

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

Seventy-seventh Legislative Day

Tuesday, March 24, 2009

1 Prayer sung by Carolyn and Whitney Hammond, Fort Collins.

2

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

4

5 Pledge of Allegiance led by Arvid Bray, Remington Elementary School,
6 Colorado Springs.

7

8 The roll was called with the following result:

9

10 Present--56.

11 Excused--Representative(s) Curry, Gerou, Labuda, McGihon,
12 Middleton, Riesberg, Scanlan, Solano, Todd--9.

13 Present after roll call--Representative(s) Curry, Gerou, Labuda,
14 Middleton, Riesberg, Scanlan, Solano, Todd.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Pace, the reading of the journal of
20 March 23, 2009, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22

23

24

25

REPORT(S) OF COMMITTEE(S) OF REFERENCE

26

EDUCATION

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

30

31 **HB09-1304** be postponed indefinitely.

32

33

34

35

JUDICIARY

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

39

40 **HB09-1137** be amended as follows, and as so amended, be referred to
41 the Committee on Appropriations with favorable
42 recommendation:

43

1 Strike the Appropriations Committee Report, dated March 13, 2009.

2

3 Strike the Judiciary Committee Report, dated February 12, 2009, and
4 substitute the following:

5

6 "Amend printed bill, page 2, after line 6, insert the following:

7

8 "SECTION 2. 12-47.1-701 (1) (b), Colorado Revised Statutes, is
9 amended to read:

10

11 **12-47.1-701. Limited gaming fund.** (1) There is hereby created
12 in the office of the state treasurer the limited gaming fund. The fund shall
13 be maintained and operated as follows:

14

15 (b) In addition to the initial appropriation to the division, all
16 moneys paid into the limited gaming fund shall be available immediately,
17 without further appropriation, for the purposes of said fund. From the
18 moneys in the limited gaming fund, the state treasurer is hereby
19 authorized to pay all ongoing expenses of the commission, the
20 department, the division, and any other state agency from whom
21 assistance related to the administration of this article is requested by the
22 commission, director, or executive director. FOR STATE FISCAL YEARS
23 COMMENCING ON OR AFTER JULY 1, 2009, IF THERE ARE INSUFFICIENT
24 MONEYS IN THE GAMBLING PAYMENT INTERCEPT CASH FUND CREATED IN
25 SECTION 24-35-605 (3) (a), C.R.S., THE STATE TREASURER IS AUTHORIZED
26 TO PAY ALL ONGOING EXPENSES OF THE DEPARTMENT AND ANY OTHER
27 STATE AGENCY RELATED TO THE ADMINISTRATION OF THE "GAMBLING
28 PAYMENT INTERCEPT ACT", PART 6 OF ARTICLE 35 OF TITLE 24, C.R.S.;
29 EXCEPT THAT ANY EXPENSES RELATED TO THE IMPLEMENTATION OF
30 HOUSE BILL 09-1137, ENACTED IN 2009, THAT ARE INCURRED PRIOR TO
31 JANUARY 1, 2011, AND RELATED TO AN INTERCEPT FOR AN OUTSTANDING
32 DEBT THAT IS RESTITUTION SHALL BE SPREAD EQUALLY BETWEEN STATE
33 FISCAL YEARS 2009-10 AND 2010-11. Such payment shall be made upon
34 proper presentation of a voucher prepared by the commission in
35 accordance with other statutes governing payments of liabilities incurred
36 on behalf of the state. Such payment shall not be conditioned on any
37 appropriation by the general assembly. Receipt of such payment shall
38 constitute spending authority by the department of revenue, division of
39 gaming."

40

41 Renumber succeeding sections accordingly.

42

43 Page 3, line 5, strike "RESTITUTION,";

44

45 line 6, strike "FINES, AND FEES" and substitute "RESTITUTION";

46

47 line 8, strike "RESTITUTION, FINES, AND FEES" and substitute
48 "RESTITUTION";

49

50 strike lines 10 through 15;

51

52 strike lines 21 through 23.

53

54 Reletter succeeding paragraphs accordingly.

55

56 Page 3, line 25, after "C.R.S.;" , add "AND".

1 Page 4, line 3, strike "C.R.S.; AND" and substitute "C.R.S.";
2
3 strike lines 4 through 6;
4
5 line 9, strike "THE FOLLOWING NEW SUBSECTIONS" and substitute
6 "A NEW SUBSECTION,";
7
8 line 15, strike "(2) (a) OR (2) (b)." and substitute "(2) (a).";
9
10 line 19, strike "(c)." and substitute "(b).";
11
12 strike lines 20 through 23;
13
14 line 25 strike "DEPARTMENT, THE" and substitute "DEPARTMENT AND
15 THE";
16
17 line 26, strike "services, AND THE DEPARTMENT OF REVENUE" and
18 substitute "services";
19
20 line 27, strike "(1.5), (2), AND (2.5)" and substitute "(1.5) AND (2)".
21
22 Page 5, strike line 10 and substitute the following:
23
24 "amended, and the said 24-35-605 is further amended BY THE
25 ADDITION OF A NEW SUBSECTION, to read:";
26
27 line 12, strike "**procedures.**" and substitute "**procedures - gambling**
28 **payment intercept cash fund - creation.**".
29
30 Page 6, strike lines 19 through 23;
31
32 line 27, strike "AND THE DEPARTMENT OF REVENUE".
33
34 Page 7, line 3, strike "EACH" and substitute "THE";
35
36 after line 3, insert the following:
37
38 "(3) (a) IN ADDITION TO THE AMOUNT WITHHELD PURSUANT TO
39 SUBPARAGRAPH (II) OF PARAGRAPH (b) OF SUBSECTION (2) OF THIS
40 SECTION, A LICENSEE SHALL WITHHOLD A FEE OF EIGHTY-FIVE DOLLARS,
41 WHICH AMOUNT SHALL BE ADDED TO THE DEBTOR'S OUTSTANDING DEBT.
42 THE LICENSEE SHALL SEND THE WITHHELD FEE TO THE REGISTRY
43 OPERATOR ALONG WITH THE MONEYS REQUIRED PURSUANT TO
44 SUBPARAGRAPH (III) OF PARAGRAPH (b) OF SUBSECTION (2) OF THIS
45 SECTION, AND THE REGISTRY OPERATOR SHALL FORWARD SUCH AMOUNT
46 TO THE STATE TREASURER FOR DEPOSIT IN THE GAMBLING PAYMENT
47 INTERCEPT CASH FUND, WHICH IS HEREBY CREATED IN THE STATE
48 TREASURY. ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSES
49 SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (3) MAY BE INVESTED BY
50 THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME
51 DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND
52 SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND
53 UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A
54 FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR
55 TRANSFERRED OR REVERT TO THE GENERAL FUND OR ANY OTHER FUND;
56 EXCEPT THAT THE STATE TREASURER SHALL TRANSFER ALL

1 UNAPPROPRIATED MONEYS IN FUND TO THE LIMITED GAMING FUND
 2 CREATED IN SECTION 12-47.1-701 (1), C.R.S., UNTIL SUCH TIME THAT ALL
 3 EXPENDITURES FROM THE LIMITED GAMING FUND TO PAY ONGOING
 4 EXPENSES OF THE DEPARTMENT OF REVENUE AND ANY OTHER STATE
 5 AGENCY RELATED TO THE ADMINISTRATION OF THE "GAMBLING PAYMENT
 6 INTERCEPT ACT", PART 6 OF ARTICLE 35 OF TITLE 24, C.R.S., HAVE BEEN
 7 REPAID FROM THE GAMBLING PAYMENT INTERCEPT CASH FUND.

8
 9 (b) THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEYS IN THE
 10 FUND TO PAY THE ONGOING EXPENSES OF THE DEPARTMENT OF REVENUE
 11 AND ANY OTHER STATE AGENCY RELATED TO THE ADMINISTRATION OF THE
 12 "GAMBLING PAYMENT INTERCEPT ACT", PART 6 OF ARTICLE 35 OF TITLE
 13 24, C.R.S."

14
 15 Page 8, strike lines 12 and 13 and substitute the following:

16
 17 "SECTION 11. 26-13-118.7 (3) and (6), Colorado Revised
 18 Statutes, are amended to read:"

19
 20 strike line 15 and substitute the following:

21
 22 "~~(3) The state department shall deposit a payment received from the~~
 23 ~~registry operator pursuant to section 24-35-605 (2) (b), C.R.S., with the~~
 24 ~~state treasurer.~~ UPON RECEIPT OF A PAYMENT FROM THE REGISTRY
 25 OPERATOR PURSUANT TO SECTION 24-35-605 (2) (b), C.R.S., THE STATE
 26 DEPARTMENT SHALL DEPOSIT THE PAYMENT WITH THE FAMILY SUPPORT
 27 REGISTRY CREATED PURSUANT TO SECTION 26-13-114. After the final
 28 disposition of any administrative review requested pursuant to subsection
 29 (2) of this section, the state department shall disburse the payment ~~to the~~
 30 ~~family support registry created in section 26-13-114~~ for processing or for
 31 distribution to the individual receiving support enforcement services
 32 pursuant to section 26-13-106, as appropriate.

33
 34 (6) ~~This section shall be repealed if part 6 of article 35 of title 24,~~
 35 ~~C.R.S.,";~~

36
 37 line 17, strike "(3) (a) (II),";

38
 39 line 18, strike "(3) (a) (VI), and (3) (a) (VII)," and substitute "and (3) (a)
 40 (VI),";

41
 42 strike lines 20 through 27.

43
 44 Page 9, strike lines 1 through 5;

45
 46 line 6, strike "(III)" and substitute "**39-21-108. Refunds.** (3) (a) (III)";

47
 48 line 8, strike "monthly with the state treasurer" and substitute "~~monthly~~
 49 ~~with the state treasurer~~ IN THE FAMILY SUPPORT REGISTRY CREATED
 50 PURSUANT TO SECTION 26-13-114, C.R.S.,";

51
 52 strike lines 9 through 17 and substitute the following:

53
 54 "human services. For all names and amounts certified by the department
 55 of human services pursuant to section 26-13-111, C.R.S., the executive
 56 director of the department of revenue shall provide to the department of

1 human services the taxpayers' names and associated amounts deposited
2 with the state treasurer and any other identifying information as required
3 by the department of human services."
4

5 Page 10, strike lines 26 and 27.
6

7 Page 11, strike lines 1 through 12;
8

9 line 20, strike "This";
10

11 strike line 21 and substitute the following:
12

13 "Sections 1, 2, 3, 4, 10, 11, 12, 13, and 14 of this act shall take effect
14 September 1, 2009, and the remainder of this act shall take effect January
15 1, 2011."
16

17 Page 1, strike line 103;
18

19 line 104, strike "TAXES" and substitute "RESTITUTION"."
20
21
22

23 **HB09-1238** be postponed indefinitely.
24
25

26 PRINTING REPORT

27
28
29 The Chief Clerk reports the following bills have been correctly printed:
30 **HB09-1320, 1321, 1322, 1323, 1324, 1325.**
31
32

33 THIRD READING OF BILLS--FINAL PASSAGE

34
35
36
37 The following bills were considered on Third Reading. The titles were
38 publicly read. Reading of the bill at length was dispensed with by
39 unanimous consent.
40

41 **HB09-1284** by Representative(s) Levy--Concerning corridor capacity
42 strategic planning to foster transportation efficiency.
43

44 Laid over until March 25, retaining place on Calendar.
45
46

47 **HB09-1311** by Representative(s) Benefield; also Senator(s) Veiga--
48 Concerning the sourcing of sales of companies providing
49 mutual fund services for Colorado income tax
50 apportionment.
51

52 The question being "Shall the bill pass?"
53

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

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

20
 21 **HB09-1205** by Representative(s) Looper and Balmer, Apuan,
 22 Baumgardner, Casso, Kerr J., Labuda, Lambert, McNulty,
 23 Murray, Priola, Soper, Swalm, Todd, Vaad; also
 24 Senator(s) Williams, Bacon, Boyd, Gibbs, Schultheis--
 25 Concerning voting by members of the armed forces
 26 serving outside the United States.

27
 28 The question being "Shall the bill pass?".

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

	YES	62	NO	1	EXCUSED	2	ABSENT	0
34	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
35	Apuan	Y	Hullingerhorst	Y	McGihon	E	Ryden	Y
36	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
37	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
38	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	E
39	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
40	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
41	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
42	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
43	Ferrandino	Y	Levy	Y	Pace	N	Swalm	Y
44	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
45	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
46	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
47	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
48	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
49	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Bradford, Court, Ferrandino, Fischer,
 52 Frangas, Gardner B., Gardner C., Green, Kefalas, Liston, Massey, Nikkel,
 53 Pommer, Rice, Ryden, Scanlan, Sonnenberg, Stephens, Summers, Speaker

54
 55 **SB09-117** by Senator(s) Isgar, Hodge; also Representative(s) Vigil--
 56 Concerning the continuation of the regulation by the

1 department of agriculture of persons selling processed
 2 meat, and, in connection therewith, clarifying the statutory
 3 distinction between custom meat processors and the sellers
 4 of home food service plans, amending terms to comport
 5 with current business practices, and increasing consumer
 6 protections.

7
 8 The question being "Shall the bill pass?".
 9 A roll call vote was taken. As shown by the following recorded vote, a
 10 majority of those elected to the House voted in the affirmative and the bill
 11 was declared **passed**.

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

31 Co-sponsor(s) added: Representative(s) Curry, Fischer, Labuda, Looper, Priola,
 32 Ryden, Schafer S., Sonnenberg, Stephens

33
 34 **SB09-141** by Senator(s) Tapia; also Representative(s) Looper and
 35 Pace, Vigil--Concerning the creation of the Fountain creek
 36 watershed, flood control, and greenway district.

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
44	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
45	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
46	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
47	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
48	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	E
49	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
50	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
51	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
52	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
53	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
54	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
55	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
56	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y

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

5 Co-sponsor(s) added: Representative(s) Curry, Fischer, Gardner B., Green,
6 Labuda, Liston, McFadyen, Merrifield, Priola, Ryden, Stephens

7
8 **SB09-038** by Senator(s) Hudak, Boyd, Morse, Shaffer B.; also
9 Representative(s) Marostica--Concerning technical
10 changes to judicial fees.

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

35
36 **SB09-112** by Senator(s) Kopp, Bacon, Groff, Heath, Hudak, King K.,
37 Romer, Spence; also Representative(s) Scanlan--
38 Concerning the repeal of the on-line learning advisory
39 board.

40
41 The question being "Shall the bill pass?".
42 A roll call vote was taken. As shown by the following recorded vote, a
43 majority of those elected to the House voted in the affirmative and the bill
44 was declared **passed**.

46	YES	63	NO	0	EXCUSED	2	ABSENT	0
47	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
48	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
49	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
50	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
51	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	E
52	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
53	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
54	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
55	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
56	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y

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

8 Co-sponsor(s) added: Representative(s) Kerr J., Labuda, Summers, Speaker

9
10 **SB09-048** by Senator(s) Schwartz, Isgar, Schultheis, Tochtrop; also
11 Representative(s) Primavera, Kerr J., McNulty--
12 Concerning the financial audit of the office of the child's
13 representative.
14

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

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

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

38 Co-sponsor(s) added: Representative(s) Fischer, Labuda, Peniston, Ryden,
39 Todd, Vigil

40
41
42 **SB09-100** by Senator(s) Newell, Mitchell, Carroll M., Foster, Heath,
43 Hodge, Morse; also Representative(s) Frangas, Primavera,
44 Rice--Concerning amending the definition of
45 "noncustodial parent" in the "Colorado Works Program
46 Act" to enable a noncustodial parent to receive
47 employment assistance regardless of whether the
48 noncustodial parent's child is receiving assistance under
49 the Colorado works program.
50

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

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

55

	YES	63	NO	0	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	E
7	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
8	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
10	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
12	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
14	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
15	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
16	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
17	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Fischer, Green, Kefalas, Labuda,
20 Schafer S., Todd, Vigil

21
22
23
24 **CONSENT GRANTED TO CONFERENCE COMMITTEE**

25
26 Representative May moved that the First Conference Committee on
27 **HB09-1153** be granted permission to go beyond the scope of the
28 difference between the House and the Senate. The motion was passed by
29 the following roll call vote:

	YES	63	NO	0	EXCUSED	2	ABSENT	0
31								
32	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
33	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
34	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
35	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
36	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	E
37	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
38	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
39	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
40	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
41	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
42	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
43	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
44	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
45	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
46	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
47	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
48							Speaker	Y

49
50
51
52 On motion of Representative Miklosi, the House resolved itself into
53 Committee of the Whole for consideration of General Orders, and he was
54 called to the Chair to act as Chairman.

GENERAL ORDERS--SECOND READING OF BILLS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55

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

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

HB09-1176 by Representative(s) Green; also Senator(s) Williams--
Concerning the driving privilege of minor drivers.

(Previously amended as printed in House Journal, March 20, page 802.)

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

HB09-1120 by Representative(s) Stephens; also Senator(s) Penry--
Concerning criminalizing certain acts in order to protect the safety of certain public servants, and making an appropriation in connection therewith.

Amendment No. 1, Judiciary Report, dated January 29, 2009, and placed in member's bill file; Report also printed in House Journal, January 30, pages 186-187.

Amendment No. 2, Appropriations Report, dated March 20, 2009, and placed in member's bill file; Report also printed in House Journal, March 20, page 813.

Amendment No. 3, by Representative(s) Stephens.

Amend the Judiciary Committee Report, dated January 29, 2009, page 3, line 1, strike "officer" and substitute "officer, EMERGENCY MEDICAL TECHNICIAN,".

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

HB09-1196 by Representative(s) Gerou, Kerr J., Kerr A., McNulty, Schafer S., Summers; also Senator(s) Boyd--Concerning the use of moneys derived from civil money penalties imposed on nursing facilities to fund innovation in nursing home care.

Amendment No. 1, Health & Human Services Report, dated February 19, 2009, and placed in member's bill file; Report also printed in House Journal, February 20, pages 462-463.

Amendment No. 2, Appropriations Report, dated March 20, 2009, and placed in member's bill file; Report also printed in House Journal, March 20, pages 813-814.

1 Amendment No. 3, by Representative(s) Gerou.

2

3 Amend printed bill, page 8, line 12, strike "CREATED IN THE DEPARTMENT
4 OF HEALTH"; and substitute "CREATED, WITHIN THE STATE LONG-TERM
5 CARE OMBUDSMAN PROGRAM ESTABLISHED UNDER THE DEPARTMENT OF
6 HUMAN SERVICES PURSUANT TO SECTION 26-11.5-104, C.R.S.";

7

8 line 13, strike "CARE POLICY AND FINANCING";

9

10 line 14, strike "BOARD, WHICH" and substitute "BOARD. THE
11 ACCOUNTABILITY BOARD";

12

13 line 16, strike "AND LOCAL".

14

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

17

18 **HB09-1213** by Representative(s) Gagliardi; also Senator(s) Schwartz--
19 Concerning the creation of the housing development grant
20 fund in the state treasury to be administered by the division
21 of housing for purposes associated with increasing the
22 supply of affordable housing in the state.

23

24 Amendment No. 1, Local Government Report, dated February 12, 2009,
25 and placed in member's bill file; Report also printed in House Journal,
26 February 12, page 318.

27

28 Amendment No. 2, Appropriations Report, dated March 20, 2009, and
29 placed in member's bill file; Report also printed in House Journal,
30 March 20, page 814.

31

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

34

35 **HB09-1243** by Representative(s) Middleton and Massey, Labuda,
36 Casso, Court, McGihon, Miklosi, Peniston, Primavera,
37 Ryden, Scanlan, Todd, Vigil; also Senator(s) Bacon,
38 Spence--Concerning measures to raise the graduation rate
39 in public high schools in Colorado.

40

41 Amendment No. 1, Education Report, dated February 19, 2009, and
42 placed in member's bill file; Report also printed in House Journal,
43 February 20, pages 456-459.

44

45 Amendment No. 2, Appropriations Report, dated March 20, 2009, and
46 placed in member's bill file; Report also printed in House Journal,
47 March 20, page 814.

48

49 Amendment No. 3, by Representative(s) Middleton.

50

51 Amend printed bill, page 11, line 17, after the second "PRIORITY", insert
52 "LOCAL";

53

54 line 20, strike "22-14-107 (4)," and substitute "22-14-107 (5),";

55

56 line 22, after "PRIORITY", insert "LOCAL EDUCATION PROVIDERS".

1 Page 12, line 4, before "PRIORITY", insert "HIGH PRIORITY OR";
2
3 line 8, before "PRIORITY", insert "HIGH PRIORITY OR".
4
5 Page 14, line 12, strike "22-14-110." and substitute "22-14-111."
6
7 Page 18, line 9, before the first "PRIORITY", insert "HIGH".
8
9 Page 21, line 5, strike "DISTRICT IMPROVEMENT";
10
11 line 6, strike "PLAN." and substitute "PLAN THE SCHOOL DISTRICT IS
12 REQUIRED TO ADOPT BASED ON ITS ACCREDITATION CATEGORY."
13
14 Page 27, line 2, strike "22-14-110." and substitute "22-14-111."
15
16 As amended, ordered engrossed and placed on the Calendar for Third
17 Reading and Final Passage.
18
19 **HB09-1275** by Representative(s) Apuan, Balmer, McFadyen, Rice,
20 Solano; also Senator(s) Morse, Heath, Mitchell, Schwartz,
21 Veiga--Concerning the ability of the department of public
22 health and environment to issue a provisional certification
23 to an applicant seeking certification as an emergency
24 medical technician.
25
26 Amendment No. 1, Health & Human Services Report, dated
27 March 2, 2009, and placed in member's bill file; Report also printed in
28 House Journal, March 4, pages 602-603.
29
30 Amendment No. 2, Appropriations Report, dated March 20, 2009, and
31 placed in member's bill file; Report also printed in House Journal,
32 March 20, page 815.
33
34 Amendment No. 3, by Representative(s) Apuan.
35
36 Amend printed bill, page 2, line 13, strike "SHALL" and substitute "MAY";
37
38 line 16, strike "THE DEPARTMENT SHALL REVOKE:
39
40 strike lines 17 through 19 and substitute the following:
41
42 "IF THE DEPARTMENT FINDS THAT AN EMERGENCY MEDICAL TECHNICIAN
43 THAT HAS RECEIVED A PROVISIONAL CERTIFICATION HAS VIOLATED ANY
44 REQUIREMENTS FOR CERTIFICATION, THE DEPARTMENT MAY IMPOSE
45 DISCIPLINARY SANCTIONS PURSUANT TO SUBPARAGRAPH (IV) OF
46 PARAGRAPH (b) OF THIS SUBSECTION (1).";
47
48 line 22, strike "MAY ACQUIRE" and substitute "SHALL REQUIRE THE
49 APPLICANT TO SUBMIT".
50
51 Page 3, line 1, strike "OF THE APPLICANT".
52
53 As amended, ordered engrossed and placed on the Calendar for Third
54 Reading and Final Passage.
55

1 **HB09-1291** by Representative(s) Nikkel, Casso, Court, Gardner C.,
2 Hullinghorst, Kerr J., Labuda, Lambert, Massey, Miklosi,
3 Murray, Stephens, Todd; also Senator(s) Shaffer B.,
4 Bacon, Boyd, Cadman, Lundberg, Schultheis, Williams--
5 Concerning providing information regarding resources
6 available to veterans of the United States armed forces.

7
8 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
9 March 3, 2009, and placed in member's bill file; Report also printed in
10 House Journal, March 4, page 609.

11
12 As amended, ordered engrossed and placed on the Calendar for Third
13 Reading and Final Passage.

14
15 **HB09-1293** by Representative(s) Riesberg and Ferrandino, Pommer,
16 Marostica, Apuan, Carroll T., Court, Curry, Gagliardi,
17 Green, Judd, Kefalas, Levy, Massey, McFadyen,
18 McGihon, Middleton, Miklosi, Pace, Peniston, Primavera,
19 Schafer S., Todd, Vigil, Weissmann; also Senator(s)
20 Keller and Boyd, Tapia, White, Carroll M., Foster, Groff,
21 Hodge, Isgar, Kester, Morse, Newell, Shaffer B.,
22 Tochtrop, Williams--Concerning a hospital provider fee,
23 and, in connection therewith, authorizing the department
24 of health care policy and financing to charge and collect a
25 hospital provider fee and specifying the allowable uses of
26 the fees.

27
28 Amendment No. 1, Health & Human Services Report, dated
29 March 13, 2009, and placed in member's bill file; Report also printed in
30 House Journal, March 16, pages 744-748.

31
32 Amendment No. 2, Appropriations Report, dated March 20, 2009, and
33 placed in member's bill file; Report also printed in House Journal,
34 March 20, pages 815.

35
36 Amendment No. 3, by Representative(s) Ferrandino.

37
38 Amend the Appropriations Committee Report, dated March 20, 2009,
39 page 5, strike line 8 and substitute the following:

40
41 "2009.";

42
43 line 9, strike "2009," and substitute "2010,";

44
45 line 10, strike "2009," and substitute "2010,";

46
47 line 15, strike "2009," and substitute "2010,";

48
49 line 16, strike "2009," and substitute "2010,".

50
51 Amendment No. 4, by Representative(s) McNulty.

52
53 Amend the Health and Human Services Committee Report, dated March
54 13, 2009, page 2, after line 16, insert the following:

55
56 "Page 21, line 21, strike "STATUTES" and substitute "STATUTES, TO THE

1 STATE AUDITOR,"."

2

3 Page 6 of the Health and Human Services Committee Report, strike lines
4 17 through 22 and substitute the following:

5

6 **"SECTION 10.** Part 1 of article 3 of title 2, Colorado Revised
7 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
8 read:

9

10 **2-3-119. Audit of hospital provider fee - cost shift.**

11 (1) STARTING WITH THE FIRST FULL STATE FISCAL YEAR FOLLOWING THE
12 RECEIPT OF THE NOTICE FROM THE EXECUTIVE DIRECTOR OF THE
13 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING PURSUANT TO
14 SECTION 25.5-4-402.3 (7), C.R.S., AND EVERY TWO YEARS THEREAFTER,
15 THE STATE AUDITOR SHALL CONDUCT OR CAUSE TO BE CONDUCTED A
16 PERFORMANCE AUDIT OF THE HOSPITAL PROVIDER FEE ESTABLISHED
17 PURSUANT TO SECTION 25.5-4-402.3, C.R.S. THE AUDITS SHALL INCLUDE
18 BUT NOT BE LIMITED TO THE EFFECT THAT ASSESSMENT OF THE HOSPITAL
19 PROVIDER FEE AND THE CORRESPONDING INCREASE IN HOSPITAL
20 REIMBURSEMENT RATES AND EXPANDED ELIGIBILITY FOR PUBLIC MEDICAL
21 BENEFITS HAS HAD ON:

22

23 (a) THE LEVEL OF UNCOMPENSATED CARE PROVIDED BY HOSPITALS
24 THROUGHOUT THE STATE; AND

25

26 (b) THE NEED FOR SHIFTING OF THE COST FOR UNCOMPENSATED
27 CARE TO PRIVATE INSURANCE AND OTHER PRIVATE PAYORS OF HOSPITAL
28 SERVICES.

29

30 (2) THE STATE AUDITOR SHALL SUBMIT HIS OR HER REPORTS TO
31 THE LEGISLATIVE AUDIT COMMITTEE AND THEN TO THE HEALTH AND
32 HUMAN SERVICES COMMITTEES OF THE GENERAL ASSEMBLY OR ANY
33 SUCCESSOR COMMITTEES.";

34

35 strike lines 26 through 29 of the Health and Human Services Committee
36 Report.

37

38 Amendment No. 5, by Representative(s) Primavera and Kerr J.

39

40 Amend, Amendment No. 4, by Representative McNulty, printed in
41 House Journal page 873, strike lines 3 through 36 and substitute the
42 following:

43 "Page 6 of the Health and Human Services Committee Report, line 17,
44 strike ""SECTION 10." and substitute the following

45

46 **""SECTION 10.** Part 1 of article 3 of title 2, Colorado Revised
47 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
48 read:

49

50 **2-3-119. Audit of hospital provider fee - cost shift.**

51 (1) STARTING WITH THE SECOND FULL STATE FISCAL YEAR FOLLOWING
52 THE RECEIPT OF THE NOTICE FROM THE EXECUTIVE DIRECTOR OF THE
53 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING PURSUANT TO
54 SECTION 25.5-4-402.3 (7), C.R.S., AND THEREAFTER AT THE DISCRETION
55 OF THE LEGISLATIVE AUDIT COMMITTEE, THE STATE AUDITOR SHALL
56 CONDUCT OR CAUSE TO BE CONDUCTED A PERFORMANCE AND FISCAL

1 AUDIT OF THE HOSPITAL PROVIDER FEE ESTABLISHED PURSUANT TO
 2 SECTION 25.5-4-402.3, C.R.S.

3
 4

SECTION 11."

5

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

8

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

18

19 Ordered engrossed and placed on the Calendar for Third Reading and
 20 Final Passage.

21

22 On motion of Representative Weissmann, the remainder of the General
 23 Orders Calendar (**SB09-054, 059, 050, 181, 227, 062, 053, 119, 150, 101,**
 24 **014, 039, 107, 165, 157, 005, 129, 169, 013, 036, 047, 060, 109, 182,**
 25 **216, 168, 173, 042, 020, 092, 148, 175, 222, 105, 132, 131, 237, 137,**
 26 **143, 231, 084, 051, 078, 177**) was laid over until March 26, retaining
 27 place on Calendar.

28

29

30

AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT

31

32
 33 Representative(s) Acree, Tipton, Priola, and Kerr J. moved to amend the
 34 Report of the Committee of the Whole to reverse the action taken by the
 35 Committee in not adopting the following Acree amendment, to
 36 HB09-1293, to show that said amendment passed, and that **HB09-1293**,
 37 as amended, passed.

38

39 Amend printed bill, page 9, strike lines 5 and 6 and substitute the
 40 following:

41

42 "(f) A HOSPITAL SHALL NOT PASS ANY PORTION OF THE COSTS OF
 43 THE HOSPITAL PROVIDER FEE ON TO ANY PAYOR FOR SERVICES AT THE
 44 HOSPITAL."

45

46 The amendment was declared **lost** by the following roll call vote:

47

	YES	27	NO	37	EXCUSED	1	ABSENT	0
49	Acree	Y	Green	N	McFadyen	N	Roberts	Y
50	Apuan	N	Hullinghorst	N	McGihon	E	Ryden	N
51	Balmer	Y	Judd	N	McKinley	Y	Scanlan	N
52	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	N
53	Benefield	N	Kerr A.	N	Merrifield	N	Solano	N
54	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y
55	Casso	N	King S.	Y	Miklosi	N	Soper	N
56	Court	N	Labuda	N	Murray	Y	Stephens	Y

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

10

11 Representative(s) Stephens and C. Gardner moved to amend the Report
 12 of the Committee of the Whole to reverse the action taken by the
 13 Committee in not adopting the following Stephens amendment, to
 14 HB09-1293, to show that said amendment passed, and that **HB09-1293**,
 15 as amended, passed.

16

17 Amend printed bill, page 32, strike lines 23 through 25 and substitute the
 18 following:

19

20 **"SECTION 12 Refer to people under referendum.** This act
 21 shall be submitted to a vote of the registered electors of the state of
 22 Colorado at the next biennial regular general election, for their approval
 23 or rejection, under the provisions of the referendum as provided for in
 24 section 1 of article V of the state constitution, and in article 40 of title 1,
 25 Colorado Revised Statutes. Each elector voting at said election and
 26 desirous of voting for or against said act shall cast a vote as provided by
 27 law either "Yes" or "No" on the proposition: "SHALL THERE BE AN
 28 AMENDMENT TO THE COLORADO REVISED STATUTES, AUTHORIZING A
 29 HOSPITAL PROVIDER FEE, AND, IN CONNECTION THEREWITH, AUTHORIZING
 30 THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING TO CHARGE
 31 AND COLLECT A HOSPITAL PROVIDER FEE AND SPECIFYING THE ALLOWABLE
 32 USES OF THE FEES?" The votes cast for the adoption or rejection of said
 33 act shall be canvassed and the result determined in the manner provided
 34 by law for the canvassing of votes for representatives in Congress.".

35

36 The amendment was declared **lost** by the following roll call vote:

37

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

56

1 Representative(s) Priola moved to amend the Report of the Committee of
 2 the Whole to reverse the action taken by the Committee in not adopting
 3 the following Priola amendment, to HB09-1293, to show that said
 4 amendment passed, and that **HB09-1293**, as amended, passed.

5
 6 Amend printed bill, page 9, strike lines 5 and 6 and substitute the
 7 following:

8
 9 "(f) ON EACH STATEMENT REFLECTING CHARGES FOR SERVICES FOR
 10 WHICH THE HOSPITAL PROVIDER FEE IS ASSESSED, THE HOSPITAL SHALL
 11 DISCLOSE THE AMOUNT OF THE HOSPITAL PROVIDER FEE ATTRIBUTABLE TO
 12 THE CHARGES REFLECTED IN THE STATEMENT."

13
 14 The amendment was declared **lost** by the following roll call vote:

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

34
 35
 36 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

37
 38 Passed Second Reading: **HB09-1176 amended, 1120 amended,**
 39 **1196 amended, 1213 amended, 1243 amended, 1275 amended,**
 40 **1291 amended, 1293 amended, 1305.**

41
 42 Laid over until date indicated retaining place on Calendar: **SB09-054,**
 43 **059, 050, 181, 227, 062, 053, 119, 150, 101, 014, 039, 107, 165, 157,**
 44 **005, 129, 169, 013, 036, 047, 060, 109, 182, 216, 168, 173, 042, 020,**
 45 **092, 148, 175, 222, 105, 132, 131, 237, 137, 143, 231, 084, 051, 078,**
 46 **177--March 26, 2009.**

47
 48 The Chairman moved the adoption of the Committee of the Whole
 49 Report. As shown by the following roll call vote, a majority of those
 50 elected to the House voted in the affirmative, and the Report was
 51 **adopted.**

	YES	64	NO	0	EXCUSED	1	ABSENT	0
54	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
55	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
56	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y

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

REPORT(S) OF COMMITTEE(S) OF REFERENCE

HEALTH & HUMAN SERVICES

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

HB09-1314 be referred to the Committee of the Whole with favorable recommendation.

SB09-056 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 3, line 3, after "SHALL", insert "WORK IN CONSULTATION WITH THE BOARD OF COUNTY COMMISSIONERS FOR LAS ANIMAS COUNTY AND SHALL".

SB09-128 be referred favorably to the Committee on Appropriations.

SB09-144 be referred favorably to the Committee on Appropriations.

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB09-1093, 1099, 1124, 1171, 1179, 1181, 1182, 1188, 1189, 1203, 1223** at 9:20 a.m. on March 24, 2009.

1 **MESSAGE(S) FROM THE SENATE**

2
3 The Senate has passed on Third Reading and returns herewith:
4 HB09-1297, HB09-1214, HB09-1253, HB09-1276, HB09-1224.

5
6 The Senate has passed on Third Reading and transmitted to the Revisor
7 of Statutes:

8
9 SB09-176 amended as printed in Senate Journal, March 23, 2009,
10 page 827.

11
12 The Senate has passed on Third Reading and transmitted to the Revisor
13 of Statutes:

14
15 HB09-1057 amended as printed in Senate Journal, March 23, 2009,
16 page 827.

17
18
19
20 **MESSAGE(S) FROM THE REVISOR**

21
22 We herewith transmit:
23 Without comment, as amended, HB09-1057.
24 Without comment, as amended, SB09-176.

25
26
27
28 **INTRODUCTION OF BILLS**
29 **First Reading**

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

33
34 **HB09-1326** by Representative(s) Carroll T. and Court, Apuan,
35 Benefield, Casso, Curry, Ferrandino, Fischer, Green,
36 Hullinghorst, Kefalas, Kerr A., Levy, May, McCann,
37 McFadyen, Merrifield, Middleton, Miklosi, Peniston,
38 Pommer, Ryden, Scanlan, Schafer S., Solano, Stephens,
39 Todd, Vigil; also Senator(s) Shaffer B., Bacon, Boyd,
40 Groff, Heath, Penry, Williams--Concerning the integrity of
41 the statewide citizen-initiated petition process.
42 Committee on State, Veterans, & Military Affairs

43
44 **HB09-1327** by Representative(s) Hullinghorst, Court, Fischer,
45 Gagliardi, Levy, McCann, Peniston, Pommer, Rice,
46 Sonnenberg, Vigil, Weissmann; also Senator(s) Tochtrop,
47 Heath--Concerning modifications to the urban renewal law
48 to address impacts to specified taxing entities arising from
49 the use of tax increment financing mechanisms to support
50 urban renewal projects.
51 Committee on Local Government

52
53 **HB09-1328** by Representative(s) Pace; also Senator(s) Tapia--
54 Concerning a preference for the purchase of United States
55 steel products by governmental bodies.
56 Committee on State, Veterans, & Military Affairs

1 **SB09-176** by Senator(s) Spence; also Representative(s) Casso and
2 Massey--Concerning charter school participation in school
3 district bond elections.
4 Committee on Education

5 _____
6

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

10 On motion of Representative Weissmann, the following item(s) on the
11 Calendar were laid over until March 25, retaining place on Calendar:

- 12
13 Consideration of Conference Committee Report(s)--**SB09-208, 210.**
14 Consideration of Resolution(s)--**SJR09-026.**
15 Consideration of Senate Amendment(s)--**HB09-1254, 1125, 1053, 1139,**
16 **1089, 1110, 1143, 1216, 1260.**

17 _____
18

19
20 On motion of Representative Weissmann, the House adjourned until
21 9:00 a.m., March 25, 2009.

22
23 Approved:
24 TERRANCE D. CARROLL,
25 Speaker

26 Attest:
27 MARILYN EDDINS,
28 Chief Clerk