

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

Seventh Legislative Day

Tuesday, January 13, 2009

1 Prayer by Pastor Gene Roncone, Aurora First Assembly.

2

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

4

5 Pledge of Allegiance led by Marlee Akerson, Hill Middle School; Cleo
6 Wohlgenant, Bromwell Elementary, Denver.

7

8 The roll was called with the following result:

9

10 Present--62.

11 Excused--Representatives McFadyen, McGihon, Pommer--3.

12 Present after roll call--Representative McGihon.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Acree, the reading of the journal of
18 January 12, 2009, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22

23

24

PRINTING REPORT

25

26 The Chief Clerk reports the following bills have been correctly printed:
27 **HB09-1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096,**
28 **1097, 1098, 1099, 1100, 1101, 1102.**

29

30

31

32

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

33

34 The Speaker has signed: **SJR09-001, 002, and 003.**

35

36

37

38

House in recess. House reconvened.

39

40

41

42

REPORT OF COMMITTEE OF REFERENCE1
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
56**BUSINESS AFFAIRS & LABOR**

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

HB09-1014 be referred favorably to the Committee on Finance.

**INTRODUCTION OF BILLS
First Reading**

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

HB09-1103 by Representative(s) Riesberg; also Senator(s) Newell--
Concerning presumptive eligibility under the medical
assistance program for persons in need of long-term care.
Committee on Health and Human Services

HB09-1104 by Representative(s) Hullinghorst, Kerr A., Massey,
Pommer; also Senator(s) Gibbs, Groff, White--
Concerning the regulation of certified interior designers.
Committee on Business Affairs and Labor

HB09-1105 by Representative(s) Kefalas--Concerning the creation of
the Colorado innovation investment tax credit to be
applied against state income taxes.
Committee on Business Affairs and Labor
Committee on Finance

HB09-1106 by Representative(s) Hullinghorst; also Senator(s) Gibbs--
Concerning a codification of the pending ordinance
doctrine in connection with land use approvals by local
governments.
Committee on Local Government

HB09-1107 by Representative(s) Kerr A., Benefield, Court,
Ferrandino, Merrifield, Peniston, Solano; also Senator(s)
Gibbs--Concerning the removal of restrictions on the use
of energy efficiency measures in connection with real
property.
Committee on Transportation & Energy

HB09-1108 by Representative(s) Kerr A.; also Senator(s) Boyd--
Concerning the failure of an employer's bank to honor an
employee's paycheck upon presentment.
Committee on Business Affairs and Labor

HB09-1109 by Representative(s) Priola; also Senator(s) Veiga--
Concerning the extension of foreclosure protection to
purchasers of residential properties as to which formal
foreclosure proceedings have not yet been commenced.
Committee on Business Affairs and Labor

- 1 **HB09-1110** by Representative(s) Scanlan--Concerning information
2 required to be provided to the county assessor in
3 connection with any advertisement for the rental of
4 furnished residential real property within the state.
5 Committee on Local Government
6
- 7 **HB09-1111** by Representative(s) Massey, Swalm; also Senator(s)
8 Boyd and Schwartz--Concerning measures to increase the
9 availability of health resources in designated areas in
10 Colorado, and, in connection therewith, creating the
11 primary care office in the prevention services division in
12 the department of public health and environment to
13 maximize state and federal programs that provide health
14 resources.
15 Committee on Health and Human Services
16
- 17 **HB09-1112** by Representative(s) Kerr J.--Concerning the information
18 provided to the staff of the legislative council in
19 connection with the preparation of fiscal notes for
20 legislative measures.
21 Committee on State, Veterans, & Military Affairs
22
- 23 **HB09-1113** by Representative(s) Summers; also Senator(s) King K.--
24 Concerning limitations on recovery for damages suffered
25 by a person who fails to comply with the compulsory
26 insurance law.
27 Committee on Judiciary
28
- 29 **HB09-1114** by Representative(s) Vaad--Concerning devolution of
30 state highways that are commuter highways to local
31 governments.
32 Committee on Transportation & Energy
33
- 34 **HB09-1115** by Representative(s) Summers, Kerr J., McNulty; also
35 Senator(s) Renfroe, Kopp--Concerning the definition of
36 identification for election-related purposes.
37 Committee on State, Veterans, & Military Affairs
38
- 39 **HB09-1116** by Representative(s) Frangas, Ferrandino, Kefalas, Pace,
40 Pommer, Primavera, Schafer S.; also Senator(s) Hudak,
41 Bacon, Hodge, Sandoval, Tapia, Tochtrop, Williams--
42 Concerning the inclusion of general fund moneys in the
43 children's dental plan cash fund for the children's dental
44 assistance program.
45 Committee on Health and Human Services
46 Committee on Appropriations
47
- 48 **HB09-1117** by Representative(s) Frangas--Concerning the authority to
49 recapture unearned compensation given to persons in a
50 publicly traded business entity's governance.
51 Committee on Business Affairs and Labor
52
- 53 **HB09-1118** by Representative(s) Murray; also Senator(s) Kester--
54 Concerning the manner in which the records of certain
55 governmental entities are kept.
56 Committee on State, Veterans, & Military Affairs

- 1 **HB09-1119** by Representative(s) Vigil, Court, Labuda, Pace, Todd;
2 also Senator(s) Schwartz--Concerning creation of a
3 program to assist entities providing programs to address
4 substance abuse problems in rural areas of Colorado.
5 Committee on Health and Human Services
6
- 7 **HB09-1120** by Representative(s) Stephens--Concerning criminalizing
8 certain acts in order to protect the safety of certain public
9 servants, and making an appropriation in connection
10 therewith.
11 Committee on Judiciary
12 Committee on Appropriations
13
- 14 **HB09-1121** by Representative(s) King S.; also Senator(s) Renfroe--
15 Concerning the disposition of evidence collected in
16 criminal cases.
17 Committee on Judiciary
18
- 19 **HB09-1122** by Representative(s) Roberts, Levy, Merrifield; also
20 Senator(s) Morse--Concerning increasing the age of
21 persons eligible for sentencing to the youthful offender
22 system.
23 Committee on Judiciary
24
- 25 **HB09-1123** by Representative(s) Lambert, Kerr J., Balmer,
26 Baumgardner, Gardner B., Gardner C., King S., Liston,
27 Lundberg, Marostica, Massey, Priola, Roberts, Stephens,
28 Swalm, Waller; also Senator(s) Schultheis, Harvey,
29 Brophy, Hodge, King K., Penry, Renfroe, Scheffel--
30 Concerning changes to crimes related to unlawful
31 treatment of persons to align with similar law provisions,
32 and making an appropriation in connection therewith.
33 Committee on Judiciary
34
- 35 **HB09-1124** by Representative(s) Liston, Gardner B., Massey, Tipton,
36 Gardner C., Bradford, Frangas, Labuda, Lambert, Murray,
37 Soper; also Senator(s) Veiga--Concerning certain
38 conferences with an attorney representing a state public
39 body that may be held in an executive session at a meeting
40 of the state public body.
41 Committee on State, Veterans, & Military Affairs
42
- 43 **HB09-1125** by Representative(s) Merrifield, Massey, Benefield,
44 Gagliardi, Middleton, Pace, Peniston, Priola, Scanlan,
45 Solano, Summers, Weissmann--Concerning limitations on
46 the incentives local education providers may provide for
47 participation in public educational programs.
48 Committee on Education
49
- 50 **HB09-1126** by Representative(s) Hullinghorst, Curry; also Senator(s)
51 Shaffer B., Heath--Concerning incentives for the
52 development of solar thermal energy systems.
53 Committee on Transportation & Energy
54
- 55 **HB09-1127** by Representative(s) Miklosi--Concerning the creation of
56 a credit against state income tax for an investment that

- 1 creates jobs in a small business located in Colorado.
2 Committee on Business Affairs and Labor
3 Committee on Finance
4
- 5 **HB09-1128** by Representative(s) Priola, Balmer, Baumgardner,
6 Bradford, Frangas, Gardner C., Hullinghorst, Liston,
7 Looper, Casso, McNulty, Merrifield, Middleton, Roberts,
8 Sonnenberg, Soper, Swalm, Todd; also Senator(s) Hodge,
9 Penry, Spence, Williams, King K.--Concerning the
10 establishment of an academic license to allow a dentist
11 employed by a school of dentistry to engage in the practice
12 of dentistry in connection with programs affiliated with the
13 school.
14 Committee on Education
15
- 16 **HB09-1129** by Representative(s) Looper; also Senator(s) Romer,
17 Harvey--Concerning an authorization of pilot projects for
18 the beneficial use of captured precipitation in new real
19 estate developments.
20 Committee on Agriculture, Livestock, & Natural Resources
21
- 22 **HB09-1130** by Representative(s) Gardner B.; also Senator(s) Isgar--
23 Concerning the collection of sales taxes by a county
24 government.
25 Committee on Local Government
26
- 27 **HB09-1131** by Representative(s) Gerou--Concerning the funding of a
28 training program for directors of fire protection districts in
29 wild land-urban interface areas.
30 Committee on Local Government
31 Committee on Appropriations
32
- 33 **HB09-1132** by Representative(s) Murray and Priola, Liston, Benefield,
34 Labuda, Waller; also Senator(s) Heath, Scheffel--
35 Concerning the use of messaging systems to commit
36 unlawful activity.
37 Committee on Judiciary
38
- 39 **HB09-1133** by Representative(s) Sonnenberg, Marostica, Todd; also
40 Senator(s) Kester--Concerning setting the amounts of
41 license plate fees.
42 Committee on Transportation & Energy
43
- 44 **HB09-1134** by Representative(s) Kefalas--Concerning the Colorado
45 railroad authority, and, in connection therewith, creating
46 the authority for the purpose of planning, designing,
47 developing, financing, constructing, operating, and
48 maintaining a passenger rail system and specifying the
49 governing structure, powers, and duties of the authority.
50 Committee on Transportation & Energy
51 Committee on Appropriations
52
- 53 **HB09-1135** by Representative(s) Judd; also Senator(s) White--
54 Concerning the adjustment of fees imposed by counties in
55 the state.
56 Committee on Local Government

- 1 **HB09-1136** by Representative(s) Soper; also Senator(s) Tochtrop--
 2 Concerning a person's competency to perform electrical
 3 work.
 4 Committee on Business Affairs and Labor
 5
- 6 **HB09-1137** by Representative(s) Judd--Concerning intercepts, and, in
 7 connection therewith, intercepting gambling winnings to
 8 pay outstanding criminal court obligations, restitution, and
 9 delinquent taxes and requiring the department of revenue
 10 to provide specified information to state agencies in
 11 conjunction with intercepts of tax refunds.
 12 Committee on Judiciary
 13
- 14 **HB09-1138** by Representative(s) Curry; also Senator(s) Schwartz--
 15 Concerning the legal sufficiency of an interest in property
 16 for purposes of satisfying statutory limitations on rent
 17 control on privately owned residential housing units.
 18 Committee on Local Government
 19
- 20 **HB09-1139** by Representative(s) Solano; also Senator(s) Tochtrop--
 21 Concerning fetal alcohol spectrum disorders.
 22 Committee on Health and Human Services
 23
- 24 **HB09-1140** by Representative(s) Court, Kerr A., Marostica, Murray,
 25 Peniston, Scanlan, Swalm, Tipton, Todd, Vigil, Waller;
 26 also Senator(s) White--Concerning clarification of the
 27 process of direct democracy.
 28 Committee on State, Veterans, & Military Affairs
 29
- 30 **HB09-1141** by Representative(s) Ferrandino--Concerning laws
 31 enforced by the administrator of the "Uniform Consumer
 32 Credit Code".
 33 Committee on Business Affairs and Labor
 34

INTRODUCTION OF RESOLUTION

35
 36
 37
 38
 39 The following resolution was read by title and referred to the committee
 40 indicated:

- 41
 42 **HJR09-1002** by Representative(s) Fischer; also Senator(s) Hodge--
 43 Concerning approval of water project revolving fund
 44 eligibility lists administered by the Colorado water
 45 resources and power development authority.
 46 Committee on Agriculture, Livestock, & Natural Resources
 47

LAY OVER OF CALENDAR ITEM

48
 49
 50
 51
 52 On motion of Representative Weissmann, the following item on the
 53 Calendar was laid over until January 16, retaining place on Calendar:

- 54
 55 Consideration of Resolution--**HR09-1005**.
 56
-

1 On motion of Representative Weissmann, the House adjourned until
2 9:00 a.m., January 14, 2009.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:
TERRANCE D. CARROLL,
Speaker