS
56 STUDENTS WHO POSSESS A VALID DRIVER'S LICENSE. "DRIVER

1 IMPROVEMENT SCHOOL" DOES NOT MEAN A DRIVING SCHOOL THAT IS
 2 TEACHING DRIVING SKILLS FOR THE PURPOSES OF LICENSING; PROVIDING
 3 CLASSES TO STUDENTS PURSUANT TO A CONTRACT WITH THE STUDENT'S
 4 EMPLOYER; PROVIDING CLASSES FOR DRIVERS OVER FIFTY YEARS OF AGE
 5 TO REACQUIRE OR IMPROVE DECLINING DRIVING SKILLS; PROVIDING
 6 TRAINING FOR COMMERCIAL DRIVERS; OR A COMMERCIAL DRIVING COURSE
 7 REGULATED PURSUANT TO ARTICLE 15 OF TITLE 12, C.R.S.".

8

9 Page 3, strike lines 1 through 5 and substitute:

10

11 "SECTION 3. 42-4-1717 (3) (a), Colorado Revised Statutes, is".

12

13 Page 3, strike lines 8 through 33 and substitute "**school - rules.**
 14 (3) (a) Effective January 1, 2010, a person who is required to attend a
 15 course of instruction ~~pursuant to subsection (1) or (2) of this section~~ AS
 16 A RESULT OF A TRAFFIC VIOLATION shall pay, in addition to any other
 17 penalties, a penalty surcharge as determined by rules promulgated by the
 18 department. The driver improvement school shall collect the penalty
 19 surcharge and remit it to the department at least monthly in accordance
 20 with rules promulgated by the department. The department shall set the
 21 penalty surcharge in an amount to offset the direct and indirect cost of
 22 implementing section 42-1-223. The penalty surcharge shall be
 23 transferred to the state treasurer and credited to the defensive driving
 24 school fund created in section 42-1-223.".

25

26 As amended, ordered engrossed and placed on the Calendar for Third
 27 Reading and Final Passage.

28

29

30

31

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

32

33 Passed Second Reading: **HB10-1430 amended, 1428 amended, 1431**
 34 **amended, 1420 amended.**

35

36

37 The Chairman moved the adoption of the Committee of the Whole
 38 Report. As shown by the following roll call vote, a majority of those
 39 elected to the House voted in the affirmative, and the Report was
 40 **adopted.**

41

42

	YES	63	NO	0	EXCUSED	2	ABSENT	0
43	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
46	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	E
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
48	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
53	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
56	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
3							Speaker	Y

CONSIDERATION OF RESOLUTION(S)

SJR10-025 by Senator(s) Kester; also Representative(s) Gardner C.--
Concerning the designation of the portion of State
Highway 96 located in Crowley County as the "All
Veterans Memorial Highway".

(Printed and placed in members' file)

On motion of Representative Gardner C., the resolution was **adopted** by
viva voce vote.

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gerou, Hulinghorst, Judd,
Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
Looper, Massey, May, McFadyen, McKinley, McNulty, Merrifield, Middleton,
Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice,
Riesberg, Roberts, Ryden, Scanlan, Schafer S., Sonnenberg, Soper, Stephens,
Summers, Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann,
Speaker.

HJR10-1023 by Representative(s) Vaad, Baumgardner, Bradford,
DelGrosso, Frangas, Gardner C., King S., Lambert,
Looper, Massey, McFadyen, Merrifield, Primavera, Rice,
Sonnenberg, Stephens; also Senator(s) Gibbs--Concerning
a recommendation to lift the freeze on longer combination
vehicles in western states.

(Printed and placed in members' file)

On motion of Representative Vaad, the resolution was **adopted** by the
following roll call vote:

	YES	56	NO	7	EXCUSED	2	ABSENT	0
43	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	N	McKinley	Y	Scanlan	Y
45	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
46	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	E
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
48	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	N
49	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
51	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
53	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
54	Fischer	N	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
56	Gagliardi	N	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	Y	McCann	E	Roberts	Y	Weissmann	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Gardner B., Kerr J., Murray, Nikkel,
5 Pace, Vigil.

6
7 **HJR10-1019** by Representative(s) Baumgardner, Acree, Balmer,
8 Bradford, Curry, DelGrosso, Fischer, Gardner B.,
9 Gardner C., Gerou, Kerr J., King S., Labuda, Lambert,
10 Liston, Looper, Massey, May, McKinley, McNulty,
11 Murray, Priola, Roberts, Scanlan, Sonnenberg, Soper,
12 Stephens, Summers, Swalm, Tipton, Tyler, Vaad, Vigil,
13 Waller; also Senator(s) Penry, White--Concerning the
14 distribution of federal mineral leasing revenues to counties
15 in Colorado.

16
17 (Printed and placed in member's files.)

18
19 Representative Baumgardner moved that the resolution be adopted.

20
21 Representative Baumgardner moved the following amendment:

22
23 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
24 dated April 14, 2010, and placed in member's bill file; Report also printed
25 in House Journal, April 15, page 1249.

26
27 The amendment was declared **passed** by **viva voce** vote.

28
29 On motion of Representative Baumgardner, the resolution as amended
30 was **adopted** by **viva voce** vote.

31
32 Current Roll Call added as co-sponsor(s): Representative(s) Apuan, Benefield,
33 Casso, Court, Ferrandino, Frangas, Gagliardi, Hullinghorst, Judd, Kagan,
34 Kefalas, Kerr A., Levy, McFadyen, Merrifield, Middleton, Miklosi, Nikkel,
35 Pace, Peniston, Pommer, Primavera, Rice, Riesberg, Ryden, Schafer S., Todd,
36 Weissmann, Speaker.

37
38 **HJR10-1026** by Representative(s) Massey, Middleton; also Senator(s)
39 Bacon--Concerning the expansion of broadband access to
40 all areas of the state through Colorado's application to the
41 Broadband Technology Opportunities Program.

42
43 (Printed and placed in members' file)

44
45 Representative Massey moved that the resolution be adopted.

46
47 Amendment No. 1, moved by Representative Massey.

48
49 Amend printed joint resolution, page 3, after line 30 insert:

50
51 "WHEREAS, The final report of the Colorado Broadband
52 Mapping Project found that 97.53% of Colorado households have
53 broadband service and private providers must continue to invest and
54 upgrade these services; and".

55
56 Page 3, line 41, strike "now, therefore," and substitute "and".

1 Page 3, after line 41 insert:

2
3 "WHEREAS, Every effort should be made to prioritize the
4 provision of broadband service to unserved customers through the
5 efficient distribution of resources to avoid over-building of existing
6 facilities and to strongly encourage the use of private sector local
7 telecommunications providers; now, therefore,".

8
9 The amendment was declared **passed by viva voce** vote.

10
11 On motion of Representative Massey, the resolution as amended was
12 **adopted by viva voce** vote.

13
14 Co-sponsor(s) added: Representative(s) Benefield, Bradford, Casso, Court,
15 Curry, DelGrosso, Fischer, Gagliardi, Gardner B., Gerou, Hullinghorst, Kagan,
16 Kefalas, Kerr J., King S., Labuda, Liston, Looper, McFadyen, McKinley,
17 Merrifield, Miklosi, Murray, Peniston, Pommer, Primavera, Priola, Rice,
18 Riesberg, Ryden, Scanlan, Schafer S., Sonnenberg, Soper, Tipton, Todd, Vaad,
19 Vigil, Speaker.

20
21 **HJR10-1027** by Representative(s) Curry and Sonnenberg; also
22 Senator(s) Williams, White--Concerning the recognition
23 of industrial hemp as a valuable agricultural commodity,
24 and, in connection therewith, urging Congress to clarify
25 the federal definition of industrial hemp, facilitate
26 domestic production of industrial hemp, and remove
27 barriers to state regulation of the production of industrial
28 hemp.

29
30 (Printed and placed in members' file)

31
32 On motion of Representative Curry, the resolution was **adopted by viva**
33 **voce** vote.

34
35 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Court, Ferrandino,
36 Fischer, Frangas, Hullinghorst, Kefalas, Kerr A., Labuda, Lambert, McFadyen,
37 McKinley, Merrifield, Nikkel, Pommer, Primavera, Ryden, Schafer S., Todd,
38 Vigil, Weissmann.

39
40 **HJR10-1032** by Representative(s) May, Carroll T., Weissmann; also
41 Senator(s) Shaffer B., Morse, Penry--Concerning
42 complaints filed pursuant to rule 36 (d) of the joint rules of
43 the Senate and House of Representatives addressing
44 lobbying practices.

45
46 (Printed and placed in members' file)

47
48 On motion of Representative May, the resolution was **adopted by viva**
49 **voce** vote.

50
51 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Curry, Fischer,
52 Hullinghorst, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lambert, Levy,
53 McFadyen, Merrifield, Middleton, Pommer, Riesberg, Ryden, Scanlan, Soper,
54 Summers, Todd, Vigil.

55
56

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

BUSINESS AFFAIRS & LABOR

After consideration on the merits, the Committee recommends the following:

SB10-013 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 2, line 9, strike "8-43-203." and substitute "8-43-101.".

Page 2, line 10, after the period insert "THE DIRECTOR SHALL DEVELOP THE FORM AND MANNER OF THE SURVEY WITH INPUT FROM INSURERS THAT PROVIDE WORKERS' COMPENSATION POLICIES PURSUANT TO ARTICLES 40 THROUGH 55 OF THIS TITLE, AND WITH THE LEAST ADMINISTRATIVE BURDEN AS POSSIBLE.".

SB10-185 be postponed indefinitely.

MESSAGE(S) FROM THE SENATE

The Senate has voted to recall HB10-1394 for the purpose of reconsideration and requests the return of the bill.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 5th day of May, 2010, at 3:30 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

May 5, 2010

To the Honorable House of Representatives
Sixty-seventh General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

- 1 **HB10-1114** CONCERNING THE REGISTRATION OF AGENTS OF
2 PERSONS IN THE BUSINESS OF TRANSMITTING MONEY,
3 AND MAKING AN APPROPRIATION THEREFOR.
4
5 Approved May 5, 2010 at 1:25 p.m.
6
- 7 **HB10-1116** CONCERNING THE REVISION OF CERTAIN
8 ADMINISTRATIVE PROVISIONS RELATING TO THE
9 CONDUCT OF ELECTIONS, AND, IN CONNECTION
10 THEREWITH, AMENDING OR REPEALING OBSOLETE,
11 INCONSISTENT, AND CONFLICTING PROVISIONS OF LAW.
12
13 Approved May 5, 2010 at 1:46 p.m.
14
- 15 **HB10-1117** CONCERNING CERTAIN PROCEDURES REGARDING THE
16 LEVYING OF TAXES BY COUNTY OFFICERS, AND, IN
17 CONNECTION THEREWITH, RAISING THE AMOUNT OF
18 ABATEMENT OR REFUND THAT MAY BE APPROVED BY A
19 BOARD OF COUNTY COMMISSIONERS AND ALLOWING
20 FOR THE ELECTRONIC TRANSMISSION OF NOTICES OF
21 VALUATION SENT BY THE COUNTY ASSESSOR AND TAX
22 STATEMENTS SENT BY THE COUNTRY TREASURER.
23
24 Approved May 5, 2010 at 1:47 p.m.
25
- 26 **HB10-1164** CONCERNING SERVICE OF PROCESS IN ACTIONS
27 CONCERNING INCIDENTS THAT MAY BE COVERED BY A
28 MOTOR VEHICLE INSURANCE POLICY.
29
30 Approved May 5, 2010 at 1:48 p.m.
31
- 32 **HB10-1182** CONCERNING A LIMITED EXPANSION OF THE POWERS OF
33 THE COLORADO CLEAN ENERGY DEVELOPMENT
34 AUTHORITY TO FINANCE ELECTRIC TRANSMISSION
35 FACILITIES, AND, IN CONNECTION THEREWITH,
36 ALLOWING THE AUTHORITY TO MAKE COMMERCIAL
37 LOANS ONLY FOR ELECTRIC POWER INTERCONNECTION
38 PROJECTS CONNECTING CLEAN ENERGY RESOURCES TO
39 THE TRANSMISSION GRID.
40
41 Approved May 5, 2010 at 1:11 p.m.
42
- 43 **HB10-1208** CONCERNING REQUIRING STATEWIDE AGREEMENTS FOR
44 THE TRANSFER OF TWO-YEAR DEGREES AMONG ALL
45 STATE INSTITUTIONS OF HIGHER EDUCATION IN
46 COLORADO.
47
48 Approved May 5, 2010 at 1:19 p.m.
49
- 50 **HB10-1220** CONCERNING THE SUNSET REVIEW OF THE FUNCTIONS
51 OF THE DIVISION OF INSURANCE RELATED TO THE
52 REGULATION OF SPECIFIED LINES OF INSURANCE, AND, IN
53 CONNECTION THEREWITH, CONTINUING THE FUNCTIONS
54 OF THE DIVISION RELATED TO THE REGULATION OF
55 PROPERTY AND CASUALTY, AUTOMOBILE, AND OTHER
56 INSURERS THAT DO NOT OFFER HEALTH, LIFE, PROPERTY,

1 CASUALTY, OR AUTOMOBILE INSURANCE THROUGH JULY
2 1, 2017; CONSOLIDATING THE SUNSET REVIEW OF ALL
3 FUNCTIONS OF THE DIVISION OF INSURANCE OTHER
4 THAN THOSE RELATED TO THE LICENSING OF BAIL
5 BONDING AGENTS; AND IMPLEMENTING OTHER
6 RECOMMENDATIONS CONTAINED IN THE SUNSET
7 REPORT.

8
9 Approved May 5, 2010 at 1:48 p.m.

10
11 **HB10-1225** CONCERNING CONTINUATION OF THE REGULATION OR
12 ELECTRICAL WORK BY THE STATE ELECTRICAL BOARD.

13
14 Approved May 5, 2010 at 1:49 p.m.

15
16 **HB10-1229** CONCERNING AUTHENTICATION REQUIREMENTS FOR
17 VERBAL ORDERS IN A HOSPITAL.

18
19 Approved May 5, 2010 at 1:50 p.m.

20
21 **HB10-1240** CONCERNING THE FORECLOSURE DEFERMENT PROCESS
22 FOR RESIDENTIAL PROPERTIES.

23
24 Approved May 5, 2010 at 1:51 p.m.

25
26 **HB10-1275** CONCERNING A REQUIREMENT THAT THE LOCATION OF
27 A PRIVATE BURIAL BE RECORDED.

28
29 Approved May 5, 2010 at 1:37 p.m.

30
31 **HB10-1276** CONCERNING THE SALE BY A RAILROAD COMPANY OF
32 ITS RIGHT-OF-WAY FOR THE OPERATION OF A PUBLIC
33 PASSENGER RAIL SERVICE.

34
35 Approved May 5, 2010 at 1:51 p.m.

36
37 **HB10-1340** CONCERNING THE NOTICE SENT BY A LAW
38 ENFORCEMENT AGENCY WHEN A VEHICLE HAS BEEN
39 TOWED FROM PUBLIC PROPERTY.

40
41 Approved May 5, 2010 at 1:52 p.m.

42
43 **HB10-1372** CONCERNING CHANGES TO THE APPROPRIATIONS
44 SECTION OF HOUSE BILL 09-1293 RELATED TO A HOSPITAL
45 PROVIDER FEE.

46
47 Approved May 5, 2010 at 1:53 p.m.

48
49 **HB10-1385** CONCERNING FEES COLLECTED BY THE DIVISION OF
50 INSURANCE TO FUND INSURANCE FRAUD CASES
51 PURSUED BY THE DEPARTMENT OF LAW, AND MAKING
52 APPROPRIATIONS IN CONNECTION THEREWITH.

53
54 Approved May 5, 2010 at 1:54 p.m.
55

1 **HB10-1387** CONCERNING THE FINANCING OF THE DIVISION OF
2 MOTOR VEHICLES IN THE DEPARTMENT OF REVENUE,
3 AND MAKING APPROPRIATIONS THEREFOR.
4

5 Approved May 5, 2010 at 1:55 p.m.
6

7 **HB10-1389** CONCERNING TRANSFERS OF MONEYS RELATING TO
8 CAPITOL CONSTRUCTION.
9

10 Approved May 5, 2010 at 1:56 p.m.
11

12 Sincerely,
13 (signed)
14 Bill Ritter, Jr.
15 Governor

16
17
18 **INTRODUCTION OF BILLS**
19 **First Reading**
20

21 The following bills were read by title and referred to the committees
22 indicated:
23

24 **SB10-003** by Senator(s) Morse and Penry, Heath; also
25 Representative(s) Middleton and May, Court--Concerning
26 higher education flexibility to improve the financial
27 position of state institutions of higher education.

28 Committee on Education
29

30 **SB10-192** by Senator(s) Kopp, Hodge, Harvey, Renfro, Johnston,
31 Romer, Morse, Scheffel, Spence, Gibbs, Mitchell, Kester,
32 Schultheis, Cadman, Foster, King K., Lundberg, Penry,
33 Tochtrop, White, Whitehead, Williams; also
34 Representative(s) Sonnenberg, Acree, Baumgardner,
35 Bradford, Casso, Curry, Gardner B., Gerou, Kerr A., Kerr
36 J., King S., Lambert, Liston, Looper, Massey, May,
37 Murray, Nikkel, Priola, Summers, Swalm, Tipton, Vaad,
38 Waller--Concerning the use of revenues derived from
39 limited gaming activity to fund restoration work on the
40 state capitol building, and, in connection therewith,
41 creating the capitol dome restoration fund and redirecting
42 moneys from the portion of limited gaming revenue
43 constitutionally allocated to historic preservation to the
44 capitol dome restoration fund.

45 Committee on State, Veterans, & Military Affairs
46

47 **SB10-193** by Senator(s) Hudak; also Representative(s) Levy--
48 Concerning the safe treatment of pregnant persons in
49 custody.

50 Committee on Judiciary
51

52 **SB10-196** by Senator(s) Gibbs; also Representative(s) Scanlan--
53 Concerning the minimum speed at which a motor vehicle
54 may travel on interstate 70.

55 Committee on Transportation & Energy
56

NOTICE OF CALENDARED ITEM(S)

On motion of Representative Weissmann, the following bill(s) were calendared for Second Reading on May 6, 2010: **SB10-054, 013, 179, 184, 180.**

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until May 6, retaining place on Calendar:

Consideration of Resolution(s)--**HJR10-1024, 1025, 1028, 1022, 1033, 1035.**

Consideration of Senate Amendment(s)--**HB10-1334, 1018.**

Consideration of Adherence--**HB10-1098.**

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., May 6, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-fourteenth Legislative Day Thursday, May 6, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Lisa Wise, Rocky Top Middle School,
6 Thornton.

7

8 The roll was called with the following result:

9

10 Present--59.

11 Excused--Representative(s) Kagan, McNulty, Pace, Pommer,
12 Schafer, Sonnenberg--6.

13 Present after roll call--Representative(s) Kagan, McNulty,
14 Pommer, Schafer, Sonnenberg.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Nikkel, the reading of the journal of
20 May 5, 2010, was declared dispensed with and approved as corrected by
21 the Chief Clerk.

22

23

24

25 On motion of Representative Merrifield, the House resolved itself into
26 Committee of the Whole for consideration of General Orders, and he was
27 called to the Chair to act as Chairman.

28

29

30 **GENERAL ORDERS--SECOND READING OF BILLS**

31

32 The Committee of the Whole having risen, the Chairman reported the
33 titles of the following bills had been read (reading at length had been
34 dispensed with by unanimous consent), the bills considered and action
35 taken thereon as follows:

36

37 (Amendments to the committee amendment are to the printed committee
38 report which was printed and placed in the members' bill file.)

39

40 **SB10-087** by Senator(s) Steadman; also Representative(s) Liston--
41 Concerning the authority of the secretary of state in
42 connection with the regulation of lobbyists, and making an
43 appropriation therefor.

1 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
2 March 25, 2010, and placed in member's bill file; Report also printed in
3 House Journal, March 26, pages 995-996.

4
5 Amendment No. 2, Appropriations Report, dated April 30, 2010, and
6 placed in member's bill file; Report also printed in House Journal,
7 April 30, page 1559.

8
9 Amendment No. 3, by Representative(s) Liston.

10
11 Amend the Appropriations Committee Report, dated April 30, 2010,
12 page 1, strike lines 3 through 13 and substitute:

13
14 ""Page 9 of the reengrossed bill, line 15, strike **"or volunteer"**.

15
16 Page 9 of the bill, strike lines 17 and 18 and substitute **"declaration"**.
17 (1) Any professional lobbyist, before engaging in lobbying,".

18
19 Page 10 of the bill, strike lines 13 through 15 and substitute:

20
21 "(2), and in processing and maintaining the disclosure information
22 required by this part 3. The".".

23
24 Page 1 of the Appropriations Committee Report, after line 13 insert:

25
26 "Page 2 of the State, Veterans, & Military Affairs Committee Report,
27 strike lines 5 and 6 and substitute:

28
29 "Page 11 of the bill, line 19, strike "~~volunteer lobbyist~~," and substitute
30 "volunteer lobbyist,".".

31
32 Page 2 of the State, Veterans, & Military Affairs Committee Report,
33 strike lines 8 through 17 and substitute:

34
35 "Page 12 of the bill, strike lines 1 through 24.".".

36
37 Page 2 of the Appropriations Committee Report, after line 14 insert:

38
39 "Page 16 of the reengrossed bill, line 24, strike "EITHER" and strike
40 "OR".

41
42 Page 16 of the bill, line 25, strike "VOLUNTEER".".

43
44 As amended, ordered revised and placed on the Calendar for Third
45 Reading and Final Passage.

46
47 **SB10-076** by Senator(s) Carroll M.; also Representative(s)
48 Primavera--Concerning unreasonable insurance claims
49 settlement practices.

50
51 Amendment No. 1, Judiciary Report, dated April 29, 2010, and placed in
52 member's bill file; Report also printed in House Journal, April 30,
53 page 1535.

54
55 As amended, ordered revised and placed on the Calendar for Third
56 Reading and Final Passage.

1 **SB10-141** by Senator(s) King K.; also Representative(s) Lambert--
2 Concerning the transfer of responsibility for the regulation
3 of games of chance from the secretary of state to the
4 department of revenue in accordance with House
5 Concurrent Resolution 09-1003, and making an
6 appropriation therefor.
7

8 Amendment No. 1, Appropriations Report, dated May 3, 2010, and placed
9 in member's bill file; Report also printed in House Journal, May 3,
10 pages 1576-1577.
11

12 As amended, ordered revised and placed on the Calendar for Third
13 Reading and Final Passage.
14

15
16 **SB10-187** by Senator(s) Tochtrop; also Representative(s) Riesberg--
17 Concerning workers' compensation.
18

19 Ordered revised and placed on the Calendar for Third Reading and Final
20 Passage.
21

22 **SB10-194** by Senator(s) Boyd; also Representative(s) Riesberg--
23 Concerning the requirement that entities operating
24 pursuant to certain federal waivers that provide certain
25 services to persons with developmental disabilities obtain
26 licensure as home care agencies.
27

28 Ordered revised and placed on the Calendar for Third Reading and Final
29 Passage.
30

31
32 **SB10-128** by Senator(s) Hudak, Newell, Carroll M., Steadman; also
33 Representative(s) Rice--Concerning invasion of privacy,
34 and making an appropriation in connection therewith.
35

36 Amendment No. 1, Judiciary Report, dated May 3, 2010, and placed in
37 member's bill file; Report also printed in House Journal, May 4,
38 page 1627.
39

40 As amended, ordered revised and placed on the Calendar for Third
41 Reading and Final Passage.
42

43 **SB10-201** by Senator(s) Mitchell and Romer, Foster, Hodge, Kester,
44 Kopp, Morse, Newell, Penry, Scheffel, Shaffer B., Tapia;
45 also Representative(s) Soper and Balmer, Baumgardner,
46 Bradford, Casso, DelGrosso, Hullinghorst, Kagan, Liston,
47 Looper, McNulty, Merrifield, Priola, Rice, Scanlan,
48 Sonnenberg, Stephens--Concerning enforcement of the
49 motor vehicle franchise laws against certain types of
50 licensees.
51

52 Ordered revised and placed on the Calendar for Third Reading and Final
53 Passage.
54
55

1 **SB10-054** by Senator(s) Hudak, Steadman; also Representative(s)
 2 Levy--Concerning the provision of educational services
 3 for juveniles against whom charges have been filed in
 4 district court, and making an appropriation therefor.

5
 6 Ordered revised and placed on the Calendar for Third Reading and Final
 7 Passage.

8
 9 **HB10-1282** by Representative(s) King S. and Bradford; also Senator(s)
 10 Penry--Concerning the imposition of a moratorium on the
 11 closure of coal-solar power plants.

12
 13 Laid over until May 10, retaining place on Calendar.

14
 15 On motion of Representative Weissmann, the remainder of the General
 16 Orders Calendar (**HCR10-1002, SB10-012, 013, 179, 184, 180**) was laid
 17 over until May 7, retaining place on Calendar.

18
 19
 20
 21 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

22
 23 Passed Second Reading: **SB10-087 amended, 076 amended, 141**
 24 **amended, 187, 194, 128 amended, 201, 054.**

25
 26 Laid over until date indicated retaining place on Calendar: **HCR10-1002,**
 27 **SB10-012, 013, 179, 184, 180--May 7, 2010.**
 28 **HB10-1282--May 10, 2010.**

29
 30 The Chairman moved the adoption of the Committee of the Whole
 31 Report. As shown by the following roll call vote, a majority of those
 32 elected to the House voted in the affirmative, and the Report was
 33 **adopted.**

	YES	59	NO	0	EXCUSED	6	ABSENT	0
36	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
37	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
38	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
39	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	E
40	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	E
41	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
42	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
43	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
44	Curry	Y	Labuda	Y	Pace	E	Swalm	Y
45	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
46	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
47	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
48	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
49	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
50	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
51	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
52							Speaker	E

53
 54
 55 House in recess. House reconvened.
 56

1 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**

2
3 **HJR10-1015** by Representative(s) Roberts, Tipton; also Senator(s)
4 Whitehead--Concerning the removal of FCC broadcasting
5 restrictions to allow access to Denver television stations
6 in southwestern Colorado.

7
8 (Conference committee report printed in House Journal, May 5.)

9
10 On motion of Representative Roberts, the Conference Committee Report
11 was **adopted** by the following roll call vote:

YES	57	NO	0	EXCUSED	8	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	E
Benefield	E	Kefalas	Y	Middleton	E	Sonnenberg	E
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	E	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	E	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	E

31
32 On motion of Representative Roberts, the resolution as amended was
33 **adopted** by **viva voce** vote.

34
35 **HB10-1125** by Representative(s) Hullinghorst; also Senator(s)
36 Schwartz--Concerning the authority of the department of
37 public health and environment to regulate certain
38 activities with respect to waste grease derived from food
39 preparation, and making an appropriation therefor.

40
41 (Conference committee report printed in House Journal, May 5.)

42
43 On motion of Representative Hullinghorst, the Conference Committee
44 Report was **adopted** by the following roll call vote:

YES	53	NO	6	EXCUSED	6	ABSENT	0
Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	E
Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	E
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	E	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N

1	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
2	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
3	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
4	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
5	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
6	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
7							Speaker	E

8
9 The question being "Shall the bill, as amended, pass?".
10 A roll call vote was taken. As shown by the following recorded vote, a
11 majority of those elected to the House voted in the affirmative and the
12 bill, as amended, was declared **repassed**.
13

14	YES	39	NO	20	EXCUSED	6	ABSENT	0
15	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
16	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
17	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
18	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	E
19	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	E
20	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
21	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
22	Court	Y	King S.	N	Nikkel	N	Summers	N
23	Curry	Y	Labuda	Y	Pace	E	Swalm	N
24	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
25	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
26	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
27	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
28	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
29	Gardner B.	N	May	N	Riesberg	Y	Waller	N
30	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
31							Speaker	E

32 Co-sponsor(s) added: Representative(s) Fischer, McFadyen, Pommer, Soper.
33
34

35 CONSIDERATION OF RESOLUTION(S)

36
37 **HJR10-1022** by Representative(s) Tipton and Baumgardner; also
38 Senator(s) White--Concerning modification of the federal
39 "Hatch Act of 1939" for certain government employees in
40 rural areas whose positions preclude them from running
41 for partisan political office.
42

43 (Printed and placed in members' file)
44

45 On motion of Representative Tipton, the resolution was **adopted by viva**
46 **voce** vote.
47

48 Co-sponsor(s) added: Representative(s) Acree, Apuan, Bradford, Court, Curry,
49 DelGrosso, Ferrandino, Judd, King S., Levy, Liston, McFadyen, Murray,
50 Nikkel, Peniston, Primavera, Riesberg, Schafer S., Soper, Stephens, Summers,
51 Tyler, Vaad, Vigil, Waller
52

53
54 On motion of Representative Weissmann, **SB10-184, 180** were made
55 Special Orders on Thursday, May 7, 2010, at 11:10 a.m.
56

1 The hour of 11:10 a.m., having arrived, on motion of Representative
2 Curry, the House resolved itself into Committee of the Whole for
3 consideration of Special Orders and she was called to the Chair to act as
4 Chairman.

6
7 **SPECIAL ORDERS--SECOND READING OF BILLS**
8

9 The Committee of the Whole having risen, the Chairman reported the
10 titles of the following bills had been read (reading at length had been
11 dispensed with by unanimous consent), the bills considered and action
12 taken thereon as follows:

13
14 (Amendments to the committee amendment are to the printed committee
15 report which was printed and placed in the members' bill file.)

16
17 **SB10-184** by Senator(s) Romer and Gibbs, Penry, Schwartz, Hodge,
18 Kopp, Williams, Bacon, Boyd, Carroll M., Foster, Heath,
19 Hudak, Johnston, Kester, Lundberg, Mitchell, Morse,
20 Newell, Renfroe, Scheffel, Schultheis, Shaffer B., Spence,
21 Steadman, Tapia, Tochtrop, Whitehead; also
22 Representative(s) Scanlan and King S., Casso, Court,
23 Curry, Ferrandino, Fischer, Frangas, Kerr A., Kerr J.,
24 Levy, Looper, Massey, McCann, McFadyen, Miklosi,
25 Pace, Peniston, Pommer, Primavera, Rice, Schafer S.,
26 Soper, Swalm, Todd, Tyler--Concerning transportation
27 demand management solutions for traffic congestion in the
28 interstate 70 mountain corridor, and, in connection
29 therewith, authorizing the high-performance transportation
30 enterprise to contract with the department of transportation
31 to provide and operate reversible highway lanes within a
32 specified portion of the corridor.

33
34 Ordered revised and placed on the Calendar for Third Reading and Final
35 Passage.

36
37 **SB10-180** by Senator(s) Williams, Penry, Schwartz, Kester, Boyd,
38 Carroll M., Hudak, Johnston, Morse, Romer, Bacon,
39 Heath, Hodge, Keller, Newell, Shaffer B., Tapia; also
40 Representative(s) Kerr A., Casso, Court, Curry, Fischer,
41 Hullinghorst, Miklosi, Solano--Concerning the
42 development of a smart grid for Colorado, and, in
43 connection therewith, convening a task force to
44 recommend legislative and administrative measures to
45 encourage the orderly implementation of smart grid
46 technology in Colorado.

47
48 Amendment No. 1, Transportation & Energy Report, dated May 4, 2010,
49 and placed in member's bill file; Report also printed in House Journal,
50 May 5, page 1643.

51
52 As amended, ordered revised and placed on the Calendar for Third
53 Reading and Final Passage.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **SB10-184, 180 amended.**

The Chairman moved the adoption of the Committee of the Whole Report. As shown by the following roll call vote, a majority of those elected to the House voted in the affirmative, and the Report was **adopted.**

YES	57	NO	1	EXCUSED	7	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	E	Solano	E
Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	E
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	E	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	E

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

HB10-1334 by Representative(s) King S.; also Senator(s) Steadman--
Concerning changes to indecency crimes.

(Amended as printed in Senate Journal, April 30, page 1142.)

Representative King S. moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	57	NO	0	EXCUSED	8	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	E	Solano	E
Benefield	E	Kefalas	Y	Middleton	E	Sonnenberg	E
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	E	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
3							Speaker	E

4
5 The question being, "Shall the bill, as amended, pass?".

6 A roll call vote was taken. As shown by the following recorded vote, a
7 majority of those elected to the House voted in the affirmative, and the
8 bill, as amended, was declared **repassed**.

9								
10	YES	58	NO	0	EXCUSED	7	ABSENT	0
11	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
13	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
14	Baumgardner	Y	Kagan	Y	Merrifield	E	Solano	E
15	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	E
16	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
17	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
18	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
19	Curry	Y	Labuda	Y	Pace	E	Swalm	Y
20	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
21	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
22	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
24	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
25	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
26	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
27							Speaker	E

28 Co-sponsor(s) added: Representative(s) Gardner B., Labuda, Lambert, McCann.

29
30 **HB10-1018** by Representative(s) Looper and Primavera, Frangas,
31 McFadyen, Solano; also Senator(s) Gibbs, Romer,
32 Williams--Concerning increased authority to regulate
33 waste tires, and making an appropriation therefor.

34
35 (Amended as printed in Senate Journal, May 3, pages 1164-1166 and on
36 May 4.)

37
38 Representative Primavera moved that the House **concur** in Senate
39 amendments. The motion was declared **passed** by the following roll call
40 vote:

41								
42	YES	58	NO	0	EXCUSED	7	ABSENT	0
43	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
46	Baumgardner	Y	Kagan	Y	Merrifield	E	Solano	E
47	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	E
48	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
51	Curry	Y	Labuda	Y	Pace	E	Swalm	Y
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
53	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
56	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
3							Speaker	E

4
5 The question being, "Shall the bill, as amended, pass?".

6 A roll call vote was taken. As shown by the following recorded vote, a
7 majority of those elected to the House voted in the affirmative, and the
8 bill, as amended, was declared **repassed**.

10	YES	56	NO	6	EXCUSED	3	ABSENT	0
11	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
13	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
14	Baumgardner	N	Kagan	Y	Merrifield	E	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
16	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
17	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
18	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
19	Curry	Y	Labuda	Y	Pace	E	Swalm	Y
20	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N
21	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
22	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
24	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
25	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
26	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Apuan, Gagliardi, Hullinghorst,
29 Middleton.

33 THIRD READING OF BILL(S)--FINAL PASSAGE

34
35 The following bill(s) was(were) considered on Third Reading. The
36 title(s) was(were) publicly read. Reading of the bill at length was
37 dispensed with by unanimous consent.

38
39 **HB10-1426** by Representative(s) Riesberg and Todd; also Senator(s)
40 Williams and Spence--Concerning creation of a separate
41 fund for the Trinidad state nursing home, and making an
42 appropriation in connection therewith.

43
44 The question being "Shall the bill pass?".

45 A roll call vote was taken. As shown by the following recorded vote, a
46 majority of those elected to the House voted in the affirmative and the bill
47 was declared **passed**.

49	YES	62	NO	0	EXCUSED	3	ABSENT	0
50	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	Y	Kagan	Y	Merrifield	E	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
55	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y

1	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
2	Curry	Y	Labuda	Y	Pace	E	Swalm	Y
3	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
6	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
7	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
8	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
9	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
10							Speaker	Y

11 Co-sponsor(s) added: Representative(s) Fischer, Gerou, Kerr J., Labuda,
12 Lambert, McKinley, Murray, Ryden, Vigil.

13
14 **SB10-178** by Senator(s) Hodge and Mitchell; also Representative(s)
15 Gerou and Miklosi--Concerning fairness in workers'
16 compensation health care provider review processes, and,
17 in connection therewith, requiring performance programs
18 to be transparent, include objective and standardized
19 criteria that are applied consistently, and provide minimum
20 due process to providers.

21
22 The question being "Shall the bill pass?".

23 A roll call vote was taken. As shown by the following recorded vote, a
24 majority of those elected to the House voted in the affirmative and the bill
25 was declared **passed**.

26								
27	YES	63	NO	0	EXCUSED	2	ABSENT	0
28	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
29	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
30	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
31	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
32	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
33	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
34	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
35	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
36	Curry	Y	Labuda	Y	Pace	E	Swalm	Y
37	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
38	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
39	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
40	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
41	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
42	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
43	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Acree, Apuan, Kerr J., Labuda,
46 Scanlan.

47
48 **SB10-126** by Senator(s) Carroll M.; also Representative(s) Tyler--
49 Concerning increased transparency reporting requirements
50 for certain pharmaceutical manufacturers.

51
52 The question being "Shall the bill pass?".

53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.

56

	YES	36	NO	27	EXCUSED	2	ABSENT	0
1								
2	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
5	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
7	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	N	Kerr J.	N	Murray	N	Stephens	N
9	Court	Y	King S.	N	Nikkel	N	Summers	N
10	Curry	Y	Labuda	Y	Pace	E	Swalm	N
11	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	N	Priola	N	Vaad	N
15	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
16	Gardner B.	N	May	N	Riesberg	Y	Waller	N
17	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Fischer, Labuda, Pommer, Riesberg,
20 Todd.

21
22 **SB10-189** by Senator(s) Steadman, Boyd, Carroll M., Heath, Romer,
23 Tochtrop; also Representative(s) Weissmann, Levy,
24 Riesberg--Concerning authorization for government
25 agencies to approve clean syringe exchange programs to
26 reduce the spread of blood-borne disease.

27
28 The question being "Shall the bill pass?".

29 A roll call vote was taken. As shown by the following recorded vote, a
30 majority of those elected to the House voted in the affirmative and the bill
31 was declared **passed**.

	YES	57	NO	6	EXCUSED	2	ABSENT	0
33								
34	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
35	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
36	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
37	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
38	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
39	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
40	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
41	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
42	Curry	Y	Labuda	Y	Pace	E	Swalm	Y
43	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
44	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
45	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
46	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
47	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
48	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
49	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Apuan, Court, Ferrandino, Fischer,
52 Frangas, Gagliardi, Hullinghorst, Judd, Kagan, Kefalas, Labuda, McCann,
53 McFadyen, Merrifield, Pommer, Priola, Ryden, Schafer S., Todd, Vigil,
54 Speaker.

1 **SB10-028** by Senator(s) Heath; also Representative(s) Pace--
 2 Concerning the establishment of the Colorado "Work
 3 Share Program" to allow payment of unemployment
 4 compensation benefits to eligible employees who have
 5 received a reduction in work hours.

6
 7 Laid over until May 7, retaining place on Calendar.

8
 9 **SB10-114** by Senator(s) Carroll M.; also Representative(s)
 10 Weissmann--Concerning the "Colorado Taxpayer
 11 Transparency Act of 2010".

12
 13 Laid over until May 7, retaining place on Calendar.

14
 15 **SB10-139** by Senator(s) Kester; also Representative(s) Sonnenberg--
 16 Concerning the addition of a line to Colorado state
 17 individual income tax return forms whereby individual
 18 taxpayers may make a voluntary contribution benefiting
 19 the unwanted horse fund.

20
 21 Laid over until May 7, retaining place on Calendar.

22
 23 **HB10-1430** by Representative(s) Solano and Scanlan, Benefield,
 24 Ferrandino, Fischer, Massey, Merrifield, Middleton,
 25 Peniston, Ryden, Schafer S., Todd, Vigil; also Senator(s)
 26 Hudak--Concerning assessments in the elementary and
 27 secondary education system., and making an appropriation
 28 in connection therewith.

29
 30 The question being "Shall the bill pass?".

31 A roll call vote was taken. As shown by the following recorded vote, a
 32 majority of those elected to the House voted in the affirmative and the bill
 33 was declared **passed**.

	YES	47	NO	16	EXCUSED	2	ABSENT	0
36	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
37	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
38	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
39	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
40	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
41	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
42	Casso	Y	Kerr J.	Y	Murray	N	Stephens	N
43	Court	Y	King S.	N	Nikkel	N	Summers	Y
44	Curry	Y	Labuda	Y	Pace	E	Swalm	N
45	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
46	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
47	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
48	Frangas	Y	Looper	Y	Priola	Y	Vaad	N
49	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
50	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
51	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Curry, Frangas,
 54 Gagliardi, Hullinghorst, Kefalas, Labuda, May, McFadyen, Primavera,
 55 Riesberg, Weissmann, Speaker.

56

4 The question being "Shall the bill pass?".
5 A roll call vote was taken. As shown by the following recorded vote, a
6 majority of those elected to the House voted in the affirmative and the bill
7 was declared **passed**.

27 Co-sponsor(s) added: Representative(s) Casso, Court, Labuda, Massey,
28 Pommer, Todd, Speaker.

34 As shown by the following roll call vote, a majority of all members
35 elected to the House voted in the affirmative, and Representative
36 McKinley was given permission to offer a Third Reading amendment:

[illegible]

1 **Third Reading amendment No. 1**, by Representative McKinley.
 2 Amend engrossed bill, page 3, line 9, after "section." insert "FOR A
 3 RENEWABLE ENERGY FACILITY THAT BEGINS GENERATING ENERGY BEFORE
 4 JANUARY 1, 2012, THE ADMINISTRATOR SHALL INCLUDE ONLY THE COST
 5 OF ALL PROPERTY REQUIRED TO GENERATE AND DELIVER RENEWABLE
 6 ENERGY TO THE INTERCONNECTION METER THAT DOES NOT EXCEED THE
 7 COST OF PROPERTY REQUIRED TO GENERATE NONRENEWABLE ENERGY.".

8
 9 Page 3, line 14, before "DELIVER" insert "GENERATE AND".

10
 11 The amendment was declared **passed** by the following roll call vote:
 12

	YES	61	NO	2	EXCUSED	2	ABSENT	0
14	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
15	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
16	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
17	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
18	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
19	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
20	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
21	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
22	Curry	Y	Labuda	Y	Pace	E	Swalm	Y
23	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
24	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
25	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
26	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
27	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
28	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
29	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
30							Speaker	Y

31
 32 The question being, "Shall the bill, as amended, pass?".
 33 A roll call vote was taken. As shown by the following recorded vote, a
 34 majority of those elected to the House voted in the affirmative, and the
 35 bill, as amended, was declared **passed**.
 36

	YES	50	NO	13	EXCUSED	2	ABSENT	0
38	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
39	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
40	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
41	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
42	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
43	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
44	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
45	Court	Y	King S.	Y	Nikkel	N	Summers	Y
46	Curry	Y	Labuda	Y	Pace	E	Swalm	N
47	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
48	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
49	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
50	Frangas	Y	Looper	Y	Priola	N	Vaad	N
51	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
52	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
53	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Frangas, Labuda, McFadyen,
 56 Middleton.

1 **HB10-1420** by Representative(s) Peniston; also Senator(s) Morse--
 2 Concerning collection of the penalty surcharge imposed on
 3 persons referred to a driver improvement school by a court
 4 for a traffic violation.
 5

6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, less
 8 than a majority of those elected to the House voted in the affirmative and
 9 the bill was declared **lost**.
 10

	YES	32	NO	31	EXCUSED	2	ABSENT	0
12	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
13	Apuan	N	Hullinghorst	Y	McKinley	N	Scanlan	Y
14	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
15	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
17	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	N	Kerr J.	N	Murray	N	Stephens	N
19	Court	Y	King S.	N	Nikkel	N	Summers	N
20	Curry	N	Labuda	Y	Pace	E	Swalm	N
21	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
22	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	N	Priola	N	Vaad	N
25	Gagliardi	Y	Massey	N	Rice	N	Vigil	Y
26	Gardner B.	N	May	N	Riesberg	Y	Waller	N
27	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
28							Speaker	Y

32 CONSIDERATION OF ADHERENCE ON HB10-1098

34 **HB10-1098** by Representative(s) Levy; also Senator(s) Hodge--
 35 Concerning increased transparency in the governance of
 36 cooperative electric associations.
 37

38 (Amended as printed in Senate Journal, April 1, page 741.)
 39

40 Representative Levy moved that the House **recede** from its position and
 41 discharge the Conference Committee on **HB10-1098**. The motion was
 42 declared **passed** by the following roll call vote:
 43

	YES	60	NO	3	EXCUSED	2	ABSENT	0
45	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
46	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
47	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
48	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
49	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
50	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
51	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
52	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
53	Curry	Y	Labuda	Y	Pace	E	Swalm	Y
54	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
55	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
56	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y

1	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
2	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
3	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
4	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
5							Speaker	Y

6
7 Representative Levy moved that the House **concur** in Senate
8 amendments. The motion was declared **passed** by the following roll call
9 vote:

11	YES	56	NO	7	EXCUSED	2	ABSENT	0
12	Acree	Y	Gerou	Y	McFadyen	N	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
14	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
15	Baumgardner	N	Kagan	Y	Merrifield	N	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
19	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
20	Curry	N	Labuda	Y	Pace	E	Swalm	Y
21	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N
22	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	Y	Primavera	N	Tyler	Y
24	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
26	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
27	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

29
30 The question being, "Shall the bill, as amended, pass?".

31 A roll call vote was taken. As shown by the following recorded vote, a
32 majority of those elected to the House voted in the affirmative, and the
33 bill, as amended, was declared **repassed**.

35	YES	45	NO	18	EXCUSED	2	ABSENT	0
36	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
37	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
38	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
39	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
40	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	E
41	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
42	Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
43	Court	Y	King S.	Y	Nikkel	Y	Summers	N
44	Curry	N	Labuda	Y	Pace	E	Swalm	N
45	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
46	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
47	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
48	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
49	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
50	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
51	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) McFadyen.

NOTICE OF INTENT TO RECONSIDER HB10-1420

Having voted on the prevailing side, Representative Apuan served notice of intent to reconsider the last House action (Third Reading) on **HB10-1420**.

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**EDUCATION**

After consideration on the merits, the Committee recommends the following:

SB10-003 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 12, line 5, strike "TWO" and substitute "THREE".

Page 12, line 25, strike "THE" and substitute "FOR FISCAL YEARS 2011-12 THROUGH 2015-16, THE".

Page 13, line 13, after "FOR" insert "THE 2010-11 FISCAL YEAR AND FOR".

Page 14, line 1, after "FOR" insert "THE 2010-11 FISCAL YEAR AND FOR".

Page 15, strike lines 21 and 22 and substitute "AGENCY; EXCEPT THAT SAID MONEYS MAY BE TRANSFERRED TO THE DEPARTMENT OF HIGHER EDUCATION OR THE COLORADO COMMISSION ON HIGHER EDUCATION TO THE EXTENT REQUIRED TO PAY INDIRECT COST ASSESSMENTS, AS DEFINED IN SECTION 24-75-112 (1) (f), C.R.S.".

Page 17, line 13, strike "THIS PROVISION" and substitute "THE PROVISIONS OF THIS PARAGRAPH (c)".

Page 17, line 18, strike "THIS" and substitute "THE PROVISIONS OF THIS SUBSECTION (10)".

Page 17, line 19, strike "PROVISION".

Page 18, line 14, strike "BY MORE THAN NINE PERCENT".

Page 18, line 26, strike "(1) (a)" and substitute "~~(1)~~(a) (1) (b)".

Page 19, line 14, strike "(1) (a) (I)." and substitute "~~(1)~~(a)~~(I)~~ (1) (b) (I)."

Page 22, line 4, strike "(1) (a) (I)," and substitute "~~(1)~~(a)~~(I)~~ (1) (b) (I)."

Page 24, line 3, strike "(1) (a) (I)." and substitute "~~(1)~~(a)~~(I)~~ (1) (b) (I)."

1 **SB10-161** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 4, after line 6 insert:
6

7 "SECTION 5. 22-30.5-503, Colorado Revised Statutes, is
8 amended BY THE ADDITION OF A NEW SUBSECTION to read:
9

10 **22-30.5-503. State charter school institute - establishment.**

11 (3.5) (a) THE STATE CHARTER SCHOOL INSTITUTE MAY ACT AS THE LOCAL
12 EDUCATION AGENCY AND FISCAL AGENT FOR A DISTRICT CHARTER SCHOOL
13 OR AN INSTITUTE CHARTER SCHOOL THAT CHOOSES TO APPLY FOR A GRANT
14 THROUGH A NONFORMULAIC, COMPETITIVE GRANT PROGRAM CREATED BY
15 FEDERAL STATUTE; EXCEPT THAT THE PROVISIONS OF THIS SUBSECTION
16 (3.5) SHALL NOT APPLY TO AN APPLICATION FOR:
17

18 (I) A GRANT PROGRAM CREATED IN THE FEDERAL "INDIVIDUAL
19 WITH DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400 ET SEQ., AS
20 AMENDED, OR IN ITS IMPLEMENTING REGULATIONS; OR
21

22 (II) A GRANT PROGRAM CREATED IN THE FEDERAL "ELEMENTARY
23 AND SECONDARY EDUCATION ACT OF 1965", 20 U.S.C. SEC. 6301 ET SEQ.,
24 AS AMENDED, OR IN ITS IMPLEMENTING REGULATIONS.
25

26 (b) IN ACTING AS A LOCAL EDUCATION AGENCY AND FISCAL AGENT
27 PURSUANT TO THIS SUBSECTION (3.5), THE INSTITUTE SHALL TREAT
28 DISTRICT CHARTER SCHOOLS AND INSTITUTE CHARTER SCHOOLS EQUALLY.
29

30 (c) THE INSTITUTE BOARD, BY RULE, MAY ESTABLISH A FEE THAT
31 A DISTRICT CHARTER SCHOOL OR AN INSTITUTE CHARTER SCHOOL SHALL
32 PAY IF IT REQUESTS THE THAT INSTITUTE ACT AS THE LOCAL EDUCATION
33 AGENCY AND FISCAL AGENT FOR THE CHARTER SCHOOL PURSUANT TO THIS
34 SUBSECTION (3.5). THE AMOUNT OF THE FEE SHALL NOT EXCEED THE
35 DIRECT COSTS INCURRED BY THE INSTITUTE IN IMPLEMENTING THE
36 PROVISIONS OF THIS SUBSECTION (3.5). ANY AMOUNT RECEIVED BY THE
37 INSTITUTE FROM FEES PAID PURSUANT TO THIS SUBSECTION (3.5) IS
38 CONTINUOUSLY APPROPRIATED TO THE INSTITUTE FOR THE COSTS
39 INCURRED IN IMPLEMENTING THIS SUBSECTION (3.5). THE INSTITUTE
40 BOARD SHALL ADOPT RULES AS NECESSARY TO IMPLEMENT THE
41 PROVISIONS OF THIS SUBSECTION (3.5).
42

43 **SECTION 6.** 22-30.5-104, Colorado Revised Statutes, is
44 amended BY THE ADDITION OF A NEW SUBSECTION to read:
45

46 **22-30.5-104. Charter school - requirements - authority.**

47 (11) IF A CHARTER SCHOOL CHOOSES TO APPLY FOR A GRANT THROUGH A
48 NONFORMULAIC, COMPETITIVE GRANT PROGRAM CREATED BY FEDERAL
49 STATUTE, THE CHARTER SCHOOL, PURSUANT TO THE PROVISIONS OF
50 SECTION 22-30.5-503 (3.5), MAY REQUEST THAT THE STATE CHARTER
51 SCHOOL INSTITUTE ACT AS A LOCAL EDUCATION AGENCY AND FISCAL
52 AGENT FOR THE CHARTER SCHOOL FOR PURPOSES OF THE GRANT. THE
53 CHARTER SCHOOL SHALL PAY THE FEE, IF ANY, IMPOSED BY THE STATE
54 CHARTER SCHOOL INSTITUTE BOARD AS PROVIDED IN SECTION 22-30.5-503
55 (3.5).".
56

1 Renumber succeeding sections accordingly.

2
3 Page 4, strike lines 23 through 27.

4
5 Page 5, strike lines 1 through 4.

6
7 Page 5, line 6, strike "(a)".

8
9 Page 5, line 13, strike "COLLABORATIVE, EXCEPT AS" and substitute
10 "COLLABORATIVE."

11
12 Page 5, strike lines 14 through 27.

13
14 Page 6, strike lines 1 through 20.

15
16 Page 7, line 1, strike "PROPERTY." and substitute "PROPERTY; EXCEPT
17 THAT A CHARTER SCHOOL COLLABORATIVE MAY HOLD TITLE TO REAL
18 PROPERTY ONLY FOR THE USE OF THE PARTICIPATING CHARTER SCHOOLS."

19
20 Page 9, line 1, strike "COLLABORATIVE;" and substitute "COLLABORATIVE,
21 INCLUDING BUT NOT LIMITED TO DISTRIBUTION UPON DISSOLUTION OF THE
22 CHARTER COLLABORATIVE OF THE EQUITY IN ANY REAL PROPERTY THAT
23 THE CHARTER SCHOOL COLLABORATIVE MAY HOLD;"

24
25 Page 9, after line 22 insert:

26
27 **"22-30.5-605. Administration fee.** THE STATE BOARD OF
28 EDUCATION, BY RULE, MAY ESTABLISH A FEE TO BE PAID BY EACH
29 CHARTER SCHOOL COLLABORATIVE TO OFFSET ANY DIRECT COSTS THAT
30 THE DEPARTMENT OF EDUCATION MAY INCUR IN COLLECTING DATA FROM
31 OR REGULATING THE CHARTER SCHOOL COLLABORATIVE. THE AMOUNT OF
32 THE FEE SHALL NOT EXCEED THE AMOUNT OF SAID DIRECT COSTS. ANY
33 AMOUNT IN FEES RECEIVED BY THE DEPARTMENT OF EDUCATION
34 PURSUANT TO THIS SECTION IS CONTINUOUSLY APPROPRIATED TO THE
35 DEPARTMENT FOR SAID DIRECT COSTS."

36
37
38
39
40 **FINANCE**

41 After consideration on the merits, the Committee recommends the
42 following:

43
44 **HCR10-1008** be postponed indefinitely.

45
46
47 **SB10-133** be postponed indefinitely.

48
49
50 **SB10-206** be postponed indefinitely.

51
52
53
54
55

1 **HEALTH & HUMAN SERVICES**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB10-195** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:
8

9 Amend reengrossed bill, page 7, line 7, after the semi-colon add "AND".

10
11 Page 7, line 9, strike "HOUSE OF REPRESENTATIVES." and substitute
12 "SENATE."
13

14 Page 12, line 19, strike "(a)".
15

16 Page 12, strike lines 21 through 23 and substitute "SECTION AS THE
17 "FUND". THE FUND SHALL CONSIST OF SUCH FEDERAL MONEYS AS THE
18 GOVERNOR MAY".
19

20 Page 12, line 26, strike "CONTINUOUSLY APPROPRIATED" and substitute
21 "AVAILABLE".
22

23 Page 13, line 2, strike "(b)" and substitute "(2)".
24

25 Page 13, strike lines 10 through 17 and substitute:
26

27 **"24-44.7-105. Repeal of article. THIS ARTICLE IS REPEALED,**
28 **EFFECTIVE JULY 1, 2013."**
29

30 Page 14, line 3, strike "(3)," and substitute "(3) and 26-6.5-105 (3) (d) and
31 (3) (e),".
32

33 Page 14, line 4, strike "is" and substitute "are".
34

35 Page 14, after line 9 insert:
36

37 "(d) Advising on the development and implementation of an
38 evaluation of the barriers to successful operation of the local councils,
39 including the efficiency and effectiveness of the state department, in
40 collaboration with the advisory team, in supporting the needs of the
41 councils; ~~and~~
42

43 (e) Advising on the development and implementation of technical
44 assistance to councils related to developing a local early childhood
45 system and infrastructure to improve and coordinate early childhood
46 services; AND
47

48 (f) REPORTING ANNUALLY TO THE EARLY CHILDHOOD LEADERSHIP
49 COMMISSION CREATED IN ARTICLE 44.7 OF TITLE 24, C.R.S., REGARDING
50 THE ACTIVITIES AND RECOMMENDATIONS OF THE ADVISORY TEAM."
51
52
53

54 **SB10-197** be referred to the Committee of the Whole with favorable
55 recommendation.
56

1 **STATE, VETERANS, & MILITARY AFFAIRS**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HCR10-1009** be postponed indefinitely.

6
7
8 **HR10-1009** be postponed indefinitely.

9
10

11

12

13 **TRANSPORTATION & ENERGY**

14 After consideration on the merits, the Committee recommends the
15 following:

16

17 **SB10-196** be referred to the Committee of the Whole with favorable
18 recommendation.

19

20

21 **MESSAGE(S) FROM THE SENATE**

22

23 The Senate has postponed indefinitely HB10-1012. The bill is returned
24 herewith.

25

26

27

28 **LAY OVER OF CALENDAR ITEM(S)**

29

30 On motion of Representative Weissmann, the following item(s) on the
31 Calendar (was)were laid over until May 7, retaining place on Calendar:

32

33 Consideration of Resolution(s)--**HJR10-1024, 1025, 1028, 1033, 1035.**

34

35

36

37 On motion of Representative Weissmann, the House adjourned until
38 9:00 a.m., May 7, 2010.

39

40

41

42

43

44

45

Attest:

MARILYN EDDINS,

Chief Clerk

Approved:

TERRANCE D. CARROLL,
Speaker

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-fifteenth Legislative Day

Friday, May 7, 2010

1 Prayer by Rabbi Yaakov Meyer, Aish Denver Synagogue, Greenwood
 2 Village.

3
 4 The Speaker called the House to order at 9:00 a.m.

5
 6 Pledge of Allegiance led by Gabriela and Christian Ojala, Nativity of Our
 7 Lord Catholic School, Broomfield.

8
 9 The roll was called with the following result:

10
 11 Present--63.

12 Excused--Representative(s) Middleton, Scanlan--2.

13 Present after roll call--Representative(s) Middleton, Scanlan.

14
 15 The Speaker declared a quorum present.

16
 17
 18 On motion of Representative Nikkel, the reading of the journal of
 19 May 6, 2010, was declared dispensed with and approved as corrected by
 20 the Chief Clerk.

21
 22
 23
 24 **THIRD READING OF BILL(S)--FINAL PASSAGE**

25
 26 The following bill(s) was(were) considered on Third Reading. The
 27 title(s) was(were) publicly read. Reading of the bill at length was
 28 dispensed with by unanimous consent.

29
 30 **SB10-028** by Senator(s) Heath; also Representative(s) Pace--
 31 Concerning the establishment of the Colorado "Work
 32 Share Program" to allow payment of unemployment
 33 compensation benefits to eligible employees who have
 34 received a reduction in work hours.

35
 36 The question being "Shall the bill pass?".

37 A roll call vote was taken. As shown by the following recorded vote, a
 38 majority of those elected to the House voted in the affirmative and the bill
 39 was declared **passed**.

40
 41

	YES	38	NO	27	EXCUSED	0	ABSENT	0
42	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
43	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y

1	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
2	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
3	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
4	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
5	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
6	Court	Y	King S.	N	Nikkel	N	Summers	N
7	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
8	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
9	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
10	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
11	Frangas	Y	Looper	N	Priola	N	Vaad	N
12	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
13	Gardner B.	N	May	N	Riesberg	Y	Waller	N
14	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Frangas, Hullinghorst,
 17 Kagan, Labuda, Merrifield, Middleton, Pommer, Rice, Ryden, Vigil.

18
 19 **SB10-114** by Senator(s) Carroll M.; also Representative(s)
 20 Weissmann--Concerning the "Colorado Taxpayer
 21 Transparency Act of 2010".
 22

23 Laid over until May 10, retaining place on Calendar.
 24

25 **SB10-139** by Senator(s) Kester; also Representative(s) Sonnenberg--
 26 Concerning the addition of a line to Colorado state
 27 individual income tax return forms whereby individual
 28 taxpayers may make a voluntary contribution benefiting
 29 the unwanted horse fund.
 30

31 The question being "Shall the bill pass?".

32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative and the bill
 34 was declared **passed**.
 35

	YES	42	NO	23	EXCUSED	0	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
38	Apuan	Y	Hullinghorst	N	McKinley	N	Scanlan	N
39	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	N
40	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	Y
41	Benefield	N	Kefalas	Y	Middleton	N	Sonnenberg	Y
42	Bradford	Y	Kerr A.	N	Miklosi	Y	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
44	Court	N	King S.	Y	Nikkel	Y	Summers	N
45	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	N	Peniston	N	Tipton	Y
47	Ferrandino	Y	Levy	N	Pommer	N	Todd	Y
48	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
49	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
50	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N
51	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
52	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Baumgardner, Fischer, Looper, Priola,
 55 Roberts.
 56

1 **SB10-087** by Senator(s) Steadman; also Representative(s) Liston--
 2 Concerning the authority of the secretary of state in
 3 connection with the regulation of lobbyists, and making an
 4 appropriation therefor.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	58	NO	7	EXCUSED	0	ABSENT	0
12	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
14	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
15	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	N
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
19	Court	Y	King S.	Y	Nikkel	N	Summers	Y
20	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
21	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N
22	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
26	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
27	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Apuan, Priola, Schafer S.

30
 31
 32 **SB10-076** by Senator(s) Carroll M.; also Representative(s)
 33 Primavera--Concerning unreasonable insurance claims
 34 settlement practices.

35
 36 The question being "Shall the bill pass?".
 37 A roll call vote was taken. As shown by the following recorded vote, a
 38 majority of those elected to the House voted in the affirmative and the bill
 39 was declared **passed**.

	YES	47	NO	18	EXCUSED	0	ABSENT	0
42	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
43	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
44	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
45	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
46	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
47	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
48	Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
49	Court	Y	King S.	N	Nikkel	Y	Summers	Y
50	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
51	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
52	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
53	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
54	Frangas	Y	Looper	Y	Priola	Y	Vaad	N
55	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
56	Gardner B.	N	May	N	Riesberg	Y	Waller	N

1 Gardner C. N McCann Y Roberts Y Weissmann Y
 2 Speaker Y
 3 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Frangas, Hullinghorst,
 4 Labuda, Levy, Merrifield, Pommer, Ryden, Solano, Todd.
 5

6 **SB10-141** by Senator(s) King K.; also Representative(s) Lambert--
 7 Concerning the transfer of responsibility for the regulation
 8 of games of chance from the secretary of state to the
 9 department of revenue in accordance with House
 10 Concurrent Resolution 09-1003, and making an
 11 appropriation therefor.
 12

13 The question being "Shall the bill pass?".
 14 A roll call vote was taken. As shown by the following recorded vote, a
 15 majority of those elected to the House voted in the affirmative and the bill
 16 was declared **passed**.
 17

	YES	53	NO	12	EXCUSED	0	ABSENT	0
19	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
20	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
21	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
22	Baumgardner	N	Kagan	Y	Merrifield	N	Solano	Y
23	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
24	Bradford	Y	Kerr A.	N	Miklosi	Y	Soper	Y
25	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
26	Court	Y	King S.	Y	Nikkel	N	Summers	Y
27	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
28	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
29	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	N
30	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
31	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
32	Gagliardi	Y	Massey	Y	Rice	N	Vigil	Y
33	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
34	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
35							Speaker	Y

36 Co-sponsor(s) added: Representative(s) McFadyen, Vigil.
 37

38 **SB10-187** by Senator(s) Tochtrop; also Representative(s) Riesberg--
 39 Concerning workers' compensation.
 40

41 The question being "Shall the bill pass?".
 42 A roll call vote was taken. As shown by the following recorded vote, a
 43 majority of those elected to the House voted in the affirmative and the bill
 44 was declared **passed**.
 45

	YES	41	NO	24	EXCUSED	0	ABSENT	0
47	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
48	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
49	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
50	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
51	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
52	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
53	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
54	Court	Y	King S.	N	Nikkel	N	Summers	N
55	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
56	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N

1	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
2	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
3	Frangas	Y	Looper	N	Priola	Y	Vaad	N
4	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
5	Gardner B.	N	May	N	Riesberg	Y	Waller	N
6	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
7							Speaker	Y

8 Co-sponsor(s) added: Representative(s) Apuan, Labuda.

9
10 **SB10-194** by Senator(s) Boyd; also Representative(s) Riesberg--
11 Concerning the requirement that entities operating
12 pursuant to certain federal waivers that provide certain
13 services to persons with developmental disabilities obtain
14 licensure as home care agencies.

15
16 The question being "Shall the bill pass?".

17 A roll call vote was taken. As shown by the following recorded vote, a
18 majority of those elected to the House voted in the affirmative and the bill
19 was declared **passed**.

21	YES	65	NO	0	EXCUSED	0	ABSENT	0
22	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
23	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
24	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
25	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
26	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
27	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
28	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
29	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
30	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
31	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
32	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
33	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
34	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
35	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
36	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
37	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
38							Speaker	Y

39 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Gerou, Labuda,
40 Looper, Pommer, Schafer S., Soper, Todd.

41
42 **SB10-128** by Senator(s) Hudak, Newell, Carroll M., Steadman; also
43 Representative(s) Rice--Concerning invasion of privacy,
44 and making an appropriation in connection therewith.

45
46 As shown by the following roll call vote, a majority of all members
47 elected to the House voted in the affirmative, and Representative Casso
48 was given permission to offer a Third Reading amendment:

50	YES	60	NO	5	EXCUSED	0	ABSENT	0
51	Acree	Y	Gerou	Y	McFadyen	N	Ryden	Y
52	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
53	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
54	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	Y
55	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
56	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y

1	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
2	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
3	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
4	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
5	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
6	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
7	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
8	Gagliardi	N	Massey	Y	Rice	Y	Vigil	Y
9	Gardner B.	N	May	Y	Riesberg	Y	Waller	Y
10	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
11							Speaker	Y

Third Reading amendment No. 1, by Representative Casso.

Amend revised bill, page 8, line 25, strike "and 10" and substitute "10, 12, and 13".

The amendment was declared **passed** by the following roll call vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
21	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
22	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
23	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
24	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
25	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
26	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
27	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
28	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
29	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
30	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
31	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
32	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
33	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
34	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
35	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
36	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
37							Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **passed**.

	YES	64	NO	1	EXCUSED	0	ABSENT	0
45	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
46	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
47	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
48	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
49	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
50	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
51	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
52	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
53	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
54	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
55	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
56	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y

1	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
2	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
3	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
4	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Labuda, Looper, Primavera, Stephens.

7
8 **SB10-054** by Senator(s) Hudak, Steadman; also Representative(s)
9 Levy--Concerning the provision of educational services
10 for juveniles against whom charges have been filed in
11 district court, and making an appropriation therefor.
12

13 The question being "Shall the bill pass?".

14 A roll call vote was taken. As shown by the following recorded vote, a
15 majority of those elected to the House voted in the affirmative and the bill
16 was declared **passed**.
17

18	YES	52	NO	13	EXCUSED	0	ABSENT	0
19	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
20	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
21	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
22	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
23	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
24	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
25	Casso	Y	Kerr J.	N	Murray	N	Stephens	Y
26	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
27	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
28	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
29	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
30	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
31	Frangas	Y	Looper	Y	Priola	Y	Vaad	N
32	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
33	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
34	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
35							Speaker	Y

36 Co-sponsor(s) added: Representative(s) Apuan, Court, Hullinghorst, Kagan,
37 Kefalas, Labuda, May, McCann, Merrifield, Nikkel, Pace, Pommer, Schafer S.,
38 Stephens, Todd, Speaker.
39

40 **SB10-184** by Senator(s) Romer and Gibbs, Penry, Schwartz, Hodge,
41 Kopp, Williams, Bacon, Boyd, Carroll M., Foster, Heath,
42 Hudak, Johnston, Kester, Lundberg, Mitchell, Morse,
43 Newell, Renfroe, Scheffel, Schultheis, Shaffer B., Spence,
44 Steadman, Tapia, Tochtrop, Whitehead; also
45 Representative(s) Scanlan and King S., Casso, Court,
46 Curry, Ferrandino, Fischer, Frangas, Kerr A., Kerr J.,
47 Levy, Looper, Massey, McCann, McFadyen, Miklosi,
48 Pace, Peniston, Pommer, Primavera, Rice, Schafer S.,
49 Soper, Swalm, Todd, Tyler--Concerning transportation
50 demand management solutions for traffic congestion in the
51 interstate 70 mountain corridor, and, in connection
52 therewith, authorizing the high-performance transportation
53 enterprise to contract with the department of transportation
54 to provide and operate reversible highway lanes within a
55 specified portion of the corridor.
56

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	60	NO	5	EXCUSED	0	ABSENT	0
7	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Labuda, Merrifield, Summers, Vigil.

SB10-180

by Senator(s) Williams, Penry, Schwartz, Kester, Boyd, Carroll M., Hudak, Johnston, Morse, Romer, Bacon, Heath, Hodge, Keller, Newell, Shaffer B., Tapia; also Representative(s) Kerr A., Casso, Court, Curry, Fischer, Hullinghorst, Miklosi, Solano--Concerning the development of a smart grid for Colorado, and, in connection therewith, convening a task force to recommend legislative and administrative measures to encourage the orderly implementation of smart grid technology in Colorado.

37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.

	YES	38	NO	27	EXCUSED	0	ABSENT	0
43	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
46	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
48	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
50	Court	Y	King S.	N	Nikkel	N	Summers	N
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
52	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
53	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	N	Priola	N	Vaad	N
56	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y

Gardner B.	N	May	N	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Frangas, Labuda, Pace, Pommer, Todd, Tyler.

SB10-201 by Senator(s) Mitchell and Romer, Foster, Hodge, Kester, Kopp, Morse, Newell, Penry, Scheffel, Shaffer B., Tapia; also Representative(s) Soper and Balmer, Baumgardner, Bradford, Casso, DelGrosso, Hullinghorst, Kagan, Liston, Looper, McNulty, Merrifield, Priola, Rice, Scanlan, Sonnenberg, Stephens--Concerning enforcement of the motor vehicle franchise laws against certain types of licensees.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

YES	54	NO	11	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	N	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	N
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	N	Pace	Y	Swalm	N
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	N	Pommer	N	Todd	Y
Fischer	N	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
						Speaker	Y

Co-sponsor(s) added: Representative(s) Frangas, Gardner C., Kefalas, Middleton, Summers.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

After consideration on the merits, the Committee recommends the following:

HCR10-1005 be referred to the Committee of the Whole with favorable recommendation.

SB10-002 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend the Health and Human Services Committee Report, dated May 3,
2 2010, page 1, strike lines 1 through 16 and substitute:
3
4 "Amend reengrossed bill, page 3, line 7, after "state;" insert "and".
5
6 Page 3, strike lines 8 through 12.
7
8 Reletter succeeding paragraph accordingly.
9
10 Page 3, strike lines 16 through 27.
11
12 Strike page 4.
13
14 Page 5, strike lines 1 through 16.
15
16 Renumber succeeding sections accordingly.
17
18 Page 6, strike lines 16 through 27.
19
20 Page 7, line 1, strike "(c)" and substitute "(b)".
21
22 Page 7, line 13, strike "THE FOLLOWING NEW PARAGRAPHS," and
23 substitute "A NEW PARAGRAPH, ".".
24
25 Page 2 of the Committee Report, strike lines 1 through 5.
26
27 Page 2 of the Committee Report, after line 14, insert:
28
29 "Page 8, strike lines 20 through 27 and substitute:
30
31 "(III) (A) THE STATE TREASURER SHALL TRANSFER FROM THE
32 GENERAL FUND TO THE CHILDREN'S WAITING LIST REDUCTION FUND,
33 WHICH FUND IS HEREBY CREATED AND REFERRED TO IN THIS
34 SUBPARAGRAPH (III) AS THE "FUND", AN AMOUNT EQUAL TO THE MONEYS
35 RECOVERED PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (e).
36 THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION
37 BY THE GENERAL ASSEMBLY TO THE STATE DEPARTMENT OR THE
38 DEPARTMENT OF HUMAN SERVICES TO REDUCE THE NUMBER OF CHILDREN
39 ON WAITING LISTS FOR SERVICES UNDER ARTICLE 6 OF THIS TITLE.
40
41 (B) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSES
42 STATED IN SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III) MAY BE
43 INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST
44 AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS
45 IN THE FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND
46 UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A
47 FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR
48 TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.".
49
50 Page 2 of the Committee Report, line 6, strike "2" and substitute "1".
51
52 Page 9, strike lines 1 through 11 and substitute:
53
54 "(IV) THIS PARAGRAPH (e) IS REPEALED, EFFECTIVE JULY 1,
55 2013."
56

1 Page 9 of the bill, strike lines 12 through 27.

2
3 Page 10 of the bill, strike lines 1 through 12.

4
5 Renumber succeeding section accordingly."."

6
7
8
9 **SB10-064** be referred to the Committee of the Whole with favorable
10 recommendation.

11
12
13 **SB10-124** be referred to the Committee of the Whole with favorable
14 recommendation.

15
16
17 **SB10-144** be referred to the Committee of the Whole with favorable
18 recommendation.

19
20
21
22
23 **EDUCATION**

24 After consideration on the merits, the Committee recommends the
25 following:

26
27 **SB10-191** be amended as follows, and as so amended, be referred to
28 the Committee on Appropriations with favorable
29 recommendation:

30
31 Amend reengrossed bill, page 4, line 14, strike "(4)." and substitute
32 "(10).".

33
34 Page 4, line 21, strike "(4)." and substitute "(10).".

35
36 Page 6, line 9, strike "(3)" and substitute "(10)"

37
38 Page 6, line 13, strike "(3)," and substitute "(10),".

39
40 Page 6, line 14, strike "(3)" and substitute "(10)".

41
42 Page 6, line 18, strike "THE" and substitute "ON OR BEFORE FEBRUARY 15,
43 2012, THE".

44
45 Page 6, line 25, after "BOARD." add "If ONE OR MORE RULES IS NOT
46 APPROVED BY THE GENERAL ASSEMBLY PURSUANT TO THIS
47 SUBPARAGRAPH (II), THE STATE BOARD SHALL PROMULGATE EMERGENCY
48 RULES PURSUANT TO SECTION 24-4-103 (6), C.R.S., ON SUCH ISSUE OR
49 ISSUES AND RESUBMIT TO THE GENERAL ASSEMBLY ON OR BEFORE MAY 1,
50 2012. THE GENERAL ASSEMBLY SHALL REVIEW THE EMERGENCY RULES
51 PROMULGATED ACCORDING TO THE PROCESS OUTLINED IN THIS
52 SUBPARAGRAPH (II).".

53
54 Page 14, line 16, strike "A GROUP OF" and substitute "THE DEPARTMENT
55 AND".

56

1 Page 17, line 18, strike "THE" and substitute "ON OR BEFORE FEBRUARY
2 15, 2012, THE".

3
4 Page 17, line 19, strike "(4)" and substitute "(10)".

5
6 Page 17, line 25, after "BOARD." add "If ONE OR MORE RULES IS NOT
7 APPROVED BY THE GENERAL ASSEMBLY PURSUANT TO THIS PARAGRAPH
8 (b), THE STATE BOARD SHALL PROMULGATE EMERGENCY RULES PURSUANT
9 TO SECTION 24-4-103 (6), C.R.S., ON SUCH ISSUE OR ISSUES AND RESUBMIT
10 TO THE GENERAL ASSEMBLY ON OR BEFORE MAY 1, 2012. THE GENERAL
11 ASSEMBLY SHALL REVIEW THE EMERGENCY RULES PROMULGATED
12 ACCORDING TO THE PROCESS OUTLINED IN THIS PARAGRAPH (b).".

13
14 Page 18, line 26, strike "PUBLIC OR PRIVATE GIFTS, GRANTS, OR
15 DONATIONS" and substitute "FEDERAL GRANTS".

16
17 Page 19, line 1, after "DONATION" insert "EXCEPT FROM FEDERAL
18 MONEYS".

19
20 Page 19, line 3, strike "PRIVATE AND" and substitute "FEDERAL MONEYS
21 RECEIVED TO".

22
23 Page 19, strike line 4.

24
25 Page 19, after line 17 insert:

26
27 "(3) FOR FISCAL YEARS 2010-2011 AND 2011-2012, IF TWO
28 HUNDRED FIFTY THOUSAND DOLLARS IS NOT CREDITED TO THE FUND
29 THROUGH FEDERAL GRANTS ON OR BEFORE SEPTEMBER 30, 2010, THE
30 COMMISSIONER SHALL NOTIFY THE STATE TREASURER OF THE DIFFERENCE.
31 UPON RECEIPT OF SUCH NOTICE, THE STATE TREASURER SHALL TRANSFER
32 TO THE FUND THE AMOUNT OF THE DIFFERENCE OUT OF THE CONTINGENCY
33 RESERVE FUND, CREATED PURSUANT TO SECTION 22-54-117 FOR THE
34 IMPLEMENTATION OF SECTION 22-9-105.5. IF THERE IS AN INSUFFICIENT
35 AMOUNT IN THE CONTINGENCY RESERVE FUND, THE STATE TREASURER
36 SHALL TRANSFER TO THE FUND ANY REMAINING AMOUNT OF THE
37 DIFFERENCE FROM THE STATE EDUCATION FUND, CREATED IN SECTION 17
38 (4) OF ARTICLE IX OF THE STATE CONSTITUTION FOR THE IMPLEMENTATION
39 OF SECTION 22-9-105.5.".

40
41 Renumber succeeding subsection accordingly.

42
43 Page 26, line 4, after "(b)" insert "(I)".

44
45 Page 26, line 8, strike "THE LICENSED PERSONNEL'S" and substitute "HIS
46 OR HER".

47
48 Page 26, strike line 9 and substitute "PERFORMANCE, AND IDENTIFICATION
49 OF DEFICIENCIES.".

50
51 Page 26, after line 9, insert:

52
53 "(II) EACH SCHOOL".

54
55 Page 26, line 19, after "APPROPRIATE." insert "If THERE IS NO COLLECTIVE
56 BARGAINING AGREEMENT IN PLACE, FOLLOWING THE RULING OF THE

1 SUPERINTENDENT OR HIS OR HER DESIGNEE, THE APPEALING TEACHER MAY
2 REQUEST A REVIEW BY A MUTUALLY AGREED-UPON THIRD PARTY. THE
3 DECISION OF THE THIRD PARTY SHALL REVIEW WHETHER THE DECISION
4 WAS ARBITRARY OR CAPRICIOUS AND SHALL BE BINDING ON BOTH PARTIES.
5 THE COST OF ANY SUCH REVIEW SHALL BE BORNE EQUALLY BY BOTH
6 PARTIES. WHERE A COLLECTIVE BARGAINING AGREEMENT IS IN PLACE,
7 EITHER PARTY MAY CHOOSE TO OPT INTO THIS PROCESS."

8
9 Page 26, line 20, strike "A" and substitute "FOR A NONPROBATIONARY
10 TEACHER, A".

11
12 Page 26, line 24, before "TEACHER" insert "NONPROBATIONARY", and
13 strike "OR PRINCIPAL".

14
15 Page 26, line 25, before "TEACHER" insert "NONPROBATIONARY".

16
17 Page 26, line 26, strike "OR PRINCIPAL".

18
19 Page 27, strike line 2 and substitute "EFFECTIVENESS."

20
21 Page 27, after line 2, insert:

22
23 "(III) THIS PARAGRAPH (b) SHALL TAKE EFFECT AT SUCH TIME".

24
25 Strike pages 32 and 33.

26
27 Page 34, strike lines 1 through 13 and substitute:

28
29 "FINDS THAT, FOR THE FAIR EVALUATION OF A PRINCIPAL BASED ON THE
30 DEMONSTRATED EFFECTIVENESS OF HIS OR HER TEACHERS, THE PRINCIPAL
31 NEEDS THE ABILITY TO SELECT TEACHERS WHO HAVE DEMONSTRATED
32 EFFECTIVENESS, HAVE UNIQUE QUALIFICATIONS AND TEACHING
33 EXPERIENCES THAT SUPPORT THE INSTRUCTIONAL MODEL OF HIS OR HER
34 SCHOOL, AND ARE ALIGNED TO THE SCHOOL'S CULTURE AND MISSION.
35 THEREFORE, EACH EMPLOYMENT CONTRACT EXECUTED PURSUANT TO THIS
36 SECTION SHALL CONTAIN A PROVISION STATING THAT A TEACHER MAY BE
37 ASSIGNED TO A PARTICULAR SCHOOL ONLY WITH THE CONSENT OF THE
38 HIRING PRINCIPAL AND WITH INPUT FROM AT LEAST TWO PRACTICING
39 TEACHERS, AND AFTER A REVIEW OF THE TEACHER'S DEMONSTRATED
40 EFFECTIVENESS, UNIQUE QUALIFICATIONS AND POTENTIAL CONTRIBUTIONS
41 TO THE SCHOOL'S EDUCATIONAL PROGRAMS, SUCCESSFUL YEARS OF
42 TEACHING EXPERIENCE, AND FIT WITH THE SCHOOL'S CULTURE AND
43 MISSION.

44
45 (II) (A) ANY ACTIVE NONPROBATIONARY TEACHER WHO, DURING
46 THE PRIOR SCHOOL YEAR, WAS DEEMED SATISFACTORY, OR WAS DEEMED
47 EFFECTIVE IN A DISTRICT THAT HAS IMPLEMENTED A MULTI-TIERED
48 EVALUATION SYSTEM AND HAS IDENTIFIED RATINGS EQUIVALENT TO
49 EFFECTIVE, AND HAS NOT SECURED A MUTUAL CONSENT PLACEMENT
50 SHALL BE A MEMBER OF A PRIORITY HIRING POOL, WHICH PRIORITY HIRING
51 POOL SHALL ENSURE THE NONPROBATIONARY TEACHER A FIRST
52 OPPORTUNITY TO INTERVIEW FOR AVAILABLE POSITIONS FOR WHICH HE OR
53 SHE IS QUALIFIED IN A SCHOOL DISTRICT.

54
55 (B) WHEN A DETERMINATION IS MADE THAT A NONPROBATIONARY
56 TEACHER'S SERVICES ARE NO LONGER REQUIRED FOR THE REASONS SET

1 FORTH IN SUBPARAGRAPH (VII) OF THIS PARAGRAPH (c.5), THE
2 NONPROBATIONARY TEACHER SHALL BE NOTIFIED OF HIS OR HER REMOVAL
3 FROM THE SCHOOL. IN MAKING DECISIONS PURSUANT TO THIS PARAGRAPH
4 (c.5), A SCHOOL DISTRICT SHALL CONSIDER PROBATIONARY AND
5 NONPROBATIONARY STATUS AND THE NUMBER OF YEARS A TEACHER HAS
6 BEEN TEACHING IN THE SCHOOL DISTRICT; EXCEPT THAT THESE CRITERIA
7 MAY BE CONSIDERED ONLY AFTER THE CONSIDERATION OF THE CRITERIA
8 OF EFFECTIVENESS DESCRIBED IN SECTION 22-9-106. UPON NOTICE TO THE
9 NONPROBATIONARY TEACHER, THE DEPARTMENT OF HUMAN RESOURCES
10 FOR THE SCHOOL DISTRICT SHALL IMMEDIATELY PROVIDE THE
11 NONPROBATIONARY TEACHER WITH A LIST OF ALL VACANT POSITIONS FOR
12 WHICH HE OR SHE IS QUALIFIED, AS WELL AS A LIST OF VACANCIES IN ANY
13 AREA IDENTIFIED BY THE SCHOOL DISTRICT TO BE AN AREA OF CRITICAL
14 NEED. AN APPLICATION FOR A VACANCY SHALL BE MADE TO THE
15 PRINCIPAL OF A LISTED SCHOOL, WITH A COPY OF THE APPLICATION
16 PROVIDED BY THE NONPROBATIONARY TEACHER TO THE SCHOOL DISTRICT.
17 THE NONPROBATIONARY TEACHER SHALL BE INTERVIEWED BY THE
18 PRINCIPAL UNLESS THE POSITION IS FILLED BEFORE AN INTERVIEW OCCURS.
19 WHEN A PRINCIPAL RECOMMENDS APPOINTMENT OF A NONPROBATIONARY
20 TEACHER APPLICANT TO A VACANT POSITION, THE NONPROBATIONARY
21 TEACHER SHALL BE TRANSFERRED TO THAT POSITION.
22

23 (C) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE AT SUCH
24 TIME AS THE PERFORMANCE EVALUATION SYSTEM BASED ON QUALITY
25 STANDARDS ESTABLISHED PURSUANT TO THIS SECTION AND THE RULES
26 PROMULGATED BY THE STATE BOARD PURSUANT TO SECTION 22-9-105.5
27 HAS COMPLETED THE INITIAL PHASE OF IMPLEMENTATION AND HAS BEEN
28 IMPLEMENTED STATEWIDE. THE COMMISSIONER SHALL PROVIDE NOTICE
29 OF SUCH IMPLEMENTATION TO THE REVISOR OF STATUTES ON OR BEFORE
30 JULY 1, 2014, AND EACH JULY 1 THEREAFTER UNTIL STATEWIDE
31 IMPLEMENTATION OCCURS.
32

33 (III) (A) ANY ACTIVE NONPROBATIONARY TEACHER WHO WAS
34 DEEMED EFFECTIVE DURING THE PRIOR SCHOOL YEAR AND HAS NOT
35 SECURED A MUTUAL CONSENT PLACEMENT SHALL BE A MEMBER OF A
36 PRIORITY HIRING POOL, WHICH PRIORITY HIRING POOL SHALL ENSURE THE
37 NONPROBATIONARY TEACHER A FIRST OPPORTUNITY TO INTERVIEW FOR
38 AVAILABLE POSITIONS FOR WHICH HE OR SHE IS QUALIFIED IN THE SCHOOL
39 DISTRICT.
40

41 (B) WHEN A DETERMINATION IS MADE THAT A NONPROBATIONARY
42 TEACHER'S SERVICES ARE NO LONGER REQUIRED FOR THE REASONS SET
43 FORTH IN SUBPARAGRAPH (VII) OF THIS PARAGRAPH (c.5), THE
44 NONPROBATIONARY TEACHER SHALL BE NOTIFIED OF HIS OR HER
45 REMOVAL. IN MAKING DECISIONS PURSUANT TO THIS PARAGRAPH (c.5), A
46 SCHOOL DISTRICT SHALL CONSIDER PROBATIONARY AND
47 NONPROBATIONARY STATUS AND THE NUMBER OF YEARS A TEACHER HAS
48 BEEN TEACHING IN THE SCHOOL DISTRICT; EXCEPT THAT THESE CRITERIA
49 MAY BE CONSIDERED ONLY AFTER THE CONSIDERATION OF THE CRITERIA
50 OF EFFECTIVENESS DESCRIBED IN SECTION 22-9-106. UPON NOTICE TO
51 THE NONPROBATIONARY TEACHER, THE SCHOOL DISTRICT SHALL
52 IMMEDIATELY PROVIDE THE NONPROBATIONARY TEACHER WITH A LIST OF
53 ALL VACANT POSITIONS FOR WHICH HE OR SHE IS QUALIFIED, AS WELL AS
54 A LIST OF VACANCIES IN ANY AREA IDENTIFIED BY THE SCHOOL DISTRICT
55 TO BE AN AREA OF CRITICAL NEED. AN APPLICATION FOR A VACANCY
56 SHALL BE MADE TO THE PRINCIPAL OF A LISTED SCHOOL, WITH A COPY OF

1 THE APPLICATION PROVIDED BY THE NONPROBATIONARY TEACHER TO THE
2 SCHOOL DISTRICT. THE NONPROBATIONARY TEACHER SHALL BE
3 INTERVIEWED BY THE PRINCIPAL UNLESS THE POSITION IS FILLED BEFORE
4 AN INTERVIEW OCCURS. WHEN A PRINCIPAL RECOMMENDS APPOINTMENT
5 OF A NONPROBATIONARY TEACHER APPLICANT TO A VACANT POSITION,
6 THE NONPROBATIONARY TEACHER SHALL BE TRANSFERRED TO THAT
7 POSITION.

8
9 (C) THIS SUBPARAGRAPH (III) SHALL TAKE EFFECT AT SUCH TIME
10 AS THE PERFORMANCE EVALUATION SYSTEM BASED ON QUALITY
11 STANDARDS ESTABLISHED PURSUANT TO THIS SECTION AND THE RULES
12 PROMULGATED BY THE STATE BOARD PURSUANT TO SECTION 22-9-105.5
13 HAS COMPLETED THE INITIAL PHASE OF IMPLEMENTATION AND HAS BEEN
14 IMPLEMENTED STATEWIDE. THE COMMISSIONER SHALL PROVIDE NOTICE
15 OF SUCH IMPLEMENTATION TO THE REVISOR OF STATUTES ON OR BEFORE
16 JULY 1, 2014, AND EACH JULY 1 THEREAFTER UNTIL STATEWIDE
17 IMPLEMENTATION OCCURS.

18
19 (IV) IF A NONPROBATIONARY TEACHER IS UNABLE TO SECURE A
20 MUTUAL CONSENT ASSIGNMENT AT A SCHOOL OF THE SCHOOL DISTRICT
21 AFTER TWO HIRING CYCLES, THE SCHOOL DISTRICT SHALL PLACE THE
22 TEACHER ON UNPAID LEAVE UNTIL SUCH TIME AS THE TEACHER IS ABLE TO
23 SECURE AN ASSIGNMENT. IF THE TEACHER SECURES AN ASSIGNMENT AT
24 A SCHOOL OF THE SCHOOL DISTRICT WHILE PLACED ON UNPAID LEAVE, THE
25 SCHOOL DISTRICT SHALL REINSTATE THE TEACHER'S SALARY AND BENEFITS
26 AT THE LEVEL THEY WOULD HAVE BEEN IF THE TEACHER HAD NOT BEEN
27 PLACED ON UNPAID LEAVE.

28
29 (V) NOTHING IN THIS SECTION SHALL LIMIT THE ABILITY OF A
30 SCHOOL DISTRICT TO PLACE A TEACHER IN A TWELVE-MONTH OR OTHER
31 LIMITED-TERM ASSIGNMENTS, INCLUDING, BUT NOT LIMITED TO, A
32 TEACHING ASSIGNMENT, SUBSTITUTE ASSIGNMENT, OR INSTRUCTIONAL
33 SUPPORT ROLE DURING THE PERIOD IN WHICH THE TEACHER IS ATTEMPTING
34 TO SECURE A MUTUAL CONSENT ASSIGNMENT. SUCH AN ASSIGNMENT
35 SHALL NOT CONSTITUTE A MUTUAL CONSENT ASSIGNMENT AND SHALL NOT
36 BE DEEMED TO INTERRUPT THE PERIOD IN WHICH THE TEACHER IS
37 REQUIRED TO SECURE A MUTUAL CONSENT ASSIGNMENT BEFORE THE
38 DISTRICT SHALL PLACE THE TEACHER ON UNPAID LEAVE.

39
40 (VI) THE PROVISIONS OF THIS PARAGRAPH (c.5) MAY BE WAIVED
41 IN WHOLE OR IN PART FOR A RENEWABLE FOUR-YEAR PERIOD BY THE
42 STATE BOARD OF EDUCATION PURSUANT TO SECTION 22-2-117, PROVIDED
43 THAT THE LOCAL SCHOOL BOARD APPLYING FOR THE WAIVER, IN
44 CONJUNCTION WITH THE SUPERINTENDENT AND TEACHERS ASSOCIATION,
45 IF APPLICABLE, DEMONSTRATES THAT THE WAIVER IS IN THE BEST
46 INTEREST OF STUDENTS ENROLLED IN THE SCHOOL DISTRICT, SUPPORTS
47 THE EQUITABLE DISTRIBUTION OF EFFECTIVE TEACHERS, AND WILL NOT
48 RESULT IN PLACEMENT OTHER THAN BY MUTUAL CONSENT OF THE
49 TEACHER IN A SCHOOL DISTRICT OR PUBLIC SCHOOL THAT IS REQUIRED TO
50 IMPLEMENT A PRIORITY IMPROVEMENT PLAN OR TURNAROUND PLAN
51 PURSUANT TO ARTICLE 11 OF THIS TITLE. NOTWITHSTANDING THE
52 PROVISIONS OF THIS PARAGRAPH (c.5), A WAIVER SHALL NOT BE GRANTED
53 FOR A REQUEST THAT EXTENDS THE TIME FOR SECURING A MUTUAL
54 CONSENT ASSIGNMENT FOR MORE THAN TWO YEARS.

55
56 (VII) THIS PARAGRAPH (c.5) SHALL APPLY AS A RESULT OF SCHOOL

1 CLOSURE, CONSOLIDATION, RECONSTITUTION, DROP IN ENROLLMENT,
2 REDUCTION IN BUILDING, PHASE OUT, OR REDUCTION IN PROGRAM."

3
4 Page 35, line 13, after "POSITIONS." add "EFFECTIVE FEBRUARY 15, 2012,
5 THE CONTRACT OR POLICY SHALL INCLUDE CONSIDERATION OF
6 PROBATIONARY AND NONPROBATIONARY STATUS AND THE NUMBER OF
7 YEARS A TEACHER HAS BEEN TEACHING IN THE SCHOOL DISTRICT; EXCEPT
8 THAT THESE CRITERIA MAY BE CONSIDERED ONLY AFTER THE
9 CONSIDERATION OF THE CRITERIA DESCRIBED IN SECTION 22-9-106 AND
10 ONLY IF THE CONTRACT OR POLICY IS IN THE BEST INTEREST OF THE
11 STUDENTS ENROLLED IN THE SCHOOL DISTRICT."

12
13 Page 36, line 26, after "(a.5)" insert "(I)".

14
15 Page 37, after line 6 insert:

16 "(II) A PROBATIONARY TEACHER WHO IS DEEMED TO BE
17 PERFORMING SATISFACTORILY IN ANY OF SCHOOL YEARS 2010-2011,
18 2011-2012, AND 2012-2013 SHALL, FOR PURPOSES OF ARTICLE 9 OF THIS
19 TITLE, BE DEEMED TO HAVE PERFORMED EFFECTIVELY DURING THE SAME
20 SCHOOL YEAR OR YEARS. BEGINNING WITH THE 2013-2014 SCHOOL YEAR,
21 ALL TEACHERS SHALL BE EVALUATED IN ACCORDANCE WITH THE NEW
22 PERFORMANCE EVALUATION SYSTEM THAT IS BASED ON MEASURES OF
23 EFFECTIVENESS; HOWEVER, A SCHOOL DISTRICT MAY EXTEND THE
24 PROBATIONARY STATUS OF A TEACHER WHO HAS THREE CONSECUTIVE
25 SATISFACTORY RATINGS AS OF JULY 1, 2013 BY NO MORE THAN ONE YEAR.

26
27 **SECTION 15.** Part 2 of article 63 of title 22, Colorado Revised
28 Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION
29 to read:

30
31 **22-63-203.5. Nonprobationary portability.** BEGINNING WITH
32 THE 2014-2015 SCHOOL YEAR, A NONPROBATIONARY TEACHER, EXCEPT
33 FOR A NONPROBATIONARY TEACHER WHO HAS HAD TWO CONSECUTIVE
34 PERFORMANCE EVALUATIONS WITH AN INEFFECTIVE RATING, WHO IS
35 EMPLOYED BY A SCHOOL DISTRICT AND IS SUBSEQUENTLY HIRED BY A
36 DIFFERENT SCHOOL DISTRICT MAY PROVIDE TO THE HIRING SCHOOL
37 DISTRICT EVIDENCE OF HIS OR HER STUDENT ACADEMIC GROWTH DATA
38 AND PERFORMANCE EVALUATIONS FOR THE PRIOR TWO YEARS FOR THE
39 PURPOSES OF RETAINING NONPROBATIONARY STATUS. IF, UPON PROVIDING
40 SUCH DATA, THE NONPROBATIONARY TEACHER CAN SHOW TWO
41 CONSECUTIVE PERFORMANCE EVALUATIONS WITH EFFECTIVENESS RATINGS
42 IN GOOD STANDING, HE OR SHE SHALL BE GRANTED NONPROBATIONARY
43 STATUS IN THE HIRING SCHOOL DISTRICT."

44
45 Renumber succeeding sections accordingly.

46
47
48
49
50 **HEALTH & HUMAN SERVICES**

51 After consideration on the merits, the Committee recommends the
52 following:

53
54 **SB10-167** be amended as follows, and as so amended, be referred to
55 the Committee on Appropriations with favorable
56 recommendation:

1 Amend reengrossed bill, page 4, after line 17 insert:

2
3 "SECTION 4. 24-50-104 (5) (b), Colorado Revised Statutes, is
4 amended to read:

5
6 **24-50-104. Job evaluation and compensation. (5) Pay plans.**
7 (b) No employee in any pay plan may exceed an established maximum
8 salary amount for such plan, except as provided in paragraph (e) of
9 subsection (1) of this section. The maximum monthly salary for any
10 employee whose position is assigned to a nonmedical pay plan in effect
11 prior to July 1, 1991, shall be calculated based on the 1991 maximum of
12 five thousand seven hundred ninety-four dollars, plus the subsequent
13 adjustments made under this paragraph (b) since July 1, 1991; except that
14 classes in the medical pay plan requiring licensure as a physician or
15 dentist shall be subject to a maximum monthly salary calculated on the
16 basis of the 1991 maximum of seven thousand eight hundred twelve
17 dollars, plus the subsequent adjustments made under this paragraph (b)
18 since July 1, 1991. EFFECTIVE JULY 1, 2010, THE MAXIMUM MONTHLY
19 SALARY IN THE MEDICAL PAY PLAN SHALL BE SEVENTEEN THOUSAND NINE
20 HUNDRED TWENTY-SEVEN DOLLARS, PLUS ANY SUBSEQUENT
21 ADJUSTMENTS MADE UNDER THIS PARAGRAPH (b). Such amounts shall be
22 adjusted by the state personnel director in accordance with the change in
23 the employment cost index for the preceding calendar year or the
24 percentage increase in state general fund appropriations in relation to
25 such appropriations for the preceding fiscal year, whichever is greater.
26 In no event shall such amounts exceed the maximum found in the market
27 as determined by the annual compensation survey. The maximum
28 monthly salary for the senior executive service plan shall not exceed the
29 maximum monthly salary of any nonmedical pay plan by more than
30 twenty-five percent."

31
32 Renumber succeeding sections accordingly.

33
34
35
36
37 **JUDICIARY**

38 After consideration on the merits, the Committee recommends the
39 following:

40
41 **SB10-011** be amended as follows, and as so amended, be referred to
42 the Committee of the Whole with favorable
43 recommendation:

44
45 Amend reengrossed bill, page 4, strike line 8 and substitute "TO BE
46 WRONGFULLY DENIED OR DELAYED, OR TO ENCOURAGE THE WRONGFUL
47 DENIAL OR DELAY OF MEDICAL CARE OR".

48
49 Page 4, line 10, strike "OR RECEIPT".

50
51 Page 4, line 12, strike "PERSON WHO PAYS OR RECEIVES" and substitute
52 "INSURER OR SELF-INSURED EMPLOYER WHO PAYS OR DIRECTS THE
53 PAYMENT OF".

54
55 Page 4, line 16, strike "A PERSON" and substitute "AN INSURER OR
56 SELF-INSURED EMPLOYER".

1 Page 4, after line 18 insert:

2

3 "(3) NOTHING IN THIS SECTION:

4

5 (a) RESTRICTS OR LIMITS THE ABILITY OF A CLAIMS ADJUSTER OR
6 EMPLOYEE OR CONTRACTED CLAIMS PERSONNEL TO INVESTIGATE, DETECT,
7 OR PREVENT FRAUD; OR

8

9 (b) LIMITS THE PAYMENT OR RECEIPT OF FINANCIAL INCENTIVES
10 FOR ANY OTHER LAWFUL PURPOSE."

11

12 Page 5, line 15, strike "PROVISION," and substitute "PROVISION".

13

14 Page 5, line 16, strike "INCLUDING ONE IN AN EXISTING CONTRACT,".

15

16

17

18 **SB10-199** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:

21

22 Amend reengrossed bill, page 9, after line 24 insert:

23

24 "SECTION 13. 15-12-203 (1) (b.5), Colorado Revised Statutes,
25 is amended to read:

26

27 **15-12-203. Priority among persons seeking appointment as**
28 **personal representative.** (1) Whether the proceedings are formal or
29 informal, persons who are not disqualified have priority for appointment
30 in the following order:

31

32 (b.5) A person ~~nominated~~ GIVEN PRIORITY to be a personal
33 representative ~~by a power conferred~~ in a designated beneficiary
34 agreement MADE PURSUANT TO ARTICLE 22 OF THIS TITLE;".

35

36 Renumber succeeding sections accordingly.

37

38 Page 12, after line 14 insert:

39

40 "SECTION 18. 15-14-310 (1) (b), Colorado Revised Statutes, is
41 amended to read:

42

43 **15-14-310. Who may be guardian - priorities - prohibition of**
44 **dual roles.** (1) Subject to subsection (4) of this section, the court in
45 appointing a guardian shall consider persons otherwise qualified in the
46 following order of priority:

47

48 (b) A person nominated as guardian by the respondent, including
49 the respondent's specific nomination of a guardian made in a durable
50 power of attorney or GIVEN PRIORITY TO BE A GUARDIAN in a designated
51 beneficiary agreement made pursuant to article 22 of this title;

52

53 **SECTION 19. 15-14-413 (1) (b), Colorado Revised Statutes, is**
54 amended to read:

55

56 **15-14-413. Who may be conservator - priorities - prohibition**

1 **of dual roles.** (1) Except as otherwise provided in subsection (4) of this
2 section, the court, in appointing a conservator, shall consider persons
3 otherwise qualified in the following order of priority:
4

5 (b) A person nominated as conservator by the respondent,
6 including the respondent's specific nomination of a conservator made in
7 a durable power of attorney or GIVEN PRIORITY TO BE A CONSERVATOR in
8 a designated beneficiary agreement MADE pursuant to article 22 of this
9 title, if the respondent has attained twelve years of age;
10

11 **SECTION 20.** 15-18.5-103 (1), Colorado Revised Statutes, is
12 amended to read:
13

14 **15-18.5-103. Proxy decision-makers for medical treatment**
15 **authorized.** (1) A health care provider or health care facility may rely,
16 in good faith, upon the medical treatment decision of a proxy
17 decision-maker selected in accordance with subsection (4) of this section
18 if an adult patient's attending physician determines that such patient lacks
19 the decisional capacity to provide informed consent to or refusal of
20 medical treatment and no guardian with medical decision-making
21 authority, agent appointed in a medical durable power of attorney, person
22 ~~designated as a designated beneficiary~~ with the right to act as a proxy
23 decision-maker IN A DESIGNATED BENEFICIARY AGREEMENT MADE
24 pursuant to article 22 of this title, or other known person has the legal
25 authority to provide such consent or refusal on the patient's behalf.
26

27 **SECTION 21.** 15-18.5-104 (1), Colorado Revised Statutes, is
28 amended to read:
29

30 **15-18.5-104. Surrogate decision-makers for health care**
31 **benefits.** (1) A proxy decision-maker for medical treatment selected in
32 accordance with section 15-18.5-103 or a person ~~designated as a~~
33 ~~designated beneficiary~~ with the right to act as a surrogate decision-maker
34 IN A DESIGNATED BENEFICIARY AGREEMENT MADE pursuant to article 22
35 of this title shall have authority to make health care benefit decisions on
36 behalf of an adult patient and may be known additionally as a surrogate
37 decision-maker for health care benefits.
38

39 **SECTION 22.** 15-19-106 (1) (c.5), Colorado Revised Statutes, is
40 amended to read:
41

42 **15-19-106. Right to dispose of remains.** (1) Subject to section
43 15-19-105 (2), the right to control disposition of the last remains or
44 ceremonial arrangements of a decedent vests in and devolves upon the
45 following persons, at the time of the decedent's death, in the following
46 order:
47

48 (c.5) A ~~designated beneficiary who was designated in a designated~~
49 ~~beneficiary agreement pursuant to article 22 of this title as having~~ PERSON
50 WITH the right to direct the disposition of the decedent's last remains IN A
51 DESIGNATED BENEFICIARY AGREEMENT MADE PURSUANT TO ARTICLE 22
52 OF THIS TITLE;
53

54 **SECTION 23.** 15-22-106, Colorado Revised Statutes, is amended
55 to read:
56

15-22-106. Statutory form of a designated beneficiary agreement. (1) The following statutory form shall be the standard form for a designated beneficiary agreement:

DESIGNATED BENEFICIARY AGREEMENT

DISCLAIMER

Warning: While this document may indicate your wishes, certain additional documents may be needed to protect these rights.

This designated beneficiary agreement is operative in the absence of other estate planning documents and will be superseded and set aside to the extent it conflicts with valid instruments such as a will, power of attorney, or beneficiary designation on an insurance policy or pension plan. This designated beneficiary agreement is superseded by such other documents and does not cause any changes to be made to those documents or designations. The parties understand that executing and signing this agreement is not sufficient to designate the other party for purposes of any insurance policy, pension plan, payable upon death designation or manner in which title to property is held and that additional action will be required to make or change such designations. The parties understand that this designated beneficiary agreement may be one component of estate planning instructions and that they are encouraged to consult an attorney to ensure their estate planning wishes are accomplished.

We, _____, (insert full name and address) referred to as party A, and _____, (insert full name and address) referred to as party B, hereby designate each other as the other's designated beneficiary with the following rights and protections, granted or withheld as indicated by our initials:

TO GRANT ONE OR MORE OF THE RIGHTS OR PROTECTIONS SPECIFIED IN THIS FORM, INITIAL THE LINE TO THE LEFT OF EACH RIGHT OR PROTECTION YOU ARE GRANTING. TO WITHHOLD A RIGHT OR PROTECTION, INITIAL THE LINE TO THE RIGHT OF EACH RIGHT OR PROTECTION YOU ARE WITHHOLDING.

A DESIGNATED BENEFICIARY AGREEMENT SHALL BE PRESUMED TO GRANT ALL OF THE RIGHTS AND PROTECTIONS LISTED IN THIS FORM UNLESS THE PARTIES WITHHOLD A RIGHT OR PROTECTION IN THE MANNER SET FORTH IMMEDIATELY ABOVE.

TO GRANT A RIGHT
OR PROTECTION
INITIAL

TO WITHHOLD A RIGHT
OR PROTECTION
INITIAL

Party A Party B

Party A Party B

_____. The right to acquire, hold title to, own _____ jointly, or transfer inter vivos or at death real or personal property as a joint tenant with me with right of survivorship or as a tenant in common with me;

1 ____ The right to be designated by me as a ____
2 beneficiary, payee, or owner as a trustee named in an inter vivos or
3 testamentary trust for the purposes of a nonprobate transfer on death;
4
5 ____ The right to be designated by me as a ____
6 beneficiary and recognized as a dependent in an insurance policy for life
7 insurance;
8
9 ____ The right to be designated by me as a ____
10 beneficiary and recognized as a dependent in a health insurance policy if
11 my employer elects to provide health insurance coverage for designated
12 beneficiaries;
13
14 ____ The right to be designated by me as a ____
15 beneficiary in a retirement or pension plan;
16
17 ____ The right to petition for and have
18 priority for appointment as a conservator, guardian, or personal
19 representative for me;
20
21 ____ The right to visit me in a hospital,
22 nursing home, hospice, or similar health care facility in which a party to
23 a designated beneficiary agreement resides or is receiving care;
24
25 ____ The right to initiate a formal
26 complaint regarding alleged violations of my rights as a nursing home
27 patient as provided in section 25-1-120, Colorado Revised Statutes;
28
29 ____ The right to act as a proxy
30 decision-maker or surrogate decision-maker to make medical care
31 decisions for me pursuant to section 15-18.5-103 or 15-18.5-104,
32 Colorado Revised Statutes;
33
34 ____ The right to notice of the withholding
35 or withdrawal of life-sustaining procedures for me pursuant to section
36 15-18-107, Colorado Revised Statutes;
37
38 ____ The right to challenge the validity of
39 a declaration as to medical or surgical treatment of me pursuant to section
40 ~~15-18-107~~ 15-18-108, Colorado Revised Statutes;
41
42 ____ The right to act as my agent to make,
43 revoke, or object to anatomical gifts involving my person pursuant to the
44 "Revised Uniform Anatomical Gift Act", part 1 of article 34 of title 12,
45 Colorado Revised Statutes;
46
47 ____ The right to inherit real or personal
48 property from me through intestate succession;
49
50 ____ The right to have standing to receive
51 benefits pursuant to the "Workers' Compensation Act of Colorado",
52 article 40 of title 8, Colorado Revised Statutes, in the event of my death
53 on the job;
54
55 ____ The right to have standing to sue for
56 wrongful death in the event of my death; and

1 _____ The right to direct the disposition of
2 my last remains pursuant to article 19 of title 15, Colorado Revised
3 Statutes.

4
5 THIS DESIGNATED BENEFICIARY AGREEMENT IS EFFECTIVE
6 WHEN RECEIVED FOR RECORDING BY THE COUNTY CLERK
7 AND RECORDER OF THE COUNTY IN WHICH ONE OF THE
8 DESIGNATED BENEFICIARIES RESIDES. THIS DESIGNATED
9 BENEFICIARY AGREEMENT WILL CONTINUE IN EFFECT UNTIL
10 ONE OF THE DESIGNATED BENEFICIARIES REVOKES THIS
11 AGREEMENT BY RECORDING A REVOCATION OF DESIGNATED
12 BENEFICIARY FORM WITH THE COUNTY CLERK AND
13 RECORDER OF THE COUNTY IN WHICH THIS AGREEMENT
14 WAS RECORDED OR UNTIL THIS AGREEMENT IS SUPERSEDED
15 IN PART OR IN WHOLE BY A SUPERSEDING LEGAL
16 DOCUMENT.

17
18 _____ Signature of designated beneficiary _____ Signature of designated beneficiary

19
20 STATE OF COLORADO
21 County of _____

22
23 This document was ~~subscribed, sworn to, and~~ acknowledged before me
24 on _____ date

25
26 by

27
28 My commission expires _____
29 [Seal]

30
31 _____
32 Notary Public

33 (2) The instructions to each party regarding how to grant or
34 withhold a right or protection by initialing and the words "Party A" and
35 "Party B" shall appear at the top of each page of the statutory form above
36 the columns for the initials of the designated beneficiaries.

37
38 (3) A designated beneficiary agreement shall be presumed to
39 extend all of the rights and protections listed in the statutory form unless
40 the parties to the agreement explicitly exclude a right or protection.

41
42 (4) A party to a designated beneficiary agreement may limit the
43 scope of a designated beneficiary agreement by the terms of the
44 agreement or by executing a superseding legal document that controls and
45 supersedes part or all of the designated beneficiary agreement."

46
47 Renumber succeeding sections accordingly.

48
49
50
51 **MESSAGE(S) FROM THE SENATE**

52
53 In response to the request of the House for a Conference Committee on
54 HB10-1188, the President appoints Senators Hodge, chair, Tapia and
55 White as conferees on the First Conference Committee on HB10-1188.

56

1 The Senate has adopted and transmits herewith:

2
3 SJR10-039 amended as printed in Senate Journal, May 7, 2010.
4

5
6 The Senate has passed on Third Reading and transmitted to the Revisor
7 of Statutes:

8
9 HB10-1284 amended as printed in Senate Journal, May 5, 2010,
10 pages 1224-1233 and May 6, 2010.
11

12 The Senate has adopted and transmits herewith: SJR10-049.
13

14 The Senate has postponed indefinitely HB10-1407, HB10-1217. The
15 bills are returned herewith.
16

17
18 **MESSAGE(S) FROM THE REVISOR**
19

20 We herewith transmit:
21 Without comment, as amended, HB10-1284.
22

23
24
25 On motion of Representative Weissmann, **SB10-003, 012, 013, 197, 199,**
26 **196, 179, 124, 144, HCR10-1005** were made Special Orders on Friday,
27 May 7, 2010, at 10:05 a.m.
28

29
30 The hour of 10:05 a.m., having arrived, on motion of Representative
31 Judd, the House resolved itself into Committee of the Whole for
32 consideration of Special Orders and he was called to the Chair to act as
33 Chairman.
34

35
36 **SPECIAL ORDERS--SECOND READING OF BILLS**
37

38 The Committee of the Whole having risen, the Chairman reported the
39 titles of the following bills had been read (reading at length had been
40 dispensed with by unanimous consent), the bills considered and action
41 taken thereon as follows:
42

43 (Amendments to the committee amendment are to the printed committee
44 report which was printed and placed in the members' bill file.)
45

46 **SB10-003** by Senator(s) Morse and Penry, Heath; also
47 Representative(s) Middleton and May, Court--Concerning
48 higher education flexibility to improve the financial
49 position of state institutions of higher education.
50

51 Amendment No. 1, Education Report, dated May 6, 2010, and placed in
52 member's bill file; Report also printed in House Journal, May 6,
53 page 1676.
54

55 As amended, ordered revised and placed on the Calendar for Third
56 Reading and Final Passage.

1 **SB10-012** by Senator(s) Tochtrop, Carroll M., Hodge; also
2 Representative(s) Pace, Miklosi, Ryden--Concerning
3 increased penalties for violations of the workers'
4 compensation laws.
5

6 Amendment No. 1, by Representative(s) Pace.
7

8 Amend reengrossed bill, page 3, line 11, strike "benefits." and substitute
9 "benefits; EXCEPT THAT NO PENALTY IS DUE IF THE INSURER OR
10 SELF-INSURED EMPLOYER PROVES THAT THE DELAY WAS THE RESULT OF
11 EXCUSABLE NEGLIGENCE."
12

13 As amended, ordered revised and placed on the Calendar for Third
14 Reading and Final Passage.
15

16 **SB10-013** by Senator(s) Hodge, Carroll M., Tochtrop; also
17 Representative(s) Ryden, Miklosi, Pace--Concerning
18 accountability for workers' compensation insurers, and
19 making an appropriation therefor.
20

21 Amendment No. 1, Business Affairs & Labor Report, dated May 5, 2010,
22 and placed in member's bill file; Report also printed in House Journal,
23 May 5, page 1653.
24

25 As amended, ordered revised and placed on the Calendar for Third
26 Reading and Final Passage.
27

28 **SB10-197** by Senator(s) Hodge; also Representative(s) Riesberg--
29 Concerning exempting the transfer of prescription drugs
30 purchased with public funds by public entities from the
31 definition of "wholesale distribution" of prescription
32 drugs.
33

34 Ordered revised and placed on the Calendar for Third Reading and Final
35 Passage.
36

37 **SB10-196** by Senator(s) Gibbs; also Representative(s) Scanlan--
38 Concerning the minimum speed at which a motor vehicle
39 may travel on interstate 70.
40

41 Amendment No. 1, by Representative(s) Lambert.
42

43 Amend reengrossed bill, page 2, line 5, strike "SPEED LIMIT" and
44 substitute "MINIMUM SPEED".
45

46 As amended, ordered revised and placed on the Calendar for Third
47 Reading and Final Passage.
48

49 (For change in action, see Amendments to Report, page 1705.)
50

51 **SB10-179** by Senator(s) Steadman; also Representative(s)
52 Weissmann and Casso--Concerning the voting rights of
53 persons involved in the criminal justice system, and
54 making an appropriation in connection therewith.
55

56 Declared **lost** on Second Reading.

1 **SB10-124** by Senator(s) Carroll M.; also Representative(s) Ryden--
2 Concerning a requirement that certain health care
3 providers disclose information about their practice history,
4 and making an appropriation therefor.
5

6 Amendment No. 1, Health & Human Services Report, dated
7 April 12, 2010, and placed in member's bill file; Report also printed in
8 House Journal, April 13, page 1213.
9

10 As amended, ordered revised and placed on the Calendar for Third
11 Reading and Final Passage.
12

13 **SB10-144** by Senator(s) Scheffel; also Representative(s) Rice--
14 Concerning the registration of equipment mounted on a
15 motor vehicle.
16

17 Ordered revised and placed on the Calendar for Third Reading and Final
18 Passage.
19

20 **HCR10-1005** by Representative(s) Baumgardner; also Senator(s) Kopp--
21 Submitting to the registered electors of the state of
22 Colorado an amendment to section 3 (1) (b) of article X of
23 the constitution of the state of Colorado, concerning an
24 exemption from property taxation for possessory interests
25 in real property with specified actual values.
26

27 Ordered engrossed and placed on the Calendar for Third Reading and
28 Final Passage.
29

30 **SB10-199** by Senator(s) Carroll M.; also Representative(s) Court--
31 Concerning clarifying revisions to certain provisions of the
32 Colorado probate code.
33

34 Amendment No. 1, Judiciary Report, dated May 6, 2010, and placed in
35 member's bill file; Report also printed in House Journal, May 7,
36 pages 1698-1702.
37

38 As amended, ordered revised and placed on the Calendar for Third
39 Reading and Final Passage.
40

41
42
43

44 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**
45

46 Representative Lambert moved to amend the Report of the Committee of
47 the Whole to reverse the action taken by the Committee in adopting
48 Amendment No. 1, by Representative Lambert (printed in House Journal
49 page 1704, lines 41-44), to SB10-196, to show that said amendment lost
50 and that SB10-196 passed.
51

52 Amend reengrossed bill, page 2, line 5, strike "SPEED LIMIT" and
53 substitute "MINIMUM SPEED".
54

55 The amendment was declared **passed** by the following roll call vote:
56

	YES	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y
19								

Representatives Looper, Kerr J., Liston, Stephens, and Bradford moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting the following Looper and Kerr J. amendment, to SB10-013, to show that said amendment passed, and that **SB10-013**, as amended, passed.

Amend reengrossed bill, strike everything below the enacting clause and substitute:

"SECTION 1. Part 2 of article 43 of title 8, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

8-43-220. Injured worker audit. ON OR BEFORE JANUARY 10, 2011, THE STATE AUDITOR SHALL CAUSE TO BE CONDUCTED AN AUDIT OF THE FINANCIAL AND PERFORMANCE OF PINNACOL ASSURANCE. THE AUDIT SHALL BE TRANSMITTED TO THE AUDIT COMMITTEE AND THE BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEE, FOR REVIEW.

SECTION 2. 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.".

The amendment was declared **lost** by the following roll call vote:

	YES	28	NO	37	EXCUSED	0	ABSENT	0
47	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
48	Apuan	N	Hullinghorst	N	McKinley	Y	Scanlan	N
49	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
50	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
51	Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
52	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
53	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
54	Court	N	King S.	Y	Nikkel	Y	Summers	Y
55	Curry	N	Labuda	N	Pace	N	Swalm	Y
56	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y

Ferrandino	N	Levy	N	Pommer	N	Todd	N
Fischer	N	Liston	Y	Primavera	N	Tyler	N
Frangas	N	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	N	Massey	Y	Rice	N	Vigil	N
Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
						Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **SB10-003 amended, 012 amended, 013 amended, 197, 196, 124 amended, 144, HCR10-1005, SB10-199 amended.**

Lost on Second Reading: **SB10-179.**

The Chairman moved the adoption of the Committee of the Whole Report. As shown by the following roll call vote, a majority of those elected to the House voted in the affirmative, and the Report was **adopted.**

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

ANNOUNCEMENT

The Speaker announced the House was in the last two days of session.

House in recess. House reconvened.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: SB10-066, 177.

DELIVERY OF BILL TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bill has been delivered to the Office of the Governor: **HB10-1096** at 11:21 a.m. on May 7, 2010.

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB10-200, SB10-208, SB10-198, SB10-216, SB10-212, SB10-211, SB10-217.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB10-205 amended as printed in Senate Journal, May 6, 2010, pages 1255-1256.

SB10-210 amended as printed in Senate Journal, May 6, 2010, page 1256 and May 7.

SB10-202 amended as printed in Senate Journal, May 6, 2010, pages 1256-1257.

SB10-213 amended as printed in Senate Journal, May 6, 2010, page 1257.

SB10-203 amended as printed in Senate Journal, May 6, 2010, pages 1260-1262 and May 7.

SB10-209 amended as printed in Senate Journal, May 6, 2010, page 1262.

SB10-204 amended as printed in Senate Journal, May 6, 2010, page 1270.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1172 amended as printed in Senate Journal, May 6, 2010, pages 1270-1271.

HB10-1358 amended as printed in Senate Journal, May 6, 2010, page 1257.

The Senate has passed on Third Reading and returns herewith: HB10-1398.

The Senate has postponed indefinitely HB10-1103. The bill is returned herewith.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, SB10-200, 208, 216, 211, and 217.

With comments, SB10-212.

Without comment, as amended, SB10-205, 210, 202, 213, 203, 209, and 204 and HB10-1358.

With comment, as amended, HB10-1172.

We herewith transmit:

Without comment, SB10-198.

INTRODUCTION OF BILLS
First Reading

The following bills were read by title and referred to the committees indicated:

SB10-198 by Senator(s) Whitehead and Cadman; also Representative(s) McKinley--Concerning a reduction in the amount of the penalty for late vehicle registration for certain vehicles without motive power.
Committee on State, Veterans, & Military Affairs

SB10-200 by Senator(s) Schwartz; also Representative(s) Fischer and Kefalas--Concerning amendments to the "Colorado Recovery and Reinvestment Finance Act of 2009" that are necessary to conform to amendments made to the federal "American Recovery and Reinvestment Act of 2009" by the federal "Hiring Incentives to Restore Employment Act".
Committee on Finance

SB10-202 by Senator(s) Whitehead; also Representative(s) Kerr A.--Concerning savings accounts for job retraining.
Committee on Education

SB10-203 by Senator(s) Carroll M., Morse, Shaffer B.; also Representative(s) Weissmann and Middleton--Concerning independent expenditures in Colorado elections after the United States supreme court case of *Citizens United v. Federal Election Comm'n*, and making an appropriation therefor.
Committee on State, Veterans, & Military Affairs

SB10-204 by Senator(s) Shaffer B.; also Representative(s) Solano--Concerning the penalty for careless driving resulting in death.
Committee on Judiciary

SB10-205 by Senator(s) Bacon, Scheffel; also Representative(s) Scanlan and Murray--Concerning the authority of a school district to submit to the eligible electors of the district the question of contracting a bonded indebtedness for the purpose of paying costs that may be paid from the general fund of the school district.
Committee on Education

SB10-208 by Senator(s) Keller; also Representative(s) Acree--Concerning repealing references to the referral and placement committee to reflect current usage of interdisciplinary teams in developing individualized plans for persons with developmental disabilities.
Committee on Health and Human Services

SB10-209 by Senator(s) Schwartz, Gibbs, Hodge, Kester, Penry, Scheffel, Steadman, White, Whitehead; also Representative(s) Vigil--Concerning the allocation of 2009

- 1 national forest payments in counties as said payments
2 relate to federal payments in lieu of taxes.
3 Committee on Local Government
4
5 **SB10-210** by Senator(s) Romer and Penry, Spence, Heath, Gibbs,
6 Steadman, Tapia; also Representative(s) Ferrandino and
7 Massey--Concerning authorization of funding for
8 educational programs that provide incentives for students
9 to read.
10 Committee on Education
11
12 **SB10-211** by Senator(s) Morse and Gibbs, Harvey, Bacon, Boyd,
13 Brophy, Foster, Heath, Hodge, Johnston, Kester, King K.,
14 Kopp, Lundberg, Mitchell, Penry, Renfroe, Romer,
15 Scheffel, Schultheis, Shaffer B., Tapia, Tochtrop, White,
16 Whitehead, Williams; also Representative(s) Looper and
17 Scanlan, Apuan, Balmer, DelGrosso, Kerr J., Nikkel,
18 Priola, Swalm--Concerning big game hunting licenses for
19 members of the United States armed services wounded
20 warrior programs who have sustained severe combat-
21 related injuries while serving in post-September 11, 2001,
22 overseas contingency operations.
23 Committee on Agriculture, Livestock, & Natural Resources
24
25 **SB10-212** by Senator(s) Cadman, Shaffer B., Penry, Tapia, Romer,
26 Boyd; also Representative(s) Weissmann--Concerning the
27 repeal of mechanisms to refund excess state revenues.
28 Committee on Finance
29
30 **SB10-213** by Senator(s) Shaffer B., Morse, Penry; also
31 Representative(s) Weissmann, Carroll T., May--
32 Concerning committees created by the Colorado general
33 assembly that operate during the interim.
34 Committee on State, Veterans, & Military Affairs
35
36 **SB10-216** by Senator(s) Heath; also Representative(s) Court--
37 Concerning the order in which statewide ballot measures
38 appear on a ballot.
39 Committee on State, Veterans, & Military Affairs
40
41 **SB10-217** by Senator(s) Boyd; also Representative(s) Riesberg--
42 Concerning a modification to the nursing-sensitive quality
43 measures required to be included in the comprehensive
44 hospital information system.
45 Committee on Health and Human Services
46
47
48

INTRODUCTION OF RESOLUTIONS

- 49
50
51 The following resolutions were read by title and laid over one day under
52 the rules:
53
54 **SJR10-039** by Senator(s) Scheffel; also Representative(s) Murray--
55 Concerning the danger of carbon monoxide poisoning
56 from marine engine emissions.

1 **SJR10-049** by Senator(s) Penry and Gibbs; also Representative(s)
2 King S. and Scanlan--Concerning the Colorado general
3 assembly's support for the Colorado roadless rule petition.
4
5

6 The following resolution was read by title and referred to the committee
7 indicated:
8

9 **SJM10-002** by Senator(s) Kopp, Cadman, Mitchell, Johnston, Shaffer
10 B., Harvey, Kester, King K., Morse, Penry, Scheffel,
11 Schultheis, White; also Representative(s) King S.--
12 Memorializing Congress to adopt the Honor and
13 Remember Flag.
14 Committee on Judiciary
15
16

17
18 **LAY OVER OF CALENDAR ITEM(S)**
19

20 On motion of Representative Weissmann, the following item(s) on the
21 Calendar (was)were laid over until May 10, retaining place on Calendar:
22

23 Consideration of General Orders--**HCR10-1002, SB10-190.**
24 Consideration of Resolution(s)--**HJR10-1024, 1025, 1028, 1033, 1035.**
25
26

27
28 On motion of Representative Weissmann, the House adjourned until
29 10:00 a.m., May 10, 2010.
30

31 Approved:
32 TERRANCE D. CARROLL,
33 Speaker

34 Attest:
35 MARILYN EDDINS,
36 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-eighteenth Legislative Day Monday, May 10, 2010

1 Prayer by Pastor Curtis Miller, Worship Center, Brighton

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Sam Hillman, Prairie Middle School; Kelton
6 Erickson, Campus Middle School; Carson Erickson, East Ridge
7 Elementary, Aurora.

8

9 The roll was called with the following result:

10

11 Present--65.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Pace, the reading of the journal of
17 May 7, 2010, was declared dispensed with and approved as corrected by
18 the Chief Clerk.

19

20

21

22 **THIRD READING OF RESOLUTION--FINAL PASSAGE**

23

24 The following resolution was considered on Third Reading. The title was
25 publicly read. Reading of the resolution at length was dispensed with by
26 unanimous consent.

27

28 **HCR10-1005** by Representative(s) Baumgardner; also Senator(s) Kopp--
29 Submitting to the registered electors of the state of
30 Colorado an amendment to section 3 (1) (b) of article X of
31 the constitution of the state of Colorado, concerning an
32 exemption from property taxation for possessory interests
33 in real property with specified actual values.

34

35 The question being "Shall the resolution pass?"

36 A roll call vote was taken. As shown by the following recorded vote,
37 more than a constitutional majority of those elected to the House voted in
38 the affirmative and the resolution was declared **passed**.

39

	YES	52	NO	13	EXCUSED	0	ABSENT	0
41	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
42	Apuan	Y	Hullinghorst	N	McKinley	Y	Scanlan	Y
43	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y

1	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	N
2	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
3	Bradford	Y	Kerr A.	N	Miklosi	Y	Soper	Y
4	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
5	Court	N	King S.	Y	Nikkel	Y	Summers	Y
6	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
7	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
8	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
9	Fischer	N	Liston	Y	Primavera	Y	Tyler	Y
10	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
11	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N
12	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
13	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
14							Speaker	N

15 Co-sponsor(s) added: Representative(s) Acree, Gerou, Kerr J., Lambert, Liston,
 16 Priola, Rice, Roberts, Sonnenberg, Tipton.

17
 18
 19 House in recess. House reconvened.
 20

21 22 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

23 24 **EDUCATION**

25 After consideration on the merits, the Committee recommends the
 26 following:

27
 28 **SB10-202** be referred favorably to the Committee on Appropriations.
 29

30
 31 **SB10-205** be referred to the Committee of the Whole with favorable
 32 recommendation.
 33

34
 35 **SB10-210** be postponed indefinitely.
 36

37 38 39 40 **LOCAL GOVERNMENT**

41 After consideration on the merits, the Committee recommends the
 42 following:

43
 44 **SB10-209** be referred to the Committee of the Whole with favorable
 45 recommendation.
 46

47 48 49 50 **STATE, VETERANS, & MILITARY AFFAIRS**

51 After consideration on the merits, the Committee recommends the
 52 following:

53
 54 **SB10-192** be amended as follows, and as so amended, be referred to
 55 the Committee on Appropriations with favorable
 56 recommendation:

1 Amend reengrossed bill, page 4, strike lines 11 through 20 and substitute:

2
3 "(C) UNTIL COMPLETION OF THE CAPITOL DOME RESTORATION
4 PROJECT AS REPORTED BY THE STATE ARCHITECT PURSUANT TO SECTION
5 2-3-1304.5, C.R.S., THE COLORADO HISTORICAL SOCIETY SHALL".

6
7
8
9 **SB10-198** be referred favorably to the Committee on Appropriations.

10
11
12 **SB10-203** be amended as follows, and as so amended, be referred to
13 the Committee on Appropriations with favorable
14 recommendation:

15
16 Amend reengrossed bill, page 5, strike lines 17 through 24.

17
18 Renumber succeeding sections accordingly.

19
20 Page 6, line 16, after "(7.3)" insert "(a)."

21
22 Page 6, line 17, strike "(a)" and substitute "(I)".

23
24 Page 6, line 20, strike "(b)" and substitute "(II)".

25
26 Page 6, line 23, strike "(c)" and substitute "(III)".

27
28 Page 6, line 26, strike "(d)" and substitute "(IV)".

29
30 Page 6, after line 27 insert:

31
32 "(b) "DONATION" SHALL NOT INCLUDE A TRANSFER BY A
33 MEMBERSHIP ORGANIZATION OF A PORTION OF A MEMBER'S DUES FOR AN
34 INDEPENDENT EXPENDITURE SPONSORED BY SUCH MEMBERSHIP
35 ORGANIZATION."

36
37 Page 7, line 4, strike "EXPENDITURES." and substitute "EXPENDITURES IN
38 EXCESS OF ONE THOUSAND DOLLARS."

39
40 Page 7, strike lines 22 through 24 and substitute "MORE PERSONS THAT
41 MAKE AN INDEPENDENT EXPENDITURE IN EXCESS OF ONE THOUSAND
42 DOLLARS OR THAT COLLECTS IN EXCESS OF ONE THOUSAND DOLLARS FROM
43 ONE OR MORE PERSONS FOR".

44
45 Page 8, strike lines 3 and 4 and substitute "RADIO; AND BROADCAST,
46 CABLE, OR SATELLITE TELEVISION.

47
48 (12.7) "OBLIGATING" MEANS, IN CONNECTION WITH A NAMED
49 CANDIDATE, AGREEING TO SPEND IN EXCESS OF ONE THOUSAND DOLLARS
50 FOR AN INDEPENDENT EXPENDITURE OR TO GIVE, PLEDGE, LOAN, OR
51 PURCHASE ONE OR MORE GOODS, SERVICES, OR OTHER THINGS OF VALUE
52 THAT HAVE A FAIR MARKET VALUE IN EXCESS OF ONE THOUSAND DOLLARS
53 AS AN INDEPENDENT EXPENDITURE. "OBLIGATING" SHALL NOT REQUIRE
54 THAT THE TOTAL AMOUNT OF ONE THOUSAND DOLLARS BE FINALLY
55 DETERMINED AT THE TIME OF THE AGREEMENT TO SPEND MONEYS FOR AN
56 INDEPENDENT EXPENDITURE OR TO GIVE, PLEDGE, LOAN, OR PURCHASE

- 1 ANYTHING OF VALUE."
- 2
- 3 Page 8, strike lines 12 through 14 and substitute "(5) OF ARTICLE XXVIII
- 4 OF THE STATE CONSTITUTION."
- 5
- 6 Page 9, line 26, after "EXPENDITURE" insert "IN EXCESS OF ONE THOUSAND
- 7 DOLLARS".
- 8
- 9 Page 9, line 27, after "EXPENDITURE" insert "IN EXCESS OF ONE THOUSAND
- 10 DOLLARS".
- 11
- 12 Page 10, strike lines 11 through 17 and substitute "PRINCIPAL PLACE OF
- 13 OPERATIONS; AND".
- 14
- 15 Renumber succeeding subparagraph accordingly.
- 16
- 17 Page 11, strike lines 16 through 20.
- 18
- 19 Renumber succeeding subsections accordingly.
- 20
- 21 Page 11, line 24, strike "IN THE AGGREGATE AMOUNT" and substitute "IN
- 22 EXCESS".
- 23
- 24 Page 11, line 25, strike "OR MORE".
- 25
- 26 Page 12, line 15, strike "THAT" and substitute "THAT, FOR THE PURPOSE OF
- 27 MAKING AN INDEPENDENT EXPENDITURE,".
- 28
- 29 Page 12, line 17, strike "THE" and substitute "AN".
- 30
- 31 Page 13, line 10, strike "(5)" and substitute "(4)".
- 32
- 33 Page 13, line 11, strike "SECTION 1-45-108 (2);" and substitute "SECTION
- 34 1-45-108 (2) FOR POLITICAL COMMITTEES;".
- 35
- 36 Page 13, line 12, after "EXPENDITURE" insert "IN EXCESS OF ONE
- 37 THOUSAND DOLLARS".
- 38
- 39 Page 13, line 21, after "EXPENDS" insert "IN EXCESS OF" and strike "OR
- 40 MORE".
- 41
- 42 Page 14, line 3, strike "(6) and substitute "(5)".
- 43
- 44 Page 14, line 9, after "EXPENDS" insert "IN EXCESS OF ONE THOUSAND
- 45 DOLLARS" and strike "MONEYS".
- 46
- 47 Page 14, line 10, strike "IN AN AGGREGATE AMOUNT OF ONE THOUSAND
- 48 DOLLARS OR".
- 49
- 50 Page 14, line 11, strike "MORE".
- 51
- 52 Page 14, line 16, strike "(7)" and substitute "(6)".
- 53
- 54 Page 14, line 21, strike "AN AMOUNT" and substitute "EXCESS".
- 55
- 56 Page 14, line 22, strike "OR MORE".

- 1 Page 14, line 26, after "ANY" insert "SUCH".
2
3 Page 14, line 27, strike the third "THE" and substitute "SUCH".
4
5 Page 15, line 3, strike "(8)" and substitute "(7)".
6
7 Page 15, line 5, strike "PERSON'S" and substitute "IDENTITY OF THE
8 PERSON'S MEMBERS AND".
9
10 Page 15, line 10, strike "EXPENDITURE," and substitute "EXPENDITURE IN
11 EXCESS OF ONE THOUSAND DOLLARS,".
12
13 Page 15, line 13, strike "1-45-108 (2)," and substitute "1-45-108 (2) FOR
14 POLITICAL COMMITTEES,".
15
16 Page 15, line 20, strike "SECTION 1-45-108 (2);" and substitute "SECTION
17 1-45-108 (2) FOR POLITICAL COMMITTEES;".
18
19 Page 15, line 25, strike "(10)" and substitute "(9)".
20
21 Page 16, line 2, strike "(10)," and substitute "(9),".
22
23 Page 16, line 10, strike "(10)," and substitute "(9),".
24
25 Page 16, line 12, after "EXPENDITURE" insert "IN EXCESS OF ONE
26 THOUSAND DOLLARS".
27
28 Page 16, strike lines 15 through 23 and substitute:
29
30 "(11) ON REPORTS IT FILES WITH THE APPROPRIATE OFFICIAL, AN
31 INDEPENDENT EXPENDITURE COMMITTEE THAT OBLIGATES IN EXCESS OF
32 ON THOUSAND DOLLARS FOR AN INDEPENDENT EXPENDITURE SHALL
33 DISCLOSE A GOOD FAITH ESTIMATE OF THE FAIR MARKET VALUE OF THE
34 EXPENDITURE IF THE COMMITTEE DOES NOT KNOW THAT ACTUAL AMOUNT
35 OF THE EXPENDITURE AS OF THE DATE THAT A REPORT IS REQUIRED TO BE
36 FILED WITH THE APPROPRIATE OFFICIAL.".
37
38 Page 18, line 7, after the second "OF" insert "UP TO".
39
40 Page 18, line 22, strike "CONTRIBUTIONS, DONATIONS," and substitute
41 "DONATIONS".
42
43 Page 19, line 3, after "FINED" insert "UP TO".
44
45
46

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on HB10-1252**

This Report Amends the Reengrossed Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB10-1252,
concerning health care services for breast cancer screening, has met and
reports that it has agreed upon the following:

1 That the Senate recede from its amendments made to the bill, as
2 the amendments appear in the rerevised bill, and that the following
3 amendment be substituted therefor:

4
5 Amend reengrossed bill, page 2, strike lines 12 and 13 and substitute
6 "MAMMOGRAPHY SHALL BE COVERED FOR ALL INDIVIDUALS POSSESSING
7 AT LEAST ONE RISK FACTOR INCLUDING, BUT NOT LIMITED TO, A FAMILY
8 HISTORY OF BREAST CANCER, BEING FORTY YEARS OF AGE OR OLDER, OR
9 A GENETIC PREDISPOSITION TO BREAST CANCER."

10
11 Respectfully submitted,

12 House Committee:

13 (signed)

14 Dianne Primavera

15 Sara Gagliardi

16 Tom Massey

Senate Committee:

(signed)

Betty Boyd

Gail Schwartz

Shawn Mitchell

17
18
19
20 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
21 **on HB10-1330**

22 This Report Amends the Rerevised Bill.

23
24 To the President of the Senate and the
25 Speaker of the House of Representatives:

26
27 Your first conference committee appointed on HB10-1330,
28 concerning the creation of an advisory committee to make
29 recommendations regarding the creation of a Colorado all-payer health
30 claims database for the purpose of transparent public reporting of health
31 care information, has met and reports that it has agreed upon the
32 following:

33
34 That the House accede to the Senate amendments made to the bill,
35 as the amendments appear in the rerevised bill, with the following
36 changes:

37
38 Amend rerevised bill, page 4, line 8, strike "MANAGERS;" and substitute
39 "MANAGERS; AND".

40
41 Page 4, strike lines 11 through 14 and substitute "CARE FOR ALL
42 COLORADANS."

43
44 Respectfully submitted,

45 House Committee:

46 (signed)

47 John Kefalas

48 Daniel Kagan

49 Ellen Roberts

Senate Committee:

(signed)

John P. Morse

Betty Boyd

Dave Schultheis

50
51
52 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
53

54 The Speaker has signed: **HB10-1051, 1228, 1355; SB10-019, 025, 034,**
55 **042, 072, 094, 101, 117, 143, 152, 158.**
56

DELIVERY OF BILL TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bill has been delivered to the Office of the Governor: **HB10-1205** at 9:30 a.m. on May 10, 2010.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR10-043, SJR10-035.

The Senate has adopted and returns herewith: HJR10-1023, HJR10-1026, HJR10-1032.

The Senate has adopted and returns herewith:
HJR10-1029 amended as printed in Senate Journal, May 7, 2010.

The Senate has failed to pass HB10-1350 on Second Reading. The bill is returned herewith.

The Senate has postponed indefinitely HB10-1366. The bill is returned herewith.

The Senate has adopted the First Conference Committee Report on HB10-1330 as printed in Senate Journal, May 5, 2010, page 1243 and repassed the bill as amended. The bill is returned herewith.

The Senate has adopted the First Conference Committee Report on HB10-1252 as printed in Senate Journal, May 6, 2010, page 1264 and repassed the bill as amended. The bill is returned herewith.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1250 amended in Special Orders as printed in Senate Calendar, May 7, 2010, page 1287.

HB10-1404 amended in Special Orders as printed in Senate Calendar, May 7, 2010, page 1288.

HB10-1113 amended in Special Orders as printed in Senate Calendar, May 7, 2010, page 1288.

HB10-1352 amended in General Orders as printed in Senate Journal, May 7, 2010, page 1289.

HB10-1274 amended in General Orders as printed in Senate Journal, May 7, 2010, pages 1289-1290.

HB10-1278 amended in General Orders as printed in Senate Journal, May 7, 2010, pages 1290-1291.

HB10-1131 amended in General Orders as printed in Senate Journal, May 7, 2010, page 1291.

HB10-1214 amended in General Orders as printed in Senate Journal, May 7, 2010, page 1291.

The Senate has passed on Third Reading and returns herewith:

HB10-1425, HB10-1393, HB10-1414, HB10-1209, HB10-1370, HB10-1373.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, as amended, HB10-1250, 1404, 1113, 1352, 1274,
1278, 1131, and 1214.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and laid over one day under the rules:

HJR10-1036 by Representative(s) Weissmann, Carroll T., May; also Senator(s) Morse, Shaffer B., Penry--Concerning the adjournment sine die of the Second Regular Session of the Sixty-seventh General Assembly.

SJR10-035 by Senator(s) Tochtrop; also Representative(s) Acree--Concerning support for measures to reduce violence against medical care professionals in hospitals.

SJR10-043 by Senator(s) Williams; also Representative(s) Tyler, Gagliardi, Hullinghorst, Kefalas, Primavera, Priola, Schafer S., Swalm--Concerning 22q11.2 Deletion Syndrome Awareness Week.

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

After consideration on the merits, the Committee recommends the following:

SB10-211 be referred to the Committee of the Whole with favorable recommendation.

APPROPRIATIONS

After consideration on the merits, the Committee recommends the following:

SB10-161 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the House Education Committee Report, dated May 6, 2010, page 3, line 17 strike "costs." and substitute "costs".

Page 3 of the committee report, after line 17 insert:

1 **"SECTION 6. Appropriation - adjustments to the 2010 long**
2 **bill.** For the implementation of this act, appropriations made in the
3 general appropriation act for the fiscal year beginning July 1, 2010, shall
4 be adjusted as follows: The appropriation to the department of education,
5 for allocation to the Institute, for the purposes of acting as a local
6 education agency and fiscal agent for charter school collaboratives, is
7 increased by 1.0 FTE. This 1.0 FTE shall be supported by fees collected
8 pursuant to section 22-30.5-503 (3.5) (c), Colorado Revised Statutes.
9 Moneys received by the Institute for this purpose are continuously
10 appropriated to the Institute for costs incurred pursuant to section 22-
11 30.5-503 (3.5), Colorado Revised Statutes."

12
13 Page 1 of the reengrossed bill, line 102, strike "AGREEMENTS." and
14 substitute "AGREEMENTS, AND MAKING AN APPROPRIATION
15 THEREFOR."."

16
17
18
19 **SB10-167** be referred to the Committee of the Whole with favorable
20 recommendation.

21
22
23 **SB10-191** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:

26
27 Amend the Education Committee Report, dated May 6, 2010, page 2, line
28 23, strike "UPON" and substitute "AS PROVIDED FOR IN SECTION 22-54-117
29 (1) (g), UPON".

30
31 Page 8, strike line 15 and substitute "STATUS IN THE HIRING SCHOOL
32 DISTRICT."

33
34 **SECTION 16.** 22-54-117 (1), Colorado Revised Statutes, is
35 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

36
37 **22-54-117. Contingency reserve - capital construction**
38 **expenditures reserve - fund - lottery proceeds contingency reserve.**
39 (1) (g) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (e) OF THIS
40 SUBSECTION (1) TO THE CONTRARY, AS PROVIDED FOR IN SECTION
41 22-9-105.7 (3) AND UPON RECEIPT OF NOTICE FROM THE COMMISSIONER,
42 FOR FISCAL YEARS 2010-2011 AND 2011-2012, THE STATE TREASURER
43 SHALL DEDUCT AN AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY-FIVE
44 THOUSAND DOLLARS FROM THE CONTINGENCY RESERVE FUND AND
45 TRANSFER SUCH AMOUNT TO THE GREAT TEACHERS AND LEADERS FUND,
46 CREATED IN SECTION 22-9-105.7."."

47
48
49
50 **SB10-192** be referred to the Committee of the Whole with favorable
51 recommendation.

52
53
54 **SB10-195** be referred to the Committee of the Whole with favorable
55 recommendation.
56

- 1 **SB10-198** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
5 **SB10-202** be referred to the Committee of the Whole with favorable
6 recommendation.
7
8
9 **SB10-203** be referred to the Committee of the Whole with favorable
10 recommendation.
11
12
13
14

15 **FINANCE**

16 After consideration on the merits, the Committee recommends the
17 following:

- 18
19 **SB10-200** be referred to the Committee of the Whole with favorable
20 recommendation.
21
22
23 **SB10-212** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:
26

27 Amend reengrossed bill, page 2, line 4, strike "and" and after "(4) (1.5),"
28 insert "(4) (m) (III), (4) (m) (IV), (4) (m) (V), and (4) (m) (VI),".
29

30 Page 2, line 7, strike "42-3-305," and substitute "42-3-304 (23), 42-3-305
31 as amended by House Bills 10-1101 and 10-1172,".
32

33 Page 6, after line 6 insert:

34
35 **"SECTION 7.** 39-22-104 (4) (m) (I), Colorado Revised Statutes,
36 is amended to read:
37

38 **39-22-104. Income tax imposed on individuals, estates, and**
39 **trusts - single rate - definitions - repeal.** (4) There shall be subtracted
40 from federal taxable income:
41

42 (m) (I) ~~Subject to the provisions of subparagraph (III) of this~~
43 ~~paragraph (m),~~ For any income tax year commencing on or after January
44 1, 2001, for any individual who claims the basic standard deduction
45 allowed under section 63 (c) (2) of the internal revenue code on the
46 individual's federal return and, therefore, cannot claim an itemized
47 deduction for charitable contributions pursuant to section 170 of the
48 internal revenue code, an amount equal to the amount of any deduction
49 based upon the aggregate amount of charitable contributions in excess of
50 five hundred dollars that the individual could have claimed pursuant to
51 section 170 of the internal revenue code if the individual had not claimed
52 the basic standard deduction."
53

54 Renumber succeeding sections accordingly.
55
56

1 **HEALTH & HUMAN SERVICES**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB10-208** be referred to the Committee of the Whole with favorable
6 recommendation.

7
8
9 **SB10-217** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:

12
13 Amend reengrossed bill, page 2, line 2, strike "(B)," and substitute "(B)
14 and (1) (b) (VI) (B),".

15
16 Page 2, line 3, strike "is" and substitute "are".

17
18 Page 2, after line 9 insert:

19
20 "(VI) As used in this paragraph (b):

21
22 (B) ~~"National database of nursing quality indicators" means the~~
23 ~~repository for nursing-sensitive indicators developed by the American~~
24 ~~nurses association, or its successor database."~~

25
26
27
28
29 **JUDICIARY**

30 After consideration on the merits, the Committee recommends the
31 following:

32
33 **SB10-193** be amended as follows, and as so amended, be referred
34 to the Committee of the Whole with favorable
35 recommendation:

36
37 Amend reengrossed bill, page 2, line 6, after "in" insert "**the custody of**".

38
39 Page 2, line 12, after the period add "THE REQUIREMENT THAT STAFF USE
40 THE LEAST RESTRICTIVE RESTRAINTS NECESSARY TO ENSURE SAFETY
41 SHALL CONTINUE DURING POSTPARTUM RECOVERY AND TRANSPORT TO OR
42 FROM A CORRECTIONAL FACILITY AND PRIVATE CONTRACT PRISON."

43
44 Page 3, strike lines 3 and 4 and substitute "CHILD; EXCEPT".

45
46 Page 3, line 22, strike "CHILD," and substitute "CHILD".

47
48 Page 3, strike lines 23 and 24 and substitute "SHALL MAKE A WRITTEN".

49
50 Page 4, line 12, strike "SEARCH TO ENSURE" and substitute "SEARCH".

51
52 Page 4, strike lines 13 through 15.

53
54 Page 4, line 16, strike "THE" and substitute "WHEN AN INMATE'S
55 PREGNANCY IS DETERMINED, THE".

56

- 1 Page 4, line 17, after "INMATE" insert "IN WRITING IN A LANGUAGE AND IN
- 2 A MANNER UNDERSTANDABLE TO THE INMATE".
- 3
- 4 Page 4, strike lines 19 through 24 and substitute "OF MEDICAL STAFF
- 5 DURING A STRIP SEARCH."
- 6
- 7 Page 5, line 11, after the period add "THE REQUIREMENT THAT STAFF USE
- 8 THE LEAST RESTRICTIVE RESTRAINTS NECESSARY TO ENSURE SAFETY
- 9 SHALL CONTINUE DURING POSTPARTUM RECOVERY AND TRANSPORT TO OR
- 10 FROM THE COUNTY JAIL."
- 11
- 12 Page 5, strike lines 14 through 16 and substitute "AND DELIVERY OF THE
- 13 CHILD; EXCEPT THAT STAFF MAY USE RESTRAINTS IF:"
- 14
- 15 Page 6, strike lines 6 and 7 and substitute "DELIVERY OF THE CHILD".
- 16
- 17 Page 6, line 8, strike "CHILDBIRTH".
- 18
- 19 Page 6, line 21, strike "SEARCH TO ENSURE" and substitute "SEARCH."
- 20
- 21 Page 6, strike lines 22 through 24.
- 22
- 23 Page 6, line 25, strike "THE" and substitute "WHEN A WOMAN'S
- 24 PREGNANCY IS DETERMINED, THE".
- 25
- 26 Page 6, line 26, after "JAIL" insert "IN WRITING IN A LANGUAGE AND IN A
- 27 MANNER UNDERSTANDABLE TO THE WOMAN".
- 28
- 29 Page 7, line 1, strike "SEARCH, IN WRITING" and substitute "SEARCH."
- 30
- 31 Page 7, strike lines 2 through 5.
- 32
- 33 Page 7, line 19, after the period add "THE REQUIREMENT THAT STAFF USE
- 34 THE LEAST RESTRICTIVE RESTRAINTS NECESSARY TO ENSURE SAFETY
- 35 SHALL CONTINUE DURING POSTPARTUM RECOVERY AND TRANSPORT TO OR
- 36 FROM A JUVENILE FACILITY."
- 37
- 38 Page 7, line 22, strike "CHILD," and substitute "CHILD; EXCEPT THAT STAFF
- 39 MAY".
- 40
- 41 Page 7, strike lines 23 and 24.
- 42
- 43 Page 8, line 17, strike "CHILD, POSTPARTUM" and substitute "CHILD".
- 44
- 45 Page 8, strike lines 18 and 19 and substitute "SHALL MAKE A WRITTEN
- 46 RECORD OF".
- 47
- 48 Page 9, strike lines 7 through 10 and substitute "PRESENT DURING ANY
- 49 STRIP SEARCH."
- 50
- 51 Page 9, line 11, strike "THE" and substitute "WHEN A JUVENILE'S
- 52 PREGNANCY IS DETERMINED, THE".
- 53
- 54 Page 9, line 13, after "SERVICES" insert "IN WRITING IN A LANGUAGE AND
- 55 IN A MANNER UNDERSTANDABLE TO THE JUVENILE".
- 56

1 Page 9, strike lines 15 through 18 and substitute "SEARCH."
2

3 Page 10, line 9, after the period add "THE REQUIREMENT THAT STAFF USE
4 THE LEAST RESTRICTIVE RESTRAINTS NECESSARY TO ENSURE SAFETY
5 SHALL CONTINUE DURING POSTPARTUM RECOVERY AND TRANSPORT TO OR
6 FROM A FACILITY."
7

8 Page 10, strike lines 12 through 14 and substitute "DELIVERY OF THE
9 CHILD; EXCEPT THAT STAFF MAY USE RESTRAINTS IF:"
10

11 Page 11, strike lines 4 and 5 and substitute "CHILD SHALL".
12

13 Page 11, line 20, strike "SEARCH" and substitute "SEARCH."
14

15 Page 11, strike lines 21 through 23.
16

17 Page 11, line 24, strike "THE" and substitute "WHEN A WOMAN'S
18 PREGNANCY IS DETERMINED, THE".
19

20 Page 11, line 26, after "DIRECTOR" insert "IN WRITING IN A LANGUAGE
21 AND IN A MANNER UNDERSTANDABLE TO THE WOMAN".
22

23 Page 12, strike lines 1 through 6 and substitute "MEDICAL STAFF DURING
24 A STRIP SEARCH."
25

26

27

28 **SB10-204** be referred to the Committee of the Whole with favorable
29 recommendation.
30

31

32 **SJM10-002** be referred out for final action.
33

34

35

36

37 **STATE, VETERANS, & MILITARY AFFAIRS**

38 After consideration on the merits, the Committee recommends the
39 following:
40

41 **SB10-203** be amended as follows, and as so amended, be referred to
42 the Committee on Appropriations with favorable
43 recommendation:
44

45 Amend reengrossed bill, page 5, strike lines 17 through 24.
46

47 Renumber succeeding sections accordingly.
48

49 Page 6, line 16, after "(7.3)" insert "(a)".
50

51 Page 6, line 17, strike "(a)" and substitute "(I)".
52

53 Page 6, line 20, strike "(b)" and substitute "(II)".
54

55 Page 6, line 23, strike "(c)" and substitute "(III)".
56

1 Page 6, line 26, strike "(d)" and substitute "(IV)".

2
3 Page 6, after line 27 insert:

4
5 "(b) "DONATION" SHALL NOT INCLUDE A TRANSFER BY A
6 MEMBERSHIP ORGANIZATION OF A PORTION OF A MEMBER'S DUES FOR AN
7 INDEPENDENT EXPENDITURE SPONSORED BY SUCH MEMBERSHIP
8 ORGANIZATION.".

9
10 Page 7, line 4, strike "EXPENDITURES." and substitute "EXPENDITURES IN
11 EXCESS OF ONE THOUSAND DOLLARS.".

12
13 Page 7, strike lines 22 through 24 and substitute "MORE PERSONS THAT
14 MAKE AN INDEPENDENT EXPENDITURE IN EXCESS OF ONE THOUSAND
15 DOLLARS OR THAT COLLECTS IN EXCESS OF ONE THOUSAND DOLLARS FROM
16 ONE OR MORE PERSONS FOR".

17
18 Page 8, strike lines 3 and 4 and substitute "RADIO; AND BROADCAST,
19 CABLE, OR SATELLITE TELEVISION."

20
21 (12.7) "OBLIGATING" MEANS, IN CONNECTION WITH A NAMED
22 CANDIDATE, AGREEING TO SPEND IN EXCESS OF ONE THOUSAND DOLLARS
23 FOR AN INDEPENDENT EXPENDITURE OR TO GIVE, PLEDGE, LOAN, OR
24 PURCHASE ONE OR MORE GOODS, SERVICES, OR OTHER THINGS OF VALUE
25 THAT HAVE A FAIR MARKET VALUE IN EXCESS OF ONE THOUSAND DOLLARS
26 AS AN INDEPENDENT EXPENDITURE. "OBLIGATING" SHALL NOT REQUIRE
27 THAT THE TOTAL AMOUNT OF ONE THOUSAND DOLLARS BE FINALLY
28 DETERMINED AT THE TIME OF THE AGREEMENT TO SPEND MONEYS FOR AN
29 INDEPENDENT EXPENDITURE OR TO GIVE, PLEDGE, LOAN, OR PURCHASE
30 ANYTHING OF VALUE.".

31
32 Page 8, strike lines 12 through 14 and substitute "(5) OF ARTICLE XXVIII
33 OF THE STATE CONSTITUTION.".

34
35 Page 9, line 26, after "EXPENDITURE" insert "IN EXCESS OF ONE THOUSAND
36 DOLLARS".

37
38 Page 9, line 27, after "EXPENDITURE" insert "IN EXCESS OF ONE THOUSAND
39 DOLLARS".

40
41 Page 10, strike lines 11 through 17 and substitute "PRINCIPAL PLACE OF
42 OPERATIONS; AND".

43
44 Renumber succeeding subparagraph accordingly.

45
46 Page 11, strike lines 16 through 20.

47
48 Renumber succeeding subsections accordingly.

49
50 Page 11, line 24, strike "IN THE AGGREGATE AMOUNT" and substitute "IN
51 EXCESS".

52
53 Page 11, line 25, strike "OR MORE".

54
55 Page 12, line 15, strike "THAT" and substitute "THAT, FOR THE PURPOSE OF
56 MAKING AN INDEPENDENT EXPENDITURE,".

- 1 Page 12, line 17, strike "THE" and substitute "AN".
- 2
- 3 Page 13, line 10, strike "(5)" and substitute "(4)".
- 4
- 5 Page 13, line 11, strike "SECTION 1-45-108 (2);" and substitute "SECTION
- 6 1-45-108 (2) FOR POLITICAL COMMITTEES;".
- 7
- 8 Page 13, line 12, after "EXPENDITURE" insert "IN EXCESS OF ONE
- 9 THOUSAND DOLLARS".
- 10
- 11 Page 13, line 21, after "EXPENDS" insert "IN EXCESS OF" and strike "OR
- 12 MORE".
- 13
- 14 Page 14, line 3, strike "(6)" and substitute "(5)".
- 15
- 16 Page 14, line 9, after "EXPENDS" insert "IN EXCESS OF ONE THOUSAND
- 17 DOLLARS" and strike "MONEYS".
- 18
- 19 Page 14, line 10, strike "IN AN AGGREGATE AMOUNT OF ONE THOUSAND
- 20 DOLLARS OR".
- 21
- 22 Page 14, line 11, strike "MORE".
- 23
- 24 Page 14, line 16, strike "(7)" and substitute "(6)".
- 25
- 26 Page 14, line 21, strike "AN AMOUNT" and substitute "EXCESS".
- 27
- 28 Page 14, line 22, strike "OR MORE".
- 29
- 30 Page 14, line 26, after "ANY" insert "SUCH".
- 31
- 32 Page 14, line 27, strike the third "THE" and substitute "SUCH".
- 33
- 34 Page 15, line 3, strike "(8)" and substitute "(7)".
- 35
- 36 Page 15, line 5, strike "PERSON'S" and substitute "IDENTITY OF THE
- 37 PERSON'S MEMBERS AND".
- 38
- 39 Page 15, line 10, strike "EXPENDITURE," and substitute "EXPENDITURE IN
- 40 EXCESS OF ONE THOUSAND DOLLARS,".
- 41
- 42 Page 15, line 13, strike "1-45-108 (2)," and substitute "1-45-108 (2) FOR
- 43 POLITICAL COMMITTEES,".
- 44
- 45 Page 15, line 20, strike "SECTION 1-45-108 (2);" and substitute "SECTION
- 46 1-45-108 (2) FOR POLITICAL COMMITTEES;".
- 47
- 48 Page 15, line 25, strike "(10)" and substitute "(9)".
- 49
- 50 Page 16, line 2, strike "(10)," and substitute "(9),".
- 51
- 52 Page 16, line 10, strike "(10)," and substitute "(9),".
- 53
- 54 Page 16, line 12, after "EXPENDITURE" insert "IN EXCESS OF ONE
- 55 THOUSAND DOLLARS".
- 56

1 Page 16, strike lines 15 through 23 and substitute:

2
3
4 "(11) ON REPORTS IT FILES WITH THE APPROPRIATE OFFICIAL, AN
5 INDEPENDENT EXPENDITURE COMMITTEE THAT OBLIGATES IN EXCESS OF
6 ON THOUSAND DOLLARS FOR AN INDEPENDENT EXPENDITURE SHALL
7 DISCLOSE A GOOD FAITH ESTIMATE OF THE FAIR MARKET VALUE OF THE
8 EXPENDITURE IF THE COMMITTEE DOES NOT KNOW THAT ACTUAL AMOUNT
9 OF THE EXPENDITURE AS OF THE DATE THAT A REPORT IS REQUIRED TO BE
10 FILED WITH THE APPROPRIATE OFFICIAL."

11
12 Page 18, line 7, after the second "OF" insert "UP TO".

13
14 Page 18, line 22, strike "CONTRIBUTIONS, DONATIONS," and substitute
15 "DONATIONS".

16
17 Page 19, line 3, after "FINED" insert "UP TO".

18
19
20
21 **SB10-213** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:

24
25 Amend reengrossed bill, page 3, line 19, strike "INTERIM." and substitute
26 "INTERIM UNLESS FEDERAL MONEYS, GRANTS, GIFTS, DONATIONS,
27 SERVICES, OR IN-KIND DONATIONS ARE GIVEN TO THE LEGISLATIVE
28 COUNCIL PURSUANT TO THIS SECTION NO LATER THAN JUNE 15, 2010, IN
29 SUCH AMOUNTS AND QUANTITIES, AS APPLICABLE, SUFFICIENT TO COVER
30 THE COSTS OF ALL DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE
31 DUTIES OF THE TASK FORCE DURING THE 2010 INTERIM, INCLUDING BUT
32 NOT LIMITED TO ALL PER DIEM AND EXPENSE PAYMENTS FOR LEGISLATIVE
33 MEMBERS OF THE TASK FORCE."

34
35 Page 3, line 23, after "(a)" insert "(I)".

36
37 Page 4, after line 1 insert:

38
39 "(II) ON OR BEFORE JANUARY 15, 2011, IF THE TASK FORCE MEETS
40 DURING THE 2010 INTERIM AS AUTHORIZED BY SECTION 2-2-1404 (4) (b),
41 THE TASK FORCE SHALL PREPARE A WRITTEN REPORT TO THE GENERAL
42 ASSEMBLY THAT INCLUDES A SUMMARY OF THE WORK ACCOMPLISHED BY
43 THE TASK FORCE AND SUCH LEGISLATIVE RECOMMENDATIONS TO THE
44 GENERAL ASSEMBLY AS IT DEEMS NECESSARY CONCERNING MATTERS
45 STUDIED BY THE TASK FORCE."

46
47
48
49 **SB10-216** be referred to the Committee of the Whole with favorable
50 recommendation.

51
52
53
54
55

TRANSPORTATION & ENERGY

After consideration on the merits, the Committee recommends the following:

SB10-040 The committee returns herewith House Bill 10-040 because consideration of the measure was postponed for more than 30 days or until a date beyond the date for adjournment sine die of the legislative session. Therefore, under House Rule 25 (j) (3), said bill is deemed to be postponed indefinitely.

On motion of Representative Weissmann, **SB10-064, 209, 193, 204, 200, 212, 217, 208, 002, 167, 213, 192, 198, 211, 195, 161, 202, 191, 011, 203, 216, 205, 190** were made Special Orders on Monday, May 10, 2010, at 3:05 p.m.

The hour of 3:05 p.m., having arrived, on motion of Representative Kerr A., the House resolved itself into Committee of the Whole for consideration of Special Orders and he was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

The Committee of the Whole having risen, the Chairman reported the titles of the following bills had been read (reading at length had been dispensed with by unanimous consent), the bills considered and action taken thereon as follows:

(Amendments to the committee amendment are to the printed committee report which was printed and placed in the members' bill file.)

SB10-064 by Senator(s) Bacon; also Representative(s) Merrifield--Concerning authorization for an institution of higher education to apply for stipends from the college opportunity fund, and making an appropriation therefor.

Ordered revised and placed on the Calendar for Third Reading and Final Passage.

SB10-209 by Senator(s) Schwartz, Gibbs, Hodge, Kester, Penry, Scheffel, Steadman, White, Whitehead; also Representative(s) Vigil--Concerning the allocation of 2009 national forest payments in counties as said payments relate to federal payments in lieu of taxes.

Ordered revised and placed on the Calendar for Third Reading and Final Passage.

- 1 **SB10-193** by Senator(s) Hudak; also Representative(s) Levy--
2 Concerning the safe treatment of pregnant persons in
3 custody.
4
- 5 Amendment No. 1, Judiciary Report, dated May 10, 2010, and placed in
6 member's bill file; Report also printed in House Journal, May 10,
7 pages 1723-1725.
8
- 9 As amended, ordered revised and placed on the Calendar for Third
10 Reading and Final Passage.
11
- 12 **SB10-204** by Senator(s) Shaffer B.; also Representative(s) Solano--
13 Concerning the penalty for careless driving resulting in
14 death.
15
- 16 Ordered revised and placed on the Calendar for Third Reading and Final
17 Passage.
18
- 19 **SB10-200** by Senator(s) Schwartz; also Representative(s) Fischer and
20 Kefalas--Concerning amendments to the "Colorado
21 Recovery and Reinvestment Finance Act of 2009" that are
22 necessary to conform to amendments made to the federal
23 "American Recovery and Reinvestment Act of 2009" by
24 the federal "Hiring Incentives to Restore Employment
25 Act".
26
- 27 Ordered revised and placed on the Calendar for Third Reading and Final
28 Passage.
29
- 30 **SB10-212** by Senator(s) Cadman, Shaffer B., Penry, Tapia, Romer,
31 Boyd; also Representative(s) Weissmann--Concerning the
32 repeal of mechanisms to refund excess state revenues.
33
- 34 Amendment No. 1, Finance Report, dated May 10, 2010, and placed in
35 member's bill file; Report also printed in House Journal, May 10,
36 pages 1722.
37
- 38 As amended, ordered revised and placed on the Calendar for Third
39 Reading and Final Passage.
40
- 41 **SB10-217** by Senator(s) Boyd; also Representative(s) Riesberg--
42 Concerning a modification to the nursing-sensitive quality
43 measures required to be included in the comprehensive
44 hospital information system.
45
- 46 Amendment No. 1, Health & Human Services Report, dated
47 May 10, 2010, and placed in member's bill file; Report also printed in
48 House Journal, May 10, page 1723.
49
- 50 As amended, ordered revised and placed on the Calendar for Third
51 Reading and Final Passage.
52
- 53
- 54 **SB10-208** by Senator(s) Keller; also Representative(s) Acree--
55 Concerning repealing references to the referral and
56 placement committee to reflect current usage of

interdisciplinary teams in developing individualized plans for persons with developmental disabilities.

Ordered revised and placed on the Calendar for Third Reading and Final Passage.

SB10-002 by Senator(s) Steadman and Keller; also Representative(s) Looper and Primavera, Acree, Todd--Concerning the denial of benefits by health coverage plans, and, in connection therewith, increasing recoveries to the medicaid program, providing additional assistance to families eligible for certain benefits, and making an appropriation in connection therewith.

Amendment No. 1, Health & Human Services Report, dated May 3, 2010, and placed in member's bill file; Report also printed in House Journal, May 3, pages 1580-1581.

Amendment No. 2, Appropriations Report, dated May 7, 2010, and placed in member's bill file; Report also printed in House Journal, May 7, pages 1689-1691.

Amendment No. 3, by Representative(s) Looper.

Amend reengrossed bill, page 7, strike lines 23 through 27 and substitute "pursuant to paragraph (b) of this subsection (3) shall review and, if necessary, MAY appeal AT ANY LEVEL an adverse".

As amended, ordered revised and placed on the Calendar for Third Reading and Final Passage.

SB10-192 by Senator(s) Kopp, Hodge, Harvey, Renfro, Johnston, Romer, Morse, Scheffel, Spence, Gibbs, Mitchell, Kester, Schultheis, Cadman, Foster, King K., Lundberg, Penry, Tochtrop, White, Whitehead, Williams; also Representative(s) Sonnenberg, Acree, Baumgardner, Bradford, Casso, Curry, Gardner B., Gerou, Kerr A., Kerr J., King S., Lambert, Liston, Looper, Massey, May, Murray, Nikkel, Priola, Summers, Swalm, Tipton, Vaad, Waller--Concerning the use of revenues derived from limited gaming activity to fund restoration work on the state capitol building, and, in connection therewith, creating the capitol dome restoration fund and redirecting moneys from the portion of limited gaming revenue constitutionally allocated to historic preservation to the capitol dome restoration fund.

Amendment No. 1, State, Veterans, & Military Affairs Report, dated May 10, 2010, and placed in member's bill file; Report also printed in House Journal, May 10, pages 1714-1715.

As amended, ordered revised and placed on the Calendar for Third Reading and Final Passage.

SB10-198 by Senator(s) Whitehead and Cadman; also Representative(s) McKinley--Concerning a reduction in

1 the amount of the penalty for late vehicle registration for
2 certain vehicles without motive power.

3
4 Ordered revised and placed on the Calendar for Third Reading and Final
5 Passage.

6
7 **SB10-211** by Senator(s) Morse and Gibbs, Harvey, Bacon, Boyd,
8 Brophy, Foster, Heath, Hodge, Johnston, Kester, King K.,
9 Kopp, Lundberg, Mitchell, Penry, Renfroe, Romer,
10 Scheffel, Schultheis, Shaffer B., Tapia, Tochtrop, White,
11 Whitehead, Williams; also Representative(s) Looper and
12 Scanlan, Apuan, Balmer, DelGrosso, Kerr J., Nikkel,
13 Priola, Swalm--Concerning big game hunting licenses for
14 members of the United States armed services wounded
15 warrior programs who have sustained severe combat-
16 related injuries while serving in post-September 11, 2001,
17 overseas contingency operations.

18
19 Ordered revised and placed on the Calendar for Third Reading and Final
20 Passage.

21
22 **SB10-195** by Senator(s) Newell; also Representative(s) Solano--
23 Concerning creation of the early childhood leadership
24 commission.

25
26 Amendment No. 1, Health & Human Services Report, dated May 6, 2010,
27 and placed in member's bill file; Report also printed in House Journal,
28 May 6, page 1679.

29
30 Amendment No. 2, by Representative(s) Solano.

31
32 Amend reengrossed bill, page 7, line 17, after the semi-colon, add "AND".

33
34 Page 7, strike lines 18 through 21.

35
36 Page 7, line 22, strike "(III)" and substitute "(II)".

37
38 Page 8, line 1, strike "VACANCY FOR THE REMAINDER OF" and substitute
39 "VACANCY".

40
41 Page 8, strike line 2.

42
43 Page 11, after line 27, insert:

44
45 "(f) THE ECONOMIC OPPORTUNITY POVERTY REDUCTION TASK
46 FORCE CREATED IN SECTION 2-2-1404, C.R.S.;".

47
48 Reletter succeeding paragraphs accordingly.

49
50 Page 14, line 4, strike "amended" and substitute "amended, and the said
51 26-6.5-105 (3) is further amended BY THE ADDITION OF A NEW
52 PARAGRAPH,".

53
54 Amendment No. 3, by Representative(s) Pommer.

55 Amend reengrossed bill, page 6, line 18, strike "TWENTY-THREE" and
56 substitute "SEVEN".

1 Page 7, line 5, strike "FOUR" and substitute "TWENTY".

2

3 Page 7, line 6, strike "TWO" and substitute "TEN" and strike "ONE" and
4 substitute "FIVE".

5

6 Page 7, line 8, strike "TWO" and substitute "TEN" and strike "ONE" and
7 substitute "FIVE".

8

9 As amended, ordered revised and placed on the Calendar for Third
10 Reading and Final Passage.

11

12 **SB10-161** by Senator(s) King K.; also Representative(s) Massey--
13 Concerning authorizing charter schools to enter into
14 contractual agreements.

15

16 Amendment No. 1, Education Report, dated May 6, 2010, and placed in
17 member's bill file; Report also printed in House Journal, May 6,
18 pages 1677-1678.

19

20 Amendment No. 2, Appropriations Report, dated May 10, 2010, and
21 placed in member's bill file; Report also printed in House Journal,
22 May 10, pages 1720-2721.

23

24 Amendment No. 3, by Representative(s) Massey.

25

26 Amend the Appropriations Committee Report, dated May 10, 2010, page
27 1, line 8, strike "Institute," and substitute "state charter school institute
28 created in section 22-30.5-503, Colorado Revised Statutes,".

29

30 Page 1, line 9, strike "school collaboratives," and substitute "schools,".

31

32 Page 1, line 12, strike "Institute" and substitute "state charter school
33 institute".

34

35 Page 1, line 13, strike "Institute" and substitute "state charter school
36 institute".

37

38 Page 1, line 17, strike "**THEREFOR.**." and substitute "**THEREFOR.**.".

39

40 As amended, ordered revised and placed on the Calendar for Third
41 Reading and Final Passage.

42

43 **SB10-202** by Senator(s) Whitehead; also Representative(s) Kerr A.--
44 Concerning savings accounts for job retraining.

45

46 Ordered revised and placed on the Calendar for Third Reading and Final
47 Passage.

48

49 **SB10-167** by Senator(s) Boyd; also Representative(s) Riesberg--
50 Concerning increased efficiency in the administration of
51 the "Colorado Medical Assistance Act", and, in
52 connection therewith, creating the "Colorado Medicaid
53 False Claims Act" requiring a post-enactment review of
54 the Implementation of this act, and making an
55 appropriation.

56

1 Amendment No. 1, Health & Human Services Report, dated May 6, 2010,
2 and placed in member's bill file; Report also printed in House Journal,
3 May 7, pages 1696-1697.

4
5 Amendment No. 2, by Representative(s) Riesberg.

6
7 Amend reengrossed bill, page 8, line 26, strike "PAYMENT" and substitute
8 "PROPERTY".

9
10 Page 19, line 16, strike "RETALIATED AGAINST OR".

11
12 Page 19, line 26, strike "INCLUDE, BUT NEED NOT BE" and substitute
13 "INCLUDE:".

14
15 Page 19, strike line 27.

16
17 Page 43, strike line 27 and substitute "amended to read:".

18
19 Page 44, strike line 1.

20
21 Page 44, strike lines 3 through 6 and substitute "**penalty.** (5) This
22 section shall not apply to covered entities, ~~subject to~~ THEIR BUSINESS
23 ASSOCIATES, OR HEALTH OVERSIGHT AGENCIES AS EACH IS DEFINED in the
24 federal "Health Insurance Portability and Accountability Act of 1996" AS
25 AMENDED BY THE FEDERAL "HEALTH INFORMATION TECHNOLOGY FOR
26 ECONOMIC AND CLINICAL HEALTH ACT" and THE RESPECTIVE
27 implementing regulations."

28
29 Page 44, strike lines 7 through 22.

30
31 Page 46, line 8, strike "Section 18" and substitute "Sections 10 to 14 and
32 19".

33
34 As amended, ordered revised and placed on the Calendar for Third
35 Reading and Final Passage.

36
37 **SB10-213** by Senator(s) Shaffer B., Morse, Penry; also
38 Representative(s) Weissmann, Carroll T., May--
39 Concerning committees created by the Colorado general
40 assembly that operate during the interim.

41
42 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
43 May 10, 2010, and placed in member's bill file; Report also printed in
44 House Journal, May 10, page 1728.

45
46 As amended, ordered revised and placed on the Calendar for Third
47 Reading and Final Passage.

48
49 **SB10-011** by Senator(s) Carroll M., Hodge, Tochtrop; also
50 Representative(s) Miklosi, Pace, Ryden--Concerning
51 measures to reduce conflicts of interest in workers'
52 compensation cases.

53
54 Amendment No. 1, Judiciary Report, dated May 6, 2010, and placed in
55 member's bill file; Report also printed in House Journal, May 7,
56 pages 1697-1698.

1 Amendment No. 2, by Representative(s) Levy.

2
3 Amend the Judiciary Committee Report, dated May 6, 2010, page 1,
4 strike lines 1 through 3 and substitute:

5
6 "Amend reengrossed bill, page 4, strike lines 7 through 9 and substitute
7 "REMUNERATION THAT IS BASED ON ANY OF THE FOLLOWING:

8
9 (a) THE NUMBER OF DAYS TO MAXIMUM MEDICAL IMPROVEMENT;

10
11 (b) THE RATE OF CLAIMS APPROVAL OR DENIAL;

12
13 (c) THE NUMBER OF MEDICAL PROCEDURES, DIAGNOSTIC
14 PROCEDURES, OR TREATMENT APPOINTMENTS APPROVED; OR

15
16 (d) ANY OTHER CRITERIA DESIGNED OR INTENDED TO ENCOURAGE
17 A VIOLATION OF ANY PROVISION OF ARTICLES 40 TO 47 OF THIS TITLE."."

18
19 Page 1 of the report, after line 4 insert:

20 "Page 4 of the bill, line 11, strike "BAD FAITH AND"."

21
22 Page 1 of the report, strike line 10 and substitute:

23 "Page 4 of the bill, strike line 18 and substitute "BE SUBJECT TO FINES AS
24 DETERMINED BY THE DIRECTOR PURSUANT TO SECTION 8-43-304 (1.5)."

25
26 Page 1 of the report, line 11, strike ""(3)" and substitute "(3)".

27
28 Amendment No. 3, by Representative(s) Levy.

29
30 Amend reengrossed bill, page 5, line 3, strike "A COMPLETE AND" and
31 substitute "AN".

32
33 Page 5, line 4, strike "COMMUNICATION" and substitute
34 "COMMUNICATION, CONTAINING ALL RELEVANT AND MATERIAL
35 INFORMATION THAT WAS COMMUNICATED,".

36
37 As amended, ordered revised and placed on the Calendar for Third
38 Reading and Final Passage.

39
40 **SB10-203** by Senator(s) Carroll M., Morse, Shaffer B.; also
41 Representative(s) Weissmann and Middleton--Concerning
42 independent expenditures in Colorado elections after the
43 United States supreme court case of *Citizens United v.*
44 *Federal Election Comm'n*, and making an appropriation
45 therefor.

46
47 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
48 May 10, 2010, and placed in member's bill file; Report also printed in
49 House Journal, May 10, pages 1725-1728.

50
51 Amendment No. 2, by Representative(s) Weissmann.

52
53 Amend the State, Veterans, & Military Affairs Committee Report, dated
54 May 10, 2010, page 2, line 2, after "EXPENDITURE" insert "IN AN
55 AGGREGATE AMOUNT".

56

1 Page 2 of the report, line 13, after "AMOUNT" insert "IN EXCESS".

2
3 Page 2 of the report, strike lines 28 and 29 and substitute:

4
5 "Page 11 of the reengrossed bill, line 24, strike "THE AGGREGATE
6 AMOUNT" and substitute "AN AGGREGATE AMOUNT IN EXCESS".

7
8 Page 2 of the report, after line 30 insert:

9
10 "Page 12 of the bill, line 11, after "EXPENDS" insert "AN AGGREGATE
11 AMOUNT IN EXCESS OF".

12
13 Page 3 of the report, strike lines 12 through 16 and substitute:

14
15 "Page 14 of the bill, strike lines 9 through 11 and substitute:

16
17 "(6) ANY PERSON THAT EXPENDS AN AGGREGATE AMOUNT IN
18 EXCESS OF ONE THOUSAND DOLLARS ON AN INDEPENDENT EXPENDITURE
19 IN ANY ONE CALENDAR YEAR SHALL DELIVER WRITTEN NOTICE TO".

20
21 Page 3 of the report, strike lines 18 and 19 and substitute:

22
23 "Page 14 of the bill, strike lines 21 and 22 and substitute "ANY MONEYS
24 ON AN INDEPENDENT EXPENDITURE IN AN AGGREGATE AMOUNT IN EXCESS
25 OF ONE THOUSAND DOLLARS IN ANY ONE CALENDAR YEAR SHALL".

26
27 Page 4 of the report, strike lines 3 and 4 and substitute:

28
29 "Page 15 of the bill, strike lines 13 through 15 and substitute "1-45-108
30 (2) FOR POLITICAL COMMITTEES, ANY DONATION IN EXCESS OF TWENTY
31 DOLLARS GIVEN IN THAT REPORTING PERIOD FOR THE PURPOSE OF MAKING
32 AN INDEPENDENT EXPENDITURE".

33
34 As amended, ordered revised and placed on the Calendar for Third
35 Reading and Final Passage.

36
37 **SB10-216** by Senator(s) Heath; also Representative(s) Court--
38 Concerning the order in which statewide ballot measures
39 appear on a ballot.

40
41 Ordered revised and placed on the Calendar for Third Reading and Final
42 Passage.

43
44 **SB10-205** by Senator(s) Bacon, Scheffel; also Representative(s)
45 Scanlan and Murray--Concerning the authority of a school
46 district to submit to the eligible electors of the district the
47 question of contracting a bonded indebtedness for the
48 purpose of paying costs that may be paid from the general
49 fund of the school district.

50
51 Ordered revised and placed on the Calendar for Third Reading and Final
52 Passage.

53
54
55 House in recess. House reconvened.
56

On motion of Representative Weissmann, the remainder of the Special Orders Calendar (**SB10-191, 190**) was laid over until May 11, retaining place on Calendar.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **SB10-064, 209, 193 amended, 204, 200, 212 amended, 217 amended, 208, 002 amended, 192 amended, 198, 211, 195 amended, 161 amended, 202, 167 amended, 213 amended, 011 amended, 203 amended, 216, 205.**

Laid over until date indicated retaining place on Calendar: **SB10-191, 190--May 11, 2010.**

The Chairman moved the adoption of the Committee of the Whole Report. As shown by the following roll call vote, a majority of those elected to the House voted in the affirmative, and the Report was **adopted.**

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

THIRD READING OF BILL(S)--FINAL PASSAGE

The following bill(s) was(were) considered on Third Reading. The title(s) was(were) publicly read. Reading of the bill at length was dispensed with by unanimous consent.

SB10-114 by Senator(s) Carroll M.; also Representative(s) Weissmann--Concerning the "Colorado Taxpayer Transparency Act of 2010".

As shown by the following roll call vote, a majority of all members elected to the House voted in the affirmative, and Representative Weissmann was given permission to offer a Third Reading amendment:

	YES	59	NO	5	EXCUSED	1	ABSENT	0
1								
2	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	N	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
18							Speaker	N

19
20 **Third Reading amendment No. 1**, by Representative Weissmann.

21
22 Amend revised bill, page 2, strike lines 4 through 21.

23
24 Page 3, strike lines 1 through 14.

25
26 Renumber succeeding sections accordingly.

27
28 Page 4, strike lines 24 and 25 and substitute "MEASURES UNDER THE
29 CONTRACT SHALL BE KEPT BY THE".

30
31 Page 5, line 3, after the period add "ONLY RECORDS THAT ARE IN THE
32 POSSESSION OF THE GOVERNMENTAL BODY PURSUANT TO THIS PARAGRAPH
33 (b) SHALL BE SUBJECT TO SUCH PUBLIC INSPECTION.".

34
35 The amendment was declared **passed** by the following roll call vote:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
37								
38	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
39	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
40	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
41	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
42	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
43	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
44	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
45	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
46	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
47	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
48	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
49	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
50	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
51	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
52	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
53	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
54							Speaker	Y

55
56

As shown by the following roll call vote, a majority of all members elected to the House voted in the affirmative, and Representative Stephens was given permission to offer a Third Reading amendment:

YES	43	NO	21	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	N	Hullinghorst	N	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	Y
Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	N
Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
Court	N	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	N	Pace	N	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	N	Levy	N	Pommer	N	Todd	Y
Fischer	N	Liston	Y	Primavera	N	Tyler	N
Frangas	N	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	N	Massey	Y	Rice	E	Vigil	N
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	Y
						Speaker	Y

Third Reading amendment No. 2, by Representative Stephens.

Amend revised bill, page 5, after line 22 insert:

"SECTION 6. 39-21-112 (3.5), Colorado Revised Statutes, enacted by House Bill 10-1193, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

39-21-112. Duties and powers of executive director. (3.5)
(a.5) ABSENT A COURT ORDER OR VALID SUBPOENA FROM THE ATTORNEY GENERAL, RETAILERS MAY NOT REVEAL TO COLORADO GOVERNMENT AGENCIES THE NAMES OR OTHER PERSONAL INFORMATION OF COLORADO PURCHASERS OF PRODUCTS OR SERVICES."

The amendment was declared **lost** by the following roll call vote:

YES	30	NO	34	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
Apuan	N	Hullinghorst	N	McKinley	Y	Scanlan	N
Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
Benefield	N	Kefalas	N	Middleton	N	Sonnenberg	Y
Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
Court	N	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	N	Pace	N	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
Ferrandino	N	Levy	N	Pommer	N	Todd	N
Fischer	N	Liston	Y	Primavera	N	Tyler	N
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	N	Massey	Y	Rice	E	Vigil	N
Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
						Speaker	N

1 The question being, "Shall the bill, as amended, pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative, and the
 4 bill, as amended, was declared **passed**.

	YES	37	NO	27	EXCUSED	1	ABSENT	0
7	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
12	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
14	Court	Y	King S.	N	Nikkel	N	Summers	N
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
16	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
17	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	N	Priola	Y	Vaad	N
20	Gagliardi	Y	Massey	N	Rice	E	Vigil	Y
21	Gardner B.	N	May	N	Riesberg	N	Waller	N
22	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Court, Labuda.

25
 26 **SB10-003** by Senator(s) Morse and Penry, Heath; also
 27 Representative(s) Middleton and May, Court--Concerning
 28 higher education flexibility to improve the financial
 29 position of state institutions of higher education.

30
 31 As shown by the following roll call vote, a majority of all members
 32 elected to the House voted in the affirmative, and Representative May
 33 was given permission to offer a Third Reading amendment:

	YES	62	NO	2	EXCUSED	1	ABSENT	0
35	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
36	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
37	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
38	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
39	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
40	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
41	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
42	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
43	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
44	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
45	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
46	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
47	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
48	Gagliardi	N	Massey	Y	Rice	E	Vigil	Y
49	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
50	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
51							Speaker	Y

52
 53 **Third Reading amendment No. 1**, by Representative May.

54
 55 Amend revised bill, page 42, line 14, after "construction", insert "OR
 56 ACQUISITION".

1 Page 44, line 3, strike "OR ACQUISITION".

2
3 The amendment was declared **passed** by the following roll call vote:

	YES	58	NO	6	EXCUSED	1	ABSENT	0
6	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
7	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
8	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
9	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	N
10	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
11	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
12	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
13	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
14	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
15	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
16	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
17	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
18	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
19	Gagliardi	N	Massey	Y	Rice	E	Vigil	Y
20	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
21	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
22							Speaker	Y

23
24 The question being, "Shall the bill, as amended, pass?".
25 A roll call vote was taken. As shown by the following recorded vote, a
26 majority of those elected to the House voted in the affirmative, and the
27 bill, as amended, was declared **passed**.

	YES	56	NO	8	EXCUSED	1	ABSENT	0
30	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
31	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
32	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
33	Baumgardner	N	Kagan	Y	Merrifield	N	Solano	N
34	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
35	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
36	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
37	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
38	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
39	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
40	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
41	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
42	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
43	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
44	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
45	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	N
46							Speaker	Y

47 Co-sponsor(s) added: Representative(s) Gerou, Hullinghorst, Labuda, Massey,
48 Nikkel, Priola, Roberts, Summers.

49
50 **SB10-012** by Senator(s) Tochtrop, Carroll M., Hodge; also
51 Representative(s) Pace, Miklosi, Ryden--Concerning
52 increased penalties for violations of the workers'
53 compensation laws.

54
55 The question being "Shall the bill pass?".
56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	37	NO	27	EXCUSED	1	ABSENT	0
5	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
7	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
8	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
10	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
12	Court	Y	King S.	N	Nikkel	N	Summers	N
13	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
14	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	N	Priola	N	Vaad	N
18	Gagliardi	Y	Massey	N	Rice	E	Vigil	Y
19	Gardner B.	N	May	N	Riesberg	Y	Waller	N
20	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Vigil.

23
24 **SB10-013** by Senator(s) Hodge, Carroll M., Tochtrop; also
25 Representative(s) Ryden, Miklosi, Pace--Concerning
26 accountability for workers' compensation insurers, and
27 making an appropriation therefor.

28
29 The question being "Shall the bill pass?".

30 A roll call vote was taken. As shown by the following recorded vote, a
31 majority of those elected to the House voted in the affirmative and the
32 bill was declared **passed**.

	YES	37	NO	27	EXCUSED	1	ABSENT	0
35	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
36	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
37	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
38	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
39	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
40	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
41	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
42	Court	Y	King S.	N	Nikkel	N	Summers	N
43	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
44	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
45	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
46	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
47	Frangas	Y	Looper	N	Priola	N	Vaad	N
48	Gagliardi	Y	Massey	N	Rice	E	Vigil	Y
49	Gardner B.	N	May	N	Riesberg	N	Waller	N
50	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Labuda, Vigil.

53
54
55

1 **SB10-197** by Senator(s) Hodge; also Representative(s) Riesberg--
 2 Concerning exempting the transfer of prescription drugs
 3 purchased with public funds by public entities from the
 4 definition of "wholesale distribution" of prescription
 5 drugs.
 6

7 The question being "Shall the bill pass?".
 8 A roll call vote was taken. As shown by the following recorded vote, a
 9 majority of those elected to the House voted in the affirmative and the
 10 bill was declared **passed**.
 11

	YES	64	NO	0	EXCUSED	1	ABSENT	0
13	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
14	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
15	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
16	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
17	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
18	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
19	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
20	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
21	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
22	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
23	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
24	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
25	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
26	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
27	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
28	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Apuan, Gerou, Kerr J., Labuda,
 31 Massey, Todd.
 32

33 **SB10-196** by Senator(s) Gibbs; also Representative(s) Scanlan--
 34 Concerning the minimum speed at which a motor vehicle
 35 may travel on interstate 70.
 36

37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the
 40 bill was declared **passed**.
 41

	YES	59	NO	5	EXCUSED	1	ABSENT	0
43	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
46	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	N
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
48	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
51	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
53	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
56	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	N
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) McFadyen, Stephens, Summers,
5 Waller.

6
7 **SB10-124** by Senator(s) Carroll M.; also Representative(s) Ryden--
8 Concerning a requirement that certain health care
9 providers disclose information about their practice history,
10 and making an appropriation therefor.

11
12 The question being "Shall the bill pass?".

13 A roll call vote was taken. As shown by the following recorded vote, a
14 majority of those elected to the House voted in the affirmative and the bill
15 was declared **passed**.

17	YES	39	NO	25	EXCUSED	1	ABSENT	0
18	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
19	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
20	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
21	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
22	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
23	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
24	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
25	Court	Y	King S.	N	Nikkel	N	Summers	N
26	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
27	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
28	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
29	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
30	Frangas	Y	Looper	N	Priola	Y	Vaad	N
31	Gagliardi	Y	Massey	N	Rice	E	Vigil	Y
32	Gardner B.	N	May	N	Riesberg	Y	Waller	N
33	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
34							Speaker	Y

35 Co-sponsor(s) added: Representative(s) Ferrandino, Frangas, Merrifield,
36 Miklosi, Pommer, Schafer S., Solano, Todd, Tyler.

37
38 **SB10-144** by Senator(s) Scheffel; also Representative(s) Rice--
39 Concerning the registration of equipment mounted on a
40 motor vehicle.

41
42 Laid over until May 11, retaining place on Calendar.

43
44 **SB10-199** by Senator(s) Carroll M.; also Representative(s) Court--
45 Concerning clarifying revisions to certain provisions of the
46 Colorado probate code.

47
48 The question being "Shall the bill pass?".

49 A roll call vote was taken. As shown by the following recorded vote, a
50 majority of those elected to the House voted in the affirmative and the bill
51 was declared **passed**.

53	YES	56	NO	8	EXCUSED	1	ABSENT	0
54	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
55	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
56	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y

1	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
2	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
3	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
4	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
5	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
6	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
7	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
8	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
9	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
10	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
11	Gagliardi	Y	Massey	Y	Rice	E	Vigil	Y
12	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
13	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
14							Speaker	Y

CONSIDERATION OF RESOLUTION(S)

HJR10-1024 by Representative(s) Scanlan, Curry, Gerou, King S.,
Levy, Massey, Nikkel, Roberts, Vigil; also Senator(s)
Gibbs--Concerning the Colorado bark beetle epidemic.

(Printed and placed in members' file)

Representative Scanlan moved that the resolution be adopted.

Amendment No. 1, moved by Representative Scanlan.

Amend printed joint resolution, page 1, line 9, strike "524,000" and
substitute "374,000".

Page 1, line 10, strike "3.6" and substitute "2.9".

The amendment was declared **passed** by **viva voce** vote.

On motion of Representative Scanlan, the resolution as amended was
adopted by **viva voce** vote.

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
Balmer, Baumgardner, Benefield, Bradford, Casso, Court, DelGrosso,
Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Hullinghorst,
Judd, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lambert, Liston, Looper, May,
McCann, McFadyen, McKinley, McNulty, Merrifield, Middleton, Miklosi,
Murray, Pace, Peniston, Pommer, Primavera, Priola, Riesberg, Ryden, Schafer
S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd,
Tyler, Vaad, Waller, Weissmann, Speaker.

HJR10-1025 by Representative(s) Primavera, Benefield, Frangas,
Merrifield; also Senator(s) Spence--Concerning
recognition of the history of the disability rights move-
ment, and, in connection therewith, proclaiming Disability
History Week in Colorado.

(Printed and placed in members' file)

1 Amendment No. 1, moved by Representative Primavera.

2
3 Amend printed resolution, page 3, strike lines 21 through 23 and
4 substitute:

5
6 "(3) That we proclaim the week of October 25-29, 2010, and the
7 last full week of October each year thereafter, as Disability History Week
8 in Colorado."
9

10 The amendment was declared **passed by viva voce** vote.

11
12 On motion of Representative Kerr A., the resolution as amended was
13 **adopted by viva voce** vote.
14

15 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
16 Balmer, Baumgardner, Bradford, Casso, Court, Curry, DelGrosso, Ferrandino,
17 Fischer, Gagliardi, Gardner B., Gardner C., Gerou, Hullinghorst, Judd, Kagan,
18 Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper,
19 Massey, May, McCann, McFadyen, McKinley, McNulty, Middleton, Miklosi,
20 Murray, Nikkel, Pace, Peniston, Pommer, Priola, Riesberg, Roberts, Ryden,
21 Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm,
22 Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann, Speaker.
23

24 **HJR10-1028** by Representative(s) Kerr A., Apuan, Benefield, Casso,
25 Court, Hullinghorst, McCann, Merrifield, Middleton,
26 Miklosi, Pace, Scanlan, Solano, Todd, Tyler, Vigil; also
27 Senator(s) Williams, Bacon, Foster, Gibbs, Heath, Hudak,
28 Johnston, Morse, Newell, Romer, Sandoval, Schwartz,
29 Steadman, Tapia, Tochtrop--Concerning a request for the
30 United States Congress to adopt legislation that promotes
31 jobs and innovative energy development, heightens
32 national energy and economic security, positions the
33 United States to be an international leader in the field of
34 clean energy, and addresses the consequences of climate
35 change without preempting states' rights to control
36 emissions or promote renewable energy.
37

38 (Printed and placed in members' file)
39

40 Representative Kerr A. moved that the resolution be adopted.
41

42 Amend printed joint resolution, page 2, line 33, strike "Compressed
43 natural gas is significantly lower in" and substitute "Natural gas is a
44 versatile, abundant, low-emitting resource".
45

46 Page 2, line 34, strike "greenhouse gas emissions".
47

48 The amendment was declared **passed by viva voce** vote.
49

50 On motion of Representative Kerr A., the resolution as amended was
51 **adopted** by the following roll call vote:
52

	YES	36	NO	28	EXCUSED	1	ABSENT	0
54	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
55	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
56	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y

1	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
2	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
3	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
4	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
5	Court	Y	King S.	N	Nikkel	N	Summers	N
6	Curry	N	Labuda	Y	Pace	Y	Swalm	N
7	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
8	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
9	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
10	Frangas	Y	Looper	N	Priola	N	Vaad	N
11	Gagliardi	Y	Massey	N	Rice	E	Vigil	Y
12	Gardner B.	N	May	N	Riesberg	Y	Waller	N
13	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
14							Speaker	Y

15 Co-sponsor(s) added: Representative(s) Ferrandino, Fischer, Frangas, Kefalas,
16 Labuda, Levy, McKinley, Pommer, Schafer S.

17
18 **HJR10-1033** by Representative(s) McKinley, Apuan, Casso,
19 Hullinghorst, Kefalas, Labuda, McFadyen, Miklosi, Pace,
20 Soper; also Senator(s) Tochtrop--Concerning measures to
21 protect the health and safety of visitors to the Rocky Flats
22 National Wildlife Refuge, and, in connection therewith,
23 memorializing Congress to provide informed consent
24 information to persons entering areas of Rocky Flats that
25 are under federal control.

26
27 (Printed and placed in members' file)

28
29 Representative McKinley moved that the resolution be adopted. The
30 resolution was declared **lost** by the following roll call vote:

	YES	32	NO	32	EXCUSED	1	ABSENT	0
33	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	N
35	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
36	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	N
38	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
40	Court	Y	King S.	N	Nikkel	N	Summers	N
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
42	DelGrosso	N	Lambert	N	Peniston	N	Tipton	N
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	N	Priola	N	Vaad	N
46	Gagliardi	N	Massey	N	Rice	E	Vigil	Y
47	Gardner B.	N	May	N	Riesberg	Y	Waller	N
48	Gardner C.	N	McCann	N	Roberts	N	Weissmann	Y
49							Speaker	Y

MESSAGE(S) FROM THE SENATE

54
55 The Senate has passed on Third Reading and transmitted to the Revisor
56 of Statutes:

1 HB10-1238 amended in General Orders as printed in Senate Journal,
2 May 7, 2010, page 1292 and May 10, 2010.
3 HB10-1364 amended in General Orders as printed in Senate Journal,
4 May 7, 2010, pages 1292-1293 and May 10, 2010.
5 HB10-1277 amended in General Orders as printed in Senate Journal,
6 May 7, 2010, page 1293 and May 10, 2010.
7 HB10-1081 amended in General Orders as printed in Senate Journal,
8 May 7, 2010, page 1293 and May 10, 2010.
9 HB10-1264 amended in General Orders as printed in Senate Journal,
10 May 7, 2010, pages 1295-1296 and May 10, 2010.
11 HB10-1032 amended in General Orders as printed in Senate Journal,
12 May 7, 2010, page 1297.
13 HB10-1394 amended as printed in Senate Journal, May 10, 2010.
14

15 The Senate has passed on Third Reading and returns herewith:
16 HB10-1022, HB10-1027, HB10-1146.
17
18
19

20 MESSAGE(S) FROM THE REVISOR

21
22 We herewith transmit:
23 Without comment, as amended, HB10-1238, 1364, 1277, 1081, 1264, and
24 1032.
25 We herewith retransmit:
26 Without comment, as amended, HB10-1394
27
28
29

30 MESSAGE(S) FROM THE GOVERNOR

31
32 I certify I received the following on the 10th day of May, 2010, at
33 4:30 p.m. The original is on file in the records of the House of
34 Representatives of the General Assembly.
35

36 Marilyn Eddins,
37 Chief Clerk of the House
38

39 May 6, 2010
40

41 To the Honorable House of Representatives
42 Sixty-seventh General Assembly
43 Second Regular Session
44 State Capitol
45 Denver, CO 80203
46

47 Ladies and Gentlemen:
48

49 I have the honor to inform you that I have approved and filed with the
50 Secretary of State the following Acts:
51

52 **HB10-1017** CONCERNING AUTHORIZATION FOR CERTAIN PUBLIC
53 ENTITIES TO ENTER INTO VOLUNTARY AGREEMENTS
54 AFFECTING RENT ON PRIVATE RESIDENTIAL PROPERTY.
55

56 Approved May 6, 2010 at 4:18 p.m.

- 1 **HB10-1042** CONCERNING ADMINISTRATION OF THE STATIONARY
2 SOURCES AIR QUALITY PERMITTING PROGRAM.
3
4 Approved May 6, 2010 at 4:19 p.m.
5
- 6 **HB10-1222** CONCERNING CONTINUATION OF THE REQUIREMENT
7 THAT A COLLECTION AGENCY MAINTAIN AN OFFICE IN
8 COLORADO.
9
10 Approved May 6, 2010 at 4:19 p.m.
11
- 12 **HB10-1259** CONCERNING AMENDMENTS TO THE "MUNICIPAL
13 ANNEXATION ACT OF 1965" IN ORDER TO CONFORM THE
14 ACT TO PROVISIONS OF THE STATE CONSTITUTION.
15
16 Approved May 6, 2010 at 4:20 p.m.
17
- 18 **HB10-1377** CONCERNING THE TEMPORARY FUNDING OF CERTAIN
19 AGRICULTURE PROGRAMS ENTIRELY WITH CASH FUNDS,
20 AND MAKING APPROPRIATIONS THEREFOR.
21
22 Approved May 6, 2010 at 4:20 p.m.
23
- 24 **HB10-1378** CONCERNING MONEYS APPROPRIATED IN THE 2010-11
25 FISCAL YEAR FOR HEALTH CLINICS, AND MAKING
26 APPROPRIATIONS THEREFOR.
27
28 Approved May 6, 2010 at 4:21 p.m.
29
- 30 **HB10-1379** CONCERNING A REDUCTION IN THE GENERAL FUND
31 PORTION OF THE PER DIEM RATES PAID TO NURSING
32 FACILITIES FOR THE 2010-11 FISCAL YEAR, AND MAKING
33 AN APPROPRIATION IN CONNECTION THEREWITH.
34
35 Approved May 6, 2010 at 4:22 p.m.
36
- 37 **HB10-1380** CONCERNING THE USE OF MONEYS IN THE
38 SUPPLEMENTAL OLD AGE PENSION HEALTH AND
39 MEDICAL CARE FUND TO PAY FOR SERVICES RECEIVED
40 BY CERTAIN PERSONS IN THE STATE MEDICAID
41 PROGRAM, AND MAKING AN APPROPRIATION THEREFOR.
42
43 Approved May 6, 2010 at 4:23 p.m.
44
- 45 **HB10-1381** CONCERNING THE USE OF TOBACCO REVENUES FOR
46 HEALTH-RELATED PURPOSES DURING A STATE FISCAL
47 EMERGENCY, AND MAKING AN APPROPRIATION
48 THEREFOR
49
50 Approved May 6, 2010 at 4:23 p.m.
51
- 52 **HB10-1382** CONCERNING THE REPEAL OF THE DELAY OF CERTAIN
53 PAYMENTS MADE UNDER PUBLIC MEDICAL ASSISTANCE
54 PROGRAMS.
55
56 Approved May 6, 2010 at 4:24 p.m.

1 **HB10-1384** CONCERNING THE ALIGNMENT OF ELIGIBILITY FOR THE
2 OLD AGE PENSION PROGRAM WITH ELIGIBILITY FOR
3 OTHER PUBLIC BENEFIT PROGRAMS, AND, IN
4 CONNECTION THEREWITH, ALIGNING THE WAITING
5 PERIOD FOR THE OLD AGE PENSION WITH THE WAITING
6 PERIOD FOR OTHER PUBLIC BENEFIT PROGRAMS,
7 ENFORCING FINANCIAL RESPONSIBILITY REQUIREMENTS
8 FOR RELATIVE SPONSORS OF NONCITIZENS, AND MAKING
9 AN APPROPRIATION.

10

11 Approved May 6, 2010 at 4:24 p.m.

12

13 Sincerely,

14 (signed)

15 Bill Ritter, Jr.

16 Governor

17

18

19

20

21 May 10, 2010

22

23 To the Honorable House of Representatives

24 Sixty-seventh General Assembly

25 Second Regular Session

26 State Capitol

27 Denver, CO 80203

28

29 Ladies and Gentlemen:

30

31 I have the honor to inform you that I have approved and filed with the
32 Secretary of State the following Acts:

33

34 **HB10-1029** CONCERNING AGREEMENTS FOR THE PURCHASE OF
35 MEDICAL GOODS.

36

37 Approved May 10, 2010 at 2:55 p.m.

38

39 **HB10-1213** CONCERNING THE ELIMINATION OF AN INDIVIDUALIZED
40 PLAN FOR A PERSON WITH DEVELOPMENTAL
41 DISABILITIES WHO IS ON THE WAITING LIST FOR
42 SERVICES.

43

44 Approved May 10, 2010 at 2:56 p.m.

45

46 **HB10-1242** CONCERNING THE IMPLEMENTATION OF A UNIFORM
47 APPLICATION FORM FOR INDIVIDUAL HEALTH BENEFIT
48 PLANS BY THE COMMISSIONER OF INSURANCE.

49

50 Approved May 10, 2010 at 3:05 p.m.

51

52

53

54

55

1 **HB10-1244** CONCERNING ALLOWING AN HEIR OF A DECEASED
2 PHYSICIAN SHAREHOLDER OF A PROFESSIONAL SERVICE
3 CORPORATION TO BECOME A SHAREHOLDER IN THE
4 CORPORATION.
5

6 Approved May 10, 2010 at 2:57 p.m.

7
8 Sincerely,
9 (signed)
10 Bill Ritter, Jr.
11 Governor

12 _____
13
14 May 10, 2010

15
16 Honorable Colorado House of Representatives
17 67th General Assembly
18 Second Regular Session
19 State Capitol
20 Denver, CO 80203

21
22 Ladies and Gentlemen,
23

24 I am returning to the Colorado House of Representatives House Bill 10-1101,
25 "Concerning the registration of a vehicle used for agricultural production." I
26 vetoed this bill as of 2:54 p.m. today, and this letter sets forth my reasons for
27 doing so.
28

29 As someone who grew up on a farm, I strongly value the work of Colorado's
30 farmers and ranchers. The agricultural industry contributes not only to the
31 economic well-being of Colorado--which is more important now than ever
32 before--but also the moral fiber and long history of our state.
33

34 Since I took office, I have remained committed to ensuring that Colorado's
35 farmers and ranchers are able to continue working their land and that they have
36 new opportunities to expand. I have worked hard to aid rural communities in
37 times of distress--such as during the blizzards early on in my administration,
38 and other hardships such as drought and freezing temperatures that have
39 impacted many food crops across the state.
40

41 I have also made it a top priority to build a New Energy Economy here in
42 Colorado, so that our farmers and ranchers can diversify their investments and
43 our rural communities can benefit from the jobs that renewable energy projects
44 bring to the state. Thanks to the help of many of our farming and ranching
45 organizations, I have signed or fifty pieces of New Energy Economy legislation.
46 Moreover, I made sure to preserve the majority of the existing tax credits for
47 agriculture within my budget balancing package--despite the great economic
48 challenges in the state.
49

50 I feel strongly that we need to preserve the integrity of our existing incentive
51 programs for our agricultural communities. The farm truck license plate
52 program is one program that recognizes farmers' and ranchers' important
53 contributions to the state. Potential abuse of any incentives can detract from the
54 long-term viability of these programs--and I believe that this program is far too
55 important to our farmers and ranchers to risk undermining the existing
56 safeguards.

1
2 Under current law, individuals who wish to register a vehicle as a farm truck
3 must certify on a Colorado Department of Revenue form, under penalty of
4 perjury, that the vehicle will be used for agricultural purposes. In addition,
5 issuers of farm truck license plates may also require that an individual
6 registering a farm truck provide a federal form 1040 F as proof of eligibility.
7 These requirements safeguard the integrity of the farm truck license plate
8 program by ensuring that only eligible members of the agricultural community
9 receive a farm truck license plate.

10
11 House Bill 10-1101 prohibits issuers of farm truck license plate from requiring
12 registrants to show proof of eligibility for those agricultural license plates. The
13 current system has worked well for decades, and I am unconvinced that there
14 is a compelling need for a change. Indeed, by removing the program's existing
15 safeguards, House Bill 10-1101 would expose the agricultural license program
16 to increased fraud in the form of illegitimate farm plate vehicle registrations and
17 non-agricultural vehicles receiving this program's benefit. In turn, an increase
18 in vehicles illegitimately registered with farm plates would adversely impact
19 vehicle registration revenues and reduce the number of vehicles required to
20 submit to an emissions test.

21
22 In order to ensure the continued integrity of the farm truck license plate
23 program and to protect the revenue and environment of the state of Colorado,
24 the current requirements for registering a vehicle as a farm truck should remain
25 unchanged.

26
27 Accordingly, I have vetoed this bill.

28
29 Sincerely,
30 (signed)
31 Bill Ritter Jr.
32 Governor

33
34
35
36 **LAY OVER OF CALENDAR ITEM(S)**

37
38 On motion of Representative Weissmann, the following item(s) on the
39 Calendar (was)were laid over until May 11, retaining place on Calendar:

40
41 Consideration of General Orders--**HCR10-1002, HB10-1282.**

42 Consideration of Resolution(s)--**HJR10-1035, SJR10-039, 049.**

43 Consideration of Senate Amendment(s)--**HB10-1284, 1172, 1358.**

44
45
46
47 On motion of Representative Weissmann, the House adjourned until
48 9:00 a.m., May 11, 2010.

49
50
51 Approved:
52 TERRANCE D. CARROLL,
53 Speaker

53 Attest:
54 MARILYN EDDINS,
55 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-nineteenth Legislative Day Tuesday, May 11, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Lizzy Linsmayer, Crestina Pacheco, East
6 High School, Denver.
7
8 The roll was called with the following result:
9
10 Present--59.
11 Excused--Representative(s) Gardner B., Kagan, Middleton,
12 Pommer, Scanlan, Stephens--6.
13 Present after roll call--Representative(s) Gardner B., Kagan,
14 Middleton, Pommer, Scanlan, Stephens.
15
16 The Speaker declared a quorum present.
17
18
19 On motion of Representative Pace, the reading of the journal of
20 May 10, 2010, was declared dispensed with and approved as corrected by
21 the Chief Clerk.
22

APPOINTMENT

23
24
25 The Speaker announced the appointment of Representative Vigil to
26 replace Representative McFadyen to the Capital Development.
27 Committee
28
29

THIRD READING OF BILL(S)--FINAL PASSAGE

30
31
32 The following bill(s) was(were) considered on Third Reading. The
33 title(s) was(were) publicly read. Reading of the bill at length was
34 dispensed with by unanimous consent.
35
36 **SB10-144** by Senator(s) Scheffel; also Representative(s) Rice--
37 Concerning the registration of equipment mounted on a
38 motor vehicle.
39
40 The question being "Shall the bill pass?".
41 A roll call vote was taken. As shown by the following recorded vote, a
42 majority of those elected to the House voted in the affirmative and the
43 bill was declared **passed**.

	YES	61	NO	1	EXCUSED	3	ABSENT	0
1	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
4	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
6	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	E
8	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
9	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
10	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
11	Ferrandino	Y	Levy	Y	Pommer	E	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
16	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
17							Speaker	Y

18
19 Co-sponsor(s) added: Representative(s) Looper, Massey, McFadyen, Priola.

20
21 **SB10-064** by Senator(s) Bacon; also Representative(s) Merrifield--
22 Concerning authorization for an institution of higher
23 education to apply for stipends from the college
24 opportunity fund, and making an appropriation therefor.
25

26 The question being "Shall the bill pass?".

27 A roll call vote was taken. As shown by the following recorded vote, a
28 majority of those elected to the House voted in the affirmative and the bill
29 was declared **passed**.
30

	YES	62	NO	0	EXCUSED	3	ABSENT	0
31	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
32	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
33	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
34	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
35	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
36	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
37	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	E
38	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
39	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
40	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
41	Ferrandino	Y	Levy	Y	Pommer	E	Todd	Y
42	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
43	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
44	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
45	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
46	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
47							Speaker	Y

48
49 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Labuda, Massey,
50 Summers, Todd, Vigil.
51

52 **SB10-209** by Senator(s) Schwartz, Gibbs, Hodge, Kester, Penry,
53 Scheffel, Steadman, White, Whitehead; also
54 Representative(s) Vigil--Concerning the allocation of 2009
55 national forest payments in counties as said payments
56 relate to federal payments in lieu of taxes.

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	60	NO	2	EXCUSED	3	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	E
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	E	Todd	Y
18	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Looper, Pace, Tipton.

25
 26 **SB10-193** by Senator(s) Hudak; also Representative(s) Levy--Con-
 27 cerning the safe treatment of pregnant persons in custody.

28
 29 As shown by the following roll call vote, a majority of all members
 30 elected to the House voted in the affirmative, and Representative Levy
 31 was given permission to offer a Third Reading amendment:

	YES	62	NO	0	EXCUSED	3	ABSENT	0
34	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
35	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
36	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
37	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
38	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
39	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
40	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	E
41	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
42	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
43	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
44	Ferrandino	Y	Levy	Y	Pommer	E	Todd	Y
45	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
46	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
47	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
48	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
49	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
50							Speaker	Y

51
 52 **Third Reading amendment No. 1**, by Representative Levy.

53
 54 Amend revised bill, page 11, line 18, strike "17-26-106.5," and substitute
 55 "17-26-104.7,".

56

1 The amendment was declared **passed** by the following roll call vote:

	YES	63	NO	0	EXCUSED	2	ABSENT	0
4	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
5	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
6	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
7	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
8	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
9	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
10	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	E
11	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
12	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
13	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
14	Ferrandino	Y	Levy	Y	Pommer	E	Todd	Y
15	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
16	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
17	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
18	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
19	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
20							Speaker	Y

21
22 The question being, "Shall the bill, as amended, pass?".
23 A roll call vote was taken. As shown by the following recorded vote, a
24 majority of those elected to the House voted in the affirmative, and the
25 bill, as amended, was declared **passed**.

	YES	62	NO	1	EXCUSED	2	ABSENT	0
28	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
29	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
30	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
31	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
32	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
33	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
34	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	E
35	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
36	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
37	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
38	Ferrandino	Y	Levy	Y	Pommer	E	Todd	Y
39	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
40	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
41	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
42	Gardner B.	Y	May	Y	Riesberg	Y	Waller	N
43	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Frangas, Hullinghorst, Kagan, Labuda,
46 Looper, Miklosi, Nikkel, Pace, Primavera, Ryden, Schafer S., Todd, Vigil,
47 Speaker.

48
49 **SB10-204** by Senator(s) Shaffer B.; also Representative(s) Solano--
50 Concerning the penalty for careless driving resulting in
51 death.

52
53 As shown by the following roll call vote, a majority of all members
54 elected to the House voted in the affirmative, and Representative Levy
55 was given permission to offer a Third Reading amendment:

56

	YES	63	NO	2	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	N
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

Third Reading amendment No. 1, by Representative Levy.

Amend revised bill, page 2, line 7, strike "12" and substitute "8".

The amendment was declared **passed** by the following roll call vote:

	YES	47	NO	18	EXCUSED	0	ABSENT	0
26								
27	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
28	Apuan	N	Hullinghorst	Y	McKinley	Y	Scanlan	Y
29	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
30	Baumgardner	Y	Kagan	N	Merrifield	Y	Solano	N
31	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
32	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
33	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
34	Court	N	King S.	Y	Nikkel	Y	Summers	Y
35	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
36	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
37	Ferrandino	N	Levy	Y	Pommer	Y	Todd	N
38	Fischer	N	Liston	Y	Primavera	N	Tyler	Y
39	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
40	Gagliardi	N	Massey	Y	Rice	Y	Vigil	Y
41	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
42	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
43							Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **passed**.

	YES	59	NO	6	EXCUSED	0	ABSENT	0
50								
51	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
52	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
53	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
54	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
55	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
56	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y

1	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
2	Court	Y	King S.	Y	Nikkel	N	Summers	Y
3	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
4	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
5	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
6	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
7	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
8	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
9	Gardner B.	N	May	N	Riesberg	Y	Waller	N
10	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Court, Fischer,
13 Kerr J., King S., Levy, Merrifield, Primavera, Ryden, Schafer S., Todd.

14
15 **SB10-200** by Senator(s) Schwartz; also Representative(s) Fischer and
16 Kefalas--Concerning amendments to the "Colorado
17 Recovery and Reinvestment Finance Act of 2009" that are
18 necessary to conform to amendments made to the federal
19 "American Recovery and Reinvestment Act of 2009" by
20 the federal "Hiring Incentives to Restore Employment
21 Act".
22

23 The question being "Shall the bill pass?".

24 A roll call vote was taken. As shown by the following recorded vote, a
25 majority of those elected to the House voted in the affirmative and the bill
26 was declared **passed**.
27

28	YES	38	NO	27	EXCUSED	0	ABSENT	0
29	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
30	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
31	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
32	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
33	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
34	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
35	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
36	Court	Y	King S.	N	Nikkel	N	Summers	N
37	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
38	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
39	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
40	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
41	Frangas	Y	Looper	N	Priola	N	Vaad	N
42	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
43	Gardner B.	N	May	N	Riesberg	Y	Waller	N
44	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
45							Speaker	Y

46
47 **SB10-212** by Senator(s) Cadman, Shaffer B., Penry, Tapia, Romer,
48 Boyd; also Representative(s) Weissmann--Concerning the
49 repeal of mechanisms to refund excess state revenues.
50

51 The question being "Shall the bill pass?".

52 A roll call vote was taken. As shown by the following recorded vote, a
53 majority of those elected to the House voted in the affirmative and the bill
54 was declared **passed**.
55

	YES	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Court, Gerou, Kerr J., Labuda,
 20 Pommer, Summers, Swalm, Speaker.

21
 22 **SB10-217** by Senator(s) Boyd; also Representative(s) Riesberg--
 23 Concerning a modification to the nursing-sensitive quality
 24 measures required to be included in the comprehensive
 25 hospital information system.

26
 27 The question being "Shall the bill pass?".
 28 A roll call vote was taken. As shown by the following recorded vote, a
 29 majority of those elected to the House voted in the affirmative and the bill
 30 was declared **passed**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
32								
33	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
35	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
38	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
48	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Gerou, Summers, Todd.

51
 52 **SB10-208** by Senator(s) Keller; also Representative(s) Acree--
 53 Concerning repealing references to the referral and
 54 placement committee to reflect current usage of
 55 interdisciplinary teams in developing individualized plans
 56 for persons with developmental disabilities.

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	63	NO	2	EXCUSED	0	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	N	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	N	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Gerou, Kerr J., Nikkel, Priola,
 25 Schafer S., Todd.

26
 27
 28 **SB10-002** by Senator(s) Steadman and Keller; also Representative(s)
 29 Looper and Primavera, Acree, Todd--Concerning the
 30 denial of benefits by health coverage plans, and, in
 31 connection therewith, increasing recoveries to the
 32 medicaid program, providing additional assistance to
 33 families eligible for certain benefits, and making an
 34 appropriation in connection therewith.

35
 36 The question being "Shall the bill pass?".
 37 A roll call vote was taken. As shown by the following recorded vote, a
 38 majority of those elected to the House voted in the affirmative and the bill
 39 was declared **passed**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
42	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
43	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
44	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
45	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
46	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
47	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
48	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
49	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
50	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
51	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
52	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
53	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
54	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
55	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
56	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y

1	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
2							Speaker	Y

3 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Pace, Priola.

4
5 **SB10-192** by Senator(s) Kopp, Hodge, Harvey, Renfroe, Johnston,
6 Romer, Morse, Scheffel, Spence, Gibbs, Mitchell, Kester,
7 Schultheis, Cadman, Foster, King K., Lundberg, Penry,
8 Tochtrop, White, Whitehead, Williams; also
9 Representative(s) Sonnenberg, Acree, Baumgardner,
10 Bradford, Casso, Curry, Gardner B., Gerou, Kerr A., Kerr
11 J., King S., Lambert, Liston, Looper, Massey, May,
12 Murray, Nikkel, Priola, Summers, Swalm, Tipton, Vaad,
13 Waller--Concerning the use of revenues derived from
14 limited gaming activity to fund restoration work on the
15 state capitol building, and, in connection therewith,
16 creating the capitol dome restoration fund and redirecting
17 moneys from the portion of limited gaming revenue
18 constitutionally allocated to historic preservation to the
19 capitol dome restoration fund.
20

21 The question being "Shall the bill pass?".

22 A roll call vote was taken. As shown by the following recorded vote, a
23 majority of those elected to the House voted in the affirmative and the bill
24 was declared **passed**.
25

	YES	48	NO	17	EXCUSED	0	ABSENT	0
27	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
28	Apuan	Y	Hullingshorst	N	McKinley	N	Scanlan	Y
29	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
30	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	Y
31	Benefield	N	Kefalas	N	Middleton	Y	Sonnenberg	Y
32	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
33	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
34	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
35	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
36	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
37	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
38	Fischer	N	Liston	Y	Primavera	Y	Tyler	Y
39	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
40	Gagliardi	N	Massey	Y	Rice	N	Vigil	N
41	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
42	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
43							Speaker	N

44 Co-sponsor(s) added: Representative(s) Court, Labuda, Pommer.

45
46
47
48 House in recess. House reconvened.
49
50

51
52 **SB10-198** by Senator(s) Whitehead and Cadman; also
53 Representative(s) McKinley--Concerning a reduction in
54 the amount of the penalty for late vehicle registration for
55 certain vehicles without motive power.
56

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	52	NO	13	EXCUSED	0	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	N	McKinley	Y	Scanlan	Y
9	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	N	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	N	Levy	Y	Pommer	N	Todd	N
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	N	Massey	Y	Rice	N	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
23							Speaker	N

24 Co-sponsor(s) added: Representative(s) Acree, Curry, Gerou, Kerr J., King S.,
 25 Lambert, Massey, Priola, Roberts.

26
 27 **SB10-211**

by Senator(s) Morse and Gibbs, Harvey, Bacon, Boyd, Brophy, Foster, Heath, Hodge, Johnston, Kester, King K., Kopp, Lundberg, Mitchell, Penry, Renfro, Romer, Scheffel, Schultheis, Shaffer B., Tapia, Tochtrop, White, Whitehead, Williams; also Representative(s) Looper and Scanlan, Apuan, Balmer, DelGrosso, Kerr J., Nikkel, Priola, Swalm--Concerning big game hunting licenses for members of the United States armed services wounded warrior programs who have sustained severe combat-related injuries while serving in post-September 11, 2001, overseas contingency operations.

39 The question being "Shall the bill pass?".
 40 A roll call vote was taken. As shown by the following recorded vote, a
 41 majority of those elected to the House voted in the affirmative and the bill
 42 was declared **passed**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
45	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
46	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
47	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
48	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
49	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
50	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
51	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
52	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
53	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
54	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
55	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
56	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y

1	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
2	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
3	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
4	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Acree, Gerou, Kefalas, Labuda,
 7 Lambert, McFadyen, Merrifield, Pace, Roberts, Soper, Vigil.

8
 9 **SB10-195** by Senator(s) Newell; also Representative(s) Solano--
 10 Concerning creation of the early childhood leadership
 11 commission.

12
 13 As shown by the following roll call vote, a majority of all members
 14 elected to the House voted in the affirmative, and Representative Solano
 15 was given permission to offer a Third Reading amendment:

17	YES	55	NO	10	EXCUSED	0	ABSENT	0
18	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
19	Apuan	Y	Hullingshorst	N	McKinley	Y	Scanlan	Y
20	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
21	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
22	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
23	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
24	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
25	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
26	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
27	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
28	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
29	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
30	Frangas	Y	Looper	N	Priola	N	Vaad	Y
31	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
32	Gardner B.	N	May	Y	Riesberg	Y	Waller	Y
33	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
34							Speaker	Y

35
 36 **Third Reading amendment No. 1**, by Representative Solano.

37 Amend revised bill, page 6, line 18, strike "SEVEN" and substitute
 38 "TWENTY-THREE".

40 Page 7, line 5, strike "TWENTY" and substitute "FOUR".

42 Page 7, line 6, strike "TEN" and substitute "TWO" and strike "FIVE" and
 43 substitute "ONE".

45 Page 7, line 9, strike "TEN" and substitute "TWO" and strike "FIVE" and
 46 substitute "ONE".

48 The amendment was declared **passed** by the following roll call vote:

51	YES	38	NO	27	EXCUSED	0	ABSENT	0
52	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
53	Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
54	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
55	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
56	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N

1	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
2	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
3	Court	Y	King S.	N	Nikkel	N	Summers	N
4	Curry	Y	Labuda	N	Pace	Y	Swalm	N
5	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
6	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
7	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
8	Frangas	Y	Looper	N	Priola	N	Vaad	N
9	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
10	Gardner B.	N	May	N	Riesberg	Y	Waller	N
11	Gardner C.	N	McCann	N	Roberts	Y	Weissmann	Y
12							Speaker	Y

13
 14 The question being, "Shall the bill, as amended, pass?".
 15 A roll call vote was taken. As shown by the following recorded vote, a
 16 majority of those elected to the House voted in the affirmative, and the
 17 bill, as amended, was declared **passed**.

	YES	39	NO	26	EXCUSED	0	ABSENT	0
20	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
21	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
22	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
23	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
24	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
25	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
26	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
27	Court	Y	King S.	N	Nikkel	N	Summers	N
28	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
29	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
30	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
31	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
32	Frangas	Y	Looper	N	Priola	N	Vaad	N
33	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
34	Gardner B.	N	May	N	Riesberg	Y	Waller	N
35	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
36							Speaker	Y

37 Co-sponsor(s) added: Representative(s) Apuan, Court, Fischer, Kefalas,
 38 Labuda, Merrifield, Peniston, Primavera, Ryden, Schafer S., Todd.

39
 40 **SB10-161** by Senator(s) King K.; also Representative(s) Massey--
 41 Concerning authorizing charter schools to enter into
 42 contractual agreements, and making an appropriation
 43 therefor.

44
 45 The question being "Shall the bill pass?".
 46 A roll call vote was taken. As shown by the following recorded vote, a
 47 majority of those elected to the House voted in the affirmative and the bill
 48 was declared **passed**.

	YES	60	NO	5	EXCUSED	0	ABSENT	0
51	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
52	Apuan	Y	Hullinghorst	N	McKinley	Y	Scanlan	Y
53	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
54	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	N
55	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	Y
56	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y

1	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
2	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
3	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
4	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
5	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
6	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
7	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
8	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
9	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
10	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Apuan, Casso, Gerou, Kefalas, Kerr J.,
 13 King S., Lambert, Nikkel, Priola, Rice, Roberts, Stephens, Summers.

14
 15 **SB10-202** by Senator(s) Whitehead; also Representative(s) Kerr A.--
 16 Concerning savings accounts for job retraining.

17
 18 The question being "Shall the bill pass?".

19 A roll call vote was taken. As shown by the following recorded vote, a
 20 majority of those elected to the House voted in the affirmative and the bill
 21 was declared **passed**.

23	YES	41	NO	24	EXCUSED	0	ABSENT	0
24	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
25	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
26	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
27	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
28	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
29	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
30	Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
31	Court	Y	King S.	N	Nikkel	N	Summers	Y
32	Curry	N	Labuda	Y	Pace	Y	Swalm	N
33	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
34	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
35	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
36	Frangas	Y	Looper	N	Priola	N	Vaad	N
37	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
38	Gardner B.	N	May	N	Riesberg	Y	Waller	N
39	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
40							Speaker	Y

41 Co-sponsor(s) added: Representative(s) Apuan, Court, Fischer, Pace, Todd,
 42 Speaker.

43
 44 **SB10-167** by Senator(s) Boyd; also Representative(s) Riesberg--
 45 Concerning increased efficiency in the administration of
 46 the "Colorado Medical Assistance Act", and, in
 47 connection therewith, creating the "Colorado Medicaid
 48 False Claims Act", requiring a post-enactment review of
 49 the implementation of this act, and making an
 50 appropriation.

51
 52 The question being "Shall the bill pass?".

53 A roll call vote was taken. As shown by the following recorded vote, a
 54 majority of those elected to the House voted in the affirmative and the bill
 55 was declared **passed**.

56

	YES	37	NO	28	EXCUSED	0	ABSENT	0
1								
2	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
5	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
7	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
9	Court	Y	King S.	N	Nikkel	N	Summers	N
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
11	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	N	Priola	N	Vaad	N
15	Gagliardi	Y	Massey	N	Rice	Y	Vigil	N
16	Gardner B.	N	May	N	Riesberg	Y	Waller	N
17	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Fischer, Kefalas, Labuda, McFadyen,
20 Merrifield, Ryden, Todd, Tyler, Speaker.

21
22 **SB10-213** by Senator(s) Shaffer B., Morse, Penry; also
23 Representative(s) Weissmann, Carroll T., May--
24 Concerning committees created by the Colorado general
25 assembly that operate during the interim.

26
27 The question being "Shall the bill pass?".
28 A roll call vote was taken. As shown by the following recorded vote, a
29 majority of those elected to the House voted in the affirmative and the bill
30 was declared **passed**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
31								
32								
33	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
35	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
38	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
48	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Benefield, Kerr J., Looper, Todd.

51
52 **SB10-011** by Senator(s) Carroll M., Hodge, Tochtrop; also
53 Representative(s) Miklosi, Pace, Ryden--Concerning
54 measures to reduce conflicts of interest in workers'
55 compensation cases.

56

5

24

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56

Third Reading amendment No. 1, by Representative Weissmann, Middleton.

Amend revised bill, page 10, line 9, after "WHICH" insert "AN".

The amendment was declared **passed** by the following roll call vote:

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **passed**.

YES	45	NO	20	EXCUSED	0	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
Court	Y	King S.	N	Nikkel	N	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	N	Priola	N	Vaad	N
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	N	May	Y	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Casso, Court, Ferrandino, Frangas, Hullinghorst, Labuda, Miklosi, Pommer, Rice, Ryden, Tyler, Vigil.

SB10-216 by Senator(s) Heath; also Representative(s) Court--
Concerning the order in which statewide ballot measures
appear on a ballot.

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	42	NO	23	EXCUSED	0	ABSENT	0
7	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
12	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
14	Court	Y	King S.	N	Nikkel	N	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
16	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	N	Vaad	N
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	N	May	N	Riesberg	Y	Waller	N
22	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	N
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Apuan, Labuda.

25
 26 **SB10-205** by Senator(s) Bacon, Scheffel; also Representative(s)
 27 Scanlan and Murray--Concerning the authority of a school
 28 district to submit to the eligible electors of the district the
 29 question of contracting a bonded indebtedness for the
 30 purpose of paying costs that may be paid from the general
 31 fund of the school district.

32
 33 Laid over until later in the day.

34 35 36 37 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

38
 39 **HB10-1284** by Representative(s) Massey and Summers, McCann,
 40 Rice; also Senator(s) Romer and Spence--Concerning
 41 regulation of medical marijuana, and making an
 42 appropriation therefor.

43
 44 (Amended as printed in Senate Journal, May 5, pages 1224-1225 and on
 45 May 6.)

46
 47 Representative Massey moved that the House **concur** in Senate
 48 amendments. A substitute motion by Representative Levy that the House
 49 **not concur** in Senate amendments and that a Conference Committee be
 50 appointed was declared **passed** by the following roll call vote:

	YES	33	NO	32	EXCUSED	0	ABSENT	0
53	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
54	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	N
55	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
56	Baumgardner	Y	Kagan	N	Merrifield	Y	Solano	Y

1	Benefield	Y	Kefalas	N	Middleton	Y	Sonnenberg	N
2	Bradford	Y	Kerr A.	N	Miklosi	Y	Soper	N
3	Casso	N	Kerr J.	Y	Murray	N	Stephens	N
4	Court	Y	King S.	N	Nikkel	N	Summers	N
5	Curry	N	Labuda	Y	Pace	Y	Swalm	N
6	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
7	Ferrandino	N	Levy	Y	Pommer	N	Todd	Y
8	Fischer	N	Liston	N	Primavera	Y	Tyler	Y
9	Frangas	Y	Looper	N	Priola	N	Vaad	N
10	Gagliardi	Y	Massey	N	Rice	N	Vigil	Y
11	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
12	Gardner C.	Y	McCann	Y	Roberts	N	Weissmann	Y
13							Speaker	N

14
15 **HB10-1172** by Representative(s) Bradford, Nikkel, Sonnenberg,
16 Tipton; also Senator(s) Cadman--Concerning the
17 registration of mobile machinery in order to pay specific
18 ownership tax, and making an appropriation therefor.

19
20 (Amended as printed in Senate Journal, May 6, pages 1270-1271.)

21
22 Representative Weissmann moved that the House **concur** in Senate
23 amendments. The motion was declared **passed** by the following roll call
24 vote:

25	YES	65	NO	0	EXCUSED	0	ABSENT	0
26								
27	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
28	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
29	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
30	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
31	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
32	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
33	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
34	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
35	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
36	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
37	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
38	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
39	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
40	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
41	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
42	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
43							Speaker	Y

44
45 The question being, "Shall the bill, as amended, pass?".
46 A roll call vote was taken. As shown by the following recorded vote, a
47 majority of those elected to the House voted in the affirmative, and the
48 bill, as amended, was declared **repassed**.

49	YES	63	NO	2	EXCUSED	0	ABSENT	0
50								
51	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
52	Apuan	Y	Hullinghorst	N	McKinley	Y	Scanlan	Y
53	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
54	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
55	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
56	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y

1	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
2	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
3	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
4	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
5	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
6	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
7	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
8	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
9	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
10	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Looper, Vigil.

13
14 **HB10-1358** by Representative(s) Fischer, Apuan, Court, Frangas,
15 Gagliardi, Hulinghorst, Kagan, Kefalas, Kerr A., Labuda,
16 Levy, Merrifield, Middleton, Pace, Peniston, Primavera,
17 Ryden, Solano, Todd, Tyler, Vigil, Weissmann; also
18 Senator(s) Johnston, Bacon, Hodge, Steadman, Tapia,
19 Williams--Concerning a requirement for new home
20 builders to offer home buyers water efficiency options.

21
22 (Amended as printed in Senate Journal, May 6, page 1257.)

23
24 Representative Fischer moved that the House **concur** in Senate
25 amendments. The motion was declared **passed** by the following roll call
26 vote:

28	YES	40	NO	25	EXCUSED	0	ABSENT	0
29	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
30	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
31	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
32	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
33	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
34	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
35	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
36	Court	Y	King S.	N	Nikkel	N	Summers	Y
37	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
38	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
39	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
40	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
41	Frangas	Y	Looper	N	Priola	N	Vaad	N
42	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
43	Gardner B.	N	May	N	Riesberg	Y	Waller	N
44	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
45							Speaker	Y

46
47 The question being, "Shall the bill, as amended, pass?"

48 A roll call vote was taken. As shown by the following recorded vote, a
49 majority of those elected to the House voted in the affirmative, and the
50 bill, as amended, was declared **repassed**.

52	YES	38	NO	27	EXCUSED	0	ABSENT	0
53	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
54	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
55	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
56	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y

1	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
2	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
3	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
4	Court	Y	King S.	N	Nikkel	N	Summers	N
5	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
6	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
7	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
8	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
9	Frangas	Y	Looper	N	Priola	N	Vaad	N
10	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
11	Gardner B.	N	May	N	Riesberg	Y	Waller	N
12	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
13							Speaker	Y

14 Co-sponsor(s) added: Representative(s) Pommer.

18 MESSAGE(S) FROM THE SENATE

20 The Senate has passed on Third Reading and transmitted to the Revisor
21 of Statutes:

23 SB10-207 amended as printed in Senate Journal, May 10, 2010,
24 page 1335.

28 MESSAGE(S) FROM THE REVISOR

30 We herewith transmit:
31 Without comment, as amended, SB10-207.

36 INTRODUCTION OF BILL First Reading

38 The following bill was read by title and referred to the committee
39 indicated:

41 **SB10-207** by Senator(s) Johnston and Romer; also Representative(s)
42 Tyler--Concerning authorization for the state treasurer to
43 enter into lease-purchase agreements on behalf of the state
44 to finance capital construction projects proposed by the
45 governor's energy office that improve the energy
46 efficiency of state capital facilities, and making an
47 appropriation in connection therewith.

48 Committee on State, Veterans, & Military Affairs

52 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

54 **HJR10-1029** by Representative(s) Fischer, Kefalas, Levy; also
55 Senator(s) Bacon--Concerning the intent of the general
56 assembly to prevent distracted driving.

1 (Amended as printed in Senate Journal, May 7.)

2
3 Representative Fischer moved that the House **concur** in Senate
4 amendments. The motion was declared **passed** by the following roll call
5 vote:

	YES	47	NO	18	EXCUSED	0	ABSENT	0
8	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
9	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
10	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
11	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
12	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
13	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
14	Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
15	Court	Y	King S.	Y	Nikkel	N	Summers	N
16	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
17	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
18	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
19	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
20	Frangas	Y	Looper	N	Priola	N	Vaad	Y
21	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
22	Gardner B.	N	May	N	Riesberg	Y	Waller	N
23	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
24							Speaker	Y

25
26 The question being, "Shall the resolution, as amended, pass?"

27 The resolution, as amended, was **adopted** by **viva voce** vote.

28
29 Co-sponsor(s) added: Representative(s) Gagliardi, Pommer, Primavera, Solano.

30
31 **HB10-1113** by Representative(s) McFadyen, Sonnenberg, Vaad; also
32 Senator(s) Hodge, Kester--Concerning the modification of
33 agencies that perform oversight of the commercial vehicle
34 industry through a transfer of the motor carrier safety
35 assistance program of the ports of entry section in the
36 department of revenue to the Colorado state patrol in the
37 department of public safety, and making an appropriation
38 in connection therewith.

39
40 (Amended as printed in Senate Journal, May 7.)

41
42 Representative McFadyen moved that the House **concur** in Senate
43 amendments. The motion was declared **passed** by the following roll call
44 vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
47	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
48	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
49	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
50	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
51	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
52	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
53	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
54	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
55	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
56	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y

1	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
2	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
3	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
4	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
5	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
6	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
7							Speaker	Y

8
9 The question being, "Shall the bill, as amended, pass?".
10 A roll call vote was taken. As shown by the following recorded vote, a
11 majority of those elected to the House voted in the affirmative, and the
12 bill, as amended, was declared **repassed**.
13

14	YES	65	NO	0	EXCUSED	0	ABSENT	0
15	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
16	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
17	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
18	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
19	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
20	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
21	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
22	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
23	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
24	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
25	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
26	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
27	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
28	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
29	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
30	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Kerr J., Merrifield, Primavera.
33

34 **HB10-1131** by Representative(s) Scanlan, Apuan, Benefield, Court,
35 Curry, Ferrandino, Frangas, Gagliardi, Hullinghorst, Kerr
36 A., Levy, Massey, Middleton, Miklosi, Pace, Peniston,
37 Primavera, Rice, Schafer S., Todd, Tyler, Vigil; also
38 Senator(s) Gibbs--Concerning measures to improve
39 Colorado youths' knowledge of the environment, and, in
40 connection therewith, creating the Colorado kids outdoors
41 grant program.
42

43 (Amended as printed in Senate Journal, May 7.)
44

45 Representative Scanlan moved that the House **concur** in Senate
46 amendments. The motion was declared **passed** by the following roll call
47 vote:
48

49	YES	43	NO	22	EXCUSED	0	ABSENT	0
50	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
53	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
55	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	Y	Kerr J.	N	Murray	N	Stephens	N

1	Court	Y	King S.	N	Nikkel	N	Summers	Y
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
3	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
6	Frangas	Y	Looper	N	Priola	N	Vaad	N
7	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
8	Gardner B.	N	May	N	Riesberg	Y	Waller	N
9	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
10							Speaker	Y

11
 12 The question being, "Shall the bill, as amended, pass?".
 13 A roll call vote was taken. As shown by the following recorded vote, a
 14 majority of those elected to the House voted in the affirmative, and the
 15 bill, as amended, was declared **repassed**.

16	YES	40	NO	25	EXCUSED	0	ABSENT	0
18	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
19	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
20	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
21	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
22	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
23	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
24	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
25	Court	Y	King S.	N	Nikkel	N	Summers	N
26	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
27	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
28	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
29	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
30	Frangas	Y	Looper	N	Priola	N	Vaad	N
31	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
32	Gardner B.	N	May	N	Riesberg	Y	Waller	N
33	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
34							Speaker	Y

35
 36 **HB10-1214** by Representative(s) McCann; also Senator(s) Schwartz--
 37 Concerning financial support for efforts to reduce the
 38 overpopulation of pets, and, in connection therewith,
 39 authorizing the issuance of an adopt a shelter pet license
 40 plate, and making an appropriation therefor.

41
 42 (Amended as printed in Senate Journal, May 7.)

43
 44 Representative McCann moved that the House **concur** in Senate
 45 amendments. The motion was declared **passed** by the following roll call
 46 vote:

47	YES	65	NO	0	EXCUSED	0	ABSENT	0
49	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
50	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
51	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
52	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
53	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
54	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
55	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
56	Court	Y	King S.	Y	Nikkel	Y	Summers	Y

1	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
2	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
3	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
4	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
5	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
6	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
7	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
8	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
9							Speaker	Y

10

11 The question being, "Shall the bill, as amended, pass?".

12 A roll call vote was taken. As shown by the following recorded vote, a
 13 majority of those elected to the House voted in the affirmative, and the
 14 bill, as amended, was declared **repassed**.

15

16	YES	56	NO	9	EXCUSED	0	ABSENT	0
17	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
18	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
19	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
20	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
21	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
22	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
23	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
24	Court	Y	King S.	Y	Nikkel	N	Summers	Y
25	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
26	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
27	Ferrandino	N	Levy	N	Pommer	Y	Todd	Y
28	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
29	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
30	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
31	Gardner B.	Y	May	Y	Riesberg	N	Waller	N
32	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Court, Looper, Middleton, Peniston,
 35 Priola.

36

37

38

CHANGE IN SPONSORSHIP

39

40 The Speaker announced the following changes in sponsorship:

41 SB10-207--Representative Levy to be added as dual prime sponsor with
 42 Representative Tyler.

43

44

45

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

46

47 **HB10-1250** by Representative(s) Fischer, Curry, Apuan, Baumgardner,
 49 Hullinghorst, Kefalas, Looper, Roberts, Ryden, Scanlan,
 50 Solano, Sonnenberg, Tyler, Vigil; also Senator(s) Hodge,
 51 Gibbs, Kester, Schwartz, White, Whitehead--Concerning
 52 the funding of Colorado water conservation board
 53 projects, and making appropriations in connection
 54 therewith.

55

56 (Amended as printed in Senate Journal, May 7.)

1 Representative Fischer moved that the House **concur** in Senate
 2 amendments. The motion was declared **passed** by the following roll call
 3 vote:

	YES	64	NO	1	EXCUSED	0	ABSENT	0
5	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
7	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
8	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
10	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
12	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
13	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
14	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
18	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
19	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
20	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
21							Speaker	Y

22
 23 The question being, "Shall the bill, as amended, pass?".
 24 A roll call vote was taken. As shown by the following recorded vote, a
 25 majority of those elected to the House voted in the affirmative, and the
 26 bill, as amended, was declared **repassed**.

	YES	64	NO	1	EXCUSED	0	ABSENT	0
29	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
30	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
31	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
32	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
33	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
34	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
35	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
36	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
37	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
38	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
39	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
40	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
41	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
42	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
43	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
44	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Gerou, King S., McFadyen, Nikkel,
 47 Pace, Priola, Schafer S., Tipton.

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APPOINTMENTS TO CONFERENCE COMMITTEE

Pursuant to a request from the Senate, the Speaker Pro Tempore appointed House conferees to the First Conference Committees as follows:

SB10-114--Representatives Weissmann, Chairman, Primavera and B. Gardner.

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**STATE, VETERANS, & MILITARY AFFAIRS**

After consideration on the merits, the Committee recommends the following:

SB10-207 be referred favorably to the Committee on Appropriations.

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**APPROPRIATIONS**

After consideration on the merits, the Committee recommends the following:

SB10-207 be referred to the Committee of the Whole with favorable recommendation.

MESSAGE(S) FROM THE SENATE

The Senate has voted to recall HB10-1274 for purposes of reconsideration and requests the return of the bill.

The President has appointed Senator Brophy to replace Senator Kopp as a member of the First Conference Committee on SB10-114.

The Senate has voted not to concur in House amendments to SB10-114 and requests that a Conference Committee be appointed. The President appoints Senators Carroll, chair, Steadman and Kopp as members of the First Conference Committee on SB10-114. The bill is transmitted herewith.

The Senate has voted to concur in House amendments to Senate bills 178, 139, 087, 076, 141, 128, 180, 003, 012, 013, 124, 199 and repassed the bills as amended.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1009 amended as printed in Senate Journal, May 10, 2010, page 1335.

HB10-1402 amended as printed in Senate Journal, May 10, 2010, pages 1335-1336.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB10-1009 and 1402.

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

HB10-1352 by Representative(s) Waller, Pace, Court, Gardner B., Gerou, Kagan, King S., Levy, Looper, Massey, May, McCann, Miklosi, Nikkel, Roberts, Ryden, Stephens; also Senator(s) Steadman and Mitchell, Carroll M., Hudak, Morse, Newell, Penry, White--Concerning changes to crimes involving controlled substances, and making an appropriation in connection therewith.

(Amended as printed in Senate Journal, May 7.)

Representative Waller moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

	YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y	
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E	
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y	
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y	
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y	
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y	
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y	
Court	Y	King S.	Y	Nikkel	Y	Summers	Y	
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y	
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y	
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y	
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y	
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y	
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y	
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y	
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y	
						Speaker	E	

1 The question being, "Shall the bill, as amended, pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative, and the
 4 bill, as amended, was declared **repassed**.

	YES	58	NO	5	EXCUSED	2	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
9	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	E

24
 25
 26 **HB10-1404** by Representative(s) McCann; also Senator(s) Steadman--
 27 Concerning the administration of the independent ethics
 28 commission, and making an appropriation therefor.

29
 30 (Amended as printed in Senate Journal, May 7.)

31
 32 Representative McCann moved that the House **concur** in Senate
 33 amendments. The motion was declared **passed** by the following roll call
 34 vote:

	YES	59	NO	4	EXCUSED	2	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
39	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
42	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
44	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
45	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
47	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
48	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
49	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
50	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
51	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
52	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
53							Speaker	E

54
 55 The question being, "Shall the bill, as amended, pass?".
 56 A roll call vote was taken. As shown by the following recorded vote, a

majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

YES	61	NO	2	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	E

HB10-1032 by Representative(s) Frangas, Apuan, Massey; also Senator(s) Boyd, Foster, Schwartz--Concerning behavioral health crisis response services.

(Amended as printed in Senate Journal, May 7.)

Representative Frangas moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	62	NO	1	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	N	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	E

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

	YES	52	NO	11	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
4	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
9	Court	Y	King S.	N	Nikkel	N	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
11	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
17	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	E

19 Representative Kagan requested his name be removed as co-sponsor.

20 Co-sponsor(s) added: Representative(s) Kerr J., McFadyen, Riesberg.

21
 22 **HB10-1081** by Representative(s) Priola; also Senator(s) Steadman--
 23 Concerning money laundering, and making an
 24 appropriation therefor.
 25

26 (Amended as printed in Senate Journal, May 7.)

27
 28 Representative Priola moved that the House **concur** in Senate
 29 amendments. The motion was declared **passed** by the following roll call
 30 vote:
 31

	YES	51	NO	12	EXCUSED	2	ABSENT	0
32								
33	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
35	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	N
36	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	N
37	Benefield	N	Kefalas	N	Middleton	Y	Sonnenberg	Y
38	Bradford	Y	Kerr A.	N	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	N	Liston	Y	Primavera	N	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	N
47	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
48	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
49							Speaker	E
50								

51 The question being, "Shall the bill, as amended, pass?"

52 A roll call vote was taken. As shown by the following recorded vote, a
 53 majority of those elected to the House voted in the affirmative, and the
 54 bill, as amended, was declared **repassed**.
 55
 56

	YES	62	NO	1	EXCUSED	2	ABSENT	0
1	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
3	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
4	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
5	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
6	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
8	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
9	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
10	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
11	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
16	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
17							Speaker	E

18
19 Co-sponsor(s) added: Representative(s) Nikkel, Waller.

20
21 **HB10-1238** by Representative(s) Curry; also Senator(s) Schwartz--
22 Concerning wildlife crossing zones.

23
24 (Amended as printed in Senate Journal, May 7.)

25
26 Representative Curry moved that the House **concur** in Senate
27 amendments. The motion was declared **passed** by the following roll call
28 vote:

	YES	56	NO	7	EXCUSED	2	ABSENT	0
30	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
31	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
32	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
33	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
34	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
35	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
36	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
37	Court	Y	King S.	Y	Nikkel	N	Summers	Y
38	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
39	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
40	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
41	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
42	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
43	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
44	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
45	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
46							Speaker	E

47
48
49 The question being, "Shall the bill, as amended, pass?"

50 A roll call vote was taken. As shown by the following recorded vote, a
51 majority of those elected to the House voted in the affirmative, and the
52 bill, as amended, was declared **repassed**.

	YES	34	NO	29	EXCUSED	2	ABSENT	0
53	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
54	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	E

1	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
2	Baumgardner	N	Kagan	N	Merrifield	Y	Solano	Y
3	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
4	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
5	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
6	Court	Y	King S.	N	Nikkel	N	Summers	N
7	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
8	DelGrosso	N	Lambert	N	Peniston	N	Tipton	N
9	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
10	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
11	Frangas	Y	Looper	N	Priola	N	Vaad	Y
12	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
13	Gardner B.	N	May	N	Riesberg	Y	Waller	N
14	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	N
15							Speaker	E

16
 17 **HB10-1264** by Representative(s) Priola; also Senator(s) Heath--
 18 Concerning the establishment of an incentive process
 19 whereby state employees can submit suggestions for state
 20 agency improvements that result in cost savings.
 21

22 (Amended as printed in Senate Journal, May 7.)
 23

24 Representative Priola moved that the House **concur** in Senate
 25 amendments. The motion was declared **passed** by the following roll call
 26 vote:
 27

28	YES	59	NO	4	EXCUSED	2	ABSENT	0
29	Acree	Y	Gerou	Y	McFadyen	N	Ryden	Y
30	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
31	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
32	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
33	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
34	Bradford	Y	Kerr A.	N	Miklosi	Y	Soper	Y
35	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
36	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
37	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
38	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
39	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
40	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
41	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
42	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
43	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
44	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
45							Speaker	E

46
 47 The question being, "Shall the bill, as amended, pass?".
 48 A roll call vote was taken. As shown by the following recorded vote, a
 49 majority of those elected to the House voted in the affirmative, and the
 50 bill, as amended, was declared **repassed**.
 51

52	YES	63	NO	0	EXCUSED	2	ABSENT	0
53	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
54	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
55	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
56	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y

1	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
2	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
3	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
4	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
5	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
6	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
7	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
8	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
9	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
10	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
11	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
12	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
13							Speaker	E

14 Co-sponsor(s) added: Representative(s) McFadyen, Murray, Nikkel, Roberts.

15
16 **HB10-1277** by Representative(s) DelGrosso, Waller; also Senator(s)
17 Steadman--Concerning an extension of the prohibition
18 against sexual conduct in correctional institutions, and
19 making an appropriation therefor.

20
21 (Amended as printed in Senate Journal, May 7.)

22
23 Representative DelGrosso moved that the House **concur** in Senate
24 amendments. The motion was declared **passed** by the following roll call
25 vote:

27	YES	62	NO	1	EXCUSED	2	ABSENT	0
28	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
29	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
30	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
31	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
32	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
33	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
34	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
35	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
36	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
37	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
38	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
39	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
40	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
41	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
42	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
43	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
44							Speaker	E

45
46 The question being, "Shall the bill, as amended, pass?"

47 A roll call vote was taken. As shown by the following recorded vote, a
48 majority of those elected to the House voted in the affirmative, and the
49 bill, as amended, was declared **repassed**.

51	YES	63	NO	0	EXCUSED	2	ABSENT	0
52	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
53	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
54	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
55	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
56	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y

1	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
2	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
3	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
4	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
5	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
6	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
7	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
8	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
9	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
10	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
11	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
12							Speaker	E

13 Co-sponsor(s) added: Representative(s) Fischer, McFadyen, Merrifield.

14
15 **HB10-1364** by Representative(s) Ryden; also Senator(s) Hudak--
16 Concerning the sex offender management board, and, in
17 connection therewith, continuing the sex offender
18 management board, and making an appropriation.
19

20 (Amended as printed in Senate Journal, May 7.)
21

22 Representative Ryden moved that the House **not concur** in Senate
23 amendments and that a Conference Committee be appointed. The motion
24 was declared **passed** by the following roll call vote:
25

26	YES	61	NO	3	EXCUSED	1	ABSENT	0
27	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
28	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
29	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
30	Baumgardner	Y	Kagan	N	Merrifield	Y	Solano	Y
31	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
32	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
33	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
34	Court	Y	King S.	Y	Nikkel	Y	Summers	N
35	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
36	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
37	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
38	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
39	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
40	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
41	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
42	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
43							Speaker	Y

44 The Speaker Pro Tempore appointed Representatives Ryden, Chairman,
45 Levy and Nikkel as House conferees to the bill.
46

47 **HB10-1394** by Representative(s) Rice; also Senator(s) Scheffel--
48 Concerning commercial liability insurance policies issued
49 to construction professionals.
50

51 (Amended as printed in Senate Journal, May 7.)
52

53 Representative Rice moved that the House **concur** in Senate amendments.
54 The motion was declared **passed** by the following roll call vote:
55

	YES	63	NO	1	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y
19								

20 The question being, "Shall the bill, as amended, pass?".

21 A roll call vote was taken. As shown by the following recorded vote, a
 22 majority of those elected to the House voted in the affirmative, and the
 23 bill, as amended, was declared **repassed**.

	YES	61	NO	3	EXCUSED	1	ABSENT	0
25								
26	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
27	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
28	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
29	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
30	Benefield	Y	Kefalas	N	Middleton	Y	Sonnenberg	Y
31	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
32	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
33	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
34	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
35	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
36	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
37	Fischer	N	Liston	Y	Primavera	Y	Tyler	Y
38	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
39	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
40	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
41	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) McFadyen.

44
 45 **HB10-1278** by Representative(s) Ryden; also Senator(s) Carroll M.--
 46 Concerning the creation of an information officer for
 47 matters arising under the "Colorado Common Interest
 48 Ownership Act", and making an appropriation therefor.

49
 50 (Amended as printed in Senate Journal, May 7.)

51
 52 Representative Ryden moved that the House **concur** in Senate
 53 amendments. The motion was declared **passed** by the following roll call
 54 vote:

55

	YES	47	NO	17	EXCUSED	1	ABSENT	0
1								
2	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
4	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
9	Court	Y	King S.	Y	Nikkel	N	Summers	N
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
16	Gardner B.	N	May	N	Riesberg	Y	Waller	N
17	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
18							Speaker	Y

19
20 The question being, "Shall the bill, as amended, pass?".
21 A roll call vote was taken. As shown by the following recorded vote, a
22 majority of those elected to the House voted in the affirmative, and the
23 bill, as amended, was declared **repassed**.
24

	YES	36	NO	28	EXCUSED	1	ABSENT	0
25								
26	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
27	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
28	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
29	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
30	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
31	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
32	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
33	Court	Y	King S.	N	Nikkel	N	Summers	N
34	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
35	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
36	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
37	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
38	Frangas	Y	Looper	N	Priola	N	Vaad	N
39	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
40	Gardner B.	N	May	N	Riesberg	Y	Waller	N
41	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Peniston.
44
45

46 47 48 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**

49
50 **HB10-1252** by Representative(s) Primavera, Massey; also Senator(s)
51 Boyd and Schwartz--Concerning health care services for
52 breast cancer screening.
53

54 (Conference Committee Report printed in House Journal, May 10,
55 pages 1717-1718.)
56

On motion of Representative Primavera, the Conference Committee Report was **adopted** by the following roll call vote:

YES	56	NO	8	EXCUSED	1	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
Court	Y	King S.	Y	Nikkel	N	Summers	N
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	N	May	N	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being "Shall the bill, as amended, pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill, as amended, was declared **repassed**.

YES	63	NO	1	EXCUSED	1	ABSENT	0
Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Ferrandino, Nikkel, Pommer.

HB10-1330

by Representative(s) Kefalas and Kagan, Apuan, Court, Fischer, Gagliardi, Levy, Miklosi, Pace, Primavera, Rice, Riesberg, Solano, Tyler, Vigil; also Senator(s) Morse--
Concerning the creation of an advisory committee to make recommendations regarding the creation of a Colorado all-payer health claims database for the purpose of transparent public reporting of health care information.

1 (Conference Committee Report printed in House Journal, May 10,
2 page 1718.)

3
4 On motion of Representative Kefalas, the Conference Committee Report
5 was **adopted** by the following roll call vote:

	YES	38	NO	26	EXCUSED	1	ABSENT	0
8	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
9	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
10	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
11	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
12	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
13	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
14	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
15	Court	Y	King S.	N	Nikkel	N	Summers	Y
16	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
17	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
18	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
19	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
20	Frangas	Y	Looper	N	Priola	N	Vaad	N
21	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
22	Gardner B.	N	May	N	Riesberg	Y	Waller	N
23	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
24							Speaker	Y

25
26 The question being "Shall the bill, as amended, pass?".
27 A roll call vote was taken. As shown by the following recorded vote, a
28 majority of those elected to the House voted in the affirmative and the
29 bill, as amended, was declared **repassed**.

	YES	42	NO	21	EXCUSED	1	ABSENT	1
32	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
33	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
34	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
35	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
36	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
37	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
38	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
39	Court	Y	King S.	N	Nikkel	N	Summers	Y
40	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
41	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
42	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
43	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
44	Frangas	Y	Looper	N	Priola	Y	Vaad	N
45	Gagliardi	-	Massey	Y	Rice	Y	Vigil	Y
46	Gardner B.	N	May	N	Riesberg	Y	Waller	N
47	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) McFadyen, Peniston, Priola, Schafer S.,
50 Todd, Speaker.

51
52
53 On motion of Representative Weissmann, **HB10-1282, SB10-207,**
54 **HCR10-1002** were added to the Special Orders Calendar on Tuesday,
55 May 11, 2010.

56

1 On motion of Representative Kerr A., the House resolved itself into
2 Committee of the Whole for consideration of Special Orders and he was
3 called to the Chair to act as Chairman.

4
5
6
7 **SPECIAL ORDERS--SECOND READING OF BILLS**
8

9 The Committee of the Whole having risen, the Chairman reported the
10 titles of the following bills had been read (reading at length had been
11 dispensed with by unanimous consent), the bills considered and action
12 taken thereon as follows:

13
14 (Amendments to the committee amendment are to the printed committee
15 report which was printed and placed in the members' bill file.)

16
17 **HB10-1282** by Representative(s) King S. and Bradford; also Senator(s)
18 Penry--Concerning the imposition of a moratorium on the
19 closure of coal-solar power plants.

20
21 Laid over until June 9. Bill deemed lost.

22
23 **SB10-207** by Senator(s) Johnston and Romer; also Representative(s)
24 Tyler and Levy--Concerning authorization for the state
25 treasurer to enter into lease-purchase agreements on behalf
26 of the state to finance capital construction projects
27 proposed by the governor's energy office that improve the
28 energy efficiency of state capital facilities, and making an
29 appropriation in connection therewith.

30
31 Ordered revised and placed on the Calendar for Third Reading and Final
32 Passage.

33
34 **SB10-190** by Senator(s) White and Keller, Tapia; also
35 Representative(s) Riesberg--Concerning the suspension of
36 the property tax exemption for qualifying seniors for
37 specified property tax years, and making an appropriation
38 therefor.

39
40 Amendment No. 1, by Representative(s) Weissmann.

41
42 Amend reengrossed bill, page 2, line 22, strike "zero" and substitute "~~zero~~
43 FIFTY THOUSAND".

44
45 As amended, ordered revised and placed on the Calendar for Third
46 Reading and Final Passage.

47
48
49 Committee in recess. Committee reconvened.

50
51
52 A motion by Representative Weissmann that the Committee rise, report
53 progress and beg leave to sit again at 4:25 p.m., was adopted by
54 unanimous consent. (Special Orders continued on page 1793.)

House reconvened.

The Committee of the Whole reported it had risen, reported progress and would sit again at 4:25 p.m.

RECONSIDERATION OF HB10-1284

Representative Miklosi moved for reconsideration of the last House action (Consideration of Senate Amendments, May 11, 2010, pages 1769-1770). As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the motion was declared **passed**.

YES	46	NO	17	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	N	McKinley	N	Scanlan	Y
Balmer	Y	Judd	E	McNulty	N	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
Court	Y	King S.	N	Nikkel	N	Summers	Y
Curry	Y	Labuda	Y	Pace	N	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	N	Tyler	N
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	N
Gardner B.	N	May	N	Riesberg	Y	Waller	E
Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	N
						Speaker	Y

Representative Massey moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	49	NO	16	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	N	McKinley	N	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
Court	Y	King S.	N	Nikkel	N	Summers	Y
Curry	Y	Labuda	Y	Pace	N	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	N	Tyler	N
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	N
Gardner B.	N	May	Y	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	N
						Speaker	Y

1 The question being, "Shall the bill, as amended, pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative, and the
 4 bill, as amended, was declared **repassed**.

	YES	46	NO	19	EXCUSED	0	ABSENT	0
7	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	N	McKinley	N	Scanlan	Y
9	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
14	Court	Y	King S.	N	Nikkel	N	Summers	Y
15	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
16	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
17	Ferrandino	N	Levy	N	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	N	Tyler	N
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	N
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	N
21	Gardner B.	N	May	Y	Riesberg	N	Waller	Y
22	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	N
23							Speaker	Y

24 Representative Todd requested her name be removed as co-sponsor.

25 Co-sponsor(s) added: Representative(s) Kagan, Pommer.

26
 27
 28 House in recess. House reconvened.
 29

30
 31 On motion of Representative Kerr A., the House resolved itself into
 32 Committee of the Whole for continuation of consideration of Special
 33 Orders, and he returned to the Chair to act as Chairman.
 34

35 36 37 **SPECIAL ORDERS--SECOND READING OF BILLS**

38 (Continued from page 1791)
 39

40
 41 **HCR10-1002** by Representative(s) Benefield, Frangas, McKinley,
 42 Merrifield, Middleton, Peniston, Rice, Scanlan, Schafer S.,
 43 Solano, Todd, Hullinghorst, Apuan, Casso, Fischer,
 44 Gagliardi, Kagan, Labuda, Levy, McCann, Miklosi, Pace,
 45 Pommer, Primavera, Ryden, Soper, Tyler, Vigil,
 46 Weissmann; also Senator(s) Williams and Romer, Bacon,
 47 Shaffer B.--Submitting to the registered electors of the
 48 state of Colorado an amendment to article IX of the
 49 constitution of the state of Colorado, concerning the
 50 authority of the general assembly to generate additional
 51 state revenues for funding preschool through
 52 postsecondary public education without prior voter
 53 approval, and, in connection therewith, notwithstanding
 54 the prior voter approval requirement of section 20 (4) (a)
 55 of article X of the state constitution, allowing the general
 56 assembly to enact statutes that result in additional state

1 revenues to be used to fund preschool through
2 postsecondary public education and exempting any
3 additional state revenues raised for this purpose from the
4 constitutional limitations on fiscal year spending.
5

6 Ordered engrossed and placed on the Calendar for Third Reading and
7 Final Passage.
8

9 **SB10-191** by Senator(s) Johnston and Spence, Foster, Gibbs, Hodge,
10 King K., Kopp, Newell, Penry, Romer, Scheffel; also
11 Representative(s) Scanlan and Murray, Carroll T., Gerou,
12 Massey, Rice, Summers--Concerning ensuring quality
13 instruction through educator effectiveness (EQUITEE).
14

15 Amendment No. 1, Education Report, dated May 6, 2010, and placed in
16 member's bill file; Report also printed in House Journal, May 7,
17 pages 1691-1696.
18

19 Amendment No. 2, Appropriations Report, dated May 10, 2010, and
20 placed in member's bill file; Report also printed in House Journal,
21 May 10, page 1721.
22

23 Amendment No. 3, by Representative(s) Scanlan.
24

25 Amend the Appropriations Committee Report, dated May 10, 2010, page
26 1, line 14, strike "ONE HUNDRED TWENTY-FIVE" and substitute "TWO
27 HUNDRED FIFTY".
28

29 Amendment No. 4, by Representative(s) Ferrandino, Scanlan.
30

31 Amend the Education Committee Report, dated May 6, 2010, page 1,
32 after line 16 insert:
33

34 "Amend reengrossed bill, page 13, line 10, strike "AND".
35

36 Page 13 of the bill, line 13, after "RATINGS;" insert "AND"
37

38 (VII) A PROCESS BY WHICH A NONPROBATIONARY TEACHER MAY
39 APPEAL HIS OR HER SECOND CONSECUTIVE PERFORMANCE RATING OF
40 INEFFECTIVE AND SUBMIT SUCH PROCESS BY THE FIRST DAY OF CONVENING
41 OF THE FIRST REGULAR SESSION OF THE SIXTY-NINTH GENERAL ASSEMBLY
42 TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND
43 THE SENATE, OR ANY SUCCESSOR COMMITTEES."."
44

45 Page 3 of the Education Committee Report, before line 26 insert:
46

47 "Page 27 of the reengrossed bill, after line 10 insert:
48

49 "(IV) SUBPARAGRAPH (II) OF THIS PARAGRAPH (b) IS REPEALED,
50 EFFECTIVE FEBRUARY 15, 2013."."
51

52 Amendment No. 5, by Representative(s) Scanlan.
53

54 Amend the Education Committee Report, dated May 6, 2010, page 1,
55 after line 16 insert:
56

1 "Page 10, strike line 15 and substitute "22-11-204 (2)".

2

3 Page 10, line 16, strike "SHALL" and substitute "MAY".

4

5 Amendment No. 6, by Representative(s) Scanlan.

6

7 Amend the Education Committee Report, dated May 6, 2010, page 3,
8 before line 1 insert:

9

10 "Page 20 of the bill, line 24, strike "year;" and substitute "year.
11 PROBATIONARY TEACHERS SHALL RECEIVE THE WRITTEN EVALUATION
12 REPORT AT LEAST TWO WEEKS BEFORE THE END OF CLASSES."

13

14 Page 20 of the bill, line 27, strike "~~every three years~~" and substitute
15 "every three years; EXCEPT THAT, BEGINNING WITH THE 2012-13
16 ACADEMIC YEAR, NONPROBATIONARY TEACHERS SHALL RECEIVE A
17 WRITTEN EVALUATION REPORT PURSUANT TO SUBSECTION (3) OF THIS
18 SECTION".

19

20 Page 21, line 3, strike "22-9-105.5; AND" and substitute "22-9-105.5.
21 NONPROBATIONARY TEACHERS SHALL RECEIVE THE WRITTEN EVALUATION
22 REPORT AT LEAST TWO WEEKS BEFORE THE END OF CLASSES."

23

24 Amendment No. 7, by Representative(s) Solano.

25

26 Amend, Amendment No. 6 by Representative Scanlan, printed in House
27 Journal page 1795, line 12, strike "END OF CLASSES." and substitute "LAST
28 CLASS DAY OF THE SCHOOL YEAR."

29

30 Page 1795, line 22, strike "END OF CLASSES." and substitute "LAST CLASS
31 DAY OF THE SCHOOL YEAR."

32

33 Amendment No. 8, by Representative(s) Scanlan.

34

35 Amend the Education Committee Report, dated May 6, 2010, page 7, line
36 2, strike "ASSOCIATION," and substitute "ASSOCIATION IN A DISTRICT THAT
37 HAS AN OPERATING MASTER EMPLOYMENT CONTRACT,".

38

39 Amendment No. 9, by Representative(s) Scanlan.

40

41 Amend the Education Committee Report, dated May 6, 2010, page 5, line
42 22, before "AVAILABLE" insert "A REASONABLE NUMBER OF".

43

44

45 Committee in recess. Committee reconvened.

46

47

48 Amendment No. 10, by Representative(s) Murray.

49

50 Amend the Education Committee Report, dated May 6, 2010, page 4,
51 strike lines 4 through 6 and substitute "EFFECTIVENESS AND HAVE
52 DEMONSTRATED QUALIFICATIONS AND TEACHING EXPERIENCE THAT
53 SUPPORT THE INSTRUCTIONAL PRACTICES OF HIS OR HER SCHOOL."

54

55 Page 4, strike lines 12 through 15 and substitute "EFFECTIVENESS AND
56 QUALIFICATIONS, WHICH REVIEW DEMONSTRATES THAT THE TEACHER'S

1 QUALIFICATIONS AND TEACHING EXPERIENCE SUPPORT THE
2 INSTRUCTIONAL PRACTICES OF HIS OR HER SCHOOL."

3
4 Page 4, line 20, strike "MUTUAL CONSENT PLACEMENT" and substitute
5 "POSITION THROUGH SCHOOL-BASED HIRING".

6
7 Page 5, strike lines 3 and 4.

8
9 Page 5, line 28, strike "REMOVAL." and substitute "REMOVAL FROM THE
10 SCHOOL."

11
12 Page 6, strike lines 2 and 3 and substitute "SCHOOL DISTRICT."

13
14 Page 6, line 4, strike "AN INTERVIEW OCCURS."

15
16 Page 6, line 19, strike "TWO HIRING CYCLES," and substitute "TWELVE
17 MONTHS OR TWO HIRING CYCLES, WHICHEVER PERIOD IS LONGER,".

18
19 Page 6, line 31, strike "A MUTUAL CONSENT ASSIGNMENT." and substitute
20 "AN ASSIGNMENT THROUGH SCHOOL-BASED HIRING".

21
22 Page 6, line 32, strike "A MUTUAL CONSENT ASSIGNMENT" and substitute
23 "AN ASSIGNMENT THROUGH SCHOOL-BASED HIRING".

24
25 Page 6, line 34, strike "A MUTUAL CONSENT ASSIGNMENT" and substitute
26 "AN ASSIGNMENT THROUGH SCHOOL-BASED HIRING".

27
28 Page 7, line 11, strike "A MUTUAL".

29
30 Page 7, line 12, strike "CONSENT ASSIGNMENT" and substitute "AN
31 ASSIGNMENT THROUGH SCHOOL-BASED HIRING".

32
33 Page 7, strike lines 13 through 15 and substitute:

34
35 "(VII) THIS PARAGRAPH(c.5) SHALL APPLY TO ANY TEACHER WHO
36 IS DISPLACED AS A RESULT OF DROP IN ENROLLMENT; TURNAROUND,
37 PHASE-OUT; REDUCTION IN PROGRAM; OR REDUCTION IN BUILDING,
38 INCLUDING CLOSURE, CONSOLIDATION, OR RECONSTITUTION."."

39
40 Amendment No. 11, by Representative(s) Scanlan.

41
42 Amend the Education Committee Report, dated May 6, 2010, page 4, line
43 29, strike everything after "SCHOOL." and substitute "IN MAKING
44 DECISIONS PURSUANT TO THIS PARAGRAPH (c.5), A SCHOOL DISTRICT
45 SHALL WORK WITH ITS LOCAL TEACHERS ASSOCIATION TO DEVELOP
46 POLICIES FOR THE LOCAL SCHOOL BOARD TO ADOPT. IF NO TEACHER
47 ASSOCIATION EXISTS IN THE SCHOOL DISTRICT, THE SCHOOL DISTRICT
48 SHALL CREATE AN EIGHT PERSON COMMITTEE CONSISTING OF FOUR
49 SCHOOL DISTRICT MEMBERS AND FOUR TEACHERS, WHICH COMMITTEE
50 SHALL DEVELOP SUCH POLICIES. UPON NOTICE TO THE".

51
52 Page 4, strike lines 30 through 34.

53
54
55

1 Amendment No. 12, by Representative(s) Merrifield.

2
3 Amend the Education Committee Report, dated May 6, 2010, page 4, line
4 10, strike everything after "PRINCIPAL" and substitute "AND WITH INPUT
5 FROM AT LEAST TWO TEACHERS EMPLOYED AT THE SCHOOL AND CHOSEN
6 BY THE FACULTY OF TEACHERS AT THE SCHOOL TO REPRESENT THEM IN
7 THE HIRING PROCESS,".

8
9 Page 4, line 11, strike "TEACHERS,".

10
11 Amendment No. 13, by Representative(s) Scanlan.

12
13 Amend reengrossed bill, page 19, line 22, after "(2.5)," insert "(3.3),".

14
15 Page 25, after line 10 insert:

16
17 "(3.3) Each principal or administrator who is responsible for
18 evaluating licensed personnel shall keep records and documentation for
19 each evaluation conducted. Each principal and administrator who is
20 responsible for evaluating licensed personnel shall be evaluated as to how
21 well he or she ~~carries out the evaluation responsibilities under the~~
22 COMPLIES WITH THIS SECTION AND WITH THE school district's evaluation
23 system.".

24
25 Amendment No. 14, by Representative(s) Scanlan.

26
27 Amend reengrossed bill, page 8, line 25, strike "A".

28
29 Page 8, line 26, strike "ASSOCIATION THAT REPRESENTS" and substitute
30 "ASSOCIATIONS THAT REPRESENT".

31
32 Amendment No. 15, by Representative(s) Scanlan.

33
34 Amend reengrossed bill, page 18, line 18, strike "TEACHER
35 EFFECTIVENESS EVALUATION" and substitute "GREAT TEACHERS AND
36 LEADERS".

37
38 Amendment No. 16, by Representative(s) Pace.

39
40 Amend reengrossed bill, page 19, strike line 24 and substitute "amended
41 BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS,
42 to read:".

43
44 Page 30, after line 12 insert:

45
46 "(8) ON OR BEFORE AUGUST 1, 2014, EACH LOCAL BOARD OF
47 EDUCATION SHALL DEVELOP, IN COLLABORATION WITH A LOCAL TEACHERS
48 ASSOCIATION OR, IF NONE EXISTS, WITH TEACHERS FROM THE DISTRICT, AN
49 INCENTIVE SYSTEM, THE PURPOSE OF WHICH SHALL BE TO ENCOURAGE
50 EFFECTIVE TEACHERS IN HIGH-PERFORMING SCHOOLS TO MOVE TO JOBS IN
51 SCHOOLS THAT HAVE LOW PERFORMANCE RATINGS.".

52
53 Amendment No. 17, by Representative(s) Scanlan.

54
55 Amend reengrossed bill, page 11, line 16, after "PLAN." insert "IN MAKING
56 ITS RECOMMENDATIONS, THE COUNCIL SHALL RECOGNIZE THAT NOT ALL

TEACHERS AND PRINCIPALS REQUIRE THE SAME AMOUNT OF SUPERVISION AND EVALUATION. AS PART OF ITS RECOMMENDATIONS TO THE STATE BOARD, THE COUNCIL SHALL DEVELOP A PROCESS TO ENABLE A LOCAL SCHOOL DISTRICT TO DIFFERENTIATE TEACHER AND PRINCIPAL EVALUATIONS AS PART OF ITS PERFORMANCE EVALUATION SYSTEM."

As amended, ordered revised and placed on the Calendar for Third Reading and Final Passage.

AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT

Representative Solano moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in adopting Amendment No. 9 by Representative Scanlan (printed in House Journal page 1795, lines 39-42) to SB10-191, to show that said amendment lost, and that **SB10-191**, as amended, passed.

The amendment was declared **lost** by the following roll call vote:

YES	27	NO	37	EXCUSED	1	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	N
Balmer	N	Judd	N	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	N	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	N	Stephens	N
Court	N	King S.	N	Nikkel	N	Summers	N
Curry	N	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	E	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	N
Frangas	Y	Looper	N	Priola	N	Vaad	N
Gagliardi	Y	Massey	N	Rice	N	Vigil	Y
Gardner B.	N	May	N	Riesberg	Y	Waller	N
Gardner C.	N	McCann	N	Roberts	N	Weissmann	Y
						Speaker	N

Representative Solano moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting the following Solano amendment, to SB10-191, to show that said amendment passed, and that **SB10-191**, as amended, passed.

Amend reengrossed bill, page 30, line 2, strike "FOR PRINCIPALS, THE QUALITY".

Page 30, strike lines 3 through 12 and substitute "THE REMAINING FIFTY PERCENT OF A PRINCIPAL'S EVALUATION SHALL BE DETERMINED BY AN ANONYMOUS STATEWIDE LEADERSHIP SURVEY COMPLETED BY THE TEACHERS IN THE PRINCIPAL'S SCHOOL. THE DEPARTMENT SHALL BE RESPONSIBLE FOR ANY EXPENSES ASSOCIATED WITH THE CREATION AND ADMINISTRATION OF THE SURVEY. THE STATEWIDE SURVEY SHALL BE DEVELOPED BY A COMMITTEE WITH THE FOLLOWING MEMBERSHIP:

(a) THREE TEACHERS FROM GRADES ONE THROUGH SIX, AS
SELECTED BY A TEACHERS' ASSOCIATION;

(b) THREE TEACHERS FROM GRADES SEVEN AND EIGHT, AS
SELECTED BY A TEACHERS' ASSOCIATION;

(c) THREE TEACHERS FROM GRADES NINE THROUGH TWELVE, AS
SELECTED BY A TEACHERS' ASSOCIATION; AND

(d) THREE PARENTS OF PUBLIC SCHOOL STUDENTS, AS SELECTED
BY A PARENT-TEACHER ORGANIZATION."

The amendment was declared **lost** by the following roll call vote:

YES	30	NO	34	EXCUSED	1	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	N
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	N	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	N	Stephens	N
Court	N	King S.	N	Nikkel	N	Summers	N
Curry	N	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	E	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	N	Priola	N	Vaad	N
Gagliardi	Y	Massey	N	Rice	N	Vigil	Y
Gardner B.	N	May	N	Riesberg	Y	Waller	N
Gardner C.	N	McCann	N	Roberts	N	Weissmann	Y
						Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **SB10-207, 190 amended, HCR10-1002, SB10-191 amended.**

Laid over until date indicated retaining place on Calendar: **HB10-1282--**
June 9, 2010. Bill deemed lost

The Chairman moved the adoption of the Committee of the Whole
Report. As shown by the following roll call vote, a majority of those
elected to the House voted in the affirmative, and the Report was
adopted.

YES	50	NO	14	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
Apuan	N	Hullinghorst	N	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	N
Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y

1	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
2	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
3	Ferrandino	Y	Levy	Y	Pommer	E	Todd	N
4	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
5	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
6	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N
7	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
8	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
9							Speaker	Y

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on SB10-114**

This Report Amends the Rerevised Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on SB10-114,
concerning the "Colorado Taxpayer Transparency Act of 2010", has met
and reports that it has agreed upon the following:

That the Senate accede to the House amendments made to the bill,
as the amendments appear in the rerevised bill, with the following
changes:

Amend rerevised bill, page 3, line 20, strike "BODY." and substitute
"BODY PURSUANT TO THE GOVERNMENTAL BODY'S RETENTION
REQUIREMENTS.".

Page 3, line 26, strike "PARAGRAPH (b)" and substitute "SUBSECTION (2)".

Page 4, line 9, strike "REQUEST." and substitute "REQUEST WITHIN THREE
BUSINESS DAYS AFTER RECEIVING SUCH REQUEST. THE GOVERNMENTAL
BODY SHALL FURTHER NOTIFY THE PERSON MAKING THE RECORDS
REQUEST WITHIN THREE BUSINESS DAYS AFTER RECEIVING SUCH REQUEST
OF THE APPLICABILITY OF AN EXEMPTION AND THE TWENTY-ONE DAY
RESPONSE PERIOD SPECIFIED IN THIS PARAGRAPH (d) TO THE RECORDS
BEING REQUESTED.".

Page 4, line 10, strike "24-72-204 (3) (b)," and substitute "24-72-203 (3)
(b),".

Page 4, line 11, after "RECORDS" insert "IN ITS POSSESSION".

Page 4, line 15, after "NOTIFICATION." insert "THE GOVERNMENTAL BODY
SHALL NOTIFY THE REQUESTOR WITHIN THREE BUSINESS DAYS AFTER
RECEIVING THE GOVERNMENT CONTRACTOR'S DESIGNATION AND
ATTESTATION OF THE RECORDS EXEMPT FROM DISCLOSURE.".

Respectfully submitted,

Senate Committee:

(signed)

Morgan Carroll

Pat Steadman

Mike Kopp

House Committee:

(signed)

Paul Weissmann

Bob Gardner

Dianne Primavera

MESSAGE(S) FROM THE SENATE

The Senate voted to concur in House Amendments to SB10-212, and repassed the bill as amended.

The Senate voted to reject House Amendments to SB10-204 and SB10-213 and adhere to its position. The bills are returned herewith.

In response to a request of the House, HB10-1284 is returned herewith.

The Senate has failed to pass HB10-1357 on Second Reading. The bill is returned herewith.

In response to a request from the House for a Conference Committee on HB10-1364, the President appoints Senators Hudak, chair, Steadman and King to the First Conference Committee on HB10-1364.

The Senate has voted to concur in House amendments to Senate bills 217, 167, 192 , 193 , 161, 002 , 011,195, 203, and repassed the bills as amended.

On reconsideration, the Senate passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1274 amended as printed in Senate Journal, May 11, 2010.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SCR10-003 amended as printed in Senate Journal, May 10, 2010, pages 1337-1338, 1343.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1019 amended as printed in Senate Journal, May 10, 2010, page 1339.

The Senate has passed on Third Reading and returns herewith: HB10-1408, HB10-1417.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1347 amended as printed in Senate Journal, May 10, 2010, pages 1339-1340 and May 11, 2010.

HB10-1271 amended as printed in Senate Journal, May 10, 2010, pages 1340,1344 and May 11, 2010.

HB10-1349 amended as printed in Senate Journal, May 10, 2010, page 1340.

HB10-1345 amended as printed in Senate Journal, May 10, 2010, page 1342.

1 HB10-1412 amended as printed in Senate Journal, May 10, 2010,
2 pages 1342-1343.
3 HB10-1285 amended as printed in Senate Journal, May 10, 2010,
4 pages 1342, 1344-1345.
5 HB10-1422 amended as printed in Senate Journal, May 10, 2010,
6 pages 1343, 1346 and May 11, 2010.
7
8

9 The Senate has adopted and transmits herewith: SJR10-047.
10
11

12 The Senate has passed on Third Reading reading and transmitted to the
13 Revisor of Statutes:
14

15 HB10-1405 amended as printed in Senate Journal, May 10, 2010,
16 page 1338.
17 HB10-1418 amended as printed in Senate Journal, May 10, 2010,
18 page 1338.
19

20 The Senate has passed on Third Reading and returns herewith:
21 HB10-1400.
22
23

24 MESSAGE(S) FROM THE REVISOR

25
26 We herewith retransmit:
27 Without comment, as amended, HB10-1274.
28
29

30 We herewith transmit:
31 Without comment, as amended, HB10-1347, 1271, 1349, 1345, 1412,
32 1285, and 1422.
33
34

35 We herewith transmit:
36 Without comment, as amended, HB10-1405, 1418.
37 Without comment, as amended, SCR 10-003.
38
39

40 We herewith transmit:
41 Without comment, as amended, HB10-1019.
42
43
44

45 INTRODUCTION OF CONCURRENT RESOLUTION

46
47 The following resolution was read by title and referred to the committee
48 indicated:
49

50 **SCR10-003** by Senator(s) Tapia, Heath, Penry, Boyd, Hodge, Keller,
51 Kester, Romer, Shaffer B.; also Representative(s) Court--
52 Submitting to the registered electors of the state of
53 Colorado an amendment to section 1 of article V of the
54 constitution of the state of Colorado, concerning ballot
55 initiatives, and, in connection therewith, requiring at least
56 five percent of the minimum total number of signatures for

1 a petition for an initiated constitutional amendment to be
2 gathered from residents of each state congressional
3 district; with certain specified exceptions, requiring at
4 least sixty percent voter approval for a proposed initiated
5 constitutional amendment to become part of the
6 constitution; and requiring a two-thirds vote for the
7 general assembly to amend, repeal, or supersede an
8 initiated law for a period of three years after the law
9 becomes effective.

10 Committee on State, Veterans, & Military Affairs
11
12
13

14 INTRODUCTION OF RESOLUTION

15
16 The following resolution was read by title and laid over one day under the
17 rules:

18
19 **SJR10-047** by Senator(s) Hudak and Shaffer B., Bacon, Foster, Heath,
20 Hodge, Johnston, Newell, Sandoval, Steadman, Tochtrop;
21 also Representative(s) Benefield and Solano--Concerning
22 the importance of maintaining quality services for public
23 school kindergarten students who were enrolled in high-
24 quality preschool programs.
25
26

27 LAY OVER OF CALENDAR ITEM(S)

28
29
30 On motion of Representative Weissmann, the following item(s) on the
31 Calendar (was)were laid over until May 12, retaining place on Calendar:

32
33 Consideration of Third Reading--**SB10-205**.
34 Consideration of Resolution(s)--**HJR10-1035, SJR10-039, 049, HJR10-**
35 **1036, SJR10-035, 043**.
36 Consideration of Memorial(s)--**SJM10-002**.
37 Consideration of Governor's Veto--**HB10-1101**.
38
39

40
41 On motion of Representative Weissmann, the House adjourned until
42 9:00 a.m., May 12, 2010.
43

44 Approved:
45 TERRANCE D. CARROLL,
46 Speaker

47 Attest:
48 MARILYN EDDINS,
49 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-twentieth Legislative Day Wednesday, May 12, 2010

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
 2 Church, Denver.

3
 4 The Speaker called the House to order at 9:00 a.m.

5
 6 Pledge of Allegiance led by Speaker Terrance D. Carroll.

7
 8 The roll was called with the following result:

9
 10 Present--61.
 11 Excused--Representative(s) Acree, Casso, Kagan, McFadyen--4.
 12 Present after roll call--Representative(s) Acree, Casso, Kagan,
 13 McFadyen.

14
 15 The Speaker declared a quorum present.

16
 17
 18 On motion of Representative Pace, the reading of the journal of
 19 May 11, 2010, was declared dispensed with and approved as corrected by
 20 the Chief Clerk.

21
 22
 23
 24 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

25
 26 **HB10-1009** by Representative(s) Miklosi, Pace, Ryden; also
 27 Senator(s) Hodge, Carroll M., Tochtrop--Concerning the
 28 board of directors of Pinnacol Assurance.

29
 30 (Amended as printed in Senate Journal, May 10, page 1335.)

31
 32 Representative Miklosi moved that the House **concur** in Senate
 33 amendments. The motion was declared **passed** by the following roll call
 34 vote:

35

	YES	61	NO	3	EXCUSED	1	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	Y
39	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	N	Middleton	Y	Sonnenberg	Y
42	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
43	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y

1	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
3	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
6	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
7	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
8	Gardner B.	N	May	Y	Riesberg	Y	Waller	Y
9	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
10							Speaker	Y

11
 12 The question being, "Shall the bill, as amended, pass?"
 13 A roll call vote was taken. As shown by the following recorded vote, a
 14 majority of those elected to the House voted in the affirmative, and the
 15 bill, as amended, was declared **repassed**.

	YES	34	NO	30	EXCUSED	1	ABSENT	0
18	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
19	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
20	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
21	Baumgardner	N	Kagan	N	Merrifield	Y	Solano	Y
22	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
23	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
24	Casso	E	Kerr J.	N	Murray	N	Stephens	N
25	Court	Y	King S.	N	Nikkel	N	Summers	N
26	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
27	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
28	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
29	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
30	Frangas	Y	Looper	N	Priola	N	Vaad	N
31	Gagliardi	Y	Massey	Y	Rice	N	Vigil	Y
32	Gardner B.	N	May	N	Riesberg	N	Waller	N
33	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
34							Speaker	Y

35
 36 **HB10-1019** by Representative(s) Frangas, Fischer, McFadyen,
 37 Merrifield, Primavera, Tyler; also Senator(s) Williams,
 38 Gibbs, Romer--Concerning parking privileges for people
 39 with disabilities, and making an appropriation therefor.

40
 41 (Amended as printed in Senate Journal, May 10, page 1339.)

42
 43 Representative Frangas moved that the House **concur** in Senate
 44 amendments. The motion was declared **passed** by the following roll call
 45 vote:

	YES	63	NO	1	EXCUSED	1	ABSENT	0
48	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
50	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
51	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
53	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
54	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
55	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y

1	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
2	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
3	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
4	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
5	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
6	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
7	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
8							Speaker	Y

9
10 The question being, "Shall the bill, as amended, pass?".
11 A roll call vote was taken. As shown by the following recorded vote, a
12 majority of those elected to the House voted in the affirmative, and the
13 bill, as amended, was declared **repassed**.
14

15	YES	51	NO	13	EXCUSED	1	ABSENT	0
16	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
17	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
18	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
19	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
20	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
21	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
22	Casso	E	Kerr J.	Y	Murray	Y	Stephens	N
23	Court	Y	King S.	N	Nikkel	N	Summers	Y
24	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
25	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
26	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
27	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
28	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
29	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
30	Gardner B.	Y	May	Y	Riesberg	Y	Waller	N
31	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
32							Speaker	Y

33 Co-sponsor(s) added: Representative(s) Hullinghorst, Kerr J.
34

35 **HB10-1271** by Representative(s) Curry; also Senator(s) Morse--
36 Concerning the registration date for eligibility of a person
37 seeking to be placed in nomination as a candidate for a
38 partisan office.
39

40 (Amended as printed in Senate Journal, May 10, pages 1340, 1344 and
41 amended on May 11.)
42

43 Representative Curry moved that the House **concur** in Senate amend-
44 ments. The motion was declared **passed** by the following roll call vote:
45

46	YES	61	NO	3	EXCUSED	1	ABSENT	0
47	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
48	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
49	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
50	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
51	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	Y
52	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
53	Casso	E	Kerr J.	Y	Murray	Y	Stephens	Y
54	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
55	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
56	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y

1	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
2	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
3	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
4	Gagliardi	Y	Massey	Y	Rice	N	Vigil	Y
5	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
6	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
7							Speaker	Y

8
9 The question being, "Shall the bill, as amended, pass?".
10 A roll call vote was taken. As shown by the following recorded vote, a
11 majority of those elected to the House voted in the affirmative, and the
12 bill, as amended, was declared **repassed**.

14	YES	52	NO	13	EXCUSED	0	ABSENT	0
15	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
16	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
17	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
18	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
19	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	Y
20	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
21	Casso	Y	Kerr J.	N	Murray	Y	Stephens	N
22	Court	Y	King S.	Y	Nikkel	N	Summers	Y
23	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
24	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
25	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
26	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
27	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
28	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
29	Gardner B.	N	May	N	Riesberg	N	Waller	N
30	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Labuda.

33
34 **HB10-1274** by Representative(s) Schafer S., Massey, Benefield,
35 Merrifield, Middleton, Miklosi, Murray, Peniston, Priola,
36 Solano, Stephens, Tipton, Todd; also Senator(s) Johnston,
37 Carroll M., Keller, King K., Newell, Penry, Spence,
38 Steadman--Concerning successful transitions back to the
39 public school system for students in out-of-home
40 placement who have demonstrated behavior that is
41 detrimental to the safety or welfare of themselves or others
42 during the previous twelve months.

43
44 (Amended as printed in Senate Journal, May 11.)

45
46 Representative Schafer S. moved that the House **concur** in Senate amend-
47 ments. The motion was declared **passed** by the following roll call vote:

49	YES	65	NO	0	EXCUSED	0	ABSENT	0
50	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
55	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y

1	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
3	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
6	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
7	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
8	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
9	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
10							Speaker	Y

11
 12 The question being, "Shall the bill, as amended, pass?".
 13 A roll call vote was taken. As shown by the following recorded vote, a
 14 majority of those elected to the House voted in the affirmative, and the
 15 bill, as amended, was declared **repassed**.

17	YES	65	NO	0	EXCUSED	0	ABSENT	0
18	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
19	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
20	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
21	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
22	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
23	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
24	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
25	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
26	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
27	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
28	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
29	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
30	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
31	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
32	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
33	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
34							Speaker	Y

35 Co-sponsor(s) added: Representative(s) Kerr J.

36
 37 **HB10-1285** by Representative(s) Priola, Casso, Kefalas, Looper,
 38 McFadyen, Rice, Acree, Apuan, Bradford, Frangas, Kerr
 39 A., Kerr J., Lambert, Liston, Massey, Middleton, Nikkel,
 40 Schafer S., Stephens, Summers, Vaad, Waller; also
 41 Senator(s) Tapia, Hudak, Hodge--Concerning an increase
 42 in fines to fund tax incentives for commercial vehicles,
 43 and making an appropriation in connection therewith.

44
 45 (Amended as printed in Senate Journal, May 10, pages 1342, 1344-1345.)

46
 47 Representative Priola moved that the House **concur** in Senate amend-
 48 ments. The motion was declared **passed** by the following roll call vote:

50	YES	65	NO	0	EXCUSED	0	ABSENT	0
51	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
52	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
53	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
54	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
55	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
56	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y

1	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
2	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
3	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
4	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
5	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
6	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
7	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
8	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
9	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
10	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
11							Speaker	Y

12
13 The question being, "Shall the bill, as amended, pass?".
14 A roll call vote was taken. As shown by the following recorded vote, a
15 majority of those elected to the House voted in the affirmative, and the
16 bill, as amended, was declared **repassed**.

	YES	60	NO	5	EXCUSED	0	ABSENT	0
19	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
20	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
21	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
22	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	N
23	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
24	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
25	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
26	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
27	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
28	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
29	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
30	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
31	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
32	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
33	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
34	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
35							Speaker	Y

36
37 **HB10-1345** by Representative(s) Carroll T.; also Senator(s) Steadman
38 and King K.--Concerning the granting of emergency
39 powers during emergency situations at charter schools.

40
41 (Amended as printed in Senate Journal, May 10, page 1342.)

42
43 Representative Carroll T. moved that the House **concur** in Senate amend-
44 ments. The motion was declared **passed** by the following roll call vote:

	YES	62	NO	3	EXCUSED	0	ABSENT	0
47	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
48	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
49	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
50	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	N
51	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
52	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
53	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
54	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
55	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
56	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y

1	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
2	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
3	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
4	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
5	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
6	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
7							Speaker	Y

8
9 The question being, "Shall the bill, as amended, pass?".
10 A roll call vote was taken. As shown by the following recorded vote, a
11 majority of those elected to the House voted in the affirmative, and the
12 bill, as amended, was declared **repassed**.

14	YES	63	NO	2	EXCUSED	0	ABSENT	0
15	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
16	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
17	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
18	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	N
19	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
20	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
21	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
22	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
23	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
24	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
25	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
26	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
27	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
28	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
29	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
30	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Gardner B., Lambert, Stephens.

33
34 **HB10-1349** by Representative(s) Fischer and Pace; also Senator(s)
35 Schwartz and Tapia--Concerning the use of renewable
36 energy resources to supply the energy needs of state
37 government, and, in connection therewith, commissioning
38 the creation of a statewide map of available renewable
39 energy generation areas on state lands and establishing the
40 "Re-energize Colorado" program in the division of parks
41 and outdoor recreation in the department of natural
42 resources, and making an appropriation therefor.

43
44 (Amended as printed in Senate Journal, May 10, page 1340.)

45
46 Representative Fischer moved that the House **concur** in Senate amend-
47 ments. The motion was declared **passed** by the following roll call vote:

49	YES	65	NO	0	EXCUSED	0	ABSENT	0
50	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
51	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
52	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
53	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
54	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
55	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
56	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y

1	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
2	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
3	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
4	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
6	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
7	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
8	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
9	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
10							Speaker	Y

11
 12 The question being, "Shall the bill, as amended, pass?".
 13 A roll call vote was taken. As shown by the following recorded vote, a
 14 majority of those elected to the House voted in the affirmative, and the
 15 bill, as amended, was declared **repassed**.

	YES	39	NO	26	EXCUSED	0	ABSENT	0
18	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
19	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
20	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
21	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
22	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
23	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
24	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
25	Court	Y	King S.	N	Nikkel	N	Summers	N
26	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
27	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
28	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
29	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
30	Frangas	Y	Looper	N	Priola	Y	Vaad	N
31	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
32	Gardner B.	N	May	N	Riesberg	Y	Waller	N
33	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
34							Speaker	Y

35 Co-sponsor(s) added: Representative(s) May, Peniston.

36
 37 **HB10-1402** by Representative(s) Riesberg, McFadyen; also Senator(s)
 38 Bacon, Schwartz--Concerning legislative authorization of
 39 a privately run fund-raising campaign using cause-related
 40 marketing for the essential restoration of the cast iron
 41 structure of the Colorado state capitol dome.

42
 43 (Amended as printed in Senate Journal, May 10, pages 1335-1336.)

44
 45 Representative Riesberg moved that the House **concur** in Senate amend-
 46 ments. The motion was declared **passed** by the following roll call vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
49	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
50	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
51	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
52	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
53	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
54	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
55	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
56	Court	Y	King S.	Y	Nikkel	Y	Summers	Y

1	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
2	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
3	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
4	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
5	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
6	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
7	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
8	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
9							Speaker	Y

10

11 The question being, "Shall the bill, as amended, pass?".

12 A roll call vote was taken. As shown by the following recorded vote, a
 13 majority of those elected to the House voted in the affirmative, and the
 14 bill, as amended, was declared **repassed**.

15

16	YES	65	NO	0	EXCUSED	0	ABSENT	0
17	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
18	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
19	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
20	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
21	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
22	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
23	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
24	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
25	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
26	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
27	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
28	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
29	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
30	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
31	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
32	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Kerr J., Sonnenberg, Speaker.

35

36 **HB10-1347** by Representative(s) Levy; also Senator(s) Morse--
 37 Concerning misdemeanor penalties for persons who are
 38 convicted of multiple traffic offenses involving alcohol or
 39 drugs, and making an appropriation therefor.

40

41 (Amended as printed in Senate Journal, May 10, pages 1339-1340 and
 42 amended on May 11.)

43

44 Representative Levy moved that the House **concur** in Senate amend-
 45 ments. The motion was declared **passed** by the following roll call vote:

46

47	YES	65	NO	0	EXCUSED	0	ABSENT	0
48	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
50	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
51	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
53	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
54	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
55	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y

1	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
2	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
3	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
4	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
5	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
6	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
7	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
8							Speaker	Y

9
10 The question being, "Shall the bill, as amended, pass?".
11 A roll call vote was taken. As shown by the following recorded vote, a
12 majority of those elected to the House voted in the affirmative, and the
13 bill, as amended, was declared **repassed**.
14

15	YES	64	NO	1	EXCUSED	0	ABSENT	0
16	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
17	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
18	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
19	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
20	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
21	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
22	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
23	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
24	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
25	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
26	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
27	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
28	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
29	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
30	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
31	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
32							Speaker	Y

33 Co-sponsor(s) added: Representative(s) King S., Massey, Rice, Tipton, Vigil.
34

35 **HB10-1405** by Representative(s) Vaad and Pommer, Baumgardner,
36 King S., Liston, Looper, May, McKinley, McNulty,
37 Primavera, Swalm; also Senator(s) Spence and Tochtrop--
38 Concerning a study of the options for devolution of state
39 highways that are commuter highways to local
40 governments.
41

42 (Amended as printed in Senate Journal, May 10, page 1338.)
43

44 Representative Vaad moved that the House **concur** in Senate amend-
45 ments. The motion was declared **passed** by the following roll call vote:
46

47	YES	63	NO	2	EXCUSED	0	ABSENT	0
48	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
50	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
51	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
53	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
54	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
55	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y

1	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
2	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
3	Fischer	N	Liston	Y	Primavera	Y	Tyler	Y
4	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
5	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
6	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
7	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
8							Speaker	Y

9
10 The question being, "Shall the bill, as amended, pass?".
11 A roll call vote was taken. As shown by the following recorded vote, a
12 majority of those elected to the House voted in the affirmative, and the
13 bill, as amended, was declared **repassed**.
14

15	YES	64	NO	1	EXCUSED	0	ABSENT	0
16	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
17	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
18	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
19	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
20	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
21	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
22	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
23	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
24	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
25	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
26	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
27	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
28	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
29	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
30	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
31	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
32							Speaker	Y

33 Co-sponsor(s) added: Representative(s) Massey, Rice, Sonnenberg, Stephens.
34

35 **HB10-1412** by Representative(s) Carroll T.; also Senator(s) Johnston
36 and Spence--Concerning the creation of the charter school
37 and charter authorizer standards review committee.
38

39 (Amended as printed in Senate Journal, May 10, pages 1342-1343.)
40

41 Representative Carroll T. moved that the House **concur** in Senate amend-
42 ments. The motion was declared **passed** by the following roll call vote:
43

44	YES	51	NO	14	EXCUSED	0	ABSENT	0
45	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
46	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
47	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
48	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
49	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
50	Bradford	Y	Kerr A.	N	Miklosi	Y	Soper	Y
51	Casso	N	Kerr J.	N	Murray	Y	Stephens	Y
52	Court	Y	King S.	Y	Nikkel	N	Summers	Y
53	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
54	DelGrosso	N	Lambert	Y	Peniston	Y	Tipton	Y
55	Ferrandino	Y	Levy	Y	Pommer	N	Todd	Y
56	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y

1	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
2	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
3	Gardner B.	Y	May	N	Riesberg	Y	Waller	Y
4	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
5							Speaker	Y

6
7 The question being, "Shall the bill, as amended, pass?".

8 A roll call vote was taken. As shown by the following recorded vote, a
9 majority of those elected to the House voted in the affirmative, and the
10 bill, as amended, was declared **repassed**.

11								
12	YES	64	NO	1	EXCUSED	0	ABSENT	0
13	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
14	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
15	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
16	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
17	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
18	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
19	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
20	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
21	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
22	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
23	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
24	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
25	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
26	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
27	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
28	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Acree, Gardner B., Lambert, Nikkel,
31 Summers.

32
33 **HB10-1418** by Representative(s) McFadyen and Sonnenberg; also
34 Senator(s) Bacon--Concerning requirements applicable to
35 community-based projects that qualify for special
36 treatment under the renewable energy portfolio standard.

37
38 (Amended as printed in Senate Journal, May 10, page 1338.)

39
40 Representative McFadyen moved that the House **concur** in Senate
41 amendments. The motion was declared **passed** by the following roll call
42 vote:

43								
44	YES	64	NO	1	EXCUSED	0	ABSENT	0
45	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
46	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
47	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
48	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
49	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
50	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
51	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
52	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
53	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
54	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
55	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
56	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y

1	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
2	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
3	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
4	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
5							Speaker	Y

6
7 The question being, "Shall the bill, as amended, pass?".
8 A roll call vote was taken. As shown by the following recorded vote, a
9 majority of those elected to the House voted in the affirmative, and the
10 bill, as amended, was declared **repassed**.

12	YES	65	NO	0	EXCUSED	0	ABSENT	0
13	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
14	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
15	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
16	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
17	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
18	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
19	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
20	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
21	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
22	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
23	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
24	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
25	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
26	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
27	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
28	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Acree, Frangas, Nikkel, Schafer S.

31
32 **HB10-1422** by Representative(s) Gardner B., Kagan, Labuda, Levy,
33 Roberts; also Senator(s) Brophy, Carroll M., Mitchell,
34 Morse, Schwartz--Concerning the revision of statutes in
35 the Colorado Revised Statutes, as amended, and, in
36 connection therewith, amending or repealing obsolete,
37 inconsistent, and conflicting provisions of law and
38 clarifying the language to reflect the legislative intent of
39 the laws.

40
41 (Amended as printed in Senate Journal, May 10, page 1343, 1346 and
42 amended on May 11.)

43
44 Representative Gardner B. moved that the House **not concur** in Senate
45 amendments and that the House **adhere** to its position. A substitute
46 motion by Representative Fischer that the House **concur** in Senate
47 amendments was declared **lost** by the following roll call vote:

49	YES	15	NO	50	EXCUSED	0	ABSENT	0
50	Acree	N	Gerou	N	McFadyen	N	Ryden	N
51	Apuan	N	Hullinghorst	N	McKinley	N	Scanlan	Y
52	Balmer	N	Judd	N	McNulty	N	Schafer S.	N
53	Baumgardner	N	Kagan	N	Merrifield	Y	Solano	N
54	Benefield	Y	Kefalas	N	Middleton	Y	Sonnenberg	N
55	Bradford	N	Kerr A.	Y	Miklosi	N	Soper	N
56	Casso	Y	Kerr J.	N	Murray	N	Stephens	N

1	Court	N	King S.	N	Nikkel	N	Summers	N
2	Curry	N	Labuda	N	Pace	Y	Swalm	N
3	DelGrosso	N	Lambert	N	Peniston	N	Tipton	N
4	Ferrandino	N	Levy	N	Pommer	Y	Todd	Y
5	Fischer	Y	Liston	N	Primavera	Y	Tyler	N
6	Frangas	N	Looper	N	Priola	N	Vaad	N
7	Gagliardi	Y	Massey	N	Rice	N	Vigil	Y
8	Gardner B.	N	May	N	Riesberg	Y	Waller	N
9	Gardner C.	N	McCann	N	Roberts	N	Weissmann	N
10							Speaker	Y

11
12 Representative Gardner B.'s motion that the House **not concur** in Senate
13 amendments and that the House **adhere** to its position was declared
14 **passed** by the following roll call vote:

16	YES	53	NO	11	EXCUSED	1	ABSENT	0
17	Acree	Y	Gerou	Y	McFadyen	N	Ryden	Y
18	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
19	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
20	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	N
21	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	Y
22	Bradford	Y	Kerr A.	N	Miklosi	Y	Soper	Y
23	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
24	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
25	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
26	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
27	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
28	Fischer	N	Liston	Y	Primavera	N	Tyler	Y
29	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
30	Gagliardi	N	Massey	Y	Rice	Y	Vigil	Y
31	Gardner B.	Y	May	E	Riesberg	Y	Waller	Y
32	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
33							Speaker	N

34
35 **HB10-1241** by Representative(s) Casso; also Senator(s) Tochtrop--
36 Concerning required registration for persons who work on
37 fire suppression systems, and making an appropriation
38 therefor.

39
40 (Amended as printed in Senate Journal, May 3, page 1147.)

41
42 Representative Casso moved that the House **concur** in Senate amend-
43 ments. The motion was declared **passed** by the following roll call vote:

45	YES	64	NO	0	EXCUSED	1	ABSENT	0
46	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
47	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
48	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
49	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
50	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
51	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
52	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
53	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
54	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
55	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
56	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y

1	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
2	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
3	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
4	Gardner B.	Y	May	E	Riesberg	Y	Waller	Y
5	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
6							Speaker	Y

7
8 The question being, "Shall the bill, as amended, pass?".
9 A roll call vote was taken. As shown by the following recorded vote, a
10 majority of those elected to the House voted in the affirmative, and the
11 bill, as amended, was declared **repassed**.
12

13	YES	39	NO	25	EXCUSED	1	ABSENT	0
14	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
15	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
16	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
17	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
18	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
19	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
20	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
21	Court	Y	King S.	N	Nikkel	N	Summers	N
22	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
23	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
24	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
25	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
26	Frangas	Y	Looper	N	Priola	N	Vaad	N
27	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
28	Gardner B.	N	May	E	Riesberg	Y	Waller	N
29	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) Speaker.
32
33
34

35 CONSIDERATION OF RESOLUTION(S)

36
37 **SJR10-039** by Senator(s) Scheffel; also Representative(s) Murray--
38 Concerning the danger of carbon monoxide poisoning
39 from marine engine emissions.
40

41 (Printed and placed in members' file)
42

43 On motion of Representative Murray, the resolution was **adopted by viva**
44 **voce** vote.
45

46 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
47 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
48 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou,
49 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
50 Levy, Liston, Looper, Massey, May, McCann, McFadyen, McKinley, McNulty,
51 Merrifield, Middleton, Miklosi, Nikkel, Pace, Peniston, Pommer, Primavera,
52 Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
53 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad,
54 Vigil, Waller, Weissmann, Speaker.
55

1 **HJR10-1035** by Representative(s) DelGrosso; also Senator(s) Renfroe--
2 Concerning the recognition of Colorado's business
3 community.
4

5 (Printed and placed in members' file)

6
7 On motion of Representative DelGrosso, the resolution was **adopted** by
8 **viva voce** vote.
9

10 Co-sponsor(s) added: Representative(s) Acree, Apuan, Balmer, Baumgardner,
11 Benefield, Bradford, Casso, Court, Curry, Ferrandino, Fischer, Frangas,
12 Gagliardi, Gardner B., Gardner C., Gerou, Hulinghorst, Kagan, Kefalas,
13 Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Massey,
14 May, McCann, McFadyen, McKinley, McNulty, Merrifield, Middleton,
15 Miklosi, Murray, Nikkel, Peniston, Pommer, Primavera, Priola, Rice, Riesberg,
16 Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers,
17 Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller, Speaker.
18

19 **SJR10-049** by Senator(s) Penry and Gibbs; also Representative(s)
20 King S. and Scanlan--Concerning the Colorado general
21 assembly's support for the Colorado roadless rule petition.
22

23 (Printed and placed in members' file)

24
25 On motion of Representative King S., the resolution was **adopted** by
26 **viva voce** vote.
27

28 Co-sponsor(s) added: Representative(s) Acree, Apuan, Baumgardner, Bradford,
29 Casso, Court, Curry, DelGrosso, Ferrandino, Gagliardi, Gardner B., Gardner C.,
30 Gerou, Kerr A., Kerr J., Lambert, Liston, Looper, Massey, McNulty, Middleton,
31 Miklosi, Murray, Nikkel, Primavera, Rice, Riesberg, Roberts, Ryden, Schafer
32 S., Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil,
33 Waller, Speaker.
34
35

36 **SJR10-035** by Senator(s) Tochtrop; also Representative(s) Acree--
37 Concerning support for measures to reduce violence
38 against medical care professionals in hospitals.
39

40 (Printed and placed in members' file)

41
42 On motion of Representative Acree, the resolution was **adopted** by **viva**
43 **voce** vote.
44

45 Current Roll Call added as co-sponsor(s): Representative(s) Apuan, Balmer,
46 Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
47 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou,
48 Hulinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
49 Levy, Liston, Looper, Massey, May, McCann, McFadyen, McKinley, McNulty,
50 Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer,
51 Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
52 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad,
53 Vigil, Waller, Weissmann, Speaker.
54
55

1 **SJR10-043** by Senator(s) Williams; also Representative(s) Tyler,
2 Gagliardi, Hullinghorst, Kefalas, Primavera, Priola,
3 Schafer S., Swalm--Concerning 22q11.2 Deletion
4 Syndrome Awareness Week.
5

6 (Printed and placed in members' file)
7

8 On motion of Representative Tyler, the resolution was **adopted by viva**
9 **voce** vote.
10

11 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
12 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
13 Ferrandino, Fischer, Frangas, Gardner B., Gardner C., Gerou, Judd, Kagan, Kerr
14 A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Massey, May,
15 McCann, McFadyen, McKinley, McNulty, Merrifield, Middleton, Miklosi,
16 Murray, Nikkel, Pace, Peniston, Pommer, Rice, Riesberg, Roberts, Ryden,
17 Scanlan, Solano, Sonnenberg, Soper, Stephens, Summers, Tipton, Todd, Vaad,
18 Vigil, Waller, Weissmann, Speaker.
19

20 **SJR10-047** by Senator(s) Hudak and Shaffer B., Bacon, Foster,
21 Heath, Hodge, Johnston, Newell, Sandoval, Steadman,
22 Tochtrop; also Representative(s) Benefield and Solano--
23 Concerning the importance of maintaining quality services
24 for public school kindergarten students who were enrolled
25 in high-quality preschool programs.
26

27 (Printed and placed in members' file)
28

29 On motion of Representative Solano, the resolution was **adopted by viva**
30 **voce** vote.
31

32 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Curry,
33 Ferrandino, Frangas, Gagliardi, Gerou, Hullinghorst, Judd, Kagan, Kefalas,
34 Kerr A., Kerr J., Labuda, Levy, Massey, McCann, McFadyen, Merrifield,
35 Middleton, Miklosi, Murray, Nikkel, Pace, Pommer, Primavera, Priola, Rice,
36 Riesberg, Roberts, Ryden, Scanlan, Schafer S., Soper, Summers, Tipton, Todd,
37 Tyler, Vigil, Speaker.
38

39
40 House in recess. House reconvened.
41
42

43 44 **THIRD READING OF BILL(S)--FINAL PASSAGE** 45

46 The following bill(s) was(were) considered on Third Reading. The
47 title(s) was(were) publicly read. Reading of the bill at length was
48 dispensed with by unanimous consent.
49

50 **SB10-** by Senator(s) Bacon, Scheffel; also Representative(s)
51 Scanlan and Murray--Concerning the authority of a school
52 district to submit to the eligible electors of the district the
53 question of contracting a bonded indebtedness for the
54 purpose of paying costs that may be paid from the general
55 fund of the school district.
56

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the
 4 bill was declared **passed**.

	YES	56	NO	9	EXCUSED	0	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
9	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
10	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
11	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
12	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
13	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	N	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
16	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Court, Ferrandino, Fischer, Gagliardi,
 25 Hullinghorst, Kerr A., Labuda, Massey, McCann, Merrifield, Ryden, Scanlan,
 26 Solano, Todd, Vigil.

27
 28
 29 **SB10-207** by Senator(s) Johnston and Romer; also Representative(s)
 30 Tyler and Levy--Concerning authorization for the state
 31 treasurer to enter into lease-purchase agreements on behalf
 32 of the state to finance capital construction projects
 33 proposed by the governor's energy office that improve the
 34 energy efficiency of state capital facilities, and making an
 35 appropriation in connection therewith.

36
 37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.

	YES	43	NO	22	EXCUSED	0	ABSENT	0
43	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
46	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
48	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	N	Kerr J.	N	Murray	Y	Stephens	N
50	Court	Y	King S.	N	Nikkel	N	Summers	N
51	Curry	Y	Labuda	N	Pace	Y	Swalm	N
52	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
53	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	N	Priola	N	Vaad	Y
56	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

Gardner B.	N	May	Y	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Apuan, Court, Fischer, Frangas, Gagliardi, Hullinghorst, Kefalas, Kerr A., McFadyen, Merrifield, Middleton, Pace, Pommer, Primavera, Riesberg.

SB10-190 by Senator(s) White and Keller, Tapia; also Representative(s) Riesberg--Concerning the suspension of the property tax exemption for qualifying seniors for specified property tax years, and making an appropriation therefor.

As shown by the following roll call vote, a majority of all members elected to the House voted in the affirmative, and Representative Riesberg was given permission to offer a Third Reading amendment:

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Third Reading amendment No. 1, by Representative Riesberg.

Amend revised bill, page 3, line 5, strike "ninety-one million seven hundred".

Page 3, strike line 6 and substitute "sixty-four million nine hundred forty-four thousand two hundred seventy-two dollars (\$64,944,272)".

The amendment was declared **passed** by the following roll call vote:

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y

1	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
2	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
3	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
4	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
5	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
6	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
7	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
8							Speaker	Y

9 As amended, laid over until later in the day.

10

11

12 **SB10-191** by Senator(s) Johnston and Spence, Foster, Gibbs, Hodge,
 13 King K., Kopp, Newell, Penry, Romer, Scheffel; also
 14 Representative(s) Scanlan and Murray, Carroll T., Gerou,
 15 Massey, Rice, Summers--Concerning ensuring quality
 16 instruction through educator effectiveness (EQuITEE).

17

18 As shown by the following roll call vote, a majority of all members
 19 elected to the House voted in the affirmative, and Representative Scanlan
 20 was given permission to offer a Third Reading amendment:

21

22	YES	62	NO	3	EXCUSED	0	ABSENT	0
23	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
24	Apuan	Y	Hullinghorst	N	McKinley	Y	Scanlan	Y
25	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
26	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
27	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
28	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
29	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
30	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
31	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
32	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
33	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
34	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
35	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
36	Gagliardi	N	Massey	Y	Rice	Y	Vigil	Y
37	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
38	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
39							Speaker	Y

40

41 **Third Reading amendment No. 1**, by Representative Scanlan.

42

43 Amend revised bill, page 37, line 6, strike everything after "SCHOOL." and
 44 substitute "IN MAKING DECISIONS PURSUANT TO THIS PARAGRAPH (c.5), A
 45 SCHOOL DISTRICT SHALL WORK WITH ITS LOCAL TEACHERS ASSOCIATION
 46 TO DEVELOP POLICIES FOR THE LOCAL SCHOOL BOARD TO ADOPT. IF NO
 47 TEACHER ASSOCIATION EXISTS IN THE SCHOOL DISTRICT, THE SCHOOL
 48 DISTRICT SHALL CREATE AN EIGHT PERSON COMMITTEE CONSISTING OF
 49 FOUR SCHOOL DISTRICT MEMBERS AND FOUR TEACHERS, WHICH
 50 COMMITTEE SHALL DEVELOP SUCH POLICIES. UPON NOTICE TO".

51

52 Page 37, strike lines 7 through 11.

53

54 The amendment was declared **passed** by the following roll call vote:

55

	YES	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y
19								

20 The question being, "Shall the bill, as amended, pass?".

21 A roll call vote was taken. As shown by the following recorded vote, a
 22 majority of those elected to the House voted in the affirmative, and the
 23 bill, as amended, was declared **passed**.

	YES	36	NO	29	EXCUSED	0	ABSENT	0
25								
26	Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
27	Apuan	N	Hullinghorst	N	McKinley	N	Scanlan	Y
28	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
29	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
30	Benefield	N	Kefalas	N	Middleton	Y	Sonnenberg	Y
31	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
32	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
33	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
34	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
35	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
36	Ferrandino	Y	Levy	N	Pommer	N	Todd	N
37	Fischer	N	Liston	Y	Primavera	N	Tyler	N
38	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
39	Gagliardi	N	Massey	Y	Rice	Y	Vigil	N
40	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
41	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Gardner B., Kerr J., Lambert, May,
 44 Middleton, Nikkel, Stephens, Swalm.

45
 46 **HCR10-1002** by Representative(s) Benefield, Frangas, McKinley,
 47 Merrifield, Middleton, Peniston, Rice, Scanlan,
 48 Schafer S., Solano, Todd, Hullinghorst, Apuan, Casso,
 49 Fischer, Gagliardi, Kagan, Labuda, Levy, McCann,
 50 Miklosi, Pace, Pommer, Primavera, Ryden, Soper, Tyler,
 51 Vigil, Weissmann; also Senator(s) Williams and Romer,
 52 Bacon, Shaffer B.--Submitting to the registered electors
 53 of the state of Colorado an amendment to article IX of
 54 the constitution of the state of Colorado, concerning the
 55 authority of the general assembly to generate additional
 56 state revenues for funding preschool through

postsecondary public education without prior voter approval, and, in connection therewith, notwithstanding the prior voter approval requirement of section 20 (4) (a) of article X of the state constitution, allowing the general assembly to enact statutes that result in additional state revenues to be used to fund preschool through postsecondary public education and exempting any additional state revenues raised for this purpose from the constitutional limitations on fiscal year spending.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, less than a constitutional majority of those elected to the House voted in the affirmative and the resolution was declared **lost**.

YES	35	NO	30	EXCUSED	0	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	N	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	Y	Kefalas	N	Middleton	Y	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	N	Stephens	N
Court	Y	King S.	N	Nikkel	N	Summers	N
Curry	N	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	N	Priola	N	Vaad	N
Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
Gardner B.	N	May	N	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
						Speaker	Y

Representative Apuan requested his name be removed as sponsor.

House in recess. House reconvened.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)

SB10-114 by Senator(s) Carroll M.; also Representative(s) Weissmann--Concerning the "Colorado Taxpayer Transparency Act of 2010".

(Conference Committee report printed in House Journal, May 11, page 1800.)

On motion of Representative Weissmann, the Conference Committee Report was **adopted** by the following roll call vote:

YES	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y

1	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
2	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
3	Bradford	Y	Kerr A.	E	Miklosi	Y	Soper	Y
4	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
5	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
6	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
7	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
8	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	E
9	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
10	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
11	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
12	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
13	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
14							Speaker	Y

15
 16 The question being "Shall the bill, as amended, pass?".
 17 A roll call vote was taken. As shown by the following recorded vote, less
 18 than a majority of those elected to the House voted in the affirmative and
 19 the bill, as amended, was declared **lost**.

21	YES	22	NO	40	EXCUSED	3	ABSENT	0
22	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
23	Apuan	Y	Hullinghorst	N	McKinley	Y	Scanlan	N
24	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
25	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	N
26	Benefield	E	Kefalas	Y	Middleton	N	Sonnenberg	N
27	Bradford	N	Kerr A.	E	Miklosi	Y	Soper	Y
28	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
29	Court	Y	King S.	N	Nikkel	N	Summers	N
30	Curry	N	Labuda	N	Pace	Y	Swalm	N
31	DelGrosso	N	Lambert	N	Peniston	N	Tipton	N
32	Ferrandino	N	Levy	N	Pommer	N	Todd	E
33	Fischer	Y	Liston	N	Primavera	Y	Tyler	N
34	Frangas	Y	Looper	N	Priola	Y	Vaad	N
35	Gagliardi	Y	Massey	N	Rice	N	Vigil	Y
36	Gardner B.	N	May	N	Riesberg	N	Waller	N
37	Gardner C.	N	McCann	N	Roberts	N	Weissmann	Y
38							Speaker	N

CONSIDERATION OF MEMORIAL

45 **SJM10-002** by Senator(s) Kopp, Cadman, Mitchell, Johnston, Shaffer
 46 B., Harvey, Kester, King K., Morse, Penry, Scheffel,
 47 Schultheis, White; also Representative(s) King S.--
 48 Memorializing Congress to adopt the Honor and
 49 Remember Flag.

50
 51 (Printed and placed in members' file)

52
 53 Representative King S. moved that the memorial be adopted. The
 54 memorial was declared **lost** by the following roll call vote:

55

	YES	29	NO	35	EXCUSED	1	ABSENT	0
1								
2	Acree	N	Gerou	N	McFadyen	Y	Ryden	N
3	Apuan	Y	Hullinghorst	N	McKinley	N	Scanlan	Y
4	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
5	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	N
6	Benefield	E	Kefalas	N	Middleton	N	Sonnenberg	Y
7	Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
9	Court	N	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	N	Pace	Y	Swalm	N
11	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	Y
12	Ferrandino	N	Levy	N	Pommer	N	Todd	N
13	Fischer	N	Liston	Y	Primavera	N	Tyler	N
14	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	N	Massey	Y	Rice	N	Vigil	Y
16	Gardner B.	Y	May	N	Riesberg	Y	Waller	N
17	Gardner C.	Y	McCann	N	Roberts	N	Weissmann	N
18							Speaker	N

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

TRANSPORTATION & ENERGY

After consideration on the merits, the Committee recommends the following:

HB10-1187 be postponed indefinitely.

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1403 amended as printed in Senate Journal, May 11, 2010, page 1353.

HB10-1401 amended as printed in Senate Journal, May 11, 2010, page 1353.

HB10-1176 amended as printed in Senate Journal, May 11, 2010, pages 1360-1361.

HB10-1374 amended as printed in Senate Journal, May 11, 2010, page 1361.

HB10-1411 amended as printed in Senate Journal, May 11, 2010, page 1384.

HB10-1426 amended as printed in Senate Journal, May 11, 2010, page 1385.

The Senate has passed on Third Reading and returns herewith: HCR10-1004.

The Senate has passed on Third Reading and returns herewith: HB10-1431, HB10-1427.

1 The Senate has adopted and transmits herewith: SJR10-042

2
3 The Senate has adopted and transmits herewith : SJR10-050.

4 Pursuant to the resolution, the President has appointed Senators Kester,
5 Keller and Tapia as Senate members on the joint committee to notify the
6 Governor of adjournment sine die.

7
8
9
10 **MESSAGE(S) FROM THE REVISOR**

11 We herewith transmit:

12 Without comment, as amended, HB10-1403, 1401, 1176, 1374, 1411, and
13 1426.

14
15
16
17 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

18 The Speaker has signed: **HB10-1180**.

19
20
21
22 **DELIVERY OF BILLS TO GOVERNOR**

23 The Chief Clerk of the House of Representatives reports the following
24 bills have been delivered to the Office of the Governor: **HB10-1051,**
25 **1228, 1355** at 2:03 p.m. on May 12, 2010.

26
27
28
29 **INTRODUCTION OF RESOLUTIONS**

30 The following resolutions were read by title and laid over until later in the
31 day under the rules:

32 **SJR10-042** by Senator(s) Penry; also Representative(s) King S.,
33 Bradford--Concerning the designation of a portion of
34 Interstate Highway 70 as the "Wade Oglesby Citizen Hero
35 Memorial Highway".

36
37 **SJR10-050** by Senator(s) Morse, Shaffer B., Penry; also
38 Representative(s) Weissmann, Carroll T., May--
39 Concerning the appointment of a joint committee to notify
40 the Governor that the Second Regular Session of the
41 Sixty-seventh General Assembly is about to adjourn sine
42 die.

43
44
45
46
47
48
49
50 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

51 **HB10-1176** by Representative(s) Vaad; also Senator(s) Mitchell--
52 Concerning recovery audits for government overpayments
53 of tax dollars, and making an appropriation therefor.
54
55
56

(Amended as printed in Senate Journal, May 11, page 1360-1361.)

Representative Vaad moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	63	NO	1	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
						Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Nikkel.

HB10-1374 by Representative(s) Ferrandino, Levy, Waller; also Senator(s) Penry, Morse, Steadman--Concerning parole, and making an appropriation in connection therewith.

(Amended as printed in Senate Journal, May 11, May 11, page 1361.)

Representative Ferrandino moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Court, Massey.

HB10-1401 by Representative(s) Ferrandino; also Senator(s) Carroll M.--Concerning the management of information technology in state agencies.

(Amended as printed in Senate Journal, May 11, page 1353.)

1 Representative Ferrandino moved that the House **not concur** in Senate
 2 amendments and that a Conference Committee be appointed. The motion
 3 was declared **passed** by the following roll call vote:

	YES	52	NO	12	EXCUSED	1	ABSENT	0
6	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
7	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
8	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
9	Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	Y
10	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
11	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
12	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
13	Court	Y	King S.	Y	Nikkel	Y	Summers	N
14	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
15	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
16	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
17	Fischer	Y	Liston	Y	Primavera	N	Tyler	Y
18	Frangas	Y	Looper	N	Priola	N	Vaad	Y
19	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
20	Gardner B.	N	May	Y	Riesberg	Y	Waller	Y
21	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
22							Speaker	Y

23 The Speaker appointed Representatives Ferrandino, Chairman, Tyler and
 24 Murray as House conferees to the bill.

25
 26 **HB10-1403** by Representative(s) Kerr A.; also Senator(s) Whitehead--
 27 Concerning commercial notifications with regard to the
 28 secretary of state, and making an appropriation therefor.

29
 30 (Amended as printed in Senate Journal, May 11, page 1353.)

31
 32 Representative Kerr A. moved that the House **concur** in Senate amend-
 33 ments. The motion was declared **passed** by the following roll call vote:

	YES	62	NO	2	EXCUSED	1	ABSENT	0
35	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
36	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
37	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
38	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
39	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
40	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
41	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
42	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
43	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
44	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
45	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
46	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
47	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
48	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
49	Gardner B.	N	May	Y	Riesberg	Y	Waller	Y
50	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
51							Speaker	Y

52
 53 The question being, "Shall the bill, as amended, pass?"
 54 A roll call vote was taken. As shown by the following recorded vote, a
 55 majority of those elected to the House voted in the affirmative, and the
 56 bill, as amended, was declared **repassed**.

	YES	61	NO	3	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	N	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
18							Speaker	Y

HB10-1411 by Representative(s) Waller, Liston, Pace; also Senator(s) Tochtrop--Concerning the process for resolving a denial of a transfer of a firearm when the denial is based on a prospective transferee's criminal record, which criminal record includes a case for which there appears to be no final disposition.

(Amended as printed in Senate Journal, May 11, 1384.)

Representative Waller moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

	YES	57	NO	7	EXCUSED	1	ABSENT	0
33	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
35	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	N
38	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
40	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
41	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
42	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
48	Gardner C.	N	McCann	N	Roberts	Y	Weissmann	N
49							Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

THIRD READING OF BILL(S)--FINAL PASSAGE

The following bill(s) was(were) considered on Third Reading. The title(s) was(were) publicly read. Reading of the bill at length was dispensed with by unanimous consent.

SB10-190 by Senator(s) White and Keller, Tapia; also Representative(s) Riesberg--Concerning the suspension of the property tax exemption for qualifying seniors for specified property tax years, and making an appropriation therefor.

The question being, "Shall the bill, as amended, pass?". (See House Journal page 1823).

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **passed**.

YES	34	NO	30	EXCUSED	1	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	N
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	N	Stephens	N
Court	Y	King S.	N	Nikkel	N	Summers	N
Curry	N	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	N	Looper	N	Priola	N	Vaad	N
Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
Gardner B.	N	May	N	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Kagan, Kerr A., Labuda.

CONSIDERATION OF ADHERENCE ON SB10-213

SB10-213 by Senator(s) Shaffer B., Morse, Penry; also Representative(s) Weissmann, Carroll T., May--Concerning committees created by the Colorado general assembly that operate during the interim.

Representative Weissmann moved that the House **recede** from its position on **SB10-213** and repass the bill as amended by the Senate. The motion was declared **passed** by the following roll call vote:

YES	59	NO	5	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	N	Merrifield	Y	Solano	Y
Benefield	E	Kefalas	N	Middleton	Y	Sonnenberg	Y

1	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
2	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
3	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
4	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
5	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
6	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
7	Fischer	N	Liston	Y	Primavera	Y	Tyler	N
8	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
9	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
10	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
11	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
12							Speaker	Y

SB10-204 by Senator(s) Shaffer B.; also Representative(s) Solano--
Concerning the penalty for careless driving resulting in death.

Representative Solano moved that the House **recede** from its position on **SB10-204** and repass the bill as amended by the Senate. A substitute motion by Representative Waller that the House **adhere** to its position was declared **lost** by the following roll call vote:

YES	17	NO	47	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	N	Ryden	N
Apuan	N	Hullinghorst	N	McKinley	Y	Scanlan	N
Balmer	N	Judd	Y	McNulty	N	Schafer S.	N
Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
Benefield	E	Kefalas	N	Middleton	N	Sonnenberg	N
Bradford	N	Kerr A.	N	Miklosi	N	Soper	N
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	N
Court	N	King S.	N	Nikkel	Y	Summers	N
Curry	N	Labuda	N	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	N	Tipton	N
Ferrandino	N	Levy	N	Pommer	Y	Todd	N
Fischer	N	Liston	Y	Primavera	N	Tyler	Y
Frangas	N	Looper	Y	Priola	N	Vaad	N
Gagliardi	N	Massey	N	Rice	N	Vigil	N
Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
Gardner C.	N	McCann	N	Roberts	N	Weissmann	N
						Speaker	N

Representative Solano's motion that the House **recede** from its position on **SB10-204** and pass the the bill as amended by the Senate, was declared **passed** by the following roll call vote:

YES	50	NO	14	EXCUSED	1	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	N	McNulty	N	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	N	Kerr J.	N	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	N	Summers	Y
Curry	Y	Labuda	Y	Pace	N	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y

1	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
2	Fischer	Y	Liston	N	Primavera	Y	Tyler	N
3	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
4	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
5	Gardner B.	N	May	N	Riesberg	Y	Waller	N
6	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
7							Speaker	Y

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB10-1038, 1332, 1333, 1342.**

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB10-1338 amended as printed in Senate Journal, May 7, 2010, pages 1294-1295 and May 12, 2010.

HB10-1181 amended as printed in Senate Journal, May 11, 2010, pages 1354-1355 and May 12, 2010.

HB10-1013 amended as printed in Senate Journal, May 11, 2010, pages 1355-1359.

HB10-1287 amended as printed in Senate Journal, May 11, 2010, page 1359.

HB10-1360 amended as printed in Senate Journal, May 11, 2010, page 1359.

HB10-1413 amended as printed in Senate Journal, May 11, 2010, page 1360.

HB10-1421 amended as printed in Senate Journal, May 11, 2010, page 1361.

HB10-1430 amended as printed in Senate Journal, May 11, 2010, page 1383.

HB10-1409, amended as printed in Senate Journal, May 11, 2010, page 1384.

HB10-1281 amended as printed in Senate Journal, May 11, 2010, pages 1350, 1385.

HB10-1428 amended as printed in Senate Journal, May 11, 2010, page 1397-1400.

HB10-1200 amended as printed in Senate Journal, May 12, 2010.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HCR10-1005 amended as printed in Senate Journal, May 11, 2010, pages 1385-1386 and May 12, 2010.

The Senate has passed on Third Reading and returns herewith:
HB10-1391, HB10-1415.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB10-1338, 1181, 1013, 1287, 1360, 1413, 1421, 1430, 1409, 1281, 1428, 1200 and HCR 10-1005.

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

HB10-1430 by Representative(s) Solano and Scanlan, Benefield, Ferrandino, Fischer, Massey, Merrifield, Middleton, Peniston, Ryden, Schafer S., Todd, Vigil; also Senator(s) Hudak--Concerning assessments in the elementary and secondary education system.

(Amended as printed in Senate Journal, May 11, page 1383.)

Representative Solano moved that the House **not concur** in Senate amendments and that a Conference Committee be appointed. The motion was declared **passed** by the following roll call vote:

YES	44	NO	19	EXCUSED	2	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	E
Court	Y	King S.	N	Nikkel	N	Summers	N
Curry	Y	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	N	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	N	May	Y	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
						Speaker	Y

The Speaker appointed Representatives Solano, Chairman, Scanlan and Massey as House conferees to the bill.

HB10-1428 by Representative(s) Middleton; also Senator(s) Romer--Concerning student loans.

(Amended as printed in Senate Journal, May 11, pages 1397-1400.)

Representative Middleton moved that the House **not concur** in Senate amendments and that a Conference Committee be appointed with permission to go beyond the scope of the differences between the House and the Senate. The motion was declared **passed** by the following roll call vote:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y

The Speaker appointed Representatives Middleton, Chairman, Scanlan and Massey as House conferees to the bill.

House in recess. House reconvened.

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

HB10-1013 by Representative(s) Middleton, Massey, Merrifield, Scanlan, Stephens; also Senator(s) Romer, King K., Spence, Steadman--Concerning the modification of certain provisions related to the administration of public schools from kindergarten through the twelfth grade.

(Amended as printed in Senate Journal, May 11, pages 1355-1359.)

Representative Middleton moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

	YES	60	NO	0	EXCUSED	5	ABSENT	0
43	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
45	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
46	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	E
48	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
49	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
53	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	E
55	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
56	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
3							Speaker	Y

5 The question being, "Shall the bill, as amended, pass?".

6 A roll call vote was taken. As shown by the following recorded vote, a
7 majority of those elected to the House voted in the affirmative, and the
8 bill, as amended, was declared **repassed**.

10	YES	60	NO	0	EXCUSED	5	ABSENT	0
11	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
13	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
14	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	E
16	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
17	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
18	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
19	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
20	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
21	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
22	Fischer	Y	Liston	Y	Primavera	Y	Tyler	E
23	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
24	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
25	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
26	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Priola, Summers, Speaker.

30 **HB10-1281** by Representative(s) Casso; also Senator(s) Spence--
31 Concerning the deregulation of telecommunications
32 service in areas where sufficient market competition
33 exists, and making an appropriation therefor.

35 (Amended as printed in Senate Journal, May 11, pages 1350-1385.)

37 Representative Casso moved that the House **concur** in Senate
38 amendments. The motion was declared **passed** by the following roll call
39 vote:

41	YES	58	NO	3	EXCUSED	4	ABSENT	0
42	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
43	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
44	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
45	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
46	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
47	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
48	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
49	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
50	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
51	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
52	Ferrandino	E	Levy	Y	Pommer	N	Todd	Y
53	Fischer	N	Liston	Y	Primavera	Y	Tyler	E
54	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
55	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
56	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y

Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

	YES	54	NO	7	EXCUSED	4	ABSENT	0
Acree	Y		Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y		Hullingshorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y		Judd	N	McNulty	Y	Schafer S.	Y
Baumgardner	Y		Kagan	Y	Merrifield	Y	Solano	N
Benefield	E		Kefalas	N	Middleton	Y	Sonnenberg	Y
Bradford	Y		Kerr A.	N	Miklosi	Y	Soper	Y
Casso	Y		Kerr J.	Y	Murray	E	Stephens	Y
Court	Y		King S.	Y	Nikkel	Y	Summers	Y
Curry	Y		Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y		Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	E		Levy	Y	Pommer	N	Todd	Y
Fischer	N		Liston	Y	Primavera	Y	Tyler	E
Frangas	Y		Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y		Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y		May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y		McCann	Y	Roberts	Y	Weissmann	N
							Speaker	Y

Co-sponsor(s) added: Representative(s) Curry.

HB10-1287 by Representative(s) Lambert, Acree, Baumgardner, Bradford, DelGrosso, Ferrandino, Gardner C., Gerou, Kerr J., Looper, May, McNulty, Murray, Nikkel, Pommer, Priola, Sonnenberg, Stephens, Summers, Tipton; also Senator(s) Cadman, Renfroe, Harvey, Mitchell, Keller, King K., Kopp, Lundberg, Schultheis, Spence, Tapia, White--Concerning the use of a state-owned motor vehicle for commuting purposes.

(Amended as printed in Senate Journal, May 11, page 1359.)

Representative Lambert moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

	YES	60	NO	1	EXCUSED	4	ABSENT	0
Acree	Y		Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y		Hullingshorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y		Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y		Kagan	Y	Merrifield	Y	Solano	Y
Benefield	E		Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y		Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y		Kerr J.	Y	Murray	E	Stephens	Y
Court	Y		King S.	Y	Nikkel	Y	Summers	Y
Curry	Y		Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y		Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	E		Levy	Y	Pommer	Y	Todd	Y
Fischer	Y		Liston	Y	Primavera	Y	Tyler	E

1	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
2	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
3	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
4	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
5							Speaker	Y

6
7 The question being, "Shall the bill, as amended, pass?".

8 A roll call vote was taken. As shown by the following recorded vote, a
9 majority of those elected to the House voted in the affirmative, and the
10 bill, as amended, was declared **repassed**.

11								
12	YES	59	NO	2	EXCUSED	4	ABSENT	0
13	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
14	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
15	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
16	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
17	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
18	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
19	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
20	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
21	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
22	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
23	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
24	Fischer	Y	Liston	Y	Primavera	Y	Tyler	E
25	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
26	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
27	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
28	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
29							Speaker	Y

30 Representative Gerou requested her name be removed as sponsor.

31 Co-sponsor(s) added: Representative(s) Gardner B.

32
33 **HB10-1338** by Representative(s) McCann; also Senator(s) Steadman--
34 Concerning the eligibility for probation of a person who
35 has two or more felony convictions, and making
36 appropriations in connection therewith.

37
38 (Amended as printed in Senate Journal, May 7, pages 1294-1295 and on
39 May 12.)

40
41 Representative McCann moved that the House **concur** in Senate
42 amendments. The motion was declared **passed** by the following roll call
43 vote:

44								
45	YES	60	NO	1	EXCUSED	4	ABSENT	0
46	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
47	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
48	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
49	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
50	Benefield	E	Kefalas	N	Middleton	Y	Sonnenberg	Y
51	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
52	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
53	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
54	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
55	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
56	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y

1	Fischer	Y	Liston	Y	Primavera	Y	Tyler	E
2	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
3	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
4	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
5	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
6							Speaker	Y

7
8 The question being, "Shall the bill, as amended, pass?".
9 A roll call vote was taken. As shown by the following recorded vote, a
10 majority of those elected to the House voted in the affirmative, and the
11 bill, as amended, was declared **repassed**.
12

13	YES	50	NO	11	EXCUSED	4	ABSENT	0
14	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
15	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
16	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
17	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
18	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	N
19	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
20	Casso	Y	Kerr J.	N	Murray	E	Stephens	Y
21	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
22	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
23	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
24	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
25	Fischer	Y	Liston	N	Primavera	Y	Tyler	E
26	Frangas	Y	Looper	N	Priola	Y	Vaad	Y
27	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
28	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
29	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
30							Speaker	Y

31
32 **HB10-1360** by Representative(s) Pace, Apuan, Casso, Court,
33 Ferrandino, Fischer, Kagan, Kefalas, Levy, Looper,
34 McCann, McFadyen, Merrifield, Miklosi, Ryden, Vigil,
35 Weissmann; also Senator(s) Steadman, Carroll M., Foster,
36 Hudak, Morse, Newell, Romer, Tapia--Concerning
37 changes to certain parole-related statutes to reduce the
38 number of parolees who return to the department of
39 corrections, and making an appropriation in connection
40 therewith.
41

42 (Amended as printed in Senate Journal, May 11, page 1359.)
43

44 Representative Pace moved that the House **concur** in Senate
45 amendments. The motion was declared **passed** by the following roll call
46 vote:
47

48	YES	60	NO	1	EXCUSED	4	ABSENT	0
49	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
50	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
51	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
52	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
53	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
54	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
55	Casso	Y	Kerr J.	Y	Murray	E	Stephens	Y
56	Court	Y	King S.	Y	Nikkel	Y	Summers	Y

1	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
2	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
3	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
4	Fischer	Y	Liston	Y	Primavera	Y	Tyler	E
5	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
6	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
7	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
8	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
9							Speaker	Y

10

11 The question being, "Shall the bill, as amended, pass?".

12 A roll call vote was taken. As shown by the following recorded vote, a
 13 majority of those elected to the House voted in the affirmative, and the
 14 bill, as amended, was declared **repassed**.

15

16	YES	43	NO	18	EXCUSED	4	ABSENT	0
17	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
18	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
19	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
20	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
21	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	N
22	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
23	Casso	Y	Kerr J.	N	Murray	E	Stephens	N
24	Court	Y	King S.	Y	Nikkel	N	Summers	N
25	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
26	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
27	Ferrandino	E	Levy	Y	Pommer	Y	Todd	Y
28	Fischer	Y	Liston	N	Primavera	Y	Tyler	E
29	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
30	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
31	Gardner B.	N	May	N	Riesberg	Y	Waller	N
32	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
33							Speaker	Y

34

35 **HB10-1413** by Representative(s) Levy and May, Carroll T.; also
 36 Senator(s) Newell and Lundberg--Concerning juveniles
 37 who are tried as adults, and making an appropriation in
 38 connection therewith.

39

40 (Amended as printed in Senate Journal, May 11, page 1360.)

41

42 Representative Levy moved that the House **concur** in Senate
 43 amendments. The motion was declared **passed** by the following roll call
 44 vote:

45

46	YES	59	NO	5	EXCUSED	1	ABSENT	0
47	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
48	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
49	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
50	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
51	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
52	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
53	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
54	Court	Y	King S.	Y	Nikkel	N	Summers	Y
55	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
56	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y

1	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
2	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
3	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
4	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
5	Gardner B.	Y	May	N	Riesberg	Y	Waller	N
6	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
7							Speaker	N

8
9 The question being, "Shall the bill, as amended, pass?".
10 A roll call vote was taken. As shown by the following recorded vote, a
11 majority of those elected to the House voted in the affirmative, and the
12 bill, as amended, was declared **repassed**.

14	YES	57	NO	7	EXCUSED	1	ABSENT	0
15	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
16	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
17	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
18	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
19	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
20	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
21	Casso	N	Kerr J.	N	Murray	Y	Stephens	Y
22	Court	Y	King S.	Y	Nikkel	Y	Summers	N
23	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
24	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N
25	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
26	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
27	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
28	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
29	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
30	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
31							Speaker	Y

REPORT(S) OF COMMITTEE(S) OF REFERENCE

STATE, VETERANS, & MILITARY AFFAIRS

38 After consideration on the merits, the Committee recommends the
39 following:

41 **SCR10-003** be postponed indefinitely.

MESSAGE(S) FROM THE SENATE

46 The Senate voted to concur in House amendments to SB10-191 and
47 repassed the bill as amended.

50 The Senate has adopted and returns herewith:
51 HJR10-1019, HJR10-1024, HJR10-1025, HJR10-1022, HJR10-1035.

53 The Senate has adopted and returns herewith:

55 HJR10-1027 amended as printed in Senate Journal, May 7, 2010, page
56 1287.

In response to the request of the House for a Conference Committee on HB10-1401, the president has appointed Senators Carroll, chair, Boyd and Cadman to the First Conference Committee on HB10-1401.

The Senate has voted to recede from its position on HB10-1422 and repassed the bill. The bill is returned herewith.

The Senate has voted to reject House amendments to SB10-190 and to adhere to its position. The bill is returned herewith.

The Senate has adopted and transmits herewith HJR10-1028.

In response to the request of the House for a Conference Committee on HB10-1428, The President appoints Senators Romer, chair, Spence and King as conferees on the First Conference Committee on HB10-1428.

HOUSE RECEDES ON SB10-190

SB10-190 by Senator(s) White and Keller, Tapia; also Representative(s) Riesberg--Concerning the suspension of the property tax exemption for qualifying seniors for specified property tax years, and making an appropriation therefor.

Representative Weissmann moved that the House **recede** from its position on **SB10-190** and pass the bill as amended by the Senate. The motion was declared **passed** by the following roll call vote:

YES	35	NO	29	EXCUSED	1	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	N	Stephens	N
Court	Y	King S.	N	Nikkel	N	Summers	N
Curry	N	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	N	Looper	N	Priola	N	Vaad	N
Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
Gardner B.	N	May	N	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
						Speaker	Y

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

HB10-1181 by Representative(s) Todd; also Senator(s) Bacon--Concerning adjustments to the administration of the

department of personnel, and making an appropriation therefor.

(Amended as printed in Senate Journal, May 11, pages 1354-1355, and on May 12.)

Representative Todd moved that the House **concur** in Senate amendments. A substitute motion by Representative Labuda that the House **not concur** in Senate amendments and that a Conference Committee be appointed was declared **lost** by the following roll call vote:

YES	14	NO	50	EXCUSED	1	ABSENT	0
Acree	N	Gerou	N	McFadyen	N	Ryden	N
Apuan	N	Hullinghorst	N	McKinley	N	Scanlan	N
Balmer	Y	Judd	N	McNulty	N	Schafer S.	Y
Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
Benefield	E	Kefalas	N	Middleton	N	Sonnenberg	Y
Bradford	Y	Kerr A.	N	Miklosi	N	Soper	N
Casso	N	Kerr J.	N	Murray	N	Stephens	N
Court	N	King S.	N	Nikkel	N	Summers	N
Curry	N	Labuda	Y	Pace	N	Swalm	N
DelGrosso	N	Lambert	Y	Peniston	N	Tipton	Y
Ferrandino	N	Levy	N	Pommer	N	Todd	N
Fischer	N	Liston	Y	Primavera	N	Tyler	N
Frangas	N	Looper	Y	Priola	N	Vaad	N
Gagliardi	N	Massey	N	Rice	N	Vigil	N
Gardner B.	Y	May	N	Riesberg	N	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	N	Weissmann	N
						Speaker	N

A second substitute motion by Representative McCann that the House **adhere** to its position on **HB10-1181** was declared **lost** by the following roll call vote:

YES	9	NO	55	EXCUSED	1	ABSENT	0
Acree	N	Gerou	N	McFadyen	N	Ryden	N
Apuan	N	Hullinghorst	N	McKinley	N	Scanlan	Y
Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
Baumgardner	N	Kagan	N	Merrifield	N	Solano	N
Benefield	E	Kefalas	N	Middleton	N	Sonnenberg	N
Bradford	N	Kerr A.	N	Miklosi	N	Soper	N
Casso	N	Kerr J.	N	Murray	N	Stephens	N
Court	N	King S.	N	Nikkel	N	Summers	N
Curry	N	Labuda	Y	Pace	N	Swalm	N
DelGrosso	N	Lambert	N	Peniston	N	Tipton	N
Ferrandino	N	Levy	N	Pommer	N	Todd	N
Fischer	N	Liston	Y	Primavera	N	Tyler	N
Frangas	N	Looper	Y	Priola	N	Vaad	N
Gagliardi	N	Massey	N	Rice	N	Vigil	N
Gardner B.	Y	May	N	Riesberg	N	Waller	Y
Gardner C.	N	McCann	Y	Roberts	N	Weissmann	N
						Speaker	N

Representative Todd's motion that the House **concur** in Senate amendments was declared **passed** by the following roll call vote:

	YES	56	NO	8	EXCUSED	1	ABSENT	0
1	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
2	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
3	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
4	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
5	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
6	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
7	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
8	Court	Y	King S.	Y	Nikkel	N	Summers	Y
9	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
10	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N
11	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
12	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
13	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
14	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
15	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
16	Gardner C.	N	McCann	N	Roberts	Y	Weissmann	Y
17							Speaker	Y

The question being, "Shall the bill, as amended, pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

	YES	46	NO	18	EXCUSED	1	ABSENT	0
25	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
26	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
27	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
28	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
29	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	N
30	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
31	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
32	Court	Y	King S.	Y	Nikkel	N	Summers	Y
33	Curry	Y	Labuda	N	Pace	Y	Swalm	N
34	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
35	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
36	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
37	Frangas	Y	Looper	N	Priola	N	Vaad	Y
38	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
39	Gardner B.	N	May	Y	Riesberg	Y	Waller	N
40	Gardner C.	N	McCann	N	Roberts	Y	Weissmann	Y
41							Speaker	Y

Representative Labuda requested her name be removed as co-sponsor.

CONSIDERATION OF RESOLUTION(S)

SJR10-042 by Senator(s) Penry; also Representative(s) King S., Bradford--Concerning the designation of a portion of Interstate Highway 70 as the "Wade Oglesby Citizen Hero Memorial Highway".

On motion of Representative King S., the resolution was read at length and **adopted** by **viva voce** vote.

1 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
2 Balmer, Baumgardner, Casso, Court, Curry, DelGrosso, Ferrandino, Fischer,
3 Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Hulinghorst, Judd, Kagan,
4 Kefalas, Kerr A., Kerr J., Labuda, Lambert, Levy, Liston, Looper, Massey, May,
5 McCann, McFadyen, McKinley, McNulty, Merrifield, Middleton, Miklosi,
6 Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg,
7 Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens,
8 Summers, Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann,
9 Speaker.

10
11
12
13 **MESSAGE(S) FROM THE SENATE**
14

15 The Senate has adopted the First Report of the First Conference
16 Committee on HB10-1364 and repassed the bill as amended. The bill is
17 returned herewith .
18

19 The Senate has granted permission to the First Conference Committee on
20 HB10-1401 to go beyond the scope of the differences between the two
21 houses.
22

23
24
25 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
26 **on HB10-1364**
27

28 This Report Amends the Rerevised Bill.
29

30 To the President of the Senate and the
31 Speaker of the House of Representatives:
32

33 Your first conference committee appointed on HB10-1364,
34 concerning the sex offender management board, and, in connection
35 therewith, continuing the sex offender management board, and making an
36 appropriation, has met and reports that it has agreed upon the following:
37

38 That the House accede to the Senate amendments made to the bill,
39 as the amendments appear in the rerevised bill, with the following
40 changes:
41

42 Amend rerevised bill, page 18, strike lines 20 through 23 and substitute:
43

44 "ABLE TO DO SO. EACH OFFENDER ENTERING TREATMENT ON OR AFTER
45 JULY 1, 2010, SHALL BE GIVEN A CHOICE BY HIS OR HER SUPERVISING
46 AGENCY OF AT LEAST THREE APPROPRIATE APPROVED PROVIDERS WHERE
47 AVAILABLE, UNLESS THE SUPERVISING AGENCY DOCUMENTS IN WRITING
48 THAT, BASED ON THE NATURE OF THE PROGRAM OFFERED AND THE NEEDS
49 OF THE OFFENDER, FEWER THAN THREE PROVIDERS CAN MEET THE SPECIFIC
50 TREATMENT NEEDS OF THE OFFENDER AND ENSURE THE SAFETY OF THE
51 PUBLIC."
52

53 Page 19, after line 5, insert:
54

55 "(3) EACH SUPERVISING AGENCY SHALL CREATE A PROCESS BY
56 WHICH AN OFFENDER IN TREATMENT MAY SEEK A REVIEW AND

1 DETERMINATION BY HIS OR HER SUPERVISING AGENCY OF THE
 2 APPROPRIATENESS OF HIS OR HER TREATMENT PROVIDER. THE PROCESS,
 3 AT A MINIMUM, SHALL INCLUDE THE BASIS UPON WHICH AN OFFENDER MAY
 4 REQUEST A REVIEW, THE FREQUENCY WITH WHICH AN OFFENDER MAY
 5 REQUEST A REVIEW, AND THE OPTIONS AVAILABLE TO AN OFFENDER IF THE
 6 SUPERVISING AGENCY DETERMINES THAT A CHANGE IN TREATMENT
 7 PROVIDER IS APPROPRIATE. EACH OFFENDER SHALL BE ADVISED OF THIS
 8 PROCESS BY HIS OR HER SUPERVISING OFFICER.".

9
 10 Respectfully submitted,

11 House Committee:

12 (signed)

13 Sue Ryden

14 Claire Levy

15 B. J. Nikkel

Senate Committee:

(signed)

Evie Hudak

Pat Steadman

Keith King

DELIVERY OF BILL TO GOVERNOR

16
 17
 18
 19
 20 The Chief Clerk of the House of Representatives reports the following
 21 bill has been delivered to the Office of the Governor: **HB10-1180** at 5:11
 22 p.m. on May 12, 2010.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)

23
 24
 25
 26
 27
 28 **HB10-1364** by Representative(s) Ryden; also Senator(s) Hudak--
 29 Concerning the sex offender management board, and, in
 30 connection therewith, continuing the sex offender
 31 management board, and making an appropriation.
 32
 33
 34

35 (Conference Committee Report printed in House Journal, May 12,
 36 pages1849-1850.)

37
 38 On motion of Representative Ryden, the Conference Committee Report
 39 was **adopted** by the following roll call vote:

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y

Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

The question being "Shall the bill, as amended, pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill, as amended, was declared **repassed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y		Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y		Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y		Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y		Kagan	Y	Merrifield	Y	Solano	Y
Benefield	E		Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y		Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y		Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y		King S.	Y	Nikkel	Y	Summers	Y
Curry	Y		Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y		Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y		Levy	Y	Pommer	Y	Todd	Y
Fischer	Y		Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y		Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y		Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y		May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y		McCann	Y	Roberts	Y	Weissmann	Y
							Speaker	Y

CONSENT GRANTED TO CONFERENCE COMMITTEE

Representative Ferrandino moved that the First Conference Committee on **HB10-1401** be granted permission to go beyond the scope of the difference between the House and the Senate. The motion was passed by the following roll call vote:

	YES	62	NO	2	EXCUSED	1	ABSENT	0
Acree	Y		Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y		Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y		Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y		Kagan	Y	Merrifield	N	Solano	Y
Benefield	E		Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y		Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y		Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y		King S.	Y	Nikkel	Y	Summers	Y
Curry	Y		Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y		Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y		Levy	Y	Pommer	Y	Todd	Y
Fischer	Y		Liston	Y	Primavera	N	Tyler	Y
Frangas	Y		Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y		Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y		May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y		McCann	Y	Roberts	Y	Weissmann	Y
							Speaker	Y

1 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

2
3 **HJR10-1027** by Representative(s) Curry and Sonnenberg; also
4 Senator(s) Williams, White--Concerning the recognition
5 of industrial hemp as a valuable agricultural commodity,
6 and, in connection therewith, urging Congress to clarify
7 the federal definition of industrial hemp, facilitate
8 domestic production of industrial hemp, and remove
9 barriers to state regulation of the production of industrial
10 hemp.

11
12 (Amended as printed in Senate Journal, May 7, pages 1287.)

13
14 Representative Sonnenberg moved that the House **adhere** to its position
15 on **HJR10-1027**. The motion was declared **passed** by the following roll
16 call vote:

YES	60	NO	4	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	N	Solano	Y
Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	N	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
						Speaker	Y

35
36 **HCR10-1005** by Representative(s) Baumgardner; also Senator(s)
37 Kopp--Submitting to the registered electors of the state
38 of Colorado an amendment to section 3 (1) (b) of article
39 X of the constitution of the state of Colorado,
40 concerning an exemption from property taxation for a
41 possessory interest in real property if the actual value of
42 the interest is less than or equal to six thousand dollars
43 or such amount adjusted for inflation.

44
45 (Amended as printed in Senate Journal, May 11, pages 1385-1386 and on
46 May 12.)

47
48 Representative Baumgardner moved that the House **concur** in Senate
49 amendments. The motion was declared **passed** by the following roll call
50 vote:

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullingshorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y

1	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
2	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
3	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
4	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
5	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
6	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
7	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
8	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
9	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
10	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
11	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
12							Speaker	Y

14 The question being, "Shall the resolution, as amended, pass?"

15 A roll call vote was taken. As shown by the following recorded vote, a
16 majority of those elected to the House voted in the affirmative, and the
17 resolution, as amended, was declared **repassed**.

	YES	59	NO	5	EXCUSED	1	ABSENT	0
20	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
21	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
22	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
23	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
24	Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
25	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
26	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
27	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
28	Curry	Y	Labuda	N	Pace	Y	Swalm	Y
29	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
30	Ferrandino	Y	Levy	N	Pommer	Y	Todd	Y
31	Fischer	N	Liston	Y	Primavera	Y	Tyler	Y
32	Frangas	N	Looper	Y	Priola	Y	Vaad	Y
33	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
34	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
35	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
36							Speaker	Y

37 Co-sponsor(s) added: Representative(s) Kagan.

39 **HB10-1200** by Representative(s) Hullinghorst; also Senator(s) Heath--
40 Concerning a temporary requirement that a taxpayer defer
41 claiming any amount of an enterprise zone investment
42 income tax credit that exceeds five hundred thousand
43 dollars.

45 (Amended as printed in Senate Journal, May 12.)

47 Representative Hullinghorst moved that the House **concur** in Senate
48 amendments. The motion was declared **passed** by the following roll call
49 vote:

	YES	58	NO	6	EXCUSED	1	ABSENT	0
52	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
53	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
54	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
55	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
56	Benefield	E	Kefalas	N	Middleton	Y	Sonnenberg	Y

1	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	N
2	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
3	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
4	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
5	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
6	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
7	Fischer	Y	Liston	Y	Primavera	Y	Tyler	N
8	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
9	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
10	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
11	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
12							Speaker	Y

13
14 The question being, "Shall the bill, as amended, pass?".
15 A roll call vote was taken. As shown by the following recorded vote, a
16 majority of those elected to the House voted in the affirmative, and the
17 bill, as amended, was declared **repassed**.

18	YES	33	NO	30	EXCUSED	1	ABSENT	1
19								
20	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
21	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
22	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
23	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
24	Benefield	E	Kefalas	N	Middleton	Y	Sonnenberg	N
25	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	N
26	Casso	N	Kerr J.	N	Murray	N	Stephens	N
27	Court	Y	King S.	N	Nikkel	N	Summers	N
28	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
29	DelGrosso	N	Lambert	N	Peniston	-	Tipton	N
30	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
31	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
32	Frangas	Y	Looper	N	Priola	N	Vaad	N
33	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
34	Gardner B.	N	May	N	Riesberg	Y	Waller	N
35	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
36							Speaker	Y

MESSAGE(S) FROM THE SENATE

41
42 The Senate has voted to dissolve the First Conference Committee on
43 HB10-1428, discharge the conferees, adhere to the Senate position on
44 HB10-1428. The bill is returned herewith.

45
46 The Senate has voted to adhere to its position on HB10-1430. The bill is
47 returned herewith.

48
49 The Senate has voted to adhere to its position on HB10-1426. The bill is
50 returned herewith.

51
52
53
54
55

HOUSE RECEDES ON HB10-1428

HB10-1428 by Representative(s) Middleton; also Senator(s) Romer--
Concerning student loans.

Representative Middleton moved that the House **recede** from its position on **HB10-1428** and pass the bill as amended by the Senate. The motion was declared **passed** by the following roll call vote:

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	E	Kefalas	Y	Middleton	Y	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

ADHERENCE ON HB10-1430

HB10-1430 by Representative(s) Solano and Scanlan, Benefield, Ferrandino, Fischer, Massey, Merrifield, Middleton, Peniston, Ryden, Schafer S., Todd, Vigil; also Senator(s) Hudak--Concerning assessments in the elementary and secondary education system.

Representative Solano moved that the House **adhere** to its position on **HB10-1430**. The motion was declared **passed** by the following roll call vote:

YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	E	Kefalas	Y	Middleton	E	Sonnenberg	Y
Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
Court	Y	King S.	Y	Nikkel	Y	Summers	Y
Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y	Looper	Y	Priola	Y	Vaad	Y

Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
						Speaker	Y

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

HB10-1409 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White--Concerning the process by which annual salary increases may be awarded to employees in the state personnel system based on performance, job core competencies, and years of service.

(Amended as printed in Senate Journal, May 11, page 1384.)

Representative Pommer moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	40	NO	22	EXCUSED	3	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	E	Kefalas	Y	Middleton	E	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	Y	Stephens	Y
Court	Y	King S.	N	Nikkel	N	Summers	Y
Curry	N	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
Frangas	Y	Looper	N	Priola	N	Vaad	Y
Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
Gardner B.	N	May	N	Riesberg	Y	Waller	N
Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
						Speaker	Y

The question being, "Shall the bill, as amended, pass?"

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative, and the bill, as amended, was declared **repassed**.

YES	35	NO	27	EXCUSED	3	ABSENT	0
Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y
Benefield	E	Kefalas	Y	Middleton	E	Sonnenberg	N
Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y	Kerr J.	N	Murray	N	Stephens	N
Court	Y	King S.	N	Nikkel	N	Summers	N
Curry	Y	Labuda	Y	Pace	Y	Swalm	N
DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N

1	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
2	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
3	Frangas	Y	Looper	N	Priola	N	Vaad	N
4	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
5	Gardner B.	N	May	N	Riesberg	Y	Waller	N
6	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
7							Speaker	Y

8 Representative Baumgardner excused from voting under House Rule
9 21(c).

10

11 **HB10-1421** by Representative(s) May and Weissmann, Ferrandino,
12 Pommer, Lambert, Gardner B., Waller; also Senator(s)
13 King K. And Tochtrop--Concerning the decommission of
14 a correctional facility operated by the department of
15 corrections.

16

17 (Amended as printed in Senate Journal, May 11, page 1361.)

18

19 Representative May moved that the House **not concur** in Senate
20 amendments and that the House **adhere** to its position on **HB10-1421**
21 was declared **passed** by the following roll call vote:

22

23	YES	63	NO	0	EXCUSED	2	ABSENT	0
24	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
25	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
26	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
27	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
28	Benefield	E	Kefalas	Y	Middleton	E	Sonnenberg	Y
29	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
30	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
31	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
32	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
33	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
34	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
35	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
36	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
37	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
38	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
39	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
40							Speaker	Y

41

42

43 CONSIDERATION OF RESOLUTION(S)

44

45 **SJR10-050** by Senator(s) Morse, Shaffer B., Penry; also
46 Representative(s) Weissmann, Carroll T., May--
47 Concerning the appointment of a joint committee to notify
48 the Governor that the Second Regular Session of the
49 Sixty-seventh General Assembly is about to adjourn sine
50 die.

51 On motion of Representative Weissmann, the resolution was **adopted** by
52 **viva voce** vote.

53

54 The Speaker appointed Representatives Judd, Frangas, Sonnenberg
55 pursuant to the resolution.

56

House in recess. House reconvened.

MESSAGE(S) FROM THE SENATE

The Senate has adopted the First Report of the First Conference on HB10-1401 as printed in the Senate Journal, May 12, 2010 and repassed the bill as amended. The bill is returned herewith.

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on HB10-1401**

This Report Amends the Reengrossed Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB10-1401, concerning the management of information technology in state agencies, has met and reports that it has agreed upon the following:

1. That the Senate recede from its amendments made to the bill, as the amendments appear in the rerevised bill, and that the following amendments be substituted therefor:

Amend reengrossed bill, page 5, strike lines 4 and 5 and substitute "**reporting.** (4) (a) ON OR BEFORE OCTOBER 1, 2010, AND ON OR BEFORE OCTOBER 1 OF EACH YEAR THEREAFTER, EACH STATE AGENCY THAT IMPOSES CHARGES OR FEES FOR ACCESSING ELECTRONIC INFORMATION, PRODUCTS, OR SERVICES THROUGH THE STATEWIDE INTERNET PORTAL SHALL PROVIDE A REPORT TO THE EXECUTIVE DIRECTOR ON THE TOTAL AMOUNT OF SUCH CHARGES OR FEES IMPOSED IN THE PRECEDING FISCAL YEAR.

(b) ON OR BEFORE NOVEMBER 1, 2010, AND ON OR BEFORE NOVEMBER 1 OF EACH YEAR THEREAFTER, THE BOARD SHALL REPORT TO".

Page 5, line 10, strike "(a)" and substitute "(I)".

Page 5, line 14, strike "(b)" and substitute "(II)".

Page 5, line 15, strike "PARAGRAPH (a)" and substitute "SUBPARAGRAPH (I)".

Page 5, line 16, strike "SUBSECTION (4)" and substitute "PARAGRAPH (b)".

Page 6, line 4, after "OBLIGATIONS." insert "THE STATE AUDITOR SHALL LIMIT THE SCOPE OF INFORMATION REQUESTED FROM THE AUTHORITY TO THAT AUTHORIZED PURSUANT TO PART 1 OF ARTICLE 3 OF TITLE 2, C.R.S., AND BY THE LEGISLATIVE AUDIT COMMITTEE."

Page 6, line 5, strike "FOR" and substitute "FROM".

2. That, under the authority granted the committee to consider

1 matters not at issue between the two houses, the following amendment be
2 recommended:

3
4 Amend reengrossed bill, page 6, line 2, strike "MAY 1, 2011," and
5 substitute "AUGUST 1, 2011,".
6

7 Respectfully submitted,

8 House Committee:
9 (signed)
10 Mark Ferrandino
11 Max Tyler
12 Carole Murray

Senate Committee:
(signed)
Morgan Carroll
Betty Boyd
Wm. Cadman

16 CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)

17
18 **HB10-1401** by Representative(s) Ferrandino; also Senator(s) Carroll
19 M.--Concerning the management of information
20 technology in state agencies.
21

22 (Conference Committee Report printed in House Journal, May 12,
23 pages 1858-1859)
24

25 On motion of Representative Ferrandino, the Conference Committee
26 Report was **adopted** by the following roll call vote:
27

28	YES	49	NO	12	EXCUSED	4	ABSENT	0
29	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
30	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
31	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
32	Baumgardner	N	Kagan	E	Merrifield	Y	Solano	Y
33	Benefield	E	Kefalas	Y	Middleton	E	Sonnenberg	Y
34	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
35	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
36	Court	Y	King S.	N	Nikkel	N	Summers	Y
37	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
38	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N
39	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
40	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
41	Frangas	Y	Looper	N	Priola	N	Vaad	Y
42	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
43	Gardner B.	N	May	Y	Riesberg	Y	Waller	Y
44	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
45							Speaker	Y

46
47 The question being "Shall the bill, as amended, pass?".

48 A roll call vote was taken. As shown by the following recorded vote, a
49 majority of those elected to the House voted in the affirmative and the
50 bill, as amended, was declared **repassed**.
51

52	YES	60	NO	1	EXCUSED	4	ABSENT	0
53	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
54	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
55	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
56	Baumgardner	Y	Kagan	E	Merrifield	Y	Solano	Y

1	Benefield	E	Kefalas	Y	Middleton	E	Sonnenberg	Y
2	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
3	Casso	N	Kerr J.	Y	Murray	Y	Stephens	Y
4	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
5	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
6	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
7	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
8	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
9	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
10	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
11	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
12	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
13							Speaker	Y

14 Co-sponsor(s) added: Representative(s) Casso.

17 CONSIDERATION OF RESOLUTION(S)

19 **HJR10-1036** by Representative(s) Weissmann, Carroll T., May; also
 20 Senator(s) Morse, Shaffer B., Penry--Concerning the
 21 adjournment sine die of the Second Regular Session of the
 22 Sixty-seventh General Assembly.

24 (Printed and placed in members' file)

26 On motion of Representative Weissmann, the resolution was read at
 27 length and **adopted** by **viva voce** vote.

29 Current Roll Call added as co-sponsor(s): Representative(s) Apuan, Balmer,
 30 Baumgardner, Bradford, Casso, Court, Curry, DelGrosso, Ferrandino, Fischer,
 31 Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Hulinghorst, Judd, Kagan,
 32 Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper,
 33 Massey, McCann, McFadyen, McKinley, McNulty, Merrifield, Miklosi,
 34 Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg,
 35 Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens,
 36 Summers, Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller.

39 MESSAGE(S) FROM THE SENATE

41 The Senate adopted and returns herewith HJR10-1036.

43 The Senate failed to pass HB10-1188, HB10-1421. The bills are returned
 44 herewith.

46 The Senate failed to pass HJR10-1027. The resolution is returned
 47 herewith.

50 REPORT OF SINE DIE COMMITTEE

52 The Committee appointed pursuant to SJR10-050 reported that they had
 53 notified Governor that the Second Regular Session of the Sixty-seventh
 54 General Assembly was ready to adjourn sine die.

1 The hour of 7:32 p.m., having arrived, and both the House of
2 Representatives and the Senate being in agreement, on motion of
3 Representative Weissmann, the Second Regular Session of the
4 Sixty-seventh General Assembly was declared adjourned sine die by the
5 Speaker of the House, Terrance D. Carroll.

6
7
8
9 The following bill did not receive final action in the House:
10 Consideration of Governor's Veto--**HB10-1101**.

11
12
13
14
15 **REPORTS TO THE COLORADO GENERAL ASSEMBLY**

16
17 The following Reports have been received by the Chief Clerk of the House of
18 Representatives. The reports are on file in the Library of Legislative Council.

19
20 **Colorado Water Resources and Power Development Authority**

21 2009 Annual Report (pursuant to 37-95-116, CRS)

22
23 **Colorado Youth Advisory Council**

24 Annual Report (pursuant to HB08-1157)

25
26 **Department of Health Care Policy & Financing**

27 FY2008-09 Medically Indigent and Colorado Indigent Care Program
28 (pursuant to 25.5-3-107, CRS)

29 FY2009-10 Medical Services Premiums Expenditure Reports

30
31 **Department of Human Services**

32 Office of Homeless Youth Services 2009 Annual Report (pursuant to
33 26-5.9-104, CRS)

34
35 **Department of Local Affairs**

36 Annual Report of expenditures from the Severance Tax Fund and Mineral
37 Impact Fund (pursuant to 39-29-110(3) and 34-63-102 (5) (c), CRS)

38
39 **Department of Revenue**

40 Division of Gaming

41 Limited Gaming Control Commission 2009 Annual Report

42 Liquor Enforcement Division

43 Report of enforcement actions calendar year 2009 (pursuant to
44 12-47-601 (8), CRS)

45
46 **Office of Economic Development and International Trade**

47 Economic Development Commission recommendations (pursuant to
48 SB09-234)

49
50
51 Approved:
52 TERRANCE D. CARROLL,
53 Speaker

54 Attest:
55 MARILYN EDDINS,
56 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

ADDENDUM

(As authorized by Section 26, Article V of
the Constitution of the State of Colorado.)

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

1
2
3 The Speaker has signed: **HB10-1005, 1009, 1013, 1018, 1019, 1021,**
4 **1022, 1027, 1032, 1033, 1035, 1045, 1053, 1060, 1073, 1081, 1098,**
5 **1099, 1106, 1113, 1118, 1119, 1122, 1125, 1131, 1133, 1139, 1141,**
6 **1146, 1147, 1149, 1160, 1161, 1171, 1172, 1176, 1181, 1200, 1209,**
7 **1210, 1211, 1214, 1221, 1224, 1238, 1241, 1243, 1250, 1252, 1260,**
8 **1264, 1267, 1271, 1273, 1274, 1277, 1278, 1281, 1284, 1285, 1287,**
9 **1291, 1293, 1328, 1329, 1330, 1334, 1335, 1336, 1338, 1341, 1345,**
10 **1347, 1348, 1349, 1351, 1352, 1358, 1359, 1360, 1362, 1363, 1364,**
11 **1369, 1370, 1373, 1374, 1375, 1383, 1386, 1388, 1391, 1392, 1393,**
12 **1394, 1395, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1408,**
13 **1409, 1411, 1412, 1413, 1414, 1415, 1417, 1418, 1422, 1425 1427,**
14 **1428, 1431; HCR10-1004, 1005; HJR10-1015, 1016, 1017, 1019,**
15 **1020, 1021, 1022, 1023, 1024, 1025, 1026, 1028, 1029, 1032, 1034,**
16 **1035, 1036; HM10-1004, 1005; SB10-002, 003, 006, 011, 012, 013,**
17 **028, 054, 061, 064, 071, 076, 087, 103, 106, 108, 109, 110, 120, 124,**
18 **126, 128, 139, 141, 144, 153, 156, 159, 161, 162, 167, 169, 171, 178,**
19 **180, 181, 183, 184, 186, 187, 189, 190, 191, 192, 193, 194, 195, 196,**
20 **197, 198, 199, 200, 201, 202, 203, 204, 205, 207, 208, 209, 211, 212,**
21 **213, 216, 217; SJR10-010, 025, 033, 035, 039, 040, 041, 042, 043, 047,**
22 **048, 049, 050.**
23
24
25
26

DELIVERY OF BILLS TO GOVERNOR

27
28
29 The Chief Clerk of the House of Representatives reports the following
30 bills have been delivered to the Office of the Governor:
31 **HB10-1038, 1332, 1333, 1342** at 2:04 p.m. on May 13, 2010.
32 **HB10-1359** at 3:59 p.m. on May 13, 2010.
33 **HB10-1252, 1328** at 11:00 a.m. on May 17, 2010.
34 **HB10-1139, 1267, 1273, 1330, 1400** at 11:50 a.m. on May 18, 2010.
35 **HB10-1045, 1081, 1098, 1113, 1131, 1147, 1211, 1274, 1291, 1293,**
36 **1345, 1348, 1349, 1358, 1369, 1373, 1386, 1394, 1399, 1402,**
37 **1412, 1414, 1417** at 2:59 p.m. on May 20, 2010.
38 **HB10-1364** at 2:15 p.m. on May 21, 2010.
39 **HB10-1033, 1035, 1053, 1099, 1118, 1149, 1160, 1161, 1171, 1210,**
40 **1238, 1243, 1250, 1277, 1338, 1341, 1347, 1352, 1360, 1363,**
41 **1374, 1413** at 2:08 p.m. on May 24, 2010.
42 **HB10-1005, 1009, 1018, 1021, 1022, 1027, 1032, 1060, 1073, 1106,**
43 **1119, 1122, 1125, 1133, 1141, 1146, 1172, 1200, 1209, 1214,**

1 **1221, 1224, 1264, 1271, 1278, 1329, 1334, 1335, 1336, 1351,**
2 **1362, 1370, 1375, 1383, 1388, 1392, 1393, 1395, 1398, 1405,**
3 **1425** at 10:18 a.m. on May 25, 2010.
4 **HB10-1013, 1019, 1176, 1181, 1241, 1281, 1284, 1285, 1287, 1391,**
5 **1401, 1403, 1404, 1408, 1409, 1411, 1418, 1427, 1428, 1431** at
6 3:12 p.m. on June 1, 2010.
7 **HB10-1415** at 1:50 p.m., on June 4 2010.
8 **HB10-1260, 1422** at 1:34 p.m. on June 7, 2010.
9

10
11
12
13 **MESSAGE(S) FROM THE GOVERNOR**
14

15 I certify I received the following on the 18th day of May, 2010, at
16 2:05 p.m. The original is on file in the records of the House of
17 Representatives of the General Assembly.
18

19 Marilyn Eddins,
20 Chief Clerk of the House

21 May 14, 2010
22

23 To the Honorable House of Representatives
24 Sixty-seventh General Assembly
25 Second Regular Session
26 State Capitol
27 Denver, CO 80203
28

29 Ladies and Gentlemen:
30

31 I have the honor to inform you that I have approved and filed with the
32 Secretary of State the following Acts:
33

34 **HB10-1359** CONCERNING CHANGE OF VENUE IN DEPENDENCY AND
35 NEGLECT PROCEEDINGS, AND, IN CONNECTION
36 THEREWITH, CLARIFYING THE ROLE OF THE COUNTY
37 DEPARTMENTS OF SOCIAL OR HUMAN SERVICES WHEN
38 JURISDICTION OVER A CASE IS TRANSFERRED BETWEEN
39 COUNTIES.
40

41 Approved May 14, 2010 at 3:28 p.m.
42

43 Sincerely,
44 (signed)
45 Bill Ritter, Jr.
46 Governor
47

48
49
50 May 17, 2010
51

52 To the Honorable House of Representatives
53 Sixty-seventh General Assembly
54 Second Regular Session
55 State Capitol
56 Denver, CO 80203

1 Ladies and Gentlemen:

2

3 I have the honor to inform you that I have approved and filed with the
4 Secretary of State the following Acts:

5

6 **HB10-1252** CONCERNING HEALTH CARE SERVICES FOR BREAST
7 CANCER SCREENING.

8

9 Approved May 17, 2010 at 3:57 p.m.

10

11 **HB10-1355** CONCERNING THE OFF-LABEL USE OF A PRESCRIPTION
12 DRUG FOR A SPECIFIC TYPE OF CANCER FOR WHICH THE
13 DRUG IS RECOGNIZED FOR TREATMENT IN THE
14 REFERENCE COMPENDIA AS IDENTIFIED BY THE
15 SECRETARY OF THE UNITED STATES DEPARTMENT OF
16 HEALTH AND HUMAN SERVICES.

17

18 Approved May 17, 2010 at 4:02 p.m.

19

20 Sincerely,

21 (signed)

22 Bill Ritter, Jr.

23 Governor

24

25

26

27 I certify I received the following on the 20th day of May, 2010, at
28 4:00 p.m. The original is on file in the records of the House of
29 Representatives of the General Assembly.

30

31

32

33

34

35 May 18, 2010

36

37 To the Honorable House of Representatives

38 Sixty-seventh General Assembly

39 Second Regular Session

40 State Capitol

41 Denver, CO 80203

42

43 Ladies and Gentlemen:

44

45 I have the honor to inform you that I have approved and filed with the
46 Secretary of State the following Acts:

47

48 **HB10-1180** CONCERNING THE CRITERIA TO QUALIFY FOR A
49 PERFORMANCE-BASED INCENTIVE FOR FILM
50 PRODUCTION ACTIVITIES IN COLORADO.

51

52 Approved May 18, 2010 at 2:27 p.m.

53

54

55

1 **HB10-1273** CONCERNING IMPROVED WORKFORCE DEVELOPMENT
2 THROUGH INCREASED PARTICIPATION IN ARTS
3 EDUCATION IN PUBLIC SCHOOLS.

4
5 Approved May 18, 2010 at 2:28 p.m.

6
7 Sincerely,
8 (signed)
9 Bill Ritter, Jr.
10 Governor

11 _____

12
13 May 19, 2010

14
15 To the Honorable House of Representatives
16 Sixty-seventh General Assembly
17 Second Regular Session
18 State Capitol
19 Denver, CO 80203

20
21 Ladies and Gentlemen:

22
23 I have the honor to inform you that I have approved and filed with the
24 Secretary of State the following Acts:

25
26 **HB10-1139** CONCERNING THE CREATION OF SPECIAL LICENSE
27 PLATES FOR MILITARY VETERANS OF THE CONFLICTS
28 OCCURRING AFTER SEPTEMBER 11, 2001, AND MAKING AN
29 APPROPRIATION THEREFOR.

30
31 Approved May 19, 2010 at 12:19 p.m.

32
33 **HB10-1400** CONCERNING REFUND ANTICIPATION LOAN
34 FACILITATORS, AND, IN CONNECTION THEREWITH,
35 REQUIRING REFUND ANTICIPATION LOAN FACILITATORS
36 TO BE REGISTERED AS ELECTRONIC RETURN
37 ORIGINATORS WITH THE FEDERAL INTERNAL REVENUE
38 SERVICE AND TO MAKE CERTAIN DISCLOSURES WHEN
39 FACILITATING REFUND ANTICIPATION LOANS.

40
41 Approved May 19, 2010 at 12:28 p.m.

42
43 Sincerely,
44 (signed)
45 Bill Ritter, Jr.
46 Governor

47 _____

48
49 May 20, 2010

50
51 To the Honorable House of Representatives
52 Sixty-seventh General Assembly
53 Second Regular Session
54 State Capitol
55 Denver, CO 80203

56

1 Ladies and Gentlemen:

2

3 I have the honor to inform you that I have approved and filed with the
4 Secretary of State the following Acts:

5

6 **HB10-1096** CONCERNING THE DESIGNATION OF VEHICLE
7 IDENTIFICATION NUMBER INSPECTORS BY LAW
8 ENFORCEMENT OFFICIALS OF LOCAL GOVERNMENTS.

9

10 Approved May 20, 2010 at 11:10 a.m.

11

12 Sincerely,
13 (signed)
14 Bill Ritter, Jr.
15 Governor

16

17

18

19 I certify I received the following on the 24th day of May, 2010, at 4:25
20 p.m. The original is on file in the records of the House of Representatives
21 of the General Assembly.

22

23

24

Marilyn Eddins,
Chief Clerk of the House

25

26 May 21, 2010

27

28 Honorable Colorado House of Representatives
29 67th General Assembly
30 Second Regular Session
31 State Capitol
32 Denver, CO 80203

33

34 Ladies and Gentlemen,

35

36 I am filing with the Secretary of State House Bill 10-1364, "Concerning the sex
37 offender management board, and, in connection therewith, continuing the sex
38 offender management board, and making an appropriation." I vetoed this bill
39 as of 2:39 p.m. today and this letter sets forth my reasons for doing so.

40

41 In 1992, the Colorado General Assembly created the Sex Offender Treatment
42 Board in order to develop standards and guidelines for the assessment,
43 evaluation, treatment, and behavioral monitoring of sex offenders. *See* C.R.S.
44 § 16-11.7-101, *et seq.* In 1998, the General Assembly changed the name of the
45 board to the Sex Offender Management Board ("SOMB") to more accurately
46 reflect the duties assigned to the SOMB.

47

48 Currently, the SOMB consists of community partners from around the state,
49 including the Department of Corrections, the Judicial Department, law
50 enforcement, the public defender's office, private criminal defense attorneys,
51 rural and urban county commissioners, clinical polygraph examiners, the
52 Department of Public Safety, district attorneys, Department of Human Services,
53 licensed mental health professionals with expertise in treating sex offenders, the
54 victim services community, and community corrections. The reason for this
55 approach is that effective supervision of sexual offenders require, a
56 multidisciplinary, team approach. This coordinated system for the management

1 and treatment of sex offenders “contains” the offender and enhances the safety
2 of the community and the protection of victims.

3
4 The SOMB operates from Standards and Guidelines (“Standards”), which were
5 first published in January 1996. The Standards have been revised on four
6 occasions over the last fourteen years to address omissions in the original
7 Standards that were identified during implementation and to keep the Standards
8 consistent with the developing literature in the field of sex offender
9 management.

10
11 House Bill 10-1364 was introduced because the SOMB is due to sunset on July
12 1, 2010. *See* C.R.S. § 16-11.7-103(6)(a). As is the case with each board
13 scheduled for sunset, the Department of Regulatory Agencies (“DORA”)
14 prepared a sunset review report. In that forty-eight page report, DORA
15 recommended that the SOMB be continued for five years and that certain policy
16 changes be included in the reauthorization legislation. The changes
17 recommended in the sunset review report, many of which were included in
18 House Bill 10-1364, are important and would improve the operation of the
19 SOMB. Some of the most important changes – which enjoyed broad consensus
20 among legislators, program administrators, and other stakeholders – include: (1)
21 requiring the board to review the effectiveness of current treatment methods by
22 monitoring offender success or compliance with treatment; (2) moving the
23 complaints, investigations, and discipline of treatment providers from the
24 SOMB to DORA, which builds objectivity into the complaint process; (3)
25 requiring the SOMB to produce and present an annual report to the General
26 Assembly; and (4) authorizing the SOMB to collect data from approved
27 providers, which is necessary to evaluate and assess the effectiveness of
28 approved providers. These provisions are all included in House Bill 10-1364
29 and are designed to provide information to our community regarding whether
30 sexual offenders can be adequately and safely monitored in the community.
31 Moreover, these proposed changes in the law were part of the bill as it was
32 debated in the Judiciary Committees of the House and Senate, which held
33 hearings that totaled more than twelve hours and took testimony from a wide
34 array of experts.

35
36 Unfortunately, an amendment to this bill was introduced and adopted on second
37 reading in the second chamber of the General Assembly on Friday, May, 7,
38 2010, after the last of the public hearings on the bill had been concluded. The
39 amendment, as modified in a conference committee report adopted on the last
40 day of the legislative session, provides:

- 41
42 • Each offender entering treatment on or after July 1, 2010, shall be given
43 a choice by his or her supervising agency of at least three appropriate
44 approved providers where available, unless the supervising agency
45 documents in writing that, based on the nature of the program offered
46 and the needs of the offender, fewer than three providers can meet the
47 specific treatment needs of the offender and ensure the safety of the
48 public.

49
50 *See* House Bill 10-1364 at p. 12, § 5 (C.R.S. § 16-11.7-105(1)).

51
52 Proponents of the amendment argue that the amendment is critical to improving
53 offender-treatment matching, which is a key element to an offender’s success
54 in treatment. Proponents further argue that the amendment does not give a
55 sexual offender free reign to choose his or her treatment provider, but instead
56 only allows an offender to choose an appropriate provider from a list of three

1 providers, each of whom have been certified and approved by the SOMB.

2
3 Opponents argue that this amendment does not provide adequate safeguards to
4 ensure that an offender knows which treatment provider would be most
5 effective, thereby circumventing an appropriate treatment plan. Opponents
6 further argue that the approach embodied in this amendment fails to recognize
7 that the supervising authority, be it probation or parole officer, often have far
8 greater experience in determining the appropriate treatment provider.

9
10 The SOMB Standards are designed to establish a basis for the systematic
11 management and treatment of adult sex offenders. The legislative mandate of
12 the SOMB and the primary goals of the Standards are to improve community
13 safety and protect victims. The language of the amendment discussed above
14 does not, in my view, adequately provide for the systematic treatment of
15 offenders. In fact, allowing offenders to choose from a list of three providers
16 potentially degrades systematic management and treatment, based on specific
17 evaluation tools and accepted practices.

18
19 Furthermore, while this amendment appears to be aimed at striking a balance
20 between public safety and the legitimate interest in increasing the likelihood of
21 success in treatment by improving treatment matching for offenders, this
22 proposal was not included in the sunset review report for the SOMB, nor was
23 it thoroughly vetted during the legislative process, a process that includes an
24 opportunity for lawmakers to hear from experts in the field. On an issue that
25 is this critical to public safety and the overall success of the sex offender
26 treatment program, this failure of adequate vetting and thorough debate
27 constitutes a fatal flaw with the bill.

28
29 For these reasons, I am vetoing House Bill 10-1364.

30
31 Finally, it is important to note that my veto of House Bill 10-1364 will not bring
32 the SOMB to an end on July 1, 2010. Instead, pursuant to C.R.S. § 24-34-
33 104(5), the SOMB will continue to function with full authority through July 1,
34 2011, giving the General Assembly adequate time during next legislative
35 session to reauthorize the board. I will direct my office, the Colorado Criminal
36 Justice Commission, the Sex Offender Management Board, and the impacted
37 executive agencies to work with the members of the General Assembly to
38 prepare a bill that can be introduced on the first day of the 2011 legislative
39 session. The early introduction of such a bill will permit an adequate
40 opportunity for a thorough debate on all aspects of this critical legislation.

41
42 Sincerely,
43 (signed)
44 Bill Ritter, Jr.
45 Governor

46
47
48
49

50 I certify I received the following on the 27th day of May, 2010, at
51 9:25 a.m. The original is on file in the records of the House of
52 Representatives of the General Assembly.

53
54
55
56

Marilyn Eddins,
Chief Clerk of the House

1 May 21, 2010

2

3 To the Honorable House of Representatives

4 Sixty-seventh General Assembly

5 Second Regular Session

6 State Capitol

7 Denver, CO 80203

8

9 Ladies and Gentlemen:

10

11 I have the honor to inform you that I have approved and filed with the
12 Secretary of State the following Acts:

13

14 **HB10-1113** CONCERNING THE MODIFICATION OF AGENCIES THAT
15 PERFORM OVERSIGHT OF THE COMMERCIAL VEHICLE
16 INDUSTRY THROUGH A TRANSFER OF THE MOTOR
17 CARRIER SAFETY ASSISTANCE PROGRAM OF THE PORTS
18 OF ENTRY SECTION IN THE DEPARTMENT OF REVENUE TO
19 THE COLORADO STATE PATROL IN THE DEPARTMENT OF
20 PUBLIC SAFETY, AND MAKING AN APPROPRIATION IN
21 CONNECTION THEREWITH.

22

23 Approved May 21, 2010 at 3:58 p.m.

24

25 **HB10-1205** CONCERNING LAND USE PLANNING BY LOCAL
26 GOVERNMENTS TO ADDRESS THE IMPACTS OF LAND USE
27 DEVELOPMENT UPON MILITARY INSTALLATIONS IN
28 CLOSE PROXIMITY TO SUCH GOVERNMENTS.

29

30 Approved May 21, 2010 at 1:43 p.m.

31 **HB10-1345** CONCERNING THE GRANTING OF EMERGENCY POWERS
32 DURING EMERGENCY SITUATIONS AT CHARTER
33 SCHOOLS.

34

35 Approved May 21, 2010 at 3:59 p.m.

36

37 **HB10-1369** CONCERNING THE FINANCING OF PUBLIC SCHOOLS, AND
38 MAKING AN APPROPRIATION THEREFOR.

39

40 Approved May 21, 2010 at 4:00 p.m.

41

42 **HB10-1394** CONCERNING THE COMMERCIAL LIABILITY INSURANCE
43 POLICIES ISSUED TO CONSTRUCTION PROFESSIONALS.

44

45 Approved May 21, 2010 at 4:12 p.m.

46

47 **HB10-1412** CONCERNING THE CREATION OF THE CHARTER SCHOOL
48 AND CHARTER AUTHORIZER STANDARDS REVIEW
49 COMMITTEE.

50

51 Approved May 21, 2010 at 4:01 p.m.

52

53 Sincerely,

54 (signed)

55 Bill Ritter, Jr.

56 Governor

1 May 25, 2010

2

3 To the Honorable House of Representatives

4 Sixty-seventh General Assembly

5 Second Regular Session

6 State Capitol

7 Denver, CO 80203

8

9 Ladies and Gentlemen:

10

11 I have the honor to inform you that I have approved and filed with the
12 Secretary of State the following Acts:

13

14 **HB10-1081** CONCERNING MONEY LAUNDERING, AND MAKING AN
15 APPROPRIATION THEREFOR.

16

17 Approved May 25, 2010 at 2:00 p.m.

18

19 **HB10-1274** CONCERNING SUCCESSFUL TRANSITIONS BACK TO THE
20 PUBLIC SCHOOL SYSTEM FOR STUDENTS IN OUT-OF-
21 HOME PLACEMENT WHO HAVE DEMONSTRATED
22 BEHAVIOR THAT IS DETRIMENTAL TO THE SAFETY OR
23 WELFARE OF THEMSELVES OF OTHERS DURING THE
24 PREVIOUS TWELVE MONTHS.

25

26 Approved May 25, 2010 at 3:45 p.m.

27

28 **HB10-1277** CONCERNING AN EXTENSION OF THE PROHIBITION
29 AGAINST SEXUAL CONDUCT IN CORRECTIONAL
30 INSTITUTIONS, AND MAKING AN APPROPRIATION
31 THEREFOR.

32

33 Approved May 25, 2010 at 2:07 p.m.

34

35 **HB10-1338** CONCERNING THE ELIGIBILITY FOR PROBATION OF A
36 PERSON WHO HAS TWO OR MORE FELONY CONVICTIONS,
37 AND MAKING APPROPRIATIONS IN CONNECTION
38 THEREWITH.

39

40 Approved May 25, 2010 at 2:02 p.m.

41

42 **HB10-1347** CONCERNING MISDEMEANOR PENALTIES FOR PERSONS
43 WHO ARE CONVICTED OF MULTIPLE TRAFFIC OFFENSES
44 INVOLVING ALCOHOL OR DRUGS, AND MAKING AN
45 APPROPRIATION THEREFOR.

46

47 Approved May 25, 2010 at 2:03 p.m.

48

49 **HB10-1351** CONCERNING THE MAXIMUM AUTHORIZED INTEREST
50 RATE FOR A PAYDAY LOAN.

51

52 Approved May 25, 2010 at 3:16 p.m.

53

54

55

- 1 **HB10-1352** CONCERNING CHANGES TO CRIMES INVOLVING
2 CONTROLLED SUBSTANCES, AND MAKING AN
3 APPROPRIATION IN CONNECTION THEREWITH.
4
5 Approved May 25, 2010 at 2:04 p.m.
6
7 **HB10-1360** CONCERNING CHANGES TO CERTAIN PAROLE-RELATED
8 STATUTES TO REDUCE THE NUMBER OF PAROLEES WHO
9 RETURN TO THE DEPARTMENT OF CORRECTIONS, AND
10 MAKING AN APPROPRIATION IN CONNECTION
11 THEREWITH.
12
13 Approved May 25, 2010 at 2:07 p.m.
14
15 **HB10-1370** CONCERNING CERTAIN DISCLOSURE REQUIREMENTS
16 THAT APPLY TO STATEWIDE BALLOT MEASURES.
17
18 Approved May 25, 2010 at 3:35 p.m.
19
20 **HB10-1373** CONCERNING CHANGES TO SENTENCING PROVISIONS
21 FOR ESCAPE CRIMES.
22
23 Approved May 25, 2010 at 2:05 p.m.
24
25 **HB10-1374** CONCERNING PAROLE, AND MAKING AN APPROPRIATION
26 IN CONNECTION THEREWITH.
27
28 Approved May 25, 2010 at 2:06 p.m.
29
30 **HB10-1402** CONCERNING LEGISLATIVE AUTHORIZATION OF A
31 PRIVATELY RUN FUND-RAISING CAMPAIGN USING
32 CAUSE-RELATED MARKETING FOR THE ESSENTIAL
33 RESTORATION OF THE CAST IRON STRUCTURE OF THE
34 COLORADO STATE CAPITOL DOME.
35
36 Approved May 25, 2010 at 12:13 p.m.
37
38 **HB10-1413** CONCERNING JUVENILES WHO ARE TRIED AS ADULTS,
39 AND MAKING AN APPROPRIATION IN CONNECTION
40 THEREWITH.
41
42 Approved May 25, 2010 at 2:09 p.m.
43
44 **HB10-1417** CONCERNING THE CREATION OF THE PAY EQUITY
45 COMMISSION WITHIN THE DEPARTMENT OF LABOR AND
46 EMPLOYMENT.
47
48 Approved May 25, 2010 at 3:15 p.m.
49

50 Sincerely,
51 (signed)
52 Bill Ritter, Jr.
53 Governor

54
55
56

1 May 26, 2010

2

3 To the Honorable House of Representatives

4 Sixty-seventh General Assembly

5 Second Regular Session

6 State Capitol

7 Denver, CO 80203

8

9 Ladies and Gentlemen:

10

11 I have the honor to inform you that I have approved and filed with the
12 Secretary of State the following Acts:

13

14 **HB10-1009** CONCERNING THE BOARD OF DIRECTORS OF PINNACOL
15 ASSURANCE.

16

17 Approved May 26, 2010 at 9:16 a.m.

18

19 **HB10-1021** CONCERNING REQUIRED COVERAGES FOR
20 REPRODUCTIVE SERVICES FOR HEALTH INSURANCE
21 POLICIES.

22

23 Approved May 26, 2010 at 2:02 p.m.

24

25 **HB10-1027** CONCERNING THE REQUIREMENT FOR A CERTAIN LIFE
26 EXPECTANCY PROGNOSIS FOR PERSONS RECEIVING
27 HOSPICE CARE THROUGH MEDICAID, AND MAKING AN
28 APPROPRIATION THEREFOR.

29

30 Approved May 26, 2010 at 9:17 a.m.

31

32 **HB10-1038** CONCERNING A BROCHURE TO DESCRIBE THE PROCESS
33 FOR WORKERS' COMPENSATION CLAIMS, AND MAKING
34 ADJUSTMENTS TO APPROPRIATIONS IN CONNECTION
35 THEREWITH.

36

37 Approved May 26, 2010 at 9:19 a.m.

38

39 **HB10-1053** CONCERNING COMMUNITY LONG-TERM CARE SAVINGS,
40 AND MAKING AN APPROPRIATION THEREFOR.

41

42 Approved May 26, 2010 at 9:20 a.m.

43

44 **HB10-1060** CONCERNING THE CREATION OF A PENALTY FOR THE
45 FAILURE TO COMPLY WITH SEVERANCE TAX
46 WITHHOLDING REQUIREMENTS.

47

48 Approved May 26, 2010 at 9:21 a.m.

49

50 **HB10-1106** CONCERNING BRINING CERTAIN STATUTORY PROVISIONS
51 CONCERNING CHILD WELFARE INTO COMPLIANCE WITH
52 FEDERAL LAW, AND MAKING AN APPROPRIATION
53 THEREFOR.

54

55 Approved May 26, 2010 at 9:23 a.m.

56

- 1 **HB10-1122** CONCERNING MEDICAL ORDERS DETERMINING THE
2 SCOPE OF TREATMENT AN ADULT WISHES TO RECEIVE
3 UNDER CERTAIN CIRCUMSTANCES.
4
5 Approved May 26, 2010 at 9:24 a.m.
6
- 7 **HB10-1141** CONCERNING A REQUIREMENT FOR MORTGAGE
8 COMPANIES TO BE REGISTERED BY THE DIVISION OF
9 REAL ESTATE, AND MAKING AN APPROPRIATION
10 THEREFOR.
11
12 Approved May 26, 2010 at 9:25 a.m.
13
- 14 **HB10-1146** CONCERNING CERTAIN STATE-FUNDED, COMMUNITY-
15 BASED, LONG-TERM CARE ASSISTANCE PROVIDED TO
16 RECIPIENTS OF CERTAIN PUBLIC BENEFIT PROGRAMS,
17 AND MAKING AN APPROPRIATION THEREFOR.
18
19 Approved May 26, 2010 at 9:26 a.m.
20
- 21 **HB10-1149** CONCERNING THE REGULATION PRIOR TO DISPOSAL OF
22 SOURCES THAT EMIT RADIATION.
23
24 Approved May 26, 2010 at 9:27 a.m.
25
- 26 **HB10-1160** CONCERNING THE ABILITY OF HEALTH INSURANCE
27 CARRIERS TO OFFER INCENTIVES FOR PARTICIPATION IN
28 WELLNESS PROGRAMS BASED ON SATISFACTION OF A
29 STANDARD RELATED TO A HEALTH RISK FACTOR.
30
31 Approved May 26, 2010 at 9:28 a.m.
32
- 33 **HB10-1228** CONCERNING THE RESPONSIBILITY OF THE STATE
34 PERSONNEL DIRECTOR TO REMOVE INELIGIBLE
35 DEPENDENTS FROM GROUP BENEFIT PLANS, AND
36 MAKING AN APPROPRIATION THEREFOR.
37
38 Approved May 26, 2010 at 2:03 p.m.
39
- 40 **HB10-1264** CONCERNING THE ESTABLISHMENT OF AN INCENTIVE
41 PROCESS WHEREBY STATE EMPLOYEES CAN SUBMIT
42 SUGGESTIONS FOR STATE AGENCY IMPROVEMENTS THAT
43 RESULT IN COST SAVINGS.
44
45 Approved May 26, 2010 at 9:31 a.m.
46
- 47 **HB10-1330** CONCERNING THE CREATION OF AN ADVISORY
48 COMMITTEE TO MAKE RECOMMENDATIONS REGARDING
49 THE CREATION OF A COLORADO ALL-PAYER HEALTH
50 CLAIMS DATABASE FOR THE PURPOSE OF TRANSPARENT
51 PUBLIC REPORTING OF HEALTH CARE INFORMATION.
52
53 Approved May 26, 2010 at 2:05 p.m.
54
55

1 **HB10-1332** CONCERNING THE CREATION OF THE "MEDICAL CLEAN
2 CLAIMS TRANSPARENCY AND UNIFORMITY ACT".
3

4 Approved May 26, 2010 at 2:06 p.m.
5

6 **HB10-1341** CONCERNING THE TRANSFER OF MONEYS FROM THE
7 MOTORIST INSURANCE IDENTIFICATION ACCOUNT IN THE
8 HIGHWAY USERS TAX FUND TO THE COLORADO STATE
9 TITLING AND REGISTRATION ACCOUNT IN THE HIGHWAY
10 USERS TAX FUND.
11

12 Approved May 26, 2010 at 9:32 a.m.
13

14 **HB10-1392** CONCERNING THE MEMBERSHIP OF THE GOVERNMENT
15 DATA ADVISORY BOARD.
16

17 Approved May 26, 2010 at 9:32 a.m.
18

19 Sincerely,
20 (signed)
21 Bill Ritter, Jr.
22 Governor
23

24
25
26 I certify I received the following on the 1st day of June, 2010, at
27 1:55 p.m. The original is on file in the records of the House of
28 Representatives of the General Assembly.
29

30 Marilyn Eddins,
31 Chief Clerk of the House
32

33 May 27, 2010
34

35 To the Honorable House of Representatives
36 Sixty-seventh General Assembly
37 Second Regular Session
38 State Capitol
39 Denver, CO 80203
40

41 Ladies and Gentlemen:
42

43 I have the honor to inform you that I have approved and filed with the
44 Secretary of State the following Acts:
45

46 **HB10-1032** CONCERNING BEHAVIORAL HEALTH CRISIS RESPONSE
47 SERVICES.
48

49 Approved May 27, 2010 at 11:26 a.m.
50

51 **HB10-1045** CONCERNING THE ADDRESS OF A PERSON ON FILE WITH
52 SPECIFIED STATE AGENCIES, AND MAKING AN
53 APPROPRIATION THEREFOR.
54

55 Approved May 27, 2010 at 11:26 a.m.
56

- 1 **HB10-1099** CONCERNING AUTHORIZATION TO CONSUME AN
2 ALCOHOL BEVERAGE PURCHASED AT THE COLORADO
3 STATE FAIR AT ANY LOCATION ON THE FAIRGROUNDS
4 LICENSED FOR CONSUMPTION.
5
6 Approved May 27, 2010 at 11:26 a.m.
7
- 8 **HB10-1131** CONCERNING MEASURES THAT IMPROVE COLORADO
9 YOUTHS' KNOWLEDGE OF THE ENVIRONMENT, AND, IN
10 CONNECTION THEREWITH, CREATING THE COLORADO
11 KIDS OUTDOORS GRANT PROGRAM.
12
13 Approved May 27, 2010 at 3:42 p.m.
14
- 15 **HB10-1161** CONCERNING THE CREATION OF A LIVERY LICENSE
16 PLATE FOR CERTAIN MOTOR VEHICLES USED TO
17 TRANSPORT PEOPLE FOR HIRE, AND MAKING AN
18 APPROPRIATION THEREFOR.
19
20 Approved May 27, 2010 at 11:27 a.m.
21
- 22 **HB10-1172** CONCERNING THE REGISTRATION OF MOBILE
23 MACHINERY IN ORDER TO PAY SPECIFIC OWNERSHIP
24 TAX, AND MAKING AN APPROPRIATION THEREFOR.
25
26 Approved May 27, 2010 at 11:28 a.m.
27
- 28 **HB10-1200** CONCERNING A TEMPORARY REQUIREMENT THAT A
29 TAXPAYER DEFER CLAIMING ANY AMOUNT OF AN
30 ENTERPRISE ZONE INVESTMENT INCOME TAX CREDIT
31 THAT EXCEEDS FIVE HUNDRED THOUSAND DOLLARS.
32
33 Approved May 27, 2010 at 11:28 a.m.
34
- 35 **HB10-1209** CONCERNING AUTHORIZATION TO PLACE VOLUNTARILY
36 AN IDENTIFIER OF A BRANCH OF THE UNITED STATES
37 ARMED FORCES ON CERTAIN IDENTIFICATION
38 DOCUMENTS ISSUED BY THE DEPARTMENT OF REVENUE,
39 AND MAKING AN APPROPRIATION THEREFOR.
40
41 Approved May 27, 2010 at 11:29 a.m.
42
- 43 **HB10-1211** CONCERNING A REDUCTION IN THE AMOUNT OF THE
44 PENALTY FOR LATE VEHICLE REGISTRATION OF A
45 VEHICLE WITHOUT MOTIVE POWER THAT WEIGHS TWO
46 THOUSAND POUNDS OR LESS.
47
48 Approved May 27, 2010 at 11:30 a.m.
49
- 50 **HB10-1271** CONCERNING THE REGISTRATION DATE FOR ELIGIBILITY
51 OF A PERSON SEEKING TO BE PLACED IN NOMINATION AS
52 A CANDIDATE FOR A PARTISAN OFFICE.
53
54 Approved May 27, 2010 at 11:30 a.m.
55
56

1 **HB10-1291** CONCERNING THE ELIMINATION OF CERTAIN WITNESS
2 FEES, AND MAKING AN APPROPRIATION THEREFOR.
3

4 Approved May 27, 2010 at 11:31 a.m.
5

6 **HB10-1335** CONCERNING THE AUTHORIZATION OF BOARDS OF
7 COOPERATIVE SERVICES AS SCHOOL FOOD
8 AUTHORITIES, AND, IN CONNECTION THEREWITH,
9 CREATING THE BOCES HEALTHY FOOD GRANT PROGRAM.
10

11 Approved May 27, 2010 at 11:32 a.m.
12

13 **HB10-1375** CONCERNING THE NECESSARY AUTHORITY FOR
14 METROPOLITAN STATE COLLEGE OF DENVER TO ACCESS
15 FAVORABLE FINANCING.
16

17 Approved May 27, 2010 at 11:32 a.m.
18

19 **HB10-1386** CONCERNING THE AMOUNTS OF FILING FEES CHARGED
20 BY THE PROPERTY TAX ADMINISTRATOR FOR PURPOSES
21 OF EXEMPTION OF PROPERTY FROM GENERAL TAXATION,
22 AND MAKING AN APPROPRIATION THEREFOR.
23

24 Approved May 27, 2010 at 11:33 a.m.
25

26 **HB10-1393** CONCERNING THE INFORMATION INCLUDED IN THE WEB-
27 BASED SYSTEM THAT PROVIDES THE PUBLIC ACCESS TO
28 STATE FINANCIAL INFORMATION.
29

30 Approved May 27, 2010 at 11:33 a.m.
31

32 **HB10-1399** CONCERNING THE AUTHORITY OF THE COLORADO
33 BUREAU OF INVESTIGATION TO ASSIST A CHIEF OF A FIRE
34 DEPARTMENT IN THE INVESTIGATION OF A FIRE RELATED
35 TO THE CRIME OF ARSON.
36

37 Approved May 27, 2010 at 3:40 p.m.
38

39 **HB10-1425** CONCERNING THE EXEMPTION FROM THE
40 POSTRETIREMENT EMPLOYMENT LIMIT FOR CERTAIN
41 EMPLOYEES OF THE DENVER PUBLIC SCHOOL DISTRICT
42 WHO ARE RETIREES OF THE PUBLIC EMPLOYEES'
43 RETIREMENT ASSOCIATION.
44

45 Approved May 27, 2010 at 11:34 a.m.
46

47 Sincerely,
48 (signed)
49 Bill Ritter, Jr.
50 Governor
51
52
53
54
55

1 I certify I received the following on the 8th day of June, 2010, at
2 1:05 p.m. The original is on file in the records of the House of
3 Representatives of the General Assembly.

4

5

Marilyn Eddins,
Chief Clerk of the House

6

7 June 3, 2010

8

9 To the Honorable House of Representatives
10 Sixty-seventh General Assembly
11 Second Regular Session
12 State Capitol
13 Denver, CO 80203

14

15 Ladies and Gentlemen:

16

17 I have the honor to inform you that I have approved and filed with the
18 Secretary of State the following Act:

19

20 **HB10-1035** CONCERNING ELIGIBILITY DETERMINATIONS FOR THE
21 COLORADO CHILD CARE ASSISTANCE PROGRAM TO
22 PROMOTE STABILITY IN EARLY CHILDHOOD CARE, AND
23 MAKING AN APPROPRIATION THEREFOR.

24

25 Approved June 3, 2010 at 11:01 a.m.

26

27 Sincerely,

28 (signed)

29 Barbara O'Brien

30 Lieutenant Governor

31

32

33

34 June 5, 2010

35

36 To the Honorable House of Representatives
37 Sixty-seventh General Assembly
38 Second Regular Session
39 State Capitol
40 Denver, CO 80203

41

42 Ladies and Gentlemen:

43

44 I have the honor to inform you that I have approved and filed with the
45 Secretary of State the following Acts:

46

47 **HB10-1119** CONCERNING THE PROCESS BY WHICH THE STATE
48 ANNUALLY ALLOCATES MONEYS FOR ITS BUDGET AND,
49 IN CONNECTION THEREWITH, ANTICIPATING THE RECEIPT
50 OF FEDERAL FUNDS TO BE USED THEREFOR.

51

52 Approved June 5, 2010 at 10:32 a.m.

53

54

55

1 **HB10-1336** CONCERNING EXPENDITURES TO BE MADE BY THE
2 DEPARTMENT OF PUBLIC SAFETY, AND MAKING AN
3 APPROPRIATION THEREFOR.
4

5 Approved June 5, 2010 at 10:43 a.m.
6
7

8 **HB10-1342** CONCERNING MEASURES TO ENCOURAGE ADDITIONAL
9 INVESTMENTS IN SOLAR ENERGY GENERATION
10 FACILITIES, AND, IN CONNECTION THEREWITH,
11 AUTHORIZING THE CREATION OF COMMUNITY SOLAR
12 GARDENS.
13

14 Approved June 5, 2010 at 12:38 p.m.
15
16

17 **HB10-1414** CONCERNING THE REQUIREMENT THAT A HEALTH CARE
18 FACILITY REPORT INFORMATION IDENTIFYING ANY
19 INDIVIDUAL RESPONSIBLE FOR THE DIVERSION OF
20 INJECTABLE DRUGS THAT WERE INTENDED FOR USE BY
21 PATIENTS OF THE FACILITY.
22

23 Approved June 5, 2010 at 10:28 a.m.
24
25

26 **HB10-1415** CONCERNING THE REGISTRATION OF PERSONS WHO
27 ASSIST SURGEONS, AND MAKING AN APPROPRIATION
28 THEREFOR.
29

30 Approved June 5, 2010 at 10:30 a.m.
31

32 Sincerely,
33 (signed)
34 Bill Ritter, Jr.
35 Governor
36
37
38
39
40

41 June 7, 2010
42

43 Honorable Colorado House of Representatives
44 67th General Assembly
45 Second Regular Session
46 State Capitol
47 Denver, CO 80203
48

49 Ladies and Gentlemen,
50

51 I am filing with the Secretary of State House Bill 10-1281, "Concerning the
52 deregulation of telecommunications service in areas where sufficient market
53 competition exists, and making an appropriation therefor." I vetoed this bill as
54 of 9:51 a.m., and this letter sets forth my reasons for doing so.
55

1 House Bill 10-1281 would permanently exempt interconnected voice-over-
2 internet-protocol, commonly known as VoIP, from regulation by the Colorado
3 Public Utilities Commission ("PUC"). VoIP is a relatively recent innovation
4 that allows consumers to place calls through a broadband internet connection
5 instead of through telephone lines. As a nascent technology, VoIP has had little
6 regulation, either in Colorado or at the federal level, in order to allow VoIP to
7 develop into a competitive alternative to traditional phone lines. Today, VoIP
8 is flourishing. Companies like Comcast have turned VoIP into a viable and
9 growing alternative to landlines, giving the consumers of Colorado a greater
10 variety of choices for voice communication.

11
12 Preemptively barring the State from regulating VoIP at this time is unwise,
13 considering activity at the federal level concerning VoIP. The Federal
14 Communications Commission ("FCC") has not yet taken a position on whether
15 VoIP is strictly an information technology or a telecommunications service, but
16 the FCC is currently in the process of studying the technology to determine if
17 greater regulation is prudent. The implications of the classification are wide-
18 ranging and will determine what kinds of regulations are warranted for VoIP.
19 While I am taking no position on whether VoIP is a telecommunication service
20 or about the manner in which it should be regulated, if at all, it is important to
21 permit the FCC the time to make its decisions concerning VoIP. Further, acting
22 without any standards will result in a disparate patchwork of different laws
23 across the country regulating the service, resulting in confusion for both the
24 industry and its consumers. As a result, it is premature for Colorado to enact
25 the blanket exemption for VoIP contained in House Bill 10-1281.

26
27 While allowing the federal government to take some time is important,
28 Colorado is headed for a future where VoIP may be the predominant form of
29 basic telephone service. Indeed, CenturyLink, the anticipated parent company
30 of Colorado's Qwest, recently announced the completion of the first phase of
31 integrating VoIP with its traditional landlines into one network. This first phase
32 took a mere four months to complete. Comcast's VoIP service already has a
33 large consumer base in the State. As this progression from landlines to VoIP
34 occurs, Colorado cannot be left without the power to regulate such an important
35 technology. Should the need arise, regardless of movement at the federal level,
36 the PUC must have the latitude and authority to regulate the price, quality of
37 service, and availability of VoIP in order to prevent significant harm to the
38 consumers of this State.

39
40 House Bill 10-1281 would also reclassify Qwest's local exchange service from
41 Part 2 to Part 3 in the State telecommunications regulatory framework.
42 Reclassifying Qwest's service as a Part 3 service means that it would be subject
43 to less regulation in order to more fairly compete with new technologies.
44 Pursuant to C.R.S. §§ 40-15-207, 40-15-302, and 40-15-503(2)(c), the PUC
45 already has authority to reclassify Qwest's service without a legislative change.
46 Therefore, the main purpose of this bill can still be accomplished by working
47 through the PUC, and this veto does not diminish the authority of the PUC to
48 make this change or the ability of Qwest to seek such a change.

49
50 Finally, significant changes to the regulatory framework such as those in this
51 bill need to be thoroughly vetted in public hearings either before the legislature
52 or the PUC, particularly when consumer protection is at stake. The changes in
53 this bill did not get sufficient vetting because of the late-introduction of
54 significant amendments. Indeed, this bill was overhauled by a strike-below
55 amendment in Senate Business, Labor and Technology Committee in the
56 closing days of the legislative session. This shortcoming in the process

1 surrounding this bill only serves to amplify my policy concerns with House
2 Bill 10-1281.

3
4 Accordingly, I have vetoed this bill.

5
6 Sincerely,
7 (signed)
8 Bill Ritter, Jr.
9 Governor

10

11

12 June 7, 2010

13

14 Honorable Colorado House of Representatives
15 67th General Assembly
16 Second Regular Session
17 State Capitol
18 Denver, CO 80203

19

20 Ladies and Gentlemen,

21

22 I am filing with the Secretary of State House Bill 10-1287, "Concerning the use
23 of a state-owned motor vehicle for commuting purposes." I vetoed this bill as
24 of 11:28 a.m. today, and this letter sets forth my reasons for doing so.

25

26 The purpose of this bill is to increase oversight of the use of state-owned
27 vehicles and to realize savings by restricting the circumstances under which
28 these vehicles can be used to commute to work. Although the intent of this bill
29 is commendable, particularly in light of the State's budgetary circumstances, the
30 savings do not justify the harm it would cause to public health, safety, and
31 welfare.

32

33 House Bill 10-1287 would prohibit an employee from using a state vehicle for
34 commuting unless the Department of Personnel and Administration ("DPA")
35 authorizes such use based on certain criteria set forth in the bill. Employees
36 who receive authorization would be required to reimburse the state for miles
37 used commuting to and from work according to a specified formula. Only
38 employees who drive a clearly marked police or fire vehicle or other "qualified
39 nonpersonal use vehicles" as defined by federal law are exempt from the
40 reimbursement requirement. However, these employees are not exempt from
41 the reimbursement requirement if more than fifty percent of the miles traveled
42 in the vehicle are for commuting to and from work unless the employee is a
43 member of the state patrol. Under the federal tax code, if there is a joint benefit
44 to an employee and the State from using a state-owned vehicle for commuting,
45 then income is imputed to the employee and he or she has to pay taxes on that
46 imputed income. This bill, however, would require all employees who are not
47 exempt from the bill's reimbursement requirements to reimburse the state at a
48 substantially higher rate than the amount that is required by the federal tax code.
49 In order to protect the health and safety of the citizens of Colorado, the State
50 has numerous employees who must be available at all times to respond to a
51 variety of emergency situations. These on-call employees include law
52 enforcement officers, Colorado Bureau of Investigation agents, certain
53 Department of Corrections employees, and Colorado Department of
54 Transportation ("CDOT") construction and maintenance first responders, to
55 name but a few. In order to perform their jobs, these employees frequently need
56 to use state-owned vehicles that have been specially equipped.

1 For example, CBI agents need the equipment that is in their state-owned vehicle
2 to secure and investigate a crime scene as quickly as possible so that the scene
3 does not grow stale or become compromised. This need can arise any time of
4 the day or night. Based on this need, CBI agents are currently required to use
5 state-owned vehicles to commute to and from work so that they can drive a
6 fully equipped vehicle in order to respond quickly to an emergency directly
7 from home. If this bill were to become law, the Department of Public Safety
8 (“DPS”) would be left with the choice of discontinuing the practice of providing
9 a state-owned vehicle to these on-call employees—at a cost to public safety—or
10 continuing the practice and imposing a financial burden on state employees.

11
12 Moreover, many of these on-call state employees are responsible for large
13 swaths of rural Colorado. When these employees are required to respond to an
14 emergency, it is counterproductive and in many cases dangerous to require them
15 to drive many miles to their work station, possibly in the opposite direction
16 from the emergency, in order to get into a state-owned vehicle prior to
17 responding. Time is of the essence when responding to emergencies, and the
18 cost savings realized by this bill do not justify the public safety risks associated
19 with delayed response times.

20
21 In short, the category of employees who are exempt from the reimbursement
22 requirement is too narrow. Under this bill, a large number of state employees
23 who are required to use a state-owned vehicle as an essential tool for
24 performing their jobs would be financially penalized. As a result of imposing
25 this financial burden, it would be harder to hire and retain employees in these
26 positions that are vital to the health and safety of the public.

27
28 Vetoing this bill does not prevent DPA or other agency heads from continually
29 reviewing the use of state vehicles for commuting purposes and modifying the
30 program in a measured way. But this bill, however well-intentioned, sweeps
31 too broadly and at too great a cost to public safety and the efficient delivery of
32 essential state services.

33
34 Accordingly, I have vetoed this bill.

35
36 Sincerely,
37 (signed)
38 Bill Ritter, Jr.
39 Governor

40
41
42 June 7, 2010

43
44 Honorable Colorado House of Representatives
45 67th General Assembly
46 Second Regular Session
47 State Capitol
48 Denver, CO 80203

49
50 Ladies and Gentlemen,

51
52 I am filing with the Secretary of State House Bill 10-1409, “Concerning the
53 process by which annual salary increases may be awarded to employees in the
54 state personnel system based on performance, job core competencies, and years
55 of service.” I vetoed this bill as of 9:48 a.m., and this letter sets forth my
56 reasons for doing so.

1 The pay progression system for state employees is broken. For evidence of this,
2 we need look no further than salary distribution within pay ranges for state
3 employees. Instead of employee salaries being evenly distributed through the
4 range or clustered towards the center of the range, there is salary compression
5 at the top, generally for those with many years of service, and at the bottom of
6 the range, typically for those hired within about the last decade. Only a few
7 employees fall in the middle of the range. Employees are reliant on the pay-for-
8 performance system, which has been rarely funded since 2001, and then only
9 sparsely. As a result, under the pay-for performance system, employees barely
10 moved within the range for this past decade. Since recently hired employees are
11 typically paid at the entry level, they are left clustered at the bottom of their
12 respective pay ranges. Although these defects in the compensation structure
13 need to be remedied, this bill is not the right solution.

14
15 House Bill 10-1409 would require the State Personnel Director to develop
16 twelve annual pay increments within each pay range in the state personnel
17 system, leading from the bottom to the top of the respective range. It would
18 also direct the development of corresponding core competencies that an
19 employee would need to exhibit in order to advance to the next pay increment.
20 The bill further requires that, beginning with the 2011-12 fiscal year, each
21 executive agency must include in its annual budget request funding for these
22 pay advancements. These funding requests would be required regardless of the
23 State's budgetary constraints.

24
25 Although many of the goals of this bill are laudable and its provisions were
26 intended to address a significant problem, the bill itself falls short. First, it is
27 not clear that the best way to solve the pay-compression problem is to return to
28 a rigid step-system with twelve incremental steps in each job classification.
29 This approach is inconsistent with best practices for employee compensation in
30 both the public and private sectors. Second, requiring the executive department
31 to include a request for funding this program regardless of the State's budgetary
32 circumstances is imprudent and inflexible.

33
34 If this economic downturn has taught us anything, it is that budgetary flexibility
35 is necessary in order to meet the challenges we face in difficult economic
36 times. It is unwise to put another portion of the state budget on automatic pilot.
37 I fully acknowledge that state employees, along with employees in other sectors,
38 have sacrificed during this current economic downturn. However, removing
39 one of the options for meeting a budget shortfall will only serve to push the
40 burden of balancing the state budget onto a narrower base, likely resulting in
41 deeper cuts to education and safety-net services. The executive branch needs
42 to retain budgetary flexibility as we recover from this downturn and have every
43 tool at its disposal the next time the State faces difficult economic times. For
44 these reasons, I am vetoing House Bill 10-1409.

45
46 Although I am vetoing this bill, I am directing the Department of Personnel and
47 Administration ("DPA") to develop a plan for addressing the myriad problems
48 with pay progression for State employees. In developing the proposal, the
49 Department will work with the Office of State Budgeting and Planning (OSPB),
50 other state agencies and other stakeholders, including our partner employee
51 organizations, to ensure that wide-ranging feedback is considered. The pay plan
52 will be for state employees in the classified system and include a design for
53 systematic salary increases within pay ranges for each job classification in the
54 State personnel system. The plan will consider how to utilize merit, core
55 competencies and other factors to design a new system of performance-based

1 salary increases in a manner that is consistent with best practices in human
2 resources management. The plan must also be one that we as a state can afford.

3
4 The plan will assume that Colorado State employees receive no more than the
5 net increase each year as allowed under Salary Survey. We will incorporate
6 into the plan the concept that a percentage of the total Salary Survey will be
7 specifically allocated to a performance-based incremental salary increase, with
8 the balance being allocated in the traditional Salary Survey methodology.
9 Doing so will support a performance-based system that can be funded within
10 available resources, and will also prevent state employees from experiencing
11 survey-required downward adjustments in the year following an increase.

12
13 I will submit the plan and new total salary structure to the General Assembly as
14 a component of my November 1, 2010 FY 2011-12 Budget Request. At that
15 time, I may or may not request that such structure receive funding in FY 2011-
16 12, but I will recommend that a structure be implemented so that State
17 employees are informed regarding their salary increases. Once the structure has
18 been implemented in an appropriations bill, the State Personnel Director shall
19 include the impact of the performance-based incremental salary increase in all
20 future annual compensation reports pursuant to C.R.S. § 24-50-104(4). Finally,
21 I will direct the State Personnel Director to adopt procedures by January 2011
22 to implement the approved plan.

23
24 I believe that we must address the pay progression issue in a way that is fair,
25 competitive and flexible, and which is subject to annual budgets as proposed by
26 the Governor and approved by the General Assembly. HB 1409 did not meet
27 all of these criteria; the process I am directing DPA to undertake must.

28
29 Sincerely,
30 (signed)
31 Bill Ritter, Jr.
32 Governor

33
34
35

36 I certify I received the following on the 9th day of June, 2010, at
37 2:35 p.m. The original is on file in the records of the House of
38 Representatives of the General Assembly.

39
40
41
42 June 7, 2010

Marilyn Eddins,
Chief Clerk of the House

43
44 To the Honorable House of Representatives
45 Sixty-seventh General Assembly
46 Second Regular Session
47 State Capitol
48 Denver, CO 80203

49
50 Ladies and Gentlemen:

51
52 I have the honor to inform you that I have approved and filed with the
53 Secretary of State the following Acts:

54
55 **HB10-1005** CONCERNING HOME HEALTH CARE THROUGH
56 TELEMEDICINE PURSUANT TO THE "COLORADO MEDICAL

1 ASSISTANCE ACT”, AND MAKING AN APPROPRIATION
2 THEREFOR.
3
4 Approved June 7, 2010 at 9:08 a.m.
5
6 **HB10-1033** CONCERNING THE PROVISION OF SERVICES THROUGH
7 THE MEDICAID PROGRAM THAT ARE RELATED TO
8 SUBSTANCE ABUSE, AND MAKING AN APPROPRIATION
9 THEREFOR.
10
11 Approved June 7, 2010 at 9:08 a.m.
12
13 **HB10-1051** CONCERNING ADDITIONAL INFORMATION REGARDING
14 COVERED ENTITIES’ WATER EFFICIENCY PLANS.
15
16 Approved June 7, 2010 at 4:55 p.m.
17
18 **HB10-1073** CONCERNING THE ADDITION OF A LINE TO COLORADO
19 STATE INDIVIDUAL INCOME TAX RETURN FORMS
20 WHEREBY INDIVIDUAL TAXPAYERS MAY MAKE A
21 VOLUNTARY CONTRIBUTION BENEFITING THE
22 COLORADO 2-1-1 CALL FOR HELP FUND, AND MAKING AN
23 APPROPRIATION THEREFOR.
24
25 Approved June 7, 2010 at 9:09 a.m.
26
27 **HB10-1118** CONCERNING THE REGULATION OF DISTRESSED REAL
28 PROPERTY BY A BOARD OF COUNTY COMMISSIONERS.
29
30 Approved June 7, 2010 at 9:10 a.m.
31
32 **HB10-1125** CONCERNING THE AUTHORITY OF THE DEPARTMENT OF
33 PUBLIC HEALTH AND ENVIRONMENT TO REGULATE
34 CERTAIN ACTIVITIES WITH RESPECT TO WASTE GREASE
35 DERIVED FROM FOOD PREPARATION, AND MAKING AN
36 APPROPRIATION THEREFOR.
37
38 Approved June 7, 2010 at 9:10 a.m.
39
40 **HB10-1133** CONCERNING AMENDMENTS FO THE “COLORADO
41 FORECLOSURE PROTECTION ACT”.
42
43 Approved June 7, 2010 at 9:11 a.m.
44
45 **HB10-1181** CONCERNING ADJUSTMENTS TO THE ADMINISTRATION
46 OF THE DEPARTMENT OF PERSONNEL, AND MAKING AN
47 APPROPRIATION THEREFOR.
48
49 Approved June 7, 2010 at 9:11 a.m.
50
51 **HB10-1210** CONCERNING THE REDISTRICTING PROCESS.
52
53 Approved June 7, 2010 at 9:12 a.m.
54
55 **HB10-1221** CONCERNING THE CONTINUATION OF THE LICENSING OF
56 RIVER OUTFITTERS BY THE BOARD OF PARKS AND

1 OUTDOOR RECREATION, AND, IN CONNECTION
2 THEREWITH, IMPLEMENTING THE SUNSET REVIEW
3 RECOMMENDATIONS OF THE DEPARTMENT OF
4 REGULATORY AGENCIES.
5
6 Approved June 7, 2010 at 9:13 a.m.
7
8 **HB10-1241** CONCERNING REQUIRED REGISTRATION FOR PERSONS
9 WHO WORK ON FIRE SUPPRESSION SYSTEMS, AND
10 MAKING AN APPROPRIATION THEREFOR.
11
12 Approved June 7, 2010 at 9:13 a.m.
13
14 **HB10-1250** CONCERNING THE FUNDING OF COLORADO WATER
15 CONSERVATION BOARD PROJECTS, AND MAKING
16 APPROPRIATIONS IN CONNECTION THEREWITH.
17
18 Approved June 7, 2010 at 4:59 p.m.
19
20 **HB10-1278** CONCERNING THE CREATION OF AN INFORMATION
21 OFFICER FOR MATTERS ARISING UNDER THE "COLORADO
22 COMMON INTEREST OWNERSHIP ACT", AND MAKING AN
23 APPROPRIATION THEREFOR.
24
25 Approved June 7, 2010 at 9:33 a.m.
26
27 **HB10-1284** CONCERNING REGULATION OF MEDICAL MARIJUANA,
28 AND MAKING AN APPROPRIATION THEREFOR.
29
30 Approved June 7, 2010 at 9:14 a.m.
31
32 **HB10-1293** CONCERNING THE CREATION OF A TASK FORCE TO
33 STUDY PROPERTY TAX ASSESSMENT ISSUES RELATED TO
34 THE USE OF LAND FOR AGRICULTURAL PURPOSES.
35
36 Approved June 7, 2010 at 9:16 a.m.
37
38 **HB10-1329** CONCERNING SOLID WASTE USER FEES, AND MAKING AN
39 APPROPRIATION IN CONNECTION THEREWITH.
40
41 Approved June 7, 2010 at 9:17 a.m.
42
43 **HB10-1334** CONCERNING CHANGES TO INDECENCY CRIMES.
44
45 Approved June 7, 2010 at 9:17 a.m.
46
47 **HB10-1362** CONCERNING THE INACTIVE STATUS OF A SPECIAL
48 DISTRICT.
49
50 Approved June 7, 2010 at 9:18 a.m.
51
52 **HB10-1383** CONCERNING FUNDING FOR STUDENT FINANCIAL AID
53 FOR HIGHER EDUCATION, AND MAKING AN
54 APPROPRIATION THEREFOR.
55
56 Approved June 7, 2010 at 9:19 a.m.

- 1 **HB10-1388** CONCERNING THE AUGMENTATION OF THE GENERAL
2 FUND THROUGH TRANSFERS OF CERTAIN MONEYS.
3
4 Approved June 7, 2010 at 9:19 a.m.
5
6
- 7 **HB10-1391** CONCERNING THE ELIMINATION OF THE REPEAL OF
8 CERTAIN PROVISIONS REQUIRING THAT THE COLORADO
9 BUREAU OF INVESTIGATION DENY THE TRANSFER OF A
10 FIREARM TO A PERSON IF THE BUREAU RECEIVES
11 CERTAIN INFORMATION ABOUT THE PERSON'S CRIMINAL
12 HISTORY IN RESPONSE TO A SEARCH OF A CRIMINAL
13 HISTORY RECORDS DATABASE.
14
15 Approved June 7, 2010 at 9:21 a.m.
16
17
- 18 **HB10-1395** CONCERNING INTERLOCUTORY APPEALS IN CIVIL CASES.
19
20 Approved June 7, 2010 at 9:22 a.m.
21
22
- 23 **HB10-1398** CONCERNING THE SPECIES CONSERVATION TRUST FUND,
24 AND, IN CONNECTION THEREWITH, APPROVING THE
25 SPECIES CONSERVATION ELIGIBILITY LIST.
26
27 Approved June 7, 2010 at 4:57 p.m.
28
29
- 30 **HB10-1401** CONCERNING THE MANAGEMENT OF INFORMATION
31 TECHNOLOGY IN STATE AGENCIES.
32
33 Approved June 7, 2010 at 9:39 a.m.
34
35
- 36 **HB10-1405** CONCERNING A STUDY OF THE OPTIONS FOR
37 DEVOLUTION OF STATE HIGHWAYS THAT ARE
38 COMMUTER HIGHWAYS TO LOCAL GOVERNMENTS.
39
40 Approved June 7, 2010 at 9:40 a.m.
41
42
- 43 **HB10-1408** CONCERNING STATUTORY DIRECTIONS CONCERNING
44 CONGRESSIONAL DISTRICTS.
45
46 Approved June 7, 2010 at 9:40 a.m.
47
48
- 49 **HB10-1411** CONCERNING THE PROCESS FOR RESOLVING A DENIAL OF
50 A TRANSFER OF A FIREARM WHEN THE DENIAL IS BASED
51 ON A PROSPECTIVE TRANSFEREE'S CRIMINAL RECORD,
52 WHICH CRIMINAL RECORD INCLUDES A CASE FOR WHICH
53 THERE APPEARS TO BE NO FINAL DISPOSITION.
54
55 Approved June 7, 2010 at 9:41 a.m.
56

1 **HB10-1431** CONCERNING THE METHODOLOGY USED TO VALUE
2 RENEWABLE ENERGY FACILITIES FOR PURPOSES OF
3 PROPERTY TAXATION.

4
5 Approved June 7, 2010 at 9:43 a.m.

6
7 Sincerely,
8 (signed)
9 Bill Ritter, Jr.
10 Governor

11 _____
12
13 June 8, 2010

14
15 To the Honorable House of Representatives
16 Sixty-seventh General Assembly
17 Second Regular Session
18 State Capitol
19 Denver, CO 80203

20
21 Ladies and Gentlemen:

22
23 I have the honor to inform you that I have approved and filed with the
24 Secretary of State the following Acts:

25
26 **HB10-1243** CONCERNING THE POWERS OF A SPECIAL DISTRICT THAT
27 PROVIDES TRANSPORTATION-RELATED SERVICES, AND,
28 IN CONNECTION THEREWITH, AUTHORIZING A SPECIAL
29 DISTRICT THAT PROVIDES SUCH SERVICES TO LEVY A
30 VOTER-APPROVED SALES TAX AND TO JOIN A REGIONAL
31 TRANSPORTATION AUTHORITY.

32
33 Approved June 8, 2010 at 12:02 p.m.

34
35 **HB10-1348** CONCERNING INCREASED REGULATORY AUTHORITY
36 REGARDING RADIOACTIVE MATERIALS.

37
38 Approved June 8, 2010 at 2:26 p.m.

39
40 **HB10-1349** CONCERNING THE USE OF RENEWABLE ENERGY
41 RESOURCES TO SUPPLY THE ENERGY NEEDS OF STATE
42 GOVERNMENT, AND, IN CONNECTION THEREWITH,
43 COMMISSIONING THE CREATION OF A STATEWIDE MAP
44 OF AVAILABLE RENEWABLE ENERGY GENERATION
45 AREAS ON STATE LANDS AND ESTABLISHING THE "RE-
46 ENERGIZE COLORADO" PROGRAM IN THE DIVISION OF
47 PARKS AND OUTDOOR RECREATION IN THE DEPARTMENT
48 OF NATURAL RESOURCES, AND MAKING AN
49 APPROPRIATION THEREFOR.

50
51 Approved June 8, 2010 at 12:05 p.m.

52
53 Sincerely,
54 (signed)
55 Bill Ritter, Jr.
56 Governor

1 June 9, 2010

2

3 To the Honorable House of Representatives

4 Sixty-seventh General Assembly

5 Second Regular Session

6 State Capitol

7 Denver, CO 80203

8

9 Ladies and Gentlemen:

10

11 I have the honor to inform you that I have approved and filed with the
12 Secretary of State the following Acts:

13

14 **HB10-1363** CONCERNING INCENTIVES FOR THE PRODUCTION OF
15 BIOGENIC GAS THAT WAS CREATED AS A RESULT OF
16 HUMAN INTERVENTION.

17

18 Approved June 9, 2010 at 8:05 a.m.

19

20 Sincerely,

21 (signed)

22 Bill Ritter, Jr.

23 Governor

24

25

26

27 I certify I received the following on the 11th day of June, 2010, at
28 9:51 a.m. The original is on file in the records of the House of
29 Representatives of the General Assembly.

30

31

Marilyn Eddins,
Chief Clerk of the House

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I have the honor to inform you that I have approved and filed with the
Secretary of State the following Acts:

HB10-1214 CONCERNING FINANCIAL SUPPORT FOR EFFORTS TO
REDUCE THE OVERPOPULATION OF PETS, AND, IN
CONNECTION THEREWITH, AUTHORIZE THE ISSUANCE OF
AN ADOPT A SHELTER PET LICENSE PLATE, AND MAKING
AN APPROPRIATION THEREFOR.

Approved June 9, 2010 at 11:41 a.m.

HB10-1238 CONCERNING WILDLIFE CROSSING ZONES.

Approved June 9, 2010 at 11:39 a.m.

1 **HB10-1358** CONCERNING A REQUIREMENT FOR NEW HOME
2 BUILDERS TO OFFER HOME BUYERS WATER EFFICIENCY
3 OPTIONS.
4

5 Approved June 9, 2010 at 7:37 p.m.
6

7 **HB10-1428** CONCERNING STUDENT LOANS.
8

9 Approved June 9, 2010 at 8:54 a.m.
10

11 Sincerely,
12 (signed)
13 Bill Ritter, Jr.
14 Governor
15

16
17 June 10, 2010
18

19 To the Honorable House of Representatives
20 Sixty-seventh General Assembly
21 Second Regular Session
22 State Capitol
23 Denver, CO 80203
24

25 Ladies and Gentlemen:
26

27 I have the honor to inform you that I have approved and filed with the
28 Secretary of State the following Acts:
29

30 **HB10-1013** CONCERNING THE MODIFICATION OF CERTAIN
31 PROVISIONS RELATED TO THE ADMINISTRATION OF
32 PUBLIC SCHOOLS FROM KINDERGARTEN THROUGH THE
33 TWELFTH GRADE.
34

35 Approved June 10, 2010 at 12:17 p.m.
36

37 **HB10-1018** CONCERNING INCREASED AUTHORITY TO REGULATE
38 WASTE TIRES, AND MAKING AN APPROPRIATION
39 THEREFOR..
40

41 Approved June 10, 2010 at 3:20 p.m.
42

43 **HB10-1019** CONCERNING PARKING PRIVILEGES FOR PEOPLE WITH
44 DISABILITIES, AND MAKING AN APPROPRIATION
45 THEREFOR.
46

47 Approved June 10, 2010 at 12:18 p.m.
48

49 **HB10-1022** CONCERNING THE ADMINISTRATION OF THE
50 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.
51

52 Approved June 10, 2010 at 1:34 p.m.
53

54 **HB10-1147** CONCERNING SAFER USE OF NONMOTORIZED WHEELED
55 TRANSPORTATION BY MINORS, AND, IN CONNECTION
56 THEREWITH, CODIFYING INTO LAW THE EXISTING BIKE

1 AND PEDESTRIAN POLICY DIRECTIVE OF THE
2 DEPARTMENT OF TRANSPORTATION AND REQUIRING THE
3 DEPARTMENT OF TRANSPORTATION, IN COLLABORATION
4 WITH THE DEPARTMENTS OF EDUCATION AND PUBLIC
5 SAFETY AND APPROPRIATE NONPROFIT ORGANIZATIONS
6 AND ADVOCACY GROUPS, TO NOTIFY SCHOOLS OF THE
7 AVAILABILITY OF AND MAKE AVAILABLE TO SCHOOLS
8 EXISTING EDUCATIONAL CURRICULUM FOR MINORS
9 REGARDING THE SAFE USE OF PUBLIC STREETS AND
10 PREMISES OPEN TO THE PUBLIC.

11
12 Approved June 10, 2010 at 3:27 p.m.

13
14 **HB10-1171** CONCERNING EDUCATION-RELATED DATA REPORTING
15 REQUIREMENTS.

16
17 Approved June 10, 2010 at 12:19 p.m.

18
19 **HB10-1176** CONCERNING RECOVERY AUDITS FOR GOVERNMENT
20 OVERPAYMENTS OF TAX DOLLARS, AND MAKING AN
21 APPROPRIATION THEREFOR.

22
23 Approved June 10, 2010 at 12:21 p.m.

24
25 **HB10-1224** CONCERNING THE CONTINUATION OF THE COLORADO
26 PODIATRY BOARD, AND MAKING AN APPROPRIATION
27 THEREFOR.

28
29 Approved June 10, 2010 at 3:12 p.m.

30
31 **HB10-1260** CONCERNING THE SUNSET REVIEW OF THE COLORADO
32 STATE BOARD OF MEDICAL EXAMINERS, AND, IN
33 CONNECTION THEREWITH, CONTINUING THE BOARD AND
34 THE REGULATION OF PHYSICIANS AND PHYSICIAN
35 ASSISTANTS UNTIL JULY 1, 2019, AND IMPLEMENTING THE
36 RECOMMENDATIONS CONTAINED IN THE SUNSET REVIEW
37 AND REPORT OF THE BOARD, AND MAKING AN
38 APPROPRIATION THEREFOR.

39
40 Approved June 10, 2010 at 12:21 p.m.

41
42 **HB10-1285** CONCERNING AN INCREASE IN FINES TO FUND TAX
43 INCENTIVES FOR COMMERCIAL VEHICLES, AND MAKING
44 AN APPROPRIATION IN CONNECTION THEREWITH.

45
46 Approved June 10, 2010 at 4:02 p.m.

47
48 **HB10-1403** CONCERNING COMMERCIAL NOTIFICATIONS WITH
49 REGARD TO THE SECRETARY OF STATE, AND MAKING AN
50 APPROPRIATION THEREFOR.

51
52 Approved June 10, 2010 at 12:22 p.m.

53
54
55

1 **HB10-1404** CONCERNING THE ADMINISTRATION OF THE
2 INDEPENDENT ETHICS COMMISSION, AND MAKING AN
3 APPROPRIATION THEREFOR.

4
5 Approved June 10, 2010 at 12:23 p.m.

6
7 **HB10-1418** CONCERNING REQUIREMENTS APPLICABLE TO
8 COMMUNITY-BASED PROJECTS THAT QUALIFY FOR
9 SPECIAL TREATMENT UNDER THE RENEWABLE ENERGY
10 PORTFOLIO STANDARD.

11
12 Approved June 10, 2010 at 12:24 p.m.

13
14 **HB10-1422** CONCERNING THE REVISION OF STATUTES IN THE
15 COLORADO REVISED STATUTES, AS AMENDED, AND, IN
16 CONNECTION THEREWITH, AMENDING OR REPEALING
17 OBSOLETE, INCONSISTENT, AND CONFLICTING
18 PROVISIONS OF LAW AND CLARIFYING THE LANGUAGE
19 TO REFLECT THE LEGISLATIVE INTENT OF THE LAWS.

20
21 Approved June 10, 2010 at 3:05 p.m.

22
23 **HB10-1427** CONCERNING THE AUTHORITY OF INSTITUTIONS OF
24 HIGHER EDUCATION TO OFFER GROUP BENEFIT
25 COVERAGE TO EMPLOYEES OF THE INSTITUTION WHO
26 ARE IN THE STATE PERSONNEL SYSTEM.

27
28 Approved June 10, 2010 at 12:25 p.m.

29
30 Sincerely,
31 (signed)
32 Bill Ritter, Jr.
33 Governor

34
35
36
37 I certify I received the following on the 11th day of June, 2010, at
38 3:20 p.m. The original is on file in the records of the House of
39 Representatives of the General Assembly.

40
41 Marilyn Eddins,
42 Chief Clerk of the House
43

44 June 11, 2010

45
46 To the Honorable House of Representatives
47 Sixty-seventh General Assembly
48 Second Regular Session
49 State Capitol
50 Denver, CO 80203

51
52 Ladies and Gentlemen:

53
54 I have the honor to inform you that I have approved and filed with the
55 Secretary of State the following Acts:
56

1 **HB10-1098** CONCERNING INCREASED TRANSPARENCY IN THE
2 GOVERNANCE OF COOPERATIVE ELECTRIC
3 ASSOCIATIONS.
4

5 Approved June 11, 2010 at 1:50 p.m.
6

7 **HB10-1267** CONCERNING THE PROPERTY TAX TREATMENT OF AN
8 INDEPENDENTLY OWNED RESIDENTIAL SOLAR ELECTRIC
9 GENERATION FACILITY.
10

11 Approved June 11, 2010 at 1:52 p.m.
12

13 **HB10-1328** CONCERNING THE "NEW ENERGY JOBS CREATION ACT OF
14 2010", AND, IN CONNECTION THEREWITH, CREATING THE
15 COLORADO NEW ENERGY IMPROVEMENT DISTRICT AND
16 AUTHORIZING THE DISTRICT TO FUND NEW ENERGY
17 IMPROVEMENTS BY ISSUING SPECIAL ASSESSMENT
18 BONDS PAYABLE FROM SPECIAL ASSESSMENTS LEVIED
19 ON ELIGIBLE REAL PROPERTY OWNED BY PERSONS WHO
20 VOLUNTARILY JOIN THE DISTRICT IN ORDER TO HAVE
21 THE DISTRICT HELP THEM FUND NEW ENERGY
22 IMPROVEMENTS TO THE ELIGIBLE REAL PROPERTY.
23

24 Approved June 11, 2010 at 1:54 p.m.
25

26 **HB10-1333** CONCERNING THE CREATION OF THE GREEN JOBS
27 COLORADO TRAINING PROGRAM IN THE OFFICE OF THE
28 GOVERNOR, AND, IN CONNECTION THEREWITH,
29 CREATING THE GREEN JOBS COLORADO ADVISORY
30 COUNCIL AND THE GREEN JOBS COLORADO TRAINING
31 FUND, AND MAKING AN APPROPRIATION.
32

33 Approved June 11, 2010 at 1:56 p.m.
34

35 Sincerely,
36 (signed)
37 Bill Ritter, Jr.
38 Governor
39

40
41
42
43
44 Attest:
45 MARILYN EDDINS,
46 Chief Clerk

Approved:
TERRANCE D. CARROLL,
Speaker

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1001 by Representative(s) Tyler; also Senator(s) Schwartz and Whitehead--Concerning incentives for the installation of new distributed renewable energy generation facilities in Colorado, and, in connection therewith, increasing the target percentages under the electric utility portfolio standard to encourage Colorado utilities to generate three percent of their retail electricity sales from distributed renewable sources by the year 2020, adopting standards for the installation of distributed solar electric generation equipment, and making an appropriation therefor. Committee on Transportation & Energy	16	262*	296*	311	696*	842	946	#8-11 -10		240 - R* to Committee on Appropriations. 296 - Title change. 706 - House concurred in Senate amendments and repassed bill, as amended. 891 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
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. Committee on Finance Committee on Appropriations	16	207	282	308	783	891	1115	#8-11 -10		64 - R to Committee on Appropriations. 306 - Third Reading LO until 2-12-10. 962 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
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. Committee on Business Affairs and Labor	16	110	173	190	797	891	1116	#8-11 -10		157 - Second Reading LO until 2-3-10. 962 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1004 by Representative(s) Massey, Apuan, Frangas, Kerr J.; also Senator(s) Foster, Boyd, Schwartz--Concerning standardization of health insurance information provided to consumers. Committee on Health and Human Services	16	162*	195*	225	1008*	1324	1367	#8-11 -10	220 - Second Reading laid over until 2-8-10 1020 - Consideration of Senate amendments LO daily until 3-31-10. 1065 - House concurred in Senate amendments and repassed bill, as amended. 1324 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1005 by Representative(s) Massey, Frangas, Kerr J., McCann; also Senator(s) Foster, Boyd, Lundberg, Schwartz--Concerning home health care through telemedicine pursuant to the "Colorado Medical Assistance Act", and making an appropriation therefor. Committee on Health and Human Services	17	1161*	1200*	1218	1582*	1863	1884	#8-11 -10	210 - R to Committee on Appropriations. 1200 - Title change. 1612 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1006 by Representative(s) Curry, Baumgardner, Gardner C., McKinley; also Senator(s) Brophy, Hodge, White, Whitehead--Concerning increased funding for the division of water resources from the operational account of the severance tax trust fund. Committee on Agriculture, Livestock, & Natural Resources	17								99 - R* to Committee on Appropriations. 324 - Pl.	
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. Committee on State, Veterans, & Military Affairs	17	213*	353*	428	797	891	1116	4-5 -10	283 - Second Reading LO daily until 2-17-10. 962 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
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. Committee on Health and Human Services	17	210*	383*	430	815*	962	1010	#1-1 -11	283 - Second Reading LO daily until 2-12-10. 320 - Special Orders. 322 - Special Orders LO until 2-17-10 829 - Consideration of Senate amendments LO daily until 3-19-10. 865 - House concurred in Senate amendments and repassed bill, as amended. 962 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB10-1009 by Representative(s) Miklosi, Pace, Ryden; also Senator(s) Hodge, Carroll M., Tochtrop-- Concerning the board of directors of Pinnacol Assurance. Committee on Judiciary	17	212*	709*	714	1779*	1863	1873	7-1 -10	283 - Second Reading LO daily until 3-8-10. 716 - Immediate RC lost. 1805 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	
HB10-1010 by Representative(s) Ferrandino, Court, Gerou; also Senator(s) Morse, Brophy, Heath-- Concerning authorization for agencies of the state to enter into public-private initiative agreements with nonprofit entities. Committee on State, Veterans, & Military Affairs	17	74*	108*	126	892*	1153	1326	#8-11 -10	88 - Second Reading LO daily until 1-28-10 947 - Consideration of Senate amendments LO daily until 3-26-10. 972 - House concurred in Senate amendments and repassed bill, as amended. 1153 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1011 by Representative(s) Kerr J., McNulty, Miklosi, Primavera; also Senator(s) Schultheis, Carroll M., Mitchell, Tochtrop-- Concerning authorization for the department of revenue to obtain fingerprint-based criminal history record checks for employment purposes. Committee on Finance	17	199*	282*	308	963	1153	1326	4-15 -10	232 - Second Reading LO until 2-10-10. 306 - Third Reading LO until 2-12-10. 1178 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1012 by Representative(s) Pace, Miklosi, Ryden; also Senator(s) Carroll M., Hodge, Tochtrop--Concerning limitations on the use of surveillance of employees who have submitted a workers' compensation claim. Committee on Judiciary	17	573*	677*	701						318 - R* to Committee on Appropriations. 620 - Second Reading LO until 3-5-10. 1680 - PI in Senate.
HB10-1013 by Representative(s) Middleton, Massey, Merrifield, Scanlan, Stephens; also Senator(s) Romer, Steadman--Concerning the modification of certain provisions related to the administration of public schools from kindergarten through the twelfth grade. Committee on Education	17	1162*	1235*	1269	1837*	1863	1890	6-10-10		207 - R to Committee on Appropriations. 1198 - Second Reading LO until 4-15-10. 1839 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor.
HB10-1014 by Representative(s) McFadyen, Baumgardner, Fischer, Frangas, King S., Looper, Primavera, Tyler; also Senator(s) Spence, Gibbs, Romer, Williams--Concerning annual reporting to the general assembly of fatal accidents in state highway work areas. Committee on Transportation & Energy	18	74	172*	189	601	696	844	#8-11-10		88 - LO daily until 2-3-10. 711 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1015 by Representative(s) Massey and Middleton, Scanlan, Priola; also Senator(s) King K., Romer, Spence--Concerning the creation of a stable funding pilot program for small school districts that enter into agreements to jointly provide services to save costs. Committee on Education	18									312 - PI.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
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. Committee on Business Affairs and Labor	18	110	173	191	797	891	1116	#8-11-10	157 - Second Reading LO until 2-3-10. 962 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1017 by Representative(s) Kagan, Gagliardi; also Senator(s) Boyd--Concerning authorization for certain public entities to enter into voluntary agreements affecting rent on private residential property. Committee on Local Government	18	520*	572*	607	1108*	1481	1748	#9-1-10	1117 - Consideration of Senate amendments LO until 4-7-10. 1122 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB10-1018 by Representative(s) Looper and Primavera, Frangas, McFadyen, Solano; also Senator(s) Gibbs, Romer, Williams--Concerning increased authority to regulate waste tires, and making an appropriation therefor. Committee on Transportation & Energy	18	849*	885*	896	1627*	1863	1890	6-10-10 7-1-10	181 - R* to Committee on Appropriations. 885 - Title change. 857 - Special Orders. 872 - Special Orders LO until 3-22-10. 1657 - Consideration of Senate amendments LO until 5-6-10. 1667 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	
HB10-1019 by Representative(s) Frangas, Fischer, McFadyen, Merrifield, Primavera, Tyler; also Senator(s) Williams, Gibbs, Romer--Concerning parking privileges for people with disabilities, and making an appropriation therefor. Committee on Transportation & Energy	18	1285*	1392*	1419	1801*	1863	1890	#1-1-11	522 - R* to Committee on Appropriations. 1392 - Title change. 1346 - Second Reading LO until 4-21-10. 1806 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1020 by Representative(s) Weissmann; also Senator(s) Morse--Concerning contracts of the legislative department, and making an appropriation therefor. Committee on State, Veterans, & Military Affairs	18	681*	729*	738	1108	1134	1327	4-15 -10	142 - R to Committee on Appropriations. 729 - Title change. 719 - Second Reading LO until 3-10-10. 1153 - Delivered to Governor.	
HB10-1021 by Representative(s) Frangas and McCann; also Senator(s) Foster, Boyd--Concerning required coverages for reproductive services for health insurance policies. Committee on Business Affairs and Labor	18	197*	486*	495	783*	1863	1873	#1-1 -11	231 - Second Reading LO daily 2-22-10. 798 - Consideration of Senate amendments LO daily until 3-26-10. 968 - House did not concur in Senate amendments and requested Conference Committee with permission to go beyond scope. House members: Frangas, McCann, and Swalm. 1064 - Senate acceded to request for Conference Committee with permission to go beyond scope. Senate members: Foster, Boyd, and Scheffel. 1382 - First Majority Conference Committee report. 1383 - First Minority Conference Committee report. 1383 - Senate adopted First Majority Conference Committee report and repassed bill, as amended. 1413 - Consideration of Conference Committee report LO daily until 5-4-10. 1621 - House adopted Majority Conference Committee report and repassed bill, as amended. 1863 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB10-1022 by Representative(s) Summers and Gagliardi, Kagan, Kefalas; also Senator(s) Boyd, Hudak--Concerning the administration of the supplemental nutrition assistance program. Committee on Health and Human Services	18	1287*	1337*	1373	1748	1863	1890	6-10 -10	312 - R* to Committee on Appropriations. 1510 - Consideration LO until 4-30-10. 1863 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1023 by Representative(s) Waller, Gagliardi, Kagan, Kefalas, Summers; also Senator(s) Hudak, Boyd, Sandoval, Scheffel, White--Concerning clarifying civil liability regarding negligent hiring practices for an employer that hires a person with a criminal record. Committee on Judiciary	18	119*	194*	222	722	815	1010	#8-11 -10		173 - Second Reading LO until 2-4-10. 220 - Third Reading LO until 2-8-10. 842 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
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. Committee on Health and Human Services	19	211*	383*	430	843*	1107	1327	#8-11 -10		283 - Second Reading LO daily until 2-12-10. 320 - Special Orders. 322 - Special Orders LO until 2-17-10. 866 - House concurred in Senate amendments and repassed bill, as amended. 1135 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1025 by Representative(s) Roberts, Riesberg, Soper, Tyler; also Senator(s) Newell, Tochtrop, Williams--Concerning updates to the "Colorado Medical Treatment Decision Act". Committee on Health and Human Services	19	233*	352*	426	963	1107	1327	#8-11 -10		283 - Second Reading LO daily until 2-17-10. 1135 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1026 by Representative(s) Solano and Benefield, Massey, Peniston; also Senator(s) Hodge and Hudak, Steadman, Williams--Concerning the creation of the Colorado quality in child care incentive grant program. Committee on Education	19	448	509*	540	1008	1134	1327	#8-11 -10		161 - R* to Committee on Appropriations. 491 - Second Reading LO until 2-24-10. 1153 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1027 by Representative(s) Roberts and Tyler, Soper; also Senator(s) Williams, Newell--Concerning the requirement for a certain life expectancy prognosis for persons receiving hospice care through medicaid, and making an appropriation therefor. Committee on Health and Human Services	19	1164*	1200*	1219	1748	1863	1873	#8-11-10	237 - R to Committee on Appropriations. 1200 - Title change. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
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. Committee on Education	19	70*	88*	105	797	891	1116	4-5-10	101 - Third Reading LO until 1-28-10. 962 - Delivered to Governor.	
HB10-1029 by Representative(s) Acree, Looper, Primavera, Todd; also Senator(s) Keller, Steadman--Concerning agreements for the purchase of medical goods. Committee on Health and Human Services	19	313*	443*	478	1108*	1481	1750	5-10-10	402 - Second Reading LO daily until 2-19-10. 1117 - Consideration of Senate amendments LO until 4-7-10. 1123 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor.	
HB10-1030 by Representative(s) Peniston, Benefield, Solano; also Senator(s) Steadman, Hodge, Hudak, Williams--Concerning the creation of the early childhood educator development scholarship program. Committee on Education	19	207	282*	309	892	1107	1327	#8-11-10	89 - R* to Committee on Appropriations. 306 - Third Reading LO until 2-12-10. 1135 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1031 by Representative(s) McCann, Apuan, Massey; also Senator(s) Foster and Schwartz, Boyd--Concerning the administration of dental services provided under medicaid. Committee on Health and Human Services	19								314 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1032 by Representative(s) Frangas, Apuan, Massey; also Senator(s) Boyd, Foster, Schwartz--Concerning behavioral health crisis response services. Committee on Health and Human Services	19	1288*	1337*	1415	1748*	1863	1875	5-27-10	450 - R* to Committee on Appropriations. 1373 - Third Reading LO daily until 4-26-10. 1781 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	
HB10-1033 by Representative(s) Massey, Frangas, Kerr J., McCann; also Senator(s) Boyd and Schwartz, Foster--Concerning the provision of services through the medicaid program that are related to substance abuse, and making an appropriation therefor. Committee on Health and Human Services	20	1164*	1200*	1218	1582	1863	1885	#8-11-10	500 - R to Committee on Appropriations. 1200 - Title change. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1034 by Representative(s) Massey, Middleton, Scanlan; also Senator(s) King K., Johnston, Spence--Concerning the credentialing of school speech-language pathology assistants. Committee on Education	20	70*	106*	123	843*	1107	1327	#8-11-10	88 - LO daily until 1-28-10. 867 - House concurred in Senate amendments and repassed bill, as amended. 1135 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1035 by Representative(s) Massey and Solano, Benefield, Peniston; also Senator(s) Steadman, Hodge, Hudak, Williams--Concerning eligibility determinations for the Colorado child care assistance program to promote stability in early childhood care, and making an appropriation therefor. Committee on Education	20	681*	729*	738	1481*	1863	1878	6-3-10 6-1-11	498 - R* to Committee on Appropriations. 729 - Title change. 719 - Second Reading LO until 3-10-10. 1510 - Consideration of Senate amendments LO daily until 5-4-10. 1605 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	
HB10-1036 by Representative(s) Scanlan and Massey, Merrifield, Middleton, Stephens; also Senator(s) Romer, Johnston, King K., Spence, Steadman--Concerning on-line public access to public school financial information. Committee on Education	20	71*	107*	123	843	1008	1215	4-12-10	88 - LO daily until 1-28-10 1026 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1037 by Representative(s) Massey, Merrifield, Middleton, Scanlan, Stephens; also Senator(s) Spence, Johnston, King K., Steadman-- Concerning the continuation of funding for supplemental on-line education services. Committee on Education	20	71	107	124	722	815	1010	3-29 -10	88 - LO daily until 1-28-10. 842 - Delivered to Governor.	
HB10-1038 by Representative(s) Miklosi, Pace, Ryden; also Senator(s) Carroll M., Hodge, Tochtrop-- Concerning a brochure to describe the process for workers' compensation claims, and making adjustments to appropriations in connection therewith. Committee on Business Affairs and Labor	20	324*	444*	479	1425	1837	1873	5-26 -10	197 - R* to Committee on Appropriations. 444 - Title change. 402 - Second Reading LO daily until 2-19-10. 1863 - Delivered to Governor.	
HB10-1039 by Representative(s) Gardner B., Kagan, Labuda, Levy, Roberts; also Senator(s) Brophy, Carroll M., Mitchell, Morse, Schwartz-- Concerning the enactment of Colorado Revised Statutes 2009 as the positive and statutory law of the state of Colorado. Committee on Judiciary	20	72	107	125	345	382	560	2-24 -10	88 - LO daily until 1-28-10 400 - Delivered to Governor.	
HB10-1040 by Representative(s) Kerr A.--Concerning direction to collegeinvest to promote the use of college savings plans for adults to save in pursuit of their own postsecondary educational opportunities. Committee on Education	20								161 - R* to Committee on Finance. 199 - R to Committee on Appropriations. 324 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
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. Committee on Health and Human Services	20	237*	353*	427	657	696	844	#8-11 -10	283 - Second Reading LO daily until 2-17-10. 711 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1042 by Representative(s) Peniston; also Senator(s) Hodge--Concerning administration of the stationary sources air quality permitting program. Committee on Health and Human Services	21	304*	445*	482	1227	1509	1749	#9-1 -10	119 - R to Committee on Finance. 1560 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB10-1043 by Representative(s) Apuan; also Senator(s) Sandoval--Concerning outdated references to the federal aid to families with dependent children. Committee on Health and Human Services	21	162*	281*	307	963*	1153	1327	4-15 -10	195 - Second Reading LO daily until 2-10-10. 306 - Third Reading LO until 2-12-10. 1002 - Consideration of Senate amendments LO daily until 3-31-10. 1038 - House concurred in Senate amendments and repassed bill, as amended. 1178 - Delivered to Governor.	
HB10-1044 by Representative(s) Carroll T., Todd, Benefield, Kefalas, Massey, McNulty, Merrifield, Middleton, Roberts, Schafer S., Stephens; also Senator(s) Steadman--Concerning the licensure of neighborhood youth organizations. Committee on Education	21	207*	354*	429	946*	1107	1326	4-14 -10	283 - Second Reading LO daily until 2-17-10. 964 - Consideration of Senate amendments LO until 3-26-10. 975 - House concurred in Senate amendments and repassed bill, as amended. 1135 - Delivered to Governor.	
HB10-1045 by Representative(s) Miklosi; also Senator(s) Romer--Concerning the address of a person on file with specified state agencies, and making an appropriation therefor. Committee on State, Veterans, & Military Affairs	21	324*	444*	480	1481	1863	1875	#7-1 -11	142 - R* to Committee on Appropriations. 444 - Title change. 402 - Second Reading LO daily until 2-19-10. 1863 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1046 by Representative(s) Tyler; also Senator(s) Hudak--Concerning the recorded date of receipt of property tax payments by a county treasurer's office when the payment has no United States postal service postmark. Committee on Local Government	21	64	88	104	345*	538	712	3-5 -10		101 - Third Reading LO until 1-28-10 402 - Consideration Senate Amendments LO until 2-18-10. 432 - House concurred in Senate amendments and repassed bill, as amended. 558 - Delivered to Governor.
HB10-1047 by Representative(s) Court and Murray; also Senator(s) White--Concerning the form of a statewide ballot title. Committee on State, Veterans, & Military Affairs	21	99*	230*	260						143 - Second Reading LO daily until 2-8-10. 1628 - PI in Senate.
HB10-1048 by Representative(s) Primavera; also Senator(s) Spence--Concerning the home- and community-based services program for persons with a brain injury. Committee on Health and Human Services	21									165 - R to Committee on Appropriations. 1165 - PI.
HB10-1049 by Representative(s) Rice and Looper, Balmer, Court, Hulinghorst, King S., May, McNulty, Nikkel, Scanlan, Sonnenberg, Stephens, Summers, Primavera; also Senator(s) Romer and Mitchell, Foster, Hodge, Lundberg, Penry, Shaffer B.--Concerning the franchise rights of motor vehicle dealers. Committee on Business Affairs and Labor	21	93*	140*	153	722*	827	893	3-22 -10		131 - Special Orders. 735 - Consideration of Senate amendments LO until 3-11-10. 743 - House concurred in Senate amendments and repassed bill, as amended. 842 - Delivered to Governor.
HB10-1050 by Representative(s) Tyler, Riesberg, Soper; also Senator(s) Tochtrop, Williams--Concerning a central on-line registry of medical orders for scope of treatment forms. Committee on Health and Human Services	21	314*	443*	478	843	1008	1215	#8-11 -10		402 - Second Reading LO daily until 2-19-10. 1026 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1051 by Representative(s) Pommer; also Senator(s) Whitehead--Concerning additional information regarding covered entities' water efficiency plans. Committee on Agriculture, Livestock, & Natural Resources	21	1139*	1184*	1195	1481	1718	1885	6-7-10	1829	- Delivered to Governor.
HB10-1052 by Representative(s) Solano; also Senator(s) Newell--Concerning the recycling resources economic opportunity fund, and, in connection therewith, extending the life of the fund. Committee on Transportation & Energy	22	75*	138*	151	963	1153	1228	7-1-10	88 - 131 - 1153 -	LO daily until 1-29-10 Special Orders. Delivered to Governor.
HB10-1053 by Representative(s) Riesberg, Kefalas; also Senator(s) Boyd--Concerning community long-term care savings, and making an appropriation therefor. Committee on Health and Human Services	22	574*	619*	640	1481*	1863	1873	5-26-10	267 - 612 - 619 - 1510 - 1606 - 1863 -	R* to Committee on Appropriations. Second Reading LO until 3-2-10. Title change. Consideration of Senate amendments LO daily until 5-4-10. House concurred in Senate amendments and repassed bill, as amended. Delivered to Governor.
HB10-1054 by Representative(s) King S.; also Senator(s) Carroll M.--Concerning presenting school safety information at institutions of higher education. Committee on Education	22	263*	446*	484	892	1107	1327	#8-11-10	328 - 1135 - #	Second Reading LO daily until 2-19-10. Delivered to Governor. Effective 90 days after sine die unless a referendum petition is filed.
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. Committee on Finance	22	64	87*	104	559*	734	893	3-22-10	101 - 604 - 645 - 797 -	Third Reading LO until 1-28-10 Consideration of Senate amendments LO daily until 3-3-10. House concurred in Senate amendments and repassed bill, as amended. Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1056 by Representative(s) Frangas; also Senator(s) Carroll M.--Concerning the disposal of business records containing personal identifying information. Committee on Judiciary	22									591 - PI.
HB10-1057 by Representative(s) Ryden; also Senator(s) Spence--Concerning fees charged by county sheriffs relating to the service of process. Committee on Judiciary	22	319*	420*	440	892	1107	1327	#8-11 -10		402 - Second Reading LO until 2-18-10. 1135 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1058 by Representative(s) Riesberg; also Senator(s) Hodge--Concerning the authority of the department of revenue to impose a civil penalty for unstamped cigarettes, and making an appropriation therefor. Committee on Judiciary	22	207*	282*	310	963*	1258	1384	#8-11 -10		72 - R* to Committee on Appropriations. 282 - Title change. 306 - Third Reading LO until 2-12-10. 1002 - Consideration of Senate amendments LO daily until 3-31-10. 1039 - House concurred in Senate amendments and repassed bill, as amended. 1306 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
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. Committee on Transportation & Energy	22	122	194	222	783	842	999	#8-11 -10		173 - Second Reading LO until 2-4-10. 220 - Third Reading LO until 2-8-10. 891 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1060 by Representative(s) Kagan; also Senator(s) Steadman--Concerning the creation of a penalty for the failure to comply with severance tax withholding requirements. Committee on Agriculture, Livestock, & Natural Resources	22	987*	1060*	1095	1450*	1863	1873	#9-1 -10		109 - R* to Committee on Appropriations. 1484 - Consideration of Senate amendments LO daily until 4-30-10. 1547 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1061 by Representative(s) Merrifield; also Senator(s) Tochtrop--Concerning the creation of the Colorado medical donation program to be administered by the state board of health. Committee on Health and Human Services	22	272*								305 - Second Reading LO until 2-19-10. 445 - Second Reading LO until 6-9-10. Bill deemed lost.
HB10-1062 by Representative(s) Schafer S.; also Senator(s) Hodge--Concerning the ability to allow a county to purchase crime insurance coverage in lieu of surety bonds. Committee on Local Government	23	72*	107*	125	963*	1258	1384	#8-11 -10		88 - Second Reading LO daily until 1-28-10. 1002 - Consideration of Senate amendments LO daily until 3-31-10. 1040 - House concurred in Senate amendments and repassed bill, as amended. 1306 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1063 by Representative(s) Todd; also Senator(s) Gibbs--Concerning the authority for the publication of a legal notice in a newspaper without United States periodicals mailing privileges within a municipality where no newspaper that has such privileges is published within the municipality. Committee on State, Veterans, & Military Affairs	23	57	69	85	601	696	844	3-18 -10		65 - Second Reading LO until 1-22-10. 84 - Third Reading LO until 1-26-10. 711 - Delivered to Governor.
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 Committee on Education	23	115	193	221	783	842	1036	#8-11 -10		173 - Second Reading LO until 2-4-10. 220 - Third Reading LO until 2-8-10. 891 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1065 by Representative(s) McCann; also Senator(s) Tochtrop--Concerning a prohibition against counting any time a juvenile spends on escape status toward completion of the juvenile's commitment. Committee on Judiciary	23	120	194	223	601	696	844	3-18 -10		173 - Second Reading LO until 2-4-10. 220 - Third Reading LO until 2-8-10. 711 - Delivered to Governor.
HB10-1066 by Representative(s) Massey and Scanlan; also Senator(s) Sandoval--Concerning a requirement that the department of education provide food to school food authorities. Committee on Education	23									312 - PI.
HB10-1067 by Representative(s) Middleton; also Senator(s) Bacon--Concerning a requirement that the state fund one hundred percent of the cost of instruction for nonresident Native American students enrolled at Fort Lewis college. Committee on Education	23									90 - PI.
HB10-1068 by Representative(s) Ferrandino--Concerning the delivery of paper documents to a person's property. Committee on Transportation & Energy	23									653 - PI.
HB10-1069 by Representative(s) Vigil; also Senator(s) Schwartz--Concerning the reclassification of Mineral county. Committee on Local Government	23	64	88	105						101 - Third Reading LO until 1-28-10 892 - Lost in Senate.
HB10-1070 by Representative(s) Casso; also Senator(s) Sandoval--Concerning safety in day treatment centers. Committee on Health and Human Services	23									165 - PI.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1071 by Representative(s) Labuda; also Senator(s) Heath--Concerning elimination of the requirement that a person employed in a technical forestry capacity by the board of governors of the Colorado state university system possess at least two years' experience in forest practice. Committee on Education	23	71	107	124	722	815	1011	3-29-10		88 - Second Reading LO daily until 1-28-10. 842 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1072 by Representative(s) Court, Ferrandino; also Senator(s) Heath, Morse--Concerning the conversion of the general fund reserve into a state budget stabilization reserve fund, and, in connection therewith, increasing the amount of the reserve fund in certain future fiscal years above the amount of the general fund reserve currently required for such years, requiring reserve fund interest and income to be credited to the reserve fund, and reducing the percentage of estimated reserve fund depletion that will require the governor to formulate a plan for reducing general fund expenditures from the percentage of estimated general fund reserve depletion that currently triggers that requirement. Committee on Finance	24									752 - PI.
HB10-1073 by Representative(s) Roberts; also Senator(s) Sandoval--Concerning the addition of a line to Colorado state individual income tax return forms whereby individual taxpayers may make a voluntary contribution benefitting the Colorado 2-1-1 first call for help fund, and making an appropriation therefor. Committee on Finance	24	1165*	1200*	1220	1582*	1863	1885	#8-11-10		64 - R to Committee on Appropriations. 1200 - Title change. 1613 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1074 by Representative(s) Soper; also Senator(s) Hudak--Concerning measures to protect consumers with regard to automobile insurance policies. Committee on Business Affairs and Labor	24									110 - PI.
HB10-1075 by Representative(s) Kagan and Sonnenberg, Soper; also Senator(s) Williams and Harvey--Concerning the authority for public entities to use credit unions as financial institutions, and, in connection therewith, allowing credit unions to make loans to public entities and allowing for the deposit of public moneys in credit unions. Committee on Business Affairs and Labor	24									312 - PI.
HB10-1076 by Representative(s) DelGrosso; also Senator(s) Heath--Concerning the classification of a participant in a property tax work-off program for purposes of employee labor benefits. Committee on Finance Committee on Business Affairs and Labor	24	179*	229*	258	1026*	1324	1536	#8-11 -10		229 - Title change. 205 - Second Reading LO until 2-8-10. 1079 - House concurred in Senate amendments and repassed bill, as amended. 1324 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1077 by Representative(s) Tyler--Concerning authorization for fusion voting by which a candidate in an election for a partisan political office may be the nominee of more than one political party. Committee on State, Veterans, & Military Affairs	24									291 - PI.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1078 by Representative(s) Nikkel; also Senator(s) Kopp--Concerning the specificity of the data included in the web-based system that provides the public access to state financial information. Committee on State, Veterans, & Military Affairs	24									397 - PI.
HB10-1079 by Representative(s) Balmer--Concerning a prohibition on the use of public moneys for any physical signage that indicates that a project is being funded by the federal "American Recovery and Reinvestment Act of 2009". Committee on State, Veterans, & Military Affairs	24									74 - PI.
HB10-1080 by Representative(s) Lambert; also Senator(s) Sandoval--Concerning the expansion of duties of the legislative emergency epidemic response committee to include preparation for disaster emergencies, and, in connection therewith, changing the name of the committee and allowing the committee to recommend legislation pertaining to the preparedness, response, and recovery by the general assembly in the event of an emergency epidemic or disaster. Committee on Local Government	25	95	140	152	722*	842	1037	3-31 -10		131 - Special Orders. 735 - Consideration of Senate amendments LO until 3-11-10. 741 - House concurred in Senate amendments and repassed bill, as amended. 891 - Delivered to Governor.
HB10-1081 by Representative(s) Priola; also Senator(s) Steadman--Concerning money laundering, and making an appropriation therefor. Committee on Judiciary	25	1165*	1200*	1220	1748*	1863	1871	#8-11 -10		453 - R* to Committee on Appropriations. 1200 - Title change. 1782 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1082 by Representative(s) McNulty; also Senator(s) Penry--Concerning disqualification from school employment for conviction of certain offenses, and, in connection therewith, enacting the "Felon-free Schools Act of 2010". Committee on Judiciary Committee on Appropriations	25									503 - PI.
HB10-1083 by Representative(s) Gardner B.; also Senator(s) Steadman--Concerning the authority of the state to enter into lease-purchase agreements for a day surgery center. Committee on Judiciary	25	682	729*	739	1108	1258	1384	4-21 -10		72 - R* to Committee on Appropriations. 719 - Second Reading LO until 3-10-10. 1306 - Delivered to Governor.
HB10-1084 by Representative(s) Acree; also Senator(s) Williams--Concerning measures to encourage the voluntary cleanup of unoccupied real property. Committee on Judiciary	25									29 - Senator Williams replaced Senator Mitchell as prime sponsor. 212 - PI.
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. Committee on Business Affairs and Labor	25	110*	173*	191	783*	1107	1327	#8-11 -10 1-1 -11		157 - Second Reading LO until 2-3-10. 798 - Consideration of Senate amendments LO daily until 3-19-10. 868 - House concurred in Senate amendments and repassed bill, as amended. 1135 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1086 by Representative(s) Curry; also Senator(s) Hodge--Concerning a limitation of landowners' liability, and, in connection therewith, limiting landowners' liability arising from facilities related to water rights and from the use of land for recreational purposes. Committee on Judiciary	25									120 - PI.
HB10-1087 by Representative(s) Swalm, Liston, Nikkel; also Senator(s) Cadman--Concerning the elimination of the requirement that an employer withhold Colorado income tax. Committee on Finance Committee on Appropriations	25									304 - PI.
HB10-1088 by Representative(s) Vaad--Concerning devolution of state highways that are commuter highways to local governments. Committee on Transportation & Energy	26									184 - PI.
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. Committee on Judiciary Committee on Appropriations	26	325	486*	494	783	842	1037	3-31 -10		120 - R* to Committee on Appropriations. 402 - Second Reading LO daily until 2-22-10. 891 - Delivered to Governor.
HB10-1090 by Representative(s) Waller; also Senator(s) Morse--Concerning the punishment for a person who is convicted of driving a motor vehicle with knowledge that his or her driver's license is under restraint. Committee on Judiciary	26	120	194*	224	722	815	1011	#8-11 -10		173 - Second Reading LO until 2-4-10. 220 - Third Reading LO until 2-8-10. 842 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1091 by Representative(s) Summers--Concerning restrictions on the permissibility of certain documents used to define identification for election-related purposes. Committee on State, Veterans, & Military Affairs	26									74 - PI.
HB10-1092 by Representative(s) Liston; also Senator(s) Steadman--Concerning the issuance of identification cards to lobbyists for the purpose of entering the state capitol building. Committee on State, Veterans, & Military Affairs	26									99 - PI.
HB10-1093 by Representative(s) Bradford; also Senator(s) Harvey--Concerning a limitation on what may be considered when determining the actual value of real property for the purpose of levying property tax. Committee on Finance	26									99 - R to Committee on Local Government. 180 - PI.
HB10-1094 by Representative(s) Gardner C.; also Senator(s) Harvey--Concerning the use of deadly physical force against a person who makes an illegal entry into a place of business. Committee on Judiciary	26									814 - PI.
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. Committee on Local Government	26	95	146	160	559	615	756	#8-11 -10		131 - Special Orders. 141 - Special Orders LO until 2-1-10. 656 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1096 by Representative(s) Tipton; also Senator(s) Morse--Concerning the designation of vehicle identification number inspectors by law enforcement officials of local governments. Committee on Transportation & Energy	26	536*	610*	636	963 1227*	1581	1867	#8-11 -10	572 - Second Reading LO until 3-1-10. 630 - Third Reading LO until 3-3-10 1227 - Senate recalled bill for RC. Senate RC. Repassed bill as amended. 1260 - Consideration of Senate amendments LO daily until 4-19-10. 1318 - House concurred in Senate amendments and repassed bill, as amended. 1708 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1097 by Representative(s) Benefield, Court, Ryden, Pace; also Senator(s) Morse, Hudak, Newell--Concerning temporary injunctions in proceedings involving minor children. Committee on Judiciary	40	212*	321*	333	722	815	999	#8-15 -10	283 - Second Reading LO until 2-12-10. 320 - Special Orders. 332 - Third Reading LO until 2-16-10. 842 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB10-1098 by Representative(s) Levy; also Senator(s) Hodge--Concerning increased transparency in the governance of cooperative electric associations. Committee on Transportation & Energy	40	598*	678*	704	1108*	1863	1893	#8-11 -10	1117 - Consideration of Senate amendments LO daily until 4-8-10. 1138 - House did not concur in Senate amendments and requested Conference Committee. House members: Levy, Priola, and Fischer. 1227 - Senate acceded to request for Conference Committee. Senate members: Hodge, Boyd, and Cadman. 1482 - Senate adhered to its position. 1510 - Consideration of Senate adherence LO daily until 5-6-10. 1674 - House receded from its position, concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
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. Committee on Agriculture, Livestock, & Natural Resources	40	110	172	190	797*	1863	1876	#8-11 -10	157 - Second Reading LO until 2-3-10. 816 - Consideration of Senate amendments LO daily until 3-19-10. 869 - House did not concur in Senate amendments and requested Conference Committee. House members: Pace, Vigil, and Massey. 892 - Senate acceded to request for Conference Committee. Senate members: Tapia Hodge, and Brophy. 1226 - Conference Committee report. 1227 - Senate adopted Conference Committee report and repassed bill, as amended. 1260 - Consideration of Conference Committee report LO daily until 4-28-10. 1458 - House adopted Conference Committee report and repassed bill, as amended. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1100 by Representative(s) Stephens--Concerning withdrawal of an initiative petition. Committee on State, Veterans, & Military Affairs	40								291 - PI.	
HB10-1101 by Representative(s) Baumgardner; also Senator(s) Harvey--Concerning the registration of a vehicle used for agricultural production. Committee on Transportation & Energy Committee on Appropriations	40	682	729*	739	1108	1425			536 - R* to Committee on Appropriations. 719 - Second Reading LO until 3-10-10. 1509 - Delivered to Governor. 1751 - V. 1803 - Consideration of Governor's Veto LO until 5-12-10. 1861 - No final action in House.	
HB10-1102 by Representative(s) Murray; also Senator(s) Kopp--Concerning modification of the penalties for late registration of vehicles. Committee on State, Veterans, & Military Affairs	40								326 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1103 by Representative(s) Todd; also Senator(s) Steadman--Concerning the creation of the relief fund for children with a catastrophic medical condition, and making an appropriation therefor. Committee on Health and Human Services Committee on Finance	40	1288*	1392*	1419						578 - R* to Committee on Finance. 775 - R* to Committee on Appropriations. 1392 - Title change. 1336 - Second Reading LO until 4-23-10. 1394 - * in the Committee of the Whole report. 1708 - PI in Senate.
HB10-1104 by Representative(s) Looper; also Senator(s) Williams, Penry--Concerning authorization for the establishment of a veterans treatment court program in judicial districts. Committee on Judiciary Committee on Appropriations	45	767	810*	818	1026*	1134	1331	4-16 -10		614 - R* to Committee on Appropriations. 1080 - House concurred in Senate amendments and repassed bill, as amended. 1153 - Delivered to Governor.
HB10-1105 by Representative(s) Roberts; also Senator(s) Steadman--Concerning clarification of provisions in the "Colorado probate code" concerning compensation of certain parties. Committee on Judiciary	45	455	511	544						491 - Second Reading LO until 2-24-10. 1628 - PI in Senate.
HB10-1106 by Representative(s) Casso; also Senator(s) Sandoval--Concerning bringing certain statutory provisions concerning child welfare into compliance with federal law, and making an appropriation therefor. Committee on Health and Human Services	45	325*	444*	480	1481* 1582*	1863	1873	5-26 -10		211 - R* to Committee on Appropriations. 444 - Title change. 402 - Second Reading LO daily until 2-19-10. 1510 - Consideration of Senate amendments LO daily until 5-3-10. 1581 - Senate recalled bill for RC. 1582 - Senate RC. Repassed bill as amended. 1585 - Consideration of Senate amendments LO until 5-4-10. 1614 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1107 by Representative(s) Fischer, Ferrandino, Hullinghorst, Pommer; also Senator(s) Carroll M., Tochtrop--Concerning limitations on the inclusion of agricultural lands within urban renewal areas. Committee on Agriculture, Livestock, & Natural Resources	45	175*	204*	226	815*	1153	1326	6-1 10	829 -	Consideration of Senate amendments LO daily until 3-19-10. 870 - House concurred in Senate amendments and repassed bill, as amended. 1178 - Delivered to Governor.
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. Committee on Business Affairs and Labor	45	302*	350*	404	891*	1153	1328	4-15 -10	947 -	Consideration of Senate amendments LO daily until 3-31-10. 1037 - House concurred in Senate amendments and repassed bill, as amended. 1178 - Delivered to Governor.
HB10-1109 by Representative(s) McCann; also Senator(s) Mitchell--Concerning the availability of workers' compensation to jail inmates who are working for a program that has been certified by the federal prison industry enhancement certification program. Committee on Judiciary	45	455*	545*	563	963*	1324	1537	#8-11 -10	491 -	Second Reading LO daily until 2-25-10. 1002 - Consideration of Senate amendments LO daily until 3-31-10. 1042 - House concurred in Senate amendments and repassed bill, as amended. 1324 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1110 by Representative(s) Weissmann; also Senator(s) Morse--Concerning payment of expenses of the legislative department. Committee on Appropriations	46	96	146	159	559	670	815	3-15 -10	131 -	Special Orders. 141 - Special Orders LO until 2-1-10. 670 - Delivered to Governor.
HB10-1111 by Representative(s) Miklosi--Concerning the creation of low-profit limited liability companies. Committee on State, Veterans, & Military Affairs	46								752 -	PI.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1112 by Representative(s) Miklosi; also Senator(s) Newell--Concerning the "Correctional Education Program Act of 1990". Committee on Judiciary	46	165*	204*	226	722*	842	1037	#8-11 -10	195 - Second Reading LO until 2-4-10. 735 - Consideration of Senate amendments LO until 3-11-10. 742 - House concurred in Senate amendments and repassed bill, as amended. 891 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1113 by Representative(s) McFadyen, Sonnenberg, Vaad; also Senator(s) Hodge, Kester--Concerning the modification of agencies that perform oversight of the commercial vehicle industry through a transfer of the motor carrier safety assistance program of the ports of entry section in the department of revenue to the Colorado state patrol in the department of public safety, and making an appropriation in connection therewith. Committee on Transportation & Energy	46	1400*	1489*	1543*	1719*	1863	1870	7-1 -10	694 - R* to Committee on Appropriations. 1489 - Title change. 1421 - Second Reading LO daily until 4-29-10. 1773 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	
HB10-1114 by Representative(s) Liston; also Senator(s) Johnston--Concerning the registration of agents of persons in the business of transmitting money, and making an appropriation therefor. Committee on Business Affairs and Labor	46	448*	510*	541	1008*	1425	1654	7-1 -10	287 - R* to Committee on Appropriations. 510 - Title change. 491 - Second Reading LO until 2-24-10. 1020 - Consideration of Senate amendments LO until daily 4-1-10. 1066 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor.	
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. Committee on Health and Human Services	46	212	384	431	892	1107	1328	#8-11 -10	283 - Second Reading LO daily until 2-12-10. 320 - Special Orders. 322 - Special Orders LO until 2-17-10. 1135 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1116 by Representative(s) Todd; also Senator(s) Newell--Concerning the revision of certain administrative provisions relating to the conduct of elections, and, in connection therewith, amending or repealing obsolete, inconsistent, and conflicting provisions of law. Committee on State, Veterans, & Military Affairs	46	143	195*	225	1026*	1425	1654	5-5 -10	173 - Second Reading LO until 2-4-10. 220 - Third Reading LO until 2-8-10. 1081 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor.	
HB10-1117 by Representative(s) Benefield, Primavera, Solano; also Senator(s) Johnston, Hudak, Newell, Tochtrop--Concerning certain procedures regarding the levying of taxes by county officers, and, in connection therewith, raising the amount of abatement or refund that may be approved by a board of county commissioners and allowing for the electronic transmission of notices of valuation sent by the county assessor and tax statements sent by the county treasurer. Committee on Local Government	46	120*	195*	224	1108	1425	1654	#8-11 -10	173 - Second Reading LO until 2-4-10. 220 - Third Reading LO until 2-8-10. 1560 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1118 by Representative(s) Kerr J.; also Senator(s) Hudak--Concerning the regulation of distressed real property by a board of county commissioners. Committee on Local Government	46	290*	418*	438	1324*	1863	1885	#8-11 -10	328 - Second Reading LO daily until 2-18-10. 1357 - Consideration of Senate amendments LO daily until 4-28-10. 1460 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1119 by Representative(s) Ferrandino, Carroll T., Court, Fischer, Gagliardi, Hullinghorst, Kerr A., Labuda, Levy, Merrifield, Middleton, Pace, Pommer, Primavera, Rice, Scanlan, Schafer S., Solano, Todd, Weissmann; also Senator(s) Shaffer B., Boyd, Steadman--Concerning the process by which the state annually allocates moneys for its budget and, in connection therewith, anticipating the receipt of federal funds to be used therefor. Committee on State, Veterans, & Military Affairs	47	682*	760*	799	1582*	1863	1878	#8-11 -10	291 - R* to Committee on Appropriations. 760 - Title change. 719 - Second Reading LO until 3-10-10. 730 - Second Reading LO as amended until 3-12-10. 786 - Third Reading LO until 3-16-10. 1615 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1120 by Representative(s) Ferrandino--Concerning the unlawful sale of graffiti materials. Committee on Judiciary Committee on Finance	47								165 - PI.	
HB10-1121 by Representative(s) Riesberg--Concerning the ability of a local government to impose certain regulations on the sale of cigarettes while still receiving a share of state cigarette tax revenues. Committee on Finance	47								180 - PI.	
HB10-1122 by Representative(s) Roberts and Merrifield, Gagliardi, Kefalas, Tyler; also Senator(s) Williams, Morse--Concerning medical orders determining the scope of treatment an adult wishes to receive under certain circumstances. Committee on Health and Human Services	47	273*	507*	539	1425*	1863	1874	#8-11 -10	328 - Second Reading LO daily until 2-24-10. 1452 - Consideration of Senate amendments LO until 4-28-10. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1123 by Representative(s) Sonnenberg; also Senator(s) Renfroe--Concerning controlled agricultural burns in arson cases. Committee on Judiciary	47	503*	546*	566	892	1107	1328	#8-11-10	1135 -	Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1124 by Representative(s) McKinley--Concerning laws related to animal welfare. Committee on Agriculture, Livestock, & Natural Resources	47	449*							285 -	R* to Committee on Appropriations. 491 - Second Reading LO until 2-26-10. 569 - L*.
HB10-1125 by Representative(s) Hullinghorst; also Senator(s) Schwartz--Concerning the authority of the department of public health and environment to regulate certain activities with respect to waste grease derived from food preparation, and making an appropriation therefor. Committee on Transportation & Energy	47	767*	857*	877*	1481*	1863	1885	#8-11-10	653 -	R* to Committee on Appropriations. 857 - Title change. 798 - Second Reading LO until 3-19-10. 857 - Special Orders. 1510 - Consideration of Senate amendments LO until 4-30-10. 1542 - House did not concur in Senate amendments and requested Conference Committee with permission to go beyond scope. House members: Hullinghorst, McFadyen, Looper. 1582 - Senate acceded to request for Conference Committee with permission to go beyond scope. Senate members: Schwartz, Foster, and Kester. 1645 - Conference Committee report. 1647 - Senate adopted Conference Committee report and repassed bill, as amended. 1663 - House adopted Conference Committee report and repassed bill, as amended. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1126 by Representative(s) Vaad; also Senator(s) Brophy--Concerning the implementation of priority-based budgeting in Colorado. Committee on State, Veterans, & Military Affairs	47								291 -	PI.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1127 by Representative(s) McKinley--Concerning information to be provided to visitors at Rocky Flats. Committee on State, Veterans, & Military Affairs	52									781 - PI.
HB10-1128 by Representative(s) Looper; also Senator(s) Hudak and Bacon--Concerning measures to increase the efficiency of the activities of entities in the division of registrations relating to the supervision of regulated professionals, and, in connection therewith, making the "Colorado Licensing of Controlled Substances Act" and the sunset law consistent with provisions enacted in 2009 to continue the regulation of administration of medication by unlicensed persons, clarifying that moneys collected on behalf of administering entities of professional peer review programs do not constitute state fiscal year spending for purposes of section 20 of article X of the state constitution, clarifying exemptions from the "Dental Practice Law of Colorado", authorizing the director of the division of registrations to take disciplinary action under the "Massage Therapy Practice Act" against persons convicted of unlawful sexual behavior or prostitution-related offenses, repealing duplicative regulatory requirements for medical doctors, replacing limited temporary license requirements for medical doctors and chiropractors, and repealing regulatory functions of the division of registrations with respect to athlete agents, and making an appropriation therefor. Committee on Health and Human Services	52	575*	617*	638	891* 1009*	1324	1537	4-29 -10		237 - R* to Committee on Appropriations. 617 - Title change. 612 - Second Reading LO until 3-2-10. 947 - Consideration of Senate amendments LO until 3-24-10. 963 - Senate recalled bill for RC. 1009 - Senate RC. Repassed bill as amended. 1072 - House concurred in Senate amendments and repassed bill, as amended. 1324 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1129 by Representative(s) Bradford; also Senator(s) Harvey--Concerning consequences related to a higher actual valuation of property for the purpose of levying the property tax. Committee on Local Government Committee on Finance	53									320 - PI.
HB10-1130 by Representative(s) Labuda--Concerning the creation of a special license plate for the Colorado wolf and wildlife center. Committee on Transportation & Energy	53									184 - R to Committee on Appropriations. 325 - PI.
HB10-1131 by Representative(s) Scanlan, Apuan, Benefield, Court, Curry, Ferrandino, Frangas, Gagliardi, Hullinghorst, Kerr A., Levy, Massey, Middleton, Miklosi, Pace, Peniston, Primavera, Rice, Schafer S., Todd, Tyler, Vigil; also Senator(s) Gibbs--Concerning measures to improve Colorado youths' knowledge of the environment, and, in connection therewith, creating the Colorado kids outdoors grant program. Committee on Education	53	576	621*	644	1719*	1863	1876	5-27-10		264 - R* to Committee on Appropriations. 1774 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.
HB10-1132 by Representative(s) Gardner B., McNulty, Nikkel, Waller; also Senator(s) Hodge--Concerning the production of records by a business in a criminal matter. Committee on Judiciary	53	274	418*	436	892*	1107	1328	#8-11-10		328 - Second Reading Lo daily until 2-18-10. 947 - Consideration of Senate amendments LO daily until 3-26-10. 973 - House concurred in Senate amendments and repassed bill, as amended. 1135 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1133 by Representative(s) Massey; also Senator(s) Tochtrop--Concerning amendments to the "Colorado Foreclosure Protection Act". Committee on Judiciary	53	274*	486*	496*	963* 1356*	1863	1885	#1-11 -11	328 - Second Reading LO daily until 2-22-10. 1002 - Consideration of Senate amendments LO daily until 3-31-10. 1043 - House concurred in Senate amendments and repassed bill, as amended. 1324 - Senate recalled bill for RC. 1356 - Senate RC. Repassed bill as amended. 1369 - Consideration of Senate amendments LO daily until 4-30-10. 1546 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
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. Committee on Agriculture, Livestock, & Natural Resources	53	196	231	261	783	891	1116	#8-11 -10	962 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1135 by Representative(s) Ryden, Benefield, Court, Gagliardi, Hullinghorst, Labuda, Looper, McCann, Middleton, Peniston, Primavera, Schafer S., Solano, Todd; also Senator(s) Hudak and Newell, Boyd, Spence, Williams--Concerning the definition of domestic violence when determining the best interests of a child. Committee on Judiciary	54	320*	420*	441	892*	1134	1326	7-1 -10	402 - Second Reading LO until 2-18-10. 947 - Consideration of Senate amendments LO daily until 3-26-10. 974 - House concurred in Senate amendments and repassed bill, as amended. 1153 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1136 by Representative(s) King S.--Concerning emergency safety procedures in kindergarten-through-twelfth-grade schools. Committee on Education	54									312 - PI.
HB10-1137 by Representative(s) Gardner B.; also Senator(s) Steadman--Concerning the use of people first language in the drafting of laws. Committee on State, Veterans, & Military Affairs	54	180	230	259	843*	1153	1328	#8-11 -10		205 - Second Reading LO until 2-8-10. 876 - Consideration of Senate amendments LO daily until 3-26-10. 969 - House concurred in Senate amendments and repassed bill, as amended. 1153 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
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. Committee on Health and Human Services	54	238*	353*	428	1227	1324	1367	7-1 -10		283 - Second Reading LO daily until 2-17-10. 1324 - Delivered to Governor.
HB10-1139 by Representative(s) Apuan; also Senator(s) Heath--Concerning the creation of special license plates for military veterans of the conflicts occurring after September 11, 2001, and making an appropriation therefor. Committee on Transportation & Energy	54	1167*	1201*	1221	1582	1863	1866	#8-11 -10		961 - R* to Committee on Appropriations. 1201 - Title change. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1140 by Representative(s) Nikkel and Todd, Rice, Vigil, Apuan, Acree, Stephens, Balmer, Bradford, Court, DelGrosso, Ferrandino, Fischer, Gagliardi, Gardner C., Hullinghorst, Kefalas, King S., Lambert, Liston, Looper, May, McNulty, Miklosi, Primavera, Priola, Scanlan, Sonnenberg, Summers, Swalm, Tipton; also Senator(s) Shaffer B. and Spence, Romer, Heath, Bacon, Cadman, Kester, King K., Lundberg, Scheffel, Schultheis, Tapia, Williams--Concerning using moneys in the Colorado state veterans trust fund to construct National Guard armories. Committee on State, Veterans, & Military Affairs	54	597	620	643	892	1107	1331	4-16 -10	612 - 1135 -	Second Reading LO until 3-2-10. Delivered to Governor.
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, and making an appropriation therefor. Committee on Business Affairs and Labor	58	111*	173*	192	1582*	1863	1874	#8-11 -10	157 - 1616 - 1863 - #	Second Reading LO until 2-3-10. House concurred in Senate amendments and repassed bill, as amended. Delivered to Governor. Effective 90 days after sine die unless a referendum petition is filed.
HB10-1142 by Representative(s) Roberts, Riesberg; also Senator(s) Tochtrop--Concerning the direct care provider career path program. Committee on Health and Human Services	58								578 -	PI.
HB10-1143 by Representative(s) McNulty; also Senator(s) Johnston--Concerning the authority of the regional transportation district to enter into agreements permitting specified uses at its transfer facilities. Committee on Local Government	58	290*	419*	439	963	1153	1328	#8-11 -10	328 - 1153 - #	Second Reading LO daily until 2-18-10. Delivered to Governor. Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1144 by Representative(s) Rice, Massey, Casso, Frangas, Gagliardi, Kefalas; also Senator(s) Morse--Concerning prohibiting a carrier from setting fees for a dental service that is not paid for by the carrier. Committee on Business Affairs and Labor	58	111	173							157 - Second Reading LO until 2-3-10. 193 - L.
HB10-1145 by Representative(s) Kagan--Concerning the use of generic prescription drugs. Committee on Health and Human Services	58									274 - PI.
HB10-1146 by Representative(s) Hullinghorst, Gagliardi, Kefalas, Kerr J., Labuda, Miklosi, Pommer, Primavera; also Senator(s) Tochtrop, Newell, Steadman, Tapia--Concerning certain state-funded, community-based, long-term care assistance provided to recipients of certain public benefit programs, and making an appropriation therefor. Committee on Health and Human Services	58	1288*	1338*	1373	1748	1863	1874	5-26 -10 7-1 -10 1-1 -11		624 - R* to Committee on Appropriations. 1338 - Title change. 1863 - Delivered to Governor.
HB10-1147 by Representative(s) Kefalas, Fischer, Gagliardi, Hullinghorst, Kerr A., McFadyen, Primavera, Vigil; also Senator(s) Bacon--Concerning safer use of nonmotorized wheeled transportation by minors, and, in connection therewith, codifying into law the existing bike and pedestrian policy directive of the department of transportation and requiring the department of transportation, in collaboration with the departments of education and public safety and appropriate nonprofit organizations and advocacy groups, to notify schools of the availability of and make available to schools existing educational curriculum for minors regarding the safe use of public streets and premises open to the public. Committee on Transportation & Energy	58	537*	610*	636	1355*	1863	1890	7-1 -10		610 - Title change. 572 - Second Reading LO until 3-1-10. 630 - Third Reading LO until 3-3-10. 1369 - Consideration of Senate amendments LO daily until 4-28-10. 1461 - House concurred in Senate amendments and repassed bill, as amended. 1462 - Representative Merrifield requested his name be removed as sponsor. 1462 - Representative Carroll T. requested his name be removed as co-sponsor. 1863 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
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. Committee on Business Affairs and Labor	59	450*	510*	541	783	891	1116	#8-11 -10		302 - R to Committee on Appropriations. 510 - Title change. 491 - Second Reading LO until 2-24-10. 962 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1149 by Representative(s) Hullinghorst; also Senator(s) Foster--Concerning the regulation prior to disposal of sources that emit radiation. Committee on Health and Human Services	59	768	823*	831	1355*	1863	1874	5-26 -10		578 - R* to Committee on Appropriations. 810 - Second Reading LO until 3-17-10. 1369 - Consideration of Senate amendments LO daily until 4-28-10. 1462 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.
HB10-1150 by Representative(s) Kerr J., DelGrosso, McNulty, Middleton; also Senator(s) Tochtrop--Concerning a license for caterers to sell alcohol beverages at catered events. Committee on Business Affairs and Labor	59									176 - R* to Committee on Finance. 500 - PI.
HB10-1151 by Representative(s) Swalm, McFadyen; also Senator(s) Williams--Concerning the disclosure in connection with the sale of residential real property of its proximity to an airport. Committee on Business Affairs and Labor	59									302 - PI.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1152 by Representative(s) Frangas; also Senator(s) Shafer B.--Concerning the civil rights of persons with disabilities. Committee on Judiciary	59	1291*	1393*							455 - R* to Committee on Appropriations. 1336 - Second Reading LO until 4-23-10. 1394 - * in the Committee of the Whole report to RR to Committee on Judiciary unamended. 1516 - RR* to Committee on Appropriations. 1574 - PI.
HB10-1153 by Representative(s) Kerr J.--Concerning modifications to the composition of the board of trustees of the public employees' retirement association so that a majority of trustees are not members of the association. Committee on State, Veterans, & Military Affairs	59									327 - PI.
HB10-1154 by Representative(s) Curry and Roberts; also Senator(s) Mitchell--Concerning the process for the enactment of mandated health insurance benefits, and, in connection therewith, repealing the commission on mandated health insurance benefits and transferring its functions to the director of research of the legislative council and imposing a one-year moratorium on the enactment of new mandated health insurance benefits. Committee on State, Veterans, & Military Affairs	59									214 - PI.
HB10-1155 by Representative(s) Lambert, McKinley; also Senator(s) Lundberg--Concerning the use of a portion of severance tax revenue to purchase precious metals for the state emergency reserve. Committee on State, Veterans, & Military Affairs Committee on Finance Committee on Appropriations	59									180 - PI.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1156 by Representative(s) Court, Curry, Hullinghorst, Kefalas, Schafer S., Tyler; also Senator(s) Carroll M.--Concerning the public financing of political campaigns for members of the general assembly, and, in connection therewith, creating the state public election fund to be financed primarily by voluntary contributions from Colorado residents. Committee on State, Veterans, & Military Affairs Committee on Finance	60									991 - PI.
HB10-1157 by Representative(s) Summers--Concerning the authorization for county governments to obtain voter approval to levy specified taxes for the purpose of providing financial assistance to specified institutions of higher education within their territorial boundaries that are not universities. Committee on Local Government	60									180 - PI.
HB10-1158 by Representative(s) Gardner C.; also Senator(s) Hodge--Concerning clarification of the right to use wind resources. Committee on Agriculture, Livestock, & Natural Resources	60									287 - PI.
HB10-1159 by Representative(s) Pace, Curry, Fischer, Hullinghorst, King S., McFadyen, Scanlan, Vigil; also Senator(s) Gibbs, Schwartz, White--Concerning the water court's authority to consider conditions in decrees to address the effects of a water export across water division boundaries. Committee on Agriculture, Livestock, & Natural Resources	60	196*								204 - L*.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1160 by Representative(s) Rice and Stephens; also Senator(s) Mitchell and Newell--Concerning the ability of health insurance carriers to offer incentives for participation in wellness programs based on satisfaction of a standard related to a health risk factor. Committee on Health and Human Services	60	315*	717*	727	1411*	1863	1874	7-1 -10		402 - Second Reading LO daily until 3-9-10. 717 - Title change. 843 - Senator Newell added as joint Senate prime sponsor. 1427 - Consideration of Senate amendments LO daily until 4-28-10. 1472 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.
HB10-1161 by Representative(s) Nikkel; also Senator(s) Spence--Concerning the creation of a livery license plate for certain motor vehicles used to transport people for hire, and making an appropriation therefor. Committee on Transportation & Energy	60	851*	859*	880	1481	1863	1876	#8-11 -10		653 - R* to Committee on Appropriations. 857 - Special Orders. 859 - Title change. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1162 by Representative(s) Soper; also Senator(s) Bacon--Concerning payment of amounts due under a construction contract. Committee on Business Affairs and Labor	60	1291*								661 - R* to Committee on Appropriations. 1339 - L*.
HB10-1163 by Representative(s) Acree, Gardner C., Kerr J., Stephens, Summers, Swalm, Vaad; also Senator(s) Scheffel, Penry--Concerning the ability of the commissioner of insurance to enter into multistate agreements with other states for the purpose of allowing Colorado consumers to purchase out-of-state health insurance products. Committee on State, Veterans, & Military Affairs	60									397 - PI.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1164 by Representative(s) Kerr A., Ferrandino, Scanlan, Solano; also Senator(s) Tochtrop, Romer--Concerning service of process in actions concerning incidents that may be covered by a motor vehicle insurance policy Committee on Judiciary	75	689*	764*	791	1108*	1481	1654	1-1 -11	719 - Second Reading LO daily until 3-12-10. 1117 - Consideration of Senate amendments LO until 4-7-10. 1124 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor.	
HB10-1165 by Representative(s) Merrifield; also Senator(s) Tapia--Concerning the authority of the state board of land commissioners regarding state land. Committee on Local Government	75	290*	445*	481	1026	1153	1328	4-15 -10	305 - Second Reading LO until 2-19-10. 1178 - Delivered to Governor.	
HB10-1166 by Representative(s) Kefalas, Casso, Fischer, Frangas, Gagliardi, Hullinghorst, Primavera, Tyler, Vigil; also Senator(s) Newell--Concerning the use of plain language in insurance policies. Committee on Business Affairs and Labor	75	745*	795*	806	1009*	1324	1367	1-1 -12	1020 - Consideration of Senate amendments LO daily until 4-1-10. 1073 - House concurred in Senate amendments and repassed bill, as amended. 1324 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB10-1167 by Representative(s) Peniston, Vaad, Primavera; also Senator(s) Kopp--Concerning the regulation of intrastate motor carriers of property for hire, and, in connection therewith, conforming state law in response to federal preemption and granting ports of entry additional authority to enforce insurance and safety provisions. Committee on Transportation & Energy	75	599	620	642	963	1134	1328	4-15 -10	612 - Second Reading LO until 3-2-10. 1153 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1168 by Representative(s) Levy, Judd, Kagan, Kerr A., Miklosi, Pace, Ryden, Tyler, Vigil, Weissmann, Apuan, Benefield, Carroll T., Casso, Court, Ferrandino, Hullinghorst, Labuda, McFadyen, Merrifield, Middleton, Pommer, Primavera, Scanlan, Schafer S., Solano, Todd; also Senator(s) Steadman, Brophy, Foster, Hodge, Hudak, Newell, Romer, Tochtrop, Bacon, Carroll M., Shaffer B.--Concerning a limitation on the ability of an insurer to obtain repayment of benefits from an injured party who recovers damages from the party responsible for the injury in situations when the injured party would not be fully compensated if the benefits are repaid to the insurer. Committee on Judiciary	76	592*	676*	700	1009*	1324	1536	#8-11 -10	612 - Second Reading LO daily until 3-5-10. 1020 - Consideration of Senate amendments LO daily until 4-1-10. 1074 - House concurred in Senate amendments and repassed bill, as amended. 1324 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1169 by Representative(s) McKinley, Carroll T.-- Concerning a perpetual conservation easement in gross for which a state income tax credit is claimed. Committee on Finance	76								1475 - PI.	
HB10-1170 by Representative(s) DelGrosso, Nikkel; also Senator(s) Bacon--Concerning the provision of alcohol beverages in sealed containers in luxury boxes located in entertainment venues with a seating capacity of at least one thousand five hundred seats. Committee on Business Affairs and Labor	76	179*	229*	257	843	1008	1215	4-12 -10	205 - Second Reading LO until 2-8-10. 1026 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1171 by Representative(s) Benefield, Scanlan; also Senator(s) Steadman--Concerning education-related data reporting requirements. Committee on Education	76	265*	353*	429	1026*	1863	1891	6-10-10	328 -	Second Reading LO until 2-17-10.
									1082 -	House did not concur in Senate amendments and requested Conference Committee. House members: Benefield, Massey, and Solano.
									1190 -	Senate acceded to request for Conference Committee. Senate members: Steadman, Hudak, and King.
									1449 -	Conference Committee report.
									1450 -	Senate adopted Conference Committee report and repassed bill, as amended.
									1459 -	House adopted Conference Committee report and repassed bill, as amended.
									1863 -	Delivered to Governor.
HB10-1172 by Representative(s) Bradford, Nikkel, Sonnenberg, Tipton; also Senator(s) Cadman--Concerning the registration of mobile machinery in order to pay specific ownership tax, and making an appropriation therefor. Committee on Transportation & Energy	76	1292*	1339*	1374	1708*	1863	1876	#10-1-10	599 -	R* to Committee on Appropriations.
									1339 -	Title change.
									1752 -	Consideration of Senate amendments LO until 5-11-10.
									1770 -	House concurred in Senate amendments and repassed bill, as amended.
									1863 -	Delivered to Governor.
									#	unless a referendum petition is filed within 90 days after sine die.
HB10-1173 by Representative(s) DelGrosso, Murray, Acree, Gardner C., Gerou, Kefalas, King S., Looper, Massey, McNulty, Nikkel, Roberts, Summers, Swalm, Vaad, Waller; also Senator(s) Renfroe--Concerning circumstances in which the fee for late registration of a vehicle is not imposed. Committee on Transportation & Energy	76								695 -	PI.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1174 by Representative(s) Frangas, Merrifield; also Senator(s) Romer--Concerning an increase in state revenues from the oil and gas severance tax to be used to promote jobs in the state, and, in connection therewith, temporarily halving the amount of the credit based on property taxes paid allowed against the tax on the severance of oil and gas; requiring the department of education to distribute ninety percent of the additional tax revenue to public schools for teacher retention; and requiring the Colorado economic development commission to use ten percent of the additional tax revenue to increase the availability of credit to small businesses in Colorado. Committee on Business Affairs and Labor	76									289 - PI.
HB10-1175 by Representative(s) Looper, Todd, Acree, DelGrosso; also Senator(s) Tapia--Concerning the demonstration of competency by an out-of-state applicant in a field regulated by the department of regulatory agencies. Committee on Business Affairs and Labor	77	198*	231*	262	722	815	1011	7-1 -11		842 - Delivered to Governor.
HB10-1176 by Representative(s) Vaad; also Senator(s) Mitchell--Concerning recovery audits for government overpayments of tax dollars, and making an appropriation therefor. Committee on Finance Committee on State, Veterans, & Military Affairs	77	1168*	1202*	1221	1828*	1863	1891	6-10 -10		289 - R *to Committee on State, Veterans, & Military Affairs. 397 - R* to Committee on Appropriations. 1829 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1177 by Representative(s) King S.--Concerning the Colorado economic stability fund, and, in connection therewith, creating the fund and specifying the conditions under which moneys must be transferred to and may be expended from the fund. Committee on Finance Committee on State, Veterans, & Military Affairs	77									180 - R to Committee on State, Veterans, & Military Affairs. 291 - PI.
HB10-1178 by Representative(s) Stephens; also Senator(s) Scheffel--Concerning increasing the transparency in the use of gifts, grants, and donations to fund programs by state agencies. Committee on State, Veterans, & Military Affairs	77	397*	446*	484	1026*	1324	1537	#8-11 -10		1083 - House concurred in Senate amendments and repassed bill, as amended. 1324 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1179 by Representative(s) Acree, Massey, Kerr J., Riesberg, Stephens, Summers; also Senator(s) Boyd, Penry--Concerning measures to expand the availability of primary care services throughout the state. Committee on Judiciary	77									120 - R to Committee on Health & Human Services. 452 - R* to Committee on Appropriations. 1168 - PI.
HB10-1180 by Representative(s) Massey, Gerou, Rice; also Senator(s) Gibbs and Spence--Concerning the criteria to qualify for a performance-based incentive for film production activities in Colorado. Committee on Business Affairs and Labor	77	198 500	545*	564	1009*	1829	1865	5-18 -10		232 - R to Committee on Finance by Committee of the Whole. 1020 - Consideration of Senate amendments LO daily until 4-1-10. 1075 - House concurred in Senate amendments and repassed bill, as amended. 1850 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1181 by Representative(s) Todd; also Senator(s) Bacon--Concerning adjustments to the administration of the department of personnel, and making an appropriation therefor. Committee on State, Veterans, & Military Affairs	77	1321*	1391*	1417	1837*	1863	1885	6-7 -10	399 - R* to Committee on Appropriations. 1391 - Title change. 1365 - Second Reading LO until 4-23-10. 1846 - House concurred in Senate amendments and repassed bill, as amended. 1846 - Representative Labuda requested her name be removed as co-sponsor. 1864 - Delivered to Governor.	
HB10-1182 by Representative(s) Solano, Benefield, Casso, Fischer, Frangas, Hullinghorst, Kerr A., Looper, McFadyen, Merrifield, Pace, Primavera, Todd, Tyler; also Senator(s) Schwartz, Steadman--Concerning a limited expansion of the powers of the Colorado clean energy development authority to finance electric transmission facilities, and, in connection therewith, allowing the authority to make commercial loans only for electric power interconnection projects connecting clean energy resources to the transmission grid. Committee on Transportation & Energy	77	656	709	715	1108	1425	1654	5-5 -10	679 - Second Reading LO until 3-8-10. 1560 - Delivered to Governor.	
HB10-1183 by Representative(s) Middleton; also Senator(s) Johnston--Concerning authorization of a pilot program to collect data concerning alternative school finance funding models. Committee on Education	78	265*	418*	435	1008*	1324	1537	4-29 -10	328 - Second Reading LO daily until 2-18-10. 1020 - Consideration of Senate amendments LO daily until 4-1-10. 1067 - House concurred in Senate amendments and repassed bill, as amended. 1324 - Delivered to Governor.	
HB10-1184 by Representative(s) Gardner C.; also Senator(s) Lundberg--Concerning the penalty for persons who are convicted of driving under the influence multiple times, and making an appropriation in connection therewith. Committee on Judiciary Committee on Appropriations	78								277 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1185 by Representative(s) Priola, Balmer, Bradford, DelGrosso, Labuda, Nikkel, Riesberg, Schafer S., Stephens, Todd, Waller; also Senator(s) Schwartz--Concerning extending certain dates related to the petroleum storage tank fund. Committee on Transportation & Energy	78	184*	230*	259	843	1008	1215	#8-11 -10		205 - Second Reading LO until 2-8-10. 1026 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1186 by Representative(s) Liston, McFadyen, Pommer, Casso, Balmer, Soper--Concerning conditions on the authority to sell alcohol beverages in establishments of less than five thousand square feet. Committee on Business Affairs and Labor	78									302 - R* to Committee on Finance. 551 - PI.
HB10-1187 by Representative(s) Balmer; also Senator(s) Bacon--Concerning allocation of environmental remediation costs incurred by certain public utilities. Committee on Transportation & Energy	78									1828 - PI.
HB10-1188 by Representative(s) Curry, Fischer, Labuda, Massey, Scanlan; also Senator(s) Hodge, Gibbs, Heath, Tochtrop--Concerning clarification of the scope of the existing right of navigation of guides employed by river outfitters. Committee on Judiciary	78	277*	321*	334	892*					306 - Second Reading LO until 2-12-10. 320 - Special Orders. 332 - Third Reading LO until 2-16-10. 947 - Consideration of Senate amendments LO daily until 4-23-10. 1399 - House did not concur in Senate amendments and requested Conference Committee with permission to go beyond scope. 1427 - House Conference Committee members: Curry, Scanlan, and Sonnenberg. 1702 - Senate acceded to request for Conference Committee. Senate members: Hodge, Tapia, and White. 1860 - L in Senate.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1189 by Representative(s) Pommer; also Senator(s) Heath--Concerning the elimination of the state sales and use tax exemption for direct mail advertising materials, and making an appropriation therefor. Committee on Appropriations	78	116*	131*	147	305*	505	560	2-24 -10		96 - R* to Committee on Finance. 131 - Special Orders. 131 - Title change. 328 - Consideration of Senate amendments LO daily until 2-16-10. 336 - House concurred in Senate amendments and repassed bill, as amended. 538 - Delivered to Governor.
HB10-1190 by Representative(s) Pommer; also Senator(s) Heath--Concerning the suspension of the exemption from the state sales and use taxes for fuels used for industrial purposes, and making an appropriation therefor. Committee on Appropriations	78	116*	145*	169*	305*	505	560	2-24 -10		96 - R* to Committee on Finance. 131 - Special Orders. 140 - Special Orders LO* until 2-1-10. 145 - Title change. 159 - Third Reading LO until 2-3-10 328 - Consideration of Senate amendments LO daily until 2-16-10. 337 - House concurred in Senate amendments and repassed bill, as amended. 538 - Delivered to Governor.
HB10-1191 by Representative(s) Pommer; also Senator(s) Heath--Concerning the narrowing of the existing exemption from the state sales and use taxes for food, and, in connection therewith, subjecting candy and soft drinks to the state sales and use taxes, and making an appropriation therefor. Committee on Appropriations	78	117*	131*	148	305*	505	560	2-24 -10		96 - R* to Committee on Finance. 131 - Special Orders. 131 - Title change. 328 - Consideration of Senate amendments LO daily until 2-16-10. 338 - House concurred in Senate amendments and repassed bill, as amended. 538 - Delivered to Governor.
HB10-1192 by Representative(s) Pommer; also Senator(s) Heath--Concerning the state sales and use tax of standardized software, and making an appropriation therefor. Committee on Appropriations	78	117*	133*	148	305*	474	560	3-1 -10		97 - R* to Committee on Finance. 131 - Special Orders. 133 - Title change. 328 - Consideration of Senate amendments LO daily until 2-16-10. 340 - House concurred in Senate amendments and repassed bill, as amended. 490 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1193 by Representative(s) Pommer; also Senator(s) Heath--Concerning the collection of sales and use taxes on sales made by out-of-state retailers, and making an appropriation therefor. Committee on Appropriations	79	118*	134*	149	305*	505	560	2-24 -10	97 - R* to Committee on Finance. 131 - Special Orders. 134 - Title change. 328 - Consideration of Senate amendments LO daily until 2-16-10. 341 - House concurred in Senate amendments and repassed bill, as amended. 538 - Delivered to Governor.	
HB10-1194 by Representative(s) Ferrandino; also Senator(s) Heath--Concerning the narrowing of the existing exemptions from the state sales and use taxes for articles sold to sellers of items intended for human consumption that are furnished by the sellers to their customers with such items without the addition of a separate charge, and making an appropriation therefor. Committee on Appropriations	79	119*	135*	149	305*	505	561	2-24 -10	98 - R* to Committee on Finance. 131 - Special Orders. 135 - Title change. 328 - Consideration of Senate amendments LO daily until 2-16-10. 342 - House concurred in Senate amendments and repassed bill, as amended. 538 - Delivered to Governor.	
HB10-1195 by Representative(s) Ferrandino; also Senator(s) Heath--Concerning the suspension of the exemption from the state sales and use taxes for certain items used in agricultural production, and making an appropriation therefor. Committee on Appropriations	79	127*	135*	150	305*	505	561	2-24 -10	98 - R* to Committee on Finance. 131 - Special Orders. 135 - Title change. 328 - Consideration of Senate amendments LO daily until 2-16-10. 343 - House concurred in Senate amendments and repassed bill, as amended. 538 - Delivered to Governor.	
HB10-1196 by Representative(s) Ferrandino; also Senator(s) Heath--Concerning the disqualification of category 7 motor vehicles from the state income tax credit for the purchase of vehicles using alternative fuels. Committee on Appropriations	79	127*	136*	150	304	505	561	2-24 -10	98 - R to Committee on Finance. 131 - Special Orders. 538 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
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, and making an appropriation therefor. Committee on Appropriations	79	128* 207	283*	310	1009*	1324	1538	#8-11 -10	98 - R to Committee on Finance. 131 - Special Orders. 136 - RR* to Committee on Appropriations by Committee of the Whole. 306 - Third Reading LO until 2-12-10. 1020 - Consideration of Senate amendments LO daily until 4-1-10. 1076 - House concurred in Senate amendments and repassed bill, as amended. 1324 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1198 by Representative(s) Ferrandino; also Senator(s) Heath--Concerning the suspension of the credit against the state income tax of a portion of the credit allowed under the federal internal revenue code for payment of the alternative minimum tax. Committee on Appropriations	79								98 - R to Committee on Finance. 130 - PI.	
HB10-1199 by Representative(s) Ferrandino; also Senator(s) Heath--Concerning a temporary limit on the state income tax deduction for a net operating loss. Committee on Appropriations	79	130*	137*	151	305*	505	561	2-24 -10	98 - R to Committee on Finance. 131 - Special Orders. 328 - Consideration of Senate amendments LO daily until 2-16-10. 344 - House concurred in Senate amendments and repassed bill, as amended. 538 - Delivered to Governor.	
HB10-1200 by Representative(s) Hullinghorst; also Senator(s) Heath--Concerning a temporary requirement that a taxpayer defer claiming any amount of an enterprise zone investment income tax credit that exceeds five hundred thousand dollars. Committee on Appropriations	79	1380	1421	1430	1837*	1863	1876	5-27 -10	1107 - R to Committee on Finance. 1853 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1201 by Representative(s) Middleton, Carroll T., Ferrandino, McFadyen, Miklosi, Pace, Vigil, Weissmann; also Senator(s) Steadman--Concerning duties related to peace officer contacts. Committee on Judiciary	83	503*	568*	605	1009*	1324	1538	4-29 -10	547 - Second Reading LO until 2-26-10. 1020 - Consideration of Senate amendments LO until 4-1-10. 1077 - House concurred in Senate amendments and repassed bill, as amended. 1324 - Delivered to Governor.	
HB10-1202 by Representative(s) Primavera and McNulty, Pace, Gerou, Summers, Benefield, Casso, Court, Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst, Kagan, Kefalas, Levy, Looper, Merrifield, Miklosi, Peniston, Pommer, Solano, Soper, Todd, Tyler, Vigil, Weissmann; also Senator(s) Tochtrop, Penry, Heath, Hudak, Newell--Concerning health benefit coverage for chemotherapy treatment. Committee on Business Affairs and Labor	84	198*	204*	227*	963*	1153	1328	1-1 -11	1002 - Consideration of Senate amendments LO daily until 3-31-10. 1044 - House concurred in Senate amendments and repassed bill, as amended. 1178 - Delivered to Governor.	
HB10-1203 by Representative(s) Kerr A.; also Senator(s) Steadman--Concerning the issuing of group life insurance, and, in connection therewith, deleting the requirement regarding the minimum number of persons that must be covered by the policy. Committee on Business Affairs and Labor	90	179	229	258	722	815	1011	3-29 -10	205 - Second Reading LO until 2-8-10. 842 - Delivered to Governor.	
HB10-1204 by Representative(s) Soper; also Senator(s) Tochtrop--Concerning the inclusion of conservation standards in the plumbing code. Committee on Business Affairs and Labor	91	303*	350*	404	797	891	1116	#8-11 -10	962 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1205 by Representative(s) Ryden, Todd; also Senator(s) Spence, Williams--Concerning land use planning by local governments to address the impacts of land use development upon military installations in close proximity to such governments. Committee on State, Veterans, & Military Affairs	91	652*	759*	785	1214	1581	1867	#8-11 -10	710 - Second Reading LO until 3-12-10. 1719 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1206 by Representative(s) Fischer, Hulinghorst, Kefalas, McFadyen, McNulty, Middleton, Pace, Peniston, Scanlan; also Senator(s) Bacon--Concerning the granting of voting rights to student members of the board of governors of the Colorado state university system. Committee on Education	91	576	619	640						612 - Second Reading LO until 3-2-10. 891 - PI in Senate.
HB10-1207 by Representative(s) Lambert, Kerr J.; also Senator(s) King K., Lundberg--Concerning modifications to the public employees retirement association. Committee on State, Veterans, & Military Affairs	91									653 - PI.
HB10-1208 by Representative(s) Todd and Murray, Massey, Baumgardner, Benefield, Carroll T., Casso, Frangas, Gardner C., Looper, May, McFadyen, McKinley, McNulty, Merrifield, Middleton, Peniston, Priola, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Summers, Tipton; also Senator(s) Shaffer B. and King K., Cadman, Carroll M., Foster, Hodge, Johnston, Keller, Kester, Kopp, Lundberg, Newell, Penry, Renfro, Romer, Scheffel, Schultheis, Spence, Steadman, White, Whitehead, Williams--Concerning requiring statewide agreements for the transfer of two-year degrees among all state institutions of higher education in Colorado. Committee on Education	101	312	419*	440	1227*	1509	1654	#8-11 -10		402 - Second Reading LO until 2-18-10. 1260 - Consideration of Senate amendments LO daily until 4-19-10. 1319 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1209 by Representative(s) Balmer; also Senator(s) Gibbs--Concerning authorization to place voluntarily an identifier of a branch of the United States armed forces on certain identification documents issued by the department of revenue, and making an appropriation therefor. Committee on State, Veterans, & Military Affairs Committee on Finance	101	988*	1060*	1119	1719	1863	1876	7-1 -10	690 - R* to Committee on Finance. 752 - R to Committee on Appropriations. 1060 - Title change. 1095 - Third Reading LO daily until 4-7-10. 1863 - Delivered to Governor.	
HB10-1210 by Representative(s) Weissmann, Carroll T., May; also Senator(s) Morse, Shaffer B., Penry--Concerning the redistricting process. Committee on State, Veterans, & Military Affairs	101	685*	794*	804	1481	1863	1885	#8-11 -10	597 - R* to Committee on Appropriations. 719 - Second Reading LO daily until 3-15-10. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1211 by Representative(s) Tyler; also Senator(s) Williams--Concerning a reduction in the amount of the penalty for late vehicle registration of a vehicle without motive power that weighs two thousand pounds or less. Committee on Transportation & Energy	112	450	486	494	945*	1863	1876	7-1 -10	251 - R to Committee on Appropriations. 964 - Consideration of Senate amendments LO until 3-26-10. 976 - House adhered to its position. 1306 - Senate receded from its position and repassed bill. 1863 - Delivered to Governor.	
HB10-1212 by Representative(s) Rice; also Senator(s) Schwartz--Concerning a requirement that the executive director of the department of revenue promulgate rules that establish circumstances in which a vehicle owner shall be exempted from paying the late fee for late registration of a vehicle. Committee on Transportation & Energy	112	214*	485*	493	945*	1153	1329	4-15 -10	283 - Second Reading LO daily until 2-22-10. 964 - Consideration of Senate amendments LO until 3-26-10. 977 - House concurred in Senate amendments and repassed bill, as amended. 1153 - Delivered to Governor.	
HB10-1213 by Representative(s) Acree, Roberts; also Senator(s) Keller--Concerning the elimination of an individualized plan for a person with developmental disabilities who is on the waiting list for services. Committee on Health and Human Services	154	452*	510*	542	1108*	1425	1750	5-10 -10	491 - Second Reading LO until 2-24-10. 1117 - Consideration of Senate amendments LO until 4-7-10. 1125 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1214 by Representative(s) McCann; also Senator(s) Schwartz--Concerning financial support for efforts to reduce the overpopulation of pets, and, in connection therewith, authorizing the issuance of an adopt a shelter pet license plate, and making an appropriation therefor. Committee on Agriculture, Livestock, & Natural Resources Committee on Transportation & Energy	154	852*	902*	955	1719*	1863	1889	#8-11 -10	512 - R to Committee on Transportation & Energy. 656 - R* to Committee on Appropriations. 902 - Title change. 1775 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1215 by Representative(s) Waller, Baumgardner, McCann, Miklosi, Nikkel, Priola; also Senator(s) Scheffel--Concerning the use of cash bond deposits after the discharge of the bond to satisfy outstanding court-ordered debts. Committee on Judiciary	154	768	810*	819	1026	1153	1329	#8-11 -10	597 - R* to Committee on Appropriations. 1178 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1216 by Representative(s) Riesberg; also Senator(s) Sandoval--Concerning the off-site administration of medications by persons authorized to inject medications pursuant to the pharmacy practice act. Committee on Health and Human Services	154	500*	546*	564	963	1134	1329	#8-11 -10	546 - Title change. 1153 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1217 by Representative(s) McKinley, McFadyen, Looper, Pace, Vigil; also Senator(s) Kester--Concerning the repeal of the authority of the executive director of the department of human services to sell the Trinidad state nursing home. Committee on Health and Human Services	154	625	1488*	1563					759 - Second Reading LO daily until 4-29-10. 1560 - Third Reading LO until 5-3-10. 1703 - PI in Senate.	
HB10-1218 by Representative(s) Waller, Bradford, Liston, Looper, Nikkel, Priola; also Senator(s) Newell--Concerning information in the central registry of protection orders. Committee on Judiciary	154	597*	619*	641	1108	1324	1538	4-29 -10	612 - Second Reading LO until 3-2-10. 1324 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1219 by Representative(s) Vaad; also Senator(s) Penry--Concerning authorization for the sale of correctional facilities owned by the department of corrections. Committee on Judiciary	154									504 - PI.
HB10-1220 by Representative(s) Priola, Liston, Rice, Stephens; also Senator(s) Schwartz--Concerning the sunset review of the functions of the division of insurance related to the regulation of specified lines of insurance, and, in connection therewith, continuing the functions of the division related to the regulation of property and casualty, automobile, and other insurers that do not offer health, life, property, casualty, or automobile insurance through July 1, 2017; consolidating the sunset review of all functions of the division of insurance other than those related to the licensing of bail bonding agents; and implementing other recommendations contained in the sunset report. Committee on Business Affairs and Labor	166	852*	859*	880	1214*	1509	1654	7-1 -10		370 - R* to Committee on Finance. 551 - R* to Committee on Appropriations. 857 - Special Orders. 1228 - Consideration of Senate amendments LO daily until 4-19-10. 1315 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor.
HB10-1221 by Representative(s) Curry; also Senator(s) Schwartz--Concerning the continuation of the licensing of river outfitters by the board of parks and outdoor recreation, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies. Committee on Agriculture, Livestock, & Natural Resources	166	685	762*	786	1450*	1863	1885	#8-11 -10		548 - R* to Committee on Appropriations. 719 - Second Reading LO daily until 3-12-10. 1484 - Consideration of Senate amendments LO daily until 4-30-10. 1548 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1222 by Representative(s) Middleton; also Senator(s) Carroll M.--Concerning continuation of the requirement that a collection agency maintain an office in Colorado. Committee on Business Affairs and Labor	167	513*	570*	606	1008*	1425	1749	7-1 -10	1020 - Consideration of Senate amendments LO daily until 4-1-10. 1068 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor.	
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. Committee on Agriculture, Livestock, & Natural Resources	167	302	349	403	722	815	1011	#8-11 -10	842 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1224 by Representative(s) Gerou and Gagliardi, Primavera, Riesberg, Tyler; also Senator(s) Boyd--Concerning the continuation of the Colorado podiatry board, and making an appropriation therefor. Committee on Health and Human Services	167	500*	546*	565	1481*	1863	1891	7-1 -10	1510 - Consideration of Senate amendments LO daily until 5-4-10. 1607 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor.	
HB10-1225 by Representative(s) Soper; also Senator(s) Tochtrop--Concerning continuation of the regulation of electrical work by the state electrical board. Committee on Business Affairs and Labor	167	371*	446*	482	1008*	1425	1655	7-1 -10	1020 - Consideration of Senate amendments LO daily until 4-1-10. 1069 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor.	
HB10-1226 by Representative(s) Kefalas; also Senator(s) Spence--Concerning an alternative approach for a county department of social services to use in addressing certain intrafamilial child abuse or neglect cases. Committee on Health and Human Services	167	501*	546*	565	1008	1134	1329	4-15 -10	1153 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	* V F PI RR RC LO Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over	OTHER ACTION
HB10-1227 by Representative(s) DelGrosso; also Senator(s) Tochtrop--Concerning compliance with financial responsibility requirements of the "Health Care Availability Act" by maintaining insurance through approved nonadmitted insurers authorized by law to insure in Colorado. Committee on Business Affairs and Labor	167	513*	570*	606	892	1107	1329	4-15 -10 7-1 -10	1135	- Delivered to Governor.
HB10-1228 by Representative(s) Benefield, Ferrandino, Primavera; also Senator(s) Hudak--Concerning the responsibility of the state personnel director to remove ineligible dependents from group benefit plans, and making an appropriation therefor. Committee on State, Veterans, & Military Affairs	167	685*	762*	787	1481	1718	1874	7-1 -10	553 - R* to Committee on Appropriations. 719 - Second Reading LO daily until 3-12-10. 762 - Title change. 1829 - Delivered to Governor.	
HB10-1229 by Representative(s) Pace, Riesberg; also Senator(s) Newell--Concerning authentication requirements for verbal orders in a hospital. Committee on Health and Human Services	167	453*	511*	543	1214	1481	1655	5-5 -10	491 - Second Reading LO until 2-24-10. 1560 - Delivered to Governor.	
HB10-1230 by Representative(s) Gardner B.; also Senator(s) Hodge--Concerning the "Uniform Debt-Management Services Act". Committee on Business Affairs and Labor	167								513 - PI.	
HB10-1231 by Representative(s) Sonnenberg; also Senator(s) Tochtrop--Concerning the regulation of conveyances. Committee on Business Affairs and Labor	167	289	418	437	783	891	1116	#8-11 -10	328 - Second Reading LO daily until 2-18-10. 962 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1232 by Representative(s) Baumgardner; also Senator(s) King K.--Concerning the definition of school vehicles. Committee on Education	168	499*	546*	567	1008*	1324	1536	4-28 -10	1020 - Consideration of Senate amendments LO daily until 4-1-10. 1070 - House concurred in Senate amendments and repassed bill, as amended. 1324 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1233 by Representative(s) Ryden; also Senator(s) Newell--Concerning the relocation of the crime of stalking in the Colorado Revised Statutes. Committee on Judiciary	168	277	418	436	843*	1134	1326	#8-11 -10	328 - Second Reading LO daily until 2-18-10. 876 - Consideration of Senate amendments LO daily until 3-26-10. 970 - House concurred in Senate amendments and repassed bill, as amended. 1153 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1234 by Representative(s) Primavera--Concerning the fair settlement of claims for benefits under an insurance policy. Committee on Judiciary	168	721* 1113*	899						766 - Second Reading LO daily until 3-23-10. 899 - RR to Committee on Judiciary by Committee of the Whole. 1156 - Second Reading LO daily until 4-20-10. 1336 - L*.	
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. Committee on Judiciary	168	277	351*	477	797	891	1117	4-5 -10	305 - Second Reading LO daily until 2-17-10. 426 - Third Reading LO 2-22-10 962 - Delivered to Governor.	
HB10-1236 by Representative(s) Kerr A.; also Senator(s) Tochtrop--Concerning the continuation of the regulation of certified public accountants by the state board of accountancy. Committee on Business Affairs and Labor	168	513*	570*	607	1008*	1258	1384	7-1 -10	1020 - Consideration of Senate amendments LO daily until 4-1-10. 1084 - House did not concur in Senate amendments and requested Conference Committee. House members: Kerr A., May, and Kagan. 1106 - House receded from its position, concurred in Senate amendments and repassed bill, as amended. 1306 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1237 by Representative(s) McNulty, Kerr J., Primavera; also Senator(s) Carroll M., Schultheis, Tochtrop--Concerning the use of electronic technology to promptly provide accurate information about criminal acts to law enforcement officials, and, in connection therewith, creating a task force to make recommendations to improve access to information about problem drivers. Committee on Judiciary	185									1115 - PI.
HB10-1238 by Representative(s) Curry; also Senator(s) Schwartz--Concerning wildlife crossing zones. Committee on Transportation & Energy	185	1168*	1210*	1222	1748*	1863	1889	#9-1 -10		997 - R* to Committee on Appropriations. 1783 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.
HB10-1239 by Representative(s) Waller--Concerning requiring a defendant to provide notice of the intent to raise certain statutory defenses. Committee on Judiciary	185									597 - PI.
HB10-1240 by Representative(s) Ferrandino; also Senator(s) Carroll M.--Concerning the foreclosure deferment process for residential properties. Committee on Local Government	185	576	618*	639	1008*	1425	1655	5-5 -10		433 - R* to Committee on Appropriations. 612 - Second Reading LO until 3-2-10. 1020 - Consideration of Senate amendments LO daily until 4-1-10. 1071 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor.
HB10-1241 by Representative(s) Casso; also Senator(s) Tochtrop--Concerning required registration for persons who work on fire suppression systems, and making an appropriation therefor. Committee on Business Affairs and Labor	186	768*	980*	1005	1582	1863	1886	#7-1 -11		549 - R* to Committee on Appropriations. 810 - Second Reading LO daily until 3-26-10. 980 - Title change. 1818 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1242 by Representative(s) Apuan, Court, Gagliardi, Hullinghorst, Kerr A., Labuda, Massey, McKinley, Miklosi, Peniston, Primavera, Priola, Riesberg, Schafer S., Solano, Todd, Tyler, Vigil; also Senator(s) Tochtrop--Concerning the implementation of a uniform application form for individual health benefit plans by the commissioner of insurance. Committee on State, Veterans, & Military Affairs	186	840	902*	954	1366	1509	1750	#8-11 -10		753 - R* to Committee on Finance. 894 - Second Reading LO until 3-23-10. 1560 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1243 by Representative(s) McFadyen, Massey, May, Scanlan; also Senator(s) Gibbs, Tapiá, Williams--Concerning the powers of a special district that provides transportation-related services, and, in connection therewith, authorizing a special district that provides such services to levy a voter-approved sales tax and to join a regional transportation authority. Committee on Transportation & Energy	186	988	1060*	1095	1481	1863	1888	#8-11 -10		781 - R* to Committee on Finance. 840 - R to Committee on Appropriations. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1244 by Representative(s) Labuda, Apuan, Casso, Curry, Frangas, Gagliardi, Murray, Riesberg, Scanlan, Schafer S., Soper; also Senator(s) Mitchell--Concerning allowing an heir of a deceased physician shareholder of a professional service corporation to become a shareholder of the corporation. Committee on Judiciary	186	330*	445*	481	963*	1425	1750	#8-11 -10		402 - Second Reading LO daily until 2-19-10. 1002 - Consideration of Senate amendments LO daily until 4-1-10. 1084 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1245 by Representative(s) Liston, Balmer; also Senator(s) Johnston--Concerning the continuation of the regulation of boxing by the boxing commission. Committee on Business Affairs and Labor	186	379*	446*	483	843*	1153	1329	7-1 -10		876 - Consideration of Senate amendments LO daily until 3-26-10. 971 - House concurred in Senate amendments and repassed bill, as amended. 1178 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1246 by Representative(s) Miklosi, Kerr J., McNulty, Primavera; also Senator(s) Tochtrop, Carroll M., Schultheis--Concerning the imposition of liability on a person who loans a motor vehicle to an unlicensed driver. Committee on Judiciary	186									614 - PI.
HB10-1247 by Representative(s) Gagliardi, Bradford, Soper; also Senator(s) Carroll M.--Concerning the continuation of the workers' compensation classification appeals board. Committee on Business Affairs and Labor	186	289	418	438	797	891	1117	5-5 -10		328 - Second Reading LO daily until 2-18-10. 962 - Delivered to Governor.
HB10-1248 by Representative(s) Primavera, Apuan, Middleton, Miklosi; also Senator(s) Boyd, Newell, Steadman--Concerning safe personal care products, and, in connection therewith, creating the "Colorado Safe Personal Care Products Act" and prohibiting the sale of personal care products that contain chemicals identified as causing cancer or reproductive toxicity. Committee on Judiciary	186									625 - PI.
HB10-1249 by Representative(s) Labuda and Primavera; also Senator(s) Johnston, Hudak--Concerning expedited residential foreclosure sales. Committee on State, Veterans, & Military Affairs	187	691*	794*	804	1009*	1324	1538	4-29 -10		719 - Second Reading LO daily until 3-15-10. 1020 - Consideration of Senate amendments LO daily until 4-1-10. 1078 - House concurred in Senate amendments and repassed bill, as amended. 1324 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1250 by Representative(s) Fischer, Curry, Apuan, Baumgardner, Hullinghorst, Kefalas, Looper, Roberts, Ryden, Scanlan, Solano, Sonnenberg, Tyler, Vigil; also Senator(s) Hodge, Gibbs, Kester, Schwartz, White, Whitehead--Concerning the funding of Colorado water conservation board projects, and making appropriations in connection therewith. Committee on Agriculture, Livestock, & Natural Resources	187	686	762	787	1719*	1863	1886	6-7 -10	549 - R to Committee on Appropriations. 719 - Second Reading LO daily until 3-12-10. 1776 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	
HB10-1251 by Representative(s) Court, Gardner B., Levy, McCann, Miklosi, Nikkel, Pace, Priola, Ryden, Waller; also Senator(s) Steadman--Concerning file retention by attorneys of record in felony criminal cases. Committee on Judiciary	187								1176 - PI.	
HB10-1252 by Representative(s) Primavera, Massey; also Senator(s) Boyd and Schwartz--Concerning health care services for breast cancer screening. Committee on Health and Human Services	187	687*	717*	726	1227*	1863	1865	1-1 -11	710 - Second Reading LO until 3-9-10. 1260 - Consideration of Senate amendments LO until 4-16-10. 1284 - House did not concur in Senate amendments and requested Conference Committee. House members: Primavera, Gagliardi, and Massey. 1325 - Senate acceded to request for Conference Committee. Senate members: Boyd, Schwartz, and Mitchell. 1717 - Conference Committee report. 1719 - Senate adopted Conference Committee report and repassed bill, as amended. 1788 - House adopted Conference Committee report and repassed bill, as amended. 1863 - Delivered to Governor.	
HB10-1253 by Representative(s) Peniston; also Senator(s) Spence--Concerning the "Exceptional Children's Educational Act" as it relates to gifted children. Committee on Education	187								686 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1254 by Representative(s) Sonnenberg; also Senator(s) Brophy--Concerning a requirement that each student enrolled in a public high school in the state achieve a certain score on an assessment before being permitted to graduate from high school. Committee on Education	187									576 - PI.
HB10-1255 by Representative(s) Kefalas and Acree, Gagliardi, Gerou, Kerr J., Primavera, Riesberg, Roberts, Tyler; also Senator(s) Steadman--Concerning extending the repeal date for the Colorado commission for the deaf and hard of hearing. Committee on Health and Human Services	187	453	511	543	963	1134	1329	7-1 -10	491 - Second Reading LO until 2-24-10. 1153 - Delivered to Governor.	
HB10-1256 by Representative(s) McNulty, Baumgardner, Fischer, McFadyen, Primavera, Tyler, Vaad; also Senator(s) Johnston--Concerning the Colorado high technology scholarship program. Committee on Transportation & Energy	187	656*	679*	704	946	1134	1329	#8-11 -10	1153 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1257 by Representative(s) Gerou, Acree, Balmer, Bradford, DelGrosso, Gardner B., Kerr J., Lambert, Liston, Loooper, Murray, Priola, Sonnenberg, Stephens, Vaad, Waller; also Senator(s) Scheffel, King K., Lundberg, Renfro, Spence--Concerning a prohibition on reducing the amount of actual value of residential real property qualifying for exemption from property taxation for qualifying seniors and qualifying disabled veterans in any property tax year if the general assembly authorizes a net increase in the number of full-time equivalent employees of the state in the annual general appropriation act for the fiscal year commencing during the property tax year. Committee on Finance Committee on Appropriations	187									500 - R to Committee on Appropriations. 686 - PI.
HB10-1258 by Representative(s) Acree, Bradford, Vaad; also Senator(s) Harvey, Spence--Concerning the authority of health insurance carriers to offer premium discounts for compliance with treatment plans prescribed to manage certain covered conditions. Committee on Health and Human Services	200									453 - PI.
HB10-1259 by Representative(s) Nikkel; also Senator(s) Lundberg--Concerning amendments to the "Municipal Annexation Act of 1965" in order to conform the act to provisions of the state constitution. Committee on Local Government Committee on Judiciary	200	721	793*	801	1108	1481	1749	#8-11 -10		651 - R* to Committee on Judiciary. 766 - Second Reading LO until 3-15-10. 1560 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1260 by Representative(s) Riesberg and Acree, Gerou, Kefalas, Roberts, Tyler; also Senator(s) Boyd and Newell--Concerning the sunset review of the Colorado state board of medical examiners, and, in connection therewith, continuing the board and the regulation of physicians and physician assistants until July 1, 2019, and implementing the recommendations contained in the sunset review and report of the board, and making an appropriation therefor. Committee on Health and Human Services	200	768*	810*	820	1481*	1863	1891	7-1 -10	580 - R* to Committee on Appropriations. 600 - Senator Boyd added as Senate joint prime sponsor. 810 - Title change. 1510 - Consideration of Senate amendments LO daily until 5-4-10. 1608 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor.	
HB10-1261 by Representative(s) Bradford and Summers, Acree, Gardner B., Gerou, King S., Lambert, Liston, Looper, Murray, Nikkel, Priola, Stephens, Vaad, Waller--Concerning violent acts that harm unborn children, and making an appropriation in connection therewith. Committee on Judiciary Committee on Appropriations	200								597 - PI.	
HB10-1262 by Representative(s) Frangas--Concerning scholarship programs for persons in industries in high need of trained workforces. Committee on Education Committee on Appropriations	200								499 - R to Committee on Appropriations. 1169 - PI.	
HB10-1263 by Representative(s) Pommer, Casso, Ferrandino, Fischer, Gagliardi, Hullinghorst, Kerr A., Labuda, Levy, Merrifield, Miklosi, Primavera, Weissmann; also Senator(s) Boyd, Hudak, Steadman, Tochtrop, Williams--Concerning a limit on the state income tax benefit for compensation paid by a business for personal services rendered. Committee on Finance	200								1580 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1264 by Representative(s) Priola; also Senator(s) Heath--Concerning the establishment of an incentive process whereby state employees can submit suggestions for state agency improvements that result in cost savings. Committee on State, Veterans, & Military Affairs Committee on Appropriations	201	1293*	1339*	1374	1748*	1863	1874	#8-11 -10	553 - R* to Committee on Appropriations. 1784 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1265 by Representative(s) Vigil; also Senator(s) Newell--Concerning a court's authority to waive certain charges levied against indigent defendants. Committee on Judiciary	201	597	620	641	1108	1324	1538	4-29 -10	612 - Second Reading LO until 3-2-10. 1324 - Delivered to Governor.	
HB10-1266 by Representative(s) Frangas--Concerning the inclusion of employees of specified employers in certain aspects of state group benefit plans at the option of the employer. Committee on Business Affairs and Labor	201								668 - R* to Committee on Appropriations. 1402 - PI.	
HB10-1267 by Representative(s) Kerr A., Fischer, Gardner C., Looper, McNulty, Merrifield, Miklosi; also Senator(s) Romer, Penry--Concerning the property tax treatment of an independently owned residential solar electric generation facility. Committee on Finance	201	686	763	788	1481	1863	1893	#8-11 -10	500 - R to Committee on Appropriations. 719 - Second Reading LO daily until 3-12-10. 1864 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1268 by Representative(s) King S.; also Senator(s) Harvey--Concerning establishment of a two-year registration for vehicles. Committee on State, Veterans, & Military Affairs	215	1295	1340*	1375					555 - R* to Committee on Appropriations. 1628 - PI in Senate.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1269 by Representative(s) Levy, Casso, Court, Ferrandino, Hulinghorst, Judd, McFadyen, Middleton, Miklosi, Pommer, Solano, Tyler, Weissmann, Carroll T., Frangas, Kagan, Labuda, Pace, Schafer S.; also Senator(s) Carroll M., Bacon, Boyd, Hodge, Hudak, Morse, Romer, Steadman, Tapia--Concerning the creation of remedies available in employment discrimination cases. Committee on Judiciary	215	1169*								625 - R* to Committee on Appropriations. 1198 - Second Reading LO until 4-15-10. 1247 - L*.
HB10-1270 by Representative(s) Murray, Acree, Balmer, Baumgardner, Bradford, Curry, DelGrosso, Gardner B., Gardner C., Gerou, Kerr J., King S., Lambert, Liston, Looper, Massey, May, McNulty, Nikkel, Priola, Sonnenberg, Stephens, Summers, Swalm, Tipton, Vaad, Waller; also Senator(s) Spence--Concerning the codification of the department of revenue's special regulation related to the sales or use tax attributable to sales of computer software into statute. Committee on Finance	215									733 - PI.
HB10-1271 by Representative(s) Curry; also Senator(s) Morse--Concerning the registration date for eligibility of a person seeking to be placed in nomination as a candidate for a partisan office. Committee on Judiciary	215	504*	620*	643	1801*	1863	1876	5-27 -10		547 - Second Reading LO daily until 3-2-10. 1807 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1272 by Representative(s) McCann; also Senator(s) Steadman--Concerning the establishment of contribution limits under the "Fair Campaign Practices Act" for candidates for certain elected director positions, and, in connection therewith, establishing contribution limits for candidates for boards of education and the board of the regional transportation district and specifying requirements affecting the disclosure of such contributions. Committee on State, Veterans, & Military Affairs	215	853								692 - R to Committee on Appropriations. 903 - L*
HB10-1273 by Representative(s) Merrifield, Rice, Ryden, Apuan, Benefield, Carroll T., Casso, Gagliardi, Gerou, Kerr A., May, McKinley, Middleton, Nikkel, Peniston, Primavera, Roberts, Scanlan, Schafer S., Solano, Todd, Tyler; also Senator(s) Spence and Steadman, Newell, Hudak, Bacon, Boyd, Foster, Gibbs, Heath, Johnston, Romer, Tapia, Williams--Concerning improved workforce development through increased participation in arts education in public schools. Committee on Education	215	576*	676*	699	1227*	1863	1866	5-18 -10	612 - Second Reading LO until 3-5-10. 1260 - Consideration of Senate amendments LO until 4-16-10. 1285 - House did not concur in Senate amendments and requested Conference Committee. House members: Merrifield, Solano, and McNulty. 1325 - Senate acceded to request for Conference Committee. Senate members: Spence, Steadman, and Hudak. 1619 - House receded from its position, concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	
HB10-1274 by Representative(s) Schafer S., Massey, Benefield, Merrifield, Middleton, Miklosi, Murray, Peniston, Priola, Solano, Stephens, Tipton, Todd; also Senator(s) Johnston, Carroll M., Keller, King K., Newell, Penry, Spence, Steadman--Concerning successful transitions back to the public school system for students in out-of-home placement who have demonstrated behavior that is detrimental to the safety or welfare of themselves or others during the previous twelve months. Committee on Education	216	771*	883*	895	1719* 1801*	1863	1871	5-25 -10	812 - Second Reading LO until 3-19-10. 857 - Special Orders. 872 - Special Orders LO 3-22-10. 883 - Title change. 1778 - Senate recalled bill for RC. 1801 - Senate RC. Repassed bill as amended. 1808 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1275 by Representative(s) Baumgardner; also Senator(s) Newell--Concerning a requirement that the location of a private burial be recorded. Committee on Local Government	216	433	509	540	1108	1425	1655	#8-11 -10	488 - Second Reading LO until 2-24-10. 1560 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1276 by Representative(s) Levy; also Senator(s) Mitchell--Concerning the sale by a railroad company of its right-of-way for the operation of a public passenger rail service. Committee on Judiciary	216	721	794	802	1108*	1481	1655	#8-11 -10	766 - Second Reading LO until 3-15-10. 1117 - Consideration of Senate amendments LO until 4-7-10. 1126 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1277 by Representative(s) DelGrosso, Waller; also Senator(s) Steadman--Concerning an extension of the prohibition against sexual conduct in correctional institutions, and making an appropriation therefor. Committee on Judiciary	216	1171*	1223*	1231	1748*	1863	1871	7-1 -10	626 - R* to Committee on Appropriations. 1210 - Second Reading LO until 4-14-10. 1785 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	
HB10-1278 by Representative(s) Ryden; also Senator(s) Carroll M.--Concerning the creation of an information officer for matters arising under the "Colorado Common Interest Ownership Act", and making an appropriation therefor. Committee on Business Affairs and Labor	216	853*	957*	966	1719*	1863	1886	#1-1 -11	669 - R* to Committee on Appropriations. 902 - Second Reading LO until 3-24-10. 1787 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1279 by Representative(s) McFadyen, Balmer, Casso, Pommer; also Senator(s) Williams--Concerning the ownership of a license to sell alcohol beverages at retail, and, in connection therewith, allowing a grocery store to apply to transfer ownership and change location of a retail liquor store license and to convert the retail liquor store license to a liquor-licensed drugstore license. Committee on Business Affairs and Labor	216									1141 - R* to Committee on Finance. 1645 - PI.
HB10-1280 by Representative(s) Summers; also Senator(s) Romer--Concerning an incentive to create Colorado nonprofit jobs by establishing an income tax credit. Committee on Finance Committee on Appropriations	216									551 - R* to Committee on Appropriations. 1173 - PI.
HB10-1281 by Representative(s) Casso; also Senator(s) Spence--Concerning the deregulation of telecommunications service in areas where sufficient market competition exists, and making an appropriation therefor. Committee on Transportation & Energy	217	1574*	1602*	1638	1837*	1863				1506 - R* to Committee on Appropriations. 1602 - Title change. 1840 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor. 1879 - V
HB10-1282 by Representative(s) King S. and Bradford; also Senator(s) Penry--Concerning the imposition of a moratorium on the closure of coal-solar power plants. Committee on Transportation & Energy	217	1448*								506 - Representative Bradford added as dual prime sponsor. 1466 - Second Reading LO daily until 5-11-10. 1790 - Special Orders. 1791 - LO until 6-9-10. Bill deemed lost.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1283 by Representative(s) Riesberg, Balmer, Curry, Frangas, Kefalas, Massey, McNulty, Priola, Rice, Roberts, Schafer S., Soper, Todd, Vaad; also Senator(s) Sandoval, Hodge, Keller, Penry, Spence, White, Williams--Concerning increasing patient safety outside of the litigation process, and, in connection therewith, requiring physicians to engage in ongoing professional development, facilitating information sharing about health care workers, and requiring demonstration project data about redress for adverse health care outcomes. Committee on Health and Human Services Committee on Judiciary	217									502 - R* to Committee on Judiciary. 1115 - Pl.
HB10-1284 by Representative(s) Massey and Summers, McCann, Rice; also Senator(s) Romer and Spence--Concerning regulation of medical marijuana, and making an appropriation therefor. Committee on Judiciary	217	1295*	1340*	1376	1703*	1863	1886	7-1 -10		906 - R* to Committee on Appropriations. 1295 - Title change. 1346 - * in the Committee of the Whole report. 1752 - Consideration of Senate amendments LO until 5-11-10. 1769 - House did not concur in Senate amendments and requested Conference Committee. 1792 - RC. House concurred in Senate amendments and repassed bill, as amended. 1792 - Representative Todd requested her name be removed as co-sponsor. 1864 - Delivered to Governor.
HB10-1285 by Representative(s) Priola, Casso, Kefalas, Looper, McFadyen, Rice, Acree, Apuan, Bradford, Frangas, Kerr A., Kerr J., Lambert, Liston, Massey, Middleton, Nikkel, Schafer S., Stephens, Summers, Vaad, Waller; also Senator(s) Tapia, Hudak, Hodge--Concerning an increase in fines to fund tax incentives for commercial vehicles, and making an appropriation in connection therewith. Committee on Transportation & Energy Committee on Finance	217	1402*	1422*	1431	1801*	1863	1891	7-1 -10		733 - R* to Committee on Finance. 1250 - R* to Committee on Appropriations. 1422 - Title change. 1809 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1286 by Representative(s) McNulty; also Senator(s) Scheffel--Concerning the transfer of corrections-related divisions of state government to the department of public safety. Committee on Judiciary Committee on Appropriations	217									626 - PI.
HB10-1287 by Representative(s) Lambert, Acree, Baumgardner, Bradford, DelGrosso, Ferrandino, Gardner C., Kerr J., Looper, May, McNulty, Murray, Nikkel, Pommer, Priola, Sonnenberg, Stephens, Summers, Tipton; also Senator(s) Cadman, Renfroe, Harvey, Mitchell, Keller, King K., Kopp, Lundberg, Schultheis, Spence, Tapia, White--Concerning the use of a state-owned motor vehicle for commuting purposes. Committee on State, Veterans, & Military Affairs Committee on Appropriations	217	1298*	1360*	1377	1837*	1863				555 - R* to Committee on Finance. 1254 - R* to Committee on Appropriations. 1346 - Second Reading LO until 4-21-10. 1841 - House concurred in Senate amendments and repassed bill, as amended. 1841 - Representative Gerou requested her name be removed as sponsor. 1864 - Delivered to Governor. 1881 - V
HB10-1288 by Representative(s) Nikkel, Rice, Ferrandino, Kerr J., Lambert, Liston, McNulty, Peniston, Priola, Scanlan, Waller; also Senator(s) Williams, Kopp, Penry, Tochtrop--Concerning the ability of a commercial real estate broker to secure payment of commissions earned, and, in connection therewith, enacting the "Commercial Real Estate Brokers Commission Security Act". Committee on Judiciary	218	626*	710*	714	963*	1324	1538	#8-11-10		677 - Second Reading LO until 3-8-10. 709 - L*. 710 - * in the Committee of the Whole report and bill passed as amended. 714 - Representative Primavera requested her name be removed as sponsor. 1002 - Consideration of Senate amendments LO daily until 4-5-10. 1102 - House concurred in Senate amendments and repassed bill, as amended. 1103 - Representative Merrifield requested his name be removed as sponsor. 1324 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1289 by Representative(s) Liston, Baumgardner, Bradford, Casso, Kerr J., Massey, Murray, Nikkel, Priola, Rice, Scanlan, Schafer S., Stephens, Tipton; also Senator(s) Scheffel--Concerning an exemption for machinery used to provide telecommunications service from the state sales and use tax. Committee on Finance Committee on Appropriations	218									520 - R to Committee on Appropriations. 686 - PI.
HB10-1290 by Representative(s) Stephens; also Senator(s) Brophy--Concerning procedures for small planned communities to elect to exempt themselves from certain provisions of the "Colorado Common Interest Ownership Act". Committee on Local Government	218	522	612*							572 - Second Reading LO until 3-1-10. 610 - L.* 612 - * in the Committee of the Whole report and bill passed as amended. 630 - Third Reading LO until 3-3-10. 635 - L.
HB10-1291 by Representative(s) Priola, Acree, Apuan, Balmer, Bradford, Kerr J., King S., Labuda, Levy, Liston, Looper, Massey, McCann, McFadyen, McNulty, Middleton, Murray, Nikkel, Sonnenberg, Stephens, Swalm, Waller; also Senator(s) Newell, Hodge, Mitchell--Concerning the elimination of certain witness fees, and making an appropriation therefor. Committee on Judiciary	218	769*	811*	820	1481	1863	1877	7-1 -10		474 - R to Committee on Appropriations. 811 - Title change. 1863 - Delivered to Governor.
HB10-1292 by Representative(s) Murray, Schafer S.; also Senator(s) Harvey--Concerning a clarification of the conditions on land-use approvals that may be imposed by local governments under statutory provisions governing the regulatory impairment of property rights. Committee on Local Government	218	522*	610*	635						572 - Second Reading LO until 3-1-10. 630 - Third Reading LO until 3-3-10. 1009 - Lost in Senate.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1293 by Representative(s) Massey; also Senator(s) Whitehead--Concerning the creation of a task force to study property tax assessment issues related to the use of land for agricultural purposes. Committee on State, Veterans, & Military Affairs Committee on Appropriations	218	853	859*	881	1214*	1863	1886	6-7 -10	556 - R* to Committee on Appropriations. 857 - Special Orders. 1228 - Consideration of Senate amendments LO daily until 4-19-10. 1316 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	
HB10-1294 by Representative(s) Looper, Balmer, Baumgardner, Casso, DelGrosso, Gardner C., Kerr J., Lambert, Liston, McKinley, Murray, Priola, Stephens, Summers, Swalm, Tipton, Vaad; also Senator(s) King K.--Concerning a prohibition on the transfer of detainees from the Guantanamo bay detention facility to a correctional facility in the state of Colorado. Committee on Judiciary	218								626 - PI.	
HB10-1295 by Representative(s) Lambert, Acree, Baumgardner, Bradford, DelGrosso, Gardner C., Gerou, Kerr J., Looper, McNulty, Murray, Nikkel, Priola, Sonnenberg, Stephens, Summers, Tipton; also Senator(s) Lundberg, King K., Brophy, Harvey, Kopp, Renfroë, Schultheis, Spence--Concerning the creation of income tax credits for nonpublic education. Committee on Finance	219								552 - PI.	
HB10-1296 by Representative(s) Swalm; also Senator(s) Penry--Concerning an incentive for enrollment of qualified children in private schools. Committee on Finance	219								520 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1297 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- Concerning a supplemental appropriation to the department of agriculture. Committee on Appropriations	251	355	384*	406	601	670	754	3-10 -10		383 - Special Orders. 391 - * in the Committee of the Whole report. 670 - Delivered to Governor.
HB10-1298 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- Concerning a supplemental appropriation to the department of corrections. Committee on Appropriations	251	355*	385*	406	601	670	754	3-10 -10		383 - Special Orders. 670 - Delivered to Governor.
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. Committee on Appropriations	251	355	385	407	601	670	754	3-10 -10		383 - Special Orders. 670 - Delivered to Governor.
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. Committee on Appropriations	251	355*	385*	407	601	670	754	3-10 -10		383 - Special Orders. 670 - Delivered to Governor.
HB10-1301 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- Concerning a supplemental appropriation to the department of higher education. Committee on Appropriations	251	355	386	408	601	670	754	3-10 -10		383 - Special Orders. 670 - Delivered to Governor.
HB10-1302 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- Concerning a supplemental appropriation to the department of human services. Committee on Appropriations	251	355	387	412	601	670	754	3-10 -10		383 - Special Orders. 670 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1303 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- Concerning a supplemental appropriation to the judicial department. Committee on Appropriations	251	356	387	412	601	670	754	3-10 -10	383 - Special Orders. 670 - Delivered to Governor.	
HB10-1304 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- Concerning a supplemental appropriation to the department of labor and employment. Committee on Appropriations	252	356*	386*	408	601	670	755	3-10 -10	383 - Special Orders. 670 - Delivered to Governor.	
HB10-1305 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- Concerning a supplemental appropriation to the department of law. Committee on Appropriations	252	356	386	409	601	670	755	3-10 -10	383 - Special Orders. 670 - Delivered to Governor.	
HB10-1306 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- Concerning a supplemental appropriation to the department of legislature. Committee on Appropriations	252	356	386*	409	601*	696	755	3-10 -10	383 - Special Orders. 615 - Consideration of Senate amendments LO daily until 3-3-10. 646 - House concurred in Senate amendments and repassed bill, as amended. 711 - Delivered to Governor.	
HB10-1307 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- Concerning supplemental appropriation to the department of local affairs. Committee on Appropriations	252	356	387	410	601	670	755	3-10 -10	383 - Special Orders. 670 - Delivered to Governor.	
HB10-1308 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- Concerning a supplemental appropriation to the department of military and veterans affairs. Committee on Appropriations	252	356	387	410	601	670	755	3-10 -10	383 - Special Orders. 670 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1309 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- -Concerning a supplemental appropriation to the department of natural resources. Committee on Appropriations	252	356	387	411	601	670	755	3-10 -10		383 - Special Orders. 670 - Delivered to Governor.
HB10-1310 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- -Concerning a supplemental appropriation to the department of personnel and administration. Committee on Appropriations	252	356	387	411	601	670	755	3-10 -10		383 - Special Orders. 670 - Delivered to Governor.
HB10-1311 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- -Concerning a supplemental appropriation to the department of public health and environment. Committee on Appropriations	252	356	387	413	601	670	755	3-10 -10		383 - Special Orders. 670 - Delivered to Governor.
HB10-1312 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- -Concerning a supplemental appropriation to the department of public safety. Committee on Appropriations	252	356	388	413	601	670	755	3-10 -10		383 - Special Orders. 670 - Delivered to Governor.
HB10-1313 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- -Concerning a supplemental appropriation to the department of regulatory agencies. Committee on Appropriations	252	356	388	414	601	670	755	3-10 -10		383 - Special Orders. 670 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1314 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- -Concerning a supplemental appropriation to the department of revenue. Committee on Appropriations	253	356	388	415	601	670	755	3-10 -10	383 - Special Orders. 670 - Delivered to Governor.	
HB10-1315 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- -Concerning a supplemental appropriation to the department of state. Committee on Appropriations	253	356	388	415	601	670	756	3-10 -10	383 - Special Orders. 670 - Delivered to Governor.	
HB10-1316 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- -Concerning a supplemental appropriation to the department of transportation. Committee on Appropriations	253	357	388	416	601	670	756	3-10 -10	383 - Special Orders. 670 - Delivered to Governor.	
HB10-1317 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- -Concerning a supplemental appropriation to the department of the treasury. Committee on Appropriations	253	357	388	416	601	670	756	3-10 -10	383 - Special Orders. 670 - Delivered to Governor.	
HB10-1318 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White- -Concerning circumstances under which the requirement that each school district receive a minimum amount of state funding for total program funding as calculated through the "Public School Finance Act of 1994" shall not apply to any district. Committee on Appropriations	253	357*	388*	417	601*	734	893	3-22 -10	383 - Special Orders. 388 - Title change. 615 - Consideration of Senate amendments LO daily until 3-3-10. 647 - House concurred in Senate amendments and repassed bill, as amended. 797 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1319 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) Tapia, Keller, White- Concerning modifications to statutory transfers for energy-related assistance to low-income households from the operational account of the severance tax trust fund for three particular state fiscal years. Committee on Appropriations	253	357	389	421	601	696	844	3-18 -10	383 - 711 -	Special Orders. Delivered to Governor.
HB10-1320 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White- Concerning the use of tobacco revenues generated under section 21 of article X of the state constitution in a state fiscal emergency, and making an appropriation therefor. Committee on Appropriations	253	357*	389*	421	601*	1107	1330	4-15 -10	383 - 615 - 649 - 696 - 841 - 843 - 876 - 888 - 1135 -	Special Orders. Consideration of Senate amendments LO daily until 3-3-10. House did not concur in Senate amendments and requested Conference Committee. House members: Pommer, Lambert, and Ferrandino. Senate acceded to request for Conference Committee. Senate members: Tapia, Keller, and White. Conference Committee report. Senate adopted Conference Committee report and repassed bill, as amended. Consideration of Conference Committee report LO until 3-22-10. House adopted Conference Committee report and repassed bill, as amended. Delivered to Governor.
HB10-1321 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White- Concerning moneys appropriated for health clinics. Committee on Appropriations	253	358	390	422	601 657*	815	1011	3-29 -10	383 - 656 - 657 - 672 - 705 - 842 -	Special Orders. Senate recalled bill for RC. Senate RC. Repassed bill as amended Consideration of Senate amendments LO daily until 3-8-10. House concurred in Senate amendments and repassed bill, as amended. Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1322 by Representative(s) Lambert, Ferrandino, Pommer; also Senator(s) White, Keller, Tapia- Concerning the repeal of the pilot programs on the use of telemedicine, and making an appropriation therefor. Committee on Appropriations	253	358	390	423	601	696	845	3-18 -10	383 - Special Orders. 711 - Delivered to Governor.	
HB10-1323 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White- Concerning the use of tobacco litigation funds for health care programs, and making an appropriation therefor. Committee on Appropriations	254	358*	390*	423	601	734	893	3-22 -10	383 - Special Orders. 797 - Delivered to Governor.	
HB10-1324 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) White, Keller, Tapia- Concerning a reduction in the general fund portion of the per diem rates paid to nursing facilities, and making an appropriation therefor. Committee on Appropriations	254	368*	390*	424	600	600	627	3-1 -10	383 - Special Orders. 600 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1325 by Representative(s) Lambert, Pommer, Ferrandino; also Senator(s) White, Keller, Tapia--Concerning the transfer of interest earned by certain settlement moneys in the natural resource damage recovery fund. Committee on Appropriations	254	368	390	424	601	696	845	3-18 -10	383 - Special Orders. 711 - Delivered to Governor.	
HB10-1326 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White--Concerning an increase in the amount of authorized appropriations from the operational account of the severance tax trust fund to the division of parks and outdoor recreation, and, in connection therewith, adjusting the 2009 long bill. Committee on Appropriations	254	368*	390*	442	601	734	893	3-22 -10	383 - Special Orders. 434 - Third Reading LO until 2-19-10. 797 - Delivered to Governor.	
HB10-1327 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia--Concerning the augmentation of the general fund through transfers of certain moneys. Committee on Appropriations	254	369*	391*	442	601*	1107	1330	4-15 -10	383 - Special Orders. 434 - Third Reading LO until 2-19-10. 615 - Consideration of Senate amendments LO daily until 3-3-10. 649 - House did not concur in Senate amendments and requested Conference Committee. House members: Pommer, Lambert, and Ferrandino . 696 - Senate acceded to request for Conference Committee. Senate members: White, Tapia, and Keller. 841 - Conference Committee report. 843 - Senate adopted Conference Committee report and repassed bill, as amended. 876 - Consideration of Conference Committee report LO until 3-22-10. 889 - House adopted Conference Committee report and repassed bill, as amended. 1135 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1328 by Representative(s) Miklosi, Apuan, Benefield, Casso, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst, Kefalas, Kerr A., Labuda, Levy, McCann, McFadyen, Merrifield, Middleton, Peniston, Pommer, Primavera, Ryden, Scanlan, Solano, Todd, Tyler, Vigil, Weissmann; also Senator(s) Schwartz--Concerning the "New Energy Jobs Creation Act of 2010", and, in connection therewith, creating the Colorado new energy improvement district and authorizing the district to fund new energy improvements by issuing special assessment bonds payable from special assessments levied on eligible real property owned by persons who voluntarily join the district in order to have the district help them fund new energy improvements to the eligible real property. Committee on State, Veterans, & Military Affairs	254	692*	982*	1006	1366*	1863	1893	6-11 -10	719 - Second Reading LO daily until 3-26-10. 1385 - Consideration of Senate amendments LO daily until 4-28-10. 1463 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	
HB10-1329 by Representative(s) Peniston, Casso, Court, Fischer, Frangas, Hullinghorst, Labuda, Levy, McCann, Miklosi, Pommer, Riesberg, Solano, Tyler, Vigil; also Senator(s) Boyd, Bacon, Hodge, Hudak, Keller, Romer, Steadman, Tochtrop, Williams--Concerning solid waste user fees, and making an appropriation in connection therewith. Committee on Finance	254	552*	611*	637	1582*	1863	1886	6-7 -10	630 - Third Reading LO until 3-3-10. 1617 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1330 by Representative(s) Kefalas and Kagan, Apuan, Court, Fischer, Gagliardi, Levy, Miklosi, Pace, Primavera, Rice, Riesberg, Solano, Tyler, Vigil; also Senator(s) Morse--Concerning the creation of an advisory committee to make recommendations regarding the creation of a Colorado all-payer health claims database for the purpose of transparent public reporting of health care information. Committee on Health and Human Services	255	589*	707*	713	1481*	1863	1874	#8-11 -10	612 - Second Reading LO until 3-8-10. 1510 - Consideration of Senate amendments LO until 4-30-10. 1542 - House did not concur in Senate amendments and requested Conference Committee. House members: Kefalas, Kagan, and Roberts. 1582 - Senate acceded to request for Conference Committee. Senate members: Morse, Boyd, and Schultheis. 1718 - Conference Committee report. 1719 - Senate adopted Conference Committee report and repassed bill, as amended. 1789 - House adopted Conference Committee report and repassed bill, as amended. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1331 by Representative(s) Gerou--Concerning the establishment of a green building incentive pilot program administered by the governor's energy office to incentivize the making of energy efficiency improvements to existing residences with current home energy ratings below minimum standards for people who purchase highly efficient new residential construction. Committee on Transportation & Energy	255								1131 - R* to Committee on Appropriations. 1298 - PI.	
HB10-1332 by Representative(s) Miklosi, Apuan, Gagliardi, Kefalas, Primavera, Tyler; also Senator(s) Romer--Concerning the creation of the "Medical Clean Claims Transparency and Uniformity Act". Committee on Health and Human Services	278	860*	903*	955	1411*	1837	1875	5-26 -10	590 - R* to Committee on Appropriations. 903 - Title change. 1427 - Consideration of Senate amendments LO daily until 4-28-10. 1464 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1333 by Representative(s) Vigil, Todd, Apuan, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst, Kagan, Kefalas, Levy, Massey, McFadyen, McKinley, Middleton, Miklosi, Pace, Peniston, Pommer, Riesberg, Ryden, Scanlan, Schafer S., Solano, Soper, Tyler; also Senator(s) Schwartz and Newell--Concerning the creation of the green jobs Colorado training program in the office of the governor, and, in connection therewith, creating the green jobs Colorado advisory council and the green jobs Colorado training fund, and making an appropriation. Committee on Business Affairs and Labor	278	550*	611*	638	1481*	1837	1893	6-11-10		630 - Third Reading LO until 3-3-10. 1510 - Consideration of Senate amendments LO daily until 5-4-10. 1609 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.
HB10-1334 by Representative(s) King S.; also Senator(s) Steadman--Concerning changes to indecency crimes. Committee on Judiciary	278	988	1061*	1096	1582*	1863	1886	#8-11-10		626 - R* to Committee on Appropriations. 1618 - Consideration of Senate amendments Lo daily until 5-6-10. 1666 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1335 by Representative(s) Massey and Scanlan; also Senator(s) Sandoval--Concerning the authorization of boards of cooperative services as school food authorities, and, in connection therewith, creating the BOCES healthy food grant program. Committee on Education	292	770	812*	821	1481*	1863	1877	#8-11-10		330 - Representative Scanlan added as dual prime sponsor. 577 - R* to Committee on Appropriations. 1510 - Consideration of Senate amendments LO daily until 5-4-10. 1610 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1336 by Representative(s) Schafer S.; also Senator(s) Newell--Concerning expenditures to be made by the department of public safety, and making an appropriation therefor. Committee on Judiciary Committee on Appropriations	292	770*	858*	879	1582	1863	1879	6-5 -10		614 - R to Committee on Appropriations. 812 - Second Reading LO until 3-19-10. 857 - Special Orders. 858 - Title change. 1864 - Delivered to Governor.
HB10-1337 by Representative(s) Lambert, Ferrandino, Pommer; also Senator(s) White, Keller, Tapia--Concerning the compensation of teachers employed by the Colorado school for the deaf and the blind. Committee on Appropriations	292									450 - PI.
HB10-1338 by Representative(s) McCann; also Senator(s) Steadman--Concerning the eligibility for probation of a person who has two or more felony convictions, and making appropriations in connection therewith. Committee on Judiciary	292	1298*	1360*	1377	1837*	1863	1871	5-25 -10		776 - R* to Committee on Appropriations. 1346 - Second Reading LO until 4-21-10. 1360 - Title change. 1842 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1339 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia--Concerning the distribution of limited gaming fund moneys for the 2009-10 state fiscal year, and making an appropriation in connection therewith. Committee on Appropriations	327	369*	391*	448	601*	1107	1330	4-15 -10	383 - Special Orders. 391 - Title change. 434 - Third Reading LO until 2-19-10. 615 - Consideration of Senate amendments LO daily until 3-3-10. 648 - House did not concur in Senate amendments and requested Conference Committee. House members: Pommer, Ferrandino, and Lambert. 696 - Senate acceded to request for Conference Committee. Senate members: White, Tapia, and Keller. 841 - Conference Committee report. 843 - Senate adopted Conference Committee report and repassed bill, as amended. 876 - Consideration of Conference Committee report LO until 3-22-10. 890 - House adopted Conference Committee report and repassed bill, as amended. 1135 - Delivered to Governor.	
HB10-1340 by Representative(s) Vigil; also Senator(s) Newell--Concerning the notice sent by a law enforcement agency when a vehicle has been towed from public property. Committee on Judiciary	327	689	763	788	1108	1425	1655	5-5 -10	719 - Second Reading LO daily until 3-12-10. 1560 - Delivered to Governor.	
HB10-1341 by Representative(s) Judd; also Senator(s) Keller--Concerning the transfer of moneys from the motorist insurance identification account in the highway users tax fund to the Colorado state titling and registration account in the highway users tax fund. Committee on Transportation & Energy	327	853*	860*	882	1481	1863	1875	5-26 -10	734 - R to Committee on Appropriations. 857 - Special Orders. 1863 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1342 by Representative(s) Levy, Benefield, Court, Ferrandino, Fischer, Gagliardi, Hullinghorst, Kagan, Merrifield, Peniston, Pommer, Primavera, Solano, Tyler; also Senator(s) Williams, Newell--Concerning measures to encourage additional investment in solar energy generation facilities, and, in connection therewith, authorizing the creation of community solar gardens. Committee on Transportation & Energy	327	782*	900*	952	1450*	1837	1879	6-5 -10	812 - Second Reading LO daily until 3-23-10. 1484 - Consideration of Senate amendments LO daily until 4-30-10. 1549 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	
HB10-1343 by Representative(s) Carroll T.--Concerning standards for the effective governance of charter schools. Committee on Education	327								1321 - Bill withdrawn by prime sponsor.	
HB10-1344 by Representative(s) Carroll T.--Concerning the establishment of quality standards for chartering authorities of charter schools. Committee on Education	327								1321 - Bill withdrawn by prime sponsor.	
HB10-1345 by Representative(s) Carroll T.; also Senator(s) Steadman and King K.--Concerning the granting of emergency powers during emergency situations at charter schools. Committee on Education	327	1498*	1554*	1566	1801*	1863	1870	5-21 -10	1550 - Special Orders. 1810 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1346 by Representative(s) Kagan, Gardner B., Labuda, Levy, Roberts; also Senator(s) Carroll M., Brophy, Mitchell, Morse, Schwartz--Concerning an increase in the number of days emergency rules adopted by executive branch agencies pursuant to the "State Administrative Procedure Act" may be in effect. Committee on Judiciary	327	614	676	700	946	1134	1330	4-15 -10	1153	- Delivered to Governor.
HB10-1347 by Representative(s) Levy; also Senator(s) Morse--Concerning misdemeanor penalties for persons who are convicted of multiple traffic offenses involving alcohol or drugs, and making an appropriation therefor. Committee on Judiciary	346	1173*	1273*	1311	1801*	1863	1871	5-25 -10	778 1210 1273 1813 1863	- R* to Committee on Appropriations. - Second Reading LO daily until 4-16-10. - Title change. - House concurred in Senate amendments and repassed bill, as amended. - Delivered to Governor.
HB10-1348 by Representative(s) McFadyen, Massey; also Senator(s) Kester and Bacon--Concerning increased regulatory authority regarding radioactive materials. Committee on Transportation & Energy	346	863*	1057*	1088	1481*	1863	1888	6-8 -10	903 1473 1863	- Second Reading LO daily until 4-1-10. - House concurred in Senate amendments and repassed bill, as amended. - Delivered to Governor.
HB10-1349 by Representative(s) Fischer and Pace; also Senator(s) Schwartz and Tapia--Concerning the use of renewable energy resources to supply the energy needs of state government, and, in connection therewith, commissioning the creation of a statewide map of available renewable energy generation areas on state lands and establishing the "Re-energize Colorado" program in the division of parks and outdoor recreation in the department of natural resources, and making an appropriation therefor. Committee on Transportation & Energy	346	1300*	1393*	1420	1801*	1863	1888	6-8 -10	1131 1346 1393 1811 1863	- R* to Committee on Appropriations. - Second Reading LO until 4-21-10. - Title change. - House concurred in Senate amendments and repassed bill, as amended. - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1350 by Representative(s) Pace, Ferrandino, Frangas, Gagliardi, Labuda, Hullinghorst, Levy, Pommer; also Senator(s) Carroll M.-- Concerning requirements for conducting a study by the office of economic development in the office of the governor to establish a plan for tracking certain job creation activities by recipients of certain economic development incentives, and, in connection therewith, creating a plan for tracking job retention and requiring the office of economic development to collect and report information regarding the number of jobs created and median and average salaries of those jobs in the annual report filed pursuant to law. Committee on Finance	400	1381*	1433*	1474						1421 - Second Reading LO until 4-27-10. 1433 - Title change. 1719 - L in Senate.
HB10-1351 by Representative(s) Ferrandino, Apuan, Curry, Gagliardi, Hullinghorst, Kerr A., McCann, Merrifield, Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Tyler, Vigil; also Senator(s) Romer, Carroll M., Foster, Keller, Morse--Concerning the maximum authorized interest rate for a payday loan. Committee on Judiciary	490	721* 1176*	1247*	1310	1581*	1863	1871	#8-11 -10		731 - Second Reading LO until 3-12-10. 765 - * LO daily until 4-7-10. 1120 - RR to Committee on Judiciary by Committee of the Whole unamended. 1198 - Second Reading LO until 4-15-10. 1270 - Third Reading LO daily until 4-19-10. 1310 - Representative Casso requested his name be removed as sponsor. 1618 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1352 by Representative(s) Waller, Pace, Court, Gardner B., Gerou, Kagan, King S., Levy, Looper, Massey, May, McCann, Miklosi, Nikkel, Roberts, Ryden, Stephens; also Senator(s) Steadman and Mitchell, Carroll M., Hudak, Morse, Newell, Penry, White-- Concerning changes to crimes involving controlled substances, and making an appropriation in connection therewith. Committee on Judiciary	505	1174*	1223*	1232*	1719*	1863	1872	#8-11 -10		942 - R* to Committee on Appropriations. 1210 - Second Reading LO until 4-14-10. 1223 - Title change. 1779 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1353 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White-- Concerning financial savings through the alignment of eligibility for the old age pension program with eligibility for other public benefit programs, and, in connection therewith, aligning the waiting period for the old age pension with the waiting period for other public benefit programs, including the enforcement of financial responsibility requirements for relative sponsors of noncitizens, crediting to the general fund of sales and use tax revenue that was previously required to be credited to the supplemental OAP health and medical program fund, and making an appropriation. Committee on Appropriations	505	686*								731 - Second Reading LO daily until 3-17-10. 822 - LO until 7-1-10. Bill Deemed Lost.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1354 by Representative(s) Benefield and Looper, Weissmann, Acree, Apuan, Balmer, Casso, Curry, DelGrosso, Ferrandino, Frangas, Gagliardi, Gardner C., Gerou, Hulinghorst, Labuda, McFadyen, Merrifield, Middleton, Miklosi, Murray, Rice, Roberts, Scanlan, Schafer S., Solano, Summers, Swalm, Tipton, Todd, Vaad, Vigil; also Senator(s) Morse, Hodge, Newell, Penry, Spence, Steadman--Concerning policy studies conducted by the general assembly during the legislative interim. Committee on State, Veterans, & Military Affairs	628	991*	1062*	1101						1101 - Representatives Bradford, Kerr J., King, Nikkel requested their names be removed as sponsors. 1581 - Lost in Senate.
HB10-1355 by Representative(s) Gagliardi, Merrifield; also Senator(s) Kopp--Concerning the off-label use of a prescription drug for a specific type of cancer for which the drug is recognized for treatment in the reference compendia as identified by the secretary of the United States department of health and human services. Committee on Health and Human Services	671	861	957	966	1450	1718	1865	#8-11 -10		903 - Second Reading LO until 3-24-10. 1829 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1356 by Representative(s) Ryden, Miklosi, Pace; also Senator(s) Tochtrop, Carroll M., Hodge--Concerning enactment of the "Workers' Compensation Policyholder Protection Act of 2010", and, in connection therewith, requiring the distribution of excess surplus funds held by Pinnacol Assurance to Pinnacol Assurance policyholders and limiting the insurance commissioner's discretion with respect to the prior approval of workers' compensation pure premium rates filed by a rating organization. Committee on Business Affairs and Labor	671									1127 - PI.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over	OTHER ACTION
HB10-1357 by Representative(s) McFadyen and Judd, Carroll T.; also Senator(s) Romer and Boyd, Mitchell--Concerning creation of a false claims act, and making an appropriation in connection therewith. Committee on Judiciary	671	1300*	1421*	1430						861 - R* to Committee on Appropriations. 1336 - Second Reading LO until 4-23-10. 1421 - Title change. 1430 - Representative Vaad requested his name be removed name as sponsor. 1801 - Lost in Senate.	
HB10-1358 by Representative(s) Fischer, Apuan, Court, Frangas, Gagliardi, Hullinghorst, Kagan, Kefalas, Kerr A., Labuda, Levy, Merrifield, Middleton, Pace, Peniston, Primavera, Ryden, Solano, Todd, Tyler, Vigil, Weissmann; also Senator(s) Johnston, Bacon, Hodge, Steadman, Tapia, Williams--Concerning a requirement for new home builders to offer home buyers water efficiency options. Committee on Transportation & Energy	671	1132*	1185*	1197	1708*	1863	1890	#1-1 -11	1159 - Second Reading LO until 4-12-10. 1752 - Consideration of Senate amendments LO until 5-11-10. 1771 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.		
HB10-1359 by Representative(s) McCann; also Senator(s) Steadman--Concerning change of venue in dependency and neglect proceedings, and, in connection therewith, clarifying the role of the county departments of social or human services when jurisdiction over a case is transferred between counties. Committee on Health and Human Services	734	990	1061	1099	1481	1863	1864	#9-1 -10	1863 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.		

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1360 by Representative(s) Pace, Apuan, Casso, Court, Ferrandino, Fischer, Kagan, Kefalas, Levy, Looper, McCann, McFadyen, Merrifield, Miklosi, Ryden, Vigil, Weissmann; also Senator(s) Steadman, Carroll M., Foster, Hudak, Morse, Newell, Romer, Tapia--Concerning changes to certain parole-related statutes to reduce the number of parolees who return to the department of corrections, and making an appropriation in connection therewith. Committee on Judiciary	734	1403*	1434*	1455	1837*	1863	1872	5-25-10	1351 - R* to Committee on Appropriations. 1421 - Second Reading LO until 4-27-10. 1434 - Title change. 1843 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	
HB10-1361 by Representative(s) Sonnenberg--Concerning acquisitions by the wildlife commission of fee simple title to real property using habitat stamp funds. Committee on State, Veterans, & Military Affairs	734								1007 - PI.	
HB10-1362 by Representative(s) Vigil; also Senator(s) Schwartz--Concerning the inactive status of a special district. Committee on Local Government	783	960*	981*	1006	1481*	1863	1886	#8-11-10	1510 - Consideration of Senate amendments LO daily until 5-4-10. 1611 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1363 by Representative(s) Scanlan, Liston, McFadyen; also Senator(s) White, Boyd, Gibbs, Hodge, Johnston--Concerning incentives for the production of biogenic gas that was created as a result of human intervention. Committee on Transportation & Energy	784	1177*	1224*	1234	1481	1863	1889	#8-11-10	1210 - Second Reading LO until 4-14-10. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1364 by Representative(s) Ryden; also Senator(s) Hudak--Concerning the sex offender management board, and, in connection therewith, continuing the sex offender management board, and making an appropriation. Committee on Judiciary	784	1301*	1360*	1378	1748*	1863				990 - R* to Committee on Appropriations. 1346 - Second Reading LO until 4-21-10. 1360 - Title change. 1786 - House did not concur in Senate amendments and requested Conference Committee. House members: Ryden, Levy, and Nikkel. 1801 - Senate acceded to request for Conference Committee. Senate members: Hudak, Steadman, and King. 1849 - Senate adopted Conference Committee report and repassed bill, as amended. 1849 - Conference Committee report. 1850 - House adopted Conference Committee report and repassed bill, as amended. 1863 - Delivered to Governor. 1867 - V
HB10-1365 by Representative(s) Solano and Roberts, Benefield, Carroll T., Court, Fischer, Frangas, Gerou, Hulinghorst, Kagan, Kerr A., Kerr J., King S., Levy, Liston, Massey, May, McFadyen, McNulty, Merrifield, Middleton, Miklosi, Peniston, Pommer, Primavera, Rice, Ryden, Scanlan, Schafer S., Stephens, Todd, Tyler, Vaad, Vigil; also Senator(s) Whitehead and Penry--Concerning incentives for electric utilities to reduce air emissions, and, in connection therewith, requiring plans to achieve such reductions that give primary consideration to replacing or repowering coal generation with natural gas and also considering other low-emitting resources, and making an appropriation. Committee on Transportation & Energy	798	854*	858*	887	1026*	1153	1331	4-19 -10		826 - R* to Committee on Appropriations. 857 - Special Orders. 858 - Title change. 873 - * in the Committee of the Whole report. 887 - Representatives DelGrosso, Looper requested their names be removed as sponsors. 1041 - House concurred in Senate amendments and repassed bill, as amended. 1042 - Representative Balmer requested his name be removed as sponsor. 1178 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1366 by Representative(s) Apuan, Casso, Court, Hullinghorst, Labuda, McCann, Middleton, Miklosi, Murray, Scanlan, Todd; also Senator(s) Newell--Concerning the prohibition of a person who is serving a sentence under community supervision as a result of conviction for certain offenses from acting as a petition circulator unless the person receives written permission from the appropriate supervisory entity prior to circulating any petition. Committee on State, Veterans, & Military Affairs	827	1511*	1551*	1596						1130 - R* to Committee on Finance. 1381 - R* to Committee on Appropriations. 1550 - Special Orders. 1551 - Title change. 1585 - Third Reading LO until 5-4-10. 1719 - PI in Senate.
HB10-1367 by Representative(s) Weissmann; also Senator(s) Morse--Concerning payment of expenses of the legislative department. Committee on Appropriations	828	854	858	879	1064	1107	1330	4-15 -10		857 - Special Orders. 1134 - Delivered to Governor.
HB10-1368 by Representative(s) Scanlan--Concerning a modification to planning requirements affecting county governments to clarify that political subdivisions are not exempt from county approval of land-use development under the "Planned Unit Development Act of 1972". Committee on Local Government	828									1408 - PI.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1369 by Representative(s) Scanlan and Pommer; also Senator(s) Bacon--Concerning the financing of public schools, and making an appropriation therefor. Committee on Education	828	854*	871*	882	1064*	1863	1870	5-21 -10	845 - R* to Committee on Appropriations. 857 - Special Orders. 871 - Title change. 1103 - House did not concur in Senate amendments and requested Conference Committee with permission to go beyond scope. House members: Scanlan, Pommer, and Massey. 1191 - Senate acceded to request for Conference Committee with permission to go beyond scope. Senate members: Bacon, King, Steadman. 1389 - Senate adopted Conference Committee report and repassed bill, as amended. 1396 - Conference Committee report. 1398 - House adopted Conference Committee report and repassed bill, as amended. 1863 - Delivered to Governor.	
HB10-1370 by Representative(s) Court, Apuan, Carroll T., Casso, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst, Kagan, Kerr A., King S., Labuda, Levy, Looper, Massey, McCann, McFadyen, Merrifield, Middleton, Miklosi, Murray, Pace, Peniston, Pommer, Primavera, Rice, Roberts, Ryden, Scanlan, Schafer S., Solano, Soper, Todd, Tyler, Vaad, Vigil, Weissmann; also Senator(s) Steadman-- Concerning certain disclosure requirements that apply to statewide ballot measures. Committee on State, Veterans, & Military Affairs	874	1302	1361*	1378	1719	1863	1872	#1-1 -11	1131 - R* to Committee on Appropriations. 1346 - Second Reading LO until 4-21-10. 1864 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB10-1371 by Representative(s) Frangas, Swalm; also Senator(s) Mitchell--Concerning alternative practitioners of the healing arts, and, in connection therewith, enacting the "Colorado Health Freedom Act" to provide an exemption for unlicensed complementary and alternative practitioners of the healing arts. Committee on Health and Human Services	874								1112 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1372 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) White, Keller, Tapia--Concerning changes to the appropriations sections of House Bill 09-1293 related to a hospital provider fee. Committee on Appropriations	893	905	956*	965	1064*	1425	1655	5-5 -10	1103 -	House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor.
HB10-1373 by Representative(s) Carroll T.; also Senator(s) Hudak--Concerning changes to sentencing provisions for escape crimes. Committee on Judiciary	947	1303*	1390*	1416	1719	1863	1872	5-25 -10	1346 -	Second Reading LO daily until 4-23-10. 1863 - Delivered to Governor.
HB10-1374 by Representative(s) Ferrandino, Levy, Waller; also Senator(s) Penry, Morse, Steadman--Concerning parole, and making an appropriation in connection therewith. Committee on Judiciary	947	1404*	1435*	1456*	1828*	1863	1872	5-25 -10	1304 -	R* to Committee on Appropriations. 1421 - Second Reading LO until 4-27-10. 1435 - Title change. 1830 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.
HB10-1375 by Representative(s) Riesberg, McFadyen; also Senator(s) Bacon, Schwartz--Concerning the necessary authority for Metropolitan state college of Denver to access favorable financing. Committee on Education	947	1175	1224	1234	1628	1863	1877	5-27 -10	1210 -	Second Reading LO until 4-14-10. 1864 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1376 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Keller, Tapia, White- Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2010, except as otherwise noted. Committee on Appropriations	1000	1013*	1026*	1047	1160*	1355	1538	4-29 -10	1160 - House did not concur in Senate amendments and requested Conference Committee with permission to go beyond scope. House members: Pommer, Ferrandino, and Lambert. 1190 - Senate acceded to request for Conference Committee with permission to go beyond scope. Senate members: Keller, Tapia, and White. 1261 - Senate adopted Conference Committee report and repassed bill, as amended. 1262 - Conference Committee report. 1278 - House adopted Conference Committee report and repassed bill, as amended. 1355 - Delivered to Governor.	
HB10-1377 by Representative(s) Lambert, Ferrandino, Pommer; also Senator(s) Tapia, Keller, White- Concerning the temporary funding of certain agriculture programs entirely with cash funds, and making appropriations therefor. Committee on Appropriations	1000	1014	1022	1048	1190	1481	1749	5-6 -10	1560 - Delivered to Governor.	
HB10-1378 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) Keller, Tapia, White- Concerning moneys appropriated in the 2010-11 fiscal year for health clinics, and making appropriations therefor. Committee on Appropriations	1000	1014	1022*	1048	1190*	1509	1749	5-27 -10	1216 - Consideration of Senate amendments LO daily until 4-16-10. 1279 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor.	
HB10-1379 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) White, Keller, Tapia- Concerning a reduction in the general fund portion of the per diem rates paid to nursing facilities for the 2010-11 fiscal year, and making an appropriation in connection therewith. Committee on Appropriations	1000	1014	1023	1049	1190*	1509	1749	5-6 -10	1216 - Consideration of Senate amendments LO daily until 4-16-10. 1280 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1380 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia- Concerning the use of moneys in the supplemental old age pension health and medical care fund to pay for services received by certain persons in the state medicaid program, and making an appropriation therefor. Committee on Appropriations	1000	1014	1023	1050	1190	1481	1749	5-6-10		1560 - Delivered to Governor.
HB10-1381 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) White, Keller, Tapia- Concerning the use of tobacco revenues for health-related purposes during a state fiscal emergency, and making an appropriation therefor. Committee on Appropriations	1000	1014*	1023*	1056	1190*	1509	1749	5-27-10		1216 - Consideration of Senate amendments LO daily until 4-16-10. 1281 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor.
HB10-1382 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) White, Keller, Tapia- Concerning the repeal of the delay of certain payments made under public medical assistance programs. Committee on Appropriations	1000	1014*	1023*	1050	1190	1481	1749	5-6-10		1560 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1383 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia- Concerning funding for student financial aid for higher education, and making an appropriation therefor. Committee on Appropriations	1001	1014	1024	1051	1190*	1863	1886	6-7 -10	1216 - Consideration of Senate amendments LO daily until 4-16-10. 1282 - House did not concur in Senate amendments and requested Conference Committee. House members: Pommer, Ferrandino, Lambert. 1325 - Senate acceded to request for Conference Committee. Senate members: White, Tapia, and Keller. 1480 - Conference Committee report. 1482 - Senate adopted Conference Committee report and repassed bill, as amended. 1510 - Consideration of Conference Committee report LO daily until 5-4-10. 1623 - House adopted Conference Committee report and repassed bill, as amended. 1864 - Delivered to Governor.	
HB10-1384 by Representative(s) Lambert, Ferrandino, Pommer; also Senator(s) White, Keller, Tapia- Concerning the alignment of eligibility for the old age pension program with eligibility for the old age pension program with eligibility for other public benefit programs, and, in connection therewith, aligning the waiting period for the old age pension with the waiting period for other public benefit programs, enforcing financial responsibility requirements for relative sponsors of noncitizens, and making an appropriation. Committee on Appropriations	1001	1015*	1024*	1051	1190*	1509	1749	5-6 -10 7-1 -10	1216 - Consideration of Senate amendments LO daily until 4-16-10. 1282 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor.	
HB10-1385 by Representative(s) Lambert, Ferrandino, Pommer; also Senator(s) Tapia, Keller, White- Concerning fees collected by the division of insurance to fund insurance fraud cases pursued by the department of law, and making appropriations in connection therewith. Committee on Appropriations	1001	1015*	1024*	1052	1190*	1509	1655	5-5 -10	1024 - Title change. 1216 - Consideration of Senate amendments LO daily until 4-19-10. 1313 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1386 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) White, Keller, Tapia- Concerning the amounts of filing fees charged by the property tax administrator for purposes of exemption of property from general taxation, and making an appropriation therefor. Committee on Appropriations	1001	1016*	1024*	1052	1190*	1863	1877	7-1 -10	1024 - Title change. 1216 - Consideration of Senate amendments LO daily until 4-19-10. 1314 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	
HB10-1387 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia- Concerning the financing of the division of motor vehicles in the department of revenue, and making appropriations therefor. Committee on Appropriations	1001	1017	1029*	1053	1214*	1509	1656	5-5 -10	1228 - Consideration of Senate amendments LO daily until 4-19-10. 1317 - House concurred in Senate amendments and repassed bill, as amended. 1560 - Delivered to Governor.	
HB10-1388 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) Tapia, Keller, White- Concerning the augmentation of the general fund through transfers of certain moneys. Committee on Appropriations	1001	1017	1025	1053*	1190*	1863	1887	6-7 -10	1216 - Consideration of Senate amendments LO daily until 4-16-10. 1283 - House did not concur in Senate amendments and requested Conference Committee. House members: Ferrandino, Lambert, and Pommer. 1325 - Senate acceded to request for Conference Committee. Senate members: Tapia, Keller, and White. 1480 - Conference Committee report. 1482 - Senate adopted Conference Committee report and repassed bill, as amended. 1510 - Consideration of Conference Committee report LO daily until 5-4-10. 1624 - House adopted Conference Committee report and repassed bill, as amended. 1864 - Delivered to Governor.	
HB10-1389 by Representative(s) Ferrandino, Pommer, Lambert; also Senator(s) Tapia, Keller, White- Concerning transfers of moneys relating to capital construction. Committee on Appropriations	1001	1017*	1025*	1055	1190	1481	1656	5-5 -10	1560 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1390 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) White, Keller, Tapia--Concerning the general fund reserve required for the 2010-11 state fiscal year. Committee on Appropriations	1001	1017								1029 - Second Reading LO daily until 5-3-10. 1572 - LO until 6-9-10. Bill deemed lost.
HB10-1391 by Representative(s) Rice, Court, Levy, McCann, Ryden; also Senator(s) Boyd, Hudak, Newell, Steadman--Concerning the elimination of the repeal of certain provisions requiring that the Colorado bureau of investigation deny the transfer of a firearm to a person if the bureau receives certain information about the person's criminal history in response to a search of a criminal history records database. Committee on Judiciary	1018	1213	1555	1597	1837	1863	1887	6-7 -10		1235 - Second Reading LO daily until 4-30-10. 1550 - Special Orders. 1567 - Third Reading LO until 5-4-10. 1864 - Delivered to Governor.
HB10-1392 by Representative(s) Benefield; also Senator(s) Johnston--Concerning the membership of the government data advisory board. Committee on State, Veterans, & Military Affairs	1018	1131	1159	1183	1628	1863	1875	5-26 -10		1864 - Delivered to Governor.
HB10-1393 by Representative(s) Nikkel; also Senator(s) Kopp--Concerning the information included in the web-based system that provides the public access to state financial information. Committee on State, Veterans, & Military Affairs	1018	1226*	1276*	1389	1719	1863	1877	5-27 -10		1313 - Third Reading LO daily until 4-23-10. 1864 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1394 by Representative(s) Rice; also Senator(s) Scheffel--Concerning commercial liability insurance policies issued to construction professionals. Committee on Business Affairs and Labor	1086	1145*	1361*	1376	1628 1748*	1863	1870	5-21 -10	1185 - Second Reading LO daily until 4-23-10. 1361 - Title change. 1653 - Senate recalled bill for RC. 1748 - Senate RC. Repassed bill as amended. 1786 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	
HB10-1395 by Representative(s) Gardner B.; also Senator(s) Steadman--Concerning interlocutory appeals in civil cases. Committee on Judiciary	1086	1213*	1275*	1312	1628	1863	1887	#8-11 -10	1235 - Second Reading LO until 4-16-2010. 1864 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1396 by Representative(s) Judd, Benefield, Frangas, Labuda, Weissmann--Concerning the reduction in tax incentive revenue loss through the "Urban and Rural Enterprise Zone Act". Committee on Finance	1108								1475 - PI.	
HB10-1397 by Representative(s) Peniston, Fischer, Kagan, Middleton, Soper, Casso, Court, Frangas; also Senator(s) Carroll M., Boyd, Tochtrop, Hudak--Concerning the requirement that employers provide employee-earned paid sick time to their employees. Committee on Business Affairs and Labor	1108								1147 - PI.	
HB10-1398 by Representative(s) Fischer; also Senator(s) Whitehead--Concerning the species conservation trust fund, and, in connection therewith, approving the species conservation eligibility list. Committee on Agriculture, Livestock, & Natural Resources	1154	1302	1361	1379	1708	1863	1887	6-7 -10	1249 - R to Committee on Appropriations. 1346 - Second Reading LO until 4-21-10. 1864 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1399 by Representative(s) Weissmann; also Senator(s) Gibbs--Concerning the authority of the Colorado bureau of investigation to assist a chief of a fire department in the investigation of a fire related to the crime of arson. Committee on Judiciary	1154	1213*	1248*	1271	1628	1863	1877	5-27 -10		1863 - Delivered to Governor.
HB10-1400 by Representative(s) Apuan, Ferrandino; also Senator(s) Johnston, Steadman--Concerning refund anticipation loan facilitators, and, in connection therewith, requiring refund anticipation loan facilitators to be registered as electronic return originators with the federal internal revenue service and to make certain disclosures when facilitating refund anticipation loans. Committee on Business Affairs and Labor	1154	1249*	1391*	1418	1802	1863	1866	#11-1 -10		1332 - Second Reading LO daily until 4-23-10. 1863 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.
HB10-1401 by Representative(s) Ferrandino; also Senator(s) Carroll M.--Concerning the management of information technology in state agencies. Committee on State, Veterans, & Military Affairs	1215	1477*	1494*	1545	1828*	1863	1887	6-7 -10		1831 - House did not concur in Senate amendments and requested Conference Committee. House members: Ferrandino, Tyler, and Murray. 1846 - Senate acceded to request for Conference Committee. Senate members: Carroll, Boyd, and Cadman. 1849 - Senate granted permission to go beyond scope. 1851 - House granted permission to go beyond scope. 1858 - Senate adopted Conference Committee report and repassed bill, as amended. 1858 - Conference Committee report. 1859 - House adopted Conference Committee report and repassed bill, as amended. 1864 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1402 by Representative(s) Riesberg, McFadyen; also Senator(s) Bacon, Schwartz--Concerning legislative authorization of a privately run fund-raising campaign using cause-related marketing for the essential restoration of the cast iron structure of the Colorado state capitol dome. Committee on State, Veterans, & Military Affairs	1215	1405*	1422*	1432	1779*	1863	1872	5-25 -10	1366 - R to Committee on Appropriations. 1422 - Title change. 1812 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.	
HB10-1403 by Representative(s) Kerr A.; also Senator(s) Whitehead--Concerning commercial notifications with regard to the secretary of state, and making an appropriation therefor. Committee on State, Veterans, & Military Affairs	1215	1512*	1555*	1567	1828*	1863	1891	#8-11 -10	1408 - R* to Committee on Appropriations. 1555 - Title change. 1550 - Special Orders. 1832 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1404 by Representative(s) McCann; also Senator(s) Steadman--Concerning the administration of the independent ethics commission, and making an appropriation therefor. Committee on Judiciary	1215	1424*	1470*	1486	1719*	1863	1892	6-10 -10	1780 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor.	
HB10-1405 by Representative(s) Vaad and Pommer, Baumgardner, King S., Liston, Loper, May, McKinley, McNulty, Primavera, Swalm; also Senator(s) Spence and Tochtrop--Concerning a study of the options for devolution of state highways that are commuter highways to local governments. Committee on Transportation & Energy	1216	1449*	1470*	1486	1802*	1863	1887	6-7 -10	1814 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1406 by Representative(s) Kerr A., Summers, Merrifield, Middleton, Scanlan, Solano, Todd--Concerning a requirement that public school structures satisfy minimum energy-efficiency design standards. Committee on Education	1216									1440 - PI.
HB10-1407 by Representative(s) Kagan, Gagliardi, Hullinghorst, Looper, Solano, Vigil; also Senator(s) Steadman--Concerning the creation of the range worker advisory council, and making an appropriation therefor. Committee on Agriculture, Livestock, & Natural Resources	1258	1512*	1554*	1566						1436 - R* to Committee on Appropriations. 1550 - Special Orders. 1554 - Title change. 1703 - PI in Senate.
HB10-1408 by Representative(s) Weissmann; also Senator(s) Morse--Concerning statutory directions concerning congressional districts. Committee on State, Veterans, & Military Affairs	1258	1478*	1493*	1546	1801	1863	1887	#8-11 -10		1493 - Title change. 1864 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1409 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White--Concerning the process by which annual salary increases may be awarded to employees in the state personnel system based on performance, job core competencies, and years of service. Committee on State, Veterans, & Military Affairs	1259	1513*	1570*	1598	1837*	1863				1479 - R* to Committee on Appropriations. 1550 - Special Orders. 1557 - Special Orders LO until 5-3-10. 1856 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor. 1882 - V

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1410 by Representative(s) Rice; also Senator(s) Steadman--Concerning a requirement that the state treasurer transmit moneys appropriated to departments of state government that are unexpended and unencumbered at the end of a fiscal year to the state employee payday shift fund so that the moneys may be used to pay salaries in June for work performed by state employees during the month of June. Committee on Business Affairs and Labor	1259	1513*	1556*							1380 - R to Committee on Finance. 1475 - R* to Committee on Appropriations. 1550 - Special Orders. 1569 - L. 1572 - Notice of intent to RC. 1600 - RC lost.
HB10-1411 by Representative(s) Waller, Liston, Pace; also Senator(s) Tochtrop--Concerning the process for resolving a denial of a transfer of a firearm when the denial is based on a prospective transferee's criminal record, which criminal record includes a case for which there appears to be no final disposition. Committee on Judiciary	1306	1514*	1554*	1597	1828*	1863	1887	6-7 -10		1441 - R* to Committee on Appropriations. 1550 - Special Orders. 1554 - Title change. 1567 - Third Reading LO until 5-4-10. 1833 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor.
HB10-1412 by Representative(s) Carroll T.; also Senator(s) Johnston and Spence--Concerning the creation of the charter school and charter authorizer standards review committee. Committee on Education	1306	1505*	1553*	1565	1801*	1863	1870	5-21 -10		1550 - Special Orders. 1815 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor.
HB10-1413 by Representative(s) Levy and May, Carroll T.; also Senator(s) Newell and Lundberg--Concerning juveniles who are tried as adults, and making an appropriation in connection therewith. Committee on Judiciary	1306	1514*	1552*	1564	1837*	1863	1872	#8-11 -10		1441 - R* to Committee on Appropriations. 1550 - Special Orders. 1552 - Title change. 1844 - House concurred in Senate amendments and repassed bill, as amended. 1863 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1414 by Representative(s) Benefield; also Senator(s) Foster--Concerning the requirement that a health care facility report information identifying any individual responsible for the diversion of injectable drugs that were intended for use by patients of the facility. Committee on Health and Human Services	1331	1505*	1553*	1565	1719	1863	1879	6-5 -10	1550 - Special Orders. 1863 - Delivered to Governor.	
HB10-1415 by Representative(s) Gagliardi; also Senator(s) Morse--Concerning the registration of persons who assist surgeons, and making an appropriation therefor. Committee on Health and Human Services	1332	1575*	1600*	1637	1837	1863	1879	#8-11 -10	1505 - R* to Committee on Appropriations. 1600 - Title change. 1864 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1416 by Representative(s) Riesberg--Concerning the administration of drugs by trained chiropractors for the treatment of neuromusculoskeletal ailments. Committee on Health and Human Services	1332								1407 - R* to Committee on Appropriations. 1515 - PI.	
HB10-1417 by Representative(s) Peniston, Casso, Court, Frangas, Gagliardi, Kefalas, Kerr A., Levy, Merrifield, Middleton, Pace, Primavera, Ryden, Schafer S., Todd; also Senator(s) Williams, Bacon, Boyd, Carroll M., Foster, Heath, Hudak, Keller, Morse, Newell, Romer, Sandoval, Steadman, Tapia, Tochtrop--Concerning the creation of the pay equity commission within the department of labor and employment. Committee on Business Affairs and Labor	1332	1496*	1552*	1563	1801	1863	1872	5-25 -10	1550 - Special Orders. 1863 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1418 by Representative(s) McFadyen and Sonnenberg; also Senator(s) Bacon--Concerning requirements applicable to community-based projects that qualify for special treatment under the renewable energy portfolio standard. Committee on Transportation & Energy	1332	1508*	1572*	1598	1802*	1863	1892	#8-11 -10	1816 - House concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB10-1419 by Representative(s) Middleton, Carroll T., Fischer, Kerr A., Schafer S.; also Senator(s) Bacon, Steadman--Concerning standards for the charter school application review process. Committee on Education	1332								1505 - PI.	
HB10-1420 by Representative(s) Peniston; also Senator(s) Morse--Concerning collection of the penalty surcharge imposed on persons referred to a driver improvement school by a court for a traffic violation. Committee on Transportation & Energy	1356	1640*	1648*						1647 - Special Orders. 1674 - Lost on third Reading. 1676 - Notice of intent to RC. House failed to RC.	
HB10-1421 by Representative(s) May and Weissmann, Ferrandino, Pommer, Lambert, Gardner B., Waller; also Senator(s) King K. and Tochtrop--Concerning the decommission of a correctional facility operated by the department of corrections. Committee on Judiciary	1411	1534*	1555*	1568	1837*				1550 - Special Orders. 1857 - House adhered to its position. 1860 - L in Senate.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1422 by Representative(s) Gardner B., Kagan, Labuda, Levy, Roberts; also Senator(s) Brophy, Carroll M., Mitchell, Morse, Schwartz--Concerning the revision of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, inconsistent, and conflicting provisions of law and clarifying the language to reflect the legislative intent of the laws. Committee on Judiciary	1411	1534*	1556*	1568	1801*	1863	1892	#8-11 -10		1550 - Special Orders. 1817 - House adhered to its position. 1846 - Senate receded from its position and repassed bill. 1864 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1423 by Representative(s) Court; also Senator(s) Heath--Concerning the elimination of the requirement that an initiative petition circulator be a resident of the state. Committee on State, Veterans, & Military Affairs	1425									1509 - Bill withdrawn by prime sponsor.
HB10-1424 by Representative(s) Court; also Senator(s) Heath--Concerning the deadline for filing an initiative petition with the secretary of state. Committee on State, Veterans, & Military Affairs	1425									1509 - Bill withdrawn by prime sponsor.
HB10-1425 by Representative(s) Miklosi; also Senator(s) Foster--Concerning the exemption from the postretirement employment limit for certain employees of the Denver public school district who are retirees of the public employees' retirement association. Committee on Finance	1426	1476	1493	1544	1719	1863	1877	5-27 -10		1864 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1426 by Representative(s) Riesberg and Todd; also Senator(s) Williams and Spence--Concerning creation of a separate fund for the Trinidad state nursing home, and making an appropriation in connection therewith. Committee on Health and Human Services	1426	1576*	1631*	1668	1828*					1516 - R* to Committee on Appropriations. 1603 - Second Reading LO until 5-5-10. 1631 - Title change. 1834 - House adhered to its position. 1854 - Senate adhered to its position. Bill deemed lost.
HB10-1427 by Representative(s) Todd, Hullinghorst, Kerr A., Levy, Primavera, Solano, Summers, Ryden; also Senator(s) Heath, Bacon, Hodge, Hudak, King K., Williams--Concerning the authority of institutions of higher education to offer group benefit coverage to employees of the institution who are in the state personnel system. Committee on Education	1482	1577*	1602*	1637	1828	1863	1892	6-10 -10		1864 - Delivered to Governor.
HB10-1428 by Representative(s) Middleton; also Senator(s) Romer--Concerning student loans. Committee on Education	1482	1644	1648*	1672	1837*	1863	1890	6-9 -10 9-30 -10		1578 - R* to Committee on Appropriations. 1647 - Special Orders. 1838 - House did not concur in Senate amendments and requested Conference Committee with permission to go beyond scope. House members: Middleton, Scanlan, and Massey. 1846 - Senate acceded to request for Conference Committee. Senate members: Romer, Spence, and King. 1854 - Senate adhered to its position. 1855 - House receded from its position, concurred in Senate amendments and repassed bill, as amended. 1864 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB10-1429 by Representative(s) Weissmann, Judd-- Concerning the legislative review of tax benefits. Committee on Finance	1482	1580*								1602 - L*.
HB10-1430 by Representative(s) Solano and Scanlan, Benefield, Ferrandino, Fischer, Massey, Merrifield, Middleton, Peniston, Ryden, Schafer S., Todd, Vigil; also Senator(s) Hudak--Concerning assessments in the elementary and secondary education system. Committee on Education	1510	1644*	1647*	1671	1837*					1625 - R* to Committee on Appropriations. 1647 - Special Orders. 1647 - Title change. 1838 - House did not concur in Senate amendments and requested Conference Committee. House members: Solano, Scanlan, and Massey. 1854 - Senate adhered to its position. 1855 - House adhered to its position. Bill deemed lost.
HB10-1431 by Representative(s) McKinley; also Senator(s) Penry--Concerning the methodology used to value renewable energy facilities for purposes of property taxation. Committee on Transportation & Energy	1583	1642*	1648*	1672*	1828	1863	1888	#8-11 -10		1647 - Special Orders. 1864 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB10-1432 by Representative(s) Carroll T. and May; also Senator(s) Shaffer B. and Penry--Concerning the documentation assembled by the staff of the legislative council during preparation of the ballot information booklet. Committee on Agriculture, Livestock, & Natural Resources	1583									1639 - PI.

HISTORY OF HOUSE CONCURRENT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	OTHER ACTION * Amended V Vetoed by Governor L Lost PI Postponed Indefinitely RR Rereferred RC Reconsideration LO Laid Over
HCR10-1001 by Representative(s) Weissmann, Benefield, Curry, Kerr J., May, McFadyen, Merrifield, Vaad--Submitting to the registered electors of the state of Colorado an amendment to sections 8 and 15 of article XIV of the constitution of the state of Colorado, concerning the compensation of county officers, and, in connection therewith, authorizing the board of county commissioners of each county, rather than the general assembly, to set the salaries of the officers of that county including the county commissioners, clerk and recorder, sheriff, coroner, treasurer, assessor, and surveyor. Committee on Local Government	829						1130 - PI.
HCR10-1002 by Representative(s) Benefield, Frangas, McKinley, Merrifield, Middleton, Peniston, Rice, Scanlan, Schafer S., Solano, Todd, Hulinghorst, Casso, Fischer, Gagliardi, Kagan, Labuda, Levy, McCann, Miklosi, Pace, Pommer, Primavera, Ryden, Soper, Tyler, Vigil, Weissmann; also Senator(s) Williams and Romer, Bacon, Shaffer B.--Submitting to the registered electors of the state of Colorado an amendment to article IX of the constitution of the state of Colorado, concerning the authority of the general assembly to generate additional state revenues for funding preschool through postsecondary public education without prior voter approval, and, in connection therewith, notwithstanding the prior voter approval requirement of section 20 (4) (a) of article X of the state constitution, allowing the general assembly to enact statutes that result in additional state revenues to be used to fund preschool through postsecondary public education and exempting any additional state revenues raised for this purpose from the constitutional limitations on fiscal year spending. Committee on Education	1019	1350	1793				1385 - Second Reading LO daily until 5-11-10. 1790 - Special Orders. 1825 - L. 1825 - Rep Apuan requested his name be removed as sponsor.

HISTORY OF HOUSE CONCURRENT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	OTHER ACTION * Amended V Vetoed by Governor L Lost PI Postponed Indefinitely RR Rereferred RC Reconsideration LO Laid Over
HCR10-1003 by Representative(s) Curry; also Senator(s) Penry-- Submitting to the registered electors of the state of Colorado an amendment to article X of the constitution of the state of Colorado, concerning a state rainy day fund, and, in connection therewith, creating the state rainy day fund; beginning July 1, 2011, requiring twenty-five million dollars of severance tax revenues to be credited to the fund for each fiscal year in which total severance tax revenues are greater than fifty million dollars; and allowing the moneys in the fund to be used only during economic downturns and with a three-fifths majority vote of both houses of the general assembly. Committee on Finance Committee on Appropriations	1019						1257 - R* to Committee on Appropriations. 1516 - PI.
HCR10-1004 by Representative(s) Lambert; also Senator(s) Sandoval--Submitting to the registered electors of the state of Colorado an amendment to section 3 of article VIII of the constitution of the state of Colorado, concerning a process for temporarily moving the seat of government in a disaster emergency that substantially affects the ability of the state government to operate in the city and county of Denver, and, in connection therewith, requiring the general assembly to convene in a temporary meeting location designated by the governor and authorizing the general assembly to determine by law a temporary location for the seat of government of the state. Committee on State, Veterans, & Military Affairs	1155	1366	1470*	1594	1828	1863	1390 - Second Reading LO daily until 4-28-10. 1471 - * in the Committee of the Whole report. 1510 - Third Reading LO daily until 5-4-10.

HISTORY OF HOUSE CONCURRENT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	OTHER ACTION * Amended V Vetoed by Governor L Lost PI Postponed Indefinitely RR Rereferred RC Reconsideration LO Laid Over
HCR10-1005 by Representative(s) Baumgardner; also Senator(s) Kopp--Submitting to the registered electors of the state of Colorado an amendment to section 3 (1) (b) of article X of the constitution of the state of Colorado, concerning an exemption from property taxation for a possessory interest in real property if the actual value of the interest is less than or equal to six thousand dollars or such amount adjusted for inflation. Committee on Finance Committee on Appropriations	1412	1689	1705	1713	1837*	1863	1639 - R to Committee on Appropriations. 1703 - Special Orders. 1852 - House concurred in Senate amendments and repassed resolution, as amended.
HCR10-1006 by Representative(s) McNulty, Acree, Bradford, Gardner B., Gardner C., Gerou, Kerr J., Lambert, May, Nikkel, Waller; also Senator(s) Brophy, Penry, Scheffel, Harvey--Submitting to the registered electors of the state of Colorado an amendment to section 20 of article X of the constitution of the state of Colorado, concerning prior voter approval for a tax policy change directly causing a net tax revenue gain to any district. Committee on State, Veterans, & Military Affairs Committee on Finance Committee on Appropriations	1426						1639 - PI.
HCR10-1007 by Representative(s) Sonnenberg--Submitting to the registered electors of the state of Colorado an amendment to section 3 of article XXVII of the constitution of the state of Colorado, concerning the transfer of all available net proceeds of every state-supervised lottery game operated under the authority of section 2 of article XVIII of said constitution to the state education fund created in section 17 (4) of article IX of said constitution if the general assembly declares a state fiscal emergency. Committee on Education Committee on State, Veterans, & Military Affairs	1426						1579 - PI.

HISTORY OF HOUSE CONCURRENT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	OTHER ACTION * Amended V Vetoed by Governor L Lost PI Postponed Indefinitely RR Rereferred RC Reconsideration LO Laid Over
HCR10-1008 by Representative(s) Lambert, Baumgardner, Bradford, DelGrosso, Gardner B., Gardner C., King S., Liston, Priola, Sonnenberg, Waller; also Senator(s) Schultheis, Brophy, Harvey, King K., Lundberg, Mitchell, Renfroe, Scheffel--Submitting to the registered electors of the state of Colorado an amendment to section 33 of article V of the constitution of the state of Colorado, concerning a requirement that all expenditures by the state be subject to appropriation by the general assembly. Committee on Appropriations	1426	1516*					1550 - Special Orders. 1557 - R to Committee on Finance. 1678 - PI.
HCR10-1009 by Representative(s) DelGrosso, Gardner C., McNulty, Baumgardner, Lambert, Tipton; also Senator(s) Lundberg--Submitting to the registered electors of the state of Colorado an amendment to article X of the constitution of the state of Colorado, concerning the creation of a state savings and trust fund, and, in connection therewith, requiring an annual deposit of state general fund moneys into the savings and trust fund in an amount equal to the amount of the state general fund reserve for the prior fiscal year until the balance of the fund reaches a specified level and allowing the general assembly to appropriate moneys from the savings and trust fund for the purpose of budget stabilization during economic downturns if the general assembly has also authorized the expenditure of the entire state general fund reserve. Committee on State, Veterans, & Military Affairs Committee on Finance	1584						1680 - PI.

HISTORY OF HOUSE JOINT RESOLUTIONS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Adopted by Senate	Signed by Speaker	OTHER ACTION	
								* V L PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Referred Reconsideration Laid Over
HJR10-1001 by Representative(s) Weissmann, Carroll T., May; also Senator(s) Morse, Shaffer B., Penry--Concerning a Joint Session of the House of Representatives and the Senate for the purpose of hearing a message from His Excellency, Governor Bill Ritter, and appointing a committee to escort the Governor.	4		4		4	29	64		5 - House Members: McFadyen, Apuan, and Priola. 29 - Senate Members: Steadman and Brophy.
HJR10-1002 by Representative(s) Benefield, Court, Massey, Vaad; also Senator(s) Morse, Shaffer B., Penry--Concerning the officers and employees of the Second Regular Session of the Sixty-seventh General Assembly.	5		4		5	29	64		
HJR10-1003 by Representative(s) Kefalas; also Senator(s) Tochtrop--Concerning the tragic earthquake in Haiti.	64	64			67*	75	90		67 - Current roll call of House added as co-sponsors
HJR10-1004 by Representative(s) Todd and Nikkel, Kagan, Gardner C.; also Senator(s) Heath and Cadman--Concerning recognition of Military, Veterans, and MIA/POW Appreciation Day.	80	80			81	90	95		81 - Current coll call of House added as co-sponsors
HJR10-1005 by Representative(s) Looper, Todd, Apuan, Balmer, Bradford, Gardner B., Gardner C., Kerr J., Labuda, Lambert, Liston, May, Merrifield, Miklosi, Nikkel, Pace, Peniston, Primavera, Priola, Roberts, Schafer S., Soper, Stephens, Swalm, Tipton, Waller; also Senator(s) King K. and Morse, Cadman, Kester, Tapia, Williams--Concerning recognition of the United States Army Warrior Transition Battalion and the Wounded Warrior Program.	80	80			82	90	95		82 - Current roll call of House added as co-sponsors.
HJR10-1006 by Representative(s) Nikkel and Rice, Todd, Gardner C.; also Senator(s) Kopp and Morse--Concerning the 150th anniversary of the Colorado National Guard.	80	80			82	90	95		82 - Current roll call of House added as co-sponsors.

HISTORY OF HOUSE JOINT RESOLUTIONS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Adopted by Senate	Signed by Speaker	OTHER ACTION	
								* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HJR10-1007 by Representative(s) McFadyen, Balmer, Carroll T., Court, Curry, Fischer, Gardner C., Kefalas, Lambert, Levy, Liston, Looper, Massey, McNulty, Middleton, Nikkel, Pace, Pommer, Rice, Soper, Stephens, Swalm, Todd, Vigil, Waller; also Senator(s) Tapia, Kester, Romer, Schultheis--Concerning the U.S.S. Pueblo.	80	80			82	90	95		82 - Current roll call of House added as co-sponsors.
HJR10-1008 by Representative(s) Apuan, Gardner C.; also Senator(s) Morse--Concerning recognition of military personnel from Colorado who are serving in Operation Iraqi Freedom and Operation Enduring Freedom and honoring those who have died while serving their country in Iraq and Afghanistan.	80	80			83	90	95		83 - Current roll call of House added as co-sponsors.
HJR10-1009 by Representative(s) Acree, Kerr J., Swalm, DelGrosso, Gardner B., Gerou, King S., Lambert, Looper, Massey, May, Murray, Nikkel, Priola, Roberts, Stephens, Vaad; also Senator(s) Mitchell, Lundberg--Concerning the State of Colorado's sovereignty under the Tenth Amendment to the Constitution of the United States over all powers not granted to the federal government and not prohibited to the states. Committee on Judiciary Committee on State, Veterans, & Military Affairs	219								780 - PI.
HJR10-1010 by Representative(s) Massey and Benefield; also Senator(s) Johnston, Hudak--Concerning civility in the Colorado General Assembly.	219	219			233	305	345		
HJR10-1011 by Representative(s) Weissmann, Carroll T., May; also Senator(s) Morse, Shaffer B., Penry--Concerning the concurrence of the general assembly in the governor's request that the Colorado supreme court render its opinion on questions arising from Citizens United v. Federal Election Comm'n, 558 U.S. ____ (2010).	284		284		284	292	292		

HISTORY OF HOUSE JOINT RESOLUTIONS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Adopted by Senate	Signed by Speaker	OTHER ACTION	
								* V L PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HJR10-1012 by Representative(s) Fischer and Nikkel, Kefalas; also Senator(s) Lundberg and Tapia, Bacon--Concerning recognition of and appreciation for 140 years of education, research, and service by the Colorado State University system.	292	292			295	305	345	295	- Current roll call of House added as co-sponsors.
HJR10-1013 by Representative(s) Gardner B., Soper; also Senator(s) Tochtrop, Morse--Concerning the United States balance of trade deficit.	630	630			644*	696	696		
HJR10-1014 by Representative(s) Acree; also Senator(s) Kopp--Concerning the creation of a federal income tax deduction for health insurance premiums paid by individuals. Committee on State, Veterans, & Military Affairs	630							995	- PI.
HJR10-1015 by Representative(s) Roberts, Tipton; also Senator(s) Whitehead--Concerning the removal of FCC broadcasting restrictions to allow access to Denver television stations in southwestern Colorado.	735	735			838	1227*	1863	756	- Consideration LO daily until 3-18-10. 838 - Current roll call of House added as co-sponsors. 1260 - Consideration of Senate amendments Lo daily until 4-22-10. 1380 - House did not concur in Senate amendments and requested Conference Committee. House members: Roberts, Labuda, and Ryden. 1450 - Senate acceded to request for Conference Committee. Senate members: Whitehead, Steadman, and White. 1646 - Conference Committee report. 1647 - Senate adopted Conference Committee report and repassed resolution, as amended. 1663 - House adopted Conference Committee report and repassed resolution, as amended.
HJR10-1016 by Representative(s) Weissmann; also Senator(s) Morse--Concerning the convening date for the 2011 First Regular Session of the Sixty-eighth General Assembly.	875	875			1085	1227	1863	894	- Consideration LO daily until 4-1-10.

HISTORY OF HOUSE JOINT RESOLUTIONS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Adopted by Senate	Signed by Speaker	OTHER ACTION	
								* V L PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Referred Reconsideration Laid Over
HJR10-1017 by Representative(s) Weissmann; also Senator(s) Spence--Concerning amendments to the Joint Rules of the Senate and the House of Representatives regarding certain rules of procedure during a declared disaster emergency.	876	876			1085	1258	1863	894	- Consideration LO daily until 4-1-10.
HJR10-1018 by Representative(s) Rice; also Senator(s) Newell--Concerning the well-being of Haiti's children in the aftermath of the January earthquake.	949		949		949	963*	1134	949	- Current roll call of House added as co-sponsors. 1105 - House concurred in Senate amendments and repassed bill, as amended.
HJR10-1019 by Representative(s) Baumgardner, Acree, Balmer, Bradford, Curry, DelGrosso, Fischer, Gardner B., Gardner C., Gerou, Kerr J., King S., Labuda, Lambert, Liston, Looper, Massey, May, McKinley, McNulty, Murray, Priola, Roberts, Scanlan, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Tyler, Vaad, Vigil, Waller; also Senator(s) Penry, White--Concerning the distribution of federal mineral leasing revenues to counties in Colorado. Committee on Agriculture, Livestock, & Natural Resources	1155			1249*	1651*	1845	1863	1306	- Consideration LO daily until 5-5-10. 1651 - Current roll call of House added as co-sponsors.
HJR10-1020 by Representative(s) Frangas, Fischer, McFadyen, Primavera; also Senator(s) Boyd--Concerning the inclusion of organ donation awareness education in Colorado's driver's education courses.	1155	1155			1561	1582	1863	1178	- Consideration LO daily until 5-3-10. 1561 - Current roll call of House added as co-sponsors.
HJR10-1021 by Representative(s) Nikkel and McCann; also Senator(s) Newell and Kopp--Concerning recognition of the month of April as Child Abuse Prevention Month.	1155	1155			1436	1581	1863	1178	- Consideration LO daily until 4-27-10. 1436 - Current roll call of House added as co-sponsors.
HJR10-1022 by Representative(s) Tipton and Baumgardner; also Senator(s) White--Concerning modification of the federal "Hatch Act of 1939" for certain government employees in rural areas whose positions preclude them from running for partisan political office. Committee on State, Veterans, & Military Affairs	1259			1480	1664	1845	1863	1510	- Consideration LO daily until 5-6-10.

HISTORY OF HOUSE JOINT RESOLUTIONS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Adopted by Senate	Signed by Speaker	OTHER ACTION	
								* V L PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HJR10-1023 by Representative(s) Vaad, Baumgardner, Bradford, DelGrosso, Frangas, Gardner C., King S., Lambert, Looper, Massey, McFadyen, Merrifield, Primavera, Rice, Sonnenberg, Stephens; also Senator(s) Gibbs--Concerning a recommendation to lift the freeze on longer combination vehicles in western states.	1259	1259			1650	1719	1863	1306	- Consideration LO daily until 5-5-10.
HJR10-1024 by Representative(s) Scanlan, Curry, Gerou, King S., Levy, Massey, Nikkel, Roberts, Vigil; also Senator(s) Gibbs--Concerning the Colorado bark beetle epidemic.	1356	1356			1745*	1845	1863	1369	- Consideration LO daily until 5-10-10. 1745 - Current roll call of House added as co-sponsors.
HJR10-1025 by Representative(s) Primavera, Benefield, Frangas, Merrifield; also Senator(s) Spence--Concerning recognition of the history of the disability rights movement, and, in connection therewith, proclaiming Disability History Week in Colorado.	1356	1356			1745*	1845	1863	1369	- Consideration LO daily until 5-10-10. 1745 - Current roll call of House added as co-sponsors.
HJR10-1026 by Representative(s) Massey, Middleton; also Senator(s) Bacon--Concerning the expansion of broadband access to all areas of the state through Colorado's application to the Broadband Technology Opportunities Program.	1412	1412			1651*	1719	1863	1427	- Consideration LO daily until 5-5-10.
HJR10-1027 by Representative(s) Curry and Sonnenberg; also Senator(s) Williams, White--Concerning the recognition of industrial hemp as a valuable agricultural commodity, and, in connection therewith, urging Congress to clarify the federal definition of industrial hemp, facilitate domestic production of industrial hemp, and remove barriers to state regulation of the production of industrial hemp.	1412	1412			1652	1845*		1427	- Consideration LO daily until 5-5-10. 1852 - House adhered to its position. 1860 - L in Senate.

HISTORY OF HOUSE JOINT RESOLUTIONS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Adopted by Senate	Signed by Speaker	OTHER ACTION	
								* V L PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Referred Reconsideration Laid Over
HJR10-1028 by Representative(s) Kerr A., Apuan, Benefield, Casso, Court, Hullinghorst, McCann, Merrifield, Middleton, Miklosi, Pace, Scanlan, Solano, Todd, Tyler, Vigil; also Senator(s) Williams, Bacon, Foster, Gibbs, Heath, Hudak, Johnston, Morse, Newell, Romer, Sandoval, Schwartz, Steadman, Tapia, Tochtrop--Concerning a request for the United States Congress to adopt legislation that promotes jobs and innovative energy development, heightens national energy and economic security, positions the United States to be an international leader in the field of clean energy, and addresses the consequences of climate change without preempting states' rights to control emissions or promote renewable energy.	1412	1412			1746*	1846	1863	1427	- Consideration LO daily until 5-10-10.
HJR10-1029 by Representative(s) Fischer, Kefalas, Levy; also Senator(s) Bacon--Concerning the intent of the general assembly to prevent distracted driving.	1412	1412			1485	1719*	1863	1427 1772	- Consideration LO daily until 4-29-10. - House concurred in Senate amendments and repassed bill, as amended.
HJR10-1030 by Representative(s) Swalm, Gerou; also Senator(s) Spence--Concerning avoiding teacher layoffs in times of state fiscal emergency. Committee on Education	1413							1579	- PI.
HJR10-1031 by Representative(s) Swalm, Balmer, Bradford, Gardner C., Gerou, Kerr J., Liston, Looper, Nikkel, Roberts, Stephens; also Senator(s) Kopp--Concerning a request that Congress call a convention for the limited purpose of considering an amendment to the United States Constitution to require a balanced federal budget. Committee on State, Veterans, & Military Affairs	1413							1639	- PI.

HISTORY OF HOUSE JOINT RESOLUTIONS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Adopted by Senate	Signed by Speaker	OTHER ACTION	
								* V L PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Referred Reconsideration Laid Over
HJR10-1032 by Representative(s) May, Carroll T., Weissmann; also Senator(s) Shaffer B., Morse, Penry--Concerning complaints filed pursuant to rule 36 (d) of the joint rules of the Senate and House of Representatives addressing lobbying practices.	1452	1452			1652	1719	1863	1484	- Consideration LO daily until 5-5-10.
HJR10-1033 by Representative(s) McKinley, Apuan, Casso, Hullinghorst, Kefalas, Labuda, McFadyen, Miklosi, Pace, Soper; also Senator(s) Tochtrop--Concerning measures to protect the health and safety of visitors to the Rocky Flats National Wildlife Refuge, and, in connection therewith, memorializing Congress to provide informed consent information to persons entering areas of Rocky Flats that are under federal control.	1483	1483						1510	- Consideration LO daily until 5-10-10.
								1747	- L.
HJR10-1034 by Representative(s) Acree, Carroll T., Gerou, Priola, Roberts, Stephens; also Senator(s) Spence--Concerning stroke awareness.	1483	1483			1562	1582	1863	1510	- Consideration LO daily until 5-3-10.
								1562	- Current roll call of House added as co-sponsors.
HJR10-1035 by Representative(s) DelGrosso; also Senator(s) Renfro--Concerning the recognition of Colorado's business community.	1585	1585			1820	1845	1863	1628	- Consideration LO daily until 5-12-10.
HJR10-1036 by Representative(s) Weissmann, Carroll T., May; also Senator(s) Morse, Shaffer B., Penry--Concerning the adjournment sine die of the Second Regular Session of the Sixty-seventh General Assembly.	1720	1720			1860	1860	1863	1803	- Consideration LO until 5-12-10.
								1860	- Current roll call of House added as co-sponsors.

HISTORY OF HOUSE RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT		Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION	
								* L PI RR RC LO	Amended Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HR10-1001	by Representative(s) Benefield, Court, Massey, Vaad-- Concerning employees and positions for the House of Representatives convened in the Second Regular Session of the Sixty-seventh General Assembly.	5		4		5	64		
HR10-1002	by Representative(s) Benefield, Court, Massey, Vaad-- Concerning payment of employees for pre-session work for the House of Representatives convened in the Second Regular Session of the Sixty-seventh General Assembly.	5		4		5	64		
HR10-1003	by Representative(s) Benefield, Court, Massey, Vaad-- Concerning the chaplain position in the House of Representatives.	5		4		5	64		
HR10-1004	by Representative(s) Weissmann--Concerning the line of succession for the chief clerk of the House of Representatives.	27				44	64		27 - Consideration LO until 1-15-10.
HR10-1005	by Representative(s) Benefield, Court, Massey, Vaad-- Concerning the appointment of an employee for the House of Representatives of the Sixty-seventh General Assembly.	168	168			174	304		
HR10-1006	by Representative(s) May, Weissmann--Concerning the process by which the leadership of the House of Representatives initially handles an ethics complaint filed pursuant to Rule 49 of the Rules of the House of Representatives.	490	490			512	600		506 - Consideration LO until 2-24-10.

HISTORY OF HOUSE RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION	
							* L PI RR RC LO	Amended Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HR10-1007 by Representative(s) Frangas, Curry, Miklosi-- Concerning the need for assistance from the federal government for unemployment insurance benefits, and, in connection therewith, urging the federal government to extend the interest-free payback period for loans received by the state of Colorado.	829	829			838	864		
HR10-1008 by Representative(s) Balmer--Concerning the support of Colorado Attorney General John Suthers in filing legal action challenging the constitutionality of recently enacted federal health care law. Committee on Judiciary	1413						1627 - PI.	
HR10-1009 by Representative(s) Balmer--Concerning an amendment to the United States Constitution to prohibit Congressional exemptions from federal law. Committee on State, Veterans, & Military Affairs Committee on Judiciary	1452						1680 - PI.	

HISTORY OF HOUSE MEMORIALS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT		Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	* L PI RR RC LO Amended Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
<u>HM10-1001</u>	by Representative(s) Kerr J.--Memorializing former Representative Truman Wayne "Andy" Anderson.	712				757	1017	712 - Consideration LO until 3-12-10. 757 - Current roll call of House added as co-sponsors.
<u>HM10-1002</u>	by Representative(s) May--Memorializing former Representative Betty McWilliams Chronic.	1011				1111	1134	1011 - Consideration LO until 4-6-10. 1111 - Current roll call of House added as co-sponsors.
<u>HM10-1003</u>	by Representative(s) McNulty, Acree, May, Murray--Memorializing former Representative Charles S. "Bud" Hover, Jr.	1178				1193	1581	1178 - Consideration LO until 4-13-10. 1193 - Current roll call of House added as co-sponsors.
<u>HM10-1004</u>	by Representative(s) King S., Bradford--Memorializing former Representative Edward F. Carpenter.	1191				1309	1863	1191 - Consideration LO until 4-19-10. 1309 - Current roll call of House added as co-sponsors.
<u>HM10-1005</u>	by Representative(s) Stephens, Balmer, Gardner C., May--Memorializing former Representative Blanche Cowperthwaite.	1357				1371	1863	1357 - Consideration LO until 4-22-10. 1371 - Current roll call of House added as co-sponsors.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-001 by Senator(s) Shaffer B. and Penry, Bacon, Boyd, Brophy, Carroll M., Foster, Gibbs, Heath, Hodge, Hudak, Johnston, Keller, Kester, Morse, Newell, Romer, Sandoval, Schwartz, Steadman, Tapia, Tochtrop, Whitehead, Williams; also Representative(s) Kerr A.--Concerning modifications to the public employees' retirement association necessary to reach a one hundred percent funded ratio within the next thirty years. Committee on Finance	153*	188	312	321	334	382	2-23 -10	2-23 -10 1-1 -11	304 - R to Committee on Appropriations. 320 - Special Orders. 332 - Third Reading LO until 2-16-10.	
SB10-002 by Senator(s) Steadman and Keller; also Representative(s) Looper and Primavera, Acree, Todd--Concerning the denial of benefits by health coverage plans, and, in connection therewith, increasing recoveries to the medicaid program, providing additional assistance to families eligible for certain benefits, and making an appropriation in connection therewith. Committee on Health and Human Services	1450*	1451	1689*	1731*	1760	1863	6-7 -10	6-7 -10	1580 - R* to Committee on Appropriations. 1729 - Special Orders. 1801 - Senate concurred in House amendments and repassed bill, as amended.	
SB10-003 by Senator(s) Morse and Penry, Heath; also Representative(s) Middleton and May, Court--Concerning higher education flexibility to improve the financial position of state institutions of higher education. Committee on Education	1646*	1656	1676*	1703*	1740*	1863	6-9 -10	6-9 -10	1510 - Senator Penry added as prime sponsor. Representatives Middleton and May, as dual prime sponsors, replaced Representative Ferrandino. 1703 - Special Orders. 1779 - Senate concurred in House amendments and repassed bill, as amended.	
SB10-006 by Senator(s) Boyd, Hudak, Sandoval, White; also Representative(s) Summers, Gagliardi, Kefalas, Waller--Concerning reductions in barriers to obtaining identity-related documents. Committee on Health and Human Services	601*	628	1406*	1466*	1587	1863	6-5 -10	6-5 -10	814 - R* to Committee on Appropriations. 1435 - Second Reading LO until 4-28-10. 1510 - Third Reading LO daily until 5-4-10. 1646 - Senate concurred in House amendments and repassed bill, as amended.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-007 by Senator(s) Hudak; also Representative(s) Gagliardi--Concerning collaboration in the provision of multi-agency services. Committee on Health and Human Services	559*	602	814	900	951	1190	4-21 -10	#8-11 -10	876 -	Second Reading LO daily until 3-23-10. # Effective 90 days after sine die unless a referendum petition is filed.
SB10-008 by Senator(s) Johnston, Romer; also Representative(s) Scanlan, Massey, Middleton--Concerning a study to evaluate the feasibility of a system to determine pupil enrollment for purposes of the "Public School Finance Act of 1994" based on the average daily membership of pupils in school districts. Committee on Education	332*	400	770	823*	832	1190	4-21 -10	4-21 -10	622 - 1008 -	R* to Committee on Appropriations. Senate concurred in House amendments and repassed bill, as amended.
SB10-009 by Senator(s) Sandoval, Boyd, Hudak; also Representative(s) Gagliardi, Kefalas--Concerning the duties of the economic opportunity poverty reduction task force. Committee on Health and Human Services	185*	201	687	763*	789	1134	4-15 -10	#8-11 -10	731 - 843 -	Second Reading LO until 3-12-10. Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.
SB10-010 by Senator(s) Boyd, Sandoval; also Representative(s) Kefalas--Concerning authorizing the department of human services to use a portion of existing appropriations to conduct an independent evaluation of the statewide strategic use fund. Committee on Health and Human Services	112	154	720	793	801	891	3-31 -10	3-31 -10	766 -	Second Reading LO until 3-15-10.
SB10-011 by Senator(s) Carroll M., Hodge, Tochtrop; also Representative(s) Miklosi, Pace, Ryden--Concerning measures to reduce conflicts of interest in workers' compensation cases. Committee on Judiciary	1425*	1483	1697*	1734*	1766	1863	5-27 -10	5-27 -10 7-1 -10	1729 - 1801 -	Special Orders. Senate concurred in House amendments and repassed bill, as amended.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-012 by Senator(s) Tochtrop, Carroll M., Hodge; also Representative(s) Pace, Miklosi, Ryden--Concerning increased penalties for violations of the workers' compensation laws. Committee on Judiciary	1425*	1451	1627	1704*	1741	1863	5-26 -10	#8-11 -10	1636 - Second Reading LO daily until 5-7-10. 1703 - Special Orders. 1779 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB10-013 by Senator(s) Hodge, Carroll M., Tochtrop; also Representative(s) Ryden, Miklosi, Pace--Concerning accountability for workers' compensation insurers, and making an appropriation therefor. Committee on Business Affairs and Labor	1450*	1451	1653*	1704*	1742	1863	5-27 -10	7-1 -10	1662 - Second Reading LO until 5-7-10. 1703 - Special Orders. 1779 - Senate concurred in House amendments and repassed bill, as amended.	
SB10-014 by Senator(s) Tochtrop, Boyd; also Representative(s) Solano, Labuda--Concerning changes to the demonstration programs for system of care family advocates. Committee on Health and Human Services	112	155	687	764	790	891	3-31 -10	3-31 -10	731 - Second Reading LO until 3-12-10.	
SB10-015 by Senator(s) Renfro, Kopp; also Representative(s) McNulty, Baumgardner, Frangas, McFadyen--Concerning behind-the-wheel training requirements necessary to receive a driver's license. Committee on Transportation & Energy	166*	188	695	763	789	891	3-31 -10	#8-11 -10	731 - Second Reading LO until 3-12-10. # Effective 90 days after sine die unless a referendum petition is filed.	
SB10-016 by Senator(s) Williams, Romer, Spence; also Representative(s) Vaad, Fischer, Frangas, King S., McFadyen, McNulty, Merrifield, Tyler--Concerning modification of the manner in which a civil penalty assessment notice of toll evasion evidenced by automatic vehicle identification technology is provided to the owner of a vehicle so identified. Committee on Local Government	332*	400	856	1057	1087	1190	4-21 -10	4-21 -10	690 - R to Committee on Appropriations. 903 - Second Reading LO daily until 4-1-10.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-018 by Senator(s) King, K., Johnston; also Representative(s) Merrifield, Massey, Middleton, Scanlan--Concerning the school awards program fund. Committee on Education	112	155	623	677	702	842	3-29-10	3-29-10		
SB10-019 by Senator(s) Schwartz, Brophy, Hodge, White, Whitehead; also Representative(s) Fischer, Baumgardner, Curry, Gardner C., McKinley--Concerning the valuation of new hydroelectric energy facilities for the purpose of property taxation. Committee on Agriculture, Livestock, & Natural Resources	305*	328	660*	793*	800	1718	6-8-10	6-8-10	696 - Second Reading LO daily until 3-15-10. 843 - Senate concurred in House amendments and repassed bill, as amended.	
SB10-020 by Senator(s) Boyd, Foster, Schwartz; also Representative(s) Massey, Apuan--Concerning measures to address the financial viability of the CoverColorado program. Committee on Health and Human Services	815*	828	1112*	1198*	1217	1535	5-20-10	7-1-10	1155 - Second Reading LO until 4-13-10. 1306 - Senate concurred in House amendments and repassed bill, as amended.	
SB10-021 by Senator(s) Morse, Lundberg, Tochtrop, Williams; also Representative(s) Labuda, Benefield, Gardner B., King S., Liston, Peniston, Schafer S., Waller--Concerning a volunteer firefighter pension plan. Committee on Business Affairs and Labor	143*	155	303	350	405	600	3-10-10	#8-11-10	# Effective 90 days after sine die unless a referendum petition is filed.	
SB10-022 by Senator(s) Morse, Lundberg, Tochtrop, Williams; also Representative(s) Riesberg and King S., Benefield, Gardner B., Labuda, Liston, Peniston, Schafer S., Waller--Concerning a member-approved increase in the member contribution rate to the statewide defined benefit plan administered by the fire and police pension association. Committee on Business Affairs and Labor	143	155	303	351	425	600	3-10-10	#8-11-10	# Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-023 by Senator(s) Williams, Lundberg, Morse, Tochtrop; also Representative(s) Riesberg and Liston, Benefield, Gardner B., King S., Labuda, Peniston, Schafer S., Waller--Concerning the discretion of the board of directors of the fire and police pension association to adopt rules regarding the return to work by a member participating in the defined benefit system of the association who elects retirement. Committee on Business Affairs and Labor	143	155	303	351	425	600	3-10 -10	#8-11 -10	#	Effective 90 days after sine die unless a referendum petition is filed.
SB10-024 by Senator(s) Tochtrop, Lundberg, Morse, Williams; also Representative(s) Labuda, Benefield, Gardner B., King S., Liston, Peniston, Riesberg, Schafer S., Waller--Concerning the repeal of the authority of the board of directors of the fire and police pension association to affiliate with a local money purchase pension plan. Committee on Business Affairs and Labor	143	155	304	351	426	600	3-10 -10	#8-11 -10	#	Effective 90 days after sine die unless a referendum petition is filed.
SB10-025 by Senator(s) Whitehead, Brophy, Hodge, Schwartz, White; also Representative(s) Baumgardner, Curry, Fischer, Gardner C., McKinley--Concerning the long-term funding of the water efficiency grant program. Committee on Agriculture, Livestock, & Natural Resources	600	628	840	901	954	1718	6-7 -10	6-7 -10	894 -	Second Reading LO until 3-23-10.
SB10-026 by Senator(s) Romer; also Representative(s) Middleton--Concerning providing to the public information to facilitate successful participation in postsecondary education. Committee on Education	696*	735							905 -	PI.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-027 by Senator(s) Sandoval; also Representative(s) Roberts--Concerning a fine for the unauthorized diversion of surface water. Committee on Agriculture, Livestock, & Natural Resources	332*	400	745*	809*	818	1134	4-14 -10	4-14 -10	796 - 843 -	Second Reading LO until 3-16-10. Senate concurred in House amendments and repassed bill, as amended.
SB10-028 by Senator(s) Heath; also Representative(s) Pace--Concerning the establishment of the Colorado "Work Share Program" to allow payment of unemployment compensation benefits to eligible employees who have received a reduction in work hours. Committee on State, Veterans, & Military Affairs	696*	735	1406	1633	1681	1863	6-9 -10	6-9 -10	995 - 1435 - 1671 -	R to Committee on Appropriations. Second Reading LO daily until 5-5-10. Third Reading LO until 5-7-10.
SB10-031 by Senator(s) Scheffel; also Representative(s) Rice--Concerning a prohibition against the inclusion of facilities that offer gambling-related activities in a regional tourism project for purposes of the "Colorado Regional Tourism Act". Committee on Business Affairs and Labor Committee on State, Veterans, & Military Affairs	112	155	753	796	808	891	3-31 -10	#8-11 -10	304 - #	R to Committee on State, Veterans, & Military Affairs. Effective 90 days after sine die unless a referendum petition is filed.
SB10-032 by Senator(s) Tapia; also Representative(s) Lambert--Concerning the authorization of amendments to existing state information technology contracts for purposes of furthering consolidation of the management of state agency information technology resources in the office of information technology. Committee on State, Veterans, & Military Affairs	346*	400	781	824	835	1134	4-15 -10	4-15 -10		

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
<u>SB10-034</u> by Senator(s) Whitehead; also Representative(s) Looper--Concerning the administration of laws regulating pesticides, and, in connection therewith, amending the "Pesticide Act" to authorize the commissioner of the department of agriculture to inspect refillers, impose residue removal and record-keeping requirements, and set expiration dates for pesticide and device registrations by rule. Committee on Agriculture, Livestock, & Natural Resources	166*	188	660*	710*	725	1718	6-7 -10	7-1 -10	716 - 843 -	Third Reading LO until 3-10-10. Senate concurred in House amendments and repassed bill, as amended.
<u>SB10-035</u> by Senator(s) Newell; also Representative(s) Bradford--Concerning automatic enrollment in employee retirement plans. Committee on Business Affairs and Labor	90*	101	179	231	261	331	2-24 -10	#1-1 -11	202 - #	Second Reading LO until 2-8-10. unless a referendum petition is filed within 90 days after sine die.
<u>SB10-036</u> by Senator(s) Johnston, Bacon, Heath, Hudak, Penry, Romer, Shaffer B., Steadman; also Representative(s) Merrifield--Concerning requiring the department of education to prepare an annual report analyzing educator preparation program effectiveness using data obtained through the educator identifier system. Committee on Education	30*	30	38	39	43	45	1-15 -10	1-15 -10	39 -	Special Orders.
<u>SB10-037</u> by Senator(s) Kester; also Representative(s) Casso--Concerning an increase in the amounts payable from the horse breeders' and owners' awards and supplemental purse fund for costs of administration. Committee on Agriculture, Livestock, & Natural Resources	112	156	745	795	805	891	3-31 -10	#8-11 -10	#	Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-038 by Senator(s) Hodge; also Representative(s) Fischer--Concerning the "organic certification act", and, in connection therewith, authorizing the commissioner of agriculture to contract with independent organics inspectors and altering the composition of the organic certification advisory board, and making an appropriation therefor. Committee on Agriculture, Livestock, & Natural Resources	112	156	856*	959*	967	1305	4-29 -10	7-1 -10	661 - R to Committee on Appropriations. 903 - Second Reading LO until 3-24-10. 1190 - Senate concurred in House amendments and repassed bill, as amended.	
SB10-039 by Senator(s) Carroll M., Heath, Hudak, Shaffer B., Tochtrop, Williams; also Representative(s) Gagliardi, Fischer, Kefalas--Concerning scholarships for job training, and making an appropriation therefor. Committee on Education	1366*	1368							1505 - PI.	
SB10-040 by Senator(s) Tochtrop; also Representative(s) Soper--Concerning motorcycle safety education programs. Committee on Transportation & Energy	332*	400							876 - Rep Soper replaced Rep Merrifield as House prime sponsor. 1729 - PI.	
SB10-041 by Senator(s) Bacon; also Representative(s) Nikkel--Concerning technical modifications to statutory provisions governing campaign finance. Committee on State, Veterans, & Military Affairs	185*	201	862	959	968	1190	4-21 -10	7-1 -10	903 - Second Reading LO until 3-24-10.	
SB10-042 by Senator(s) Schwartz; also Representative(s) Frangas and Kefalas--Concerning prior consent for release of financial information to facilitate investigations of financial exploitation of at-risk adults. Committee on Judiciary	166*	188	945	1058	1092	1718	6-8 -10	6-8 -10	959 - Second Reading LO daily until 4-1-10.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-043 by Senator(s) White; also Representative(s) Pommer--Concerning the repeal date of the office of the child's representative. Committee on Judiciary	112*	156	991	1062	1100	1190	4-20 -10	4-20 -10		
SB10-046 by Senator(s) Gibbs; also Representative(s) Levy--Concerning the boundaries of forest improvement districts. Committee on Local Government	185	201	320	488	497	600	3-10 -10	3-10 -10	402 -	Second Reading LO daily until 2-22-10.
SB10-047 by Senator(s) King K.; also Representative(s) Looper--Concerning rights relating to the disposition of the last remains of members of the armed forces. Committee on State, Veterans, & Military Affairs	112	156	781*	898*	950	1305	4-29 -10	#8-11 -10	824 - 1190 -	Second Reading LO daily until 3-23-10. Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.
SB10-048 by Senator(s) Heath; also Representative(s) Levy--Concerning the regulation of the purchase of commodity scrap metals. Committee on Judiciary	559*	602	945	1058					959 - 1092 -	Second Reading LO daily until 4-1-10. L in House.
SB10-049 by Senator(s) Sandoval, Bacon, Hudak, Steadman, Tochtrop; also Representative(s) Benefield, Frangas, Hullinghorst--Concerning the liability limits applicable to the life and health insurance protection association, and, in connection therewith, increasing the liability limits for annuity benefits, structured settlement annuities, and long-term care benefits. Committee on Business Affairs and Labor	112	156	382	446	483	600	3-5 -10	3-5 -10		

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-052 by Senator(s) Brophy, Hodge; also Representative(s) Curry--Concerning the ability of the groundwater commission to alter the boundaries of a designated groundwater basin. Committee on Agriculture, Livestock, & Natural Resources	-112*	156	661	719	727	891	3-31 -10	#8-11 -10	710 - Second Reading LO until 3-9-10. 718 - L. 719 - * in the Committee of the Whole report and bill passed unamended by the House. # Effective 90 days after sine die unless a referendum petition is filed.	
SB10-053 by Senator(s) Foster; also Representative(s) Acree--Concerning the exception of weighted votes from voting requirements governing the board of directors of a metropolitan sewage disposal district. Committee on Local Government	112	156	291	419	439	600	3-10 -10	#8-11 -10	328 - Second Reading LO daily until 2-18-10. # Effective 90 days after sine die unless a referendum petition is filed.	
SB10-054 by Senator(s) Hudak, Steadman; also Representative(s) Levy--Concerning the provision of educational services for juveniles against whom charges have been filed in district court, and making an appropriation therefor. Committee on Judiciary	1366*	1368	1644	1662	1687	1863	5-25 -10	5-25 -10	1627 - R to Committee on Appropriations.	
SB10-055 by Senator(s) Harvey; also Representative(s) Gardner C.--Concerning the receipt of donations by the division of motor vehicles in the department of revenue to be deposited in the Colorado state titling and registration account in the highway users tax fund. Committee on Transportation & Energy	166	188	864	980	1004	1190	4-21 -10	4-21 -10	903 - Second Reading LO daily until 3-26-10.	
SB10-056 by Senator(s) Boyd; also Representative(s) Riesberg--Concerning developing standardized immunization information to provide to parents. Committee on Education	332*	401	623*	677*	702	842	3-29 -10	#8-11 -10	722 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-058 by Senator(s) Tapia; also Representative(s) Gagliardi--Concerning the eligibility requirements for the nursing teacher loan forgiveness pilot program. Committee on Education	332*	401	770	824	832	1324	4-20-10	#8-11-10	402 - Rep Gagliardi replaced Rep Ferrandino as House prime sponsor. 624 - R to Committee on Appropriations. # Effective 90 days after sine die unless a referendum petition is filed.	
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, and making an appropriation therefor. Committee on Finance	559*	602							733 - PI.	
SB10-060 by Senator(s) Morse, Carroll M., Mitchell, Schwartz; also Representative(s) Labuda, Gardner B., Kagan, Levy, Roberts--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies. Committee on Legal Services	696	735	1025	1121	1137	1305	4-29-10	4-29-10	1109 - Second Reading LO until 4-7-10.	
SB10-061 by Senator(s) Tochtrop and Williams, Newell; also Representative(s) Soper and Riesberg, Roberts, Tyler--Concerning medicaid payments for inpatient care for hospice recipients, and making an appropriation therefor. Committee on Health and Human Services	1008*	1018	1406*	1467*	1588	1863	5-21-10	#8-11-10	1212 - R to Committee on Appropriations. 1435 - Second Reading LO until 4-28-10. 1510 - Third Reading LO daily until 5-4-10. 1646 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-062 by Senator(s) Steadman; also Representative(s) Peniston--Concerning the existing categorical education programs described by section 17 of article IX of the state constitution. Committee on Education	722*	735	905*	1058*	1090	1305	4-29 -10	4-29 -10	959 - 1190 -	Second Reading LO daily until 4-1-10. Senate concurred in House amendments and repassed bill, as amended.
SB10-063 by Senator(s) White; also Representative(s) Waller--Concerning limiting civil liability for attorneys who contract to provide certain services for the office of alternate defense counsel. Committee on Judiciary	559*	602	814	900	951	1134	4-15 -10	#8-11 -10	876 - #	Second Reading LO daily until 3-23-10. Effective 90 days after sine die unless a referendum petition is filed.
SB10-064 by Senator(s) Bacon; also Representative(s) Merrifield--Concerning authorization for an institution of higher education to apply for stipends from the college opportunity fund, and making an appropriation therefor. Committee on Education	1481*	1483	1691	1729	1754	1863	5-26 -10	5-26 -10	1639 - 1729 -	R to Committee on Appropriations. Special Orders.
SB10-065 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Lambert--Concerning a supplemental appropriation to the department of education. Committee on Appropriations	52	54	63	87	103	112	1-28 -10	1-28 -10	101 -	Third Reading LO until 1-28-10
SB10-066 by Senator(s) Hudak, Carroll M., Steadman; also Representative(s) Levy, Ryden--Concerning the requirement that certain persons report child abuse or neglect. Committee on Judiciary	559*	602	945*	1058*	1093	1707	6-10 -10	6-10 -10	959 - 1190 -	Second Reading LO daily until 4-1-10. Senate concurred in House amendments and repassed bill, as amended.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-068 by Senator(s) Boyd; also Representative(s) Massey--Concerning streamlining eligibility requirements for the Colorado works program, and making an appropriation in connection therewith. Committee on Health and Human Services	601*	628	988	1061	1097	1190	4-21 -10	1-1 -11	814 -	R to Committee on Appropriations.
SB10-070 by Senator(s) Kester; also Representative(s) McCann--Concerning a statutory mechanism for the referral of a ballot question regarding the term limit of a district attorney. Committee on State, Veterans, & Military Affairs	945*	1018	1177*	1224*	1233	1535	5-20 -10	5-20 -10	1210 - 1356 -	Second Reading LO until 4-14-10. Senate concurred in House amendments and repassed bill, as amended.
SB10-071 by Senator(s) Morse; also Representative(s) Riesberg--Concerning creation of a lifetime pass to state parks and recreation areas that shall be available for purchase by Colorado residents who are of eligible age, and making an appropriation therefor. Committee on Agriculture, Livestock, & Natural Resources	657*	671	840*	901*	953	1863	5-19 -10	#8-11 -10	894 - 1646 -	Second Reading LO until 3-23-10. Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.
SB10-072 by Senator(s) Schwartz; also Representative(s) Vigil--Concerning creation of the "Colorado Seed Potato Act", and making an appropriation therefor. Committee on Agriculture, Livestock, & Natural Resources	601*	628	988	1061	1097	1718	6-8 -10	7-1 -10	840 -	R to Committee on Appropriations.
SB10-073 by Senator(s) Tapia; also Representative(s) McFadyen--Concerning the nurse home visitor program duties of the health sciences facility at the university of Colorado. Committee on Health and Human Services	891*	947	1212	1248	1270	1535	6-8 -10	6-30 -10		

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-075 by Senator(s) White; also Representative(s) Baumgardner--Concerning the requirement that military vehicles valued for historical purposes bear a license plate. Committee on Transportation & Energy	558	602	961*	1059*	1094	1305	4-29 -10	#8-11 -10	1002 - Second Reading LO until 4-1-10. 1190 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB10-076 by Senator(s) Carroll M.; also Representative(s) Primavera--Concerning unreasonable insurance claims settlement practices. Committee on Judiciary	722*	735	1535*	1660*	1683	1863	5-17 -10	5-17 -10	1603 - Second Reading LO daily until 5-6-10. 1779 - Senate concurred in House amendments and repassed bill, as amended.	
SB10-079 by Senator(s) Penry; also Representative(s) Bradford and King S.--Concerning authority to offer additional programs at Mesa state college. Committee on Education	657*	671	988	1061	1098	1190	4-21 -10	#8-11 -10	# Effective 90 days after sine die unless a referendum petition is filed.	
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 Committee on State, Veterans, & Military Affairs	559*	602	781	824	836	1107	4-12 -10	7-1 -10		
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. Committee on Education	559*	602	686	765*	792	1134	4-15 -10	#8-11 -10	731 - Second Reading LO until 3-12-10. 843 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-082 by Senator(s) Whitehead; also Representative(s) Roberts--Concerning the Southern Ute Indian tribe/state of Colorado environmental commission, and, in connection therewith, repealing term limits applicable to the commission and repealing a moot condition related to the repeal of the commission. Committee on Health and Human Services	346	401	720*	809*	817	1411	4-29 -10	4-29 -10	766 - 843 -	Second Reading LO daily until 3-16-10. Senate concurred in House amendments and repassed bill, as amended.
SB10-083 by Senator(s) Kester; also Representative(s) Middleton--Concerning the enforcement of federal law pertaining to the extension of credit for the sale of alcohol beverages. Committee on Business Affairs and Labor	346*	401	670	728*	737	1134	4-15 -10	#8-11 -10	710 - 843 -	Second Reading LO daily until 3-10-10. Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.
SB10-087 by Senator(s) Steadman; also Representative(s) Liston--Concerning the authority of the secretary of state in connection with the regulation of lobbyists, and making an appropriation therefor. Committee on State, Veterans, & Military Affairs	815*	874	1559*	1659*	1683	1863	6-10 -10	6-10 -10	995 - 1603 - 1779 -	R* to Committee on Appropriations. Second Reading LO daily until 5-6-10. Senate concurred in House amendments and repassed bill, as amended.
SB10-088 by Senator(s) Johnston; also Representative(s) Massey--Concerning authorization of two-year degrees with academic designation. Committee on Education	601*	628	988	1061	1098	1190	4-21 -10	#8-11 -10	# Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-093 by Senator(s) Lundberg; also Representative(s) DelGrosso--Concerning the orderly resolution of claims in foreclosures involving junior liens. Committee on Local Government	657*	671								826 - PI.
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. Committee on Business Affairs and Labor	783*	828	1127*	1158*	1182	1718	5-18 -10	#8-11 -10		1258 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.
SB10-097 by Senator(s) Boyd; also Representative(s) Gagliardi--Concerning the method by which a county home rule charter commission is created for the purpose of proposing a home rule charter. Committee on Local Government	331	401								826 - PI.
SB10-098 by Senator(s) Tochtrop; also Representative(s) Sonnenberg--Concerning the allocation of moneys to promote conservation of the state's natural resources. Committee on Local Government	601*	629	840*	985*	1007	1383	4-29 -10	4-29 -10		690 - R to Committee on Agriculture, Livestock, & Natural Resources. 894 - Second Reading LO daily until 3-26-10 1190 - Senate concurred in House amendments and repassed bill, as amended.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-099 by Senator(s) Cadman, Morse, Penry; also Representative(s) Weissmann--Concerning the acceptance by members of the general assembly from a joint governmental agency of this state of the payment of or reimbursement for certain expenses related to the member's attendance at a meeting of the joint governmental agency. Committee on State, Veterans, & Military Affairs	332*	401	862*	979*	1004	1355	4-29 -10	#8-11 -10	903 - Second Reading LO daily until 3-26-10. 1190 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB10-100 by Senator(s) Schwartz, Carroll M., Foster, Gibbs, Heath, Newell, Romer; also Representative(s) Miklosi--Concerning greater financing flexibility for local districts organized for purposes related to energy. Committee on Transportation & Energy	332*	401	961*	1120*	1179*	1535	5-5 -10	5-5 -10	1002 - Second Reading LO daily until 4-7-10. 1060 - Third Reading LO daily until 4-12-10. 1258 - Senate concurred in House amendments and repassed bill, as amended.	
SB10-101 by Senator(s) Gibbs, Schwartz, Romer, Bacon, Cadman, Hudak, Johnston, Kester, Sandoval, Scheffel, Steadman, Tapia, White; also Representative(s) Scanlan and Massey, Balmer, Baumgardner, Curry, Frangas, Liston, Merrifield, Pace--Concerning authorizing Colorado mountain college to offer baccalaureate degrees. Committee on Education	657*	672	861	1057	1089	1718	5-27 -10	5-27 -10	903 - Second Reading LO daily until 4-1-10.	
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. Committee on Agriculture, Livestock, & Natural Resources	489	505	745	795*	805	1134	4-15 -10	4-15 -10	843 - Senate concurred in House amendments and repassed bill, as amended.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
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, and making an appropriation therefor. Committee on Transportation & Energy	559*	603	1406*	1467*	1588	1863	5-27-10	#8-11-10	864 - R to Committee on Appropriations. 1435 - Second Reading LO until 4-28-10. 1510 - Third Reading LO daily until 5-4-10. 1646 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB10-106 by Senator(s) Bacon, Boyd, Newell, Sandoval; also Representative(s) Looper--Concerning the creation of a food systems advisory council, and making an appropriation therefor. Committee on Agriculture, Livestock, & Natural Resources	1009*	1018	1406	1468*	1589	1863	5-26-10	#8-11-10	1140 - R* to Committee on Appropriations. 1435 - Second Reading LO until 4-28-10. 1510 - Third Reading LO daily until 5-4-10. 1646 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB10-108 by Senator(s) King K., Bacon, Scheffel, Schultheis, Spence, Steadman; also Representative(s) Middleton, Massey, Summers, Gardner B., King S., McNulty, Murray--Concerning implementation of general education core courses at institutions of higher education, and making an appropriation therefor. Committee on Education	843*	874	1406	1468	1590	1863	5-27-10	5-27-10	989 - R to Committee on Appropriations. 1435 - Second Reading LO until 4-28-10. 1510 - Third Reading LO daily until 5-4-10.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-109 by Senator(s) Romer and Spence, Boyd, Bacon, Hodge, Hudak, Johnston, Tapia, Tochtrop; also Representative(s) Massey and McCann, Rice, Frangas, McFadyen--Concerning regulation of the physician-patient relationship for medical marijuana patients, and making appropriations in connection therewith. Committee on Judiciary	153*	168	325*	608*	633*	1863	6-7 -10	6-7 -10	213 - R* to Committee on Appropriations. 569 - Second Reading LO until 3-1-10. 608 - Title change. 630 - Third Reading LO until 3-3-10. 1008 - Senate did not concur in House amendments and requested Conference Committee with permission to go beyond scope. Senate members: Romer, Spence, and Johnston. 1012 - House acceded to request for Conference Committee. House members: Massey, McCann, and Rice 1104 - House granted permission to go beyond scope. 1187 - Conference Committee report. 1216 - Consideration of Conference Committee report LO daily until 4-16-10. 1277 - House rejected 1st Conference Committee report, discharged 1st Conference Committee and requested 2nd Conference Committee with permission to go beyond scope. House members: Massey, McCann, Weissmann. 1325 - Senate discharged 1st Conference Committee and appointed 2nd Conference Committee with permission to go beyond scope. Senate members: Romer, Spence, Steadman. 1408 - Report of 2nd Conference Committee. 1427 - Consideration of 2nd Conference Committee report LO daily until 5-4-10. 1622 - House adopted report of 2nd Conference Committee and repassed bill, as amended. 1622 - Representative Pace requested his name be removed as co-sponsor. 1647 - Senate adopted report of 2nd Conference Committee and repassed bill, as amended.	
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 to properly restrain a child in a vehicle. Committee on Transportation & Energy	843*	875	1134*	1272*	1335	1863	5-26 -10	8-1 -10	1156 - Second Reading LO daily until 4-16-10. 1311 - Third Reading LO until 4-20-10. 1450 - Senate concurred in House amendments and repassed bill, as amended.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-111 by Senator(s) King K., Bacon, Johnston, Scheffel, Schultheis, Spence, Steadman; also Representative(s) Massey, Summers, Gardner B., King S., McNulty, Middleton, Murray--Concerning public schools that are authorized by the state charter school institute. Committee on Education	601*	629	989*	1061*	1099	1305	4-29 -10	#8-11 -10	1190 -	Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.
SB10-112 by Senator(s) Kopp, Carroll M.; also Representative(s) Swalm--Concerning rate setting for workers' compensation insurance. Committee on Business Affairs and Labor	559*	603	733	794	802	891	3-31 -10	#8-11 -10 1-1 -11	766 -	Second Reading LO until 3-15-10. # Effective 90 days after sine die unless a referendum petition is filed.
SB10-114 by Senator(s) Carroll M.; also Representative(s) Weissmann--Concerning the "Colorado Taxpayer Transparency Act of 2010". Committee on State, Veterans, & Military Affairs	559*	784	996*	1634*	1737*				1063 - 1671 - 1778 -	Second Reading LO daily until 5-5-10. Third Reading LO daily until 5-10-10. Senate did not concur in House amendments and requested Conference Committee. Senate members: Carroll, Steadman, and Kopp. 1778 - House acceded to request for Conference Committee. House members: Weissman, Primavera, Gardner, B. 1778 - Sen Brophy replaced Sen Kopp on Conference Committee. 1800 - Conference Committee report. 1826 - House adopted Conference Committee report and failed to repass bill as amended.
SB10-115 by Senator(s) Tochtrop, Bacon, Carroll M., Williams; also Representative(s) Primavera and Merrifield--Concerning the authority of licensed health care facilities to redispense unused medications. Committee on Health and Human Services	185*	201	687*	764*	791	1134	4-13 -10	4-13 -10	506 - 731 - 843 -	Rep Merrifield added as House dual prime sponsor. Second Reading LO until 3-12-10. Senate concurred in House amendments and repassed bill, as amended.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-116 by Senator(s) Kopp, Tochtrop, Carroll M., Scheffel, Tapia, Whitehead, Williams, Renfro; also Representative(s) Rice and Priola, Benefield, Casso, Gagliardi, Gerou, Kefalas, Kerr J., Liston, Middleton, Pommer, Riesberg, Soper, Vaad--Concerning the reimbursement of costs incurred on change orders in public works contracts. Committee on Business Affairs and Labor	601*	629	747	795	807	891	3-31 -10	#8-11 -10	#	Effective 90 days after sine die unless a referendum petition is filed.
SB10-117 by Senator(s) Foster; also Representative(s) Primavera--Concerning medicaid coverage for over-the-counter medications. Committee on Health and Human Services	783*	828	1212*	1248*	1271	1718	5-17 -10	7-1 -10	1356	- Senate concurred in House amendments and repassed bill, as amended.
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. Committee on Health and Human Services	558	603	776	825	837	1107	4-15 -10	4-15 -10		
SB10-119 by Senator(s) Shaffer B.; also Representative(s) May--Concerning payments made to members of the general assembly in connection with the performance of their legislative duties. Committee on Appropriations	656	672	770	813	821	1134	4-15 -10	4-15 -10		

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-120 by Senator(s) White, Bacon, Steadman; also Representative(s) Rice, Bradford, McCann--Concerning the inclusion of prepaid wireless telephone service among the services subject to the surcharge that funds enhanced 911 emergency services, and making an appropriation in connection therewith. Committee on Business Affairs and Labor	843*	875	1407	1468*	1590*	1863	6-7 -10	1-1 -11	1129 - R to Committee on Appropriations. 1435 - Second Reading LO until 4-28-10. 1510 - Third Reading LO daily until 5-4-10. 1646 - Senate concurred in House amendments and repassed bill, as amended.	
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. Committee on Finance	559*	603	733	794	803	891	3-31 -10	#8-11 -10	766 - Second Reading LO until 3-15-10. # Effective 90 days after sine die unless a referendum petition is filed.	
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". Committee on State, Veterans, & Military Affairs	489	506	781	825	836	1107	4-15 -10	4-15 -10		
SB10-124 by Senator(s) Carroll M.; also Representative(s) Ryden--Concerning a requirement that certain health care providers disclose information about their practice history, and making an appropriation therefor. Committee on Health and Human Services	1008*	1018	1691	1705*	1744	1863	6-10 -10	#8-11 -10	1213 - R* to Committee on Finance. 1639 - R to Committee on Appropriations. 1703 - Special Orders. 1779 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-126 by Senator(s) Carroll M.; also Representative(s) Tyler--Concerning increased transparency reporting requirements for certain pharmaceutical manufacturers. Committee on Health and Human Services	1366*	1368	1440	1633	1669	1863	6-10 -10	#8-11 -10	1494 - Second Reading LO daily until 5-5-10 # Effective 90 days after sine die unless a referendum petition is filed.	
SB10-128 by Senator(s) Hudak, Newell, Carroll M., Steadman; also Representative(s) Rice--Concerning invasion of privacy, and making an appropriation in connection therewith. Committee on Judiciary	1366*	1368	1627*	1661*	1685*	1863	6-10 -10	7-1 -10 7-1 -12	1636 - Second Reading LO until 5-6-10. 1779 - Senate concurred in House amendments and repassed bill, as amended.	
SB10-129 by Senator(s) Hudak, Bacon, Johnston, Keller, Kester; also Representative(s) Rice--Concerning care coordination services for children with autism. Committee on Health and Human Services	600	629	776	824	835	1107	4-15 -10	4-15 -10		
SB10-130 by Senator(s) Kester; also Representative(s) McCann--Concerning the allocation of powers within the department of corrections. Committee on Judiciary	346*	401	814	900	952	1134	4-15 -10	4-15 -10	876 - Second Reading LO daily until 3-23-10.	
SB10-133 by Senator(s) Heath and Romer; also Representative(s) Rice--Concerning the creation of an income tax credit to incentivize Colorado businesses to rehire laid-off workers sooner. Committee on Business Affairs and Labor Committee on Finance	1107*	1154							1437 - R* to Committee on Finance. 1678 - PI.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
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. Committee on Local Government	797	828	961	1059	1093	1190	4-21 -10	#8-11 -10	1002 - Second Reading LO until 4-1-10. # Effective 90 days after sine die unless a referendum petition is filed.	
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. Committee on Agriculture, Livestock, & Natural Resources	797	828	1476*	1635*	1682	1863	5-27 -10	#8-11 -10	1141 - R to Committee on Appropriations. 1407 - R to Committee on Finance. 1560 - Second Reading LO daily until 5-5-10. 1636 - * in the Committee of the Whole report. 1671 - Third Reading LO until 5-7-10. 1779 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB10-140 by Senator(s) Mitchell, Shaffer B., Carroll M., Spence; also Representative(s) McCann--Concerning human trafficking. Committee on Judiciary	657*	672	862	959	1003	1190	4-21 -10	4-21 -10	903 - Second Reading LO until 3-24-10. 968 - Third Reading LO until 3-29-10.	
SB10-141 by Senator(s) King K.; also Representative(s) Lambert--Concerning the transfer of responsibility for the regulation of games of chance from the secretary of state to the department of revenue in accordance with House Concurrent Resolution 09-1003, and making an appropriation therefor. Committee on Finance	1366*	1368	1576*	1661*	1684	1863	5-21 -10	#8-11 -10	1477 - R to Committee on Appropriations. 1603 - Second Reading LO daily until 5-6-10. 1779 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
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. Committee on Local Government	489	506	652	678*	703	842	3-29 -10	#8-11 -10	722 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-143 by Senator(s) Morse; also Representative(s) Scanlan and Massey--Concerning the refund of moneys erroneously collected by the Colorado department of state prior to a certain date, and, in connection therewith, authorizing the state controller to issue warrants to refund such moneys to the proper persons, and making an appropriation. Committee on Finance	843*	875	906	1058	1090*	1718	5-25 -10	5-25 -10	876 - Rep Massey added as House dual prime sponsor. 959 - Second Reading LO daily until 4-1-10. 1258 - Senate concurred in House amendments and repassed bill, as amended.	
SB10-144 by Senator(s) Scheffel; also Representative(s) Rice--Concerning the registration of equipment mounted on a motor vehicle. Committee on Transportation & Energy	1450*	1451	1691	1705	1753	1863	5-26 -10	7-1 -10	1643 - R to Committee on Appropriations. 1703 - Special Orders. 1744 - Third Reading LO until 5-11-10.	
SB10-146 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Lambert--Concerning a temporary modification to the contribution rates for certain divisions of the public employees' retirement association, and making an appropriation therefor. Committee on Appropriations	559*	603	720	731	740	891	3-31 -10	3-31 -10		
SB10-147 by Senator(s) Lundberg, Penry; also Representative(s) DelGrosso--Concerning exempting from execution by creditors certain assets that are payable upon death. Committee on Judiciary	601*	629	991	1062	1100	1190	4-21 -10	#9-1 -10	# unless a referendum petition is filed within 90 days after sine die.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-148 by Senator(s) White, Keller, Tapia; also Representative(s) Lambert, Ferrandino, Pommer- Concerning the transfer of the enterprise facility for operational recovery, readiness, response, and transition services from the department of state to the office of information technology in the office of the governor, and, in connection therewith, developing a timeline to transfer funding of the facility from the department of state cash fund to the computer services revolving fund over a period of four years. Committee on Appropriations	601*	629	770	825	837	1107	4-15 --10	4-15 -10		
SB10-149 by Senator(s) Tapia, Keller, White; also Representative(s) Ferrandino, Pommer, Lambert- Concerning advancements to counties from the county tax base relief fund. Committee on Appropriations	558	603	770	824	834	1107	4-15 -10	4-15 -10		
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. Committee on Appropriations	558	603	770	824	833	1107	4-15 -10	4-15 -10		
SB10-151 by Senator(s) White, Keller, Tapia; also Representative(s) Pommer, Ferrandino, Lambert- Concerning the repeal of the Colorado comprehensive health fund. Committee on Appropriations	558	604	770	824	834	1107	4-15 -10	4-15 -10 7-1 -10		

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-152 by Senator(s) Newell, Bacon, Boyd, Foster, Hodge, Keller, Sandoval, Schwartz, Steadman, Tochtrop; also Representative(s) Gagliardi, Apuan, May, Merrifield, Peniston, Primavera, Todd--Concerning information relating to a referral of suspected child abuse by certain mandatory reporters. Committee on Health and Human Services	657*	672	906*	1059*	1094	1718	5-14 -10	#9-1 -10	959 - Second Reading LO daily until 4-1-10. 1190 - Senate concurred in House amendments and repassed bill, as amended. # unless a referendum petition is filed within 90 days after sine die.	
SB10-153 by Senator(s) Boyd; also Representative(s) Frangas--Concerning behavioral health transformation. Committee on Health and Human Services	1107*	1154	1302	1393*	1416	1863	5-26 -10	5-26 -10	1346 - Second Reading LO daily until 4-23-10. 1646 - Senate concurred in House amendments and repassed bill, as amended.	
SB10-154 by Senator(s) Sandoval; also Representative(s) Middleton--Concerning adding categories to the definition of a "high-risk student" for purposes of determining whether a public school qualifies for designation as an alternative education campus. Committee on Education	657*	672	906	958	1021	1190	4-21 -10	4-21 -10	967 - Third Reading LO until 3-31-10.	
SB10-155 by Senator(s) Tochtrop; also Representative(s) Benefield--Concerning limitations on the issuance of gift cards. Committee on Business Affairs and Labor	601*	629	840	1057*	1088	1411	4-29 -10	#8-11 -10	748 - R* to Committee on Finance. 894 - Second Reading LO daily until 4-1-10. 1190 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB10-156 by Senator(s) Heath; also Representative(s) Hullinghorst--Concerning increased protections for mobile home owners who lease space in mobile home parks. Committee on Judiciary	1214*	1216	1424	1470*	1595*	1863	6-5 -10	7-1 -10	1510 - Third Reading LO daily until 5-4-10. 1646 - Senate concurred in House amendments and repassed bill, as amended.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-158 by Senator(s) Newell, Bacon, Carroll M., Gibbs, Heath, Hodge, Hudak, Johnston, Keller, Kester, Lundberg, Morse, Romer, Sandoval, Schwartz, Spence, Steadman, Tapia, Tochtrop, White, Whitehead, Williams; also Representative(s) Rice, Ryden--Concerning the creation of the creative industries division within the Colorado office of economic development, and, in connection therewith, recodifying the statutory provisions that create the Colorado office of film, television, and media, the council on creative industries, and the art in public places program. Committee on Business Affairs and Labor	600	629	748*	795*	807	1718	5-18 -10	7-1 -10	843 -	Senate concurred in House amendments and repassed bill, as amended.
SB10-159 by Senator(s) Foster; also Representative(s) Miklosi--Concerning defendant's statements at a community corrections hearing. Committee on Judiciary	346*	401	1304*	1391*	1417	1863	5-27 -10	#8-11 -10	1346 - 1646 -	Second Reading LO daily until 4-23-10. Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.
SB10-161 by Senator(s) King K.; also Representative(s) Massey--Concerning authorizing charter schools to enter into contractual agreements, and making an appropriation therefor. Committee on Education	1450*	1451	1720*	1733*	1764	1863	5-21 -10	#8-11 -10	1677 - 1729 - 1733 - 1801 -	R* to Committee on Appropriations. Special Orders. Title change. Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.
SB10-162 by Senator(s) Heath; also Representative(s) Hullinghorst and May--Concerning modifications to the "Urban and Rural Enterprise Zone Act" to improve the accountability of income tax credits allowed by the act. Committee on Finance	1008*	1018	1176*	1421*	1429	1863	6-9 -10	#1-12 -12	1009 - 1198 - 1646 -	Rep May added as House dual prime sponsor. Second Reading LO daily until 4-26-10. Senate concurred in House amendments and repassed bill, as amended. # unless a referendum petition is filed within 90 days after sine die.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-163 by Senator(s) Tochtrop; also Representative(s) Kerr A.--Concerning workers' compensation procedures. Committee on Business Affairs and Labor	489*	506	733	794	803	891	3-31 -10	3-31 -10	766 -	Second Reading LO until 3-15-10.
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. Committee on Agriculture, Livestock, & Natural Resources	489*	506	650*	677*	703	842	3-22 -10	3-22 -10	722 -	Senate concurred in House amendments and repassed bill, as amended.
SB10-166 by Senator(s) Bacon, Schwartz; also Representative(s) Riesberg and Sonnenberg, McFadyen--Concerning the authority of the state treasurer to enter into lease-purchase agreements for the department of personnel. Committee on Business Affairs and Labor	891	947	1147*	1185*	1196	1383	4-29 10	4-29 -10	1185 - 1258 -	Title change. Senate concurred in House amendments and repassed bill, as amended.
SB10-167 by Senator(s) Boyd; also Representative(s) Riesberg--Concerning increased efficiency in the administration of the "Colorado Medical Assistance Act", and, in connection therewith, creating the "Colorado Medicaid False Claims Act", requiring a post-enactment review of the implementation of this act, and making an appropriation. Committee on Health and Human Services	1627*	1628	1721	1733*	1765	1863	5-26 -10	5-26 -10	1696 - 1729 - 1801 -	R* to Committee on Appropriations. Special Orders. Senate concurred in House amendments and repassed bill, as amended.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-169 by Senator(s) Boyd; also Representative(s) Riesberg--Concerning authority for moneys in the hospital provider fee cash fund generated by an enhanced federal match through the 2010-11 fiscal year to be used to offset general fund expenditures in the medicaid program, and making an appropriation therefor. Committee on Health and Human Services Committee on Appropriations	1190*	1216	1407	1469	1592	1863	5-27 -10	5-27 -10	1302 - R to Committee on Appropriations. 1435 - Second Reading LO until 4-28-10. 1510 - Third Reading LO daily until 5-4-10.	
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. Committee on Health and Human Services	783*	829							990 - PI.	
SB10-171 by Senator(s) Newell, Bacon, Boyd, Heath, Hodge, Hudak, Keller, Kester, Lundberg, Morse, Penry, Romer, Shaffer B., Spence, Steadman, Williams; also Representative(s) Gagliardi, Acree, Casso, DeGrosso, Ferrandino, Frangas, Hullinghorst, Kefalas, Kerr J., Labuda, Levy, McNulty, Middleton, Nikkel, Primavera, Rice, Ryden, Scanlan, Todd, Tyler--Concerning the creation of a child protection ombudsman program, and making an appropriation therefor. Committee on Health and Human Services	1107*	1154	1407*	1469*	1592	1863	5-14 -10	5-14 -10	1302 - R* to Committee on Appropriations. 1435 - Second Reading LO until 4-28-10. 1469 - Title change. 1510 - Third Reading LO daily until 5-4-10. 1646 - Senate concurred in House amendments and repassed bill, as amended.	
SB10-172 by Senator(s) Steadman, Foster, Hudak, Johnston, Kester, Newell, Sandoval; also Representative(s) Primavera--Concerning the continuation of voluntary contribution designation lines on state individual income tax forms for certain funds set to expire January 1, 2011. Committee on Finance	963	1019	1130	1159	1182	1383	4-29 -10	#8-11 -10	# Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-174 by Senator(s) Schwartz, Gibbs, Whitehead; also Representative(s) Massey and Scanlan--Concerning the regulation of the development of geothermal resources. Committee on Local Government	843*	875	1130	1159	1183	1355	4-30 -10	#8-11 -10	#	Effective 90 days after sine die unless a referendum petition is filed.
SB10-175 by Senator(s) Boyd; also Representative(s) Riesberg--Concerning the relocation of provisions relating to behavioral health. Committee on Health and Human Services	842*	875	1113	1158	1181	1355	4-29 -10	4-29 10	1156 -	Second Reading LO until 4-9-10.
SB10-176 by Senator(s) Tochtrop; also Representative(s) Gagliardi--Concerning the requirements for inclusion of a professional nurse on the advanced practice nurse registry. Committee on Business Affairs and Labor	891	947	1153	1185	1197	1383	4-29 -10	4-29 -10		
SB10-177 by Senator(s) Schwartz and Gibbs; also Representative(s) Scanlan, Merrifield--Concerning the promotion of clean energy technologies. Committee on Transportation & Energy	843*	875	1178*	1275*	1312	1707	6-9 -10	#8-11 -10	797 - 1210 - 1366 -	Rep Looper removed as House dual prime sponsor. Second Reading LO daily until 4-16-10. Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.
SB10-178 by Senator(s) Hodge and Mitchell; also Representative(s) Gerou and Miklosi--Concerning fairness in workers' compensation health care provider review processes, and, in connection therewith, requiring performance programs to be transparent, include objective and standardized criteria that are applied consistently, and provide minimum due process to providers. Committee on Business Affairs and Labor	1355*	1356	1440*	1633*	1669	1863	5-26 -10	7-1 -10	1494 - 1633 - 1779 -	Second Reading LO daily until 5-5-10. Title change. Senate concurred in House amendments and repassed bill, as amended.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-179 by Senator(s) Steadman; also Representative(s) Weissmann and Casso--Concerning the voting rights of persons involved in the criminal justice system, and making an appropriation in connection therewith. Committee on Judiciary	1450*	1451	1644							1627 - R to Committee on Appropriations. 1662 - Second Reading LO until 5-7-10. 1703 - Special Orders. 1704 - L in House.
SB10-180 by Senator(s) Williams, Penry, Schwartz, Kester, Boyd, Carroll M., Hudak, Johnston, Morse, Romer, Bacon, Heath, Hodge, Keller, Newell, Shaffer B., Tapia; also Representative(s) Kerr A., Casso, Court, Curry, Fischer, Hulinghorst, Miklosi, Solano--Concerning the development of a smart grid for Colorado, and, in connection therewith, convening a task force to recommend legislative and administrative measures to encourage the orderly implementation of smart grid technology in Colorado. Committee on Transportation & Energy	1450*	1451	1643*	1665*	1688	1863	6-11 -10	6-11 -10		1662 - Second Reading LO until 5-7-10. 1664 - Special Orders. 1779 - Senate concurred in House amendments and repassed bill, as amended.
SB10-181 by Senator(s) Kester; also Representative(s) McKinley--Concerning the authority of a municipality in the state to lease lands owned by the municipality. Committee on Local Government	1214	1216	1408	1470	1593	1863	6-7 -10	#8-11 -10		1435 - Second Reading LO until 4-28-10. 1510 - Third Reading LO daily until 5-4-10. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-182 by Senator(s) Schwartz, Foster, Kester, Newell; also Representative(s) Peniston--Concerning the implementation of certain recommendations of the county elected officials' salary commission. Committee on Local Government	1108*	1154	1225	1276	1313	1535	5-26 -10	5-26 -10		
SB10-183 by Senator(s) Morse and Tochtrop, Boyd, Penry, Steadman, Williams; also Representative(s) Gagliardi, Balmer, Kagan, Primavera, Riesberg-- Concerning the continuation of a statutory prohibition on balance billing of certain charges for health care services. Committee on Health and Human Services	1227	1259	1408	1469	1593	1863	5-27 -10	5-27 -10	1435 - Second Reading LO until 4-28-10. 1510 - Third Reading LO daily until 5-4-10.	
SB10-184 by Senator(s) Romer and Gibbs, Penry, Schwartz, Hodge, Kopp, Williams, Bacon, Boyd, Carroll M., Foster, Heath, Hudak, Johnston, Kester, Lundberg, Mitchell, Morse, Newell, Renfroe, Scheffel, Schultheis, Shaffer B., Spence, Steadman, Tapia, Tochtrop, Whitehead; also Representative(s) Scanlan and King S., Casso, Court, Curry, Ferrandino, Fischer, Frangas, Kerr A., Kerr J., Levy, Looper, Massey, McCann, McFadyen, Miklosi, Pace, Peniston, Pommer, Primavera, Rice, Schafer S., Soper, Swalm, Todd, Tyler--Concerning transportation demand management solutions for traffic congestion in the interstate 70 mountain corridor, and, in connection therewith, authorizing the high- performance transportation enterprise to contract with the department of transportation to provide and operate reversible highway lanes within a specified portion of the corridor. Committee on Transportation & Energy	1481*	1483	1643	1665	1687	1863	5-27 -10	5-27 -10	1662 - Second Reading LO until 5-7-10. 1664 - Special Orders.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-185 by Senator(s) Shaffer B., Bacon, Boyd, Carroll M., Foster, Heath, Hudak, Johnston, Keller, Morse, Sandoval, Schwartz, Steadman, Tapia, Tochtrop, Whitehead, Williams; also Representative(s) Merrifield, Apuan, Benefield, Casso, Ferrandino, Fischer, Gagliardi, Hulinghorst, Kagan, Kefalas, Kerr A., Labuda, Levy, McCann, Miklosi, Pace, Peniston, Pommer, Schafer S., Solano, Soper, Todd, Tyler, Vigil, Weissmann--Concerning modifications to the residential warranty of habitability for the purpose of protecting renters. Committee on Business Affairs and Labor	1582*	1583								1653 - PI.
SB10-186 by Senator(s) Tochtrop, Carroll M., Mitchell, Schultheis; also Representative(s) Primavera, Kerr J., McNulty, Miklosi--Concerning state warrants for tax refunds that are not presented for payment within six months from the date of issuance. Committee on Finance	1366*	1368	1477	1573	1599	1863	5-27 -10	#8-11 -10		1494 - Second Reading LO daily until 5-3-10. # Effective 90 days after sine die unless a referendum petition is filed.
SB10-187 by Senator(s) Tochtrop; also Representative(s) Riesberg--Concerning workers' compensation. Committee on Business Affairs and Labor	1366*	1368	1577	1661	1684	1863	5-27 -10	7-1 -10 1-1 -11		1440 - R to Committee on Appropriations. 1603 - Second Reading LO daily until 5-6-10.
SB10-189 by Senator(s) Steadman, Boyd, Carroll M., Heath, Romer, Tochtrop; also Representative(s) Weissmann, Levy, Riesberg--Concerning authorization for government agencies to approve clean syringe exchange programs to reduce the spread of blood-borne disease. Committee on Health and Human Services	1355*	1368	1440	1633	1670	1863	5-26 -10	#8-11 -10		1494 - Second Reading LO daily until 5-5-10. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-190 by Senator(s) White and Keller, Tapia; also Representative(s) Riesberg--Concerning the suspension of the property tax exemption for qualifying seniors for specified property tax years, and making an appropriation therefor. Committee on Appropriations	1411*	1426	1644	1791*	1835*	1863	5-27 -10	5-27 -10	1452 - Rep Pommer removed as House prime sponsor. 1711 - Second Reading LO until 5-10-10. 1729 - Special Orders. 1737 - Special Orders LO until 5-11-10. 1846 - Senate adhered to its position. 1846 - House receded from its position and repassed bill, as amended by the Senate.	
SB10-191 by Senator(s) Johnston and Spence, Foster, Gibbs, Hodge, King K., Kopp, Newell, Penry, Romer, Scheffel; also Representative(s) Scanlan and Murray, Carroll T., Gerou, Massey, Rice, Summers--Concerning ensuring quality instruction through educator effectiveness (EQuITEE). Committee on Education	1581*	1583	1721*	1794*	1824*	1863	5-20 -10	5-20 -10	1691 - R* to Committee on Appropriations. 1729 - Special Orders. 1737 - Special Orders LO until 5-11-10. 1845 - Senate concurred in House amendments and repassed bill, as amended.	
SB10-192 by Senator(s) Kopp, Hodge, Harvey, Renfroe, Johnston, Romer, Morse, Scheffel, Spence, Gibbs, Mitchell, Kester, Schultheis, Cadman, Foster, King K., Lundberg, Penry, Tochtrop, White, Whitehead, Williams; also Representative(s) Sonnenberg, Acree, Baumgardner, Bradford, Casso, Curry, Gardner B., Gerou, Kerr A., Kerr J., King S., Lambert, Liston, Loooper, Massey, May, Murray, Nikkel, Priola, Summers, Swalm, Tipton, Vaad, Waller--Concerning the use of revenues derived from limited gaming activity to fund restoration work on the state capitol building, and, in connection therewith, creating the capitol dome restoration fund and redirecting moneys from the portion of limited gaming revenue constitutionally allocated to historic preservation to the capitol dome restoration fund. Committee on State, Veterans, & Military Affairs	1646*	1656	1721	1731*	1761	1863	5-25 -10	#8-11 -10	1714 - R* to Committee on Appropriations. 1729 - Special Orders. 1801 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-193 by Senator(s) Hudak; also Representative(s) Levy--Concerning the safe treatment of pregnant persons in custody. Committee on Judiciary	1646*	1656	1723*	1730*	1755*	1863	5-27 -10	#1-1 -11	1729 - Special Orders. 1801 - Senate concurred in House amendments and repassed bill, as amended. # unless a referendum petition is filed within 90 days after sine die.	
SB10-194 by Senator(s) Boyd; also Representative(s) Riesberg--Concerning the requirement that entities operating pursuant to certain federal waivers that provide certain services to persons with developmental disabilities obtain licensure as home care agencies. Committee on Health and Human Services	1481	1483	1626	1661	1685	1863	5-21 -10	5-21 -10	1636 - Second Reading LO until 5-6-10.	
SB10-195 by Senator(s) Newell; also Representative(s) Solano--Concerning creation of the early childhood leadership commission. Committee on Health and Human Services	1582*	1583	1721	1732*	1763*	1863	6-3 -10	#8-11 -10	1679 - R* to Committee on Appropriations. 1729 - Special Orders. 1801 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB10-196 by Senator(s) Gibbs; also Representative(s) Scanlan--Concerning the minimum speed at which a motor vehicle may travel on interstate 70. Committee on Transportation & Energy	1646	1656	1680	1704*	1743	1863	5-27 -10	7-1 -10	1703 - Special Orders. 1705 - * in the Committee of the Whole report.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
<u>SB10-197</u> by Senator(s) Hodge; also Representative(s) Riesberg--Concerning exempting the transfer of prescription drugs purchased with public funds by public entities from the definition of "wholesale distribution" of prescription drugs. Committee on Health and Human Services	1627	1628	1679	1704	1743	1863	5-21 -10	5-21 -10	1703	- Special Orders.
<u>SB10-198</u> by Senator(s) Whitehead and Cadman; also Representative(s) McKinley--Concerning a reduction in the amount of the penalty for late vehicle registration for certain vehicles without motive power. Committee on State, Veterans, & Military Affairs	1708	1709	1722	1731	1761	1863	6-7 -10	7-1 -10	1715 1729	- R to Committee on Appropriations. - Special Orders.
<u>SB10-199</u> by Senator(s) Carroll M.; also Representative(s) Court--Concerning clarifying revisions to certain provisions of the Colorado probate code. Committee on Judiciary	1582*	1584	1698*	1705*	1744	1863	6-7 -10	7-1 -10	1703 1779	- Special Orders. - Senate concurred in House amendments and repassed bill, as amended.
<u>SB10-200</u> by Senator(s) Schwartz; also Representative(s) Fischer and Kefalas--Concerning amendments to the "Colorado Recovery and Reinvestment Finance Act of 2009" that are necessary to conform to amendments made to the federal "American Recovery and Reinvestment Act of 2009" by the federal "Hiring Incentives to Restore Employment Act". Committee on Finance	1708	1709	1722	1730	1758	1863	5-18 -10	5-18 -10	1729	- Special Orders.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-201 by Senator(s) Mitchell and Romer, Foster, Hodge, Kester, Kopp, Morse, Newell, Penry, Scheffel, Shaffer B., Tapia; also Representative(s) Soper and Balmer, Baumgardner, Bradford, Casso, DelGrosso, Hullinghorst, Kagan, Liston, Loooper, McNulty, Merrifield, Priola, Rice, Scanlan, Sonnenberg, Stephens--Concerning enforcement of the motor vehicle franchise laws against certain types of licensees. Committee on Business Affairs and Labor	1582	1584	1625	1661	1689	1863	6-10 -10	6-10 -10		
SB10-202 by Senator(s) Whitehead; also Representative(s) Kerr A.--Concerning savings accounts for job retraining. Committee on Education	1708*	1709	1722	1733	1765	1863	6-9 -10	6-9 -10	1714 - R to Committee on Appropriations. 1729 - Special Orders.	
SB10-203 by Senator(s) Carroll M., Morse, Shaffer B.; also Representative(s) Weissmann and Middleton--Concerning independent expenditures in Colorado elections after the United States supreme court case of <i>Citizens United v. Federal Election Comm'n</i> , and making an appropriation therefor. Committee on State, Veterans, & Military Affairs	1708*	1709	1722	1735*	1767*	1863	5-25 -10	5-25 -10	1715 - R* to Committee on Appropriations. 1729 - Special Orders. 1801 - Senate concurred in House amendments and repassed bill, as amended.	
SB10-204 by Senator(s) Shaffer B.; also Representative(s) Solano--Concerning the penalty for careless driving resulting in death. Committee on Judiciary	1708*	1709	1725	1730	1756*	1863	5-21 -10	5-21 -10	1729 - Special Orders. 1801 - Senate adhered to its position. 1836 - House receded from its position and repassed bill, as amended by the Senate.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-205 by Senator(s) Bacon, Scheffel; also Representative(s) Scanlan and Murray--Concerning the authority of a school district to submit to the eligible electors of the district the question of contracting a bonded indebtedness for the purpose of paying costs that may be paid from the general fund of the school district. Committee on Education	1708*	1709	1714	1736	1821	1863	5-27 -10	5-27 -10	1729 - Special Orders. 1803 - Third Reading LO until 5-12-10.	
SB10-206 by Senator(s) White; also Representative(s) Scanlan--Concerning the distribution of fifty percent of the limited gaming fund allocated to the state general fund or such other fund as the general assembly provides as specified in section 9 (5) (b) (II) of article XVIII of the state constitution. Committee on Finance	1582	1584							1678 - PI.	
SB10-207 by Senator(s) Johnston and Romer; also Representative(s) Tyler and Levy, Apuan, Court, Fischer, Frangas, Gagliardi, Hullinghorst, Kefalas, Kerr A., McFadyen, Merrifield, Middleton, Pace, Pommer, Primavera, Riesberg--Concerning authorization for the state treasurer to enter into lease-purchase agreements on behalf of the state to finance capital construction projects proposed by the governor's energy office that improve the energy efficiency of state capital facilities, and making an appropriation in connection therewith. Committee on State, Veterans, & Military Affairs	1772*	1772	1778	1791	1822	1863	6-10 -10	6-10 -10	1776 - Rep Levy added as dual prime sponsor. 1778 - R to Committee on Appropriations. 1790 - Special Orders.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RRR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-208 by Senator(s) Keller; also Representative(s) Acree--Concerning repealing references to the referral and placement committee to reflect current usage of interdisciplinary teams in developing individualized plans for persons with developmental disabilities. Committee on Health and Human Services	1708	1709	1723	1730	1759	1863	5-27 -10	5-27 -10	1729 -	Special Orders.
SB10-209 by Senator(s) Schwartz, Gibbs, Hodge, Kester, Penry, Scheffel, Steadman, White, Whitehead; also Representative(s) Vigil--Concerning the allocation of 2009 national forest payments in counties as said payments relate to federal payments in lieu of taxes. Committee on Local Government	1708*	1709	1714	1729	1754	1863	6-10 -10	6-10 -10	1729 -	Special Orders.
SB10-210 by Senator(s) Romer and Penry, Spence, Heath, Gibbs, Steadman, Tapia; also Representative(s) Ferrandino and Massey--Concerning authorization of funding for educational programs that provide incentives for students to read. Committee on Education	1708*	1710							1714 -	PI.
SB10-211 by Senator(s) Morse and Gibbs, Harvey, Bacon, Boyd, Brophy, Foster, Heath, Hodge, Johnston, Kester, King K., Kopp, Lundberg, Mitchell, Penry, Renfro, Romer, Scheffel, Schultheis, Shaffer B., Tapia, Tochtrop, White, Whitehead, Williams; also Representative(s) Looper and Scanlan, Apuan, Balmer, DelGrosso, Kerr J., Nikkel, Priola, Swalm--Concerning big game hunting licenses for members of the United States armed services wounded warrior programs who have sustained severe combat-related injuries while serving in post-September 11, 2001, overseas contingency operations. Committee on Agriculture, Livestock, & Natural Resources	1708	1710	1720	1732	1762	1863	5-26 -10	5-26 -10	1729 -	Special Orders.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB10-212 by Senator(s) Cadman, Shaffer B., Penry, Tapia, Romer, Boyd; also Representative(s) Weissmann--Concerning the repeal of mechanisms to refund excess state revenues. Committee on Finance	1708	1710	1722*	1730*	1758	1863	6-10 -10	7-1 -10	1729 - Special Orders. 1801 - Senate concurred in House amendments and repassed bill, as amended.	
SB10-213 by Senator(s) Shaffer B., Morse, Penry; also Representative(s) Weissmann, Carroll T., May--Concerning committees created by the Colorado general assembly that operate during the interim. Committee on State, Veterans, & Military Affairs	1708*	1710	1728*	1734*	1766	1863	6-7 -10	6-7 -10	1729 - Special Orders. 1801 - Senate adhered to its position. 1835 - House receded from its position and repassed bill, as amended by the Senate.	
SB10-216 by Senator(s) Heath; also Representative(s) Court--Concerning the order in which statewide ballot measures appear on a ballot. Committee on State, Veterans, & Military Affairs	1708	1710	1728	1736	1768	1863	6-10 -10	6-10 -10	1729 - Special Orders.	
SB10-217 by Senator(s) Boyd; also Representative(s) Riesberg--Concerning a modification to the nursing-sensitive quality measures required to be included in the comprehensive hospital information system. Committee on Health and Human Services	1708	1710	1723*	1730*	1759	1863	5-27 -10	5-27 -10	1729 - Special Orders. 1801 - Senate concurred in House amendments and repassed bill, as amended.	

HISTORY OF SENATE CONCURRENT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	OTHER ACTION	
							* L PI RR RC LO	Amended Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SCR10-003 by Senator(s) Tapia, Heath, Penry, Boyd, Hodge, Keller, Kester, Romer, Shaffer B.; also Representative(s) Court--Submitting to the registered electors of the state of Colorado an amendment to section 1 of article V of the constitution of the state of Colorado, concerning ballot initiatives, and, in connection therewith, requiring at least five percent of the minimum total number of signatures for a petition for an initiated constitutional amendment to be gathered from residents of each state congressional district; with certain specified exceptions, requiring at least sixty percent voter approval for a proposed initiated constitutional amendment to become part of the constitution; and requiring a two-thirds vote for the general assembly to amend, repeal, or supersede an initiated law for a period of three years after the law becomes effective. Committee on State, Veterans, & Military Affairs	1801*	1802						1845 - PI.

HISTORY OF SENATE JOINT RESOLUTIONS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	* V L PI RR RC LO	OTHER ACTION
SJR10-001 by Senator(s) Morse; also Representative(s) Weissmann--Concerning amendments to the Joint Rules of the Senate and the House of Representatives relating to the preparation of bill summaries.	16	27				44	99		27 - Consideration LO until 1-15-10.
SJR10-002 by Senator(s) Heath, Brophy, Morse; also Representative(s) Court, Ferrandino, Gerou--Concerning a request for a comprehensive tax study.	57	61				68	99		61 - Consideration LO until 1-22-10.
SJR10-003 by Senator(s) Sandoval; also Representative(s) Judd--Concerning the certification by the general assembly of its estimate of state general fund revenues and allowable state general fund appropriations for the 2010-11 fiscal year. Committee on Finance	75	84			99	127	143		113 - Consideration LO until 1-29-10.
SJR10-004 by Senator(s) Whitehead; also Representative(s) Fischer--Concerning approval of water project revolving fund eligibility lists administered by the Colorado water resources and power development authority. Committee on Agriculture, Livestock, & Natural Resources	185	201			302	567	656		328 - Consideration LO daily until 2-26-10.
SJR10-005 by Senator(s) Hodge and King K., Tapia, Cadman, Schultheis; also Representative(s) Looper and McFadyen, Liston--Concerning the unique and important relationship between the United States and Canada, and, in connection therewith, honoring Canada's contributions as our partner in energy, economic trade, and joint military endeavors.	51	51		51		51	99		51 - Current roll call of House added as co-sponsors.
SJR10-006 by Senator(s) Schwartz; also Representative(s) Todd--Concerning the designation of "Colorado 4-H Day".	83	84	84			86	215		86 - Current roll call of House added as co-sponsors.

HISTORY OF SENATE JOINT RESOLUTIONS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT		Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	* V L PI RR RC LO	OTHER ACTION Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
<u>SJR10-007</u>	by Senator(s) White; also Representative(s) Scanlan--Concerning the SnowSports Industries America Snow Show.	95	95		95		95	112		95 - Current roll call of House added as co-sponsors.
<u>SJR10-008</u>	by Senator(s) Morse; also Representative(s) Apuan--Concerning the recognition of EMS providers for their dedication and service to the people of Colorado.	86	86		86		86	215		86 - Current roll call of House added as co-sponsors.
<u>SJR10-009</u>	by Senator(s) Heath; also Representative(s) Primavera and Merrifield--Concerning recognition of the University of Colorado Anschutz Medical Campus as a leader in health education, research, and clinical care, and, in connection therewith, honoring the University of Colorado School of Medicine, the University of Colorado Cancer Center, and the University of Colorado Hospital for contributions to cancer research, prevention, and care, and their impact on Colorado's economy.	122	122		122		122	215		122 - Current roll call of House added as co-sponsors.
<u>SJR10-010</u>	by Senator(s) White, Keller, Tapia; also Representative(s) Ferrandino, Pommer, Lambert--Concerning the declaration of a state fiscal emergency pursuant to section 21 (7) of article X of the state constitution.	1064	1064		1064		1064*	1305	1227	- Senate concurred in House amendments and repassed bill, as amended.
<u>SJR10-011</u>	by Senator(s) Boyd; also Representative(s) Stephens--Concerning opposition to the recommendations issued by the United States Preventive Services Task Force regarding breast cancer screening.	278	278	278			329	434	293	- Consideration LO daily until 2-15-10.
<u>SJR10-012</u>	by Senator(s) Schwartz, Gibbs, Scheffel, White, Whitehead; also Representative(s) Baumgardner, Curry, Tipton--Concerning the honoring of Colorado's Olympic athletes.	323	323		323		323	434	323	- Current roll call of House added as co-sponsors.

HISTORY OF SENATE JOINT RESOLUTIONS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION	
								* V L PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
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, SchaferS., Solano, Tipton--Concerning recognition of career and technical education month.	474	474	474			544	615	491 - Consideration LO daily until 2-25-10. 544 - Current roll call of House added as co-sponsors.	
SJR10-014 by Senator(s) Newell; also Representative(s) Gerou--Concerning Awareness Day for Individuals with Developmental Disabilities.	382	382		382		382	615	382 - Roll call of House added as co-sponsors.	
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.	489	489		489				489 - L.	
SJR10-016 by Senator(s) Bacon; also Representative(s) Kefalas--Concerning the recognition of the Peace Corps on its forty-ninth anniversary.	659	659		659		659	842	659 - Current roll call of House added as co-sponsors.	
SJR10-017 by Senator(s) Hodge; also Representative(s) Fischer, Baumgardner, Court, Curry, DelGrosso, Ferrandino, Hullinghorst, Kefalas, Kerr J., Labuda, Looper, McFadyen, McKinley, Nikkel, Pace, Ryden, Scanlan, Solano, Sonnenberg, Tipton, Vigil--Concerning the recognition of March 17, 2010, as "National Agriculture Day".	827	829	829			839	1107	839 - Current roll call of House added as co-sponsors.	
SJR10-019 by Senator(s) Newell, Cadman, King K., Williams, Bacon, Boyd, Carroll M., Foster, Gibbs, Heath, Hodge, Keller, Kester, Lundberg, Sandoval, Schwartz, Spence, Tapia, Tochtrop, White, Whitehead; also Representative(s) Carroll T., McFadyen--Concerning recognition of Single Parents' Day in Colorado.	864	865		865		865	1107	865 - Current roll call of House added as co-sponsors.	

HISTORY OF SENATE JOINT RESOLUTIONS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION	
								* V L PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
<u>SJR10-020</u> by Senator(s) Whitehead and Williams; also Representative(s) Roberts and Tipton--Concerning the commemoration of the Tri-Ute Elders meeting in Colorado in March 2010, and, in connection therewith, honoring the culture and heritage of the Southern Ute Tribe, the Ute Mountain Ute Tribe, and the Northern Ute Tribe.	864	864		864		864	1107		864 - Current roll call of House added as co-sponsors.
<u>SJR10-021</u> by Senator(s) Kopp; also Representative(s) Kerr J.--Concerning the response to violence at Deer Creek Middle School on February 23, 2010.	1157*	1157		1157		1157	1190		1157 - Current roll call of House added as co-sponsors.
<u>SJR10-022</u> by Senator(s) Tochtrop; also Representative(s) Levy--Concerning recognition of diabetic peripheral neuropathy as a serious and painful medical condition.	897	897		897		897	1107		897 - Current roll call of House added as co-sponsors.
<u>SJR10-023</u> by Senator(s) Heath; also Representative(s) Swalm--Concerning recognizing Colorado's community health centers.	950	950		950		950	1107		950 - Current roll call of House added as co-sponsors.
<u>SJR10-024</u> by Senator(s) Tapia; also Representative(s) Frangas--Concerning recognition of "César Chávez Day".	978	978		978		978	1107		
<u>SJR10-025</u> by Senator(s) Kester; also Representative(s) Gardner C.--Concerning the designation of the portion of State Highway 96 located in Crowley County as the "All Veterans Memorial Highway".	1227	1228	1228			1650	1863		1260 - Consideration LO daily until 5-5-10. 1650 - Current roll call of House added as co-sponsors.

HISTORY OF SENATE JOINT RESOLUTIONS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION	
								* V L PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
<u>SJR10-026</u> by Senator(s) Lundberg, Bacon, Cadman, King K., Gibbs, Keller, Heath, Romer, Johnston, Schultheis, Williams, Boyd, Brophy, Carroll M., Foster, Harvey, Hodge, Hudak, Kester, Kopp, Morse, Newell, Penry, Renfro, Sandoval, Scheffel, Schwartz, Shaffer B., Spence, Steadman, Tapia, Tochtrop, White, Whitehead; also Representative(s) Nikkel and Kefalas, Acree, Apuan, Balmer, Baumgardner, Bradford, Carroll T., Casso, Court, Curry, DelGrosso, Ferrandino, Fischer, Frangas, Gagliardi, Gardner C., Hullinghorst, Kagan, Kerr A., Kerr J., Labuda, Liston, Looper, May, McFadyen, McKinley, Miklosi, Murray, Pace, Pommer, Rice, Ryden, Scanlan, Schafer S., Solano, Soper, Stephens, Summers, Tipton, Todd, Tyler, Vigil, Waller--Concerning the designation of a portion of state highway 56 as the "Staff Sergeant Justin Bauer Memorial Highway".	1261	1269		1269		1269	1535	1269	- Current roll call of House added as co-sponsors.
<u>SJR10-027</u> by Senator(s) Bacon; also Representative(s) Primavera--Concerning the role of the Colorado developmental disabilities council in facilitating collaboration among stakeholders in the system for persons with developmental disabilities.	1261	1269		1269		1269	1535	1269	- Current roll call of House added as co-sponsors.
<u>SJR10-028</u> by Senator(s) Romer and Boyd; also Representative(s) McCann and Riesberg--Concerning recognition of National Jewish Health and the opening of its Lung Cancer Center.	1139	1139		1139		1139	1190	1139	- Current roll call of House added as co-sponsors.
<u>SJR10-029</u> by Senator(s) Spence; also Representative(s) Swalm--Concerning the recognition of organ and tissue donors through the observation of "Donate Life Colorado Month".	1186*	1187		1187		1187	1305	1187	- Current roll call of House added as co-sponsors.

HISTORY OF SENATE JOINT RESOLUTIONS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION	
								* V L PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SJR10-030 by Senator(s) Bacon, Carroll M., Foster, Hudak, Shaffer B.; also Representative(s) Kefalas--Concerning the declaration of April 11th through 18th, 2010, as "Holocaust Awareness Week".	1186	1186		1186		1186	1305	1186	- Current roll call of House added as co-sponsors.
SJR10-031 by Senator(s) Newell; also Representative(s) Rice--Concerning recognition of the Freedom Service Dogs program.	1222	1222		1222		1222	1305	1222	- Current roll call of House added as co-sponsors.
SJR10-032 by Senator(s) Williams, Gibbs, Heath, Hodge, Morse, Schwartz, Whitehead; also Representative(s) Todd, Fischer, Kerr A., Levy, Miklosi, Ryden, Solano, Tyler--Concerning the acknowledgment of April 22, 2010, as Earth Day.	1372*	1372		1372		1372	1535		
SJR10-033 by Senator(s) Keller; also Representative(s) Frangas--Concerning the month of May as Foster Care Month in Colorado.	1562	1562		1562		1562	1863	1562	- Current roll call of House added as co-sponsors.
SJR10-034 by Senator(s) Hudak, Carroll M., Newell, Steadman, Tapia, Tochtrop; also Representative(s) Gagliardi, Apuan, Carroll T., Ferrandino, Fischer, Kagan, Kefalas, Kerr A., Labuda, Levy, McCann, Middleton, Miklosi, Pace, Peniston, Primavera, Schafer S.--Concerning the designation of April 20, 2010, as "Equal Pay Day" in Colorado, and, in connection therewith, acknowledging the persisting problem of wage disparity among various groups.	1350*	1350		1350		1350	1535		
SJR10-035 by Senator(s) Tochtrop; also Representative(s) Acree--Concerning support for measures to reduce violence against medical care professionals in hospitals.	1719	1720	1720			1820	1863	1803 - Consideration LO until 5-12-10. 1820 - Current roll call of House added as co-sponsors.	
SJR10-036 by Senator(s) Morse; also Representative(s) King S.--Concerning declaring the week of May 9-15, 2010, as Police Week and May 15, 2010, as Peace Officers Memorial Day.	1387	1387		1387		1387	1535	1387	- Current roll call of House added as co-sponsors.

HISTORY OF SENATE JOINT RESOLUTIONS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION	
								* V L PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
<u>SJR10-037</u> by Senator(s) Gibbs, Schwartz, Kester, Kopp, Penry, Johnston, Spence, Keller, Cadman, Brophy, Harvey, Heath, Hodge, Lundberg, Mitchell, Newell, Sandoval, Scheffel, Tapia, Tochtrop, White, Whitehead; also Representative(s) Scanlan--Concerning the designation of April 23, 2010, as "Colorado Forest Products Day", and, in connection therewith, recognizing the economic and environmental importance of Colorado's forests.	1389	1390		1390		1390	1535	1390	- Current roll call of House added as co-sponsors.
<u>SJR10-038</u> by Senator(s) Tochtrop; also Representative(s) Ryden--Concerning remembrance of the Armenian Genocide on April 24, 2010, and, in connection therewith, designating every April 24 hereafter as "Colorado Day of Remembrance of the Armenian Genocide".	1388	1388		1388		1388	1535		
<u>SJR10-039</u> by Senator(s) Scheffel; also Representative(s) Murray--Concerning the danger of carbon monoxide poisoning from marine engine emissions.	1703*	1710	1710			1819	1863	1752 - Consideration LO daily until 5-12-10. 1819 - Current roll call of House added as co-sponsors.	
<u>SJR10-040</u> by Senator(s) Scheffel, Gibbs, Kopp; also Representative(s) Scanlan--Concerning the designation of a portion of State Highway 91 as the "Fallen Heroes Highway".	1432	1432		1432		1432*	1863	1432 - Current roll call of House added as co-sponsors. 1646 - Senate concurred in House amendments and repassed bill, as amended.	
<u>SJR10-041</u> by Senator(s) Boyd, Hodge, Tochtrop; also Representative(s) Riesberg, Gagliardi, Priola--Concerning the designation of University of Colorado Hospital as a magnet hospital by the American Nurses Credentialing Center, which recognizes nursing excellence.	1487	1487		1487		1487	1863	1487 - Current roll call of House added as co-sponsors.	
<u>SJR10-042</u> by Senator(s) Penry; also Representative(s) King S., Bradford--Concerning the designation of a portion of Interstate Highway 70 as the "Wade Oglesby Citizen Hero Memorial Highway".	1829	1829				1848	1863	1829 - LO until later in the day. 1848 - Current roll call of House added as co-sponsors.	

HISTORY OF SENATE JOINT RESOLUTIONS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION	
								* V L PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SJR10-043 by Senator(s) Williams; also Representative(s) Tyler, Gagliardi, Hullinghorst, Kefalas, Primavera, Priola, Schafer S., Swalm--Concerning 22q11.2 Deletion Syndrome Awareness Week.	1719	1720	1720			1821	1863	1803 - Consideration LO until 5-12-10. 1821 - Current roll call of House added as co-sponsors.	
SJR10-046 by Senator(s) Newell; also Representative(s) Miklosi--Concerning the value of conflict resolution, and, in connection therewith, recognizing October as "Conflict Resolution Month".	1465	1465		1465		1465	1535	1465 - Current roll call of House added as co-sponsors.	
SJR10-047 by Senator(s) Hudak and Shaffer B., Bacon, Foster, Heath, Hodge, Johnston, Newell, Sandoval, Steadman, Tochtrop; also Representative(s) Benefield and Solano--Concerning the importance of maintaining quality services for public school kindergarten students who were enrolled in high-quality preschool programs.	1802	1803	1803			1821	1863		
SJR10-048 by Senator(s) Shaffer B.; also Representative(s) Primavera--Concerning recognition of military personnel from Colorado who served in the Vietnam war and honoring those who were injured or who died while serving their country.	1551	1552		1552		1552	1863	1552 - Current roll call of House added as co-sponsors.	
SJR10-049 by Senator(s) Penry and Gibbs; also Representative(s) King S. and Scanlan--Concerning the Colorado general assembly's support for the Colorado roadless rule petition.	1703	1711	1711			1820	1863	1752 - Consideration LO daily until 5-12-10.	
SJR10-050 by Senator(s) Morse, Shaffer B., Penry; also Representative(s) Weissmann, Carroll T., May--Concerning the appointment of a joint committee to notify the Governor that the Second Regular Session of the Sixty-seventh General Assembly is about to adjourn sine die.	1829	1829				1857	1863	1829 - LO until later in the day. 1829 - Senate Members: Kester, Keller, and Tapia. 1857 - House Members: Judd, Frangas, and Sonnenberg.	

HISTORY OF SENATE JOINT MEMORIALS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION	
								* V L PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
<u>SJM10-001</u> by Senator(s) Sandoval; also Representative(s) Roberts--Concerning nationwide availability of 2-1-1 telephone service for information and referral on human services and volunteer services.	897	897		897		897	1107		
<u>SJM10-002</u> by Senator(s) Kopp, Cadman, Mitchell, Johnston, Shaffer B., Harvey, Kester, King K., Morse, Penry, Scheffel, Schultheis, White; also Representative(s) King S.--Memorializing Congress to adopt the Honor and Remember Flag.	1581	1711			1725				1803 - Consideration LO until 5-12-10. 1827 - L.
<u>SJM10-003</u> by Senator(s) Kester; also Representative(s) Massey--Memorializing former Senator Harold L. McCormick.	1194	1194		1194		1194	1305		1194 - Current roll call of House added as co-sponsors.