

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 4, 2009
Date

Committee on Health and Human Services.

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

HB09-1056 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend reengrossed bill, page 5, line 12, after "(e)", insert "(I)";
- 2 strike line 21 and substitute the following:
 - 3 "IN MAKING A DETERMINATION ON A MOTION TO REQUEST AN
 - 4 INTERPRETIVE RULE, THE ADMINISTRATIVE LAW JUDGE SHALL CONSIDER
 - 5 THE FOLLOWING FACTORS:
 - 6 (A) WHETHER THE PLAIN LANGUAGE OF THE RULE IN QUESTION IS
 - 7 CLEAR AND UNAMBIGUOUS;
 - 8 (B) WHETHER THE PROPOSED CONSTRUCTION OF THE RULE IN
 - 9 QUESTION WOULD LEAD TO AN ABSURD RESULT; AND
 - 10 (C) WHETHER THE SOLID AND HAZARDOUS WASTE COMMISSION
 - 11 HAS PREVIOUSLY ISSUED AN INTERPRETIVE RULE CONCERNING THE
 - 12 SUBJECT OF THE REQUEST FOR AN INTERPRETIVE RULE.
 - 13 (II) NOTWITHSTANDING SECTION 24-4-103 (1), C.R.S., IF THE
 - 14 ADMINISTRATIVE".

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