



1 May 4, 2009

2

3 To the Honorable  
4 House of Representatives  
5 Sixty-seventh General Assembly  
6 First Regular Session  
7 State Capitol  
8 Denver, CO 80203

9

10 Ladies and Gentlemen:

11

12 I have the honor to inform you that I have approved and filed with  
13 the Secretary of State the following Acts:

14

15 **HB09-1001** CONCERNING THE CREATION OF AN INCOME TAX CREDIT  
16 TO INCENTIVIZE COLORADO JOB GROWTH.

17

18 Approved May 4, 2009 at 8:56 a.m.

19

20 **HB09-1059** CONCERNING THE CONTINUATION OF HEALTH CARE  
21 COVERAGE WHILE PARTICIPATING IN A CLINICAL TRIAL.

22

23 Approved May 2, 2009 at 9:52 a.m.

24

25 **HB09-1063** CONCERNING GRANTING IN-STATE STUDENT STATUS TO  
26 A CHILD WHO MOVES TO COLORADO DURING THE  
27 CHILD'S SENIOR YEAR OF HIGH SCHOOL AS THE RESULT  
28 OF THE CHILD'S LEGAL GUARDIAN TAKING A JOB IN THE  
29 STATE.

30

31 Approved May 4, 2009 at 2:28 p.m.

32

33 **HB09-1130** CONCERNING THE COLLECTION OF SALES TAXES BY A  
34 COUNTY GOVERNMENT.

35

36 Approved May 4, 2009 at 2:30 p.m.

37

38 **HB09-1149** CONCERNING MEASURES TO ENCOURAGE THE  
39 CONSTRUCTION OF NEW HOMES THAT MAKE COST-  
40 EFFECTIVE USE OF SOLAR ENERGY.

41

42 Approved May 4, 2009 at 3:16 p.m.

43

44

45 **HB09-1151** CONCERNING DESIGNATING THE DEPARTMENT OF  
46 PUBLIC SAFETY AS THE AGENCY RESPONSIBLE FOR  
47 OVERSIGHT OF SCHOOL BUILDING INSPECTIONS, AND  
48 MAKING AN APPROPRIATION IN CONNECTION  
49 THEREWITH.

50

51 Approved May 4, 2009 at 2:30 p.m.

52

53 **HB09-1164** CONCERNING A SURCHARGE ON BREAST CANCER  
54 AWARENESS SPECIAL LICENSE PLATES TO PROVIDE  
55 FUNDING FOR CANCER TREATMENT FOR WOMEN WHO  
56 ARE NOT CURRENTLY ELIGIBLE TO PARTICIPATE IN THE

1 BREAST AND CERVICAL CANCER PREVENTION AND  
2 TREATMENT PROGRAM UNDER THE "COLORADO  
3 MEDICAL ASSISTANCE ACT", AND REQUIRING A POST-  
4 ENACTMENT REVIEW OF THE IMPLEMENTATION OF THIS  
5 ACT.

6  
7 Approved May 2, 2009 at 9:54 a.m.

8  
9 **HB09-1213** CONCERNING THE CREATION OF THE HOUSING  
10 DEVELOPMENT GRANT FUND IN THE STATE TREASURY  
11 TO BE ADMINISTERED BY THE DIVISION OF HOUSING FOR  
12 PURPOSES ASSOCIATED WITH INCREASING THE SUPPLY  
13 OF AFFORDABLE HOUSING IN THE STATE.

14  
15 Approved May 2, 2009 at 11:26 a.m.

16  
17 **HB09-1222** CONCERNING THE ADMINISTRATION OF APPROPRIATED  
18 MONEYS.

19  
20 Approved May 4, 2009 at 2:31 p.m.

21  
22 **HB09-1230** CONCERNING THE REGISTRATION OF MOTOR VEHICLES.

23  
24 Approved May 4, 2009 at 2:32 p.m.

25  
26 **HB09-1237** CONCERNING THE COORDINATED SYSTEM OF PAYMENT  
27 FOR EARLY INTERVENTION SERVICES FOR CHILDREN  
28 ELIGIBLE FOR BENEFITS UNDER PART C OF THE FEDERAL  
29 "INDIVIDUALS WITH DISABILITIES EDUCATION  
30 IMPROVEMENT ACT", AND MAKING AN APPROPRIATION  
31 THEREFOR.

32  
33 Approved May 2, 2009 at 9:56 a.m.

34  
35 **HB09-1295** CONCERNING AUTHORIZING METROPOLITAN STATE  
36 COLLEGE OF DENVER TO OFFER MASTER'S DEGREE  
37 PROGRAMS.

38  
39 Approved May 4, 2009 at 2:33 p.m.

40  
41 **HB09-1309** CONCERNING INSPECTION OF BOILERS.

42  
43 Approved May 4, 2009 at 2:34 p.m.

44  
45 Sincerely,  
46 (signed)  
47 Bill Ritter, Jr.  
48 Governor

49  
50 \_\_\_\_\_

51  
52 **CONSIDERATION OF RESOLUTION(S)**

53  
54 **HJR09-1018** by Representative(s) Frangas; also Senator(s) Carroll M.--  
55 Concerning citizen advocates' freedom of speech rights.

56

1 (Printed as placed in members file)

2

3 Representative Frangas moved that the resolution be adopted.

4

5 Amendment No. 1, moved by Representative Frangas.

6

7 Amend printed joint resolution, page 1, line 1, strike "citizen advocates"

8 and substitute "citizens";

9

10 line 4, strike "considering;" and substitute "considering, and this contact  
11 may include posting blogs, sending emails, or placing telephone calls;".

12

13 Page 2, strike lines 7 through 10;

14

15 strike line 18 and substitute the following:

16

17 "speech; and

18

19 WHEREAS, The right of an individual to express his or her  
20 opinion about legislation does not give the individual the right to  
21 disregard or violate the rules of decorum and standards of conduct of the  
22 General Assembly; now, therefore,";

23

24 line 22, strike "citizen advocates" and substitute "citizens";

25

26 line 25, strike "process;" and substitute "process, while following the  
27 Rules of the General Assembly and the laws of Colorado and the United  
28 States;";

29

30 line 26, strike "citizen advocates" and substitute "citizens".

31

32 Page 1, line 101, strike "CITIZEN ADVOCATES" and substitute  
33 "CITIZENS".

34

35 The amendment was declared **passed** by **viva voce** vote.

36

37 On motion of Representative Frangas, the resolution as amended was  
38 **adopted** by **viva voce** vote.

39

40 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Bradford, Casso,  
41 Ferrandino, Gardner B., Gerou, Hullinghorst, Kefalas, Kerr A., Kerr J., King S.,  
42 Labuda, Marostica, Massey, McFadyen, McKinley, McNulty, Nikkel, Pace,  
43 Pommer, Priola, Rice, Riesberg, Ryden, Schafer S., Stephens, Tipton, Todd,  
44 Waller

45

46 **HJR09-1025** by Representative(s) Schafer S., Apuan, Benefield,  
47 Massey, Murray, Priola; also Senator(s) Bacon--  
48 Concerning the creation of an interim committee to study  
49 ways to improve the safety of school communities.

50

51 (Printed and placed in member's files.)

52

53 Representative Schafer S., moved that the resolution be adopted.

54

55 Representative Schafer S., moved the following amendment:

56

1 Amendment No. 1, Education Report, dated April 23, 2009, and placed  
2 in member's bill file; Report also printed in House Journal, April 24,  
3 page 1438.

4  
5 The amendment was declared **passed** by **viva voce** vote.

6  
7 On motion of Representative Schafer S., the resolution as amended was  
8 **adopted** by the following roll call vote:

	YES	51	NO	14	EXCUSED	0	ABSENT	0
11	Acree	N	Green	Y	McCann	Y	Roberts	Y
12	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
13	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
14	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	Y
15	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
16	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
17	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
18	Court	Y	King S.	N	Murray	Y	Stephens	N
19	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
20	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
21	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
22	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
23	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
24	Gardner B.	N	Marostica	N	Priola	Y	Vigil	Y
25	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
26	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Casso, Green, Kefalas, Labuda,  
29 Primavera, Ryden, Solano, Todd

### 33 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

34  
35 **HB09-1039** by Representative(s) McNulty; also Senator(s) Kopp--  
36 Concerning in-state tuition classification for honorably  
37 discharged military veterans, and making an appropriation  
38 therefor.

39  
40 (Amended as printed in Senate Journal, April 30, page 1428.)

41  
42 Representative McNulty moved that the House **concur** in Senate  
43 amendments. The motion was declared **passed** by the following roll call  
44 vote:

	YES	61	NO	4	EXCUSED	0	ABSENT	0
47	Acree	Y	Green	N	McCann	Y	Roberts	Y
48	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
49	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
50	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
51	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
52	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
53	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
54	Court	Y	King S.	Y	Murray	Y	Stephens	Y
55	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
56	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y

1	Fischer	Y	Levy	N	Peniston	Y	Tipton	Y
2	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
3	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
4	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
5	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
6	Gerou	Y	May	Y	Riesberg	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**.

13	YES	61	NO	4	EXCUSED	0	ABSENT	0
14	Acree	Y	Green	N	McCann	Y	Roberts	Y
15	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
16	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
17	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
18	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
19	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
20	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
21	Court	Y	King S.	Y	Murray	Y	Stephens	Y
22	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
23	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
24	Fischer	Y	Levy	N	Peniston	Y	Tipton	Y
25	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
26	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
27	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
28	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
29	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
30							Speaker	Y

31  
32 Co-sponsor(s) added: Representative(s) Labuda, Roberts

33  
34 **HB09-1047** by Representative(s) Todd; also Senator(s) Williams--  
35 Concerning a program for providing additional therapies  
36 to certain persons with disabilities who are eligible to  
37 receive Medicaid, and making an appropriation in  
38 connection therewith.

39  
40 (Amended as printed in Senate Journal, April 30, pages 1429-1430.)

41  
42 Representative Todd moved that the House **concur** in Senate  
43 amendments. The motion was declared **passed** by the following roll call  
44 vote:

45	YES	65	NO	0	EXCUSED	0	ABSENT	0
46	Acree	Y	Green	Y	McCann	Y	Roberts	Y
47	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
48	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
49	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
50	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
51	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
52	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
53	Court	Y	King S.	Y	Murray	Y	Stephens	Y
54	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
55	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y

1	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
2	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
3	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
4	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
5	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
6	Gerou	Y	May	Y	Riesberg	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	60	NO	5	EXCUSED	0	ABSENT	0
15	Acree	Y	Green	Y	McCann	Y	Roberts	Y
16	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
17	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
18	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	Y
19	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
20	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
21	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
22	Court	Y	King S.	Y	Murray	Y	Stephens	Y
23	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
24	Ferrandino	N	Lambert	Y	Pace	Y	Swalm	Y
25	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
26	Frangas	Y	Liston	Y	Pommer	N	Todd	Y
27	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
28	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
29	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
30	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Frangas, Green, Kefalas, Labuda,  
33 McFadyen

34  
35 **HB09-1123** by Representative(s) Lambert, Kerr J., Balmer,  
36 Baumgardner, Gardner B., Gardner C., King S., Liston,  
37 Lundberg, Marostica, Massey, Priola, Roberts, Stephens,  
38 Swalm, Waller; also Senator(s) Schultheis, Harvey,  
39 Brophy, Hodge, King K., Penry, Renfroe, Scheffel--  
40 Concerning changes to crimes related to unlawful  
41 treatment of persons to align with similar law provisions,  
42 and making an appropriation in connection therewith.

43  
44 (Amended as printed in Senate Journal, May 1, page1470-1471.)

45  
46 Representative Lambert moved that the House **concur** in Senate  
47 amendments. The motion was declared **passed** by the following roll call  
48 vote:

50	YES	64	NO	1	EXCUSED	0	ABSENT	0
51	Acree	Y	Green	Y	McCann	Y	Roberts	Y
52	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
53	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
54	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
55	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
56	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y

1	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
2	Court	Y	King S.	Y	Murray	Y	Stephens	Y
3	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
4	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
5	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
6	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
7	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
8	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
9	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
10	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
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	63	NO	2	EXCUSED	0	ABSENT	0
19	Acree	Y	Green	Y	McCann	Y	Roberts	Y
20	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
21	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
22	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
23	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
24	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
25	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
26	Court	Y	King S.	Y	Murray	Y	Stephens	Y
27	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
28	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
29	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
30	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
31	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
32	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
33	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
34	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
35							Speaker	Y

36 Co-sponsor(s) added: Representative(s) Nikkel, Schafer S.

37  
 38 **HB09-1132** by Representative(s) Murray and Priola, Liston, Benefield,  
 39 Labuda, Waller; also Senator(s) Heath, Scheffel--  
 40 Concerning the use of messaging systems to commit  
 41 unlawful activity.

42  
 43 (Amended as printed in Senate Journal, April 30, page 1434.)

44  
 45 Representative Murray moved that the House **concur** in Senate  
 46 amendments. The motion was declared **passed** by the following roll call  
 47 vote:

	YES	58	NO	7	EXCUSED	0	ABSENT	0
50	Acree	Y	Green	Y	McCann	Y	Roberts	Y
51	Apuan	Y	Hullinghorst	Y	McFadyen	N	Ryden	N
52	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
53	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
54	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
55	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
56	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y



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

16

17	YES	62	NO	3	EXCUSED	0	ABSENT	0
18	Acree	Y	Green	Y	McCann	Y	Roberts	Y
19	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
20	Balmer	Y	Judd	N	McKinley	N	Scanlan	Y
21	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
22	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
23	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
24	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
25	Court	Y	King S.	Y	Murray	Y	Stephens	Y
26	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
27	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
28	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
29	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
30	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
31	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
32	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
33	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
34							Speaker	Y

35 Co-sponsor(s) added: Representative(s) Kerr A., Massey

36

37

38

39

### MESSAGE(S) FROM THE SENATE

40

41 The Senate has adopted and transmits herewith: SJM09-003.

42

43

44

### INTRODUCTION AND CONSIDERATION OF MEMORIAL

45

46 On motion of Representative Weissmann, the rules were suspended for  
 47 immediate consideration of SJM09-003.

48

49 **SJM09-003** by Senator(s) Cadman, Groff, Bacon, Boyd, Brophy,  
 50 Carroll M., Foster, Gibbs, Harvey, Heath, Hodge, Hudak,  
 51 Isgar, Keller, Kester, King K., Kopp, Lundberg, Mitchell,  
 52 Morse, Newell, Penry, Renfroe, Romer, Sandoval,  
 53 Scheffel, Schultheis, Schwartz, Shaffer B., Spence, Tapia,  
 54 Tochtrop, Veiga, White, Williams; also Representative(s)  
 55 Weissmann--Memorializing former Senate President Ray  
 56 Powers.

1 (Printed and placed in members' file)

2

3 On motion of Representative Weissmann, the memorial was read at  
4 length.

5

6 Pursuant to House Rule 26(f) the House stood in recess to allow the  
7 following former representatives to speak on behalf of the honorable Ray  
8 Powers:

9

10 Former Senators Ron May, Dennis Gallagher

11

12

13 House reconvened.

14

15

16 On motion of Representative Weissmann, the memorial was **adopted** by  
17 the following roll call vote:

18

19

	YES	65	NO	0	EXCUSED	0	ABSENT	0
20	Acree	Y	Green	Y	McCann	Y	Roberts	Y
21	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
22	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
23	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
24	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
25	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
26	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
27	Court	Y	King S.	Y	Murray	Y	Stephens	Y
28	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
29	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
30	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
31	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
32	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
33	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
34	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
35	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
36							Speaker	Y

37

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

47

48 Representative Weissmann introduced members of the family that were  
49 present.

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53 House in recess. House reconvened.

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**CONSIDERATION OF RESOLUTION(S)**

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**HJR09-1026** by Representative(s) Acree, Todd, Kerr J.; also Senator(s) Newell--Concerning the creation of an interim committee to address the home- and community-based services waivers waiting list for children with developmental disabilities.

(Printed and placed in member's files.)

Representative Acree moved that the resolution be adopted.

Representative Acree moved the following amendment:

Amendment No. 1, Health & Human Services Report, dated April 20, 2009, and placed in member's bill file; Report also printed in House Journal, April 21, page1314.

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

On motion of Representative Acree, the resolution as amended was **adopted** by **viva voce** vote.

Current Roll Call added as Co-sponsor(s): Representative(s) Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green, Hullinghorst, Judd, Kagan, Kefalas, Kerr A., King S., Labuda, Lambert, Levy, Liston, Looper, Marostica, May, McCann, McFadyen, McKinley, McNulty, Merrifield, Middleton, Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Vaad, Vigil, Waller, Weissmann

**SJR09-040** by Senator(s) Boyd; also Representative(s) Frangas-- Concerning the implementation of a process to create a transformed and integrated behavioral health system in Colorado.

(Printed and placed in members file)

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

Co-sponsor(s) added: Representative(s) Casso, Court, Ferrandino, Fischer, Gagliardi, Green, Kefalas, Kerr A., Labuda, Levy, McFadyen, Merrifield, Middleton, Primavera, Rice, Riesberg, Ryden, Schafer S., Solano, Soper

**SJR09-047** by Senator(s) Kester; also Representative(s) Riesberg-- Concerning Hepatitis C Awareness Month.

(Printed and placed in members file)

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

Co-sponsor(s) added: Representative(s) Apuan, Benefield, Bradford, Casso, Court, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gerou, Green,

1 Hullinghorst, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Levy, Looper,  
 2 Marostica, Massey, McCann, McFadyen, McNulty, Middleton, Miklosi, Pace,  
 3 Peniston, Primavera, Priola, Rice, Roberts, Ryden, Schafer S., Solano,  
 4 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Vigil, Weissmann

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8 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

9

10 **HB09-1163** by Representative(s) Gardner C., Baumgardner, Bradford,  
 11 King S., Looper, May, McNulty, Murray, Scanlan,  
 12 Summers, Tipton, Todd, Vaad; also Senator(s) Romer,  
 13 Spence, Brophy, Harvey--Concerning crimes in which the  
 14 victim is a child.

15

16 (Amended as printed in Senate Journal, April 30, page 1429.)

17

18 Representative Gardner C., moved that the House **concur** in Senate  
 19 amendments. A substitute motion by Representative Kerr A., 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:

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	YES	37	NO	27	EXCUSED	1	ABSENT	0
Acree	N		Green	Y	McCann	Y	Roberts	Y
Apuan	N		Hullinghorst	Y	McFadyen	Y	Ryden	Y
Balmer	N		Judd	Y	McKinley	Y	Scanlan	Y
Baumgardner	N		Kagan	Y	McNulty	N	Schafer S.	Y
Benefield	Y		Kefalas	Y	Merrifield	Y	Solano	Y
Bradford	N		Kerr A.	Y	Middleton	Y	Sonnenberg	N
Casso	Y		Kerr J.	N	Miklosi	Y	Soper	N
Court	Y		King S.	N	Murray	N	Stephens	N
Curry	Y		Labuda	Y	Nikkel	N	Summers	N
Ferrandino	Y		Lambert	N	Pace	Y	Swalm	N
Fischer	Y		Levy	Y	Peniston	Y	Tipton	N
Frangas	Y		Liston	N	Pommer	E	Todd	Y
Gagliardi	Y		Looper	N	Primavera	Y	Vaad	N
Gardner B.	N		Marostica	N	Priola	N	Vigil	Y
Gardner C.	N		Massey	Y	Rice	Y	Waller	N
Gerou	N		May	N	Riesberg	Y	Weissmann	Y
							Speaker	Y

42 The Speaker appointed Representatives Gardner C., Chairman, Levy and  
 43 Kerr A., as House conferees to the bill.

44

45 **HB09-1202** by Representative(s) Todd, Benefield, Middleton, Ryden;  
 46 also Senator(s) Foster--Concerning the regulation of  
 47 persons who provide for the final disposition of dead  
 48 human bodies in the normal course of business, and

49

50 (Amended as printed in Senate Journal, April 30, page 1430.)

51

52 Representative Todd moved that the House **concur** in Senate  
 53 amendments. The motion was declared **passed** by the following roll call  
 54 vote:

55

	YES	62	NO	2	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
8	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
9	Court	Y	King S.	Y	Murray	Y	Stephens	Y
10	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Liston	Y	Pommer	E	Todd	Y
14	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
15	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
16	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
17	Gerou	Y	May	Y	Riesberg	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**.

	YES	46	NO	18	EXCUSED	1	ABSENT	0
26	Acree	Y	Green	Y	McCann	N	Roberts	Y
27	Apuan	Y	Hullinghorst	N	McFadyen	Y	Ryden	Y
28	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
29	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	Y
30	Benefield	Y	Kefalas	N	Merrifield	Y	Solano	Y
31	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
32	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
33	Court	Y	King S.	Y	Murray	Y	Stephens	Y
34	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
35	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
36	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
37	Frangas	Y	Liston	Y	Pommer	E	Todd	Y
38	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
39	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
40	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
41	Gerou	Y	May	N	Riesberg	N	Weissmann	N
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Labuda, McFadyen, Waller

44  
 45 **HB09-1266** by Representative(s) McCann; also Senator(s) Carroll M.--  
 46 Concerning the repeal of the loss of driving privileges as  
 47 a penalty for certain crimes, and, in connection therewith,  
 48 making an appropriation.

49  
 50 (Amended as printed in Senate Journal, April 30, page 1429.)

51  
 52 Representative McCann moved that the House **concur** in Senate  
 53 amendments. The motion was declared **passed** by the following roll call  
 54 vote:

55

	YES	62	NO	2	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
8	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
9	Court	Y	King S.	Y	Murray	Y	Stephens	Y
10	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	N	Liston	Y	Pommer	E	Todd	Y
14	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
15	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
16	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
17	Gerou	Y	May	Y	Riesberg	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**.

	YES	57	NO	7	EXCUSED	1	ABSENT	0
26	Acree	Y	Green	N	McCann	Y	Roberts	Y
27	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
28	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
29	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
30	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
31	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
32	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	N
33	Court	Y	King S.	Y	Murray	Y	Stephens	Y
34	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
35	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
36	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
37	Frangas	N	Liston	Y	Pommer	E	Todd	Y
38	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
39	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
40	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
41	Gerou	Y	May	Y	Riesberg	N	Weissmann	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Gerou, Labuda, Priola, Waller

44  
 45 **HB09-1267** by Representative(s) Todd; also Senator(s) Bacon--  
 46 Concerning the removal of statutory provisions describing  
 47 pervasively sectarian educational institutions, and making  
 48 an appropriation in connection therewith.

49  
 50 (Amended as printed in Senate Journal, April 30, page 1428.)

51  
 52 Representative Todd moved that the House **concur** in Senate  
 53 amendments. The motion was declared **passed** by the following roll call  
 54 vote:

55

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
8	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
9	Court	Y	King S.	Y	Murray	Y	Stephens	Y
10	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Liston	Y	Pommer	E	Todd	Y
14	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
15	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
16	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
17	Gerou	Y	May	Y	Riesberg	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	63	NO	1	EXCUSED	1	ABSENT	0
25								
26	Acree	Y	Green	Y	McCann	Y	Roberts	Y
27	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
28	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
29	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
30	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
31	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
32	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
33	Court	Y	King S.	Y	Murray	Y	Stephens	Y
34	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
35	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
36	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
37	Frangas	Y	Liston	Y	Pommer	E	Todd	Y
38	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
39	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
40	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
41	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Ryden

44  
 45 **HB09-1290** by Representative(s) Nikkel and Apuan; also Senator(s)  
 46 Harvey, Bacon--Concerning increasing the maximum  
 47 amount of money that the Colorado commission on higher  
 48 education may allocate for the purpose of providing tuition  
 49 assistance to members of the National Guard, and making  
 50 an appropriation therefor.

51  
 52 (Amended as printed in Senate Journal, April 30, page 1429.)

53  
 54 Representative Nikkel moved that the House **concur** in Senate  
 55 amendments. The motion was declared **passed** by the following roll call  
 56 vote:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
8	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
9	Court	Y	King S.	Y	Murray	Y	Stephens	Y
10	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Liston	Y	Pommer	E	Todd	Y
14	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
15	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
16	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
17	Gerou	Y	May	Y	Riesberg	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	Green	Y	McCann	Y	Roberts	Y
27	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
28	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
29	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
30	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
31	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
32	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
33	Court	Y	King S.	Y	Murray	Y	Stephens	Y
34	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
35	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
36	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
37	Frangas	Y	Liston	N	Pommer	E	Todd	Y
38	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
39	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
40	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
41	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Baumgardner, Frangas, Labuda, Pace,  
 44 Roberts

45  
 46 **HB09-1298** by Representative(s) McFadyen and Gardner C., Liston,  
 47 Rice, Solano; also Senator(s) Mitchell, Heath, Scheffel,  
 48 Schwartz--Concerning economic development for the  
 49 trucking industry in Colorado, and making an  
 50 appropriation in connection therewith.

51  
 52 (Amended as printed in Senate Journal, April 30, pages 1433-1434.)

53  
 54 Representative McFadyen moved that the House **concur** in Senate  
 55 amendments. The motion was declared **passed** by the following roll call  
 56 vote:



	YES	60	NO	4	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
4	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
5	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
8	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
9	Court	Y	King S.	Y	Murray	Y	Stephens	Y
10	Curry	Y	Labuda	N	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
12	Fischer	Y	Levy	N	Peniston	Y	Tipton	Y
13	Frangas	Y	Liston	Y	Pommer	E	Todd	Y
14	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
15	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
16	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
17	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
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	60	NO	4	EXCUSED	1	ABSENT	0
25								
26	Acree	Y	Green	Y	McCann	Y	Roberts	Y
27	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
28	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
29	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
30	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
31	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
32	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
33	Court	Y	King S.	Y	Murray	Y	Stephens	Y
34	Curry	Y	Labuda	N	Nikkel	Y	Summers	Y
35	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
36	Fischer	Y	Levy	N	Peniston	Y	Tipton	Y
37	Frangas	Y	Liston	Y	Pommer	E	Todd	Y
38	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
39	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
40	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
41	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Green, Kerr J., Nikkel, Stephens

44  
 45 **HB09-1310** by Representative(s) Levy, Apuan, Court, McCann, Pace,  
 46 Ryden; also Senator(s) Heath--Concerning the  
 47 misclassification of employees as independent contractors  
 48 for purposes of the "Colorado Employment Security Act",  
 49 and making an appropriation therefor.

50  
 51 (Amended as printed in Senate Journal, April 30, page 1429.)

52  
 53 Representative Levy moved that the House **concur** in Senate  
 54 amendments. The motion was declared **passed** by the following roll call  
 55 vote:

56

	YES	42	NO	22	EXCUSED	1	ABSENT	0
1								
2	Acree	N	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
4	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
6	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
7	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
8	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
9	Court	Y	King S.	N	Murray	N	Stephens	N
10	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
11	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	N
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Liston	N	Pommer	E	Todd	Y
14	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
15	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
16	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
17	Gerou	N	May	N	Riesberg	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	38	NO	26	EXCUSED	1	ABSENT	0
26	Acree	N	Green	Y	McCann	Y	Roberts	N
27	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
28	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
29	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
30	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
31	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
32	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
33	Court	Y	King S.	N	Murray	N	Stephens	N
34	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
35	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	N
36	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
37	Frangas	Y	Liston	N	Pommer	E	Todd	Y
38	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
39	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
40	Gardner C.	N	Massey	N	Rice	Y	Waller	N
41	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Labuda, Todd

44  
 45 **HB09-1320** by Representative(s) Marostica, Ferrandino, Pommer; also  
 46 Senator(s) White, Keller, Tapia--Concerning an increase  
 47 in fees paid for certain dairy licenses, and making an  
 48 appropriation in connection therewith.

49  
 50 (Amended as printed in Senate Journal, April 30, page 1430.)

51  
 52 Representative Marostica moved that the House **concur** in Senate  
 53 amendments. The motion was declared **passed** by the following roll call  
 54 vote:

55

	YES	62	NO	2	EXCUSED	1	ABSENT	0
1								
2	Acree	N	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	N	Kagan	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
8	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
9	Court	Y	King S.	Y	Murray	Y	Stephens	Y
10	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Liston	Y	Pommer	E	Todd	Y
14	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
15	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
16	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
17	Gerou	Y	May	Y	Riesberg	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	40	NO	24	EXCUSED	1	ABSENT	0
26	Acree	N	Green	Y	McCann	Y	Roberts	Y
27	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
28	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
29	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
30	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
31	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
32	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
33	Court	Y	King S.	N	Murray	N	Stephens	N
34	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
35	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
36	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
37	Frangas	Y	Liston	N	Pommer	E	Todd	Y
38	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
39	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
40	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
41	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) McFadyen

45 **HB09-1326** by Representative(s) Carroll T. and Court, Apuan,  
 46 Benefield, Casso, Curry, Ferrandino, Fischer, Green,  
 47 Hullinghorst, Kefalas, Kerr A., Levy, May, McCann,  
 48 McFadyen, Merrifield, Middleton, Miklosi, Peniston,  
 49 Pommer, Ryden, Scanlan, Schafer S., Solano, Stephens,  
 50 Todd, Vigil; also Senator(s) Shaffer B., Bacon, Boyd,  
 51 Groff, Heath, Penry, Williams--Concerning the integrity of  
 52 the statewide citizen-initiated petition process, and making  
 53 an appropriation therefor.  
 54  
 55

1 (Amended as printed in Senate Journal, April 30, page 1431-1432, and  
2 amended on third Reading as printed in Senate Journal May 1, pages  
3 1471-1472.)

4  
5 Representative Carroll T., moved that the House **concur** in Senate  
6 amendments. The motion was declared **passed** by the following roll call  
7 vote:

	YES	56	NO	8	EXCUSED	1	ABSENT	0
10	Acree	N	Green	Y	McCann	Y	Roberts	Y
11	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
12	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
13	Baumgardner	N	Kagan	Y	McNulty	Y	Schafer S.	Y
14	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
15	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
16	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
17	Court	Y	King S.	Y	Murray	N	Stephens	Y
18	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
19	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
20	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
21	Frangas	Y	Liston	Y	Pommer	E	Todd	Y
22	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
23	Gardner B.	Y	Marostica	Y	Priola	N	Vigil	Y
24	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
25	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
26							Speaker	Y

27  
28 The question being, "Shall the bill, as amended, 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  
31 bill, as amended, was declared **repassed**.

	YES	52	NO	12	EXCUSED	1	ABSENT	0
34	Acree	N	Green	Y	McCann	Y	Roberts	Y
35	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
36	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
37	Baumgardner	N	Kagan	Y	McNulty	Y	Schafer S.	Y
38	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
39	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
40	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
41	Court	Y	King S.	Y	Murray	Y	Stephens	Y
42	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
43	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
44	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
45	Frangas	Y	Liston	Y	Pommer	E	Todd	Y
46	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
47	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
48	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
49	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Massey, Nikkel

52  
53 **HB09-1330** by Representative(s) Curry; also Senator(s) Isgar--  
54 Concerning fees assessed on certain feeding operations  
55 under the "Colorado Water Quality Control Act", and  
56 making an appropriation in connection therewith.

1 (Amended as printed in Senate Journal, April 30, page 1429.)  
 2  
 3 Representative Curry moved that the House **concur** in Senate  
 4 amendments. The motion was declared **passed** by the following roll call  
 5 vote:

	YES	60	NO	4	EXCUSED	1	ABSENT	0
8 Acree	Y		Green	Y	McCann	Y	Roberts	Y
9 Apuan	Y		Hullinghorst	Y	McFadyen	Y	Ryden	Y
10 Balmer	Y		Judd	Y	McKinley	Y	Scanlan	Y
11 Baumgardner	Y		Kagan	Y	McNulty	Y	Schafer S.	Y
12 Benefield	Y		Kefalas	Y	Merrifield	Y	Solano	Y
13 Bradford	Y		Kerr A.	Y	Middleton	Y	Sonnenberg	Y
14 Casso	Y		Kerr J.	N	Miklosi	Y	Soper	Y
15 Court	Y		King S.	Y	Murray	Y	Stephens	Y
16 Curry	Y		Labuda	Y	Nikkel	N	Summers	Y
17 Ferrandino	Y		Lambert	Y	Pace	Y	Swalm	Y
18 Fischer	Y		Levy	Y	Peniston	Y	Tipton	Y
19 Frangas	Y		Liston	Y	Pommer	E	Todd	Y
20 Gagliardi	Y		Looper	N	Primavera	Y	Vaad	N
21 Gardner B.	Y		Marostica	Y	Priola	Y	Vigil	Y
22 Gardner C.	Y		Massey	Y	Rice	Y	Waller	Y
23 Gerou	Y		May	Y	Riesberg	Y	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	39	NO	25	EXCUSED	1	ABSENT	0
32 Acree	N		Green	Y	McCann	Y	Roberts	Y
33 Apuan	Y		Hullinghorst	Y	McFadyen	Y	Ryden	Y
34 Balmer	N		Judd	Y	McKinley	N	Scanlan	Y
35 Baumgardner	N		Kagan	Y	McNulty	N	Schafer S.	Y
36 Benefield	Y		Kefalas	Y	Merrifield	Y	Solano	Y
37 Bradford	N		Kerr A.	Y	Middleton	Y	Sonnenberg	N
38 Casso	Y		Kerr J.	N	Miklosi	Y	Soper	Y
39 Court	Y		King S.	N	Murray	N	Stephens	N
40 Curry	Y		Labuda	Y	Nikkel	N	Summers	N
41 Ferrandino	Y		Lambert	N	Pace	Y	Swalm	N
42 Fischer	Y		Levy	Y	Peniston	Y	Tipton	N
43 Frangas	Y		Liston	N	Pommer	E	Todd	Y
44 Gagliardi	Y		Looper	N	Primavera	Y	Vaad	N
45 Gardner B.	N		Marostica	Y	Priola	N	Vigil	Y
46 Gardner C.	N		Massey	Y	Rice	Y	Waller	N
47 Gerou	N		May	N	Riesberg	Y	Weissmann	Y
48							Speaker	Y

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

50  
 51 **HB09-1348** by Representative(s) Weissmann; also Senator(s)  
 52 Carroll M.--Concerning activities resulting from the  
 53 performance of legislative duties.

54  
 55 (Amended as printed in Senate Journal, April 30, page 1427-1428.)  
 56

1 Representative Weissmann moved that the House **concur** in Senate  
 2 amendments. A substitute motion by Representative May that the House  
 3 **not concur** in Senate amendments and that a Conference Committee be  
 4 appointed was declared **lost** by the following roll call vote:

	YES	30	NO	35	EXCUSED	0	ABSENT	0
7 Acree	Y		Green	N	McCann	N	Roberts	Y
8 Apuan	N		Hullinghorst	N	McFadyen	N	Ryden	N
9 Balmer	Y		Judd	N	McKinley	N	Scanlan	N
10 Baumgardner	Y		Kagan	Y	McNulty	N	Schafer S.	Y
11 Benefield	N		Kefalas	N	Merrifield	N	Solano	N
12 Bradford	Y		Kerr A.	N	Middleton	N	Sonnenberg	Y
13 Casso	N		Kerr J.	Y	Miklosi	N	Soper	Y
14 Court	N		King S.	N	Murray	Y	Stephens	Y
15 Curry	Y		Labuda	N	Nikkel	Y	Summers	Y
16 Ferrandino	N		Lambert	Y	Pace	N	Swalm	Y
17 Fischer	N		Levy	Y	Peniston	N	Tipton	Y
18 Frangas	N		Liston	Y	Pommer	Y	Todd	N
19 Gagliardi	N		Looper	Y	Primavera	N	Vaad	Y
20 Gardner B.	Y		Marostica	Y	Priola	Y	Vigil	N
21 Gardner C.	N		Massey	Y	Rice	N	Waller	Y
22 Gerou	Y		May	Y	Riesberg	N	Weissmann	N
23							Speaker	N

24  
 25 Representative Weissmann's motion that the House **concur** in Senate  
 26 amendments was declared **passed** by the following roll call vote:

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

	YES	40	NO	25	EXCUSED	0	ABSENT	0
53 Acree	N		Green	Y	McCann	Y	Roberts	Y
54 Apuan	Y		Hullinghorst	Y	McFadyen	Y	Ryden	Y
55 Balmer	N		Judd	Y	McKinley	Y	Scanlan	Y
56 Baumgardner	N		Kagan	Y	McNulty	N	Schafer S.	Y

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

14 Co-sponsor(s) added: Representative(s) Frangas

15  
16 **HB09-1067** by Representative(s) Pommer; also Senator(s) White--  
17 Concerning the establishment of an incentive for the  
18 donation of water rights to the Colorado water  
19 conservation board for use as instream flow rights.

20  
21 (Amended as printed in Senate Journal, May 1, page 1482.)

22  
23 Representative Pommer moved that the House **concur** in Senate  
24 amendments. The motion was declared **passed** by the following roll call  
25 vote:

26	YES	64	NO	1	EXCUSED	0	ABSENT	0
27								
28	Acree	Y	Green	Y	McCann	Y	Roberts	Y
29	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
30	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
31	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
32	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
33	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
34	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
35	Court	Y	King S.	Y	Murray	Y	Stephens	Y
36	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
37	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
38	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
39	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
40	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
41	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
42	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
43	Gerou	Y	May	Y	Riesberg	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**.

50	YES	55	NO	10	EXCUSED	0	ABSENT	0
51								
52	Acree	Y	Green	Y	McCann	Y	Roberts	Y
53	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
54	Balmer	Y	Judd	N	McKinley	N	Scanlan	Y
55	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
56	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y

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

13 Co-sponsor(s) added: Representative(s) Gerou, Looper, Marostica, Pace

14  
15 **HB09-1342** by Representative(s) Benefield and Kagan, Ferrandino,  
16 Fischer, Gagliardi, Green, Hullinghorst, Judd, Kerr A.,  
17 Labuda, McCann, Merrifield, Middleton, Ryden, Scanlan,  
18 Todd; also Senator(s) Boyd and Williams, Bacon, Carroll  
19 M., Foster, Heath, Hudak, Morse, Newell, Romer,  
20 Schwartz, Shaffer B., Veiga--Concerning the elimination  
21 of the state sales and use tax exemption for cigarettes, and  
22 making an appropriation in connection therewith.

23  
24 (Amended as printed in Senate Journal, May 1, page 1482.)

25  
26 Representative Kagan moved that the House **not concur** in Senate  
27 amendments and that a Conference Committee be appointed with  
28 permission to go beyond the scope of the differences between the House  
29 and the Senate was declared **passed** by the following roll call vote:

31	YES	56	NO	9	EXCUSED	0	ABSENT	0
32	Acree	N	Green	Y	McCann	Y	Roberts	Y
33	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
34	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
35	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
36	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
37	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
38	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
39	Court	Y	King S.	N	Murray	N	Stephens	Y
40	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
41	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
42	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
43	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
44	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
45	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
46	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
47	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
48							Speaker	Y

49 The Speaker appointed Representatives Benefield, Chairman, Kagan and  
50 Marostica as House conferees to the bill.

51  
52 **HJR09-1020** by Representative(s) Middleton, Todd, Massey,  
53 Ferrandino, Benefield, Kerr A., Merrifield, Peniston,  
54 Pommer, Scanlan, Solano; also Senator(s) Romer--  
55 Concerning the creation of an interim committee to study  
56 the financing of public schools.



1 (Amended as printed in Senate Journal, May 1, pages 1479-1481.)  
 2  
 3 Representative Middleton moved that the House **concur** in Senate  
 4 amendments. The motion was declared **passed** by the following roll call  
 5 vote:  
 6

	YES	65	NO	0	EXCUSED	0	ABSENT	0
8 Acree	Y	Green	Y	McCann	Y	Roberts	Y	
9 Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y	
10 Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y	
11 Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y	
12 Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y	
13 Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y	
14 Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y	
15 Court	Y	King S.	Y	Murray	Y	Stephens	Y	
16 Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y	
17 Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y	
18 Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y	
19 Frangas	Y	Liston	Y	Pommer	Y	Todd	Y	
20 Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y	
21 Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y	
22 Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y	
23 Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y	
						Speaker	Y	

24  
 25  
 26 The question being, "Shall the resolution, 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 resolution, as amended, was declared **repassed**.  
 30

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

48  
 49 Co-sponsor(s) added: Representative(s) Acree, Apuan, Speaker  
 50  
 51

52  
 53 House in recess. House reconvened.  
 54  
 55  
 56

1           **CONSENT GRANTED TO CONFERENCE COMMITTEE**

2  
3 Representative Gardner C., moved that the First Conference Committee  
4 on **HB09-1163** be granted permission to go beyond the scope of the  
5 difference between the House and the Senate. The motion was passed by  
6 the following roll call vote:

	YES	63	NO	0	EXCUSED	2	ABSENT	0
9 Acree	Y		Green	Y	McCann	Y	Roberts	Y
10 Apuan	Y		Hullinghorst	Y	McFadyen	Y	Ryden	Y
11 Balmer	Y		Judd	Y	McKinley	Y	Scanlan	Y
12 Baumgardner	Y		Kagan	Y	McNulty	Y	Schafer S.	Y
13 Benefield	Y		Kefalas	Y	Merrifield	Y	Solano	Y
14 Bradford	Y		Kerr A.	Y	Middleton	Y	Sonnenberg	Y
15 Casso	Y		Kerr J.	Y	Miklosi	E	Soper	Y
16 Court	Y		King S.	Y	Murray	Y	Stephens	Y
17 Curry	Y		Labuda	Y	Nikkel	Y	Summers	Y
18 Ferrandino	Y		Lambert	Y	Pace	Y	Swalm	Y
19 Fischer	Y		Levy	Y	Peniston	Y	Tipton	Y
20 Frangas	Y		Liston	Y	Pommer	E	Todd	Y
21 Gagliardi	Y		Looper	Y	Primavera	Y	Vaad	Y
22 Gardner B.	Y		Marostica	Y	Priola	Y	Vigil	Y
23 Gardner C.	Y		Massey	Y	Rice	Y	Waller	Y
24 Gerou	Y		May	Y	Riesberg	Y	Weissmann	Y
							Speaker	Y

26  
27  
28           **RECONSIDERATION OF SB09-256**

29  
30 Having voted on the prevailing side, Representative Scanlan moved for  
31 reconsideration of the last House action (repassage). As shown by the  
32 following recorded vote, a majority of those elected to the House voted  
33 in the affirmative and the motion was declared **passed**.

	YES	51	NO	14	EXCUSED	0	ABSENT	0
36 Acree	Y		Green	Y	McCann	Y	Roberts	Y
37 Apuan	Y		Hullinghorst	Y	McFadyen	Y	Ryden	Y
38 Balmer	Y		Judd	N	McKinley	N	Scanlan	Y
39 Baumgardner	Y		Kagan	Y	McNulty	Y	Schafer S.	Y
40 Benefield	N		Kefalas	Y	Merrifield	N	Solano	N
41 Bradford	Y		Kerr A.	N	Middleton	Y	Sonnenberg	Y
42 Casso	Y		Kerr J.	Y	Miklosi	Y	Soper	Y
43 Court	Y		King S.	Y	Murray	Y	Stephens	Y
44 Curry	Y		Labuda	N	Nikkel	Y	Summers	Y
45 Ferrandino	N		Lambert	Y	Pace	Y	Swalm	Y
46 Fischer	Y		Levy	Y	Peniston	Y	Tipton	Y
47 Frangas	N		Liston	Y	Pommer	Y	Todd	Y
48 Gagliardi	Y		Looper	Y	Primavera	N	Vaad	Y
49 Gardner B.	Y		Marostica	N	Priola	N	Vigil	N
50 Gardner C.	Y		Massey	Y	Rice	Y	Waller	Y
51 Gerou	Y		May	Y	Riesberg	Y	Weissmann	N
							Speaker	Y

52  
53  
54 Representative Scanlan moved for reconsideration of the adoption of the  
55 First Report of the First Conference Committee on **SB09-256**.

	YES	52	NO	13	EXCUSED	0	ABSENT	0
1								
2	Acree	N	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
4	Balmer	Y	Judd	N	McKinley	N	Scanlan	Y
5	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
6	Benefield	N	Kefalas	Y	Merrifield	Y	Solano	N
7	Bradford	Y	Kerr A.	N	Middleton	Y	Sonnenberg	Y
8	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
9	Court	Y	King S.	Y	Murray	Y	Stephens	Y
10	Curry	Y	Labuda	N	Nikkel	Y	Summers	Y
11	Ferrandino	N	Lambert	Y	Pace	Y	Swalm	Y
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	N	Liston	Y	Pommer	Y	Todd	Y
14	Gagliardi	N	Looper	Y	Primavera	Y	Vaad	Y
15	Gardner B.	Y	Marostica	N	Priola	Y	Vigil	N
16	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
17	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
18							Speaker	Y
19								

20 Representative Scanlan moved that the House reject the Conference  
 21 Committee Report, discharge the First Conference Committee for  
 22 **SB09-256**, that a Second Conference Committee be appointed and that  
 23 they be granted permission to go beyond the scope of the difference  
 24 between the House and Senate. The motion was declared **passed** by the  
 25 following roll call vote:

	YES	60	NO	5	EXCUSED	0	ABSENT	0
28	Acree	Y	Green	Y	McCann	Y	Roberts	Y
29	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
30	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
31	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
32	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
33	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
34	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
35	Court	Y	King S.	Y	Murray	Y	Stephens	Y
36	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
37	Ferrandino	N	Lambert	Y	Pace	Y	Swalm	Y
38	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
39	Frangas	N	Liston	Y	Pommer	Y	Todd	Y
40	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
41	Gardner B.	Y	Marostica	N	Priola	Y	Vigil	Y
42	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
43	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
44							Speaker	Y
45								

46 The first Conference Committee was discharged and the Speaker  
 47 appointed Representatives Pommer Chairman, Scanlan and Massey as  
 48 House conferees to the Second Conference Committee.

49  
 50  
 51  
 52  
 53  
 54  
 55

1 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**  
2 **on SB09-226**  
3

4 This Report Amends the Rerevised Bill.  
5

6 To the President of the Senate and the  
7 Speaker of the House of Representatives:  
8

9 Your first conference committee appointed on SB09-226,  
10 concerning policies for the management of food allergies among school  
11 children, and making an appropriation in connection therewith, has met  
12 and reports that it has agreed upon the following:  
13

14 1. That the Senate accede to the House amendments made to the  
15 bill, as the amendments appear in the rerevised version of the bill, with  
16 the following changes:  
17

18 Amend rerevised bill, page 4, strike lines 8 through 16 and substitute the  
19 following:  
20

21 "(4) Now, therefore, the general assembly hereby declares that:  
22

23 (a) The state board of education, in consultation with the  
24 department of public health and environment, should promulgate rules to  
25 manage the risks posed by food allergies and anaphylaxis in public  
26 schools; and  
27

28 (b) Each school district of the state and the state charter school  
29 institute should develop a policy to manage the risks posed by food  
30 allergies and anaphylaxis to students, which policy, at a minimum, shall  
31 satisfy the rules promulgated by the state board of education.  
32

33 **SECTION 2.** Part 1 of article 2 of title 22, Colorado Revised  
34 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
35 read:  
36

37 **22-2-135. Food allergy and anaphylaxis management - rules.**

38 (1) THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE  
39 "COLORADO SCHOOL CHILDREN'S";  
40

41 strike lines 26 and 27 and substitute the following:  
42

43 "(3) (a) ON OR BEFORE JANUARY 1, 2010, THE STATE BOARD OF  
44 EDUCATION, IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC HEALTH  
45 AND ENVIRONMENT, SHALL PROMULGATE RULES FOR THE".  
46

47 Page 5, strike line 2 and substitute the following:  
48

49 "ENROLLED IN THE PUBLIC SCHOOLS OF THE STATE. THE RULES SHALL";  
50

51 line 5, strike "EACH SCHOOL OF THE SCHOOL DISTRICT" and substitute  
52 "SCHOOLS".  
53

54 Page 6, line 2, strike "PARAGRAPH (a) OF THIS SUBSECTION (3)." and  
55 substitute "SECTION 22-32-139."  
56

- 1 Page 7, line 4, strike "OR SUBSECTION (4)";  
2  
3 line 5, strike "OF THIS SECTION";  
4  
5 strike lines 7 through 27.  
6  
7 Strike page 8.  
8  
9 Page 9, strike lines 1 through 21.  
10  
11 Page 10, line 6, strike "**required - approval of treatment**" and substitute  
12 "**required.**";  
13  
14 line 7, strike "**plans.**";  
15  
16 line 10, strike "BUT NEED" and substitute "AT A MINIMUM, MEASURES  
17 THAT SATISFY THE RULES PROMULGATED BY THE STATE BOARD PURSUANT  
18 TO SECTION 22-2-135.";  
19  
20 strike lines 11 through 13;  
21  
22 line 24, strike "22-32-139 (3) (b)." and substitute "22-2-135 (3) (b).".  
23  
24 Page 11, line 4, strike "OR SUBSECTION (3)";  
25  
26 line 5, strike "OF THIS SECTION";  
27  
28 strike lines 7 through 27.  
29  
30 Strike page 12.  
31  
32 Page 13, strike lines 1 through 16, and substitute the following:  
33  
34 **"SECTION 5.** Article 32 of title 22, Colorado Revised Statutes,  
35 is amended BY THE ADDITION OF A NEW SECTION to read:  
36  
37 **22-32-139. Food allergies and anaphylaxis policy required.**  
38 ON OR BEFORE JULY 1, 2010, EACH SCHOOL DISTRICT BOARD OF  
39 EDUCATION SHALL ADOPT AND IMPLEMENT A POLICY FOR THE  
40 MANAGEMENT OF FOOD ALLERGIES AND ANAPHYLAXIS AMONG STUDENTS  
41 ENROLLED IN THE PUBLIC SCHOOLS OF THE SCHOOL DISTRICT. THE POLICY  
42 SHALL INCLUDE, AT A MINIMUM, MEASURES THAT SATISFY THE RULES  
43 PROMULGATED BY THE STATE BOARD OF EDUCATION PURSUANT TO  
44 SECTION 22-2-135."  
45  
46 Renumber succeeding sections accordingly.  
47  
48 2. That, under the authority granted the committee to consider  
49 matters not at issue between the two houses, the following amendments  
50 be recommended:  
51  
52 Amend rerevised bill, page 4, line 17, strike "POLICY".  
53  
54 Page 13, line 21, strike "**policy**" and substitute "**form**".  
55  
56 Page 14, after line 4, insert the following:

1           **"SECTION 7.** 22-1-119.5 (1), (2) (a), (2) (b), and (4), Colorado  
2 Revised Statutes, are amended to read:

3  
4           **22-1-119.5. Asthma, food allergy, and anaphylaxis health**  
5 **management - self-administered medication.** (1) This section shall be  
6 known and may be cited as the "Colorado Schoolchildren's Asthma, FOOD  
7 ALLERGY, and Anaphylaxis Health Management Act".

8  
9           (2) (a) A student with asthma, A FOOD ALLERGY, OTHER severe  
10 allergies, or ~~other~~ A related, life-threatening condition may possess and  
11 self-administer medication to treat the student's asthma, FOOD OR OTHER  
12 ALLERGY, anaphylaxis, or other related, life-threatening condition if the  
13 student has a treatment plan approved pursuant to this subsection (2).

14  
15           (b) A public school shall, and a nonpublic school is encouraged  
16 to, approve a treatment plan for a student enrolled in the school to possess  
17 and self-administer medication for asthma, A FOOD ALLERGY, or  
18 anaphylaxis if all of the following conditions are met:

19  
20           (I) A health care practitioner has prescribed medication for use by  
21 the student during school hours, at school-sponsored activities, and while  
22 in transit to or from school or school-sponsored activities and has  
23 instructed the student in the correct and responsible use of the medication.

24  
25           (II) The student demonstrates to the health care practitioner or the  
26 health care practitioner's designee and the school nurse OR A SCHOOL  
27 ADMINISTRATOR the skill level necessary to use the medication and any  
28 device that is necessary to administer the medication as prescribed.

29  
30           (III) ~~The school nurse and the health care practitioner collaborate~~  
31 ~~OR A SCHOOL ADMINISTRATOR COLLABORATES WITH THE STUDENT'S~~  
32 ~~HEALTH CARE PRACTITIONER~~ to formulate a written treatment plan for  
33 managing asthma, FOOD ALLERGY, or anaphylaxis episodes of the student  
34 and for medication use by the student during school hours, at  
35 school-sponsored activities, and while in transit to or from school or  
36 school-sponsored activities.

37  
38           (IV) The student's parent or legal guardian completes and submits  
39 to the public or nonpublic school the documentation required by rule of  
40 the state board of education, including but not limited to:

41  
42           (A) A written medical authorization that includes the signature of  
43 the health care practitioner for the medication prescribed; the name,  
44 purpose, prescribed dosage, frequency, and length of time between  
45 dosages of the medications to be self-administered; and confirmation  
46 from the health care practitioner that the student has been instructed and  
47 is capable of self-administration of the prescribed medications;

48  
49           (B) A written statement from the student's parent or legal guardian  
50 releasing the school, school district, any associated entity, and employees  
51 and volunteers of the school, school district, and associated entity from  
52 liability, except in cases of willful or wanton conduct or disregard of the  
53 criteria of the treatment plan; and

54  
55           (C) A written contract between the school nurse OR A SCHOOL  
56 ADMINISTRATOR, the student, and the student's parent or legal guardian

1 assigning levels of responsibility to the parent or legal guardian, student,  
2 and school employees.

3  
4 (4) With the approval of the parent or legal guardian of a student  
5 with a treatment plan approved pursuant to subsection (2) of this section,  
6 a school may maintain additional asthma, FOOD OR OTHER ALLERGY, or  
7 anaphylaxis medication to be kept at the school in a location to which the  
8 student has immediate access in the event of an asthma, FOOD OR OTHER  
9 ALLERGY, or anaphylaxis emergency."

10  
11 Renumber succeeding sections accordingly.

12  
13 Respectfully submitted,

14 Senate Committee:  
15 (signed)  
16 Paula Sandoval  
17 Evie Hudak  
18 Kevin Lundberg

House Committee:  
(signed)  
Sara Gagliardi  
Debbie Benefield  
Kenneth Summers

19  
20  
21  
22 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**  
23 **on SB09-245**

24  
25 This Report Amends the Rerevised Bill.

26  
27 To the President of the Senate and the  
28 Speaker of the House of Representatives:

29  
30 Your first conference committee appointed on SB09-245,  
31 concerning changes to conform to portions of federal Public Law 110-351  
32 relating to kinship, has met and reports that it has agreed upon the  
33 following:

34  
35 1. That the Senate accede to the House amendments made to the  
36 bill, as the amendments appear in the rerevised bill, with the following  
37 changes:

38  
39 Amend rerevised bill, page 4, strike lines 18 through 27.

40  
41 Page 5, strike lines 1 through 7 and substitute the following:

42  
43 **"SECTION 3. Appropriation.** In addition to any other  
44 appropriation, there is hereby appropriated, out of any moneys in the  
45 general fund not otherwise appropriated, to the department of human  
46 services, for allocation to the office of information technology services,  
47 for Colorado TRAILS, for the fiscal year beginning July 1, 2009, the sum  
48 of eighty-six thousand dollars (\$86,000), or so much thereof as may be  
49 necessary, for the implementation of this act.";

50  
51 line 9, strike "(2)," and substitute "(2) of this section,";

52  
53 strike lines 12 and 13 and substitute the following:

54  
55 "later; except that section 3 of this act shall take effect only if:

56

- 1 (a) House Bill 09-1366 is enacted and becomes law;
- 2
- 3 (b) The final fiscal estimate for the 2009-10 fiscal year for House
- 4 Bill 09-1366, as reflected in the final fiscal analysis prepared by the
- 5 legislative council staff for said act, shows an anticipated state income tax
- 6 revenue gain that is equal to or greater than the general fund amount
- 7 appropriated in section 3 of this act;
- 8
- 9 (c) House Bill 09-1366, as enacted, leaves unappropriated a
- 10 portion of the anticipated state income tax revenue gain for the 2009-10
- 11 fiscal year that is at least equal to the general fund amount appropriated
- 12 in section 3 of this act; and
- 13
- 14 (d) The staff director of the legislative council staff files written
- 15 notice with the revisor of statutes no later than July 15, 2009, that the
- 16 requirements set forth in paragraphs (b) and (c) of this subsection (2)
- 17 have been met."

18

19 2. That, under the authority granted the committee to consider

20 matters not at issue between the two houses, the following amendments

21 be recommended:

22

23 Amend rerevised bill, page 4, strike lines 6 and 7 and substitute the

24 following:

25

26 "(1) THERE IS HEREBY ESTABLISHED A KINSHIP GUARDIANSHIP";

27

28 after line 17, insert the following:

29

30 "(3) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE

31 CONTRARY, THE STATE DEPARTMENT SHALL NOT IMPLEMENT THE KINSHIP

32 GUARDIANSHIP ASSISTANCE PROGRAM UNLESS SECTION 3 OF SENATE BILL

33 09-245 IS ENACTED IN 2009 AND BECOMES LAW OR UNTIL SUCH TIME AS

34 THE GENERAL ASSEMBLY OTHERWISE APPROPRIATES SUFFICIENT MONEYS

35 FOR THE IMPLEMENTATION OF THE PROGRAM, WHICHEVER OCCURS FIRST."

36

37 Page 1, line 102, strike "KINSHIP." and substitute "KINSHIP, AND MAKING

38 AN APPROPRIATION IN CONNECTION THEREWITH."

39

40 Respectfully submitted,

<p>41 Senate Committee:</p> <p>42 (signed)</p> <p>43 Paula Sandoval</p> <p>44 Chris Romer</p> <p>45 Shawn Mitchell</p>	<p>House Committee:</p> <p>(signed)</p> <p>Sue Schafer</p> <p>Scott Tipton</p> <p>K. Jerry Frangas</p>
--	--

46

47

48

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

50

51 The Speaker has signed: **HB09-1205, 1313, 1339.**

52

53

54

55

56



**MESSAGE(S) FROM THE SENATE**

1  
2  
3 In response to the request of the House for a Conference Committee on  
4 HB09-1111, the President appoints Senators Boyd-Chair, Schwartz, and  
5 Kester as conferees on the First Conference Committee on HB09-1111.  
6

7 The Senate voted to reject the First Report of the First Conference  
8 Committee on SB09-256, as printed in Senate Journal, May 4, 2009,  
9 pages 1504-1509 and dissolved the Conference Committee. The Senate  
10 requests that a Second Conference Committee be appointed. The  
11 President appointed Senators Romer-Chair, Bacon and King as members  
12 of the Second Conference Committee on SB09-256. The Senate granted  
13 permission to the members of the Second Conference Committee on  
14 SB09-256 to consider matters not at issue between the two houses. The  
15 bill is transmitted herewith.  
16

17 In response to the request of the House for a Conference Committee on  
18 HB09-1282 the President appoints Senators Schwartz -Chair, Foster, and  
19 Kester as conferees on the First Conference Committee on HB09-1282.  
20

21 The Senate has postponed indefinitely HB09-1362. The bill is returned  
22 herewith.  
23

24  
25  
26 The Senate has granted permission to the First Conference Committee on  
27 HB09-1282 to go beyond the scope of differences between the two  
28 houses.  
29

30 The Senate has granted permission to the First Conference Committee on  
31 HB09-1111 to go beyond the scope of differences between the two  
32 houses.  
33

34 The Senate has adopted and returns herewith: HJR09-1014, and  
35 HJR09-1021.  
36

37  
38 House in recess. House reconvened.  
39  
40

**CONSIDERATION OF RESOLUTION(S)**

41  
42  
43  
44 **SJR09-048** by Senator(s) Schwartz, Kester; also Representative(s)  
45 McKinley--Concerning the protection and restoration of  
46 Colorado's shortgrass prairie ecosystem.  
47

48 (Printed and placed in members file)  
49

50 Laid over until June 9, 2009. Resolution deemed lost.  
51

52 **SJR09-055** by Senator(s) Gibbs, Carroll M., Foster, Heath, King K.,  
53 Kopp, Newell, Romer, Sandoval, Scheffel, Schwartz,  
54 Shaffer B., Tapia, Veiga, Williams; also Representative(s)  
55 McFadyen--Concerning the recognition of Colorado  
56 Department of Transportation employees, and, in

1 connection therewith, declaring the month of July to be  
 2 "Colorado Department of Transportation Remembrance  
 3 Month".  
 4

5 (Printed and placed in members file)  
 6

7 On motion of Representative McFadyen, the resolution was read at length  
 8 and **adopted** by **viva voce** vote.  
 9

10 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,  
 11 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,  
 12 Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green,  
 13 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,  
 14 Levy, Liston, Looper, Marostica, Massey, May, McCann, McKinley, McNulty,  
 15 Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer,  
 16 Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,  
 17 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil,  
 18 Waller, Weissmann, Speaker  
 19

### 20 21 **THIRD READING OF BILLS--FINAL PASSAGE**

22  
 23 The following bills were considered on Third Reading. The titles were  
 24 publicly read. Reading of the bill at length was dispensed with by  
 25 unanimous consent.  
 26

27 **SB09-110** by Senator(s) Morse, Carroll M., Hudak; also  
 28 Representative(s) Levy--Concerning the continuation of  
 29 the regulation of civil rights issues.  
 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	52	NO	13	EXCUSED	0	ABSENT	0
37	Acree	N	Green	Y	McCann	Y	Roberts	Y
38	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
39	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
40	Baumgardner	N	Kagan	Y	McNulty	Y	Schafer S.	Y
41	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
42	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
43	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
44	Court	Y	King S.	N	Murray	N	Stephens	N
45	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
46	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
47	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
48	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
49	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
50	Gardner B.	Y	Marostica	Y	Priola	N	Vigil	Y
51	Gardner C.	Y	Massey	Y	Rice	Y	Waller	N
52	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Apuan, Court, Frangas, Green,  
 55 Hullinghorst, Judd, Labuda, McFadyen, Merrifield, Miklosi, Pace, Ryden,  
 56 Schafer S., Todd, Vigil, Speaker

1 **SB09-164** by Senator(s) Newell, Bacon, Carroll M., Foster, Heath,  
 2 Hodge, Keller, Morse, Shaffer B., Williams; also  
 3 Representative(s) Miklosi, Frangas, Gagliardi, Kefalas,  
 4 Ryden--Concerning requiring certain persons serving in  
 5 the state child welfare system to demonstrate the necessary  
 6 competencies to perform their job responsibilities.

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	57	NO	8	EXCUSED	0	ABSENT	0
14	Acree	Y	Green	Y	McCann	Y	Roberts	Y
15	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
16	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
17	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	Y
18	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
19	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
20	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
21	Court	Y	King S.	N	Murray	Y	Stephens	Y
22	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
23	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
24	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
25	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
26	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
27	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
28	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
29	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) Green, Kagan, Labuda, Primavera,  
 32 Schafer S., Todd

33  
 34 **SB09-241** by Senator(s) Morse; also Representative(s) King S. and  
 35 Tipton--Concerning DNA testing of adults arrested for a  
 36 felony, 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**.

	YES	56	NO	9	EXCUSED	0	ABSENT	0
43	Acree	Y	Green	Y	McCann	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	N	McFadyen	N	Ryden	Y
45	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
46	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	Y
47	Benefield	N	Kefalas	Y	Merrifield	Y	Solano	Y
48	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
49	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
50	Court	Y	King S.	Y	Murray	Y	Stephens	Y
51	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
52	Ferrandino	Y	Lambert	Y	Pace	N	Swalm	Y
53	Fischer	Y	Levy	N	Peniston	Y	Tipton	Y
54	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
55	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
56	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N

1	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
2	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
3							Speaker	N

4 Co-sponsor(s) added: Representative(s) Balmer, Baumgardner, Gerou, Labuda,  
5 Liston, Looper, Marostica, Summers, Swalm, Waller

6  
7 **SB09-247** by Senator(s) Tochtrop; also Representative(s) Pace--  
8 Concerning the expansion of benefits for unemployed  
9 workers in Colorado, and making an appropriation in  
10 connection therewith.

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

35 Co-sponsor(s) added: Representative(s) Apuan, Casso, Fischer, Frangas, Green,  
36 Kefalas, Labuda, McFadyen, Pommer, Ryden, Soper, Vigil

37  
38 **SB09-297** by Senator(s) Sandoval; also Representative(s) Judd--  
39 Concerning projects funded with moneys received  
40 pursuant to the federal "American Recovery and  
41 Reinvestment Act of 2009", and, in connection therewith,  
42 establishing a process for the waiving of state contracting  
43 requirements for contracts for such projects in  
44 circumstances in which a waiver is necessary in order to  
45 ensure that the moneys can be timely and efficiently  
46 expended for their intended purposes, requiring the public  
47 utilities commission to give the fullest consideration for  
48 incentives to specified types of such projects, and  
49 including moneys received by the governor's energy office  
50 pursuant to the federal act and from specified other  
51 sources as principal of the clean energy fund.

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

19 Co-sponsor(s) added: Representative(s) Fischer, Kagan

20  
 21 **SB09-290** by Senator(s) Bacon, Kopp, Schwartz; also  
 22 Representative(s) Riesberg, McFadyen, Sonnenberg--  
 23 Concerning flexibility for capital construction projects.

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**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
31	Acree	Y	Green	Y	McCann	Y	Roberts	Y
32	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
33	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
34	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
35	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
36	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
37	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
38	Court	Y	King S.	Y	Murray	Y	Stephens	Y
39	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
40	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
41	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
42	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
43	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
44	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
45	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
46	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
47							Speaker	Y

48 Co-sponsor(s) added: Representative(s) Gardner B., Gerou, Marostica,  
 49 Summers, Vigil

50  
 51  
 52 **SB09-085** by Senator(s) Scheffel and Williams, Mitchell; also  
 53 Representative(s) Rice and Priola, Lambert, McNulty--  
 54 Concerning the creation of a legislative task force to study  
 55 a property tax exemption for business personal property.

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

24 Co-sponsor(s) added: Representative(s) Balmer, Baumgardner, Bradford,  
 25 Frangas, Gardner B., Gerou, Kefalas, Kerr J., King S., Liston, Looper, Massey,  
 26 May, McFadyen, Middleton, Murray, Nikkel, Scanlan, Swalm, Tipton, Todd,  
 27 Speaker

28  
 29 **SB09-292** by Senator(s) Brophy, Mitchell, Morse, Schwartz, Shaffer  
 30 B., Veiga; also Representative(s) Labuda, Gardner B.,  
 31 Kagan, Levy, Roberts--Concerning the revision of statutes  
 32 in the Colorado Revised Statutes, as amended, and, in  
 33 connection therewith, amending or repealing obsolete,  
 34 inconsistent, and conflicting provisions of law and  
 35 clarifying the language to reflect the legislative intent of  
 36 the laws.

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 Labuda  
 40 was given permission to offer a Third Reading amendment:

	YES	62	NO	3	EXCUSED	0	ABSENT	0
43	Acree	Y	Green	Y	McCann	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McFadyen	N	Ryden	Y
45	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
46	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
47	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
48	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
49	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
50	Court	Y	King S.	Y	Murray	Y	Stephens	Y
51	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
52	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
53	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
54	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
55	Gagliardi	N	Looper	Y	Primavera	Y	Vaad	Y
56	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N

1	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
2	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
3							Speaker	Y

5 **Third Reading amendment No. 1**, by Representative Labuda.

7 Amend revised bill, page 91, line 13, strike "Section 140" and substitute  
8 "Section 139".

10 The amendment was declared **passed** by the following roll call vote:

12	YES	65	NO	0	EXCUSED	0	ABSENT	0
13	Acree	Y	Green	Y	McCann	Y	Roberts	Y
14	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
15	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
16	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
17	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
18	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
19	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
20	Court	Y	King S.	Y	Murray	Y	Stephens	Y
21	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
22	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
23	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
24	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
25	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
26	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
27	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
28	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
29							Speaker	Y

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 **passed**.

36	YES	65	NO	0	EXCUSED	0	ABSENT	0
37	Acree	Y	Green	Y	McCann	Y	Roberts	Y
38	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
39	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
40	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
41	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
42	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
43	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
44	Court	Y	King S.	Y	Murray	Y	Stephens	Y
45	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
46	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
47	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
48	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
49	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
50	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
51	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
52	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Acree, Kerr J., Peniston, Summers,  
55 Vigil, Waller

1 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**

2  
3 **HB09-1338** by Representative(s) Casso; also Senator(s) Bacon--  
4 Concerning modifications to state insurance laws to  
5 comply with recently enacted federal laws.  
6

7 (Conference Committee Report printed in House Journal, May 4,  
8 page 1751.)  
9

10 On motion of Representative Casso, the Conference Committee Report  
11 was **adopted** by the following roll call vote:  
12

	YES	65	NO	0	EXCUSED	0	ABSENT	0
14	Acree	Y	Green	Y	McCann	Y	Roberts	Y
15	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
16	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
17	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
18	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
19	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
20	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
21	Court	Y	King S.	Y	Murray	Y	Stephens	Y
22	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
23	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
24	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
25	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
26	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
27	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
28	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
29	Gerou	Y	May	Y	Riesberg	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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
38	Acree	Y	Green	Y	McCann	Y	Roberts	Y
39	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
40	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
41	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
42	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
43	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
44	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
45	Court	Y	King S.	Y	Murray	Y	Stephens	Y
46	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
47	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
48	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
49	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
50	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
51	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
52	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
53	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Labuda  
56



1 **SB09-245** by Senator(s) Sandoval; also Representative(s) Schafer S.-  
 2 -Concerning changes to conform to portions of federal  
 3 Public Law 110-351 relating to kinship.  
 4

5 (Conference Committee Report printed in House Journal, May 5,  
 6 pages 1783-1784.)  
 7

8 On motion of Representative Schafer S., the Conference Committee  
 9 Report was **adopted** by the following roll call vote:  
 10

	YES	65	NO	0	EXCUSED	0	ABSENT	0
12	Acree	Y	Green	Y	McCann	Y	Roberts	Y
13	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
14	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
15	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
16	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
17	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
18	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
19	Court	Y	King S.	Y	Murray	Y	Stephens	Y
20	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
21	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
22	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
23	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
24	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
25	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
26	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
27	Gerou	Y	May	Y	Riesberg	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	60	NO	5	EXCUSED	0	ABSENT	0
36	Acree	Y	Green	Y	McCann	Y	Roberts	Y
37	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
38	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
39	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	Y
40	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
41	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
42	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
43	Court	Y	King S.	N	Murray	Y	Stephens	Y
44	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
45	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
46	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
47	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
48	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
49	Gardner B.	Y	Marostica	N	Priola	Y	Vigil	Y
50	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
51	Gerou	N	May	Y	Riesberg	Y	Weissmann	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Apuan, Green, Merrifield, Pommer  
 54  
 55  
 56

1 **SB09-226** by Senator(s) Sandoval; also Representative(s) Gagliardi--  
 2 Concerning policies for the management of food allergies  
 3 among school children, and making an appropriation in  
 4 connection therewith.

5  
 6 (Conference Committee Report printed in House Journal, May 5, pages  
 7 1780-1783.)

8  
 9 On motion of Representative Gagliardi, the Conference Committee  
 10 Report was **adopted** by the following roll call vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
13	Acree	Y	Green	Y	McCann	Y	Roberts	Y
14	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
15	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
16	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
17	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
18	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
19	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
20	Court	Y	King S.	Y	Murray	Y	Stephens	Y
21	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
22	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
23	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
24	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
25	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
26	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
27	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
28	Gerou	Y	May	Y	Riesberg	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	1	EXCUSED	0	ABSENT	0
37	Acree	Y	Green	Y	McCann	Y	Roberts	Y
38	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
39	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
40	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
41	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
42	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
43	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
44	Court	Y	King S.	Y	Murray	N	Stephens	Y
45	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
46	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
47	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
48	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
49	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
50	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
51	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
52	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Frangas, Pace

55  
 56

1                                   **CONSIDERATION OF RESOLUTION(S)**

2

3    **SJR09-058** by Senator(s) Shaffer B., Groff, Penry; also  
 4                   Representative(s) Weissmann and Kerr A., Carroll T.,  
 5                   May--Concerning the appointment of a joint committee to  
 6                   notify the Governor that the First Regular Session of the  
 7                   Sixty-seventh General Assembly is about to adjourn sine  
 8                   die.

9

10 (Printed and placed in members file)

11

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

14

15 Co-sponsor(s) added: Representative(s) Acree, Apuan, Baumgardner, Curry,  
 16 Ferrandino, Gardner B., Gerou, Kerr J., Labuda, Levy, Looper, Marostica,  
 17 Massey, McKinley, Merrifield, Miklosi, Nikkel, Pommer, Roberts, Ryden,  
 18 Solano, Soper, Stephens, Tipton, Todd, Vaad, Waller

19

20 The Speaker appointed Representatives Primavera, Court, Stephens  
 21 pursuant to the resolution.

22

23    **SJR09-056** by Senator(s) Romer; also Representative(s) Middleton--  
 24                   Concerning continuing Colorado's significant advances in  
 25                   education reform through the use of federal "Race to the  
 26                   Top" moneys.

27

28 (Printed and placed in members file)

29

30 Representative Middleton moved that the resolution be adopted.

31

32 Amendment No. 1, moved by Representative Middleton.

33

34 Amend engrossed joint resolution, page 2, line 14, strike "education" and  
 35 substitute "education, including adult basic education programs, general  
 36 educational development certificate programs,  
 37 English-as-a-second-language programs, and adult and family literacy  
 38 programs,";

39

40 line 21, after "education," insert "increasing the number of nontraditional  
 41 students who enter postsecondary education,".

42

43 Page 6, line 26, strike "and";

44

45 after line 29, insert the following:

46

47                   "(n) Family literacy education programs for parents and their  
 48 children to raise the level of student performance in low-performing  
 49 schools; and".

50

51 The amendment was declared **passed** by **viva voce** vote.

52

53 Amendment No. 2, moved by Representative Middleton.

54

55 Amend engrossed joint resolution, page 5, line 19, after "collection",  
 56 insert "and reporting".

1 Page 6, line 11, strike "nationally board-certified" and substitute  
2 "national-board-certified";

3  
4 after line 14, insert the following:

5  
6 "(j) Innovative programs that enable teachers to interpret data  
7 concerning student progress and to differentiate instruction based on  
8 ongoing data concerning student-specific strengths and needs;"

9  
10 Reletter succeeding paragraphs accordingly.

11  
12 The amendment was declared **passed** by **viva voce** vote.

13  
14 On motion of Representative Middleton, the resolution as amended was  
15 **adopted** by the following roll call vote:

	YES	55	NO	10	EXCUSED	0	ABSENT	0
18	Acree	Y	Green	Y	McCann	Y	Roberts	Y
19	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
20	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
21	Baumgardner	N	Kagan	Y	McNulty	Y	Schafer S.	Y
22	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
23	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
24	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
25	Court	Y	King S.	N	Murray	N	Stephens	Y
26	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
27	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
28	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
29	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
30	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
31	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
32	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
33	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
34							Speaker	Y

35 Co-sponsor(s) added: Representative(s) Casso, Court, Curry, Ferrandino,  
36 Fischer, Frangas, Green, Kefalas, Kerr A., Labuda, Massey, Merrifield,  
37 Pommer, Priola, Ryden, Scanlan, Schafer S., Solano, Todd, Vigil, Weissmann,  
38 Speaker

39  
40 **SJR09-057** by Senator(s) Penry and Groff; also Representative(s)  
41 Bradford and Solano--Concerning prevention of  
42 methamphetamine use in Colorado, and, in connection  
43 therewith, proclaiming "Colorado Meth Project Day".

44  
45 (Printed and placed in members file)

46  
47 On motion of Representative Bradford, the resolution was read at length  
48 and **adopted** by **viva voce** vote.

49  
50 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,  
51 Balmer, Baumgardner, Benefield, Casso, Court, Curry, Ferrandino, Fischer,  
52 Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green, Hullinghorst, Judd,  
53 Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,  
54 Looper, Marostica, Massey, May, McCann, McFadyen, McKinley, McNulty,  
55 Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer,  
56 Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S.,

1 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil,  
2 Waller, Weissmann, Speaker

3

4

5

House in recess. House reconvened.

6

7

8 **SJR09-044** by Senator(s) Shaffer B.; also Representative(s)  
9 Weissmann--Concerning an interim commission to study  
10 fiscal stability.

11

12 (Printed and placed in members file)

13

14 Representative Weissmann moved that the resolution be adopted.

15

16 Amendment No. 1, moved by Representatives May, Weissmann.

17

18 Amend engrossed joint resolution, page 3, line 31, after "majority", insert  
19 "and minority".

20

21 The amendment was declared **passed by viva voce** vote.

22

23 Amendment No. 2, moved by Representative Stephens.

24

25 Amend engrossed joint resolution, page 2, line 36, after "care,", insert  
26 "kindergarten through twelfth grade education, state-owned assets,".

27

28 The amendment was declared **passed by viva voce** vote.

29

30 Amendment No. 3, moved by Representative Marostica.

31

32 Amend engrossed joint resolution, page 3, strike lines 19 through 42 and  
33 substitute the following:

34

35 "(7) Staff of the legislative council and of the office of legislative  
36 legal services shall be available to assist the commission in conducting  
37 the duties if the commission is approved by the executive committee of  
38 the legislative council.

39

40 (8) Legislative members of the commission shall be entitled to  
41 receive expenses and payment of per diem if approved by the executive  
42 committee of the legislative council."

43

44 The amendment was declared **passed by viva voce** vote.

45

46 Amendment No. 4, moved by Representative Lambert.

47

48 Amend engrossed joint resolution, page 3, after line 42, add the  
49 following:

50

51 "(11) Upon request of a member of the commission, staff shall  
52 prepare and attach summaries of dissenting opinions to the final strategic  
53 plan adopted by the commission. Such summaries of dissenting opinions  
54 shall be incorporated in any final findings or recommendations of the  
55 commission presented to the Legislative Council."

56

1 The amendment was declared **passed** by **viva voce** vote.

2

3 On motion of Representative Weissmann, the resolution as amended was  
4 **adopted** by **viva voce** vote.

5

6 Co-sponsor(s) added: Representative(s) Benefield, Casso, Frangas, Green,  
7 Hullinghorst, Labuda, Levy, McCann, Merrifield, Pace, Primavera, Ryden,  
8 Todd

9

10

11

12

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### MESSAGE(S) FROM THE SENATE

13

14 The Senate has passed on Third Reading and returns herewith:

15 HB09-1020, HB09-1345, HB09-1334, HB09-1341, HB09-1360,  
16 HB09-1364, HB09-1347, HB09-1353, HB09-1365, HB09-1367.

17

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

20

21 HB09-1274 amended as printed in Senate Journal, May 4, 2009,  
22 pages 1522-1526,

23 HB09-1094 amended as printed in Senate Journal, May 4, 2009,  
24 pages 1526-1528,

25 HB09-1204 amended as printed in Senate Journal, May 4, 2009,  
26 page 1530,

27 HB09-1280 amended as printed in Senate Journal, May 4, 2009,  
28 page 1530,

29 HB09-1346 amended as printed in Senate Journal, May 4, 2009,  
30 pages 1530-1531,

31 HB09-1333 amended as printed in Senate Journal, May 4, 2009,  
32 page 1531,

33 HB09-1349 amended as printed in Senate Journal, May 4, 2009, page  
34 1538,

35 HB09-1065 amended as printed in Senate Journal, May 4, 2009, page  
36 1539,

37 HB09-1359 amended as printed in Senate Journal, May 4, 2009,  
38 page 1539,

39 HB09-1157 amended as printed in Senate Journal, May 4, 2009,  
40 page 1539,

41 HB09-1073 amended as printed in Senate Journal, May 4, 2009, pages  
42 1539-1540, and amended on Third Reading as printed in  
43 Senate Journal, May 5, 2009,

44 HB09-1137 amended as printed in Senate Journal, May 4, 2009,  
45 pages 1540-1542, and amended on Third Reading as  
46 printed in Senate Journal, May 5, 2009,

47 HB09-1010 amended as printed in Senate Journal, May 4, 2009,  
48 page 1542,

49 HB09-1105 amended as printed in Senate Journal, May 4, 2009,  
50 pages 1542-1543,

51 HB09-1343 amended as printed in Senate Journal, May 4, 2009,  
52 page 1543,

53 HCR09-1003 amended as printed in Senate Journal, May 4, 2009,  
54 page 1543,

55 HB09-1288 amended as printed in Senate Journal, May 4, 2009,  
56 page 1544,

1 HB09-1126 amended as printed in Senate Journal, May 4, 2009,  
2 page 1544,  
3 HB09-1081 amended as printed in Senate Journal, May 4, 2009,  
4 page 1544,  
5 HB09-1246 amended as printed in Senate Journal, May 4, 2009,  
6 page 1544,  
7 HB09-1319 amended as printed in Senate Journal, May 4, 2009,  
8 pages 1531-1538, and amended on Third Reading as  
9 printed in Senate Journal, May 5, 2009.

10  
11

12 The Senate voted to concur in House amendments to SB09-289,  
13 SB09-232, SB09-283, SB09-294, and SB09-244, and repassed the bills  
14 as so amended.

15

16 In response to the request of the House for a Conference Committee on  
17 HB09-1342, the President appoints Senators Boyd- Chair, Williams, and  
18 White as conferees on the First Conference Committee on  
19 HB09-1342. The Senate has granted permission to the First Conference  
20 Committee on HB09-1342 to go beyond the scope of differences between  
21 the two houses.

22

23 In response to the request of the House for a Conference Committee on  
24 HB09-1282, the President appoints Senators Schwartz- Chair, Foster, and  
25 Kester as conferees on the First Conference Committee on  
26 HB09-1282. The Senate has granted permission to the First Conference  
27 Committee on HB09-1282 to go beyond the scope of differences between  
28 the two houses.

29

30 In response to the request of the House for a Conference Committee on  
31 HB09-1111, the President appoints Senators Boyd- Chair, Schwartz, and  
32 Kester as conferees on the First Conference Committee on  
33 HB09-1111. The Senate has granted permission to the First Conference  
34 Committee on HB09-1111 to go beyond the scope of differences between  
35 the two houses.

36

37 In response to the request of the House for a Conference Committee on  
38 HB09-1163, the President appoints Senators Veiga- Chair, Romer, and  
39 Harvey as conferees on the First Conference Committee on  
40 HB09-1163. The Senate has granted permission to the First Conference  
41 Committee on HB09-1163 to go beyond the scope of differences between  
42 the two houses.

43

44 The Senate has postponed indefinitely HB09-1369. The bill is returned  
45 herewith.

46

47

48

49

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#### MESSAGE(S) FROM THE REVISOR

50

51 We herewith transmit:

52 Without comment, as amended, HB09-1274, 1094, 1204, 1280, 1346,  
53 1333, 1349, 1065, 1359, 1157, 1073, 1137, 1010, 1105, 1343, 1288,  
54 1126, 1081, 1246, 1319, and HCR09-1003.

55

56

1 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

2  
3 **HB09-1126** by Representative(s) Hullinghorst, Curry; also Senator(s)  
4 Shaffer B., Heath--Concerning incentives for the  
5 development of solar thermal energy systems.

6  
7 (Amended as printed in Senate Journal, May 4, page 1544.)

8  
9 Representative Hullinghorst moved that the House **concur** in Senate  
10 amendments. The motion was declared **passed** by the following roll call  
11 vote:

	YES	63	NO	2	EXCUSED	0	ABSENT	0
14	Acree	N	Green	Y	McCann	Y	Roberts	Y
15	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
16	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
17	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
18	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
19	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
20	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
21	Court	Y	King S.	Y	Murray	Y	Stephens	Y
22	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
23	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
24	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
25	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
26	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
27	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
28	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
29	Gerou	Y	May	Y	Riesberg	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**.

	YES	44	NO	21	EXCUSED	0	ABSENT	0
38	Acree	N	Green	Y	McCann	Y	Roberts	Y
39	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
40	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
41	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
42	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
43	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
44	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
45	Court	Y	King S.	N	Murray	N	Stephens	N
46	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
47	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
48	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
49	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
50	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
51	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
52	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
53	Gerou	Y	May	N	Riesberg	Y	Weissmann	N
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Court, Labuda, Levy, McFadyen,  
56 Middleton, Pommer, Priola, Rice, Solano, Vigil



1 **HB09-1274** by Representative(s) Weissmann; also Senator(s) Carroll  
 2 M., Groff--Concerning capital crimes, and making an  
 3 appropriation in connection therewith.  
 4

5 (Amended as printed in Senate Journal, May 4, pages 1522-1526.)  
 6

7 Representative Weissmann moved that the House **not concur** in Senate  
 8 amendments and that a Conference Committee be appointed. A substitute  
 9 motion by Representative May that the House **concur** in Senate  
 10 amendments was declared **lost** by the following roll call vote:  
 11

	YES	31	NO	34	EXCUSED	0	ABSENT	0
13	Acree	Y	Green	N	McCann	N	Roberts	Y
14	Apuan	N	Hullinghorst	N	McFadyen	N	Ryden	N
15	Balmer	Y	Judd	N	McKinley	N	Scanlan	N
16	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
17	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
18	Bradford	Y	Kerr A.	N	Middleton	Y	Sonnenberg	Y
19	Casso	N	Kerr J.	Y	Miklosi	N	Soper	Y
20	Court	N	King S.	Y	Murray	Y	Stephens	Y
21	Curry	N	Labuda	N	Nikkel	Y	Summers	Y
22	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
23	Fischer	N	Levy	N	Peniston	N	Tipton	Y
24	Frangas	Y	Liston	Y	Pommer	N	Todd	N
25	Gagliardi	Y	Looper	Y	Primavera	N	Vaad	Y
26	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
27	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
28	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
29							Speaker	N

30  
 31 Representative Weissmann's motion that the House **not concur** in Senate  
 32 amendments and that a Conference Committee be appointed was declared  
 33 **passed** by the following roll call vote:  
 34

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

53 The Speaker appointed Representatives Weissmann, Chairman, Miklosi  
 54 and Waller as House conferees to the bill.  
 55

1 **HB09-1094** by Representative(s) Levy, Fischer, Hulinghorst, Kefalas;  
 2 also Senator(s) Bacon--Concerning wireless telephone  
 3 prohibitions for drivers, and making an appropriation in  
 4 connection therewith.

5  
 6 (Amended as printed in Senate Journal, May 4, pages 1526-1528.)

7  
 8 Representative Levy moved that the House **not concur** in Senate  
 9 amendments and that a Conference Committee be appointed with  
 10 permission to go beyond the scope of the differences between the House  
 11 and the Senate. A substitute motion by Representative McNulty that the  
 12 House **concur** in Senate amendments was declared **lost** by the following  
 13 roll call vote:

	YES	29	NO	35	EXCUSED	1	ABSENT	0
16	Acree	Y	Green	N	McCann	N	Roberts	Y
17	Apuan	N	Hullinghorst	N	McFadyen	N	Ryden	N
18	Balmer	Y	Judd	N	McKinley	N	Scanlan	N
19	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
20	Benfield	N	Kefalas	N	Merrifield	N	Solano	N
21	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
22	Casso	N	Kerr J.	Y	Miklosi	N	Soper	Y
23	Court	N	King S.	Y	Murray	Y	Stephens	Y
24	Curry	N	Labuda	N	Nikkel	Y	Summers	Y
25	Ferrandino	N	Lambert	Y	Pace	Y	Swalm	Y
26	Fischer	N	Levy	N	Peniston	N	Tipton	Y
27	Frangas	N	Liston	Y	Pommer	N	Todd	N
28	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
29	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
30	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
31	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
32							Speaker	E

33  
 34  
 35  
 36 Representative Levy's motion that the House **not concur** in Senate  
 37 amendments and that a Conference Committee be appointed with  
 38 permission to go beyond the scope of the differences between the House  
 39 and the Senate was declared **passed** by the following roll call vote:

	YES	37	NO	27	EXCUSED	1	ABSENT	0
42	Acree	N	Green	Y	McCann	Y	Roberts	N
43	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
44	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
45	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
46	Benfield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
47	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
48	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
49	Court	Y	King S.	N	Murray	N	Stephens	N
50	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
51	Ferrandino	Y	Lambert	N	Pace	N	Swalm	N
52	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
53	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
54	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
55	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
56	Gardner C.	N	Massey	N	Rice	Y	Waller	N

1 Gerou N May N Riesberg Y Weissmann Y  
 2 Speaker E  
 3 The Speaker appointed Representatives Levy, Chairman, Fischer and  
 4 McNulty as House conferees to the bill.

5  
 6 **HB09-1204** by Representative(s) Massey, McGihon; also Senator(s)  
 7 Boyd--Concerning health insurance coverage for  
 8 preventive health care services, and, in connection  
 9 therewith, expanding required coverage for certain  
 10 preventive health care services that receive high  
 11 recommendations from the United States preventive  
 12 services task force and the national commission on  
 13 prevention priorities.

14  
 15 (Amended as printed in Senate Journal, May 4, page 1530.)

16  
 17 Representative Massey moved that the House **concur** in Senate  
 18 amendments. The motion was declared **passed** by the following roll call  
 19 vote:

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

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**.

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



1	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
2	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
3	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
4							Speaker	E

5 Co-sponsor(s) added: Representative(s) Gerou, Nikkel, Priola, Swalm, Vigil

6  
7 **HB09-1333** by Representative(s) Riesberg, McFadyen, Sonnenberg;  
8 also Senator(s) Bacon, Kopp, Schwartz--Concerning the  
9 transfers of money to the state museum cash fund.

10  
11 (Amended as printed in Senate Journal, May 4, page 1531.)

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:

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

35  
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**.

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

1	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
2							Speaker	E

3 Co-sponsor(s) added: Representative(s) Labuda

4  
5 **HB09-1349** by Representative(s) Fischer; also Senator(s) Heath--  
6 Concerning a special election period for the continuation  
7 of health care coverage after involuntary termination from  
8 employment.  
9

10 (Amended as printed in Senate Journal, May 4, page 1538.)

11  
12 Representative Fischer moved that the House **concur** in Senate  
13 amendments. The motion was declared **passed** by the following roll call  
14 vote:  
15

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

34  
35  
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

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

1	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
2							Speaker	E

3 Co-sponsor(s) added: Representative(s) Court, Labuda

4  
5 **HB09-1065** by Representative(s) Benefield, Todd; also Senator(s)  
6 Spence--Concerning the quality teachers commission, and,  
7 in connection therewith, creating an educator identifier  
8 system.

9  
10 (Amended as printed in Senate Journal, May 4, page 1539.)

11  
12 Representative Benefield moved that the House **concur** in Senate amend-  
13 ments. The motion was declared **passed** by the following roll call vote:

15	YES	65	NO	0	EXCUSED	0	ABSENT	0
16	Acree	Y	Green	Y	McCann	Y	Roberts	Y
17	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
18	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
19	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
20	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
21	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
22	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
23	Court	Y	King S.	Y	Murray	Y	Stephens	Y
24	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
25	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
26	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
27	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
28	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
29	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
30	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
31	Gerou	Y	May	Y	Riesberg	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	65	NO	0	EXCUSED	0	ABSENT	0
39	Acree	Y	Green	Y	McCann	Y	Roberts	Y
40	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
41	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
42	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
43	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
44	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
45	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
46	Court	Y	King S.	Y	Murray	Y	Stephens	Y
47	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
48	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
49	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
50	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
51	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
52	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
53	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
54	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
55							Speaker	Y

56 Co-sponsor(s) added: Representative(s) Curry, Green, Murray, Vigil

1 **HB09-1359** by Representative(s) Kerr A.; also Senator(s) Boyd--  
 2 Concerning the governance of common interest  
 3 communities under the "Colorado Common Interest  
 4 Ownership Act".  
 5

6 (Amended as printed in Senate Journal, May 4, page 1539.)  
 7

8 Representative Kerr A., moved that the House **concur** in Senate  
 9 amendments. The motion was declared **passed** by the following roll call  
 10 vote:  
 11

	YES	54	NO	11	EXCUSED	0	ABSENT	0
13	Acree	N	Green	Y	McCann	Y	Roberts	Y
14	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
15	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
16	Baumgardner	N	Kagan	Y	McNulty	Y	Schafer S.	Y
17	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
18	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
19	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
20	Court	Y	King S.	Y	Murray	Y	Stephens	Y
21	Curry	Y	Labuda	N	Nikkel	N	Summers	Y
22	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
23	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
24	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
25	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
26	Gardner B.	Y	Marostica	Y	Priola	N	Vigil	Y
27	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
28	Gerou	Y	May	N	Riesberg	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**.  
 35

	YES	55	NO	9	EXCUSED	1	ABSENT	0
37	Acree	N	Green	Y	McCann	Y	Roberts	Y
38	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
39	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
40	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
41	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
42	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
43	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
44	Court	Y	King S.	Y	Murray	Y	Stephens	Y
45	Curry	Y	Labuda	N	Nikkel	N	Summers	Y
46	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
47	Fischer	Y	Levy	N	Peniston	Y	Tipton	Y
48	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
49	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
50	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
51	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
52	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
53							Speaker	E

54  
 55



1 **HB09-1157** by Representative(s) Waller, Baumgardner, Bradford,  
 2 King S., Liston, Stephens; also Senator(s) Kopp, King K.,  
 3 Scheffel--Concerning the designation of N-  
 4 benzyloperazine as a schedule I controlled substance.

5  
 6 (Amended as printed in Senate Journal, May 4, page 1539.)

7  
 8 Representative Waller moved that the House **not concur** in Senate  
 9 amendments and that a Conference Committee be appointed. The motion  
 10 was declared **passed** by the following roll call vote:

	YES	62	NO	2	EXCUSED	1	ABSENT	0
13	Acree	Y	Green	Y	McCann	Y	Roberts	Y
14	Apuan	Y	Hullinghorst	Y	McFadyen	N	Ryden	Y
15	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
16	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
17	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
18	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
19	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
20	Court	Y	King S.	Y	Murray	Y	Stephens	Y
21	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
22	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
23	Fischer	Y	Levy	N	Peniston	Y	Tipton	Y
24	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
25	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
26	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
27	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
28	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
29							Speaker	E

30 The Speaker appointed Representatives Waller, Chairman, McCann and  
 31 Pommer as House conferees to the bill.

32  
 33  
 34  
 35 **HB09-1073** by Representative(s) Massey, Frangas, Kerr J., Riesberg;  
 36 also Senator(s) Boyd and Kopp, Morse--Concerning  
 37 electronic prescriptions in the medical assistance program,  
 38 and making an appropriation in connection therewith.

39  
 40 (Amended as printed in Senate Journal, May 4, pages 1539-1540, and  
 41 amended on Third Reading, as printed in Senate Journal, May 5.)

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:

	YES	60	NO	4	EXCUSED	1	ABSENT	0
48	Acree	Y	Green	Y	McCann	Y	Roberts	Y
49	Apuan	Y	Hullinghorst	Y	McFadyen	N	Ryden	Y
50	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
51	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	Y
52	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
53	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
54	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
55	Court	Y	King S.	Y	Murray	Y	Stephens	Y
56	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y

1	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
2	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
3	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
4	Gagliardi	Y	Looper	Y	Primavera	N	Vaad	Y
5	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
6	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
7	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
8							Speaker	E

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	0	EXCUSED	1	ABSENT	0
16	Acree	Y	Green	Y	McCann	Y	Roberts	Y
17	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
18	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
19	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
20	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
21	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
22	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
23	Court	Y	King S.	Y	Murray	Y	Stephens	Y
24	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
25	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
26	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
27	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
28	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
29	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
30	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
31	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
32							Speaker	E

33 Co-sponsor(s) added: Representative(s) Ferrandino, Kefalas, Pommer, Priola  
 34

35 **HB09-1137** by Representative(s) Judd; also Senator(s) Newell--  
 36 Concerning intercepts, and, in connection therewith,  
 37 intercepting gambling winnings to pay outstanding  
 38 restitution and requiring the department of revenue to  
 39 provide specified information to state agencies in  
 40 conjunction with intercepts of tax refunds.  
 41

42 (Amended as printed in Senate Journal, May 4, pages 1540-1542, and  
 43 amended on Third Reading, as printed in Senate Journal, May 5.)  
 44

45 Representative Judd moved that the House **not concur** in Senate  
 46 amendments and that a Conference Committee be appointed. The motion  
 47 was declared **passed** by the following roll call vote:  
 48

49	YES	57	NO	8	EXCUSED	0	ABSENT	0
50	Acree	Y	Green	Y	McCann	Y	Roberts	Y
51	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
52	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
53	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
54	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
55	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
56	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y

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

11 The Speaker appointed Representatives Judd, Chairman, Levy and  
 12 Bradford as House conferees to the bill.

13  
 14 **HB09-1010** by Representative(s) Massey and McGihon; also  
 15 Senator(s) Gibbs and Spence--Concerning the promotion  
 16 of Colorado as a location for film production activities,  
 17 and making an appropriation therefor.

18  
 19 (Amended as printed in Senate Journal, May 4, page 1542.)

20  
 21 Representative Massey moved that the House **concur** in Senate  
 22 amendments. The motion was declared **passed** by the following roll call  
 23 vote:

24	YES	65	NO	0	EXCUSED	0	ABSENT	0
25	Acree	Y	Green	Y	McCann	Y	Roberts	Y
26	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
27	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
28	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
29	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
30	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
31	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
32	Court	Y	King S.	Y	Murray	Y	Stephens	Y
33	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
34	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
35	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
36	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
37	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
38	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
39	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
40	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
41							Speaker	Y

42  
 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	YES	61	NO	4	EXCUSED	0	ABSENT	0
49	Acree	Y	Green	Y	McCann	Y	Roberts	Y
50	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
51	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
52	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
53	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
54	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
55	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y

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

11 Co-sponsor(s) added: Representative(s) Curry, Labuda, Priola, Stephens

12  
13 **HB09-1105** by Representative(s) Kefalas; also Senator(s) Scheffel--  
14 Concerning the creation of the Colorado innovation  
15 investment tax credit to be applied against state income  
16 taxes, and making an appropriation in connection  
17 therewith.

18  
19 (Amended as printed in Senate Journal, May 4, pages 1542-1543.)

20  
21 Representative Kefalas moved that the House **concur** in Senate amend-  
22 ments. The motion was declared **passed** by the following roll call vote:

23	YES	65	NO	0	EXCUSED	0	ABSENT	0
24								
25	Acree	Y	Green	Y	McCann	Y	Roberts	Y
26	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
27	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
28	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
29	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
30	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
31	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
32	Court	Y	King S.	Y	Murray	Y	Stephens	Y
33	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
34	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
35	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
36	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
37	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
38	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
39	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
40	Gerou	Y	May	Y	Riesberg	Y	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 **repassed**.

47	YES	58	NO	7	EXCUSED	0	ABSENT	0
48								
49	Acree	Y	Green	Y	McCann	Y	Roberts	Y
50	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
51	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
52	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
53	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
54	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
55	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
56	Court	Y	King S.	Y	Murray	Y	Stephens	Y

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

10 Co-sponsor(s) added: Representative(s) Fischer

11  
 12 **HB09-1343** by Representative(s) Massey, Solano, Todd, Gagliardi,  
 13 Merrifield; also Senator(s) Williams, Foster, Heath,  
 14 Hudak, Shaffer B.--Concerning the creation of the early  
 15 childhood and school readiness legislative oversight  
 16 commission.

17  
 18 (Amended as printed in Senate Journal, May 4, page 1543.)

19  
 20 Representative Massey moved that the House **concur** in Senate  
 21 amendments. The motion was declared **passed** by the following roll call  
 22 vote:

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

41  
 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 **repassed**.

47	YES	65	NO	0	EXCUSED	0	ABSENT	0
48	Acree	Y	Green	Y	McCann	Y	Roberts	Y
49	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
50	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
51	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
52	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
53	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
54	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
55	Court	Y	King S.	Y	Murray	Y	Stephens	Y

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

10 Co-sponsor(s) added: Representative(s) Curry

11

12 **HCR09-1003** by Representative(s) Lambert; also Senator(s) King K.--  
 13 Submitting to the registered electors of the state of  
 14 Colorado an amendment to section 2 of article XVIII of  
 15 the constitution of the state of Colorado, concerning the  
 16 regulation of games of chance by an authority specified by  
 17 the general assembly.

18

19 (Amended as printed in Senate Journal, May 4, page 1543.)

20

21 Representative Lambert moved that the House **concur** in Senate  
 22 amendments. As shown by the following recorded vote, a constitutional  
 23 two thirds majority of those elected to the House voted in the affirmative  
 24 and the motion was declared **passed**.

25

26	YES	64	NO	1	EXCUSED	0	ABSENT	0
27	Acree	Y	Green	N	McCann	Y	Roberts	Y
28	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
29	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
30	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
31	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
32	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
33	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
34	Court	Y	King S.	Y	Murray	Y	Stephens	Y
35	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
36	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
37	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
38	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
39	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
40	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
41	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
42	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
43							Speaker	Y

44

45 The question being, "Shall the resolution, as amended, pass?".

46 A roll call vote was taken. As shown by the following recorded vote, a  
 47 constitutional two thirds majority of those elected to the House voted in  
 48 the affirmative, and the resolution, as amended, was declared **repassed**.

49

50	YES	64	NO	1	EXCUSED	0	ABSENT	0
51	Acree	Y	Green	N	McCann	Y	Roberts	Y
52	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
53	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
54	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
55	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
56	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y

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

12 Co-sponsor(s) added: Representative(s) Stephens

13  
 14 **HB09-1288** by Representative(s) Nikkel, Acree, Apuan, Bradford,  
 15 Casso, Court, Frangas, Gardner B., Gardner C., Kerr J.,  
 16 King S., Lambert, Liston, Massey, May, McKinley,  
 17 McNulty, Murray, Priola, Sonnenberg, Stephens,  
 18 Summers, Swalm, Tipton, Vigil; also Senator(s) Kopp,  
 19 Brophy, Harvey, Kester, Lundberg, Mitchell, Penry,  
 20 Renfroe, Scheffel, Schultheis, Spence--Concerning the  
 21 creation of a searchable database web site related to state  
 22 finances.

23  
 24 (Amended as printed in Senate Journal, May 4, page 1544.)

25  
 26 Representative Nikkel moved that the House **concur** in Senate  
 27 amendments. The motion was declared **passed** by the following roll call  
 28 vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
31	Acree	Y	Green	Y	McCann	Y	Roberts	Y
32	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
33	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
34	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
35	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
36	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
37	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
38	Court	Y	King S.	Y	Murray	Y	Stephens	Y
39	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
40	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
41	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
42	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
43	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
44	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
45	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
46	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
47							Speaker	Y

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	65	NO	0	EXCUSED	0	ABSENT	0
54								
55	Acree	Y	Green	Y	McCann	Y	Roberts	Y
56	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y

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

16 Co-sponsor(s) added: Representative(s) Middleton, Pace

17

18 **HB09-1081** by Representative(s) Looper; also Senator(s) Morse--  
 19 Concerning an increase in the length of the statute of  
 20 limitations for vehicular homicide.

21

22 (Amended as printed in Senate Journal, May 4, page 1544.)

23

24 Representative Looper moved that the House **concur** in Senate  
 25 amendments. The motion was declared **passed** by the following roll call  
 26 vote:

27

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

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

24 Co-sponsor(s) added: Representative(s) Acree, Frangas, Marostica, Stephens

25  
 26 **HB09-1346** by Representative(s) Carroll T.; also Senator(s) Shaffer B.-  
 27 -Concerning authorization for public entities in the state to  
 28 fully utilize the financing instruments available to them  
 29 under the federal economic stimulus act known as the  
 30 "American Recovery and Reinvestment Act of 2009".

31  
 32 (Amended as printed in Senate Journal, May 4, pages 1530-1531.)

33  
 34 Representative Carroll T., moved that the House **concur** in Senate  
 35 amendments. The motion was declared **passed** by the following roll call  
 36 vote:

	YES	51	NO	14	EXCUSED	0	ABSENT	0
39	Acree	N	Green	Y	McCann	Y	Roberts	Y
40	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
41	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
42	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
43	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
44	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
45	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
46	Court	Y	King S.	N	Murray	Y	Stephens	N
47	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
48	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
49	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
50	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
51	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
52	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
53	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
54	Gerou	Y	May	N	Riesberg	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	45	NO	20	EXCUSED	0	ABSENT	0
7	Acree	N	Green	Y	McCann	Y	Roberts	Y
8	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
9	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
10	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	Y
11	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
12	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
13	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
14	Court	Y	King S.	N	Murray	Y	Stephens	N
15	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
16	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
17	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
18	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
19	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
20	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
21	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
22	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
23							Speaker	Y

24  
 25 **HB09-1170** by Representative(s) Casso, Pace; also Senator(s)  
 26 Tochtrop--Concerning unemployment insurance benefits  
 27 for locked-out employees.

28  
 29 (Amended as printed in Senate Journal, April 27, page 1299.)

30  
 31 Representative Casso moved that the House **concur** in Senate  
 32 amendments. The motion was declared **passed** by the following roll call  
 33 vote:

	YES	43	NO	22	EXCUSED	0	ABSENT	0
36	Acree	N	Green	Y	McCann	Y	Roberts	N
37	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
38	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
39	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	Y
40	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
41	Bradford	N	Kerr A.	Y	Middleton	N	Sonnenberg	N
42	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
43	Court	Y	King S.	N	Murray	Y	Stephens	Y
44	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
45	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
46	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
47	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
48	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
49	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
50	Gardner C.	N	Massey	N	Rice	N	Waller	N
51	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
52							Speaker	Y

53  
 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

1 majority of those elected to the House voted in the affirmative, and the  
2 bill, as amended, was declared **repassed**.

	YES	36	NO	29	EXCUSED	0	ABSENT	0
5	Acree	N	Green	Y	McCann	Y	Roberts	N
6	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
7	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
8	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
9	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
10	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
11	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
12	Court	Y	King S.	N	Murray	N	Stephens	N
13	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
14	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
15	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
16	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
17	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
18	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
19	Gardner C.	N	Massey	N	Rice	N	Waller	N
20	Gerou	N	May	N	Riesberg	N	Weissmann	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Apuan, Hullinghorst

23  
24  
25 **FIRST REPORT OF SECOND CONFERENCE COMMITTEE**  
26 **on SB09-256**

27 This Report Amends the Rerevised Bill.

28  
29 To the President of the Senate and the  
30 Speaker of the House of Representatives:

31  
32 Your second conference committee appointed on SB09-256,  
33 concerning the financing of public schools, and making an appropriation  
34 therefor, has met and reports that it has agreed upon the following:

35  
36 1. That the Senate accede to the House amendments made to the  
37 bill, as the amendments appear in the rerevised bill, with the following  
38 changes:

39  
40 Amend rerevised bill, page 11, strike lines 20 and 21 and substitute the  
41 following:

42  
43 "~~this subsection (3). but shall apply to the district's share of its total~~  
44 ~~program pursuant to section 22-54-106 (1) (a) (1).~~"

45  
46 Page 12, after line 26, insert the following:

47  
48 "**SECTION 9.** 22-54-124 (4), Colorado Revised Statutes, is  
49 amended to read:

50  
51 **22-54-124. State aid for charter schools - use of state education**  
52 **fund moneys - definitions.** (4) For the 2001-02 budget year, the  
53 2003-04 budget year, and each budget year thereafter, the general  
54 assembly shall annually appropriate from the state education fund created  
55 in section 17 (4) of article IX of the state constitution, to the department  
56 of education for distribution to eligible school districts and eligible

1 institute charter schools in accordance with the formula set forth in  
 2 paragraph (a) of subsection (3) of this section, an amount equal to the  
 3 total amount of moneys to be distributed to all districts and institute  
 4 charter schools as determined pursuant to said formula.

5  
 6 (a) PRIOR TO THE 2009-10 BUDGET YEAR, from the moneys  
 7 appropriated for a given budget year PURSUANT TO THIS SECTION, the  
 8 department shall make lump sum payments of all moneys to be distributed  
 9 to each eligible school district and eligible institute charter school during  
 10 the budget year as soon as possible.

11  
 12 (b) FOR THE 2009-10 BUDGET YEAR AND EACH BUDGET YEAR  
 13 THEREAFTER, THE DEPARTMENT SHALL DISTRIBUTE THE TOTAL AMOUNT  
 14 TO BE DISTRIBUTED PURSUANT TO THIS SECTION TO EACH ELIGIBLE SCHOOL  
 15 DISTRICT AND ELIGIBLE INSTITUTE CHARTER SCHOOL IN TWELVE  
 16 APPROXIMATELY EQUAL MONTHLY PAYMENTS DURING THE APPLICABLE  
 17 BUDGET YEAR IN CONJUNCTION WITH THE DISTRIBUTION OF THE STATE'S  
 18 SHARE OF DISTRICT TOTAL PROGRAM PURSUANT TO SECTION 22-54-115."

19  
 20 Renumber succeeding sections accordingly.

21  
 22 Page 13, after line 11, insert the following:

23 "SECTION 11. 22-30.5-112 (2) (a.7), Colorado Revised Statutes,  
 24 is amended to read:

25  
 26 **22-30.5-112. Charter schools - financing - definitions -**  
 27 **guidelines.** (2) (a.7) For the 2000-01 budget year ~~and budget years~~  
 28 ~~thereafter~~ THROUGH THE 2008-09 BUDGET YEAR, each charter school shall  
 29 annually allocate the minimum per pupil dollar amount specified in  
 30 section 22-54-105 (2) (b), multiplied by the number of students enrolled  
 31 in the charter school who are not students enrolled in an on-line program,  
 32 as defined in section 22-30.7-102 (9), to a fund created by the charter  
 33 school for capital reserve purposes, as set forth in section 22-45-103 (1)  
 34 (c) and (1) (e), or solely for the management of risk-related activities, as  
 35 identified in section 24-10-115, C.R.S., and article 13 of title 29, C.R.S.,  
 36 or among such allowable funds. Said moneys shall be used for the  
 37 purposes set forth in section 22-45-103 (1) (c) and (1) (e) and may not be  
 38 expended by the charter school for any other purpose. ANY MONEYS  
 39 REMAINING IN SUCH FUND THAT HAVE NOT BEEN EXPENDED PRIOR TO THE  
 40 2009-10 BUDGET YEAR SHALL BE BUDGETED FOR THE PURPOSES SET FORTH  
 41 IN SECTION 22-45-103 (1) (c) AND (1) (e) IN THE 2009-10 BUDGET YEAR OR  
 42 ANY BUDGET YEAR THEREAFTER."

43  
 44 Renumber succeeding sections accordingly.

45  
 46 Page 24, line 17, strike "study - repeal." and substitute "study -  
 47 **authority to contract - funding.**".

48  
 49 Page 26, after line 12, insert the following:

50 "(4) (a) FOLLOWING COMPLETION OF THE FEASIBILITY STUDY, IF  
 51 THE COMMISSIONER CONCLUDES THAT THE CREATION AND OPERATION OF  
 52 STATE RESIDENTIAL SCHOOLS WOULD BE BENEFICIAL TO THE STATE, THE  
 53 COMMISSIONER MAY CONTRACT FOR THE CREATION AND OPERATION OF  
 54 ONE OR MORE STATE RESIDENTIAL SCHOOLS TO PROVIDE EDUCATIONAL  
 55 SERVICES TO STUDENTS WHO ARE AT RISK OF ACADEMIC FAILURE. ANY  
 56 STATE RESIDENTIAL SCHOOL OPERATED PURSUANT TO THIS SECTION SHALL

1 PROVIDE AN EDUCATIONAL PROGRAM FOCUSED ON MATHEMATICS AND  
2 SCIENCE.

3  
4 (b) IF THE COMMISSIONER DOES NOT CONTRACT FOR STATE  
5 RESIDENTIAL SCHOOLS AS AUTHORIZED IN PARAGRAPH (a) OF THIS  
6 SUBSECTION (4), THE COMMISSIONER MAY PROVIDE TECHNICAL  
7 ASSISTANCE TO SCHOOL DISTRICTS AND PUBLIC SCHOOLS TO ADDRESS THE  
8 NEEDS OF STUDENTS WHO ARE AT RISK OF ACADEMIC FAILURE BY  
9 IMPROVING THE AVAILABILITY AND QUALITY OF SECONDARY-LEVEL  
10 MATHEMATICS AND SCIENCE CURRICULA.

11  
12 (5) (a) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT UP TO  
13 THREE MILLION DOLLARS BE APPROPRIATED TO THE COMMISSIONER TO  
14 EXPEND FOR THE IMPLEMENTATION OF SUBSECTION (4) OF THIS SECTION.  
15 THE GENERAL ASSEMBLY FINDS THAT, FOR PURPOSES OF SECTION 17 OF  
16 ARTICLE IX OF THE STATE CONSTITUTION, THE CREATION OF STATE  
17 RESIDENTIAL SCHOOLS AND THE PROVISION OF TECHNICAL ASSISTANCE TO  
18 IMPROVE SECONDARY-LEVEL MATHEMATICS AND SCIENCE CURRICULA AS  
19 PROVIDED IN SUBSECTION (4) OF THIS SECTION ARE IMPORTANT ELEMENTS  
20 OF ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC STANDARDS, AND  
21 THE GENERAL ASSEMBLY MAY THEREFORE APPROPRIATE MONEYS FROM  
22 THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX  
23 OF THE STATE CONSTITUTION FOR THE IMPLEMENTATION OF SUBSECTION  
24 (4) OF THIS SECTION.

25  
26 (b) IN ADDITION TO THE FUNDING PROVIDED PURSUANT TO  
27 PARAGRAPH (a) OF THIS SUBSECTION (5), IF THE COMMISSIONER  
28 CONTRACTS FOR THE CREATION AND OPERATION OF ONE OR MORE STATE  
29 RESIDENTIAL SCHOOLS, THE DEPARTMENT SHALL PROVIDE FUNDING FOR  
30 SAID SCHOOLS BY WITHHOLDING MONEYS FROM THE STATE SHARE OF  
31 TOTAL PROGRAM FUNDING PAYABLE TO THE DISTRICT OF RESIDENCE OF  
32 EACH STUDENT WHO ENROLLS IN A STATE RESIDENTIAL SCHOOL. THE  
33 AMOUNT WITHHELD SHALL BE EQUAL TO THE AMOUNT OF THE SCHOOL  
34 DISTRICT'S PER PUPIL REVENUE FOR THE APPLICABLE BUDGET YEAR  
35 MULTIPLIED BY THE NUMBER OF STUDENTS WHO RESIDE IN THE SCHOOL  
36 DISTRICT AND ARE ENROLLED IN THE STATE RESIDENTIAL SCHOOL AS OF  
37 OCTOBER 1 OF THE APPLICABLE BUDGET YEAR. A STUDENT WHO ENROLLS  
38 IN A STATE RESIDENTIAL SCHOOL SHALL BE COUNTED IN THE PUPIL  
39 ENROLLMENT OF THE STUDENT'S SCHOOL DISTRICT OF RESIDENCE FOR  
40 PURPOSES OF THIS PARAGRAPH (b). THE DEPARTMENT SHALL ADOPT  
41 GUIDELINES AS NECESSARY FOR THE IMPLEMENTATION OF THIS  
42 PARAGRAPH (b).";

43  
44 line 13, strike "(4)" and substitute "(c)";

45  
46 line 14, strike "THIS" and substitute "THE";

47  
48 line 17, after the period, add "THE COMMISSIONER IS AUTHORIZED TO SEEK  
49 AND ACCEPT ADDITIONAL PUBLIC OR PRIVATE GIFTS, GRANTS, OR  
50 DONATIONS FOR THE IMPLEMENTATION OF THIS SECTION.";

51  
52 strike line 18.

53  
54 Page 37, after line 12, insert the following:

55 "SECTION 36. 24-75-601.1 (1), Colorado Revised Statutes, is  
56 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

1           **24-75-601.1. Legal investments of public funds.** (1) It is lawful  
2 to invest public funds in any of the following securities:

3  
4           (h.5) ANY CERTIFICATE OF PARTICIPATION OR OTHER SECURITY  
5 EVIDENCING RIGHTS IN PAYMENTS TO BE MADE BY A SCHOOL DISTRICT  
6 UNDER A LEASE, LEASE-PURCHASE AGREEMENT, OR SIMILAR  
7 ARRANGEMENT IF THE SECURITY, AT THE TIME OF PURCHASE, CARRIES AT  
8 LEAST TWO CREDIT RATINGS FROM ANY OF THE NATIONALLY RECOGNIZED  
9 CREDIT RATING AGENCIES AND IS RATED AT OR ABOVE "A" BY ALL SUCH  
10 CREDIT AGENCIES THAT HAVE PROVIDED A RATING."

11  
12 Renumber succeeding sections accordingly.

13  
14 Page 39, line 20, strike "22 through 24, 26, and 34" and substitute "26  
15 through 28, 30, and 43";

16  
17 line 22, strike "27 through 29 and 35" and substitute "31 through 33, 40,  
18 and 44";

19  
20 line 24, strike "31" and substitute "35".

21  
22 Page 40, line 1, strike "32" and substitute "41".

23  
24           2. That, under the authority granted the committee to consider  
25 matters not at issue between the two houses, the following amendments  
26 be recommended:

27  
28 Amend rerevised bill, page 9, after line 2, insert the following:

29  
30           **"SECTION 4.** Article 54 of title 22, Colorado Revised Statutes,  
31 is amended BY THE ADDITION OF A NEW SECTION to read:

32  
33           **22-54-106.5. Fiscal emergency restricted reserve - calculation**  
34 **of reserve amount.** (1) FOR THE 2009-10 BUDGET YEAR, THE GENERAL  
35 ASSEMBLY DETERMINES THAT A STATE FINANCIAL CRISIS REQUIRES EACH  
36 DISTRICT AND THE STATE CHARTER SCHOOL INSTITUTE TO BUDGET AN  
37 AMOUNT TO A FISCAL EMERGENCY RESTRICTED RESERVE PURSUANT TO  
38 SECTION 22-44-119. USING THE TOTAL AMOUNT TO BE BUDGETED FOR THE  
39 RESERVE AS SPECIFIED IN SUBSECTION (3) OF THIS SECTION, THE  
40 DEPARTMENT OF EDUCATION SHALL CALCULATE THE AMOUNT TO BE  
41 BUDGETED TO THE FISCAL EMERGENCY RESTRICTED RESERVE BY EACH  
42 DISTRICT AND THE STATE CHARTER SCHOOL INSTITUTE. THE AMOUNT  
43 BUDGETED BY EACH DISTRICT AND THE STATE CHARTER SCHOOL INSTITUTE  
44 SHALL BE RELEASED FOR EXPENDITURE BY THE DISTRICT OR FOR  
45 DISTRIBUTION TO INSTITUTE CHARTER SCHOOLS BY THE STATE CHARTER  
46 SCHOOL INSTITUTE, AS APPLICABLE, ON JANUARY 29, 2010, IF A NEGATIVE  
47 SUPPLEMENTAL APPROPRIATION TO EFFECT A RECISION OF THE TOTAL  
48 AMOUNT OF RESTRICTED RESERVE AS SPECIFIED IN SUBSECTION (3) OF THIS  
49 SECTION, OR ANY PORTION THEREOF, HAS NOT BEEN ENACTED AND  
50 BECOME LAW BY SAID DATE.

51  
52           (2) THE DEPARTMENT OF EDUCATION SHALL CALCULATE THE  
53 AMOUNT TO BE BUDGETED TO THE FISCAL EMERGENCY RESTRICTED  
54 RESERVE FOR THE 2009-10 BUDGET YEAR BY DIVIDING THE TOTAL  
55 AMOUNT TO BE BUDGETED FOR THE 2009-10 BUDGET YEAR, AS SPECIFIED  
56 IN SUBSECTION (3) OF THIS SECTION, BY THE SUM OF THE TOTAL PROGRAM

1 OF ALL DISTRICTS AND INSTITUTE CHARTER SCHOOL FUNDING. THE  
 2 DEPARTMENT SHALL CALCULATE THE AMOUNT TO BE BUDGETED BY EACH  
 3 DISTRICT AS AN AMOUNT EQUAL TO THE TOTAL RESTRICTED RESERVE  
 4 MULTIPLIED BY THE DISTRICT'S TOTAL PROGRAM AS CALCULATED  
 5 PURSUANT TO SECTION 22-54-104 (2) (a) (VIII) OR (2) (b), WHICHEVER IS  
 6 APPLICABLE. THE DEPARTMENT SHALL CALCULATE THE AMOUNT TO BE  
 7 BUDGETED BY THE STATE CHARTER SCHOOL INSTITUTE FOR EACH  
 8 INSTITUTE CHARTER SCHOOL BASED ON THE TOTAL RESTRICTED RESERVE  
 9 MULTIPLIED BY THE TOTAL PROGRAM OF THE ACCOUNTING DISTRICT FOR  
 10 EACH INSTITUTE CHARTER SCHOOL.

11  
 12 (3) FOR THE 2009-10 BUDGET YEAR, THE TOTAL AMOUNT OF THE  
 13 RESTRICTED RESERVE SHALL BE ONE HUNDRED TEN MILLION DOLLARS."

14  
 15 Renumber succeeding sections accordingly.

16  
 17 Page 23, after line 1, insert the following:

18 "SECTION 21. Part 1 of article 44 of title 22, Colorado Revised  
 19 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
 20 read:

21  
 22 **22-44-119. Fiscal emergency restricted reserve.** FOR THE  
 23 2009-10 BUDGET YEAR, EACH SCHOOL DISTRICT AND THE STATE CHARTER  
 24 SCHOOL INSTITUTE SHALL BUDGET A TOTAL DOLLAR AMOUNT DETERMINED  
 25 BY THE DEPARTMENT OF EDUCATION TO A FISCAL EMERGENCY RESTRICTED  
 26 RESERVE IN THE GENERAL FUND. THE AMOUNT BUDGETED BY EACH  
 27 SCHOOL DISTRICT AND THE STATE CHARTER SCHOOL INSTITUTE SHALL BE  
 28 RELEASED FOR EXPENDITURE BY THE DISTRICT OR FOR DISTRIBUTION TO  
 29 INSTITUTE CHARTER SCHOOLS BY THE STATE CHARTER SCHOOL INSTITUTE,  
 30 AS APPLICABLE, ON JANUARY 29, 2010, IF A NEGATIVE SUPPLEMENTAL  
 31 APPROPRIATION TO EFFECT A RECISION OF THE TOTAL AMOUNT OF THE  
 32 RESTRICTED RESERVE AS SPECIFIED IN SECTION 22-54-106.5 (3), OR ANY  
 33 PORTION THEREOF, HAS NOT BEEN ENACTED AND BECOME LAW BY SAID  
 34 DATE."

35  
 36 Renumber succeeding sections accordingly.

37  
 38 Page 37, before line 13, insert the following:

39 "SECTION 37. **Repeal.** 22-43.7-109 (9) (c) (II), Colorado  
 40 Revised Statutes, is repealed as follows:

41  
 42 **22-43.7-109. Financial assistance for public school capital**  
 43 **construction - application requirements - evaluation criteria - local**  
 44 **match requirements.** (9) Except as otherwise provided in subsection  
 45 (10) of this section, the board shall recommend and the state board shall  
 46 approve financial assistance for a public school facility capital  
 47 construction project only if the applicant provides matching moneys in an  
 48 amount equal to a percentage of the total financing for the project  
 49 determined by the board after consideration of the applicant's financial  
 50 capacity, as determined by the following factors:

51  
 52 (c) With respect to a charter school's application for financial  
 53 assistance:

54  
 55 (II) ~~The per pupil revenue received by the charter school from the~~  
 56 ~~state that is required by law to be credited to a capital construction~~



1 reserve;

2

3 **SECTION 38.** 22-43.7-202 (4) (b), Colorado Revised Statutes,  
4 is amended to read:

5

6 **22-43.7-202. Applications for grants and matching grants -**  
7 **rules.** (4) The board shall prioritize each application for a grant or a  
8 matching grant that describes a capital construction project deemed  
9 eligible by the board for a grant or matching grant pursuant to this part 2.  
10 The board shall prioritize the applications based on the following criteria,  
11 in descending order of importance:

12

13 (b) Capital construction projects in school districts or for institute  
14 charter schools that have previously demonstrated consistent efforts to  
15 allocate moneys to the school districts' or institute charter schools' capital  
16 reserve fund. ~~in excess of the minimum amounts required pursuant to~~  
17 ~~section 22-54-105 (2) or 22-30.5-514 (1).~~

18

19 **SECTION 39.** 22-44-112 (2) (a), Colorado Revised Statutes, is  
20 amended to read:

21

22 **22-44-112. Transfer of moneys.** (2) (a) A board of education  
23 may transfer by resolution any unencumbered moneys from one fund to  
24 another, except ~~the capital reserve fund, any fund or account in the~~  
25 ~~general fund established solely for the management of risk-related~~  
26 ~~activities, the transportation fund, the special building and technology~~  
27 ~~fund, OR the bond redemption fund. or the instructional supplies and~~  
28 ~~materials account or the instructional capital outlay account in the general~~  
29 ~~fund; except that unencumbered moneys may be transferred by resolution~~  
30 ~~of the board between the capital reserve fund and any fund or account in~~  
31 ~~the general fund established solely for the management of risk-related~~  
32 ~~activities and between the instructional supplies and materials account~~  
33 ~~and the instructional capital outlay account in the general fund.~~

34

35 **SECTION 40.** 22-11-601 (2), Colorado Revised Statutes, as  
36 enacted in Senate Bill 09-163, is amended to read:

37

38 **22-11-601. Colorado school awards program - created - rules.**  
39 (2) In addition to the monetary awards made and distributed pursuant to  
40 ~~sections 22-11-602, 22-11-603~~ SECTIONS 22-11-602, 22-11-603,  
41 22-11-603.5, and 22-11-605, the state board may annually apply any  
42 amount remaining from the amount annually appropriated for  
43 implementation of section 22-11-202 to provide tangible items of  
44 recognition, such as banners or trophies, to schools that receive the John  
45 Irwin schools of excellence awards and the governor's distinguished  
46 improvement awards.".

47

48 Renumber succeeding sections accordingly.

49

50 Respectfully submitted,

51 Senate Committee:

52 (signed)

53 Bob Bacon

54 Chris Romer

55

56

House Committee:

(signed)

Jack Pommer

Mark Ferrandino

Don Marostica

1 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**

2  
3 **SB09-256** by Senator(s) Romer and Bacon; also Representative(s)  
4 Pommer and Scanlan--Concerning the financing of public  
5 schools, and making an appropriation therefor.

6  
7 (Conference Committee Report printed in House Journal, May 5,  
8 pages 1820-1824.)

9  
10 On motion of Representative Pommer, the Conference Committee Report  
11 was **adopted** by the following roll call vote:

	YES	41	NO	24	EXCUSED	0	ABSENT	0
14	Acree	N	Green	Y	McCann	Y	Roberts	Y
15	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
16	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
17	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	Y
18	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
19	Bradford	N	Kerr A.	N	Middleton	Y	Sonnenberg	N
20	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
21	Court	Y	King S.	N	Murray	Y	Stephens	N
22	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
23	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
24	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
25	Frangas	N	Liston	N	Pommer	Y	Todd	Y
26	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
27	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
28	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
29	Gerou	N	May	N	Riesberg	Y	Weissmann	N
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**.

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

55 Co-sponsors added: Representative(s) Curry.

1                   **NOTICE OF INTENT TO RECONSIDER HB09-1126**

2  
3 Having voted on the prevailing side, Representative Hullinghorst served  
4 notice of intent to reconsider the last House action (Repassage) on  
5 **HB09-1126**.

6  
7  
8  
9                   **CHANGE IN CONFEREE(S)**

10  
11 The Speaker announced the following change in conferees:  
12 HB09-1157--Representative Pace to replace Representative McCann as  
13 conferee on the First Conference Committee.

14  
15  
16  
17                   **CONSENT GRANTED TO CONFERENCE COMMITTEE**

18  
19 Representative Waller moved that the First Conference Committee on  
20 **HB09-1157** be granted permission to go beyond the scope of the  
21 difference between the House and the Senate. The motion was passed by  
22 the following roll call vote:

	YES	63	NO	1	EXCUSED	1	ABSENT	0
25	Acree	Y	Green	Y	McCann	Y	Roberts	Y
26	Apuan	Y	Hullinghorst	Y	McFadyen	N	Ryden	Y
27	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
28	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	E
29	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
30	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
31	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
32	Court	Y	King S.	Y	Murray	Y	Stephens	Y
33	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
34	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
35	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
36	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
37	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
38	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
39	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
40	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
41							Speaker	Y

42  
43  
44  
45                   **REPORTS TO THE COLORADO GENERAL ASSEMBLY**

46  
47 The following Reports have been received by the Chief Clerk of the House of  
48 Representatives. The reports are on file in the Library of Legislative Council.

49  
50 **Colorado Water Resources and Power Development Authority**

51     2008 Annual Report, (pursuant to 37-95-116, CRS)

52  
53 **Department of the Air Force**

54     Final Environmental Assessment--Disposal and reuse of Buckley Annex,  
55     Denver

56

- 1 **Colorado Rural Development Council**
- 2 2008 annual report
- 3
- 4 **Department of Revenue**
- 5 Division of Gaming
- 6 Limited Gaming Control Division annual report 2008
- 7 Liquor Enforcement Division
- 8 Liquor enforcement actions for calendar year 2008, (pursuant to 12-47-601
- 9 (8), CRS)
- 10
- 11 **Department of the Treasury**
- 12 Statement of financial condition:
- 13 as of December 31, 2008
- 14 as of March 31, 2009

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**LAY OVER OF CALENDAR ITEM(S)**

- 17
- 18
- 19
- 20 On motion of Representative Weissmann, the following item(s) on the
- 21 Calendar were laid over until May 6, retaining place on Calendar:
- 22
- 23 Consideration of Third Reading--**SB09-285, 295, 286.**
- 24 Consideration of Resolution(s)--**HJR09-1029.**
- 25 Consideration of Memorial(s)--**SJM09-010.**

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29 On motion of Representative Weissmann, the House adjourned until

30 10:00 a.m., May 6, 2009.

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Approved:  
TERRANCE D. CARROLL,  
Speaker

35 Attest:

36 MARILYN EDDINS,

37 Chief Clerk