

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

Sixty-second Legislative Day

Monday, March 9, 2009

1 Prayer by the Reverend Terrance D. Carroll, Speaker of the House.

2

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

4

5 Pledge of Allegiance led by Hannah Mordick, Lorraine Kelly, Brianna
6 Bullock, Ginny Jenkins, Apollo Service Unit, Girl Scout Group 1114,
7 Denver.

8

9 The roll was called with the following result:

10

11 Present--61.

12 Excused--Representative(s) Massey, McGihon, Riesberg,

13

Summers--4.

14

Present after roll call--Representative(s) Riesberg.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Miklosi, the reading of the journal of
20 March 6, 2009, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22

23

24

25

26

THIRD READING OF BILLS--FINAL PASSAGE

27

28 The following bills were considered on Third Reading. The titles were
29 publicly read. Reading of the bill at length was dispensed with by
30 unanimous consent.

31

32 **SB09-033** by Senator(s) Sandoval; also Representative(s) Solano--
33 Concerning expanding the list of students who qualify to
34 receive a free lunch in Colorado to include children in
35 public school early childhood education programs who are
36 eligible to receive a reduced-cost lunch under the federal
37 "National School Lunch Act".

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
42 bill was declared **passed**.

43

	YES	46	NO	16	EXCUSED	3	ABSENT	0
1								
2	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	N
8	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	N	Stephens	N
10	Curry	Y	Lambert	N	Nikkel	N	Summers	E
11	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
12	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
13	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
14	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
15	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
16	Gardner C.	N	May	N	Rice	Y	Waller	N
17	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Casso, Curry, Fischer, Green,
 20 Hullinghorst, Kefalas, Labuda, Looper, Merrifield, Middleton, Miklosi,
 21 Peniston, Primavera, Priola, Ryden, Todd

22
 23 **SB09-010** by Senator(s) Spence; also Representative(s) Primavera--
 24 Concerning encouraging the use of automated external
 25 defibrillators.

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	3	ABSENT	0
33	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
34	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
35	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
36	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
37	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
38	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
39	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
40	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
41	Curry	Y	Lambert	Y	Nikkel	Y	Summers	E
42	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
43	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
44	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
45	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
46	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
47	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
48	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Acree, Baumgardner, Casso, Gardner
 51 C., Gerou, Green, Kefalas, Kerr J., Liston, Priola, Ryden, Schafer S., Stephens,
 52 Todd, Vigil

53
 54 **SB09-044** by Senator(s) Boyd; also Representative(s) Hullinghorst--
 55 Concerning administrative procedures in relation to the
 56 department of human services.

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	Green	Y	McFadyen	Y	Roberts	Y
8	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
9	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
10	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
11	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
12	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
13	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
14	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
15	Curry	Y	Lambert	Y	Nikkel	Y	Summers	E
16	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
17	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
18	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
19	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
20	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
21	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
22	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Gerou, Pommer, Priola, Todd

25
 26 **SB09-034** by Senator(s) Kester; also Representative(s) Todd--
 27 Concerning the security level designation for the
 28 Centennial correctional facility.

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	62	NO	0	EXCUSED	3	ABSENT	0
36	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
37	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
38	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
39	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
40	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
41	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
42	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
43	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
44	Curry	Y	Lambert	Y	Nikkel	Y	Summers	E
45	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
46	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
47	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
48	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
49	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
50	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
51	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Pace, Priola, Ryden, Stephens

54
 55

1 **HB09-1276** by Representative(s) Ferrandino, Apuan, Benefield,
 2 Carroll T., Casso, Court, Gagliardi, Gerou, Hullinghorst,
 3 Kerr A., Kerr J., Labuda, Marostica, Massey, McCann,
 4 Merrifield, Middleton, Miklosi, Pace, Peniston, Pommer,
 5 Ryden, Scanlan, Schafer S., Solano, Vigil; also Senator(s)
 6 Carroll M.--Concerning a delay in the foreclosure of
 7 residential property for eligible borrowers.
 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

	YES	40	NO	22	EXCUSED	3	ABSENT	0
15	Acree	N	Green	Y	McFadyen	Y	Roberts	N
16	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
17	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
18	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
19	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
20	Bradford	N	Kerr J.	Y	Middleton	Y	Sonnenberg	N
21	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
22	Court	Y	Labuda	Y	Murray	N	Stephens	N
23	Curry	Y	Lambert	N	Nikkel	N	Summers	E
24	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
25	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
26	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
27	Gagliardi	Y	Marostica	N	Primavera	Y	Vaad	N
28	Gardner B.	N	Massey	E	Priola	Y	Vigil	Y
29	Gardner C.	N	May	N	Rice	Y	Waller	N
30	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Green, Kefalas,
 33 Primavera, Priola, Todd
 34

35 **HB09-1287** by Representative(s) McGihon; also Senator(s) Mitchell--
 36 Concerning changes to the "Colorado Probate Code".
 37

38 Laid over until March 13, retaining place on Calendar.
 39

40 **SB09-070** by Senator(s) Foster; also Representative(s) Acree--
 41 Concerning clarifications to workers' compensation
 42 procedures.
 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	0	EXCUSED	3	ABSENT	0
50	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
51	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
52	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
53	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
54	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
55	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
56	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y

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

11 Co-sponsor(s) added: Representative(s) Green, Labuda, Looper, Merrifield,
12 Nikkel, Priola, Ryden, Stephens, Todd

13
14 **SB09-041** by Senator(s) Romer; also Representative(s) Vigil--
15 Concerning the administration of the "Private Activity
16 Bond Ceiling Allocation Act".

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	45	NO	17	EXCUSED	3	ABSENT	0
23								
24	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
25	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
26	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
27	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
28	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
29	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	N
30	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
31	Court	Y	Labuda	Y	Murray	Y	Stephens	N
32	Curry	Y	Lambert	N	Nikkel	N	Summers	E
33	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
34	Fischer	Y	Liston	Y	Peniston	Y	Tipton	N
35	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
36	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	N
37	Gardner B.	N	Massey	E	Priola	N	Vigil	Y
38	Gardner C.	N	May	N	Rice	Y	Waller	N
39	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
40							Speaker	Y

41
42
43 **SB09-140** by Senator(s) Bacon; also Representative(s) Fischer--
44 Concerning a requirement that public trustees serve at the
45 pleasure of the governor.

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	YES	56	NO	6	EXCUSED	3	ABSENT	0
52								
53	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y

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

14 Co-sponsor(s) added: Representative(s) Schafer S.

15
16 **SB09-096** by Senator(s) Bacon, Penry, Schwartz; also
17 Representative(s) Sonnenberg, McFadyen, Riesberg--
18 Concerning the exemption of certain capital construction
19 projects funded with federal moneys from certain contract
20 requirements.

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	YES	62	NO	0	EXCUSED	3	ABSENT	0
28	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
29	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
30	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
31	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
32	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
33	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
34	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
35	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
36	Curry	Y	Lambert	Y	Nikkel	Y	Summers	E
37	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
38	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
39	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
40	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
41	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
42	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
43	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Frangas, Green, Nikkel, Priola, Ryden,
46 Stephens, Todd, Waller

47
48
49 **HB09-1018** by Representative(s) Bradford; also Senator(s) Spence--
50 Concerning the removal of obsolete language in statutory
51 provisions implementing the statewide voter registration
52 and election system for purposes of compliance with the
53 federal "Help America Vote Act" .

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	0	EXCUSED	3	ABSENT	0
5	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
6	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
7	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
8	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
9	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
10	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
11	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
12	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
13	Curry	Y	Lambert	Y	Nikkel	Y	Summers	E
14	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
15	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
16	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
17	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
18	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
19	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
20	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Balmer, Court, Gardner B., Gerou,
23 Hullinghorst, Kerr J., King S., Labuda, Lambert, Looper, Murray, Nikkel,
24 Priola, Schafer S., Stephens, Swalm, Tipton, Todd, Vigil, Waller

25
26 **HB09-1279** by Representative(s) Pace; also Senator(s) Kopp--
27 Concerning abandoned motor vehicles.

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	0	EXCUSED	3	ABSENT	0
35	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
36	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
37	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
38	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
39	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
40	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
41	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
42	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
43	Curry	Y	Lambert	Y	Nikkel	Y	Summers	E
44	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
45	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
46	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
47	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
48	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
49	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
50	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Vigil

53
54
55
56

1 On motion of Representative Fischer, the House resolved itself into
2 Committee of the Whole for consideration of General Orders, and he was
3 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 **HB09-1193** by Representative(s) McFadyen; also Senator(s) Tochtrop,
17 Carroll M., Hodge, Morse, Tapia--Concerning a
18 prohibition against the shifting of financial responsibility
19 for negligence in motor carrier transportation agreements.

20

21 Amendment No. 1, Judiciary Report, dated March 2, 2009, and placed in
22 member's bill file; Report also printed in House Journal, March 3,
23 pages 590-591.

24

25 Amendment No. 2, by Representative McFadyen.

26

27 Amend the Judiciary Committee Report, dated March 2, 2009, page 1,
28 line 11, strike "THAT" and substitute "TO THE EXTENT THAT IT".

29

30 Page 2, line 4, strike "(b), INCLUDING BUT NOT" and substitute "(b).";

31

32 strike line 5.

33

34 Amendment No. 3, by Representative McFadyen.

35

36 Amend the Judiciary Committee Report, dated March 2, 2009, page 2,
37 strike line 6 and substitute the following:

38

39 "(c) THIS SUBSECTION (7) SHALL NOT APPLY TO:

40

41 (I) A CONTRACT,";

42

43 line 8, strike "RAILROAD." and substitute "RAILROAD; OR";

44

45 after line 8, insert the following:

46

47 "(II) AN AGREEMENT UNDER THE UNIFORM INTERMODAL
48 INTERCHANGE AND FACILITIES ACCESS AGREEMENT ADMINISTERED BY THE
49 INTERMODAL ASSOCIATION OF NORTH AMERICA, OR ANY SUCCESSOR OR
50 RELATED AGREEMENTS, PROVIDING FOR THE INTERCHANGE, USE, OR
51 POSSESSION OF INTERMODAL CHASSIS, CONTAINER, OR OTHER
52 INTERMODAL EQUIPMENT."

53

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

56

1 **SB09-113** by Senator(s) Brophy, Hodge, Isgar; also Representative(s)
2 Sonnenberg--Concerning the continuation of the authority
3 of the department of agriculture to regulate measurement
4 standards.
5

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

9 **SB09-115** by Senator(s) Brophy, Hodge, Isgar; also Representative(s)
10 Curry--Concerning the continuation of the regulation of
11 public livestock markets.
12

13 Ordered revised and placed on the Calendar for Third Reading and Final
14 Passage.
15

16 **SB09-116** by Senator(s) Hodge, Isgar, Schwartz; also
17 Representative(s) Looper--Concerning continuation of the
18 "Colorado Seed Act".
19

20 Ordered revised and placed on the Calendar for Third Reading and Final
21 Passage.
22

23 **SB09-127** by Senator(s) Schwartz, Hodge, Isgar; also
24 Representative(s) Fischer--Concerning the continuation of
25 the regulation of egg quality.
26

27 Ordered revised and placed on the Calendar for Third Reading and Final
28 Passage.
29

30 **SB09-151** by Senator(s) Isgar, Hodge; also Representative(s) Curry--
31 Concerning the regulation of slaughterers of livestock
32 through the department of agriculture, and, in connection
33 therewith, allowing such function to expire on schedule
34 and reassigning certain regulatory functions to the state
35 board of stock inspection commissioners.
36

37 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
38 dated March 4, 2009, and placed in member's bill file; Report also printed
39 in House Journal, March 5, page 619.
40

41 As amended, ordered revised and placed on the Calendar for Third
42 Reading and Final Passage.
43

44 **SB09-091** by Senator(s) Romer; also Representative(s) Rice--
45 Concerning motor vehicle dealer franchise agreements.
46

47 Amendment No. 1, by Representative Rice.
48

49 Amend reengrossed bill, page 6, after line 5, insert the following:
50

51 "(C) NOTHING IN THIS SUBPARAGRAPH (I) SHALL BE CONSTRUED
52 TO LIMIT THE APPLICATION OF PARAGRAPH (d) OF THIS SUBSECTION (1);".
53

54 Page 12, line 25, strike "THAT, IF" and substitute "THAT:
55

56 (A) IF".

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

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17
18
19 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

20
21 Passed Second Reading: **HB09-1193 amended, SB09-113, 115, 116,**
22 **127, 151 amended, 091 amended, 017, 126, 065, 224.**

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	62	NO	0	EXCUSED	3	ABSENT	0
29	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
30	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
31	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
32	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
33	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
34	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
35	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
36	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
37	Curry	Y	Lambert	Y	Nikkel	Y	Summers	E
38	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
39	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
40	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
41	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
42	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
43	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
44	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
45							Speaker	Y

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REPORT(S) OF COMMITTEE(S) OF REFERENCE**LEGAL SERVICES**

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

HB09-1292 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 5, line 15, after "rules", insert "in subsection (1) of this section";

after line 21, insert the following:

"(4) The following rules of the oil and gas conservation commission of the department of natural resources concerning practice and procedure (2 CCR 404-1) are repealed, effective May 15, 2009:

(a) The introductory portion to Rule 306. c. (1) (A) and Rule 306. c. (1) (A) (i), (1) (A) (ii), and (1) (A) (iii), which rules were adopted on December 11, 2008, concerning subject to the provisions of Rule 1202.d, an operator shall consult with the commission, the surface owner, and the Colorado division of wildlife on an oil and gas location assessment, form 2A, where;

(b) Rule 604. a. (1), which rule was adopted on December 11, 2008, concerning atmospheric tanks used for crude oil storage;

(c) Rule 604. a. (10), which rule was adopted on December 11, 2008, concerning vent lines from individual tanks shall be joined and ultimate discharge shall be directed away from the loading racks.

(5) Except as otherwise indicated in subsection (4) of this section, the automatic expiration of the rules of the oil and gas conservation commission of the department of natural resources concerning practice and procedure (2 CCR 404-1), which rules were adopted on December 11, 2008, and which are therefore scheduled for expiration on May 15, 2010, is postponed, effective May 15, 2009, and the provisions of section 24-4-108 or 24-34-104, Colorado Revised Statutes, shall apply."

PRINTING REPORT

The Chief Clerk reports the following bill has been correctly printed:
HB09-1304.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB09-1024, 1030, 1033, 1037, 1044, 1121, 1128, 1155; SB09-001, 086, 183, 184, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 209, 214, 218.**

ANNOUNCEMENT

On motion of Representative Weissmann, the following bill(s) will be calendared for March 12, 2009: HB09-1292.

House in recess. House reconvened.

MESSAGE FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB09-177.

The Senate has passed on Third Reading and returns herewith: HB09-1112, HB09-1169, HB09-1122, HB09-1092, HB09-1090, HB09-1101, HB09-1080, HB09-1072, HB09-1215, HB09-1088, HB09-1219, HB09-1174, and HB09-1066.

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

- SB09-099 amended as printed in Senate Journal, March 6, 2009, page 638,
- SB09-168 amended as printed in Senate Journal, March 6, 2009, pages 638-639,
- SB09-064 amended as printed in Senate Journal, February 6, 2009, pages 189 and 191, and March 6, 2009, page 640.

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

- HB09-1153 amended as printed in Senate Journal,, March 6, 2009, page 635,
- HB09-1241 amended as printed in Senate Journal, March 6, 2009, page 635,
- HB09-1178 amended as printed in Senate Journal, March 6, 2009, page 635,
- HB09-1005 amended as printed in Senate Journal, March 6, 2009, page 636,
- HB09-1093 amended as printed in Senate Journal, March 6, 2009, page 637,
- HB09-1082 amended as printed in Senate Journal, March 6, 2009, page 637,
- HB09-1052 amended as printed in Senate Journal, March 6, 2009, page 637,
- HB09-1162 amended as printed in Senate Journal, March 6, 2009, page 638,
- HB09-1008 amended as printed in Senate Journal, March 6, 2009, page 639.

MESSAGE FROM THE REVISOR

We herewith transmit:

Without comment, SB09-177.

Without comment, as amended, HB09-1153, 1241, 1178, 1005, 1093, 1082, 1052, 1162, and 1008.

Without comment, as amended, SB09-099, 168, and 064.

INTRODUCTION OF BILLS
First Reading

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

HB09-1305 by Representative(s) Levy, Apuan, Benefield, Casso, Court, Ferrandino, Frangas, Hullinghorst, Judd, Kerr A., Labuda, McFadyen, Merrifield, Middleton, Miklosi, Pace, Peniston, Pommer, Primavera, Ryden, Scanlan, Schafer S., Solano, Todd, Vigil; also Senator(s) Veiga, Romer, Bacon, Boyd, Carroll M., Foster, Heath, Hodge, Hudak, Isgar, Morse, Newell, Shaffer B., Tapia, Tochtrop, Williams--
Concerning limitations on the requirements for cost bonds in civil lawsuits.

Committee on Judiciary

SB09-064 by Senator(s) King K., Groff, Kopp, Spence, Williams; also Representative(s) Massey, Merrifield, Baumgardner, Benefield, Gardner B., Middleton, Murray, Peniston, Priola, Scanlan, Schafer S., Solano, Summers, Todd--
Concerning building inspections relating to utilities.

Committee on State, Veterans, & Military Affairs

SB09-099 by Senator(s) Morse; also Representative(s) Ferrandino--
Concerning centralized databases to aid the delivery of state procurement services, and making an appropriation in connection therewith.

Committee on State, Veterans, & Military Affairs

SB09-168 by Senator(s) Tochtrop; also Representative(s) Soper--
Concerning workers' compensation procedures.

Committee on Business Affairs and Labor

SB09-177 by Senator(s) Schwartz; also Representative(s) Vigil--
Concerning the valuation of new solar energy facilities for the purpose of property taxation.

Committee on Transportation & Energy

ANNOUNCEMENT

On motion of Representative Weissmann, Consideration of Senate Amendments on the following bills will be calendared for March 11, 2009: HB09-1005, 1008, 1052, 1082, 1093, 1153, 1162, 1178, 1241.

1 On motion of Representative Weissmann, the House adjourned until
2 9:00 a.m., March 10, 2009.

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7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

TERRANCE D. CARROLL,

Speaker