

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

First Legislative Day

Wednesday, January 07, 2009

1 Prayer by James D. Peters, Jr., Retired Pastor, New Hope Baptist
2 Church, Denver.
3
4 The hour of ten o'clock having arrived, the House of Representatives of
5 the Sixty-seventh General Assembly of the State of Colorado, pursuant
6 to law, was called to order by Andrew Romanoff, Speaker of the House
7 of Representatives, Sixty-sixth General Assembly, State of Colorado.
8
9 The Temporary Speaker announced that if there were no objections,
10 Marilyn Eddins would be appointed Temporary Chief Clerk.

STATE OF COLORADO

17 **Department of**
18 **State**

19
20 **UNITED STATES OF AMERICA**)
21 **STATE OF COLORADO**) **SS. Certificate**
22

23 I, Mike Coffman, Secretary of State of the State of Colorado, do hereby
24 certify that I have canvassed the "Abstract of Votes" submitted in the
25 State of Colorado and do state that, to the best of my knowledge and
26 belief, the attached list represents the votes cast for members of the
27 Colorado State House of Representatives for the Sixty-seventh General
28 Assembly by the qualified electors of the State of Colorado in the
29 November 4, 2008 General Election.

30
31 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
32 the Great Seal of the State of Colorado, at the City of Denver this 16th
33 day of December, 2008.

34
35 (Signed)
36 Mike Coffman
37 Secretary of State
38
39
40
41

November 4, 2008 General Election Final Results		
Candidate	Vote Totals	Percentage
<u>St. Rep. District 1</u>		
Counties: Arapahoe, Denver, Jefferson		
Tom Thomason (REP)	10,234	40.97%
Jeanne Labuda (DEM)	14,745	59.03%
<u>St. Rep. District 2</u>		
Counties: Denver		
Thomas C. "Doc" Miller (REP)	3,424	20.22%
Mark Ferrandino (DEM)	13,506	79.78%
<u>St. Rep. District 3</u>		
Counties: Arapahoe, Denver		
Paul A. Linton (REP)	11,583	35.03%
Anne L. McGihon (DEM)	21,481	64.97%
<u>St. Rep. District 4</u>		
Counties: Denver		
K. Jerry Frangas (DEM)	18,992	81.01%
Rick D. Nevin (REP)	4,450	18.98%
Malachi "Tiny" Martinez (Write-In) (LIB)	3	0.01%
<u>St. Rep. District 5</u>		
Counties: Denver		
Joel Judd (DEM)	21,493	80.64%
J J Swiontek (REP)	5,160	19.36%
<u>St. Rep. District 6</u>		
Counties: Arapahoe, Denver		
Lois Court (DEM)	25,403	67.81%
Joshua Sharf (REP)	12,057	32.19%
<u>St. Rep. District 7</u>		
Counties: Denver		
Josh Raines (REP)	6,737	20.86%
Terrance D. Carroll (DEM)	25,553	79.14%
<u>St. Rep. District 8</u>		
Counties: Denver		
Beth McCann (DEM)	24,833	100.00%
<u>St. Rep. District 9</u>		
Counties: Arapahoe, Denver		
Joe Miklosi (DEM)	19,722	66.55%
James Landauer (REP)	9,915	33.45%
<u>St. Rep. District 10</u>		
Counties: Boulder		
Dorothy Marshall (REP)	8,653	25.41%
Dickey Lee Hullinghorst (DEM)	25,400	74.59%

1	<u>St. Rep. District 11</u>		
2	Counties: Boulder		
3	Jack Pommer (DEM)	25,038	62.75%
4	Catherine Jarrett (REP)	14,866	37.25%
5			
6	<u>St. Rep. District 12</u>		
7	Counties: Boulder		
8	Daniel M. Lucas (REP)	10,513	30.97%
9	Paul Weissmann (DEM)	23,432	69.03%
10			
11	<u>St. Rep. District 13</u>		
12	Counties: Boulder, Clear Creek, Gilpin		
13	Claire Levy (DEM)	30,226	73.93%
14	Robert E. Houdeshell (REP)	10,660	26.07%
15			
16	<u>St. Rep. District 14</u>		
17	Counties: El Paso		
18	Chyrese Exline (DEM)	9,972	28.51%
19	Kent Lambert (REP)	25,004	71.49%
20			
21	<u>St. Rep. District 15</u>		
22	Counties: El Paso		
23	Michelle L. Maksimowicz (DEM)	12,521	33.55%
24	Mark Waller (REP)	24,804	66.45%
25			
26	<u>St. Rep. District 16</u>		
27	Counties: El Paso		
28	Richard M. Flores (DEM)	11,131	41.04%
29	Larry G. Liston (REP)	15,989	58.96%
30			
31	<u>St. Rep. District 17</u>		
32	Counties: El Paso		
33	Dennis Apuan (DEM)	7,778	51.79%
34	Catherine "Kit" Roupe (REP)	7,239	48.21%
35			
36	<u>St. Rep. District 18</u>		
37	Counties: El Paso		
38	Katherine Szot (REP)	9,980	36.68%
39	Michael Merrifield (DEM)	17,231	63.32%
40			
41	<u>St. Rep. District 19</u>		
42	Counties: El Paso		
43	Jimmy Phillips (DEM)	9,239	32.63%
44	Marsha Looper (REP)	19,076	67.37%
45			
46	<u>St. Rep. District 20</u>		
47	Counties: El Paso		
48	Amy Stephens (REP)	38,555	76.10%
49	Jan Hejtmanek (DEM)	12,107	23.90%
50			
51	<u>St. Rep. District 21</u>		
52	Counties: El Paso, Fremont		
53	Bob Gardner (REP)	19,423	58.32%
54	Anna Lord (DEM)	13,882	41.68%
55			

1	<u>St. Rep. District 22</u>		
2	Counties: Jefferson		
3	Camille Ryckman (DEM)	15,922	45.45%
4	Ken Summers (REP)	19,107	54.55%
5			
6	<u>St. Rep. District 23</u>		
7	Counties: Jefferson		
8	Gwyn Green (DEM)	18,027	60.70%
9	Mary Lynn Wagner (REP)	11,673	39.30%
10			
11	<u>St. Rep. District 24</u>		
12	Counties: Jefferson		
13	Sue Schafer (DEM)	18,232	62.23%
14	Cheryl Palm (REP)	11,068	37.77%
15			
16	<u>St. Rep. District 25</u>		
17	Counties: Jefferson		
18	Andrew Scriptor (DEM)	18,326	42.67%
19	Cheri Gerou (REP)	22,739	52.94%
20	Jack J. Woehr (LIB)	1,886	4.39%
21			
22	<u>St. Rep. District 26</u>		
23	Counties: Jefferson		
24	Ray Warren (REP)	12,226	39.34%
25	Andy Kerr (DEM)	18,850	60.66%
26			
27	<u>St. Rep. District 27</u>		
28	Counties: Jefferson		
29	Sara Gagliardi (DEM)	17,683	50.25%
30	John Bodnar (REP)	16,080	45.70%
31	Amanda Campbell (ACP)	1,425	4.05%
32			
33	<u>St. Rep. District 28</u>		
34	Counties: Jefferson		
35	Jim Kerr (REP)	21,789	58.70%
36	Tom Dittmore (DEM)	15,333	41.30%
37			
38	<u>St. Rep. District 29</u>		
39	Counties: Jefferson		
40	Mary Arnold (REP)	13,692	41.74%
41	Debbie Benefield (DEM)	19,109	58.26%
42			
43	<u>St. Rep. District 30</u>		
44	Counties: Adams		
45	Dave Rose (DEM)	11,504	49.08%
46	Kevin Priola (REP)	11,936	50.92%
47			
48	<u>St. Rep. District 31</u>		
49	Counties: Adams		
50	Holly Hansen (REP)	17,997	43.49%
51	Judy Solano (DEM)	23,388	56.51%
52			
53	<u>St. Rep. District 32</u>		
54	Counties: Adams		
55	Edward Casso (DEM)	20,516	100.00%
56			

1	<u>St. Rep. District 33</u>		
2	Counties: Adams, Boulder, Broomfield, Weld		
3	Nick Kliebenstein (REP)	19,949	43.99%
4	Dianne Primavera (DEM)	25,402	56.01%
5			
6	<u>St. Rep. District 34</u>		
7	Counties: Adams		
8	John F. Soper (DEM)	14,927	59.92%
9	Tom Bopp (REP)	8,968	36.00%
10	Tony D'Lallo (GRN)	1,016	4.08%
11			
12	<u>St. Rep. District 35</u>		
13	Counties: Adams		
14	Tracy Gimer (REP)	7,133	33.10%
15	Cherylin Peniston (DEM)	14,420	66.90%
16			
17	<u>St. Rep. District 36</u>		
18	Counties: Arapahoe		
19	Su Ryden (DEM)	16,877	59.69%
20	Kathy Green (REP)	11,397	40.31%
21			
22	<u>St. Rep. District 37</u>		
23	Counties: Arapahoe		
24	Diana Holland (DEM)	17,441	46.07%
25	Spencer Swalm (REP)	19,427	51.32%
26	Brian Olds (ACP)	990	2.62%
27			
28	<u>St. Rep. District 38</u>		
29	Counties: Arapahoe, Jefferson		
30	Dave Kerber (REP)	17,285	45.92%
31	Joe Rice (DEM)	20,357	54.08%
32			
33	<u>St. Rep. District 39</u>		
34	Counties: Arapahoe		
35	David Balmer (REP)	26,156	53.11%
36	Mollie Cullom (DEM)	23,097	46.89%
37			
38			
39	<u>St. Rep. District 40</u>		
40	Counties: Arapahoe, Elbert		
41	Karen Wilde (DEM)	17,363	41.70%
42	Cindy Acree (REP)	24,276	58.30%
43			
44			
45	<u>St. Rep. District 41</u>		
46	Counties: Arapahoe		
47	Nancy Todd (DEM)	23,785	100.00%
48			
49			
50	<u>St. Rep. District 42</u>		
51	Counties: Arapahoe		
52	Karen Middleton (DEM)	11,870	67.94%
53	George P. Carouthers (REP)	4,395	25.15%
54	James Frye (LIB)	1,207	6.91%
55			
56			

1	<u>St. Rep. District 43</u>		
2	Counties: <u>Douglas</u>		
3	Frank McNulty (REP)	27,366	63.33%
4	John Stevens (DEM)	15,846	36.67%
5			
6	<u>St. Rep. District 44</u>		
7	Counties: <u>Douglas</u>		
8	Shelly Tokerud (DEM)	18,200	35.69%
9	Michael May (REP)	32,798	64.31%
10			
11	<u>St. Rep. District 45</u>		
12	Counties: <u>Douglas, Teller</u>		
13	Holly Gorman (DEM)	18,318	32.75%
14	Carole R. Murray (REP)	37,609	67.25%
15			
16	<u>St. Rep. District 46</u>		
17	Counties: <u>Pueblo</u>		
18	Sal Pace (DEM)	22,810	100.00%
19			
20	<u>St. Rep. District 47</u>		
21	Counties: <u>Fremont, Pueblo</u>		
22	Liane "Buffie" McFadyen (DEM)	21,175	59.54%
23	Troy Sammons (REP)	14,389	40.46%
24			
25	<u>St. Rep. District 48</u>		
26	Counties: <u>Weld</u>		
27	Glenn Vaad (REP)	28,937	59.59%
28	Bill Williams (DEM)	19,625	40.41%
29			
30	<u>St. Rep. District 49</u>		
31	Counties: <u>Larimer, Weld</u>		
32	Kevin Lundberg (REP)	25,906	57.79%
33	James Ross (DEM)	18,920	42.21%
34			
35	<u>St. Rep. District 50</u>		
36	Counties: <u>Weld</u>		
37	Scott M. Helman (REP)	8,688	38.06%
38	Jim Riesberg (DEM)	14,139	61.94%
39			
40	<u>St. Rep. District 51</u>		
41	Counties: <u>Larimer</u>		
42	Ken Bennett (DEM)	17,274	42.50%
43	Don Marostica (REP)	23,366	57.50%
44			
45	<u>St. Rep. District 52</u>		
46	Counties: <u>Larimer</u>		
47	John Michael Kefalas (DEM)	24,811	59.12%
48	Bob McCluskey (REP)	17,159	40.88%
49			
50	<u>St. Rep. District 53</u>		
51	Counties: <u>Larimer</u>		
52	Donna Gallup (REP)	12,663	36.59%
53	Randy Fischer (DEM)	21,949	63.41%
54			
55			

1	<u>St. Rep. District 54</u>		
2	Counties: <u>Delta, Mesa</u>		
3	Steve King (REP)	30,656	100.00%
4			
5	<u>St. Rep. District 55</u>		
6	Counties: <u>Mesa</u>		
7	Laura Bradford (REP)	17,996	50.85%
8	Bernie Buescher (DEM)	17,391	49.15%
9			
10	<u>St. Rep. District 56</u>		
11	Counties: <u>Eagle, Lake, Summit</u>		
12	Christine Scanlan (DEM)	18,297	53.36%
13	Ali Hasan (REP)	15,990	46.64%
14			
15	<u>St. Rep. District 57</u>		
16	Counties: <u>Garfield, Grand, Jackson, Moffat, Rio Blanco, Routt</u>		
17	R. Todd Hagenbuch (DEM)	15,346	43.50%
18	Randy L. Baumgardner (REP)	19,929	56.50%
19			
20	<u>St. Rep. District 58</u>		
21	Counties: <u>Delta, Dolores, Montezuma, Montrose, Ouray, San Miguel</u>		
22	Scott R. Tipton (REP)	22,623	58.81%
23	Noelle Hagan (DEM)	15,847	41.19%
24			
25	<u>St. Rep. District 59</u>		
26	Counties: <u>Archuleta, La Plata, Montezuma, San Juan</u>		
27	Ellen Roberts (REP)	30,025	100.00%
28			
29	<u>St. Rep. District 60</u>		
30	Counties: <u>Chaffee, Custer, Fremont, Park, Pueblo, Saguache</u>		
31	Cal Michael Cali (DEM)	12,928	35.27%
32	Tom Massey (REP)	23,730	64.73%
33			
34	<u>St. Rep. District 61</u>		
35	Counties: <u>Eagle, Garfield, Gunnison, Hinsdale, Pitkin</u>		
36	Kathleen E. Curry (DEM)	28,010	100.00%
37			
38	<u>St. Rep. District 62</u>		
39	Counties: <u>Alamosa, Conejos, Costilla, Huerfano, Mineral, Pueblo, Rio</u>		
40	<u>Grande, Saguache</u>		
41	Randy Jackson (REP)	11,015	41.26%
42	Edward Vigil (DEM)	15,438	57.83%
43	Rafael Gallegos (Write-In) (DEM)	241	0.90%
44			
45	<u>St. Rep. District 63</u>		
46	Counties: <u>Adams, Cheyenne, Crowley, Kiowa, Kit Carson, Lincoln, Morgan,</u>		
47	<u>Washington, Yuma</u>		
48	Cory Gardner (REP)	22,847	100.00%
49			
50	<u>St. Rep. District 64</u>		
51	Counties: <u>Baca, Bent, Huerfano, Las Animas, Otero, Prowers</u>		
52	Wes McKinley (DEM)	15,513	58.81%
53	Ken Torres (REP)	10,863	41.19%
54			
55			

1	<u>St. Rep. District 65</u>		
2	Counties: <u>Logan, Phillips, Sedgwick, Weld</u>		
3	Jerry Sonnenberg (REP)	25,684	98.56%
4	Dan Conn (Write-In) (UNA)	375	1.44%

STATE OF COLORADO

Department of
State

UNITED STATES OF AMERICA)
STATE OF COLORADO) SS. Certificate

I, Mike Coffman, Secretary of State of the State of Colorado, do hereby certify that I have canvassed the "Abstract of Votes" submitted in the State of Colorado, and do state that, to the best of my knowledge and belief, the persons listed on the attached list were duly elected to the Colorado State House of Representatives by the qualified electors of the State of Colorado in the November 4, 2008 General Election.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this 16th day of December, 2008.

(Signed)
Mike Coffman
Secretary of State

November 4, 2008 General Election Final Results

Candidate	Vote Totals	Percentage
<u>St. Rep. District 1</u>		
Counties: <u>Arapahoe, Denver, Jefferson</u>		
Jeanne Labuda (DEM)	14,745	59.03%
3100 South Sheridan Boulevard, Suite 1C-203 Denver, CO 80227		
<u>St. Rep. District 2</u>		
Counties: <u>Denver</u>		
Mark Ferrandino (DEM)	13,506	79.78%
217 West 2 nd Avenue Denver, CO 80223		
<u>St. Rep. District 3</u>		
Counties: <u>Arapahoe, Denver</u>		
Anne L. McGihon (DEM)	21,481	64.97%
837 Sherman Street Denver, CO 80203		

1	<u>St. Rep. District 4</u>		
2	<u>Counties: Denver</u>		
3	K. Jerry Frangas (DEM)	18,992	81.01%
4	3867 Meade Street		
5	Denver, CO 80211		
6			
7	<u>St. Rep. District 5</u>		
8	<u>Counties: Denver</u>		
9	Joel Judd (DEM)	21,493	80.64%
10	2904 West 24th Avenue		
11	Denver, CO 80211		
12			
13	<u>St. Rep. District 6</u>		
14	<u>Counties: Arapahoe, Denver</u>		
15	Lois Court (DEM)	25,403	67.81%
16	780 Elizabeth Street		
17	Denver, CO 80206		
18			
19	<u>St. Rep. District 7</u>		
20	<u>Counties: Denver</u>		
21	Terrance D. Carroll (DEM)	25,553	79.14%
22	7700 East 29 th Avenue #302		
23	Denver, CO 80238		
24			
25	<u>St. Rep. District 8</u>		
26	<u>Counties: Denver</u>		
27	Beth McCann (DEM)	24,833	100.00%
28	650 Detroit Street		
29	Denver, CO 80206		
30			
31	<u>St. Rep. District 9</u>		
32	<u>Counties: Arapahoe, Denver</u>		
33	Joe Miklosi (DEM)	19,722	66.55%
34	P.O. Box 24692		
35	Denver, CO 80224		
36			
37	<u>St. Rep. District 10</u>		
38	<u>Counties: Boulder</u>		
39	Dickey Lee Hullinghorst (DEM)	25,400	74.59%
40	P.O. Box 88		
41	Niwot, CO 80544		
42			
43	<u>St. Rep. District 11</u>		
44	<u>Counties: Boulder</u>		
45	Jack Pommer (DEM)	25,038	62.75%
46	605 Pine Street		
47	Boulder, CO 80302		
48			
49	<u>St. Rep. District 12</u>		
50	<u>Counties: Boulder</u>		
51	Paul Weissmann (DEM)	23,432	69.03%
52	P.O. Box 673		
53	Louisville, CO 80027		
54			
55			

1	<u>St. Rep. District 13</u>		
2	Counties: Boulder, Clear Creek, Gilpin		
3	Claire Levy (DEM)	30,226	73.93%
4	3172 Redstone Road		
5	Boulder, CO 80305		
6			
7	<u>St. Rep. District 14</u>		
8	Counties: El Paso		
9	Kent Lambert (REP)	25,004	71.49%
10	990 Point of the Pines Drive		
11	Colorado Springs, CO 80919		
12			
13	<u>St. Rep. District 15</u>		
14	Counties: El Paso		
15	Mark Waller (REP)	24,804	66.45%
16	6535 Campfire Court		
17	Colorado Springs, CO 80922		
18			
19	<u>St. Rep. District 16</u>		
20	Counties: El Paso		
21	Larry G. Liston (REP)	15,989	58.96%
22	P.O. Box 8205		
23	Colorado Springs, CO 80933		
24			
25	<u>St. Rep. District 17</u>		
26	Counties: El Paso		
27	Dennis Apuan (DEM)	7,778	51.79%
28	4522 Lancaster Drive		
29	Colorado Springs, CO 80916		
30			
31	<u>St. Rep. District 18</u>		
32	Counties: El Paso		
33	Michael Merrifield (DEM)	17,231	63.32%
34	907 North Sheridan Avenue		
35	Colorado Springs, CO 80909		
36			
37	<u>St. Rep. District 19</u>		
38	Counties: El Paso		
39	Marsha Looper (REP)	19,076	67.37%
40	23935 Sweet Road		
41	Calhan, CO 80808		
42			
43	<u>St. Rep. District 20</u>		
44	Counties: El Paso		
45	Amy Stephens (REP)	38,555	76.10%
46	15683 Candle Creek Drive		
47	Monument, CO 80132		
48			
49	<u>St. Rep. District 21</u>		
50	Counties: El Paso, Fremont		
51	Bob Gardner (REP)	19,423	58.32%
52	60 Mobray Court		
53	Colorado Springs, CO 80906		
54			
55			

1	<u>St. Rep. District 22</u>		
2	<u>Counties: Jefferson</u>		
3	Ken Summers (REP)	19,107	54.55%
4	P.O. Box 27301		
5	Lakewood, CO 80227		
6			
7	<u>St. Rep. District 23</u>		
8	<u>Counties: Jefferson</u>		
9	Gwyn Green (DEM)	18,027	60.70%
10	197 Canyon Point Circle		
11	Golden, CO 80401		
12			
13	<u>St. Rep. District 24</u>		
14	<u>Counties: Jefferson</u>		
15	Sue Schafer (DEM)	18,232	62.23%
16	35 Hillside Drive		
17	Wheat Ridge, CO 80215		
18			
19	<u>St. Rep. District 25</u>		
20	<u>Counties: Jefferson</u>		
21	Cheri Gerou (REP)	22,739	52.94%
22	2257 Wieler Road, P.O. Box 940		
23	Evergreen, CO 80437		
24			
25	<u>St. Rep. District 26</u>		
26	<u>Counties: Jefferson</u>		
27	Andy Kerr (DEM)	18,850	60.66%
28	1680 South Iris Way		
29	Lakewood, CO 80232		
30			
31	<u>St. Rep. District 27</u>		
32	<u>Counties: Jefferson</u>		
33	Sara Gagliardi (DEM)	17,683	50.25%
34	11854 West 56th Drive		
35	Arvada, CO 80002		
36			
37	<u>St. Rep. District 28</u>		
38	<u>Counties: Jefferson</u>		
39	Jim Kerr (REP)	21,789	58.70%
40	6359 South Chase Court		
41	Littleton, CO 80123		
42			
43	<u>St. Rep. District 29</u>		
44	<u>Counties: Jefferson</u>		
45	Debbie Benefield (DEM)	19,109	58.26%
46	8370 Yarrow Street		
47	Arvada, CO 80005		
48			
49	<u>St. Rep. District 30</u>		
50	<u>Counties: Adams</u>		
51	Kevin Priola (REP)	11,936	50.92%
52	12255 Ursula Street		
53	Henderson, CO 80640		
54			
55			

1	<u>St. Rep. District 31</u>		
2	<u>Counties: Adams</u>		
3	Judy Solano (DEM)	23,388	56.51%
4	14789 Harrison Street		
5	Brighton, CO 80602		
6			
7	<u>St. Rep. District 32</u>		
8	<u>Counties: Adams</u>		
9	Edward Casso (DEM)	20,516	100.00%
10	501 East 102 nd Avenue, Apt. B203		
11	Thornton, CO 80229		
12			
13	<u>St. Rep. District 33</u>		
14	<u>Counties: Adams, Boulder, Broomfield, Weld</u>		
15	Dianne Primavera (DEM)	25,402	56.01%
16	4596 Maroon Circle		
17	Broomfield, CO 80023		
18			
19	<u>St. Rep. District 34</u>		
20	<u>Counties: Adams</u>		
21	John F. Soper (DEM)	14,927	59.92%
22	235 Starlight Road		
23	Thornton, CO 80260		
24			
25	<u>St. Rep. District 35</u>		
26	<u>Counties: Adams</u>		
27	Cherylin Peniston (DEM)	14,420	66.90%
28	10344 Meade Loop		
29	Westminster, CO 80031		
30			
31	<u>St. Rep. District 36</u>		
32	<u>Counties: Arapahoe</u>		
33	Su Ryden (DEM)	16,877	59.69%
34	16699 East Kentucky Avenue		
35	Aurora, CO 80017		
36			
37	<u>St. Rep. District 37</u>		
38	<u>Counties: Arapahoe</u>		
39	Spencer Swalm (REP)	19,427	51.32%
40	7250 South Ivy Court		
41	Centennial, CO 80112		
42			
43	<u>St. Rep. District 38</u>		
44	<u>Counties: Arapahoe, Jefferson</u>		
45	Joe Rice (DEM)	20,357	54.08%
46	P.O. Box 38		
47	Littleton, CO 80160		
48			
49	<u>St. Rep. District 39</u>		
50	<u>Counties: Arapahoe</u>		
51	David Balmer (REP)	26,156	53.11%
52	6043 South Eagle Street		
53	Centennial, CO 80016		
54			
55			

1	<u>St. Rep. District 40</u>		
2	<u>Counties: Arapahoe, Elbert</u>		
3	Cindy Acree (REP)	24,276	58.30%
4	15653 East Chenango Avenue		
5	Aurora, CO 80015		
6			
7	<u>St. Rep. District 41</u>		
8	<u>Counties: Arapahoe</u>		
9	Nancy Todd (DEM)	23,785	100.00%
10	11293 East Harvard Drive		
11	Aurora, CO 80014		
12			
13	<u>St. Rep. District 42</u>		
14	<u>Counties: Arapahoe</u>		
15	Karen Middleton (DEM)	11,870	67.94%
16	481 Nome Street		
17	Aurora, CO 80010		
18			
19	<u>St. Rep. District 43</u>		
20	<u>Counties: Douglas</u>		
21	Frank McNulty (REP)	27,366	63.33%
22	P.O. Box 630573		
23	Highlands Ranch, CO 80163		
24			
25	<u>St. Rep. District 44</u>		
26	<u>Counties: Douglas</u>		
27	Michael May (REP)	32,798	64.31%
28	12936 Arezzo Circle		
29	Parker, CO 80134		
30			
31	<u>St. Rep. District 45</u>		
32	<u>Counties: Douglas, Teller</u>		
33	Carole R. Murray (REP)	37,609	67.25%
34	2219 North Rocky View Road		
35	Castle Rock, CO 80108		
36			
37	<u>St. Rep. District 46</u>		
38	<u>Counties: Pueblo</u>		
39	Sal Pace (DEM)	22,810	100.00%
40	124 Lincoln Street		
41	Pueblo, CO 81004		
42			
43	<u>St. Rep. District 47</u>		
44	<u>Counties: Fremont, Pueblo</u>		
45	Liane "Buffie" McFadyen (DEM)	21,175	59.54%
46	385 West Baldwin Drive		
47	Pueblo West, CO 81007		
48			
49	<u>St. Rep. District 48</u>		
50	<u>Counties: Weld</u>		
51	Glenn Vaad (REP)	28,937	59.59%
52	2688 Weld County Road 32		
53	Mead, CO 80542		
54			
55			

1	<u>St. Rep. District 49</u>		
2	<u>Counties: Larimer, Weld</u>		
3	Kevin Lundberg (REP)	25,906	57.79%
4	P.O. Box 378		
5	Berthoud, CO 80513		
6			
7	<u>St. Rep. District 50</u>		
8	<u>Counties: Weld</u>		
9	Jim Riesberg (DEM)	14,139	61.94%
10	P.O. Box 1523		
11	Greeley, CO 80632		
12			
13	<u>St. Rep. District 51</u>		
14	<u>Counties: Larimer</u>		
15	Don Marostica (REP)	23,366	57.50%
16	2370 Glen Haven Drive		
17	Loveland, CO 80538		
18			
19	<u>St. Rep. District 52</u>		
20	<u>Counties: Larimer</u>		
21	John Michael Kefalas (DEM)	24,811	59.12%
22	604 Sycamore Street		
23	Fort Collins, CO 80521		
24			
25	<u>St. Rep. District 53</u>		
26	<u>Counties: Larimer</u>		
27	Randy Fischer (DEM)	21,949	63.41%
28	3007 Moore Lane		
29	Fort Collins, CO 80526		
30			
31	<u>St. Rep. District 54</u>		
32	<u>Counties: Delta, Mesa</u>		
33	Steve King (REP)	30,656	100.00%
34	P.O. Box 896		
35	Grand Junction, CO 81502		
36			
37	<u>St. Rep. District 55</u>		
38	<u>Counties: Mesa</u>		
39	Laura Bradford (REP)	17,996	50.85%
40	14411 59 ½ Road		
41	Collbran, CO 81624		
42			
43	<u>St. Rep. District 56</u>		
44	<u>Counties: Eagle, Lake, Summit</u>		
45	Christine Scanlan (DEM)	18,297	53.36%
46	P.O. Box 1746, 46 Legend Circle		
47	Dillon, CO 80435		
48			
49	<u>St. Rep. District 57</u>		
50	<u>Counties: Garfield, Grand, Jackson, Moffat, Rio Blanco, Routt</u>		
51	Randy L. Baumgardner (REP)	19,929	56.50%
52	P.O. Box 108		
53	Hot Sulphur Springs, CO 80451		
54			
55			

1	<u>St. Rep. District 58</u>		
2	Counties: <u>Delta, Dolores, Montezuma, Montrose, Ouray, San Miguel</u>		
3	Scott R. Tipton (REP)	22,623	58.81%
4	13552 County Road 26		
5	Cortez, CO 81321		
6			
7	<u>St. Rep. District 59</u>		
8	Counties: <u>Archuleta, La Plata, Montezuma, San Juan</u>		
9	Ellen Roberts (REP)	30,025	100.00%
10	P.O. Box 1923		
11	Durango, CO 81302		
12			
13	<u>St. Rep. District 60</u>		
14	Counties: <u>Chaffee, Custer, Fremont, Park, Pueblo, Saguache</u>		
15	Tom Massey (REP)	23,730	64.73%
16	P.O. Box 213		
17	Poncha Springs, CO 81242		
18			
19	<u>St. Rep. District 61</u>		
20	Counties: <u>Eagle, Garfield, Gunnison, Hinsdale, Pitkin</u>		
21	Kathleen E. Curry (DEM)	28,010	100.00%
22	P.O. Box 7130		
23	Gunnison, CO 81230		
24			
25	<u>St. Rep. District 62</u>		
26	Counties: <u>Alamosa, Conejos, Costilla, Huerfano, Mineral, Pueblo, Rio</u>		
27	<u>Grande, Saguache</u>		
28	Edward Vigil (DEM)	15,438	57.83%
29	254 Biel Place		
30	Fort Garland, CO 81133		
31			
32	<u>St. Rep. District 63</u>		
33	Counties: <u>Adams, Cheyenne, Crowley, Kiowa, Kit Carson, Lincoln, Morgan,</u>		
34	<u>Washington, Yuma</u>		
35	Cory Gardner (REP)	22,847	100.00%
36	P.O. Box 86		
37	Yuma, CO 80759		
38			
39	<u>St. Rep. District 64</u>		
40	Counties: <u>Baca, Bent, Huerfano, Las Animas, Otero, Prowers</u>		
41	Wes McKinley (DEM)	15,513	58.81%
42	9635 County Road 64		
43	Walsh, CO 81090		
44			
45	<u>St. Rep. District 65</u>		
46	Counties: <u>Logan, Phillips, Sedgwick, Weld</u>		
47	Jerry Sonnenberg (REP)	25,684	98.56%
48	4465 Road 63		
49	Sterling, CO 80751		
50			
51			
52			
53	The Reading Clerk called the roll with the following result:		
54			
55	Present 65		
56			

1 Former Speaker Romanoff declared a quorum present.

2
3

4 On motion of Representative Weissmann former Speaker Romanoff
5 appointed Representatives Weissmann, Chairman, A. Kerr, and May as
6 the Committee on Credentials.

7
8
9

House in recess. House reconvened.

10
11

12 **REPORT OF THE COMMITTEE ON CREDENTIALS**

13

14 The Committee on Credentials has made an examination of the certificate
15 from the Secretary of State and finds that the lists of Representatives
16 elected at the general election held on November 4, 2008 as certified by
17 the Secretary of State of the state of Colorado is a true, complete, and
18 authentic list of all Representatives elected at said general election for the
19 term provided by law, and said persons are entitled to membership in this
20 body as aforesaid, pursuant to law in such case made and provided.

21

22 (signed)

23 Representative Weissmann, Chairman

24 Representative A. Kerr

25 Representative May

26
27

28

29 Representative Weissmann moved to adopt the report of the Committee
30 on Credentials.

31

32 The report was adopted by **viva voce** vote.

33
34

35 On motion of Weissmann a committee of three was appointed by former
36 Speaker Romanoff to wait upon Chief Justice Mullarkey to request her
37 to administer the oath of office to the Representatives elect. Former
38 Speaker Romanoff appointed Representatives Frangas, Chairman,
39 Peniston, and King as members of said committee.

40

41 Chief Sergeant-at-arms Suman announced the arrival of Chief Justice
42 Mullarkey.

43
44

45 The Committee escorted the Chief Justice to the podium where she
46 administered the oath of office to 65 members-elect of the Colorado
47 House of Representatives, as certified by the Secretary of State.

48

49 The Committee escorted Chief Justice Mullarkey from the Chamber.

50
51

52 Former Speaker Romanoff announced that nominations were open for
53 Speaker of the Colorado House of Representatives.

54

55 Representative Weissmann nominated Representative Terrance D.
56 Carroll.

1 Representative May seconded the nomination.
2
3 Former Speaker Romanoff called for further nominations.
4
5 Representative Weissmann moved that the nominations be closed.
6
7 The motion was carried by **viva voce** vote.
8
9 Representative Terrance D. Carroll was elected Speaker of the Colorado
10 House of Representatives by **viva voce** vote.
11
12 Former Speaker Romanoff announced that Representative Terrance D.
13 Carroll had been elected Speaker of the Colorado House of
14 Representatives for the Sixty-seventh General Assembly.

17
18 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

19
20 On motion of Representative Weissmann, the rules were suspended and
21 the following resolution was given immediate consideration.

22
23 **HR09-1001** by Representative(s) Weissmann, Carroll T., May--
24 Concerning the temporary Rules of the House of
25 Representatives.

26
27 (Printed and placed in member's file).

28
29 On motion of Representative Weissmann, the resolution was **adopted** by
30 **viva voce** vote.

31
32
33 **MESSAGE FROM THE SENATE**

34
35 The Senate has adopted and transmits herewith: SJR09-001.

36
37
38 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

39
40 On motion of Representative Weissmann, the rules were suspended and
41 the following resolution was given immediate consideration.

42
43 **SJR09-001** by Senator(s) Shaffer B., Groff, Penry; also
44 Representative(s) Weissmann, Carroll T., May--
45 Concerning the adoption of the Joint Rules as the
46 temporary Joint Rules of the Sixty-seventh General
47 Assembly.

48
49 (Printed and placed in member's file).

50
51 On motion of Representative Weissmann, the resolution was **adopted** by
52 **viva voce** vote.

1 On motion of Representative Weissmann, the Speaker appointed
2 Representatives Benefield, Chairman, Soper, and Vaad to notify the
3 Senate that the House was organized and ready for business.

4

5

6 On motion of Representative Weissmann, the Speaker appointed
7 Representatives Primavera, Chairman, Kefalas, and Summers to notify
8 the Governor that the House was organized and ready for business.

9

10

11

House in recess.

12

13

14 The Speaker recognized a committee from the Senate. Senators M.
15 Carroll, Hodge, and White reported that the Senate was organized and
16 ready for business.

17

18

19

House reconvened.

20

21

22

23

24 Representative Primavera, Chairman of the Committee to Notify the
25 Governor, reported that the Governor had been notified that the House
26 was organized and ready for business.

27

28

29

30 Speaker Terrance D. Carroll delivered the following address to the
31 members of the Colorado House of Representatives:

32

33 Majority Leader Weissmann, Minority Leader May, members of the Colorado
34 General Assembly, and distinguished guests, welcome to the opening of the
35 First Regular Session of the 67th General Assembly.

36

37 I am honored and humbled to lead this chamber as its 34th speaker, and thank
38 you all for your support.

39

40 I also want to thank the people of Colorado, who this November elected or
41 reelected 65 members to the House of Representatives to govern our state.

42

43 The people of Colorado have granted all of us a unique opportunity at a critical
44 time in history.

45

46 Of the 65 members of the Colorado House of Representatives, 17 of you took
47 the oath of office for the first time today.

48

49 I want to congratulate each of the following new members on their election:
50 Cindy Acree, Dennis Apuan, Randy Baumgardner, Laura Bradford, Lois Court,
51 Cheri Gerou, Dickey Lee Hullinghorst, Beth McCann, Joe Miklosi, Carole
52 Murray, Sal Pace, Kevin Priola, Su Ryden, Sue Schafer, Scott Tipton, Ed Vigil
53 and Mark Waller.

54

55 I also want to recognize a few special guests who have joined us in the chamber
56 today, many of whom are former members of the House.

1 The Honorable Rosemary Marshall who I served with for 6 wonderful years is
2 here today, as are the Honorable – or should I say Honorables – Wilma and
3 Wellington Webb, the Honorable Gloria Tanner, the Honorable Regis Groff, the
4 Honorable Michael Hancock and the Honorable Penfield Tate III. Please join
5 me now in welcoming these men and women, all of which have been dedicated
6 public servants and wonderful friends.

7
8 And I want to thank Mrs. Mary Louise Lee for her rousing version of the Star
9 Spangled Banner and Lift Every Voice and Sing.

10
11 I also want to honor the memory of two giants of this chamber on whose
12 shoulders I stand:

13
14 The late Ari P. Taylor and the late Sam Williams.

15
16 Finally, I would be remiss if I did not single out the service of two departing
17 members of this chamber.

18
19 Speaker Andrew Romanoff and Majority Leader Alice Madden led our caucus
20 for five years and our chamber for four, working tirelessly to move this state
21 forward.

22
23 When they began their tenures, the state had been ravaged by one of the worst
24 budget crises in our history.

25
26 Today, due in no small part to their efforts, 18,000 more students can afford the
27 opportunity to go to college;

28
29 20,000 more kids have the chance to go to preschool and kindergarten; 50,000
30 more Colorado children will be able to get the health care they need;

31
32 And every Colorado consumer has access to the clean energy technologies of
33 tomorrow.

34
35 Both parties, and indeed the entire state, benefited from Andrew Romanoff and
36 Alice Madden's capacity to consider various – and at time competing –
37 viewpoints.

38
39 Their thoughtful management of this chamber translated into transformative
40 policies that have benefited all of Colorado.

41
42 Please join me now in thanking them both for their years of service.

43
44 ***Opportunity***

45
46 The 65 of you in this room elected to the 67th General Assembly come from
47 many different walks of life.

48
49 Standing with us today are teachers, doctors, lawyers, farmers, ranchers,
50 businessmen and women, members of the armed services and veterans who
51 have risked their lives for our freedom.

52
53 We have mothers, fathers, grandmothers and grandfathers. We have folks from
54 big cities and small towns, the eastern plains and the western slope, blacks,
55 whites, Hispanics, and pacific islanders.

56

1 We have third and fourth generation Coloradans, others born out of state, and
2 some of you who were even born abroad.
3
4 We have liberals, moderates, and conservatives.
5
6 We, members, represent the diverse fabric of Colorado's community.
7
8 A patchwork of unique and wonderful biographies that together make Colorado,
9 like America, different and more magnificent than other societies in history.
10
11 But that patchwork alone does not make this country great.
12
13 What makes America great is that the fabric of our community is sewn together
14 by a single thread.
15
16 That thread is called opportunity.
17
18 My mother – the daughter of a sharecropper and the granddaughter of a slave
19 – taught me the importance of opportunity.
20
21 She taught me that lesson even though her formal education did not extend
22 beyond the third grade.
23
24 She was 51 years old when I was born – she would have turned 90 this year, if
25 she were still with us.
26
27 I was her only child, and she raised me alone, in Anacostia, one of the toughest
28 neighborhoods in one of the toughest towns in America: Washington D.C.
29
30 Growing up, our nickname for the neighborhood was Dodge City.
31
32 In my neighborhood, young black men were expected to be nothing more than
33 a number on a police blotter.
34
35 My mother, a woman of unconditional love and unbounded grace, understood
36 that my only way out of the neighborhood was to capitalize on each
37 opportunity, which came first in the form of a free public education.
38
39 It is a small coincidence that this woman shared her sentiment about the
40 importance of education as a singular opportunity, with the complicated
41 statesman Thomas Jefferson;
42
43 Jefferson, a man who himself owned hundreds of slaves during his life,
44 understood the American spirit was characterized by two fundamental traits;
45
46 In a letter to a friend, Jefferson summarized them beautifully, writing:
47
48 “While an honest heart is the first blessing, a knowing head is the second.”
49
50 Jefferson recognized early on that the American experiment would be defined
51 over its history by evolving popular sovereignty.
52
53 But he also recognized Republicanism, and later, Democracy, were merely
54 means toward a greater end;
55
56 The end itself was creating opportunity where none existed before.

1 Despite our imperfect history, today Jefferson's America is a place where a
2 child of modest means, of either sex, and of any race can succeed if presented
3 with the right opportunities.
4
5 America cares not where you came from but only where you want to go.
6
7 But for America to continue to flourish, we must be diligent in our work to
8 preserve existing opportunities that are the engines of prosperity and offer new
9 opportunities where none existed before.
10
11 I know Colorado is a place where informed leaders still believe our promise is
12 not yet fulfilled, and won't be until each child has the opportunity to realize his
13 or her full potential, each hardworking Coloradan has the opportunity to find a
14 job, raise a family, and retire with security and dignity.
15
16 I offer that our principal charge should be to continue to expand the circle of
17 opportunity, so that every single Coloradan may have a genuine chance to
18 succeed.
19
20 *The Present State of Things*
21
22 Our task comes at a unique time.
23
24 The world we live in today seems less secure than the world we inhabited just
25 a short time ago. The state and the nation face a bleak economic outlook. More
26 Coloradans are losing their jobs, the price of energy continues to fluctuate
27 wildly, spending and consumer confidence are down.
28
29 And while Colorado, with its diversified economy and well-trained workforce,
30 has fared better than the country as a whole, we are not immune to those forces
31 driving the downturn.
32
33 We've already seen firsthand how a global crisis affects us locally;
34
35 A bank failure in Milan, Italy, can hurt a cattle rancher in Meeker. Plant
36 closings in Detroit can mean layoffs in Denver.
37
38 As the recession worsens, what was once a quiet crisis is now loud, and
39 threatens to become deafening.
40
41 In these difficult times, Americans have sent a clear message to their political
42 leaders: we don't care where you come from, what color your skin is, or what
43 party you belong to. We care only how you can move us forward.
44
45 The Reverend Dr. Martin Luther King once said, "[the ultimate measure of a
46 man is not where he stands in moments of comfort and convenience, but where
47 he stands at times of challenge and controversy."
48
49 Members, the road ahead is besieged with challenges and controversy.
50
51 Our response should not be panic or haste, but instead sound judgment, a steady
52 hand, and an unflinching commitment to this great state.
53
54 And as we tackle a weakening economy and difficult budget choices, let us
55 never take our eyes off of our greater purpose; to expand the circle of
56 opportunity in Colorado.

1 May we all measure up to that task.

2

3 ***Our Agenda***

4

5 Today, I ask each of you, the members of the Colorado House of
6 Representatives, to work together toward achieving three common goals to help
7 expand opportunity:

8

- 9 • First, to bring new, high-paying jobs to Colorado
- 10 • Second, to provide support for struggling families
- 11 • And finally, to build a world class public education system

12

13 To meet these goals, I ask that we make an honest attempt to set aside our
14 partisan differences, to look past ideological extremes, and to search for
15 common ground.

16

17 And while we will demonstrate bold but pragmatic leadership, we must also
18 remember that no single leader, political party or interest group has a monopoly
19 on good ideas.

20

21 ***Jobs***

22

23 Job one this legislative term is to bring new jobs to Colorado.

24

25 That's why this November, Senate President Groff and I created the bi-partisan
26 Committee on Job Creation and Economic Growth.

27

28 Together, we tasked that committee with crafting real solutions to bring new
29 jobs to Colorado right now and to help get our economy back on track.

30

31 The 10 members of that committee have already met half a dozen times and are
32 soliciting ideas from business pioneers, civic leaders and individuals from
33 across the state.

34

35 I want to thank our 5 House members for working so hard over the last two
36 months: Representative Joe Rice, Representative Buffie McFadyen,
37 Representative Solano, Representative David Balmer, and Representative Larry
38 Liston.

39

40 We look forward to hearing your committee's recommendations.

41

42 But the magnitude of this crisis compels us to act immediately. Already, a
43 number of promising ideas have come forward.

44

45 Colorado's businesses, especially our small businesses, are the engine of our
46 economy and the source of many of this state's jobs.

47

48 Today we will introduce legislation sponsored by Representative Joe Rice to
49 provide a new Colorado Jobs Tax Credit to companies that bring good, high
50 paying jobs to our state.

51

52 Over the last 6 months, we've seen many small businesses struggle to keep their
53 doors open because they can't borrow the money they need to pay the bills. To
54 continue growing, those businesses need access to capital and credit.

55

56 So this year we will revive the Colorado Credit Reserve Program.

1 With a small guarantee from the state, the program will encourage lenders to
2 loan as much as \$50 million to Colorado small businesses so they can stay
3 afloat during this difficult period. Thank you to Representative Sara Gagliardi,
4 Representative Don Marostica, and the Governor's Office of Economic
5 Development for their hard work on this issue.

6
7 It's no secret that Colorado's roads and bridges need attention. Today,
8 Colorado has 126 structurally deficient bridges and thousands of miles of roads
9 that need work. We have \$1.2 billion in shovel-ready road projects waiting for
10 dollars and workers to arrive.

11
12 And we have thousands of contractors, engineers, and construction workers
13 sitting at home without jobs.

14
15 Our current transportation funding system has failed to provide the dollars to
16 get those shovels moving and get people back to work.

17
18 Over the next few weeks, we must work with Governor Ritter and our
19 delegation in Congress, to make sure we get the federal funding we need to start
20 bringing new jobs to Colorado to fix our crumbling roads and broken bridges
21 by this summer.

22
23 But our work cannot stop there. We must pursue a long term, sustainable
24 funding solution that continues to create jobs year in and year out and maintains
25 safe roads and bridges.

26
27 We want to create an economy where the best jobs and most innovative
28 companies are housed right here in Colorado. We should continue to invest in
29 our clean energy economy and the other high tech industries that are bringing
30 new companies with them, new green collar jobs to Colorado.

31
32 We know our recent work is already paying off: in just the last two years,
33 we've seen the creation of 22,000 high-paying New Energy jobs.

34
35 I look forward to working with Representatives Judy Solano, Andy Kerr,
36 Michael Merrifield and others on a variety of innovative proposals that will
37 continue to expand the market for solar and wind energy by removing barriers
38 and making clean energy more accessible to homes, schools, and businesses.

39
40 And, with the help of Representative Jim Riesberg, we will continue to invest
41 in our promising bioscience industry to convince small, high-tech companies
42 make Colorado their home.

43
44 Finally, to attract companies that will be profitable tomorrow to locate in
45 Colorado today, we must train a workforce with the skills they need to compete
46 for these high paying jobs.

47
48 So with the assistance of Representatives Nancy Todd and Ed Vigil, we will
49 expand our job training programs at Colorado's community colleges, with a
50 special emphasis on preparing our labor force to tackle the good green collar
51 jobs that are on their way.

52
53 *Struggling families*

54
55 Unfortunately, more Colorado families are struggling financially today than at
56 any other time in recent memory.

1 And while we've made recent gains – expanding access to health care for
2 50,000 kids; supporting more students so they can afford college; and helping
3 our poorest families cover their energy bills – the ebb of the economic tide is
4 dragging many Colorado families backwards.
5
6 My mother used to say, “Help people a little bit, point them in the right
7 direction, and they will take care of the rest.”
8
9 That's why this year, we pledge to continue assisting Coloradans at the margins,
10 particularly those being hit hardest by the economic slowdown – children,
11 middle-class families, and older Coloradans, so that they too may know the
12 good fortune of opportunity.
13
14 There is a challenging paradox in government:
15
16 As the need for services increases with a recession, actual revenues tend to
17 decrease.
18
19 This year we will be faced with tough decisions about how to trim an already
20 lean budget. Though I cannot say today exactly how much we will need to cut,
21 or where the cuts should come from, I will say this:
22
23 We will spend only what we can afford.
24
25 We will balance the budget.
26
27 We will put our money where our values are.
28
29 We will do everything in our power to preserve the critical services that create
30 opportunity: for children to get an education; for struggling families to go to the
31 doctor when they are sick; for the unemployed to stay afloat while they search
32 for their next job, and for Colorado families trying to protect their American
33 Dream.
34
35 More than 16,000 Colorado homeowners are now in foreclosure. And close to
36 6,000 families are on the brink. When Coloradans lose their homes, a
37 breadwinner is more likely to lose his or her job, a child is less likely to
38 graduate from high school, and families are more likely to slip into poverty.
39
40 Keeping families in their homes provides a substantial benefit to all of us. It
41 reduces pressure on our government safety net and it helps maintain home
42 values so that our neighborhoods can thrive. And when Coloradans restructure
43 their debt so they are able to pay back their loans, it ensures banks can keep
44 lending to the next homeowner and the next small business entrepreneur.
45
46 So this year, I welcome the legislation authored by Representative Mark
47 Ferrandino that will offer those Coloradans facing foreclosure a “temporary
48 timeout;” a little extra time to work with their lenders to save their homes.
49
50 Sadly, home buying remains only a dream for far too many Coloradans,
51 especially those facing the specter of poverty.
52
53 In these difficult times, more Coloradans find themselves living paycheck to
54 paycheck. And no one is more impacted by the evolving economic reality than
55 our kids.
56

1 This decade, the percentage of Colorado children living in poverty has risen
2 eighty-five percent! That's one of the highest increases in the entire country.
3 And that is unacceptable! Reducing poverty is absolutely essential to building
4 a strong, 21st century economy that works for everyone.

5
6 That is why this year, State Representative John Kefalas will introduce an
7 ambitious plan creating a framework to expand opportunity and reduce poverty
8 significantly over the next ten years. Called the Economic Opportunity Task
9 Force, the body will be charged with developing a strategic, integrated and
10 comprehensive plan to help lift families out of poverty.

11
12 ***Education***

13
14 The most important opportunity that government provides is a free public
15 education to every child that wants one. But this opportunity afforded our kids
16 is only as good as the quality of the education they receive.

17
18 Unfortunately, when our schools fail, our students fail too. Today, too many of
19 our students drop out of school before graduation. Those who dropout are more
20 likely to commit a crime. They have a harder time finding a job. They are
21 more likely to become a teen mom or a teen dad. And they're more likely to
22 struggle with addiction.

23
24 During the past few years, we've committed to reducing the dropout rate, and
25 taken the first necessary steps toward achieving that goal.

26
27 We've expanded access to early childhood education, and we've worked to lay
28 the foundation for a comprehensive kindergarten through college curriculum
29 that prepares all our kids for the future.

30
31 But that's not enough. Representative Karen Middleton is introducing
32 legislation to create an Office of Dropout Prevention and Student
33 Reengagement, to make sure that students complete their high school studies,
34 and are ready to take the next step, whatever that step may be.

35
36 And Representative Debbie Benefield is unveiling a plan intended to make sure
37 that every child, regardless of their race, where they live, or what their
38 socioeconomic background is, has access to a high-quality teacher.

39
40 And finally, Representative Michael Merrifield is introducing legislation to
41 make it easier for high school students to have access to the college and
42 technical training they need to get good, high-paying jobs.

43
44 But student engagement also requires parental engagement.

45
46 When parents are engaged, when they track their child's performance, and keep
47 close contact with their teachers, their child is more likely to succeed.
48 Unfortunately, many parents simply can't get enough time away from their job
49 to help their children become effective learners.

50
51 I hope this year that this body will pass legislation from Representative Andy
52 Kerr that allows parents to take a limited amount of unpaid leave to step away
53 from work to attend school meetings for their children without worrying about
54 losing their jobs.

55

1 ***Conclusion***

2

3 Coloradans have weathered previous storms because we recognize opportunity
4 and don't let it pass us by.

5

6 Perhaps no one in Colorado history had a better appreciation of the significance
7 of opportunity than Barney Ford – the man whose image watches over this
8 chamber.

9

10 Born a slave in Virginia, Ford escaped servitude by way of the Underground
11 Railroad when he was still a young man.

12

13 Once in Colorado, he capitalized on the opportunities provided to him by the
14 New West. He became a successful gold prospector, hotelier, and landowner.
15 But his influence extended well beyond his business achievements.

16

17 Ford recognized what Martin Luther King later said, that the real measure of a
18 man is where he stands in times of challenge and controversy times.

19

20 He led successful efforts to hold up Colorado's bid for statehood until black
21 suffrage was constitutionally secured. And he founded the first adult education
22 program in the state, where men and women – many freed slaves newly-
23 emigrated from the South – got their very first opportunity.

24

25 Barney Ford saw that Colorado was a place where opportunity knows no
26 bounds. A place where hard work, a willingness to take a risk, and personal
27 sacrifice can lead to a better life.

28

29 The task before us is to ensure that opportunity is available to this generation
30 of Coloradans and the next. And while the path to prosperity will be
31 challenging, and at times fraught with controversy, our journey must be
32 successful.

33

34 We cannot travel this path alone. We must lock arms and walk together toward
35 a future for this great state where every child has the opportunity to get a quality
36 education; to go to a great college; to find a good job; to raise a healthy family;
37 and to live a decent life.

38

39 I look forward to our journey together.

40

41 Thank you and God bless you.

42

43

44 Representative May delivered the following address to the members of
45 the Colorado House of Representatives:

46

47 Mr. Speaker, Mr. Majority Leader, esteemed colleagues and honored guests,
48 welcome!

49

50 As there is much work to be done, my comments here will be brief.

51

52 Actually, as most of you know, as recently as a few weeks ago, I wasn't
53 planning to be here this session, so I didn't have a great deal of time to write a
54 lengthy speech. However, as my good friend John Lennon said: "Life is what
55 happens while you're busy making other plans."

56

1 So here I am back amongst all my rowdy friends. And we certainly have a lot
2 of work to do!

3
4 First, I need to say a special thank you to my wife Traci, who is here today. I
5 want to acknowledge the personal sacrifice that she and my family have made
6 for me to serve with you here in this body. All of our families make sacrifices
7 for us to be here, so please, colleagues stand with me now to show them how
8 grateful we are for their support.

9
10 Years ago I had a sign on my office wall that read "There are no problems, only
11 opportunities to succeed." My friends, our opportunity to succeed is unmatched
12 by those in recent times.

13
14 As a nation and a state, we are facing perhaps the most challenging economic
15 crisis in more than a generation.

16
17 Colorado families are struggling, and they're worried. They are concerned about
18 our financial markets and their retirement funds, about keeping their jobs and
19 their homes, and about educating and caring for their children.

20
21 As Coloradans, we are an adventurous and tough-minded group. The problems
22 we've solved in the past were often difficult and complex. But, we roll up our
23 shirtsleeves and we get the job done.

24
25 We will need this spirit of the west -the tireless and rugged courage that settled
26 our state - to move beyond the problems that stare us coldly in the face today.

27
28 This session, we must succeed.

29
30 **Budget**

31
32 Like the budgets of many Colorado families, income levels aren't keeping up
33 with expenses. And just like Colorado families, the state will need to tighten its
34 belt a notch or two to adjust.

35
36 Certainly there will be those who will be unhappy with the choices we must
37 make - perhaps even some in this room. But we have an obligation to live
38 within our means, and to do that this year will be more difficult than it has been
39 in the past.

40
41 Now, more than ever, it is apparent that the state should have been more fiscally
42 responsible: We should have created a rainy day fund. When the sun was
43 shining, we did not set aside money. Now, when it is raining, there is no money
44 to set aside. But that doesn't mean we can't set the stage for better days. Now
45 is the time to create the structure for future savings, to take the responsible
46 course.

47
48 And while we plan for the future, we must address today's budget challenges.
49 We will wrestle with shortfalls and federal mandates, and accommodate a state
50 constitution with conflicting, and often confusing requirements, many of which
51 disregard the immediate needs of Colorado citizens.

52
53 In fact, I am reminded of the old Rubik's Cube, where the correct twists and
54 turns were always needed in the exact sequence to line up the colors on all
55 sides. I never could figure out the Rubik's Cube, but together, I am confident
56 that we can solve the state budget puzzle this year.

1 To do so in the current environment we will need the talent, creativity, and the
2 commitment of everyone in this room. We will also need to agree on a few
3 ground-rules, some family budget values, if you will.

4
5 Our budget should demonstrate that we understand the importance of the duty,
6 and the honor, that the people of Colorado have given to us.

7
8 It should reflect our commitment to protecting jobs and to protecting our
9 economy.

10
11 It should reflect our commitment to keeping commerce moving by providing
12 a safe and reliable transportation system.

13
14 It should reflect our commitment to the future through a diverse, accessible
15 education system for our children in Kindergarten through 12th grade, and on
16 through college.

17
18 It should reflect our commitment to supporting the industries that bring jobs and
19 revenue into our communities.

20
21 It should reflect our commitment to a government that is open and up front
22 about how it spends taxpayer dollars.

23
24 And it should reflect our respect for the freedom and opportunities that
25 Colorado families deserve.

26 27 **Energy**

28
29 Colorado is uniquely positioned to be a leader in energy, and with more than
30 just a "New Energy Economy" - we need a "Stable Energy Economy."

31
32 You've heard it said before: "Don't put all your eggs in one basket."

33
34 Now, we have several farmers and ranchers in the crowd, and surely they can
35 appreciate the wisdom of that statement.

36
37 Colorado has real potential to lead in the field of renewable energy. However,
38 we are also incredibly well positioned to lead in other energy fields: oil and
39 natural gas, clean coal, hydro-power, and even potentially nuclear power and oil
40 shale.

41
42 We live in a state that is blessed with many homegrown resources, and through
43 responsible development, we can lead the country toward energy independence.

44
45 What we must not do is sacrifice our economy - and the incredible number of
46 jobs created by the oil and gas industry in particular. We cannot afford to drive
47 away a thriving industry that is vital to many Colorado communities in these
48 difficult economic times.

49
50 As with all OF OUR business POLICIES, as we strive to do good, we must also
51 be careful to do no harm.

52
53 There is no 'one' right answer when it comes to energy independence. Instead,
54 we need a diverse and responsible portfolio to make Colorado a leader in
55 energy, and in turn to protect jobs and bolster our economy.

56

1 **Transportation**

2
3 A fundamental responsibility of government is to build and maintain our roads,
4 highways and bridges. This is a responsibility during good times and bad.

5
6 The stakes for us this year with transportation are high, indeed this is one of the
7 greatest opportunities we have.

8
9 And while Congress and the incoming administration in Washington have
10 signaled that they may provide states with some additional transportation
11 dollars, waiting around for the federal government to address the state's needs
12 is not a realistic option.

13
14 Instead, the legislature must move quickly.

15
16 By adopting an innovative financing method, we can use a relatively modest
17 amount of money to secure substantial funding for this critical priority.

18
19 Reliable and well maintained roads mean safer travel for Colorado families,
20 fewer roadblocks for commerce, and an opportunity to put more people to work
21 on our roads, highways and bridges.

22
23 We must come together to fix our crumbling roads and bridges.

24
25 **Education**

26
27 Education is also an area where we cannot afford to lose focus, and the budget
28 pressure on higher education this year will be enormous.

29
30 Last year, by working together, we were able to make significant progress
31 toward improving the quality of education for our students. As a result, the
32 Department of Education and the Department of Higher Education are now
33 cooperating to develop a seamless system to help our kids better compete in an
34 increasingly competitive world.

35
36 We also worked together to dedicate significant funding to make our school
37 buildings safer for students from pre-school through college, to reward our best
38 teachers, and to make up some lost ground for charter schools.

39
40 We must continue to build on these successes.

41
42 One of our great challenges this year in education is to keep higher education
43 affordable for all those who strive to improve their lives.

44
45 With so much of our budget protected by special requirements, our colleges and
46 universities will find themselves in the same budget squeeze as those who wish
47 to attend – ever rising costs competing for fewer dollars in a beleaguered
48 economy.

49
50 And that battered economy will result in many who have lost their jobs and look
51 to our community colleges and universities to learn new skills for their future.

52
53 Let's commit to an open and honest discussion with our college and university
54 presidents. Our goal should be to preserve hope and opportunity for a better
55 tomorrow for all Colorado citizens who seek a higher education.

56

1 **Closing Remarks**

2
3 The importance of a strong Colorado economy is an area where everyone in this
4 room – Republicans and Democrats alike – should be able to agree.

5
6 In November, election season came to an end. Now, in January, it is the time for
7 us to come together and lead.

8
9 Balancing our budget, protecting jobs, and bolstering our economy will require
10 true leadership. If we fail to meet any of those goals this year, everything else
11 that we do will matter little.

12
13 This is our challenge.

14
15 I hope that you will all join me in rising to meet it. We have shown in the past
16 that we do our best work, when we work together.

17
18 There is no choice but for us to succeed.

19
20
21 Representative Weissmann moved that the remarks of Speaker Carroll
22 and Representative May be printed in the journal.

23
24
25 Representative Benefield, Chairman of the Committee to Notify the
26 Senate, reported that the Senate had been notified that the House was
27 organized and ready for business.

28
29
30
31 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

32
33 On motion of Representative Weissmann, the rules were suspended and
34 the following resolution was given immediate consideration.

35
36 **HJR09-1001** by Representative(s) Weissmann, Carroll T., May; also
37 Senator(s) Shaffer B., Groff, Penry--Concerning a Joint
38 Session of the House of Representatives and the Senate for
39 the purpose of hearing a message from His Excellency,
40 Governor Bill Ritter, and appointing a committee to escort
41 the Governor.

42
43 (Printed and placed in member's file).

44
45 On motion of Representative Weissmann, the resolution was **adopted** by
46 **viva voce** vote.

47
48 The Speaker appointed Representatives Merrifield, Chairman, Labuda,
49 Looper pursuant to the resolution.

50
51
52
53
54 **APPOINTMENTS**

55
56 The following list of committee appointments was read:

1 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

2 13 members: Representatives Curry, Chairman; Fischer, Vice-Chairman; C.
3 Gardner, Hullinghorst, Labuda, Looper, McKinley, McNulty, Pace, Solano,
4 Sonnenberg, Tipton, Vigil

5

6 **APPROPRIATIONS**

7 13 members: Representatives Pommer, Chairman; Ferrandino, Vice-Chairman;
8 B. Gardner, Judd, Kefalas, A. Kerr, J. Kerr, McCann, Marostica, Pace,
9 Riesberg, Sonnenberg, Vaad

10

11 **BUSINESS AFFAIRS & LABOR**

12 11 members: Representatives Rice, Chairman; Casso, Vice-Chairman; Balmer,
13 Bradford, Gagliardi, Liston, Priola, Ryden, Scanlan, Soper, Stephens

14

15 **EDUCATION**

16 13 members: Representatives Merrifield, Chairman; Solano, Vice-Chairman;
17 Baumgardner, Benefield, Massey, Middleton, Murray, Peniston, Scanlan,
18 S. Schafer, Summers, Todd, Waller

19

20 **FINANCE**

21 11 members: Representatives Judd, Chairman; Frangas, Vice-Chairman;
22 Apuan, Benefield, Gerou, Kefalas, A. Kerr, Lambert, Priola, Summers, Swalm

23

24 **HEALTH & HUMAN SERVICES**

25 11 members: Representatives Riesberg, Chairman; Gagliardi, Vice-Chairman;
26 Acree, Green, Kefalas, J. Kerr, Lundberg, McGihon, Primavera, Roberts,
27 Swalm

28

29 **JUDICIARY**

30 11 members: Representatives Levy, Chairman; McCann, Vice-Chairman;
31 Apuan, Court, B. Gardner, S. King, Miklosi, Pace, Roberts, Ryden, Waller

32

33 **LOCAL GOVERNMENT**

34 11 members: Representatives Peniston, Chairman; Soper, Vice-Chairman;
35 Acree, Bradford, Gerou, Liston, McKinley, Middleton, S. Schafer, Tipton, Vigil

36

37 **STATE, VETERANS, & MILITARY AFFAIRS**

38 11 members: Representatives Todd, Chairman; Labuda, Vice-Chairman; Casso,
39 Court, Hullinghorst, Lambert, Lundberg, McCann, Massey, Miklosi, Murray

40

41 **TRANSPORTATION & ENERGY**

42 11 members: Representatives McFadyen, Chairman; Green, Vice-Chairman;
43 Baumgardner, Fischer, Frangas, S. King, Looper, McNulty, Merrifield,
44 Primavera, Vaad

45

46

47 **OTHER PERMANENT COMMITTEES**

48

49 **HOUSE SERVICES**

50 4 members: Representatives Benefield, Chairman; Court, Massey, Vaad

51

52 **LEGAL SERVICES**

53 Representatives B. Gardener, Labuda, Levy, McGihon, Roberts.

54

55 **LEGISLATIVE AUDIT**

56 Representatives Primavera, Chairman, J. Kerr, McNulty, Miklosi.

1 **LEGISLATIVE COUNCIL**

2 Representative Balmer, T. Carroll, C. Gardner, A. Kerr, May,
3 Middleton, Scanlan, Stephens, Weissmann.
4
5
6

7 On motion of Representative Weissmann, the appointments to the
8 Legislative Audit Committee were confirmed by the following roll call
9 vote:

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

28
29 On motion of Representative Weissmann, the appointments to the
30 Committee on Legislative Council were confirmed by the following roll
31 call vote:

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

50
51 On motion of Representative Weissmann, the appointments to the
52 Committee on Legal Services were confirmed by the following roll call
53 vote:

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

1	Balmer	Y	Judd	Y	McGihon	Y	Scanlan	Y
2	Baumgardner	Y	Kefalas	Y	McKinley	Y	Schafer S.	Y
3	Benefield	Y	Kerr A.	Y	McNulty	Y	Solano	Y
4	Bradford	Y	Kerr J.	Y	Merrifield	Y	Sonnenberg	Y
5	Casso	Y	King S.	Y	Middleton	Y	Soper	Y
6	Court	Y	Labuda	Y	Miklosi	Y	Stephens	Y
7	Curry	Y	Lambert	Y	Murray	Y	Summers	Y
8	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
9	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
10	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
11	Gagliardi	Y	Lundberg	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

House in recess. House reconvened.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly preprinted: **HB09-1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076.**

INTRODUCTION OF BILLS

First Reading

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

HB09-1001 by Representative(s) Rice, Balmer, Liston, McFadyen, Solano; also Senator(s) Heath, Mitchell, Scheffel, Schwartz, Veiga--Concerning the creation of an income tax credit to incentivize Colorado job growth.

Committee on Business Affairs and Labor

HB09-1002 by Representative(s) McFadyen; also Senator(s) Tapia--Concerning the operation of the state lottery.

Committee on Finance

HB09-1003 by Representative(s) Gardner C.--Concerning sales and use tax exemptions for authorized carrier vehicles.

Committee on Finance

- 1 **HB09-1004** by Representative(s) Apuan; also Senator(s) Boyd--
2 Concerning the authority of organizations providing all-
3 inclusive care for the elderly to employ physicians.
4 Committee on Health and Human Services
5
- 6 **HB09-1005** by Representative(s) Marostica; also Senator(s) Veiga--
7 Concerning the authority of a special district to establish
8 special improvement districts within the boundaries of the
9 special district.
10 Committee on Local Government
11
- 12 **HB09-1006** by Representative(s) Kerr J., McNulty; also Senator(s)
13 Kopp--Concerning standards for the establishment of rates
14 by municipalities for sewerage system service provided to
15 users outside municipal boundaries in urban areas where
16 such users comprise more than fifty percent of all users.
17 Committee on Local Government
18
- 19 **HB09-1007** by Representative(s) Frangas, Hullinghorst; also
20 Senator(s) Newell, Boyd--Concerning improving child
21 protection efforts by adding domestic violence experts to
22 interagency oversight groups in the collaborative
23 management program.
24 Committee on Health and Human Services
25
- 26 **HB09-1008** by Representative(s) Miklosi--Concerning the expansion
27 of the ability to transfer annual leave between employees
28 in the state personnel system.
29 Committee on State, Veterans, & Military Affairs
30
- 31 **HB09-1009** by Representative(s) King S.--Concerning requiring
32 public schools to conduct emergency safety drills.
33 Committee on Education
34
- 35 **HB09-1010** by Representative(s) Massey and McGihon; also
36 Senator(s) Gibbs and Spence--Concerning the promotion
37 of Colorado as a location for film production activities.
38 Committee on Finance
39 Committee on Appropriations
40
- 41 **HB09-1011** by Representative(s) Gardner B.; also Senator(s) Morse--
42 Concerning the authority of the state to enter into lease-
43 purchase agreements for offices of the department of
44 corrections in El Paso county.
45 Committee on State, Veterans, & Military Affairs
46
- 47 **HB09-1012** by Representative(s) Rice and Stephens, Curry, Massey,
48 Swalm; also Senator(s) Mitchell and Newell--Concerning
49 incentives provided by health insurance carriers to
50 encourage voluntary participation in programs to promote
51 health.
52 Committee on Business Affairs and Labor
53
- 54 **HB09-1013** by Representative(s) Sonnenberg--Concerning an
55 exception to statutory requirements governing the
56 collection of excess property tax revenue by urban

- 1 renewal authorities in connection with tax increment
2 financing for certain special districts providing emergency
3 services.
4 Committee on Finance
5 Committee on Local Government
6
7 **HB09-1014** by Representative(s) Judd; also Senator(s) Isgar--
8 Concerning the provision of additional resources to the
9 division of real estate to provide oversight of conservation
10 easements for which a state income tax credit is claimed.
11 Committee on Business Affairs and Labor
12
13 **HB09-1015** by Representative(s) Murray, Marostica; also Senator(s)
14 Hodge--Concerning certain actions taken by the
15 designated election official in conducting primary
16 elections.
17 Committee on State, Veterans, & Military Affairs
18
19 **HB09-1016** by Representative(s) Court--Concerning an exception to
20 the requirement that a person who is lawfully present in
21 Colorado be licensed to drive by the department of
22 revenue when such person drives while present in
23 Colorado for business purposes.
24 Committee on Transportation & Energy
25
26 **HB09-1017** by Representative(s) Pace; also Senator(s) Hodge--
27 Concerning the water efficiency grant program cash fund,
28 and, in connection therewith, giving the Colorado water
29 conservation board continuous authority to spend moneys
30 transferred to the water efficiency grant program cash
31 fund from the operational account of the severance tax
32 trust fund.
33 Committee on Agriculture, Livestock, & Natural Resources
34
35 **HB09-1018** by Representative(s) Bradford--Concerning the removal
36 of obsolete language in statutory provisions implementing
37 the statewide voter registration and election system for
38 purposes of compliance with the federal "Help America
39 Vote Act".
40 Committee on State, Veterans, & Military Affairs
41
42 **HB09-1019** by Representative(s) Peniston; also Senator(s) Foster--
43 Concerning cat identification.
44 Committee on Local Government
45
46 **HB09-1020** by Representative(s) Acree; also Senator(s) Spence, Boyd--
47 Concerning expedited processes for reenrollment in
48 publicly funded medical programs.
49 Committee on Health and Human Services
50
51 **HB09-1021** by Representative(s) Solano; also Senator(s) Boyd--
52 Concerning the extension of the study of the treatment of
53 persons with mental illness who are involved in the
54 criminal and juvenile justice systems.
55 Committee on Judiciary
56

- 1 **HB09-1022** by Representative(s) Solano; also Senator(s) Boyd--
2 Concerning assistance to counties to implement
3 recidivism reduction programs for the mentally ill.
4 Committee on Judiciary
5
- 6 **HB09-1023** by Representative(s) Gagliardi and Swalm; also Senator(s)
7 Boyd--Concerning the age requirement for blood
8 donations by a minor.
9 Committee on Health and Human Services
10
- 11 **HB09-1024** by Representative(s) McNulty, Kerr J., Primavera; also
12 Senator(s) Tochtrop, Isgar, Schultheis--Concerning the
13 application of specified audit reporting requirements
14 within the Colorado local government audit law to certain
15 entities that are otherwise not required to comply with the
16 requirements.
17 Committee on Local Government
18
- 19 **HB09-1025** by Representative(s) Riesberg, Frangas, Green, Massey;
20 also Senator(s) Boyd, Kopp, Morse--Concerning
21 requirements for individuals who collect data on hospital-
22 acquired infection rates.
23 Committee on Health and Human Services
24
- 25 **HB09-1026** by Representative(s) Marostica, Fischer, McFadyen, Rice,
26 Vaad; also Senator(s) Williams, Spence--Concerning the
27 application of vehicle laws to low-power vehicles that
28 operate with less than four wheels in contact with the
29 ground, and, in connection therewith, defining "low-
30 power scooter".
31 Committee on Transportation & Energy
32
- 33 **HB09-1027** by Representative(s) Rice, Fischer, Levy, Marostica,
34 McFadyen, Merrifield, Primavera; also Senator(s) Gibbs,
35 Williams--Concerning the duty of drivers to yield the
36 right-of-way to transit buses entering traffic.
37 Committee on Transportation & Energy
38
- 39 **HB09-1028** by Representative(s) Frangas--Concerning the creation of
40 an accountability board to review grievances related to the
41 Colorado indigent care program.
42 Committee on Health and Human Services
43
- 44 **HB09-1029** by Representative(s) Sonnenberg, Fischer, Levy,
45 Marostica, McFadyen, McNulty, Primavera, Rice, Vaad;
46 also Senator(s) Renfro, Gibbs, Spence, Williams--
47 Concerning the registration of mobile machinery operated
48 in interstate commerce.
49 Committee on Transportation & Energy
50
- 51 **HB09-1030** by Representative(s) Labuda, Benefield, Gardner B., King
52 S., Liston, Peniston, Rice, Riesberg; also Senator(s)
53 Tochtrop, Morse, Williams--Concerning firefighter and
54 police officer pension plan compliance with requirements
55 set forth in the internal revenue code.
56 Committee on Business Affairs and Labor

- 1 **HB09-1031** by Representative(s) King S., Lundberg; also Senator(s)
2 Penry and Gibbs, Kopp--Concerning a requirement that
3 the state match local government contributions to the
4 emergency fire fund.
5 Committee on Agriculture, Livestock, & Natural Resources
6 Committee on Appropriations
7
- 8 **HB09-1032** by Representative(s) Liston--Concerning a requirement
9 for photo identification in order to receive delivery of a
10 controlled substance prescription.
11 Committee on Health and Human Services
12
- 13 **HB09-1033** by Representative(s) Schafer S., Merrifield, Todd,
14 Benefield; also Senator(s) Spence, Williams--Concerning
15 the regulation of flight schools.
16 Committee on Education
17
- 18 **HB09-1034** by Representative(s) Liston; also Senator(s) Gibbs--
19 Concerning authorization for a regional transportation
20 authority to impose property tax.
21 Committee on Transportation & Energy
22
- 23 **HB09-1035** by Representative(s) Riesberg; also Senator(s) Heath--
24 Concerning sales and use tax refunds for certain
25 Colorado-based technology companies.
26 Committee on Finance
27
- 28 **HB09-1036** by Representative(s) King S.--Concerning increasing the
29 amount deposited into the peace officers standards and
30 training board cash fund by increasing the registration fee
31 for certain classes of personal property.
32 Committee on Finance
33
- 34 **HB09-1037** by Representative(s) Tipton; also Senator(s) Isgar--
35 Concerning the reclassification of Montrose county for
36 county court purposes.
37 Committee on Judiciary
38
- 39 **HB09-1038** by Representative(s) Lundberg--Concerning a limited
40 exemption from the state severance tax for production
41 from a primary commercial oil shale facility.
42 Committee on Finance
43
- 44 **HB09-1039** by Representative(s) McNulty; also Senator(s) Kopp--
45 Concerning in-state tuition classification for honorably
46 discharged military veterans.
47 Committee on State, Veterans, & Military Affairs
48 Committee on Appropriations
49
- 50 **HB09-1040** by Representative(s) Vigil--Concerning annual reports on
51 the enactment of legislation resulting in unfunded
52 mandates on local governments.
53 Committee on Local Government
54
55

- 1 **HB09-1041** by Representative(s) Gerou--Concerning a fire protection
2 district board's authority to fix fees for emergency medical
3 services.
4 Committee on Local Government
5 Committee on Finance
6
- 7 **HB09-1042** by Representative(s) Merrifield--Concerning a prohibition
8 on a slow-moving motor vehicle impeding highway
9 traffic.
10 Committee on Transportation & Energy
11
- 12 **HB09-1043** by Representative(s) Ryden; also Senator(s) Williams--
13 Concerning the addition of a line to Colorado state
14 individual income tax return forms whereby individual
15 taxpayers may make a voluntary contribution to the Make-
16 A-Wish Foundation of Colorado fund.
17 Committee on Finance
18
- 19 **HB09-1044** by Representative(s) Roberts; also Senator(s) Morse--
20 Concerning expungement of records relating to a criminal
21 matter for which a juvenile is sentenced as a juvenile after
22 being charged by the direct filing of charges in a district
23 court.
24 Committee on Judiciary
25
- 26 **HB09-1045** by Representative(s) Casso; also Senator(s) Gibbs--
27 Concerning recognition of September 11 as an optional
28 state holiday.
29 Committee on State, Veterans, & Military Affairs
30
- 31 **HB09-1046** by Representative(s) Scanlan--Concerning procedures to
32 implement the postsecondary and workforce readiness
33 assessments pilot program.
34 Committee on Education
35
- 36 **HB09-1047** by Representative(s) Todd; also Senator(s) Williams--
37 Concerning a program for providing additional therapies
38 to certain persons with disabilities who are eligible to
39 receive medicaid.
40 Committee on Health and Human Services
41
- 42 **HB09-1048** by Representative(s) Labuda--Concerning representation
43 by persons impacted by a disability in state work groups
44 that have a primary purpose of addressing issues that
45 affect persons with disabilities.
46 Committee on Health and Human Services
47
- 48 **HB09-1049** by Representative(s) May; also Senator(s) Harvey--
49 Concerning a prohibition on accepting a plea of guilty
50 from an illegal alien that will result in avoiding removal
51 from this country.
52 Committee on Judiciary
53
- 54 **HB09-1050** by Representative(s) Soper--Concerning the voluntary
55 contribution designation benefiting the Colorado Easter
56 Seals fund that appears on the state individual income tax

- 1 return forms, and, in connection therewith, extending the
2 period for the contribution designation and changing the
3 name of the fund.
4 Committee on Finance
5
- 6 **HB09-1051** by Representative(s) Baumgardner--Concerning the use of
7 federal mineral lease revenues to pay for construction
8 projects in areas impacted by production of energy
9 resources.
10 Committee on Agriculture, Livestock, & Natural Resources
11
- 12 **HB09-1052** by Representative(s) Waller--Concerning limitations on
13 the solicitation of donated items that will be sold for
14 profit.
15 Committee on Business Affairs and Labor
16
- 17 **HB09-1053** by Representative(s) Balmer; also Senator(s) Romer--
18 Concerning the regulation of financial institutions under
19 the authority of the banking board.
20 Committee on Business Affairs and Labor
21
- 22 **HB09-1054** by Representative(s) Looper, Balmer, Rice, Stephens,
23 Todd; also Senator(s) Morse, King K.--Concerning
24 eligibility for unemployment insurance benefits for an
25 individual who leaves employment to relocate to a new
26 place of residence after the individual's active duty
27 military spouse is killed in combat.
28 Committee on Business Affairs and Labor
29
- 30 **HB09-1055** by Representative(s) Green--Concerning a requirement
31 that a utility disclose to its customers the amount of
32 carbon dioxide use that is attributable to each such
33 customer.
34 Committee on Transportation & Energy
35
- 36 **HB09-1056** by Representative(s) McCann; also Senator(s) Kopp--
37 Concerning increased penalty authority for the department
38 of public health and environment for violations of solid
39 waste disposal laws.
40 Committee on Health and Human Services
41
- 42 **HB09-1057** by Representative(s) Kerr A., Carroll T., Apuan; also
43 Senator(s) Bacon, Groff--Concerning parental
44 involvement in kindergarten through twelfth grade
45 education.
46 Committee on Education
47
- 48 **HB09-1058** by Representative(s) Marostica; also Senator(s) Morse--
49 Concerning the final disposition of the remains of
50 veterans of the armed forces that have been abandoned.
51 Committee on State, Veterans, & Military Affairs
52
- 53 **HB09-1059** by Representative(s) Primavera--Concerning the
54 continuation of health care coverage while participating in
55 a clinical trial.
56 Committee on Health and Human Services

- 1 **HB09-1060** by Representative(s) McKinley--Concerning information
2 to be provided to visitors at Rocky Flats.
3 Committee on Agriculture, Livestock, & Natural Resources
4
- 5 **HB09-1061** by Representative(s) McGihon; also Senator(s) Tochtrop--
6 Concerning required health care disclosures involving
7 insurance carrier business relationships with intermediary
8 entities.
9 Committee on Business Affairs and Labor
10
- 11 **HB09-1062** by Representative(s) Curry; also Senator(s) Schwartz--
12 Concerning the authorization of a water quality
13 monitoring program in the Piceance basin relating to the
14 effects of oil and gas operations.
15 Committee on Agriculture, Livestock, & Natural Resources
16
- 17 **HB09-1063** by Representative(s) Summers--Concerning granting in-
18 state student status to a child who moves to Colorado
19 during the child's senior year of high school as the result
20 of the child's legal guardian taking a job in the state.
21 Committee on State, Veterans, & Military Affairs
22
- 23 **HB09-1064** by Representative(s) Kefalas, Fischer, Frangas,
24 Hullinghorst, Solano, Todd--Concerning creating a
25 legislative committee to study poverty issues, and, in
26 connection therewith, establishing the economic
27 opportunity poverty reduction task force for the purpose
28 of advancing economic opportunity while reducing child
29 and family poverty.
30 Committee on State, Veterans, & Military Affairs
31
- 32 **HB09-1065** by Representative(s) Benefield, Todd; also Senator(s)
33 Spence--Concerning the quality teachers commission, and,
34 in connection therewith, creating an educator identifier
35 pilot program.
36 Committee on Education
37
- 38 **HB09-1066** by Representative(s) Vaad; also Senator(s) Gibbs--
39 Concerning the codification of existing practices of the
40 division of aeronautics.
41 Committee on Transportation & Energy
42
- 43 **HB09-1067** by Representative(s) Pommer; also Senator(s) White--
44 Concerning the establishment of an incentive for the
45 donation of water rights to the Colorado water
46 conservation board for use as instream flow rights.
47 Committee on Agriculture, Livestock, & Natural Resources
48
- 49 **HB09-1068** by Representative(s) Lambert; also Senator(s) Scheffel--
50 Concerning an exemption from property taxation for
51 business personal property.
52 Committee on Finance
53
- 54 **HB09-1069** by Representative(s) Stephens; also Senator(s) Kopp--
55 Concerning the crime of withdrawing an initiative petition

- 1 for compensation, and making an appropriation in
 2 connection therewith.
 3 Committee on State, Veterans, & Military Affairs
 4 Committee on Appropriations
 5
- 6 **HB09-1070** by Representative(s) Fischer, Hullinghorst--Concerning
 7 the prohibition of certain types of lands from inclusion in
 8 urban renewal areas, and, in connection therewith,
 9 requiring the participation in urban renewal areas of
 10 governmental entities that impose property taxes.
 11 Committee on Local Government
 12
- 13 **HB09-1071** by Representative(s) Gagliardi--Concerning the moneys
 14 in the search and rescue fund, and, in connection
 15 therewith, increasing surcharges on outdoor recreation
 16 activities and expanding the use of moneys in the fund.
 17 Committee on State, Veterans, & Military Affairs
 18 Committee on Finance
 19
- 20 **HB09-1072** by Representative(s) Middleton; also Senator(s) Hudak--
 21 Concerning modifications to statutory provisions
 22 addressing the governance of library districts.
 23 Committee on Local Government
 24
- 25 **HB09-1073** by Representative(s) Massey, Frangas, Kerr J., Riesberg;
 26 also Senator(s) Boyd and Kopp, Morse--Concerning
 27 electronic prescriptions in the medical assistance program.
 28 Committee on Health and Human Services
 29
- 30 **HB09-1074** by Representative(s) Middleton--Concerning the voting
 31 rights of members of governing boards of state institutions
 32 of higher education who are also faculty members.
 33 Committee on Education
 34
- 35 **HB09-1075** by Representative(s) Middleton--Concerning expansion of
 36 criminal history employment disqualifications for
 37 employees of the department of human services.
 38 Committee on Judiciary
 39
- 40 **HB09-1076** by Representative(s) Pace--Concerning remuneration
 41 resulting from an employee's separation from employment
 42 for the purpose of calculating the postponement of
 43 unemployment insurance benefits.
 44 Committee on Business Affairs and Labor
 45

48 INTRODUCTION OF RESOLUTIONS

49
 50 The following resolutions were read by title and laid over one day under
 51 the rules:
 52

- 53 **HR09-1002** by Representative(s) Benefield, Court, Massey, Vaad--
 54 Concerning employees and positions for the House of
 55 Representatives convened in the First Regular Session of
 56 the Sixty-seventh General Assembly.

- 1 **HR09-1003** by Representative(s) Benefield, Court, Massey, Vaad--
- 2 Concerning payment of employees for pre-session work
- 3 for the House of Representatives convened in the First
- 4 Regular Session of the Sixty-seventh General Assembly.
- 5
- 6 **HR09-1004** by Representative(s) Benefield, Court, Massey, Vaad--
- 7 Concerning the chaplain position in the house of
- 8 representatives.
- 9
- 10 **HR09-1005** by Representative(s) Weissmann--Concerning
- 11 amendments to the rules of the House of Representatives.
- 12
- 13
- 14

15 On motion of Representative Fischer, the House adjourned until
16 10:00 a.m., January 8, 2009.

17
18
19
20
21
22
23

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Second Legislative Day

Thursday, January 8, 2009

1 Prayer by Dr. C. Gene Selander, Crystal Clear Ministries, Denver.

2

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

4

5 Pledge of Allegiance led by Ethan and Rachael Green, Rock Ridge
6 Elementary and Kindergarten, Castle Rock.

7

8 The roll was called with the following result:

9

10 Present--65.

11

12 The Speaker declared a quorum present.

13

14

15

16 On motion of Representative McNulty, the reading of the journal of
17 January 7, 2009, was declared dispensed with and approved as corrected
18 by the Chief Clerk.

19

20

21

22

CONSIDERATION OF RESOLUTIONS

23

24 **HR09-1002** by Representative(s) Benefield, Court, Massey, Vaad--
25 Concerning employees and positions for the House of
26 Representatives convened in the First Regular Session of
27 the Sixty-seventh General Assembly.

28

29 (Printed and placed in member's file)

30

31 On motion of Representative Benefield, the resolution was **adopted** by
32 **viva voce** vote.

33

34 **HR09-1003** by Representative(s) Benefield, Court, Massey, Vaad--
35 Concerning payment of employees for pre-session work
36 for the House of Representatives convened in the First
37 Regular Session of the Sixty-seventh General Assembly.

38

39 (Printed and placed in member's file)

40

41 On motion of Representative Benefield, the resolution was **adopted** by
42 **viva voce** vote.

43

1 **HR09-1004** by Representative(s) Benefield, Court, Massey, Vaad--
2 Concerning the chaplain position in the house of
3 representatives.
4

5 (Printed and placed in member's file)
6

7 On motion of Representative Benefield, the resolution was **adopted** by
8 **viva voce** vote.
9

10 House in recess. House reconvened.
11
12
13

14 **MESSAGE FROM THE SENATE**

15
16
17 The Senate has adopted and transmits herewith: SJR09-002, amended on
18 January 8, 2009, as printed in Senate Journal.
19

20 The Senate has adopted and returns herewith: SJR09-003. Pursuant to
21 the resolution, the President appointed Senators Foster and Brophy
22

23 The Senate has adopted and returns herewith: HJR09-1001. Pursuant to
24 the resolution, the President appointed Senators Schwartz and Kester.
25

26 **INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

27
28
29 On motion of Representative Weissmann, the rules were suspended and
30 the following resolutions were given immediate consideration.
31

32 **SJR09-002** by Senator(s) Shaffer B., Groff, Penry; also
33 Representative(s) Benefield, Court, Massey, Vaad--
34 Concerning employee salary ranges for the First Regular
35 Session of the Sixty-seventh General Assembly.
36

37 (Printed and placed in member's file)
38

39 On motion of Representative Benefield, the resolution was **adopted** by
40 **viva voce** vote.
41

42 **SJR09-003** by Senator(s) Shaffer B., Groff, Penry; also
43 Representative(s) Weissmann, Carroll T., May--
44 Concerning a joint session of the Senate and the House of
45 Representatives for the purpose of hearing a message from
46 the Chief Justice of the Supreme Court, and appointing a
47 committee to escort the Chief Justice.
48

49 (Printed and placed in member's file)
50

51 On motion of Representative Weissmann, the resolution was **adopted** by
52 **viva voce** vote.
53

54 The Speaker appointed Representatives Levy, Chairman, Miklosi, and
55 Roberts pursuant to the resolution.
56

1 House in recess for Joint Session.

2

3

4

5

JOINT SESSION

6

7 The Joint Session was called to order by the Senate Majority Leader,
8 Brandon C. Shaffer.

9

10 On motion of Senator Brandon C. Shaffer, the morning roll call of the
11 Senate was made the roll call of the Joint Session.

12

13 Present--33.

14 Excused--Senator Gibbs--1.

15 Vacancy--1.

16

17 On motion of Representative Weissmann, the morning roll call of the
18 House was made the roll call of the Joint Session.

19

20 Present--65.

21

22 The Speaker declared a quorum present and as is customary presented the
23 gavel to the President of the Senate to preside over the joint session.

24

25 President Groff requested the Joint Committee, composed of Senators
26 Schwartz and Kester, and Representatives Merrifield, Chairman, Labuda,
27 and Looper to escort the Governor from the Governor's Chambers to the
28 rostrum.

29

30 Chief Sergeant-at-Arms Suman announced the arrival of the Honorable
31 Bill Ritter, Governor of the State of Colorado.

32

33 The Joint Committee escorted the Governor to the rostrum where he
34 addressed the Joint Session.

35

36

37

**ADDRESS BY THE HONORABLE
Bill Ritter**

38

39

Introduction

40

41
42 Good morning. Two years ago, I stood outside this Capitol and delivered my
43 inaugural address, sharing my belief in the sacred trust we hold with the people of
44 Colorado.

45

46 "It is a solemn duty to serve as an elected official," I said then. "We hold a sacred trust
47 with the people who elect us. We must honor that trust through our hard work, and
48 through our commitment to an open and honest relationship with the people of this
49 state. Every day we must work to maintain the trust conferred upon us by the oaths we
50 swear this morning."

51

52 Serving as governor has only reinforced my belief that holding public office is indeed
53 a sacred trust; a trust relationship not only with those who voted for us, but for *all* of
54 the people of our house districts, our senate districts, and yes, of the entire state.
55 Elections determine who has the privilege to serve, and with this privilege comes the
56 responsibility to honor this trust relationship, which dictates that we serve for all.

1 Today, as we, and the rest of the country, navigate this global economic downturn,
2 honoring that trust relationship is more important than ever before. It's important to
3 families who need health care, to small businesses struggling to meet payroll, and to
4 students juggling multiple jobs to pay for college. It's important to all those who live
5 at the margins, who are unemployed, or under-employed, and who need a safety net
6 until the turnaround comes, and it will come.

7
8 In this legislative session, in this tough economy, we'll need to make tough choices,
9 we'll need to collaborate and listen to one another as we chart a Colorado way
10 forward. Our challenges need more than just Democratic ideas or Republican ideas.
11 We need uniquely Colorado ideas.

12
13 Adversity is nothing new to Colorado, and neither is resilience. After last May's
14 tornado, the people of Windsor pulled together and found a way to rebuild. Just like
15 the people of Windsor, the people of Colorado will come together and overcome this
16 economic crisis. And like the Windsor High School Marching Band, which will
17 represent Colorado at President-elect Obama's inaugural parade, our state will march
18 ahead.

19
20 Yes, we face many obstacles. But a new president and a new year bring the promise
21 of change and opportunity. Together with the new administration, together with our
22 new Senators and our entire Congressional delegation, we will create a stronger
23 partnership with the federal government and work side-by-side on the challenges we
24 face.

25
26 President Groff, Speaker Carroll, honorable members of the House and the Senate,
27 thank you for allowing me to deliver my third State of the State Address here in this
28 chamber.

29
30 I look forward to working with all of you and your new leadership team. With
31 Terrance Carroll as your Speaker, you have made history two years in a row. With
32 Representative Curry and Senator Penry in leadership, you will have strong voices not
33 just for the Western Slope, but for all of rural Colorado.

34
35 To our many distinguished guests: Lt. Gov. O'Brien, Treasurer Kennedy, Attorney
36 General Suthers and Secretary of State-designee Buescher ...

37
38 Mayor Hickenlooper, newly-elected county commissioners, tribal chairs, members of
39 the Supreme Court and Board of Education ...

40
41 To members of my Cabinet, members of the public and all those outside this chamber,
42 thank you for this privilege.

43
44 And especially to my wife and Colorado's first lady, Jeannie ... thank you for
45 everything you do for the people of Colorado, and for our own family. Two of our four
46 kids, Tally and Sam; my mother, Ethel; and many of my siblings are here this morning,
47 too.

48
49 **Achievements**

50
51 The path forward will require tough choices and great cooperation. We are feeling
52 pain. But Colorado is still better off than many other states because we've made smart
53 investments and steady progress the past two years, progress that will help us weather
54 the immediate storm and create sustainable economic growth for the future.

55
56 In my first State of the State, I said the New Energy Economy must be our calling card

1 to the future. In two short years, we've created thousands of jobs, quadrupled our wind
2 power and made Colorado a global research leader. We introduced the New Energy
3 Economy to our president-elect and the rest of the country, and now we're introducing
4 it to the entire world.

5
6 We've launched the boldest education reforms in decades, because we should give
7 every child the chance to walk through the same doors of opportunity that you and I
8 walked through.

9
10 We've crafted an economic-development strategy geared toward knowledge-based
11 industries of the future. And through our Jobs Cabinet and community colleges, we
12 are aligning the needs of businesses with workforce development and training
13 programs.

14
15 We're providing greater protections for Colorado's air, land, water, wildlife and
16 communities.

17
18 We're reforming Colorado's health care system, enrolling 30,000 more uninsured kids
19 and 10,000 working parents in Child Health Plan-Plus and Medicaid.

20
21 We're greening government, and saving on energy costs.

22
23 We're making state government work better for taxpayers, taking a more common-
24 sense approach and saving hundreds of millions of dollars, including \$600,000 simply
25 by renegotiating cell phone contracts. \$600,000 may not sound like a lot, but every
26 dollar counts.

27
28 We're making Colorado safer through our crime-prevention and anti-recidivism
29 initiatives, which will save taxpayers tens of millions of dollars.

30
31 And we're making government more modern and transparent by putting more services
32 online – and soon, working with Treasurer Kennedy's Office and Representative
33 Marostica, we'll have the state's checkbook online.

34
35 We have, together, Democrats and Republicans, made our state stronger.

36
37 **Economic Challenges and Opportunities**

38
39 Over the past two years, I've seen the promise of Colorado in every corner of our great
40 state, in classrooms, in research labs, in rural and urban Colorado alike. I've been all
41 across this vast state, because every place and every person in Colorado matters.

42
43 I also know that every place and every person in Colorado is, one way or another,
44 affected by the downturn. Mothers and fathers are losing their jobs. Members of my
45 own extended family have been laid off or otherwise seriously affected.

46
47 We can't underestimate the pain a family feels when there's a job loss. It affects
48 everything, every decision ... from being able to pay for groceries or new clothes to
49 being able to afford health care or college.

50
51 I know what it's like to grow up in a family affected by layoffs. My dad was a dry-land
52 wheat farmer, and he also was a construction worker and heavy equipment operator.
53 There were winters when there wasn't work to be found. There were times when my
54 mother put dinner on the table using food stamps for me and my 11 brothers and
55 sisters.

56

1 This session, we must do everything we can to help those who are struggling, to keep
2 Coloradans in their jobs, and to keep families in their homes.

3
4 The federal government recently approved our \$34 million Neighborhood Stabilization
5 proposal to help communities and families recover from foreclosure. I look forward
6 to working with Senator Carroll and Representative Ferrandino on our plan to help
7 struggling homeowners get their finances in order and avoid foreclosure.

8
9 Families and businesses throughout Colorado are facing challenges they haven't seen
10 in generations. Families are making different decisions, setting different priorities, and
11 sacrificing. Just like every family in Colorado, we'll need to make tough choices here
12 in the Capitol as well.

13
14 Over the next 120 days, our collective focus must be on protecting businesses, creating
15 jobs, and managing the budget. I will look at everything we work on this session
16 through the lens of the economy – of what's responsible now and what's best for the
17 long run.

18 19 **Fiscal Responsibility**

20
21 Our first order of business will be to prudently manage the budget.

22
23 We made steady progress in 2007 and 2008 in education, health care and human
24 services. As we now undertake the hard work of budget-cutting, we must try to protect
25 those gains and position ourselves for a quick recovery.

26
27 Since early fall, we've taken a number of steps to shore up our fiscal house: imposing
28 a hiring freeze, stopping several new construction projects and halting non-essential
29 spending requests.

30
31 Since then, I've directed my department heads to find even deeper cuts, and next
32 week, my budget office will begin presenting the JBC with the first round of
33 recommended reductions.

34
35 Senator Keller, I look forward to working with you, the JBC and the legislature on
36 what will be a collaborative and bipartisan effort. We'll work to protect life, safety and
37 public health, and we won't abandon our obligation to provide safety-net services.

38
39 However, we will touch many other important public services. This will be hard on the
40 public and hard on public servants like those of you here today: lawmakers, judges,
41 mayors, county commissioners and school board members.

42
43 Unlike the previous recession, our options are more limited this time. Therefore,
44 *everything* will be on the table. We'll look at base budget cuts, cash-fund transfers,
45 program changes and the state's reserve. We've asked state employees for their ideas,
46 and we will ask them to sacrifice, too. As I announced before, employee compensation
47 will be part of the solution.

48
49 As I've said before, a budget is a moral document that should reflect our values.
50 We've used the budget the past two years to set Colorado on a forward path. Now, in
51 these tough times, we must focus on the bare fundamentals and delay some
52 investments we know will make Colorado stronger.

53
54 Delay does not mean forever, and we can't stop thinking about long-term investments
55 in human and physical capital – in education and research and innovation – because
56 those are the things that will help us rise up quicker than ever, and stronger than ever.

1 There is also an opportunity here – a chance to address TABOR and the constitutional
2 and statutory straightjacket that makes modern, sensible and value-based budgeting
3 an impossibility. Last year, former House Speaker Romanoff started the conversation,
4 and we need to keep it alive. We need to talk about life after Ref C – whether and
5 when to extend it. We have a chance to find a better way forward, a Colorado way
6 forward.

7
8 **Economic Development**

9
10 Despite our challenges, Colorado’s economy is still in better shape than many other
11 states. We’re fourth in the U.S. for venture capital funding, fifth for creating new
12 companies and first for women-owned businesses. We have one of the best-educated
13 workforces in the country, and among the highest concentrations of scientists,
14 engineers and high-tech workers.

15
16 We’ve crafted a focused economic-development strategy that will help us protect what
17 we’ve got and pave the way for future growth. We’re holding small-business finance
18 forums around the state. We’re partnering with Mayor Hickenlooper and other local
19 officials to jump-start the metro area’s economy.

20
21 When I and the nation’s governors met with President-elect Obama in November, he
22 said it would take courage and a strong federal-state partnership to get America back
23 on the path to long-term prosperity: “Any true solution will not come from
24 Washington alone; it will come from the White House and the State House working
25 together every step of the way.”

26
27 My administration is helping to design the president-elect’s economic recovery
28 package from the bottom up.

29
30 We’re also working closely with your Committee on Job Creation and Economic
31 Growth. Thank you Senators Schwartz, Heath and Vigil and Representatives Rice and
32 Marostica for sponsoring our job-creation and economic-growth bills.

33
34 By reviving the Colorado Credit Reserve Program, we can give thousands of small
35 businesses vital access to credit and capital. Here’s an example: Sid Huddleston runs
36 a sporting good shop in Pueblo. He sells soccer uniforms, and every winter he gets a
37 short-term loan to get through the slow part of the year.

38
39 Sid is a Vietnam War veteran. He’s never been denied a loan before, until now. He’s
40 depleted his retirement savings, and if he doesn’t get help soon, he’ll have to close his
41 doors for good. The Credit Program could be the answer for businesses like his.

42
43 By enacting House Bill 1001, the job-creation tax credit I announced last month, we
44 can level the playing field with other states when it comes to attracting new companies
45 and new jobs.

46
47 Colorado has never been able to compete against other states in terms of incentives.
48 This job-creation tax credit won’t just be a new tool in the toolbox – it will be *a whole*
49 *new toolbox*. Just the fact that we’re considering this incentive has put us back in
50 contention for yet another New Energy Economy wind manufacturing plant.

51
52 **New Energy Economy**

53
54 Two years ago, I talked about the New Energy Economy as a way to build wind farms
55 in wheat fields and make our universities research leaders in renewable energy. Today,
56 our New Energy Economy is not just creating a culture of sustainability, it’s fulfilling

1 the promise of a new energy future and a new economic future for all of America.
2
3 I'm working with our congressional delegation and the incoming Obama
4 administration to ensure the federal recovery package includes funds for transmission
5 lines and other clean-energy projects.
6
7 The New Energy Economy is a place where we must keep creating new jobs, new
8 innovations and new opportunities. This session, we also must continue bringing the
9 New Energy Economy home for ordinary Coloradans.
10
11 We'll be introducing legislation with Representative Merrifield and Senator Carroll
12 requiring that all new single-family homes come with a "solar-ready" option. Today,
13 homebuyers already have choices when it comes to countertops, paint colors and
14 flooring. People should have similar options when it comes to sustainability.
15
16 I'm equally excited about another of Senator Carroll's proposals, the Renewable
17 Energy Financing Act, which will facilitate financing for residential and business
18 clean-energy projects.
19
20 My office also is working with Treasurer Kennedy, Representative Andy Kerr and
21 Senator Schwartz on a plan for wind and solar projects on schools in rural Colorado.
22 This will help reduce schools' energy costs so they can focus their dollars where they
23 belong – in the classroom.
24
25 And we are moving forward with Representative Apuan on proposal that would
26 require home-sellers to disclose their energy bills for the past 12 months, to help
27 prospective buyers anticipate their monthly expenses.
28
29 My thanks to lawmakers on both sides of the aisle for sponsoring and supporting these
30 bills.
31
32 My thanks also to Colorado's traditional energy sector, which is a key part of our New
33 Energy Economy.
34
35 We have some of the richest natural gas reserves in the nation. We must ensure
36 Colorado's natural gas continues to meet America's energy needs today and serves as
37 a clean-burning bridge fuel for tomorrow. That's why I'm working with industry and
38 others to include funds for gas pipelines in the federal recovery package.
39
40 This session, I'm asking you to finalize rules, passed unanimously by the oil and gas
41 commission, to improve the quality of energy development in Colorado. I'm proud
42 of the commission's work. They listened to every interested party and found the right
43 balance. With these rules, Colorado companies and Colorado workers can
44 successfully drill for natural gas, while our air, land, water, wildlife and communities
45 are protected.
46
47 **Transportation**
48
49 Transportation funding also will be a big part of the federal economic recovery
50 package.
51
52 For every billion dollars of transportation construction, we protect or create at least
53 35,000 jobs. We've put together a list of 160 shovel-ready highway, transit and
54 aviation projects, worth about \$1.4 billion. The federal piece of this is vital. It will
55 create immediate jobs and help us build a modern transportation system for the future.
56 But it's just a first step. Those are just one-time dollars.

1 We have a much bigger problem. We're trying to run a 21st-century transportation
2 system on a 20th-century funding model that's no longer sustainable.

3
4 Even with federal recovery dollars, we don't have the resources to repair the 126
5 structurally deficient bridges in Colorado. We don't have the resources to maintain
6 aging and congested highways. And we don't have the resources to give commuters
7 the transit choices they demand and deserve.

8
9 This session, even in this tough economy, we need to find a new way forward.
10 Eighteen months ago, I convened a bipartisan transportation panel to examine the
11 problem and offer solutions. The panel has done its job; now it's time for us to do
12 ours.

13
14 Over the past few months, my administration has been building a bipartisan coalition
15 of business, civic and government leaders to support an omnibus transportation bill
16 called FASTER – Funding Advancements for Surface Transportation and Economic
17 Recovery.

18
19 This bill will establish a new transportation vision for the future – a vision that creates
20 jobs, a vision we can implement in stages, and a vision that's both bold and realistic
21 about what we can afford. This will take political courage and strong leadership,
22 because this will not be free. It will require asking people to invest more in a down
23 economy.

24
25 For the short-term, we'll need to put safety and maintenance first, by looking at fees
26 and bonding to fix old bridges and old roadways. For the mid-term, we'll need to be
27 even more creative, looking at public-private partnerships and other financing options.
28 And for the long-term, we'll need to craft a sustainable funding formula that's
29 responsible, fair and affordable.

30
31 I look forward to continuing the dialogue this session, and I offer my thanks to
32 Representatives McFadyen and Rice and Senators Shaffer, Gibbs and Penry for their
33 leadership on this pressing issue.

34 35 **Education**

36
37 While investments in the New Energy Economy and transportation are essential, the
38 best economic strategy is an education strategy.

39
40 Colorado already has a lot to brag about, including one of the best-educated
41 workforces in the country. But we can – we must – do better. Our achievement gaps
42 are still too wide. Too few Colorado kids are graduating from college, and for the past
43 10 years, we've made virtually no measurable improvements in student learning.

44
45 The P-20 Council, under the wise leadership of Barbara O'Brien, continues to offer
46 thoughtful reform proposals, and you will see several of those ideas this session. We
47 also will continue to implement Senate Bill 212, the bipartisan Colorado Achievement
48 Plan for Kids, among the most progressive reforms in the nation.

49
50 Certainly, it's hard to talk about funding new reforms in a bad economy. But we can't
51 shortchange hope. So this session we will bring you a statewide concurrent-enrollment
52 plan that will give high school students an opportunity to earn college credits while
53 finishing high school.

54
55

1 Colorado currently has a handful of different laws governing concurrent enrollment.
2 In fact, many of you voted in favor of Senate Bill 148 in 2007. Now it's time to take
3 this effort to the next level.

4
5 We are proposing a comprehensive, statewide approach that will guide high school
6 students who are taking college courses. This is an efficient student-centered concept
7 that will give kids a reason to stay in school *and* accelerate their progress toward
8 degrees and workforce-readiness.

9
10 It sets high, rigorous standards while keeping college affordable and accessible. It
11 addresses two of my major education goals: cutting the dropout rate in half and
12 doubling the number of college degrees earned by Colorado students.

13
14 Now, more than ever, we must focus on policies like this, which will help us rebound
15 from the downturn and put us back on the path to prosperity. Thank you,
16 Representative Merrifield and Senator Williams, for carrying this bill.

17 18 **Health Care**

19
20 Health care is also an area where we must stay focused. Fortunately, President-elect
21 Obama has made health-care reform a priority. He knows state health-care plans and
22 safety-net providers must be part of the recovery package, because, as more people
23 lose their jobs and health insurance, that's a cost burden all of us must shoulder.

24
25 Over the past two years, we've made steady progress in Colorado with our Building
26 Blocks to Health Care Reform initiative. This year, my health agenda will focus on a
27 new strategy to move more than 100,000 Coloradans off the rolls of the uninsured.

28
29 For the past eight months, my office has worked closely with hospitals across the state
30 on a strategy to bring in more federal Medicaid funding – significantly more – without
31 requiring additional general fund appropriations. The process is simple and already in
32 use in several states.

33
34 Hospitals would pay a fee based on their patient revenue. This revenue would then be
35 used to leverage matching federal dollars. Finally, the new resources would be used
36 to reduce underpayments to hospitals – stabilizing their rates – and to provide
37 coverage to our most vulnerable populations.

38
39 My thanks to the Colorado Hospital Association, Bill Lindsay, Don Kortz, Senator
40 Keller and Representative Riesberg, for their leadership on this plan.

41
42 During these difficult economic times, when more and more families are struggling
43 to access health care, our provider fee partnership with the hospitals is a bright light
44 that will not only help the uninsured, but slow the escalating cost of health care for
45 struggling businesses as well.

46 47 **Conclusion**

48
49 As I said at the start, we must honor our sacred trust with voters by working together
50 to make the tough choices that lie ahead. We must overcome these challenges for the
51 short-term and aggressively pursue new opportunities for the long-term, opportunities
52 that can have national and international impact.

53
54 In addition to my travels throughout Colorado, I've visited solar plants in Spain, seen
55 shrinking polar ice sheets in the Arctic, and breathed the polluted air in China. These
56 experiences are sharp reminders that Colorado companies can, and already are,

1 addressing issues like climate change and clean energy. Investing in Colorado
2 technologies and innovations will create a better future here at home, and also around
3 the globe.

4
5 And this isn't just about *investing* in the future. This is about *inventing* the future –
6 and not just a new energy future, but a new medical future, a new aerospace future, a
7 new technology future.

8
9 This is not about yesterday. This is about seizing the opportunities of today to realize
10 the possibilities of tomorrow. When I was in Japan a couple months ago, I was
11 reminded of something the politician Youzan Uesugi said 200 years ago, “The
12 government of now exists to prosperously link the nation of our ancestors to that of
13 our children.”

14
15 Those who came before us here in Colorado were wise enough to plant wheat fields,
16 stake their mining claims, carve railroads and highways through the mountains, and
17 build Denver International Airport. Even in a global economic crisis, you and I – the
18 government of now – must realize the next great opportunity that will link us to our
19 children and our grandchildren.

20
21 One hundred years from now, I want Coloradans to look back and see this as the
22 turning point – the point when we set aside partisan politics and worked together as
23 Coloradans and built a New Energy Economy, a modern transportation system, and
24 the country's best education system.

25
26 In his election night remarks, President-elect Obama reminded us of the words of
27 Lincoln: “We are not enemies, but friends ... Though passion may have strained, it
28 must not break our bonds of affection.”

29
30 We will need to work together as responsible leaders to make the difficult choices
31 necessary to weather this storm. We must not give in to partisan politics. We must not
32 let cynicism win out over hope. We must not let fear win out over faith.

33
34 Future generations will look back to see if we let petty differences stand in the way of
35 steady progress, if we looked past our own differences to rebuild the economy, to put
36 people back to work and to get this state and this country moving again.

37
38 The people of Colorado are counting on us to govern well. We have been given the
39 privilege of serving, the responsibility of charting a clear path forward. Let's make
40 good on the Colorado Promise, together.

41
42 Thank you, and may God bless Colorado.

43
44
45 The Joint Committee escorted the Governor from the Chambers.

46
47 On motion of Representative Weissmann, the Governor's message was
48 ordered printed in the House Journal.

49
50
51 On motion of Senator Brandon C. Shaffer, the Joint Session was
52 dissolved.

53
54
55 House reconvened.
56

1
2
3 **INTRODUCTION OF BILLS**
4 **First Reading**

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

7
8 **HB09-1077** by Representative(s) Schafer S.; also Senator(s) Newell--
9 Concerning a prohibition on the retail sale of products
10 containing tobacco by use of a self-service display.
11 Committee on Business Affairs and Labor

12
13 **HB09-1078** by Representative(s) Ryden; also Senator(s) Hodge--
14 Concerning training for foster parents in regard to
15 individualized education programs.
16 Committee on Education

17
18 **HB09-1079** by Representative(s) Vaad, Marostica--Concerning
19 annexing adjacent municipalities to existing junior college
20 districts.
21 Committee on Local Government

22
23 **HB09-1080** by Representative(s) Marostica; also Senator(s) Williams--
24 Concerning a grant of qualified immunity to building code
25 officials rendering assistance during a disaster emergency.
26 Committee on Judiciary

27
28 **HB09-1081** by Representative(s) Looper; also Senator(s) Morse--
29 Concerning an increase in the length of the statute of
30 limitations for vehicular homicide.
31 Committee on Judiciary

32
33 **HB09-1082** by Representative(s) Peniston; also Senator(s) Tochtrop--
34 Concerning recording of public meetings of school district
35 boards of education.
36 Committee on Education

37
38 **HB09-1083** by Representative(s) McFadyen, Pace; also Senator(s)
39 Tapia, Penry--Concerning the authority of the state to enter
40 into lease-purchase agreements for commercial space for
41 the department of personnel in Pueblo county, Colorado.
42 Committee on State, Veterans, & Military Affairs

43
44 **HB09-1084** by Representative(s) Gagliardi; also Senator(s) Tochtrop--
45 Concerning procedures for the review of providers under
46 the state medical assistance program.
47 Committee on Health and Human Services

48
49 **HB09-1085** by Representative(s) Rice; also Senator(s) Heath--
50 Concerning the regulation of mortgage loan originators,
51 and, in connection therewith, modifying the "Mortgage
52 Broker Licensing Act" to conform to the federal "Secure
53 and Fair Enforcement for Mortgage Licensing Act of
54 2008" and exempting certain financial institutions from the
55 list of prohibited practices under the act.
56 Committee on Business Affairs and Labor

1 **HB09-1086** by Representative(s) McGihon, Green, Frangas; also
2 Senator(s) Boyd--Concerning continuing professional
3 competency of certain mental health professionals.
4 Committee on Health and Human Services

5
6
7
8
9

LAY OVER OF CALENDAR ITEM

10 On motion of Representative Stephens, the following item on the
11 Calendar was laid over until January 9, 2009, retaining place on
12 Calendar:

13
14
15
16
17

Consideration of Resolution--**HR09-1005**.

18
19
20
21

On motion of Representative Stephens, the House adjourned until
10:00 a.m., January 9, 2009.

22
23
24
25
26

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Third Legislative Day

Friday, January 9, 2009

1 Prayer by Pastor Curtis Miller, Worship Center, Brighton.

2

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

4

5 Pledge of Allegiance led by Drew and Ashleigh Colosimo, Martinez
6 Elementary, Colorado Springs; Kallen and Payton Fitzpatrick, Southmoor
7 Elementary, Denver.

8

9 The roll was called with the following result:

10

11 Present--62.

12 Excused--Representatives Judd, McGihon, Pommer--3.

13 Present after roll call--Representatives McGihon, Pommer.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative McNulty, the reading of the journal of
19 January 8, 2009, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23

CONSIDERATION OF RESOLUTION

24

25 **HR09-1005** by Representative(s) Weissmann--Concerning amend-
26 ments to the rules of the House of Representatives.

27

28 Laid over until January 13, retaining place on Calendar.

29

30

31

MESSAGE FROM THE SENATE

32

33 The Senate has adopted and transmits herewith: SJR09-004.

34

35

36 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

37

38 On motion of Representative Weissmann, the rules were suspended and
39 the following resolution was given immediate consideration.

40

41 **SJR09-004** by Senator(s) Shaffer B.; also Representative(s)
42 Weissmann--Concerning amendments to the Joint Rules
43 of the Senate and the House of Representatives.

1 (Printed and placed in member's file).

2

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

5

6 Co-sponsors added: Representative(s) Benefield, Court, Curry, Hulinghorst,
7 Kerr A., Labuda, Miklosi, Ryden, Soper, Todd

8

9

10 _____
11 House in recess.
12 _____

13

14

15

16

JOINT SESSION

17

18 The Joint Session was called to order by the Speaker of the House,
19 Terrance D. Carroll.

20

21 On motion of Senator Shaffer, the morning roll call of the Senate was
22 made the roll call of the Joint Session.

23

24 Present--33.

25 Excused--Sandoval--1.

26 Vacancy--1.

27

28 On motion of Representative Weissmann, the morning roll call of the
29 House was made the roll call of the Joint Session.

30

31 Present--64.

32 Excused--Representative Judd--1.

33

34 The Speaker declared a quorum present and as is customary presented the
35 gavel to the President of the Senate to preside over the joint session.

36

37 President Groff requested the Joint Committee, composed of Senators
38 Foster and Brophy, and Representatives Levy, Miklosi, and Roberts to
39 escort the Chief Justice to the podium.

40

41 Chief Sergeant-at-Arms Suman announced the arrival of the Honorable
42 Mary Mullarkey, Chief Justice of the State of Colorado.

43

44 The Joint Committee escorted the Chief Justice to the rostrum where she
45 addressed the Joint Session.

46

47

48

ADDRESS BY THE HONORABLE

49 **Mary Mullarkey**

50

51 President Groff, Speaker Carroll, Members of the 67th General Assembly, honored
52 guests and friends.

53

Introduction

54

55 It is an honor to be here with you today to discuss the state of Colorado's judiciary.

56 I was pleased to accept your invitation to continue a longstanding tradition of the

1 Chief Justice addressing members of the General Assembly at the beginning of the
2 new legislative session.

3
4 Thank you for your support over the past several years it is most appreciated. There
5 are many ways you have helped us, but I would like to focus on a few that will
6 undoubtedly have positive impacts in serving the people of Colorado for years to
7 come.

8
9 I want to focus on four of these accomplishments: the addition of new judges,
10 approval for the Ralph L. Carr Justice Center, courthouse security grants and
11 increasing the state's probation officers.

12
13 Before I discuss the specifics of these accomplishments, let me take a minute to
14 provide an overview of the judiciary.

15 16 **Overview of the Judiciary**

17
18 As Chief Justice, I proudly represent the state's 304 judges and justices and more than
19 3,200 additional full- and part-time employees of the Colorado Judicial Department.
20 These devoted professionals work in a variety of settings around the state--from the
21 trial courts and probation offices in each of the state's 64 counties to the appellate
22 courts here in Denver. I would like to take a moment to publicly thank the justices,
23 judges, and employees of the Colorado Judicial Department. I remain impressed with
24 their hard work and dedication to serving the citizens of Colorado.

25
26 Colorado's courts continue to face a daunting workload. Colorado is the fifth-fastest
27 growing state. Since the 2000 Census, our population has grown 15 percent. During
28 that same time period, we have seen court filings rise 25 percent. In Fiscal Year 2008,
29 nearly three-quarters of a million new cases were filed in Colorado. That is equivalent
30 to 300 cases filed every business hour. Our case loads historically track population
31 growth. But in these difficult economic times we've seen a dramatic growth in debt-
32 related actions. For example, foreclosure filings are up more than 400 percent since
33 the last Census, and debt-collection actions at the county court level alone have
34 increased more than 70 percent.

35 36 **New Judges**

37
38 That is why adding new judges has been so important. House Bill 1054 passed in
39 2007, addressed an historic shortage of judges by creating 43 new judgeships around
40 the state. The addition of these new judges enables us to enhance the quality of justice
41 delivered to the people of Colorado.

42
43 I want to thank the bill's sponsors, Speaker Carroll and Senator Shaffer for
44 shepherding this legislation.

45 46 **Ralph L. Carr Justice Center**

47
48 Another very important accomplishment of last year was the passage of Senate Bill
49 206, which authorized the construction of the Ralph L. Carr Justice Center. I thank
50 you for your commitment to this project, particularly the bill sponsors--Senators
51 Shaffer and Penry and Representative Marostica and Speaker Carroll.

52
53 The Justice Center is expected to open in 2014, on the block now occupied by the
54 Judicial Building and the Colorado History Museum. The bill creates a new home for
55 the museum one block away from its current location. Naming the building after
56 Governor Carr is a fitting tribute and should prove to be an inspiration to all public

1 servants because he had the courage to do the right thing in the face of overwhelming
2 public opposition.

3
4 The new justice center will be a complex of buildings. The heart of the justice center
5 will be the courtrooms and offices of the Supreme Court and Court of Appeals. The
6 complex will also bring together all of the state's legally related offices, the largest of
7 which is the Office of the Attorney General.

8
9 Your support for a new justice center will have long lasting benefits for all the state's
10 law-related agencies and the people who utilize these agencies. Not only will the new
11 facility improve operational efficiencies, it is projected to save the state approximately
12 \$60 million over 30 years in lease savings, along with reduced utility and maintenance
13 costs.

14 15 **Courthouse Security Grants**

16
17 Another initiative you supported that will have long-lasting benefits for court users is
18 the courthouse security grant program. Through our partnerships with Colorado's 64
19 counties we are ensuring citizens have safe environments for resolving their disputes.
20 The sponsors of this bill were Senator Shaffer and Representative Steve King.

21 22 **Probation Services**

23
24 Over the last several years you authorized a 23 percent increase in the number of
25 probation officers. Probation is an integral part of the Judicial Branch. The
26 Department of Probation Services is the largest correctional system in the State of
27 Colorado. It is responsible for the supervision of approximately 60% of the juvenile
28 and adult cases that come through the courts. That represents 7,600 juvenile offenders
29 and 61,000 adult offenders.

30
31 With those additional probation officers we have reduced case loads, which has
32 resulted in better supervision. We have been effective in keeping offenders in the
33 community and out of the department of corrections at a significant cost savings. For
34 every dollar spent on probation you would spend 23 dollars for an adult offender in
35 the Department of Corrections and 37 dollars for a juvenile in the division of youth
36 corrections.

37 38 **Quality of Services**

39
40 The support you have provided us through these initiatives, and many others is
41 important because it has enabled us to improve the quality of services we provide to
42 the public. There are three parts to our quality improvement efforts - feedback,
43 accountability and training.

44
45 Last year, we launched a project to obtain citizens' perspectives on the Colorado
46 courts' accessibility and how they were treated in terms of fairness, equality, and
47 respect. In this program judges, clerks and other court employees surveyed people as
48 they exited the courthouses. Overall, we received survey responses from
49 approximately 5,500 peoples in 11 of our 22 judicial districts.

50
51 These court users overwhelmingly indicated that they felt they were treated with
52 courtesy and respect in their dealings with the court. They also indicated that the court
53 processes and facilities were easy to navigate. The survey responses show some
54 evidence that litigants sometimes feel rushed through court hearings. I hope that your
55 recent infusion of new resources and judgeships will enable us to begin to address
56 these concerns.

1 We will continue conducting these surveys in 2009 to help ensure that the needs of the
2 public are properly considered when pursuing changes in our business practices.

3
4 We also receive feedback from a variety of other sources. For example, I was pleased
5 to learn that a 2008 U. S. Chamber of Commerce report ranks the fairness of the civil
6 litigation climate in Colorado 9th nationally with our judges' impartiality and
7 competence identified as the strongest elements of our system.

8
9 Last year we took our first comprehensive overhaul of time standards for processing
10 cases in Colorado courts. These standards establish how long it should take to resolve
11 different types of cases. Overall we are doing well, but the case type area showing the
12 most delay is in district court with civil cases and in DUI cases at the county court
13 level. Overall, I am pleased with our efforts to eliminate delay in resolving cases. We
14 work hard to balance the need to move cases through the process and the desire for all
15 litigants to receive ample time during hearings to present their case.

16
17 We know that ingoing training for judges is invaluable. Our annual new judge
18 orientation programs have been expanded to address more substantive areas of law,
19 as well as case management, the role of the judge, demeanor and access and fairness
20 issues. Providing all of our judges with the most technologically advanced tools is
21 also essential.

22
23 Our information technology continues to rival the best among the state court systems.
24 No other state courts can match our system's integrated case management and ability
25 to share data with other agencies. This is especially important for tracking criminal
26 cases and dependency and neglect cases because it provides judges with all of the
27 information they need to make the best decisions.

28 29 Looking Ahead

30
31 We have tried to present to you a budget that is as frugal as possible. There is one
32 significant item we are requesting. The counties have invested \$191 million in new
33 courthouses and courthouse additions. Now the state must meet its statutory
34 obligation to furnish and equip those facilities. We are asking for \$3.1 million to meet
35 this requirement.

36
37 We recognize that this is an especially difficult budget year. Since our budget is 88
38 percent personal services, our options for achieving savings are somewhat limited.
39 We are bound by common policies. Again, I thank you for your past and ongoing
40 support of the Judicial Department, it people and programs.

41
42 I leave you with my commitment to work with you as a partner in proactively
43 addressing any issues that may arise this year. I wish you well as you undertake the
44 important work of this session. Doing the work of the people is always challenging,
45 and that work will likely be compounded by this year's economic challenges.

46
47
48 The Joint Committee escorted the Chief Justice from the Chambers.

49
50 On motion of Representative Weissmann, the Chief Justice's message
51 was ordered printed in the House Journal.

52
53
54 On motion of Senator Shaffer, the Joint Session was dissolved.

55
56

1 House reconvened.
2
3

4 **PRINTING REPORT**

5
6 The Chief Clerk reports the following bills have been correctly printed:
7 **HB09-1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086.**
8

9
10
11 On motion of Speaker Terrance D. Carroll, the House adjourned until
12 10:00 a.m., January 12, 2009.
13

14 Approved:
15 TERRANCE D. CARROLL,
16 Speaker

17 Attest:
18 MARILYN EDDINS,
19 Chief Clerk

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

Sixth Legislative Day

Monday, January 12, 2009

1 Prayer by Representative Summers.

2

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

4

5 Pledge of Allegiance led by Sean Doherty, Metropolitan State College,
6 Denver.

7

8 The roll was called with the following result:

9

10 Present--50.

11 Excused--Representatives Acree, Apuan, Gardner B., Gardner C.,
12 King, Lundberg, McFadyen, McGihon, Merrifield, Pommer,
13 Primavera, Roberts, Sonnenberg, Stephens, Waller--15.

14 Present after roll call--Representatives Acree, Apuan,
15 Gardner B., Gardner C., King, Lundberg, McFadyen, McGihon,
16 Pommer, Primavera, Sonnenberg, Stephens, Waller.

17

18 The Speaker declared a quorum present.

19

20

21 On motion of Representative McNulty, the reading of the journal of
22 January 9, 2009, was declared dispensed with and approved as corrected
23 by the Chief Clerk.

24

25

26

27 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

28

29 The Speaker has signed: **HJR09-1001, HR09-1001, 1002, 1003, 1004.**

30

31

32

33

INTRODUCTION OF BILLS

34

First Reading

35

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

38

39 **HB09-1087** by Representative(s) Green--Concerning accrual of a civil
40 cause of action arising from commission of a sexual
41 offense against a child.

42 Committee on Judiciary

43

- 1 **HB09-1088** by Representative(s) Balmer, Benefield, Looper, Todd;
2 also Senator(s) Newell--Concerning certification of public
3 benefit nonprofit entities as local public procurement
4 units.
5 Committee on State, Veterans, & Military Affairs
6
- 7 **HB09-1089** by Representative(s) Primavera; also Senator(s) Spence--
8 Concerning the filing requirements for liens that secure a
9 debt upon a vehicle.
10 Committee on Transportation & Energy
11
- 12 **HB09-1090** by Representative(s) Rice; also Senator(s) Williams--
13 Concerning the use of titles associated with interpretation
14 for deaf persons, and, in connection therewith, making
15 unauthorized use of such titles a deceptive trade practice
16 under the "Colorado Consumer Protection Act".
17 Committee on Judiciary
18
- 19 **HB09-1091** by Representative(s) Soper and Court, Merrifield, Todd;
20 also Senator(s) Romer, Schwartz--Concerning a
21 requirement that carbon monoxide alarms be installed in
22 residential properties.
23 Committee on Business Affairs and Labor
24
- 25 **HB09-1092** by Representative(s) Peniston, Gagliardi; also Senator(s)
26 Kester--Concerning the risk of damage to underground
27 facilities caused by excavation.
28 Committee on Transportation & Energy
29
- 30 **HB09-1093** by Representative(s) Levy, McGihon, Benefield, Judd,
31 Miklosi, Ferrandino, Fischer, Gagliardi, Green, Merrifield,
32 Pommer, Solano; also Senator(s) Veiga, Carroll M.--
33 Concerning additional income tax reporting requirements
34 for a corporate taxpayer.
35 Committee on Finance
36
- 37 **HB09-1094** by Representative(s) Levy, Fischer, Hulinghorst, Kefalas;
38 also Senator(s) Bacon--Concerning wireless telephone
39 prohibitions for drivers.
40 Committee on Transportation & Energy
41
- 42 **HB09-1095** by Representative(s) Baumgardner, Kerr J., Marostica,
43 Pace; also Senator(s) Tapia, White--Concerning measures
44 to encourage live greyhound racing.
45 Committee on Finance
46 Committee on Appropriations
47
- 48 **HB09-1096** by Representative(s) Acree; also Senator(s) Mitchell--
49 Concerning the establishment of standards to assess a
50 person's competency to operate a motor vehicle.
51 Committee on Transportation & Energy
52
- 53 **HB09-1097** by Representative(s) Lundberg, Acree--Concerning the
54 development of an alternative medical assistance program
55 for the elderly.
56 Committee on Health and Human Services

- 1 **HB09-1098** by Representative(s) Baumgardner, Gardner C., King S.,
 2 Murray, Sonnenberg, Tipton, Waller; also Senator(s)
 3 Brophy and Kopp--Concerning the streamlining of
 4 approval requirements for clean coal electric generation
 5 projects.
 6 Committee on Transportation & Energy
 7 Committee on Appropriations
 8
- 9 **HB09-1099** by Representative(s) Roberts and Kerr A., Massey,
 10 Merrifield--Concerning the Colorado youth advisory
 11 council.
 12 Committee on Education
 13
- 14 **HB09-1100** by Representative(s) Benefield, Merrifield, Todd; also
 15 Senator(s) Tochtrop, Hudak--Concerning the creation of
 16 an "Alive at Twenty-five" special license plate.
 17 Committee on Transportation & Energy
 18
- 19 **HB09-1101** by Representative(s) Benefield, Todd, Apuan, Ferrandino,
 20 Kefalas, Merrifield, Murray, Stephens; also Senator(s)
 21 Veiga, Hudak--Concerning the administration of sales tax
 22 collections by the department of revenue.
 23 Committee on Finance
 24
- 25 **HB09-1102** by Representative(s) Acree, Kerr J., Ryden; also Senator(s)
 26 Scheffel, Newell--Concerning the study of the portability
 27 of health insurance after a policyholder is separated from
 28 employment.
 29 Committee on Health and Human Services
 30

REPORTS TO THE COLORADO GENERAL ASSEMBLY

35 The following Reports have been received by the Chief Clerk of the House of
 36 Representatives. The reports are on file in the Library of Legislative Council.
 37

Department of Health Care Policy & Financing

39 Advisory committee Covering all children in Colorado, (pursuant to
 40 25.5-1-202 (8) (c), CRS) (2007)
 41

Department of Higher Education

43 The National Center for Public Policy and Higher Education and Public
 44 Agenda
 45

Department of Human Services

47 Division of Youth Corrections--Recidivism Evaluation of Committed
 48 Youth Discharged in Fiscal Year 2006-07
 49

Department of Public Safety

51 Colorado State Patrol FTE by Long Bill Appropriations as of
 52 September 30, 2008
 53

Department of Regulatory Agencies

55 Office of Policy, Research and Regulatory Reform
 56 2008 Sunset review: (pursuant to 24-34-104 (8) (a), CRS)

- 1 Administration of Medications by Unlicensed Persons
- 2 Board of Nursing
- 3 Board of Examiners of Nursing Home Administrators
- 4 Civil Rights Commission and the Civil Rights Division
- 5 Egg Law
- 6 Farm Products Act and Commodity Handler Act
- 7 Fire Service Training and Certification Advisory Board
- 8 Measurement Standards Act
- 9 Notaries Public Act
- 10 Nurse Aide Certification Program
- 11 Pet Animal Care and Facilities Act & Pet Animal Advisory Committee
- 12 Psychiatric Technicians Licensure Program
- 13 Public Livestock Markets
- 14 Seed Act
- 15 Slaughter, Processing, and Sale of Meat Animals Act
- 16 Slaughterers Act
- 17 State Board of Chiropractic Examiners

18
19 **Department of State**

20 Annual Report for year ending June 19, 2008, (pursuant to 24-1-136 (9),
21 CRS)

22
23 **Department of the Treasury**

24 Statement of financial condition:
25 as of June 20, 2008
26 as of September 30, 2008
27

28 **Office of Economic Development and International Trade**

29 Colorado Enterprise Zone Annual Report--2007 Activity (pursuant to
30 39-30-103, CRS)

31
32 **Public Employees Retirement Association**

33 Annual Report of the fiscal year ended December 31, 2007
34

35 **Public Utilities Commission**

36 High Cost Support Mechanism--2008 Annual Report (pursuant to
37 40-15-208, CRS)

38
39 **Supreme Court of Colorado**

40 Certification of Salaries of Judges of County Courts in Class C and D
41 Counties--fiscal year 2009, (pursuant to 13-30-103 (1) (I) 5, CRS)

42
43
44
45 On motion of Representative Weissmann, the House adjourned until
46 9:00 a.m., January 13, 2009.

47
48 Approved:
49 TERRANCE D. CARROLL,
50 Speaker

51 Attest:
52 MARILYN EDDINS,
53 Chief Clerk

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

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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

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41

42

REPORT OF COMMITTEE OF REFERENCE**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

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

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

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

Eighth Legislative Day

Wednesday, January 14, 2009

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

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

5
6 Pledge of Allegiance led by Wyatt Johnson, Luke Najarian, Mark Sippel,
7 Jamie Rogers, Josh Rosen, Cub Scout Troupe 178, Bromwell
8 Elementary, Denver .

9
10 The roll was called with the following result:

11
12 Present--62.
13 Excused--Representatives Pommer, Priola, Swalm--3.
14 Present after roll call--Representatives Pommer, Priola, Swalm.

15
16 The Speaker declared a quorum present.

17 _____
18
19 On motion of Representative Acree, the reading of the journal of
20 January 13, 2009, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22 _____
23
24
25 **REPORTS OF COMMITTEES OF REFERENCE**

26
27 **BUSINESS AFFAIRS & LABOR**

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

30
31 **HB09-1030** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:

34
35 Amend printed bill, page 2, strike lines 13 through 17.

36
37 Page 3, strike lines 1 through 13 and substitute the following:

38
39 "revenue code, as applicable to governmental plans. In order to meet
40 those requirements, such plans are subject to the following provisions,
41 notwithstanding any other provision of this part 11:

42
43

1 (a) The board shall distribute the corpus and income of the
2 pension plan to members and their beneficiaries in accordance with this
3 part 11 and the rules adopted by the board.
4

5 (b) No part of the corpus or income of the pension plan may be
6 used for or diverted to any purpose other than that of providing benefits
7 to participants and their beneficiaries and defraying reasonable expenses
8 of administering the pension plan, except for an assignment for child
9 support debt pursuant to section 14-14-104, C.R.S., child support
10 arrearages as requested as part of an enforcement action under article 5
11 of title 14, C.R.S., or child support arrearages that are the subject of
12 enforcement services provided under section 26-13-106, C.R.S., and
13 except for income assignments for child support purposes pursuant to
14 section 14-14-111.5, C.R.S., and a writ of garnishment that is the result
15 of a judgment taken for arrearages for child support or for child support
16 debt."
17

18 Page 6, after line 18, insert the following:
19

20 "(5) THE OLD HIRE PENSION FUNDS ESTABLISHED BY THIS ARTICLE
21 SHALL BE HELD IN TRUST FOR THE BENEFIT OF OLD HIRE MEMBERS AND
22 OTHER PERSONS ENTITLED TO BENEFITS. NO PART OF THE CORPUS OR
23 INCOME OF A PENSION FUND SHALL BE USED FOR OR DIVERTED TO
24 PURPOSES OTHER THAN FOR THE EXCLUSIVE BENEFIT OF OLD HIRE
25 MEMBERS OR OTHER PERSONS ENTITLED TO BENEFITS FROM THE PENSION
26 FUND AND FOR EXPENSES INCIDENT TO OPERATION OF THE PENSION FUND.
27 NO PERSON SHALL HAVE ANY INTEREST IN OR RIGHT TO ANY PART OF THE
28 CORPUS OR EARNINGS OF THE PENSION TRUST EXCEPT AS EXPRESSLY
29 PROVIDED, INCLUDING ASSIGNMENTS FOR CHILD SUPPORT PURPOSES AS
30 PROVIDED FOR IN SECTION 14-14-104, C.R.S., CHILD SUPPORT
31 ARREARAGES AS REQUESTED AS PART OF AN ENFORCEMENT ACTION UNDER
32 ARTICLE 5 OF TITLE 14, C.R.S., OR CHILD SUPPORT ARREARAGES THAT ARE
33 THE SUBJECT OF ENFORCEMENT SERVICES PROVIDED UNDER SECTION
34 26-13-106, C.R.S., INCOME ASSIGNMENTS FOR CHILD SUPPORT PURPOSES
35 PURSUANT TO SECTION 14-14-111.5, C.R.S., WRITS OF GARNISHMENT THAT
36 ARE THE RESULT OF A JUDGMENT TAKEN FOR ARREARAGES FOR CHILD
37 SUPPORT OR FOR CHILD SUPPORT DEBT, AND PAYMENTS MADE IN
38 COMPLIANCE WITH A PROPERLY EXECUTED COURT ORDER APPROVING A
39 WRITTEN AGREEMENT ENTERED INTO PURSUANT TO SECTION 14-10-113
40 (6), C.R.S."
41
42
43
44

45 **TRANSPORTATION & ENERGY**

46 After consideration on the merits, the Committee recommends the
47 following:
48

49 **HB09-1027** be referred to the Committee of the Whole with favorable
50 recommendation.
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PRINTING REPORT1
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The Chief Clerk reports the following bills have been correctly printed:
HB09-1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141.

House in recess. House reconvened.

RESIGNATION

January 6, 2009

Marilyn Eddins
Chief Clerk of the House of Representatives
Colorado State Capitol
200 E. Colfax, Room 271
Denver, CO 80203

Ms. Eddins,

I hereby tender my resignation from the Colorado State House of Representatives as the representative for House District 49, effective January 15, 2009 at 8:30 am. This resignation is contingent upon my appointment to the Colorado State Senate for State Senate District 15, which has been vacated by former State Senator Steve Johnson. I am submitting this resignation in advance in order to facilitate a timely scheduling of the vacancy committee to fill the seat for House District 49 in the event that I am the one who is appointed to the Senate District 15 office.

Respectfully submitted and with deep gratitude for the honor of having served in the Colorado House of Representatives.

(signed)
Representative Kevin Lundberg

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SJR09-004.**

MESSAGE FROM THE SENATE

The Senate has adopted SJR09-005 as amended on January 14, 2009 as printed in Senate Journal, and transmits herewith.

INTRODUCTION OF BILLS
First Reading

- 1
2
3
4 The following bills were read by title and referred to the committees
5 indicated:
6
7 **HB09-1142** by Representative(s) Fischer, Kefalas, Weissmann; also
8 Senator(s) Bacon--Concerning the election of a director of
9 a water conservancy district.
10 Committee on Agriculture, Livestock, & Natural Resources
11
12 **HB09-1143** by Representative(s) Swalm, Acree, Balmer, Bradford,
13 Court, Gardner B., Labuda, Liston, Looper, Lundberg,
14 Massey, McFadyen, McNulty, Priola, Scanlan, Summers;
15 also Senator(s) Schwartz--Concerning the authority of a
16 health maintenance organization to offer basic health
17 services through a limited benefit plan.
18 Committee on Business Affairs and Labor
19
20 **HB09-1144** by Representative(s) Bradford, McNulty, Tipton; also
21 Senator(s) Scheffel--Concerning mandatory sentencing
22 provisions for a defendant convicted of a sex offense
23 against a child who is fourteen years of age or younger.
24 Committee on Judiciary
25 Committee on Appropriations
26
27 **HB09-1145** by Representative(s) Ryden--Concerning a private
28 investigator's access to public records, and, in connection
29 therewith, authorizing the registration of private
30 investigators with the attorney general.
31 Committee on Judiciary
32
33 **HB09-1146** by Representative(s) McNulty, Acree, Baumgardner,
34 Gardner C., Gerou, Kerr J., King S., Lambert, Looper,
35 Lundberg, Marostica, Massey, May, Murray, Sonnenberg,
36 Stephens, Summers, Swalm, Tipton, Vaad, Waller; also
37 Senator(s) Scheffel, Brophy, Harvey, Kester, Kopp,
38 Renfroe, Schultheis--Concerning a requirement to provide
39 proof of citizenship to register to vote.
40 Committee on State, Veterans, & Military Affairs
41
42 **HB09-1147** by Representative(s) Gardner B., King S., Kerr J.,
43 McNulty, Acree, Balmer, Gardner C., Lambert, Liston,
44 Looper, Lundberg, Marostica, Massey, May, Murray,
45 Roberts, Sonnenberg, Stephens, Summers, Swalm, Tipton,
46 Waller; also Senator(s) Mitchell, Brophy, Schultheis,
47 Spence, Penry, Harvey, King K., Kopp, Renfroe, Scheffel--
48 Concerning bail provisions for a person who is illegally
49 present in the United States.
50 Committee on Judiciary
51
52 **HB09-1148** by Representative(s) Schafer S.; also Senator(s) Schwartz--
53 Concerning the authority of the department of revenue to
54 provide information about severance tax taxpayers to the
55 department of local affairs.
56 Committee on Local Government

- 1 **HB09-1149** by Representative(s) Merrifield; also Senator(s) Carroll
2 M.--Concerning measures to encourage the construction of
3 new homes that make cost-effective use of solar energy.
4 Committee on Transportation & Energy
5
- 6 **HB09-1150** by Representative(s) Todd, Benefield, Court, Labuda,
7 Miklosi, Ryden; also Senator(s) Williams, Boyd, Isgar,
8 Spence--Concerning the administrative duties of the
9 department of personnel.
10 Committee on State, Veterans, & Military Affairs
11
- 12 **HB09-1151** by Representative(s) Todd, Labuda, Lundberg, Ryden,
13 Solano--Concerning designating the department of public
14 safety as the agency responsible for oversight of school
15 building inspections.
16 Committee on Judiciary
17
- 18 **HB09-1152** by Representative(s) Sonnenberg; also Senator(s)
19 Tochtrop--Concerning horse racing.
20 Committee on Transportation & Energy
21
- 22 **HB09-1153** by Representative(s) May--Concerning the requirements
23 applicable to the formation of an issue committee under
24 Colorado law governing campaign finance.
25 Committee on State, Veterans, & Military Affairs
26
- 27 **HB09-1154** by Representative(s) Sonnenberg; also Senator(s) Renfro-
28 -Concerning a requirement that a specified percentage of
29 all net revenue generated by the state sales and use tax be
30 credited to the highway users tax fund without regard to
31 whether or not total state general fund revenues are
32 sufficient to so credit the net revenues, increase state
33 general fund appropriations by the maximum percentage
34 permitted by law, and maintain the four percent state
35 general fund reserve required by law.
36 Committee on Finance
37
- 38 **HB09-1155** by Representative(s) Weissmann; also Senator(s) Carroll
39 M.--Concerning title insurance, and, in connection
40 therewith, requiring justifications to be filed with the
41 commissioner of insurance.
42 Committee on Business Affairs and Labor
43
- 44 **HB09-1156** by Representative(s) Bradford; also Senator(s) Mitchell--
45 Concerning the public utility commission's consideration
46 of the costs attributable to the closure of an electricity
47 generating unit.
48 Committee on Transportation & Energy
49
- 50 **HB09-1157** by Representative(s) Waller, Baumgardner, Bradford,
51 King S., Liston, Stephens--Concerning the designation of
52 N-benzylpiperazine as a schedule I controlled substance,
53 and, in connection therewith, making an appropriation.
54 Committee on Judiciary
55

- 1 **HB09-1158** by Representative(s) Waller, Gardner B., Balmer, Court,
2 Looper, Murray--Concerning the withdrawal of an
3 initiative petition from consideration as a ballot issue.
4 Committee on State, Veterans, & Military Affairs
5
- 6 **HB09-1159** by Representative(s) Priola, Baumgardner, Lambert,
7 Looper, Schafer S.; also Senator(s) Isgar, Hodge, Mitchell--
8 -Concerning the ability of a nonresident to serve on the
9 board of directors of certain water districts.
10 Committee on Agriculture, Livestock, & Natural Resources
11
- 12 **HB09-1160** by Representative(s) Miklosi--Concerning the ability of a
13 qualified elector to submit voter information via the secure
14 web site of the secretary of state.
15 Committee on State, Veterans, & Military Affairs
16
- 17 **HB09-1161** by Representative(s) Baumgardner, Bradford, Gardner C.,
18 King S., Looper, May, McNulty, Murray, Tipton; also
19 Senator(s) Gibbs, White--Concerning a reduction in the
20 time to provide written documentation supporting an oil
21 and gas valuation statement.
22 Committee on Agriculture, Livestock, & Natural Resources
23
- 24 **HB09-1162** by Representative(s) Gerou--Concerning
25 intergovernmental cooperation for the purpose of
26 mitigating wildfires.
27 Committee on Local Government
28
- 29 **HB09-1163** by Representative(s) Gardner C., Baumgardner, Bradford,
30 King S., Looper, May, McNulty, Murray, Scanlan,
31 Summers, Tipton, Todd, Vaad; also Senator(s) Romer,
32 Spence, Brophy, Harvey--Concerning crimes in which the
33 victim is a child, and making an appropriation in
34 connection therewith.
35 Committee on Judiciary
36
- 37 **HB09-1164** by Representative(s) Primavera, Gagliardi, Green, Kefalas,
38 Kerr J., McGihon; also Senator(s) Kester--Concerning a
39 surcharge on breast cancer awareness special license plates
40 to provide funding for cancer treatment for women who
41 are not currently eligible to participate in the breast and
42 cervical cancer prevention and treatment program under
43 the "Colorado Medical Assistance Act".
44 Committee on Transportation & Energy
45 Committee on Finance
46
- 47 **HB09-1165** by Representative(s) Lambert; also Senator(s) Cadman--
48 Concerning the creation of a state database containing
49 information about sole-source contracts to which
50 governmental entities are a party for the purpose of
51 implementing changes to article XXVIII of the state
52 constitution approved by the voters in the 2008 general
53 election.
54 Committee on State, Veterans, & Military Affairs
55

1 **HB09-1166** by Representative(s) Levy--Concerning the use of a pay-
2 as-you-drive rate structure for determining premium rates
3 for automobile insurance policies.
4 Committee on Business Affairs and Labor

5
6
7
8 **INTRODUCTION OF RESOLUTION**
9

10 The following resolution was read by title and laid over one day under the
11 rules:

12
13 **SJR09-005** by Senator(s) Groff; also Representative(s) Carroll T.--
14 Concerning the creation of the joint select committee on
15 job creation and economic growth.

16
17
18 **LAY OVER OF CALENDAR ITEM(S)**
19

20
21 On motion of Representative J. Kerr, the following item(s) on the
22 Calendar were laid over until January 15, retaining place on Calendar:

23
24 Consideration of Resolution(s)--**HR09-1005**.

25
26
27
28 On motion of Representative J. Kerr, the House adjourned until 9:00 a.m.,
29 January 15, 2009.

30
31 Approved:
32 TERRANCE D. CARROLL,
33 Speaker

34 Attest:
35 MARILYN EDDINS,
36 Chief Clerk

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

Ninth Legislative Day

Thursday, January 15, 2009

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

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

4

5 Pledge of Allegiance led by Annika Palen, Home School, Foxfield.

6

7 The roll was called with the following result:

8

9 Present--61.

10 Excused--Representatives C. Gardner, McCann, Vaad--3.

11 Vacancy--1.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Acree, the reading of the journal of
17 January 14, 2009, was declared dispensed with and approved as corrected
18 by the Chief Clerk.

19

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22

CONSIDERATION OF RESOLUTION

23

24 **SJR09-005** by Senator(s) Groff; also Representative(s) Carroll T.--
25 Concerning the creation of the joint select committee on
26 job creation and economic growth.

27

28 (Printed and placed in member's file.)

29

30 On motion of Representative T. Carroll, the resolution was **adopted** by
31 **viva voce** vote.

32

33 Co-sponsors added: Representative(s) Apuan, Benefield, Casso, Court,
34 Ferrandino, Fischer, Frangas, Gagliardi, Green, Hulinghorst, Kefalas, Kerr A.,
35 Labuda, Levy, McKinley, Merrifield, Middleton, Miklosi, Peniston, Pommer,
36 Primavera, Rice, Riesberg, Ryden, Scanlan, Solano, Soper, Todd, Waller

37

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40

House in recess. House reconvened.

41

42

43

REPORTS OF COMMITTEES OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

HB09-1031 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 3, line 7, strike "BOARD;" and substitute "BOARD AND MAY ALSO RECEIVE VOLUNTARY CONTRIBUTIONS FROM OTHER ENTITIES;"

line 17, strike "COUNTIES AND THE DENVER WATER BOARD" and substitute "COUNTIES, THE DENVER WATER BOARD, AND ANY OTHER CONTRIBUTING ENTITIES".

FINANCE

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

HB09-1014 be referred to the Committee of the Whole with favorable recommendation.

HB09-1036 be referred favorably to the Committee on Appropriations.

HB09-1050 be referred to the Committee of the Whole with favorable recommendation.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB09-1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166.

MESSAGE FROM THE SENATE

The Senate has adopted and transmits herewith: SJR09-007

INTRODUCTION OF BILLS
First Reading

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

HB09-1167 by Representative(s) McKinley, Kerr J., Liston, Looper, Marostica, Sonnenberg, Tipton--Concerning prohibiting the Colorado oil and gas conservation commission from promulgating rules pursuant to the "Colorado Habitat Stewardship Act of 2007" that would adversely affect existing oil and gas operations.
Committee on Agriculture, Livestock, & Natural Resources

HB09-1168 by Representative(s) Riesberg, McFadyen, Sonnenberg; also Senator(s) Schwartz, Bacon, Penry--Concerning the timing of reports to the capital development committee.
Committee on State, Veterans, & Military Affairs

HB09-1169 by Representative(s) Riesberg, McFadyen, Sonnenberg; also Senator(s) Bacon, Penry, Schwartz--Concerning an extension of the repeal date for the capital development committee.
Committee on State, Veterans, & Military Affairs

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and laid over one day under the rules:

HJR09-1003 by Representative(s) Carroll T.; also Senator(s) Groff--Concerning the appointment of members of the Colorado Commission on Uniform State Laws.

SJR09-007 by Senator(s) Groff; also Representative(s) Carroll T.--Concerning the commemoration of the birthday of the Reverend Dr. Martin Luther King, Jr.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative McFadyen, the following item(s) on the Calendar were laid over until January 16, retaining place on Calendar:

Consideration of Resolution(s)--**HR09-1005**.

On motion of Representative McFadyen, the House adjourned until 9:00 a.m., January 16, 2009.

Attest: Approved:
MARILYN EDDINS, TERRANCE D. CARROLL,
Chief Clerk Speaker

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

Tenth Legislative Day

Friday, January 16, 2009

1 Prayer by Father Curtiss Dwyer, St. John Vianney Theological Seminary,
2 Denver.

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

5
6 Pledge of Allegiance led by Jo Hibberd, Centarus High School, Lafayette.

7
8 The roll was called with the following result:

9
10 Present--62.

11 Excused--Representatives Acree, A. Kerr--2.

12 Vacancy--1.

13 Present after roll call--Representatives Acree, A. Kerr.

14
15 The Speaker declared a quorum present.

16
17
18 On motion of Representative Summers, the reading of the journal of
19 January 15, 2009, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

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24
25 **REPORTS OF COMMITTEES OF REFERENCE**

26
27 **EDUCATION**

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

30
31 **HB09-1033** be referred to the Committee of the Whole with favorable
32 recommendation.

33
34
35 **HB09-1046** be referred to the Committee of the Whole with favorable
36 recommendation.

37
38
39 **HB09-1074** be postponed indefinitely.

40
41
42
43

1 **JUDICIARY**

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

4
5 **HB09-1021** be referred to the Committee of the Whole with favorable
6 recommendation.

7
8
9 **HB09-1022** be amended as follows, and as so amended, be referred to
10 the Committee on Appropriations with favorable
11 recommendation:

12
13 Amend printed bill, page 2, strike lines 8 through 10 and substitute the
14 following:

15 "(a) THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE
16 JUSTICE, IN ITS 2008 REPORT, CHOSE TO FOCUS ON RECIDIVISM DURING THE
17 PAST YEAR, STATING:

18
19 THE COMMISSION'S DECISION TO FOCUS ON REDUCING
20 RECIDIVISM AND VICTIMIZATION WAS BASED ON THE FACT
21 THAT RECIDIVISM RATES IN COLORADO AND THROUGHOUT
22 THE COUNTRY ARE VERY HIGH, RAISING QUESTIONS ABOUT
23 THE EFFECTIVENESS OF A WIDE RANGE OF TRADITIONAL
24 CRIMINAL JUSTICE PRACTICES. IN COLORADO, OVER HALF
25 (53 PERCENT) OF THOSE RELEASED FROM PRISON RETURN
26 WITHIN THREE YEARS. THIS IS A SIZABLE NUMBER: IN FISCAL
27 YEAR 2007, OVER 4,000 INDIVIDUALS WERE REVOKED FROM
28 PAROLE AND RETURNED TO PRISON. ANOTHER 2,000
29 OFFENDERS WERE REVOKED FROM PROBATION SUPERVISION
30 AND SENT TO PRISON. NOTE THAT THIS RECIDIVISM RATE
31 DOES NOT ALWAYS REFLECT NEW CRIMINAL ACTIVITY.
32 ONE-QUARTER OF THE PAROLEES AND ABOUT ONE-THIRD OF
33 THE PROBATIONERS COMMITTED A NEW CRIMINAL
34 OFFENSE—THE REMAINDER VIOLATED THE CONDITIONS OF
35 CORRECTIONAL SUPERVISION."

36
37
38
39
40 **LOCAL GOVERNMENT**

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

43
44 **HB09-1072** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:

47
48 Amend printed bill, page 3, line 2, after "24-90-103", insert "(4.5),";
49 after line 5, insert the following:

50
51
52 "(4.5) "Legal service area" means the geographic area for which
53 a public library has been established to offer services and from which, or
54 on behalf of which, the library derives income. A "legal service area"
55 shall be defined in terms of geographic units for which official population
56 estimates can be obtained or derived annually from either the United

1 ~~States census bureau~~ or the Colorado state data center. LEGAL SERVICE
 2 AREA POPULATION ESTIMATES SHALL BE COLLECTED AND REPORTED
 3 ACCORDING TO GUIDELINES DEVELOPED BY THE STATE LIBRARY. "Legal
 4 service area" includes any areas served under contract for which the
 5 library is the primary provider of library services and for which the library
 6 receives funds to serve."

7
 8 Page 4, strike lines 2 through 27.

9
 10 Page 5, strike lines 1 through 11.

11
 12 Renumber succeeding sections accordingly.

13
 14 Page 9, line 27, strike "LIBRARIAN;" and substitute "LIBRARY;".

17 PRINTING REPORT

18
 19 The Chief Clerk reports the following bills have been correctly printed:
 20 **HB09-1167, 1168, 1169.**

23 CONSIDERATION OF RESOLUTIONS

24
 25 **HJR09-1003** by Representative(s) Carroll T.; also Senator(s) Groff--
 26 Concerning the appointment of members of the Colorado
 27 Commission on Uniform State Laws.

28
 29 (Printed and placed in member's file)

30
 31 On motion of Representative T. Carroll, the resolution was **adopted** by
 32 **viva voce** vote.

33
 34 Co-sponsors added: Representative(s) Apuan, Fischer, Kerr A., Labuda,
 35 McGihon, Soper.

36
 37 **HR09-1005** by Representative(s) Weissmann--Concerning amend-
 38 ments to the rules of the House of Representatives.

39
 40 (Printed and placed in member's file)

41
 42 On motion of Representative Weissmann, the resolution was **adopted** by
 43 the following roll call vote:

45	YES	52	NO	12	EXCUSED	0	ABSENT	0	VACANCY	1
46	Acree		Y	Green	Y	McCann	Y	Roberts		Y
47	Apuan		Y	Hullinghorst	Y	McFadyen	Y	Ryden		Y
48	Balmer		Y	Judd	Y	McGihon	N	Scanlan		Y
49	Baumgardner	Y		Kefalas	Y	McKinley	Y	Schafer S.		Y
50	Benefield	Y		Kerr A.	Y	McNulty	N	Solano		Y
51	Bradford	N		Kerr J.	N	Merrifield	Y	Sonnenberg		Y
52	Casso	Y		King S.	N	Middleton	Y	Soper		Y
53	Court	Y		Labuda	N	Miklosi	Y	Stephens		Y
54	Curry	Y		Lambert	Y	Murray	Y	Summers		Y
55	Ferrandino	Y		Levy	N	Pace	Y	Swalm		Y
56	Fischer	Y		Liston	Y	Peniston	Y	Tipton		Y

1	Frangas	N	Looper	N	Pommer	Y	Todd	Y
2	Gagliardi	Y		V	Primavera	Y	Vaad	Y
3	Gardner B.	Y	Marostica	N	Priola	Y	Vigil	Y
4	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
5	Gerou	N	May	Y	Riesberg	Y	Weissmann	Y
6							Speaker	Y

7 Co-sponsors added: Representative(s) Benefield, Curry, Kerr A., Rice, Scanlan,
8 Speaker.

9
10 **SJR09-007** by Senator(s) Groff; also Representative(s) Carroll T.--
11 Concerning the commemoration of the birthday of the
12 Reverend Dr. Martin Luther King, Jr.

13
14 (Printed and placed in member's file)

15
16 On motion of Representative T. Carroll, the resolution was read at length
17 and **adopted** by **viva voce** vote.

18
19 Co-sponsors added: Representative(s) Acree, Apuan, Balmer, Baumgardner,
20 Benefield, Bradford, Casso, Court, Curry, Ferrandino, Fischer, Frangas,
21 Gagliardi, Gardner B., Gardner C., Gerou, Green, Hulinghorst, Judd, Kefalas,
22 Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Marostica,
23 Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield,
24 Middleton, Miklosi, Murray, Pace, Peniston, Pommer, Primavera, Priola, Rice,
25 Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Stephens,
26 Summers, Swalm, Tipton, Todd, Vaad, Vigil, Waller, Weissmann

27
28
29 On motion of Representative Levy, the House resolved itself into
30 Committee of the Whole for consideration of General Orders, and she
31 was called to the Chair to act as Chairman.

32 33 34 **GENERAL ORDERS--SECOND READING OF BILLS**

35
36 The Committee of the Whole having risen, the Chairman reported the
37 titles of the following bills had been read (reading at length had been
38 dispensed with by unanimous consent), the bills considered and action
39 taken thereon as follows:

40
41 (Amendments to the committee amendment are to the printed committee
42 report which was printed and placed in the members' bill file.)

43
44 **HB09-1030** by Representative(s) Labuda, Benefield, Gardner B.,
45 King S., Liston, Peniston, Rice, Riesberg; also Senator(s)
46 Tochtrop, Morse, Williams--Concerning firefighter and
47 police officer pension plan compliance with requirements
48 set forth in the internal revenue code.

49
50 Amendment No. 1, Business Affairs and Labor Report, dated
51 January 13, 2009, and placed in member's bill file; report also printed in
52 House Journal, January 14, pages 75-76.

53
54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.

56

1 **HB09-1027** by Representative(s) Rice, Fischer, Levy, Marostica,
 2 McFadyen, Merrifield, Primavera; also Senator(s) Gibbs,
 3 Williams--Concerning the duty of drivers to yield the
 4 right-of-way to transit buses entering traffic.
 5

6 Ordered engrossed and placed on the Calendar for Third Reading and
 7 Final Passage.
 8
 9

10
 11
 12 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

13
 14 Passed Second Reading: **HB09-1030 amended, HB09-1027.**

15
 16 The Chairman moved the adoption of the Committee of the Whole
 17 Report. As shown by the following roll call vote, a majority of those
 18 elected to the House voted in the affirmative, and the Report was
 19 **adopted.**
 20

YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
Acree		Y	Green	Y	McCann	Y	Roberts	Y	
Apuan		Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y	
Balmer		Y	Judd	Y	McGihon	E	Scanlan	Y	
Baumgardner	Y		Kefalas	Y	McKinley	Y	Schafer S.	Y	
Benefield	Y		Kerr A.	Y	McNulty	Y	Solano	Y	
Bradford	Y		Kerr J.	Y	Merrifield	Y	Sonnenberg	Y	
Casso	Y		King S.	Y	Middleton	Y	Soper	Y	
Court	Y		Labuda	Y	Miklosi	Y	Stephens	Y	
Curry	Y		Lambert	Y	Murray	Y	Summers	Y	
Ferrandino	Y		Levy	Y	Pace	Y	Swalm	Y	
Fischer	Y		Liston	Y	Peniston	Y	Tipton	Y	
Frangas	Y		Looper	Y	Pommer	Y	Todd	Y	
Gagliardi	Y			V	Primavera	Y	Vaad	Y	
Gardner B.	Y		Marostica	Y	Priola	Y	Vigil	Y	
Gardner C.	Y		Massey	Y	Rice	Y	Waller	Y	
Gerou	Y		May	Y	Riesberg	Y	Weissmann	Y	
							Speaker	Y	

40
 41
 42 **REPORT OF COMMITTEE OF REFERENCE**

43
 44 **TRANSPORTATION & ENERGY**

45 After consideration on the merits, the Committee recommends the
 46 following:
 47

48 **HB09-1042** be amended as follows, and as so amended, be referred to
 49 the Committee of the Whole with favorable
 50 recommendation:
 51

52 Amend printed bill, page 2, line 10, strike "OR" and substitute "AND".
 53
 54
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MESSAGE FROM THE SENATE

The Senate has adopted and transmits herewith: SJR09-006.

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

SJR09-006 by Senator(s) Boyd; also Representative(s) Riesberg--
Concerning support of the federal reauthorization of the
state child health insurance plan.

On motion of Representative Weissmann, the House adjourned until
9:00 a.m., January 20, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Fourteenth Legislative Day

Tuesday, January 20, 2009

1 Prayer by the Reverend Paul Spurlock, St. John's Cathedral in Denver and
2 Christ Church in Castle Rock.

3

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

5

6 Pledge of Allegiance led by Deante Dennis, Logan Elementary, Denver.

7

8 The roll was called with the following result:

9

10 Present--58.

11 Excused--Representatives Gagliardi, A. Kerr, McCann, McGihon,
12 Primavera--5.

13 Absent--Representative Frangas--1.

14 Vacancy--1.

15 Present after roll call--Representative Frangas.

16

17 The Speaker declared a quorum present.

18

19

20 On motion of Representative Apuan, the reading of the journal of
21 January 16, 2009, was declared dispensed with and approved as corrected
22 by the Chief Clerk.

23

24

25

26 **THIRD READING OF BILLS--FINAL PASSAGE**

27

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

31

32 **HB09-1030** by Representative(s) Labuda, Benefield, Gardner B.,
33 King S., Liston, Peniston, Rice, Riesberg; also Senator(s)
34 Tochtrop, Morse, Williams--Concerning firefighter and
35 police officer pension plan compliance with requirements
36 set forth in the internal revenue code.

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
41 bill was declared **passed**.

42

	YES	58	NO	0	EXCUSED	6	ABSENT	0	VACANCY	1
1	Acree	Y	Green	Y	McCann	E	Roberts	Y		
2	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y		
3	Balmer	Y	Judd	Y	McGihon	E	Scanlan	Y		
4	Baumgardner	Y	Kefalas	Y	McKinley	Y	Schafer S.	Y		
5	Benefield	Y	Kerr A.	E	McNulty	Y	Solano	Y		
6	Bradford	Y	Kerr J.	Y	Merrifield	Y	Sonnenberg	Y		
7	Casso	Y	King S.	Y	Middleton	Y	Soper	Y		
8	Court	Y	Labuda	Y	Miklosi	Y	Stephens	Y		
9	Curry	Y	Lambert	Y	Murray	Y	Summers	Y		
10	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y		
11	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y		
12	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y		
13	Gagliardi	E		V	Primavera	E	Vaad	Y		
14	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y		
15	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y		
16	Gerou	E	May	Y	Riesberg	Y	Weissmann	Y		
17							Speaker	Y		

18
19 Co-sponsor(s) added: Representative(s) Baumgardner, Casso, Looper,
20 McFadyen, Merrifield, Tipton, Todd.

21
22 **HB09-1027** by Representative(s) Rice, Fischer, Levy, Marostica,
23 McFadyen, Merrifield, Primavera; also Senator(s) Gibbs,
24 Williams--Concerning the duty of drivers to yield the
25 right-of-way to transit buses entering traffic.
26

27 As shown by the following roll call vote, a majority of all members
28 elected to the House voted in the affirmative, and Representative Rice
29 was given permission to offer a Third Reading amendment:
30

	YES	58	NO	0	EXCUSED	6	ABSENT	0	VACANCY	1
31	Acree	Y	Green	Y	McCann	E	Roberts	Y		
32	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y		
33	Balmer	Y	Judd	Y	McGihon	E	Scanlan	Y		
34	Baumgardner	Y	Kefalas	Y	McKinley	Y	Schafer S.	Y		
35	Benefield	Y	Kerr A.	E	McNulty	Y	Solano	Y		
36	Bradford	Y	Kerr J.	Y	Merrifield	Y	Sonnenberg	Y		
37	Casso	Y	King S.	Y	Middleton	Y	Soper	Y		
38	Court	Y	Labuda	Y	Miklosi	Y	Stephens	Y		
39	Curry	Y	Lambert	Y	Murray	Y	Summers	Y		
40	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y		
41	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y		
42	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y		
43	Gagliardi	E		V	Primavera	E	Vaad	Y		
44	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y		
45	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y		
46	Gerou	E	May	Y	Riesberg	Y	Weissmann	Y		
47							Speaker	Y		

48
49
50 **Third Reading amendment No. 1**, by Representative Rice.

51
52 Amend engrossed bill, page 2, line 12, before "BEHIND" insert "IN THE
53 SAME LANE OF TRAFFIC AND".
54

55 The amendment was declared **passed** by the following roll call vote:
56

	YES	58	NO	0	EXCUSED	6	ABSENT	0	VACANCY	1
1										
2	Acree	Y	Green	Y	McCann	E	Roberts	Y		
3	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y		
4	Balmer	Y	Judd	Y	McGihon	E	Scanlan	Y		
5	Baumgardner	Y	Kefalas	Y	McKinley	Y	Schafer S.	Y		
6	Benefield	Y	Kerr A.	E	McNulty	Y	Solano	Y		
7	Bradford	Y	Kerr J.	Y	Merrifield	Y	Sonnenberg	Y		
8	Casso	Y	King S.	Y	Middleton	Y	Soper	Y		
9	Court	Y	Labuda	Y	Miklosi	Y	Stephens	Y		
10	Curry	Y	Lambert	Y	Murray	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	E		V	Primavera	E	Vaad	Y		
15	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y		
16	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y		
17	Gerou	E	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 **passed**.

	YES	53	NO	5	EXCUSED	6	ABSENT	0	VACANCY	1
26	Acree	Y	Green	Y	McCann	E	Roberts	Y		
27	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y		
28	Balmer	Y	Judd	Y	McGihon	E	Scanlan	Y		
29	Baumgardner	N	Kefalas	Y	McKinley	N	Schafer S.	Y		
30	Benefield	Y	Kerr A.	E	McNulty	Y	Solano	Y		
31	Bradford	Y	Kerr J.	Y	Merrifield	Y	Sonnenberg	N		
32	Casso	Y	King S.	Y	Middleton	Y	Soper	Y		
33	Court	Y	Labuda	Y	Miklosi	Y	Stephens	Y		
34	Curry	Y	Lambert	Y	Murray	Y	Summers	Y		
35	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N		
36	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y		
37	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y		
38	Gagliardi	E		V	Primavera	E	Vaad	Y		
39	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y		
40	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y		
41	Gerou	E	May	Y	Riesberg	Y	Weissmann	Y		
42							Speaker	Y		

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

46 On motion of Representative Todd, the House resolved itself into
 47 Committee of the Whole for consideration of General Orders, and she
 48 was called to the Chair to act as Chairman.

51 **GENERAL ORDERS--SECOND READING OF BILLS**

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

1 (Amendments to the committee amendment are to the printed committee
2 report which was printed and placed in the members' bill file.)
3

4 **HB09-1014** by Representative(s) Judd; also Senator(s) Isgar--
5 Concerning the provision of additional resources to the
6 division of real estate to provide oversight of conservation
7 easements for which a state income tax credit is claimed.
8

9 Laid over until January 21, retaining place on Calendar.
10

11 **HB09-1050** by Representative(s) Soper--Concerning the voluntary
12 contribution designation benefiting the Colorado Easter
13 Seals fund that appears on the state individual income tax
14 return forms, and, in connection therewith, extending the
15 period for the contribution designation and changing the
16 name of the fund.
17

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

21
22
23 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**
24

25 Passed Second Reading: **HB09-1050**.

26
27 Laid over until date indicated retaining place on Calendar: **HB09-1014--**
28 January 21, 2009.
29

30 The Chairman moved the adoption of the Committee of the Whole
31 Report. As shown by the following roll call vote, a majority of those
32 elected to the House voted in the affirmative, and the Report was
33 **adopted**.
34

YES	59	NO	0	EXCUSED	5	ABSENT	0	VACANCY	1
Acree	Y	Green	Y	McCann	E	Roberts	Y		
Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y		
Balmer	Y	Judd	Y	McGihon	E	Scanlan	Y		
Baumgardner	Y	Kefalas	Y	McKinley	Y	Schafer S.	Y		
Benefield	Y	Kerr A.	E	McNulty	Y	Solano	Y		
Bradford	Y	Kerr J.	Y	Merrifield	Y	Sonnenberg	Y		
Casso	Y	King S.	Y	Middleton	Y	Soper	Y		
Court	Y	Labuda	Y	Miklosi	Y	Stephens	Y		
Curry	Y	Lambert	Y	Murray	Y	Summers	Y		
Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y		
Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y		
Frangas	Y	Looper	Y	Pommer	Y	Todd	Y		
Gagliardi	E		V	Primavera	E	Vaad	Y		
Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y		
Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y		
Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y		
						Speaker	Y		

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SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HJR09-1003; HR09-1005; SJR09-005, 007.**

MESSAGE FROM THE SENATE

The Senate has adopted and returns herewith: HJR09-1003.

House in recess. House reconvened.

**INTRODUCTION OF BILLS
First Reading**

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

HB09-1170 by Representative(s) Casso, Pace; also Senator(s) Tochtrop--Concerning unemployment insurance benefits for locked-out employees.
Committee on Business Affairs and Labor

HB09-1171 by Representative(s) Court; also Senator(s) Kester--Concerning requirements related to the installation of manufactured homes.
Committee on Local Government

LAY OVER OF CALENDAR ITEM

On motion of Representative Scanlan, the following items on the Calendar were laid over until January 21, retaining place on Calendar:

Consideration of Resolution--**SJR09-006.**

On motion of Representative Scanlan, the House adjourned until 9:00 a.m., January 21, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Fifteenth Legislative Day

Wednesday, January 21, 2009

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

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

5
6 Pledge of Allegiance led by Marissa Steigerwalt, Corwin Magnet School,
7 Pueblo, and Samantha Granger, Early College High School, Arvada.

8
9 The roll was called with the following result:

10
11 Present--59.
12 Excused--Representatives Gagliardi, McGihon, Pommer,
13 Primavera, Swalm--5.
14 Vacancy--1.
15 Present after roll call--Representatives Pommer, Swalm.

16
17 The Speaker declared a quorum present.

18
19
20 On motion of Representative Apuan, the reading of the journal of
21 January 20, 2009, was declared dispensed with and approved as corrected
22 by the Chief Clerk.

23
24
25
26 **THIRD READING OF BILL--FINAL PASSAGE**

27
28 The following bill was considered on Third Reading. The title was
29 publicly read. Reading of the bill at length was dispensed with by
30 unanimous consent.

31
32 **HB09-1050** by Representative(s) Soper; also Senator Tochtrop--
33 Concerning the voluntary contribution designation
34 benefiting the Colorado Easter Seals fund that appears on
35 the state individual income tax return forms, and, in
36 connection therewith, extending the period for the
37 contribution designation and changing the name of the
38 fund.

39
40 The question being "Shall the bill 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 bill
43 was declared **passed**.

	YES	53	NO	7	EXCUSED	4	ABSENT	0	VACANCY	1
1										
2	Acree		Y	Green	Y	McCann	Y	Roberts	Y	
3	Apuan		Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y	
4	Balmer		Y	Judd	Y	McGihon	E	Scanlan	Y	
5	Baumgardner	N		Kefalas	Y	McKinley	Y	Schafer S.	Y	
6	Benefield	Y		Kerr A.	Y	McNulty	Y	Solano	Y	
7	Bradford	N		Kerr J.	Y	Merrifield	Y	Sonnenberg	N	
8	Casso	Y		King S.	Y	Middleton	Y	Soper	Y	
9	Court	Y		Labuda	Y	Miklosi	Y	Stephens	Y	
10	Curry	Y		Lambert	N	Murray	Y	Summers	Y	
11	Ferrandino	Y		Levy	Y	Pace	Y	Swalm	E	
12	Fischer	Y		Liston	N	Peniston	Y	Tipton	Y	
13	Frangas	Y		Looper	Y	Pommer	Y	Todd	Y	
14	Gagliardi	E			V	Primavera	E	Vaad	Y	
15	Gardner B.	Y		Marostica	Y	Priola	Y	Vigil	Y	
16	Gardner C.	Y		Massey	Y	Rice	Y	Waller	N	
17	Gerou	Y		May	Y	Riesberg	Y	Weissmann	N	
18								Speaker	Y	

19 Representative Swalm excused from voting under House Rule 21(c).
 20 Co-sponsor(s) added: Representative(s) Apuan, Green, Kerr A., Labuda, Ryden,
 21 Todd.

22
 23
 24
 25 On motion of Representative Curry, the House resolved itself into
 26 Committee of the Whole for consideration of General Orders, and she
 27 was called to the Chair to act as Chairman.

30 31 GENERAL ORDERS--SECOND READING OF BILLS

32
 33 The Committee of the Whole having risen, the Chairman reported the
 34 titles of the following bills had been read (reading at length had been
 35 dispensed with by unanimous consent), the bills considered and action
 36 taken thereon as follows:

37
 38 (Amendments to the committee amendment are to the printed committee
 39 report which was printed and placed in the members' bill file.)

40
 41 **HB09-1014** by Representative(s) Judd; also Senator(s) Isgar--
 42 Concerning the provision of additional resources to the
 43 division of real estate to provide oversight of conservation
 44 easements for which a state income tax credit is claimed.

45
 46 Ordered engrossed and placed on the Calendar for Third Reading and
 47 Final Passage.

48
 49 **HB09-1033** by Representative(s) Schafer S., Merrifield, Todd,
 50 Benefield; also Senator(s) Spence, Williams--Concerning
 51 the regulation of flight schools.

52
 53 Ordered engrossed and placed on the Calendar for Third Reading and
 54 Final Passage.

55

1 **HB09-1046** by Representative(s) Scanlan--Concerning procedures to
 2 implement the postsecondary and workforce readiness
 3 assessments pilot program.
 4

5 Ordered engrossed and placed on the Calendar for Third Reading and
 6 Final Passage.
 7

8 **HB09-1072** by Representative(s) Middleton; also Senator(s) Hudak--
 9 Concerning modifications to statutory provisions
 10 addressing the governance of library districts.
 11

12 Amendment No. 1, Local Government report, dated January 15, 2009,
 13 and placed in member's bill file; report also printed in House Journal,
 14 January 16, pages 88-89.
 15

16 As amended, ordered engrossed and placed on the Calendar for Third
 17 Reading and Final Passage.
 18

19 **HB09-1042** by Representative(s) Merrifield--Concerning a prohibition
 20 on a slow-moving motor vehicle impeding highway traffic.
 21

22 Laid over until January 23, retaining place on Calendar.
 23

24 **HB09-1021** by Representative(s) Solano; also Senator(s) Boyd--
 25 Concerning the extension of the study of the treatment of
 26 persons with mental illness who are involved in the
 27 criminal and juvenile justice systems.
 28

29 Ordered engrossed and placed on the Calendar for Third Reading and
 30 Final Passage.
 31

34 ADOPTION OF COMMITTEE OF THE WHOLE REPORT

35
 36 Passed Second Reading: **HB09-1014, 1033, 1046, 1072 amended, 1021.**
 37

38 Laid over until date indicated retaining place on Calendar: **HB09-1042--**
 39 January 23, 2009.
 40

41 The Chairman moved the adoption of the Committee of the Whole
 42 Report. As shown by the following roll call vote, a majority of those
 43 elected to the House voted in the affirmative, and the Report was
 44 **adopted.**
 45

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

1	Fischer	Y	Liston	E	Peniston	Y	Tipton	Y
2	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
3	Gagliardi	E		V	Primavera	E	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

REPORTS OF COMMITTEES OF REFERENCE

10
11

FINANCE

12
13

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

14
15

HB09-1002 be referred to the Committee of the Whole with favorable recommendation.

16
17

18
19

TRANSPORTATION & ENERGY

20
21

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

22
23

HB09-1152 be referred favorably to the Committee on Agriculture, Livestock, & Natural Resources.

24
25

26
27

PRINTING REPORT

28
29

The Chief Clerk reports the following bills have been correctly printed: **HB09-1170, 1171.**

30
31

House in recess. House reconvened.

32
33

REPORTS OF COMMITTEES OF REFERENCE

34
35

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

36
37

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

38
39

HB09-1067 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

40
41

Amend printed bill, page 3, line 25, strike "6i." and substitute "6m."

42
43

Page 4, line 5, strike "OFFERED." and substitute "ACCEPTED."

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1 **HJR09-1002** be referred out for final action.

2

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6 **STATE, VETERANS, & MILITARY AFFAIRS**

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

9

10 **HB09-1039** be amended as follows, and as so amended, be referred to
11 the Committee on Appropriations with favorable
12 recommendation:

13

14 Amend printed bill, page 2, strike lines 6 through 8 and substitute the
15 following:

16

17 "COLORADO AND WHO ENROLLS IN A STATE INSTITUTION OF HIGHER
18 EDUCATION IN THIS STATE, OR A DEPENDENT OF SAID HONORABLY
19 DISCHARGED MEMBER OF THE ARMED FORCES WHO ENROLLS IN A STATE
20 INSTITUTION OF HIGHER EDUCATION IN THIS STATE, MAY RECEIVE IN-STATE
21 TUITION STATUS AT THE DISCRETION OF THE ENROLLING INSTITUTION.
22 SAID";

23

24 line 9, strike "SHALL" and substitute "MAY";

25

26 after line 15, insert the following:

27

28 "(3) NOTWITHSTANDING ANY PROVISION OF SECTION 23-18-102 (5)
29 TO THE CONTRARY, AN HONORABLY DISCHARGED MEMBER OF THE ARMED
30 FORCES OF THE UNITED STATES WHO MAINTAINS HIS OR HER SOLE
31 RESIDENCE IN COLORADO, OR HIS OR HER DEPENDENT, SHALL NOT BE
32 ELIGIBLE TO RECEIVE A STIPEND PURSUANT TO PART 2 OF ARTICLE 18 OF
33 THIS TITLE."

34

35

36

37 **HB09-1058** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40

41 Amend printed bill, page 2, strike lines 10 through 19 and substitute the
42 following:

43

44 "(II) ANY MEMBER OR VETERAN OF THE ARMED FORCES OF THE
45 UNITED STATES OR OF AN ORGANIZATION SUPPORTING MEMBERS OR
46 VETERANS OF THE ARMED FORCES OF THE UNITED STATES SHALL HAVE
47 THE RIGHT TO ACCESS THE HUMAN REMAINS AND RECORDS THEREOF IN
48 ORDER TO IDENTIFY THE REMAINS IF NO PERSON WITH THE RIGHT OF FINAL
49 DISPOSITION HAS PROVIDED FOR FINAL DISPOSITION FOR AT LEAST ONE
50 HUNDRED EIGHTY DAYS AFTER DEATH. IF THE REMAINS ARE THOSE OF A
51 VETERAN OF THE ARMED FORCES OF THE UNITED STATES, THE PERSON
52 WHO POSSESSES THE REMAINS SHALL MAKE ARRANGEMENTS FOR THE
53 REMAINS TO BE TRANSFERRED TO THE CLOSEST UNITED STATES MILITARY
54 CEMETERY."

55

56

1 **HB09-1063** be referred favorably to the Committee on Appropriations.
2
3
4 **HB09-1150** be amended as follows, and as so amended, be referred to
5 the Committee on Appropriations with favorable
6 recommendation:
7
8 Amend printed bill, page 2, line 12, strike "BY RULE" and, after "FEES",
9 insert "OR BILLING PROCESS";
10
11 line 14, strike "FEES" and substitute "MONEYS".
12
13 Page 4, line 5, strike "BY RULE";
14
15 line 7, strike "FEES" and substitute "MONEYS";
16
17 after line 18, insert the following:
18
19 **"SECTION 5.** 24-50-125.4, Colorado Revised Statutes, is
20 amended BY THE ADDITION OF A NEW SUBSECTION to read:
21
22 **24-50-125.4. Hearings.** (6) THE BOARD OR AN ADMINISTRATIVE
23 LAW JUDGE FOR THE BOARD MAY GIVE ANY WRITTEN NOTICES OR ISSUE
24 ANY WRITTEN DECISIONS REQUIRED IN THIS SECTION BY EITHER REGULAR
25 OR ELECTRONIC MAIL OR BY FACSIMILE. THE BOARD SHALL PROMULGATE
26 RULES IN ACCORDANCE WITH ARTICLE 4 OF THIS TITLE TO ESTABLISH A
27 UNIFORM SYSTEM FOR SERVICE OF WRITTEN NOTICES AND DECISIONS.
28
29 **SECTION 6.** 24-75-112 (1) (c), Colorado Revised Statutes, is
30 amended to read:
31
32 **24-75-112. Annual general appropriation act - headnote**
33 **definitions - general provisions - footnotes.** (1) As used in the annual
34 general appropriation act, the following definitions and general provisions
35 shall apply for the headnote terms preceding and specifying the purpose
36 of certain line items of appropriation:
37
38 (c) "Communications services payments" means payments to the
39 ~~department of personnel~~ OFFICE OF INFORMATION TECHNOLOGY CREATED
40 IN SECTION 24-37.5-103 for the cost of services from the state's public
41 safety communications infrastructure."
42
43 Renumber succeeding sections accordingly.
44
45
46
47 **INTRODUCTION OF BILLS**
48 **First Reading**
49
50 The following bills were read by title and referred to the committees
51 indicated:
52
53 **HB09-1172** by Representative(s) McCann, Fischer--Concerning an
54 increase in the protection of animals under the "Pet
55 Animal Care and Facilities Act".
56 Committee on Agriculture, Livestock, & Natural Resources

1 **HB09-1173** by Representative(s) Riesberg--Concerning efforts to
2 reduce the amount of contraband tobacco products in the
3 state.

4 Committee on Finance

5
6 **HB09-1174** by Representative(s) Riesberg; also Senator(s) Hodge,
7 Brophy--Concerning the exemption of depletions from
8 pumping that occurred prior to 1974.

9 Committee on Agriculture, Livestock, & Natural Resources

10

11

12

13

LAY OVER OF CALENDAR ITEM

14

15 On motion of Representative Weissmann, the following item on the
16 Calendar was laid over until January 22, retaining place on Calendar:

17

18 Consideration of Resolution--**SJR09-006**.

19

20

21

22 On motion of Representative King, the House adjourned until 9:00 a.m.,
23 January 22, 2009.

24

25

26

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29

30

Attest:
MARILYN EDDINS,
Chief Clerk

Approved:
TERRANCE D. CARROLL,
Speaker

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

Sixteenth Legislative Day

Thursday, January 22, 2009

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Case and Claire Smith, Hutchinson
6 Elementary, Lakewood.
7
8 The roll was called with the following result:
9
10 Present--62.
11 Excused--Representatives Gagliardi, Vaad, Waller--3.
12 Present after roll call--Representative Gagliardi.

13
14 The Speaker declared a quorum present.

15
16
17
18
19 On motion of Representative Apuan, the reading of the journal of
20 January 21, 2009, was declared dispensed with and approved as corrected
21 by the Chief Clerk.
22

COMMUNICATIONS

STATE OF COLORADO

23
24
25
26
27
28
29 **Department of**
30 **State**

31
32 **UNITED STATES OF AMERICA**)
33 **STATE OF COLORADO**) **SS. Certificate**
34
35

36 I, Bernie Buescher, Secretary of State of the State of Colorado, do hereby
37 certify that the attached is a true and exact copy of the Designation of
38 Nomination by Vacancy Committee as filed in this office on the twentieth
39 day of January 29, 2009, by the Republican 49th House District Vacancy
40 Committee, designating the appointment of Betty June Nikkel to fill the
41 vacancy in the office of the Colorado State House of Representatives,
42 District 49, for the Sixty-seventh General Assembly of the State of
43 Colorado, caused by the resignation of the Honorable Kevin Lundberg.

1 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
 2 the Great Seal of the State of Colorado, at the City and County of Denver
 3 this twenty-second day of January, 2009.

4
 5 (Signed)
 6 Bernie Buescher
 7 Secretary of State

8
 9

10
 11 **STATE OF COLORADO**

12 **Department of**
 13 **State**

14
 15 **UNITED STATES OF AMERICA**) **SS. Certificate**
 16 **STATE OF COLORADO**)

17
 18 I, Bernie Buescher, Secretary of State of the State of Colorado, do hereby
 19 certify that the attached is a true and exact copy of the Acceptance of
 20 Designation by Vacancy Committee as filed in this office on the twentieth
 21 day of January, 2009, by Betty June Nikkel, accepting the appointment of
 22 the Republican 49th House District Vacancy Committee to fill the
 23 vacancy in the office of Colorado State House of Representatives, District
 24 49, for the Sixty-seventh General Assembly of the State of Colorado,
 25 caused by the resignation of the Honorable Kevin Lundberg.

26
 27 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
 28 the Great Seal of the State of Colorado, at the City and County of Denver
 29 this twenty-second day of January, 2009.

30
 31 (Signed)
 32 Bernie Buescher
 33 Secretary of State

34
 35 (Note: On January 22, 2009, at 8:35 a.m., Betty June Nikkel, 3201
 36 Cactus Court, Loveland, Colorado 80537 was sworn in as Representative
 37 for District 49. Speaker Terrance D. Carroll administered the oath of
 38 office in the Chamber of the Colorado House of Representatives.)

39
 40

41 **THIRD READING OF BILLS--FINAL PASSAGE**

42
 43 The following bills were considered on Third Reading. The titles were
 44 publicly read. Reading of the bill at length was dispensed with by
 45 unanimous consent.

46
 47 **HB09-1014** by Representative(s) Judd; also Senator(s) Isgar--Con-
 48 cerning the provision of additional resources to the
 49 division of real estate to provide oversight of conservation
 50 easements for which a state income tax credit is claimed.

51
 52 The question being "Shall the bill pass?".
 53 A roll call vote was taken. As shown by the following recorded vote, a
 54 majority of those elected to the House voted in the affirmative and the bill
 55 was declared **passed**.

56

	YES	47	NO	16	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	N
8	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	N	Stephens	N
10	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
11	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
12	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
13	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
14	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	E
15	Gardner B.	N	Massey	Y	Priola	N	Vigil	Y
16	Gardner C.	N	May	N	Rice	Y	Waller	E
17	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Curry, Fischer, McGihon, McKinley,
20 Merrifield, Miklosi, Ryden.

21
22

23 **HB09-1033** by Representative(s) Schafer S., Merrifield, Todd,
24 Benefield; also Senator(s) Spence, Williams--Concerning
25 the regulation of flight schools.

26

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

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

31

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

50 Co-sponsor(s) added: Representative(s) Hullinghorst, Labuda, Middleton,
51 Priola, Riesberg, Ryden, Solano.

52

53 **HB09-1046** by Representative(s) Scanlan; also Senator Penry--
54 Concerning procedures to implement the postsecondary
55 and workforce readiness assessments pilot program.

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

24
 25 **HB09-1072** by Representative(s) Middleton; also Senator(s) Hudak--
 26 Concerning modifications to statutory provisions
 27 addressing the governance of library districts.
 28

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

	YES	48	NO	15	EXCUSED	2	ABSENT	0
35	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
36	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
37	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
38	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
39	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
40	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	N
41	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
42	Court	Y	Labuda	Y	Murray	N	Stephens	N
43	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
44	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
45	Fischer	Y	Liston	N	Peniston	Y	Tipton	Y
46	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
47	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	E
48	Gardner B.	N	Massey	Y	Priola	Y	Vigil	Y
49	Gardner C.	N	May	N	Rice	Y	Waller	E
50	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Acree, Labuda, Merrifield, Priola,
 53 Roberts, Ryden, Scanlan, Schafer S., Todd.
 54

55 **HB09-1021** by Representative(s) Solano; also Senator(s) Boyd--
 56 Concerning the extension of the study of the treatment of

1 persons with mental illness who are involved in the
2 criminal and juvenile justice systems.

3
4 The question being "Shall the bill pass?".

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

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

27 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Casso, Court,
28 Fischer, Gagliardi, Green, Hullinghorst, Kefalas, Kerr A., Kerr J., Labuda,
29 Massey, McCann, McGihon, Merrifield, Middleton, Miklosi, Pace, Primavera,
30 Ryden, Scanlan, Soper, Todd, Vigil, Speaker.

31 32 33 34 35 **CONSIDERATION OF RESOLUTIONS**

36
37 **SJR09-006** by Senator(s) Boyd; also Representative(s) Riesberg--
38 Concerning support of the federal reauthorization of the
39 state child health insurance plan.

40
41 (Printed and placed in member's file)

42
43 On motion of Representative Riesberg, the resolution was read at length
44 and **adopted** by **viva voce** vote.

45
46 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Casso, Court, Curry,
47 Ferrandino, Fischer, Frangas, Gagliardi, Green, Hullinghorst, Judd, Kefalas,
48 Labuda, Levy, Massey, McCann, McFadyen, McGihon, Merrifield, Middleton,
49 Miklosi, Pace, Pommer, Primavera, Priola, Roberts, Ryden, Scanlan, Schafer S.,
50 Solano, Todd, Vigil, Weissmann, Speaker.

51
52 **HJR09-1002** by Representative(s) Fischer; also Senator(s) Hodge--
53 Concerning approval of water project revolving fund
54 eligibility lists administered by the Colorado water
55 resources and power development authority.
56

1 (Printed and placed in member's file)

2

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

5

6 Co-sponsor(s) added: Representative(s) Apuan, Balmer, Benefield, Gagliardi,
7 Gardner C., Kerr A., Labuda, Looper, McGihon, Merrifield, Middleton,
8 Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Todd.

9

10

11

12

REPORTS OF COMMITTEES OF REFERENCE

13

BUSINESS AFFAIRS & LABOR

14 BUSINESS AFFAIRS & LABOR
15 After consideration on the merits, the Committee recommends the
16 following:

17

18 HB09-1012 be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:

21

22 Amend printed bill, page 2, line 6, after "**incentives**", add "**or rewards**".

23

24 Page 3, line 5, strike "INCENTIVES," and substitute "INCENTIVES OR
25 REWARDS,";

26

27 line 11, after "INCENTIVES", insert "OR REWARDS";

28

29 line 15, after "INCENTIVES", insert "OR REWARDS";

30

31 line 20, after "INCENTIVES", insert "OR REWARDS";

32

33 line 21, after "INCENTIVES", insert "OR REWARDS";

34

35 line 23, strike "INCENTIVES. AN INCENTIVE" and substitute "INCENTIVES
36 OR REWARDS. AN INCENTIVE OR REWARD".

37

38 Page 4, line 1, after "INCENTIVES", insert "OR REWARDS";

39

40 line 10, after "INCENTIVE", insert "OR REWARD";

41

42 line 14, after "INCENTIVE", insert "OR REWARD";

43

44 after line 16, insert the following:

45

46 "(4) NOTHING IN THIS SECTION SHALL PROHIBIT A CARRIER FROM
47 OFFERING INCENTIVES TO COVERED PERSONS FOR ADHERENCE TO
48 PROGRAMS OF HEALTH PROMOTION AND DISEASE PREVENTION IF
49 OTHERWISE ALLOWED BY STATE OR FEDERAL LAW."

50

51 Renumber succeeding subsection accordingly.

52

53 Page 4, after line 25, insert the following:

54

55 "(II) MENTAL HEALTH AND SUBSTANCE ABUSE SCREENINGS AND
56 PREVENTION;"

1 Renumber succeeding subparagraphs accordingly.

2

3 Page 6, strike lines 8 through 10 and substitute the following:

4

5 "for adherence to programs of health promotion and disease prevention
6 if otherwise allowed by STATE OR FEDERAL law OR FOR PARTICIPATION IN
7 A WELLNESS AND PREVENTION PROGRAM PURSUANT TO SECTION
8 10-16-136.";

9

10 line 14, after "**Incentives**", insert "**or rewards**";

11

12 line 18, after "INCENTIVES", insert "OR REWARDS".

13

14

15

16 **HB09-1054** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:

19

20 Amend printed bill, page 2, line 14, strike "AFTER" and substitute
21 "BECAUSE".

22

23

24

25 **HB09-1155** be referred to the Committee of the Whole with favorable
26 recommendation.

27

28

29

30

31 **FINANCE**

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

34

35 **HB09-1013** be referred favorably to the Committee on Local
36 Government.

37

38

39 **HB09-1043** be referred favorably to the Committee on Appropriations.

40

41

42

43

44

PRINTING REPORT

45 The Chief Clerk reports the following bills have been correctly printed:
46 **HB09-1172, 1173, 1174.**

47

48

49

50

House in recess. House reconvened.

51

52

53

54

55

1 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

2
3 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

6
7 **HB09-1017** be amended as follows, and as so amended, be referred to
8 the Committee on Appropriations with favorable
9 recommendation:

10
11 Amend printed bill, strike everything below the enacting clause and
12 substitute the following:

13 **"SECTION 1.** 37-60-126 (12) (a), Colorado Revised Statutes, is
14 amended to read:

15
16 **37-60-126. Water conservation and drought mitigation**
17 **planning - programs - relationship to state assistance for water**
18 **facilities - guidelines - water efficiency grant program - repeal.**

19 (12) (a) (I) There is hereby created the water efficiency grant program for
20 purposes of providing state funding to aid in the planning and
21 implementation of water conservation plans developed in accordance with
22 the requirements of this section and to promote the benefits of water
23 efficiency. The board is authorized to distribute grants to covered
24 entities, other state or local governmental entities, and agencies in
25 accordance with its guidelines from the moneys transferred to and
26 appropriated from the water efficiency grant program cash fund, which
27 is hereby created in the state treasury.

28
29 (II) MONEYS IN THE WATER EFFICIENCY GRANT PROGRAM CASH
30 FUND ARE HEREBY CONTINUOUSLY APPROPRIATED TO THE BOARD FOR THE
31 PURPOSES OF THIS SUBSECTION (12) AND SHALL BE AVAILABLE FOR USE
32 UNTIL THE PROGRAMS AND PROJECTS FINANCED USING THE GRANTS HAVE
33 BEEN COMPLETED.

34
35 (III) For the 2005-06 through 2010-11 fiscal years, the general
36 assembly shall appropriate from the fund to the board up to five hundred
37 thousand dollars annually for the purpose of providing grants to covered
38 entities, other state and local governmental entities, and agencies in
39 accordance with this subsection (12). Commencing July 1, 2008, the
40 general assembly shall also appropriate from the fund to the board fifty
41 thousand dollars each fiscal year through 2011-12 to cover the costs
42 associated with the administration of the grant program and the
43 requirements of section 37-60-124. ~~However, if less than five hundred~~
44 ~~thousand dollars is appropriated or expended in any such fiscal year, an~~
45 ~~amount equal to the difference between five hundred thousand dollars and~~
46 ~~the amount actually appropriated or expended in that fiscal year shall be~~
47 ~~available for appropriation and expenditure to the grant program in the~~
48 ~~next fiscal year in addition to the five hundred thousand dollars available~~
49 ~~for appropriation in that fiscal year~~ MONEYS APPROPRIATED PURSUANT
50 TO THIS SUBPARAGRAPH (III) SHALL REMAIN AVAILABLE UNTIL EXPENDED
51 OR UNTIL JUNE 30, 2012, WHICHEVER OCCURS FIRST.

52
53 (IV) Any moneys remaining in the fund on June 30, 2012, shall
54 be transferred to the ~~reserve in the~~ operational account of the severance
55 tax trust fund described in section ~~39-29-109.3 (3)~~ 39-29-109 (2) (b),
56 C.R.S.

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

Seventeenth Legislative Day

Friday, January 23, 2009

1 Prayer by the Reverend Leon Kelly, Director of Youth Gang Alternatives,
2 Denver.

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

5
6 Pledge of Allegiance led by Mauri, Aubrea, and Sierra Taylor from
7 Westlake Middle School and Centennial Elementary, Westminster.

8
9 The roll was called with the following result:

10
11 Present--63.
12 Excused--Representatives Sonnenberg, Waller--2.

13
14 The Speaker declared a quorum present.

15 _____
16
17 On motion of Representative Apuan, the reading of the journal of
18 January 22, 2009, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20 _____
21
22
23 On motion of Representative Labuda, the House resolved itself into
24 Committee of the Whole for consideration of General Orders, and she
25 was called to the Chair to act as Chairman.

26 _____
27
28 **GENERAL ORDERS--SECOND READING OF BILLS**

29
30 The Committee of the Whole having risen, the Chairman reported the
31 titles of the following bills had been read (reading at length had been
32 dispensed with by unanimous consent), the bills considered and action
33 taken thereon as follows:

34
35 (Amendments to the committee amendment are to the printed committee
36 report which was printed and placed in the members' bill file.)

37
38 **HB09-1002** by Representative(s) McFadyen; also Senator(s) Tapia--
39 Concerning the operation of the state lottery.

40
41 Ordered engrossed and placed on the Calendar for Third Reading and
42 Final Passage.

1 **HB09-1058** by Representative(s) Marostica; also Senator(s) Morse--
 2 Concerning the final disposition of the remains of veterans
 3 of the armed forces that have been abandoned.
 4

5 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
 6 January 20, 2008, and placed in member's bill file; Report also printed in
 7 House Journal, January 21, page 103.
 8

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

12 **HB09-1042** by Representative(s) Merrifield--Concerning a prohibition
 13 on a slow-moving motor vehicle impeding highway traffic.
 14

15 Amendment No. 1, Transportation & Energy Report, dated January 15,
 16 2009, and placed in member's bill file; Report also printed in House
 17 Journal, January 16, page 91.
 18

19 Amendment No. 2, by Representative Merrifield.
 20

21 Amend printed bill, page 2, line 1, strike "(1) and" and substitute "(1),";
 22 line 2, after "(3),", insert "and 42-4-1103 (3) (b),";
 23 after line 21, insert the following:
 24
 25

26
 27 "(b) Pull off the roadway at the first available place where such
 28 movement can safely and lawfully be made until such impeded traffic has
 29 passed by; EXCEPT THAT, THIS PARAGRAPH (b) SHALL NOT APPLY TO A
 30 COMMERCIAL VEHICLE UNLESS SUCH PLACE IS AT LEAST TWELVE FEET
 31 WIDE."
 32

33 As amended, ordered engrossed and placed on the Calendar for Third
 34 Reading and Final Passage.
 35

36
 37
 38 **AMENDMENT TO THE COMMITTEE OF THE WHOLE REPORT**
 39

40 Representative Balmer moved to amend the Report of the Committee of
 41 the Whole to reverse the action taken by the Committee in not adopting
 42 the following Balmer amendment, to **HB 09-1042**, to show that said
 43 amendment passed, and that HB 09-1042, as amended, passed.
 44

45 Amend printed bill, page 2, line 2, strike "amended" and substitute
 46 "amended, and the said 42-4-1103 is further amended BY THE
 47 ADDITION OF A NEW SUBSECTION,";
 48

49 after line 21, insert the following:
 50

51 "(6) THIS SECTION SHALL NOT APPLY TO COMMERCIAL MOTOR
 52 VEHICLES CARRYING HAZARDOUS MATERIALS AS DEFINED IN SECTION
 53 42-2-402."
 54

55 Renumber succeeding subsections accordingly.
 56

1 The amendment was declared **lost** by the following roll call vote:
2

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

21
22
23
24 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

25
26 Passed Second Reading: **HB09-1002, 1058 amended, 1042 amended.**

27
28 The Chairman moved the adoption of the Committee of the Whole
29 Report. As shown by the following roll call vote, a majority of those
30 elected to the House voted in the affirmative, and the Report was
31 **adopted.**

	YES	63	NO	0	EXCUSED	2	ABSENT	0
34	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
35	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
39	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	E
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	Y	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	E
49	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
50							Speaker	Y

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REPORTS OF COMMITTEES OF REFERENCE**HEALTH & HUMAN SERVICES**

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

HB09-1023 be referred to the Committee of the Whole with favorable recommendation.

HB09-1025 be referred to the Committee of the Whole with favorable recommendation.

HB09-1048 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 23, after "THEREOF.", add "THIS SUBSECTION (2) SHALL APPLY TO A NEW BOARD OR COMMISSION CREATED AFTER AUGUST 4, 2009, OR TO A VACANCY OCCURRING ON AN EXISTING BOARD OR COMMISSION AFTER AUGUST 4, 2009."

Page 8, strike lines 9 through 11 and substitute the following:

"SECTION 14. Act subject to petition - effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 4, 2009, if adjournment sine die is on May 6, 2009); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor."

JUDICIARY

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

HB09-1037 be referred to the Committee of the Whole with favorable recommendation.

HB09-1044 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, strike lines 22 and 23.

HB09-1122 be referred to the Committee of the Whole with favorable recommendation.

1 **LOCAL GOVERNMENT**

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

4
5 **HB09-1019** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend printed bill, page 3, line 11, strike "BE OR REMAIN ON OR";
10
11 line 25, after "NATIONAL", insert "PET RECOVERY".

12
13 Page 4, line 18, strike "CLERK" and, strike "OCCURRED." and substitute
14 "OCCURRED OR TO ANY THIRD PARTY THAT CONTRACTS WITH THE CITY
15 FOR THE PURPOSE OF ANIMAL CONTROL.";

16
17 line 19, after "CITY", insert "OR SUCH THIRD PARTY THAT CONTRACTS
18 WITH THE CITY".

19
20 Page 5, line 2, after "ENACTING", insert "THE SAME OR".
21
22
23

24 **HB09-1041** be referred favorably to the Committee on Finance.
25
26
27
28

29 **TRANSPORTATION & ENERGY**

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

32
33 **HB09-1034** be referred to the Committee of the Whole with favorable
34 recommendation.
35
36

37 **HB09-1089** be referred to the Committee of the Whole with favorable
38 recommendation.
39

40
41 _____
42 House in recess. House reconvened.
43 _____
44

45 **INTRODUCTION OF RESOLUTIONS**

46
47 The following resolution was read by title and laid over one day under
48 the rules:

49
50 **HJR09-1004** by Representative(s) Massey and Benefield, Acree,
51 Apuan, Balmer, Baumgardner, Bradford, Carroll T.,
52 Casso, Court, Curry, Ferrandino, Fischer, Frangas,
53 Gagliardi, Gardner B., Gardner C., Gerou, Green,
54 Hullinghorst, Judd, Kefalas, Kerr A., Kerr J., King S.,
55 Labuda, Lambert, Levy, Liston, Looper, Marostica, May,
56 McCann, McFadyen, McGihon, McKinley, McNulty,

1 Merrifield, Middleton, Miklosi, Murray, Pace, Peniston,
 2 Pommer, Primavera, Priola, Rice, Riesberg, Roberts,
 3 Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper,
 4 Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil,
 5 Waller, Weissmann--Concerning civility in the Colorado
 6 general assembly.

7 _____
 8
 9 The following resolution was read by title and referred to the committee
 10 indicated:

11
 12 **HJR09-1005** by Representative(s) Judd; also Senator(s) Sandoval--
 13 Concerning the certification by the general assembly of its
 14 estimate of state general fund revenues and allowable state
 15 general fund appropriations for the 2009-10 fiscal year.
 16 Committee on Finance

17 _____
 18
 19
 20 On motion of Representative Weissmann, the following bills will be
 21 calendared for Wednesday, January 28, 2009: HB09-1023, 1025, 1048,
 22 1037, 1044, 1122, 1019, 1034, 1089.

23 _____
 24
 25
 26 **CHANGE IN SPONSORSHIP**

27
 28 The Speaker Pro Tempore announced the following change in
 29 sponsorship:
 30 HB09-1097--Representative Acree will replace Representative Lundberg
 31 as prime sponsor.

32 _____
 33
 34
 35 On motion of Representative Weissmann, the House adjourned until
 36 10:00 a.m., January 26, 2009.

37
 38 Approved:
 39 TERRANCE D. CARROLL,
 40 Speaker
 41 Attest:
 42 MARILYN EDDINS,
 43 Chief Clerk

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

Twentieth Legislative Day

Monday, January 26, 2009

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Claire Carver, Durango High School, and a
6 member of the Colorado Youth Advisory Council.
7
8 The roll was called with the following result:
9
10 Present--62.
11 Excused--Representatives King, McFadyen, McGihon--3.
12 Present after roll call--Representatives King, McFadyen,
13 McGihon.

14
15 The Speaker declared a quorum present.

16
17
18 On motion of Representative Baumgardner, the reading of the journal of
19 January 23, 2009, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

MESSAGE FROM THE SENATE

21
22
23
24
25 The Senate has adopted and transmits herewith: SJR09-009.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

26
27
28
29
30 On motion of Representative Weissmann, the rules were suspended and
31 the following resolution was given immediate consideration.

32
33 **SJR09-009** by Senator(s) Brophy; also Representative(s) Sonnenberg-
34 -Concerning the designation of "Colorado 4-H Day".

35
36 (Printed and placed in member's file).

37
38 On motion of Representative Sonnenberg, the resolution was read at
39 length and **adopted** by **viva voce** vote.

40
41 Co-sponsor(s) added: Representative(s) Acree, Apuan, Balmer, Baumgardner,
42 Bradford, Casso, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi,
43 Gardner B., Gardner C., Gerou, Green, Hullinghorst, Judd, Kefalas, Kerr A.,

1 Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Marostica, Massey,
 2 May, McFadyen, McGihon, McKinley, McNulty, Merrifield, Middleton,
 3 Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice,
 4 Riesberg, Roberts, Scanlan, Schafer S., Solano, Stephens, Summers, Swalm,
 5 Tipton, Todd, Vaad, Vigil, Waller, Weissmann, Speaker.

6
7
8
9 **THIRD READING OF BILLS--FINAL PASSAGE**

10
11 The following bills were considered on Third Reading. The titles were
 12 publicly read. Reading of the bill at length was dispensed with by
 13 unanimous consent.

14
15 **HB09-1042** by Representative(s) Merrifield; also Senator Gibbs--
 16 Concerning a prohibition on a slow-moving motor vehicle
 17 impeding highway traffic.

18
19 The question being "Shall the bill pass?".
 20 A roll call vote was taken. As shown by the following recorded vote, a
 21 majority of those elected to the House voted in the affirmative and the bill
 22 was declared **passed**.

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

42 Co-sponsor(s) added: Representative(s) Fischer, Green, Middleton, Todd.

43
44 **HB09-1002** by Representative(s) McFadyen; also Senator(s) Tapia--
 45 Concerning the operation of the state lottery.

46
47 The question being "Shall the bill pass?".
 48 A roll call vote was taken. As shown by the following recorded vote, a
 49 majority of those elected to the House voted in the affirmative and the bill
 50 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
53	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y

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

14 Co-sponsor(s) added: Representative(s) Green, Pace, Pommer, Priola, Ryden,
15 Schafer S.

16
17 **HB09-1058** by Representative(s) Marostica; also Senator(s) Morse--
18 Concerning the final disposition of the remains of veterans
19 of the armed forces that have been abandoned.

20
21 The question being "Shall the bill pass?".
22 A roll call vote was taken. As shown by the following recorded vote, a
23 majority of those elected to the House voted in the affirmative and the bill
24 was declared **passed**.

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

44 Co-sponsor(s) added: Representative(s) Acree, Apuan, Balmer, Baumgardner,
45 Benefield, Bradford, Casso, Court, Curry, Ferrandino, Fischer, Frangas,
46 Gardner B., Gardner C., Gerou, Green, Hullinghorst, Kefalas, Kerr A., Kerr J.,
47 King S., Labuda, Lambert, Levy, Liston, Looper, Massey, McGihon, McNulty,
48 Middleton, Miklosi, Murray, Nikkel, Primavera, Priola, Rice, Riesberg,
49 Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens,
50 Summers, Swalm, Tipton, Todd, Vaad, Vigil, Waller, Weissmann, Speaker

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

GENERAL ORDERS--SECOND READING OF BILLS1
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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.)

HB09-1012 by Representative(s) Rice and Stephens, Curry, Massey, Swalm; also Senator(s) Mitchell and Newell--Concerning incentives provided by health insurance carriers to encourage voluntary participation in programs to promote health.

Laid over until January 28, retaining place on Calendar.

HB09-1054 by Representative(s) Looper, Balmer, Rice, Stephens, Todd; also Senator(s) Morse, King K.--Concerning eligibility for unemployment insurance benefits for an individual who leaves employment to relocate to a new place of residence after the individual's active duty military spouse is killed in combat.

Amendment No. 1, Business Affairs and Labor Report, dated January 21, 2008, and placed in member's bill file; Report also printed in House Journal, January 22, page 113.

House in recess. House reconvened.

Amendment No. 2, by Representative Looper.

Amend printed bill, page 3, after line 5, insert the following:

"(II) THE DIRECTOR SHALL PROMULGATE RULES ALLOWING FOR THE WAIVER OF THE REQUIREMENT TO ACTIVELY SEEK WORK, PURSUANT TO SECTION 8-73-107 (1) (g), FOR AN INDIVIDUAL WHO IS ELIGIBLE FOR BENEFITS PURSUANT TO THIS PARAGRAPH (t)."

Renumber succeeding subparagraphs accordingly.

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

HB09-1155 by Representative(s) Weissmann; also Senator(s) Carroll M.--Concerning title insurance, and, in connection therewith, requiring justifications to be filed with the commissioner of insurance.

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

1 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

2
3 Passed Second Reading: **HB09-1054 amended, 1155.**

4
5 Laid over until date indicated retaining place on Calendar: **HB09-1012--**
6 January 28, 2009.

7
8 The Chairman moved the adoption of the Committee of the Whole
9 Report. As shown by the following roll call vote, a majority of those
10 elected to the House voted in the affirmative, and the Report was
11 **adopted.**

	YES	64	NO	0	EXCUSED	1	ABSENT	0
14	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
15	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
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.	E	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
32
33
34 **REPORTS OF COMMITTEES OF REFERENCE**

35
36 **HEALTH & HUMAN SERVICES**

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

38
39 **HB09-1073** be amended as follows, and as so amended, be referred to the
40 Committee on Appropriations with favorable recommendation:

41
42 Amend printed bill, page 2, line 17, strike "AND";

43
44 after line 17, insert the following:

45
46 "(c) RECOMMENDATIONS FOR PATIENT-PROTECTION MEASURES TO
47 ENSURE THAT ANY E-PRESCRIPTION SYSTEM USED BY THE STATE DOES NOT
48 NEGATIVELY IMPACT A RECIPIENT'S HEALTH OR ACCESS TO PRESCRIPTION
49 DRUGS; AND".

50
51 Reletter succeeding paragraph accordingly.

52
53 Page 2, line 20, strike "E PRESCRIPTIONS." and substitute
54 "E-PRESCRIPTIONS.".

55
56

1 **HB09-1102** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
5
6

7 **STATE, VETERANS, & MILITARY AFFAIRS**

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

10
11 **HB09-1018** be amended as follows, and as so amended, be referred to
12 the Committee of the Whole with favorable
13 recommendation:
14

15 Amend printed bill, page 4, strike lines 9 through 27.

16
17 Page 5, strike lines 1 through 19 and substitute the following:

18
19 **"SECTION 4.** 1-2-305 (1) and (2), Colorado Revised Statutes, are
20 amended to read:

21
22 **1-2-305. Postelection procedures - voting history.** (1) Not later
23 than sixty days after a state election, ~~each county clerk and recorder shall~~
24 ~~transmit to the secretary of state, in a media format acceptable to the~~
25 ~~secretary of state,~~ THE SECRETARY OF STATE SHALL GENERATE a list of
26 electors showing who voted and who did not vote in the election. The list
27 shall ~~contain the information provided for in section 1-2-301 (1)~~ BE
28 DRAWN FROM THE STATEWIDE VOTER REGISTRATION DATABASE. For
29 electors who voted, the list shall show such elector's method of voting,
30 whether by early voting, mail-in ballot, mail ballot, polling place voting,
31 or otherwise.
32

33 (2) Upon receipt of the lists, the secretary of state shall ~~compare~~
34 ~~them with the master list of registered electors maintained in the office~~
35 EXAMINE THE LISTS TO SEE WHICH ELECTORS DID AND DID NOT VOTE IN
36 THE ELECTION in order to ascertain if any elector has voted more than
37 once. If it is determined that an elector has voted more than once, the
38 secretary of state shall notify the proper district attorney for prosecution
39 of a violation of the provisions of this code.
40

41 **SECTION 5.** 1-2-603 (1), Colorado Revised Statutes, is amended
42 to read:

43
44 **1-2-603. Notification that elector has moved and registered in**
45 **different county.** (1) If the elector registers to vote in another county,
46 the county clerk and recorder shall ~~immediately transmit the information~~
47 ~~to the county clerk and recorder of the elector's prior county of residence.~~
48 ~~Upon receipt of the information, the county clerk and recorder of the~~
49 ~~county of prior residence shall cancel the elector's registration record.~~
50 ~~The county clerk and recorder of the county of prior residence shall~~
51 ~~cancel the registration record only if the name and birth date or the name~~
52 ~~and social security number of the elector match.~~ OF THE ELECTOR'S NEW
53 COUNTY OF RESIDENCE SHALL TRANSFER THE ELECTOR'S REGISTRATION
54 RECORD FROM THE OLD COUNTY IN ACCORDANCE WITH THE FOLLOWING
55 REQUIREMENTS:
56

1 (a) IF THE ELECTOR PROVIDES A NAME, DATE OF BIRTH, AND PRIOR
 2 ADDRESS AND THE COUNTY CLERK AND RECORDER CAN MATCH THE NAME,
 3 DATE OF BIRTH, AND PRIOR ADDRESS TO THE ELECTOR'S PRIOR
 4 REGISTRATION RECORD, THE ELECTOR'S REGISTRATION RECORD SHALL BE
 5 TRANSFERRED FROM THE OLD COUNTY.

6
 7 (b) IF THE ELECTOR PROVIDES A NAME AND DATE OF BIRTH BUT
 8 DOES NOT PROVIDE A PRIOR ADDRESS, THE ELECTOR'S REGISTRATION
 9 RECORD SHALL BE TRANSFERRED FROM THE OLD COUNTY ONLY IF:

10
 11 (I) THE ELECTOR PROVIDES A DRIVER'S LICENSE OR
 12 IDENTIFICATION CARD NUMBER, AND THE COUNTY CLERK AND RECORDER
 13 OF THE NEW COUNTY OF RESIDENCE CAN MATCH THE NAME, DATE OF
 14 BIRTH, AND DRIVER'S LICENSE OR IDENTIFICATION CARD NUMBER TO THE
 15 ELECTOR'S PRIOR REGISTRATION RECORD; OR

16
 17 (II) THE ELECTOR PROVIDES A SOCIAL SECURITY NUMBER, AND THE
 18 COUNTY CLERK AND RECORDER OF THE NEW COUNTY OF RESIDENCE CAN
 19 MATCH THE NAME, DATE OF BIRTH, AND SOCIAL SECURITY NUMBER TO THE
 20 ELECTOR'S PRIOR REGISTRATION RECORD.

21
 22 (c) IF THE ELECTOR DOES NOT PROVIDE A PRIOR ADDRESS,
 23 DRIVER'S LICENSE NUMBER, OR SOCIAL SECURITY NUMBER, THE
 24 REGISTRATION RECORD SHALL NOT BE TRANSFERRED FROM THE OLD
 25 COUNTY UNLESS THE ELECTOR SUBMITS ADDITIONAL INFORMATION THAT
 26 COMPLIES WITH THE REQUIREMENTS OF THIS SUBSECTION (1). THE
 27 COUNTY CLERK AND RECORDER OF THE COUNTY OF PRIOR RESIDENCE MAY
 28 SEND NOTICE TO THE ELECTOR BY FORWARDABLE MAIL TO THE ELECTOR'S
 29 ADDRESS OF RECORD. ANY SUCH NOTICE SHALL HAVE A RETURNABLE
 30 PORTION THAT HAS THE RETURN POSTAGE PREPAID AND IS PREAMBITTERED
 31 TO THE SENDING COUNTY CLERK AND RECORDER, AND SHALL INCLUDE AN
 32 AREA FOR THE ELECTOR TO INDICATE IF THE ELECTOR HAS MOVED TO
 33 ANOTHER COUNTY AND WISHES TO HAVE HIS OR HER REGISTRATION
 34 RECORD TRANSFERRED FROM THE OLD COUNTY.

35
 36 **SECTION 6.** 1-2-604 (1) and (2), Colorado Revised Statutes, are
 37 amended to read:

38
 39 **1-2-604. Cancellation of electors with a multiple registration.**

40 ~~(1) If the secretary of state's master list of registered electors shows an~~
 41 ~~elector to be registered in more than one precinct in this state, the~~
 42 ~~secretary of state shall notify every applicable county clerk and recorder~~
 43 ~~each month of such multiple registration. Each county clerk and recorder~~
 44 ~~who receives such notification~~ BASED UPON AN EXAMINATION OF THE
 45 SECRETARY OF STATE'S MASTER LISTS OF REGISTERED ELECTORS, EACH
 46 COUNTY CLERK AND RECORDER SHALL GENERATE A LIST CONTAINING THE
 47 NAME OF EACH ELECTOR WHO IS REGISTERED IN MORE THAN ONE PRECINCT
 48 IN THE STATE AND shall cancel from the county's master lists of registered
 49 electors the name of the elector wherever it appears, except where it
 50 corresponds to the elector's most recent date of registration.

51
 52 ~~(2) Not later than fifteen days prior to each primary, general,";~~

53
 54 strike lines 24 through 27 and substitute the following:

55 ~~"(3) (a) The county clerk and recorder of the county of prior~~
 56 ~~residence shall cancel the registration record pursuant to subsection (1)~~

1 ~~of this section only if the name and birth date or the name and social~~
 2 ~~security number of the elector match.~~ THE COUNTY CLERK AND
 3 RECORDER MAY NOT CANCEL THE REGISTRATION RECORD PURSUANT TO
 4 SUBSECTION (1) OF THIS SECTION UNLESS THERE IS A MATCH IN THE
 5 COUNTY'S REGISTRATION RECORDS AND THE STATEWIDE VOTER
 6 REGISTRATION DATABASE WITH RESPECT TO, AT A MINIMUM, THE
 7 FOLLOWING TYPES OF IDENTIFYING INFORMATION:

8
 9 (I) THE ELECTOR'S NAME, DATE OF BIRTH, AND PRIOR RESIDENCE;
 10 OR

11
 12 (II) THE ELECTOR'S NAME, DATE OF BIRTH, AND DRIVER'S LICENSE
 13 NUMBER OR SOCIAL SECURITY NUMBER.

14
 15 (b) IF THE COUNTY CLERK AND RECORDER IS NOT ABLE TO CANCEL
 16 THE REGISTRATION RECORD PURSUANT TO PARAGRAPH (a) OF THIS
 17 SUBSECTION (3), THE COUNTY CLERK AND RECORDER SHALL SEND A
 18 NOTICE TO THE ELECTOR WHOSE RECORD THE CLERK AND RECORDER
 19 INTENDS TO CANCEL. THE NOTICE SHALL BE SENT TO THAT ELECTOR'S
 20 ADDRESS OF RECORD, SHALL HAVE A RETURNABLE PORTION THAT HAS THE
 21 RETURN POSTAGE PREPAID AND THAT IS PREAMBITTED TO THE SENDING
 22 COUNTY CLERK AND RECORDER, AND SHALL INCLUDE AN AREA FOR THE
 23 ELECTOR TO INDICATE IF THE ELECTOR HAS MOVED TO ANOTHER COUNTY
 24 AND WISHES TO HAVE HIS OR HER REGISTRATION RECORD TRANSFERRED
 25 FROM THE OLD COUNTY. "

26
 27
 28
 29 **HB09-1115** be postponed indefinitely.

30 _____
 31
 32 House in recess. House reconvened.
 33 _____

34 35 **REPORT OF COMMITTEE OF REFERENCE**

36 **FINANCE**

37 After consideration on the merits, the Committee recommends the
 38 following:
 39

40
 41 **HJR09-1005** be referred out for final action.
 42 _____

43 44 **MESSAGE FROM THE SENATE**

45
 46 The Senate has passed on Third Reading and transmitted to the Revisor
 47 of Statutes: SB09-015.

48
 49 The Senate has passed on Third Reading and transmitted to the Revisor
 50 of Statutes:

51
 52 SB09-032 amended as printed in Senate Journal, January 23, 2009,
 53 page 93,

54 SB09-001 amended as printed in Senate Journal, January 23, 2009,
 55 page 93.
 56 _____

MESSAGE FROM THE REVISOR

1
2
3 We herewith transmit:
4 Without comment, SB09-015.
5 Without comment, as amended, SB09-001 and 032.
6
7

INTRODUCTION OF BILLS
First Reading

8
9
10
11
12
13 The following bills were read by title and referred to the committees
14 indicated:
15

16 **HB09-1175** by Representative(s) Curry; also Senator(s) Williams--
17 Concerning the regulation of naturopathic doctors.
18 Committee on Health and Human Services
19

20 **HB09-1176** by Representative(s) Green--Concerning the driving
21 privilege of minor drivers.
22 Committee on Transportation & Energy
23

24 **HB09-1177** by Representative(s) Fischer, Middleton, Scanlan, Todd,
25 Kefalas, McFadyen, Merrifield, Pace; also Senator(s)
26 Bacon--Concerning granting voting rights to student
27 members of the board of governors of the Colorado state
28 university system.
29 Committee on Education
30

31 **HB09-1178** by Representative(s) Green--Concerning the creation of a
32 task force to study the establishment of a registry of
33 caregivers who are deemed to have a substantiated
34 allegation of wrongdoing against a person with a
35 developmental disability.
36 Committee on Health and Human Services
37

38 **HB09-1179** by Representative(s) Labuda, McGihon, Gardner B., Levy,
39 Roberts--Concerning participation in the address
40 confidentiality program by a person who resides with a
41 victim participant.
42 Committee on State, Veterans, & Military Affairs
43

44 **HB09-1180** by Representative(s) King S.--Concerning allowing valid
45 Colorado concealed handgun permits to satisfy
46 background check requirements for transfers of firearms.
47 Committee on Judiciary
48

49 **HB09-1181** by Representative(s) McCann; also Senator(s) Foster--
50 Concerning the right of a victim to make a statement at a
51 community corrections hearing.
52 Committee on Judiciary
53
54
55

1 **SB09-001** by Senator(s) Gibbs and Penry, Kopp; also
 2 Representative(s) Scanlan and King S.--Concerning the
 3 establishment of community wildfire protection plans by
 4 county governments.
 5 Committee on Local Government

6
 7 **SB09-015** by Senator(s) Tochtrop, Brophy, Isgar, Hodge, Schwartz,
 8 White; also Representative(s) Gardner C., Curry,
 9 McKinley--Concerning removal of the White river
 10 drainage basin from the jurisdiction of water division 5 to
 11 water division 6.
 12 Committee on Agriculture, Livestock, & Natural Resources

13
 14 **SB09-032** by Senator(s) Groff, Hudak, King K., Penry, Romer,
 15 Spence; also Representative(s) Marostica and Todd,
 16 Carroll T., Gardner C., Massey, McNulty, Rice, Scanlan--
 17 Concerning creation of the education innovation institute
 18 at the university of northern Colorado.
 19 Committee on Education

20
 21
 22
 23 **LAY OVER OF CALENDAR ITEM**

24
 25 On motion of Representative McFadyen, the following item on the
 26 Calendar was laid over until January 27, retaining place on Calendar:

27
 28 Consideration of Resolution--**HJR09-1004**.

29
 30
 31
 32 On motion of Representative McFadyen, the House adjourned until
 33 9:00 a.m., January 27, 2009.

34
 35 Approved:
 36 TERRANCE D. CARROLL,
 37 Speaker

38 Attest:
 39 MARILYN EDDINS,
 40 Chief Clerk

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

Twenty-first Legislative Day

Tuesday, January 27, 2009

1 Prayer by Dr. Timothy Tyler, Shorter Community AME, Denver.

2

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

4

5 Pledge of Allegiance led by Kristina Moritis, University of Colorado
6 Denver.

7

8 The roll was called with the following result:

9

10 Present--58.

11 Excused--Representatives Hullinghorst, Merrifield, Murray,
12 Pommer, Scanlan, Stephens, Swalm--7.

13 Present after roll call--Representatives Hullinghorst, Murray,
14 Scanlan, Stephens, Swalm.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Baumgardner, the reading of the journal of
20 January 26, 2009, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22

23

24

25

CONSIDERATION OF RESOLUTION

26

27 **HJR09-1005** by Representative(s) Judd; also Senator(s) Sandoval--
28 Concerning the certification by the general assembly of its
29 estimate of state general fund revenues and allowable state
30 general fund appropriations for the 2009-10 fiscal year.

31

32 (Printed and placed in member's file)

33

34 On motion of Representative Judd, the resolution was **adopted** by the
35 following roll call vote:

36

37

38

39

40

41

42

43

YES	41	NO	22	EXCUSED	2	ABSENT	0
Acree	N	Green	Y	McFadyen	Y	Roberts	Y
Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
Benefield	Y	Kerr A.	Y	Merrifield	E	Solano	Y
Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N

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

12 Co-sponsor(s) added: Representative(s) Apuan, Ferrandino, Kerr A., Labuda,
13 Ryden

17 THIRD READING OF BILLS--FINAL PASSAGE

19 The following bills were considered on Third Reading. The titles were
20 publicly read. Reading of the bill at length was dispensed with by
21 unanimous consent.

23 **HB09-1054** by Representative(s) Looper, Balmer, Rice, Stephens,
24 Todd; also Senator(s) Morse, King K.--Concerning
25 eligibility for unemployment insurance benefits for an
26 individual who leaves employment to relocate to a new
27 place of residence after the individual's active duty
28 military spouse is killed in combat.

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

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

35	YES	56	NO	7	EXCUSED	2	ABSENT	0
36	Acree	Y	Green	N	McFadyen	Y	Roberts	Y
37	Apuan	Y	Hullinghorst	Y	McGihon	N	Ryden	Y
38	Balmer	Y	Judd	N	McKinley	N	Scanlan	Y
39	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
40	Benefield	Y	Kerr A.	Y	Merrifield	E	Solano	Y
41	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
42	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
43	Court	Y	Labuda	N	Murray	Y	Stephens	Y
44	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
45	Ferrandino	Y	Levy	N	Pace	Y	Swalm	Y
46	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
47	Frangas	Y	Looper	Y	Pommer	E	Todd	Y
48	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
49	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
50	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
51	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Acree, Apuan, Baumgardner, Bradford,
54 Casso, Curry, Frangas, Gardner B., Gerou, Kefalas, Kerr A., Kerr J., King S.,
55 Lambert, Liston, Massey, May, McCann, McNulty, Middleton, Murray, Nikkel,
56 Pace, Priola, Ryden, Schafer S., Soper, Swalm, Tipton, Vaad, Waller

1 **HB09-1155** by Representative(s) Weissmann; also Senator(s)
 2 Carroll M.--Concerning title insurance, and, in connection
 3 therewith, requiring justifications to be filed with the
 4 commissioner of insurance.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	59	NO	4	EXCUSED	2	ABSENT	0
12	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
13	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
14	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
15	Baumgardner	N	Kefalas	Y	McNulty	Y	Schafer S.	Y
16	Benefield	Y	Kerr A.	Y	Merrifield	E	Solano	Y
17	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
18	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
19	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
20	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
21	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
22	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
23	Frangas	Y	Looper	N	Pommer	E	Todd	Y
24	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
25	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
26	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
27	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
28							Speaker	Y

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

30
 31
 32
 33 **REPORTS OF COMMITTEES OF REFERENCE**

34
 35 **EDUCATION**

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

38
 39 **HB09-1078** be referred to the Committee of the Whole with favorable
 40 recommendation.

41
 42
 43 **HB09-1082** be amended as follows, and as so amended, be referred to
 44 the Committee of the Whole with favorable
 45 recommendation:

46
 47 Amend printed bill, page 2, line 13, strike "THE BOARD SHALL USE THE
 48 BEST" and substitute "THE BOARD, AT ITS DISCRETION, SHALL USE
 49 APPROPRIATE";

50
 51 line 14, strike "TO" and substitute "WITHIN";

52
 53 line 21, strike "TWO YEARS." and substitute "ONE YEAR."
 54
 55

1 **HB09-1099** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
5
6

7 **JUDICIARY**

8 After consideration on the merits, the Committee recommends the
9 following:
10

11 **HB09-1075** be amended as follows, and as so amended, be referred to
12 the Committee on Appropriations with favorable
13 recommendation:
14

15 Amend printed bill, strike everything below the enacting clause and
16 substitute the following:
17

18 "SECTION 1. 27-1-110 (1), Colorado Revised Statutes, is
19 amended to read:
20

21 **27-1-110. Employment of personnel - screening of applicants**
22 **- disqualifications from employment.** (1) The general assembly hereby
23 recognizes that many of the individuals receiving services from persons
24 employed by the state department pursuant to this title or title 26, C.R.S.,
25 are unable to defend themselves and are therefore vulnerable to abuse or
26 assault. It is the intent of the general assembly to minimize the potential
27 for hiring and employing persons with a propensity toward abuse, assault,
28 or similar offenses against others. ~~for positions that would provide them~~
29 ~~with unsupervised access to vulnerable persons.~~ The general assembly
30 hereby declares that, in accordance with section 13 of article XII of the
31 state constitution, for purposes of terminating employees in the state
32 personnel system who are finally convicted of criminal conduct, offenses
33 involving moral turpitude include, but are not limited to, the disqualifying
34 offenses specified in subsection (7) of this section.
35

36 **SECTION 2.** 27-1-110, Colorado Revised Statutes, is amended
37 BY THE ADDITION OF A NEW SUBSECTION to read:
38

39 **27-1-110. Employment of personnel - screening of applicants**
40 **- disqualifications from employment.** (1.9) NOTWITHSTANDING THE
41 PROVISIONS OF SUBSECTION (1.7) OF THIS SECTION, THE EMPLOYMENT
42 SCREENING AND DISQUALIFICATIONS REQUIREMENTS IN THIS SECTION
43 SHALL APPLY TO ALL PERSONS HIRED BY THE STATE DEPARTMENT ON AND
44 AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (1.9).
45

46 **SECTION 3.** 27-1-110 (1.5) (a), (1.5) (b), (2), (3), (7) (a), and (7)
47 (d), Colorado Revised Statutes are amended, and the said 27-1-110 is
48 further amended BY THE ADDITION OF A NEW SUBSECTION, to
49 read:
50

51 **27-1-110. Employment of personnel - definitions - screening**
52 **of applicants - disqualifications from employment.** (1.5) For purposes
53 of this section, unless the context otherwise requires:
54

55 (a) "Contracting employee" means a person who contracts with
56 the state department. ~~and who is designated by the executive director of~~

1 ~~the state department or the executive director's designee as serving in a~~
2 ~~contract position involving direct contact with vulnerable persons.~~
3

4 (b) "Conviction" means a verdict of guilty by a judge or jury or a
5 plea of guilty or nolo contendere that is accepted by the court. ~~or~~
6 ~~adjudication for an offense that would constitute a criminal offense if~~
7 ~~committed by an adult.~~ "Conviction" also includes having received a
8 deferred judgment and sentence or deferred adjudication; except that a
9 person shall not be deemed to have been convicted if the person has
10 successfully completed a deferred sentence or deferred adjudication.
11

12 (2) Prior to the state department's permanent employment of any
13 person, ~~in a position that would require that person to have direct contact~~
14 ~~with any vulnerable person,~~ the executive director or any division head of
15 the state department shall make an inquiry to the director of the Colorado
16 bureau of investigation to ascertain whether ~~such~~ THE person has a
17 criminal history. ~~Such~~ THE person's employment shall be conditional
18 upon a satisfactory criminal background check, INCLUDING BUT NOT
19 LIMITED TO A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK.
20 Any criminal background check conducted pursuant to this subsection (2)
21 shall ALSO include but need not be limited to arrests, conviction records,
22 and the disposition of any criminal charges. The state department shall
23 require ~~said~~ THE person to have his or her fingerprints taken by a ~~local law~~
24 ~~enforcement~~ AN agency QUALIFIED TO TAKE FINGERPRINTS FOR USE IN
25 CONDUCTING CRIMINAL HISTORY RECORD CHECKS. The ~~local law~~
26 ~~enforcement~~ QUALIFIED agency shall forward those fingerprints to the
27 Colorado bureau of investigation for the purpose of ~~fingerprint processing~~
28 CONDUCTING A STATE AND NATIONAL FINGERPRINT-BASED CRIMINAL
29 HISTORY RECORD CHECK, utilizing the files and records of the Colorado
30 bureau of investigation and the federal bureau of investigation. The state
31 department shall pay for the costs of criminal ~~background checks~~
32 HISTORY RECORD CHECKS conducted pursuant to this section out of
33 existing appropriations.
34

35 (2.5) EXCEPT AS PROVIDED IN SUBSECTIONS (2) AND (9) OF THIS
36 SECTION, PRIOR TO THE STATE DEPARTMENT'S EMPLOYMENT OF AN
37 EMPLOYEE OR CONTRACTING EMPLOYEE FOR A POSITION THAT WOULD NOT
38 REQUIRE THE EMPLOYEE OR CONTRACTING EMPLOYEE TO HAVE DIRECT
39 CONTACT WITH A VULNERABLE PERSON, THE STATE DEPARTMENT SHALL
40 MAKE AN INQUIRY TO THE DIRECTOR OF THE COLORADO BUREAU OF
41 INVESTIGATION TO ASCERTAIN WHETHER THE PROSPECTIVE EMPLOYEE OR
42 PROSPECTIVE CONTRACTING EMPLOYEE HAS A CRIMINAL HISTORY. IF THE
43 INQUIRY INDICATES THAT A PROSPECTIVE EMPLOYEE OR PROSPECTIVE
44 CONTRACTING EMPLOYEE WAS CONVICTED OF ANY OF THE DISQUALIFYING
45 OFFENSES SET FORTH IN PARAGRAPH (b) OR (c) OF SUBSECTION (7) OF THIS
46 SECTION, AN APPOINTING AUTHORITY MAY CONSIDER THE FOLLOWING
47 INFORMATION BEFORE MAKING THE HIRING DECISION:
48

49 (a) THE NATURE AND SERIOUSNESS OF THE OFFENSE FOR WHICH
50 THE PROSPECTIVE EMPLOYEE OR PROSPECTIVE CONTRACTING EMPLOYEE
51 WAS CONVICTED;
52

53 (b) THE NUMBER OF SUCH CONVICTIONS;
54

55 (c) WHETHER THE CONVICTIONS ARE RELATED TO THE POSITION
56 FOR WHICH THE PERSON IS APPLYING;

1 (d) ANY INFORMATION PROVIDED BY THE PROSPECTIVE EMPLOYEE
2 OR PROSPECTIVE CONTRACTING EMPLOYEE REGARDING HIS OR HER
3 CRIMINAL HISTORY RECORD, INCLUDING BUT NOT LIMITED TO EVIDENCE OF
4 REHABILITATION, CHARACTER REFERENCES, EDUCATIONAL
5 ACHIEVEMENTS, THE LENGTH OF TIME BETWEEN THE LAST CRIMINAL
6 CONVICTION AND THE EMPLOYMENT DECISION, AND ANY OTHER
7 EXTENUATING CIRCUMSTANCES; AND

8
9 (e) THE ACCURACY OF THE INFORMATION ON THE RECORD.

10
11 ~~(3) The executive director or any division head shall contact~~
12 ~~previous employers of any person who is one of the top three finalists for~~
13 ~~a position that would require that person to have direct contact with any~~
14 ~~vulnerable person, for the purpose of obtaining information and~~
15 ~~recommendations that may be relevant to such person's fitness for~~
16 ~~employment. Any previous employer of an applicant for employment~~
17 ~~who provides information to the executive director or a division head or~~
18 ~~who makes a recommendation concerning such person shall be immune~~
19 ~~from civil liability unless the information is false and the previous~~
20 ~~employer knows such information is false or acts with reckless disregard~~
21 ~~concerning the veracity of such information.~~

22
23 (7) (a) ~~If the criminal background check~~ CRIMINAL HISTORY
24 RECORD CHECK conducted pursuant to subsection (2) or (9) of this section
25 indicates that a prospective employee or prospective contracting
26 employee was convicted of any of the disqualifying offenses set forth in
27 paragraph (b) or (c) of this subsection (7), said person shall be
28 disqualified from employment either as an employee or as a contracting
29 employee in a position involving direct contact with vulnerable persons.
30 A person who is disqualified as a result of this section shall not be hired
31 or retained by the state department in a position involving direct contact
32 with vulnerable persons nor be eligible to contract for or continue in a
33 contract position designated by the executive director or the executive
34 director's designee as involving direct contact with vulnerable persons.

35
36 ~~(d) If a person was adjudicated a juvenile delinquent for the~~
37 ~~commission of any disqualifying offense set forth in either paragraph (b)~~
38 ~~or (c) of this subsection (7) and more than seven years have elapsed since~~
39 ~~the commission of the offense, the person may submit a written request~~
40 ~~to the executive director as provided in subsection (11) of this section for~~
41 ~~reconsideration of the disqualification.~~

42
43 **SECTION 4. Effective date - applicability.** This act shall take
44 effect July 1, 2009, and shall apply to employees of the department of
45 human services hired or entering into contracts with the department on or
46 after said date.

47
48 **SECTION 5. Safety clause.** The general assembly hereby finds,
49 determines, and declares that this act is necessary for the immediate
50 preservation of the public peace, health, and safety."

51
52
53
54 **HB09-1145** be postponed indefinitely.

1 **HB09-1157** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Amend printed bill, page 2, line 18, strike "2010," and substitute "2009,";
6
7 line 23, strike "2011," and substitute "2010,".
8

9 Page 3, line 1, strike "2011," and substitute "2010,";
10

11 line 5, strike "2012," and substitute "2011,";
12

13 line 10, strike "2012," and substitute "2011,";
14

15 line 14, strike "2013," and substitute "2012,";
16

17 line 19, strike "2013," and substitute "2012,";
18

19 line 23, strike "2014," and substitute "2013,".
20

21 Page 4, line 1, strike "2014," and substitute "2013,";
22

23 line 5, strike "2015." and substitute "2014.";
24

25 line 7, after "24-75-302", insert "(2) (v),";
26

27 line 12, strike "2014," and substitute "2013,";
28

29 after line 19, insert the following:
30

31 "(v) On July 1, 2009, five hundred twenty-three thousand one
32 hundred sixty-four dollars pursuant to S.B. 06-206, enacted at the second
33 regular session of the sixty-fifth general assembly; plus five hundred
34 twenty-three thousand one hundred sixty-four dollars pursuant to S.B.
35 06-207, enacted at the second regular session of the sixty-fifth general
36 assembly; plus forty-three thousand five hundred ninety-seven dollars
37 pursuant to H.B. 06-1145, enacted at the second regular session of the
38 sixty-fifth general assembly; plus five hundred twenty-three thousand one
39 hundred sixty-four dollars pursuant to H.B. 06-1011, enacted at the
40 second regular session of the sixty-fifth general assembly; plus one
41 hundred fifty thousand one hundred ninety-eight dollars pursuant to S.B.
42 07-096, enacted at the first regular session of the sixty-sixth general
43 assembly; plus seventy-five thousand ninety-nine dollars pursuant to H.B.
44 07-1326, enacted at the first regular session of the sixty-sixth general
45 assembly; plus one hundred twenty-five thousand one hundred sixty-five
46 dollars pursuant to S.B. 08-239, enacted at the second regular session of
47 the sixty-sixth general assembly; plus twelve thousand five hundred
48 seventeen dollars pursuant to H.B. 08-1194, enacted at the second regular
49 session of the sixty-sixth general assembly; PLUS _____ DOLLARS
50 PURSUANT TO H.B. 09-1157, ENACTED IN 2009;"

51
52 Page 6, line 1, strike "2009;" and substitute "2009.";
53

54 strike lines 2 through 16 and substitute the following:
55
56

1 "SECTION 4. **Effective date - applicability.** This act shall take
2 effect July 1, 2009, and shall apply to offenses committed on or after said
3 date.
4

5 "SECTION 5. **Safety clause.** The general assembly hereby finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, and safety."
8
9

10 **PRINTING REPORT**

11 The Chief Clerk reports the following bills have been correctly printed:
12 **HB09-1175, 1176, 1177, 1178, 1179, 1180, 1181.**
13
14

15 On motion of Representative Weissmann, the following bills will be
16 calendared for January, 30, 2009: HB09-1078, 1082, 1099.
17
18

19 House in recess. House reconvened.
20
21

22 **MESSAGE FROM THE SENATE**

23 The Senate has passed on Third Reading and transmitted to the Revisor
24 of Statutes: SB09-062.
25
26

27 The Senate has passed on Third Reading and transmitted to the Revisor
28 of Statutes:
29

- 30 SB09-053 amended as printed in Senate Journal, January 23, 2009,
31 page 103,
32 SB09-010 amended as printed in Senate Journal, January 23, 2009,
33 pages 103-104,
34 SB09-005 amended as printed in Senate Journal, January 23, 2009,
35 page 104,
36 SB09-044 amended as printed in Senate Journal, January 23, 2009,
37 page 103.
38
39
40
41

42 **MESSAGE FROM THE REVISOR**

43 We herewith transmit:
44 Without comment, SB09-062.
45 Without comment, as amended, SB09-053, 010, 005 and 044.
46
47

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

49 On motion of Representative Curry, the following item(s) on the Calendar
50 was laid over until January 28, retaining place on Calendar:
51
52

53 Consideration of Resolution--**HJR09-1004.**
54
55
56

1 On motion of Representative Curry, the House adjourned until 9:00 a.m.,
2 January 28, 2009.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:
TERRANCE D. CARROLL,
Speaker

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

Twenty-second Legislative Day Wednesday, January 28, 2009

1 Prayer by Dr. C. Gene Selander, Crystal Clear Ministries, Denver.

2

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

4

5 Pledge of Allegiance led by Miles Lovato, Colorado State University,
6 Fort Collins.

7

8 The roll was called with the following result:

9

10 Present--64.

11 Excused--Representative Merrifield--1.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Baumgardner, the reading of the journal of
17 January 27, 2009, was declared dispensed with and approved as corrected
18 by the Chief Clerk.

19

20

21

22 On motion of Representative McGihon, the House resolved itself into
23 Committee of the Whole for consideration of General Orders, and she
24 was called to the Chair to act as Chairman.

25

26

27 **GENERAL ORDERS--SECOND READING OF BILLS**

28

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

33

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

36

37 **HB09-1023** by Representative(s) Gagliardi and Swalm; also Senator(s)
38 Boyd--Concerning the age requirement for blood
39 donations by a minor.

40

41 Ordered engrossed and placed on the Calendar for Third Reading and
42 Final Passage.

43

1 **HB09-1025** by Representative(s) Riesberg, Frangas, Green, Massey;
2 also Senator(s) Boyd, Kopp, Morse--Concerning
3 requirements for individuals who collect data on hospital-
4 acquired infection rates.

5
6 Ordered engrossed and placed on the Calendar for Third Reading and
7 Final Passage.

8
9
10 **HB09-1048** by Representative(s) Labuda--Concerning representation
11 by persons impacted by a disability in state work groups
12 that have a primary purpose of addressing issues that
13 affect persons with disabilities.

14
15 Laid over until June 9, 2009. Deemed lost.

16
17 **HB09-1037** by Representative(s) Tipton; also Senator(s) Isgar--
18 Concerning the reclassification of Montrose county for
19 county court purposes.

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

23
24
25 **HB09-1044** by Representative(s) Roberts; also Senator(s) Morse--
26 Concerning expungement of records relating to a criminal
27 matter for which a juvenile is sentenced as a juvenile after
28 being charged by the direct filing of charges in a district
29 court.

30
31 Amendment No. 1, Judiciary Report, dated January 22, 2009, and placed
32 in member's bill file; Report also printed in House Journal, January 23,
33 page 120.

34
35 As amended, ordered engrossed and placed on the Calendar for Third
36 Reading and Final Passage.

37
38
39 **HB09-1122** by Representative(s) Roberts, Levy, Merrifield; also
40 Senator(s) Morse--Concerning increasing the age of
41 persons eligible for sentencing to the youthful offender
42 system.

43
44 Ordered engrossed and placed on the Calendar for Third Reading and
45 Final Passage.

46
47 **HB09-1019** by Representative(s) Peniston; also Senator(s) Foster--
48 Concerning cat identification.

49
50 Laid over until January 30, retaining place on Calendar.

51
52
53 **HB09-1034** by Representative(s) Liston; also Senator(s) Gibbs--
54 Concerning authorization for a regional transportation
55 authority to impose property tax.

56

1 Amendment No. 1, by Representative Green.

2

3 Amend printed bill, page 2, after line 1, insert the following:

4

5 "SECTION 1. 43-4-603 (4), Colorado Revised Statutes, is
6 amended to read:

7

8 **43-4-603. Creation of authorities.** (4) No contract establishing
9 an authority pursuant to this section shall take effect unless first submitted
10 to a vote of the registered electors residing within the boundaries of the
11 proposed authority. However, a contract establishing an authority may
12 subsequently be amended in accordance with any amendment procedures
13 specified in the contract pursuant to paragraph (f) of subsection (2) of this
14 section; EXCEPT THAT ANY AMENDMENT TO ALLOW THE AUTHORITY TO
15 PROVIDE A REGIONAL TRANSPORTATION SYSTEM NOT SPECIFIED IN THE
16 CONTRACT ESTABLISHING THE AUTHORITY AS REQUIRED BY PARAGRAPH
17 (a) OF SUBSECTION (2) OF THIS SECTION OR TO CHANGE THE
18 TRANSPORTATION MODALITIES OF OR SIGNIFICANTLY EXPAND A REGIONAL
19 TRANSPORTATION SYSTEM SPECIFIED IN THE CONTRACT SHALL NOT TAKE
20 EFFECT UNLESS IT IS SUBMITTED TO A VOTE OF AND APPROVED BY THE
21 REGISTERED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE
22 AUTHORITY. The question of establishing the authority shall be submitted
23 to such registered electors at a general election or a special election called
24 for such purpose. Such question may also be proposed to such registered
25 electors at the same time and in the same or a separate question as an
26 election required under section 43-4-612. The authority shall not be
27 established unless a majority of the registered electors voting thereon at
28 the election vote in favor thereof. The election shall be conducted in
29 substantially the same manner as county elections, and the county clerk
30 and recorder of each county in which the election is conducted shall assist
31 the members of the combination of the proposed authority in conducting
32 the election."

33

34 Renumber succeeding sections accordingly.

35

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

38 (For change in action, see Amendments to Report, page 147.)

39

40 **HB09-1089** by Representative(s) Primavera; also Senator(s) Spence--
41 Concerning the filing requirements for liens that secure a
42 debt upon a vehicle.

43

44 Ordered engrossed and placed on the Calendar for Third Reading and
45 Final Passage.

46

47 **HB09-1102** by Representative(s) Acree, Kerr J., Ryden; also Senator(s)
48 Scheffel, Newell--Concerning the study of the portability
49 of health insurance after a policyholder is separated from
50 employment.

51

52 Ordered engrossed and placed on the Calendar for Third Reading and
53 Final Passage.

54

55 **HB09-1018** by Representative(s) Bradford--Concerning the removal of
56 obsolete language in statutory provisions implementing the

1 statewide voter registration and election system for
2 purposes of compliance with the federal "Help America
3 Vote Act" .
4

5 Laid over until January 30, retaining place on Calendar.
6

7 **HB09-1012** by Representative(s) Rice and Stephens, Curry, Massey,
8 Swalm; also Senator(s) Mitchell and Newell--Concerning
9 incentives provided by health insurance carriers to
10 encourage voluntary participation in programs to promote
11 health.
12

13 Amendment No. 1, Business Affairs & Labor Report, dated
14 January 21, 2009, and placed in member's bill file; Report also printed in
15 House Journal, January 22, pages 112-113.
16

17 Amendment No. 2, by Representative McGihon.
18

19 Amend printed bill, page 3, line 9, strike "(6)"and substitute "(6), THE
20 FEDERAL "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT
21 OF 1996", AS AMENDED, AND THE FEDERAL REGULATIONS IMPLEMENTING
22 SUCH ACT,";
23

24 line 17, after "PROGRAMS." add "A CARRIER OFFERING SUCH INCENTIVES
25 OR REWARDS SHALL IMPLEMENT ADEQUATE MEASURES TO ENSURE THAT
26 THE PRIVACY OF INDIVIDUALS IN THE GROUP IS MAINTAINED AND THAT
27 PRIVATE HEALTH INFORMATION IS NOT SHARED OR MADE AVAILABLE TO
28 AN INDIVIDUAL'S EMPLOYER OR ANY OTHER PERSON NOT OTHERWISE
29 ALLOWED ACCESS TO THE INFORMATION UNDER THE FEDERAL "HEALTH
30 INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996", AS
31 AMENDED."
32

33 Amendment No. 3, by Representative Lambert.
34

35 Amend printed bill, page 5, after line 16, insert the following:
36

37 "(XIII) PRESCRIPTION DRUG OR CARRIER-APPROVED
38 NONPRESCRIPTION DIETARY SUPPLEMENT USE THAT AIDS IN OVERALL
39 HEALTH AND WELLNESS OR PREVENTS DISEASE;"
40

41 Renumber succeeding subparagraphs accordingly.
42

43 Amendment No. 4, by Representative Rice.
44

45 Amend printed bill, page 4, after line 4, insert the following:
46

47 "(b) INCENTIVES OR REWARDS ARE UNIFORMLY APPLIED BASED ON
48 THE WELLNESS AND PREVENTION PROGRAM, AND NOT BASED ON THE SIZE
49 OR COMPOSITION OF THE GROUP PARTICIPATING IN THE PROGRAM, AND
50 THAT THERE IS A REASONABLE JUSTIFICATION FOR THE AMOUNT,
51 FREQUENCY, AND NATURE OF THE INCENTIVES OR REWARDS;"
52

53 Reletter succeeding paragraphs accordingly.
54
55

1 Amendment No. 5, by Representative Rice.

2
3 Amend printed bill, page 4, before line 17, insert the following:

4
5 "(4) (a) THE DIVISION OF INSURANCE SHALL DETERMINE WHICH
6 CARRIERS ARE OFFERING WELLNESS AND PREVENTION PROGRAMS IN
7 COLORADO AND COLLECT THE FOLLOWING INFORMATION FROM THOSE
8 CARRIERS:

9
10 (I) THE TYPES OF WELLNESS AND PREVENTION PROGRAMS
11 OFFERED;

12
13 (II) THE TYPES AND NATURE OF INCENTIVES OR REWARDS THE
14 CARRIER PROVIDES FOR PARTICIPATION;

15
16 (III) THE CARRIER'S AVERAGE COST PER MEMBER PER MONTH FOR
17 PROVIDING WELLNESS AND PREVENTION PROGRAMS;

18
19 (IV) THE TOTAL NUMBER OF GROUPS IN THE SMALL GROUP
20 MARKET PARTICIPATING IN PROGRAMS OFFERED BY THE CARRIER; AND

21
22 (V) THE NUMBER OF INDIVIDUALS INSURED THROUGH AN
23 INDIVIDUAL HEALTH COVERAGE PLAN THAT ARE PARTICIPATING IN
24 PROGRAMS OFFERED BY THE CARRIER.

25
26 (b) THE DIVISION SHALL DETERMINE THE PERCENTAGE OF
27 CARRIERS ISSUING INDIVIDUAL OR GROUP HEALTH COVERAGE PLANS IN
28 THE STATE THAT OFFER WELLNESS AND PREVENTION PROGRAMS AND
29 SHALL PROVIDE THAT INFORMATION AND THE INFORMATION COLLECTED
30 PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (4) TO THE HEALTH
31 CARE TASK FORCE CREATED IN SECTION 10-16-221."

32
33 Renumber succeeding subsection accordingly.

34
35 As amended, ordered engrossed and placed on the Calendar for Third
36 Reading and Final Passage.

37
38
39
40 **AMENDMENT TO THE COMMITTEE OF THE WHOLE REPORT**

41
42 Representative Liston moved to amend the Report of the Committee of
43 the Whole to reverse the action taken by the Committee in adopting
44 Amendment No. 1, by Representative Green (printed in House Journal
45 page 145, lines 1-34) to **HB09-1034**, to show that said amendment lost,
46 and that HB09-1034 passed.

47
48 The amendment was declared **passed** by the following roll call vote:

49
50

	YES	40	NO	24	EXCUSED	1	ABSENT	0
51	Acree	Y	Green	N	McFadyen	N	Roberts	Y
52	Apuan	Y	Hullinghorst	N	McGihon	N	Ryden	N
53	Balmer	Y	Judd	Y	McKinley	N	Scanlan	N
54	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	N
55	Benefield	N	Kerr A.	Y	Merrifield	E	Solano	N
56	Bradford	Y	Kerr J.	N	Middleton	N	Sonnenberg	Y

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

12
13
14
15
16 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

17
18 Passed Second Reading: **HB09-1023, 1025, 1037, 1044 amended, 1122,**
19 **1034, 1089, 1102, 1012 amended.**

20
21 Laid over until date indicated retaining place on Calendar:
22 **HB09-1048**--June 9, 2009. Deemed lost.
23 **HB09-1019, 1018**--January 30, 2009.

24
25 The Chairman moved the adoption of the Committee of the Whole
26 Report. As shown by the following roll call vote, a majority of those
27 elected to the House voted in the affirmative, and the Report was
28 **adopted.**

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

REPORTS OF COMMITTEES OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

HB09-1161 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 7, after "after", insert "EITHER";

line 9, strike "documentation." and substitute "documentation OR THE DATE THAT AN OWNER OR OPERATOR IS REQUIRED TO FILE A STATEMENT PURSUANT TO SUBSECTION (1) OF THIS SECTION, WHICHEVER IS LATER.".

BUSINESS AFFAIRS & LABOR

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

HB09-1052 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 14, after "PURPOSE", insert "OR, IF THE ITEMS ARE SOLD, DOES NOT DIRECT ALL PROCEEDS OF SUCH SALE TO A CHARITABLE PURPOSE,".

HB09-1053 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

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

"SECTION 2. 11-10.5-107 (4), Colorado Revised Statutes, is amended to read:

11-10.5-107. Eligible collateral - uninsured public deposits.
(4) (a) The banking board shall by rule ~~and regulation~~ establish criteria and procedures for reducing or removing any uninsured public funds deposited in an eligible public depository if said depository fails to comply with the capital OR SAFETY AND SOUNDNESS standards established by the banking board.

(b) The banking board shall require an eligible public depository to increase, substitute, add to, or modify the amount or type of eligible collateral held to secure any uninsured public funds so that ~~such~~ THE collateral is adequate to fully protect ~~such~~ THE public funds if the capital OR FINANCIAL CONDITION of the eligible public depository fails to comply with the capital OR SAFETY AND SOUNDNESS standards established by the banking board. The banking board shall establish such procedures as may

1 be necessary to ensure that all collateral held pursuant to an action taken
2 under this paragraph (b) is characterized by the highest degree of
3 marketability and liquidity so that, in the event of default, all public
4 deposits may be promptly and fully repaid."

5
6 Renumber succeeding sections accordingly.

7
8 Page 2, after line 8, insert the following:

9
10 **"SECTION 4.** Part 8 of article 103 of title 11, Colorado Revised
11 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
12 read:

13
14 **11-103-810. Pre-approved shelf charter.** THE BOARD MAY
15 PRE-APPROVE A SHELF CHARTER FOR A NEW BANK TO QUALIFIED
16 INDIVIDUALS, CONTINGENT UPON THE NEW BANK COMPLETING ALL
17 SPECIFIED REQUIREMENTS AND PURCHASING THE ASSETS AND ASSUMING
18 THE LIABILITIES OF A BANK IN RECEIVERSHIP AS THE FEDERAL DEPOSIT
19 INSURANCE CORPORATION MAY DETERMINE, IF THE PROPOSED BANK HAS
20 ITS PRINCIPAL PLACE OF BUSINESS IN COLORADO AND HAS ASSETS AND
21 LIABILITIES HELD IN RECEIVERSHIP BY THE FEDERAL DEPOSIT INSURANCE
22 CORPORATION. THE SHELF CHARTER MAY BE PRE-APPROVED AND
23 SUMMARILY ISSUED WITHOUT PUBLICATION OF A NOTICE, WITHOUT THE
24 HOLDING OF A PUBLIC HEARING, AND WITHOUT COMPLYING WITH ALL OF
25 THE OTHER PROVISIONS AND PROCEDURES SPECIFIED IN THIS CODE. UPON
26 FEDERAL DEPOSIT INSURANCE CORPORATION APPROVAL OF THE PURCHASE
27 AND ASSUMPTION BY THE NEW BANK, THE FINAL CHARTER APPROVAL MAY
28 BE GRANTED, TOGETHER WITH FINAL APPROVAL OF DEPOSIT INSURANCE BY
29 THE FEDERAL DEPOSIT INSURANCE CORPORATION. IF THE BID IS NOT
30 ACCEPTED BY THE FEDERAL DEPOSIT INSURANCE CORPORATION, THE
31 CHARTER REMAINS ON THE SHELF FOR UP TO EIGHTEEN MONTHS. DURING
32 THAT TIME, THE CHARTER MAY BE USED FOR OTHER BIDS."

33
34 Renumber succeeding sections accordingly.

35
36 Page 2, after line 15, insert the following:

37
38 **"SECTION 6.** 11-101-401 (10), Colorado Revised Statutes, is
39 amended to read:

40
41 **11-101-401. Definitions.** As used in this code, unless the context
42 otherwise requires:

43
44 (10) "Branch" means any branch bank, branch office, branch
45 agency, additional office, or branch place of business of a financial
46 institution located in this state at which deposits are received, or checks
47 are paid, or money is lent. ~~or trust powers are exercised.~~

48
49 **SECTION 7.** 11-105-404 (1) (c), Colorado Revised Statutes, is
50 amended to read:

51
52 **11-105-404. Pledge of assets.** (1) A state bank may pledge its
53 assets to:

54
55 (c) Secure deposits; ~~when the depositor is required to obtain such~~
56 ~~security by the laws of the United States, by the terms of any interstate~~

1 ~~compact, by the laws of any state, or by the order of a court of competent~~
2 ~~jurisdiction;~~ OR

3
4 **SECTION 8.** 11-105-505, Colorado Revised Statutes, is amended
5 BY THE ADDITION OF A NEW SUBSECTION to read:

6
7 **11-105-505. Adverse claims to safe deposit box.** (3) THE
8 LESSOR OF A SAFE DEPOSIT BOX SHALL NOT BE DEEMED TO BE IN
9 POSSESSION OR CONTROL OF THE CONTENTS THEREOF FOR THE PURPOSES
10 OF SECTION 13-54.5-103, C.R.S., OR ANY OTHER STATUTE OR RULE
11 PERTAINING TO WRITS OF GARNISHMENT."

12
13 Renumber succeeding sections accordingly.

14
15
16
17 **HB09-1091** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:

20
21 Amend printed bill, page 2, line 15, strike "LATEST".

22
23 Page 3, strike lines 11 through 13 and substitute the following:

24
25 "(2) "DWELLING UNIT" MEANS A SINGLE UNIT PROVIDING
26 COMPLETE INDEPENDENT LIVING FACILITIES FOR ONE OR MORE PERSONS,
27 INCLUDING PERMANENT PROVISIONS FOR LIVING, SLEEPING, EATING,
28 COOKING, AND SANITATION."

29
30 Page 4, line 10, strike "**dwelling**. (1)" and substitute "**dwelling - rules.**
31 (1) (a)" and, after "LAW,", insert "THE SELLER OF";

32
33 line 12, strike "FUEL-BURNING" and substitute "FUEL-FIRED";

34
35 line 13, strike "HAVE" and substitute "ASSURE THAT";

36
37 line 14, after "ALARM", insert "IS";

38
39 line 15, strike "PURPOSES." and substitute "PURPOSES OR IN A LOCATION
40 AS SPECIFIED IN ANY BUILDING CODE ADOPTED BY THE STATE OR ANY
41 LOCAL GOVERNMENT ENTITY.

42
43 (b) BY JULY 1, 2009, THE REAL ESTATE COMMISSION CREATED IN
44 SECTION 12-61-105, C.R.S., SHALL BY RULE REQUIRE EACH LISTING
45 CONTRACT FOR RESIDENTIAL REAL PROPERTY THAT IS SUBJECT TO THE
46 COMMISSION'S JURISDICTION PURSUANT TO ARTICLE 61 OF TITLE 12,
47 C.R.S., TO DISCLOSE THE REQUIREMENTS SPECIFIED IN PARAGRAPH (a) OF
48 THIS SUBSECTION (1).";

49
50 strike lines 17 through 22 and substitute the following:

51
52 "SINGLE-FAMILY DWELLING THAT INCLUDES EITHER FUEL-FIRED
53 APPLIANCES OR AN ATTACHED GARAGE WHERE, ON OR AFTER JULY 1,
54 2009, INTERIOR ALTERATIONS, REPAIRS, FUEL-FIRED APPLIANCE
55 REPLACEMENTS, OR ADDITIONS, ANY OF WHICH REQUIRE A BUILDING
56 PERMIT, OCCURS OR WHERE ONE OR MORE ROOMS LAWFULLY USED FOR

1 SLEEPING PURPOSES ARE ADDED SHALL HAVE AN OPERATIONAL CARBON
2 MONOXIDE ALARM INSTALLED WITHIN TEN FEET OF THE ENTRANCE TO
3 EACH ROOM LAWFULLY USED FOR SLEEPING PURPOSES OR IN A LOCATION
4 AS SPECIFIED IN ANY BUILDING CODE ADOPTED BY THE STATE OR ANY
5 LOCAL GOVERNMENT ENTITY."

6

7 Page 5, line 1, strike "**dwelling**s. (1)" and substitute "**dwelling**s - **rules**.
8 (1) (a)" and, after "LAW,", insert "THE SELLER OF";

9

10 line 4, strike "FUEL-BURNING" and substitute "FUEL-FIRED";

11

12 line 5, strike "HAVE" and substitute "ASSURE THAT" and, after "ALARM",
13 insert "IS";

14

15 line 7, strike "PURPOSES." and substitute "PURPOSES OR IN A LOCATION AS
16 SPECIFIED IN ANY BUILDING CODE ADOPTED BY THE STATE OR ANY LOCAL
17 GOVERNMENT ENTITY.

18

19 (b) BY JULY 1, 2009, THE REAL ESTATE COMMISSION CREATED IN
20 SECTION 12-61-105, C.R.S., SHALL BY RULE REQUIRE EACH LISTING
21 CONTRACT FOR RESIDENTIAL REAL PROPERTY THAT IS SUBJECT TO THE
22 COMMISSION'S JURISDICTION PURSUANT TO ARTICLE 61 OF TITLE 12,
23 C.R.S., TO DISCLOSE THE REQUIREMENTS SPECIFIED IN PARAGRAPH (a) OF
24 THIS SUBSECTION (1).";

25

26 strike lines 9 through 14 and substitute the following:

27

28 "DWELLING UNIT OF A MULTI-FAMILY DWELLING THAT INCLUDES
29 FUEL-FIRED APPLIANCES OR AN ATTACHED GARAGE WHERE, ON OR AFTER
30 JULY 1, 2009, INTERIOR ALTERATIONS, REPAIRS, FUEL-FIRED APPLIANCE
31 REPLACEMENTS, OR ADDITIONS, ANY OF WHICH REQUIRE A BUILDING
32 PERMIT, OCCURS OR WHERE ONE OR MORE ROOMS LAWFULLY USED FOR
33 SLEEPING PURPOSES ARE ADDED SHALL HAVE AN OPERATIONAL CARBON
34 MONOXIDE ALARM INSTALLED WITHIN TEN FEET OF THE ENTRANCE TO
35 EACH ROOM LAWFULLY USED FOR SLEEPING PURPOSES OR IN A LOCATION
36 AS SPECIFIED IN ANY BUILDING CODE ADOPTED BY THE STATE OR ANY
37 LOCAL GOVERNMENT ENTITY.";

38

39 strike lines 21 through 24 and substitute the following:

40

41 "SINGLE-FAMILY DWELLING OR DWELLING UNIT IN A MULTI-FAMILY
42 DWELLING USED FOR RENTAL PURPOSES AND THAT INCLUDES FUEL-FIRED
43 APPLIANCES OR AN ATTACHED GARAGE WHERE, ON OR AFTER JULY 1,
44 2009, INTERIOR ALTERATIONS, REPAIRS, FUEL-FIRED APPLIANCE
45 REPLACEMENTS, OR ADDITIONS, ANY OF WHICH REQUIRES A BUILDING
46 PERMIT, OCCURS OR WHERE ONE OR MORE ROOMS LAWFULLY USED FOR
47 SLEEPING PURPOSES ARE ADDED SHALL BE SUBJECT TO THE REQUIREMENTS
48 SPECIFIED IN".

49

50 Page 7, strike line 27 and substitute the following:

51

52 "FUEL-FIRED HEATER OR APPLIANCE, FIREPLACE, OR GARAGE OR IN A
53 LOCATION AS SPECIFIED IN ANY BUILDING CODE ADOPTED BY THE STATE
54 OR ANY LOCAL GOVERNMENT ENTITY.".

55

56 Page 8, strike lines 12 through 17 and substitute the following:

1 **"38-45-106. Limitation of liability.** (1) NO PERSON SHALL HAVE
2 A CLAIM FOR RELIEF AGAINST A PROPERTY OWNER, AN AUTHORIZED AGENT
3 OF A PROPERTY OWNER, A PERSON IN POSSESSION OF REAL PROPERTY, OR
4 AN INSTALLER FOR ANY DAMAGES RESULTING FROM THE OPERATION,
5 MAINTENANCE, OR EFFECTIVENESS OF A CARBON MONOXIDE ALARM IF THE
6 PROPERTY OWNER, AUTHORIZED AGENT, PERSON IN POSSESSION OF REAL
7 PROPERTY, OR INSTALLER INSTALLS A CARBON MONOXIDE ALARM IN
8 ACCORDANCE WITH THE MANUFACTURER'S PUBLISHED INSTRUCTIONS AND
9 THE PROVISIONS OF THIS ARTICLE.

10

11 (2) A PURCHASER SHALL HAVE NO CLAIM FOR RELIEF AGAINST ANY
12 PERSON LICENSED PURSUANT TO ARTICLE 61 OF TITLE 12, C.R.S., FOR ANY
13 DAMAGES RESULTING FROM THE OPERATION, MAINTENANCE, OR
14 EFFECTIVENESS OF A CARBON MONOXIDE ALARM IF SUCH LICENSED
15 PERSON COMPLIES WITH RULES PROMULGATED PURSUANT TO SECTIONS
16 38-45-102 (1) (b) AND 38-45-103 (1) (b). NOTHING IN THIS SUBSECTION
17 (2) SHALL AFFECT ANY REMEDY THAT A PURCHASER MAY OTHERWISE
18 HAVE AGAINST A SELLER."

19

20

21

22

23 **FINANCE**

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

26

27 **HB09-1035** be amended as follows, and as so amended, be referred to
28 the Committee on Appropriations with favorable
29 recommendation:

30

31 Amend printed bill, page 3, line 6, after "Qualified", insert
32 "BIOTECHNOLOGY";

33

34 strike lines 10 through 19 and substitute the following:

35

36 "proprietorship that purchases, stores, uses, or consumes tangible personal
37 property to be used in Colorado directly and predominately in research
38 and development of biotechnology.

39

40 (5) "QUALIFIED CLEAN TECHNOLOGY OR MEDICAL DEVICE
41 TAXPAYER" MEANS A C CORPORATION, AS DEFINED IN SECTION 39-22-103
42 (2.5), A PARTNERSHIP, AS DEFINED IN SECTION 39-22-103 (5.6), A LIMITED
43 LIABILITY COMPANY THAT IS NOT A C CORPORATION, AN S CORPORATION,
44 AS DEFINED IN SECTION 39-22-103 (10.5), OR A SOLE PROPRIETORSHIP
45 THAT EMPLOYS FIFTY OR FEWER FULL-TIME EMPLOYEES IN COLORADO,
46 WHICH TAXPAYER PURCHASES, STORES, USES, OR CONSUMES TANGIBLE
47 PERSONAL PROPERTY TO BE USED IN COLORADO DIRECTLY AND
48 PREDOMINATELY IN RESEARCH AND DEVELOPMENT OF CLEAN
49 TECHNOLOGY OR MEDICAL DEVICES."

50

51 Renumber succeeding subsections accordingly.

52

53 Page 3, line 26, after "tax", insert "for biotechnology";

54

55 line 27, strike "(a)".

56

1 Page 4, line 2, after "qualified", insert "BIOTECHNOLOGY";
2
3 line 3, after "qualified", insert "BIOTECHNOLOGY";
4
5 line 6, strike "biotechnology, CLEAN TECHNOLOGY, OR MEDICAL" and
6 substitute "biotechnology";
7
8 line 7, strike "DEVICES";
9
10 strike lines 8 through 13;
11
12 line 15, after "qualified", insert "BIOTECHNOLOGY";
13
14 line 20, after "qualified", insert "BIOTECHNOLOGY";
15
16 line 25, strike "and a statement that the qualified" and substitute "and a
17 statement that the qualified BIOTECHNOLOGY";
18
19 line 27, strike "request, INFORMATION CONCERNING THE" and substitute
20 "request. No refund shall be allowed if the qualified BIOTECHNOLOGY
21 taxpayer has not complied with this subsection (2).".
22
23 Page 5, strike lines 1 through 5;
24
25 after line 5, insert the following:

26
27 **"39-26-403. Refund of state sales and use tax for clean**
28 **technology and medical devices - application requirements and**
29 **procedures - repeal.** (1) FOR THE CALENDAR YEAR COMMENCING
30 JANUARY 1, 2009, AND FOR EACH CALENDAR YEAR THEREAFTER, EACH
31 QUALIFIED CLEAN TECHNOLOGY OR MEDICAL DEVICE TAXPAYER SHALL BE
32 ALLOWED TO CLAIM A REFUND OF ALL STATE SALES AND USE TAX PAID BY
33 THE QUALIFIED CLEAN TECHNOLOGY OR MEDICAL DEVICE TAXPAYER,
34 PURSUANT TO PARTS 1 AND 2 OF THIS ARTICLE, ON THE SALE, STORAGE,
35 USE, OR CONSUMPTION OF TANGIBLE PERSONAL PROPERTY TO BE USED IN
36 COLORADO DIRECTLY AND PREDOMINATELY IN RESEARCH AND
37 DEVELOPMENT OF CLEAN TECHNOLOGY OR MEDICAL DEVICES DURING
38 THAT CALENDAR YEAR.
39

40 (2) TO CLAIM THE REFUND ALLOWED BY SUBSECTION (1) OF THIS
41 SECTION, A QUALIFIED CLEAN TECHNOLOGY OR MEDICAL DEVICE
42 TAXPAYER SHALL SUBMIT A REFUND APPLICATION TO THE DEPARTMENT OF
43 REVENUE ON A FORM PROVIDED BY THE DEPARTMENT. THE APPLICATION
44 SHALL BE SUBMITTED NO EARLIER THAN JANUARY 1 AND NO LATER THAN
45 APRIL 1 OF THE CALENDAR YEAR FOLLOWING THE CALENDAR YEAR FOR
46 WHICH THE REFUND IS CLAIMED. THE APPLICATION SHALL BE
47 ACCOMPANIED BY PROOF OF PAYMENT OF STATE SALES AND USE TAXES
48 PAID BY THE QUALIFIED CLEAN TECHNOLOGY OR MEDICAL DEVICE
49 TAXPAYER IN THE IMMEDIATELY PRECEDING CALENDAR YEAR. THE
50 APPLICATION SHALL ALSO INCLUDE ANY ADDITIONAL INFORMATION THAT
51 THE DEPARTMENT OF REVENUE MAY REQUIRE BY RULE, WHICH MAY
52 INCLUDE, WITHOUT LIMITATION, A DETAILED LIST OF ALL EXPENDITURES
53 THAT SUPPORT A CLAIM FOR A REFUND, THE NAME AND ADDRESSES OF AN
54 INDIVIDUAL WHO MAINTAINS RECORDS OF SUCH EXPENDITURES, A
55 STATEMENT THAT THE QUALIFIED CLEAN TECHNOLOGY OR MEDICAL
56 DEVICE TAXPAYER AGREES TO FURNISH RECORDS OF ALL SUCH

1 EXPENDITURES TO THE DEPARTMENT OF REVENUE UPON REQUEST, AND
2 THE NUMBER OF PERSONS WHO ARE EMPLOYED ON A FULL-TIME BASIS BY
3 THE QUALIFIED CLEAN TECHNOLOGY OR MEDICAL DEVICE TAXPAYER. THE
4 REFUND SHALL NOT BE ALLOWED IF THE QUALIFIED CLEAN TECHNOLOGY
5 OR MEDICAL DEVICE TAXPAYER HAS NOT COMPLIED WITH THIS SUBSECTION
6 (2).

7
8 (3) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF
9 THIS SECTION:

10
11 (a) A SALES AND USE TAX REFUND DESCRIBED IN SUBSECTION (1)
12 OF THIS SECTION SHALL NOT EXCEED FIFTY THOUSAND DOLLARS FOR A
13 QUALIFIED CLEAN TECHNOLOGY OR MEDICAL DEVICE TAXPAYER IN A
14 CALENDAR YEAR.

15
16 (b) IF THE REVENUE ESTIMATE PREPARED BY THE STAFF OF THE
17 LEGISLATIVE COUNCIL IN DECEMBER 2009 AND EACH DECEMBER
18 THEREAFTER INDICATES THAT THE AMOUNT OF THE TOTAL GENERAL FUND
19 REVENUES FOR A PARTICULAR FISCAL YEAR WILL NOT BE SUFFICIENT TO
20 MAINTAIN THE LIMIT ON APPROPRIATIONS SPECIFIED IN SECTION
21 24-75-201.1 (1), C.R.S., THEN THE CREDIT AUTHORIZED IN SUBSECTION (1)
22 OF THIS SECTION SHALL NOT BE ALLOWED FOR THE NEXT CALENDAR YEAR
23 FOLLOWING THE YEAR IN WHICH THE ESTIMATE IS PREPARED. A QUALIFIED
24 CLEAN TECHNOLOGY OR MEDICAL DEVICE TAXPAYER WHO WOULD HAVE
25 BEEN ELIGIBLE TO CLAIM A CREDIT PURSUANT TO THIS SECTION IN A
26 CALENDAR YEAR IN WHICH THE CREDIT WAS NOT ALLOWED MAY CLAIM
27 SAID CREDIT IN THE NEXT CALENDAR YEAR IN WHICH THE REVENUE
28 ESTIMATE ALLOWS THE CREDIT. THE DEPARTMENT OF REVENUE SHALL,
29 THROUGH ITS WEB SITE, SPECIFY ON OR BEFORE JANUARY 1, 2010, AND ON
30 OR BEFORE EACH JANUARY 1 THEREAFTER, WHETHER THE CREDIT
31 AUTHORIZED IN SUBSECTION (1) OF THIS SECTION SHALL BE ALLOWED FOR
32 A GIVEN CALENDAR YEAR.

33
34 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.".

35
36
37
38 **HB09-1101** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:

41
42 Amend printed bill, page 2, strike lines 2 through 25.

43
44 Page 3, strike lines 1 through 5.

45
46 Renumber succeeding sections accordingly.

47
48 Page 3, strike line 9 and substitute the following:

49
50 "a person neglects or refuses to make a TIMELY return in payment of the
51 tax or";

52
53 line 10, after "pay", insert "OR CORRECTLY ACCOUNT FOR";

54
55 line 12, after "due", insert "OR NOT ACCOUNTED FOR OR INCORRECTLY
56 ACCOUNTED FOR ON A RETURN";

1 line 14, strike "thereof" and substitute "~~thereof~~ OF SUCH UNPAID,
2 UNACCOUNTED, OR INCORRECTLY ACCOUNTED AMOUNT";

3
4 line 16, after "interest", insert "IF APPLICABLE".

5

6

7

8

9 **HEALTH & HUMAN SERVICES**

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

12

13 **HB09-1007** be referred to the Committee of the Whole with favorable
14 recommendation.

15

16

17 **HB09-1020** be referred favorably to the Committee on Appropriations.

18

19

20 **HB09-1032** be postponed indefinitely.

21

22

23 **HB09-1047** be amended as follows, and as so amended, be referred to
24 the Committee on Appropriations with favorable
25 recommendation:

26

27 Amend printed bill, page 2, line 6, strike "DISABILITY" and substitute
28 "SPINAL CORD INJURY";

29

30 line 9, strike "DISABILITY" and substitute "SPINAL CORD INJURY";

31

32 line 15, strike "DISABILITY" and substitute "SPINAL CORD INJURY";

33

34 line 16, strike "DISABILITY" and substitute "SPINAL CORD INJURY".

35

36 Page 3, strike lines 5 through 7.

37

38 Renumber succeeding subsection accordingly.

39

40 Page 3, line 20, strike "DISABILITIES" and substitute "SPINAL CORD
41 INJURIES".

42

43 Page 4, line 3, strike "DISABILITIES" and substitute "SPINAL CORD
44 INJURIES";

45

46 strike lines 5 and 6 and substitute the following:

47 "PROGRAM AUTHORIZED BY THIS SECTION, A PERSON SHALL:

48

49 (I) BE DIAGNOSED WITH A SPINAL CORD INJURY;"

50

51 Renumber succeeding subparagraphs accordingly.

52

53

54

55 **HB09-1056** be referred to the Committee of the Whole with favorable
56 recommendation.

1 **HB09-1116** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 2, line 16, after the period, insert "IF, IN ANY
6 FISCAL YEAR, THE CURRENT LEVEL OF FUNDING DOES NOT MEET THE
7 NEEDS OF ELIGIBLE CHILDREN AND THERE IS NOT SUFFICIENT MONEYS IN
8 THE GENERAL FUND FOR THE PROGRAM, THE DEPARTMENT MAY REQUEST
9 AN APPROPRIATION FROM THE GENERAL FUND THAT IS EQUAL TO THE
10 REDUCTION OF A FUNDING REQUEST FOR ANOTHER PROGRAM WITHIN THE
11 DEPARTMENT."
12
13
14
15

16 **LOCAL GOVERNMENT**

17 After consideration on the merits, the Committee recommends the
18 following:
19

20 **HB09-1005** be referred to the Committee of the Whole with favorable
21 recommendation.
22
23

24 **HB09-1024** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:
27

28 Amend printed bill, page 2, line 7, strike "29-1-603 (4)" and substitute
29 "29-1-603, 29-1-604,";
30

31 after line 13, insert the following:
32

33 "SECTION 2. 29-1-606 (1), Colorado Revised Statutes, is
34 amended BY THE ADDITION OF A NEW PARAGRAPH to read:
35

36 **29-1-606. Submission of reports.** (1) (c) THE AUDIT REQUIRED
37 BY THIS PART 6 FOR HOUSING AUTHORITIES SHALL BE COMPLETED AND THE
38 AUDIT REPORT THEREON SUBMITTED BY THE AUDITOR TO THE HOUSING
39 AUTHORITY WITHIN SEVEN MONTHS AFTER THE CLOSE OF THE FISCAL YEAR
40 OF THE HOUSING AUTHORITY."
41

42 Renumber succeeding sections accordingly.
43
44
45

46 **HB09-1079** be amended as follows, and as so amended, be referred to
47 the Committee of the Whole with favorable
48 recommendation:
49

50 Amend printed bill, page 2, strike lines 4 through 6 and substitute the
51 following:
52

53 **"23-71-128. Additions to district - procedure.** (2) IF THE TOWN
54 OF BERTHOUD DESIRES TO BE ANNEXED TO ITS EXISTING JUNIOR";
55

56 strike lines 15 through 26 and substitute the following:

1 "(b) BY THE TOWN OF BERTHOUD VOTING ON THE QUESTION OF
2 ANNEXATION AT A REGULAR ELECTION. THE ELECTION SHALL ONLY BE
3 CALLED UPON THE AFFIRMATIVE VOTE OF THE GOVERNING BODY OF THE
4 MUNICIPALITY, AND THE ANNEXATION SHALL BE EFFECTED BY A
5 MAJORITY VOTE OF THE ELIGIBLE ELECTORS OF THE MUNICIPALITY."

6
7 Page 3, strike lines 1 through 5.

8
9

10

11 **HB09-1148** be amended as follows, and as so amended, be referred to
12 the Committee of the Whole with favorable
13 recommendation:

14

15 Amend printed bill, page 2, strike lines 7 through 15 and substitute the
16 following:

17 "AFFAIRS INFORMATION OBTAINED PURSUANT TO THIS SECTION THAT IS
18 NECESSARY TO VERIFY THE INFORMATION SUBMITTED TO THE
19 DEPARTMENT OF LOCAL AFFAIRS PURSUANT TO SECTION 39-29-110 (1) (d)
20 (I) (B) AND THAT IS SUFFICIENT TO ALLOW THE DEPARTMENT OF LOCAL
21 AFFAIRS TO EFFICIENTLY DISTRIBUTE MONEYS AS REQUIRED BY SECTION
22 39-29-110 (1) (c). THE DEPARTMENT SHALL NOT RELEASE ANY
23 INFORMATION TO THE DEPARTMENT OF LOCAL AFFAIRS THAT IS NOT
24 NEEDED TO VERIFY INFORMATION OR DISTRIBUTE MONEYS. WITH THE
25 EXCEPTION OF TAXPAYER CONTACT INFORMATION, ANY INFORMATION
26 PROVIDED TO THE DEPARTMENT OF LOCAL AFFAIRS PURSUANT TO THIS
27 SUBSECTION (18) SHALL REMAIN CONFIDENTIAL, AND ALL PERSONS WITHIN
28 THE DEPARTMENT SHALL BE SUBJECT TO THE LIMITATIONS SET FORTH IN
29 SUBSECTION (4) OF THIS SECTION AND THE PENALTIES CONTAINED IN
30 SUBSECTION (6) OF THIS SECTION."

31

32

33

34

35 **STATE, VETERANS, & MILITARY AFFAIRS**

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

38

39 **HB09-1045** be amended as follows, and as so amended, be referred to
40 the Committee of the Whole with favorable
41 recommendation:

42

43 Amend printed bill, page 2, line 21, strike "11" and substitute "11,
44 commonly called Patriot Day,";

45

46 line 25, strike "**September 11**" and substitute "**Patriot Day**";

47

48 line 26, strike "YEAR IS OBSERVED AS" and substitute "YEAR, THE SAME
49 BEING".

50

51 Page 3, line 1, after "2001,", insert "SHALL BE KNOWN AS "PATRIOT
52 DAY"";

53

54 line 7, strike "SEPTEMBER 11" and substitute "PATRIOT DAY";

55

56 line 14, strike "SEPTEMBER 11," and substitute "PATRIOT DAY,".

1 **HB09-1064** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Amend printed bill, page 6, line 9, after "MEET", insert "DURING EACH
6 INTERIM" and, strike "PER YEAR".
7

8 Page 7, line 3, after the period, add "ALL PUBLIC AND PRIVATE MONEYS
9 DONATED OR AWARDED PURSUANT TO THIS PARAGRAPH (c) SHALL BE
10 CONTINUOUSLY APPROPRIATED FOR THE IMPLEMENTATION OF THIS PART
11 14.";
12

13 strike lines 4 through 7.
14

15 Page 9, line 24, strike "2019." and substitute "2014."
16
17

18
19 **HB09-1069** be postponed indefinitely.
20

21
22 **HB09-1146** be postponed indefinitely.
23
24
25
26

27 **TRANSPORTATION & ENERGY**

28 After consideration on the merits, the Committee recommends the
29 following:
30

31 **HB09-1126** be amended as follows, and as so amended, be referred to
32 the Committee on Finance with favorable
33 recommendation:
34

35 Amend printed bill, page 4, line 1, strike "THAT USES" and substitute
36 "WHOSE PRIMARY PURPOSE IS TO USE ENERGY FROM".
37

38
39 _____
40 House in recess. House reconvened.
41 _____
42

43 **REPORT FROM THE HOUSE ETHICS COMMITTEE**

44 ***In re Complaint of Representative Mike May***

45 To the Speaker of the House of Representatives:
46
47

48
49 The House Ethics Committee (Committee) appointed pursuant to House
50 Rule 49 has met to consider the Complaint filed by House Minority
51 Leader Mike May against Representative David Balmer, dated
52 December 16, 2008. The Committee met on January 7, 2009,
53 January 20, 2009, and January 28, 2009. While House Rule 49 (c)
54 prevents committees appointed pursuant to that rule from receiving
55 testimony during the preliminary investigation stage, this Committee
56 made its best efforts to compile documentation allowable by the rule that

1 would help shed light on the issues under its consideration. In its
 2 investigation, the Committee carefully considered the evidence compiled
 3 pursuant its requests. Minutes of these discussions and actions taken at
 4 those meetings, along with the evidentiary information collected, are
 5 maintained by the Legislative Council staff and may be reviewed at that
 6 office.

7
 8 The Committee recognizes that members of the General Assembly should
 9 hold themselves to the highest ethical standards. Accordingly, the
 10 members of the Committee take very seriously their responsibility and
 11 obligation under House Rule 49, when investigating one of their own, to
 12 preserve the public's confidence in the legislative institution.

13
 14 Based upon its preliminary investigation, the Committee, by a unanimous
 15 vote, found that there was no probable cause to believe that an ethics
 16 violation had occurred on the part of Representative Balmer and therefore
 17 dismissed the Complaint.

18
 19 Respectfully submitted this 28th day of January 2009.

20
 21 (signed)

22 Representative Claire Levy, Chairman
 23 Representative Tom Massey, Vice-chairman
 24 Representative Joel Judd
 25 Representative Kathleen Curry
 26 Representative Kenneth Summers

27
 28
 29
 30 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

31
 32 The Speaker has signed: **SJR09-006, 009.**

33
 34
 35 **INTRODUCTION OF BILLS**
 36 **First Reading**

37
 38 The following bills were read by title and referred to the committees
 39 indicated:

40
 41 **HB09-1182** by Representative(s) Marostica, Ferrandino, Pommer; also
 42 Senator(s) White, Keller, Tapia--Concerning changes in
 43 the funding of administrative costs incurred by the division
 44 of on-line learning in the department of education.

45 Committee on Education

46
 47 **HB09-1183** by Representative(s) Vaad; also Senator(s) Hodge--
 48 Concerning violations of laws related to real estate
 49 appraisers.

50 Committee on Judiciary

51
 52 **HB09-1184** by Representative(s) May, Gardner C., King S., Murray,
 53 Waller--Concerning the allocation of time the general
 54 assembly is convened in regular session to conduct its
 55 business.

56 Committee on State, Veterans, & Military Affairs

- 1 **HB09-1185** by Representative(s) Tipton; also Senator(s) Isgar--
2 Concerning requirements for documents related to water
3 rights applications.
4 Committee on Agriculture, Livestock, & Natural Resources
5
- 6 **HB09-1186** by Representative(s) Levy--Concerning elections in which
7 an elector is casting a ballot by mail.
8 Committee on State, Veterans, & Military Affairs
9
- 10 **HB09-1187** by Representative(s) Swalm, Vaad--Concerning
11 authorization for the Colorado tolling enterprise to
12 designate as toll highways existing highways that serve
13 vehicular traffic on a toll-free basis.
14 Committee on Transportation & Energy
15
- 16 **HB09-1188** by Representative(s) Ryden; also Senator(s) Carroll M.--
17 Concerning modifications to the disclosure requirements
18 imposed on physicians under the "Michael Skolnik
19 Medical Transparency Act".
20 Committee on Health and Human Services
21
- 22 **HB09-1189** by Representative(s) Pommer, Ferrandino, Marostica; also
23 Senator(s) Tapia, Keller, White--Concerning per pupil
24 funding for education programs that report their pupil
25 enrollment counts to the facility schools unit in the
26 department of education.
27 Committee on Education
28
- 29 **HB09-1190** by Representative(s) Levy--Concerning the enactment of
30 the "Uniform Unsworn Foreign Declarations Act".
31 Committee on Judiciary
32
- 33 **HB09-1191** by Representative(s) McCann; also Senator(s) Boyd--
34 Concerning liens of the department of health care policy
35 and financing against claims against third parties.
36 Committee on Health and Human Services
37
- 38 **HB09-1192** by Representative(s) McFadyen, Balmer, Casso; also
39 Senator(s) Veiga--Concerning the elimination of the
40 alcohol percentage limitations on beer products sold in
41 Colorado.
42 Committee on Business Affairs and Labor
43
- 44 **HB09-1193** by Representative(s) McFadyen; also Senator(s) Tochtrop,
45 Carroll M., Hodge, Morse, Tapia--Concerning a
46 prohibition against the shifting of financial responsibility
47 for negligence in motor carrier transportation agreements.
48 Committee on Judiciary
49
- 50 **HB09-1194** by Representative(s) Curry; also Senator(s) Isgar--
51 Concerning accrual of a cause of action upon discovery of
52 a breach of a royalty obligation.
53 Committee on Agriculture, Livestock, & Natural Resources
54
55

- 1 **SB09-005** by Senator(s) Spence; also Representative(s) Primavera--
- 2 Concerning the Colorado traumatic brain injury program.
- 3 Committee on Health and Human Services
- 4
- 5 **SB09-010** by Senator(s) Spence; also Representative(s) Primavera--
- 6 Concerning encouraging the use of automated external
- 7 defibrillators.
- 8 Committee on Health and Human Services
- 9
- 10 **SB09-044** by Senator(s) Boyd; also Representative(s) Hullinghorst--
- 11 Concerning administrative procedures in relation to the
- 12 department of human services.
- 13 Committee on Health and Human Services
- 14
- 15 **SB09-053** by Senator(s) Tochtrop; also Representative(s) Schafer S.-
- 16 -Concerning support arrearages that accrue prior to an
- 17 applicant's eligibility for public assistance.
- 18 Committee on Health and Human Services
- 19
- 20 **SB09-062** by Senator(s) Shaffer B.; also Representative(s) Apuan--
- 21 Concerning incentives for armed forces veterans to enter
- 22 the teaching profession.
- 23 Committee on Education

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

- 32 **HJR09-1006** by Representative(s) McFadyen, Massey, Pace, Vigil; also
 - 33 Senator(s) Tapia, Kester--Concerning the U.S.S. Pueblo.
-

LAY OVER OF CALENDAR ITEMS

On motion of Representative Court, the following items on the Calendar were laid over until January 29, retaining place on Calendar:

- 42 Consideration of Resolutions--**HJR09-1004**.
-

On motion of Representative Court, the House adjourned until 9:00 a.m., January 29, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Twenty-third Legislative Day

Thursday, January 29, 2009

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Branden Kerr, Rooney Ranch Elementary,
6 Lakewood.
7
8 The roll was called with the following result:
9
10 Present--62.
11 Excused--Representatives Middleton, Solano, Swalm--3.
12 Present after roll call--Representatives Middleton, Swalm.
13

14 The Speaker declared a quorum present.
15
16

17 On motion of Representative Baumgardner, the reading of the journal of
18 January 28, 2009, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21

THIRD READING OF BILL--FINAL PASSAGE

24 The following bill was considered on Third Reading. The title was
25 publicly read. Reading of the bill at length was dispensed with by
26 unanimous consent.
27
28

29 **HB09-1023** by Representative(s) Gagliardi and Swalm; also Senator(s)
30 Boyd--Concerning the age requirement for blood
31 donations by a minor.
32

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
39	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
40	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
41	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
42	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
43	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	E

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

13 Co-sponsor(s) added: Representative(s) Balmer, Benefield, Frangas,
 14 Gardner B., Gerou, Kefalas, Labuda, Looper, McCann, McGihon, Merrifield,
 15 Miklosi, Pace, Primavera, Riesberg, Ryden, Todd

16
 17 On motion of Representative Weissmann, consideration on Third Reading
 18 of **HB09-1025, 1037, 1044, 1122, 1034, 1089, 1012, 1102** was laid over
 19 until February 2, retaining place on Calendar.

22 23 **REPORTS OF COMMITTEES OF REFERENCE**

24 25 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

28
 29 **HB09-1051** be amended as follows, and as so amended, be referred to
 30 the Committee on Finance with favorable
 31 recommendation:

32
 33 Amend printed bill, strike everything below the enacting clause and
 34 substitute the following:

35
 36 **"SECTION 1.** 34-63-102 (1) (a) (II), Colorado Revised Statutes,
 37 is amended, and the said 34-63-102 is further amended BY THE
 38 ADDITION OF A NEW SUBSECTION, to read:

39
 40 **34-63-102 Creation of mineral leasing fund - distribution -**
 41 **advisory committee - definitions.** (1) (a) (II) (A) On and after July 1,
 42 2008, EXCEPT FOR STATE FISCAL YEARS 2009-10 TO 2020-21, all moneys,
 43 including any interest and income derived therefrom, received by the state
 44 treasurer pursuant to the provisions of the federal "Mineral Lands Leasing
 45 Act" of February 25, 1920, as amended, except those moneys described
 46 in section 34-63-104, shall be deposited by the state treasurer into the
 47 mineral leasing fund for use by state agencies, public schools, and
 48 political subdivisions of the state as described in subsections (5.3) and
 49 (5.4) of this section and for transfer to the higher education federal
 50 mineral lease revenues fund created in section 23-19.9-102 (1) (a),
 51 C.R.S., the higher education maintenance and reserve fund created in
 52 section 23-19.9-102 (2) (a), C.R.S., and the local government permanent
 53 fund created in sub-subparagraph (A) of subparagraph (I) of paragraph (a)
 54 of subsection (5.3) of this section, as required by this section and section
 55 23-19.9-102, C.R.S.

56

1 (B) FOR STATE FISCAL YEARS 2009-10 TO 2020-21, TEN PERCENT
2 OF ALL MONEYS, INCLUDING ANY INTEREST AND INCOME DERIVED
3 THEREFROM, RECEIVED BY THE STATE TREASURER PURSUANT TO THE
4 PROVISIONS OF THE FEDERAL "MINERAL LANDS LEASING ACT" OF
5 FEBRUARY 25, 1920, AS AMENDED, EXCEPT THOSE MONEYS DESCRIBED IN
6 SECTION 34-63-104, SHALL BE DEPOSITED BY THE STATE TREASURER INTO
7 THE COUNTY OF ORIGIN CONSTRUCTION CASH FUND, CREATED IN
8 SUBSECTION (6.5) OF THIS SECTION FOR USE BY COUNTIES AND
9 MUNICIPALITIES OF THE STATE AS DESCRIBED IN SAID SUBSECTION. THE
10 REMAINING NINETY PERCENT OF SAID MONEYS RECEIVED DURING SUCH
11 STATE FISCAL YEARS SHALL BE DEPOSITED BY THE STATE TREASURER INTO
12 THE MINERAL LEASING FUND FOR USE BY STATE AGENCIES, PUBLIC
13 SCHOOLS, AND POLITICAL SUBDIVISIONS OF THE STATE AS DESCRIBED IN
14 SUBSECTIONS (5.3) AND (5.4) OF THIS SECTION AND FOR TRANSFER TO THE
15 HIGHER EDUCATION FEDERAL MINERAL LEASE REVENUES FUND CREATED
16 IN SECTION 23-19.9-102 (1) (a), C.R.S., THE HIGHER EDUCATION
17 MAINTENANCE AND RESERVE FUND CREATED IN SECTION 23-19.9-102 (2)
18 (a), C.R.S., AND THE LOCAL GOVERNMENT PERMANENT FUND CREATED IN
19 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (a) OF
20 SUBSECTION (5.3) OF THIS SECTION, AS REQUIRED BY THIS SECTION AND
21 SECTION 23-19.9-102, C.R.S.

22
23 (6.5) THE COUNTY OF ORIGIN CONSTRUCTION CASH FUND IS
24 HEREBY CREATED IN THE STATE TREASURY. THE FUND SHALL CONSIST OF
25 ALL MONEYS CREDITED TO THE FUND PURSUANT TO SUB-SUBPARAGRAPH
26 (B) OF SUBPARAGRAPH (II) OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS
27 SECTION. ALL INTEREST EARNED FROM THE INVESTMENT OF MONEYS IN
28 THE FUND SHALL BE CREDITED TO THE FUND. TEN WORKING DAYS AFTER
29 RECEIPT OF THE LAST MONTHLY PAYMENT IN EACH QUARTER, THE STATE
30 TREASURER SHALL DISTRIBUTE ALL MONEYS IN THE FUND AS OF SUCH TIME
31 AMONG THOSE RESPECTIVE COUNTIES OF THIS STATE FROM WHICH THE
32 FEDERAL LEASING MONEY IS DERIVED AND FROM THOSE COUNTIES WHERE
33 ENERGY CONVERSION TAKES PLACE. EIGHTY-FIVE PERCENT OF THE MONEY
34 SHALL BE DISTRIBUTED IN PROPORTION TO THE AMOUNT OF SAID FEDERAL
35 LEASING MONEY DERIVED FROM EACH OF THE RESPECTIVE COUNTIES, AND
36 FIFTEEN PERCENT OF THE MONEY SHALL BE DISTRIBUTED TO COUNTIES
37 WHERE ENERGY CONVERSION TAKES PLACE IN PROPORTION TO THE
38 AMOUNT OF ENERGY THAT IS CONVERTED IN EACH COUNTY. A COUNTY
39 SHALL KEEP A PORTION OF THE MONEYS AND FURTHER DISTRIBUTE THE
40 REMAINDER TO MUNICIPALITIES LOCATED WITHIN THE COUNTY BASED ON
41 THE FORMULA SET FORTH IN SUBPARAGRAPH (II) OF PARAGRAPH (c) OF
42 SUBSECTION (5.4) OF THIS SECTION. THE COUNTY AND MUNICIPALITIES
43 SHALL USE MONEYS RECEIVED PURSUANT TO THIS SUBSECTION (6.5) FOR
44 THE CONSTRUCTION OF PUBLIC FACILITIES.

45
46 **SECTION 2. Safety clause.** The general assembly hereby finds,
47 determines, and declares that this act is necessary for the immediate
48 preservation of the public peace, health, and safety."

49
50
51
52 **HB09-1142** be postponed indefinitely.

53
54
55
56

1 **BUSINESS AFFAIRS & LABOR**

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

4
5 **HB09-1001** be amended as follows, and as so amended, be referred to
6 the Committee on Finance with favorable
7 recommendation:

8
9 Amend printed bill, page 2, after line 7, insert the following:

10
11 "(a) (I) "AFFILIATED GROUP" MEANS ONE OR MORE CHAINS OF
12 PERSONS CONNECTED THROUGH STOCK OR OTHER OWNERSHIP INTERESTS
13 WITH A PERSON IF:

14
15 (A) ONE OR MORE OF THE OTHER PERSONS IN THE CHAIN OWNS
16 INTERESTS POSSESSING MORE THAN FIFTY PERCENT OF THE VOTING POWER
17 OF ALL CLASSES OF OWNERSHIP INTERESTS EXCEPT OWNERSHIP INTERESTS
18 OF THE COMMON PARENT AND MORE THAN FIFTY PERCENT OF EACH CLASS
19 OF NONVOTING OWNERSHIP INTERESTS OF EACH OF THE PERSONS EXCEPT
20 OWNERSHIP INTERESTS OF THE COMMON PARENT; AND

21
22 (B) THE COMMON PARENT OWNS INTERESTS POSSESSING MORE
23 THAN FIFTY PERCENT OF THE VOTING POWER OF ALL CLASSES OF
24 OWNERSHIP INTERESTS AND MORE THAN FIFTY PERCENT OF EACH CLASS OF
25 THE NONVOTING OWNERSHIP INTERESTS OF AT LEAST ONE OF THE OTHER
26 PERSONS IN THE CHAIN.

27
28 (II) AS USED IN THIS PARAGRAPH (a), THE TERM "OWNERSHIP
29 INTEREST" DOES NOT INCLUDE NONVOTING STOCK THAT IS LIMITED AND
30 PREFERRED AS TO DIVIDENDS; EMPLOYER SECURITIES, WITHIN THE
31 MEANING OF SECTION 409 (1) OF THE INTERNAL REVENUE CODE, WHILE
32 SUCH SECURITIES ARE HELD UNDER A TAX CREDIT EMPLOYEE STOCK
33 OWNERSHIP PLAN; OR QUALIFYING EMPLOYER SECURITIES, WITHIN THE
34 MEANING OF SECTION 4975 (e) (8) OF THE INTERNAL REVENUE CODE,
35 WHILE SUCH SECURITIES ARE HELD UNDER AN EMPLOYEE STOCK
36 OWNERSHIP PLAN THAT MEETS THE REQUIREMENTS OF SECTION 4975 (e)
37 (7) OF THE INTERNAL REVENUE CODE.

38
39 (III) AS USED IN THIS PARAGRAPH (a), THE TERM "PERSON" DOES
40 NOT INCLUDE NATURAL PERSONS."

41
42 Reletter succeeding paragraphs accordingly.

43
44 Page 2, line 22, after "TAXPAYER", insert "IN THE STATE FOR THE
45 PROJECT" and, strike "A" and substitute "THE".

46
47 Page 3, line 1, after "TAXPAYER", insert "IN THE STATE FOR THE PROJECT";
48
49 after line 1, insert the following:

50
51 "(g) "PERSON" SHALL HAVE THE SAME MEANING AS PROVIDED IN
52 SECTION 39-21-101 (3)."

53
54 Reletter succeeding paragraphs accordingly.

55
56 Page 3, line 8, strike "HAS THE SAME MEANING AS SET FORTH IN";

1 strike line 9 and substitute the following: "MEANS ANY PERSON DOING
2 BUSINESS IN THE STATE. FOR PURPOSES OF THIS SECTION, TAXPAYER
3 INCLUDES AN AFFILIATED GROUP.";

4

5 strike line 22 and substitute the following:

6

7 "(I) (A) EXCEPT AS PROVIDED IN SUB-SUBPARAGRAPH (B) OF THIS
8 SUBPARAGRAPH (I), BRING A NET JOB GROWTH OF AT LEAST TWENTY NEW
9 JOBS";

10

11 line 23, strike "YEAR";

12

13 line 25, strike everything after "IS" and substitute "LOCATED.";

14

15 strike lines 26 and 27 and substitute the following:

16

17 "(B) IF THE PROJECT WILL BE LOCATED IN A DESIGNATED
18 ENHANCED RURAL ENTERPRISE ZONE AS SUCH ZONE IS DESCRIBED IN
19 SECTION 39-30-103.2 (1) AND THE LOCAL COMMUNITY OF THE
20 DESIGNATED ENHANCED RURAL ENTERPRISE ZONE PROVIDES RATIONALE
21 TO THE COMMISSION OUTLINING THE PROJECT'S ECONOMIC IMPORTANCE TO
22 THE COMMUNITY, THE PROJECT SHALL, DURING A CREDIT PERIOD, BRING
23 A NET JOB GROWTH OF AT LEAST TEN NEW JOBS TO THE STATE WITH AN
24 AVERAGE YEARLY WAGE OF AT LEAST ONE HUNDRED TEN PERCENT OF THE
25 AVERAGE YEARLY WAGE OF THE ENHANCED RURAL ENTERPRISE ZONE IN
26 WHICH THE TAXPAYER IS LOCATED.".

27

28 Page 4, after line 8, insert the following:

29

30 "(I) AN IDENTIFICATION OF THE SPECIFIC JOBS THAT WILL BE
31 CREATED.".

32

33 Renumber succeeding subparagraphs accordingly.

34

35 Page 5, line 6, strike "THE" and substitute "THIS";

36

37 line 10, strike "AS CALCULATED";

38

39 strike line 11 and substitute the following:

40

41 "NEEDED TO ATTRACT THE NEW JOBS TO THIS STATE.".

42

43 Page 6, line 19, after "CERTIFICATE", insert "FOR THAT CALENDAR YEAR";

44

45 line 22, strike "THAT TAX YEAR." and substitute "THE TAX YEAR THAT
46 INCLUDES THE DECEMBER 31 OF THE CALENDAR YEAR FOR WHICH THE
47 CREDIT CERTIFICATE IS ISSUED.".

48

49 Page 7, line 2, after "IMPOSED", insert "ON THE EMPLOYER";

50

51 line 3, after "EMPLOYEES", insert "OF THE PROJECT";

52

53 line 4, strike "3101 ET SEQ." and substitute "3111 (a) AND (b).";

54

55 line 11, after "IMPOSED", insert "ON THE EMPLOYER", and, after
56 "EMPLOYEES", insert "OF THE PROJECT";

1 line 13, strike "3101 ET SEQ." and substitute "3111 (a) AND (b).".

2

3 Page 8, strike lines 5 through 10 and substitute the following:

4

5 "(8) THE COMMISSION SHALL INCLUDE INFORMATION REGARDING
6 ALL CONDITIONAL APPROVALS GRANTED AND CREDIT CERTIFICATES
7 ISSUED PURSUANT TO THIS SECTION, INCLUDING THE CREDITS CLAIMED,
8 THE NAMES OF THE RECIPIENTS OF THE CREDITS, AND THE AMOUNTS
9 CLAIMED, IN ITS ANNUAL REPORT REQUIRED TO BE PRESENTED TO THE
10 GENERAL ASSEMBLY PURSUANT TO SECTION 24-46-104 (2), C.R.S.";

11

12 line 19, strike "TAXPAYER." and substitute "TAXPAYER, AND THE
13 COMMISSION SHALL ISSUE CREDIT CERTIFICATES IN THE APPROPRIATE
14 AMOUNTS TO EACH PARTNER, SHAREHOLDER, MEMBER, OR OTHER
15 CONSTITUENT TAXPAYER.";

16

17 strike line 23 and substitute the following:

18

19 "(10) NO LATER THAN SEPTEMBER 1, 2010, AND NO LATER THAN
20 SEPTEMBER";

21

22 line 24, strike "APRIL" and substitute "SEPTEMBER";

23

24 line 27, strike "INCOME TAX YEAR" and substitute "CALENDAR YEAR, OR
25 ANY CREDITS DISALLOWED PURSUANT TO SUBPARAGRAPH (II) OF
26 PARAGRAPH (a) OF SUBSECTION (4) OF THIS SECTION FOR ANY YEAR,".

27

28

29

30 **HB09-1076** be amended as follows, and as so amended, be referred to
31 the Committee on Appropriations with favorable
32 recommendation:

33

34 Amend printed bill, page 2, line 3, strike "amended" and substitute
35 "amended, and the said 8-73-110 (3) (a) is further amended BY THE
36 ADDITION OF A NEW SUBPARAGRAPH,".

37

38 Page 4, after line 16, insert the following:

39

40 "(IV) AN INDIVIDUAL'S WEEKLY BENEFIT AMOUNT SHALL NOT BE
41 REDUCED BY ANY AMOUNT OF A PRIMARY INSURANCE BENEFIT UNDER
42 TITLE II OF THE FEDERAL "SOCIAL SECURITY ACT" THAT HAS BEEN
43 CONTRIBUTED TO BY A BASE PERIOD EMPLOYER IF THE EMPLOYEE HAS
44 MADE CONTRIBUTIONS TO FEDERAL SOCIAL SECURITY.".

45

46

47

48 **HB09-1085** be amended as follows, and as so amended, be referred to
49 the Committee on Appropriations with favorable
50 recommendation:

51

52 Amend printed bill, page 20, line 4, strike "borrower;" and substitute
53 "borrower, BUT THE MORTGAGE LOAN ORIGINATOR SHALL NOT BE DEEMED
54 TO VIOLATE THIS SECTION IF THE BORROWER CONCEALS OR
55 MISREPRESENTS RELEVANT INFORMATION;"

56

- 1 line 15, strike "shall" and substitute "~~shall~~ MAY";
2
3 line 16, after "applicant", insert "OR LICENSEE".
4
5 Page 22, line 11, strike "(I)";
6
7 line 15, strike "9." and substitute "9;";
8
9 strike lines 16 through 27.
10
11 Page 24, line 25, strike "SUBJECT TO" and substitute "WHO, AFTER AN";
12
13 line 26, strike "PART 9" and substitute "PART 9, IS FOUND TO BE IN
14 VIOLATION OF A PROVISION OF THIS PART 9" and, strike "COSTS" and
15 substitute "REASONABLE AND NECESSARY COSTS OF THE DIVISION".
16
17 Page 25, line 8, strike "~~person~~ INDIVIDUAL," and substitute "person,".
18
19 Page 27, line 2, after "licensee", insert "OR APPLICANT".
20
21 Page 29, line 2, strike "~~person~~ INDIVIDUAL" and substitute "person WHO
22 IS" and, strike "9;" and substitute "9";
23
24 line 8, strike "~~country.~~" and substitute "~~country~~ OR IS NOT REGISTERED IN
25 COMPLIANCE WITH THE FEDERAL "SECURE AND FAIR ENFORCEMENT FOR
26 MORTGAGE LICENSING ACT OF 2008", 12 U.S.C. SEC. 5101 ET SEQ.;".
27
28 Page 43, line 19, strike "~~Except as~~" and substitute "Except as";
29
30 strike lines 20 through 23 and substitute the following:
31
32 "required by paragraph (c) of subsection (2) of this section, this
33 subsection (1) shall not be construed to require disclosure of the
34 distribution or breakdown of loan fees, discounts, or points between the
35 mortgage ~~broker~~ LOAN ORIGINATOR and any MORTGAGE lender or
36 investor."
37
38 Page 50, line 8, after "38-40-105", insert "(1) (f), (1.5) and", and strike
39 "is" and substitute "are";
40
41 strike line 12 and substitute the following:
42
43 "(1) The following acts by any mortgage broker, mortgage originator,
44 mortgage lender, mortgage loan applicant, real estate appraiser, or closing
45 agent, other than a person who provides closing or settlement services
46 subject to regulation by the division of insurance, with respect to any loan
47 that is secured by a first or subordinate mortgage or deed or trust lien
48 against a dwelling are prohibited:
49
50 (f) ~~To knowingly facilitate the consummation of a mortgage loan~~
51 ~~transaction that violates, or that is connected with a violation of,~~
52 ~~subsection (1.5) of this section.~~
53
54 (1.5) (a) ~~A mortgage broker or the broker's agent shall provide the~~
55 ~~borrower with draft copies of the mortgage loan agreement and all other~~
56 ~~documents material to the transaction, completed to the extent possible in~~

1 ~~accordance with good-faith estimates, at least one business day before~~
2 ~~closing. There shall be no blank spaces remaining on the agreement form~~
3 ~~and no change to any material term of the agreement or of any~~
4 ~~accompanying document during this time.~~

5
6 ~~(b) As used in this subsection (1.5), "documents material to the~~
7 ~~transaction" include, without limitation, the deed of conveyance, except~~
8 ~~in the case of a refinancing, the loan agreement, and the title documents~~
9 ~~if requested by the borrower.~~

10
11 (7) As used in this section, unless the context otherwise requires:".

12
13
14
15 **HB09-1105** be amended as follows, and as so amended, be referred to
16 the Committee on Finance with favorable
17 recommendation:

18
19 Amend printed bill, page 3, strike lines 19 and 20 and substitute the
20 following:

21
22 "(c) "CLEAN ENERGY TECHNOLOGY" MEANS AN INDUSTRY
23 RELATED TO:

24
25 (I) FUELS OR ENERGY DERIVED FROM WIND, SOLAR, WATER,
26 BIOFUELS, GEOTHERMAL, OR OTHER RENEWABLE RESOURCES;

27
28 (II) ENERGY STORAGE METHODS, INCLUDING FUEL CELLS,
29 ADVANCED BATTERIES, AND HYBRID SYSTEMS;

30
31 (III) ENERGY TRANSMISSION INFRASTRUCTURE AND MANAGEMENT,
32 INCLUDING SMART GRID TECHNOLOGIES; AND

33
34 (IV) INCREASED ENERGY EFFICIENCY RELATING TO LIGHTING,
35 BUILDINGS, VEHICLES, INDUSTRIAL APPLICATIONS, AND CONSUMER
36 GOODS.";

37
38 strike lines 24 and 25 and substitute the following:

39
40 "(e) "INFORMATION TECHNOLOGY" MEANS THE BRANCH OF
41 TECHNOLOGY DEVOTED TO THE STUDY AND APPLICATION OF DATA AND
42 THE PROCESSING THEREOF, THE AUTOMATIC ACQUISITION, STORAGE,
43 MANIPULATION OR TRANSFORMATION, MANAGEMENT, MOVEMENT,
44 CONTROL, DISPLAY, SWITCHING, INTERCHANGE, TRANSMISSION OR
45 RECEPTION OF DATA, AND THE DEVELOPMENT OR USE OF HARDWARE,
46 SOFTWARE, FIRMWARE, AND PROCEDURES ASSOCIATED WITH THIS
47 PROCESSING. "INFORMATION TECHNOLOGY" INCLUDES MATTERS
48 CONCERNED WITH THE FURTHERANCE OF COMPUTER SCIENCE AND
49 TECHNOLOGY AND THE DESIGN, DEVELOPMENT, INSTALLATION, AND
50 IMPLEMENTATION OF INFORMATION SYSTEMS AND APPLICATIONS THAT IN
51 TURN WILL BE LICENSED OR SOLD TO A SPECIFIC TARGET MARKET, BUT
52 DOES NOT INCLUDE THE CREATION OF A DISTRIBUTION METHOD FOR
53 EXISTING PRODUCTS AND SERVICES.".

54
55 Page 4, line 6, after "EQUITY SECURITY,", insert "A CONVERTIBLE DEBT
56 INVESTMENT,".

1 Page 5, line 12, strike "ENERGY; OR" and substitute "ENERGY
2 TECHNOLOGY; OR";

3
4 line 16, strike "TWO" and substitute "FIVE";

5
6 strike line 27.

7
8 Page 6, strike lines 1 through 3 and substitute the following:

9
10 "AN APPLICATION SHALL BE MADE IN THE MANNER AND FORM PRESCRIBED
11 BY THE OFFICE. THE OFFICE SHALL NOTE THE TIME AND DATE OF EACH
12 APPLICATION RECEIVED. IN ADDITION TO ANY OTHER REQUIREMENTS
13 ESTABLISHED BY THE OFFICE, THE APPLICATION SHALL INCLUDE:"

14
15 Page 8, line 19, strike "FIRST AND SECOND TAXABLE YEARS";

16
17 line 20, strike "AFTER THE INVESTMENT IS MADE;" and substitute
18 "TAXABLE YEAR DURING WHICH THE INVESTMENT IS MADE AND THE FIRST
19 TAXABLE YEAR THEREAFTER;"

20
21 line 22, strike "DOLLARS." and substitute "DOLLARS AND THE CREDIT MAY
22 BE AUTHORIZED FOR LATER TAXABLE YEARS AS SET FORTH IN PARAGRAPH
23 (b) OF SUBSECTION (4) OF THIS SECTION."

24
25 Page 9, line 21, strike "STAMPED ON THE APPLICATION BY THE OFFICE."
26 and substitute "THAT THE OFFICE RECEIVED THE APPLICATION.";

27
28 line 25, after "LIMIT.", add "IF AN APPLICATION IS NOT GRANTED BECAUSE
29 THE THREE MILLION DOLLAR LIMIT HAS BEEN EXCEEDED, THE OFFICE
30 SHALL AUTHORIZE THE CREDIT FOR THE NEXT TWO TAXABLE YEARS IN
31 WHICH THE LIMIT HAS NOT BEEN EXCEEDED."

32
33 Page 10, after line 14 insert the following:

34
35 "(6) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
36 CONTRARY, THE OFFICE SHALL NOT AUTHORIZE COLORADO INNOVATION
37 INVESTMENT TAX CREDITS FOR TAX YEARS COMMENCING ON OR AFTER
38 JANUARY 1, 2015."

39
40
41
42 **PRINTING REPORT**

43
44 The Chief Clerk reports the following bills have been correctly printed:
45 **HB09-1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191,**
46 **1192, 1193, 1194.**

47
48
49 On motion of Representative Weissmann, the following bills on the
50 General Orders for Friday will be laid over until February 2, 2009:
51 HB09-1019, 1018, 1078, 1082, 1099, 1161, 1052, 1091, 1101, 1007,
52 1056, 1116, 1005, 1024, 1079, 1148, 1045.

53
54
55 House in recess. House reconvened.
56

REPORTS OF COMMITTEES OF REFERENCE**FINANCE**

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

HB09-1041 be referred to the Committee of the Whole with favorable recommendation.

HB09-1068 be postponed indefinitely.

STATE, VETERANS, & MILITARY AFFAIRS

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

HB09-1083 be referred to the Committee of the Whole with favorable recommendation.

HB09-1088 be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE SENATE

The Senate has adopted and returns herewith: HJR09-1005.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HJR09-1005**.

INTRODUCTION OF BILLS
First Reading

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

HB09-1195 by Representative(s) Lambert, May; also Senator(s) Brophy, Lundberg, Harvey, King K., Renfroe, Spence--
Concerning the creation of an income tax credit for private school tuition.

Committee on Education
Committee on Finance

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

- 1 imposed on nursing facilities to fund innovation in
2 nursing home care.
3 Committee on Health and Human Services
4 Committee on Finance
5
- 6 **HB09-1197** by Representative(s) McNulty, Kerr J., Balmer,
7 Baumgardner, Frangas, Gardner C., Gerou, Looper, May,
8 Scanlan; also Senator(s) Harvey, Brophy, Kopp, Renfroe,
9 Spence--Concerning a requirement that the division of
10 housing report data regarding home foreclosures in the
11 state.
12 Committee on Local Government
13
- 14 **HB09-1198** by Representative(s) McGihon; also Senator(s) Morse--
15 Concerning the "Uniform Power of Attorney Act".
16 Committee on Judiciary
17
- 18 **HB09-1199** by Representative(s) Scanlan, Benefield, Curry,
19 Ferrandino, Gerou, Kerr A., King S., Levy, Massey,
20 Middleton, Nikkel, Roberts; also Senator(s) Gibbs--
21 Concerning increased efforts to address wildfire risk, and,
22 in connection therewith, providing resources to the
23 Colorado state forest service to augment its technical
24 outreach capabilities and provide loans and grants for
25 market-based and forest treatment solutions to reduce
26 wildfire risk.
27 Committee on Agriculture, Livestock, & Natural Resources
28
- 29 **HB09-1200** by Representative(s) Stephens, King S., Liston, Waller;
30 also Senator(s) Scheffel, King K., Kopp--Concerning a
31 requirement that the staff of the legislative council
32 consider certain factors relating to counties in the local
33 government impact section of a fiscal note.
34 Committee on State, Veterans, & Military Affairs
35
- 36 **HB09-1201** by Representative(s) Labuda, Lambert; also Senator(s)
37 Spence--Concerning a requirement that local governments
38 address the adverse effects of development in close
39 proximity to military installations in connection with land
40 use planning by the governments.
41 Committee on Local Government
42
- 43 **HB09-1202** by Representative(s) Todd, Benefield, Middleton, Ryden--
44 Concerning the regulation of persons who provide for the
45 final disposition of dead human bodies in the normal
46 course of business.
47 Committee on Business Affairs and Labor
48
- 49 **HB09-1203** by Representative(s) Tipton, Roberts; also Senator(s)
50 Isgar--Concerning the reclassification of Montezuma
51 county.
52 Committee on Local Government
53
- 54 **HB09-1204** by Representative(s) Massey, McGihon--Concerning
55 health insurance coverage for preventive health care
56 services, and, in connection therewith, expanding required

- 1 coverage for certain preventive health care services that
2 receive high recommendations from the United States
3 preventive services task force and the national
4 commission on prevention priorities.
5 Committee on Business Affairs and Labor
6
- 7 **HB09-1205** by Representative(s) Looper and Balmer, Apuan,
8 Baumgardner, Casso, Kerr J., Labuda, Lambert, McNulty,
9 Murray, Priola, Soper, Swalm, Todd, Vaad; also
10 Senator(s) Williams, Bacon, Boyd, Gibbs, Schultheis--
11 Concerning voting by members of the armed forces
12 serving outside the United States.
13 Committee on State, Veterans, & Military Affairs
14
- 15 **HB09-1206** by Representative(s) Lambert; also Senator(s) Lundberg--
16 Concerning an electronic currency backed by reserves of
17 precious metals.
18 Committee on State, Veterans, & Military Affairs
19
- 20 **HB09-1207** by Representative(s) Gardner C.; also Senator(s) Veiga--
21 Concerning procedures to enforce a lien related to real
22 property.
23 Committee on Judiciary
24
- 25 **HB09-1208** by Representative(s) Soper--Concerning the payment of
26 prevailing compensation for workers on public works.
27 Committee on Business Affairs and Labor
28
- 29 **HB09-1209** by Representative(s) Green--Concerning modifications to
30 health care coverage cooperatives.
31 Committee on Health and Human Services
32
- 33 **HB09-1210** by Representative(s) McGihon, Green, Peniston,
34 Middleton; also Senator(s) Carroll M.--Concerning the
35 requirement that private employers provide paid sick leave
36 to employees.
37 Committee on Business Affairs and Labor
38
- 39 **HB09-1211** by Representative(s) Gardner B.; also Senator(s) Boyd--
40 Concerning the establishment of a process for the
41 department of human services to authorize exemptions
42 from requirements on certain community centered boards
43 that are intended to improve efficiency while maintaining
44 quality services to persons with developmental
45 disabilities.
46 Committee on Health and Human Services
47
- 48 **HB09-1212** by Representative(s) Liston, Balmer, Gardner B., Kerr J.,
49 Looper, McFadyen, Rice, Scanlan, Stephens, Waller--
50 Concerning a temporary income tax credit for new single-
51 family residential home buyers.
52 Committee on Finance
53
- 54 **HB09-1213** by Representative(s) Gagliardi--Concerning the creation
55 of the housing development grant fund in the state
56 treasury to be administered by the division of housing for

1 purposes associated with increasing the supply of
 2 affordable housing in the state.
 3 Committee on Local Government
 4 Committee on Finance
 5

6 **HB09-1214** by Representative(s) Benefield, Massey, Middleton,
 7 Miklosi, Scanlan, Schafer S., Summers, Todd; also
 8 Senator(s) Bacon--Concerning education data reporting
 9 requirements.
 10 Committee on Education
 11

12 **HB09-1215** by Representative(s) Ferrandino, Pommer, Marostica; also
 13 Senator(s) Tapia, Keller, White--Concerning the creation
 14 of a stabilization fund to assist with the state's efforts to
 15 meet the federal maintenance of effort requirements for
 16 the state supplemental security income program.
 17 Committee on Finance
 18

20 INTRODUCTION OF RESOLUTIONS

21
 22 The following resolutions were read by title and laid over one day under
 23 the rules:
 24

25 **HJR09-1007** by Representative(s) Todd and Marostica, Balmer,
 26 Benefield, Carroll T., Casso, Gagliardi, Gardner B., Kerr
 27 A., Labuda, Lambert, Looper, May, McCann, Middleton,
 28 Miklosi, Peniston, Primavera, Priola, Rice, Riesberg,
 29 Ryden, Scanlan, Solano, Tipton, Waller, Weissmann; also
 30 Senator(s) Shaffer B.--Concerning recognition of Military,
 31 Veterans, and MIA/POW Appreciation Day.
 32

33 **HJR09-1008** by Representative(s) Apuan; also Senator(s) Schwartz--
 34 Concerning recognition of military personnel from
 35 Colorado who are serving in Operation Iraqi Freedom and
 36 Operation Enduring Freedom and honoring those who
 37 have died while serving their country in Iraq and
 38 Afghanistan.
 39

41 LAY OVER OF CALENDAR ITEMS

42
 43 On motion of Representative C. Gardner, the following items on the
 44 Calendar were laid over until January 30, retaining place on Calendar:
 45

46 Consideration of Resolutions--**HJR09-1004, 1006.**
 47

48
 49 On motion of Representative C. Gardner, the House adjourned until
 50 9:00 a.m., January 30, 2009.
 51

52
 53
 54 Attest:
 55 MARILYN EDDINS,
 56 Chief Clerk

Approved:
 TERRANCE D. CARROLL,
 Speaker

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

Twenty-fourth Legislative Day

Friday, January 30, 2009

1 Prayer by Chaplain Lieutenant Colonel Andrew Meverden, Colorado
2 Army National Guard.

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

5
6 Pledge of Allegiance led by Sean Doherty, Metropolitan State College,
7 Denver.

8
9 The roll was called with the following result:

10
11 Present--63.
12 Excused--Representatives A. Kerr, Liston--2.
13 Present after roll call--Representative A. Kerr.

14
15 The Speaker declared a quorum present.

16
17
18 On motion of Representative Baumgardner, the reading of the journal of
19 January 29, 2009, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21
22
23
24
25 **CONSIDERATION OF RESOLUTIONS**

26
27 On motion of Representative Weissmann, the rules were suspended for
28 immediate consideration of the following resolutions.

29
30 **HJR09-1007** by Representative(s) Todd and Marostica, Balmer,
31 Benefield, Carroll T., Casso, Gagliardi, Gardner B., Kerr
32 A., Labuda, Lambert, Looper, May, McCann, Middleton,
33 Miklosi, Peniston, Primavera, Priola, Rice, Riesberg,
34 Ryden, Scanlan, Solano, Tipton, Waller, Weissmann; also
35 Senator(s) Shaffer B.--Concerning recognition of Military,
36 Veterans, and MIA/POW Appreciation Day.

37
38 (Printed and placed in member's file)

39
40 Representative Todd moved that the resolution be adopted and requested
41 that it be read at length.

42
43

1 Amendment No. 1, moved by Representative Marostica.

2

3 Amend printed joint resolution, page 2, line 29, after "Wing;", insert "the
4 United States Air Force Academy, the Air Reserve Personnel Center,
5 Peterson Air Force Base,".

6

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

8

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

11

12 Co-sponsors added: Current Roll Call of the House.

13

14

15 **HJR09-1006** by Representative(s) McFadyen, Massey, Pace, Vigil; also
16 Senator(s) Tapia, Kester--Concerning the U.S.S. Pueblo.

17

18 (Printed and placed in member's file)

19

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

22

23 Co-sponsors added: Current Roll Call of the House.

24

25

26 On motion of Representative Weissmann, the rules were suspended for
27 the purpose of allowing members of the Colorado Senate to speak.

28

29

30

House in recess. House reconvened.

31

32

33

34 **HJR09-1008** by Representative(s) Apuan; also Senator(s) Schwartz--
35 Concerning recognition of military personnel from
36 Colorado who are serving in Operation Iraqi Freedom and
37 Operation Enduring Freedom and honoring those who
38 have died while serving their country in Iraq and
39 Afghanistan.

40

41 (Printed and placed in member's file)

42

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

45

46 Co-sponsors added: Current Roll Call of the House.

47

48

49

50

51

House in recess. House reconvened.

52

53

54

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56

REPORTS OF COMMITTEES OF REFERENCE**EDUCATION**

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

HB09-1065 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 6, line 26, strike "IN ANY WAY TO EVALUATE OR" and substitute "TO NEGATIVELY" and, after the period, add "THE USE OF INFORMATION THAT SCHOOL DISTRICTS OBTAIN FROM ANY OTHER SOURCE SHALL NOT BE RESTRICTED BY THE PROVISIONS OF THIS PARAGRAPH (a).".

Page 7, line 3, after "PREPARATION", insert "OR PROFESSIONAL DEVELOPMENT";

line 22, strike "UNTIL SUCH TIME AS THERE ARE";

strike line 23 and substitute "IF SUFFICIENT MONEYS TO COVER THE COSTS OF IMPLEMENTATION HAVE NOT BEEN RECEIVED AND CREDITED TO THE FUND BY AUGUST 1, 2009,";

line 24, strike "IMPLEMENTATION,";

line 25, after the period, add "NO GENERAL FUND MONEYS SHALL BE APPROPRIATED FOR THE IMPLEMENTATION OF THIS ARTICLE.".

HB09-1128 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 3, line 6, after "(1)", insert "(a)";

line 7, strike "A" and substitute "AN ACCREDITED";

after line 12, insert the following:

"(b) NOTHING IN THIS SECTION SHALL REQUIRE A DENTIST WHO APPEARS IN A PROGRAM OF DENTAL EDUCATION OR RESEARCH, AS DESCRIBED IN SECTION 12-35-115 (1) (f), TO OBTAIN AN ACADEMIC LICENSE PURSUANT TO THIS SECTION.";

line 22, after "THE", insert "ACCREDITED";

line 26, after "THE", insert "ACCREDITED".

1 **FINANCE**

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

4
5 **HB09-1093** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend printed bill, page 2, after line 22, insert the following:

10
11 "SECTION 2. 39-22-501, Colorado Revised Statutes, is amended
12 to read:

13
14 **39-22-501. Taxation of regulated investment companies.**

15 (1) (a) FOR PURPOSES OF THIS ARTICLE, A "REGULATED INVESTMENT
16 COMPANY" SHALL HAVE THE SAME MEANING AS SET FORTH IN SECTION 851
17 OF THE INTERNAL REVENUE CODE.

18
19 (b) ~~In the case of a corporation which qualifies as a "regulated~~
20 ~~investment company" under the provisions of the internal revenue code,~~
21 For purposes of this article, the "net income" of ~~such corporation~~ A
22 REGULATED INVESTMENT COMPANY in each year in which ~~such~~ THE
23 corporation is taxed as a regulated investment company for federal
24 income tax purposes shall be the "investment company taxable income"
25 of such corporation, adjusted as provided in section 39-22-304 (2) and
26 (3).

27
28 (2) (a) FOR PURPOSES OF THIS ARTICLE, A "CAPTIVE REGULATED
29 INVESTMENT COMPANY" MEANS A REGULATED INVESTMENT COMPANY OF
30 WHICH THE SHARES OR BENEFICIAL INTERESTS ARE NOT REGULARLY
31 TRADED ON AN ESTABLISHED SECURITIES MARKET AND OF WHICH MORE
32 THAN FIFTY PERCENT OF THE VOTING POWER OR VALUE OF THE BENEFICIAL
33 INTERESTS OR SHARES ARE OWNED OR CONTROLLED, DIRECTLY,
34 INDIRECTLY, OR CONSTRUCTIVELY, BY A SINGLE ENTITY THAT IS:

35
36 (I) TREATED AS AN ASSOCIATION TAXABLE AS A CORPORATION
37 UNDER THE INTERNAL REVENUE CODE; AND

38
39 (II) NOT EXEMPT FROM FEDERAL INCOME TAX PURSUANT TO THE
40 PROVISIONS OF SECTION 501 (a) OF THE INTERNAL REVENUE CODE.";

41
42 (b) ANY VOTING STOCK IN A REGULATED INVESTMENT COMPANY
43 THAT IS HELD IN A SEGREGATED ASSET ACCOUNT OF A LIFE INSURANCE
44 CORPORATION, AS DESCRIBED IN SECTION 817 OF THE INTERNAL REVENUE
45 CODE, SHALL NOT BE TAKEN INTO ACCOUNT FOR PURPOSES OF
46 DETERMINING WHETHER A REGULATED INVESTMENT COMPANY IS A
47 CAPTIVE REGULATED INVESTMENT COMPANY."

48
49 Renumber succeeding sections accordingly.

50
51 Page 3, line 26, strike "A" and substitute "SUCH".

52
53 Page 6, line 18, strike "REPORTABLE";

54
55 line 25, strike "INVOLVING" and substitute "BETWEEN";

56

1 line 26, strike "39-22-503 (2);" and substitute "39-22-503 (2) AND ITS
2 MORE THAN FIFTY PERCENT BENEFICIAL OWNER AS DESCRIBED IN SECTION
3 39-22-503 (2) (a).";

4
5 strike line 27.

6
7 Page 7, strike line 1 and substitute the following:

8
9 "(c) A TRANSACTION BETWEEN A CAPTIVE REGULATED
10 INVESTMENT COMPANY AS DEFINED IN SECTION 39-22-501 (2) AND ITS
11 MORE THAN FIFTY PERCENT BENEFICIAL OWNER AS DESCRIBED IN SECTION
12 39-22-501 (2) (a).";

13
14 line 6, strike "(6)." and substitute "(6) BUT SHALL NOT INCLUDE ANY
15 TRANSACTIONS SPECIFICALLY EXCLUDED BY THE INTERNAL REVENUE
16 SERVICE.";

17
18 line 7, after "**reportable**", insert "**or listed**";

19
20 line 10, after "REPORTABLE", insert "OR LISTED";

21
22 line 12, after "REPORTABLE", insert "OR LISTED";

23
24 line 13, strike "STATEMENT." and substitute "STATEMENT AS SPECIFIED IN
25 SUBSECTION (5) OF THIS SECTION.";

26
27 strike lines 14 through 21.

28
29 Renumber succeeding subsections accordingly.

30
31 Page 7, line 22, after "IN", insert "OR HAS PARTICIPATED IN" and, after
32 "REPORTABLE", insert "OR LISTED";

33
34 line 26, strike "REQUIRED IN SUBSECTION (2)" and substitute "SPECIFIED
35 IN SUBSECTION (5)";

36
37 line 27, after "REPORTABLE", insert "OR LISTED".

38
39 Page 8, strike lines 1 through 8 and substitute the following:

40
41 "(4) (a) ANY STATEMENT THAT IS REQUIRED TO BE FILED OR
42 DISCLOSURE REQUIRED TO BE MADE BY THIS SECTION WITH RESPECT TO
43 ANY TAX YEAR FOR WHICH THE RETURN HAS ALREADY BEEN FILED BY A
44 DATE SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION AND THAT
45 IS FILED OR MADE PRIOR TO OR TOGETHER WITH THE TAXPAYER'S NEXT
46 FILED RETURN SHALL BE CONSIDERED TIMELY FILED OR MADE.

47
48 (b) ANY STATEMENT THAT IS REQUIRED TO BE FILED OR
49 DISCLOSURE REQUIRED TO BE MADE BY THIS SECTION WITH RESPECT TO
50 ANY TAX YEAR THE RETURN FOR WHICH HAS NOT BEEN FILED BY A DATE
51 SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION AND THAT IS
52 FILED OR MADE ON OR BEFORE JULY 1, 2010, SHALL BE CONSIDERED
53 TIMELY FILED OR MADE.

54
55 (c) THE STATUTE OF LIMITATIONS WITH RESPECT TO ANY RETURN
56 FOR WHICH A STATEMENT IS REQUIRED TO BE FILED OR DISCLOSURE

1 REQUIRED TO BE MADE BY THIS SECTION SHALL BE TOLLED FROM THE
2 EFFECTIVE DATE OF THIS SECTION UNTIL SUCH STATEMENT OR DISCLOSURE
3 IS FILED OR MADE, BUT IN NO EVENT SHALL THE STATUTE OF LIMITATIONS
4 BE TOLLED FOR MORE THAN TWENTY-FOUR MONTHS.

5
6 (5) (a) WITH RESPECT TO ANY REPORTABLE TRANSACTION OR WITH
7 RESPECT TO ANY LISTED TRANSACTION AS SPECIFIED IN SECTION 39-22-652
8 (5) (a), THE TAXPAYER SHALL, AT THE TAXPAYER'S DISCRETION, FILE WITH
9 THE TAXPAYER'S NEXT FILED RETURN A COPY OF THE FEDERAL DISCLOSURE
10 FORM OR A FORM SPECIFIED BY THE DEPARTMENT.

11
12 (b) WITH RESPECT TO ANY LISTED TRANSACTION NOT SPECIFIED IN
13 SECTION 39-22-652 (5) (a), THE DEPARTMENT MAY SPECIFY THE FORM AND
14 MANNER OF ANY STATEMENT REQUIRED TO BE FILED OR DISCLOSURE
15 REQUIRED TO BE MADE, WHICH STATEMENT SHALL BE FILED WITH THE
16 TAXPAYER'S NEXT FILED RETURN.

17
18 **39-22-654. Additional listed transactions - report.** (1) THE
19 DEPARTMENT SHALL SUBMIT A REPORT TO THE FINANCE COMMITTEES OF
20 THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR
21 COMMITTEES, BY JANUARY 31, 2010, AND ON OR BEFORE EVERY JANUARY
22 31 THEREAFTER, ITS RECOMMENDATION FOR THE INCLUSION OF ANY
23 ADDITIONAL LISTED TRANSACTIONS FOR PURPOSES OF THIS SUBPART 2.

24
25 (2) THE DEPARTMENT SHALL CONSULT WITH ANY INTERESTED
26 PARTIES PRIOR TO THE SUBMISSION OF THE REPORT AS SPECIFIED IN
27 SUBSECTION (1) OF THIS SECTION."

28
29 Renumber succeeding C.R.S. sections accordingly.

30
31 Page 8, line 9, after "**reportable**", insert "**or listed**";

32
33 line 22, after "REPORTABLE", insert "OR LISTED";

34
35 line 25, after "**reportable**", insert "**or listed**";

36
37 line 26, strike "DISCLOSE A" and substitute "DISCLOSE ANY";

38
39 line 27, after "REPORTABLE", insert "OR LISTED".

40
41 Page 9, line 1, strike "DEPARTMENT." and substitute "DEPARTMENT
42 WITHIN SIX MONTHS OF EACH TRANSACTION.";

43
44 line 4, after "REPORTABLE", insert "OR LISTED";

45
46 line 14, after "REPORTABLE", insert "OR LISTED";

47
48 line 18, after "REPORTABLE", insert "OR LISTED".

49
50 Page 10, line 18, after "REPORTABLE", insert "OR LISTED";

51
52 line 19, strike "39-22-655 (1) (a)" and substitute "39-22-656 (1) (a)";

53
54 line 22, after "REPORTABLE", insert "OR LISTED", and strike "39-22-655
55 (1)" and substitute "39-22-656 (1)";

56

1 line 24, strike "THE PENALTY SHALL BE" and substitute "THEN AN
2 ADDITIONAL PENALTY SHALL BE IMPOSED OF";

3

4 line 26, strike "39-22-656 (1)" and substitute "39-22-657 (1)".

5

6

7

8

9 **HEALTH & HUMAN SERVICES**

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

12

13 **HB09-1004** be referred to the Committee of the Whole with favorable
14 recommendation.

15

16

17 **HB09-1086** be amended as follows, and as so amended, be referred to
18 the Committee on Appropriations with favorable
19 recommendation:

20

21 Amend printed bill, page 2, line 4, strike "board" and substitute "board,";

22

23 line 5, strike "DIRECTOR, AS APPROPRIATE," and substitute "DIRECTOR
24 PURSUANT TO THE AUTHORITY SPECIFIED IN PART 8 OF THIS ARTICLE,";

25

26 line 13, strike "board OR DIRECTOR" and substitute "board, OR THE
27 DIRECTOR PURSUANT TO THE AUTHORITY SPECIFIED IN PART 8 OF THIS
28 ARTICLE,".

29

30 Page 3, line 16, strike "ASSESSMENT" and substitute "A
31 SELF-ASSESSMENT";

32

33 line 21, after "SKILLS", insert "THROUGH DOCUMENTATION OF
34 ACTIVITIES";

35

36 line 22, strike "A" and substitute "AT LEAST";

37

38 line 23, after "PROFESSION.", add "NOTHING IN THIS SUBPARAGRAPH (III)
39 SHALL REQUIRE A LICENSED CLINICAL SOCIAL WORKER OR A LICENSED
40 SOCIAL WORKER TO RETAKE ANY EXAMINATION REQUIRED PURSUANT TO
41 SECTION 12-43-404 IN CONNECTION WITH INITIAL LICENSURE.".

42

43 Page 5, line 7, strike "ASSESSMENT" and substitute "A
44 SELF-ASSESSMENT";

45

46 line 12, after "SKILLS", insert "THROUGH DOCUMENTATION OF
47 ACTIVITIES";

48

49 line 13, strike "A" and substitute "AT LEAST";

50

51 line 14, after "PROFESSION.", add "NOTHING IN THIS SUBPARAGRAPH (III)
52 SHALL REQUIRE A LICENSED MARRIAGE AND FAMILY THERAPIST TO RETAKE
53 ANY EXAMINATION REQUIRED PURSUANT TO SECTION 12-43-504 IN
54 CONNECTION WITH INITIAL LICENSURE.".

55

56

1 Page 6, line 22, strike "ASSESSMENT" and substitute "A
2 SELF-ASSESSMENT";

3
4 line 26, after "SKILLS", insert "THROUGH DOCUMENTATION OF
5 ACTIVITIES";

6
7 line 27, strike "A" and substitute "AT LEAST".

8
9 Page 7, line 1, after "PROFESSION.", add "NOTHING IN THIS
10 SUBPARAGRAPH (III) SHALL REQUIRE A LICENSED PROFESSIONAL
11 COUNSELOR TO RETAKE ANY EXAMINATION REQUIRED PURSUANT TO
12 SECTION 12-43-603 IN CONNECTION WITH INITIAL LICENSURE.".

13
14 Page 8, line 7, after "WITH", insert "THE ALCOHOL AND DRUG ABUSE
15 DIVISION IN THE DEPARTMENT OF HUMAN SERVICES AND OTHER";

16
17 line 10, strike "ASSESSMENT" and substitute "A SELF-ASSESSMENT";

18
19 line 15, after "SKILLS", insert "THROUGH DOCUMENTATION OF
20 ACTIVITIES";

21
22 line 16, strike "A" and substitute "AT LEAST";

23
24 line 17, after "PROFESSION.", add "NOTHING IN THIS SUBPARAGRAPH (III)
25 SHALL REQUIRE A LICENSED OR LEVEL II OR LEVEL III CERTIFIED
26 ADDICTION COUNSELOR TO RETAKE ANY EXAMINATION REQUIRED
27 PURSUANT TO SECTION 12-43-804 IN CONNECTION WITH INITIAL
28 LICENSURE OR CERTIFICATION.".

29
30
31
32 **HB09-1139** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:

35
36 Amend printed bill, page 3, line 23, strike "JUNE 1," and substitute
37 "AUGUST 30," and, strike "DIRECTOR," and substitute "DIRECTOR OF THE
38 DEPARTMENT OF HUMAN SERVICES,".

39
40 Page 4, line 11, strike "PARENTS" and substitute "PARENTS, FOSTER
41 PARENTS, OR LEGAL GUARDIANS";

42
43 line 15, strike "JULY" and substitute "SEPTEMBER";

44
45 line 21, strike "AUGUST" and substitute "OCTOBER".

46
47 Page 5, line 1, strike "NOVEMBER" and substitute "DECEMBER";

48
49 strike lines 10 through 12 and substitute the following:

50
51 **"SECTION 3. Act subject to petition - effective date.** This act
52 shall take effect at 12:01 a.m. on the day following the expiration of the
53 ninety-day period after final adjournment of the general assembly that is
54 allowed for submitting a referendum petition pursuant to article V,
55 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
56 sine die is on May 6, 2009); except that, if a referendum petition is filed

1 against this act or an item, section, or part of this act within such period,
2 then the act, item, section, or part, if approved by the people, shall take
3 effect on the date of the official declaration of the vote thereon by
4 proclamation of the governor."
5

6

7

8

9

JUDICIARY

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

12

13 **HB09-1049** be postponed indefinitely.

14

15

16 **HB09-1080** be referred to the Committee of the Whole with favorable
17 recommendation.

18

19

20 **HB09-1081** be amended as follows, and as so amended, be referred to
21 the Committee on Appropriations with favorable
22 recommendation:

23

24 Amend printed bill, page 2, line 19, strike "HOMICIDE:" and substitute
25 "HOMICIDE AND LEAVING THE SCENE OF AN ACCIDENT THAT RESULTED IN
26 THE DEATH OF A PERSON:".

27

28

29

30 **HB09-1090** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:

33

34 Amend printed bill, page 2, line 7, strike "EITHER ORALLY OR IN
35 WRITING";

36

37 line 8, before ""ASL-ENGLISH", insert ""DEAF INTERPRETER",";

38

39 line 9, after the first "INTERPRETER",", insert ""AMERICAN SIGN
40 LANGUAGE (ASL) INTERPRETER", "TRANSLITERATOR",";

41

42 line 10, strike "OR" and substitute ""CERTIFIED DEAF INTERPRETER",";

43

44 line 11, after "INTERPRETER",", insert ""CERTIFIED AMERICAN SIGN
45 LANGUAGE (ASL) INTERPRETER", OR "CERTIFIED TRANSLITERATOR", and,
46 strike "CERTIFICATE OF" and substitute "MEMBERSHIP CARD";

47

48 line 12, strike "COMPETENCE";

49

50 line 13, strike "CERTIFICATE" and substitute "MEMBERSHIP CARD";

51

52 line strike line 14;

53

54 line 15, strike everything before "MADE".

55

56

1 **HB09-1120** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Amend printed bill, page 2, strike lines 2 through 21.
6

7 Page 3, strike lines 1 through 20 and substitute the following:
8

9 "SECTION 1. 18-3-204, Colorado Revised Statutes, is amended
10 to read:
11

12 **18-3-204. Assault in the third degree.** (1) A person commits
13 the crime of assault in the third degree if:
14

15 (a) The person knowingly or recklessly causes bodily injury to
16 another person or with criminal negligence the person causes bodily
17 injury to another person by means of a deadly weapon; OR
18

19 (b) THE PERSON, WITH INTENT TO INFECT, INJURE, HARM, HARASS,
20 ANNOY, THREATEN, OR ALARM ANOTHER PERSON WHOM THE ACTOR
21 KNOWS OR REASONABLY SHOULD KNOW TO BE A PEACE OFFICER,
22 FIREFIGHTER, OR AN EMERGENCY MEDICAL TECHNICIAN, CAUSES SUCH
23 OTHER PERSON TO COME INTO CONTACT WITH BLOOD, SEMINAL FLUID,
24 URINE, FECES, SALIVA, MUCUS, VOMIT, OR ANY TOXIC, CAUSTIC, OR
25 HAZARDOUS MATERIAL BY ANY MEANS, INCLUDING BUT NOT LIMITED TO
26 THROWING, TOSSING, OR EXPELLING SUCH FLUID OR MATERIAL.
27

28 (2) (a) AN ADULT OR JUVENILE WHO HAS HAD A COURT FIND THAT
29 THERE IS PROBABLE CAUSE TO BELIEVE THAT HE OR SHE HAS COMMITTED
30 AN OFFENSE PURSUANT TO PARAGRAPH (b) OF SUBSECTION (1) OF THIS
31 SECTION OR IS CONVICTED OF AN OFFENSE PURSUANT TO PARAGRAPH (b)
32 OF SUBSECTION (1) OF THIS SECTION OR ANY PERSON WHO IS DETERMINED
33 TO HAVE PROVIDED BLOOD, SEMINAL FLUID, URINE, FECES, SALIVA, MUCUS,
34 OR VOMIT TO A PERSON FOR WHOM PROBABLE CAUSE HAS BEEN FOUND OR
35 BEEN CONVICTED OF SUCH AN OFFENSE SHALL BE ORDERED BY THE COURT
36 TO SUBMIT TO A MEDICAL TEST FOR COMMUNICABLE DISEASES AND TO
37 SUPPLY BLOOD, FECES, URINE, SALIVA, OR OTHER BODILY FLUID REQUIRED
38 FOR THE TEST. THE RESULTS OF SUCH TEST SHALL BE REPORTED TO THE
39 COURT OR THE COURT'S DESIGNEE, WHO SHALL THEN DISCLOSE THE
40 RESULTS TO ANY VICTIM OF THE OFFENSE WHO REQUESTS SUCH
41 DISCLOSURE. REVIEW AND DISCLOSURE OF MEDICAL TEST RESULTS BY THE
42 COURT SHALL BE CLOSED AND CONFIDENTIAL, AND ANY TRANSACTION
43 RECORDS RELATING THERETO SHALL ALSO BE CLOSED AND CONFIDENTIAL.
44 IF A PERSON SUBJECT TO A MEDICAL TEST FOR COMMUNICABLE DISEASES
45 PURSUANT THIS SUBSECTION (2) VOLUNTARILY SUBMITS TO A MEDICAL
46 TEST FOR COMMUNICABLE DISEASES, THE FACT OF THE PERSON'S
47 VOLUNTARY SUBMISSION SHALL BE ADMISSIBLE IN MITIGATION OF
48 SENTENCE IF THE PERSON IS CONVICTED OF THE CHARGED OFFENSE.
49

50 (b) IN ADDITION TO ANY OTHER PENALTY PROVIDED BY LAW, THE
51 COURT MAY ORDER ANY PERSON WHO IS CONVICTED OF THE OFFENSE
52 DESCRIBED IN PARAGRAPH (b) OF THIS SUBSECTION (1) OF THIS SECTION TO
53 MEET ALL OR ANY PORTION OF THE FINANCIAL OBLIGATIONS OF MEDICAL
54 TESTS PERFORMED ON AND TREATMENT PRESCRIBED FOR THE VICTIM OR
55 VICTIMS OF THE OFFENSE.
56

1 (3) Assault in the third degree is a class 1 misdemeanor and is an
2 extraordinary risk crime that is subject to the modified sentencing range
3 specified in section 18-1.3-501 (3).
4

5 **SECTION 2.** 18-1.3-501, Colorado Revised Statutes, is amended
6 to read:
7

8 **18-1.3-501. Misdemeanors classified - penalties.** (1.5) (a) If a
9 defendant is convicted of assault in the third degree pursuant to section
10 18-3-204 and the victim is a peace officer, EMERGENCY MEDICAL
11 TECHNICIAN, or firefighter engaged in the performance of his or her
12 duties, notwithstanding the provisions of subsection (1) of this section,
13 the court shall sentence the defendant to a term of imprisonment greater
14 than the maximum sentence but no more than twice the maximum
15 sentence authorized for the same crime when the victim is not a peace
16 officer or firefighter engaged in the performance of his or her duties. In
17 addition to such term of imprisonment, the court may impose a fine on the
18 defendant pursuant to subsection (1) of this section.
19

20 (b) As used in this section, "peace officer, EMERGENCY MEDICAL
21 TECHNICIAN, or firefighter engaged in the performance of his or her
22 duties" means a peace officer as described in section 16-2.5-101, C.R.S.,
23 EMERGENCY MEDICAL TECHNICIAN AS DEFINED IN PART 1 OF ARTICLE 3.5
24 OF TITLE 25, C.R.S., or a firefighter as defined in section 18-3-201 (1),
25 who is engaged or acting in, or who is present for the purpose of engaging
26 or acting in, the performance of any duty, service, or function imposed,
27 authorized, required, or permitted by law to be performed by a peace
28 officer, EMERGENCY MEDICAL TECHNICIAN, or firefighter, whether or not
29 the peace officer, EMERGENCY MEDICAL TECHNICIAN, or firefighter is
30 within the territorial limits of his or her jurisdiction, if the peace officer,
31 EMERGENCY MEDICAL TECHNICIAN, or firefighter is in uniform or the
32 person committing an assault upon or offense against or otherwise acting
33 toward such peace officer, EMERGENCY MEDICAL TECHNICIAN, or
34 firefighter knows or reasonably should know that the victim is a peace
35 officer, EMERGENCY MEDICAL TECHNICIAN, or firefighter or if the peace
36 officer or firefighter is intentionally assaulted in retaliation for the
37 performance of his or her official duties."
38

39 Renumber succeeding sections accordingly.
40
41
42
43

44 **LOCAL GOVERNMENT**

45 After consideration on the merits, the Committee recommends the
46 following:
47

48 **HB09-1130** be amended as follows, and as so amended, be referred to
49 the Committee on Appropriations with favorable
50 recommendation:
51

52 Amend printed bill, strike everything below the enacting clause and
53 substitute the following:
54

55 **"SECTION 1.** 29-2-106 (1), Colorado Revised Statutes, is
56 amended to read:

1 **29-2-106. Collection - administration - enforcement.** (1) The
2 collection, administration, and enforcement of any countywide or any city
3 or town sales tax adopted pursuant to this article shall be performed by
4 the executive director of the department of revenue in the same manner
5 as the collection, administration, and enforcement of the Colorado state
6 sales tax. Unless otherwise provided in this article, the provisions of
7 article 26 of title 39, C.R.S., shall govern the collection, administration,
8 and enforcement of sales taxes authorized under this article. IN
9 COLLECTING, ADMINISTERING, AND ENFORCING A SALES TAX AUTHORIZED
10 UNDER THIS ARTICLE, THE STATE SALES TAX AUTHORIZED UNDER PART 1
11 OF ARTICLE 26 OF TITLE 39, C.R.S., OR ANY OTHER SALES TAX IMPOSED
12 WITHIN THE BOUNDARIES OF A COUNTY, THE EXECUTIVE DIRECTOR OF THE
13 DEPARTMENT OF REVENUE MAY ENTER INTO AN INTERGOVERNMENTAL
14 AGREEMENT WITH A COUNTY PURSUANT TO THE PROVISIONS OF SECTION
15 39-26-1212.5, C.R.S., TO ENHANCE SYSTEMIC EFFICIENCIES IN THE
16 COLLECTION OF SUCH TAXES.

17
18 **SECTION 2.** Part 1 of article 26 of title 39, Colorado Revised
19 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
20 read:

21
22 **39-26-122.5. Collection of sales tax - enhanced efficiencies -**
23 **intergovernmental agreements with local governments - legislative**
24 **declaration.** (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES
25 THAT:

26
27 (a) IT IS IN THE BEST INTEREST OF THE STATE, LOCAL
28 GOVERNMENTS, AND TAXPAYERS TO HAVE SALES TAX COLLECTED IN THE
29 MOST EFFICIENT AND EFFECTIVE MANNER FEASIBLE;

30
31 (b) SALES TAXES CAN BE ADMINISTERED AND COLLECTED MOST
32 EFFICIENTLY WHEN THE GOVERNMENTAL ENTITIES THAT COLLECT THE
33 TAXES COOPERATE AND SHARE RESPONSIBILITIES TO COLLECT AND
34 DISTRIBUTE REVENUES FROM THE TAXES;

35
36 (c) THE ADMINISTRATIVE BURDEN ON TAXPAYERS IS LESSENED
37 WHEN GOVERNMENTAL ENTITIES COOPERATE AND AGREE ON THE
38 PROCESSES USED TO ADMINISTER AND COLLECT SALES TAXES;

39
40 (d) BROAD AUTHORITY AND PRECEDENT EXIST FOR
41 GOVERNMENTAL ENTITIES TO OPERATE MORE EFFICIENTLY AND
42 EFFECTIVELY BY CONTRACTING WITH EACH OTHER TO COOPERATE IN
43 CARRYING OUT THEIR RESPECTIVE RESPONSIBILITIES;

44
45 (e) THE PURPOSE OF THIS SECTION IS TO ENCOURAGE THE STATE TO
46 WORK COOPERATIVELY WITH COUNTIES AND OTHER LOCAL GOVERNMENTS
47 IN THE ADMINISTRATION AND COLLECTION OF SALES TAXES IN THE STATE
48 TO ENHANCE EFFICIENCIES AND PROCEDURES FOR THE BENEFIT OF BOTH
49 THE DEPARTMENT OF REVENUE AND LOCAL GOVERNMENTS.

50
51 (2) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE
52 MAY ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH ANY
53 COUNTY FOR THE PURPOSE OF ENHANCING THE SYSTEMIC EFFICIENCIES
54 AND PROCEDURES USED IN THE COLLECTION OF STATE AND LOCAL SALES
55 TAXES. SUCH AGREEMENT SHALL BE ENTERED INTO ON BEHALF OF AND
56 FOR THE BENEFIT OF BOTH THE COUNTY AND THE DEPARTMENT. IN

1 ADDITION, A MUNICIPALITY MAY BE INCLUDED AS A PARTY TO THE
2 AGREEMENT TO FURTHER THE SAME EFFICIENCIES AND PROCEDURES TO BE
3 ENHANCED BY THE AGREEMENT BETWEEN THE EXECUTIVE DIRECTOR AND
4 A COUNTY. THE AGREEMENT MAY ALLOW THE PARTIES TO SHARE IN
5 PROVIDING ANY FUNCTION OR SERVICE LAWFULLY AUTHORIZED TO EACH
6 OF THE PARTIES, INCLUDING THE SHARING OF COSTS, INFORMATION, OR
7 DUTIES RELATED TO THE COLLECTION OF SALES TAXES WITHIN THE
8 BOUNDARIES OF THE COUNTY.

9
10 (3) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE
11 SHALL ANNUALLY PROVIDE INFORMATION TO THE FINANCE COMMITTEES
12 OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
13 COMMITTEES, ON ANY AGREEMENTS ENTERED INTO IN ACCORDANCE WITH
14 THE PROVISIONS OF THIS SECTION AND ANY ENHANCED EFFECTIVENESS OR
15 PROCEDURES THAT HAVE BEEN ACHIEVED AS RESULT OF THE AGREEMENTS.
16 SUCH INFORMATION SHALL BE INCORPORATED INTO AN EXISTING REPORT
17 PROVIDED ON ANNUAL BASIS BY THE EXECUTIVE DIRECTOR TO THE
18 COMMITTEES.

19
20 **SECTION 3. Act subject to petition - effective date.** This act
21 shall take effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly that is
23 allowed for submitting a referendum petition pursuant to article V,
24 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
25 sine die is on May 6, 2009); except that, if a referendum petition is filed
26 against this act or an item, section, or part of this act within such period,
27 then the act, item, section, or part, if approved by the people, shall take
28 effect on the date of the official declaration of the vote thereon by
29 proclamation of the governor."

30
31
32
33 **HB09-1131** be postponed indefinitely.

34
35
36 **HB09-1135** be amended as follows, and as so amended, be referred to
37 the Committee of the Whole with favorable
38 recommendation:

39
40 Amend printed bill, page 2, strike lines 2 through 25.

41
42 Strike page 3.

43
44 Page 4, strike line 1 and substitute the following:

45
46 "SECTION 1. 30-1-102, Colorado Revised Statutes, is amended
47 BY THE ADDITION OF A NEW SUBSECTION to read:

48
49 **30-1-102. Fees of county treasurer.** (4) THE AMOUNT OF EACH
50 FEE SET FORTH IN THIS SECTION SHALL";

51
52 line 2, strike "JANUARY 1, 2010, AND ON JANUARY 1" and substitute "JULY
53 1, 2010, AND ON JULY 1";

54
55 line 10, strike "UP" and substitute "DOWN";

56

1 line 14, strike "JULY 1" and substitute "JANUARY 1";

2

3 strike lines 16 through 27.

4

5 Strike page 5.

6

7 Page 6, strike lines 1 through 3 and substitute the following:

8

9 "SECTION 2. 30-1-103 (4), Colorado Revised Statutes, is
10 amended, and the said 30-1-103 is further amended BY THE ADDITION
11 OF A NEW SUBSECTION, to read:

12

13 **30-1-103. Fees of county clerk and recorders.** (4) Documents
14 containing multiple grants, notices, assignments, or releases of leases,
15 deeds of trust, mortgages, or liens, or other instruments that require
16 multiple entries in the grantor or grantee index THAT ARE NOT A SINGLE
17 TRANSACTION BETWEEN THE PARTIES, BUT PURPORT TO AFFECT MULTIPLE
18 DISPARATE INTERESTS AND PARTIES, shall incur an additional fee of five
19 dollars for each ~~such~~ entry in excess of ~~one~~ TWO GRANTORS AND TWO
20 GRANTEES, NOT TO EXCEED FOUR, per document. NO ADDITIONAL FEE
21 SHALL BE INCURRED FOR A GRANTOR OR GRANTEE WHO IS IDENTIFIED IN
22 THE DOCUMENT BY MORE THAN ONE NAME OR TITLE.

23

24 (5) THE AMOUNT OF EACH FEE SET FORTH IN THIS SECTION SHALL";

25

26 line 4, strike "JANUARY 1, 2010, AND ON JANUARY 1" and substitute "JULY
27 1, 2010, AND ON JULY 1";

28

29 line 12, strike "UP" and substitute "DOWN";

30

31 line 16, strike "JULY 1" and substitute "JANUARY 1";

32

33 strike lines 18 through 27.

34

35 Strike pages 7 through 12.

36

37 Page 13, strike lines 1 through 12 and substitute the following:

38

39 "SECTION 3. 30-1-104, Colorado Revised Statutes, is amended
40 BY THE ADDITION OF A NEW SUBSECTION to read:

41

42 **30-1-104. Fees of sheriff.** (3) THE AMOUNT OF EACH FEE SET
43 FORTH IN THIS SECTION SHALL";

44

45 line 13, strike "JANUARY 1, 2010, AND ON JANUARY 1" and substitute
46 "JULY 1, 2010, AND ON JULY 1";

47

48 line 21, strike "UP" and substitute "DOWN";

49

50 line 25, strike "JULY 1" and substitute "JANUARY 1".

51

52

53

54

55

1 **TRANSPORTATION & ENERGY**

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

4
5 **HB09-1026** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:

8
9 Amend printed bill, page 5, line 27, strike "A NEW SUBSECTION," and
10 substitute "THE FOLLOWING NEW SUBSECTIONS,".

11
12 Page 6, after line 2, insert the following:

13
14 "(28.5) "ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE" OR
15 "EPAMD" MEANS A SELF-BALANCING, NONTANDEM TWO-WHEELED
16 DEVICE, DESIGNED TO TRANSPORT ONLY ONE PERSON, THAT IS POWERED
17 SOLELY BY AN ELECTRIC PROPULSION SYSTEM PRODUCING AN AVERAGE
18 POWER OUTPUT OF NO MORE THAN SEVEN HUNDRED FIFTY WATTS."

19
20 Page 8, strike lines 3 through 11 and substitute the following:

21
22 "(112) "Vehicle" means ~~any~~ A device ~~which~~ THAT is capable of
23 moving itself, or of being moved, from place to place upon wheels or
24 endless tracks. "Vehicle" includes, ~~any~~ WITHOUT LIMITATION, A bicycle
25 OR EPAMD, but ~~such term~~ does not include ~~any~~ A wheelchair, ~~as defined~~
26 ~~by subsection (113) of this section, or any~~ off-highway vehicle,
27 snowmobile, ~~any~~ farm tractor, or ~~any~~ implement of husbandry designed
28 primarily or exclusively for use and used in agricultural operations or any
29 device moved ~~by muscular power or moved~~ exclusively over stationary
30 rails or tracks or designed to move primarily through the air."

31
32 Page 21, strike lines 10 and 11 and substitute the following:

33
34 "a roadway shall not ride more than two abreast. ~~except on lanes or parts~~
35 ~~of roadways set aside for the exclusive use of bicycles."~~

36
37 Page 22, strike lines 1 through 8 and substitute the following:

38
39 **"SECTION 18.** The introductory portion to 42-4-111 (1) and
40 42-4-111 (1) (z) and (2), Colorado Revised Statutes, are amended, and the
41 said 42-4-111 (1) is further amended BY THE ADDITION OF A NEW
42 PARAGRAPH, to read:

43
44 **42-4-111. Powers of local authorities.** (1) ~~The provisions of~~
45 This article shall not be deemed to prevent local authorities, with respect
46 to streets and highways under their jurisdiction and within the reasonable
47 exercise of the police power, except those streets and highways ~~which~~
48 THAT are parts of the state highway system ~~which~~ THAT are subject to ~~the~~
49 ~~provisions of~~ section 43-2-135, C.R.S., from:";

50
51 after line 12, insert the following:

52
53 "(bb) AUTHORIZING, PROHIBITING, OR REGULATING THE USE OF AN
54 EPAMD ON A ROADWAY, SIDEWALK, BIKE PATH, OR PEDESTRIAN PATH
55 CONSISTENT WITH SECTION 42-4-117 (1) AND (3).

56

1 (2) No ordinance or regulation enacted under paragraph (a), (b),
 2 (e), (f), (g), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (v), (x), (y), ~~or~~ (aa),
 3 OR (bb) of subsection (1) of this section shall be effective until official
 4 signs or other traffic control devices conforming to standards as required
 5 by section 42-4-602 and giving notice of such local traffic regulations are
 6 placed upon or at the entrances to the highway or part thereof affected as
 7 may be most appropriate.

8
 9 **SECTION 19.** Part 1 of article 4 of title 42, Colorado Revised
 10 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
 11 read:

12
 13 **42-4-117. Personal mobility devices.** (1) A RIDER OF AN
 14 EPAMD SHALL HAVE ALL THE SAME RIGHTS AND DUTIES AS AN OPERATOR
 15 OF ANY OTHER VEHICLE UNDER THIS ARTICLE, EXCEPT AS TO THOSE
 16 PROVISIONS THAT BY THEIR NATURE HAVE NO APPLICATION.

17
 18 (2) (a) UNLESS AUTHORIZED OR PROHIBITED UNDER SECTION
 19 42-4-111 (1) (bb), AN EPAMD:

20
 21 (I) MAY BE OPERATED ON A ROADWAY IN CONFORMITY WITH
 22 VEHICLE USE;

23
 24 (II) SHALL NOT BE OPERATED ON A SIDEWALK; AND

25
 26 (III) SHALL NOT BE OPERATED ON A HIGHWAY OR ROADWAY THAT
 27 HAS A SPEED LIMIT GREATER THAN THIRTY MILES PER HOUR; EXCEPT THAT
 28 A PERSONAL MOBILITY DEVICE MAY BE OPERATED ON A CROSSWALK OR
 29 ANY PLACE WHERE PEDESTRIANS ARE AUTHORIZED TO CROSS SUCH
 30 HIGHWAY OR ROADWAY.

31
 32 (b) SUBPARAGRAPHS (II) TO (IV) OF PARAGRAPH (a) OF THIS
 33 SUBSECTION (2) SHALL NOT APPLY TO A POLICE OFFICER OR EMPLOYEE OF
 34 A FEDERAL, STATE, OR LOCAL GOVERNMENTAL AGENCY IN THE
 35 PERFORMANCE OF THE OFFICER'S OR EMPLOYEE'S DUTIES.

36
 37 (3) AN EPAMD SHALL NOT BE OPERATED:

38
 39 (a) ON A LIMITED-ACCESS HIGHWAY;

40
 41 (b) ON A BIKE OR PEDESTRIAN PATH; OR

42
 43 (c) AT A SPEED OF GREATER THAN TWELVE AND ONE-HALF MILES
 44 PER HOUR.

45
 46 (4) A PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS B
 47 TRAFFIC INFRACTION."

48
 49 Renumber succeeding sections accordingly.

50
 51 Page 27, after line 16, insert the following:

52 "SECTION 27. 42-4-221 (1), (2), (3), (4), and (5), Colorado
 53 Revised Statutes, are amended to read:

54
 55 **42-4-221. Bicycle and personal mobility device equipment.**
 56 (1) No other provision of this part 2 and no provision of part 3 of this

1 article shall apply to ~~bicycles~~ A BICYCLE OR EPAMD or to equipment for
2 use on ~~bicycles~~ A BICYCLE OR EPAMD except those provisions in this
3 article made specifically applicable to ~~bicyclists, bicycles, or their~~
4 ~~equipment~~ SUCH A VEHICLE.
5

6 (2) Every bicycle OR EPAMD in use at the times described in
7 section 42-4-204 shall be equipped with a lamp on the front emitting a
8 white light visible from a distance of at least five hundred feet to the
9 front.
10

11 (3) Every bicycle OR EPAMD shall be equipped with a red
12 reflector of a type approved by the department, which shall be visible for
13 six hundred feet to the rear when directly in front of lawful lower beams
14 of head lamps on a motor vehicle.
15

16 (4) Every bicycle OR EPAMD when in use at the times described
17 in section 42-4-204 shall be equipped with reflective material of
18 sufficient size and reflectivity to be visible from both sides for six
19 hundred feet when directly in front of lawful lower beams of head lamps
20 on a motor vehicle or, in lieu of such reflective material, with a lighted
21 lamp visible from both sides from a distance of at least five hundred feet.
22

23 (5) A bicycle OR EPAMD or its rider may be equipped with lights
24 or reflectors in addition to those required by subsections (2) to (4) of this
25 section."
26

27 Renumber succeeding sections accordingly.
28

29 Page 34, after line 24, insert the following:

30 "SECTION 37. The introductory portion to 42-4-1502 (4.5) (a),
31 Colorado Revised Statutes, is amended to read:
32

33 **42-4-1502. Riding on motorcycles - protective helmet.**
34 (4.5) (a) A person under eighteen years of age may not operate or carry
35 a passenger who is under eighteen years of age on a motorcycle OR
36 LOW-POWER SCOOTER on a highway in this state unless:"
37

38 Renumber succeeding sections accordingly.
39

40 Page 37, line 21, strike "34" and substitute "36".
41

42 Page 1, line 104, strike "SCOOTER"." and substitute "SCOOTER" AND
43 "ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE".".
44

45
46
47 **HB09-1066** be amended as follows, and as so amended, be referred to
48 the Committee of the Whole with favorable
49 recommendation:
50

51 Amend printed bill, page 3, line 17, after "BOARD.", add "THE DIVISION
52 MAY DIRECT THE STATE TREASURER TO TRANSFER MONEYS FROM THE
53 AVIATION ACCOUNT BACK TO THE AVIATION FUND IN AN AMOUNT NOT
54 EXCEEDING THE AMOUNTS PREVIOUSLY TRANSFERRED FROM THE
55 AVIATION FUND, BUT ONLY IF SUCH TRANSFER IS APPROVED BY THE BOARD
56 AND BY THE TRANSPORTATION COMMISSION."

1 Page 4, strike line 12 and substitute the following:

2
3 "are amended, and the said 43-10-108.5 is further amended BY THE
4 ADDITION OF A NEW SUBSECTION, to read:".

5
6 Page 5, after line 7, insert the following:

7
8 "(5) IN ADDITION TO GRANTS AUTHORIZED PURSUANT TO
9 SUBSECTION (2) OF THIS SECTION, THE DIVISION ITSELF MAY BE A
10 RECIPIENT OF A STATE AVIATION SYSTEM GRANT, BUT ONLY FOR PURPOSES
11 OF IMPLEMENTING A STATEWIDE AVIATION PROJECT THAT WOULD NOT
12 OTHERWISE BE IMPLEMENTED BY AN ENTITY OPERATING AN AIRPORT. ANY
13 APPLICATION FOR SUCH A GRANT SHALL BE SUBMITTED TO THE
14 GOVERNOR'S OFFICE FOR REVIEW AND RECOMMENDATION PRIOR TO A
15 FINAL DECISION. THE GOVERNOR SHALL ACCOMPLISH HIS REVIEW AND
16 RECOMMENDATION WITHIN THIRTY DAYS OF SUBMITTAL OF THE PROPOSAL
17 BY THE BOARD. THE BOARD SHALL MAKE FINAL DECISIONS ON THE
18 AWARDING OF GRANTS TO THE DIVISION FOR A STATEWIDE AVIATION
19 PROJECT SUBJECT TO THE AVAILABILITY OF MONEYS IN THE STATEWIDE
20 AVIATION FUND CREATED IN SECTION 43-10-109."

21
22
23

24 **HB09-1156** be postponed indefinitely.

25
26
27

PRINTING REPORT

28
29

30 The Chief Clerk reports the following bills have been correctly printed:
31 **HB09-1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204,**
32 **1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215.**

33
34
35

MESSAGE FROM THE SENATE

36
37

38
39 The Senate has adopted and returns herewith: HJR09-1006, HJR09-1007,
40 and HJR09-1008.

41
42
43

INTRODUCTION OF BILLS First Reading

44
45

46
47 The following bills were read by title and referred to the committees
48 indicated:

49

50 **HB09-1216** by Representative(s) Murray--Concerning voting by
51 electors, and, in connection therewith, amending the
52 election code to reflect changes brought about by the
53 implementation of the statewide voter registration system
54 and permanent mail-in voting.

55 Committee on State, Veterans, & Military Affairs

56

- 1 **HB09-1217** by Representative(s) Murray; also Senator(s) Scheffel--
2 Concerning the creation of local improvement districts for
3 the purpose of improving public utilities.
4 Committee on Local Government
5
- 6 **HB09-1218** by Representative(s) Soper, Marostica; also Senator(s)
7 Bacon--Concerning capital lease agreements entered into
8 by the state.
9 Committee on State, Veterans, & Military Affairs
10
- 11 **HB09-1219** by Representative(s) Judd; also Senator(s) Sandoval--
12 Concerning the interest paid to taxpayers on certain tax
13 overpayments.
14 Committee on Finance
15
- 16 **HB09-1220** by Representative(s) Scanlan--Concerning an amendment
17 to the "Colorado Common Interest Ownership Act" to
18 permit a unit owner to prescribe specified conditions in
19 connection with the use of such owner's property that
20 promote affordable housing.
21 Committee on Local Government
22
- 23 **HB09-1221** by Representative(s) King S.--Concerning mandatory
24 furloughs for certain state employees during certain state
25 fiscal years.
26 Committee on State, Veterans, & Military Affairs
27
- 28 **HB09-1222** by Representative(s) Ferrandino, Pommer, Marostica; also
29 Senator(s) Keller, Tapia, White--Concerning the
30 administration of appropriated moneys.
31 Committee on Finance
32 Committee on Appropriations
33
- 34 **HB09-1223** by Representative(s) Marostica, Ferrandino, Pommer; also
35 Senator(s) Tapia, Keller, White--Concerning the extension
36 of the deadline for expending moneys for the Colorado
37 benefits management system from the health care
38 supplemental appropriations and overexpenditures account
39 of the tobacco litigation settlement cash fund.
40 Committee on Health and Human Services
41 Committee on Appropriations
42
- 43 **HB09-1224** by Representative(s) Schafer S., McGihon, Labuda,
44 Frangas, Ryden, Green, Ferrandino, Court, Hullinghorst,
45 Kefalas, Middleton, Peniston, Solano, Todd, Vigil; also
46 Senator(s) Carroll M., Hodge--Concerning a prohibition
47 on the consideration of gender in setting rates for
48 individual health insurance policies.
49 Committee on Business Affairs and Labor
50
- 51 **HB09-1225** by Representative(s) Schafer S., Massey, Benefield,
52 Priola; also Senator(s) Bacon--Concerning risk
53 assessments of students applying for admission to a public
54 school who have a potential risk of harm to themselves or
55 others.
56 Committee on Education

- 1 **HB09-1226** by Representative(s) McGihon, Green, Casso, Labuda,
2 Levy, Middleton, Miklosi, Pace, Ryden, Schafer S., Soper,
3 Todd; also Senator(s) Carroll M.--Concerning creation of
4 the "Colorado No-fault Motor Vehicle Insurance Act".
5 Committee on Business Affairs and Labor
6
- 7 **HB09-1227** by Representative(s) Frangas; also Senator(s) Hudak--
8 Concerning the protection of neighborhoods from negative
9 impacts associated with rental properties.
10 Committee on Judiciary
11
- 12 **HB09-1228** by Representative(s) Stephens; also Senator(s) Penry--
13 Concerning a cost-benefit analysis of how an
14 administrative rule applies to a small business in the state.
15 Committee on Business Affairs and Labor
16 Committee on Appropriations
17
- 18 **HB09-1229** by Representative(s) Kerr J., Miklosi, Primavera; also
19 Senator(s) Isgar, Tochtrop--Concerning the designation of
20 auxiliary facilities of institutions of higher education as
21 enterprises.
22 Committee on Education
23
- 24 **HB09-1230** by Representative(s) Summers; also Senator(s) Tapia--
25 Concerning the registration of motor vehicles.
26 Committee on Transportation & Energy
27
- 28 **HB09-1231** by Representative(s) Bradford; also Senator(s) Kopp--
29 Concerning creation of an oil shale development task
30 force.
31 Committee on Agriculture, Livestock, & Natural Resources
32 Committee on Appropriations
33
- 34 **HB09-1232** by Representative(s) Roberts, Merrifield, Gardner B.; also
35 Senator(s) Morse--Concerning medical orders determining
36 the scope of treatment a person wishes to receive under
37 certain circumstances.
38 Committee on Health and Human Services
39
- 40 **HB09-1233** by Representative(s) Vigil--Concerning the recognition of
41 acequias, and, in connection therewith, authorizing
42 acequia water districts.
43 Committee on Agriculture, Livestock, & Natural Resources
44
- 45 **HB09-1234** by Representative(s) Kerr J. and Solano--Concerning the
46 immediate suspension of the driver's license of a person
47 who fails to appear for a license suspension hearing.
48 Committee on Transportation & Energy
49
- 50 **HB09-1235** by Representative(s) Acree, Middleton, Bradford, Kerr J.--
51 Concerning measures to address unsafe conditions arising
52 as a result of the abandonment of real property.
53 Committee on State, Veterans, & Military Affairs
54 Committee on Judiciary
55
56

- 1 **HB09-1236** by Representative(s) Primavera, Casso, Peniston--
2 Concerning the distance at which an operator of a motor
3 vehicle shall stop when a school bus signals a stop.
4 Committee on Transportation & Energy
5
- 6 **HB09-1237** by Representative(s) Primavera, Casso, Green, Soper; also
7 Senator(s) Shaffer B.--Concerning the coordinated system
8 of payment for early intervention services for children
9 eligible for benefits under part C of the federal
10 "Individuals with Disabilities Education Improvement
11 Act".
12 Committee on Health and Human Services
13
- 14 **HB09-1238** by Representative(s) Rice; also Senator(s) Shaffer B.--
15 Concerning civil forfeiture.
16 Committee on Judiciary
17
- 18 **HB09-1239** by Representative(s) McKinley, Apuan, Gardner C.,
19 Gerou, Lambert, Marostica, McNulty, Miklosi, Pace--
20 Concerning the payment of debts in precious metal coins.
21 Committee on Finance
22
- 23 **HB09-1240** by Representative(s) Miklosi; also Senator(s) Foster--
24 Concerning creating the Colorado teacher of the year
25 program.
26 Committee on Education
27
- 28 **HB09-1241** by Representative(s) Roberts--Concerning title 15 of the
29 Colorado Revised Statutes.
30 Committee on Judiciary
31
- 32 **HB09-1242** by Representative(s) Summers; also Senator(s) King K.--
33 Concerning a credit against state income tax for
34 contributions to research institutions at Colorado
35 institutions of higher education.
36 Committee on Finance
37
- 38 **HB09-1243** by Representative(s) Middleton and Massey, Labuda,
39 Casso, Court, McGihon, Miklosi, Peniston, Primavera,
40 Ryden, Scanlan, Todd, Vigil; also Senator(s) Bacon,
41 Spence--Concerning measures to raise the graduation rate
42 in public high schools in Colorado.
43 Committee on Education
44
- 45 **HB09-1244** by Representative(s) Casso, Looper, McNulty, Primavera,
46 Vaad--Concerning the exemption of property carriers by
47 motor vehicle from regulation by the public utilities
48 commission.
49 Committee on Transportation & Energy
50
- 51 **HB09-1245** by Representative(s) Marostica--Concerning a requirement
52 that powersports vehicles obtain a certificate of title.
53 Committee on Transportation & Energy
54
- 55 **HB09-1246** by Representative(s) Peniston--Concerning the evaluation
56 of driving schools attended as a result of a court order

- 1 resulting from a violation of a law regulating the operation
2 of a motor vehicle.
3 Committee on Transportation & Energy
4
- 5 **HB09-1247** by Representative(s) Apuan--Concerning enactment of the
6 "Homebuyers' Energy Right-To-Know Act" requiring
7 disclosure of an existing home's energy usage in
8 connection with the sale of the home.
9 Committee on Transportation & Energy
10
- 11 **HB09-1248** by Representative(s) Gerou--Concerning the modification
12 of laws applicable to the conduct of business in Colorado,
13 and, in connection therewith, modifying the requirements
14 of title 7 of the Colorado Revised Statutes applicable to
15 documents filed with the secretary of state, partnership
16 law, and the requirements for boards of directors of
17 nonprofit corporations to take action without a meeting.
18 Committee on State, Veterans, & Military Affairs
19
- 20 **HB09-1249** by Representative(s) Pommer, Ferrandino, Marostica; also
21 Senator(s) White, Keller, Tapia--Concerning the
22 consolidation of certain cash funds created for the
23 department of agriculture.
24 Committee on Finance
25
- 26 **HB09-1250** by Representative(s) Merrifield--Concerning increasing
27 the allocation to public schools of federal moneys received
28 by the state on behalf of certain counties pursuant to the
29 act of congress of May 23, 1908, as amended, relating to
30 receipts from national forests.
31 Committee on Education
32
- 33 **HB09-1251** by Representative(s) Kefalas, McGihon--Concerning the
34 disclosure of criminal justice records.
35 Committee on Judiciary
36
- 37 **HB09-1252** by Representative(s) Roberts, Massey, Vigil--Concerning
38 the expansion of the "Local Access to Health Care Pilot
39 Program Act" to allow creation of a pilot program in the
40 San Luis valley.
41 Committee on Health and Human Services
42
- 43 **HB09-1253** by Representative(s) Pace, Apuan, Levy, McKinley,
44 Miklosi, Vigil; also Senator(s) Tapia--Concerning
45 processes for involuntary mental health treatment for
46 defendants committed under title 16, Colorado Revised
47 Statutes.
48 Committee on Judiciary
49
- 50 **HB09-1254** by Representative(s) Judd, Rice; also Senator(s) Harvey--
51 Concerning additional consumer protections relating to
52 like-kind exchanges mediated by exchange facilitators.
53 Committee on Judiciary
54
55

1 **HB09-1255** by Representative(s) Gardner C., McKinley, Baumgardner,
2 Bradford, Looper, McNulty, Sonnenberg, Tipton; also
3 Senator(s) Kopp, Brophy--Concerning limitations on the
4 conditions imposed by the Colorado oil and gas
5 conservation commission on oil and gas operations to
6 implement recommendations made by state entities other
7 than the commission.

8 Committee on Agriculture, Livestock, & Natural Resources
9

10 **HB09-1256** by Representative(s) Acree, Gardner C.--Concerning the
11 ability of the commissioner of insurance to enter into
12 multistate agreements with other states for the purpose of
13 allowing Colorado consumers to purchase out-of-state
14 health insurance products.

15 Committee on Business Affairs and Labor
16 Committee on Appropriations
17

18
19 **LAY OVER OF CALENDAR ITEM**

20
21 On motion of Representative Ferrandino, the following item on the
22 Calendar was laid over until February 2, retaining place on Calendar:
23

24 Consideration of Resolution--**HJR09-1004**.
25

26
27 On motion of Representative Ferrandino, the House adjourned until
28 10:00 a.m., February 2, 2009.
29

30 Approved:
31 TERRANCE D. CARROLL,
32 Speaker

33 Attest:
34 MARILYN EDDINS,
35 Chief Clerk

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

Twenty-seventh Legislative Day Monday, February 2, 2009

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
2
3 The Speaker *Pro Tempore* called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Aeris Finger and Jessika Petsch, Kendrick
6 Lakes Elementary, Lakewood.
7
8 The roll was called with the following result:
9
10 Present--63.
11 Excused--Representatives T. Carroll, King--2.

12
13 The Speaker declared a quorum present.
14
15

16 On motion of Representative Bradford, the reading of the journal of
17 January 30, 2009, was declared dispensed with and approved as corrected
18 by the Chief Clerk.
19
20

THIRD READING OF BILLS--FINAL PASSAGE

21
22
23
24 The following bills were considered on Third Reading. The titles were
25 publicly read. Reading of the bill at length was dispensed with by
26 unanimous consent.

27
28 **HB09-1025** by Representative(s) Riesberg, Frangas, Green, Massey;
29 also Senator(s) Boyd, Kopp, Morse--Concerning
30 requirements for individuals who collect data on hospital-
31 acquired infection rates.
32

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

	YES	62	NO	0	EXCUSED	2	ABSENT	1
39	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
40	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
41	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
42	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	-
43	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y

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

13 Co-sponsor(s) added: Representative(s) Acree, Curry, Gerou, Kefalas, Kerr J.,
14 Labuda, Lambert, McGihon, Nikkel, Priola, Swalm, Todd

15
16 **HB09-1037** by Representative(s) Tipton; also Senator(s) Isgar--
17 Concerning the reclassification of Montrose county for
18 county court purposes.

19
20 The question being "Shall the bill 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 bill
23 was declared **passed**.

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

43 Co-sponsor(s) added: Representative(s) Balmer, Bradford, Gardner B., Gerou,
44 McNulty, Pace, Priola, Roberts, Waller

45
46 **HB09-1044** by Representative(s) Roberts; also Senator(s) Morse--
47 Concerning expungement of records relating to a criminal
48 matter for which a juvenile is sentenced as a juvenile after
49 being charged by the direct filing of charges in a district
50 court.

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

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

56

	YES	58	NO	5	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McGihon	Y	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
8	Casso	Y	King S.	E	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
10	Curry	Y	Lambert	N	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.	N	May	Y	Rice	Y	Waller	Y
17	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
18							Speaker	E

19 Co-sponsor(s) added: Representative(s) Apuan, Court, Curry, Ferrandino,
 20 Gardner B., Green, Kerr A., Labuda, Levy, Looper, McFadyen, McGihon,
 21 Middleton, Pace, Priola, Ryden, Schafer S., Solano, Stephens, Todd, Waller

22
 23 **HB09-1122** by Representative(s) Roberts, Levy, Merrifield; also
 24 Senator(s) Morse--Concerning increasing the age of
 25 persons eligible for sentencing to the youthful offender
 26 system.

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	58	NO	5	EXCUSED	2	ABSENT	0
33								
34	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
35	Apuan	Y	Hullingerhorst	Y	McGihon	Y	Ryden	Y
36	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
37	Baumgardner	Y	Kefalas	Y	McNulty	N	Schafer S.	Y
38	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
39	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
40	Casso	Y	King S.	E	Miklosi	Y	Soper	Y
41	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
42	Curry	Y	Lambert	N	Nikkel	Y	Summers	N
43	Ferrandino	Y	Levy	Y	Pace	Y	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.	N	May	Y	Rice	Y	Waller	Y
49	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
50							Speaker	E

51 Co-sponsor(s) added: Representative(s) Apuan, Court, Curry, Ferrandino,
 52 Fischer, Green, Kerr A., Labuda, Massey, McGihon, Nikkel, Pace, Priola,
 53 Ryden, Solano, Tipton, Todd, Waller

54
 55

1 **HB09-1034** by Representative(s) Liston; also Senator(s) Gibbs--
 2 Concerning authorization for a regional transportation
 3 authority to impose property tax.
 4

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

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

28 Co-sponsor(s) added: Representative(s) Fischer, Frangas, May, Ryden,
 29 Stephens
 30

31
 32 **HB09-1089** by Representative(s) Primavera; also Senator(s) Spence--
 33 Concerning the filing requirements for liens that secure a
 34 debt upon a vehicle.
 35

36 The question being "Shall the bill 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 bill
 39 was declared **passed**.
 40

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

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

3 Co-sponsor(s) added: Representative(s) Fischer, McFadyen, Merrifield, Priola

4
 5 **HB09-1012** by Representative(s) Rice and Stephens, Curry, Massey,
 6 Swalm; also Senator(s) Mitchell and Newell--Concerning
 7 incentives provided by health insurance carriers to
 8 encourage voluntary participation in programs to promote
 9 health.

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

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

34 Co-sponsor(s) added: Representative(s) Apuan, Bradford, Court, Fischer,
 35 Frangas, Gardner B., Gardner C., Hullinghorst, Kerr A., Labuda, Lambert,
 36 Looper, May, McCann, McGihon, Nikkel, Pace, Priola, Riesberg, Roberts,
 37 Ryden, Schafer S., Solano, Summers, Todd

38
 39 **HB09-1102** by Representative(s) Acree, Kerr J., Ryden; also Senator(s)
 40 Scheffel, Newell--Concerning the study of the portability
 41 of health insurance after a policyholder is separated from
 42 employment.

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

49	YES	63	NO	0	EXCUSED	2	ABSENT	0
50	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
51	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
52	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
53	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
54	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
55	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
56	Casso	Y	King S.	E	Miklosi	Y	Soper	Y

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

11 Co-sponsor(s) added: Representative(s) Apuan, Bradford, Court, Frangas,
 12 Gagliardi, Gardner B., Gardner C., Gerou, Green, Hullinghorst, Kerr A.,
 13 Labuda, Looper, Marostica, May, McGihon, Middleton, Nikkel, Pommer,
 14 Primavera, Riesberg, Schafer S., Solano, Summers, Swalm, Tipton, Todd

15
 16
 17
 18 On motion of Representative Riesberg, the House resolved itself into
 19 Committee of the Whole for consideration of General Orders, and he was
 20 called to the Chair to act as Chairman.

21 22 23 24 **GENERAL ORDERS--SECOND READING OF BILLS**

25
 26 The Committee of the Whole having risen, the Chairman reported the
 27 titles of the following bills had been read (reading at length had been
 28 dispensed with by unanimous consent), the bills considered and action
 29 taken thereon as follows:

30
 31 (Amendments to the committee amendment are to the printed committee
 32 report which was printed and placed in the members' bill file.)

33
 34 **HB09-1019** by Representative(s) Peniston; also Senator(s) Foster--
 35 Concerning cat identification.

36
 37 Laid over until February 6, retaining place on Calendar.

38
 39 **HB09-1018** by Representative(s) Bradford--Concerning the removal of
 40 obsolete language in statutory provisions implementing the
 41 statewide voter registration and election system for
 42 purposes of compliance with the federal "Help America
 43 Vote Act" .

44
 45 Laid over until February 3, retaining place on Calendar.

46
 47 **HB09-1078** by Representative(s) Ryden; also Senator(s) Hodge--
 48 Concerning training for foster parents in regard to
 49 individualized education programs.

50
 51 Ordered engrossed and placed on the Calendar for Third Reading and
 52 Final Passage.

53
 54 **HB09-1082** by Representative(s) Peniston; also Senator(s) Tochtrop--
 55 Concerning recording of public meetings of school district
 56 boards of education.

- 1 Amendment No. 1, Education Report, dated January 26, 2009, and placed
2 in member's bill file; Report also printed in House Journal, January 27,
3 page 135.
4
- 5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.
7
- 8 **HB09-1099** by Representative(s) Roberts and Kerr A., Massey,
9 Merrifield; also Senator(s) Penry and Romer--Concerning
10 the Colorado youth advisory council.
11
- 12 Ordered engrossed and placed on the Calendar for Third Reading and
13 Final Passage.
14
- 15 **HB09-1161** by Representative(s) Baumgardner, Bradford, Gardner C.,
16 King S., Looper, May, McNulty, Murray, Tipton; also
17 Senator(s) Gibbs, White--Concerning a reduction in the
18 time to provide written documentation supporting an oil
19 and gas valuation statement.
20
- 21 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
22 dated January 27, 2009, and placed in member's bill file; Report also
23 printed in House Journal, January 28, page 149.
24
- 25 As amended, ordered engrossed and placed on the Calendar for Third
26 Reading and Final Passage.
27
- 28 **HB09-1052** by Representative(s) Waller; also Senator(s) Heath--
29 Concerning limitations on the solicitation of donated items
30 that will be sold for profit.
31
- 32 Amendment No. 1, Business Affairs & Labor Report, dated
33 January 27, 2009, and placed in member's bill file; Report also printed in
34 House Journal, January 28, page 149.
35
- 36 As amended, ordered engrossed and placed on the Calendar for Third
37 Reading and Final Passage.
38
- 39 **HB09-1091** by Representative(s) Soper and Court, McGihon,
40 Merrifield, Todd; also Senator(s) Romer, Schwartz--
41 Concerning a requirement that carbon monoxide alarms be
42 installed in residential properties.
43
- 44 Amendment No. 1, Business Affairs & Labor Report, dated
45 January 27, 2009, and placed in member's bill file; Report also printed in
46 House Journal, January 28, pages 151-153.
47
- 48 As amended, ordered engrossed and placed on the Calendar for Third
49 Reading and Final Passage.
50
- 51
- 52 **HB09-1101** by Representative(s) Benefield, Todd, Apuan, Ferrandino,
53 Kefalas, Merrifield, Murray, Stephens; also Senator(s)
54 Veiga, Hudak--Concerning the administration of sales tax
55 collections by the department of revenue.
56

1 Amendment No. 1, Finance Report, dated January 27, 2009, and placed
2 in member's bill file; Report also printed in House Journal, January 28,
3 pages 155-156.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB09-1007** by Representative(s) Frangas, Hullinghorst; also
9 Senator(s) Newell, Boyd--Concerning improving child
10 protection efforts by adding domestic violence experts to
11 interagency oversight groups in the collaborative
12 management program.

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

16
17 **HB09-1056** by Representative(s) McCann; also Senator(s) Kopp--
18 Concerning increased penalty authority for the department
19 of public health and environment for violations of solid
20 waste disposal laws.

21
22 Ordered engrossed and placed on the Calendar for Third Reading and
23 Final Passage.

24
25 **HB09-1116** by Representative(s) Frangas, Ferrandino, Kefalas, Pace,
26 Pommer, Primavera, Schafer S.; also Senator(s) Hudak,
27 Bacon, Hodge, Sandoval, Tapia, Tochtrop, Williams--
28 Concerning the inclusion of general fund moneys in the
29 children's dental plan cash fund for the children's dental
30 assistance program.

31
32 Referred to the Committee on Appropriations.

33
34 **HB09-1005** by Representative(s) Marostica; also Senator(s) Veiga,
35 White--Concerning the authority of a special district to
36 establish special improvement districts within the
37 boundaries of the special district.

38
39 Ordered engrossed and placed on the Calendar for Third Reading and
40 Final Passage.

41
42 **HB09-1079** by Representative(s) Vaad, Marostica--Concerning
43 annexing adjacent municipalities to existing junior college
44 districts.

45
46 Amendment No. 1, Local Government Report, dated January 27, 2009,
47 and placed in member's bill file; Report also printed in House Journal,
48 January 28, pages 157-158.

49
50 As amended, ordered engrossed and placed on the Calendar for Third
51 Reading and Final Passage.

52
53 **HB09-1148** by Representative(s) Schafer S.; also Senator(s) Schwartz-
54 -Concerning the authority of the department of revenue to
55 provide information about severance tax taxpayers to the
56 department of local affairs.

1 Amendment No. 1, Local Government Report, dated January 27, 2009,
2 and placed in member's bill file; Report also printed in House Journal,
3 January 28, page 158.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB09-1045** by Representative(s) Casso; also Senator(s) Gibbs--
9 Concerning recognition of September 11 as an optional
10 state holiday.

11
12 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
13 January 27, 2009, and placed in member's bill file; Report also printed in
14 House Journal, January 28, page 158.

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

18
19 **HB09-1041** by Representative(s) Gerou; also Senator(s) Gibbs--
20 Concerning a fire protection district board's authority to fix
21 fees for emergency medical services.

22
23 Ordered engrossed and placed on the Calendar for Third Reading and
24 Final Passage.

25
26 **HB09-1083** by Representative(s) McFadyen, Pace; also Senator(s)
27 Tapia, Penry--Concerning the authority of the state to enter
28 into lease-purchase agreements for commercial space for
29 the department of personnel in Pueblo county, Colorado.

30
31 Ordered engrossed and placed on the Calendar for Third Reading and
32 Final Passage.

33
34 **HB09-1088** by Representative(s) Balmer, Benefield, Looper, Todd;
35 also Senator(s) Newell--Concerning certification of public
36 benefit nonprofit entities as local public procurement
37 units.

38
39 Laid over until February 4, retaining place on Calendar.

40
41 **HB09-1024** by Representative(s) McNulty, Kerr J., Primavera; also
42 Senator(s) Tochtrop, Isgar, Schultheis--Concerning the
43 application of specified audit reporting requirements
44 within the Colorado local government audit law to certain
45 entities that are otherwise not required to comply with the
46 requirements.

47
48 Amendment No. 1, Local Government Report, dated January 27, 2009,
49 and placed in member's bill file; Report also printed in House Journal,
50 January 28, page 157.

51
52 As amended, ordered engrossed and placed on the Calendar for Third
53 Reading and Final Passage.

54
55
56

1 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

2

3 Representative Balmer and Nikkel moved to amend the Report of the
4 Committee of the Whole to reverse the action taken by the Committee in
5 not adopting the following Balmer and Nikkel amendment, to
6 **HB09-1091**, to show that said amendment passed, and that HB09-1091,
7 as amended, passed.

8

9 Amend printed bill, page 8, after line 4, insert the following:

10

11 **"38-45-105. Carbon monoxide alarms in state residential**
12 **properties.** ON AND AFTER JULY 1, 2010, ALL DORMITORIES, LIVING
13 HALLS, OR APARTMENTS OF A STATE COLLEGE OR UNIVERSITY AS DEFINED
14 IN SECTION 23-2-102 (5), C.R.S., SHALL HAVE A CARBON MONOXIDE
15 ALARM INSTALLED WITHIN TEN FEET OF THE ENTRANCE TO EACH ROOM
16 LAWFULLY USED FOR SLEEPING PURPOSES OR IN A LOCATION AS SPECIFIED
17 IN ANY BUILDING CODE ADOPTED BY THE STATE OR ANY LOCAL
18 GOVERNMENT ENTITY. SUCH CARBON MONOXIDE ALARMS SHALL BE
19 MAINTAINED BY THE STATE COLLEGE OR UNIVERSITY IN ACCORDANCE
20 WITH THE MANUFACTURER'S PUBLISHED INSTRUCTIONS.".

21

22 Renumber succeeding C.R.S. sections accordingly.

23

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

25

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

44

45

46 Representatives Liston, Balmer, and McNulty moved to amend the Report
47 of the Committee of the Whole to reverse the action taken by the
48 Committee in not adopting the following Liston amendment, to
49 **HB09-1091**, to show that said amendment passed, and that HB09-1091,
50 as amended, passed.

51

52 Amend printed bill, page 8, after line 4, insert the following:

53

54 **"38-45-105. Carbon monoxide alarms in state residential**
55 **properties.** ON AND AFTER JULY 1, 2009, ANY STATE NURSING HOME AS
56 DEFINED IN SECTION 26-12-102 (4), C.R.S., SHALL HAVE A CARBON

1 MONOXIDE ALARM INSTALLED WITHIN TEN FEET OF THE ENTRANCE TO
 2 EACH ROOM LAWFULLY USED FOR SLEEPING PURPOSES OR IN A LOCATION
 3 AS SPECIFIED IN ANY BUILDING CODE ADOPTED BY THE STATE OR ANY
 4 LOCAL GOVERNMENT ENTITY. SUCH CARBON MONOXIDE ALARMS SHALL
 5 BE MAINTAINED BY THE NURSING HOMES IN ACCORDANCE WITH THE
 6 MANUFACTURER'S PUBLISHED INSTRUCTIONS."

7
 8 Renumber succeeding C.R.S. sections accordingly.

9
 10 The amendment was declared **lost** by the following roll call vote:

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

30
 31
 32
 33 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

34
 35 Passed Second Reading: **HB09-1078, 1082 amended, 1099,**
 36 **1161 amended, 1052 amended, 1091 amended, 1101 amended, 1007,**
 37 **1056, 1005, 1079 amended, 1148 amended, 1045 amended, 1041, 1083,**
 38 **1024 amended.**

39
 40 Laid over until date indicated retaining place on Calendar:

41 **HB09-1019**--February 6, 2009.

42 **HB09-1018**--February 3, 2009.

43 **HB09-1088**--February 4, 2009.

44
 45 Referred to Committee indicated: **HB09-1116**--Appropriations.

46
 47 The Chairman moved the adoption of the Committee of the Whole
 48 Report. As shown by the following roll call vote, a majority of those
 49 elected to the House voted in the affirmative, and the Report was
 50 **adopted.**

	YES	63	NO	0	EXCUSED	2	ABSENT	0
53	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y

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

PRINTING REPORT

19 The Chief Clerk reports the following bills have been correctly printed:
 20 **HB09-1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225,**
 21 **1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236,**
 22 **1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247,**
 23 **1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256.**

MESSAGE FROM THE SENATE

29 The Senate has passed on Third Reading and transmitted to the Revisor
 30 of Statutes: SB09-059, SB09-017, SB09-007, SB09-038, SB09-084.

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

35 SB09-043 amended as printed in Senate Journal, January 30, 2009,
 36 page 137,

37 SB09-040 amended as printed in Senate Journal, January 30, 2009,
 38 page 138,

39 SB09-050 amended as printed in Senate Journal, January 30, 2009,
 40 page 138,

41 SB09-047 amended as printed in Senate Journal, January 30, 2009,
 42 page 138.

MESSAGE FROM THE REVISOR

48 We herewith transmit:

49 Without comment, SB09-059, 017, 007, 038 and 084.

50 Without comment, as amended, SB09-043, 040, 050 and 047.

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LAY OVER OF CALENDAR ITEM

On motion of Representative Weissmann, the following item on the Calendar was laid over until February 3, retaining place on Calendar:

Consideration of Resolution--**HJR09-1004.**

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., February 3, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Twenty-eighth Legislative Day

Tuesday, February 3, 2009

1 Prayer by Bishop Elaine J. W. Stanovsky, Bishop of Rocky Mountain
 2 Conference of the United Methodist Church, Westminster.

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

5
 6 Pledge of Allegiance led by Amy Dubetz, Colorado School of Mines,
 7 Golden.

8
 9 The roll was called with the following result:

10
 11 Present--64.
 12 Excused--Representative McGihon--1.

13
 14 The Speaker declared a quorum present.

15
 16
 17 On motion of Representative Bradford, the reading of the journal of
 18 February 2, 2009, was declared dispensed with and approved as corrected
 19 by the Chief Clerk.

THIRD READING OF BILLS--FINAL PASSAGE

20
 21
 22
 23
 24
 25 The following bills were considered on Third Reading. The titles were
 26 publicly read. Reading of the bill at length was dispensed with by
 27 unanimous consent.

28
 29 **HB09-1078** by Representative(s) Ryden; also Senator(s) Hodge--
 30 Concerning training for foster parents in regard to
 31 individualized education programs.

32
 33 The question being "Shall the bill pass?".
 34 A roll call vote was taken. As shown by the following recorded vote, a
 35 majority of those elected to the House voted in the affirmative and the
 36 bill was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
39	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
40	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
41	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
42	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
43	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y

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

13 Co-sponsor(s) added: Representative(s) Acree, Apuan, Fischer, Frangas, Green,
 14 Kefalas, Kerr A., Labuda, Merrifield, Middleton, Miklosi, Peniston, Priola,
 15 Schafer S., Solano, Summers, Todd

16
 17 **HB09-1082** by Representative(s) Peniston; also Senator(s) Tochtrop--
 18 Concerning recording of public meetings of school district
 19 boards of education.

20
 21 The question being "Shall the bill pass?".
 22 A roll call vote was taken. As shown by the following recorded vote, a
 23 majority of those elected to the House voted in the affirmative and the bill
 24 was declared **passed**.

	YES	44	NO	20	EXCUSED	1	ABSENT	0
27	Acree	Y	Green	Y	McFadyen	Y	Roberts	N
28	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
29	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
30	Baumgardner	N	Kefalas	Y	McNulty	Y	Schafer S.	Y
31	Benefield	N	Kerr A.	Y	Merrifield	Y	Solano	Y
32	Bradford	N	Kerr J.	Y	Middleton	Y	Sonnenberg	N
33	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
34	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
35	Curry	Y	Lambert	N	Nikkel	N	Summers	N
36	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
37	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
38	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
39	Gagliardi	Y	Marostica	N	Primavera	Y	Vaad	N
40	Gardner B.	N	Massey	N	Priola	Y	Vigil	Y
41	Gardner	N	May	Y	Rice	Y	Waller	N
42	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	Y
43							Speaker	Y

44 Co-sponsor(s) added: Representative(s) Green, Priola, Ryden

45
 46
 47 **HB09-1099** by Representative(s) Roberts and Kerr A., Massey,
 48 Merrifield; also Senator(s) Penry and Romer--Concerning
 49 the Colorado youth advisory council.

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**.

	YES	64	NO	0	EXCUSED	1	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	Y
5	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
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	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) Apuan, Benefield, Bradford, Casso,
 20 Court, Curry, Fischer, Frangas, Gerou, Kefalas, Kerr J., Labuda, Lambert,
 21 Looper, Marostica, Middleton, McNulty, Nikkel, Peniston, Pommer, Ryden,
 22 Scanlan, Solano, Stephens, Summers, Tipton, Todd, Speaker

23
 24 **HB09-1161** by Representative(s) Baumgardner, Bradford, Gardner C.,
 25 King S., Looper, May, McNulty, Murray, Tipton; also
 26 Senator(s) Gibbs, White--Concerning a reduction in the
 27 time to provide written documentation supporting an oil
 28 and gas valuation statement.

29
 30 The question being "Shall the bill pass?".
 31 A roll call vote was taken. As shown by the following recorded vote, a
 32 majority of those elected to the House voted in the affirmative and the bill
 33 was declared **passed**.

	YES	63	NO	1	EXCUSED	1	ABSENT	0
34								
35								
36	Acree	Y	Green	N	McFadyen	Y	Roberts	Y
37	Apuan	Y	Hullingerhorst	Y	McGihon	E	Ryden	Y
38	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
39	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
40	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
41	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
42	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
43	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
44	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
45	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
46	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
47	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
48	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
49	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
50	Gardner	Y	May	Y	Rice	Y	Waller	Y
51	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Curry, Frangas, Kerr J., Massey,
 54 McFadyen, Nikkel, Priola, Roberts, Waller

1 **HB09-1052** by Representative(s) Waller; also Senator Heath--
 2 Concerning limitations on the solicitation of donated items
 3 that will be sold for profit.
 4

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

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

28 Co-sponsor(s) added: Representative(s) Court, Labuda, Priola, Ryden, Scanlan,
 29 Soper, Todd
 30

31 **HB09-1091** by Representative(s) Soper and Court, McGihon,
 32 Merrifield, Todd; also Senator(s) Romer, Schwartz--
 33 Concerning a requirement that carbon monoxide alarms be
 34 installed in residential properties.
 35

36 The question being "Shall the bill 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 bill
 39 was declared **passed**.
 40

	YES	43	NO	21	EXCUSED	1	ABSENT	0
42	Acree	N	Green	Y	McFadyen	Y	Roberts	N
43	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
44	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
45	Baumgardner	Y	Kefalas	Y	McNulty	N	Schafer S.	Y
46	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
47	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
48	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
49	Court	Y	Labuda	Y	Murray	N	Stephens	Y
50	Curry	Y	Lambert	N	Nikkel	Y	Summers	N
51	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
52	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
53	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
54	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
55	Gardner B.	N	Massey	N	Priola	Y	Vigil	Y
56	Gardner	N	May	N	Rice	Y	Waller	N

1	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
2							Speaker	Y

3 Co-sponsor(s) added: Representative(s) Apuan, Casso, Fischer, Frangas,
 4 Gagliardi, Green, Kefalas, Kerr A., Labuda, Levy, McCann, Middleton, Pace,
 5 Peniston, Primavera, Priola, Rice, Ryden, Scanlan, Speaker

6
 7 **HB09-1101** by Representative(s) Benefield, Todd, Apuan, Ferrandino,
 8 Kefalas, Merrifield, Murray, Stephens; also Senator(s)
 9 Veiga, Hudak--Concerning the administration of sales tax
 10 collections by the department of revenue.

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	64	NO	0	EXCUSED	1	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	Y
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	Y	May	Y	Rice	Y	Waller	Y
33	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
34							Speaker	Y

35 Co-sponsor(s) added: Representative(s) Curry, Gerou, Middleton, Solano

36
 37 **HB09-1007** by Representative(s) Frangas, Hullinghorst; also
 38 Senator(s) Newell, Boyd--Concerning improving child
 39 protection efforts by adding domestic violence experts to
 40 interagency oversight groups in the collaborative
 41 management program.

42
 43 The question being "Shall the bill 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 bill
 46 was declared **passed**.

48	YES	64	NO	0	EXCUSED	1	ABSENT	0
49	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
50	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
51	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
52	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
53	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
54	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
55	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
56	Court	Y	Labuda	Y	Murray	Y	Stephens	Y

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

10 Co-sponsor(s) added: Representative(s) Apuan, Gagliardi, Green, Kefalas,
 11 Kerr A., Kerr J., Labuda, McCann, Merrifield, Miklosi, Primavera, Priola,
 12 Riesberg, Schafer S., Solano, Todd

13
 14 **HB09-1056** by Representative(s) McCann; also Senator(s) Kopp--
 15 Concerning increased penalty authority for the department
 16 of public health and environment for violations of solid
 17 waste disposal laws.

18
 19 The question being "Shall the bill pass?".
 20 A roll call vote was taken. As shown by the following recorded vote, a
 21 majority of those elected to the House voted in the affirmative and the bill
 22 was declared **passed**.

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

41
 42 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Labuda, Levy,
 43 Merrifield, Middleton, Primavera, Ryden

44
 45
 46 **HB09-1005** by Representative(s) Marostica; also Senator(s) Veiga,
 47 White--Concerning the authority of a special district to
 48 establish special improvement districts within the
 49 boundaries of the special district.

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**.

	YES	61	NO	3	EXCUSED	1	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	Y
5	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
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	N	May	N	Rice	Y	Waller	Y
17	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Gerou, Liston, Massey, Nikkel,
20 Stephens

21
22 **HB09-1024** by Representative(s) McNulty, Kerr J., Primavera; also
23 Senator(s) Tochtrop, Isgar, Schultheis--Concerning the
24 application of specified audit reporting requirements
25 within the Colorado local government audit law to certain
26 entities that are otherwise not required to comply with the
27 requirements.
28

29 The question being "Shall the bill pass?".
30 A roll call vote was taken. As shown by the following recorded vote, a
31 majority of those elected to the House voted in the affirmative and the bill
32 was declared **passed**.
33

	YES	63	NO	1	EXCUSED	1	ABSENT	0
35	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
36	Apuan	Y	Hullingerhorst	Y	McGihon	E	Ryden	Y
37	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
38	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
39	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
40	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
41	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
42	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
43	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
44	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
45	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
46	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
47	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
48	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
49	Gardner	N	May	Y	Rice	Y	Waller	Y
50	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Miklosi, Nikkel, Stephens, Waller

53
54 **HB09-1079** by Representative(s) Vaad, Marostica; also Senator(s)
55 Renfroe--Concerning annexing adjacent municipalities to
56 existing junior college districts.

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

24 Co-sponsor(s) added: Representative(s) Gerou, Kerr J., Massey, Middleton,
 25 Nikkel, Pommer, Riesberg, Ryden, Scanlan, Schafer S., Summers, Todd, Waller

26
 27 **HB09-1148** by Representative(s) Schafer S.; also Senator(s) Schwartz-
 28 -Concerning the authority of the department of revenue to
 29 provide information about severance tax taxpayers to the
 30 department of local affairs.

31
 32 The question being "Shall the bill 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 bill
 35 was declared **passed**.

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

55 Co-sponsor(s) added: Representative(s) Curry, Labuda, Ryden

56

1 **HB09-1045** by Representative(s) Casso; also Senator(s) Gibbs--
 2 Concerning recognition of September 11 as an optional
 3 state holiday.

4
 5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.

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

28 Co-sponsor(s) added: Representative(s) Frangas, Green, Labuda, McFadyen,
 29 Miklosi, Ryden

30
 31
 32 **HB09-1041** by Representative(s) Gerou; also Senator Gibbs--
 33 Concerning a fire protection district board's authority to fix
 34 fees for emergency medical services.

35
 36 The question being "Shall the bill 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 bill
 39 was declared **passed**.

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

1	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
2							Speaker	Y

3 Co-sponsor(s) added: Representative(s) Acree, Apuan, Frangas, Labuda,
 4 Lambert, Levy, Liston, Nikkel, Ryden, Soper, Stephens

5
 6 **HB09-1083** by Representative(s) McFadyen, Pace; also Senator(s)
 7 Tapia, Penry--Concerning the authority of the state to enter
 8 into lease-purchase agreements for commercial space for
 9 the department of personnel in Pueblo county, Colorado.

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

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

34 Co-sponsor(s) added: Representative(s) Frangas, Labuda, Todd, Vigil

35
 36
 37 **CONSIDERATION OF RESOLUTION**

38
 39 **HJR09-1004** by Representative(s) Massey and Benefield, Acree, Apuan,
 40 Balmer, Baumgardner, Bradford, Carroll T., Casso, Court,
 41 Curry, Ferrandino, Fischer, Frangas, Gagliardi, Gardner
 42 B., Gardner C., Gerou, Green, Hullinghorst, Judd, Kefalas,
 43 Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
 44 Looper, Marostica, May, McCann, McFadyen, McGihon,
 45 McKinley, McNulty, Merrifield, Middleton, Miklosi,
 46 Murray, Pace, Peniston, Pommer, Primavera, Priola, Rice,
 47 Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
 48 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton,
 49 Todd, Vaad, Vigil, Waller, Weissmann; also Senator
 50 Boyd--Concerning civility in the Colorado general
 51 assembly.

52
 53 (Printed and placed in member's file)

54
 55 On motion of Representatives Benefield and Massey, the resolution was
 56 read at length and **adopted** by the following roll call vote:

	YES	63	NO	0	EXCUSED	2	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	Y
5	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
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	E	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	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) Nikkel

20
21
22
23
24 On motion of Representative Frangas, the House resolved itself into
25 Committee of the Whole for consideration of General Orders, and he was
26 called to the Chair to act as Chairman.

27
28
29 **GENERAL ORDERS--SECOND READING OF BILLS**

30
31 The Committee of the Whole having risen, the Chairman reported the
32 titles of the following bills had been read (reading at length had been
33 dispensed with by unanimous consent), the bills considered and action
34 taken thereon as follows:

35
36 (Amendments to the committee amendment are to the printed committee
37 report which was printed and placed in the members' bill file.)

38
39 **HB09-1018** by Representative(s) Bradford--Concerning the removal of
40 obsolete language in statutory provisions implementing the
41 statewide voter registration and election system for
42 purposes of compliance with the federal "Help America
43 Vote Act" .

44
45 Laid over until February 13, retaining place on Calendar.

46
47 **HB09-1128** by Representative(s) Priola, Balmer, Baumgardner,
48 Bradford, Frangas, Gardner C., Hullingerhorst, Liston,
49 Looper, Casso, McNulty, Merrifield, Middleton, Roberts,
50 Sonnenberg, Soper, Swalm, Todd; also Senator(s) Hodge,
51 Penry, Spence, Williams, King K.--Concerning the
52 establishment of an academic license to allow a dentist
53 employed by a school of dentistry to engage in the practice
54 of dentistry in connection with programs affiliated with the
55 school.
56

1 Amendment No. 1, Education Report, dated January 29, 2009, and placed
2 in member's bill file; Report also printed in House Journal, January 30,
3 page 179.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB09-1093** by Representative(s) Levy, McGihon, Benefield, Judd,
9 Miklosi, Ferrandino, Fischer, Gagliardi, Green, Merrifield,
10 Pommer, Solano; also Senator(s) Veiga, Carroll M.--
11 Concerning additional income tax reporting requirements
12 for a corporate taxpayer.

13
14 Amendment No. 1, Finance Report, dated January 28, 2009, and placed
15 in member's bill file; Report also printed in House Journal, January 30,
16 pages 180-183.

17
18 Amendment No. 2, by Representative Levy.

19
20 Amend the Finance Committee Report, dated January 28, 2009, page 3,
21 strike line 5 and substitute the following:

22
23 "SUBSECTION (5) OF THIS SECTION; EXCEPT THAT, IN THE CASE OF
24 MULTIPLE TRANSACTIONS DESCRIBED IN SECTION 39-22-652 (5) (b) OR (5)
25 (c) THAT OCCUR WITHIN A SINGLE TAX YEAR, IN LIEU OF A DISCLOSURE FOR
26 EACH TRANSACTION WITH A REGULATED INVESTMENT COMPANY OR A
27 REAL ESTATE INVESTMENT TRUST, A TAXPAYER MAY FILE A DISCLOSURE
28 FOR MULTIPLE TRANSACTIONS WITH A REGULATED INVESTMENT COMPANY
29 OR REAL ESTATE INVESTMENT TRUST SHOWING THE NAME AND OWNERSHIP
30 OF EACH SUCH ENTITY AND EACH SUCH ENTITY'S TOTAL ASSETS AND
31 TOTAL INCOME EARNED PRIOR TO ANY DIVIDEND PAID DEDUCTION.";

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

35
36 **HB09-1004** by Representative(s) Apuan; also Senator(s) Boyd--
37 Concerning the authority of organizations providing all-
38 inclusive care for the elderly to employ physicians.

39
40 Ordered engrossed and placed on the Calendar for Third Reading and
41 Final Passage.

42
43 **HB09-1139** by Representative(s) Solano; also Senator(s) Tochtrop--
44 Concerning fetal alcohol spectrum disorders.

45
46 Amendment No. 1, Health & Human Services Report, dated
47 January 29, 2009, and placed in member's bill file; Report also printed in
48 House Journal, January 30, pages 184-185.

49
50 As amended, ordered engrossed and placed on the Calendar for Third
51 Reading and Final Passage.

52
53 **HB09-1080** by Representative(s) Marostica; also Senator(s) Williams--
54 Concerning a grant of qualified immunity to building code
55 officials rendering assistance during a disaster emergency.

56

1 Amendment No. 1, by Representative Marostica.

2
3 Amend printed bill, page 2, line 20, after "A", insert "BUILDING
4 INSPECTOR, BUILDING CODE OFFICIAL, OR CERTIFIED BUILDING OFFICIAL".

5
6 As amended ordered engrossed and placed on the Calendar for Third
7 Reading and Final Passage.

8
9 **HB09-1090** by Representative(s) Rice; also Senator(s) Williams--
10 Concerning the use of titles associated with interpretation
11 for deaf persons, and, in connection therewith, making
12 unauthorized use of such titles a deceptive trade practice
13 under the "Colorado Consumer Protection Act".

14
15 Amendment No. 1, Judiciary Report, dated January 29, 2009, and placed
16 in member's bill file; Report also printed in House Journal, January 30,
17 page 185.

18
19 As amended, ordered engrossed and placed on the Calendar for Third
20 Reading and Final Passage.

21
22 **HB09-1135** by Representative(s) Judd; also Senator(s) White--
23 Concerning the adjustment of fees imposed by counties in
24 the state.

25
26 Laid over until February 13, retaining place on Calendar.

27
28 **HB09-1066** by Representative(s) Vaad; also Senator(s) Gibbs--
29 Concerning the codification of existing practices of the
30 division of aeronautics.

31
32 Amendment No. 1, Transportation & Energy Report, dated
33 January 29, 2009, and placed in member's bill file; Report also printed in
34 House Journal, January 30, page 191.

35
36 Amendment No. 2, by Representative Vaad.

37
38 Amend the Transportation and Energy Committee Report, dated January
39 29, 2009, page 1, line 15, strike "AN AIRPORT." and substitute "AN
40 FAA-DESIGNATED PUBLIC-USE AIRPORT."

41
42 Page 2, line 3, strike "43-10-109." and substitute "43-10-109.";

43
44 line 8, strike "(1) and (4) (a) (I)," and substitute "(1), (2) (c), (4) (a) (I),
45 and (4) (a) (II),";

46
47 after line 22, insert the following:

48
49 "(2) (c) It is not the intent of the general assembly that the moneys
50 available for expenditure pursuant to the provisions of this subsection (2)
51 be used to supplant any federal moneys which may be available to
52 airports, governmental entities operating ~~public-accessible~~
53 FAA-DESIGNATED PUBLIC-USE airports, or the division pursuant to federal
54 law."

55
56 Page 6, after line 3, insert the following:

1 "(II) To the airport operating fund of the governmental entity
 2 operating the ~~public-accessible~~ FAA-DESIGNATED PUBLIC-USE airport
 3 pursuant to section 43-10-110 (2) (a); and";
 4
 5 line 9, after "~~public-accessible~~", insert "FAA-DESIGNATED";
 6
 7 line 27, strike "A" and substitute "AN FAA-DESIGNATED".
 8
 9 As amended, ordered engrossed and placed on the Calendar for Third
 10 Reading and Final Passage.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

16 Passed Second Reading: **HB09-1128 amended, 1093 amended, 1004,**
 17 **1139 amended, 1080 amended, 1090 amended, 1066 amended.**

19 Laid over until date indicated retaining place on Calendar: **HB09-1018,**
 20 **1135--February 13, 2009.**

22 The Chairman moved the adoption of the Committee of the Whole
 23 Report. As shown by the following roll call vote, a majority of those
 24 elected to the House voted in the affirmative, and the Report was
 25 **adopted.**

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

REPORTS OF COMMITTEES OF REFERENCE

JUDICIARY

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

54 **HB09-1113** be postponed indefinitely.

1 **HB09-1147** be postponed indefinitely.
2
3
4 **HB09-1151** be amended as follows, and as so amended, be referred to
5 the Committee of the Whole with favorable
6 recommendation:
7
8 Amend printed bill, page 6, line 26, strike "affected" and substitute
9 "~~affected~~ APPROPRIATE".
10
11 Page 7, line 22, strike "SCHOOL BUILDING SAFETY" and substitute "PUBLIC
12 SCHOOL CONSTRUCTION AND".
13
14 Page 8, line 2, strike "SCHOOL BUILDING SAFETY" and substitute "PUBLIC
15 SCHOOL CONSTRUCTION AND".
16
17 Page 9, line 5, strike "RULES" and substitute "THE FIRE CODE".
18
19 Page 15, line 12, strike "~~public~~" and substitute "public";
20
21 line 13, strike "SCHOOL BUILDING safety" and substitute "~~safety~~ SCHOOL
22 CONSTRUCTION AND".
23
24 Page 16, line 2, strike "SCHOOL BUILDING" and substitute "PUBLIC SCHOOL
25 CONSTRUCTION AND";
26
27 line 3, strike "SAFETY".
28
29 Page 17, line 9, strike "RULES" and substitute "THE FIRE CODE".
30
31 Page 18, line 5, strike "amended" and substitute "amended, and the said
32 24-33.5-1201 is further amended BY THE ADDITION OF A NEW
33 SUBSECTION,";
34
35 after line 13, insert the following:
36
37 "(3) THERE IS HEREBY CREATED WITHIN THE DIVISION THE PUBLIC
38 SCHOOL CONSTRUCTION AND INSPECTION SECTION TO IMPLEMENT THE
39 PROVISIONS OF SECTIONS 22-32-124 (2) AND 23-71-122 (1) (v), C.R.S.,
40 AND TO ADMINISTER AND ENFORCE THE CODES IN ACCORDANCE WITH
41 24-33.5-1213 AND 24-33.5-1213.3. THE PUBLIC SCHOOL CONSTRUCTION
42 AND INSPECTION SECTION SHALL PERFORM ITS DUTIES AND FUNCTIONS
43 UNDER THE DIVISION AND THE EXECUTIVE DIRECTOR AS IF THE SAME WERE
44 TRANSFERRED TO THE DEPARTMENT BY A **TYPE 2** TRANSFER, AS SUCH
45 TRANSFER IS DEFINED IN THE "ADMINISTRATIVE ORGANIZATION ACT OF
46 1968", ARTICLE 1 OF THIS TITLE.";
47
48 line 14, strike "(1) (a), (1) (b), and";
49
50 line 15, strike "are" and substitute "is";
51
52 line 16, strike "A NEW PARAGRAPH," and substitute "THE
53 FOLLOWING NEW PARAGRAPHS,";
54
55 strike lines 19 through 25 and substitute the following:
56

1 "(a.5) ASSIST UNITS OF LOCAL GOVERNMENT CHARGED WITH THE
2 CONSTRUCTION, MAINTENANCE, AND INSPECTION OF PUBLIC SCHOOL
3 BUILDINGS IN COORDINATING THEIR ACTIVITIES WITH STATE DEPARTMENTS
4 AND AGENCIES THAT HAVE SIMILAR RESPONSIBILITIES;
5
6 (b.5) ADVISE THE GOVERNOR AND THE GENERAL ASSEMBLY
7 REGARDING IMPLEMENTATION OF THE PUBLIC SCHOOL CONSTRUCTION AND
8 INSPECTION PROGRAM;" ;
9
10 line 27, strike "BUILDING" and substitute "~~code~~ CODES ADOPTED".
11
12 Page 19, line 1, strike "SAFETY code";
13
14 line 6, strike "SAFETY" and substitute "BUILDING";
15
16 line 13, strike "a fire code," and substitute "~~a fire code~~ CODES," ;
17
18 line 14, strike "fire code" and substitute "~~fire code~~ CODES";
19
20 line 15, strike "and" and substitute "and";
21
22 line 18, strike "12; AND" and substitute "12." ;
23
24 strike lines 19 through 21.
25
26 Page 20, strike lines 19 through 23 and substitute the following:
27
28 "(f) TO ESTABLISH AND ADOPT SUCH RULES AS MAY BE NECESSARY
29 TO ADMINISTER THE PUBLIC SCHOOL CONSTRUCTION AND INSPECTION
30 PROGRAM FOR THE INSPECTION OF PUBLIC SCHOOL BUILDINGS AND A
31 PROGRAM FOR CERTIFICATION OF PUBLIC SCHOOL BUILDING INSPECTORS;" .
32
33 Page 21, strike line 10 and substitute the following;
34
35 "(2) THE PUBLIC SCHOOL CONSTRUCTION AND INSPECTION
36 PROGRAM AND THE";
37
38 line 11, before "SCHOOL", insert "PUBLIC";
39
40 line 13, strike "DIRECTOR." and substitute "DIRECTOR WITH THE ADVICE OF
41 THE BOARD OF APPEALS CREATED IN SECTION 24-33.5-1213.7." ;
42
43 line 16, strike "**School building safety**" and substitute "**Public school**
44 **construction and**";
45
46 line 21, strike "SCHOOL BUILDING safety" and substitute "~~safety~~ PUBLIC
47 SCHOOL CONSTRUCTION AND";
48
49 line 24, strike "SCHOOL BUILDING SAFETY" and substitute "PUBLIC SCHOOL
50 CONSTRUCTION AND INSPECTION".
51
52 Page 22, line 12, strike "fire" and substitute "~~fire~~";
53
54 line 25, strike "SCHOOL BUILDING SAFETY" and substitute "PUBLIC SCHOOL
55 CONSTRUCTION AND".
56

1 Page 24, line 13, strike "AN INSPECTOR" and substitute "A BUILDING
2 INSPECTOR AND PLANS EXAMINER".

3

4 Page 25, line 14, strike "SIX" and substitute "SEVEN";

5

6 line 24, strike "INCORPORATED COLORADO COUNTIES," and substitute
7 "COLORADO COUNTIES, INCORPORATED,".

8

9 Page 27, after line 6, insert the following:

10

11 "(5) IN ADDITION TO HEARING APPEALS AS PROVIDED IN THIS
12 SECTION, THE BOARD OF APPEALS SHALL ADVISE THE DIRECTOR IN
13 PROMULGATING RULES AND ENACTING STANDARDS FOR THE PUBLIC
14 SCHOOL CONSTRUCTION AND INSPECTION PROGRAM.";

15

16 line 13, strike "SCHOOL BUILDING SAFETY" and substitute "PUBLIC SCHOOL
17 CONSTRUCTION AND".

18

19

20

21

22 **HEALTH & HUMAN SERVICES**

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

25

26 **HB09-1059** be amended as follows, and as so amended, be referred to
27 the Committee of the Whole with favorable
28 recommendation:

29

30 Amend printed bill, page 2, strike lines 9 through 21 and substitute the
31 following:

32

33 "(I) THE COVERED PERSON'S TREATING PHYSICIAN, WHO IS
34 PROVIDING COVERED HEALTH CARE SERVICES TO THE PERSON UNDER THE
35 HEALTH BENEFIT PLAN CONTRACT, RECOMMENDS PARTICIPATION IN THE
36 CLINICAL TRIAL AFTER DETERMINING THAT PARTICIPATION IN THE
37 CLINICAL TRIAL HAS A MEANINGFUL POTENTIAL TO BENEFIT THE COVERED
38 PERSON;

39

40 "(II) THE CLINICAL TRIAL OR STUDY IS APPROVED UNDER THE
41 SEPTEMBER 19, 2000, MEDICARE NATIONAL COVERAGE DECISION
42 REGARDING CLINICAL TRIALS, AS AMENDED;

43

44 "(III) THE PATIENT CARE IS PROVIDED BY A CERTIFIED, REGISTERED,
45 OR LICENSED HEALTH CARE PROVIDER PRACTICING WITHIN THE SCOPE OF
46 HIS OR HER PRACTICE AND THE FACILITY AND PERSONNEL PROVIDING THE
47 TREATMENT HAVE THE EXPERIENCE AND TRAINING TO PROVIDE THE
48 TREATMENT IN A COMPETENT MANNER;

49

50 "(IV) PRIOR TO PARTICIPATION IN A CLINICAL TRIAL OR STUDY, THE
51 COVERED PERSON HAS SIGNED A STATEMENT OF CONSENT INDICATING
52 THAT THE COVERED PERSON HAS BEEN INFORMED OF THE PROCEDURE TO
53 BE UNDERTAKEN, ALTERNATIVE METHODS OF TREATMENT, THE GENERAL
54 NATURE AND EXTENT OF THE RISKS ASSOCIATED WITH PARTICIPATION IN
55 THE CLINICAL TRIAL OR STUDY, THE COVERAGE PROVIDED BY AN
56 INDIVIDUAL OR GROUP HEALTH BENEFIT PLAN WILL BE CONSISTENT WITH

1 THE COVERAGE PROVIDED IN THE COVERED PERSON'S HEALTH BENEFIT
2 PLAN, AND ALL OUT-OF-NETWORK RATES WILL APPLY; AND
3

4 (V) THE COVERED PERSON SUFFERS FROM A CONDITION THAT IS
5 DISABLING, PROGRESSIVE, OR LIFE-THREATENING."
6

7 Page 3, line 10, strike "OR";
8

9 line 12, strike "STUDY." and substitute "STUDY; OR";
10

11 after line 12, insert the following:
12

13 "(VI) HEALTH CARE SERVICES THAT, EXCEPT FOR THE FACT THAT
14 THEY ARE BEING PROVIDED IN A CLINICAL TRIAL, ARE OTHERWISE
15 SPECIFICALLY EXCLUDED FROM COVERAGE UNDER THE COVERED PERSON'S
16 HEALTH PLAN.";
17

18 line 27, strike "A MEDICAL SERVICE OR".
19

20 Page 4, strike lines 1 through 8 and substitute the following:
21

22 "ALL ITEMS AND SERVICES THAT ARE A BENEFIT UNDER A HEALTH
23 COVERAGE PLAN THAT WOULD BE COVERED IF THE COVERED PERSON WERE
24 NOT INVOLVED IN EITHER THE EXPERIMENTAL OR THE CONTROL ARMS OF
25 A CLINICAL TRIAL; EXCEPT THE INVESTIGATIONAL ITEM OR SERVICE,
26 ITSELF; ITEMS AND SERVICES PROVIDED SOLELY TO SATISFY DATA
27 COLLECTION AND ANALYSIS NEEDS AND THAT ARE NOT USED IN THE
28 DIRECT CLINICAL MANAGEMENT OF THE PATIENT; ITEMS AND SERVICES
29 CUSTOMARILY PROVIDED BY THE RESEARCH SPONSORS FREE OF CHARGE
30 FOR ANY ENROLLEE IN THE TRIAL; ROUTINE COSTS IN CLINICAL TRIALS
31 INCLUDE ITEMS OR SERVICES THAT ARE TYPICALLY PROVIDED ABSENT A
32 CLINICAL TRIAL; ITEMS OR SERVICES REQUIRED SOLELY FOR THE PROVISION
33 OF THE INVESTIGATIONAL ITEMS OR SERVICES, THE CLINICALLY
34 APPROPRIATE MONITORING OF THE EFFECTS OF THE ITEM OF SERVICE, OR
35 THE PREVENTION OF COMPLICATIONS; AND ITEMS OR SERVICES NEEDED
36 FOR REASONABLE AND NECESSARY CARE ARISING FROM THE PROVISION OF
37 AN INVESTIGATIONAL ITEM OR SERVICE, INCLUDING THE DIAGNOSIS OR
38 TREATMENT OF COMPLICATIONS."
39
40
41

42 **HB09-1103** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:
45

46 Amend printed bill, page 2, line 12, strike "(2.7)," and substitute "(2.7)
47 AND SUFFICIENT SPENDING AUTHORITY,";
48

49 line 18, after the period, add "IF REQUIRED DUE TO LIMITATIONS OF
50 FEDERAL AUTHORIZATION OR SPENDING AUTHORITY, THE STATE
51 DEPARTMENT MAY IMPLEMENT THIS PARAGRAPH (b) AS A PILOT PROGRAM
52 RATHER THAN STATEWIDE."
53
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MESSAGE FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB09-065.

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

SB09-041 amended as printed in Senate Journal, February 2, 2009 page 152.

MESSAGE FROM THE REVISOR

We herewith transmit:
Without comment, SB09-065.
Without comment, as amended, SB09-041.

On motion of Representative Weissmann, the following bills will be calendared for Friday, February 6, 2009: HB09-1059, 1103, 1151; HB09-1088 will be laid over until February 6, 2009.

House in recess. House reconvened.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HJR09-1006, 1007, 1008.**

**INTRODUCTION OF BILLS
First Reading**

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

HB09-1257 by Representative(s) Scanlan; also Senator(s) Scheffel--
Concerning the requirement that the amount of public funds invested in any one certificate of deposit may not exceed the amount insured by the federal deposit insurance corporation.

Committee on Business Affairs and Labor

HB09-1258 by Representative(s) Gardner B.; also Senator(s) Mitchell--
Concerning limitations on the ability of a home rule municipality to acquire real property outside its territorial boundaries by means of condemnation.

Committee on State, Veterans, & Military Affairs

- 1 **HB09-1259** by Representative(s) Hullinghorst, Pommer, Todd--
2 Concerning the imposition of impact fees by local
3 governments for certain authorized local purposes.
4 Committee on Finance
5
- 6 **HB09-1260** by Representative(s) Ferrandino; also Senator(s) Veiga--
7 Concerning designated beneficiary agreements.
8 Committee on Judiciary
9
- 10 **HB09-1261** by Representative(s) Swalm; also Senator(s) Veiga--
11 Concerning limitations on the requirement for
12 telecommunications providers to maintain the wholesale
13 telecommunications tariff if the telecommunications
14 providers operate under interconnection agreements
15 approved pursuant to federal law.
16 Committee on Transportation & Energy
17
- 18 **HB09-1262** by Representative(s) Casso; also Senator(s) Morse--
19 Concerning the issuance of a summons instead of an arrest
20 warrant in certain circumstances.
21 Committee on Judiciary
22
- 23 **HB09-1263** by Representative(s) Casso; also Senator(s) Carroll M.--
24 Concerning time computation while an inmate is
25 incarcerated in a county jail.
26 Committee on Judiciary
27
- 28 **HB09-1264** by Representative(s) Benefield, Apuan, Court, Gardner B.,
29 Kerr A., Levy, McCann, Miklosi, Pace, Roberts, Ryden,
30 Solano; also Senator(s) Hudak--Concerning the costs
31 associated with college-level academic programs for state
32 inmates.
33 Committee on Education
34
- 35 **HB09-1265** by Representative(s) Liston, Kerr J., Looper, Massey,
36 Murray, Priola, Tipton--Concerning a two-year limitation
37 on abatement interest awarded to a nonprofit entity that
38 has not qualified for tax exemption due to an error made
39 by the nonprofit entity.
40 Committee on Finance
41
- 42 **HB09-1266** by Representative(s) McCann; also Senator(s) Carroll M.--
43 Concerning the repeal of the loss of driving privileges as
44 a penalty for certain crimes.
45 Committee on Judiciary
46
- 47 **HB09-1267** by Representative(s) Todd; also Senator(s) Bacon--
48 Concerning the removal of statutory provisions describing
49 pervasively sectarian educational institutions.
50 Committee on Education
51
- 52 **HB09-1268** by Representative(s) Gardner C.; also Senator(s) Kopp--
53 Concerning measures to decrease the consumption of
54 fossil fuels without imposing any new burden on a
55 taxpayer, and, in connection therewith, requiring the
56 governor to collaborate with the governors of surrounding

1 states to expand pipeline capacity and electricity
2 transmission capacity; exempting from state sales and use
3 tax the sales of fuel-efficient vehicles; exempting from the
4 levy and collection of property tax business personal
5 property used to develop landfill-to-energy conversion;
6 adding any nuclear energy generation technology and
7 alternative fuels to the definition of "clean energy" for
8 purposes of the Colorado clean energy development
9 authority; adding the sale, distribution, transmission,
10 blending, and manufacturing of alternative fuel or the
11 manufacturing of alternative fuel technology to the
12 definition of "project" for purposes of the Colorado clean
13 energy development authority; directing the Colorado
14 clean energy development authority to create an inventory
15 of processes that must be followed in order to construct a
16 nuclear power generation facility that employs modern
17 generation technology; requiring the Colorado clean
18 energy development authority to report to the general
19 assembly any recommended changes in state and federal
20 law or regulation that will facilitate the development of
21 nuclear power generation and facility permitting; requiring
22 the state board of land commissioners to provide a report
23 to the general assembly with an analysis of renewable
24 energy resources on state lands, prioritizing geothermal
25 energy resources; requiring the state board of land
26 commissioners to provide a report to the general assembly
27 with an analysis of carbon sequestration possibilities on
28 state land; requiring the Colorado water conservation
29 board to assess the feasibility of retrofitting existing water
30 infrastructure and water storage infrastructure to develop
31 hydroelectric power; and requiring the public utilities
32 commission to provide to the general assembly a full cost-
33 benefit analysis upon the commission's decision to close
34 an existing electric power generation facility.

35 Committee on Transportation & Energy

36
37 **HB09-1269** by Representative(s) Ferrandino, Court, Middleton, Pace,
38 Pommer, Scanlan, Weissmann--Concerning the creation of
39 a state rainy day account, and, in connection therewith,
40 specifying the manner in which the account is to be funded
41 and the circumstances in which moneys may be expended
42 from the account.

43 Committee on Finance

44 Committee on Appropriations

45
46 **SB09-007** by Senator(s) Veiga; also Representative(s) Riesberg--
47 Concerning making certain duties related to the
48 involuntary commitment process for substance abusers
49 solely the authority of a licensed physician.

50 Committee on Judiciary

51
52 **SB09-017** by Senator(s) Tochtrop, Morse; also Representative(s)
53 Riesberg, Benefield, Labuda, Peniston, Rice--Concerning
54 firefighter and police officer disability and survivor
55 benefits.

56 Committee on Finance

- 1 **SB09-038** by Senator(s) Hudak, Boyd, Morse, Shaffer B.; also
2 Representative(s) Marostica--Concerning technical
3 changes to judicial fees.
4 Committee on Judiciary
5
- 6 **SB09-040** by Senator(s) Hodge; also Representative(s) Soper--
7 Concerning the regulation of manufactured homes.
8 Committee on Business Affairs and Labor
9
- 10 **SB09-041** by Senator(s) Romer; also Representative(s) Vigil--
11 Concerning the administration of the "Private Activity
12 Bond Ceiling Allocation Act".
13 Committee on Finance
14
- 15 **SB09-043** by Senator(s) Isgar, Kester, Tapia; also Representative(s)
16 Roberts, Massey, McFadyen, Pace, Tipton--Concerning
17 the merger of Pueblo community college and San Juan
18 basin area vocational school, and, in connection therewith,
19 clarifying the two-year authority of Fort Lewis college and
20 making an appropriation.
21 Committee on Education
22
- 23 **SB09-047** by Senator(s) Newell; also Representative(s) Roberts--
24 Concerning the oversight of crime victim services, and, in
25 connection therewith, creating the crime victim services
26 advisory board and repealing the victims compensation
27 and assistance coordinating committee and the victims
28 assistance and law enforcement advisory board.
29 Committee on Judiciary
30
- 31 **SB09-050** by Senator(s) Scheffel; also Representative(s) Murray--
32 Concerning a requirement that at least one member of the
33 limited gaming control commission be a resident of a
34 locality in which limited gaming takes place.
35 Committee on Local Government
36
- 37 **SB09-059** by Senator(s) Schwartz, Brophy, Mitchell, Shaffer B.,
38 Veiga; also Representative(s) Gardner B., Labuda, Levy,
39 McGihon, Roberts--Concerning the enactment of Colorado
40 Revised Statutes 2008 as the positive and statutory law of
41 the state of Colorado.
42 Committee on Judiciary
43
- 44 **SB09-065** by Senator(s) Schultheis, Isgar; also Representative(s)
45 McNulty, Kerr J., Primavera--Concerning the audit
46 requirements for the public safety communications trust
47 fund.
48 Committee on State, Veterans, & Military Affairs
49
- 50 **SB09-084** by Senator(s) Scheffel; also Representative(s) Scanlan--
51 Concerning documents related to the role of the office of
52 the secretary of state as filing office for secured
53 transactions.
54 Committee on State, Veterans, & Military Affairs
55
56
-

1 **INTRODUCTION OF CONCURRENT RESOLUTION**

2
3 The following resolution was read by title and referred to the committee
4 indicated:

5
6 **HCR09-1001** by Representative(s) Frangas--Submitting to the registered
7 electors of the state of Colorado amendments to article X
8 of the constitution of the state of Colorado, concerning the
9 creation of the Colorado future fund to help pay for
10 Colorado's infrastructure needs, and, in connection
11 therewith, creating the Colorado future fund; transferring
12 any state revenues in excess of the constitutional limit on
13 state fiscal year spending to the fund; requiring moneys in
14 the fund to be used equally for transportation infrastructure
15 repair and construction and renewable energy
16 infrastructure development and maintenance; permitting
17 the state to issue bonds payable from the moneys in the
18 fund; and establishing a rainy day account within the fund.

19 Committee on State, Veterans, & Military Affairs
20 Committee on Finance

21
22
23
24 On motion of Representative Weissmann, the House adjourned until
25 9:00 a.m., February 4, 2009.

26
27 Approved:
28 TERRANCE D. CARROLL,
29 Speaker

30 Attest:
31 MARILYN EDDINS,
32 Chief Clerk

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

Twenty-ninth Legislative Day

Wednesday, February 4, 2009

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

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

5
6 Pledge of Allegiance led by Spencer Elliot, Tommy Stager, Drew
7 Heidemann, Duncan Barrett, Aidan Sesnic, Cub Scout Pack 161, Niwot
8 Elementary.

9
10 The roll was called with the following result:

11
12 Present--60.
13 Excused--Representatives Levy, Looper, McGihon, Pommer,
14 Vigil--5.
15 Present after roll call--Representatives Pommer, Vigil.

16
17 The Speaker declared a quorum present.

18
19
20 On motion of Representative McNulty, the reading of the journal of
21 February 3, 2009, was declared dispensed with and approved as corrected
22 by the Chief Clerk.

23
24
25
26 **THIRD READING OF BILLS--FINAL PASSAGE**

27
28 The following bills were considered on Third Reading. The titles were
29 publicly read. Reading of the bill at length was dispensed with by
30 unanimous consent.

31
32 **HB09-1128** by Representative(s) Priola, Balmer, Baumgardner,
33 Bradford, Frangas, Gardner C., Hullinghorst, Liston,
34 Looper, Casso, McNulty, Merrifield, Middleton, Roberts,
35 Sonnenberg, Soper, Swalm, Todd; also Senator(s) Hodge,
36 Penry, Spence, Williams, King K.--Concerning the
37 establishment of an academic license to allow a dentist
38 employed by a school of dentistry to engage in the
39 practice of dentistry in connection with programs
40 affiliated with the school.

41
42 The question being "Shall the bill pass?".

43 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 was declared **passed**.

	YES	61	NO	0	EXCUSED	4	ABSENT	0
5	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
6	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
7	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
8	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
9	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
10	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
11	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
12	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
13	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
14	Ferrandino	Y	Levy	E	Pace	Y	Swalm	Y
15	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
16	Frangas	Y	Looper	E	Pommer	E	Todd	Y
17	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
18	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
19	Gardner	Y	May	Y	Rice	Y	Waller	Y
20	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Gardner B., Gerou, Kerr J., Labuda,
 23 Ryden, Scanlan, Summers

24
 25 **HB09-1093** by Representative(s) Levy, McGihon, Benefield, Judd,
 26 Miklosi, Ferrandino, Fischer, Gagliardi, Green, Merrifield,
 27 Pommer, Solano; also Senator(s) Veiga, Carroll M.--
 28 Concerning additional income tax reporting requirements
 29 for a corporate taxpayer.

30
 31 Laid over until February 5, retaining place on Calendar.

32
 33 **HB09-1004** by Representative(s) Apuan; also Senator(s) Boyd--
 34 Concerning the authority of organizations providing all-
 35 inclusive care for the elderly to employ physicians.

36
 37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.

	YES	61	NO	0	EXCUSED	4	ABSENT	0
43	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
45	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
46	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
47	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
48	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
49	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
50	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
51	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
52	Ferrandino	Y	Levy	E	Pace	Y	Swalm	Y
53	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
54	Frangas	Y	Looper	E	Pommer	E	Todd	Y
55	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
56	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y

1	Gardner	Y	May	Y	Rice	Y	Waller	Y
2	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Acree, Frangas, Gerou, Kefalas,
 5 Kerr A., Labuda, Marostica, Middleton, Primavera, Riesberg, Ryden, Todd,
 6 Vigil

7
 8 **HB09-1139** by Representative(s) Solano; also Senator(s) Tochtrop--
 9 Concerning fetal alcohol spectrum disorders.

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

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

34 Co-sponsor(s) added: Representative(s) Frangas, Gerou, Green, Kefalas,
 35 Kerr J., Labuda, Merrifield, Pace, Primavera, Priola, Riesberg, Ryden,
 36 Schafer S., Summers, Todd

37
 38 **HB09-1080** by Representative(s) Marostica; also Senator(s) Williams--
 39 Concerning a grant of qualified immunity to building code
 40 officials rendering assistance during a disaster emergency.

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

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

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

9 Co-sponsor(s) added: Representative(s) Baumgardner, Frangas, Gardner B.,
10 Gardner C., Gerou, Kerr J., Labuda, Lambert, Liston, Middleton, Miklosi,
11 Murray, Nikkel, Priola, Ryden, Stephens, Tipton, Todd

12
13 **HB09-1090** by Representative(s) Rice; also Senator(s) Williams--
14 Concerning the use of titles associated with interpretation
15 for deaf persons, and, in connection therewith, making
16 unauthorized use of such titles a deceptive trade practice
17 under the "Colorado Consumer Protection Act".
18

19 The question being "Shall the bill pass?".
20 A roll call vote was taken. As shown by the following recorded vote, a
21 majority of those elected to the House voted in the affirmative and the bill
22 was declared **passed**.
23

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

42 Co-sponsor(s) added: Representative(s) Apuan, Court, Gerou, Green, Kerr J.,
43 Labuda, Middleton, Miklosi, Nikkel, Pace, Primavera, Priola, Ryden, Stephens,
44 Summers, Todd, Waller
45

46
47 **HB09-1066** by Representative(s) Vaad; also Senator(s) Gibbs--
48 Concerning the codification of existing practices of the
49 division of aeronautics.
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	62	NO	0	EXCUSED	3	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	Y
5	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
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	E	Pace	Y	Swalm	Y
12	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Looper	E	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	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) Frangas, McFadyen, McNulty, Nikkel,
 20 Priola, Stephens

21
 22
 23
 24 **REPORTS OF COMMITTEES OF REFERENCE**

25
 26 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

29
 30 **HB09-1129** be amended as follows, and as so amended, be referred to
 31 the Committee on Appropriations with favorable
 32 recommendation:
 33

34 Amend printed bill, page 3, line 7, strike "NATIVE" and substitute
 35 "PREEXISTING, NATURAL VEGETATION";

36
 37 strike lines 12 through 16 and substitute the following:

38
 39 "PATTERNS THAT ACCOUNT FOR VARIATIONS IN HYDROLOGY AND
 40 PRECIPITATION EVENT INTENSITY, FREQUENCY, AND DURATION,
 41 QUANTIFYING PREEXISTING, NATURAL VEGETATION CONSUMPTION,
 42 MEASURING PRECIPITATION RETURN FLOW AMOUNTS, IDENTIFYING
 43 SURFACE VERSUS GROUND WATER RETURN FLOW SPLITS, AND IDENTIFYING
 44 DELAYED GROUND WATER RETURN FLOW TIMING TO RECEIVING
 45 STREAMS;"

46
 47 Page 4, line 12, strike "DIFFERENT" and substitute "A RANGE OF PROJECT
 48 SIZES AND".

49
 50 Page 5, strike lines 2 through 19 and substitute the following:
 51 "STATE ENGINEER PURSUANT TO SECTION 37-92-308 (4) OR (5). UNTIL THE
 52 PILOT PROJECT SPONSOR APPLIES TO THE WATER COURT FOR A PERMANENT
 53 AUGMENTATION PLAN, THE PILOT PROJECT SHALL BE REQUIRED TO
 54 REPLACE AN AMOUNT OF WATER EQUAL TO THE AMOUNT OF
 55 PRECIPITATION CAPTURED AND MEASURED FROM ROOFTOPS AND
 56 IMPERMEABLE SURFACES FOR NONPOTABLE USES.";

1 line 20, after "(II)", insert "(A)";

2

3 line 21, strike "UPON" and substitute "PRIOR TO".

4

5 Page 6, line 2, strike "NATIVE" and substitute "PREEXISTING, NATURAL
6 VEGETATION";

7

8 line 4, strike everything after the period;

9

10 strike lines 5 through 7 and substitute the following:

11

12 "(B) AFTER A MINIMUM OF TWO YEARS OF DATA COLLECTION AND
13 UPON APPLICATION TO THE APPROPRIATE WATER COURT FOR A PERMANENT
14 AUGMENTATION PLAN, THE PILOT PROJECT SPONSOR SHALL FILE AN
15 APPLICATION FOR APPROVAL OF A SUBSTITUTE WATER SUPPLY PLAN
16 PURSUANT TO SECTION 37-92-308 (4). FOR ANY SUBSTITUTE SUPPLY PLAN
17 APPLICATION FILED UNDER SECTION 37-92-308 (4), A PILOT PROJECT
18 SPONSOR MAY SEEK APPROVAL FROM THE STATE ENGINEER BASED ON
19 REPLACING ONLY THE NET DEPLETION CAUSED BY THE CAPTURE OF
20 PRECIPITATION. THE NET DEPLETION SHALL BE CALCULATED AS THE
21 AMOUNT OF PRECIPITATION CAPTURE MINUS THE HISTORICAL
22 CONSUMPTIVE USE FROM PREEXISTING, NATURAL VEGETATION COVER ON
23 THE IMPERMEABLE AREA AS DEMONSTRATED BY ANALYSIS OF THE DATA
24 COLLECTED BY THE SPONSOR DURING THE PILOT PROJECT. THE STATE
25 ENGINEER SHALL HAVE THE AUTHORITY TO REQUIRE THE SPONSOR TO
26 REPLACE ANY ONGOING DELAYED DEPLETIONS CAUSED BY THE PILOT
27 PROJECT.";

28

29 line 21, strike "The" and substitute "37-92-308 (4) (a) (IV) and (4) (b),
30 the" and, after "(a)", insert a comma;

31

32 strike line 25 and substitute the following:

33

34 "(4) (a) Beginning January 1, 2002, if an application for approval of a
35 plan for augmentation, rotational crop management contract, or change
36 of water right has been filed with a water court and the court has not
37 issued a decree, the state engineer may approve the temporary operation
38 of such plan, contract, or change of water right as a substitute water
39 supply plan if the following conditions are met:

40

41 (IV) The state engineer, after consideration of the comments
42 received, has determined that the operation and administration of such
43 plan will replace all out-of-priority depletions in time, location, and
44 amount and will otherwise prevent injury to other water rights and
45 decreed conditional water rights, including water quality and continuity
46 to meet the requirements of use to which the senior appropriation has
47 normally been put, pursuant to section 37-80-120 (3), and will not impair
48 compliance with any interstate compacts. NOTWITHSTANDING ANY
49 LIMITATIONS REGARDING PHREATOPHYTES OR IMPERMEABLE SURFACES
50 THAT WOULD OTHERWISE APPLY PURSUANT TO SECTION 37-92-103 (9) OR
51 37-92-501 (4) (b) (III), FOR ANY PRECIPITATION HARVESTING PILOT
52 PROJECT SELECTED PURSUANT TO SECTION 37-60-115 (6) THAT HAS FILED
53 AN APPLICATION FOR A PERMANENT AUGMENTATION PLAN IN WATER
54 COURT, THE OUT-OF-PRIORITY DEPLETIONS SHALL BE THE NET DEPLETION
55 AS DEFINED IN SECTION 37-60-115 (6) (c) (II) (B). IF NOT OTHERWISE
56 REQUIRED BY A WATER COURT-APPROVED AUGMENTATION PLAN, THE

1 STATE ENGINEER SHALL HAVE THE AUTHORITY TO REQUIRE THE PROJECT
2 SPONSOR TO REPLACE ANY ONGOING DELAYED DEPLETIONS AFTER THE
3 WATER USE PLAN ASSOCIATED WITH A PRECIPITATION HARVESTING PILOT
4 PROJECT HAS CEASED. The state engineer shall impose such terms and
5 conditions as are necessary to ensure that these standards are met. In
6 making such determinations, the state engineer shall not be required to
7 hold any formal hearings or conduct any other formal proceedings, but
8 may conduct a hearing or formal proceeding if the state engineer finds it
9 necessary to address the issues.

10

11 (b) A substitute water supply plan approved pursuant to this
12 subsection (4) shall not be approved for a period of more than one year;
13 except that an applicant may request the renewal of a plan by repeating
14 the application process described in this subsection (4). If an applicant
15 requests a renewal of a plan that would extend the plan past three years
16 from the initial date of approval, the applicant shall demonstrate to the
17 state engineer that the delay in obtaining a water court decree is justifiable
18 and that not being able to continue operating under a substitute water
19 supply plan until a decree is entered will cause undue hardship to the
20 applicant. A PROJECT SPONSOR FOR A PRECIPITATION HARVESTING PILOT
21 PROJECT SELECTED PURSUANT TO SECTION 37-60-115 (6) SHALL
22 DEMONSTRATE TO THE STATE ENGINEER THAT AN ADDITIONAL YEAR OF
23 OPERATION UNDER THE PLAN IS NECESSARY TO OBTAIN SUFFICIENT DATA
24 TO MEET THE COLORADO WATER CONSERVATION BOARD'S CRITERIA FOR
25 EVALUATING THE PILOT PROJECT. If an applicant requests renewal of a
26 plan that would extend the plan past five years from the initial date of
27 approval, the applicant shall demonstrate to the water judge in the
28 applicable water division that the delay in obtaining a decree has been
29 justifiable and that not being able to continue operating under a substitute
30 water supply plan until a decree is entered will cause undue hardship to
31 the applicant. Approval of a plan pursuant to subsection (5) of this
32 section shall be deemed to be approval under this subsection (4) for
33 purposes of calculating the number of years since the initial date of
34 approval.

35

36 (5) (a) Beginning January 1, 2002, for new water use plans
37 involving".

38

39

40

41 **HB09-1174** be referred to the Committee of the Whole with favorable
42 recommendation.

43

44

45

46

47 **BUSINESS AFFAIRS & LABOR**

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

50

51 **HB09-1127** be amended as follows, and as so amended, be referred to
52 the Committee on Finance with favorable
53 recommendation:

54

55 Amend printed bill, page 3, strike lines 11 through 15 and substitute the
56 following:

1 "BETWEEN THE NUMBER OF THE QUALIFIED BUSINESS' FULL-TIME
2 EMPLOYEES IN THE STATE AS OF THE LAST DAY OF THE INCOME TAX YEAR
3 IN WHICH THE QUALIFIED INVESTMENT IS MADE AND THE NUMBER OF THE
4 QUALIFIED BUSINESS' FULL-TIME EMPLOYEES IN THE STATE AT THE TIME A
5 TAXPAYER INVESTS IN THE QUALIFIED BUSINESS TWO YEARS PRIOR,
6 WHICH".

7
8 Page 4, after line 11, insert the following:

9
10 "(f) "TOTAL AMOUNT OF NEW WAGES PAID BY THE QUALIFIED
11 BUSINESS" MEANS THE AGGREGATE WAGES PAID BY A QUALIFIED BUSINESS
12 DURING THE INCOME TAX YEAR IN WHICH A QUALIFIED INVESTMENT IS
13 MADE FOR ALL JOBS CREATED SINCE THE TIME A TAXPAYER INVESTS IN THE
14 QUALIFIED BUSINESS TWO YEARS PRIOR TO THE QUALIFIED INVESTMENT.";

15
16 line 13, after "2011,", insert "BUT PRIOR TO JANUARY 1, 2016,";

17
18 line 16, strike "AMOUNT OF THE QUALIFIED INVESTMENT" and substitute
19 "TOTAL AMOUNT OF NEW WAGES PAID BY THE QUALIFIED BUSINESS".

20
21 Page 6, line 18, after "(5)", insert "(a)";

22
23 line 20, strike "MAKING A QUALIFIED INVESTMENT." and substitute "THE
24 END OF THE INCOME TAX YEAR DURING WHICH A QUALIFIED INVESTMENT
25 IS MADE.";

26
27 line 21, strike "ANY" and substitute "THE TOTAL AMOUNT OF NEW WAGES
28 PAID BY THE QUALIFIED BUSINESS, THE INFORMATION NEEDED TO
29 CALCULATE THE JOBS-CREATION PERCENTAGE, AND ANY OTHER";

30
31 line 25, strike "NINETY" and substitute "THIRTY".

32
33 Page 7, line 6, after "SUBMIT", insert "A COPY OF";

34
35 after line 8, insert the following:

36
37 "(b) AS SOON AS POSSIBLE, THE OFFICE OF ECONOMIC
38 DEVELOPMENT SHALL TRANSMIT A LIST OF ALL TAXPAYERS WHO HAVE
39 RECEIVED A TAX CREDIT CERTIFICATE AND ANY TRANSFEREES TO WHOM
40 A CREDIT HAS BEEN TRANSFERRED, ALONG WITH THE FEDERAL TAXPAYER
41 IDENTIFICATION NUMBERS OF SUCH TAXPAYERS AND TRANSFEREES.".

42
43
44
45 **HB09-1136** be amended as follows, and as so amended, be referred to
46 the Committee on Appropriations with favorable
47 recommendation:

48
49 Amend printed bill, page 2, line 11, strike "LOADSIDE OF A" and substitute
50 "INVERTER OUTPUT CIRCUIT OF A PHOTOVOLTAIC SYSTEM OR A SIMILAR
51 CIRCUIT FROM ANOTHER TYPE OF".

52
53 Page 5, line 17, strike "BOARD." and substitute "BOARD, IN
54 COLLABORATION WITH ESTABLISHED INDUSTRY TRAINING PROGRAMS AND
55 INDUSTRY REPRESENTATIVES.".

56

1 **FINANCE**

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

4
5 **HB09-1003** be postponed indefinitely.

6
7
8 **HB09-1038** be postponed indefinitely.

9
10
11 **HB09-1067** be amended as follows, and as so amended, be referred to
12 the Committee on Appropriations with favorable
13 recommendation:

14
15 Amend printed bill, page 3, line 13, strike "(7)" and substitute "(6)".

16
17 Page 4, line 2, after "BY", insert "THE BOARD WITH REFERENCE TO" and,
18 strike "SUBPARAGRAPH (II)" and substitute "PARAGRAPH (c)";

19
20 line 3, strike "PARAGRAPH (b)" and substitute "SUBSECTION (2) AND BASED
21 ON THE DECREED USE OF SUCH RIGHT.";

22
23 line 5, strike "THE BOARD SHALL NOT";

24
25 strike lines 6 and 7 and substitute the following:

26
27 "THE";

28
29 line 11, strike "EQUAL TO";

30
31 strike lines 12 through 14 and substitute the following:

32
33 "DONATED TO THE BOARD.

34
35 (II) THE AMOUNT OF THE CREDIT SHALL NOT INCLUDE THE VALUE";

36
37 line 18, strike "(II)" and substitute "(c)".

38
39 Page 5, line 1, strike "OVERSTATEMENT" and substitute "VALUATION
40 MISSTATEMENT";

41
42 strike line 2, and substitute the following:

43
44 "AS SUCH MISSTATEMENTS ARE DEFINED IN SECTION 1219";

45
46 strike lines 8 through 12 and substitute the following:

47
48 "(d) IN NO EVENT SHALL THE BOARD ISSUE A CREDIT CERTIFICATE
49 IF THE AGGREGATE SUM OF CREDITS APPROVED BY THE BOARD PURSUANT
50 TO THIS SECTION AND NOT YET ELIGIBLE TO BE TAKEN AS DESCRIBED IN
51 SUBSECTION (7) OF THIS SECTION EXCEEDS TWO MILLION DOLLARS.";

52
53 line 13, strike "(c)" and substitute "(e)";

54
55 line 26, after "BOARD", insert "AND THE DEPARTMENT";

56

1 line 27, strike "TAXPAYER." and substitute "TAXPAYER, AND THE BOARD
2 SHALL ISSUE CREDIT CERTIFICATES IN THE APPROPRIATE AMOUNTS TO
3 EACH PARTNER, SHAREHOLDER, MEMBER, OR OTHER CONSTITUENT
4 TAXPAYER."

5
6 Page 6, line 3, strike "(a)";

7
8 line 5, after "MAY", insert "NOT";

9
10 strike lines 6 through 27 and substitute the following:

11
12 "FORWARD AND SHALL BE REFUNDED TO THE TAXPAYER."
13

14 Strike page 7.

15
16 Page 8, strike lines 1 through 15.

17
18 Renumber succeeding subsections accordingly.

19
20 Page 8, line 16, strike "(a)";

21
22 line 21, strike "(I)" and substitute "(a)";

23
24 line 22, strike "(II)" and substitute "(b)";

25
26 line 24, strike "(III)" and substitute "(c)";

27
28 line 25, strike "(IV)" and substitute "(d)".

29
30 Page 9, strike lines 1 through 12.

31
32 Page 10, line 8, strike "JANUARY 1, 2016." and substitute "DECEMBER 31,
33 2024."
34
35
36
37

38 **LOCAL GOVERNMENT**

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

41
42 **HB09-1006** be postponed indefinitely.

43
44
45 **HB09-1040** be amended as follows, and as so amended, be referred to
46 the Committee on Appropriations with favorable
47 recommendation:
48

49 Amend printed bill, page 2, line 5, strike "STATE AUDITOR" and substitute
50 "DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL
51 AFFAIRS";

52
53 strike lines 24 through 27 and substitute the following:

54
55 "SECTION 2. 24-32-104 (1), Colorado Revised Statutes, is
56 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

1 **24-32-104. Functions of the division.** (1) The division shall
2 perform the following functions:

3
4 (m) SUBMIT AN ANNUAL REPORT TO THE LOCAL GOVERNMENT
5 COMMITTEES OF".

6
7
8
9 **HB09-1110** be amended as follows, and as so amended, be referred to
10 the Committee on Appropriations with favorable
11 recommendation:

12
13 Amend printed bill, page 3, strike lines 16 through 24 and substitute the
14 following:

15
16 "(d) IN CERTAIN AREAS OF THE STATE, A HIGH PROPORTION OF
17 RESIDENTIAL REAL PROPERTY IS ADVERTISED FOR RENT ON A FURNISHED
18 BASIS DIRECTLY BY PROPERTY OWNERS OR BY REAL ESTATE AGENTS,
19 PROPERTY MANAGEMENT COMPANIES, LODGING COMPANIES, AND
20 INTERNET AND PRINT-BASED LISTING SERVICES THAT ACT AS AGENTS FOR
21 MULTIPLE PROPERTY OWNERS AND ADVERTISE MULTIPLE PROPERTIES FOR
22 RENT, AND BECAUSE THE ADVERTISEMENTS TYPICALLY DO NOT PRECISELY
23 IDENTIFY THE PROPERTY OFFERED FOR RENT BY ADDRESS OR THE OWNER'S
24 NAME:".

25
26 Page 4, strike lines 11 through 13 and substitute the following:

27
28 "THE OWNER OF FURNISHED RESIDENTIAL REAL PROPERTY OR AN AGENT
29 OF THE OWNER WHO ADVERTISES THE PROPERTY FOR RENT TO PROVIDE
30 IDENTIFYING INFORMATION REGARDING THE PROPERTY TO THE ASSESSOR
31 OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED UPON THE REQUEST
32 OF THE ASSESSOR AS SPECIFIED IN THIS SECTION OR AS MUTUALLY AGREED
33 TO BY THE ASSESSOR AND THE OWNER OR AGENT PURSUANT TO
34 PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION.";

35
36 Strike lines 14 through 27.

37
38 Page 5, strike lines 1 through 17 and substitute the following:

39
40 "(2) (a) UPON THE REQUEST OF THE ASSESSOR OF ANY COUNTY OR
41 CITY AND COUNTY:

42
43 (I) A PROPERTY OWNER WHO ADVERTISES FOR RENT FURNISHED
44 RESIDENTIAL REAL PROPERTY THAT IS LOCATED WITHIN THE COUNTY OR
45 CITY AND COUNTY SHALL PROVIDE TO THE ASSESSOR A LIST THAT
46 IDENTIFIES EACH PROPERTY SO ADVERTISED BY ADDRESS; AND

47
48 (II) AN AGENT WHO ADVERTISES FOR RENT ON BEHALF OF A
49 PROPERTY OWNER FURNISHED RESIDENTIAL REAL PROPERTY THAT IS
50 LOCATED WITHIN THE COUNTY OR CITY AND COUNTY SHALL PROVIDE TO
51 THE ASSESSOR A LIST THAT IDENTIFIES EACH PROPERTY SO ADVERTISED BY
52 OWNER AND ADDRESS.

53
54 (b) AN ASSESSOR AND A PROPERTY OWNER OR AGENT MAY
55 MUTUALLY AGREE THAT THE OWNER OR AGENT SHALL ANNUALLY PROVIDE
56 TO THE ASSESSOR BY A SPECIFIED DATE THE INFORMATION THAT AN

1 ASSESSOR MAY REQUIRE TO BE PROVIDED PURSUANT TO PARAGRAPH (a) OF
2 THIS SUBSECTION (2).".

3

4 Page 1, line 102, after "ASSESSOR", insert "UPON REQUEST".

5

6

7

8 **HB09-1162** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11

12 Amend printed bill, page 4, line 12, after "COUNTY.", add "IN
13 ASSOCIATION WITH THE GOVERNMENTAL PARTIES ENTERING INTO ANY
14 INTERGOVERNMENTAL AGREEMENT, THE PARTIES TO SUCH AGREEMENT
15 SHALL CONSULT WITH ANY UTILITY PROVIDERS THAT HAVE FACILITIES IN
16 THE AREAS SUBJECT TO THE AGREEMENTS TO THE EXTENT THE PROVISIONS
17 OF THE AGREEMENTS WILL AFFECT THE PROVIDERS.";

18

19 line 27, strike "AND".

20

21 Page 5, strike line 2 and substitute the following:

22

23 "PROCEDURES; AND

24

25 (VI) ACTION THAT MAY BE UNDERTAKEN BY ONE PARTY TO THE
26 AGREEMENT IF ANOTHER PARTY TO THE AGREEMENT FAILS TO SATISFY ITS
27 DUTIES OR RESPONSIBILITIES UNDER THE AGREEMENT.";

28

29 strike lines 6 through 17 and substitute the following:

30

31 "(4) NOTHING IN THIS SECTION SHALL REQUIRE ANY LOCAL
32 GOVERNMENT TO ENTER INTO A NEW AGREEMENT IF THE LOCAL
33 GOVERNMENT IS A PARTY TO AN AGREEMENT IN EXISTENCE AS OF THE
34 EFFECTIVE DATE OF THIS SECTION, INCLUDING, WITHOUT LIMITATION, A
35 MUTUAL AID AGREEMENT, THAT SATISFIES THE REQUIREMENTS OF THIS
36 SECTION.".

37

38

39

40

41 **STATE, VETERANS, & MILITARY AFFAIRS**

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

44

45 **HB09-1071** be amended as follows, and as so amended, be referred to
46 the Committee on Finance with favorable
47 recommendation:

48

49 Amend printed bill, strike everything below the enacting clause and
50 substitute the following:

51

52 "SECTION 1. 33-1-112.5 (2) (a), (2) (b), and (6), Colorado
53 Revised Statutes, are amended to read:

54

55 **33-1-112.5. Search and rescue fund - rules.** (2) (a) A surcharge
56 of ~~twenty-five~~ FIFTY cents shall be assessed on each license listed in

1 section 33-4-102 (1) and (1.4) that is sold by the division or one of its
2 license agents pursuant to section 33-4-101. Receipts and interest from
3 the surcharge shall be deposited in the search and rescue fund created in
4 subsection (1) of this section.

5
6 (b) A surcharge of ~~twenty-five~~ FIFTY cents shall be assessed on
7 each vessel, each snowmobile, and each off-highway vehicle registration
8 that is sold by the division or one of its agents pursuant to section
9 33-13-103, 33-14-102, or 33-14.5-102. Receipts and interest from the
10 surcharge shall be deposited in the search and rescue fund created in
11 subsection (1) of this section. To coincide with annual registration
12 renewal schedules, the surcharge shall be assessed on an annual basis
13 beginning on October 1, 1992, for snowmobile registrations, January 1,
14 1993, for vessel registrations, and April 1, 1993, for off-highway vehicle
15 registrations.

16
17 (6) At the close of any fiscal year, all of the moneys remaining in
18 the search and rescue fund and appropriated for search and rescue
19 expenses, after all approved claims and administrative costs have been
20 paid, shall be divided among those counties that have applied to the
21 department of local affairs for year-end grants or reimbursements from
22 the search and rescue fund. The department of local affairs shall divide
23 such moneys among the counties first BY making payment for
24 uncompensated searches and rescues of parents, siblings, spouses,
25 children, or grandchildren of persons holding hunting or fishing licenses,
26 vessel, snowmobile, or off-highway vehicle registrations, or the owner of
27 a Colorado outdoor recreation search and rescue card and second BY
28 making payment for search and rescue-related training, CERTIFICATION,
29 and equipment FOR AN AGENCY OR ORGANIZATION PROVIDING SEARCH
30 AND RESCUE SERVICES and for any other uncompensated searches. The
31 department of local affairs shall establish operating procedures for
32 applying for year-end grants or reimbursements from the moneys
33 remaining in the search and rescue fund.

34
35 **SECTION 2.** 33-1-112.5 (2) (c), Colorado Revised Statutes, is
36 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

37
38 **33-1-112.5. Search and rescue fund.** (2) (c) (V) AN AGENCY OR
39 POLITICAL SUBDIVISION OF THE STATE THAT RECEIVES GRANT MONEYS
40 FROM THE GREAT OUTDOORS COLORADO TRUST FUND ESTABLISHED IN
41 SECTION 2 OF ARTICLE XXVII OF THE STATE CONSTITUTION SHALL, FOR A
42 PERIOD OF NOT LESS THAN ONE YEAR AFTER THE RECEIPT OF GRANT
43 MONEYS, WITH THE ASSISTANCE OF THE DEPARTMENT OF LOCAL AFFAIRS
44 AND TO THE GREATEST EXTENT PRACTICABLE, PROMOTE THE PURCHASE OF
45 COLORADO OUTDOOR RECREATION SEARCH AND RESCUE CARDS BY
46 PROVIDING INFORMATION ON THE PROGRAM ON ALL WEB SITES, TRAIL
47 HEAD SIGNS, AND BROCHURES ON OUTDOOR RECREATION PUBLISHED OR
48 MAINTAINED BY THE AGENCY OR POLITICAL SUBDIVISION.

49
50 **SECTION 3. Act subject to petition - effective date.** This act
51 shall take effect at 12:01 a.m. on the day following the expiration of the
52 ninety-day period after final adjournment of the general assembly that is
53 allowed for submitting a referendum petition pursuant to article V,
54 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
55 sine die is on May 6, 2009); except that, if a referendum petition is filed
56 against this act or an item, section, or part of this act within such period,

1 then the act, item, section, or part, if approved by the people, shall take
2 effect on the date of the official declaration of the vote thereon by
3 proclamation of the governor."

4
5 Page 1, strike lines 103 and 104 and substitute the following:

6
7 **"OUTDOOR RECREATION ACTIVITIES."**

8
9
10
11 **HB09-1165** be postponed indefinitely.

12
13
14
15
16 **TRANSPORTATION & ENERGY**

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

19
20 **HB09-1016** be postponed indefinitely.

21
22
23 **HB09-1055** be postponed indefinitely.

24
25
26 **HB09-1092** be amended as follows, and as so amended, be referred to
27 the Committee of the Whole with favorable
28 recommendation:

29
30 Amend printed bill, page 3, after line 17, insert the following:

31
32 **"SECTION 4.** The introductory portion to 9-1.5-104.5 (2) (d),
33 Colorado Revised Statutes, is amended to read:

34
35 **9-1.5-104.5. Civil penalties - applicability.** (2) (d) If any
36 person, other than a homeowner, rancher, or farmer, as defined in section
37 42-20-108.5, C.R.S., working on such homeowner's, rancher's, or farmer's
38 property, fails to comply with paragraph (a) of this subsection (2) or fails
39 to exercise reasonable care in excavating OR PERFORMING ROUTINE
40 MAINTENANCE and damages an underground facility during ~~an~~ SUCH
41 excavation OR ROUTINE MAINTENANCE, such person shall be presumably
42 liable for:"

43
44 Renumber succeeding section accordingly.

45
46 Page 4, line 1, after "excavations", insert "and routine maintenance".

47
48
49
50 **HB09-1114** be postponed indefinitely.

51
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PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB09-1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266,
1267, 1268, 1269; HCR09-1001.

House in recess. House reconvened.

REPORTS OF COMMITTEE OF REFERENCE

STATE, VETERANS, & MILITARY AFFAIRS

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

HB09-1008 be referred to the Committee of the Whole with favorable recommendation.

HB09-1011 be postponed indefinitely.

HB09-1112 be referred to the Committee of the Whole with favorable recommendation.

HB09-1118 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 7, after line 12, insert the following:

"SECTION 12. 40-6-109 (1), Colorado Revised Statutes, is amended to read:

40-6-109. Hearings - orders - record - review - representation of entities in nonadjudicatory proceedings. (1) At the time fixed for any hearing before the commission, any commissioner, or an administrative law judge, or, at the time to which the same may have been continued, the applicant, petitioner, complainant, the person, firm, or corporation complained of, and such persons, firms, or corporations as the commission may allow to intervene and such persons, firms, or corporations as will be interested in or affected by any order that may be made by the commission in such proceeding and who shall have become parties to the proceeding shall be entitled to be heard, examine and cross-examine witnesses, and introduce evidence. A full and complete record of all proceedings had before the commission, any commissioner, or an administrative law judge in any formal hearing, ~~had,~~ and all testimony, shall be taken down by any reporter appointed by the commission ~~and~~ **OR, AS DEEMED APPROPRIATE BY THE COMMISSION, A COMMISSIONER, OR AN ADMINISTRATIVE LAW JUDGE, AS APPLICABLE, RECORDED ELECTRONICALLY.** All parties in interest shall be entitled to be heard in person or by attorney."

Renumber succeeding section accordingly.

INTRODUCTION OF BILLS
First Reading

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

HB09-1270 by Representative(s) Waller--Concerning extending concurrent enrollment opportunities to students who are not enrolled in public schools.

Committee on Education

HB09-1271 by Representative(s) Labuda, Fischer, Soper--Concerning a fee for the registration of motor vehicles to be used to support the Colorado state titling and registration system.

Committee on Transportation & Energy

Committee on Finance

HB09-1272 by Representative(s) Massey and Pommer, Gardner C., McKinley, McNulty, Merrifield, Scanlan, Summers, Todd; also Senator(s) Tapia, Brophy, Heath, Kester, Penry, Williams--Concerning statutory amendments required to implement locally approved changes to the parameters for limited gaming under section 9 (7) of article XVIII of the Colorado constitution, adopted by voters at the 2008 general election.

Committee on Education

HB09-1273 by Representative(s) Kefalas, Green, Frangas, Court, Fischer, Hulinghorst, Labuda, Levy, Miklosi, Pace, Vigil, Apuan, McCann, Ryden, Schafer S., McGihon; also Senator(s) Foster, Bacon, Carroll M.--Concerning the creation of a health care authority to develop a health care system that shall be the administrator for health care services in Colorado.

Committee on Business Affairs and Labor

Committee on Appropriations

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

Committee on Judiciary

Committee on Appropriations

HB09-1275 by Representative(s) Apuan, Balmer, McFadyen, Rice, Solano; also Senator(s) Morse, Heath, Mitchell, Schwartz, Veiga--Concerning the ability of the department of public health and environment to issue a provisional certification to an applicant seeking certification as an emergency medical technician.

Committee on Health and Human Services

1 **INTRODUCTION OF RESOLUTION**

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The following resolution was read by title and laid over one day under the rules:

HJR09-1009 by Representative(s) Weissmann, May; also Senator(s) Shaffer B.--Concerning authorization for adjournment for more than three days during the 2009 regular session of the general assembly.

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., February 5, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Thirtieth Legislative Day

Thursday, February 5, 2009

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

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

4

5 Pledge of Allegiance led by Austin and Addie Glass, Stanley British
6 Primary School, Denver.

7

8 The roll was called with the following result:

9

10 Present--61.

11 Excused--Representatives C. Gardner, Looper, Middleton,
12 Pommer--4.

13 Present after roll call--Representatives C. Gardner, Middleton,
14 Pommer.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Bradford, the reading of the journal of
20 February 4, 2009, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22

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24

25

26 **THIRD READING OF BILL--FINAL PASSAGE**

27

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

31

32 **HB09-1093** by Representative(s) Levy, McGihon, Benefield, Judd,
33 Miklosi, Ferrandino, Fischer, Gagliardi, Green,
34 Merrifield, Pommer, Solano; also Senator(s) Veiga,
35 Carroll M.--Concerning additional income tax reporting
36 requirements for a corporate taxpayer.

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
41 bill was declared **passed**.

42

43

	YES	48	NO	15	EXCUSED	2	ABSENT	0
1								
2	Acree	N	Green	Y	McFadyen	Y	Roberts	N
3	Apuan	Y	Hullingerhorst	Y	McGihon	Y	Ryden	Y
4	Balmer	N	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	Y
7	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
8	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	Y	Stephens	N
10	Curry	Y	Lambert	N	Nikkel	N	Summers	N
11	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
12	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
13	Frangas	Y	Looper	E	Pommer	Y	Todd	Y
14	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	N
15	Gardner B.	Y	Massey	Y	Priola	N	Vigil	Y
16	Gardner C.	E	May	Y	Rice	Y	Waller	N
17	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Kerr A., Labuda,
 20 McFadyen, Middleton, Pace, Primavera, Ryden

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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

CONSIDERATION OF RESOLUTION

26 **HJR09-1009** by Representative(s) Weissmann, May; also Senator(s)
 27 Shaffer B.--Concerning authorization for adjournment for
 28 more than three days during the 2009 regular session of
 29 the general assembly.

30
 31 (Printed and placed in members file)

32
 33 On motion of Representative Weissmann, the resolution was **adopted** by
 34 the following roll call vote:

	YES	60	NO	3	EXCUSED	2	ABSENT	0
37	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
38	Apuan	Y	Hullingerhorst	N	McGihon	Y	Ryden	Y
39	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
40	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
41	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
42	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
43	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
44	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
45	Curry	N	Lambert	Y	Nikkel	Y	Summers	Y
46	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
47	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
48	Frangas	Y	Looper	E	Pommer	Y	Todd	Y
49	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
50	Gardner B.	Y	Massey	Y	Priola	N	Vigil	Y
51	Gardner C.	E	May	Y	Rice	Y	Waller	Y
52	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Acree, Benefield, Court, Fischer,
 55 Frangas, Kefalas, Kerr A., Labuda, McCann, Merrifield, Middleton, Scanlan,
 56 Todd, Vigil

MESSAGE FROM THE SENATE1
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The Senate has adopted and transmits herewith: SJR09-010, and SJR09-011.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

On motion of Representative Weissmann, the rules were suspended and the following resolutions were given immediate consideration.

SJR09-010 by Senator(s) Williams, Boyd, Carroll M., Foster, Hodge, Hudak, Sandoval, Schwartz, Spence, Tochtrop, Veiga; also Representative(s) Todd, Acree, Benefield, Bradford, Court, Curry, Gagliardi, Gerou, Green, Hullinghorst, Labuda, Levy, Looper, McCann, McFadyen, McGihon, Middleton, Murray, Nikkel, Peniston, Primavera, Roberts, Ryden, Scanlan, Schafer S., Solano, Stephens--Concerning the designation of February 2009 as "American Heart Month", and, in connection therewith, declaring February 6 to be "National Wear Red Day".

(Printed and placed in member's file).

On motion of Representative Todd, the resolution was read at length and the following roll call vote:

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

Co-sponsor(s) added: Representative(s) Apuan, Balmer, Baumgardner, Casso, Ferrandino, Fischer, Frangas, Gardner B., Gardner C., Judd, Kefalas, Kerr A., Kerr J., King S., Lambert, Liston, Marostica, Massey, May, McKinley, McNulty, Merrifield, Miklosi, Pace, Pommer, Priola, Rice, Riesberg, Sonnenberg, Soper, Summers, Swalm, Tipton, Vaad, Vigil, Waller, Weissmann, Speaker

SJR09-011 by Senator(s) Keller; also Representative(s) Todd--Concerning recognition of community mental health centers and behavioral health organizations in Colorado.

1 (Printed and placed in member's file).

2

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

5

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

15

16

17

18 **REPORTS OF COMMITTEES OF REFERENCE**

19

20 **FINANCE**

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

23

24 **HB09-1001** be referred favorably to the Committee on Appropriations.

25

26

27 **HB09-1051** be postponed indefinitely.

28

29

30 **HB09-1095** be postponed indefinitely.

31

32

33 **HB09-1127** be postponed indefinitely.

34

35

36

37

38 **TRANSPORTATION & ENERGY**

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

41

42 **HB09-1094** be amended as follows, and as so amended, be referred to
43 the Committee on Appropriations with favorable
44 recommendation:

45

46 Amend printed bill, page 2, strike lines 7 through 15 and substitute the
47 following:

48

~~"(a) "Emergency" means a situation in which a person:~~

49

50 ~~(I) Has reason to fear for such person's life or safety or believes~~
51 ~~that a criminal act may be perpetrated against such person or another~~
52 ~~person, requiring the use of a mobile communication device WIRELESS~~
53 ~~TELEPHONE while the car is moving; or~~

54

55 ~~(II) Reports a fire, a traffic accident in which one or more injuries~~
56 ~~are apparent, a serious road hazard, a medical or hazardous materials~~

1 ~~emergency, or a person who is driving in a reckless, careless, or otherwise~~
2 ~~unsafe manner.~~ "COMMERCIAL DRIVER" MEANS A PERSON HOLDING A
3 VALID COMMERCIAL DRIVER'S LICENSE AS DEFINED BY SECTION 42-2-402
4 (1).

5
6 (b) "EMERGENCY" MEANS A SITUATION IN WHICH A PERSON:
7
8 (I) HAS REASON TO FEAR FOR SUCH PERSON'S LIFE OR SAFETY OR
9 BELIEVES THAT A CRIMINAL ACT MAY BE PERPETRATED AGAINST SUCH
10 PERSON OR ANOTHER PERSON, REQUIRING THE USE OF A WIRELESS
11 TELEPHONE WHILE THE CAR IS MOVING; OR

12
13 (II) REPORTS A FIRE, A TRAFFIC ACCIDENT IN WHICH ONE OR MORE
14 INJURIES ARE APPARENT, A SERIOUS ROAD HAZARD, A MEDICAL OR
15 HAZARDOUS MATERIALS EMERGENCY, OR A PERSON WHO IS DRIVING IN A
16 RECKLESS, CARELESS, OR OTHERWISE UNSAFE MANNER."

17
18 Reletter succeeding paragraphs accordingly.

19
20 Page 4, line 9, after "COURT", insert "OR THE DEPARTMENT OF REVENUE";
21
22 line 13, after "COURT", insert "OR THE DEPARTMENT OF REVENUE".

23
24 Page 5, line 2, strike "OR";
25
26 strike line 3 and substitute the following:

27
28 "(c) THE OPERATOR OF AN AUTHORIZED EMERGENCY VEHICLE AS
29 DEFINED IN SECTION 42-1-102 (6);

30
31 (d) THE OPERATOR OF AN AUTHORIZED SERVICE VEHICLE AS
32 DEFINED IN SECTION 42-1-102 (7);

33
34 (e) A MEMBER OF AN AMBULANCE SERVICE AS DEFINED IN SECTION
35 25-3.5-103 (3), C.R.S.; OR

36
37 (f) A MEMBER OF A RESCUE UNIT AS DEFINED IN SECTION 25-3.5-
38 103 (11), C.R.S.

39
40 (9) THIS SECTION DOES NOT RESTRICT OPERATION OF AN AMATEUR
41 RADIO STATION BY A PERSON WHO HOLDS A VALID AMATEUR RADIO
42 OPERATOR LICENSE ISSUED BY THE FEDERAL COMMUNICATIONS
43 COMMISSION.

44
45 (10) THE PROVISIONS OF SUBSECTION (3) OF THIS SECTION SHALL
46 NOT APPLY TO A COMMERCIAL DRIVER OPERATING A WIRELESS TELEPHONE
47 FOR A USE OTHER THAN TEXT MESSAGING OR OTHER FORMS OF MANUAL
48 DATA ENTRY OR TRANSMISSION WHILE DRIVING A VEHICLE WITH A GROSS
49 WEIGHT VEHICLE RATING OF 10,001 OR MORE POUNDS THAT IS
50 TRANSPORTATION FREIGHT AND NOT TRANSPORTING PERSONS."

51
52 Renumber succeeding subsection accordingly.

53
54 Page 5, strike lines 6 and 7 and substitute the following:
55
56 "CONCERN."

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB09-1270, 1271, 1272, 1273, 1274, 1275.

House in recess. House reconvened.

REPORTS OF COMMITTEES OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

HB09-1152 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 11, line 9, strike "AND";

line 12, change the period to a semicolon;

after line 12, insert the following:

"(c) A CLASS B TRACK IS CURRENTLY LICENSED TO CONDUCT A RACE MEET OF AT LEAST FORTY-FIVE DAYS WITHIN THE NEXT TWELVE MONTHS; AND

(d) THE APPLICATION OF THE PERSON DESIRING TO CONDUCT ADVANCE DEPOSIT ACCOUNT WAGERING IS SUPPORTED BY ALL CURRENTLY LICENSED HORSE TRACKS IN COLORADO AND BY THE ORGANIZATION REPRESENTING THE MAJORITY OF HORSEMEN IN COLORADO."

Page 12, line 21, strike "AND" and substitute "AND, AFTER DEDUCTING THE DIVISION'S DIRECT AND INDIRECT COSTS OF REGULATING HORSE RACING UNDER THIS ARTICLE, THE REMAINDER SHALL BE".

Page 13, strike lines 7 through 9 and substitute the following:

"(d) FIFTEEN PERCENT SHALL BE PAID INTO THE TRUST ACCOUNT ESTABLISHED BY THE LICENSEE PURSUANT TO SECTION 12-60-701 (2) (b);".

Page 14, strike lines 8 through 10 and substitute the following:

"(b) ONE-HALF SHALL BE PAID INTO THE TRUST ACCOUNT ESTABLISHED BY THE LICENSEE PURSUANT TO SECTION 12-60-701 (2) (b).".

HB09-1159 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, before line 1, insert the following:

1 **"SECTION 1.** 37-90-121 (1) (b), Colorado Revised Statutes, is
2 amended to read:

3
4 **37-90-121. Management districts - petition - contents - minor**
5 **defects - amendment.** (1) The petition referred to in section 37-90-120
6 shall set forth:

7
8 (b) A proposed division of the district into divisions as nearly
9 equal in size as may be practicable, and considering the population
10 thereof, each of which is to be represented by a director, who ~~is~~ SHALL BE
11 a resident taxpaying elector in such division OR RESIDE WITHIN THE
12 DESIGNATED GROUND WATER BASIN WITHIN WHICH THE DISTRICT IS
13 LOCATED AND BE A RESIDENT AGRICULTURIST WHO OWNS AND ACTIVELY
14 FARMS OR RANCHES LAND LOCATED WITHIN SUCH DIVISION;"

15
16 Renumber succeeding sections accordingly.

17
18 Page 2, line 4, after "shall", insert "EITHER";

19
20 strike lines 5 and 6 and substitute the following:

21
22 "resident taxpaying electors within the district OR RESIDE WITHIN THE
23 DESIGNATED GROUND WATER BASIN WITHIN WHICH THE DISTRICT IS
24 LOCATED AND BE A RESIDENT AGRICULTURIST WHO OWNS AND ACTIVELY
25 FARMS OR RANCHES LAND LOCATED WITHIN THE DISTRICT. Each
26 member".

27
28 Page 1, line 102, strike "CERTAIN" and substitute "GROUND WATER
29 MANAGEMENT".

30
31
32
33 **HB09-1172** be postponed indefinitely.

34
35
36
37
38 **BUSINESS AFFAIRS & LABOR**

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

41
42 **HB09-1077** be postponed indefinitely.

43
44
45 **HB09-1109** be amended as follows, and as so amended, be referred to
46 the Committee of the Whole with favorable
47 recommendation:

48
49 Amend printed bill, page 2, line 11, after "IS", insert "AT LEAST THIRTY
50 DAYS".

51
52 Page 1, line 102, strike "PURCHASERS" and substitute "OWNERS".

53
54
55

1 **HB09-1141** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 4, strike lines 9 through 19 and substitute the
6 following:
7

8 ~~"(2) Persons required to file notification who are sellers or lessors~~
9 ~~shall pay an additional nonrefundable annual volume fee on or before~~
10 ~~January 31 of each year in the amount of twelve dollars for each one~~
11 ~~hundred thousand dollars, or part thereof, in excess of one hundred~~
12 ~~thousand dollars, of the original unpaid balances arising from consumer~~
13 ~~credit sales or consumer leases made in this state within the preceding~~
14 ~~calendar year and held either by the creditor for more than thirty days~~
15 ~~after the inception of the sale or lease giving rise to the obligations or by~~
16 ~~an assignee who has not filed notification. A refinancing of a sale or~~
17 ~~lease resulting in an increase in the amount of an obligation is considered~~
18 ~~a new sale or lease to the extent of the amount of the increase.";~~
19

20 line 26, strike "year," and substitute "year.";

21
22 strike line 27 and substitute the following:
23

24 ~~"but an assignee need not pay a volume fee with respect to an obligation~~
25 ~~on which the assignor or other person has already paid a volume fee.".~~
26

27 Page 5, strike line 1.
28

29 Page 6, line 14, strike "person" and substitute "person, INCLUDING A
30 NONPROFIT ORGANIZATION EXEMPT FROM TAXATION UNDER SECTION 501
31 (c) (3) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986",".
32

33 Page 8, line 9, strike "date." and substitute "date; except that sections 3,
34 4, and 5 of this act shall take effect January 1, 2010, and shall apply to
35 acts occurring on or after said date."
36

37
38
39 **HB09-1143** be amended as follows, and as so amended, be referred to
40 the Committee of the Whole with favorable
41 recommendation:
42

43 Amend printed bill, page 2, after line 17, insert the following:

44 **"SECTION 3.** 10-16-407, Colorado Revised Statutes, is amended
45 **BY THE ADDITION OF A NEW SUBSECTION** to read:
46

47 **10-16-407. Information to enrollees.** (3) (a) A HEALTH
48 MAINTENANCE ORGANIZATION THAT OFFERS BASIC HEALTH CARE SERVICES
49 TO ENROLLEES THROUGH A LIMITED BENEFIT PLAN PURSUANT TO SECTION
50 10-16-403 (1) (h) SHALL CLEARLY STATE IN ITS BROCHURES, CONTRACTS,
51 POLICY MANUALS, AND PRINTED MATERIALS DISTRIBUTED TO ENROLLEES
52 THE FOLLOWING INFORMATION:
53

54 (I) THAT A LIMITED BENEFIT PLAN MAY IMPOSE A LIMIT ON THE
55 TOTAL MAXIMUM BENEFIT AMOUNT AVAILABLE TO THE ENROLLEE ON AN
56 ANNUAL BASIS AND ON THE TOTAL MAXIMUM BENEFIT AMOUNTS

1 AVAILABLE FOR PARTICULAR HEALTH CARE SERVICES PROVIDED DURING
2 A GIVEN YEAR;

3

4 (II) THE SPECIFIC AMOUNT OF THE ANNUAL TOTAL MAXIMUM
5 BENEFIT AMOUNT AND THE ANNUAL TOTAL MAXIMUM AMOUNT FOR
6 PARTICULAR HEALTH CARE SERVICES COVERED BY THE LIMITED BENEFIT
7 PLAN; AND

8

9 (III) THAT ONCE THE ENROLLEE RECEIVES THE TOTAL MAXIMUM
10 AMOUNT OF BENEFITS UNDER THE LIMITED BENEFIT PLAN IN ANY GIVEN
11 YEAR, OR RECEIVES THE TOTAL MAXIMUM AMOUNT OF BENEFITS FOR A
12 PARTICULAR HEALTH CARE SERVICE IN A GIVEN YEAR, THE ENROLLEE IS
13 RESPONSIBLE FOR PAYING OUT-OF-POCKET FOR THE COSTS OF ANY HEALTH
14 CARE SERVICES PROVIDED TO THE ENROLLEE DURING THAT YEAR THAT
15 EXCEED THE TOTAL ANNUAL MAXIMUM BENEFIT AMOUNT OR THE TOTAL
16 MAXIMUM BENEFIT AMOUNT FOR A PARTICULAR HEALTH CARE SERVICE,
17 AS APPLICABLE.

18

19 (b) THE HEALTH MAINTENANCE ORGANIZATION SHALL ENSURE
20 THAT THE INFORMATION REQUIRED BY THIS SUBSECTION (3) IS
21 PROMINENTLY DISPLAYED, IN BOLD-FACED FONT IN AT LEAST FOURTEEN-
22 POINT TYPE, ON ANY MATERIALS PROVIDED TO ENROLLEES. IF THE HEALTH
23 MAINTENANCE ORGANIZATION ISSUES A BENEFIT PLAN INFORMATION CARD
24 TO ENROLLEES, THE HEALTH MAINTENANCE ORGANIZATION SHALL
25 SPECIFY, ON THE FACE OF THE CARD, IF THE PLAN IS A LIMITED BENEFIT
26 PLAN AND THE AMOUNT OF ANY LIMIT ON TOTAL MAXIMUM BENEFITS FOR
27 HEALTH CARE SERVICES COVERED UNDER THE PLAN."

28

29 Renumber succeeding section accordingly.

30

31

32

33 **HB09-1166** be postponed indefinitely.

34

35

36

37

38 **EDUCATION**

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

41

42 **HB09-1057** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:

45

46 Amend printed bill, page 2, line 10, after "school", insert "or in a
47 nonpublic home-based educational program pursuant to section 22-33-
48 104.5, C.R.S.,".

49

50 Page 3, strike lines 16 through 20 and substitute the following:

51

52 "(1) "ACADEMIC ACTIVITY" MEANS THE FOLLOWING MEETINGS OR
53 CONFERENCES REGARDING THE EMPLOYEE'S CHILD OR ANY CHILD FOR
54 WHOM THE EMPLOYEE HAS PRIMARY LEGAL RESPONSIBILITY:

55

56 (a) A PARENT-TEACHER CONFERENCE; OR

1 (b) A MEETING RELATED TO: SPECIAL EDUCATION SERVICES, AS
2 DEFINED IN SECTION 22-20-103, C.R.S.; RESPONSE TO INTERVENTION, AS
3 DEFINED IN SECTION 22-2-133 (4) (b), C.R.S.; DROPOUT PREVENTION;
4 ATTENDANCE; TRUANCY; OR DISCIPLINARY ISSUES.";
5
6 line 27, after "SCHOOL", insert "OR IN A NONPUBLIC HOME-BASED
7 EDUCATIONAL PROGRAM PURSUANT TO SECTION 22-33-104.5, C.R.S.",
8
9 Page 4, line 3, after "HOMES,", insert "SEASONAL WORKERS,";
10
11 strike lines 5 through 8 and substitute the following:
12
13 "(4) "EMPLOYER" MEANS AN EMPLOYER, AS DEFINED IN THE
14 FEDERAL "FAMILY AND MEDICAL LEAVE ACT OF 1993", PUB.L. 103-3, AS
15 AMENDED.";
16
17 line 9, strike "**Unpaid leave**" and substitute "**Leave**";
18
19 line 10, after "(1)", insert "(a)";
20
21 line 11, strike "UNPAID";
22
23 line 12, strike "FORTY" and substitute "EIGHTEEN";
24
25 line 17, strike "AT ANOTHER TIME." and substitute "WITHIN THE SAME
26 WORK WEEK.";
27
28 after line 17, insert the following:
29
30 "(b) AN EMPLOYEE WHO WORKS LESS THAN A FULL-TIME
31 SCHEDULE SHALL BE ELIGIBLE FOR A PORTION OF THE LEAVE SPECIFIED IN
32 PARAGRAPH (a) OF THIS SUBSECTION (1) BASED ON THE PERCENT OF A
33 FULL-TIME SCHEDULE THE EMPLOYEE WORKS.
34
35 (c) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (1),
36 AN EMPLOYER MAY LIMIT THE ABILITY OF AN EMPLOYEE TO TAKE LEAVE
37 PURSUANT TO THIS SECTION IN CASES OF EMERGENCY OR OTHER
38 SITUATIONS THAT MAY ENDANGER A PERSON'S HEALTH OR SAFETY AND
39 THAT NECESSITATE THE PRESENCE OF THE EMPLOYEE."
40
41 Page 5, line 4, strike "THREE DAYS" and substitute "ONE CALENDAR WEEK"
42 and, strike "ACTIVITY." and substitute "ACTIVITY, AND THE NOTICE SHALL
43 INCLUDE THE WRITTEN VERIFICATION SPECIFIED IN SUBSECTION (2) OF THIS
44 SECTION IF REQUIRED BY THE EMPLOYER.";
45
46 line 6, strike "THREE DAYS" and substitute "ONE CALENDAR WEEK";
47
48 line 8, strike "LEAVE. THE NOTICE TO THE" and substitute "LEAVE AND
49 SHALL PROVIDE THE EMPLOYER WITH WRITTEN VERIFICATION, AS
50 DESCRIBED IN SUBSECTION (2) OF THIS SECTION, UPON RETURN TO WORK.";
51
52 strike lines 9 and 10;
53
54 line 16, after "EMPLOYEE", insert "OR EMPLOYER";
55
56 line 17, after "VACATION LEAVE,", insert "SICK LEAVE,";

1 line 18, strike "SECTION." and substitute "SECTION, AND THE EMPLOYER
2 SHALL ALLOW THE EMPLOYEE TO USE SUCH ACCRUED PAID LEAVE FOR THE
3 SAME PURPOSES AS, AND WITH NOTICE REQUIREMENTS NO MORE
4 STRINGENT THAN, THOSE APPLICABLE TO LEAVE UNDER THIS ARTICLE.";

5
6 line 22, strike "LEAVE" and substitute "PAID OR UNPAID LEAVE, INCLUDING
7 VACATION LEAVE, SICK LEAVE, OR PERSONAL LEAVE,";

8
9 line 23, strike "OF SUBSECTION (1)";

10
11 strike line 26 and substitute the following:

12
13 "PURPOSES AS, AND WITH NOTICE REQUIREMENTS NO MORE STRINGENT
14 THAN, THOSE APPLICABLE TO";

15
16 after line 27, insert the following:

17
18 **"8-13.3-104. Repeal.** THIS ARTICLE IS REPEALED, EFFECTIVE
19 SEPTEMBER 1, 2015.".

20
21
22
23

24 **FINANCE**

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

27
28 **HB09-1071** be rereferred favorably to the Committee on
29 Appropriations.

30
31
32
33

34 **LOCAL GOVERNMENT**

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

37
38 **HB09-1106** be postponed indefinitely.

39
40
41 **HB09-1138** be postponed indefinitely.

42
43
44
45 On motion of Representative Weissmann, the following bill will be
46 calendared for February 6, 2009: HB09-1057.

47
48
49

50 **MESSAGE FROM THE SENATE**

51
52 The Senate has passed on Third Reading and transmitted to the Revisor
53 of Statutes: SB09-060.

54

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

3

4 SB09-108 amended as printed in Senate Journal, February 4, pages 167-
5 171, and 173-176.

6

7

8

9

MESSAGE FROM THE REVISOR

10

11 We herewith transmit:

12 Without comment, SB09-060.

13 Without comment, as amended, SB09-108.

14

15

16

17 On motion of Representative Weissmann, the House adjourned until
18 9:00 a.m., February 6, 2009.

19

20

21

22

Approved:

TERRANCE D. CARROLL,
Speaker

23 Attest:

24 MARILYN EDDINS,

25 Chief Clerk

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

Thirty-first Legislative Day

Friday, February 6, 2009

1 Prayer by Father Curtiss Dwyer, St. John Vianney Theological Seminary,
2 Denver.

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

5
6 Pledge of Allegiance led by Beau Matthews and Dominic Gutierrez, Blue
7 Heron Elementary, Littleton.

8
9 The roll was called with the following result:

10
11 Present--63.
12 Excused--Representatives Levy, Solano--2.
13 Present after roll call--Representative Solano.

14
15 The Speaker declared a quorum present.

16 _____
17
18
19 On motion of Representative Bradford, the reading of the journal of
20 February 5, 2009, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22
23 _____
24
25
26 On motion of Representative Ferrandino, the House resolved itself into
27 Committee of the Whole for consideration of General Orders, and he was
28 called to the Chair to act as Chairman.

29
30 _____
31
32
33 **GENERAL ORDERS--SECOND READING OF BILLS**

34
35 The Committee of the Whole having risen, the Chairman reported the
36 titles of the following bills had been read (reading at length had been
37 dispensed with by unanimous consent), the bills considered and action
38 taken thereon as follows:

39
40 (Amendments to the committee amendment are to the printed committee
41 report which was printed and placed in the members' bill file.)

42

1 **HB09-1088** by Representative(s) Balmer, Benefield, Looper, Todd;
2 also Senator(s) Newell--Concerning certification of public
3 benefit nonprofit entities as local public procurement
4 units.
5

6 Amendment No. 1, by Representative Balmer.
7

8 Amend printed bill, page 2, line 7, strike everything after
9 "ORGANIZATION" and substitute the following:
10

11 "THAT:
12

13 (a) IS EXEMPT FROM FEDERAL TAXATION UNDER 26 U.S.C. SEC.
14 501 (c) (3) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS
15 AMENDED;
16

17 (b) DOES NOT POSSESS 501 (c) (4) STATUS UNDER THE FEDERAL
18 "INTERNAL REVENUE CODE OF 1986", AS AMENDED, 26 U.S.C. SEC. 501
19 (c) (4); AND
20

21 (c) RECEIVES FUNDS FROM FEDERAL, STATE, OR LOCAL
22 GOVERNMENTAL SOURCES.";
23

24 strike lines 8 through 10;
25

26 line 12, strike "amended" and substitute "amended, and the said
27 24-110-207.5 is further amended BY THE ADDITION OF A NEW
28 SUBSECTION,";
29

30 line 14, strike "**rules.**" and substitute "**rules - report - repeal.**".
31

32 Page 3, after line 5, insert the following:
33

34 "(3) (a) ON OR BEFORE FEBRUARY 1, 2011, THE DEPARTMENT OF
35 PERSONNEL SHALL REPORT TO THE HOUSE AND SENATE STATE, VETERANS,
36 AND MILITARY AFFAIRS COMMITTEES, OR THEIR SUCCESSOR COMMITTEES,
37 ON THE NUMBER OF PUBLIC BENEFIT NONPROFIT ENTITIES THAT WERE
38 CERTIFIED AS LOCAL PUBLIC PROCUREMENT UNITS, AND THE TOTAL
39 SPENDING BY SUCH ENTITIES UNDER STATE COOPERATIVE PURCHASING
40 AGREEMENTS, BETWEEN JULY 1, 2009, AND NOVEMBER 1, 2010.
41

42 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2011."
43

44 As amended, ordered engrossed and placed on the Calendar for Third
45 Reading and Final Passage.
46

47 **HB09-1019** by Representative(s) Peniston; also Senator(s) Foster--
48 Concerning cat identification.
49

50 Laid over until June 9, 2009. Deemed lost.
51

52 **HB09-1059** by Representative(s) Primavera; also Senator M. Carroll
53 --Concerning the continuation of health care coverage
54 while participating in a clinical trial.
55

56 Laid over until February 13, retaining place on Calendar.

1 **HB09-1103** by Representative(s) Riesberg; also Senator(s) Newell--
2 Concerning presumptive eligibility under the medical
3 assistance program for persons in need of long-term care.
4

5 Amendment No. 1, Health & Human Services Report, dated
6 February 2, 2009, and placed in member's bill file; Report also printed in
7 House Journal, February 3, page 232.
8

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

12 **HB09-1151** by Representative(s) Todd, Labuda, Lundberg, Ryden,
13 Solano; also Senator(s) Heath--Concerning designating the
14 department of public safety as the agency responsible for
15 oversight of school building inspections.
16

17 Amendment No. 1, Judiciary Report, dated February 2, 2009, and placed
18 in member's bill file; Report also printed in House Journal, February 3,
19 pages 229-231.
20

21 As amended, ordered engrossed and placed on the Calendar for Third
22 Reading and Final Passage.
23

24 **HB09-1174** by Representative(s) Riesberg; also Senator(s) Hodge,
25 Brophy--Concerning the exemption of depletions from
26 pumping that occurred prior to 1974.
27

28 Ordered engrossed and placed on the Calendar for Third Reading and
29 Final Passage.
30

31 **HB09-1162** by Representative(s) Gerou; also Senator(s) Kopp--
32 Concerning intergovernmental cooperation for the purpose
33 of mitigating wildfires.
34

35 Amendment No. 1, Local Government Report, dated February 3, 2009,
36 and placed in member's bill file; Report also printed in House Journal,
37 February 4, page 250.
38

39 As amended, ordered engrossed and placed on the Calendar for Third
40 Reading and Final Passage.
41

42 **HB09-1008** by Representative(s) Miklosi; also Senator(s) Williams--
43 Concerning the expansion of the ability to transfer annual
44 leave between employees in the state personnel system.
45

46 Ordered engrossed and placed on the Calendar for Third Reading and
47 Final Passage.
48

49 **HB09-1112** by Representative(s) Kerr J.--Concerning the information
50 provided to the staff of the legislative council in
51 connection with the preparation of fiscal notes for
52 legislative measures.
53

54 Laid over until February 13, retaining place on Calendar.
55
56

1 **HB09-1118** by Representative(s) Murray; also Senator(s) Kester--
 2 Concerning the manner in which the records of certain
 3 governmental entities are kept.
 4

5 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
 6 February 3, 2009, and placed in member's bill file; Report also printed in
 7 House Journal, February 4, page 253.
 8

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

12 **HB09-1092** by Representative(s) Peniston, Gagliardi; also Senator(s)
 13 Kester--Concerning the risk of damage to underground
 14 facilities caused by excavation.
 15

16 Amendment No. 1, Transportation & Energy Report, dated
 17 February 3, 2009, and placed in member's bill file; Report also printed in
 18 House Journal, February 4, page 252.
 19

20 Amendment No. 2, by Representative Peniston.
 21

22 Amend printed bill, page 2, line 23, after the period, add "MECHANICAL
 23 EQUIPMENT USED FOR ROUTINE MAINTENANCE TASKS SHALL BE DEFINED
 24 AS AERATORS, HAND-HELD ROTOTILLERS, SOIL INJECTION NEEDLES, LAWN
 25 EDGERS, OVERSEEDERS, AND HAND TOOLS."
 26

27 As amended, ordered engrossed and placed on the Calendar for Third
 28 Reading and Final Passage.
 29

30 **HB09-1057** by Representative(s) Kerr A., Carroll T., Apuan; also
 31 Senator(s) Bacon, Groff--Concerning parental involve-
 32 ment in kindergarten through twelfth grade education.
 33

34 Amendment No. 1, Education Report, dated February 5, 2009, and
 35 placed in member's bill file; Report also printed in House Journal,
 36 February 5, pages 265-267.
 37

38 As amended, ordered engrossed and placed on the Calendar for Third
 39 Reading and Final Passage.
 40

41
 42
 43 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**
 44

45 Passed Second Reading: **HB09-1088 amended, 1103 amended, 1151**
 46 **amended, 1174, 1162 amended, 1008, 1118 amended, 1092 amended,**
 47 **1057 amended.**
 48

49 Laid over until date indicated retaining place on Calendar:

50 **HB09-1019**--June 9, 2009. Deemed lost.

51 **HB09-1059, 1112**--February 13, 2009.
 52

53 The Chairman moved the adoption of the Committee of the Whole
 54 Report. As shown by the following roll call vote, a majority of those
 55 elected to the House voted in the affirmative, and the Report was
 56 **adopted.**

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
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	E	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
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REPORTS OF COMMITTEES OF REFERENCE

EDUCATION

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

HB09-1009 be postponed indefinitely.

HB09-1125 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, strike lines 7 through 14 and substitute the following:

"(a) "ITEM OF VALUE" MEANS AN ITEM, CASH, OR AN INSTRUMENT OR DEVICE THAT CAN BE USED TO OBTAIN CASH, CREDIT, PROPERTY, SERVICES, OR ANY OTHER THING OF VALUE, WHICH ITEM, CASH, OR INSTRUMENT OR DEVICE EXCEEDS TWENTY DOLLARS IN VALUE."

Reletter succeeding paragraphs accordingly.

Page 3, strike lines 7 through 27 and substitute the following:

"(2) A LOCAL EDUCATION PROVIDER SHALL NOT OFFER OR PROVIDE TO A SCHOOL-AGED CHILD OR THE CHILD'S PARENT AN ITEM OF VALUE PRIOR TO, UPON, OR AFTER ENROLLING IN OR ATTENDING AN EDUCATIONAL PROGRAM OPERATED BY THE LOCAL EDUCATION PROVIDER UNLESS:

(a) THE LOCAL EDUCATION PROVIDER MAKES THE ITEM OF VALUE AVAILABLE TO THE CHILD CONTINUOUSLY OR AT REGULAR INTERVALS THROUGHOUT THE SCHOOL YEAR AND ONLY SO LONG AS THE CHILD REMAINS ENROLLED IN AN EDUCATION PROGRAM OPERATED BY THE LOCAL EDUCATION PROVIDER; OR

1 (b) THE LOCAL EDUCATION PROVIDER AWARDS THE ITEM OF VALUE
 2 ONLY AT THE END OF THE SCHOOL YEAR OR UPON MATRICULATION IN
 3 RECOGNITION OF STUDENT PERFORMANCE.".

4
 5 Page 4, strike lines 1 through 4.

6

7

8

9

10 **HEALTH & HUMAN SERVICES**

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

13

14 **HB09-1028** be amended as follows, and as so amended, be referred to
 15 the Committee of the Whole with favorable
 16 recommendation:

17

18 Amend printed bill, strike everything below the enacting clause and
 19 substitute the following:

20

21 **"SECTION 1. Legislative declaration.** The general assembly
 22 hereby finds and declares that Colorado has limited economic resources
 23 available to meet the significant need for medical services that exists in
 24 communities within the state. Accordingly, state-funded health care
 25 programs should be monitored to ensure that quality care is being
 26 provided and resources are not lost to waste, fraud, neglect, indifference,
 27 or abuse. The general assembly further finds that, by allowing a health
 28 care provider or network of providers to create an accountability system
 29 to review grievances submitted by medically indigent persons receiving
 30 services through the Colorado indigent care program, the state may better
 31 monitor the intended care that providers have a duty to provide under the
 32 program and that has been paid for with taxpayers' money. Moreover,
 33 medically indigent persons receiving care under the program should have
 34 a voice in helping to ensure that the program is providing the type of
 35 medical care and the quality of medical care that the program is intended
 36 to provide.

37

38 **SECTION 2.** 25.5-3-205 (2), Colorado Revised Statutes, is
 39 amended, and the said 25.5-3-205 is further amended BY THE
 40 ADDITION OF A NEW SUBSECTION, to read:

41

42 **25.5-3-205. Grant-making process.** (2) Service grants awarded
 43 to qualified providers shall be used by such providers only to:

44

45 (a) Increase access to comprehensive primary care services for
 46 uninsured or medically indigent patients who are served by such
 47 providers;

48

49 (b) Create new services or augment existing services provided to
 50 uninsured or medically indigent patients; ~~or~~

51

52 (c) Establish new sites that offer comprehensive primary care
 53 services in medically underserved areas of the state or to medically
 54 underserved populations; OR

55

1 (d) ESTABLISH AN ACCOUNTABILITY BOARD PURSUANT TO
 2 SUBSECTION (2.5) OF THIS SECTION TO REVIEW GRIEVANCES FROM
 3 UNINSURED OR MEDICALLY INDIGENT PATIENTS WHO ARE SERVED BY SUCH
 4 PROVIDERS THROUGH THE COLORADO INDIGENT CARE PROGRAM
 5 ESTABLISHED PURSUANT TO PART 1 OF THIS ARTICLE.

6
 7 (2.5) (a) A QUALIFIED PROVIDER, GROUP OF QUALIFIED PROVIDERS,
 8 OR A STATEWIDE ASSOCIATION THAT REPRESENTS QUALIFIED PROVIDERS
 9 MAY SUBMIT A GRANT APPLICATION PURSUANT TO SUBSECTION (1) OF THIS
 10 SECTION FOR THE AWARD OF A SERVICE GRANT TO ESTABLISH AN
 11 ACCOUNTABILITY BOARD TO REVIEW AND RESOLVE GRIEVANCES
 12 SUBMITTED BY UNINSURED OR MEDICALLY INDIGENT PATIENTS WHO
 13 RECEIVE CARE THROUGH THE COLORADO INDIGENT CARE PROGRAM
 14 ESTABLISHED PURSUANT TO PART 1 OF THIS ARTICLE.

15
 16 (b) THE GRANT APPLICATION SHALL INCLUDE, BUT NEED NOT BE
 17 LIMITED TO:

18
 19 (I) AN OUTLINE OF THE STRUCTURE OF THE ACCOUNTABILITY
 20 BOARD, WHICH BOARD SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE
 21 FOLLOWING MEMBERS:

22
 23 (A) A CONSUMER OF MEDICAL SERVICES WHO, AT THE TIME OF HIS
 24 OR HER APPOINTMENT TO THE ACCOUNTABILITY BOARD, HAS RECEIVED
 25 SERVICES THROUGH THE COLORADO INDIGENT CARE PROGRAM
 26 ESTABLISHED PURSUANT TO PART 1 OF THIS ARTICLE WITHIN THE
 27 PRECEDING THIRTY-SIX MONTHS;

28
 29 (B) AN ADVOCATE FOR THE UNINSURED OR MEDICALLY INDIGENT;
 30 AND

31
 32 (C) A LICENSED HEALTH CARE PROFESSIONAL;

33
 34 (II) A DETAILED DESCRIPTION OF THE PROCESS FOR THE
 35 SUBMISSION, SELECTION, REVIEW, AND RESOLUTION OF GRIEVANCES BY
 36 THE ACCOUNTABILITY BOARD; AND

37
 38 (III) THE PROVISIONS FOR MAINTAINING ETHICAL STANDARDS,
 39 INCLUDING BUT NOT LIMITED TO STANDARDS RELATING TO CLIENT
 40 PRIVACY AND CONFLICT OF INTEREST CONCERNS.

41
 42 (c) A GRANT RECIPIENT AWARDED A GRANT TO ESTABLISH AN
 43 ACCOUNTABILITY BOARD PURSUANT TO THIS SUBSECTION (2.5) SHALL
 44 MAKE RECOMMENDATIONS TO THE STATE DEPARTMENT REGARDING
 45 METHODS FOR IMPROVING THE COLORADO INDIGENT CARE PROGRAM
 46 ESTABLISHED PURSUANT TO PART 1 OF THIS ARTICLE TO REDUCE
 47 GRIEVANCES BY UNINSURED OR MEDICALLY INDIGENT PATIENTS.

48
 49 **SECTION 3. 25.5-3-108, Colorado Revised Statutes, is amended**
 50 **BY THE ADDITION OF A NEW SUBSECTION to read:**

51
 52 **25.5-3-108. Responsibility of the department of health care**
 53 **policy and financing - provider reimbursement. (17) THE STATE**
 54 **DEPARTMENT SHALL ESTABLISH ANY PROCEDURES NECESSARY TO**
 55 **COORDINATE WITH AN ACCOUNTABILITY BOARD ESTABLISHED PURSUANT**
 56 **TO SECTION 25.5-3-205 (2) (d).**

1 **SECTION 4. Act subject to petition - effective date.** This act
2 shall take effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly that is
4 allowed for submitting a referendum petition pursuant to article V,
5 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
6 sine die is on May 6, 2009); except that, if a referendum petition is filed
7 against this act or an item, section, or part of this act within such period,
8 then the act, item, section, or part, if approved by the people, shall take
9 effect on the date of the official declaration of the vote thereon by
10 proclamation of the governor."

11
12
13
14 **HB09-1084** be postponed indefinitely.

15
16
17 **HB09-1097** be postponed indefinitely.

18
19
20 **HB09-1111** be referred favorably to the Committee on Appropriations.

21
22
23 **HB09-1119** be amended as follows, and as so amended, be referred to
24 the Committee on Appropriations with favorable
25 recommendation:

26
27 Amend printed bill, strike everything below the enacting clause and
28 substitute the following:

29
30 **"SECTION 1.** Part 2 of article 1 of title 25, Colorado Revised
31 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
32 read:

33
34 **25-1-216. Rural youth alcohol and substance abuse prevention**
35 **and treatment program - creation - administration - definitions - cash**
36 **fund - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
37 OTHERWISE REQUIRES:

38
39 (a) "PROGRAM" MEANS THE RURAL YOUTH ALCOHOL AND
40 SUBSTANCE ABUSE PREVENTION AND TREATMENT PROGRAM CREATED
41 PURSUANT TO SUBSECTION (2) OF THIS SECTION.

42
43 (b) "RURAL AREA" MEANS A COUNTY WITH A POPULATION OF LESS
44 THAN THIRTY THOUSAND PEOPLE, ACCORDING TO THE MOST RECENTLY
45 AVAILABLE POPULATION STATISTICS OF THE UNITED STATES BUREAU OF
46 THE CENSUS.

47
48 (c) "YOUTH" MEANS AN INDIVIDUAL WHO IS AT LEAST EIGHT
49 YEARS OF AGE BUT WHO IS LESS THAN EIGHTEEN YEARS OF AGE.

50
51 (2) (a) THERE IS HEREBY CREATED THE RURAL YOUTH ALCOHOL
52 AND SUBSTANCE ABUSE PREVENTION AND TREATMENT PROGRAM WITHIN
53 THE DIVISION TO PROVIDE PREVENTION AND TREATMENT SERVICES TO
54 YOUTH IN RURAL AREAS, WHICH SERVICES MAY INCLUDE, BUT NEED NOT
55 BE LIMITED TO, PROVIDING ALTERNATIVE ACTIVITIES FOR YOUTH. THE
56 DIVISION SHALL ADMINISTER THE PROGRAM PURSUANT TO RULES ADOPTED

1 BY THE STATE BOARD OF HUMAN SERVICES AS OF THE EFFECTIVE DATE OF
2 THIS SECTION OR AS AMENDED BY THE STATE BOARD THEREAFTER.

3
4 (b) THE DIVISION SHALL INCORPORATE PROVISIONS TO IMPLEMENT
5 THE PROGRAM INTO ITS REGULAR CONTRACTING MECHANISM FOR THE
6 PURCHASE OF PREVENTION AND TREATMENT SERVICES PURSUANT TO
7 SECTION 25-1-206. THE DIVISION SHALL DEVELOP A METHOD TO
8 EQUITABLY DISTRIBUTE AND PROVIDE ADDITIONAL MONEYS THROUGH
9 CONTRACTS TO PROVIDE FOR PREVENTION SERVICES FOR AND TREATMENT
10 OF YOUTH IN RURAL AREAS.

11
12 (c) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
13 CONTRARY, THE DIVISION SHALL IMPLEMENT THE PROGRAM ON OR AFTER
14 JANUARY 1, 2011, SUBJECT TO THE AVAILABILITY OF SUFFICIENT MONEYS
15 TO OPERATE AN EFFECTIVE PROGRAM, AS DETERMINED BY THE DIVISION.

16
17 (3) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE
18 RURAL YOUTH ALCOHOL AND SUBSTANCE ABUSE CASH FUND, REFERRED
19 TO IN THIS SECTION AS THE "FUND". THE FUND SHALL BE COMPRISED OF
20 MONEYS COLLECTED FROM SURCHARGES ASSESSED PURSUANT TO
21 SECTIONS 18-19-103.5, 42-4-1301 (7) (d) (IV), AND 42-4-1701 (4) (f),
22 C.R.S., AND ANY MONEYS CREDITED TO THE FUND PURSUANT TO
23 PARAGRAPH (b) OF THIS SUBSECTION (3). THE MONEYS IN THE FUND
24 SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
25 ASSEMBLY TO THE DIVISION FOR THE PURPOSE OF IMPLEMENTING THE
26 PROGRAM. ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT
27 OF MONEYS IN THE FUND SHALL REMAIN IN THE FUND. ANY UNEXPENDED
28 OR UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A
29 FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE
30 TRANSFERRED OR CREDITED TO THE GENERAL FUND OR ANOTHER FUND;
31 EXCEPT THAT ANY UNEXPENDED AND UNENCUMBERED MONEYS
32 REMAINING IN THE FUND AS OF JUNE 30, 2016, SHALL BE CREDITED TO THE
33 GENERAL FUND.

34
35 (b) THE DIVISION IS AUTHORIZED TO ACCEPT ANY GRANTS, GIFTS,
36 OR DONATIONS FROM ANY PRIVATE OR PUBLIC SOURCE ON BEHALF OF THE
37 STATE FOR THE PURPOSE OF THE PROGRAM. THE DIVISION SHALL
38 TRANSMIT ALL PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GRANTS,
39 GIFTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE
40 SAME TO THE FUND.

41
42 (4) (a) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2016.

43
44 (b) PRIOR TO SUCH REPEAL, THE PROGRAM SHALL BE REVIEWED AS
45 PROVIDED IN SECTION 24-34-104, C.R.S.

46
47 **SECTION 2.** 24-34-104 (47), Colorado Revised Statutes, is
48 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

49
50 **24-34-104. General assembly review of regulatory agencies**
51 **and functions for termination, continuation, or reestablishment.**
52 (47) The following agencies, functions, or both, shall terminate on July
53 1, 2016:

54
55 (c) THE RURAL YOUTH ALCOHOL AND SUBSTANCE ABUSE
56 PREVENTION AND TREATMENT PROGRAM CREATED PURSUANT TO SECTION

1 25-1-216, C.R.S., WITHIN THE DIVISION OF ALCOHOL AND DRUG ABUSE IN
2 THE DEPARTMENT OF HUMAN SERVICES.

3

4 **SECTION 3.** 42-4-1301 (7) (d), Colorado Revised Statutes, is
5 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

6

7 **42-4-1301. Driving under the influence - driving while**
8 **impaired - driving with excessive alcoholic content - definitions -**
9 **penalties - repeal.** (7) **Penalties.** (d) In addition to the penalties
10 prescribed in this subsection (7):

11

12 (IV) (A) PERSONS CONVICTED OF DUI, DUI PER SE, DWAI, AND
13 HABITUAL USER, ARE SUBJECT TO AN ADDITIONAL PENALTY SURCHARGE
14 OF NOT LESS THAN ONE DOLLAR AND NOT MORE THAN TEN DOLLARS FOR
15 PROGRAMS TO ADDRESS ALCOHOL AND SUBSTANCE ABUSE PROBLEMS
16 AMONG YOUTH IN RURAL AREAS. THE MINIMUM PENALTY SURCHARGE
17 SHALL BE MANDATORY, AND THE COURT SHALL HAVE NO DISCRETION TO
18 SUSPEND OR WAIVE THE SURCHARGE; EXCEPT THAT THE COURT MAY
19 SUSPEND OR WAIVE THE SURCHARGE FOR A DEFENDANT DETERMINED BY
20 THE COURT TO BE INDIGENT. ANY MONEYS COLLECTED FOR THE
21 SURCHARGE SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO
22 SHALL CREDIT THE SAME TO THE RURAL YOUTH ALCOHOL AND SUBSTANCE
23 ABUSE CASH FUND CREATED IN SECTION 25-1-216 (3), C.R.S.

24

25 (B) THIS SUBPARAGRAPH (IV) IS REPEALED, EFFECTIVE JULY 1,
26 2016, UNLESS THE GENERAL ASSEMBLY EXTENDS THE REPEAL OF THE
27 RURAL YOUTH ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND
28 TREATMENT PROGRAM CREATED IN SECTION 25-1-216, C.R.S.

29

30 **SECTION 4.** 42-4-1701 (4), Colorado Revised Statutes, is
31 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

32

33 **42-4-1701. Traffic offenses and infractions classified -**
34 **penalties - penalty and surcharge schedule - repeal.** (4) (f) (I) IN
35 ADDITION TO THE SURCHARGE SPECIFIED IN SUB-SUBPARAGRAPH (N) OF
36 SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (4), AN
37 ADDITIONAL SURCHARGE OF FIVE DOLLARS SHALL BE ASSESSED FOR A
38 VIOLATION OF SECTION 42-4-1301 (2) (a.5). MONEYS COLLECTED
39 PURSUANT TO THIS PARAGRAPH (f) SHALL BE TRANSMITTED TO THE STATE
40 TREASURER WHO SHALL DEPOSIT SUCH MONEYS IN THE RURAL YOUTH
41 ALCOHOL AND SUBSTANCE ABUSE CASH FUND CREATED IN SECTION
42 25-1-216 (3), C.R.S., WITHIN FOURTEEN DAYS AFTER THE END OF EACH
43 QUARTER, TO BE USED FOR THE PURPOSES SET FORTH IN SECTION 25-1-216,
44 C.R.S.

45

46 (II) IF THE ADDITIONAL SURCHARGE IS COLLECTED BY A COUNTY
47 OR MUNICIPAL COURT, THE ADDITIONAL SURCHARGE SHALL BE SIX
48 DOLLARS OF WHICH ONE DOLLAR SHALL BE RETAINED BY THE COUNTY OR
49 MUNICIPALITY AND THE REMAINING FIVE DOLLARS SHALL BE
50 TRANSMITTED TO THE STATE TREASURER AND CREDITED TO THE RURAL
51 YOUTH ALCOHOL AND SUBSTANCE ABUSE CASH FUND CREATED IN SECTION
52 25-1-216 (3), C.R.S., WITHIN FOURTEEN DAYS AFTER THE END OF EACH
53 QUARTER, TO BE USED FOR THE PURPOSES SET FORTH IN SECTION 25-1-216,
54 C.R.S.

55

56

1 (III) THIS PARAGRAPH (f) IS REPEALED, EFFECTIVE JULY 1, 2016,
2 UNLESS THE GENERAL ASSEMBLY EXTENDS THE REPEAL OF THE RURAL
3 YOUTH ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND TREATMENT
4 PROGRAM CREATED IN SECTION 25-1-216, C.R.S.

5
6 **SECTION 5.** 18-19-102 (1), Colorado Revised Statutes, is
7 amended, and the said 18-19-102 is further amended BY THE
8 ADDITION OF A NEW SUBSECTION, to read:

9
10 **18-19-102. Definitions.** As used in this article, unless the context
11 otherwise requires:

12
13 ~~(1) "Convicted" and "conviction" means a plea of guilty, including~~
14 ~~a plea of guilty entered pursuant to a deferred sentence under section~~
15 ~~18-1.3-102, or a verdict of guilty by a judge or jury, and includes a plea~~
16 ~~of no contest accepted by the court. "ALCOHOL- OR DRUG-RELATED~~
17 ~~OFFENDER" MEANS A PERSON CONVICTED OF ANY OF THE FOLLOWING~~
18 ~~OFFENSES OR OF ATTEMPT TO COMMIT ANY OF THE FOLLOWING OFFENSES:~~

19
20 (a) VIOLATION OF A PROTECTION ORDER AS DESCRIBED IN SECTION
21 18-1-1001 (4), IF THE PROTECTION ORDER PROHIBITED THE POSSESSION OR
22 CONSUMPTION OF ALCOHOL OR CONTROLLED SUBSTANCES AND THE
23 VIOLATION RELATED TO SUCH PROVISIONS;

24
25 (b) VEHICULAR HOMICIDE AS DESCRIBED IN SECTION 18-3-106 (1)
26 (b);

27
28 (c) VEHICULAR ASSAULT AS DESCRIBED IN SECTION 18-3-205 (1)
29 (b);

30
31 (d) BRINGING ALCOHOL BEVERAGES INTO THE MAJOR LEAGUE
32 STADIUM AS DESCRIBED IN SECTION 18-9-123 (1) (a) (I); OR

33
34 (e) ILLEGAL POSSESSION OR CONSUMPTION OF ETHYL ALCOHOL BY
35 AN UNDERAGE PERSON AS DESCRIBED IN SECTION 18-13-122.

36
37 (1.5) "CONVICTED" AND "CONVICTION" MEANS A PLEA OF GUILTY,
38 INCLUDING A PLEA OF GUILTY ENTERED PURSUANT TO A DEFERRED
39 SENTENCE UNDER SECTION 18-1.3-102, OR A VERDICT OF GUILTY BY A
40 JUDGE OR JURY, AND INCLUDES A PLEA OF NO CONTEST ACCEPTED BY THE
41 COURT.

42
43 **SECTION 6.** Article 19 of title 18, Colorado Revised Statutes, is
44 amended BY THE ADDITION OF A NEW SECTION to read:

45
46 **18-19-103.5. Rural youth alcohol and substance abuse**
47 **surcharge.** (1) IN ADDITION TO THE SURCHARGES ESTABLISHED IN
48 SECTION 18-19-103, EACH DRUG OFFENDER AND EACH ALCOHOL- OR
49 DRUG-RELATED OFFENDER WHO IS CONVICTED, OR RECEIVES A DEFERRED
50 SENTENCE PURSUANT TO SECTION 18-1.3-102, SHALL BE REQUIRED TO PAY
51 A SURCHARGE TO THE CLERK OF THE COURT IN THE COUNTY IN WHICH THE
52 CONVICTION OCCURS OR IN WHICH THE DEFERRED SENTENCE IS ENTERED.
53 THE SURCHARGE SHALL BE IN AN AMOUNT DETERMINED BY THE JUDGE BUT
54 SHALL BE NOT LESS THAN ONE DOLLAR NOR MORE THAN TEN DOLLARS.

55
56

1 (2) THE CLERK OF THE COURT SHALL DISBURSE THE SURCHARGE
2 REQUIRED BY SUBSECTION (1) OF THIS SECTION AS FOLLOWS:
3

4 (a) FIVE PERCENT SHALL BE RETAINED BY THE CLERK FOR
5 PURPOSES OF ADMINISTERING THE DISBURSAL OF THE SURCHARGE
6 PURSUANT TO THIS SUBSECTION (2);
7

8 (b) NINETY-FIVE PERCENT SHALL BE DISBURSED TO THE STATE
9 TREASURER WHO SHALL CREDIT THE SAME TO THE RURAL YOUTH ALCOHOL
10 AND SUBSTANCE ABUSE CASH FUND CREATED IN SECTION 25-1-216 (3),
11 C.R.S.
12

13 (3) THE MINIMUM PENALTY SURCHARGE SHALL BE MANDATORY,
14 AND THE COURT SHALL HAVE NO DISCRETION TO SUSPEND OR WAIVE THE
15 SURCHARGE; EXCEPT THAT THE COURT MAY SUSPEND OR WAIVE THE
16 SURCHARGE FOR A DEFENDANT DETERMINED BY THE COURT TO BE
17 INDIGENT.
18

19 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2016, UNLESS
20 THE GENERAL ASSEMBLY EXTENDS THE REPEAL OF THE RURAL YOUTH
21 ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND TREATMENT PROGRAM
22 CREATED IN SECTION 25-1-216, C.R.S.
23

24 **SECTION 7. Effective date - applicability.** This act shall take
25 effect January 1, 2010, and shall apply to offenses committed on or after
26 said date.
27

28 **SECTION 8. Safety clause.** The general assembly hereby finds,
29 determines, and declares that this act is necessary for the immediate
30 preservation of the public peace, health, and safety."
31

32
33
34

35 **JUDICIARY**

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

39 **HB09-1132** be amended as follows, and as so amended, be referred to
40 the Committee on Appropriations with favorable
41 recommendation:
42

43 Amend printed bill, page 2, line 18, strike "a statement" and substitute "a
44 ~~statement~~";
45

46 line 21, strike "is under fifteen years of age, describing" and substitute "is
47 TO BE under fifteen years of age ~~describing~~ AND, IN THAT
48 COMMUNICATION OR IN ANY SUBSEQUENT COMMUNICATION BY
49 COMPUTER, COMPUTER NETWORK, TELEPHONE NETWORK, DATA NETWORK,
50 TEXT MESSAGE, OR INSTANT MESSAGE, DESCRIBES";
51

52 line 23, strike "the communication," and substitute "~~the communication~~
53 THAT DESCRIPTION,".
54

55 Page 3, strike lines 2 through 7 and substitute the following:
56

1 **"18-3-405.4. Internet sexual exploitation of a child.** (1) A
 2 ~~person~~ AN ACTOR commits internet sexual exploitation of a child if a
 3 ~~person, who is at least four years older than a child who is under fifteen~~
 4 ~~years of age,~~ THE ACTOR knowingly importunes, invites, or entices the
 5 ~~child~~ through communication via a computer network or system,
 6 TELEPHONE NETWORK, OR DATA NETWORK OR BY A TEXT MESSAGE OR
 7 INSTANT MESSAGE, A PERSON WHOM THE ACTOR KNOWS OR BELIEVES TO
 8 BE UNDER FIFTEEN YEARS OF AGE AND AT LEAST FOUR YEARS YOUNGER
 9 THAN THE ACTOR, to:";

10
 11 line 8, strike "child's" and substitute "child's PERSON'S";

12
 13 line 9, strike "person" and substitute "person ACTOR";

14
 15 strike lines 12 through 14 and substitute the following:

16
 17 "(b) Observe the ~~person's~~ ACTOR'S intimate parts ~~while~~
 18 ~~communicating with the person~~ via a computer network or system,
 19 TELEPHONE NETWORK, OR DATA NETWORK OR BY A TEXT MESSAGE OR
 20 INSTANT MESSAGE."

21
 22
 23 **HB09-1163** be amended as follows, and as so amended, be referred to
 24 the Committee on Appropriations with favorable
 25 recommendation:

26
 27 Amend printed bill, page 3, strike lines 13 through 25 and substitute the
 28 following:

29
 30 "(V) When a person acts knowingly or recklessly and the child
 31 abuse results in any injury other than serious bodily injury, it is a class 1
 32 misdemeanor; except that, if ~~the underlying factual basis of the child~~
 33 ~~abuse, which would constitute a misdemeanor, has been found by the trier~~
 34 ~~of fact to include one of the acts~~ IT IS COMMITTED UNDER THE
 35 CIRCUMSTANCES described in paragraph (e) of this subsection (7),
 36 subsequent to a prior conviction under this section, then it is a class 5
 37 felony.";

38
 39 strike lines 26 and 27.

40
 41 Page 4, strike lines 1 through 11 and substitute the following:

42
 43 "(VI) When a person acts with criminal negligence and the child
 44 abuse results in any injury other than serious bodily injury to the child, it
 45 is a class 2 misdemeanor; except that, if ~~the underlying factual basis of~~
 46 ~~the child abuse, which would constitute a misdemeanor, has been found~~
 47 ~~by the trier of fact to include one of the acts~~ IT IS COMMITTED UNDER THE
 48 CIRCUMSTANCES described in paragraph (e) of this subsection (7),
 49 subsequent to a prior conviction under this section, then it is a class 5
 50 felony.";

51
 52 strike lines 13 through 27 and substitute the following:

53
 54 "(I) An act of child abuse when a person acts knowingly or
 55 recklessly is a class 2 misdemeanor; except that, if ~~the underlying factual~~
 56 ~~basis of the child abuse, which would constitute a misdemeanor, has been~~

1 ~~found by the trier of fact to include one of the acts~~ IT IS COMMITTED
 2 UNDER THE CIRCUMSTANCES described in paragraph (e) of this subsection
 3 (7), subsequent to a prior conviction under this section, then it is a class
 4 5 felony.

5
 6 (II) An act of child abuse when a person acts with criminal
 7 negligence is a class 3 misdemeanor; except that, if ~~the underlying factual~~
 8 ~~basis of the child abuse, which would constitute a misdemeanor, has been~~
 9 ~~found by the trier of fact to include one of the acts~~ IT IS COMMITTED
 10 UNDER THE CIRCUMSTANCES described in paragraph (e) of this subsection
 11 (7), subsequent to a prior conviction under this section, then it is a class
 12 5 felony."

13
 14 Page 5, strike lines 1 through 18 and substitute the following:

15
 16 "(e) ~~If~~ A person WHO HAS PREVIOUSLY BEEN CONVICTED OF A
 17 VIOLATION OF THIS SECTION OR OF AN OFFENSE IN ANY OTHER STATE, THE
 18 UNITED STATES, OR ANY TERRITORY SUBJECT TO THE JURISDICTION OF THE
 19 UNITED STATES THAT WOULD CONSTITUTE CHILD ABUSE IF COMMITTED IN
 20 THIS STATE AND WHO commits child abuse ~~by engaging in one of the~~
 21 ~~following acts, then such person shall be punished for a second or~~
 22 ~~subsequent conviction~~ as provided in subparagraph (V) or (VI) of
 23 paragraph (a) of this subsection (7) or as provided in subparagraph (I) or
 24 (II) of paragraph (b) of this subsection (7) COMMITS A CLASS 5 FELONY IF
 25 THE TRIER OF FACT FINDS THAT THE NEW OFFENSE INVOLVED ANY OF THE
 26 FOLLOWING ACTS:".

27
 28
 29
 30
 31 **STATE, VETERANS, & MILITARY AFFAIRS**

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

34
 35 **HB09-1124** be amended as follows, and as so amended, be referred to
 36 the Committee of the Whole with favorable
 37 recommendation:

38
 39 Amend printed bill, page 2, strike lines 2 through 4 and substitute the
 40 following:

41
 42 "SECTION 1. 24-6-402 (2) (d.5) (I) (B) and (3) (a) (II), Colorado
 43 Revised Statutes, are amended to read:

44
 45 **24-6-402. Meetings - open to public - definitions.** (2) (d.5) (I)
 46 (B) If, in the opinion of the attorney who is representing ~~the state public~~
 47 ~~body~~ A GOVERNING BOARD OF A STATE INSTITUTION OF HIGHER
 48 EDUCATION, INCLUDING THE REGENTS OF THE UNIVERSITY OF COLORADO,
 49 and is in attendance at an executive session that has been properly
 50 announced pursuant to paragraph (a) of subsection (3) of this section, all
 51 or a portion of the discussion during the executive session constitutes a
 52 privileged attorney-client communication, no record or electronic
 53 recording shall be required to be kept of the part of the discussion that
 54 constitutes a privileged attorney-client communication. The electronic
 55 recording of said executive session discussion shall reflect that no further
 56 record or electronic recording was kept of the discussion based on the

1 opinion of the attorney representing the ~~state public body~~ GOVERNING
2 BOARD OF A STATE INSTITUTION OF HIGHER EDUCATION, INCLUDING THE
3 REGENTS OF THE UNIVERSITY OF COLORADO, as stated for the record
4 during the executive session, that the discussion constituted a privileged
5 attorney-client communication, or the attorney representing the ~~state~~
6 ~~public body~~ GOVERNING BOARD OF A STATE INSTITUTION OF HIGHER
7 EDUCATION, INCLUDING THE REGENTS OF THE UNIVERSITY OF COLORADO,
8 may provide a signed statement attesting that the portion of the executive
9 session that was not recorded constituted a privileged attorney-client
10 communication in the opinion of the attorney.

11

12 (3) (a) The".

13

14

15

16 **HB09-1153** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:

19

20 Amend printed bill, page 3, strike lines 16 through 18 and substitute the
21 following:

22

23 "SECTION, EACH ISSUE COMMITTEE SHALL REGISTER WITH THE
24 APPROPRIATE OFFICER WITHIN TEN CALENDAR DAYS OF ACCEPTING OR
25 MAKING A CONTRIBUTION OR EXPENDITURE IN EXCESS OF TWO";

26

27 line 27, after "ISSUE", insert "OR BALLOT QUESTION".

28

29 Page 4, line 17, after "ISSUE", insert "OR BALLOT QUESTION".

30

31 Page 5, line 1, after "ISSUE", insert "OR BALLOT QUESTION".

32

33

34

35

36 **TRANSPORTATION & ENERGY**

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

39

40 **HB09-1098** The committee returns herewith HB09-1098 and reports
41 that said bill has been considered on its merits and voted
42 upon by the committee in accordance with House Rules,
43 that the deadline applicable to committees under Joint
44 Rule 23 (a) (1) has passed, that final action has not been
45 taken by this committee within said deadline, and that the
46 Committee on Delayed Bills has not waived said deadline.
47 Pursuant to Joint Rule 23 (a) (3) (A), said bill is deemed to
48 be postponed indefinitely.

49

50

51 **HB09-1100** be referred favorably to the Committee on Appropriations.

52

53

54 **HB09-1107** be postponed indefinitely.

55

56

1 **HB09-1133** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Amend printed bill, page 3, line 6, after the period, add "ON OR BEFORE
6 MARCH 1, 2010, AND ON OR BEFORE MARCH 1 EVERY FIVE YEARS
7 THEREAFTER, THE DIRECTOR OF THE DIVISION SHALL FILE A WRITTEN
8 REPORT WITH THE TRANSPORTATION AND ENERGY COMMITTEE OF THE
9 HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEE, AND THE
10 TRANSPORTATION COMMITTEE OF THE SENATE, OR ANY SUCCESSOR
11 COMMITTEES, CONCERNING ANY CHANGE WITHIN THE PRECEDING FIVE
12 YEARS IN THE AMOUNT OF THE FEE IMPOSED PURSUANT TO SUBSECTION (1)
13 OF THIS SECTION AND THE REASON FOR THE CHANGE IN THE FEE."
14
15

16
17 **HB09-1149** be amended as follows, and as so amended, be referred to
18 the Committee on Appropriations with favorable
19 recommendation:
20

21 Amend printed bill, page 2, strike lines 5 through 12 and substitute the
22 following:
23

24 "(1) (a) EVERY PERSON THAT BUILDS A NEW SINGLE-FAMILY
25 DETACHED RESIDENCE FOR WHICH A BUYER IS UNDER CONTRACT SHALL
26 OFFER THE BUYER THE OPPORTUNITY TO HAVE THE RESIDENCE'S
27 ELECTRICAL SYSTEM OR PLUMBING SYSTEM INCLUDE ONE OF THE
28 FOLLOWING:
29

30 (I) A RESIDENTIAL PHOTOVOLTAIC SOLAR GENERATION SYSTEM OR
31 A RESIDENTIAL SOLAR THERMAL SYSTEM;
32

33 (II) UPGRADES OF WIRING OR PLUMBING, OR BOTH, PLANNED BY
34 THE BUILDER TO ACCOMMODATE FUTURE INSTALLATION OF SUCH
35 SYSTEMS; OR
36

37 (III) A CHASE OR CONDUIT CONSTRUCTED TO ALLOW EASE OF
38 FUTURE INSTALLATION OF THE NECESSARY WIRING OR PLUMBING FOR SUCH
39 SYSTEMS.
40

41 (b) THE OFFER REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION
42 (1) SHALL BE MADE IN ACCORDANCE WITH THE BUILDER'S CONSTRUCTION
43 SCHEDULE FOR THE RESIDENCE."
44

45 Page 3, after line 10, insert the following:
46

47 "(5) THE GOVERNOR'S ENERGY OFFICE OR ITS DESIGNEES SHALL
48 OFFER PERIODIC TRAINING SESSIONS ON RESIDENTIAL PHOTOVOLTAIC
49 SOLAR GENERATION SYSTEMS OR SOLAR THERMAL SYSTEMS TO PERSONS
50 THAT BUILD NEW SINGLE-FAMILY DETACHED RESIDENCES. THE
51 GOVERNOR'S ENERGY OFFICE MAY ASSESS AND COLLECT FROM
52 PARTICIPANTS A REGISTRATION FEE, NOT TO EXCEED THE ACTUAL COSTS
53 OF PROVIDING SUCH TRAINING."
54

55 Renumber succeeding subsections accordingly.
56

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

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

TERRANCE D. CARROLL,

Speaker

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

Thirty-fourth Legislative Day

Monday, February 9, 2009

1 Prayer by Mohamed A. Jodeh, Former President and Chairman of the
2 Colorado Muslim Society.

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

5
6 Pledge of Allegiance led by Cameron Marston, Wiley Elementary;
7 Shiloh, Jackson, and Tucker Turner, Holcomb Middle School, Holcomb,
8 Kansas.

9
10 The roll was called with the following result:

11
12 Present--64.
13 Excused--Representative Weissmann--1.
14 Present after roll call--Representative Weissmann.

15
16 The Speaker declared a quorum present.

17
18
19 On motion of Representative Balmer, the reading of the journal of
20 February 6, 2009, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22
23
24
25
26 **THIRD READING OF BILLS--FINAL PASSAGE**

27
28 The following bills were considered on Third Reading. The titles were
29 publicly read. Reading of the bill at length was dispensed with by
30 unanimous consent.

31
32 **HB09-1088** by Representative(s) Balmer, Benefield, Looper, Todd;
33 also Senator(s) Newell--Concerning certification of public
34 benefit nonprofit entities as local public procurement
35 units.

36
37 The question being "Shall the bill pass?".
38 A roll call vote was taken. As shown by the following recorded vote, a
39 majority of those elected to the House voted in the affirmative and the
40 bill was declared **passed**.

41
42

	YES	60	NO	5	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McGihon	Y	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	Y
7	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
8	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
10	Curry	Y	Lambert	N	Nikkel	N	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.	N	May	N	Rice	Y	Waller	Y
17	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Gardner B., Labuda, Massey, Miklosi,
20 Ryden, Solano, Summers

21
22 **HB09-1103** by Representative(s) Riesberg; also Senator(s) Newell--
23 Concerning presumptive eligibility under the medical
24 assistance program for persons in need of long-term care.

25
26 The question being "Shall the bill 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 bill
29 was declared **passed**.

	YES	61	NO	4	EXCUSED	0	ABSENT	0
31								
32	Acree	Y	Green	Y	McFadyen	N	Roberts	Y
33	Apuan	Y	Hullingerhorst	Y	McGihon	Y	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	Y
37	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
38	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
39	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
40	Curry	Y	Lambert	N	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.	N	May	Y	Rice	Y	Waller	Y
47	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Frangas, Gerou, Green,
50 Kefalas, Labuda, Massey, McGihon, Primavera, Ryden, Schafer S., Todd

51
52 **HB09-1151** by Representative(s) Todd, Labuda, Lundberg, Ryden,
53 Solano; also Senator(s) Heath--Concerning designating the
54 department of public safety as the agency responsible for
55 oversight of school building inspections.

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

24 Co-sponsor(s) added: Representative(s) Nikkel

25
 26 **HB09-1174** by Representative(s) Riesberg; also Senator(s) Hodge,
 27 Brophy--Concerning the exemption of depletions from
 28 pumping that occurred prior to 1974.

29
 30 The question being "Shall the bill pass?".
 31 A roll call vote was taken. As shown by the following recorded vote, a
 32 majority of those elected to the House voted in the affirmative and the bill
 33 was declared **passed**.

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

53 Co-sponsor(s) added: Representative(s) Curry, Fischer, Gardner C., McGihon,
 54 Pace, Priola

55

1 **HB09-1162** by Representative(s) Gerou; also Senator(s) Kopp--
 2 Concerning intergovernmental cooperation for the purpose
 3 of mitigating wildfires.
 4

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

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

28 Co-sponsor(s) added: Representative(s) Curry, Frangas, Kerr J., King S., Liston,
 29 Massey, McNulty, Nikkel, Pace, Priola, Ryden, Scanlan, Stephens, Tipton,
 30 Todd
 31

32 **HB09-1008** by Representative(s) Miklosi; also Senator(s) Williams--
 33 Concerning the expansion of the ability to transfer annual
 34 leave between employees in the state personnel system.
 35

36 The question being "Shall the bill 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 bill
 39 was declared **passed**.
 40

	YES	60	NO	5	EXCUSED	0	ABSENT	0
42	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
43	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
44	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
45	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
46	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
47	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
48	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
49	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
50	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
51	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
52	Fischer	Y	Liston	Y	Peniston	Y	Tipton	N
53	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
54	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
55	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
56	Gardner C.	Y	May	N	Rice	Y	Waller	Y

1 | Gerou Y McCann Y Riesberg Y Weissmann Y |
 2 | | Speaker Y |

3 | Co-sponsor(s) added: Representative(s) Court, Ferrandino, Fischer, Frangas,
 4 | Green, McCann, McGihon, Merrifield, Pace, Primavera, Ryden, Solano, Todd,
 5 | Speaker

6 |
 7 | **HB09-1118** by Representative(s) Murray; also Senator(s) Kester--
 8 | Concerning the manner in which the records of certain
 9 | governmental entities are kept.

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

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

34 | Co-sponsor(s) added: Representative(s) Bradford, Labuda, McCann, Nikkel,
 35 | Ryden, Todd

36 |
 37 | **HB09-1092** by Representative(s) Peniston, Gagliardi; also Senator(s)
 38 | Kester--Concerning the risk of damage to underground
 39 | facilities caused by excavation.

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**.

	YES	59	NO	6	EXCUSED	0	ABSENT	0
47 Acree	Y	Green	Y	McFadyen	Y	Roberts	Y	
48 Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y	
49 Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y	
50 Baumgardner	N	Kefalas	Y	McNulty	Y	Schafer S.	Y	
51 Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y	
52 Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N	
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	N	Summers	Y	
56 Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y	

1	Fischer	Y	Liston	Y	Peniston	Y	Tipton	N
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.	N	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) Fischer, McGihon, Middleton,
9 Primavera, Ryden, Scanlan, Vigil

10

11 **HB09-1057** by Representative(s) Kerr A., Carroll T., Apuan; also
12 Senator(s) Bacon, Groff--Concerning parental
13 involvement in kindergarten through twelfth grade
14 education.

15

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

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

20

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

39 Co-sponsor(s) added: Representative(s) Casso, Court, Ferrandino, Fischer,
40 Frangas, Gagliardi, Green, Hullinghorst, Kefalas, Labuda, McCann, McFadyen,
41 Merrifield, Middleton, Miklosi, Peniston, Primavera, Ryden, Scanlan, Vigil

42

43

44

45 On motion of Representative Judd, the House resolved itself into
46 Committee of the Whole for consideration of General Orders, and he was
47 called to the Chair to act as Chairman.

48

49

50

GENERAL ORDERS--SECOND READING OF BILLS

51

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

56

1 (Amendments to the committee amendment are to the printed committee
2 report which was printed and placed in the members' bill file.)
3

4 **HB09-1159** by Representative(s) Priola, Baumgardner, Lambert,
5 Looper, Schafer S.; also Senator(s) Isgar, Hodge, Mitchell--
6 -Concerning the ability of a nonresident to serve on the
7 board of directors of certain water districts.
8

9 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
10 dated February 4, 2009, and placed in member's bill file; Report also
11 printed in House Journal, February 5, pages 262-263.
12

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

16 **HB09-1109** by Representative(s) Priola; also Senator(s) Veiga--
17 Concerning the extension of foreclosure protection to
18 purchasers of residential properties as to which formal
19 foreclosure proceedings have not yet been commenced.
20

21 Amendment No. 1, Business Affairs & Labor Report, dated
22 February 4, 2009, and placed in member's bill file; Report also printed in
23 House Journal, February 5, page 263.
24

25 As amended, ordered engrossed and placed on the Calendar for Third
26 Reading and Final Passage.
27

28 **HB09-1141** by Representative(s) Ferrandino; also Senator(s) White--
29 Concerning laws enforced by the administrator of the
30 "Uniform Consumer Credit Code".
31

32 Amendment No. 1, Business Affairs & Labor Report, dated
33 February 4, 2009, and placed in member's bill file; Report also printed in
34 House Journal, February 5, page 264.
35

36 As amended, ordered engrossed and placed on the Calendar for Third
37 Reading and Final Passage.
38

39 **HB09-1143** by Representative(s) Swalm, Acree, Balmer, Bradford,
40 Court, Gardner B., Labuda, Liston, Looper, Lundberg,
41 Massey, McFadyen, McNulty, Priola, Scanlan, Summers;
42 also Senator(s) Schwartz--Concerning the authority of a
43 health maintenance organization to offer basic health
44 services through a limited benefit plan.
45

46 Amendment No. 1, Business Affairs & Labor Report, dated
47 February 4, 2009, and placed in member's bill file; Report also printed in
48 House Journal, February 5, pages 264-265.
49

50 As amended, ordered engrossed and placed on the Calendar for Third
51 Reading and Final Passage.
52

53
54
55

1 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

2
3 Passed Second Reading: **HB09-1159 amended, 1109 amended, 1141**
4 **amended, 1143 amended.**

5
6 The Chairman moved the adoption of the Committee of the Whole
7 Report. As shown by the following roll call vote, a majority of those
8 elected to the House voted in the affirmative, and the Report was
9 **adopted.**

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

30
31
32
33 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

34
35 The Speaker has signed: **SJR09-010, 011.**

36
37
38
39
40 **MESSAGE FROM THE SENATE**

41
42 The Senate has adopted and returns herewith: HJR09-1004.

43
44
45
46 On motion of Representative Weissmann, the following bill(s) calendared
47 for Tuesday, February 10, will be laid over until February 13, 2009:
48 **HB09-1124.**

49
50
51
52 House in recess. House reconvened.

1 **REPORTS OF COMMITTEE OF REFERENCE**

2
3 **EDUCATION**

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

6
7 **HB09-1177** be postponed indefinitely.
8

9
10 **HB09-1182** be referred to the Committee of the Whole with favorable
11 recommendation.
12

13
14 **HB09-1189** be amended as follows, and as so amended, be referred to
15 the Committee of the Whole with favorable
16 recommendation:
17

18 Amend printed bill, page 3, strike lines 3 and 4 and substitute the
19 following:
20

21 "DEAF AND THE BLIND OR THE EDUCATION PROGRAM OPERATED BY THE
22 COLORADO MENTAL HEALTH INSTITUTE AT PUEBLO OR FORT LOGAN FOR
23 STUDENTS FOR WHOM THE INSTITUTE HAS RESPONSIBILITY".
24

25 Page 5, line 15, strike "A STATE AGENCY" and substitute "THE COLORADO
26 MENTAL HEALTH INSTITUTE AT PUEBLO OR FORT LOGAN".
27

28
29
30 **MESSAGE FROM THE SENATE**

31
32 The Senate has passed on Third Reading and transmitted to the Revisor
33 of Statutes: SB09-014, SB09-116, SB09-096, SB09-112, and SB09-033.
34

35 The Senate has passed on Third Reading and transmitted to the Revisor
36 of Statutes:
37

38 SB09-055 amended as printed in Senate Journal, February 6, 2009,
39 page 188,

40 SB09-080 amended as printed in Senate Journal, January 30, 2009,
41 pages 137-138, and February 6, 2009 pages 189-190,

42 SB09-039 amended as printed in Senate Journal, February 6, 2009,
43 page 190,

44 SB09-086 amended as printed in Senate Journal, February 6, 2009,
45 page 191,

46 SB09-079 amended as printed in Senate Journal, February 6, 2009,
47 page 191.
48

49
50
51 **MESSAGE FROM THE REVISOR**

52
53 We herewith transmit:

54 Without comment, SB09-014, 116, 096, 112, and 033.

55 Without comment, as amended, SB09-055, 080, 039, 086, and 079.
56

INTRODUCTION OF BILLS
First Reading

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

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

Committee on Business Affairs and Labor

HB09-1277 by Representative(s) Labuda, Fischer, Pace, Vigil--Concerning a requirement that electric utilities provide their customers with information about the fuel mix used in the generation of electricity.

Committee on Transportation & Energy

HB09-1278 by Representative(s) Frangas--Concerning care for vulnerable populations.

Committee on Health and Human Services

HB09-1279 by Representative(s) Pace--Concerning abandoned motor vehicles.

Committee on Transportation & Energy

HB09-1280 by Representative(s) Looper--Concerning the adoption of a youth challenge corps program in Colorado.

Committee on State, Veterans, & Military Affairs

HB09-1281 by Representative(s) Labuda, Baumgardner, Casso, Frangas, Hullinghorst, Marostica, Murray, Schafer S., Soper, Tipton--Concerning representation on state boards by persons with disabilities.

Committee on State, Veterans, & Military Affairs

HB09-1282 by Representative(s) Fischer; also Senator(s) Schwartz, Hodge--Concerning the recycling of certain electronic devices, and, in connection therewith, establishing a task force within the department of public health and environment to make recommendations regarding the implementation of electronic device recycling programs.

Committee on Health and Human Services

HB09-1283 by Representative(s) Sonnenberg; also Senator(s) Shaffer B.--Concerning an increase in the penalty for careless driving resulting in death.

Committee on Judiciary

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

Committee on Transportation & Energy

- 1 **HB09-1285** by Representative(s) Benefield, Kerr A., Massey,
2 Middleton, Miklosi, Scanlan, Schafer S., Summers, Todd;
3 also Senator(s) King K.--Concerning the government data
4 advisory board, and, in connection therewith, creating the
5 education data subcommittee to make recommendations
6 for creation of a statewide comprehensive P-20 education
7 data system.
8 Committee on Education
9
- 10 **SB09-014** by Senator(s) Williams, Gibbs, Renfroe, Spence; also
11 Representative(s) Sonnenberg, Fischer, Levy, Marostica,
12 McFadyen, McNulty, Merrifield, Primavera, Rice, Vaad--
13 Concerning allowing vehicles with deficient splash guards
14 to remain in service for the limited time necessary to
15 replace the splash guards.
16 Committee on Transportation & Energy
17
- 18 **SB09-033** by Senator(s) Sandoval; also Representative(s) Solano--
19 Concerning expanding the list of students who qualify to
20 receive a free lunch in Colorado to include children in
21 public school early childhood education programs who are
22 eligible to receive a reduced-cost lunch under the federal
23 "National School Lunch Act".
24 Committee on Education
25
- 26 **SB09-039** by Senator(s) Schwartz; also Representative(s) Curry--
27 Concerning the discretionary authority of cooperative
28 electric associations to establish reasonable graduated rates
29 for increased energy consumption by residential
30 customers.
31 Committee on Transportation & Energy
32
- 33 **SB09-055** by Senator(s) Isgar, Keller, Kester, White; also
34 Representative(s) Judd, Roberts--Concerning the family
35 resource center program.
36 Committee on Health and Human Services
37
- 38 **SB09-060** by Senator(s) Tochtrop; also Representative(s) Soper--
39 Concerning clarifications to the law regarding testing
40 illegal drug laboratories for methamphetamine.
41 Committee on Judiciary
42
- 43 **SB09-079** by Senator(s) Newell, Boyd; also Representative(s) Acree
44 and Kefalas, Primavera--Concerning improving the well-
45 being of children in the foster care system by improving
46 the ability of birth siblings to maintain long-term
47 connections.
48 Committee on Health and Human Services
49
- 50 **SB09-080** by Senator(s) Isgar, Romer, White; also Representative(s)
51 Looper--Concerning limited exemptions for water
52 collected from certain residential rooftops.
53 Committee on Agriculture, Livestock, & Natural Resources
54
- 55 **SB09-086** by Senator(s) Tapia, Hudak, Keller, King K., Kopp,
56 Romer, Spence, White, Bacon, Brophy, Groff, Isgar,

1 Kester, Newell, Penry, Schwartz, Tochtrop; also
 2 Representative(s) Marostica, Acree, Baumgardner,
 3 Benefield, Ferrandino, Kerr A., Massey, Murray, Pommer,
 4 Roberts, Stephens, Summers, Todd, Curry, Fischer,
 5 Gardner B., Gardner C., Kefalas, Looper, Middleton, Pace,
 6 Sonnenberg--Concerning the creation of an online
 7 university to be known as Colorado state university -
 8 global campus.
 9 Committee on Education

10
 11 **SB09-096** by Senator(s) Bacon, Penry, Schwartz; also
 12 Representative(s) Sonnenberg, McFadyen, Riesberg--
 13 Concerning the exemption of certain capital construction
 14 projects funded with federal moneys from certain contract
 15 requirements.
 16 Committee on Finance

17
 18 **SB09-108** by Senator(s) Gibbs; also Representative(s) Rice--
 19 Concerning the improvement of the transportation system
 20 of the state, and, in connection therewith, providing
 21 additional sources of funding for transportation and
 22 modifying the transportation planning process.
 23 Committee on Transportation & Energy

24
 25 **SB09-112** by Senator(s) Kopp, Bacon, Groff, Heath, Hudak, King K.,
 26 Romer, Spence; also Representative(s) Scanlan--
 27 Concerning the repeal of the on-line learning advisory
 28 board.
 29 Committee on Education

30
 31 **SB09-116** by Senator(s) Hodge, Isgar, Schwartz; also
 32 Representative(s) Looper--Concerning continuation of the
 33 "Colorado Seed Act".
 34 Committee on Agriculture, Livestock, & Natural Resources

35
 36
 37

38 On motion of Representative Judd, the House adjourned until 9:00 a.m.,
 39 February 10, 2009.

40
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Approved:
 TERRANCE D. CARROLL,
 Speaker

Attest:
 MARILYN EDDINS,
 Chief Clerk

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

Thirty-fifth Legislative Day

Tuesday, February 10, 2009

1 Prayer by Dr. C. Gene Selander, Crystal Clear Ministries, Denver.

2

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

4

5 Pledge of Allegiance led by Shelby Miller, Colorado State University,
6 Fort Collins.

7

8 The roll was called with the following result:

9

10 Present--61.

11 Excused--Representatives Looper, Middleton, Pommer,
12 Summers--4.

13 Present after roll call--Representatives Looper, Middleton,
14 Pommer, Summers.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Court, the reading of the journal of
20 February 9, 2009, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22

23

24

25

26

THIRD READING OF BILLS--FINAL PASSAGE

27

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

31

32 **HB09-1159** by Representative(s) Priola, Baumgardner, Lambert,
33 Looper, Schafer S.; also Senator(s) Isgar, Hodge,
34 Mitchell--Concerning the ability of a nonresident to serve
35 on the board of directors of ground water management
36 water districts.

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
41 bill was declared **passed**.

42

	YES	60	NO	5	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Green	N	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	N	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
5	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
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	N
16	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
17	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Curry, Gardner C., McNulty, Nikkel,
20 Sonnenberg

21
22 **HB09-1109** by Representative(s) Priola; also Senator(s) Veiga--
23 Concerning the extension of foreclosure protection to
24 owners of residential properties as to which formal
25 foreclosure proceedings have not yet been commenced.

26
27 The question being "Shall the bill pass?".

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

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

50 Co-sponsor(s) added: Representative(s) Apuan, Balmer, Benefield, Bradford,
51 Casso, Frangas, Green, Labuda, Looper, Massey, Merrifield, Middleton, Nikkel,
52 Peniston, Ryden, Schafer S., Todd, Speaker

53
54
55

1 **HB09-1141** by Representative(s) Ferrandino; also Senator White--
 2 Concerning laws enforced by the administrator of the
 3 "Uniform Consumer Credit Code".
 4

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

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

28 Co-sponsor(s) added: Representative(s) Green, McCann, Ryden
 29

30 **HB09-1143** by Representative(s) Swalm, Acree, Balmer, Bradford,
 31 Court, Gardner B., Labuda, Liston, Looper, Lundberg,
 32 Massey, McFadyen, McNulty, Priola, Scanlan, Summers;
 33 also Senator(s) Schwartz--Concerning the authority of a
 34 health maintenance organization to offer basic health
 35 services through a limited benefit plan.
 36

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

	YES	40	NO	25	EXCUSED	0	ABSENT	0
43	Acree	Y	Green	N	McFadyen	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	N	McGihon	N	Ryden	N
45	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
46	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	N
47	Benefield	N	Kerr A.	N	Merrifield	N	Solano	N
48	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y
49	Casso	N	King S.	Y	Miklosi	N	Soper	N
50	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
51	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
52	Ferrandino	N	Levy	N	Pace	N	Swalm	Y
53	Fischer	N	Liston	Y	Peniston	Y	Tipton	Y
54	Frangas	N	Looper	Y	Pommer	N	Todd	N
55	Gagliardi	N	Marostica	Y	Primavera	N	Vaad	Y
56	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y

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

4 Co-sponsor(s) added: Representative(s) Baumgardner, Gardner C., Gerou,
5 Kerr J., King S., Lambert, Marostica, May, Murray, Nikkel, Roberts,
6 Sonnenberg, Stephens, Tipton, Vaad, Vigil, Waller

7
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9

10 REPORTS OF COMMITTEE OF REFERENCE

11

12 JUDICIARY

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

15

16 **HB09-1181** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:

19

20 Amend printed bill, page 2, line 12, strike "the" and substitute "the A
21 TRANSITIONAL";

22

23 line 14, after "place", insert "A" and, strike "CONDITIONS" and substitute
24 "TIME LIMIT".

25

26

27

28 **HB09-1183** be referred to the Committee of the Whole with favorable
29 recommendation.

30

31

32 **HB09-1198** be referred to the Committee of the Whole with favorable
33 recommendation.

34

35

36

37

38 PRINTING REPORT

39

40 The Chief Clerk reports the following bills have been correctly printed:
41 **HB09-1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285.**

42

43

44

45

46 On motion of Representative Weissmann, the following bill(s) calendared
47 for Tuesday, February 10, will be laid over until Friday
48 February 13, 2009: HB09-1125, 1028, 1153; the following bill(s)
49 calendared for Wednesday, February 11, will be laid over until Friday,
50 February 13, 2009: HB09-1182, 1189; the following bill(s) will be
51 calendared for February 13, 2009: HB09-1181, 1183, 1198

52

53

54

55 House in recess. House reconvened.

56

57

REPORTS OF COMMITTEES OF REFERENCE**BUSINESS AFFAIRS & LABOR**

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

HB09-1104 be postponed indefinitely.

HEALTH & HUMAN SERVICES

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

HB09-1178 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 23, strike "THE TASK FORCE SHALL" and substitute "MEMBERS OF THE TASK FORCE ARE ENCOURAGED TO";

line 24, strike "MONTHLY." and substitute "MONTHLY, BEGINNING ON OR BEFORE JUNE 2009 AND ENDING JUNE 2010, AT WHICH TIME THE TASK FORCE SHALL MAKE A REPORT OF ITS ACTIVITIES AND FINDINGS TO THE DEPARTMENT OF HUMAN SERVICES.".

HB09-1188 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 3, strike lines 18 and 19 and substitute the following:

"revocation, or suspension of, the applicant's medical staff";

line 21, after "1988.", insert "THE APPLICANT SHALL NOT BE REQUIRED TO REPORT A PRECAUTIONARY OR ADMINISTRATIVE SUSPENSION OF MEDICAL STAFF MEMBERSHIP OR CLINICAL PRIVILEGES, AS DEFINED BY THE BOARD BY RULE, UNLESS THE APPLICANT RESIGNS HIS OR HER MEDICAL STAFF MEMBERSHIP OR CLINICAL PRIVILEGES WHILE THE PRECAUTIONARY OR ADMINISTRATIVE SUSPENSION IS PENDING.".

Page 4, after line 23, insert the following:

"SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of registrations cash fund created in section 24-34-105, Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the division of registrations, for the fiscal year beginning July 1, 2008, the sum of twelve thousand two hundred eighty-one dollars (\$12,281), or so much thereof as may be necessary, for the implementation of this act.

1 (2) In addition to any other appropriation, there is hereby
2 appropriated to the department of law, for the fiscal year beginning July
3 1, 2008, the sum of one thousand one hundred twenty-seven dollars
4 (\$1,127), or so much thereof as may be necessary, for the provision of
5 legal services to the department of regulatory agencies related to the
6 implementation of this act. Said sum shall be from reappropriated funds
7 received from the department of regulatory agencies out of the
8 appropriation made in subsection (1) of this section."
9

10 Renumber succeeding section accordingly.

11
12 Page 1, line 103, strike "ACT"." and substitute "ACT", AND MAKING AN
13 APPROPRIATION IN CONNECTION THEREWITH."
14

15
16
17 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

18
19 The Speaker has signed: **HJR09-1004**.

20
21
22
23 **MESSAGE FROM THE SENATE**

24
25 The Senate has passed on Third Reading and transmitted to the Revisor
26 of Statutes: SB09-034.

27
28 The Senate has passed on Third Reading and transmitted to the Revisor
29 of Statutes:

30
31 SB09-140 amended as printed in Senate Journal, February 6, 2009,
32 page 190,
33 SB09-078 amended as printed in Senate Journal, February 9, 2009,
34 page 220,
35 SB09-036 amended as printed in Senate Journal, February 9, 2009,
36 page 220,
37 SB09-054 amended as printed in Senate Journal, February 6, 2009,
38 page 221,
39 SB09-070 amended as printed in Senate Journal, February 6, 2009,
40 page 221
41

42
43
44 **MESSAGE FROM THE REVISOR**

45
46 We herewith transmit:
47 Without comment, SB09-034.
48 Without comment, as amended, SB09-140, 078, 036, 054, and 070.
49

50
51
52 On motion of Representative Weissmann, the following bill(s) will be
53 calendared for Friday, February 13, 2009: HB09-1178.
54
55
56

INTRODUCTION OF BILLS
First Reading

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

SB09-034 by Senator(s) Kester; also Representative(s) Todd--
Concerning the security level designation for the
Centennial correctional facility.
Committee on Judiciary

SB09-036 by Senator(s) Gibbs; also Representative(s) Scanlan--
Concerning theft of sound recordings, and making an
appropriation in connection therewith.
Committee on Judiciary

SB09-054 by Senator(s) Scheffel; also Representative(s) Kerr A.--
Concerning an increase in the civil penalties recoverable
by the state under statutes related to fair trade.
Committee on Judiciary

SB09-070 by Senator(s) Foster; also Representative(s) Acree--
Concerning clarifications to workers' compensation
procedures.
Committee on Business Affairs and Labor

SB09-078 by Senator(s) Newell; also Representative(s) Rice--
Concerning the abandonment of portions of the state
highway system to local jurisdictions.
Committee on Transportation & Energy

SB09-140 by Senator(s) Bacon; also Representative(s) Fischer--
Concerning a requirement that public trustees serve at the
pleasure of the governor.
Committee on Local Government

On motion of Representative Weissmann, the House adjourned until
9:00 a.m., February 11, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Thirty-sixth Legislative Day

Wednesday, February 11, 2009

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

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

5
6 Pledge of Allegiance led by Anya Epstein, South High School, Denver.

7
8 The roll was called with the following result:

9
10 Present--61.
11 Excused--Representative(s) Green, McFadyen, Pommer,
12 Weissmann--4.
13 Present after roll call--Representative(s) Pommer, Weissmann.

14
15 The Speaker declared a quorum present.

16
17
18 On motion of Representative Court, the reading of the journal of
19 February 10, 2009, was declared dispensed with and approved as
20 corrected by the Chief Clerk.

21
22
23
24
25 **REPORTS OF COMMITTEES OF REFERENCE**

26
27 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

30
31 **HB09-1167** be postponed indefinitely.

32
33
34
35
36 **LOCAL GOVERNMENT**

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

39
40 **HB09-1171** be referred to the Committee of the Whole with favorable
41 recommendation.

42
43

1 **HB09-1203** be referred to the Committee of the Whole with favorable
 2 recommendation.
 3

4 _____
 5 House in recess. House reconvened.
 6 _____
 7

8
 9 **REPORTS OF COMMITTEES OF REFERENCE**

10
 11 **FINANCE**

12 After consideration on the merits, the Committee recommends the
 13 following:
 14

15 **HB09-1215** be amended as follows, and as so amended, be referred to
 16 the Committee of the Whole with favorable
 17 recommendation:
 18

19 Amend printed bill, page 2, line 13, strike "FROM RECIPIENTS DUE TO
 20 OVERPAYMENT" and substitute "DUE TO OVERPAYMENT OF RECIPIENTS,
 21 INCLUDING REGULAR, FRAUD, AND INTERIM ASSISTANCE REIMBURSEMENT
 22 RECOVERIES,".
 23

24 Page 3, line 15, strike "THE DATE OF ANY EXPENDITURES, THE" and
 25 substitute "THE AGGREGATE MONTHLY".
 26
 27

28
 29 **HB09-1219** be amended as follows, and as so amended, be referred to
 30 the Committee of the Whole with favorable
 31 recommendation:
 32

33 Amend printed bill, page 2, line 9, after the period, add "FOR PURPOSES
 34 OF THIS SUBSECTION (1.5), THE FOLLOWING BURDENS OF PROOF SHALL
 35 APPLY:
 36

37 (a) IF A TAXPAYER'S TOTAL PAYMENTS ARE LESS THAN OR EQUAL
 38 TO TWICE THE AMOUNT OF THE ACTUAL TAX LIABILITY, THEN THE
 39 DEPARTMENT SHALL BEAR THE BURDEN OF PROVING, BY A
 40 PREPONDERANCE OF THE EVIDENCE, THAT SUCH PAYMENTS WERE NOT
 41 MADE INCIDENT TO A BONA FIDE AND ORDERLY DISCHARGE OF AN ACTUAL
 42 LIABILITY OR A LIABILITY REASONABLY ASSUMED TO BE IMPOSED BY LAW;
 43 AND
 44

45 (b) IF A TAXPAYER'S TOTAL PAYMENTS ARE MORE THAN TWICE THE
 46 AMOUNT OF THE ACTUAL TAX LIABILITY, THEN THE TAXPAYER SHALL BEAR
 47 THE BURDEN OF PROVING, BY A PREPONDERANCE OF THE EVIDENCE, THAT
 48 SUCH PAYMENTS WERE MADE INCIDENT TO A BONA FIDE AND ORDERLY
 49 DISCHARGE OF AN ACTUAL LIABILITY OR A LIABILITY REASONABLY
 50 ASSUMED TO BE IMPOSED BY LAW.";
 51

52 strike lines 10 through 21 and substitute the following:
 53

54 **"SECTION 2. Repeal.** 39-22-604 (9), Colorado Revised
 55 Statutes, is repealed as follows:
 56

1 **39-22-604. Withholding tax - requirement to withhold - tax**
2 **lien - exemption from lien - definitions.** (9) The department, after an
3 audit of the annual income tax return of the employee, as otherwise
4 provided for in this section, or in cases of returns which take longer than
5 normal to process for reasons specified in section 39-22-622 (4), shall
6 refund the amount deducted or withheld in excess of the tax liability of
7 the employee, together with interest thereon at the rate imposed under
8 section 39-21-110.5 from the fifteenth day of the seventh month
9 following the close of the employee's taxable year for which the income
10 tax return is filed.";

11
12 line 22, strike "(2)," and substitute "(2) and (4)," and, strike "is" and
13 substitute "are".
14

15 Page 3, after line 17, insert the following:
16

17 "(4) The provisions of subsection (2) of this section shall not
18 apply to any return that is being audited or to any return that may take
19 longer than normal to process due to the mathematical or clerical errors
20 contained in said return or to unforeseen delays caused by the failure of
21 processing equipment. Such determination shall be made in good faith
22 by the department. Any refund attributable to a return which takes longer
23 than normal to process for reasons specified in this subsection (4) shall
24 be subject to the requirements of section 39-22-604 (9)."
25
26
27

28 **HB09-1265** be referred to the Committee of the Whole with favorable
29 recommendation.
30
31
32
33

34 **STATE, VETERANS, & MILITARY AFFAIRS**

35 After consideration on the merits, the Committee recommends the
36 following:
37

38 **HB09-1168** be referred to the Committee of the Whole with favorable
39 recommendation.
40
41

42 **HB09-1169** be referred to the Committee of the Whole with favorable
43 recommendation.
44
45

46 **HB09-1179** be referred to the Committee of the Whole with favorable
47 recommendation.
48

49
50 **MESSAGE FROM THE SENATE**
51

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

54
55 SB09-097 amended as printed in Senate Journal, February 9, 2009,
56 page 219.

1 The Senate has failed to adopt HJR09-1009, and returns the Resolution
2 herewith.

3
4
5 **MESSAGE FROM THE REVISOR**

6
7 We herewith transmit:
8 Without comment, SB09-097.

9
10
11 **INTRODUCTION OF BILL**
12 **First Reading**

13
14 The following bill was read by title and referred to the committee
15 indicated:

16
17 **SB09-097** by Senator(s) Cadman; also Representative(s) Pace--
18 Concerning clarifying changes to provisions pertaining to
19 institutional peace officers.
20 Committee on Judiciary

21
22
23 **INTRODUCTION OF RESOLUTIONS**

24
25 The following resolutions were read by title and laid over one day under
26 the rules:

27
28 **HJR09-1010** by Representative(s) Weissmann, May; also Senator(s)
29 Shaffer B., Penry--Concerning a Joint Session of the
30 House of Representatives and Senate of the Sixty-seventh
31 General Assembly for the purpose of presenting fiscal
32 information to the members of the General Assembly on
33 the state fiscal situation for the 2008-09 fiscal year.

34
35 **HJR09-1011** by Representative(s) Todd and McNulty, Acree, Apuan,
36 Balmer, Baumgardner, Benefield, Bradford, Casso,
37 Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Judd,
38 Kefalas, Kerr A., Lambert, Liston, Looper, Merrifield,
39 Middleton, Murray, Nikkel, Priola, Riesberg, Roberts,
40 Ryden, Scanlan, Schafer S., Sonnenberg, Soper, Stephens,
41 Summers, Swalm, Tipton, Vaad, Waller, Kerr J., King S.,
42 Massey, May; also Senator(s) Harvey and Scheffel, Groff,
43 Kester, Kopp, Renfro, Schultheis, Schwartz, Williams--
44 Concerning the bicentennial celebration of Abraham
45 Lincoln's birth.

46
47
48 On motion of Representative Weissmann, the House adjourned until
49 9:00 a.m., February 12, 2009.

50
51 Approved:
52 TERRANCE D. CARROLL,
53 Speaker

54 Attest:
55 MARILYN EDDINS,
56 Chief Clerk

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

Thirty-seventh Legislative Day

Thursday, February 12, 2009

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

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

4

5 Pledge of Allegiance led by Amber Tanaka, Denver School of Arts.

6

7 The roll was called with the following result:

8

9 Present--60.

10 Excused--Representative(s) McFadyen, Middleton, Priola, Swalm,

11

Vaad--5.

12

Present after roll call--Representative(s) Middleton, Swalm.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Court, the reading of the journal of
18 February 11, 2009, was declared dispensed with and approved as
19 corrected by the Chief Clerk.

20

21

22

23

24

CONSIDERATION OF RESOLUTIONS

25

26 On motion of Representative Weissmann, the rules were suspended for
27 immediate consideration of the following resolutions.

28

29 **HJR09-1010** by Representative(s) Weissmann, May; also Senator(s)
30 Shaffer B., Penry--Concerning a Joint Session of the
31 House of Representatives and Senate of the Sixty-seventh
32 General Assembly for the purpose of presenting fiscal
33 information to the members of the General Assembly on
34 the state fiscal situation for the 2008-09 fiscal year.

35

36 (Printed and placed in members' files)

37

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

40

41 Co-sponsor(s) added: Representative(s) Apuan, Balmer, Baumgardner,
42 Benefield, Bradford, Casso, Court, Curry, Ferrandino, Fischer, Frangas,
43 Gagliardi, Gardner B., Gerou, Green, Hullinghorst, Kefalas, Kerr A., Kerr J.,

1 Labuda, Lambert, Levy, Looper, Marostica, Massey, McNulty, Merrifield,
2 Middleton, Nikkel, Peniston, Pommer, Primavera, Roberts, Ryden, Scanlan,
3 Schafer S., Stephens, Tipton, Todd, Vigil, Waller, Speaker
4

5 **HJR09-1011** by Representative(s) Todd and McNulty, Acree, Apuan,
6 Balmer, Baumgardner, Benefield, Bradford, Casso,
7 Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Judd,
8 Kefalas, Kerr A., Lambert, Liston, Looper, Merrifield,
9 Middleton, Murray, Nikkel, Priola, Riesberg, Roberts,
10 Ryden, Scanlan, Schafer S., Sonnenberg, Soper, Stephens,
11 Summers, Swalm, Tipton, Vaad, Waller, Kerr J., King S.,
12 Massey, May; also Senator(s) Harvey and Scheffel, Groff,
13 Kester, Kopp, Renfroe, Schultheis, Schwartz, Williams--
14 Concerning the bicentennial celebration of Abraham
15 Lincoln's birth.
16

17 (Printed and placed in members' files)
18

19 On motion of Representative Todd, the resolution was read at length and
20 **adopted by viva voce** vote.
21

22 Co-sponsor(s) added: Representative(s) Court, Curry, Ferrandino, Fischer,
23 Green, Hulinghorst, Labuda, Levy, Marostica, McCann, McGihon, McKinley,
24 Miklosi, Pace, Peniston, Pommer, Primavera, Solano, Vigil, Weissmann,
25 Speaker
26

27 28 29 MESSAGE FROM THE SENATE

30
31 The Senate has adopted and transmits herewith: SJR09-008.
32

33 34 35 INTRODUCTION AND CONSIDERATION OF RESOLUTION

36
37 On motion of Representative Weissmann, the rules were suspended and
38 the following resolution was given immediate consideration.
39

40 **SJR09-008** by Senator(s) Veiga, Penry; also Representative(s)
41 Bradford--Concerning the recognition of Doug Phillips'
42 contributions to the Colorado legal system and the
43 development of Colorado's wine industry.
44

45 (Printed and placed in members' file)
46

47 On motion of Representative Bradford, the resolution was read at length.
48
49

50
51 House in recess. House reconvened.
52
53
54
55

1 SJR09-008 was **adopted** by the following roll call vote:
2

	YES	61	NO	0	EXCUSED	4	ABSENT	0
4	Acree	Y	Green	Y	McFadyen	E	Roberts	Y
5	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
6	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
7	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
8	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
9	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
10	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
11	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
12	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
13	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	E
14	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
15	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
16	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	E
17	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
18	Gardner C.	Y	May	Y	Rice	E	Waller	Y
19	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
20							Speaker	Y

21 Co-sponsor(s) added: Representative(s) Court, Curry, Ferrandino, Fischer,
22 Green, Hullinghorst, Labuda, Levy, Marostica, McGihon, McKinley, Miklosi,
23 Pace, Peniston, Pommer, Primavera, Solano, Vigil, Weissmann, Speaker
24

25 26 **REPORTS OF COMMITTEES OF REFERENCE**

27 28 **BUSINESS AFFAIRS & LABOR**

29 After consideration on the merits, the Committee recommends the
30 following:
31

32 **HB09-1061** be amended as follows, and as so amended, be referred to
33 the Committee on Finance with favorable
34 recommendation:
35

36 Amend printed bill, strike everything below the enacting clause and
37 substitute the following:

38 **"SECTION 1.** 10-16-705, Colorado Revised Statutes, is amended
39 **BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS** to
40 read:
41

42 **10-16-705. Requirements for carriers and participating**
43 **providers.** (6.5) A CARRIER THAT HAS ENTERED INTO A CONTRACT WITH
44 ONE OR MORE INTERMEDIARIES TO CONDUCT UTILIZATION MANAGEMENT,
45 UTILIZATION REVIEW, PROVIDER CREDENTIALING, ADMINISTRATION OF
46 HEALTH INSURANCE BENEFITS, SETTING OR NEGOTIATION OF
47 REIMBURSEMENT RATES, PAYMENT TO PROVIDERS, NETWORK
48 DEVELOPMENT, OR DISEASE MANAGEMENT PROGRAMS SHALL REQUIRE THE
49 INTERMEDIARY TO COMPLY WITH THE SAME STANDARDS, GUIDELINES,
50 MEDICAL POLICIES, AND BENEFIT TERMS OF THE CARRIER.
51

52 (10.5) (a) A CARRIER THAT HAS ENTERED INTO A CONTRACT WITH
53 ONE OR MORE INTERMEDIARIES TO CONDUCT UTILIZATION MANAGEMENT,
54 UTILIZATION REVIEW, PROVIDER CREDENTIALING, ADMINISTRATION OF
55 HEALTH INSURANCE BENEFITS, SETTING OR NEGOTIATION OF
56 REIMBURSEMENT RATES, PAYMENT TO PROVIDERS, NETWORK

1 DEVELOPMENT, OR DISEASE MANAGEMENT PROGRAMS, SHALL REQUIRE
2 THE INTERMEDIARY TO INDICATE THE NAME OF THE INTERMEDIARY AND
3 THE NAME OF THE CARRIER FOR WHICH IT IS CONDUCTING THE WORK WHEN
4 MAKING ANY PAYMENT TO A HEALTH CARE PROVIDER ON BEHALF OF THE
5 CARRIER.

6

7 (b) (I) A VIOLATION OF SUBSECTION (6.5) OF THIS SECTION OR THIS
8 SUBSECTION (10.5) IS AN UNFAIR OR DECEPTIVE ACT OR PRACTICE IN THE
9 BUSINESS OF INSURANCE PURSUANT TO SECTION 10-3-1104.

10

11 (II) THE COMMISSIONER MAY EXAMINE THE ACTIONS OF A CARRIER
12 PURSUANT TO SUBSECTION (6.5) OF THIS SECTION AND THIS SUBSECTION
13 (10.5) WHEN CONDUCTING A MARKET CONDUCT ANALYSIS PURSUANT TO
14 PART 2 OF ARTICLE 1 OF THIS TITLE.

15

16 **SECTION 2.** 10-3-1104 (1), Colorado Revised Statutes, is
17 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

18

19 **10-3-1104. Unfair methods of competition and unfair or**
20 **deceptive acts or practices.** (1) The following are defined as unfair
21 methods of competition and unfair or deceptive acts or practices in the
22 business of insurance:

23

24 (gg) VIOLATION OF SECTION 10-16-705 (6.5) OR (10.5).

25

26 **SECTION 3. Act subject to petition - effective date.** This act
27 shall take effect at 12:01 a.m. on the day following the expiration of the
28 ninety-day period after final adjournment of the general assembly that is
29 allowed for submitting a referendum petition pursuant to article V,
30 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
31 sine die is on May 6, 2009); except that, if a referendum petition is filed
32 against this act or an item, section, or part of this act within such period,
33 then the act, item, section, or part, if approved by the people, shall take
34 effect on the date of the official declaration of the vote thereon by
35 proclamation of the governor."

36

37

38

39 **HB09-1257** be referred to the Committee of the Whole with favorable
40 recommendation.

41

42

43 **SB09-040** be referred to the Committee of the Whole with favorable
44 recommendation.

45

46

47

48

49 **FINANCE**

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

52

53 **HB09-1212** be postponed indefinitely.

54

55

56 **HB09-1239** be postponed indefinitely.

1 **HB09-1249** be referred favorably to the Committee on Agriculture,
2 Livestock, & Natural Resources.
3
4
5
6

7 **LOCAL GOVERNMENT**

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

10
11 **HB09-1197** be amended as follows, and as so amended, be referred to
12 the Committee of the Whole with favorable
13 recommendation:
14

15 Amend printed bill, page 2, line 6, strike "HOME" and substitute
16 "PROPERTY";

17
18 line 11, strike "**Home**" and substitute "**Property**";

19
20 line 12, strike "HOME" and substitute "PROPERTY";

21
22 line 16, strike "FORECLOSURE FILINGS" and substitute "NOTICES OF
23 ELECTION AND DEMAND";

24
25 line 17, strike "INITIATED" and substitute "RECORDED" and, strike
26 "QUARTER" and substitute "QUARTER, THE SAME QUARTER OF THE
27 PREVIOUS YEAR,";

28
29 line 19, strike "FORECLOSURE AUCTION";

30
31 line 20, strike "SALES THAT WERE COMPLETED" and substitute
32 "PROPERTIES SOLD AT AUCTION";

33
34 line 21, strike "QUARTER" and substitute "QUARTER, THE SAME QUARTER
35 OF THE PREVIOUS YEAR,";

36
37 strike line 22.

38
39 Page 3, strike lines 1 through 3 and substitute the following:

40
41 "(c) DATA REGARDING THE NUMBER OF INSTANCES IN THE
42 PREVIOUS QUARTER, THE SAME QUARTER OF THE PREVIOUS YEAR, AND THE
43 PREVIOUS YEAR IN WHICH A PROPERTY OWNER OR OTHER INTERESTED
44 PARTY CURED A DEFAULT ON A PROPERTY FOR WHICH A NOTICE OF
45 ELECTION AND DEMAND WAS RECORDED;"

46
47 line 6, strike "QUARTER" and substitute "QUARTER, THE SAME QUARTER OF
48 THE PREVIOUS YEAR,";

49
50 line 9, strike "QUARTER" and substitute "QUARTER, THE SAME QUARTER OF
51 THE PREVIOUS YEAR,";

52
53 line 24, strike "DIVISION, IN A MANNER TO BE DETERMINED BY THE";

54
55 line 25, strike "DIVISION," and substitute "DIVISION".
56

1 **TRANSPORTATION & ENERGY**

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

4
5 **HB09-1029** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:

8
9 Amend printed bill, page 2, line 8, after "(a)", insert "(I)";

10
11 strike lines 11 and 12 and substitute the following:

12
13 "carrier, AND CERTAIN MOBILE MACHINERY AS DEFINED IN SUBPARAGRAPH
14 (II) OF THIS PARAGRAPH (a), for";

15
16 after line 14, insert the following:

17
18 "(II) FOR PURPOSES OF THIS PARAGRAPH (a), "MOBILE
19 MACHINERY" MEANS ANY ITEM OF MOBILE MACHINERY AND
20 SELF-PROPELLED CONSTRUCTION EQUIPMENT OPERATED IN INTERSTATE
21 COMMERCE THAT:

22
23 (A) HAS A TITLE ISSUED ON RECORD WITH THE STATE;

24
25 (B) IS EQUIPPED TO BE OPERATED ON HIGHWAYS AND COMPLIES
26 WITH RULES AND REGULATIONS ISSUED BY THE DEPARTMENT OF PUBLIC
27 SAFETY AS SPECIFIED IN SECTION 42-4-235 (4) (a);

28
29 (C) HAS A MILEAGE DEVICE TO REGISTER MILEAGE; AND

30
31 (D) IS A PLATED VEHICLE."
32
33
34

35 **HB09-1096** be postponed indefinitely.

36 _____
37
38 House in recess. House reconvened.
39 _____
40

41
42 **REPORTS OF COMMITTEES OF REFERENCE**

43
44 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

47
48 **HB09-1185** be referred to the Committee of the Whole with favorable
49 recommendation.

50
51
52 **SB09-015** be referred to the Committee of the Whole with favorable
53 recommendation.
54
55
56 _____

1 **FINANCE**

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

4
5 **HB09-1010** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:
8

9 Amend printed bill, page 11, line 5, strike "NATURE." and substitute
10 "NATURE AND DOCUMENTATION TO DEMONSTRATE THAT WITHOUT THE
11 CREDIT ALLOWED IN THIS SECTION THE PRODUCTION ACTIVITIES WOULD
12 NOT OCCUR IN COLORADO. SUCH DOCUMENTATION SHALL INCLUDE
13 INFORMATION INDICATING THAT THE TAXPAYER COULD REASONABLY AND
14 EFFICIENTLY LOCATE THE PRODUCTION ACTIVITIES OUTSIDE OF
15 COLORADO; THAT AT LEAST ONE OTHER STATE IS BEING CONSIDERED FOR
16 THE PRODUCTION ACTIVITIES; THAT RECEIPT OF THE CREDIT ALLOWED IN
17 THIS SECTION IS A MAJOR FACTOR IN THE TAXPAYER'S DECISION; AND THAT
18 WITHOUT THE CREDIT ALLOWED IN THIS SECTION, THE TAXPAYER IS NOT
19 LIKELY TO COMMENCE THE PRODUCTION ACTIVITIES IN COLORADO."
20

21 Page 13, line 1, strike "TWENTY" and substitute "TEN";

22
23 line 4, strike "SECTION, INCLUDING ANY CREDIT CARRIED" and substitute
24 "SECTION";

25
26 strike lines 5 and 6;

27
28 line 25, strike "(a)";

29
30 line 27, after "MAY", insert "NOT" and, after the second "BE", insert
31 "REFUNDED."
32

33 Strike pages 14 and 15.

34
35 Page 16, strike lines 1 through 10.

36
37 Renumber succeeding subsections accordingly.

38
39 Page 16, line 11, strike "(a)";

40
41 line 17, strike "(I)" and substitute "(a)";

42
43 line 18, strike "(II)" and substitute "(b)";

44
45 line 20, strike "(III)" and substitute "(c)";

46
47 line 22, strike "(IV)" and substitute "(d)";

48
49 strike lines 26 and 27.

50
51 Page 17, strike lines 1 through 12;

52
53 line 16, strike "C.R.S., AND SHALL BE" and substitute "C.R.S.";

54
55 strike line 17.

56

1 **LOCAL GOVERNMENT**

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

4
5 **HB09-1013** be referred to the Committee of the Whole with favorable
6 recommendation.

7
8
9 **HB09-1213** be amended as follows, and as so amended, be referred to
10 the Committee on Finance with favorable
11 recommendation:

12
13 Amend printed bill, page 2, line 6, strike "**creation.**" and substitute
14 "**creation - repeal.**";

15
16 line 10, strike "ALL" and, strike "IT" and substitute "THE FUND";

17
18 line 15, strike "FOUNDATIONS," and substitute "FOUNDATIONS AND ANY
19 INTEREST EARNINGS ON SUCH MONEYS,".

20
21 Page 3, line 5, after "(2)", insert "(a)";

22
23 line 7, after "HOUSING", insert "AND TO FINANCE FORECLOSURE
24 PREVENTION ACTIVITIES";

25
26 after line 7, insert the following:

27
28 "(b) THE AUTHORIZATION GRANTED TO THE DIVISION IN
29 PARAGRAPH (a) OF THIS SUBSECTION (2) TO MAKE A GRANT OR LOAN FROM
30 MONEYS IN THE FUND TO FINANCE FORECLOSURE PREVENTION ACTIVITIES
31 IN THE STATE IS REPEALED, EFFECTIVE JUNE 30, 2011.";

32
33 strike lines 16 through 25 and substitute the following:

34
35 "**SECTION 2. Effective date.** This act shall take effect June 30,
36 2009.

37
38 **SECTION 3. Safety clause.** The general assembly hereby finds,
39 determines, and declares that this act is necessary for the immediate
40 preservation of the public peace, health, and safety.".

41
42
43
44 **SB09-001** be referred favorably to the Committee on Agriculture,
45 Livestock, & Natural Resources.

46
47
48
49 On motion of Representative Weissmann, the following bill(s) will be
50 calendared for February 17, 2009: HB09-1185, SB09-015, HB09-1257,
51 SB09-040, HB09-1197, 1013.

52
53
54
55

MESSAGE FROM THE SENATE

1
2
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4
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18

The Senate voted to recall HJR09-1009 for purposes of reconsideration, and requests the return of the resolution.

The Senate has adopted and returns herewith: HJR09-1010, and 1011.

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., February 13, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Thirty-eighth Legislative Day

Friday, February 13, 2009

1 Prayer by Father Curtiss Dwyer, St. John Vianney Theological Seminary,
2 Denver.

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

5
6 Pledge of Allegiance led by Kaia Dameron, Green Gables Elementary,
7 Lakewood.

8
9 The roll was called with the following result:

10

11 Present--63.

12

13 Excused--Representative(s) Miklosi, Vaad--2.

14

15 The Speaker declared a quorum present.

16

17

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

21

22

23 On motion of Representative Frangas, the House resolved itself into
24 Committee of the Whole for consideration of General Orders, and he was
25 called to the Chair to act as Chairman.

26

27

GENERAL ORDERS--SECOND READING OF BILLS

28

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

33

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

36

37 **HB09-1018** by Representative(s) Bradford--Concerning the removal
38 of obsolete language in statutory provisions implementing
39 the statewide voter registration and election system for
40 purposes of compliance with the federal "Help America
41 Vote Act" .

42

43 Laid over until February 20, retaining place on Calendar.

1 **HB09-1135** by Representative(s) Judd; also Senator(s) White--
2 Concerning the adjustment of fees imposed by counties in
3 the state.
4

5 Laid over until February 17, retaining place on Calendar.
6

7 **HB09-1059** by Representative(s) Primavera; also Senator M. Carroll
8 --Concerning the continuation of health care coverage
9 while participating in a clinical trial.
10

11 Amendment No. 1, Health & Human Services Report, dated February 2,
12 2009, and placed in member's bill file; Report also printed in House
13 Journal, February 3, pages 231-232.
14

15 Amendment No. 2, by Representative Primavera.
16

17 Amend the Health and Human Services Committee Report, dated
18 February 2, 2009, page 1, strike lines 7 and 8 and substitute the following:
19

20 "CLINICAL TRIAL HAS THE POTENTIAL TO PROVIDE A THERAPEUTIC HEALTH
21 BENEFIT TO THE COVERED PERSON;"
22

23 Amendment No. 3, by Representative Primavera.
24

25 Amend printed bill, page 3, line 15, after "THE", insert "ENTITY
26 CONDUCTING THE".
27

28 As amended, ordered engrossed and placed on the Calendar for Third
29 Reading and Final Passage.
30

31 **HB09-1112** by Representative(s) Kerr J.--Concerning the information
32 provided to the staff of the legislative council in
33 connection with the preparation of fiscal notes for
34 legislative measures.
35

36 Ordered engrossed and placed on the Calendar for Third Reading and
37 Final Passage.
38

39 **HB09-1124** by Representative(s) Liston, Gardner B., Massey, Tipton,
40 Gardner C., Bradford, Frangas, Labuda, Lambert, Murray,
41 Soper; also Senator(s) Veiga--Concerning certain
42 conferences with an attorney representing a state public
43 body that may be held in an executive session at a meeting
44 of the state public body.
45

46 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
47 February 5, 2009, and placed in member's bill file; Report also printed in
48 House Journal, February 6, pages 282-283.
49

50 As amended, ordered engrossed and placed on the Calendar for Third
51 Reading and Final Passage.
52
53
54
55

1 **HB09-1125** by Representative(s) Merrifield, Massey, Benefield,
2 Gagliardi, Middleton, Pace, Peniston, Priola, Scanlan,
3 Solano, Summers, Weissmann; also Senator(s) Hudak--
4 Concerning limitations on the incentives local education
5 providers may provide for participation in public
6 educational programs.
7

8 Amendment No. 1, Education Report, dated February 5, 2009, and placed
9 in member's bill file; Report also printed in House Journal, February 6,
10 pages 273-274.
11

12 As amended, ordered engrossed and placed on the Calendar for Third
13 Reading and Final Passage.
14

15 **HB09-1028** by Representative(s) Frangas--Concerning the creation of
16 an accountability board to review grievances related to the
17 Colorado indigent care program.
18

19 Referred to the Committee on Finance.
20

21 **HB09-1182** by Representative(s) Marostica, Ferrandino, Pommer; also
22 Senator(s) White, Keller, Tapia--Concerning changes in
23 the funding of administrative costs incurred by the division
24 of on-line learning in the department of education.
25

26 Ordered engrossed and placed on the Calendar for Third Reading and
27 Final Passage.
28

29 **HB09-1153** by Representative(s) May; also Senator(s) Harvey--
30 Concerning the requirements applicable to the formation
31 of an issue committee under Colorado law governing
32 campaign finance.
33

34 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
35 February 5, 2009, and placed in member's bill file; Report also printed in
36 House Journal, February 6, page 283.
37

38 Amendment No. 2, by Representative May.
39

40 Amend the State, Veterans, and Military Affairs Committee Report, dated
41 February 5, 2009, page 1, line 7, strike "QUESTION"." and substitute
42 "QUESTION";";
43

44 strike line 8 of the committee report and substitute the following:
45

46 "strike lines 24 through 27.
47

48 Page 5, strike lines 1 through 4 and substitute the following:
49

50 "(b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF
51 THIS SUBSECTION (7), WHERE A MATTER CONCERNS A MUNICIPAL
52 ANNEXATION BROUGHT PURSUANT TO ARTICLE 12 OF TITLE 31, C.R.S., THE
53 MATTER SHALL NOT BE CONSIDERED TO BE A BALLOT ISSUE OR BALLOT
54 QUESTION FOR THE PURPOSE OF DETERMINING WHETHER AN ISSUE
55 COMMITTEE HAS BEEN FORMALLY ESTABLISHED, THEREBY NECESSITATING
56 COMPLIANCE WITH ANY DISCLOSURE AND REPORTING REQUIREMENTS OF
THIS ARTICLE AND ARTICLE XXVIII OF THE STATE CONSTITUTION, UNLESS

1 AND UNTIL THE FIRST NOTICE OF THE ANNEXATION ELECTION HAS BEEN
2 PUBLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION
3 31-12-112 (6), C.R.S.

4
5 **SECTION 3.** 31-12-112 (6), Colorado Revised Statutes, is
6 amended to read:

7
8 **31-12-112. Election - annexation pursuant to election.**
9 (6) Notice of such election shall be given by publication once a week for
10 four weeks in some newspaper of general circulation in the area and
11 published in the county in which such area is located or, if there is no
12 such newspaper in the county, in some newspaper of general circulation
13 published in an adjacent county. Additional notice shall be given by
14 posting a notice at each polling place. The said posting and first
15 newspaper publication shall be not less than four weeks preceding such
16 election. Such notice shall specify the time and place of such election,
17 shall contain a description of the boundaries of the area proposed to be
18 annexed, and shall state that a map or plat thereof is on file in the office
19 of the clerk of the district court in which such area, or a part thereof, is
20 located. ~~and it~~ SUCH NOTICE shall ALSO set forth the conditions and
21 requirements proposed by the governing body for annexation of the area,
22 AND IT SHALL INFORM THE PUBLIC THAT AN ISSUE COMMITTEE IS REQUIRED
23 BY LAW TO REGISTER WITH THE APPROPRIATE OFFICER PURSUANT TO
24 SECTION 1-45-108, C.R.S., WITHIN THREE CALENDAR DAYS OF ACCEPTING
25 OR MAKING A CONTRIBUTION OR EXPENDITURE IN EXCESS OF TWO
26 HUNDRED DOLLARS TO SUPPORT OR OPPOSE THE ANNEXATION QUESTION.

27
28 Renumber succeeding section accordingly."

29
30 As amended, ordered engrossed and placed on the Calendar for Third
31 Reading and Final Passage.

32
33 **HB09-1189** by Representative(s) Pommer, Ferrandino, Marostica; also
34 Senator(s) Tapia, Keller, White--Concerning per pupil
35 funding for education programs that report their pupil
36 enrollment counts to the facility schools unit in the
37 department of education.

38
39 Amendment No. 1, Education Report, dated February 9, 2009, and placed
40 in member's bill file; Report also printed in House Journal, February 9,
41 page 295.

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

45
46 **HB09-1181** by Representative(s) McCann; also Senator(s) Foster--
47 Concerning the right of a victim to make a statement at a
48 community corrections hearing.

49
50 Amendment No. 1, Judiciary Report, dated February 9, 2009, and placed
51 in member's bill file; Report also printed in House Journal, February 10,
52 page 302.

53
54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.

56

1 **HB09-1183** by Representative(s) Vaad; also Senator(s) Hodge--
2 Concerning violations of laws related to real estate
3 appraisers.
4

5 Laid over until February 17, retaining place on Calendar.
6

7
8 **HB09-1198** by Representative(s) McGihon; also Senator(s) Morse--
9 Concerning the "Uniform Power of Attorney Act".
10

11 Laid over until February 17, retaining place on Calendar.
12

13
14 **HB09-1178** by Representative(s) Green; also Senator(s) Boyd--
15 Concerning the creation of a task force to study the
16 establishment of a registry of caregivers who are deemed
17 to have a substantiated allegation of wrongdoing against
18 a person with a developmental disability.
19

20 Amendment No. 1, Health & Human Services Report,
21 dated February 9, 2009, and placed in member's bill file; Report also
22 printed in House Journal, February 10, page 303.
23

24 Amendment No. 2, by Representative Green.
25

26 Amend printed bill, page 2, line 12, after "FORCE", insert "SHALL BE
27 LIMITED TO TWENTY MEMBERS AND";
28

29 line 17, after "AGENCIES,", insert "PERSONS WITH LEGAL OR JUDICIAL
30 EXPERTISE IN ABUSE REGISTRIES,";
31

32 line 18, after "PARTY.", insert "THE MEMBERS OF THE TASK FORCE SHALL
33 SELECT A CHAIR AND VICE-CHAIR AT THE FIRST MEETING."
34

35 As amended, ordered engrossed and placed on the Calendar for Third
36 Reading and Final Passage.
37

38
39 **HB09-1215** by Representative(s) Ferrandino, Pommer, Marostica; also
40 Senator(s) Tapia, Keller, White--Concerning the creation
41 of a stabilization fund to assist with the state's efforts to
42 meet the federal maintenance of effort requirements for
43 the state supplemental security income program.
44

45 Amendment No. 1, Finance Report, dated February 10, 2009, and placed
46 in member's bill file; Report also printed in House Journal, February 11,
47 page 308.
48

49 As amended, ordered engrossed and placed on the Calendar for Third
50 Reading and Final Passage.
51

52
53 **HB09-1219** by Representative(s) Judd; also Senator(s) Sandoval--
54 Concerning the interest paid to taxpayers on certain tax
55 overpayments.
56

1 Amendment No. 1, Finance Report, dated February 10, 2009, and placed
2 in member's bill file; Report also printed in House Journal, February 11,
3 pages 308-309.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB09-1265** by Representative(s) Liston, Kerr J., Looper, Massey,
9 Murray, Priola, Tipton; also Senator(s) King--Concerning
10 a two-year limitation on abatement interest awarded to a
11 nonprofit entity that has not qualified for tax exemption
12 due to an error made by the nonprofit entity.

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

16
17 **HB09-1171** by Representative(s) Court; also Senator(s) Kester--
18 Concerning requirements related to the installation of
19 manufactured homes.

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

23
24 **HB09-1203** by Representative(s) Tipton, Roberts; also Senator(s)
25 Isgar--Concerning the reclassification of Montezuma
26 county.

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

30
31 **HB09-1168** by Representative(s) Riesberg, McFadyen, Sonnenberg;
32 also Senator(s) Schwartz, Bacon, Penry--Concerning the
33 timing of reports to the capital development committee.

34
35 Ordered engrossed and placed on the Calendar for Third Reading and
36 Final Passage.

37
38 **HB09-1169** by Representative(s) Riesberg, McFadyen, Sonnenberg;
39 also Senator(s) Bacon, Penry, Schwartz--Concerning an
40 extension of the repeal date for the capital development
41 committee.

42
43 Ordered engrossed and placed on the Calendar for Third Reading and
44 Final Passage.

45
46 **HB09-1179** by Representative(s) Labuda, McGihon, Gardner B., Levy,
47 Roberts--Concerning participation in the address
48 confidentiality program by a person who resides with a
49 victim participant.

50
51 Ordered engrossed and placed on the Calendar for Third Reading and
52 Final Passage.

53
54
55

1 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

2
3 Passed Second Reading: **HB09-1059 amended, 1112, 1124 amended,**
4 **1125 amended, 1182, 1153 amended, 1189 amended, 1181 amended,**
5 **1178 amended, 1215 amended, 1219 amended, 1265, 1171, 1203, 1168,**
6 **1169, 1179.**

7
8 Laid over until date indicated retaining place on Calendar:
9 **HB09-1018**--February 20, 2009.
10 **HB09-1135, 1183, 1198**--February 17, 2009.

11
12 Referred to Committee indicated: **HB09-1028**--Finance.

13
14 The Chairman moved the adoption of the Committee of the Whole
15 Report. As shown by the following roll call vote, a majority of those
16 elected to the House voted in the affirmative, and the Report was
17 **adopted.**

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

37
38
39
40 **REPORTS OF COMMITTEES OF REFERENCE**

41
42 **APPROPRIATIONS**

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

45
46 **HB09-1036** be amended as follows, and as so amended, be referred to
47 the Committee of the Whole with favorable
48 recommendation:

49
50 Amend printed bill, page 2, after line 17, insert the following:

51
52 **"SECTION 2. Appropriation.** In addition to any other
53 appropriation, there is hereby appropriated, out of any moneys in the
54 P.O.S.T. board cash fund created in section 24-31-303 (2) (b), Colorado
55 Revised Statutes, not otherwise appropriated, to the department of law,
56 criminal justice and appellate division, for the fiscal year beginning July

1 1, 2009, the sum of one million four hundred ninety-four thousand nine
2 hundred ninety-five dollars (\$1,494,995) cash funds and 1.0 FTE, or so
3 much thereof as may be necessary, for the purposes set forth in section
4 24-31-310, Colorado Revised Statutes."

5

6 Renumber succeeding sections accordingly.

7

8 Page 1, line 104, strike "**PROPERTY.**" and substitute "**PROPERTY, AND**
9 **MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**".

10

11

12

13 **HB09-1065** be amended as follows, and as so amended, be referred to
14 the Committee of the Whole with favorable
15 recommendation:

16

17 Amend printed bill, page 9, after line 13, insert the following:

18

19 **"SECTION 5. Appropriation.** In addition to any other
20 appropriation, there is hereby appropriated, to the department of
21 education, management and administration, for the fiscal year beginning
22 July 1, 2009, 3.0 FTE. These 3.0 FTE shall be supported by moneys in
23 the educator identifier fund, created in section 22-68.5-104 (1), Colorado
24 Revised Statutes. Moneys in the educator identifier fund are continuously
25 appropriated pursuant to section 22-68.5-104 (2), Colorado Revised
26 Statutes."

27

28 Renumber succeeding section accordingly.

29

30 Page 1, line 103, strike "**PROGRAM.**" and substitute "**PROGRAM, AND**
31 **MAKING AN APPROPRIATION.**".

32

33

34

35 **HB09-1076** be referred to the Committee of the Whole with favorable
36 recommendation.

37

38

39 **HB09-1149** be referred to the Committee of the Whole with favorable
40 recommendation.

41

42

43 **HB09-1150** be amended as follows, and as so amended, be referred to
44 the Committee of the Whole with favorable
45 recommendation:

46

47 Amend the State, Veterans, and Military Affairs Committee Report, dated
48 January 20, 2009, page 1, line 2, after "OR", insert "COST ALLOCATION";

49

50 strike line 3 and substitute the following:

51

52 "strike line 14 and substitute the following:

53

54 "OF ADMINISTRATIVE COURTS. THE DEPARTMENT OF PERSONNEL SHALL
55 NOT ESTABLISH A FEE FOR INDIVIDUALS OR BENEFICIARIES THAT HAVE A
56 RIGHT TO AN ADMINISTRATIVE HEARING WITHOUT PRIOR APPROVAL OF THE

1 ASSOCIATED STATE AGENCY AND FORMAL RULE MAKING RELATED TO THE
2 FEE PURSUANT TO ARTICLE 4 OF THIS TITLE. ALL MONEYS COLLECTED
3 SHALL BE".".

4

5 Page 2, of the Committee report, after line 10, insert the following:

6

7 "Page 5, after line 12, insert the following:

8

9 **"SECTION 8. Appropriation - adjustments to the 2009 long**
10 **bill.** (1) For the implementation of this act, appropriations made in the
11 annual general appropriation act for the fiscal year beginning July 1,
12 2009, shall be adjusted as follows:

13

14 (a) The appropriation to the department of personnel, personnel
15 board, for operating expenses, is decreased by three thousand five
16 hundred twenty-eight dollars (\$3,528) reappropriated funds from indirect
17 cost recoveries.

18

19 (b) The appropriation to the department of personnel,
20 administrative courts, for operating expenses, is decreased by five
21 thousand four hundred sixty dollars (\$5,460) reappropriated funds from
22 user fees from state agencies.

23

24 **SECTION 9. Appropriation.** (1) In addition to any other
25 appropriation, there is hereby appropriated, out of any moneys in the
26 department of personnel revolving fund created in section 24-30-1108
27 (1), Colorado Revised Statutes, not otherwise appropriated, to the
28 department of personnel, for allocation to the central services division,
29 integrated document factory, reprographics services, personal services,
30 for the fiscal year beginning July 1, 2009, the sum of five hundred ninety-
31 four thousand six hundred thirty-two dollars (\$594,632) reappropriated
32 funds, or so much thereof as may be necessary, for the implementation of
33 this act.

34

35 (2) In addition to any other appropriation, there is hereby
36 appropriated, out of any moneys in the department of personnel revolving
37 fund created in section 24-30-1108 (1), Colorado Revised Statutes, not
38 otherwise appropriated, to the department of personnel, for allocation to
39 the central services division, integrated document factory, reprographics
40 services, operating expenses, for the fiscal year beginning July 1, 2009,
41 the sum of one million one hundred eighty-four thousand seven hundred
42 forty-seven dollars (\$1,184,747) reappropriated funds, or so much thereof
43 as may be necessary, for the implementation of this act.

44

45 (3) In addition to any other appropriation, there is hereby
46 appropriated, out of any moneys in the department of personnel revolving
47 fund created in section 24-30-1108 (1), Colorado Revised Statutes, not
48 otherwise appropriated, to the department of personnel, for allocation to
49 the central services division, integrated document factory, document
50 solutions group, personal services, for the fiscal year beginning July 1,
51 2009, the sum of one million three hundred fifty-seven thousand six
52 hundred seventy-six dollars (\$1,357,676) reappropriated funds, or so
53 much thereof as may be necessary, for the implementation of this act.

54

55 (4) In addition to any other appropriation, there is hereby
56 appropriated, out of any moneys in the department of personnel revolving

1 fund created in section 24-30-1108 (1), Colorado Revised Statutes, not
2 otherwise appropriated, to the department of personnel, for allocation to
3 the central services division, integrated document factory, document
4 solutions group, operating expenses, for the fiscal year beginning July 1,
5 2009, the sum of two hundred thousand seven hundred twenty-two
6 dollars (\$200,722) reappropriated funds, or so much thereof as may be
7 necessary, for the implementation of this act.

8
9 (5) In addition to any other appropriation, there is hereby
10 appropriated, out of any moneys in the department of personnel revolving
11 fund created in section 24-30-1108 (1), Colorado Revised Statutes, not
12 otherwise appropriated, to the department of personnel, for allocation to
13 the central services division, integrated document factory, mail services,
14 personal services, for the fiscal year beginning July 1, 2009, the sum of
15 six hundred seventeen thousand six hundred seventy-one dollars
16 (\$617,671) reappropriated funds, or so much thereof as may be necessary,
17 for the implementation of this act.

18
19 (6) In addition to any other appropriation, there is hereby
20 appropriated, out of any moneys in the department of personnel revolving
21 fund created in section 24-30-1108 (1), Colorado Revised Statutes, not
22 otherwise appropriated, to the department of personnel, for allocation to
23 the central services division, integrated document factory, mail services,
24 operating expenses, for the fiscal year beginning July 1, 2009, the sum of
25 three million nine hundred thirteen thousand eight hundred sixty-one
26 dollars (\$3,913,861) reappropriated funds, or so much thereof as may be
27 necessary, for the implementation of this act."

28
29 Renumber succeeding section accordingly.

30
31 Page 1, line 102, strike "**PERSONNEL.**" and substitute "**PERSONNEL, AND**
32 **MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**".

33
34
35
36 **HB09-1188** be referred to the Committee of the Whole with favorable
37 recommendation.

38
39
40
41
42 **EDUCATION**

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

45
46 **HB09-1195** be postponed indefinitely.

47
48
49 **HB09-1240** be referred to the Committee of the Whole with favorable
50 recommendation.

51
52
53 **HB09-1272** be amended as follows, and as so amended, be referred to
54 the Committee of the Whole with favorable
55 recommendation:

56

1 Amend printed bill, page 9, strike lines 4 through 10 and substitute the
2 following:

3

4 "PARAGRAPH (b), "ANNUAL ADJUSTMENT" MEANS AN ANNUAL PAYMENT
5 TO LIMITED GAMING FUND RECIPIENTS LISTED IN SECTION 9 (5) (b) (II) OF
6 ARTICLE XVIII OF THE STATE CONSTITUTION, CALCULATED AS FOLLOWS:

7

8 (I) FOR REVENUES COLLECTED IN FISCAL YEAR 2009-10, THE
9 PAYMENT SHALL EQUAL SIX PERCENT OF THE FIRST YEAR'S LIMITED
10 GAMING REVENUES ATTRIBUTABLE TO EXTENDED LIMITED GAMING.

11

12 (II) FOR EACH FISCAL YEAR AFTER 2009-10, THE ANNUAL
13 PAYMENT SHALL BE INCREASED OR DECREASED AS FOLLOWS AND SHALL
14 CONSTITUTE THE ANNUAL ADJUSTMENT:

15

16 (A) FOR ANY YEAR IN WHICH THE ANNUAL GROWTH OF LIMITED
17 GAMING REVENUES ATTRIBUTABLE TO EXTENDED LIMITED GAMING
18 EXCEEDS OR EQUALS SIX PERCENT, ADD AN AMOUNT EQUAL TO SIX
19 PERCENT OF SAID REVENUES;

20

21 (B) FOR ANY YEAR IN WHICH THE ANNUAL GROWTH IN LIMITED
22 GAMING REVENUES ATTRIBUTABLE TO EXTENDED LIMITED GAMING IS
23 BETWEEN ZERO AND SIX PERCENT, ADD AN AMOUNT EQUAL TO THE
24 ACTUAL PERCENTAGE GROWTH OF SAID REVENUES;

25

26 (C) FOR ANY YEAR IN WHICH LIMITED GAMING TAX REVENUES
27 EXPERIENCE A DECLINE, SUBTRACT AN AMOUNT EQUAL TO THE ACTUAL
28 PERCENTAGE DECLINE OF SAID REVENUES.

29

30 (III) NOTHING IN THIS PARAGRAPH (b) SHALL BE CONSTRUED TO
31 PERMIT COMPOUNDING OR ACCUMULATION OF THE ANNUAL
32 ADJUSTMENT."

33

34 Page 10, line 20, after "THE", insert "TWO-YEAR ROLE AND MISSION OF
35 MESA STATE COLLEGE, CURRENTLY REFERRED TO AS";

36

37 line 24, after the period, add "WITH RESPECT TO THE TWO-YEAR MISSION
38 AT ADAMS STATE COLLEGE, THE TERM INCLUDES ONLY THE ASSOCIATE'S
39 DEGREE PROGRAMS THAT EXISTED AT ADAMS STATE COLLEGE AS OF
40 NOVEMBER 4, 2008."

41

42 Page 11, line 1, after "(c)", insert "(I)";

43

44 line 17, strike "DEVELOPMENT" and substitute "DEVELOPMENTAL";

45

46 line 22, strike "(I)" and substitute "(A)" and, after "ADMITTED", insert "TO
47 A COLLEGE";

48

49 line 23, strike "(II)" and substitute "(B)";

50

51 line 27, strike "(III)" and substitute "(C)".

52

53 Page 12, after line 1, insert the following:

54

55 "(II) WITH RESPECT TO THE TWO-YEAR MISSION AT ADAMS STATE
56 COLLEGE, FULL-TIME EQUIVALENT STUDENT ENROLLMENT SHALL BE

1 LIMITED TO ENROLLMENT IN THE ASSOCIATE'S DEGREE PROGRAMS THAT
2 EXISTED AS OF NOVEMBER 4, 2008.";

3

4 line 4, strike "2008-09." and substitute "2008-09, ADJUSTED AS FOLLOWS:

5

6 (I) FOR REVENUES COLLECTED IN FISCAL YEAR 2009-2010,
7 REDUCED BY A THREE PERCENT GROWTH FACTOR ON THE 2008-2009 BASE
8 OF LIMITED GAMING TAX REVENUES, WHICH AMOUNT SHALL BE ADDED TO
9 THE BASE AND SHALL CONSTITUTE THE ADJUSTED BASE; AND

10

11 (II) THEREAFTER:

12

13 (A) REDUCED BY A THREE PERCENT PER FISCAL YEAR GROWTH
14 FACTOR ON THE PREVIOUS YEAR'S ADJUSTED BASE, WHICH GROWTH
15 FACTOR SHALL BE ADDED TO THE PREVIOUS FISCAL YEAR'S ADJUSTED BASE
16 AND SHALL CONSTITUTE THE NEW ADJUSTED BASE; OR

17

18 (B) IF GROWTH IN LIMITED GAMING TAX REVENUES IS BETWEEN
19 ZERO AND THREE PERCENT IN ANY FISCAL YEAR, THE GROWTH FACTOR ON
20 THE PREVIOUS FISCAL YEAR'S ADJUSTED BASE SHALL BE THE ACTUAL
21 PERCENTAGE GROWTH IN LIMITED GAMING TAX REVENUES, WHICH SHALL
22 BE ADDED TO THE PREVIOUS FISCAL YEAR'S ADJUSTED BASE; OR

23

24 (C) IF LIMITED GAMING TAX REVENUES DECLINE FROM YEAR TO
25 YEAR, THE PREVIOUS FISCAL YEAR'S ADJUSTED BASE SHALL BE REDUCED
26 BY THE ACTUAL PERCENTAGE DECLINE IN LIMITED GAMING TAX
27 REVENUE.";

28

29 strike lines 15 and 16 and substitute the following:

30

31 "TOTAL GENERAL FUND OPERATING FUNDING, INCLUDING COLLEGE
32 OPPORTUNITY FUND STIPENDS AND FEE-FOR-SERVICE FUNDS, FOR ALL
33 INSTITUTIONS OF HIGHER EDUCATION DURING THE SAME STATE FISCAL
34 YEAR.".

35

36 Page 13, strike lines 9 and 10 and substitute the following:

37

38 "PURPOSES. AS USED IN THIS SUBSECTION (5), "STATE MONEYS" MEANS
39 GENERAL FUND OPERATING FUNDING, INCLUDING COLLEGE OPPORTUNITY
40 FUND STIPENDS AND FEE-FOR-SERVICE FUNDS, ADJUSTED FOR INFLATION
41 TO THE SAME DEGREE AS THE INFLATION ADJUSTMENT RECEIVED BY
42 OTHER INSTITUTIONS OF HIGHER EDUCATION.";

43

44 strike lines 12 through 16 and substitute the following:

45

46 "STATE-APPROPRIATED MONEYS SHALL NOT USE MONEYS DISTRIBUTED
47 UNDER THIS SECTION TO SUPPLANT STATE MONEYS OTHERWISE
48 ALLOCATED BY SUCH FORMULA.".

49

50

51

52

53

54

55

1 **HEALTH & HUMAN SERVICES**

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

4
5 **HB09-1175** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:

8
9 Amend printed bill, page 4, line 11, strike "PROCESSES" and substitute
10 "PROCESSES. NATUROPATHIC MEDICINE IS PRACTICED";

11
12 line 12, strike "PHYSICAL";

13
14 line 15, strike "LIGHT;" and substitute "LIGHT.";

15
16 strike lines 16 through 20.

17
18 Page 5, strike lines 17 through 27.

19
20 Page 6, strike lines 1 through 4 and substitute the following:

21
22 "(2) THE TASK FORCE SHALL CONSIDER ISSUES RELATED TO THE
23 PRACTICE AND REGULATION OF NATUROPATHIC MEDICINE. SUCH
24 CONSIDERATION SHALL BE BASED UPON STANDARD EVIDENCE OF
25 EFFECTIVENESS AND SAFETY IN LIGHT OF QUALITY, PEER REVIEWED
26 PUBLISHED OR WIDELY VETTED RESEARCH. THE ISSUES CONSIDERED
27 SHALL INCLUDE, BUT NEED NOT BE LIMITED TO:

28
29 (a) THE QUALIFICATIONS OF NATUROPATHIC DOCTORS AND WHAT
30 SCOPE OF PRACTICE SHOULD GOVERN NATUROPATHIC MEDICINE IN
31 COLORADO INCLUDING, WITHOUT LIMITATION, ANY ADDITIONAL
32 TREATMENTS THAT MAY BE APPROPRIATE FOR NATUROPATHIC DOCTORS
33 TO PERFORM;".

34
35 Reletter succeeding paragraphs accordingly.

36
37 Page 6, line 20, after "CERTIFICATIONS;", add "AND";

38
39 line 22, strike "CARRY; AND" and substitute "CARRY.";

40
41 strike lines 23 through 25.

42
43 Page 7, strike lines 16 through 18;

44
45 line 27, strike "AN" and substitute "A COMPLETED".

46
47 Page 8, line 11, after "REGISTER", insert "BY ENDORSEMENT".

48
49 Page 10, line 2, strike "ARTICLE." and substitute "ARTICLE OR SECTION
50 24-34-102 (8), C.R.S.";

51
52 line 3, strike "(c)" and substitute "(5)";

53
54 line 5, strike "(5)" and substitute "(6)";

55

1 line 8, after "C.R.S.", add "FEES MAY BE SPENT FOR EXPENSES OF THE
2 DIVISION IN STAFFING THE TASK FORCE.";

3
4 line 16, after the period, add "A NATUROPATHIC DOCTOR SHALL OBSERVE
5 AND BE SUBJECT TO ALL APPLICABLE LAWS WITH REGARD TO THE CONTROL
6 OF CONTAGIOUS AND INFECTIOUS DISEASES, THE REPORTING OF BIRTHS
7 AND DEATHS, AND ANY OTHER MATTERS PERTAINING TO THE PUBLIC
8 HEALTH.".

9
10 Page 11, line 16, strike "CONCOMITANT CONDITIONS AND".

11
12 Page 12, strike lines 10 through 15 and substitute the following:

13
14 "(II) VERIFIES THAT THE CHILD IS BEING TREATED BY A PHYSICIAN
15 LICENSED PURSUANT TO ARTICLE 36 OF THIS TITLE OR OBTAINS A WAIVER
16 SIGNED BY THE CHILD'S PARENT OR GUARDIAN STATING THAT HE OR SHE
17 REFUSES TO HAVE THE CHILD TREATED BY A PHYSICIAN, IN WHICH CASE
18 THE NATUROPATHIC DOCTOR";

19
20 line 22, strike "OR";

21
22 strike lines 25 and 26 and substitute the following:

23
24 "12-37.7-112;

25
26 (o) PERFORM COLONIC IRRIGATION; OR

27
28 (p) PERFORM REVISION, DESTRUCTION, INCISION, OR OTHER
29 STRUCTURAL ALTERATION OF HUMAN TISSUE USING LASER TECHNOLOGY,
30 WHICH INCLUDES THE USE OF LASERS OR PULSE LIGHT DEVICES IDENTIFIED
31 BY THE FEDERAL DRUG ADMINISTRATION AS A CLASS II DEVICE.".

32
33 Page 13, line 16, strike "SHALL" and substitute "MAY";

34
35 line 17, strike "REGISTRATION" and substitute "REGISTRATION, PLACE A
36 REGISTRANT ON PROBATION,".

37
38 Page 14, strike lines 9 through 12 and substitute the following:

39
40 "HAVING SIMILAR EFFECTS";

41
42 line 13, strike "OR DISABILITY".

43
44 Page 16, line 11, strike "OR";

45
46 strike lines 12 through 19 and substitute the following:

47
48 "(p) HAS FAILED TO MEET GENERALLY ACCEPTED STANDARDS OF
49 NATUROPATHIC PRACTICE;

50
51 (q) HAS FAILED TO REFER A PATIENT TO THE APPROPRIATE
52 LICENSED HEALTH CARE PRACTITIONER WHEN THE SERVICES REQUIRED BY
53 THE PATIENT ARE BEYOND THE LEVEL OF COMPETENCE OF THE
54 NATUROPATHIC DOCTOR OR BEYOND THE SCOPE OF THIS ARTICLE; OR

55
56

1 (r) HAS PERFORMED A PROCEDURE IN THE COURSE OF PATIENT
2 CARE THAT IS BEYOND THE NATUROPATHIC DOCTOR'S TRAINING OR
3 COMPETENCE OR BEYOND THE SCOPE OF PRACTICE OF THIS ARTICLE."

4
5 Page 17, line 2, strike "SUBJECT TO SECTION 12-37.7-104 (2), IF" and
6 substitute "IF".

7
8 Page 22, strike lines 17 through 27 and substitute the following:

9
10 "(12) IF IT APPEARS TO THE DIRECTOR, BASED UPON CREDIBLE
11 EVIDENCE PRESENTED TO THE DIRECTOR, THAT A PERSON HAS ENGAGED OR
12 IS ABOUT TO ENGAGE IN AN UNREGISTERED ACT OR PRACTICE; AN ACT OR
13 PRACTICE CONSTITUTING A VIOLATION OF THIS ARTICLE; A RULE
14 PROMULGATED PURSUANT TO THE ARTICLE; AN ORDER ISSUED PURSUANT
15 TO THIS ARTICLE; OR AN ACT OR PRACTICE CONSTITUTING GROUNDS FOR
16 ADMINISTRATIVE SANCTION PURSUANT TO THIS ARTICLE, THE DIRECTOR
17 MAY ENTER INTO A STIPULATION WITH THE PERSON."

18
19 Page 27, line 14, after "WHO", insert "IS ELIGIBLE TO REGISTER PURSUANT
20 TO SECTION 12-37.7-105 AND WHO";

21
22 after line 20, insert the following:

23
24 "(3) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO APPLY TO
25 A PERSON WHO IS NOT ELIGIBLE TO REGISTER PURSUANT TO SECTION
26 12-37.7-105."

27
28
29
30 **HB09-1223** be referred to the Committee of the Whole with favorable
31 recommendation.

32
33
34
35
36 **JUDICIARY**

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

39
40 **HB09-1121** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:

43
44 Amend printed bill, page 9, line 17, after "of", insert "**or waiver of
45 preservation of**";

46
47 line 18, strike the first "IN" and substitute "(1) IN".

48
49 Page 10, after line 1, insert the following:

50 "(2) IN A CASE DESCRIBED IN SECTION 18-1-1102 (1), A
51 DEFENDANT MAY WAIVE HIS OR HER RIGHT TO PRESERVATION OF DNA
52 EVIDENCE UNDER THIS PART 11 AT ANY STAGE OF THE PROCEEDING BY
53 MAKING A KNOWING AND VOLUNTARY WAIVER. A WAIVER EXECUTED AS
54 A PART OF A PLEA BARGAIN OR SENTENCING AGREEMENT SHALL BE
55 VOLUNTARILY AGREED TO BY ALL PARTIES AND SHALL INCLUDE A
56 WRITTEN LIST DESCRIBING ALL EVIDENCE TO BE DISPOSED OF."

1 **HB09-1207** be amended as follows, and as so amended, be referred to
 2 the Committee of the Whole with favorable
 3 recommendation:
 4

5 Amend printed bill, page 3, line 3, strike "(10) (d),";
 6
 7 line 5, strike "A NEW SUBSECTION," and substitute "THE
 8 FOLLOWING NEW SUBSECTIONS,".
 9

10 Page 4, strike lines 23 through 27.
 11

12 Page 5, after line 27, insert the following:
 13

14 "(17.5) "PERSON" MEANS ANY INDIVIDUAL, CORPORATION,
 15 GOVERNMENT OR GOVERNMENTAL SUBDIVISION OR AGENCY, BUSINESS
 16 TRUST, ESTATE, TRUST, LIMITED LIABILITY COMPANY, PARTNERSHIP,
 17 ASSOCIATION, OR OTHER LEGAL ENTITY."
 18

19 Page 6, line 21, after "debt," insert "INCLUDING ANY MODIFICATIONS TO
 20 THE ORIGINAL EVIDENCE OF DEBT,".
 21

22 Page 11, line 10, after the period, add "AN ASSIGNEE OR TRANSFEREE
 23 SHALL BE PRESUMED TO NOT BE A QUALIFIED HOLDER, AND AS SUCH,
 24 SHALL BE SUBJECT TO THE PROVISIONS OF THIS PARAGRAPH (c), UNLESS A
 25 SIGNED STATEMENT BY THE ATTORNEY FOR SUCH ASSIGNEE OR
 26 TRANSFEREE THAT CITES THE PARAGRAPH OF SECTION 38-38-100.3 (20)
 27 UNDER WHICH THE ASSIGNEE OR TRANSFEREE CLAIMS TO BE A QUALIFIED
 28 HOLDER IS FILED WITH THE OFFICER."
 29

30 Page 14, line 19, strike "(a)" and substitute "(b)";
 31

32 line 20, strike "OR SUBSECTION (3)".
 33

34 Page 20, strike lines 20 and 21 and substitute the following:
 35

36 "HOMEOWNER'S ASSOCIATION
 37 ASSESSMENT PAID _____".
 38

39 Page 29, line 11, strike "and (6)," and substitute "(6), and (8),".
 40

41 Page 32, after line 4, insert the following:
 42

43 "(8) **Misstatement of redemption amount.** If an aggrieved
 44 person contests the amount set forth in the statement filed BY A
 45 REDEEMING LIENOR pursuant to paragraph (f) of subsection (1) of this
 46 section OR BY A HOLDER OF A CERTIFICATE OF PURCHASE PURSUANT TO
 47 PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION and a court
 48 determines that the redeeming lienor OR HOLDER OF THE CERTIFICATE OF
 49 PURCHASE HAS made a material misstatement ~~of the amount due and~~
 50 ~~owing~~ ON THE STATEMENT with respect to the ~~redeeming lienor's lien~~
 51 AMOUNT DUE AND OWING TO THE REDEEMING LIENOR OR THE HOLDER OF
 52 THE CERTIFICATE OF PURCHASE, the court shall, in addition to other relief,
 53 award to the aggrieved person the aggrieved person's court costs and
 54 reasonable attorney fees and costs."
 55
 56

1 **HB09-1241** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 23, line 21, strike "(a)";
6
7 line 24, strike "PURSUANT TO THE PROVISIONS OF PARAGRAPH (b) OF
8 THIS";
9
10 line 25, strike "SUBSECTION (4)";
11
12 strike lines 26 and 27.

13
14 Page 24, strike lines 1 and 2.

15
16 Page 29, line 15, before "(2) (b),", insert "(1) (b) and" and, strike "is" and
17 substitute "are";

18
19 strike line 18 and substitute the following:
20

21 **"definitions.** (1) (b) If a person described in subparagraph (I) or (II) of
22 paragraph (a) of this subsection (1) desires access to a safe deposit box
23 but does not possess a key to the box, the custodian shall drill the safe
24 deposit box at the person's expense. ~~The custodian shall retain, in a~~
25 ~~secure location at the person's expense, the contents of the box other than~~
26 ~~the purported will, deed to a burial plot, or burial instructions. The~~
27 ~~expenses~~ IN THE CASE OF A PERSON DESCRIBED IN SUBPARAGRAPH (I) OF
28 PARAGRAPH (a) OF THIS SUBSECTION (1), THE CUSTODIAN SHALL DELIVER
29 THE CONTENTS OF THE BOX, OTHER THAN THE PURPORTED WILL, DEED TO
30 A BURIAL PLOT, AND BURIAL INSTRUCTIONS, TO THE PERSON IN
31 ACCORDANCE WITH SECTION 15-12-1201. IN THE CASE OF A PERSON
32 DESCRIBED IN SUBPARAGRAPH (II) OF PARAGRAPH (a) OF THIS SUBSECTION
33 (1), THE CUSTODIAN SHALL RETAIN, IN A SECURE LOCATION AT THE
34 PERSON'S EXPENSE, THE CONTENTS OF THE BOX OTHER THAN THE
35 PURPORTED WILL, DEED TO A BURIAL PLOT, AND BURIAL INSTRUCTIONS.
36 A CUSTODIAN MAY DELIVER A PURPORTED WILL AS DESCRIBED IN
37 PARAGRAPH (c) OF SUBSECTION (2) OF THIS SECTION. A CUSTODIAN MAY
38 DELIVER A DEED TO A BURIAL PLOT OR BURIAL INSTRUCTIONS AS
39 DESCRIBED IN PARAGRAPH (d) OF SUBSECTION (2) OF THIS SECTION.
40 EXPENSES INCURRED BY A CUSTODIAN PURSUANT TO THIS SECTION shall
41 be considered an estate administration expense.

42
43 (2) (b) ~~The representative of the custodian may copy the".~~
44
45
46

47 **HB09-1254** be amended as follows, and as so amended, be referred to
48 the Committee of the Whole with favorable
49 recommendation:
50

51 Amend printed bill, page 6, line 19, strike "CASH, SECURITIES," and
52 substitute "CASH".
53

54 Page 8, line 4, strike "HOW" and substitute "THE MANNER IN WHICH" and,
55 strike "HAVE BEEN" and substitute "WILL BE".
56

1 Page 9, line 24, after "TO", insert "BE SUFFICIENTLY LIQUID TO".

2
3 Page 1, line 102, strike "**MEDIATED**" and substitute "**FACILITATED**".

4
5
6
7
8 **STATE, VETERANS, & MILITARY AFFAIRS**

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

11
12 **HB09-1160** be amended as follows, and as so amended, be referred to
13 the Committee on Appropriations with favorable
14 recommendation:

15
16 Amend printed bill, strike everything below the enacting clause and
17 substitute the following:

18
19 "SECTION 1. Part 2 of article 2 of title 1, Colorado Revised
20 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
21 read:

22
23 **1-2-202.5. Online voter registration - online changes in elector**
24 **information.** (1) (a) AN ELECTOR MAY REGISTER TO VOTE, AND A
25 REGISTERED ELECTOR MAY CHANGE HIS OR HER RESIDENCE ON THE
26 REGISTRATION RECORD, CHANGE OR WITHDRAW HIS OR HER AFFILIATION,
27 APPLY FOR PERMANENT MAIL-IN BALLOT STATUS, OR AMEND HIS OR HER
28 EXISTING MAIL-IN BALLOT STATUS, BY COMPLETING AN ELECTRONIC FORM
29 ON THE OFFICIAL WEB SITE OF THE SECRETARY OF STATE IF THE ELECTOR'S
30 SIGNATURE IS STORED IN DIGITAL FORM IN THE DATABASE SYSTEMS
31 MAINTAINED BY THE DEPARTMENT OF STATE PURSUANT TO SECTION
32 1-2-301 (1) OR ACCESSIBLE TO THE DEPARTMENT OF STATE IN
33 ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 1-2-302 (6) AND
34 42-1-211 (1.5), C.R.S.

35
36 (b) THE OFFICIAL WEB SITE REFERENCED IN PARAGRAPH (a) OF THIS
37 SUBSECTION (1) SHALL BE FULLY SECURE. THE WEB SITE SHALL MAINTAIN
38 THE CONFIDENTIALITY OF ALL USERS AND PRESERVE THE INTEGRITY OF
39 THE DATA SUBMITTED. FURTHER SPECIFICATIONS REGARDING THE
40 SECURITY OF THE WEB SITE MAY BE PROMULGATED BY THE SECRETARY BY
41 RULE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 1-1-107 (2) (a).

42
43 (2) NO LATER THAN APRIL 1, 2010, THE SECRETARY OF STATE
44 SHALL MAKE AVAILABLE ON THE SECRETARY OF STATE'S OFFICIAL WEB
45 SITE ELECTRONIC FORMS FOR PERSONS TO APPLY TO REGISTER TO VOTE
46 AND FOR A REGISTERED ELECTOR TO CHANGE HIS OR HER RESIDENCE,
47 CHANGE OR WITHDRAW HIS OR HER AFFILIATION, APPLY FOR PERMANENT
48 MAIL-IN BALLOT STATUS, OR AMEND HIS OR HER EXISTING MAIL-IN BALLOT
49 STATUS.

50
51 (3) THE ELECTRONIC VOTER REGISTRATION FORM SHALL INCLUDE:

52
53 (a) (I) THE QUESTIONS "ARE YOU A CITIZEN OF THE UNITED
54 STATES OF AMERICA?", "WILL YOU BE AT LEAST EIGHTEEN YEARS OF AGE
55 ON ELECTION DAY?", "HAVE YOU RESIDED IN COLORADO AND IN THE
56 PRECINCT IN WHICH YOU INTEND TO REGISTER FOR AT LEAST THIRTY DAYS

1 IMMEDIATELY PRIOR TO THE ELECTION?", AND "DO YOU AFFIRM THAT YOU
2 ARE NOT CURRENTLY SERVING A SENTENCE OF DETENTION OR
3 CONFINEMENT IN A CORRECTIONAL FACILITY, JAIL, OR OTHER LOCATION
4 FOR A FELONY CONVICTION OR SERVING A SENTENCE OF PAROLE?" AND
5 PLACES FOR THE ELECTOR TO INPUT ANSWERS TO THE QUESTIONS.

6
7 (II) FOLLOWING THE QUESTIONS LISTED IN SUBPARAGRAPH (I) OF
8 THIS PARAGRAPH (a), THE FORM SHALL INCLUDE THE STATEMENT "IF YOU
9 CHECKED 'NO' IN RESPONSE TO ANY OF THESE QUESTIONS, DO NOT
10 COMPLETE THIS APPLICATION BECAUSE YOU DO NOT QUALIFY AS AN
11 ELIGIBLE ELECTOR IN ACCORDANCE WITH SECTION 1-2-101, COLORADO
12 REVISED STATUTES."

13
14 (b) THE QUESTIONS SPECIFIED IN SECTION 1-2-204 (1) AND (2)
15 WITH PLACES FOR THE ELECTOR TO INPUT INFORMATION IN RESPONSE TO
16 THE QUESTIONS;

17
18 (c) A PLACE FOR THE ELECTOR TO INPUT ADDITIONAL
19 INFORMATION, AS DETERMINED BY THE SECRETARY OF STATE, NECESSARY
20 TO LOCATE THE ELECTOR'S SIGNATURE IN THE DATABASE SYSTEMS
21 SPECIFIED IN SUBSECTION (1) OF THIS SECTION AND A PLACE FOR THE
22 ELECTOR TO ASSENT TO THE USE OF THE SIGNATURE FOR VOTER
23 REGISTRATION PURPOSES;

24
25 (d) A SELF-AFFIRMATION THAT THE ELECTOR IS QUALIFIED TO
26 REGISTER AND THAT THE INFORMATION ENTERED BY THE ELECTOR ON THE
27 ELECTRONIC APPLICATION IS TRUE; AND

28
29 (e) A STATEMENT THAT NOTIFIES THE USER OF THE WEB SITE THAT
30 IT IS AGAINST THE LAW TO KNOWINGLY SUBMIT FALSE INFORMATION OR TO
31 TAMPER WITH ANOTHER PERSON'S VOTER REGISTRATION INFORMATION.

32
33 (4) (a) THE ELECTRONIC FORM FOR A REGISTERED ELECTOR TO
34 CHANGE HIS OR HER RESIDENCE SHALL INCLUDE THE INFORMATION
35 REQUIRED BY SECTION 1-2-216 (1).

36
37 (b) THE ELECTRONIC FORM FOR A REGISTERED ELECTOR TO
38 CHANGE OR WITHDRAW HIS OR HER AFFILIATION SHALL INCLUDE THE
39 INFORMATION REQUIRED BY SECTION 1-2-219 (1).

40
41 (c) THE ELECTRONIC FORM FOR A REGISTERED ELECTOR TO APPLY
42 FOR PERMANENT MAIL-IN BALLOT STATUS SHALL MEET THE
43 REQUIREMENTS OF SECTION 1-8-104.5 (1).

44
45 (d) IN ADDITION TO ANY OTHER REQUIREMENTS OF THIS SECTION,
46 IN ORDER FOR A REGISTERED ELECTOR TO ACCESS THE ELECTRONIC FORM
47 TO CHANGE HIS OR HER RESIDENCE, CHANGE OR WITHDRAW HIS OR HER
48 AFFILIATION, APPLY FOR PERMANENT MAIL-IN BALLOT STATUS, OR AMEND
49 HIS OR HER EXISTING MAIL-IN BALLOT STATUS, THE REGISTERED ELECTOR
50 SHALL SUBMIT HIS OR HER BIRTH DATE AND THE LAST FOUR DIGITS OF HIS
51 OR HER SOCIAL SECURITY NUMBER.

52
53 (5) AN ELECTOR'S ASSENT ON THE ELECTRONIC APPLICATION TO
54 THE USE OF HIS OR HER SIGNATURE FOR VOTER REGISTRATION PURPOSES
55 MEETS THE SIGNATURE REQUIREMENT OF SECTION 1-2-201 (2).

56

1 (6) THE COUNTY CLERK AND RECORDER SHALL DETERMINE IF THE
2 INFORMATION SUBMITTED ON THE ELECTRONIC FORM IS COMPLETE PRIOR
3 TO APPROVING A NEW REGISTRATION OR APPROVING AN ELECTOR'S
4 CHANGE IN RESIDENCE, CHANGE IN OR WITHDRAWAL OF HIS OR HER
5 AFFILIATION, OR CHANGE TO PERMANENT MAIL-IN BALLOT STATUS.

6
7 (7) (a) WHEN A PERSON COMPLETES AN ELECTRONIC VOTER
8 REGISTRATION FORM IN ACCORDANCE WITH SUBSECTION (3) OF THIS
9 SECTION AND IS QUALIFIED TO REGISTER BASED ON THE INFORMATION
10 PROVIDED IN THE FORM, THE COUNTY CLERK AND RECORDER SHALL
11 SEARCH FOR THE ELECTOR'S SIGNATURE IN THE DATABASE SYSTEMS
12 SPECIFIED IN SUBSECTION (1) OF THIS SECTION. IF THE SIGNATURE IS
13 FOUND, THE COUNTY CLERK AND RECORDER SHALL APPROVE THE NEW
14 REGISTRATION PURSUANT TO SUBSECTION (6) OF THIS SECTION AND SHALL
15 ADD THE ELECTOR TO THE COMPUTERIZED STATEWIDE VOTER
16 REGISTRATION LIST MAINTAINED BY THE SECRETARY OF STATE PURSUANT
17 TO SECTION 1-2-301 (1).

18
19 (b) WHEN A REGISTERED ELECTOR COMPLETES AN ELECTRONIC
20 FORM TO CHANGE HIS OR HER RESIDENCE, CHANGE OR WITHDRAW HIS OR
21 HER AFFILIATION, OR APPLY FOR PERMANENT MAIL-IN BALLOT STATUS, THE
22 SECRETARY OF STATE SHALL SEARCH FOR THE REGISTERED ELECTOR'S
23 SIGNATURE IN THE DATABASE SYSTEMS SPECIFIED IN SUBSECTION (1) OF
24 THIS SECTION. IN THE CASE OF A CHANGE IN RESIDENCE, THE COUNTY
25 CLERK AND RECORDER SHALL ALSO SEND A NONFORWARDABLE POSTCARD
26 TO THE REGISTERED ELECTOR AT HIS OR HER OLD ADDRESS OF RECORD, BY
27 REGULAR MAIL, GIVING NOTICE TO THE REGISTERED ELECTOR THAT A
28 CHANGE IN RESIDENCE FORM HAS BEEN SUBMITTED BY THE REGISTERED
29 ELECTOR AND ASKING THE REGISTERED ELECTOR TO CONTACT THE
30 COUNTY CLERK AND RECORDER WITHIN TEN CALENDAR DAYS OF
31 RECEIVING THE POSTCARD IF IT IS NOT THE REGISTERED ELECTOR'S INTENT
32 TO CHANGE HIS OR HER ADDRESS OF RECORD. IF THE SIGNATURE IS FOUND
33 AND, IN THE CASE OF A CHANGE IN RESIDENCE, IF THE REGISTERED
34 ELECTOR HAS NOT TIMELY CONTACTED THE COUNTY CLERK AND
35 RECORDER PURSUANT TO THIS PARAGRAPH (b), THE COUNTY CLERK AND
36 RECORDER SHALL APPROVE THE CHANGE IN STATUS PURSUANT TO
37 SUBSECTION (6) OF THIS SECTION AND SHALL MAKE THE CHANGES
38 INDICATED ON THE ELECTRONIC FORM IN THE COMPUTERIZED STATEWIDE
39 VOTER REGISTRATION LIST MAINTAINED BY THE SECRETARY OF STATE
40 PURSUANT TO SECTION 1-2-301 (1).

41
42 (c) A VOTER REGISTRATION, CHANGE OF RESIDENCE, CHANGE OR
43 WITHDRAWAL OF AFFILIATION, OR APPLICATION FOR PERMANENT MAIL-IN
44 BALLOT STATUS MADE IN ACCORDANCE WITH THIS SECTION SHALL APPLY
45 TO AN ELECTION IF THE ELECTOR COMPLETES THE ELECTRONIC FORM NO
46 LATER THAN TWENTY-NINE DAYS BEFORE THE ELECTION.

47
48 **SECTION 2.** 1-2-302 (6), Colorado Revised Statutes, is amended
49 to read:

50
51 **1-2-302. Maintenance of computerized statewide voter**
52 **registration list - confidentiality.** (6) The secretary of state shall
53 determine and use other necessary means to maintain the master list of
54 registered electors on a current basis. In accordance with the provisions
55 of section 42-1-211, C.R.S., the department of state and the department
56 of revenue shall allow for the exchange of information between the

1 systems used by them to collect information on residence addresses,
2 signatures, and party affiliation ~~including, but not limited to, the driver's~~
3 ~~license database~~ FOR ALL APPLICANTS FOR DRIVER'S LICENSES OR STATE
4 IDENTIFICATION CARDS. The department of revenue may exchange
5 information on residence addresses in the driver's license database with
6 the motor vehicle registration database, motorist insurance database, and
7 the state income tax information systems.

8
9 **SECTION 3.** 42-1-211 (1.5) (a), Colorado Revised Statutes, is
10 amended to read:

11
12 **42-1-211. Colorado state titling and registration system.**
13 (1.5) (a) In accordance with the requirements of ~~section 1-2-302 (6.7)~~
14 SECTION 1-2-302 (6), C.R.S., the department of revenue and the
15 department of state shall allow for the exchange of information on
16 residence addresses, signatures, and party affiliation between the systems
17 used by the department of revenue, the master list of registered electors
18 maintained by the department of state, and, no later than January 1, 2006,
19 the computerized statewide voter registration list created in section
20 1-2-301 (1), C.R.S., for the purpose of updating information in these
21 systems.

22
23 **SECTION 4. Safety clause.** The general assembly hereby finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, and safety."

26
27
28
29 **HB09-1186** be amended as follows, and as so amended, be referred to
30 the Committee of the Whole with favorable
31 recommendation:

32
33 Amend printed bill, page 2, strike lines 2 through 17.

34
35 Renumber succeeding sections accordingly.

36
37 Page 3, line 11, strike "five" and substitute "~~five~~ TEN".

38
39 Page 1, strike lines 101 and 102 and substitute the following:

40
41 "**CONCERNING THE DELIVERY OF A MAIL-IN BALLOT TO THE**
42 **DESIGNATED ELECTION OFFICIAL BY THE ELECTOR.**".

43
44
45
46 **HB09-1216** be amended as follows, and as so amended, be referred to
47 the Committee of the Whole with favorable
48 recommendation:

49
50 Amend printed bill, page 2, line 12, strike "(1) (a) (I) and";

51
52 line 13, strike "are" and substitute "is";

53
54 strike lines 15 through 19.

55
56 Page 3, strike lines 1 through 11 and substitute the following:

1 "(5) If a mail OR MAIL-IN ballot that was mailed pursuant to the";
2
3 strike lines 21 through 23 and substitute the following:
4
5 "the mail OR MAIL-IN ballot, the county clerk and recorder shall ~~mark the~~
6 ~~registration record of the elector "Canceled (insert date)", and the record~~
7 ~~shall be removed from the registration file of the county~~ FORWARD THE
8 ADDRESS INFORMATION TO THE COUNTY CLERK AND RECORDER OF THE
9 COUNTY IN WHICH THE VOTER RESIDES. If the elector".

10
11 Page 4, line 14, after "PLACE", insert "DURING THE TIME FOR EARLY
12 VOTING";

13
14 strike lines 16 through 18 and substitute the following:

15
16 **"SECTION 5.** 1-8.5-101 (3), Colorado Revised Statutes, is
17 amended, and the said 1-8.5-101 is further amended BY THE
18 ADDITION OF A NEW SUBSECTION to read:

19
20 **1-8.5-101. Provisional ballot - entitlement to vote.**
21 (3) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (5) OF THIS
22 SECTION, if an elector applies for AND HAS BEEN ISSUED a mail-in ballot
23 but spoils it or otherwise does not cast it, the elector may cast a
24 provisional ballot at the polling place, vote center, or early voter's polling
25 place if the elector affirms under oath that the elector has not and will not
26 cast the mail-in ballot. The provisional ballot shall be counted if the
27 designated election official verifies that the elector is registered to vote
28 and did not cast the mail-in ballot and if the elector's eligibility to vote in
29 the county is verified pursuant to section 1-8.5-105.

30
31 (5) ANY";

32
33 after line 22, insert the following:

34
35 **"SECTION 6.** 31-10-1002, Colorado Revised Statutes, is
36 amended BY THE ADDITION OF A NEW SUBSECTION to read:

37
38 **31-10-1002. Application for absentee ballot - delivery - list.**
39 (2.5) IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (2) OF THIS
40 SECTION, THE CLERK SHALL ALSO DELIVER, AS SOON AS PRACTICABLE
41 AFTER THE BALLOTS ARE RECEIVED, TO EACH MUNICIPAL ELECTOR WHOSE
42 STATUS AS A PERMANENT MAIL-IN VOTER IS INDICATED IN THE VOTER
43 REGISTRATION RECORDS OF THE COUNTY CLERK AND RECORDER, AN
44 OFFICIAL ABSENT VOTER'S BALLOT, AN IDENTIFICATION RETURN ENVELOPE
45 WITH THE AFFIDAVIT THEREON PROPERLY FILLED IN AS TO PRECINCT AND
46 RESIDENCE ADDRESS AS SHOWN BY THE RECORDS OF THE COUNTY CLERK
47 AND RECORDER, AND AN INSTRUCTION CARD."

48
49 Renumber succeeding section accordingly.

50
51
52
53
54
55

1 **TRANSPORTATION & ENERGY**

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

4
5 **HB09-1164** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:

8
9 Amend printed bill, page 2, line 13, strike "(8)," and substitute "(8) (c),";
10
11 strike line 14 and substitute the following:

12
13 "SECTION; EXCEPT THAT ONCE THE ELIGIBILITY EXPANSION ACCOUNT IS
14 DISSOLVED PURSUANT TO SECTION 25.5-5-308 (8) (c) (III), C.R.S., THE
15 STATE TREASURER SHALL CREDIT THE SURCHARGE TO THE BREAST AND
16 CERVICAL CANCER PREVENTION AND TREATMENT FUND CREATED IN
17 SECTION 25.5-5-308 (8) (a), C.R.S.";

18
19 line 22, strike "(8)," and substitute "(8) (a),".

20
21 Page 3, line 1, strike "amended" and substitute "amended, and the said
22 25.5-5-308 (8) is further amended BY THE ADDITION OF A NEW
23 PARAGRAPH,";

24
25 strike lines 25 through 27 and substitute the following:

26
27 "FEDERAL FINANCIAL PARTICIPATION WHEN THE STATE DEPARTMENT
28 DETERMINES THAT THE AMOUNT OF MONEYS ACCUMULATED IN THE
29 ELIGIBILITY EXPANSION ACCOUNT CREATED IN PARAGRAPH (c) OF
30 SUBSECTION (8) OF THIS SECTION, INCLUDING ANY AMOUNTS PLEDGED OR
31 PROMISED THROUGH A GIFT, GRANT, OR DONATION, IS SUFFICIENT TO
32 SUSTAIN THE PROJECTED NUMBER OF ADDITIONAL PERSONS WHO WOULD
33 BE ELIGIBLE FOR THE PROGRAM UNDER THIS SUB-SUBPARAGRAPH (B)."

34
35 Strike page 4.

36
37 Page 5, strike line 1 and substitute the following:

38
39 "(8) (a) There is hereby created in the state treasury the breast and
40 cervical cancer prevention and treatment fund, referred to in this
41 subsection (8) as the "fund". The fund shall consist of any moneys
42 credited thereto pursuant to section 24-22-115 (1), C.R.S., any gifts,
43 grants, and donations, ~~and~~ any moneys appropriated thereto by the
44 general assembly, AND ANY MONEYS TRANSFERRED FROM THE ELIGIBILITY
45 EXPANSION ACCOUNT PURSUANT TO SUBPARAGRAPH (III) OF PARAGRAPH
46 (c) OF THIS SUBSECTION (8). Except as provided for in paragraph (b) of
47 this subsection (8), all moneys credited to the fund and all interest and
48 income earned on the moneys in the fund shall remain in the fund for the
49 purposes set forth in this section. Any unexpended and unencumbered
50 moneys remaining in the fund at the end of a fiscal year shall remain in
51 the fund and shall not be credited or transferred to the general fund or
52 another fund. The state department is encouraged to secure private gifts,
53 grants, and donations to fund the state costs of the breast and cervical
54 cancer prevention and treatment program.

55

1 (c) (I) THERE IS HEREBY CREATED, AS AN ACCOUNT WITHIN THE
2 FUND, THE ELIGIBILITY EXPANSION ACCOUNT, REFERRED TO IN THIS
3 SUBSECTION (8) AS THE "ACCOUNT". THE ACCOUNT SHALL CONSIST OF
4 MONEYS CREDITED THERETO PURSUANT TO SECTION 42-3-217.5 (3) (c),
5 C.R.S, AND ANY GIFTS, GRANTS, AND DONATIONS. MONEYS IN THE
6 ACCOUNT SHALL BE EXPENDED ONLY TO FUND THE COST TO EXPAND THE
7 ELIGIBILITY CRITERIA";

8
9 after line 11, insert the following:

10
11 "(II) NOTWITHSTANDING PARAGRAPH (b) OF THIS SUBSECTION (8),
12 ALL MONEYS CREDITED TO THE ACCOUNT AND ALL INTEREST AND INCOME
13 EARNED ON THE MONEYS IN THE ACCOUNT SHALL REMAIN IN THE
14 ACCOUNT FOR THE PURPOSES SET FORTH IN THIS PARAGRAPH (c) AND
15 SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR
16 ANY OTHER FUND EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS
17 PARAGRAPH (c). THE STATE DEPARTMENT IS ENCOURAGED TO SECURE
18 PRIVATE GIFTS, GRANTS, AND DONATIONS TO HELP FUND THE COSTS TO
19 EXPAND THE ELIGIBILITY CRITERIA FOR PARTICIPATION IN THE BREAST
20 AND CERVICAL CANCER PREVENTION AND TREATMENT PROGRAM AS
21 DESCRIBED IN THIS PARAGRAPH (c).

22
23 (III) (A) UPON DETERMINING THAT THE AMOUNT OF MONEYS
24 ACCUMULATED IN THE ACCOUNT, INCLUDING ANY AMOUNTS PLEDGED OR
25 PROMISED THROUGH A GIFT, GRANT, OR DONATION, IS SUFFICIENT TO
26 SUSTAIN THE PROJECTED NUMBER OF ADDITIONAL PERSONS WHO WOULD
27 BE ELIGIBLE FOR THE PROGRAM UNDER SUB-SUBPARAGRAPH (B) OF
28 SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (2) OF THIS
29 SECTION, AND UPON OBTAINING AUTHORITY TO RECEIVE FEDERAL
30 FINANCIAL PARTICIPATION FOR PERSONS ELIGIBLE UNDER
31 SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I) OF PARAGRAPH (a) OF
32 SUBSECTION (2) OF THIS SECTION, THE STATE DEPARTMENT SHALL NOTIFY
33 THE JOINT BUDGET COMMITTEE THAT THE ACCOUNT BALANCE IS
34 SUFFICIENT TO EXPAND ELIGIBILITY FOR THE PROGRAM AND SHALL
35 REQUEST AN APPROPRIATION FOR THE FISCAL YEAR FOR WHICH THE
36 FEDERAL AUTHORITY HAS BEEN GRANTED TO FUND THE PERSONS ELIGIBLE
37 PURSUANT TO SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I) OF
38 PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION.

39
40 (B) ONCE THE STATE DEPARTMENT HAS NOTIFIED THE JOINT
41 BUDGET COMMITTEE, THE STAFF DIRECTOR OF THE JOINT BUDGET
42 COMMITTEE SHALL REQUEST THAT THE STATE TREASURER TRANSFER THE
43 MONEYS IN THE ELIGIBILITY EXPANSION ACCOUNT TO THE BREAST AND
44 CERVICAL CANCER PREVENTION AND TREATMENT FUND AND DISSOLVE
45 THE ACCOUNT.

46
47 (C) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE WHEN THE
48 STATE TREASURER TRANSFERS THE BALANCE OF THE ELIGIBILITY
49 EXPANSION ACCOUNT TO THE BREAST AND CERVICAL CANCER
50 PREVENTION AND TREATMENT FUND AND DISSOLVES THE ACCOUNT. THE
51 STATE TREASURER SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING
52 WHEN THE CONDITIONS SPECIFIED IN THIS SUB-SUBPARAGRAPH (C) HAVE
53 BEEN SATISFIED."

54
55
56

1 **HB09-1236** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 2, strike lines 12 through 15 and substitute the
6 following:
7

8 "~~be displayed or actuated~~ WHEN A SCHOOL BUS THAT IS NOT REQUIRED TO
9 BE EQUIPPED WITH VISUAL SIGNAL LIGHTS BY SUBSECTION (2) OF THIS
10 SECTION STOPS TO RECEIVE OR DISCHARGE SCHOOLCHILDREN, THE DRIVER
11 OF A MOTOR VEHICLE SHALL STOP AT LEAST TWENTY-FIVE FEET BEFORE
12 REACHING THE SCHOOL BUS."
13

14
15
16 **MESSAGE FROM THE SENATE**
17

18 The Senate has adopted and transmits herewith: SJR09-012
19

20
21 On motion of Representative Weissmann, the following bill(s) will be
22 calendared for Wednesday, February 18, 2009: HB09-1240, 1272, 1121,
23 1207, 1223, 1241, 1254, 1236, 1186, 1216.
24

25
26
27 On motion of Representative Weissmann, the House adjourned until
28 10:00 a.m., February 16, 2009.
29

30 Approved:
31 TERRANCE D. CARROLL,
32 Speaker

33 Attest:
34 MARILYN EDDINS,
35 Chief Clerk

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

Forty-first Legislative Day

Monday, February 16, 2009

- 1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Oliver Kauffman, Bradford Primary,
6 Littleton.
7
8 The roll was called with the following result:
9
10 Present--60.
11 Excused--Representative(s) J. Kerr, May, McCann, McGihon,
12 Stephens--5.
13 Present after roll call--Representative(s) J. Kerr, McGihon,
14 Stephens.
15
16 The Speaker declared a quorum present.
17
18
19 On motion of Representative Gerou, the reading of the journal of
20 February 13, 2009, was declared dispensed with and approved as
21 corrected by the Chief Clerk.
22
23

THIRD READING OF BILLS--FINAL PASSAGE

- 24
25
26 The following bills were considered on Third Reading. The titles were
27 publicly read. Reading of the bill at length was dispensed with by
28 unanimous consent.
29
30 **HB09-1059** by Representative(s) Primavera; also Senator(s)
31 Carroll, M.--Concerning the continuation of health care
32 coverage while participating in a clinical trial.
33
34 The question being "Shall the bill 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 was declared **passed**.
38

	YES	61	NO	0	EXCUSED	4	ABSENT	0
40	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
41	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
42	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
43	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y

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

14 Co-sponsor(s) added: Representative(s) Apuan, Casso, Ferrandino, Frangas,
 15 Gagliardi, Gerou, Kefalas, Kerr A., Labuda, Levy, Merrifield, Middleton,
 16 Peniston, Ryden, Scanlan, Schafer S., Solano, Todd, Weissmann

17
 18 **HB09-1112** by Representative(s) Kerr J.--Concerning the information
 19 provided to the staff of the legislative council in
 20 connection with the preparation of fiscal notes for
 21 legislative measures.

22
 23 Laid over until February 18, retaining place on Calendar.

24
 25 **HB09-1124** by Representative(s) Liston, Gardner B., Massey, Tipton,
 26 Gardner C., Bradford, Frangas, Labuda, Lambert, Murray,
 27 Soper; also Senator(s) Veiga--Concerning certain
 28 conferences with an attorney representing a state public
 29 body that may be held in an executive session at a meeting
 30 of the state public body.

31
 32 The question being "Shall the bill 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 bill
 35 was declared **passed**.

	YES	61	NO	0	EXCUSED	4	ABSENT	0
38	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
39	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
40	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
41	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
42	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
43	Bradford	Y	Kerr J.	E	Middleton	Y	Sonnenberg	Y
44	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
45	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
46	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
47	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
48	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
49	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
50	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
51	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
52	Gardner C.	Y	May	E	Rice	Y	Waller	Y
53	Gerou	Y	McCann	E	Riesberg	Y	Weissmann	Y
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Acree, Gerou, Green, Stephens, Todd,
 56 Waller

1 **HB09-1125** by Representative(s) Merrifield, Massey, Benefield,
 2 Gagliardi, Middleton, Pace, Peniston, Priola, Scanlan,
 3 Solano, Summers, Weissmann; also Senator(s) Hudak--
 4 Concerning limitations on the incentives local education
 5 providers may provide for participation in public
 6 educational programs.

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	46	NO	15	EXCUSED	4	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	N	Kefalas	Y	McNulty	N	Schafer S.	Y
18	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
19	Bradford	N	Kerr J.	E	Middleton	Y	Sonnenberg	N
20	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
21	Court	Y	Labuda	Y	Murray	Y	Stephens	N
22	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
23	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
24	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
25	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
26	Gagliardi	Y	Marostica	N	Primavera	Y	Vaad	N
27	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
28	Gardner C.	N	May	E	Rice	Y	Waller	N
29	Gerou	N	McCann	E	Riesberg	Y	Weissmann	Y
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) Apuan, Kerr A., Labuda, Todd

32
 33 **HB09-1153** by Representative(s) May; also Senator(s) Harvey--
 34 Concerning the requirements applicable to the formation
 35 of an issue committee under Colorado law governing
 36 campaign finance.

37
 38 Laid over until February 18, retaining place on Calendar.

39
 40 **HB09-1182** by Representative(s) Marostica, Ferrandino, Pommer; also
 41 Senator(s) White, Keller, Tapia--Concerning changes in
 42 the funding of administrative costs incurred by the division
 43 of on-line learning in the department of education.

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

	YES	61	NO	0	EXCUSED	4	ABSENT	0
51	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
52	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
53	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
54	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
55	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
56	Bradford	Y	Kerr J.	E	Middleton	Y	Sonnenberg	Y

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

12 Co-sponsor(s) added: Representative(s) Gardner B., Kerr A., Labuda, Looper,
 13 Massey, Middleton, Priola, Todd

14
 15 **HB09-1189** by Representative(s) Pommer, Ferrandino, Marostica; also
 16 Senator(s) Tapia, Keller, White--Concerning per pupil
 17 funding for education programs that report their pupil
 18 enrollment counts to the facility schools unit in the
 19 department of education.

20
 21 The question being "Shall the bill pass?".
 22 A roll call vote was taken. As shown by the following recorded vote, a
 23 majority of those elected to the House voted in the affirmative and the bill
 24 was declared **passed**.

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

44 Co-sponsor(s) added: Representative(s) Gardner B., Labuda, Middleton, Priola,
 45 Todd

46
 47 **HB09-1181** by Representative(s) McCann; also Senator(s) Foster--
 48 Concerning the right of a victim to make a statement at a
 49 community corrections hearing.

50 Laid over until February 18, retaining place on Calendar.

51
 52
 53
 54
 55

1 **HB09-1178** by Representative(s) Green; also Senator(s) Boyd--
 2 Concerning the creation of a task force to study the
 3 establishment of a registry of caregivers who are deemed
 4 to have a substantiated allegation of wrongdoing against
 5 a person with a developmental disability.
 6

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

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

30 Co-sponsor(s) added: Representative(s) Gerou, Hullinghorst, Kerr A., Labuda,
 31 McGihon, Merrifield, Middleton, Ryden, Schafer S., Todd
 32

33 **HB09-1215** by Representative(s) Ferrandino, Pommer, Marostica; also
 34 Senator(s) Tapia, Keller, White--Concerning the creation
 35 of a stabilization fund to assist with the state's efforts to
 36 meet the federal maintenance of effort requirements for
 37 the state supplemental security income program.
 38

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

	YES	46	NO	16	EXCUSED	3	ABSENT	0
45	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
46	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
47	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
48	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
49	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
50	Bradford	Y	Kerr J.	E	Middleton	Y	Sonnenberg	N
51	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
52	Court	Y	Labuda	Y	Murray	N	Stephens	N
53	Curry	Y	Lambert	N	Nikkel	N	Summers	N
54	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
55	Fischer	Y	Liston	N	Peniston	Y	Tipton	Y
56	Frangas	Y	Looper	N	Pommer	Y	Todd	Y

1	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	N
2	Gardner B.	N	Massey	Y	Priola	Y	Vigil	Y
3	Gardner C.	N	May	E	Rice	Y	Waller	N
4	Gerou	Y	McCann	E	Riesberg	Y	Weissmann	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Fischer, Gerou, Labuda, McGihon

7
8 **HB09-1219** by Representative(s) Judd; also Senator(s) Sandoval--
9 Concerning the interest paid to taxpayers on certain tax
10 overpayments.

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

35 Co-sponsor(s) added: Representative(s) Benefield, Fischer, Levy, Ryden, Todd

36
37 **HB09-1265** by Representative(s) Liston, Kerr J., Looper, Massey,
38 Murray, Priola, Tipton; also Senator(s) King--Concerning
39 a two-year limitation on abatement interest awarded to a
40 nonprofit entity that has not qualified for tax exemption
41 due to an error made by the nonprofit entity.

42
43 The question being "Shall the bill 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 bill
46 was declared **passed**.

48	YES	62	NO	0	EXCUSED	3	ABSENT	0
49	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
50	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
51	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
52	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
53	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
54	Bradford	Y	Kerr J.	E	Middleton	Y	Sonnenberg	Y
55	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
56	Court	Y	Labuda	Y	Murray	Y	Stephens	Y

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

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

11
 12 **HB09-1171** by Representative(s) Court; also Senator(s) Kester--
 13 Concerning requirements related to the installation of
 14 manufactured homes.

15
 16 The question being "Shall the bill pass?".
 17 A roll call vote was taken. As shown by the following recorded vote, a
 18 majority of those elected to the House voted in the affirmative and the bill
 19 was declared **passed**.

21	YES	61	NO	1	EXCUSED	3	ABSENT	0
22	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
23	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
24	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
25	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
26	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
27	Bradford	Y	Kerr J.	E	Middleton	Y	Sonnenberg	Y
28	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
29	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
30	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
31	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
32	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
33	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
34	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
35	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
36	Gardner C.	Y	May	E	Rice	Y	Waller	Y
37	Gerou	Y	McCann	E	Riesberg	Y	Weissmann	Y
38							Speaker	Y

39 Co-sponsor(s) added: Representative(s) Soper

40
 41 **HB09-1203** by Representative(s) Tipton, Roberts; also Senator(s)
 42 Isgar--Concerning the reclassification of Montezuma
 43 county.

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

50	YES	52	NO	10	EXCUSED	3	ABSENT	0
51	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
52	Apuan	N	Hullinghorst	Y	McGihon	Y	Ryden	Y
53	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
54	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	Y
55	Benefield	Y	Kerr A.	Y	Merrifield	N	Solano	Y
56	Bradford	Y	Kerr J.	E	Middleton	Y	Sonnenberg	Y

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

12 Co-sponsor(s) added: Representative(s) Bradford, Gerou, McFadyen, Waller

13
 14 **HB09-1168** by Representative(s) Riesberg, McFadyen, Sonnenberg;
 15 also Senator(s) Schwartz, Bacon, Penry--Concerning the
 16 timing of reports to the capital development committee.

17
 18 The question being "Shall the bill pass?".
 19 A roll call vote was taken. As shown by the following recorded vote, a
 20 majority of those elected to the House voted in the affirmative and the bill
 21 was declared **passed**.

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

41 Co-sponsor(s) added: Representative(s) Liston

42
 43 **HB09-1169** by Representative(s) Riesberg, McFadyen, Sonnenberg;
 44 also Senator(s) Bacon, Penry, Schwartz--Concerning an
 45 extension of the repeal date for the capital development
 46 committee.

47
 48 The question being "Shall the bill pass?".
 49 A roll call vote was taken. As shown by the following recorded vote, a
 50 majority of those elected to the House voted in the affirmative and the bill
 51 was declared **passed**.

52	YES	62	NO	0	EXCUSED	3	ABSENT	0
54	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
55	Apuan	Y	Hullinghorst	Y	McGihon	Y	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.	E	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	E	Rice	Y	Waller	Y
13	Gerou	Y	McCann	E	Riesberg	Y	Weissmann	Y
14							Speaker	Y

15 Co-sponsor(s) added: Representative(s) Benefield

16
 17 **HB09-1179** by Representative(s) Labuda, McGihon, Gardner B., Levy,
 18 Roberts; also Senator(s) Veiga--Concerning participation
 19 in the address confidentiality program by a person who
 20 resides with a victim participant.

21
 22 The question being "Shall the bill pass?".
 23 A roll call vote was taken. As shown by the following recorded vote, a
 24 majority of those elected to the House voted in the affirmative and the bill
 25 was declared **passed**.

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

45 Co-sponsor(s) added: Representative(s) Acree, Apuan, Baumgardner, Bradford,
 46 Casso, Frangas, Gardner C., Gerou, Green, Hullinghorst, Kerr A., King S.,
 47 Murray, Nikkel, Primavera, Priola, Ryden, Schafer S., Todd, Waller

48
 49
 50
 51 House in recess for Joint Session.
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JOINT SESSION

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The Joint Session was called to order by the Speaker of the House, Terrance D. Carroll.

On motion of Senator Shaffer, the morning roll call of the Senate was made the roll call of the Joint Session.

Present--35.

On motion of Representative Weissmann, the morning roll call of the House was made the roll call of the Joint Session.

Present--60.

Excused--Representatives J. Kerr, May, McCann, McGihon, Stephens--5.

Present after roll call--Representatives J. Kerr, McGihon, Stephens.

The Speaker declared a quorum present and as is customary presented the gavel to the President of the Senate to preside over the joint session.

On motion of President Groff the House is in recess for a Joint Budget Committee presentation.

Joint Session in recess for a presentation by John Ziegler, Director of the Joint Budget Committee, and Natalie Mullis, Chief Economist, Legislative Council.

President Groff called the joint session back to order.

On motion of Senator Shaffer the joint Session was dissolved.

House reconvened.

REPORT OF COMMITTEE OF REFERENCE**JUDICIARY**

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

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

Amend printed bill, page 2, strike lines 18 and 19.

Strike pages 3 through 7.

ReNUMBER succeeding sections accordingly.

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

1 **"SECTION 5.** 26-13-118.7 (3) and (6), Colorado Revised
2 Statutes, are amended to read:";

3
4 strike line 15 and substitute the following:

5
6 "~~(3) The state department shall deposit a payment received from the~~
7 ~~registry operator pursuant to section 24-35-605 (2) (b), C.R.S., with the~~
8 ~~state treasurer.~~ UPON RECEIPT OF A PAYMENT FROM THE REGISTRY
9 OPERATOR PURSUANT TO SECTION 24-35-605 (2) (b), C.R.S., THE STATE
10 DEPARTMENT SHALL DEPOSIT THE PAYMENT WITH THE FAMILY SUPPORT
11 REGISTRY CREATED IN SECTION 26-13-114. After the final disposition of
12 any administrative review requested pursuant to subsection (2) of this
13 section, the state department shall disburse the payment ~~to the family~~
14 ~~support registry created in section 26-13-114~~ for processing or for
15 distribution to the individual receiving support enforcement services
16 pursuant to section 26-13-106, as appropriate.

17
18 (6) ~~This section shall be repealed if part 6 of article 35 of title 24,~~
19 ~~C.R.S.,".~~

20
21 Page 9, line 8, strike "monthly with the state treasurer" and substitute
22 "~~monthly with the state treasurer~~ IN THE FAMILY SUPPORT REGISTRY
23 CREATED IN SECTION 26-13-114, C.R.S.,".

24
25 Page 1, strike lines 102 and 103;
26
27 line 104, strike "TAXES AND".

28
29
30
31 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

32
33 The Speaker has signed: **HJR09-1010, 1011.**

34
35
36
37 **MESSAGE FROM THE SENATE**

38
39 The Senate has failed to reconsider HJR09-1009 and returns the
40 resolution herewith.

41
42
43
44
45 **INTRODUCTION OF RESOLUTION**

46
47 The following resolution was read by title and laid over one day under the
48 rules:

49
50 **HR09-1006** by Representative(s) Benefield, Court, Massey, Vaad--
51 Concerning the appointment of an employee for the House
52 of Representatives of the Sixty-seventh General Assembly.

53
54
55 House in recess. House reconvened.
56

REPORT OF COMMITTEE OF REFERENCE**STATE, VETERANS, & MILITARY AFFAIRS**

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

CORRECTED COMMITTEE REPORT

This corrected report replaces the report dated February 12 and printed in the House Journal February 13, page 338

HB09-1160 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, strike everything below the enacting clause and substitute the following:

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

1-2-202.5. Online voter registration - online changes in elector information. (1) (a) AN ELECTOR MAY REGISTER TO VOTE, AND A REGISTERED ELECTOR MAY CHANGE HIS OR HER RESIDENCE ON THE REGISTRATION RECORD, CHANGE OR WITHDRAW HIS OR HER AFFILIATION, APPLY FOR PERMANENT MAIL-IN BALLOT STATUS, OR AMEND HIS OR HER EXISTING MAIL-IN BALLOT STATUS, BY COMPLETING AN ELECTRONIC FORM ON THE OFFICIAL WEB SITE OF THE SECRETARY OF STATE IF THE ELECTOR'S SIGNATURE IS STORED IN DIGITAL FORM IN THE DATABASE SYSTEMS MAINTAINED BY THE DEPARTMENT OF STATE PURSUANT TO SECTION 1-2-301 (1) OR ACCESSIBLE TO THE DEPARTMENT OF STATE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 1-2-302 (6) AND 42-1-211 (1.5), C.R.S.

(b) THE OFFICIAL WEB SITE REFERENCED IN PARAGRAPH (a) OF THIS SUBSECTION (1) SHALL BE FULLY SECURE. THE WEB SITE SHALL MAINTAIN THE CONFIDENTIALITY OF ALL USERS AND PRESERVE THE INTEGRITY OF THE DATA SUBMITTED. FURTHER SPECIFICATIONS REGARDING THE SECURITY OF THE WEB SITE MAY BE PROMULGATED BY THE SECRETARY BY RULE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 1-1-107 (2) (a).

(2) NO LATER THAN APRIL 1, 2010, THE SECRETARY OF STATE SHALL MAKE AVAILABLE ON THE SECRETARY OF STATE'S OFFICIAL WEB SITE ELECTRONIC FORMS FOR PERSONS TO APPLY TO REGISTER TO VOTE AND FOR A REGISTERED ELECTOR TO CHANGE HIS OR HER RESIDENCE, CHANGE OR WITHDRAW HIS OR HER AFFILIATION, APPLY FOR PERMANENT MAIL-IN BALLOT STATUS, OR AMEND HIS OR HER EXISTING MAIL-IN BALLOT STATUS.

(3) THE ELECTRONIC VOTER REGISTRATION FORM SHALL INCLUDE:

(a) (I) THE QUESTIONS "ARE YOU A CITIZEN OF THE UNITED STATES OF AMERICA?", "WILL YOU BE AT LEAST EIGHTEEN YEARS OF AGE ON ELECTION DAY?", AND "HAVE YOU RESIDED IN COLORADO AND IN THE PRECINCT IN WHICH YOU INTEND TO REGISTER FOR AT LEAST THIRTY DAYS IMMEDIATELY PRIOR TO THE ELECTION?" AND PLACES FOR THE ELECTOR

1 TO INPUT ANSWERS TO THE QUESTIONS.
2

3 (II) FOLLOWING THE QUESTIONS LISTED IN SUBPARAGRAPH (I) OF
4 THIS PARAGRAPH (a), THE FORM SHALL INCLUDE THE STATEMENT "IF YOU
5 CHECKED 'NO' IN RESPONSE TO ANY OF THESE QUESTIONS, DO NOT
6 COMPLETE THIS APPLICATION BECAUSE YOU DO NOT QUALIFY AS AN
7 ELIGIBLE ELECTOR IN ACCORDANCE WITH SECTION 1-2-101, COLORADO
8 REVISED STATUTES."
9

10 (b) THE QUESTIONS SPECIFIED IN SECTION 1-2-204 (1) AND (2)
11 WITH PLACES FOR THE ELECTOR TO INPUT INFORMATION IN RESPONSE TO
12 THE QUESTIONS;
13

14 (c) A PLACE FOR THE ELECTOR TO INPUT ADDITIONAL
15 INFORMATION, AS DETERMINED BY THE SECRETARY OF STATE, NECESSARY
16 TO LOCATE THE ELECTOR'S SIGNATURE IN THE DATABASE SYSTEMS
17 SPECIFIED IN SUBSECTION (1) OF THIS SECTION AND A PLACE FOR THE
18 ELECTOR TO ASSENT TO THE USE OF THE SIGNATURE FOR VOTER
19 REGISTRATION PURPOSES;
20

21 (d) A SELF-AFFIRMATION THAT THE ELECTOR IS QUALIFIED TO
22 REGISTER AND THAT THE INFORMATION ENTERED BY THE ELECTOR ON THE
23 ELECTRONIC APPLICATION IS TRUE; AND
24

25 (e) A STATEMENT THAT NOTIFIES THE USER OF THE WEB SITE THAT
26 IT IS AGAINST THE LAW TO KNOWINGLY SUBMIT FALSE INFORMATION OR TO
27 TAMPER WITH ANOTHER PERSON'S VOTER REGISTRATION INFORMATION.
28

29 (4) (a) THE ELECTRONIC FORM FOR A REGISTERED ELECTOR TO
30 CHANGE HIS OR HER RESIDENCE SHALL INCLUDE THE INFORMATION
31 REQUIRED BY SECTION 1-2-216 (1).
32

33 (b) THE ELECTRONIC FORM FOR A REGISTERED ELECTOR TO
34 CHANGE OR WITHDRAW HIS OR HER AFFILIATION SHALL INCLUDE THE
35 INFORMATION REQUIRED BY SECTION 1-2-219 (1).
36

37 (c) THE ELECTRONIC FORM FOR A REGISTERED ELECTOR TO APPLY
38 FOR PERMANENT MAIL-IN BALLOT STATUS SHALL MEET THE
39 REQUIREMENTS OF SECTION 1-8-104.5 (1).
40

41 (d) IN ADDITION TO ANY OTHER REQUIREMENTS OF THIS SECTION,
42 IN ORDER FOR A REGISTERED ELECTOR TO ACCESS THE ELECTRONIC FORM
43 TO CHANGE HIS OR HER RESIDENCE, CHANGE OR WITHDRAW HIS OR HER
44 AFFILIATION, APPLY FOR PERMANENT MAIL-IN BALLOT STATUS, OR AMEND
45 HIS OR HER EXISTING MAIL-IN BALLOT STATUS, THE REGISTERED ELECTOR
46 SHALL SUBMIT HIS OR HER BIRTH DATE AND THE LAST FOUR DIGITS OF HIS
47 OR HER SOCIAL SECURITY NUMBER.
48

49 (5) AN ELECTOR'S ASSENT ON THE ELECTRONIC APPLICATION TO
50 THE USE OF HIS OR HER SIGNATURE FOR VOTER REGISTRATION PURPOSES
51 MEETS THE SIGNATURE REQUIREMENT OF SECTION 1-2-201 (2).
52

53 (6) THE COUNTY CLERK AND RECORDER SHALL DETERMINE IF THE
54 INFORMATION SUBMITTED ON THE ELECTRONIC FORM IS COMPLETE PRIOR
55 TO APPROVING A NEW REGISTRATION OR APPROVING AN ELECTOR'S
56 CHANGE IN RESIDENCE, CHANGE IN OR WITHDRAWAL OF HIS OR HER

1 AFFILIATION, OR CHANGE TO PERMANENT MAIL-IN BALLOT STATUS.

2
3 (7) (a) WHEN A PERSON COMPLETES AN ELECTRONIC VOTER
4 REGISTRATION FORM IN ACCORDANCE WITH SUBSECTION (3) OF THIS
5 SECTION AND IS QUALIFIED TO REGISTER BASED ON THE INFORMATION
6 PROVIDED IN THE FORM, THE COUNTY CLERK AND RECORDER SHALL
7 SEARCH FOR THE ELECTOR'S SIGNATURE IN THE DATABASE SYSTEMS
8 SPECIFIED IN SUBSECTION (1) OF THIS SECTION. IF THE SIGNATURE IS
9 FOUND, THE COUNTY CLERK AND RECORDER SHALL APPROVE THE NEW
10 REGISTRATION PURSUANT TO SUBSECTION (6) OF THIS SECTION AND SHALL
11 ADD THE ELECTOR TO THE COMPUTERIZED STATEWIDE VOTER
12 REGISTRATION LIST MAINTAINED BY THE SECRETARY OF STATE PURSUANT
13 TO SECTION 1-2-301 (1).

14
15 (b) WHEN A REGISTERED ELECTOR COMPLETES AN ELECTRONIC
16 FORM TO CHANGE HIS OR HER RESIDENCE, CHANGE OR WITHDRAW HIS OR
17 HER AFFILIATION, OR APPLY FOR PERMANENT MAIL-IN BALLOT STATUS, THE
18 SECRETARY OF STATE SHALL SEARCH FOR THE REGISTERED ELECTOR'S
19 SIGNATURE IN THE DATABASE SYSTEMS SPECIFIED IN SUBSECTION (1) OF
20 THIS SECTION. IN THE CASE OF A CHANGE IN RESIDENCE, THE COUNTY
21 CLERK AND RECORDER SHALL ALSO SEND A NONFORWARDABLE POSTCARD
22 TO THE REGISTERED ELECTOR AT HIS OR HER OLD ADDRESS OF RECORD, BY
23 REGULAR MAIL, GIVING NOTICE TO THE REGISTERED ELECTOR THAT A
24 CHANGE IN RESIDENCE FORM HAS BEEN SUBMITTED BY THE REGISTERED
25 ELECTOR AND ASKING THE REGISTERED ELECTOR TO CONTACT THE
26 COUNTY CLERK AND RECORDER WITHIN TEN CALENDAR DAYS OF
27 RECEIVING THE POSTCARD IF IT IS NOT THE REGISTERED ELECTOR'S INTENT
28 TO CHANGE HIS OR HER ADDRESS OF RECORD. IF THE SIGNATURE IS FOUND
29 AND, IN THE CASE OF A CHANGE IN RESIDENCE, IF THE REGISTERED
30 ELECTOR HAS NOT TIMELY CONTACTED THE COUNTY CLERK AND
31 RECORDER PURSUANT TO THIS PARAGRAPH (b), THE COUNTY CLERK AND
32 RECORDER SHALL APPROVE THE CHANGE IN STATUS PURSUANT TO
33 SUBSECTION (6) OF THIS SECTION AND SHALL MAKE THE CHANGES
34 INDICATED ON THE ELECTRONIC FORM IN THE COMPUTERIZED STATEWIDE
35 VOTER REGISTRATION LIST MAINTAINED BY THE SECRETARY OF STATE
36 PURSUANT TO SECTION 1-2-301 (1).

37
38 (c) A VOTER REGISTRATION, CHANGE OF RESIDENCE, CHANGE OR
39 WITHDRAWAL OF AFFILIATION, OR APPLICATION FOR PERMANENT MAIL-IN
40 BALLOT STATUS MADE IN ACCORDANCE WITH THIS SECTION SHALL APPLY
41 TO AN ELECTION IF THE ELECTOR COMPLETES THE ELECTRONIC FORM NO
42 LATER THAN TWENTY-NINE DAYS BEFORE THE ELECTION.

43
44 **SECTION 2.** 1-2-302 (6), Colorado Revised Statutes, is amended
45 to read:

46
47 **1-2-302. Maintenance of computerized statewide voter**
48 **registration list - confidentiality.** (6) The secretary of state shall
49 determine and use other necessary means to maintain the master list of
50 registered electors on a current basis. In accordance with the provisions
51 of section 42-1-211, C.R.S., the department of state and the department
52 of revenue shall allow for the exchange of information between the
53 systems used by them to collect information on residence addresses,
54 signatures, and party affiliation ~~including, but not limited to, the driver's~~
55 ~~license database~~ FOR ALL APPLICANTS FOR DRIVER'S LICENSES OR STATE
56 IDENTIFICATION CARDS. The department of revenue may exchange

1 information on residence addresses in the driver's license database with
 2 the motor vehicle registration database, motorist insurance database, and
 3 the state income tax information systems.

4
 5 **SECTION 3.** 42-1-211 (1.5) (a), Colorado Revised Statutes, is
 6 amended to read:

7
 8 **42-1-211. Colorado state titling and registration system.**
 9 (1.5) (a) In accordance with the requirements of ~~section 1-2-302 (6.7)~~
 10 SECTION 1-2-302 (6), C.R.S., the department of revenue and the
 11 department of state shall allow for the exchange of information on
 12 residence addresses, signatures, and party affiliation between the systems
 13 used by the department of revenue, the master list of registered electors
 14 maintained by the department of state, and, no later than January 1, 2006,
 15 the computerized statewide voter registration list created in section
 16 1-2-301 (1), C.R.S., for the purpose of updating information in these
 17 systems.

18
 19 **SECTION 4. Safety clause.** The general assembly hereby finds,
 20 determines, and declares that this act is necessary for the immediate
 21 preservation of the public peace, health, and safety."
 22

23
 24
 25 **INTRODUCTION OF BILLS**
 26 **First Reading**

27
 28 The following bills were read by title and referred to the committees
 29 indicated:

30
 31 **HB09-1286** by Representative(s) Levy and McGihon--Concerning the
 32 repeal and reenactment of the "Uniform Parentage Act".
 33 Committee on Judiciary

34
 35 **HB09-1287** by Representative(s) McGihon--Concerning changes to the
 36 "Colorado Probate Code".
 37 Committee on Judiciary

38
 39 **HB09-1288** by Representative(s) Nikkel, Acree, Apuan, Bradford,
 40 Casso, Court, Frangas, Gardner B., Gardner C., Green,
 41 Kerr J., King S., Lambert, Liston, Massey, May,
 42 McKinley, McNulty, Merrifield, Murray, Priola,
 43 Sonnenberg, Stephens, Summers, Swalm, Tipton, Vigil;
 44 also Senator(s) Kopp, Brophy, Harvey, Kester, Lundberg,
 45 Mitchell, Penry, Renfroe, Scheffel, Schultheis, Spence--
 46 Concerning the creation of a searchable database web site
 47 related to state finances, and, in connection therewith,
 48 enacting the "Colorado Taxpayer Transparency Act".
 49 Committee on Finance

50
 51 **HB09-1289** by Representative(s) Curry; also Senator(s) Isgar--
 52 Concerning the species conservation trust fund, and, in
 53 connection therewith, approving the species conservation
 54 eligibility list.
 55 Committee on Agriculture, Livestock, & Natural Resources
 56

INTRODUCTION OF CONCURRENT RESOLUTION1
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The following resolution was read by title and referred to the committees indicated:

HCR09-1002 by Representative(s) Gardner C.; also Senator(s) Sandoval--Submitting to the registered electors of the state of Colorado an amendment to article X of the constitution of the state of Colorado, concerning the creation of a state savings and trust fund, and, in connection therewith, allowing the general assembly to determine how to fund the trust fund, allowing the general assembly, by a majority vote of the members of each house, to authorize the transfer of moneys from the trust fund to the state general fund if state general fund appropriations growth falls below a specified level, allowing the general assembly, by a two-thirds vote of the members of each house, to appropriate or transfer moneys from the trust fund for any purpose, and requiring replenishment of the trust fund under specified conditions if the general assembly makes appropriations or transfers from the trust fund.

Committee on Finance
Committee on Appropriations

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

SJR09-012 by Senator(s) Scheffel, Penry, Kopp, Cadman, King K., White, Harvey, Schultheis, Groff, Brophy, Kester, Lundberg, Renfroe; also Representative(s) McNulty--Concerning the 200th anniversary of the birth of former President Abraham Lincoln.

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., February 17, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Forty-second Legislative Day

Tuesday, February 17, 2009

1 Prayer by Rajan Zed, President of the Universal Society of Hinduism.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Bailey and Zachary Zulkoski, Pioneer
6 Elementary, Parker.
7
8 The roll was called with the following result:
9
10 Present--62.
11 Excused--Representative(s) Curry, McCann, Middleton--3.
12 Present after roll call--Representative(s) Middleton.
13

14 The Speaker declared a quorum present.
15
16

17 On motion of Representative Gerou, the reading of the journal of
18 February 16, 2009, was declared dispensed with and approved as
19 corrected by the Chief Clerk.
20

21
22
23 House in recess. House reconvened.
24
25
26

27 On motion of Representative Merrifield, the House resolved itself into
28 Committee of the Whole for consideration of General Orders, and he was
29 called to the Chair to act as Chairman.
30
31
32

GENERAL ORDERS--SECOND READING OF BILLS

33
34
35 The Committee of the Whole having risen, the Chairman reported the
36 titles of the following bills had been read (reading at length had been
37 dispensed with by unanimous consent), the bills considered and action
38 taken thereon as follows:
39

40 (Amendments to the committee amendment are to the printed committee
41 report which was printed and placed in the members' bill file.)
42
43

1 **HB09-1185** by Representative(s) Tipton; also Senator(s) Isgar--
2 Concerning requirements for documents related to water
3 rights applications.
4

5 Ordered engrossed and placed on the Calendar for Third Reading and
6 Final Passage.
7

8 **SB09-015** by Senator(s) Tochtrop, Brophy, Isgar, Hodge, Schwartz,
9 White; also Representative(s) Gardner C., Curry,
10 McKinley--Concerning removal of the White river
11 drainage basin from the jurisdiction of water division 5 to
12 water division 6.
13

14 Ordered revised and placed on the Calendar for Third Reading and Final
15 Passage.
16

17 **HB09-1257** by Representative(s) Scanlan; also Senator(s) Scheffel--
18 Concerning the requirement that the amount of public
19 funds invested in any one certificate of deposit may not
20 exceed the amount insured by the federal deposit
21 insurance corporation.
22

23 Ordered engrossed and placed on the Calendar for Third Reading and
24 Final Passage.
25

26 **SB09-040** by Senator(s) Hodge; also Representative(s) Soper--
27 Concerning the regulation of manufactured homes.
28

29 Ordered revised and placed on the Calendar for Third Reading and Final
30 Passage.
31

32 **HB09-1013** by Representative(s) Sonnenberg--Concerning an
33 exception to statutory requirements governing the
34 collection of excess property tax revenue by urban
35 renewal authorities in connection with tax increment
36 financing for certain special districts providing emergency
37 services.
38

39 Laid over until February 18, retaining place on Calendar.
40

41 **HB09-1197** by Representative(s) McNulty, Kerr J., Balmer,
42 Baumgardner, Frangas, Gardner C., Gerou, Looper, May,
43 Scanlan; also Senator(s) Harvey, Brophy, Kopp, Renfro, Spence--Concerning a requirement that the division of
44 housing report data regarding home foreclosures in the
45 state.
46
47

48 Amendment No. 1, Local Government Report, dated February 10, and
49 placed in member's bill file; Report also printed in House Journal,
50 February 12, 2009, page 315.
51

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

1 **HB09-1183** by Representative(s) Vaad; also Senator(s) Hodge--Con-
2 cerning violations of laws related to real estate appraisers.
3

4 Amendment No. 1, by Representative Levy.
5

6 Amend printed bill, page 2, line 1, after "12-61-712", insert "(1) (a) and",
7 and, strike "is" and substitute "are";
8

9 line 3, strike everything after "acts." and insert the following:
10

11 "(1) It is unlawful for any person to:
12

13 (a) Violate any provision of ~~this part 7 or, on and after July 1,~~
14 ~~1997, SECTION 12-61-710~~ (1) (c), (1) (e), OR (1) (f), OR to perform a real
15 estate appraisal in conjunction with a debt instrument that is federally
16 guaranteed or in the federal secondary market or regulated pursuant to
17 title 12, U.S.C., without first having obtained a registration, license, or
18 certificate from the board pursuant to this part 7;
19

20 (2) Any person who violates any".
21

22 As amended, ordered engrossed and placed on the Calendar for Third
23 Reading and Final Passage.
24

25 **HB09-1198** by Representative(s) McGihon; also Senator(s) Morse--
26 Concerning the "Uniform Power of Attorney Act".
27

28 Amendment No. 1, by Representative McGihon.
29

30 Amend introduced bill, page 2, line 1, strike "Article 1" and substitute
31 "Article 14";
32

33 line 3, strike "PART 15" and substitute "PART 7";
34

35 strike line 7, and substitute the following:
36

37 "**15-14-701. Short title.** THIS PART 7 MAY BE CITED AS THE";
38

39 strike line 9, and substitute the following:
40

41 "**15-14-702. Definitions.** IN THIS PART 7:".
42

43 Page 4, strike line 19, and substitute the following:
44

45 "**15-14-703. Applicability.** (1) THIS PART 7 APPLIES TO ALL".
46

47 Page 5, line 3, strike "**15-1-1504.**" and substitute "**15-14-704.**";
48

49 line 4, strike "PART 15" and substitute "PART 7";
50

51 line 6, after the period, add "A POWER OF ATTORNEY EXISTING ON THE
52 DAY BEFORE THE EFFECTIVE DATE OF THIS PART 7 IS DURABLE ONLY IF ON
53 THAT DAY THE POWER OF ATTORNEY IS DURABLE UNDER SECTIONS
54 15-14-501 AND 15-14-502.";
55

56 line 7, strike "**15-1-1505.**" and substitute "**15-14-705.**";

1 line 15, strike "**15-1-1506.**" and substitute "**15-14-706.**";
2
3 strike lines 17 and 18 and substitute the following:
4
5 "THIS PART 7 IS VALID IF ITS EXECUTION COMPLIES WITH SECTION
6 15-14-705.";
7
8 line 20, strike "PART 15" and substitute "PART 7";
9
10 line 27, strike "15-1-1507;" and substitute "15-14-707;"
11
12 Page 6, line 4, strike "PART 15," and substitute "PART 7,";
13
14 line 7, strike "**15-1-1507.**" and substitute "**15-14-707.**";
15
16 line 12, strike "**15-1-1508.**" and substitute "**15-14-708.**".
17
18 Page 7, line 1, strike "**15-1-1509.**" and substitute "**15-14-709.**";
19
20 line 18, strike "15-1-1502 (5) (a);" and substitute "15-14-702 (5) (a);";
21
22 line 21, strike "15-1-1502 (5) (b)." and substitute "15-14-702 (5) (b).".
23
24 Page 8, line 3, strike "**15-1-1510.**" and substitute "**15-14-710.**".
25
26 Page 9, line 18, strike "**15-1-1511.**" and substitute "**15-14-711.**".
27
28 Page 10, line 21, strike "**15-1-1512.**" and substitute "**15-14-712.**";
29
30 line 26, strike "**15-1-1513.**" and substitute "**15-14-713.**".
31
32 Page 11, line 4, strike "**15-1-1514.**" and substitute "**15-14-714.**".
33
34 Page 13, line 19, strike "**15-1-1515.**" and substitute "**15-14-715.**".
35
36 Page 14, line 2, strike "**15-1-1516.**" and substitute "**15-14-716.**";
37
38 line 26, strike "**15-1-1517.**" and substitute "**15-14-717.**";
39
40 line 27, strike "PART 15" and substitute "PART 7".
41
42 Page 15, line 7, strike "**15-1-1518.**" and substitute "**15-14-718.**";
43
44 line 21, strike "**15-1-1519.**" and substitute "**15-14-719.**";
45
46 line 23, strike "15-1-1520," and substitute "15-14-720".
47
48 Page 16, line 2, strike "15-1-1505" and substitute "15-14-705".
49
50 Page 17, line 2, strike "15-1-1520," and substitute "15-1-720,";
51
52 line 8, strike "**15-1-1520.**" and substitute "**15-14-720.**";
53
54 line 13, strike "15-1-1519 (4)" and substitute "15-14-719 (4)";
55
56 line 17, strike "15-1-1519 (4)" and substitute "15-14-719 (4)".

- 1 Page 18, line 8, strike "15-1-1519 (4)" and substitute "15-14-719 (4)";
2
3 line 12, strike "15-1-1519 (4)" and substitute "15-14-719 (4)".
4
5 Page 19, line 1, strike "**15-1-1521.**" and substitute "**15-14-721.**";
6
7 line 2, strike "PART 15" and substitute "PART 7";
8
9 line 3, strike "PART 15" and substitute "PART 7";
10
11 line 4, strike "**15-1-1522.**" and substitute "**15-14-722.**";
12
13 line 5, strike "PART 15" and substitute "PART 7";
14
15 line 7, strike "PART 15." and substitute "PART 7.";
16
17 line 8, strike "**15-1-1523.**" and substitute "**15-14-723.**";
18
19 line 9, strike "PART 15" and substitute "PART 7";
20
21 line 10, strike "PART 15." and substitute "PART 7.";
22
23 line 13, strike "**15-1-1524.**" and substitute "**15-14-724.**".
24
25 Page 20, line 4, strike "OR";
26
27 strike line 5, and substitute the following:
28
29 (h) DISCLAIM OR RELEASE PROPERTY OR A POWER OF
30 APPOINTMENT;
31
32 (i) EXCEPT FOR THE EXERCISE OF A GENERAL POWER OF
33 APPOINTMENT FOR THE BENEFIT OF THE PRINCIPAL, TO THE EXTENT THAT
34 THE AGENT IS AUTHORIZED AS PROVIDED IN SECTION 15-14-734, OR FOR
35 THE BENEFIT OF PERSONS OTHER THAN THE PRINCIPAL, TO THE EXTENT
36 THAT THE AGENT IS AUTHORIZED TO MAKE GIFTS AS PROVIDED IN SECTION
37 15-14-740, EXERCISE A POWER OF APPOINTMENT; OR
38
39 (j) EXCEPT WITH RESPECT TO AN ENTITY OWNED SOLELY BY THE
40 PRINCIPAL, EXERCISE POWERS, RIGHTS, OR AUTHORITY AS A PARTNER,
41 MEMBER, OR MANAGER OF A PARTNERSHIP, LIMITED LIABILITY COMPANY,
42 OR OTHER ENTITY THAT THE PRINCIPAL MAY EXERCISE ON BEHALF OF THE
43 ENTITY AND HAS AUTHORITY TO DELEGATE.";
44
45 line 18, strike "15-1-1527 TO 15-1-1539." and substitute "15-14-727 TO
46 15-14-739.";
47
48 line 20, strike "15-1-1540." and substitute "15-14-740."
49
50 Page 21, line 8, strike "**15-1-1525.**" and substitute "**15-14-725.**";
51
52 line 9, strike "PART 15" and substitute "PART 7";
53
54 line 11, strike "15-1-1527 TO 15-1-1540" and substitute "15-14-727 TO
55 15-14-740";
56

- 1 line 15, strike "15-1-1527 TO 15-1-1540" and substitute "15-14-727 TO
2 15-14-740";
3
4 line 16, strike "15-1-1527 TO 15-1-1540" and substitute "15-14-727 TO
5 15-14-740";
6
7 line 20, strike "**15-1-1526.**" and substitute "**15-14-726.**";
8
9 line 23, strike "15-1-1527 TO 15-1-1540" and substitute "15-14-727 TO
10 15-14-740";
11
12 line 25, strike "15-1-1524 (3)," and substitute "15-14-724 (3),".
13
14 Page 23, line 9, strike "**15-1-1527.**" and substitute "**15-14-727.**".
15
16 Page 25, line 9, strike "**15-1-1528.**" and substitute "**15-14-728.**".
17
18 Page 26, line 20, strike "**15-1-1529.**" and substitute "**15-14-729.**".
19
20 Page 27, line 7, strike "**15-1-1530.**" and substitute "**15-14-730.**";
21
22 line 16, strike "**15-1-1531.**" and substitute "**15-14-731.**".
23
24 Page 29, line 4, strike "**15-1-1532.**" and substitute "**15-14-732.**".
25
26 Page 31, line 12, strike "**15-1-1533.**" and substitute "**15-14-733.**".
27
28 Page 32, line 26, strike "**15-1-1534.**" and substitute "**15-14-734.**".
29
30 Page 34, line 9, strike "**15-1-1535.**" and substitute "**15-14-735.**".
31
32 Page 35, line 26, strike "**15-1-1536.**" and substitute "**15-14-736.**".
33
34 Page 37, line 25, strike "PART 15." and substitute "PART 7.";
35
36 line 26, strike "**15-1-1537.**" and substitute "**15-14-737.**".
37
38 Page 38, line 12, strike "15-1-1536" and substitute "15-14-736".
39
40 Page 39, line 6, strike "**15-1-1538.**" and substitute "**15-14-738.**".
41
42 Page 40, line 18, strike "**15-1-1539.**" and substitute "**15-14-739.**".
43
44 Page 41, line 14, strike "**15-1-1540.**" and substitute "**15-14-740.**".
45
46 Page 43, line 1, strike "**15-1-1541.**" and substitute "**15-14-741.**";
47
48 line 4, strike "PART 15." and substitute "PART 7.";
49
50 line 14, strike "PART 15 OF ARTICLE 1" and substitute "PART 7 OF ARTICLE
51 14".
52
53 Page 45, line 15, strike "PART 15 OF ARTICLE 1" and substitute "PART 7 OF
54 ARTICLE 14".
55
56 Page 47, line 3, strike "15-1-1540" and substitute "15-1-740".

1 Page 53, line 2, strike "PART 15 OF ARTICLE 1" and substitute "PART 7 OF
2 ARTICLE 14";

3
4 line 4, strike "PART 15 OF ARTICLE 1" and substitute "PART 7 OF ARTICLE
5 14";

6
7 line 10, strike "**15-1-1542.**" and substitute "**15-14-742.**".

8
9 Page 55, line 18, strike "**15-1-1543.**" and substitute "**15-14-743.**";
10
11 line 19, strike "PART 15," and substitute "PART 7,".

12
13 Page 56, line 2, strike "**15-1-1544.**" and substitute "**15-14-744.**";

14
15 line 3, strike "PART 15," and substitute "PART 7,";

16
17 line 10, strike "**15-1-1545.**" and substitute "**15-14-745.**";

18
19 line 11, strike "PART 15" and substitute "PART 7";

20
21 line 12, strike "PART 15:" and substitute "PART 7:";

22
23 line 13, strike "PART 15" and substitute "PART 7";

24
25 line 14, strike "PART 15;" and substitute "PART 7;";

26
27 line 15, strike "PART 15" and substitute "PART 7";

28
29 line 17, strike "PART 15;" and substitute "PART 7;";

30
31 line 18, strike "PART 15" and substitute "PART 7";

32
33 line 20, strike "PART 15" and substitute "PART 7";

34
35 line 21, strike "PART 15" and substitute "PART 7";

36
37 line 25, strike "PART 15" and substitute "PART 7";

38
39 line 26, strike "PART 15." and substitute "PART 7.";

40
41 after line 26, insert the following:

42
43 **SECTION 2.** 15-2-202, Colorado Revised Statutes, is amended
44 to read:

45
46 **15-2-202. Power may be released.** A power of appointment,
47 whether or not existing on July 1, 1967, may be released, wholly or
48 partially, by the donee thereof, or his or her attorney-in-fact or agent
49 acting under a power of attorney in accordance with ~~section 15-14-501,~~
50 ~~unless otherwise expressly provided in the instrument creating the power~~
51 PART 7 OF ARTICLE 14 OF THIS TITLE. As used in this part 2, the term
52 "release" includes a disclaimer or a renunciation of a power of
53 appointment.

54
55 **SECTION 3.** 15-2-203, Colorado Revised Statutes, is amended
56 to read:

1 **15-2-203. How power released.** A power releasable according
2 to section 15-2-202 may be released, wholly or partially, by the donee of
3 the power or his or her attorney-in-fact or agent acting under a power of
4 attorney in accordance with ~~section 15-14-501~~ PART 7 OF ARTICLE 14 OF
5 THIS TITLE, to any person who could be adversely affected by the exercise
6 of the power or, in the case of a power created by will, by the filing of a
7 written release in the district or probate court in which such will was
8 proved or allowed; but, wherever property subject to the power is then
9 held in trust, a written release must also be delivered to the trustee
10 holding such property. The execution of a partial release of a power shall
11 not prevent the execution and delivery of further partial releases from
12 time to time nor prevent the later execution and delivery of an instrument
13 wholly releasing such power.

14
15 **SECTION 4.** 15-2-301, Colorado Revised Statutes, is amended
16 to read:

17
18 **15-2-301. Extent of exercise.** Unless the instrument creating a
19 power of appointment expressly limits the right, interest, or estate which
20 can be appointed by exercise of that power, a donee of a power, or his or
21 her attorney-in-fact or agent acting under a power of attorney in
22 accordance with ~~section 15-14-501~~ PART 7 OF ARTICLE 14 OF THIS TITLE,
23 may exercise such power to pass to the appointee a fee or any lesser
24 estate, interest, or a power of appointment or to pass the property subject
25 to the power to a trustee for the benefit of one or more of the objects of
26 the power of appointment.

27
28 **SECTION 5.** Part 5 of article 14 of title 15, Colorado Revised
29 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
30 read:

31
32 **15-14-500.5. Definitions - excluded powers.** (1) (a) FOR
33 PURPOSES OF SECTIONS 15-14-501 AND 15-14-502, "POWER OF ATTORNEY"
34 MEANS A POWER TO MAKE HEALTH CARE DECISIONS GRANTED BY AN
35 INDIVIDUAL.

36
37 (b) FOR PURPOSES OF SECTION 15-14-502, "POWER OF ATTORNEY"
38 ALSO INCLUDES A POWER OF ATTORNEY SUBJECT TO PART 7 OF THIS
39 ARTICLE GRANTED BY AN INDIVIDUAL AND EXISTING ON THE DAY BEFORE
40 THE EFFECTIVE DATE OF THIS ACT.

41
42 (c) FOR PURPOSES OF PARTS 5 AND 6 OF THIS ARTICLE, "MEDICAL
43 DURABLE POWER OF ATTORNEY" AND "MEDICAL POWER OF ATTORNEY"
44 MEANS A POWER TO MAKE HEALTH CARE DECISIONS.

45
46 (2) A POWER AND DELEGATION THAT IS EXCLUDED FROM THE
47 APPLICATION OF PART 7 OF THIS ARTICLE BY SECTION 15-14-703, OTHER
48 THAN A POWER TO MAKE HEALTH CARE DECISIONS, MAY BE EXERCISED
49 DURING THE INCAPACITY OF THE PRINCIPAL TO THE EXTENT PROVIDED IN
50 THE POWER OR DELEGATION OR BY APPLICABLE PRINCIPLES OF LAW AND
51 EQUITY.

52
53 **SECTION 6.** 15-14-602 (2) and (4), Colorado Revised Statutes,
54 are amended to read:

55
56 **15-14-602. Definitions.** As used in this part 6:

1 (2) "Agency instrument" means the written power of attorney or
2 other written instrument of agency governing the relationship between the
3 principal and agent. An agency is subject to the provisions of this part 6
4 to the extent the agency relationship is established in writing and may be
5 controlled by the principal, excluding agencies and powers for the benefit
6 of the agent. This definition shall not apply to medical powers of attorney
7 drafted pursuant to the "Colorado Patient Autonomy Act", sections
8 15-14-503 to 15-14-509, A POWER OF ATTORNEY SUBJECT TO THE
9 "UNIFORM POWER OF ATTORNEY ACT", PART 7 OF ARTICLE 14, OR TO ANY
10 OTHER POWER OF ATTORNEY OR INSTRUMENT OF AGENCY GRANTED BY AN
11 INDIVIDUAL.

12
13 (4) "Principal" means ~~an individual~~, A corporation, trust,
14 partnership, limited liability company, or other entity, including, but not
15 limited to, an ~~individual~~ ENTITY acting as trustee, personal representative,
16 or other fiduciary, who signs a power of attorney or other instrument of
17 agency granting powers to an agent.

18
19 **SECTION 7.** 2-5-102, Colorado Revised Statutes, is amended BY
20 THE ADDITION OF A NEW SUBSECTION to read:

21
22 **2-5-102. Inclusions - nonstatutory.** (10) THERE SHALL BE
23 INCLUDED IN THE PUBLICATION OF THE "UNIFORM POWER OF ATTORNEY
24 ACT", AS NONSTATUTORY MATTER, FOLLOWING EACH SECTION OF THE
25 PART, THE FULL TEXT OF THE OFFICIAL COMMENTS TO THAT SECTION
26 CONTAINED IN THE OFFICIAL VOLUME CONTAINING THE 2006 OFFICIAL
27 TEXT OF THE "UNIFORM POWER OF ATTORNEY ACT" ISSUED BY THE
28 NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS,
29 WITH ANY CHANGES IN THE OFFICIAL COMMENTS OR COLORADO
30 COMMENTS TO CORRESPOND TO COLORADO CHANGES IN THE UNIFORM
31 ACT. THE COMMENTS SHALL BE PREPARED BY THE REVISOR OF STATUTES
32 AND APPROVED FOR PUBLICATION BY THE COMMITTEE ON LEGAL SERVICES.

33
34 **SECTION 8. Repeal.** 15-2-102 (2), Colorado Revised Statutes,
35 is repealed as follows:

36
37 **15-2-102. Power of appointment, donor, donee, objects,**
38 **appointees, takers in default defined.** (2) ~~A power to consume, invade,~~
39 ~~or appropriate property for the benefit of the donee of the power, which~~
40 ~~power is limited by an ascertainable standard related to the health,~~
41 ~~support, education, or maintenance of the donee, shall not be deemed a~~
42 ~~power of appointment.~~

43
44 **SECTION 9. Repeal.** 15-14-603 (2) (b), Colorado Revised
45 Statutes, is repealed as follows:

46
47 **15-14-603. Applicability.** (2) (b) ~~The statutory power of attorney~~
48 ~~for property form set forth in section 15-1-1302 does not limit the~~
49 ~~applicability of the provisions of this part 6. It is the general assembly's~~
50 ~~intent that every agency instrument, including but not limited to statutory~~
51 ~~agency instruments, shall have the benefit of and be governed by all of~~
52 ~~the general provisions of this part 6, except as otherwise provided in this~~
53 ~~part 6 or to the extent the terms of the agency instrument are inconsistent~~
54 ~~with the provisions of this part 6.~~

55

1 **SECTION 10. Repeal.** 15-14-604 (1), Colorado Revised
2 Statutes, is repealed as follows:

3
4 **15-14-604. Duration of agency - amendment and revocation -
5 effect of disability - resignation of agent.** (1) ~~Where an agency
6 instrument contains the language specified in section 15-14-501 (1) or
7 otherwise specifies that the agent designated therein may exercise the
8 authority conferred notwithstanding the principal's disability, such agent
9 may exercise such authority notwithstanding the principal's later disability
10 or incapacity or later uncertainty as to whether the principal is dead.~~

11
12 **SECTION 11. Repeal.** 15-14-605, Colorado Revised Statutes,
13 is repealed as follows:

14
15 **15-14-605. Dissolution of marriage.** ~~If an agency instrument
16 appoints the principal's spouse as agent and a court enters a decree of
17 dissolution of marriage or legal separation between the principal and
18 spouse after the agency instrument is signed, the spouse shall be deemed
19 to have died at the time of the decree for purposes of the agency.~~

20
21 **SECTION 12. Repeal.** 15-14-608, Colorado Revised Statutes,
22 is repealed as follows:

23
24 **15-14-608. Preservation of estate plan and trusts.** ~~(1) In
25 exercising any powers granted under the agency instrument, the agent
26 shall take the principal's estate plan into account, insofar as it is known
27 to the agent, and shall attempt to preserve the estate plan. Specifically,
28 the agent shall preserve the estate plan in exercising any powers of
29 amendment or revocation and any powers to expend or withdraw property
30 passing by trust, contract, or beneficiary designation at the principal's
31 death, including, but not limited to, specifically bequeathed property, joint
32 accounts, life insurance, trusts, and retirement plans. The agent shall be
33 liable to a beneficiary only for actions taken in bad faith.~~

34
35 ~~(2) An agent may not revoke or amend a trust that is revocable or
36 amendable by the principal without specific authority and specific
37 reference to the trust in the agency instrument. In addition, an agent may
38 not require the trustee of any trust for the benefit of the principal to pay
39 income or principal to the agent without specific authority and specific
40 reference to the trust in the agency instrument. The agent shall have
41 access to and the right to copy, but not to hold, the principal's will, trusts,
42 and other personal papers and records to the extent the agent deems
43 necessary for purposes of exercising the agency powers.~~

44
45 **SECTION 13. Repeal.** 15-14-609, Colorado Revised Statutes,
46 is repealed as follows:

47
48 **15-14-609. Agency - court relationship.** ~~(1) Upon petition by
49 any interested person, including the agent, after such notice to interested
50 persons as the court directs and upon a finding by the court that the
51 principal lacks the capacity to control or revoke the agency instrument:~~

52
53 ~~(a) If the court finds that the agent is not acting for the benefit of
54 the principal in accordance with the terms of the agency instrument or
55 that the agent's action or inaction has caused or threatens substantial harm
56 to the principal's person or property in a manner not authorized or~~

1 intended by the principal, the court may order a guardian of the principal's
2 person or a conservator of the principal's estate, or both, to exercise any
3 powers of the principal under the agency instrument, including the power
4 to revoke the agency, or may enter such other orders without appointment
5 of a guardian or conservator as the court deems necessary to provide for
6 the best interests of the principal; or
7

8 (b) ~~If the court finds that the agency instrument requires~~
9 ~~interpretation, the court may construe the agency instrument and instruct~~
10 ~~the agent to act in accordance with its construction; except that the court~~
11 ~~may not amend the agency instrument. A court may order a guardian or~~
12 ~~conservator, or both, to exercise powers of the principal under the agency~~
13 ~~instrument.~~
14

15 (2) ~~Proceedings under this section shall be commenced in the~~
16 ~~court where the guardian or conservator was appointed. If no Colorado~~
17 ~~guardian or conservator has been appointed, proceedings shall be~~
18 ~~commenced in the county where the principal resides. If the principal~~
19 ~~does not reside in Colorado, proceedings may be commenced in any~~
20 ~~county in the state.~~
21

22 (3)(a) ~~If a guardian or conservator is appointed for the principal,~~
23 ~~the agent shall consult with the guardian or conservator during the~~
24 ~~continuance of the appointment on matters concerning the principal's~~
25 ~~financial affairs.~~
26

27 (b) ~~A conservator has the same power to revoke, suspend, or~~
28 ~~terminate all or any part of the power of attorney or agency instrument as~~
29 ~~it relates to financial matters as the principal would have had if the~~
30 ~~principal were not disabled or incompetent.~~
31

32 (c) ~~Subject to any limitation or restriction included in the letters~~
33 ~~of guardianship, a guardian has the same power to revoke, suspend, or~~
34 ~~terminate all or any part of the power of attorney or agency instrument as~~
35 ~~it relates to matters concerning the principal's personal care that the~~
36 ~~principal would have had if the principal were not disabled or~~
37 ~~incompetent, except with respect to medical treatment decisions made by~~
38 ~~an agent pursuant to sections 15-14-506 to 15-14-509. The exception~~
39 ~~included in this paragraph (c) shall not preclude a court from removing~~
40 ~~an agent in the event the agent becomes incapacitated or is unwilling or~~
41 ~~unable to serve as an agent.~~
42

43 **SECTION 14. Repeal.** 15-14-610, Colorado Revised Statutes,
44 is repealed as follows:
45

46 **15-14-610. Statutory form agent's affidavit regarding power**
47 **of attorney.** (1) ~~The form specified in subsection (2) of this section shall~~
48 ~~be known as the "statutory agent's affidavit regarding power of attorney"~~
49 ~~and may be used to assure that an agent's authority under an agency~~
50 ~~instrument has not been altered or terminated. An agent's affidavit in~~
51 ~~substantially the following form shall have the meaning and effect~~
52 ~~prescribed in this part 6. Nothing in this part 6 shall invalidate or bar the~~
53 ~~use of any other or different form of agent affidavit.~~
54

55 (2) ~~The statutory agent's affidavit regarding power of attorney~~
56 ~~shall be in substantially the following form:~~

1 ~~COLORADO AGENT'S AFFIDAVIT REGARDING POWER OF~~
 2 ~~ATTORNEY~~
 3 ~~STATE OF COLORADO)~~
 4 ~~_____) ss.~~
 5 County of _____)
 6

7 I, _____, whose address is _____,
 8 of lawful age, pursuant to sections 15-1-1302, 15-14-501, and 15-14-502,
 9 Colorado Revised Statutes, state upon my oath that I am the
 10 attorney-in-fact and agent for _____, principal, under the
 11 power of attorney dated _____, a copy of which is attached
 12 hereto and incorporated herein by this reference, that as of this date I have
 13 no actual knowledge of the [revocation or*] termination of the power of
 14 attorney by any act of the principal, or by the death, [disability, or
 15 incompetence*] of the principal, that my authority has not been
 16 terminated by a decree of dissolution of marriage or legal separation, and
 17 that to the best of my knowledge the power of attorney has not been so
 18 terminated and remains valid, in full force and effect.

19 Dated: _____
 20 _____
 21

22 ~~Attorney-in-Fact~~
 23 ~~The foregoing Affidavit was subscribed and sworn to before me on~~
 24 ~~_____, 20____, by _____, Agent. Witness my~~
 25 ~~hand and official seal. My Commission expires:~~
 26 _____
 27 _____

28 [SEAL]
 29 _____
 30 -----

31 _____ Notary Public
 32 *Strike "revocation or" and "disability or incompetence" if the power of
 33 attorney is durable and the principal is disabled or incompetent."
 34

35 Renumber succeeding sections accordingly.
 36
 37 As amended, ordered engrossed and placed on the Calendar for Third
 38 Reading and Final Passage.
 39

40 **HB09-1036** by Representative(s) King S.; also Senator(s) Morse--
 41 Concerning increasing the amount deposited into the peace
 42 officers standards and training board cash fund by
 43 increasing the registration fee for certain classes of
 44 personal property.
 45

46 Amendment No. 1, Appropriations Report, dated February 13, 2009, and
 47 placed in member's bill file; Report also printed in House Journal,
 48 February 13, pages 327-328.
 49

50 As amended, ordered engrossed and placed on the Calendar for Third
 51 Reading and Final Passage.
 52

53 **HB09-1065** by Representative(s) Benefield, Todd; also Senator(s)
 54 Spence--Concerning the quality teachers commission, and,
 55 in connection therewith, creating an educator identifier
 56 pilot program.

1 Amendment No. 1, Education Report, dated January 29, 2009, and placed
2 in member's bill file; Report also printed in House Journal, January 30,
3 page 328.

4
5 Amendment No. 2, Appropriations Report, dated February 13, 2009, and
6 placed in member's bill file; Report also printed in House Journal,
7 February 13, page 328.

8
9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.

11
12 **HB09-1076** by Representative(s) Pace; also Senator(s) Tochtrop--
13 Concerning remuneration resulting from an employee's
14 separation from employment for the purpose of calculating
15 the postponement of unemployment insurance benefits.

16
17 Amendment No. 1, Business Affairs & Labor Report, dated
18 January 28, 2009, and placed in member's bill file; Report also printed in
19 House Journal, January 29, page 168.

20
21 As amended, ordered engrossed and placed on the Calendar for Third
22 Reading and Final Passage.

23
24 **HB09-1149** by Representative(s) Merrifield; also Senator(s)
25 Carroll M.--Concerning measures to encourage the
26 construction of new homes that make cost-effective use of
27 solar energy.

28
29 Amendment No. 1, Transportation & Energy Report, dated
30 February 5, 2009, and placed in member's bill file; Report also printed in
31 House Journal, February 6, page 284.

32
33 Amendment No. 2, by Representative Marostica.

34
35 Amend the Transportation and Energy Committee Report, dated February
36 5, 2009, page 1, line 6, strike the second "SYSTEM" and substitute
37 "SYSTEM, OR BOTH,";

38
39 line 9, strike "SYSTEM;" and substitute "SYSTEM, OR BOTH;"

40
41 line 13, strike "CONDUIT" and substitute "CONDUIT, OR BOTH,".

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

45
46
47 **HB09-1150** by Representative(s) Todd, Benefield, Court, Labuda,
48 Miklosi, Ryden; also Senator(s) Williams, Boyd, Isgar,
49 Spence--Concerning the administrative duties of the
50 department of personnel.

51
52 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
53 January 20, 2009, and placed in member's bill file; Report also printed in
54 House Journal, January 21, page 104.

55

1 Amendment No. 2, Appropriations Report, dated February 13, 2009, and
2 placed in member's bill file; Report also printed in House Journal,
3 February 13, pages 328-330.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB09-1188** by Representative(s) Ryden; also Senator(s) Carroll M.--
9 Concerning modifications to the disclosure requirements
10 imposed on physicians under the "Michael Skolnik
11 Medical Transparency Act".
12

13 Amendment No. 1, Health & Human Services Report, dated
14 February 9, 2009, and placed in member's bill file; Report also printed in
15 House Journal, February 10, pages 303-304.

16
17 Amendment No. 2, by Representative Ryden.

18
19 Amend the Health and Human Services Committee Report, dated
20 February 9, 2009, page 1, line 4, strike "after "1988.", insert "THE" and
21 substitute "strike "JANUARY 1, 1988." and substitute "SEPTEMBER 1, 1990.
22 THE";
23

24 after line 9 of the committee report, insert the following:

25
26 "Page 4, line 5, strike "JANUARY" and substitute "SEPTEMBER";

27
28 line 6, strike "1988," and substitute "1990,"";

29
30 line 10 of the committee report, strike "Page 4,".
31

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

34
35 **HB09-1135** by Representative(s) Judd; also Senator(s) White--
36 Concerning the adjustment of fees imposed by counties in
37 the state.
38

39 Amendment No. 1, Local Government Report, dated January 29, 2009,
40 and placed in member's bill file; Report also printed in House Journal,
41 January 30, pages 189-190.

42
43 Amendment No. 2, by Representative Judd.

44
45 Amend the Local Government Committee Report, dated January 29,
46 2009, page 1, strike lines 1 through 7 and substitute the following:

47
48 "Amend printed bill, page 4, line 1, strike "THE" and substitute "EXCEPT
49 FOR THE FEES SPECIFIED IN PARAGRAPHS (a), (b), (c), (m), AND (q) OF
50 SUBSECTION (1) OF THIS SECTION, THE";";
51

52 strike lines 12 through 14 of the committee report and substitute the
53 following:

54
55 "line 24, strike "EIGHT" and substitute "SIX".
56

1 Page 5, strike lines 25 through 27."

2

3 Page 2 of the committee report, strike lines 1 through 4 and substitute the
4 following:

5

6 "Page 6, strike lines 1 and 2 and substitute the following:

7

8 "(4) Documents";

9

10 line 13 of the committee report, strike "TITLE." and substitute "TITLE."";

11

12 strike line 14 of the committee report;

13

14 line 18 of the committee report, strike "'JANUARY 1";" and substitute
15 "'JANUARY 1'."";

16

17 strike lines 19 through 25 of the committee report and substitute "Page
18 13,".

19

20 Amendment No. 3, by Representative Judd.

21

22 Amend printed bill, page 4, line 5, strike "REFLECT" and substitute
23 "CORRELATE WITH".

24

25 Page 6, line 7, strike "REFLECT" and substitute "CORRELATE WITH".

26

27 Page 13, line 16, strike "REFLECT" and substitute "CORRELATE WITH".

28

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

31

32

33

34 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

35

36 Representatives Tipton and May moved to amend the Report of the
37 Committee of the Whole to reverse the action taken by the Committee in
38 not adopting the following Tipton amendment, to HB09-1135, to show
39 that said amendment passed, and that **HB09-1135**, as amended, passed.

40

41 Amend, Amendment No. 2, by Representative Judd, printed in House
42 Journal page 376, strike lines 45-55, and page 377, strike lines 1-18 and
43 substitute the following:

44

45 "Amend printed bill, strike everything below the enacting clause and
46 substitute the following:

47

48 **"SECTION 1.** Article 1 of title 30, Colorado Revised Statutes, is
49 amended BY THE ADDITION OF A NEW SECTION to read:

49

50 **30-1-104.5. Adjustment of fees.** ON AND AFTER JULY 1, 2009,
51 THE BOARD OF COUNTY COMMISSIONERS OF ANY COUNTY MAY BY
52 ORDINANCE MODIFY THE AMOUNT OF ANY FEE IMPOSED PURSUANT TO THIS
53 ARTICLE WITHIN THE COUNTY. THE AMOUNT OF ANY FEE MODIFIED
54 PURSUANT TO THIS SECTION SHALL BE SET FORTH IN A SCHEDULE THAT
55 SHALL BE MADE AVAILABLE TO THE PUBLIC AND PUBLISHED ON A WEB SITE
56 MAINTAINED BY THE COUNTY.

1 **SECTION 2. Act subject to petition - effective date.** This act
 2 shall take effect at 12:01 a.m. on the day following the expiration of the
 3 ninety-day period after final adjournment of the general assembly that is
 4 allowed for submitting a referendum petition pursuant to article V,
 5 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
 6 sine die is on May 6, 2009); except that, if a referendum petition is filed
 7 against this act or an item, section, or part of this act within such period,
 8 then the act, item, section, or part, if approved by the people, shall take
 9 effect on the date of the official declaration of the vote thereon by
 10 proclamation of the governor."."

11
 12 The amendment was declared **lost** by the following roll call vote:
 13

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

32
 33
 34

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

35
 36
 37 Passed Second Reading: **HB09-1185, SB09-015, HB09-1257, SB09-040,**
 38 **HB09-1197 amended, 1183 amended, 1198 amended, 1036 amended,**
 39 **1065 amended, 1076 amended, 1149 amended, 1150 amended,**
 40 **1188 amended, 1135 amended.**

41
 42 Laid over until date indicated retaining place on Calendar: **HB09-1013--**
 43 **February 18, 2009.**

44
 45 The Chairman moved the adoption of the Committee of the Whole
 46 Report. As shown by the following roll call vote, a majority of those
 47 elected to the House voted in the affirmative, and the Report was
 48 **adopted.**

	YES	62	NO	0	EXCUSED	3	ABSENT	0
51	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
52	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
53	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
54	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
55	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
56	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y

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

REPORTS OF COMMITTEES OF REFERENCE

EDUCATION

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

HB09-1214 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 3, line 9, before "PRIOR", insert "TO THE EXTENT PRACTICABLE";

line 20, strike "THE JUDICIAL INTERPRETATIONS OF AND";

line 25, strike "JUDICIAL";

line 26, strike "INTERPRETATIONS OF AND".

Page 5, line 9, after "(3)", insert "(a)";

after line 20, insert the following:

"(b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (3) TO THE CONTRARY, IF FEDERALLY REQUIRED TIME LINES FOR IMPLEMENTING FEDERAL DATA REPORTING REQUIREMENTS CONFLICT WITH THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (3), THE DEPARTMENT, THE SCHOOL DISTRICTS, AND THE PUBLIC SCHOOLS SHALL COMPLY WITH THE FEDERALLY REQUIRED TIME LINES.";

line 21, after "(4)", insert "(a)".

Page 6, after line 4, insert the following:

"(b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (4) TO THE CONTRARY, IF FEDERALLY REQUIRED TIME LINES FOR IMPLEMENTING FEDERAL DATA REPORTING REQUIREMENTS CONFLICT WITH THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (4), THE STATE BOARD, THE SCHOOL DISTRICTS, AND THE PUBLIC SCHOOLS SHALL COMPLY WITH THE FEDERALLY REQUIRED TIME LINES.";

line 11, strike "JUDICIAL INTERPRETATIONS OF AND THE";

1 line 16, strike "JUDICIAL INTERPRETATIONS OF AND";

2

3 line 21, strike "IS" and substitute "TAKES INTO CONSIDERATION";

4

5 line 22, strike "CONSISTENT WITH";

6

7 line 24, after "(3)", insert "(a)".

8

9 Page 7, line 2, strike "SAID" and substitute "THE STATE";

10

11 line 5, strike "REQUIREMENTS." and substitute "REQUIREMENTS; EXCEPT
12 THAT A PARTICIPATING SCHOOL DISTRICT, THE STATE CHARTER SCHOOL
13 INSTITUTE IF IT IS PARTICIPATING, OR A PARTICIPATING PUBLIC SCHOOL
14 SHALL COMPLY WITH REQUIREMENTS TO REPORT INFORMATION
15 CONCERNING THE ENTITY'S PARTICIPATION IN THE STATE PROGRAM
16 DURING THE PERIOD IN WHICH IT WAS FUNDED.";

17

18 after line 5, insert the following:

19 "(b) FOR PURPOSES OF THIS SUBSECTION (3), "STATE PROGRAM"
20 MEANS A PROGRAM SPECIFICALLY CREATED IN STATE STATUTE AND FOR
21 WHICH THE STATUTE CREATING THE PROGRAM SPECIFICALLY PROVIDES
22 FUNDING TO A PARTICIPATING SCHOOL DISTRICT, THE STATE CHARTER
23 SCHOOL INSTITUTE, OR A PUBLIC SCHOOL.".

24

25

26

27 **HB09-1229** be referred to the Committee of the Whole with favorable
28 recommendation.

29

30

31 **HB09-1264** be referred to the Committee of the Whole with favorable
32 recommendation.

33

34

35

36

37 **HEALTH & HUMAN SERVICES**

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

40

41 **HB09-1211** be postponed indefinitely.

42

43

44 **HB09-1237** be amended as follows, and as so amended, be referred to
45 the Committee on Appropriations with favorable
46 recommendation:

47

48 Amend printed bill, page 3, strike lines 22 through 25 and substitute the
49 following:

50

51 "preceding calendar year, OR BY SUCH ADDITIONAL AMOUNT TO BE EQUAL
52 TO THE INCREASE BY THE GENERAL ASSEMBLY TO THE ANNUAL
53 APPROPRIATED RATE TO SERVE ONE CHILD FOR ONE FISCAL YEAR IN THE
54 STATE-FUNDED EARLY INTERVENTION PROGRAM IF THAT INCREASE IS
55 MORE THAN THE CONSUMER PRICE INDEX INCREASE.".

56

1 Page 4, line 19, after the period, add "QUALIFIED EARLY INTERVENTION
2 SERVICE PROVIDERS THAT RECEIVE REIMBURSEMENT IN ACCORDANCE
3 WITH THIS PARAGRAPH (d.5) SHALL ACCEPT SUCH REIMBURSEMENT AS
4 PAYMENT IN FULL FOR SERVICES PROVIDED UNDER THIS SUBSECTION (1.3)
5 AND SHALL NOT SEEK ADDITIONAL REIMBURSEMENT FROM EITHER THE
6 COVERED PERSON OR THE CARRIER.".

7
8 Page 5, strike lines 3 through 6 and substitute the following:

9
10 "A CARRIER SHALL NOT TERMINATE OR FAIL TO RENEW HEALTH COVERAGE
11 ON THE BASIS THAT AN ELIGIBLE CHILD HAS ACCESSED OR WILL BE
12 ACCESSING EARLY INTERVENTION SERVICES UNDER THIS SUBSECTION
13 (1.3).".

14
15
16
17
18 **JUDICIARY**

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

21
22 **HB09-1123** be amended as follows, and as so amended, be referred to
23 the Committee on Appropriations with favorable
24 recommendation:

25
26 Amend printed bill, page 2, strike lines 11 through 18.

27
28 Renumber succeeding sections accordingly.

29
30
31
32 **HB09-1190** be referred to the Committee of the Whole with favorable
33 recommendation.

34
35
36 **HB09-1251** be postponed indefinitely.

37
38
39 **HB09-1253** be amended as follows, and as so amended, be referred to
40 the Committee of the Whole with favorable
41 recommendation:

42
43 Amend printed bill, page 2, after line 1, insert the following:

44
45 "SECTION 1. 16-8.5-108 (1) (a) and (b), Colorado Revised
46 Statutes, are amended to read:

47
48 **16-8.5-108. Evidence.** (1) (a) Except as otherwise provided in
49 this subsection (1), evidence acquired directly or indirectly for the first
50 time from a communication derived from the defendant's mental
51 processes during the course of a competency evaluation OR INVOLUNTARY
52 MEDICATION PROCEEDING is not admissible against the defendant on the
53 issues raised by a plea of not guilty, or, if the offense occurred before July
54 1, 1995, a plea of not guilty by reason of impaired mental condition.
55 Such evidence may be admissible at trial to rebut evidence introduced by
56 the defendant of the defendant's mental condition to show incapacity of

1 the defendant to form a culpable mental state; and, in such case, the
2 evidence may only be considered by the trier of fact as bearing upon the
3 question of capacity to form a culpable mental state, and the jury shall be
4 so instructed at the request of either party.

5
6 (b) Evidence acquired directly or indirectly for the first time from
7 a communication derived from the defendant's mental processes during
8 the course of a competency evaluation OR INVOLUNTARY MEDICATION
9 PROCEEDING is admissible at any sentencing hearing held pursuant to
10 section 18-1.3-1201, 18-1.3-1302, or 18-1.4-102, C.R.S., only to prove
11 the existence or absence of any mitigating factor."

12
13 Renumber succeeding sections accordingly.

14
15 Page 2, line 11, after "defendant.", insert "THE DEPARTMENT SHALL, PRIOR
16 TO THE HEARING ON THE PETITION, DELIVER A COPY OF THE PETITION TO
17 THE COURT THAT COMMITTED THE DEFENDANT TO THE CUSTODY OF THE
18 DEPARTMENT, THE PROSECUTING ATTORNEY, AND THE DEFENDANT'S
19 LEGAL REPRESENTATION IN THE CRIMINAL CASE, IF SUCH REPRESENTATION
20 EXISTS, AND TO THE DEFENDANT DIRECTLY IF HE OR SHE DOES NOT HAVE
21 LEGAL REPRESENTATION.";

22
23 line 14, strike "may" and substitute "~~may~~ SHALL";

24
25 line 19, strike "ISSUING THE";

26
27 strike lines 20 through 24 and substitute the following:

28
29 "OF THE JURISDICTION WHERE THE DEFENDANT IS LOCATED. THE
30 DEPARTMENT SHALL PROMPTLY DELIVER A COPY OF THE ORDER GRANTING
31 OR DENYING THE PETITION TO THE COURT THAT COMMITTED THE
32 DEFENDANT TO THE CUSTODY OF THE DEPARTMENT, THE PROSECUTING
33 ATTORNEY, AND THE DEFENDANT'S LEGAL REPRESENTATION IN THE
34 CRIMINAL CASE, IF SUCH REPRESENTATION EXISTS, AND TO THE
35 DEFENDANT DIRECTLY IF HE OR SHE DOES NOT HAVE LEGAL
36 REPRESENTATION."

37
38 Page 4, after line 16, insert the following:

39
40 "(c) IN THE CASE OF A DEFENDANT WHO IS FOUND INCOMPETENT
41 TO PROCEED PURSUANT TO SECTION 16-8.5-103, C.R.S., AND WHO
42 REFUSES TO ACCEPT MEDICATION, THE JURISDICTION FOR THE PETITION
43 FOR INVOLUNTARY TREATMENT PROCEDURES SHALL BE AS SET FORTH IN
44 SECTION 16-8.5-112, C.R.S."

45
46
47
48 **HB09-1260** be amended as follows, and as so amended, be referred to
49 the Committee of the Whole with favorable
50 recommendation:

51
52 Amend printed bill, page 3, line 22, strike "FAILURE" and substitute "A
53 BODY OF LAW HAS BEEN ENACTED TO OPERATE BY DEFAULT IN SITUATIONS
54 IN WHICH INDIVIDUALS DO NOT PREPARE ESTATE PLANS. HOWEVER,
55 FAILURE".

56

1 Page 4, strike line 12 and substitute the following:

2

3 "(b) THE PURPOSES OF THIS ARTICLE ARE TO:

4

5 (I) MAKE EXISTING LAWS";

6

7 after line 16, insert the following:

8

9 "(II) ALLOW INDIVIDUALS TO ELECT TO HAVE CERTAIN DEFAULT
10 PROVISIONS IN STATE STATUTES PROVIDE RIGHTS, BENEFITS, AND
11 PROTECTIONS TO A DESIGNATED BENEFICIARY IN SITUATIONS IN WHICH NO
12 VALID AND ENFORCEABLE ESTATE PLANNING DOCUMENTS EXIST."

13

14 Page 5, line 5, after "THAT", insert "IS VALID AND ENFORCEABLE AND".

15

16 Page 6, line 19, strike "NOTARIZED;" and substitute "ACKNOWLEDGED;"

17

18 Page 9, after line 5, insert the following:

19

20 "(5) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO CREATE
21 EVIDENCE OF A PARTY'S INTENT TO FORM A COMMON LAW MARRIAGE."

22

23 Renumber succeeding subsection accordingly.

24

25 Page 9, after line 9, insert the following:

26

27 "(7) IN THE EVENT THAT A SUPERSEDING LEGAL DOCUMENT IS
28 FOUND TO BE INVALID OR UNENFORCEABLE, THE DESIGNATED
29 BENEFICIARY AGREEMENT SHALL CONTROL DESPITE THE ATTEMPT TO
30 SUPERSEDE ITS PROVISIONS."

31

32 Page 13, line 2, after "WAS", insert "SUBSCRIBED, SWORN TO, AND";

33

34 strike lines 19 and 20 and substitute the following:

35

36 "**fee.** (1) A SIGNED AND ACKNOWLEDGED DESIGNATED BENEFICIARY
37 AGREEMENT SHALL BE FILED";

38

39 line 21, strike "BENEFICIARY AGREEMENT";

40

41 line 26, strike "REGISTRATION FEE OF ____" and substitute "FILING FEE OF
42 THIRTY";

43

44 line 27, strike "REGISTERING" and substitute "RECORDING".

45

46 Page 16, line 5, strike "NOTARIZED." and substitute "ACKNOWLEDGED.";

47

48 line 11, strike "____" and substitute "TWENTY";

49

50 line 12, strike "FEE" and substitute "FEE, AS PROVIDED IN SECTION
51 30-1-103, C.R.S.,".

52

53 Page 17, line 13, after "WAS", insert "SUBSCRIBED, SWORN TO, AND".

54

55 Page 25, line 24, after "TITLE;", insert "EXCEPT THAT IF THE DECEDENT
56 HAS SURVIVING CHILDREN, THEN THE DESIGNATED BENEFICIARY SHALL

1 RECEIVE ONE-HALF OF THE INTESTATE ESTATE AND THE SURVIVING
2 CHILDREN SHALL RECEIVE ONE-HALF OF THE INTESTATE ESTATE;".

3
4 Page 33, after line 13, insert the following:

5
6 **"SECTION 18. Severability.** If any provision of this act or the
7 application thereof to any person or circumstance is held invalid, such
8 invalidity shall not affect other provisions or applications of the act that
9 can be given effect without the invalid provision or application, and to
10 this end the provisions of this act are declared to be severable."

11
12 Renumber succeeding sections accordingly.

16 PRINTING REPORT

17
18 The Chief Clerk reports the following bills have been correctly printed:
19 **HB09-1286, 1287, 1288, 1289; HCR09-1002.**

23 MESSAGE FROM THE SENATE

24
25 The Senate has passed on Third Reading and transmitted to the Revisor
26 of Statutes: SB09-150, SB09-109, SB09-048, SB09-126, SB09-114, and
27 SB09-100.

28
29 The Senate has passed on Third Reading and returns herewith
30 HB09-1014.

31
32 The Senate has passed on Third Reading and transmitted to the Revisor
33 of Statutes:

34
35 SB09-139 amended as printed in Senate Journal, February 13, 2009,
36 page 300,
37 SB09-115 amended as printed in Senate Journal, February 13, 2009,
38 page 300,
39 SB09-107 amended as printed in Senate Journal, February 13, 2009,
40 page 301,
41 SB09-104 amended as printed in Senate Journal, February 13, 2009,
42 page 301,
43 SB09-127 amended as printed in Senate Journal, February 13, 2009,
44 page 301
45 SB09-013 amended as printed in Senate Journal, February 13, 2009,
46 page 301,
47 SB09-092 amended as printed in Senate Journal, February 13, 2009,
48 pages 302-03,
49 SB09-030 amended as printed in Senate Journal, February 13, 2009,
50 page 303,
51 SB09-151 amended as printed in Senate Journal, February 13, 2009,
52 page 303,
53 SB09-111 amended as printed in Senate Journal, February 13, 2009,
54 pages 303-304,
55 SB09-148 amended as printed in Senate Journal, February 13, 2009,
56 pages 304-305,

1 SB09-101 amended as printed in Senate Journal, February 13, 2009,
2 page 305,
3 SB09-113 amended as printed in Senate Journal, February 13, 2009,
4 page 305,
5 SB09-035 amended as printed in Senate Journal, February 13, 2009,
6 pages 305-306.
7
8
9

10 **MESSAGE FROM THE REVISOR**

11
12 We herewith transmit:
13 Without comment, SB09-150, 109, 048, 126, 114, and 100.
14 Without comment, as amended, SB09-139, 115, 107, 104, 127, 013, 092,
15 030, 151, 111, 148, 101, 113, and 035.
16

17
18 On motion of Representative Weissmann, the following bill(s) will be
19 calendared for February 20, 2009: HB09-1214, 1229, 1264, 1190, 1253,
20 1260.
21

22
23 **LAY OVER OF CALENDAR ITEMS**

24
25
26 On motion of Representative Weissmann, the following items on the
27 Calendar were laid over until February 18, retaining place on Calendar:
28
29 Consideration of Resolution(s)--**HR09-1006, SJR09-012.**
30

31
32
33 On motion of Representative Weissmann, the House adjourned until
34 9:00 a.m., February 18, 2009.
35

36 Approved:
37 TERRANCE D. CARROLL,
38 Speaker

39 Attest:
40 MARILYN EDDINS,
41 Chief Clerk

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

Forty-third Legislative Day

Wednesday, February 18, 2009

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
 2 Church, Denver.

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

5
 6 Pledge of Allegiance led by Adam Neilson, Lakewood.

7
 8 The roll was called with the following result:

9
 10 Present--61.
 11 Excused--Representative(s) Curry, C. Gardner, Middleton,
 12 Pace--4.
 13 Present after roll call--Representative(s) C. Gardner, Middleton.

14
 15 The Speaker declared a quorum present.

16
 17
 18 On motion of Representative Gerou, the reading of the journal of
 19 February 17, 2009, was declared dispensed with and approved as
 20 corrected by the Chief Clerk.

21
 22
 23
 24 **THIRD READING OF BILLS--FINAL PASSAGE**

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

29
 30 **HB09-1112** by Representative(s) Kerr J.; also Senator(s) Spence--
 31 Concerning the information provided to the staff of the
 32 legislative council in connection with the preparation of
 33 fiscal notes for legislative measures.

34
 35 The question being "Shall the bill pass?".
 36 A roll call vote was taken. As shown by the following recorded vote, a
 37 majority of those elected to the House voted in the affirmative and the
 38 bill was declared **passed**.

39
 40

	YES	62	NO	0	EXCUSED	2	ABSENT	1
41	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
42	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
43	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	-

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	E	Lambert	Y	Nikkel	Y	Summers	Y
7	Ferrandino	Y	Levy	Y	Pace	E	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

15 Co-sponsor(s) added: Representative(s) Acree, Baumgardner, Bradford,
 16 Gardner C., Gerou, Lambert, Liston, Looper, McNulty, Middleton, Priola,
 17 Summers

18
 19 **HB09-1153** by Representative(s) May; also Senator(s) Harvey--
 20 Concerning the requirements applicable to the formation
 21 of an issue committee under Colorado law governing
 22 campaign finance.
 23

24 As shown by the following roll call vote, a majority of all members
 25 elected to the House voted in the affirmative, and Representative May
 26 was given permission to offer a Third Reading amendment:
 27

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

46
 47 **Third Reading amendment No. 1**, by Representative May.

48
 49 Amend engrossed bill, page 5, line 27, strike "THREE" and substitute
 50 "TEN".

51
 52 The amendment was declared **passed** by the following roll call vote:
 53

	YES	63	NO	0	EXCUSED	2	ABSENT	0
55	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
56	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y

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

16

17 The question being, "Shall the bill, as amended, pass?".

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

21

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

40 Co-sponsor(s) added: Representative(s) Court, Gardner B., Kerr J., Labuda,
 41 Lambert, Looper, Murray, Nikkel, Stephens, Waller

42

43 **HB09-1181** by Representative(s) McCann; also Senator(s) Foster--
 44 Concerning the right of a victim to make a statement at a
 45 community corrections hearing.

46

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

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

51

	YES	62	NO	1	EXCUSED	2	ABSENT	0
53	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y

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

14 Co-sponsor(s) added: Representative(s) Apuan, Court, Frangas, Gagliardi,
 15 Gardner B., Green, Kerr A., Kerr J., King S., Labuda, Liston, Looper, Massey,
 16 Nikkel, Primavera, Priola, Roberts, Ryden, Swalm, Todd

17
 18 **HB09-1185** by Representative(s) Tipton; also Senator(s) Isgar--Con-
 19 cerning requirements for documents related to water rights
 20 applications.
 21

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

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

45 Co-sponsor(s) added: Representative(s) Gardner C., Hullinghorst, Kerr J.,
 46 King S., Labuda, Looper, McNulty, Nikkel, Priola, Sonnenberg, Stephens,
 47 Waller

48
 49 **SB09-015** by Senator(s) Tochtrop, Brophy, Isgar, Hodge, Schwartz,
 50 White; also Representative(s) Gardner C., Curry,
 51 McKinley--Concerning removal of the White river
 52 drainage basin from the jurisdiction of water division 5 to
 53 water division 6.
 54

55 The question being "Shall the bill pass?".
 56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

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

22 Co-sponsor(s) added: Representative(s) Baumgardner, Kerr J., Nikkel, Priola,
23 Sonnenberg

24
25 **HB09-1257** by Representative(s) Scanlan; also Senator(s) Scheffel--
26 Concerning the requirement that the amount of public
27 funds invested in any one certificate of deposit may not
28 exceed the amount insured by the federal deposit insurance
29 corporation.

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**.

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

54 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Frangas, Gardner B.,
55 Kerr J., Liston, McGihon, Primavera, Todd

56

1 **SB09-040** by Senator(s) Hodge; also Representative(s) Soper--
 2 Concerning the regulation of manufactured homes.
 3

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

	YES	58	NO	5	EXCUSED	2	ABSENT	0
10	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
11	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
12	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
13	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
14	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
15	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
16	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
17	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
18	Curry	E	Lambert	Y	Nikkel	Y	Summers	N
19	Ferrandino	Y	Levy	Y	Pace	E	Swalm	Y
20	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
21	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
22	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
23	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
24	Gardner C.	N	May	Y	Rice	Y	Waller	Y
25	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
26							Speaker	Y

27 Co-sponsor(s) added: Representative(s) Green, Kerr J.
 28
 29

30 **HB09-1197** by Representative(s) McNulty, Kerr J., Balmer,
 31 Baumgardner, Frangas, Gardner C., Gerou, Looper, May,
 32 Scanlan; also Senator(s) Harvey, Brophy, Kopp, Renfro,
 33 Spence--Concerning a requirement that the division of
 34 housing report data regarding home foreclosures in the
 35 state.
 36

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

	YES	62	NO	1	EXCUSED	2	ABSENT	0
43	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
45	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
46	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
47	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
48	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
49	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
50	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
51	Curry	E	Lambert	Y	Nikkel	Y	Summers	Y
52	Ferrandino	Y	Levy	Y	Pace	E	Swalm	Y
53	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
54	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
55	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
56	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y

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

4 Co-sponsor(s) added: Representative(s) Apuan, Kefalas, Middleton, Murray,
5 Nikkel, Schafer S., Stephens, Todd

6
7 **HB09-1183** by Representative(s) Vaad; also Senator(s) Hodge--
8 Concerning violations of laws related to real estate
9 appraisers.

10
11 The question being "Shall the bill pass?".

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

16	YES	49	NO	14	EXCUSED	2	ABSENT	0
17	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
18	Apuan	Y	Hullinghorst	N	McGihon	Y	Ryden	Y
19	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
20	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	N
21	Benefield	N	Kerr A.	Y	Merrifield	N	Solano	N
22	Bradford	Y	Kerr J.	N	Middleton	N	Sonnenberg	Y
23	Casso	N	King S.	Y	Miklosi	Y	Soper	Y
24	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
25	Curry	E	Lambert	Y	Nikkel	Y	Summers	Y
26	Ferrandino	Y	Levy	Y	Pace	E	Swalm	Y
27	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
28	Frangas	N	Looper	Y	Pommer	Y	Todd	Y
29	Gagliardi	N	Marostica	Y	Primavera	Y	Vaad	Y
30	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N
31	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
32	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
33							Speaker	N

34 Co-sponsor(s) added: Representative(s) Gardner B., Labuda, Looper

35
36 **HB09-1198** by Representative(s) McGihon; also Senator(s) Morse--
37 Concerning the "Uniform Power of Attorney Act".

38
39 The question being "Shall the bill pass?".

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

44	YES	60	NO	3	EXCUSED	2	ABSENT	0
45	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
46	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
47	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
48	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
49	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
50	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
51	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
52	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
53	Curry	E	Lambert	Y	Nikkel	Y	Summers	Y
54	Ferrandino	Y	Levy	Y	Pace	E	Swalm	Y
55	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
56	Frangas	Y	Looper	N	Pommer	Y	Todd	Y

1	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
2	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
3	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
4	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Hullinghorst, Labuda, Ryden,
7 Schafer S.

8
9 **HB09-1036** by Representative(s) King S.; also Senator(s) Morse--
10 Concerning increasing the amount deposited into the peace
11 officers standards and training board cash fund by
12 increasing the registration fee for certain classes of
13 personal property, and making an appropriation in
14 connection therewith.

15
16 The question being "Shall the bill pass?".
17 A roll call vote was taken. As shown by the following recorded vote, a
18 majority of those elected to the House voted in the affirmative and the bill
19 was declared **passed**.

21	YES	42	NO	21	EXCUSED	2	ABSENT	0
22	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
23	Apuan	Y	Hullinghorst	Y	McGihon	N	Ryden	Y
24	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
25	Baumgardner	Y	Kefalas	N	McNulty	N	Schafer S.	Y
26	Benefield	Y	Kerr A.	Y	Merrifield	N	Solano	N
27	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
28	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
29	Court	Y	Labuda	Y	Murray	N	Stephens	Y
30	Curry	E	Lambert	N	Nikkel	N	Summers	Y
31	Ferrandino	Y	Levy	N	Pace	E	Swalm	N
32	Fischer	Y	Liston	Y	Peniston	Y	Tipton	N
33	Frangas	Y	Looper	N	Pommer	N	Todd	Y
34	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
35	Gardner B.	Y	Massey	Y	Priola	N	Vigil	Y
36	Gardner C.	N	May	N	Rice	Y	Waller	N
37	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
38							Speaker	N

39 Co-sponsor(s) added: Representative(s) Frangas, Roberts, Ryden

40
41 **HB09-1065** by Representative(s) Benefield, Todd; also Senator(s)
42 Spence--Concerning the quality teachers commission, and,
43 in connection therewith, creating an educator identifier
44 pilot program, and making an appropriation.

45
46 The question being "Shall the bill 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 bill
49 was declared **passed**.

51	YES	54	NO	9	EXCUSED	2	ABSENT	0
52	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
53	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
54	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
55	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
56	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y

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

13 Co-sponsor(s) added: Representative(s) Hullinghorst, Labuda, Massey,
 14 Middleton, Ryden, Schafer S., Summers, Speaker

15
 16 **HB09-1076** by Representative(s) Pace; also Senator(s) Tochtrop--
 17 Concerning remuneration resulting from an employee's
 18 separation from employment for the purpose of calculating
 19 the postponement of unemployment insurance benefits.

20
 21 Laid over until February 20, retaining place on Calendar.

22
 23 **HB09-1149** by Representative(s) Merrifield; also Senator(s)
 24 Carroll M.--Concerning measures to encourage the
 25 construction of new homes that make cost-effective use of
 26 solar energy.

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	57	NO	6	EXCUSED	2	ABSENT	0
34	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
35	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
39	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
40	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
41	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
42	Curry	E	Lambert	N	Nikkel	N	Summers	Y
43	Ferrandino	Y	Levy	Y	Pace	E	Swalm	N
44	Fischer	Y	Liston	Y	Peniston	Y	Tipton	N
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.	N	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) Apuan, Fischer, Frangas, Gagliardi,
 52 Green, Hullinghorst, Kefalas, Kerr A., Labuda, Levy, McGihon, Middleton,
 53 Miklosi, Pommer, Primavera, Priola, Ryden, Scanlan, Schafer S., Solano,
 54 Soper, Todd, Weissmann, Speaker

55

1 **HB09-1150** by Representative(s) Todd, Benefield, Court, Labuda,
 2 Miklosi, Ryden; also Senator(s) Williams, Boyd, Isgar,
 3 Spence--Concerning the administrative duties of the
 4 department of personnel, and making an appropriation in
 5 connection therewith.
 6

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

	YES	61	NO	2	EXCUSED	2	ABSENT	0
13	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
14	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
15	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
16	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
17	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
18	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
19	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
20	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
21	Curry	E	Lambert	Y	Nikkel	Y	Summers	Y
22	Ferrandino	Y	Levy	Y	Pace	E	Swalm	Y
23	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
24	Frangas	Y	Looper	Y	Pommer	N	Todd	Y
25	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
26	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
27	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
28	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Priola
 31

32 **HB09-1188** by Representative(s) Ryden; also Senator(s) Carroll M.--
 33 Concerning modifications to the disclosure requirements
 34 imposed on physicians under the "Michael Skolnik
 35 Medical Transparency Act", and making an appropriation
 36 in connection therewith.
 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**.
 42

	YES	63	NO	0	EXCUSED	2	ABSENT	0
44	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
45	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
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	E	Lambert	Y	Nikkel	Y	Summers	Y
53	Ferrandino	Y	Levy	Y	Pace	E	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) Green, Kefalas, Kerr A., Kerr J.,
6 Labuda, McGihon, Middleton, Primavera, Schafer S., Todd, Speaker

7
8 **HB09-1135** by Representative(s) Judd; also Senator(s) White--
9 Concerning the adjustment of fees imposed by counties in
10 the state.

11
12 Laid over until February 20, retaining place on Calendar.

13
14
15
16 On motion of Representative Solano, the House resolved itself into
17 Committee of the Whole for consideration of General Orders, and she
18 was called to the Chair to act as Chairman.

19
20
21 **GENERAL ORDERS--SECOND READING OF BILLS**

22
23 The Committee of the Whole having risen, the Chairman reported the
24 titles of the following bills had been read (reading at length had been
25 dispensed with by unanimous consent), the bills considered and action
26 taken thereon as follows:

27
28 (Amendments to the committee amendment are to the printed committee
29 report which was printed and placed in the members' bill file.)

30
31 **HB09-1013** by Representative(s) Sonnenberg--Concerning an
32 exception to statutory requirements governing the
33 collection of excess property tax revenue by urban renewal
34 authorities in connection with tax increment financing for
35 certain special districts providing emergency services.

36
37 Declared **lost** on Second Reading.

38
39 **HB09-1240** by Representative(s) Miklosi; also Senator(s) Foster--
40 Concerning creating the Colorado teacher of the year
41 program.

42
43 Amendment No. 1, by Representative Baumgardner.

44
45 Amend printed bill, page 5, line 23, strike "FROM PRIVATE OR PUBLIC
46 SOURCES";

47
48 line 27, strike "PRIVATE AND PUBLIC".

49
50 As amended, ordered engrossed and placed on the Calendar for Third
51 Reading and Final Passage.

52
53 **HB09-1272** by Representative(s) Massey and Pommer, Gardner C.,
54 McKinley, McNulty, Merrifield, Scanlan, Summers, Todd;
55 also Senator(s) Tapia, Brophy, Heath, Kester, Penry,
56 Williams--Concerning statutory amendments required to

1 implement locally approved changes to the parameters for
2 limited gaming under section 9 (7) of article XVIII of the
3 Colorado constitution, adopted by voters at the 2008
4 general election.
5

6 Amendment No. 1, Education Report, dated February 12, 2009, and
7 placed in member's bill file; Report also printed in House Journal,
8 February 13, pages 330-332.
9

10 Amendment No. 2, by Representative Massey.

11 Amend printed bill, page 6, line 26, after "(b)", insert "(I)".

12 Page 7, strike lines 6 through 10 and substitute the following:

13
14 "commission, director, or executive director. Such payment shall be
15 made upon proper";

16 after line 15, insert the following:
17
18

19
20
21 "(II) FOR THE FISCAL YEAR ENDING JUNE 30, 2009, THE EXPENSES
22 PAYABLE PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) SHALL
23 INCLUDE THE STARTUP COSTS OF ADMINISTERING EXPANDED LIMITED
24 GAMING UNDER SECTION 9 (7) OF ARTICLE XVIII OF THE STATE
25 CONSTITUTION; EXCEPT THAT AN AMOUNT EQUAL TO THESE STARTUP
26 COSTS SHALL BE TREATED AS A LOAN AND REPAID INTO THE FUND,
27 WITHOUT INTEREST, FROM THE EXPANDED LIMITED GAMING FUND
28 CREATED IN SECTION 12-47.1-701.5 DURING THE FISCAL YEAR ENDING
29 JUNE 30, 2010, OR AS SOON AS THE BALANCE IN THE EXPANDED LIMITED
30 GAMING FUND IS SUFFICIENT TO MAKE SUCH REPAYMENT, WHICHEVER
31 OCCURS FIRST."
32

33 As amended, ordered engrossed and placed on the Calendar for Third
34 Reading and Final Passage.
35

36 **HB09-1121** by Representative(s) King S.; also Senator(s) Renfroe--
37 Concerning the disposition of evidence collected in
38 criminal cases.
39

40 Amendment No. 1, Judiciary Report, dated February 12, 2009, and placed
41 in member's bill file; Report also printed in House Journal, February 13,
42 page 335.
43

44 As amended, ordered engrossed and placed on the Calendar for Third
45 Reading and Final Passage.
46

47 **HB09-1207** by Representative(s) Gardner C.; also Senator(s) Veiga--
48 Concerning procedures to enforce a lien related to real
49 property.
50

51 Amendment No. 1, Judiciary Report, dated February 12, 2009, and placed
52 in member's bill file; Report also printed in House Journal, February 13,
53 page 336.
54

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

1 **HB09-1223** by Representative(s) Marostica, Ferrandino, Pommer; also
 2 Senator(s) Tapia, Keller, White--Concerning the extension
 3 of the deadline for expending moneys for the Colorado
 4 benefits management system from the health care
 5 supplemental appropriations and overexpenditures account
 6 of the tobacco litigation settlement cash fund.

7
 8 Ordered engrossed and placed on the Calendar for Third Reading and
 9 Final Passage.

10
 11 **HB09-1241** by Representative(s) Roberts; also Senator(s) Morse--
 12 Concerning title 15 of the Colorado Revised Statutes.

13
 14 Amendment No. 1, Judiciary Report, dated February 12, 2009, and placed
 15 in member's bill file; Report also printed in House Journal, February 13,
 16 page 337.

17
 18 As amended, ordered engrossed and placed on the Calendar for Third
 19 Reading and Final Passage.

20
 21 On motion of Representative Weissmann, the remainder of the General
 22 Orders Calendar (**HB09-1254, 1186, 1216, 1236**) was laid over until
 23 February 20, retaining place on Calendar.

24
 25
 26
 27 **AMENDMENT TO THE COMMITTEE OF THE WHOLE REPORT**

28
 29 Representatives Sonnenberg and Weissmann moved to amend the Report
 30 of the Committee of the Whole to reverse the action taken by the
 31 Committee in not adopting HB09-1013, to show that **HB09-1013** passed.

32
 33 The amendment was declared **lost** by the following roll call vote:

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

53 Representative Balmer excused from voting under House Rule 21(c).

54
 55
 56

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB09-1240 amended, 1272 amended, 1121 amended, 1207 amended, 1223, 1241 amended.**

Lost on Second Reading: **HB09-1013.**

Laid over until date indicated retaining place on Calendar: **HB09-1254, 1186, 1216, 1236--**February 20, 2009.

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

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

MESSAGE FROM THE SENATE

The Senate has adopted and transmits herewith: **SJR09-013.**

INTRODUCTION AND CONSIDERATION OF RESOLUTION

On motion of Representative Weissmann, the rules were suspended and the following resolution was given immediate consideration.

SJR09-013 by Senator(s) Keller; also Representative(s) Gerou--Concerning awareness day for individuals with disabilities.

(Printed and placed in member's file).

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

Co-sponsor(s) added: Representative(s) Acree, Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Green, Hullinghorst, Judd, Kefalas, Kerr A., Kerr J.,

1 King S., Labuda, Lambert, Levy, Liston, Looper, Marostica, Massey, May,
 2 McCann, McFadyen, McGihon, McKinley, McNulty, Merrifield, Middleton,
 3 Miklosi, Murray, Nikkel, Peniston, Pommer, Primavera, Priola, Rice, Riesberg,
 4 Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens,
 5 Summers, Swalm, Tipton, Todd, Vaad, Vigil, Waller, Weissmann, Speaker

6

7

8

9

REPORTS OF COMMITTEES OF REFERENCE

10

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

11 After consideration on the merits, the Committee recommends the
 12 following:
 13

14

15 **HB09-1249** be referred to the Committee of the Whole with favorable
 16 recommendation.

17

18

19

20

BUSINESS AFFAIRS & LABOR

21 After consideration on the merits, the Committee recommends the
 22 following:
 23

24

25 **HB09-1108** be amended as follows, and as so amended, be referred to
 26 the Committee of the Whole with favorable
 27 recommendation:

28

29 Amend printed bill, page 2, strike lines 13 through 25 and substitute the
 30 following:
 31

31

32 "(b) AN EMPLOYER IS SUBJECT TO THE PENALTIES SPECIFIED IN
 33 SECTION 8-4-113 (1) IF THE EMPLOYER CAUSES AN EMPLOYEE'S CHECK,
 34 DRAFT, OR ORDER TO NOT BE PAID BECAUSE THE EMPLOYER'S BANK DOES
 35 NOT HONOR AN EMPLOYEE'S PAYCHECK UPON PRESENTMENT. THE
 36 DIRECTOR MAY INVESTIGATE COMPLAINTS REGARDING ALLEGED
 37 VIOLATIONS OF THIS PARAGRAPH (b).".

38

39 Page 3, strike lines 1 through 18 and substitute the following:
 40

41

42 "**SECTION 2.** 13-21-109 (2) (a), Colorado Revised Statutes, is
 43 amended to read:

44

45 **13-21-109. Recovery of damages for checks, drafts, or orders**
 46 **not paid upon presentment.** (2) (a) If notice of nonpayment on
 47 presentment of the check, draft, or order has been given in accordance
 48 with the provisions of subsections (3) and (4) of this section and the total
 49 amount due as set forth in the notice has not been paid within fifteen days
 50 after such notice is given, instead of the amounts set forth in paragraph
 51 (a) or (b) of subsection (1) of this section, the person shall be liable to the
 52 holder or any assignee for collection for three times the face amount of
 53 the check but not less than one hundred dollars AND, WITH REGARD TO A
 54 PAYCHECK, ACTUAL DAMAGES CAUSED BY THE NONPAYMENT, INCLUDING
 55 ASSOCIATED LATE FEES.".

55

56

1 **HB09-1117** be postponed indefinitely.

2

3

4 **HB09-1224** be amended as follows, and as so amended, be referred to
5 the Committee of the Whole with favorable
6 recommendation:

7

8 Amend printed bill, strike everything below the enacting clause and
9 substitute the following:

10

11 "SECTION 1. 10-16-221, Colorado Revised Statutes, is amended
12 BY THE ADDITION OF A NEW SUBSECTION to read:

13

14 **10-16-221. Health care task force - creation - duties - repeal.**

15 (2.7) DURING THE 2009 INTERIM, THE TASK FORCE SHALL EXAMINE AND
16 MAKE RECOMMENDATIONS CONCERNING ISSUES RAISED BY THE
17 INTRODUCED VERSION OF HOUSE BILL 09-1224, RELATED TO THE
18 CONSIDERATION OF GENDER IN SETTING RATES AND BENEFITS OFFERED FOR
19 INDIVIDUAL HEALTH BENEFIT PLANS.

20

21 **SECTION 2. Act subject to petition - effective date.** This act
22 shall take effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly that is
24 allowed for submitting a referendum petition pursuant to article V,
25 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
26 sine die is on May 6, 2009); except that, if a referendum petition is filed
27 against this act or an item, section, or part of this act within such period,
28 then the act, item, section, or part, if approved by the people, shall take
29 effect on the date of the official declaration of the vote thereon by
30 proclamation of the governor."

31

32 Page 1, line 102, strike "INSURANCE POLICIES." and substitute "BENEFIT
33 PLANS, AND, IN CONNECTION THEREWITH, DIRECTING THE HEALTH
34 CARE TASK FORCE DURING THE 2009 INTERIM TO STUDY ISSUES
35 RELATED TO SUCH PROHIBITION."

36

37

38

39

40 **FINANCE**

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

43

44 **HB09-1222** be referred favorably to the Committee on Appropriations.

45

46

47 **HB09-1269** be amended as follows, and as so amended, be referred to
48 the Committee on Appropriations with favorable
49 recommendation:

50

51 Amend printed bill, page 4, line 9, strike "1994," and substitute "~~1994,~~
52 2010,";

53

54 line 22, strike "1996-97" and substitute "~~1996-97~~ 2009-10".

55

56 Page 13, line 25, strike "FIFTY" and substitute "SEVENTY-FIVE".

- 1 Page 16, line 21, after "MADE,", insert "THE LESSER OF";
2
3 line 27, strike "YEAR;" and substitute "YEAR OR THE BALANCE OF THE
4 SALES AND USE TAX HOLDING FUND;"
5
6 Page 17, line 18, after "MADE,", insert "THE LESSER OF";
7
8 line 26, strike "YEAR;" and substitute "YEAR OR THE BALANCE OF THE
9 SALES AND USE TAX HOLDING FUND;"
10
11 Page 18, line 26, after "TRANSFER,", insert "ON SEPTEMBER 20 OF ANY
12 FISCAL YEAR,";
13
14 line 27, after "ACCRUED", insert "EFFECTIVE JUNE 30 OF THE PRECEDING
15 FISCAL YEAR".
16
17 Page 20, strike lines 22 through 25 and substitute the following:
18
19 "(B.8) ~~The state treasurer and controller shall transfer fifty-five~~
20 ~~million dollars from the general fund to the controlled maintenance trust~~
21 ~~fund on June 30, 2005."~~
22
23 Page 23, line 6, strike "1996-97" and substitute "~~1996-97~~ 2009-10".
24
25
26
27

28 LOCAL GOVERNMENT

- 29 After consideration on the merits, the Committee recommends the
30 following:
31
32 HB09-1217 be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:
35
36 Amend printed bill, page 2, line 4, strike "A NEW PARAGRAPH," and
37 substitute "THE FOLLOWING NEW PARAGRAPHS,";
38
39 line 5, after "**Improvements**", insert "**and funding**";
40
41 strike lines 8 through 11 and substitute the following:
42
43 "acquiring, OR FUNDING any public improvement OR RAISING FUNDS TO
44 ASSIST THE PROPERTY OWNERS WITHIN THE DISTRICT TO PAY, IN WHOLE OR
45 IN PART, THE COSTS ASSESSED BY PRIVATE PROVIDERS FOR THE
46 CONSTRUCTION OF THE INFRASTRUCTURE, FACILITIES, IMPROVEMENTS, OR
47 LINE EXTENSIONS NECESSARY TO PROVIDE UTILITY SERVICES TO THE
48 PROPERTY OWNERS IN THE DISTRICT, so long as the county that forms the
49 district is authorized to provide such improvement OR PROVIDE FOR SUCH
50 FUNDING under the county's home rule charter, if any, or the laws of this
51 state. Public improvements OR THE FUNDING OF THE CONSTRUCTION OF
52 INFRASTRUCTURE, FACILITIES, IMPROVEMENTS, OR EXTENSIONS USED TO
53 PROVIDE UTILITY SERVICES shall not include any facility".
54
55 Page 3, strike lines 12 through 23 and substitute the following:
56

1 (f) THE IMPROVEMENTS AND FUNDING AUTHORIZED BY THIS PART
2 6 MAY INCLUDE ANY FACILITY OR INFRASTRUCTURE IMPROVEMENT OR
3 LINE EXTENSION FOR GAS, ELECTRIC, GEOTHERMAL,
4 TELECOMMUNICATIONS, CABLE TELEVISION, OR ADVANCED SERVICES
5 CONSTRUCTED BY THE PRIVATE PROVIDER WITHIN THE DISTRICT AS MAY
6 BE SPECIFIED OR GENERALLY PROVIDED FOR IN THE RESOLUTION OF THE
7 BOARD APPROVING THE DISTRICT.

8
9 (g) ANY DISTRICT FORMED PURSUANT TO THIS PART 6 AND THE
10 COUNTY THAT FORMS THE DISTRICT SHALL IMPLEMENT THE
11 IMPROVEMENTS AND FUNDING AUTHORIZED BY THIS PART 6 IN A
12 NONDISCRIMINATORY AND TECHNOLOGICALLY AND COMPETITIVELY
13 NEUTRAL MANNER.

14
15 (h) NOTHING IN THIS PART 6 SHALL BE CONSTRUED TO AUTHORIZE
16 ANY COUNTY OR DISTRICT TO PROVIDE, DIRECTLY OR INDIRECTLY, GAS,
17 ELECTRIC, GEOTHERMAL, TELECOMMUNICATIONS, CABLE TELEVISION, OR
18 ADVANCED SERVICES. NOTHING IN THIS PART 6 SHALL BE CONSTRUED TO
19 GIVE ANY DISTRICT FORMED PURSUANT TO THIS PART 6 OR THE COUNTY
20 THAT FORMS THE DISTRICT ANY RIGHT, TITLE, OR INTEREST IN ANY UTILITY
21 INFRASTRUCTURE, FACILITY, IMPROVEMENT, OR LINE EXTENSION. ANY
22 ELECTRIC OR NATURAL GAS DISTRIBUTION, TELECOMMUNICATIONS, OR
23 ADVANCED SERVICES FACILITY FUNDED BY A DISTRICT ESTABLISHED
24 PURSUANT TO THIS PART 6 SHALL BE CONSTRUCTED BY OR IN AGREEMENT
25 WITH THE UTILITY SERVING THE AREA IN WHICH THE FACILITY IS TO BE
26 CONSTRUCTED AND SHALL BE OWNED, OPERATED, AND MAINTAINED BY
27 SUCH UTILITY."

28
29
30

31 **HB09-1220** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:

34
35
36
37
38
39

Amend printed bill, page 2, line 10, after "(h)", insert "(I)";

line 12, strike "(I)" and substitute "(A)";

line 14, strike "(II)" and substitute "(B)";

after line 15, insert the following:

42
43
44
45
46
47
48

"(II) (A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
PROVISIONS OF THIS PARAGRAPH (h) SHALL ONLY APPLY TO A COUNTY THE
POPULATION OF WHICH IS LESS THAN ONE-HUNDRED THOUSAND PERSONS
AND THAT CONTAINS A SKI LIFT LICENSED BY THE PASSENGER TRAMWAY
SAFETY BOARD CREATED IN SECTION 25-5-703 (1), C.R.S.

49
50

(B) THE PROVISIONS OF THIS PARAGRAPH (h) SHALL NOT APPLY TO
A DECLARANT-CONTROLLED COMMUNITY.

51
52
53
54
55
56

(III) NOTHING IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (h)
SHALL BE CONSTRUED TO PROHIBIT THE FUTURE OWNER OF A UNIT
AGAINST WHICH A RESTRICTION OR SPECIFICATION DESCRIBED IN SUCH
SUBPARAGRAPH HAS BEEN PLACED FROM LIFTING SUCH RESTRICTION OR
SPECIFICATION ON SUCH UNIT AS LONG AS ANY UNIT SO RELEASED IS

1 REPLACED BY ANOTHER UNIT IN THE SAME COMMON INTEREST
2 COMMUNITY ON WHICH THE RESTRICTION OR SPECIFICATION APPLIES AND
3 THE UNIT SUBJECT TO THE RESTRICTION OR SPECIFICATION IS REASONABLY
4 EQUIVALENT TO THE UNIT BEING RELEASED IN THE DETERMINATION OF THE
5 BENEFICIARY OF THE RESTRICTION OR SPECIFICATION.

6
7 (IV) EXCEPT AS OTHERWISE PROVIDED IN THE DECLARATION OF
8 THE COMMON INTEREST COMMUNITY, ANY UNIT SUBJECT TO THE
9 PROVISIONS OF THIS PARAGRAPH (h) SHALL ONLY BE OCCUPIED BY THE
10 OWNER OF THE UNIT."

11
12
13
14

15 **TRANSPORTATION & ENERGY**

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

18
19

19 **HB09-1271** be referred favorably to the Committee on Finance.

20
21

House in recess. House reconvened.

22
23
24
25

26 **REPORTS OF COMMITTEE OF REFERENCE**

27

28 **STATE, VETERANS, & MILITARY AFFAIRS**

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

31

32 **HB09-1200** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:

35

36 Amend printed bill, strike everything below the enacting clause and
37 substitute the following:

38

39 "SECTION 1. Part 3 of article 1 of title 29, Colorado Revised
40 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
41 read:

42

43 **29-1-304.9. Fiscal note.** (1) FOR ANY PROPOSED LEGISLATION
44 INTRODUCED AFTER DECEMBER 31, 2010, THAT HAS A FISCAL IMPACT ON
45 A COUNTY, THE STAFF OF THE LEGISLATIVE COUNCIL SHALL CONSIDER AND
46 PROVIDE IN THE LOCAL GOVERNMENT IMPACT SECTION OF THE
47 ACCOMPANYING FISCAL NOTE, WHEN POSSIBLE, TAKING INTO ACCOUNT
48 REASONABLE TIME CONSTRAINTS, THE FOLLOWING:

49

50 (a) A REASONABLE AND TIMELY ESTIMATE OF THE FISCAL IMPACT
51 ON THE COUNTIES CHOSEN IN ACCORDANCE WITH SUBSECTION (2) OF THIS
52 SECTION THAT WOULD RESULT FROM THE PROPOSED LEGISLATION; AND

53

54 (b) POTENTIAL STAFFING AND OTHER ADMINISTRATIVE ASPECTS OF
55 THE PROPOSED LEGISLATION.

56

1 (2) IN ORDER TO COMPILE THE INFORMATION REQUIRED BY
2 SUBSECTION (1) OF THIS SECTION, THE STAFF OF THE LEGISLATIVE COUNCIL
3 SHALL REQUEST FROM A STATEWIDE ASSOCIATION OF COUNTY
4 COMMISSIONERS, REFERRED TO IN THIS SECTION AS "COLORADO COUNTIES,
5 INCORPORATED", OR "CCI", FISCAL INFORMATION REGARDING THE IMPACT
6 OF THE PROPOSED LEGISLATION ON CERTAIN COUNTIES TO BE DETERMINED
7 BY CCI. THE INFORMATION PROVIDED BY CCI MAY INCLUDE THE FISCAL
8 IMPACT ON ANY COUNTY DIRECTLY AFFECTED BY THE PROPOSED
9 LEGISLATION. CCI MAY CONVEY THE REQUESTED INFORMATION TO THE
10 STAFF OF THE LEGISLATIVE COUNCIL WITHIN THE TIME PRESCRIBED WITH
11 A SIGNED STATEMENT VERIFYING THAT THE INFORMATION IS ACCURATE
12 AND COMPLETE TO THE BEST OF CCI'S KNOWLEDGE. IF CCI RECEIVES NEW
13 INFORMATION AT A LATER DATE, CCI MAY UPDATE ITS ORIGINAL
14 DETERMINATION OF THE FISCAL IMPACT ON THE COUNTIES CHOSEN BY CCI
15 BASED ON ACTUAL COST OR REVENUE FIGURES, IMPROVED ESTIMATES, OR
16 BOTH.

17
18 (3) THE STAFF OF LEGISLATIVE COUNCIL SHALL CONSIDER THE
19 INFORMATION RECEIVED FROM CCI, IF ANY, WHEN COMPLETING THE
20 LOCAL GOVERNMENT IMPACT SECTION OF ANY FISCAL NOTE.

21
22 **SECTION 2. Act subject to petition - effective date.** This act
23 shall take effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly that is
25 allowed for submitting a referendum petition pursuant to article V,
26 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
27 sine die is on May 6, 2009); except that, if a referendum petition is filed
28 against this act or an item, section, or part of this act within such period,
29 then the act, item, section, or part, if approved by the people, shall take
30 effect on the date of the official declaration of the vote thereon by
31 proclamation of the governor."

32
33
34

35 **HB09-1205** be amended as follows, and as so amended, be referred to
36 the Committee on Appropriations with favorable
37 recommendation:

38
39
40
41

42 Amend printed bill, page 4, line 2, strike "STATE" and substitute "STATE,
43 IN COORDINATION WITH THE COUNTY CLERK AND RECORDERS,";

44

45 line 5, strike "2010." and substitute "2012.";

46

47 line 6, strike "___" and substitute "ONE OR MORE".

48

49 Page 5, line 16, strike "AND";

50

51 after line 16, insert the following:

52 "(d) VERIFY THAT ALL VOTES CAST VIA THE INTERNET BY
53 ELECTORS WERE CAST BY 7 P.M. MOUNTAIN STANDARD TIME ON THE DAY
54 OF THE ELECTION; AND".

55

56 Reletter succeeding paragraph accordingly.

57

58 Page 7, line 15, strike "ELECTION." and substitute "ELECTION, SO LONG AS

1 THE BALLOT IS TRANSMITTED BY ELECTRONIC MEANS BY 7 P.M. MOUNTAIN
2 STANDARD TIME ON THE DAY OF THE ELECTION."

3
4 Page 9, line 11, after "CAST", insert "BY 7 P.M. MOUNTAIN STANDARD TIME
5 ON THE DAY OF THE ELECTION".

6
7
8
9 **HB09-1206** be postponed indefinitely.

10
11
12 **HB09-1218** be amended as follows, and as so amended, be referred to
13 the Committee of the Whole with favorable
14 recommendation:

15
16 Amend printed bill, page 8, line 15, strike "OFFICE OF THE STATE
17 CONTROLLER." and substitute "STATE CONTROLLER AS AUTHORIZED BY
18 SECTION 24-30-202".

19
20 Page 9, line 7, strike "OFFICE OF THE";
21
22 line 8, after "CONTROLLER", insert "AS AUTHORIZED BY SECTION
23 24-30-202".

24
25
26
27 **HB09-1235** be amended as follows, and as so amended, be referred to
28 the Committee on Judiciary with favorable
29 recommendation:

30
31 Amend printed bill, page 2, line 2, strike "(1) (c) and";
32
33 line 3, strike "are" and substitute "is";
34
35 strike lines 7 through 20.

36
37 Page 3, strike lines 10 through 20 and substitute the following:

38
39 "(C) ANY NEIGHBORHOOD OR COMMUNITY VOLUNTEER OR OTHER
40 PERSON WHO PROVIDES UNPAID SERVICES IN REMOVING WEEDS, BRUSH,
41 AND RUBBISH FROM ABANDONED OR UNOCCUPIED PROPERTY SHALL BE
42 IMMUNE FROM LIABILITY IN ANY CIVIL ACTION BROUGHT AGAINST SAID
43 PERSON FOR ACTS OCCURRING WHILE THE PERSON WAS ACTING IN SUCH
44 CAPACITY; EXCEPT THAT THIS EXEMPTION SHALL NOT APPLY TO GROSSLY
45 NEGLIGENT, WILLFUL, WANTON, OR RECKLESS ACTS OR OMISSIONS.";

46
47 strike lines 24 and 25 and substitute the following:

48
49 "SALE, SHALL BE IMMUNE FROM LIABILITY IN ANY CIVIL ACTION".

50
51 Page 4, strike lines 2 and 3 and substitute the following:

52
53 "PROPERTY; EXCEPT THAT THIS EXEMPTION SHALL NOT APPLY TO GROSSLY
54 NEGLIGENT, WILLFUL, WANTON, OR RECKLESS ACTS OR OMISSIONS".

55
56

1 **HB09-1248** be referred favorably to the Committee on Appropriations.

2

3

4 **MESSAGE FROM THE SENATE**

5

6 The Senate has passed on Third Reading and transmitted to the Revisor
7 of Statutes: SB09-157.

8

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

11

12 SB09-117 Amended as printed in Senate Journal, February 17, 2009,
13 page 356.

14 SB09-069 Amended as printed in Senate Journal, February 17, 2009,
15 page 356.

16 SB09-169 Amended as printed in Senate Journal, February 17, 2009,
17 page 356.

18 SB09-016 Amended as printed in Senate Journal, February 17, 2009,
19 page 357.

20 SB09-012 Amended as printed in Senate Journal, February 17, 2009,
21 page 357.

22 SB09-141 Amended as printed in Senate Journal, February 17, 2009,
23 page 357.

24

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

27

28 HB09-1002 Amended as printed in Senate Journal, February 17, 2009,
29 page 356.

30

31

32 **MESSAGE FROM THE REVISOR**

33

34 We herewith transmit:

35 Without comment, SB09-157.

36 Without comment, as amended, HB09-1002 and SB 09-117, 069, 169,
37 016, 012, and 141.

38

39

40 **LAY OVER OF CALENDAR ITEMS**

41

42 On motion of Representative Balmer, the following items on the Calendar
43 were laid over until February 19, retaining place on Calendar:

44

45 Consideration of Resolutions--**HR09-1006, SJR09-012.**

46

47

48 On motion of Representative Balmer, the House adjourned until
49 9:00 a.m., February 19, 2009.

50

51

Approved:
TERRANCE D. CARROLL,
Speaker

52

53

54 Attest:

55 MARILYN EDDINS,

56 Chief Clerk

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

Forty-fourth Legislative Day

Thursday, February 19, 2009

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.
 2

3 The Speaker called the House to order at 9:00 a.m.
 4

5 Pledge of Allegiance led by Alexandria Riesberg, Joshua Hollis,
 6 Samantha Lihzis, Brandon Hulsey, Catie Lihzis, Knowledge Quest
 7 Academy, Milliken; Asael Amaya, Rifle.
 8

9 The roll was called with the following result:
 10

11 Present--61.
 12 Excused--Representative(s) Balmer, Gagliardi, Pommer, Priola--4.
 13 Present after roll call--Representative(s) Pommer, Priola.
 14

15 The Speaker declared a quorum present.
 16
 17

18 On motion of Representative Gerou, the reading of the journal of
 19 February 18, 2009, was declared dispensed with and approved as
 20 corrected by the Chief Clerk.
 21
 22

THIRD READING OF BILLS--FINAL PASSAGE

23
 24
 25
 26 The following bills were considered on Third Reading. The titles were
 27 publicly read. Reading of the bill at length was dispensed with by
 28 unanimous consent.
 29

30 **HB09-1240** by Representative(s) Miklosi; also Senator(s) Foster--Con-
 31 cerning creating the Colorado teacher of the year program.
 32

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

34 A roll call vote was taken. As shown by the following recorded vote, a
 35 majority of those elected to the House voted in the affirmative and the
 36 bill was declared **passed**.
 37

	YES	62	NO	0	EXCUSED	3	ABSENT	0
39	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
40	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
41	Balmer	E	Judd	Y	McKinley	Y	Scanlan	Y
42	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
43	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y

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

13 Co-sponsor(s) added: Representative(s) Apuan, Baumgardner, Bradford, Casso,
14 Court, Fischer, Frangas, Gerou, Green, Kerr A., Labuda, McGihon, McNulty,
15 Murray, Nikkel, Pace, Primavera, Priola, Ryden, Scanlan, Schafer S., Solano,
16 Stephens, Summers, Tipton, Todd, Vigil, Waller, Weissmann

17
18 **HB09-1121** by Representative(s) King S.; also Senator(s) Renfroe--
19 Concerning the disposition of evidence collected in
20 criminal cases.

21
22 The question being "Shall the bill pass?".

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

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

45 Co-sponsor(s) added: Representative(s) Acree, Apuan, Baumgardner,
46 Benefield, Bradford, Casso, Kerr J., Labuda, Lambert, Middleton, Priola,
47 Stephens, Tipton, Vaad, Waller

48
49 **HB09-1207** by Representative(s) Gardner C.; also Senator(s) Veiga--
50 Concerning procedures to enforce a lien related to real
51 property.

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	63	NO	0	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McGihon	Y	Ryden	Y
4	Balmer	E	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	Y
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	E	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) Baumgardner, Gardner B., Middleton,
 20 Murray, Nikkel, Priola, Stephens, Todd

21
 22 **HB09-1223** by Representative(s) Marostica, Ferrandino, Pommer; also
 23 Senator(s) Tapia, Keller, White--Concerning the extension
 24 of the deadline for expending moneys for the Colorado
 25 benefits management system from the health care
 26 supplemental appropriations and overexpenditures account
 27 of the tobacco litigation settlement cash fund.
 28

29 The question being "Shall the bill pass?".
 30 A roll call vote was taken. As shown by the following recorded vote, a
 31 majority of those elected to the House voted in the affirmative and the bill
 32 was declared **passed**.
 33

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

52 Co-sponsor(s) added: Representative(s) Priola, Ryden, Todd

53
 54
 55

1 **HB09-1241** by Representative(s) Roberts; also Senator(s) Morse--
 2 Concerning title 15 of the Colorado Revised Statutes.
 3

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

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

27 Co-sponsor(s) added: Representative(s) Ferrandino, Kerr J., McGihon, Tipton,
 28 Waller
 29

30 **HB09-1272** by Representative(s) Massey and Pommer, Gardner C.,
 31 McKinley, McNulty, Merrifield, Scanlan, Summers, Todd;
 32 also Senator(s) Tapia, Brophy, Heath, Kester, Penry,
 33 Williams--Concerning statutory amendments required to
 34 implement locally approved changes to the parameters for
 35 limited gaming under section 9 (7) of article XVIII of the
 36 Colorado constitution, adopted by voters at the 2008
 37 general election.
 38

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

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

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

6 Co-sponsor(s) added: Representative(s) Fischer, Gardner B., Hullinghorst,
7 Labuda, McFadyen, Middleton, Nikkel, Pace, Priola, Ryden, Schafer S., Solano,
8 Stephens, Vaad, Vigil

9

10

11

12

13

14

CONSIDERATION OF RESOLUTIONS

15 **HR09-1006** by Representative(s) Benefield, Court, Massey, Vaad--
16 Concerning the appointment of an employee for the House
17 of Representatives of the Sixty-seventh General Assembly.

18

19 (Printed and placed in members file)

20

21 On motion of Representative Benefield, the resolution was **adopted** by
22 the following roll call vote:

23

24

25

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41

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

42 Co-sponsor(s) added: Representative(s) Baumgardner, Kerr J., Labuda,
43 Lambert, McNulty, Nikkel, Priola, Ryden, Schafer S., Solano, Soper, Todd,
44 Vigil, Waller

45

46

47 **SJR09-012** by Senator(s) Scheffel, Penry, Kopp, Cadman, King K.,
48 White, Harvey, Schultheis, Groff, Brophy, Kester,
49 Lundberg, Renfroe; also Representative(s) McNulty--
50 Concerning the 200th anniversary of the birth of former
51 President Abraham Lincoln.

52

53 (Printed and placed in members file)

54

55

1 On motion of Representative McNulty, the resolution was **adopted** by
2 **viva voce** vote.

3
4 Co-sponsor(s) added: Representative(s) Acree, Apuan, Baumgardner,
5 Benefield, Bradford, Casso, Court, Curry, Ferrandino, Fischer, Frangas,
6 Gardner B., Gardner C., Gerou, Green, Hulinghorst, Judd, Kefalas,
7 Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper,
8 Marostica, Massey, May, McCann, McFadyen, McGihon, McKinley,
9 Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston,
10 Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan,
11 Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm,
12 Tipton, Todd, Vaad, Vigil, Waller, Weissmann, Speaker

13
14
15
16 **REPORTS OF COMMITTEES OF REFERENCE**

17
18 **BUSINESS AFFAIRS & LABOR**

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

21
22 **HB09-1202** be amended as follows, and as so amended, be referred to
23 the Committee on Appropriations with favorable
24 recommendation:

25
26 Amend printed bill, page 4, line 4, strike "who, for compensation," and
27 substitute "who ~~for compensation,~~";

28
29 strike lines 10 through 14.

30
31 Page 6, after line 11, insert the following:

32
33 **"SECTION 3.** 12-54-104 (1), Colorado Revised Statutes, is
34 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

35
36 **12-54-104. Unlawful acts.** (1) It is unlawful:

37
38 (n) TO ENGAGE IN WILLFULLY DISHONEST CONDUCT OR COMMIT
39 NEGLIGENCE IN THE PRACTICE OF EMBALMING, FUNERAL DIRECTING, OR
40 PROVIDING FOR FINAL DISPOSITION THAT DEFRAUDS OR CAUSES INJURY OR
41 IS LIKELY TO DEFRAUD OR CAUSE INJURY."

42
43 Renumber succeeding sections accordingly.

44
45 Page 7, line 1, strike "three hundred sixty-five" and substitute "~~three~~
46 ~~hundred sixty-five~~ ONE HUNDRED EIGHTY".

47
48 Page 9, line 10, strike "RENEWED AT LEAST ANNUALLY," and substitute
49 "RENEWED,".

50
51 Page 10, strike lines 2 through 6.

52
53 Renumber succeeding subsections accordingly.

54
55 Page 10, strike lines 12 through 14;

56

1 line 23, strike "SUCCESSOR;" and substitute "SUCCESSOR, IF THE
2 SUCCESSOR IS APPROVED BY THE DIRECTOR;";

3

4 line 26, after "SUCCESSOR,", insert "IF THE SUCCESSOR IS APPROVED BY
5 THE DIRECTOR,".

6

7 Page 11, after line 16, insert the following:

8

9 **"12-54-112. Standards of practice - embalming - transporting.**

10 (1) A FUNERAL ESTABLISHMENT THAT PERFORMS EMBALMING SHALL:

11

12 (a) MAINTAIN A SANITARY PREPARATION ROOM WITH SANITARY
13 FLOORING, DRAINAGE, AND VENTILATION;

14

15 (b) EMPLOY UNIVERSAL BIOLOGICAL HAZARD PRECAUTIONS;

16

17 (c) EMPLOY REASONABLE CARE TO MINIMIZE THE RISK OF
18 TRANSMITTING COMMUNICABLE DISEASES FROM DEAD HUMAN BODIES;

19

20 (d) BE EQUIPPED WITH INSTRUMENTS AND SUPPLIES NECESSARY TO
21 PROTECT THE HEALTH AND SAFETY OF THE PUBLIC AND EMPLOYEES OF THE
22 FUNERAL ESTABLISHMENT; AND

23

24 (e) TRANSPORT DEAD HUMAN BODIES IN A SAFE AND SANITARY
25 MANNER.

26

27 (2) A FUNERAL ESTABLISHMENT THAT TRANSPORTS DEAD HUMAN
28 BODIES SHALL:

29

30 (a) USE A MOTOR VEHICLE THAT IS APPROPRIATE FOR THE
31 TRANSPORTATION OF A DEAD HUMAN BODY; AND

32

33 (b) TRANSPORT DEAD HUMAN BODIES IN A SAFE AND SANITARY
34 MANNER.

35

36 (3) A FUNERAL ESTABLISHMENT SHALL REMOVE ANY IMPLANTED
37 DEVICE IN A DEAD HUMAN BODY BEFORE TRANSPORTING THE BODY TO A
38 CREMATORY.";

39

40 line 24, after "COLOR,", insert "RELIGION, SEX, MARITAL STATUS,".

41

42 Page 13, line 9, strike "PAID;" and substitute "PAID, UNLESS THERE IS A
43 GOOD FAITH DISPUTE OVER WHO CONTROLS THE RIGHT OF FINAL
44 DISPOSITION;";

45

46 Page 14, after line 1, insert the following:

47

48 "(1) TO ENGAGE IN WILLFULLY DISHONEST CONDUCT OR COMMIT
49 NEGLIGENCE IN THE PRACTICE OF CREMATION OR PROVIDING FOR FINAL
50 DISPOSITION THAT DEFRAUDS OR CAUSES INJURY OR IS LIKELY TO DEFRAUD
51 OR CAUSE INJURY.".

52

53 Page 16, line 17, strike "RENEWED AT" and substitute "RENEWED,";

54

55 line 18, strike "LEAST ANNUALLY,".

56

1 Page 17, strike lines 8 through 12.

2

3 Renumber succeeding subsection accordingly.

4

5 Page 19, after line 4, insert the following:

6

7 **"12-54-307. Standards of practice - cremating. (1) A**

8 CREMATORY SHALL:

9

10 (a) MAINTAIN A RETORT OR CREMATORY CHAMBER THAT IS
11 OPERATED AT ALL TIMES IN A SAFE AND SANITARY MANNER;

12

13 (b) EMPLOY REASONABLE CARE TO MINIMIZE THE RISK OF
14 TRANSMITTING COMMUNICABLE DISEASES FROM DEAD HUMAN BODIES;

15

16 (c) BE EQUIPPED WITH INSTRUMENTS AND SUPPLIES NECESSARY TO
17 PROTECT THE HEALTH AND SAFETY OF THE PUBLIC AND EMPLOYEES OF THE
18 CREMATORY; AND

19

20 (d) TRANSPORT DEAD HUMAN BODIES IN A SAFE AND SANITARY
21 MANNER.

22

23 (2) (a) A CREMATORY SHALL NOT CREMATE A DEAD HUMAN BODY
24 UNLESS THE CREMATORY HAS OBTAINED A STATEMENT CONTAINING THE
25 FOLLOWING FROM A FUNERAL ESTABLISHMENT, FUNERAL DIRECTOR,
26 MORTUARY SCIENCE PRACTITIONER, OR THE PERSON WITH THE RIGHT OF
27 FINAL DISPOSITION:

28

29 (I) THE IDENTITY OF THE DECEDENT;

30

31 (II) THE DATE OF DEATH;

32

33 (III) AUTHORIZATION TO CREMATE THE DEAD HUMAN BODY;

34

35 (IV) THE NAME OF THE PERSON AUTHORIZING CREMATION AND AN
36 AFFIDAVIT OR OTHER DOCUMENT IN COMPLIANCE WITH ARTICLE 19 OF
37 TITLE 15, C.R.S., THAT THE AUTHORIZATION COMPLIES WITH ARTICLE 19
38 OF TITLE 15, C.R.S.;

39

40 (V) A STATEMENT THAT THE DEAD HUMAN BODY DOES NOT
41 CONTAIN AN IMPLANTED DEVICE;

42

43 (VI) THE NAME OF THE PERSON AUTHORIZED TO RECEIVE THE
44 CREMAINS;

45

46 (VII) A LIST OF ITEMS DELIVERED TO THE CREMATORY ALONG
47 WITH THE DEAD HUMAN BODY;

48

49 (VIII) A STATEMENT AS TO WHETHER THE NEXT OF KIN HAS MADE
50 ARRANGEMENTS FOR A VIEWING OR SERVICE BEFORE CREMATION AND THE
51 DATE AND TIME OF ANY VIEWING OR SERVICE;

52

53 (IX) A COPY OF THE DEATH CERTIFICATE; AND

54

55 (X) A SIGNATURE OF A REPRESENTATIVE OF ANY FUNERAL
56 ESTABLISHMENT OR THE NEXT OF KIN MAKING ARRANGEMENTS FOR

1 CREMATION THAT THE REPRESENTATIVE HAS NO ACTUAL KNOWLEDGE
2 THAT CONTRADICTS ANY INFORMATION REQUIRED BY THIS PARAGRAPH (a).

3
4 (b) A PERSON WHO SIGNS THE STATEMENT REQUIRED BY
5 PARAGRAPH (a) OF THIS SUBSECTION (2) SHALL WARRANT THE
6 TRUTHFULNESS OF THE FACTS CONTAINED THEREIN. A PERSON WHO SIGNS
7 THE STATEMENT WITH ACTUAL KNOWLEDGE TO THE CONTRARY SHALL BE
8 CIVILLY LIABLE.

9
10 (3) (a) THE DEAD HUMAN BODY SHALL BE HELD IN A CREMATION
11 CONTAINER AND SHALL NOT BE REMOVED.

12
13 (b) THE DEAD HUMAN BODY SHALL BE CREMATED IN A CREMATION
14 CONTAINER.

15
16 (c) A CREMATION CONTAINER SHALL:

17
18 (I) BE COMPOSED OF COMBUSTIBLE MATERIALS SUITABLE FOR
19 CREMATION;

20
21 (II) BE ABLE TO BE CLOSED IN ORDER TO PROVIDE A COMPLETE
22 COVERING FOR THE DEAD HUMAN BODY;

23
24 (III) BE RESISTANT TO LEAKING OR SPILLING;

25
26 (IV) BE RIGID ENOUGH TO HANDLE WITH EASE; AND

27
28 (V) PROVIDE REASONABLE PROTECTION FOR THE HEALTH AND
29 SAFETY OF CREMATORY EMPLOYEES.

30
31 (4) A CREMATORY SHALL NOT CREMATE MORE THAN ONE DEAD
32 HUMAN BODY WITHIN THE SAME CREMATION CHAMBER OR OTHERWISE
33 COMMINGLE THE CREMAINS OF MULTIPLE DEAD HUMAN BODIES UNLESS
34 THE NEXT OF KIN HAS SIGNED A WRITTEN AUTHORIZATION. NO
35 CREMATORY SHALL BE HELD CIVILLY LIABLE FOR COMMINGLING THE
36 CREMAINS OF DEAD HUMAN BODIES IF THE NEXT OF KIN HAS SIGNED SUCH
37 WRITTEN AUTHORIZATION.

38
39 (5) (a) A CREMATORY SHALL USE A TAG TO IDENTIFY A DEAD
40 HUMAN BODY AND CREMAINS. THE TAG SHALL BE VERIFIED, REMOVED,
41 AND PLACED NEAR THE CREMATION CHAMBER CONTROL PANEL PRIOR TO
42 CREMATION. THE TAG SHALL REMAIN NEXT TO THE CREMATION CHAMBER
43 UNTIL THE CREMATION IS COMPLETE.

44
45 (b) AFTER CREMATION IS COMPLETE, ALL OF THE CREMAINS AND
46 REASONABLE RECOVERABLE RESIDUE SHALL BE REMOVED FROM THE
47 CREMATION CHAMBER AND PROCESSED AS NECESSARY. ANYTHING OTHER
48 THAN THE CREMAINS SHALL BE DISPOSED OF UNLESS THE NEXT OF KIN
49 AUTHORIZES OTHERWISE.

50
51 (c) THE PROCESSED CREMAINS SHALL BE PLACED IN A TEMPORARY
52 CONTAINER OR URN. ANY CREMAINS THAT DO NOT FIT WITHIN SUCH
53 ENCLOSURE SHALL BE PLACED IN A SEPARATE TEMPORARY CONTAINER OR
54 URN. EACH CONTAINER SHALL BE MARKED WITH THE DECEDENT'S
55 IDENTITY AND THE NAME OF THE CREMATORY. IF A TEMPORARY
56 CONTAINER IS USED, THE CREMATORY SHALL DISCLOSE THAT THE

1 TEMPORARY CONTAINER SHOULD NOT BE USED FOR PERMANENT STORAGE.

2

3 (d) IF CREMATED REMAINS ARE SHIPPED, THE CREMATORY SHALL
4 USE A METHOD THAT EMPLOYS AN INTERNAL TRACKING SYSTEM AND
5 OBTAINS A SIGNED RECEIPT FROM THE PERSON ACCEPTING DELIVERY.

6

7 (6) CREMAINS SHALL NOT BE COMMINGLED WITH OTHER CREMAINS
8 IN FINAL DISPOSITION OR SCATTERING WITHOUT WRITTEN AUTHORIZATION
9 FROM THE NEXT OF KIN UNLESS THE DISPOSITION OR SCATTERING OCCURS
10 WITHIN A DEDICATED CEMETERY OR CONSECRATED GROUNDS USED
11 EXCLUSIVELY FOR SUCH PURPOSES.

12

13 (7) (a) A CREMATORY SHALL NOT CREMATE A DEAD HUMAN BODY
14 CONTAINING AN IMPLANTED DEVICE. IF THE FUNERAL ESTABLISHMENT
15 THAT HAD CONTROL OF THE DEAD HUMAN BODY FAILED TO ENSURE THAT
16 A DEVICE WAS REMOVED, THE FUNERAL ESTABLISHMENT SHALL BE
17 RESPONSIBLE FOR REMOVING THE DEVICE.

18

19 (b) IF THE PERSON AUTHORIZING CREMATION FAILS TO INFORM THE
20 CREMATORY OF THE PRESENCE OF AN IMPLANTED DEVICE, THE PERSON
21 SHALL BE SOLELY LIABLE FOR ANY RESULTING DAMAGE TO THE
22 CREMATORY.";

23

24 strike lines 7 through 27.

25

26 Strike pages 20 and 21.

27

28 Page 22, strike lines 1 through 12 and substitute the following:

29

30 **"12-54-401. Powers and duties of the director - rules.** (1) THE
31 DIRECTOR MAY DENY, SUSPEND, REFUSE TO RENEW, ISSUE A LETTER OF
32 ADMONITION OR CONFIDENTIAL LETTER OF CONCERN TO, REVOKE, PLACE
33 ON PROBATION, OR LIMIT THE SCOPE OF PRACTICE OF A REGISTRATION
34 APPLICATION OR THE REGISTRATION OF A FUNERAL ESTABLISHMENT OR
35 CREMATORY UNDER THIS ARTICLE THAT HAS:

36

37 (a) FILED AN APPLICATION WITH THE DIRECTOR CONTAINING
38 MATERIAL MISSTATEMENTS OF FACT OR HAS OMITTED ANY DISCLOSURE
39 REQUIRED BY THIS ARTICLE;

40

41 (b) HAD A REGISTRATION ISSUED BY COLORADO, OR AN
42 EQUIVALENT LICENSE, REGISTRATION, OR CERTIFICATION ISSUED BY
43 ANOTHER STATE, TO PRACTICE MORTUARY SCIENCE OR TO EMBALM OR
44 CREMATE A DEAD HUMAN BODY REVOKED; OR

45

46 (c) VIOLATED THIS ARTICLE OR ANY RULE OF THE DIRECTOR
47 ADOPTED UNDER THIS ARTICLE.

48

49 (2) (a) THE DIRECTOR MAY REVOKE A REGISTRATION IF THE
50 FUNERAL ESTABLISHMENT, CREMATORY, OR THE DESIGNEE THEREOF HAS
51 BEEN CONVICTED OF A FELONY RELATED TO ANOTHER ACTIVITY
52 REGULATED UNDER THIS ARTICLE OR A FELONY OF MORAL TURPITUDE.
53 THE DIRECTOR SHALL PROMPTLY NOTIFY THE FUNERAL ESTABLISHMENT
54 OR CREMATORY OF SUCH REVOCATION.

55

1 (b) A CREMATORY OR FUNERAL ESTABLISHMENT WHOSE
2 REGISTRATION HAS BEEN REVOKED SHALL NOT BE ELIGIBLE FOR A
3 REGISTRATION FOR TWO YEARS AFTER THE EFFECTIVE DATE OF THE
4 REVOCATION.

5
6 (3) THE DIRECTOR MAY INVESTIGATE THE ACTIVITIES OF A
7 FUNERAL ESTABLISHMENT OR CREMATORY UPON HIS OR HER OWN
8 INITIATIVE OR UPON RECEIPT OF A COMPLAINT OR A SUSPECTED OR
9 ALLEGED VIOLATION OF THIS ARTICLE. THE DIRECTOR MAY ENTER THE
10 PREMISES IN WHICH VIOLATIONS ARE ALLEGED TO HAVE OCCURRED
11 DURING BUSINESS HOURS.

12
13 (4) THE DIRECTOR OR AN ADMINISTRATIVE LAW JUDGE APPOINTED
14 PURSUANT TO PART 10 OF ARTICLE 30 OF TITLE 24, C.R.S., SHALL
15 CONDUCT DISCIPLINARY HEARINGS CONCERNING A REGISTRATION ISSUED
16 UNDER THIS ARTICLE. SUCH HEARINGS SHALL CONFORM TO ARTICLE 4 OF
17 TITLE 24, C.R.S.

18
19 (5) (a) THE DIRECTOR OR AN ADMINISTRATIVE LAW JUDGE MAY
20 ADMINISTER OATHS, TAKE AFFIRMATIONS OF WITNESSES, AND ISSUE
21 SUBPOENAS TO COMPEL THE ATTENDANCE OF WITNESSES AND THE
22 PRODUCTION OF ALL RELEVANT PAPERS, BOOKS, RECORDS, DOCUMENTARY
23 EVIDENCE, AND MATERIALS IN ANY HEARING OR INVESTIGATION
24 CONDUCTED BY THE DIRECTOR OR AN ADMINISTRATIVE LAW JUDGE.

25
26 (b) UPON FAILURE OF A WITNESS TO COMPLY WITH A SUBPOENA OR
27 SERVICE OF PROCESS, THE DISTRICT COURT OF THE COUNTY IN WHICH THE
28 SUBPOENAED WITNESS RESIDES OR CONDUCTS BUSINESS MAY ISSUE AN
29 ORDER REQUIRING THE WITNESS TO APPEAR BEFORE THE DIRECTOR OR
30 ADMINISTRATIVE LAW JUDGE AND PRODUCE THE RELEVANT PAPERS,
31 BOOKS, RECORDS, DOCUMENTARY EVIDENCE, TESTIMONY, OR MATERIALS
32 IN QUESTION. FAILURE TO OBEY THE ORDER OF THE COURT MAY BE
33 PUNISHED AS A CONTEMPT OF COURT. THE DIRECTOR OR AN
34 ADMINISTRATIVE LAW JUDGE MAY APPLY FOR SUCH ORDER.

35
36 (6) THE DIRECTOR SHALL KEEP RECORDS OF REGISTRATIONS AND
37 DISCIPLINARY PROCEEDINGS. THE RECORDS KEPT BY THE DIRECTOR SHALL
38 BE OPEN TO PUBLIC INSPECTION IN A REASONABLE TIME AND MANNER
39 DETERMINED BY THE DIRECTOR.

40
41 (7) WHEN THE DIRECTOR OR ADMINISTRATIVE LAW JUDGE DEEMS
42 IT APPROPRIATE AND USEFUL, THE DIRECTOR OR ADMINISTRATIVE LAW
43 JUDGE SHALL CONSULT WITH OR OBTAIN A WRITTEN OPINION FROM AN
44 APPROPRIATE PROFESSIONAL ORGANIZATION OR ASSOCIATION OF
45 BUSINESSES WHO OFFER SERVICES REQUIRING REGISTRATION UNDER THIS
46 ARTICLE FOR THE PURPOSE OF INVESTIGATING POSSIBLE VIOLATIONS OR
47 WEIGHING THE APPROPRIATE STANDARD OF CARE TO BE APPLIED TO
48 SPECIFIC EVENTS OR THE FACTS IN A HEARING BEING HELD UNDER THIS
49 ARTICLE.

50
51 (8) (a) THE DIRECTOR MAY PROMULGATE REASONABLE RULES
52 NECESSARY TO IMPLEMENT THIS SECTION, SECTIONS 12-54-110,
53 12-54-111, 12-54-303, AND 12-54-304, AND THIS PART 4.

54
55 (b) BEFORE PROMULGATING RULES, THE DIRECTOR SHALL SEEK
56 INPUT AND ADVICE FROM A PERSON, OR ANY STATE PROFESSIONAL

1 ORGANIZATION OF PERSONS, OFFERING SERVICES THAT REQUIRE
2 REGISTRATION PURSUANT TO THIS ARTICLE.".

3

4 Page 23, strike lines 14 through 27.

5

6 Strike pages 24 and 25.

7

8 Page 26, strike lines 1 through 24 and substitute the following:

9

10 **"12-54-404. Letters of concern.** THE DIRECTOR MAY ISSUE AND
11 SEND A CONFIDENTIAL LETTER OF CONCERN TO THE FUNERAL
12 ESTABLISHMENT OR CREMATORY WHEN A COMPLAINT OR INVESTIGATION
13 DISCLOSES AN INSTANCE OF CONDUCT THAT DOES NOT WARRANT FORMAL
14 ACTION BY THE DIRECTOR AND, IN THE OPINION OF THE DIRECTOR, THE
15 COMPLAINT SHOULD BE DISMISSED, BUT THE DIRECTOR HAS NOTICED
16 INDICATIONS OF POSSIBLE ERRANT CONDUCT BY THE FUNERAL
17 ESTABLISHMENT OR CREMATORY THAT COULD LEAD TO SERIOUS
18 CONSEQUENCES IF NOT CORRECTED.

19

20 **12-54-405. Letters of admonition - funeral homes and**
21 **crematories.** (1) WHEN A COMPLAINT OR INVESTIGATION DISCLOSES AN
22 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR, DOES
23 NOT WARRANT FORMAL ACTION BY THE DIRECTOR BUT THAT SHOULD NOT
24 BE DISMISSED AS BEING WITHOUT MERIT, A LETTER OF ADMONITION MAY
25 BE ISSUED AND SENT TO A PERSON BY CERTIFIED MAIL.

26

27 (2) WHEN A LETTER OF ADMONITION IS SENT BY THE DIRECTOR,
28 THE SUBJECT SHALL BE ADVISED OF THE RIGHT TO REQUEST THAT FORMAL
29 DISCIPLINARY PROCEEDINGS BE INITIATED TO ADJUDICATE THE PROPRIETY
30 OF THE CONDUCT UPON WHICH THE LETTER OF ADMONITION IS BASED. THE
31 SUBJECT SHALL MAKE THE REQUEST IN WRITING WITHIN TWENTY DAYS
32 AFTER RECEIPT OF THE LETTER.

33

34 (3) IF THE REQUEST FOR ADJUDICATION IS TIMELY MADE, THE
35 LETTER OF ADMONITION SHALL BE DEEMED VACATED AND THE MATTER
36 SHALL BE PROCESSED BY MEANS OF FORMAL DISCIPLINARY PROCEEDINGS.

37

38 **12-54-406. Cease-and-desist orders - procedure.** (1) (a) IF IT
39 APPEARS TO THE DIRECTOR, BASED UPON CREDIBLE EVIDENCE AS
40 PRESENTED IN A WRITTEN COMPLAINT, THAT A PERSON IS ACTING IN A
41 MANNER THAT CREATES AN IMMINENT THREAT TO THE HEALTH AND
42 SAFETY OF THE PUBLIC, OR A PERSON IS ACTING OR HAS ACTED WITHOUT
43 THE REQUIRED REGISTRATION, THE DIRECTOR MAY ISSUE AN ORDER TO
44 CEASE AND DESIST SUCH ACTIVITY. THE ORDER SHALL SET FORTH THE
45 STATUTES AND RULES ALLEGED TO HAVE BEEN VIOLATED, THE FACTS
46 ALLEGED TO HAVE CONSTITUTED THE VIOLATION, AND THE REQUIREMENT
47 THAT ALL UNLAWFUL ACTS OR UNAUTHORIZED PRACTICES IMMEDIATELY
48 CEASE.

49

50 (b) WITHIN TEN DAYS AFTER SERVICE OF THE ORDER TO CEASE AND
51 DESIST PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1), THE
52 RESPONDENT MAY REQUEST A HEARING ON THE QUESTION OF WHETHER
53 THE ALLEGED ACTS OR PRACTICES HAVE OCCURRED. SUCH HEARING
54 SHALL BE CONDUCTED PURSUANT TO SECTIONS 24-4-104 AND 24-4-105,
55 C.R.S.

56

1 (2) (a) IF IT APPEARS TO THE DIRECTOR, BASED UPON CREDIBLE
2 EVIDENCE AS PRESENTED IN A WRITTEN COMPLAINT, THAT A PERSON HAS
3 VIOLATED THIS ARTICLE OR RULES PROMULGATED UNDER THIS ARTICLE,
4 THEN, IN ADDITION TO ANY SPECIFIC POWERS GRANTED PURSUANT TO THIS
5 ARTICLE, THE DIRECTOR MAY ISSUE TO SUCH PERSON AN ORDER TO SHOW
6 CAUSE AS TO WHY THE DIRECTOR SHOULD NOT ISSUE A FINAL ORDER
7 DIRECTING SUCH PERSON TO CEASE AND DESIST FROM SUCH VIOLATIONS.

8
9 (b) A PERSON AGAINST WHOM AN ORDER TO SHOW CAUSE HAS
10 BEEN ISSUED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2) SHALL
11 BE PROMPTLY NOTIFIED BY THE DIRECTOR OF THE ISSUANCE OF THE
12 ORDER, ALONG WITH A COPY OF THE ORDER, THE FACTUAL AND LEGAL
13 BASIS FOR THE ORDER, AND THE DATE SET BY THE DIRECTOR FOR A
14 HEARING ON THE ORDER. SUCH NOTICE MAY BE SERVED BY PERSONAL
15 SERVICE, BY FIRST-CLASS UNITED STATES MAIL, POSTAGE PREPAID, OR AS
16 MAY BE PRACTICABLE UPON ANY PERSON AGAINST WHOM SUCH ORDER IS
17 ISSUED. PERSONAL SERVICE OR MAILING OF AN ORDER OR DOCUMENT
18 PURSUANT TO THIS SUBSECTION (2) SHALL CONSTITUTE NOTICE THEREOF
19 TO THE PERSON.

20
21 (c) (I) THE HEARING ON AN ORDER TO SHOW CAUSE SHALL BE
22 COMMENCED NO SOONER THAN TEN AND NO LATER THAN FORTY-FIVE
23 CALENDAR DAYS AFTER THE DATE OF TRANSMISSION OR SERVICE OF THE
24 NOTIFICATION BY THE DIRECTOR AS PROVIDED IN PARAGRAPH (b) OF THIS
25 SUBSECTION (2). THE HEARING MAY BE CONTINUED BY AGREEMENT OF
26 ALL PARTIES BASED UPON THE COMPLEXITY OF THE MATTER, NUMBER OF
27 PARTIES TO THE MATTER, AND LEGAL ISSUES PRESENTED IN THE MATTER,
28 BUT IN NO EVENT SHALL THE HEARING COMMENCE LATER THAN SIXTY
29 CALENDAR DAYS AFTER THE DATE OF TRANSMISSION OR SERVICE OF THE
30 NOTIFICATION.

31
32 (II) IF A PERSON AGAINST WHOM AN ORDER TO SHOW CAUSE HAS
33 BEEN ISSUED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2) DOES
34 NOT APPEAR AT THE HEARING, THE DIRECTOR MAY PRESENT EVIDENCE
35 THAT NOTIFICATION WAS PROPERLY SENT OR SERVED UPON SUCH PERSON
36 PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (2) AND SUCH OTHER
37 EVIDENCE RELATED TO THE MATTER AS THE DIRECTOR DEEMS
38 APPROPRIATE. THE DIRECTOR SHALL ISSUE THE ORDER WITHIN TEN DAYS
39 AFTER THE DIRECTOR'S DETERMINATION RELATED TO REASONABLE
40 ATTEMPTS TO NOTIFY THE RESPONDENT, AND THE ORDER SHALL BECOME
41 FINAL AS TO THAT PERSON BY OPERATION OF LAW. SUCH HEARING SHALL
42 BE CONDUCTED PURSUANT TO SECTIONS 24-4-104 AND 24-4-105, C.R.S.

43
44 (III) IF THE DIRECTOR REASONABLY FINDS THAT THE PERSON
45 AGAINST WHOM THE ORDER TO SHOW CAUSE WAS ISSUED IS ACTING OR
46 HAS ACTED WITHOUT THE REQUIRED REGISTRATION OR HAS ENGAGED IN
47 ACTS OR PRACTICES CONSTITUTING VIOLATIONS OF THIS ARTICLE OR RULES
48 PROMULGATED UNDER THIS ARTICLE, A FINAL CEASE-AND-DESIST ORDER
49 MAY BE ISSUED, DIRECTING SUCH PERSON TO CEASE AND DESIST FROM
50 FURTHER VIOLATIONS.

51
52 (IV) THE DIRECTOR SHALL PROVIDE NOTICE, IN THE MANNER SET
53 FORTH IN PARAGRAPH (b) OF THIS SUBSECTION (2), OF THE FINAL
54 CEASE-AND-DESIST ORDER WITHIN TEN CALENDAR DAYS AFTER THE
55 HEARING CONDUCTED PURSUANT TO THIS PARAGRAPH (c) TO EACH PERSON
56 AGAINST WHOM THE FINAL ORDER HAS BEEN ISSUED. THE FINAL ORDER

1 SHALL BE EFFECTIVE WHEN ISSUED AND SHALL BE A FINAL ORDER FOR
2 PURPOSES OF JUDICIAL REVIEW.

3
4 (3) IF IT APPEARS TO THE DIRECTOR, BASED UPON CREDIBLE
5 EVIDENCE PRESENTED TO THE DIRECTOR, THAT A PERSON HAS ENGAGED IN
6 AN ACT OR PRACTICE CONSTITUTING A VIOLATION OF THIS ARTICLE, A RULE
7 PROMULGATED PURSUANT TO THIS ARTICLE, AN ORDER ISSUED PURSUANT
8 TO THIS ARTICLE, OR AN ACT OR PRACTICE CONSTITUTING GROUNDS FOR
9 ADMINISTRATIVE SANCTION PURSUANT TO THIS ARTICLE, THE DIRECTOR
10 MAY ENTER INTO A STIPULATION WITH THE PERSON.

11
12 (4) IF A PERSON FAILS TO COMPLY WITH A FINAL
13 CEASE-AND-DESIST ORDER OR A STIPULATION, THE DIRECTOR MAY
14 REQUEST THE ATTORNEY GENERAL OR THE DISTRICT ATTORNEY FOR THE
15 JUDICIAL DISTRICT IN WHICH THE ALLEGED VIOLATION EXISTS TO BRING,
16 AND IF SO REQUESTED SUCH ATTORNEY SHALL BRING, SUIT FOR A
17 TEMPORARY RESTRAINING ORDER AND FOR INJUNCTIVE RELIEF TO
18 PREVENT ANY FURTHER OR CONTINUED VIOLATION OF THE FINAL ORDER.

19
20 (5) A PERSON AGGRIEVED BY THE FINAL CEASE-AND-DESIST ORDER
21 MAY SEEK JUDICIAL REVIEW OF THE DIRECTOR'S DETERMINATION OR OF
22 THE DIRECTOR'S FINAL ORDER.

23
24 **12-54-407. Civil penalty - fine.** (1) ON MOTION OF THE
25 DIRECTOR, THE COURT MAY IMPOSE A CIVIL PENALTY OF NOT MORE THAN
26 ONE THOUSAND DOLLARS FOR A VIOLATION OF THIS ARTICLE OR A RULE
27 PROMULGATED UNDER THIS ARTICLE. THE PENALTY SHALL BE
28 TRANSMITTED TO THE STATE TREASURER AND CREDITED TO THE GENERAL
29 FUND.

30
31 (2) IN ADDITION TO ANY OTHER PENALTY THAT MAY BE IMPOSED
32 PURSUANT TO THIS SECTION, A FUNERAL ESTABLISHMENT OR CREMATORY
33 VIOLATING THIS ARTICLE OR A RULE PROMULGATED PURSUANT TO THIS
34 ARTICLE MAY BE FINED NO LESS THAN ONE HUNDRED DOLLARS AND NO
35 MORE THAN FIVE THOUSAND DOLLARS FOR EACH VIOLATION PROVEN BY
36 THE DIRECTOR. ALL FINES COLLECTED PURSUANT TO THIS SUBSECTION (2)
37 SHALL BE TRANSFERRED TO THE STATE TREASURER, WHO SHALL CREDIT
38 SUCH MONEYS TO THE GENERAL FUND."

39
40 Renumber succeeding C.R.S. sections accordingly.

41
42
43
44 **HB09-1208** be postponed indefinitely.

45
46
47 **HB09-1226** be postponed indefinitely.

48
49
50 **HB09-1228** be postponed indefinitely.

51
52
53 **HB09-1256** be amended as follows, and as so amended, be referred to
54 the Committee on Appropriations with favorable
55 recommendation:

56

1 Amend printed bill, page 2, strike lines 6 and 7 and substitute the
2 following:

3

4 **"states - multistate agreements - study - legislative declaration.**
5 (1) THE GENERAL ASSEMBLY HEREBY FINDS,".

6

7 Page 3, strike lines 5 through 27 and substitute the following:

8

9 "(2) (a) THE COMMISSIONER SHALL UNDERTAKE A REVIEW OF THE
10 EXISTING LAWS AND RULES PERTAINING TO THE BUSINESS OF HEALTH
11 INSURANCE IN THIS STATE AND IN OTHER STATES TO DETERMINE HOW TO
12 ALLOW COLORADO RESIDENTS THE ABILITY TO PURCHASE HEALTH
13 INSURANCE PRODUCTS SOLD IN OTHER STATES BY CARRIERS NOT
14 OTHERWISE SUBJECT TO COLORADO INSURANCE LAWS AND RULES.

15

16 (b) ON OR BEFORE DECEMBER 1, 2009, THE COMMISSIONER SHALL
17 SUBMIT A REPORT TO THE GENERAL ASSEMBLY ON WHAT CHANGES TO
18 COLORADO LAWS AND RULES WOULD BE NECESSARY IN ORDER TO ENABLE
19 COLORADANS TO PURCHASE OUT-OF-STATE HEALTH INSURANCE
20 PRODUCTS. THE REPORT SHALL ADDRESS AT LEAST THE FOLLOWING:

21

22 (I) THE MECHANISM BY WHICH THE COMMISSIONER CAN REGULATE
23 THE PURCHASE OF OUT-OF-STATE HEALTH INSURANCE PRODUCTS AND THE
24 CARRIERS OFFERING SUCH PRODUCTS IN ORDER TO PROTECT COLORADO
25 CONSUMERS, EITHER THROUGH MULTISTATE AGREEMENTS WITH OTHER
26 STATES OR A SIMILAR MECHANISM WHEREBY THE COMMISSIONER AND THE
27 OTHER STATES THAT PARTICIPATE IN THE AGREEMENT DELINEATE THEIR
28 RESPECTIVE ROLES AND RESPONSIBILITIES FOR OVERSIGHT, REGULATION,
29 AND ENFORCEMENT OF APPLICABLE LAWS AND RULES AND SPECIFY WHICH
30 STATE'S LAWS AND RULES APPLY;

31

32 (II) THE RESPONSIBILITIES OF OUT-OF-STATE CARRIERS WITH
33 REGARD TO INFORMING COLORADO CONSUMERS ABOUT THE IMPACT OF
34 PURCHASING A HEALTH INSURANCE PRODUCT THAT IS REGULATED BY THE
35 LAWS OF ANOTHER STATE, INCLUDING INFORMATION ABOUT WHETHER
36 COVERAGES THAT ARE MANDATED BY COLORADO LAW ARE INCLUDED IN
37 THE OUT-OF-STATE PRODUCT, WHETHER COLORADO LAWS OR
38 RESTRICTIONS ON RATE CHANGES APPLY, AND WHETHER THE PRODUCT IS
39 MORE OR LESS EXPENSIVE THAN OTHER PRODUCTS REGULATED UNDER
40 COLORADO LAWS AND RULES;

41

42 (III) THE BARRIERS, IF ANY, TO ALLOWING COLORADO CONSUMERS
43 TO PURCHASE OUT-OF-STATE HEALTH INSURANCE PRODUCTS; AND

44

45 (IV) A PROPOSED TIMELINE FOR IMPLEMENTING CHANGES
46 NECESSARY TO ENABLE THE INTERSTATE PURCHASE OF HEALTH
47 INSURANCE."

48

49 Strike pages 4 through 19 and substitute the following:

50

51 **"SECTION 2. Safety clause.** The general assembly hereby finds,
52 determines, and declares that this act is necessary for the immediate
53 preservation of the public peace, health, and safety."

54

55

56

1 **FINANCE**

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

4
5 **HB09-1152** be postponed indefinitely.
6
7
8
9

10 **TRANSPORTATION & ENERGY**

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

13
14 **SB09-108** be amended as follows, and as so amended, be referred to
15 the Committee on Appropriations with favorable
16 recommendation:
17

18 Amend reengrossed bill, page 5, line 16, after "FEES", insert "AT RATES
19 REASONABLY CALCULATED BASED ON THE BENEFITS RECEIVED BY THE
20 PERSONS PAYING THE FEES".

21
22 Page 8, line 7, strike "SURPLUS FUNDS" and substitute "SURPLUS FUNDS,".
23

24 Page 10, line 27, strike the second "43-4-805".
25

26 Page 11, line 9, after "FACILITIES,", insert "TRAFFIC DEMAND
27 MANAGEMENT FACILITIES AND SERVICES,".
28

29 Page 14, line 15, after "IMPOSED", insert "FOR ANY REGISTRATION PERIOD
30 THAT COMMENCES ON OR AFTER JULY 1, 2009,".
31

32 Page 18, line 6, strike "ARRANGEMENTS," and substitute
33 "ARRANGEMENT,";
34

35 line 16, strike "TWELVE HOURS OR LESS; AND" and substitute "SIX HOURS
36 OR LESS;"
37

38 line 17, strike "ONE-HALF" and substitute "THREE-QUARTERS";
39

40 line 21, strike "COUNTY." and substitute "COUNTY";
41

42 (E) FUEL AND FULL INSURANCE COVERAGE ARE INCLUDED IN THE
43 MEMBER USAGE RATES; AND
44

45 (F) PASSENGER VEHICLES PROVIDED BY THE ORGANIZATION ARE
46 STATIONED IN SELF-SERVE LOCATIONS THROUGHOUT THE COUNTY OR
47 MUNICIPALITY IN WHICH THE ORGANIZATION DOES BUSINESS."
48

49 Page 19, line 8, strike "DEPARTMENT OF REVENUE," and substitute
50 "DEPARTMENT,";
51

52 line 9, strike "OF REVENUE";
53

54 line 15, strike "THIRTY" and substitute "NINETY";
55

56 line 22, strike "THIRTY-DAY" and substitute "NINETY-DAY".

- 1 Page 20, line 20, strike "IN AN";
2
3 line 21, strike "EQUITABLE MANNER AMONG PERSONS" and substitute "IN
4 A MANNER BASED ON THE BENEFITS RECEIVED BY PERSONS PAYING THE
5 FEES AND".
6
7 Page 23, strike line 6 and substitute the following:
8
9 "IMPOSED AND AT RATES REASONABLY CALCULATED BASED ON THE
10 BENEFITS RECEIVED BY SUCH PERSONS."
11
12 Page 25, line 5, strike "WHEN" and substitute "As";
13
14 line 6, strike "BOND PROCEEDS OR REVENUES," and substitute "REVENUES
15 IN EXCESS OF EXPENSES,";
16
17 line 7, strike "FULL" and substitute "PRINCIPAL".
18
19 Page 26, line 16, after "2009," insert "FOR ANY REGISTRATION PERIOD
20 THAT COMMENCES ON OR AFTER JULY 1, 2009,";
21
22 line 17, after "ENTERPRISE," insert "FOR ANY REGISTRATION PERIOD THAT
23 COMMENCES ON OR AFTER THE LATER DATE,".
24
25 Page 30, line 24, strike "RECEIVED BY THE STATE FROM";
26
27 strike line 25 and substitute the following:
28
29 "LOAN CONTRACTS ENTERED INTO BY THE STATE AND THE BRIDGE
30 ENTERPRISE PURSUANT".
31
32 Page 31, line 6, after "(5)", insert "AND ANY OTHER LEGALLY AVAILABLE
33 MONEYS OF THE BRIDGE ENTERPRISE";
34
35 strike line 7 and substitute the following:
36
37 "BORROWED AND ANY OTHER AMOUNTS PAYABLE UNDER THE TERMS OF
38 THE LOAN CONTRACT.";
39
40 line 17, strike "ENTERPRISE" and substitute "ENTERPRISE, OR LENDING A
41 LESSER AMOUNT OF MONEYS TO THE ENTERPRISE,";
42
43 line 19, strike "PERSONNEL," and substitute "PERSONNEL AND THE STATE
44 TREASURER,";
45
46 line 21, after "SELL", insert "OR LEASE";
47
48 line 25, after "(r).", add "WHEN PROVIDING THE LIST, THE GOVERNOR
49 SHALL ALSO SPECIFY TO THE STATE TREASURER THE MAXIMUM PERMITTED
50 PRINCIPAL AMOUNT OF ANY LOAN THAT MAY BE MADE TO THE BRIDGE
51 ENTERPRISE UNDER THE TERMS OF ANY LOAN CONTRACT THAT THE STATE,
52 ACTING BY AND THROUGH THE STATE TREASURER, MAY ENTER INTO
53 PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (III) OF THIS
54 PARAGRAPH (r).";
55
56 line 26, strike "TREASURER, IN THE STATE TREASURER'S";

1 strike line 27.

2

3 Page 32, strike lines 1 through 6 and substitute the following:

4

5 "TREASURER RECEIVES A LIST FROM THE GOVERNOR PURSUANT TO
6 SUBPARAGRAPH (II) OF THIS PARAGRAPH (r), THE STATE, ACTING BY AND
7 THROUGH THE STATE TREASURER, MAY ENTER INTO A LOAN CONTRACT
8 WITH THE BRIDGE ENTERPRISE AND MAY RAISE THE MONEY NEEDED TO
9 MAKE A LOAN PURSUANT TO THE TERMS OF THE LOAN CONTRACT BY
10 SELLING OR LEASING ONE OR MORE OF THE";

11

12 line 7, strike "LIST";

13

14 strike lines 8 and 9 and substitute the following:

15

16 "LIST. THE STATE TREASURER SHALL HAVE SOLE DISCRETION TO ENTER
17 INTO A LOAN CONTRACT ON BEHALF OF THE STATE AND TO DETERMINE THE
18 AMOUNT OF A LOAN; EXCEPT THAT THE PRINCIPAL AMOUNT OF A LOAN
19 SHALL NOT EXCEED THE MAXIMUM AMOUNT SPECIFIED BY THE GOVERNOR
20 PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH (r). THE STATE
21 TREASURER SHALL ALSO HAVE SOLE DISCRETION TO DETERMINE THE
22 TIMING OF THE ENTRY OF THE STATE INTO ANY LOAN CONTRACT OR THE
23 SALE OR LEASE OF ONE OR MORE STATE BUILDINGS OR OTHER STATE
24 CAPITAL FACILITIES. THE LOAN CONTRACT SHALL";

25

26 line 10, strike "ENTERPRISE TO PLEDGE", and substitute "BRIDGE
27 ENTERPRISE TO PLEDGE TO THE STATE";

28

29 line 13, after "PLEDGE", insert "TO THE STATE";

30

31 line 14, after "ENTERPRISE.", add "ANY LOAN CONTRACT ENTERED INTO
32 BY THE STATE, ACTING BY AND THROUGH THE STATE TREASURER, AND THE
33 BRIDGE ENTERPRISE PURSUANT TO THIS SUB-SUBPARAGRAPH (A) AND ANY
34 PLEDGE OF REVENUES BY THE ENTERPRISE PURSUANT TO SUCH A LOAN
35 CONTRACT SHALL BE ONLY FOR THE BENEFIT OF, AND ENFORCEABLE ONLY
36 BY, THE STATE AND THE ENTERPRISE. SPECIFICALLY, BUT WITHOUT
37 LIMITING THE GENERALITY OF SAID LIMITATION, NO SUCH LOAN CONTRACT
38 OR PLEDGE SHALL BE FOR THE BENEFIT OF, OR ENFORCEABLE BY, A LESSOR
39 UNDER A LEASE-PURCHASE AGREEMENT ENTERED INTO PURSUANT TO THIS
40 SUBPARAGRAPH (III), AN OWNER OF ANY INSTRUMENT EVIDENCING RIGHTS
41 TO RECEIVE RENTALS OR OTHER PAYMENTS MADE AND TO BE MADE UNDER
42 SUCH A LEASE-PURCHASE AGREEMENT AS AUTHORIZED BY
43 SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (IV) OF THIS PARAGRAPH (r),
44 A PARTY TO ANY ANCILLARY AGREEMENT OR INSTRUMENT ENTERED INTO
45 PURSUANT TO SUBPARAGRAPH (V) OF THIS PARAGRAPH (r), OR A PARTY TO
46 ANY INTEREST RATE EXCHANGE AGREEMENT ENTERED INTO PURSUANT TO
47 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (VII) OF THIS PARAGRAPH
48 (r).";

49

50 line 15, strike "STATE" and substitute "STATE, ACTING BY AND THROUGH
51 THE STATE TREASURER,";

52

53 strike line 16 and substitute the following:

54

55 "AGREEMENTS WITH RESPECT TO THE STATE BUILDINGS OR OTHER CAPITAL
56 FACILITIES SOLD OR LEASED PURSUANT TO SUB-SUBPARAGRAPH (A) OF

1 THIS";
2
3 line 18, strike "LESSOR,";
4
5 strike lines 19 and 20 and substitute the following:
6
7 "LESSOR.";
8
9 line 22, strike "(A)" and substitute "(B)";
10
11 line 27, strike "(A)" and substitute "(B)".
12
13 Page 33, line 10, strike "(A)" and substitute "(B)";
14
15 line 14, strike "(A)" and substitute "(B)";
16
17 line 21, strike "AGREEMENT." and substitute "LEASE-PURCHASE
18 AGREEMENT UPON PAYMENT OF ALL AMOUNTS PAYABLE UNDER THE
19 TERMS OF THE LEASE-PURCHASE AGREEMENT AND ANY AMOUNT REQUIRED
20 TO BE PAID TO REMOVE LIENS OR ENCUMBRANCES ON OR CLAIMS WITH
21 RESPECT TO THE PROPERTY THAT IS THE SUBJECT OF THE LEASE-PURCHASE
22 AGREEMENT, INCLUDING, BUT NOT LIMITED TO, LIENS, ENCUMBRANCES, OR
23 CLAIMS RELATING TO ANY ANCILLARY AGREEMENT OR INSTRUMENT
24 ENTERED INTO PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH
25 (VII) OF THIS PARAGRAPH (r).";
26
27 line 26, strike "(A)" and substitute "(B)".
28
29 Page 34, line 17, strike "(A)" and substitute "(B)";
30
31 line 23, strike "(A)" and substitute "(B)";
32
33 line 25, strike "GROUND".
34
35 Page 35, line 1, strike "SECTION." and substitute "PARAGRAPH (r).";
36
37 line 4, strike "(A)" and substitute "(B)";
38
39 line 5, after "INSTRUMENT", insert "OR INTEREST RATE EXCHANGE
40 AGREEMENT";
41
42 line 6, after "(V)", insert "OR SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH
43 (VII)";
44
45 line 9, strike "AGREEMENT";
46
47 strike line 10 and substitute the following:
48
49 "AGREEMENT, ANCILLARY AGREEMENT OR INSTRUMENT, OR INTEREST
50 RATE EXCHANGE AGREEMENT MAY BE WAIVED BY THE";
51
52 line 13, strike "(A)" and substitute "(B)";
53
54 line 15, after "INCREASES,", insert "THE LESSOR UNDER ANY
55 LEASE-PURCHASE AGREEMENT OR";
56

- 1 line 17, strike "PURSUANT TO" and substitute "IN ACCORDANCE WITH";
2
3 line 19, strike "(A)" and substitute "(B)".
4
5 Page 36, line 8, strike "(r); AND" and substitute "(r)".
6
7 Page 39, line 7, strike "09-____," and substitute "09-108,".
8
9 Page 42, line 22, strike "BRIDGE" and substitute "TRANSPORTATION";
10
11 line 24, strike "WHEN" and substitute "As";
12
13 line 25, strike "BOND PROCEEDS OR REVENUES," and substitute "REVENUES
14 IN EXCESS OF EXPENDITURES,";
15
16 line 26, strike "FULL" and substitute "PRINCIPAL".
17
18 Page 43, line 18, strike "TO PAY A PROPORTIONAL";
19
20 strike line 19 and substitute the following:
21
22 "FROM EACH SURFACE TRANSPORTATION INFRASTRUCTURE PROJECT IN
23 PROPORTION TO THE TOTAL AMOUNT OF SUCH REVENUES GENERATED BY
24 THE PROJECT TO PAY OVERHEAD OF THE TRANSPORTATION ENTERPRISE."
25
26 Page 58, line 23, before "EITHER", insert "OR THE ENTERPRISE'S
27 COLLECTION DESIGNEE".
28
29 Page 66, line 15, strike "LANES." and substitute "LANES";
30
31 after line 22, insert the following:
32
33 "(4) BEFORE IMPOSING A USER FEE ON A HIGHWAY SEGMENT OR
34 HIGHWAY LANES THAT HAVE PREVIOUSLY SERVED VEHICULAR TRAFFIC ON
35 A TOLL-FREE BASIS, THE TRANSPORTATION ENTERPRISE SHALL PREPARE OR
36 CAUSE TO BE PREPARED A LOCAL AIR QUALITY IMPACT STATEMENT AND A
37 LOCAL COMMUNITY TRAFFIC SAFETY ASSESSMENT THAT SPECIFICALLY
38 TAKE INTO ACCOUNT ANY DIVERSION OF VEHICULAR TRAFFIC FROM THE
39 HIGHWAY SEGMENT OR HIGHWAY LANES ONTO OTHER HIGHWAYS, ROADS,
40 OR STREETS THAT IS EXPECTED TO RESULT FROM THE IMPOSITION OF THE
41 USER FEE."
42
43 Page 67, strike lines 20 and 21 and substitute the following:
44
45 "(5) LABOR STANDARDS SPECIFIED IN LAW THAT APPLY";
46
47 line 23, strike "ENTERPRISE, INCLUDING BUT NOT" and substitute
48 "ENTERPRISE.";
49
50 strike lines 24 through 27.
51
52 Page 68, strike lines 1 through 3.
53
54 Page 69, line 3, strike "09-____," and substitute "09-108,";
55
56 line 11, strike "thirty" and substitute "thirty NINETY".

1 Page 72, after line 3, insert the following:

2

3 "SECTION 8. 42-12-102 (1) (a), Colorado Revised Statutes, is
4 amended to read:

5

6 **42-12-102. Registration of collectors' items - fees.** (1) Except
7 for those motor vehicles that are entitled to registration under the
8 provisions of section 42-3-219, collectors' items shall be titled, registered,
9 and a specific ownership tax shall be paid thereon in the same manner as
10 provided in this title for other motor vehicles, with the following
11 exceptions:

12

13 (a) Such collectors' items shall be registered for periods of five
14 years. The taxes and fees imposed for registration of a collector's item for
15 each five-year registration period shall be equal to five times the annual
16 taxes and fees which would otherwise be imposed for the registration of
17 such motor vehicle under this title and under title 43, C.R.S.; EXCEPT
18 THAT THE AMOUNT OF A SURCHARGE IMPOSED PURSUANT TO SECTION
19 43-4-804 (1) (a) OR 43-4-805 (5) (g), C.R.S., SHALL BE THE AMOUNT
20 SPECIFIED IN THE APPLICABLE SECTION. In addition to any other such
21 taxes and fees, if a collector's item is registered in a county which is a
22 member of one or more highway authorities and such authority or
23 authorities have imposed an annual motor vehicle registration fee or fees
24 pursuant to the provisions of section 43-4-506 (1) (k), C.R.S., then five
25 times such annual motor vehicle registration fee or fees shall be imposed
26 and remitted to such authority or authorities."

27

28 Renumber succeeding sections accordingly.

29

30 Page 73, strike lines 16 through 26 and substitute the following:

31

32 "SECTION 10. The introductory portion to 43-1-1103 (5),
33 Colorado Revised Statutes, is amended, and the said 43-1-1103 (5) is
34 further amended BY THE ADDITION OF THE FOLLOWING NEW
35 PARAGRAPHS, to read:

36

37 **43-1-1103. Transportation planning.** (5) The department shall
38 integrate and consolidate the regional transportation plans for the
39 transportation planning regions into a comprehensive statewide
40 transportation plan. The formation of such state plan shall be
41 accomplished through a statewide planning process set by rules and
42 regulations promulgated by the commission. The state plan shall ~~include~~
43 ADDRESS but shall not be limited to the following factors:

44

45 (d) THE TARGETING OF INFRASTRUCTURE INVESTMENTS,
46 INCLUDING PRESERVATION OF THE EXISTING TRANSPORTATION SYSTEM
47 COMMONLY KNOWN AS "FIXING IT FIRST" TO SUPPORT THE ECONOMIC
48 VITALITY OF THE STATE AND REGION;"

49

50 Reletter succeeding paragraphs accordingly.

51

52 Page 74, strike lines 4 and 5.

53

54 Reletter succeeding paragraphs accordingly.

55

56 Page 74, after line 24, insert the following:

1 **"SECTION 12.** 43-1-1402 (3), Colorado Revised Statutes, is
2 amended to read:

3
4 **43-1-1402. Definitions.** As used in this part 14:

5
6 (3) "Design-build contract" means the procurement of both the
7 design and the construction of a transportation project in a single contract
8 with a single design-build firm or a combination of such firms that are
9 capable of providing the necessary design and construction services. A
10 DESIGN-BUILD CONTRACT MAY ALSO INCLUDE IN THE CONTRACT THE
11 PROCUREMENT OF THE FINANCING, OPERATION, OR MAINTENANCE OF THE
12 PROJECT."

13
14 Renumber succeeding sections accordingly.

15
16 Page 77, after line 12, insert the following:

17
18 **"SECTION 17. Effective date - applicability.** (1) Except as
19 otherwise provided in subsection (2) of this section, this act shall take
20 effect upon passage.

21
22 (2) Section 5 of this act shall take effect January 1, 2010, and shall
23 apply to overweight permits issued on or after said date."

24
25 Renumber succeeding section accordingly.

26
27
28
29 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

30
31 The Speaker has signed: **HB09-1014.**

32
33
34 House in recess. House reconvened.
35
36

37
38 **REPORTS OF COMMITTEES OF REFERENCE**

39
40 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

43
44 **HB09-1231** be postponed indefinitely.

45
46
47 **HB09-1233** be amended as follows, and as so amended, be referred to
48 the Committee of the Whole with favorable
49 recommendation:

50
51 Amend printed bill, page 4, strike lines 12 through 27.

52
53 Strike pages 5 through 9.

54
55 Page 10, strike lines 1 through 11 and substitute the following:

56

1 **"SECTION 2.** Article 42 of title 7, Colorado Revised Statutes, is
2 amended BY THE ADDITION OF A NEW SECTION to read:

3
4 **7-42-101.5. Acequia mutual ditch - definition - powers.**

5 (1) FOR PURPOSES OF THIS SECTION, "ACEQUIA" MEANS A DITCH THAT:

6
7 (a) ORIGINATED PRIOR TO COLORADO'S STATEHOOD;

8
9 (b) HAS HISTORICALLY TREATED WATER DIVERTED BY THE
10 ACEQUIA AS A COMMUNITY RESOURCE AND HAS THEREFORE ATTEMPTED
11 TO ALLOCATE WATER IN THE ACEQUIA BASED UPON EQUITY IN ADDITION
12 TO PRIORITY;

13
14 (c) RELIES ESSENTIALLY ON GRAVITY-FED SURFACE WATER
15 DIVERSIONS;

16
17 (d) SUPPLIES IRRIGATION WATER TO LONG LOTS THAT ARE
18 PERPENDICULAR TO THE STREAM OR DITCH TO MAXIMIZE THE NUMBER OF
19 LANDOWNERS WHO HAVE ACCESS TO WATER;

20
21 (e) HAS HISTORICALLY BEEN OPERATED PURSUANT TO A ONE
22 LANDOWNER-ONE VOTE SYSTEM; AND

23
24 (f) HAS HISTORICALLY RELIED ON LABOR SUPPLIED BY THE
25 OWNERS OF IRRIGATED LAND SERVED BY THE ACEQUIA.

26
27 (2) SUBJECT TO ANY CONTRARY PROVISION OF SUBSECTION (3) OF
28 THIS SECTION, THE PROCEDURAL AND SUBSTANTIVE REQUIREMENTS OF
29 THIS ARTICLE OTHER THAN THIS SECTION THAT APPLY TO THE CREATION,
30 POWERS, DUTIES, AND GOVERNANCE OF A DITCH CORPORATION SUBJECT
31 TO THIS ARTICLE SHALL BE DEEMED TO APPLY TO THE CREATION, POWERS,
32 DUTIES, AND GOVERNANCE OF AN ACEQUIA DITCH CORPORATION.

33
34 (3) AN ACEQUIA DITCH CORPORATION MAY BE ORGANIZED
35 PURSUANT TO THIS ARTICLE, AND A DITCH CORPORATION ORGANIZED
36 PURSUANT TO THIS ARTICLE MAY CONVERT TO AN ACEQUIA DITCH
37 CORPORATION, IF:

38
39 (a) AT LEAST TWO-THIRDS OF THE IRRIGATED LAND SERVED BY THE
40 DITCH IS PLATTED OR ORGANIZED INTO LONG LOTS, THE LONGEST AXES OF
41 WHICH ARE PERPENDICULAR TO THE STREAM OR DITCH;

42
43 (b) SURFACE WATER RIGHTS PROVIDE ALL OF THE WATER RIGHTS
44 USED FOR IRRIGATION IN THE DITCH, AND SUCH WATER RIGHTS HAVE HAD
45 SUBSTANTIALLY UNINTERRUPTED USE SINCE BEFORE COLORADO'S
46 STATEHOOD;

47
48 (c) THE IRRIGATED LAND SERVED BY THE DITCH IS LOCATED
49 WHOLLY IN ONE OR MORE OF THE COUNTIES OF COSTILLA, CONEJOS,
50 HUERFANO, AND LAS ANIMAS; AND

51
52 (d) AS REQUIRED PURSUANT TO SECTION 7-42-101, THE
53 STOCKHOLDERS OF THE DITCH FILE ARTICLES OF INCORPORATION, OR AN
54 AMENDMENT TO THE ARTICLES OF INCORPORATION, THAT STATE THE
55 STOCKHOLDERS' INTENTION TO CREATE OR CONVERT TO AN ACEQUIA
56 DITCH CORPORATION.

1 (4) AN ACEQUIA DITCH CORPORATION, IF ITS ARTICLES OF
2 INCORPORATION SO STATE, MAY SPECIFY IN ITS BYLAWS THAT:

3
4 (a) ITS ELECTIONS MAY BE HELD PURSUANT TO A ONE
5 LANDOWNER-ONE VOTE SYSTEM;

6
7 (b) OWNERS OF LAND IRRIGATED BY THE DITCH CAN BE REQUIRED
8 TO CONTRIBUTE LABOR TO THE MAINTENANCE AND REPAIR OF THE
9 ACEQUIA OR, IN THE ALTERNATIVE, TO PAY AN ASSESSMENT IN LIEU OF
10 SUCH LABOR;

11
12 (c) WATER IN THE DITCH MAY BE ALLOCATED ON A BASIS OTHER
13 THAN PRO RATA OWNERSHIP OF THE CORPORATION; AND

14
15 (d) THE CORPORATION HAS A RIGHT OF FIRST REFUSAL REGARDING
16 THE SALE, LEASE, OR EXCHANGE OF ANY SURFACE WATER RIGHT THAT HAS
17 HISTORICALLY BEEN USED TO IRRIGATE LONG-LOT LAND BY THE
18 ACEQUIA."

19
20 Renumber succeeding section accordingly.

21
22 Page 1, line 102, strike "WATER DISTRICTS." and substitute "DITCH
23 CORPORATIONS."

24
25
26
27 **SB09-001** be referred to the Committee of the Whole with favorable
28 recommendation.

29
30
31
32

33 **FINANCE**
34 After consideration on the merits, the Committee recommends the
35 following:

36
37 **HB09-1061** be referred to the Committee of the Whole with favorable
38 recommendation.

39
40
41 **HB09-1259** be postponed indefinitely.

42
43
44 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

45
46 The Speaker has signed: **HR09-1006**.

47
48
49 **MESSAGES FROM THE SENATE**

50
51 The Senate has passed on Third Reading and transmitted to the Revisor
52 of Statutes: SB09-119, SB09-183, SB09-184, SB09-186, SB09-188,
53 SB09-190, SB09-191, SB09-193, SB09-194, SB09-195, SB09-196,
54 SB09-197, SB09-198, SB09-199, SB09-200, SB09-201, SB09-202,
55 SB09-203, SB09-204, SB09-213, SB09-214, SB09-218, and SB09-219.

56

- 1 The Senate has passed on Third Reading and transmitted to the Revisor
2 of Statutes:
3
4 SB09-057 amended as printed in Senate Journal, February 17, 2009,
5 page 306, and on Third Reading, February 19, 2009, as
6 printed in the Senate Journal,
7 SB09-185 amended as printed in Senate Journal, February 18, 2009,
8 pages 371-372,
9 SB09-187 amended as printed in Senate Journal, February 18, 2009,
10 pages 372-375,
11 SB09-189 amended as printed in Senate Journal, February 18, 2009,
12 pages 375- 377, and 385-386,
13 SB09-206 amended as printed in Senate Journal, February 18, 2009,
14 page 378,
15 SB09-207 amended as printed in Senate Journal, February 18, 2009,
16 pages 378-379,
17 SB09-209 amended as printed in Senate Journal, February 18, 2009,
18 page 379,
19 SB09-210 amended as printed in Senate Journal, February 18, 2009,
20 page 379,
21 SB09-211 amended as printed in Senate Journal, February 18, 2009,
22 page 379,
23 SB09-208 amended as printed in Senate Journal, February 18, 2009,
24 pages 381-382, and 383-385
25 SB09-212 amended as printed in Senate Journal, February 18, 2009,
26 page 382, and 385-386,
27 SB09-215 amended as printed in Senate Journal, February 18, 2009,
28 page 382,
29 SB09-217 amended as printed in Senate Journal, February 18, 2009,
30 page 382-383,
31 SB09-216 amended as printed in Senate Journal, February 18, 2009,
32 page 383. _____
33

- 34 The Senate has passed on Third Reading and transmitted to the Revisor
35 of Statutes:
36
37 SB09-192 amended on Third Reading, February 19, 2009, as printed in
38 the Senate Journal.
39 _____
40

41 The Senate has adopted and transmits herewith: SJR09-014.
42
43 _____
44
45

46 **MESSAGE FROM THE REVISOR**
47

48 We herewith transmit:
49 Without comment, SB09-119, 183, 184, 186, 188, 190, 191, 193, 194,
50 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 213, 214, 218, and 219.
51 Without comment, as amended, SB09-057, 185, 187, 189, 206, 207, 209,
52 210, 211, 208, 212, 215, 217, 216, and 192.
53
54 _____
55
56

INTRODUCTION OF BILLS
First Reading

- 1
2
3
4 The following bills were read by title and referred to the committees
5 indicated:
6
7 **HB09-1290** by Representative(s) Nikkel and Apuan; also Senator(s)
8 Harvey, Bacon--Concerning increasing the maximum
9 amount of money that the Colorado commission on higher
10 education may allocate for the purpose of providing tuition
11 assistance to members of the National Guard.
12 Committee on Education
13
14 **HB09-1291** by Representative(s) Nikkel, Casso, Court, Gardner C.,
15 Hullinghorst, Kerr J., Labuda, Lambert, Massey, Miklosi,
16 Murray, Stephens, Todd; also Senator(s) Shaffer B.,
17 Bacon, Boyd, Cadman, Lundberg, Schultheis, Williams--
18 Concerning providing information regarding resources
19 available to veterans of the United States armed forces.
20 Committee on State, Veterans, & Military Affairs
21
22 **SB09-012** by Senator(s) Morse and Kopp, Boyd; also
23 Representative(s) Frangas and Massey, Riesberg--
24 Concerning professional review of facilities designated by
25 the department of public health and environment as trauma
26 care facilities.
27 Committee on Health and Human Services
28
29 **SB09-013** by Senator(s) Gibbs and Schwartz, Penry; also
30 Representative(s) Levy and King S.--Concerning the
31 extension of civil immunity to persons engaged in
32 emergency response activities.
33 Committee on Judiciary
34
35 **SB09-016** by Senator(s) Kopp and Penry, Gibbs, Schwartz; also
36 Representative(s) King S. and Scanlan, Lundberg--
37 Concerning measures to encourage the restoration of forest
38 areas affected by bark beetle infestation.
39 Committee on Agriculture, Livestock, & Natural Resources
40 Committee on Finance
41
42 **SB09-030** by Senator(s) Keller; also Representative(s) Schafer S.--
43 Concerning the "Child Mental Health Treatment Act".
44 Committee on Health and Human Services
45
46 **SB09-035** by Senator(s) Renfroe; also Representative(s) Sonnenberg--
47 -Concerning a penalty for a violation of certain proscribed
48 acts for government officials.
49 Committee on Judiciary
50
51 **SB09-069** by Senator(s) Boyd; also Representative(s) McCann--
52 Concerning court-appointed parenting coordinators.
53 Committee on Judiciary
54
55 **SB09-092** by Senator(s) Kopp, Romer, Brophy, White, Penry, King
56 K., Renfroe; also Representative(s) Marostica, King S.,

- 1 Sonnenberg, Stephens, Waller--Concerning the
2 requirement that state-owned motor vehicles operate on
3 compressed natural gas.
4 Committee on State, Veterans, & Military Affairs
5
- 6 **SB09-100** by Senator(s) Newell, Mitchell, Carroll M., Foster, Heath,
7 Hodge, Morse; also Representative(s) Frangas, Primavera,
8 Rice--Concerning amending the definition of
9 "noncustodial parent" in the "Colorado Works Program
10 Act" to enable a noncustodial parent to receive
11 employment assistance regardless of whether the
12 noncustodial parent's child is receiving assistance under
13 the Colorado works program.
14 Committee on Health and Human Services
15
- 16 **SB09-101** by Senator(s) White; also Representative(s) Levy--
17 Concerning the requirement for the creation of an
18 independent historic preservation commission by any city
19 receiving moneys from the state historical fund for historic
20 preservation purposes when the city is not a certified local
21 government, and, in connection therewith, establishing the
22 composition and operation of such a commission.
23 Committee on Local Government
24
- 25 **SB09-104** by Senator(s) Sandoval; also Representative(s) Gagliardi--
26 Concerning the provision of verifiable documents to youth
27 leaving foster care.
28 Committee on Health and Human Services
29
- 30 **SB09-107** by Senator(s) Kester; also Representative(s) Looper--
31 Concerning the time during which a notarized bill of sale
32 will exempt a vehicle that is at least twenty-five years old
33 from being required to have a bonded title.
34 Committee on Transportation & Energy
35
- 36 **SB09-111** by Senator(s) Bacon, Boyd, Schultheis; also
37 Representative(s) Court--Concerning continuation of the
38 "Notaries Public Act".
39 Committee on State, Veterans, & Military Affairs
40
- 41 **SB09-113** by Senator(s) Brophy, Hodge, Isgar; also Representative(s)
42 Sonnenberg--Concerning the continuation of the authority
43 of the department of agriculture to regulate measurement
44 standards.
45 Committee on Agriculture, Livestock, & Natural Resources
46
- 47 **SB09-114** by Senator(s) Kester, Hodge, Isgar; also Representative(s)
48 Sonnenberg--Concerning the continuation of the authority
49 of the department of agriculture to regulate the sale of
50 agricultural products, and, in connection therewith,
51 regulating farm products and commodity warehouses.
52 Committee on Agriculture, Livestock, & Natural Resources
53
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- 1 **SB09-115** by Senator(s) Brophy, Hodge, Isgar; also Representative(s)
2 Curry--Concerning the continuation of the regulation of
3 public livestock markets.
4 Committee on Agriculture, Livestock, & Natural Resources
5
- 6 **SB09-117** by Senator(s) Isgar, Hodge; also Representative(s) Vigil--
7 Concerning the continuation of the regulation by the
8 department of agriculture of persons selling processed
9 meat, and, in connection therewith, clarifying the statutory
10 distinction between custom meat processors and the sellers
11 of home food service plans, amending terms to comport
12 with current business practices, and increasing consumer
13 protections.
14 Committee on Agriculture, Livestock, & Natural Resources
15
- 16 **SB09-119** by Senator(s) Harvey; also Representative(s) McNulty--
17 Concerning a clarification of the enforcement of water
18 quality laws relating to the discharge of certain hazardous
19 pollutants.
20 Committee on Agriculture, Livestock, & Natural Resources
21
- 22 **SB09-127** by Senator(s) Schwartz, Hodge, Isgar; also
23 Representative(s) Fischer--Concerning the continuation of
24 the regulation of egg quality.
25 Committee on Agriculture, Livestock, & Natural Resources
26
- 27 **SB09-141** by Senator(s) Tapia; also Representative(s) Looper and
28 Pace, Vigil--Concerning the creation of the Fountain creek
29 watershed, flood control, and greenway district.
30 Committee on Agriculture, Livestock, & Natural Resources
31
- 32 **SB09-148** by Senator(s) Brophy, Gibbs; also Representative(s)
33 Merrifield, Carroll T., Kerr A., Marostica, McNulty--
34 Concerning revisions to the rules governing the safe
35 interaction of bicycles with other vehicles on roadways.
36 Committee on Transportation & Energy
37
- 38 **SB09-151** by Senator(s) Isgar, Hodge; also Representative(s) Curry--
39 Concerning the regulation of slaughterers of livestock
40 through the department of agriculture, and, in connection
41 therewith, allowing such function to expire on schedule
42 and reassigning certain regulatory functions to the state
43 board of stock inspection commissioners.
44 Committee on Agriculture, Livestock, & Natural Resources
45
- 46 **SB09-157** by Senator(s) Sandoval; also Representative(s)
47 Hullinghorst--Concerning the retirement plan eligibility of
48 specified employees of the university of Colorado.
49 Committee on Finance
50
- 51 **SB09-169** by Senator(s) Tochtrop; also Representative(s) Riesberg--
52 Concerning the continuation of the board of examiners of
53 nursing home administrators.
54 Committee on Health and Human Services
55

- 1 **SB09-183** by Senator(s) Keller, Tapia, White; also Representative(s)
2 Pommer, Ferrandino, Marostica--Concerning a
3 supplemental appropriation to the department of
4 agriculture.
5 Committee on Appropriations
6
- 7 **SB09-184** by Senator(s) Keller, Tapia, White; also Representative(s)
8 Pommer, Ferrandino, Marostica--Concerning a
9 supplemental appropriation to the department of
10 corrections.
11 Committee on Appropriations
12
- 13 **SB09-185** by Senator(s) Keller, Tapia, White; also Representative(s)
14 Pommer, Ferrandino, Marostica--Concerning a
15 supplemental appropriation to the department of
16 education.
17 Committee on Appropriations
18
- 19 **SB09-186** by Senator(s) Keller, Tapia, White; also Representative(s)
20 Pommer, Ferrandino, Marostica--Concerning a
21 supplemental appropriation to the offices of the governor,
22 lieutenant governor, and state planning and budgeting.
23 Committee on Appropriations
24
- 25 **SB09-187** by Senator(s) Keller, Tapia, White; also Representative(s)
26 Pommer, Ferrandino, Marostica--Concerning a
27 supplemental appropriation to the department of health
28 care policy and financing.
29 Committee on Appropriations
30
- 31 **SB09-188** by Senator(s) Keller, Tapia, White; also Representative(s)
32 Pommer, Ferrandino, Marostica--Concerning a
33 supplemental appropriation to the department of higher
34 education.
35 Committee on Appropriations
36
- 37 **SB09-189** by Senator(s) Keller, Tapia, White; also Representative(s)
38 Pommer, Ferrandino, Marostica--Concerning a
39 supplemental appropriation to the department of human
40 services.
41 Committee on Appropriations
42
- 43 **SB09-190** by Senator(s) Keller, Tapia, White; also Representative(s)
44 Pommer, Ferrandino, Marostica--Concerning a
45 supplemental appropriation to the judicial department.
46 Committee on Appropriations
47
- 48 **SB09-191** by Senator(s) Keller, Tapia, White; also Representative(s)
49 Pommer, Ferrandino, Marostica--Concerning a
50 supplemental appropriation to the department of labor and
51 employment.
52 Committee on Appropriations
53
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55

- 1 **SB09-192** by Senator(s) Keller, Tapia, White; also Representative(s)
2 Pommer, Ferrandino, Marostica--Concerning a
3 supplemental appropriation to the department of law.
4 Committee on Appropriations
5
- 6 **SB09-193** by Senator(s) Keller, Tapia, White; also Representative(s)
7 Pommer, Ferrandino, Marostica--Concerning a
8 supplemental appropriation to the department of local
9 affairs.
10 Committee on Appropriations
11
- 12 **SB09-194** by Senator(s) Keller, Tapia, White; also Representative(s)
13 Pommer, Ferrandino, Marostica--Concerning a
14 supplemental appropriation to the department of military
15 and veterans affairs.
16 Committee on Appropriations
17
- 18 **SB09-195** by Senator(s) Keller, Tapia, White; also Representative(s)
19 Pommer, Ferrandino, Marostica--Concerning a
20 supplemental appropriation to the department of natural
21 resources.
22 Committee on Appropriations
23
- 24 **SB09-196** by Senator(s) Keller, Tapia, White; also Representative(s)
25 Pommer, Ferrandino, Marostica--Concerning a
26 supplemental appropriation to the department of personnel
27 and administration.
28 Committee on Appropriations
29
- 30 **SB09-197** by Senator(s) Keller, Tapia, White; also Representative(s)
31 Pommer, Ferrandino, Marostica--Concerning a
32 supplemental appropriation to the department of public
33 health and environment.
34 Committee on Appropriations
35
- 36 **SB09-198** by Senator(s) Keller, Tapia, White; also Representative(s)
37 Pommer, Ferrandino, Marostica--Concerning a
38 supplemental appropriation to the department of public
39 safety.
40 Committee on Appropriations
41
- 42 **SB09-199** by Senator(s) Keller, Tapia, White; also Representative(s)
43 Pommer, Ferrandino, Marostica--Concerning a
44 supplemental appropriation to the department of regulatory
45 agencies.
46 Committee on Appropriations
47
- 48 **SB09-200** by Senator(s) Keller, Tapia, White; also Representative(s)
49 Pommer, Ferrandino, Marostica--Concerning a
50 supplemental appropriation to the department of revenue.
51 Committee on Appropriations
52
- 53 **SB09-201** by Senator(s) Keller, Tapia, White; also Representative(s)
54 Pommer, Ferrandino, Marostica--Concerning a
55 supplemental appropriation to the department of state.
56 Committee on Appropriations

- 1 **SB09-202** by Senator(s) Keller, Tapia, White; also Representative(s)
2 Pommer, Ferrandino, Marostica--Concerning a
3 supplemental appropriation to the department of
4 transportation.
5 Committee on Appropriations
6
- 7 **SB09-203** by Senator(s) Keller, Tapia, White; also Representative(s)
8 Pommer, Ferrandino, Marostica--Concerning a
9 supplemental appropriation to the department of the
10 treasury.
11 Committee on Appropriations
12
- 13 **SB09-204** by Senator(s) White, Keller, Tapia; also Representative(s)
14 Ferrandino, Pommer, Marostica--Concerning changes to
15 the designation of funds constituting the state emergency
16 reserve for state fiscal year 2008-09.
17 Committee on Appropriations
18
- 19 **SB09-206** by Senator(s) Keller, Tapia, White; also Representative(s)
20 Pommer, Ferrandino, Marostica--Concerning the repeal of
21 the waiting list navigator pilot program, and repealing an
22 appropriation therefor.
23 Committee on Appropriations
24
- 25 **SB09-207** by Senator(s) White, Keller, Tapia; also Representative(s)
26 Marostica, Ferrandino, Pommer--Concerning delaying
27 implementation of the child welfare and mental health
28 services pilot program, and repealing an appropriation
29 therefor.
30 Committee on Appropriations
31
- 32 **SB09-208** by Senator(s) Tapia, Keller, White; also Representative(s)
33 Pommer, Ferrandino, Marostica--Concerning the
34 augmentation of the general fund through transfers of
35 certain moneys in the 2008-09 fiscal year.
36 Committee on Appropriations
37
- 38 **SB09-209** by Senator(s) White, Keller, Tapia; also Representative(s)
39 Marostica, Ferrandino, Pommer--Concerning the repeal of
40 the inmate assistance demonstration grant program, and
41 repealing an appropriation therefor.
42 Committee on Appropriations
43
- 44 **SB09-210** by Senator(s) Tapia, Keller, White; also Representative(s)
45 Ferrandino, Pommer, Marostica--Concerning transfers for
46 health programs from the tobacco litigation funds, and, in
47 connection therewith, making modifications to
48 appropriations.
49 Committee on Appropriations
50
- 51 **SB09-211** by Senator(s) Keller, Tapia, White; also Representative(s)
52 Ferrandino, Pommer, Marostica--Concerning a delay in
53 the expansion of eligibility for the children's basic health
54 plan, and making modifications to an appropriation
55 therefor.
56 Committee on Appropriations

- 1 **SB09-212** by Senator(s) White, Keller, Tapia; also Representative(s)
2 Pommer, Ferrandino, Marostica--Concerning a temporary
3 limitation on the maximum amount of state sales and use
4 tax revenues that may be retained by a retail vendor to
5 compensate for the vendor's expenses incurred in the
6 collection and remittance of the tax revenues to the state.
7 Committee on Appropriations
8
- 9 **SB09-213** by Senator(s) Tapia, Keller, White; also Representative(s)
10 Pommer, Ferrandino, Marostica--Concerning
11 appropriations for the alternative teacher compensation
12 plan grant program.
13 Committee on Appropriations
14
- 15 **SB09-214** by Senator(s) Tapia, Keller, White; also Representative(s)
16 Pommer, Ferrandino, Marostica--Concerning
17 appropriations for the quality teacher program created in
18 2008.
19 Committee on Appropriations
20
- 21 **SB09-215** by Senator(s) Keller, Tapia, White; also Representative(s)
22 Pommer, Ferrandino, Marostica--Concerning
23 modifications to appropriations to achieve a reduction in
24 the state expenditures for the financing of public schools.
25 Committee on Appropriations
26
- 27 **SB09-216** by Senator(s) Tapia, Keller, White; also Representative(s)
28 Pommer, Ferrandino, Marostica--Concerning increases in
29 the fees paid to the division of water resources in the
30 department of natural resources, and, in connection
31 therewith, modifying appropriations made to the division
32 of water resources in the fiscal year 2008-09 long
33 appropriations bill.
34 Committee on Appropriations
35
- 36 **SB09-217** by Senator(s) White, Keller, Tapia; also Representative(s)
37 Ferrandino, Pommer, Marostica--Concerning the reduction
38 of moneys transferred to certain funds from the portion of
39 limited gaming fund moneys that would otherwise be
40 transferred to the general fund after the transfer to the
41 local government limited gaming impact fund.
42 Committee on Appropriations
43
- 44 **SB09-218** by Senator(s) White, Keller, Tapia; also Representative(s)
45 Ferrandino, Pommer, Marostica--Concerning an increase
46 in the amount of moneys appropriated from the state
47 general fund to the controlled maintenance trust fund for
48 the fiscal year beginning July 1, 2007.
49 Committee on Appropriations
50
- 51 **SB09-219** by Senator(s) Tapia, Keller, White; also Representative(s)
52 Ferrandino, Pommer, Marostica--Concerning the general
53 fund reserve required for the 2008-09 state fiscal year.
54 Committee on Appropriations
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INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

SJR09-014 by Senator(s) Heath; also Representative(s) Miklosi--
Concerning recognition of career and technical education month.

On motion of Representative Weissmann, the following bill(s) will be calendared for February 24, 2009: HB09-1233, SB09-001, HB09-1061.

LAY OVER OF CALENDAR ITEM

On motion of Representative Weissmann, the following item on the Calendar was laid over until February 20, retaining place on Calendar:

Consideration of Senate Amendments--**HB09-1002**.

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., February 20, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Forty-fifth Legislative Day

Friday, February 20, 2009

1 Prayer by Father Curtiss Dwyer, St. John Vianney Theological Seminary,
2 Denver.

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

5
6 Pledge of Allegiance led by Desiree Stratton and John Hedlund,
7 Advanced Placement Government Class, Sterling.

8
9 The roll was called with the following result:

10
11 Present--61.
12 Excused--Representative(s) McCann, McGihon, Pace,
13 Stephens--4.
14 Present after roll call--Representative(s) McCann, McGihon.

15
16 The Speaker declared a quorum present.

17 _____
18
19 On motion of Representative Gerou, the reading of the journal of
20 February 19, 2009, was declared dispensed with and approved as
21 corrected by the Chief Clerk.

22 _____
23
24
25 On motion of Representative Rice, the House resolved itself into
26 Committee of the Whole for consideration of General Orders, and he was
27 called to the Chair to act as Chairman.

28 _____
29
30
31 **GENERAL ORDERS--SECOND READING OF BILLS**

32
33 The Committee of the Whole having risen, the Chairman reported the
34 titles of the following bills had been read (reading at length had been
35 dispensed with by unanimous consent), the bills considered and action
36 taken thereon as follows:

37
38 (Amendments to the committee amendment are to the printed committee
39 report which was printed and placed in the members' bill file.)

40

1 **HB09-1018** by Representative(s) Bradford--Concerning the removal
2 of obsolete language in statutory provisions implementing
3 the statewide voter registration and election system for
4 purposes of compliance with the federal "Help America
5 Vote Act" .
6

7 Rereferred to the Committee on State, Veterans, & Military Affairs.
8

9 **HB09-1254** by Representative(s) Judd, Rice; also Senator(s) Harvey--
10 Concerning additional consumer protections relating to
11 like-kind exchanges mediated by exchange facilitators.
12

13 Amendment No. 1, Judiciary Report, dated February 12, 2009, and
14 placed in member's bill file; Report also printed in House Journal,
15 February 13, pages 337-338.
16

17 As amended, ordered engrossed and placed on the Calendar for Third
18 Reading and Final Passage.
19

20 **HB09-1186** by Representative(s) Levy--Concerning elections in which
21 an elector is casting a ballot by mail.
22

23 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
24 February 12, 2009, and placed in member's bill file; Report also printed
25 in House Journal, February 13, page 341.
26

27 As amended, ordered engrossed and placed on the Calendar for Third
28 Reading and Final Passage.
29

30 **HB09-1216** by Representative(s) Murray--Concerning voting by
31 electors, and, in connection therewith, amending the
32 election code to reflect changes brought about by the
33 implementation of the statewide voter registration system
34 and permanent mail-in voting.
35

36 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
37 February 12, 2009, and placed in member's bill file; Report also printed
38 in House Journal, February 13, pages 341-342.
39

40 Amendment No. 2, by Representative Summers.
41

42 Amend printed bill, page 2, after line 1, insert the following:

43 "SECTION 1. 1-1-104 (19.5) (a) (II), (V), (VI) (VII), (VIII),
44 (IX), (X), and (XI), Colorado Revised Statutes, are amended to read:
45

46 **1-1-104. Definitions.** As used in this code, unless the context
47 otherwise requires:
48

49 (19.5) (a) "Identification" means:
50

51 (II) A valid identification card issued by the department of
52 revenue in accordance with ~~the requirements of part 3 of article 2 of title~~
53 42, C.R.S.;
54

55 (V) ~~A valid pilot's license issued by the federal aviation~~
56 ~~administration or other authorized agency of the United States;~~

- 1 (VI) A valid United States military identification card with a
2 photograph of the eligible elector; OR
3
- 4 ~~(VII) A copy of a current utility bill, bank statement, government~~
5 ~~check, paycheck, or other government document that shows the name and~~
6 ~~address of the elector;~~
7
- 8 ~~(VIII) A valid medicare or medicaid card issued by the United~~
9 ~~States health care financing administration;~~
10
- 11 ~~(IX) A certified copy of a birth certificate for the elector issued in~~
12 ~~the United States;~~
13
- 14 ~~(X) Certified documentation of naturalization; or~~
15
- 16 (XI) A valid student identification card with a photograph of the
17 eligible elector issued by an institution of higher education in Colorado,
18 as defined in section 23-3.1-102 (5), C.R.S. ESTABLISHED AND EXISTING
19 BY LAW AS AN AGENCY OF THE STATE OF COLORADO."
- 20
21 As amended, ordered engrossed and placed on the Calendar for Third
22 Reading and Final Passage.
23 (For change in action, see Amendments to Report, page 449.)
24
- 25 **HB09-1236** by Representative(s) Primavera, Casso, Peniston; also
26 Senator(s) Hodge--Concerning the distance at which an
27 operator of a motor vehicle shall stop when a school bus
28 signals a stop.
29
- 30 Amendment No. 1, by Representative Primavera.
31 Amend printed bill, page 2, line 5, strike "TWENTY-FIVE" and substitute
32 "TWENTY".
33
- 34 As amended, ordered engrossed and placed on the Calendar for Third
35 Reading and Final Passage.
36
- 37 **HB09-1214** by Representative(s) Benefield, Massey, Middleton,
38 Miklosi, Scanlan, Schafer S., Summers, Todd; also
39 Senator(s) Bacon--Concerning education data reporting
40 requirements.
41
- 42 Amendment No. 1, Education Report, dated February 16, 2009, and
43 placed in member's bill file; Report also printed in House Journal,
44 February 17, pages 379-380.
45
- 46 As amended, ordered engrossed and placed on the Calendar for Third
47 Reading and Final Passage.
48
- 49 **HB09-1264** by Representative(s) Benefield, Apuan, Court, Gardner B.,
50 Kerr A., Levy, McCann, Miklosi, Pace, Roberts, Ryden,
51 Solano; also Senator(s) Hudak--Concerning the costs
52 associated with college-level academic programs for state
53 inmates.
54
- 55 Ordered engrossed and placed on the Calendar for Third Reading and
56 Final Passage.

1 **HB09-1190** by Representative(s) Levy--Concerning the enactment of
2 the "Uniform Unsworn Foreign Declarations Act".
3

4 Ordered engrossed and placed on the Calendar for Third Reading and
5 Final Passage.
6

7 **HB09-1253** by Representative(s) Pace, Apuan, Levy, McKinley,
8 Miklosi, Vigil; also Senator(s) Tapia--Concerning
9 processes for involuntary mental health treatment for
10 defendants committed under title 16, Colorado Revised
11 Statutes.
12

13 Laid over until February 24, retaining place on Calendar.
14

15 **HB09-1260** by Representative(s) Ferrandino; also Senator(s) Veiga--
16 Concerning designated beneficiary agreements.
17

18 Amendment No. 1, Judiciary Report, dated February 16, 2009, and placed
19 in member's bill file; Report also printed in House Journal, February 17,
20 pages 382-384.
21

22 Amendment No. 2, by Representative Ferrandino.
23

24 Amend printed bill, page 14, strike line 11 and substitute the following:
25

26 "15-22-111;".
27

28 Page 15, strike lines 2 through 17.
29

30 Renumber succeeding C.R.S. sections accordingly.
31

32 Page 17, line 22, strike "15-22-122," and substitute "15-22-111,".
33

34 Page 33, line 12, strike "15-22-112," and substitute "15-22-111,".
35

36 Amendment No. 3, by Representative Ferrandino.
37

38 Amend printed bill, page 11, line 9, strike "TREATMENT" and substitute
39 "CARE".
40

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

44 **HB09-1249** by Representative(s) Pommer, Ferrandino, Marostica; also
45 Senator(s) White, Keller, Tapia--Concerning the
46 consolidation of certain cash funds created for the
47 department of agriculture.
48

49 Ordered engrossed and placed on the Calendar for Third Reading and
50 Final Passage.
51

52
53 **HB09-1108** by Representative(s) Kerr A.; also Senator(s) Boyd--
54 Concerning the failure of an employer's bank to honor an
55 employee's paycheck upon presentment.
56

1 Amendment No. 1, Business Affairs & Labor Report, dated
2 February 17, 2009, and placed in member's bill file; Report also printed
3 in House Journal, February 18, page 401.

4

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

7

8 **HB09-1224** by Representative(s) Schafer S., McGihon, Labuda,
9 Frangas, Ryden, Green, Ferrandino, Court, Hullinghorst,
10 Kefalas, Middleton, Peniston, Solano, Todd, Vigil; also
11 Senator(s) Carroll M., Hodge--Concerning a prohibition
12 on the consideration of gender in setting rates for
13 individual health insurance policies.

14

15 Amendment No. 1, Business Affairs & Labor Report, dated
16 February 17, 2009, and placed in member's bill file; Report also printed
17 in House Journal, February 18, page 402.

18

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

21

22 **HB09-1217** by Representative(s) Murray; also Senator(s) Scheffel--
23 Concerning the creation of local improvement districts for
24 the purpose of improving public utilities.

25

26 Amendment No. 1, Local Government Report, dated February 17, 2009,
27 and placed in member's bill file; Report also printed in House Journal,
28 February 18, pages 403-404.

29

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

32

33 **HB09-1220** by Representative(s) Scanlan; also Senator(s) Gibbs--
34 Concerning an amendment to the "Colorado Common
35 Interest Ownership Act" to permit a unit owner to
36 prescribe specified conditions in connection with the use
37 of such owner's property that promote affordable housing.

38

39 Amendment No. 1, Local Government Report, dated February 17, 2009,
40 and placed in member's bill file; Report also printed in House Journal,
41 February 18, pages 404-405.

42

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

45

46 **HB09-1200** by Representative(s) Stephens, King S., Liston, Waller;
47 also Senator(s) Scheffel, King K., Kopp--Concerning a
48 requirement that the staff of the legislative council
49 consider certain factors relating to counties in the local
50 government impact section of a fiscal note.

51

52 Laid over until February 24, retaining place on Calendar.

53

54 **HB09-1218** by Representative(s) Soper, Marostica; also Senator(s)
55 Bacon--Concerning capital lease agreements entered into
56 by the state.

1 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
 2 February 17, 2009, and placed in member's bill file; Report also printed
 3 in House Journal, February 18, page 407.

4
 5 As amended, ordered engrossed and placed on the Calendar for Third
 6 Reading and Final Passage.

7
 8 **HB09-1229** by Representative(s) Kerr J., Miklosi, Primavera; also
 9 Senator(s) Isgar, Tochtrop--Concerning the designation of
 10 auxiliary facilities of institutions of higher education as
 11 enterprises.

12
 13 Ordered engrossed and placed on the Calendar for Third Reading and
 14 Final Passage.

15
 16
 17
 18 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

19
 20 Representative(s) Murray and Balmer moved to amend the Report of the
 21 Committee of the Whole to reverse the action taken by the Committee in
 22 not adopting the following Murray and Balmer amendment, to
 23 HB09-1186, to show that said amendment passed, and that **HB09-1186**,
 24 as amended, passed.

25
 26 Amend printed bill, page 3, line 5, strike "~~an early voters'~~ ANY" and
 27 substitute "an early voters";

28
 29 line 6, strike "vote." and substitute "vote; EXCEPT THAT NO MAIL-IN
 30 BALLOT SHALL BE REFUSED AT ANY POLLING PLACE.".

31
 32 The amendment was declared **lost** by the following roll call vote:

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

52
 53 Representative(s) Gardner B. moved to amend the Report of the Com-
 54 mittee of the Whole to reverse the action taken by the Committee in not
 55 adopting the following Gardner B. amendment, to HB09-1260, to show
 56 that said amendment passed, and that **HB09-1260**, as amended, passed.

1 Amend printed bill, page 33, strike lines 14 through 18 and substitute the
2 following:

3

4 **"SECTION 19. Act subject to petition - effective date.**

5 (1) This act shall take effect September 1, 2009.

6

7 (2) However, if a referendum petition is filed against this act or
8 an item, section, or part of this act during the ninety-day period after final
9 adjournment of the general assembly that is allowed for submitting a
10 referendum petition pursuant to article V, section 1 (3) of the state
11 constitution, then the act, item, section, or part, shall not take effect unless
12 approved by the people at a biennial regular general election and shall
13 take effect on the date specified in subsection (1) or on the date of the
14 official declaration of the vote thereon by proclamation of the governor,
15 whichever is later."

16

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

18

19

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

37

38 Representative(s) Weissmann, T. Carroll, and Todd moved to amend the
39 Report of the Committee of the Whole to reverse the action taken by the
40 Committee in adopting HB09-1216, to show that **HB09-1216** laid over
41 unamended until Tuesday, February 24, 2009.

42

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

44

45

	YES	38	NO	24	EXCUSED	3	ABSENT	0
46	Acree	N	Green	Y	McFadyen	Y	Roberts	N
47	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
48	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
49	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
50	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
51	Bradford	E	Kerr J.	N	Middleton	Y	Sonnenberg	N
52	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
53	Court	Y	Labuda	Y	Murray	N	Stephens	E
54	Curry	Y	Lambert	N	Nikkel	N	Summers	N
55	Ferrandino	Y	Levy	Y	Pace	E	Swalm	N
56	Fischer	Y	Liston	N	Peniston	Y	Tipton	N

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

7
8
9

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

10
11
12 Passed Second Reading: **HB09-1254 amended, 1186 amended,**
13 **1216 amended, 1236 amended, 1214 amended, 1264, 1190,**
14 **1260 amended, 1249, 1108 amended, 1224 amended, 1217 amended,**
15 **1220 amended, 1218 amended, 1229.**

16
17 Laid over until date indicated retaining place on Calendar: **HB09-1253,**
18 **1200, 1216 unamended**--February 24, 2009.

19
20 Rereferred to Committee indicated: **HB09-1018**--State, Veterans, &
21 Military Affairs.

22
23 The Chairman moved the adoption of the Committee of the Whole
24 Report. As shown by the following roll call vote, a majority of those
25 elected to the House voted in the affirmative, and the Report was
26 **adopted.**

27	YES	59	NO	3	EXCUSED	3	ABSENT	0
28	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
29	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
30	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
31	Baumgardner	N	Kefalas	Y	McNulty	Y	Schafer S.	Y
32	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
33	Bradford	E	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
34	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
35	Court	Y	Labuda	Y	Murray	Y	Stephens	E
36	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
37	Ferrandino	Y	Levy	Y	Pace	E	Swalm	Y
38	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
39	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
40	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
41	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
42	Gardner C.	N	May	Y	Rice	Y	Waller	Y
43	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
44							Speaker	Y

45
46
47
48

49 On motion of Representative Weissmann, the following bill(s) will be
50 calendared for third reading on February 24, 2009: **HB09-1076, 1135,**
51 **1254, 1186, 1236, 1214, 1264, 1190, 1260, 1249, 1108, 1224, 1217,**
52 **1220, 1218, 1229.**

53
54
55

REPORTS OF COMMITTEES OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

HB09-1199 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 3, after line 7, insert the following:

"(2) **Legislative declaration.** THE GENERAL ASSEMBLY HEREBY DECLARES THAT ADDRESSING THE WILDFIRE RISK IN COLORADO AND THE DEVELOPMENT OF COMMUNITY WILDFIRE PROTECTION PLANS TO BRING TOGETHER FEDERAL, STATE, AND LOCAL INTERESTS, INCLUDING NONGOVERNMENTAL ENTITIES SUCH AS ELECTRIC, GAS, AND WATER UTILITIES, TO ADDRESS WILDFIRE RISK TO LIFE, PROPERTY, AND INFRASTRUCTURE IN COLORADO IS A MATTER OF STATEWIDE CONCERN."

Renumber succeeding subsections accordingly.

Page 3, line 20, strike "REPRESENTATIVES" and substitute "REPRESENTATIVES, INCLUDING CONSERVATION DISTRICTS CREATED PURSUANT TO ARTICLE 70 OF TITLE 35, C.R.S., AND COUNTY NOXIOUS WEED PROGRAM ADMINISTRATORS";

line 21, after "PARTIES," insert "INCLUDING ANY ELECTRIC, GAS, AND WATER UTILITIES IN THE AFFECTED AREA,".

Page 5, line 8, after "WITH", insert "CONSERVATION DISTRICTS CREATED PURSUANT TO ARTICLE 70 OF TITLE 35, C.R.S., COUNTY NOXIOUS WEED PROGRAM ADMINISTRATORS AND OTHER";

line 9, strike "PARTNERS" and substitute "PARTNERS, INCLUDING ANY ELECTRIC, GAS, AND WATER UTILITIES IN THE AFFECTED AREA,".

Page 6, line 16, after "LANDOWNERS", insert "OR UTILITY EASEMENT OWNERS";

line 20, strike "(3)" and substitute "(4)".

Page 7, line 12, after "**restoration.**", insert "(a)";

line 18, strike "(a) (I)" and substitute "(I) (A)";

line 21, strike "(II)" and substitute "(B)";

line 27, strike "(b)" and substitute "(II)".

Page 8, strike line 1 and substitute the following:

"LANDOWNERS, LOCAL GOVERNMENTS, INCLUDING CONSERVATION DISTRICTS CREATED PURSUANT TO ARTICLE 70 OF TITLE 35, C.R.S., AND COUNTY NOXIOUS WEED PROGRAM ADMINISTRATORS AND OTHER APPROPRIATE PARTIES, INCLUDING ANY ELECTRIC, GAS, AND WATER UTILITIES IN THE AFFECTED AREA,";

- 1 line 3, after "INCREASED", insert "RESPONSIBLE";
2
3 after line 8, insert the following:
4 "(b) THE FOREST SERVICE MAY USE UP TO ONE MILLION DOLLARS
5 ANNUALLY UNTIL JULY 1, 2012, FROM THE FOREST RESTORATION PILOT
6 PROGRAM CASH FUND CREATED IN SECTION 23-31-310 (8.5) FOR THE
7 PURPOSE OF COMPLYING WITH THIS SUBSECTION (5).";
8
9 line 15, strike "(7)" and substitute "(8)".
10
11 Page 9, line 16, strike "(7)" and substitute "(8)";
12
13 line 17, strike "(7)." and substitute "(8).";
14
15 line 24, strike "(7)." and substitute "(8).".
16
17 Page 10, line 11, after "THE", insert "RESPONSIBLE";
18
19 line 16, strike "ENTITIES;" and substitute "ENTITIES AND OTHER
20 INTERESTED PARTIES, INCLUDING ANY ELECTRIC, GAS, AND WATER
21 UTILITIES IN THE AFFECTED AREA;".
22
23 Page 11, line 4, strike "(9)." and substitute "(10) AND SHALL REMAIN
24 AVAILABLE UNTIL EXPENDED.";
25
26 line 11, strike "(9)." and substitute "(10).";
27
28 line 16, strike "(3)" and substitute "(4)";
29
30 line 18, strike "(4)" and substitute "(5)";
31
32 line 19, strike "MILLION ONE";
33
34 line 20, strike "(5)" and substitute "(6)";
35
36 line 22, strike "(6)" and substitute "(7)";
37
38 line 24, strike "(7)" and substitute "(8)";
39
40 line 27, strike "(8)" and substitute "(9)".
41
42 Page 12, line 16, strike "(12)," and substitute "(13),";
43
44 strike line 27.
45
46 Page 13, strike line 1 and substitute the following:
47 "(n) (I) FOR THREE FISCAL YEARS COMMENCING ON OR AFTER JULY
48 1, 2009, THE STATE TREASURER SHALL TRANSFER:
49
50 (A) ONE MILLION NINE HUNDRED FIFTY";
51
52 line 4, strike "(9)," and substitute "(10),";
53
54 strike lines 5 through 8 and substitute the following:
55
56 "(B) FIFTY THOUSAND DOLLARS";

1 after line 10, insert the following:

2 "(II) THIS PARAGRAPH (n) IS REPEALED, EFFECTIVE JULY 1, 2012.";

3

4 line 14, after "(5)", insert "(a)";

5

6 strike line 27.

7

8 Page 14, strike lines 1 through 3 and substitute the following:

9

10 "in the state treasury. All interest derived from the";

11

12 strike lines 7 through 24 and substitute the following:

13 "(b) (I) THE GENERAL ASSEMBLY SHALL APPROPRIATE NOT MORE
14 THAN FIFTY THOUSAND DOLLARS FROM THE WILDLAND-URBAN INTERFACE
15 TRAINING FUND EACH YEAR FOR THE PURPOSES OF THIS SUBSECTION (5).

16

17 (II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2012.

18

19 **SECTION 4.** 25-7-111, Colorado Revised Statutes, is amended
20 BY THE ADDITION OF A NEW SUBSECTION to read:

21

22 **25-7-111. Administration of air quality control programs -**
23 **directive - prescribed fire - review - repeal.** (5) (a) THE DIVISION
24 SHALL CONFER WITH APPROPRIATE FEDERAL AND STATE LAND
25 MANAGEMENT AGENCY REPRESENTATIVES, INCLUDING THE FOREST
26 SERVICE AS DEFINED IN SECTION 23-31-310 (2), C.R.S., AND OTHER
27 ENTITIES, WHICH MAY INCLUDE, AS APPROPRIATE, LOCAL AGENCY
28 REPRESENTATIVES AND PRIVATE LAND MANAGERS, TO EVALUATE EXISTING
29 PRESCRIBED FIRE PERMIT PROGRAM RULES AND IMPLEMENTATION SO AS TO
30 SUPPORT, AND INCREASE WHERE POSSIBLE, APPROPRIATE RESPONSIBLE USE
31 OF PRESCRIBED FIRE CONSISTENT WITH SECTION 25-7-106 (7) AND (8).

32

33 (b) THE EVALUATION REQUIRED BY THIS SUBSECTION (5) SHALL
34 INCLUDE CONSIDERATION OF THE BALANCE BETWEEN THE ATTAINMENT
35 AND MAINTENANCE OF NATIONAL AMBIENT AIR QUALITY STANDARDS AND
36 THE ACHIEVEMENT OF FEDERAL AND STATE VISIBILITY GOALS, WITH THE
37 IMPORTANT BENEFITS OF PRESCRIBED FIRE USE AS A LAND MANAGEMENT
38 TOOL, INCLUDING WILDFIRE RISK MITIGATION, WATERSHED PROTECTION,
39 FOREST HEALTH, AND REDUCED TREATMENT COST. THE DIVISION SHALL
40 PROVIDE A REPORT TO THE COMMISSION BY JUNE 30, 2010, TO INCLUDE
41 ANY RECOMMENDATIONS FROM THE EVALUATION UNDERTAKEN PURSUANT
42 TO THIS SUBSECTION (5).

43

44 (c) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2011.".

45

46

47

48

49 **APPROPRIATIONS**

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

52

53 **HB09-1001** be referred to the Committee of the Whole with favorable
54 recommendation.

55

56

1 **HB09-1053** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 10, after line 11, insert the following:
6

7 **"SECTION 14. Appropriation - adjustments to the 2009 long**
8 **bill.** For the implementation of this act, appropriations made in the
9 annual general appropriation act for the fiscal year beginning July 1,
10 2009, to the department of regulatory agencies, division of banking, are
11 decreased by fifty-five thousand seven hundred twenty-eight dollars
12 (\$55,728) cash funds and 0.5 FTE. Said sum shall be from the division
13 of banking cash fund created in section 11-102-307 (1), Colorado Revised
14 Statutes."
15

16 Renumber succeeding section accordingly.
17

18 Page 1, line 102, strike "BOARD." and substitute "BOARD, AND MAKING
19 AN APPROPRIATION THEREFOR."
20
21
22

23 **HB09-1085** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:
26

27 Amend printed bill, page 51, after line 1, insert the following:
28

29 **"SECTION 5. Appropriation.** In addition to any other
30 appropriation, there is hereby appropriated, out of any moneys in the
31 mortgage loan originator licensing cash fund created in section
32 12-61-908, Colorado Revised Statutes, not otherwise appropriated, to the
33 department of regulatory agencies, for allocation to the division of real
34 estate, for the fiscal year beginning July 1, 2009, the sum of ninety
35 thousand six hundred thirty-six dollars (\$90,636) and 1.0 FTE, or so
36 much thereof as may be necessary, for the implementation of this act."
37

38 Renumber succeeding section accordingly.
39

40 Page 1, line 105, strike "2008" AND" and substitute "2008",";
41

42 line 107, strike "ACT." and substitute "ACT, AND MAKING AN
43 APPROPRIATION."
44
45
46

47 **HB09-1100** be amended as follows, and as so amended, be referred to
48 the Committee of the Whole with favorable
49 recommendation:
50

51 Amend printed bill, page 4, after line 9, insert the following:
52

53 **"SECTION 3. Appropriation.** In addition to any other
54 appropriation, there is hereby appropriated, out of any moneys in the
55 license plate cash fund created in Section 42-3-301 (1) (b), Colorado
56 Revised Statutes, not otherwise appropriated, to the department of

1 revenue, for allocation to the division of motor vehicles, for the fiscal
2 year beginning July 1, 2009, the sum of sixteen thousand eighty dollars
3 (\$16,080), or so much thereof as may be necessary, for the
4 implementation of this act."

5

6 Renumber succeeding section accordingly.

7

8 Page 1, line 102, strike "PLATE." and substitute "PLATE, AND MAKING AN
9 APPROPRIATION THEREFOR."

10

11

12

13 **HB09-1110** be referred to the Committee of the Whole with favorable
14 recommendation.

15

16

17 **HB09-1116** be referred to the Committee of the Whole with favorable
18 recommendation.

19

20

21 **SB09-108** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:

24

25 Amend the Transportation & Energy Committee Report, dated February
26 17, 2009, page 1, after line 7, insert the following:

27

28 "Page 14, line 14, strike "SUBPARAGRAPH (III)" and substitute
29 "SUBPARAGRAPHS (III) AND (VI)";";

30

31 line 8, strike "Page 14,";

32

33 after line 9, insert the following:

34

35 "Page 16, after line 14, insert the following:

36

37 "(VI) THE ROAD SAFETY SURCHARGE SHALL NOT BE IMPOSED ON
38 ANY VEHICLE FOR WHICH THE DEPARTMENT OF REVENUE HAS ISSUED A
39 HORSELESS CARRIAGE SPECIAL LICENSE PLATE PURSUANT TO SECTION
40 42-3-219 (1) (a), C.R.S."

41

42 Renumber succeeding subparagraph accordingly."

43

44 Page 2, after line 21, insert the following:

45

46 "Page 26, line 15, strike "SUBPARAGRAPH (III)" and substitute
47 "SUBPARAGRAPHS (III) AND (VII)";";

48

49 line 22, strike "Page 26,";

50

51 after line 25, insert the following:

52

53 "Page 28, after line 25, insert the following:

54

55 "(VII) THE BRIDGE SAFETY SURCHARGE SHALL NOT BE IMPOSED ON
56 ANY VEHICLE FOR WHICH THE DEPARTMENT OF REVENUE HAS ISSUED A

1 HORSELESS CARRIAGE SPECIAL LICENSE PLATE PURSUANT TO SECTION
2 42-3-219 (1) (a), C.R.S."

3

4 Renumber succeeding subparagraph accordingly."

5

6 Page 7, line 22, strike "NINETY" and substitute "NINETY";

7

8 line 25 of the reengrossed bill, strike "THIRTY-DAY" and substitute
9 "EXPIRATION OF THE";

10

11 line 26, strike "42-3-113 (2) (e) FOR WHICH THE VEHICLE IS
12 UNREGISTERED." and substitute "42-3-114 FOR WHICH THE VEHICLE IS
13 UNREGISTERED; EXCEPT THAT THE AMOUNT OF THE LATE FEE SHALL NOT
14 EXCEED ONE HUNDRED DOLLARS."";

15

16 after line 22 of the committee report, insert the following:

17

18 "Page 70, after line 13, insert the following:

19

20 "(3) THE LATE FEE DESCRIBED IN SUBSECTION (1) OF THIS SECTION
21 SHALL NOT BE IMPOSED ON A VEHICLE SUBJECT TO TAXATION UNDER THIS
22 ARTICLE IF:

23

24 (a) THE PERSON WHO OWNS THE VEHICLE USES THE VEHICLE IN
25 OPERATING A COMMERCIAL BUSINESS AND, AS PART OF THE NORMAL
26 OPERATION OF THE BUSINESS, IDLES THE VEHICLE SO THAT IT IS NOT
27 OPERATED ON ANY PUBLIC HIGHWAY IN THIS STATE FOR AT LEAST ONE
28 FULL REGISTRATION PERIOD. NOTHING IN THIS PARAGRAPH (a) SHALL BE
29 CONSTRUED TO EXEMPT THE OWNER OF AN IDLED VEHICLE FROM PAYING
30 ANY FEES IMPOSED PURSUANT TO THIS ARTICLE OTHER THAN THE LATE FEE
31 BEFORE AGAIN OPERATING THE VEHICLE ON A PUBLIC HIGHWAY IN THIS
32 STATE OR FROM PAYING ANY TAXES IMPOSED PURSUANT TO THIS ARTICLE.

33

34 (b) THE PERSON WHO OWNS THE VEHICLE IS IN THE ACTIVE
35 MILITARY SERVICE OF THE UNITED STATES AND IS SERVING OUTSIDE THE
36 STATE WHEN A REGISTRATION PERIOD AND GRACE PERIOD FOR RENEWAL
37 OF REGISTRATION FOR THE VEHICLE END AND THE VEHICLE IS NOT
38 OPERATED ON ANY PUBLIC HIGHWAY OF THE STATE BETWEEN THE TIME
39 THE REGISTRATION PERIOD AND GRACE PERIOD END AND THE TIME THE
40 VEHICLE IS REREGISTERED. NOTHING IN THIS PARAGRAPH (b) SHALL BE
41 CONSTRUED TO EXEMPT THE OWNER OF SUCH A VEHICLE FROM PAYING
42 ANY FEES IMPOSED PURSUANT TO THIS ARTICLE OTHER THAN THE LATE FEE
43 BEFORE AGAIN OPERATING THE VEHICLE ON A PUBLIC HIGHWAY IN THIS
44 STATE OR FROM PAYING ANY TAXES IMPOSED PURSUANT TO THIS
45 ARTICLE."".

46

47

48

49

50 **EDUCATION**

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

53

54 **HB09-1243** be amended as follows, and as so amended, be referred to
55 the Committee on Appropriations with favorable
56 recommendation:

1 Amend printed bill, page 3, strike line 24 and substitute the following:

2
3 "THE GRADUATION RATE FOR COLORADO STUDENTS WITH DISABILITIES IS
4 SIXTY-THREE AND SEVEN-TENTHS PERCENT, COMPARED WITH A
5 STATEWIDE GRADUATION RATE OF SEVENTY-FIVE PERCENT."

6
7 Page 4, strike lines 1 through 3.

8
9 Page 5, line 17, after "PROVIDERS,", insert "ADULT BASIC EDUCATION,
10 GENERAL EDUCATIONAL DEVELOPMENT CERTIFICATE, AND
11 ENGLISH-AS-A-SECOND-LANGUAGE PROGRAMS,";

12
13 line 19, strike "AFTER-SCHOOL" and substitute "EXTENDED LEARNING
14 OPPORTUNITY".

15
16 Page 6, after line 6, insert the following:

17
18 "(4) "EXTENDED LEARNING OPPORTUNITY PROGRAMS" MEANS
19 PROGRAMS THAT PROVIDE KINDERGARTEN-THROUGH-TWELFTH-GRADE
20 SUPERVISED LEARNING ACTIVITIES THAT MAY INCLUDE, BUT NEED NOT BE
21 LIMITED TO, AFTER-SCHOOL PROGRAMS, BEFORE-SCHOOL PROGRAMS,
22 SUMMER SCHOOL PROGRAMS, WEEKEND PROGRAMS, AND EXTENDED-DAY
23 AND EXTENDED-YEAR PROGRAMS."

24
25 Renumber succeeding subsections accordingly.

26
27 Page 6, line 17, after "TITLE,", insert "OR";

28
29 strike lines 18 and 19 and substitute the following:

30
31 "TO SECTION 22-30.5-503.";

32
33 after line 22, insert the following:

34
35 "(10) "PARENT" MEANS A STUDENT'S BIOLOGICAL OR ADOPTIVE
36 PARENT OR THE STUDENT'S LEGAL GUARDIAN OR LEGAL CUSTODIAN."

37
38 Renumber succeeding subsections accordingly.

39
40 Page 8, after line 25, insert the following:

41
42 "(c) THE DEPARTMENT IS STRONGLY ENCOURAGED TO DIRECT, TO
43 THE EXTENT POSSIBLE, ANY INCREASES IN THE AMOUNT OF FEDERAL
44 MONEYS RECEIVED BY THE DEPARTMENT FOR PROGRAMS UNDER TITLE I,
45 PART A OF THE "ELEMENTARY AND SECONDARY EDUCATION ACT OF
46 1965", 20 U.S.C. SEC. 6301 ET SEQ., PROGRAMS UNDER THE "INDIVIDUALS
47 WITH DISABILITIES EDUCATION ACT", 20 U.S.C., SEC. 1400, ET SEQ., OR
48 OTHER FEDERAL PROGRAMS TO ASSIST IN FUNDING THE ACTIVITIES OF THE
49 OFFICE AS SPECIFIED IN THIS ARTICLE.

50
51 (d) THE DEPARTMENT SHALL SEEK AND MAY ACCEPT AND EXPEND
52 GIFTS, GRANTS, AND DONATIONS FROM PUBLIC OR PRIVATE ENTITIES TO
53 FUND THE OPERATIONS OF THE OFFICE, INCLUDING THE PERSONNEL FOR
54 THE OFFICE AND EXECUTION OF THE DUTIES AND RESPONSIBILITIES
55 SPECIFIED IN THIS ARTICLE. NOTWITHSTANDING ANY PROVISION OF THIS
56 ARTICLE TO THE CONTRARY, THE DEPARTMENT IS NOT REQUIRED TO

1 IMPLEMENT THE PROVISIONS OF THIS ARTICLE UNTIL SUCH TIME AS THE
2 DEPARTMENT HAS RECEIVED AN AMOUNT IN GIFTS, GRANTS, AND
3 DONATIONS FROM PUBLIC OR PRIVATE ENTITIES THAT THE DEPARTMENT
4 DEEMS SUFFICIENT TO ADEQUATELY FUND THE OPERATIONS OF THE
5 OFFICE.".

6

7 Page 10, after line 7, insert the following:

8

9 "(III) THE PREVENTION SERVICES DIVISION IN THE DEPARTMENT OF
10 PUBLIC HEALTH AND ENVIRONMENT;".

11

12 Renumber succeeding subparagraphs accordingly.

13

14 Page 10, line 14, strike "AFTER-SCHOOL" and substitute "EXTENDED
15 LEARNING OPPORTUNITY";

16

17 after line 14, insert the following:

18

19 "(X) ADULT BASIC EDUCATION AND
20 ENGLISH-AS-A-SECOND-LANGUAGE PROGRAMS;".

21

22 Renumber succeeding subparagraphs accordingly.

23

24 Page 12, line 16, strike "SHALL" and substitute "MAY";

25

26 line 23, strike "LOCAL EDUCATION PROVIDERS SHALL" and substitute
27 "HIGH PRIORITY AND PRIORITY LOCAL EDUCATION PROVIDERS MAY";

28

29 strike lines 25 and 26 and substitute the following:

30

31 "STRATEGIES, AND TO CREATE AND EVALUATE THEIR STUDENT".

32

33 Page 15, line 15, strike "TO ITS AUTHORIZER FOR TRANSMITTAL".

34

35 Page 17, after line 1, insert the following:

36

37 "(VIII) EXTENDED LEARNING OPPORTUNITY PROGRAMS;".

38

39 Renumber succeeding subparagraphs accordingly.

40

41 Page 17, line 27, strike "IN ADDITION, EACH".

42

43 Page 18, strike lines 1 through 3;

44

45 line 6, strike "FEBRUARY 1, 2011," and substitute "A DATE SPECIFIED BY
46 RULE OF THE STATE BOARD, BUT NOT LATER THAN OCTOBER 1, 2010,";

47

48 line 11, strike "FEBRUARY 1, 2012." and substitute "A DATE SPECIFIED BY
49 RULE OF THE STATE BOARD, BUT NOT LATER THAN OCTOBER 1, 2011.";

50

51 line 15, after the period, add "IN SETTING THE DATES FOR ADOPTION OF
52 THE INITIAL STUDENT GRADUATION AND COMPLETION PLANS AND THE
53 TIMELINES FOR REVIEWING AND UPDATING THE STUDENT GRADUATION
54 AND COMPLETION PLANS, THE STATE BOARD SHALL ENSURE THAT THE
55 DATES COINCIDE WITH THE DATES BY WHICH EACH LOCAL EDUCATION
56 PROVIDER IS REQUIRED TO ADOPT THE PLAN REQUIRED BY ITS

1 ACCREDITATION CATEGORY OR ITS ANNUAL PERFORMANCE REVIEW."

2

3 Page 19, line 2, strike "TO ITS";

4

5 line 3, strike "AUTHORIZER FOR TRANSMITTAL".

6

7 Page 20, strike lines 3 through 8 and substitute the following:

8

9 "(f) A DESCRIPTION OF THE SUPPORTS THAT THE HIGH PRIORITY OR
10 PRIORITY LOCAL EDUCATION PROVIDER WILL PROVIDE TO A STUDENT WHO
11 LEAVES A PUBLIC SCHOOL PRIOR TO GRADUATION OR COMPLETION,
12 INCLUDING AN EXPLANATION OF THE EDUCATIONAL ALTERNATIVES
13 AVAILABLE TO THE STUDENT TO ASSIST HIM OR HER IN RE-ENGAGING IN
14 SCHOOL AND OTHER INFORMATION TO ASSIST WITH HIS OR HER TRANSITION
15 INTO OTHER EDUCATIONAL SETTINGS, INCLUDING BUT NOT LIMITED TO AN
16 ADULT BASIC EDUCATION, GENERAL EDUCATIONAL DEVELOPMENT, OR
17 ENGLISH-AS-A-SECOND-LANGUAGE PROGRAM, OR INTO THE WORKFORCE
18 OR JOB TRAINING.";

19

20 line 15, strike "RE-ENGAGEMENT;" and substitute "RE-ENGAGEMENT,
21 INCLUDING POLICIES AND PROGRAMS THAT CREATE ALTERNATIVE
22 PATHWAYS TO HIGH SCHOOL GRADUATION;"

23

24 Page 21, line 15, strike "IN ADDITION, EACH";

25

26 strike lines 16 through 18.

27

28 Page 22, line 25, before "PARENT", insert "STUDENT AND HIS OR HER".

29

30 Page 23, strike lines 4 through 12.

31

32 Page 26, after line 8, insert the following:

33

34 "(e) THE DEPARTMENT IS ENCOURAGED TO DIRECT TO THE FUND
35 ANY FEDERAL MONEYS RECEIVED BY THE DEPARTMENT THAT MAY BE USED
36 FOR THE PURPOSES SPECIFIED IN THIS SECTION."

37

38 Page 31, line 16, strike "absence," and substitute "absence.";

39

40 strike lines 17 and 18 and substitute the following:

41

42 "~~including, but not limited to, the imposition of academic penalty for~~
43 ~~classes missed while unexcused.~~"

44

45

46

47 **HB09-1270** be postponed indefinitely.

48

49

50 **SB09-086** be referred to the Committee of the Whole with favorable
51 recommendation.

52

53

54

55

1 **FINANCE**

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

4
5 **HB09-1105** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:

8
9 Strike the Business Affairs and Labor Committee Report, dated January
10 28, 2009, and substitute the following:

11
12 "Amend printed bill, page 3, strike line 3;

13
14 line 4, strike "industries";

15
16 line 8, after "**credit**", insert "**- cash fund - created**";

17
18 strike lines 19 and 20.

19
20 Reletter succeeding paragraphs accordingly.

21
22 Page 3, strike lines 24 and 25.

23
24 Reletter succeeding paragraphs accordingly.

25
26 Page 4, line 6, after "EQUITY SECURITY,", insert "A CONVERTIBLE DEBT
27 INVESTMENT,".

28
29 Page 5, strike lines 8 through 13 and substitute the following:

30
31 "TECHNOLOGIES, PRODUCTS, OR PROCESSES.";

32
33 line 16, strike "TWO" and substitute "FIVE";

34
35 strike line 27.

36
37 Page 6, strike lines 1 through 3 and substitute the following:

38
39 "AN APPLICATION SHALL BE MADE IN THE MANNER AND FORM PRESCRIBED
40 BY THE OFFICE. THE OFFICE SHALL NOTE THE TIME AND DATE OF EACH
41 APPLICATION RECEIVED. IN ADDITION TO ANY OTHER REQUIREMENTS
42 ESTABLISHED BY THE OFFICE, THE APPLICATION SHALL INCLUDE:";

43
44 after line 5, insert the following:

45
46 "(II) THE NUMBER OF NEW EMPLOYEES HIRED BY THE QUALIFIED
47 SMALL BUSINESS AS A RESULT OF THE QUALIFIED INVESTMENT;".

48
49 Renumber succeeding subparagraphs accordingly.

50
51 Page 6, after line 8, insert the following:

52 "(IV) THE AMOUNT OF THE QUALIFIED INVESTMENT;

53
54 (V) THE NAME OF ANY PARTNER, MEMBER, OR SUBCHAPTER S
55 SHAREHOLDER ENTITY, IF ANY, AND THE FEDERAL INCOME TAX
56 IDENTIFICATION NUMBER OF SUCH PERSON OR ENTITY;".

1 Renumber succeeding subparagraphs accordingly.
2
3 Page 8, line 3, strike "SECTION 39-22-531 (6), C.R.S.," and substitute
4 "SECTION 39-22-531 (5), C.R.S.",
5
6 line 19, strike "FIRST AND SECOND TAXABLE YEARS";
7
8 line 20, strike "AFTER THE INVESTMENT IS MADE;" and substitute
9 "TAXABLE YEAR DURING WHICH THE INVESTMENT IS MADE AND THE FIRST
10 TAXABLE YEAR THEREAFTER;";
11
12 line 22, strike "DOLLARS." and substitute "DOLLARS AND THE CREDIT MAY
13 BE AUTHORIZED FOR LATER TAXABLE YEARS AS SET FORTH IN PARAGRAPH
14 (b) OF SUBSECTION (4) OF THIS SECTION."
15
16 Page 9, line 2, strike "THE CERTIFICATE," and substitute "THE CREDIT,";
17
18 line 21, strike "STAMPED ON THE APPLICATION BY THE OFFICE." and
19 substitute "THAT THE OFFICE RECEIVED THE APPLICATION.";
20
21 line 25, after "LIMIT.", add "IF AN APPLICATION IS NOT GRANTED BECAUSE
22 THE THREE MILLION DOLLAR LIMIT HAS BEEN EXCEEDED, THE OFFICE
23 SHALL AUTHORIZE THE CREDIT FOR THE NEXT TWO TAXABLE YEARS IN
24 WHICH THE LIMIT HAS NOT BEEN EXCEEDED.";
25
26 line 26, strike "THE OFFICE" and substitute "NO LATER THAN JANUARY 30,
27 2011, AND EACH JANUARY 30 THEREAFTER, THE OFFICE";
28
29 line 27, strike "NECESSARY" and substitute "AN ELECTRONIC REPORT THAT
30 INCLUDES THE INFORMATION SET FORTH IN PARAGRAPH (b) OF SUBSECTION
31 (2) OF THIS SECTION AND ANY OTHER".
32
33 Page 10, after line 14, insert the following:
34 "(6) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
35 CONTRARY, THE OFFICE SHALL NOT AUTHORIZE COLORADO INNOVATION
36 INVESTMENT TAX CREDITS FOR TAX YEARS COMMENCING ON OR AFTER
37 JANUARY 1, 2016.
38
39 (7) THERE IS HEREBY CREATED IN THE STATE TREASURY THE
40 COLORADO INNOVATION INVESTMENT TAX CREDIT CASH FUND, REFERRED
41 TO IN THIS SUBSECTION (7) AS THE "FUND", TO PROVIDE FOR THE DIRECT
42 AND INDIRECT COSTS ASSOCIATED WITH THE ADMINISTRATION OF THE TAX
43 CREDIT. THE OFFICE IS AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS,
44 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES. ALL PRIVATE AND
45 PUBLIC FUNDS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS SHALL
46 BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE
47 SAME TO THE FUND. THE MONEYS IN THE FUND SHALL BE SUBJECT TO
48 ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE DIRECT AND
49 INDIRECT COSTS ASSOCIATED WITH THE ADMINISTRATION OF THIS SECTION.
50 ANY MONEYS IN THE FUND NOT EXPENDED FOR SUCH PURPOSE MAY BE
51 INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST
52 AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS
53 IN THE FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND
54 UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A
55 FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR
56 TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND."

1 Page 11, strike lines 25 through 27.

2

3 Page 12, strike line 1.

4

5 Renumber succeeding subsections accordingly."

6

7

8

9

10 **HEALTH & HUMAN SERVICES**

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

13

14 **HB09-1191** be amended as follows, and as so amended, be referred to
15 the Committee of the Whole with favorable
16 recommendation:

17

18 Amend printed bill, page 2, line 2, strike "(a)," and substitute "(a) and (5)
19 (c)," and, strike "is" and substitute "are";

20

21 after line 17, insert the following:

22

23 "(c) Except as otherwise provided in this article, the entire amount
24 of any judgment, award, or settlement of the recipient's action or claim,
25 with or without suit, regardless of how characterized by the parties ~~or~~
26 ~~whether the amount includes medical costs~~, shall be subject to the state
27 department's lien."

28

29

30

31 **HB09-1196** be amended as follows, and as so amended, be referred to
32 the Committee on Finance with favorable
33 recommendation:

34

35 Amend printed bill, page 7, strike lines 1 through 3 and substitute the
36 following:

37

38 "(A) CONSUMER EDUCATION TO PROMOTE RESIDENT-CENTERED
39 CARE IN NURSING FACILITIES";

40

41 line 6, strike "CULTURE";

42

43 line 7, strike "CHANGE" and substitute "RESIDENT-CENTERED CARE";

44

45 line 9, strike "THE CULTURE CHANGE" and substitute
46 "RESIDENT-CENTERED CARE";

47

48 line 12, strike "CULTURE CHANGE" and substitute "RESIDENT-CENTERED
49 CARE";

50

51 line 15, strike "ON A";

52

53 line 16, strike "QUARTERLY BASIS";

54

55 line 22, after "TO", insert "THE LESSER OF THE AMOUNT SPECIFIED IN A
56 BUDGET APPROVED BY THE ACCOUNTABILITY BOARD OR";

1 after line 24, insert the following:

2

3 "(II) THE DEPARTMENTS MAY ALLOCATE THE MONEYS SPECIFIED
4 IN THIS PARAGRAPH (d) ON A QUARTERLY BASIS, BUT IN NO CASE SHALL
5 THE TOTAL AMOUNT DISTRIBUTED IN ANY GIVEN FISCAL YEAR EXCEED THE
6 AMOUNT SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (d)."

7

8 Renumber succeeding subparagraph accordingly.

9

10 Page 8, line 6, strike "(II)." and substitute "(III).";

11

12 line 10, strike "fund." and substitute "fund OR FOR ANY ADMINISTRATION
13 COSTS ASSOCIATED WITH ANY SPECIFIC MOVEMENT, ASSOCIATION, OR
14 ORGANIZATION.";

15

16 strike lines 23 and 24 and substitute the following:

17 "(A) THREE MEMBERS CURRENTLY EMPLOYED IN LONG-TERM CARE
18 NURSING FACILITIES;"

19

20 Page 9, line 1, strike "TWO MEMBERS" and substitute "ONE MEMBER".

21

22

23

24 **HB09-1232** be postponed indefinitely.

25

26

27 **HB09-1252** be referred to the Committee of the Whole with favorable
28 recommendation.

29

30

31

32

33 **JUDICIARY**

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

36

37 **HB09-1087** be postponed indefinitely.

38

39

40 **HB09-1180** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:

43

44 Amend printed bill, page 2, strike lines 2 through 26.

45

46 Page 3, strike lines 1 through 3.

47

48 Renumber succeeding sections accordingly.

49

50 Page 4, strike lines 20 through 27.

51

52 Page 5, strike lines 1 through 12.

53

54 Renumber succeeding section accordingly.

55

56

1
2 **HB09-1227** be amended as follows, and as so amended, be referred to
3 the Committee of the Whole with favorable
4 recommendation:

5
6 Amend printed bill, page 2, strike lines 2 through 19.

7
8 Renumber succeeding sections accordingly.

9
10 Page 4, line 10, strike "of section 2".

11
12 Page 1, strike lines 101 and 102 and substitute the following:

13
14 **"CONCERNING EQUITY SKIMMING OF REAL PROPERTY."**

15
16
17
18 **HB09-1262** be referred to the Committee of the Whole with favorable
19 recommendation.

20
21
22 **HB09-1263** be referred to the Committee of the Whole with favorable
23 recommendation.

24
25
26 **HB09-1266** be amended as follows, and as so amended, be referred to
27 the Committee on Finance with favorable
28 recommendation:

29
30 Amend printed bill, page 4, after line 15, insert the following:

31
32 **"SECTION 7.** 10-3-1104 (4) (a), Colorado Revised Statutes, is
33 amended to read:

34
35 **10-3-1104. Unfair methods of competition and unfair or**
36 **deceptive acts or practices.** (4) The following is defined as an unfair
37 practice in the business of insurance: For an insurer to deny, refuse to
38 issue, refuse to renew, refuse to reissue, cancel, or otherwise terminate a
39 motor vehicle insurance policy, to restrict motor vehicle insurance
40 coverage on any person, or to add any surcharge or rating factor to a
41 premium of a motor vehicle insurance policy solely because of:

42
43 (a) A conviction under section 12-47-901 (1) (b), C.R.S., or
44 section 18-13-122 (2), C.R.S., or any counterpart municipal charter or
45 ordinance offense or because of any driver's license revocation resulting
46 from such conviction. This paragraph (a) includes, but is not limited to,
47 a driver's license revocation imposed under section 42-2-125 (1) (m),
48 C.R.S., AS IT EXISTED PRIOR TO ITS REPEAL ON THE EFFECTIVE DATE OF
49 HOUSE BILL 09-1266, ENACTED IN 2009."

50
51 Renumber succeeding sections accordingly.

52
53 Page 5, after line 3, insert the following:

54 **"SECTION 9.** 42-1-206 (6), Colorado Revised Statutes, is
55 amended to read:

56

1 **42-1-206. Records open to inspection - furnishing of copies.**
2 (6) The record of conviction ENTERED BEFORE THE EFFECTIVE DATE OF
3 HOUSE BILL 09-1266, ENACTED IN 2009, and actions taken by the
4 department for violating section 18-13-122 or 12-47-901 (1) (c), C.R.S.,
5 held by the department of revenue, shall not be a public record after the
6 period of revocation imposed under such sections has been concluded;
7 except that this subsection (6) shall not prevent the department from
8 sharing such information with a criminal justice agency as defined in
9 section 24-72-302 (3), C.R.S."

10

11 Renumber succeeding sections accordingly.

12

13 Page 5, line 4, after "42-2-125", insert "(1) (m)," and, after "(3)," insert
14 "(6) (a),";

15

16 after line 9, insert the following:

17 ~~"(m) Been convicted of violating section 12-47-901 (1) (b) or (1)~~
18 ~~(e), C.R.S., or section 18-13-122 (2), C.R.S., or any counterpart municipal~~
19 ~~charter or ordinance offense to such sections;"~~;

20

21 strike lines 23 through 26 and substitute the following:

22

23 ~~"in section 42-2-119 (2). Where a minor driver's license is revoked under~~
24 ~~paragraph (m) or (n) of subsection (1) of this section, such revocation~~
25 ~~shall not run concurrently with any previous or subsequent suspension,~~
26 ~~revocation, cancellation, or denial that is provided for by law.~~

27

28 ~~(6) (a) Any person who has a license revoked pursuant to~~
29 ~~paragraph (m) of subsection (1) of this section shall be subject to a~~
30 ~~revocation period that shall continue for the period of time described~~
31 ~~hereafter:~~

32

33 ~~(I) After one conviction, twenty-four hours of public service if~~
34 ~~ordered by the court, or three months;~~

35

36 ~~(II) After a second conviction, six months;~~

37

38 ~~(III) After any third or subsequent conviction, one year."~~

39

40 Page 11, after line 13, insert the following:

41 **"SECTION 14. Repeal.** 42-2-131, Colorado Revised Statutes,
42 is repealed as follows:

43

44 **42-2-131. Revocation of license or permit for nondriving**
45 **alcohol convictions.** ~~Upon a plea of guilty or nolo contendere or a~~
46 ~~verdict of guilty by the court or a jury to an offense for which revocation~~
47 ~~of a license or permit is mandatory pursuant to section 42-2-125 (1) (m),~~
48 ~~the court shall forward to the department a notice of plea or verdict on the~~
49 ~~form prescribed by the department. Any revocation pursuant to section~~
50 ~~42-2-125 (1) (m) shall begin when the department gives notice of such~~
51 ~~revocation to the person in accordance with section 42-2-119 (2)."~~

52

53 Renumber succeeding sections accordingly.

54

55 Page 12, line 25, strike "revoked pursuant" and substitute "revoked
56 pursuant";

1 line 26, strike "to section 42-2-125 (1) (m), or" and substitute "~~to section~~
2 ~~42-2-125 (1) (m), or~~".

3
4 Page 13, line 18, after "sentences", insert "for convictions".

5
6
7
8
9 **LOCAL GOVERNMENT**

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

12
13 **HB09-1070** be postponed indefinitely.

14
15
16
17
18 **STATE, VETERANS, & MILITARY AFFAIRS**

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

21
22 **HB09-1184** be postponed indefinitely.

23
24
25 **HB09-1221** be postponed indefinitely.

26
27
28 **HB09-1258** be postponed indefinitely.

29
30
31 **HB09-1281** be referred to the Committee of the Whole with favorable
32 recommendation.

33
34
35
36
37 **TRANSPORTATION & ENERGY**

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

40
41 **HB09-1234** be amended as follows, and as so amended, be referred to
42 the Committee of the Whole with favorable
43 recommendation:

44
45 Amend printed bill, page 2, line 7, strike "HOLDER OF THE LICENSE" and
46 substitute "DRIVER";

47
48 strike lines 17 through 27 and substitute the following:

49
50 "~~given to the licensee as provided in section 42-2-119 (2). The~~
51 ~~notification of suspension or revocation shall recite therein that the~~
52 ~~licensee may apply for a hearing at any time within twenty days after the~~
53 ~~date of notification of the order of suspension or revocation, and the~~
54 ~~licensee shall be advised that, if a hearing is applied for, the effective date~~
55 ~~of the order will be extended until after the hearing is held. Such hearing~~
56 ~~shall be held within sixty days after application is made, and, at said~~

1 ~~hearing, it shall be determined whether the order of suspension or~~
2 ~~revocation shall be entered in the same manner as if the licensee had~~
3 ~~originally appeared after first notice.~~ A DRIVER WHO FAILED TO APPEAR
4 MAY REQUEST A SUBSEQUENT HEARING, BUT THE REQUEST SHALL NOT
5 POSTPONE THE EFFECTIVENESS OF THE RESTRAINT.

6

7 **SECTION 2.** 42-2-203, Colorado Revised Statutes, is amended
8 to read:

9

10 **42-2-203. Authority to revoke license of habitual offender.**

11 The department ~~has the authority to~~ SHALL IMMEDIATELY revoke the
12 license of any person whose record brings such person within the
13 definition of an habitual offender in section 42-2-202. ~~except that~~ The
14 ~~hearing~~ procedure as specified in section ~~42-2-127 (7) to (13)~~ 42-2-125
15 (3) AND (4), shall be employed ~~prior to any such~~ FOR THE revocation.

16

17 **SECTION 3. Act subject to petition - effective date.** This act

18 shall take effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly that is
20 allowed for submitting a referendum petition pursuant to article V,
21 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
22 sine die is on May 6, 2009); except that, if a referendum petition is filed
23 against this act or an item, section, or part of this act within such period,
24 then the act, item, section, or part, if approved by the people, shall take
25 effect on the date of the official declaration of the vote thereon by
26 proclamation of the governor."

27

28 Strike page 3.

29

30

31

32 **HB09-1244** be referred favorably to the Committee on Appropriations.

33

34

35 **HB09-1245** be postponed indefinitely.

36

37

38 **HB09-1247** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:

41

42 Amend printed bill, page 2, line 12, strike "PROPERTY," and substitute
43 "PROPERTY IF THE SELLER HAS LEGAL ACCESS TO SUCH HISTORIES,";

44

45 line 17, strike "AND" and substitute "OR";

46

47 strike lines 19 through 23 and substitute the following:

48

49 "SUBSECTION (1) THE SELLER DID NOT HAVE LAWFUL ACCESS TO THE
50 UTILITY HISTORY OF THE RESIDENTIAL REAL PROPERTY, A STATEMENT TO
51 THAT EFFECT."

52

53 Page 3, line 2, strike "IF THE";

54

55 strike lines 3 through 5 and substitute the following:

56

1 "THE PURCHASER SHALL NOT HAVE ANY CLAIM UNDER THIS SECTION FOR
2 RELIEF AGAINST ANY PERSON FOR ANY";
3
4 line 8, after "SECTION", insert "OTHER THAN THIS PARAGRAPH (a)";
5
6 line 11, strike "SELLER," and substitute "SELLER WHO HAS LEGAL
7 ACCESS,";
8
9 line 20, after "INCLUDE", insert "A NEW RESIDENTIAL IMPROVEMENT OR".

10
11
12
13

HB09-1268 be postponed indefinitely.

14
15
16
17
18
19

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB09-1290, 1291.

20
21
22

MESSAGE FROM THE SENATE

23
24

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

25
26
27

HB09-1091 amended as printed in Senate Journal, February 19, 2009,
page 393, and on Third Reading, February 20, 2009, as
printed in the Senate Journal.

28
29
30
31

MESSAGE FROM THE REVISOR

32
33
34

We herewith transmit:
Without comment, as amended, HB09-1091.

35
36
37

LAY OVER OF CALENDAR ITEMS

38
39
40

On motion of Representative Weissmann, the following items on the
Calendar were laid over until February 23, retaining place on Calendar:

41
42
43

Consideration of Resolution--**SJR09-014**.
Consideration of Senate Amendments--**HB09-1002**.

44
45
46
47
48

On motion of Representative Weissmann, the House adjourned until
10:00 a.m., February 23, 2009.

49
50
51

Approved:
TERRANCE D. CARROLL,
Speaker

52
53
54
55
56

Attest:
MARILYN EDDINS,
Chief Clerk

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

Forty-eighth Legislative Day

Monday, February 23, 2009

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Gianna Duncan, Stephanie Routzon, Tim
6 Delbozque, Parker Orms, Wheat Ridge High School.
7
8 The roll was called with the following result:
9
10 Present--65.

11
12 The Speaker declared a quorum present.
13
14

15 On motion of Representative Hullinghorst, the reading of the journal of
16 February 20, 2009, was declared dispensed with and approved as
17 corrected by the Chief Clerk.
18
19
20

REPORTS OF COMMITTEES OF REFERENCE

21
22
23
24 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

27
28 **HB09-1255** be postponed indefinitely.
29
30
31
32

33 **APPROPRIATIONS**

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

36
37 **SB09-183** be referred to the Committee of the Whole with favorable
38 recommendation.
39
40

41 **SB09-184** be referred to the Committee of the Whole with favorable
42 recommendation.
43

- 1 **SB09-185** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4
- 5 Amend reengrossed bill, page 19, line 13, in the ITEM & SUBTOTAL
6 column, strike "1,000,000" and substitute "~~1,000,000~~";
7
8 line 14, in the ITEM & SUBTOTAL column, enter "27,105" and, in the
9 GENERAL FUND column, strike "972,895".
10
- 11 Page 20, line 8, strike "Military Dependent" and substitute "~~Military~~
12 ~~Dependent~~";
13
14 line 9, strike "Supplemental Pupil" and substitute "~~Supplemental Pupil~~";
15
16 line 10, strike "Enrollment" and substitute "~~Enrollment~~", in the ITEM &
17 SUBTOTAL column, strike "1,818,517" and substitute "~~1,818,517~~", and,
18 in the GENERAL FUND column, strike "1,818,517" and substitute
19 "~~1,818,517~~".
20
- 21 Page 21, line 1, in the ITEM & SUBTOTAL column, strike
22 "379,654,862" and substitute "376,863,450".
23
- 24 Page 22, line 14, in the TOTAL column, strike "4,106,714,658" and
25 substitute "4,103,923,246".
26
- 27 Page 27, line 11, in the TOTAL column, strike "\$4,168,971,496" and
28 substitute "\$4,166,180,084" and, in the GENERAL FUND column, strike
29 "\$2,745,145,018" and substitute "\$2,742,353,606".
30
31
32
- 33 **SB09-186** be referred to the Committee of the Whole with favorable
34 recommendation.
35
36
- 37 **SB09-187** be referred to the Committee of the Whole with favorable
38 recommendation.
39
40
- 41 **SB09-188** be referred to the Committee of the Whole with favorable
42 recommendation.
43
44
- 45 **SB09-189** be referred to the Committee of the Whole with favorable
46 recommendation.
47
48
- 49 **SB09-190** be referred to the Committee of the Whole with favorable
50 recommendation.
51
52
- 53 **SB09-191** be referred to the Committee of the Whole with favorable
54 recommendation.
55
56

- 1 **SB09-192** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
- 5 **SB09-193** be referred to the Committee of the Whole with favorable
6 recommendation.
7
8
- 9 **SB09-194** be referred to the Committee of the Whole with favorable
10 recommendation.
11
12
- 13 **SB09-195** be referred to the Committee of the Whole with favorable
14 recommendation.
15
16
- 17 **SB09-196** be referred to the Committee of the Whole with favorable
18 recommendation.
19
20
- 21 **SB09-197** be referred to the Committee of the Whole with favorable
22 recommendation.
23
24
- 25 **SB09-198** be referred to the Committee of the Whole with favorable
26 recommendation.
27
28
- 29 **SB09-199** be referred to the Committee of the Whole with favorable
30 recommendation.
31
32
- 33 **SB09-200** be referred to the Committee of the Whole with favorable
34 recommendation.
35
36
- 37 **SB09-201** be referred to the Committee of the Whole with favorable
38 recommendation.
39
40
- 41 **SB09-202** be referred to the Committee of the Whole with favorable
42 recommendation.
43
44
- 45 **SB09-203** be referred to the Committee of the Whole with favorable
46 recommendation.
47
48
- 49 **SB09-204** be referred to the Committee of the Whole with favorable
50 recommendation.
51
52
- 53 **SB09-206** be referred to the Committee of the Whole with favorable
54 recommendation.
55
56

1 **SB09-207** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **SB09-208** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend reengrossed bill, page 14, after line 14, insert the following:
10

11 "SECTION 23. 25-8-608, Colorado Revised Statutes, is amended
12 BY THE ADDITION OF A NEW SUBSECTION to read:
13

14 **25-8-608. Civil penalties - rules - fund created.**
15 (1.8) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1.5) OR (1.7)
16 OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS
17 SUBSECTION (1.8), THE STATE TREASURER SHALL DEDUCT SEVEN HUNDRED
18 THOUSAND DOLLARS FROM THE WATER QUALITY IMPROVEMENT FUND AND
19 TRANSFER SUCH SUM TO THE GENERAL FUND."
20

21 Renumber succeeding sections accordingly.
22

23 Page 14, strike line 22;
24

25 line 23, strike "HUNDRED FORTY-FOUR" and substitute "DEDUCT FOURTEEN
26 MILLION ONE HUNDRED FIFTY THOUSAND".
27

28
29
30 **SB09-209** be referred to the Committee of the Whole with favorable
31 recommendation.
32

33
34 **SB09-210** be referred to the Committee of the Whole with favorable
35 recommendation.
36

37
38 **SB09-211** be referred to the Committee of the Whole with favorable
39 recommendation.
40

41
42 **SB09-212** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:
45

46 Amend reengrossed bill, page 2, strike lines 8 and 9 and substitute the
47 following:
48

49 "NOT EXCEED THE AMOUNT OF FOUR HUNDRED SEVENTEEN DOLLARS PER
50 VENDOR FOR ANY RETURN MADE ON OR AFTER MARCH 1,";
51

52 line 10, strike "2010." and substitute "2012.";
53

54 line 16, strike "2011." and substitute "2013."
55
56

- 1 **SB09-213** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
- 5 **SB09-214** be referred to the Committee of the Whole with favorable
6 recommendation.
7
8
- 9 **SB09-215** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:
12
- 13 Amend reengrossed bill, page 3, line 27, strike "TWO".
14
- 15 Page 4, strike lines 1 through 5 and substitute the following:
16
- 17 "~~million~~ ONE HUNDRED THIRTY-FIVE THOUSAND dollars shall be
18 appropriated for all eligible districts and for all eligible institute charter
19 schools from the state education fund ~~Of such additional moneys~~
20 ~~appropriated in the 2008-09 budget year, one hundred thirty-five thousand~~
21 ~~dollars~~ AND shall be distributed pursuant to section 22-54-133."
22
- 23 Page 15, strike lines 2 and 3 and substitute the following:
24
- 25 "(f) The appropriation from the state education fund, created in
26 section 17 (4) of article IX of the state constitution, to the department of";
27
- 28 line 6, strike "TWO MILLION SIX" and substitute "ONE";
29
- 30 strike lines 7 through 12 and substitute the following:
31
- 32 "THOUSAND DOLLARS (\$135,000).".
33
34
35
- 36 **SB09-216** be referred to the Committee of the Whole with favorable
37 recommendation.
38
39
- 40 **SB09-217** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:
43
- 44 Amend reengrossed bill, page 4, line 27, strike "TWENTY MILLION EIGHT
45 HUNDRED SIXTY-FIVE THOUSAND".
46
- 47 Page 5, line 1, strike "SEVEN HUNDRED TWENTY" and substitute "FIFTEEN
48 MILLION FIVE HUNDRED SEVENTY-EIGHT THOUSAND SIX HUNDRED
49 NINETY-NINE";
50
- 51 line 3, strike "SIX HUNDRED FORTY-SEVEN THOUSAND";
52
- 53 line 4, strike "TWO HUNDRED NINETY-FOUR" and substitute "TWO
54 HUNDRED THOUSAND TWENTY-SIX";
55
- 56 line 6, strike "TWO MILLION TWO HUNDRED NINETY-FOUR";

1 line 7, strike "THOUSAND FIVE HUNDRED EIGHTY-EIGHT" and substitute
2 "ONE MILLION FOUR HUNDRED THOUSAND FIFTY-TWO";
3
4 line 9, strike "SIX HUNDRED FIFTY-EIGHT THOUSAND";
5
6 line 10, strike "NINE HUNDRED EIGHTEEN" and substitute "FOUR HUNDRED
7 EIGHTY THOUSAND ELEVEN".
8
9

10
11 **SB09-218** be referred to the Committee of the Whole with favorable
12 recommendation.
13

14 DELIVERY OF BILL TO GOVERNOR

15
16
17 The Chief Clerk of the House of Representatives reports the following
18 bill has been delivered to the Office of the Governor: **HB09-1014** at
19 9:06 a.m. on February 20, 2009.
20

21 House in recess. House reconvened.
22
23

24
25
26 On motion of Representative Weissmann, **SB09-204, 206, 207, 208, 209,**
27 **210, 211, 212, 213, 214, 215, 216, 217, 218, 183, 184, 185, 186, 187,**
28 **188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201,**
29 **202, 203** were made Special Orders on Monday, February 23, 2009, at
30 11:10 a.m.
31

32
33 The hour of 11:10 a.m., having arrived, on motion of Representative
34 Judd, the House resolved itself into Committee of the Whole for
35 consideration of Special Orders and he was called to the Chair to act as
36 Chairman.
37

38 SPECIAL ORDERS--SECOND READING OF BILLS

39
40 The Committee of the Whole having risen, the Chairman reported the
41 titles of the following bills had been read (reading at length had been
42 dispensed with by unanimous consent), the bills considered and action
43 taken thereon as follows:
44
45

46 (Amendments to the committee amendment are to the printed committee
47 report which was printed and placed in the members' bill file.)
48

49 **SB09-211** by Senator(s) Keller, Tapia, White; also Representative(s)
50 Ferrandino, Pommer, Marostica--Concerning a delay in
51 the expansion of eligibility for the children's basic health
52 plan, and making modifications to an appropriation
53 therefor.
54

55 Ordered revised and placed on the Calendar for Third Reading and Final
56 Passage.

1 **SB09-213** by Senator(s) Tapia, Keller, White; also Representative(s)
2 Pommer, Ferrandino, Marostica--Concerning
3 appropriations for the alternative teacher compensation
4 plan grant program.
5

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

9 **SB09-215** by Senator(s) Keller, Tapia, White; also Representative(s)
10 Pommer, Ferrandino, Marostica--Concerning
11 modifications to appropriations to achieve a reduction in
12 the state expenditures for the financing of public schools.
13

14 Amendment No. 1, Appropriations Report, dated February 20, 2009, and
15 placed in member's bill file; Report also printed in House Journal,
16 February 23, page 473.
17

18 As amended, ordered revised and placed on the Calendar for Third
19 Reading and Final Passage.
20

21 **SB09-212** by Senator(s) White, Keller, Tapia; also Representative(s)
22 Pommer, Ferrandino, Marostica--Concerning a temporary
23 limitation on the maximum amount of state sales and use
24 tax revenues that may be retained by a retail vendor to
25 compensate for the vendor's expenses incurred in the
26 collection and remittance of the tax revenues to the state.
27

28 Amendment No. 1, Appropriations Report, dated February 20, 2009, and
29 placed in member's bill file; Report also printed in House Journal,
30 February 23, page 472.
31

32 Amendment No. 2, by Representative Frangas.
33

34 Amend the Appropriations Committee Report, dated February 20, 2009,
35
36 line three, strike "OFFOUR HUNDRED SEVENTEENDOLLARS" and substitute
37 "EQUAL TO ONE AND THIRTY-FIVE ONE-HUNDREDTHS PERCENT OF";
38

39 line 4, after "VENDOR", insert "WHOSE MONTHLY TAX COLLECTED IS
40 GREATER THAN THREE HUNDRED DOLLARS";
41

42 line 5, strike "2012.;" and substitute "2011.;"
43

44 line 16, strike "JULY 1," and substitute "DECEMBER 31,".
45

46 As amended, ordered revised and placed on the Calendar for Third
47 Reading and Final Passage.
48

49 **SB09-204** by Senator(s) White, Keller, Tapia; also Representative(s)
50 Ferrandino, Pommer, Marostica--Concerning changes to
51 the designation of funds constituting the state emergency
52 reserve for state fiscal year 2008-09.
53

54 Ordered revised and placed on the Calendar for Third Reading and Final
55 Passage.
56

1 **SB09-206** by Senator(s) Keller, Tapia, White; also Representative(s)
2 Pommer, Ferrandino, Marostica--Concerning the repeal of
3 the waiting list navigator pilot program, and repealing an
4 appropriation therefor.

5
6 Ordered revised and placed on the Calendar for Third Reading and Final
7 Passage.

8
9 **SB09-207** by Senator(s) White, Keller, Tapia; also Representative(s)
10 Marostica, Ferrandino, Pommer--Concerning delaying
11 implementation of the child welfare and mental health
12 services pilot program, and repealing an appropriation
13 therefor.

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

17
18 **SB09-208** by Senator(s) Tapia, Keller, White; also Representative(s)
19 Pommer, Ferrandino, Marostica--Concerning the
20 augmentation of the general fund through transfers of
21 certain moneys in the 2008-09 fiscal year.

22
23 Amendment No. 1, Appropriations Report, dated February 20, 2009, and
24 placed in member's bill file; Report also printed in House Journal,
25 February 23, page 472.

26
27 Amendment No. 2, by Representative Merrifield.

28
29 Amend the Appropriations Committee Report, dated February 20, 2009,
30 page 1, line 12, strike "FOURTEEN" and substitute "FIFTEEN MILLION NINE
31 HUNDRED SIXTY-EIGHT THOUSAND FIVE HUNDRED SEVENTEEN".";

32
33 strike line 13.

34
35 As amended, ordered revised and placed on the Calendar for Third
36 Reading and Final Passage.

37
38 **SB09-217** by Senator(s) White, Keller, Tapia; also Representative(s)
39 Ferrandino, Pommer, Marostica--Concerning the reduction
40 of moneys transferred to certain funds from the portion of
41 limited gaming fund moneys that would otherwise be
42 transferred to the general fund after the transfer to the
43 local government limited gaming impact fund.

44
45
46 Amendment No. 1, Appropriations Report, dated February 20, 2009, and
47 placed in member's bill file; Report also printed in House Journal,
48 February 23, page 473-474.

49
50 As amended, ordered revised and placed on the Calendar for Third
51 Reading and Final Passage.

52
53 **SB09-185** by Senator(s) Keller, Tapia, White; also Representative(s)
54 Pommer, Ferrandino, Marostica--Concerning a supple-
55 mental appropriation to the department of education.

56

1 Amendment No. 1, Appropriations Report, dated February 20, 2009, and
2 placed in member's bill file; Report also printed in House Journal,
3 February 23, page 470.

4
5 Amendment No. 2, by Representative Merrifield.

6
7 Amend the Appropriations Committee Report, dated February 20, 2009,
8 page 1, strike lines 5 through 18, and substitute the following:

9
10 "Page 21, line 1, in the ITEM & SUBTOTAL column, strike
11 "379,654,862" and substitute "378,681,967".

12
13 Page 22, line 14, in the TOTAL column, strike "4,106,714,658" and
14 substitute "4,105,741,763".

15
16 Page 27, line 11, in the TOTAL column, strike "\$4,168,971,496" and
17 substitute "\$4,167,998,601" and, in the GENERAL FUND column, strike
18 "\$2,745,145,018" and substitute "\$2,744,172,123".

19
20 As amended, ordered revised and placed on the Calendar for Third
21 Reading and Final Passage.

22
23 **SB09-195** by Senator(s) Keller, Tapia, White; also Representative(s)
24 Pommer, Ferrandino, Marostica--Concerning a
25 supplemental appropriation to the department of natural
26 resources.

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

30
31 **SB09-210** by Senator(s) Tapia, Keller, White; also Representative(s)
32 Ferrandino, Pommer, Marostica--Concerning transfers for
33 health programs from the tobacco litigation funds, and, in
34 connection therewith, making modifications to
35 appropriations.

36
37 Ordered revised and placed on the Calendar for Third Reading and Final
38 Passage.

39 (For change in action, see Amendments to Report, page 482.)

40
41 On motion of Representative Weissmann, the remainder of the Special
42 Orders Calendar (**SB09-209, 214, 216, 218, 183, 184, 186, 187, 188, 189,**
43 **190, 191, 192, 193, 194, 196, 197, 198, 199, 200, 201, 202, 203**) was laid
44 over until February 24, retaining place on Calendar.

45
46
47
48 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

49
50 Representative(s) Frangas moved to amend the Report of the Committee
51 of the Whole to reverse the action taken by the Committee in not adopting
52 the following Frangas amendment, to SB09-211, to show that said
53 amendment passed, and that **SB09-211**, as amended, passed.

54
55 Amend reengrossed bill, page 3, after line 8, insert the following:

56

1 **"SECTION 4.** 25.5-8-103 (4), Colorado Revised Statutes, as
2 amended by sections 1 and 3 of this act, is amended to read:

3
4 **25.5-8-103. Definitions.** As used in this article, unless the context
5 otherwise requires:

6
7 (4) "Eligible person" means:

8
9 (a) A person who is less than nineteen years of age, whose family
10 income does not exceed two hundred ~~five~~ TWENTY-FIVE percent of the
11 federal poverty level, adjusted for family size; except that, subject to
12 available appropriations, the department may increase the percentage of
13 the federal poverty level for purposes of eligibility to up to two hundred
14 fifty percent; or

15
16 (b) A pregnant woman whose family income does not exceed two
17 hundred ~~five~~ TWENTY-FIVE percent of the federal poverty level, adjusted
18 for family size, and who is not eligible for medicaid; except that, subject
19 to available appropriations, the department may increase the percentage
20 of the federal poverty level for purposes of eligibility to up to two
21 hundred fifty percent."

22
23 Renumber succeeding sections accordingly.

24
25 Page 5, after line 6, insert the following:

26 **"SECTION 6. Effective date.** This act shall take effect upon
27 passage; except that section 4 of this act shall take effect July 1, 2011."

28
29 Renumber succeeding section accordingly.

30
31 The amendment was declared **lost** by the following roll call vote:

	YES	7	NO	58	EXCUSED	0	ABSENT	0
34	Acree	N	Green	N	McFadyen	N	Roberts	N
35	Apuan	N	Hullinghorst	N	McGihon	N	Ryden	N
36	Balmer	N	Judd	N	McKinley	N	Scanlan	N
37	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	N
38	Benefield	N	Kerr A.	N	Merrifield	N	Solano	N
39	Bradford	N	Kerr J.	N	Middleton	N	Sonnenberg	N
40	Casso	Y	King S.	N	Miklosi	N	Soper	N
41	Court	N	Labuda	N	Murray	N	Stephens	N
42	Curry	N	Lambert	N	Nikkel	N	Summers	N
43	Ferrandino	N	Levy	N	Pace	Y	Swalm	N
44	Fischer	Y	Liston	N	Peniston	N	Tipton	N
45	Frangas	Y	Looper	N	Pommer	N	Todd	N
46	Gagliardi	Y	Marostica	N	Primavera	Y	Vaad	N
47	Gardner B.	N	Massey	N	Priola	N	Vigil	N
48	Gardner C.	N	May	N	Rice	N	Waller	N
49	Gerou	N	McCann	N	Riesberg	N	Weissmann	N
50							Speaker	N

51
52 Representative(s) Looper, McFadyen, Tipton, and Gardner C. moved to
53 amend the Report of the Committee of the Whole to reverse the action
54 taken by the Committee in not adopting the following Looper, Tipton, and
55 Gardner C. amendment, to SB09-208, to show that said amendment
56 passed, and that **SB09-208**, as amended, passed.

1 Amend the Appropriations Committee Report, dated February 20, 2009,
2 line 1, strike everything after "page 14,".

3
4 strike lines 4 through 10.

5
6 line 11, strike "Page 14,".

7
8 Amend printed bill, page 19, strike lines 19 through 27.

9
10 Strike page 20.

11
12 Renumber succeeding sections accordingly.

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

	YES	32	NO	33	EXCUSED	0	ABSENT	0
17	Acree	Y	Green	N	McFadyen	Y	Roberts	Y
18	Apuan	Y	Hullinghorst	N	McGihon	N	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	Y	Swalm	Y
27	Fischer	N	Liston	Y	Peniston	N	Tipton	Y
28	Frangas	Y	Looper	Y	Pommer	N	Todd	N
29	Gagliardi	N	Marostica	N	Primavera	N	Vaad	Y
30	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
31	Gardner C.	Y	May	Y	Rice	N	Waller	Y
32	Gerou	Y	McCann	N	Riesberg	N	Weissmann	N
33							Speaker	N

34
35 Representative(s) Pommer, Ferrandino, and Marostica moved to amend
36 the Report of the Committee of the Whole to reverse the action taken by
37 the Committee in adopting Amendment No. 2 by Representative
38 Merrifield (printed in House Journal, page 476, lines 27-33), to
39 SB09-208, to show that said amendment lost, and that **SB09-208** passed.

40
41 The amendment was declared **lost** by the following roll call vote:

	YES	29	NO	36	EXCUSED	0	ABSENT	0
44	Acree	N	Green	Y	McFadyen	N	Roberts	N
45	Apuan	N	Hullinghorst	Y	McGihon	Y	Ryden	Y
46	Balmer	N	Judd	Y	McKinley	Y	Scanlan	N
47	Baumgardner	N	Kefalas	N	McNulty	Y	Schafer S.	N
48	Benefield	Y	Kerr A.	Y	Merrifield	N	Solano	N
49	Bradford	N	Kerr J.	N	Middleton	N	Sonnenberg	N
50	Casso	Y	King S.	N	Miklosi	N	Soper	Y
51	Court	Y	Labuda	Y	Murray	N	Stephens	N
52	Curry	N	Lambert	N	Nikkel	N	Summers	N
53	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
54	Fischer	N	Liston	N	Peniston	Y	Tipton	N
55	Frangas	Y	Looper	N	Pommer	Y	Todd	N
56	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	N

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

5
6 Representative(s) Priola, Bradford, Balmer, Liston, and Stephens moved
7 to amend the Report of the Committee of the Whole to reverse the action
8 taken by the Committee in not adopting the following Priola, Bradford,
9 Balmer, Liston, and Stephens amendment, to SB09-208, to show that said
10 amendment passed, and that **SB09-208**, as amended, passed.

11
12 Amend reengrossed bill, page 3, strike lines 2 through 10.

13
14 Renumber succeeding sections accordingly.

15
16 The amendment was declared **lost** by the following roll call vote:

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

35
36
37 Representative(s) Gardner C. moved to amend the Report of the
38 Committee of the Whole to reverse the action taken by the Committee in
39 adopting the Appropriations Committee Report to SB09-215, dated
40 February 20, 2009, to show that said report lost and that **SB09-215**
41 passed.

42
43 The amendment was declared **lost** by the following roll call vote:

44	YES	28	NO	37	EXCUSED	0	ABSENT	0
45	Acree	Y	Green	N	McFadyen	N	Roberts	Y
46	Apuan	N	Hullinghorst	N	McGihon	N	Ryden	N
47	Balmer	Y	Judd	N	McKinley	Y	Scanlan	N
48	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	N
49	Benefield	N	Kerr A.	N	Merrifield	N	Solano	N
50	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y
51	Casso	N	King S.	Y	Miklosi	N	Soper	N
52	Court	N	Labuda	N	Murray	Y	Stephens	Y
53	Curry	N	Lambert	Y	Nikkel	Y	Summers	Y
54	Ferrandino	N	Levy	N	Pace	N	Swalm	Y
55	Fischer	N	Liston	Y	Peniston	N	Tipton	Y

1 Representative(s) Gardner B. and Riesberg moved to amend the Report
 2 of the Committee of the Whole to reverse the action taken by the
 3 Committee in not adopting the following Riesberg amendment, to
 4 SB09-210, to show that said amendment passed, and that **SB09-210**, as
 5 amended, passed.

6
 7 Amend reengrossed bill, page 3, line 9, strike "(1) (b)," and strike "(1.5)
 8 (a) (III),";

9
 10 strike lines 19 through 27.

11
 12 Page 4, strike lines 1 through 3.

13
 14 Page 5, strike lines 7 through 27.

15
 16 Page 6, strike line 1.

17
 18 Page 12, strike lines 12 through 15.

19
 20 Strike pages 13 through 21.

21
 22 Page 22, strike lines 1 through 13.

23
 24 Renumber succeeding sections accordingly.

25
 26 Page 27, strike lines 1 through 4.

27
 28 Renumber succeeding section accordingly.

29
 30 The amendment was declared **passed** by the following roll call vote:

31

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

50

51

52

53

54

55

1 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

2
3 Passed Second Reading: **SB09-211, 213, 215 amended, 212 amended,**
4 **204, 206, 207, 208 amended, 217 amended, 185 amended, 195,**
5 **210 amended.**

6
7 Laid over until date indicated retaining place on Calendar: **SB09-209,**
8 **214, 216, 218, 183, 184, 186, 187, 188, 189, 190, 191, 192, 193, 194,**
9 **196, 197, 198, 199, 200, 201, 202, 203--February 24, 2009.**

10
11 The Chairman moved the adoption of the Committee of the Whole
12 Report. As shown by the following roll call vote, a majority of those
13 elected to the House voted in the affirmative, and the Report was
14 **adopted.**

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

34
35
36
37
38 **MESSAGE FROM THE SENATE**

39
40 The Senate has passed on Third Reading and transmitted to the Revisor
41 of Statutes: SB09-105.

42
43 The Senate has passed on Third Reading and returns herewith:
44 HB09-1128, and HB09-1033.

45
46 The Senate has passed on Third Reading and transmitted to the Revisor
47 of Statutes:

48
49 SB09-137 amended as printed in Senate Journal, February 20, 2009
50 page 427,

51 SB09-106 amended as printed in Senate Journal, February 20, 2009
52 pages 427-428,

53 SB09-029 amended as printed in Senate Journal, February 20, 2009
54 pages 428-429, and 436,

55 SB09-091 amended as printed in Senate Journal, February 20, 2009
56 pages 429-431,

- 1 SB09-149 amended as printed in Senate Journal, February 20, 2009
- 2 pages 431-432,
- 3 SB09-143 amended as printed in Senate Journal, February 20, 2009
- 4 pages 432-433,
- 5 SB09-123 amended as printed in Senate Journal, February 20, 2009
- 6 page 433,
- 7 SB09-129 amended as printed in Senate Journal, February 20, 2009
- 8 pages 433, and 436,
- 9 SB09-042 amended as printed in Senate Journal, February 20, 2009
- 10 pages 434-435,
- 11 SB09-066 amended as printed in Senate Journal, February 20, 2009
- 12 page 435,
- 13 SB09-002 amended as printed in Senate Journal, February 20, 2009
- 14 page 435,
- 15 SB09-227 amended as printed in Senate Journal, February 20, 2009
- 16 page 437-438.

MESSAGE FROM THE REVISOR

21
22 We herewith transmit:
23 Without comment, SB09-105.
24 Without comment, as amended, SB09-137, 106, 029, 091, 149, 143, 123,
25 129, 042, 066, 002, and 227.

LAY OVER OF CALENDAR ITEMS

26
27
28
29
30
31 On motion of Representative Weissmann, the following items on the
32 Calendar were laid over until February 24, retaining place on Calendar:

- 33
- 34 Consideration of Resolution--**SJR09-014**.
- 35 Consideration of Senate Amendments--**HB09-1002, 1091**.

36
37
38
39 On motion of Representative Weissmann, the House adjourned until
40 9:00 a.m., February 24, 2009.

41
42 Approved:
43 TERRANCE D. CARROLL,
44 Speaker

45 Attest:
46 MARILYN EDDINS,
47 Chief Clerk

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

Forty-ninth Legislative Day

Tuesday, February 24, 2009

1 Prayer by Bishop Aurther Tafoya, Catholic Diocese of Pueblo.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Sean Cooney and Bryce Myers, Colorado
6 Virtual Academy.
7
8 The roll was called with the following result:
9
10 Present--64.
11 Excused--Representative(s) Pommer--1.
12 Present after roll call--Representative(s) Pommer.
13

14 The Speaker declared a quorum present.
15
16

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

THIRD READING OF BILLS--FINAL PASSAGE

24 The following bills were considered on Third Reading. The titles were
25 publicly read. Reading of the bill at length was dispensed with by
26 unanimous consent.
27
28

29 **HB09-1076** by Representative(s) Pace; also Senator(s) Tochtrop--
30 Concerning remuneration resulting from an employee's
31 separation from employment for the purpose of
32 calculating the postponement of unemployment insurance
33 benefits.
34

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

	YES	44	NO	21	EXCUSED	0	ABSENT	0
41	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
42	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
43	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y

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

15 Co-sponsor(s) added: Representative(s) Apuan, Casso, Frangas, Hullinghorst,
16 Labuda, McGihon, Priola, Rice, Ryden, Soper, Vigil

17
18 **HB09-1135** by Representative(s) Judd; also Senator(s) White--
19 Concerning the adjustment of fees imposed by counties in
20 the state.

21
22 The question being "Shall the bill pass?".

23 A roll call vote was taken. As shown by the following recorded vote, less
24 than a majority of those elected to the House voted in the affirmative and
25 the bill was declared **lost**.

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

45
46
47 **HB09-1254** by Representative(s) Judd, Rice; also Senator(s) Harvey--
48 Concerning additional consumer protections relating to
49 like-kind exchanges facilitated by exchange facilitators.

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	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
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) Ryden

20
 21 **HB09-1186** by Representative(s) Levy; also Senator(s) M. Carroll--
 22 Concerning the delivery of a mail-in ballot to the
 23 designated election official by the elector.
 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**.
 29

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

48 Co-sponsor(s) added: Representative(s) Apuan, Court, Kerr A., Labuda,
 49 McGihon, Middleton, Ryden, Todd

50
 51
 52 **HB09-1236** by Representative(s) Primavera, Casso, Peniston; also
 53 Senator(s) Hodge--Concerning the distance at which an
 54 operator of a motor vehicle shall stop when a school bus
 55 signals a stop.
 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	56	NO	9	EXCUSED	0	ABSENT	0
7	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
8	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
9	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
10	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
11	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
12	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	N
13	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
14	Court	Y	Labuda	Y	Murray	N	Stephens	N
15	Curry	Y	Lambert	N	Nikkel	Y	Summers	Y
16	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
17	Fischer	Y	Liston	Y	Peniston	Y	Tipton	N
18	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
19	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
20	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
21	Gardner C.	Y	May	Y	Rice	Y	Waller	N
22	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Benefield, Frangas, Green, Labuda,
 25 Merrifield, Middleton, Priola, Ryden, Schafer S., Solano

26
 27 **HB09-1214** by Representative(s) Benefield, Massey, Middleton,
 28 Miklosi, Scanlan, Schafer S., Summers, Todd; also
 29 Senator(s) Bacon--Concerning education data reporting
 30 requirements.

31
 32 The question being "Shall the bill 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 bill
 35 was declared **passed**.

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

55 Co-sponsor(s) added: Representative(s) Green, Merrifield, Ryden

56

1 **HB09-1264** by Representative(s) Benefield, Apuan, Court, Gardner B.,
 2 Kerr A., Levy, McCann, Miklosi, Pace, Roberts, Ryden,
 3 Solano; also Senator(s) Hudak--Concerning the costs
 4 associated with college-level academic programs for state
 5 inmates.
 6

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

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

30 Co-sponsor(s) added: Representative(s) Kerr J., Massey, Merrifield, Schafer S.,
 31 Summers, Todd
 32

33 **HB09-1190** by Representative(s) Levy; also Senator(s) Mitchell--
 34 Concerning the enactment of the "Uniform Unsworn
 35 Foreign Declarations Act".
 36

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

	YES	47	NO	18	EXCUSED	0	ABSENT	0
43	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
45	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
46	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
47	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
48	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
49	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
50	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
51	Curry	Y	Lambert	N	Nikkel	N	Summers	N
52	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
53	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
54	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
55	Gagliardi	Y	Marostica	N	Primavera	Y	Vaad	Y
56	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N

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

4 Co-sponsor(s) added: Representative(s) Gardner B., McGihon, Ryden, Todd

5
6 **HB09-1260** by Representative(s) Ferrandino; also Senator(s) Veiga--
7 Concerning designated beneficiary agreements.

8
9 The question being "Shall the bill pass?".

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

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

32 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Casso, Court,
33 Fischer, Frangas, Green, Hullinghorst, Judd, Kefalas, Kerr A., Labuda, Levy,
34 McCann, McGihon, Merrifield, Middleton, Miklosi, Primavera, Ryden,
35 Scanlan, Schafer S., Todd, Weissmann, Speaker

36
37 **HB09-1249** by Representative(s) Pommer, Ferrandino, Marostica; also
38 Senator(s) White, Keller, Tapia--Concerning the
39 consolidation of certain cash funds created for the
40 department of agriculture.

41
42 The question being "Shall the bill pass?".

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

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

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

9 Co-sponsor(s) added: Representative(s) Curry, Nikkel, Priola, Ryden, Stephens

10
 11 **HB09-1108** by Representative(s) Kerr A.; also Senator(s) Boyd--
 12 Concerning the failure of an employer's bank to honor an
 13 employee's paycheck upon presentment.
 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

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

38 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Gagliardi,
 39 Hullinghorst, Labuda, Ryden, Soper, Todd
 40

41
 42 **HB09-1224** by Representative(s) Schafer S., McGihon, Labuda,
 43 Frangas, Ryden, Green, Ferrandino, Court, Hullinghorst,
 44 Kefalas, Middleton, Peniston, Solano, Todd, Vigil; also
 45 Senator(s) Carroll M., Hodge--Concerning a prohibition
 46 on the consideration of gender in setting rates for
 47 individual health benefits plans, and in connection
 48 therewith, directing the Health Care Task Force during the
 49 2009 interim to study issues related to such prohibition.
 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	49	NO	16	EXCUSED	0	ABSENT	0
1								
2	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McGihon	Y	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	N	Kefalas	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	N
8	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	N	Stephens	N
10	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
11	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
12	Fischer	Y	Liston	N	Peniston	Y	Tipton	Y
13	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
14	Gagliardi	Y	Marostica	N	Primavera	Y	Vaad	N
15	Gardner B.	N	Massey	Y	Priola	Y	Vigil	Y
16	Gardner C.	Y	May	Y	Rice	Y	Waller	N
17	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Fischer, Gagliardi, Kerr A., Massey,
20 McCann, McFadyen, Merrifield, Pommer, Primavera, Priola

21
22 **HB09-1217** by Representative(s) Murray; also Senator(s) Scheffel--
23 Concerning the creation of local improvement districts for
24 the purpose of improving public utilities.

25
26 The question being "Shall the bill 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 bill
29 was declared **passed**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
31								
32	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
33	Apuan	Y	Hullingerhorst	Y	McGihon	Y	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	Y
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 Co-sponsor(s) added: Representative(s) Gardner B., Gerou, Kerr J., Labuda,
50 Liston, Marostica, Massey, McNulty, Priola

51
52 **HB09-1220** by Representative(s) Scanlan; also Senator(s) Gibbs--
53 Concerning an amendment to the "Colorado Common
54 Interest Ownership Act" to permit a unit owner to
55 prescribe specified conditions in connection with the use
56 of such owner's property that promote affordable housing.

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

24 Co-sponsor(s) added: Representative(s) Apuan, Kerr A., Ryden, Todd

25
 26 **HB09-1218** by Representative(s) Soper, Marostica; also Senator(s)
 27 Bacon--Concerning capital lease agreements entered into
 28 by the state.

29
 30 The question being "Shall the bill pass?".
 31 A roll call vote was taken. As shown by the following recorded vote, a
 32 majority of those elected to the House voted in the affirmative and the bill
 33 was declared **passed**.

	YES	58	NO	7	EXCUSED	0	ABSENT	0
36	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
37	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
38	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
39	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
40	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
41	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
42	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
43	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
44	Curry	Y	Lambert	N	Nikkel	Y	Summers	Y
45	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
46	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
47	Frangas	Y	Looper	N	Pommer	N	Todd	Y
48	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
49	Gardner B.	Y	Massey	Y	Priola	N	Vigil	Y
50	Gardner C.	N	May	Y	Rice	Y	Waller	Y
51	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Todd

54
 55

1 **HB09-1229** by Representative(s) Kerr J., Miklosi, Primavera; also
 2 Senator(s) Isgar, Tochtrop--Concerning the designation of
 3 auxiliary facilities of institutions of higher education as
 4 enterprises.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

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

29 Co-sponsor(s) added: Representative(s) Middleton, Priola, Ryden, Stephens,
 30 Todd

31
 32 **SB09-211** by Senator(s) Keller, Tapia, White; also Representative(s)
 33 Ferrandino, Pommer, Marostica--Concerning a delay in
 34 the expansion of eligibility for the children's basic health
 35 plan, and making modifications to an appropriation
 36 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	49	NO	16	EXCUSED	0	ABSENT	0
44	Acree	Y	Green	Y	McFadyen	N	Roberts	Y
45	Apuan	N	Hullinghorst	Y	McGihon	Y	Ryden	Y
46	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
47	Baumgardner	N	Kefalas	N	McNulty	Y	Schafer S.	Y
48	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	N
49	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
50	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
51	Court	N	Labuda	Y	Murray	N	Stephens	Y
52	Curry	Y	Lambert	Y	Nikkel	N	Summers	Y
53	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
54	Fischer	Y	Liston	N	Peniston	Y	Tipton	Y
55	Frangas	N	Looper	N	Pommer	Y	Todd	Y
56	Gagliardi	N	Marostica	Y	Primavera	N	Vaad	Y

1	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N
2	Gardner C.	N	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) Ryden, Todd

6
 7 **SB09-213** by Senator(s) Tapia, Keller, White; also Representative(s)
 8 Pommer, Ferrandino, Marostica--Concerning
 9 appropriations for the alternative teacher compensation
 10 plan grant program.

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	62	NO	3	EXCUSED	0	ABSENT	0
18	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
19	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
20	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
21	Baumgardner	Y	Kefalas	Y	McNulty	N	Schafer S.	Y
22	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
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	N	Looper	Y	Pommer	Y	Todd	Y
30	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
31	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N
32	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
33	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
34							Speaker	Y

35 Co-sponsor(s) added: Representative(s) Acree, Merrifield

36
 37 **SB09-215** by Senator(s) Keller, Tapia, White; also Representative(s)
 38 Pommer, Ferrandino, Marostica--Concerning
 39 modifications to appropriations to achieve a reduction in
 40 the state expenditures for the financing of public schools.

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

47	YES	37	NO	28	EXCUSED	0	ABSENT	0
48	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
49	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
50	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
51	Baumgardner	N	Kefalas	N	McNulty	N	Schafer S.	Y
52	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	N
53	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
54	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
55	Court	N	Labuda	Y	Murray	N	Stephens	N
56	Curry	Y	Lambert	N	Nikkel	N	Summers	N

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

9
10 **SB09-212** by Senator(s) White, Keller, Tapia; also Representative(s)
11 Pommer, Ferrandino, Marostica--Concerning a temporary
12 limitation on the maximum amount of state sales and use
13 tax revenues that may be retained by a retail vendor to
14 compensate for the vendor's expenses incurred in the
15 collection and remittance of the tax revenues to the state.

16
17 As shown by the following roll call vote, a majority of all members
18 elected to the House voted in the affirmative, and Representative Pommer
19 was given permission to offer a Third Reading amendment:

21	YES	59	NO	6	EXCUSED	0	ABSENT	0
22	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
23	Apuan	N	Hullinghorst	Y	McGihon	Y	Ryden	Y
24	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
25	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
26	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
27	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	Y
28	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
29	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
30	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
31	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
32	Fischer	Y	Liston	Y	Peniston	Y	Tipton	N
33	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
34	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
35	Gardner B.	N	Massey	Y	Priola	Y	Vigil	N
36	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
37	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
38							Speaker	Y

39
40 **Third Reading amendment No. 1**, by Representative Pommer.

41
42 Amend revised bill, page 2, line 6, after "VENDOR" insert "THAT IS
43 ALLOWED TO FILE ON A LESS FREQUENT BASIS THAN MONTHLY PURSUANT
44 TO SECTION 39-26-109";

45
46 line 8, strike "THE" and substitute "AN";

47
48 line 9, strike "PER VENDOR WHOSE MONTHLY TAX" and substitute "ALL
49 SALES REPORTED ON ANY RETURN";

50
51 strike line 10;

52
53 line 11, strike "JULY 1," and substitute "DECEMBER 31,".

54
55 The amendment was declared **passed** by the following roll call vote:

56

	YES	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
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								

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 **passed**.

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

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

46 **SB09-204** by Senator(s) White, Keller, Tapia; also Representative(s)
 47 Ferrandino, Pommer, Marostica--Concerning changes to
 48 the designation of funds constituting the state emergency
 49 reserve for state fiscal year 2008-09.

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**.

	YES	44	NO	21	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
4	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
7	Bradford	N	Kerr J.	Y	Middleton	Y	Sonnenberg	N
8	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	N	Stephens	N
10	Curry	Y	Lambert	N	Nikkel	N	Summers	N
11	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
12	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
13	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
14	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	N
15	Gardner B.	N	Massey	Y	Priola	N	Vigil	Y
16	Gardner C.	N	May	Y	Rice	Y	Waller	N
17	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	Y
18							Speaker	Y
19								

20 **SB09-206** by Senator(s) Keller, Tapia, White; also Representative(s)
 21 Pommer, Ferrandino, Marostica--Concerning the repeal of
 22 the waiting list navigator pilot program, and repealing an
 23 appropriation therefor.
 24

25 As shown by the following roll call vote, a majority of all members
 26 elected to the House voted in the affirmative, and Representative Murray
 27 was given permission to offer a Third Reading amendment:
 28

	YES	61	NO	4	EXCUSED	0	ABSENT	0
30	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
31	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
32	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
33	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
34	Benefield	N	Kerr A.	Y	Merrifield	Y	Solano	Y
35	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
36	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
37	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
38	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
39	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
40	Fischer	N	Liston	Y	Peniston	Y	Tipton	Y
41	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
42	Gagliardi	N	Marostica	Y	Primavera	Y	Vaad	Y
43	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
44	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
45	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
46							Speaker	Y
47								

48 **Third Reading amendment No. 1**, by Representative Murray.
 49

50 Amend revised bill, page 2, strike lines 3 through 13.
 51

52 Renumber succeeding section accordingly.
 53

54 Page 1, strike line 102 and substitute the following:
 55

56 **"PROGRAM."**

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

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

21
22 The question being, "Shall the bill pass?".
23 A roll call vote was taken. As shown by the following recorded vote, a
24 majority of those elected to the House voted in the affirmative, and the
25 bill was declared **passed**.

	YES	42	NO	23	EXCUSED	0	ABSENT	0
28	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
29	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
30	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
31	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
32	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	N
33	Bradford	N	Kerr J.	Y	Middleton	Y	Sonnenberg	N
34	Casso	Y	King S.	N	Miklosi	Y	Soper	N
35	Court	N	Labuda	Y	Murray	N	Stephens	N
36	Curry	Y	Lambert	Y	Nikkel	N	Summers	N
37	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
38	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
39	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
40	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
41	Gardner B.	N	Massey	Y	Priola	N	Vigil	Y
42	Gardner C.	N	May	N	Rice	Y	Waller	N
43	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	Y
44							Speaker	Y

45
46 **SB09-207** by Senator(s) White, Keller, Tapia; also Representative(s)
47 Marostica, Ferrandino, Pommer--Concerning delaying
48 implementation of the child welfare and mental health
49 services pilot program, and repealing an appropriation
50 therefor.

51
52 The question being "Shall the bill pass?".
53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.

56

	YES	57	NO	8	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
5	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	N
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	N	Looper	Y	Pommer	Y	Todd	N
14	Gagliardi	N	Marostica	Y	Primavera	Y	Vaad	Y
15	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N
16	Gardner C.	N	May	Y	Rice	Y	Waller	Y
17	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
18							Speaker	Y

19
20 **SB09-208** by Senator(s) Tapia, Keller, White; also Representative(s)
21 Pommer, Ferrandino, Marostica--Concerning the
22 augmentation of the general fund through transfers of
23 certain moneys in the 2008-09 fiscal year.

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

48 Co-sponsor(s) added: Representative(s) Hullinghorst

49
50 **SB09-217** by Senator(s) White, Keller, Tapia; also Representative(s)
51 Ferrandino, Pommer, Marostica--Concerning the reduction
52 of moneys transferred to certain funds from the portion of
53 limited gaming fund moneys that would otherwise be
54 transferred to the general fund after the transfer to the
55 local government limited gaming impact fund.

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

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

25
 26 **SB09-185** by Senator(s) Keller, Tapia, White; also Representative(s)
 27 Pommer, Ferrandino, Marostica--Concerning a
 28 supplemental appropriation to the department of
 29 education.

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**.

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

54 Co-sponsor(s) added: Representative(s) Acree, Schafer S.

55

1 **SB09-195** by Senator(s) Keller, Tapia, White; also Representative(s)
 2 Pommer, Ferrandino, Marostica--Concerning a
 3 supplemental appropriation to the department of natural
 4 resources.
 5

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

10

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

29

30

31 **SB09-210** by Senator(s) Tapia, Keller, White; also Representative(s)
 32 Ferrandino, Pommer, Marostica--Concerning transfers for
 33 health programs from the tobacco litigation funds, and, in
 34 connection therewith, making modifications to
 35 appropriations.
 36

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

41

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

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

4 Co-sponsor(s) added: Representative(s) Acree

5

6

7 On motion of Representative Fischer, the House resolved itself into
8 Committee of the Whole for consideration of Special Orders, and he was
9 called to the Chair to act as Chairman.

10

11

12 SPECIAL ORDERS--SECOND READING OF BILLS

13

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

18

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

21

22 **SB09-209** by Senator(s) White, Keller, Tapia; also Representative(s)
23 Marostica, Ferrandino, Pommer--Concerning the repeal of
24 the inmate assistance demonstration grant program, and
25 repealing an appropriation therefor.

26

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

29

30 **SB09-214** by Senator(s) Tapia, Keller, White; also Representative(s)
31 Pommer, Ferrandino, Marostica--Concerning
32 appropriations for the quality teacher program created in
33 2008.

34

35 Ordered revised and placed on the Calendar for Third Reading and Final
36 Passage.

37

38 **SB09-216** by Senator(s) Tapia, Keller, White; also Representative(s)
39 Pommer, Ferrandino, Marostica--Concerning increases in
40 the fees paid to the division of water resources in the
41 department of natural resources, and, in connection
42 therewith, modifying appropriations made to the division
43 of water resources in the fiscal year 2008-09 long
44 appropriations bill.

45

46 Referred to the Committee on Agriculture, Livestock, & Natural
47 Resources.

48

49 **SB09-218** by Senator(s) White, Keller, Tapia; also Representative(s)
50 Ferrandino, Pommer, Marostica--Concerning an increase
51 in the amount of moneys appropriated from the state
52 general fund to the controlled maintenance trust fund for
53 the fiscal year beginning July 1, 2007.

54

55 Ordered revised and placed on the Calendar for Third Reading and Final
56 Passage.

- 1 **SB09-183** by Senator(s) Keller, Tapia, White; also Representative(s)
2 Pommer, Ferrandino, Marostica--Concerning a
3 supplemental appropriation to the department of
4 agriculture.
5
6 Ordered revised and placed on the Calendar for Third Reading and Final
7 Passage.
8
9 **SB09-184** by Senator(s) Keller, Tapia, White; also Representative(s)
10 Pommer, Ferrandino, Marostica--Concerning a
11 supplemental appropriation to the department of
12 corrections.
13
14 Ordered revised and placed on the Calendar for Third Reading and Final
15 Passage.
16
17 **SB09-186** by Senator(s) Keller, Tapia, White; also Representative(s)
18 Pommer, Ferrandino, Marostica--Concerning a
19 supplemental appropriation to the offices of the governor,
20 lieutenant governor, and state planning and budgeting.
21
22 Ordered revised and placed on the Calendar for Third Reading and Final
23 Passage.
24
25 **SB09-187** by Senator(s) Keller, Tapia, White; also Representative(s)
26 Pommer, Ferrandino, Marostica--Concerning a
27 supplemental appropriation to the department of health
28 care policy and financing.
29
30 Ordered revised and placed on the Calendar for Third Reading and Final
31 Passage.
32
33 **SB09-188** by Senator(s) Keller, Tapia, White; also Representative(s)
34 Pommer, Ferrandino, Marostica--Concerning a
35 supplemental appropriation to the department of higher
36 education.
37
38 Ordered revised and placed on the Calendar for Third Reading and Final
39 Passage.
40
41 **SB09-189** by Senator(s) Keller, Tapia, White; also Representative(s)
42 Pommer, Ferrandino, Marostica--Concerning a
43 supplemental appropriation to the department of human
44 services.
45
46 Ordered revised and placed on the Calendar for Third Reading and Final
47 Passage.
48
49 **SB09-190** by Senator(s) Keller, Tapia, White; also Representative(s)
50 Pommer, Ferrandino, Marostica--Concerning a
51 supplemental appropriation to the judicial department.
52
53 Ordered revised and placed on the Calendar for Third Reading and Final
54 Passage.
55

- 1 **SB09-191** by Senator(s) Keller, Tapia, White; also Representative(s)
2 Pommer, Ferrandino, Marostica--Concerning a
3 supplemental appropriation to the department of labor and
4 employment.
5
6 Ordered revised and placed on the Calendar for Third Reading and Final
7 Passage.
8
9 **SB09-192** by Senator(s) Keller, Tapia, White; also Representative(s)
10 Pommer, Ferrandino, Marostica--Concerning a
11 supplemental appropriation to the department of law.
12
13 Ordered revised and placed on the Calendar for Third Reading and Final
14 Passage.
15
16 **SB09-193** by Senator(s) Keller, Tapia, White; also Representative(s)
17 Pommer, Ferrandino, Marostica--Concerning a
18 supplemental appropriation to the department of local
19 affairs.
20
21 Ordered revised and placed on the Calendar for Third Reading and Final
22 Passage.
23
24 **SB09-194** by Senator(s) Keller, Tapia, White; also Representative(s)
25 Pommer, Ferrandino, Marostica--Concerning a
26 supplemental appropriation to the department of military
27 and veterans affairs.
28
29 Ordered revised and placed on the Calendar for Third Reading and Final
30 Passage.
31
32 **SB09-196** by Senator(s) Keller, Tapia, White; also Representative(s)
33 Pommer, Ferrandino, Marostica--Concerning a
34 supplemental appropriation to the department of personnel
35 and administration.
36
37 Ordered revised and placed on the Calendar for Third Reading and Final
38 Passage.
39
40 **SB09-197** by Senator(s) Keller, Tapia, White; also Representative(s)
41 Pommer, Ferrandino, Marostica--Concerning a
42 supplemental appropriation to the department of public
43 health and environment.
44
45 Ordered revised and placed on the Calendar for Third Reading and Final
46 Passage.
47
48 **SB09-198** by Senator(s) Keller, Tapia, White; also Representative(s)
49 Pommer, Ferrandino, Marostica--Concerning a
50 supplemental appropriation to the department of public
51 safety.
52
53 Ordered revised and placed on the Calendar for Third Reading and Final
54 Passage.
55
56

1 **SB09-199** by Senator(s) Keller, Tapia, White; also Representative(s)
 2 Pommer, Ferrandino, Marostica--Concerning a
 3 supplemental appropriation to the department of regulatory
 4 agencies.

5
 6 Ordered revised and placed on the Calendar for Third Reading and Final
 7 Passage.

8
 9 **SB09-200** by Senator(s) Keller, Tapia, White; also Representative(s)
 10 Pommer, Ferrandino, Marostica--Concerning a
 11 supplemental appropriation to the department of revenue.

12
 13 Ordered revised and placed on the Calendar for Third Reading and Final
 14 Passage.

15
 16 **SB09-201** by Senator(s) Keller, Tapia, White; also Representative(s)
 17 Pommer, Ferrandino, Marostica--Concerning a
 18 supplemental appropriation to the department of state.

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

22
 23 **SB09-202** by Senator(s) Keller, Tapia, White; also Representative(s)
 24 Pommer, Ferrandino, Marostica--Concerning a supple-
 25 mental appropriation to the department of transportation.

26
 27 Ordered revised and placed on the Calendar for Third Reading and Final
 28 Passage.

29
 30 **SB09-203** by Senator(s) Keller, Tapia, White; also Representative(s)
 31 Pommer, Ferrandino, Marostica--Concerning a supple-
 32 mental appropriation to the department of the treasury.

33
 34 Ordered revised and placed on the Calendar for Third Reading and Final
 35 Passage.

36
 37
 38
 39 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

40
 41 Passed Second Reading: **SB09-209, 214, 218, 183, 184, 186, 187, 188,**
 42 **189, 190, 191, 192, 193, 194, 196, 197, 198, 199, 200, 201, 202, 203.**

43
 44 Referred to Committee indicated: **SB09-216-Agriculture, Livestock, &**
 45 **Natural Resources.**

46
 47 The Chairman moved the adoption of the Committee of the Whole
 48 Report. As shown by the following roll call vote, a majority of those
 49 elected to the House voted in the affirmative, and the Report was
 50 **adopted.**

51
 52

	YES	64	NO	0	EXCUSED	0	ABSENT	1
53	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y

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

14

15

16

17

18 On motion of Representative Levy, the House resolved itself into
 19 Committee of the Whole for consideration of General Orders, and she
 20 was called to the Chair to act as Chairman.

21

22

23 GENERAL ORDERS--SECOND READING OF BILLS

24

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

29

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

32

33 **HB09-1233** by Representative(s) Vigil; also Senator(s) Schwartz--
 34 Concerning the recognition of acequias, and, in connection
 35 therewith, authorizing acequia water districts.

36

37 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
 38 dated February 18, 2009, and placed in member's bill file; Report also
 39 printed in House Journal, February 19, pages 430-432.

40

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

43

44 **SB09-001** by Senator(s) Gibbs and Penry, Kopp; also
 45 Representative(s) Scanlan and King S.--Concerning the
 46 establishment of community wildfire protection plans by
 47 county governments.

48

49 Ordered revised and placed on the Calendar for Third Reading and Final
 50 Passage.

51

52 **HB09-1061** by Representative(s) McGihon; also Senator(s) Tochtrop--
 53 Concerning required health care disclosures involving
 54 insurance carrier business relationships with intermediary
 55 entities.

56

1 Amendment No. 1, Business Affairs & Labor Report, dated
2 February 11, 2009, and placed in member's bill file; Report also printed
3 in House Journal, February 12, pages 313-314.

4

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

7

8 **HB09-1253** by Representative(s) Pace, Apuan, Levy, McKinley,
9 Miklosi, Vigil; also Senator(s) Tapia--Concerning
10 processes for involuntary mental health treatment for
11 defendants committed under title 16, Colorado Revised
12 Statutes.

13

14 Amendment No. 1, Judiciary Report, dated February 16, 2009, and placed
15 in member's bill file; Report also printed in House Journal, February 17,
16 pages 381-383.

17

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

20

21 **HB09-1200** by Representative(s) Stephens, King S., Liston, Waller;
22 also Senator(s) Scheffel, King K., Kopp--Concerning a
23 requirement that the staff of the legislative council
24 consider certain factors relating to counties in the local
25 government impact section of a fiscal note.

26

27 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
28 February 17, 2009, and placed in member's bill file; Report also printed
29 in House Journal, February 18, pages 405-406.

30

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

33

34 **HB09-1216** by Representative(s) Murray; also Senator(s) Newell--
35 Concerning voting by electors, and, in connection
36 therewith, amending the election code to reflect changes
37 brought about by the implementation of the statewide
38 voter registration system and permanent mail-in voting.

39

40 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
41 February 12, 2009, and placed in member's bill file; Report also printed
42 in House Journal, February 13, pages 341-342.

43

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

46

47 **HB09-1001** by Representative(s) Rice, Balmer, Liston, McFadyen,
48 Solano; also Senator(s) Heath, Mitchell, Scheffel,
49 Schwartz, Veiga--Concerning the creation of an income
50 tax credit to incentivize Colorado job growth.

51

52 Amendment No. 1, Business Affairs & Labor Report, dated
53 January 28, 2009, and placed in member's bill file; Report also printed in
54 House Journal, January 29, pages 166-168.

55

1 Amendment No. 2, by Representative C. Gardner.

2

3 Amend the Business Affairs and Labor Committee Report, dated January
4 28, 2009, page 3, line 6, strike "TEN" and substitute "FIVE".

5

6 Amendment No. 3, by Representative Ferrandino.

7

8 Amend printed bill, page 2, line 18, strike "2019." and substitute "2018.".

9

10 Page 3, line 11, strike "2020," and substitute "2015,".

11

12 Page 8, line 24, strike "2020," and substitute "2019,".

13

14 Page 9, line 19, strike "2031." and substitute "2025.".

15

16 Amendment No. 4, by Representative Frangas.

17

18 Amend printed bill, page 3, line 5, after "TOURISM,", insert "FILM AND
19 TELEVISION PRODUCTION,".

20

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

23

24

25 A motion by Representative Weissmann that the Committee rise, report
26 progress and beg leave to sit again at 1:30 p.m., was adopted by
27 unanimous consent. (General Orders continued on page 514.)

28

29

30

31

House reconvened.

32

33 The Committee of the Whole reported it had risen, reported progress and
34 would sit again at 1:30 p.m.

35

36

37

38

39

REPORTS OF COMMITTEES OF REFERENCE

40

APPROPRIATIONS

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

44

45 **HB09-1064** be amended as follows, and as so amended, be referred to
46 the Committee of the Whole with favorable
47 recommendation:

48

49 Amend the State, Veterans, & Military Affairs Committee Report, dated
50 January 27, 2009, page 1, line 7, strike "7." and substitute "7 and
51 substitute the following:

52

53 "(d) IN THE EVENT THE TASK FORCE DOES NOT RECEIVE MONEYS
54 ALLOCATED TO THE LEGISLATIVE COUNCIL FOR LEGISLATIVE STUDIES
55 FROM APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY PURSUANT TO
56 PARAGRAPH (b) OF THIS SUBSECTION (5) AND THERE ARE INSUFFICIENT

1 MONEYS RECEIVED BY THE LEGISLATIVE COUNCIL THROUGH GIFTS,
2 GRANTS, AND DONATIONS PURSUANT TO PARAGRAPH (c) OF THIS
3 SUBSECTION (5) TO CARRY OUT THE DUTIES OF THE TASK FORCE PURSUANT
4 TO THIS SECTION, THE TASK FORCE SHALL NOT MEET DURING THE INTERIM
5 UNTIL SUCH TIME AS SUFFICIENT MONEYS BECOME AVAILABLE."."

6

7

8

9

10 **EDUCATION**

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

13

14 **HB09-1225** be postponed indefinitely.

15

16

17 **HB09-1267** be amended as follows, and as so amended, be referred to
18 the Committee on Appropriations with favorable
19 recommendation:

20

21 Amend printed bill, page 3, line 23, strike "**prohibited.**" and substitute
22 "**prohibited.** (1)";

23

24 line 24, strike "INCLUDE A" and substitute "INCLUDE:";

25

26 strike lines 25 through 27 and substitute the following:

27

28 "(a) A PROHIBITION AGAINST THE AWARDED OF ANY FINANCIAL
29 ASSISTANCE PURSUANT TO THIS ARTICLE TO A STUDENT WHO IS PURSUING
30 A PROFESSIONAL DEGREE IN THEOLOGY; EXCEPT THAT THE PROHIBITION
31 DESCRIBED IN THIS SECTION SHALL NOT APPLY TO FINANCIAL ASSISTANCE
32 THAT IS AWARDED TO A STUDENT FROM A FEDERAL PROGRAM, INCLUDING
33 BUT NOT LIMITED TO TITLE IV OF THE FEDERAL "HIGHER EDUCATION ACT
34 OF 1965", 20 U.S.C. SEC. 1070, AS AMENDED; AND

35

36 (b) A REQUIREMENT THAT AN INSTITUTION OR NONPUBLIC
37 INSTITUTION OF HIGHER EDUCATION THAT SEEKS TO AWARD FINANCIAL
38 ASSISTANCE TO A STUDENT PURSUANT TO THIS ARTICLE CERTIFY THAT THE
39 STUDENT IS NOT PURSUING A PROFESSIONAL DEGREE IN THEOLOGY."

40

41 Page 4, line 22, strike "**prohibited.**" and substitute "**prohibited.** (1)";

42

43 line 23, strike "INCLUDE A PROHIBITION" and substitute "INCLUDE:";

44

45 strike lines 24 through 26 and substitute the following:

46

47 "(a) A PROHIBITION AGAINST THE AWARDED OF ANY FINANCIAL
48 ASSISTANCE PURSUANT TO THIS ARTICLE TO A STUDENT WHO IS PURSUING
49 A PROFESSIONAL DEGREE IN THEOLOGY; EXCEPT THAT THE PROHIBITION
50 DESCRIBED IN THIS SECTION SHALL NOT APPLY TO FINANCIAL ASSISTANCE
51 THAT IS AWARDED TO A STUDENT FROM A FEDERAL PROGRAM, INCLUDING
52 BUT NOT LIMITED TO TITLE IV OF THE FEDERAL "HIGHER EDUCATION ACT
53 OF 1965", 20 U.S.C. SEC. 1070, AS AMENDED; AND

54

55 (b) A REQUIREMENT THAT AN INSTITUTION OR NONPUBLIC
56 INSTITUTION OF HIGHER EDUCATION THAT SEEKS TO AWARD FINANCIAL

1 ASSISTANCE TO A STUDENT PURSUANT TO THIS ARTICLE CERTIFY THAT THE
2 STUDENT IS NOT PURSUING A PROFESSIONAL DEGREE IN THEOLOGY."

3

4 Page 6, line 2, strike "INCLUDE A PROHIBITION" and substitute "INCLUDE:";

5

6 strike lines 3 and 4 and substitute the following:

7

8 "(a) A PROHIBITION AGAINST THE AWARDED OF ANY FINANCIAL
9 ASSISTANCE PURSUANT TO THIS ARTICLE TO A STUDENT WHO IS PURSUING
10 A PROFESSIONAL DEGREE IN THEOLOGY; EXCEPT THAT THE PROHIBITION
11 DESCRIBED IN THIS SECTION SHALL NOT APPLY TO FINANCIAL ASSISTANCE
12 THAT IS AWARDED TO A STUDENT FROM A FEDERAL PROGRAM, INCLUDING
13 BUT NOT LIMITED TO TITLE IV OF THE FEDERAL "HIGHER EDUCATION ACT
14 OF 1965", 20 U.S.C. SEC. 1070, AS AMENDED; AND

15

16 (b) A REQUIREMENT THAT A NONPUBLIC INSTITUTION OF HIGHER
17 EDUCATION THAT SEEKS TO AWARD FINANCIAL ASSISTANCE TO A STUDENT
18 PURSUANT TO THIS ARTICLE CERTIFY THAT THE STUDENT IS NOT PURSUING
19 A PROFESSIONAL DEGREE IN THEOLOGY."

20

21

22

23 **HB09-1285** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:

26

27 Amend printed bill, page 3, line 9, strike "AT LEAST THIRTEEN MEMBER AS
28 PROVIDED" and substitute "THE MEMBERS SPECIFIED";

29

30 after line 24, insert the following:

31

32 "(c) THE CHIEF INFORMATION OFFICER SHALL SERVE AS AN EX
33 OFFICIO MEMBER AND CHAIR OF THE ADVISORY BOARD."

34

35 Reletter succeeding paragraph accordingly.

36

37 Page 3, strike lines 25 and 26 and substitute the following:

38

39 "(d) (I) THE REMAINING MEMBERSHIP OF THE ADVISORY BOARD
40 SHALL CONSIST OF A PERSON FROM EACH OF THE FOLLOWING
41 DEPARTMENTS WHO IS"

42

43 Page 4, strike lines 2 and 3 and substitute the following:

44

45 "AND WHO IS SELECTED BY THE HEAD OF THE MEMBER'S RESPECTIVE
46 DEPARTMENT TO PARTICIPATE ON THE ADVISORY BOARD AT THE
47 INVITATION OF THE CHIEF INFORMATION OFFICER:";

48

49 line 14, strike "(c)," and substitute "(d),";

50

51 line 17, strike "APPOINT TO THE ADVISORY BOARD" and substitute
52 "SELECT";

53

54 line 19, strike "(I)." and substitute "(I) TO PARTICIPATE ON THE ADVISORY
55 BOARD AT THE INVITATION OF THE CHIEF INFORMATION OFFICER."

56

1 Page 5, strike lines 5 through 10 and substitute the following:

2

3 "FIRST MEETING OF THE ADVISORY BOARD AND SCHEDULE SUCCEEDING
4 MEETINGS OF THE";

5

6 line 13, strike "(c)" and substitute "(b)".

7

8 Page 7, line 23, strike "APPOINTED" and substitute "SELECTED";

9

10 line 25, strike "APPOINTED" and substitute "SELECTED";

11

12 line 27, strike "APPOINTED" and substitute "SELECTED".

13

14

15

16 **SB09-032** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:

19

20 Amend reengrossed bill, page 4, line 12, strike "**appropriations.**" and
21 substitute "**appropriations - report.**".

22

23 Page 5, after line 19, insert the following:

24

25 "(4) ON OR BEFORE JANUARY 10, 2011, AND ON OR BEFORE
26 JANUARY 10 EACH YEAR THEREAFTER, THE INSTITUTE SHALL PREPARE AND
27 SUBMIT A REPORT TO THE EDUCATION COMMITTEES OF THE HOUSE OF
28 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES,
29 CONCERNING THE ACTIVITIES OF THE INSTITUTE IN THE PREVIOUS
30 CALENDAR YEAR. THE REPORT SHALL INCLUDE, AT A MINIMUM,
31 INFORMATION CONCERNING THE EFFORTS OF THE INSTITUTE TO FULFILL ITS
32 PURPOSES AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION."

33

34

35

36 **SB09-043** be referred favorably to the Committee on Appropriations.

37

38

39

40

41 **HEALTH & HUMAN SERVICES**

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

44

45 **HB09-1282** be referred favorably to the Committee on Appropriations.

46

47

48 **SB09-055** be referred to the Committee of the Whole with favorable
49 recommendation.

50

51

52 **SB09-079** be referred to the Committee of the Whole with favorable
53 recommendation.

54

55

56

1 **JUDICIARY**

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

4
5 **HB09-1144** The committee returns herewith HB09-1144 and reports
6 that said bill has been considered on its merits and voted
7 upon by the committee in accordance with House Rules,
8 that the deadline applicable to committees under Joint
9 Rule 23 (a) (1) has passed, that final action has not been
10 taken by this committee within said deadline, and that the
11 Committee on Delayed Bills has not waived said deadline.
12 Pursuant to Joint Rule 23 (a) (3) (A), said bill is deemed to
13 be postponed indefinitely.

14
15
16 **HB09-1274** be amended as follows, and as so amended, be referred to
17 the Committee on Appropriations with favorable
18 recommendation:

19
20 Amend printed bill, page 2, line 17, after the period, add "NOTHING IN
21 THIS SECTION SHALL COMMUTE OR ALTER THE SENTENCE OF A DEFENDANT
22 CONVICTED BEFORE THE EFFECTIVE DATE OF THIS PART 9."
23

24 Page 19, strike lines 21 through 27 and substitute the following:

25 **"SECTION 23. Appropriation.** In addition to any other
26 appropriation, there is hereby appropriated, out of any moneys in the
27 general fund not otherwise appropriated, for the fiscal year beginning July
28 1, 2009, the sum of _____ dollars (\$) and _____ FTE, or so much
29 thereof as may be necessary, for the implementation of this act. Of such
30 sum, _____ dollars (\$) and _____ FTE, or so much thereof as may be
31 necessary, is appropriated to the department of public safety, cold case
32 homicide team, for investigation and administrative services, for the
33 implementation of section 24-33.5-425, Colorado Revised Statutes;
34 _____ dollars (\$) and 2.0 FTE, or so much thereof as may be necessary,
35 is appropriated to the department of law for defense of any capital appeals
36 ongoing on the effective date of this act and to assist district attorneys in
37 the prosecution of cold cases."
38

39 Page 20, strike line 1.
40
41
42

43 **HB09-1283** be referred to the Committee of the Whole with favorable
44 recommendation.
45
46
47

48 **MESSAGE FROM THE SENATE**

49
50 The Senate has passed on Third Reading and transmitted to the Revisor
51 of Statutes: SB09-088, and SB09-173.
52
53
54
55

MESSAGE FROM THE REVISOR

We herewith transmit:
Without comment, SB09-088 and 173.

House in recess. House reconvened.

RECALL OF SB09-212

Representative Weissmann moved for recall of **SB09-212** for purpose of reconsideration. The motion passed by unanimous consent. The bill was ordered recalled.

On motion of Representative Levy, the House resolved itself into Committee of the Whole for continuation of consideration of General Orders, and she returned to the Chair to act as Chairman.

GENERAL ORDERS--SECOND READING OF BILLS

(Continued from page 509)

HB09-1053 by Representative(s) Balmer; also Senator(s) Romer--
Concerning the regulation of financial institutions under
the authority of the banking board.

Amendment No. 1, Business Affairs & Labor Report, dated
January 27, 2009, and placed in member's bill file; Report also printed in
House Journal, January 28, pages 149-151.

Amendment No. 2, Appropriations Report, dated February 20, 2009, and
placed in member's bill file; Report also printed in House Journal,
February 20, page 454.

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

HB09-1100 by Representative(s) Benefield, Merrifield, Todd; also
Senator(s) Tochtrop, Hudak--Concerning the creation of
an "Alive at Twenty-five" special license plate.

Amendment No. 1, Appropriations Report, dated February 20, 2009, and
placed in member's bill file; Report also printed in House Journal,
February 20, pages 454-455.

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

HB09-1110 by Representative(s) Scanlan; also Senator(s) Gibbs--
Concerning information required to be provided to the
county assessor in connection with any advertisement for
the rental of furnished residential real property within the
state.

1 Amendment No. 1, Local Government Report, dated February 3, 2009,
2 and placed in member's bill file; Report also printed in House Journal,
3 February 4, pages 249-250.

4

5 Amendment No. 2, by Representative Scanlan.

6

7 Amend the Local Government Committee Report, dated February 3,
8 2009, page 1, line 17, after "ASSESSOR", insert "MADE NO MORE THAN
9 TWICE DURING ANY YEAR".

10

11 Page 2, line 3, strike "COUNTY:" and substitute "COUNTY MADE NO MORE
12 THAN TWICE DURING ANY YEAR:".

13

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

16

17 **HB09-1116** by Representative(s) Frangas, Ferrandino, Kefalas, Pace,
18 Pommer, Primavera, Schafer S.; also Senator(s) Hudak,
19 Bacon, Hodge, Sandoval, Tapia, Tochtrop, Williams--
20 Concerning the inclusion of general fund moneys in the
21 children's dental plan cash fund for the children's dental
22 assistance program.

23

24 Amendment No. 1, Health & Human Services Report, dated
25 January 26, 2009, and placed in member's bill file; Report also printed in
26 House Journal, January 28, page 157.

27

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

30

31 **SB09-086** by Senator(s) Tapia, Hudak, Keller, King K., Kopp,
32 Romer, Spence, White, Bacon, Brophy, Groff, Isgar,
33 Kester, Newell, Penry, Schwartz, Tochtrop; also
34 Representative(s) Marostica, Acree, Baumgardner,
35 Benefield, Ferrandino, Kerr A., Massey, Murray, Pommer,
36 Roberts, Stephens, Summers, Todd, Curry, Fischer,
37 Gardner B., Gardner C., Kefalas, Looper, Middleton, Pace,
38 Sonnenberg--Concerning the creation of an online
39 university to be known as Colorado state university -
40 global campus.

41

42 Ordered revised and placed on the Calendar for Third Reading and Final
43 Passage.

44

45 **HB09-1191** by Representative(s) McCann; also Senator(s) Boyd--
46 Concerning liens of the department of health care policy
47 and financing against claims against third parties.

48

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

52

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

55

1 **HB09-1252** by Representative(s) Roberts, Massey, Vigil; also
2 Senator(s) Isgar--Concerning the expansion of the "Local
3 Access to Health Care Pilot Program Act" to allow
4 creation of a pilot program in the San Luis valley.
5

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

9 **HB09-1227** by Representative(s) Frangas; also Senator(s) Hudak--
10 Concerning the protection of neighborhoods from negative
11 impacts associated with rental properties.
12

13 Amendment No. 1, Judiciary Report, dated February 16, 2009, and placed
14 in member's bill file; Report also printed in House Journal, February 20,
15 page 464.
16

17 As amended, ordered engrossed and placed on the Calendar for Third
18 Reading and Final Passage.
19

20 **HB09-1262** by Representative(s) Casso; also Senator(s) Morse--
21 Concerning the issuance of a summons instead of an arrest
22 warrant in certain circumstances.
23

24 Ordered engrossed and placed on the Calendar for Third Reading and
25 Final Passage.
26

27 **HB09-1263** by Representative(s) Casso; also Senator(s) Carroll M.--
28 Concerning time computation while an inmate is
29 incarcerated in a county jail.
30

31 Ordered engrossed and placed on the Calendar for Third Reading and
32 Final Passage.
33

34 **HB09-1281** by Representative(s) Labuda, Baumgardner, Casso,
35 Frangas, Hullinghorst, Marostica, Murray, Schafer S.,
36 Soper, Tipton; also Senator(s) Carroll M. and Newell--
37 Concerning representation on state boards by persons with
38 disabilities.
39

40 Amendment No. 1, by Representative Labuda.
41 Amend printed bill, page 2, line 10, after "DISABILITY,", insert "AS
42 DEFINED IN SECTION 24-45.5-102 (2),".
43

44 Page 3, line 8, after "DISABILITY,", insert "AS DEFINED IN SECTION 24-
45 45.5-102 (2), C.R.S.,";
46

47 line 19, after "DISABILITY,", insert "AS DEFINED IN SECTION 24-45.5-102
48 (2), C.R.S.,".
49

50 As amended, ordered engrossed and placed on the Calendar for Third
51 Reading and Final Passage.
52

53 **HB09-1234** by Representative(s) Kerr J. and Solano; also Senator(s)
54 Tochtrop--Concerning the immediate suspension of the
55 driver's license of a person who fails to appear for a
56 license suspension hearing.

1 Amendment No. 1, Transportation & Energy Report, dated
2 February 19, 2009, and placed in member's bill file; Report also printed
3 in House Journal, February 20, pages 466-467.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB09-1085** by Representative(s) Rice; also Senator(s) Heath--
9 Concerning the regulation of mortgage loan originators,
10 and, in connection therewith, modifying the "Mortgage
11 Broker Licensing Act" to conform to the federal "Secure
12 and Fair Enforcement for Mortgage Licensing Act of
13 2008" and exempting certain financial institutions from the
14 list of prohibited practices under the act.

15
16 Amendment No. 1, Business Affairs & Labor Report, dated
17 January 28, 2009, and placed in member's bill file; Report also printed in
18 House Journal, January 29, pages 168-170.

19
20 Amendment No. 2, Appropriations Report, dated February 20, 2009, and
21 placed in member's bill file; Report also printed in House Journal,
22 February 20, page 454.

23
24 Amendment No. 3, by Representative Rice.

25
26 Amend printed bill, page 5, after line 19, insert the following:

27
28 "(5) "MORTGAGE LENDER" MEANS A LENDER WHO IS IN THE
29 BUSINESS OF MAKING RESIDENTIAL MORTGAGE LOANS IF:

30
31 (a) THE LENDER IS THE PAYEE ON THE PROMISSORY NOTE
32 EVIDENCING THE LOAN; AND

33
34 (b) THE LOAN PROCEEDS ARE OBTAINED BY THE LENDER FROM ITS
35 OWN FUNDS OR FROM A LINE OF CREDIT MADE AVAILABLE TO THE LENDER
36 FROM A BANK OR OTHER ENTITY WHO REGULARLY LOANS MONEY TO
37 LENDERS FOR THE PURPOSE OF FUNDING MORTGAGE LOANS.";

38
39 line 20, strike "(5)" and substitute "~~(5)~~ (6)".

40
41 Page 6, line 5, before "LENDER", insert "MORTGAGE";

42
43 strike line 9;

44
45 line 10, strike "LOAN." and substitute "LOAN; OR";

46
47 strike lines 11 through 18 and substitute the following:

48
49 "(V) A PERSON THAT ONLY PERFORMS THE SERVICES AND
50 ACTIVITIES OF A MANUFACTURED HOME DEALER, AS DEFINED IN SECTION
51 24-32-3302, C.R.S., UNLESS THE PERSON IS COMPENSATED BY A
52 MORTGAGE LENDER OR A MORTGAGE LOAN ORIGINATOR.

53
54 ~~(6) "Mortgage lender" means a lender who is in the business of~~
55 ~~making residential mortgage loans if:~~

56

1 (a) ~~The lender is the payee on the promissory note evidencing the~~
2 ~~loan, and~~

3
4 (b) ~~The loan proceeds are obtained by the lender from its own~~
5 ~~funds or from a line of credit made available to the lender from a bank or~~
6 ~~other entity who regularly loans money to lenders for the purpose of~~
7 ~~funding mortgage loans."~~

8
9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.

11
12 **HB09-1180** by Representative(s) King S.; also Senator(s) Brophy--
13 Concerning allowing valid Colorado concealed handgun
14 permits to satisfy background check requirements for
15 transfers of firearms.

16
17 Amendment No. 1, Judiciary Report, dated February 16, 2009, and placed
18 in member's bill file; Report also printed in House Journal, February 20,
19 page 463.

20
21 Amendment No. 2, by Representative King S.

22
23 Amend the Judiciary Committee Report, dated February 16, 2009, page
24 1, after line 3, insert the following:

25
26 "Page 3, strike lines 9 and 10 and substitute the following:

27
28 "(a.5) ASSERTS ON THE PERMIT APPLICATION THAT HE OR SHE IS:

29
30 (I) A LEGAL CITIZEN OF THE UNITED STATES; OR

31
32 (II) A LEGAL ALIEN AND SUBMITS THE FOLLOWING
33 INFORMATION".

34
35 As amended, ordered engrossed and placed on the Calendar for Third
36 Reading and Final Passage.

37
38 **SB09-108** by Senator(s) Gibbs; also Representative(s) Rice--
39 Concerning the improvement of the transportation system
40 of the state, and, in connection therewith, providing
41 additional sources of funding for transportation and
42 modifying the transportation planning process.

43
44 Amendment No. 1, Transportation & Energy Report, dated
45 February 17, 2009, and placed in member's bill file; Report also printed
46 in House Journal, February 19, pages 424-430.

47
48 Amendment No. 2, Appropriations Report, dated February 20, 2009, and
49 placed in member's bill file; Report also printed in House Journal,
50 February 20, pages 455-456.

51
52 Amendment No. 3, by Representative Ferrandino.

53
54 Amend the Appropriations Committee Report, dated February 20, 2009,
55 page 2, strike line 2 and substitute the following:

56

1 "line 25, strike "DATE, "." and substitute "DATE,";

2

3 line 21, strike "AND (VI)" and substitute "(VI), AND (VII)".";

4

5 after line 3 of the Appropriations Committee Report, insert the following:

6

7 ""(VII) THE MAXIMUM AMOUNT OF THE BRIDGE SAFETY
8 SURCHARGE THAT MAY BE IMPOSED PURSUANT TO SUBPARAGRAPH (I) OF
9 THIS PARAGRAPH (g) SHALL BE, AS ALSO SPECIFIED IN SUBPARAGRAPH (V)
10 OF THIS PARAGRAPH (g), FIFTY PERCENT OF THE AMOUNT SPECIFIED IN SAID
11 SUBPARAGRAPH (I) FOR THE FISCAL YEAR 2009-10, AND SEVENTY-FIVE
12 PERCENT OF SAID AMOUNT FOR THE FISCAL YEAR 2010-11.";

13

14 line 4 of the Appropriations Committee Report, strike ""(VII)" and
15 substitute "(VIII)".

16

17 Renumber succeeding subparagraph.

18

19 Amendment No. 4, by Representative Judd.

20

21 Amend the Transportation & Energy Committee Report, dated February
22 17, 2009, page 7, after line 5, insert the following:

23

24 ""(4) WHEN DETERMINING WHETHER TO UNDERTAKE AND
25 COMPLETE A SURFACE TRANSPORTATION INFRASTRUCTURE PROJECT TO BE
26 FUNDED, IN WHOLE OR IN PART, THROUGH THE IMPOSITION OF ANY USER
27 FEE, THE TRANSPORTATION ENTERPRISE SHALL CONSIDER WHETHER THE
28 COMPLETION OF THE PROJECT WILL HELP TO RECONNECT OR REINTEGRATE
29 ANY LOCAL GOVERNMENT OR OTHER COMMUNITY THAT HAS BEEN
30 DISCONNECTED OR DIVIDED BY EXISTING TRANSPORTATION
31 INFRASTRUCTURE.";

32

33 line 6, strike ""(4)" and substitute "(5)".

34

35 Amendment No. 5, by Representative Kerr A.

36

37 Amend the Transportation & Energy Committee Report, dated February
38 17, 2009, page 7, after line 21, insert the following:

39

40 "after line 7, insert the following:

41 **"SECTION 3.** 1-5-407 (5), Colorado Revised Statutes, is
42 amended to read:

43

44 **1-5-407. Form of ballots.** (5) Whenever the approval of a ballot
45 issue or ballot question is submitted to the vote of the people, the ballot
46 issue or question shall be printed upon the ballot following the lists of
47 candidates. EXCEPT AS OTHERWISE PROVIDED IN SECTION 32-9-119.3 (2),
48 C.R.S., constitutional issues shall be printed first, followed by statewide
49 issues and questions, county issues and questions, municipal issues and
50 questions, school district issues and questions, ballot issues and questions
51 for other political subdivisions which are in more than one county, and
52 then ballot issues and questions for other political subdivisions which are
53 wholly within a county. The measures in each category shall be placed
54 in the following order: Measures to increase taxes; measures to retain
55 revenues in excess of a district's fiscal year spending limit; measures to
56 increase debt; citizen petitions; and referred measures.

1 **SECTION 4.** The introductory portion to 32-9-119 (2) (a),
2 Colorado Revised Statutes, is amended to read:

3
4 **32-9-119. Additional powers of district.** (2) (a) To provide
5 revenue to finance the operations of the district, to defray the cost of
6 construction of capital improvements and acquisition of capital
7 equipment, and to pay the interest and principal on securities of the
8 district, the board, for and on behalf of the district after approval by
9 election held pursuant to articles 1 to 13 of title 1, C.R.S., AND, WITH
10 RESPECT TO ANY TAX RATE INCREASE THAT TAKES EFFECT ON OR AFTER
11 THE EFFECTIVE DATE OF THIS PARAGRAPH (a), AS AMENDED, IN
12 ACCORDANCE WITH SECTION 32-9-119.3, shall have the power to levy
13 uniformly throughout the district a sales tax at ~~the A rate of six-tenths of~~
14 ~~one percent, or at the rate of one~~ NOT TO EXCEED ONE AND ONE-HALF
15 percent if approved by the eligible electors of the district in accordance
16 with section 32-9-119.4, upon every transaction or other incident with
17 respect to which a sales tax is now levied by the state, pursuant to the
18 provisions of article 26 of title 39, C.R.S.; except that:

19
20 **SECTION 5.** 32-9-119.3, Colorado Revised Statutes, is
21 RECREATED AND REENACTED, WITH AMENDMENTS, to read:

22
23 **32-9-119.3. Elections for sales tax rate increase.** (1) THE
24 BOARD, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 20 (4) OF
25 ARTICLE X OF THE STATE CONSTITUTION, MAY SUBMIT TO THE REGISTERED
26 ELECTORS OF THE DISTRICT ONE OR MORE BALLOT QUESTIONS TO INCREASE
27 THE RATE OF THE SALES TAX LEVIED BY THE DISTRICT PURSUANT TO
28 SECTION 32-9-119 (2) (a) TO A RATE NOT TO EXCEED ONE AND ONE-HALF
29 PERCENT, WITH OR WITHOUT AN ACCOMPANYING INCREASE IN DISTRICT
30 DEBT, FOR SUCH PURPOSES AUTHORIZED BY THIS ARTICLE AS MAY BE
31 SPECIFIED IN ANY SUCH BALLOT QUESTION.

32
33 (2) A BALLOT QUESTION SUBMITTED PURSUANT TO SUBSECTION (1)
34 OF THIS SECTION SHALL BE SUBMITTED AT A GENERAL ELECTION OR AN
35 ELECTION HELD ON THE FIRST TUESDAY OF NOVEMBER IN AN ODD-
36 NUMBERED YEAR THAT IS CONDUCTED IN ACCORDANCE WITH THE
37 "UNIFORM ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF TITLE 1, C.R.S.
38 THE SECRETARY OF STATE SHALL DETERMINE THE IDENTIFYING
39 NUMBERING OR LETTERING OF SUCH A BALLOT QUESTION, AND THE
40 QUESTION SHALL BE PRINTED UPON THE BALLOT IMMEDIATELY FOLLOWING
41 ANY STATEWIDE ISSUES AND QUESTIONS.

42
43 (3) IF A MAJORITY OF THE REGISTERED ELECTORS VOTING ON A
44 BALLOT QUESTION SUBMITTED PURSUANT TO SUBSECTION (1) OF THIS
45 SECTION VOTE AFFIRMATIVELY ON THE QUESTION, THE RATE OF THE SALES
46 TAX LEVIED BY THE DISTRICT PURSUANT TO SECTION 32-9-119 (2) (a)
47 SHALL BE INCREASED TO THE RATE SPECIFIED IN THE BALLOT QUESTION
48 AND APPROVED BY THE REGISTERED ELECTORS.

49
50 (4) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT THE
51 ABILITY OF THE DISTRICT TO SEEK THE APPROVAL OF THE REGISTERED
52 ELECTORS OF THE DISTRICT REGARDING ANY OTHER MATTER FOR WHICH
53 SUCH APPROVAL MAY BE SOUGHT.";"

54
55 Renumber succeeding sections accordingly.

56

1 Page 9, after line 16, insert the following:

2

3 **"SECTION 20.** 43-4-605 (1) (j) (I), Colorado Revised Statutes,
4 is amended to read:

5

6 **43-4-605. Powers of the authority - inclusion or exclusion of**
7 **property - determination of regional transportation system alignment**
8 **- fund created.** (1) In addition to any other powers granted to the
9 authority pursuant to this part 6, the authority has the following powers:

10

11 (j) (I) Subject to the provisions of section 43-4-612, to levy, in all
12 or any designated portion of the members of the combination, a sales or
13 use tax, or both, at a rate not to exceed one AND ONE-HALF percent upon
14 every transaction or other incident with respect to which a sales or use tax
15 is levied by the state; except that, on and after January 1, 2006, if the
16 authority includes territory that is within the regional transportation
17 district created and existing pursuant to article 9 of title 32, C.R.S., a
18 designated portion of the members of the combination in which a new tax
19 is levied shall be composed of entire territories of members of the
20 combination so that the rate of tax imposed pursuant to this part 6 within
21 the territory of any single member of the combination is uniform and
22 except that the authority shall not levy a sales or use tax on any
23 transaction or other incident occurring in any territory located outside the
24 boundaries of the authority and within the boundaries of a municipality
25 as the boundaries of the municipality exist on the date the authority is
26 created without the consent of the governing body of the municipality or
27 outside the boundaries of the authority and within the unincorporated
28 boundaries of a county as the unincorporated boundaries exist on the date
29 the authority is created without the consent of the governing body of the
30 county. Subject to the provisions of section 43-4-612, the authority may
31 elect to levy any such sales or use tax at different rates in different
32 designated portions of the members of the combination; except that, on
33 and after January 1, 2006, if the authority includes territory that is within
34 the regional transportation district, a designated portion of the members
35 of the combination in which a new tax is levied shall be composed of
36 entire territories of members of the combination so that the rate of tax
37 imposed pursuant to this part 6 within the territory of any single member
38 of the combination is uniform. If the authority so elects, it shall submit
39 a single ballot question that lists all of the different rates to the registered
40 electors of all designated portions of the members of the combination in
41 which the proposed sales or use tax is to be levied. The tax imposed
42 pursuant to this paragraph (j) is in addition to any other sales or use tax
43 imposed pursuant to law. If a member of the combination is located
44 within more than one authority, the sales or use tax, or both, authorized
45 by this paragraph (j) shall not exceed one percent upon every transaction
46 or other incident with respect to which a sales or use tax is levied by the
47 state. The executive director of the department of revenue shall collect,
48 administer, and enforce the sales or use tax, to the extent feasible, in the
49 manner provided in section 29-2-106, C.R.S. The director shall make
50 monthly distributions of the tax collections to the authority, which shall
51 apply the proceeds solely to the financing, construction, operation, or
52 maintenance of regional transportation systems. The department shall
53 retain an amount not to exceed the net incremental cost of the collection,
54 administration, and enforcement and shall transmit the amount to the state
55 treasurer, who shall credit the same to the regional transportation
56 authority sales tax fund, which fund is hereby created. The amounts so

1 retained are hereby appropriated annually from the fund to the department
 2 to the extent necessary for the department's collection, administration, and
 3 enforcement of the provisions of this part 6. Any moneys remaining in
 4 the fund attributable to taxes collected in the prior fiscal year shall be
 5 transmitted to the authority; except that, prior to the transmission to the
 6 authority of such moneys, any moneys appropriated from the general fund
 7 to the department for the collection, administration, and enforcement of
 8 the tax for the prior fiscal year shall be repaid.";

9
 10 line 17, strike ""SECTION 17." and substitute "SECTION 21.";

11
 12 line 20, strike "5" and substitute "8".

13
 14 Amendment No. 6, by Representative Kerr A.

15
 16 Amend Amendment No. 5, by Representative Kerr A., printed in House
 17 Journal page 521, strike lines 1 through 56.

18
 19 Page 522 strike lines 1 through 10.

20
 21 line 12, before "line", insert "Page 9,".

22
 23 Amendment No. 7, by Representative Kerr A.

24
 25 Amend Amendment No. 5, by Representative Kerr A., printed in House
 26 Journal page 520, line 14, strike "NOT TO EXCEED ONE AND ONE-HALF";

27
 28 line 15, strike "percent" and substitute "percent";

29
 30 line 16, after "~~32-9-119.4~~.", insert "THAT MAY BE APPROVED BY THE
 31 BOARD".

32
 33 Amendment No. 8, by Representatives Levy and Pace.

34
 35 Amend reengrossed bill, page 68, after line 13, insert the following:

36
 37 **"43-4-811. Transit and rail division - funding for local transit**
 38 **grants.** (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR
 39 STATE FISCAL YEAR 2009-10 AND FOR EACH SUCCEEDING STATE FISCAL
 40 YEAR THE ALLOCATION OF THE SURCHARGES, FEES, AND FINES IMPOSED
 41 AND CREDITED TO THE HIGHWAY USERS TAX FUND CREATED IN SECTION
 42 43-4-201 (1) (a) PURSUANT TO SECTION 43-4-804 (1) AND ALLOCATED TO
 43 THE STATE HIGHWAY FUND, COUNTIES, AND MUNICIPALITIES AS SPECIFIED
 44 IN SECTION 43-4-205 (6.3) SHALL BE MODIFIED AS FOLLOWS:

45
 46 (a) THE ALLOCATION TO THE STATE HIGHWAY FUND SHALL BE
 47 INCREASED BY FIVE MILLION DOLLARS.

48
 49 (b) THE ALLOCATION TO COUNTIES SHALL BE REDUCED BY TWO
 50 MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS.

51
 52 (c) THE ALLOCATION TO MUNICIPALITIES SHALL BE REDUCED BY
 53 TWO MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS.

54
 55 (2) FOR STATE FISCAL YEAR 2009-10 AND FOR EACH SUCCEEDING
 56 STATE FISCAL YEAR, FIVE MILLION DOLLARS OF THE MONEYS ALLOCATED

1 TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 43-4-205 (6.3)
2 SHALL BE CREDITED TO THE STATE TRANSIT AND RAIL FUND, WHICH IS
3 HEREBY CREATED IN THE STATE TREASURY, AND USED BY THE STATE
4 TRANSIT AND RAIL DIVISION CREATED IN SECTION 43-1-117.5 (1), ENACTED
5 BY SENATE BILL 09-094, ENACTED IN 2009, AND USED TO PROVIDE
6 GRANTS TO LOCAL GOVERNMENTS FOR LOCAL TRANSIT PROJECTS."

7
8 Amendment No. 9, by Representative Gardner C.

9 Amend Amendment No.8, by Representatives Levy and Pace, printed in
10 House Journal page 523, line 6, strike "PROJECTS." and substitute
11 "PROJECTS; EXCEPT THAT NO FUNDS SHALL BE USED FOR THE
12 CONDEMNATION OF LAND FOR THE PURPOSE OF RELOCATING A RAIL
13 CORRIDOR OR RAIL LINE.".

14
15 Amendment No. 10, by Representatives Levy and Pace.

16
17 Amend reengrossed bill, page 68, after line 13, insert the following:

18
19 **"43-4-811. Use of user fees for transit - legislative declaration.**

20 (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
21 TRANSPORTATION ENTERPRISE, A PUBLIC HIGHWAY AUTHORITY CREATED
22 AND EXISTING PURSUANT TO PART 5 OF THIS ARTICLE, A REGIONAL
23 TRANSPORTATION AUTHORITY CREATED AND EXISTING PURSUANT TO PART
24 6 OF THIS ARTICLE, OR ANY OTHER ENTITY THAT, AS OF THE EFFECTIVE
25 DATE OF THIS SECTION, IS IMPOSING A USER FEE OR TOLL FOR THE
26 PRIVILEGE OF TRAVELING ON ANY HIGHWAY SEGMENT OR HIGHWAY LANES
27 MAY USE REVENUES GENERATED BY THE USER FEE OR TOLL FOR TRANSIT-
28 RELATED PROJECTS THAT RELATE TO THE MAINTENANCE OR SUPERVISION
29 OF THE HIGHWAY SEGMENT OR HIGHWAY LANES ON WHICH THE USER FEE
30 OR TOLL IS IMPOSED.

31
32 (2) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT
33 THE FUNDING OF TRANSIT-RELATED PROJECTS AUTHORIZED BY
34 SUBSECTION (1) OF THIS SECTION CONSTITUTES MAINTENANCE AND
35 SUPERVISION OF STATE HIGHWAYS BECAUSE IT WILL HELP TO REDUCE
36 TRAFFIC ON STATE HIGHWAYS AND THEREBY REDUCE WEAR AND TEAR ON
37 STATE HIGHWAYS AND BRIDGES AND INCREASE THEIR RELIABILITY,
38 SAFETY, AND EXPECTED USEFUL LIFE."

39
40 Amendment No. 11, by Representative Pommer.

41
42 Amend reengrossed bill, page 68, after line 13, insert the following:

43
44 **"43-4-811. Transportation deficit report - annual reporting
45 requirement.** NO LATER THAN JUNE 30, 2009, AND NO LATER THAN
46 MARCH 1 OF ANY FISCAL YEAR IN WHICH ROAD OR BRIDGE SAFETY
47 SURCHARGES ARE IMPOSED PURSUANT TO SECTION 43-4-804 (1) (a) OR 43-
48 4-805 (5) (g), THE DEPARTMENT SHALL PREPARE AND PRESENT TO THE
49 TRANSPORTATION AND ENERGY COMMITTEE OF THE HOUSE OF
50 REPRESENTATIVES AND THE TRANSPORTATION COMMITTEE OF THE
51 SENATE, OR ANY SUCCESSOR COMMITTEES, A TRANSPORTATION DEFICIT
52 REPORT THAT SEPARATELY ADDRESSES THE GOALS OF REPAIRING
53 DEFICIENT HIGHWAYS AND BRIDGES, AS EVIDENCED BY A C OR D RATING,
54 SUSTAINING EXISTING TRANSPORTATION SYSTEM PERFORMANCE LEVELS,
55 AND ACHIEVING THE CORRIDOR VISIONS DESCRIBED BY REGIONAL
56 TRANSPORTATION PLANS AND PUBLIC PREFERENCES. FOR EACH GOAL, THE

1 REPORT SHALL INCLUDE A LISTING OF THE ANNUAL COSTS FOR EACH OF
2 THE NEXT TEN FISCAL YEARS OF ACHIEVING THE GOAL; THE ANNUAL
3 INCREASE AND RATE OF INCREASE OF THE COSTS; THE FACTORS
4 CONTRIBUTING TO THE COSTS, INCLUDING, BUT NOT LIMITED TO, THE RATE
5 AND GEOGRAPHIC DISTRIBUTION OF POPULATION GROWTH, VEHICLE SIZE
6 AND WEIGHT, LAND USE POLICIES, AND WORK PATTERNS; METHODS OF
7 REDUCING THE IMPACT OF THE COST FACTORS, INCLUDING, BUT NOT
8 LIMITED TO, LAND USE POLICY CHANGES, INCREASED USE OF TRANSIT,
9 TELECOMMUTING, AND PEAK TRANSPORTATION SYSTEM DEMAND
10 REDUCTION PRACTICES AND ECONOMIC INCENTIVES; AND A COMPARISON
11 OF THE COSTS OF MITIGATING THE COST FACTORS AND THE COSTS OF
12 ACHIEVING THE GOAL BY REPAIRING, UPGRADING, OR EXPANDING THE
13 TRANSPORTATION SYSTEM. THE REPORT SHALL EXPLAIN WHY ANY COST
14 ESTIMATE FOR A GOAL DIFFERS BY MORE THAN FIVE PERCENT FROM ANY
15 DEPARTMENT ESTIMATE OF SUCH COSTS PUBLISHED BEFORE THE EFFECTIVE
16 DATE OF THIS SECTION. THE DEPARTMENT SHALL PUBLISH THE REPORT ON
17 ITS WEB SITE IN A FORMAT THAT CAN BE DOWNLOADED."

18

19 Amendment No. 12, by Representative Vaad.

20

21 Amend Amendment No. 11, by Representative Pommer, printed in House
22 Journal page 524, line 16, strike "SECTION." and substitute "SECTION, AND
23 SHALL SEPARATELY ACCOUNT FOR COST OVERRUNS OTHER THAN
24 OVERRUNS ATTRIBUTABLE INCREASES IN THE COLORADO CONSTRUCTION
25 COST INDEX."

26

27 Amendment No. 13, by Representative Sonnenberg.

28

29 Amend reengrossed bill, page 70, strike lines 14 through 27.

30

31 Page 71, strike 1 through 13 and substitute the following:

32

33 "SECTION 5. 42-4-508 (1) (b), Colorado Revised Statutes, is
34 amended to read:

35

36 **42-4-508. Gross weight of vehicles and loads.** (1) Except as
37 provided in subsection (1.5) of this section, no vehicle or combination of
38 vehicles shall be moved or operated on any highway or bridge when the
39 gross weight thereof exceeds the limits specified below:

40

41 (b) Subject to the limitations prescribed in section 42-4-507, the
42 maximum gross weight of any vehicle or combination of vehicles shall
43 not exceed that determined by the formula W equals $1,000(L + 40)$, W
44 = the gross weight in pounds, L = the length in feet between the centers
45 of the first and last axles of such vehicle or combination of vehicles, but
46 in computation of this formula no gross vehicle weight shall exceed
47 ~~eighty-five~~ NINETY-TWO thousand pounds. For the purposes of this
48 section, where a combination of vehicles is used, no vehicle shall carry
49 a gross weight of less than ten percent of the overall gross weight of the
50 combination of vehicles; except that these limitations shall not apply to
51 specialized trailers of fixed public utilities whose axles may carry less
52 than ten percent of the weight of the combination. The limitations
53 provided in this section shall be strictly construed and enforced."

54

55 Renumber succeeding sections accordingly.

56

1 Amendment No. 14, by Representative Sonnenberg.

2

3 Amend reengrossed bill, page 70 strike lines 14 through 27.

4

5 Page 71, strike lines 1 through 13 and substitute the following:

6 "SECTION 6. 42-4-510 (5), Colorado Revised Statutes, is
7 amended to read:

8

9 **42-4-510. Permits for excess size and weight and for**
10 **manufactured homes - rules.** (5) The department of transportation, the
11 motor carrier services division of the department of revenue, or the
12 Colorado state patrol shall, unless such action will jeopardize distribution
13 of federal highway funds to the state, authorize the operation or
14 movement of a vehicle or combination of vehicles on the interstate
15 highway system of Colorado at a maximum weight of ~~eighty-five~~ NINETY-
16 TWO thousand pounds."

17

18 Renumber succeeding sections accordingly.

19

20 As amended, ordered revised and placed on the Calendar for Third
21 Reading and Final Passage.

22

23 **HB09-1247** by Representative(s) Apuan--Concerning enactment of the
24 "Homebuyers' Energy Right-To-Know Act" requiring
25 disclosure of an existing home's energy usage in
26 connection with the sale of the home.

27

28 Laid over until March 6, retaining place on Calendar.

29

30

31 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

32

33 Representative(s) McNulty, Baumgardner, Gardner C., Looper,
34 Sonnenberg, and Tipton moved to amend the Report of the Committee of
35 the Whole to reverse the action taken by the Committee in not adopting
36 the following McNulty amendment, to SB09-108, to show that said
37 amendment passed, and that **SB09-108**, as amended, passed.

38

39 Amend the Transportation & Energy Committee Report, dated February
40 17, 2009, page 9, strike line 5 and substitute the following:

41

42 ""SECTION 12. 43-1-105, Colorado Revised Statutes, is
43 amended BY THE ADDITION OF A NEW SUBSECTION to read:

44

45 **43-1-105. Powers and duties of the executive director -**
46 **prohibition on vehicle miles traveled funding system research.**

47 (6) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE EXECUTIVE
48 DIRECTOR SHALL HAVE NO POWER TO RESEARCH, DESIGN, OR IMPLEMENT
49 OR PROVIDE ANY FINANCIAL OR HUMAN RESOURCES OF THE DEPARTMENT
50 TO ANY OTHER PERSON FOR THE RESEARCH, DESIGN, OR IMPLEMENTATION
51 OF ANY VEHICLE MILES TRAVELED BASED TRANSPORTATION FUNDING
52 ALTERNATIVE TO ALL OR ANY COMPONENT OF THE TRANSPORTATION
53 FUNDING SYSTEM OF THE STATE IN PLACE AS OF THE EFFECTIVE DATE OF
54 THIS SUBSECTION (6).

55

56 **SECTION 13.** 43-1-1402 (3), Colorado Revised Statutes, is".

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

	YES	27	NO	38	EXCUSED	0	ABSENT	0
4	Acree	Y	Green	N	McFadyen	N	Roberts	Y
5	Apuan	N	Hullinghorst	N	McGihon	N	Ryden	N
6	Balmer	Y	Judd	N	McKinley	Y	Scanlan	N
7	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	N
8	Benefield	N	Kerr A.	N	Merrifield	N	Solano	N
9	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y
10	Casso	N	King S.	Y	Miklosi	N	Soper	N
11	Court	N	Labuda	N	Murray	Y	Stephens	Y
12	Curry	N	Lambert	Y	Nikkel	Y	Summers	Y
13	Ferrandino	N	Levy	N	Pace	Y	Swalm	N
14	Fischer	N	Liston	Y	Peniston	N	Tipton	Y
15	Frangas	N	Looper	Y	Pommer	N	Todd	N
16	Gagliardi	N	Marostica	Y	Primavera	N	Vaad	N
17	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N
18	Gardner C.	Y	May	Y	Rice	N	Waller	Y
19	Gerou	Y	McCann	N	Riesberg	N	Weissmann	N
20							Speaker	N

21
22 Representative(s) Casso moved to amend the Report of the Committee of
23 the Whole to reverse the action taken by the Committee in not adopting
24 the following Casso amendment, to SB09-108, to show that said
25 amendment passed, and that **SB09-108**, as amended, passed.

26
27 Amend the Transportation & Energy Committee Report, dated February
28 17, 2009, page 7, after line 1, insert the following:

29
30 "Page 56, line 7, strike "**limitations.**" and substitute "**prohibition on**
31 **tolling of existing toll-free lanes.**".";

32
33 strike lines 4 through 14 of the committee report and substitute the
34 following:

35
36 "Page 66, strike lines 4 through 15.

37
38 Reletter succeeding paragraphs accordingly.

39
40 Page 66, after line 22, insert the following:

41
42 "(4) A TOLL HIGHWAY OPERATED BY THE TRANSPORTATION
43 ENTERPRISE OR OPERATED BY ANY PARTNER OF THE ENTERPRISE UNDER
44 THE TERMS OF A PUBLIC-PRIVATE PARTNERSHIP MAY NOT ELIMINATE A
45 PREVIOUSLY EXISTING HIGHWAY SEGMENT OR PREVIOUSLY EXISTING
46 HIGHWAY LANES THAT HAVE SERVED VEHICULAR TRAFFIC ON A TOLL-FREE
47 BASIS EXCEPT PURSUANT TO SECTION 42-4-1012, C.R.S.". "

48
49 The amendment was declared **lost** by the following roll call vote:

	YES	31	NO	34	EXCUSED	0	ABSENT	0
52	Acree	Y	Green	N	McFadyen	N	Roberts	Y
53	Apuan	N	Hullinghorst	N	McGihon	N	Ryden	N
54	Balmer	Y	Judd	N	McKinley	Y	Scanlan	N
55	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	N
56	Benefield	N	Kerr A.	N	Merrifield	N	Solano	Y

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

13
 14 Representative(s) Lambert, Kerr J., Nikkel, and McNulty moved to
 15 amend the Report of the Committee of the Whole to reverse the action
 16 taken by the Committee in not adopting the following Lambert
 17 amendment, to SB09-108, to show that said amendment passed, and that
 18 **SB09-108**, as amended, passed.

19
 20 Amend the Transportation & Energy Committee Report, page 7, line 20,
 21 strike "3." and substitute "3 and substitute the following:

22
 23 "(6) A CONTRACTOR THAT RECEIVES MONEYS FROM THE BRIDGE
 24 ENTERPRISE, THE TRANSPORTATION ENTERPRISE, OR A PERSON THAT IS A
 25 PARTNER OF THE TRANSPORTATION ENTERPRISE UNDER THE TERMS OF A
 26 PUBLIC-PRIVATE PARTNERSHIP SHALL USE THE FEDERAL E-VERIFY
 27 PROGRAM TO DETERMINE WHETHER INDIVIDUALS IT HIRES ARE UNITED
 28 STATES CITIZENS OR LEGAL IMMIGRANTS AUTHORIZED TO WORK IN THE
 29 UNITED STATES. THE BRIDGE ENTERPRISE, THE TRANSPORTATION
 30 ENTERPRISE, OR A PARTNER OF THE TRANSPORTATION ENTERPRISE SHALL
 31 ONLY CONTRACT WITH A CONTRACTOR THAT HAS ENTERED INTO A
 32 MEMORANDUM OF UNDERSTANDING THAT PROVIDES THE TERMS OF
 33 AGREEMENT BETWEEN THE CONTRACTOR, THE UNITED STATES SOCIAL
 34 SECURITY ADMINISTRATION, AND THE UNITED STATES CITIZENSHIP AND
 35 IMMIGRATION SERVICES IN THE DEPARTMENT OF HOMELAND SECURITY HAS
 36 AGREED IN WRITING TO USE THE FEDERAL E-VERIFY PROGRAM TO VERIFY
 37 THE LEGAL EMPLOYABILITY OF ALL NEWLY HIRED EMPLOYEES AS OF THE
 38 DATE OF THE CONTRACT AND TO REQUIRE ALL SUBCONTRACTORS OVER
 39 WHICH THEY HAVE CONTRACTS TO AGREE TO USE THE FEDERAL E-VERIFY
 40 PROGRAM FOR NEWLY HIRED EMPLOYEES. A VIOLATION BY A
 41 CONTRACTOR OR ITS SUBCONTRACTOR OF AN AGREEMENT TO USE THE
 42 FEDERAL E-VERIFY PROGRAM SHALL BE CAUSE FOR IMMEDIATE
 43 TERMINATION OF A CONTRACT BETWEEN THE CONTRACTOR AND THE
 44 BRIDGE ENTERPRISE, THE TRANSPORTATION ENTERPRISE, OR A PARTNER OF
 45 THE TRANSPORTATION ENTERPRISE. CONFORMING LANGUAGE SHALL
 46 APPEAR IN EACH WRITTEN CONTRACT."."

47
 48 The amendment was declared **lost** by the following roll call vote:

50	YES	29	NO	36	EXCUSED	0	ABSENT	0
51	Acree	Y	Green	N	McFadyen	N	Roberts	Y
52	Apuan	Y	Hullinghorst	N	McGihon	N	Ryden	N
53	Balmer	Y	Judd	N	McKinley	N	Scanlan	N
54	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	N
55	Benefield	N	Kerr A.	N	Merrifield	N	Solano	N
56	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y

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

12
13 Representative(s) Gardner C. moved to amend the Report of the
14 Committee of the Whole to reverse the action taken by the Committee in
15 not adopting the following Gardner C. amendment, to SB09-108, to show
16 that said amendment passed, and that **SB09-108**, as amended, passed.

17
18 Amend reengrossed bill, page 15, strike lines 20 through 22.

19
20 Renumber succeeding subparagraphs accordingly.

21
22 Page 16, strike lines 18 through 27.

23
24 Strike page 17.

25
26 Page 18, strike lines 1 through 21.

27
28 Reletter succeeding paragraphs accordingly.

29
30 Page 69, line 16, strike "(d)," and substitute "(c),".

31
32 Page 70, line 13, strike "(e)," and substitute "(d),".

33
34 Page 72, line 3, strike "(d)," and substitute "(c),".

35
36 The amendment was declared **lost** by the following roll call vote:

	YES	30	NO	35	EXCUSED	0	ABSENT	0
39	Acree	Y	Green	N	McFadyen	N	Roberts	Y
40	Apuan	Y	Hullinghorst	N	McGihon	N	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	Y	Looper	Y	Pommer	N	Todd	N
51	Gagliardi	N	Marostica	Y	Primavera	N	Vaad	Y
52	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N
53	Gardner C.	Y	May	Y	Rice	N	Waller	Y
54	Gerou	Y	McCann	N	Riesberg	Y	Weissmann	N
55							Speaker	N

56

1 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

2
3 Passed Second Reading: **HB09-1233 amended, SB09-001, HB09-**
4 **1061 amended, 1253 amended, 1200 amended, 1216 amended,**
5 **1001 amended, 1053 amended, 1100 amended, 1110 amended,**
6 **1116 amended, SB09-086, HB09-1191 amended, 1252, 1227 amended,**
7 **1262, 1263, 1281 amended, 1234 amended, 1085 amended,**
8 **1180 amended, SB09-108 amended.**

9
10 Laid over until date indicated retaining place on Calendar: **HB09-1247--**
11 **March 6, 2009.**

12
13 The Chairman moved the adoption of the Committee of the Whole
14 Report. As shown by the following roll call vote, a majority of those
15 elected to the House voted in the affirmative, and the Report was
16 **adopted.**

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

36
37
38
39
40 **MESSAGE FROM THE SENATE**

41
42 In response to the request of the House for the recall of SB09-212, the bill
43 is transmitted herewith.

44
45
46
47
48 **RECONSIDERATION OF SB09-212**

49
50 Having voted on the prevailing side, Representative Weissmann moved
51 for reconsideration of the last House action (Third reading, February 24,
52 page 496). As shown by the following recorded vote, a two-thirds
53 majority of those elected to the House voted in the affirmative and the
54 motion was declared **passed.**

55

	YES	62	NO	2	EXCUSED	1	ABSENT	0
1								
2	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
7	Bradford	Y	Kerr J.	N	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	E
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								

20 Representative Weissmann moved for reconsideration of the passage of
 21 the third reading amendment by Representative Pommer on **SB09-212**. As
 22 shown by the following recorded vote, a two-thirds majority of those
 23 elected to the House voted in the affirmative and the motion was declared
 24 **passed**.

	YES	61	NO	3	EXCUSED	1	ABSENT	0
27	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
28	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
29	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
30	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
31	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
32	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	Y
33	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
34	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
35	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
36	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	E
37	Fischer	Y	Liston	N	Peniston	Y	Tipton	Y
38	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
39	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
40	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
41	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
42	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
43							Speaker	Y
44								

45 As shown by the following roll call vote, a majority of all members
 46 elected to the House voted in the affirmative, and Representative Pommer
 47 was given permission to offer a Third Reading amendment:

	YES	62	NO	2	EXCUSED	1	ABSENT	0
50	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
51	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
52	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
53	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
54	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
55	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	Y
56	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y

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

11
12 **Third Reading amendment No. 1**, by Representative Pommer.

13
14 Amend revised bill, page 2, line 6, after "VENDOR", insert "THAT IS NOT
15 ALLOWED TO FILE ON A LESS FREQUENT BASIS THAN MONTHLY PURSUANT
16 TO SECTION 39-26-109";

17
18 line 8, strike "THE" and substitute "AN";

19
20 line 9, strike "PER VENDOR WHOSE MONTHLY TAX" and substitute "ALL
21 SALES TAX REPORTED ON ANY RETURN";

22
23 strike line 10;

24
25 line 11, strike "JULY 1," and substitute "DECEMBER 31,".

26
27 Page 3, after line 11, insert the following:

28
29 **"SECTION 3. Appropriation.** In addition to any other
30 appropriation, there is hereby appropriated, to the department of revenue,
31 for the fiscal year beginning July 1, 2008, the sum of one hundred forty
32 thousand two hundred seven dollars (\$140,207) and 1.2 FTE, or so much
33 thereof as may be necessary, for the implementation of this act. Of said
34 sum, one hundred thirty-nine thousand eight hundred ninety-eight dollars
35 (\$139,898) shall be from the general fund, and three hundred nine dollars
36 (\$309) shall be from the Colorado state titling and registration account
37 created in section 42-1-211 (2), Colorado Revised Statutes.".

38
39 Renumber succeeding section accordingly.

40
41 Page 1, line 105, strike "STATE." and substitute "STATE, AND MAKING AN
42 APPROPRIATION IN CONNECTION THEREWITH.".

43
44 The amendment was declared **passed** by the following roll call vote:

46	YES	50	NO	14	EXCUSED	1	ABSENT	0
47	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
48	Apuan	Y	Hullinghorst	Y	McGihon	N	Ryden	Y
49	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
50	Baumgardner	N	Kefalas	N	McNulty	N	Schafer S.	Y
51	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
52	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	N
53	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
54	Court	Y	Labuda	N	Murray	N	Stephens	Y
55	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
56	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	E

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	N	Vigil	Y
5	Gardner C.	N	May	Y	Rice	Y	Waller	N
6	Gerou	Y	McCann	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 **passed**.

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

31 32 33 34 35 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

36
37 The Speaker has signed: **SB09-211, 213**.

38 39 40 41 **INTRODUCTION OF BILLS** 42 **First Reading**

43
44 The following bills were read by title and referred to the committees
45 indicated:

46
47 **HB09-1292** by Representative(s) McGihon, Labuda, Levy; also
48 Senator(s) Veiga, Morse, Schwartz--Concerning
49 implementation of recommendations of the committee on
50 legal services in connection with legislative review of
51 rules and regulations of state agencies.

52 Committee on Legal Services

53
54 **SB09-126** by Senator(s) Newell, Hodge, Spence, Tochtrop; also
55 Representative(s) Apuan, Gagliardi, Swalm--Concerning
56 the voluntary contribution designation benefiting the

1 multiple sclerosis fund that appears on the state individual
2 income tax return forms, and, in connection therewith,
3 extending the period for the contribution designation.
4 Committee on Finance

5 _____
6
7

8 On motion of Representative Weissmann, the following bill(s) will be
9 calendared for March 2, 2009: HB09-1064, 1285, SB09-032, 055, 079,
10 HB09-1283.

11 _____
12
13

14 **LAY OVER OF CALENDAR ITEMS**

15
16 On motion of Representative Weissmann, the following items on the
17 Calendar were laid over until February 25, retaining place on Calendar:

18
19 Consideration of Resolution--**SJR09-014**.
20 Consideration of Senate Amendments--**HB09-1002, 1091**.

21 _____
22
23

24 On motion of Representative Weissmann, the House adjourned until
25 9:00 a.m., February 25, 2009.

26
27 Approved:
28 TERRANCE D. CARROLL,
29 Speaker

30 Attest:
31 MARILYN EDDINS,
32 Chief Clerk

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

Fiftieth Legislative Day

Wednesday, February 25, 2009

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
 2 Church, Denver.

3

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

5

6 Pledge of Allegiance led by Zach and Alyssa Robertson, Ebert
 7 Elementary and Montview Community Pre-School, Denver.

8

9 The roll was called with the following result:

10

11 Present--64.

12 Excused--Representative(s) Middleton--1.

13 Present after roll call--Representative(s) Middleton.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Hullinghorst, the reading of the journal of
 19 February 24, 2009, was declared dispensed with and approved as
 20 corrected by the Chief Clerk.

21

22

23

24 **THIRD READING OF BILLS--FINAL PASSAGE**

25

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

29

30 **SB09-209** by Senator(s) White, Keller, Tapia; also Representative(s)
 31 Marostica, Ferrandino, Pommer--Concerning the repeal of
 32 the inmate assistance demonstration grant program, and
 33 repealing an appropriation therefor.

34

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

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

39

40

	YES	64	NO	0	EXCUSED	1	ABSENT	0
41	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
42	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
43	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	E	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

15
16 **SB09-214** by Senator(s) Tapia, Keller, White; also Representative(s)
17 Pommer, Ferrandino, Marostica--Concerning appropri-
18 ations for the quality teacher program created in 2008.

19
20 The question being "Shall the bill 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 was declared **passed**.

24	YES	50	NO	14	EXCUSED	1	ABSENT	0
25								
26	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
27	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	N
28	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
29	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
30	Benefield	Y	Kerr A.	Y	Merrifield	N	Solano	Y
31	Bradford	N	Kerr J.	Y	Middleton	E	Sonnenberg	N
32	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
33	Court	N	Labuda	Y	Murray	Y	Stephens	Y
34	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
35	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
36	Fischer	Y	Liston	Y	Peniston	Y	Tipton	N
37	Frangas	N	Looper	Y	Pommer	Y	Todd	Y
38	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	N
39	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
40	Gardner C.	N	May	Y	Rice	Y	Waller	Y
41	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
42							Speaker	Y

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

44
45
46 **SB09-218** by Senator(s) White, Keller, Tapia; also Representative(s)
47 Ferrandino, Pommer, Marostica--Concerning an increase
48 in the amount of moneys appropriated from the state
49 general fund to the controlled maintenance trust fund for
50 the fiscal year beginning July 1, 2007.

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

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

56

	YES	63	NO	1	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
7	Bradford	Y	Kerr J.	Y	Middleton	E	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	N	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
20 **SB09-183** by Senator(s) Keller, Tapia, White; also Representative(s)
21 Pommer, Ferrandino, Marostica--Concerning a supple-
22 mental appropriation to the department of agriculture.
23

24 The question being "Shall the bill pass?".
25 A roll call vote was taken. As shown by the following recorded vote, a
26 majority of those elected to the House voted in the affirmative and the bill
27 was declared **passed**.
28

	YES	59	NO	6	EXCUSED	0	ABSENT	0
30	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
31	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
32	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
33	Baumgardner	N	Kefalas	Y	McNulty	Y	Schafer S.	Y
34	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
35	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
36	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
37	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
38	Curry	Y	Lambert	Y	Nikkel	N	Summers	Y
39	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
40	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
41	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
42	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
43	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
44	Gardner C.	N	May	Y	Rice	Y	Waller	Y
45	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
46							Speaker	Y

47
48 **SB09-184** by Senator(s) Keller, Tapia, White; also Representative(s)
49 Pommer, Ferrandino, Marostica--Concerning a supple-
50 mental appropriation to the department of corrections.
51

52 The question being "Shall the bill pass?".
53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.
56

	YES	63	NO	2	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McGihon	Y	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	N	Kefalas	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
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	N	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) Primavera, Schafer S.

20
 21 **SB09-186** by Senator(s) Keller, Tapia, White; also Representative(s)
 22 Pommer, Ferrandino, Marostica--Concerning a
 23 supplemental appropriation to the offices of the governor,
 24 lieutenant governor, and state planning and budgeting.
 25

26 The question being "Shall the bill 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 bill
 29 was declared **passed**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
31								
32	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
33	Apuan	Y	Hullingerhorst	Y	McGihon	Y	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	Y
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 Co-sponsor(s) added: Representative(s) Balmer, Bradford, King S., Labuda,
 50 Lambert, Looper, May, McGihon, Middleton, Nikkel, Priola, Roberts, Scanlan,
 51 Summers, Swalm, Tipton, Waller
 52

53 **SB09-187** by Senator(s) Keller, Tapia, White; also Representative(s)
 54 Pommer, Ferrandino, Marostica--Concerning a
 55 supplemental appropriation to the department of health
 56 care policy and financing.

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

24 Co-sponsor(s) added: Representative(s) Priola

25
 26
 27 **SB09-188** by Senator(s) Keller, Tapia, White; also Representative(s)
 28 Pommer, Ferrandino, Marostica--Concerning a
 29 supplemental appropriation to the department of higher
 30 education.

31
 32 The question being "Shall the bill 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 bill
 35 was declared **passed**.

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

55
 56

1 **SB09-189** by Senator(s) Keller, Tapia, White; also Representative(s)
 2 Pommer, Ferrandino, Marostica--Concerning a supple-
 3 mental appropriation to the department of human services.
 4

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

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

28
 29 **SB09-190** by Senator(s) Keller, Tapia, White; also Representative(s)
 30 Pommer, Ferrandino, Marostica--Concerning a
 31 supplemental appropriation to the judicial department.
 32

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

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

56

1 **SB09-191** by Senator(s) Keller, Tapia, White; also Representative(s)
 2 Pommer, Ferrandino, Marostica--Concerning a
 3 supplemental appropriation to the department of labor and
 4 employment.
 5

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

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

31
 32 **SB09-192** by Senator(s) Keller, Tapia, White; also Representative(s)
 33 Pommer, Ferrandino, Marostica--Concerning a
 34 supplemental appropriation to the department of law.
 35

36 The question being "Shall the bill 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 bill
 39 was declared **passed**.
 40

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

1	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
2							Speaker	Y

3 Co-sponsor(s) added: Representative(s) Balmer, Waller

4
5 **SB09-193** by Senator(s) Keller, Tapia, White; also Representative(s)
6 Pommer, Ferrandino, Marostica--Concerning a
7 supplemental appropriation to the department of local
8 affairs.
9

10 The question being "Shall the bill 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 bill
13 was declared **passed**.

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

33 Co-sponsor(s) added: Representative(s) Liston, McFadyen

34
35 **SB09-194** by Senator(s) Keller, Tapia, White; also Representative(s)
36 Pommer, Ferrandino, Marostica--Concerning a
37 supplemental appropriation to the department of military
38 and veterans affairs.
39

40 The question being "Shall the bill 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 bill
43 was declared **passed**.

45	YES	36	NO	29	EXCUSED	0	ABSENT	0
46	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
47	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	N
48	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
49	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
50	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
51	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
52	Casso	N	King S.	N	Miklosi	Y	Soper	Y
53	Court	Y	Labuda	Y	Murray	N	Stephens	N
54	Curry	Y	Lambert	N	Nikkel	N	Summers	N
55	Ferrandino	Y	Levy	Y	Pace	N	Swalm	Y
56	Fischer	Y	Liston	N	Peniston	Y	Tipton	N

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

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

11
 12 **SB09-198** by Senator(s) Keller, Tapia, White; also Representative(s)
 13 Pommer, Ferrandino, Marostica--Concerning a
 14 supplemental appropriation to the department of public
 15 safety.
 16

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

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

21	YES	44	NO	21	EXCUSED	0	ABSENT	0
23	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
24	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	N
25	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
26	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
27	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
28	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
29	Casso	N	King S.	N	Miklosi	Y	Soper	Y
30	Court	Y	Labuda	Y	Murray	N	Stephens	N
31	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
32	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
33	Fischer	Y	Liston	N	Peniston	Y	Tipton	Y
34	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
35	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
36	Gardner B.	N	Massey	N	Priola	N	Vigil	Y
37	Gardner C.	N	May	Y	Rice	Y	Waller	Y
38	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	Y
39							Speaker	Y

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

41
 42 **SB09-199** by Senator(s) Keller, Tapia, White; also Representative(s)
 43 Pommer, Ferrandino, Marostica--Concerning a
 44 supplemental appropriation to the department of regulatory
 45 agencies.
 46

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

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

51	YES	65	NO	0	EXCUSED	0	ABSENT	0
53	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y

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

14 Co-sponsor(s) added: Representative(s) Liston, Waller

15
 16 **SB09-200** by Senator(s) Keller, Tapia, White; also Representative(s)
 17 Pommer, Ferrandino, Marostica--Concerning a
 18 supplemental appropriation to the department of revenue.

19
 20 The question being "Shall the bill 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 bill
 23 was declared **passed**.

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

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

44
 45
 46
 47 **SB09-201** by Senator(s) Keller, Tapia, White; also Representative(s)
 48 Pommer, Ferrandino, Marostica--Concerning a
 49 supplemental appropriation to the department of state.

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	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
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								

20 **SB09-202** by Senator(s) Keller, Tapia, White; also Representative(s)
 21 Pommer, Ferrandino, Marostica--Concerning a
 22 supplemental appropriation to the department of
 23 transportation.
 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**.
 29

	YES	41	NO	24	EXCUSED	0	ABSENT	0
30								
31	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
32	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
33	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
34	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
35	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
36	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
37	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
38	Court	Y	Labuda	Y	Murray	N	Stephens	N
39	Curry	Y	Lambert	N	Nikkel	N	Summers	N
40	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
41	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
42	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
43	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	N
44	Gardner B.	N	Massey	N	Priola	Y	Vigil	Y
45	Gardner C.	N	May	N	Rice	Y	Waller	N
46	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	Y
47							Speaker	Y
48								
49								

50 **SB09-203** by Senator(s) Keller, Tapia, White; also Representative(s)
 51 Pommer, Ferrandino, Marostica--Concerning a
 52 supplemental appropriation to the department of the
 53 treasury.
 54

55 The question being "Shall the bill pass?".
 56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

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

22
23
24 House in recess. House reconvened.

25
26
27
28 **MESSAGE FROM THE SENATE**

29
30 The Senate has voted not to concur in House Amendments to SB09-215,
31 and requests that a Conference Committee be appointed. The President
32 appointed Senators Keller, Chair, Tapia and White, as members of the
33 First Conference Committee on SB09-215 on the part of the Senate. The
34 bill is transmitted herewith.

35
36 The Senate has voted not to concur in House Amendments to SB09-208,
37 and requests that a Conference Committee be appointed. The President
38 appointed Senators Keller, Chair, Tapia and White, as members of the
39 First Conference Committee on SB09-208 on the part of the Senate. The
40 bill is transmitted herewith.

41
42 The Senate has voted not to concur in House Amendments to SB09-217,
43 and requests that a Conference Committee be appointed. The President
44 appointed Senators Keller, Chair, Tapia and White, as members of the
45 First Conference Committee on SB09-217 on the part of the Senate. The
46 bill is transmitted herewith.

47
48 The Senate has voted not to concur in House Amendments to SB09-185,
49 and requests that a Conference Committee be appointed. The President
50 appointed Senators Keller, Chair, Tapia and White, as members of the
51 First Conference Committee on SB09-185 on the part of the Senate. The
52 bill is transmitted herewith.

53
54 The Senate has voted not to concur in House Amendments to SB09-210,
55 and requests that a Conference Committee be appointed. The President
56 appointed Senators Keller, Chair, Tapia and White as members of the

1 First Conference Committee on SB09-210 on the part of the Senate. The
 2 Senate has granted permission to the First Conference Committee on
 3 SB09-210 to go beyond the scope of the difference between the two
 4 houses. The bill is transmitted herewith.

5
 6 The Senate voted to concur in House amendments to and SB09-212
 7 repassed the bill as so amended.

8
 9

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11

APPOINTMENTS TO CONFERENCE COMMITTEES

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THIRD READING OF BILLS--(continued)

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SB09-108 by Senator(s) Gibbs; also Representative(s) Rice--
 Concerning the improvement of the transportation system
 of the state, and, in connection therewith, providing
 additional sources of funding for transportation and
 modifying the transportation planning process.

As shown by the following roll call vote, a majority of all members
 elected to the House voted in the affirmative, and Representative
 Sonnenberg was given permission to offer a Third Reading amendment:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Green	Y	McFadyen	Y	Roberts	Y	
Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y	
Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y	
Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y	
Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y	
Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y	
Casso	Y	King S.	Y	Miklosi	Y	Soper	Y	
Court	Y	Labuda	Y	Murray	Y	Stephens	Y	
Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y	
Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y	
Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y	
Frangas	Y	Looper	Y	Pommer	Y	Todd	Y	
Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y	
Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y	

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

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

7 Amend revised bill, page 80, after line 12, insert the following:

9 "SECTION 10. 42-4-510 (1) (b) (II) (A), (1) (b) (II) (B), and (11)
10 (a) (VI) (B), Colorado Revised Statutes, are amended, and the said
11 42-4-510 (11) (a) (VI) is further amended, BY THE ADDITION OF A
12 NEW SUB-SUBPARAGRAPH, to read:

14 **42-4-510. Permits for excess size and weight and for
15 manufactured homes - rules.** (1) (b) (II) An overweight permit issued
16 pursuant to this section shall be available for overweight divisible loads
17 if:

19 (A) The vehicle has a quad axle grouping AND THE MAXIMUM
20 GROSS WEIGHT OF THE VEHICLE DOES NOT EXCEED ONE HUNDRED TEN
21 THOUSAND POUNDS; OR

23 (B) THE VEHICLE HAS A TANDEM AXLE GROUPING ON THE POWER
24 UNIT AND THE TRAILER AND THE maximum gross weight OF THE VEHICLE
25 does not exceed ~~one hundred ten thousand~~ NINETY-TWO THOUSAND
26 pounds; AND

28 (11) (a) The department of transportation, the motor carrier
29 services division of the department of revenue, or the Colorado state
30 patrol may charge permit applicants permit fees as follows:

32 (VI) For overweight permits for divisible vehicles or loads
33 exceeding legal weight limits issued pursuant to subparagraph (II) of
34 paragraph (b) of subsection (1) of this section:

36 (B) Single trip permit FOR A VEHICLE THAT HAS A QUAD AXLE
37 GROUPING, thirty dollars plus ten dollars per axle; ~~and~~

39 (D) SINGLE TRIP PERMIT FOR A VEHICLE THAT HAS A TANDEM AXLE
40 GROUPING ON THE POWER UNIT AND THE TRAILER, FIFTEEN DOLLARS PLUS
41 TEN DOLLARS PER AXLE."

43 Renumber succeeding sections accordingly.

45 Page 87, line 23, strike "Section 8" and substitute "Sections 8, 9, and 10".

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

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

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

11
12 As shown by the following roll call vote, a majority of all members
13 elected to the House voted in the affirmative, and Representative Rice
14 was given permission to offer a Third Reading amendment:

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

34
35 **Third Reading amendment No. 2**, by Representative Rice.

36 Amend revised bill, page 6, line 7, strike "OR" and substitute "AND".

37
38 Page 27, line 10, strike "(VI), AND (VII)" and substitute "AND (VI)";

39
40 line 11, strike "(G)," and substitute "(g),".

41
42 Page 29, line 1, strike "(I)." and substitute "(I), AND THE MAXIMUM
43 AMOUNT OF THE BRIDGE SAFETY SURCHARGE THAT THE BRIDGE
44 ENTERPRISE MAY IMPOSE PURSUANT TO SUBPARAGRAPH (I) OF THIS
45 PARAGRAPH (g) FOR ANY VEHICLE REGISTRATION PERIOD COMMENCING
46 DURING THE 2010-11 FISCAL YEAR SHALL BE SEVENTY-FIVE PERCENT OF
47 THE MAXIMUM AMOUNT OF THE SURCHARGE SPECIFIED IN SAID
48 SUBPARAGRAPH (I).";

49
50 strike lines 15 through 20.

51
52 Renumber succeeding subparagraphs accordingly.

53
54 Page 73, line 26, strike "SECTION," and substitute "SECTION".

55
56

1 Page 74, line 1, after "ATTRIBUTABLE", insert "TO".

2

3 Page 75, line 24, strike "A rate" and substitute "rate";

4

5 line 26, after "~~32-9-119.4~~", insert "ANY RATE".

6

7 Page 76, line 10, strike "A RATE NOT TO EXCEED ONE AND ONE-HALF";

8

9 line 11, strike "PERCENT," and substitute "ANY RATE APPROVED BY THE
10 BOARD,".

11

12 Page 79, line 11, strike "42-4 -508 (1) (b)," and substitute "42-4-508 (1)
13 (b),".

14

15 Page 87, line 21, strike "subsection (2)" and substitute "subsections (2)
16 and (3)";

17

18 strike lines 23 and 24 and substitute the following:

19

20 "(2) Sections 8 and 9 of this act shall take effect January 1, 2010,
21 and shall apply to overweight permits issued on or after said date.

22

23 (3) Section 43-4-811, Colorado Revised Statutes, enacted by
24 section 1 of this act, shall take effect only if Senate Bill 09-094 is enacted
25 and becomes law.".

26

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

28

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

47

48 The question being, "Shall the bill, as amended, pass?".

49 A roll call vote was taken. As shown by the following recorded vote, a
50 majority of those elected to the House voted in the affirmative, and the
51 bill, as amended, was declared **passed**.

52

	YES	34	NO	31	EXCUSED	0	ABSENT	0
54	Acree	N	Green	Y	McFadyen	Y	Roberts	N
55	Apuan	N	Hullinghorst	Y	McGihon	Y	Ryden	Y
56	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y

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

15 Co-sponsor(s) added: Representative(s) Benefield, Court, Fischer, Frangas,
 16 Green, Hullinghorst, Judd, Labuda, Levy, McCann, Merrifield, Middleton,
 17 Ryden, Scanlan, Schafer S., Todd, Vigil, Speaker

18
 19 **HB09-1233** by Representative(s) Vigil; also Senator(s) Schwartz--
 20 Concerning the recognition of acequias, and, in connection
 21 therewith, authorizing acequia ditch corporations.

22
 23 The question being "Shall the bill pass?".
 24 A roll call vote was taken. As shown by the following recorded vote, a
 25 majority of those elected to the House voted in the affirmative and the bill
 26 was declared **passed**.

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

46 Co-sponsor(s) added: Representative(s) Court, Curry, Fischer, Frangas,
 47 Hullinghorst, Labuda, Looper, McNulty, Merrifield, Pace, Tipton

48
 49
 50 **SB09-001** by Senator(s) Gibbs and Penry, Kopp; also
 51 Representative(s) Scanlan and King S.--Concerning the
 52 establishment of community wildfire protection plans by
 53 county governments.

54
 55 The question being "Shall the bill pass?".
 56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
 2 was declared **passed**.

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

22 Co-sponsor(s) added: Representative(s) Baumgardner, Curry, Fischer, Frangas,
 23 Gerou, Kerr J., Labuda, Levy, Massey, Nikkel, Pace, Roberts, Stephens, Tipton,
 24 Todd, Speaker

25
 26 **HB09-1061** by Representative(s) McGihon; also Senator(s) Tochtrop--
 27 Concerning required health care disclosures involving
 28 insurance carrier business relationships with intermediary
 29 entities.

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**.

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

54 Co-sponsor(s) added: Representative(s) Gagliardi, Labuda, Levy, Ryden, Todd

1 **HB09-1253** by Representative(s) Pace, Apuan, Levy, McKinley,
 2 Miklosi, Vigil; also Senator(s) Tapia--Concerning
 3 processes for involuntary mental health treatment for
 4 defendants committed under title 16, Colorado Revised
 5 Statutes.

6
 7 The question being "Shall the bill pass?".
 8 A roll call vote was taken. As shown by the following recorded vote, a
 9 majority of those elected to the House voted in the affirmative and the bill
 10 was declared **passed**.

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

30 Co-sponsor(s) added: Representative(s) Acree, Casso, Hullinghorst, Kerr A.,
 31 King S., Labuda, Marostica, McFadyen, McGihon, Todd

32
 33 **HB09-1200** by Representative(s) Stephens, King S., Liston, Waller;
 34 also Senator(s) Scheffel, King K., Kopp--Concerning
 35 a requirement that the staff of the legislative council
 36 consider certain factors relating to counties in the local
 37 government impact section of a fiscal note.

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

	YES	57	NO	8	EXCUSED	0	ABSENT	0
45	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
46	Apuan	Y	Hullinghorst	Y	McGihon	N	Ryden	Y
47	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
48	Baumgardner	Y	Kefalas	Y	McNulty	N	Schafer S.	Y
49	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
50	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
51	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
52	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
53	Curry	Y	Lambert	N	Nikkel	Y	Summers	Y
54	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
55	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
56	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y

1	Gagliardi	Y	Marostica	Y	Primavera	N	Vaad	Y
2	Gardner B.	Y	Massey	Y	Priola	N	Vigil	Y
3	Gardner C.	N	May	Y	Rice	Y	Waller	Y
4	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Labuda, Looper, Massey, May

7
 8 **HB09-1216** by Representative(s) Murray; also Senator(s) Newell--
 9 Concerning voting by electors, and, in connection
 10 therewith, amending the election code to reflect changes
 11 brought about by the implementation of the statewide
 12 voter registration system and permanent mail-in voting.

13
 14 The question being "Shall the bill pass?".
 15 A roll call vote was taken. As shown by the following recorded vote, a
 16 majority of those elected to the House voted in the affirmative and the bill
 17 was declared **passed**.

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

37 Co-sponsor(s) added: Representative(s) Bradford, Court, Labuda, Looper,
 38 Middleton, Nikkel, Schafer S., Summers, Todd, Waller

39
 40 **HB09-1001** by Representative(s) Rice, Balmer, Liston, McFadyen,
 41 Solano; also Senator(s) Heath, Mitchell, Scheffel,
 42 Schwartz, Veiga--Concerning the creation of an income
 43 tax credit to incentivize Colorado job growth.

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

50	YES	52	NO	13	EXCUSED	0	ABSENT	0
51	Acree	Y	Green	N	McFadyen	Y	Roberts	Y
52	Apuan	Y	Hullinghorst	N	McGihon	N	Ryden	Y
53	Balmer	Y	Judd	N	McKinley	N	Scanlan	Y
54	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
55	Benefield	Y	Kerr A.	Y	Merrifield	N	Solano	Y
56	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y

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

12 Co-sponsor(s) added: Representative(s) Acree, Baumgardner, Bradford, Casso,
 13 Frangas, Gagliardi, Gardner B., Gerou, Kefalas, Kerr J., King S., Marostica,
 14 Massey, May, Middleton, Miklosi, Nikkel, Priola, Riesberg, Ryden, Scanlan,
 15 Schafer S., Stephens, Summers, Todd, Waller, Speaker

16
 17 **HB09-1053** by Representative(s) Balmer; also Senator(s) Romer--
 18 Concerning the regulation of financial institutions under
 19 the authority of the banking board, and making an
 20 appropriation therefor.

21
 22 The question being "Shall the bill pass?".
 23 A roll call vote was taken. As shown by the following recorded vote, a
 24 majority of those elected to the House voted in the affirmative and the bill
 25 was declared **passed**.

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

45
 46 **HB09-1100** by Representative(s) Benefield, Merrifield, Todd; also
 47 Senator(s) Tochtrop, Hudak--Concerning the creation of
 48 an "Alive at Twenty-five" special license plate, and
 49 making an appropriation therefor.

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**.

	YES	54	NO	11	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McGihon	N	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	Y
7	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
8	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	Y	Stephens	N
10	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
11	Ferrandino	N	Levy	Y	Pace	Y	Swalm	N
12	Fischer	Y	Liston	N	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.	N	Massey	Y	Priola	Y	Vigil	Y
16	Gardner C.	Y	May	Y	Rice	Y	Waller	N
17	Gerou	Y	McCann	Y	Riesberg	N	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) King S., Schafer S.

20
 21 **HB09-1110** by Representative(s) Scanlan; also Senator(s) Gibbs--
 22 Concerning information required to be provided to the
 23 county assessor upon request in connection with any
 24 advertisement for the rental of furnished residential real
 25 property within the state.

26
 27 The question being "Shall the bill pass?".

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

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

50 Co-sponsor(s) added: Representative(s) Liston

51
 52
 53 **HB09-1116** by Representative(s) Frangas, Ferrandino, Kefalas, Pace,
 54 Pommer, Primavera, Schafer S.; also Senator(s) Hudak,
 55 Bacon, Hodge, Sandoval, Tapia, Tochtrop, Williams--
 56 Concerning the inclusion of general fund moneys in the

1 children's dental plan cash fund for the children's dental
2 assistance program.

3
4 The question being "Shall the bill pass?".
5 A roll call vote was taken. As shown by the following recorded vote, a
6 majority of those elected to the House voted in the affirmative and the bill
7 was declared **passed**.

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

27 Co-sponsor(s) added: Representative(s) Acree, Apuan, Casso, Green, Labuda,
28 McGihon, Middleton, Riesberg, Ryden, Todd

29
30 **SB09-086** by Senator(s) Tapia, Hudak, Keller, King K., Kopp,
31 Romer, Spence, White, Bacon, Brophy, Groff, Isgar,
32 Kester, Newell, Penry, Schwartz, Tochtrop; also
33 Representative(s) Marostica, Acree, Baumgardner,
34 Benefield, Ferrandino, Kerr A., Massey, Murray, Pommer,
35 Roberts, Stephens, Summers, Todd, Curry, Fischer,
36 Gardner B., Gardner C., Kefalas, Looper, Middleton, Pace,
37 Sonnenberg--Concerning the creation of an online
38 university to be known as Colorado state university -
39 global campus.

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**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
47	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
48	Apuan	Y	Hullingerhorst	Y	McGihon	Y	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	Y
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	E	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) Apuan, Gerou, Green, Kerr J., King S.,
 9 Ryden, Schafer S.

10
 11 **HB09-1191** by Representative(s) McCann; also Senator(s) Boyd--
 12 Concerning liens of the department of health care policy
 13 and financing against claims against third parties.
 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

20	YES	64	NO	0	EXCUSED	1	ABSENT	0
21	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
22	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
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	E	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) Gerou, McGihon
 39

40 **HB09-1252** by Representative(s) Roberts, Massey, Vigil; also
 41 Senator(s) Isgar--Concerning the expansion of the "Local
 42 Access to Health Care Pilot Program Act" to allow
 43 creation of a pilot program in the San Luis valley.
 44

45 The question being "Shall the bill pass?".
 46 A roll call vote was taken. As shown by the following recorded vote, a
 47 majority of those elected to the House voted in the affirmative and the bill
 48 was declared **passed**.
 49

50	YES	59	NO	5	EXCUSED	1	ABSENT	0
51	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
52	Apuan	Y	Hullinghorst	Y	McGihon	N	Ryden	Y
53	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
54	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
55	Benefield	Y	Kerr A.	Y	Merrifield	N	Solano	Y
56	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y

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

12 Co-sponsor(s) added: Representative(s) Acree, Curry, Gerou, Kerr J., Looper,
13 Marostica, Priola, Swalm, Todd

14
15 **HB09-1227** by Representative(s) Frangas; also Senator(s) Hudak--
16 Concerning equity skimming of real property.

17
18 The question being "Shall the bill pass?".
19 A roll call vote was taken. As shown by the following recorded vote, a
20 majority of those elected to the House voted in the affirmative and the bill
21 was declared **passed**.

23	YES	61	NO	3	EXCUSED	1	ABSENT	0
24	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
25	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
26	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
27	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
28	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
29	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
30	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
31	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
32	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
33	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
34	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
35	Frangas	Y	Looper	Y	Pommer	E	Todd	Y
36	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
37	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
38	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
39	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
40							Speaker	Y

41 Co-sponsor(s) added: Representative(s) Ferrandino, Looper, Ryden, Todd

42
43 **HB09-1262** by Representative(s) Casso; also Senator(s) Morse--
44 Concerning the issuance of a summons instead of an arrest
45 warrant in certain circumstances.

46
47 The question being "Shall the bill pass?".
48 A roll call vote was taken. As shown by the following recorded vote, a
49 majority of those elected to the House voted in the affirmative and the bill
50 was declared **passed**.

52	YES	61	NO	3	EXCUSED	1	ABSENT	0
53	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
56	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y

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

14 Co-sponsor(s) added: Representative(s) Apuan, King S., Looper, McFadyen,
 15 Merrifield, Nikkel, Pace, Roberts, Ryden, Schafer S., Todd, Waller

16
 17 **HB09-1263** by Representative(s) Casso; also Senator(s) Carroll M.--
 18 Concerning time computation while an inmate is
 19 incarcerated in a county jail.

20
 21 The question being "Shall the bill pass?".
 22 A roll call vote was taken. As shown by the following recorded vote, a
 23 majority of those elected to the House voted in the affirmative and the bill
 24 was declared **passed**.

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

44 Co-sponsor(s) added: Representative(s) Apuan, Kerr A., King S., Levy,
 45 McFadyen, Merrifield, Nikkel, Pace, Priola, Roberts, Ryden, Todd, Vigil,
 46 Waller

47
 48
 49 **HB09-1281** by Representative(s) Labuda, Baumgardner, Casso,
 50 Frangas, Hullinghorst, Marostica, Murray, Schafer S.,
 51 Soper, Tipton; also Senator(s) Carroll M. and Newell--
 52 Concerning representation on state boards by persons with
 53 disabilities.

54
 55 The question being "Shall the bill pass?".
 56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

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

22 Co-sponsor(s) added: Representative(s) Apuan, Green, Kerr A., Levy,
23 McGihon, Merrifield, Middleton, Primavera, Ryden, Todd

24
25 **HB09-1234** by Representative(s) Kerr J. and Solano; also Senator(s)
26 Tochtrop--Concerning the immediate suspension of the
27 driver's license of a person who fails to appear for a
28 license suspension hearing.

29
30 The question being "Shall the bill pass?".
31 A roll call vote was taken. As shown by the following recorded vote, a
32 majority of those elected to the House voted in the affirmative and the bill
33 was declared **passed**.

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

53 Co-sponsor(s) added: Representative(s) Acree, Frangas, King S., Labuda,
54 Primavera, Ryden, Summers, Speaker

55

1 **HB09-1085** by Representative(s) Rice; also Senator(s) Heath--
 2 Concerning the regulation of mortgage loan originators,
 3 and, in connection therewith, modifying the "Mortgage
 4 Broker Licensing Act" to conform to the federal "Secure
 5 and Fair Enforcement for Mortgage Licensing Act of
 6 2008", exempting certain financial institutions from the
 7 list of prohibited practices under the act, and making an
 8 appropriation.
 9

10 The question being "Shall the bill 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 bill
 13 was declared **passed**.
 14

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

33 Co-sponsor(s) added: Representative(s) Hullinghorst, Massey, Priola, Ryden,
 34 Sonnenberg, Stephens, Todd
 35

36 **HB09-1180** by Representative(s) King S.; also Senator(s) Brophy--
 37 Concerning allowing valid Colorado concealed handgun
 38 permits to satisfy background check requirements for
 39 transfers of firearms.
 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**.
 45

	YES	58	NO	6	EXCUSED	1	ABSENT	0
47	Acree	Y	Green	N	McFadyen	Y	Roberts	Y
48	Apuan	Y	Hullinghorst	Y	McGihon	N	Ryden	Y
49	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
50	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
51	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
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	N	Liston	Y	Peniston	Y	Tipton	Y
2	Frangas	N	Looper	Y	Pommer	E	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	N	Weissmann	Y
7							Speaker	Y

8 Co-sponsor(s) added: Representative(s) Acree, Baumgardner, Gardner B.,
 9 Kerr J., Liston, Looper, Massey, McFadyen, Middleton, Nikkel, Pace, Roberts,
 10 Sonnenberg, Summers, Tipton, Vaad, Waller

11
 12
 13
 14 **CONSIDERATION OF RESOLUTION**

15
 16 **SJR09-014** by Senator(s) Heath; also Representative(s) Miklosi--
 17 Concerning recognition of career and technical education
 18 month.

19
 20 (Printed and placed in members file)

21
 22 On motion of Representative Miklosi, the resolution was read at length
 23 and **adopted** by **viva voce** vote.

24
 25 Co-sponsor(s) added: Representative(s) Acree, Apuan, Balmer, Baumgardner,
 26 Benefield, Bradford, Casso, Court, Curry, Ferrandino, Fischer, Frangas,
 27 Gardner B., Gardner C., Gerou, Green, Hullinghorst, Judd, Kefalas, Kerr A.,
 28 Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Marostica, Massey,
 29 May, McCann, McFadyen, McGihon, McKinley, McNulty, Merrifield,
 30 Middleton, Murray, Nikkel, Pace, Peniston, Primavera, Priola, Rice, Riesberg,
 31 Roberts, Ryden, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers,
 32 Swalm, Tipton, Todd, Vaad, Vigil, Waller, Weissmann

33
 34
 35
 36 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

37
 38 **HB09-1002** by Representative(s) McFadyen; also Senator(s) Tapia--
 39 Concerning the operation of the state lottery.

40
 41 (Amended as printed in Senate Journal, February 17, page 356.)

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

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

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

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

33 Co-sponsor(s) added: Representative(s) Lambert, Middleton, Vigil, Waller

34
 35 **HB09-1091** by Representative(s) Soper and Court, McGihon,
 36 Merrifield, Todd; also Senator(s) Romer, Schwartz--
 37 Concerning a requirement that carbon monoxide alarms be
 38 installed in residential properties.

39
 40 (Amended as printed in Senate Journal, February 19, page 393, and on
 41 Third Reading, February 20.)

42
 43 Representatives Soper and Court moved that the House **concur** in Senate
 44 amendments. The motion was declared **passed** by the following roll call
 45 vote:

47	YES	37	NO	24	EXCUSED	4	ABSENT	0
48	Acree	N	Green	Y	McFadyen	Y	Roberts	N
49	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	N
50	Balmer	N	Judd	Y	McKinley	N	Scanlan	E
51	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
52	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	N
53	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	Y
54	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
55	Court	Y	Labuda	N	Murray	N	Stephens	Y
56	Curry	Y	Lambert	Y	Nikkel	N	Summers	N

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

15	YES	42	NO	19	EXCUSED	4	ABSENT	0
16	Acree	N	Green	Y	McFadyen	Y	Roberts	N
17	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
18	Balmer	N	Judd	Y	McKinley	N	Scanlan	E
19	Baumgardner	Y	Kefalas	Y	McNulty	N	Schafer S.	Y
20	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
21	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
22	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
23	Court	Y	Labuda	Y	Murray	N	Stephens	Y
24	Curry	Y	Lambert	N	Nikkel	Y	Summers	N
25	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
26	Fischer	Y	Liston	N	Peniston	Y	Tipton	Y
27	Frangas	Y	Looper	N	Pommer	E	Todd	Y
28	Gagliardi	E	Marostica	Y	Primavera	Y	Vaad	Y
29	Gardner B.	N	Massey	Y	Priola	Y	Vigil	Y
30	Gardner C.	N	May	N	Rice	Y	Waller	N
31	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
32							Speaker	E

33 Co-sponsor(s) added: Representative(s) Curry, Hullinghorst, Miklosi,
 34 Schafer S., Solano

PRINTING REPORT

40 The Chief Clerk reports the following bill has been correctly printed:
 41 **HB09-1292.**

MESSAGE FROM THE SENATE

46 The Senate has passed on Third Reading and transmitted to the Revisor
 47 of Statutes: SB09-175, SB09-181.

49 The Senate has passed on Third Reading and returns herewith
 50 HB09-1024, HB09-1037.

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

55 SB09-182 amended as printed in Senate Journal, February 24, 2009,
 56 page 484

- 1 SB09-165 amended as printed in Senate Journal, February 24, 2009,
2 page 484
3 SB09-132 amended as printed in Senate Journal, February 24, 2009,
4 page 485-486
5 SB09-025 amended as printed in Senate Journal, February 24, 2009,
6 page 486
7 SB09-031 amended as printed in Senate Journal, February 24, 2009,
8 page 486
9 SB09-076 amended as printed in Senate Journal, February 24, 2009,
10 page 489
11 SB09-068 amended as printed in Senate Journal, February 24, 2009,
12 page 485
13 SB09-171 amended as printed in Senate Journal, February 24, 2009,
14 page 490
15 SB09-026 amended as printed in Senate Journal, February 24, 2009,
16 page 490
17 SB09-179 amended as printed in Senate Journal, February 24, 2009,
18 page 490
19 SB09-061 amended as printed in Senate Journal, February 20, 2009,
20 page 428, and on Third Reading, February 25, 2009, as
21 printed in the Senate Journal
22 SB09-159 amended as printed in Senate Journal, February 24, 2009,
23 page 485.
24
25

26
27 **MESSAGE FROM THE REVISOR**
28

29 We herewith transmit:
30 Without comment, SB09-175 and 181.
31 Without comment, as amended, SB09-182, 165, 132, 025, 031, 076, 068,
32 171, 026, 179, 061, and 159.
33

34
35
36 On motion of Representative Weissmann, the House adjourned until
37 1:00 p.m., March 1, 2009.
38

39
40
41
42 Attest:
43 MARILYN EDDINS,
44 Chief Clerk

Approved:
TERRANCE D. CARROLL,
Speaker

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

Fifty-fourth Legislative Day

Sunday, March 1, 2009

1 The Speaker *Pro Tempore* called the House to order at 1:00 p.m.

2

3 The roll was called with the following result:

4

5 Present--5.

6 Excused--Representative(s) Acree, Apuan, Balmer, Baumgardner,

7 Benefield, Bradford, Casso, Court, Ferrandino, Fischer, Gagliardi,

8 Gardner B., Gardner C., Gerou, Green, Hullinghorst, Judd,

9 Kefalas, Kerr A., King, Labuda, Lambert, Levy, Liston, Looper,

10 Marostica, Massey, May, McCann, McFadyen, McGihon,

11 McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray,

12 Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice,

13 Riesberg, Roberts, Ryden, Scanlan, Schafer, Solano, Sonnenberg,

14 Soper, Stephens, Swalm, Tipton, Todd, Vaad, Vigil, Waller, Mr.

15 Speaker--60.

16

17 The Speaker declared a quorum was not present.

18

19

20 The Speaker *Pro Tempore* stated that in the absence of a quorum, under

21 Article V, Section 11, of the Colorado State Constitution the House can

22 adjourn from day to day without a quorum, and the House would stand

23 adjourned until 10:00 a.m., March 2, 2009.

24

25

26

27

28 Attest:

29 MARILYN EDDINS,

30 Chief Clerk

Approved:

TERRANCE D. CARROLL,

Speaker

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

Fifty-fifth Legislative Day

Monday, March 2, 2009

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
2
3 The Speaker *Pro Tempore* called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Abigail Bauman, Jordan Hamilton,
6 Lily Olson, Ryleigh Rickli, Owen Schmacher, Anabel TeKrony, Willow
7 Learning Center, Littleton.
8
9 The roll was called with the following result:
10
11 Present--62.
12 Excused--Representative(s) Baumgardner, McFadyen, Carroll T.--3.
13 Present after roll call--Representative(s) Carroll T., McFadyen.
14
15 The Speaker *Pro Tempore* declared a quorum present.
16
17
18 On motion of Representative McCann, the reading of the journals of
19 February 25, 2009 and March 1, 2009, were declared dispensed with and
20 approved as corrected by the Chief Clerk.
21
22
23
24
25

REPORT(S) OF COMMITTEE(S) OF REFERENCE

26
27
28 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**
29 After consideration on the merits, the Committee recommends the
30 following:
31
32 **HB09-1289** be amended as follows, and as so amended, be referred to
33 the Committee on Appropriations with favorable
34 recommendation:
35
36 Amend printed bill, page 3, line 20, strike "Fish Conservation" and
37 substitute "Natural Areas Program".
38
39
40
41
42

1 **FINANCE**

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

4
5 **HB09-1173** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:

8
9 Amend printed bill, page 9, line 20, strike "KNOWINGLY AND WILLINGLY";
10
11 line 23, strike "KNOWINGLY AND WILLINGLY".

12
13 Page 11, line 14, after the period, add "IF A PERSON FAILS TO FILE A
14 MEMORANDUM OR COPY OF THE INVOICE AS REQUIRED BY THIS
15 PARAGRAPH (a), THERE SHALL BE LEVIED AND COLLECTED A PENALTY FOR
16 THE FAILURE IN THE AMOUNT OF FIFTY DOLLARS PER DAY, OR PORTION
17 THEREOF, DURING WHICH THE FAILURE CONTINUES FOR EACH OMITTED
18 INVOICE FROM THE PREVIOUS CALENDAR MONTH. ANY MONEYS RECEIVED
19 PURSUANT TO THIS PARAGRAPH (a) SHALL BE REMITTED TO THE STATE
20 TREASURER FOR DEPOSIT IN THE TOBACCO TAX ENFORCEMENT CASH FUND
21 CREATED IN SECTION 39-28-107 (3) (c).".

22
23
24
25 **HB09-1196** be referred favorably to the Committee on Appropriations.

26
27
28 **HB09-1213** be referred to the Committee of the Whole with favorable
29 recommendation.

30
31
32 **HB09-1242** be amended as follows, and as so amended, be referred to
33 the Committee on Appropriations with favorable
34 recommendation:

35
36 Amend printed bill, page 2, strike lines 2 through 7 and substitute the
37 following:

38
39 "SECTION 1 23-5-112, Colorado Revised Statutes, is amended
40 BY THE ADDITION OF A NEW SUBSECTION to read:

41
42 **23-5-112. Gifts and bequests to institutions of higher education**
43 **- venture development investment funds.** (4) (a) EACH STATE
44 INSTITUTION OF HIGHER EDUCATION MAY ELECT TO ESTABLISH A VENTURE
45 DEVELOPMENT INVESTMENT FUND FOR THE PURPOSE OF FACILITATING THE
46 COMMERCIALIZATION OF RESEARCH PROJECTS CONDUCTED AT A RESEARCH
47 INSTITUTION OF THE INSTITUTION. A VENTURE DEVELOPMENT FUND MAY
48 BE ADMINISTERED BY A NONPROFIT ENTITY SUCH AS A FOUNDATION,
49 INSTITUTE, OR SIMILAR ORGANIZATION THAT IS AFFILIATED WITH THE
50 INSTITUTION.

51
52 (b) THE PURPOSES OF A VENTURE DEVELOPMENT INVESTMENT
53 FUND ESTABLISHED BY A STATE INSTITUTION OF HIGHER EDUCATION
54 PURSUANT TO THIS SECTION SHALL INCLUDE, BUT NEED NOT BE LIMITED
55 TO, PROVIDING THE FOLLOWING:

56

1 (I) CAPITAL FOR ENTREPRENEURIAL PROGRAMS THAT ARE
2 ASSOCIATED WITH THE INSTITUTION;
3

4 (II) OPPORTUNITIES FOR STUDENTS OF THE INSTITUTION TO GAIN
5 EXPERIENCE IN APPLYING RESEARCH TO COMMERCIAL ACTIVITIES;
6

7 (III) PROOF-OF-CONCEPT FUNDING FOR THE PURPOSE OF
8 TRANSFORMING RESEARCH AND DEVELOPMENT CONCEPTS INTO
9 COMMERCIALLY VIABLE PRODUCTS OR SERVICES; AND
10

11 (IV) ENTREPRENEURIAL OPPORTUNITIES FOR PERSONS WHO ARE
12 INTERESTED IN TRANSFORMING RESEARCH INTO VIABLE COMMERCIAL
13 VENTURES THAT CREATE JOBS IN COLORADO.
14

15 (c) EACH STATE INSTITUTION OF HIGHER EDUCATION AND EACH
16 NONPROFIT ENTITY, SUCH AS A FOUNDATION, INSTITUTE, OR SIMILAR
17 ORGANIZATION, THAT IS AFFILIATED WITH A STATE INSTITUTION OF HIGHER
18 EDUCATION IS AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, AND
19 DONATIONS TO FACILITATE THE ESTABLISHMENT OF A VENTURE
20 DEVELOPMENT INVESTMENT FUND.
21

22 (d) INDIVIDUALS, BUSINESSES, AND OTHER ENTITIES ARE
23 ENCOURAGED TO DONATE MONEYS TO RESEARCH INSTITUTIONS OF STATE
24 INSTITUTIONS OF HIGHER EDUCATION FOR THE PURPOSE OF ADVANCING
25 THE COMMERCIALIZATION OF RESEARCH PROJECTS AT THE RESEARCH
26 INSTITUTIONS."
27

28 Strike pages 3 through 10.
29

30 Page 11, strike lines 1 through 8.
31

32 Renumber succeeding section accordingly.
33

34 Page 1, line 101, strike "A CREDIT AGAINST STATE INCOME TAX FOR".
35
36
37

38 **HB09-1271** be postponed indefinitely.
39
40
41

42 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
43

44 The Speaker has signed: **SB09-015, 108, 206, 207, 212.**
45
46

47 **MESSAGES FROM THE SENATE**
48

49 The Senate has adopted and transmits herewith: SJR09-015
50
51

52 The Senate has adopted and transmits herewith: SJR09-016.
53

54 The Senate voted to concur in House amendments to SB09-108, and
55 repassed the bill as so amended.
56

INTRODUCTION OF BILL
First Reading

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The following bill was read by title and referred to the committee indicated:

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

Committee on Health and Human Services

INTRODUCTION OF RESOLUTIONS

The following resolutions were laid over until later in the day:

SJR09-015 by Senator(s) Gibbs; also Representative(s) Scanlan--Concerning stewardship contracting.

SJR09-016 by Senator(s) Bacon and Romer; also Representative(s) Kefalas--Concerning the recognition of the Peace Corps on the occasion of its forty-eighth anniversary.

On motion of Representative Primavera, the House resolved itself into Committee of the Whole for consideration of General Orders, and she was called to the Chair to act as Chairman.

GENERAL ORDERS--SECOND READING OF BILLS

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.)

HB09-1064 by Representative(s) Kefalas, Fischer, Frangas, Hullinghorst, Solano, Todd--Concerning creating a legislative committee to study poverty issues, and, in connection therewith, establishing the economic opportunity poverty reduction task force for the purpose of advancing economic opportunity while reducing child and family poverty.

1 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
2 January 27, 2009, and placed in member's bill file; Report also printed in
3 House Journal, January 28, page 159.

4
5 Amendment No. 2, Appropriations Report, dated February 20, 2009, and
6 placed in member's bill file; Report also printed in House Journal,
7 February 24, pages 509-510.

8
9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.

11
12 **HB09-1285** by Representative(s) Benefield, Kerr A., Massey,
13 Middleton, Miklosi, Scanlan, Schafer S., Summers, Todd;
14 also Senator(s) King K.--Concerning the government data
15 advisory board, and, in connection therewith, creating the
16 education data subcommittee to make recommendations
17 for creation of a statewide comprehensive P-20 education
18 data system.

19
20 Amendment No. 1, Education Report, dated February 23, 2009, and
21 placed in member's bill file; Report also printed in House Journal,
22 February 24, pages 511-512.

23
24 Amendment No. 2, by Representative Benefield.

25
26 Amend the Education Committee Report, dated February 23, 2009, page
27 1, line 4, strike "OFFICER" and substitute "OFFICER, OR HIS OR HER
28 DESIGNEE,".

29
30 Page 2 of the committee report, before line 5, insert the following:

31
32 "Page 5 of the printed bill, line 4, strike "OFFICER" and substitute
33 "OFFICER, OR HIS OR HER DESIGNEE,";"

34
35 line 5 of the committee report, strike "Page 5,";

36
37 after line 11 of the committee report, add the following:

38 "Page 9 of the printed bill, line 15, strike "APPOINTED" and substitute
39 "SELECTED"."

40
41 As amended, ordered engrossed and placed on the Calendar for Third
42 Reading and Final Passage.

43
44 **SB09-032** by Senator(s) Groff, Hudak, King K., Penry, Romer,
45 Spence; also Representative(s) Marostica and Todd,
46 Carroll T., Gardner C., Massey, McNulty, Rice, Scanlan--
47 Concerning creation of the education innovation institute
48 at the university of northern Colorado.

49
50 Amendment No. 1, Education Report, dated February 23, 2009, and
51 placed in member's bill file; Report also printed in House Journal,
52 February 24, page 512.

53
54 As amended, ordered revised and placed on the Calendar for Third
55 Reading and Final Passage.

56

1 **SB09-055** by Senator(s) Isgar, Keller, Kester, White; also
 2 Representative(s) Judd, Roberts--Concerning the family
 3 resource center program.
 4

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

8 **SB09-079** by Senator(s) Newell, Boyd; also Representative(s) Acree
 9 and Kefalas, Primavera--Concerning improving the well-
 10 being of children in the foster care system by improving
 11 the ability of birth siblings to maintain long-term
 12 connections.
 13

14 Ordered revised and placed on the Calendar for Third Reading and Final
 15 Passage.
 16

17 **HB09-1283** by Representative(s) Sonnenberg; also Senator(s)
 18 Shaffer B.--Concerning an increase in the penalty for
 19 careless driving resulting in death.
 20

21 Declared **lost** on Second Reading.
 22
 23
 24

25 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

26
 27 Representative(s) Sonnenberg moved to amend the Report of the
 28 Committee of the Whole to reverse the action taken by the Committee in
 29 not adopting HB09-1283, to show that **HB09-1283** passed.
 30

31 The amendment was declared **lost** by the following roll call vote:
 32

	YES	27	NO	36	EXCUSED	2	ABSENT	0
34	Acree	Y	Green	Y	McFadyen	N	Roberts	Y
35	Apuan	Y	Hullinghorst	N	McGihon	N	Ryden	N
36	Balmer	Y	Judd	N	McKinley	N	Scanlan	Y
37	Baumgardner	E	Kefalas	N	McNulty	Y	Schafer S.	N
38	Benefield	N	Kerr A.	Y	Merrifield	Y	Solano	N
39	Bradford	N	Kerr J.	Y	Middleton	N	Sonnenberg	Y
40	Casso	Y	King S.	Y	Miklosi	N	Soper	N
41	Court	N	Labuda	N	Murray	Y	Stephens	N
42	Curry	Y	Lambert	Y	Nikkel	N	Summers	Y
43	Ferrandino	N	Levy	N	Pace	N	Swalm	N
44	Fischer	N	Liston	Y	Peniston	N	Tipton	N
45	Frangas	Y	Looper	N	Pommer	N	Todd	N
46	Gagliardi	N	Marostica	Y	Primavera	Y	Vaad	Y
47	Gardner B.	Y	Massey	Y	Priola	N	Vigil	N
48	Gardner C.	Y	May	N	Rice	N	Waller	N
49	Gerou	Y	McCann	Y	Riesberg	N	Weissmann	N
50							Speaker	E

51
 52
 53
 54
 55

1 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

2
3 Passed Second Reading: **HB09-1064 amended, 1285 amended, SB09-**
4 **032 amended, 055, 079.**

5
6 Lost on Second Reading: **HB09-1283.**

7
8 The Chairman moved the adoption of the Committee of the Whole
9 Report. As shown by the following roll call vote, a majority of those
10 elected to the House voted in the affirmative, and the Report was
11 **adopted.**

	YES	63	NO	0	EXCUSED	2	ABSENT	0
14	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
15	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
16	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
17	Baumgardner	E	Kefalas	Y	McNulty	Y	Schafer S.	Y
18	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
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	E

31
32
33
34
35 **CONSIDERATION OF RESOLUTIONS**

36
37 On motion of Representative Weissmann, the rules were suspended and
38 the following resolutions were given immediate consideration.

39
40 **SJR09-015** by Senator(s) Gibbs; also Representative(s) Scanlan--
41 Concerning stewardship contracting.

42
43 (Printed and placed in member's file).

44
45 On motion of Representative Scanlan, the resolution was **adopted by viva**
46 **voce** vote.

47
48 Co-sponsor(s) added: Representative(s) Acree, Apuan, Balmer, Benefield,
49 Bradford, Casso, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi,
50 Gardner B., Gardner C., Gerou, Green, Hullinghorst, Judd, Kefalas, Kerr A.,
51 Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Marostica, Massey,
52 May, McCann, McFadyen, McGihon, McKinley, McNulty, Merrifield,
53 Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera,
54 Priola, Rice, Riesberg, Roberts, Ryden, Schafer S., Solano, Sonnenberg, Soper,
55 Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil, Waller, Weissmann

56

1 **SJR09-016** by Senator(s) Bacon and Romer; also Representative(s)
 2 Kefalas--Concerning the recognition of the Peace Corps
 3 on the occasion of its forty-eighth anniversary.
 4

5 (Printed and placed in member's file).
 6

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

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

20
 21 **CONSENT GRANTED TO CONFERENCE COMMITTEE**
 22

23 Representative Pommer moved that the First Conference Committee on
 24 **SB09-210** be granted permission to go beyond the scope of the difference
 25 between the House and the Senate. The motion was passed by the
 26 following roll call vote:
 27

	YES	61	NO	2	EXCUSED	2	ABSENT	0
29 Acree	Y		Green	Y	McFadyen	Y	Roberts	Y
30 Apuan	Y		Hullinghorst	Y	McGihon	Y	Ryden	Y
31 Balmer	Y		Judd	Y	McKinley	Y	Scanlan	Y
32 Baumgardner	E		Kefalas	Y	McNulty	Y	Schafer S.	Y
33 Benefield	Y		Kerr A.	Y	Merrifield	Y	Solano	Y
34 Bradford	Y		Kerr J.	Y	Middleton	Y	Sonnenberg	N
35 Casso	Y		King S.	Y	Miklosi	Y	Soper	Y
36 Court	Y		Labuda	Y	Murray	Y	Stephens	Y
37 Curry	Y		Lambert	Y	Nikkel	Y	Summers	Y
38 Ferrandino	Y		Levy	Y	Pace	Y	Swalm	Y
39 Fischer	Y		Liston	Y	Peniston	Y	Tipton	Y
40 Frangas	Y		Looper	Y	Pommer	Y	Todd	Y
41 Gagliardi	Y		Marostica	Y	Primavera	Y	Vaad	Y
42 Gardner B.	Y		Massey	Y	Priola	Y	Vigil	Y
43 Gardner C.	N		May	Y	Rice	Y	Waller	Y
44 Gerou	Y		McCann	Y	Riesberg	Y	Weissmann	Y
45							Speaker	E

46
 47
 48
 49 On motion of Representative Weissmann, the following bill(s) will be
 50 calendared for Friday March 6, 2009: HB09-1213.
 51

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

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SJR09-008, 012, 013.**

MESSAGE FROM THE SENATE

The Senate has passed on Third Reading and returns herewith HB09-1155, HB09-1030, HB09-1044, and HB09-1121.

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

HB09-1021 amended as printed in Senate Journal, February 27, page 525.

MESSAGE FROM THE REVISOR

We herewith transmit:
Without comment, as amended, HB09-1021.

**INTRODUCTION OF BILLS
First Reading**

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

HB09-1294 by Representative(s) Vigil; also Senator(s) Schwartz--
Concerning the voluntary contribution designation benefiting the nongame and endangered wildlife fund that appears on the state individual income tax return forms, and, in connection therewith, extending the period for the contribution designation.

Committee on Finance

HB09-1295 by Representative(s) Todd and Massey, Carroll T., Benefield, Merrifield, Middleton, Casso, Frangas, Hullinghorst, Kerr A., Labuda, McGihon, Miklosi, Murray, Scanlan; also Senator(s) Heath, Bacon, King K., Veiga, Spence--Concerning authorizing Metropolitan state college of Denver to offer master's degree programs.

Committee on Education

HB09-1296 by Representative(s) Green--Concerning extending the repeal date for the reading assistance grant program.

Committee on Education

HB09-1297 by Representative(s) Frangas--Concerning membership appointments to the advisory committee on licensing of child care facilities.

Committee on Health and Human Services

- 1 **HB09-1298** by Representative(s) McFadyen and Gardner C., Liston,
2 Rice, Solano; also Senator(s) Mitchell, Heath, Scheffel,
3 Schwartz--Concerning economic development for the
4 trucking industry in Colorado.
5 Committee on Finance
6 Committee on Appropriations
7
- 8 **SB09-002** by Senator(s) Morse, Bacon, Foster, Isgar, Keller, Newell,
9 White; also Representative(s) Peniston, Gagliardi, Levy,
10 Marostica, Massey, Miklosi, Roberts--Concerning an
11 increase in the motor vehicle registration fee to fund the
12 emergency medical services account within the highway
13 users tax fund, and making an appropriation in connection
14 therewith.
15 Committee on Transportation & Energy
16 Committee on Finance
17
- 18 **SB09-025** by Senator(s) Spence; also Representative(s) Benefield--
19 Concerning an extension of fees on certain identification
20 documents issued by the department of revenue to fund
21 identification security, and making an appropriation in
22 connection therewith.
23 Committee on Finance
24
- 25 **SB09-026** by Senator(s) Williams; also Representative(s) Riesberg--
26 Concerning the regulation of athletic trainers, and making
27 an appropriation in connection therefor.
28 Committee on Business Affairs and Labor
29
- 30 **SB09-031** by Senator(s) Heath; also Representative(s) Riesberg--
31 Concerning the creation of the clean technology discovery
32 evaluation grant program, and making an appropriation
33 therefore.
34 Committee on Transportation & Energy
35
- 36 **SB09-042** by Senator(s) Tapia; also Representative(s) Vigil and
37 Peniston--Concerning the administration of the exempt
38 status of property for property tax purposes.
39 Committee on Finance
40
- 41 **SB09-048** by Senator(s) Schwartz, Isgar, Schultheis, Tochtrop; also
42 Representative(s) Primavera, Kerr J., McNulty--
43 Concerning the financial audit of the office of the child's
44 representative.
45 Committee on Judiciary
46
- 47 **SB09-057** by Senator(s) Harvey, Kopp; also Representative(s)
48 Stephens--Concerning searchable budget database web
49 sites containing public education financial information,
50 and, in connection therewith, enacting the "Public School
51 Financial Transparency Act".
52 Committee on Education
53
54
55

- 1 **SB09-061** by Senator(s) Carroll M.; also Representative(s)
2 Primavera--Concerning the qualifications of health care
3 professionals who review claims for medical treatment
4 under insurance policies.
5 Committee on Health and Human Services
6
- 7 **SB09-066** by Senator(s) Tochtrop, Isgar, Schultheis; also
8 Representative(s) Primavera--Concerning the
9 consolidation of public employee retirement plans under
10 the public employees' retirement association, and making
11 an appropriation in connection therewith.
12 Committee on Finance
13
- 14 **SB09-068** by Senator(s) Morse; also Representative(s) McCann--
15 Concerning funding to support domestic abuse services,
16 and, in connection therewith, allocating a portion of the
17 funding to assist military members and their families, and
18 making an appropriation.
19 Committee on State, Veterans, & Military Affairs
20 Committee on Finance
21
- 22 **SB09-076** by Senator(s) Heath, Schwartz; also Representative(s)
23 Court--Concerning the appropriation of employer tax
24 surcharge moneys to the employment and training
25 technology fund for use by the division of employment
26 and training within the department of labor and
27 employment.
28 Committee on Business Affairs and Labor
29
- 30 **SB09-088** by Senator(s) Veiga; also Representative(s) Ferrandino--
31 Concerning the extension of state employee group benefits
32 to domestic partners of state employees.
33 Committee on State, Veterans, & Military Affairs
34
- 35 **SB09-091** by Senator(s) Romer; also Representative(s) Rice--
36 Concerning motor vehicle dealer franchise agreements.
37 Committee on Business Affairs and Labor
38
- 39 **SB09-105** by Senator(s) Gibbs; also Representative(s) Scanlan--
40 Concerning removal of the statutory limit on the amount
41 that may be raised in a single year by a special property tax
42 levied by a board of county commissioners for the purpose
43 of fighting specified types of fires in a county.
44 Committee on Local Government
45 Committee on Finance
46
- 47 **SB09-106** by Senator(s) Isgar, Penry, Brophy, Hodge; also
48 Representative(s) Roberts--Concerning the continuously
49 appropriated water supply reserve account, and, in
50 connection therewith, extending the account, requiring the
51 interbasin compact committee, in consultation with the
52 Colorado water conservation board, to report annually on
53 how moneys from the account were allocated, and
54 conditioning grants to applicants required to adopt a water
55 conservation plan.
56 Committee on Agriculture, Livestock, & Natural Resources

- 1 **SB09-109** by Senator(s) Newell, Morse; also Representative(s)
2 Schafer S.--Concerning continuation of provisions related
3 to the fire service training and certification advisory board.
4 Committee on Judiciary
5
- 6 **SB09-123** by Senator(s) Williams, Sandoval; also Representative(s)
7 Todd, Solano--Concerning a pilot program to reduce the
8 dropout rate of adolescent students.
9 Committee on Education
10
- 11
12 **SB09-129** by Senator(s) Tochtrop; also Representative(s) Gagliardi--
13 Concerning the duties that may be performed by a dental
14 hygienist.
15 Committee on Health and Human Services
16
- 17 **SB09-132** by Senator(s) Boyd; also Representative(s) Kerr J.--
18 Concerning discounted prescription drug programs, and,
19 in connection therewith, providing information regarding
20 discounted prescription drug programs and modifying the
21 "Colorado Cares Rx Act" and making an appropriation.
22 Committee on Health and Human Services
23
24
- 25 **SB09-137** by Senator(s) Renfroe; also Representative(s)
26 Baumgardner--Concerning the timely payment of debts in
27 relation to a waiver of the right to attach a property lien.
28 Committee on Judiciary
29
- 30 **SB09-139** by Senator(s) Shaffer B.; also Representative(s) McGihon--
31 Concerning the adoption of recent changes to the
32 "Uniform Principal and Income Act" proposed by the
33 national conference of commissioners on uniform state
34 laws.
35 Committee on Finance
36
37
- 38 **SB09-149** by Senator(s) Boyd; also Representative(s) Kerr J.--
39 Concerning the method by which a county home rule
40 charter commission is created for the purpose of proposing
41 a home rule charter.
42 Committee on Local Government
43
- 44 **SB09-150** by Senator(s) Heath; also Representative(s) Levy--
45 Concerning the priority of a purchase-money lien for a
46 motor vehicle.
47 Committee on Business Affairs and Labor
48
- 49 **SB09-159** by Senator(s) Sandoval; also Representative(s) McGihon
50 and Benefield--Concerning the mandatory offer of
51 dependent coverage to an unmarried child.
52 Committee on Business Affairs and Labor
53
54
55

- 1 **SB09-165** by Senator(s) Isgar and Penry; also Representative(s)
2 Curry and Gardner C., Fischer--Concerning the funding of
3 grants to small communities for water quality-related
4 capital projects through allocation of a portion of revenues
5 that would otherwise be credited to the severance tax trust
6 fund.
7 Committee on Agriculture, Livestock, & Natural Resources
8
- 9 **SB09-171** by Senator(s) Schwartz, Heath, Veiga; also
10 Representative(s) Todd and Vigil, Liston, McFadyen,
11 Rice, Solano--Concerning the use of moneys in the
12 Colorado customized training program for new energy
13 economy training programs.
14 Committee on Transportation & Energy
15
- 16 **SB09-173** by Senator(s) Veiga; also Representative(s) Rice--
17 Concerning the economic development of large-scale
18 regional tourism projects to be partially financed with a
19 portion of state sales tax revenue above an existing base
20 amount.
21 Committee on Business Affairs and Labor
22
- 23 **SB09-175** by Senator(s) Sandoval; also Representative(s) Pommer--
24 Concerning the issuance of group special license plates.
25 Committee on Transportation & Energy
26
- 27 **SB09-179** by Senator(s) Tochtrop; also Representative(s) Gagliardi--
28 Concerning communicable disease control.
29 Committee on Health and Human Services
30
- 31 **SB09-181** by Senator(s) Tapia, Keller, White; also Representative(s)
32 Marostica, Ferrandino, Pommer--Concerning the
33 elimination of the annual resolution to certify the amount
34 of moneys in the state education fund that are available for
35 appropriation in the next fiscal year.
36 Committee on Appropriations
37
- 38 **SB09-182** by Senator(s) Penry; also Representative(s) Stephens--
39 Concerning the use of state parks by certain search and
40 rescue organizations for training activities.
41 Committee on Agriculture, Livestock, & Natural Resources
42
- 43 **SB09-227** by Senator(s) Tapia, Keller, White; also Representative(s)
44 Pommer, Ferrandino, Marostica--Concerning assistance
45 with the unfunded accrued liability of old hire pension
46 plans that are affiliated with the fire and police pension
47 association, and, in connection therewith, eliminating the
48 state contribution to the old hire pension plans for the
49 2008-09, 2009-10, and 2010-11 state fiscal years,
50 extending the state contribution through the 2014-15 state
51 fiscal year, extending the amortization period for
52 underfunded old hire pension plans that no longer receive
53 state assistance, and modifying the appropriation therefor.
54 Committee on Appropriations
55
56

1 On motion of Representative Judd, the House adjourned until 9:00 a.m.,
2 March 3, 2009.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

TERRANCE D. CARROLL,

Speaker

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

Fifty-sixth Legislative Day

Tuesday, March 3, 2009

1 Prayer by Pastor Bob Davidson, St. Bartholomew's Episcopal Church,
 2 Estes Park.

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

5
 6 Pledge of Allegiance led by Amy Eckert, Castle View High School,
 7 Castle Rock.

8
 9 The roll was called with the following result:

10
 11 Present--65.

12
 13 The Speaker declared a quorum present.

14
 15
 16 On motion of Representative McCann, the reading of the journal of
 17 March 2, 2009, was declared dispensed with and approved as corrected
 18 by the Chief Clerk.

THIRD READING OF BILLS--FINAL PASSAGE

19
 20
 21
 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 **HB09-1064** by Representative(s) Kefalas, Fischer, Frangas,
 28 Hullinghorst, Solano, Todd; also Senator(s) Sandoval--
 29 Concerning creating a legislative committee to study
 30 poverty issues, and, in connection therewith, establishing
 31 the economic opportunity poverty reduction task force for
 32 the purpose of advancing economic opportunity while
 33 reducing child and family poverty.

34
 35 The question being "Shall the bill pass?".
 36 A roll call vote was taken. As shown by the following recorded vote, a
 37 majority of those elected to the House voted in the affirmative and the
 38 bill was declared **passed**.

39
 40

	YES	42	NO	23	EXCUSED	0	ABSENT	0
41	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
42	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
43	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y

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

15 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Ferrandino,
 16 Green, Kerr A., Labuda, Levy, McCann, McGihon, Merrifield, Middleton,
 17 Miklosi, Pace, Peniston, Primavera, Ryden, Scanlan, Schafer S., Vigil, Speaker
 18

19 **HB09-1285** by Representative(s) Benefield, Kerr A., Massey,
 20 Middleton, Miklosi, Scanlan, Schafer S., Summers, Todd;
 21 also Senator(s) King K.--Concerning the government data
 22 advisory board, and, in connection therewith, creating the
 23 education data subcommittee to make recommendations
 24 for creation of a statewide comprehensive P-20 education
 25 data system.
 26

27 The question being "Shall the bill pass?".
 28 A roll call vote was taken. As shown by the following recorded vote, a
 29 majority of those elected to the House voted in the affirmative and the bill
 30 was declared **passed**.
 31

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

50 Co-sponsor(s) added: Representative(s) Acree, Apuan, Green, Kerr J.,
 51 Merrifield, Murray, Nikkel, Ryden, Stephens, Speaker
 52
 53

54 **SB09-032** by Senator(s) Groff, Hudak, King K., Penry, Romer,
 55 Spence; also Representative(s) Marostica and Todd,
 56 Carroll T., Gardner C., Massey, McNulty, Rice, Scanlan--

1 Concerning creation of the education innovation institute
2 at the university of northern Colorado.

3
4 The question being "Shall the bill pass?".

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

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

27 Co-sponsor(s) added: Representative(s) Acree, Baumgardner, Kefalas, Kerr J.,
28 Middleton, Primavera, Ryden, Schafer S., Solano, Stephens, Summers

29
30
31
32 **SB09-055** by Senator(s) Isgar, Keller, Kester, White; also
33 Representative(s) Judd, Roberts--Concerning the family
34 resource center program.

35
36 The question being "Shall the bill 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 bill
39 was declared **passed**.

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
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								

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

43 Co-sponsor(s) added: Representative(s) Acree, McFadyen, Peniston, Schafer S.,
 44 Summers

REPORT(S) OF COMMITTEE(S) OF REFERENCE

EDUCATION

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

54 **HB09-1290** be referred favorably to the Committee on Appropriations.

55
 56

1 **SB09-033** be referred to the Committee of the Whole with favorable
 2 recommendation.
 3
 4
 5
 6

7 **HEALTH & HUMAN SERVICES**

8 After consideration on the merits, the Committee recommends the
 9 following:
 10

11 **SB09-010** be referred to the Committee of the Whole with favorable
 12 recommendation.
 13
 14

15 **SB09-044** be referred to the Committee of the Whole with favorable
 16 recommendation.
 17
 18
 19
 20

21 **JUDICIARY**

22 After consideration on the merits, the Committee recommends the
 23 following:
 24

25 **HB09-1193** be amended as follows, and as so amended, be referred to
 26 the Committee of the Whole with favorable
 27 recommendation:
 28

29 Amend printed bill, strike everything below the enacting clause and
 30 substitute the following:
 31

32 "SECTION 1. 13-21-111.5, Colorado Revised Statutes, is
 33 amended BY THE ADDITION OF A NEW SUBSECTION to read:
 34

35 **13-21-111.5. Civil liability cases - pro rata liability of**
 36 **defendants - shifting financial responsibility for negligence in**
 37 **construction agreements or motor carrier transportation contracts -**
 38 **definitions. (7) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THE**
 39 **LAW TO THE CONTRARY, ANY PROVISION, CLAUSE, COVENANT, OR**
 40 **AGREEMENT CONTAINED IN, COLLATERAL TO, OR AFFECTING A MOTOR**
 41 **CARRIER TRANSPORTATION CONTRACT THAT PURPORTS TO INDEMNIFY,**
 42 **DEFEND, OR HOLD HARMLESS, OR THAT HAS THE EFFECT OF INDEMNIFYING,**
 43 **DEFENDING, OR HOLDING HARMLESS, THE INDEMNITEE FROM OR AGAINST**
 44 **ANY LIABILITY FOR LOSS OR DAMAGE RESULTING FROM THE INDEMNITEE'S**
 45 **OWN NEGLIGENCE OR INTENTIONAL ACTS IS AGAINST THE PUBLIC POLICY OF**
 46 **THIS STATE AND IS VOID AND UNENFORCEABLE.**
 47

48 (b) AS USED IN THIS SUBSECTION (7), UNLESS THE CONTEXT
 49 OTHERWISE REQUIRES, "MOTOR CARRIER TRANSPORTATION CONTRACT"
 50 MEANS A CONTRACT, AGREEMENT, OR UNDERSTANDING REGARDING:
 51

52 (I) THE TRANSPORTATION OF PROPERTY FOR COMPENSATION OR
 53 HIRE;

54 (II) THE ENTRANCE ON PROPERTY FOR THE PURPOSE OF LOADING,
 55 UNLOADING, OR TRANSPORTING PROPERTY FOR COMPENSATION OR HIRE; OR
 56

1 (III) A SERVICE INCIDENTAL TO ANY ACTIVITY DESCRIBED IN
2 SUBPARAGRAPHS (I) OR (II) OF THIS PARAGRAPH (b), INCLUDING BUT NOT
3 LIMITED TO STORAGE OF PROPERTY.

4
5 (c) THIS SUBSECTION (7) SHALL NOT APPLY TO A CONTRACT,
6 SUBCONTRACT, OR AGREEMENT THAT CONCERNS OR AFFECTS
7 TRANSPORTATION INVOLVING A RAILROAD.

8
9 **SECTION 2. Effective date - applicability.** This act shall take
10 effect July 1, 2009, and shall apply to motor carrier transportation
11 contracts entered into or renewed on or after said date.

12
13 **SECTION 3. Safety clause.** The general assembly hereby finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, and safety."

16
17
18
19 **HB09-1287** be amended as follows, and as so amended, be referred to
20 the Committee of the Whole with favorable
21 recommendation:

22
23 Amend printed bill, page 7, after line 11, insert the following:

24
25 "(6) THE DOLLAR AMOUNTS STATED IN THIS SECTION SHALL BE
26 INCREASED OR DECREASED BASED ON THE COST OF LIVING ADJUSTMENT AS
27 CALCULATED AND SPECIFIED IN SECTION 15-10-112."

28
29 Page 8, line 8, strike "IN EQUAL SHARES;" and substitute "PER CAPITA AT
30 EACH GENERATION;"

31
32 line 13, strike "IN EQUAL SHARES;" and substitute "PER CAPITA AT EACH
33 GENERATION;"

34
35 Page 9, line 5, strike "IN EQUAL SHARES;" and substitute "PER CAPITA AT
36 EACH GENERATION;"

37
38 line 8, strike "IN" and substitute "PER CAPITA AT EACH GENERATION.";

39
40 strike line 9.

41
42 Page 12, line 27, strike "09-_____" and substitute "09-1286,"

43
44 Page 15, after line 4, insert the following:

45
46 "(2.5) **Child of a second-parent adoption.** A PARENT-CHILD
47 RELATIONSHIP EXISTS BETWEEN AN INDIVIDUAL WHO IS ADOPTED BY A
48 SECOND PARENT AND:

49
50 (a) THE GENETIC PARENT WHO CONSENTED TO A SECOND-PARENT
51 ADOPTION; AND

52
53 (b) THE OTHER GENETIC PARENT, BUT ONLY FOR THE PURPOSE OF
54 THE RIGHT OF THE ADOPTEE OR A DESCENDANT OF THE ADOPTEE TO INHERIT
55 FROM OR THROUGH THE OTHER GENETIC PARENT."

56

1 Page 23, strike lines 14 through 27.

2

3 Strike pages 24 through 26.

4

5 Page 27, strike lines 1 and 2 and substitute the following:

6 "SECTION 9. 15-11-201 (2), Colorado Revised Statutes, is
7 amended to read:

8

9 **15-11-201. Right to elective-share.** (2) (a) **Supplemental**
10 **elective-share amount.** If the sum of the amounts described in sections
11 15-11-202 (2) (d), 15-11-203 (1) (a), and that part of the elective-share
12 amount payable from the decedent's probate estate and nonprobate
13 transfers to others under section 15-11-203 (2) and (3) is less than fifty
14 thousand dollars, the surviving spouse is entitled to a supplemental
15 elective-share amount equal to fifty thousand dollars, minus the sum of the
16 amounts described in those sections. The supplemental elective-share
17 amount is payable from the decedent's probate estate and from recipients
18 of the decedent's nonprobate transfers to others in the order of priority set
19 forth in section 15-11-203 (2) and (3).

20

21 (b) THE DOLLAR AMOUNT STATED IN PARAGRAPH (a) OF THIS
22 SUBSECTION (2) SHALL BE INCREASED OR DECREASED BASED ON THE COST
23 OF LIVING ADJUSTMENT AS CALCULATED AND SPECIFIED IN SECTION 15-10-
24 112.

25

26 **SECTION 10.** 15-11-403, Colorado Revised Statutes, is amended
27 to read:

28

29 **15-11-403. Exempt property.** (1) The decedent's surviving
30 spouse is entitled to exempt property from the estate in the form of cash
31 in the amount of or other property of the estate in the value of twenty-six
32 thousand dollars in excess of any security interests therein. If there is no
33 surviving spouse, the decedent's dependent children are entitled jointly to
34 the same exempt property. Rights to exempt property have priority over
35 all claims against the estate, except claims for the costs and expenses of
36 administration, and reasonable funeral and burial, interment, or cremation
37 expenses, which shall be paid in the priority and manner set forth in
38 section 15-12-805. The right to exempt property shall abate as necessary
39 to permit payment of the family allowance. These rights are in addition to
40 any benefit or share passing to the surviving spouse or dependent children
41 by the decedent's will, unless otherwise provided, by intestate succession,
42 or by way of elective-share.

43

44 (2) THE DOLLAR AMOUNT STATED IN SUBSECTION (1) OF THIS
45 SECTION SHALL BE INCREASED OR DECREASED BASED ON THE COST OF
46 LIVING ADJUSTMENT AS CALCULATED AND SPECIFIED IN SECTION 15-10-
47 112.

48

49 **SECTION 11.** 15-11-405 (1), Colorado Revised Statutes, is
50 amended to read:

51

52 **15-11-405. Source, determination, and documentation.**
53 (1) (a) If the estate is otherwise sufficient, property specifically devised
54 or disposed of by memorandum under section 15-11-513 to any person
55 other than a person entitled to exempt property may not be used to satisfy
56 rights to exempt property. Subject to this restriction, the surviving spouse,

1 the guardians of minor children, or dependent children who are adults may
2 select property of the estate as their exempt property. The personal
3 representative may make these selections if the surviving spouse, the
4 dependent children, or the guardians of the minor children are unable or
5 fail to do so within a reasonable time or there is no guardian of a minor
6 child. The personal representative may execute an instrument or deed of
7 distribution to establish the ownership of property taken as exempt
8 property allowance. The personal representative may determine the family
9 allowance in a lump sum not exceeding twenty-four thousand dollars or
10 periodic installments not exceeding two thousand dollars per month for
11 one year and may disburse funds of the estate in payment of the family
12 allowance. The personal representative or an interested person aggrieved
13 by any selection, determination, payment, proposed payment, or failure to
14 act under this section may petition the court for appropriate relief, which
15 may provide a family allowance other than that which the personal
16 representative determined or could have determined.

17
18 (b) THE DOLLAR AMOUNT STATED IN PARAGRAPH (a) OF THIS
19 SUBSECTION (1) SHALL BE INCREASED OR DECREASED BASED ON THE COST
20 OF LIVING ADJUSTMENT AS CALCULATED AND SPECIFIED IN SECTION 15-10-
21 112.".

22
23 Renumber succeeding sections accordingly.

24
25 Page 36, line 3, strike "January" and substitute "July".

26
27
28
29 **SB09-007** be postponed indefinitely.

30
31
32 **SB09-034** be referred to the Committee of the Whole with favorable
33 recommendation.

34
35
36 **PRINTING REPORT**

37
38 The Chief Clerk reports the following bills have been correctly printed:
39 **HB09-1293, 1294, 1295, 1296, 1297, 1298.**

40
41
42 **MESSAGE FROM THE GOVERNOR**

43
44 I certify I received the following on the 3rd day of March, 2009, at
45 8:35 a.m. The original is on file in the records of the House of
46 Representatives of the General Assembly.

47
48
49 February 26, 2009

Marilyn Eddins,
Chief Clerk of the House

50
51 To the Honorable
52 House of Representatives
53 Sixty-seventh General Assembly
54 First Regular Session
55 State Capitol
56 Denver, CO 80203

1 Ladies and Gentlemen:

2

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

5

6 **HB09-1014** CONCERNING THE PROVISION OF ADDITIONAL RESOURCES
7 TO THE DIVISION OF REAL ESTATE TO PROVIDE
8 OVERSIGHT OF CONSERVATION EASEMENTS FOR WHICH
9 A STATE INCOME TAX CREDIT IS CLAIMED.

10

11

Approved February 26, 2009 at 1:57 p.m.

12

13 Sincerely,

14 (signed)

15 Bill Ritter, Jr.

16 Governor

17

18

19

20 **ANNOUNCEMENT**

21

22 On motion of Representative Weissmann, the following bill(s) will be
23 calendared for March 6, 2009: SB09-033, 010, 044, HB09-1193, 1287,
24 SB09-034.

25

26

27

28 House in recess. House reconvened.

29

30

31

32 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
33 **on SB09-185**

34

35

36 This Report Adopts the Rerevised Bill.

37

38

39

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54

55

Respectfully submitted,

Senate Committee:

(signed)

Abel Tapia

Moe Keller

Al White

House Committee:

(signed)

Mark Ferrandino

Jack Pommer

Don Marostica

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on SB09-217**

This Report Adopts the Rerevised Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on SB09-217,
concerning the reduction of moneys transferred to certain funds from the
portion of limited gaming fund moneys that would otherwise be
transferred to the general fund after the transfer to the local government
limited gaming impact fund, has met and reports that it has agreed upon
the following:

That the Senate accede to the House amendments made to the bill
and that the rerevised bill be adopted without change.

Respectfully submitted,

Senate Committee:

(signed)
Moe Keller
Abel Tapia
Al White

House Committee:

(signed)
Mark Ferrandino
Jack Pommer
Don Marostica

MESSAGE FROM THE SENATE

The Senate has passed on Third Reading and returns herewith HB09-
1141, HB09-1004, HB09-1023, and HB09-1025.

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

HB09-1109 amended as printed in Senate Journal, March 2, 2009,
page 548.

MESSAGE FROM THE REVISOR

We herewith transmit:
Without comment, as amended, HB09-1109.

On motion of Representative B. Gardner, the House adjourned until
9:00 a.m., March 4, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Fifty-seventh Legislative Day

Wednesday, March 4, 2009

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
 2 Church, Denver.

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

5
 6 Pledge of Allegiance led by Matthew Baumgardner, Hot Sulphur Springs.

7
 8 The roll was called with the following result:

9
 10 Present--63.

11 Excused--Representative(s) Miklosi, Pommer--2.

12 Present after roll call--Representative(s) Miklosi, Pommer.

13
 14 The Speaker declared a quorum present.

15
 16
 17 On motion of Representative McCann, the reading of the journal of
 18 March 3, 2009, was declared dispensed with and approved as corrected
 19 by the Chief Clerk.

20
 21
 22
 23 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**

24
 25 **SB09-217** by Senator(s) White, Keller, Tapia; also Representative(s)
 26 Ferrandino, Pommer, Marostica--Concerning the
 27 reduction of moneys transferred to certain funds from the
 28 portion of limited gaming fund moneys that would
 29 otherwise be transferred to the general fund after the
 30 transfer to the local government limited gaming impact
 31 fund.

32
 33 (Conference Committee Report printed in House Journal, March 3,
 34 page 595.)

35
 36 On motion of Representative Ferrandino, the Conference Committee
 37 Report was **adopted** by the following roll call vote:

	YES	59	NO	6	EXCUSED	0	ABSENT	0
40	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
41	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
42	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
43	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y

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

14
15 The question being "Shall the bill, as amended, 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
18 bill, as amended, was declared **repassed**.

20	YES	60	NO	5	EXCUSED	0	ABSENT	0
21	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
22	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
26	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
27	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
28	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
29	Curry	Y	Lambert	N	Nikkel	Y	Summers	Y
30	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
31	Fischer	Y	Liston	N	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.	N	May	Y	Rice	Y	Waller	Y
36	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
37							Speaker	Y

38
39 **SB09-185** by Senator(s) Keller, Tapia, White; also Representative(s)
40 Pommer, Ferrandino, Marostica--Concerning a
41 supplemental appropriation to the department of
42 education.

43
44 (Conference Committee Report printed in House Journal, March 3,
45 page 594.)

46
47 On motion of Representative Pommer, the Conference Committee Report
48 was **adopted** by the following roll call vote:

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

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

17	YES	58	NO	7	EXCUSED	0	ABSENT	0
18								
19	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
20	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
21	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
22	Baumgardner	Y	Kefalas	N	McNulty	N	Schafer S.	Y
23	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
24	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
25	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
26	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
27	Curry	Y	Lambert	N	Nikkel	Y	Summers	Y
28	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
29	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
30	Frangas	N	Looper	Y	Pommer	Y	Todd	Y
31	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
32	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
33	Gardner C.	N	May	Y	Rice	Y	Waller	Y
34	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
35							Speaker	Y

36
37
38
39 **CONSIDERATION OF SENATE AMENDMENT(S) TO HOUSE BILL(S)**

40
41 **HB09-1109** by Representative(s) Priola; also Senator(s) Veiga--
42 Concerning the extension of foreclosure protection to
43 owners of residential properties as to which formal
44 foreclosure proceedings have not yet been commenced.

45
46 (Amended as printed in Senate Journal, March 2, page 548.)

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

51	YES	65	NO	0	EXCUSED	0	ABSENT	0
52								
53	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y

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

14
 15 The question being, "Shall the bill, as amended, 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
 18 bill, as amended, was declared **repassed**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
21	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
22	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
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) Gardner B., Kerr J., Summers, Swalm,
 39 Waller

40
 41
 42
 43 **MESSAGE FROM THE SENATE**

44
 45 The Senate has adopted and transmits herewith: SJR09-018.

46
 47
 48
 49 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

50
 51 On motion of Representative Weissmann, the rules were suspended and
 52 the following resolution was given immediate consideration.

53
 54 **SJR09-018** by Senator(s) Tochtrop; also Representative(s) Kerr A.--
 55 Concerning the designation of March 2009 as Colorectal
 56 Cancer Awareness Month.

1 (Printed and placed in member's file).

2

3 On motion of Representative Kerr A., the resolution was read at length
4 and **adopted** by **viva voce** vote.

5

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

15

16

17

18 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

19

20 **FINANCE**

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

23

24 **SB09-041** be referred to the Committee of the Whole with favorable
25 recommendation.

26

27

28 **SB09-096** be referred to the Committee of the Whole with favorable
29 recommendation.

30

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33

34 **HEALTH & HUMAN SERVICES**

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

37

38 **HB09-1209** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:

41

42 Amend printed bill, page 2, strike lines 2 through 10.

43

44 Renumber succeeding sections accordingly.

45

46 Page 4, line 2, strike "(1) (d),";

47

48 line 3, strike "(3) (1)," and, strike "amended, and" and substitute "amended
49 to read:"

50

51 strike lines 4 and 5;

52

53 line 14, strike "INDIVIDUALS" and substitute "BUSINESS GROUPS OF ONE";

54

55 strike lines 16 and 17.

56

1 Page 5, strike lines 17 through 20;

2

3 line 22, after "(a)", insert "(I)";

4

5 strike line 27 and substitute the following:

6

7 "selected, EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (II) OF THIS

8 PARAGRAPH (a).

9

10 (II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH

11 (a), A COOPERATIVE MAY SPECIFY THAT IF A PERSON JOINS THE

12 COOPERATIVE WHILE SUFFERING FROM A MAJOR HEALTH CONDITION,

13 SUBSEQUENTLY RECOVERS, AND LEAVES THE COOPERATIVE VOLUNTARILY,

14 THE PERSON MAY NOT REJOIN THE COOPERATIVE UNTIL AFTER A WAITING

15 PERIOD OF UP TO THREE YEARS."

16

17 Page 6, strike lines 4 through 6;

18

19 line 13, strike " title. IF A WAIVERED COOPERATIVE" and substitute "title

20 AND;

21

22 strike lines 14 and 15 and substitute the following:

23

24 "SHALL OFFER THE SAME TYPES OF HEALTH BENEFIT PLANS TO THE

25 WAIVERED COOPERATIVE THAT THE CARRIER OFFERS TO OTHER GROUPS

26 THAT ARE THE SAME OR SIMILAR SIZE AS THE";

27

28 line 16, strike "COOPERATIVE, WHICH PLANS" and substitute

29 "COOPERATIVE. UNLESS THE AGGREGATE NUMBER OF EMPLOYEES OF ALL

30 THE EMPLOYER-MEMBERS OF A COOPERATIVE IS FIFTY OR FEWER, A

31 CARRIER DOING BUSINESS WITH THAT COOPERATIVE SHALL NOT BE

32 REQUIRED TO OFFER A BASIC AND THE STANDARD HEALTH BENEFIT PLANS

33 TO THE COOPERATIVE. THE PLANS OFFERED TO A WAIVERED

34 COOPERATIVE";

35

36 line 18, after "EMPLOYER-MEMBERS.", add "THE COMMISSIONER SHALL

37 ADOPT RULES DEFINING THE SIZE RANGE OF GROUPS AND COOPERATIVES

38 THAT WOULD BE THE SAME OR SIMILAR FOR PURPOSES OF THIS

39 SUBPARAGRAPH (I).";

40

41 line 22, strike "10-16-105, AND" and substitute "10-16-105; EXCEPT THAT

42 IF THE MEMBERS OF THE COOPERATIVE ARE NOT IN THE SAME INDUSTRIAL

43 CLASSIFICATION, THE CARRIER SHALL NOT ADJUST THE RATES FOR THE

44 COOPERATIVE PURSUANT TO SECTION 10-16-105 (8.5) (a) (I) (A) FOR

45 STANDARD INDUSTRIAL CLASSIFICATION. THE CARRIER."

46

47

48

49 **HB09-1275** be amended as follows, and as so amended, be referred to

50 the Committee on Appropriations with favorable

51 recommendation:

52

53 Amend printed bill, page 3, line 5, after the period, add "ANY FEE

54 COLLECTED FOR A PROVISIONAL CERTIFICATION SHALL BE DEPOSITED IN

55 THE EMERGENCY MEDICAL SERVICES ACCOUNT CREATED IN SECTION

56 25-3.5-603.";

1 after line 5, insert the following:

2

3 "SECTION 2. 25-3.5-603 (1) (a), Colorado Revised Statutes, is
4 amended to read:

5

6 **25-3.5-603. Emergency medical services account - creation -**
7 **allocation of funds.** (1) (a) There is hereby created a special account
8 within the highway users tax fund established pursuant to section
9 43-4-201, C.R.S., to be known as the emergency medical services
10 account, which shall consist of all moneys transferred thereto in
11 accordance with section 42-3-304 (21), C.R.S., AND FEES COLLECTED
12 PURSUANT TO SECTION 25-3.5-203 FOR PROVISIONAL CERTIFICATIONS OF
13 EMERGENCY MEDICAL TECHNICIANS."

14

15 Renumber succeeding section accordingly.

16

17

18

19

20 **TRANSPORTATION & ENERGY**

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

23

24 **HB09-1246** be amended as follows, and as so amended, be referred to
25 the Committee on Appropriations with favorable
26 recommendation:

27

28 Amend printed bill, page 2, line 8, strike "FEES" and substitute "PENALTY
29 SURCHARGES";

30

31 line 12, strike "FEE" and substitute "PENALTY SURCHARGE";

32

33 line 19, strike "COURSE" and substitute "SCHOOL".

34

35 Page 3, strike line 3 and substitute the following:

36

37 "PAY, IN ADDITION TO ANY OTHER PENALTIES, A PENALTY SURCHARGE";

38

39 line 4, after the period, insert "THE DRIVER IMPROVEMENT SCHOOL SHALL
40 COLLECT THE PENALTY SURCHARGE AND REMIT IT TO THE DEPARTMENT IN
41 ACCORDANCE WITH RULES PROMULGATED BY THE DEPARTMENT.";

42

43 line 5, strike "FEE" and substitute "PENALTY SURCHARGE";

44

45 line 6, strike "FEE" and substitute "PENALTY SURCHARGE".

46

47

48

49 **HB09-1279** be amended as follows, and as so amended, be referred to
50 the Committee of the Whole with favorable
51 recommendation:

52

53 Amend printed bill, page 3, line 6, strike "42-4-1803," and substitute
54 "42-4-1803 (1)," and strike "amended" and substitute "amended, and the
55 said 42-4-1803 is further amended BY THE ADDITION OF A NEW
56 SUBSECTION,";

1 strike lines 24 through 27.

2

3 Page 4, strike lines 1 through 14;

4

5 line 15, before "MOTOR", insert "THE MOTOR VEHICLE AND THE";

6

7 line 17, before "CARGO", insert "HAZARDOUS OR COMMERCIAL";

8

9 line 18, after the period, add "THE COMMERCIAL CARRIER SHALL BE
10 RESPONSIBLE FOR REMOVAL OR CLEAN-UP OF THE HAZARDOUS OR
11 COMMERCIAL CARGO."

12

13 Page 6, line 19, strike "A MOTOR" and substitute "AN INDEPENDENT
14 MOTOR";

15

16 strike lines 23 and 24 and substitute the following:

17

18 "(b) SUBJECT TO SECTION 42-4-1804, THE".

19

20 Page 11, line 19, strike "IF" and substitute "SUBJECT TO SECTION
21 42-4-2103 AND IF".

22

23

24

House in recess. House reconvened.

25

26

27

28

REPORT(S) OF COMMITTEE(S) OF REFERENCE

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BUSINESS AFFAIRS & LABOR

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to read:

1 **38-38-109. Continuance of sale - effect of bankruptcy -**
2 **withdrawal of sale. (1) Continuance.** (c) (I) (C) DURING A
3 FORECLOSURE DEFERMENT PURSUANT TO PART 8 OF THIS ARTICLE, ANY
4 CONTINUANCE REQUIRED BY SUB-SUBPARAGRAPHS (A) AND (B) OF THIS
5 SUBPARAGRAPH (I) SHALL RUN CONCURRENTLY TO THE FORECLOSURE
6 DEFERMENT."

7

8 Renumber succeeding sections accordingly.

9

10 Page 3, line 16, after the period, add "THE OFFICER IS NOT OBLIGATED TO
11 PROVIDE MORE THAN ONE NOTICE TO THE HOLDER OR THE HOLDER'S
12 ATTORNEY.";

13

14 strike lines 17 through 20 and substitute the following:

15

16 "(II) AFTER NOTICE IS MADE PURSUANT TO SUBPARAGRAPH (I) OF
17 THIS PARAGRAPH (d) THAT NO AFFIDAVIT WAS PROVIDED AND UNTIL THE
18 REQUIRED AFFIDAVIT IS PROVIDED, THE OFFICER SHALL CONTINUE THE
19 SALE OF THE PROPERTY IN ACCORDANCE WITH SECTION 38-38-109 AN
20 ADDITIONAL WEEK FOR EACH WEEK THAT THE HOLDER FAILS TO PROVIDE
21 THE REQUIRED AFFIDAVIT."

22

23 Page 4, line 23, strike "FOR HOMEOWNERS";

24

25 strike line 24 and substitute the following:

26

27 "NOW ALLIANCE, OR ITS SUCCESSOR ORGANIZATION.";

28

29 line 26, after "OR", insert "TO EXTEND PAST".

30

31 Page 5, line 5, before "DOCUMENTS" insert "COMPLETE AND ACCURATE".

32

33 Page 6, line 7, after "(5)", insert "(a)" and, before "DAYS", insert
34 "CALENDAR";

35

36 after line 10, insert the following:

37

38 "(b) IF THE HOLDER DOES NOT PROVIDE THE AFFIDAVIT REQUIRED
39 BY THIS SUBSECTION (5) TO THE PUBLIC TRUSTEE WITHIN THE
40 TWENTY-DAY PERIOD, THE SALE OF THE PROPERTY SHALL BE CONTINUED
41 IN ACCORDANCE WITH SECTION 38-38-103 (5) (d).

42

43 (c) THE AFFIDAVIT REQUIRED BY PARAGRAPH (a) OF THIS
44 SUBSECTION (5) SHALL CONTAIN AT LEAST THE FOLLOWING INFORMATION:

45

46 (I) THE FORECLOSURE CASE NUMBER;

47

48 (II) THE BORROWER'S NAME OR NAMES;

49

50 (III) THE ADDRESS OF THE PROPERTY AT WHICH THE POSTING WAS
51 MADE; AND

52

53 (IV) THE DATE OF THE POSTING.

54

55 (d) AN AFFIDAVIT FILED BY A QUALIFIED HOLDER SHALL BE
56 SIGNED BY THE ATTORNEY FOR THE HOLDER. AN AFFIDAVIT FILED BY A

1 NONQUALIFIED HOLDER SHALL BE SIGNED BY THE HOLDER AND PROPERLY
2 ACKNOWLEDGED BY A NOTARY PUBLIC."

3

4 Page 7, line 27, after "TRUSTEE", insert "SHALL COLLECT A FEE OF
5 SEVENTY-FIVE DOLLARS AND THEREAFTER" and, after "NOTICE" insert "OF
6 DEFERRED SALE".

7

8 Page 8, strike lines 4 and 5.

9

10 Page 12, line 27, strike "thirty" and substitute "sixty".

11

12

13

14 **SB09-070** be referred to the Committee of the Whole with favorable
15 recommendation.

16

17

18

19

20 **LOCAL GOVERNMENT**

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

23

24 **HB09-1201** be postponed indefinitely.

25

26

27 **SB09-140** be referred to the Committee of the Whole with favorable
28 recommendation.

29

30

31

32

33 **STATE, VETERANS, & MILITARY AFFAIRS**

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

36

37 **HB09-1018** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40

41 Strike the State, Veterans, & Military Affairs Committee Report, dated
42 January 22, 2009, and substitute the following:

43

44 "Amend printed bill, page 4, strike lines 9 through 27.

45

46 Page 5, strike lines 1 through 19 and substitute the following:

47

48 "SECTION 4. 1-2-305 (1) and (2), Colorado Revised Statutes, are
49 amended to read:

50

51 **1-2-305. Postelection procedures - voting history.** (1) Not later
52 than sixty days after a state election, ~~each county clerk and recorder shall~~
53 ~~transmit to the secretary of state, in a media format acceptable to the~~
54 ~~secretary of state,~~ THE SECRETARY OF STATE SHALL GENERATE a list of
55 electors showing who voted and who did not vote in the election. The list
56 shall ~~contain the information provided for in section 1-2-301 (1)~~ BE

1 DRAWN FROM THE STATEWIDE VOTER REGISTRATION DATABASE. For
2 electors who voted, the list shall show such elector's method of voting,
3 whether by early voting, mail-in ballot, mail ballot, polling place voting,
4 or otherwise.

5
6 (2) Upon receipt of the lists, the secretary of state shall ~~compare~~
7 ~~them with the master list of registered electors maintained in the office~~
8 EXAMINE THE LISTS TO SEE WHICH ELECTORS DID AND DID NOT VOTE IN
9 THE ELECTION in order to ascertain if any elector has voted more than
10 once. If it is determined that an elector has voted more than once, the
11 secretary of state shall notify the proper district attorney for prosecution
12 of a violation of the provisions of this code.

13
14 **SECTION 5.** 1-2-603 (1), Colorado Revised Statutes, is amended
15 to read:

16
17 **1-2-603. Notification that elector has moved and registered in**
18 **different county.** (1) If the elector registers to vote in another county,
19 the county clerk and recorder shall ~~immediately transmit the information~~
20 ~~to the county clerk and recorder of the elector's prior county of residence.~~
21 ~~Upon receipt of the information, the county clerk and recorder of the~~
22 ~~county of prior residence shall cancel the elector's registration record.~~
23 ~~The county clerk and recorder of the county of prior residence shall~~
24 ~~cancel the registration record only if the name and birth date or the name~~
25 ~~and social security number of the elector match.~~ OF THE ELECTOR'S NEW
26 COUNTY OF RESIDENCE SHALL TRANSFER THE ELECTOR'S REGISTRATION
27 RECORD FROM THE OLD COUNTY IN ACCORDANCE WITH THE FOLLOWING
28 REQUIREMENTS:

29
30 (a) IF THE ELECTOR PROVIDES A NAME, DATE OF BIRTH, AND PRIOR
31 ADDRESS AND THE COUNTY CLERK AND RECORDER CAN MATCH THE NAME,
32 DATE OF BIRTH, AND PRIOR ADDRESS TO THE ELECTOR'S PRIOR
33 REGISTRATION RECORD, THE ELECTOR'S REGISTRATION RECORD SHALL BE
34 TRANSFERRED FROM THE OLD COUNTY.

35
36 (b) IF THE ELECTOR PROVIDES A NAME AND DATE OF BIRTH BUT
37 DOES NOT PROVIDE A PRIOR ADDRESS, THE ELECTOR'S REGISTRATION
38 RECORD SHALL BE TRANSFERRED FROM THE OLD COUNTY ONLY IF:

39
40 (I) THE ELECTOR PROVIDES A DRIVER'S LICENSE OR
41 IDENTIFICATION CARD NUMBER, AND THE COUNTY CLERK AND RECORDER
42 OF THE NEW COUNTY OF RESIDENCE CAN MATCH THE NAME, DATE OF
43 BIRTH, AND DRIVER'S LICENSE OR IDENTIFICATION CARD NUMBER TO THE
44 ELECTOR'S PRIOR REGISTRATION RECORD; OR

45
46 (II) THE ELECTOR PROVIDES A SOCIAL SECURITY NUMBER, AND THE
47 COUNTY CLERK AND RECORDER OF THE NEW COUNTY OF RESIDENCE CAN
48 MATCH THE NAME, DATE OF BIRTH, AND SOCIAL SECURITY NUMBER TO THE
49 ELECTOR'S PRIOR REGISTRATION RECORD.

50
51 (c) IF THE ELECTOR DOES NOT PROVIDE A PRIOR ADDRESS,
52 DRIVER'S LICENSE NUMBER, OR SOCIAL SECURITY NUMBER, THE
53 REGISTRATION RECORD SHALL NOT BE TRANSFERRED FROM THE OLD
54 COUNTY UNLESS THE ELECTOR SUBMITS ADDITIONAL INFORMATION THAT
55 COMPLIES WITH THE REQUIREMENTS OF THIS SUBSECTION (1). THE
56 COUNTY CLERK AND RECORDER OF THE COUNTY OF PRIOR RESIDENCE MAY

1 SEND NOTICE TO THE ELECTOR BY FORWARDABLE MAIL TO THE ELECTOR'S
2 ADDRESS OF RECORD. ANY SUCH NOTICE SHALL HAVE A RETURNABLE
3 PORTION THAT HAS THE RETURN POSTAGE PREPAID AND IS PREAMDRESSED
4 TO THE SENDING COUNTY CLERK AND RECORDER, AND SHALL INCLUDE AN
5 AREA FOR THE ELECTOR TO INDICATE IF THE ELECTOR HAS MOVED TO
6 ANOTHER COUNTY AND WISHES TO HAVE HIS OR HER REGISTRATION
7 RECORD TRANSFERRED FROM THE OLD COUNTY.

8
9 **SECTION 6.** 1-2-604 (1) and (2), Colorado Revised Statutes, are
10 amended to read:

11
12 **1-2-604. Cancellation of electors with a multiple registration.**

13 ~~(1) If the secretary of state's master list of registered electors shows an~~
14 ~~elector to be registered in more than one precinct in this state, the~~
15 ~~secretary of state shall notify every applicable county clerk and recorder~~
16 ~~each month of such multiple registration. Each county clerk and recorder~~
17 ~~who receives such notification~~ BASED UPON AN EXAMINATION OF THE
18 SECRETARY OF STATE'S MASTER LISTS OF REGISTERED ELECTORS, EACH
19 COUNTY CLERK AND RECORDER SHALL GENERATE A LIST CONTAINING THE
20 NAME OF EACH ELECTOR WHO IS REGISTERED IN MORE THAN ONE PRECINCT
21 IN THE STATE AND shall cancel from the county's master lists of registered
22 electors the name of the elector wherever it appears, except where it
23 corresponds to the elector's most recent date of registration.

24
25 ~~(2) Not later than fifteen days prior to each primary, general,";~~

26
27 strike lines 24 through 27 and substitute the following:

28
29 ~~"(3) (a) The county clerk and recorder of the county of prior~~
30 ~~residence shall cancel the registration record pursuant to subsection (1)~~
31 ~~of this section only if the name and birth date or the name and social~~
32 ~~security number of the elector match. THE COUNTY CLERK AND~~
33 ~~RECORDER MAY NOT CANCEL THE REGISTRATION RECORD PURSUANT TO~~
34 ~~SUBSECTION (1) OF THIS SECTION UNLESS THERE IS A MATCH IN THE~~
35 ~~COUNTY'S REGISTRATION RECORDS AND THE STATEWIDE VOTER~~
36 ~~REGISTRATION DATABASE WITH RESPECT TO, AT A MINIMUM, THE~~
37 ~~FOLLOWING TYPES OF IDENTIFYING INFORMATION:~~

38
39 (I) THE ELECTOR'S NAME, DATE OF BIRTH, AND PRIOR RESIDENCE;
40 OR

41
42 (II) THE ELECTOR'S NAME, DATE OF BIRTH, AND DRIVER'S LICENSE
43 NUMBER OR SOCIAL SECURITY NUMBER.

44
45 (b) IF THE COUNTY CLERK AND RECORDER IS NOT ABLE TO CANCEL
46 THE REGISTRATION RECORD PURSUANT TO PARAGRAPH (a) OF THIS
47 SUBSECTION (3), THE COUNTY CLERK AND RECORDER SHALL SEND A
48 NOTICE TO THE ELECTOR WHOSE RECORD THE CLERK AND RECORDER
49 INTENDS TO CANCEL. THE NOTICE SHALL BE SENT TO THAT ELECTOR'S
50 ADDRESS OF RECORD, SHALL HAVE A RETURNABLE PORTION THAT HAS THE
51 RETURN POSTAGE PREPAID AND THAT IS PREAMDRESSED TO THE SENDING
52 COUNTY CLERK AND RECORDER, AND SHALL INCLUDE AN AREA FOR THE
53 ELECTOR TO INDICATE IF THE ELECTOR HAS MOVED TO ANOTHER COUNTY
54 AND WISHES TO HAVE HIS OR HER REGISTRATION RECORD TRANSFERRED
55 FROM THE OLD COUNTY. ". "

56

1 **HB09-1280** be amended as follows, and as so amended, be referred to
2 the Committee on Health & Human Services with
3 favorable recommendation:
4
5 Amend printed bill, page 2, line 14, strike "CONTRACT PERSONNEL AND";
6
7 line 15, before "FACILITIES", insert "OR OTHER";
8
9 line 18, after "PROGRAMS;", insert "AND".
10
11 Page 3, line 13, strike "PROGRAMS;" and substitute "PROGRAMS.";
12
13 strike lines 14 through 27.
14
15 Page 4, strike lines 1 through 3;
16
17 line 8, strike "CONTRACT PERSONNEL AND";
18
19 line 9, before "FACILITIES", insert "OR OTHER";
20
21 line 13, strike "FIFTEEN" and substitute "SIXTEEN";
22
23 line 14, strike "TWENTY" and substitute "NINETEEN";
24
25 strike lines 17 through 19.
26
27 Renumber succeeding subsections accordingly.
28
29 Page 5, line 3, strike "CONTRACT PERSONNEL AND";
30
31 line 4, before "FACILITIES", insert "OR OTHER";
32
33 strike lines 7 through 9;
34
35 line 10, strike "SECTION, AND THE" and substitute "SKILLS. THE".
36
37 Page 6, line 14, strike "July 1, 2009," and substitute "October 1, 2010,";
38
39 line 15, strike "receive" and substitute "request".
40
41
42
43
44 **HB09-1291** be amended as follows, and as so amended, be referred to
45 the Committee on Appropriations with favorable
46 recommendation:
47
48 Amend printed bill, page 3, line 3, strike "**clearinghouse - rules.**" and
49 substitute "**clearinghouse.**";
50
51 line 17, strike "PROMULGATE RULES" and substitute "ADOPT POLICIES".
52
53
54
55

1 **SB09-111** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 3, strike line 13 and substitute the
6 following:
7

8 "**SECTION 5.** 12-55-111 (1), (3), and (4), Colorado Revised
9 Statutes, are";
10

11 after line 19, insert the following:
12

13 ~~"(3) (a) Subsection (1) of this section shall not apply to any~~
14 ~~document or electronic record where the original or a copy of such~~
15 ~~document or electronic record contains the information otherwise~~
16 ~~required to be entered in the notary's journal and such original or copy or~~
17 ~~electronic record is retained by the notary's firm or employer in the~~
18 ~~regular course of business.~~
19

20 ~~(b) Notwithstanding any provision of this subsection (3) to the~~
21 ~~contrary, no firm, employer, or professionally licensed person shall~~
22 ~~prohibit an employee who is a notary from maintaining a journal of his or~~
23 ~~her notarial acts in the regular course of business of such firm, employer,~~
24 ~~or professionally licensed person.~~
25

26 ~~(c) For purposes of this subsection (3), "firm" includes but is not~~
27 ~~limited to an office where the business of a real estate broker, lawyer, title~~
28 ~~insurance company, title insurance agent, or other licensed professional~~
29 ~~is regularly carried on and the records of such business are regularly~~
30 ~~maintained.~~
31

32 (4) Except as otherwise exempted by paragraph (a) of subsection
33 (3) of this section or by another law of this state, for each electronic
34 record or document signed by the notary public, the notary public shall
35 record the document authentication number issued by the secretary of
36 state for each document authenticated in the journal pursuant to this
37 section.";
38

39 strike lines 20 through 27.
40

41 Page 4, strike lines 1 through 10.
42

43 Renumber succeeding sections accordingly.
44

45 _____
46
47
48 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
49

50 The Speaker has signed: **SB09-040, 204; SJR09-014, 015, 016.**
51
52 _____
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MESSAGE FROM THE SENATE1
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The Senate has passed on Third Reading and returns herewith HB09-1265, HB09-1050, HB09-1257, HB09-1161, HB09-1007, HB09-1046.

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

- SB09-131 amended as printed in Senate Journal, March 3, 2009, page 586
- SB09-222 amended as printed in Senate Journal, March 3, 2009, page 586
- SB09-237 amended as printed in Senate Journal, March 3, 2009, page 586
- SB09-147 amended as printed in Senate Journal, March 3, 2009, page 594
- SB09-224 amended as printed in Senate Journal, March 3, 2009, page 594
- SB09-020 amended as printed in Senate Journal, March 3, 2009, pages 594-595
- SB09-022 amended as printed in Senate Journal, March 3, 2009, page 595
- SB09-052 amended as printed in Senate Journal, March 3, 2009, page 595
- SB09-024 amended as printed in Senate Journal, March 3, 2009, page 595
- SB09-051 amended as printed in Senate Journal, March 3, 2009, pages 595-597
- SB09-162 amended as printed in Senate Journal, March 3, 2009, page 597
- SB09-094 amended as printed in Senate Journal, March 3, 2009, page 597
- SB09-124 amended as printed in Senate Journal, March 3, 2009, page 597
- SB09-125 amended as printed in Senate Journal, March 3, 2009, page 597.

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

- HB09-1148 amended as printed in Senate Journal, March 3, 2009, page 584.
- HB09-1159 amended as printed in Senate Journal, March 3, 2009, page 584.
- HB09-1078 amended as printed in Senate Journal, March 3, 2009, page 585.

The Senate voted to concur in House amendments to SB09-032, and repassed the bill as so amended.

Upon announcement of President Groff, Representative McFadyen will replace Representative Hullinghorst as House prime sponsor on SB09-029.

MESSAGE FROM THE REVISOR

1
2
3 We herewith transmit:

4 Without comment, as amended, HB09-1148, 1159, and 1078.

5 Without comment, as amended, SB09-131, 222, 237, 147, 224, 020, 022,
6 052, 024, 051, 162, 094, 124, and 125.

7
8
9
10 **INTRODUCTION OF BILLS**
11 **First Reading**

12
13 The following bills were read by title and referred to the committees
14 indicated:

15
16 **HB09-1299** by Representative(s) Kerr A., Benefield, Carroll T., Casso,
17 Court, Curry, Ferrandino, Frangas, Green, Hullinghorst,
18 Kefalas, McCann, Middleton, Miklosi, Pommer, Rice,
19 Scanlan, Schafer S., Solano, Todd, Vigil, Bacon, Groff,
20 Veiga--Concerning adoption of an agreement among the
21 states to elect the president of the United States by national
22 popular vote.

23 Committee on Judiciary

24
25 **HB09-1300** by Representative(s) Solano, McFadyen, Rice; also
26 Senator(s) Schwartz and Romer, Heath, Veiga--
27 Concerning the financing of clean energy development,
28 and, in connection therewith, granting additional powers
29 to the Colorado clean energy development authority.

30 Committee on Transportation & Energy

31
32 **HB09-1301** by Representative(s) Judd; also Senator(s) Sandoval--
33 Concerning moneys continuously appropriated from the
34 unclaimed property trust fund to the state treasurer for
35 payment of contract auditor services.

36 Committee on Finance

37
38 **SB09-020** by Senator(s) Gibbs; also Representative(s) Scanlan--
39 Concerning the responsibility for responding to wild land
40 fires.

41 Committee on Local Government

42
43 **SB09-022** by Senator(s) Bacon; also Representative(s) Solano--
44 Concerning the state board of land commissioners.

45 Committee on State, Veterans, & Military Affairs

46
47 **SB09-024** by Senator(s) White; also Representative(s) Sonnenberg
48 and Curry--Concerning responsibilities of the division of
49 wildlife with respect to game damage issues, and making
50 an appropriation in connection therewith.

51 Committee on Agriculture, Livestock, & Natural Resources

52
53 **SB09-051** by Senator(s) Carroll M.; also Representative(s) Levy--
54 Concerning measures to facilitate the financing of energy-
55 efficient structures.

56 Committee on Transportation & Energy

- 1 **SB09-052** by Senator(s) Bacon, Heath, King K., Newell, Williams;
2 also Representative(s) Pommer, Ferrandino, Hullinghorst,
3 Levy, Massey, Merrifield, Middleton, Primavera, Rice,
4 Schafer S., Todd--Concerning the funding source for the
5 innovative higher education research fund, and making an
6 appropriation in connection therewith.
7 Committee on Education
8
- 9 **SB09-094** by Senator(s) Williams, Gibbs, Groff, Heath, Schwartz,
10 Shaffer B.; also Representative(s) Levy, Green, Marostica,
11 Merrifield, Middleton, Primavera, Rice, Ryden, Scanlan--
12 Concerning the creation of a transit and rail division
13 within the department of transportation.
14 Committee on Transportation & Energy
15
- 16 **SB09-124** by Senator(s) Isgar; also Representative(s) Roberts--
17 Concerning additional funding for agricultural energy-
18 related projects through the agriculture value-added cash
19 fund.
20 Committee on Agriculture, Livestock, & Natural Resources
21
- 22 **SB09-125** by Senator(s) Isgar; also Representative(s) Curry--
23 Concerning the funding of Colorado water conservation
24 board projects, and making appropriations in connection
25 therewith.
26 Committee on Agriculture, Livestock, & Natural Resources
27
- 28 **SB09-131** by Senator(s) Romer; also Representative(s) Massey--
29 Concerning the requirement that students in public schools
30 engage in a certain amount of physical activity each week.
31 Committee on Education
32
- 33 **SB09-143** by Senator(s) Bacon; also Representative(s) Hullinghorst,
34 Fischer--Concerning enforcing traffic regulations through
35 the expanded use of an automated vehicle identification
36 system.
37 Committee on Judiciary
38
- 39 **SB09-147** by Senator(s) Hodge, Brophy; also Representative(s)
40 Priola, Gardner C.--Concerning the authorization of
41 substitute water supply plans for the replacement of out-
42 of-priority depletions caused by historic diversions from
43 wells included in decreed augmentation plans entered by
44 the water court for water division 1.
45 Committee on Agriculture, Livestock, & Natural Resources
46
- 47 **SB09-162** by Senator(s) Schwartz, Heath, Veiga; also
48 Representative(s) Liston, McFadyen, Rice, Solano--
49 Concerning the operation of the project by the state's chief
50 information officer to create an inventory of broadband
51 service areas, and, in connection therewith, authorizing the
52 acceptance of publicly funded gifts, grants, and donations,
53 and making an appropriation.
54 Committee on Business Affairs and Labor
55

1 **SB09-224** by Senator(s) Shaffer B., Groff, Penry; also
2 Representative(s) Weissmann, Carroll T., May--
3 Concerning payment of expenses of the legislative
4 department, and making an appropriation in connection
5 therewith.

6 Committee on Appropriations
7

8 **SB09-237** by Senator(s) Lundberg, Harvey, Schultheis, Cadman,
9 Brophy, Isgar, King K., Kopp, Mitchell, Penry, Renfroe,
10 Romer, Scheffel, Tochtrop, White; also Representative(s)
11 Acree, McNulty--Concerning grounds for mandatory
12 expulsion from a public school.

13 Committee on Education
14
15
16

17 On motion of Representative Nikkel, the House adjourned until 9:00 a.m.,
18 March 5, 2009.

19

20

21

22

23

24

25

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:

MARILYN EDDINS,
Chief Clerk

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

Fifty-eighth Legislative Day

Thursday, March 5, 2009

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Mika Mestek, Meghan McDonald, Gralan
6 Country Day School, Denver.
7
8 The roll was called with the following result:
9
10 Present--63.
11 Excused--Representative(s) McGihon, Miklosi--2.
12 Present after roll call--Representative(s) McGihon, Miklosi.
13

14 The Speaker declared a quorum present.
15
16

17 On motion of Representative McCann, the reading of the journal of
18 March 4, 2009, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21

22
23 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL(S)**
24

25 **HB09-1148** by Representative(s) Schafer S.; also Senator(s) Schwartz-
26 -Concerning the authority of the department of revenue to
27 provide information about severance tax taxpayers to the
28 department of local affairs.
29

30 (Amended as printed in Senate Journal, March 3, pages 584.)
31

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

	YES	61	NO	4	EXCUSED	0	ABSENT	0
37	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
38	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
39	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
40	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
41	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
42	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
43	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y

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

35

36 **HB09-1159** by Representative(s) Priola, Baumgardner, Lambert,
37 Looper, Schafer S.; also Senator(s) Isgar, Hodge,
38 Mitchell--Concerning the ability of a nonresident to serve
39 on the board of directors of ground water management
40 water districts.

41

42 (Amended as printed in Senate Journal, March 3, pages 584.)

43

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

47

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

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

10

11 The question being, "Shall the bill, as amended, pass?".

12 A roll call vote was taken. As shown by the following recorded vote, a
 13 majority of those elected to the House voted in the affirmative, and the
 14 bill, as amended, was declared **repassed**.

15

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

34 Co-sponsor(s) added: Representative(s) Gerou, Ryden, Stephens, Tipton,
 35 Waller

36

37 **HB09-1078** by Representative(s) Ryden; also Senator(s) Hodge--
 38 Concerning training for foster parents in regard to
 39 individualized education programs.

40

41 (Amended as printed in Senate Journal, March 3, pages 585.)

42

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

46

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

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

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

33 Co-sponsor(s) added: Representative(s) Court, Hullinghorst, Massey, McGihon,
 34 Nikkel, Scanlan

35 _____
 36
 37 House in recess. House reconvened.
 38 _____
 39

41 REPORT(S) OF COMMITTEE(S) OF REFERENCE

42 AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

45
 46 **HB09-1194** be postponed indefinitely.

47
 48
 49
 50 **SB09-113** be referred to the Committee of the Whole with favorable
 51 recommendation.

52
 53
 54 **SB09-115** be referred to the Committee of the Whole with favorable
 55 recommendation.
 56

- 1 **SB09-116** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
5 **SB09-127** be referred to the Committee of the Whole with favorable
6 recommendation.
7
8
9 **SB09-151** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:
12

13 Amend reengrossed bill, page 3, line 3, strike "BURROS" and substitute
14 "DONKEYS."
15

16 Page 9, strike lines 16 and 17 and substitute the following:
17

18 "CUSTOM MEAT PROCESSOR LICENSED BY THE DEPARTMENT OR A PACKING
19 PLANT LICENSED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE."
20

21 Page 12, strike lines 3 and 4 and substitute the following:
22

23 "MEAT PROCESSOR LICENSED BY THE COLORADO DEPARTMENT OF
24 AGRICULTURE OR A PACKING PLANT LICENSED BY THE UNITED STATES
25 DEPARTMENT OF AGRICULTURE."
26
27
28
29

30 **BUSINESS AFFAIRS & LABOR**

31 After consideration on the merits, the Committee recommends the
32 following:
33

- 34 **SB09-091** be referred to the Committee of the Whole with favorable
35 recommendation.
36
37
38
39

40 **FINANCE**

41 After consideration on the merits, the Committee recommends the
42 following:
43

- 44 **HB09-1266** be referred favorably to the Committee on Appropriations.
45
46

- 47 **HB09-1288** be amended as follows, and as so amended, be referred to
48 the Committee on Appropriations with favorable
49 recommendation:
50

51 Amend printed bill, page 2, strike lines 5 and 6 and substitute the
52 following:
53

54 "STATE REVENUE AND
55 EXPENDITURE WEB SITE";
56

1 line 12, strike "STATE BUDGET," and substitute "STATE'S FINANCES,";
 2
 3 line 15, strike "BUDGET";
 4
 5 line 19, strike "BUDGET DATABASE";
 6
 7 line 25, strike ""SEARCHABLE BUDGET DATABASE" and substitute ""STATE
 8 REVENUE AND EXPENDITURE".
 9

10 Page 3, line 7, strike "**Searchable budget database**" and substitute "**State
 11 revenue and expenditure web site**";
 12

13 line 10, strike "BUDGET";
 14

15 line 11, strike "REVENUES." and substitute "REVENUES, WHICH SHALL BE
 16 KNOWN AS THE STATE REVENUE AND EXPENDITURE WEB SITE.";
 17

18 line 12, after "DATA", insert "INCLUDED ON THE WEB SITE";
 19

20 line 13, strike "THE DATA" and substitute "THE EXPENDITURE AND
 21 REVENUE DATA";
 22

23 line 15, after "BY", insert "THE OFFICE ON BEHALF OF";
 24

25 line 18, after the period, add "FOR THE 2009-10 STATE FISCAL YEAR, THE
 26 STATE REVENUE AND EXPENDITURE WEB SITE SHALL ONLY INCLUDE STATE
 27 EXPENDITURE DATA. FOR ALL STATE FISCAL YEARS THEREAFTER, THE WEB
 28 SITE SHALL INCLUDE BOTH STATE EXPENDITURE AND REVENUE DATA.";
 29

30 line 19, strike "SEARCHABLE BUDGET DATABASE" and substitute "STATE
 31 REVENUE AND EXPENDITURE";
 32

33 line 24, strike "SEARCHABLE BUDGET DATABASE" and substitute "STATE
 34 REVENUE AND EXPENDITURE".
 35

36 Page 4, strike lines 6 through 8 and substitute the following:
 37

38 "(e) INCLUDE ARCHIVED REVENUE AND EXPENDITURE DATA FOR
 39 THE TEN PRIOR STATE FISCAL YEARS; EXCEPT THAT NO DATA SHALL BE
 40 REQUIRED FOR THE ANY STATE FISCAL YEAR PRIOR TO JULY 1, 2009, AND
 41 FOR THE 2009-10 STATE FISCAL YEAR ONLY, NO STATE REVENUE DATA
 42 SHALL BE REQUIRED TO BE ARCHIVED.";
 43

44 line 10, strike "SEARCHABLE BUDGET DATABASE" and substitute "STATE
 45 REVENUE AND EXPENDITURE".
 46
 47
 48

49 **SB09-017** be referred to the Committee of the Whole with favorable
 50 recommendation.
 51

53 **SB09-126** be referred to the Committee of the Whole with favorable
 54 recommendation.
 55
 56

1 **STATE, VETERANS, & MILITARY AFFAIRS**

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

4
5 **SB09-065** be referred to the Committee of the Whole with favorable
6 recommendation.

7
8
9
10 **PRINTING REPORT**

11
12 The Chief Clerk reports the following bills have been correctly printed:
13 **HB09-1299, 1300, 1301.**

14
15
16
17 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

18
19 The Speaker has signed: **SJR09-018.**

20
21
22
23 **MESSAGE FROM THE SENATE**

24
25 The Senate has passed on Third Reading and transmitted to the Revisor
26 of Statutes:

27
28 SB09-087 amended as printed in Senate Journal, March 3, 2009,
29 page 597, and March 4, 2009 page 611,
30 SB09-075 amended as printed in Senate Journal, March 4, 2009
31 page 611,
32 SB09-225 amended as printed in Senate Journal, March 4, 2009
33 pages 611-612.

34
35 The Senate voted to reject the First Report of the First Conference
36 Committee on SB09-217, as printed in Senate Journal, March 3, 2009,
37 page 592 and dissolved the Conference Committee. The Senate requests
38 that a Second Conference Committee be appointed. The President
39 appointed Senators Keller, Chair, Tapia, and White as members of the
40 Second Conference Committee on SB09-217. The bill is transmitted
41 herewith.

42
43 The Senate has adopted the First Report of the First Conference
44 Committee on SB09-185, as printed in Senate Journal March 3, 2009,
45 pages 598-599, and repassed the bill as amended.

46
47
48
49
50 **MESSAGE FROM THE REVISOR**

51
52 We herewith transmit:
53 Without comment, as amended, SB09-087, 075, and 225.

INTRODUCTION OF BILLS
First Reading

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

HB09-1302 by Representative(s) Pace, McFadyen, Gagliardi, Casso, Hullinghorst, McKinley, Miklosi, Rice, Ryden, Soper, Vigil; also Senator(s) Tapia--Concerning a preference for the purchase of Colorado steel products by governmental entities.

Committee on State, Veterans, & Military Affairs

HB09-1303 by Representative(s) Curry; also Senator(s) Isgar--Concerning the application of engineering criteria to increase efficiency in the administration of wells that withdraw ground water in conjunction with the mining of minerals, and, in connection therewith, integrating wells that withdraw ground water in conjunction with the mining of minerals into the prior appropriation system and extending the time schedule for well owners to correct deficiencies in permitting and operation.

Committee on Agriculture, Livestock, & Natural Resources

SB09-029 by Senator(s) Shaffer B.; also Representative(s) McFadyen--Concerning a requirement that people on a school bus wear safety belts.

Committee on Education

SB09-075 by Senator(s) Schwartz, Gibbs, Williams, Heath; also Representative(s) Marostica, Curry, Kerr A., Levy, McFadyen, Primavera, Scanlan, Vigil--Concerning the operation of low-speed electric self-propelled vehicles on public rights-of-way, and making an appropriation in connection therewith.

Committee on Transportation & Energy

SB09-087 by Senator(s) Carroll M.; also Representative(s) Peniston--Concerning increased accountability requirements for special districts, and making an appropriation in connection therewith.

Committee on Local Government

SB09-222 by Senator(s) Lundberg, Cadman, Schultheis, Harvey, Renfroe, Scheffel; also Representative(s) Vaad--Concerning standards for a sign required to notify drivers that an automated vehicle identification device is being used to detect traffic violations.

Committee on Transportation & Energy

SB09-225 by Senator(s) Boyd; also Representative(s) McGihon--Concerning the definition of contraceptive.

Committee on Health and Human Services

1 On motion of Representative Todd, the House adjourned until 9:00 a.m.,
2 March 6, 2009.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:
TERRANCE D. CARROLL,
Speaker

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

Fifty-ninth Legislative Day

Friday, March 6, 2009

1 Prayer by Father Curtiss Dwyer, St. John Vianney Theological Seminary,
 2 Denver.

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

5
 6 Pledge of Allegiance led by Shayla Levine, Highlands Ranch Christian
 7 School Pre K.

8
 9 The roll was called with the following result:

10 Present--60.
 11 Excused--Representative(s) Casso, Levy, May, McFadyen,
 12 McKinley--5.
 13 Present after roll call--Representative(s) Levy, McFadyen.
 14
 15

16 The Speaker declared a quorum present.
 17 _____
 18

19 On motion of Representative McCann, the reading of the journal of
 20 March 5, 2009, was declared dispensed with and approved as corrected
 21 by the Chief Clerk.
 22 _____
 23
 24

ADHERENCE ON SB09-217

25
 26
 27 **SB09-217** by Senator(s) White, Keller, Tapia; also Representative(s)
 28 Ferrandino, Pommer, Marostica--Concerning the re-
 29 duction of moneys transferred to certain funds from the
 30 portion of limited gaming fund moneys that would other-
 31 wise be transferred to the general fund after the transfer to
 32 the local government limited gaming impact fund.
 33

34 (Report of First Conference Committee printed in House Journal
 35 March 3, page 595.)
 36

37 Representative Ferrandino moved that the House **adhere** to its position.
 38 The motion was declared **passed** by the following roll call vote:
 39

	YES	49	NO	12	EXCUSED	4	ABSENT	0
41	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
42	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
43	Balmer	Y	Judd	Y	McKinley	E	Scanlan	Y

1	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
2	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
3	Bradford	N	Kerr J.	Y	Middleton	Y	Sonnenberg	N
4	Casso	E	King S.	N	Miklosi	Y	Soper	Y
5	Court	Y	Labuda	Y	Murray	Y	Stephens	N
6	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
7	Ferrandino	Y	Levy	E	Pace	Y	Swalm	Y
8	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
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	N	Vigil	Y
12	Gardner C.	N	May	E	Rice	Y	Waller	N
13	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
14							Speaker	Y

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GENERAL ORDERS--SECOND READING OF BILLS

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On motion of Representative Soper, the House resolved itself into Committee of the Whole for consideration of General Orders, and he was called to the Chair to act as Chairman.

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.)

HB09-1213 by Representative(s) Gagliardi--Concerning the creation of the housing development grant fund in the state treasury to be administered by the division of housing for purposes associated with increasing the supply of affordable housing in the state.

Referred to the Committee on Appropriations.

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

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

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

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

1 **SB09-044** by Senator(s) Boyd; also Representative(s) Hullinghorst--
 2 Concerning administrative procedures in relation to the
 3 department of human services.
 4

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

8 **HB09-1193** by Representative(s) McFadyen; also Senator(s) Tochtrop,
 9 Carroll M., Hodge, Morse, Tapia--Concerning a
 10 prohibition against the shifting of financial responsibility
 11 for negligence in motor carrier transportation agreements.
 12

13 Laid over until March 9, retaining place on Calendar.
 14

15 **SB09-034** by Senator(s) Kester; also Representative(s) Todd--
 16 Concerning the security level designation for the
 17 Centennial correctional facility.
 18

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

22 **HB09-1276** by Representative(s) Ferrandino, Apuan, Benefield,
 23 Carroll T., Casso, Court, Gagliardi, Gerou, Hullinghorst,
 24 Kerr A., Kerr J., Labuda, Marostica, Massey, McCann,
 25 Merrifield, Middleton, Miklosi, Pace, Peniston, Pommer,
 26 Ryden, Scanlan, Schafer S., Solano, Vigil; also Senator(s)
 27 Carroll M.--Concerning a delay in the foreclosure of
 28 residential property for eligible borrowers.
 29

30 Amendment No. 1, Business Affairs & Labor Report, dated
 31 March 3, 2009, and placed in member's bill file; Report also printed in
 32 House Journal, March 4, pages 604-606.
 33

34 Amendment No. 2, by Representative Ferrandino.
 35

36 Amend the Business Affairs and Labor Committee Report, dated March
 37 3, 2009, page 1, line 20, strike "TO" and substitute "WITH".
 38

39 Page 2, line 15, strike ""TO EXTEND PAST"." and substitute ""NOT TO
 40 EXTEND PAST"";";
 41

42 after line 15, insert the following:
 43

44 "line 27, after "DAYS," insert "EXCEPT AS MAY BE EXTENDED PURSUANT
 45 TO SECTION 38-38-103 (5) (d),".";
 46

47 line 16, strike "ACCURATE"." and substitute "ACCURATE"";";
 48

49 after line 16, insert the following:
 50

51 "line 6, after "(1)," insert "AND THE DETERMINATION OF THE PUBLIC
 52 TRUSTEE THAT THE FILING IS COMPLETE IN ACCORDANCE WITH SECTION
 53 38-38-102 (1),".".
 54

55 Page 3, line 5, after the first "BY", insert "EITHER THE HOLDER OR";
 56

1 strike lines 9 through 11 and substitute the following:

2 "SEVENTY-FIVE DOLLARS AND THEREAFTER".

3

4 Page 8, line 1, before "AND", insert "AS TO THE DEFERRED SALE,";

5

6 strike lines 4 and 5."

7

8 Amendment No. 3, by Representative Ferrandino.

9

10 Amend printed bill, page 9, line 20, strike "ON" and substitute "OF".

11

12 Amendment No. 4, by Representative Frangas.

13

14 Amend printed bill, page 6, line 23, after the period, add "UPON INITIAL
15 CONTACT FROM AN ELIGIBLE BORROWER, THE FORECLOSURE COUNSELOR
16 SHALL PROVIDE INFORMATION TO THE ELIGIBLE BORROWER REGARDING
17 THE FEDERAL GOVERNMENTS'S "MAKING HOME AFFORDABLE" PROGRAM
18 AND ADVISE THE ELIGIBLE BORROWER WHETHER HE OR SHE WOULD
19 BENEFIT FROM THE FEDERAL PROGRAM."

20

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

23

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

26

27 Amendment No. 1, Judiciary Report, dated March 2, 2009, and placed in
28 member's bill file; Report also printed in House Journal, March 3,
29 pages 591-593.

30

31 Amendment No. 2, by Representative McGihon.

32

33 Amend the Judiciary Committee Report, dated March 2, 2009, page 1,
34 strike line 13 and substitute the following:

35

36 "Page 12, strike line 27, and substitute the following:

37 "UNDER SECTION 19-4-105, C.R.S.,".

38

39 Page 13, line 1, strike "ENACTED IN 2009,"."

40

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

43

44 **SB09-070** by Senator(s) Foster; also Representative(s) Acree--
45 Concerning clarifications to workers' compensation
46 procedures.

47

48 Ordered revised and placed on the Calendar for Third Reading and Final
49 Passage.

50

51 **SB09-041** by Senator(s) Romer; also Representative(s) Vigil--
52 Concerning the administration of the "Private Activity
53 Bond Ceiling Allocation Act".

54

55 Ordered revised and placed on the Calendar for Third Reading and Final
56 Passage.

1 **HB09-1209** by Representative(s) Green--Concerning modifications to
2 health care coverage cooperatives.
3

4 Amendment No. 1, Health & Human Services Report, dated
5 March 2, 2009, and placed in member's bill file; Report also printed in
6 House Journal, March 4, pages 601-602.
7

8 Amendment No. 2, by Representative McGihon.
9

10 Amend the Health and Human Services Committee Report, dated March
11 2, 2009, page 1, strike lines 7 and 8 and substitute the following:
12

13 "line 9, strike "(I)";
14

15 strike lines 13 through 17."
16

17 Amendment No. 3, by Representative McGihon.
18

19 Amend the Health and Human Services Report, dated March 2, 2009,
20 page 2, strike lines 25 through 29.
21

22 As amended, ordered engrossed and placed on the Calendar for Third
23 Reading and Final Passage.
24

25 (For change in action, see Amendments to Report, page 630.)
26

27 **SB09-140** by Senator(s) Bacon; also Representative(s) Fischer--
28 Concerning a requirement that public trustees serve at the
29 pleasure of the governor.

30 Ordered revised and placed on the Calendar for Third Reading and Final
31 Passage.
32

33 **SB09-096** by Senator(s) Bacon, Penry, Schwartz; also
34 Representative(s) Sonnenberg, McFadyen, Riesberg--
35 Concerning the exemption of certain capital construction
36 projects funded with federal moneys from certain contract
37 requirements.
38

39 Ordered revised and placed on the Calendar for Third Reading and Final
40 Passage.
41

42 **HB09-1018** by Representative(s) Bradford; also Senator(s) Spence--
43 Concerning the removal of obsolete language in statutory
44 provisions implementing the statewide voter registration
45 and election system for purposes of compliance with the
46 federal "Help America Vote Act" .
47

48 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
49 March 3, 2009, and placed in member's bill file; Report also printed in
50 House Journal, March 4, pages 606-608.
51

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

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

16
17 Representative(s) Kerr J. moved to amend the Report of the Committee
18 of the Whole to reverse the action taken by the Committee in not adopting
19 the following Kerr J. amendment, to SB09-044, to show that said
20 amendment passed, and that **SB09-044**, as amended, passed.

21
22 Amend reengrossed bill, page 7, after line 14, insert the following:

23
24 "(1.9) NO RULE, ADMINISTRATIVE POLICY, OR ORDER OF THE
25 EXECUTIVE DIRECTOR SHALL PROHIBIT THE USE OF A RECORDING DEVICE
26 FOR THE PURPOSES OF RECORDING ILLEGAL ACTIVITIES."
27

28 The amendment was declared **lost** by the following roll call vote:
29

30	YES	26	NO	34	EXCUSED	5	ABSENT	0
31	Acree	Y	Green	N	McFadyen	N	Roberts	Y
32	Apuan	Y	Hullinghorst	N	McGihon	N	Ryden	N
33	Balmer	Y	Judd	N	McKinley	E	Scanlan	N
34	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	N
35	Benefield	N	Kerr A.	N	Merrifield	N	Solano	N
36	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y
37	Casso	E	King S.	Y	Miklosi	N	Soper	N
38	Court	N	Labuda	N	Murray	Y	Stephens	Y
39	Curry	N	Lambert	Y	Nikkel	Y	Summers	Y
40	Ferrandino	N	Levy	N	Pace	N	Swalm	Y
41	Fischer	N	Liston	Y	Peniston	N	Tipton	Y
42	Frangas	N	Looper	Y	Pommer	N	Todd	N
43	Gagliardi	N	Marostica	E	Primavera	N	Vaad	Y
44	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N
45	Gardner C.	Y	May	E	Rice	N	Waller	Y
46	Gerou	Y	McCann	E	Riesberg	N	Weissmann	N
47							Speaker	N

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52 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**
53

54 Passed Second Reading: **SB09-033, 010, 044, 034,**
55 **HB09-1276 amended, 1287 amended, SB09-070, 041, 140, 096,**
56 **HB09-1018 amended, 1279 amended.**

- 1 Laid over until date indicated retaining place on Calendar:
 2 **HB09-1193** --March 9, 2009.
 3 **HB09-1209 amended, 1247**--March 12, 2009.
 4 **SB09-111**--March 13, 2009.
 5
 6 Referred to Committee indicated: **HB09-1213**--Appropriations.
 7
 8 The Chairman moved the adoption of the Committee of the Whole
 9 Report. As shown by the following roll call vote, a majority of those
 10 elected to the House voted in the affirmative, and the Report was
 11 **adopted**.

	YES	43	NO	17	EXCUSED	5	ABSENT	0
14	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
15	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
16	Balmer	N	Judd	Y	McKinley	E	Scanlan	Y
17	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
18	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
19	Bradford	N	Kerr J.	Y	Middleton	Y	Sonnenberg	N
20	Casso	E	King S.	N	Miklosi	Y	Soper	Y
21	Court	Y	Labuda	Y	Murray	Y	Stephens	N
22	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
23	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
24	Fischer	Y	Liston	Y	Peniston	Y	Tipton	N
25	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
26	Gagliardi	Y	Marostica	E	Primavera	Y	Vaad	Y
27	Gardner B.	Y	Massey	Y	Priola	N	Vigil	Y
28	Gardner C.	N	May	E	Rice	Y	Waller	N
29	Gerou	N	McCann	E	Riesberg	Y	Weissmann	Y
30							Speaker	Y

MESSAGE FROM THE SENATE

36 The Senate has adopted and transmits herewith: SJR09-019.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

42 On motion of Representative Weissmann, the rules were suspended and
 43 the following resolution was given immediate consideration.

45 **SJR09-019** by Senator(s) Newell; also Representative(s) Apuan--
 46 Concerning the support of National Multiple Sclerosis
 47 Awareness Week.

49 (Printed and placed in member's file).

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

54 Co-sponsor(s) added: Representative(s) Acree, Balmer, Baumgardner,
 55 Benefield, Bradford, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi,
 56 Gardner B., Gardner C., Gerou, Green, Hullinghorst, Judd, Kefalas, Kerr A.,

1 Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Massey, McFadyen,
 2 McGihon, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace,
 3 Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan,
 4 Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton,
 5 Todd, Vaad, Vigil, Waller, Weissmann, Speaker

6

7

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9

REPORT(S) OF COMMITTEE(S) OF REFERENCE

10

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

11 AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES
 12 After consideration on the merits, the Committee recommends the
 13 following:

14

15 **SB09-114** be amended as follows, and as so amended, be referred to
 16 the Committee of the Whole with favorable
 17 recommendation:

18

19 Amend reengrossed bill, page 6, strike lines 24 through 27.

20

21 Page 7, strike lines 1 through 8.

22

23 Renumber succeeding sections accordingly.

24

25

26

27 **SB09-117** be amended as follows, and as so amended, be referred to
 28 the Committee of the Whole with favorable
 29 recommendation:

30

31 Amend reengrossed bill, page 22, strike lines 25 through 27 and substitute
 32 the following:

33 ~~"(3)"~~ (6) Any penalty collected under this section shall be
 34 transmitted to the state treasurer, who shall credit the same to the
 35 inspection and consumer services cash fund created in section 35-1-
 36 106.5."

37

38 Page 23, strike line 1.

39

40 Page 37, line 5, strike "GENERAL FUND." and substitute "INSPECTION AND
 41 CONSUMER SERVICES CASH FUND CREATED IN SECTION 35-1-106.5".

42

43

44

45

APPROPRIATIONS

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

49

50 **HB09-1026** be referred to the Committee of the Whole with favorable
 51 recommendation.

52

53

54 **HB09-1039** be amended as follows, and as so amended, be referred to
 55 the Committee of the Whole with favorable
 56 recommendation:

1 Amend the State, Veterans, & Military Affairs Committee Report, dated
2 January 20, 2009, page 1, after line 9, insert the following:

3
4 "line 15, strike "CLASSIFICATION." and substitute "CLASSIFICATION,
5 INCLUDING BUT NOT LIMITED TO ELIGIBILITY TO RECEIVE A STIPEND FROM
6 THE COLLEGE OPPORTUNITY FUND PURSUANT TO PART 2 OF ARTICLE 18 OF
7 THIS TITLE."";

8
9 strike lines 10 through 16 of the committee report.

10

11

12

13 **HB09-1071** be postponed indefinitely.

14

15

16 **HB09-1086** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:

19

20 Amend printed bill, page 9, after line 11, insert the following:

21

22 **"SECTION 6. Appropriation.** (1) In addition to any other
23 appropriation, there is hereby appropriated, out of any moneys in the
24 division of registrations cash fund created in section 24-34-105 (2) (b) (I),
25 Colorado Revised Statutes, not otherwise appropriated, to the department
26 of regulatory agencies, for allocation to the division of registrations, for
27 the continuing competency of certain mental health professionals, for the
28 fiscal year beginning July 1, 2009, the sum of one hundred thirty-four
29 thousand one hundred twenty-three dollars (\$134,123) cash funds and 1.0
30 FTE, or so much thereof as may be necessary, for the implementation of
31 this act.

32

33 (2) In addition to any other appropriation, there is hereby
34 appropriated to the department of law, for the fiscal year beginning July
35 1, 2009, the sum of thirty thousand dollars (\$30,000) and 0.2 FTE, or so
36 much thereof as may be necessary, for the provision of legal services to
37 the department of regulatory agencies related to the implementation of
38 this act. Said sum shall be from reappropriated funds received from the
39 department of regulatory agencies out of the appropriation made in
40 subsection (1) of this section."

41

42 Renumber seceding section accordingly.

43

44 Page 1, line 102, strike "PROFESSIONALS." and substitute,
45 "PROFESSIONALS, AND MAKING AN APPROPRIATION IN CONNECTION
46 THEREWITH."

47

48

49

50 **HB09-1129** be amended as follows, and as so amended, be referred to
51 the Committee of the Whole with favorable
52 recommendation:

53

54 Amend the Agriculture, Livestock, and Natural Resources Committee
55 Report, dated February 3, 2009, page 2, line 2, strike "TO." and substitute
56 "TO";";

1 after line 2, insert the following:

2

3 "line 24, after the period, insert "AS A CONDITION OF APPROVING THE
4 RETIREMENT OF A PILOT PROJECT, THE STATE ENGINEER SHALL HAVE THE
5 AUTHORITY TO REQUIRE THE PROJECT SPONSOR TO REPLACE ANY ONGOING
6 DELAYED DEPLETIONS CAUSED BY THE PILOT PROJECT AFTER THE PROJECT
7 HAS CEASED."";

8

9 line 19 of the committee report, strike everything after "PILOT" and
10 substitute "PROJECT."";

11

12 strike lines 20 through 22.

13

14 Page 3, line 15, strike everything after "(B).";

15

16 strike line 16 and substitute the following:

17

18 "AS A CONDITION OF APPROVING A SUBSTITUTE WATER SUPPLY PLAN FOR
19 A PILOT PROJECT PURSUANT TO THIS SUBSECTION (4), THE".

20

21 Page 4, after line 11, insert the following:

22

23 "Page 7, line 23, strike "IF NOT";

24

25 strike line 24;

26

27 line 25, strike "PLAN," and substitute "AS A CONDITION OF APPROVING A
28 SUBSTITUTE WATER SUPPLY PLAN FOR A PILOT PROJECT PURSUANT TO THIS
29 SUBSECTION (5),".

30

31 Page 8, after line 1 insert the following:

32

33 **"SECTION 3. Appropriation.** In addition to any other
34 appropriation, there is hereby appropriated, out of any moneys in the
35 Colorado water conservation board construction fund created in section
36 37-60-121 (1)(a), Colorado Revised Statutes, not otherwise appropriated,
37 to the department of natural resources, Colorado water conservation
38 board, special purpose, for the water conservation program, for the fiscal
39 year beginning July 1, 2009, the sum of three thousand six hundred
40 dollars (\$3,600), or so much thereof as may be necessary, for the
41 implementation of this act."

42

43 Renumber succeeding section accordingly.

44

45 Page 1, line 103, strike "DEVELOPMENTS." and substitute
46 "DEVELOPMENTS, AND MAKING AN APPROPRIATION IN CONNECTION
47 THEREWITH."".

48

49

50

51 **HB09-1136** be amended as follows, and as so amended, be referred to
52 the Committee of the Whole with favorable
53 recommendation:

54

55 Amend printed bill, page 7, after line 6, insert the following:

56

1 **"SECTION 6. Appropriation.** (1) In addition to any other
2 appropriation, there is hereby appropriated, out of any moneys in the
3 division of registrations cash fund created in section 24-34-105 (20) (b)
4 (I), Colorado Revised Statutes, not otherwise appropriated, to the
5 department of regulatory agencies, for allocation to the division of
6 registrations, for the establishment of rules to ensure the competency of
7 electricians, for the fiscal year beginning July 1, 2009, the sum of ninety-
8 nine thousand eight hundred ninety-four dollars (\$99,894) cash funds and
9 1.0 FTE, or so much thereof as may be necessary, for the implementation
10 of this act.

11
12 (2) In addition to any other appropriation, there is hereby
13 appropriated to the department of law, for the fiscal year beginning July
14 1, 2009, the sum of eleven thousand two hundred sixty-five dollars
15 (\$11,265) and 0.1 FTE, or so much thereof as may be necessary, for the
16 provision of legal services to the department of regulatory agencies
17 related to the implementation of this act. Said sum shall be from
18 reappropriated funds received from the department of regulatory agencies
19 out of the appropriation made in subsection (1) of this section."

20
21 Renumber succeeding section accordingly.

22
23 Page 1, line 102, strike "**WORK.**" and substitute "**WORK, AND MAKING**
24 **AN APPROPRIATION IN CONNECTION THEREWITH.**"

25
26
27
28 **HB09-1164** be amended as follows, and as so amended, be referred to
29 the Committee of the Whole with favorable
30 recommendation:

31
32 Amend the Transportation and Energy Committee Report, dated February
33 12, 2009, page 2, line 24, strike the first "AND" and, strike "DONATIONS."
34 and substitute "DONATIONS, AND ANY OTHER MONEYS APPROPRIATED
35 THERETO BY THE GENERAL ASSEMBLY.";

36
37 after line 26, insert the following:

38
39 "line 11, after "ACTIVITIES.", add "THE STATE DEPARTMENT SHALL NOT BE
40 REQUIRED TO TRACK OR REPORT ON THE PERSONS WHO BECOME ELIGIBLE
41 FOR PARTICIPATION IN THE BREAST AND CERVICAL CANCER PREVENTION
42 AND TREATMENT PROGRAM PURSUANT TO SUB-SUBPARAGRAPH (B) OF
43 SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION
44 SEPARATELY FROM THOSE PERSONS WHO ARE ELIGIBLE FOR THE PROGRAM
45 PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF
46 PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION, NOR SHALL THE
47 STATE DEPARTMENT BE REQUIRED TO TRACK OR REPORT SEPARATELY ON
48 EXPENDITURES RELATED TO PERSONS ELIGIBLE TO PARTICIPATE IN THE
49 PROGRAM PURSUANT TO EITHER SUCH SUB-SUBPARAGRAPH.";

50
51
52
53 **HB09-1237** be amended as follows, and as so amended, be referred to
54 the Committee of the Whole with favorable
55 recommendation:

56

1 Amend printed bill, page 7, after line 17, insert the following:

2
3 **"SECTION 5. Appropriation.** In addition to any other
4 appropriation, there is hereby appropriated, out of any moneys in the early
5 intervention services trust fund created in section 27-10.5-709 (2) (a),
6 Colorado Revised Statutes, not otherwise appropriated, to the department
7 of human services, for allocation to services for people with disabilities,
8 community services for people with developmental disabilities, for the
9 fiscal year beginning July 1, 2009, the sum of forty-six thousand nine
10 hundred forty-three dollars (\$46,943) cash funds and 1.0 FTE, or so
11 much thereof as may be necessary, for the implementation of this act. In
12 addition to said appropriation, the general assembly anticipates that, for
13 the fiscal year beginning July 1, 2009, the department of human services
14 will receive the sum of three million five hundred fourteen thousand fifty-
15 seven dollars (\$3,514,057) cash funds custodial funds, for early
16 intervention services, from the early intervention services trust fund
17 created pursuant to section 27-10.5-709 (2) (a), Colorado Revised
18 Statutes. Although the cash funds custodial funds are not appropriated in
19 this act, they are noted for the purpose of indicating the assumptions used
20 relative to these funds in developing state appropriation amounts."

21
22 Renumber succeeding section accordingly.

23
24 Page 1, line 104, strike "ACT"." and substitute "ACT", AND MAKING AN
25 APPROPRIATION THEREFOR."

26
27
28
29 **HB09-1248** be amended as follows, and as so amended, be referred to
30 the Committee of the Whole with favorable
31 recommendation:

32
33 Amend printed bill, page 15, after line 17, insert the following:

34
35 **"SECTION 21. Adjustments to the 2009 long bill.** For the
36 implementation of this act, appropriations made in the annual general
37 appropriation act for the fiscal year beginning July 1, 2009, to the
38 department of state, administration, are decreased by seventeen thousand
39 three hundred forty-three dollars (\$17,343) cash funds. Said sum shall be
40 from the department of state cash fund created in section 24-21-104 (3)
41 (b), Colorado Revised Statutes."

42
43 Renumber succeeding sections accordingly.

44
45 Page 1, line 107, strike "MEETING." and substitute "MEETING, AND
46 MAKING AN APPROPRIATION."

47
48
49
50 **SB09-181** be referred to the Committee of the Whole with favorable
51 recommendation.

52
53
54 **SB09-224** be referred to the Committee of the Whole with favorable
55 recommendation.

56

1 **SB09-227** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
5
6

7 **HEALTH & HUMAN SERVICES**

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

10
11 **HB09-1278** be postponed indefinitely.
12
13
14
15

16 **JUDICIARY**

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

19
20 **SB09-038** be referred to the Committee of the Whole with favorable
21 recommendation.
22
23

24 **SB09-054** be referred to the Committee of the Whole with favorable
25 recommendation.
26
27

28 **SB09-059** be referred to the Committee of the Whole with favorable
29 recommendation.
30
31
32
33

34 **LOCAL GOVERNMENT**

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

37
38 **SB09-050** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:
41

42 Amend reengrossed bill, page 2, line 13, strike "district." and substitute
43 "district; EXCEPT THAT THE MEMBER WHO IS A REGISTERED ELECTOR OF
44 TELLER OR GILPIN COUNTY MAY RESIDE IN THE SAME CONGRESSIONAL
45 DISTRICT AS ONE OF THE OTHER MEMBERS.";

46
47 line 27, strike "and" and substitute "and, EFFECTIVE JULY 1, 2011,".
48
49
50
51

52 **TRANSPORTATION & ENERGY**

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

55
56 **HB09-1187** be postponed indefinitely.

1 **HB09-1261** be postponed indefinitely.

2

3

4 **HB09-1277** be postponed indefinitely.

5

6

7 **HB09-1284** be amended as follows, and as so amended, be referred to
8 the Committee of the Whole with favorable
9 recommendation:

10

11 Amend printed bill, page 3, strike lines 22 through 27.

12

13 Page 4, strike lines 1 through 3 and substitute the following:

14

15 "(2) (a) THE DEPARTMENT AND ANY METROPOLITAN PLANNING
16 ORGANIZATION SHALL IDENTIFY AND PRIORITIZE CONGESTED CORRIDORS
17 FOR DEVELOPMENT OF CORRIDOR CAPACITY STRATEGIC PLANS BASED ON
18 THE DEGREE OF EXPECTED CONGESTION AND URGENCY OF PLANNING. THE
19 DEPARTMENT AND THE METROPOLITAN PLANNING ORGANIZATION MAY
20 DEVELOP CORRIDOR CAPACITY STRATEGIC PLANS FOR THOSE IDENTIFIED
21 AND PRIORITIZED CONGESTED CORRIDORS. IN DEVELOPING SUCH CORRIDOR
22 CAPACITY STRATEGIC PLANS, THE DEPARTMENT AND THE METROPOLITAN
23 PLANNING ORGANIZATION MAY CONSIDER, BUT SHALL NOT BE LIMITED TO,
24 THE FOLLOWING:";

25

26 line 4, strike "(A)" and substitute "(I)";

27

28 line 5, strike "(B)" and substitute "(II)";

29

30 line 6, strike "(C)" and substitute "(III)";

31

32 line 7, strike "(D)" and substitute "(IV)";

33

34 line 8, strike "(E)" and substitute "(V)";

35

36 line 10, strike "(F)" and substitute "(VI)";

37

38 line 14, after "IMPLEMENT", insert "LOCALLY CONTROLLED COMPONENTS
39 OF";

40

41 strike lines 16 through 27.

42

43 Strike pages 5 and 6.

44

45 Page 7, strike line 1.

46

47 Renumber succeeding subsections accordingly.

48

49 line 27, strike "(6)," and substitute "(4),".

50

51 Page 8, strike lines 1 through 9 and substitute the following:

52

53 "SECTION 4. 30-28-116, Colorado Revised Statutes, is amended
54 to read:

55

56 **30-28-116. Regulations may be amended.** (1) From time to

1 time the board of county commissioners may amend the number, shape,
 2 boundaries, or area of any district, or any regulation of or within such
 3 district, or any other provisions of the zoning resolution. Any such
 4 amendment shall not be made or become effective unless the same has
 5 been proposed by or is first submitted for the approval, disapproval, or
 6 suggestions of the county planning commission. If disapproved by such
 7 commission within thirty days after such submission, such amendment,
 8 to become effective, shall receive the favorable vote of not less than a
 9 majority of the entire membership of the board of county commissioners.
 10 Before finally adopting any such amendment, the board of county
 11 commissioners shall hold a public hearing thereon, and at least fourteen
 12 days' notice of the time and place of such hearing shall be given by at
 13 least one publication in a newspaper of general circulation in the county.
 14

15 (2) THE DEPARTMENT OF TRANSPORTATION SHALL BE A REFERRAL
 16 AGENCY FOR ANY CHANGES IN THE ZONING MAPS OF ANY CONGESTED
 17 CORRIDORS UNDER CONSIDERATION FOR A CORRIDOR CAPACITY STRATEGIC
 18 PLAN PURSUANT TO SECTION 43-1-1106, C.R.S.
 19

20 **SECTION 5.** 31-23-305, Colorado Revised Statutes, is amended
 21 to read:
 22

23 **31-23-305. Changes.** (1) Such regulations, restrictions, and
 24 boundaries may from time to time be amended, supplemented, changed,
 25 modified, or repealed. In case, however, of a protest against changes in
 26 regulations or restrictions, or changes in the zone district applicable to
 27 particular land, which protest is filed with the municipal clerk at least
 28 twenty-four hours prior to the governing body's vote on the change and
 29 is signed by the owners of twenty percent or more of the area of land
 30 which is subject to the proposed change or twenty percent or more of the
 31 area of land extending a radius of one hundred feet from the land which
 32 is subject to the proposed change, disregarding intervening public streets
 33 and alleys, such changes shall not become effective except by the
 34 favorable vote of two-thirds of all the members of the governing body of
 35 the municipality. The provisions of section 31-23-304 relative to public
 36 hearings and official notice shall apply equally to all changes or
 37 amendments.
 38

39 (2) THE DEPARTMENT OF TRANSPORTATION SHALL BE A REFERRAL
 40 AGENCY FOR ANY CHANGES IN THE ZONING MAPS OF ANY CONGESTED
 41 CORRIDORS UNDER CONSIDERATION FOR A CORRIDOR CAPACITY STRATEGIC
 42 PLAN PURSUANT TO SECTION 43-1-1106, C.R.S."
 43

44 Renumber succeeding section accordingly.
 45

48 **PRINTING REPORT**

49
 50
 51 The Chief Clerk reports the following bills have been correctly printed:
 52 **HB09-1302, 1303.**
 53

54
 55
 56

INTRODUCTION OF BILL
First Reading

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The following bill was read by title and referred to the committee indicated:

HB09-1304 by Representative(s) Solano, Benefield, Casso, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Green, Hullinghorst, Labuda, Looper, McFadyen, McGihon, McKinley, Merrifield, Middleton, Miklosi, Peniston, Pommer, Ryden, Schafer S., Soper, Todd, Vigil, Weissmann; also Senator(s) Williams, Tapia, Carroll M., Shaffer B.--Concerning the imposition of a temporary suspension in administering certain statewide student assessments for the purpose of meeting state budget restrictions.
Committee on Education

ANNOUNCEMENT

On motion of Representative Weissmann, the following bill(s) will be calendared as follows:

SB09-224--March 9, 2009.
HB09-1284, 1026, 1039, 1086, 1129, 1136, 1164, 1237, 1248--
March 12, 2009.
SB09-114, 117, 038, 054, 059, 050, 181, 227--March 13, 2009.

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

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Sixty-second Legislative Day

Monday, March 9, 2009

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

2

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

4

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

8

9 The roll was called with the following result:

10

11 Present--61.

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

13

Summers--4.

14

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

15

16 The Speaker declared a quorum present.

17

18

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

22

23

24

25

26

THIRD READING OF BILLS--FINAL PASSAGE

27

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

31

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

38

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

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

43

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

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

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

26
 27 The question being "Shall the bill pass?".
 28 A roll call vote was taken. As shown by the following recorded vote, a
 29 majority of those elected to the House voted in the affirmative and the bill
 30 was declared **passed**.

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

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

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

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

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

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

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

29
 30 The question being "Shall the bill pass?".
 31 A roll call vote was taken. As shown by the following recorded vote, a
 32 majority of those elected to the House voted in the affirmative and the bill
 33 was declared **passed**.

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

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

54
 55

1 **HB09-1276** by Representative(s) Ferrandino, Apuan, Benefield,
 2 Carroll T., Casso, Court, Gagliardi, Gerou, Hullinghorst,
 3 Kerr A., Kerr J., Labuda, Marostica, Massey, McCann,
 4 Merrifield, Middleton, Miklosi, Pace, Peniston, Pommer,
 5 Ryden, Scanlan, Schafer S., Solano, Vigil; also Senator(s)
 6 Carroll M.--Concerning a delay in the foreclosure of
 7 residential property for eligible borrowers.
 8

9 The question being "Shall the bill pass?".
 10 A roll call vote was taken. As shown by the following recorded vote, a
 11 majority of those elected to the House voted in the affirmative and the bill
 12 was declared **passed**.
 13

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

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

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

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

40 **SB09-070** by Senator(s) Foster; also Representative(s) Acree--
 41 Concerning clarifications to workers' compensation
 42 procedures.
 43

44 The question being "Shall the bill pass?".
 45 A roll call vote was taken. As shown by the following recorded vote, a
 46 majority of those elected to the House voted in the affirmative and the bill
 47 was declared **passed**.
 48

	YES	62	NO	0	EXCUSED	3	ABSENT	0
50	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
51	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
52	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
53	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
54	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
55	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
56	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y

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

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

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

17
18 The question being "Shall the bill pass?".

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

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

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

46
47 The question being "Shall the bill pass?".

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

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

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

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

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

21
22 The question being "Shall the bill pass?".

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

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

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

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

54
55 The question being "Shall the bill pass?".

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

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

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

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

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

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

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

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

53
54
55
56

1 On motion of Representative Fischer, the House resolved itself into
2 Committee of the Whole for consideration of General Orders, and he was
3 called to the Chair to act as Chairman.

4

5

6

GENERAL ORDERS--SECOND READING OF BILLS

7

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

12

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

15

16 **HB09-1193** by Representative(s) McFadyen; also Senator(s) Tochtrop,
17 Carroll M., Hodge, Morse, Tapia--Concerning a
18 prohibition against the shifting of financial responsibility
19 for negligence in motor carrier transportation agreements.

20

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

24

25 Amendment No. 2, by Representative McFadyen.

26

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

29

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

31

32 strike line 5.

33

34 Amendment No. 3, by Representative McFadyen.

35

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

38

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

40

41 (I) A CONTRACT,";

42

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

44

45 after line 8, insert the following:

46

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

53

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

56

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

5
 6 Ordered revised and placed on the Calendar for Third Reading and Final
 7 Passage.

8
 9 **SB09-115** by Senator(s) Brophy, Hodge, Isgar; also Representative(s)
 10 Curry--Concerning the continuation of the regulation of
 11 public livestock markets.

12
 13 Ordered revised and placed on the Calendar for Third Reading and Final
 14 Passage.

15
 16 **SB09-116** by Senator(s) Hodge, Isgar, Schwartz; also
 17 Representative(s) Looper--Concerning continuation of the
 18 "Colorado Seed Act".

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

22
 23 **SB09-127** by Senator(s) Schwartz, Hodge, Isgar; also
 24 Representative(s) Fischer--Concerning the continuation of
 25 the regulation of egg quality.

26
 27 Ordered revised and placed on the Calendar for Third Reading and Final
 28 Passage.

29
 30 **SB09-151** by Senator(s) Isgar, Hodge; also Representative(s) Curry--
 31 Concerning the regulation of slaughterers of livestock
 32 through the department of agriculture, and, in connection
 33 therewith, allowing such function to expire on schedule
 34 and reassigning certain regulatory functions to the state
 35 board of stock inspection commissioners.

36
 37 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
 38 dated March 4, 2009, and placed in member's bill file; Report also printed
 39 in House Journal, March 5, page 619.

40
 41 As amended, ordered revised and placed on the Calendar for Third
 42 Reading and Final Passage.

43
 44 **SB09-091** by Senator(s) Romer; also Representative(s) Rice--
 45 Concerning motor vehicle dealer franchise agreements.

46
 47 Amendment No. 1, by Representative Rice.

48
 49 Amend reengrossed bill, page 6, after line 5, insert the following:

50
 51 "(C) NOTHING IN THIS SUBPARAGRAPH (I) SHALL BE CONSTRUED
 52 TO LIMIT THE APPLICATION OF PARAGRAPH (d) OF THIS SUBSECTION (1);".

53
 54 Page 12, line 25, strike "THAT, IF" and substitute "THAT:

55
 56 (A) IF".

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

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

24 The Chairman moved the adoption of the Committee of the Whole
 25 Report. As shown by the following roll call vote, a majority of those
 26 elected to the House voted in the affirmative, and the Report was
 27 **adopted.**

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

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

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

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

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

after line 21, insert the following:

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

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

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

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

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

PRINTING REPORT

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

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

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

ANNOUNCEMENT

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

House in recess. House reconvened.

MESSAGE FROM THE SENATE

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

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

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

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

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

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

MESSAGE FROM THE REVISOR

We herewith transmit:

Without comment, SB09-177.

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

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

INTRODUCTION OF BILLS
First Reading

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

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

Committee on Judiciary

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

Committee on State, Veterans, & Military Affairs

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

Committee on State, Veterans, & Military Affairs

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

Committee on Business Affairs and Labor

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

Committee on Transportation & Energy

ANNOUNCEMENT

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

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

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

TERRANCE D. CARROLL,

Speaker

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

Sixty-third Legislative Day

Tuesday, March 10, 2009

1 Prayer by Dr. Tom Melton, Greenwood Community Church, Greenwood.

2

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

4

5 Pledge of Allegiance led by Lonnie Moch, Regis University, Denver.

6

7 The roll was called with the following result:

8

9

Present--55.

10 Excused--Representative(s) Kefalas, Massey, May, McGihon,

11

McNulty, Miklosi, Priola, Stephens, Summers, Weissmann--10.

12

Present after roll call--Representative(s) May, McNulty, Priola,

13

Stephens, Weissmann.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Riesberg, the reading of the journal of
 19 March 9, 2009, was declared dispensed with and approved as corrected
 20 by the Chief Clerk.

21

22

23

24

25

THIRD READING OF BILLS--FINAL PASSAGE

26

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

30

31

HB09-1193 by Representative(s) McFadyen; also Senator(s) Tochtrop,
 32 Carroll M., Hodge, Morse, Tapia--Concerning a
 33 prohibition against the shifting of financial responsibility
 34 for negligence in motor carrier transportation agreements.

35

36 The question being "Shall the bill 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 was declared **passed**.

40

41

42

43

	YES	37	NO	19	EXCUSED	9	ABSENT	0
Acree	N	Green	Y	McFadyen	Y	Roberts	Y	
Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y	

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

16 Co-sponsor(s) added: Representative(s) Casso, Fischer, Green, Labuda, Looper,
17 Ryden, Soper, Vigil, Speaker

18

19 **SB09-113** by Senator(s) Brophy, Hodge, Isgar; also Representative(s)
20 Sonnenberg--Concerning the continuation of the authority
21 of the department of agriculture to regulate measurement
22 standards.

23

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

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

28

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

47 Co-sponsor(s) added: Representative(s) Curry, Fischer, Looper

48

49 **SB09-115** by Senator(s) Brophy, Hodge, Isgar; also Representative(s)
50 Curry--Concerning the continuation of the regulation of
51 public livestock markets.

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	58	NO	0	EXCUSED	7	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	Y
5	Baumgardner	Y	Kefalas	E	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
8	Casso	Y	King S.	Y	Miklosi	E	Soper	Y
9	Court	Y	Labuda	Y	Murray	Y	Stephens	E
10	Curry	Y	Lambert	Y	Nikkel	Y	Summers	E
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	E	Priola	Y	Vigil	Y
16	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
17	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Baumgardner, Looper, McFadyen,
 20 Sonnenberg, Tipton, Vigil

21
 22 **SB09-116** by Senator(s) Hodge, Isgar, Schwartz; also
 23 Representative(s) Looper--Concerning continuation of the
 24 "Colorado Seed Act".

25
 26 The question being "Shall the bill 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 bill
 29 was declared **passed**.

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

49 Co-sponsor(s) added: Representative(s) Baumgardner, Curry, Ryden,
 50 Schafer S., Sonnenberg, Tipton, Vigil

51
 52 **SB09-127** by Senator(s) Schwartz, Hodge, Isgar; also
 53 Representative(s) Fischer--Concerning the continuation of
 54 the regulation of egg quality.

55

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

24 Co-sponsor(s) added: Representative(s) Baumgardner, Curry, Hullinghorst,
 25 Ryden, Sonnenberg, Tipton, Vigil

26
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 28
 29 **SB09-151** by Senator(s) Isgar, Hodge; also Representative(s) Curry--
 30 Concerning the regulation of slaughterers of livestock
 31 through the department of agriculture, and, in connection
 32 therewith, allowing such function to expire on schedule
 33 and reassigning certain regulatory functions to the state
 34 board of stock inspection commissioners.

35
 36 The question being "Shall the bill 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 bill
 39 was declared **passed**.

	YES	59	NO	0	EXCUSED	6	ABSENT	0
42	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
43	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
44	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
45	Baumgardner	Y	Kefalas	E	McNulty	Y	Schafer S.	Y
46	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
47	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
48	Casso	Y	King S.	Y	Miklosi	E	Soper	Y
49	Court	Y	Labuda	Y	Murray	Y	Stephens	E
50	Curry	Y	Lambert	Y	Nikkel	Y	Summers	E
51	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
52	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
53	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
54	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
55	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
56	Gardner C.	Y	May	Y	Rice	Y	Waller	Y

1 Gerou Y McCann Y Riesberg Y Weissmann Y
 2 Speaker Y

3 Co-sponsor(s) added: Representative(s) Baumgardner, King S., Looper,
 4 Roberts, Sonnenberg, Vigil

5
 6 **SB09-091** by Senator(s) Romer; also Representative(s) Rice--
 7 Concerning motor vehicle dealer franchise agreements.

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

	YES	53	NO	6	EXCUSED	6	ABSENT	0
15	Acree	Y	Green	N	McFadyen	Y	Roberts	Y
16	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
17	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
18	Baumgardner	Y	Kefalas	E	McNulty	Y	Schafer S.	Y
19	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
20	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
21	Casso	Y	King S.	Y	Miklosi	E	Soper	Y
22	Court	Y	Labuda	Y	Murray	Y	Stephens	E
23	Curry	Y	Lambert	Y	Nikkel	Y	Summers	E
24	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
25	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
26	Frangas	Y	Looper	Y	Pommer	N	Todd	Y
27	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
28	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
29	Gardner C.	Y	May	N	Rice	Y	Waller	Y
30	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Acree, Casso, Fischer, Frangas,
 33 Hullinghorst, Kerr A., Liston, Marostica, Middleton, Ryden, Scanlan,
 34 Schafer S., Todd

35
 36 **SB09-017** by Senator(s) Tochtrop, Morse; also Representative(s)
 37 Riesberg, Benefield, Labuda, Peniston, Rice--Concerning
 38 firefighter and police officer disability and survivor
 39 benefits.

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**.

	YES	59	NO	0	EXCUSED	6	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	E	McNulty	Y	Schafer S.	Y
51	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
52	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
53	Casso	Y	King S.	Y	Miklosi	E	Soper	Y
54	Court	Y	Labuda	Y	Murray	Y	Stephens	E
55	Curry	Y	Lambert	Y	Nikkel	Y	Summers	E
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	E	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) Apuan, Casso, Gerou, Green, King S.,
 9 Looper, Ryden, Schafer S., Solano, Todd, Speaker

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SB09-126 by Senator(s) Newell, Hodge, Spence, Tochtrop; also Representative(s) Apuan, Gagliardi, Swalm--Concerning the voluntary contribution designation benefiting the multiple sclerosis fund that appears on the state individual income tax return forms, and, in connection therewith, extending the period for the contribution designation.

Laid over until March 13, retaining place on Calendar.

SB09-065 by Senator(s) Schultheis, Isgar; also Representative(s) McNulty, Kerr J., Primavera--Concerning the audit requirements for the public safety communications trust fund.

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

	YES	58	NO	1	EXCUSED	6	ABSENT	0
31	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
32	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
33	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
34	Baumgardner	Y	Kefalas	E	McNulty	Y	Schafer S.	Y
35	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
36	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
37	Casso	Y	King S.	Y	Miklosi	E	Soper	Y
38	Court	Y	Labuda	Y	Murray	N	Stephens	E
39	Curry	Y	Lambert	Y	Nikkel	Y	Summers	E
40	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
41	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
42	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
43	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
44	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
45	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
46	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
47							Speaker	Y

48 Co-sponsor(s) added: Representative(s) Baumgardner, Benefield, King S.

SB09-224 by Senator(s) Shaffer B., Groff, Penry; also Representative(s) Weissmann, Carroll T., May--Concerning payment of expenses of the legislative department, and making an appropriation in connection therewith.

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

24 Co-sponsor(s) added: Representative(s) Court, Curry, Gerou, Kerr J., Labuda,
 25 Liston, McNulty, Vigil

28 MESSAGE FROM THE SENATE

31 The Senate has adopted and transmits herewith: SJR09-017.

35 INTRODUCTION AND CONSIDERATION OF RESOLUTION

37 On motion of Representative Weissmann, the rules were suspended and
 38 the following resolution was given immediate consideration.

40 **SJR09-017** by Senator(s) Boyd; also Representative(s) Primavera--
 41 Concerning recognition of the importance of raising public
 42 awareness of deep-vein thrombosis, and, in connection
 43 therewith, recognizing March 2009 as Deep-vein
 44 Thrombosis Awareness Month and April 30, 2009, as
 45 Deep-vein Thrombosis Awareness Day in Colorado.

47 (Printed and placed in member's file).

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

52 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
 53 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
 54 Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green,
 55 Hullinghorst, Judd, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
 56 Looper, Marostica, May, McCann, McFadyen, McKinley, McNulty, Merrifield,

1 Middleton, Murray, Nikkel, Pace, Peniston, Pommer, Priola, Rice, Riesberg,
 2 Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Swalm,
 3 Tipton, Todd, Vaad, Vigil, Waller, Weissmann, Speaker
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6
 7 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**
 8

9 **EDUCATION**

10 After consideration on the merits, the Committee recommends the
 11 following:
 12

13 **HB09-1250** be amended as follows, and as so amended, be referred to
 14 the Committee of the Whole with favorable
 15 recommendation:
 16

17 Amend printed bill, page 2, line 2, before "(3)", insert "(2) and" and,
 18 strike "is" and substitute "are";
 19

20 strike line 4 and substitute the following:

21 **"30-29-101. Receipts from national forests.** (2) ~~During the~~
 22 ~~month of September of each year,~~ The state treasurer shall pay over the
 23 moneys specified in subsection (1) of this section WITHIN THIRTY DAYS OF
 24 RECEIPT OF THE PAYMENTS to the treasurers of the several counties of the
 25 state in which national forests are located, on the basis of the acreage of
 26 national forest land located in each county and in accordance with
 27 information provided by the appropriate agency of the federal government
 28 as to source and amount.
 29

30 (3) (a) The boards of";
 31

32 before line 16, insert the following:

33 "(b) THE BOARDS OF COUNTY COMMISSIONERS SHALL INVOLVE
 34 SCHOOL DISTRICTS IN THE DECISION-MAKING PROCESS AND NEGOTIATE
 35 WITH SCHOOL DISTRICTS TO DETERMINE THE PERCENTAGE OF THE
 36 PAYMENTS SPECIFIED IN SUBSECTION (2) OF THIS SECTION THAT MAY BE
 37 ALLOCATED TO THE PUBLIC SCHOOLS IN THE COUNTY IN EXCESS OF THE
 38 MINIMUM PERCENTAGE ALLOCATION SET FORTH IN PARAGRAPH (a) OF THIS
 39 SUBSECTION (3)."
 40
 41
 42

43 **HB09-1295** be referred to the Committee of the Whole with favorable
 44 recommendation.
 45

46
 47 **HB09-1296** be referred to the Committee of the Whole with favorable
 48 recommendation.
 49

50
 51 **SB09-062** be amended as follows, and as so amended, be referred to
 52 the Committee of the Whole with favorable
 53 recommendation:
 54

55 Amend reengrossed bill, page 2, line 18, after "ASSIST", insert
 56 "HONORABLY DISCHARGED".

1 **SB09-112** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
5
6

7 **HEALTH & HUMAN SERVICES**

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

10
11 **HB09-1297** be referred to the Committee of the Whole with favorable
12 recommendation.
13
14

15 **SB09-053** be referred to the Committee of the Whole with favorable
16 recommendation.
17
18

19 **SB09-100** be referred to the Committee of the Whole with favorable
20 recommendation.
21
22

23 **SB09-132** be referred favorably to the Committee on Appropriations.
24
25
26
27

28 **JUDICIARY**

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

31
32 **HB09-1286** be postponed indefinitely.
33
34

35 **HB09-1299** be referred to the Committee of the Whole with favorable
36 recommendation.
37
38
39

40 **PRINTING REPORT**

41
42 The Chief Clerk reports the following bill has been correctly printed:
43 **HB09-1305**.
44
45
46

47 **DELIVERY OF BILLS TO GOVERNOR**

48
49 The Chief Clerk of the House of Representatives reports the following
50 bills have been delivered to the Office of the Governor: **HB09-1024,**
51 **1030, 1033, 1037, 1044, 1121, 1128, 1155** at 3:07 p.m. on March 9, 2009.
52
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ANNOUNCEMENT1
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On motion of Representative Weissmann, the following bill(s) will be calendared for March 13, 2009:

HB09-1250, 1295, 1296, 1297, 1299, (added to the beginning of the Second Reading calendar);

SB09-062, 112, 053, 100 (added to the end of the Second Reading calendar).

House in recess. House reconvened.

**MEMORANDUMS
REPORT FROM THE HOUSE AND SENATE
COMMITTEES ON DELAYED BILLS**

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadlines:

Long Appropriation Bill:

The Monday, March 23 deadline (the 76th legislative day) for introduction of the long appropriation bill in the Senate is extended until Monday, March 30, 2009 (the 83rd legislative day).

The Friday, March 27 deadline (the 80th legislative day) for passage of the long appropriation bill in the Senate is extended until Friday, April 3, 2009 (the 87th legislative day).

The Friday, April 3 deadline (the 87th legislative day) for passage of the long appropriation bill in the House is extended until Thursday, April 9, 2009 (the 93th legislative day).

The Friday, April 10 deadline (the 94th legislative day) for adoption of the conference committee report on the long appropriation bill is extended until Wednesday, April 15, 2009 (the 99th legislative day).

Deadline for Appropriations Committee:

The Friday, April 10, deadline (the 94th legislative day) for the Appropriations Committees to report all bills referred to the Appropriations Committee in the house of introduction is extended until Wednesday, April 15, 2009 (the 99th legislative day).

Deadline for Passage of Appropriation Bills in House of Introduction:

The Friday, April 17 deadline (the 101st legislative day) for final passage in the house of introduction of all bills referred to the Appropriations Committee in that house is extended until Monday, April 20, 2009 (the 104th legislative day).

Deadline for Committees of Reference in Second House for Appropriation Bills:

The Thursday, April 23, deadline (the 107th legislative day) for the Committees of Reference to report all bills referred to the Appropriations Committee in that house is extended until Friday, April 24, 2009 (the 108th legislative day).

1 **Deadline for Appropriations Committee in Second House:**
 2 The Monday, April 27, deadline (the 111th legislative day) for the
 3 Appropriations Committees to report all bills referred to the
 4 Appropriations Committee in the second house is extended until
 5 Tuesday, April 28, 2009 (the 112th legislative day).

6
 7 **Deadline for Passage of Appropriation Bills in Second House:**
 8 The Thursday, April 30, deadline (the 114th legislative day) for final
 9 passage in the second house of all bills referred to the Appropriations
 10 Committee in that house is extended until Friday, May 1, 2009 (the 115th
 11 legislative day).

12
 13 This memorandum shall be printed in the journal of each house as is
 14 required by said Joint Rule 23 (c).

15
 16 Respectfully submitted,
 17 (signed) (signed)
 18 Representative Terrance D. Carroll Senator Peter Groff
 19 Representative Paul Weissmann Senator Brandon Shaffer
 20 Representative Mike May Senator Josh Penry

21
 22
 23 Pursuant to Joint Rule 23 (c), the House and Senate Committees on
 24 Delayed Bills, acting jointly, extend the following deadline for LLS
 25 09-0933, Concerning the Financing of Public Schools:

26
 27 The Friday, March 13 deadline (the 66th legislative day) for final passage,
 28 including any conference committee report, for any bill prescribing all or
 29 a substantial portion of the total funding for public schools pursuant to the
 30 "Public School Finance Act of 1994", article 54 of title 22, Colorado
 31 Revised Statutes, is extended until Friday, March 27, 2009 (the 80th
 32 legislative day).

33
 34 This memorandum shall be printed in the journal of each house as is
 35 required by said Joint Rule 23 (c).

36
 37 Respectfully submitted,
 38 (signed) (signed)
 39 Representative Terrance D. Carroll Senator Peter Groff
 40 Representative Paul Weissmann Senator Brandon Shaffer
 41 Representative Mike May Senator Josh Penry

42
 43
 44 **MESSAGE FROM THE SENATE**

45
 46 The Senate has passed on Third Reading and transmitted to the Revisor
 47 of Statutes: SB09-231.

48
 49 The Senate has passed on Third Reading and returns herewith
 50 HB09-1168, HB09-1083, HB09-1054, and HB09-1079.

51
 52 The Senate has passed on Third Reading and transmitted to the Revisor
 53 of Statutes:

54
 55 HB09-1012 amended as printed in Senate Journal, March 9, 2009,
 56 pages 662-663,

1 HB09-1108 amended as printed in Senate Journal, March 9, 2009,
2 page 663,
3 HB09-1058 amended as printed in Senate Journal, March 9, 2009,
4 page 663,
5 HB09-1103 amended as printed in Senate Journal, March 9, 2009,
6 page 663,
7 HB09-1181 amended as printed in Senate Journal, March 9, 2009,
8 page 663.
9

10 The Senate requests that the Second Conference Committee on SB09-217
11 be dissolved. The Senate voted to recede from its position on SB09-217,
12 concur with House amendments, and repassed the bill as amended.
13

14
15
16 **MESSAGE FROM THE REVISOR**
17

18 We herewith transmit:
19 Without comment, SB09-231.
20 Without comment, as amended, HB09-1012, 1108, 1058, 1103, and 1181.
21

22
23
24 **ANNOUNCEMENT**
25

26 On motion of Representative Weissmann, Consideration of Senate
27 Amendments on the following bill(s) will be calendared for
28 March 13, 2009: HB09-1012, 1058, 1103, 1108, 1181.
29

30
31
32 On motion of Representative Weissmann, the House adjourned until
33 9:00 a.m., March 11, 2009.
34

35 Approved:
36 TERRANCE D. CARROLL,
37 Speaker

38 Attest:
39 MARILYN EDDINS,
40 Chief Clerk

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

Sixty-fourth Legislative Day

Wednesday, March 11, 2009

- 1 Prayer by Father Greg Ames, Immaculate Heart of Mary, Northglenn.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Skyler King, Fruita-Monument High School.
6
7 The roll was called with the following result:
8
9 Present--59.
10 Excused--Representative(s) Massey, McGihon, Miklosi, Pommer,
11 Scanlan, Swalm--6.
12 Present after roll call--Representative(s) Miklosi, Pommer,
13 Scanlan, Swalm.
14
15 The Speaker declared a quorum present.
16
17
18 On motion of Representative McCann, the reading of the journal of
19 March 10, 2009, was declared dispensed with and approved as corrected
20 by the Chief Clerk.
21
22
23

CONSIDERATION OF SENATE AMENDMENT(S) TO HOUSE BILL(S)

- 24
25
26 **HB09-1005** by Representative(s) Marostica; also Senator(s) Veiga,
27 White--Concerning the authority of a special district to
28 establish special improvement districts within the
29 boundaries of the special district.
30

31 (Amended as printed in Senate Journal, March 6, pages 636.)
32

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

	YES	62	NO	0	EXCUSED	3	ABSENT	0
38	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
39	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
40	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
41	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
42	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
43	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y

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

17

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

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

37

38 **HB09-1008** by Representative(s) Miklosi; also Senator(s) Williams--
39 Concerning the expansion of the ability to transfer annual
40 leave between employees in the state personnel system.

41

42 (Amended as printed in Senate Journal, March 6, pages 635.)

43

44 Representative Miklosi moved that the House **adhere** to its position on
45 **HB09-1008**. The motion was declared **passed** by the following roll call
46 vote:

47	YES	55	NO	7	EXCUSED	3	ABSENT	0
48	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
49	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
50	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
51	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
52	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
53	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
54	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
55	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
56	Curry	Y	Lambert	N	Nikkel	N	Summers	Y

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

9
10 **HB09-1052** by Representative(s) Waller; also Senator(s) Heath--
11 Concerning limitations on the solicitation of donated items
12 that will be sold for profit.

13
14 (Amended as printed in Senate Journal, March 6, pages 639.)

15
16 Representative Waller moved that the House **concur** in Senate
17 amendments. The motion was declared **passed** by the following roll call
18 vote:

	YES	61	NO	1	EXCUSED	3	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	Y
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	E
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	E	Priola	Y	Vigil	Y
35	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
36	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
37							Speaker	Y

38
39 The question being, "Shall the bill, as amended, pass?"

40 A roll call vote was taken. As shown by the following recorded vote, a
41 majority of those elected to the House voted in the affirmative, and the
42 bill, as amended, was declared **repassed**.

	YES	57	NO	5	EXCUSED	3	ABSENT	0
45	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
46	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
47	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
48	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
49	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
50	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
51	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
52	Court	Y	Labuda	Y	Murray	N	Stephens	Y
53	Curry	Y	Lambert	N	Nikkel	Y	Summers	Y
54	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	E
55	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
56	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y

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

5 Co-sponsor(s) added: Representative(s) Hulinghorst, Kefalas, Todd

6
 7 **HB09-1153** by Representative(s) May; also Senator(s) Harvey--
 8 Concerning the requirements applicable to the formation
 9 of an issue committee under Colorado law governing
 10 campaign finance.

11
 12 (Amended as printed in Senate Journal, March 6, pages 635.)

13
 14 Representative May moved that the House **not concur** in Senate
 15 amendments and that a Conference Committee be appointed. The motion
 16 was declared **passed** by the following roll call vote:

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

36 The Speaker appointed Representatives May, Chairman, Todd and
 37 Miklosi as House conferees to the bill.

38
 39 **HB09-1162** by Representative(s) Gerou; also Senator(s) Kopp--
 40 Concerning intergovernmental cooperation for the purpose
 41 of mitigating wildfires.

42
 43 Laid over until March 13, retaining place on Calendar.

44
 45 **HB09-1178** by Representative(s) Green; also Senator(s) Boyd--
 46 Concerning the creation of a task force to study the
 47 establishment of a registry of caregivers who are deemed
 48 to have a substantiated allegation of wrongdoing against
 49 a person with a developmental disability.

50
 51 (Amended as printed in Senate Journal, March 6, pages 635.)

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

	YES	60	NO	2	EXCUSED	3	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	Y
7	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
8	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
10	Curry	Y	Lambert	N	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	E
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	E	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								

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

43 Co-sponsor(s) added: Representative(s) Acree, Frangas, Soper

45 **HB09-1241** by Representative(s) Roberts; also Senator(s) Morse--
 46 Concerning title 15 of the Colorado Revised Statutes.

48 Laid over until March 13, retaining place on Calendar.

MESSAGE FROM THE SENATE

54 The Senate has adopted and transmits herewith: SJR09-022.

1 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

2
3 On motion of Representative Weissmann, the rules were suspended and
4 the following resolution was given immediate consideration.

5
6 **SJR09-022** by Senator(s) Sandoval; also Representative(s) Looper--
7 Concerning the proclamation of March 9-13, 2009 as
8 Small Business Week.

9
10 (Printed and placed in member's file).

11
12 Representative Looper moved that the resolution be adopted and
13 requested that it be read at length.

14
15 Amendment No. 1, moved by Representative Weissmann.

16
17 Amend engrossed joint resolution, page 2, line 9, strike everything after
18 "powerful" and substitute "disincentive; and";

19
20 strike line 10.

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

23
24 On motion of Representative Looper, the resolution, as amended, was
25 **adopted** by the following roll call vote:

26
27

	YES	55	NO	8	EXCUSED	2	ABSENT	0
28	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
29	Apuan	Y	Hullinghorst	N	McGihon	E	Ryden	Y
30	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
31	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
32	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
33	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
34	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
35	Court	N	Labuda	N	Murray	Y	Stephens	Y
36	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
37	Ferrandino	Y	Levy	N	Pace	Y	Swalm	Y
38	Fischer	N	Liston	Y	Peniston	Y	Tipton	Y
39	Frangas	Y	Looper	Y	Pommer	N	Todd	Y
40	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
41	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
42	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
43	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Acree, Apuan, Balmer, Baumgardner,
46 Bradford, Frangas, Gardner B., Gerou, Kerr J., King S., Lambert, Liston,
47 Marostica, May, McCann, McNulty, Murray, Nikkel, Priola, Rice, Riesberg,
48 Roberts, Schafer S., Stephens, Summers, Swalm, Tipton, Vaad, Waller

49
50
51
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54
55

1 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

2
3 **BUSINESS AFFAIRS & LABOR**

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

6
7 **SB09-076** be referred favorably to the Committee on Finance.
8

9
10 **SB09-150** be amended as follows, and as so amended, be referred to
11 the Committee of the Whole with favorable
12 recommendation:
13

14 Amend reengrossed bill, page 2, strike lines 24 through 27 and substitute
15 the following:

16
17 **"SECTION 3. Effective date - applicability.** This act shall take
18 effect upon passage and shall apply to documents filed on or after the
19 applicable effective date of this act.
20

21 **SECTION 4. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety."
24

25 Page 3, strike lines 1 through 8.
26
27
28
29

30 **FINANCE**

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

33
34 **HB09-1028** be rereferred favorably to the Committee on Health &
35 Human Services.
36

37
38 **HB09-1154** be postponed indefinitely.
39

40
41 **SB09-066** be referred favorably to the Committee on Appropriations.
42
43
44
45

46 **LOCAL GOVERNMENT**

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

49
50 **SB09-101** be amended as follows, and as so amended, be referred to
51 the Committee of the Whole with favorable
52 recommendation:
53

54 Amend reengrossed bill, page 3, strike lines 14 and 15.
55

56 Renumber succeeding subsections accordingly.

- 1 Page 4, line 1, strike "BOARD" and substitute "GOVERNING BODY";
 2
 3 line 13, strike "FROM NOMINEES SUBMITTED" and substitute "DIRECTLY";
 4
 5 line 15, strike "BOARD" and substitute "GOVERNING BODY OF THE CITY";
 6
 7 line 23, strike "BOARD" and substitute "GOVERNING BODY OF THE CITY";
 8
 9 line 25, strike "SECTION." and substitute "SECTION;";
 10
 11 line 26, strike "THE BOARD" and substitute "EXCEPT THAT NO SUCH
 12 REQUIREMENT SHALL APPLY TO THE MEMBER OF THE COMMUNITY
 13 APPOINTED DIRECTLY BY THE GOVERNING BODY. THE GOVERNING BODY".
 14
 15 Page 5, line 2, strike "BOARD" and substitute "GOVERNING BODY OF THE
 16 CITY";
 17
 18 line 4, strike "BOARD" and substitute "GOVERNING BODY";
 19
 20 line 6, strike "BOARD" and substitute "GOVERNING BODY";
 21
 22 line 10, strike "BOARD." and substitute "THE GOVERNING BODY OF THE
 23 CITY.";
 24
 25 line 14, strike "BOARD" and substitute "GOVERNING BODY".
 26
 27
 28
 29

30 **TRANSPORTATION & ENERGY**

31 After consideration on the merits, the Committee recommends the
 32 following:
 33

34 **HB09-1176** be amended as follows, and as so amended, be referred to
 35 the Committee of the Whole with favorable
 36 recommendation:
 37

38 Amend printed bill, strike everything below the enacting clause and
 39 substitute the following:
 40

41 **"SECTION 1. Short title.** This act shall be known and may be
 42 cited as the "Kayla Sealy DeMars Drivers' Safety Act".
 43

44 **SECTION 2.** The introductory portion to 42-2-104 (4) (a) and
 45 42-2-104 (5), Colorado Revised Statutes, are amended, and the said
 46 42-2-104 is further amended BY THE ADDITION OF A NEW
 47 SUBSECTION, to read:
 48

49 **42-2-104. Licenses issued - denied.** (4) (a) ~~Before The~~
 50 department ~~may~~ SHALL NOT issue ~~any type of~~ a driver's license, including,
 51 WITHOUT LIMITATION, a temporary driver's license pursuant to section
 52 42-2-106 (2), to a person under eighteen years of age, UNLESS the person
 53 ~~shall have~~ HAS:
 54

55 (5) The department shall not issue a driver's license to a person
 56 under ~~eighteen years of age who was issued a permit pursuant to sections~~

1 ~~42-2-106 (1) (b) and 42-2-114 (1) (a) after April 20, 2007,~~ SEVENTEEN
2 YEARS OF AGE unless ~~such~~ THE person has received either:

3
4 (a) If no entity offers approved behind-the-wheel driver training
5 at least twenty hours a week from a permanent location with an address
6 that is within thirty miles of the permit holder's residence, RECEIVED a
7 minimum of twelve hours of driving-behind-the-wheel training directed
8 by a parent, a legal guardian, or an alternate permit supervisor, which
9 training shall be in addition to the driving experience required by
10 subsection (4) of this section; or

11
12 (b) RECEIVED A minimum of six hours of
13 driving-behind-the-wheel training with a driving instructor employed or
14 associated with an approved driver education course.

15
16 (6) THE DEPARTMENT SHALL NOT ISSUE A DRIVER'S LICENSE TO A
17 PERSON UNDER EIGHTEEN YEARS OF AGE UNLESS THE PERSON HAS
18 COMPLETED A FOUR-HOUR PREQUALIFICATION DRIVER AWARENESS
19 PROGRAM.

20
21 **SECTION 3.** 42-2-106 (1) (a), (1) (b) (I), (1) (c), (1) (d), and (1)
22 (f), Colorado Revised Statutes, are amended to read:

23
24 **42-2-106. Instruction permits and temporary licenses.**
25 (1) (a) (I) A person who is ~~sixteen~~ EIGHTEEN years of age or older and
26 who, ~~except for the person's lack of instruction in operating a motor~~
27 ~~vehicle, motorcycle, or motor-driven cycle, would otherwise be qualified~~
28 ~~to obtain a license under this article~~ may apply for a temporary instruction
29 permit, in accordance with sections 42-2-107 and 42-2-108. The
30 department shall issue a permit entitling an applicant, who is sixteen years
31 of age or older but under eighteen years of age, while having the permit
32 in the applicant's immediate possession, to drive a motor vehicle,
33 motorcycle, or motor-driven cycle upon the highways when accompanied
34 by the parent, stepparent, grandparent with power of attorney, or guardian
35 or foster parent, who signed the affidavit of liability pursuant to section
36 42-2-108 (1) (a), who holds a valid Colorado driver's license, and who
37 occupies the front seat in close proximity to the driver or, in the case of
38 a motorcycle or motor-driven cycle, under the immediate proximate
39 supervision of a licensed driver, who holds a valid Colorado driver's
40 license and is twenty-one years of age or older, authorized under this
41 article to drive a motorcycle or motor-driven cycle. In addition, the
42 parent, stepparent, grandparent with power of attorney, or guardian or
43 foster parent, who is authorized pursuant to this section to supervise the
44 minor driver while the minor is driving, may allow the minor, while
45 having the permit in the applicant's immediate possession, to drive with
46 an individual who holds a valid driver's license and is twenty-one years
47 of age or older for additional driving experience, but such additional
48 driving experience shall not count toward the requirement established in
49 section ~~42-2-104~~. The permit shall expire three years after issuance. The
50 department shall issue a permit entitling the applicant, who is eighteen
51 years of age or older, while having the permit in the applicant's immediate
52 possession, to drive a motor vehicle, motorcycle, or motor-driven cycle
53 upon the highways when accompanied by a driver, who holds a valid
54 Colorado driver's license and is twenty-one years of age or older, who
55 occupies the front seat of the motor vehicle, or if the vehicle is a
56 motorcycle or motor-driven cycle, under the immediate proximate

1 supervision of a driver, who is authorized under this article to drive a
2 motorcycle or motor-driven cycle. The permit shall expire three years
3 after issuance.

4
5 ~~(II) If the parent, stepparent, grandparent with power of attorney,~~
6 ~~or guardian or foster parent, who signed the affidavit of liability pursuant~~
7 ~~to section 42-2-108 (1) (a), does not hold a valid Colorado driver's~~
8 ~~license, the parent, stepparent, grandparent with power of attorney, or~~
9 ~~guardian or foster parent may appoint an alternate permit supervisor. An~~
10 ~~alternate permit supervisor shall hold a valid Colorado driver's license and~~
11 ~~be twenty-one years of age or older or, if the vehicle is a motorcycle or~~
12 ~~motor-driven cycle, is authorized under this article to drive a motorcycle~~
13 ~~or motor-driven cycle. A minor who is issued a permit under this~~
14 ~~paragraph (a) may drive a motor vehicle, including a motorcycle or~~
15 ~~motor-driven cycle, under the supervision of the alternate permit~~
16 ~~supervisor if the minor has the permit in the minor's immediate possession~~
17 ~~and the alternate permit supervisor occupies the front seat of the motor~~
18 ~~vehicle or, if the vehicle is a motorcycle or motor-driven cycle, is in close~~
19 ~~proximity to the driver.~~

20
21 ~~(III) If the parent, stepparent, grandparent with power of attorney,~~
22 ~~or guardian or foster parent, who signed the affidavit of liability pursuant~~
23 ~~to section 42-2-108 (1) (a), does not hold a valid Colorado driver's license~~
24 ~~but holds a valid driver's license from another state and is authorized to~~
25 ~~drive a motor vehicle, motorcycle, or motor-driven cycle and has proper~~
26 ~~military identification, then the applicant, while having the permit in the~~
27 ~~applicant's immediate possession, shall be authorized to drive a motor~~
28 ~~vehicle, including a motorcycle or motor-driven cycle, under the~~
29 ~~supervision of the parent, stepparent, grandparent with power of attorney,~~
30 ~~or guardian or foster parent, who cosigned the application for the minor's~~
31 ~~instruction permit, if the parent, stepparent, grandparent with power of~~
32 ~~attorney, or guardian or foster parent occupies the front seat of the motor~~
33 ~~vehicle or, if the vehicle is a motorcycle or motor-driven cycle, is in close~~
34 ~~proximity to the driver while the minor is driving.~~

35
36 (b) (I) A minor who is fifteen years of age or older and has
37 completed a department-approved THIRTY-HOUR driver education course
38 within the last six months may apply for a minor's instruction permit,
39 pursuant to sections 42-2-107 and 42-2-108. Upon presentation of a
40 written or printed statement signed by the parent, stepparent, grandparent
41 with power of attorney, or guardian or foster parent and the instructor of
42 the driver education course that the minor has passed an approved driver
43 education course, the department shall issue the permit entitling the
44 applicant, while having the permit in the applicant's immediate
45 possession, to drive a motor vehicle, including a motorcycle or
46 motor-driven cycle, under the supervision of the parent, stepparent,
47 grandparent with power of attorney, or guardian or foster parent, who
48 cosigned the application for the minor's instruction permit, if the parent,
49 stepparent, grandparent with power of attorney, or guardian or foster
50 parent holds a valid Colorado driver's license and occupies the front seat
51 of the motor vehicle or, if the vehicle is a motorcycle or motor-driven
52 cycle, is authorized under this article to drive a motorcycle or
53 motor-driven cycle and is in close proximity to the driver while the minor
54 is driving. In addition, the parent, stepparent, grandparent with power of
55 attorney, or guardian or foster parent, who is authorized pursuant to this
56 section to supervise the minor driver while the minor is driving, may

1 allow the minor, while having the permit in the applicant's immediate
2 possession, to drive with an individual who holds a valid driver's license
3 and is twenty-one years of age or older for additional driving experience,
4 but such additional driving experience shall not count toward the
5 requirement established in section 42-2-104. The permit shall also entitle
6 the applicant to drive a motor vehicle, including a motorcycle or
7 motor-driven cycle that is marked to indicate that it is a motor vehicle
8 used for instruction and that is properly equipped for instruction, upon the
9 highways when accompanied by or under the supervision of an approved
10 driver education instructor who holds a valid Colorado driver's license.
11 Driver education instructors giving instruction in motorcycle safety shall
12 have a valid motorcycle driver's license from Colorado and shall have
13 successfully completed an instruction program in motorcycle safety
14 approved by the department. The permit shall expire three years after
15 issuance.

16
17 ~~(c) A person sixteen years of age or older who, except for his or~~
18 ~~her lack of instruction in operating a motorcycle or motor-driven cycle,~~
19 ~~would otherwise be qualified to obtain a driver's license under this article~~
20 ~~to drive a motorcycle or motor-driven cycle may apply for a temporary~~
21 ~~instruction permit, pursuant to sections 42-2-107 and 42-2-108. The~~
22 ~~department shall issue the permit entitling the applicant, while having the~~
23 ~~permit in the applicant's immediate possession, to drive a motorcycle or~~
24 ~~motor-driven cycle upon the highways while under the immediate~~
25 ~~supervision of a licensed driver, who holds a valid Colorado driver's~~
26 ~~license and is twenty-one years of age or older, authorized under this~~
27 ~~article to drive a motorcycle or motor-driven cycle. The permit shall~~
28 ~~expire three years after issuance.~~

29
30 ~~(d) (f) A minor fifteen and one-half years of age but less than~~
31 ~~sixteen years of age who has completed a four-hour prequalification~~
32 ~~driver awareness program approved by the department may apply for a~~
33 ~~minor's instruction permit pursuant to sections 42-2-107 and 42-2-108.~~
34 ~~Upon presenting a written or printed statement signed by the parent,~~
35 ~~stepparent, grandparent with power of attorney, or guardian or foster~~
36 ~~parent of the applicant and documentation that the minor completed the~~
37 ~~driver awareness program, the department shall issue a permit entitling~~
38 ~~the applicant, while having the permit in the applicant's immediate~~
39 ~~possession, to drive a motor vehicle, including a motorcycle or~~
40 ~~motor-driven cycle, under the supervision of the parent, stepparent,~~
41 ~~grandparent with power of attorney, or guardian or foster parent, who~~
42 ~~cosigned the application for the minor's instruction permit, if the parent,~~
43 ~~stepparent, grandparent with power of attorney, or guardian or foster~~
44 ~~parent holds a valid Colorado driver's license and occupies the front seat~~
45 ~~of the motor vehicle or, if the vehicle is a motorcycle or motor-driven~~
46 ~~cycle, is authorized under this article to drive a motorcycle or~~
47 ~~motor-driven cycle and is in close proximity to the driver while he or she~~
48 ~~is driving. In addition, the parent, stepparent, grandparent with power of~~
49 ~~attorney, or guardian or foster parent, who is authorized pursuant to this~~
50 ~~section to supervise the minor driver while the minor is driving, may~~
51 ~~allow the minor, while having the permit in the applicant's immediate~~
52 ~~possession, to drive with an individual who holds a valid driver's license~~
53 ~~and is twenty-one years of age or older for additional driving experience,~~
54 ~~but such additional driving experience shall not count toward the~~
55 ~~requirement established in section 42-2-104. The permit shall expire~~
56 ~~three years after issuance.~~

1 ~~(H) If the parent, stepparent, grandparent with power of attorney,~~
 2 ~~or guardian or foster parent, who signed the affidavit of liability pursuant~~
 3 ~~to section 42-2-108 (1) (a), does not hold a valid Colorado driver's~~
 4 ~~license, the parent, stepparent, grandparent with power of attorney, or~~
 5 ~~guardian or foster parent may appoint an alternate permit supervisor. An~~
 6 ~~alternate permit supervisor shall hold a valid Colorado driver's license and~~
 7 ~~be twenty-one years of age or older or, if the vehicle is a motorcycle or~~
 8 ~~motor-driven cycle, is authorized under this article to drive a motorcycle~~
 9 ~~or motor-driven cycle. A minor who is issued a permit under this~~
 10 ~~paragraph (d) may drive a motor vehicle, including a motorcycle or~~
 11 ~~motor-driven cycle, under the supervision of the alternate permit~~
 12 ~~supervisor if the minor has the permit in the minor's immediate possession~~
 13 ~~and the alternate permit supervisor occupies the front seat of the motor~~
 14 ~~vehicle or, if the vehicle is a motorcycle or motor-driven cycle, is in close~~
 15 ~~proximity to the driver.~~

16
 17 ~~(HH) If the parent, stepparent, grandparent with power of attorney,~~
 18 ~~or guardian or foster parent, who signed the affidavit of liability pursuant~~
 19 ~~to section 42-2-108 (1) (a), does not hold a valid Colorado driver's license~~
 20 ~~but holds a valid driver's license from another state and is authorized to~~
 21 ~~drive a motor vehicle, motorcycle, or motor-driven cycle and has proper~~
 22 ~~military identification, then the applicant, while having the permit in the~~
 23 ~~applicant's immediate possession, shall be authorized to drive a motor~~
 24 ~~vehicle, including a motorcycle or motor-driven cycle, under the~~
 25 ~~supervision of the parent, stepparent, grandparent with power of attorney,~~
 26 ~~or guardian or foster parent, who cosigned the application for the minor's~~
 27 ~~instruction permit, if the parent, stepparent, grandparent with power of~~
 28 ~~attorney, or guardian or foster parent occupies the front seat of the motor~~
 29 ~~vehicle or, if the vehicle is a motorcycle or motor-driven cycle, is in close~~
 30 ~~proximity to the driver while the minor is driving.~~

31
 32 ~~(f) Notwithstanding paragraphs (a) to (d) AND (b) of this~~
 33 ~~subsection (1), a temporary instruction permit to operate a commercial~~
 34 ~~motor vehicle as defined in section 42-2-402 shall expire one year after~~
 35 ~~issuance.~~

36
 37 **SECTION 4.** 42-4-116 (3) (b) and (5), Colorado Revised
 38 Statutes, are amended to read:

39
 40 **42-4-116. Restrictions for minor drivers - definitions.** (3) A
 41 violation of this section is a traffic infraction, and, upon conviction, the
 42 violator may be punished as follows:

43
 44 (b) By the levying of a fine of not more than ~~one~~ fifty ONE HUNDRED
 45 dollars for a first offense, a fine of not more than ~~one~~ TWO hundred
 46 dollars for a second offense, and a fine of ~~one~~ THREE hundred fifty dollars
 47 for a subsequent offense;

48
 49 ~~(5) No driver in a motor vehicle shall be cited for a violation of~~
 50 ~~this section unless such driver was stopped by a law enforcement officer~~
 51 ~~for an alleged violation of articles 1 to 4 of this title other than a violation~~
 52 ~~of this section.~~

53
 54 **SECTION 5.** Article 15 of title 12, Colorado Revised Statutes, is
 55 amended BY THE ADDITION OF A NEW SECTION to read:

56

1 **12-15-122. Criminal history record check - driving instructors.**

2 (1) NO INDIVIDUAL SHALL PROVIDE BEHIND-THE-WHEEL DRIVING
3 INSTRUCTION IF THE INDIVIDUAL HAS BEEN CONVICTED OF OR PLEAD NOLO
4 CONTENDERE TO A VIOLATION OF ARTICLE 3 OR 6.5, PART 3, 4, OR 8 OF
5 ARTICLE 6, OR PART 4, 5, OR 6 OF ARTICLE 7 OF TITLE 18, C.R.S.

6
7 (2) AN INDIVIDUAL WISHING TO PROVIDE BEHIND-THE-WHEEL
8 DRIVING INSTRUCTION SHALL SUBMIT A SET OF FINGERPRINTS TO THE
9 DEPARTMENT, WHO SHALL FORWARD THE FINGERPRINTS TO THE
10 COLORADO BUREAU OF INVESTIGATION TO OBTAIN A FINGERPRINT-BASED
11 CRIMINAL HISTORY RECORD CHECK. UPON RECEIPT OF FINGERPRINTS AND
12 PAYMENT OF COSTS, THE COLORADO BUREAU OF INVESTIGATION SHALL
13 CONDUCT A STATE AND NATIONAL FINGERPRINT-BASED CRIMINAL HISTORY
14 RECORD CHECK USING RECORDS OF THE COLORADO BUREAU OF
15 INVESTIGATION AND THE FEDERAL BUREAU OF INVESTIGATION. THE
16 DEPARTMENT IS THE AUTHORIZED AGENCY TO RECEIVE THE RESULTS OF
17 THE NATIONAL CRIMINAL HISTORY RECORD CHECK. THE INDIVIDUAL
18 WHOSE FINGERPRINTS ARE CHECKED SHALL BEAR THE COSTS OF THE STATE
19 AND NATIONAL FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK.

20
21 (3) A VIOLATION OF THIS SECTION IS A CLASS 2 MISDEMEANOR AND
22 SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-501, C.R.S.

23
24 **SECTION 6. Effective date - applicability.** This act shall take
25 effect July 1, 2009, and shall apply to driver's licenses, instruction
26 permits, and offenses committed on or after said date.

27
28 **SECTION 7. Safety clause.** The general assembly hereby finds,
29 determines, and declares that this act is necessary for the immediate
30 preservation of the public peace, health, and safety."

31
32 Page 1, line 101, strike "DRIVERS." and substitute "**DRIVERS, AND, IN**
33 **CONNECTION THEREWITH, ENACTING THE "KAYLA SEALY DEMARS**
34 **DRIVERS' SAFETY ACT"**".

35
36
37
38 **SB09-014** be referred to the Committee of the Whole with favorable
39 recommendation.

40
41
42 **SB09-039** be referred to the Committee of the Whole with favorable
43 recommendation.

44
45
46 **SB09-107** be referred to the Committee of the Whole with favorable
47 recommendation.

48
49
50
51 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

52
53 The Speaker has signed: **HB09-1007, 1023, 1046, 1050, 1148, 1161,**
54 **1265.**

55
56

House in recess. House reconvened.

1
2
3
4
5 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

6
7 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

10
11 **SB09-080** be amended as follows, and as so amended, be referred to
12 the Committee of the Whole with favorable
13 recommendation:
14

15 Amend reengrossed bill, page 2, after line 1, insert the following:

16
17 "SECTION 1. The introductory portion to 37-90-105 (1) and
18 37-90-105 (1) (d), (1) (e), and (7), Colorado Revised Statutes, are
19 amended, and the said 37-90-105 (1) is further amended BY THE
20 ADDITION OF A NEW PARAGRAPH, to read:

21
22 **37-90-105. Small capacity wells.** (1) The state engineer has the
23 authority to approve permits for the following types of wells AND TO
24 ALLOW THE FOLLOWING TYPES OF ROOFTOP PRECIPITATION COLLECTION
25 SYSTEMS in designated ground water basins without regard to any other
26 provisions of this article:
27

28 (d) Wells to be used exclusively for monitoring and observation
29 purposes if said wells are capped and locked and used only to monitor
30 water levels or for water quality sampling; ~~or~~

31
32 (e) Wells to be used exclusively for fire-fighting purposes if said
33 wells are capped and locked and available for use only in fighting fires;
34 OR

35
36 (f) (I) ANY SYSTEM OR METHOD OF COLLECTING PRECIPITATION
37 FROM THE ROOF OF A BUILDING THAT IS USED PRIMARILY AS A RESIDENCE
38 AND IS NOT SERVED BY, WHETHER OR NOT CONNECTED TO, A DOMESTIC
39 WATER SYSTEM THAT SERVES MORE THAN THREE SINGLE-FAMILY
40 DWELLINGS, BUT ONLY IF THE USE OF THE WATER SO COLLECTED IS
41 LIMITED TO ONE OR MORE OF THE FOLLOWING:
42

43 (A) ORDINARY HOUSEHOLD PURPOSES;

44
45 (B) FIRE PROTECTION;

46
47 (C) THE WATERING OF POULTRY, DOMESTIC ANIMALS, AND
48 LIVESTOCK ON FARMS AND RANCHES; OR

49
50 (D) THE IRRIGATION OF NOT MORE THAN ONE ACRE OF GARDENS
51 AND LAWNS.

52
53 (II) ON AND AFTER JULY 1, 2009, ANY PERSON WISHING TO USE A
54 SYSTEM OR METHOD OF ROOFTOP PRECIPITATION CAPTURE THAT MEETS
55 THE REQUIREMENTS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (f) SHALL
56 COMPLY WITH ONE OF THE FOLLOWING PROVISIONS:

1 (A) A PERSON WHO HAS A WELL PERMIT ISSUED OR RECORDED
2 PURSUANT TO THIS SECTION AND WHO INTENDS TO USE A SYSTEM OR
3 METHOD OF ROOFTOP PRECIPITATION CAPTURE THAT QUALIFIES UNDER
4 SUBPARAGRAPH (I) OF THIS PARAGRAPH (f) SHALL FILE, ON A FORM
5 PRESCRIBED BY THE STATE ENGINEER AND CONSISTENT WITH THIS
6 SECTION, A NOTICE AND DESCRIPTION OF THE SYSTEM OR METHOD OF
7 ROOFTOP PRECIPITATION CAPTURE TO BE USED IN CONJUNCTION WITH THE
8 WELL. NO FEE SHALL BE CHARGED FOR THE FILING OF THIS FORM.
9

10 (B) A PERSON WHO APPLIES FOR A NEW WELL PERMIT PURSUANT
11 TO PARAGRAPH (a) OF THIS SUBSECTION (1) AND WHO INTENDS TO USE A
12 SYSTEM OR METHOD OF ROOFTOP PRECIPITATION CAPTURE THAT QUALIFIES
13 UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH (f) SHALL INCLUDE ON THE
14 WELL PERMIT APPLICATION A DESCRIPTION OF THE SYSTEM OR METHOD OF
15 ROOFTOP PRECIPITATION CAPTURE TO BE USED IN CONJUNCTION WITH THE
16 WELL. AN APPLICANT UNDER THIS SUB-SUBPARAGRAPH (B) SHALL PAY
17 THE WELL PERMIT APPLICATION FEE PURSUANT TO SUB-SUBPARAGRAPH
18 (C) OF SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (3) OF THIS
19 SECTION; HOWEVER, SUCH APPLICANT SHALL NOT BE REQUIRED TO PAY
20 ANY ADDITIONAL APPLICATION FEE FOR THE ROOFTOP PRECIPITATION
21 COLLECTION SYSTEM.
22

23 (C) A PERSON WHO DOES NOT INTEND TO CONSTRUCT AND USE A
24 WELL, BUT WOULD OTHERWISE BE ENTITLED TO THE ISSUANCE OF A WELL
25 PERMIT PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1), SHALL
26 SUBMIT AN APPLICATION IN THE FORM AND MANNER DESIGNATED BY THE
27 STATE ENGINEER FOR A PERMIT TO INSTALL AND USE A SYSTEM OR
28 METHOD OF ROOFTOP PRECIPITATION CAPTURE AND PAY A FEE IN AN
29 AMOUNT TO BE DETERMINED BY THE STATE ENGINEER. IF THE STATE
30 ENGINEER DETERMINES THAT THE PROPOSED SYSTEM OR METHOD OF
31 ROOFTOP PRECIPITATION CAPTURE MEETS THE REQUIREMENTS OF THIS
32 PARAGRAPH (f), THE STATE ENGINEER SHALL ISSUE A PERMIT FOR THE
33 SYSTEM OR METHOD, BUT NOT OTHERWISE. THE STATE ENGINEER SHALL
34 ENFORCE THE PROVISIONS OF THE PERMIT IN THE SAME MANNER AS THE
35 ENFORCEMENT OF ANY WELL PERMIT ISSUED PURSUANT TO PARAGRAPH (a)
36 OF THIS SUBSECTION (1).
37

38 (III) A PERSON USING OR LEGALLY ENTITLED TO USE A WELL
39 PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1) SHALL BE ALLOWED
40 TO COLLECT ROOFTOP PRECIPITATION PURSUANT TO THIS PARAGRAPH (f)
41 ONLY FOR USE BY THE SAME DWELLINGS THAT ARE OR WOULD BE SERVED
42 BY THE WELL AND SUBJECT TO ALL OF THE LIMITATIONS ON USE
43 CONTAINED IN THE WELL PERMIT OR, IN THE ABSENCE OF A WELL PERMIT,
44 THE WELL PERMIT TO WHICH THE PERSON WOULD BE LEGALLY ENTITLED,
45 AS DETERMINED BY THE STATE ENGINEER OR AS OTHERWISE LIMITED BY
46 THE BOARD OF A GROUND WATER MANAGEMENT DISTRICT PURSUANT TO
47 SUBSECTION (7) OF THIS SECTION.
48

49 (7) The board of any ground water management district has the
50 authority to adopt rules that further restrict the issuance of small capacity
51 well permits AND USE OF ROOFTOP PRECIPITATION COLLECTION SYSTEMS.
52 In addition, the board of any ground water management district has the
53 authority to adopt rules that expand the acre-foot limitations for small
54 capacity wells set forth in this section. However, in no event shall an
55 annual volume of more than eighty acre-feet be allowed for any small
56 capacity well. Rules adopted by the board may be instituted only after a

1 public hearing. Notice of such hearing shall be published. Such notice
2 shall state the time and place of the hearing and describe, in general
3 terms, the rules proposed. Within sixty days after such hearing, the board
4 shall announce the rules adopted and shall cause notice of such action to
5 be published. In addition, the board shall mail, within five days after the
6 adoption of the rules, a copy of the rules to the state engineer. Any party
7 adversely affected or aggrieved by such a rule may, not later than thirty
8 days after the last date of publication, initiate judicial review in
9 accordance with the provisions of section 24-4-106, C.R.S.; except that
10 venue for such judicial review shall be in the district court for the county
11 in which the office of the ground water management district is located."

12

13 Renumber succeeding sections accordingly.

14

15 Page 3, line 1, after "IF", insert "THE USE OF" and, strike "USED FOR" and
16 substitute "LIMITED TO";

17

18 line 23, strike "ENGINEER," and substitute "ENGINEER AND CONSISTENT
19 WITH THIS SECTION,".

20

21 Page 4, line 3, strike "FILE, ON A FORM" and substitute "INCLUDE ON THE
22 WELL PERMIT APPLICATION A";

23

24 strike line 4 and substitute the following:

25

26 "DESCRIPTION OF THE";

27

28 strike lines 6 and 7 and substitute the following:

29

30 "CONJUNCTION WITH THE WELL. AN APPLICANT UNDER THIS
31 SUB-SUBPARAGRAPH (B) SHALL PAY THE WELL PERMIT APPLICATION FEE
32 PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH (a) OF SUBSECTION (3)
33 OF THIS SECTION; HOWEVER, SUCH APPLICANT SHALL NOT BE REQUIRED TO
34 PAY ANY ADDITIONAL APPLICATION FEE FOR THE ROOFTOP PRECIPITATION
35 COLLECTION SYSTEM.";

36

37 line 23, strike "SECTION" and substitute "SECTION, INCLUDING THE
38 PROVISIONS OF SUBSECTION (6) OF THIS SECTION,";

39

40 line 26, strike "THE SAME" and substitute "ALL OF THE".

41

42

43

44 **SB09-119** be referred to the Committee of the Whole with favorable
45 recommendation.

46

47

48

49

50 **STATE, VETERANS, & MILITARY AFFAIRS**51 After consideration on the merits, the Committee recommends the
52 following:

53

54 **HB09-1015** be amended as follows, and as so amended, be referred to
55 the Committee of the Whole with favorable
56 recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute the following:

3

4 **"SECTION 1.** 1-4-101 (1), Colorado Revised Statutes, is
5 amended to read:

6

7 **1-4-101. Primary election nominations made.** (1) EXCEPT AS
8 PROVIDED IN SECTION 1-4-104.5, a primary election shall be held at the
9 regular polling places in each precinct on the second Tuesday of August
10 in even-numbered years to nominate candidates of political parties to be
11 voted for at the succeeding general election. Except as provided by
12 section 1-4-1304 (1.5), only a major political party, as defined in section
13 1-1-104 (22), shall be entitled to nominate candidates in a primary
14 election.

15

16 **SECTION 2.** Part 1 of article 4 of title 1, Colorado Revised
17 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
18 read:

19

20 **1-4-104.5. Primary election canceled - when.** (1) IF, AT THE
21 CLOSE OF BUSINESS ON THE SIXTIETH DAY BEFORE THE PRIMARY ELECTION,
22 THERE IS NOT MORE THAN ONE CANDIDATE FOR ANY POLITICAL PARTY
23 WHO HAS BEEN NOMINATED IN ACCORDANCE WITH THIS ARTICLE OR WHO
24 HAS FILED A WRITE-IN CANDIDATE AFFIDAVIT OF INTENT PURSUANT TO
25 SECTION 1-4-1101 FOR ANY OFFICE ON THE PRIMARY ELECTION BALLOT,
26 THE DESIGNATED ELECTION OFFICIAL MAY CANCEL THE PRIMARY ELECTION
27 AND DECLARE EACH CANDIDATE THE PARTY NOMINEE FOR THAT OFFICE AT
28 THE GENERAL ELECTION. THE NAME OF EACH NOMINEE SHALL BE PRINTED
29 ON THE OFFICIAL BALLOT PREPARED FOR THE ENSUING GENERAL ELECTION.

30

31 (2) IF A MAJOR POLITICAL PARTY HAS MORE THAN ONE CANDIDATE
32 NOMINATED FOR ANY OFFICE ON THE PRIMARY ELECTION BALLOT, THE
33 PRIMARY ELECTION SHALL BE CONDUCTED AS PROVIDED IN SECTION
34 1-4-101.

35

36 (3) IF, AT THE CLOSE OF BUSINESS ON THE SIXTIETH DAY BEFORE
37 THE PRIMARY ELECTION, THERE IS NOT MORE THAN ONE CANDIDATE FOR
38 EACH MAJOR POLITICAL PARTY WHO HAS BEEN NOMINATED IN
39 ACCORDANCE WITH THIS ARTICLE FOR ANY OFFICE ON THE PRIMARY
40 ELECTION BALLOT AND A MINOR POLITICAL PARTY HAS MORE THAN ONE
41 CANDIDATE NOMINATED FOR ANY SUCH OFFICE, THE PRIMARY ELECTION
42 SHALL BE CONDUCTED AS PROVIDED IN SECTION 1-4-101 FOR THE
43 NOMINATION OF THE MINOR POLITICAL PARTY CANDIDATE ONLY.

44

45 **SECTION 3.** 1-7.5-103 (4), Colorado Revised Statutes, is
46 amended to read:

47

48 **1-7.5-103. Definitions.** As used in this article, unless the context
49 otherwise requires:

50

51 (4) "Mail ballot election" means an election for which eligible
52 electors may cast ballots by mail and in accordance with this article in A
53 PRIMARY ELECTION OR an election that involves only nonpartisan
54 candidates or ballot questions or ballot issues.

55

56 **SECTION 4.** 1-7.5-104 (2), Colorado Revised Statutes, is

1 amended to read:

2

3 **1-7.5-104. Mail ballot elections - optional.** (2) Notwithstanding
4 the provisions of subsection (1) of this section, a mail ballot election shall
5 not be held for:

6

7 (a) Elections or recall elections that involve partisan candidates,
8 EXCEPT FOR PRIMARY ELECTIONS;

9

10 (b) Elections held in conjunction with, or on the same day as, a
11 primary or congressional vacancy election, UNLESS THE PRIMARY
12 ELECTION IS CONDUCTED AS A MAIL BALLOT ELECTION.

13

14 **SECTION 5.** 1-7.5-105 (2), Colorado Revised Statutes, is
15 amended, and the said 1-7.5-105 is further amended BY THE
16 ADDITION OF A NEW SUBSECTION, to read:

17

18 **1-7.5-105. Preelection process.** (1.5) NOTWITHSTANDING THE
19 PROVISIONS OF SUBSECTION (1) OF THIS SECTION, IF A PRIMARY ELECTION
20 IS CONDUCTED AS A MAIL BALLOT ELECTION PURSUANT TO THIS ARTICLE,
21 THE DESIGNATED ELECTION OFFICIAL SHALL NOTIFY THE SECRETARY OF
22 STATE NO LATER THAN ONE HUNDRED TWENTY DAYS PRIOR TO THE
23 ELECTION. THE NOTIFICATION SHALL INCLUDE A PROPOSED PLAN FOR
24 CONDUCTING THE MAIL BALLOT ELECTION, WHICH MAY BE BASED ON THE
25 STANDARD PLAN ADOPTED BY THE SECRETARY OF STATE.

26

27 (2) (a) The secretary of state shall approve or disapprove the
28 written plan for conducting a mail ballot election, in accordance with
29 section 1-7.5-106, within fifteen days after receiving the plan and shall
30 provide a written notice to the affected political subdivision, unless the
31 election is a regular special district election, in which case the secretary
32 of state shall approve or disapprove the written plan within twenty-five
33 days after receiving the plan.

34

35 (b) IN THE CASE OF A PRIMARY ELECTION CONDUCTED AS A MAIL
36 BALLOT ELECTION, THE SECRETARY OF STATE SHALL PROVIDE NOTICE ON
37 ITS WEB SITE THAT A PRIMARY ELECTION IS TO BE CONDUCTED BY MAIL
38 BALLOT.

39

40 **SECTION 6.** 1-7.5-107 (2.5) (a), (3) (a), and (3) (c), Colorado
41 Revised Statutes, are amended, and the said 1-7.5-107 is further amended
42 BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS,
43 to read:

44

45 **1-7.5-107. Procedures for conducting mail ballot election -**
46 **primary elections - first-time voters casting a mail ballot after having**
47 **registered by mail to vote.** (2.3) (a) NOT LESS THAN THIRTY DAYS NOR
48 MORE THAN FORTY-FIVE DAYS BEFORE A PRIMARY ELECTION THAT IS
49 CONDUCTED AS A MAIL BALLOT ELECTION PURSUANT TO THIS ARTICLE, THE
50 COUNTY CLERK AND RECORDER SHALL MAIL A POST CARD NOTICE BY
51 FORWARDABLE MAIL TO EACH UNAFFILIATED ACTIVE REGISTERED
52 ELIGIBLE ELECTOR AND TO EACH UNAFFILIATED REGISTERED ELIGIBLE
53 ELECTOR WHOSE REGISTRATION RECORD HAS BEEN MARKED AS "INACTIVE
54 - FAILED TO VOTE".

55

56 (b) THE POST CARD NOTICE SHALL INDICATE THAT THE

1 UNAFFILIATED ELECTOR HAS THE ABILITY TO AND MUST AFFILIATE WITH
2 A POLITICAL PARTY IN ORDER TO VOTE IN THE PRIMARY ELECTION.

3
4 (c) THE POST CARD NOTICE SHALL HAVE A RETURNABLE PORTION
5 THAT ALLOWS THE ELECTOR TO REQUEST AFFILIATION WITH A POLITICAL
6 PARTY.

7
8 (d) THE POST CARD NOTICE MAY BE INCLUDED WITH ANY OTHER
9 COMMUNICATION BY MAIL FROM THE COUNTY CLERK AND RECORDER TO
10 ELECTORS WITHIN THE COUNTY.

11
12 (2.5) (a) (I) No later than twenty days before an election, the
13 designated election official, or the coordinated election official if so
14 provided by an intergovernmental agreement, shall provide notice by
15 publication of a mail ballot election conducted pursuant to the provisions
16 of this article, which notice shall state, as applicable for the particular
17 election for which the notice is provided, the items set forth in section
18 1-5-205 (1) (a) to (1) (d).

19
20 (II) IF A PRIMARY ELECTION IS CONDUCTED AS A MAIL BALLOT
21 ELECTION PURSUANT TO THIS ARTICLE, IN ADDITION TO THE ITEMS
22 DESCRIBED IN THE NOTICE REQUIRED BY SUBPARAGRAPH (I) OF THIS
23 PARAGRAPH (a), SUCH NOTICE SHALL ADVISE ELIGIBLE ELECTORS WHO ARE
24 NOT AFFILIATED WITH A POLITICAL PARTY OF THE ABILITY TO DECLARE AN
25 AFFILIATION WITH A POLITICAL PARTY AND VOTE IN THE PRIMARY
26 ELECTION.

27
28 (3) (a) (I) Not sooner than ~~twenty-five~~ TWENTY-THREE days before
29 an election, and no later than ~~fifteen~~ EIGHTEEN days before an election,
30 EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), the
31 designated election official shall mail to each active registered elector, at
32 the last mailing address appearing in the registration records and in
33 accordance with United States postal service regulations, a mail ballot
34 packet, which shall be marked "DO NOT FORWARD. ADDRESS
35 CORRECTION REQUESTED", or any other similar statement that is in
36 accordance with United States postal service regulations; except that with
37 prior approval from the secretary of state, the packets shall be sent no
38 later than ten days before election day. NOTHING IN THIS SUBSECTION (3)
39 SHALL AFFECT ANY PROVISION OF THIS CODE GOVERNING THE DELIVERY
40 OF MAIL BALLOTS TO AN ABSENT UNIFORMED SERVICES ELECTOR,
41 NONRESIDENT OVERSEAS ELECTOR, OR RESIDENT OVERSEAS ELECTOR
42 COVERED BY THE FEDERAL "UNIFORMED AND OVERSEAS CITIZENS
43 ABSENTEE VOTING ACT", 42 U.S.C. SEC. 1973ff ET SEQ.

44
45 (II) (A) IF A PRIMARY ELECTION IS CONDUCTED AS A MAIL BALLOT
46 ELECTION PURSUANT TO THIS ARTICLE, IN ADDITION TO ACTIVE
47 REGISTERED ELECTORS WHO ARE AFFILIATED WITH A POLITICAL PARTY,
48 THE MAIL BALLOT PACKET SHALL BE MAILED TO EACH REGISTERED
49 ELECTOR WHO IS AFFILIATED WITH A POLITICAL PARTY AND WHOSE
50 REGISTRATION RECORD HAS BEEN MARKED AS "INACTIVE - FAILED TO
51 VOTE".

52
53 (B) IF A PRIMARY ELECTION IS CONDUCTED AS A MAIL BALLOT
54 ELECTION FOR A MINOR POLITICAL PARTY CANDIDATE, THE MAIL BALLOT
55 PACKET SHALL BE MAILED ONLY TO THOSE REGISTERED ELECTORS
56 DESCRIBED IN SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II) WHO

1 ARE AFFILIATED WITH THE MINOR POLITICAL PARTY OF SUCH CANDIDATE.

2

3 (c) No sooner than ~~twenty-five~~ TWENTY-THREE days prior to
4 election day, nor later than 7 p.m. on election day, mail ballots shall be
5 made available at the designated election official's office, or the office
6 designated in the mail ballot plan filed with the secretary of state, for
7 eligible electors who are not listed or who are listed as "Inactive" on the
8 county voter registration records or, for special district mail ballot
9 elections, on the list of property owners or the registration list but who are
10 authorized to vote pursuant to section 32-1-806, C.R.S., or other
11 applicable law.

12

13 (4.3) (a) IF A PRIMARY ELECTION IS CONDUCTED AS A MAIL BALLOT
14 ELECTION PURSUANT TO THIS ARTICLE, THERE SHALL BE A MINIMUM
15 NUMBER OF MAIL BALLOT DROP-OFF LOCATIONS WHERE MAIL BALLOTS
16 MAY BE DEPOSITED EQUAL TO AT LEAST ONE DROP-OFF LOCATION FOR
17 EACH THIRTY THOUSAND AFFILIATED ACTIVE REGISTERED ELECTORS IN
18 THE COUNTY. THE DROP-OFF LOCATIONS SHALL BE ARRAYED
19 THROUGHOUT THE COUNTY IN A MANNER THAT PROVIDES THE GREATEST
20 CONVENIENCE TO ELECTORS. THE NUMBER AND LOCATION OF THE
21 DROP-OFF LOCATIONS SHALL BE APPROVED BY THE SECRETARY OF STATE
22 AS PART OF THE MAIL BALLOT ELECTION PLAN REQUIRED PURSUANT TO
23 SECTION 1-7.5-105.

24

25 (b) THE MINIMUM NUMBER OF DROP-OFF LOCATIONS DESCRIBED IN
26 PARAGRAPH (a) OF THIS SUBSECTION (4.3) SHALL ACCEPT MAIL BALLOTS
27 DELIVERED BY ELECTORS DURING THE FOURTEEN DAYS PRIOR TO AND
28 INCLUDING THE DAY OF THE PRIMARY ELECTION; EXCEPT THAT MAIL
29 BALLOTS SHALL NOT BE REQUIRED TO BE ACCEPTED ON SUNDAYS OR THE
30 FIRST SATURDAY OF SUCH PERIOD. MAIL BALLOTS SHALL BE ACCEPTED
31 FROM ELECTORS AT DROP-OFF LOCATIONS DURING, AT A MINIMUM,
32 REASONABLE BUSINESS HOURS.

33

34 (4.5) (a) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
35 PARAGRAPH (a), IF A PRIMARY ELECTION IS CONDUCTED AS A MAIL BALLOT
36 ELECTION PURSUANT TO THIS ARTICLE, THE COUNTY CLERK AND
37 RECORDER SHALL DESIGNATE SERVICE CENTERS EQUAL TO THE NUMBER
38 OF COUNTY MOTOR VEHICLE OFFICES IN THE COUNTY; EXCEPT THAT EACH
39 COUNTY SHALL HAVE NO FEWER THAN ONE SERVICE CENTER FOR EVERY
40 SIXTY THOUSAND AFFILIATED ACTIVE REGISTERED ELECTORS.

41

42 (II) ANY COUNTY HAVING THIRTY THOUSAND OR FEWER
43 AFFILIATED ACTIVE REGISTERED ELECTORS SHALL HAVE A MINIMUM OF
44 ONE SERVICE CENTER, REGARDLESS OF THE NUMBER OF MOTOR VEHICLE
45 OFFICES IN SUCH COUNTY.

46

47 (b) EACH SERVICE CENTER SHALL PROVIDE THE FOLLOWING FOR
48 ELECTORS:

49

50 (I) THE ABILITY FOR UNAFFILIATED REGISTERED ELECTORS TO
51 AFFILIATE WITH A POLITICAL PARTY AND CAST BALLOTS;

52

53 (II) SECURE COMPUTER ACCESS;

54

55 (III) FACILITIES AND EQUIPMENT THAT ARE COMPLIANT WITH THE
56 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.

1 12101 ET SEQ., AS AMENDED;
2

3 (IV) DIRECT RECORD ELECTRONIC VOTING MACHINES OR OTHER
4 VOTING SYSTEMS ACCESSIBLE TO ELECTORS WITH DISABILITIES AS
5 PROVIDED IN PART 7 OF ARTICLE 5 OF THIS TITLE;
6

7 (V) VOTING BOOTHS;
8

9 (VI) ORIGINAL AND REPLACEMENT BALLOTS FOR DISTRIBUTION;
10

11 (VII) THE ABILITY TO ACCEPT MAIL BALLOTS THAT ARE DEPOSITED
12 BY ELECTORS;
13

14 (VIII) EMERGENCY VOTER REGISTRATION; AND
15

16 (IX) THE ABILITY TO CAST PROVISIONAL BALLOTS.
17

18 (c) SERVICE CENTERS SHALL BE OPEN DURING THE EIGHT DAYS
19 PRIOR TO AND INCLUDING THE DAY OF THE PRIMARY ELECTION; EXCEPT
20 THAT SERVICE CENTERS SHALL NOT BE REQUIRED TO BE OPEN ON
21 SUNDAYS.
22

23 **SECTION 7. Act subject to petition - effective date.** This act
24 shall take effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly that is
26 allowed for submitting a referendum petition pursuant to article V,
27 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
28 sine die is on May 6, 2009); except that, if a referendum petition is filed
29 against this act or an item, section, or part of this act within such period,
30 then the act, item, section, or part, if approved by the people, shall take
31 effect on the date of the official declaration of the vote thereon by
32 proclamation of the governor."
33
34
35

36 **SB09-088** be referred favorably to the Committee on Appropriations.
37
38
39

40 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

41
42 The Speaker has signed: **HB09-1002, 1004, 1025, 1088, 1109, 1141,**
43 **1159, 1257.**
44
45

46 **INTRODUCTION OF BILLS** 47 **First Reading**

48
49 The following bills were read by title and referred to the committees
50 indicated:
51

52 **HB09-1306** by Representative(s) Nikkel, Carroll T.; also Senator(s)
53 Renfroe--Concerning the protection of youth in juvenile
54 facilities in the department of human services.
55 Committee on Health and Human Services
56

- 1 **HB09-1307** by Representative(s) Benefield and Massey, Court, Vaad,
 2 Gagliardi, Marostica, McNulty, Merrifield, Middleton,
 3 Miklosi, Primavera, Scanlan, Solano; also Senator(s)
 4 Shaffer B. and Penry--Concerning the televising of
 5 proceedings of state government, and, in connection
 6 therewith, creating the Colorado channel authority.
 7 Committee on State, Veterans, & Military Affairs
 8
- 9 **HB09-1308** by Representative(s) Curry; also Senator(s) Isgar--
 10 Concerning the addition of the division of water resources
 11 in the department of natural resources to the list of entities
 12 eligible to receive first tier funding from the operational
 13 account of the severance tax trust fund, and, in connection
 14 therewith, modifying appropriations made to the division
 15 of water resources in the general appropriation acts for the
 16 2008-09 and 2009-10 fiscal years.
 17 Committee on Agriculture, Livestock, & Natural Resources
 18
- 19 **HB09-1309** by Representative(s) Pace; also Senator(s) Tochtrop--
 20 Concerning inspection of boilers.
 21 Committee on Business Affairs and Labor
 22
- 23 **HB09-1310** by Representative(s) Levy, Apuan, Court, McCann, Pace,
 24 Ryden; also Senator(s) Heath--Concerning the
 25 misclassification of employees as independent contractors
 26 for purposes of the "Colorado Employment Security Act".
 27 Committee on Business Affairs and Labor
 28
- 29 **SB09-231** by Senator(s) Penry; also Representative(s) Solano and
 30 Bradford, King S., Tipton--Concerning the continuation of
 31 the state methamphetamine task force.
 32 Committee on Judiciary
 33

NOTICE OF CALENDARED ITEMS

34
 35
 36 On motion of Representative Weissmann, the following bill(s) will be
 37 calendared for second reading on March 13, 2009: HB09-1176, 1015.

38
 39 On motion of Representative Weissmann, the following bill(s) calendared
 40 for second reading on Thursday, March 12, will be laid over until
 41 March 16, 2009: HB09-1086.
 42
 43
 44

45
 46
 47 On motion of Representative Weissmann, the House adjourned until
 48 9:00 a.m., March 12, 2009.
 49

Approved:
 TERRANCE D. CARROLL,
 Speaker

50
 51
 52
 53 Attest:
 54 MARILYN EDDINS,
 55 Chief Clerk

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

Sixty-fifth Legislative Day

Thursday, March 12, 2009

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

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

4

5 Pledge of Allegiance led by Monica Ojala, University of Colorado
6 Denver.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) C. Gardner, Summers--2.

12 Present after roll call--Representative(s) C. Gardner, Summers.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Miklosi, the reading of the journal of
18 March 11, 2009, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22

23

REPORT(S) OF COMMITTEE(S) OF REFERENCE

24

25 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

28

29 **SB09-016** be amended as follows, and as so amended, be referred to
30 the Committee on Finance with favorable
31 recommendation:

32

33 Amend reengrossed bill, page 3, line 6, after "DEAD", insert "OR
34 BEETLE-INFESTED";

35

36 strike lines 9 through 20.

37

38 Page 5, strike lines 1 and 2 and substitute the following:

39

40 "(5) **Report.** AS PART OF ITS ANNUAL REPORT TO THE GENERAL
41 ASSEMBLY ON THE CONDITION OF COLORADO'S FORESTS, THE FOREST
42 SERVICE SHALL".

43

- 1 **SB09-125** be referred favorably to the Committee on Appropriations.
 2
 3
 4 **SB09-147** be referred to the Committee of the Whole with favorable
 5 recommendation.
 6
 7
 8 **SB09-165** be referred to the Committee of the Whole with favorable
 9 recommendation.

10
 11
 12
 13 **PRINTING REPORT**

14
 15 The Chief Clerk reports the following bills have been correctly printed:
 16 **HB09-1306, 1307, 1308, 1309, 1310.**

17
 18
 19
 20 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

21
 22 The Speaker has signed: **HB09-1021, 1078, 1083; SB09-032, 055;**
 23 **SJR09-017, 019.**

24
 25
 26
 27 On motion of Representative Pommer, the House resolved itself into
 28 Committee of the Whole for consideration of General Orders, and he was
 29 called to the Chair to act as Chairman.

30
 31
 32 **GENERAL ORDERS--SECOND READING OF BILLS**

33
 34 The Committee of the Whole having risen, the Chairman reported the
 35 titles of the following bills had been read (reading at length had been
 36 dispensed with by unanimous consent), the bills considered and action
 37 taken thereon as follows:

38
 39 (Amendments to the committee amendment are to the printed committee
 40 report which was printed and placed in the members' bill file.)

41
 42 **HB09-1247** by Representative(s) Apuan; also Senator(s) Morse--
 43 Concerning enactment of the "Homebuyers' Energy Right-
 44 To-Know Act" requiring disclosure of an existing home's
 45 energy usage in connection with the sale of the home.

46
 47 Amendment No. 1, Transportation & Energy Report, dated
 48 February 19, 2009, and placed in member's bill file; Report also printed
 49 in House Journal, February 20, pages 467-468.

50
 51 Amendment No. 2, by Representative(s) Apuan.

52
 53 Amend the Transportation and Energy Committee Report, dated February
 54 19, 2009, page 1, line 1, strike "line 12," and substitute the following:

55
 56 "line 8, strike "WITHIN FIVE DAYS AFTER";

1 strike line 9 and substitute "AT THE BUYER'S OPTION AS REFLECTED IN A
2 CONTRACT TO BUY AND SELL CONTAINING THE TERMS SPECIFIED IN
3 SUBSECTION (4) OF THIS SECTION:";

4
5 line 12,";

6
7 line 5 of the committee report, strike "LAWFUL" and substitute "LEGAL";

8
9 after line 14 of the committee report, insert the following:

10
11 "line 14, strike "REALTOR," and substitute "REAL ESTATE BROKER,"";

12
13 line 15 of the committee report, strike "OR"." and substitute the following:

14
15 "OR";

16
17 after line 25, insert the following:

18
19 "(4) THE CONTRACT TO BUY AND SELL RESIDENTIAL REAL
20 PROPERTY SHALL CONTAIN A PROVISION IN SUBSTANTIALLY THE
21 FOLLOWING FORM:

22
23 **PROVISION X.X SELLER TO PROVIDE**
24 **UTILITY BILLING AND USAGE HISTORY**

25
26 X.X THE BUYER CHOOSES THAT THE SELLER ___
27 **SHALL PROVIDE** ___ **DOES NOT NEED TO PROVIDE**
28 TWELVE MONTHS OF ENERGY BILLS AND USAGE HISTORY,
29 PURSUANT TO SECTION 38-35.7-106, C.R.S., WITHIN FIVE
30 DAYS AFTER ACCEPTING CONTRACT. THIS INFORMATION
31 MAY ASSIST A BUYER IN DETERMINING WAYS TO INCREASE
32 THE ENERGY EFFICIENCY OF THE PROPERTY."."

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

36
37 **HB09-1209** by Representative(s) Green--Concerning modifications to
38 health care coverage cooperatives.

39
40 (Previously amended as printed in House Journal, March 6, page 629.)

41
42 Amendment No. 4, by Representative(s) Green.

43
44 Amend printed bill, page 6, line 10, strike "with a" and substitute "with
45 a";

46
47 line 11, strike "waivered cooperative" and substitute "~~waivered~~
48 ~~cooperative~~ IN THIS STATE SHALL OFFER HEALTH BENEFIT PLANS TO
49 WAIVERED COOPERATIVES, AND THE PLANS".

50
51 As amended, ordered engrossed and placed on the Calendar for Third
52 Reading and Final Passage.

53
54

1 **HB09-1026** by Representative(s) Marostica, Fischer, McFadyen, Rice,
2 Vaad; also Senator(s) Williams, Spence--Concerning the
3 application of vehicle laws to low-power vehicles that
4 operate with less than four wheels in contact with the
5 ground, and, in connection therewith, defining "low-power
6 scooter".

7
8 Laid over until March 16, retaining place on Calendar.
9

10 **HB09-1039** by Representative(s) McNulty; also Senator(s) Kopp--
11 Concerning in-state tuition classification for honorably
12 discharged military veterans.

13
14 Rereferred to the Committee on Appropriations.
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

21 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
22 dated February 3, 2009, and placed in member's bill file; Report also
23 printed in House Journal, February 4, pages 243-245.
24

25 Amendment No. 2, Appropriations Report, dated March 6, 2009, and
26 placed in member's bill file; Report also printed in House Journal,
27 March 6, pages 634-635.
28

29 As amended, ordered engrossed and placed on the Calendar for Third
30 Reading and Final Passage.
31

32 **HB09-1136** by Representative(s) Soper; also Senator(s) Tochtrop--
33 Concerning a person's competency to perform electrical
34 work.

35 Amendment No. 1, Business Affairs & Labor Report, dated
36 February 3, 2009, and placed in member's bill file; Report also printed in
37 House Journal, February 4, page 246.
38

39 Amendment No. 2, Appropriations Report, dated March 6, 2009, and
40 placed in member's bill file; Report also printed in House Journal,
41 March 6, pages 635-636.
42

43 As amended, ordered engrossed and placed on the Calendar for Third
44 Reading and Final Passage.
45

46 **HB09-1164** by Representative(s) Primavera, Gagliardi, Green, Kefalas,
47 Kerr J., McGihon; also Senator(s) Kester--Concerning a
48 surcharge on breast cancer awareness special license plates
49 to provide funding for cancer treatment for women who
50 are not currently eligible to participate in the breast and
51 cervical cancer prevention and treatment program under
52 the "Colorado Medical Assistance Act".
53

54 Amendment No. 1, Transportation & Energy Report, dated
55 February 12, 2009, and placed in member's bill file; Report also printed
56 in House Journal, February 13, pages 343-344.

1 Amendment No. 2, Appropriations Report, dated March 6, 2009, and
 2 placed in member's bill file; Report also printed in House Journal,
 3 March 6, page 636.

4
 5 As amended, ordered engrossed and placed on the Calendar for Third
 6 Reading and Final Passage.

7
 8 **HB09-1292** by Representative(s) McGihon, Labuda, Levy; also
 9 Senator(s) Veiga, Morse, Schwartz--Concerning
 10 implementation of recommendations of the committee on
 11 legal services in connection with legislative review of
 12 rules and regulations of state agencies.

13
 14 Amendment No. 1, Legal Services Report, dated March 6, 2009, and
 15 placed in member's bill file; Report also printed in House Journal,
 16 March 9, page 654.

17
 18 As amended, ordered engrossed and placed on the Calendar for Third
 19 Reading and Final Passage.

20
 21 **HB09-1284** by Representative(s) Levy--Concerning corridor capacity
 22 strategic planning to foster transportation efficiency.

23
 24 Laid over until March 20, retaining place on Calendar.

25
 26 On motion of Representative Weissmann, the remainder of the General
 27 Orders Calendar (**HB09-1237, 1248**) was laid over until March 13,
 28 retaining place on Calendar.

29
 30
 31 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

32
 33 Representative(s) Gardner C., Roberts moved to amend the Report of the
 34 Committee of the Whole to reverse the action taken by the Committee in
 35 adopting the following Gardner B. amendment, to HB09-1292, to show
 36 that said amendment passed, and that **HB09-1292**, as amended, passed.

37
 38 Amend the Legal Services Committee Report, dated March 6, 2009, page
 39 1, after line 12, insert the following:

40
 41 "(b) Rule 503. b. (7) D., which rule was adopted on December 11,
 42 2008, concerning the Colorado department of public health and
 43 environment, solely to raise issues relating to protection of health, safety,
 44 and welfare;

45
 46 (c) Rule 503. b. (7) E., which rule was adopted on December 11,
 47 2008, concerning the Colorado division of wildlife, solely to raise issues
 48 relating to minimizing adverse impacts to wildlife resources;"

49
 50 Reletter succeeding paragraphs accordingly.

51
 52 The amendment was declared **lost** by the following roll call vote:

53
 54

YES	27	NO	37	EXCUSED	1	ABSENT	0
Acree	Y	Green	N	McFadyen	N	Roberts	Y
Apuan	N	Hullinghorst	N	McGihon	N	Ryden	N

55
 56

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

16

17 Representative(s) Gardner B. and Roberts moved to amend the Report of
 18 the Committee of the Whole to reverse the action taken by the Committee
 19 in not adopting the following Gardner B. amendment, to HB09-1292, to
 20 show that said amendment passed, and that **HB09-1292**, as amended,
 21 passed.

22

23 Amend the Legal Services Committee Report, dated March 6, 2009, page
 24 1, line 17, strike "racks." and substitute "racks;"

25

26 after line 17, insert the following:

27

28 "(d) Rule 1202. e., which rule was adopted on December 11,
 29 2008, concerning no permit-specific condition of approval for wildlife
 30 habitat protection under this rule shall be imposed without surface owner
 31 consent, including any permit-specific conditions for wildlife habitat
 32 protection."

33

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

35

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

54

55

56

1 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

2
3 Passed Second Reading: **HB09-1247 amended, 1209 amended, 1129**
4 **amended, 1136 amended, 1164 amended, 1292 amended.**

5
6 Laid over until date indicated retaining place on Calendar:

7 **HB09-1237, 1248**--March 13, 2009.

8 **HB09-1026**--March 16, 2009.

9 **HB09-1284**--March 20, 2009.

10
11 Referred to Committee indicated: **HB09-1039**--Appropriations.

12
13 The Chairman moved the adoption of the Committee of the Whole
14 Report. As shown by the following roll call vote, a majority of those
15 elected to the House voted in the affirmative, and the Report was
16 **adopted.**

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

36
37
38 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

39
40 **BUSINESS AFFAIRS & LABOR**

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

43
44 **HB09-1170** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:

47
48 Amend printed bill, page 2, line 14, after the period, add "PARTICIPATING
49 IN A STRIKE SHALL INCLUDE REFUSAL TO CROSS THE PICKET LINE.";

50
51 line 15, after "(2)", insert "(a)";

52
53 strike lines 22 through 27.

54
55 Page 3, strike lines 1 through 9 and substitute the following:

56 "NORMAL OPERATIONS. THIS SECTION SHALL NOT APPLY IF THE EMPLOYEE

1 IS NOT PARTICIPATING IN, FINANCING, OR DIRECTLY INTERESTED IN THE
2 STRIKE AS AN INDIVIDUAL OR AS A MEMBER OF THE GRADE OR CLASS
3 INVOLVED IN THE STRIKE.

4
5 (b) IF THE INDIVIDUAL IS NOT A MEMBER OF A MULTI-EMPLOYER
6 BARGAINING UNIT AND THE UNEMPLOYMENT IS DUE TO A LOCKOUT, THE
7 INDIVIDUAL SHALL NOT BE DETERMINED INELIGIBLE FOR UNEMPLOYMENT
8 COMPENSATION BENEFITS UNLESS THE LOCKOUT RESULTS FROM THE
9 DEMANDS OF EMPLOYEES, AS DISTINGUISHED FROM AN EFFORT ON THE
10 PART OF THE EMPLOYER TO DEPRIVE THE EMPLOYEES OF SOME
11 ADVANTAGE THAT THEY ALREADY POSSESS.

12
13 (c) IF THE INDIVIDUAL IS A MEMBER OF A MULTI-EMPLOYER
14 BARGAINING UNIT AND THE UNEMPLOYMENT IS DUE TO A LOCKOUT THAT
15 WAS NOT INITIATED BECAUSE OF A STRIKE OR LABOR DISPUTE INVOLVING
16 A MULTI-EMPLOYER BARGAINING UNIT MEMBER, THE INDIVIDUAL SHALL
17 NOT BE DETERMINED INELIGIBLE FOR UNEMPLOYMENT COMPENSATION
18 BENEFITS UNLESS THE LOCKOUT RESULTS FROM THE DEMANDS OF
19 EMPLOYEES, AS DISTINGUISHED FROM AN EFFORT ON THE PART OF THE
20 EMPLOYER TO DEPRIVE THE EMPLOYEES OF SOME ADVANTAGE THAT THEY
21 ALREADY POSSESS.

22
23 (d) IF THE INDIVIDUAL IS A MEMBER OF A MULTI-EMPLOYER
24 BARGAINING UNIT AND THE UNEMPLOYMENT IS DUE TO A LOCKOUT THAT
25 WAS INITIATED BECAUSE OF A STRIKE OR LABOR DISPUTE INVOLVING A
26 MULTI-EMPLOYER BARGAINING UNIT MEMBER, THE INDIVIDUAL SHALL BE
27 INELIGIBLE FOR UNEMPLOYMENT COMPENSATION BENEFITS. FOR THE
28 PURPOSES OF THIS PARAGRAPH (d), A LOCKOUT SHALL CREATE A
29 REBUTTABLE PRESUMPTION THAT THE LOCKOUT WAS INITIATED BECAUSE
30 OF THE STRIKE OR LABOR DISPUTE.

31
32 (3) IF, IN ANY CASE, SEPARATE BRANCHES OF WORK THAT ARE
33 COMMONLY CONDUCTED AS SEPARATE BUSINESSES IN SEPARATE PREMISES
34 ARE CONDUCTED IN SEPARATE DEPARTMENTS OF THE SAME PREMISES,
35 EACH SUCH DEPARTMENT, FOR THE PURPOSES OF THIS SECTION, SHALL BE
36 DEEMED TO BE A SEPARATE FACTORY, ESTABLISHMENT, OR OTHER
37 PREMISES.";

38
39 strike lines 10 through 12 and substitute the following:

40
41 **"SECTION 2. Act subject to petition - effective date.** (1) This
42 act shall take effect July 1, 2010.

43
44 (2) However, if a referendum petition is filed against this act or
45 an item, section, or part of this act during the ninety-day period after final
46 adjournment of the general assembly that is allowed for submitting a
47 referendum petition pursuant to article V, section 1 (3) of the state
48 constitution, then the act, item, section, or part, shall not take effect unless
49 approved by the people at a biennial regular general election and shall
50 take effect on the date specified in subsection (1) or on the date of the
51 official declaration of the vote thereon by proclamation of the governor,
52 whichever is later."

53
54
55
56 **HB09-1192** be postponed indefinitely.

1 **SB09-026** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4
5 Amend reengrossed bill, page 3, line 19, strike "LICENSED" and substitute
6 "COLORADO LICENSED OR OTHERWISE LAWFULLY PRACTICING".
7
8 Page 11, line 19, after "A", insert "COLORADO LICENSED OR OTHERWISE
9 LAWFULLY PRACTICING".
10
11 Page 13, line 15, strike "C.R.S.," and substitute "C.R.S.";
12
13 strike line 16;
14
15 line 17, strike "TRAINER."
16
17 Page 15, strike lines 8 and 9 and substitute the following:
18
19 "(b) (I) THE DIRECTOR IS AUTHORIZED TO INVESTIGATE, HOLD".
20
21 Page 22, line 6, after the period, add "FOR THE SECOND OR ANY
22 SUBSEQUENT OFFENSE, THE PERSON COMMITS A CLASS 1 MISDEMEANOR
23 AND SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-501, C.R.S."
24
25
26

27 **SB09-162** be referred favorably to the Committee on Appropriations.
28
29
30
31

32 **FINANCE**
33 After consideration on the merits, the Committee recommends the
34 following:
35

36 **HB09-1294** be referred to the Committee of the Whole with favorable
37 recommendation.
38
39

40 **SB09-025** be referred favorably to the Committee on Appropriations.
41
42

43 **SB09-157** be referred to the Committee of the Whole with favorable
44 recommendation.
45
46

47 _____
48
49 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
50

51 The Speaker has signed: **HB09-1080, 1090, 1092, 1112, 1169; SB09-079,**
52 **185, 224.**
53
54
55
56

DELIVERY OF BILL(S) TO GOVERNOR1
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The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor:

HB09-1021, 1078, 1083 at 9:40 a.m. on March 12, 2009.

HB09-1002, 1004, 1007, 1023, 1025, 1046, 1050, 1080, 1088, 1090, 1092, 1109, 1112, 1141, 1148, 1159, 1161, 1169, 1257, 1265 at 2:06 p.m. on March 12, 2009.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR09-021.

The Senate has passed on Third Reading and returns herewith HB09-1189, HB09-1185, HB09-1203, HB09-1223.

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

HB09-1198 amended as printed in Senate Journal, March 11, 2009, page 680;

HB09-1197 amended as printed in Senate Journal, March 11, 2009, page 681;

HB09-1272 amended as printed in Senate Journal, March 11, 2009, page 682.

The Senate voted to concur in House amendments to SB09-091 and SB09-151 and repassed the bills as so amended.

The Senate voted to concur in House amendments to SJR09-022 and repassed the resolution as so amended.

The Senate voted to recede from its position on HB09-1008 and has concurred in House amendments and repassed the bill. The bill is returned herewith.

In response to the request of the House for a Conference Committee on HB09-1153, the President appoints Senators Harvey, Chair, Williams and Bacon as conferees on the First Conference Committee on HB09-1153.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB09-1197, 1198, and 1272.

INTRODUCTION OF BILLS

First Reading

1
2
3 The following bills were read by title and referred to the committees
4 indicated:

5
6 **HB09-1311** by Representative(s) Benefield; also Senator(s) Veiga--
7 Concerning the sourcing of sales of companies providing
8 mutual fund services for Colorado income tax
9 apportionment.

10 Committee on Finance

11
12 **HB09-1312** by Representative(s) Kerr A., Merrifield, Middleton,
13 Scanlan, Todd--Concerning the renewable energy and
14 energy efficiency for schools loan program.

15 Committee on Education

16
17
18
19 **INTRODUCTION OF RESOLUTION**

20
21 The following resolution was read by title and laid over one day under the
22 rules:

23
24 **SJR09-021** by Senator(s) Foster; also Representative(s) McGihon--
25 Concerning recognition of the importance of raising public
26 awareness of kidney disease, and, in connection therewith,
27 recognizing March as National Kidney Month and
28 March 12, 2009, as World Kidney Day.

29
30
31
32 **NOTICE OF CALENDARED ITEM(S)**

33
34 On motion of Representative Weissmann, the following bill(s) will be
35 calendared for consideration of senate amendments on March 17, 2009:
36 HB09-1198, 1197, 1272.

37
38 On motion of Representative Weissmann, the following bill(s) calendared
39 for second reading on Friday, March 13, 2009, will be laid over until
40 March 16, 2009: SB09-111, 080.

41
42
43
44 On motion of Representative Weissmann, the House adjourned until
45 9:00 a.m., March 13, 2009.

46
47 Approved:
48 TERRANCE D. CARROLL,
49 Speaker

50 Attest:
51 MARILYN EDDINS,
52 Chief Clerk

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

Sixty-sixth Legislative Day

Friday, March 13, 2009

1 Prayer by Father Curtiss Dwyer, St. John Vianney Theological Seminary,
 2 Denver.

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

5
 6 Pledge of Allegiance led by Ethan Perkins, Home School, Colorado
 7 Springs.

8
 9 The roll was called with the following result:

10 Present--60.
 11 Excused--Representative(s) Massey, McGihon, Middleton,
 12 Miklosi, Solano--5.
 13 Present after roll call--Representative(s) McGihon, Middleton,
 14 Miklosi.
 15

16
 17 The Speaker declared a quorum present.
 18
 19 _____

20 On motion of Representative Balmer, the reading of the journal of
 21 March 12, 2009, was declared dispensed with and approved as corrected
 22 by the Chief Clerk.
 23
 24 _____

THIRD READING OF BILLS--FINAL PASSAGE

25
 26
 27
 28 The following bills were considered on Third Reading. The titles were
 29 publicly read. Reading of the bill at length was dispensed with by
 30 unanimous consent.

31
 32 **HB09-1287** by Representative(s) McGihon; also Senator(s) Mitchell--
 33 Concerning changes to the "Colorado Probate Code".
 34

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

36 A roll call vote was taken. As shown by the following recorded vote, a
 37 majority of those elected to the House voted in the affirmative and the
 38 bill was declared **passed**.
 39

	YES	48	NO	14	EXCUSED	3	ABSENT	0
41	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
42	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
43	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y

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

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

16

17 **SB09-126** by Senator(s) Newell, Hodge, Spence, Tochtrop; also
 18 Representative(s) Apuan, Gagliardi, Swalm--Concerning
 19 the voluntary contribution designation benefiting the
 20 multiple sclerosis fund that appears on the state individual
 21 income tax return forms, and, in connection therewith,
 22 extending the period for the contribution designation.

23

24 Laid over until April 17, retaining place on Calendar.

25

26 **HB09-1209** by Representative(s) Green--Concerning modifications to
 27 health care coverage cooperatives.

28

29 Laid over until March 16, retaining place on Calendar.

30

31 **HB09-1129** by Representative(s) Looper; also Senator(s) Romer,
 32 Harvey--Concerning an authorization of pilot projects for
 33 the beneficial use of captured precipitation in new real
 34 estate developments, and making an appropriation in
 35 connection therewith.

36

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

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

41

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

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

4 Co-sponsor(s) added: Representative(s) Balmer, Baumgardner, Bradford, Curry,
5 Fischer, Frangas, Gardner B., Hullinghorst, Labuda, Lambert, Liston, May,
6 McGihon, Murray, Pace, Priola, Rice, Roberts, Swalm, Tipton

7
8 **HB09-1136** by Representative(s) Soper; also Senator(s) Tochtrop--
9 Concerning a person's competency to perform electrical
10 work, and making an appropriation in connection
11 therewith.

12
13 The question being "Shall the bill 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 bill
16 was declared **passed**.

17	YES	41	NO	21	EXCUSED	3	ABSENT	0
19	Acree	Y	Green	Y	McFadyen	Y	Roberts	N
20	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
21	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
22	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
23	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	E
24	Bradford	N	Kerr J.	Y	Middleton	E	Sonnenberg	N
25	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
26	Court	Y	Labuda	Y	Murray	N	Stephens	N
27	Curry	Y	Lambert	N	Nikkel	N	Summers	N
28	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
29	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
30	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
31	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	N
32	Gardner B.	N	Massey	E	Priola	Y	Vigil	Y
33	Gardner C.	N	May	N	Rice	Y	Waller	N
34	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
35							Speaker	Y

36 Co-sponsor(s) added: Representative(s) Apuan, Casso, Fischer, Frangas, Green,
37 Hullinghorst, Labuda, Looper, McGihon, Pace, Peniston, Primavera, Ryden,
38 Vigil

39
40 **HB09-1164** by Representative(s) Primavera, Gagliardi, Green, Kefalas,
41 Kerr J., McGihon; also Senator(s) Kester--Concerning a
42 surcharge on breast cancer awareness special license plates
43 to provide funding for cancer treatment for women who
44 are not currently eligible to participate in the breast and
45 cervical cancer prevention and treatment program under
46 the "Colorado Medical Assistance Act".

47
48 Laid over until March 16, retaining place on Calendar.

49
50 **HB09-1292** by Representative(s) McGihon, Labuda, Levy; also
51 Senator(s) Veiga, Morse, Schwartz--Concerning
52 implementation of recommendations of the committee on
53 legal services in connection with legislative review of
54 rules and regulations of state agencies.

55
56 The question being "Shall the bill pass?".

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

	YES	50	NO	13	EXCUSED	2	ABSENT	0
6	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
7	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
8	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
9	Baumgardner	N	Kefalas	Y	McNulty	Y	Schafer S.	Y
10	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	E
11	Bradford	N	Kerr J.	Y	Middleton	Y	Sonnenberg	N
12	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
13	Court	Y	Labuda	Y	Murray	N	Stephens	Y
14	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
15	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
16	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
17	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
18	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
19	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
20	Gardner C.	N	May	Y	Rice	Y	Waller	N
21	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
22							Speaker	Y

23 Co-sponsor(s) added: Representative(s) Court, Fischer, Green, Hullinghorst,
 24 Kerr A., Merrifield, Middleton, Miklosi, Peniston, Ryden, Scanlan, Schafer S.,
 25 Soper, Todd

26
 27 **HB09-1247** by Representative(s) Apuan; also Senator(s) Morse--
 28 Concerning enactment of the "Homebuyers' Energy Right-
 29 To-Know Act" requiring disclosure of an existing home's
 30 energy usage in connection with the sale of the home.

31
 32 The question being "Shall the bill 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 bill
 35 was declared **passed**.

	YES	34	NO	29	EXCUSED	2	ABSENT	0
38	Acree	N	Green	Y	McFadyen	Y	Roberts	N
39	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	N
40	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
41	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
42	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	E
43	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
44	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
45	Court	Y	Labuda	Y	Murray	N	Stephens	N
46	Curry	Y	Lambert	N	Nikkel	N	Summers	N
47	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
48	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
49	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
50	Gagliardi	Y	Marostica	N	Primavera	Y	Vaad	N
51	Gardner B.	N	Massey	E	Priola	N	Vigil	Y
52	Gardner C.	N	May	N	Rice	N	Waller	N
53	Gerou	N	McCann	Y	Riesberg	N	Weissmann	Y
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Fischer, Hullinghorst, Labuda,
 56 McGihon, Pace, Vigil

MESSAGE(S) FROM THE SENATE

1
2
3 The Senate has adopted and transmits herewith: SJR09-020.
4
5
6

INTRODUCTION AND CONSIDERATION OF RESOLUTION

7
8
9 On motion of Representative Weissmann, the rules were suspended and
10 the following resolution was given immediate consideration.
11

12 **SJR09-020** by Senator(s) Penry, White, Gibbs, Isgar, Schwartz; also
13 Representative(s) Baumgardner, Bradford, Curry, King S.,
14 Roberts, Tipton--Concerning John R. Fetcher.
15

16 (Printed and placed in member's file).
17

18 On motion of Representative Baumgardner, the resolution was read at
19 length and **adopted** by **viva voce** vote.
20

21 Ccurrent Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
22 Benefield, Casso, Court, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B.,
23 Gardner C., Gerou, Green, Hullinghorst, Judd, Kefalas, Kerr A., Kerr J.,
24 Labuda, Lambert, Levy, Liston, Looper, Marostica, May, McCann, McFadyen,
25 McGihon, McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray,
26 Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Ryden,
27 Scanlan, Schafer S., Sonnenberg, Soper, Stephens, Summers, Swalm, Todd,
28 Vaad, Vigil, Waller, Weissmann, Speaker
29

CONSIDERATION OF RESOLUTION(S)

30
31
32
33
34 **SJR09-021** by Senator(s) Foster; also Representative(s) McGihon--
35 Concerning recognition of the importance of raising public
36 awareness of kidney disease, and, in connection therewith,
37 recognizing March as National Kidney Month and
38 March 12, 2009, as World Kidney Day.
39

40 (Printed and placed in members file)
41

42 On motion of Representative McGihon, the resolution was **adopted** by
43 **viva voce** vote.
44

45 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
46 Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino, Fischer,
47 Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green, Hullinghorst, Judd,
48 Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper,
49 Marostica, May, McCann, McFadyen, McKinley, McNulty, Merrifield,
50 Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera,
51 Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Sonnenberg, Soper,
52 Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil, Waller, Weissmann,
53 Speaker
54
55
56

1 On motion of Representative Todd, the House resolved itself into
 2 Committee of the Whole for consideration of General Orders, and she
 3 was called to the Chair to act as Chairman.

4

5

6

7

GENERAL ORDERS--SECOND READING OF BILLS

8

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

13

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

16

17 **HB09-1237** by Representative(s) Primavera, Casso, Green, Soper; also
 18 Senator(s) Shaffer B.--Concerning the coordinated system
 19 of payment for early intervention services for children
 20 eligible for benefits under part C of the federal
 21 "Individuals with Disabilities Education Improvement
 22 Act".

23

24 Amendment No. 1, Health & Human Services Report, dated
 25 February 16, 2009, and placed in member's bill file; Report also printed
 26 in House Journal, February 17, pages 380-381.

27

28 Amendment No. 2, Appropriations Report, dated March 6, 2009, and
 29 placed in member's bill file; Report also printed in House Journal,
 30 March 6, pages 636-637.

31

32 Amendment No. 3, by Representative(s) Primavera.

33

34 Amend printed bill, page 3, line 5, strike "~~January 1, 2008~~ JULY 1, 2009,"
 35 and substitute "January 1, 2008,";

36

37 line 7, strike "~~January 1, 2008~~ JULY 1, 2009," and substitute January 1,
 38 2008,".

39

40 Page 6, line 7, strike "and (2) (c)," and substitute "(2) (c), and (3)".

41

42 Page 7, after line 17, insert the following:

43

44 "(3) No later than March 1, 2009, and no later than ~~March~~ APRIL
 45 1 each year thereafter, the department shall provide a report to each
 46 private health insurance carrier that has made payments of benefits for an
 47 eligible child to the department in trust. The report shall specify the total
 48 amount of benefits paid to brokers or qualified providers for services
 49 provided to the eligible child during the prior calendar year, including the
 50 amount paid to each broker or qualified provider and the services
 51 provided to the eligible child. The report required by this subsection (3)
 52 shall be provided at least annually and more often, as determined by the
 53 department and the carrier."

54

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

1 **HB09-1248** by Representative(s) Gerou; also Senator(s) Shaffer B.--
2 Concerning the modification of laws applicable to the
3 conduct of business in Colorado, and, in connection
4 therewith, modifying the requirements of title 7 of the
5 Colorado Revised Statutes applicable to documents filed
6 with the secretary of state, partnership law, and the
7 requirements for boards of directors of nonprofit
8 corporations to take action without a meeting.
9
10 Amendment No. 1, Appropriations Report, dated March 6, 2009, and
11 placed in member's bill file; Report also printed in House Journal,
12 March 6, page 637.

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

16
17 **HB09-1250** by Representative(s) Merrifield; also Senator(s) Penry--
18 Concerning increasing the allocation to public schools of
19 federal moneys received by the state on behalf of certain
20 counties pursuant to the act of congress of May 23, 1908,
21 as amended, relating to receipts from national forests.

22
23 Amendment No. 1, Education Report, dated March 9, 2009, and placed
24 in member's bill file; Report also printed in House Journal, March 10,
25 page 666.

26
27 Amendment No. 2, by Representative(s) Merrifield.

28
29 Amend the Education Committee Report, dated March 9, 2009, page 1,
30 after line 12, insert the following:

31
32 "line 6, strike "the amount thereof between" and substitute "~~the amount~~
33 ~~thereof between~~ A MINIMUM OF FIVE PERCENT TO";

34
35 strike lines 7 through 11 and substitute the following:

36
37 "the county road and bridge fund and ALLOCATE TO the public schools in
38 the county: ~~but not less than five percent of the amount received annually~~
39 ~~shall ever be allocated for either purpose.~~

40
41 (I) FOR A COUNTY THAT IS DESIGNATED AN ALTERNATIVE "A"
42 COUNTY FOR PURPOSES OF FEDERAL PAYMENT IN LIEU OF TAXES MONEYS,
43 A MINIMUM OF FIFTY PERCENT; OR

44
45 (II) FOR A COUNTY THAT IS DESIGNATED AN ALTERNATIVE "B"
46 COUNTY FOR PURPOSES OF FEDERAL PAYMENT IN LIEU OF TAXES MONEYS,
47 A MINIMUM OF:

48
49 (A) TWENTY-FIVE PERCENT OF THE PAYMENTS RECEIVED FOR
50 FEDERAL FISCAL YEAR 2009;

51
52 (B) THIRTY-FIVE PERCENT OF THE PAYMENTS RECEIVED FOR
53 FEDERAL FISCAL YEAR 2010; AND

54
55 (C) FIFTY PERCENT OF THE PAYMENTS RECEIVED FOR FEDERAL
56 FISCAL YEAR 2011 AND EACH FEDERAL FISCAL YEAR THEREAFTER.

1 (b) If there is more";";
2
3 line 14 of the committee report, strike "(b)" and substitute "(c)".
4

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

8 **HB09-1295** by Representative(s) Todd and Massey, Carroll T.,
9 Benefield, Merrifield, Middleton, Casso, Frangas,
10 Hullinghorst, Kerr A., Labuda, McGihon, Miklosi,
11 Murray, Scanlan; also Senator(s) Heath, Bacon, King K.,
12 Veiga, Spence--Concerning authorizing Metropolitan state
13 college of Denver to offer master's degree programs.
14

15 Laid over until March 16, retaining place on Calendar.
16

17 **HB09-1296** by Representative(s) Green; also Senator(s) Hudak--
18 Concerning extending the repeal date for the reading
19 assistance grant program.
20

21 Ordered engrossed and placed on the Calendar for Third Reading and
22 Final Passage.
23

24 **HB09-1297** by Representative(s) Frangas--Concerning membership
25 appointments to the advisory committee on licensing of
26 child care facilities.
27

28 Ordered engrossed and placed on the Calendar for Third Reading and
29 Final Passage.
30

31 **HB09-1299** by Representative(s) Kerr A., Benefield, Carroll T., Casso,
32 Court, Curry, Ferrandino, Frangas, Green, Hullinghorst,
33 Kefalas, McCann, Middleton, Miklosi, Pommer, Rice,
34 Scanlan, Schafer S., Solano, Todd, Vigil; also Senator(s)
35 Romer, Bacon, Groff, Veiga--Concerning adoption of an
36 agreement among the states to elect the president of the
37 United States by national popular vote.
38

39 Laid over until March 16, retaining place on Calendar.
40

41 **SB09-114** by Senator(s) Kester, Hodge, Isgar; also Representative(s)
42 Sonnenberg--Concerning the continuation of the authority
43 of the department of agriculture to regulate the sale of
44 agricultural products, and, in connection therewith,
45 regulating farm products and commodity warehouses.
46

47 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
48 dated March 4, 2009, and placed in member's bill file; Report also printed
49 in House Journal, March 6, page 633.
50

51 As amended, ordered revised and placed on the Calendar for Third
52 Reading and Final Passage.
53
54
55

1 On motion of Representative Weissmann, the remainder of the General
 2 Orders Calendar (**HB09-1176, 1015, SB09-117, 038, 054, 059, 050, 181,**
 3 **227, 062, 112, 053, 100, 119, 150, 101, 014, 039, 107**) was laid over until
 4 March 16, retaining place on Calendar.

5
 6
 7
 8 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

9
 10 Passed Second Reading: **HB09-1237 amended, 1248 amended, 1250**
 11 **amended, 1296, 1297, SB09-114 amended.**

12
 13 Laid over until date indicated retaining place on Calendar: **HB09-1295,**
 14 **1299, 1176, 1015, SB09-117, 038, 054, 059, 050, 181, 227, 062, 112,**
 15 **053, 100, 119, 150, 101, 014, 039, 107--**March 16, 2009.

16
 17 The Chairman moved the adoption of the Committee of the Whole
 18 Report. As shown by the following roll call vote, a majority of those
 19 elected to the House voted in the affirmative, and the Report was
 20 **adopted.**

21

	YES	61	NO	0	EXCUSED	4	ABSENT	0
23	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
24	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
25	Balmer	E	Judd	Y	McKinley	Y	Scanlan	Y
26	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
27	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	E
28	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
29	Casso	Y	King S.	Y	Miklosi	E	Soper	Y
30	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
31	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
32	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
33	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
34	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
35	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
36	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
37	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
38	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
39							Speaker	Y

40
 41
 42

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

44
 45 **HB09-1012** by Representative(s) Rice and Stephens, Curry, Massey,
 46 Swalm; also Senator(s) Mitchell and Newell--Concerning
 47 incentives provided by health insurance carriers to
 48 encourage voluntary participation in programs to promote
 49 health.

50
 51 (Amended as printed in Senate Journal, March 9, pages 662-663.)

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

56

	YES	61	NO	0	EXCUSED	4	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
4	Balmer	E	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	E	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	E	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								

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	0	EXCUSED	4	ABSENT	0
25								
26	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
27	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
28	Balmer	E	Judd	Y	McKinley	Y	Scanlan	Y
29	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
30	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	E
31	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
32	Casso	Y	King S.	Y	Miklosi	E	Soper	Y
33	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
34	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
35	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
36	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
37	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
38	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
39	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
40	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
41	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Gerou, Kefalas, Liston, Scanlan,
 44 Tipton, Vigil, Speaker

45
 46 **HB09-1058** by Representative(s) Marostica; also Senator(s) Morse--
 47 Concerning the final disposition of the remains of veterans
 48 of the armed forces that have been abandoned.

49
 50 (Amended as printed in Senate Journal, March 9, page 663.)

51
 52 Representative Marostica moved that the House **not concur** in Senate
 53 amendments and that a Conference Committee be appointed. The motion
 54 was declared **passed** by the following roll call vote:

55

	YES	61	NO	0	EXCUSED	4	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
4	Balmer	E	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	E	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	E	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 The Speaker appointed Representatives Marostica, Chairman, Pommer
20 and Weissmann as House conferees to the bill.

21
22 **HB09-1103** by Representative(s) Riesberg; also Senator(s) Newell--
23 Concerning presumptive eligibility under the medical
24 assistance program for persons in need of long-term care.

25
26 (Amended as printed in Senate Journal, March 9, page 663.)

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

	YES	61	NO	1	EXCUSED	3	ABSENT	0
33	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
34	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
35	Balmer	E	Judd	Y	McKinley	Y	Scanlan	Y
36	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
37	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	E
38	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
39	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
40	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
41	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
42	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
43	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
44	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
45	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
46	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
47	Gardner C.	Y	May	N	Rice	Y	Waller	Y
48	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
49							Speaker	Y

50
51 The question being, "Shall the bill, as amended, 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
54 bill, as amended, was declared **repassed**.

55

	YES	60	NO	2	EXCUSED	3	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
4	Balmer	E	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	N
8	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
10	Curry	Y	Lambert	N	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	E	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) Acree, Merrifield, Vigil

20
 21 **HB09-1108** by Representative(s) Kerr A.; also Senator(s) Boyd--
 22 Concerning the failure of an employer's bank to honor an
 23 employee's paycheck upon presentment.
 24

25 (Amended as printed in Senate Journal, March 9, page 663.)

26
 27 Representative Kerr A. moved that the House **not concur** in Senate
 28 amendments and that a Conference Committee be appointed. The motion
 29 was declared **passed** by the following roll call vote:

	YES	41	NO	21	EXCUSED	3	ABSENT	0
31								
32	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
33	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
34	Balmer	E	Judd	Y	McKinley	Y	Scanlan	Y
35	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
36	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	E
37	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
38	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
39	Court	Y	Labuda	Y	Murray	N	Stephens	N
40	Curry	Y	Lambert	N	Nikkel	N	Summers	N
41	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
42	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
43	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
44	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	N
45	Gardner B.	Y	Massey	E	Priola	N	Vigil	Y
46	Gardner C.	N	May	N	Rice	Y	Waller	N
47	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	Y
48							Speaker	Y

49 The Speaker appointed Representatives Kerr A., Chairman, Court and
 50 Gardner B. as House conferees to the bill.

51
 52 **HB09-1181** by Representative(s) McCann; also Senator(s) Foster--
 53 Concerning the right of a victim to make a statement at a
 54 community corrections hearing.
 55

56 (Amended as printed in Senate Journal, March 9, page 663.)

1 Representative McCann moved that the House **concur** in Senate
2 amendments. The motion was declared **passed** by the following roll call
3 vote:

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

23
24 The question being, "Shall the bill, as amended, pass?".
25 A roll call vote was taken. As shown by the following recorded vote, a
26 majority of those elected to the House voted in the affirmative, and the
27 bill, as amended, was declared **repassed**.

	YES	61	NO	1	EXCUSED	3	ABSENT	0
30	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
31	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
32	Balmer	E	Judd	Y	McKinley	Y	Scanlan	Y
33	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
34	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	E
35	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
36	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
37	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
38	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
39	Ferrandino	Y	Levy	Y	Pace	N	Swalm	Y
40	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
41	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
42	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
43	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
44	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
45	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
46							Speaker	Y

47 Co-sponsor(s) added: Representative(s) Benefield, Lambert, Vigil

48
49 **HB09-1162** by Representative(s) Gerou; also Senator(s) Kopp--
50 Concerning intergovernmental cooperation for the purpose
51 of mitigating wildfires.

52
53 Laid over until March 17, retaining place on Calendar.

54
55 **HB09-1241** by Representative(s) Roberts; also Senator(s) Morse--
56 Concerning title 15 of the Colorado Revised Statutes.

1 (Amended as printed in Senate Journal, March 6, pages 635.)
 2
 3 Representative Roberts moved that the House **concur** in Senate
 4 amendments. The motion was declared **passed** by the following roll call
 5 vote:
 6

	YES	62	NO	0	EXCUSED	3	ABSENT	0
8	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
9	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
10	Balmer	E	Judd	Y	McKinley	Y	Scanlan	Y
11	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
12	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	E
13	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
14	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
15	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
16	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
17	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
18	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
19	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
20	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
21	Gardner B.	Y	Massey	E	Priola	Y	Vigil	Y
22	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
23	Gerou	Y	McCann	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**.
 30

	YES	62	NO	0	EXCUSED	3	ABSENT	0
32	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
33	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
34	Balmer	E	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	E	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 Co-sponsor(s) added: Representative(s) Looper, Swalm
 50
 51
 52
 53
 54
 55

REPORT(S) OF COMMITTEE(S) OF REFERENCE**APPROPRIATIONS**

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

HB09-1063 be referred to the Committee of the Whole with favorable recommendation.

HB09-1130 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Local Government Committee Report, dated January 29, 2009, page 1, line 19, strike "39-26-1212.5," and substitute "39-26-122.5,".

HB09-1133 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 4, after line 8, insert the following:

"SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the license plate cash fund created in section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for allocation to the division of motor vehicles, for the fiscal year beginning July 1, 2009, the sum of five hundred twenty-eight thousand dollars (\$528,000) cash funds, or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of corrections, for allocation to the correctional industries division, for the fiscal year beginning July 1, 2009, the sum of five hundred twenty-eight thousand dollars (\$528,000), or so much thereof as may be necessary, for the implementation of this act. Said sum shall be from reappropriated funds received from the department of revenue out of the appropriation made in subsection (1) of this section."

Renumber succeeding section accordingly.

Page 1, line 101, strike "FEES." and substitute "FEES, AND MAKING AN APPROPRIATION THEREFOR."

HB09-1137 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

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

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

2

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

5

6 **12-47.1-701. Limited gaming fund.** (1) There is hereby created
7 in the office of the state treasurer the limited gaming fund. The fund shall
8 be maintained and operated as follows:

9

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

33

34 Renumber succeeding sections accordingly.

35

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

37

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

39

40 line 8, strike "RESTITUTION, FINES, AND FEES" and substitute
41 "RESTITUTION";

42

43 strike lines 10 through 15;

44

45 strike lines 21 through 23.

46

47 Reletter succeeding paragraphs accordingly.

48

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

50

51 Page 4, line 3, strike "C.R.S.; AND" and substitute "C.R.S.";

52

53 strike lines 4 through 6;

54

55 line 9, strike "THE FOLLOWING NEW SUBSECTIONS" and substitute
56 "A NEW SUBSECTION,";

- 1 line 15, strike "(2) (a) OR (2) (b)." and substitute "(2) (a).";
 2
 3 line 19, strike "(c)." and substitute "(b).";
 4
 5 strike lines 20 through 23;
 6
 7 line 25 strike "DEPARTMENT, THE" and substitute "DEPARTMENT AND
 8 THE";
 9
 10 line 26, strike "services, AND THE DEPARTMENT OF REVENUE" and
 11 substitute "services";
 12
 13 line 27, strike "(1.5), (2), AND (2.5)" and substitute "(1.5) AND (2)".
 14
 15 Page 6, strike lines 19 through 23;
 16
 17 line 27, strike "AND THE DEPARTMENT OF REVENUE".
 18
 19 Page 7, line 3, strike "EACH" and substitute "THE".
 20
 21 Page 8, strike lines 12 and 13 and substitute the following:
 22
 23 **"SECTION 11.** 26-13-118.7 (3) and (6), Colorado Revised
 24 Statutes, are amended to read:";
 25
 26 strike line 15 and substitute the following:
 27
 28 "~~(3) The state department shall deposit a payment received from the~~
 29 ~~registry operator pursuant to section 24-35-605 (2) (b), C.R.S., with the~~
 30 ~~state treasurer.~~ UPON RECEIPT OF A PAYMENT FROM THE REGISTRY
 31 OPERATOR PURSUANT TO SECTION 24-35-605 (2) (b), C.R.S., THE STATE
 32 DEPARTMENT SHALL DEPOSIT THE PAYMENT WITH THE FAMILY SUPPORT
 33 REGISTRY CREATED PURSUANT TO SECTION 26-13-114. After the final
 34 disposition of any administrative review requested pursuant to subsection
 35 (2) of this section, the state department shall disburse the payment ~~to the~~
 36 ~~family support registry created in section 26-13-114~~ for processing or for
 37 distribution to the individual receiving support enforcement services
 38 pursuant to section 26-13-106, as appropriate.
 39
 40 ~~(6) This section shall be repealed if part 6 of article 35 of title 24,~~
 41 ~~C.R.S.,";~~
 42
 43 line 17, strike "(3) (a) (II),";
 44
 45 line 18, strike "(3) (a) (VI), and (3) (a) (VII)," and substitute "and (3) (a)
 46 (VI),";
 47
 48 strike lines 20 through 27.
 49
 50 Page 9, strike lines 1 through 5;
 51
 52 line 6, strike "(III)" and substitute "**39-21-108. Refunds.** (3) (a) (III)";
 53
 54 line 8, strike "monthly with the state treasurer" and substitute "~~monthly~~
 55 ~~with the state treasurer~~ IN THE FAMILY SUPPORT REGISTRY CREATED
 56 PURSUANT TO SECTION 26-13-114, C.R.S.,";

1 strike lines 9 through 17 and substitute the following:

2

3 "human services. For all names and amounts certified by the department
4 of human services pursuant to section 26-13-111, C.R.S., the executive
5 director of the department of revenue shall provide to the department of
6 human services the taxpayers' names and associated amounts deposited
7 with the state treasurer and any other identifying information as required
8 by the department of human services.".

9

10 Page 10, strike lines 26 and 27.

11

12 Page 11, strike lines 1 through 12;

13

14 line 20, strike "This";

15

16 strike line 21 and substitute the following:

17

18 "Sections 1, 2, 3, 4, 10, 11, 12, 13, and 14 of this act shall take effect
19 September 1, 2009, and the remainder of this act shall take effect January
20 1, 2011.".

21

22 Page 1, strike line 103;

23

24 line 104, strike "TAXES" and substitute "RESTITUTION".

25

26 Page 11, after line 19, insert the following:

27

28 **"SECTION 12. Appropriation.** The general assembly anticipates
29 that, for the fiscal year beginning July 1, 2009, the department of revenue,
30 limited gaming division will expend the sum of one hundred forty-nine
31 thousand two hundred seventy-nine dollars (\$149,279) from the limited
32 gaming fund establish in Section 12-47.1-701 (1), Colorado Revised
33 Statutes, for the implementation of this act. Although these funds are not
34 appropriated in this act because they are continuously appropriated
35 pursuant to section 12-47.1-701 (1) (b), Colorado Revised Statutes, they
36 are noted for the purpose of indicating the assumptions used relative to
37 these funds.".

38

39 Renumber succeeding section accordingly.

40

41 Page 1, line 106, strike "REFUNDS." and substitute "REFUNDS, AND
42 MAKING AN APPROPRIATION.".

43

44

45

46 **HB09-1160** be amended as follows, and as so amended, be referred to
47 the Committee of the Whole with favorable
48 recommendation:

49

50 Amend the corrected House State, Veterans, & Military Affairs
51 Committee Report, dated February 16, 2009, page 5, after line 22, insert
52 the following:

53

54 **"SECTION 4. Appropriation.** (1) In addition to any other
55 appropriation, there is hereby appropriated, out of any moneys in the
56 department of state cash fund created in section 24-21-104 (3) (b),

1 Colorado Revised Statutes, not otherwise appropriated, to the department
2 of state, for the fiscal year beginning July 1, 2009, the sum of one
3 hundred twenty thousand two hundred ninety-nine dollars (\$120,299), or
4 so much thereof as may be necessary, for the implementation of this act.
5

6 (2) In addition to any other appropriation, there is hereby
7 appropriated, to the department of revenue, information technology
8 division, for the fiscal year beginning July 1, 2009, the sum of twenty-one
9 thousand five hundred forty-nine dollars (\$21,549), or so much thereof as
10 may be necessary, for the implementation of this act. Said sum shall be
11 from reappropriated funds received from the department of state out of
12 the appropriation made in subsection (1) of this section."
13

14 Renumber succeeding section accordingly.
15

16 Amend printed bill, page 1, line 103, strike "STATE." and substitute
17 "STATE, AND MAKING AN APPROPRIATION THEREFOR."
18

19
20
21 **HB09-1175** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:
24

25 Amend printed bill, page 27, line 17, strike "C.R.S., FOR THE" and
26 substitute "C.R.S.";
27

28 strike lines 18 through 20.
29

30 Page 28, after line 12, insert the following:
31

32 **"SECTION 4. Appropriation.** (1) In addition to any other
33 appropriation, there is hereby appropriated, out of any moneys in the
34 division of registrations cash fund created in section 24-34-105 (2) (b) (I),
35 Colorado Revised Statutes, not otherwise appropriated, to the department
36 of regulatory agencies, for allocation to the division of registrations, for
37 the regulation of naturopathic doctors, for the fiscal year beginning July
38 1, 2009, the sum of one hundred seventeen thousand thirty-eight dollars
39 (\$117,038) cash funds and 1.2 FTE, or so much thereof as may be
40 necessary, for the implementation of this act.
41

42 (2) In addition to any other appropriation, there is hereby
43 appropriated to the department of law, for the fiscal year beginning July
44 1, 2009, the sum of fifteen thousand twenty dollars (\$15,020) and 0.1
45 FTE, or so much thereof as may be necessary, for the provision of legal
46 services to the department of regulatory agencies related to the
47 implementation of this act. Said sum shall be from reappropriated funds
48 received from the department of regulatory agencies out of the
49 appropriation made in subsection (1) of this section."
50

51 Renumber succeeding section accordingly.
52

53 Page 1, line 101, strike "DOCTORS." and substitute "DOCTORS, AND
54 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."
55

56

1 **HB09-1205** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB09-1222** be referred to the Committee of the Whole with favorable
6 recommendation.
7

8
9 **HB09-1244** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:
12

13 Amend printed bill, page 2, after line 5, insert the following:
14

15 **"SECTION 2. Adjustments to the 2009 long bill.** For the
16 implementation of this act, appropriations made in the annual general
17 appropriation act for the fiscal year beginning July 1, 2009, to the
18 department of regulatory agencies, public utilities commission, are
19 decreased by thirteen thousand nine hundred sixty-seven dollars
20 (\$13,967) cash funds and 0.4 FTE. Said sum shall be from the public
21 utilities commission motor carrier fund created in section 40-2-110.5 (6),
22 Colorado Revised Statutes."
23

24 Renumber succeeding section accordingly.
25

26 Page 1, line 103, strike "**COMMISSION.**" and substitute "**COMMISSION,
27 AND MAKING AN APPROPRIATION THEREFOR.**".
28
29
30

31 **SB09-066** be referred to the Committee of the Whole with favorable
32 recommendation.
33
34
35
36

37 **EDUCATION**

38 After consideration on the merits, the Committee recommends the
39 following:
40

41 **SB09-052** be amended as follows, and as so amended, be referred to
42 the Committee on Appropriations with favorable
43 recommendation:
44

45 Amend reengrossed bill, page 2, strike lines 2 through 26 and substitute
46 the following:
47

48 **"SECTION 1.** 12-47.1-701 (4) (a) (VI), Colorado Revised
49 Statutes, as enacted by Senate Bill 09-217, enacted at the First Regular
50 Session of the Sixty-seventh General Assembly, is amended to read:
51

52 **12-47.1-701. Limited gaming fund.** (4) (a) At the end of each
53 fiscal year, the state treasurer shall distribute the balance remaining in the
54 limited gaming fund in accordance with the provisions of section 9 (5) (b)
55 (II) of article XVIII of the state constitution and paragraph (c) of
56 subsection (1) of this section; except that:

1 (VI) For the 2008-09 fiscal year, of the portion of limited gaming
2 fund moneys that would otherwise be transferred to the general fund
3 pursuant to section 9 (5) (b) (II) of article XVIII of the state constitution,
4 after the transfer to the local government limited gaming impact fund
5 required by section 12-47.1-1601, fifteen million five hundred
6 seventy-eight thousand six hundred ninety-nine dollars shall be
7 transferred to the Colorado travel and tourism promotion fund created in
8 section 24-49.7-106, C.R.S., one million two hundred thousand
9 twenty-six dollars shall be transferred to the state council on the arts cash
10 fund created in section 24-48.8-109, C.R.S., one million four hundred
11 thousand fifty-two dollars shall be transferred to the new jobs incentives
12 cash fund created in section 24-46-105.7, C.R.S., ONE MILLION DOLLARS
13 SHALL BE TRANSFERRED TO THE INNOVATIVE HIGHER EDUCATION
14 RESEARCH FUND CREATED IN SECTION 23-19.7-104, C.R.S., and four
15 hundred eighty thousand eleven dollars shall be transferred to the film
16 incentives cash fund created in section 24-46-105.8, C.R.S. If when
17 making the transfers in June 2009 the treasurer determines that the
18 portion of limited gaming fund moneys that would otherwise be
19 transferred to the general fund pursuant to section 9 (5) (b) (II) of article
20 XVIII of the state constitution, after the transfer to the local government
21 limited gaming impact fund required by section 12-47.1-1601, is
22 insufficient to make the transfers set forth in this subparagraph (VI), the
23 transfers shall be proportionally reduced.

24
25 **SECTION 2.** 12-47.1-701 (5) (a), Colorado Revised Statutes, is
26 amended, and the said 12-47.1-701 is further amended BY THE
27 ADDITION OF A NEW SUBSECTION, to read:

28
29 **12-47.1-701. Limited gaming fund.** (4.5) (a) EXCEPT AS
30 OTHERWISE PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (4.5), AT
31 THE END OF THE 2009-10 STATE FISCAL YEAR AND EACH YEAR
32 THEREAFTER, ONE MILLION DOLLARS OF MONEYS THAT WOULD OTHERWISE
33 BE TRANSFERRED TO THE STATE GENERAL FUND PURSUANT TO
34 SUBPARAGRAPH (I) OF PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION
35 AND PARAGRAPH (c) OF SUBSECTION (4) OF THIS SECTION SHALL INSTEAD
36 BE TRANSFERRED TO THE INNOVATIVE HIGHER EDUCATION RESEARCH
37 FUND CREATED IN SECTION 23-19.7-104, C.R.S.

38
39 (b) IF, BASED ON THE REVENUE FORECAST PREPARED BY THE STAFF
40 OF THE LEGISLATIVE COUNCIL IN JUNE OF ANY FISCAL YEAR, THE STATE
41 TREASURER DETERMINES THAT THE AMOUNT OF GENERAL FUND REVENUES
42 FOR THE FISCAL YEAR WILL BE INSUFFICIENT TO ALLOW THE MAXIMUM
43 AMOUNT OF GENERAL FUND APPROPRIATIONS PERMITTED BY SECTION
44 24-75-201.1 (1) (a), C.R.S., TO BE MADE FOR THE FISCAL YEAR, THE STATE
45 TREASURER, AT THE END OF THE FISCAL YEAR, SHALL TRANSFER TO THE
46 GENERAL FUND FROM THE MONEYS THAT WOULD OTHERWISE BE
47 TRANSFERRED TO THE INNOVATIVE HIGHER EDUCATION RESEARCH FUND
48 PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (4.5) AN AMOUNT
49 EQUAL TO THE LESSER OF THE FULL AMOUNT THAT WOULD OTHERWISE BE
50 TRANSFERRED TO THE INNOVATIVE HIGHER EDUCATION RESEARCH FUND
51 OR THE AMOUNT NECESSARY TO ALLOW THE MAXIMUM AMOUNT OF
52 GENERAL FUND APPROPRIATIONS TO BE MADE FOR THE FISCAL YEAR.

53
54 (5) (a) Except as otherwise provided in paragraph (c) of this
55 subsection (5) AND SUBSECTIONS (4) AND (4.5) OF THIS SECTION, at the end
56 of the 2006-07 state fiscal year, seven million dollars of moneys that

1 would otherwise be transferred to the state general fund pursuant to
2 subparagraph (I) of paragraph (c) of subsection (1) of this section and
3 paragraph (c) of subsection (4) of this section shall instead be transferred
4 to the clean energy fund created in section 24-75-1201 (1), C.R.S."

5

6 Page 3, strike lines 1 through 21.

7

8 Renumber succeeding section accordingly.

9

10

11

12 **SB09-123** be amended as follows, and as so amended, be referred to
13 the Committee on Appropriations with favorable
14 recommendation:

15

16 Amend reengrossed bill, page 6, line 9, strike "AVAILABLE" and substitute
17 "THE RECEIPT OF SUFFICIENT GIFTS, GRANTS, OR DONATIONS PURSUANT TO
18 SECTION 22-82.3-107 (4)";

19

20 line 10, strike "APPROPRIATIONS,".

21

22 Page 8, strike lines 21 through 23.

23

24 Reletter succeeding paragraphs accordingly.

25

26 Page 9, line 27, strike the third "THE".

27

28 Page 10, strike lines 1 and 2.

29

30 Page 13, strike lines 7 through 18.

31

32 Renumber succeeding section accordingly.

33

34

35

36

37 **HEALTH & HUMAN SERVICES**

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

40

41 **HB09-1280** be amended as follows, and as so amended, be referred to
42 the Committee on Appropriations with favorable
43 recommendation:

44

45 Amend the State, Veterans, & Military Affairs Committee Report, dated
46 March 3, 2009, page 1, strike line 1 and substitute the following:

47

48 "Amend printed bill, page 2, line 13, strike "AT-RISK YOUTH," and
49 substitute "POSITIVE YOUTH DEVELOPMENT,";

50

51 line 14, strike "CONTRACT PERSONNEL AND";";

52

53 after line 2 of the committee report, insert "line 17, strike "AT-RISK" and
54 substitute "ELIGIBLE";";

55

56 line 3 of the committee report, strike ""AND"." and substitute ""AND";";

1 after line 3 of the committee report, insert "line 19, strike "AT-RISK" and
2 substitute "ELIGIBLE".";

3
4 strike lines 9 and 10 of the committee report and substitute the following:

5
6 "strike lines 13 through 16 and substitute the following:

7
8 "(1) "ELIGIBLE YOUTH" MEANS A PERSON WHO HAS VOLUNTARILY
9 CONSENTED, WITH THE WRITTEN PERMISSION OF HIS OR HER PARENT OR
10 GUARDIAN IF THE PERSON IS A MINOR, TO PARTICIPATE IN THE NATIONAL
11 GUARD YOUTH CHALLENGE CORPS PROGRAM AND THE UNITED STATES
12 CONGRESSIONAL YOUTH AWARDS PROGRAM AND TO ACT IN ACCORDANCE
13 WITH PROGRAM REQUIREMENTS. ADDITIONALLY, AN ELIGIBLE YOUTH
14 SHALL BE:

15
16 (a) AT LEAST SIXTEEN YEARS OF AGE BUT LESS THAN NINETEEN
17 YEARS OF AGE;

18
19 (b) A HIGH SCHOOL DROPOUT, SUSPENDED OR EXPELLED FROM
20 SCHOOL, HABITUALLY TRUANT, OR OTHERWISE HABITUALLY DISRUPTIVE
21 IN SCHOOL;

22
23 (c) ECONOMICALLY AND EDUCATIONALLY DISADVANTAGED;

24
25 (d) UNEMPLOYED;

26
27 (e) DRUG-FREE;

28
29 (f) FREE OF FELONY CONVICTIONS OR CAPITAL OFFENSES, NOT
30 INDICTED OR CHARGED WITH A CRIME, AND NOT ON PAROLE OR PROBATION
31 FOR ANYTHING OTHER THAN JUVENILE STATUS OFFENSES; AND

32
33 (g) PHYSICALLY AND MENTALLY CAPABLE OF PARTICIPATING IN
34 THE PROGRAM WITH REASONABLE ACCOMMODATIONS FOR PHYSICAL OR
35 OTHER DISABILITIES. ";";

36
37 Page 2 of the committee report, line 2, strike ""OR OTHER";" and substitute
38 ""OR OTHER" and strike "AT-RISK" and substitute "ELIGIBLE";";

39
40 line 4 of the committee report, strike ""SKILLS. THE"." and substitute
41 ""SKILLS. THE PROGRAM SHALL BE STRUCTURED AS A
42 FIVE-AND-ONE-HALF-MONTH RESIDENTIAL PHASE THAT FOCUSES ON
43 EDUCATION AND PRACTICAL LIFE SKILLS, FOLLOWED BY A
44 TWELVE-MONTH, POST-RESIDENTIAL PHASE THAT INVOLVES SKILLED AND
45 TRAINED MENTORS WHO SUPPORT THE PROGRAM GRADUATES. THE";";

46
47 after line 4 of the committee report, insert the following:

48
49 "after line 16, insert the following:

50
51 "(3) THE PROGRAM SHALL COMPLY WITH ANY APPLICABLE STATE
52 LICENSING REQUIREMENTS AND SHALL ESTABLISH A COLLABORATIVE
53 PARTNERSHIP COMPOSED OF A REPRESENTATIVE FROM, AT A MINIMUM, THE
54 FOLLOWING:

55
56 (a) THE STATE DEPARTMENTS OF EDUCATION, PUBLIC HEALTH AND

- 1 ENVIRONMENT, LABOR, JUDICIAL, PUBLIC SAFETY, AND HUMAN SERVICES;
2
3 (b) A COUNTY DEPARTMENT OF HUMAN SERVICES DIRECTOR;
4
5 (c) A SCHOOL DISTRICT;
6
7 (d) A SHERIFF OR POLICE DEPARTMENT; AND
8
9 (e) A COMMUNITY AGENCY THAT SERVES YOUTH AND THREE
10 APPOINTED ADVISORY YOUTH MEMBERS FROM THE AGENCY'S SERVICE
11 POPULATION."

12
13 Renumber succeeding subsections accordingly."
14
15

16
17 **SB09-005** be referred to the Committee of the Whole with favorable
18 recommendation.
19

20
21 **SB09-104** be referred favorably to the Committee on Appropriations.
22

23
24 **SB09-129** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:
27

28 Amend reengrossed bill, page 2, strike lines 11 through 13 and substitute
29 the following:
30

31 "DIAGNOSIS THAT REQUIRES TREATMENT THAT IS OUTSIDE THE SCOPE OF
32 DENTAL HYGIENE PRACTICE PURSUANT TO SECTIONS 12-35-124,
33 12-35-125, AND 12-35-128."
34

35 Page 5, line 10, strike "PROVIDE PROOF OF" and substitute "HAVE".
36

37 Page 6, line 3, after "that", insert "INVOLVES SURGERY OR THAT";
38

39 line 5, after the period, add "PRESCRIPTIVE AUTHORITY MAY NOT BE
40 ASSIGNED TO ANYONE OTHER THAN A LICENSED DENTIST."
41

42
43
44 **SB09-169** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:
47

48 Amend reengrossed bill, page 6, line 6, strike "~~signed~~" and substitute
49 "signed".
50
51
52
53
54
55

1 **JUDICIARY**

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

4
5 **SB09-013** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend reengrossed bill, page 2, line 20, after the period, add "THE TERM
10 INCLUDES, WITHOUT LIMITATION, NOT-FOR-PROFIT NONGOVERNMENTAL
11 ENTITIES THAT ARE ORGANIZED TO PROVIDE FIREFIGHTING SERVICES."

12
13 Page 3, line 12, strike "**firefighters**" and substitute "**firefighters, incident
14 management teams,**";

15
16 line 13, strike "**definition.**" and substitute "**definitions.**";

17
18 strike line 14 and substitute the following:

19
20 "FIREFIGHTER WHO, IN GOOD";

21
22 line 17, strike "EMERGENCY" and substitute "EMERGENCY, ANY INCIDENT
23 MANAGEMENT TEAM,";

24
25 line 18, after "FIREFIGHTER", insert "OR INCIDENT MANAGEMENT TEAM";

26
27 line 20, strike "FIREFIGHTER" and substitute "FIREFIGHTER, INCIDENT
28 MANAGEMENT TEAM,";

29
30 strike lines 24 through 27.

31
32 Page 4, strike lines 1 and 2 and substitute the following:

33
34 "(2) AS USED IN THIS SECTION:

35
36 (a) "EMERGENCY" MEANS ANY INCIDENT TO WHICH A RESPONSE BY
37 A FIRE DEPARTMENT OR INCIDENT MANAGEMENT TEAM IS APPROPRIATE OR
38 REQUESTED, INCLUDING, WITHOUT LIMITATION:

39
40 (I) A FIRE, FIRE ALARM RESPONSE, MOTOR VEHICLE ACCIDENT,
41 RESCUE CALL, OR HAZARDOUS MATERIALS INCIDENT;

42
43 (II) A NATURAL OR MAN-MADE DISASTER SUCH AS AN
44 EARTHQUAKE, FLOOD, OR SEVERE WEATHER EVENT;

45
46 (III) A TERRORIST ATTACK; OR

47
48 (IV) AN OUTBREAK OF A HARMFUL BIOLOGICAL AGENT OR
49 INFECTIOUS DISEASE.

50
51 (b) "FIRE DEPARTMENT" HAS THE MEANING SET FORTH IN SECTION
52 24-33.5-1202, C.R.S., AND INCLUDES A FIRE DEPARTMENT THAT USES PAID
53 FIREFIGHTERS, VOLUNTEER FIREFIGHTERS, OR BOTH. THE TERM INCLUDES,
54 WITHOUT LIMITATION, NOT-FOR-PROFIT NONGOVERNMENTAL ENTITIES
55 THAT ARE ORGANIZED TO PROVIDE FIREFIGHTING SERVICES.

56

1 (c) "INCIDENT MANAGEMENT TEAM" MEANS AN AD HOC OR
2 STANDING TEAM OF TRAINED PERSONNEL FROM DIFFERENT DEPARTMENTS,
3 ORGANIZATIONS, AGENCIES, AND JURISDICTIONS ACTIVATED TO MANAGE
4 THE LOGISTICAL, FISCAL, PLANNING, OPERATIONAL, SAFETY, AND
5 COMMUNITY ISSUES RELATED TO AN EMERGENCY OR OTHER INCIDENT.

6
7 (d) "VOLUNTEER FIREFIGHTER" HAS THE MEANING SET FORTH IN
8 SECTION 31-30-1102, C.R.S., AND INCLUDES VOLUNTEER FIREFIGHTERS OF
9 NOT-FOR-PROFIT NONGOVERNMENTAL ENTITIES THAT ARE ORGANIZED TO
10 PROVIDE FIREFIGHTING SERVICES.

11
12 **SECTION 3.** 24-32-2605, Colorado Revised Statutes, is amended
13 BY THE ADDITION OF A NEW SUBSECTION to read:

14
15 **24-32-2605. Immunity.** (1.7) NO STATE COMMISSION OR AGENCY
16 OR COUNTY OR MUNICIPAL AGENCY, INCLUDING LOCAL EMERGENCY
17 PLANNING COMMITTEES, INCIDENT MANAGEMENT TEAMS, CITIZEN CORPS
18 COUNCILS, CITIZEN EMERGENCY RESPONSE TEAMS, MEDICAL RESERVE
19 CORPS, FIRE PROTECTION DISTRICTS, AND VOLUNTEER FIRE, AMBULANCE,
20 OR EMERGENCY SERVICE AND RESCUE GROUPS, NOR THEIR OFFICERS,
21 OFFICIALS, DIRECTORS, EMPLOYEES, TRAINEES, OR VOLUNTEERS, WHEN
22 ENGAGED IN PLANNING, TRAINING, OR RESPONSE ACTIVITIES REGARDING
23 A NATURAL DISASTER, HAZARDOUS MATERIAL RELEASE, PUBLIC HEALTH
24 EMERGENCY, OR ACT OF TERRORISM OR THE THREAT OF ANY SUCH
25 DISASTER, RELEASE, EMERGENCY, OR ACT, SHALL BE LIABLE FOR THE
26 DEATH OF OR INJURY TO ANY PERSON OR FOR THE LOSS OF OR DAMAGE TO
27 PROPERTY OR THE ENVIRONMENT EXCEPT FOR GROSS NEGLIGENCE OR
28 WILLFUL AND WANTON ACTS OR OMISSIONS."

29
30 Renumber succeeding section accordingly.

31
32
33
34 **SB09-036** be amended as follows, and as so amended, be referred to
35 the Committee of the Whole with favorable
36 recommendation:

37
38 Amend reengrossed bill, page 4, strike lines 7 through 9 and substitute the
39 following:

40
41 "misdemeanor. IF THE OFFENSE INVOLVES";

42
43 line 27, strike "THE" and substitute "UPON CONVICTION OF THE PERSON,
44 THE".

45
46 Page 5, line 3, strike "THE" and substitute "UPON CONVICTION OF THE
47 PERSON AND MOTION OF THE DISTRICT ATTORNEY, THE";

48
49 strike lines 25 through 27.

50
51 Strike pages 6 through 9.

52
53 Page 10, strike lines 1 through 8.

54
55 Renumber succeeding section accordingly.

56

1 Page 1, line 101, strike "RECORDINGS, AND MAKING AN" and substitute
2 "RECORDINGS.";
3
4 strike line 102.
5

6
7
8 **SB09-047** be referred to the Committee of the Whole with favorable
9 recommendation.
10

11
12 **SB09-048** be referred to the Committee of the Whole with favorable
13 recommendation.
14

15
16 **SB09-060** be referred to the Committee of the Whole with favorable
17 recommendation.
18

19
20 **SB09-109** be referred to the Committee of the Whole with favorable
21 recommendation.
22

23
24
25 **PRINTING REPORT**
26

27 The Chief Clerk reports the following bills have been correctly printed:
28 **HB09-1311, 1312.**
29

30
31
32 On motion of Representative Weissmann, the House adjourned until
33 10:00 a.m., March 16, 2009.
34

35 Approved:
36 TERRANCE D. CARROLL,
37 Speaker

38 Attest:
39 MARILYN EDDINS,
40 Chief Clerk

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

Sixty-ninth Legislative Day

Monday, March 16, 2009

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

2

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

4

5 Pledge of Allegiance led by Abby, Winston, and Price Reeves, Canyon
6 Independence School District, Amarillo, Texas.

7

8 The roll was called with the following result:

9

10 Present--64.

11 Excused--Representative(s) McFadyen--1.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Murray, the reading of the journal of
17 March 13, 2009, was declared dispensed with and approved as corrected
18 by the Chief Clerk.

19

20

21

22

RESIGNATION

23

24 March 16, 2009

25

26 Marilyn Eddins

27 Chief Clerk of Colorado House of Representatives

28 Colorado General Assembly

29 200 East Colfax

30 Denver, CO 80203

31

32 Dear Ms. Eddins:

33

34 It is with affection, excitement and sadness that I submit this letter to you
35 as Clerk of the Colorado House of Representatives.

36

37 Please accept my resignation as the State Representative for House
38 District 3, effective upon the earlier of a vacancy election in House
39 District 3 or 8 a.m. Monday, March 30, 2009.

40

41 My rewarding tenure in the House was due in large part to you and your
42 staff who make it so easy to do our jobs. You and your staff have
43 unquestioned professionalism and devotion to this marvelous institution.

1 Thank you for your friendship, and your work.

2

3 I am honored to have served in the Colorado House of Representatives
4 with you.

5

6 Sincerely,
7 (signed)

8 Anne L. McGihon

9

10

11

12 **THIRD READING OF BILLS--FINAL PASSAGE**

13

14 The following bills were considered on Third Reading. The titles were
15 publicly read. Reading of the bill at length was dispensed with by
16 unanimous consent.

17

18 **HB09-1209** by Representative(s) Green; also Senator(s) Tochtrop--
19 Concerning modifications to health care coverage
20 cooperatives.

21

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

23 A roll call vote was taken. As shown by the following recorded vote,
24 less than a majority of those elected to the House voted in the affirmative
25 and the bill was declared **lost**.

26

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

45

46

47 **HB09-1164** by Representative(s) Primavera, Gagliardi, Green,
48 Kefalas, Kerr J., McGihon; also Senator(s) Kester--
49 Concerning a surcharge on breast cancer awareness
50 special license plates to provide funding for cancer
51 treatment for women who are not currently eligible to
52 participate in the breast and cervical cancer prevention
53 and treatment program under the "Colorado Medical
54 Assistance Act".

55

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
 4 bill was declared **passed**.

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

24 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Fischer, Kerr A.,
 25 Labuda, Levy, Looper, Massey, McCann, Merrifield, Middleton, Miklosi, Pace,
 26 Peniston, Rice, Scanlan, Solano, Stephens, Tipton, Todd, Weissmann

27
 28
 29 **HB09-1237** by Representative(s) Primavera, Casso, Green, Soper; also
 30 Senator(s) Shaffer B.--Concerning the coordinated system
 31 of payment for early intervention services for children
 32 eligible for benefits under part C of the federal
 33 "Individuals with Disabilities Education Improvement
 34 Act", and making an appropriation therefor.

35
 36 The question being "Shall the bill 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 bill
 39 was declared **passed**.

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

1	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
2							Speaker	Y

3 Co-sponsor(s) added: Representative(s) Apuan, Ferrandino, Frangas, Gerou,
 4 Hullinghorst, Kefalas, Kerr J., Labuda, Middleton, Nikkel, Peniston, Pommer,
 5 Priola, Ryden, Schafer S., Solano, Todd

6
 7 **HB09-1248** by Representative(s) Gerou; also Senator(s) Shaffer B.--
 8 Concerning the modification of laws applicable to the
 9 conduct of business in Colorado, and, in connection
 10 therewith, modifying the requirements of title 7 of the
 11 Colorado Revised Statutes applicable to documents filed
 12 with the secretary of state, partnership law, and the
 13 requirements for boards of directors of nonprofit
 14 corporations to take action without a meeting, and making
 15 an appropriation.

16
 17 The question being "Shall the bill pass?".
 18 A roll call vote was taken. As shown by the following recorded vote, a
 19 majority of those elected to the House voted in the affirmative and the bill
 20 was declared **passed**.

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

40 Co-sponsor(s) added: Representative(s) Summers

41
 42 **HB09-1250** by Representative(s) Merrifield; also Senator(s) Penry--
 43 Concerning increasing the allocation to public schools of
 44 federal moneys received by the state on behalf of certain
 45 counties pursuant to the act of congress of May 23, 1908,
 46 as amended, relating to receipts from national forests.

47
 48 The question being "Shall the bill pass?".
 49 A roll call vote was taken. As shown by the following recorded vote, a
 50 majority of those elected to the House voted in the affirmative and the bill
 51 was declared **passed**.

	YES	39	NO	25	EXCUSED	1	ABSENT	0
54	Acree	N	Green	Y	McFadyen	E	Roberts	N
55	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
56	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y

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

15 Co-sponsor(s) added: Representative(s) Benefield, Fischer, Gagliardi, Green,
16 Kerr A., Labuda, Middleton, Miklosi, Pommer, Ryden, Schafer S., Solano,
17 Todd

18
19 **HB09-1296** by Representative(s) Green; also Senator(s) Hudak--
20 Concerning extending the repeal date for the reading
21 assistance grant program.

22
23 The question being "Shall the bill pass?".
24 A roll call vote was taken. As shown by the following recorded vote, a
25 majority of those elected to the House voted in the affirmative and the bill
26 was declared **passed**.

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

46 Co-sponsor(s) added: Representative(s) Acree, Apuan, Bradford, Gerou,
47 Hullinghorst, Kerr J., Labuda, May, Merrifield, Middleton, Nikkel, Pommer,
48 Ryden, Scanlan, Schafer S., Solano, Stephens, Summers, Todd

49
50
51 **HB09-1297** by Representative(s) Frangas; also Senator(s) Mitchell--
52 Concerning membership appointments to the advisory
53 committee on licensing of child care facilities.

54
55 The question being "Shall the bill pass?".
56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
 2 was declared **passed**.

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

22 Co-sponsor(s) added: Representative(s) Green, Kerr J., Labuda, Merrifield,
 23 Middleton, Priola, Schafer S., Stephens, Todd, Vigil

24
 25 **SB09-114** by Senator(s) Kester, Hodge, Isgar; also Representative(s)
 26 Sonnenberg--Concerning the continuation of the authority
 27 of the department of agriculture to regulate the sale of
 28 agricultural products, and, in connection therewith,
 29 regulating farm products and commodity warehouses.

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**.

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

54 Co-sponsor(s) added: Representative(s) Baumgardner, Curry, King S., Labuda,
 55 Looper, Nikkel, Roberts, Stephens, Vigil, Waller

1 On motion of Representative Middleton, the House resolved itself into
2 Committee of the Whole for consideration of General Orders, and she
3 was called to the Chair to act as Chairman.

4

5

6

GENERAL ORDERS--SECOND READING OF BILLS

7

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

12

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

15

16 **HB09-1295** by Representative(s) Todd and Massey, Carroll T.,
17 Benefield, Merrifield, Middleton, Casso, Frangas,
18 Hullinghorst, Kerr A., Labuda, McGihon, Miklosi,
19 Murray, Scanlan; also Senator(s) Heath, Bacon, King K.,
20 Veiga, Spence--Concerning authorizing Metropolitan state
21 college of Denver to offer master's degree programs.

22

23 Ordered engrossed and placed on the Calendar for Third Reading and
24 Final Passage.

25

26 **HB09-1299** by Representative(s) Kerr A., Benefield, Carroll T., Casso,
27 Court, Curry, Ferrandino, Frangas, Green, Hullinghorst,
28 Kefalas, McCann, Middleton, Miklosi, Pommer, Rice,
29 Scanlan, Schafer S., Solano, Todd, Vigil; also Senator(s)
30 Romer, Bacon, Groff, Veiga--Concerning adoption of an
31 agreement among the states to elect the president of the
32 United States by national popular vote.

33

34 Amendment No. 1, by Representative(s) Gardner B.

35

36 Amend printed bill, page 7, strike lines 15 through 17 and substitute the
37 following:

38

39 **"SECTION 2. Act subject to petition - effective date.** This act
40 shall take effect at 12:01 a.m. on the day following the expiration of the
41 ninety-day period after final adjournment of the general assembly that is
42 allowed for submitting a referendum petition pursuant to article V,
43 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
44 sine die is on May 6, 2009); except that, if a referendum petition is filed
45 against this act or an item, section, or part of this act within such period,
46 then the act, item, section, or part, if approved by the people, shall take
47 effect on the date of the official declaration of the vote thereon by
48 proclamation of the governor."

49

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

52

53 On motion of Representative Weissmann, the remainder of the General
54 Orders Calendar was laid over until the dates indicated, retaining place on
55 Calendar:

56 (**HB09-1015, 1086, 1026, 1170, 1294**) laid over until March 17.

1 (HB09-1176, SB09-117, 038, 054, 059, 050, 181, 227, 062, 112, 053,
2 100, 119, 150, 101, 014, 039, 107, 147, 165, 157, 111, 080) laid over until
3 March 20.

4
5
6
7 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

8
9 Passed Second Reading: **HB09-1295, 1299 amended.**

10 Laid over until date indicated retaining place on Calendar:

11 **HB09-1015, 1086, 1026, 1170, 1294**--March 17, 2009.

12 **HB09-1176, SB09-117, 038, 054, 059, 050, 181, 227, 062, 112, 053, 100,**
13 **119, 150, 101, 014, 039, 107, 147, 165, 157, 111, 080**--March 20, 2009.

14
15
16 The Chairman moved the adoption of the Committee of the Whole
17 Report. As shown by the following roll call vote, a majority of those
18 elected to the House voted in the affirmative, and the Report was
19 **adopted.**

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

39
40
41
42
43
44 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
45 **on SB09-208**

46
47 This Report Amends the Rerevised Bill.

48
49 To the President of the Senate and the
50 Speaker of the House of Representatives:

51
52 Your first conference committee appointed on SB09-208,
53 concerning the augmentation of the general fund through transfers of
54 certain moneys in the 2008-09 fiscal year, has met and reports that it has
55 agreed upon the following:
56

1 That the Senate accede to the House amendments made to the bill,
2 as the amendments appear in the rerevised bill, with the following
3 change:

4
5 Amend rerevised bill, page 15, line 3, strike "FIFTEEN MILLION NINE" and
6 substitute "SEVENTEEN MILLION FOUR".

7
8 Respectfully submitted,
9 Senate Committee:
10 (signed)
11 Moe Keller
12 Abel Tapia
13 Al White

House Committee:
(signed)
Mark Ferrandino
Jack Pommer
Don Marostica

16
17 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
18 **on SB09-215**

19
20 This Report Amends the Reengrossed Bill.

21
22 To the President of the Senate and the
23 Speaker of the House of Representatives:

24
25 Your first conference committee appointed on SB09-215,
26 concerning modifications to appropriations to achieve a reduction in the
27 state expenditures for the financing of public schools, has met and reports
28 that it has agreed upon the following:

29
30 That the House recede from its amendments made to the bill, as the
31 amendments appear in the rerevised bill, and that the following
32 amendments be substituted therefor:

33
34 Amend reengrossed bill, page 3, line 27, strike "TWO" and substitute
35 "ONE".

36
37 Page 15, line 6, strike "TWO" and substitute "ONE";
38
39 line 7, strike "\$2,635,000)." and substitute "\$1,635,000)." and strike
40 "TWO" and substitute "ONE";

41
42 line 8, strike "\$2,500,000)" and substitute "\$1,500,000)".

43
44 Respectfully submitted,
45 Senate Committee:
46 (signed)
47 Moe Keller
48 Abel Tapia
49 Al White

House Committee:
(signed)
Mark Ferrandino
Jack Pommer
Don Marostica

50
51
52
53
54
55

REPORT(S) OF COMMITTEE(S) OF REFERENCE**HEALTH & HUMAN SERVICES**

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

HB09-1293 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 7, line 23, strike "SECTION" and substitute "SUBSECTION (3)".

Page 10, line 22, after "HUNDRED", insert "FIFTY".

Page 12, line 4, strike "(b);" and substitute "(b), INCLUDING BUT NOT LIMITED TO ADMINISTRATIVE COSTS ASSOCIATED WITH THE DETERMINATION OF ELIGIBILITY FOR PUBLIC MEDICAL ASSISTANCE BY COUNTY DEPARTMENTS;";

line 11, after "HOSPITALS;", add "AND";

strike lines 12 through 20.

Page 17, line 7, strike "ELEVEN" and substitute "TWELVE";

line 20, strike "COMPANIES" and substitute "CARRIERS" and strike "COMPANY" and substitute "CARRIER";

line 24, strike "COMPANY;" and substitute "CARRIER;";

line 27, strike "COMPANY," and substitute "CARRIER,";

after line 27, insert the following:

"(F) ONE MEMBER WHO IS A REPRESENTATIVE OF PERSONS WITH DISABILITIES, WHO IS LIVING WITH A DISABILITY, AND WHO IS NOT A REPRESENTATIVE OR AN EMPLOYEE OF A HOSPITAL, HEALTH INSURANCE CARRIER, OR OTHER HEALTH CARE INDUSTRY ENTITY;"

Reletter succeeding sub-subparagraphs accordingly.

Page 18, line 2, after "PURCHASES", insert "OR OTHERWISE PROVIDES";

line 20, strike "(F)" and substitute "(G)";

line 21, after "(b).", insert "THE CHAIR OF THE ADVISORY BOARD SHALL ONLY BE ENTITLED TO VOTE IF THE VOTE OF THE OTHER MEMBERS OF THE ADVISORY BOARD WHO ARE PRESENT AND VOTING ON AN ISSUE WOULD RESULT IN A TIE VOTE."

Page 20, after line 20, insert the following:

"(II) A DESCRIPTION OF THE FORMULA FOR HOW THE PROVIDER FEE IS CALCULATED AND THE PROCESS BY WHICH THE PROVIDER FEE IS ASSESSED AND COLLECTED;"

1 Renumber succeeding subparagraphs accordingly.

2

3 Page 22, line 19, strike "PURSUANT TO" and substitute "SUBJECT TO
4 ADEQUATE".

5

6 Page 23, line 19, after "TO", insert "ADEQUATE".

7

8 Page 24, line 17, strike "**groups.**" and substitute "**groups - repeal.**".

9

10 Page 25, line 16, strike "OR" and substitute "TO SUCH PARENT WHOSE
11 FAMILY INCOME EXCEEDS SIXTY PERCENT OF THE FEDERAL POVERTY
12 LEVEL OR REDUCE";

13

14 after line 19, insert the following:

15

16 "(C) NOTWITHSTANDING THE PROVISIONS OF SUB-SUBPARAGRAPH
17 (A) OF THIS SUBPARAGRAPH (I), UNTIL THE STATE DEPARTMENT RECEIVES
18 FEDERAL AUTHORIZATION TO INCREASE THE PERCENTAGE OF THE FEDERAL
19 POVERTY RATE FOR PARENTS OF CHILDREN ELIGIBLE FOR THE MEDICAL
20 ASSISTANCE PROGRAM OR THE CHILDREN'S BASIC HEALTH PLAN, THE
21 PERCENTAGE OF THE FEDERAL POVERTY LEVEL SHALL BE NOT LESS THAN
22 SIXTY PERCENT. WITHIN SIXTY DAYS AFTER THE STATE DEPARTMENT
23 RECEIVES AUTHORIZATION TO INCREASE THE PERCENTAGE OF THE
24 FEDERAL POVERTY LEVEL, THE EXECUTIVE DIRECTOR SHALL SEND
25 WRITTEN NOTICE TO THE REVISOR OF STATUTES INFORMING HIM OR HER OF
26 THE AUTHORIZATION. THIS SUB-SUBPARAGRAPH (C) IS REPEALED,
27 EFFECTIVE THE JULY 1 FOLLOWING THE RECEIPT OF THE NOTICE TO THE
28 REVISOR OF STATUTES."

29

30 Page 26, line 7, after "HUNDRED", insert "FIFTY";

31

32 after line 8, insert the following:

33

34 "(III) (A) NOTWITHSTANDING THE PROVISION OF SUBPARAGRAPH
35 (I) OF THIS PARAGRAPH (o), INDIVIDUALS WITH DISABILITIES WHO ARE
36 PARTICIPATING IN THE MEDICAID BUY-IN PROGRAM ESTABLISHED IN PART
37 14 OF ARTICLE 6 OF THIS TITLE SHALL ONLY BE ELIGIBLE FOR BENEFITS
38 UNDER THE MEDICAL ASSISTANCE PROGRAM IF THE STATE DEPARTMENT
39 RECEIVES FEDERAL AUTHORIZATION FOR SUCH ELIGIBILITY.

40

41 (B) WITHIN SIXTY DAYS AFTER THE STATE DEPARTMENT RECEIVES
42 AUTHORIZATION TO PROVIDE MEDICAL BENEFITS TO INDIVIDUALS WITH
43 DISABILITIES WHO ARE PARTICIPATING IN THE MEDICAID BUY-IN PROGRAM
44 ESTABLISHED IN PART 14 OF ARTICLE 6 OF THIS TITLE, THE EXECUTIVE
45 DIRECTOR SHALL SEND WRITTEN NOTICE TO THE REVISOR OF STATUTES
46 INFORMING HIM OR HER OF THE AUTHORIZATION.

47

48 (C) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE THE JULY
49 1 FOLLOWING THE RECEIPT OF THE NOTICE TO THE REVISOR OF STATUTES.";

50

51 after line 27, insert the following:

52

53 "(III) (A) NOTWITHSTANDING THE PROVISION OF SUBPARAGRAPH
54 (I) OF THIS PARAGRAPH (p), PERSONS OVER EIGHTEEN YEARS OF AGE WHO
55 ARE CHILDLESS OR WITHOUT A DEPENDENT CHILD IN THE HOME SHALL
56 ONLY BE ELIGIBLE FOR BENEFITS UNDER THE MEDICAL ASSISTANCE

1 PROGRAM IF THE STATE DEPARTMENT RECEIVES FEDERAL AUTHORIZATION
2 FOR SUCH ELIGIBILITY.

3

4 (B) WITHIN SIXTY DAYS AFTER THE STATE DEPARTMENT RECEIVES
5 AUTHORIZATION TO PROVIDE MEDICAL BENEFITS TO PERSONS OVER
6 EIGHTEEN YEARS OF AGE WHO ARE CHILDLESS OR WITHOUT A DEPENDENT
7 CHILD IN THE HOME, THE EXECUTIVE DIRECTOR SHALL SEND WRITTEN
8 NOTICE TO THE REVISOR OF STATUTES INFORMING HIM OR HER OF THE
9 AUTHORIZATION.

10

11 (C) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE THE JULY
12 1 FOLLOWING THE RECEIPT OF THE NOTICE TO THE REVISOR OF STATUTES."

13

14 Page 27, line 7, after "HUNDRED", insert "FIFTY";

15

16 after line 21, insert the following:

17

18 "(III) (A) NOTWITHSTANDING THE PROVISION OF SUBPARAGRAPH
19 (I) OF THIS PARAGRAPH (r), PERSONS ELIGIBLE FOR A MEDICAID BUY-IN
20 PROGRAM ESTABLISHED PURSUANT TO SECTION 25.5-5-206 SHALL ONLY
21 BE ELIGIBLE FOR BENEFITS UNDER THE MEDICAL ASSISTANCE PROGRAM IF
22 THE STATE DEPARTMENT RECEIVES FEDERAL AUTHORIZATION FOR SUCH
23 ELIGIBILITY.

24

25 (B) WITHIN SIXTY DAYS AFTER THE STATE DEPARTMENT RECEIVES
26 AUTHORIZATION TO PROVIDE MEDICAL BENEFITS TO PERSONS ELIGIBLE FOR
27 A MEDICAID BUY-IN PROGRAM ESTABLISHED PURSUANT TO SECTION 25.5-
28 5-206, THE EXECUTIVE DIRECTOR SHALL SEND WRITTEN NOTICE OF TO THE
29 REVISOR OF STATUTES INFORMING HIM OR HER OF THE AUTHORIZATION.

30

31 (C) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE THE JULY
32 1 FOLLOWING THE RECEIPT OF THE NOTICE TO THE REVISOR OF STATUTES.";

33

34 line 25, strike "**children.**" and substitute "**children - repeal.**".

35

36 Page 28, after line 17, insert the following:

37

38 "(3) (a) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1)
39 OF THIS SECTION, CONTINUOUS ELIGIBILITY FOR CHILDREN SHALL ONLY BE
40 EFFECTIVE IF THE STATE DEPARTMENT RECEIVES FEDERAL AUTHORIZATION
41 FOR SUCH ELIGIBILITY.

42

43 (b) WITHIN SIXTY DAYS AFTER THE STATE DEPARTMENT RECEIVES
44 AUTHORIZATION TO PROVIDE CONTINUOUS ELIGIBILITY FOR CHILDREN, THE
45 EXECUTIVE DIRECTOR SHALL SEND WRITTEN NOTICE TO THE REVISOR OF
46 STATUTES INFORMING HIM OR HER OF THE AUTHORIZATION.

47

48 (c) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE THE JULY 1
49 FOLLOWING THE RECEIPT OF THE NOTICE TO THE REVISOR OF STATUTES."

50

51 Page 29, line 25, strike "(4) (a)," and substitute "(4),";

52

53 strike line 26 and substitute the following:

54 "amended by Senate Bill 09-211, enacted at the First Regular Session of
55 the Sixty-seventh General Assembly, is amended to read:";

56

1 line 27, strike "**Definitions.**" and substitute "**Definitions - repeal.**".

2

3 Page 30, line 4, strike "~~twenty-five~~" and substitute "five";

4

5 line 21, strike "TWENTY-FIVE PERCENT; OR" and substitute "FIVE PERCENT;";

6

7 after line 21, insert the following:

8

9
10 "(III) (A) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH
11 (I) OF THIS PARAGRAPH (a), UNTIL THE STATE DEPARTMENT RECEIVES
12 FEDERAL AUTHORIZATION TO INCREASE THE PERCENTAGE OF THE FEDERAL
13 POVERTY RATE FOR A PERSON WHO IS LESS THAN NINETEEN YEARS OF AGE,
14 THE PERCENTAGE OF THE FEDERAL POVERTY LEVEL SHALL NOT EXCEED
15 TWO HUNDRED FIVE PERCENT.

16

17 (B) WITHIN SIXTY DAYS AFTER THE STATE DEPARTMENT RECEIVES
18 AUTHORIZATION TO INCREASE THE PERCENTAGE OF FEDERAL POVERTY
19 LEVEL, THE EXECUTIVE DIRECTOR SHALL SEND WRITTEN NOTICE TO THE
20 REVISOR OF STATUTES INFORMING HIM OR HER OF THE AUTHORIZATION.

21

22 (C) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE THE JULY
23 1 FOLLOWING THE RECEIPT OF THE NOTICE TO THE REVISOR OF STATUTES.";

24

25 strike lines 22 through 26.

26

27 Renumber succeeding sections accordingly.

28

29 Page 31, line 1, strike "~~twenty-five~~" and substitute "five";

30

31 line 18, strike "TWENTY-FIVE" and substitute "FIVE";

32

33 after line 18, insert the following:

34

35 "(III) (A) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH
36 (I) OF THIS PARAGRAPH (b), UNTIL THE STATE DEPARTMENT RECEIVES
37 AUTHORIZATION TO INCREASE THE PERCENTAGE OF THE FEDERAL POVERTY
38 RATE FOR A PERSON WHO IS LESS THAN NINETEEN YEARS OF AGE, THE
39 PERCENTAGE OF THE FEDERAL POVERTY LEVEL SHALL NOT EXCEED TWO
40 HUNDRED FIVE PERCENT.

41

42 (B) WITHIN SIXTY DAYS AFTER THE STATE DEPARTMENT RECEIVES
43 AUTHORIZATION TO INCREASE THE PERCENTAGE OF FEDERAL POVERTY
44 LEVEL, THE EXECUTIVE DIRECTOR SHALL SEND WRITTEN NOTICE TO THE
45 REVISOR OF STATUTES INFORMING HIM OR HER OF THE AUTHORIZATION.

46

47 (C) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE THE JULY
48 1 FOLLOWING THE RECEIPT OF THE NOTICE TO THE REVISOR OF STATUTES.".

49

50 Page 32, after line 17, insert the following:

51 "**SECTION 10. Accountability.** Five years after this act
52 becomes law and in accordance with section 2-2-1201, Colorado Revised
53 Statutes, the legislative service agencies of the Colorado General
54 Assembly shall conduct a post-enactment review of the implementation
55 of this act utilizing the information contained in the legislative declaration
56 set forth in section 25.5-4-402.3 (2), Colorado Revised Statutes.".

1 Renumber succeeding sections accordingly.

2

3 Page 32, strike lines 18 through 22.

4

5 Renumber succeeding section accordingly.

6

7 Page 1, line 104, strike "FEE AND" and substitute "FEE,";

8

9 strike line 105 and substitute the following:

10

11 "FEES, AND REQUIRING A POST-ENACTMENT REVIEW OF THE
12 IMPLEMENTATION OF THIS ACT.".

13

14

15

16

17

MESSAGE(S) FROM THE GOVERNOR

18

19 I certify I received the following on the 16th day of March, 2009, at
20 9:35 a.m. The original is on file in the records of the House of
21 Representatives of the General Assembly.

22

23 March 13, 2009

Marilyn Eddins,
Chief Clerk of the House

24

25 To the Honorable
26 House of Representatives
27 Sixty-seventh General Assembly
28 First Regular Session
29 State Capitol
30 Denver, CO 80203

31

32 Ladies and Gentlemen:

33

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

36

37 **HB09-1088** CONCERNING CERTIFICATION OF PUBLIC BENEFIT
38 NONPROFIT ENTITIES AS LOCAL PUBLIC PROCUREMENT
39 UNITS.

40

41 Approved March 13, 2009 at 12:41 p.m.

42

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

47

48

49

INTRODUCTION OF BILLS First Reading

50

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

53

54 **HB09-1313** by Representative(s) Merrifield, Apuan, Benefield, Casso,
55 Ferrandino, Fischer, Hullinghorst, Kefalas, Kerr A.,
56

1 Labuda, Levy, McFadyen, McGihon, Middleton, Miklosi,
 2 Peniston, Scanlan, Schafer S., Solano, Soper, Todd, Vigil,
 3 Green, Pace, Pommer; also Senator(s) Bacon, Gibbs,
 4 Groff, Newell, Veiga, Williams, Carroll M., Heath, Keller,
 5 Morse, Romer, Shaffer B.--Concerning expanding civic
 6 engagement options through student-directed programs at
 7 institutions of higher education.

8 Committee on Education

9
 10 **HB09-1314** by Representative(s) Judd; also Senator(s) Sandoval--
 11 Concerning safety in day treatment centers.

12 Committee on Health and Human Services

13
14
15
16 **INTRODUCTION OF RESOLUTION**

17
18 The following resolution was read by title and laid over one day under
19 the rules:

20
 21 **HJR09-1012** by Representative(s) Carroll T. and May, Todd; also
 22 Senator(s) Groff and Penry--Concerning the construction
 23 of a stand-alone veterans hospital at the Fitzsimons
 24 medical campus.

25
 26
 27 House in recess. House reconvened.
 28
 29

30
31 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

32
33 **APPROPRIATIONS**

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

36
 37 **HB09-1293** be referred favorably to the Committee on Finance.
 38
 39

40
41
42 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

43
44 The Speaker has signed: **SB09-010, 033, 034, 041, 044, 070, 096, 140.**

45
46
47
48 **MESSAGE(S) FROM THE SENATE**

49
50 The Senate has passed on Third Reading and transmitted to the Revisor
51 of Statutes: SB09-178.

52
 53 The Senate has passed on Third Reading and returns herewith
 54 HB09-1171, HB09-1262, HB09-1263, HB09-1179, HB09-1124,
 55 HB09-1041, HB09-1249, HB09-1218, HB09-1234, HB09-1236,
 56 HB09-1027, HB09-1059, HB09-1099, and HB09-1182.

1 The Senate has passed on Third Reading and transmitted to the Revisor
2 of Statutes:
3
4 SB09-128 amended as printed in Senate Journal, March 13, 2009,
5 pages 727-728,
6 SB09-174 amended as printed in Senate Journal, March 13, 2009,
7 page 728,
8 SB09-144 amended as printed in Senate Journal, March 13, 2009,
9 page 728,
10 SB09-161 amended as printed in Senate Journal, March 13, 2009,
11 page 728,
12 SB09-056 amended as printed in Senate Journal, March 13, 2009,
13 page 729,
14 SB09-158 amended as printed in Senate Journal, March 13, 2009,
15 page 729.
16

17 The Senate has passed on Third Reading and transmitted to the Revisor
18 of Statutes:
19
20 HB09-1207 amended as printed in Senate Journal, March 13, 2009,
21 page 726.
22

23 The Senate has adopted and returns herewith: HJR09-1002, amended as
24 printed in Senate Journal, March 12, 2009, pages 687-700.
25

26 In response to the request of the House for a Conference Committee on
27 HB09-1108, the President appoints Senators Boyd-Chair, Tochtrop,
28 Scheffel as conferees on the First Conference Committee on HB09-1108.
29

30
31
32 **MESSAGE(S) FROM THE REVISOR**
33

34 We herewith transmit:
35 Without comment, SB09-178.
36 Without comment, as amended, HB09-1207.
37 Without comment, as amended, SB09-128, 174, 144, 161, 056, and 158.
38
39

40
41 **NOTICE OF CALENDARED ITEM(S)**
42

43 On motion of Representative Weissmann, the following bill(s) calendared
44 for second reading on Tuesday, March 17, 2009, will be laid over until
45 March 20, 2009: SB09-066, 005, 129, 169, 013, 036, 047, 048, 060, 109.
46
47

48 On motion of Representative Weissmann, the House adjourned until
49 9:00 a.m., March 17, 2009.
50

51 Approved:
52 TERRANCE D. CARROLL,
53 Speaker

54 Attest:
55 MARILYN EDDINS,
56 Chief Clerk

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

Seventieth Legislative Day

Tuesday, March 17, 2009

1 Prayer by Representative Summers.
 2

3 The Speaker called the House to order at 9:00 a.m.
 4

5 Pledge of Allegiance led by Bryant Elrick, Flagler High School.
 6

7 The roll was called with the following result:
 8

9 Present--62.

10 Excused--Representative(s) B. Gardner, Swalm, Weissmann--3.

11 Present after roll call--Representative(s) Swalm.
 12

13 The Speaker declared a quorum present.
 14
 15

16 On motion of Representative Murray, the reading of the journal of
 17 March 16, 2009, was declared dispensed with and approved as corrected
 18 by the Chief Clerk.
 19
 20

THIRD READING OF BILLS--FINAL PASSAGE

21
 22
 23
 24 The following bills were considered on Third Reading. The titles were
 25 publicly read. Reading of the bill at length was dispensed with by
 26 unanimous consent.
 27

28 **HB09-1295** by Representative(s) Todd and Massey, Carroll T.,
 29 Benefield, Merrifield, Middleton, Casso, Frangas,
 30 Hullinghorst, Kerr A., Labuda, McGihon, Miklosi,
 31 Murray, Scanlan; also Senator(s) Heath, Bacon, King K.,
 32 Veiga, Spence--Concerning authorizing Metropolitan state
 33 college of Denver to offer master's degree programs.
 34

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

36 A roll call vote was taken. As shown by the following recorded vote, a
 37 majority of those elected to the House voted in the affirmative and the
 38 bill was declared **passed**.
 39

	YES	63	NO	0	EXCUSED	2	ABSENT	0
41	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
42	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
43	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.	E	Massey	Y	Priola	Y	Vigil	Y
12	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
13	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
14							Speaker	Y

15 Co-sponsor(s) added: Representative(s) Curry, Ferrandino, Green, Kerr J.,
 16 King S., Nikkel, Pace, Priola, Rice, Ryden, Schafer S., Solano, Stephens,
 17 Summers, Vigil

18
 19 **HB09-1299** by Representative(s) Kerr A., Benefield, Carroll T., Casso,
 20 Court, Curry, Ferrandino, Frangas, Green, Hullinghorst,
 21 Kefalas, McCann, Middleton, Miklosi, Pommer, Rice,
 22 Scanlan, Schafer S., Solano, Todd, Vigil; also Senator(s)
 23 Romer, Bacon, Groff, Veiga--Concerning adoption of an
 24 agreement among the states to elect the president of the
 25 United States by national popular vote.

26
 27 The question being "Shall the bill pass?".
 28 A roll call vote was taken. As shown by the following recorded vote, a
 29 majority of those elected to the House voted in the affirmative and the bill
 30 was declared **passed**.

31	YES	34	NO	29	EXCUSED	2	ABSENT	0
33	Acree	N	Green	Y	McFadyen	Y	Roberts	N
34	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
35	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
36	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
37	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
38	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
39	Casso	Y	King S.	N	Miklosi	Y	Soper	N
40	Court	Y	Labuda	N	Murray	N	Stephens	N
41	Curry	Y	Lambert	N	Nikkel	N	Summers	N
42	Ferrandino	Y	Levy	Y	Pace	N	Swalm	N
43	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
44	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
45	Gagliardi	Y	Marostica	N	Primavera	Y	Vaad	N
46	Gardner B.	E	Massey	N	Priola	N	Vigil	Y
47	Gardner C.	N	May	N	Rice	Y	Waller	N
48	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	E
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Levy, McGihon, Ryden

51
 52
 53
 54
 55

1 **CONSIDERATION OF RESOLUTION(S)**

2
3 **HJR09-1012** by Representative(s) Carroll T. and May, Todd; also
4 Senator(s) Groff and Penry--Concerning the construction
5 of a stand-alone veterans hospital at the Fitzsimons
6 medical campus.

7
8 (Printed and placed in member's file)

9
10 Representative Carroll T., moved that the resolution be adopted and
11 requested that it be read at length.

12
13 Amendment No. 1, moved by Representative Marostica.

14
15 Amend printed joint resolution, page 2, after line 13, insert the following:

16
17 "WHEREAS, Veterans from previous conflicts such as Vietnam,
18 Korea, and World War II continue to require VA care; and".

19
20 The amendment was declared **passed** by **viva voce** vote.

21
22 On motion of Representative Carroll T., the resolution as amended was
23 **adopted** by **viva voce** vote.

24
25 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
26 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
27 Fischer, Frangas, Gagliardi, Gardner C., Gerou, Green, Hullinghorst, Judd,
28 Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper,
29 Marostica, Massey, McCann, McFadyen, McGihon, McKinley, McNulty,
30 Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer,
31 Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
32 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Vaad, Vigil, Waller

33
34
35
36 On motion of Representative Scanlan, the House resolved itself into
37 Committee of the Whole for consideration of General Orders, and she
38 was called to the Chair to act as Chairman.

39
40
41 **GENERAL ORDERS--SECOND READING OF BILLS**

42
43 The Committee of the Whole having risen, the Chairman reported the
44 titles of the following bills had been read (reading at length had been
45 dispensed with by unanimous consent), the bills considered and action
46 taken thereon as follows:

47
48 (Amendments to the committee amendment are to the printed committee
49 report which was printed and placed in the members' bill file.)

50
51 **HB09-1015** by Representative(s) Murray, Marostica; also Senator(s)
52 Hodge--Concerning certain actions taken by the
53 designated election official in conducting primary
54 elections.

55
56 Laid over until March 20, retaining place on Calendar.

1 **HB09-1086** by Representative(s) McGihon, Green, Frangas; also
2 Senator(s) Boyd--Concerning continuing professional
3 competency of certain mental health professionals.
4

5 Laid over until March 20, retaining place on Calendar.
6

7 **HB09-1026** by Representative(s) Marostica, Fischer, McFadyen, Rice,
8 Vaad; also Senator(s) Williams, Spence--Concerning the
9 application of vehicle laws to low-power vehicles that
10 operate with less than four wheels in contact with the
11 ground, and, in connection therewith, defining "low-power
12 scooter".
13

14 Amendment No. 1, Transportation & Energy Report, dated
15 January 29, 2009, and placed in member's bill file; Report also printed in
16 House Journal, January 30, pages 191-193.
17

18 Amendment No. 2, by Representative(s) Marostica.
19

20 Amend the Transportation and Energy Committee Report, dated January
21 29, 2009, page 3, line 8, strike "PERSONAL MOBILITY DEVICE" and
22 substitute "EPAMD";
23

24 line 11, strike "(IV)" and substitute "(III)".
25

26 Amendment No. 3, by Representative(s) Marostica.
27

28 Amend printed bill, page 3, strike lines 9 through 18 and substitute the
29 following:
30

31 **"SECTION 3.** 12-6-102 (12), Colorado Revised Statutes, is
32 amended to read:
33

34 **12-6-102. Definitions.** As used in this part 1 and in part 5 of this
35 article, unless the context or section 12-6-502 otherwise requires:
36

37 (12) "Motor vehicle" means every vehicle intended primarily for
38 use and operation on the public highways which is self-propelled and
39 every vehicle intended primarily for operation on the public highways
40 which is not driven or propelled by its own power but which is designed
41 to be attached to or become a part of or to be drawn by a self-propelled
42 vehicle, not including farm tractors and other machines and tools used in
43 the production, harvesting, and care of farm products. "MOTOR VEHICLE"
44 INCLUDES, WITHOUT LIMITATION, A LOW-POWER SCOOTER, AS DEFINED IN
45 SECTION 42-1-102, C.R.S.
46

47 **SECTION 4.** 12-6-502, Colorado Revised Statutes, is amended
48 BY THE ADDITION OF A NEW SUBSECTION to read:
49

50 **12-6-502. Definitions.** As used in this part 5, unless the context
51 otherwise requires:
52

53 (20) "WHOLESALE" MEANS A PERSON WHO, FOR COMMISSION OR
54 WITH INTENT TO MAKE A PROFIT OR GAIN OF MONEY OR OTHER THING OF
55 VALUE, SELLS, EXCHANGES, OR OFFERS OR ATTEMPTS TO NEGOTIATE A
56 SALE, LEASE, OR EXCHANGE OF AN INTEREST IN A NEW OR NEW AND USED

1 POWERSPORTS VEHICLE SOLELY TO POWERSPORTS VEHICLE DEALERS OR
2 USED POWERSPORTS VEHICLE DEALERS.

3

4 **SECTION 5.** 12-6-504 (1) (a), (1) (f) (I), and (1) (k), Colorado
5 Revised Statutes, are amended to read:

6

7 **12-6-504. Board - oath - meetings - powers and duties - rules.**

8 (1) In addition to the duties and powers of the board under section
9 12-6-104, the board may:

10

11 (a) Promulgate, amend, and repeal rules reasonably necessary to
12 implement this part 5, including, without limitation, the administration,
13 enforcement, issuance, and denial of licenses to WHOLESALERS,
14 powersports vehicle dealers, powersports vehicle salespersons, and used
15 powersports vehicle dealers;

16

17 (f) (I) Investigate, with the assistance of the executive director, on
18 its own motion or upon a written and signed complaint from any person,
19 a suspected or alleged violation by a WHOLESALER, powersports vehicle
20 dealer, used powersports vehicle dealer, or powersports vehicle
21 salesperson of this part 5 or a rule promulgated by the board;

22

23 (k) Cause to be conducted written examinations, as prescribed by
24 the board, to test the competency of all first-time applicants for a
25 WHOLESALER'S LICENSE, powersports vehicle dealer's license, used
26 powersports vehicle dealer's license, or powersports vehicle salesperson's
27 license;

28

29 **SECTION 6.** The introductory portion to 12-6-508 (1), Colorado
30 Revised Statutes, is amended, and the said 12-6-508 (1) is further
31 amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

32

33 **12-6-508. Classes of licenses.** (1) Licenses issued under ~~the~~
34 ~~provisions of~~ this part 5 shall be of the following classes:

35

36 (f) A WHOLESALER'S LICENSE SHALL PERMIT THE LICENSEE TO
37 ENGAGE IN THE ACTIVITIES OF A WHOLESALER.

38

39 **SECTION 7.** 12-6-510, Colorado Revised Statutes, is amended
40 to read:

41

42 **12-6-510. Display, form, custody, and use of licenses.** The
43 board and the executive director shall prescribe the form of the license to
44 be issued by the executive director, and each license shall have imprinted
45 thereon the seal of their offices. The license of each powersports vehicle
46 salesperson shall be mailed to the business address where the salesperson
47 is licensed and shall be kept by the salesperson at such salesperson's place
48 of employment for inspection by employers, consumers, the executive
49 director, or the board. A powersports vehicle dealer OR WHOLESALER
50 shall display conspicuously the person's license in the person's place of
51 business. Each license issued pursuant to this part 5 is separate and
52 distinct. It shall be a violation of this part 5 for a person to exercise any
53 of the privileges granted under a license that such person does not hold,
54 or for a licensee to knowingly allow such an exercise of privileges.

55

56 **SECTION 8.** 12-6-511 (1), Colorado Revised Statutes, is

1 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

2

3 **12-6-511. Fees - disposition - expenses - expiration of licenses.**

4 (1) The fee established pursuant to subsection (5) of this section shall be
5 collected with each application for each of the following:

6

7 (f) WHOLESALER'S LICENSE.

8

9 **SECTION 9.** 12-6-511 (3) and (4) (c), Colorado Revised Statutes,
10 are amended to read:

11

12 **12-6-511. Fees - disposition - expenses - expiration of licenses.**

13 (3) If an application for a WHOLESALER'S LICENSE, powersports vehicle
14 dealer's, used powersports vehicle dealer's, or powersports salesperson's
15 license is withdrawn by the applicant prior to issuance of the license,
16 one-half of the license fee shall be refunded.

17

18 (4) (c) Upon the expiration of a license, unless suspended or
19 revoked, it may be renewed upon the payment of the application fees
20 specified in this section and renewal shall be made from year to year as
21 a matter of right; except that, if a WHOLESALER OR powersports vehicle
22 dealer voluntarily surrenders its license or abandons its place of business
23 for a period of more than thirty days, the licensee is required to file a new
24 application to renew its license.

25

26 **SECTION 10.** 12-6-512 (1) and (2) (a), Colorado Revised
27 Statutes, are amended to read:

28

29 **12-6-512. Bond of licensee.** (1) A WHOLESALER'S LICENSE,
30 powersports vehicle dealer's license, or used powersports vehicle dealer's
31 license shall not be issued to any applicant unless the applicant procures
32 and files with the board evidence of a savings account, deposit, or
33 certificate of deposit meeting the requirements of section 11-35-101,
34 C.R.S., or a good and sufficient bond with corporate surety thereon duly
35 licensed to do business within the state, approved as to form by the
36 attorney general, and conditioned that the applicant shall not make any
37 fraudulent representation or violate any of the provisions of this part 5 or
38 any rule promulgated by the board under this part 5. A powersports
39 vehicle dealer or used powersports vehicle dealer shall not be required to
40 furnish an additional bond, savings account, deposit, or certificate of
41 deposit under this section if such dealer furnishes a bond, savings
42 account, deposit, or certificate of deposit under section 12-6-111.

43

44 (2) (a) The purpose of the bond procured by the applicant pursuant
45 to subsection (1) of this section and section 12-6-513 is to provide for the
46 reimbursement for any loss or damage suffered by any retail consumer
47 caused by violation of this part 5 by a WHOLESALER, powersports vehicle
48 dealer, or used powersports vehicle dealer. For a wholesale transaction,
49 the bond is available to each party to the transaction; except that, if a
50 retail consumer is involved, such consumer shall have priority to recover
51 from the bond. The amount of the bond shall be fifty thousand dollars for
52 each WHOLESALER APPLICANT, powersports vehicle dealer applicant, and
53 used powersports vehicle dealer applicant. The aggregate liability of the
54 surety for all transactions shall not exceed the amount of the bond,
55 regardless of the number of claims or claimants.

56

1 **SECTION 11.** 12-6-515, Colorado Revised Statutes, is amended
2 to read:

3
4 **12-6-515. Testing licensees.** All persons applying for a
5 WHOLESALER'S, powersports vehicle dealer's, used powersports vehicle
6 dealer's, or powersports vehicle salesperson's license under this part 5
7 shall be examined for their knowledge of the powersports vehicle laws of
8 the state of Colorado and the rules promulgated pursuant to this part 5.
9 If the applicant is a corporation, the managing officer shall take the
10 examination, and, if the applicant is a partnership, all the general partners
11 shall take such examination. No license shall be issued except upon
12 successful passing of the examination. This section shall not apply to a
13 motor vehicle dealer, used motor vehicle dealer, or motor vehicle
14 salesperson licensed pursuant to part 1 of this article.

15
16 **SECTION 12.** 12-6-517 (1), (6), (7) (a), and the introductory
17 portion to 12-6-517 (7) (b), Colorado Revised Statutes, are amended to
18 read:

19
20 **12-6-517. Application - rules.** (1) An application for a
21 WHOLESALER'S LICENSE, powersports vehicle dealer's license, used
22 powersports vehicle dealer's license, or powersports salesperson's license
23 shall be submitted to the board.

24
25 (6) Persons applying for a WHOLESALER'S, powersports vehicle
26 dealer's, used powersports vehicle dealer's, or a powersports vehicle
27 salesperson's license shall file with the board a written instrument in
28 which the applicant shall appoint the secretary of the board as the agent
29 of the applicant upon whom all process may be served in any action
30 against the applicant arising out of a claim for damages suffered by a
31 violation of this part 5, rules promulgated under this part 5, or any
32 condition of the applicant's bond.

33
34 (7) (a) A person applying for a WHOLESALER'S LICENSE OR used
35 powersports vehicle dealer's license shall file with the board a
36 certification that the applicant has met the educational requirements for
37 licensure under this subsection (7), unless the applicant is licensed as a
38 motor vehicle dealer or a used motor vehicle dealer. This subsection (7)
39 shall not apply to a person who has held a license, within the last three
40 years, as a motor vehicle dealer, used motor vehicle dealer, wholesaler,
41 wholesale motor vehicle auction dealer, powersports vehicle dealer, or
42 used powersports vehicle dealer under this part 5 or part 1 of this article.

43
44 (b) An applicant for a WHOLESALER'S LICENSE OR used
45 powersports vehicle dealer's license shall not be licensed unless one of the
46 following persons has completed an eight-hour prelicensing education
47 program:

48
49 **SECTION 13.** 12-6-518, Colorado Revised Statutes, is amended
50 BY THE ADDITION OF A NEW SUBSECTION to read:

51
52 **12-6-518. Notice of change of address or status.** (4) UPON A
53 CHANGE OF PLACE OF BUSINESS OR BUSINESS ADDRESS, A WHOLESALER
54 SHALL IMMEDIATELY NOTIFY THE BOARD OF THE CHANGE.

55
56 **SECTION 14.** The introductory portion to 12-6-520 (3), Colorado

1 Revised Statutes, is amended, and the said 12-6-520 is further amended
2 BY THE ADDITION OF A NEW SUBSECTION, to read:

3
4 **12-6-520. Licenses - grounds for denial, suspension, or
5 revocation.** (3) A WHOLESALER'S LICENSE, powersports vehicle dealer's
6 license, or a used powersports vehicle dealer's license may be denied,
7 suspended, or revoked on the following grounds:

8
9 (3.5) A WHOLESALER'S LICENSE MAY BE DENIED, SUSPENDED, OR
10 REVOKED FOR THE SELLING, LEASING, OR OFFERING OR ATTEMPTING TO
11 NEGOTIATE THE SALE, LEASE, OR EXCHANGE OF AN INTEREST IN MOTOR
12 VEHICLES TO PERSONS OTHER THAN POWERSPORTS VEHICLE DEALERS,
13 USED POWERSPORTS VEHICLE DEALERS, OR OTHER WHOLESALERS.

14
15 **SECTION 15.** 12-6-521 (2), Colorado Revised Statutes, is
16 amended to read:

17
18 **12-6-521. Procedure for denial, suspension, or revocation of
19 license - judicial review.** (2) The board shall appoint an administrative
20 law judge pursuant to part 10 of article 30 of title 24, C.R.S., to conduct
21 any hearing concerning the licensing or discipline of a WHOLESALER
22 powersports vehicle dealer, used powersports vehicle dealer, powersports
23 vehicle manufacturer, powersports vehicle manufacturer representative,
24 or powersports vehicle distributor; except that the board may, upon a
25 unanimous vote of the members present when the vote is taken, conduct
26 the hearing in lieu of appointing an administrative law judge.

27
28 **SECTION 16.** 12-6-522 (1) (a) and (1) (c) (II), Colorado Revised
29 Statutes, are amended to read:

30
31 **12-6-522. Sales activity following license denial, suspension, or
32 revocation - unlawful act - penalty.** (1) (a) It shall be unlawful and a
33 violation of this part 5 for any person whose WHOLESALER'S, powersports
34 vehicle dealer's, used powersports vehicle dealer's, or powersports vehicle
35 salesperson's license has been denied, suspended, or revoked to exercise
36 the privileges of the license that was denied, suspended, or revoked.

37
38 (c) In any trial for a violation of paragraph (a) of this subsection
39 (1):

40
41 (II) A duly authenticated invoice, buyer's order, or other
42 customary, written sales or purchase document or instrument proven to
43 be signed by the defendant and indicating the defendant's role in the
44 purchase or sale of a powersports vehicle at a retail OR WHOLESALE
45 powersports vehicle sales location shall constitute prima facie evidence
46 of the defendant's exercise of a privilege of licensure;

47
48 **SECTION 17.** 12-6-523 (2), Colorado Revised Statutes, is
49 amended to read:

50
51 **12-6-523. Unlawful acts.** (2) It is unlawful for a person to act as
52 a WHOLESALER, powersports vehicle dealer, used powersports vehicle
53 dealer, powersports vehicle manufacturer, powersports vehicle
54 distributor, powersports vehicle manufacturer representative, or
55 powersports vehicle salesperson unless the person has been duly licensed
56 under the provisions of this part 5.

1 **SECTION 18.** 12-6-529, Colorado Revised Statutes, is amended
2 to read:

3
4 **12-6-529. Drafts or checks not honored for payment -**
5 **penalties.** (1) If a WHOLESALER, powersports vehicle dealer, or used
6 powersports vehicle dealer issues a draft or check to a WHOLESALER,
7 powersports vehicle dealer, or used powersports vehicle dealer and fails
8 to honor the draft or check, then the license of the licensee shall be
9 subject to suspension pursuant to section 12-6-520. The license
10 suspension shall be effective upon the date of a final decision against the
11 licensee. A licensee whose license has been suspended pursuant to this
12 subsection (1) shall not be eligible for reinstatement of the license and
13 shall not be eligible to apply for another license issued under this part 5
14 unless it is demonstrated to the board that the unpaid draft or check has
15 been paid in full and that any fine imposed on the licensee pursuant to
16 subsection (2) of this section has been paid in full.

17
18 (2) A WHOLESALER, powersports vehicle dealer, or used
19 powersports vehicle dealer that issues a draft or check to a WHOLESALER,
20 powersports vehicle dealer, or used powersports vehicle dealer and who
21 fails to honor the draft or check, causing loss to a third party, commits a
22 misdemeanor and shall be punished by a fine of two thousand five
23 hundred dollars. Any fine collected for a violation of this subsection (2)
24 shall be awarded to the law enforcement agency that investigated and
25 issued the citation for the violation."

26
27 Renumber succeeding sections accordingly.

28
29 Page 6, line 4, after "VEHICLE", insert "DESIGNED PRIMARILY FOR USE ON
30 THE ROADWAYS";

31
32 line 11, strike "OR PERSONAL MOBILITY DEVICE." and substitute "OR ANY
33 DEVICE DESIGNED TO ASSIST MOBILITY IMPAIRED PEOPLE USE PEDESTRIAN
34 RIGHTS-OF-WAY".

35
36 Page 7, line 6, strike "42-4-1301, and 42-4-1401" and substitute
37 "~~42-4-1301, and 42-4-1401~~ 42-4-1301, 42-4-1301.1, AND 42-4-1401".

38
39 line 10, after the period, add "FOR THE PURPOSES OF SECTIONS 42-2-127,
40 42-2-127.7, 42-2-128, 42-2-138, AND 42-2-206, "MOTOR VEHICLE"
41 INCLUDES A LOW-POWER SCOOTER."

42
43 Page 33, line 13, strike "LOW-POWER SCOOTER";

44
45 line 23, strike "LOW-POWER SCOOTER".

46
47 Page 34, after line 24, insert the following:

48 **"SECTION 50.** The introductory portion to 42-4-1502 (4.5) (a)
49 and 42-4-1502 (4.5) (a) (I), Colorado Revised Statutes, are amended to
50 read:

51
52 **42-4-1502. Riding on motorcycles - protective helmet.**
53 (4.5) (a) A person ~~under eighteen years of age may~~ SHALL not operate or
54 ~~carry~~ RIDE AS a passenger ~~who is under eighteen years of age~~ on a
55 motorcycle OR LOW-POWER SCOOTER on a ~~highway in this state~~ ROADWAY
56 unless:

1 (I) ~~The EACH person and the passenger are~~ UNDER EIGHTEEN
2 YEARS OF AGE IS wearing A protective ~~helmets~~ HELMET of a type and
3 design manufactured for use by operators of motorcycles;".
4

5 Renumber succeeding sections accordingly.
6

7 Page 37, line 21, strike "34" and substitute "49".
8

9 Amendment No. 4, by Representative(s) Marostica.
10

11 Amend printed bill, page 5, line 25, before "(55),", insert "(10),";
12

13 line 27, strike "A NEW SUBSECTION," and substitute "THE
14 FOLLOWING NEW SUBSECTIONS,".
15

16 Page 6, after line 2, insert the following:
17

18 "(10) "Bicycle" means ~~every~~ A vehicle propelled ~~solely~~ by human
19 power applied to pedals upon which ~~any~~ A person may ride having two
20 tandem wheels or two parallel wheels and one forward wheel, all of
21 which are more than fourteen inches in diameter. "BICYCLE" INCLUDES
22 AN ELECTRICAL ASSISTED BICYCLE OR A VEHICLE POWERED SOLELY BY
23 HUMAN POWER.
24

25 (28.5) "ELECTRICAL ASSISTED BICYCLE" MEANS A VEHICLE HAVING
26 TWO TANDEM WHEELS OR TWO PARALLEL WHEELS AND ONE FORWARD
27 WHEEL, FULLY OPERABLE PEDALS, AN ELECTRIC MOTOR NOT EXCEEDING
28 SEVEN HUNDRED AND FIFTY WATTS OF POWER, AND A TOP
29 MOTOR-POWERED SPEED OF TWENTY MILES PER HOUR.";
30

31 line 10, after "TOY VEHICLE,", insert "BICYCLE, ELECTRICAL ASSISTED
32 BICYCLE,".
33

34 As amended, ordered engrossed and placed on the Calendar for Third
35 Reading and Final Passage.
36

37 **HB09-1294** by Representative(s) Vigil; also Senator(s) Schwartz--
38 Concerning the voluntary contribution designation
39 benefiting the nongame and endangered wildlife fund that
40 appears on the state individual income tax return forms,
41 and, in connection therewith, extending the period for the
42 contribution designation.
43

44 Ordered engrossed and placed on the Calendar for Third Reading and
45 Final Passage.
46

47 **HB09-1170** by Representative(s) Casso, Pace; also Senator(s)
48 Tochtrop--Concerning unemployment insurance benefits
49 for locked-out employees.
50

51 Amendment No. 1, Business Affairs & Labor Report, dated
52 March 11, 2009, and placed in member's bill file; Report also printed in
53 House Journal, March 12, pages 701-702.
54

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

1 On motion of Representative Kerr A., the remainder of the General
 2 Orders Calendar (**HB09-1063, 1130, 1133, 1137, 1160, 1175, 1205, 1222,**
 3 **1244**) was laid over until March 20, retaining place on Calendar.

4
 5
 6
 7 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

8
 9 Passed Second Reading: **HB09-1026 amended, 1294, 1170 amended.**

10
 11 Laid over until date indicated retaining place on Calendar: **HB09-1015,**
 12 **1086, 1063, 1130, 1133, 1137, 1160, 1175, 1205, 1222, 1244--**
 13 **March 20, 2009.**

14
 15 The Chairman moved the adoption of the Committee of the Whole
 16 Report. As shown by the following roll call vote, a majority of those
 17 elected to the House voted in the affirmative, and the Report was
 18 **adopted.**

	YES	61	NO	2	EXCUSED	2	ABSENT	0
21	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
22	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
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	N
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.	E	Massey	Y	Priola	Y	Vigil	Y
35	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
36	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
37							Speaker	Y

38
 39
 40
 41
 42 **CONSIDERATION OF SENATE AMENDMENTS**
 43 **TO HOUSE RESOLUTION**

44
 45 **HJR09-1002** by Representative(s) Fischer; also Senator(s) Hodge--
 46 Concerning approval of water project revolving fund
 47 eligibility lists administered by the Colorado water
 48 resources and power development authority.

49
 50 (Amended as printed in Senate Journal, March 12, pages 687-700.)

51
 52 Representative Fischer 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	1	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Green	N	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
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.	E	Massey	Y	Priola	Y	Vigil	Y
16	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
17	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
18							Speaker	Y
19								

20 The question being, "Shall the resolution, 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 resolution, as amended, was declared **repassed**.

	YES	62	NO	1	EXCUSED	2	ABSENT	0
25								
26	Acree	Y	Green	N	McFadyen	Y	Roberts	Y
27	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
28	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
29	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
30	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
31	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
32	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
33	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
34	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
35	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
36	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
37	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
38	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
39	Gardner B.	E	Massey	Y	Priola	Y	Vigil	Y
40	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
41	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Hullinghorst, Priola, Sonnenberg

REPORT(S) OF COMMITTEE(S) OF REFERENCE

HEALTH & HUMAN SERVICES

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

54 **SB09-030** be referred to the Committee of the Whole with favorable
 55 recommendation.
 56

1 **SB09-179** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **SB09-225** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend reengrossed bill, page 2, strike lines 5 through 7 and substitute the
10 following:
11 "PREGNANCY.
12

13 **SECTION 2.** 25-3-110 (1) (a), Colorado Revised Statutes, is
14 amended to read:
15

16 **25-3-110. Emergency contraception - definitions.** (1) For
17 purposes of this section, unless the context otherwise requires:
18

19 (a) "Emergency contraception" means a drug approved by the
20 federal food and drug administration that prevents pregnancy after sexual
21 intercourse, including but not limited to oral contraceptive pills; except
22 that "emergency contraception" shall not include RU-486, mifepristone,
23 or any other drug or device that induces a medical abortion. NOTHING IN
24 SECTION 2-4-401 (1.5), C.R.S., SHALL BE CONSTRUED TO AMEND OR ALTER
25 THE DEFINITION OF "EMERGENCY CONTRACEPTION".
26

27 Renumber succeeding section accordingly.
28
29
30
31

32 **JUDICIARY**

33 After consideration on the merits, the Committee recommends the
34 following:
35

36 **HB09-1235** be postponed indefinitely.
37
38

39 **SB09-035** be referred to the Committee of the Whole with favorable
40 recommendation.
41

42
43 **SB09-069** be amended as follows, and as so amended, be referred to
44 the Committee of the Whole with favorable
45 recommendation:
46

47 Amend reengrossed bill, Page 2, strike lines 10 and 11 and substitute the
48 following:
49 "DURING THE PERFORMANCE OF ANY ACT THAT A REASONABLE PARENTING
50 COORDINATOR WOULD BELIEVE WAS WITHIN THE SCOPE OF HIS OR".
51
52
53

54 **SB09-097** be referred to the Committee of the Whole with favorable
55 recommendation.
56

PRINTING REPORT

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The Chief Clerk reports the following bills have been correctly printed:
HB09-1313, 1314.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 17th day of March, 2009, at 8:30 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 14, 2009

To the Honorable
House of Representatives
Sixty-seventh General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

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

HB09-1083 CONCERNING THE AUTHORITY OF THE STATE TO ENTER INTO LEASE-PURCHASE AGREEMENTS FOR COMMERCIAL SPACE FOR THE DEPARTMENT OF PERSONNEL IN PUEBLO COUNTY, COLORADO.

Approved March 14, 2009 at 9:20 a.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

LOCAL GOVERNMENT

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

SB09-105 be referred favorably to the Committee on Finance.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB09-1052, 1054, 1079, 1082, 1091, 1101, 1174, 1215, 1219.**

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and returns herewith HB09-1191.

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

SB09-228 amended as printed in Senate Journal, March 2, 2009, pages 550-565.

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

HB09-1118 amended as printed in Senate Journal, March 16, 2009, page 753.

In response to the request of the House for a Conference Committee on HB09-1058, the President appoints Senators Morse-Chair, Bacon, Cadman as conferees on the First Conference Committee on HB09-1058.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB09-1118.

With comment, as amended, SB09-228.

INTRODUCTION OF BILLS

First Reading

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

HB09-1315 by Representative(s) Todd--Concerning clarifying restrictions on public employee leave for purposes of public service.

Committee on State, Veterans, & Military Affairs

HB09-1316 by Representative(s) Solano, King S.; also Senator(s) Shaffer B.--Concerning public dissemination of personal information of a person working in the criminal justice system.

Committee on Judiciary

- 1 **HB09-1317** by Representative(s) Pace and McKinley, McFadyen,
2 Curry, Gagliardi, Hulinghorst, Massey, Merrifield,
3 Miklosi, Scanlan, Sonnenberg, Tipton, Vigil, Weissmann;
4 also Senator(s) Kester, Isgar--Concerning state lands
5 sought to be acquired by the federal government
6 associated with the expansion of the Pinon Canyon
7 maneuver site.
8 Committee on Agriculture, Livestock, & Natural Resources
9
- 10 **SB09-056** by Senator(s) Kester; also Representative(s) Riesberg--
11 Concerning the Trinidad state nursing home.
12 Committee on Health and Human Services
13
- 14 **SB09-128** by Senator(s) Carroll M., Newell, Tochtrop; also
15 Representative(s) Green--Concerning continuation of the
16 regulation of administration of medication by unlicensed
17 persons, and making an appropriation in connection
18 therewith.
19 Committee on Health and Human Services
20
- 21 **SB09-144** by Senator(s) Kester; also Representative(s) Gagliardi--
22 Concerning the Colorado commission for the deaf and
23 hard of hearing and programs administered in connection
24 therewith, and making an appropriation therefor.
25 Committee on Health and Human Services
26
- 27 **SB09-158** by Senator(s) Isgar; also Representative(s) Baumgardner--
28 Concerning analysis by the department of natural
29 resources of conservation programs implemented on
30 private lands.
31 Committee on Agriculture, Livestock, & Natural Resources
32
- 33 **SB09-161** by Senator(s) Gibbs; also Representative(s) Scanlan--
34 Concerning the issuance of Colorado ski country special
35 license plates, and making an appropriation in connection
36 therewith.
37 Committee on Transportation & Energy
38
- 39 **SB09-174** by Senator(s) Kester, Isgar, Spence, Tochtrop, White; also
40 Representative(s) Casso--Concerning pari-mutuel racing.
41 Committee on Agriculture, Livestock, & Natural Resources
42
- 43 **SB09-178** by Senator(s) Heath, Schwartz, Veiga; also
44 Representative(s) Liston, McFadyen, Rice, Solano--
45 Concerning the waiver of certain eligibility conditions for
46 unemployment insurance benefits for unemployed
47 individuals attached to regular jobs.
48 Committee on Business Affairs and Labor
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LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Kerr A., the following item(s) on the Calendar were laid over until March 18, retaining place on Calendar:

- Consideration of Conference Committee Report(s)--**SB09-208, 215.**
- Consideration of Senate Amendment(s)--**HB09-1198, 1197, 1272, 1162, 1207.**



On motion of Representative Scanlan, the House adjourned until 9:00 a.m., March 18, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Seventy-first Legislative Day

Wednesday, March 18, 2009

1 Prayer by Pastor Tim Foot, Lifebridge Christian Church, Longmont.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Derek Good, Ponderosa High School, Parker.
6
7 The roll was called with the following result:
8
9 Present--59.
10 Excused--Representative(s) Judd, Middleton, Miklosi, Pommer,
11 Swalm, Weissmann--6.
12 Present after roll call--Representative(s) Miklosi, Pommer, Swalm.
13
14 The Speaker declared a quorum present.
15
16
17 On motion of Representative Murray, the reading of the journal of
18 March 17, 2009, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21
22

REPORT(S) OF COMMITTEE(S) OF REFERENCE

FINANCE

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

29 **HB09-1293** be rereferred favorably to the Committee on
30 Appropriations.

33 **HB09-1301** be amended as follows, and as so amended, be referred to
34 the Committee of the Whole with favorable
35 recommendation:

37 Amend printed bill, page 2, after line 15, insert the following:

38
39 "(c) AS SOON AS FEASIBLE AFTER THE EFFECTIVE DATE OF THIS
40 SUBSECTION (2), AS AMENDED, THE STATE TREASURER SHALL
41 PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S.,
42 AS MAY BE NECESSARY TO ADMINISTER PAYMENT FOR CONTRACT AUDITOR
43 SERVICES, INCLUDING ANY RULES NECESSARY TO:

1 (I) SPECIFY THE REQUIREMENTS OR EXPERTISE OF CONTRACT
2 AUDITORS;
3
4 (II) ADEQUATELY PROTECT UNCLAIMED PROPERTY WHILE THE
5 PROPERTY IS IN THE POSSESSION OF THE CONTRACT AUDITOR; AND
6
7 (III) PREVENT IDENTITY THEFT AND THE SALE OR TRANSFER OF
8 PERSONAL IDENTIFYING INFORMATION OBTAINED BY THE CONTRACT
9 AUDITOR DURING THE COURSE OF THE CONTRACT AUDITOR'S DUTIES.";
10
11 line 16, strike "(c)" and substitute "(d)".
12
13
14

15 **SB09-016** be referred favorably to the Committee on Appropriations.
16

17
18 **SB09-042** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:
21

22 Amend reengrossed bill, page 3, line 2, strike "MANAGING";
23

24 line 9, strike "HAS BEEN ALLOCATED" and substitute "IS ELIGIBLE FOR".
25
26
27
28

29 **LOCAL GOVERNMENT**

30 After consideration on the merits, the Committee recommends the
31 following:
32

33 **SB09-020** be amended as follows, and as so amended, be referred to
34 the Committee of the Whole with favorable
35 recommendation:
36

37 Amend reengrossed bill, page 7, line 1, strike "THAT OCCURS" and
38 substitute "OCCURRING";
39

40 strike line 5 and substitute the following:
41

42 "EFFORTS TO SUPPRESS WILDFIRES OCCURRING IN THE UNINCORPORATED
43 AREA".
44

45 Page 11, strike line 8 and substitute the following:
46

47 "FIRES OCCURRING IN THE UNINCORPORATED AREA OF THE COUNTY
48 OUTSIDE";
49

50 strike line 18 and substitute the following:
51

52 "LAND FIRE OCCURRING IN THE UNINCORPORATED AREA OF THE COUNTY".
53

54 Page 13, strike lines 14 through 17 and substitute the following:
55

56 "COUNTY AND TO FIX THE RATE OF LEVY.".

1 **TRANSPORTATION & ENERGY**

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

4
5 **SB09-002** be referred favorably to the Committee on Finance.
6
7

8
9 **PRINTING REPORT**

10
11 The Chief Clerk reports the following bills have been correctly printed:
12 **HB09-1315, 1316, 1317.**
13
14

15
16 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

17
18 The Speaker has signed: **SB09-017, 065, 115, 116 and 127; SJR09-020,**
19 **021 and 022.**
20
21

22
23 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

24
25 **HB09-1198** by Representative(s) McGihon; also Senator(s) Morse--
26 Concerning the "Uniform Power of Attorney Act".
27

28 (Amended as printed in Senate Journal, March 11, pages 680.)
29

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

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

52
53 The question being, "Shall the bill, as amended, 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
56 bill, as amended, was declared **repassed**.

	YES	62	NO	0	EXCUSED	3	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
4	Balmer	Y	Judd	E	McKinley	Y	Scanlan	Y
5	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr J.	Y	Middleton	E	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	E
18							Speaker	Y

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

20
 21 **HB09-1197** by Representative(s) McNulty, Kerr J., Balmer,
 22 Baumgardner, Frangas, Gardner C., Gerou, Looper, May,
 23 Scanlan; also Senator(s) Harvey, Brophy, Kopp, Renfro,
 24 Spence--Concerning a requirement that the division of
 25 housing report data regarding home foreclosures in the
 26 state.

27
 28 (Amended as printed in Senate Journal, March 11, pages 681.)

29
 30 Representative McNulty moved that the House **concur** in Senate
 31 amendments. The motion was declared **passed** by the following roll call
 32 vote:

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

52
 53 The question being, "Shall the bill, as amended, 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
 56 bill, as amended, was declared **repassed**.

	YES	61	NO	1	EXCUSED	3	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
4	Balmer	Y	Judd	E	McKinley	Y	Scanlan	Y
5	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr J.	Y	Middleton	E	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	N	Weissmann	E
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Gardner B., Green, Ryden

20
 21 **HB09-1272** by Representative(s) Massey and Pommer, Gardner C.,
 22 McKinley, McNulty, Merrifield, Scanlan, Summers, Todd;
 23 also Senator(s) Tapia, Brophy, Heath, Kester, Penry,
 24 Williams--Concerning statutory amendments required to
 25 implement locally approved changes to the parameters for
 26 limited gaming under section 9 (7) of article XVIII of the
 27 Colorado constitution, adopted by voters at the 2008
 28 general election.

29
 30 (Amended as printed in Senate Journal, March 11, pages 682.)

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

	YES	61	NO	1	EXCUSED	3	ABSENT	0
37	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
38	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
39	Balmer	Y	Judd	E	McKinley	Y	Scanlan	Y
40	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
41	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
42	Bradford	Y	Kerr J.	Y	Middleton	E	Sonnenberg	Y
43	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
44	Court	Y	Labuda	N	Murray	Y	Stephens	Y
45	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
46	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
47	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
48	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
49	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
50	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
51	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
52	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
53							Speaker	Y

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

22 Co-sponsor(s) added: Representative(s) Kerr J., King S., Looper, Tipton

23
 24 **HB09-1162** by Representative(s) Gerou; also Senator(s) Kopp--
 25 Concerning intergovernmental cooperation for the purpose
 26 of mitigating wildfires.

27
 28 (Amended as printed in Senate Journal, March 6, pages 638.)

29
 30 Representative Gerou moved that the House **not concur** in Senate
 31 amendments and that a Conference Committee be appointed with
 32 permission to go beyond the scope of the differences between the House
 33 and the Senate. The motion was declared **passed** by the following roll
 34 call vote:

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

54 The Speaker appointed Representatives Gerou, Chairman, Curry and
 55 Scanlan as House conferees to the bill.

1 **HB09-1207** by Representative(s) Gardner C.; also Senator(s) Veiga--
 2 Concerning procedures to enforce a lien related to real
 3 property.
 4

5 (Amended as printed in Senate Journal, March 13, page 726.)
 6

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

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

53 Co-sponsor(s) added: Representative(s) Apuan
 54
 55
 56

1 **HB09-1118** by Representative(s) Murray; also Senator(s) Kester--
 2 Concerning the manner in which the records of certain
 3 governmental entities are kept.
 4

5 (Amended as printed in Senate Journal, March 16, page 753.)
 6

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

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

53 Co-sponsor(s) added: Representative(s) Lambert, Priola
 54
 55
 56

1 **THIRD READING OF BILLS--FINAL PASSAGE**

2
3 The following bills were considered on Third Reading. The titles were
4 publicly read. Reading of the bill at length was dispensed with by
5 unanimous consent.

6
7 **HB09-1026** by Representative(s) Marostica, Fischer, McFadyen, Rice,
8 Vaad; also Senator(s) Williams, Spence--Concerning the
9 application of vehicle laws to low-power vehicles that
10 operate with less than four wheels in contact with the
11 ground, and, in connection therewith, defining "low-power
12 scooter" and "Electric Personal Assistive Mobility
13 Device".

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
20

	YES	57	NO	5	EXCUSED	3	ABSENT	0
21	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
22	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
23	Balmer	Y	Judd	E	McKinley	Y	Scanlan	Y
24	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
25	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
26	Bradford	Y	Kerr J.	Y	Middleton	E	Sonnenberg	N
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	N
31	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
32	Frangas	N	Looper	N	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.	N	May	Y	Rice	Y	Waller	Y
36	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
37							Speaker	Y

38 Co-sponsor(s) added: Representative(s) Ferrandino, Priola, Stephens, Todd

39
40 **HB09-1294** by Representative(s) Vigil; also Senator(s) Schwartz--
41 Concerning the voluntary contribution designation
42 benefiting the nongame and endangered wildlife fund that
43 appears on the state individual income tax return forms,
44 and, in connection therewith, extending the period for the
45 contribution designation.

46
47 The question being "Shall the bill pass?".

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

51
52

	YES	60	NO	2	EXCUSED	3	ABSENT	0
53	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
55	Balmer	Y	Judd	E	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y

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

14 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Frangas, Gerou, Green,
15 Kefalas, Kerr A., King S., Labuda, Levy, May, Primavera, Ryden, Scanlan,
16 Summers

17

18 **HB09-1170** by Representative(s) Casso, Pace; also Senator(s)
19 Tochtrop--Concerning unemployment insurance benefits
20 for locked-out employees.

21

22 Laid over until March 19, retaining place on Calendar.

23

24

25

26

REPORT(S) OF COMMITTEE(S) OF REFERENCE

27

BUSINESS AFFAIRS & LABOR

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

30

31
32 **HB09-1309** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:

35

36 Amend printed bill, page 3, strike lines 1 through 5 and substitute the
37 following:

38

39 "CONDUCTING A PRESSURE TEST IN ACCORDANCE WITH THE PRESSURE";

40

41 line 8, strike "THE" and substitute "ANY NECESSARY";

42

43 line 9, strike "BEAR THE COSTS" and substitute "EQUIPMENT" and strike
44 "HYDROSTATIC".

45

46

47

48 **SB09-168** be referred to the Committee of the Whole with favorable
49 recommendation.

50

51

52 **SB09-173** be referred to the Committee of the Whole with favorable
53 recommendation.

54

55

56

1 **TRANSPORTATION & ENERGY**

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

4
5 **HB09-1230** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend printed bill, strike everything below the enacting clause and
10 substitute the following:

11
12 "SECTION 1. Part 1 of article 26 of title 39, Colorado Revised
13 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
14 read:

15
16 **39-26-105.4. Remittance of tax - determination of address -
17 dealer held harmless - rules.** (1) ANY LICENSED MOTOR VEHICLE
18 DEALER THAT COLLECTS AND REMITS TAX TO THE DEPARTMENT OF
19 REVENUE AS SPECIFIED IN THIS PART 1 FOR ANY SALE OF A MOTOR VEHICLE
20 SHALL BE HELD HARMLESS FOR ANY TAX, CHARGE, OR FEE LIABILITY TO
21 ANY TAXING JURISDICTION THAT THE DEALER PROVES WAS NOT
22 COLLECTED SOLELY BECAUSE AN ADDRESS THAT DOES NOT MEET THE
23 REQUIREMENTS OF SECTION 42-6-139, C.R.S., WAS PROVIDED BY THE
24 PURCHASER FOR PURPOSES OF CALCULATING THE AMOUNTS OF TAX EITHER
25 DUE ON THE SALE AND PURCHASE OF SUCH VEHICLE PURSUANT TO THIS
26 PART 1 OR SECTION 29-2-106, C.R.S., IF THE DEALER:

27
28 (a) INFORMS THE PURCHASER OF A MOTOR VEHICLE OF THE KEY
29 REQUIREMENTS OF MOTOR VEHICLE TITLING AND REGISTRATION AS
30 SPECIFIED IN SECTIONS 42-3-103 (4) (a), 42-6-134, 42-6-139, AND
31 42-6-140, C.R.S.; AND

32
33 (b) OBTAINS AN AFFIDAVIT SIGNED BY THE PURCHASER STATING
34 THAT THE PURCHASER'S ADDRESS IS TRUE AND CORRECT.

35
36 **SECTION 2.** Part 2 of article 26 of title 39, Colorado Revised
37 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
38 read:

39
40 **39-26-204.6. Remittance of tax - determination of address -
41 motor vehicle dealer held harmless.** THE PROVISIONS OF SECTION
42 39-26-105.4 ALLOWING LICENSED MOTOR VEHICLE DEALERS TO BE HELD
43 HARMLESS FOR ANY TAX, CHARGE, OR FEE LIABILITY TO ANY TAXING
44 JURISDICTION THAT WOULD BE DUE SOLELY AS A RESULT OF AN ERROR IN
45 THE DETERMINATION OF THE PURCHASER'S ADDRESS SHALL APPLY TO ANY
46 LICENSED MOTOR VEHICLE DEALER DOING BUSINESS IN THIS STATE AND
47 MAKING SALES OF MOTOR VEHICLES FOR STORAGE, USE, OR CONSUMPTION
48 IN THE STATE THAT COLLECTS AND REMITS USE TAX TO THE DEPARTMENT
49 OF REVENUE AS PROVIDED BY LAW.

50
51 **SECTION 3.** 43-2-145, Colorado Revised Statutes, is amended
52 BY THE ADDITION OF A NEW SUBSECTION to read:

53
54 **43-2-145. Transportation legislation review - committee.** (8)
55 (a) PRIOR TO THE FIRST DAY OF THE LEGISLATIVE SESSION BEGINNING IN
56 JANUARY 2010, FOR PURPOSES OF ESTABLISHING BEST PRACTICES FOR THE

1 COLLECTION OF SALES TAX ON THE SALE OF MOTOR VEHICLES, THE
2 COMMITTEE SHALL CONSULT WITH THE DEPARTMENT OF REVENUE,
3 COLORADO LICENSED AUTOMOBILE DEALERS, AUTOMOBILE RETAILERS,
4 AND EXPERTS IN THE FIELDS OF MOTOR VEHICLE REGISTRATION AND
5 TITLING AND STATE AND LOCAL SALES TAX COLLECTION TO REVIEW:
6

7 (I) THE ACCURACY AND AVAILABILITY OF STATE APPROVED SALES
8 TAX DATABASES RELIED ON BY AUTOMOBILE DEALERS AND RETAILERS;
9

10 (II) THE CONSISTENCY OF UPDATES TO THE STATE APPROVED
11 SALES TAX DATABASES;
12

13 (III) THE EFFICIENCY OF THE COLLECTION OF SALES TAX ON THE
14 SALE OF MOTOR VEHICLES FOR HOME RULE COUNTIES AND
15 MUNICIPALITIES; AND
16

17 (IV) THE NUMBER OF OCCURRENCES THAT PAPERWORK IS
18 RETURNED TO AN AUTOMOBILE DEALER OR RETAILER DUE TO INACCURATE
19 SALES TAX COLLECTION.
20

21 (b) BASED ON THE REVIEW SPECIFIED IN PARAGRAPH (a) OF THIS
22 SUBSECTION (8), THE COMMITTEE SHALL MAKE RECOMMENDATIONS TO
23 THE GENERAL ASSEMBLY FOR SUCH LEGISLATION AS IT DEEMS NECESSARY.
24 LEGISLATION RECOMMENDED BY THE COMMITTEE PURSUANT TO THIS
25 PARAGRAPH (b) SHALL BE TREATED AS LEGISLATION RECOMMENDED BY AN
26 INTERIM LEGISLATIVE COMMITTEE FOR PURPOSES OF ANY INTRODUCTION
27 DEADLINES OR BILL LIMITATIONS IMPOSED BY THE JOINT RULES OF THE
28 GENERAL ASSEMBLY.
29

30 (c) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE JULY 1, 2010.
31

32 **SECTION 4. Act subject to petition - effective date -**
33 **applicability.** (1) This act shall take effect at 12:01 a.m. on the day
34 following the expiration of the ninety-day period after final adjournment
35 of the general assembly that is allowed for submitting a referendum
36 petition pursuant to article V, section 1 (3) of the state constitution,
37 (August 4, 2009, if adjournment sine die is on May 6, 2009); except that,
38 if a referendum petition is filed against this act or an item, section, or part
39 of this act within such period, then the act, item, section, or part, if
40 approved by the people, shall take effect on the date of the official
41 declaration of the vote thereon by proclamation of the governor.
42

43 (2) The provisions of this act shall apply to motor vehicles
44 registered on or after the applicable effective date of this act."
45

46
47
48 **SB09-148** be amended as follows, and as so amended, be referred to
49 the Committee of the Whole with favorable
50 recommendation:
51

52 Amend reengrossed bill, page 4, line 12, strike "NOT INTENTIONALLY"
53 and substitute "NOT, IN A CARELESS AND IMPRUDENT MANNER,";
54

55 strike lines 13 and 14 and substitute the following:
56

1 "VEHICLE UNNECESSARILY CLOSE TO, TOWARD, OR NEAR A BICYCLIST."
 2
 3 Page 7, strike line 5 and substitute the following:
 4 "AGAINST A BICYCLIST".
 5
 6
 7

8 **SB09-175** be amended as follows, and as so amended, be referred to
 9 the Committee of the Whole with favorable
 10 recommendation:
 11

12 Amend reengrossed bill, page 2, after line 1, insert the following:
 13

14 "SECTION 1. 42-3-208 (1) (b), Colorado Revised Statutes, is
 15 amended to read:
 16

17 **42-3-208. Special plates - qualifications for issuance of special**
 18 **license plates.** (1) The following special license plates created by rule
 19 by the department under section 42-3-207, as such section existed when
 20 the plates were created, shall be subject to the requirement so specified:
 21

22 (b) The department or an authorized agent shall not issue a raptor
 23 education ~~foundation~~ special license plate to an applicant until such
 24 applicant has provided to the department or an authorized agent sufficient
 25 evidence to demonstrate that the applicant is a member in good standing
 26 of the raptor education foundation and qualified by such foundation to
 27 receive a special license plate OR THE APPLICANT IS A MEMBER OF THE
 28 ROCKY MOUNTAIN RAPTOR PROGRAM AND QUALIFIED BY SUCH PROGRAM
 29 TO RECEIVE A SPECIAL LICENSE PLATE."
 30

31 Renumber succeeding sections accordingly.
 32
 33
 34

35 **SB09-222** be referred to the Committee of the Whole with favorable
 36 recommendation.
 37

38 House in recess. House reconvened.
 39
 40

41 **MESSAGE(S) FROM THE SENATE**
 42

43
 44 The Senate has adopted and transmits herewith: SJR09-023, and
 45 SJR09-024.
 46

47 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**
 48

49
 50 On motion of Representative Kerr A., the rules were suspended and the
 51 following resolution was given immediate consideration.
 52

53 **SJR09-024** by Senator(s) Penry, Isgar; also Representative(s)
 54 Sonnenberg, Curry, Gardner C.--Concerning the
 55 recognition of March 18, 2009, as "National Agriculture
 56 Day".

1 (Printed and placed in member's file).

2

3 On motion of Representative Sonnenberg, the resolution was read at
4 length and **adopted** by the following roll call vote:

5

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

24 Current Roll Call added as Co-sponsor(s) added: Representative(s) Acree,
25 Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Ferrandino,
26 Fischer, Frangas, Gagliardi, Gardner B., Gerou, Green, Hullinghorst, Kefalas,
27 Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Marostica,
28 Massey, May, McCann, McFadyen, McGihon, McKinley, McNulty, Merrifield,
29 Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice,
30 Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Soper, Stephens,
31 Summers, Swalm, Tipton, Todd, Vaad, Vigil, Waller, Speaker

32

33

34

35

REPORT(S) OF COMMITTEE(S) OF REFERENCE

36

STATE, VETERANS, & MILITARY AFFAIRS

37

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56

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

SB09-182 be referred to the Committee of the Whole with favorable recommendation.

SB09-216 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 2, strike lines 2 through 11.

Strike pages 3 through 12.

Page 13, strike lines 1 through 19 and substitute the following:

"**SECTION 1.** The introductory portion to 39-29-109.3 (2) (f) and 39-29-109.3 (2) (f) (I) (A), Colorado Revised Statutes, are amended to read:

39-29-109.3. Operational account of the severance tax trust fund - repeal. (2) Subject to the requirements of subsections (3) and (4) of this section, if the general assembly chooses not to spend up to one hundred percent of the moneys in the operational account as specified in subsection (1) of this section, the state treasurer shall transfer the following:

(f) For providing energy-related assistance to low-income households as specified in section 40-8.7-112, C.R.S., AND FOR PARTIAL FUNDING OF THE DIVISION OF WATER RESOURCES IN THE DEPARTMENT OF NATURAL RESOURCES:

(I) (A) For the state fiscal year commencing July 1, 2008, thirteen million dollars as follows: Five million nine hundred fifty thousand dollars to the department of human services low-income energy assistance fund created in section 40-8.7-112 (1), C.R.S.; one million fifty thousand dollars to the energy outreach Colorado low-income energy assistance fund created in section 40-8.7-112 (2) (a), C.R.S.; ~~and six~~ FIVE million FOUR HUNDRED SIXTY-TWO THOUSAND TWO HUNDRED FORTY-THREE dollars to the governor's energy office low-income energy assistance fund created in section 40-8.7-112 (3) (a), C.R.S.; FIVE HUNDRED TWENTY-ONE THOUSAND SIX HUNDRED TWENTY-FOUR DOLLARS TO THE DIVISION OF WATER RESOURCES GROUND WATER MANAGEMENT CASH FUND CREATED IN SECTION 37-80-111.5 (1) (d), C.R.S.; AND SIXTEEN THOUSAND ONE HUNDRED THIRTY-THREE DOLLARS TO THE WELL INSPECTION CASH FUND CREATED IN SECTION 37-80-111.5 (1) (d), C.R.S."

Renumber succeeding sections accordingly.

Page 1, strike line 101 and substitute the following:

"**CONCERNING A REDUCTION IN THE GENERAL FUND APPROPRIATION MADE TO THE DIVISION OF WATER**".

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB09-1122, 1168, 1178; HJR09-1002.**

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and returns herewith HB09-1233, and HB09-1186.

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

HB09-1254 amended as printed in Senate Journal, March 13, 2009, page 729,
HB09-1125 amended as printed in Senate Journal, March 16, 2009, pages 754 -755,
HB09-1053 amended as printed in Senate Journal, March 16, 2009, page 755, and on Third Reading, March 18, 2009, as printed in the Senate Journal.

The Senate has adopted and returns herewith: HJR09-1012.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB09-1254, 1125, and 1053.

**INTRODUCTION OF BILLS
First Reading**

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

HB09-1318 by Representative(s) Sonnenberg and McFadyen; also Senator(s) Brophy and Shaffer B.--Concerning the issuance of overweight permits based on axle configuration for vehicles weighing more than the eighty-five thousand pound nonoverweight vehicle gross vehicle weight limit, and, in connection therewith, repealing before it takes effect a newly enacted increase in the limit from eighty-five thousand pounds to ninety-two thousand pounds, making an overweight vehicle permit available for a vehicle that is operated in combination with a trailer or semitrailer if the trailer has a tandem or triple axle grouping and the vehicle weighs up to ninety-seven thousand pounds, and specifying overweight vehicle permit fees for such a vehicle of five hundred dollars for an annual permit, two hundred fifty dollars for a six-month permit, and fifteen dollars plus ten dollars per axle for a single trip permit.

Committee on Transportation & Energy

1 **HB09-1319** by Representative(s) Merrifield and Massey, Todd,
2 Baumgardner, Benefield, Carroll T., Casso, Ferrandino,
3 Fischer, Green, Kerr A., Levy, Middleton, Miklosi,
4 Murray, Peniston, Primavera, Priola, Riesberg, Scanlan,
5 Schafer S., Solano, Summers; also Senator(s) Williams,
6 King K., Hudak, Penry, Bacon, Boyd, Heath, Romer,
7 Scheffel, Schwartz, Shaffer B., Tapia--Concerning
8 concurrent enrollment of public high school students in
9 courses offered by institutions of higher education.
10 Committee on Education

11
12
13
14 **INTRODUCTION OF RESOLUTION**

15
16 The following resolution was read by title and laid over one day under the
17 rules:

18
19 **SJR09-023** by Senator(s) Schwartz, Gibbs, Isgar, Tochtrop, White;
20 also Representative(s) Curry--Concerning the general
21 assembly's continuing support for existing terms of the
22 Colorado river compact.

23
24
25
26 **LAY OVER OF CALENDAR ITEM(S)**

27
28 On motion of Representative Kerr A., the following item(s) on the
29 Calendar were laid over until March 19, retaining place on Calendar:

30
31 Consideration of Conference Committee Report(s)--**SB09-208, 215.**

32
33
34 On motion of Representative Soper, the House adjourned until 9:00 a.m.,
35 March 19, 2009.

36
37 Approved:
38 TERRANCE D. CARROLL,
39 Speaker

40 Attest:
41 MARILYN EDDINS,
42 Chief Clerk

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

Seventy-second Legislative Day

Thursday, March 19, 2009

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

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

4

5 Pledge of Allegiance led by Emma, Paige, and Abigail Phillips, Colorado
6 Academy, Denver.

7

8 The roll was called with the following result:

9

10 Present--61.

11 Excused--Representative(s) May, Middleton, Swalm, Weissmann--4.

12 Present after roll call--Representative(s) Middleton, Swalm,
13 Weissmann.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Murray, the reading of the journal of
19 March 18, 2009, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

CONSIDERATION OF RESOLUTION(S)

22

23
24 **SJR09-023** by Senator(s) Schwartz, Gibbs, Isgar, Tochtrop, White;
25 also Representative(s) Curry--Concerning the general
26 assembly's continuing support for existing terms of the
27 Colorado river compact.

28

29 (Printed and placed in member's file)

30

31 On motion of Representative Curry, the resolution was **adopted** by **viva**
32 **voce** vote.

33

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

43

1 **THIRD READING OF BILL(S)--FINAL PASSAGE**

2
3 The following bill considered on Third Reading. The title publicly read.
4 Reading of the bill at length was dispensed with by unanimous consent.

5
6 **HB09-1170** by Representative(s) Casso, Pace; also Senator(s)
7 Tochtrop--Concerning unemployment insurance benefits
8 for locked-out employees.
9

10 The question being "Shall the bill 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 bill
13 was declared **passed**.
14

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

33 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Gagliardi, Green,
34 Labuda, Levy, McFadyen, McGihon, Merrifield, Middleton, Miklosi, Peniston,
35 Primavera, Ryden, Solano, Soper, Vigil
36
37
38
39

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

41
42 **SB09-215** by Senator(s) Keller, Tapia, White; also Representative(s)
43 Pommer, Ferrandino, Marostica--Concerning
44 modifications to appropriations to achieve a reduction in
45 the state expenditures for the financing of public schools.
46

47 (Conference Committee Report printed in House Journal, March 16,
48 page 743.)
49

50 Representative Pommer, moved to adopt the Conference Committee
51 Report. A substitute motion by Representative Merrifield that the House
52 reject the Conference Committee Report, discharge the First Conference
53 Committee for **SB09-215**, that a Second Conference Committee be
54 appointed was declared **passed** by the following roll call vote:
55
56

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

19 The first Conference Committee was discharged and the Speaker
 20 appointed Representatives Pommer Chairman, Ferrandino and Marostica
 21 as House conferees to the Second Conference Committee.

22
 23
 24
 25 On motion of Representative Court, the House resolved itself into
 26 Committee of the Whole for consideration of General Orders, and she
 27 was called to the Chair to act as Chairman.

30 GENERAL ORDERS--SECOND READING OF BILLS

31
 32 The Committee of the Whole having risen, the Chairman reported the
 33 titles of the following bills had been read (reading at length had been
 34 dispensed with by unanimous consent), the bills considered and action
 35 taken thereon as follows:

36
 37 (Amendments to the committee amendment are to the printed committee
 38 report which was printed and placed in the members' bill file.)

39
 40 **SB09-030** by Senator(s) Keller; also Representative(s) Schafer S.--
 41 Concerning the "Child Mental Health Treatment Act".

42
 43 Ordered revised and placed on the Calendar for Third Reading and Final
 44 Passage.

45
 46 **SB09-179** by Senator(s) Tochtrop; also Representative(s) Gagliardi--
 47 Concerning communicable disease control.

48
 49 Ordered revised and placed on the Calendar for Third Reading and Final
 50 Passage.

51
 52 **SB09-225** by Senator(s) Boyd; also Representative(s) McGihon--
 53 Concerning the definition of contraceptive.

54
 55 Laid over until March 20, retaining place on Calendar.

56

1 **SB09-069** by Senator(s) Boyd; also Representative(s) McCann--
 2 Concerning court-appointed parenting coordinators.
 3

4 Amendment No. 1, Judiciary Report, dated March 16, 2009, and placed
 5 in member's bill file; Report also printed in House Journal, March 17,
 6 page 763.
 7

8 As amended, ordered revised and placed on the Calendar for Third
 9 Reading and Final Passage.
 10

11 **SB09-097** by Senator(s) Cadman; also Representative(s) Pace--
 12 Concerning clarifying changes to provisions pertaining to
 13 institutional peace officers.
 14

15 Ordered revised and placed on the Calendar for Third Reading and Final
 16 Passage.
 17

18 **SB09-035** by Senator(s) Renfroe; also Representative(s) Sonnenberg--
 19 -Concerning a penalty for a violation of certain proscribed
 20 acts for government officials.
 21

22 Ordered revised and placed on the Calendar for Third Reading and Final
 23 Passage.
 24

25

26 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

27

28 Passed Second Reading: **SB09-030, 179, 069 amended, 097, 035.**

29

30 Laid over until date indicated retaining place on Calendar: **SB09-225--**
 31 March 20, 2009.
 32

33 The Chairman moved the adoption of the Committee of the Whole
 34 Report. As shown by the following roll call vote, a majority of those
 35 elected to the House voted in the affirmative, and the Report was
 36 **adopted.**
 37

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

REPORT(S) OF COMMITTEE(S) OF REFERENCE**BUSINESS AFFAIRS & LABOR**

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

HB09-1273 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 3, after line 5, insert the following:

"(e) THE FUNDAMENTAL PARTICIPANT IN HEALTH CARE TRANSACTIONS IS THE INDIVIDUAL AND THE FUNDAMENTAL RELATIONSHIP IS BETWEEN THE INDIVIDUAL AND HIS OR HER HEALTH CARE PROVIDER;

(f) HEALTH CARE SERVICES SHOULD BE PROVIDED TO AN INDIVIDUAL WITH LIMITED AND EFFICIENT OUTSIDE INTERVENTION AND MAXIMUM TRANSPARENCY;"

Reletter succeeding paragraphs accordingly.

Page 3, after line 9, insert the following:

"(h) THERE SHOULD BE NO REQUIRED CONNECTION BETWEEN HEALTH CARE AND EMPLOYMENT;"

Reletter succeeding paragraph accordingly.

Page 3, line 12, after "IS", insert "PRIMARILY";

after line 21, insert the following:

"(4) "MEDICAL HOME" MEANS AN APPROPRIATELY QUALIFIED MEDICAL SPECIALTY, DEVELOPMENTAL, THERAPEUTIC, OR MENTAL HEALTH CARE PRACTICE THAT VERIFIABLY ENSURES CONTINUOUS, ACCESSIBLE, AND COMPREHENSIVE ACCESS TO A COORDINATION OF COMMUNITY-BASED MEDICAL CARE, MENTAL HEALTH CARE, ORAL HEALTH CARE, AND RELATED SERVICES FOR THE CONSUMER. A MEDICAL HOME SHALL ENSURE, AT A MINIMUM, THE FOLLOWING:

(a) HEALTH MAINTENANCE AND PREVENTATIVE CARE;

(b) ANTICIPATORY GUIDANCE AND HEALTH EDUCATION;

(c) ACUTE AND CHRONIC ILLNESS CARE;

(d) COORDINATION OF MEDICATIONS, SPECIALISTS, AND THERAPIES; AND

(e) PROVIDER PARTICIPATION IN HOSPITAL CARE."

Reletter succeeding subsection accordingly.

Page 4, strike lines 17 and 18 and substitute the following:

1 "(1) THE BOARD SHALL CREATE AND DESIGN THE HEALTH CARE SYSTEM
2 FOR COLORADO IN COLLABORATION WITH PARTIES THAT MAY BE
3 AFFECTED BY THE DESIGN AND IMPLEMENTATION OF THE SYSTEM. IN
4 CREATING AND DESIGNING THE SYSTEM, THE BOARD SHALL NOT BE
5 LIMITED IN MAKING RECOMMENDATIONS REGARDING THE ELEMENTS OF
6 THE SYSTEM, BUT SHALL AT LEAST MAKE RECOMMENDATIONS
7 CONCERNING THE FOLLOWING ELEMENTS:

8
9 (a) THE MEMBERSHIP OF A BOARD OF DIRECTORS TO GOVERN THE
10 AUTHORITY ONCE THE SYSTEM IS ESTABLISHED;" .

11
12 Reletter succeeding paragraphs accordingly.

13
14 Page 4, line 21, strike "PARTICIPANTS;" and substitute "PARTICIPANTS
15 BASED ON PATIENT NEED AND WITHOUT DELAY OR DISCRIMINATION;" .

16
17 Page 5, line 9, after "PHYSICIAN", insert "OR LICENSED ADVANCED
18 PRACTICE NURSE";

19
20 strike line 10 and substitute the following:

21
22 "PARTICIPANT AND SERVE AS THE PARTICIPANT'S MEDICAL HOME;" ;

23
24 strike lines 13 through 19 and substitute the following:

25
26 "(h) THE DEVELOPMENT OF INFORMATION TECHNOLOGY
27 SPECIFICATIONS FOR:

28
29 (I) CLEARLY DEFINED STANDARDS FOR A CONFIDENTIAL,
30 ELECTRONIC PATIENT RECORDS SYSTEM AND ELECTRONIC PERSONAL
31 HEALTH RECORDS TO MAINTAIN ACCURATE PATIENT RECORDS AND TO
32 SIMPLIFY THE BILLING PROCESS, THEREBY REDUCING MEDICAL ERRORS
33 AND ADMINISTRATIVE COSTS;

34
35 (II) AN AUTOMATED METHOD FOR CLAIMS PROCESSING, BILLING,
36 AND PAYMENT; AND";

37
38 (III) PROVISIONS FOR STATEWIDE AND REGIONAL COLLECTION";

39
40 after line 21, insert the following:

41
42 "(i) ESTABLISHING MECHANISMS FOR THE USE OF CLINICAL DATA
43 COLLECTED UNDER SUBPARAGRAPH (III) OF PARAGRAPH (h) OF THIS
44 SUBSECTION (1) TO ESTABLISH STANDARDS FOR BEST PRACTICES THROUGH
45 THE APPLICATION OF EVIDENCE-BASED MEDICINE;" .

46
47 Reletter succeeding paragraphs accordingly.

48
49 Page 6, line 1, strike "EQUIPMENT;" and substitute "EQUIPMENT WHERE
50 APPROPRIATE;" ;

51
52 line 7, strike "INCLUDES" and substitute "CONSIDERS";

53
54 line 8, strike "DUE TO REDUCED";

55
56 strike lines 9 through 11 and substitute the following:

1 "BY THE IMPLEMENTATION OF THE SYSTEM;"

2

3 Page 7, line 25, strike "(2)" and substitute "(3)".

4

5 after line 25, insert the following:

6

7 "(4) THE BOARD SHALL ENSURE THAT THE HEALTH BENEFIT PLAN
8 OFFERED PURSUANT TO THE SYSTEM DOES NOT CAUSE HARM TO PERSONS
9 ELIGIBLE FOR BENEFITS PURSUANT TO THE "COLORADO MEDICAL
10 ASSISTANCE ACT", ARTICLES 4, 5, AND 6 OF THIS TITLE."

11

12 Page 10, line 11, strike "OF FIVE HUNDRED DOLLARS".

13

14 Page 11, line 20, strike "CARE;" and substitute "CARE, INCLUDING
15 COMMUNITY-BASED AND CONSUMER-DIRECTED SERVICES;"

16

17 after line 24, insert the following:

18

19 "(l) REPRODUCTIVE HEALTH CARE SERVICES;

20

21 (m) OCCUPATIONAL AND PHYSICAL THERAPY SERVICES;"

22

23 Reletter succeeding paragraphs accordingly.

24

25 Page 12, strike lines 2 through 20 and substitute the following:

26 "COLORADO THAT SHALL BE COORDINATED WITH OTHER PUBLIC HEALTH
27 EFFORTS AND MAY BE COORDINATED WITH PUBLIC HEALTH OFFICIALS,
28 AGENCIES, AND ORGANIZATIONS.

29

30 **25.5-9-109. Gifts, grants, and donations - federal grant**
31 **moneys.** THE BOARD IS AUTHORIZED TO SEEK GIFTS, GRANTS, AND
32 DONATIONS AND FEDERAL GRANT MONEYS FOR THE PURPOSES OF
33 IMPLEMENTING THIS ARTICLE. MONEYS RECEIVED BY THE BOARD SHALL
34 BE TRANSFERRED DIRECTLY TO THE AUTHORITY FOR THE PURPOSES OF THIS
35 ARTICLE. NO MONEYS FROM THE GENERAL FUND SHALL BE USED FOR THE
36 IMPLEMENTATION OF THIS ARTICLE.";

37

38 line 22, after "SHALL", insert "SEEK INPUT FROM AND COLLABORATE WITH
39 THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING TO".

40

41 Page 13, strike lines 2 through 18 and substitute the following:

42 **"25.5-9-111. Requirements for implementation of the system**
43 **- repeal.** (1) SECTIONS 25.5-9-101, 25.5-9-102, 25.5-9-103, 25.5-9-104,
44 25.5-9-105, 25.5-9-107, 25.5-9-109, AND THIS SECTION SHALL TAKE
45 EFFECT UPON THE ENACTMENT OF THIS ARTICLE.

46

47 (2) SECTIONS 25.5-9-106, 25.5-9-108, AND 25.5-9-110 SHALL NOT
48 TAKE EFFECT UNTIL THE BOARD IDENTIFIES AND GUARANTEES THAT
49 SUFFICIENT GIFTS, GRANTS, AND DONATIONS HAVE BEEN RECEIVED TO
50 PLAN AND DEVELOP THE SYSTEM IN ACCORDANCE WITH SAID SECTIONS.
51 UPON IDENTIFICATION AND GUARANTEE THAT THE BOARD HAS RECEIVED
52 SUFFICIENT MONEYS TO IMPLEMENT SAID SECTIONS, THE BOARD SHALL
53 NOTIFY THE REVISOR OF STATUTES, IN WRITING, OF THE EFFECTIVE DATE
54 OF SAID SECTIONS. IF SUFFICIENT GIFTS, GRANTS, AND DONATIONS ARE
55 NOT IDENTIFIED AND GUARANTEED ON OR BEFORE JULY 1, 2011, SAID
56 SECTIONS SHALL NOT TAKE EFFECT, AND THIS ARTICLE IS REPEALED,

1 EFFECTIVE JULY 1, 2011.

2

3 (3) IF SECTIONS 25.5-9-106, 25.5-9-108, AND 25.5-9-110 ARE
4 IMPLEMENTED AND THE PLAN FOR THE SYSTEM IS DEVELOPED AND
5 CREATED, THE SYSTEM SHALL NOT BE IMPLEMENTED UNTIL:

6

7 (a) ALL NECESSARY WAIVERS, EXEMPTIONS, AND AGREEMENTS
8 ARE IN PLACE TO EFFECTIVELY IMPLEMENT THE SYSTEM; AND

9

10 (b) THE GENERAL ASSEMBLY APPROVES THE IMPLEMENTATION OF
11 THE SYSTEM BY BILL."

12

13

14

15 **SB09-159** be postponed indefinitely.

16

17

18

19

20 **FINANCE**

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

23

24 **HB09-1298** be referred favorably to the Committee on Appropriations.

25

26

27 **HB09-1311** be referred to the Committee of the Whole with favorable
28 recommendation.

29

30

31 **HCR09-1002** be referred favorably to the Committee on Appropriations.

32

33

34 **SB09-002** be referred favorably to the Committee on Appropriations.

35

36

37 **SB09-076** be referred favorably to the Committee on Appropriations.

38

39

40 **SB09-105** be referred to the Committee of the Whole with favorable
41 recommendation.

42

43

44 **SB09-139** be referred to the Committee of the Whole with favorable
45 recommendation.

46

47

48

49 **PRINTING REPORT**

50

51 The Chief Clerk reports the following bills have been correctly printed:
52 **HB09-1318, 1319.**

53

54 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

55

56 The Speaker has signed: **HB09-1005, 1066.**

MESSAGE(S) FROM THE GOVERNOR

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I certify I received the following on the 19th day of March, 2009, at 8:30 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 18, 2009

To the Honorable
House of Representatives
Sixty-seventh General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

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

HB09-1024 CONCERNING THE APPLICATION OF SPECIFIED AUDIT REPORTING REQUIREMENTS WITHIN THE COLORADO LOCAL GOVERNMENT AUDIT LAW TO CERTAIN ENTITIES THAT ARE OTHERWISE NOT REQUIRED TO COMPLY WITH THE REQUIREMENTS.

Approved March 18, 2009 at 2:50 p.m.

HB09-1030 CONCERNING FIREFIGHTER AND POLICE OFFICER PENSION PLAN COMPLIANCE WITH REQUIREMENTS SET FORTH IN THE INTERNAL REVENUE CODE.

Approved March 18, 2009 at 2:50 p.m.

HB09-1033 CONCERNING THE REGULATION OF FLIGHT SCHOOLS.

Approved March 18, 2009 at 2:51 p.m.

HB09-1037 CONCERNING THE RECLASSIFICATION OF MONTROSE COUNTY FOR COUNTY COURT PURPOSES.

Approved March 18, 2009 at 2:52 p.m.

HB09-1044 CONCERNING EXPUNGEMENT OF RECORDS RELATING TO A CRIMINAL MATTER FOR WHICH A JUVENILE IS SENTENCED AS A JUVENILE AFTER BEING CHARGED BY THE DIRECT FILING OF CHARGES IN A DISTRICT COURT.

Approved March 18, 2009 at 2:53 p.m.

HB09-1121 CONCERNING THE DISPOSITION OF EVIDENCE COLLECTED IN CRIMINAL CASES.

Approved March 18, 2009 at 2:54 p.m.

1 **HB09-1128** CONCERNING THE ESTABLISHMENT OF AN ACADEMIC
2 LICENSE TO ALLOW A DENTIST EMPLOYED BY A SCHOOL
3 OF DENTISTRY TO ENGAGE IN THE PRACTICE OF
4 DENTISTRY IN CONNECTION WITH PROGRAMS
5 AFFILIATED WITH THE SCHOOL.

6
7 Approved March 18, 2009 at 2:54 p.m.

8
9 **HB09-1155** CONCERNING TITLE INSURANCE, AND, IN CONNECTION
10 THEREWITH, REQUIRING JUSTIFICATIONS TO BE FILED
11 WITH THE COMMISSIONER OF INSURANCE.

12
13 Approved March 18, 2009 at 2:55 p.m.

14
15 Sincerely,
16 (signed)
17 Bill Ritter, Jr.
18 Governor

19 _____
20
21
22 **MESSAGE(S) FROM THE SENATE**

23
24 The Senate has passed on Third Reading and returns herewith:
25 HB09-1102, HB09-1227, and HB09-1190.

26
27 The Senate voted to concur in House amendments to SB09-114, and
28 repassed the bill as so amended.

29
30 In response to the request of the House for a Conference Committee on
31 HB09-1162, the President appoints Senators Kopp-Chair, Gibbs, and
32 Isgar as conferees on the First Conference Committee on HB09-1162.

33 _____
34
35 House in recess. House reconvened.

36 _____
37
38 **APPOINTMENT(S)**

39
40 The Speaker announced the following temporary appointment:
41 Committee on Health & Human Services--Representative Fischer to
42 replace Representative McGihon until Representative McGihon's
43 replacement for House District 3 has been selected.

44 _____
45
46
47 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

48
49 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**
50 After consideration on the merits, the Committee recommends the
51 following:

52
53 **HB09-1308** be referred favorably to the Committee on Appropriations.

54
55
56 **SB09-106** be referred favorably to the Committee on Appropriations.

1 **SB09-124** be referred favorably to the Committee on Appropriations.
2
3
4 **SB09-141** be amended as follows, and as so amended, be referred to
5 the Committee of the Whole with favorable
6 recommendation:
7
8 Amend reengrossed bill, page 8, line 12, after the second "BASINS," insert
9 "NONPOINT SOURCE WATER QUALITY TREATMENT AND ABATEMENT
10 SYSTEMS,";
11
12 line 26, after "SPACE," insert "HABITAT FOR WILDLIFE AND AQUATIC
13 LIFE,".
14
15 Page 12, line 19, strike "CONSTITUTION" and substitute "CONSTITUTION,
16 SECTION 25-8-102 (4), C.R.S.,".
17
18 Page 16, line 10, after "GROUP.", add "THE CITIZENS ADVISORY GROUP
19 SHALL PROVIDE TWO OR MORE NOMINEES FOR THE DIRECTOR POSITION TO
20 THE BOARDS, BUT THE BOARDS SHALL NOT BE LIMITED TO THE NOMINEES
21 IN APPOINTING THE DIRECTOR."
22
23 Page 24, line 9, strike "ADVOCATE FOR" and substitute "PROMOTE,
24 CONSTRUCT, AND MANAGE";
25
26 line 15, strike "WETLANDS;" and substitute "WETLANDS. HOWEVER,
27 NOTHING IN THIS ARTICLE SHALL AUTHORIZE THE BOARD TO REGULATE
28 THE DISCHARGE FROM ANY MUNICIPAL WASTEWATER TREATMENT WORKS
29 SUBJECT TO PERMITS REGULATED BY THE WATER QUALITY CONTROL
30 COMMISSION CREATED IN SECTION 25-8-201 (1) (a), C.R.S., AND ISSUED BY
31 THE WATER QUALITY CONTROL DIVISION CREATED PURSUANT TO SECTION
32 25-8-301 (2), C.R.S."
33
34 Page 25, line 5, strike "LEVIES" and substitute "LEVIES, LEVIED AT A
35 TOTAL RATE OF NO MORE THAN FIVE MILLS,".
36
37 Page 32, line 24, after "CONTROL", insert "OR RECREATIONAL";
38
39 line 25, strike "APPROVED BY" and substitute "REVIEWED BY, AND IN THE
40 CASE OF INFRASTRUCTURE WITHIN THE CORRIDOR APPROVED BY,".
41
42 Page 33, line 7, after "INFRASTRUCTURE", insert "WITHIN THE CORRIDOR";
43
44 line 8, before "APPROVAL,", insert "REVIEW AND".
45
46 Page 39, line 6, strike "TAXES" and substitute "TAXES, LEVIED AT A RATE
47 OF NO MORE THAN FIVE MILLS,".
48
49
50
51 **DELIVERY OF BILLS TO GOVERNOR**
52
53 The Chief Clerk of the House of Representatives reports the following
54 bills have been delivered to the Office of the Governor: **HB09-1052,**
55 **1054, 1079, 1082, 1091, 1101, 1174, 1215, 1219** at 10:42 a.m. on
56 March 19, 2009.

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LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar were laid over until March 20, retaining place on Calendar:

- Consideration of Conference Committee Report(s)--**SB09-208**.
 - Consideration of Senate Amendment(s)--**HB09-1254, 1125, 1053**.
-

On motion of Representative Soper, the House adjourned until 9:00 a.m., March 20, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Seventy-third Legislative Day

Friday, March 20, 2009

1 Prayer by Pastor Mark Phillips, Berean Bible Church, Haxtun.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Parker Goff-Chrisbens, Westerly Creek
6 School, Denver.
7
8 The roll was called with the following result:
9
10 Present--64.
11 Excused--Representative(s) Summers--1.
12 Present after roll call--Representative(s) Summers.

13
14 The Speaker declared a quorum present.
15
16

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

THIRD READING OF BILLS--FINAL PASSAGE

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

28
29 **SB09-030** by Senator(s) Keller; also Representative(s) Schafer S.--
30 Concerning the "Child Mental Health Treatment Act".
31

32 The question being "Shall the bill 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 was declared **passed**.
36

	YES	65	NO	0	EXCUSED	0	ABSENT	0
38	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
39	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
40	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
41	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
42	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
43	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y

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

12 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Fischer, Frangas,
 13 Gerou, Green, Hullinghorst, Kefalas, Labuda, McGihon, Merrifield, Nikkel,
 14 Primavera, Priola, Ryden, Solano, Todd, Vigil

15
 16 **SB09-179** by Senator(s) Tochtrop; also Representative(s) Gagliardi--
 17 Concerning communicable disease control.

18
 19 The question being "Shall the bill pass?".
 20 A roll call vote was taken. As shown by the following recorded vote, a
 21 majority of those elected to the House voted in the affirmative and the bill
 22 was declared **passed**.

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

42 Co-sponsor(s) added: Representative(s) Apuan, Court, Fischer, Frangas, Gerou,
 43 Green, Kefalas, Kerr A., Kerr J., Labuda, Massey, McGihon, Merrifield, Priola,
 44 Roberts, Ryden, Schafer S., Solano, Todd, Vigil

45
 46 **SB09-069** by Senator(s) Boyd; also Representative(s) McCann--
 47 Concerning court-appointed parenting coordinators.

48
 49 Laid over until March 23, retaining place on Calendar.

50
 51 **SB09-097** by Senator(s) Cadman; also Representative(s) Pace--
 52 Concerning clarifying changes to provisions pertaining to
 53 institutional peace officers.

54
 55 The question being "Shall the bill pass?".
 56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

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

22 Co-sponsor(s) added: Representative(s) King S., Vigil

23
24 **SB09-035** by Senator(s) Renfro; also Representative(s) Sonnenberg-
25 -Concerning a penalty for a violation of certain proscribed
26 acts for government officials.

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	57	NO	8	EXCUSED	0	ABSENT	0
34 Acree	Y	Green	Y	McFadyen	Y	Roberts	Y	
35 Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	N	
36 Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y	
37 Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y	
38 Benefield	Y	Kerr A.	Y	Merrifield	N	Solano	Y	
39 Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y	
40 Casso	Y	King S.	Y	Miklosi	Y	Soper	Y	
41 Court	N	Labuda	N	Murray	Y	Stephens	Y	
42 Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y	
43 Ferrandino	Y	Levy	N	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	N	
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) Baumgardner, Curry, Gardner B.,
52 Kerr J., King S., Stephens

53
54
55
56

1 On motion of Representative Kefalas, the House resolved itself into
2 Committee of the Whole for consideration of General Orders, and he was
3 called to the Chair to act as Chairman.

4

5

6

GENERAL ORDERS--SECOND READING OF BILLS

7

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

12

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

15

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

18

19 Laid over until March 23, retaining place on Calendar.

20

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

23

24 Amendment No. 1, Transportation & Energy Report, dated
25 March 10, 2009, and placed in member's bill file; Report also printed in
26 House Journal, March 11, pages 680-685.

27

28 As amended, laid over until March 23, retaining place on Calendar.

29

30 **HB09-1015** by Representative(s) Murray, Marostica; also Senator(s)
31 Hodge--Concerning certain actions taken by the
32 designated election official in conducting primary
33 elections.

34

35 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
36 March 10, 2009, and placed in member's bill file; Report also printed in
37 House Journal, March 11, pages 688-693.

38

39 Amendment No. 2, by Representative(s) Murray.

40 Amend the State, Veterans, & Military Affairs Committee Report, dated
41 March 10, 2009, page 2, line 4, after "ELECTION.", insert "FOR PURPOSES
42 OF OTHER APPLICABLE LAW, SUCH NOMINEE SHALL BE DEEMED A
43 CANDIDATE IN AND THE WINNER OF THE PRIMARY ELECTION.".

44

45 Page 3, line 35, strike "POST CARD".

46

47 Page 4, line 5, strike "POST CARD";

48

49 line 8, strike "POST CARD";

50

51 line 11, strike "POST CARD".

52

53 Page 6, line 15, after "TO", insert "NO FEWER THAN".

54

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

1 **HB09-1063** by Representative(s) Summers; also Senator(s) Penry--
2 Concerning granting in-state student status to a child who
3 moves to Colorado during the child's senior year of high
4 school as the result of the child's legal guardian taking a
5 job in the state.
6

7 Ordered engrossed and placed on the Calendar for Third Reading and
8 Final Passage.
9

10 **HB09-1086** by Representative(s) McGihon, Green, Frangas; also
11 Senator(s) Boyd--Concerning continuing professional
12 competency of certain mental health professionals.
13

14 Amendment No. 1, Health & Human Services Report, dated
15 January 29, 2009, and placed in member's bill file; Report also printed in
16 House Journal, January 30, pages 183-184.
17

18 Amendment No. 2, Appropriations Report, dated March 6, 2009, and
19 placed in member's bill file; Report also printed in House Journal,
20 March 6, page 634.
21

22 Amendment No. 3, by Representative(s) McGihon.
23

24 Amend printed bill, page 3, line 2, strike "**rules.**" and substitute "**rules -
25 repeal.**";
26

27 before line 24, insert the following:
28

29 "(c) THE BOARD SHALL ESTABLISH THAT A LICENSED CLINICAL
30 SOCIAL WORKER OR LICENSED SOCIAL WORKER IS DEEMED TO SATISFY THE
31 CONTINUING COMPETENCY REQUIREMENTS OF THIS SECTION IF THE
32 LICENSED CLINICAL SOCIAL WORKER OR LICENSED SOCIAL WORKER MEETS
33 THE CONTINUED PROFESSIONAL COMPETENCE REQUIREMENTS OF ONE OF
34 THE FOLLOWING ENTITIES:
35

36 (I) A STATE DEPARTMENT, INCLUDING CONTINUED PROFESSIONAL
37 COMPETENCE REQUIREMENTS IMPOSED THROUGH A CONTRACTUAL
38 ARRANGEMENT WITH A PROVIDER;
39

40 (II) AN ACCREDITING BODY RECOGNIZED BY THE BOARD; OR
41

42 (III) AN ENTITY APPROVED BY THE BOARD."
43

44 line 24, strike "(c)" and substitute "(d) (I)".
45

46 Page 4, after line 1, insert the following:
47

48 "(II) THE REQUIREMENTS OF THIS SECTION APPLY TO INDIVIDUAL
49 LICENSED CLINICAL SOCIAL WORKERS OR LICENSED SOCIAL WORKERS WHO
50 ARE LICENSED PURSUANT TO THIS PART 4, AND NOTHING IN THIS SECTION
51 SHALL BE CONSTRUED TO REQUIRE A PERSON WHO EMPLOYS OR
52 CONTRACTS WITH A LICENSED CLINICAL SOCIAL WORKER OR LICENSED
53 SOCIAL WORKER TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION."
54

55 line 2, after "(2)", insert "(a)";
56

1 after line 11, insert the following:

2

3 "(b) SUBJECT TO THE REQUIREMENTS OF PARAGRAPH (a) OF THIS
4 SUBSECTION (2), NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
5 RESTRICT THE DISCOVERY OF INFORMATION OR DOCUMENTS THAT ARE
6 OTHERWISE DISCOVERABLE UNDER THE COLORADO RULES OF CIVIL
7 PROCEDURE IN CONNECTION WITH A CIVIL ACTION AGAINST A LICENSED
8 CLINICAL SOCIAL WORKER OR LICENSED SOCIAL WORKER.";

9

10 after line 18, insert the following:

11

12 "(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.";

13

14 line 22, strike "**rules.**" and substitute "**rules - repeal.**".

15

16 Page 5, before line 15, insert the following:

17

18 "(c) THE BOARD SHALL ESTABLISH THAT A LICENSED MARRIAGE
19 AND FAMILY THERAPIST IS DEEMED TO SATISFY THE CONTINUING
20 COMPETENCY REQUIREMENTS OF THIS SECTION IF THE LICENSED MARRIAGE
21 AND FAMILY THERAPIST MEETS THE CONTINUED PROFESSIONAL
22 COMPETENCE REQUIREMENTS OF ONE OF THE FOLLOWING ENTITIES:

23

24 (I) A STATE DEPARTMENT, INCLUDING CONTINUED PROFESSIONAL
25 COMPETENCE REQUIREMENTS IMPOSED THROUGH A CONTRACTUAL
26 ARRANGEMENT WITH A PROVIDER;

27

28 (II) AN ACCREDITING BODY RECOGNIZED BY THE BOARD; OR

29

30 (III) AN ENTITY APPROVED BY THE BOARD.";

31

32 line 15, strike "(c)" and substitute "(d) (I)";

33

34 after line 18, insert the following:

35

36 "(II) THE REQUIREMENTS OF THIS SECTION APPLY TO INDIVIDUAL
37 MARRIAGE AND FAMILY THERAPISTS WHO ARE LICENSED PURSUANT TO
38 THIS PART 5, AND NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
39 REQUIRE A PERSON WHO EMPLOYS OR CONTRACTS WITH A LICENSED
40 MARRIAGE AND FAMILY THERAPIST TO COMPLY WITH THE REQUIREMENTS
41 OF THIS SECTION.";

42

43 line 19, after "(2)", insert "(a)";

44

45 after line 27, insert the following:

46

47 "(b) SUBJECT TO THE REQUIREMENTS OF PARAGRAPH (a) OF THIS
48 SUBSECTION (2), NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
49 RESTRICT THE DISCOVERY OF INFORMATION OR DOCUMENTS THAT ARE
50 OTHERWISE DISCOVERABLE UNDER THE COLORADO RULES OF CIVIL
51 PROCEDURE IN CONNECTION WITH A CIVIL ACTION AGAINST A LICENSED
52 MARRIAGE AND FAMILY THERAPIST.".

53

54 Page 6, after line 6, insert the following:

55

56 "(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.";

1 line 10, strike "**rules.**" and substitute "**rules - repeal.**".

2

3 Page 7, before line 2, insert the following:

4

5 "(c) THE BOARD SHALL ESTABLISH THAT A LICENSED
6 PROFESSIONAL COUNSELOR IS DEEMED TO SATISFY THE CONTINUING
7 COMPETENCY REQUIREMENTS OF THIS SECTION IF THE LICENSED
8 PROFESSIONAL COUNSELOR MEETS THE CONTINUED PROFESSIONAL
9 COMPETENCE REQUIREMENTS OF ONE OF THE FOLLOWING ENTITIES:

10

11 (I) A STATE DEPARTMENT, INCLUDING CONTINUED PROFESSIONAL
12 COMPETENCE REQUIREMENTS IMPOSED THROUGH A CONTRACTUAL
13 ARRANGEMENT WITH A PROVIDER;

14

15 (II) AN ACCREDITING BODY RECOGNIZED BY THE BOARD; OR

16

17 (III) AN ENTITY APPROVED BY THE BOARD.";

18

19 line 2, strike "(c)" and substitute "(d) (I)";

20

21 after line 5, insert the following:

22

23 "(II) THE REQUIREMENTS OF THIS SECTION APPLY TO INDIVIDUAL
24 PROFESSIONAL COUNSELORS WHO ARE LICENSED PURSUANT TO THIS PART
25 6, AND NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE A
26 PERSON WHO EMPLOYS OR CONTRACTS WITH A LICENSED PROFESSIONAL
27 COUNSELOR TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION.";

28

29 line 6, after "(2)", insert "(a)";

30

31 after line 14, insert the following:

32

33 "(b) SUBJECT TO THE REQUIREMENTS OF PARAGRAPH (a) OF THIS
34 SUBSECTION (2), NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
35 RESTRICT THE DISCOVERY OF INFORMATION OR DOCUMENTS THAT ARE
36 OTHERWISE DISCOVERABLE UNDER THE COLORADO RULES OF CIVIL
37 PROCEDURE IN CONNECTION WITH A CIVIL ACTION AGAINST A LICENSED
38 PROFESSIONAL COUNSELOR.";

39

40 after line 20, insert the following:

41

42 "(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.";

43

44 line 25, strike "**rules.**" and substitute "**rules - repeal.**".

45

46 Page 8, before line 18, insert the following:

47 "(c) THE DIRECTOR SHALL ESTABLISH THAT A LICENSED OR LEVEL
48 II OR LEVEL III CERTIFIED ADDICTION COUNSELOR IS DEEMED TO SATISFY
49 THE CONTINUING COMPETENCY REQUIREMENTS OF THIS SECTION IF THE
50 LICENSED OR LEVEL II OR LEVEL III CERTIFIED ADDICTION COUNSELOR
51 MEETS THE CONTINUED PROFESSIONAL COMPETENCE REQUIREMENTS OF
52 ONE OF THE FOLLOWING ENTITIES:

53

54 (I) A STATE DEPARTMENT, INCLUDING CONTINUED PROFESSIONAL
55 COMPETENCE REQUIREMENTS IMPOSED THROUGH A CONTRACTUAL
56 ARRANGEMENT WITH A PROVIDER;

1 (II) AN ACCREDITING BODY RECOGNIZED BY THE DIRECTOR; OR

2

3 (III) AN ENTITY APPROVED BY THE DIRECTOR.";

4

5 line 18, strike "(c)" and substitute "(d) (I)";

6

7 after line 22, insert the following:

8

9 "(II) THE REQUIREMENTS OF THIS SECTION APPLY TO INDIVIDUAL
10 ADDICTION COUNSELORS WHO ARE LICENSED OR LEVEL II OR LEVEL III
11 CERTIFIED PURSUANT TO THIS PART 8, AND NOTHING IN THIS SECTION
12 SHALL BE CONSTRUED TO REQUIRE A PERSON WHO EMPLOYS OR
13 CONTRACTS WITH A LICENSED OR LEVEL II OR LEVEL III CERTIFIED
14 ADDICTION COUNSELOR TO COMPLY WITH THE REQUIREMENTS OF THIS
15 SECTION.";

16

17 line 23, after "(2)", insert "(a)".

18

19 Page 9, after line 4, insert the following:

20

21 "(b) SUBJECT TO THE REQUIREMENTS OF PARAGRAPH (a) OF THIS
22 SUBSECTION (2), NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
23 RESTRICT THE DISCOVERY OF INFORMATION OR DOCUMENTS THAT ARE
24 OTHERWISE DISCOVERABLE UNDER THE COLORADO RULES OF CIVIL
25 PROCEDURE IN CONNECTION WITH A CIVIL ACTION AGAINST A LICENSED OR
26 CERTIFIED ADDICTION COUNSELOR.";

27

28 after line 11, insert the following:

29

30 "(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.".

31

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

34

35 **HB09-1130** by Representative(s) Gardner B.; also Senator(s) Isgar--
36 Concerning the collection of sales taxes by a county
37 government.

38

39 Amendment No. 1, Local Government Report, dated January 29, 2009,
40 and placed in member's bill file; Report also printed in House Journal,
41 January 30, page 187-189.

42

43 Amendment No. 2, Appropriations Report, dated March 13, 2009, and
44 placed in member's bill file; Report also printed in House Journal,
45 March 13, page 721.

46

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

49

50 **HB09-1133** by Representative(s) Sonnenberg, Marostica, Todd; also
51 Senator(s) Kester--Concerning setting the amounts of
52 license plate fees.

53

54 Amendment No. 1, Transportation & Energy Report, dated
55 February 5, 2009, and placed in member's bill file; Report also printed in
56 House Journal, February 6, page 284.

1 Amendment No. 2, Appropriations Report, dated March 13, 2009, and
2 placed in member's bill file; Report also printed in House Journal,
3 March 13, page 721.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB09-1137** by Representative(s) Judd; also Senator(s) Newell--
9 Concerning intercepts, and, in connection therewith,
10 intercepting gambling winnings to pay outstanding
11 criminal court obligations, restitution, and delinquent taxes
12 and requiring the department of revenue to provide
13 specified information to state agencies in conjunction with
14 intercepts of tax refunds.

15
16 Rereferred to the Committee on Judiciary.

17
18 **HB09-1160** by Representative(s) Miklosi; also Senator(s) Bacon--
19 Concerning the ability of a qualified elector to submit
20 voter information via the secure web site of the secretary
21 of state.

22
23 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
24 February 16, 2009, and placed in member's bill file; Report also printed
25 in House Journal, February 16, pages 358-361.

26
27 Amendment No. 2, Appropriations Report, dated March 13, 2009, and
28 placed in member's bill file; Report also printed in House Journal,
29 March 13, pages 724-725.

30
31 As amended, ordered engrossed and placed on the Calendar for Third
32 Reading and Final Passage.

33
34 **HB09-1175** by Representative(s) Curry; also Senator(s) Williams--
35 Concerning the regulation of naturopathic doctors.

36
37 Amendment No. 1, Health & Human Services Report, dated
38 February 12, 2009, and placed in member's bill file; Report also printed
39 in House Journal, February 13, pages 333-335.

40
41 Amendment No. 2, Appropriations Report, dated March 13, 2009, and
42 placed in member's bill file; Report also printed in House Journal,
43 March 13, page 725.

44
45 Amendment No. 3, by Representative(s) Curry.

46
47 Amend the Health and Human Services Committee Report, dated
48 February 12, 2009, page 4, strike lines 11 and 12 and substitute the
49 following:

50
51 "Page 27, line 16, after "ARTICLE", insert "AND WHO EITHER IS ELIGIBLE
52 TO REGISTER PURSUANT TO SECTION 12-37.7-105 OR WHO HOLDS HIMSELF
53 OR HERSELF OUT TO THE PUBLIC AS A NATUROPATHIC DOCTOR";";

54
55 strike line 16 and substitute the following:

56

1 "12-37.7-105 UNLESS SUCH PERSON:

2

3 (a) HOLDS HIMSELF OR HERSELF OUT TO THE PUBLIC AS A
4 NATUROPATHIC DOCTOR; OR

5

6 (b) PRACTICES OR OFFERS OR ATTEMPTS TO PRACTICE
7 NATUROPATHIC MEDICINE WITHOUT AN ACTIVE REGISTRATION PURSUANT
8 TO THIS ARTICLE."."

9

10 Amendment No. 4, by Representative(s) Curry.

11

12 Amend printed bill, page 8, line 2, strike "AND";

13

14 line 5, strike "12-37.7-112." and substitute "12-37.7-112; AND";

15

16 after line 5, insert the following:

17

18 "(f) IN FORCE PROFESSIONAL LIABILITY INSURANCE AS REQUIRED
19 BY THE DIRECTOR PURSUANT TO SECTION 12-37.7-108 (2). PROFESSIONAL
20 LIABILITY INSURANCE REQUIRED BY THIS PARAGRAPH (f) SHALL COVER
21 ALL ACTS WITHIN THE SCOPE OF NATUROPATHIC MEDICINE."."

22

23 Page 13, after line 14, insert the following:

24

25 "(2) THE DIRECTOR SHALL REQUIRE NATUROPATHIC DOCTORS TO
26 CARRY LIABILITY INSURANCE IN AN AMOUNT OF NOT MORE THAN THREE
27 HUNDRED THOUSAND DOLLARS PER CLAIM AND NOT LESS THAN ONE
28 HUNDRED THOUSAND DOLLARS PER CLAIM."."

29

30 Page 17, strike line 23 and substitute the following:

31

32 "(b) (I) THE";

33

34 line 24, strike "THIS ARTICLE, THE".

35

36 Page 28, line 18, strike "4," and substitute "5,".

37

38 Amendment No. 5, by Representative(s) Curry.

39

40 Amend printed bill, page 5, line 14, strike "AND";

41

42 strike line 16 and substitute the following:

43

44 "INSURANCE;

45

46 (d) TRADITIONAL NATUROPATHS, TO OBTAIN INPUT REGARDING
47 ALTERNATIVE CARE PRACTICES; AND

48

49 (e) CONSUMERS, TO OBTAIN INPUT REGARDING CONSUMER
50 PROTECTIONS AND CHOICES."."

51

52 Page 7, line 22, after "NATUROPATHIC", insert "MEDICAL".

53

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

56 (For change in action, see Amendments to Report, page 811.)

1 **HB09-1205** by Representative(s) Looper and Balmer, Apuan,
2 Baumgardner, Casso, Kerr J., Labuda, Lambert, McNulty,
3 Murray, Priola, Soper, Swalm, Todd, Vaad; also
4 Senator(s) Williams, Bacon, Boyd, Gibbs, Schultheis--
5 Concerning voting by members of the armed forces
6 serving outside the United States.

7
8 Laid over until March 23, retaining place on Calendar.

9
10 **HB09-1222** by Representative(s) Ferrandino, Pommer, Marostica; also
11 Senator(s) Keller, Tapia, White--Concerning the
12 administration of appropriated moneys.

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

16
17 **HB09-1244** by Representative(s) Casso, Looper, McNulty, Primavera,
18 Vaad; also Senator(s) Kopp--Concerning the exemption of
19 property carriers by motor vehicle from regulation by the
20 public utilities commission.

21
22 Amendment No. 1, Appropriations Report, dated March 13, 2009, and
23 placed in member's bill file; Report also printed in House Journal,
24 March 13, page 726.

25
26 Amendment No. 2, by Representative(s) Casso.

27
28 Amend printed bill, page 2, after line 5, insert the following:

29
30 "SECTION 2. 42-4-235 (4) (a), Colorado Revised Statutes, is
31 amended to read:

32
33 **42-4-235. Minimum standards for commercial vehicles -**
34 **repeal.** (4) (a) The department shall adopt rules ~~and regulations~~ for the
35 operation of all commercial vehicles. In adopting such rules, ~~and~~
36 ~~regulations~~; the department shall use as general guidelines the standards
37 contained in the current rules and regulations of the United States
38 department of transportation relating to safety regulations, qualifications
39 of drivers, driving of motor vehicles, parts and accessories, notification
40 and reporting of accidents, hours of service of drivers, inspection, repair,
41 and maintenance of motor vehicles, FINANCIAL RESPONSIBILITY,
42 INSURANCE, and employee safety and health standards. On and after
43 September 1, 2003, all commercial vehicle safety inspections conducted
44 to determine compliance with rules ~~and regulations~~ promulgated by the
45 department pursuant to this paragraph (a) shall be performed by an
46 enforcement official, as defined in section 42-20-103 (2), who has been
47 certified by the commercial vehicle safety alliance, or any successor
48 organization thereto, to perform level I inspections."

49
50 Renumber succeeding section accordingly.

51
52 As amended, ordered engrossed and placed on the Calendar for Third
53 Reading and Final Passage.

54
55 **HB09-1309** by Representative(s) Pace; also Senator(s) Tochtrop--
56 Concerning inspection of boilers.

- 1 Amendment No. 1, Business Affairs & Labor Report, dated
2 March 17, 2009, and placed in member's bill file; Report also printed in
3 House Journal, March 18, page 778.
4
- 5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.
7
- 8 **HB09-1301** by Representative(s) Judd; also Senator(s) Sandoval--
9 Concerning moneys continuously appropriated from the
10 unclaimed property trust fund to the state treasurer for
11 payment of contract auditor services.
12
- 13 Amendment No. 1, Finance Report, dated March 17, 2009, and placed in
14 member's bill file; Report also printed in House Journal, March 18, pages
15 769-770.
16
- 17 As amended, ordered engrossed and placed on the Calendar for Third
18 Reading and Final Passage.
19
- 20 **HB09-1230** by Representative(s) Summers; also Senator(s) Tapia--
21 Concerning the registration of motor vehicles.
22
- 23 Amendment No. 1, Transportation & Energy Report, dated
24 March 17, 2009, and placed in member's bill file; Report also printed in
25 House Journal, March 18, pages 779-780.
26
- 27 Amendment No. 2, by Representative(s) Summers.
28
- 29 Amend the Transportation & Energy Committee Report, dated March 17,
30 2009, page 1, line 7, strike "**harmless - rules.**" and substitute
31 "**harmless.**".
32
- 33 Page 2, line 7, after "THE", insert "HOLD HARMLESS";
34
- 35 strike lines 8 through 11 and substitute "39-26-105.4 SHALL APPLY TO
36 ANY".
37
- 38 Page 3, line 23, strike "registered" and substitute "purchased".
39
- 40 As amended, ordered engrossed and placed on the Calendar for Third
41 Reading and Final Passage.
42
- 43 **SB09-066** by Senator(s) Tochtrop, Isgar, Schultheis; also
44 Representative(s) Primavera--Concerning the
45 consolidation of public employee retirement plans under
46 the public employees' retirement association, and making
47 an appropriation in connection therewith.
48
- 49 Ordered revised and placed on the Calendar for Third Reading and Final
50 Passage.
51
- 52
- 53 **SB09-147** by Senator(s) Hodge, Brophy; also Representative(s)
54 Priola, Gardner C.--Concerning the authorization of
55 substitute water supply plans for the replacement of out-
56 of-priority depletions caused by historic diversions from

1 wells included in decreed augmentation plans entered by
2 the water court for water division 1.

3
4 Ordered revised and placed on the Calendar for Third Reading and Final
5 Passage.

6
7 **SB09-225** by Senator(s) Boyd; also Representative(s) McGihon--
8 Concerning the definition of contraceptive.

9
10 Amendment No. 1, Health & Human Services Report, dated
11 March 16, 2009, and placed in member's bill file; Report also printed in
12 House Journal, March 17, page 763.

13
14 As amended, ordered revised and placed on the Calendar for Third
15 Reading and Final Passage.

16
17
18 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

19
20 Representative(s) Curry, Kefalas, and McGihon moved to amend the
21 Report of the Committee of the Whole to reverse the action taken by the
22 Committee in adopting Amendment No. 5 (printed in House Journal page
23 808, lines 38-52) by Representative Curry, to HB09-1175, to show that
24 said amendment lost, and that **HB09-1175**, as amended, passed.

25
26 The amendment was declared **passed** by the following roll call vote:

27
28

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

46
47

48 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

49
50 Passed Second Reading: **HB09-1015 amended, 1063, 1086 amended,**
51 **1130 amended, 1133 amended, 1160 amended, 1175 amended, 1222,**
52 **1244 amended, 1309 amended, 1301 amended, 1230 amended,**
53 **SB09-066, 147, 225 amended.**

54
55 Laid over until date indicated retaining place on Calendar: **HB09-1284,**
56 **1176 amended, 1205--March 23, 2009.**

1 Rereferred to Committee indicated: **HB09-1137**--Judiciary.

2
3 The Chairman moved the adoption of the Committee of the Whole
4 Report. As shown by the following roll call vote, a majority of those
5 elected to the House voted in the affirmative, and the Report was
6 **adopted**.

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

25
26
27
28
29 On motion of Representative Weissmann, **SB09-139** was made Special
30 Orders on Friday, March 20, 2009, at 1:07 p.m.

31
32
33 The hour of 1:07 p.m, having arrived, on motion of Representative May,
34 the House resolved itself into Committee of the Whole for consideration
35 of Special Orders and he was called to the Chair to act as Chairman.

36 37 38 **SPECIAL ORDERS--SECOND READING OF BILL(S)**

39
40 The Committee of the Whole having risen, the Chairman reported the title
41 of the following bill has been read (reading at length had been dispensed
42 with by unanimous consent), the bill considered and action taken thereon
43 as follows:

44
45 (Amendments to the committee amendment are to the printed committee
46 report which was printed and placed in the members' bill file.)

47
48 **SB09-139** by Senator(s) Shaffer B.; also Representative(s) McGihon-
49 -Concerning the adoption of recent changes to the
50 "Uniform Principal and Income Act" proposed by the
51 national conference of commissioners on uniform state
52 laws.

53
54 Ordered revised and placed on the Calendar for Third Reading and Final
55 Passage.

56

1 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

2
3 Passed Second Reading: **SB09-139**.

4
5 The Chairman moved the adoption of the Committee of the Whole
6 Report. As shown by the following roll call vote, a majority of those
7 elected to the House voted in the affirmative, and the Report was
8 **adopted**.

9

	YES	61	NO	1	EXCUSED	3	ABSENT	0
11	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
12	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
13	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
14	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
15	Benefield	Y	Kerr A.	Y	Merrifield	N	Solano	Y
16	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
17	Casso	Y	King S.	Y	Miklosi	E	Soper	Y
18	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
19	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
20	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
21	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
22	Frangas	Y	Looper	Y	Pommer	Y	Todd	E
23	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
24	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
25	Gardner C.	Y	May	Y	Rice	E	Waller	Y
26	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
27							Speaker	Y

28
29
30

31 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

32
33 **APPROPRIATIONS**

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

36
37 **HB09-1120** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40
41 Amend printed bill, page 4, strike lines 2 through 27.

42
43 Strike pages 5 through 7.

44
45 Page 8, strike lines 1 through 12.

46
47 Renumber succeeding sections accordingly.

48
49 Page 1, line 102, strike "SERVANTS, AND MAKING AN APPROPRIATION IN
50 CONNECTION THEREWITH." and substitute "SERVANTS."

51
52
53
54 **HB09-1196** be amended as follows, and as so amended, be referred to
55 the Committee of the Whole with favorable
56 recommendation:

1 Amend printed bill, page 10, after line 15, insert the following:

2

3 **"SECTION 3. Appropriation.** In addition to any other
4 appropriation, there is hereby appropriated, out of any moneys in the
5 nursing home penalty cash fund created in section 25.5-6-205, Colorado
6 Revised Statutes, not otherwise appropriated, to the department of health
7 care policy and financing, for the fiscal year beginning July 1, 2009, the
8 sum of two hundred thousand dollars (\$200,000) cash funds, or so much
9 thereof as may be necessary, for the implementation of this act."

10

11 Renumber succeeding section accordingly.

12

13 Page 1, line 103, strike "CARE." and substitute "CARE, AND MAKING AN
14 APPROPRIATION THEREFOR."

15

16

17

18 **HB09-1213** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:

21

22 Amend the Local Government Committee report, dated February 12,
23 2009, page 1, line 3, strike ""THE FUND";" and substitute ""THE
24 COLORADO AFFORDABLE HOUSING CONSTRUCTION GRANTS AND LOAN
25 PROGRAM";";

26

27 strike line 6 and substitute the following:

28

29 "Page 3, line 4, after "FUND." add "THE MONEYS IN THE FUND ARE HEREBY
30 CONTINUOUSLY APPROPRIATED TO THE DIVISION FOR THE PURPOSES OF
31 THIS SECTION.";

32

33 line 5, after "(2)", insert "(a)";".

34

35

36

37 **HB09-1243** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40

41 Amend printed bill, page 33, after line 14, insert the following:

42 **"SECTION 8. Appropriation.** In addition to any other
43 appropriation, there is hereby appropriated, out of any moneys in the
44 student re-engagement grant program fund created in section 22-14-109
45 (4) (a), Colorado Revised Statutes, not otherwise appropriated, to the
46 department of education, assistance to public schools, grant programs,
47 distributions, and other assistance, professional development and
48 instructional support, for the fiscal year beginning July 1, 2009, the sum
49 of one hundred fifty-seven thousand seven hundred seventy-two dollars
50 (\$157,772) and 2.0 FTE, or so much thereof as may be necessary, for the
51 implementation of this act."

52

53 Renumber succeeding section accordingly.

54

55 Page 1, line 102, strike "COLORADO." and substitute "COLORADO, AND
56 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

1 **HB09-1275** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill page 3, before line 6 insert the following:
6

7 **"SECTION 2. Appropriation.** In addition to any other
8 appropriation, there is hereby appropriated, out of any moneys in the
9 emergency medical services account of the highway users tax fund
10 created in section 25-3.5-603, Colorado Revised Statutes, not otherwise
11 appropriated, to the department of public health and environment, for
12 allocation to the health facilities and emergency medical services
13 division, for the fiscal year beginning July 1, 2009, the sum of eighteen
14 thousand nine hundred seventy-nine dollars (\$18,979) cash funds and 0.4
15 FTE, or so much thereof as may be necessary, for the implementation of
16 this act."
17

18 Renumber succeeding section accordingly.
19

20 Page 1, strike line 104 and substitute "**MEDICAL TECHNICIAN, AND**
21 **MAKING AN APPROPRIATION THEREFOR.**".
22
23
24

25 **HB09-1291** be referred to the Committee of the Whole with favorable
26 recommendation.
27

28
29 **HB09-1293** be amended as follows, and as so amended, be referred to
30 the Committee of the Whole with favorable
31 recommendation:
32
33

34 Amend the Health and Human Services Committee Report, dated March
35 13, 2009, page 1, line 10, strike ""TWELVE";" and substitute
36 ""THIRTEEN";";
37

38 after line 10 of the committee report, insert the following:
39

40 "line 10, strike "FOUR" and substitute "FIVE";".
41

42 Page 2 of the committee report, strike lines 8 through 11.
43

44 Page 6, of the committee report, line 22, strike "Statutes." and substitute
45 the following:
46

47 "Statutes.
48

49 **SECTION 11. Appropriation - adjustments to the 2009 long**
50 **bill.** (1) For the implementation of this act, appropriations made in the
51 annual general appropriation act for the fiscal year beginning July 1,
52 2009, to the department of health care policy and financing shall be
53 adjusted as follows:
54

55 (a) The appropriation to the executive director's division is
56 increased by six million nine hundred fifty-eight thousand three hundred

1 eighteen dollars (\$6,958,318) and 12.0 FTE. Of said sum, two million
2 four hundred twenty-two thousand seven hundred twenty-five dollars
3 (\$2,422,725) shall be from the hospital provider fee cash fund created in
4 section 25.5-4-402.3 (4), Colorado Revised Statutes, one hundred forty-
5 six thousand one hundred seventy-three dollars (\$146,173) shall be cash
6 funds from local certified funds, and four million three hundred eighty-
7 nine thousand four hundred twenty dollars (\$4,389,420) shall be from
8 federal funds.

9
10 (b) The appropriation to the medical services premiums division
11 is increased by three hundred twenty-seven million one hundred seventy-
12 one thousand four hundred sixty dollars (\$327,171,460). Of said sum,
13 one hundred sixty-three million five hundred eighty-five thousand seven
14 hundred thirty dollars (\$163,585,730) shall be from the hospital provider
15 fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised
16 Statutes, and one hundred sixty-three million five hundred eighty-five
17 thousand seven hundred thirty dollars (\$163,585,730) shall be from
18 federal funds.

19
20 (c) The appropriation to the medicaid mental health community
21 programs division is increased by three million three hundred forty-five
22 thousand one hundred ten dollars (\$3,345,110). Of said sum, one million
23 six hundred seventy-two thousand five hundred fifty-five dollars
24 (\$1,672,555) shall be from the hospital provider fee cash fund created in
25 section 25.5-4-402.3 (4), Colorado Revised Statutes and one million six
26 hundred seventy-two thousand five hundred fifty-five dollars
27 (\$1,672,555) shall be from federal funds.

28
29 (d) The appropriation to the indigent care program for safety net
30 provider payments is increased by three hundred twenty-two million two
31 hundred thousand dollars (\$322,200,000). Of said sum, one hundred
32 sixty-one million one hundred thousand (\$161,100,000) shall be from the
33 hospital provider fee cash fund created in section 25.5-4-402.3 (4),
34 Colorado Revised Statutes and one hundred sixty-one million one
35 hundred thousand (\$161,100,000) shall be federal funds.

36
37 (e) The appropriation to the indigent care program for safety net
38 provider payments is decreased by two hundred seventy million seven
39 thousand sixty-six dollars (\$270,007,066). Of said sum, one hundred
40 thirty-five million three thousand five hundred thirty-three dollars
41 (\$135,003,533) shall be from public certified funds representing
42 expenditures incurred by public hospitals and one hundred thirty-five
43 million three thousand five hundred thirty-three dollars (\$135,003,533)
44 shall be from federal funds.

45
46 (f) The appropriation to the indigent care program for the
47 children's basic health plan administration is increased by nine thousand
48 eight hundred dollars (\$9,800). Of said sum, three thousand four hundred
49 thirty dollars (\$3,430) shall be shall be from the hospital provider fee
50 cash fund created in section 25.5-4-402.3 (4), Colorado Revised Statutes,
51 and six thousand three hundred seventy dollars (\$6,370) shall be from
52 federal funds.

53
54 (g) The appropriation to the indigent care program for the
55 children's basic health plan premium costs is increased by twenty million
56 two hundred ninety-eight thousand six hundred forty-one dollars

1 (\$20,298,641). Of said sum, seven million sixty-six thousand three
2 hundred twelve dollars (\$7,066,312) shall be from the hospital provider
3 fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised
4 Statutes, one hundred nine thousand one hundred seventy-nine dollars
5 (\$109,179) shall be from the children's basic health plan trust fund
6 created in section 25.5-8-105 (1), Colorado Revised Statutes, and thirteen
7 million one hundred twenty-three thousand one hundred fifty dollars
8 (\$13,123,150) shall be from federal funds.

9
10 (h) The appropriation to the indigent care program for the
11 children's basic health plan dental costs is increased by one million
12 sixteen thousand eight hundred twenty dollars (\$1,016,820). Of said sum,
13 three hundred fifty-five thousand eight hundred eighty-seven dollars
14 (\$355,887) shall be from the hospital provider fee cash fund
15 created in section 25.5-4-402.3 (4), Colorado Revised Statutes, and six
16 hundred sixty thousand nine hundred thirty-three dollars (\$660,933) shall
17 be from federal funds.

18
19 (i) The appropriation to the department of human services
20 medicaid-funded programs, office of information technology services -
21 medicaid funding, Colorado benefits management system, is increased by
22 one hundred fifty-nine thousand three dollars (\$159,003). Of said sum,
23 seventy-nine thousand six hundred twelve dollars (\$79,612) shall be from
24 the hospital provider fee cash fund created in section 25.5-4-402.3 (4),
25 Colorado Revised Statutes, and seventy-nine thousand three hundred
26 ninety-one dollars (\$79,391) shall be from federal funds.

27
28 (2) For the implementation of this act, appropriations made in the
29 annual general appropriation act for the fiscal year beginning July 1,
30 2009, to the department of human services for allocation to the office of
31 information technology services, Colorado benefits management system
32 is increased by four hundred fifteen thousand ninety-seven dollars
33 (\$415,097). Of said amount, one hundred seventeen thousand sixty-five
34 dollars (\$117,065) shall be from the hospital provider fee cash fund
35 created in section 25.5-402.3 (4), Colorado Revised Statutes, one hundred
36 fifty-nine thousand three dollars (\$159,003) shall be reappropriated funds
37 transferred from the department of health care policy and financing, and
38 one hundred thirty-nine thousand and twenty-nine dollars (\$139,029)
39 shall be from federal funds.

40
41 **SECTION 12. Appropriation - adjustments to the 2009 long**
42 **bill.** (1) For the implementation of this act, appropriations made in the
43 annual general appropriation act for the fiscal year beginning July 1,
44 2009, to the department of health care policy and financing shall be
45 adjusted as follows:

46
47 (a) The appropriation to the executive director's division is
48 increased by five million one hundred fifty-seven thousand four hundred
49 fifty dollars (\$5,157,450) and 12.0 FTE. Of said sum, one million eight
50 hundred fifteen thousand seven hundred twenty-three dollars
51 (\$1,815,723) shall be from general fund and three million three hundred
52 forty-one thousand seven hundred twenty-seven dollars (\$3,341,727) shall
53 be from federal funds.

54
55 (b) The appropriation to the department of human services
56 medicaid-funded programs, office of information technology services -

1 medicaid funding, Colorado benefits management system is increased by
2 one hundred twenty-three thousand two hundred twenty-eight dollars
3 (\$123,228). Of said sum, sixty-one thousand six hundred fourteen dollars
4 (\$61,614) shall be general fund and sixty-one thousand six hundred
5 fourteen dollars (\$61,614) shall be from federal funds.
6

7 (2) For the implementation of this act, appropriations made in the
8 annual general appropriation act for the fiscal year beginning July 1,
9 2009, to the department of human services for allocation to the office of
10 information technology services, Colorado benefits management system
11 is increased by three hundred twenty-four thousand two hundred eighty-
12 two dollars (\$324,282). Of said amount, ninety-two thousand thirty-one
13 dollars (\$92,031) shall be from the general fund, one hundred twenty-
14 three thousand two hundred twenty-eight dollars (\$123,228) shall be
15 reappropriated funds transferred from the department of health care
16 policy and financing, and one hundred nine thousand and twenty-three
17 dollars (\$109,023) shall be from federal funds.
18

19 **SECTION 13. Effective date.** (1) Except as provided in
20 subsection (2) and (3) of this section, this act shall take effect July 1,
21 2008.
22

23 (2) Section 11 of this act shall take effect on April 1, 2009, but
24 only if, by March 31, 2009, the executive director of the department of
25 health care policy and financing has submitted written notice to the
26 revisor of statutes that the federal government has approved the waiver
27 establishing the hospital provider fee created in section 25.5-4-402.3 (3),
28 Colorado Revised Statutes.
29

30 (3) Section 12 of this act shall take effect on April 1, 2009, but
31 only if on or before March 31, 2009, the executive director of the
32 department of health care policy and financing has not submitted written
33 notice to the revisor of statutes that the federal government has approved
34 the waiver establishing the provider fees created in section 25.5-4-402.3
35 (3), Colorado Revised Statutes."."
36

37 Page 6, line 28, strike "AND";
38

39 line 29, strike "ACT." and substitute "ACT, AND MAKING AN
40 APPROPRIATION IN CONNECTION THEREWITH."."
41

42
43
44 **SB09-132** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:
47

48 Amend engrossed bill, page 5, line 9, strike "269.4" and substitute "(269.4
49 FTE)".
50

51 Page 11, line 11, strike "102,141,151" and substitute "102,154,461".
52
53
54
55

1 **EDUCATION**

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

4
5 **SB09-029** be postponed indefinitely.

6
7
8 **SB09-057** be postponed indefinitely.

9
10
11 **SB09-131** be amended as follows, and as so amended, be referred to
12 the Committee of the Whole with favorable
13 recommendation:

14
15 Amend reengrossed bill, page 3, line 9, before "EACH", insert "(2) (a)"
16 and, strike "SHALL" and substitute "IS ENCOURAGED TO";

17
18 line 13, strike "SHALL" and substitute "MAY";

19
20 line 16, strike "SHALL" and substitute "IS ENCOURAGED TO";

21
22 line 27, strike "THE REQUIREMENT THAT" and substitute "BY
23 ENCOURAGING" and, after "DISTRICT", insert "TO".

24
25 Page 4, line 1, strike "SECTION" and substitute "SECTION, THE GENERAL
26 ASSEMBLY";

27
28 line 2, strike "INTENDED" and substitute "INTENDING";

29
30 strike lines 13 through 17.

31
32 Renumber succeeding subsection accordingly.

33
34 Page 4, line 24, strike "SHALL" and substitute "IS ENCOURAGED TO".

35
36
37
38 **SB09-237** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:

41
42 Amend reengrossed bill, page 2, strike lines 14 through 16 and substitute
43 the following:

44
45 "(f) CARRYING, USING, ACTIVELY DISPLAYING, OR THREATENING
46 WITH THE USE OF A FIREARM FACSIMILE THAT COULD REASONABLY BE
47 MISTAKEN FOR AN ACTUAL FIREARM IN A SCHOOL BUILDING OR IN OR ON
48 SCHOOL PROPERTY. EACH SCHOOL DISTRICT SHALL DEVELOP A POLICY
49 THAT SHALL AUTHORIZE A STUDENT TO CARRY, BRING, USE, OR POSSESS A
50 FIREARM FACSIMILE ON SCHOOL PROPERTY FOR EITHER A
51 SCHOOL-RELATED OR A NON-SCHOOL-RELATED ACTIVITY. SUCH POLICY
52 SHALL ALSO CONSIDER STUDENT VIOLATIONS UNDER THIS SECTION ON A
53 CASE-BY-CASE BASIS USING THE INDIVIDUAL FACTS AND CIRCUMSTANCES
54 TO DETERMINE WHETHER SUSPENSION, EXPULSION, OR ANY OTHER
55 DISCIPLINARY ACTION, IF ANY, IS NECESSARY.";

56

1 strike lines 17 through 27.

2

3 Page 3, strike lines 1 through 6.

4

5 Renumber succeeding section accordingly.

6

7

8

9

10 **HEALTH & HUMAN SERVICES**

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

13

14 **HB09-1028** be amended as follows, and as so amended, be referred to
15 the Committee on Appropriations with favorable
16 recommendation:

17

18 Strike the Health and Human Services Committee Report, dated February
19 5, 2009, and substitute the following:

20

21 "Amend printed bill, strike everything below the enacting clause and
22 substitute the following:

23

24 **"SECTION 1. Legislative declaration.** THE GENERAL ASSEMBLY
25 HEREBY FINDS AND DECLARES THAT COLORADO HAS LIMITED ECONOMIC
26 RESOURCES AVAILABLE TO MEET THE SIGNIFICANT NEED FOR MEDICAL
27 SERVICES THAT EXISTS WITHIN THE STATE. ACCORDINGLY, THE STATE
28 SHOULD BE ACCOUNTABLE FOR THE USE OF THESE LIMITED RESOURCES
29 AND MEDICAL SERVICES FUNDED BY THE STATE SHOULD BE EFFECTIVE IN
30 MEETING THE NEEDS OF THE CLIENTS RECEIVING MEDICAL SERVICES. BY
31 CREATING A PROCESS BY WHICH MEDICALLY INDIGENT PERSONS RECEIVING
32 CARE UNDER THE COLORADO INDIGENT CARE PROGRAM MAY RECEIVE
33 ADDITIONAL ASSISTANCE IN RESOLVING GRIEVANCES RELATING TO THE
34 NEED FOR, TYPE, OR QUALITY OF CARE PROVIDED, THOSE CLIENT
35 GRIEVANCES MAY BE RESOLVED IN A MORE TIMELY MANNER AND WITH
36 BETTER OUTCOMES TO THE CLIENT.

37

38 **SECTION 2.** 25.5-3-107, Colorado Revised Statutes, is amended
39 to read:

40

41 **25.5-3-107. Report concerning the program.** The executive
42 director shall prepare an annual report concerning the status of the
43 medically indigent program to be submitted to the health and human
44 services committees of the senate and the house of representatives, or any
45 successor committees, no later than February 1 of each year. The report
46 shall be prepared following consultation with providers in the program,
47 state department personnel, and other agencies, organizations, or
48 individuals as the executive director deems appropriate in order to obtain
49 comprehensive and objective information about the program. THE
50 REPORT SHALL ALSO INCLUDE INFORMATION CONCERNING THE
51 IMPLEMENTATION AND EFFECTIVENESS OF THE GRIEVANCE PROCESS
52 ESTABLISHED BY THE STATE DEPARTMENT PURSUANT TO SECTION
53 25.5-3-108 (17) TO RESOLVE GRIEVANCES FROM MEDICALLY INDIGENT
54 PERSONS CONCERNING THE NEED FOR, TYPE, AND QUALITY OF MEDICAL
55 CARE PROVIDED UNDER THE PROGRAM.

56

1 **SECTION 3.** 25.5-3-108, Colorado Revised Statutes, is amended
2 BY THE ADDITION OF A NEW SUBSECTION to read:

3
4 **25.5-3-108. Responsibility of the department of health care**
5 **policy and financing - provider reimbursement.** (17) (a) THE STATE
6 DEPARTMENT SHALL ESTABLISH PROCEDURES TO RESOLVE GRIEVANCES
7 FROM MEDICALLY INDIGENT PERSONS WHO ARE ELIGIBLE TO RECEIVE
8 MEDICAL SERVICES UNDER THE PROGRAM CONCERNING THE NEED FOR,
9 TYPE, OR QUALITY OF THE MEDICAL CARE PROVIDED UNDER THE PROGRAM.
10 THE STATE DEPARTMENT IS ENCOURAGED TO COLLABORATE WITH
11 PROGRAM CLIENTS AND ADVOCATES, AS WELL AS OTHER STAKEHOLDERS
12 INTERESTED IN THE PROGRAM, IN THE DEVELOPMENT AND
13 IMPLEMENTATION OF THE GRIEVANCE PROCESS.

14
15 (b) THE PROCEDURES ESTABLISHED BY THE STATE DEPARTMENT
16 PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (17) SHALL IMPLEMENT
17 THE GRIEVANCE PROCESS AND SHALL:

18
19 (I) INFORM A PROVIDER WHO IS CONTRACTED TO PROVIDE
20 SERVICES UNDER THE PROGRAM OF THE STATE DEPARTMENT'S
21 EXPECTATIONS AND PROCEDURES CONCERNING PROVIDER ACTIONS IN
22 RESOLVING GRIEVANCES; AND

23
24 (II) INFORM MEDICALLY INDIGENT PERSONS RECEIVING SERVICES
25 UNDER THE PROGRAM CONCERNING THE AVAILABILITY OF THE GRIEVANCE
26 PROCESS AND THE METHOD FOR SUBMITTING GRIEVANCES.

27
28 (c) IF THE GENERAL ASSEMBLY IS NOT SATISFIED THAT THE
29 GRIEVANCE PROCESS IMPLEMENTED BY THE STATE DEPARTMENT
30 PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (17) IS MEETING THE
31 NEEDS OF MEDICALLY INDIGENT PERSONS WHO ARE ELIGIBLE TO RECEIVE
32 MEDICAL SERVICES UNDER THE PROGRAM, THE GENERAL ASSEMBLY MAY
33 REQUIRE THE STATE DEPARTMENT THROUGH SUBSEQUENT LEGISLATION TO
34 IMPLEMENT AN ALTERNATIVE PROCESS FOR RESOLVING GRIEVANCES,
35 WHICH PROCESS MAY INCLUDE THE CREATION OF A COLORADO INDIGENT
36 CARE PROGRAM ADVISORY BOARD.

37
38 **SECTION 4. Act subject to petition - effective date.** This act
39 shall take effect at 12:01 a.m. on the day following the expiration of the
40 ninety-day period after final adjournment of the general assembly that is
41 allowed for submitting a referendum petition pursuant to article V,
42 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
43 sine die is on May 6, 2009); except that, if a referendum petition is filed
44 against this act or an item, section, or part of this act within such period,
45 then the act, item, section, or part, if approved by the people, shall take
46 effect on the date of the official declaration of the vote thereon by
47 proclamation of the governor."."

48
49
50
51 **HB09-1306** be postponed indefinitely.

52
53
54 **SB09-012** be postponed indefinitely.
55
56

1 **JUDICIARY**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HB09-1305** be referred to the Committee of the Whole with favorable
6 recommendation.

7
8
9 **SB09-137** be referred to the Committee of the Whole with favorable
10 recommendation.

11
12
13 **SB09-143** be amended as follows, and as so amended, be referred to
14 the Committee of the Whole with favorable
15 recommendation:

16
17 Amend reengrossed bill, page 2, strike line 17 and substitute the
18 following:

19
20 "SECTION 2. The introductory portion to 42-4-110.5 (2) and
21 42-4-110.5 (2) (a) (II), (2) (c), (2) (g) (I), (2) (g) (II), (4) (a), (4) (b) (I),
22 (4.5), and (5),";

23
24 line 21, after "A", insert "COUNTY, CITY AND COUNTY, OR";

25
26 after line 27, insert the following:

27
28 "(a) (II) If the state, a county, a city and county, or a municipality
29 detects any alleged violation of a COUNTY, CITY AND COUNTY, OR
30 municipal traffic regulation or a traffic violation under state law through
31 the use of an automated vehicle identification system, then the state,
32 county, city and county, or municipality shall serve the penalty
33 assessment notice or summons and complaint for the alleged violation on
34 the defendant no later than ninety days after the alleged violation
35 occurred. If a penalty assessment notice or summons and complaint for
36 a violation detected using an automated vehicle identification system is
37 personally served, the state, a county, a city and county, or a municipality
38 may only charge the actual costs of service of process that shall be no
39 more than the amount usually charged for civil service of process.

40
41 (c) The state, a county, a city and county, or a municipality may
42 not report to the department any outstanding judgment or warrant for
43 purposes of section 42-2-107 (5) or 42-2-118 (3) based upon any
44 violation or alleged violation of a COUNTY, CITY AND COUNTY, OR
45 municipal traffic regulation or traffic violation under state law detected
46 through the use of an automated vehicle identification system."

47
48 Page 3, line 12, strike "LESS THAN FIFTY" and substitute "FIFTY MILES PER
49 HOUR OR LESS.";

50
51 strike line 13.

52
53 Page 4, strike lines 1 through 14 and substitute the following:

54
55 "(4) (a) If the state, a county, a city and county, or a municipality
56 detects a speeding violation of less than ten miles per hour over the

1 reasonable and prudent speed under a COUNTY, CITY AND COUNTY, OR
2 municipal traffic regulation or under state law through the use of an
3 automated vehicle identification system and the violation is the first
4 violation by such driver that the state, county, city and county, or
5 municipality has detected using an automated vehicle identification
6 system, then the state, county, city and county, or municipality shall mail
7 such driver a warning regarding the violation and the state, county, city
8 and county, or municipality may not impose any penalty or surcharge for
9 such first violation.

10

11 (b) (I) If the state, a county, a city and county, or a";

12

13 line 16, before "municipal", insert "COUNTY, CITY AND COUNTY, OR";

14

15 line 22, strike "dollars OR SO MUCH AS IS NECESSARY TO COVER THE" and
16 substitute "dollars.";

17

18 strike line 23 and substitute the following:

19

20 "(4.5) If the state, a county, a city and county, or a municipality
21 detects a violation under a COUNTY, CITY AND COUNTY, OR municipal
22 traffic regulation or under state law for disobedience to a traffic control
23 signal through the use of an automated vehicle identification system, the
24 maximum penalty that the state, a county, a city and county, or a
25 municipality may impose for such violation, including any surcharge, is
26 seventy-five dollars.

27

28 (5) If the state, a county, a city and county, or a municipality has
29 established an automated vehicle identification system for the
30 enforcement of COUNTY, CITY AND COUNTY, OR municipal traffic
31 regulations or state traffic laws, then no portion of any fine collected
32 through the use of such system may be paid to the manufacturer or vendor
33 of the automated vehicle identification system equipment. The
34 compensation paid by the state, county, city and county, or municipality
35 for such equipment shall be based upon the value of such equipment and
36 may not be based upon the number of traffic citations issued or the
37 revenue generated by such equipment.

38

39 **SECTION 3.** 42-4-110.5 (2), Colorado Revised Statutes, is
40 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

41

42 **42-4-110.5. Automated vehicle identification systems.** (2) A
43 municipality may adopt an ordinance authorizing the use of an automated
44 vehicle identification system to detect violations of traffic regulations
45 adopted by the municipality, or the state, a county, a city and county, or
46 a municipality may utilize an automated vehicle identification system to
47 detect traffic violations under state law, subject to the following
48 conditions and limitations:

49

50 (j) THE STATE, A COUNTY, A CITY AND COUNTY, OR A
51 MUNICIPALITY MAY NOT UTILIZE AN AUTOMATED VEHICLE IDENTIFICATION
52 SYSTEM TO DETECT A VIOLATION OF SECTION 42-4-239 OR ANY
53 COMPARABLE MUNICIPAL ORDINANCE."

54

55

56

1 **SB09-231** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 2, line 4, strike "six" and substitute "six
6 FOUR".
7

8
9
10

11 **LOCAL GOVERNMENT**

12 After consideration on the merits, the Committee recommends the
13 following:
14

15 **SB09-149** be postponed indefinitely.
16
17

18
19

20 **STATE, VETERANS, & MILITARY AFFAIRS**

21 After consideration on the merits, the Committee recommends the
22 following:
23

24 **HB09-1307** be referred favorably to the Committee on Appropriations.
25
26

27 **SB09-022** be amended as follows, and as so amended, be referred to
28 the Committee on Appropriations with favorable
29 recommendation:
30

31 Amend reengrossed bill, page 3, after line 27, insert the following:
32

33 "(E) SUBJECT TO THE LIMITS SPECIFIED IN SUB-SUBPARAGRAPHS
34 (B), (C), AND (D) OF THIS SUBPARAGRAPH (II), THE STATE BOARD OF LAND
35 COMMISSIONERS SHALL DETERMINE THE EXACT AMOUNT OF ROYALTIES
36 AND OTHER PAYMENTS FOR THE DEPLETION OR EXTRACTION OF A
37 NATURAL RESOURCE ON PUBLIC SCHOOL LANDS THAT IS TO BE CREDITED
38 TO THE STATE BOARD OF LAND COMMISSIONERS INVESTMENT AND
39 DEVELOPMENT FUND PURSUANT TO THIS SUBPARAGRAPH (II).".
40

41 Page 4, strike lines 1 through 19.
42

43 Renumber succeeding sections accordingly.
44

45 Page 5, strike lines 4 through 24.
46

47 Renumber succeeding sections accordingly.
48
49

50
51 **SB09-084** be referred to the Committee of the Whole with favorable
52 recommendation.
53
54
55
56

1 **TRANSPORTATION & ENERGY**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB09-051** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend reengrossed bill, page 4, line 10, strike "(3) and (4)," and
10 substitute "(2), (3), and (4),";

11
12 after line 12, insert the following:

13
14 "(2) "Certified contractor" means:

15
16 (a) A contractor, including but not limited to a general, heating,
17 air conditioning, or lighting contractor, certified by the program
18 administrator to market the program to potential qualified borrowers and
19 make clean energy improvements that may be financed by clean energy
20 loans; AND

21
22 (b) A MANUFACTURER OR DEALER OF MANUFACTURED HOMES, AS
23 DEFINED IN SECTION 24-32-3302, WHO IS CERTIFIED BY THE PROGRAM
24 ADMINISTRATOR TO MARKET THE PROGRAM TO POTENTIAL QUALIFIED
25 BORROWERS AND MAKE CLEAN ENERGY IMPROVEMENTS THAT MAY BE
26 FINANCED BY CLEAN ENERGY LOANS."

27
28 Page 6, strike lines 13 through 19 and substitute the following:

29
30 "(II) SUCH INVESTMENTS SHALL BE SUBJECT TO THE STATE
31 TREASURER'S DISCRETION AND SHALL COMPLY WITH THE QUALIFICATIONS
32 FOR STATE INVESTMENTS LISTED IN SECTION 24-36-113."

33
34 Page 11, line 5, strike "(1) (d),".

35
36 Page 12, strike lines 10 through 27.

37
38 Page 13, strike lines 1 through 7.

39
40 Page 14, line 23, after "(III)", insert "THE QUALIFYING RETAIL UTILITY
41 MAY ESTABLISH ONE OR MORE STANDARD OFFERS TO PURCHASE
42 RENEWABLE ENERGY CREDITS GENERATED FROM THE ELIGIBLE SOLAR
43 ELECTRIC GENERATION ON THE CUSTOMER'S PREMISES SO LONG AS THE
44 GENERATION MEETS THE SIZE AND LOCATION REQUIREMENTS SET FORTH
45 IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (e) AND SO LONG AS THE
46 GENERATION IS FIVE HUNDRED KILOWATTS OR LESS IN SIZE. WHEN
47 ESTABLISHING THE STANDARD OFFERS, THE PRICES FOR RENEWABLE
48 ENERGY CREDITS SHOULD BE SET AT LEVELS SUFFICIENT TO ENCOURAGE
49 INCREASED CUSTOMER-SITED SOLAR GENERATION IN THE SIZE RANGES
50 COVERED BY EACH STANDARD OFFER, BUT AT LEVELS THAT WILL STILL
51 ALLOW THE QUALIFYING RETAIL UTILITY TO COMPLY WITH THE ELECTRIC
52 RESOURCE STANDARDS SET FORTH IN PARAGRAPH (c) OF THIS SUBSECTION
53 (1) WITHOUT EXCEEDING THE RETAIL RATE IMPACT LIMIT IN PARAGRAPH
54 (g) OF THIS SUBSECTION (1)."

55
56 Page 15, line 1, strike "REBATE".

1 **SB09-075** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 5, line 2, strike "amended" and substitute
6 "amended, and the said 42-4-109.5 is further amended BY THE
7 ADDITION OF A NEW SUBSECTION,";

8
9 after line 21, insert the following:
10

11 "(5) THE COLORADO DEPARTMENT OF TRANSPORTATION MAY
12 REGULATE THE OPERATION OF A LOW-SPEED ELECTRIC VEHICLE ON A
13 STATE HIGHWAY LOCATED OUTSIDE OF A MUNICIPALITY. THE REGULATION
14 SHALL TAKE EFFECT WHEN THE COLORADO DEPARTMENT OF
15 TRANSPORTATION PLACES AN APPROPRIATE SIGN THAT PROVIDES
16 ADEQUATE NOTICE OF THE REGULATION."
17

18 Page 7, after line 4, insert the following:
19

20 "(6) THE COLORADO DEPARTMENT OF TRANSPORTATION MAY
21 REGULATE THE OPERATION OF A CLASS B LOW-SPEED ELECTRIC VEHICLE
22 ON A STATE HIGHWAY LOCATED OUTSIDE OF A MUNICIPALITY. THE
23 REGULATION SHALL TAKE EFFECT WHEN THE COLORADO DEPARTMENT OF
24 TRANSPORTATION PLACES AN APPROPRIATE SIGN THAT PROVIDES
25 ADEQUATE NOTICE OF THE REGULATION."
26

27

28

29

30 **SB09-078** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:
33

34 Amend reengrossed bill, page 3, line 2, strike "(1)," and substitute "(1) AS
35 A RESULT OF THE GRANTING OF AN APPLICATION FOR SUCH A TRANSFER OF
36 OWNERSHIP FILED ON OR AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH
37 (b),";

38

39 strike lines 9 through 19 and substitute the following:
40

41

42 "THE STATE HIGHWAY SYSTEM, UNLESS THE COMMISSION AND EACH
43 COUNTY OR MUNICIPALITY THAT WOULD BE AFFECTED BY THE
44 ABANDONMENT OF THE STATE HIGHWAY OR PORTION OF A STATE HIGHWAY
45 AGREE THAT THE STATE HIGHWAY OR PORTION OF A STATE HIGHWAY NO
46 LONGER SERVES THE ONGOING PURPOSES OF THE STATE HIGHWAY
47 SYSTEM.";

48

49 line 24, strike "4," and substitute "5,".
50

51

52

53

54 **SB09-161** be referred favorably to the Committee on Appropriations.
55

56

57

58 **SB09-177** be amended as follows, and as so amended, be referred to
59 the Committee of the Whole with favorable
60 recommendation:
61

1 Amend reengrossed bill, page 3, line 9, strike "SUN." and substitute "SUN
2 AND THAT IS NOT PRIMARILY DESIGNED TO SUPPLY ELECTRICITY FOR
3 CONSUMPTION ON SITE.";

4
5 line 11, after "(1.5) (b) (I)," insert "(1.5) (b) (IV),".

6
7 Page 4, after line 13, insert the following:

8
9 "(IV) As used in this paragraph (b), "tax factor" means a factor
10 annually established by the administrator. The tax factor shall be a
11 number that when applied to the selling price at the interconnection meter
12 results in approximately the same tax revenue over a twenty-year period
13 ON A NOMINAL DOLLAR BASIS that would have been collected using the
14 cost basis method of taxation as determined by the administrator for a
15 renewable energy facility pursuant to paragraph (e) of subsection (1) of
16 this section."

17
18
19
20 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

21
22 The Speaker has signed: **HB09-1027, 1072, 1185, 1236, 1249.**

23
24
25
26 **MESSAGE(S) FROM THE SENATE**

27
28 The Senate has adopted and transmits herewith: SJR09-026 and
29 SJR09-025.

30
31
32 The Senate has passed on Third Reading and returns herewith
33 HB09-1188.

34
35 The Senate has passed on Third Reading and transmitted to the Revisor
36 of Statutes:

37
38 SB09-018 amended as printed in Senate Journal, March 19, 2009
39 page 785,

40 SB09-098 amended as printed in Senate Journal, March 19, 2009
41 page 785,

42 HB09-1139 amended as printed in Senate Journal, March 16, 2009
43 pages 755-756.

44
45 The Senate has postponed indefinitely HB09-1247. The bill is returned
46 herewith.

47
48
49
50 The Senate has granted permission to the First Conference Committee on
51 HB09-1162 to go beyond the scope of the difference between the two
52 houses.

53
54
55
56

MESSAGE(S) FROM THE REVISOR

1
2
3 We herewith transmit:
4 Without comment, as amended, HB09-1139.
5 Without comment, as amended, SB09-018 and 098.

MESSAGE(S) FROM THE GOVERNOR

6
7
8
9
10
11 I certify I received the following on the 20th day of March, 2009, at
12 9:20 a.m. The original is on file in the records of the House of
13 Representatives of the General Assembly.

14
15
16 March 19, 2009
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Marilyn Eddins,
Chief Clerk of the House

To the Honorable
House of Representatives
Sixty-seventh General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with
the Secretary of State the following Acts:

HB09-1004 CONCERNING THE AUTHORITY OF ORGANIZATIONS
PROVIDING ALL-INCLUSIVE CARE FOR THE ELDERLY TO
EMPLOY PHYSICIANS.

Approved March 19, 2009 at 3:15 p.m.

HB09-1023 CONCERNING THE AGE REQUIREMENT FOR BLOOD
DONATIONS BY A MINOR.

Approved March 19, 2009 at 3:16 p.m.

HB09-1078 CONCERNING TRAINING FOR FOSTER PARENTS IN
REGARD TO INDIVIDUALIZED EDUCATION PROGRAMS.

Approved March 19, 2009 at 3:17 p.m.

HB09-1090 CONCERNING THE USE OF TITLES ASSOCIATED WITH
INTERPRETATION FOR DEAF PERSONS, AND, IN
CONNECTION THEREWITH, MAKING UNAUTHORIZED USE
OF SUCH TITLES A DECEPTIVE TRADE PRACTICE UNDER
THE "COLORADO CONSUMER PROTECTION ACT".

Approved March 19, 2009 at 3:17 p.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

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INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and laid over one day under the rules:

SJR09-025 by Senator(s) Kester; also Representative(s) Carroll T.-- Concerning recognition of Single Parents' Day in Colorado.

SJR09-026 by Senator(s) Williams and Isgar, Gibbs, Penry, Sandoval, Tapia, White; also Representative(s) Roberts, Casso, Tipton--Concerning the commemoration of the Tri-Ute Elders meeting in Colorado in March 2009, and, in connection therewith, honoring the culture and heritage of the Southern Ute Tribe and the Ute Mountain Ute Tribe.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar were laid over until March 23, retaining place on Calendar:

- Consideration of General Orders--**SB09-117, 038, 054, 059, 050, 181, 227, 062, 112, 053, 100, 119, 150, 101, 014, 039, 107, 165, 157, 111, 080, 005, 129, 169, 013, 036, 047, 048, 060, 109, 182, 216, 168, 173, 042, 020, 092, 148, 175, 222.**
- Consideration of Conference Committee Report(s)--**SB09-208.**
- Consideration of Senate Amendment(s)--**HB09-1254, 1125, 1053.**

On motion of Representative Weissmann, the House adjourned until 10:00 a.m., March 23, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Seventy-sixth Legislative Day

Monday, March 23, 2009

1 Prayer by Bishop Woody Matheson, Church of the Latter Day Saints,
 2 Aurora.

3
 4 The Speaker called the House to order at 10:00 a.m.

5
 6 Pledge of Allegiance led by Hope Acree, Smokey Hill High School,
 7 Aurora.

8
 9 The roll was called with the following result:

10

11 Present--64.

12

13 Excused--Representative(s) Weissmann--1.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Pace, the reading of the journal of
 19 March 20, 2009, was declared dispensed with and approved as corrected
 20 by the Chief Clerk.

21

22

23

THIRD READING OF BILLS--FINAL PASSAGE

24

25 The following bills were considered on Third Reading. The titles were
 26 publicly read. Reading of the bill at length was dispensed with by
 27 unanimous consent.

28

29

30 **SB09-069** by Senator(s) Boyd; also Representative(s) McCann--
 31 Concerning court-appointed parenting coordinators.

32

33 The question being "Shall the bill pass?".

34

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 was declared **passed**.

38

39

40

41

42

43

YES	55	NO	9	EXCUSED	1	ABSENT	0
Acree	N	Green	Y	McFadyen	Y	Roberts	Y
Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	N
Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y

1	Casso	Y	King S.	Y	Miklosi	N	Soper	Y
2	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
3	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
4	Ferrandino	N	Levy	N	Pace	N	Swalm	Y
5	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
6	Frangas	Y	Looper	Y	Pommer	N	Todd	Y
7	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
8	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
9	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
10	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
11							Speaker	N

12 Co-sponsor(s) added: Representative(s) Green, Labuda, McGihon, Schafer S.,
13 Vigil

14
15 **HB09-1015** by Representative(s) Murray, Marostica; also Senator(s)
16 Hodge--Concerning certain actions taken by the
17 designated election official in conducting primary
18 elections.

19
20 The question being "Shall the bill 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 bill
23 was declared **passed**.

24	YES	59	NO	5	EXCUSED	1	ABSENT	0
26	Acree	Y	Green	Y	McFadyen	N	Roberts	Y
27	Apuan	Y	Hullinghorst	Y	McGihon	N	Ryden	Y
28	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
29	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
30	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
31	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y
32	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
33	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
34	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
35	Ferrandino	Y	Levy	Y	Pace	N	Swalm	Y
36	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
37	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
38	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
39	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
40	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
41	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Casso, Court, Kerr J., Labuda, Nikkel,
44 Todd

45
46 **HB09-1063** by Representative(s) Summers; also Senator(s) Penry--
47 Concerning granting in-state student status to a child who
48 moves to Colorado during the child's senior year of high
49 school as the result of the child's legal guardian taking a
50 job in the state.

51
52 The question being "Shall the bill pass?".

53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.

56

	YES	39	NO	25	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Green	N	McFadyen	N	Roberts	Y
3	Apuan	Y	Hullinghorst	N	McGihon	N	Ryden	Y
4	Balmer	Y	Judd	N	McKinley	N	Scanlan	Y
5	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	N
6	Benefield	Y	Kerr A.	Y	Merrifield	N	Solano	N
7	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y
8	Casso	N	King S.	Y	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	N	Murray	Y	Stephens	Y
10	Curry	N	Lambert	Y	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Levy	N	Pace	N	Swalm	Y
12	Fischer	N	Liston	N	Peniston	N	Tipton	Y
13	Frangas	N	Looper	Y	Pommer	N	Todd	Y
14	Gagliardi	N	Marostica	Y	Primavera	N	Vaad	Y
15	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N
16	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
17	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
18							Speaker	N

19 Co-sponsor(s) added: Representative(s) Gardner B., Kerr J., Massey, Nikkel,
20 Waller

21

22 **HB09-1086** by Representative(s) McGihon, Green, Frangas; also
23 Senator(s) Boyd--Concerning continuing professional
24 competency of certain mental health professionals, and
25 making an appropriation in connection therewith.

26

27 The question being "Shall the bill pass?".

28 A roll call vote was taken. As shown by the following recorded vote, a
29 majority of those elected to the House voted in the affirmative and the bill
30 was declared **passed**.

31

	YES	64	NO	0	EXCUSED	1	ABSENT	0
33	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
34	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
35	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
36	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
37	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
38	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
39	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
40	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
41	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
42	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
43	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
44	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
45	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
46	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
47	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
48	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Benefield, Fischer, Gerou, Kefalas,
51 Looper, Schafer S., Todd, Vigil

52

53 **HB09-1130** by Representative(s) Gardner B.; also Senator(s) Isgar--
54 Concerning the collection of sales taxes by a county
55 government.

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	0	EXCUSED	1	ABSENT	0
7	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
8	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
9	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
10	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
11	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
12	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
13	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
14	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
15	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
16	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
17	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
18	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
19	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
20	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
21	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
22	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Hullinghorst, King S., Liston

25
 26 **HB09-1133** by Representative(s) Sonnenberg, Marostica, Todd; also
 27 Senator(s) Kester--Concerning setting the amounts of
 28 license plate fees, and making an appropriation therefor.

29
 30 The question being "Shall the bill pass?".
 31 A roll call vote was taken. As shown by the following recorded vote, a
 32 majority of those elected to the House voted in the affirmative and the bill
 33 was declared **passed**.

	YES	51	NO	13	EXCUSED	1	ABSENT	0
36	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
37	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
38	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
39	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
40	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
41	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
42	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
43	Court	Y	Labuda	Y	Murray	N	Stephens	Y
44	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
45	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
46	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
47	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
48	Gagliardi	N	Marostica	Y	Primavera	N	Vaad	Y
49	Gardner B.	Y	Massey	Y	Priola	N	Vigil	Y
50	Gardner C.	N	May	N	Rice	Y	Waller	Y
51	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Looper

54
 55

1 **HB09-1160** by Representative(s) Miklosi; also Senator(s) Bacon--
 2 Concerning the ability of a qualified elector to submit
 3 voter information via the secure web site of the secretary
 4 of state, and making an appropriation therefor.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	60	NO	4	EXCUSED	1	ABSENT	0
12	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
13	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
14	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
15	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
16	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
17	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
18	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
19	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
20	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
21	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
22	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
23	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
24	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
25	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
26	Gardner C.	N	May	Y	Rice	Y	Waller	Y
27	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Casso, Ferrandino, Fischer, Frangas,
 30 Pace, Ryden, Todd

31
 32 **HB09-1175** by Representative(s) Curry; also Senator(s) Williams--
 33 Concerning the regulation of naturopathic doctors, and
 34 making an appropriation in connection therewith.

35
 36 The question being "Shall the bill 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 bill
 39 was declared **passed**.

	YES	40	NO	24	EXCUSED	1	ABSENT	0
42	Acree	N	Green	N	McFadyen	Y	Roberts	Y
43	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
44	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
45	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
46	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
47	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
48	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
49	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
50	Curry	Y	Lambert	N	Nikkel	N	Summers	N
51	Ferrandino	N	Levy	N	Pace	Y	Swalm	N
52	Fischer	Y	Liston	N	Peniston	Y	Tipton	Y
53	Frangas	N	Looper	Y	Pommer	N	Todd	Y
54	Gagliardi	Y	Marostica	N	Primavera	Y	Vaad	N
55	Gardner B.	N	Massey	Y	Priola	N	Vigil	Y
56	Gardner C.	N	May	Y	Rice	Y	Waller	N

1	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
2							Speaker	Y

3 Co-sponsor(s) added: Representative(s) Fischer, Labuda, McGihon, Primavera,
4 Riesberg, Roberts

5
6 **HB09-1222** by Representative(s) Ferrandino, Pommer, Marostica; also
7 Senator(s) Keller, Tapia, White--Concerning the
8 administration of appropriated moneys.

9
10 The question being "Shall the bill 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 bill
13 was declared **passed**.

15	YES	64	NO	0	EXCUSED	1	ABSENT	0
16	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
17	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
18	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
19	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
20	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
21	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
22	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
23	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
24	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
25	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
26	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
27	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
28	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
29	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
30	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
31	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
32							Speaker	Y

33 Co-sponsor(s) added: Representative(s) Gerou

34
35 **HB09-1244** by Representative(s) Casso, Looper, McNulty, Primavera,
36 Vaad; also Senator(s) Kopp--Concerning the exemption of
37 property carriers by motor vehicle from regulation by the
38 public utilities commission, and making an appropriation
39 therefor.

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	1	EXCUSED	1	ABSENT	0
47	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
48	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
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	N	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	E
7							Speaker	Y

8 Co-sponsor(s) added: Representative(s) Kerr J., King S., Labuda, Lambert,
9 Nikkel, Rice

10
11 **HB09-1309** by Representative(s) Pace; also Senator(s) Tochtrop--
12 Concerning inspection of boilers.

13
14 The question being "Shall the bill pass?".

15 A roll call vote was taken. As shown by the following recorded vote, a
16 majority of those elected to the House voted in the affirmative and the bill
17 was declared **passed**.

18	YES	64	NO	0	EXCUSED	1	ABSENT	0
19	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
20	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
21	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
22	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
23	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
24	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
25	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
26	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
27	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
28	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
29	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
30	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
31	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
32	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
33	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
34	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
35							Speaker	Y

36
37 Co-sponsor(s) added: Representative(s) Middleton, Soper

38
39 **HB09-1301** by Representative(s) Judd; also Senator(s) Sandoval--
40 Concerning moneys continuously appropriated from the
41 unclaimed property trust fund to the state treasurer for
42 payment of contract auditor services.

43
44 The question being "Shall the bill pass?".

45 A roll call vote was taken. As shown by the following recorded vote, a
46 majority of those elected to the House voted in the affirmative and the bill
47 was declared **passed**.

48	YES	54	NO	10	EXCUSED	1	ABSENT	0
49	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
50	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
51	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
52	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
53	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
54	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	N
55	Casso	Y	King S.	N	Miklosi	Y	Soper	Y

1	Court	Y	Labuda	Y	Murray	Y	Stephens	N
2	Curry	Y	Lambert	Y	Nikkel	N	Summers	Y
3	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
4	Fischer	Y	Liston	N	Peniston	Y	Tipton	Y
5	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
6	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
7	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
8	Gardner C.	Y	May	N	Rice	Y	Waller	N
9	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
10							Speaker	Y

11
 12 **HB09-1230** by Representative(s) Summers; also Senator(s) Tapi--
 13 Concerning the registration of motor vehicles.
 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	64	NO	0	EXCUSED	1	ABSENT	0
21	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
22	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
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	E
37							Speaker	Y

38 Co-sponsor(s) added: Representative(s) McFadyen
 39

40 **SB09-066** by Senator(s) Tochtrop, Isgar, Schultheis; also
 41 Representative(s) Primavera--Concerning the
 42 consolidation of public employee retirement plans under
 43 the public employees' retirement association, and making
 44 an appropriation in connection therewith.
 45

46 The question being "Shall the bill 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 bill
 49 was declared **passed**.
 50

	YES	49	NO	15	EXCUSED	1	ABSENT	0
52	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
53	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
54	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
55	Baumgardner	N	Kefalas	Y	McNulty	Y	Schafer S.	Y
56	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y

1	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
2	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
3	Court	Y	Labuda	Y	Murray	N	Stephens	N
4	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
5	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
6	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
7	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
8	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
9	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
10	Gardner C.	N	May	N	Rice	Y	Waller	N
11	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
12							Speaker	Y

13 Co-sponsor(s) added: Representative(s) Labuda, McFadyen, McGihon,
14 Merrifield, Pace

15
16 **SB09-147** by Senator(s) Hodge, Brophy; also Representative(s)
17 Priola, Gardner C.--Concerning the authorization of
18 substitute water supply plans for the replacement of out-
19 of-priority depletions caused by historic diversions from
20 wells included in decreed augmentation plans entered by
21 the water court for water division 1.

22
23 The question being "Shall the bill pass?".

24 A roll call vote was taken. As shown by the following recorded vote, a
25 majority of those elected to the House voted in the affirmative and the bill
26 was declared **passed**.

27	YES	64	NO	0	EXCUSED	1	ABSENT	0
29	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
30	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
31	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
32	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
33	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
34	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
35	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
36	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
37	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
38	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
39	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
40	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
41	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
42	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
43	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
44	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Curry, Fischer, Labuda, Looper,
47 Massey, McFadyen, Pace, Sonnenberg, Vigil

48
49 **SB09-225** by Senator(s) Boyd; also Representative(s) McGihon--
50 Concerning the definition of contraceptive.

51
52 The question being "Shall the bill pass?".

53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.

56

	YES	39	NO	25	EXCUSED	1	ABSENT	0
1								
2	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McGihon	Y	Ryden	Y
4	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
7	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
8	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	N	Stephens	N
10	Curry	Y	Lambert	N	Nikkel	N	Summers	N
11	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
12	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
13	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
14	Gagliardi	Y	Marostica	N	Primavera	Y	Vaad	N
15	Gardner B.	N	Massey	Y	Priola	N	Vigil	Y
16	Gardner C.	N	May	N	Rice	Y	Waller	N
17	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	E
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Apuan, Court, Fischer, Green,
 20 Hullingerhorst, Kerr A., Labuda,McFadyen, Merrifield, Middleton, Rice, Ryden,
 21 Schafer S., Solano, Todd, Vigil, Speaker

22
 23 **SB09-139** by Senator(s) Shaffer B.; also Representative(s) McGihon-
 24 -Concerning the adoption of recent changes to the
 25 "Uniform Principal and Income Act" proposed by the
 26 national conference of commissioners on uniform state
 27 laws.
 28

29 The question being "Shall the bill pass?".
 30 A roll call vote was taken. As shown by the following recorded vote, a
 31 majority of those elected to the House voted in the affirmative and the bill
 32 was declared **passed**.
 33

	YES	54	NO	10	EXCUSED	1	ABSENT	0
35	Acree	Y	Green	Y	McFadyen	Y	Roberts	N
36	Apuan	Y	Hullingerhorst	Y	McGihon	Y	Ryden	Y
37	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
38	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
39	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
40	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
41	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
42	Court	Y	Labuda	Y	Murray	Y	Stephens	N
43	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
44	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
45	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
46	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
47	Gagliardi	Y	Marostica	N	Primavera	Y	Vaad	Y
48	Gardner B.	N	Massey	Y	Priola	Y	Vigil	Y
49	Gardner C.	N	May	Y	Rice	Y	Waller	N
50	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Fischer, Hullingerhorst, Labuda, May,
 53 Ryden

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MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR09-027.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

On motion of Representative Kerr A., the rules were suspended and the following resolution was given immediate consideration.

SJR09-027 by Senator(s) Sandoval; also Representative(s) Kefalas--
Concerning the proclamation of March 24, 2009, as
"American Diabetes Alert Day".

(Printed and placed in member's file).

On motion of Representative Kefalas, the resolution was read at length and **adopted** by **viva voce** vote.

Current Roll Call added as Co-sponsor(s) added: Representative(s) Acree, Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green, Hullinghorst, Judd, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Marostica, Massey, May, McCann, McFadyen, McGihon, McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil, Waller, Speaker

On motion of Representative McCann, the House resolved itself into Committee of the Whole for consideration of General Orders, and she was called to the Chair to act as Chairman.

GENERAL ORDERS--SECOND READING OF BILLS

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.)

HB09-1284 by Representative(s) Levy--Concerning corridor capacity strategic planning to foster transportation efficiency.

Amendment No. 1, by Representative(s) Levy.

Strike the Transportation & Energy Committee Report, dated March 5, 2009, and substitute the following:

1 "Amend printed bill, strike everything below the enacting clause and
2 substitute the following:

3
4 **"SECTION 1.** 43-1-1102, Colorado Revised Statutes, is amended
5 BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to
6 read:

7
8 **43-1-1102. Definitions.** For the purposes of this part 11, unless
9 the context otherwise requires:

10
11 (1.5) "CONGESTED CORRIDOR" MEANS A STATE HIGHWAY
12 CORRIDOR ON THE REGIONAL ROADWAY SYSTEM THAT IS SHOWN AS
13 CURRENTLY CONGESTED OR FORECASTED TO BE CONGESTED IN THE
14 FUTURE IN THE MOST RECENTLY ADOPTED REGIONAL TRANSPORTATION
15 PLAN WITHIN A METROPOLITAN PLANNING ORGANIZATION'S
16 METROPOLITAN AREA.

17
18 (1.7) "CORRIDOR CAPACITY STRATEGIC PLAN" MEANS A PLAN
19 DEVELOPED THROUGH COLLABORATION BETWEEN THE DEPARTMENT AND
20 A METROPOLITAN PLANNING ORGANIZATION TO ALLEVIATE OR PREVENT
21 CONGESTION IN ONE OR MORE SELECTED CORRIDORS.

22
23 **SECTION 2.** Part 11 of article 1 of title 43, Colorado Revised
24 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
25 read:

26
27 **43-1-1106. Corridor capacity strategic plans - fund -**
28 **legislative declaration.** (1) (a) THE GENERAL ASSEMBLY HEREBY FINDS
29 AND DECLARES THAT A COLLABORATIVE PROCESS IS NECESSARY WHEREBY
30 THE DEPARTMENT AND A METROPOLITAN PLANNING ORGANIZATION
31 DEVELOP WAYS TO PRESERVE THE CAPACITY AND EFFICIENT FUNCTIONING
32 OF THE STATE TRANSPORTATION SYSTEM WHILE ALLOWING DEVELOPMENT
33 CONSISTENT WITH EXISTING MASTER PLANS ESTABLISHED PURSUANT TO
34 SECTIONS 30-28-106 AND 31-23-206, C.R.S.

35
36 (b) THE GENERAL ASSEMBLY FURTHER DECLARES THAT THE
37 IMPACT OF LOCAL LAND USE DECISIONS ON THE CAPACITY AND EFFICIENT
38 FUNCTIONING OF THE STATE TRANSPORTATION SYSTEM SHOULD BE
39 UNDERSTOOD AND CONSIDERED BY LOCAL GOVERNMENTS IN THE
40 DEVELOPMENT APPROVAL PROCESS.

41
42 (c) THE GENERAL ASSEMBLY FURTHER DECLARES THAT A
43 COORDINATED APPROACH TO REGIONALLY PRODUCED CONGESTION IS
44 NECESSARY IN ORDER TO MAINTAIN THE FUNCTIONING OF THE STATE
45 TRANSPORTATION SYSTEM AND FACILITATE PLANNED DEVELOPMENT.

46
47 (2) (a) PRIOR TO THE ADOPTION OF THE NEXT STATE
48 TRANSPORTATION IMPROVEMENT PLAN, THE DEPARTMENT AND EACH
49 METROPOLITAN PLANNING ORGANIZATION SHALL IDENTIFY AND PRIORITIZE
50 CONGESTED CORRIDORS FOR DEVELOPMENT OF CORRIDOR CAPACITY
51 STRATEGIC PLANS BASED ON THE DEGREE OF EXPECTED CONGESTION AND
52 URGENCY OF PLANNING AND SHALL PRIORITIZE AND DEVELOP A TIMELINE
53 FOR UNDERTAKING THE PLANNING PROCESS BASED ON NEED AND
54 AVAILABLE RESOURCES. THE DEPARTMENT AND EACH METROPOLITAN
55 PLANNING ORGANIZATION MAY DEVELOP CORRIDOR CAPACITY STRATEGIC
56 PLANS FOR THOSE IDENTIFIED AND PRIORITIZED CONGESTED CORRIDORS.

1 IN DEVELOPING SUCH CORRIDOR CAPACITY STRATEGIC PLANS, THE
2 DEPARTMENT AND EACH METROPOLITAN PLANNING ORGANIZATION MAY
3 CONSIDER, BUT SHALL NOT BE LIMITED TO, THE FOLLOWING:

- 4
5 (I) ACCESS MANAGEMENT PLANS;
6
7 (II) IMPROVEMENTS TO LOCAL STREET NETWORKS;
8
9 (III) TRANSIT INVESTMENTS;
10
11 (IV) TRANSPORTATION DEMAND MANAGEMENT PROGRAMS;
12
13 (V) THE ARRANGEMENT, SITING, AND TYPES OF PROPOSED LAND
14 USES; AND
15
16 (VI) THE CREATION OF BIKE OR PEDESTRIAN ROUTES.

17
18 (b) THE MEMBER LOCAL GOVERNMENTS OF A METROPOLITAN
19 PLANNING ORGANIZATION THAT ADOPT A CORRIDOR CAPACITY STRATEGIC
20 PLAN SHALL USE THEIR BEST EFFORTS TO ADOPT ANY ORDINANCES OR
21 REGULATIONS NECESSARY TO IMPLEMENT LOCALLY CONTROLLED
22 COMPONENTS OF THE CORRIDOR CAPACITY STRATEGIC PLAN.

23
24 (3) CAPACITY IMPROVEMENTS IDENTIFIED IN THE STATE
25 TRANSPORTATION IMPROVEMENT PROGRAM IN ANY CONGESTED CORRIDOR
26 IDENTIFIED FOR DEVELOPMENT OF A CORRIDOR CAPACITY STRATEGIC PLAN
27 SHALL NOT COMMENCE UNTIL A CORRIDOR CAPACITY STRATEGIC PLAN IS
28 ADOPTED.

29
30 (4) (a) FOR THOSE CONGESTED CORRIDORS DESCRIBED IN
31 PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION FOR WHICH EITHER A
32 CORRIDOR CAPACITY STRATEGIC PLAN HAS NOT BEEN DEVELOPED AND THE
33 DEPARTMENT HAS DETERMINED THAT A DEVELOPMENT PROPOSAL
34 WARRANTS ADDITIONAL INVOLVEMENT BY THE DEPARTMENT AS SPECIFIED
35 IN PARAGRAPH (b) OF THIS SUBSECTION (4) OR A CORRIDOR CAPACITY
36 STRATEGIC PLAN HAS BEEN DEVELOPED AND THE DEPARTMENT HAS
37 DETERMINED THAT A DEVELOPMENT PROPOSAL IS INCONSISTENT WITH THE
38 LAND USE AND TRIP GENERATION ASSUMPTIONS ON WHICH THE PLAN WAS
39 BASED, THE DEPARTMENT IS AUTHORIZED TO:

40
41 (I) FOR NEW DEVELOPMENT APPLICATIONS, REQUEST A TRAFFIC
42 STUDY THAT MEETS THE CRITERIA ADOPTED BY THE DEPARTMENT AND
43 THAT EXAMINES HOW THE PROPOSED DEVELOPMENT WILL IMPACT THE
44 EFFICIENT FUNCTIONING OF THE STATE TRANSPORTATION SYSTEM;

45
46 (II) REVIEW CHANGES TO LAND USE PLANS AND ZONING; AND

47
48 (III) SUBMIT COMMENTS WITHIN THE TIME LIMITS APPLICABLE TO
49 THE REVIEW AND COMMENT PROCESS OF THE RELEVANT JURISDICTION ON
50 ANY IMPACT THE PROPOSAL WILL HAVE ON THE EFFICIENT FUNCTIONING OF
51 THE STATE TRANSPORTATION SYSTEM.

52
53 (b) THE DEPARTMENT SHALL PROMULGATE RULES IN ACCORDANCE
54 WITH ARTICLE 4 OF TITLE 24, C.R.S., AS MAY BE NECESSARY TO
55 ADMINISTER ANY PROVISION OF THIS SUBSECTION (4) AND THAT SPECIFY
56 WHAT WILL TRIGGER THE DEPARTMENT'S INVOLVEMENT AS SPECIFIED IN

1 THIS SUBSECTION (4) BY:
2

3 (I) DESIGNATING WHAT SIZE AND TYPE OF LAND USE
4 DEVELOPMENTS OR APPLICATIONS TO REZONE LAND SHALL BE REVIEWED
5 BY THE DEPARTMENT;
6

7 (II) DETERMINING WHAT SIZE AND TYPE OF CHANGES TO A LAND
8 USE PLAN SHALL BE REVIEWED BY THE DEPARTMENT; AND
9

10 (III) DETERMINING WHEN THE PROPOSAL'S DEGREE OF
11 INCONSISTENCY WITH THE ASSUMPTIONS ON WHICH THE CORRIDOR
12 CAPACITY STRATEGIC PLAN WAS BASED WOULD NECESSITATE REVIEW BY
13 THE DEPARTMENT.
14

15 **SECTION 3.** 29-20-104, Colorado Revised Statutes, is amended
16 BY THE ADDITION OF A NEW SUBSECTION to read:
17

18 **29-20-104. Powers of local governments.** (2) LOCAL
19 GOVERNMENTS SHALL REQUIRE TRAFFIC STUDIES CONSISTENT WITH THE
20 PROVISIONS OF SECTION 43-1-1106 (4) (a) (I), C.R.S.
21

22 **SECTION 4.** 30-28-116, Colorado Revised Statutes, is amended
23 to read:
24

25 **30-28-116. Regulations may be amended.** (1) From time to
26 time the board of county commissioners may amend the number, shape,
27 boundaries, or area of any district, or any regulation of or within such
28 district, or any other provisions of the zoning resolution. Any such
29 amendment shall not be made or become effective unless the same has
30 been proposed by or is first submitted for the approval, disapproval, or
31 suggestions of the county planning commission. If disapproved by such
32 commission within thirty days after such submission, such amendment,
33 to become effective, shall receive the favorable vote of not less than a
34 majority of the entire membership of the board of county commissioners.
35 Before finally adopting any such amendment, the board of county
36 commissioners shall hold a public hearing thereon, and at least fourteen
37 days' notice of the time and place of such hearing shall be given by at
38 least one publication in a newspaper of general circulation in the county.
39

40 (2) THE BOARD OF COUNTY COMMISSIONERS OR THE BOARD'S
41 DESIGNEE SHALL TRANSMIT TO THE DEPARTMENT OF TRANSPORTATION
42 ANY APPLICATIONS TO REZONE LAND REQUIRED TO BE REVIEWED AS
43 SPECIFIED BY THE DEPARTMENT OF TRANSPORTATION IN RULES
44 PROMULGATED PURSUANT TO SECTION 43-1-1106 (4) (b), C.R.S.
45

46 **SECTION 5.** 30-28-136 (1), Colorado Revised Statutes, is
47 amended BY THE ADDITION OF A NEW PARAGRAPH to read:
48

49 **30-28-136. Referral and review requirements.** (1) Upon
50 receipt of a complete preliminary plan submission, the board of county
51 commissioners or its authorized representative shall distribute copies of
52 prints of the plan as follows:
53

54 (j) TO THE DEPARTMENT OF TRANSPORTATION IF THE PLAN IS
55 REQUIRED TO BE REVIEWED AS SPECIFIED BY THE DEPARTMENT OF
56 TRANSPORTATION IN RULES PROMULGATED PURSUANT TO SECTION

1 43-1-1106 (4) (b), C.R.S.

2

3 **SECTION 6.** 31-23-214.1, Colorado Revised Statutes, is
4 amended to read:

5

6 **31-23-214.1. Subdivision plan or plat - access to public**
7 **highways.** (1) No person may submit an application for subdivision
8 approval to a local authority unless the subdivision plan or plat provides,
9 pursuant to section 43-2-147, C.R.S., that all lots and parcels created by
10 the subdivision will have access to the state highway system in
11 conformance with the state highway access code.

12

13 (2) THE COMMISSION SHALL DISTRIBUTE TO THE DEPARTMENT OF
14 TRANSPORTATION COPIES OF THOSE APPLICATIONS FOR SUBDIVISION
15 APPROVAL REQUIRED TO BE REVIEWED AS SPECIFIED BY THE DEPARTMENT
16 OF TRANSPORTATION IN RULES PROMULGATED PURSUANT TO SECTION
17 43-1-1106 (4) (b), C.R.S.

18

19 **SECTION 7.** 31-23-305, Colorado Revised Statutes, is amended
20 to read:

21

22 **31-23-305. Changes.** (1) Such regulations, restrictions, and
23 boundaries may from time to time be amended, supplemented, changed,
24 modified, or repealed. In case, however, of a protest against changes in
25 regulations or restrictions, or changes in the zone district applicable to
26 particular land, which protest is filed with the municipal clerk at least
27 twenty-four hours prior to the governing body's vote on the change and
28 is signed by the owners of twenty percent or more of the area of land
29 which is subject to the proposed change or twenty percent or more of the
30 area of land extending a radius of one hundred feet from the land which
31 is subject to the proposed change, disregarding intervening public streets
32 and alleys, such changes shall not become effective except by the
33 favorable vote of two-thirds of all the members of the governing body of
34 the municipality. The provisions of section 31-23-304 relative to public
35 hearings and official notice shall apply equally to all changes or
36 amendments.

37

38 (2) THE GOVERNING BODY OF A MUNICIPALITY OR ITS DESIGNEE
39 SHALL TRANSMIT TO THE DEPARTMENT OF TRANSPORTATION ANY
40 APPLICATIONS TO REZONE LAND REQUIRED TO BE REVIEWED AS SPECIFIED
41 BY THE DEPARTMENT OF TRANSPORTATION IN RULES PROMULGATED
42 PURSUANT TO SECTION 43-1-1106 (4) (b), C.R.S.

43

44 **SECTION 8. Act subject to petition - effective date.** This act
45 shall take effect at 12:01 a.m. on the day following the expiration of the
46 ninety-day period after final adjournment of the general assembly that is
47 allowed for submitting a referendum petition pursuant to article V,
48 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
49 sine die is on May 6, 2009); except that, if a referendum petition is filed
50 against this act or an item, section, or part of this act within such period,
51 then the act, item, section, or part, if approved by the people, shall take
52 effect on the date of the official declaration of the vote thereon by
53 proclamation of the governor."."

54

55 As amended, ordered engrossed and placed on the Calendar for Third
56 Reading and Final Passage.

1 **HB09-1176** by Representative(s) Green; also Senator(s) Williams--
2 Concerning the driving privilege of minor drivers.
3

4 (Previously amended as printed in House Journal, March 20, page 802.)
5

6 As amended, laid over until March 24, retaining place on Calendar.
7

8 **SB09-111** by Senator(s) Bacon, Boyd, Schultheis; also
9 Representative(s) Court--Concerning continuation of the
10 "Notaries Public Act".
11

12 Laid over until March 27, retaining place on Calendar.
13

14 **SB09-080** by Senator(s) Isgar, Romer, White; also Representative(s)
15 Looper--Concerning limited exemptions for water
16 collected from certain residential rooftops.
17

18 Laid over until March 26, retaining place on Calendar.
19

20 **HB09-1311** by Representative(s) Benefield; also Senator(s) Veiga--
21 Concerning the sourcing of sales of companies providing
22 mutual fund services for Colorado income tax
23 apportionment.
24

25 Ordered engrossed and placed on the Calendar for Third Reading and
26 Final Passage.
27

28 **HB09-1205** by Representative(s) Looper and Balmer, Apuan,
29 Baumgardner, Casso, Kerr J., Labuda, Lambert, McNulty,
30 Murray, Priola, Soper, Swalm, Todd, Vaad; also
31 Senator(s) Williams, Bacon, Boyd, Gibbs, Schultheis--
32 Concerning voting by members of the armed forces
33 serving outside the United States.
34

35 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
36 February 17, 2009, and placed in member's bill file; Report also printed
37 in House Journal, February 18, pages 406-407.
38

39 As amended, ordered engrossed and placed on the Calendar for Third
40 Reading and Final Passage.
41

42 **SB09-117** by Senator(s) Isgar, Hodge; also Representative(s) Vigil--
43 Concerning the continuation of the regulation by the
44 department of agriculture of persons selling processed
45 meat, and, in connection therewith, clarifying the statutory
46 distinction between custom meat processors and the sellers
47 of home food service plans, amending terms to comport
48 with current business practices, and increasing consumer
49 protections.
50

51 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
52 dated March 4, 2009, and placed in member's bill file; Report also printed
53 in House Journal, March 6, page 633.
54

55 As amended, ordered revised and placed on the Calendar for Third
56 Reading and Final Passage.

- 1 **SB09-141** by Senator(s) Tapia; also Representative(s) Looper and
2 Pace, Vigil--Concerning the creation of the Fountain creek
3 watershed, flood control, and greenway district.
4
- 5 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
6 dated March 18, 2009, and placed in member's bill file; Report also
7 printed in House Journal, March 19, page 797.
8
- 9 Amendment No. 2, by Representative(s) Pace.
10
- 11 Amend the Agriculture, Livestock, & Natural Resources Committee
12 Report, dated March 18, 2009, page 1, after line 7, insert the following:
13
- 14 "Page 15, line 25, strike "COUNTY;" and substitute "COUNTY AND WHO
15 REPRESENTS THE INTERESTS OF PERSONS FROM THE PORTION OF THE
16 DISTRICT THAT LIES EAST OF THE CONFLUENCE OF FOUNTAIN CREEK AND
17 THE ARKANSAS RIVER;".
18
- 19 Amendment No. 3, by Representative(s) Curry.
20
- 21 Amend the Agriculture, Livestock, & Natural Resources Committee
22 Report, dated March 18, 2009, page 1, line 13, strike "MANAGE";" and
23 substitute "MANAGE".";
24
- 25 strike lines 14 through 19.
26
- 27 Page 2, strike line 1.
28
- 29 As amended, ordered revised and placed on the Calendar for Third
30 Reading and Final Passage.
31
- 32 **SB09-038** by Senator(s) Hudak, Boyd, Morse, Shaffer B.; also
33 Representative(s) Marostica--Concerning technical
34 changes to judicial fees.
35
- 36 Ordered revised and placed on the Calendar for Third Reading and Final
37 Passage.
38
- 39 **SB09-112** by Senator(s) Kopp, Bacon, Groff, Heath, Hudak, King K.,
40 Romer, Spence; also Representative(s) Scanlan--
41 Concerning the repeal of the on-line learning advisory
42 board.
43
- 44 Ordered revised and placed on the Calendar for Third Reading and Final
45 Passage.
46
- 47 **SB09-048** by Senator(s) Schwartz, Isgar, Schultheis, Tochtrop; also
48 Representative(s) Primavera, Kerr J., McNulty--
49 Concerning the financial audit of the office of the child's
50 representative.
51
- 52 Ordered revised and placed on the Calendar for Third Reading and Final
53 Passage.
54
55

1 **SB09-100** by Senator(s) Newell, Mitchell, Carroll M., Foster, Heath,
 2 Hodge, Morse; also Representative(s) Frangas, Primavera,
 3 Rice--Concerning amending the definition of
 4 "noncustodial parent" in the "Colorado Works Program
 5 Act" to enable a noncustodial parent to receive
 6 employment assistance regardless of whether the
 7 noncustodial parent's child is receiving assistance under
 8 the Colorado works program.
 9
 10 Ordered revised and placed on the Calendar for Third Reading and Final
 11 Passage.

12
 13
 14
 15 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

16
 17 Representative(s) Marostica moved to amend the Report of the
 18 Committee of the Whole to reverse the action taken by the Committee in
 19 not adopting the following Marostica amendment, to HB09-1284, to show
 20 that said amendment passed, and that **HB09-1284**, as amended, passed.
 21
 22 Amend, Amendment No. 1, by Representative Levy, printed in House
 23 Journal page 842, line 47, strike "PRIOR" and substitute "EXCEPT AS
 24 PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION (2), PRIOR".

25
 26 Page 843, after line 22, insert the following:

27
 28 "(c) ANY MEMBER LOCAL GOVERNMENT OF A METROPOLITAN
 29 PLANNING ORGANIZATION THAT HAS ALREADY IMPLEMENTED A CORRIDOR
 30 CAPACITY STRATEGIC PLAN OR A PLAN SIMILAR TO THE PLAN DESCRIBED
 31 IN THIS SECTION SHALL NOT BE SUBJECT TO THE PROVISIONS OF THIS
 32 SECTION."

33
 34 The amendment was declared **lost** by the following roll call vote:

	YES	29	NO	34	EXCUSED	2	ABSENT	0
37	Acree	Y	Green	N	McFadyen	N	Roberts	Y
38	Apuan	N	Hullinghorst	N	McGihon	N	Ryden	N
39	Balmer	Y	Judd	N	McKinley	Y	Scanlan	N
40	Baumgardner	Y	Kefalas	E	McNulty	Y	Schafer S.	N
41	Benefield	N	Kerr A.	N	Merrifield	N	Solano	N
42	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y
43	Casso	N	King S.	Y	Miklosi	N	Soper	N
44	Court	N	Labuda	N	Murray	Y	Stephens	Y
45	Curry	N	Lambert	Y	Nikkel	Y	Summers	Y
46	Ferrandino	N	Levy	N	Pace	N	Swalm	Y
47	Fischer	N	Liston	Y	Peniston	N	Tipton	Y
48	Frangas	N	Looper	Y	Pommer	N	Todd	N
49	Gagliardi	N	Marostica	Y	Primavera	N	Vaad	Y
50	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N
51	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
52	Gerou	Y	McCann	N	Riesberg	N	Weissmann	E
53							Speaker	N

1 Representative(s) Vaad moved to amend the Report of the Committee of
 2 the Whole to reverse the action taken by the Committee in adopting
 3 HB09-1284 to show that **HB09-1284** lost.

4
 5 The amendment was declared **lost** by the following roll call vote:

	YES	27	NO	37	EXCUSED	1	ABSENT	0
8	Acree	Y	Green	N	McFadyen	N	Roberts	Y
9	Apuan	N	Hullinghorst	N	McGihon	N	Ryden	N
10	Balmer	Y	Judd	N	McKinley	Y	Scanlan	N
11	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	N
12	Benefield	N	Kerr A.	N	Merrifield	N	Solano	N
13	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y
14	Casso	N	King S.	Y	Miklosi	N	Soper	N
15	Court	N	Labuda	N	Murray	Y	Stephens	Y
16	Curry	N	Lambert	Y	Nikkel	Y	Summers	Y
17	Ferrandino	N	Levy	N	Pace	N	Swalm	Y
18	Fischer	N	Liston	Y	Peniston	N	Tipton	Y
19	Frangas	N	Looper	Y	Pommer	N	Todd	N
20	Gagliardi	N	Marostica	Y	Primavera	N	Vaad	Y
21	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N
22	Gardner C.	Y	May	Y	Rice	N	Waller	N
23	Gerou	Y	McCann	N	Riesberg	N	Weissmann	E
24							Speaker	N

25
 26
 27
 28 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

29
 30 Passed Second Reading: **HB09-1284 amended, 1311, 1205 amended,**
 31 **SB09-117 amended, 141 amended, 038, 112, 048, 100.**

32
 33 Laid over until date indicated retaining place on Calendar:

34 **HB09-1176--March 24, 2009.**

35 **SB09-111--March 27, 2009.**

36 **SB09-080--March 26, 2009.**

37
 38 The Chairman moved the adoption of the Committee of the Whole
 39 Report. As shown by the following roll call vote, a majority of those
 40 elected to the House voted in the affirmative, and the Report was
 41 **adopted.**

	YES	64	NO	0	EXCUSED	1	ABSENT	0
44	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
45	Apuan	Y	Hullinghorst	Y	McGihon	Y	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	Y
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	E
4							Speaker	Y

CONSIDERATION OF RESOLUTION(S)

10 **SJR09-025** by Senator(s) Kester; also Representative(s) Carroll T.--
 11 Concerning recognition of Single Parents' Day in
 12 Colorado.

13
 14 (Printed and placed in members file)

15
 16 On motion of Representative Carroll T., the resolution was **adopted** by
 17 **viva voce** vote.

18
 19 Current Roll Call added as Co-sponsor(s) added: Representative(s) Acree,
 20 Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry,
 21 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green,
 22 Hullinghorst, Judd, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy,
 23 Liston, Looper, Marostica, Massey, May, McCann, McFadyen, McGihon,
 24 McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace,
 25 Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan,
 26 Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton,
 27 Todd, Vaad, Vigil, Waller

FIRST REPORT OF FIRST CONFERENCE COMMITTEE on SB09-210

34 This Report Amends the Reengrossed Bill.

35
 36 To the President of the Senate and the
 37 Speaker of the House of Representatives:

38
 39 Your first conference committee appointed on SB09-210,
 40 concerning transfers for health programs from the tobacco litigation
 41 funds, and, in connection therewith, making modifications to
 42 appropriations, has met and reports that it has agreed upon the following:

43
 44 That the House recede from its amendments made to the bill, as
 45 the amendments appear in the rerevised bill, and that the following
 46 amendments be substituted therefor:

47
 48 Amend reengrossed bill, page 3, line 27, strike "ONE MILLION FIVE" and
 49 substitute "TWO MILLION FOUR".

50
 51 Page 5, line 24, strike "ONE MILLION FIVE" and substitute "NINE HUNDRED
 52 SEVENTY-SEVEN THOUSAND THREE HUNDRED FIFTY-SIX";

53
 54 line 25, strike "HUNDRED THOUSAND".

55
 56 Page 15, line 7, strike "3,260,962" and substitute "5,000,000", strike

1 "1,630,481^m" and substitute "2,153,125^m", and strike "1,630,481" and
 2 substitute "2,846,875";
 3
 4 line 9, strike "536,989,019" and substitute "538,728,057".
 5
 6 Page 17, line 3, strike "\$3,823,744,396" and substitute "\$3,825,483,434",
 7 strike "\$365,408,676^b" and substitute "\$365,931,320^b", and strike
 8 "\$1,865,892,604" and substitute "\$1,867,108,998";
 9
 10 strike lines 11 through 15.
 11
 12 Strike pages 18 through 21.
 13
 14 Page 22, strike lines 1 through 13.
 15
 16 Renumber succeeding sections accordingly.
 17
 18 Page 27, strike lines 1 through 4.
 19
 20 Renumber succeeding section accordingly.
 21
 22 Respectfully submitted,
 23 Senate Committee: House Committee:
 24 (signed) (signed)
 25 Moe Keller Jack Pommer
 26 Al White Don Marostica
 27 Abel Tapia Mark Ferrandino

28
29
30
31 **MESSAGE(S) FROM THE SENATE**

32
33 The Senate has postponed indefinitely HB09-1045 and HB09-1193. The
34 bills are returned herewith.
35

36
37
38 **MESSAGE(S) FROM THE GOVERNOR**

39
40 I certify I received the following on the 23rd day of March, 2009, at
41 8:50 a.m. The original is on file in the records of the House of
42 Representatives of the General Assembly.
43

44 Marilyn Eddins,
45 Chief Clerk of the House

46 March 20, 2009
47

48 To the Honorable
49 House of Representatives
50 Sixty-seventh General Assembly
51 First Regular Session
52 State Capitol
53 Denver, CO 80203
54

55 Ladies and Gentlemen:
56

1 I have the honor to inform you that I have approved and filed with
2 the Secretary of State the following Acts:

3
4 **HB09-1002** CONCERNING THE OPERATION OF THE STATE LOTTERY.

5
6 Approved March 20, 2009 at 2:19 p.m.

7
8 **HB09-1007** CONCERNING IMPROVING CHILD PROTECTION EFFORTS
9 BY ADDING DOMESTIC VIOLENCE EXPERTS TO
10 INTERAGENCY OVERSIGHT GROUPS IN THE
11 COLLABORATIVE MANAGEMENT PROGRAM.

12
13 Approved March 20, 2009 at 2:20 p.m.

14
15 **HB09-1021** CONCERNING THE EXTENSION OF THE STUDY OF THE
16 TREATMENT OF PERSONS WITH MENTAL ILLNESS WHO
17 ARE INVOLVED IN THE CRIMINAL AND JUVENILE JUSTICE
18 SYSTEMS.

19
20 Approved March 20, 2009 at 2:21 p.m..

21
22 **HB09-1025** CONCERNING REQUIREMENTS FOR INDIVIDUALS WHO
23 COLLECT DATA ON HOSPITAL-ACQUIRED INFECTION
24 RATES.

25
26 Approved March 20, 2009 at 2:22 p.m..

27
28 **HB09-1046** CONCERNING PROCEDURES TO IMPLEMENT THE
29 POSTSECONDARY AND WORKFORCE READINESS
30 ASSESSMENTS PILOT PROGRAM.

31
32 Approved March 20, 2009 at 2:22 p.m.

33
34 **HB09-1050** CONCERNING THE VOLUNTARY CONTRIBUTION
35 DESIGNATION BENEFITING THE COLORADO EASTER SEALS
36 FUND THAT APPEARS ON THE STATE INDIVIDUAL INCOME
37 TAX RETURN FORMS, AND, IN CONNECTION THEREWITH,
38 EXTENDING THE PERIOD FOR THE CONTRIBUTION
39 DESIGNATION AND CHANGING THE NAME OF THE FUND.

40
41 Approved March 20, 2009 at 2:23 p.m.

42
43 **HB09-1080** CONCERNING A GRANT OF QUALIFIED IMMUNITY TO
44 BUILDING CODE OFFICIALS RENDERING ASSISTANCE
45 DURING A DISASTER EMERGENCY.

46
47 Approved March 20, 2009 at 2:24 p.m.

48
49 **HB09-1092** CONCERNING THE RISK OF DAMAGE TO UNDERGROUND
50 FACILITIES CAUSED BY EXCAVATION.

51
52 Approved March 20, 2009 at 2:25 p.m.

53
54
55

- 1 **HB09-1109** CONCERNING THE EXTENSION OF FORECLOSURE
2 PROTECTION TO OWNERS OF RESIDENTIAL PROPERTIES AS
3 TO WHICH FORMAL FORECLOSURE PROCEEDINGS HAVE
4 NOT YET BEEN COMMENCED.
5
6 Approved March 20, 2009 at 2:26 p.m.
7
8
- 9 **HB09-1112** CONCERNING THE INFORMATION PROVIDED TO THE
10 STAFF OF THE LEGISLATIVE COUNCIL IN CONNECTION
11 WITH THE PREPARATION OF FISCAL NOTES FOR
12 LEGISLATIVE MEASURES.
13
14 Approved March 20, 2009 at 2:27 p.m.
15
16
- 17 **HB09-1141** CONCERNING LAWS ENFORCED BY THE ADMINISTRATOR
18 OF THE "UNIFORM CONSUMER CREDIT CODE".
19
20 Approved March 20, 2009 at 2:27 p.m.
21
22
- 23 **HB09-1148** CONCERNING THE AUTHORITY OF THE DEPARTMENT OF
24 REVENUE TO PROVIDE INFORMATION ABOUT SEVERANCE
25 TAX TAXPAYERS TO THE DEPARTMENT OF LOCAL
26 AFFAIRS.
27
28 Approved March 20, 2009 at 2:28 p.m.
29
30
- 31 **HB09-1159** CONCERNING THE ABILITY OF A NONRESIDENT TO SERVE
32 ON THE BOARD OF DIRECTORS OF GROUND WATER
33 MANAGEMENT WATER DISTRICTS.
34
35 Approved March 20, 2009 at 2:28 p.m.
36
37
- 38 **HB09-1161** CONCERNING A REDUCTION IN THE TIME TO PROVIDE
39 WRITTEN DOCUMENTATION SUPPORTING AN OIL AND GAS
40 VALUATION STATEMENT.
41
42 Approved March 20, 2009 at 2:29 p.m.
43
44
- 45 **HB09-1169** CONCERNING AN EXTENSION OF THE REPEAL DATE FOR
46 THE CAPITAL DEVELOPMENT COMMITTEE.
47
48 Approved March 20, 2009 at 2:29 p.m.
49
- 50 **HB09-1257** CONCERNING THE REQUIREMENT THAT THE AMOUNT OF
51 PUBLIC FUNDS INVESTED IN ANY ONE CERTIFICATE OF
52 DEPOSIT MAY NOT EXCEED THE AMOUNT INSURED BY
53 THE FEDERAL DEPOSIT INSURANCE CORPORATION.
54
55 Approved March 20, 2009 at 2:30 p.m.
56

1 **HB09-1265** CONCERNING A TWO-YEAR LIMITATION ON ABATEMENT
2 INTEREST AWARDED TO A NONPROFIT ENTITY THAT HAS
3 NOT QUALIFIED FOR TAX EXEMPTION DUE TO AN ERROR
4 MADE BY THE NONPROFIT ENTITY.

5
6 Approved March 20, 2009 at 2:30 p.m.

7
8 Sincerely,
9 Bill Ritter, Jr.
10 Governor

11

12

13

House in recess. House reconvened.

14

15

16

17

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

18

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DELIVERY OF BILLS TO GOVERNOR

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The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB09-1005, 1027, 1066, 1072, 1122, 1168, 1178, 1185, 1236, 1249; HJR09-1002** at 11:30 a.m. on March 23, 2008.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB09-067.

The Senate has passed on Third Reading and returns herewith: HB09-1061, HB09-1034.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB09-103 amended as printed in Senate Journal, February 6, 2009, page 104 and March 20, 2009, pages 799-800,

SB09-138 amended as printed in Senate Journal, February 12, 2009, page 283.and page 734,

SB09-154 amended as printed in Senate Journal, March 13, 2009, page 734,

SB09-160 amended as printed in Senate Journal, page 262.and March 13, 2009, pages 734-735 and March 20, 2009, pages 800-801.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

- 1 HB09-1110 amended as printed in Senate Journal, March 20, 2009,
 2 page 800,
 3 HB09-1143 amended as printed in Senate Journal, March 20, 2009,
 4 page 801,
 5 HB09-1089 amended as printed in Senate Journal, March 20, 2009,
 6 page 801,
 7 HB09-1260 amended as printed in Senate Journal, March 20, 2009,
 8 pages 801-802,
 9 HB09-1216 amended as printed in Senate Journal, March 20, 2009,
 10 pages 802-803.
 11

12 The Senate voted to reject the First Report of the First Conference
 13 Committee on SB09-215, as printed in Senate Journal, March 16, 2009,
 14 page 744 and dissolved the Conference Committee. The Senate requests
 15 that a Second Conference Committee be appointed. The President
 16 appointed Senators Keller, Chm., Tapia and White as members of the
 17 Second Conference Committee on SB09-215. The bill is transmitted
 18 herewith.
 19

20 21 MESSAGE(S) FROM THE REVISOR

22
 23 We herewith transmit:
 24 Without comment, SB09-067.
 25 Without comment, as amended, HB09-1110, 1143, 1089, 1260, and 1216.
 26 Without comment, as amended, SB09-103, 138, 154, and 160.
 27

28 29 INTRODUCTION OF BILLS 30 First Reading

31
 32 The following bills were read by title and referred to the committees
 33 indicated:
 34

35 **HB09-1320** by Representative(s) Marostica, Ferrandino, Pommer; also
 36 Senator(s) White, Keller, Tapia--Concerning an increase
 37 in fees paid for certain dairy licenses.
 38 Committee on Agriculture, Livestock, & Natural Resources
 39

40 **HB09-1321** by Representative(s) Levy, Carroll T., Green, Benefield,
 41 Court, Ferrandino, Hullinghorst, Kerr A., Looper,
 42 McCann, McFadyen, McGihon, McKinley, Merrifield,
 43 Miklosi, Pace, Pommer, Ryden, Scanlan, Todd, Vigil,
 44 Weissmann; also Senator(s) Carroll M., Bacon, Boyd,
 45 Foster, Heath, Morse, Romer--Concerning the placement
 46 of a juvenile who is awaiting trial in district court.
 47 Committee on Judiciary
 48

49 **HB09-1322** by Representative(s) Benefield, Massey, McFadyen,
 50 Miklosi, Scanlan, Todd; also Senator(s) Schwartz--
 51 Concerning access by motor vehicle repair shops to an
 52 electronic system implemented by the department of
 53 revenue for purposes of determining ownership and
 54 lienholders of abandoned motor vehicles abandoned at
 55 motor vehicle repair shops.
 56 Committee on State, Veterans, & Military Affairs

- 1 **HB09-1323** by Representative(s) Levy, Fischer, Green, Hullinghorst,
2 Kerr A., Labuda, McFadyen, Merrifield, Pace, Pommer,
3 Primavera, Scanlan, Solano; also Senator(s) Veiga, Bacon,
4 Heath, Romer, Shaffer B.--Concerning energy efficiency
5 programs implemented by cooperative electric
6 associations.
7 Committee on Transportation & Energy
8
- 9 **HB09-1324** by Representative(s) McNulty; also Senator(s) Mitchell--
10 Concerning employment disqualifications for employees
11 in public schools.
12 Committee on Education
13
- 14 **HB09-1325** by Representative(s) Todd--Concerning the governor's
15 authority to activate the National Guard.
16 Committee on State, Veterans, & Military Affairs
17
- 18 **SB09-018** by Senator(s) Kopp and Gibbs, Penry, Lundberg; also
19 Representative(s) King S. and Scanlan, Levy--Concerning
20 the creation of a high-risk communities wildfire mitigation
21 grant program.
22 Committee on Local Government
23
- 24 **SB09-067** by Senator(s) Heath; also Representative(s) Marostica and
25 Gagliardi, Rice--Concerning the authority for the
26 operation of the Colorado credit reserve program, and, in
27 connection therewith, making an appropriation.
28 Committee on Business Affairs and Labor
29
- 30 **SB09-098** by Senator(s) Schwartz, Isgar, Brophy, Gibbs; also
31 Representative(s) Vigil--Concerning blending diesel fuels
32 after withdrawal at the rack, and making an appropriation
33 in connection therewith.
34 Committee on Transportation & Energy
35
- 36 **SB09-103** by Senator(s) Carroll M.; also Representative(s) Pommer--
37 Concerning the designation of the practice of providing
38 financial incentives to persons handling insurance claims
39 for making determinations that adversely affect insureds
40 as a deceptive act in the business of insurance.
41 Committee on Health and Human Services
42
- 43 **SB09-138** by Senator(s) Boyd, Newell, Tochtrop; also
44 Representative(s) Gagliardi--Concerning the continuation
45 of the certification of nurse aides by the state board of
46 nursing, and making an appropriation therefor.
47 Committee on Health and Human Services
48
- 49 **SB09-154** by Senator(s) Hodge; also Representative(s) Curry--
50 Concerning the funding of personnel for the "Livestock
51 Health Act".
52 Committee on Agriculture, Livestock, & Natural Resources
53
- 54 **SB09-160** by Senator(s) Hudak; also Representative(s) Todd--
55 Concerning recommendations from the P-20 council
56 relating to educator licensure, and, in connection

1 therewith, streamlining and aligning the alternative teacher
2 and the teacher in residence programs, and making an
3 appropriation.

4 Committee on Education

5
6 **SB09-228** by Senator(s) Morse, Bacon, Boyd, Foster, Groff, Heath,
7 Hodge, Hudak, Isgar, Keller, Newell, Romer, Schwartz,
8 Shaffer B., Tapia, Tochtrop, Veiga, Williams; also
9 Representative(s) Marostica and Court, Ferrandino,
10 Frangas, Green, Hullinghorst, McCann, McGihon,
11 Merrifield, Miklosi, Pace, Pommer, Todd, Weissmann--
12 Concerning an increase in the flexibility of the general
13 assembly to determine the appropriate use of state
14 revenues.

15 Committee on Transportation & Energy

16 Committee on Appropriations

17 _____

18

19

20

LAY OVER OF CALENDAR ITEM(S)

21

22 On motion of Representative Curry, the following item(s) on the Calendar
23 were laid over until March 24, retaining place on Calendar:

24

25 Consideration of General Orders--**SB09-054, 059, 050, 181, 227, 062,**
26 **053, 119, 150, 101, 014, 039, 107, 165, 157, 005, 129, 169, 013, 036,**
27 **047, 060, 109, 182, 216, 168, 173, 042, 020, 092, 148, 175, 222, 105.**

28 Consideration of Conference Committee Report(s)--**SB09-208.**

29 Consideration of Resolution(s)--**SJR09-026.**

30 Consideration of Senate Amendment(s)--**HB09-1254, 1125, 1053, 1139.**

31

32 _____

33

34 On motion of Representative Curry, the House adjourned until 9:00 a.m.,
35 March 24, 2009.

36

37

38

39

Approved:
TERRANCE D. CARROLL,
Speaker

40

41 Attest:
MARILYN EDDINS,

42 Chief Clerk

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

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 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.

56

	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.

55
56

GENERAL ORDERS--SECOND READING OF BILLS

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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	Hullingerhorst	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

24

25

Approved:
TERRANCE D. CARROLL,
Speaker

26

27

28

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Seventy-eighth Legislative Day

Wednesday, March 25, 2009

1 Prayer by Chad Warren, Junior Pastor, Winter Park Christian Church,
 2 Frazier.

3
 4 The Speaker called the House to order at 9:00 a.m.

5
 6 Pledge of Allegiance led by Cassie Goevert, Kohl Elementary School,
 7 Broomfield.

8
 9 The roll was called with the following result:

10
 11 Present--62.
 12 Excused--Representative(s) McGihon, Miklosi, Priola--3.
 13 Present after roll call--Representative(s) Miklosi.

14
 15 The Speaker declared a quorum present.

16
 17
 18 On motion of Representative Pace, the reading of the journal of
 19 March 24, 2009, was declared dispensed with and approved as corrected
 20 by the Chief Clerk.

THIRD READING OF BILLS--FINAL PASSAGE

21
 22
 23
 24
 25
 26 The following bills were considered on Third Reading. The titles were
 27 publicly read. Reading of the bill at length was dispensed with by
 28 unanimous consent.

29
 30 **HB09-1284** by Representative(s) Levy; also Senator(s) Williams--
 31 Concerning corridor capacity strategic planning to foster
 32 transportation efficiency.

33
 34 The question being "Shall the bill 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 was declared **passed**.

	YES	36	NO	27	EXCUSED	2	ABSENT	0
40	Acree	N	Green	Y	McFadyen	Y	Roberts	N
41	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
42	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
43	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y

1	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
2	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
3	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
4	Court	Y	Labuda	Y	Murray	N	Stephens	N
5	Curry	Y	Lambert	N	Nikkel	N	Summers	N
6	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
7	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
8	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
9	Gagliardi	Y	Marostica	N	Primavera	Y	Vaad	N
10	Gardner B.	N	Massey	N	Priola	E	Vigil	Y
11	Gardner C.	N	May	N	Rice	Y	Waller	N
12	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	Y
13							Speaker	Y

14 Co-sponsor(s) added: Representative(s) Fischer, Green, Kefalas, Labuda,
15 Middleton, Primavera, Ryden

16
17 **HB09-1176** by Representative(s) Green; also Senator(s) Williams--
18 Concerning the driving privilege of minor drivers, and in
19 connection therewith, enacting the "Kayla Sealy DeMars
20 Drivers' Safety Act".

21
22 The question being "Shall the bill pass?".

23 A roll call vote was taken. As shown by the following recorded vote, a
24 majority of those elected to the House voted in the affirmative and the bill
25 was declared **passed**.

26	YES	54	NO	9	EXCUSED	2	ABSENT	0
28	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
29	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
30	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
31	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
32	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
33	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
34	Casso	Y	King S.	Y	Miklosi	Y	Soper	N
35	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
36	Curry	Y	Lambert	N	Nikkel	Y	Summers	Y
37	Ferrandino	N	Levy	Y	Pace	Y	Swalm	N
38	Fischer	Y	Liston	N	Peniston	Y	Tipton	Y
39	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
40	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
41	Gardner B.	Y	Massey	Y	Priola	E	Vigil	Y
42	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
43	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Labuda, McFadyen,
46 Merrifield, Middleton, Primavera, Ryden, Schafer S., Todd

47
48 **HB09-1120** by Representative(s) Stephens; also Senator(s) Penry--
49 Concerning criminalizing certain acts in order to protect
50 the safety of certain public servants.

51
52 The question being "Shall the bill pass?".

53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.

56

	YES	60	NO	3	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	N
4	Balmer	Y	Judd	N	McKinley	N	Scanlan	Y
5	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
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	E	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) Baumgardner, Frangas, Gardner B.,
 20 Kerr J., Labuda, McFadyen, Nikkel, Roberts, Summers, Tipton, Todd, Vigil,
 21 Waller, Speaker

22
 23 **HB09-1196** by Representative(s) Gerou, Kerr J., Kerr A., McNulty,
 24 Schafer S., Summers; also Senator(s) Boyd--Concerning
 25 the use of moneys derived from civil money penalties
 26 imposed on nursing facilities to fund innovation in nursing
 27 home care, and making an appropriation therefor.

28
 29 The question being "Shall the bill pass?".

30 A roll call vote was taken. As shown by the following recorded vote, a
 31 majority of those elected to the House voted in the affirmative and the bill
 32 was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
35	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
36	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
37	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
38	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
39	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
40	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
41	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
42	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
43	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
44	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
45	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
46	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
47	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
48	Gardner B.	Y	Massey	Y	Priola	E	Vigil	Y
49	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
50	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Acree, Gardner B., Green, Primavera,
 53 Ryden, Stephens, Todd

54
 55

1 **HB09-1213** by Representative(s) Gagliardi; also Senator(s) Schwartz--
 2 Concerning the creation of the housing development grant
 3 fund in the state treasury to be administered by the division
 4 of housing for purposes associated with increasing the
 5 supply of affordable housing in the state.
 6

7 The question being "Shall the bill pass?".
 8 A roll call vote was taken. As shown by the following recorded vote, a
 9 majority of those elected to the House voted in the affirmative and the bill
 10 was declared **passed**.
 11

	YES	44	NO	19	EXCUSED	2	ABSENT	0
13	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
14	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
15	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
16	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
17	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
18	Bradford	N	Kerr J.	Y	Middleton	Y	Sonnenberg	N
19	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
20	Court	Y	Labuda	Y	Murray	N	Stephens	N
21	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
22	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
23	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
24	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
25	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	N
26	Gardner B.	N	Massey	Y	Priola	E	Vigil	Y
27	Gardner C.	N	May	N	Rice	Y	Waller	N
28	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Apuan, Ferrandino, Fischer, Gerou,
 31 Green, Hullinghorst, Kefalas, Labuda, Marostica, Merrifield, Middleton,
 32 Riesberg, Ryden, Schafer S., Todd, Vigil
 33

34 **HB09-1243** by Representative(s) Middleton and Massey, Labuda,
 35 Casso, Court, McGihon, Miklosi, Peniston, Primavera,
 36 Ryden, Scanlan, Todd, Vigil; also Senator(s) Bacon,
 37 Spence--Concerning measures to raise the graduation rate
 38 in public high schools in Colorado, and making an
 39 appropriation in connection therewith.
 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**.
 45

	YES	60	NO	3	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	N	Schafer S.	Y
51	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
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	N	Nikkel	N	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	E	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) Apuan, Ferrandino, Fischer,
9 Gardner B., Green, Hulinghorst, Kefalas, Kerr A., Merrifield, Riesberg,
10 Roberts, Schafer S., Solano, Speaker

11
12 **HB09-1275** by Representative(s) Apuan, Balmer, McFadyen, Rice,
13 Solano; also Senator(s) Morse, Heath, Mitchell, Schwartz,
14 Veiga--Concerning the ability of the department of public
15 health and environment to issue a provisional certification
16 to an applicant seeking certification as an emergency
17 medical technician, and making an appropriation therefor.

18
19 The question being "Shall the bill pass?".

20 A roll call vote was taken. As shown by the following recorded vote, a
21 majority of those elected to the House voted in the affirmative and the bill
22 was declared **passed**.

23	YES	63	NO	0	EXCUSED	2	ABSENT	0
24	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
25	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
26	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
27	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
28	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
29	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
30	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
31	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
32	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
33	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
34	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
35	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
36	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
37	Gardner B.	Y	Massey	Y	Priola	E	Vigil	Y
38	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
39	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
40							Speaker	Y

41
42 Co-sponsor(s) added: Representative(s) Fischer, Kefalas, Ryden, Schafer S.,
43 Todd

44
45 **HB09-1291** by Representative(s) Nikkel, Casso, Court, Gardner C.,
46 Hulinghorst, Kerr J., Labuda, Lambert, Massey, Miklosi,
47 Murray, Stephens, Todd; also Senator(s) Shaffer B.,
48 Bacon, Boyd, Cadman, Lundberg, Schultheis, Williams--
49 Concerning providing information regarding resources
50 available to veterans of the United States armed forces.

51
52 The question being "Shall the bill pass?".

53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.

56

	YES	63	NO	0	EXCUSED	2	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	Y
5	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
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	E	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) Apuan, Baumgardner, Fischer, Frangas,
 20 Gardner B., Gerou, Kefalas, Looper, Marostica, May, McNulty, Middleton,
 21 Roberts, Ryden, Schafer S., Sonnenberg, Summers, Tipton, Vigil, Waller,
 22 Weissmann, Speaker

23
 24 **HB09-1293** by Representative(s) Riesberg and Ferrandino, Pommer,
 25 Marostica, Apuan, Carroll T., Court, Curry, Gagliardi,
 26 Green, Judd, Kefalas, Levy, Massey, McFadyen,
 27 McGihon, Middleton, Miklosi, Pace, Peniston, Primavera,
 28 Schafer S., Todd, Vigil, Weissmann; also Senator(s)
 29 Keller and Boyd, Tapia, White, Carroll M., Foster, Groff,
 30 Hodge, Isgar, Kester, Morse, Newell, Shaffer B.,
 31 Tochtrop, Williams--Concerning a hospital provider fee,
 32 and, in connection therewith, authorizing the department
 33 of health care policy and financing to charge and collect a
 34 hospital provider fee, specifying the allowable uses of the
 35 fees, requiring a post-enactment review of the
 36 implementation of this act, and making an appropriation in
 37 connection therewith.

38
 39 The question being "Shall the bill pass?".
 40 A roll call vote was taken. As shown by the following recorded vote, a
 41 majority of those elected to the House voted in the affirmative and the bill
 42 was declared **passed**.

	YES	40	NO	23	EXCUSED	2	ABSENT	0
44								
45	Acree	N	Green	Y	McFadyen	Y	Roberts	N
46	Apuan	Y	Hullingerhorst	Y	McGihon	E	Ryden	Y
47	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
48	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
49	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
50	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	N
51	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
52	Court	Y	Labuda	Y	Murray	N	Stephens	N
53	Curry	Y	Lambert	N	Nikkel	N	Summers	N
54	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
55	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
56	Frangas	Y	Looper	N	Pommer	Y	Todd	Y

1	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	N
2	Gardner B.	N	Massey	Y	Priola	E	Vigil	Y
3	Gardner C.	N	May	N	Rice	Y	Waller	N
4	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Benefield, Casso, Fischer, Hullinghorst,
7 Kerr A., Labuda, McCann, Merrifield, Ryden, Scanlan, Solano, Soper

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 The question being "Shall the bill pass?".

20 A roll call vote was taken. As shown by the following recorded vote, a
21 majority of those elected to the House voted in the affirmative and the bill
22 was declared **passed**.

23	YES	44	NO	19	EXCUSED	2	ABSENT	0
24	Acree	N	Green	Y	McFadyen	Y	Roberts	N
25	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
26	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
27	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
28	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
29	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
30	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
31	Court	Y	Labuda	Y	Murray	N	Stephens	N
32	Curry	Y	Lambert	N	Nikkel	N	Summers	N
33	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
34	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
35	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
36	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
37	Gardner B.	Y	Massey	Y	Priola	E	Vigil	Y
38	Gardner C.	N	May	Y	Rice	Y	Waller	Y
39	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	Y
40							Speaker	Y

41
42 Co-sponsor(s) added: Representative(s) King S., Speaker

43 44 45 46 **ADHERENCE ON SB09-215**

47
48 **SB09-215** by Senator(s) Keller, Tapia, White; also Representative(s)
49 Pommer, Ferrandino, Marostica--Concerning
50 modifications to appropriations to achieve a reduction in
51 the state expenditures for the financing of public schools.

52
53 Representative Merrifield moved that the Second Conference Committee
54 be discharged and that the House **adhere** to its position on **SB09-215**. A
55 substitute motion by Representative Gardner C. that the House recede
56 from its position was declared **lost** by the following roll call vote:

	YES	24	NO	39	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Green	N	McFadyen	N	Roberts	N
3	Apuan	N	Hullinghorst	N	McGihon	E	Ryden	N
4	Balmer	Y	Judd	N	McKinley	N	Scanlan	N
5	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	N
6	Benefield	N	Kerr A.	N	Merrifield	N	Solano	N
7	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y
8	Casso	N	King S.	Y	Miklosi	N	Soper	N
9	Court	N	Labuda	N	Murray	Y	Stephens	Y
10	Curry	N	Lambert	Y	Nikkel	Y	Summers	Y
11	Ferrandino	N	Levy	N	Pace	N	Swalm	Y
12	Fischer	N	Liston	Y	Peniston	N	Tipton	Y
13	Frangas	N	Looper	Y	Pommer	N	Todd	N
14	Gagliardi	N	Marostica	N	Primavera	N	Vaad	Y
15	Gardner B.	Y	Massey	N	Priola	E	Vigil	N
16	Gardner C.	Y	May	Y	Rice	N	Waller	Y
17	Gerou	Y	McCann	N	Riesberg	N	Weissmann	N
18							Speaker	N
19								

20 Representative Merrifield's motion that the House **adhere** to its position
 21 on **SB09-215** was declared **passed** by the following roll call vote.

	YES	37	NO	26	EXCUSED	2	ABSENT	0
24	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
25	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
26	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
27	Baumgardner	N	Kefalas	N	McNulty	N	Schafer S.	Y
28	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
29	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
30	Casso	N	King S.	N	Miklosi	Y	Soper	Y
31	Court	Y	Labuda	Y	Murray	N	Stephens	N
32	Curry	Y	Lambert	N	Nikkel	N	Summers	N
33	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
34	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
35	Frangas	N	Looper	N	Pommer	Y	Todd	Y
36	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	N
37	Gardner B.	N	Massey	Y	Priola	E	Vigil	Y
38	Gardner C.	N	May	N	Rice	Y	Waller	N
39	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	Y
40							Speaker	Y

41 The Second Conference Committee was discharged.

45 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

47 **HB09-1254** by Representative(s) Judd, Rice; also Senator(s) Harvey--
 48 Concerning additional consumer protections relating to
 49 like-kind exchanges facilitated by exchange facilitators.

51 (Amended as printed in Senate Journal, March 13, page 729.)

53 Representative Judd moved that the House **concur** in Senate
 54 amendments. The motion was declared **passed** by the following roll call
 55 vote:

56

	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	Y
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	E	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								

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	0	EXCUSED	2	ABSENT	0
25								
26	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
27	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
28	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
29	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
30	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
31	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
32	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
33	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
34	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
35	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
36	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
37	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
38	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
39	Gardner B.	Y	Massey	Y	Priola	E	Vigil	Y
40	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
41	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Pommer

44
 45 **HB09-1125** by Representative(s) Merrifield, Massey, Benefield,
 46 Gagliardi, Middleton, Pace, Peniston, Priola, Scanlan,
 47 Solano, Summers, Weissmann; also Senator(s) Hudak--
 48 Concerning limitations on the incentives local education
 49 providers may provide for participation in public
 50 educational programs.

51
 52 (Amended as printed in Senate Journal, March 16, pages 754-755.)

53
 54 Representative Merrifield moved that the House **concur** in Senate
 55 amendments. The motion was declared **passed** by the following roll call
 56 vote:

	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	Y
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	E	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								

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	52	NO	11	EXCUSED	2	ABSENT	0
25								
26	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
27	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
28	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
29	Baumgardner	Y	Kefalas	Y	McNulty	N	Schafer S.	Y
30	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
31	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	N
32	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
33	Court	Y	Labuda	Y	Murray	Y	Stephens	N
34	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
35	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
36	Fischer	Y	Liston	N	Peniston	Y	Tipton	Y
37	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
38	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
39	Gardner B.	Y	Massey	Y	Priola	E	Vigil	Y
40	Gardner C.	N	May	Y	Rice	Y	Waller	Y
41	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Fischer, Green, Ryden, Schafer S.

44
 45 **HB09-1139** by Representative(s) Solano; also Senator(s) Tochtrop--
 46 Concerning fetal alcohol spectrum disorders.

47
 48 (Amended as printed in Senate Journal, March 19, pages 755-756.)

49
 50 Representative Solano moved that the House **concur** in Senate
 51 amendments. The motion was declared **passed** by the following roll call
 52 vote:

	YES	63	NO	0	EXCUSED	2	ABSENT	0
54								
55	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
56	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y

1	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
2	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
3	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
4	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
5	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
6	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
7	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
8	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
9	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
10	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
11	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
12	Gardner B.	Y	Massey	Y	Priola	E	Vigil	Y
13	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
14	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
15							Speaker	Y

16

17 The question being, "Shall the bill, as amended, pass?".

18 A roll call vote was taken. As shown by the following recorded vote, a
 19 majority of those elected to the House voted in the affirmative, and the
 20 bill, as amended, was declared **repassed**.

21

	YES	63	NO	0	EXCUSED	2	ABSENT	0
23	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
24	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
25	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
26	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
27	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
28	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
29	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
30	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
31	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
32	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
33	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
34	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
35	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
36	Gardner B.	Y	Massey	Y	Priola	E	Vigil	Y
37	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
38	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
39							Speaker	Y

40 Co-sponsor(s) added: Representative(s) Vigil

41

42 **HB09-1089** by Representative(s) Primavera; also Senator(s) Spence--
 43 Concerning the filing requirements for liens that secure a
 44 debt upon a vehicle.

45

46 (Amended as printed in Senate Journal, March 18, pages 775-776.)

47

48 Representative Primavera moved that the House **concur** in Senate
 49 amendments. The motion was declared **passed** by the following roll call
 50 vote:

51

	YES	63	NO	0	EXCUSED	2	ABSENT	0
53	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y

1	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
2	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
3	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
4	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
5	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
6	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
7	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
8	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
9	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
10	Gardner B.	Y	Massey	Y	Priola	E	Vigil	Y
11	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
12	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
13							Speaker	Y

14

15 The question being, "Shall the bill, as amended, 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
 18 bill, as amended, was declared **repassed**.

19

20	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	Y
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	E	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

39 **HB09-1110** by Representative(s) Scanlan; also Senator(s) Gibbs--
 40 Concerning information required to be provided to the
 41 county assessor upon request in connection with any
 42 advertisement for the rental of furnished residential real
 43 property within the state.

44

45 (Amended as printed in Senate Journal, March 13, page 735.)

46

47 Representative Scanlan moved that the House **concur** in Senate
 48 amendments. The motion was declared **passed** by the following roll call
 49 vote:

50

51	YES	57	NO	6	EXCUSED	2	ABSENT	0
52	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
53	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
54	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
55	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
56	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y

1	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
2	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
3	Court	Y	Labuda	N	Murray	Y	Stephens	Y
4	Curry	Y	Lambert	N	Nikkel	Y	Summers	Y
5	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
6	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
7	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
8	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
9	Gardner B.	Y	Massey	Y	Priola	E	Vigil	Y
10	Gardner C.	N	May	Y	Rice	Y	Waller	N
11	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
12							Speaker	Y

13
14 The question being, "Shall the bill, as amended, pass?".
15 A roll call vote was taken. As shown by the following recorded vote, a
16 majority of those elected to the House voted in the affirmative, and the
17 bill, as amended, was declared **repassed**.

	YES	53	NO	10	EXCUSED	2	ABSENT	0
20	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
21	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
22	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
23	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
24	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
25	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	N
26	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
27	Court	Y	Labuda	Y	Murray	Y	Stephens	N
28	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
29	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
30	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
31	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
32	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
33	Gardner B.	N	Massey	Y	Priola	E	Vigil	Y
34	Gardner C.	N	May	N	Rice	Y	Waller	N
35	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
36							Speaker	Y

37
38 **HB09-1143** by Representative(s) Swalm, Acree, Balmer, Bradford,
39 Court, Gardner B., Labuda, Liston, Looper, Lundberg,
40 Massey, McFadyen, McNulty, Priola, Scanlan, Summers;
41 also Senator(s) Schwartz--Concerning the authority of a
42 health maintenance organization to offer basic health
43 services through a limited health benefit plan.

44
45 (Amended as printed in Senate Journal, March 13, pages 736-738 and on
46 March 20, page 801.)

47
48 Representative Swalm moved that the House **concur** in Senate
49 amendments. The motion was declared **passed** by the following roll call
50 vote:

	YES	63	NO	0	EXCUSED	2	ABSENT	0
53	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y

1	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
2	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
3	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
4	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
5	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
6	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
7	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
8	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
9	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
10	Gardner B.	Y	Massey	Y	Priola	E	Vigil	Y
11	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
12	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
13							Speaker	Y

14

15 The question being, "Shall the bill, as amended, 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
 18 bill, as amended, was declared **repassed**.

19

20	YES	43	NO	20	EXCUSED	2	ABSENT	0
21	Acree	Y	Green	N	McFadyen	Y	Roberts	Y
22	Apuan	N	Hullinghorst	N	McGihon	E	Ryden	N
23	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
24	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	N
25	Benefield	Y	Kerr A.	N	Merrifield	N	Solano	N
26	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
27	Casso	Y	King S.	N	Miklosi	N	Soper	N
28	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
29	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
30	Ferrandino	N	Levy	Y	Pace	N	Swalm	Y
31	Fischer	N	Liston	Y	Peniston	Y	Tipton	Y
32	Frangas	N	Looper	Y	Pommer	Y	Todd	N
33	Gagliardi	N	Marostica	Y	Primavera	N	Vaad	Y
34	Gardner B.	Y	Massey	Y	Priola	E	Vigil	Y
35	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
36	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
37							Speaker	Y

38

Co-sponsor(s) added: Representative(s) Rice

39

40 **HB09-1216** by Representative(s) Murray; also Senator(s) Newell--
 41 Concerning voting by electors, and, in connection
 42 therewith, amending the election code to reflect changes
 43 brought about by the implementation of the statewide
 44 voter registration system and permanent mail-in voting.

45

46 (Amended as printed in Senate Journal, March 20, pages 802-803.)

47

48 Representative Murray moved that the House **concur** in Senate
 49 amendments. The motion was declared **passed** by the following roll call
 50 vote:

51

52	YES	63	NO	0	EXCUSED	2	ABSENT	0
53	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y

1	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
2	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
3	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
4	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
5	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
6	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
7	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
8	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
9	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
10	Gardner B.	Y	Massey	Y	Priola	E	Vigil	Y
11	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
12	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
13							Speaker	Y

14

15 The question being, "Shall the bill, as amended, 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
 18 bill, as amended, was declared **repassed**.

19

20	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	Y
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	E	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

39 **HB09-1260** by Representative(s) Ferrandino; also Senator(s) Veiga--
 40 Concerning designated beneficiary agreements.

41

42 (Amended as printed in Senate Journal, March 17, page 766-770, and
 43 March 20, pages 801-802.)

44

45 Representative Ferrandino moved that the House **concur** in Senate
 46 amendments. The motion was declared **passed** by the following roll call
 47 vote:

48

49	YES	44	NO	19	EXCUSED	2	ABSENT	0
50	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
51	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
52	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
53	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
54	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
55	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
56	Casso	Y	King S.	N	Miklosi	Y	Soper	Y

1	Court	Y	Labuda	Y	Murray	N	Stephens	N
2	Curry	Y	Lambert	Y	Nikkel	N	Summers	N
3	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
4	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
5	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
6	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	N
7	Gardner B.	N	Massey	Y	Priola	E	Vigil	Y
8	Gardner C.	N	May	N	Rice	Y	Waller	N
9	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
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	39	NO	24	EXCUSED	2	ABSENT	0
18	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
19	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
20	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
21	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
22	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
23	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
24	Casso	Y	King S.	N	Miklosi	Y	Soper	N
25	Court	Y	Labuda	Y	Murray	N	Stephens	N
26	Curry	Y	Lambert	N	Nikkel	N	Summers	N
27	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
28	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
29	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
30	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	N
31	Gardner B.	N	Massey	Y	Priola	E	Vigil	Y
32	Gardner C.	N	May	N	Rice	Y	Waller	N
33	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
34							Speaker	Y

35 Co-sponsor(s) added: Representative(s) Peniston, Riesberg

36

37 **HB09-1057** by Representative(s) Kerr A., Carroll T., Apuan; also
38 Senator(s) Bacon, Groff--Concerning parental
39 involvement in kindergarten through twelfth grade
40 education.

41

42 (Amended as printed in Senate Journal, March 13, pages 739.)

43

44 Representative Kerr A. moved that the House **not concur** in Senate
45 amendments and that a Conference Committee be appointed. A substitute
46 motion by Representative Gardner that the House **concur** in Senate
47 amendments was declared **lost** by the following roll call vote:

48

49	YES	22	NO	41	EXCUSED	2	ABSENT	0
50	Acree	Y	Green	N	McFadyen	N	Roberts	Y
51	Apuan	N	Hullinghorst	N	McGihon	E	Ryden	N
52	Balmer	Y	Judd	N	McKinley	N	Scanlan	N
53	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	N
54	Benefield	N	Kerr A.	N	Merrifield	N	Solano	N
55	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y
56	Casso	N	King S.	N	Miklosi	N	Soper	N

1	Court	N	Labuda	N	Murray	Y	Stephens	Y
2	Curry	N	Lambert	Y	Nikkel	Y	Summers	N
3	Ferrandino	N	Levy	N	Pace	N	Swalm	Y
4	Fischer	N	Liston	Y	Peniston	N	Tipton	Y
5	Frangas	N	Looper	Y	Pommer	N	Todd	N
6	Gagliardi	N	Marostica	Y	Primavera	N	Vaad	N
7	Gardner B.	Y	Massey	Y	Priola	E	Vigil	N
8	Gardner C.	Y	May	Y	Rice	N	Waller	Y
9	Gerou	N	McCann	N	Riesberg	N	Weissmann	N
10							Speaker	N

11
12 Representative Kerr A.'s motion that the House **not concur** in Senate
13 amendments and that a Conference Committee be appointed was declared
14 **passed** by the following roll call vote:

16	YES	37	NO	26	EXCUSED	2	ABSENT	0
17	Acree	N	Green	Y	McFadyen	Y	Roberts	N
18	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
19	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
20	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
21	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
22	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
23	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
24	Court	Y	Labuda	Y	Murray	N	Stephens	N
25	Curry	Y	Lambert	N	Nikkel	N	Summers	N
26	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
27	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
28	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
29	Gagliardi	Y	Marostica	N	Primavera	Y	Vaad	N
30	Gardner B.	N	Massey	N	Priola	E	Vigil	Y
31	Gardner C.	N	May	N	Rice	Y	Waller	N
32	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	Y
33							Speaker	Y

34 The Speaker appointed Representatives Kerr A., Chairman, Carroll T. and
35 Waller as House conferees to the bill.

36
37
38
39
40 **MEMORANDUM**
41 **REPORT FROM THE HOUSE AND SENATE**
42 **COMMITTEES ON DELAYED BILLS**
43

44 Pursuant to Joint Rule 23 (c), the House and Senate Committees on
45 Delayed Bills, acting jointly, extend the following deadline for LLS No.
46 09-0933, Concerning the Financing of Public Schools:

47
48 The Friday, March 13 deadline (the 66th legislative day) for final passage,
49 including any conference committee report, for any bill prescribing all or
50 a substantial portion of the total funding for public schools pursuant to the
51 "Public School Finance Act of 1994", article 54 of title 22, Colorado
52 Revised Statutes, as previously extended until Friday, March 27, 2009
53 (the 80th legislative day) is further extended until Friday, April 10, 2009
54 (the 94th legislative day).
55

1 This memorandum shall be printed in the journal of each house as is
2 required by said Joint Rule 23 (c).

3		
4	Representative Terrance Carroll	Senator Peter Groff
5	Representative Paul Weissmann	Senator Brandon Shaffer
6	Representative Mike May	Senator Josh Penry

7
8
9
10 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

11
12 **STATE, VETERANS, & MILITARY AFFAIRS**

13 After consideration on the merits, the Committee recommends the
14 following:

15
16 **HB09-1315** be referred to the Committee of the Whole with favorable
17 recommendation.

18
19
20
21 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
22 **on HB09-1058**

23
24 This Report Amends the Rerevised Bill.

25
26 To the President of the Senate and the
27 Speaker of the House of Representatives:

28
29 Your first conference committee appointed on HB09-1058,
30 concerning the final disposition of the remains of veterans of the armed
31 forces that have been abandoned, has met and reports that it has agreed
32 upon the following:

33
34 That the House accede to the Senate amendments made to the bill,
35 as the amendments appear in the rerevised bill, with the following
36 changes:

37
38 Amend rerevised bill, page 2, line 15, strike "TWELVE" and substitute
39 "ONE HUNDRED EIGHTY DAYS";
40
41 line 16, strike "MONTHS".

43	Respectfully submitted,	
44	House Committee:	Senate Committee:
45	(signed)	(signed)
46	Don Marostica	John P. Morse
47	Jack Pommer	Bill Cadman
48	Paul Weissmann	Bob Bacon

49
50
51
52 **PRINTING REPORT**

53
54 The Chief Clerk reports the following bills have been correctly printed:
55 **HB09-1326, 1327, 1328.**

56

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MESSAGE(S) FROM THE SENATE

The Senate has adopted the First Report of the First Conference Committee on HB09-1058 as printed in the Senate Journal March 9, 2009, page 663, and repassed the bill as amended.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 25th day of March, 2009, at 9:00 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 24, 2009

To the Honorable
House of Representatives
Sixty-seventh General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB09-1052 CONCERNING LIMITATIONS ON THE SOLICITATION OF DONATED ITEMS THAT WILL BE SOLD FOR PROFIT.

Approved March 24, 2009 at 2:07 p.m.

HB09-1091 CONCERNING A REQUIREMENT THAT CARBON MONOXIDE ALARMS BE INSTALLED IN RESIDENTIAL PROPERTIES.

Approved March 24, 2009 at 3:38 p.m .

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

House in recess. House reconvened.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB09-1008, 1102, 1186, 1191, 1197, 1234, 1262, 1263.**

1 **MESSAGE(S) FROM THE SENATE**

2
3 The Senate has passed on Third Reading and returns herewith:
4 HB09-1292, HB09-1018, HB09-1279, HB09-1240, HB09-1264.

5
6 The Senate has passed on Third Reading and transmitted to the Revisor
7 of Statutes:
8 SB09-133 amended as printed in Senate Journal, March 24, 2009, page
9 843,
10 SB09-242 amended as printed in Senate Journal March 24, 2009, page
11 843.

12
13 The Senate has passed on Third Reading and transmitted to the Revisor
14 of Statutes:

15
16 HB09-1151 amended as printed in Senate Journal, March 24,
17 pages 841-842,
18 HB09-1220 amended as printed in Senate Journal, March 24, 2009,
19 page 842,
20 HB09-1285 amended as printed in Senate Journal, March 24, 2009,
21 page 842,
22 HB09-1200 amended as printed in Senate Journal, March 24, 2009,
23 page 843.
24 HB09-1229 amended as printed in Senate Journal, March 24, 2009,
25 page 842.

26 The Senate voted to concur in House amendments to SB09-069,
27 SB09-225 and SB09-117, and repassed the bills as so amended.

28
29

30 **MESSAGE(S) FROM THE REVISOR**

31
32 We herewith transmit:
33 Without comment, as amended, SB09-133 and 242.
34 Without comment, as amended, HB09-1151, 1220, 1229, 1285, and 1200.

35
36
37

38 **INTRODUCTION OF BILLS**
39 **First Reading**

40
41 The following bills were read by title and referred to the committees
42 indicated:

43
44 **HB09-1329** by Representative(s) Marostica, Ferrandino, Pommer; also
45 Senator(s) White, Keller, Tapia--Concerning the
46 percentage of moneys transferred from the tobacco
47 litigation settlement cash fund to the Colorado state
48 veterans trust fund that are subject to annual appropriation.

49 Committee on Appropriations

50
51 **SB09-133** by Senator(s) Spence; also Representative(s) Primavera--
52 Concerning increased surcharges for traffic violations that
53 apply the moneys collected to the Colorado traumatic brain
54 injury trust fund, and making an appropriation in
55 connection therewith.

56 Committee on Transportation & Energy

1 **SB09-242** by Senator(s) Isgar, Penry; also Representative(s) Looper--
2 Concerning Colorado membership in the energy council,
3 and making an appropriation in connection therewith.
4 Committee on State, Veterans, & Military Affairs
5 Committee on Appropriations
6
7
8
9

10 **LAY OVER OF CALENDAR ITEM(S)**

11
12 On motion of Representative Weissmann, the following item(s) on the
13 Calendar were laid over until March 26, retaining place on Calendar:
14

15 Consideration of Conference Committee Report(s)--**SB09-208, 210.**
16 Consideration of Resolution(s)--**SJR09-026.**
17 Consideration of Senate Amendment(s)--**HB09-1053.**
18
19

20
21 On motion of Representative Weissmann, the House adjourned until
22 9:00 a.m., March 26, 2009.
23

24
25 Approved:
26 TERRANCE D. CARROLL,
27 Speaker

27 Attest:
28 MARILYN EDDINS,
29 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Seventy-ninth Legislative Day

Thursday, March 26, 2009

1 Prayer by Representative Summers.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Denzel Harper, Miles Gill, Boden Lanham,
6 Bailey Hughes, Braden Cook, Caleb Rotello, Dominic Brewick, Austin
7 Mee, Liam Gill, Cub Scout Pack 564.

8

9 The roll was called with the following result:

10

11 Present--60.

12 Excused--Representative(s) Levy, McGihon, Pommer, Scanlan,
13 Weissmann--5.

14

Present after roll call--Representative(s) Levy, Pommer.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Pace, the reading of the journal of
20 March 25, 2009, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22

23

24

25

MESSAGE(S) FROM THE SENATE

26

27 The Senate has adopted and transmits herewith: SJR09-031.

28

29

30

INTRODUCTION AND CONSIDERATION OF RESOLUTION

32

33 On motion of Representative Kerr A., the rules were suspended and the
34 following resolution was given immediate consideration.

35

36 **SJR09-031** by Senator(s) Shaffer B.; also Representative(s) Rice--
37 Concerning the continuing importance of Braille literacy
38 in the lives of blind children and adults in Colorado and
39 across the nation, and, in connection therewith,
40 recognizing "National Braille Readers are Leaders Day".

41

42 (Printed and placed in member's file).

43

1 On motion of Representative Rice, the resolution was read at length and
2 **adopted** by **viva voce** vote.

3
4 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
5 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
6 Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green,
7 Hulinghorst, Judd, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy,
8 Liston, Looper, Marostica, Massey, May, McCann, McFadyen, McKinley,
9 McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston,
10 Primavera, Priola, Riesberg, Roberts, Ryden, Schafer S., Solano, Sonnenberg,
11 Soper, Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil, Waller, Speaker

12
13
14
15 On motion of Representative Hulinghorst, the House resolved itself into
16 Committee of the Whole for consideration of General Orders, and she
17 was called to the Chair to act as Chairman.

18
19
20 **GENERAL ORDERS--SECOND READING OF BILLS**

21
22 The Committee of the Whole having risen, the Chairman reported the
23 titles of the following bills had been read (reading at length had been
24 dispensed with by unanimous consent), the bills considered and action
25 taken thereon as follows:

26
27 (Amendments to the committee amendment are to the printed committee
28 report which was printed and placed in the members' bill file.)

29
30 **SB09-080** by Senator(s) Isgar, Romer, White; also Representative(s)
31 Looper--Concerning limited exemptions for water
32 collected from certain residential rooftops.

33
34 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
35 dated March 10, 2009, and placed in member's bill file; Report also
36 printed in House Journal, March 11, pages 686-68.

37
38 Amendment No. 2, by Representative(s) Looper.

39
40 Amend the Agriculture, Livestock, and Natural Resources Committee
41 Report, dated March 10, 2009, page 1, after line 1, insert the following:

42
43 "SECTION 1. 37-80-111.5 (1) (d), Colorado Revised Statutes, is
44 amended to read:

45
46 **37-80-111.5. Fees - water data bank cash fund - division of**
47 **water resources publication cash fund - satellite monitoring system**
48 **cash fund - ground water management cash fund - well inspection**
49 **cash fund - created.** (1) (d) The state engineer shall collect fees
50 pursuant to sections 37-90-105 (3) (a), (3) (e), and (4), 37-90-107 (7) (c)
51 (I) and (7) (d) (I), 37-90-108 (4) and (6), 37-90-116 (1) (a), (1) (c), (1)
52 (h), and (1) (i), 37-90-137 (2), (3) (a), and (3) (c), 37-90.5-106, 37-92-305
53 (17), 37-92-308, and 37-92-602 (1) (g) (III) (C), (3) (a), (3) (d), and (5).
54 All such fees shall be transmitted to the state treasurer, who shall credit
55 the same to the division of water resources ground water management
56 cash fund, which is hereby created; except that, of each fee collected

1 pursuant to section 37-90-107 (7) (c) (I) and (7) (d) (I) and section 37-90-
2 116 (1) (a), (1) (h), and (1) (i), thirty dollars shall be credited to the
3 general fund; of each fee collected pursuant to section 37-90-137 (2), (3)
4 (a) (I), and (3) (a) (II) and section 37-92-602 (3) (a) for wells applied for
5 pursuant to section 37-92-602 (3) (b), twenty-five dollars shall be credited
6 to the general fund; of each fee collected pursuant to section 37-90-116
7 (1) (c), ten dollars shall be credited to the general fund; of each fee
8 collected pursuant to section 37-90-105 (3) (a) and (4) (a) and section 37-
9 92-602 (3) (a) for wells applied for pursuant to section 37-92-602 (3) (c)
10 and (5), five dollars shall be credited to the general fund; and except that,
11 of each fee collected pursuant to sections 37-90-105 (3) (a) (I) and (4) (a),
12 37-90-107 (7) (d) (I), 37-90-116 (1) (a), (1) (c), and (1) (h), 37-90-137 (2)
13 (a), and 37-92-602 (3) (a) and (5), forty dollars shall be credited to the
14 well inspection cash fund, which fund is hereby created. Moneys in the
15 well inspection cash fund shall be appropriated to and expended by the
16 state engineer for the purposes established in section 37-91-113. Any
17 moneys credited to the well inspection cash fund and unexpended at the
18 end of any given fiscal year shall remain in the fund and shall not revert
19 to the general fund. All interest derived from the deposit and investment
20 of this fund shall remain in the fund and shall not revert to the general
21 fund. Moneys in the ground water management cash fund shall be
22 expended by the state engineer for the purposes of developing an
23 automated well permit processing system that will expedite the issuance
24 of well permits, creating and maintaining a ground water information
25 management system, establishing a ground water data network,
26 establishing ground water recharge programs, conducting ground water
27 investigations, MONITORING COMPLIANCE WITH ROOFTOP PRECIPITATION
28 CAPTURE LAWS AND PERMITS PURSUANT TO SECTION 37-92-602 (1) (g), the
29 administration of rotational crop management contracts, and for other
30 ground water related activities that are deemed necessary by the state
31 engineer in performing statutory duties, subject to appropriation by the
32 general assembly. Data in the ground water data network shall be made
33 available to the public by the office of the state engineer as expeditiously
34 as possible.";

35
36 line 2 of the committee report, strike ""SECTION 1." and substitute
37 "SECTION 2.".

38
39 Page 4 of the committee report, after line 23, insert the following:

40
41 "Page 5 of the reengrossed bill, after line 2, insert the following:

42 "(V) (A) THE STATE ENGINEER OR THE DIVISION ENGINEERS MAY
43 ISSUE, TO THE USERS OF METHODS OR SYSTEMS OF ROOFTOP PRECIPITATION
44 COLLECTION, ORDERS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS
45 PARAGRAPH (g). IF SUCH ORDERS ARE GIVEN ORALLY, THEY SHALL BE
46 CONFIRMED PROMPTLY IN WRITING.

47
48 (B) IN THE EVENT THAT AN ORDER OF A DIVISION ENGINEER OR THE
49 STATE ENGINEER ISSUED PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS
50 SUBPARAGRAPH (V) IS NOT COMPLIED WITH, THE STATE ENGINEER, IN THE
51 NAME OF THE PEOPLE OF THE STATE OF COLORADO, THROUGH THE
52 ATTORNEY GENERAL, SHALL APPLY TO THE WATER JUDGE OF THE
53 PARTICULAR DIVISION FOR AN INJUNCTION ENJOINING THE PERSON FROM
54 COMMITTING THE VIOLATION. IN SUCH PROCEEDING, IF THE COURT
55 UPHOLDS THE ORDER OF THE STATE ENGINEER, THE PERSON AGAINST
56 WHOM SUCH ORDER WAS ISSUED SHALL PAY THE COSTS OF THE

1 PROCEEDING, INCLUDING REASONABLE ATTORNEY FEES.

2

3 (C) ANY PERSON WHO VIOLATES AN ORDER ISSUED BY THE STATE
4 ENGINEER PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH
5 (V) SHALL FORFEIT AND PAY A SUM NOT TO EXCEED FIVE HUNDRED
6 DOLLARS FOR EACH VIOLATION. ANY FINE COLLECTED FOR VIOLATIONS OF
7 THIS PARAGRAPH (g) SHALL BE TRANSMITTED TO THE STATE TREASURER,
8 WHO SHALL CREDIT THE SAME TO THE DIVISION OF WATER RESOURCES
9 GROUND WATER MANAGEMENT CASH FUND, CREATED IN SECTION 37-80-
10 111.5 (1) (d).".".

11

12 As amended, ordered revised and placed on the Calendar for Third
13 Reading and Final Passage.

14

15 **HB09-1314** by Representative(s) Judd; also Senator(s) Sandoval--
16 Concerning safety in day treatment centers.

17

18 Ordered engrossed and placed on the Calendar for Third Reading and
19 Final Passage.

20

21 **SB09-054** by Senator(s) Scheffel; also Representative(s) Kerr A.--
22 Concerning an increase in the civil penalties recoverable
23 by the state under statutes related to fair trade.

24

25 Ordered revised and placed on the Calendar for Third Reading and Final
26 Passage.

27

28 **SB09-059** by Senator(s) Schwartz, Brophy, Mitchell, Shaffer B.,
29 Veiga; also Representative(s) Gardner B., Labuda, Levy,
30 McGihon, Roberts--Concerning the enactment of Colorado
31 Revised Statutes 2008 as the positive and statutory law of
32 the state of Colorado.

33

34 Ordered revised and placed on the Calendar for Third Reading and Final
35 Passage.

36

37 **SB09-050** by Senator(s) Scheffel; also Representative(s) Murray--
38 Concerning a requirement that at least one member of the
39 limited gaming control commission be a resident of a
40 locality in which limited gaming takes place.

41

42 Amendment No. 1, Local Government Report, dated March 5, 2009, and
43 placed in member's bill file; Report also printed in House Journal,
44 March 6, page 638.

45

46 As amended, ordered revised and placed on the Calendar for Third
47 Reading and Final Passage.

48

49 **SB09-181** by Senator(s) Tapia, Keller, White; also Representative(s)
50 Marostica, Ferrandino, Pommer--Concerning the
51 elimination of the annual resolution to certify the amount
52 of moneys in the state education fund that are available for
53 appropriation in the next fiscal year.

54

55 Ordered revised and placed on the Calendar for Third Reading and Final
56 Passage.

1 **SB09-227** by Senator(s) Tapia, Keller, White; also Representative(s)
2 Pommer, Ferrandino, Marostica--Concerning assistance
3 with the unfunded accrued liability of old hire pension
4 plans that are affiliated with the fire and police pension
5 association, and, in connection therewith, eliminating the
6 state contribution to the old hire pension plans for the
7 2008-09, 2009-10, and 2010-11 state fiscal years,
8 extending the state contribution through the 2014-15 state
9 fiscal year, extending the amortization period for
10 underfunded old hire pension plans that no longer receive
11 state assistance, and modifying the appropriation therefor.

12
13 Ordered revised and placed on the Calendar for Third Reading and Final
14 Passage.

15
16 **SB09-062** by Senator(s) Shaffer B.; also Representative(s) Apuan--
17 Concerning incentives for armed forces veterans to enter
18 the teaching profession.

19
20 Amendment No. 1, Education Report, dated March 9, 2009, and placed
21 in member's bill file; Report also printed in House Journal, March 10,
22 page 666.

23
24 As amended, ordered revised and placed on the Calendar for Third
25 Reading and Final Passage.

26
27 **SB09-053** by Senator(s) Tochtrop; also Representative(s) Schafer S.-
28 -Concerning support arrearages that accrue prior to an
29 applicant's eligibility for public assistance.

30
31 Ordered revised and placed on the Calendar for Third Reading and Final
32 Passage.

33
34 **SB09-119** by Senator(s) Harvey; also Representative(s) McNulty--
35 Concerning a clarification of the enforcement of water
36 quality laws relating to the discharge of certain hazardous
37 pollutants.

38
39 Laid over until March 30, retaining place on Calendar.

40
41 **SB09-150** by Senator(s) Heath; also Representative(s) Levy--
42 Concerning the priority of a purchase-money lien for a
43 motor vehicle.

44
45 Amendment No. 1, Business Affairs & Labor Report, dated
46 March 10, 2009, and placed in member's bill file; Report also printed in
47 House Journal, March 1, page 679.

48
49 Amendment No. 2, by Representative(s) Levy.

50
51 Amend reengrossed bill, page 2, before line 1, insert the following:

52
53 "SECTION 1. 4-9-317 (e), Colorado Revised Statutes, is
54 amended to read:

55
56 **4-9-317. Interests that take priority over or take free of**

1 **security interest or agricultural lien.** (e) Except as otherwise provided
 2 in sections 4-9-320 and 4-9-321, if a person files a financing statement
 3 with respect to a purchase-money security interest before or within twenty
 4 days after the debtor receives delivery of the collateral, OR IF A PERSON
 5 PERFECTS UNDER ARTICLE 6 OF TITLE 42, C.R.S., A PURCHASE-MONEY
 6 SECURITY INTEREST IN A MOTOR VEHICLE, OTHER THAN INVENTORY,
 7 BEFORE OR WITHIN THIRTY DAYS AFTER THE DEBTOR RECEIVES DELIVERY
 8 OF THE MOTOR VEHICLE, the security interest takes priority over the rights
 9 of a buyer, lessee, or lien creditor which arise between the time the
 10 security interest attaches and the time of filing.

11
 12 **SECTION 2.** 4-9-324 (a), Colorado Revised Statutes, is amended
 13 to read:

14
 15 **4-9-324. Priority of purchase-money security interests.**
 16 (a) Except as otherwise provided in subsection (g) of this section, a
 17 perfected purchase-money security interest in goods other than inventory
 18 or livestock has priority over a conflicting security interest in the same
 19 goods, and, except as otherwise provided in section 4-9-327, a perfected
 20 security interest in its identifiable proceeds also has priority, if the
 21 purchase-money security interest is perfected when the debtor receives
 22 possession of the collateral or within twenty days thereafter, OR, IF THE
 23 COLLATERAL IS A MOTOR VEHICLE, AS DEFINED IN SECTION 42-6-102,
 24 C.R.S., WITHIN THIRTY DAYS THEREAFTER."

25
 26 Renumber succeeding sections accordingly.

27
 28 Page 2, line 2, strike "amended" and substitute "amended, and the said
 29 42-6-120 is further amended BY THE ADDITION OF A NEW
 30 SUBSECTION,";

31
 32 after line 14, insert the following:

33
 34 "(4) THE RIGHTS OF A BUYER, LESSEE, OR LIEN CREDITOR THAT
 35 ARISE AFTER A MORTGAGE ATTACHES TO A MOTOR VEHICLE AND BEFORE
 36 PERFECTION UNDER THIS ARTICLE SHALL BE DETERMINED BY SECTION 4-9-
 37 317, C.R.S.";

38
 39 line 23, strike "SECTION" and substitute "SECTIONS 4-9-317 (e) AND".

40
 41 Page 3, line 2, strike "4," and substitute "5,".

42
 43 As amended, ordered revised and placed on the Calendar for Third
 44 Reading and Final Passage.

45
 46 **SB09-101** by Senator(s) White; also Representative(s) Levy--
 47 Concerning the requirement for the creation of an
 48 independent historic preservation commission by any city
 49 receiving moneys from the state historical fund for historic
 50 preservation purposes when the city is not a certified local
 51 government, and, in connection therewith, establishing the
 52 composition and operation of such a commission.

53
 54 Amendment No. 1, Local Government Report, dated March 10, 2009, and
 55 placed in member's bill file; Report also printed in House Journal,
 56 March 11, pages 679-680.

1 Amendment No. 2, by Representative(s) Levy.

2

3 Amend reengrossed bill, page 6, after line 22, insert the following:

4

5 **"SECTION 5. Effective date - applicability.** This act shall take
6 effect August 1, 2009, and shall apply to disbursements from the state
7 historical fund received on or after said date."

8

9 Renumber succeeding section accordingly.

10

11 As amended, ordered revised and placed on the Calendar for Third
12 Reading and Final Passage.

13

14 **SB09-014** by Senator(s) Williams, Gibbs, Renfroe, Spence; also
15 Representative(s) Sonnenberg, Fischer, Levy, Marostica,
16 McFadyen, McNulty, Merrifield, Primavera, Rice, Vaad--
17 Concerning allowing vehicles with deficient splash guards
18 to remain in service for the limited time necessary to
19 replace the splash guards.

20

21 Ordered revised and placed on the Calendar for Third Reading and Final
22 Passage.

23

24 **SB09-039** by Senator(s) Schwartz; also Representative(s) Curry--
25 Concerning the discretionary authority of cooperative
26 electric associations to establish reasonable graduated rates
27 for increased energy consumption by residential
28 customers.

29

30 Amendment No. 1, by Representative(s) Curry.

31

32 Amend reengrossed bill, page 2, line 21, strike "CONSUMPTION", and
33 substitute "CONSUMPTION, FOR ENERGY CONSERVATION AND ENERGY
34 EFFICIENCY PURPOSES,".

35

36 Page 3, line 4, strike "A GRADUATED" and substitute "SUCH";

37

38 line 11, strike "A GRADUATED" and substitute "SUCH".

39

40 As amended, ordered revised and placed on the Calendar for Third
41 Reading and Final Passage.

42

43 **SB09-165** by Senator(s) Isgar and Penry; also Representative(s)
44 Curry and Gardner C., Fischer--Concerning the funding of
45 grants to small communities for water quality-related
46 capital projects through allocation of a portion of revenues
47 that would otherwise be credited to the severance tax trust
48 fund.

49

50 Amendment No. 1, by Representative(s) Curry.

51

52 Amend reengrossed bill, page 3, line 17, after "Statutes,", insert "as
53 amended by Senate Bill 09-208, enacted at the First Regular Session of
54 the Sixty-seventh General Assembly,".

55

56 Page 4, after line 9, insert the following:

- 1 ~~"(H) (B)~~ Notwithstanding any provision of ~~subparagraph (I) of~~
2 this paragraph (a) to the contrary, on the effective date of this
3 ~~subparagraph (H)~~ SUB-SUBPARAGRAPH (B), the state treasurer shall deduct
4 twenty million dollars from the perpetual base account of the fund and
5 transfer such sum to the general fund.";
6
7 line 10, strike "(B)" and substitute "(C)".
8
9 As amended, ordered revised and placed on the Calendar for Third
10 Reading and Final Passage.
11
12 **SB09-157** by Senator(s) Sandoval; also Representative(s)
13 Hullinghorst--Concerning the retirement plan eligibility of
14 specified employees of the university of Colorado.
15
16 Ordered revised and placed on the Calendar for Third Reading and Final
17 Passage.
18
19 **SB09-107** by Senator(s) Kester; also Representative(s) Looper--
20 Concerning the time during which a notarized bill of sale
21 will exempt a vehicle that is at least twenty-five years old
22 from being required to have a bonded title.
23
24 Amendment No. 1, by Representative(s) Marostica.
25 Amend reengrossed bill, page 2, line 19, strike "TWELVE" and substitute
26 "TWENTY-FOUR".
27
28 Page 3, line 6, strike "**Effective date.**" and substitute "**Act subject to**
29 **petition - effective date.**".
30
31 As amended, ordered revised and placed on the Calendar for Third
32 Reading and Final Passage.
33
34 **SB09-005** by Senator(s) Spence; also Representative(s) Primavera--
35 Concerning the Colorado traumatic brain injury program.
36
37 Amendment No. 1, by Representative(s) Primavera.
38 Amend reengrossed bill, page 8, line 12, strike "†" and substitute "†,
39 2004,";
40
41 line 13, strike "SEPTEMBER 1, 2004," and substitute "SEPTEMBER 1,
42 2009,".
43
44 As amended, ordered revised and placed on the Calendar for Third
45 Reading and Final Passage.
46
47 **SB09-129** by Senator(s) Tochtrop; also Representative(s) Gagliardi--
48 Concerning the duties that may be performed by a dental
49 hygienist.
50
51 Amendment No. 1, Health & Human Services Report, dated
52 March 12, 2009, and placed in member's bill file; Report also printed in
53 House Journal, March 13, page 730.
54
55 As amended, ordered revised and placed on the Calendar for Third
56 Reading and Final Passage.

1 A motion by Representative Kerr A. that the Committee rise, report
2 progress and beg leave to sit again at 11:15 a.m., was adopted by
3 unanimous consent. (General Orders continued on page 911.)
4

5
6
7 House reconvened.
8

9 The Committee of the Whole reported it had risen, reported progress and
10 would sit again at 11:15 a.m.
11

12
13
14
15 On motion of Representative Hullinghorst, the House resolved itself into
16 Committee of the Whole for continuation of consideration of General
17 Orders, and she returned to the Chair to act as Chairman.
18

19
20
21 **GENERAL ORDERS--SECOND READING OF BILLS**

22 (Continued from page 910)
23

24 **SB09-169** by Senator(s) Tochtrop; also Representative(s) Riesberg--
25 Concerning the continuation of the board of examiners of
26 nursing home administrators.
27

28 Amendment No. 1, Health & Human Services Report, dated
29 March 12, 2009, and placed in member's bill file; Report also printed in
30 House Journal, March 13, page 730.
31

32 As amended, ordered revised and placed on the Calendar for Third
33 Reading and Final Passage.
34

35 **SB09-013** by Senator(s) Gibbs and Schwartz, Penry; also
36 Representative(s) Levy and King S.--Concerning the
37 extension of civil immunity to persons engaged in
38 emergency response activities.
39

40 Amendment No. 1, Judiciary Report, dated March 12, 2009, and placed
41 in member's bill file; Report also printed in House Journal, March 13,
42 pages 731-732.
43

44 As amended, ordered revised and placed on the Calendar for Third
45 Reading and Final Passage.
46

47 **SB09-036** by Senator(s) Gibbs; also Representative(s) Scanlan--
48 Concerning theft of sound recordings, and making an
49 appropriation in connection therewith.
50

51 Laid over until March 30, retaining place on Calendar.
52

53
54 **SB09-047** by Senator(s) Newell; also Representative(s) Roberts--
55 Concerning the oversight of crime victim services, and, in
56 connection therewith, creating the crime victim services

- 1 advisory board and repealing the victims compensation
2 and assistance coordinating committee and the victims
3 assistance and law enforcement advisory board.
4
- 5 Ordered revised and placed on the Calendar for Third Reading and Final
6 Passage.
7
- 8 **SB09-060** by Senator(s) Tochtrop; also Representative(s) Soper--
9 Concerning clarifications to the law regarding testing
10 illegal drug laboratories for methamphetamine.
11
- 12 Ordered revised and placed on the Calendar for Third Reading and Final
13 Passage.
14
- 15 **SB09-109** by Senator(s) Newell, Morse; also Representative(s)
16 Schafer S.--Concerning continuation of provisions related
17 to the fire service training and certification advisory board.
18
- 19 Ordered revised and placed on the Calendar for Third Reading and Final
20 Passage.
21
- 22 **SB09-182** by Senator(s) Penry; also Representative(s) Stephens--
23 Concerning the use of state parks by certain search and
24 rescue organizations for training activities.
25
- 26 Ordered revised and placed on the Calendar for Third Reading and Final
27 Passage.
28
- 29 **SB09-216** by Senator(s) Tapia, Keller, White; also Representative(s)
30 Pommer, Ferrandino, Marostica--Concerning increases in
31 the fees paid to the division of water resources in the
32 department of natural resources, and, in connection
33 therewith, modifying appropriations made to the division
34 of water resources in the fiscal year 2008-09 long
35 appropriations bill.
36
- 37 Laid over until March 30, retaining place on Calendar.
38
- 39 **SB09-168** by Senator(s) Tochtrop; also Representative(s) Soper--
40 Concerning workers' compensation procedures.
41
- 42 Ordered revised and placed on the Calendar for Third Reading and Final
43 Passage.
44
- 45 **SB09-173** by Senator(s) Veiga; also Representative(s) Rice--
46 Concerning the economic development of large-scale
47 regional tourism projects to be partially financed with a
48 portion of state sales tax revenue above an existing base
49 amount.
50
- 51 Laid over until March 30, retaining place on Calendar.
52
- 53 **SB09-042** by Senator(s) Tapia; also Representative(s) Vigil and
54 Peniston--Concerning the administration of the exempt
55 status of property for property tax purposes.
56

1 Amendment No. 1, Finance Report, dated March 17, 2009, and placed in
2 member's bill file; Report also printed in House Journal, March 18,
3 page 770.

4
5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **SB09-020** by Senator(s) Gibbs; also Representative(s) Scanlan--
9 Concerning the responsibility for responding to wild land
10 fires.

11
12 Laid over until March 30, retaining place on Calendar.

13
14 **SB09-148** by Senator(s) Brophy, Gibbs; also Representative(s)
15 Merrifield, Carroll T., Kerr A., Marostica, McNulty--
16 Concerning revisions to the rules governing the safe
17 interaction of bicycles with other vehicles on roadways.

18
19 Amendment No. 1, Transportation & Energy Report, dated
20 March 17, 2009, and placed in member's bill file; Report also printed in
21 House Journal, March 18, pages 780-781.

22
23 Amendment No. 2, by Representative(s) Merrifield.

24
25 Amend reengrossed bill, page 3, line 7, strike "VEHICLE" and substitute
26 "MOTOR VEHICLE";

27
28 line 20, strike "VEHICLE" and substitute "MOTOR VEHICLE".

29
30 Amendment No. 3, by Representative(s) Baumgardner.

31
32 Amend reengrossed bill, page 6, after line 23, insert the following:

33
34 "(d) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
35 CONTRARY, ON A STATE HIGHWAY WITH LANES LESS THAN TWELVE FEET
36 WIDE, BICYCLISTS SHALL NOT RIDE TWO OR MORE ABREAST.

37
38 (e) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY,
39 IF THE CENTER LINE OF A HIGHWAY, AS DEFINED IN SECTION 43-1-406 (2)
40 (c), C.R.S., IS INDICATED BY A SOLID SINGLE OR SOLID DOUBLE YELLOW
41 LINE, A BICYCLIST RIDING ON SUCH HIGHWAY SHALL TRAVEL AS CLOSE AS
42 FEASIBLE TO THE SHOULDER OF THE HIGHWAY."

43
44 As amended, ordered revised and placed on the Calendar for Third
45 Reading and Final Passage.

46
47 **SB09-222** by Senator(s) Lundberg, Cadman, Schultheis, Harvey,
48 Renfroe, Scheffel; also Representative(s) Vaad--
49 Concerning standards for a sign required to notify drivers
50 that an automated vehicle identification device is being
51 used to detect traffic violations.

52
53 Ordered revised and placed on the Calendar for Third Reading and Final
54 Passage.

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SB09-105 by Senator(s) Gibbs; also Representative(s) Scanlan--
Concerning removal of the statutory limit on the amount
that may be raised in a single year by a special property tax
levied by a board of county commissioners for the purpose
of fighting specified types of fires in a county.

Laid over until March 30, retaining place on Calendar.

SB09-132 by Senator(s) Boyd; also Representative(s) Kerr J.--
Concerning discounted prescription drug programs, and,
in connection therewith, providing information regarding
discounted prescription drug programs and modifying the
"Colorado Cares Rx Act" and making an appropriation.

Laid over until March 30, retaining place on Calendar.

SB09-131 by Senator(s) Romer; also Representative(s) Massey--
Concerning the requirement that students in public schools
engage in a certain amount of physical activity each week.

Amendment No. 1, Education Report, dated March 19, 2009, and placed
in member's bill file; Report also printed in House Journal, March 20,
page 819.

As amended, ordered revised and placed on the Calendar for Third
Reading and Final Passage.

SB09-237 by Senator(s) Lundberg, Harvey, Schultheis, Cadman,
Brophy, Isgar, King K., Kopp, Mitchell, Penry, Renfroe,
Romer, Scheffel, Tochtrop, White; also Representative(s)
Acree, McNulty--Concerning grounds for mandatory
expulsion from a public school.

Amendment No. 1, Education Report, dated March 19, 2009, and placed
in member's bill file; Report also printed in House Journal, March 20,
pages 819.

As amended, ordered revised and placed on the Calendar for Third
Reading and Final Passage.

SB09-137 by Senator(s) Renfroe; also Representative(s)
Baumgardner--Concerning the timely payment of debts in
relation to a waiver of the right to attach a property lien.

Ordered revised and placed on the Calendar for Third Reading and Final
Passage.

SB09-143 by Senator(s) Bacon; also Representative(s) Hullinghorst,
Fischer--Concerning enforcing traffic regulations through
the expanded use of an automated vehicle identification
system.

Laid over until March 30, retaining place on Calendar.

- 1 **SB09-231** by Senator(s) Penry; also Representative(s) Solano and
2 Bradford, King S., Tipton--Concerning the continuation of
3 the state methamphetamine task force.
4
- 5 Amendment No. 1, Judiciary Report, dated March 19, 2009, and placed
6 in member's bill file; Report also printed in House Journal, March 20,
7 page 824.
8
- 9 As amended, ordered revised and placed on the Calendar for Third
10 Reading and Final Passage.
11
- 12 **SB09-084** by Senator(s) Scheffel; also Representative(s) Scanlan--
13 Concerning documents related to the role of the office of
14 the secretary of state as filing office for secured
15 transactions.
16
- 17 Laid over until March 30, retaining place on Calendar.
18
- 19 **SB09-051** by Senator(s) Carroll M.; also Representative(s) Levy--
20 Concerning measures to facilitate the financing of energy-
21 efficient structures.
22
- 23 Amendment No. 1, Transportation & Energy Report, dated
24 March 19, 2009, and placed in member's bill file; Report also printed in
25 House Journal, March 20, page 825.
26
- 27 Amendment No. 2, by Representative(s) Levy.
28
- 29 Amend reengrossed bill, page 3, strike lines 8 through 19.
30
- 31 Page 7, line 24, strike "ELECTRIC" and substitute "ENERGY".
32
- 33 Page 8, line 1, after "OF", insert "SOLAR HEATING OR COOLING AND";
34
- 35 line 10, before "SOLAR", insert "SOLAR HEATING, SOLAR COOLING, OR".
36
- 37 As amended, ordered revised and placed on the Calendar for Third
38 Reading and Final Passage.
39
- 40 **SB09-078** by Senator(s) Newell; also Representative(s) Rice--
41 Concerning the abandonment of portions of the state
42 highway system to local jurisdictions.
43
- 44 Amendment No. 1, Transportation & Energy Report, dated
45 March 19, 2009, and placed in member's bill file; Report also printed in
46 House Journal, March 20, page 826.
47
- 48 As amended, ordered revised and placed on the Calendar for Third
49 Reading and Final Passage.
50
- 51 **SB09-177** by Senator(s) Schwartz; also Representative(s) Vigil--
52 Concerning the valuation of new solar energy facilities for
53 the purpose of property taxation.
54
- 55 Laid over until March 30, retaining place on Calendar.
56

1 **SB09-056** by Senator(s) Kester; also Representative(s) Riesberg--
 2 Concerning the Trinidad state nursing home.
 3

4 Amendment No. 1, Health & Human Services Report, dated
 5 March 23, 2009, and placed in member's bill file; Report also printed in
 6 House Journal, March 24, page 87.
 7

8 As amended, ordered revised and placed on the Calendar for Third
 9 Reading and Final Passage.
 10

11 On motion of Representative Kerr A., the remainder of the General
 12 Orders Calendar (**SB09-092, 175**) was laid over until March 30, retaining
 13 place on Calendar.
 14

15
 16
 17 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**
 18

19 Passed Second Reading: **SB09-080 amended, HB09-1314, SB09-054,**
 20 **059, 050 amended, 181, 227, 062 amended, 053, 150 amended, 101**
 21 **amended, 014, 039 amended, 165 amended, 157, 107 amended,**
 22 **005 amended, 129 amended, 169 amended, 013 amended, 047, 060,**
 23 **109, 182, 168, 042 amended, 148 amended, 222, 131 amended, 237**
 24 **amended, 137, 231 amended, 051 amended, 078 amended, 056**
 25 **amended.**
 26

27 Laid over until date indicated retaining place on Calendar: **SB09-119,**
 28 **036, 216, 173, 020, 105, 132, 177, 143, 084, 092, 175--**March 30, 2009.
 29

30 The Chairman moved the adoption of the Committee of the Whole
 31 Report. As shown by the following roll call vote, a majority of those
 32 elected to the House voted in the affirmative, and the Report was
 33 **adopted.**
 34

	YES	56	NO	0	EXCUSED	9	ABSENT	0
36	Acree	Y	Green	E	McFadyen	Y	Roberts	Y
37	Apuan	Y	Hullinghorst	Y	McGihon	E	Ryden	Y
38	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	E
39	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
40	Benefield	E	Kerr A.	Y	Merrifield	Y	Solano	Y
41	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
42	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
43	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
44	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
45	Ferrandino	E	Levy	Y	Pace	E	Swalm	Y
46	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
47	Frangas	Y	Looper	Y	Pommer	E	Todd	Y
48	Gagliardi	Y	Marostica	E	Primavera	Y	Vaad	Y
49	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
50	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
51	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	E
52							Speaker	Y

53
 54
 55
 56

REPORT(S) OF COMMITTEE(S) OF REFERENCE**BUSINESS AFFAIRS & LABOR**

After consideration on the merits, the Committee recommends the following:

HB09-1310 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, line 15, strike "EMPLOYEES, EITHER" and substitute "EMPLOYEES";

line 16, strike "INTENTIONALLY OR DUE TO OVERSIGHT,".

Page 3, line 20, strike "8-70-115," and substitute "8-70-103 (11),".

Page 4, line 18, strike "ADVANTAGE." and substitute "ADVANTAGE OR TO AVOID THE PAYMENT OF TAXES.";

strike lines 20 through 23 and substitute the following:

"THE DIRECTOR SHALL DETERMINE WHETHER OR NOT AN INVESTIGATION IS WARRANTED. IF THE DIRECTOR DETERMINES THAT AN INVESTIGATION IS WARRANTED, THE DIRECTOR SHALL NOTIFY THE COMPLAINANT AND RESPONDENT THAT AN INVESTIGATION WILL BE CONDUCTED AND";

line 24, strike "DIRECTOR";

line 25, strike "ACT, AND THE" and substitute "ACT. THE".

Page 5, line 9, strike "RECKLESS" and substitute "WILLFUL";

line 10, strike "DISREGARD," and substitute "DISREGARD OF THE LAW,";

line 13, strike "RECKLESS" and substitute "WILLFUL";

line 14, strike "RECKLESS" and substitute "WILLFUL";

line 16, strike "ISSUE" and substitute "UPON A SECOND OR SUBSEQUENT MISCLASSIFICATION WITH WILLFUL DISREGARD, ISSUE";

line 22, strike "COPIES" and substitute "A COPY";

strike line 23 and substitute the following:

"TO THE RESPONDENT. THOSE PORTIONS OF THE WRITTEN ORDER THAT ARE NOT CONFIDENTIAL UNDER THE ACT SHALL";

after line 26, insert the following:

"(4) (a) AN EMPLOYER MAY REQUEST A WRITTEN ADVISORY OPINION FROM THE DIRECTOR CONCERNING WHETHER THE EMPLOYER SHOULD CLASSIFY THE INDIVIDUAL AS AN EMPLOYEE FOR PURPOSES OF COMPLYING WITH THE ACT. THE EMPLOYER SHALL PROVIDE THE DIRECTOR WITH INFORMATION NECESSARY FOR THE DIRECTOR TO ISSUE AN ADVISORY

1 OPINION.

2

3 (b) UPON RECEIPT OF A REQUEST AND PERTINENT INFORMATION
4 FROM AN EMPLOYER, THE DIRECTOR SHALL ISSUE AN ADVISORY OPINION
5 TO THE EMPLOYER, INDICATING WHETHER THE EMPLOYER SHOULD
6 CLASSIFY THE INDIVIDUAL AS AN EMPLOYEE IN ORDER TO COMPLY WITH
7 THE ACT. AN OPINION ISSUED PURSUANT TO THIS SUBSECTION (4) IS ONLY
8 ADVISORY, BASED ON THE INFORMATION PROVIDED BY THE EMPLOYER AND
9 THE DIRECTOR'S UNDERSTANDING OF THE CIRCUMSTANCES AT THE TIME
10 ISSUED, AND IS NOT BINDING ON THE DIVISION, THE EMPLOYER, OR ANY
11 OTHER STATE OR LOCAL GOVERNMENTAL ENTITY.

12

13 (c) THE DIRECTOR SHALL PROMULGATE RULES IN ACCORDANCE
14 WITH ARTICLE 4 OF TITLE 24, C.R.S., ESTABLISHING THE PROCESS FOR
15 ISSUING AN ADVISORY OPINION."

16

17 Renumber succeeding subsections accordingly.

18

19 Page 7, line 5, strike "(5)" and substitute "(6)";

20

21 line 23, strike "(5) AND (6)" and substitute "(6) AND (7)";

22

23 line 24, strike "(7)" and substitute "(8)".

24

25

26

27 **SB09-178** be referred favorably to the Committee on Appropriations.

28

29

30

31

32 **FINANCE**

33 After consideration on the merits, the Committee recommends the
34 following:

35

36 **SB09-068** be referred favorably to the Committee on Appropriations.

37

38

39

40

41 **STATE, VETERANS, & MILITARY AFFAIRS**

42 After consideration on the merits, the Committee recommends the
43 following:

44

45 **HB09-1302** be postponed indefinitely.

46

47

48

49

PRINTING REPORT

50

51 The Chief Clerk reports the following bill has been correctly printed:

52 **HB09-1329.**

53

54

55

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: **HB09-1008, 1102, 1186, 1191, 1197, 1234, 1262, 1263** at 12:45 p.m. on March 26, 2009.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SJR09-023, 024, 025 and 027.**

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 26th day of March, 2009, at 8:45 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 25, 2009

To the Honorable
House of Representatives
Sixty-seventh General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB09-1054 CONCERNING ELIGIBILITY FOR UNEMPLOYMENT INSURANCE BENEFITS FOR AN INDIVIDUAL WHO LEAVES EMPLOYMENT TO RELOCATE TO A NEW PLACE OF RESIDENCE AFTER THE INDIVIDUAL'S ACTIVE DUTY MILITARY SPOUSE IS KILLED IN COMBAT.

Approved March 25, 2009 at 1:17 p.m.

HB09-1079 CONCERNING ANNEXING ADJACENT MUNICIPALITIES TO EXISTING JUNIOR COLLEGE DISTRICTS.

Approved March 25, 2009 at 1:18 p.m.

HB09-1082 CONCERNING RECORDING OF PUBLIC MEETINGS OF SCHOOL DISTRICT BOARDS OF EDUCATION.

Approved March 25, 2009 at 1:19 p.m.

1 **HB09-1101** CONCERNING THE ADMINISTRATION OF SALES TAX
2 COLLECTIONS BY THE DEPARTMENT OF REVENUE.

3
4 Approved March 25, 2009 at 1:19 p.m.

5
6 **HB09-1174** CONCERNING THE EXEMPTION OF DEPLETIONS FROM
7 PUMPING THAT OCCURRED PRIOR TO 1974.

8
9 Approved March 25, 2009 at 1:20 p.m.

10
11 **HB09-1215** CONCERNING THE CREATION OF A STABILIZATION FUND
12 TO ASSIST WITH THE STATE'S EFFORTS TO MEET THE
13 FEDERAL MAINTENANCE OF EFFORT REQUIREMENTS FOR
14 THE STATE SUPPLEMENTAL SECURITY INCOME
15 PROGRAM.

16
17 Approved March 25, 2009 at 1:20 p.m.

18
19 **HB09-1219** CONCERNING THE INTEREST PAID TO TAXPAYERS ON
20 CERTAIN TAX OVERPAYMENTS.

21
22 Approved March 25, 2009 at 1:21 p.m.

23
24 Sincerely,
25 (signed)
26 Bill Ritter, Jr.
27 Governor

28 _____

29
30
31 **LAY OVER OF CALENDAR ITEM(S)**

32
33 On motion of Representative Kerr A., the following item(s) on the
34 Calendar were laid over until March 30, retaining place on Calendar:

- 35
36 Consideration of General Orders--**SB09-111, HB09-1315.**
37 Consideration of Conference Committee Report(s)--**SB09-208, 210,**
38 **HB09-1058.**
39 Consideration of Resolution(s)--**SJR09-026.**
40 Consideration of Senate Amendment(s)--**HB09-1053, 1151, 1200, 1220,**
41 **1285.**

42 _____

43
44
45 On motion of Representative Kerr A, the House adjourned until
46 10:00 a.m., March 30, 2009.

47
48 Approved:
49 TERRANCE D. CARROLL,
50 Speaker

51 Attest:
52 MARILYN EDDINS,
53 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Eighty-third Legislative Day

Monday, March 30, 2009

- 1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
- 2
- 3 The Speaker called the House to order at 10:00 a.m.
- 4
- 5 Pledge of Allegiance led by Kendall, Joe, Jack Murtagh, Hygiene
- 6 Elementary, Longmont.
- 7
- 8 The roll was called with the following result:
- 9
- 10 Present--61.
- 11 Excused--Representative(s) Gardner B., Hullinghorst, McFadyen,
- 12 Pommer--4.
- 13 Present after roll call--Representative(s) Gardner B., Hullinghorst,
- 14 McFadyen, Pommer.
- 15
- 16 The Speaker declared a quorum present.
- 17
- 18
- 19 On motion of Representative Priola, the reading of the journal of
- 20 March 26, 2009, was declared dispensed with and approved as corrected
- 21 by the Chief Clerk.

COMMUNICATION
STATE OF COLORADO

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29 **Department of**
30 **State**

31
32 **UNITED STATES OF AMERICA)**
33 **STATE OF COLORADO) ss Certificate**
34

35 I, Bernie Buescher, Secretary of State of the State of Colorado, do hereby
36 certify that the attached is a true and exact copy of the Designation of
37 Nomination by Vacancy Committee as filed in this office on the twenty-
38 seventh day of March, 2009, by the Democratic 3rd House District
39 Vacancy Committee, designating the appointment of Daniel Kagan to fill
40 the vacancy in the office of the Colorado State House of Representatives,
41 District 3, for the Sixty-seventh General Assembly of the State of
42 Colorado, caused by the resignation of the Honorable Anne McGihon.

1 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
 2 the Great Seal of the State of Colorado, at the City and County of Denver
 3 this thirtieth day of March, 2009.

4
 5 (Signed)
 6 Bernie Buescher
 7 Secretary of State

8
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10

11

COMMUNICATION

12

13

STATE OF COLORADO

14

15 **Department of**
 16 **State**

17

18 **UNITED STATES OF AMERICA**)
 19 **STATE OF COLORADO**) **SS. Certificate**

20

21 I, Bernie Buescher, Secretary of State of the State of Colorado, do hereby
 22 certify that the attached is a true and exact copy of the Acceptance of
 23 Designation by Vacancy Committee as filed in this office on the twenty-
 24 seventh day of March, 2009, by Daniel Kagan accepting the appointment
 25 of the Democratic 3rd House District Vacancy Committee to fill the
 26 vacancy in the office of Colorado State House of Representatives,
 27 District 3, for the Sixty-seventh General Assembly of the State of
 28 Colorado, caused by the resignation of the Honorable Anne McGihon.

29

30 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
 31 the Great Seal of the State of Colorado, at the City and County of Denver
 32 this thirtieth day of March, 2009.

33

34 (Signed)
 35 Bernie Buescher
 36 Secretary of State

37

38 (Note: On March 30, at 8:45 a.m., Daniel Kagan, was sworn in as
 39 Representative for District 3. Speaker of the House, Terrance D. Carroll
 40 administered the oath of office in the Chamber of the House of
 41 Representatives.)

42

43

44

THIRD READING OF BILLS--FINAL PASSAGE

45

46
 47 The following bills were considered on Third Reading. The titles were
 48 publicly read. Reading of the bill at length was dispensed with by
 49 unanimous consent.

50

51 **SB09-080** by Senator(s) Isgar, Romer, White; also Representative(s)
 52 Looper--Concerning limited exemptions for water
 53 collected from certain residential rooftops.

54

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
 4 bill was declared **passed**.

	YES	62	NO	0	EXCUSED	3	ABSENT	0
7	Acree	Y	Green	Y	McCann	Y	Roberts	Y
8	Apuan	Y	Hullinghorst	E	McFadyen	E	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	E	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, Baumgardner, Curry, Fischer,
 25 Kerr J., Lambert, Massey, Murray, Nikkel, Roberts, Stephens, Summers, Waller

26
 27 **HB09-1314** by Representative(s) Judd; also Senator(s) Sandoval--
 28 Concerning safety in day treatment centers.

29
 30 The question being "Shall the bill pass?".
 31 A roll call vote was taken. As shown by the following recorded vote, a
 32 majority of those elected to the House voted in the affirmative and the bill
 33 was declared **passed**.

	YES	62	NO	0	EXCUSED	3	ABSENT	0
36	Acree	Y	Green	Y	McCann	Y	Roberts	Y
37	Apuan	Y	Hullinghorst	E	McFadyen	E	Ryden	Y
38	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
39	Baumgardner	Y	Kagan	Y	McNulty	Y	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.	Y	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	E	Todd	Y
48	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
49	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
50	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
51	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Casso, Gerou, Ryden, Schafer S., Todd,
 54 Vigil

55

1 **SB09-054** by Senator(s) Scheffel; also Representative(s) Kerr A.--
 2 Concerning an increase in the civil penalties recoverable
 3 by the state under statutes related to fair trade.
 4

5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

	YES	62	NO	0	EXCUSED	3	ABSENT	0
11	Acree	Y	Green	Y	McCann	Y	Roberts	Y
12	Apuan	Y	Hullinghorst	E	McFadyen	E	Ryden	Y
13	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
14	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
15	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
16	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
17	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
18	Court	Y	King S.	Y	Murray	Y	Stephens	Y
19	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
20	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
21	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
22	Frangas	Y	Liston	Y	Pommer	E	Todd	Y
23	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
24	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
25	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
26	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Ryden, Speaker
 29

30 **SB09-059** by Senator(s) Schwartz, Brophy, Mitchell, Shaffer B.,
 31 Veiga; also Representative(s) Gardner B., Labuda, Levy,
 32 McGihon, Roberts--Concerning the enactment of Colorado
 33 Revised Statutes 2008 as the positive and statutory law of
 34 the state of Colorado.
 35

36 The question being "Shall the bill 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 bill
 39 was declared **passed**.
 40

	YES	62	NO	0	EXCUSED	3	ABSENT	0
42	Acree	Y	Green	Y	McCann	Y	Roberts	Y
43	Apuan	Y	Hullinghorst	E	McFadyen	E	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	E	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	Y

3 Co-sponsor(s) added: Representative(s) King S., Priola, Ryden, Schafer S.,
4 Stephens, Vigil, Waller

5
6 **SB09-050** by Senator(s) Scheffel; also Representative(s) Murray--
7 Concerning a requirement that at least one member of the
8 limited gaming control commission be a resident of a
9 locality in which limited gaming takes place.

10
11 The question being "Shall the bill pass?".
12 A roll call vote was taken. As shown by the following recorded vote, a
13 majority of those elected to the House voted in the affirmative and the bill
14 was declared **passed**.

15	YES	56	NO	6	EXCUSED	3	ABSENT	0
17	Acree	Y	Green	Y	McCann	Y	Roberts	Y
18	Apuan	Y	Hullinghorst	E	McFadyen	E	Ryden	Y
19	Balmer	Y	Judd	N	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	N
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	N
27	Fischer	N	Levy	Y	Peniston	Y	Tipton	Y
28	Frangas	Y	Liston	Y	Pommer	E	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	N	Waller	Y
32	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Liston, Middleton, Schafer S.,
35 Stephens, Vigil

36
37 **SB09-181** by Senator(s) Tapia, Keller, White; also Representative(s)
38 Marostica, Ferrandino, Pommer--Concerning the
39 elimination of the annual resolution to certify the amount
40 of moneys in the state education fund that are available for
41 appropriation in the next fiscal year

42
43 The question being "Shall the bill 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 bill
46 was declared **passed**.

47	YES	44	NO	19	EXCUSED	2	ABSENT	0
49	Acree	Y	Green	Y	McCann	Y	Roberts	Y
50	Apuan	Y	Hullinghorst	E	McFadyen	E	Ryden	Y
51	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
52	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
53	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
54	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
55	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
56	Court	Y	King S.	N	Murray	Y	Stephens	N

1	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
2	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
3	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
4	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
5	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
6	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
7	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
8	Gerou	Y	May	N	Riesberg	Y	Weissmann	N
9							Speaker	Y

10 Co-sponsor(s) added: Representative(s) Labuda

11
 12 **SB09-227** by Senator(s) Tapia, Keller, White; also Representative(s)
 13 Pommer, Ferrandino, Marostica--Concerning assistance
 14 with the unfunded accrued liability of old hire pension
 15 plans that are affiliated with the fire and police pension
 16 association, and, in connection therewith, eliminating the
 17 state contribution to the old hire pension plans for the
 18 2008-09, 2009-10, and 2010-11 state fiscal years,
 19 extending the state contribution through the 2014-15 state
 20 fiscal year, extending the amortization period for
 21 underfunded old hire pension plans that no longer receive
 22 state assistance, and modifying the appropriation therefor.
 23

24 The question being "Shall the bill pass?"

25 A roll call vote was taken. As shown by the following recorded vote, a
 26 majority of those elected to the House voted in the affirmative and the bill
 27 was declared **passed**.

28	YES	51	NO	12	EXCUSED	2	ABSENT	0
30	Acree	Y	Green	Y	McCann	Y	Roberts	Y
31	Apuan	Y	Hullinghorst	E	McFadyen	E	Ryden	Y
32	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
33	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	Y
34	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
35	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
36	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
37	Court	Y	King S.	N	Murray	Y	Stephens	N
38	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
39	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
40	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
41	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
42	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
43	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
44	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
45	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
46							Speaker	Y

47 Co-sponsor(s) added: Representative(s) Schafer S.

48
 49 **SB09-062** by Senator(s) Shaffer B.; also Representative(s) Apuan--
 50 Concerning incentives for armed forces veterans to enter
 51 the teaching profession.
 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	63	NO	0	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	E	McFadyen	E	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	Y	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 Co-sponsor(s) added: Representative(s) Balmer, Baumgardner, Casso, Court,
 20 Fischer, Gardner B., Gardner C., Kerr J., Labuda, Lambert, Looper, Massey,
 21 Nikkel, Priola, Rice, Ryden, Schafer S., Solano, Stephens, Summers, Todd,
 22 Vigil

23
 24 **SB09-053** by Senator(s) Tochtrop; also Representative(s) Schafer S.-
 25 -Concerning support arrearages that accrue prior to an
 26 applicant's eligibility for public assistance.

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	63	NO	0	EXCUSED	2	ABSENT	0
33								
34	Acree	Y	Green	Y	McCann	Y	Roberts	Y
35	Apuan	Y	Hullingerhorst	E	McFadyen	E	Ryden	Y
36	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
37	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
38	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
39	Bradford	Y	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	Y	Pace	Y	Swalm	Y
44	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
45	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
46	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
47	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
48	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
49	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Gerou, Kefalas, Labuda, Ryden, Todd

52
 53 **SB09-150** by Senator(s) Heath; also Representative(s) Levy--
 54 Concerning the priority of a purchase-money lien for a
 55 motor vehicle.

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	0	EXCUSED	1	ABSENT	0
7	Acree	Y	Green	Y	McCann	Y	Roberts	Y
8	Apuan	Y	Hullinghorst	Y	McFadyen	E	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	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) Ryden

25
 26
 27
 28 **SB09-101** by Senator(s) White; also Representative(s) Levy--
 29 Concerning the requirement for the creation of an
 30 independent historic preservation commission by any city
 31 receiving moneys from the state historical fund for historic
 32 preservation purposes when the city is not a certified local
 33 government, and, in connection therewith, establishing the
 34 composition and operation of such a commission.

35
 36 The question being "Shall the bill 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 bill
 39 was declared **passed**.

	YES	55	NO	9	EXCUSED	1	ABSENT	0
42	Acree	Y	Green	Y	McCann	Y	Roberts	Y
43	Apuan	Y	Hullinghorst	Y	McFadyen	E	Ryden	Y
44	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
45	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	Y
46	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
47	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
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	N	Summers	Y
51	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
52	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
53	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
54	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
55	Gardner B.	Y	Marostica	Y	Priola	N	Vigil	Y
56	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y

1 | Gerou Y May Y Riesberg Y Weissmann Y |
 2 | | | | | | | | Speaker Y |
 3 | Co-sponsor(s) added: Representative(s) Fischer, Rice, Ryden, Schafer S., Todd,
 4 | Vigil

5 |
 6 | **SB09-014** by Senator(s) Williams, Gibbs, Renfroe, Spence; also
 7 | Representative(s) Sonnenberg, Fischer, Levy, Marostica,
 8 | McFadyen, McNulty, Merrifield, Primavera, Rice, Vaad--
 9 | Concerning allowing vehicles with deficient splash guards
 10 | to remain in service for the limited time necessary to
 11 | replace the splash guards.

12 |
 13 | The question being "Shall the bill 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 bill
 16 | was declared **passed**.

	YES	63	NO	1	EXCUSED	1	ABSENT	0
19	Acree	Y	Green	Y	McCann	Y	Roberts	Y
20	Apuan	Y	Hullinghorst	Y	McFadyen	E	Ryden	Y
21	Balmer	Y	Judd	Y	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) Baumgardner, Bradford, Nikkel, Priola,
 37 | Ryden, Tipton, Vigil, Waller

38 |
 39 | **SB09-039** by Senator(s) Schwartz; also Representative(s) Curry--
 40 | Concerning the discretionary authority of cooperative
 41 | electric associations to establish reasonable graduated rates
 42 | for increased energy consumption by residential
 43 | customers.

44 |
 45 | The question being "Shall the bill pass?".
 46 | A roll call vote was taken. As shown by the following recorded vote, a
 47 | majority of those elected to the House voted in the affirmative and the bill
 48 | was declared **passed**.

	YES	48	NO	16	EXCUSED	1	ABSENT	0
51	Acree	N	Green	Y	McCann	Y	Roberts	Y
52	Apuan	Y	Hullinghorst	Y	McFadyen	E	Ryden	Y
53	Balmer	N	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	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N

1	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
2	Court	Y	King S.	Y	Murray	N	Stephens	N
3	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
4	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
5	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
6	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
7	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
8	Gardner B.	Y	Marostica	N	Priola	Y	Vigil	Y
9	Gardner C.	Y	Massey	Y	Rice	Y	Waller	N
10	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Green, Labuda,
 13 Middleton

14
 15 **SB09-165** by Senator(s) Isgar and Penry; also Representative(s)
 16 Curry and Gardner C., Fischer--Concerning the funding of
 17 grants to small communities for water quality-related
 18 capital projects through allocation of a portion of revenues
 19 that would otherwise be credited to the severance tax trust
 20 fund.

21
 22 The question being "Shall the bill pass?".
 23 A roll call vote was taken. As shown by the following recorded vote, a
 24 majority of those elected to the House voted in the affirmative and the bill
 25 was declared **passed**.

27	YES	63	NO	1	EXCUSED	1	ABSENT	0
28	Acree	Y	Green	Y	McCann	Y	Roberts	Y
29	Apuan	Y	Hullinghorst	Y	McFadyen	E	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.	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	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	N
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Baumgardner, Hullinghorst, Kagan,
 46 King S., Massey, Sonnenberg, Vigil

47
 48 **SB09-157** by Senator(s) Sandoval; also Representative(s)
 49 Hullinghorst--Concerning the retirement plan eligibility of
 50 specified employees of the university of Colorado.

51
 52 The question being "Shall the bill pass?".
 53 A roll call vote was taken. As shown by the following recorded vote, a
 54 majority of those elected to the House voted in the affirmative and the bill
 55 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McFadyen	E	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	Y	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 Co-sponsor(s) added: Representative(s) Casso, Gerou, Labuda, Middleton,
20 Ryden, Schafer S., Todd

21
22 **SB09-107** by Senator(s) Kester; also Representative(s) Looper--
23 Concerning the time during which a notarized bill of sale
24 will exempt a vehicle that is at least twenty-five years old
25 from being required to have a bonded title.

26
27 As shown by the following roll call vote, a majority of all members
28 elected to the House voted in the affirmative, and Representative Looper
29 was given permission to offer a Third Reading amendment:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
31								
32	Acree	Y	Green	Y	McCann	Y	Roberts	Y
33	Apuan	Y	Hullingerhorst	Y	McFadyen	E	Ryden	Y
34	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
35	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
36	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
37	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
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.	Y	Massey	Y	Rice	Y	Waller	Y
47	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
48							Speaker	Y

49
50 **Third Reading amendment No. 1**, by Representative Looper.

51
52 Amend revised bill, page 2, line 27, strike "TWELVE" and substitute
53 "TWENTY-FOUR".

54
55 The amendment was declared **passed** by the following roll call vote:

56

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McFadyen	E	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	Y	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 **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
25								
26	Acree	Y	Green	Y	McCann	Y	Roberts	Y
27	Apuan	Y	Hullingerhorst	Y	McFadyen	E	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	Y	Pace	Y	Swalm	Y
36	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
37	Frangas	Y	Liston	Y	Pommer	Y	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) Fischer, Kagan, Marostica, Vigil

44
 45 **SB09-005** by Senator(s) Spence; also Representative(s) Primavera--
 46 Concerning the Colorado traumatic brain injury program.

47
 48 The question being "Shall the bill pass?".
 49 A roll call vote was taken. As shown by the following recorded vote, a
 50 majority of those elected to the House voted in the affirmative and the bill
 51 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
53								
54	Acree	Y	Green	Y	McCann	Y	Roberts	Y
55	Apuan	Y	Hullingerhorst	Y	McFadyen	E	Ryden	Y
56	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y

1	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
2	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
3	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
4	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
5	Court	Y	King S.	Y	Murray	Y	Stephens	Y
6	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
7	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
8	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
9	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
10	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
11	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
12	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
13	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
14							Speaker	Y

15 Co-sponsor(s) added: Representative(s) Curry, Ferrandino, Fischer, Frangas,
 16 Gerou, Green, Kefalas, Kerr J., Labuda, Looper, Marostica, Peniston, Pommer,
 17 Rice, Roberts, Ryden, Schafer S., Solano, Stephens, Summers, Todd, Vigil

18
 19 **SB09-129** by Senator(s) Tochtrop; also Representative(s) Gagliardi--
 20 Concerning the duties that may be performed by a dental
 21 hygienist.

22
 23 The question being "Shall the bill pass?".
 24 A roll call vote was taken. As shown by the following recorded vote, a
 25 majority of those elected to the House voted in the affirmative and the bill
 26 was declared **passed**.

	YES	63	NO	1	EXCUSED	1	ABSENT	0
29	Acree	Y	Green	Y	McCann	Y	Roberts	Y
30	Apuan	Y	Hullinghorst	Y	McFadyen	E	Ryden	Y
31	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
32	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
33	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
34	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
35	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
36	Court	Y	King S.	Y	Murray	Y	Stephens	Y
37	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
38	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
39	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
40	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
41	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
42	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
43	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
44	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Fischer, Green, Kefalas, Labuda,
 47 Pommer, Priola, Roberts, Ryden, Schafer S., Todd, Vigil

48
 49 **SB09-169** by Senator(s) Tochtrop; also Representative(s) Riesberg--
 50 Concerning the continuation of the board of examiners of
 51 nursing home administrators.

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	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McFadyen	E	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	Y	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 Co-sponsor(s) added: Representative(s) Apuan, Ferrandino, Gerou, Labuda,
20 Looper, Nikkel, Ryden, Schafer S., Todd, Vigil

21
22 **SB09-013** by Senator(s) Gibbs and Schwartz, Penry; also
23 Representative(s) Levy and King S.--Concerning the
24 extension of civil immunity to persons engaged in
25 emergency response activities.

26
27 The question being "Shall the bill pass?".
28 A roll call vote was taken. As shown by the following recorded vote, a
29 majority of those elected to the House voted in the affirmative and the bill
30 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
33	Acree	Y	Green	Y	McCann	Y	Roberts	Y
34	Apuan	Y	Hullingerhorst	Y	McFadyen	E	Ryden	Y
35	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
36	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
37	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
38	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
39	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
40	Court	Y	King S.	Y	Murray	Y	Stephens	Y
41	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
42	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
43	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
44	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
45	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
46	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
47	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
48	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Apuan, Balmer, Baumgardner, Frangas,
51 Gardner B., Gerou, Green, Kerr J., Labuda, Lambert, Looper, Marostica,
52 Massey, Middleton, Murray, Primavera, Priola, Roberts, Ryden, Scanlan,
53 Schafer S., Stephens, Tipton, Todd, Vigil

54
55

1 **SB09-047** by Senator(s) Newell; also Representative(s) Roberts--
 2 Concerning the oversight of crime victim services, and, in
 3 connection therewith, creating the crime victim services
 4 advisory board and repealing the victims compensation
 5 and assistance coordinating committee and the victims
 6 assistance and law enforcement advisory board.

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	64	NO	0	EXCUSED	1	ABSENT	0
14	Acree	Y	Green	Y	McCann	Y	Roberts	Y
15	Apuan	Y	Hullinghorst	Y	McFadyen	E	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 Co-sponsor(s) added: Representative(s) Casso, Gardner B., King S., Labuda,
 32 Looper, Marostica, Ryden, Schafer S., Todd

33
 34 **SB09-060** by Senator(s) Tochtrop; also Representative(s) Soper--
 35 Concerning clarifications to the law regarding testing
 36 illegal drug laboratories for methamphetamine.

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	1	EXCUSED	1	ABSENT	0
44	Acree	Y	Green	Y	McCann	Y	Roberts	Y
45	Apuan	Y	Hullinghorst	Y	McFadyen	E	Ryden	Y
46	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
47	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
48	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
49	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
50	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
51	Court	Y	King S.	Y	Murray	Y	Stephens	Y
52	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
53	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
54	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
55	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
56	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	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	N
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Apuan, Casso, Frangas, Kefalas,
6 King S., Priola, Schafer S., Stephens, Summers, Todd

7
8 **SB09-109** by Senator(s) Newell, Morse; also Representative(s)
9 Schafer S.--Concerning continuation of provisions related
10 to the fire service training and certification advisory board.

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	64	NO	0	EXCUSED	1	ABSENT	0
18	Acree	Y	Green	Y	McCann	Y	Roberts	Y
19	Apuan	Y	Hullinghorst	Y	McFadyen	E	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	Y

35 Co-sponsor(s) added: Representative(s) Baumgardner, Gerou, Labuda, Lambert,
36 Looper, Nikkel, Ryden, Stephens, Todd

37
38 **SB09-182** by Senator(s) Penry; also Representative(s) Stephens--
39 Concerning the use of state parks by certain search and
40 rescue organizations for training activities.

41
42 The question being "Shall the bill pass?".
43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative and the bill
45 was declared **passed**.

47	YES	64	NO	0	EXCUSED	1	ABSENT	0
48	Acree	Y	Green	Y	McCann	Y	Roberts	Y
49	Apuan	Y	Hullinghorst	Y	McFadyen	E	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
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	Y	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	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Baumgardner, Fischer, Gerou, Kerr J.,
 10 King S., Labuda, Lambert, Looper, Marostica, Massey, McNulty, Murray,
 11 Nikkel, Priola, Schafer S., Todd, Waller, Speaker

12
 13 **SB09-168** by Senator(s) Tochtrop; also Representative(s) Soper--
 14 Concerning workers' compensation procedures.

15
 16 As shown by the following roll call vote, a majority of all members
 17 elected to the House voted in the affirmative, and Representative Soper
 18 was given permission to offer a Third Reading amendment:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
21	Acree	Y	Green	Y	McCann	Y	Roberts	Y
22	Apuan	Y	Hullinghorst	Y	McFadyen	E	Ryden	Y
23	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
24	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
25	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
26	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
27	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
28	Court	Y	King S.	Y	Murray	Y	Stephens	Y
29	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
30	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
31	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
32	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
33	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
34	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
35	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
36	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
37							Speaker	Y

38
 39 **Third Reading amendment No. 1**, by Representative Soper.

40 Amend revised bill, page 5, line 3, strike "**definitions.**" and substitute
 41 "**definitions - rules.**"

42
 43 Page 6, line 2, after the period, insert the following:

44
 45
 46 "THE DIVISION SHALL PROMULGATE RULES REGARDING SUCH RECORDINGS
 47 THAT SHALL INCLUDE PROVISIONS FOR THE PROTECTION OF THE AUDIO
 48 RECORDINGS AND THE PRIVACY OF INFORMATION CONTAINED IN SUCH
 49 RECORDINGS."

50
 51 The amendment was declared **passed** by the following roll call vote:

	YES	62	NO	2	EXCUSED	1	ABSENT	0
54	Acree	Y	Green	Y	McCann	Y	Roberts	Y
55	Apuan	Y	Hullinghorst	Y	McFadyen	E	Ryden	Y
56	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y

1	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
2	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
3	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
4	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
5	Court	Y	King S.	Y	Murray	Y	Stephens	Y
6	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
7	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
8	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
9	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
10	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
11	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
12	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
13	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
14							Speaker	Y

16 The question being, "Shall the bill, as amended, pass?".
 17 A roll call vote was taken. As shown by the following recorded vote, a
 18 majority of those elected to the House voted in the affirmative, and the
 19 bill, as amended, was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
22	Acree	Y	Green	Y	McCann	Y	Roberts	Y
23	Apuan	Y	Hullinghorst	Y	McFadyen	E	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	Y

39 Co-sponsor(s) added: Representative(s) Casso, Labuda, Merrifield, Ryden,
 40 Schafer S.

41
 42 **SB09-042** by Senator(s) Tapia; also Representative(s) Vigil and
 43 Peniston--Concerning the administration of the exempt
 44 status of property for property tax purposes.

45
 46 The question being "Shall the bill 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 bill
 49 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
52	Acree	Y	Green	Y	McCann	Y	Roberts	Y
53	Apuan	Y	Hullinghorst	Y	McFadyen	E	Ryden	Y
54	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
55	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
56	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y

1	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
2	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
3	Court	Y	King S.	Y	Murray	Y	Stephens	Y
4	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
5	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
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	Y
12							Speaker	Y

13 Co-sponsor(s) added: Representative(s) Gerou, Schafer S., Summers

14
 15 **SB09-222** by Senator(s) Lundberg, Cadman, Schultheis, Harvey,
 16 Renfroe, Scheffel; also Representative(s) Vaad--
 17 Concerning standards for a sign required to notify drivers
 18 that an automated vehicle identification device is being
 19 used to detect traffic violations.

20
 21 The question being "Shall the bill pass?".
 22 A roll call vote was taken. As shown by the following recorded vote, a
 23 majority of those elected to the House voted in the affirmative and the bill
 24 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
27	Acree	Y	Green	Y	McCann	Y	Roberts	Y
28	Apuan	Y	Hullinghorst	Y	McFadyen	E	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 Co-sponsor(s) added: Representative(s) Gardner C., Kagan, Lambert, Looper,
 45 May, Priola, Ryden, Todd, Waller, Speaker

46
 47 **SB09-131** by Senator(s) Romer; also Representative(s) Massey--
 48 Concerning the requirement that students in public schools
 49 engage in a certain amount of physical activity each week.

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	48	NO	16	EXCUSED	1	ABSENT	0
1								
2	Acree	N	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McFadyen	E	Ryden	N
4	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
5	Baumgardner	Y	Kagan	Y	McNulty	Y	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.	Y	Miklosi	Y	Soper	Y
9	Court	Y	King S.	Y	Murray	Y	Stephens	N
10	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
11	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
12	Fischer	Y	Levy	N	Peniston	Y	Tipton	Y
13	Frangas	N	Liston	N	Pommer	Y	Todd	Y
14	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
15	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	N
16	Gardner C.	Y	Massey	Y	Rice	Y	Waller	N
17	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
18							Speaker	N

19 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Green, Labuda,
 20 Miklosi, Priola, Riesberg, Soper, Summers

21
 22 **SB09-237** by Senator(s) Lundberg, Harvey, Schultheis, Cadman,
 23 Brophy, Isgar, King K., Kopp, Mitchell, Penry, Renfro,
 24 Romer, Scheffel, Tochtrop, White; also Representative(s)
 25 Acree, McNulty--Concerning grounds for mandatory
 26 expulsion from a public school.

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	64	NO	0	EXCUSED	1	ABSENT	0
33								
34	Acree	Y	Green	Y	McCann	Y	Roberts	Y
35	Apuan	Y	Hullingerhorst	Y	McFadyen	E	Ryden	Y
36	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
37	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
38	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
39	Bradford	Y	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	Y	Pace	Y	Swalm	Y
44	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
45	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
46	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
47	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
48	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
49	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Balmer, Gardner C., Green, Kerr A.,
 52 Kerr J., King S., Labuda, Lambert, Liston, Looper, Massey, Nikkel, Priola,
 53 Roberts, Ryden, Schafer S., Sonnenberg, Stephens, Summers, Tipton, Todd,
 54 Vigil, Speaker

1 **SB09-137** by Senator(s) Renfroe; also Representative(s)
 2 Baumgardner--Concerning the timely payment of debts in
 3 relation to a waiver of the right to attach a property lien.
 4

5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

	YES	42	NO	22	EXCUSED	1	ABSENT	0
11	Acree	Y	Green	N	McCann	Y	Roberts	Y
12	Apuan	Y	Hullinghorst	Y	McFadyen	E	Ryden	Y
13	Balmer	Y	Judd	N	McKinley	N	Scanlan	Y
14	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
15	Benefield	N	Kefalas	Y	Merrifield	N	Solano	N
16	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
17	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
18	Court	N	King S.	Y	Murray	Y	Stephens	Y
19	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
20	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
21	Fischer	N	Levy	N	Peniston	N	Tipton	Y
22	Frangas	Y	Liston	Y	Pommer	N	Todd	N
23	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
24	Gardner B.	Y	Marostica	N	Priola	Y	Vigil	N
25	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
26	Gerou	N	May	N	Riesberg	Y	Weissmann	N
27							Speaker	N

28 Co-sponsor(s) added: Representative(s) Frangas, Liston, Looper, Murray,
 29 Roberts, Ryden, Soper
 30

31
 32 **SB09-231** by Senator(s) Penry; also Representative(s) Solano and
 33 Bradford, King S., Tipton--Concerning the continuation of
 34 the state methamphetamine task force.
 35

36 The question being "Shall the bill 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 bill
 39 was declared **passed**.
 40

	YES	64	NO	0	EXCUSED	1	ABSENT	0
42	Acree	Y	Green	Y	McCann	Y	Roberts	Y
43	Apuan	Y	Hullinghorst	Y	McFadyen	E	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	Y

3 Co-sponsor(s) added: Representative(s) Apuan, Baumgardner, Benefield,
 4 Casso, Frangas, Kefalas, Labuda, Lambert, Massey, Nikkel, Priola, Roberts,
 5 Ryden, Schafer S., Stephens, Summers, Todd, Vigil
 6

7 **SB09-051** by Senator(s) Carroll M.; also Representative(s) Levy--
 8 Concerning measures to facilitate the financing of energy-
 9 efficient structures.

10
 11 The question being "Shall the bill pass?".
 12 A roll call vote was taken. As shown by the following recorded vote, a
 13 majority of those elected to the House voted in the affirmative and the bill
 14 was declared **passed**.

16	YES	40	NO	24	EXCUSED	1	ABSENT	0
17	Acree	N	Green	Y	McCann	Y	Roberts	Y
18	Apuan	Y	Hullinghorst	Y	McFadyen	E	Ryden	Y
19	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
20	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
21	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
22	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
23	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
24	Court	Y	King S.	N	Murray	N	Stephens	N
25	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
26	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
27	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
28	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
29	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
30	Gardner B.	N	Marostica	N	Priola	Y	Vigil	Y
31	Gardner C.	N	Massey	N	Rice	Y	Waller	N
32	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Apuan, Ferrandino, Fischer, Frangas,
 35 Green, Hullinghorst, Kefalas, Kerr A., Labuda, Merrifield, Middleton, Miklosi,
 36 Primavera, Ryden, Scanlan, Schafer S., Solano, Todd, Vigil
 37

38 **SB09-078** by Senator(s) Newell; also Representative(s) Rice--
 39 Concerning the abandonment of portions of the state
 40 highway system to local jurisdictions.
 41

42 The question being "Shall the bill pass?".
 43 A roll call vote was taken. As shown by the following recorded vote, a
 44 majority of those elected to the House voted in the affirmative and the bill
 45 was declared **passed**.

47	YES	57	NO	7	EXCUSED	1	ABSENT	0
48	Acree	N	Green	Y	McCann	Y	Roberts	Y
49	Apuan	Y	Hullinghorst	Y	McFadyen	E	Ryden	Y
50	Balmer	Y	Judd	Y	McKinley	N	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	N
54	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
55	Court	Y	King S.	Y	Murray	Y	Stephens	Y
56	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y

1	Ferrandino	Y	Lambert	N	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	Y	Vaad	Y
5	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
6	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
7	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Kagan, Todd

10

11 **SB09-056** by Senator(s) Kester; also Representative(s) Riesberg--
12 Concerning the Trinidad state nursing home.

13

14 Laid over until March 31, retaining place on Calendar.

15

16 **SB09-148** by Senator(s) Brophy, Gibbs; also Representative(s)
17 Merrifield, Carroll T., Kerr A., Marostica, McNulty--
18 Concerning revisions to the rules governing the safe
19 interaction of bicycles with other vehicles on roadways.

20

21 As shown by the following roll call vote, a majority of all members
22 elected to the House voted in the affirmative, and Representative Green
23 was given permission to offer a Third Reading amendment:

24

25	YES	54	NO	10	EXCUSED	1	ABSENT	0
26	Acree	Y	Green	Y	McCann	Y	Roberts	Y
27	Apuan	N	Hullinghorst	Y	McFadyen	E	Ryden	Y
28	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
29	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
30	Benefield	N	Kefalas	Y	Merrifield	N	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	N	Nikkel	Y	Summers	Y
35	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
36	Fischer	N	Levy	N	Peniston	Y	Tipton	Y
37	Frangas	Y	Liston	N	Pommer	Y	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	Y	Weissmann	Y
42							Speaker	Y

43

44 **Third Reading amendment No. 1**, by Representative Green.

45

46 Amend revised bill, page 3, line 11, after the period, add "IF THIS CANNOT
47 BE DONE WITHOUT CROSSING THE CENTER LINE IN A NO-PASSING ZONE, THE
48 DRIVER OF THE VEHICLE SHALL REMAIN AT A SAFE DISTANCE BEHIND THE
49 BICYCLIST UNTIL THE END OF THE NO-PASSING ZONE OR UNTIL THE
50 PAVEMENT IS WIDE ENOUGH TO ACCOMMODATE THE THREE-FOOT
51 SEPARATION REQUIRED BY THIS PARAGRAPH (b). DRIVERS OF TRUCKS AND
52 OTHER LARGE VEHICLES SHALL USE DUE CAUTION WHEN FOLLOWING OR
53 OVERTAKING A BICYCLIST.";

54

55 strike line 27.

56

1 Page 4, strike lines 1 through 7.

2

3 Renumber succeeding sections accordingly.

4

5 The amendment was declared **lost** by the following roll call vote:

6

	YES	17	NO	48	EXCUSED	0	ABSENT	0
8	Acree	N	Green	Y	McCann	N	Roberts	Y
9	Apuan	N	Hullinghorst	N	McFadyen	Y	Ryden	N
10	Balmer	N	Judd	N	McKinley	Y	Scanlan	N
11	Baumgardner	N	Kagan	N	McNulty	N	Schafer S.	N
12	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
13	Bradford	N	Kerr A.	N	Middleton	N	Sonnenberg	N
14	Casso	Y	Kerr J.	Y	Miklosi	N	Soper	Y
15	Court	N	King S.	N	Murray	N	Stephens	Y
16	Curry	N	Labuda	N	Nikkel	Y	Summers	N
17	Ferrandino	N	Lambert	Y	Pace	Y	Swalm	Y
18	Fischer	N	Levy	N	Peniston	N	Tipton	N
19	Frangas	N	Liston	N	Pommer	N	Todd	N
20	Gagliardi	N	Looper	Y	Primavera	Y	Vaad	Y
21	Gardner B.	Y	Marostica	N	Priola	N	Vigil	N
22	Gardner C.	N	Massey	N	Rice	N	Waller	N
23	Gerou	N	May	Y	Riesberg	N	Weissmann	N
24							Speaker	N

25

26 The question being, "Shall the bill, 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, was declared **passed**.

30

	YES	52	NO	13	EXCUSED	0	ABSENT	0
32	Acree	Y	Green	N	McCann	Y	Roberts	N
33	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
34	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
35	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
36	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
37	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
38	Casso	N	Kerr J.	N	Miklosi	Y	Soper	Y
39	Court	Y	King S.	Y	Murray	Y	Stephens	N
40	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
41	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
42	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
43	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
44	Gagliardi	Y	Looper	N	Primavera	N	Vaad	N
45	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
46	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
47	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Balmer, Court, Fischer, Frangas, Priola,
50 Scanlan, Schafer S., Vigil

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1 **APPOINTMENTS**

2
3 Due to the resignation of Representative McGihon, the Speaker
4 announced the following appointments:

5 Committee on Health & Human Services--Representative Kagan.

6 Committee on Legal Services--Representative Kagan

7
8
9
10 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**

11
12 **SB09-208** by Senator(s) Tapia, Keller, White; also Representative(s)
13 Pommer, Ferrandino, Marostica--Concerning the
14 augmentation of the general fund through transfers of
15 certain moneys in the 2008-09 fiscal year.

16
17 (Conference Committee Report printed in House Journal, March 16,
18 pages 742-743.)

19
20 On motion of Representative Pommer, the Conference Committee Report
21 was **adopted** by the following roll call vote:

22

23	YES	41	NO	24	EXCUSED	0	ABSENT	0
24	Acree	N	Green	Y	McCann	Y	Roberts	N
25	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
26	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
27	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
28	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
29	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
30	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
31	Court	Y	King S.	N	Murray	Y	Stephens	N
32	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
33	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
34	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
35	Frangas	N	Liston	N	Pommer	Y	Todd	Y
36	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
37	Gardner B.	Y	Marostica	Y	Priola	N	Vigil	Y
38	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
39	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
40							Speaker	Y

41
42 The question being "Shall the bill, as amended, pass?".

43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative and the
45 bill, as amended, was declared **repassed**.

46

47	YES	37	NO	28	EXCUSED	0	ABSENT	0
48	Acree	N	Green	Y	McCann	Y	Roberts	N
49	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
50	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
51	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
52	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
53	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
54	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
55	Court	Y	King S.	N	Murray	N	Stephens	N
56	Curry	Y	Labuda	Y	Nikkel	N	Summers	N

1	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
2	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
3	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
4	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
5	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
6	Gardner C.	N	Massey	N	Rice	Y	Waller	N
7	Gerou	N	May	N	Riesberg	Y	Weissmann	N
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Ryden

10

11 **SB09-210** by Senator(s) Tapia, Keller, White; also Representative(s)
 12 Ferrandino, Pommer, Marostica--Concerning transfers for
 13 health programs from the tobacco litigation funds, and, in
 14 connection therewith, making modifications to
 15 appropriations.
 16

17 (Conference Committee Report printed in House Journal, March 23,
 18 pages 850-851.)
 19

20 On motion of Representative Ferrandino, the Conference Committee
 21 Report was **adopted** by the following roll call vote:
 22

23	YES	42	NO	23	EXCUSED	0	ABSENT	0
24	Acree	N	Green	Y	McCann	Y	Roberts	N
25	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
26	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
27	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
28	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
29	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
30	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
31	Court	Y	King S.	N	Murray	Y	Stephens	N
32	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
33	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
34	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
35	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
36	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
37	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
38	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
39	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
40							Speaker	Y

41

42 The question being "Shall the bill, as amended, pass?".
 43 A roll call vote was taken. As shown by the following recorded vote, a
 44 majority of those elected to the House voted in the affirmative and the
 45 bill, as amended, was declared **repassed**.
 46

47	YES	45	NO	20	EXCUSED	0	ABSENT	0
48	Acree	N	Green	Y	McCann	Y	Roberts	N
49	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
50	Balmer	N	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	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
54	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
55	Court	Y	King S.	N	Murray	N	Stephens	N
56	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y

1	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	N
2	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
3	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
4	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
5	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
6	Gardner C.	Y	Massey	N	Rice	Y	Waller	N
7	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Merrifield

10

11 **HB09-1058** by Representative(s) Marostica; also Senator(s) Morse--
 12 Concerning the final disposition of the remains of veterans
 13 of the armed forces that have been abandoned.

14

15 (Conference Committee Report printed in House Journal, March 25,
 16 page 898.)

17

18 On motion of Representative Marostica, the Conference Committee
 19 Report was **adopted** by the following roll call vote:

20

21	YES	65	NO	0	EXCUSED	0	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	Y

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**.

44

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
56	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y

1	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
2	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
3	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
4	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
5	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
6							Speaker	Y

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10 CONSIDERATION OF RESOLUTION(S)

11
12 **SJR09-026** by Senator(s) Williams and Isgar, Gibbs, Penry, Sandoval,
13 Tapia, White; also Representative(s) Roberts, Casso,
14 Tipton--Concerning the commemoration of the Tri-Ute
15 Elders meeting in Colorado in March 2009, and, in
16 connection therewith, honoring the culture and heritage of
17 the Southern Ute Tribe and the Ute Mountain Ute Tribe.

18
19 (Printed and placed in members file)

20
21 On motion of Representative Roberts, the resolution was read at length
22 and **adopted** by **viva voce** vote.

23
24 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
25 Balmer, Baumgardner, Benefield, Bradford, Court, Curry, Ferrandino, Fischer,
26 Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green, Hulinghorst, Judd,
27 Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
28 Looper, Marostica, Massey, May, McCann, McFadyen, McKinley, McNulty,
29 Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer,
30 Primavera, Priola, Rice, Riesberg, Ryden, Scanlan, Schafer S., Solano,
31 Sonnenberg, Soper, Stephens, Summers, Swalm, Todd, Vaad, Vigil, Waller,
32 Weissmann, Speaker

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37

On motion of Representative Pace, the House resolved itself into
Committee of the Whole for consideration of General Orders, and he was
called to the Chair to act as Chairman.

38
39
40

41 GENERAL ORDERS--SECOND READING OF BILLS

42
43 The Committee of the Whole having risen, the Chairman reported the
44 titles of the following bills had been read (reading at length had been
45 dispensed with by unanimous consent), the bills considered and action
46 taken thereon as follows:

47
48
49

(Amendments to the committee amendment are to the printed committee
report which was printed and placed in the members' bill file.)

50
51
52
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54

HB09-1315 by Representative(s) Todd; also Senator(s) Williams--
Concerning clarifying restrictions on public employee
leave for purposes of public service.

55 Ordered engrossed and placed on the Calendar for Third Reading and
56 Final Passage.

1 **SB09-036** by Senator(s) Gibbs; also Representative(s) Scanlan--
2 Concerning theft of sound recordings, and making an
3 appropriation in connection therewith.
4

5 Amendment No. 1, Judiciary Report, dated March 12, 2009, and placed
6 in member's bill file; Report also printed in House Journal, March 13,
7 pages 732-733.
8

9 Amendment No. 2, by Representative(s) McCann.
10

11 Amend the reengrossed bill, page 4, line 10, strike "ARTICLES," and
12 substitute "ARTICLES OR THE OFFENSE IS A SECOND OR SUBSEQUENT
13 OFFENSE,".
14

15 As amended, ordered revised and placed on the Calendar for Third
16 Reading and Final Passage.
17

18 **SB09-216** by Senator(s) Tapia, Keller, White; also Representative(s)
19 Pommer, Ferrandino, Marostica--Concerning increases in
20 the fees paid to the division of water resources in the
21 department of natural resources, and, in connection
22 therewith, modifying appropriations made to the division
23 of water resources in the fiscal year 2008-09 long
24 appropriations bill.
25

26 Laid over until March 31, retaining place on Calendar.
27

28 **SB09-173** by Senator(s) Veiga; also Representative(s) Rice--
29 Concerning the economic development of large-scale
30 regional tourism projects to be partially financed with a
31 portion of state sales tax revenue above an existing base
32 amount.
33

34 Laid over until April 2, retaining place on Calendar.
35

36 **SB09-020** by Senator(s) Gibbs; also Representative(s) Scanlan--
37 Concerning the responsibility for responding to wild land
38 fires.
39

40 Amendment No. 1, Local Government Report, dated March 17, 2009, and
41 placed in member's bill file; Report also printed in House Journal,
42 March 18, page 770.
43

44 Amendment No. 2, by Representative(s) Scanlan.
45

46 Amend the Local Government Committee Report, dated March 17, 2009,
47 page 1, strike line 1 and substitute the following:
48

49 "Amend reengrossed bill, page 3, strike line 24 and substitute the
50 following:
51

52 "COOPERATION AMONG THE SHERIFF, THE FIRE CHIEFS, AND THE BOARD OF
53 COUNTY COMMISSIONERS OF THE".
54

55 Page 7, line 1, strike "THAT OCCURS" and";
56

1 after line 5 of the committee report, insert the following:

2

3 "Page 9, strike lines 19 and 20 and substitute the following:

4

5 "THESE ELEMENTS COULD BE INTEGRATED, IN COOPERATION AMONG THE
6 SHERIFF, THE FIRE CHIEFS, AND THE BOARD OF COUNTY COMMISSIONERS OF
7 THE COUNTY, INTO A COUNTY WILD LAND". "

8

9 As amended, ordered revised and placed on the Calendar for Third
10 Reading and Final Passage.

11

12 **SB09-105** by Senator(s) Gibbs; also Representative(s) Scanlan--
13 Concerning removal of the statutory limit on the amount
14 that may be raised in a single year by a special property tax
15 levied by a board of county commissioners for the purpose
16 of fighting specified types of fires in a county.

17

18 Ordered revised and placed on the Calendar for Third Reading and Final
19 Passage.

20

21 **SB09-132** by Senator(s) Boyd; also Representative(s) Kerr J.--
22 Concerning discounted prescription drug programs, and,
23 in connection therewith, providing information regarding
24 discounted prescription drug programs and modifying the
25 "Colorado Cares Rx Act" and making an appropriation.

26

27 Laid over until March 31, retaining place on Calendar.

28

29 **SB09-143** by Senator(s) Bacon; also Representative(s) Hullinghorst,
30 Fischer--Concerning enforcing traffic regulations through
31 the expanded use of an automated vehicle identification
32 system.

33

34 Laid over until March 31, retaining place on Calendar.

35

36 **SB09-177** by Senator(s) Schwartz; also Representative(s) Vigil--
37 Concerning the valuation of new solar energy facilities for
38 the purpose of property taxation.

39

40 Amendment No. 1, Transportation & Energy Report, dated
41 March 19, 2009, and placed in member's bill file; Report also printed in
42 House Journal, March 20, pages 826-827.

43

44 As amended, ordered revised and placed on the Calendar for Third
45 Reading and Final Passage.

46

47 **SB09-119** by Senator(s) Harvey; also Representative(s) McNulty--
48 Concerning a clarification of the enforcement of water
49 quality laws relating to the discharge of certain hazardous
50 pollutants.

51

52 Laid over until March 31, retaining place on Calendar.

53

54

55

1 **SB09-092** by Senator(s) Kopp, Romer, Brophy, White, Penry, King
 2 K., Renfroe; also Representative(s) Marostica, King S.,
 3 Sonnenberg, Stephens, Waller--Concerning the
 4 requirement that state-owned motor vehicles operate on
 5 compressed natural gas.
 6

7 Ordered revised and placed on the Calendar for Third Reading and Final
 8 Passage.
 9

10
 11
 12 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**
 13

14 Passed Second Reading: **HB09-1315, SB09-036 amended, 020**
 15 **amended, 105, 177 amended, 092.**
 16

17 Laid over until date indicated retaining place on Calendar:
 18 **SB09-216, 132, 143, 119**--March 31, 2009.
 19 **SB09-173**--April 2, 2009.
 20

21 The Chairman moved the adoption of the Committee of the Whole
 22 Report. As shown by the following roll call vote, a majority of those
 23 elected to the House voted in the affirmative, and the Report was
 24 **adopted.**
 25

	YES	64	NO	0	EXCUSED	1	ABSENT	0
27	Acree	Y	Green	Y	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	E
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
 46
 47
 48 **MEMORANDUM**
 49

50 **REPORT FROM THE HOUSE AND SENATE COMMITTEES**
 51 **ON DELAYED BILLS**
 52

53 Pursuant to Joint Rule 23 (c), the House and Senate Committees on
 54 Delayed Bills, acting jointly, extend the following deadline for LLS No.
 55 09-0384, the Long Appropriation Bill:
 56

1 The Monday, March 23 deadline (the 76th legislative day) for
2 introduction of the long appropriation bill in the Senate as extended until
3 Monday, March 30, 2009 (the 83rd legislative day) is further extended
4 until Monday, April 6, 2009 (the 90th legislative day).

5
6 The Friday, March 27 deadline (the 80th legislative day) for passage of
7 the long appropriation bill in the Senate as extended until Friday,
8 April 3, 2009 (the 87th legislative day) is further extended until Thursday,
9 April 9, 2009 (the 93rd legislative day).

10
11 The Friday, April 3 deadline (the 87th legislative day) for passage of the
12 long appropriation bill in the House as extended until Thursday,
13 April 9, 2009 (the 93rd legislative day) is further extended until Friday,
14 April 17, 2009 (the 101st legislative day).

15
16 The Friday, April 10 deadline (the 94th legislative day) for adoption of
17 the conference committee report on the long appropriation bill as
18 extended until Wednesday, April 15, 2009 (the 99th legislative day) is
19 further extended until Wednesday, April 22, 2009 (the 106th legislative
20 day).

21
22 This memorandum shall be printed in the journal of each house as is
23 required by said Joint Rule 23 (c).

24
25 Representative Terrance Carroll
26 Representative Mike May
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Senator Peter Groff
Senator Brandon Shaffer
Senator Josh Penry

REPORT(S) OF COMMITTEE(S) OF REFERENCE

STATE, VETERANS, & MILITARY AFFAIRS

After consideration on the merits, the Committee recommends the following:

SB09-064 The committee returns herewith Senate Bill 09-064 and reports that said bill has been considered on its merits and voted upon by the committee in accordance with House Rules, that the deadline applicable to committees under Joint Rule 23 (a) (1) has passed, that final action has not been taken by this committee within said deadline, and that the Committee on Delayed Bills has not waived said deadline. Pursuant to Joint Rule 23 (a) (3) (A), said bill is deemed to be postponed indefinitely.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SB09-066, 114.**

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MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR09-028.

The Senate has adopted and transmits herewith: SJR09-029.

INTRODUCTION OF RESOLUTION(S)

The following resolutions were read by title and laid over one day under the rules:

SJR09-028 by Senator(s) Heath; also Representative(s) Primavera--
Concerning recognition of Colorado's cool cities.

SJR09-029 by Senator(s) Tapia, Sandoval; also Representative(s)
Frangas, McFadyen, Pace, Vigil--Concerning recognition
of "César Chávez Day".

House in recess. House reconvened.

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on HB09-1108**

This Report Amends the Rerevised Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB09-1108,
concerning the failure of an employer's bank to honor an employee's
paycheck upon presentment, has met and reports that it has agreed upon
the following:

That the House accede to the Senate amendment made to the bill,
as the amendment appears in the rerevised bill, with the following
changes:

Amend rerevised bill, page 2, line 14, strike "TWELVE-MONTH" and
substitute "TWENTY-FOUR-MONTH".

Respectfully submitted,

House Committee:

(signed)

Andrew Kerr

Lois Court

Bob Gardner

Senate Committee:

(signed)

Betty Boyd

Lois Tochtrop

Mark Scheffel

REPORT(S) OF COMMITTEE(S) OF REFERENCE**JUDICIARY**

After consideration on the merits, the Committee recommends the following:

HB09-1316 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 14, after "number,", insert "PERSONAL MOBILE TELEPHONE NUMBER,";

line 15, after "number,", insert "PERSONAL E-MAIL ADDRESS,";

line 17, strike "OFFICIAL's" and substitute "OFFICIAL'S OR THE OFFICIAL'S IMMEDIATE FAMILY MEMBER'S";

line 20, strike "OFFICIAL," and substitute "OFFICIAL OR THE OFFICIAL'S IMMEDIATE FAMILY MEMBER,".

Page 3, strike lines 4 through 27.

Strike pages 4 through 6.

Page 7, strike lines 1 through 19.

Re-number succeeding section accordingly.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SB09-035, 097, 147, 179; SJR09-031.**

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB09-118 amended as printed in Senate Journal, March 20, 2009, pages 810-811,

SB09-003 amended as printed in Senate Journal, February 20, 2009, pages 425-426 and March 20, 2009, pages 809-810,

SB09-230 amended as printed in Senate Journal, February 27, 2009, pages 538-540, March 23, 2009, pages 817-818, and March 26, 2009, page 866,

SB09-090 amended as printed in Senate Journal, February 6, 2009, page 195-198, March 23, 2009, page 818 and March 26, 2009, pages 866-867,

SB09-167 amended as printed in Senate Journal, February 13, 2009, pages 319-320, March 23, 2009, page 829.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

1 HB09-1281 amended as printed in Senate Journal, March 20, 2009,
2 pages 862-865.

3
4 The Senate voted to dissolve the Second Conference Committee on
5 SB09-215, and recede from its position. The Senate concurred with
6 House amendments, and repassed the bill as amended.

7
8 The Senate voted to concur in House amendments to SB09-141, and
9 repassed the bill as so amended.

10
11 The Senate has adopted the First Report of the First Conference
12 Committee on HB09-1108, as printed in Senate Journal, March 9, 2009,
13 page 663, and repassed the bill as amended. The bill is returned herewith.

14
15 In response to the request of the House for a Conference Committee on
16 HB09- 1057, the President appoints Senators Bacon-Chair, Groff and
17 King as conferees on the First Conference Committee on HB09-1057.

21 MESSAGE(S) FROM THE REVISOR

22 We herewith transmit:

23 Without comment, HB09-1281.

24 Without comment, as amended, SB09-003, 118, 230, 090 and 167.

29 INTRODUCTION OF BILLS 30 First Reading

31
32 The following bills were read by title and referred to the committees
33 indicated:

34
35 **SB09-003** by Senator(s) Bacon; also Representative(s) Fischer--
36 Concerning the automobile inspection and readjustment
37 program, and, in connection therewith, expanding the
38 enhanced emissions program to Weld and Larimer
39 counties, modifying the geographical boundaries of the
40 program area, altering criteria used to determine which
41 collector's items are excluded from the emissions testing
42 process, and making an appropriation.

43 Committee on Transportation & Energy

44
45 **SB09-090** by Senator(s) Hudak, Williams, Heath, Bacon, Foster,
46 Groff, King K., Tapia; also Representative(s) Benefield
47 and Merrifield, Carroll T., Solano, Todd, Pace, Scanlan,
48 Levy, Summers, Ferrandino, Miklosi, Schafer S.--
49 Concerning measures to increase parent involvement in
50 public education.

51 Committee on Education

52
53 **SB09-118** by Senator(s) Gibbs, Hodge, Isgar; also Representative(s)
54 Fischer--Concerning continuation of pet animal care
55 regulation, and making an appropriation therefor.

56 Committee on Agriculture, Livestock, & Natural Resources

1 **SB09-167** by Senator(s) Boyd, Newell, Tochtrop; also
 2 Representative(s) Kefalas--Concerning the continuation of
 3 the state board of chiropractic examiners, and, in
 4 connection therewith, increasing insurance requirements,
 5 adjusting the board's disciplinary authority, authorizing
 6 animal chiropractic, and modifying the scope of practice,
 7 and, in connection therewith, making an appropriation.

8 Committee on Health and Human Services

9
 10 **SB09-230** by Senator(s) Spence and Groff; also Representative(s)
 11 May--Concerning the authorization of charter schools as
 12 school food authorities, and making an appropriation in
 13 connection therewith.

14 Committee on Education

15
 16
 17
 18 **INTRODUCTION OF MEMORIAL**

19
 20 The following memorial was read by title and laid over until
 21 April 3, 2009:

22
 23 **HM09-1001** by Representative(s) Gerou--Memorializing former
 24 Representative Jewell Ford.

25
 26
 27
 28 **LAY OVER OF CALENDAR ITEM(S)**

29
 30 On motion of Representative Rice, the following item(s) on the Calendar
 31 were laid over until March 31, retaining place on Calendar:

32
 33 Consideration of General Orders--**SB09-084, 175, 111.**
 34 Consideration of Senate Amendment(s)--**HB09-1053, 1151, 1200, 1220,**
 35 **1285.**

36
 37
 38 On motion of Representative Rice, the House adjourned until 9:00 a.m.,
 39 March 31, 2009.

40
 41
 42 Approved:
 43 TERRANCE D. CARROLL,
 44 Speaker

44 Attest:
 45 MARILYN EDDINS,
 46 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Eighty-fourth Legislative Day

Tuesday, March 31, 2009

1 Prayer by Father Logger, St. Francis Friary, Denver.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Coal Buckendahl, Ryan Jones, Will Storey,
6 Evan Cuadra, Nicholas Kay, Colby Hunter, Anson Buckendahl, Robbie
7 Jones, Cub Scout Pack 111, Wheatridge.

8

9 The roll was called with the following result:

10

11 Present--61.

12 Excused--Representative(s) Hullinghorst, McNulty, Middleton,
13 Pommer--4.14 Present after roll call--Representative(s) McNulty, Middleton,
15 Pommer.

16

17 The Speaker declared a quorum present.

18

19

20 On motion of Representative Pace, the reading of the journal of
21 March 30, 2009, was declared dispensed with and approved as corrected
22 by the Chief Clerk.

23

24

25

26 **THIRD READING OF BILLS--FINAL PASSAGE**

27

28 The following bills were considered on Third Reading. The titles were
29 publicly read. Reading of the bill at length was dispensed with by
30 unanimous consent.

31

32 **SB09-056** by Senator(s) Kester; also Representative(s) Riesberg--
33 Concerning the Trinidad state nursing home.

34

35 As shown by the following roll call vote, a majority of all members
36 elected to the House voted in the affirmative, and Representative
37 Riesberg was given permission to offer a Third Reading amendment:

38

39

40

41

42

43

YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Green	Y	McCann	Y	Roberts	Y
Apuan	Y	Hullinghorst	E	McFadyen	Y	Ryden	Y
Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y

1	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
2	Bradford	Y	Kerr A.	Y	Middleton	E	Sonnenberg	Y
3	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
4	Court	Y	King S.	Y	Murray	Y	Stephens	Y
5	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
6	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
7	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
8	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
9	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
10	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
11	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
12	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
13							Speaker	Y

14
15 **Third Reading amendment No. 1**, by Representative Riesberg.

16
17 Amend revised bill, page 2, after line 1, insert the following:

18
19 **"SECTION 1.** 24-51-310 (1) (i), Colorado Revised Statutes, is
20 amended to read:

21
22 **24-51-310. Persons not eligible for membership.** (1) Persons
23 not eligible for membership in the association include:

24
25 (i) Employees of a nonprofit public hospital, LONG-TERM CARE
26 FACILITY, OR HEALTHCARE FACILITY which was previously affiliated with
27 the association if such employees were hired subsequent to the sale, lease,
28 or transfer of the hospital OR STATE NURSING HOME;

29
30 **SECTION 2.** 24-51-311, Colorado Revised Statutes, is amended
31 to read:

32
33 **24-51-311. Continuation of membership.** Notwithstanding the
34 provisions of section 24-51-310, employees of a public hospital which is
35 sold, leased, or otherwise transferred to a nonprofit corporation organized
36 pursuant to the laws of this state for the purpose of conducting a hospital,
37 OR EMPLOYEES OF AN ASSOCIATION-AFFILIATED EMPLOYER THAT HAS
38 TRANSFERRED TITLE PURSUANT TO SECTION 26-12-112 (5) (a), C.R.S., TO
39 AN ENTITY ORGANIZED PURSUANT TO THE LAWS OF THE STATE FOR THE
40 PURPOSE OF CONDUCTING A LONG-TERM CARE FACILITY OR HEALTH CARE
41 FACILITY, may continue membership in the association ~~if such~~ PROVIDED
42 THE BOARD DETERMINES, IN ITS SOLE DISCRETION, THAT CONTINUED
43 MEMBERSHIP WILL NOT ADVERSELY AFFECT ITS QUALIFIED
44 GOVERNMENTAL PLAN STATUS, AND PROVIDED THAT THE transfer
45 agreement provides for continuance of membership and if the new
46 employer agrees to submit to the association the appropriate amount of
47 employer and member contributions ~~which would be due from an~~
48 ~~employer affiliated with the association and from a member pursuant to~~
49 ~~the provisions of section 24-51-401 (1.7) AND DISBURSEMENTS PURSUANT~~
50 ~~TO PART 4 OF THIS ARTICLE."~~

51
52 Renumber succeeding sections accordingly.

53
54 The amendment was declared **passed** by the following roll call vote:

55

	YES	35	NO	29	EXCUSED	1	ABSENT	0
1								
2	Acree	N	Green	Y	McCann	Y	Roberts	N
3	Apuan	Y	Hullingerhorst	E	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	N
9	Court	Y	King S.	N	Murray	N	Stephens	N
10	Curry	N	Labuda	Y	Nikkel	N	Summers	N
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	N	Priola	N	Vigil	Y
16	Gardner C.	N	Massey	N	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 **passed**.

	YES	40	NO	24	EXCUSED	1	ABSENT	0
26	Acree	N	Green	Y	McCann	Y	Roberts	N
27	Apuan	Y	Hullingerhorst	E	McFadyen	Y	Ryden	Y
28	Balmer	Y	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	Y	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	Y	Todd	Y
38	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
39	Gardner B.	N	Marostica	N	Priola	Y	Vigil	Y
40	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
41	Gerou	N	May	N	Riesberg	Y	Weissmann	N
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Fischer, Labuda, Marostica, McKinley,
 44 Merrifield, Ryden, Schafer S., Todd, Speaker

47 **HB09-1315** by Representative(s) Todd; also Senator(s) Williams--
 48 Concerning clarifying restrictions on public employee
 49 leave for purposes of public service.

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
 56

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	E	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	Y	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 Co-sponsor(s) added: Representative(s) Kerr A., Labuda, Looper, Ryden,
20 Schafer S.

21
22 **SB09-036** by Senator(s) Gibbs; also Representative(s) Scanlan--
23 Concerning theft of sound recordings.

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	51	NO	13	EXCUSED	1	ABSENT	0
30								
31	Acree	Y	Green	Y	McCann	Y	Roberts	Y
32	Apuan	Y	Hullingerhorst	E	McFadyen	Y	Ryden	Y
33	Balmer	Y	Judd	N	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.	N	Miklosi	Y	Soper	Y
38	Court	Y	King S.	Y	Murray	Y	Stephens	Y
39	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
40	Ferrandino	Y	Lambert	N	Pace	N	Swalm	Y
41	Fischer	Y	Levy	N	Peniston	Y	Tipton	N
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	N
45	Gardner C.	Y	Massey	N	Rice	Y	Waller	N
46	Gerou	Y	May	N	Riesberg	N	Weissmann	N
47							Speaker	Y

48 Co-sponsor(s) added: Representative(s) King S., Liston, McFadyen, Ryden,
49 Todd, Speaker

50
51 **SB09-020** by Senator(s) Gibbs; also Representative(s) Scanlan--
52 Concerning the responsibility for responding to wild land
53 fires.

54
55 The question being "Shall the bill pass?".
56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
5	Acree	Y	Green	Y	McCann	Y	Roberts	Y
6	Apuan	Y	Hullinghorst	E	McFadyen	Y	Ryden	Y
7	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
8	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
9	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
10	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
11	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
12	Court	Y	King S.	Y	Murray	Y	Stephens	Y
13	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
14	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
15	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
16	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
17	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
18	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
19	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
20	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Baumgardner, Curry, Gerou, Kerr J.,
23 King S., Labuda, Massey, McFadyen, Murray, Schafer S., Stephens, Todd, Vigil

24
25 **SB09-105** by Senator(s) Gibbs; also Representative(s) Scanlan--
26 Concerning removal of the statutory limit on the amount
27 that may be raised in a single year by a special property tax
28 levied by a board of county commissioners for the purpose
29 of fighting specified types of fires in a county.

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**.

	YES	46	NO	18	EXCUSED	1	ABSENT	0
37	Acree	N	Green	Y	McCann	Y	Roberts	Y
38	Apuan	Y	Hullinghorst	E	McFadyen	Y	Ryden	Y
39	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
40	Baumgardner	Y	Kagan	Y	McNulty	N	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	N
45	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
46	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
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	N
50	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
51	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
52	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Gerou, Merrifield, Schafer S., Vigil

55
56

1 **SB09-177** by Senator(s) Schwartz; also Representative(s) Vigil--
 2 Concerning the valuation of new solar energy facilities for
 3 the purpose of property taxation.
 4

5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

	YES	64	NO	0	EXCUSED	1	ABSENT	0
11	Acree	Y	Green	Y	McCann	Y	Roberts	Y
12	Apuan	Y	Hullinghorst	E	McFadyen	Y	Ryden	Y
13	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
14	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
15	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
16	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
17	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
18	Court	Y	King S.	Y	Murray	Y	Stephens	Y
19	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
20	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
21	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
22	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
23	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
24	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
25	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
26	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Kefalas, McCann,
 29 McFadyen, Merrifield, Middleton, Pace, Pommer, Primavera, Priola, Ryden,
 30 Todd
 31

32 **SB09-092** by Senator(s) Kopp, Romer, Brophy, White, Penry, King
 33 K., Renfroe; also Representative(s) Marostica, King S.,
 34 Sonnenberg, Stephens, Waller--Concerning the
 35 requirement that state-owned motor vehicles operate on
 36 compressed natural gas.
 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:
 41

	YES	38	NO	26	EXCUSED	1	ABSENT	0
43	Acree	N	Green	Y	McCann	Y	Roberts	N
44	Apuan	Y	Hullinghorst	E	McFadyen	Y	Ryden	Y
45	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
46	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
47	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
48	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
49	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
50	Court	Y	King S.	N	Murray	N	Stephens	N
51	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
52	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
53	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
54	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
55	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
56	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y

1	Gardner C.	N	Massey	N	Rice	Y	Waller	N
2	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
3							Speaker	Y

4
5 **Third Reading amendment No. 1**, by Representative Labuda.
6 Amend revised bill, page 2, line 17, strike "SHALL" and substitute "MAY".

7
8 The amendment was declared **lost** by the following roll call vote:

10	YES	11	NO	53	EXCUSED	1	ABSENT	0
11	Acree	N	Green	Y	McCann	N	Roberts	N
12	Apuan	N	Hullinghorst	E	McFadyen	N	Ryden	N
13	Balmer	N	Judd	N	McKinley	N	Scanlan	N
14	Baumgardner	N	Kagan	N	McNulty	N	Schafer S.	Y
15	Benefield	N	Kefalas	Y	Merrifield	N	Solano	N
16	Bradford	N	Kerr A.	N	Middleton	N	Sonnenberg	N
17	Casso	N	Kerr J.	N	Miklosi	N	Soper	Y
18	Court	N	King S.	N	Murray	N	Stephens	N
19	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
20	Ferrandino	N	Lambert	N	Pace	N	Swalm	N
21	Fischer	Y	Levy	Y	Peniston	N	Tipton	N
22	Frangas	N	Liston	N	Pommer	N	Todd	N
23	Gagliardi	N	Looper	N	Primavera	Y	Vaad	N
24	Gardner B.	N	Marostica	N	Priola	N	Vigil	N
25	Gardner C.	N	Massey	N	Rice	N	Waller	N
26	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
27							Speaker	N

28
29 The question being, "Shall the bill, pass?".
30 A roll call vote was taken. As shown by the following recorded vote, a
31 majority of those elected to the House voted in the affirmative, and the
32 bill, was declared **passed**.

34	YES	56	NO	8	EXCUSED	1	ABSENT	0
35	Acree	Y	Green	N	McCann	Y	Roberts	Y
36	Apuan	Y	Hullinghorst	E	McFadyen	Y	Ryden	Y
37	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
38	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
39	Benefield	Y	Kefalas	N	Merrifield	Y	Solano	Y
40	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
41	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
42	Court	Y	King S.	Y	Murray	Y	Stephens	Y
43	Curry	N	Labuda	Y	Nikkel	Y	Summers	Y
44	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
45	Fischer	N	Levy	N	Peniston	Y	Tipton	Y
46	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
47	Gagliardi	Y	Looper	Y	Primavera	N	Vaad	Y
48	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
49	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
50	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Baumgardner, Benefield, Bradford,
53 Casso, Court, Ferrandino, Gardner B., Kerr J., Lambert, Liston, Looper, May,
54 Middleton, Murray, Nikkel, Priola, Rice, Roberts, Scanlan, Summers, Swalm,
55 Tipton, Todd, Vigil, Speaker

56

1 **CONFIRMATION OF APPOINTMENT**

2

3 Pursuant to CRS 2-3-502, Colorado Revised Statutes, the appointments
4 to the Committee on Legislative Legal Services require a recorded vote.

5
6 On motion of Representative Weissmann the appointment of
7 Representative Kagan to the Committee on Legal Services was confirmed
8 by the following roll call **vote**.

9

10

	YES	64	NO	0	EXCUSED	1	ABSENT	0
11	Acree	Y	Green	Y	McCann	Y	Roberts	Y
12	Apuan	Y	Hullinghorst	E	McFadyen	Y	Ryden	Y
13	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
14	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
15	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
16	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
17	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
18	Court	Y	King S.	Y	Murray	Y	Stephens	Y
19	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
20	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
21	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
22	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
23	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
24	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
25	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
26	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
27							Speaker	Y

28

29

30

31 **CONSIDERATION OF RESOLUTION(S)**

32
33 **SJR09-029** by Senator(s) Tapia, Sandoval; also Representative(s)
34 Frangas, McFadyen, Pace, Vigil--Concerning recognition
35 of "César Chávez Day".

36
37 (Printed and placed in members file)

38
39 On motion of Representative Frangas, the resolution was read at length
40 and **adopted** by the following roll call **vote**:

41

42

	YES	64	NO	0	EXCUSED	1	ABSENT	0
43	Acree	Y	Green	Y	McCann	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	E	McFadyen	Y	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	Y	Looper	Y	Primavera	Y	Vaad	Y
56	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y

1	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
2	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Apuan, Baumgardner, Benefield,
5 Bradford, Casso, Court, Curry, Ferrandino, Fischer, Gagliardi, Gerou, Green,
6 Judd, Kagan, Kefalas, Kerr A., King S., Labuda, Levy, Looper, Marostica,
7 Massey, May, McCann, McKinley, Merrifield, Middleton, Miklosi, Nikkel,
8 Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan,
9 Schafer S., Solano, Sonnenberg, Soper, Stephens, Tipton, Todd, Waller,
10 Weissmann, Speaker

11

12

13 On motion of Representative Ryden, the House resolved itself into
14 Committee of the Whole for consideration of General Orders, and she
15 was called to the Chair to act as Chairman.

16

17

18 **GENERAL ORDERS--SECOND READING OF BILLS**

19

20 The Committee of the Whole having risen, the Chairman reported the
21 titles of the following bills had been read (reading at length had been
22 dispensed with by unanimous consent), the bills considered and action
23 taken thereon as follows:

24

25 (Amendments to the committee amendment are to the printed committee
26 report which was printed and placed in the members' bill file.)

27

28 **SB09-216** by Senator(s) Tapia, Keller, White; also Representative(s)
29 Pommer, Ferrandino, Marostica--Concerning increases in
30 the fees paid to the division of water resources in the
31 department of natural resources, and, in connection
32 therewith, modifying appropriations made to the division
33 of water resources in the fiscal year 2008-09 long
34 appropriations bill.

35

36 Laid over until June 9, 2009. Bill deemed lost.

37

38 **SB09-132** by Senator(s) Boyd; also Representative(s) Kerr J.--
39 Concerning discounted prescription drug programs, and,
40 in connection therewith, providing information regarding
41 discounted prescription drug programs and modifying the
42 "Colorado Cares Rx Act" and making an appropriation.

43

44 Amendment No. 1, Appropriations Report, dated March 20, 2009, and
45 placed in member's bill file; Report also printed in House Journal,
46 March 20, page 818.

47

48 As amended, ordered revised and placed on the Calendar for Third
49 Reading and Final Passage.

50

51 **SB09-143** by Senator(s) Bacon; also Representative(s) Hullinghorst,
52 Fischer--Concerning enforcing traffic regulations through
53 the expanded use of an automated vehicle identification
54 system.

55

56 Laid over until April 2, retaining place on Calendar.

1 **SB09-119** by Senator(s) Harvey; also Representative(s) McNulty--
 2 Concerning a clarification of the enforcement of water
 3 quality laws relating to the discharge of certain hazardous
 4 pollutants.

5
 6 Laid over until April 2, retaining place on Calendar.

7
 8 **SB09-175** by Senator(s) Sandoval; also Representative(s) Pommer--
 9 Concerning the issuance of group special license plates.

10
 11 Amendment No. 1, Transportation & Energy Report, dated
 12 March 17, 2009, and placed in member's bill file; Report also printed in
 13 House Journal, March 18, page 781.

14
 15 As amended, ordered revised and placed on the Calendar for Third
 16 Reading and Final Passage.

17
 18 **SB09-111** by Senator(s) Bacon, Boyd, Schultheis; also
 19 Representative(s) Court--Concerning continuation of the
 20 "Notaries Public Act".

21
 22 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
 23 March 3, 2009, and placed in member's bill file; Report also printed in
 24 House Journal, March 4, page 610.

25
 26 Amendment No. 2, by Representative(s) Court.

27
 28 Amend the State, Veterans, & Military Affairs Committee, dated March
 29 3, 2009, strike page 1.

30
 31 Page 2, strike lines 1 through 9 and substitute the following:

32
 33 "Amend reengrossed bill, page 3, strike lines 20 through 27."

34
 35 As amended, ordered revised and placed on the Calendar for Third
 36 Reading and Final Passage.

37 (For change in action, see Amendments to Report, page 966.)

38
 39 **SB09-084** by Senator(s) Scheffel; also Representative(s) Scanlan--
 40 Concerning documents related to the role of the office of
 41 the secretary of state as filing office for secured
 42 transactions.

43
 44 Ordered revised and placed on the Calendar for Third Reading and Final
 45 Passage.

46
 47
 48
 49 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

50
 51 Representative(s) Lambert moved to amend the Report of the Committee
 52 of the Whole to reverse the action taken by the Committee in not adopting
 53 the following Lambert amendment, to SB09-111, to show that said
 54 amendment passed, and that **SB09-111**, as amended, passed.

55
 56 Amend reengrossed bill, page 3, after line 4, insert the following:

1 **"SECTION 4.** 12-55-104, Colorado Revised Statutes, is amended
2 **BY THE ADDITION OF A NEW SUBSECTION** to read:

3
4 **12-55-104. Application.** (4) ON AND AFTER JULY 1, 2009, THE
5 SECRETARY OF STATE SHALL VERIFY THE LAWFUL PRESENCE IN THE
6 UNITED STATES OF EACH APPLICANT THROUGH THE VERIFICATION
7 PROCESS OUTLINED IN SECTION 24-76.5-103 (4), C.R.S.".

8
9 Renumber succeeding sections accordingly.

10
11 The amendment was declared **passed** by the following roll call vote:

	YES	41	NO	23	EXCUSED	1	ABSENT	0
14	Acree	Y	Green	Y	McCann	N	Roberts	Y
15	Apuan	Y	Hullingerhorst	E	McFadyen	Y	Ryden	N
16	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
17	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
18	Benefield	N	Kefalas	N	Merrifield	N	Solano	Y
19	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
20	Casso	N	Kerr J.	Y	Miklosi	N	Soper	Y
21	Court	Y	King S.	Y	Murray	Y	Stephens	Y
22	Curry	Y	Labuda	N	Nikkel	Y	Summers	Y
23	Ferrandino	Y	Lambert	Y	Pace	N	Swalm	Y
24	Fischer	N	Levy	N	Peniston	Y	Tipton	Y
25	Frangas	N	Liston	Y	Pommer	N	Todd	N
26	Gagliardi	N	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	N	Weissmann	N
30							Speaker	N

31
32
33
34 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

35
36 Passed Second Reading: **SB09-132 amended, 175 amended, 111**
37 **amended, 084.**

38
39 Laid over until date indicated retaining place on Calendar:

40 **SB09-216--June 9, 2009--Deemed lost.**

41 **SB09-143, 119--April 2, 2009.**

42
43 The Chairman moved the adoption of the Committee of the Whole
44 Report. As shown by the following roll call vote, a majority of those
45 elected to the House voted in the affirmative, and the Report was
46 **adopted.**

	YES	64	NO	0	EXCUSED	1	ABSENT	0
49	Acree	Y	Green	Y	McCann	Y	Roberts	Y
50	Apuan	Y	Hullingerhorst	E	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	Y
55	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
56	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

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REPORT(S) OF COMMITTEE(S) OF REFERENCE

EDUCATION

After consideration on the merits, the Committee recommends the following:

HB09-1312 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 5, line 14, after "PROJECT.", add "THE MEMBER OF A RENEWABLE ENERGY PROJECT TEAM WHO PROVIDES PROFESSIONAL TECHNICAL ASSISTANCE TO THE SCHOOL DISTRICT MAY BE A REPRESENTATIVE OF A LOCAL ELECTRICAL UTILITY."

Page 6, line 10, strike "RECEIVES" and substitute "APPLIES FOR".

Page 8, after line 4, insert the following:

"(3) THE STATE TREASURER IS AUTHORIZED TO REQUIRE EACH QUALIFIED SCHOOL DISTRICT THAT RECEIVES A LOAN FROM THE LOAN PROGRAM TO PAY TO THE GOVERNOR'S ENERGY OFFICE A FEE THAT REFLECTS THE DIRECT AND INDIRECT COSTS INCURRED BY THE STATE TREASURER IN ADMINISTERING LOANS PURSUANT TO SECTION 22-92-107. IF THE STATE TREASURER ELECTS TO IMPOSE A FEE PURSUANT TO THIS SUBSECTION (3), HE OR SHE SHALL NOTIFY THE GOVERNOR'S ENERGY OFFICE AND THE STATE BOARD OF EDUCATION OF THE DECISION TO IMPOSE THE FEE. A FEE IMPOSED PURSUANT TO THIS SUBSECTION (3) MAY BE IMPOSED ON A REGULARLY SCHEDULED BASIS TO BE DETERMINED BY THE STATE TREASURER. A QUALIFIED SCHOOL DISTRICT THAT RECEIVES A LOAN FROM THE LOAN PROGRAM SHALL BE REQUIRED TO PAY THE FEE UNTIL THE LOAN IS REPAID IN FULL.

(4) IF THE STATE TREASURER ELECTS TO IMPOSE A FEE AS PART OF THE LOAN APPLICATION PROCESS PURSUANT TO SUBSECTION (3) OF THIS SECTION, THE GOVERNOR'S ENERGY OFFICE SHALL FORWARD ALL MONEYS RECEIVED AS FEES TO THE STATE TREASURER."

1 **HEALTH & HUMAN SERVICES**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB09-061** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend reengrossed bill, page 2, line 11, strike the second "OR";

10
11 line 12, strike "APPROPRIATE LEVEL II ACCREDITATION";

12
13 line 13, strike "REVIEWED." and substitute "REVIEWED OR HAVE
14 APPROPRIATE LEVEL II ACCREDITATION.".

15
16 Page 3, line 17, strike "REVIEWED." and substitute "REVIEWED OR HAVE
17 APPROPRIATE LEVEL II ACCREDITATION.";

18
19 strike lines 23 through 27.

20
21 Page 4, strike lines 1 through 25.

22
23 Renumber succeeding sections accordingly.

24
25 Page 5, line 23, after "(b)", insert "(I)".

26
27 Page 6, strike lines 2 through 7 and substitute the following:

28
29 "(II) NOTWITHSTANDING THE LICENSURE REQUIREMENT IN
30 SECTION 12-36-106 (3) (b), C.R.S., OR ANY SIMILAR LICENSURE
31 REQUIREMENT FOR OTHER HEALTH CARE PROFESSIONALS REGULATED
32 UNDER TITLE 12, C.R.S., A HEALTH CARE PROFESSIONAL LICENSED IN
33 ANOTHER STATE THAT PERFORMS A REVIEW AND CONSIDERATION OF
34 ELIGIBILITY FOR PAYMENT IN THIS STATE SHALL NOT BE REQUIRED TO
35 OBTAIN LICENSURE IN COLORADO FOR THE PURPOSE OF PERFORMING SUCH
36 REVIEW AND CONSIDERATION. THE APPROPRIATE STATE LICENSING BOARD
37 OF THE STATE IN WHICH THE HEALTH CARE PROFESSIONAL IS LICENSED
38 SHALL CONTINUE TO HAVE JURISDICTION AND DISCIPLINARY AUTHORITY
39 FOR THE CONDUCT OF THE HEALTH CARE PROFESSIONAL PERFORMING THE
40 REVIEW AND CONSIDERATION IN THIS STATE.

41
42 (III) NOTHING IN THIS PARAGRAPH (b) SHALL PRECLUDE A
43 COLORADO LICENSING BOARD FROM ISSUING A CEASE-AND-DESIST ORDER
44 OR PURSUING INJUNCTIVE ACTION AGAINST A HEALTH CARE PROFESSIONAL
45 LICENSED IN ANOTHER STATE WHO IS PERFORMING REVIEW AND
46 CONSIDERATION IN THIS STATE IF THE APPROPRIATE LICENSING BOARD
47 FINDS THAT THE HEALTH CARE PROFESSIONAL IS ACTING IN A MANNER
48 THAT POSES A THREAT TO THE HEALTH OR SAFETY OF THE PUBLIC IN THIS
49 STATE.";

50
51 strike lines 18 through 27.

52
53 Page 7, strike lines 1 through 21.

54
55 Renumber succeeding sections accordingly.

56

1 Page 9, line 27, strike "CONFER" and substitute "MAKE A GOOD FAITH
2 EFFORT TO CONFER".

3
4 Page 10, line 17, after "(c)", insert "(I)".

5
6 Page 11, line 1, strike "BY PARTICIPATING IN THE REVIEW";

7
8 strike lines 2 through 6 and substitute the following:

9
10 "(II) NOTWITHSTANDING THE LICENSURE REQUIREMENT IN
11 SECTION 12-36-106 (3) (b), C.R.S., OR ANY SIMILAR LICENSURE
12 REQUIREMENT FOR OTHER HEALTH CARE PROFESSIONALS REGULATED
13 UNDER TITLE 12, C.R.S., A PHYSICIAN, DENTIST, OR OTHER HEALTH CARE
14 PROFESSIONAL LICENSED IN ANOTHER STATE THAT PERFORMS THE REVIEW
15 OF A CLAIM FOR COVERED BENEFITS OR THE EVALUATION OR REVIEW OF
16 AN APPEAL OF A DENIAL IN THIS STATE SHALL NOT BE REQUIRED TO OBTAIN
17 LICENSURE IN COLORADO FOR THE PURPOSE OF PERFORMING SUCH REVIEW
18 OR EVALUATION. THE APPROPRIATE STATE LICENSING BOARD OF THE
19 STATE IN WHICH THE PHYSICIAN, DENTIST, OR OTHER HEALTH CARE
20 PROFESSIONAL IS LICENSED SHALL CONTINUE TO HAVE JURISDICTION AND
21 DISCIPLINARY AUTHORITY FOR THE CONDUCT OF THE HEALTH CARE
22 PROFESSIONAL PERFORMING THE REVIEW OR EVALUATION IN THIS STATE.

23
24 (III) NOTHING IN THIS PARAGRAPH (c) SHALL PRECLUDE A
25 COLORADO LICENSING BOARD FROM ISSUING A CEASE-AND-DESIST ORDER
26 OR PURSUING INJUNCTIVE ACTION AGAINST A PHYSICIAN, DENTIST, OR
27 OTHER HEALTH CARE PROFESSIONAL LICENSED IN ANOTHER STATE WHO IS
28 CONDUCTING A REVIEW OR EVALUATION IN THIS STATE IF THE
29 APPROPRIATE LICENSING BOARD FINDS THAT THE PHYSICIAN, DENTIST, OR
30 OTHER HEALTH CARE PROFESSIONAL IS ACTING IN A MANNER THAT POSES
31 A THREAT TO THE HEALTH OR SAFETY OF THE PUBLIC IN THIS STATE."

32
33 Page 12, line 21, after "(b)", insert "(I)";

34
35 strike line 27.

36
37 Page 13, strike lines 1 through 6 and substitute the following:

38
39 "(II) NOTWITHSTANDING THE LICENSURE REQUIREMENT IN
40 SECTION 12-36-106 (3) (b), C.R.S., OR ANY SIMILAR LICENSURE
41 REQUIREMENT FOR OTHER HEALTH CARE PROFESSIONALS REGULATED
42 UNDER TITLE 12, C.R.S., A HEALTH CARE PROFESSIONAL LICENSED IN
43 ANOTHER STATE THAT PERFORMS A REVIEW AND CONSIDERATION OF
44 ELIGIBILITY FOR PAYMENT IN THIS STATE SHALL NOT BE REQUIRED TO
45 OBTAIN LICENSURE IN COLORADO FOR THE PURPOSE OF PERFORMING SUCH
46 REVIEW AND CONSIDERATION. THE APPROPRIATE STATE LICENSING BOARD
47 OF THE STATE IN WHICH THE HEALTH CARE PROFESSIONAL IS LICENSED
48 SHALL CONTINUE TO HAVE JURISDICTION AND DISCIPLINARY AUTHORITY
49 FOR THE CONDUCT OF THE HEALTH CARE PROFESSIONAL PERFORMING THE
50 REVIEW AND CONSIDERATION IN THIS STATE.

51
52 (III) NOTHING IN THIS PARAGRAPH (b) SHALL PRECLUDE A
53 COLORADO LICENSING BOARD FROM ISSUING A CEASE-AND-DESIST ORDER
54 OR PURSUING INJUNCTIVE ACTION AGAINST A HEALTH CARE PROFESSIONAL
55 LICENSED IN ANOTHER STATE WHO IS CONDUCTING A REVIEW AND
56 CONSIDERATION IN THIS STATE IF THE APPROPRIATE LICENSING BOARD

1 FINDS THAT THE HEALTH CARE PROFESSIONAL IS ACTING IN A MANNER
2 THAT POSES A THREAT TO THE HEALTH OR SAFETY OF THE PUBLIC IN THIS
3 STATE."
4
5
6

7 **SB09-138** be referred favorably to the Committee on Appropriations.
8
9

10
11 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
12

13 The Speaker has signed: **HB09-1198, 1260.**
14
15

16
17 **MESSAGE(S) FROM THE SENATE**
18

19 The Senate has passed on Third Reading and transmitted to the Revisor
20 of Statutes:

21 SB09-037 amended as printed in Senate Journal, February 11, 2009,
22 pages 241-242.
23

24 The Senate has adopted the First Report of the First Conference
25 Committee on SB09-208, as printed in Senate Journal, March 16, 2009,
26 page 743, and repassed the bill as amended.
27

28 The Senate has adopted the First Report of the First Conference
29 Committee on SB09-210, as printed in Senate Journal March 23, 2009,
30 pages 818-819, and repassed the bill as amended.
31

32
33
34 **MESSAGE(S) FROM THE REVISOR**
35

36 We herewith transmit:
37 Without comment, as amended, SB09-037.
38
39

40
41 **MESSAGE(S) FROM THE GOVERNOR**
42

43 I certify I received the following on the 31st day of March, 2009, at
44 8:30 a.m. The original is on file in the records of the House of
45 Representatives of the General Assembly.
46

47 Marilyn Eddins,
48 Chief Clerk of the House

49 March 30, 2009
50

51 To the Honorable
52 House of Representatives
53 Sixty-seventh General Assembly
54 First Regular Session
55 State Capitol
56 Denver, CO 80203

1 Ladies and Gentlemen:

2

3 I have the honor to inform you that I have approved and returned
4 to the House of Representatives the following Resolution:

5

6 **HJR09-1002** CONCERNING APPROVAL OF WATER PROJECT
7 REVOLVING FUND ELIGIBILITY LISTS ADMINISTERED BY
8 THE COLORADO WATER RESOURCES AND POWER
9 DEVELOPMENT AUTHORITY.

10

11 Approved March 25, 2009 at 9:35 a.m.

12

13 Sincerely,
14 (signed)
15 Bill Ritter, Jr.
16 Governor

17

18

19 March 30, 2009

20

21 To the Honorable
22 House of Representatives
23 Sixty-seventh General Assembly
24 First Regular Session
25 State Capitol
26 Denver, CO 80203

27

28 Ladies and Gentlemen:

29

30 I have the honor to inform you that I have approved and filed with
31 the Secretary of State the following Acts:

32

33 **HB09-1188** CONCERNING MODIFICATIONS TO THE DISCLOSURE
34 REQUIREMENTS IMPOSED ON PHYSICIANS UNDER THE
35 "MICHAEL SKOLNIK MEDICAL TRANSPARENCY ACT",
36 AND MAKING AN APPROPRIATION IN CONNECTION
37 THEREWITH.

38

39 Approved March 30, 2009 at 9:49 a.m.

40

41 Sincerely,
42 (signed)
43 Bill Ritter, Jr.
44 Governor

45

46

47

48 **NOTICE OF CALENDARED ITEM(S)**

49

50

51 On motion of Representative Weissmann, the following bill(s) calendared
52 for second reading on April 1, 2009, will be laid over until April 2, 2009:
53 HB09-1316.

54

55

56

1 House in recess. House reconvened.
2
3

4
5 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
6

7 The Speaker has signed: **SB09-038, 048, 069, 139.**
8
9

10
11 **DELIVERY OF BILLS TO GOVERNOR**
12

13 The Chief Clerk of the House of Representatives reports the following
14 bills have been delivered to the Office of the Governor: **HB09-1198,**
15 **1260** at 3:55 p.m. on March 31, 2009.
16

17
18
19 **INTRODUCTION OF BILLS**
20 **First Reading**
21

22 The following bills were read by title and referred to the committees
23 indicated:
24

25 **HB09-1330** by Representative(s) Curry; also Senator(s) Isgar--
26 Concerning fees assessed on certain feeding operations
27 under the "Colorado Water Quality Control Act".
28 Committee on Agriculture, Livestock, & Natural Resources
29

30 **HB09-1331** by Representative(s) Gagliardi; also Senator(s) Boyd--
31 Concerning incentives for efficient motor vehicles.
32 Committee on Transportation & Energy
33

34
35 **INTRODUCTION OF RESOLUTION**
36

37 The following resolution was read by title and referred to the committee
38 indicated:
39

40 **HJR09-1013** by Representative(s) Weissmann, Merrifield; also
41 Senator(s) Spence--Concerning the creation of an interim
42 committee to examine the governance and oversight of
43 education in Colorado.
44 Committee on Education
45

46
47 **LAY OVER OF CALENDAR ITEM(S)**
48

49 On motion of Representative Weissmann, the following item(s) on the
50 Calendar were laid over until April 1, retaining place on Calendar:
51

52 Consideration of Conference Committee Report(s)--**HB09-1108.**
53 Consideration of Resolution(s)--**SJR09-028.**
54 Consideration of Senate Amendment(s)--**HB09-1053, 1151, 1200, 1220,**
55 **1285, 1281, 1229.**
56

1 On motion of Representative Scanlan, the House adjourned until
2 9:00 a.m., April 1, 2009.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

TERRANCE D. CARROLL,

Speaker

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Eighty-fifth Legislative Day

Wednesday, April 1, 2009

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
 2 Church, Denver.

3
 4 The Speaker called the House to order at 9:00 a.m.

5
 6 Pledge of Allegiance led by Kayla Cantwell, Evangelical Christian
 7 Academy, Colorado Springs.

8
 9 The roll was called with the following result:

10
 11 Present--62.
 12 Excused--Representative(s) Ferrandino, Riesberg, Swalm--3.
 13 Present after roll call--Representative(s) Ferrandino, Riesberg.

14
 15 The Speaker declared a quorum present.

16
 17
 18 On motion of Representative Priola, the reading of the journal of
 19 March 31, 2009, was declared dispensed with and approved as corrected
 20 by the Chief Clerk.

THIRD READING OF BILLS--FINAL PASSAGE

21
 22
 23
 24
 25 The following bills were considered on Third Reading. The titles were
 26 publicly read. Reading of the bill at length was dispensed with by
 27 unanimous consent.

28
 29 **SB09-132** by Senator(s) Boyd; also Representative(s) Kerr J.--
 30 Concerning discounted prescription drug programs, and,
 31 in connection therewith, providing information regarding
 32 discounted prescription drug programs and modifying the
 33 "Colorado Cares Rx Act" and making an appropriation.

34
 35 The question being "Shall the bill pass?".
 36 A roll call vote was taken. As shown by the following recorded vote, a
 37 majority of those elected to the House voted in the affirmative and the
 38 bill was declared **passed**.

	YES	63	NO	1	EXCUSED	1	ABSENT	0
41	Acree	Y	Green	Y	McCann	Y	Roberts	Y
42	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
43	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y

1	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
2	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
3	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
4	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
5	Court	Y	King S.	Y	Murray	Y	Stephens	Y
6	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
7	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	E
8	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
9	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
10	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
11	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
12	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
13	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
14							Speaker	Y

15 Co-sponsor(s) added: Representative(s) Acree, Frangas, Gerou, Green, Labuda,
 16 Riesberg, Ryden, Schafer S., Summers, Todd, Vigil, Speaker

17
 18 **SB09-175** by Senator(s) Sandoval; also Representative(s) Pommer--
 19 Concerning the issuance of group special license plates.

20
 21 The question being "Shall the bill pass?".
 22 A roll call vote was taken. As shown by the following recorded vote, a
 23 majority of those elected to the House voted in the affirmative and the bill
 24 was declared **passed**.

	YES	52	NO	12	EXCUSED	1	ABSENT	0
27	Acree	Y	Green	Y	McCann	Y	Roberts	N
28	Apuan	Y	Hullingerhorst	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	N
35	Curry	N	Labuda	Y	Nikkel	N	Summers	Y
36	Ferrandino	N	Lambert	N	Pace	Y	Swalm	E
37	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
38	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
39	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
40	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
41	Gardner C.	Y	Massey	Y	Rice	Y	Waller	N
42	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
43							Speaker	N

44 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Ryden, Schafer S.,
 45 Soper, Todd

46
 47
 48 **SB09-111** by Senator(s) Bacon, Boyd, Schultheis; also
 49 Representative(s) Court--Concerning continuation of the
 50 "Notaries Public Act".

51
 52 The question being "Shall the bill pass?".
 53 A roll call vote was taken. As shown by the following recorded vote, a
 54 majority of those elected to the House voted in the affirmative and the bill
 55 was declared **passed**.

	YES	62	NO	2	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	Y	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	E
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	N	Liston	Y	Pommer	Y	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 Co-sponsor(s) added: Representative(s) Gardner B.

20
 21 **SB09-084** by Senator(s) Scheffel; also Representative(s) Scanlan--
 22 Concerning documents related to the role of the office of
 23 the secretary of state as filing office for secured
 24 transactions.
 25

26 The question being "Shall the bill 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 bill
 29 was declared **passed**.
 30

	YES	64	NO	0	EXCUSED	1	ABSENT	0
31								
32	Acree	Y	Green	Y	McCann	Y	Roberts	Y
33	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
34	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
35	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
36	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
37	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
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	E
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.	Y	Massey	Y	Rice	Y	Waller	Y
47	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Middleton, Todd

50
 51
 52
 53
 54
 55

1 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**

2
3 **HB09-1108** by Representative(s) Kerr A.; also Senator(s) Boyd--
4 Concerning the failure of an employer's bank to honor an
5 employee's paycheck upon presentment.
6

7 (Conference Committee Report printed in House Journal, March 30,
8 page 953.)
9

10 On motion of Representative Kerr A., the Conference Committee Report
11 was **adopted** by the following roll call vote:
12

	YES	50	NO	14	EXCUSED	1	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	N	Kagan	Y	McNulty	Y	Schafer S.	Y
18	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
19	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
20	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
21	Court	Y	King S.	N	Murray	Y	Stephens	Y
22	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
23	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	E
24	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
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	N	Vigil	Y
28	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
29	Gerou	Y	May	Y	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**.
36

	YES	37	NO	27	EXCUSED	1	ABSENT	0
38	Acree	N	Green	Y	McCann	Y	Roberts	N
39	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
40	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
41	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
42	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
43	Bradford	N	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	E
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	N	Priola	N	Vigil	Y
52	Gardner C.	N	Massey	N	Rice	Y	Waller	N
53	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Green, Primavera
56

1 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

2
3 **HB09-1053** by Representative(s) Balmer; also Senator(s) Romer--
4 Concerning the regulation of financial institutions under
5 the authority of the banking board, and making an
6 appropriation therefor.

7
8 (Amended as printed in Senate Journal, March 16, page 755, and on Third
9 Reading, March 18, as printed in the Senate Journal.)

10
11 Representative Balmer moved that the House **concur** in Senate
12 amendments. The motion was declared **passed** by the following roll call
13 vote:

	YES	62	NO	2	EXCUSED	1	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	Y	Schafer S.	Y
19	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
20	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
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	Y	Lambert	Y	Pace	Y	Swalm	E
25	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
26	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
27	Gagliardi	N	Looper	Y	Primavera	Y	Vaad	Y
28	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
29	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
30	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
31							Speaker	Y

32
33 The question being, "Shall the bill, as amended, pass?".

34 A roll call vote was taken. As shown by the following recorded vote, a
35 majority of those elected to the House voted in the affirmative, and the
36 bill, as amended, was declared **repassed**.

	YES	64	NO	0	EXCUSED	1	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	E
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) Priola, Summers

1 **HB09-1151** by Representative(s) Todd, Labuda, Lundberg, Ryden,
 2 Solano; also Senator(s) Heath, Williams--Concerning
 3 designating the department of public safety as the agency
 4 responsible for oversight of school building inspections,
 5 and making an appropriation in connection therewith.
 6

7 (Amended as printed in Senate Journal, February 26, page 518, and
 8 March 13, pages 733-734 and 841-842.)
 9

10 Representative Todd moved that the House **concur** in Senate
 11 amendments. The motion was declared **passed** by the following roll call
 12 vote:
 13

	YES	64	NO	0	EXCUSED	1	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	Y	Schafer S.	Y
19	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
20	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
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	Y	Lambert	Y	Pace	Y	Swalm	E
25	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
26	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
27	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
28	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
29	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
30	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
31							Speaker	Y

32
 33 The question being, "Shall the bill, as amended, pass?".
 34 A roll call vote was taken. As shown by the following recorded vote, a
 35 majority of those elected to the House voted in the affirmative, and the
 36 bill, as amended, was declared **repassed**.
 37

	YES	61	NO	3	EXCUSED	1	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	N	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	E
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	N	Priola	Y	Vigil	Y
53	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
54	Gerou	N	May	Y	Riesberg	Y	Weissmann	Y
55							Speaker	Y

56 Co-sponsor(s) added: Representative(s) Stephens, Summers

1 **HB09-1200** by Representative(s) Stephens, King S., Liston, Waller;
 2 also Senator(s) Scheffel, King K., Kopp--Concerning a
 3 requirement that the staff of the legislative council
 4 consider certain factors relating to counties in the local
 5 government impact section of a fiscal note.
 6

7 (Amended as printed in Senate Journal, March 20, pages 794-795, and
 8 page 843.)
 9

10 Representative Stephens moved that the House **concur** in Senate
 11 amendments. The motion was declared **passed** by the following roll call
 12 vote:
 13

	YES	63	NO	1	EXCUSED	1	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	Y	Schafer S.	Y
19	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
20	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
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	Y	Lambert	Y	Pace	Y	Swalm	E
25	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
26	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
27	Gagliardi	N	Looper	Y	Primavera	Y	Vaad	Y
28	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
29	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
30	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
31							Speaker	Y

32
 33 The question being, "Shall the bill, as amended, pass?".
 34 A roll call vote was taken. As shown by the following recorded vote, a
 35 majority of those elected to the House voted in the affirmative, and the
 36 bill, as amended, was declared **repassed**.
 37

	YES	59	NO	5	EXCUSED	1	ABSENT	0
39	Acree	Y	Green	Y	McCann	Y	Roberts	Y
40	Apuan	Y	Hullinghorst	Y	McFadyen	N	Ryden	Y
41	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
42	Baumgardner	Y	Kagan	Y	McNulty	N	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	E
49	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
50	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
51	Gagliardi	N	Looper	Y	Primavera	N	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	N
55							Speaker	Y

56 Co-sponsor(s) added: Representative(s) Acree, Nikkel, Summers, Todd

1 **HB09-1220** by Representative(s) Scanlan; also Senator(s) Gibbs--
 2 Concerning an amendment to the "Colorado Common
 3 Interest Ownership Act" to permit a unit owner to
 4 prescribe specified conditions in connection with the use
 5 of such owner's property that promote affordable housing.

6
 7 (Amended as printed in Senate Journal, March 20, page 791.)

8
 9 Representative Scanlan moved that the House **concur** in Senate
 10 amendments. The motion was declared **passed** by the following roll call
 11 vote:

	YES	55	NO	9	EXCUSED	1	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	Y	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.	Y	Murray	Y	Stephens	Y
22	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
23	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	E
24	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
25	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
26	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
27	Gardner B.	Y	Marostica	Y	Priola	N	Vigil	Y
28	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
29	Gerou	Y	May	N	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	46	NO	18	EXCUSED	1	ABSENT	0
38	Acree	N	Green	Y	McCann	Y	Roberts	Y
39	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
40	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
41	Baumgardner	Y	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	Y	Stephens	N
46	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
47	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	E
48	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
49	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
50	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
51	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
52	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
53	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Schafer S.

56

1 **HB09-1285** by Representative(s) Benefield, Kerr A., Massey,
 2 Middleton, Miklosi, Scanlan, Schafer S., Summers, Todd;
 3 also Senator(s) King K.--Concerning the government data
 4 advisory board, and, in connection therewith, creating the
 5 education data subcommittee to make recommendations
 6 for creation of a statewide comprehensive P-20 education
 7 data system.

8
 9 (Amended as printed in Senate Journal, March 20, pages 793-794.)

10
 11 Representative Benefield moved that the House **concur** in Senate
 12 amendments. The motion was declared **passed** by the following roll call
 13 vote:

	YES	64	NO	0	EXCUSED	1	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	Y	Schafer S.	Y
19	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
20	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
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	Y	Lambert	Y	Pace	Y	Swalm	E
25	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
26	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
27	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
28	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
29	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
30	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
31							Speaker	Y

32
 33 The question being, "Shall the bill, as amended, pass?".
 34 A roll call vote was taken. As shown by the following recorded vote, a
 35 majority of those elected to the House voted in the affirmative, and the
 36 bill, as amended, was declared **repassed**.

	YES	64	NO	0	EXCUSED	1	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	E
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) Fischer

1 **HB09-1281** by Representative(s) Labuda, Baumgardner, Casso,
 2 Frangas, Hullinghorst, Marostica, Murray, Schafer S.,
 3 Soper, Tipton; also Senator(s) Carroll M. and Newell--
 4 Concerning representation on state boards by persons with
 5 disabilities.

6
 7 (Amended as printed in Senate Journal, March 26, pages 862-865.)

8
 9 Representative Labuda moved that the House **not concur** in Senate
 10 amendments and that a Conference Committee be appointed. The motion
 11 was declared **passed** by the following roll call vote:

	YES	57	NO	7	EXCUSED	1	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	Y
20	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
21	Court	Y	King S.	Y	Murray	Y	Stephens	N
22	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
23	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	E
24	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
25	Frangas	N	Liston	N	Pommer	Y	Todd	Y
26	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
27	Gardner B.	N	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 The Speaker appointed Representatives Labuda, Chairman, Schafer and
 32 Murray as House conferees to the bill.

33
 34 **HB09-1229** by Representative(s) Kerr J., Miklosi, Primavera; also
 35 Senator(s) Isgar, Tochtrop--Concerning the designation of
 36 auxiliary facilities of institutions of higher education as
 37 enterprises.

38
 39 (Amended as printed in Senate Journal, March 12, page 701.)

40
 41 Representative Kerr J., moved that the House **concur** in Senate
 42 amendments. The motion was declared **passed** by the following roll call
 43 vote:

	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	E
56	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y

1	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
2	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
3	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
4	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
5	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
6							Speaker	Y

7
8 The question being, "Shall the bill, as amended, 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
11 bill, as amended, was declared **repassed**.

13	YES	64	NO	0	EXCUSED	1	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	E
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 Co-sponsor(s) added: Representative(s) Summers, Vigil

32 33 34 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

35 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

36 After consideration on the merits, the Committee recommends the
37 following:
38

39
40 **HB09-1320** be amended as follows, and as so amended, be referred to
41 the Committee on Appropriations with favorable
42 recommendation:
43

44 Amend printed bill, strike everything below the enacting clause and
45 substitute the following:

46 "SECTION 1. 25-5.5-101 (3) and (4) (b), Colorado Revised
47 Statutes, are amended, and the said 25-5.5-101 is further amended BY
48 THE ADDITION OF A NEW SUBSECTION, to read:

49
50 **25-5.5-101. Definitions.** As used in this part 1, unless the context
51 otherwise requires:

52
53 (3) "Dairy farm" means the place or premises on which one or
54 more ~~milking cows or goats~~ LACTATING HOOVED ANIMALS are kept and
55 from which a part or all of the milk produced thereon is delivered, sold,
56 or offered for sale to a dairy plant for manufacturing purposes.

1 (4) (b) For the purposes of this subsection (4), "dairy plant", when
 2 used in connection with the requirements therefor or the licensing thereof,
 3 means any establishment that manufactures dairy products; except that
 4 any "dairy plant" ~~which~~ THAT is located in an establishment licensed
 5 pursuant to part ~~2 of article 44 of title 12~~ 16 OF ARTICLE 4 OF TITLE 25,
 6 C.R.S., is exempt from the licensing requirements of this article if such
 7 establishment sells or serves dairy products exclusively and directly to the
 8 final consumer of the product.

9
 10 (20) "TRANSFER OR RECEIVING STATION" MEANS ANY PLACE,
 11 PREMISES, OR ESTABLISHMENT WHERE MILK OR MILK PRODUCTS ARE
 12 TRANSFERRED DIRECTLY FROM ONE MILK TANK TRUCK TO ANOTHER OR
 13 WHERE RAW MILK IS RECEIVED, COLLECTED, HANDLED, STORED, OR
 14 COOLED AND PREPARED FOR FURTHER TRANSPORTING. THE TERM
 15 "TRANSFER OR RECEIVING STATION" SHALL NOT INCLUDE A DAIRY FARM.

16
 17 **SECTION 2.** 25-5.5-107 (2), (4) (a), and (7), Colorado Revised
 18 Statutes, are amended to read:

19
 20 **25-5.5-107. Testing and sampling of dairy products - unlawful**
 21 **acts - licensing - dairy protection cash fund - created.** (2) It is
 22 unlawful for any person to sample or test milk, cream, or any other dairy
 23 product to determine the value of such product when bought and sold or
 24 to instruct another person for such purpose without first having a license
 25 granted by the department, ~~and such~~ WHICH license shall be conspicuously
 26 displayed in ~~his~~ THE PERSON'S place of business. Licenses shall be
 27 granted to those persons who have completed a course in milk and cream
 28 testing in any recognized college or dairy school or to those persons who
 29 have passed a satisfactory examination under the direction of the
 30 department. Payment of a yearly fee of ~~three~~ FIFTY dollars is required,
 31 and the license shall be issued for a period of one year from the July 1
 32 next preceding the actual date of issue; however, ~~such~~ THE license shall
 33 be subject to cancellation by the department at any time if it finds that the
 34 person holding ~~said~~ THE license is incompetent or guilty of violating ~~any~~
 35 ~~of the provisions of~~ this part 1.

36
 37 (4) (a) (I) A temporary permit to operate the following dairy plants
 38 may be issued by the department upon application and upon the payment
 39 of a yearly license fee in the amount of ~~ten dollars~~ SPECIFIED IN
 40 SUBPARAGRAPH (II) OF THIS PARAGRAPH (a) for each condensary, cheese
 41 factory, ice-cream factory, or other place of business where dairy products
 42 are manufactured or put in containers for sale or distribution.

43
 44 (II) EXCEPT FOR A TRANSFER OR RECEIVING STATION, WHICH
 45 SHALL BE CHARGED THE FEE SET FORTH IN SUB-SUBPARAGRAPH (A) OF
 46 THIS SUBPARAGRAPH (II), THE FEE FOR A LICENSE ISSUED UNDER THIS
 47 SUBSECTION (4) SHALL BE DETERMINED AND PAID ACCORDING TO THE
 48 ANNUAL AVERAGE DAILY AMOUNT OF MILK RECEIVED FOR
 49 MANUFACTURING BY THE DAIRY PLANT, AS FOLLOWS:

50	51 AMOUNT OF DAIRY MANUFACTURED	52 FEE
53	54 OR PUT IN CONTAINERS, PER DAY	
54	(A) UNDER 1,000 POUNDS	\$ 300
55		
56	(B) 1,000 TO 19,999 POUNDS	\$ 600

1	(C) 20,000 TO 449,999 POUNDS	\$1,000
2		
3	(D) 450,000 OR MORE POUNDS	\$1,600
4		

5 (7) All moneys collected by the department for the license fees
6 provided for in this section shall be transmitted to the state treasurer, who
7 shall credit the same to the ~~general fund~~ DAIRY PROTECTION CASH FUND,
8 REFERRED TO IN THIS SUBSECTION (7) AS THE "FUND", WHICH IS HEREBY
9 CREATED IN THE STATE TREASURY. THE GENERAL ASSEMBLY SHALL
10 ANNUALLY APPROPRIATE THE MONEYS IN THE FUND TO THE DEPARTMENT
11 FOR THE PAYMENT OF EXPENSES NECESSARY TO ADMINISTER THIS
12 SECTION. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING
13 IN THE FUND AT THE END OF ANY FISCAL YEAR SHALL NOT REVERT TO THE
14 GENERAL FUND OR ANY OTHER FUND.

15
16 **SECTION 3. Effective date - applicability.** This act shall take
17 effect June 30, 2009, and shall apply to fees paid for licenses issued under
18 section 25-5.5-107, Colorado Revised Statutes, on or after said date.

19
20 **SECTION 4. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, and safety."

23
24
25
26
27 **BUSINESS AFFAIRS & LABOR**

28 After consideration on the merits, the Committee recommends the
29 following:

30
31 **HB09-1204** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:

34
35 Amend printed bill, page 3, line 15, strike "(4) (a)," and substitute "(4),
36 (15),";

37
38 strike lines 23 through 27.

39
40 Strike page 4.

41
42 Page 5, strike lines 1 through 21 and substitute the following:

43
44 ~~"(4) **Low-dose mammography.** (a) For the purposes of this~~
45 ~~subsection (4), "low-dose mammography" means the X-ray examination~~
46 ~~of the breast using equipment dedicated specifically for mammography,~~
47 ~~including but not limited to the X-ray tube, filter, compression device,~~
48 ~~screens, and film and cassettes, with an average radiation exposure~~
49 ~~delivery of less than one rad mid-breast, with two views for each breast.~~
50 ~~All individual and all group sickness and accident insurance policies,~~
51 ~~except supplemental policies covering a specified disease or other limited~~
52 ~~benefit, which are delivered or issued for delivery within the state by an~~
53 ~~entity subject to the provisions of part 2 of this article and all individual~~
54 ~~and group health care service or indemnity contracts issued by an entity~~
55 ~~subject to the provisions of part 3 or 4 of this article, as well as any other~~
56 ~~group health care coverage provided to residents of this state, shall~~

1 provide coverage for routine and certain diagnostic screening by low-dose
2 mammography for the presence of breast cancer in adult women. Routine
3 and diagnostic screenings provided pursuant to subparagraph (II) or (III)
4 of this paragraph (a) shall be provided on a contract year or a calendar
5 year basis by entities subject to part 2 or 3 of this article and shall not be
6 subject to policy deductibles. Such coverages shall be the lesser of sixty
7 dollars per mammography screening, or the actual charge for such
8 screening. The minimum benefit required under this subsection (4) shall
9 be adjusted to reflect increases and decreases in the consumer price index.
10 Benefits for routine mammography screenings shall be determined on a
11 calendar year or a contract year basis, which shall be specified in the
12 policy or contract. The routine and diagnostic coverages provided
13 pursuant to this subsection (4) shall in no way diminish or limit diagnostic
14 benefits otherwise allowable under a policy. If an insured person who is
15 eligible for a routine mammography screening benefit pursuant to
16 subparagraphs (I), (II), and (III) of this paragraph (a), has not utilized
17 such benefit during a calendar year or a contract year, then such
18 provisions shall apply to one diagnostic screening for such year. If more
19 than one diagnostic screening is provided for such person in a given
20 calendar year or contract year, the other diagnostic service benefit
21 provisions in the policy or contract shall apply with respect to such
22 additional screenings. This mandated mammography coverage shall be
23 provided according to the following guidelines:

24
25 (I) Provision of a single baseline mammogram for women
26 thirty-five years of age and under forty years of age;

27
28 (II) Screening not less than once every two calendar years or
29 contract years for women forty years of age and under fifty years of age,
30 as specified in the insured's policy or contract, but at least once each such
31 calendar year or contract year for a woman with risk factors to breast
32 cancer as determined by her physician for an entity subject to part 2 or 3
33 of this article, or as determined by a participating physician for an entity
34 subject to part 4 of this article;

35
36 (III) Annual screening, on a calendar year or contract year basis,
37 for women who are fifty to sixty-five years of age.

38
39 (b) The requirements of this section shall apply to all individual
40 sickness and accident insurance policies and health care service or
41 indemnity contracts issued on or after July 1, 1995, and to all group
42 accident and sickness policies and group health care service or indemnity
43 contracts issued, renewed, or reinstated after July 1, 1995.

44
45 (c) "Sickness and accident insurance policy" does not include
46 short-term, accident, fixed indemnity, specified disease policies or
47 disability income contracts, and limited benefit or credit disability
48 insurance, or such other insurance as defined in section 10-18-101 (3) or
49 by the commissioner. The term does not include insurance arising out of
50 the "Workers' Compensation Act of Colorado" or other similar law,
51 automobile medical payment insurance, or insurance under which benefits
52 are payable with or without regard to fault and which is required by law
53 to be contained in any liability insurance policy or equivalent
54 self-insurance.

55
56 (d) The health care service plan issued by an entity subject to the

1 ~~provisions of part 4 of this article may provide that the benefits required~~
 2 ~~pursuant to this subsection (4) shall be covered benefits only if the~~
 3 ~~services are rendered by a provider who is designated by and affiliated~~
 4 ~~with the health maintenance organization.~~

5
 6 (15) Notwithstanding any provision to the contrary, a small
 7 employer may purchase health benefit coverage that does not include the
 8 coverage for benefits pursuant to subsections ~~(4)~~, (5), (9), (10), (12), and
 9 (18) of this section through a basic health benefit plan pursuant to section
 10 10-16-105 (7.2) (b) (I) or (7.2) (b) (III) or that does not include coverage
 11 for benefits pursuant to subsections (5), (9), (10), (12), ~~and (18)~~ (18) (b)
 12 (I), (18) (b) (II), AND (18) (b) (IV) THROUGH (IX) of this section through
 13 a medical evidence-based health benefit plan authorized in section
 14 10-16-105 (7.2) (b) (IV).".

15
 16 Page 6, line 12, strike "(IV)." and substitute "(IV); EXCEPT THAT THE
 17 REQUIRED COVERAGE FOR MAMMOGRAPHY SET FORTH IN SUBPARAGRAPH
 18 (III) OF PARAGRAPH (b) OF THIS SUBSECTION (18) SHALL APPLY TO A BASIC
 19 HEALTH BENEFIT PLAN ISSUED PURSUANT TO SECTION 10-16-105 (7.2) (b)
 20 (IV).";

21
 22 line 13, strike "deductibles." and substitute "deductibles OR
 23 COINSURANCE.";

24
 25 line 14, strike "and coinsurance" and substitute "~~and coinsurance~~";

26
 27 line 19, strike "BUT SHALL NOT";

28
 29 strike lines 20 and 21 and substitute the following:

30
 31 "AS REQUIRED BY THE POLICY, CONTRACT, OR OTHER HEALTH CARE
 32 COVERAGE.".

33
 34 Page 7, strike lines 2 through 7 and substitute the following:

35
 36 "(II) CERVICAL CANCER SCREENING;

37
 38 (III) (A) BREAST CANCER SCREENING WITH MAMMOGRAPHY;

39
 40 (B) COVERAGE FOR BREAST CANCER SCREENING WITH
 41 MAMMOGRAPHY SHALL BE THE LESSER OF SIXTY DOLLARS PER
 42 MAMMOGRAPHY SCREENING OR THE ACTUAL CHARGE FOR SUCH
 43 SCREENING, BUT IN NO CASE SHALL THE COVERED PERSON BE REQUIRED TO
 44 PAY MORE THAN THE COPAYMENT REQUIRED BY THE POLICY OR CONTRACT
 45 FOR PREVENTIVE HEALTH CARE SERVICES. THE MINIMUM BENEFIT
 46 REQUIRED UNDER THIS SUBPARAGRAPH (III) SHALL BE ADJUSTED TO
 47 REFLECT INCREASES AND DECREASES IN THE CONSUMER PRICE INDEX.

48
 49 (C) BENEFITS FOR PREVENTIVE MAMMOGRAPHY SCREENINGS
 50 SHALL BE DETERMINED ON A CALENDAR YEAR OR A CONTRACT YEAR
 51 BASIS, WHICH SHALL BE SPECIFIED IN THE POLICY OR CONTRACT. THE
 52 PREVENTIVE AND DIAGNOSTIC COVERAGES PROVIDED PURSUANT TO THIS
 53 SUBPARAGRAPH (III) SHALL IN NO WAY DIMINISH OR LIMIT DIAGNOSTIC
 54 BENEFITS OTHERWISE ALLOWABLE UNDER A POLICY. IF A COVERED
 55 PERSON WHO IS ELIGIBLE FOR A PREVENTIVE MAMMOGRAPHY SCREENING
 56 BENEFIT PURSUANT TO THIS SUBPARAGRAPH (III) HAS NOT UTILIZED SUCH

1 BENEFIT DURING A CALENDAR YEAR OR A CONTRACT YEAR, THEN THE
 2 COVERAGE SHALL APPLY TO ONE DIAGNOSTIC SCREENING FOR THAT YEAR.
 3 IF MORE THAN ONE DIAGNOSTIC SCREENING IS PROVIDED FOR THE
 4 COVERED PERSON IN A GIVEN CALENDAR YEAR OR CONTRACT YEAR, THE
 5 OTHER DIAGNOSTIC SERVICE BENEFIT PROVISIONS IN THE POLICY OR
 6 CONTRACT SHALL APPLY WITH RESPECT TO THE ADDITIONAL
 7 SCREENINGS."

8

9 Renumber succeeding subparagraphs accordingly.

10

11 Page 7, line 8, strike "DISORDERS ONCE EVERY" and substitute
 12 "DISORDERS;"

13

14 strike lines 9 and 10;

15

16 line 11, before "COLORECTAL", insert "(A)";

17

18 line 13, strike "polyps for those THE FOLLOWING" and substitute "polyps.
 19 for those covered persons";

20

21 line 14, strike "covered persons:";

22

23 strike lines 16 and 17 and substitute the following:

24

25 ~~"(I) Asymptomatic, average risk adults who are fifty years of age
 26 or older and";~~

27

28 line 18, strike "Covered" and substitute "IN ADDITION TO COVERED
 29 PERSONS ELIGIBLE FOR COLORECTAL CANCER SCREENING COVERAGE IN
 30 ACCORDANCE WITH A OR B RECOMMENDATIONS OF THE TASK FORCE,
 31 COLORECTAL CANCER SCREENING COVERAGE REQUIRED BY THIS
 32 SUBPARAGRAPH (V) SHALL ALSO BE PROVIDED TO covered".

33

34 Page 8, strike lines 3 through 6 and substitute the following:

35

36 "(VII) INFLUENZA VACCINATIONS PURSUANT TO THE SCHEDULE
 37 ESTABLISHED BY THE ACIP;

38

39 "(VIII) PNEUMOCOCCAL VACCINATIONS PURSUANT TO THE
 40 SCHEDULE ESTABLISHED BY THE ACIP; AND".

41

42 Page 9, after line 18, insert the following:

43

44 **"SECTION 3. 10-3-903 (2) (h), Colorado Revised Statutes, is**
 45 **amended to read:**

46

47 **10-3-903. Definition of transacting insurance business.**

48 (2) The provisions of this section do not apply to:

49

50 (h) Transactions in this state involving group sickness and
 51 accident or blanket sickness and accident insurance where the master
 52 policy was lawfully issued and delivered to a single employer in another
 53 state in which the company was authorized to do an insurance business,
 54 when a master policy which covers residents of this state includes
 55 mammography benefits at a level at least as comprehensive as those
 56 required by ~~section 10-16-104 (4)~~ SECTION 10-16-104 (18) (b) (III);

1 **SECTION 4.** 10-16-105 (7.2) (b) (I), (7.2) (b) (II), (7.2) (b) (III),
2 (7.2) (b) (IV) (A), and (7.2) (b) (IV) (C), Colorado Revised Statutes, are
3 amended to read:
4

5 **10-16-105. Small group sickness and accident insurance -**
6 **guaranteed issue - mandated provisions for basic health benefit plans**
7 **- rules - benefit design advisory committee - repeal.** (7.2) The
8 commissioner shall promulgate rules to implement a basic health benefit
9 plan and a standard health benefit plan to be offered by each small
10 employer carrier as a condition of transacting business in this state. The
11 commissioner shall survey small group carriers annually to determine the
12 range of health benefit plans available. The commissioner shall
13 implement a basic plan that approximates the lowest level of coverage
14 offered in small group health benefit plans. A basic health benefit plan
15 may be based on the latest medical evidence. The commissioner shall
16 implement a standard plan that approximates the average level of
17 coverage offered in small group health benefit plans. In determining
18 levels of coverage, the commissioner shall consider factors such as
19 coinsurance, copayments, deductibles, out-of-pocket maximums, and
20 covered benefits. The commissioner shall amend the rules as necessary
21 to implement the basic and standard health benefit plans. The rules shall
22 be in conformity with article 4 of title 24, C.R.S., and shall incorporate
23 the following standard health benefit plan design described in paragraph
24 (a) of this subsection (7.2) and the various options for the basic health
25 benefit plan design described in paragraph (b) of this subsection (7.2):
26

27 (b) (I) A basic health benefit plan may reflect a basic health
28 benefit plan that does not include coverage pursuant to the mandatory
29 coverage provisions of section 10-16-104 ~~(4)~~, (5), (9), (10), (12), and
30 (18).
31

32 (II) A basic health benefit plan may reflect a health benefit plan
33 that is a high deductible plan that would qualify for a health savings
34 account pursuant to 26 U.S.C. sec. 223. A carrier may apply deductible
35 amounts for mandatory health benefits for mammography, prostate
36 screening, child supervision services, or prosthetic devices pursuant to
37 section 10-16-104 ~~(4)~~, (10), (11), and ~~(14)~~ (14), AND (18) (b) (III) if such
38 mandatory benefits are not considered by the federal department of
39 treasury to be preventive or to have an acceptable deductible amount.
40

41 (III) A basic health benefit plan may reflect a basic health benefit
42 plan that does not include coverage pursuant to the mandatory coverage
43 provisions of section 10-16-104 ~~(4)~~, (5), (9), (10), (12), and (18) and is a
44 high deductible plan that would qualify for a health savings account
45 pursuant to 26 U.S.C. sec. 223. A carrier may apply deductible amounts
46 for mandatory health benefits for child supervision services or prosthetic
47 devices pursuant to section 10-16-104 (11) and (14) if such mandatory
48 benefits are not considered by the federal department of treasury to be
49 preventive or to have an acceptable deductible amount.
50

51 (IV) On and after January 1, 2009, a basic health benefit plan may
52 reflect a medical evidence-based health benefit plan that:
53

54 (A) Does not include coverage pursuant to the mandatory
55 coverage provisions of section 10-16-104 (5), (9), (10), (12), and (18);
56 EXCEPT THAT A BASIC HEALTH BENEFIT PLAN ISSUED PURSUANT TO THIS

1 SUBPARAGRAPH (IV) SHALL INCLUDE COVERAGE FOR MAMMOGRAPHY AS
2 SPECIFIED IN SECTION 10-16-104 (18) (b) (III);
3

4 (C) Covers limited prevention and screening based on the latest
5 medical evidence embodied in recommendations of an independent panel
6 of experts in primary care and prevention that systematically reviews the
7 evidence of effectiveness and develops recommendations for clinical
8 preventive services; except that a carrier may apply deductible amounts
9 for mandatory health benefits for mammography, child supervision
10 services, or prosthetic devices pursuant to section 10-16-104 ~~(4)~~, (11),
11 ~~and (14)~~ (14), AND (18) (b) (III) if such mandatory benefits are not
12 considered by the federal department of treasury to be preventive or to
13 have an acceptable deductible amount;
14

15 **SECTION 5.** 10-16-116 (3), Colorado Revised Statutes, is
16 amended to read:
17

18 **10-16-116. Catastrophic health insurance - coverage.**
19 (3) Insurers shall provide a written disclosure to a covered person that
20 indicates the mandated benefits of section 10-16-104 (1), (1.7), ~~(4)~~, (5),
21 (5.5), (8), (9), (10), (11), (12), (13), ~~and (14)~~ (14), AND (18) (b) (III) are
22 covered benefits of the high deductible health plan offered pursuant to
23 section 10-16-105 (7.2) (b) (II); except that the mandated benefits for
24 mammography, prostate screenings, child health supervision services, and
25 prosthetic devices shall be subject to policy deductibles.
26

27 **SECTION 6.** 10-16-129, Colorado Revised Statutes, is amended
28 to read:
29

30 **10-16-129. Health savings accounts.** Any carrier authorized to
31 conduct business in this state that offers coverage pursuant to part 2, 3, or
32 4 of this article may offer a high deductible health plan that would qualify
33 for and may be offered in conjunction with a health savings account
34 pursuant to 26 U.S.C. sec. 223, as amended. A carrier offering a high
35 deductible health plan that may be offered in conjunction with a health
36 savings account may apply the deductible to mandatory health benefits for
37 mammography, prostate cancer screening, child health supervision
38 services, and prosthetic devices pursuant to section 10-16-104 ~~(4)~~, (10),
39 (11), ~~and (14)~~, (14), AND (18) (b) (III) if such mandatory benefits are not
40 considered by the federal department of treasury to be preventive or to
41 have an acceptable deductible amount."
42

43 Renumber succeeding section accordingly.
44
45
46

47 **SB09-067** be referred favorably to the Committee on Appropriations.
48
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55

1 **LOCAL GOVERNMENT**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB09-087** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:
8

9 Amend reengrossed bill, page 4, after line 3, insert the following:

10
11 "SECTION 3. 32-1-306, Colorado Revised Statutes, is amended
12 to read:

13
14 **32-1-306. Filing decree.** Within thirty days after the special
15 district has been declared organized by the court, the special district shall
16 transmit to the county clerk and recorder in each of the counties in which
17 the special district or a part thereof extends certified copies of the
18 findings and the order of the court organizing said special district. The
19 same shall be recorded by the county clerk and recorder in each county as
20 provided in section 32-1-105. A copy of the approved service plan of the
21 district shall be delivered to each such county clerk and recorder, who
22 shall retain the service plan as a public record for public inspection. In
23 addition, a copy of the service plan, together with a copy of the court's
24 findings and order, shall be filed with the division as provided in section
25 32-1-105, and a map of the special district shall be filed with the county
26 assessor in each county in which the special district or a part thereof
27 extends and with the division according to the standards of the division.
28 ON OR BEFORE JANUARY 1, 2010, A SPECIAL DISTRICT SHALL FILE A
29 CURRENT, ACCURATE MAP OF ITS BOUNDARIES WITH THE COUNTY CLERK
30 AND RECORDER IN EACH OF THE COUNTIES IN WHICH THE SPECIAL DISTRICT
31 OR A PART THEREOF EXTENDS. ~~Thereafter, the~~ A special district shall
32 maintain a current, accurate map of its boundaries and shall provide for
33 such map to be on file with the county assessor, THE CLERK AND
34 RECORDER, and the division on or before January 1 of each year."
35

36 Renumber succeeding sections accordingly.

37
38 Page 4, strike lines 7 through 19 and substitute the following:

39
40 "**manner of election - notice - permanent mail-in voters.** (5) (a) AT
41 LEAST SIXTY DAYS PRIOR TO A METROPOLITAN DISTRICT ELECTION, A
42 DESIGNATED ELECTION OFFICIAL OF THE METROPOLITAN DISTRICT SHALL
43 REQUEST A CLERK AND RECORDER OF A COUNTY IN WHICH THE
44 METROPOLITAN DISTRICT IS WHOLLY OR PARTIALLY LOCATED TO PROVIDE
45 THE DESIGNATED ELECTION OFFICIAL WITH A LIST OF THE NAMES AND
46 ADDRESSES OF REGISTERED ELECTORS OF THE COUNTY WHO ARE ALSO
47 REGISTERED ELECTORS OF THE METROPOLITAN DISTRICT AND WHO HAVE
48 APPLIED TO THE COUNTY CLERK AND RECORDER FOR PERMANENT MAIL-IN
49 VOTER STATUS IN ACCORDANCE WITH SECTION 1-8-104.5 (1), C.R.S.
50 ALONG WITH THE REQUEST, THE DESIGNATED ELECTION OFFICIAL SHALL
51 CERTIFY THAT THE METROPOLITAN DISTRICT HAS PROVIDED THE COUNTY
52 CLERK AND RECORDER WITH A CURRENT, ACCURATE MAP OF ITS
53 BOUNDARIES IN ACCORDANCE WITH SECTION 32-1-306. AFTER RECEIPT OF
54 THE REQUEST, THE CLERK AND RECORDER SHALL PROVIDE THE
55 DESIGNATED ELECTION OFFICIAL WITH SUCH LIST OF THE NAMES AND
56 ADDRESSES OF REGISTERED ELECTORS; EXCEPT THAT, IF THE DESIGNATED

1 ELECTION OFFICIAL HAS NOT CERTIFIED THAT THE SPECIAL DISTRICT HAS
2 PROVIDED THE COUNTY CLERK AND RECORDER WITH A CURRENT,
3 ACCURATE MAP OF ITS BOUNDARIES, THE CLERK AND RECORDER SHALL
4 PROVIDE TO THE DESIGNATED ELECTION OFFICIAL THE NAMES AND
5 ADDRESSES OF ALL REGISTERED ELECTORS OF THE COUNTY WHO HAVE
6 APPLIED FOR PERMANENT MAIL-IN VOTER STATUS IN ACCORDANCE WITH
7 SECTION 1-8-104.5 (1), C.R.S. IF, WITHIN TEN DAYS OF RECEIVING THE
8 LIST OF THE NAMES AND ADDRESSES OF REGISTERED ELECTORS PURSUANT
9 TO THIS PARAGRAPH (a), A DESIGNATED ELECTION OFFICIAL NOTIFIES THE
10 COUNTY CLERK AND RECORDER OF ANY PROBLEMS WITH THE LIST, THE
11 COUNTY CLERK AND RECORDER MAY PROVIDE THE DESIGNATED ELECTION
12 OFFICIAL WITH A CORRECTED LIST."

13

14 Reletter succeeding paragraphs accordingly.

15

16 Page 4, line 20, strike "BOARD SHALL" and substitute "DESIGNATED
17 ELECTION OFFICIAL SHALL";

18

19 line 22, strike "MAINTAINED" and substitute "PROVIDED TO THE
20 DESIGNATED ELECTION OFFICIAL".

21

22 Page 5, line 4, after "No", insert "MORE THAN SIXTY DAYS PRIOR TO AND
23 NOT".

24

25 Page 6, line 4, strike "EITHER TO THE DISTRICT OFFICE OR";

26

27 line 27, strike "SITE." and substitute "SITE; OR";

28

29 after line 27, insert the following:

30

31 "(e) FOR A SPECIAL DISTRICT WITH LESS THAN ONE THOUSAND
32 ELIGIBLE ELECTORS THAT IS WHOLLY LOCATED WITHIN A COUNTY WITH A
33 POPULATION OF LESS THAN THIRTY THOUSAND, POSTING THE NOTICE IN AT
34 LEAST THREE PUBLIC PLACES WITHIN THE LIMITS OF THE SPECIAL DISTRICT
35 AND, IN ADDITION, POSTING A NOTICE IN THE OFFICE OF THE COUNTY
36 CLERK AND RECORDER OF THE COUNTY IN WHICH THE SPECIAL DISTRICT IS
37 LOCATED. SUCH NOTICES SHALL REMAIN POSTED UNTIL THE TUESDAY
38 SUCCEEDING THE FIRST MONDAY OF THE FOLLOWING MAY."

39

40 Page 7, strike lines 12 through 15;

41

42 after line 16, insert the following:

43

44 "SECTION 6. 32-1-903 (2), Colorado Revised Statutes, is
45 amended to read:

46

47 **32-1-903. Meetings.** (2) Notice of time and place designated for
48 all regular meetings shall be posted in at least three public places within
49 the limits of the special district, and, in addition, one such notice shall be
50 posted in the office of the county clerk and recorder in the county or
51 counties in which the special district is located. Such notices shall remain
52 posted and shall be changed in the event that the time or place of such
53 regular meetings is changed. Special meetings may be called by any
54 director by informing the other directors of the date, time, and place of
55 such special meeting, and the purpose for which it is called, and by
56 posting notice as provided in this section at least ~~three days~~ SEVENTY-TWO

1 HOURS prior to said meeting. All official business of the board shall be
2 conducted only during said regular or special meetings at which a quorum
3 is present, and all said meetings shall be open to the public.".

4
5 Renumber succeeding sections accordingly.

6
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9
10 **STATE, VETERANS, & MILITARY AFFAIRS**

11 After consideration on the merits, the Committee recommends the
12 following:

13
14 **HB09-1140** be postponed indefinitely.

15
16
17 **HB09-1158** be postponed indefinitely.

18
19
20 **HB09-1322** be referred to the Committee of the Whole with favorable
21 recommendation.

22
23
24 **HB09-1325** be referred to the Committee of the Whole with favorable
25 recommendation.

26
27
28 **HB09-1326** be referred favorably to the Committee on Appropriations.

29
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31
32
33 **TRANSPORTATION & ENERGY**

34 After consideration on the merits, the Committee recommends the
35 following:

36
37 **HB09-1318** be referred favorably to the Committee on Appropriations.

38
39
40 **SB09-031** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:

43
44 Amend reengrossed bill, page 6, line 11, strike "IF THE COLORADO";

45
46 strike lines 12 through 16.

47
48 Page 9, line 17, strike "FROM" and substitute "PURSUANT TO PARAGRAPH
49 (b) OR (c) OF THIS SUBSECTION (5).";

50
51 strike line 18;

52
53 line 19, strike "SECTION 25-17-202 (1) (a) (V), C.R.S.".

54
55 Page 10, after line 3, insert the following:

56

1 "(b) THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT IS
2 AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, OR DONATIONS FROM
3 PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS ARTICLE; EXCEPT
4 THAT THE DEPARTMENT SHALL NOT ACCEPT A GIFT, GRANT, OR DONATION
5 IF IT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS
6 ARTICLE OR ANY OTHER LAW OF THE STATE. THE COLORADO OFFICE OF
7 ECONOMIC DEVELOPMENT SHALL TRANSMIT ALL PRIVATE AND PUBLIC
8 MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE
9 STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE FUND.

10

11 (c) TO THE EXTENT PERMITTED BY LAW, THE GOVERNOR, AT HIS OR
12 HER DISCRETION, OR THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT,
13 AT ITS DISCRETION, MAY DIRECT OTHER MONEYS TO THE FUND FOR THE
14 PURPOSES OF THIS ARTICLE."

15

16 Reletter succeeding paragraph accordingly.

17

18 Page 10, strike lines 8 through 27.

19

20 Page 11, strike lines 1 through 6.

21

22 Renumber succeeding section accordingly.

23

24 Page 1, line 102, strike "**PROGRAM, AND MAKING AN**" and substitute
25 "**PROGRAM.**";

26

27 strike line 103.

28

29

30

31 **SB09-098** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:

34

35 Amend reengrossed bill, page 3, line 8, strike "SUCH EXEMPT";

36

37 line 11, strike "BLEND AND STILL" and substitute "BLEND. SUCH BLENDED
38 SPECIAL FUEL SHALL";

39

40 line 12, strike "1." and substitute "1, SO LONG AS IT IS PURCHASED FOR THE
41 PURPOSES SET FORTH IN THIS PARAGRAPH (a)."

42

43

44

45 **SB09-171** be amended as follows, and as so amended, be referred to
46 the Committee of the Whole with favorable
47 recommendation:

48

49 Amend reengrossed bill, page 2, line 6, strike "TO ENHANCE THE ABILITY
50 OF";

51

52 strike lines 7 and 8;

53

54 line 9, strike "DEVELOPMENT, MONEYS" and substitute "MONEYS";

55

56 line 12, strike "EMPLOYEES IN COLORADO'S NEW ENERGY" and substitute

1 "EMPLOYEES.";
2
3 strike line 13.

4
5 Page 1, strike lines 102 and 103 and substitute the following:

6
7 **"TRAINING PROGRAM."**

8
9
10
11 **PRINTING REPORT**

12
13 The Chief Clerk reports the following bills have been correctly printed:
14 **HB09-1330, 1331.**

15
16
17 House in recess. House reconvened.

18
19
20
21 **MESSAGE(S) FROM THE SENATE**

22
23 The Senate has adopted and transmits herewith: SJR09-034.

24
25
26 The Senate has passed on Third Reading and transmitted to the Revisor
27 of Statutes:

28
29 HB09-1217 amended as printed in Senate Journal, April 1, 2009.

30
31 The Senate voted to concur in House amendments to SB09-080,
32 SB09-050, SB09-062, SB09-150, SB09-039, SB09-165, SB09-107,
33 SB09-005, SB09-129, SB09-169, SB09-168, SB09-042, SB09-237,
34 SB09-231, SB09-051, SB09-078, and repassed the bills as so amended.

35
36 The Senate has voted not to concur in House Amendments to SB09-131,
37 and requests that a Conference Committee be appointed. The President
38 appointed Senators Romer--Chair, Boyd, and Spence as members of the
39 First Conference Committee on SB09-131 on the part of the Senate. The
40 bill is transmitted herewith.

41
42 The Senate has voted not to concur in House Amendments to SB09-148,
43 and requests that a Conference Committee be appointed. The President
44 appointed Senators Brophy--Chair, Gibbs, and Heath as members of the
45 First Conference Committee on SB09-148 on the part of the Senate. The
46 bill is transmitted herewith.

47
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49
50 **MESSAGE(S) FROM THE REVISOR**

51
52 We herewith transmit:
53 Without comment, as amended, HB09-1217.

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INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

SJR09-034 by Senator(s) Kopp; also Representative(s) Rice--
Concerning honoring the Colorado Rush soccer club for
its outreach efforts through the Iraq REACH program,
and, in connection therewith, proclaiming "Colorado Rush
'REACH' Day".

APPOINTMENTS TO CONFERENCE COMMITTEES

Pursuant to a request from the Senate, the Speaker appointed House conferees to the First Conference Committees as follows:

SB09-148--Representatives Merrifield, Chairman, Kerr A., and McNulty.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar were laid over until April 2, retaining place on Calendar:

Consideration of Resolution(s)--**SJR09-028**.

On motion of Representative Kerr A., the House adjourned until 9:00 a.m., April 2, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Eighty-sixth Legislative Day

Thursday, April 2, 2009

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Chelsea Cabral, Arvada High School.

6

7 The roll was called with the following result:

8

9 Present--61.

10 Excused--Representative(s) Looper, McFadyen, Middleton,

11

Swalm--4.

12

Present after roll call--Representative(s) Looper, Middleton,

13

Swalm.

14

15 The Speaker declared a quorum present.

16

17

18

19 On motion of Representative Priola, the reading of the journal of
20 April 1, 2009, was declared dispensed with and approved as corrected by
21 the Chief Clerk.

22

23

24

25 On motion of Representative Schafer, the House resolved itself into
26 Committee of the Whole for consideration of General Orders, and she
27 was called to the Chair to act as Chairman.

28

29

30

31

GENERAL ORDERS--SECOND READING OF BILLS

32

33 The Committee of the Whole having risen, the Chairman reported the
34 titles of the following bills had been read (reading at length had been
35 dispensed with by unanimous consent), the bills considered and action
36 taken thereon as follows:

37

38 (Amendments to the committee amendment are to the printed committee
39 report which was printed and placed in the members' bill file.)

40

41

42

1 **SB09-173** by Senator(s) Veiga; also Representative(s) Rice--
2 Concerning the economic development of large-scale
3 regional tourism projects to be partially financed with a
4 portion of state sales tax revenue above an existing base
5 amount.
6

7 Laid over until April 3, retaining place on Calendar.
8

9 **SB09-143** by Senator(s) Bacon; also Representative(s) Hullinghorst,
10 Fischer--Concerning enforcing traffic regulations through
11 the expanded use of an automated vehicle identification
12 system.
13

14 Amendment No. 1, Judiciary Report, dated March 19, 2009, and placed
15 in member's bill file; Report also printed in House Journal, March 20,
16 pages 822-823.
17

18 Amendment No. 2, by Representative(s) Weissmann.
19

20 Amend the Judiciary Committee Report, dated March 19, 2009, page 1,
21 line 4, after "(c)", insert "(2) (f)".
22

23 Page 2, line 6, strike "system." and substitute "system."
24

25 after line 6, insert the following:

26 "(f) The state, a county, a city and county, or a municipality shall
27 not issue a penalty assessment notice or summons for a violation detected
28 using an automated vehicle identification system unless ANY VEHICLE
29 CONTAINING THE AUTOMATED VEHICLE IDENTIFICATION SYSTEM IS
30 LICENSED IN THE STATE AND, at the time the violation is alleged to have
31 occurred, an officer or employee of the state, the county, the city and
32 county, or the municipality is present during the operation of the
33 automated vehicle identification device; except that this paragraph (f)
34 shall not apply to an automated vehicle identification system designed to
35 detect violations for disobedience to a traffic control signal.".
36

37 Amendment No. 3, by Representative(s) Waller.
38

39 Amend the Judiciary Committee Report, dated March 19, 2009, page 1,
40 line 4, strike "(2) (g) (II)".
41

42 Page 2 of the Judiciary Committee Report, strike lines 7 and 8 and
43 substitute the following:

44 "Page 3, strike lines 12 and 13 and substitute the following:

45 "(D) WITHIN A RESIDENTIAL NEIGHBORHOOD."
46
47

48 strike lines 14 through 18."
49

50 As amended, declared **lost** on Second Reading.
51

52
53 **SB09-119** by Senator(s) Harvey; also Representative(s) McNulty--
54 Concerning a clarification of the enforcement of water
55 quality laws relating to the discharge of certain hazardous
56 pollutants.

1 Amendment No. 1, by Representative(s) Weissmann.

2

3 Amend reengrossed bill, page 2, line 2, after "25-8-609", insert "(2) and"
4 and strike "is" and substitute "are";

5

6 strike line 5 and substitute the following:

7

8 **"25-8-609. Criminal pollution - penalties.** (2) Prosecution
9 under ~~paragraphs (a) and (d)~~ PARAGRAPH (a) of subsection (1) of this
10 section shall be commenced only upon complaint filed by the division OR
11 A PEACE OFFICER.

12

13 (3) Any person who".

14

15 As amended, ordered revised and placed on the Calendar for Third
16 Reading and Final Passage.

17

18 **HB09-1316** by Representative(s) Solano, King S.; also Senator(s)
19 Shaffer B.--Concerning public dissemination of personal
20 information of a person working in the criminal justice
21 system.

22

23 Amendment No. 1, Judiciary Report, dated March 30, 2009, and placed
24 in member's bill file; Report also printed in House Journal, March 30,
25 page 954.

26

27 As amended, ordered engrossed and placed on the Calendar for Third
28 Reading and Final Passage.

29

30 **HB09-1312** by Representative(s) Kerr A., Merrifield, Middleton,
31 Scanlan, Todd--Concerning the renewable energy and
32 energy efficiency for schools loan program.

33

34 Amendment No. 1, Education Report, dated March 30, 2009, and placed
35 in member's bill file; Report also printed in House Journal, March 31,
36 page 968.

37

38 Amendment No. 2, by Representative(s) Murray.

39

40 Amend the Education Committee Report, dated March 30, 2009, page 1,
41 line 4, strike "UTILITY." and substitute "UTILITY."";

42

43 after line 4, insert the following:

44

45 "line 20, strike "A" and substitute "EXCEPT AS PROVIDED IN SUBSECTION
46 (4) OF THIS SECTION, A".";

47

48 line 5 of the Education Committee Report, strike "FOR." and substitute
49 "FOR";";

50

51 after line 5, insert the following:

52

53 "after line 14, insert the following:

54 "(4) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
55 ARTICLE, A QUALIFIED SCHOOL DISTRICT SHALL NOT APPLY FOR A LOAN
56 FROM THE PROGRAM UNLESS:

1 (I) THE QUALIFIED SCHOOL DISTRICT HAS APPLIED FOR A LOAN
2 FROM AT LEAST ONE BANK FOR THE PURPOSE OF FUNDING THE DISTRICT'S
3 RENEWABLE ENERGY PROJECT OR BATTERY-POWERED OR HYBRID-
4 ELECTRIC BUS PROJECT; AND

5

6 (II) THE BANK DENIED THE DISTRICT'S LOAN APPLICATION.

7

8 (b) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
9 REQUIRES, "BANK" SHALL HAVE THE SAME MEANING AS SET FORTH IN
10 SECTION 11-101-401 (5), C.R.S."."

11

12 Amendment No. 3, by Representative(s) Marostica.

13 Amend printed bill, page 3, line 26, strike "BATTERY-POWERED OR" and
14 substitute "BATTERY-POWERED, COMPRESSED NATURAL GAS, OR".

15

16 Page 4, line 3, strike "BATTERY-POWERED OR" and substitute
17 "BATTERY-POWERED, COMPRESSED NATURAL GAS, OR";

18

19 line 5, strike "BATTERY-POWERED OR" and substitute
20 "BATTERY-POWERED, COMPRESSED NATURAL GAS, OR".

21

22 Page 5, line 14, strike "BATTERY-POWERED OR" and substitute
23 "BATTERY-POWERED, COMPRESSED NATURAL GAS, OR";

24

25 line 19, strike "BATTERY-POWERED OR" and substitute
26 "BATTERY-POWERED, COMPRESSED NATURAL GAS, OR".

27

28 Page 6, line 5, strike "BATTERY-POWERED OR" and substitute
29 "BATTERY-POWERED, COMPRESSED NATURAL GAS, OR"

30

31 Page 7, line 17, strike "BATTERY-POWERED OR" and substitute
32 "BATTERY-POWERED, COMPRESSED NATURAL GAS, OR";

33

34 line 25, strike "BATTERY-POWERED OR" and substitute
35 "BATTERY-POWERED, COMPRESSED NATURAL GAS, OR".

36

37 Page 8, line 3, strike "BATTERY-POWERED OR" and substitute
38 "BATTERY-POWERED, COMPRESSED NATURAL GAS, OR".

39

40 Page 9, line 19, strike "BATTERY-POWERED OR" and substitute
41 "BATTERY-POWERED, COMPRESSED NATURAL GAS, OR";

42

43 line 27, strike "BATTERY-POWERED OR" and substitute
44 "BATTERY-POWERED, COMPRESSED NATURAL GAS, OR".

45

46 As amended, ordered engrossed and placed on the Calendar for Third
47 Reading and Final Passage.

48 (For change in action, see Amendments to Report, page 1004.)

49

50 **SB09-061** by Senator(s) Carroll M.; also Representative(s)
51 Primavera--Concerning the qualifications of health care
52 professionals who review claims for medical treatment
53 under insurance policies.

54

55 Laid over until April 6, retaining place on Calendar.

56

1 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

2
3 Representative(s) Hullinghorst, Fischer, and Green moved to amend the
4 Report of the Committee of the Whole to reverse the action taken by the
5 Committee in adopting Amendment No. 3, by Representative Waller,
6 (printed in House Journal page 1000, lines 37-48), to SB09-143, to show
7 that said amendment lost, and that **SB09-143**, as amended by the Judiciary
8 Committee Report, dated March 19, 2009, and Amendment No. 2, by
9 Representative Weissmann, (printed in House Journal page 1000,
10 lines 18-35), passed.

11
12 The amendment was declared **lost** by the following roll call vote:

	YES	27	NO	37	EXCUSED	1	ABSENT	0
15	Acree	N	Green	Y	McCann	Y	Roberts	N
16	Apuan	Y	Hullinghorst	Y	McFadyen	E	Ryden	Y
17	Balmer	N	Judd	Y	McKinley	N	Scanlan	N
18	Baumgardner	N	Kagan	N	McNulty	N	Schafer S.	Y
19	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
20	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
21	Casso	N	Kerr J.	N	Miklosi	Y	Soper	Y
22	Court	Y	King S.	N	Murray	N	Stephens	N
23	Curry	N	Labuda	Y	Nikkel	N	Summers	N
24	Ferrandino	N	Lambert	N	Pace	N	Swalm	N
25	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
26	Frangas	N	Liston	N	Pommer	Y	Todd	Y
27	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
28	Gardner B.	N	Marostica	Y	Priola	N	Vigil	N
29	Gardner C.	N	Massey	N	Rice	Y	Waller	N
30	Gerou	N	May	N	Riesberg	Y	Weissmann	N
31							Speaker	N

32
33 Representative(s) Hullinghorst and Fischer moved to amend the Report
34 of the Committee of the Whole to reverse the action taken by the
35 Committee in not adopting SB09-143, to show that **SB09-143**, as
36 amended, passed.

37
38 The amendment was declared **lost** by the following roll call vote:

	YES	29	NO	35	EXCUSED	1	ABSENT	0
40	Acree	N	Green	Y	McCann	Y	Roberts	N
41	Apuan	Y	Hullinghorst	Y	McFadyen	E	Ryden	Y
42	Balmer	N	Judd	Y	McKinley	N	Scanlan	N
43	Baumgardner	N	Kagan	N	McNulty	N	Schafer S.	Y
44	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
45	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
46	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
47	Court	Y	King S.	N	Murray	N	Stephens	N
48	Curry	N	Labuda	Y	Nikkel	N	Summers	N
49	Ferrandino	Y	Lambert	N	Pace	N	Swalm	N
50	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
51	Frangas	N	Liston	N	Pommer	Y	Todd	Y
52	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
53	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
54	Gardner C.	N	Massey	N	Rice	Y	Waller	N
55	Gerou	N	May	N	Riesberg	Y	Weissmann	N
56							Speaker	N

1 Representative(s) McNulty and Gardner C. moved to amend the Report
 2 of the Committee of the Whole to reverse the action taken by the
 3 Committee in not adopting the following McNulty amendment, to
 4 HB09-1312, to show that said amendment passed, and that **HB09-1312**,
 5 as amended, passed.

6
 7 Amend the Education Committee Report, dated March 30, 2009, page 2,
 8 after line 3, add the following:

9
 10 "Page 10, line 14, strike "LOANS." and substitute "LOANS; EXCEPT THAT
 11 THE STATE TREASURER SHALL NOT DETERMINE ANY LOAN AMOUNT
 12 EXCEEDING ONE HUNDRED THOUSAND DOLLARS."."

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	Y	McCann	N	Roberts	Y
18	Apuan	N	Hullinghorst	N	McFadyen	E	Ryden	N
19	Balmer	Y	Judd	N	McKinley	N	Scanlan	N
20	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
21	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
22	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
23	Casso	N	Kerr J.	Y	Miklosi	N	Soper	N
24	Court	N	King S.	Y	Murray	Y	Stephens	Y
25	Curry	N	Labuda	N	Nikkel	Y	Summers	Y
26	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
27	Fischer	N	Levy	N	Peniston	N	Tipton	Y
28	Frangas	N	Liston	Y	Pommer	N	Todd	N
29	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
30	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
31	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
32	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
33							Speaker	N

34
 35 Representative(s) Kerr A. moved to amend the Report of the Committee
 36 of the Whole to reverse the action taken by the Committee in adopting
 37 Amendment No. 2, by Representative Murray (printed in House Journal
 38 page 1001, lines 38-56, and page 1002, lines 1-10), to HB09-1312, to
 39 show that said amendment lost, and that **HB09-1312**, as amended, passed.

40
 41 The amendment was declared **passed** by the following roll call vote:

	YES	36	NO	28	EXCUSED	1	ABSENT	0
44	Acree	N	Green	Y	McCann	Y	Roberts	N
45	Apuan	Y	Hullinghorst	Y	McFadyen	E	Ryden	Y
46	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
47	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
48	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
49	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
50	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	N
51	Court	Y	King S.	N	Murray	N	Stephens	N
52	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
53	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
54	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
55	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
56	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N

1	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
2	Gardner C.	N	Massey	N	Rice	Y	Waller	N
3	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
4							Speaker	Y

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

9 Passed Second Reading: **HB09-1316 amended, 1312 amended.**

11 Lost on Second Reading: **SB09-143 amended.**

13 Laid over until date indicated retaining place on Calendar:

14 **SB09-173**--April 3, 2009.

15 **SB09-061**--April 6, 2009.

17 The Chairman moved the adoption of the Committee of the Whole
18 Report. As shown by the following roll call vote, a majority of those
19 elected to the House voted in the affirmative, and the Report was
20 **adopted.**

22	YES	64	NO	0	EXCUSED	1	ABSENT	0
23	Acree	Y	Green	Y	McCann	Y	Roberts	Y
24	Apuan	Y	Hullingerhorst	Y	McFadyen	E	Ryden	Y
25	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
26	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
27	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
28	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
29	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
30	Court	Y	King S.	Y	Murray	Y	Stephens	Y
31	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
32	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
33	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
34	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
35	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
36	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
37	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
38	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
39							Speaker	Y

MESSAGE(S) FROM THE SENATE

45 The Senate has adopted and transmits herewith: SJR09-030.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

51 On motion of Representative Weissmann, the rules were suspended and
52 the following resolution was given immediate consideration.

54 **SJR09-030** by Senator(s) Morse; also Representative(s) Gardner B.--
55 Concerning recognition of the Colorado department of
56 corrections for its high standards of service to the state.

1 (Printed and placed in member's file).

2

3 On motion of Representative Gardner B., the resolution was read at
4 length and **adopted** by **viva voce** vote.

5

6 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
7 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
8 Fischer, Frangas, Gagliardi, Gardner C., Gerou, Green, Hullinghorst, Judd,
9 Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
10 Looper, Marostica, Massey, May, McCann, McKinley, McNulty, Merrifield,
11 Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera,
12 Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
13 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil,
14 Waller, Weissmann, Speaker

15

16

17 House in recess. House reconvened.

18

19

20

21 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

22

23 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

24 After consideration on the merits, the Committee recommends the
25 following:

26

27 **HB09-1303** be amended as follows, and as so amended, be referred to
28 the Committee of the Whole with favorable
29 recommendation:

30

31 Amend printed bill, page 2, line 3, strike "amended" and substitute
32 "amended, and the said 37-90-103 is further amended BY THE
33 ADDITION OF A NEW SUBSECTION,".

34

35 Page 3, strike line 27.

36

37 Strike pages 4 and 5.

38

39 Page 6, strike lines 1 through 15 and substitute the following:

40

41 "(10.9) "OIL AND GAS WELL" MEANS A WELL PERMITTED BY THE
42 COLORADO OIL AND GAS CONSERVATION COMMISSION.

43

44 **SECTION 2.** 37-90-137 (2) (b), Colorado Revised Statutes, is
45 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

46

47 **37-90-137. Permits to construct wells outside designated**
48 **basins - fees - permit no ground water right - evidence - time**
49 **limitation - well permits - repeal.** (2) (b) (IV) THOSE PROVISIONS OF
50 SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (b) THAT RELATE TO
51 THE ISSUANCE OF A PERMIT TO CONSTRUCT A WELL AT A DISTANCE OF LESS
52 THAN SIX HUNDRED FEET FROM AN EXISTING WELL SHALL NOT APPLY IF
53 THE PROPOSED AND EXISTING WELLS ARE ALL OIL AND GAS WELLS.

54

55 **SECTION 3.** The introductory portion to 37-90-137 (7), Colorado
56 Revised Statutes, is amended, and the said 37-90-137 (7) is further

1 amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

2

3 **37-90-137. Permits to construct wells outside designated**
4 **basins - fees - permit no ground water right - evidence - time**
5 **limitation - well permits - rules - repeal.** (7) In the case of dewatering
6 of geologic formations by ~~removing~~ WITHDRAWING nontributary ground
7 water to facilitate or permit mining of minerals:

8

9 (c) THE STATE ENGINEER MAY, PURSUANT TO THE "STATE
10 ADMINISTRATIVE PROCEDURE ACT", ADOPT RULES TO ASSIST WITH THE
11 ADMINISTRATION OF THIS SUBSECTION (7). IN ALL RULE-MAKING
12 PROCEEDINGS AUTHORIZED BY THIS SUBSECTION (7), THE STATE ENGINEER
13 SHALL AFFORD INTERESTED PERSONS THE RIGHT OF CROSS-EXAMINATION.
14 JUDICIAL REVIEW OF ALL RULES PROMULGATED PURSUANT TO THIS
15 SUBSECTION (7) SHALL BE IN ACCORDANCE WITH THE "STATE
16 ADMINISTRATIVE PROCEDURE ACT"; EXCEPT THAT VENUE FOR SUCH
17 REVIEW SHALL LIE EXCLUSIVELY WITH THE WATER JUDGE OR JUDGES FOR
18 THE WATER DIVISION OR DIVISIONS WITHIN WHICH THE GROUND WATER
19 THAT IS THE SUBJECT OF SUCH RULES IS LOCATED. ANY RULES
20 PROMULGATED PURSUANT TO THIS SUBSECTION (7) SHALL NOT CONFLICT
21 WITH EXISTING LAWS AND SHALL NOT AFFECT THE VALIDITY OF GROUND
22 WATER WELL PERMITS EXISTING PRIOR TO THE ADOPTION OF SUCH RULES."

23

24 Renumber succeeding sections accordingly.

25

26 Page 6, line 24, strike "sixty TWO HUNDRED SEVENTY" and substitute
27 "sixty".

28

29 Page 7, strike line 2 and substitute the following:

30

31 "issued under this article. PRIOR TO MARCH 31, 2010, THIS SUBSECTION
32 (2) SHALL NOT APPLY TO OIL AND GAS WELLS.

33

34 **SECTION 5.** 37-92-103, Colorado Revised Statutes, is amended
35 BY THE ADDITION OF A NEW SUBSECTION to read:

36

37 **37-92-103. Definitions.** As used in this article, unless the context
38 otherwise requires:

39

40 (5.5) "COAL BED METHANE WELL" MEANS A WELL PERMITTED BY
41 THE COLORADO OIL AND GAS CONSERVATION COMMISSION AND
42 CONSTRUCTED FOR THE PRIMARY PURPOSE OF PRODUCING METHANE GAS
43 FROM A COAL BED."

44

45 Renumber succeeding sections accordingly.

46

47 Page 7, line 7, strike "(10)" and substitute "(11)" and strike "WELLS THAT"
48 and substitute "COAL BED METHANE WELLS INTO THE WATER COURT";

49

50 strike lines 8 and 9;

51

52 line 13, strike "(10)." and substitute "(11).";

53

54 line 14, strike "WELL IN AN" and substitute "COAL BED METHANE WELL
55 THAT WITHDRAWS TRIBUTARY GROUND WATER AND IMPACTS AN
56 OVER-APPROPRIATED STREAM SHALL OPERATE UNLESS:";

1 strike lines 15 through 17;

2

3 strike lines 24 through 27.

4

5 Page 8, strike lines 1 through 4 and substitute the following:

6

7 "(II) BEGINNING JANUARY 1, 2013, ANY COAL BED METHANE WELL
8 THAT WITHDRAWS TRIBUTARY GROUND WATER FROM A GEOLOGIC
9 FORMATION IN CONJUNCTION WITH THE MINING OF MINERALS SHALL BE
10 CONTINUOUSLY CURTAILED UNLESS THE WELL:

11

12 (A) IS INCLUDED IN A PLAN FOR AUGMENTATION APPROVED BY A
13 WATER JUDGE;

14

15 (B) IS INCLUDED IN A SUBSTITUTE WATER SUPPLY PLAN APPROVED
16 PURSUANT TO SUBSECTION (4) OF THIS SECTION; OR

17

18 (C) CAN BE OPERATED IN PRIORITY WITHOUT AUGMENTATION.

19

20 (III) THE GENERAL ASSEMBLY FINDS THAT THE TIME PERIOD
21 ESTABLISHED IN SUBPARAGRAPH (II) OF PARAGRAPH (b) OF THIS
22 SUBSECTION (11)";

23

24 strike lines 9 through 11 and substitute the following:

25

26 "SUBSECTION (10), THE STATE ENGINEER MAY APPROVE THE TEMPORARY
27 OPERATION OF A COAL BED METHANE WELL THAT WITHDRAWS TRIBUTARY
28 GROUND WATER ONLY IF THE";

29

30 line 25, strike "AN OPPOSER'S" and substitute "A PARTY'S";

31

32 line 26, strike "AN OPPOSER" and substitute "A PARTY".

33

34 Page 9, line 1, strike "REQUEST." and substitute "REQUEST; AND";

35

36 line 5, after "DEPLETIONS", insert "OCCURRING ON OR AFTER THE
37 EFFECTIVE DATE OF THIS SUBSECTION (11)";

38

39 line 7, after "INJURY", insert "OCCURRING ON OR AFTER THE EFFECTIVE
40 DATE OF THIS SUBSECTION (11)";

41

42 line 17, strike "DEPLETIONS." and substitute "DEPLETIONS OCCURRING ON
43 OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (11).";

44

45 line 23, strike "(10)" and substitute "(11)";

46

47 line 26, strike "(10)." and substitute "(11).";

48

49 line 27, strike "(10)" and substitute "(11)".

50

51 Page 10, line 17, strike "(10)" and substitute "(11)".

52

53

54

55

1 **HB09-1317** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 3, line 7, after the comma, insert "STATE";
6
7 line 8, strike "SECTION, INCLUDING";
8
9 line 9, strike "STATE LANDS ASSOCIATED WITH" and substitute "SECTION
10 FOR".
11
12
13

14 **SB09-024** be amended as follows, and as so amended, be referred to
15 the Committee on Appropriations with favorable
16 recommendation:
17

18 Amend reengrossed bill, page 4, line 15, strike "**materials.**" and
19 substitute "**materials - definitions.**";
20

21 line 23, strike "LANDOWNER:" and substitute "LANDOWNER WHO DOES NOT
22 UNREASONABLY RESTRICT HUNTING OF SPECIES LIKELY TO CAUSE DAMAGE
23 ON LAND UNDER THE LANDOWNER'S CONTROL OR RESTRICT THE HUNTING
24 OF SPECIES LIKELY TO CAUSE DAMAGE ON ANY OTHER LANDS BY
25 RESTRICTING ACCESS ACROSS LANDS UNDER THE LANDOWNER'S CONTROL,
26 AND:";
27

28 line 24, strike "ONE" and substitute "FIVE";
29

30 line 27, strike "ONE" and substitute "FIVE".
31

32 Page 5, after line 6, insert the following:
33

34 "(III) THE DIVISION SHALL NOT DENY A LANDOWNER GAME
35 DAMAGE CLAIMS OR GAME DAMAGE PREVENTION MATERIALS ON THE
36 GROUNDS THAT THE LANDOWNER RECEIVED A VOUCHER PURSUANT TO THE
37 WILDLIFE CONSERVATION LANDOWNER HUNTING PREFERENCE PROGRAM
38 FOR WILDLIFE HABITAT IMPROVEMENT UNDER SECTION 33-4-103 (3) (d).
39

40 before line 7, insert the following:
41

42 "(IV) AS USED IN THIS SECTION:
43

44 (A) "TEMPORARY GAME DAMAGE PREVENTION MATERIALS" MEANS
45 MATERIALS OF AN ADEQUATE SUBSTANCE THAT ARE UTILIZED TO PROTECT
46 PRIVATE PROPERTY FOR A PERIOD OF TIME AGREED UPON BY THE
47 LANDOWNER AND THE DIVISION. SUCH MATERIALS MAY INCLUDE, BUT ARE
48 NOT LIMITED TO, TRANSFERABLE PANELS OR PYROTECHNICS;
49

50 (B) "PERMANENT GAME DAMAGE PREVENTION MATERIALS" MEANS
51 MATERIALS OF AN ADEQUATE SUBSTANCE THAT ARE ERECTED IN SUCH A
52 WAY TO PROTECT PRIVATE PROPERTY FOR THE EXPECTED NORMAL LIFE OF
53 THE MATERIALS. THE NORMAL LIFE OF THE MATERIALS SHALL BE AS
54 SPECIFIED IN A WRITTEN AGREEMENT BETWEEN THE LANDOWNER AND THE
55 DIVISION."
56

1 Page 7, after line 14, insert the following:

2

3 "SECTION 4. 33-3-106 (1), Colorado Revised Statutes, is
4 amended to read:

5

6 **33-3-106. Excessive damage - permit to take wildlife -**
7 **harassment by dogs.** (1) (a) Where wildlife is causing excessive
8 damage to property, as determined by the division IN CONSULTATION WITH
9 THE PROPERTY OWNER, the division ~~is authorized to~~ SHALL issue a permit
10 to the property owner, THE PROPERTY OWNER'S DESIGNEE, or to such other
11 person selected by the division to kill a specified number of the wildlife
12 causing such excessive damage. AS USED IN THIS SECTION, "EXCESSIVE
13 DAMAGE" MEANS A LOSS, BASED ON HISTORIC DATA, OF AT LEAST
14 TWENTY-FIVE PERCENT OF THE DAMAGED PHYSICAL PROPERTY.

15

16 (b) AT ANY TIME WHEN WILDLIFE IS CAUSING LESS THAN
17 EXCESSIVE DAMAGE TO PROPERTY, A PROPERTY OWNER MAY REQUEST,
18 AND THE DIVISION MAY, IN ITS DISCRETION, ISSUE A PERMIT TO THE
19 PROPERTY OWNER, THE PROPERTY OWNER'S DESIGNEE, OR TO SUCH OTHER
20 PERSON SELECTED BY THE DIVISION TO KILL A SPECIFIED NUMBER OF
21 WILDLIFE CAUSING SUCH DAMAGE."

22

23 Renumber succeeding sections accordingly.

24

25

26

27 **SB09-154** be amended as follows, and as so amended, be referred to
28 the Committee on Appropriations with favorable
29 recommendation:

30

31 Amend reengrossed bill, page 2, line 4, after "**rules.**", insert "(1)";

32

33 after line 11, insert the following:

34

35 "(2) THE MONEYS IN THE VETERINARY VACCINE AND SERVICE FUND
36 SHALL NOT BE TRANSFERRED OR REVERT TO THE GENERAL FUND OR TO
37 ANY OTHER FUND."

38

39

40

41 **SB09-158** be referred favorably to the Committee on Appropriations.

42

43

44 **SB09-174** be amended as follows, and as so amended, be referred to
45 the Committee on Finance with favorable
46 recommendation:

47

48 Amend reengrossed bill, page 4, strike line 4 and substitute the following:

49

50 "Statutes, are amended, and the said 12-60-202 is further amended BY
51 THE ADDITION OF A NEW SUBSECTION, to read:";

52

53 line 5, strike "**duties.**" and substitute "**duties - repeal.**";

54

55 after line 24, insert the following:

56

1 "(4) (a) ON OR BEFORE JANUARY 15, 2010; JANUARY 15, 2011;
2 AND JANUARY 15, 2012; THE DIRECTOR, IN CONSULTATION WITH THE
3 COMMISSION, SHALL PREPARE AND DELIVER TO THE SENATE AGRICULTURE
4 AND NATURAL RESOURCES COMMITTEE AND THE HOUSE AGRICULTURE,
5 LIVESTOCK, AND NATURAL RESOURCES COMMITTEE, OR THEIR SUCCESSOR
6 COMMITTEES, A REPORT ON THE STATUS OF THE PARI-MUTUEL INDUSTRY
7 FOLLOWING THE PASSAGE OF SENATE BILL 09-174, ENACTED IN 2009, AND
8 INCLUDING, IN PARTICULAR, INFORMATION ON THE FINANCIAL STATUS OF
9 HORSE AND GREYHOUND RACING.

10

11 (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2012."

12

13 Page 15, line 13, strike "In" and substitute "(A) EXCEPT AS OTHERWISE
14 PROVIDED IN SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (II), in";

15

16 after line 23, insert the following:

17

18 "(B) IN THE CASE OF PARI-MUTUEL WAGERS ON GREYHOUND
19 SIMULCAST SIGNALS RECEIVED BY A CLASS B TRACK, IN LIEU OF THE
20 AMOUNTS OTHERWISE PAYABLE TO COLORADO STATE UNIVERSITY
21 PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II), THE
22 LICENSEE SHALL INSTEAD PAY AN EQUIVALENT AMOUNT INTO A TRUST
23 ACCOUNT FOR DISTRIBUTION IN ACCORDANCE WITH RULES OF THE
24 COMMISSION UNDER SECTION 12-60-702 (1) (e) (II)."

25

26 Page 17, line 13, after the period, add "IN THE CASE OF PARI-MUTUEL
27 WAGERS ON GREYHOUND SIMULCAST SIGNALS RECEIVED BY A CLASS B
28 TRACK, THE OPERATOR SHALL DEPOSIT THE AMOUNTS PAYABLE PURSUANT
29 TO SECTION 12-60-701 (2) (a) (II) (B) INTO A TRUST ACCOUNT FOR
30 DISTRIBUTION, IN ACCORDANCE WITH RULES OF THE COMMISSION, EITHER
31 AS PURSES FOR LIVE GREYHOUND RACES IN COLORADO OR, IF THERE IS NO
32 LIVE GREYHOUND RACING IN COLORADO, TO GREYHOUND WELFARE AND
33 ADOPTION ORGANIZATIONS AND OTHER ENTITIES OR ORGANIZATIONS THAT
34 PROMOTE OR PARTICIPATE IN GREYHOUND RACING OR PROMOTE THE
35 WELFARE OF RACING GREYHOUNDS."

36

37

38

39

40 **LOCAL GOVERNMENT**

41 After consideration on the merits, the Committee recommends the
42 following:

43

44 **HB09-1327** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:

47

48 Amend printed bill, page 7, after line 3, insert the following:

49

50 "(II) NOT LATER THAN AUGUST 1 OF EACH CALENDAR YEAR, THE
51 GOVERNING BODY SHALL CERTIFY TO THE COUNTY ASSESSOR AN ITEMIZED
52 LIST OF THE PROPERTY TAX DISTRIBUTION PERCENTAGES ATTRIBUTABLE
53 TO THE SPECIAL FUND OF THE MUNICIPALITY PURSUANT TO
54 SUBPARAGRAPH (I) OF THIS PARAGRAPH (a.5) FROM THE MILL LEVIES TO BE
55 CERTIFIED BY EACH PUBLIC BODY. WHEN CERTIFYING VALUES TO TAXING
56 ENTITIES PURSUANT TO SECTIONS 39-1-111 (5), 39-5-121 (2), AND

1 39-5-128, C.R.S., THE ASSESSOR SHALL CERTIFY ONLY THE PERCENTAGE
 2 OF INCREMENT VALUE ATTRIBUTABLE TO THE SPECIAL FUND PURSUANT TO
 3 SUBPARAGRAPH (I) OF THIS PARAGRAPH (a.5) AS CERTIFIED BY THE
 4 GOVERNING BODY."

5

6 Renumber succeeding subparagraph accordingly.

7

8 Page 7, after line 5, insert the following:

9

10 "SECTION 4. 39-5-128 (3), Colorado Revised Statutes, is
 11 amended to read:

12

13 **39-5-128. Certification of valuation for assessment.**

14 (3) EXCEPT AS OTHERWISE PROVIDED IN SECTION 31-25-107 (9) (a.5) (II),
 15 C.R.S., if the valuation for assessment for all or part of any such political
 16 subdivision has been divided for an urban renewal area, pursuant to
 17 section 31-25-107 (9) (a), C.R.S., any certification under this section shall
 18 be based upon that portion of the valuation for assessment under
 19 subparagraph (I) of said section 31-25-107 (9) (a), C.R.S., so long as such
 20 division remains in effect."

21

22 Renumber succeeding sections accordingly.

23

24 Page 7, strike lines 8 through 17 and substitute the following:

25

26 "SECTION 6. **Act subject to petition - effective date -**
 27 **applicability.** (1) This act shall take effect January 1, 2010.

28

29 (2) However, if a referendum petition is filed against this act or
 30 an item, section, or part of this act during the ninety-day period after final
 31 adjournment of the general assembly that is allowed for submitting a
 32 referendum petition pursuant to article V, section 1 (3) of the state
 33 constitution, then the act, item, section, or part, shall not take effect unless
 34 approved by the people at a biennial regular general election and shall
 35 take effect on the date specified in subsection (1) or on the date of the
 36 official declaration of the vote thereon by proclamation of the governor,
 37 whichever is later.;"

38

39 line 18, strike "(2)" and substitute "(3)".

40

41

42

43 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
 44 **on HB09-1162**

45

46 This Report Amends the Rerevised Bill.

47

48 To the President of the Senate and the
 49 Speaker of the House of Representatives:

50

51 Your first conference committee appointed on HB09-1162,
 52 concerning intergovernmental cooperation for the purpose of mitigating
 53 wildfires, has met and reports that it has agreed upon the following:

54

55 1. That the House accede to the Senate amendments made to the
 56 bill, as the amendments appear in the rerevised bill.

1 2. That, under the authority granted the committee to consider
2 matters not at issue between the two houses, the following amendments
3 be recommended:

4
5 Amend rerevised bill, page 3, after line 21, insert the following:

6
7 "(a) "FIRE DEPARTMENT" SHALL HAVE THE SAME MEANING AS SET
8 FORTH IN SECTION 24-33.5-1202 (3.5), C.R.S., AND INCLUDES A FIRE
9 DEPARTMENT THAT USES PAID FIREFIGHTERS, VOLUNTEER FIREFIGHTERS,
10 OR BOTH. THE TERM INCLUDES, WITHOUT LIMITATION, A NOT-FOR-PROFIT
11 NONGOVERNMENTAL ENTITY THAT IS ORGANIZED TO PROVIDE
12 FIREFIGHTING SERVICES."

13
14 Reletter succeeding paragraphs accordingly.

15
16 Page 5, after line 23, insert the following:

17
18 "(5) (a) IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION
19 33-10-108 (3) (a), C.R.S., AND PURSUANT TO A CONTRACT,
20 INTERGOVERNMENTAL AGREEMENT, OR MEMORANDUM OF
21 UNDERSTANDING, THE DIVISION OF PARKS AND OUTDOOR RECREATION
22 CREATED IN SECTION 33-10-103 (1), C.R.S., MAY ALLOW FIRE MITIGATION
23 PERSONNEL AND ACCOMPANYING EQUIPMENT AND MATERIAL UNDER THE
24 CONTROL OR SUPERVISION OF A FIRE DEPARTMENT TO ENTER STATE PARKS,
25 STATE RECREATION AREAS, AND NATURAL AREAS FOR THE PURPOSE OF
26 MITIGATING FOREST LAND OR WILD LAND FIRES IN OR AROUND SUCH
27 PARKS, RECREATION AREAS, AND NATURAL AREAS. PERMISSIBLE
28 ACTIVITIES TO BE UNDERTAKEN BY A FIRE DEPARTMENT UNDER THIS
29 PARAGRAPH (a) INCLUDE, WITHOUT LIMITATION, PRESCRIBED BURNING AS
30 A COMPONENT OF WILDFIRE MITIGATION OR FOREST OR WILD LAND
31 MANAGEMENT AND EXERCISES TO PROMOTE THE TRAINING OF
32 FIREFIGHTING PERSONNEL.

33
34 (b) NOTHING IN PARAGRAPH (a) OF THIS SUBSECTION (5) SHALL BE
35 CONSTRUED AS AFFECTING THE AUTHORITY OF ANY STATE AGENCY OTHER
36 THAN THE DIVISION OF PARKS AND OUTDOOR RECREATION TO ENTER INTO
37 A CONTRACT, INTERGOVERNMENTAL AGREEMENT, OR MEMORANDUM OF
38 UNDERSTANDING FOR THE PURPOSE OF ALLOWING FIRE MITIGATION
39 PERSONNEL AND ACCOMPANYING EQUIPMENT AND MATERIAL UNDER THE
40 CONTROL OR SUPERVISION OF A FIRE DEPARTMENT TO ENTER LAND AREAS
41 UNDER THE JURISDICTION OF THE STATE AGENCY TO UNDERTAKE THE
42 PERMISSIBLE ACTIVITIES SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION
43 (5).

44
45 (c) FOR PURPOSES OF THIS SUBSECTION (5), "STATE AGENCY"
46 SHALL HAVE THE SAME MEANING AS SET FORTH IN SECTION 24-18-102 (9),
47 C.R.S.

48
49 **SECTION 2.** 33-10-108, Colorado Revised Statutes, is amended
50 BY THE ADDITION OF A NEW SUBSECTION to read:

51
52 **33-10-108. Duties of the division of parks and outdoor**
53 **recreation - definitions.** (3) (a) PURSUANT TO A CONTRACT,
54 INTERGOVERNMENTAL AGREEMENT, OR MEMORANDUM OF
55 UNDERSTANDING, THE DIVISION MAY ALLOW FIRE MITIGATION PERSONNEL
56 AND ACCOMPANYING EQUIPMENT AND MATERIAL UNDER THE CONTROL OR

1 SUPERVISION OF A FIRE DEPARTMENT TO ENTER STATE PARKS, STATE
 2 RECREATION AREAS, AND NATURAL AREAS FOR THE PURPOSE OF
 3 MITIGATING FOREST LAND OR WILD LAND FIRES IN OR AROUND SUCH
 4 PARKS, RECREATION AREAS, AND NATURAL AREAS. PERMISSIBLE
 5 ACTIVITIES TO BE UNDERTAKEN BY A FIRE DEPARTMENT UNDER THIS
 6 PARAGRAPH (a) INCLUDE, WITHOUT LIMITATION, PRESCRIBED BURNING AS
 7 A COMPONENT OF WILDFIRE MITIGATION OR FOREST OR WILD LAND
 8 MANAGEMENT AND EXERCISES TO PROMOTE THE TRAINING OF
 9 FIREFIGHTING PERSONNEL.

10

11 (b) AS USED IN THIS SUBSECTION (3):

12

13 (I) "FIRE DEPARTMENT" SHALL HAVE THE SAME MEANING AS SET
 14 FORTH IN SECTION 29-20-105.5 (2) (a), C.R.S.

15

16 (II) "NATURAL AREA" SHALL HAVE THE SAME MEANING AS SET
 17 FORTH IN SECTION 33-33-103 (8).".

18

19 Renumber succeeding section accordingly.

20

21 Respectfully submitted,

22

House Committee:

23

(signed)

24

Cheri Gerou

25

Kathleen Curry

26

Christine Scanlan

27

Senate Committee:

28

(signed)

29

Mike Kopp

30

Dan Gibbs

31

Jim Isgar

32

33

34

35

MESSAGE(S) FROM THE SENATE

36

37 The Senate has voted not to concur in House Amendments to SB09-101,
 38 and requests that a Conference Committee be appointed. The President
 39 appointed Senators White, Chair, Tochtrop and Morse as members of the
 40 First Conference Committee on SB09-101 on the part of the Senate. The
 41 bill is transmitted herewith.

32

33 The Senate voted to concur in House amendments to SB09-056,
 34 SB09-036, SB09-020, SB09-177, and SB09-111 and repassed the bills as
 35 so amended.

41

42 The Senate has adopted the First Report of the First Conference
 43 Committee on HB09-1162, as printed in Senate Journal, March 6, 2009,
 44 page 638, and repassed the bill as amended. The bill is returned herewith.

45

46

47

48

49

APPOINTMENTS TO CONFERENCE COMMITTEES

50

51 The Speaker announced that Representative Baumgardner has replaced
 52 Representative McNulty as a Conferee on the First Conference
 53 Committee for **SB09-148**.

54

55

56

1 Pursuant to a request from the Senate, the Speaker appointed House
2 conferees to the First Conference Committees as follows:

3

4 **SB09-131**--Representatives Massey, Chairman, Merrifield and Riesberg.

5

6 **SB09-101**--Representatives Levy, Chairman, Kerr J., and Middleton.

7

8

9

10 **LAY OVER OF CALENDAR ITEM(S)**

11

12 On motion of Representative Weissmann, the following item(s) on the
13 Calendar were laid over until April 3, retaining place on Calendar:

14

15 Consideration of Resolution(s)--**SJR09-028, 034.**

16 Consideration of Senate Amendment(s)--**HB09-1217.**

17

18

19

20 On motion of Representative Weissmann, the House adjourned until
21 9:00 a.m., April 3, 2009.

22

23

24

25

26

27

28

Attest:
MARILYN EDDINS,
Chief Clerk

Approved:
TERRANCE D. CARROLL,
Speaker

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Eighty-seventh Legislative Day

Friday, April 3, 2009

1 Prayer by Father Curtiss Dwyer, St. John Vianney Theological Seminary,
 2 Denver.

3
 4 The Speaker called the House to order at 9:00 a.m.

5
 6 Pledge of Allegiance led by Kristina Lucas, Melissa Ford, Civil Air
 7 Patrol, Westminster.

8
 9 The roll was called with the following result:

10
 11 Present--64.
 12 Excused--Representative(s) Pace--1.

13
 14 The Speaker declared a quorum present.

15
 16
 17 On motion of Representative Priola, the reading of the journal of
 18 April 2, 2009, was declared dispensed with and approved as corrected by
 19 the Chief Clerk.

CONSIDERATION OF MEMORIAL

20
 21
 22
 23
 24
 25 **HM09-1001** by Representative(s) Gerou--Memorializing former
 26 Representative Jewell Ford.

27
 28 (Printed and placed in members file)

29
 30 On motion of Representative Gerou, the memorial was read at length.

31
 32 Representative Gerou introduced members of the family that were
 33 present.

34
 35 On motion of Representative Gerou, the memorial was **adopted** by the
 36 following roll call vote:

	YES	64	NO	0	EXCUSED	1	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

1	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
2	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
3	Court	Y	King S.	Y	Murray	Y	Stephens	Y
4	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
5	Ferrandino	Y	Lambert	Y	Pace	E	Swalm	Y
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	Y
12							Speaker	Y

13 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
 14 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
 15 Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Green, Hullinghorst, Judd,
 16 Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
 17 Looper, Marostica, Massey, May, McCann, McFadyen, McKinley, McNulty,
 18 Merrifield, Middleton, Miklosi, Murray, Nikkel, Peniston, Pommer, Primavera,
 19 Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
 20 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil,
 21 Waller, Weissmann, Speaker

22

23

24

CONSIDERATION OF RESOLUTION(S)

25

26 **SJR09-028** by Senator(s) Heath; also Representative(s) Primavera--
 27 Concerning recognition of Colorado's cool cities.

28

29 (Printed and placed in members file)

30

31 On motion of Representative Primavera, the resolution was read at length
 32 and **adopted** by **viva voce** vote.

33

34 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Casso, Court, Curry,
 35 Ferrandino, Fischer, Frangas, Gagliardi, Green, Hullinghorst, Judd, Kagan,
 36 Kefalas, Kerr A., Labuda, Levy, Massey, McFadyen, McKinley, Middleton,
 37 Miklosi, Nikkel, Peniston, Pommer, Riesberg, Roberts, Ryden, Scanlan,
 38 Schafer S., Solano, Soper, Tipton, Todd, Vigil, Weissmann, Speaker

39

40

41

THIRD READING OF BILLS--FINAL PASSAGE

42

43 The following bills were considered on Third Reading. The titles were
 44 publicly read. Reading of the bill at length was dispensed with by
 45 unanimous consent.

46

47 **SB09-119** by Senator(s) Harvey; also Representative(s) McNulty--
 48 Concerning a clarification of the enforcement of water
 49 quality laws relating to the discharge of certain hazardous
 50 pollutants.

51

52 The question being "Shall the bill pass?"

53 A roll call vote was taken. As shown by the following recorded vote, a
 54 majority of those elected to the House voted in the affirmative and the bill
 55 was declared **passed**.

56

	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	E	Swalm	Y
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Liston	Y	Pommer	Y	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 Co-sponsor(s) added: Representative(s) Curry, Fischer, Kerr J., Todd

20
 21 **HB09-1316** by Representative(s) Solano, King S.; also Senator(s)
 22 Shaffer B.--Concerning public dissemination of personal
 23 information of a person working in the criminal justice
 24 system.

25
 26 The question being "Shall the bill 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 bill
 29 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
31								
32	Acree	Y	Green	Y	McCann	Y	Roberts	Y
33	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
34	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
35	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
36	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
37	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
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	E	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.	Y	Massey	Y	Rice	Y	Waller	Y
47	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Acree, Baumgardner, Benefield,
 50 Frangas, Gardner B., Kerr J., Labuda, Primavera, Scanlan, Schafer S., Todd,
 51 Vigil, Speaker

52
 53 **HB09-1312** by Representative(s) Kerr A., Merrifield, Middleton,
 54 Scanlan, Todd; also Senator(s) Schwartz and Romer--
 55 Concerning the renewable energy and energy efficiency
 56 for schools loan program.

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	43	NO	21	EXCUSED	1	ABSENT	0
7	Acree	N	Green	Y	McCann	Y	Roberts	Y
8	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
9	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
10	Baumgardner	N	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	N	Stephens	N
15	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
16	Ferrandino	Y	Lambert	N	Pace	E	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	Y	May	N	Riesberg	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Benefield, Court, Fischer, Frangas,
 25 Green, Kefalas, Labuda, Levy, McCann, Miklosi, Primavera, Riesberg, Ryden,
 26 Schafer S., Solano, Vigil

27
 28 On motion of Representative Apuan, the House resolved itself into
 29 Committee of the Whole for consideration of General Orders, and he was
 30 called to the Chair to act as Chairman.

33 GENERAL ORDERS--SECOND READING OF BILLS

34
 35 The Committee of the Whole having risen, the Chairman reported the
 36 titles of the following bills had been read (reading at length had been
 37 dispensed with by unanimous consent), the bills considered and action
 38 taken thereon as follows:

39
 40 (Amendments to the committee amendment are to the printed committee
 41 report which was printed and placed in the members' bill file.)

42
 43 **SB09-173** by Senator(s) Veiga; also Representative(s) Rice--
 44 Concerning the economic development of large-scale
 45 regional tourism projects to be partially financed with a
 46 portion of state sales tax revenue above an existing base
 47 amount.

48
 49 Referred to the Committee on Finance.

50
 51 **SB09-061** by Senator(s) Carroll M.; also Representative(s)
 52 Primavera--Concerning the qualifications of health care
 53 professionals who review claims for medical treatment
 54 under insurance policies.

55
 56 Laid over until April 6, retaining place on Calendar.

- 1 **HB09-1204** by Representative(s) Massey, McGihon--Concerning
2 health insurance coverage for preventive health care
3 services, and, in connection therewith, expanding required
4 coverage for certain preventive health care services that
5 receive high recommendations from the United States
6 preventive services task force and the national commission
7 on prevention priorities.
8
- 9 Amendment No. 1, Business Affairs & Labor Report, dated
10 March 31, 2009, and placed in member's bill file; Report also printed in
11 House Journal, April 1, pages 987-992.
12
- 13 As amended, ordered engrossed and placed on the Calendar for Third
14 Reading and Final Passage.
15
- 16 **HB09-1322** by Representative(s) Benefield, Massey, McFadyen,
17 Miklosi, Scanlan, Todd; also Senator(s) Schwartz--
18 Concerning access by motor vehicle repair shops to an
19 electronic system implemented by the department of
20 revenue for purposes of determining ownership and
21 lienholders of abandoned motor vehicles abandoned at
22 motor vehicle repair shops.
23
- 24 Ordered engrossed and placed on the Calendar for Third Reading and
25 Final Passage.
26
- 27 **HB09-1325** by Representative(s) Todd; also Senator(s) Bacon--
28 Concerning the governor's authority to activate the
29 National Guard.
30
- 31 Ordered engrossed and placed on the Calendar for Third Reading and
32 Final Passage.
33
- 34 **SB09-031** by Senator(s) Heath; also Representative(s) Riesberg--
35 Concerning the creation of the clean technology discovery
36 evaluation grant program, and making an appropriation
37 therefore.
38
- 39 Amendment No. 1, Transportation & Energy Report, dated
40 March 31, 2009, and placed in member's bill file; Report also printed in
41 House Journal, April 1, pages 995-996.
42
- 43 As amended, ordered revised and placed on the Calendar for Third
44 Reading and Final Passage.
45
- 46 **SB09-098** by Senator(s) Schwartz, Isgar, Brophy, Gibbs; also
47 Representative(s) Vigil--Concerning blending diesel fuels
48 after withdrawal at the rack, and making an appropriation
49 in connection therewith.
50
- 51 Laid over until April 6, retaining place on Calendar.
52
53
- 54 **SB09-171** by Senator(s) Schwartz, Heath, Veiga; also
55 Representative(s) Todd and Vigil, Liston, McFadyen,
56 Rice, Solano--Concerning the use of moneys in the

1 Colorado customized training program for new energy
2 economy training programs.

3
4 Amendment No. 1, Transportation & Energy Report, dated
5 March 31, 2009, and placed in member's bill file; Report also printed in
6 House Journal, April 1, pages 996-997.

7
8 As amended, ordered revised and placed on the Calendar for Third
9 Reading and Final Passage.

10
11
12
13 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

14
15 Passed Second Reading: **HB09-1204 amended, 1322, 1325, SB09-031**
16 **amended, 171 amended.**

17
18 Laid over until date indicated retaining place on Calendar: **SB09-061,**
19 **098--April 6, 2009.**

20
21 Referred to Committee indicated: **SB09-173--Finance.**

22
23 The Chairman moved the adoption of the Committee of the Whole
24 Report. As shown by the following roll call vote, a majority of those
25 elected to the House voted in the affirmative, and the Report was
26 **adopted.**

27
28

	YES	64	NO	0	EXCUSED	1	ABSENT	0
29	Acree	Y	Green	Y	McCann	Y	Roberts	Y
30	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
31	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
32	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
33	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
34	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
35	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
36	Court	Y	King S.	Y	Murray	Y	Stephens	Y
37	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
38	Ferrandino	Y	Lambert	Y	Pace	E	Swalm	Y
39	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
40	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
41	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
42	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
43	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
44	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
45							Speaker	Y

46
47
48
49
50 **MESSAGE(S) FROM THE SENATE**

51
52 The Senate has adopted and transmits herewith: SJR09-033.

53
54
55

1 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

2

3 On motion of Representative Weissmann, the rules were suspended and
4 the following resolution was given immediate consideration.

5

6 **SJR09-033** by Senator(s) Kopp, Harvey, Brophy, Kester, Cadman,
7 Scheffel, Spence, Newell, King K., Penry, Renfroe,
8 Schultheis, White; also Representative(s) Rice and
9 McNulty, Priola, Kerr J., Looper--Concerning the
10 designation of a portion of State Highway 85 as the "Navy
11 SEAL Danny Phillip Dietz, Jr., Memorial Highway".
1213 (Printed and placed in member's file).
1415 On motion of Representatives Rice and McNulty, the resolution was read
16 at length and **adopted** by the following roll call vote:
17

	YES	64	NO	0	EXCUSED	1	ABSENT	0
19	Acree	Y	Green	Y	McCann	Y	Roberts	Y
20	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
21	Balmer	Y	Judd	Y	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	E	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	Y
35							Speaker	Y

36 Current Roll Call Co-sponsor(s) added: Representative(s) Acree, Apuan,
37 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
38 Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green,
39 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., King S., Labuda, Lambert, Levy,
40 Liston, Marostica, Massey, May, McCann, McFadyen, McKinley, Merrifield,
41 Middleton, Miklosi, Murray, Nikkel, Peniston, Pommer, Primavera, Riesberg,
42 Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens,
43 Summers, Swalm, Tipton, Todd, Vaad, Vigil, Waller, Weissmann, Speaker
44

45

46

47 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

48

49 **EDUCATION**50 After consideration on the merits, the Committee recommends the
51 following:

52

53 **HB09-1313** be amended as follows, and as so amended, be referred to
54 the Committee of the Whole with favorable
55 recommendation:

56

Amend printed bill, page 2, line 14, strike "THE GOVERNING BOARD" and

1 substitute "AN INSTITUTION";
2
3 line 18, strike "THE" and substitute "IF AN INSTITUTION ESTABLISHES AN
4 OPTIONAL FEE TO FUND STUDENT-DIRECTED PROGRAMS PURSUANT TO THIS
5 PARAGRAPH (i), THE INSTITUTION MAY";
6
7 line 19, strike "GOVERNING BOARD SHALL";
8
9 strike lines 21 through 24 and substitute the following:
10
11 "A REGULAR STUDENT ELECTION AND THAT THE OPTIONAL FEE MAY ONLY
12 BE COLLECTED IF THE STUDENT BODY APPROVES THE OPTIONAL FEE BY A
13 MAJORITY OF THE VOTES CAST AT A REGULARLY SCHEDULED ELECTION."
14
15
16
17 **HB09-1319** be amended as follows, and as so amended, be referred to
18 the Committee on Appropriations with favorable
19 recommendation:
20
21 Amend printed bill, page 4, line 18, strike "NEW" and substitute
22 "EXPANDED".
23
24 Page 6, line 18, strike the second "OR";
25
26 line 19, strike "COLLEGE" and substitute "COLLEGE, OR AREA VOCATIONAL
27 SCHOOL".
28
29 Page 7, strike lines 6 through 8 and substitute the following:
30
31 "(VI) MAINTAINS A PHYSICAL CAMPUS OR INSTRUCTIONAL
32 FACILITY IN COLORADO; AND";
33
34 line 15, strike "DIPLOMA OR ITS EQUIVALENT." and substitute "DIPLOMA,
35 ITS EQUIVALENT, OR THE ACHIEVEMENT OF A MINIMUM SCORE ON A
36 PLACEMENT ASSESSMENT THAT IS ADMINISTERED BY AN INSTITUTION OF
37 HIGHER EDUCATION, WHICH MINIMUM SCORE IS DETERMINED BY THE
38 INSTITUTION."
39
40 Page 8, strike lines 4 and 5 and substitute the following:
41
42 "OF THIS SECTION MAY REGISTER WITH AND CONCURRENTLY ENROLL IN AN
43 INSTITUTION OF HIGHER EDUCATION IN ACCORDANCE WITH".
44
45 Page 10, line 6, strike "THE APPLICATION" and substitute "IN CREATING
46 THE APPLICATION FORM, THE SCHOOL DISTRICT SHALL REFER TO THE
47 GUIDELINES ESTABLISHED BY RULES PROMULGATED BY THE STATE BOARD
48 PURSUANT TO SECTION 22-35-111 (1) (a). THE APPLICATION FORM";
49
50 line 18, after "STUDY.", add "IN APPROVING AN ACADEMIC PLAN OF STUDY,
51 A PRINCIPAL, COUNSELOR, OR TEACHER ADVISOR SHALL APPLY THE
52 GUIDELINES ESTABLISHED BY RULES PROMULGATED BY THE STATE BOARD
53 PURSUANT TO SECTION 22-35-111 (1) (b).".
54
55 Page 12, line 20, strike "STUDENT;" and substitute " STUDENT; EXCEPT
56 THAT A COOPERATIVE AGREEMENT NEED NOT INCLUDE THIS LANGUAGE IF

1 THE INSTITUTION OF HIGHER EDUCATION THAT IS A PARTY TO THE
2 COOPERATIVE AGREEMENT DOES NOT RECEIVE STIPENDS FROM THE
3 COLLEGE OPPORTUNITY FUND PROGRAM;".

4

5 Page 13, after line 10, insert the following:

6

7 "(8) (a) EACH PUBLIC INSTITUTION OF HIGHER EDUCATION IS
8 STRONGLY ENCOURAGED TO ALLOW THE CONCURRENT ENROLLMENT OF
9 QUALIFIED STUDENTS PURSUANT TO THIS ARTICLE.

10

11 (b) NOTHING IN THIS ARTICLE SHALL BE INTERPRETED TO REQUIRE
12 AN INSTITUTION OF HIGHER EDUCATION TO ALLOW THE CONCURRENT
13 ENROLLMENT OF QUALIFIED STUDENTS PURSUANT TO THIS ARTICLE OR TO
14 REQUIRE AN INSTITUTION OF HIGHER EDUCATION TO ENTER INTO A
15 COOPERATIVE AGREEMENT WITH A SCHOOL DISTRICT; EXCEPT THAT AN
16 INSTITUTION OF HIGHER EDUCATION THAT ELECTS TO ALLOW THE
17 CONCURRENT ENROLLMENT OF A QUALIFIED STUDENT PURSUANT TO THIS
18 ARTICLE SHALL ENTER INTO A COOPERATIVE AGREEMENT WITH THE
19 SCHOOL DISTRICT OF THE STUDENT AS DESCRIBED IN SUBSECTION (6) OF
20 THIS SECTION."

21

22 Renumber succeeding subsection accordingly.

23

24 Page 16, line 20, after "**duties -**", insert "**reports -**";

25

26 line 26, strike "OF EDUCATION".

27

28 Page 17, line 14, strike "COLLEGE" and substitute "COLLEGE, ONE MEMBER
29 WHO REPRESENTS A PUBLIC, FOUR-YEAR INSTITUTION OF HIGHER
30 EDUCATION,".

31

32 Page 18, strike lines 14 through 19.

33

34 Reletter succeeding paragraphs accordingly.

35

36 Page 18, line 20, strike "PROMULGATING RULES" and substitute
37 "ESTABLISHING GUIDELINES";

38

39 line 24, after "THE", insert "GENERAL ASSEMBLY, THE";

40

41 line 25, strike "BOARD" and substitute "BOARD,";

42

43 strike line 27 and substitute the following:

44

45 "PROGRAMS, INCLUDING BUT NOT LIMITED TO RECOMMENDATIONS OF
46 POLICIES THAT WILL ALLOW EVERY SCHOOL DISTRICT IN THE STATE TO
47 HAVE ADEQUATE RESOURCES TO ENTER INTO AT LEAST ONE COOPERATIVE
48 AGREEMENT.";

49

50 after line 27, insert the following:

51

52 "(7) ON OR BEFORE DECEMBER 1, 2010, AND ON OR BEFORE
53 DECEMBER 1 EACH YEAR THEREAFTER, THE BOARD SHALL PREPARE A
54 REPORT AND SUBMIT IT TO THE STATE BOARD AND THE COMMISSION. THE
55 REPORT, AT A MINIMUM, SHALL INCLUDE:

56

1 (a) ANY STANDARDS THAT THE BOARD HAS ESTABLISHED
2 PURSUANT TO PARAGRAPH (a) OF SUBSECTION (6) OF THIS SECTION;

3
4 (b) ANY GUIDELINES THAT THE BOARD HAS ESTABLISHED
5 PURSUANT TO PARAGRAPH (b) OF SUBSECTION (6) OF THIS SECTION; AND

6
7 (c) ANY RECOMMENDATIONS THAT THE BOARD ELECTS TO MAKE
8 PURSUANT TO PARAGRAPH (d) OF SUBSECTION (6) OF THIS SECTION."

9
10 Renumber succeeding subsection accordingly.

11
12 Page 20, line 2, strike "APPROPRIATIONS," and substitute
13 "APPROPRIATIONS AND THE DETERMINATIONS OF THE STATE BOARD
14 PURSUANT TO SUBPARAGRAPH (III) OF PARAGRAPH (c) OF THIS
15 SUBSECTION (2),";

16
17 line 6, strike "FIFTEEN" and substitute "TWELVE";

18
19 line 14, strike "RULES PROMULGATED" and substitute "GUIDELINES
20 ESTABLISHED";

21
22 strike lines 25 through 27 and substitute the following:

23
24 "(c) (I) ON OR BEFORE SEPTEMBER 1, 2009, AND ON OR BEFORE
25 SEPTEMBER 1 EACH YEAR THEREAFTER, EACH SCHOOL DISTRICT SHALL
26 SUBMIT TO THE DEPARTMENT AND THE STATE BOARD AN ESTIMATE OF THE
27 NUMBER OF STUDENTS IN THE SCHOOL DISTRICT WHO WILL SEEK TO BE
28 DESIGNATED BY THE DEPARTMENT AS ASCENT PROGRAM PARTICIPANTS
29 FOR THE FOLLOWING SCHOOL YEAR.

30
31 (II) THE DEPARTMENT, AS PART OF ITS ANNUAL BUDGET REQUEST
32 TO THE GENERAL ASSEMBLY, SHALL REPORT THE TOTAL NUMBER OF
33 STUDENTS WHO HAVE BEEN IDENTIFIED BY SCHOOL DISTRICTS AS
34 POTENTIAL ASCENT PROGRAM PARTICIPANTS FOR THE FOLLOWING
35 SCHOOL YEAR.

36
37 (III) ON OR BEFORE JUNE 1, 2010, AND ON OR BEFORE JUNE 1 EACH
38 YEAR THEREAFTER, THE STATE BOARD OF EDUCATION SHALL DETERMINE
39 AND REPORT TO THE DEPARTMENT HOW MANY QUALIFIED STUDENTS THE
40 DEPARTMENT MAY DESIGNATE AS ASCENT PROGRAM PARTICIPANTS
41 FROM EACH SCHOOL DISTRICT FOR THE FOLLOWING SCHOOL YEAR."

42
43 Page 21, strike lines 5 through 9 and substitute the following:

44
45 "(4) THE BOARD SHALL ESTABLISH GUIDELINES FOR THE
46 ADMINISTRATION OF THE ASCENT PROGRAM, INCLUDING BUT NOT
47 LIMITED TO SELECTION CRITERIA THAT THE DEPARTMENT MAY USE".

48
49 Page 22, strike line 20 and substitute the following:

50
51 "**22-35-111. Rules.** (1) ON OR BEFORE JULY 1, 2010, THE STATE
52 BOARD SHALL";

53
54 line 22, strike "AS IT DEEMS";

55
56 strike line 23 and substitute the following:

1 "FOR THE ADMINISTRATION OF THIS ARTICLE."; strike line 24 and substitute
2 the following:

3
4 "THE RULES, AT A MINIMUM, SHALL ESTABLISH:

5
6 (a) GUIDELINES FOR SCHOOL DISTRICTS TO USE IN CREATING
7 STANDARD CONCURRENT ENROLLMENT APPLICATION FORMS, AS
8 DESCRIBED IN SECTION 22-35-104 (2) (c); AND

9
10 (b) GUIDELINES FOR PRINCIPALS, COUNSELORS, AND TEACHER
11 ADVISORS TO USE IN APPROVING OR DISAPPROVING ACADEMIC PLANS OF
12 STUDY, AS DESCRIBED IN SECTION 22-35-104 (3).".

13
14 Page 23, line 2, after "SECTION.", add "IN SUBMITTING DATA TO THE
15 DEPARTMENT, EACH SCHOOL DISTRICT SHALL USE WHENEVER POSSIBLE
16 THE STATE DATA REPORTING SYSTEM DESCRIBED IN SECTION 22-7-603.
17 THE DEPARTMENT SHALL SEEK TO MINIMIZE AND ELIMINATE THE
18 DUPLICATION OF DATA REPORTING REQUIRED UNDER THIS PARAGRAPH (a).
19 THE DEPARTMENT IN PARTICULAR SHALL NOTE THE DATA COLLECTION
20 AND REPORTING ALREADY REQUIRED AND CONDUCTED BY THE
21 DEPARTMENT, PUBLIC SCHOOLS, AND SCHOOL DISTRICTS.".

22
23 Page 25, after line 1, insert the following:

24
25 "(3) THE REPORTS DESCRIBED IN SUBSECTION (2) OF THIS SECTION
26 MAY INCLUDE QUANTITATIVE AND QUALITATIVE ANALYSES CONCERNING
27 STUDENT AND ADMINISTRATOR ATTITUDES AND BEHAVIORS, PROGRAM
28 COSTS AND PRODUCTIVITY, ACADEMIC AND ADMINISTRATIVE POLICIES,
29 PROGRAM AVAILABILITY AND VARIETY, OR ANY OBJECTIVES OF THE
30 ASCENT PROGRAM DESCRIBED IN SECTION 22-35-108 (1), WHICH STUDIES
31 MAY BE PREPARED BY A PARTY OTHER THAN THE DEPARTMENT OR THE
32 DEPARTMENT OF HIGHER EDUCATION.".

33
34
35
36 **HB09-1324** be referred favorably to the Committee on Judiciary.

37
38
39 **SB09-160** be amended as follows, and as so amended, be referred to
40 the Committee on Appropriations with favorable
41 recommendation:

42
43 Amend reengrossed bill, page 2, line 12, strike "~~school district or~~
44 ~~accredited independent school~~" and substitute "school district, ~~or~~
45 accredited ~~independent~~ NONPUBLIC school, OR BOARD OF COOPERATIVE
46 SERVICES";

47
48 line 13, strike "DESIGNATED AGENCY".

49
50 Page 6, after line 11, insert the following:

51
52 "(V) FOR APPLICANTS ENROLLED IN A ONE-YEAR ALTERNATIVE
53 TEACHER PROGRAM, THE ALTERNATIVE TEACHER LICENSE ISSUED
54 PURSUANT TO THIS PARAGRAPH (a) SHALL BE VALID FOR A PERIOD OF ONE
55 YEAR AFTER THE DATE OF ISSUANCE AND MAY BE RENEWED FOR ONLY ONE
56 ADDITIONAL YEAR, BUT ONLY UPON WRITTEN EVIDENCE THAT THE

1 EMPLOYING SCHOOL DISTRICT, ACCREDITED NONPUBLIC SCHOOL, OR
 2 BOARD OF COOPERATIVE SERVICES ANTICIPATES EXTENDING THE
 3 ALTERNATIVE TEACHER'S CONTRACT FOR ONE ADDITIONAL YEAR
 4 PURSUANT TO THE PROVISIONS OF SECTION 22-60.5-207 (2). FOR
 5 APPLICANTS ENROLLED IN A TWO-YEAR ALTERNATIVE TEACHER PROGRAM,
 6 THE ALTERNATIVE TEACHER LICENSE ISSUED PURSUANT TO THIS
 7 PARAGRAPH (a) SHALL BE VALID FOR A PERIOD OF TWO YEARS AFTER THE
 8 DATE OF ISSUANCE."

9
 10
 11

12 **SB09-176** be amended as follows, and as so amended, be referred to
 13 the Committee of the Whole with favorable
 14 recommendation:
 15

16 Amend reengrossed bill, page 5, line 16, strike the second "THE" and
 17 substitute "SIXTY DAYS PRIOR TO THE DATE BY WHICH THE SCHOOL
 18 DISTRICT IS REQUIRED TO CERTIFY THE BALLOT QUESTION TO THE COUNTY
 19 CLERK AND RECORDER.";

20
 21 strike lines 17 through 21.
 22

23 Page 8, line 13, after "(6)", insert "(a)";

24
 25 line 24, strike "(a)" and substitute "(a)".
 26

27 Page 9, strike lines 2 and 3 and substitute the following:
 28

29 "(b) The charter school shall not encumber any capital
 30 construction financed by bond revenues with any additional debt
 31 WITHOUT THE EXPRESS APPROVAL OF THE SCHOOL DISTRICT. IF THE
 32 SCHOOL DISTRICT DENIES APPROVAL, THE SCHOOL DISTRICT SHALL
 33 PROVIDE WRITTEN REASONS FOR SUCH DENIAL."
 34
 35
 36

37 **SB09-230** be referred to the Committee of the Whole with favorable
 38 recommendation.
 39
 40
 41
 42

43 **LOCAL GOVERNMENT**

44 After consideration on the merits, the Committee recommends the
 45 following:
 46

47 **SB09-018** be postponed indefinitely.
 48
 49
 50

51 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

52
 53 The Speaker has signed: **HB09-1034, 1118, 1125, 1143, 1190, 1218,**
 54 **1253, 1254, 1264, 1297.**
 55
 56

MESSAGE(S) FROM THE GOVERNOR

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I certify I received the following on the 3rd day of April, 2009, at 8:35 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

April 2, 2009

To the Honorable
House of Representatives
Sixty-seventh General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB09-1005 CONCERNING THE AUTHORITY OF A SPECIAL DISTRICT TO ESTABLISH SPECIAL IMPROVEMENT DISTRICTS WITHIN THE BOUNDARIES OF THE SPECIAL DISTRICT.

Approved April 2, 2009 at 2:55 p.m.

HB09-1008 CONCERNING THE EXPANSION OF THE ABILITY TO TRANSFER ANNUAL LEAVE BETWEEN EMPLOYEES IN THE STATE PERSONNEL SYSTEM.

Approved April 2, 2009 at 2:35 p.m.

HB09-1027 CONCERNING THE DUTY OF DRIVERS TO YIELD THE RIGHT-OF-WAY TO TRANSIT BUSES ENTERING TRAFFIC.

Approved April 2, 2009 at 2:40 p.m.

HB09-1066 CONCERNING THE CODIFICATION OF EXISTING PRACTICES OF THE DIVISION OF AERONAUTICS.

Approved April 2, 2009 at 2:56 p.m.

HB09-1072 CONCERNING MODIFICATIONS TO STATUTORY PROVISIONS ADDRESSING THE GOVERNANCE OF LIBRARY DISTRICTS.

Approved April 2, 2009 at 2:02 p.m.

HB09-1093 CONCERNING ADDITIONAL INCOME TAX REPORTING REQUIREMENTS FOR A CORPORATE TAXPAYER.

Approved April 2, 2009 at 2:06 p.m.

1 **HB09-1122** CONCERNING INCREASING THE AGE OF PERSONS ELIGIBLE
2 FOR SENTENCING TO THE YOUTHFUL OFFENDER SYSTEM.

3
4 Approved April 2, 2009 at 2:25 p.m.

5
6 **HB09-1168** CONCERNING THE TIMING OF REPORTS TO THE CAPITAL
7 DEVELOPMENT COMMITTEE.

8
9 Approved April 2, 2009 at 2:57 p.m.

10
11 **HB09-1178** CONCERNING THE CREATION OF A TASK FORCE TO STUDY
12 THE ESTABLISHMENT OF A REGISTRY OF CAREGIVERS
13 WHO ARE DEEMED TO HAVE A SUBSTANTIATED
14 ALLEGATION OF WRONGDOING AGAINST A PERSON WITH
15 A DEVELOPMENTAL DISABILITY.

16
17 Approved April 2, 2009 at 2:58 p.m.

18
19 **HB09-1181** CONCERNING THE RIGHT OF A VICTIM TO MAKE A
20 STATEMENT AT A COMMUNITY CORRECTIONS HEARING.

21
22 Approved April 2, 2009 at 2:17 p.m.

23
24 **HB09-1185** CONCERNING REQUIREMENTS FOR DOCUMENTS RELATED
25 TO WATER RIGHTS APPLICATIONS.

26
27 Approved April 2, 2009 at 2:59 p.m.

28
29 **HB09-1236** CONCERNING THE DISTANCE AT WHICH AN OPERATOR OF
30 A MOTOR VEHICLE SHALL STOP WHEN A SCHOOL BUS
31 SIGNALS A STOP.

32
33 Approved April 2, 2009 at 3:00 p.m.

34
35 **HB09-1249** CONCERNING THE CONSOLIDATION OF CERTAIN CASH
36 FUNDS CREATED FOR THE DEPARTMENT OF
37 AGRICULTURE.

38
39 Approved April 2, 2009 at 3:01 p.m.

40
41 Sincerely,
42 (signed)
43 Bill Ritter, Jr.
44 Governor

45 _____

46
47
48 **LAY OVER OF CALENDAR ITEM(S)**

49
50 On motion of Representative Weissmann, the following item(s) on the
51 Calendar were laid over until April 6, retaining place on Calendar:

- 52
53 Consideration of Conference Committee Report(s)--**HB09-1162**.
54 Consideration of Resolution(s)--**SJR09-034**.
55 Consideration of Senate Amendment(s)--**HB09-1217**.

56 _____

1 On motion of Representative Weissmann, the House adjourned until
2 10:00 a.m., April 6, 2009.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

TERRANCE D. CARROLL,

Speaker

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Ninetieth Legislative Day

Monday, April 6, 2009

1 Prayer by M. Catherine Volland, St. Thomas Episcopal Church, Denver.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Taughfeek McDonald, Columbine
6 elementary, Denver.

7

8 The roll was called with the following result:

9

10 Present--61.

11 Excused--Representative(s) Labuda, May, McFadyen, Pace--4.

12 Present after roll call--Representative(s) McFadyen.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Ryden, the reading of the journal of
18 April 3, 2009, was declared dispensed with and approved as corrected by
19 the Chief Clerk.

20

21

22

23

24 **THIRD READING OF BILLS--FINAL PASSAGE**

25

26 The following bills were considered on Third Reading. The titles were
27 publicly read. Reading of the bill at length was dispensed with by
28 unanimous consent.

29

30 **HB09-1204** by Representative(s) Massey, McGihon; also Senator(s)
31 Boyd--Concerning health insurance coverage for
32 preventive health care services, and, in connection
33 therewith, expanding required coverage for certain
34 preventive health care services that receive high
35 recommendations from the United States preventive
36 services task force and the national commission on
37 prevention priorities.

38

39 The question being "Shall the bill pass?".

40 A roll call vote was taken. As shown by the following recorded vote, a
41 majority of those elected to the House voted in the affirmative and the
42 bill was declared **passed**.

43

	YES	59	NO	3	EXCUSED	3	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	E	Nikkel	N	Summers	Y
11	Ferrandino	Y	Lambert	N	Pace	E	Swalm	Y
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Liston	N	Pommer	Y	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	E	Riesberg	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Acree, Casso, Fischer, Frangas, Green,
20 Kefalas, Kerr A., Merrifield, Middleton, Primavera, Priola, Ryden, Scanlan

21
22 **HB09-1322** by Representative(s) Benefield, Massey, McFadyen,
23 Miklosi, Scanlan, Todd; also Senator(s) Schwartz--
24 Concerning access by motor vehicle repair shops to an
25 electronic system implemented by the department of
26 revenue for purposes of determining ownership and
27 lienholders of abandoned motor vehicles abandoned at
28 motor vehicle repair shops.

29
30 The question being "Shall the bill pass?".

31 A roll call vote was taken. As shown by the following recorded vote, a
32 majority of those elected to the House voted in the affirmative and the bill
33 was declared **passed**.

	YES	62	NO	0	EXCUSED	3	ABSENT	0
36	Acree	Y	Green	Y	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	Y	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.	Y	Murray	Y	Stephens	Y
44	Curry	Y	Labuda	E	Nikkel	Y	Summers	Y
45	Ferrandino	Y	Lambert	Y	Pace	E	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	Y
49	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
50	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
51	Gerou	Y	May	E	Riesberg	Y	Weissmann	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Schafer S.

54
55

1 **HB09-1325** by Representative(s) Todd; also Senator(s) Bacon--
 2 Concerning the governor's authority to activate the
 3 National Guard.
 4

5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

	YES	62	NO	0	EXCUSED	3	ABSENT	0
11	Acree	Y	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	Y	Schafer S.	Y
15	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
16	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
17	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
18	Court	Y	King S.	Y	Murray	Y	Stephens	Y
19	Curry	Y	Labuda	E	Nikkel	Y	Summers	Y
20	Ferrandino	Y	Lambert	Y	Pace	E	Swalm	Y
21	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
22	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
23	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
24	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
25	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
26	Gerou	Y	May	E	Riesberg	Y	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Apuan, Gardner B., Kerr A., Nikkel,
 29 Ryden, Stephens, Vigil, Waller
 30
 31

32 **SB09-031** by Senator(s) Heath; also Representative(s) Riesberg--
 33 Concerning the creation of the clean technology discovery
 34 evaluation grant program.
 35

36 The question being "Shall the bill 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 bill
 39 was declared **passed**.
 40

	YES	51	NO	11	EXCUSED	3	ABSENT	0
42	Acree	N	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	N	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	N
48	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
49	Court	Y	King S.	Y	Murray	N	Stephens	Y
50	Curry	Y	Labuda	E	Nikkel	N	Summers	N
51	Ferrandino	Y	Lambert	N	Pace	E	Swalm	Y
52	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
53	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
54	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
55	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
56	Gardner C.	N	Massey	Y	Rice	Y	Waller	N

1	Gerou	Y	May	E	Riesberg	Y	Weissmann	Y
2							Speaker	Y

3 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Ryden, Todd, Vigil,
4 Fischer

5
6 **SB09-171** by Senator(s) Schwartz, Heath, Veiga; also
7 Representative(s) Todd and Vigil, Liston, McFadyen,
8 Rice, Solano--Concerning the use of moneys in the
9 Colorado customized training program.

10
11 The question being "Shall the bill pass?".
12 A roll call vote was taken. As shown by the following recorded vote, a
13 majority of those elected to the House voted in the affirmative and the bill
14 was declared **passed**.

	YES	58	NO	4	EXCUSED	3	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	N
23	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
24	Court	Y	King S.	Y	Murray	Y	Stephens	Y
25	Curry	Y	Labuda	E	Nikkel	N	Summers	Y
26	Ferrandino	Y	Lambert	N	Pace	E	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	N
32	Gerou	Y	May	E	Riesberg	Y	Weissmann	Y
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Ryden

35
36
37
38 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

39
40 **APPROPRIATIONS**

41 After consideration on the merits, the Committee recommends the
42 following:

43
44 **HB09-1010** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:

47
48 Strike the Finance Committee Report, dated February 11, 2009, and
49 substitute the following:

- 50 "Amend printed bill, page 5, line 17, after "COLORADO;", insert "AND";
- 51
- 52 line 22, strike "COMMUNITY;" and substitute "COMMUNITY.";
- 53
- 54 strike lines 23 through 27.

1 Page 7, line 3, after "(A)," insert "(4) (a) (V) (B), and (4) (a) (V) (C),";
2
3 line 4, strike "is" and substitute "are".

4
5 Page 8, after line 14, insert the following:

6
7 "(V) (B) If, based on the March revenue forecast prepared by the
8 legislative council, the joint budget committee determines that the amount
9 of general fund revenues for the fiscal year in which the forecast is
10 prepared will be insufficient to allow the maximum amount of general
11 fund appropriations permitted by section 24-75-201.1 (1) (a) (II), C.R.S.,
12 to be made for that fiscal year, the joint budget committee, acting by bill,
13 shall determine the amount of limited gaming fund moneys, if any, that
14 should be transferred to the film incentives cash fund OR THE COLORADO
15 OFFICE OF FILM, TELEVISION, AND MEDIA OPERATIONAL ACCOUNT CASH
16 FUND pursuant to sub-subparagraph (A) of this subparagraph (V) at the
17 end of that fiscal year.

18
19 (C) If the joint budget committee, pursuant to sub-subparagraph
20 (B) of this subparagraph (V), does not determine the amount of limited
21 gaming fund moneys, if any, to be transferred to the film incentives cash
22 fund OR THE COLORADO OFFICE OF FILM, TELEVISION, AND MEDIA
23 OPERATIONAL ACCOUNT CASH FUND specified in sub-subparagraph (A) of
24 this subparagraph (V) and if, based on the June revenue forecast prepared
25 by the legislative council, the state treasurer determines that the amount
26 of general fund revenues for the fiscal year in which the forecast is
27 prepared will be insufficient to allow the maximum amount of general
28 fund appropriations permitted by section 24-75-201.1 (1) (a) (II), C.R.S.,
29 to be made for that fiscal year, the state treasurer shall transfer to the
30 general fund from the moneys that would otherwise be transferred to the
31 film incentives cash fund OR THE COLORADO OFFICE OF FILM, TELEVISION,
32 AND MEDIA OPERATIONAL ACCOUNT CASH FUND pursuant to sub-
33 subparagraph (A) of this subparagraph (V) at the end of the fiscal year an
34 amount equal to the lesser of the full amount that would otherwise be
35 transferred to the film incentives cash fund OR THE COLORADO OFFICE OF
36 FILM, TELEVISION, AND MEDIA OPERATIONAL ACCOUNT CASH FUND or the
37 amount necessary to allow the maximum amount of general fund
38 appropriations to be made for the fiscal year. Any reduction in the
39 amount transferred to the film incentives cash fund OR THE COLORADO
40 OFFICE OF FILM, TELEVISION, AND MEDIA OPERATIONAL ACCOUNT CASH
41 FUND required by this sub-subparagraph (C) and the amounts transferred
42 to the state council on the arts cash fund, the new jobs incentives cash
43 fund, and the Colorado travel and tourism promotion fund required by
44 sub-subparagraph (B) of subparagraph (IV) of this paragraph (a) shall be
45 pro-rated based on the amounts otherwise required to be transferred to
46 said funds pursuant to sub-subparagraph (A) of this subparagraph (V) and
47 sub-subparagraph (A) of subparagraph (IV) of this paragraph (a).".

48
49 Page 9, strike lines 11 through 27 and substitute the following:

50
51 **"SECTION 4. Appropriation - adjustments to the 2009 long**
52 **bill.** (1) In addition to any other appropriation, there is hereby
53 appropriated, out of any moneys in the Colorado office of film, television,
54 and media operational account cash fund created in section 24-48.5-203
55 (1), Colorado Revised Statutes, not otherwise appropriated, to the
56 department of governor – lieutenant governor – state planning and

1 budgeting, for allocation to the economic development programs division,
2 for Colorado office of film, television, and media, for the fiscal year
3 beginning July 1, 2009, the sum of five hundred eighty thousand eight
4 dollars (\$580,008) cash funds and 6.0 FTE, or so much thereof as may be
5 necessary, for the implementation of this act.

6
7 (2) In addition to any other appropriation, there is hereby
8 appropriated to the department of revenue, for allocation to the
9 information technology division, for programming costs for 2009 session
10 legislation, for the fiscal year beginning July 1, 2009, the sum of fifty-five
11 thousand eight hundred fifty-two dollars (\$55,852), or so much thereof as
12 may be necessary, for the implementation of this act. Said sum shall be
13 from reappropriated funds received from the department of governor –
14 lieutenant governor – state planning and budgeting out of the
15 appropriation made in subsection (1) of this section.

16
17 (3) For the implementation of this act, the appropriation made in
18 the annual general appropriation act for the fiscal year beginning July 1,
19 2009, for the department of governor – lieutenant governor – state
20 planning and budgeting, division of economic development programs, for
21 film incentives, from the film incentives cash fund, is decreased by four
22 hundred eighty thousand eleven dollars (\$480,011) cash funds."

23
24 Strike pages 10 through 16.

25
26 Page 17, strike lines 1 through 23.

27
28 Page 1, line 102, strike "ACTIVITIES." and substitute "ACTIVITIES, AND
29 MAKING AN APPROPRIATION THEREFOR."."

30
31
32
33 **HB09-1020** be amended as follows, and as so amended, be referred to
34 the Committee of the Whole with favorable
35 recommendation:

36
37 Amend printed bill, page 2, line 4, strike "TO THE EXTENT" and substitute
38 "(I) IN COLLABORATION WITH AND TO AUGMENT THE STATE
39 DEPARTMENT'S EFFORTS TO SIMPLIFY ELIGIBILITY DETERMINATIONS FOR
40 BENEFITS UNDER THE STATE MEDICAL ASSISTANCE PROGRAM AND THE
41 CHILDREN'S BASIC HEALTH PLAN,";

42
43 line 5, strike "PERMITTED BY FEDERAL LAW,";

44
45 line 6, strike "RECIPIENT ENROLLEE" and substitute "RECIPIENT,
46 ENROLLEE,";

47
48 line 7, after "RECIPIENT", insert "OR ENROLLEE";

49
50 after line 8, insert the following:

51
52 "(II) (A) SUBJECT TO RECEIPT OF FEDERAL AUTHORIZATION AND
53 SPENDING AUTHORITY, THE STATE DEPARTMENT MAY IMPLEMENT A PILOT
54 PROGRAM THAT ALLOWS A LIMITED NUMBER OF RECIPIENTS OR ENROLLEES
55 TO APPLY FOR REENROLLMENT EITHER OVER THE TELEPHONE OR THROUGH
56 THE INTERNET DURING A TRANSITION TO A PROCESS THAT WILL SERVE

1 RECIPIENTS AND ENROLLEES STATEWIDE. THE PILOT PROGRAM SHALL NOT
2 SERVE AS A REPLACEMENT FOR A STATEWIDE PROCESS.

3
4 (B) NOTWITHSTANDING ANY OTHER PROVISION IN THIS
5 PARAGRAPH (e), THE STATE DEPARTMENT SHALL NOT IMPLEMENT THIS
6 PARAGRAPH (e) UNTIL IT CAN VERIFY THE ELIGIBILITY OF A RECIPIENT OR
7 ENROLLEE OVER THE TELEPHONE OR THROUGH THE INTERNET AS
8 AUTHORIZED BY RULES OF THE STATE DEPARTMENT AND FEDERAL LAW.

9
10 (C) NOTWITHSTANDING ANY OTHER PROVISION IN THIS
11 PARAGRAPH (e), THE STATE DEPARTMENT SHALL NOT IMPLEMENT OR
12 ADMINISTER ANY PORTION OF THIS PARAGRAPH (e) UNTIL SPENDING
13 AUTHORITY HAS BEEN RECEIVED IN THE GENERAL APPROPRIATION ACT OR
14 ANY SUPPLEMENTAL APPROPRIATION AND SHALL ONLY IMPLEMENT AND
15 ADMINISTER THIS PARAGRAPH (e) TO THE EXTENT OF SUCH SPENDING
16 AUTHORITY.

17
18 (III) THE STATE DEPARTMENT MAY SOLICIT AND ACCEPT GIFTS,
19 GRANTS, AND DONATIONS FROM PUBLIC OR PRIVATE SOURCES FOR THE
20 DEVELOPMENT OR IMPLEMENTATION OF REENROLLMENT EITHER OVER THE
21 TELEPHONE OR THROUGH THE INTERNET PROCESS DESCRIBED IN THIS
22 PARAGRAPH (e); EXCEPT THAT THE STATE DEPARTMENT MAY NOT ACCEPT
23 A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE
24 INCONSISTENT WITH THIS PARAGRAPH (e) OR ANY OTHER LAW. ANY GIFTS,
25 GRANTS, OR DONATIONS RECEIVED BY THE STATE DEPARTMENT SHALL BE
26 TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME
27 TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING CASH FUND
28 CREATED PURSUANT TO SECTION 25.5-1-109.";

29
30 line 12, strike "TO THE EXTENT PERMITTED BY FEDERAL LAW," and
31 substitute "SUBJECT TO THE PROVISIONS AND REQUIREMENTS OF SECTION
32 25.5-4-205 (3) (e)."

33
34
35
36 **HB09-1022** be amended as follows, and as so amended, be referred to
37 the Committee of the Whole with favorable
38 recommendation:

39
40 Amend printed bill, page 5, line 19, strike "THE FUNDING FOR THE GRANT
41 PROGRAM SHALL";

42
43 strike line 20;

44
45 after line 23, insert the following:

46
47 "(8) THE DIVISION SHALL ONLY ACCEPT APPLICATIONS PURSUANT
48 TO SUBSECTION (6) OF THIS SECTION AND AWARD GRANTS PURSUANT TO
49 SUBSECTION (7) OF THIS SECTION IF THE DIVISION DETERMINES THAT THE
50 RECIDIVISM REDUCTION GRANT PROGRAM FUND CREATED IN SUBSECTION
51 (10) OF THIS SECTION HAS RECEIVED SUFFICIENT GIFTS, GRANTS, AND
52 DONATIONS TO MAKE A GRANT AWARD PURSUANT TO SUBSECTION (7) OF
53 THIS SECTION."

54
55 Renumber succeeding section accordingly.

56

1 Page 6, line 1, strike "PROGRAM." and substitute "PROGRAM IF THE
2 DIVISION HAS AWARDED ANY GRANTS PURSUANT TO SUBSECTION (7) OF
3 THIS SECTION.
4

5 (10) THE DEPARTMENT IS AUTHORIZED TO ACCEPT GIFTS, GRANTS,
6 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF
7 IMPLEMENTING THIS SECTION; EXCEPT THAT NO GIFT, GRANT, OR
8 DONATION MAY BE ACCEPTED BY THE DEPARTMENT IF IT IS SUBJECT TO
9 CONDITIONS THAT ARE INCONSISTENT WITH ANY LAW OF THE STATE. ALL
10 MONEYS RECEIVED PURSUANT TO THIS SUBSECTION (10) SHALL BE
11 TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME
12 TO THE RECIDIVISM REDUCTION GRANT PROGRAM FUND, WHICH FUND IS
13 HEREBY CREATED AND REFERRED TO IN THIS SUBSECTION (10) AS THE
14 "FUND". THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL
15 APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE DIRECT AND
16 INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THIS
17 SECTION. ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF
18 THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED
19 BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT
20 AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND.
21 ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND
22 AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT
23 BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER
24 FUND."

25
26 Renumber succeeding section accordingly.
27

28
29
30 **HB09-1028** be postponed indefinitely.
31

32
33 **HB09-1029** be postponed indefinitely.
34

35
36 **HB09-1031** be postponed indefinitely.
37

38
39 **HB09-1035** be amended as follows, and as so amended, be referred to
40 the Committee of the Whole with favorable
41 recommendation:
42

43 Amend the Finance Committee Report, dated January 27, 2009, page 3,
44 line 35, strike "CREDIT" and substitute "REFUND".
45

46 Page 4, line 1, strike "CREDIT" and substitute "REFUND";
47

48 line 2, strike "CREDIT" and substitute "REFUND";
49

50 line 3, strike "CREDIT" and substitute "REFUND";
51

52 line 4, strike "CREDIT." and substitute "REFUND.";
53

54 line 6, strike "CREDIT" and substitute "REFUND".
55
56

1 **HB09-1039** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Strike the State, Veterans, & Military Affairs Committee Report, dated
6 January 20, 2009, and the Appropriations Committee Report, dated
7 March 6, 2009, and substitute the following:
8

9 "Amend printed bill, page 2, strike lines 6 through 8 and substitute the
10 following:
11

12 "COLORADO AND WHO ENROLLS IN A STATE INSTITUTION OF HIGHER
13 EDUCATION IN THIS STATE, OR A DEPENDENT OF SAID HONORABLY
14 DISCHARGED MEMBER OF THE ARMED FORCES WHO ENROLLS IN A STATE
15 INSTITUTION OF HIGHER EDUCATION IN THIS STATE, MAY RECEIVE IN-STATE
16 TUITION STATUS. SAID";
17

18 line 9, strike "SHALL" and substitute "MAY";
19

20 line 15, strike "CLASSIFICATION." and substitute "CLASSIFICATION,
21 INCLUDING BUT NOT LIMITED TO ELIGIBILITY TO RECEIVE A STIPEND FROM
22 THE COLLEGE OPPORTUNITY FUND PURSUANT TO PART 2 OF ARTICLE 18 OF
23 THIS TITLE.";
24

25 before line 16, insert the following:
26

27 **"SECTION 2. Adjustment to the 2009 long bill.** For the
28 implementation of this act, appropriations made in the annual general
29 appropriation act for the fiscal year beginning July 1, 2009, shall be
30 adjusted as follows:
31

32 (1) The appropriation from the general fund to the department of
33 higher education, college opportunity fund program, for stipends for
34 students attending state-operated institutions of higher education, is
35 decreased by two million eight hundred fifty-nine thousand three hundred
36 sixty dollars (\$2,859,360), based on a projected decrease in the stipend-
37 eligible population of 1,036 student full-time equivalents as a result of the
38 implementation of this bill.
39

40 (2) The appropriation from reappropriated funds to the department
41 of higher education, governing boards, is decreased by two million eight
42 hundred fifty-nine thousand three hundred sixty dollars (\$2,859,360),
43 based on a projected decrease in the stipend-eligible population of 1,036
44 student full-time equivalents as a result of the implementation of this
45 bill."
46

47 Renumber succeeding section accordingly.
48

49 Page 1, line 102, strike "VETERANS." and substitute "VETERANS, AND
50 MAKING AN APPROPRIATION THEREFOR."."
51

52
53
54 **HB09-1040** be postponed indefinitely.
55
56

1 **HB09-1043** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB09-1047** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 6, after line 1, insert the following:
10

11 **"SECTION 2. Appropriation.** In addition to any other
12 appropriation, there is hereby appropriated, to the department of health
13 care policy and financing, executive director's office, general
14 administration, for the fiscal year beginning July 1, 2009, the sum of fifty-
15 three thousand four hundred eighty dollars (\$53,480) and 0.8 FTE, or so
16 much thereof as may be necessary, for the implementation of this act. Of
17 said sum, twenty-six thousand seven hundred forty dollars (\$26,740) shall
18 be from the general fund and twenty-six thousand seven hundred forty
19 dollars (\$26,740) shall be from federal funds."
20

21 Renumber succeeding section accordingly.
22

23 Page 1, line 103, strike "**MEDICAID.**" and substitute "**MEDICAID, AND**
24 **MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**".
25
26
27

28 **HB09-1073** be referred to the Committee of the Whole with favorable
29 recommendation.
30

31
32 **HB09-1075** be postponed indefinitely.
33

34
35 **HB09-1094** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:
38

39 Amend printed bill, page 6, after line 5, insert the following:
40

41 **"SECTION 3.** 42-1-217 (1), Colorado Revised Statutes, is
42 amended BY THE ADDITION OF A NEW PARAGRAPH to read:
43

44 **42-1-217. Disposition of fines and surcharges.** (1) All judges,
45 clerks of a court of record, or other officers imposing or receiving fines,
46 penalties, or forfeitures, except those moneys received pursuant to
47 sections 42-4-313 (3), 42-4-413, 42-4-1409, 42-4-1701 (5) (a), 42-8-105,
48 and 42-8-106, collected pursuant to or as a result of a conviction of any
49 persons for a violation of articles 1 to 4 (except part 3 of article 2) of this
50 title, shall transmit, within ten days after the date of receipt of any such
51 fine, penalty, or forfeiture, all such moneys so collected in the following
52 manner:
53

54 (f) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
55 CONTRARY, TEN PERCENT OF ANY FINE, PENALTY, OR FORFEITURE FOR A
56 VIOLATION OF SECTION 42-4-239 SHALL BE TRANSMITTED TO THE STATE

1 TREASURER, CREDITED TO THE GENERAL FUND, AND ALLOCATED AND
2 EXPENDED TO COVER THE DEPARTMENT OF REVENUE'S PERSONAL
3 SERVICES, OPERATING EXPENSES, AND CAPITAL OUTLAY COSTS
4 ASSOCIATED WITH SECTION 42-4-239. THE REMAINING NINETY PERCENT
5 OF ANY FINE, PENALTY, OR FORFEITURE FOR A VIOLATION OF SECTION 42-
6 4-239 SHALL BE TRANSMITTED TO THE STATE TREASURER, CREDITED TO
7 THE HIGHWAY USERS TAX FUND, AND ALLOCATED AND EXPENDED AS
8 SPECIFIED IN SECTION 43-4-205 (5.5) (a), C.R.S."

9
10 Renumber succeeding sections accordingly.

11
12 Page 6, after line 5, insert the following:

13
14 **"SECTION 3. Appropriation.** (1) In addition to any other
15 appropriation, there is hereby appropriated, out of any moneys in the
16 general fund not otherwise appropriated, to the department of corrections,
17 for allocation to the management division, executive director's office
18 subprogram for the fiscal year beginning July 1, 2009 , the sum of forty-
19 two thousand dollars (\$42,000) , or so much thereof as may be necessary
20 for handsfree headsets.

21
22 (2) In addition to any other appropriation, there is hereby
23 appropriated, out of any moneys in the general fund not otherwise
24 appropriated, to the department of revenue, for allocation to the division,
25 of motor vehicles, for the fiscal year beginning July 1, 2009, the sum of
26 forty-seven thousand nine hundred seventy-seven dollars (\$47,977) and
27 1.2 FTE, or so much thereof as may be necessary, for the implementation
28 of this act.

29
30 (3) In addition to any other appropriation, there is hereby
31 appropriated, out of any moneys in the state highway fund created in
32 section 43-4-205 (5) (a), Colorado Revised Statutes, not otherwise
33 appropriated, to the department of transportation, for allocation to the
34 administration division, for the fiscal year beginning July 1, 2009, the
35 sum of two thousand one hundred dollars (\$2,100) cash funds, or so much
36 thereof as may be necessary for handsfree headsets."

37
38 Renumber succeeding sections accordingly.

39
40 Page 1, line 101, strike "**DRIVERS.**" and substitute "**DRIVERS, AND**
41 **MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**"

42
43
44
45 **HB09-1111** be amended as follows, and as so amended, be referred to
46 the Committee of the Whole with favorable
47 recommendation:

48
49 Amend printed bill, page 18, after line 16, insert the following:

50
51 **"SECTION 7.** 25-4-1415, Colorado Revised Statutes, is amended
52 **BY THE ADDITION OF A NEW SUBSECTION** to read:

53
54 **25-4-1415. Cash fund - administration - limitation.**
55 (4) EFFECTIVE JULY 1, 2009, THERE IS HEREBY TRANSFERRED FROM THE
56 FUND TO THE GENERAL FUND NINETY-THREE THOUSAND SIX HUNDRED

1 FORTY-SEVEN DOLLARS FOR APPROPRIATION BY THE GENERAL ASSEMBLY
2 TO THE PRIMARY CARE OFFICE IN THE PREVENTION SERVICES DIVISION OF
3 THE DEPARTMENT FOR THE PURPOSES OF OFFSETTING THE COSTS INCURRED
4 BY THE OFFICE AND IMPLEMENTING THE STATE HEALTH CARE
5 PROFESSIONAL LOAN REPAYMENT PROGRAM CREATED IN PART 7 OF
6 ARTICLE 20.5 OF THIS TITLE FOR THE 2009-10 FISCAL YEAR.

7
8 **SECTION 8. Appropriation.** (1) In addition to any other
9 appropriation, there is hereby appropriated, to the department of public
10 health and environment, for allocation to the prevention services division,
11 for the fiscal year beginning July 1, 2009, the sum of one hundred thirteen
12 thousand six hundred forty-seven dollars (\$113,647) and 1.5 FTE, or so
13 much thereof as may be necessary, for the implementation of this act. Of
14 said sum, ninety-three thousand six hundred forty-seven dollars (\$93,647)
15 shall be out of any moneys in the general fund not otherwise appropriated
16 and twenty thousand dollars (\$20,000) shall be from the health care
17 professional loan repayment fund created in section 25-30.5-706 (1),
18 Colorado Revised Statutes.

19
20 (2) The general assembly anticipates that, for the fiscal year
21 beginning July 1, 2009, the department of public health and environment
22 will receive the sum of eighty thousand dollars (\$80,000) in federal funds
23 for the implementation of this act. Although these funds are not
24 appropriated in this act, they are noted for the purpose of indicating the
25 assumptions used relative to these funds."

26
27 Renumber succeeding section accordingly.

28
29 Page 1, strike line 107 and substitute "**HEALTH RESOURCES, AND MAKING**
30 **AN APPROPRIATION.**".

31
32
33
34 **HB09-1119** be amended as follows, and as so amended, be referred to
35 the Committee of the Whole with favorable
36 recommendation:

37
38 Amend the Health and Human Services Committee Report, dated
39 February 5, 2009, page 1, line 6, strike "**youth**";

40 line 10, strike "YOUTH";

41
42 strike line 12 and substitute the following:

43
44
45 "PURSUANT TO SUBSECTION (2) OF THIS SECTION THAT SHALL CONSIST OF
46 THE RURAL YOUTH ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND
47 TREATMENT PROJECT AND THE RURAL DETOXIFICATION PROJECT."

48
49 Page 2, line 1, after "(a)", insert "(I)" and strike "YOUTH";

50
51 strike lines 3 through 5 and substitute the following:

52
53 "THE DIVISION TO PROVIDE:

54
55 (A) PREVENTION AND TREATMENT SERVICES TO YOUTH IN RURAL
56 AREAS, WHICH SERVICES MAY INCLUDE BUT NEED NOT BE LIMITED TO

1 PROVIDING ALTERNATIVE ACTIVITIES FOR YOUTH THROUGH THE RURAL
2 YOUTH ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND TREATMENT
3 PROJECT; AND

4

5 (B) TREATMENT SERVICES TO PERSONS ADDICTED TO ALCOHOL OR
6 DRUGS THROUGH THE RURAL DETOXIFICATION PROJECT.

7

8 (II) THE";

9

10 line 15, strike "YOUTH" and substitute "PERSONS";

11

12 line 21, strike "YOUTH";

13

14 line 22, strike ""FUND"." and substitute ""FUND", THAT SHALL CONSIST OF
15 THE RURAL YOUTH ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND
16 TREATMENT ACCOUNT, REFERRED TO IN THIS SECTION AS THE "YOUTH
17 ACCOUNT", AND THE RURAL DETOXIFICATION ACCOUNT, REFERRED TO IN
18 THIS SECTION AS THE "DETOXIFICATION ACCOUNT".";

19

20 line 25, after "C.R.S.", insert "WHICH MONEYS SHALL BE DIVIDED
21 EQUALLY BETWEEN THE YOUTH ACCOUNT AND THE DETOXIFICATION
22 ACCOUNT,";

23

24 line 26, strike "(3)." and substitute "(3), WHICH MONEYS SHALL BE DIVIDED
25 EQUALLY BETWEEN THE YOUTH ACCOUNT AND THE DETOXIFICATION
26 ACCOUNT UNLESS THE GRANTEE OR DONOR SPECIFIES TO WHICH ACCOUNT
27 THE GRANT, GIFT, OR DONATION SHALL BE CREDITED.".

28

29 Page 3, line 16, strike "YOUTH";

30

31 line 30, strike "YOUTH" and substitute "PERSONS".

32

33 Page 4, line 3, strike "YOUTH";

34

35 line 7, strike "YOUTH";

36

37 line 18, strike "YOUTH";

38

39 line 28, strike "YOUTH";

40

41 line 34, strike "YOUTH".

42

43 Page 6, line 1, strike "youth";

44

45 line 16, strike "YOUTH";

46

47 line 25, strike "YOUTH".

48

49

50

51 **HB09-1123** be referred to the Committee of the Whole with favorable
52 recommendation.

53

54

55

1 **HB09-1132** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 3, after line 26, insert the following:
6

7 "SECTION 5. Article 18 of title 17, Colorado Revised Statutes,
8 is amended BY THE ADDITION OF A NEW SECTION to read:
9

10 **17-18-105. Appropriation to comply with section 2-2-703 - HB**
11 **09-1132 - repeal.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE
12 FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY
13 BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT HOUSE BILL 09-1132,
14 ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-SEVENTH
15 GENERAL ASSEMBLY:
16

17 (a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, IN ADDITION
18 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM
19 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
20 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
21 SECTION 17-1-116, C.R.S., THE SUM OF THREE HUNDRED ONE THOUSAND
22 FIVE HUNDRED FORTY-SIX DOLLARS (\$301,546).
23

24 (b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, IN ADDITION TO
25 ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
26 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
27 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF SIXTY THOUSAND
28 SEVEN HUNDRED SEVENTY-TWO DOLLARS (\$60,772).
29

30 (c) FOR THE FISCAL YEAR BEGINNING JULY 1, 2011, IN ADDITION
31 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
32 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
33 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF FIFTY-FOUR THOUSAND
34 EIGHTY-SEVEN DOLLARS (\$54,087).
35

36 (d) FOR THE FISCAL YEAR BEGINNING JULY 1, 2012, IN ADDITION
37 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
38 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
39 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF THIRTY THOUSAND
40 THREE HUNDRED EIGHTY-SIX DOLLARS (\$30,386).
41

42 (e) FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, IN ADDITION
43 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
44 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
45 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF ONE THOUSAND FIVE
46 HUNDRED NINETEEN DOLLARS (\$1,519).
47

48 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.
49

50 **SECTION 6.** 24-75-302 (2) (v), Colorado Revised Statutes, is
51 amended to read:
52

53 **24-75-302. Capital construction fund - capital assessment fees**
54 **- calculation.** (2) As of July 1, 1988, and July 1 of each year thereafter
55 through July 1, 2012, a sum as specified in this subsection (2) shall accrue
56 to the capital construction fund. The state treasurer and the controller

1 shall transfer such sum out of the general fund and into the capital
2 construction fund as moneys become available in the general fund during
3 the fiscal year beginning on said July 1. Transfers between funds
4 pursuant to this subsection (2) shall not be deemed to be appropriations
5 subject to the limitations of section 24-75-201.1. The amount that shall
6 accrue pursuant to this subsection (2) shall be as follows:

7
8 (v) On July 1, 2009, five hundred twenty-three thousand one
9 hundred sixty-four dollars pursuant to S.B. 06-206, enacted at the second
10 regular session of the sixty-fifth general assembly; plus five hundred
11 twenty-three thousand one hundred sixty-four dollars pursuant to S.B. 06-
12 207, enacted at the second regular session of the sixty-fifth general
13 assembly; plus forty-three thousand five hundred ninety-seven dollars
14 pursuant to H.B. 06-1145, enacted at the second regular session of the
15 sixty-fifth general assembly; plus five hundred twenty-three thousand one
16 hundred sixty-four dollars pursuant to H.B. 06-1011, enacted at the
17 second regular session of the sixty-fifth general assembly; plus one
18 hundred fifty thousand one hundred ninety-eight dollars pursuant to S.B.
19 07-096, enacted at the first regular session of the sixty-sixth general
20 assembly; plus seventy-five thousand ninety-nine dollars pursuant to H.B.
21 07-1326, enacted at the first regular session of the sixty-sixth general
22 assembly; plus one hundred twenty-five thousand one hundred sixty-five
23 dollars pursuant to S.B. 08-239, enacted at the second regular session of
24 the sixty-sixth general assembly; plus twelve thousand five hundred
25 seventeen dollars pursuant to H.B. 08-1194, enacted at the second regular
26 session of the sixty-sixth general assembly; PLUS THREE HUNDRED ONE
27 THOUSAND FIVE HUNDRED FORTY-SIX DOLLARS PURSUANT TO H.B. 09-
28 1132, ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-SEVENTH
29 GENERAL ASSEMBLY;

30
31 **SECTION 7. Appropriation.** In addition to any other
32 appropriation, there is hereby appropriated, out of any moneys in the
33 general fund not otherwise appropriated, to the judicial department, for
34 allocation to the probation division, for cases charged under the newly
35 defined internet luring of a child, internet sexual exploitation of a child,
36 and harassment, for the fiscal year beginning July 1, 2009, the sum of one
37 hundred sixty-nine thousand three hundred seventy-three dollars
38 (\$169,373) and 2.8 FTE, or so much thereof as may be necessary, for the
39 implementation of this act."

40
41 Renumber succeeding sections accordingly.

42
43 Page 1, line 102, strike "ACTIVITY." and substitute "ACTIVITY, AND
44 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

45
46
47 **HB09-1137** be amended as follows, and as so amended, be referred to
48 the Committee of the Whole with favorable
49 recommendation:

50
51 Amend the Judiciary Committee Report, dated March 23, 2009, page 1,
52 line 18, strike "2009," and substitute "2010,";

53
54 Page 2, after line 20, insert the following:

55
56 "line 20, after "(2)", insert "(a)";";

1 line 21 of the committee report, strike "23." and substitute "23;";
2
3 strike line 22 of the committee report and substitute the following:
4
5 "line 24, strike "(b) RESTITUTION" and substitute "(I) BEGINNING
6 JANUARY 1, 2011, RESTITUTION";";
7
8 strike line 23 of the Judiciary Committee Report and substitute the
9 following:
10
11 "line 25, after "C.R.S.;" , add "AND";
12
13 line 26, strike "(c)" and substitute "(II)".";
14
15 line 25 of the committee report, strike "6;" and substitute "6 and substitute
16 the following:
17
18 "(b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF
19 THIS SUBSECTION (2), AN OUTSTANDING DEBT SHALL NOT BE LESS THAN
20 THREE HUNDRED DOLLARS."";
21
22 Page 3 of the committee report, strike lines 7 through 11 and substitute
23 the following:
24
25 "Page 5, after line 8, insert the following:
26
27 **SECTION 8.** 24-35-604, Colorado Revised Statutes, is amended
28 BY THE ADDITION OF A NEW SUBSECTION to read:
29
30 **24-35-604. Registry - creation - information.** (5) BEGINNING
31 JULY 1, 2010, EACH DEPARTMENT SHALL ADD A FEE OF EIGHTY-FIVE
32 DOLLARS TO EACH OUTSTANDING DEBT AND THE TOTAL AMOUNT BE THE
33 AMOUNT OF THE OUTSTANDING DEBT CERTIFIED PURSUANT TO THIS
34 SECTION."
35
36 Renumber succeeding sections accordingly."";
37
38 strike lines 16 through 23 of the committee report and substitute the
39 following:
40
41 **SECTION 10.** 24-35-605, Colorado Revised Statutes, is
42 amended BY THE ADDITION OF A NEW SUBSECTION to read:
43
44 **24-35-605. Payments - limited gaming and pari-mutuel
45 wagering licensees - procedures - gambling payment intercept cash
46 fund - creation.** (3) (a) THE REGISTRY OPERATOR SHALL DEDUCT AN
47 AMOUNT EQUAL TO THE FEE ADDED TO THE OUTSTANDING DEBT PURSUANT
48 TO SECTION 24-35-604 (5) FROM EACH PAYMENT RECEIVED FROM A
49 LICENSEE AND FORWARD SUCH AMOUNT".
50
51 Page 4, after line 15, insert the following:
52
53 "Renumber succeeding sections accordingly."
54
55 Page 5, line 20, strike "10, 11, 12, 13, and 14" and substitute "6, 8, 10, 12,
56 13, 14, and 15".

1 Amend printed bill, page 11, after line 19, insert the following:

2
3 **"SECTION 13. Appropriation.** In addition to any other
4 appropriation, there is hereby appropriated, out of any moneys in the
5 limited gaming fund created in section 12-47.1-701 (1), Colorado Revised
6 Statutes, not otherwise appropriated, to the department of revenue, for
7 allocation to the enforcement business group, limited gaming division, for
8 the fiscal year beginning July 1, 2009, the sum of 167,058 cash funds and
9 0.2 FTE, or so much thereof as may be necessary, for the implementation
10 of this act."

11
12 Renumber succeeding section accordingly.

13
14 Page 1, line 104, strike "TAXES AND REQUIRING" and substitute "TAXES,
15 REQUIRING";

16
17 line 106, strike "REFUNDS." and substitute "REFUNDS, AND MAKING AN
18 APPROPRIATION."

19
20
21
22 **HB09-1163** be amended as follows, and as so amended, be referred to
23 the Committee of the Whole with favorable
24 recommendation:

25
26 Amend printed bill, page 2, strike lines 2 through 14.

27
28 Renumber succeeding sections accordingly.

29
30 Page 7, strike lines 10 through 27.

31
32 Strike pages 8 through 10.

33
34 Page 11, strike lines 1 through 20.

35
36 Renumber succeeding sections accordingly.

37
38 Page 1, line 101, strike "CHILD, AND MAKING" and substitute "CHILD.";
39
40 strike line 102.

41
42
43
44 **HB09-1173** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:

47
48 Strike the Finance Committee Report, dated February 25, 2009, and
49 substitute the following:

50
51 "Amend printed bill, page 2, after line 1, insert the following:

52 **"SECTION 1.** 24-22-115 (2), Colorado Revised Statutes, is
53 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

54
55 **24-22-115. Tobacco litigation settlement cash fund - health**
56 **care supplemental appropriations and overexpenditures account -**

1 **creation - repeal.** (2) (g) (I) NOTWITHSTANDING ANY PROVISION OF THIS
2 SUBSECTION (2) TO THE CONTRARY, FOR THE STATE FISCAL YEAR 2009-10,
3 THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEYS FROM THE
4 TOBACCO SETTLEMENT DEFENSE ACCOUNT IN THE TOBACCO LITIGATION
5 SETTLEMENT CASH FUND FOR THE PURPOSES SET FORTH IN SECTION 39-
6 28.5-105 (4) (b), C.R.S.

7
8 (II) THIS PARAGRAPH (g) IS REPEALED, EFFECTIVE JULY 1, 2011."
9

10 Renumber succeeding sections accordingly.

11
12 Page 2, line 7, strike "39-28-116" and substitute "39-28-115";

13
14 line 8, strike "39-28.5-113." and substitute "39-28.5-112.".

15
16 Page 3, strike lines 1 through 10.

17
18 Renumber succeeding sections accordingly.

19
20 Page 3, strike lines 12 and 13 and substitute the following:

21
22 "amended to read:";

23
24 line 16, after "(1)", insert "(a)";

25
26 strike line 27.

27
28 Strike page 4.

29
30 Page 5, strike lines 1 through 7 and substitute the following:

31
32 "constitution. THE EXECUTIVE DIRECTOR MAY IMPOSE A CIVIL PENALTY
33 ON ANY PERSON, FIRM, LIMITED LIABILITY COMPANY, PARTNERSHIP, OR
34 CORPORATION FROM WHOM CIGARETTES HAVE BEEN CONFISCATED IN AN
35 AMOUNT THAT DOES NOT EXCEED TWENTY-FIVE CENTS PER CIGARETTE
36 SEIZED. ANY CIVIL PENALTIES RECEIVED PURSUANT TO THIS PARAGRAPH
37 (a) SHALL BE REMITTED TO THE STATE TREASURER FOR DEPOSIT IN THE
38 TOBACCO TAX ENFORCEMENT CASH FUND CREATED IN PARAGRAPH (b) OF
39 THIS SUBSECTION (1).";

40
41 line 8, strike "(c)" and substitute "(b)";

42
43 line 11, strike "(3) AND SECTIONS 39-28-306 (7) AND" and substitute "(1)
44 AND SECTION";

45
46 strike lines 18 through 21;

47
48 line 23, strike "THE FOLLOWING NEW";

49
50 line 24, strike "SECTIONS" and substitute "A NEW SECTION";

51
52 strike lines 25 through 27.

53
54 Strike page 6.

55
56 Page 7, strike lines 1 through 10;

1 line 11, strike "**39-28-116.**" and substitute "**39-28-115.**";
2
3 strike lines 16 through 27;
4
5 Page 8, strike lines 1 through 10.

6
7 Renumber succeeding sections accordingly.
8
9 Page 8, line 13, after "(4)", insert "(a)";
10
11 after line 19, insert the following:

12
13 "(b) ANY EXPENSES INCURRED BY THE DEPARTMENT RELATED TO
14 ENFORCING PARAGRAPH (a) OF THIS SUBSECTION (4) SHALL BE PAID FROM
15 THE TOBACCO SETTLEMENT DEFENSE ACCOUNT, CREATED IN SECTION 24-
16 22-115 (2) (a), C.R.S., FOR THE STATE FISCAL YEAR 2009-10, AND FROM
17 THE TOBACCO TAX ENFORCEMENT CASH FUND CREATED IN SECTION 39-28-
18 107 (1) (b), FOR EACH STATE FISCAL YEAR THEREAFTER.".

19
20 Page 9, line 12, strike "(3) (c)," and substitute "(1) (b).";
21
22 line 20, strike "KNOWINGLY AND WILLINGLY";
23
24 line 23, strike "KNOWINGLY AND WILLINGLY".

25
26 Page 10, line 2, strike "(3) (c)." and substitute "(1) (b).";
27
28 line 4, strike "THE FOLLOWING NEW";
29
30 line 5, strike "SECTIONS" and substitute "A NEW SECTION"
31
32 strike lines 6 through 27;

33
34 Page 11, strike lines 1 through 19;
35
36 line 20, strike "**39-28.5-113.**" and substitute "**39-28.5-112.**";
37
38 after line 24, insert the following:

39
40 "**SECTION 9. Appropriation.** (1) In addition to any other
41 appropriation, there is hereby appropriated, to the department of revenue,
42 for the fiscal year beginning July 1, 2009, out of any moneys in the
43 tobacco settlement defense account of the tobacco litigation settlement
44 cash fund created in section 24-22-115 (2) (a), Colorado Revised Statutes,
45 not otherwise appropriated, the sum of sixty-seven thousand five hundred
46 thirty-three dollars (\$67,533) cash funds and 1.0 FTE, for the
47 implementation of this act.

48
49 (2) In addition to any other appropriation, there is hereby
50 appropriated to the department of law, for the fiscal year beginning July
51 1, 2009, the sum of seven thousand five hundred ten dollars (\$7,510) and
52 0.1 FTE, or so much thereof as may be necessary, for the provision of
53 legal services to the department of revenue related to the implementation
54 of this act. Said sum shall be from reappropriated funds received from
55 the department of revenue out of the appropriation made in subsection (1)
56 of this section.".

1 Renumber succeeding section accordingly.

2

3 Page 1, line 102, strike "STATE." and substitute "STATE, AND MAKING AN
4 APPROPRIATION THEREFOR.".

5

6

7

8 **HB09-1199** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11

12 Amend printed bill, page 14, before line 25, insert the following:

13

14 **"SECTION 5. Appropriation.** (1) In addition to any other
15 appropriation, there is hereby appropriated, out of any moneys in the
16 wildland-urban interface training fund created in section 24-33.5-1212
17 (5), Colorado Revised Statutes, not otherwise appropriated, to the
18 department of department of public safety, for allocation to the division
19 of fire safety, for the fiscal year beginning July 1, 2009, the sum of fifty
20 thousand dollars (\$50,000) cash funds, or so much thereof as may be
21 necessary, for courses to directors of fire protection districts.

22

23 (2) In addition to any other appropriation, there is hereby
24 appropriated, out of any moneys in the stationary sources control fund
25 created in section 25-7-114.7 (2) (b) (I), Colorado Revised Statutes, not
26 otherwise appropriated, to the department of department of public health
27 and environment, for the fiscal year beginning July 1, 2009, the sum of
28 forty-nine thousand nine hundred fifteen dollars (\$49,915) cash funds and
29 0.5 FTE, or so much thereof as may be necessary, to evaluate existing fire
30 permit program rules for the implementation of this act."

31

32 Renumber succeeding section accordingly.

33

34 Page 1, line 106, strike "RISK." and substitute "RISK, AND MAKING AN
35 APPROPRIATION.".

36

37

38

39 **HB09-1202** be rereferred favorably to the Committee on Buusiness
40 Affairs & Labor.

41

42

43 **HB09-1242** be referred to the Committee of the Whole with favorable
44 recommendation.

45

46

47 **HB09-1246** be amended as follows, and as so amended, be referred to
48 the Committee of the Whole with favorable
49 recommendation:

50

51 Amend printed bill, page 3, after line 8, insert the following:

52

53 **"SECTION 3. Appropriation.** In addition to any other
54 appropriation, there is hereby appropriated, out of any moneys in the
55 defensive driving school cash fund created in section 42-1-223 (1),
56 Colorado Revised Statutes, not otherwise appropriated, to the department

1 of revenue, for allocation to the division of motor vehicles, for the fiscal
 2 year beginning July 1, 2009, the sum of three hundred thirty thousand
 3 dollars (\$330,000) cash funds, or so much thereof as may be necessary,
 4 for the implementation of this act."

5
 6 Renumber succeeding section accordingly.

7
 8 Page 1, line 103, strike "VEHICLE." and substitute "VEHICLE, AND
 9 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

10

11

12

13 **HB09-1256** be postponed indefinitely.

14

15

16 **HB09-1266** be amended as follows, and as so amended, be referred to
 17 the Committee of the Whole with favorable
 18 recommendation:

19

20 Amend the Judiciary Committee Report, dated February 19, 2009, strike
 21 page 1.

22

23 Page 2 of the Committee Report, strike lines 1 through 12;

24

25 line 13, strike "Page" and substitute "Amend printed bill, page";

26

27 strike lines 16 through 30 and substitute the following:

28

29 ""(m) (I) Been convicted of violating section 12-47-901 (1) (b) or
 30 (1) (c) ~~C.R.S.~~, or section 18-13-122 (2), C.R.S., or any counterpart
 31 municipal charter or ordinance offense to such sections AND HAVING
 32 FAILED TO COMPLETE AN ALCOHOL EVALUATION OR ASSESSMENT, AN
 33 ALCOHOL EDUCATION PROGRAM, OR AN ALCOHOL TREATMENT PROGRAM
 34 ORDERED BY THE COURT IN CONNECTION WITH SUCH CONVICTION; OR

35

36 (II) BEEN CONVICTED OF VIOLATING SECTION 12-47-901 (1) (b) OR
 37 (1) (c) OR 18-13-122 (2), C.R.S., OR ANY COUNTERPART MUNICIPAL
 38 CHARTER OR ORDINANCE OFFENSE TO SUCH SECTIONS AND HAS A
 39 PREVIOUS CONVICTION FOR SUCH OFFENSES;"

40

41 after line 26 of the printed bill, insert the following:

42

43 (6) (a) Any person who has a license revoked pursuant to
 44 paragraph (m) of subsection (1) of this section shall be subject to a THE
 45 FOLLOWING revocation period ~~that shall continue for the period of time~~
 46 ~~described hereafter~~ PERIODS:

47

48 (I) After ~~one~~ A FIRST conviction AND FAILURE TO COMPLETE AN
 49 ORDERED EVALUATION, ASSESSMENT, OR PROGRAM, ~~twenty-four hours of~~
 50 ~~public service if ordered by the court,~~ or three months;

51

52 (II) After a second conviction, six months;

53

54 (III) After any third or subsequent conviction, one year."."

55

56 Page 3 of the Committee Report, strike line 1;

1 strike lines 3 through 12 of the Committee Report and substitute the
2 following:

3

4 ""**SECTION 12.** 42-2-131, Colorado Revised Statutes, is
5 amended to read:

6

7 **42-2-131. Revocation of license or permit for failing to comply**
8 **with a court order relating to nondriving alcohol convictions.** Upon
9 a plea of guilty or nolo contendere or a verdict of guilty by the court or a
10 jury to an offense UNDER SECTION 12-47-901 (1) (b) OR (1) (c) OR 18-13-
11 122 (2), C.R.S., OR ANY COUNTERPART MUNICIPAL CHARTER OR
12 ORDINANCE OFFENSE TO SUCH SECTION AND FAILURE TO COMPLETE AN
13 ALCOHOL EVALUATION OR ASSESSMENT, AN ALCOHOL EDUCATION
14 PROGRAM, OR AN ALCOHOL TREATMENT PROGRAM ORDERED BY THE
15 COURT IN CONNECTION WITH SUCH PLEA OR VERDICT OR UPON A SECOND
16 OR SUBSEQUENT PLEA OR VERDICT UNDER SUCH SECTIONS for which
17 revocation of a license or permit is mandatory pursuant to section 42-2-
18 125 (1) (m), the court shall forward to the department a notice of plea or
19 verdict OR SUCH FAILURE TO COMPLETE on the form prescribed by the
20 department. Any revocation pursuant to section 42-2-125 (1) (m) shall
21 begin when the department gives notice of ~~such~~ THE revocation to the
22 person in accordance with section 42-2-119 (2).".".

23

24 strike lines 14 through 17 of the Committee Report.

25

26

27

28 **HB09-1267** be amended as follows, and as so amended, be referred to
29 the Committee of the Whole with favorable
30 recommendation:

31

32 Amend printed bill, page 8, after line 12, insert the following:

33

34 **"SECTION 13. Appropriation.** In addition to any other
35 appropriation, there is hereby appropriated, out of any moneys in the
36 general fund not otherwise appropriated, to the department of higher
37 education, for allocation to the college opportunity fund, for stipends for
38 an estimated ninety-three eligible full-time equivalent students attending
39 participating private institutions, for the fiscal year beginning July 1,
40 2009, the sum of one hundred eleven thousand six hundred dollars
41 (\$111,600), or so much thereof as may be necessary, for the
42 implementation of this act.".

43

44 Renumber succeeding section accordingly.

45

46 Page 1, line 102, strike "INSTITUTIONS." and substitute "INSTITUTIONS,
47 AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.".

48

49

50

51 **HB09-1269** be referred to the Committee of the Whole with favorable
52 recommendation.

53

54

55 **HB09-1273** be referred to the Committee of the Whole with favorable
56 recommendation.

1 **HB09-1274** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend the Judiciary Committee Report, dated February 23, 2009, page
6 1, strike lines 5 through 17 and substitute the following:
7

8 **""SECTION 23. Appropriation - adjustments to the 2009 long**
9 **bill.** (1) In addition to any other appropriation, there is hereby
10 appropriated, out of any moneys in the general fund not otherwise
11 appropriated, to the department of public safety, Colorado bureau of
12 investigation, for the cold case homicide team for investigation and
13 administrative services, for the fiscal year beginning July 1, 2009, the sum
14 of eight hundred thirty-three thousand three hundred seventy-six dollars
15 (\$833,376) and 8.0 FTE, or so much thereof as may be necessary, for the
16 implementation of section 24-33.5-425, Colorado Revised Statutes.
17

18 (2) For the implementation of this act, appropriations made in the
19 annual general appropriation act for the fiscal year beginning July 1,
20 2009, shall be adjusted as follows:
21

22 (a) The general fund appropriation to the judicial department, trial
23 courts, for court costs, jury costs, and court-appointed counsel, is
24 decreased by thirty-two thousand nine hundred fifty dollars (\$32,950).
25

26 (b) The general fund appropriation to the judicial department, for
27 the public defender, is decreased by two hundred seventy-five thousand
28 five hundred forty-eight dollars (\$275,548).
29

30 (c) The general fund appropriation to the judicial department, for
31 the alternate defense counsel, is decreased by five hundred eighty-two
32 thousand seven hundred fifty-eight dollars (\$582,758).".".
33
34
35

36 **HB09-1280** be referred to the Committee of the Whole with favorable
37 recommendation.
38
39

40 **HB09-1282** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:
43

44 Amend printed bill, page 2, line 17, after "REGARDING", insert "THE
45 BENEFITS AND CONSEQUENCES OF ESTABLISHING A LANDFILL DISPOSAL
46 BAN FOR ELECTRONIC DEVICES AND".
47

48 Page 3, strike lines 1 and 2.
49

50 Renumber succeeding subparagraphs accordingly.
51

52 Page 3, strike lines 18 through 20 and substitute the following:
53

54 **"(III) TWO REPRESENTATIVES OF MUNICIPALITIES, OF WHOM ONE**
55 **SHALL REPRESENT A MUNICIPALITY THAT HAS A PUBLIC ELECTRONICS**
56 **RECYCLING PROGRAM AND ONE SHALL REPRESENT A MUNICIPALITY THAT**

1 DOES NOT HAVE A PUBLIC ELECTRONICS RECYCLING PROGRAM. AT LEAST
2 ONE OF THE TWO REPRESENTED MUNICIPALITIES SHALL HAVE A
3 POPULATION OF LESS THAN FIFTY THOUSAND PEOPLE. BOTH
4 REPRESENTATIVES SHALL BE APPOINTED BY THE COLORADO MUNICIPAL
5 LEAGUE.";

6
7 line 24, strike "INFORMATION," and substitute "INFORMATION AND ONE
8 SHALL BE A COMMUNITY NONPROFIT THAT OPERATES AN ELECTRONICS
9 COLLECTION OR RECYCLING PROGRAM,".

10
11 Page 4, line 10, strike "ONE REPRESENTATIVE" and substitute "TWO
12 REPRESENTATIVES" and strike "COUNTIES" and substitute "COUNTIES, ONE
13 OF WHICH IS LOCATED WEST OF THE CONTINENTAL DIVIDE,";

14
15 strike lines 14 through 20 and substitute the following:

16
17 "(X) FOUR MEMBERS OF THE GENERAL ASSEMBLY, OF WHOM TWO
18 SHALL BE SENATORS APPOINTED BY THE PRESIDENT OF THE SENATE, TWO
19 SHALL BE REPRESENTATIVES APPOINTED BY THE SPEAKER OF THE HOUSE
20 OF REPRESENTATIVES, AND NO MORE THAN THREE SHALL BE MEMBERS OF
21 THE SAME POLITICAL PARTY.";

22
23 line 22, strike "BY JULY 1, 2009." and substitute "WITHIN ONE MONTH
24 AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH (b).";

25
26 line 25, strike "AUGUST" and substitute "JULY".

27
28 Page 5, line 3, after "REGARDING", insert "THE BENEFITS AND
29 CONSEQUENCES OF ESTABLISHING A LANDFILL DISPOSAL BAN FOR
30 ELECTRONIC DEVICES AND";

31
32 strike lines 6 and 7.

33
34 Reletter succeeding sub-subparagraphs accordingly.

35
36 Page 5, line 19, after "(d)", insert "THE TASK FORCE SHALL APPOINT A
37 SUBCOMMITTEE TO CREATE A DRAFT FINAL REPORT CONCERNING
38 RECOMMENDATIONS FOR THE RECYCLING OF ELECTRONIC DEVICES. A
39 MAJORITY VOTE OF THE TASK FORCE IS REQUIRED FOR ADOPTION OF THE
40 FINAL REPORT, WHICH SHALL INCLUDE BOTH THE MAJORITY AND MINORITY
41 OPINIONS, IF ANY, CONCERNING THE RECOMMENDATIONS PRESENTED IN
42 THE REPORT." and strike "A" and substitute "THE";

43
44 strike line 24 and substitute the following:

45
46 "SHALL PROVIDE DEPARTMENT OR CONTRACT STAFF FOR THE TASK FORCE.
47 PAYMENTS FROM THE ELECTRONIC DEVICE RECYCLING CASH FUND FOR
48 STAFF SHALL BE MADE PRIOR TO TASK FORCE MEMBER REIMBURSEMENTS.
49 NOTWITHSTANDING SECTION 2-2-307, C.R.S., LEGISLATIVE AND
50 NONLEGISLATIVE MEMBERS".

51
52 Page 6, line 2, strike everything after the period;

53
54 strike line 3;

55
56 line 4, strike everything before "NOTWITHSTANDING";

1 after line 15, insert the following:

2

3 **"SECTION 2. Appropriation.** (1) In addition to any other
4 appropriation, there is hereby appropriated, out of any moneys in the
5 electronic device recycling cash fund created in section 25-17-107 (3),
6 Colorado Revised Statutes, not otherwise appropriated, to the department
7 of public health and environment, for allocation to the hazardous
8 materials and waste management division, for the fiscal year beginning
9 July 1, 2009, the sum of twenty-eight thousand six hundred forty-three
10 dollars (\$28,643) cash funds and 0.4 FTE, or so much thereof as may be
11 necessary, for the implementation of this act."

12

13 Renumber succeeding section accordingly.

14

15 Page 1, line 106, strike "**PROGRAMS.**" and substitute "**PROGRAMS AND**
16 **MAKING AN APPROPRIATION.**"

17

18

19

20 **HB09-1289** be referred to the Committee of the Whole with favorable
21 recommendation.

22

23

24 **HB09-1290** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:

27

28 Amend printed bill, page 2, after line 8, insert the following:

29

30 **"SECTION 2. Appropriation - adjustment to the 2009 long**
31 **bill.** (1) For the implementation of this act, the general fund
32 appropriation made in the annual general appropriation act for the fiscal
33 year beginning July 1, 2009, to the department of higher education, for
34 Colorado commission on higher education financial aid, need based
35 grants, is reduced by one hundred fifty thousand (\$150,000).

36

37 (2) In addition to any other appropriation, there is hereby
38 appropriated, out of any moneys in the general fund not otherwise
39 appropriated, to the department of higher education, for tuition assistance
40 for members of the national guard, for the fiscal year beginning July 1,
41 2009, the sum of one hundred fifty thousand dollars (\$150,000), or so
42 much thereof as may be necessary, for the implementation of this act.

43

44 (3) In addition to any other appropriation, there is hereby
45 appropriated, to the department of military and veterans affairs, for tuition
46 assistance for members of the national guard, for the fiscal year beginning
47 July 1, 2009, the sum of one hundred fifty thousand dollars (\$150,000)
48 reappropriated funds, or so much thereof as may be necessary, for the
49 implementation of this act. Said sum shall be out of the moneys
50 appropriated in subsection (1) of this section."

51

52 Renumber succeeding section accordingly.

53

54 Page 1, line 104, strike "**GUARD.**" and substitute "**GUARD, AND MAKING**
55 **AN APPROPRIATION THEREFOR.**"

56

- 1 **HB09-1307** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
- 5 **HB09-1308** be referred to the Committee of the Whole with favorable
6 recommendation.
7
8
- 9 **HB09-1310** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:
12
- 13 Amend the Business Affairs and Labor Committee Report, dated March
14 25, 2009, page 1, strike line 1 and substitute the following"
15
16 "Amend printed bill, page 2, strike line 4 and substitute the following:
17
18 **"8-72-113. Employee misclassification -";**
19
20 line 15, strike "EMPLOYEES, EITHER" and";
21
22 after line 3 of the committee report, insert the following:
23
24 "Page 3, line 10, strike "OFFICE" and substitute "DIVISION";
25
26 after line 13, insert the following:
27
28 "(d) "DIVISION" MEANS THE DIVISION OF EMPLOYMENT AND
29 TRAINING IN THE DEPARTMENT OF LABOR AND EMPLOYMENT."
30
31 Reletter succeeding paragraphs accordingly.";
32
33 line 4 of the committee report, strike ""8-70-103 (11),"." and substitute
34 ""8-70-103 (11),";";
35
36 after line 4 of the committee report, insert the following:
37
38 "strike lines 23 and 24.
39
40 Reletter succeeding paragraph accordingly.
41
42 Page 3, strike line 27.
43
44 Page 4, strike lines 1 and 2 and substitute the following:
45
46 "(3) (a) THE DIVISION";
47
48 line 8, strike "OFFICE" and substitute "DIVISION";
49
50 line 13, strike "DIRECTOR, THROUGH THE OFFICE," and substitute
51 "DIRECTOR";
52
53 line 15, strike "THE RESOURCES OF THE OFFICE";";
54
55 line 5 of the committee report, strike "Page 4,".
56

1 Page 2 of the committee report, line 27, strike "OPINION." and substitute
2 "OPINION AND THE FEES TO BE CHARGED THE REQUESTING EMPLOYER TO
3 COVER THE DIRECTOR'S AND DIVISION'S COSTS IN PROVIDING THE
4 ADVISORY OPINION.";

5

6 after line 29 of the committee report, insert the following:

7

8 "line 10, strike "OFFICE," and substitute "DIVISION TO INVESTIGATE
9 COMPLAINTS OF EMPLOYEE MISCLASSIFICATION AND ENFORCE THIS
10 SECTION,";

11

12 line 11, strike "OFFICE" and substitute "DIVISION";

13

14 line 19, strike "OFFICE AND";

15

16 line 20, strike "ITS FUNCTIONS" and substitute "DIVISION'S FUNCTIONS
17 PURSUANT TO THIS SECTION";

18

19

20

21 **HCR09-1002** be postponed indefinitely.

22

23

24

25 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

26

27 The Speaker has signed: **SB09-112, 117, 210, 215, 225 and 227.**

28

29

30

31 **MESSAGE(S) FROM THE SENATE**

32

33 The Senate has passed on Third Reading and transmitted to the Revisor
34 of Statutes:

35

36 The Senate voted to concur in House amendments to SB09-132, and
37 SB09-175 and repassed the bills as so amended.

38

39

40 SB09-256 amended as printed in Senate Journal, April 2, 2009,
41 page 643-644, and amended on Third Reading, April 3, 2009,
42 as printed in the Senate Journal.

43

44

45 **MESSAGE(S) FROM THE REVISOR**

46

47 We herewith transmit:

48 Without comment, as amended, SB09-256.

49

50

51 On motion of Representative Weissmann, **HB09-1303, SB09-230, HB09-**
52 **1010, 1020, 1022, 1035, 1039, 1043, 1047, 1073, 1094, 1111, 1119,**
53 **1123, 1132, 1137, 1163, 1173, 1199, 1242, 1246, 1266, 1267, 1273,**
54 **1282, 1289, 1290, 1307, 1308, 1310** were made Special Orders on
55 Monday, April 6, 2009, at 10:22 a.m.

56

1 The hour of 10:22 a.m., having arrived, on motion of Representative
2 Casso, the House resolved itself into Committee of the Whole for
3 consideration of Special Orders and he was called to the Chair to act as
4 Chairman.

5

6

7

SPECIAL ORDERS--SECOND READING OF BILLS

8

9 The Committee of the Whole having risen, the Chairman reported the
10 titles of the following bills had been read (reading at length had been
11 dispensed with by unanimous consent), the bills considered and action
12 taken thereon as follows:

13

14 (Amendments to the committee amendment are to the printed committee
15 report which was printed and placed in the members' bill file.)

16

17 **HB09-1303** by Representative(s) Curry; also Senator(s) Isgar--
18 Concerning the application of engineering criteria to
19 increase efficiency in the administration of wells that
20 withdraw ground water in conjunction with the mining of
21 minerals, and, in connection therewith, integrating wells
22 that withdraw ground water in conjunction with the mining
23 of minerals into the prior appropriation system and
24 extending the time schedule for well owners to correct
25 deficiencies in permitting and operation.

26

27 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
28 dated April 1, 2009, and placed in member's bill file; Report also printed
29 in House Journal, April 2, pages 1006-1008.

30

31 As amended, ordered engrossed and placed on the Calendar for Third
32 Reading and Final Passage.

33

34 **SB09-230** by Senator(s) Spence and Groff; also Representative(s)
35 May--Concerning the authorization of charter schools as
36 school food authorities, and making an appropriation in
37 connection therewith.

38

39 Ordered revised and placed on the Calendar for Third Reading and Final
40 Passage.

41

42 **HB09-1020** by Representative(s) Acree; also Senator(s) Spence, Boyd--
43 -Concerning expedited processes for reenrollment in
44 publicly funded medical programs.

45

46 Amendment No. 1, Appropriations Report, dated April 3, 2009, and
47 placed in member's bill file; Report also printed in House Journal, April 6,
48 pages 1038-1039.

49

50 As amended, ordered engrossed and placed on the Calendar for Third
51 Reading and Final Passage.

52

53 **HB09-1022** by Representative(s) Solano; also Senator(s) Boyd--
54 Concerning assistance to counties to implement recidivism
55 reduction programs for the mentally ill.

56

1 Amendment No. 1, Judiciary Report, dated January 15, 2009, and placed
2 in member's bill file; Report also printed in House Journal, January 16,
3 page 88.

4
5 Amendment No. 2, Appropriations Report, dated April 3, 2009, and
6 placed in member's bill file; Report also printed in House Journal, April 6,
7 pages 1039-1040.

8
9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.

11
12
13 **HB09-1035** by Representative(s) Riesberg; also Senator(s) Heath--
14 Concerning sales and use tax refunds for certain Colorado-
15 based technology companies.

16
17 Amendment No. 1, Finance Report, dated January 27, 2009, and placed
18 in member's bill file; Report also printed in House Journal, January 28,
19 pages 153-155.

20
21 Amendment No. 2, Appropriations Report, dated April 3, 2009, and
22 placed in member's bill file; Report also printed in House Journal, April 6,
23 page 1040.

24
25 As amended, ordered engrossed and placed on the Calendar for Third
26 Reading and Final Passage.

27
28 **HB09-1043** by Representative(s) Ryden; also Senator(s) Williams--
29 Concerning the addition of a line to Colorado state
30 individual income tax return forms whereby individual
31 taxpayers may make a voluntary contribution to the Make-
32 A-Wish Foundation of Colorado fund.

33
34 Ordered engrossed and placed on the Calendar for Third Reading and
35 Final Passage.

36
37
38 **HB09-1047** by Representative(s) Todd; also Senator(s) Williams--
39 Concerning a program for providing additional therapies
40 to certain persons with disabilities who are eligible to
41 receive medicaid.

42
43 Amendment No. 1, Health & Human Services Report, dated
44 January 26, 2009, and placed in member's bill file; Report also printed in
45 House Journal, January 28, page 156.

46
47 Amendment No. 2, Appropriations Report, dated April 3, 2009, and
48 placed in member's bill file; Report also printed in House Journal, April 6,
49 page 1042.

50
51 Amendment No. 3, by Representative(s) Todd.

52
53 Amend printed bill, page 5, after line 26, insert the following:

54
55 "(7) UNLESS THE STATE DEPARTMENT RECEIVES SUFFICIENT
56 MONEYS FROM EITHER THE GENERAL FUND OR FROM GIFTS, GRANTS, AND

1 DONATIONS MADE PURSUANT TO SUBSECTION (6) OF THIS SECTION, THE
2 STATE DEPARTMENT SHALL NOT BE REQUIRED TO SEEK FEDERAL APPROVAL
3 OR IMPLEMENT THE PILOT PROGRAM.".

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB09-1073** by Representative(s) Massey, Frangas, Kerr J., Riesberg;
9 also Senator(s) Boyd and Kopp, Morse--Concerning
10 electronic prescriptions in the medical assistance program.

11
12 Amendment No. 1, Health & Human Services Report, dated
13 January 23, 2009, and placed in member's bill file; Report also printed in
14 House Journal, January 26, page 127.

15
16 As amended, ordered engrossed and placed on the Calendar for Third
17 Reading and Final Passage.

18
19 **HB09-1094** by Representative(s) Levy, Fischer, Hullinghorst, Kefalas;
20 also Senator(s) Bacon--Concerning wireless telephone
21 prohibitions for drivers.

22
23 Amendment No. 1, Transportation & Energy Report, dated
24 February 3, 2009, and placed in member's bill file; Report also printed in
25 House Journal, February 5, pages 260-261.

26
27 Amendment No. 2, Appropriations Report, dated April 3, 2009, and
28 placed in member's bill file; Report also printed in House Journal, April 6,
29 pages 1042-1043.

30
31 Amendment No. 3, by Representative(s) Levy.

32
33 Amend the Transportation and Energy Committee Report, dated February
34 3, 2009, page 1, line 6, strike "~~WIRELESS~~";

35
36 line 7, strike "~~TELEPHONE~~";

37
38 line 11, strike "~~DRIVER~~" and substitute "DRIVER".

39
40 Page 2, line 4, strike "MANNER." and substitute "MANNER."";

41
42 after line 4, insert the following:

43
44 "line 16, strike "(b)" and substitute "~~(b)~~ (c)".";

45
46 line 28, strike "TRANSPORTATION" and substitute "TRANSPORTING".

47
48 Amendment No. 4, by Representative(s) Levy.

49
50 Amend Transportation and Energy Committee Report, dated February 3,
51 2009, page 2, after line 5 insert the following:

52
53 "Page 3, strike lines 4 and 5 and substitute the following:

54
55 "(e) "USE" MEANS TALKING ON OR LISTENING TO A WIRELESS
56 TELEPHONE OR ENGAGING THE WIRELESS".";

1 line 7 of the committee report, change the period to a semi-colon;

2

3 after line 7 of the committee report, insert the following:

4

5 "line 25, after the first "PERSONS" insert "FOR A USE OTHER THAN TEXT
6 MESSAGING OR OTHER FORMS OF MANUAL DATA ENTRY OR
7 TRANSMISSION"."

8

9 line 16 of the committee report, strike "OR";

10

11 line 18 of the committee report, strike "C.R.S." and substitute "C.R.S.;
12 OR";

13

14 after line 18 of the committee report, insert the following:

15

16 "(g) A COMMERCIAL DRIVER WHILE DRIVING A VEHICLE WITH A
17 GROSS WEIGHT VEHICLE RATING OF 10,001 OR MORE POUNDS THAT IS
18 TRANSPORTING FREIGHT AND NOT TRANSPORTING PERSONS.";

19

20 line 22 of the committee report, strike "COMMISSION." and substitute
21 "COMMISSION.".";

22

23 strike lines 23 through 28 of the committee report.

24

25 Amendment No. 5, by Representative(s) Levy.

26

27 Amend printed bill, page 3, line 20, after the semi-colon, add "AND";

28

29 line 22, strike "BUS; AND" and substitute "BUS.";

30

31 strike lines 23 through 25 and substitute the following:

32

33 "(c) ~~During an emergency.~~"

34

35 As amended, ordered engrossed and placed on the Calendar for Third
36 Reading and Final Passage.

37

38 **HB09-1111** by Representative(s) Massey, Swalm; also Senator(s) Boyd
39 and Schwartz--Concerning measures to increase the
40 availability of health resources in designated areas in
41 Colorado, and, in connection therewith, creating the
42 primary care office in the prevention services division in
43 the department of public health and environment to
44 maximize state and federal programs that provide health
45 resources.

46

47 Amendment No. 1, Appropriations Report, dated April 3, 2009, and
48 placed in member's bill file; Report also printed in House Journal, April 6,
49 pages 1043-1044.

50

51 Amendment No. 2, by Representative(s) Ferrandino.

52

53 Amend printed bill, page 18, line 4, strike "sixty thousand" and substitute
54 "sixty NINETY thousand SEVENTY".

55

1 Amendment No. 3, by Representative(s) Primavera.

2

3 Amend printed bill, page 13, after line 14, insert the following:

4

5 "(d) AN ADVANCED PRACTICE NURSE LICENSED TO PRACTICE IN
6 COLORADO;"

7

8 Reletter succeeding sections accordingly.

9

10 As amended, ordered engrossed and placed on the Calendar for Third
11 Reading and Final Passage.

12

13 **HB09-1039** by Representative(s) McNulty; also Senator(s) Kopp--
14 Concerning in-state tuition classification for honorably
15 discharged military veterans.

16

17 Amendment No. 1, Appropriations Report, dated April 3, 2009, and
18 placed in member's bill file; Report also printed in House Journal, April 6,
19 page 1041.

20

21 As amended, ordered engrossed and placed on the Calendar for Third
22 Reading and Final Passage.

23

24 **HB09-1010** by Representative(s) Massey and McGihon; also
25 Senator(s) Gibbs and Spence--Concerning the promotion
26 of Colorado as a location for film production activities.

27

28 Laid over until April 7, retaining place on Calendar.

29

30 **HB09-1119** by Representative(s) Vigil, Court, Labuda, Pace, Todd;
31 also Senator(s) Schwartz--Concerning creation of a
32 program to assist entities providing programs to address
33 substance abuse problems in rural areas of Colorado.

34

35 Amendment No. 1, Health & Human Services Report, dated
36 February 5, 2009, and placed in member's bill file; Report also printed in
37 House Journal, February 6, pages 276-280.

38

39 Amendment No. 2, Appropriations Report, dated April 3, 2009, and
40 placed in member's bill file; Report also printed in House Journal, April 6,
41 pages 1044-1045.

42

43 Amendment No. 3, by Representative(s) Vigil.

44

45 Amend the Health and Human Services Committee Report, dated
46 February 5, 2009, page 4, line 24, strike "OR MUNICIPAL";

47

48 line 25, strike "OR";

49

50 line 26, strike "MUNICIPALITY".

51

52 As amended, ordered engrossed and placed on the Calendar for Third
53 Reading and Final Passage.

54

55

1 **HB09-1123** by Representative(s) Lambert, Kerr J., Balmer,
2 Baumgardner, Gardner B., Gardner C., King S., Liston,
3 Lundberg, Marostica, Massey, Priola, Roberts, Stephens,
4 Swalm, Waller; also Senator(s) Schultheis, Harvey,
5 Brophy, Hodge, King K., Penry, Renfroe, Scheffel--
6 Concerning changes to crimes related to unlawful
7 treatment of persons to align with similar law provisions,
8 and making an appropriation in connection therewith.
9

10 Amendment No. 1, Judiciary Report, dated February 16, 2009, and placed
11 in member's bill file; Report also printed in House Journal, February 17,
12 page 381.
13

14 As amended, ordered engrossed and placed on the Calendar for Third
15 Reading and Final Passage.
16

17 **HB09-1132** by Representative(s) Murray and Priola, Liston, Benefield,
18 Labuda, Waller; also Senator(s) Heath, Scheffel--
19 Concerning the use of messaging systems to commit
20 unlawful activity.
21

22 Amendment No. 1, Judiciary Report, dated February 5, 2009, and placed
23 in member's bill file; Report also printed in House Journal, February 6,
24 pages 280-281.
25

26 Amendment No. 2 Appropriations Report, dated April 3, 2009, and
27 placed in member's bill file; Report also printed in House Journal, April 6,
28 pages 1046-1047.
29

30 As amended, ordered engrossed and placed on the Calendar for Third
31 Reading and Final Passage.
32

33 **HB09-1163** by Representative(s) Gardner C., Baumgardner, Bradford,
34 King S., Looper, May, McNulty, Murray, Scanlan,
35 Summers, Tipton, Todd, Vaad; also Senator(s) Romer,
36 Spence, Brophy, Harvey--Concerning crimes in which the
37 victim is a child, and making an appropriation in
38 connection therewith.
39

40 Amendment No. 1, Judiciary Report, dated February 5, 2009, and placed
41 in member's bill file; Report also printed in House Journal, February 6,
42 pages 281-282.
43

44 Amendment No. 2, Appropriations Report, dated April 3, 2009, and
45 placed in member's bill file; Report also printed in House Journal, April 6,
46 page 1049.
47

48 As amended, ordered engrossed and placed on the Calendar for Third
49 Reading and Final Passage.
50

51 A motion by Representative Weissmann that the Committee rise, report
52 progress and beg leave to sit again at 3:00 p.m., was adopted by
53 unanimous consent. (Special Orders continued on page 1069.)
54
55
56

1 House reconvened.

2
3 The Committee of the Whole reported it had risen, reported progress and
4 would sit again at 3:00 p.m.

5
6
7 **NOTICE OF CALENDARED ITEM(S)**

8
9 On motion of Representative Weissmann, the following bill(s) will be
10 calendared for second reading on April 15: HB09-1269, 1274, 1280.

11
12 On motion of Representative Weissmann, the following bill(s) calendared
13 for second reading, April 6, will be laid over until April 7: HB09-1327.

14
15
16 House in recess. House reconvened.

17
18
19 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
20 **on HB09-1153**

21
22 This Report Amends the Reengrossed Bill.

23
24 To the President of the Senate and the
25 Speaker of the House of Representatives:

26
27 Your first conference committee appointed on HB09-1153,
28 concerning the requirements applicable to the formation of an issue
29 committee under Colorado law governing campaign finance, has met and
30 reports that it has agreed upon the following:

31
32 1. That the Senate recede from its amendments made to the bill,
33 as the amendments appear in the rerevised bill.

34
35 2. That, under the authority granted the committee to consider
36 matters not at issue between the two houses, the following amendments
37 be recommended:

38
39 Amend reengrossed bill, page 3, line 17, strike "A";

40
41 strike line 18 and substitute the following:

42
43 "CONTRIBUTIONS OR EXPENDITURES IN EXCESS OF TWO HUNDRED DOLLARS
44 TO".

45
46 Page 6, strike line 1 and substitute the following:

47 "MAKING CONTRIBUTIONS OR EXPENDITURES IN EXCESS OF TWO HUNDRED".

48
49 Respectfully submitted,

50 House Committee:

51 (signed)

52 Mike May

53 Nancy Todd

54 Joe Miklosi

Senate Committee:

(signed)

Ted Harvey

Bob Bacon

Suzanne Williams

DELIVERY OF BILLS TO GOVERNOR1
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The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB09-1034, 1118, 1125, 1143, 1190, 1218, 1253, 1254, 1264, 1297** at 1:50 p.m. on April 6, 2009.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJM09-002.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB09-251, SB09-249.

The Senate has passed on Third Reading and returns herewith: HB09-1296, HB09-1294, HB09-1301.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB09-248 amended as printed in Senate Journal, April 3, 2009, page 947,

SB09-243 amended as printed in Senate Journal, April 3, 2009, page 948,

SB09-110 amended as printed in Senate Journal, April 3, 2009, page 948-949.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB09-1248 amended as printed in Senate Journal, April 3, 2009, page 949,

HB09-1230 amended as printed in Senate Journal, April 3, 2009, page 950,

HB09-1222 amended as printed in Senate Journal, April 3, 2009, page 950-951, and as printed in Senate Journal, April 6, 2009,

HB09-1149 amended as printed in Senate Journal, April 3, 2009, and as printed in Senate Journal April 6, 2009,

HB09-1293 amended as printed in Senate Journal, April 3, 2009, page 954.

The Senate voted to concur in House amendments to SB09-119, and repassed the bill as so amended.

The Senate has voted not to concur in House Amendments to SB09-013, and requests that a Conference Committee be appointed. The President appointed Senators Gibbs, Chair, Schwartz and Kopp, as members of the First Conference Committee on SB09-013 on the part of the Senate. The bill is transmitted herewith.

The Senate has adopted the First Report of the First Conference Committee on HB09-1153, as printed in Senate Journal, March 16, 2009, page 635, and repassed the bill as amended. The bill is returned herewith.

MESSAGE(S) FROM THE REVISOR1
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We herewith transmit:

Without comment, SB09-251 and 249.

Without comment, as amended, HB09-1248, 1230, 1222, 1149 and 1293.

Without comment, as amended, SB09-248, 243 and 110.

INTRODUCTION OF BILLS
First Reading

The following bills were read by title and referred to the committees indicated:

HB09-1332 by Representative(s) Marostica, Ferrandino, Pommer; also Senator(s) White, Keller, Tapia--Concerning the repeal of provisions requiring a cumulative economic analysis of state air quality control measures every five years.

Committee on Health and Human Services

HB09-1333 by Representative(s) Riesberg, McFadyen, Sonnenberg; also Senator(s) Bacon, Kopp, Schwartz--Concerning the transfers of money to the state museum cash fund.

Committee on State, Veterans, & Military Affairs

HB09-1334 by Representative(s) McCann and Apuan, Court, Gardner B., King S., Lambert, Ryden, Schafer S., Vigil, Waller--Concerning the aggregation of multiple offenses involving theft-type crimes into a single offense.

Committee on Judiciary

SB09-037 by Senator(s) Kopp; also Representative(s) McNulty--Concerning funding for certain workers' compensation funds.

Committee on Business Affairs and Labor

SB09-110 by Senator(s) Morse, Carroll M., Hudak; also Representative(s) Levy--Concerning the continuation of the regulation of civil rights issues.

Committee on Judiciary

SB09-243 by Senator(s) Boyd, Carroll M.; also Representative(s) Riesberg--Concerning payments for workers' compensation benefits.

Committee on Business Affairs and Labor

SB09-248 by Senator(s) Heath; also Representative(s) McNulty--Concerning contractor surety requirements for a public works project contract having a total value of five hundred million dollars or more, and, in connection therewith, requiring a bond or other acceptable surety, including but not limited to a letter of credit, to be filed in a specified minimum amount for the duration of the contract.

Committee on State, Veterans, & Military Affairs

- 1 **SB09-249** by Senator(s) Penry and Carroll M.; also Representative(s)
 2 Kerr A., Bradford, May--Concerning the applicability to
 3 small common-interest communities of recently enacted
 4 provisions of the "Colorado Common Interest Ownership
 5 Act".
 6 Committee on Local Government
 7
 8 **SB09-251** by Senator(s) Romer; also Representative(s) Riesberg--
 9 Concerning the authority of a licensed health care provider
 10 to charge a fee for certain ophthalmic devices.
 11 Committee on Health and Human Services
 12
 13 **SB09-256** by Senator(s) Romer and Bacon; also Representative(s)
 14 Pommer and Scanlan--Concerning the financing of public
 15 schools, and making an appropriation therefor.
 16 Committee on Education
 17 Committee on Appropriations
 18
 19
 20

INTRODUCTION OF RESOLUTION

- 21
 22
 23 The following resolution was read by title and laid over one day under the
 24 rules:
 25
 26 **HJR09-1014** by Representative(s) Kerr J., Massey, Todd, Acree,
 27 Balmer, Casso, Gagliardi, Lambert, Looper, McNulty,
 28 Nikkel, Pace; also Senator(s) Morse, Schultheis--
 29 Concerning federal funds for COPLINK program.
 30
 31
 32

-
- 33 On motion of Representative Kerr A., **SB09-061** was added to the Special
 34 Orders Calendar on Monday, April 6, 2009.
 35
 36

- 37 On motion of Representative Casso, the House resolved itself into
 38 Committee of the Whole for continuation of consideration of Special
 39 Orders, and he returned to the Chair to act as Chairman.
 40
 41
 42

SPECIAL ORDERS--SECOND READING OF BILLS

(Continued from page 1065)

- 43
 44
 45 **HB09-1173** by Representative(s) Riesberg; also Senator(s) Hodge--
 46 Concerning efforts to reduce the amount of contraband
 47 tobacco products in the state.
 48
 49 Amendment No. 1, Appropriations Report, dated April 3, 2009, and
 50 placed in member's bill file; Report also printed in House Journal, April 6,
 51 pages 1049-1052.
 52
 53 As amended, ordered engrossed and placed on the Calendar for Third
 54 Reading and Final Passage.
 55

1 **HB09-1199** by Representative(s) Scanlan, Benefield, Curry,
2 Ferrandino, Gerou, Kerr A., King S., Levy, Massey,
3 Middleton, Nikkel, Roberts; also Senator(s) Gibbs--
4 Concerning increased efforts to address wildfire risk, and,
5 in connection therewith, providing resources to the
6 Colorado state forest service to augment its technical
7 outreach capabilities and provide loans and grants for
8 market-based and forest treatment solutions to reduce
9 wildfire risk.

10
11 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
12 dated February 18, 2009, and placed in member's bill file; Report also
13 printed in House Journal, February 20, pages 451-453.

14
15 Amendment No. 2, Appropriations Report, dated April 3, 2009, and
16 placed in member's bill file; Report also printed in House Journal, April 6,
17 page 1052.

18
19 As amended, ordered engrossed and placed on the Calendar for Third
20 Reading and Final Passage.

21
22 **HB09-1242** by Representative(s) Summers; also Senator(s) King K.--
23 Concerning a credit against state income tax for
24 contributions to research institutions at Colorado
25 institutions of higher education.

26
27 Amendment No. 1, Finance Report, dated February 25, 2009, and placed
28 in member's bill file; Report also printed in House Journal, March 2,
29 pages 572-573.

30
31 As amended, ordered engrossed and placed on the Calendar for Third
32 Reading and Final Passage.

33
34 **HB09-1246** by Representative(s) Peniston; also Senator(s) Morse--
35 Concerning the evaluation of driving schools attended as
36 a result of a court order resulting from a violation of a law
37 regulating the operation of a motor vehicle.

38
39 Amendment No. 1, Transportation & Energy Report, dated
40 March 3, 2009, and placed in member's bill file; Report also printed in
41 House Journal, March 4, page 603.

42
43 Amendment No. 2, Appropriations Report, dated April 3, 2009, and
44 placed in member's bill file; Report also printed in House Journal, April 6,
45 pages 1052-1053.

46
47 As amended, ordered engrossed and placed on the Calendar for Third
48 Reading and Final Passage.

49
50 **HB09-1266** by Representative(s) McCann; also Senator(s) Carroll M.--
51 Concerning the repeal of the loss of driving privileges as
52 a penalty for certain crimes.

53
54 Amendment No. 1, Judiciary Report, dated February 19, 2009, and placed
55 in member's bill file; Report also printed in House Journal, February 20,
56 pages 464-466.

1 Amendment No. 2, Appropriations Report, dated April 3, 2009, and
2 placed in member's bill file; Report also printed in House Journal, April 6,
3 pages 1053-1054.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB09-1282** by Representative(s) Fischer; also Senator(s) Schwartz,
9 Hodge--Concerning the recycling of certain electronic
10 devices, and, in connection therewith, establishing a task
11 force within the department of public health and
12 environment to make recommendations regarding the
13 implementation of electronic device recycling programs.

14
15 Amendment No. 1, Appropriations Report, dated April 3, 2009, and
16 placed in member's bill file; Report also printed in House Journal, April 6,
17 pages 1055-1057.

18
19 As amended, ordered engrossed and placed on the Calendar for Third
20 Reading and Final Passage.

21
22
23 **HB09-1267** by Representative(s) Todd; also Senator(s) Bacon--
24 Concerning the removal of statutory provisions describing
25 pervasively sectarian educational institutions.

26
27 Amendment No. 1, Education Report, dated February 23, 2009, and
28 placed in member's bill file; Report also printed in House Journal,
29 February 24, pages 510-511.

30
31 Amendment No. 2, by Representative(s) Riesberg.
32 Strike the House Appropriations Committee Report, dated April 3, 2009,
33 and substitute the following:

34
35 "Amend printed bill, page 8, after line 12, insert the following:
36 **"SECTION 13. Appropriation.** In addition to any other
37 appropriation, there is hereby appropriated, out of any moneys in the
38 general fund not otherwise appropriated, to the department of higher
39 education, for allocation to the college opportunity fund, for stipends for
40 an estimated ninety-three eligible full-time equivalent students attending
41 participating private institutions, for the fiscal year beginning July 1,
42 2009, the sum of forty-three thousand two hundred forty-five dollars
43 (\$43,245), or so much thereof as may be necessary, for the
44 implementation of this act.

45
46 **SECTION 14. Safety clause.** The general assembly hereby finds,
47 determines, and declares that this act is necessary for the immediate
48 preservation of the public peace, health, and safety.";

49
50 strike lines 13 through 22.

51
52 Page 1, line 102, strike "INSTITUTIONS." and substitute "INSTITUTIONS,
53 AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.".

54
55 As amended, ordered engrossed and placed on the Calendar for Third
56 Reading and Final Passage.

1 **HB09-1289** by Representative(s) Curry; also Senator(s) Isgar--
2 Concerning the species conservation trust fund, and, in
3 connection therewith, approving the species conservation
4 eligibility list.

5
6 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
7 dated February 25, 2009, and placed in member's bill file; Report also
8 printed in House Journal, March 2, page 571.

9
10 As amended, ordered engrossed and placed on the Calendar for Third
11 Reading and Final Passage.

12
13 **HB09-1290** by Representative(s) Nikkel and Apuan; also Senator(s)
14 Harvey, Bacon--Concerning increasing the maximum
15 amount of money that the Colorado commission on higher
16 education may allocate for the purpose of providing tuition
17 assistance to members of the National Guard.

18
19 Amendment No. 1, Appropriations Report, dated April 3, 2009, and
20 placed in member's bill file; Report also printed in House Journal, April 6,
21 page 1057.

22
23 As amended, ordered engrossed and placed on the Calendar for Third
24 Reading and Final Passage.

25
26 **HB09-1307** by Representative(s) Benefield and Massey, Court, Vaad,
27 Gagliardi, Marostica, McNulty, Merrifield, Middleton,
28 Miklosi, Primavera, Scanlan, Solano; also Senator(s)
29 Shaffer B. and Penry--Concerning the televising of
30 proceedings of state government, and, in connection
31 therewith, creating the Colorado channel authority.

32
33 Ordered engrossed and placed on the Calendar for Third Reading and
34 Final Passage.

35
36 **HB09-1308** by Representative(s) Curry; also Senator(s) Isgar--
37 Concerning the addition of the division of water resources
38 in the department of natural resources to the list of entities
39 eligible to receive first tier funding from the operational
40 account of the severance tax trust fund, and, in connection
41 therewith, modifying appropriations made to the division
42 of water resources in the general appropriation acts for the
43 2008-09 and 2009-10 fiscal years.

44
45 Ordered engrossed and placed on the Calendar for Third Reading and
46 Final Passage.

47
48 **HB09-1310** by Representative(s) Levy, Apuan, Court, McCann, Pace,
49 Ryden; also Senator(s) Heath--Concerning the
50 misclassification of employees as independent contractors
51 for purposes of the "Colorado Employment Security Act".

52
53 Amendment No. 1, Business Affairs & Labor Report, dated
54 March 25, 2009, and placed in member's bill file; Report also printed in
55 House Journal, March 26, pages 917-918.

56

1 Amendment No. 2, Appropriations Report, dated April 3, 2009, and
2 placed in member's bill file; Report also printed in House Journal, April 6,
3 pages 1058-1059.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB09-1273** by Representative(s) Kefalas, Green, Frangas, Court,
9 Fischer, Hullinghorst, Labuda, Levy, Miklosi, Pace, Vigil,
10 Apuan, McCann, Ryden, Schafer S.; also Senator(s)
11 Foster, Bacon, Carroll M.--Concerning the creation of a
12 health care authority to develop a health care system that
13 shall be the administrator for health care services in
14 Colorado.

15
16 Amendment No. 1, Business Affairs & Labor Report, dated
17 March 18, 2009, and placed in member's bill file; Report also printed in
18 House Journal, March 19, pages 791-794.

19
20 As amended, ordered engrossed and placed on the Calendar for Third
21 Reading and Final Passage.

22
23 **HB09-1137** by Representative(s) Judd; also Senator(s) Newell--
24 Concerning intercepts, and, in connection therewith,
25 intercepting gambling winnings to pay outstanding
26 criminal court obligations, restitution, and delinquent taxes
27 and requiring the department of revenue to provide
28 specified information to state agencies in conjunction with
29 intercepts of tax refunds.

30
31 Amendment No. 1, Judiciary Report, dated March 23, 2009, and placed
32 in member's bill file; Report also printed in House Journal, March 24,
33 pages 859-863.

34
35 Amendment No. 2, Appropriations Report, dated April 3, 2009, and
36 placed in member's bill file; Report also printed in House Journal, April 6,
37 pages 1047-1049.

38
39 Amendment No. 3, by Representative(s) Judd.

40
41 Amend the Appropriations Committee Report, dated April 3, 2009, page
42 2, strike lines 27 through 29 and substitute the following:

43
44 "Page 5 of the Judiciary Committee Report, after line 17, insert the
45 following:

46
47 "after line 19, insert the following:";

48
49 Page 3 of the Appropriations Committee Report, line 1, strike "**13.**" and
50 substitute "**16.**";

51
52 line 6, strike "167,058" and substitute "one hundred sixty-seven thousand
53 fifty-eight dollars (\$167,058);

54
55 strike lines 10 through 13 and substitute the following:

56

1 "Page 5 of the Judiciary Committee Report, line 20, strike "10, 11, 12, 13,
 2 and 14" and substitute "6, 8, 10, 12, 13, 14, 15, and 16".
 3
 4 line 24, strike "RESTITUTION"." and substitute "RESTITUTION,";
 5
 6 line 106, strike "REFUNDS." and substitute "REFUNDS, AND MAKING AN
 7 APPROPRIATION."."
 8
 9 As amended, ordered engrossed and placed on the Calendar for Third
 10 Reading and Final Passage.

11
 12 **SB09-061** by Senator(s) Carroll M.; also Representative(s)
 13 Primavera--Concerning the qualifications of health care
 14 professionals who review claims for medical treatment
 15 under insurance policies.
 16

17 Amendment No. 1, Health & Human Services Report, dated
 18 March 30, 2009, and placed in member's bill file; Report also printed in
 19 House Journal, March 31, page 969.
 20

21 Amendment No. 2, by Representative(s) Primavera.
 22

23 Amend reengrossed bill, page 5, line 10, strike "DECISION ABOUT" and
 24 substitute "DENIAL OF BENEFITS FOR".
 25

26 Page 12, line 7, strike "THAT" and substitute "THAT, FOR PURPOSES OF
 27 DETERMINING ELIGIBILITY FOR DISABILITY BENEFITS,";
 28

29 line 8, strike "DECISION ABOUT" and substitute "DENIAL OF THE CLAIM,
 30 WHERE THE DENIAL IS RELATED TO";
 31

32 line 11, strike "FOR PURPOSES";
 33

34 line 12, strike "OF DETERMINING ELIGIBILITY FOR DISABILITY BENEFITS".
 35

36 As amended, ordered revised and placed on the Calendar for Third
 37 Reading and Final Passage.
 38

39
 40
 41 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**
 42

43 Representative(s) McNulty and Bradford moved to amend the Report of
 44 the Committee of the Whole to reverse the action taken by the Committee
 45 in not adopting the following McNulty and Bradford amendment, to
 46 HB09-1163, to show that said amendment passed, and that **HB09-1163**,
 47 as amended, passed.
 48

49 Amend printed bill, page 2, after line 1, insert the following:
 50

51 "SECTION 1. 18-1.3-1004 (1), Colorado Revised Statutes, is
 52 amended BY THE ADDITION OF A NEW PARAGRAPH to read:
 53

54 **18-1.3-1004. Indeterminate sentence.**
 55 (1) (e) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF THE SEX
 56 OFFENDER COMMITTED ANY OF THE FOLLOWING ACTS UPON A CHILD WHO

1 WAS FOURTEEN YEARS OF AGE OR YOUNGER AND SEVEN OR MORE YEARS
 2 YOUNGER THAN THE SEX OFFENDER AT THE TIME OF THE OFFENSE, THE
 3 COURT SHALL SENTENCE THE DEFENDANT TO AT LEAST TWENTY BUT NOT
 4 LESS THAN THIRTY YEARS IN THE DEPARTMENT OF CORRECTIONS:

5

6 (I) SEXUAL ASSAULT, AS DESCRIBED IN SECTION 18-3-402;

7

8 (II) SEXUAL ASSAULT IN THE FIRST DEGREE, AS DESCRIBED IN
 9 SECTION 18-3-402, AS IT EXISTED PRIOR TO JULY 1, 2000;

10

11 (III) SEXUAL ASSAULT IN THE SECOND DEGREE, AS DESCRIBED IN
 12 SECTION 18-3-403, AS IT EXISTED PRIOR TO JULY 1, 2000;

13

14 (IV) SEXUAL ASSAULT ON A CHILD, AS DESCRIBED IN SECTION 18-
 15 3-405; OR

16

17 (V) SEXUAL ASSAULT ON A CHILD BY ONE IN A POSITION OF TRUST,
 18 AS DESCRIBED IN SECTION 18-3-405.3."

19

20 Renumber succeeding sections accordingly.

21

22 The amendment was declared **lost** by the following roll call vote:

23

	YES	29	NO	30	EXCUSED	6	ABSENT	0
25	Acree	Y	Green	N	McCann	E	Roberts	N
26	Apuan	Y	Hullinghorst	N	McFadyen	N	Ryden	N
27	Balmer	Y	Judd	N	McKinley	Y	Scanlan	E
28	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
29	Benefield	N	Kefalas	Y	Merrifield	N	Solano	N
30	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	E
31	Casso	N	Kerr J.	Y	Miklosi	N	Soper	N
32	Court	N	King S.	Y	Murray	Y	Stephens	Y
33	Curry	N	Labuda	E	Nikkel	Y	Summers	Y
34	Ferrandino	N	Lambert	Y	Pace	E	Swalm	Y
35	Fischer	N	Levy	N	Peniston	N	Tipton	Y
36	Frangas	Y	Liston	Y	Pommer	N	Todd	N
37	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
38	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
39	Gardner C.	Y	Massey	N	Rice	N	Waller	Y
40	Gerou	Y	May	E	Riesberg	N	Weissmann	N
41							Speaker	N

42

43

44

45

46

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

47

48 Passed Second Reading: **HB09-1303 amended, SB09-230, HB09-**
 49 **1020 amended, 1022 amended, 1035 amended, 1043, 1047 amended,**
 50 **1073 amended, 1094 amended, 1111 amended, 1039 amended,**
 51 **1119 amended, 1123 amended, 1132 amended, 1163 amended,**
 52 **1173 amended, 1199 amended, 1242 amended, 1246 amended,**
 53 **1266 amended, 1282 amended, 1267 amended, 1289 amended,**
 54 **1290 amended, 1307, 1308, 1310 amended, 1273 amended, 1137**
 55 **amended, SB09-061 amended.**

56

1 Laid over until date indicated retaining place on Calendar: **HB09-1010--**
2 April 7, 2009.

3
4 The Chairman moved the adoption of the Committee of the Whole
5 Report. As shown by the following roll call vote, a majority of those
6 elected to the House voted in the affirmative, and the Report was
7 **adopted**.

	YES	55	NO	4	EXCUSED	6	ABSENT	0
10	Acree	N	Green	Y	McCann	E	Roberts	Y
11	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
12	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	E
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	E
16	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
17	Court	Y	King S.	Y	Murray	Y	Stephens	N
18	Curry	Y	Labuda	E	Nikkel	Y	Summers	Y
19	Ferrandino	Y	Lambert	N	Pace	E	Swalm	Y
20	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
21	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
22	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
23	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
24	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
25	Gerou	Y	May	E	Riesberg	Y	Weissmann	Y
26							Speaker	Y

27
28
29
30 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

31
32 **HEALTH & HUMAN SERVICES**

33 After consideration on the merits, the Committee recommends the
34 following:

35
36 **SB09-103** be postponed indefinitely.

37
38
39 **SB09-167** be amended as follows, and as so amended, be referred to
40 the Committee on Appropriations with favorable
41 recommendation:

42
43 Amend reengrossed bill, page 8, line 13, strike " ____ " and substitute
44 "THREE".

45
46
47 **LAY OVER OF CALENDAR ITEM(S)**

48
49 On motion of Representative Weissmann, the following item(s) on the
50 Calendar were laid over until April 7, retaining place on Calendar:

51
52 Consideration of General Orders--**SB09-098, HB09-1317.**

53 Consideration of Conference Committee Report(s)--**HB09-1162.**

54 Consideration of Resolution(s)--**SJR09-034.**

55 Consideration of Senate Amendment(s)--**HB09-1217.**

56

1 On motion of Representative Weissmann, the House adjourned until
2 9:00 a.m., April 7, 2009.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:
TERRANCE D. CARROLL,
Speaker

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Ninety-first Legislative Day

Tuesday, April 7, 2009

1 Prayer by Pastor Jay Badry, Marketplace Chaplains USA, Parker.

2

3 The Speaker *Pro Tempore* called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Meghan McCann, Colorado State University.

6

7 The roll was called with the following result:

8

9 Present--59.

10 Excused--Representative(s) Carroll T., Labuda, Massey, McCann,
11 Merrifield, Middleton,--6.

12 Present after roll call--Representative(s) Carroll T., Massey,
13 McCann, Merrifield, Middleton.

14

15 The Speaker *Pro Tempore* declared a quorum present.

16

17

18 On motion of Representative Ryden, the reading of the journal of
19 April 6, 2009, was declared dispensed with and approved as corrected by
20 the Chief Clerk.

21

22

23

24

THIRD READING OF BILLS--FINAL PASSAGE

25

26 The following bills were considered on Third Reading. The titles were
27 publicly read. Reading of the bill at length was dispensed with by
28 unanimous consent.

29

30 **HB09-1303** by Representative(s) Curry; also Senator(s) Isgar--
31 Concerning the application of engineering criteria to
32 increase efficiency in the administration of wells that
33 withdraw ground water in conjunction with the mining of
34 minerals, and, in connection therewith, integrating wells
35 that withdraw ground water in conjunction with the
36 mining of minerals into the prior appropriation system and
37 extending the time schedule for well owners to correct
38 deficiencies in permitting and operation.

39

40 The question being "Shall the bill 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 was declared **passed**.

	YES	60	NO	0	EXCUSED	5	ABSENT	0
1								
2	Acree	Y	Green	Y	McCann	E	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	E	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	E	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	Y	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	E	Rice	Y	Waller	Y
17	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
18							Speaker	E

19 Co-sponsor(s) added: Representative(s) Fischer, Looper, McNulty, Nikkel,
20 Pace, Priola, Roberts, Solano, Stephens, Tipton, Vigil

21
22 **SB09-230** by Senator(s) Spence and Groff; also Representative(s)
23 May--Concerning the authorization of charter schools as
24 school food authorities, and making an appropriation in
25 connection therewith.

26
27 The question being "Shall the bill pass?".
28 A roll call vote was taken. As shown by the following recorded vote, a
29 majority of those elected to the House voted in the affirmative and the bill
30 was declared **passed**.

	YES	60	NO	0	EXCUSED	5	ABSENT	0
33	Acree	Y	Green	Y	McCann	E	Roberts	Y
34	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
35	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
36	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
37	Benefield	Y	Kefalas	Y	Merrifield	E	Solano	Y
38	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
39	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
40	Court	Y	King S.	Y	Murray	Y	Stephens	Y
41	Curry	Y	Labuda	E	Nikkel	Y	Summers	Y
42	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
43	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
44	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
45	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
46	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
47	Gardner C.	Y	Massey	E	Rice	Y	Waller	Y
48	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
49							Speaker	E

50 Co-sponsor(s) added: Representative(s) Balmer, Casso, Gardner B., Kerr J.,
51 King S., Lambert, Looper, Murray, Nikkel, Rice, Scanlan, Summers, Tipton

52
53 **HB09-1020** by Representative(s) Acree; also Senator(s) Spence, Boyd-
54 -Concerning expedited processes for reenrollment in
55 publicly funded medical programs.

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	59	NO	1	EXCUSED	5	ABSENT	0
7	Acree	Y	Green	Y	McCann	E	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	E	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	E	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	N	Vaad	Y
20	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
21	Gardner C.	Y	Massey	E	Rice	Y	Waller	Y
22	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
23							Speaker	E

24 Co-sponsor(s) added: Representative(s) Gardner B., Gerou, Kefalas, Kerr J.,
 25 Ryden, Summers, Todd, Vigil

26
 27 **HB09-1022** by Representative(s) Solano; also Senator(s) Boyd--
 28 Concerning assistance to counties to implement recidivism
 29 reduction programs for the mentally ill.

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**.

	YES	49	NO	11	EXCUSED	5	ABSENT	0
37	Acree	Y	Green	Y	McCann	E	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	N	Schafer S.	Y
41	Benefield	Y	Kefalas	Y	Merrifield	E	Solano	Y
42	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
43	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
44	Court	Y	King S.	Y	Murray	N	Stephens	Y
45	Curry	Y	Labuda	E	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.	N	Marostica	Y	Priola	Y	Vigil	Y
51	Gardner C.	N	Massey	E	Rice	Y	Waller	N
52	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
53							Speaker	E

54 Co-sponsor(s) added: Representative(s) Casso, Fischer, Frangas, Kagan,
 55 Kerr A., Kerr J., Levy, Primavera, Rice, Ryden, Schafer S., Soper, Todd, Vigil

56

1 **HB09-1035** by Representative(s) Riesberg; also Senator(s) Heath--
 2 Concerning sales and use tax refunds for certain Colorado-
 3 based technology companies.
 4

5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

	YES	51	NO	9	EXCUSED	5	ABSENT	0
11	Acree	Y	Green	Y	McCann	E	Roberts	Y
12	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
13	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
14	Baumgardner	N	Kagan	Y	McNulty	Y	Schafer S.	Y
15	Benefield	Y	Kefalas	Y	Merrifield	E	Solano	Y
16	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
17	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
18	Court	N	King S.	Y	Murray	N	Stephens	Y
19	Curry	Y	Labuda	E	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	Y	Primavera	Y	Vaad	Y
24	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
25	Gardner C.	Y	Massey	E	Rice	Y	Waller	N
26	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
27							Speaker	E

28 Co-sponsor(s) added: Representative(s) Fischer, Gerou, Ryden, Schafer S.,
 29 Vigil
 30

31 **HB09-1043** by Representative(s) Ryden; also Senator(s) Williams--
 32 Concerning the addition of a line to Colorado state
 33 individual income tax return forms whereby individual
 34 taxpayers may make a voluntary contribution to the Make-
 35 A-Wish Foundation of Colorado fund.
 36

37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.
 41

	YES	58	NO	2	EXCUSED	5	ABSENT	0
43	Acree	Y	Green	Y	McCann	E	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McFadyen	Y	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	E	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	E	Nikkel	Y	Summers	Y
52	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
53	Fischer	Y	Levy	Y	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	Y

1	Gardner C.	Y	Massey	E	Rice	Y	Waller	Y
2	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
3							Speaker	E

4 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Frangas, Gerou, Green,
 5 Hullinghorst, King S., Schafer S., Solano, Stephens, Summers, Todd, Vaad

6
 7 **HB09-1047** by Representative(s) Todd; also Senator(s) Williams--
 8 Concerning a program for providing additional therapies
 9 to certain persons with disabilities who are eligible to
 10 receive medicaid, and making an appropriation in
 11 connection therewith.

12
 13 The question being "Shall the bill 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 bill
 16 was declared **passed**.

17	YES	50	NO	10	EXCUSED	5	ABSENT	0
19	Acree	N	Green	Y	McCann	E	Roberts	Y
20	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
21	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
22	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	Y
23	Benefield	Y	Kefalas	Y	Merrifield	E	Solano	Y
24	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
25	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
26	Court	Y	King S.	Y	Murray	Y	Stephens	Y
27	Curry	Y	Labuda	E	Nikkel	N	Summers	Y
28	Ferrandino	N	Lambert	N	Pace	Y	Swalm	Y
29	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
30	Frangas	Y	Liston	N	Pommer	N	Todd	Y
31	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
32	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
33	Gardner C.	N	Massey	E	Rice	Y	Waller	Y
34	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
35							Speaker	E

36 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Gerou, Ryden,
 37 Schafer S., Vigil

38
 39 **HB09-1039** by Representative(s) McNulty; also Senator(s) Kopp--
 40 Concerning in-state tuition classification for honorably
 41 discharged military veterans, and making an appropriation
 42 therefor.

43
 44 The question being "Shall the bill pass?".
 45 A roll call vote was taken. As shown by the following recorded vote, a
 46 majority of those elected to the House voted in the affirmative and the bill
 47 was declared **passed**.

48	YES	59	NO	1	EXCUSED	5	ABSENT	0
50	Acree	Y	Green	N	McCann	E	Roberts	Y
51	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
52	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
53	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
54	Benefield	Y	Kefalas	Y	Merrifield	E	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	E	Nikkel	Y	Summers	Y
3	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
4	Fischer	Y	Levy	Y	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	E	Rice	Y	Waller	Y
9	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
10							Speaker	E

11 Co-sponsor(s) added: Representative(s) Apuan, Baumgardner, Casso, Frangas,
 12 Gardner C., Gerou, Kefalas, Kerr J., King S., Lambert, Looper, Middleton,
 13 Murray, Nikkel, Priola, Ryden, Schafer S., Sonnenberg, Soper, Stephens,
 14 Summers, Tipton, Todd, Vaad, Waller

15
 16 **HB09-1119** by Representative(s) Vigil, Court, Labuda, Pace, Todd;
 17 also Senator(s) Schwartz--Concerning creation of a
 18 program to assist entities providing programs to address
 19 substance abuse problems in rural areas of Colorado.

20
 21 The question being "Shall the bill pass?".
 22 A roll call vote was taken. As shown by the following recorded vote, a
 23 majority of those elected to the House voted in the affirmative and the bill
 24 was declared **passed**.

	YES	37	NO	23	EXCUSED	5	ABSENT	0
27	Acree	N	Green	Y	McCann	E	Roberts	Y
28	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
29	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
30	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
31	Benefield	Y	Kefalas	Y	Merrifield	E	Solano	Y
32	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
33	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
34	Court	Y	King S.	N	Murray	N	Stephens	N
35	Curry	Y	Labuda	E	Nikkel	N	Summers	Y
36	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
37	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
38	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
39	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
40	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
41	Gardner C.	N	Massey	E	Rice	Y	Waller	N
42	Gerou	N	May	N	Riesberg	Y	Weissmann	N
43							Speaker	E

44 Co-sponsor(s) added: Representative(s) Hullinghorst, McFadyen, Ryden,
 45 Schafer S., Solano, Summers

46
 47 **HB09-1123** by Representative(s) Lambert, Kerr J., Balmer,
 48 Baumgardner, Gardner B., Gardner C., King S., Liston,
 49 Lundberg, Marostica, Massey, Priola, Roberts, Stephens,
 50 Swalm, Waller; also Senator(s) Schultheis, Harvey,
 51 Brophy, Hodge, King K., Penry, Renfroe, Scheffel--
 52 Concerning changes to crimes related to unlawful
 53 treatment of persons to align with similar law provisions,
 54 and making an appropriation in connection therewith.
 55

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	58	NO	2	EXCUSED	5	ABSENT	0
7	Acree	Y	Green	Y	McCann	E	Roberts	Y
8	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
9	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
10	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
11	Benefield	Y	Kefalas	Y	Merrifield	E	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	E	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	E	Rice	Y	Waller	Y
22	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
23							Speaker	E

24 Co-sponsor(s) added: Representative(s) Casso, Gerou, Green, Looper, Murray,
 25 Summers, Todd

26
 27 **HB09-1132** by Representative(s) Murray and Priola, Liston, Benefield,
 28 Labuda, Waller; also Senator(s) Heath, Scheffel--
 29 Concerning the use of messaging systems to commit
 30 unlawful activity, and making an appropriation in
 31 connection therewith.

32
 33 The question being "Shall the bill pass?".
 34 A roll call vote was taken. As shown by the following recorded vote, a
 35 majority of those elected to the House voted in the affirmative and the bill
 36 was declared **passed**.

	YES	57	NO	3	EXCUSED	5	ABSENT	0
39	Acree	Y	Green	Y	McCann	E	Roberts	Y
40	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
41	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
42	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
43	Benefield	Y	Kefalas	Y	Merrifield	E	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	E	Nikkel	Y	Summers	Y
48	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
49	Fischer	Y	Levy	N	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	E	Rice	Y	Waller	Y
54	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
55							Speaker	E

56 Co-sponsor(s) added: Representative(s) Acree, Bradford, Gerou, Green,

1 Summers, Balmer, Baumgardner, Gardner B., Gardner C., Kefalas, Kerr J.,
 2 King S., Lambert, Looper, Marostica, May, McKinley, McNulty, Nikkel,
 3 Roberts, Schafer S., Stephens, Swalm, Tipton, Todd, Vaad, Vigil
 4

5 **HB09-1163** by Representative(s) Gardner C., Baumgardner, Bradford,
 6 King S., Looper, May, McNulty, Murray, Scanlan,
 7 Summers, Tipton, Todd, Vaad; also Senator(s) Romer,
 8 Spence, Brophy, Harvey--Concerning crimes in which the
 9 victim is a child.

10
 11 The question being "Shall the bill pass?".
 12 A roll call vote was taken. As shown by the following recorded vote, a
 13 majority of those elected to the House voted in the affirmative and the bill
 14 was declared **passed**.

	YES	60	NO	0	EXCUSED	5	ABSENT	0
17	Acree	Y	Green	Y	McCann	E	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	E	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	E	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	E	Rice	Y	Waller	Y
32	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
33							Speaker	E

34 Co-sponsor(s) added: Representative(s) Casso, Court, Frangas, Gagliardi,
 35 Gardner B., Gerou, Green, Kefalas, Lambert, Marostica, Nikkel, Primavera,
 36 Priola, Roberts, Schafer S., Stephens, Swalm, Vigil, Waller
 37

38 **HB09-1173** by Representative(s) Riesberg; also Senator(s) Hodge--
 39 Concerning efforts to reduce the amount of contraband
 40 tobacco products in the state, and making an appropriation
 41 therefor.
 42

43 The question being "Shall the bill 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 bill
 46 was declared **passed**.

	YES	39	NO	21	EXCUSED	5	ABSENT	0
49	Acree	N	Green	Y	McCann	E	Roberts	Y
50	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
51	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
52	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
53	Benefield	Y	Kefalas	Y	Merrifield	E	Solano	Y
54	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
55	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
56	Court	Y	King S.	N	Murray	N	Stephens	N

1	Curry	Y	Labuda	E	Nikkel	N	Summers	N
2	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
3	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
4	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
5	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
6	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
7	Gardner C.	N	Massey	E	Rice	Y	Waller	N
8	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
9							Speaker	E

10 Co-sponsor(s) added: Representative(s) Todd

11

12 **HB09-1199** by Representative(s) Scanlan, Benefield, Curry,
 13 Ferrandino, Gerou, Kerr A., King S., Levy, Massey,
 14 Middleton, Nikkel, Roberts; also Senator(s) Gibbs--
 15 Concerning increased efforts to address wildfire risk, and,
 16 in connection therewith, providing resources to the
 17 Colorado state forest service to augment its technical
 18 outreach capabilities and provide loans and grants for
 19 market-based and forest treatment solutions to reduce
 20 wildfire risk, and making an appropriation.

21

22 The question being "Shall the bill pass?".

23 A roll call vote was taken. As shown by the following recorded vote, a
 24 majority of those elected to the House voted in the affirmative and the bill
 25 was declared **passed**.

26

27	YES	59	NO	1	EXCUSED	5	ABSENT	0
28	Acree	Y	Green	Y	McCann	E	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	E	Solano	Y
33	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
34	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
35	Court	Y	King S.	Y	Murray	Y	Stephens	Y
36	Curry	Y	Labuda	E	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	E	Rice	Y	Waller	Y
43	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
44							Speaker	E

45 Co-sponsor(s) added: Representative(s) Baumgardner, Fischer, Gardner C.,
 46 Green, Hullinghorst, Kerr J., Marostica, Priola, Schafer S., Soper, Stephens,
 47 Summers, Tipton, Todd, Vigil

48

49 **HB09-1242** by Representative(s) Summers; also Senator(s) King K.--
 50 Concerning contributions to research institutions at
 51 Colorado institutions of higher education.

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	60	NO	0	EXCUSED	5	ABSENT	0
1								
2	Acree	Y	Green	Y	McCann	E	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	E	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	E	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	Y	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	E	Rice	Y	Waller	Y
17	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
18							Speaker	E

19 Co-sponsor(s) added: Representative(s) Acree, Baumgardner, Bradford, Gerou,
20 Green, Kerr J., Middleton, Nikkel, Priola, Ryden, Schafer S., Solano, Stephens,
21 Todd, Waller

22
23 **HB09-1246** by Representative(s) Peniston; also Senator(s) Morse--
24 Concerning the evaluation of driving schools attended as
25 a result of a court order resulting from a violation of a law
26 regulating the operation of a motor vehicle, and making an
27 appropriation in connection therewith.

28
29 The question being "Shall the bill pass?".
30 A roll call vote was taken. As shown by the following recorded vote, a
31 majority of those elected to the House voted in the affirmative and the bill
32 was declared **passed**.

	YES	36	NO	24	EXCUSED	5	ABSENT	0
35	Acree	N	Green	Y	McCann	E	Roberts	N
36	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	N
37	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
38	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
39	Benefield	Y	Kefalas	Y	Merrifield	E	Solano	Y
40	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
41	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
42	Court	Y	King S.	N	Murray	N	Stephens	N
43	Curry	Y	Labuda	E	Nikkel	N	Summers	N
44	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
45	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
46	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
47	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
48	Gardner B.	Y	Marostica	N	Priola	N	Vigil	Y
49	Gardner C.	N	Massey	E	Rice	Y	Waller	N
50	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
51							Speaker	E

52 Co-sponsor(s) added: Representative(s) Schafer S., Todd

53
54 **HB09-1266** by Representative(s) McCann; also Senator(s) Carroll M.--
55 Concerning the repeal of the loss of driving privileges as
56 a penalty for certain crimes.

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	51	NO	9	EXCUSED	5	ABSENT	0
7	Acree	Y	Green	N	McCann	E	Roberts	Y
8	Apuan	Y	Hullinghorst	Y	McFadyen	N	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	E	Solano	Y
12	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
13	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	N
14	Court	Y	King S.	Y	Murray	Y	Stephens	Y
15	Curry	Y	Labuda	E	Nikkel	Y	Summers	Y
16	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
17	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
18	Frangas	N	Liston	Y	Pommer	Y	Todd	Y
19	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
20	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
21	Gardner C.	N	Massey	E	Rice	Y	Waller	Y
22	Gerou	Y	May	Y	Riesberg	N	Weissmann	Y
23							Speaker	E

24 Co-sponsor(s) added: Representative(s) Benefield, Judd, Roberts, Ryden,
 25 Schafer S., Solano, Stephens, Todd, Weissmann

26
 27
 28 **HB09-1282** by Representative(s) Fischer; also Senator(s) Schwartz,
 29 Hodge--Concerning the recycling of certain electronic
 30 devices, and, in connection therewith, establishing a task
 31 force within the department of public health and
 32 environment to make recommendations regarding the
 33 implementation of electronic device recycling programs
 34 and making an appropriation.

35
 36 The question being "Shall the bill 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 bill
 39 was declared **passed**.

	YES	51	NO	9	EXCUSED	5	ABSENT	0
42	Acree	Y	Green	Y	McCann	E	Roberts	Y
43	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
44	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
45	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
46	Benefield	Y	Kefalas	Y	Merrifield	E	Solano	Y
47	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
48	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
49	Court	Y	King S.	Y	Murray	N	Stephens	Y
50	Curry	Y	Labuda	E	Nikkel	Y	Summers	Y
51	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
52	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
53	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
54	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
55	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
56	Gardner C.	N	Massey	E	Rice	Y	Waller	N

1	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
2							Speaker	E

3 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Gagliardi, Gerou,
 4 Kefalas, Kerr J., Marostica, Nikkel, Primavera, Ryden, Schafer S., Solano,
 5 Todd, Vigil

6
 7 **HB09-1267** by Representative(s) Todd; also Senator(s) Bacon--
 8 Concerning the removal of statutory provisions describing
 9 pervasively sectarian educational institutions, and making
 10 an appropriation in 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	58	NO	2	EXCUSED	5	ABSENT	0
18	Acree	Y	Green	Y	McCann	E	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	E	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	E	Nikkel	Y	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	Y	Primavera	Y	Vaad	Y
31	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
32	Gardner C.	Y	Massey	E	Rice	Y	Waller	Y
33	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
34							Speaker	E

35 Co-sponsor(s) added: Representative(s) Summers

36
 37 **HB09-1289** by Representative(s) Curry; also Senator(s) Isgar--
 38 Concerning the species conservation trust fund, and, in
 39 connection therewith, approving the species conservation
 40 eligibility list.

41
 42 The question being "Shall the bill pass?".
 43 A roll call vote was taken. As shown by the following recorded vote, a
 44 majority of those elected to the House voted in the affirmative and the bill
 45 was declared **passed**.

47	YES	60	NO	0	EXCUSED	5	ABSENT	0
48	Acree	Y	Green	Y	McCann	E	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	E	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	E	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	Y	Vaad	Y
5	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
6	Gardner C.	Y	Massey	E	Rice	Y	Waller	Y
7	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
8							Speaker	E

9 Co-sponsor(s) added: Representative(s) Apuan, Baumgardner, Fischer,
10 Hullinghorst, Liston, Looper, Priola, Roberts, Schafer S., Tipton, Vigil

11
12 **HB09-1290** by Representative(s) Nikkel and Apuan; also Senator(s)
13 Harvey, Bacon--Concerning increasing the maximum
14 amount of money that the Colorado commission on higher
15 education may allocate for the purpose of providing tuition
16 assistance to members of the National Guard, and making
17 an appropriation therefor.

18
19 The question being "Shall the bill pass?".

20 A roll call vote was taken. As shown by the following recorded vote, a
21 majority of those elected to the House voted in the affirmative and the bill
22 was declared **passed**.

23	YES	56	NO	4	EXCUSED	5	ABSENT	0
24	Acree	Y	Green	Y	McCann	E	Roberts	Y
25	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
26	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
27	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
28	Benefield	Y	Kefalas	Y	Merrifield	E	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	E	Nikkel	Y	Summers	Y
33	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
34	Fischer	Y	Levy	Y	Peniston	N	Tipton	Y
35	Frangas	Y	Liston	N	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	E	Rice	Y	Waller	Y
39	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
40							Speaker	E

41
42 Co-sponsor(s) added: Representative(s) Balmer, Benefield, Gardner B.,
43 Gardner C., Gerou, Kefalas, Kerr J., King S., Lambert, Looper, Marostica,
44 Murray, Priola, Rice, Ryden, Schafer S., Stephens, Summers, Tipton, Todd,
45 Vigil

46
47
48 **HB09-1307** by Representative(s) Benefield and Massey, Court, Vaad,
49 Gagliardi, Marostica, McNulty, Merrifield, Middleton,
50 Miklosi, Primavera, Scanlan, Solano; also Senator(s)
51 Shaffer B. and Penry--Concerning the televising of
52 proceedings of state government, and, in connection
53 therewith, creating the Colorado channel authority.
54
55

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	60	NO	0	EXCUSED	5	ABSENT	0
7	Acree	Y	Green	Y	McCann	E	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	E	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	E	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	E	Rice	Y	Waller	Y
22	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
23							Speaker	E

24 Co-sponsor(s) added: Representative(s) Baumgardner, Gerou, Kerr A., Kerr J.,
 25 Peniston, Priola, Ryden, Schafer S., Todd, Vigil

26
 27 **HB09-1308** by Representative(s) Curry; also Senator(s) Isgar--
 28 Concerning the addition of the division of water resources
 29 in the department of natural resources to the list of entities
 30 eligible to receive first tier funding from the operational
 31 account of the severance tax trust fund, and, in connection
 32 therewith, modifying appropriations made to the division
 33 of water resources in the general appropriation acts for the
 34 2008-09 and 2009-10 fiscal years.

35
 36 The question being "Shall the bill 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 bill
 39 was declared **passed**.

	YES	60	NO	0	EXCUSED	5	ABSENT	0
42	Acree	Y	Green	Y	McCann	E	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	E	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	E	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	E	Rice	Y	Waller	Y

1	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
2							Speaker	E

3 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Nikkel, Pace, Priola,
4 Roberts, Ryden, Schafer S., Sonnenberg, Stephens, Todd, Waller

5
6 On motion of Representative Weissmann, the remainder of the Third
7 Reading calendar (**HB09-1073, 1094, 1111, 1310, 1273, 1137, SB09-061**)
8 was laid over until April 8, retaining place on Calendar.
9

10

11

12

13 On motion of Representative Solano, the House resolved itself into
14 Committee of the Whole for consideration of General Orders, and she
15 was called to the Chair to act as Chairman.

16

17

18

GENERAL ORDERS--SECOND READING OF BILLS

19

20 The Committee of the Whole having risen, the Chairman reported the
21 titles of the following bills had been read (reading at length had been
22 dispensed with by unanimous consent), the bills considered and action
23 taken thereon as follows:

24

25 (Amendments to the committee amendment are to the printed committee
26 report which was printed and placed in the members' bill file.)

27

28 **SB09-098** by Senator(s) Schwartz, Isgar, Brophy, Gibbs; also
29 Representative(s) Vigil--Concerning blending diesel fuels
30 after withdrawal at the rack, and making an appropriation
31 in connection therewith.

32

33 Amendment No. 1, Transportation & Energy Report, dated
34 March 31, 2009, and placed in member's bill file; Report also printed in
35 House Journal, April 1, page 996.

36

37 Amendment No. 2, by Representative(s) Vigil.

38

39 Amend reengrossed bill, page 4, strike lines 26 and 27.

40

41 Page 5, strike lines 1 through 6 and substitute the following:

42

43 **"SECTION 5. Appropriation.** The general assembly anticipates
44 that, for the fiscal year beginning July 1, 2009, the information
45 technology division of the department of revenue will receive the sum of
46 thirty-seven thousand six hundred thirty dollars (\$37,630) in federal
47 funds, or so much thereof as may be necessary, from the governor's
48 energy office for the implementation of this act. Although these funds are
49 not appropriated in this act, they are noted for the purpose of indicating
50 the assumptions used relative to these funds."

51

52 As amended, ordered revised and placed on the Calendar for Third
53 Reading and Final Passage.

54

55

1 **HB09-1317** by Representative(s) Pace and McKinley, McFadyen,
 2 Curry, Gagliardi, Hulinghorst, Massey, Merrifield,
 3 Miklosi, Scanlan, Sonnenberg, Tipton, Vigil, Weissmann;
 4 also Senator(s) Kester, Isgar--Concerning state lands
 5 sought to be acquired by the federal government
 6 associated with the expansion of the Pinon Canyon
 7 maneuver site.

8
 9 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
 10 dated April 1, 2009, and placed in member's bill file; Report also printed
 11 in House Journal, April 2, page 1009.

12
 13 As amended, ordered engrossed and placed on the Calendar for Third
 14 Reading and Final Passage.

15
 16 On motion of Representative Weissmann, the remainder of the General
 17 Orders Calendar (**HB09-1313**, **SB09-176**, **HB09-1327**) was laid over
 18 until April 8, retaining place on Calendar.

19
 20
 21
 22 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

23
 24 Passed Second Reading: **SB09-098 amended, HB09-1317 amended.**

25
 26 Laid over until date indicated retaining place on Calendar: **HB09-1313**,
 27 **SB09-176, HB09-1327**--April 8, 2009.

28
 29 The Chairman moved the adoption of the Committee of the Whole
 30 Report. As shown by the following roll call vote, a majority of those
 31 elected to the House voted in the affirmative, and the Report was
 32 **adopted.**

33
 34

	YES	57	NO	6	EXCUSED	2	ABSENT	0
35	Acree	Y	Green	Y	McCann	Y	Roberts	Y
36	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
37	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
38	Baumgardner	Y	Kagan	E	McNulty	Y	Schafer S.	Y
39	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
40	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
41	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
42	Court	Y	King S.	Y	Murray	Y	Stephens	N
43	Curry	Y	Labuda	E	Nikkel	Y	Summers	Y
44	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
45	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
46	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
47	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
48	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
49	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
50	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
51							Speaker	Y

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PRINTING REPORT

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The Chief Clerk reports the following bills have been correctly printed:
HB09-1332, 1333, 1334.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 7th day of April, 2009, at 11:00 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

April 3, 2009 Marilyn Eddins,
Chief Clerk of the House

To the Honorable
House of Representatives
Sixty-seventh General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB09-1099 CONCERNING THE COLORADO YOUTH ADVISORY COUNCIL.

Approved April 3, 2009 at 11:50 a.m.

HB09-1102 CONCERNING THE STUDY OF THE PORTABILITY OF HEALTH INSURANCE AFTER A POLICYHOLDER IS SEPARATED FROM EMPLOYMENT.

Approved April 3, 2009 at 11:51 a.m.

HB09-1124 CONCERNING CERTAIN CONFERENCES WITH AN ATTORNEY REPRESENTING A STATE PUBLIC BODY THAT MAY BE HELD IN AN EXECUTIVE SESSION AT A MEETING OF THE STATE PUBLIC BODY.

Approved April 3, 2009 at 11:51 a.m.

HB09-1171 CONCERNING REQUIREMENTS RELATED TO THE INSTALLATION OF MANUFACTURED HOMES.

Approved April 3, 2009 at 11:52 a.m.

HB09-1179 CONCERNING PARTICIPATION IN THE ADDRESS CONFIDENTIALITY PROGRAM BY A PERSON WHO RESIDES WITH A VICTIM PARTICIPANT.

Approved April 3, 2009 at 11:53 a.m.

- 1 **HB09-1182** CONCERNING CHANGES IN THE FUNDING OF
2 ADMINISTRATIVE COSTS INCURRED BY THE DIVISION OF
3 ON-LINE LEARNING IN THE DEPARTMENT OF EDUCATION.
4
5 Approved April 3, 2009 at 11:54 a.m.
6
- 7 **HB09-1186** CONCERNING THE DELIVERY OF A MAIL-IN BALLOT TO
8 THE DESIGNATED ELECTION OFFICIAL BY THE ELECTOR.
9
10 Approved April 3, 2009 at 11:55 a.m.
11
- 12 **HB09-1189** CONCERNING PER PUPIL FUNDING FOR EDUCATION
13 PROGRAMS THAT REPORT THEIR PUPIL ENROLLMENT
14 COUNTS TO THE FACILITY SCHOOLS UNIT IN THE
15 DEPARTMENT OF EDUCATION.
16
17 Approved April 3, 2009 at 11:57 a.m.
18
- 19 **HB09-1191** CONCERNING LIENS OF THE DEPARTMENT OF HEALTH
20 CARE POLICY AND FINANCING AGAINST CLAIMS AGAINST
21 THIRD PARTIES.
22
23 Approved April 3, 2009 at 11:58 a.m.
24
- 25 **HB09-1197** CONCERNING A REQUIREMENT THAT THE DIVISION OF
26 HOUSING REPORT DATA REGARDING HOME
27 FORECLOSURES IN THE STATE.
28
29 Approved April 3, 2009 at 11:59 a.m.
30
- 31 **HB09-1203** CONCERNING THE RECLASSIFICATION OF MONTEZUMA
32 COUNTY.
33
34 Approved April 3, 2009 at 12:00 p.m.
35
- 36 **HB09-1223** CONCERNING THE EXTENSION OF THE DEADLINE FOR
37 EXPENDING MONEYS FOR THE COLORADO BENEFITS
38 MANAGEMENT SYSTEM FROM THE HEALTH CARE
39 SUPPLEMENTAL APPROPRIATIONS AND
40 OVEREXPENDITURES ACCOUNT OF THE TOBACCO
41 LITIGATION SETTLEMENT CASH FUND.
42
43 Approved April 3, 2009 at 12:00 p.m.
44
- 45 **HB09-1234** CONCERNING THE IMMEDIATE SUSPENSION OF THE
46 DRIVER'S LICENSE OF A PERSON WHO FAILS TO APPEAR
47 FOR A LICENSE SUSPENSION HEARING.
48
49 Approved April 3, 2009 at 11:29 a.m.
50
- 51 **HB09-1262** CONCERNING THE ISSUANCE OF A SUMMONS INSTEAD OF
52 AN ARREST WARRANT IN CERTAIN CIRCUMSTANCES.
53
54 Approved April 3, 2009 at 12:01 p.m.
55

1 **HB09-1263** CONCERNING TIME COMPUTATION WHILE AN INMATE IS
2 INCARCERATED IN A COUNTY JAIL.

3

4

Approved April 3, 2009 at 12:03 p.m.

5

6 Sincerely,

7 (signed)

8 Bill Ritter, Jr.

9 Governor

10

11

12

13

INTRODUCTION OF BILLS

14

First Reading

15

16 The following bills were read by title and referred to the committees
17 indicated:

18

19 **HB09-1335** by Representative(s) Todd and Murray; also Senator(s)
20 Williams and Carroll M., Cadman--Concerning
21 requirements for voting equipment.

22

Committee on State, Veterans, & Military Affairs

23

24 **HB09-1336** by Representative(s) Todd and Murray; also Senator(s)
25 Williams and Carroll M., Cadman--Concerning the
26 implementation of specific recommendations of the state
27 election reform commission.

28

Committee on State, Veterans, & Military Affairs

29

30 **HB09-1337** by Representative(s) Todd and Murray; also Senator(s)
31 Williams and Carroll M., Cadman--Concerning changes to
32 certain ballot processing deadlines contained in the state
33 election code.

34

Committee on State, Veterans, & Military Affairs

35

36 **HB09-1338** by Representative(s) Casso; also Senator(s) Bacon--
37 Concerning modifications to state insurance laws to
38 comply with recently enacted federal laws.

39

Committee on Business Affairs and Labor

40

41

42

43

INTRODUCTION OF RESOLUTION

44

45 The following resolution was read by title and referred to the committee
46 indicated:

47

48 **HJR09-1015** by Representative(s) Weissmann--Concerning the creation
49 of an interim committee to study the administration of
50 elections and the duties of the Secretary of State.

51

Committee on State, Veterans, & Military Affairs

52

53

54

55

56

INTRODUCTION OF MEMORIAL1
2
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9

The following memorial was read by title and laid over one day under the rules:

SJM09-002 by Senator(s) Sandoval; also Representative(s) Kefalas--
Concerning the 2009 reauthorization of the "Child
Nutrition and WIC Reauthorization Act of 2004".

10
11**APPOINTMENTS TO CONFERENCE COMMITTEES**12
13
14
15
16

Pursuant to a request from the Senate, the Speaker appointed House conferees to the First Conference Committees as follows:

17
18
19

SB09-013--Representatives Levy, Chairman, King, and Miklosi

20
21

House in recess. House reconvened.

22
23**LAY OVER OF CALENDAR ITEM(S)**24
25
26
27
28

On motion of Representative Weissmann, the following item(s) on the Calendar were laid over until April 8, retaining place on Calendar:

29
30
31
32
33

Consideration of Special Orders--**HB09-1010**.
Consideration of Conference Committee Report(s)--**HB09-1162, 1153**.
Consideration of Resolution(s)--**SJR09-034, HJR09-1014**.
Consideration of Senate Amendment(s)--**HB09-1217, 1248, 1230, 1222, 1149, 1293**.

34
35
36

On motion of Representative Balmer, the House adjourned until 9:00 a.m., April 8, 2009.

37
38
39

Approved:
TERRANCE D. CARROLL,
Speaker

40
41
42

Attest:
MARILYN EDDINS,
Chief Clerk

43
44
45

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Ninety-second Legislative Day

Wednesday, April 8, 2009

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
 2 Church, Denver.

3
 4 The Speaker called the House to order at 9:00 a.m.

5
 6 Pledge of Allegiance led by Haley Heidemann, Lauren Bock, Katy
 7 Hirano, Erica Walters, Claire Ryan, Girl Scout Troupe 480, Niwot

8
 9 The roll was called with the following result:

10
 11 Present--61.
 12 Excused--Representative(s) Balmer, Kerr A., McFadyen,
 13 Sonnenberg--4.
 14 Present after roll call--Representative(s) Kerr A., McFadyen,
 15 Sonnenberg.

16
 17 The Speaker declared a quorum present.

18
 19
 20 On motion of Representative Ryden, the reading of the journal of
 21 April 7, 2009, was declared dispensed with and approved as corrected by
 22 the Chief Clerk.

23
 24
 25
 26 **CONSENT GRANTED TO CONFERENCE COMMITTEE**

27
 28 Representative Levy moved that the First Conference Committee on
 29 **SB09-013** be granted permission to go beyond the scope of the difference
 30 between the House and the Senate. The motion was passed by the
 31 following roll call vote:

	YES	63	NO	0	EXCUSED	2	ABSENT	0
34	Acree	Y	Green	Y	McCann	Y	Roberts	Y
35	Apuan	Y	Hullinghorst	Y	McFadyen	E	Ryden	Y
36	Balmer	E	Judd	Y	McKinley	Y	Scanlan	Y
37	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
38	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
39	Bradford	Y	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	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

THIRD READING OF BILLS--FINAL PASSAGE

The following bills were considered on Third Reading. The titles were publicly read. Reading of the bill at length was dispensed with by unanimous consent.

HB09-1073 by Representative(s) Massey, Frangas, Kerr J., Riesberg; also Senator(s) Boyd and Kopp, Morse--Concerning electronic prescriptions in the medical assistance program.

The question being "Shall the bill pass?".
 A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
27	Acree	Y	Green	Y	McCann	Y	Roberts	Y
28	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
29	Balmer	E	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

Co-sponsor(s) added: Representative(s) Green, Labuda, Merrifield, Summers

HB09-1094 by Representative(s) Levy, Fischer, Hullinghorst, Kefalas; also Senator(s) Bacon--Concerning wireless telephone

The question being "Shall the bill pass?".
 A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

	YES	39	NO	25	EXCUSED	1	ABSENT	0
55	Acree	N	Green	Y	McCann	Y	Roberts	N
56	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y

1	Balmer	E	Judd	Y	McKinley	N	Scanlan	Y
2	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	Y
3	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
4	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
5	Casso	N	Kerr J.	N	Miklosi	Y	Soper	Y
6	Court	Y	King S.	Y	Murray	N	Stephens	N
7	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
8	Ferrandino	Y	Lambert	N	Pace	N	Swalm	N
9	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
10	Frangas	Y	Liston	N	Pommer	N	Todd	Y
11	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
12	Gardner B.	N	Marostica	Y	Priola	N	Vigil	N
13	Gardner C.	N	Massey	N	Rice	Y	Waller	N
14	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Green, Labuda, Schafer S., Todd,
17 Peniston

18

19 **HB09-1111** by Representative(s) Massey, Swalm; also Senator(s) Boyd
20 and Schwartz--Concerning measures to increase the
21 availability of health resources in designated areas in
22 Colorado, and, in connection therewith, creating the
23 primary care office in the prevention services division in
24 the department of public health and environment to
25 maximize state and federal programs that provide health
26 resources, and making an appropriation.

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**.

32

33	YES	64	NO	0	EXCUSED	1	ABSENT	0
34	Acree	Y	Green	Y	McCann	Y	Roberts	Y
35	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
36	Balmer	E	Judd	Y	McKinley	Y	Scanlan	Y
37	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
38	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
39	Bradford	Y	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	Y	Pace	Y	Swalm	Y
44	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
45	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
46	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
47	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
48	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
49	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Acree, Curry, Gardner C., Gerou,
52 Kerr J., Labuda, Merrifield, Riesberg, Roberts, Scanlan, Schafer S., Stephens,
53 Summers, Todd

54

55

1 **HB09-1310** by Representative(s) Levy, Apuan, Court, McCann, Pace,
 2 Ryden; also Senator(s) Heath--Concerning the
 3 misclassification of employees as independent contractors
 4 for purposes of the "Colorado Employment Security Act".
 5

6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.
 10

	YES	37	NO	27	EXCUSED	1	ABSENT	0
12	Acree	N	Green	Y	McCann	Y	Roberts	N
13	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
14	Balmer	E	Judd	Y	McKinley	N	Scanlan	Y
15	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
16	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
17	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
18	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
19	Court	Y	King S.	N	Murray	N	Stephens	N
20	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
21	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
22	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
23	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
24	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
25	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
26	Gardner C.	N	Massey	N	Rice	Y	Waller	N
27	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Casso, Fischer, Frangas, Gagliardi,
 30 Green, Merrifield, Middleton, Scanlan, Soper
 31

32 **HB09-1273** by Representative(s) Kefalas, Green, Frangas, Court,
 33 Fischer, Hullinghorst, Labuda, Levy, Miklosi, Pace, Vigil,
 34 Apuan, McCann, Ryden, Schafer S.; also Senator(s)
 35 Foster, Bacon, Carroll M.--Concerning the creation of a
 36 health care authority to develop a health care system that
 37 shall be the administrator for health care services in
 38 Colorado.
 39

40 Laid over until April 9, retaining place on Calendar.
 41
 42

43 **HB09-1137** by Representative(s) Judd; also Senator(s) Newell--
 44 Concerning intercepts, and, in connection therewith,
 45 intercepting gambling winnings to pay outstanding
 46 criminal court obligations, restitution, and requiring the
 47 department of revenue to provide specified information to
 48 state agencies in conjunction with intercepts of tax
 49 refunds, and making an appropriation.
 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	37	NO	27	EXCUSED	1	ABSENT	0
1								
2	Acree	N	Green	Y	McCann	Y	Roberts	N
3	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
4	Balmer	E	Judd	Y	McKinley	N	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	N	Swalm	Y
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	N	Priola	N	Vigil	N
16	Gardner C.	N	Massey	N	Rice	Y	Waller	N
17	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Benefield, Frangas, Green, Ryden,
20 Todd

21
22 **SB09-061** by Senator(s) Carroll M.; also Representative(s)
23 Primavera--Concerning the qualifications of health care
24 professionals who review claims for medical treatment
25 under insurance policies.

26
27 Laid over until April 9, retaining place on Calendar.

28
29 **SB09-098** by Senator(s) Schwartz, Isgar, Brophy, Gibbs; also
30 Representative(s) Vigil--Concerning blending diesel fuels
31 after withdrawal at the rack, and making an appropriation
32 in connection therewith.

33
34 The question being "Shall the bill 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 bill
37 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
38								
39	Acree	Y	Green	Y	McCann	Y	Roberts	Y
40	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
41	Balmer	E	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) Priola, Stephens

1 **HB09-1317** by Representative(s) Pace and McKinley, McFadyen,
 2 Curry, Gagliardi, Hulinghorst, Massey, Merrifield,
 3 Miklosi, Scanlan, Sonnenberg, Tipton, Vigil, Weissmann;
 4 also Senator(s) Kester, Isgar--Concerning state lands
 5 sought to be acquired by the federal government
 6 associated with the expansion of the Pinon Canyon
 7 maneuver site.

8
 9 The question being "Shall the bill pass?".
 10 A roll call vote was taken. As shown by the following recorded vote, a
 11 majority of those elected to the House voted in the affirmative and the bill
 12 was declared **passed**.

	YES	47	NO	17	EXCUSED	1	ABSENT	0
15	Acree	Y	Green	Y	McCann	Y	Roberts	Y
16	Apuan	N	Hullinghorst	Y	McFadyen	Y	Ryden	Y
17	Balmer	E	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	Y
21	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
22	Court	Y	King S.	Y	Murray	N	Stephens	N
23	Curry	Y	Labuda	N	Nikkel	N	Summers	N
24	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
25	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
26	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
27	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
28	Gardner B.	N	Marostica	N	Priola	Y	Vigil	Y
29	Gardner C.	Y	Massey	Y	Rice	N	Waller	N
30	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Fischer, Gardner C., Green, Soper

33
 34
 35 On motion of Representative Weissmann, **HB09-1313, 1280** were added
 36 to the Special Orders Calendar on Wednesday, April 8, 2009.

37
 38
 39 On motion of Representative Riesberg, the House resolved itself into
 40 Committee of the Whole for consideration of Special Orders and he was
 41 called to the Chair to act as Chairman.

42 43 44 **SPECIAL ORDERS--SECOND READING OF BILLS**

45
 46 The Committee of the Whole having risen, the Chairman reported the
 47 titles of the following bills had been read (reading at length had been
 48 dispensed with by unanimous consent), the bills considered and action
 49 taken thereon as follows:

50
 51 (Amendments to the committee amendment are to the printed committee
 52 report which was printed and placed in the members' bill file.)

53
 54 **HB09-1010** by Representative(s) Massey and McGihon; also
 55 Senator(s) Gibbs and Spence--Concerning the promotion
 56 of Colorado as a location for film production activities.

1 Amendment No. 1, Appropriations Report, dated April 3, 2009, and
 2 placed in member's bill file; Report also printed in House Journal, April 6.

3
 4 Amendment No. 2, by Representative(s) Massey.

5
 6 Amend the Appropriations Committee Report, dated April 3, 2009, page
 7 1, strike lines 3 through 5 and substitute the following:

8
 9 ""Amended printed bill, page 5, strike lines 23 through 27."."

10
 11 As amended, ordered engrossed and placed on the Calendar for Third
 12 Reading and Final Passage.

13
 14 **HB09-1313** by Representative(s) Merrifield, Apuan, Benefield, Casso,
 15 Ferrandino, Fischer, Hullinghorst, Kefalas, Kerr A.,
 16 Labuda, Levy, McFadyen, McGihon, Middleton, Miklosi,
 17 Peniston, Scanlan, Schafer S., Solano, Soper, Todd, Vigil,
 18 Green, Pace, Pommer; also Senator(s) Bacon, Gibbs,
 19 Groff, Newell, Veiga, Williams, Carroll M., Heath, Keller,
 20 Morse, Romer, Shaffer B.--Concerning expanding civic
 21 engagement options through student-directed programs at
 22 institutions of higher education.

23
 24 Amendment No. 1, Education Report, dated April 2, 2009, and placed in
 25 member's bill file; Report also printed in House Journal, April 3,
 26 pages 1023-1024.

27
 28 Amendment No. 2, by Representative(s) Merrifield.

29
 30 Amend the Education Committee Report, dated April 2, 2009, page 1,
 31 line 10, strike "ELECTION." and substitute "ELECTION. EACH PROPOSED
 32 OPTIONAL FEE MAY BE SUBJECT TO A SEPARATE VOTE."."

33
 34 As amended, laid over until April 9, retaining place on Calendar.

35
 36 On motion of Representative Weissmann, the remainder of the Special
 37 Orders Calendar (**HB09-1280**) was laid over until April 9, retaining place
 38 on Calendar.

39
 40
 41
 42 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

43
 44 Representative(s) Massey and Priola moved to amend the Report of the
 45 Committee of the Whole to reverse the action taken by the Committee in
 46 not adopting the following Massey amendment, to **HB09-1313**, to show
 47 that said amendment passed, and that **HB09-1313**, as amended, was laid
 48 over to Thursday, April 9, 2009.

49
 50 Amend the Education Committee Report, dated April 2, 2009, page 1,
 51 line 10, strike "ELECTION." and substitute "ELECTION. EACH
 52 INSTITUTION SHALL ADOPT A POLICY THAT REQUIRES EACH STUDENT TO
 53 AFFIRMATIVELY CHOOSE TO PAY EACH APPROVED OPTIONAL FEE BEFORE
 54 THE STUDENT IS BILLED FOR THE FEE."."

55
 56 The amendment was declared **lost** by the following roll call vote:

	YES	27	NO	37	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Green	N	McCann	N	Roberts	Y
3	Apuan	N	Hullingerhorst	N	McFadyen	N	Ryden	N
4	Balmer	E	Judd	N	McKinley	N	Scanlan	N
5	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
6	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
7	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
8	Casso	N	Kerr J.	Y	Miklosi	N	Soper	N
9	Court	N	King S.	Y	Murray	Y	Stephens	Y
10	Curry	Y	Labuda	N	Nikkel	Y	Summers	Y
11	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
12	Fischer	N	Levy	N	Peniston	N	Tipton	Y
13	Frangas	N	Liston	Y	Pommer	N	Todd	N
14	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
15	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
16	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
17	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
18							Speaker	N
19								

20 Representative(s) Murray moved to amend the Report of the Committee
 21 of the Whole to reverse the action taken by the Committee in not adopting
 22 the following Murray amendment, to HB09-1313, to show that said
 23 amendment passed, and that **HB09-1313**, as amended, was laid over to
 24 April 9, 2009.

25

26 Amend the Education Committee Report, dated April 2, 2009, page 1,
 27 line 10, strike "ELECTION." and substitute "ELECTION. AN INSTITUTION
 28 MAY ONLY ESTABLISH AN OPTIONAL FEE PURSUANT TO THIS PARAGRAPH
 29 (i) IF AN ORGANIZATION THAT IS SET TO RECEIVE A PORTION OR ALL OF THE
 30 FEE IS AN ORGANIZATION THAT IS RECOGNIZED BY THE INSTITUTION AND
 31 THE ORGANIZATION HAS INFORMATION REGARDING ITSELF, INCLUDING ITS
 32 MISSION STATEMENT, ON THE INSTITUTION'S WEB SITE.".

33

34 The amendment was declared **lost** by the following roll call vote:

35

	YES	27	NO	37	EXCUSED	1	ABSENT	0
36								
37	Acree	Y	Green	N	McCann	N	Roberts	Y
38	Apuan	N	Hullingerhorst	N	McFadyen	N	Ryden	N
39	Balmer	E	Judd	N	McKinley	N	Scanlan	N
40	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
41	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
42	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
43	Casso	N	Kerr J.	Y	Miklosi	N	Soper	N
44	Court	N	King S.	Y	Murray	Y	Stephens	Y
45	Curry	N	Labuda	N	Nikkel	Y	Summers	Y
46	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
47	Fischer	N	Levy	N	Peniston	N	Tipton	Y
48	Frangas	N	Liston	Y	Pommer	Y	Todd	N
49	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
50	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
51	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
52	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
53							Speaker	N
54								

54

55

56

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB09-1010 amended.**

Laid over until date indicated retaining place on Calendar: **HB09-1313 amended, 1280--April 9, 2009.**

The Chairman moved the adoption of the Committee of the Whole Report. As shown by the following roll call vote, a majority of those elected to the House voted in the affirmative, and the Report was **adopted.**

YES	63	NO	1	EXCUSED	1	ABSENT	0
Acree	Y	Green	Y	McCann	Y	Roberts	Y
Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
Balmer	E	Judd	Y	McKinley	Y	Scanlan	Y
Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
Court	Y	King S.	Y	Murray	Y	Stephens	Y
Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
Gardner B.	Y	Marostica	Y	Priola	N	Vigil	Y
Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
						Speaker	Y

House in recess. House reconvened.

**MEMORANDUM
REPORT FROM THE HOUSE AND SENATE
COMMITTEES ON DELAYED BILLS**

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadline for Senate Bill No. 09-256, Concerning the Financing of Public Schools:

The Friday, March 13 deadline (the 66th legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, as previously extended until Friday, March 27, 2009 (the 80th legislative day) and subsequently extended until Friday, April 10, 2009 (the 94th legislative day), is further extended until Friday, April 17, 2009 (the 101st legislative day).

1 This memorandum shall be printed in the journal of each house as is
2 required by said Joint Rule 23 (c).

3

4 (signed)	(signed)
5 Representative Terrance D. Carroll	Senator Peter Groff
6 Representative Paul Weissmann	Senator Brandon Shaffer
7 Representative Mike May	Senator Josh Penry

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**MEMORANDUM
REPORT FROM THE HOUSE AND SENATE
COMMITTEES ON DELAYED BILLS**

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Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadline for LLS No. 09-0384, the Long Appropriation Bill:

The Friday, March 27 deadline (the 80th legislative day) for passage of the long appropriation bill in the Senate as extended until Friday, April 3, 2009 (the 87th legislative day), and subsequently extended until Thursday, April 9, 2009 (the 93rd legislative day), is further extended until Monday, April 13, 2009 (the 97th legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

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(signed)	(signed)
Representative Terrance D. Carroll	Senator Peter Groff
Representative Paul Weissmann	Senator Brandon Shaffer
Representative Mike May	Senator Josh Penry

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

After consideration on the merits, the Committee recommends the following:

HB09-1330 be referred favorably to the Committee on Appropriations.

BUSINESS AFFAIRS & LABOR

After consideration on the merits, the Committee recommends the following:

HB09-1202 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Strike the Business Affairs and Labor Committee Report, dated February 18, 2009, and substitute the following:

1 "Amend printed bill, page 4, line 4, strike "who, for compensation," and
2 substitute "who for compensation,";

3
4 strike lines 10 through 14.

5
6 Page 6, after line 11, insert the following:

7
8 **"SECTION 3.** 12-54-104 (1), Colorado Revised Statutes, is
9 amended BY THE ADDITION OF THE FOLLOWING NEW
10 PARAGRAPHS to read:

11
12 **12-54-104. Unlawful acts.** (1) It is unlawful:

13
14 (n) TO ENGAGE IN WILLFULLY DISHONEST CONDUCT OR COMMIT
15 NEGLIGENCE IN THE PRACTICE OF EMBALMING, FUNERAL DIRECTING, OR
16 PROVIDING FOR FINAL DISPOSITION THAT DEFRAUDS OR CAUSES INJURY OR
17 IS LIKELY TO DEFRAUD OR CAUSE INJURY;

18
19 (o) TO FAIL TO INCLUDE IN A CONTRACT FOR FUNERAL SERVICES
20 THE FOLLOWING STATEMENT: "INQUIRIES REGARDING YOUR
21 FUNERAL AGREEMENT MAY BE DIRECTED TO THE
22 DEPARTMENT OF REGULATORY AGENCIES", ALONG WITH THE
23 CURRENT ADDRESS OR TELEPHONE NUMBER OF THE DEPARTMENT OF
24 REGULATORY AGENCIES."

25
26 Renumber succeeding sections accordingly.

27
28 Page 7, line 1, strike "three hundred sixty-five" and substitute "~~three~~
29 ~~hundred sixty-five~~ ONE HUNDRED EIGHTY".

30
31 Page 9, line 10, strike "RENEWED AT LEAST ANNUALLY," and substitute
32 "RENEWED,".

33
34 Page 10, line 1, after the period, add "A DESIGNEE SHALL:

35
36 (a) BE AT LEAST EIGHTEEN YEARS OF AGE;

37
38 (b) HAVE AT LEAST TWO YEARS' EXPERIENCE WORKING FOR A
39 FUNERAL ESTABLISHMENT;

40
41 (c) BE EMPLOYED BY THE REGISTERED FUNERAL ESTABLISHMENT
42 THAT THE DESIGNEE REPRESENTS;

43
44 (d) HAVE THE AUTHORITY WITHIN THE FUNERAL ESTABLISHMENT'S
45 ORGANIZATION TO REQUIRE THAT PERSONNEL COMPLY WITH THIS ARTICLE;
46 AND

47
48 (e) NOT BE DESIGNATED FOR MORE THAN ONE FUNERAL
49 ESTABLISHMENT UNLESS THE ADDITIONAL ESTABLISHMENT IS OPERATED
50 UNDER COMMON OWNERSHIP AND MANAGEMENT AND NO FUNERAL
51 ESTABLISHMENT IS MORE THAN SIXTY MILES FROM ANOTHER
52 ESTABLISHMENT HELD UNDER THE SAME OWNERSHIP CONDITIONS.";

53
54 strike lines 2 through 6.

55
56 Renumber succeeding subsections accordingly.

1 Page 10, strike lines 12 through 14;

2

3 line 23, strike "SUCCESSOR;" and substitute "SUCCESSOR, IF THE
4 SUCCESSOR IS APPROVED BY THE DIRECTOR;"

5

6 line 26, after "SUCCESSOR,", insert "IF THE SUCCESSOR IS APPROVED BY
7 THE DIRECTOR,".

8

9 Page 11, after line 16, insert the following:

10

11 **"12-54-112. Standards of practice - embalming - transporting.**

12 (1) A FUNERAL ESTABLISHMENT THAT PERFORMS EMBALMING SHALL:

13

14 (a) MAINTAIN A SANITARY PREPARATION ROOM WITH SANITARY
15 FLOORING, DRAINAGE, AND VENTILATION;

16

17 (b) EMPLOY UNIVERSAL BIOLOGICAL HAZARD PRECAUTIONS;

18

19 (c) EMPLOY REASONABLE CARE TO MINIMIZE THE RISK OF
20 TRANSMITTING COMMUNICABLE DISEASES FROM DEAD HUMAN BODIES;

21

22 (d) BE EQUIPPED WITH INSTRUMENTS AND SUPPLIES NECESSARY TO
23 PROTECT THE HEALTH AND SAFETY OF THE PUBLIC AND EMPLOYEES OF THE
24 FUNERAL ESTABLISHMENT; AND

25

26 (e) TRANSPORT DEAD HUMAN BODIES IN A SAFE AND SANITARY
27 MANNER.

28

29 (2) A FUNERAL ESTABLISHMENT THAT TRANSPORTS DEAD HUMAN
30 BODIES SHALL:

31

32 (a) USE A MOTOR VEHICLE THAT IS APPROPRIATE FOR THE
33 TRANSPORTATION OF A DEAD HUMAN BODY; AND

34

35 (b) TRANSPORT DEAD HUMAN BODIES IN A SAFE AND SANITARY
36 MANNER.

37

38 (3) A FUNERAL ESTABLISHMENT SHALL REMOVE ANY IMPLANTED
39 DEVICE IN A DEAD HUMAN BODY BEFORE TRANSPORTING THE BODY TO A
40 CREMATORY.";

41

42 line 24, after "COLOR,", insert "RELIGION, SEX, MARITAL STATUS,".

43

44 Page 13, line 9, strike "PAID;" and substitute "PAID, UNLESS THERE IS A
45 GOOD FAITH DISPUTE OVER WHO CONTROLS THE RIGHT OF FINAL
46 DISPOSITION;".

47

48 Page 14, line 1, strike "EDUCATION." and substitute "EDUCATION;"

49

50 after line 1, insert the following:

51

52 "(1) TO ENGAGE IN WILLFULLY DISHONEST CONDUCT OR COMMIT
53 NEGLIGENCE IN THE PRACTICE OF CREMATION OR PROVIDING FOR FINAL
54 DISPOSITION THAT DEFRAUDS OR CAUSES INJURY OR IS LIKELY TO DEFRAUD
55 OR CAUSE INJURY.".

56

1 Page 16, line 17, strike "RENEWED AT" and substitute "RENEWED,";
2
3 line 18, strike "LEAST ANNUALLY,".

4
5 Page 17, line 7, after the period, add "A DESIGNEE SHALL:

6
7 (a) BE AT LEAST EIGHTEEN YEARS OF AGE;

8
9 (b) HAVE AT LEAST TWO YEARS' EXPERIENCE WORKING FOR A
10 CREMATORY;

11
12 (c) BE EMPLOYED BY THE REGISTERED CREMATORY THAT THE
13 DESIGNEE REPRESENTS;

14
15 (d) HAVE THE AUTHORITY WITHIN THE CREMATORY'S
16 ORGANIZATION TO REQUIRE THAT PERSONNEL COMPLY WITH THIS ARTICLE;
17 AND

18
19 (e) NOT BE DESIGNATED FOR MORE THAN ONE CREMATORY UNLESS
20 THE ADDITIONAL ESTABLISHMENT IS OPERATED UNDER COMMON
21 OWNERSHIP AND MANAGEMENT AND NO CREMATORY IS MORE THAN SIXTY
22 MILES FROM ANOTHER ESTABLISHMENT HELD UNDER THE SAME
23 OWNERSHIP CONDITIONS.";

24
25 strike lines 8 through 12.

26
27 Renumber succeeding subsection accordingly.

28
29 Page 19, after line 4, insert the following:

30
31 **"12-54-307. Standards of practice - cremating. (1) A**
32 **CREMATORY SHALL:**

33
34 (a) MAINTAIN A RETORT OR CREMATORY CHAMBER THAT IS
35 OPERATED AT ALL TIMES IN A SAFE AND SANITARY MANNER;

36
37 (b) EMPLOY REASONABLE CARE TO MINIMIZE THE RISK OF
38 TRANSMITTING COMMUNICABLE DISEASES FROM DEAD HUMAN BODIES;

39
40 (c) BE EQUIPPED WITH INSTRUMENTS AND SUPPLIES NECESSARY TO
41 PROTECT THE HEALTH AND SAFETY OF THE PUBLIC AND EMPLOYEES OF THE
42 CREMATORY; AND

43
44 (d) TRANSPORT DEAD HUMAN BODIES IN A SAFE AND SANITARY
45 MANNER.

46
47 (2) (a) A CREMATORY SHALL NOT CREMATE A DEAD HUMAN BODY
48 UNLESS THE CREMATORY HAS OBTAINED A STATEMENT CONTAINING THE
49 FOLLOWING FROM A FUNERAL ESTABLISHMENT, FUNERAL DIRECTOR,
50 MORTUARY SCIENCE PRACTITIONER, OR THE PERSON WITH THE RIGHT OF
51 FINAL DISPOSITION:

52
53 (I) THE IDENTITY OF THE DECEDENT;

54
55 (II) THE DATE OF DEATH;

56

- 1 (III) AUTHORIZATION TO CREMATE THE DEAD HUMAN BODY;
2
- 3 (IV) THE NAME OF THE PERSON AUTHORIZING CREMATION AND AN
4 AFFIDAVIT OR OTHER DOCUMENT IN COMPLIANCE WITH ARTICLE 19 OF
5 TITLE 15, C.R.S., THAT THE AUTHORIZATION COMPLIES WITH ARTICLE 19
6 OF TITLE 15, C.R.S.;
- 7
8 (V) A STATEMENT THAT THE DEAD HUMAN BODY DOES NOT
9 CONTAIN AN IMPLANTED DEVICE;
- 10
11 (VI) THE NAME OF THE PERSON AUTHORIZED TO RECEIVE THE
12 CREMAINS;
- 13
14 (VII) A LIST OF ITEMS DELIVERED TO THE CREMATORY ALONG
15 WITH THE DEAD HUMAN BODY;
- 16
17 (VIII) A STATEMENT AS TO WHETHER THE NEXT OF KIN HAS MADE
18 ARRANGEMENTS FOR A VIEWING OR SERVICE BEFORE CREMATION AND THE
19 DATE AND TIME OF ANY VIEWING OR SERVICE;
- 20
21 (IX) A COPY OF THE DEATH CERTIFICATE; AND
- 22
23 (X) A SIGNATURE OF A REPRESENTATIVE OF ANY FUNERAL
24 ESTABLISHMENT OR THE NEXT OF KIN MAKING ARRANGEMENTS FOR
25 CREMATION THAT THE REPRESENTATIVE HAS NO ACTUAL KNOWLEDGE
26 THAT CONTRADICTS ANY INFORMATION REQUIRED BY THIS PARAGRAPH (a).
27
- 28 (b) A PERSON WHO SIGNS THE STATEMENT REQUIRED BY
29 PARAGRAPH (a) OF THIS SUBSECTION (2) SHALL WARRANT THE
30 TRUTHFULNESS OF THE FACTS CONTAINED THEREIN. A PERSON WHO SIGNS
31 THE STATEMENT WITH ACTUAL KNOWLEDGE TO THE CONTRARY SHALL BE
32 CIVILLY LIABLE.
- 33
34 (3) (a) THE DEAD HUMAN BODY SHALL BE HELD IN A CREMATION
35 CONTAINER AND SHALL NOT BE REMOVED.
- 36
37 (b) THE DEAD HUMAN BODY SHALL BE CREMATED IN A CREMATION
38 CONTAINER.
- 39
40 (c) A CREMATION CONTAINER SHALL:
- 41
42 (I) BE COMPOSED OF COMBUSTIBLE MATERIALS SUITABLE FOR
43 CREMATION;
- 44
45 (II) BE ABLE TO BE CLOSED IN ORDER TO PROVIDE A COMPLETE
46 COVERING FOR THE DEAD HUMAN BODY;
- 47
48 (III) BE RESISTANT TO LEAKING OR SPILLING;
- 49
50 (IV) BE RIGID ENOUGH TO HANDLE WITH EASE; AND
- 51
52 (V) PROVIDE REASONABLE PROTECTION FOR THE HEALTH AND
53 SAFETY OF CREMATORY EMPLOYEES.
- 54
55 (4) A CREMATORY SHALL NOT CREMATE MORE THAN ONE DEAD
56 HUMAN BODY WITHIN THE SAME CREMATION CHAMBER OR OTHERWISE

1 COMMINGLE THE CREMAINS OF MULTIPLE DEAD HUMAN BODIES UNLESS
2 THE NEXT OF KIN HAS SIGNED A WRITTEN AUTHORIZATION. NO
3 CREMATORY SHALL BE HELD CIVILLY LIABLE FOR COMMINGLING THE
4 CREMAINS OF DEAD HUMAN BODIES IF THE NEXT OF KIN HAS SIGNED SUCH
5 WRITTEN AUTHORIZATION.

6
7 (5) (a) A CREMATORY SHALL USE A TAG TO IDENTIFY A DEAD
8 HUMAN BODY AND CREMAINS. THE TAG SHALL BE VERIFIED, REMOVED,
9 AND PLACED NEAR THE CREMATION CHAMBER CONTROL PANEL PRIOR TO
10 CREMATION. THE TAG SHALL REMAIN NEXT TO THE CREMATION CHAMBER
11 UNTIL THE CREMATION IS COMPLETE.

12
13 (b) AFTER CREMATION IS COMPLETE, ALL OF THE CREMAINS AND
14 REASONABLE RECOVERABLE RESIDUE SHALL BE REMOVED FROM THE
15 CREMATION CHAMBER AND PROCESSED AS NECESSARY. ANYTHING OTHER
16 THAN THE CREMAINS SHALL BE DISPOSED OF UNLESS THE NEXT OF KIN
17 AUTHORIZES OTHERWISE.

18
19 (c) THE PROCESSED CREMAINS SHALL BE PLACED IN A TEMPORARY
20 CONTAINER OR URN. ANY CREMAINS THAT DO NOT FIT WITHIN SUCH
21 ENCLOSURE SHALL BE PLACED IN A SEPARATE TEMPORARY CONTAINER OR
22 URN. EACH CONTAINER SHALL BE MARKED WITH THE DECEDENT'S
23 IDENTITY AND THE NAME OF THE CREMATORY. IF A TEMPORARY
24 CONTAINER IS USED, THE CREMATORY SHALL DISCLOSE THAT THE
25 TEMPORARY CONTAINER SHOULD NOT BE USED FOR PERMANENT STORAGE.

26
27 (d) IF CREMATED REMAINS ARE SHIPPED, THE CREMATORY SHALL
28 USE A METHOD THAT EMPLOYS AN INTERNAL TRACKING SYSTEM AND
29 OBTAINS A SIGNED RECEIPT FROM THE PERSON ACCEPTING DELIVERY.

30
31 (6) CREMAINS SHALL NOT BE COMMINGLED WITH OTHER CREMAINS
32 IN FINAL DISPOSITION OR SCATTERING WITHOUT WRITTEN AUTHORIZATION
33 FROM THE NEXT OF KIN UNLESS THE DISPOSITION OR SCATTERING OCCURS
34 WITHIN A DEDICATED CEMETERY OR CONSECRATED GROUNDS USED
35 EXCLUSIVELY FOR SUCH PURPOSES.

36
37 (7) (a) A CREMATORY SHALL NOT CREMATE A DEAD HUMAN BODY
38 CONTAINING AN IMPLANTED DEVICE. IF THE FUNERAL ESTABLISHMENT
39 THAT HAD CONTROL OF THE DEAD HUMAN BODY FAILED TO ENSURE THAT
40 A DEVICE WAS REMOVED, THE FUNERAL ESTABLISHMENT SHALL BE
41 RESPONSIBLE FOR REMOVING THE DEVICE.

42
43 (b) IF THE PERSON AUTHORIZING CREMATION FAILS TO INFORM THE
44 CREMATORY OF THE PRESENCE OF AN IMPLANTED DEVICE, THE PERSON
45 SHALL BE SOLELY LIABLE FOR ANY RESULTING DAMAGE TO THE
46 CREMATORY.";

47
48 strike lines 7 through 27.

49
50 Strike pages 20 and 21.

51
52 Page 22, strike lines 1 through 12 and substitute the following:

53
54 **"12-54-401. Powers and duties of the director - rules.** (1) THE
55 DIRECTOR MAY DENY, SUSPEND, REFUSE TO RENEW, ISSUE A LETTER OF
56 ADMONITION OR CONFIDENTIAL LETTER OF CONCERN TO, REVOKE, PLACE

1 ON PROBATION, OR LIMIT THE SCOPE OF PRACTICE OF THE REGISTRATION
2 OF A FUNERAL ESTABLISHMENT OR CREMATORY UNDER THIS ARTICLE THAT
3 HAS:

4
5 (a) FILED AN APPLICATION WITH THE DIRECTOR CONTAINING
6 MATERIAL MISSTATEMENTS OF FACT OR HAS OMITTED ANY DISCLOSURE
7 REQUIRED BY THIS ARTICLE;

8
9 (b) HAD A REGISTRATION ISSUED BY COLORADO, OR AN
10 EQUIVALENT LICENSE, REGISTRATION, OR CERTIFICATION ISSUED BY
11 ANOTHER STATE, TO PRACTICE MORTUARY SCIENCE OR TO EMBALM OR
12 CREMATE A DEAD HUMAN BODY REVOKED; OR

13
14 (c) VIOLATED THIS ARTICLE OR ANY RULE OF THE DIRECTOR
15 ADOPTED UNDER THIS ARTICLE.

16
17 (2) (a) THE DIRECTOR MAY DENY OR REVOKE A REGISTRATION IF
18 THE FUNERAL ESTABLISHMENT, CREMATORY, OR THE DESIGNEE THEREOF
19 HAS BEEN CONVICTED OF A FELONY RELATED TO ANOTHER ACTIVITY
20 REGULATED UNDER THIS ARTICLE OR A FELONY OF MORAL TURPITUDE.
21 THE DIRECTOR SHALL PROMPTLY NOTIFY THE FUNERAL ESTABLISHMENT
22 OR CREMATORY OF SUCH REVOCATION.

23
24 (b) A CREMATORY OR FUNERAL ESTABLISHMENT WHOSE
25 REGISTRATION HAS BEEN REVOKED SHALL NOT BE ELIGIBLE FOR A
26 REGISTRATION FOR TWO YEARS AFTER THE EFFECTIVE DATE OF THE
27 REVOCATION.

28
29 (3) THE DIRECTOR MAY INVESTIGATE THE ACTIVITIES OF A
30 FUNERAL ESTABLISHMENT OR CREMATORY UPON HIS OR HER OWN
31 INITIATIVE OR UPON RECEIPT OF A COMPLAINT OR A SUSPECTED OR
32 ALLEGED VIOLATION OF THIS ARTICLE.

33
34 (4) THE DIRECTOR OR AN ADMINISTRATIVE LAW JUDGE APPOINTED
35 PURSUANT TO PART 10 OF ARTICLE 30 OF TITLE 24, C.R.S., SHALL
36 CONDUCT DISCIPLINARY HEARINGS CONCERNING A REGISTRATION ISSUED
37 UNDER THIS ARTICLE. SUCH HEARINGS SHALL CONFORM TO ARTICLE 4 OF
38 TITLE 24, C.R.S.

39
40 (5) (a) THE DIRECTOR OR AN ADMINISTRATIVE LAW JUDGE MAY
41 ADMINISTER OATHS, TAKE AFFIRMATIONS OF WITNESSES, AND ISSUE
42 SUBPOENAS TO COMPEL THE ATTENDANCE OF WITNESSES AND THE
43 PRODUCTION OF ALL RELEVANT PAPERS, BOOKS, RECORDS, DOCUMENTARY
44 EVIDENCE, AND MATERIALS IN ANY HEARING OR INVESTIGATION
45 CONDUCTED BY THE DIRECTOR OR AN ADMINISTRATIVE LAW JUDGE.

46
47 (b) UPON FAILURE OF A WITNESS TO COMPLY WITH A SUBPOENA OR
48 SERVICE OF PROCESS, THE DISTRICT COURT OF THE COUNTY IN WHICH THE
49 SUBPOENAED WITNESS RESIDES OR CONDUCTS BUSINESS MAY ISSUE AN
50 ORDER REQUIRING THE WITNESS TO APPEAR BEFORE THE DIRECTOR OR
51 ADMINISTRATIVE LAW JUDGE AND PRODUCE THE RELEVANT PAPERS,
52 BOOKS, RECORDS, DOCUMENTARY EVIDENCE, TESTIMONY, OR MATERIALS
53 IN QUESTION. FAILURE TO OBEY THE ORDER OF THE COURT MAY BE
54 PUNISHED AS A CONTEMPT OF COURT. THE DIRECTOR OR AN
55 ADMINISTRATIVE LAW JUDGE MAY APPLY FOR SUCH ORDER.

56

1 (6) THE DIRECTOR SHALL KEEP RECORDS OF REGISTRATIONS AND
2 DISCIPLINARY PROCEEDINGS. THE RECORDS KEPT BY THE DIRECTOR SHALL
3 BE OPEN TO PUBLIC INSPECTION IN A REASONABLE TIME AND MANNER
4 DETERMINED BY THE DIRECTOR.

5
6 (7) WHEN THE DIRECTOR OR ADMINISTRATIVE LAW JUDGE DEEMS
7 IT APPROPRIATE AND USEFUL, THE DIRECTOR OR ADMINISTRATIVE LAW
8 JUDGE MAY CONSULT WITH OR OBTAIN A WRITTEN OPINION FROM AN
9 APPROPRIATE PROFESSIONAL ORGANIZATION OR ASSOCIATION OF
10 BUSINESSES WHO OFFER SERVICES REQUIRING REGISTRATION UNDER THIS
11 ARTICLE FOR THE PURPOSE OF INVESTIGATING POSSIBLE VIOLATIONS OR
12 WEIGHING THE APPROPRIATE STANDARD OF CARE TO BE APPLIED TO
13 SPECIFIC EVENTS OR THE FACTS IN A HEARING BEING HELD UNDER THIS
14 ARTICLE.

15
16 (8) (a) THE DIRECTOR MAY PROMULGATE REASONABLE RULES
17 NECESSARY TO IMPLEMENT THIS SECTION, SECTIONS 12-54-110,
18 12-54-111, 12-54-303, AND 12-54-304, AND THIS PART 4.

19
20 (b) BEFORE PROMULGATING RULES, THE DIRECTOR SHALL SEEK
21 INPUT AND ADVICE FROM A PERSON, OR ANY STATE PROFESSIONAL
22 ORGANIZATION OF PERSONS, OFFERING SERVICES THAT REQUIRE
23 REGISTRATION PURSUANT TO THIS ARTICLE."

24
25 Page 23, strike lines 14 through 27.

26
27 Strike pages 24 and 25.

28
29 Page 26, strike lines 1 through 24 and substitute the following:

30
31 **"12-54-404. Letters of concern.** THE DIRECTOR MAY ISSUE AND
32 SEND A CONFIDENTIAL LETTER OF CONCERN TO THE FUNERAL
33 ESTABLISHMENT OR CREMATORY WHEN A COMPLAINT OR INVESTIGATION
34 DISCLOSES AN INSTANCE OF CONDUCT THAT DOES NOT WARRANT FORMAL
35 ACTION BY THE DIRECTOR AND, IN THE OPINION OF THE DIRECTOR, THE
36 COMPLAINT SHOULD BE DISMISSED, BUT THE DIRECTOR HAS NOTICED
37 INDICATIONS OF POSSIBLE ERRANT CONDUCT BY THE FUNERAL
38 ESTABLISHMENT OR CREMATORY THAT COULD LEAD TO SERIOUS
39 CONSEQUENCES IF NOT CORRECTED.

40
41 **12-54-405. Letters of admonition - funeral homes and**
42 **crematories.** (1) WHEN A COMPLAINT OR INVESTIGATION DISCLOSES AN
43 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR, DOES
44 NOT WARRANT FORMAL ACTION BY THE DIRECTOR BUT THAT SHOULD NOT
45 BE DISMISSED AS BEING WITHOUT MERIT, A LETTER OF ADMONITION MAY
46 BE ISSUED AND SENT TO A PERSON BY CERTIFIED MAIL.

47
48 (2) WHEN A LETTER OF ADMONITION IS SENT BY THE DIRECTOR,
49 THE SUBJECT SHALL BE ADVISED OF THE RIGHT TO REQUEST THAT FORMAL
50 DISCIPLINARY PROCEEDINGS BE INITIATED TO ADJUDICATE THE PROPRIETY
51 OF THE CONDUCT UPON WHICH THE LETTER OF ADMONITION IS BASED. THE
52 SUBJECT SHALL MAKE THE REQUEST IN WRITING WITHIN TWENTY DAYS
53 AFTER RECEIPT OF THE LETTER.

54
55 (3) IF THE REQUEST FOR ADJUDICATION IS TIMELY MADE, THE
56 LETTER OF ADMONITION SHALL BE DEEMED VACATED AND THE MATTER

1 SHALL BE PROCESSED BY MEANS OF FORMAL DISCIPLINARY PROCEEDINGS.
2
3 **12-54-406. Cease-and-desist orders - procedure.** (1) (a) IF IT
4 APPEARS TO THE DIRECTOR, BASED UPON CREDIBLE EVIDENCE AS
5 PRESENTED IN A WRITTEN COMPLAINT, THAT A PERSON IS ACTING IN A
6 MANNER THAT CREATES AN IMMINENT THREAT TO THE HEALTH AND
7 SAFETY OF THE PUBLIC, OR A PERSON IS ACTING OR HAS ACTED WITHOUT
8 THE REQUIRED REGISTRATION, THE DIRECTOR MAY ISSUE AN ORDER TO
9 CEASE AND DESIST SUCH ACTIVITY. THE ORDER SHALL SET FORTH THE
10 STATUTES AND RULES ALLEGED TO HAVE BEEN VIOLATED, THE FACTS
11 ALLEGED TO HAVE CONSTITUTED THE VIOLATION, AND THE REQUIREMENT
12 THAT ALL UNLAWFUL ACTS OR UNAUTHORIZED PRACTICES IMMEDIATELY
13 CEASE.
14
15 (b) WITHIN TEN DAYS AFTER SERVICE OF THE ORDER TO CEASE AND
16 DESIST PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1), THE
17 RESPONDENT MAY REQUEST A HEARING ON THE QUESTION OF WHETHER
18 THE ALLEGED ACTS OR PRACTICES HAVE OCCURRED. SUCH HEARING
19 SHALL BE CONDUCTED PURSUANT TO SECTIONS 24-4-104 AND 24-4-105,
20 C.R.S.
21
22 (2) (a) IF IT APPEARS TO THE DIRECTOR, BASED UPON CREDIBLE
23 EVIDENCE AS PRESENTED IN A WRITTEN COMPLAINT, THAT A PERSON HAS
24 VIOLATED THIS ARTICLE OR RULES PROMULGATED UNDER THIS ARTICLE,
25 THEN, IN ADDITION TO ANY SPECIFIC POWERS GRANTED PURSUANT TO THIS
26 ARTICLE, THE DIRECTOR MAY ISSUE TO SUCH PERSON AN ORDER TO SHOW
27 CAUSE AS TO WHY THE DIRECTOR SHOULD NOT ISSUE A FINAL ORDER
28 DIRECTING SUCH PERSON TO CEASE AND DESIST FROM SUCH VIOLATIONS.
29
30 (b) A PERSON AGAINST WHOM AN ORDER TO SHOW CAUSE HAS
31 BEEN ISSUED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2) SHALL
32 BE PROMPTLY NOTIFIED BY THE DIRECTOR OF THE ISSUANCE OF THE
33 ORDER, ALONG WITH A COPY OF THE ORDER, THE FACTUAL AND LEGAL
34 BASIS FOR THE ORDER, AND THE DATE SET BY THE DIRECTOR FOR A
35 HEARING ON THE ORDER. SUCH NOTICE MAY BE SERVED BY PERSONAL
36 SERVICE, BY FIRST-CLASS UNITED STATES MAIL, POSTAGE PREPAID, OR AS
37 MAY BE PRACTICABLE UPON ANY PERSON AGAINST WHOM SUCH ORDER IS
38 ISSUED. PERSONAL SERVICE OR MAILING OF AN ORDER OR DOCUMENT
39 PURSUANT TO THIS SUBSECTION (2) SHALL CONSTITUTE NOTICE THEREOF
40 TO THE PERSON.
41
42 (c) (I) THE HEARING ON AN ORDER TO SHOW CAUSE SHALL BE
43 COMMENCED NO SOONER THAN TEN AND NO LATER THAN FORTY-FIVE
44 CALENDAR DAYS AFTER THE DATE OF TRANSMISSION OR SERVICE OF THE
45 NOTIFICATION BY THE DIRECTOR AS PROVIDED IN PARAGRAPH (b) OF THIS
46 SUBSECTION (2). THE HEARING MAY BE CONTINUED BY AGREEMENT OF
47 ALL PARTIES BASED UPON THE COMPLEXITY OF THE MATTER, NUMBER OF
48 PARTIES TO THE MATTER, AND LEGAL ISSUES PRESENTED IN THE MATTER,
49 BUT IN NO EVENT SHALL THE HEARING COMMENCE LATER THAN SIXTY
50 CALENDAR DAYS AFTER THE DATE OF TRANSMISSION OR SERVICE OF THE
51 NOTIFICATION.
52
53 (II) IF A PERSON AGAINST WHOM AN ORDER TO SHOW CAUSE HAS
54 BEEN ISSUED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2) DOES
55 NOT APPEAR AT THE HEARING, THE DIRECTOR MAY PRESENT EVIDENCE
56 THAT NOTIFICATION WAS PROPERLY SENT OR SERVED UPON SUCH PERSON

1 PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (2) AND SUCH OTHER
2 EVIDENCE RELATED TO THE MATTER AS THE DIRECTOR DEEMS
3 APPROPRIATE. THE DIRECTOR SHALL ISSUE THE ORDER WITHIN TEN DAYS
4 AFTER THE DIRECTOR'S DETERMINATION RELATED TO REASONABLE
5 ATTEMPTS TO NOTIFY THE RESPONDENT, AND THE ORDER SHALL BECOME
6 FINAL AS TO THAT PERSON BY OPERATION OF LAW. SUCH HEARING SHALL
7 BE CONDUCTED PURSUANT TO SECTIONS 24-4-104 AND 24-4-105, C.R.S.

8
9 (III) IF THE DIRECTOR REASONABLY FINDS THAT THE PERSON
10 AGAINST WHOM THE ORDER TO SHOW CAUSE WAS ISSUED IS ACTING OR
11 HAS ACTED WITHOUT THE REQUIRED REGISTRATION OR HAS ENGAGED IN
12 ACTS OR PRACTICES CONSTITUTING VIOLATIONS OF THIS ARTICLE OR RULES
13 PROMULGATED UNDER THIS ARTICLE, A FINAL CEASE-AND-DESIST ORDER
14 MAY BE ISSUED, DIRECTING SUCH PERSON TO CEASE AND DESIST FROM
15 FURTHER VIOLATIONS.

16
17 (IV) THE DIRECTOR SHALL PROVIDE NOTICE, IN THE MANNER SET
18 FORTH IN PARAGRAPH (b) OF THIS SUBSECTION (2), OF THE FINAL
19 CEASE-AND-DESIST ORDER WITHIN TEN CALENDAR DAYS AFTER THE
20 HEARING CONDUCTED PURSUANT TO THIS PARAGRAPH (c) TO EACH PERSON
21 AGAINST WHOM THE FINAL ORDER HAS BEEN ISSUED. THE FINAL ORDER
22 SHALL BE EFFECTIVE WHEN ISSUED AND SHALL BE A FINAL ORDER FOR
23 PURPOSES OF JUDICIAL REVIEW.

24
25 (3) IF IT APPEARS TO THE DIRECTOR, BASED UPON CREDIBLE
26 EVIDENCE PRESENTED TO THE DIRECTOR, THAT A PERSON HAS ENGAGED IN
27 AN ACT OR PRACTICE CONSTITUTING A VIOLATION OF THIS ARTICLE, A RULE
28 PROMULGATED PURSUANT TO THIS ARTICLE, AN ORDER ISSUED PURSUANT
29 TO THIS ARTICLE, OR AN ACT OR PRACTICE CONSTITUTING GROUNDS FOR
30 ADMINISTRATIVE SANCTION PURSUANT TO THIS ARTICLE, THE DIRECTOR
31 MAY ENTER INTO A STIPULATION WITH THE PERSON.

32
33 (4) IF A PERSON FAILS TO COMPLY WITH A FINAL
34 CEASE-AND-DESIST ORDER OR A STIPULATION, THE DIRECTOR MAY
35 REQUEST THE ATTORNEY GENERAL OR THE DISTRICT ATTORNEY FOR THE
36 JUDICIAL DISTRICT IN WHICH THE ALLEGED VIOLATION EXISTS TO BRING,
37 AND IF SO REQUESTED SUCH ATTORNEY SHALL BRING, SUIT FOR A
38 TEMPORARY RESTRAINING ORDER AND FOR INJUNCTIVE RELIEF TO
39 PREVENT ANY FURTHER OR CONTINUED VIOLATION OF THE FINAL ORDER.

40
41 (5) A PERSON AGGRIEVED BY THE FINAL CEASE-AND-DESIST ORDER
42 MAY SEEK JUDICIAL REVIEW OF THE DIRECTOR'S DETERMINATION OR OF
43 THE DIRECTOR'S FINAL ORDER.

44
45 **12-54-407. Civil penalty - fine.** (1) ON MOTION OF THE
46 DIRECTOR, THE COURT MAY IMPOSE A CIVIL PENALTY OF NOT MORE THAN
47 ONE THOUSAND DOLLARS FOR A VIOLATION OF THIS ARTICLE OR A RULE
48 PROMULGATED UNDER THIS ARTICLE. THE PENALTY SHALL BE
49 TRANSMITTED TO THE STATE TREASURER AND CREDITED TO THE GENERAL
50 FUND.

51
52 (2) IN ADDITION TO ANY OTHER PENALTY THAT MAY BE IMPOSED
53 PURSUANT TO THIS SECTION, A FUNERAL ESTABLISHMENT OR CREMATORY
54 VIOLATING THIS ARTICLE OR A RULE PROMULGATED PURSUANT TO THIS
55 ARTICLE MAY BE FINED NO LESS THAN ONE HUNDRED DOLLARS AND NO
56 MORE THAN FIVE THOUSAND DOLLARS FOR EACH VIOLATION PROVEN BY

1 THE DIRECTOR. ALL FINES COLLECTED PURSUANT TO THIS SUBSECTION (2)
2 SHALL BE TRANSFERRED TO THE STATE TREASURER, WHO SHALL CREDIT
3 SUCH MONEYS TO THE GENERAL FUND."

4

5 Renumber succeeding C.R.S. sections accordingly.

6

7 Page 28, line 9, strike "offenses committed on or after said" and substitute
8 "offenses committed, including failure to register as required by this act,
9 on or after January 1, 2010.";

10

11 strike line 10."

12

13

14

15

16 **STATE, VETERANS, & MILITARY AFFAIRS**

17 After consideration on the merits, the Committee recommends the
18 following:

19

20 **SB09-242** be postponed indefinitely.

21

22

23

24

25 **TRANSPORTATION & ENERGY**

26 After consideration on the merits, the Committee recommends the
27 following:

28

29 **HB09-1323** be amended as follows, and as so amended, be referred to
30 the Committee on Appropriations with favorable
31 recommendation:

32

33 Amend printed bill, page 3, line 18, strike "THAT" and substitute "THAT,
34 AS OF THE EFFECTIVE DATE OF THIS SECTION,";

35

36 line 19, strike "CUSTOMERS." and substitute "METERS.";

37

38 line 22, strike "THAT" and substitute "THAT, AS OF THE EFFECTIVE DATE OF
39 THIS SECTION,";

40

41 strike lines 24 through 26 and substitute the following:

42

43 "METERS."

44

45 Page 5, strike line 5 and substitute the following:

46

47 "(2), AND (3) OF THIS SECTION, A UTILITY SHALL:

48

49 (a) ACHIEVE AT LEAST EIGHTY";

50

51 after line 11, insert the following:

52

53 "(b) ENSURE THAT ITS ENERGY EFFICIENCY PROGRAM GIVES ALL
54 CLASSES OF CUSTOMERS AN OPPORTUNITY TO PARTICIPATE AND GIVE DUE
55 CONSIDERATION TO THE IMPACT OF ITS ENERGY EFFICIENCY PROGRAM ON
56 NONPARTICIPANTS AND ON LOW-INCOME CUSTOMERS."

1 Page 7, strike line 16, and substitute the following:

2

3 "ELECTRIC ASSOCIATIONS THAT, AS OF THE EFFECTIVE DATE OF THIS
4 SUBSECTION (2), PROVIDE RETAIL ELECTRIC SERVICE TO ONE HUNDRED
5 THOUSAND OR MORE METERS,";

6

7 line 17, strike "OR MORE MEMBERS,".

8

9

10

11 **SB09-094** be amended as follows, and as so amended, be referred to
12 the Committee of the Whole with favorable
13 recommendation:

14

15 Amend reengrossed bill, page 3, line 14, strike "RAIL" and substitute
16 "RAIL, INCLUDING, WHERE APPROPRIATE, ADVANCED GUIDEWAY
17 SYSTEMS,";

18

19 line 16, strike "PROMOTE" and substitute "PLAN, PROMOTE,";

20

21 after line 18, insert the following:

22

23 "(I) TO DEVELOP, IN ACCORDANCE WITH PART 11 OF THIS ARTICLE
24 AND CONSISTENT WITH THE REQUIREMENTS OF 23 U.S.C. SECS. 134 AND
25 135, A STATEWIDE TRANSIT AND PASSENGER RAIL PLAN THAT SHALL BE
26 INTEGRATED BY THE DEPARTMENT AS AN ELEMENT OF THE STATEWIDE
27 TRANSPORTATION PLAN. THE PLAN SHALL IDENTIFY LOCAL,
28 INTERREGIONAL, AND STATEWIDE TRANSIT AND PASSENGER RAIL NEEDS
29 AND PRIORITIES."

30

31 Renumber succeeding subparagraphs accordingly.

32

33 Page 3, line 21, strike "BUS AND PASSENGER RAIL" and substitute "BUS,
34 PASSENGER RAIL, AND ADVANCED GUIDEWAY SYSTEMS";

35

36 line 23, strike "TRANSIT" and substitute "TRANSIT, PASSENGER RAIL, AND
37 ADVANCED GUIDEWAY";

38

39 line 25, after "EXPEND", insert "STATE AND FEDERAL".

40

41 Page 4, strike line 2 and substitute the following:

42

43 "INTERREGIONAL TRANSIT, ADVANCED GUIDEWAY, AND PASSENGER RAIL
44 SERVICES; AND";

45

46 line 3, after "TO,", insert "FACILITIES, EQUIPMENT, SERVICES, AND";

47

48 line 7, strike "SERVICES." and substitute "SERVICES;

49

50 (VI) TO SUPPORT THE DEPARTMENT IN REPRESENTING THE STATE
51 WITH RESPECT TO THE DEVELOPMENT OF INTERCITY RAIL FACILITIES,
52 INCLUDING BUT NOT LIMITED TO SUBMISSION OF APPLICATIONS TO THE
53 UNITED STATES DEPARTMENT OF TRANSPORTATION FOR APPROVAL AND
54 FUNDING OF HIGH-SPEED RAIL PROJECTS, COMMISSIONING OF ANY
55 NECESSARY STUDIES, AND COORDINATION WITH OTHER STATES TO
56 FACILITATE SUCH APPLICATIONS; AND

1 (VII) TO COORDINATE AND COOPERATE WITH REGIONAL
 2 TRANSPORTATION AUTHORITIES CREATED PURSUANT TO PART 6 OF
 3 ARTICLE 4 OF THIS TITLE AND OTHER REGIONAL OR CORRIDOR-SPECIFIC
 4 ENTITIES CONCERNED WITH THE PLANNING, DEVELOPMENT, OPERATION,
 5 AND INTEGRATION OF TRANSIT, PASSENGER RAIL, OR ADVANCED
 6 GUIDEWAY SYSTEMS IN THE STATEWIDE TRANSPORTATION SYSTEM.";

7
 8 line 18, after "USURP", insert "OR DUPLICATE".

9
 10 Page 5, line 9, after "A", insert "SPECIAL INTERIM";

11
 12 line 10, strike "TRANSPORTATION ADVISORY";

13
 14 strike line 11 and substitute the following:

15
 16 "COMMISSION AND THE EXECUTIVE DIRECTOR REGARDING THE INITIAL
 17 FOCUS OF THE TRANSIT AND RAIL DIVISION CREATED IN SECTION
 18 43-1-117.5 AND TO RECOMMEND A LONG-TERM ADVISORY STRUCTURE,
 19 INCLUDING THE ADVISORY STRUCTURE'S PURPOSE AND ROLE, IN SUPPORT
 20 OF THE TRANSIT AND RAIL-RELATED FUNCTIONS OF THE DEPARTMENT.
 21 THE SPECIAL INTERIM TRANSIT AND";

22
 23 line 13, after "ISSUES", insert "AND SUCH OTHER INDIVIDUALS";

24
 25 line 16, strike "MINIMUM:" and substitute "MINIMUM, ONE OR MORE:";

26
 27 line 17, strike "TWO REPRESENTATIVES" and substitute
 28 "REPRESENTATIVES";

29
 30 line 18, strike "TWO REPRESENTATIVES" and substitute
 31 "REPRESENTATIVES";

32
 33 line 19, strike "ONE REPRESENTATIVE" and substitute
 34 "REPRESENTATIVES";

35
 36 line 20, strike "ONE REPRESENTATIVE" and substitute
 37 "REPRESENTATIVES".

38
 39
 40
 41 **SB09-133** be amended as follows, and as so amended, be referred to
 42 the Committee on Appropriations with favorable
 43 recommendation:

44
 45 Amend reengrossed bill, page 4, strike line 11 and substitute the
 46 following:

47
 48 "to implement the Colorado traumatic brain injury program, as described
 49 in part 3 of article 1 of title 26, Colorado Revised Statutes.".

50
 51
 52 **PRINTING REPORT**

53
 54 The Chief Clerk reports the following bills have been correctly printed:
 55 **HB09-1335, 1336, 1337, 1338.**

56

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SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SB09-005, 014, 047, 053, 054, 059, 060, 084, 092, 107, 109, 137, 157, 181, 182, 208, 222 and 231; SJR09-026 and 029.**

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Scanlan, the following item(s) on the Calendar were laid over until April 9, retaining place on Calendar:

- Consideration of General Orders--**SB09-176, HB09-1327.**
 - Consideration of Conference Committee Report(s)--**HB09-1162, 1153.**
 - Consideration of Resolution(s)--**SJR09-034, HJR09-1014.**
 - Consideration of Memorial(s)--**SJM09-002.**
 - Consideration of Senate Amendment(s)--**HB09-1149, 1217, 1222, 1230, 1248, 1293.**
-

On motion of Representative Scanlan, the House adjourned until 9:00 a.m., April 9, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Ninety-third Legislative Day

Thursday, April 9, 2009

1 Prayer by the Reverend Kay Farley, Faith Community Baptist Church,
 2 Denver.

3
 4 The Speaker called the House to order at 9:00 a.m.

5
 6 Pledge of Allegiance led by Ari and Gabriel Zansberg, Steck Elementary,
 7 Denver.

8
 9 The roll was called with the following result:

10
 11 Present--62.
 12 Excused--Representative(s) Casso, Ferrandino, Middleton--3.
 13 Present after roll call--Representative(s) Ferrandino, Middleton.

14
 15 The Speaker declared a quorum present.

16
 17
 18 On motion of Representative Ryden, the reading of the journal of
 19 April 8, 2009, was declared dispensed with and approved as corrected by
 20 the Chief Clerk.

21
 22
 23
 24 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**

25
 26 **HB09-1162** by Representative(s) Gerou; also Senator(s) Kopp--
 27 Concerning intergovernmental cooperation for the purpose
 28 of mitigating wildfires.

29
 30 (Conference committee report printed in House Journal, April 2,
 31 pages 1012-1014.)

32
 33 On motion of Representative Gerou, the Conference Committee Report
 34 was **adopted** by the following roll call vote:

	YES	64	NO	0	EXCUSED	1	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	E	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	Y	Pace	Y	Swalm	Y
4	Fischer	Y	Levy	Y	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	Y
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	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	E	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	Y

35 Co-sponsor(s) added: Representative(s) Baumgardner, Fischer, Lambert,
36 Looper, Marostica, May, Murray, Roberts, Schafer S., Vaad, Vigil

37

38 **HB09-1153** by Representative(s) May; also Senator(s) Harvey--
39 Concerning the requirements applicable to the formation
40 of an issue committee under Colorado law governing
41 campaign finance.

42

43 (Conference committee report printed in House Journal, April 6, page
44 1066.)

45

46 On motion of Representative May, the Conference Committee Report was
47 **adopted** by the following roll call vote:

48

49	YES	64	NO	0	EXCUSED	1	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	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	E	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	Y	Pace	Y	Swalm	Y
4	Fischer	Y	Levy	Y	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	Y
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	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	E	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	Y

35 Co-sponsor(s) added: Representative(s) Gerou

36

37

38

39

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

40

41 **HB09-1217** by Representative(s) Murray; also Senator(s) Scheffel--
42 Concerning the creation of local improvement districts for
43 the purpose of improving public utilities.

44

45 (Amended as printed in Senate Journal, April 1, 2009)

46

47 Representative Murray moved that the House **concur** in Senate
48 amendments. The motion was declared **passed** by the following roll call
49 vote:

50

51	YES	64	NO	0	EXCUSED	1	ABSENT	0
52	Acree	Y	Green	Y	McCann	Y	Roberts	Y
53	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
54	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
55	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
56	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y

1	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
2	Casso	E	Kerr J.	Y	Miklosi	Y	Soper	Y
3	Court	Y	King S.	Y	Murray	Y	Stephens	Y
4	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
5	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
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	Y
12							Speaker	Y

13
14 The question being, "Shall the bill, as amended, pass?".
15 A roll call vote was taken. As shown by the following recorded vote, a
16 majority of those elected to the House voted in the affirmative, and the
17 bill, as amended, was declared **repassed**.

	YES	64	NO	0	EXCUSED	1	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	E	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 Co-sponsor(s) added: Representative(s) May, Nikkel, Waller, Speaker

38
39 **HB09-1222** by Representative(s) Ferrandino, Pommer, Marostica; also
40 Senator(s) Keller, Tapia, White--Concerning the
41 administration of appropriated moneys.

42
43 (Amended as printed in Senate Journal, April 3, 2009, pages 950-951.)

44
45 Representative Ferrandino moved that the House **concur** in Senate
46 amendments. The motion was declared **passed** by the following roll call
47 vote:

	YES	63	NO	1	EXCUSED	1	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	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	E	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	Y	Pace	Y	Swalm	Y
4	Fischer	Y	Levy	Y	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
 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**.

	YES	63	NO	1	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	E	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) Court

36
 37 **HB09-1230** by Representative(s) Summers; also Senator(s) Tapi--
 38 Concerning the registration of motor vehicles.

39
 40 (Amended as printed in Senate Journal, April 3, 2009, page 950.)

41
 42 Representative Summers moved that the House **concur** in Senate
 43 amendments. The motion was declared **passed** by the following roll call
 44 vote:

	YES	63	NO	1	EXCUSED	1	ABSENT	0
47	Acree	Y	Green	Y	McCann	Y	Roberts	Y
48	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
49	Balmer	Y	Judd	Y	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	E	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	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	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	63	NO	1	EXCUSED	1	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	Y	Schafer S.	Y
19	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
20	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
21	Casso	E	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	Y	Lambert	Y	Pace	Y	Swalm	Y
25	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
26	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
27	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
28	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
29	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
30	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Vigil

33
34 **HB09-1248** by Representative(s) Gerou; also Senator(s) Shaffer B.--
35 Concerning the modification of laws applicable to the
36 conduct of business in Colorado, and, in connection
37 therewith, modifying the requirements of title 7 of the
38 Colorado Revised Statutes applicable to documents filed
39 with the secretary of state, partnership law, and the
40 requirements for boards of directors of nonprofit
41 corporations to take action without a meeting, and making
42 an appropriation.

43
44 (Amended as printed in Senate Journal, April 3, 2009, page 949.)

45
46 Representative Gerou moved that the House **concur** in Senate
47 amendments. The motion was declared **passed** by the following roll call
48 vote:

49	YES	64	NO	0	EXCUSED	1	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	E	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

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**.

17

18	YES	64	NO	0	EXCUSED	1	ABSENT	0
19	Acree	Y	Green	Y	McCann	Y	Roberts	Y
20	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
21	Balmer	Y	Judd	Y	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	E	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	Y
35							Speaker	Y

36

Co-sponsor(s) added: Representative(s) Gardner B.

37

38

39 **HB09-1293** by Representative(s) Riesberg and Ferrandino, Pommer,
40 Marostica, Apuan, Carroll T., Court, Curry, Gagliardi,
41 Green, Judd, Kefalas, Levy, Massey, McFadyen,
42 McGihon, Middleton, Miklosi, Pace, Peniston, Primavera,
43 Schafer S., Todd, Vigil, Weissmann; also Senator(s)
44 Keller and Boyd, Tapia, White, Carroll M., Foster, Groff,
45 Hodge, Isgar, Kester, Morse, Newell, Shaffer B.,
46 Tochtrop, Williams--Concerning a hospital provider fee,
47 and, in connection therewith, authorizing the department
48 of health care policy and financing to charge and collect a
49 hospital provider fee, specifying the allowable uses of the
50 fees, requiring a post-enactment review of the
51 implementation of this act, and making an appropriation in
52 connection therewith.

53

54 (Amended as printed in Senate Journal, April 3, 2009, page 954.)

55

1 Representative Riesberg moved that the House **concur** in Senate
 2 amendments. The motion was declared **passed** by the following roll call
 3 vote:

	YES	42	NO	22	EXCUSED	1	ABSENT	0
6	Acree	N	Green	Y	McCann	Y	Roberts	Y
7	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
8	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
9	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
10	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
11	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
12	Casso	E	Kerr J.	N	Miklosi	Y	Soper	Y
13	Court	Y	King S.	N	Murray	N	Stephens	N
14	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
15	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
16	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
17	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
18	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
19	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
20	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
21	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
22							Speaker	Y

23
 24 The question being, "Shall the bill, as amended, pass?".
 25 A roll call vote was taken. As shown by the following recorded vote, a
 26 majority of those elected to the House voted in the affirmative, and the
 27 bill, as amended, was declared **repassed**.

	YES	40	NO	24	EXCUSED	1	ABSENT	0
30	Acree	N	Green	Y	McCann	Y	Roberts	N
31	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
32	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
33	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
34	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
35	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
36	Casso	E	Kerr J.	N	Miklosi	Y	Soper	Y
37	Court	Y	King S.	N	Murray	N	Stephens	N
38	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
39	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
40	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
41	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
42	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
43	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
44	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
45	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
46							Speaker	Y

47
 48
 49 **HB09-1149** by Representative(s) Merrifield; also Senator(s)
 50 Carroll M.--Concerning measures to encourage the
 51 construction of new homes that make cost-effective use of
 52 solar energy.

53
 54 (Amended as printed in Senate Journal, April 3, 2009, page 951 and
 55 amended on April 6.)

56

1 Representative Merrifield moved that the House **concur** in Senate
 2 amendments. The motion was declared **passed** by the following roll call
 3 vote:

	YES	48	NO	16	EXCUSED	1	ABSENT	0
6	Acree	N	Green	Y	McCann	Y	Roberts	Y
7	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
8	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
9	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
10	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
11	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
12	Casso	E	Kerr J.	N	Miklosi	Y	Soper	Y
13	Court	Y	King S.	N	Murray	Y	Stephens	N
14	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
15	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
16	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
17	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
18	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
19	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
20	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
21	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
22							Speaker	Y

23
 24 The question being, "Shall the bill, as amended, pass?".
 25 A roll call vote was taken. As shown by the following recorded vote, a
 26 majority of those elected to the House voted in the affirmative, and the
 27 bill, as amended, was declared **repassed**.

	YES	48	NO	16	EXCUSED	1	ABSENT	0
30	Acree	N	Green	Y	McCann	Y	Roberts	Y
31	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
32	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
33	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
34	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
35	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
36	Casso	E	Kerr J.	N	Miklosi	Y	Soper	Y
37	Court	Y	King S.	N	Murray	Y	Stephens	N
38	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
39	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
40	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
41	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
42	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
43	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
44	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
45	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
46							Speaker	Y

47 Co-sponsor(s) added: Representative(s) Vigil

48
 49
 50
 51
 52
 53
 54
 55

1 **THIRD READING OF BILL(S)--FINAL PASSAGE**

2
3 The following bill was considered on Third Reading. The title was
4 publicly read. Reading of the bill at length was dispensed with by
5 unanimous consent.

6
7 **HB09-1010** by Representative(s) Massey and McGihon; also
8 Senator(s) Gibbs and Spence--Concerning the promotion
9 of Colorado as a location for film production activities.

10
11 The question being "Shall the bill pass?".

12 A roll call vote was taken. As shown by the following recorded vote, a
13 majority of those elected to the House voted in the affirmative and the bill
14 was declared **passed**.

	YES	61	NO	3	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	E	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	N	Pace	Y	Swalm	Y
27	Fischer	Y	Levy	N	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	N
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Acree, Apuan, Baumgardner,
35 Ferrandino, Frangas, Gerou, Kefalas, Kerr J., Liston, Looper, Marostica, May,
36 McCann, McFadyen, Riesberg, Ryden, Scanlan, Schafer S., Summers, Tipton,
37 Todd, Vigil, Waller, Speaker

38
39
40
41 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

42
43 **FINANCE**

44 After consideration on the merits, the Committee recommends the
45 following:

46
47 **SB09-174** be amended as follows, and as so amended, be referred to
48 the Committee on Appropriations with favorable
49 recommendation:

50
51 Amend reengrossed bill, page 15, strike lines 7 through 12 and substitute
52 the following:

53
54 "that a licensee for the racing of horses at a class B track race meet shall
55 pay to the department of revenue through the division: ~~the greater of the~~
56 ~~actual cost of regulation of such race meet by the commission, up to a~~

1 ~~maximum of two thousand five hundred dollars per race day, or~~
 2

3 (A) Three-fourths of one percent of the gross receipts of the
 4 pari-mutuel wagering at any such race meet; AND
 5

6 (B) FOUR AND ONE-HALF PERCENT OF THE GROSS RECEIPTS OF THE
 7 PARI-MUTUEL WAGERING ON SIMULCAST RACES OF GREYHOUNDS. OF
 8 SUCH AMOUNT, DURING ALL PERIODS OF OPERATION TO AND INCLUDING
 9 JUNE 30, 2014, THE DIVISION SHALL REBATE TO THE LICENSEE OR
 10 OPERATOR AS AN INCENTIVE ALL BUT AN AMOUNT REPRESENTING
 11 THREE-FOURTHS OF ONE PERCENT OF SUCH GROSS RECEIPTS."
 12

15 SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

16
 17 The Speaker has signed: **SJR09-028, 030, 033.**
 18
 19

21 INTRODUCTION OF BILLS

22 First Reading

23
 24 The following bills were read by title and referred to the committees
 25 indicated:
 26

27 **HB09-1339** by Representative(s) Green, Frangas; also Senator(s)
 28 Boyd--Concerning a change in the definition of "clinical
 29 social work practice" to mean the same as "social work
 30 practice".

31 Committee on Health and Human Services
 32

33 **HB09-1340** by Representative(s) Weissmann and Gardner C.--
 34 Concerning elimination of the requirement that motor
 35 vehicles use a front license plate.

36 Committee on Transportation & Energy
 37

38 **HB09-1341** by Representative(s) Pace, McFadyen, Riesberg, Vigil;
 39 also Senator(s) Tapia, Boyd, Tochtrop--Concerning the
 40 continuation of the licensing of psychiatric technicians by
 41 the state board of nursing.

42 Committee on Health and Human Services
 43

46 INTRODUCTION OF RESOLUTION

47
 48 The following resolution was read by title and laid over one day under the
 49 rules:
 50

51 **HJR09-1016** by Representative(s) Weissmann, Kerr A.; also Senator(s)
 52 Shaffer B.--Concerning the convening date for the 2010
 53 Second Regular Session of the Sixty-seventh General
 54 Assembly.
 55
 56

1 House in recess. House reconvened.
2
3
4

5 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

6
7 **APPROPRIATIONS**

8 After consideration on the merits, the Committee recommends the
9 following:

10
11 **HB09-1017** be referred to the Committee of the Whole with favorable
12 recommendation.
13

14
15 **HB09-1105** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:
18

19 Amend the Finance Committee Report, dated February 18, 2009, page 1,
20 line 3, strike "strike line 3" and substitute "line 2, strike "an" and
21 substitute "a pilot";

22
23 strike line 3;"

24
25 after line 9 of the committee report, insert the following:

26
27 "Page 4, line 1, strike "ON";

28
29 line 2, strike "OR AFTER JANUARY 1, 2010," and substitute "DURING THE
30 2010 CALENDAR YEAR";";

31
32 line 10, strike "Page 4,".
33

34 Page 2, after line 1, insert the following:

35 "line 19, strike "BEGINNING JANUARY 1, 2010, THE" and substitute "THE";

36
37 line 23, strike "BUSINESS." and substitute "BUSINESS DURING THE 2010
38 CALENDAR YEAR."";";

39
40 after line 17, insert the following:

41
42 "Page 6, strike lines 22 through 27.
43

44 Page 7, strike line 1 and substitute the following:

45 "CERTIFICATION IS VALID FOR THE 2010 CALENDAR YEAR; EXCEPT THAT
46 SUCH CERTIFICATION SHALL BE REVOKED IF THE QUALIFIED SMALL
47 BUSINESS FAILS TO MAINTAIN THE QUALIFICATIONS. A SMALL BUSINESS
48 SHALL NOTIFY THE OFFICE WITHIN FIVE BUSINESS DAYS FROM THE DATE
49 THAT IT FAILS TO MAINTAIN THE QUALIFICATIONS. IF THE CERTIFICATION
50 IS REVOKED, THE OFFICE MAY ASSESS A";

51
52 line 6, strike "REVOKED OR EXPIRES," and substitute "REVOKED,";

53
54 line 7, strike "ANY";

55
56 line 8, strike "EXPIRATION OR" and substitute "THE";

1 line 10, strike "EXPIRATION OR";
2
3 line 11, strike "EXPIRATION OR".";
4
5 strike lines 20 through 26 of the committee report and substitute the
6 following:
7
8 "strike lines 19 through 22 and substitute the following:
9 "INVESTMENT; EXCEPT THAT THE TOTAL AMOUNT OF THE CREDIT SHALL
10 NOT EXCEED TWENTY THOUSAND DOLLARS. THE OFFICE SHALL ISSUE A
11 TAX CREDIT";
12
13 strike line 25;
14
15 line 26, strike "FOR EACH TAXABLE YEAR." and substitute "C.R.S.". "
16
17 Page 3, after line 1, insert the following:
18
19 "line 7, strike "TAX YEAR FOR WHICH";
20
21 line 8, strike "THE TAX CREDIT CERTIFICATE FIRST APPLIES." and substitute
22 "2010 TAX YEAR.";
23
24 line 15, strike "EACH TAX YEAR SHALL NOT";
25
26 line 16, strike "EXCEED THREE MILLION" and substitute "THE 2010 TAX
27 YEAR SHALL NOT EXCEED SEVEN HUNDRED FIFTY THOUSAND";
28
29 line 17, strike "THREE";
30
31 line 18, strike "MILLION" and substitute "SEVEN HUNDRED FIFTY
32 THOUSAND";";
33
34 strike lines 4 through 7 of the committee report and substitute the
35 following:
36
37 "line 23, strike "THREE MILLION" and substitute "SEVEN HUNDRED FIFTY
38 THOUSAND";
39
40 line 25, strike "THREE MILLION" and substitute "SEVEN HUNDRED FIFTY
41 THOUSAND";";
42
43 line 9 of the committee report, strike "AND EACH JANUARY 30
44 THEREAFTER,";
45
46 strike lines 14 through 17;
47
48 line 18, strike "(7)" and substitute "(6) (a)";
49
50 line 20, strike "(7)" and substitute "(6)";
51
52 line 22, strike "CREDIT." and substitute "CREDIT AND TO OFFSET LOST
53 GENERAL FUND REVENUE AS A RESULT OF THE TAX CREDIT.";
54
55 line 32, strike "ANY" and substitute "EXCEPT AS OTHERWISE SET FORTH
56 IN PARAGRAPH (b) OF THIS SUBSECTION (6), ANY".

1 Page 4, line 1, strike "FUND." and substitute "FUND."

2

3 (b) (I) ON JUNE 30, 2010, THE STATE TREASURER SHALL TRANSFER
4 THREE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS FROM THE FUND TO
5 THE GENERAL FUND.

6

7 (II) ON JULY 1, 2010, THE STATE TREASURER SHALL TRANSFER
8 THREE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS FROM THE FUND TO
9 THE GENERAL FUND."";

10

11 line 4, strike "accordingly." and substitute "accordingly.";

12

13 after line 4, insert the following:

14

15 "Page 12, line 4, strike "TAXABLE" and substitute "2010 TAX".

16

17 Page 13, strike lines 4 through 13 and substitute the following:

18

19 **"SECTION 5. Act subject to petition - effective date.** (1) This
20 act shall take effect September 1, 2009; except that this act shall not take
21 effect unless, prior to such date, the revisor of statutes has received
22 written notice from the Colorado office of economic development that the
23 office has transmitted at least eight hundred thirty-two thousand fifty-five
24 dollars to the state treasurer for deposit in the Colorado innovation
25 investment tax credit cash fund.

26

27 (2) However, if a referendum petition is filed against this act or
28 an item, section, or part of this act during the ninety-day period after final
29 adjournment of the general assembly that is allowed for submitting a
30 referendum petition pursuant to article V, section 1 (3) of the state
31 constitution, then the act, item, section, or part, shall not take effect unless
32 approved by the people at a biennial regular general election and shall
33 take effect on the date specified in subsection (1) or on the date of the
34 official declaration of the vote thereon by proclamation of the governor,
35 whichever is later."."

36

37 Page 4, strike line 4 and substitute the following:

38

39 "Renumber succeeding sections accordingly.

40

41 Page 13, after line 3, insert the following:

42

43 **"SECTION 5. Appropriation.** In addition to any other
44 appropriation, there is hereby appropriated, out of any moneys in the
45 Colorado innovation investment tax credit cash fund created in section
46 24-48.5-111, Colorado Revised Statutes, not otherwise appropriated, to
47 the governor -- lieutenant governor -- state planning and budgeting, for
48 allocation to economic development programs, for the fiscal year
49 beginning July 1, 2009, the sum of eighty-two thousand fifty-five dollars
50 (\$82,055) cash fund and 1.0 FTE, or so much thereof as may be
51 necessary, for the implementation of this act."

52

53 Renumber succeeding section accordingly.

54

55 Page 1, line 103, strike "TAXES." and substitutes, "TAXES, AND MAKING
56 AN APPROPRIATION IN CONNECTION THEREWITH."."

1 **HB09-1157** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 2, line 14, strike "**09-####**" and substitute "**09-**
6 **1157**";

7
8 line 16, strike "09-___," and substitute "09-1157,";

9
10 line 18, strike "2010," and substitute "2009,";

11
12 line 22, strike "OF _____ DOLLARS (\$)." and substitute "OF ONE HUNDRED
13 FIFTY THOUSAND SEVEN HUNDRED SEVENTY-THREE DOLLARS
14 (\$150,773).";

15
16 strike lines 23 through 27.

17
18 Page 3, line 1, strike "(II)" and substitute "(b)", and strike "2011," and
19 substitute "2010,";

20
21 line 4, strike "OF _____ DOLLARS (\$)." and substitute "OF THIRTY
22 THOUSAND THREE HUNDRED EIGHTY-SIX DOLLARS (\$30,386).";

23
24 strike lines 5 through 27.

25
26 Page 4, strike lines 1 through 4;

27
28 line 5, strike "2015." and substitute "2011.";

29
30 line 6, strike "The introductory portion to 24-75-302 (2) and";

31
32 line 7, strike "(2) (w), (2) (x), and (2) (y)," and substitute "(2) (v)," and
33 strike "are" and substitute "is";

34
35 line 8, strike "amended, and the said 24-75-302 (2) is further amended BY
36 THE" and substitute "amended";

37
38 line 9, strike "ADDITION OF THE FOLLOWING NEW PARAGRAPHS,";

39
40 line 12, strike "~~2012~~ 2014," and substitute "2012,".

41
42 after line 19, insert the following:

43
44 "(v) On July 1, 2009, five hundred twenty-three thousand one
45 hundred sixty-four dollars pursuant to S.B. 06-206, enacted at the second
46 regular session of the sixty-fifth general assembly; plus five hundred
47 twenty-three thousand one hundred sixty-four dollars pursuant to S.B.
48 06-207, enacted at the second regular session of the sixty-fifth general
49 assembly; plus forty-three thousand five hundred ninety-seven dollars
50 pursuant to H.B. 06-1145, enacted at the second regular session of the
51 sixty-fifth general assembly; plus five hundred twenty-three thousand one
52 hundred sixty-four dollars pursuant to H.B. 06-1011, enacted at the
53 second regular session of the sixty-fifth general assembly; plus one
54 hundred fifty thousand one hundred ninety-eight dollars pursuant to S.B.
55 07-096, enacted at the first regular session of the sixty-sixth general
56 assembly; plus seventy-five thousand ninety-nine dollars pursuant to H.B.

1 07-1326, enacted at the first regular session of the sixty-sixth general
2 assembly; plus one hundred twenty-five thousand one hundred sixty-five
3 dollars pursuant to S.B. 08-239, enacted at the second regular session of
4 the sixty-sixth general assembly; plus twelve thousand five hundred
5 seventeen dollars pursuant to H.B. 08-1194, enacted at the second regular
6 session of the sixty-sixth general assembly; PLUS ONE HUNDRED FIFTY
7 THOUSAND SEVEN HUNDRED SEVENTY-THREE DOLLARS PURSUANT TO H.B.
8 09-1157, ENACTED AT THE FIRST REGULAR SESSION OF THE
9 SIXTY-SEVENTH GENERAL ASSEMBLY;";

10

11 strike lines 20 through 27.

12

13 Strike page 5.

14

15 Page 6, strike lines 1 through 3.

16

17

18

19 **HB09-1298** be amended as follows, and as so amended, be referred to
20 the Committee of the Whole with favorable
21 recommendation:

22

23 Amend printed bill, page 2, line 6, after "(1)" insert "(a)";

24

25 line 7, strike "JANUARY 1, 2009," and substitute "JANUARY 1, 2011,".

26

27 Page 3, line 2, strike "MOTOR" and substitute "MODEL YEAR 2010 OR
28 NEWER";

29

30 strike line 3 and substitute "TRUCK TRACTOR WITH A GROSS VEHICLE
31 WEIGHT RATING OF TWENTY-SIX THOUSAND POUNDS OR GREATER
32 DESIGNATED";

33

34 strike line 5 and substitute the following:

35

36 "(a), C.R.S.

37

38 (b) THE TOTAL REFUND SHALL BE CALCULATED BY";

39

40 after line 9, insert the following:

41

42 "(c) THE TOTAL REFUND SHALL BE CLAIMED AS FOLLOWS:

43

44 (I) FOR THE CALENDAR YEAR IN WHICH THE TRUCK TRACTOR WAS
45 PURCHASED, STORED, OR USED, TEN PERCENT OF THE TOTAL AMOUNT OF
46 THE REFUND;

47

48 (II) FOR THE FIRST CALENDAR YEAR AFTER THE CALENDAR YEAR
49 IN WHICH THE TRUCK TRACTOR WAS PURCHASED, STORED, OR USED,
50 FIFTEEN PERCENT OF THE TOTAL AMOUNT OF THE REFUND;

51

52 (III) FOR THE SECOND CALENDAR YEAR AFTER THE CALENDAR
53 YEAR IN WHICH THE TRUCK TRACTOR WAS PURCHASED, STORED, OR USED,
54 TWENTY-FIVE PERCENT OF THE TOTAL AMOUNT OF THE REFUND;

55

56 (IV) FOR THE THIRD CALENDAR YEAR AFTER THE CALENDAR YEAR

1 IN WHICH THE TRUCK TRACTOR WAS PURCHASED, STORED, OR USED,
2 TWENTY-FIVE PERCENT OF THE TOTAL AMOUNT OF THE REFUND; AND
3

4 (V) FOR THE FOURTH CALENDAR YEAR AFTER THE CALENDAR YEAR
5 IN WHICH THE TRUCK TRACTOR WAS PURCHASED, STORED, OR USED,
6 TWENTY-FIVE PERCENT OF THE TOTAL AMOUNT OF THE REFUND.".

7
8 Page 4, strike line 7 and substitute the following:
9

10 "JANUARY 1, 2011, BUT BEFORE JANUARY 1, 2016, A COMMERCIAL
11 TRUCK,";

12
13 line 10, strike "2008" and substitute "2010";

14
15 line 19, strike "2008" and substitute "2010";

16
17 line 23, strike "2009," and substitute "2011," and strike "ONE" and
18 substitute "ONE-HALF OF ONE";

19
20 line 26, strike "2010," and substitute "2012," and strike "TWO" and
21 substitute "ONE";

22
23 line 27, strike "AND".

24
25 Page 5, line 2, strike "2011," and substitute "2013," and strike "THREE"
26 and substitute "ONE AND ONE-HALF";

27
28 strike line 3 and substitute the following:
29

30 "INVESTMENT;
31

32 (D) FOR THE INCOME TAX YEAR COMMENCING ON JANUARY 1,
33 2014, AN AMOUNT EQUAL TO TWO PERCENT OF THE TOTAL QUALIFIED
34 INVESTMENT; AND
35

36 (E) FOR THE INCOME TAX YEAR COMMENCING ON JANUARY 1,
37 2015, AN AMOUNT EQUAL TO THREE PERCENT OF THE TOTAL QUALIFIED
38 INVESTMENT.";

39
40 line 16, strike "2013." and substitute "2017.".

41
42 Page 10, after line 3, insert the following:
43

44 **"SECTION 5. Appropriation.** In addition to any other
45 appropriation, there is hereby appropriated, out of any moneys in the
46 general fund not otherwise appropriated, to the office of the governor, for
47 allocation to the governor's energy office, for the fiscal year beginning
48 July 1, 2009, the sum of twenty-four thousand twenty-nine dollars
49 (\$24,029) and 0.4 FTE, or so much thereof as may be necessary, for the
50 implementation of this act.".

51
52 Renumber succeeding section accordingly.
53

54 Page 1, line 102, strike "COLORADO." and substitute "COLORADO, AND
55 MAKING AN APPROPRIATION IN CONNECTION THEREWITH.".

56

1 **HB09-1318** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB09-1319** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 34, after line 14, insert the following:
10

11 **"SECTION 14. Appropriation.** (1) In addition to any other
12 appropriation, there is hereby appropriated, out of any moneys in the
13 general fund not otherwise appropriated, to the department of education,
14 management and administration, for legal services, for the fiscal year
15 beginning July 1, 2009, the sum of ten thousand one hundred thirty-nine
16 dollars (\$10,139), or so much thereof as may be necessary, for the
17 implementation of this act.
18

19 (2) In addition to any other appropriation, there is hereby
20 appropriated, out of any moneys in the general fund not otherwise
21 appropriated, to the department of education, assistance to public schools,
22 public school finance, for administration, for the fiscal year beginning
23 July 1, 2009, the sum of nineteen thousand eight hundred ninety-two
24 dollars (\$19,892) and 0.3 FTE, or so much thereof as may be necessary,
25 for the implementation of this act.
26

27 (3) In addition to any other appropriation, there is hereby
28 appropriated to the department of law, for the fiscal year beginning July
29 1, 2009, the sum of ten thousand one hundred thirty-nine dollars
30 (\$10,139), or so much thereof as may be necessary, for the provision of
31 legal services to the department of education related to the
32 implementation of this act. Said sum shall be from reappropriated funds
33 received from the department of education out of the appropriation made
34 in subsection (1) of this section."
35

36 Renumber succeeding section accordingly.
37

38 Page 1, line 103, strike "**EDUCATION.**" and substitute "**EDUCATION, AND**
39 **MAKING AN APPROPRIATION THEREFOR.**".
40
41
42

43 **HB09-1320** be amended as follows, and as so amended, be referred to
44 the Committee of the Whole with favorable
45 recommendation:
46

47 Amend the Agriculture, Livestock, and Natural Resources Committee
48 Report, dated March 31, 2009, page 3, after line 16, insert the following:
49

50 **"SECTION 3. Appropriation.** In addition to any other
51 appropriation, there is hereby appropriated, out of any moneys in the dairy
52 protection cash fund created in section 25-5.5-107 (7), Colorado Revised
53 Statutes, not otherwise appropriated, to the department of public health
54 and environment, for allocation to the consumer protection division, for
55 the fiscal year beginning July 1, 2009, the sum of twenty-five thousand
56 one hundred fifty-one dollars (\$25,151) cash funds and 0.3 FTE, or so

1 much thereof as may be necessary, for the implementation of this act."

2

3 Renumber succeeding sections accordingly.

4

5 Page 3, after line 22, insert the following:

6

7 "Page 1, line 102, strike "LICENSES." and substitute "LICENSES, AND
8 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."."

9

10

11

12 **HB09-1326** be amended as follows, and as so amended, be referred to
13 the Committee of the Whole with favorable
14 recommendation:

15

16 Amend printed bill, page 23, after line 3, insert the following:

17

18 **"SECTION 19. Appropriation.** (1) In addition to any other
19 appropriation, there is hereby appropriated, out of any moneys in the
20 department of state cash fund created in section 24-21-104 (3) (b),
21 Colorado Revised Statutes, not otherwise appropriated, to the department
22 of state, for allocation to the information technology division, for the
23 fiscal year beginning July 1, 2009, the sum of one hundred four thousand
24 four hundred dollars (\$104,400) cash funds, or so much thereof as may
25 be necessary, for the implementation of this act.

26

27 (2) In addition to any other appropriation, there is hereby
28 appropriated to the department of personnel, division of administrative
29 hearings, for the fiscal year beginning July 1, 2009, the sum of two
30 thousand dollars (\$2,000), or so much thereof as may be necessary, for
31 the provision of administrative law judge services to the department of
32 state related to the implementation of this act. Said sum shall be from
33 reappropriated funds received from the department of state out of the
34 appropriation made in subsection (1) of this section."

35

36 Renumber succeeding sections accordingly.

37

38 Page 1, line 102, strike "PROCESS." and substitute "PROCESS, AND
39 MAKING AN APPROPRIATION THEREFOR."

40

41

42

43 **HB09-1329** be amended as follows, and as so amended, be referred to
44 the Committee of the Whole with favorable
45 recommendation:

46

47 Amend printed bill, page 4, after line 3, insert the following:

48

49 **"SECTION 3. Appropriation.** (1) In addition to any other
50 appropriation, there is hereby appropriated, out of any moneys in the
51 Colorado state veterans trust fund created in section 28-5-709 (1) (a),
52 Colorado Revised Statutes, not otherwise appropriated, to the department
53 of military and veterans affairs, for allocation to the division of veterans
54 affairs, Colorado state veterans trust fund expenditures, for the fiscal year
55 beginning July 1, 2008, the sum of \$350,000 cash funds, or so much
56 thereof as may be necessary, for the purposes of the Colorado state

1 veterans trust fund outlined in section 28-5-709 (1) (b), Colorado Revised
2 Statutes.

3
4 (2) In addition to any other appropriation, there is hereby
5 appropriated, out of any moneys in the Colorado state veterans trust fund
6 created in section 28-5-709 (1) (a), Colorado Revised Statutes, not
7 otherwise appropriated, to the department of military and veterans affairs,
8 for allocation to the division of veterans affairs, Colorado state veterans
9 trust fund expenditures, for the fiscal year beginning July 1, 2009, the
10 sum of \$439,500 cash funds, or so much thereof as may be necessary, for
11 the purposes of the Colorado state veterans trust fund outlined in section
12 28-5-709 (1) (b), Colorado Revised Statutes."

13
14 Renumber succeeding section accordingly.

15
16 Page 1, line 104, strike "APPROPRIATION." and substitute
17 "APPROPRIATION, AND MAKING AN APPROPRIATION IN CONNECTION
18 THEREWITH."

19
20
21
22 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

23
24 The Speaker has signed: **HB09-1207, 1241, 1272, 1292.**

25
26
27
28 **MESSAGE(S) FROM THE SENATE**

29
30 The Senate has passed on Third Reading and transmitted to the Revisor
31 of Statutes: SB09-254, SB09-252.

32
33 The Senate has passed on Third Reading and returns herewith:
34 HB09-1309.

35
36
37 The Senate voted to concur in House amendments to SB09-031, and
38 repassed the bill as so amended.

39
40
41 **MESSAGE(S) FROM THE REVISOR**

42
43 We herewith transmit:
44 Without comment, SB09-252 and 254.

45
46
47
48 **INTRODUCTION OF BILLS**
49 **First Reading**

50
51 The following bills were read by title and referred to the committees
52 indicated:

53
54 **HB09-1342** by Representative(s) Benefield and Kagan, Ferrandino,
55 Fischer, Gagliardi, Green, Hulinghorst, Judd, Kerr A.,
56 Labuda, McCann, Merrifield, Middleton, Ryden, Scanlan,

- 1 Todd; also Senator(s) Boyd and Williams, Bacon, Carroll
 2 M., Foster, Heath, Hudak, Morse, Newell, Romer,
 3 Schwartz, Shaffer B., Veiga--Concerning the elimination
 4 of the state sales and use tax exemption for cigarettes.
 5 Committee on Finance
 6
 7 **HB09-1343** by Representative(s) Massey, Solano, Todd, Gagliardi,
 8 Merrifield; also Senator(s) Williams, Foster, Heath,
 9 Hudak, Shaffer B.--Concerning the creation of the early
 10 childhood and school readiness legislative oversight
 11 commission.
 12 Committee on Education
 13
 14 **HB09-1344** by Representative(s) Scanlan; also Senator(s) Boyd--
 15 Concerning adjustments for inflation to the limitations on
 16 medical negligence damages tied to regulatory oversight
 17 of the effects of such adjustments on medical negligence
 18 insurance.
 19 Committee on Judiciary
 20
 21 **SB09-252** by Senator(s) Boyd, Carroll M., Lundberg, Morse, Newell,
 22 Spence; also Representative(s) Frangas, Gagliardi, Green,
 23 Kefalas, Kerr J., Primavera, Riesberg, Swalm--Concerning
 24 mail order prescription drugs for medicaid recipients who
 25 have third-party insurance.
 26 Committee on Health and Human Services
 27
 28 **SB09-254** by Senator(s) Bacon, Veiga; also Representative(s)
 29 Scanlan and Balmer--Concerning the authority of certain
 30 licensed beer manufacturers to use common licensed
 31 premises for the production of beer products in this state.
 32 Committee on Business Affairs and Labor
 33

34
 35
 36 **LAY OVER OF CALENDAR ITEM(S)**
 37

- 38 On motion of Representative Kerr A., the following item(s) on the
 39 Calendar were laid over until April 13, retaining place on Calendar:
 40
 41 Consideration of Special Orders--**HB09-1313 amended, 1280.**
 42 Consideration of Third Reading--**HB09-1273, SB09-061.**
 43 Consideration of General Orders--**SB09-176, HB09-1327.**
 44 Consideration of Resolution(s)--**SJR09-034, HJR09-1014.**
 45 Consideration of Memorial(s)--**SJM09-002.**
 46
 47

48 On motion of Representative Kerr A., the House adjourned until
 49 10:00 a.m., April 13, 2009.
 50

51 Approved:
 52 TERRANCE D. CARROLL,
 53 Speaker

54 Attest:
 55 MARILYN EDDINS,
 56 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Ninety-seventh Legislative Day

Monday, April 13, 2009

- 1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
- 2
- 3 The Speaker called the House to order at 10:00 a.m.
- 4
- 5 Pledge of Allegiance led by George Schiebel, Mac Tezak, Sam Kail,
- 6 St. Vincent De Paul School, Denver.
- 7
- 8 The roll was called with the following result:
- 9
- 10 Present--63.
- 11 Excused--Representative(s) Bradford, Miklosi--2.
- 12

13 The Speaker declared a quorum present.

14
15

16 On motion of Representative Schafer, the reading of the journal of
17 April 9, 2009, was declared dispensed with and approved as corrected by
18 the Chief Clerk.

19
20

21
22

PRINTING REPORT

23
24

25 The Chief Clerk reports the following bills have been correctly printed:

26 **HB09-1339, 1340, 1341, 1342, 1343, 1344.**

27
28

29
30

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

31
32

33 The Speaker has signed: **HB09-1139; HJR09-1012.**

34
35

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MESSAGE(S) FROM THE GOVERNOR1
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I certify I received the following on the 13th day of April, 2009, at 9:25 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

April 9, 2009

To the Honorable
House of Representatives
Sixty-seventh General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB09-1198 CONCERNING THE "UNIFORM POWER OF ATTORNEY ACT".

Approved April 9, 2009 at 1:25 p.m.

HB09-1260 CONCERNING DESIGNATED BENEFICIARY AGREEMENTS.

Approved April 9, 2009 at 1:30 p.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

House in recess. House reconvened.

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on SB09-148**

This Report Amends the Rerevised Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on SB09-148, concerning revisions to the rules governing the safe interaction of bicycles with other vehicles on roadways, has met and reports that it has agreed upon the following:

1 That the Senate accede to the House amendments made to the bill,
2 as the amendments appear in the rerevised bill, with the following
3 changes:

4
5 Amend rerevised bill, page 6, strike lines 24 through 27.

6
7 Page 7, strike lines 1 through 4.

8
9 Respectfully submitted,

10 Senate Committee:

11 (signed)

12 Greg Brophy

13 Dan Gibbs

14 Rollie Heath

House Committee:

(signed)

Michael Merrifield

Andrew Kerr

15
16
17
18 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

19
20 The Speaker has signed: **HB09-1018; HM09-1001.**

21
22
23
24 **MESSAGE(S) FROM THE SENATE**

25
26 The Senate has passed on Third Reading and returns herewith:
27 HB09-1295, HB09-1130, HB09-1287, HB09-1063.

28
29 The Senate has passed on Third Reading and transmitted to the Revisor
30 of Statutes:

31
32 SB09-093 amended as printed in Senate Journal, April 9, 2009,
33 page 1005

34 SB09-223 amended as printed in Senate Journal, April 9, 2009,
35 page 1006,

36 SB09-121 amended as printed in Senate Journal, April 9, 2009,
37 page 1007,

38 SB09-089 amended as printed in Senate Journal, April 9, 2009,
39 page 1007,

40 SB09-281 amended as printed in Senate Journal, April 9, 2009,
41 page 1013,

42 SB09-273 amended as printed in Senate Journal, April 9, 2009,
43 page 1013,

44 SB09-259 amended as printed in Senate Journal, April 9, 2009,
45 pages 1014-1016.

46
47 The Senate has passed on Third Reading and transmitted to the Revisor
48 of Statutes:

49
50 HB09-1213 amended as printed in Senate Journal, April 9, 2009,
51 pages 1004-1005,

52 HB09-1001 amended as printed in Senate Journal, April 9, 2009,
53 page 1006.

54
55
56

MESSAGE(S) FROM THE REVISOR

1
2
3 We herewith transmit:
4 Without comment, as amended, HB09-1213 and 1001.
5 Without comment, as amended, SB09-093, 223, 121, 089, 281, 273,
6 and 259.

INTRODUCTION OF BILLS
First Reading

7
8
9
10
11
12
13 The following bills have read by title and referred to the committees
14 indicated:

15
16 **HB09-1345** by Representative(s) Solano--Concerning integrated
17 planning for the construction of electric transmission
18 facilities in Colorado, and, in connection therewith,
19 directing the public utilities commission to collect
20 information from owners and operators of transmission
21 infrastructure and report its findings to the general
22 assembly.

23 Committee on Transportation & Energy

24
25 **SB09-089** by Senator(s) King K., Hudak, Kopp, Spence; also
26 Representative(s) Middleton, Gardner B., Massey,
27 Murray, Summers, Tipton--Concerning the state charter
28 school institute, and making an appropriation in
29 connection therewith.

30 Committee on Education

31
32 **SB09-093** by Senator(s) Williams, Heath, King K.; also
33 Representative(s) Marostica, Middleton, Rice, Roberts--
34 Concerning identity theft.

35 Committee on Judiciary

36
37 **SB09-121** by Senator(s) White; also Representative(s) May--
38 Concerning the sales and use tax exempt status of meals
39 provided to employees of a business where prepared food
40 is regularly sold.

41 Committee on Finance

42
43 **SB09-223** by Senator(s) Boyd, Kester, White; also Representative(s)
44 Kerr A. and Gardner B.--Concerning revisions to the retail
45 food establishment inspection process, and making an
46 appropriation in connection therewith.

47 Committee on Business Affairs and Labor

48
49 **SB09-259** by Senator(s) Keller, Tapia, White; also Representative(s)
50 Pommer, Ferrandino, Marostica--Concerning the
51 provision for payment of the expenses of the executive,
52 legislative, and judicial departments of the state of
53 Colorado, and of its agencies and institutions, for and
54 during the fiscal year beginning July 1, 2009, except as
55 otherwise noted.

56 Committee on Appropriations

1 **SB09-273** by Senator(s) White, Keller, Tapia; also Representative(s)
 2 Marostica, Ferrandino, Pommer--Concerning changes in
 3 the laws governing Pinnacol Assurance to allow the state
 4 to make use of certain funds authorized by statute to be
 5 collected by Pinnacol Assurance, and, in connection
 6 therewith, augmenting state revenues by requiring the
 7 transmittal of certain surplus funds of Pinnacol Assurance
 8 to the state treasury and clarifying the laws governing
 9 Pinnacol Assurance's funds.

10 Committee on Appropriations

11
 12 **SB09-281** by Senator(s) Shaffer B., Groff, Hodge, Keller, Morse,
 13 Romer, White, Tapia; also Representative(s) Weissmann--
 14 Concerning Pinnacol Assurance, and, in connection
 15 therewith, clarifying the operation of Pinnacol Assurance
 16 as a political subdivision of the state, requiring Pinnacol
 17 Assurance to pay a policyholder dividend, and putting in
 18 place measures for the general assembly to assess the
 19 operation of Colorado laws governing worker safety and
 20 injury compensation.

21 Committee on Appropriations

25 INTRODUCTION OF RESOLUTION

26
 27 The following resolution was read by title and referred to the committee
 28 indicated:

29
 30 **SJR09-035** by Senator(s) White, Keller, Tapia; also Representative(s)
 31 Marostica, Ferrandino, Pommer--Concerning the
 32 declaration of a state fiscal emergency pursuant to Section
 33 21 (7) of Article X of the state constitution.

34 Committee on Appropriations

35
 36
 37 House in recess. House reconvened.

40 MESSAGE(S) FROM THE SENATE

41
 42 The Senate has passed on Third Reading and transmitted to the Revisor
 43 of Statutes: SB09-260, SB09-261, SB09-262, SB09-267, SB09-270,
 44 SB09-277, SB09-278, SB09-280.

45
 46 The Senate has passed on Third Reading and transmitted to the Revisor
 47 of Statutes:

48
 49 SB09-263 amended as printed in Senate Journal, April 9, 2009,
 50 page 1017,
 51 SB09-264 amended as printed in Senate Journal, April 9, 2009,
 52 page 1017,
 53 SB09-265 amended as printed in Senate Journal, April 9, 2009,
 54 page 1017,
 55 SB09-268 amended as printed in Senate Journal, April 9, 2009,
 56 page 1017,

- 1 SB09-269 amended as printed in Senate Journal, April 9, 2009,
 2 pages 1017-1019,
 3 SB09-271 amended as printed in Senate Journal, April 9, 2009,
 4 page 1019,
 5 SB09-272 amended as printed in Senate Journal, April 9, 2009,
 6 page 1019,
 7 SB09-274 amended as printed in Senate Journal, April 9, 2009,
 8 pages 1019-1022,
 9 SB09-275 amended as printed in Senate Journal, April 9, 2009,
 10 page 1022,
 11 SB09-276 amended as printed in Senate Journal, April 9, 2009,
 12 page 1022,
 13 SB09-279 amended as printed in Senate Journal, April 9, 2009,
 14 pages 1022-1023.

15
 16 The Senate has adopted and transmits herewith: SJR09-035.
 17

18
 19 **MESSAGE(S) FROM THE REVISOR**
 20

- 21 We herewith transmit:
 22 Without comment, SB09-260, 261, 262, 267, 270, 278, and 280.
 23 Without comment, as amended, 263, 264, 265, 268, 269, 271, 272, 274,
 24 275, 276, and 279.
 25 With comment, SB09-277.
 26

27
 28 **INTRODUCTION OF BILLS**
 29 **First Reading**
 30

31 The following bills were read by title and referred to the committee
 32 indicated:
 33

34 **SB09-260** by Senator(s) White, Keller, Tapia; also Representative(s)
 35 Pommer, Ferrandino, Marostica--Concerning the transfer
 36 in state fiscal years 2008-09 and 2009-10 of all moneys
 37 not otherwise allocated from state public school lands to
 38 the state public school fund instead of the permanent
 39 school fund, and making an appropriation in connection
 40 therewith.

41 Committee on Appropriations
 42

43 **SB09-261** by Senator(s) Tapia, Keller, White; also Representative(s)
 44 Ferrandino, Pommer, Marostica--Concerning the use of
 45 moneys in the supplemental old age pension health and
 46 medical care fund to pay for services received by certain
 47 persons in the state medicaid program, and making an
 48 appropriation therefor.

49 Committee on Appropriations
 50

51 **SB09-262** by Senator(s) White, Keller, Tapia; also Representative(s)
 52 Marostica, Ferrandino, Pommer--Concerning the funding
 53 source for state costs of the breast and cervical cancer
 54 prevention and treatment program, and making an
 55 appropriation therefor.

56 Committee on Appropriations

- 1 **SB09-263** by Senator(s) White, Keller, Tapia; also Representative(s)
2 Pommer, Ferrandino, Marostica--Concerning payments to
3 medicaid nursing facility providers, and making an
4 appropriation in connection therewith.
5 Committee on Appropriations
6
- 7 **SB09-264** by Senator(s) Keller, Tapia, White; also Representative(s)
8 Pommer, Ferrandino, Marostica--Concerning the increased
9 moneys received due to the federal "American Recovery
10 and Reinvestment Act of 2009", and making
11 appropriations therefor.
12 Committee on Appropriations
13
- 14 **SB09-265** by Senator(s) White, Keller, Tapia; also Representative(s)
15 Pommer, Ferrandino, Marostica--Concerning the timing of
16 payments made under public medical assistance programs,
17 and making appropriations therefor.
18 Committee on Appropriations
19
- 20 **SB09-267** by Senator(s) Tapia, Keller, White; also Representative(s)
21 Ferrandino, Pommer, Marostica--Concerning the
22 percentage of costs that a county department of social
23 services pays for a child who is placed in a residential
24 child care facility by the county department, and making
25 an appropriation in connection therewith.
26 Committee on Appropriations
27
- 28 **SB09-268** by Senator(s) Tapia, Keller, White; also Representative(s)
29 Pommer, Ferrandino, Marostica--Concerning clarifying
30 the appointment of state-paid professionals in cases
31 involving children, and making an appropriation in
32 connection therewith.
33 Committee on Appropriations
34
- 35 **SB09-269** by Senator(s) White, Keller, Tapia; also Representative(s)
36 Ferrandino, Pommer, Marostica--Concerning adjustment
37 of the allocation of tobacco litigation settlement moneys
38 received by the state during specified fiscal years, and, in
39 connection therewith, requiring settlement moneys that are
40 disputed payments and settlement moneys in excess of a
41 specified amount to be credited to the general fund,
42 requiring a portion of the moneys so credited to be
43 transferred to the children's basic health plan trust and the
44 nurse home visitor program fund, delaying mandated
45 growth in the percentage of settlement moneys allocated
46 for the Colorado nurse home visitor program by one fiscal
47 year, and making appropriations.
48 Committee on Appropriations
49
- 50 **SB09-270** by Senator(s) Tapia, Keller, White; also Representative(s)
51 Marostica, Ferrandino, Pommer--Concerning the crediting
52 to the general fund of earnings generated during specified
53 fiscal years from the deposit and investment of cash funds
54 that receive revenues from the constitutionally imposed
55 taxes on cigarettes and tobacco products.
56 Committee on Appropriations

- 1 **SB09-271** by Senator(s) Tapia, Keller, White; also Representative(s)
2 Ferrandino, Pommer, Marostica--Concerning the use of
3 tobacco revenues generated under section 21 of article X
4 of the state constitution in a state fiscal emergency, and
5 making an appropriation therefor.
6 Committee on Appropriations
7
- 8 **SB09-272** by Senator(s) White, Keller, Tapia; also Representative(s)
9 Marostica, Ferrandino, Pommer--Concerning the Colorado
10 high cost support mechanism, and, in connection
11 therewith, transferring to the state treasurer moneys
12 administered under the direction of the public utilities
13 commission for the support of universal basic telephone
14 service in high cost areas of the state.
15 Committee on Appropriations
16
- 17 **SB09-274** by Senator(s) Keller, Tapia, White; also Representative(s)
18 Pommer, Ferrandino, Marostica--Concerning the financing
19 of the division of motor vehicles in the department of
20 revenue, and, in connection therewith, authorizing
21 appropriations from the highway users tax fund to the
22 division of motor vehicles in the fiscal years 2008-09 and
23 2009-10, crediting during fiscal year 2009-10 the fees
24 relating to driver's licenses and identification cards that
25 would otherwise be allocated to the highway users tax
26 fund to the licensing services cash fund,
27 modifying appropriations made to the division of motor
28 vehicles in the fiscal year 2008-09 long appropriations bill,
29 and making an appropriation.
30 Committee on Appropriations
31
- 32 **SB09-275** by Senator(s) Tapia, Keller, White; also Representative(s)
33 Ferrandino, Pommer, Marostica--Concerning the
34 temporary elimination of the ability of any vendor to retain
35 any amount of state sales tax revenues to compensate for
36 the vendor's expenses incurred in the collection and
37 remittance of the tax revenues to the state, and making an
38 appropriation in connection therewith.
39 Committee on Appropriations
40
- 41 **SB09-276** by Senator(s) White, Keller, Tapia; also Representative(s)
42 Pommer, Ferrandino, Marostica--Concerning the property
43 tax exemptions for qualifying seniors and disabled
44 veterans, and, in connection therewith, lowering for
45 specified property tax years the maximum amount of
46 actual value of the primary owner-occupied residence of
47 a qualifying senior or a qualifying disabled veteran that is
48 partly exempt from property taxation, and making an
49 appropriation in connection therewith.
50 Committee on Appropriations
51
- 52 **SB09-277** by Senator(s) Tapia, Keller, White; also Representative(s)
53 Marostica, Ferrandino, Pommer--Concerning the general
54 fund reserve required for the 2009-10 state fiscal year.
55 Committee on Appropriations
56

1 **SB09-278** by Senator(s) Tapia, Keller, White; also Representative(s)
 2 Ferrandino, Pommer, Marostica--Concerning the
 3 augmentation of the general fund during specified fiscal
 4 years with revenue that would otherwise be transferred to
 5 fund the capital construction needs of the state.

6 Committee on Appropriations

7
 8 **SB09-279** by Senator(s) Tapia, Keller, White; also Representative(s)
 9 Pommer, Ferrandino, Marostica--Concerning the
 10 augmentation of the general fund through transfers of
 11 certain moneys.

12 Committee on Appropriations

13
 14 **SB09-280** by Senator(s) Keller, Tapia, White; also Representative(s)
 15 Pommer, Ferrandino, Marostica--Concerning funding for
 16 capital construction, and making supplemental
 17 appropriations in connection therewith.

18 Committee on Appropriations

21
 22 **LAY OVER OF CALENDAR ITEM(S)**

23
 24 On motion of Representative Weissmann, the following item(s) on the
 25 Calendar were laid over until April 14, retaining place on Calendar:

- 26
 27 Consideration of Special Orders--**HB09-1313 amended, 1280.**
 28 Consideration of Third Reading--**HB09-1273, SB09-061.**
 29 Consideration of General Orders--**SB09-176, HB09-1327, SB09-094,**
 30 **HB09-1017, 1105, 1157, 1298, 1318, 1319, 1320, 1326, 1329.**
 31 Consideration of Resolution(s)--**SJR09-034, HJR09-1014, 1016.**
 32 Consideration of Memorial(s)--**SJM09-002.**

33
 34
 35
 36 On motion of Representative Weissmann, the House adjourned until
 37 9:00 a.m., April 14, 2009.

38
 39 Approved:
 40 TERRANCE D. CARROLL,
 41 Speaker

42 Attest:
 43 MARILYN EDDINS,
 44 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Ninety-eighth Legislative Day

Tuesday, April 14, 2009

1 Prayer by the Reverend Paul Howard, Redemption Fellowship Church,
2 Denver.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Ryland, Britton, Molly, and Colton
7 Lancaster, Arvada.

8
9 The roll was called with the following result:

10
11 Present--50.
12 Excused--Representative(s) Ferrandino, Gardner B., Gardner C.,
13 Judd, Kefalas, Kerr A., Kerr J., Marostica, McCann, McFadyen,
14 Pace, Pommer, Riesberg, Sonnenberg, Vaad--15.
15 Present after roll call--Representative(s) Ferrandino, Gardner B.,
16 Gardner C., Judd, Kefalas, Kerr A., Kerr J., Marostica, McCann,
17 McFadyen, Pace, Pommer, Riesberg, Sonnenberg, Vaad.

18
19 The Speaker declared a quorum present.

20 _____
21
22 On motion of Representative Schafer, the reading of the journal of
23 April 13, 2009, was declared dispensed with and approved as corrected
24 by the Chief Clerk.

25 _____
26
27
28 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

29
30 **EDUCATION**

31 After consideration on the merits, the Committee recommends the
32 following:

33
34 **HJR09-1013** be postponed indefinitely.

35 _____
36
37
38 **PRINTING REPORT**

39
40 The Chief Clerk reports the following bill has been correctly printed:
41 **HB09-1345**.

42 _____
43

1 House in recess. House reconvened.
 2
 3
 4

5 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

6
 7 **HEALTH & HUMAN SERVICES**

8 After consideration on the merits, the Committee recommends the
 9 following:

10
 11 **HB09-1332** be referred to the Committee of the Whole with favorable
 12 recommendation.
 13

14
 15 **HB09-1339** be referred to the Committee of the Whole with favorable
 16 recommendation.
 17

18
 19 **SB09-251** be referred to the Committee of the Whole with favorable
 20 recommendation.
 21

22
 23
 24 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

25
 26 The Speaker has signed: **HB09-1108, 1110, 1216, 1279.**
 27

28
 29
 30 **DELIVERY OF BILLS TO GOVERNOR**

31
 32 The Chief Clerk of the House of Representatives reports the following
 33 bills have been delivered to the Office of the Governor: **HB09-1139,**
 34 **1207, 1241, 1272, 1292** at 8:54 a.m. on April 14, 2009.
 35

36
 37 House in recess. House reconvened.
 38
 39

40 **MEMORANDUM**
 41 **REPORT FROM THE HOUSE AND SENATE**
 42 **COMMITTEES ON DELAYED BILLS**
 43

44 Pursuant to Joint Rule 23 (c), the House and Senate Committees on
 45 Delayed Bills, acting jointly, extend the following deadline for Senate
 46 Bill 09-256, Concerning the Financing of Public Schools:
 47

48 The Friday, March 13 deadline (the 66th legislative day) for final
 49 passage, including any conference committee report, for any bill
 50 prescribing all or a substantial portion of the total funding for public
 51 schools pursuant to the "Public School Finance Act of 1994", article 54
 52 of title 22, Colorado Revised Statutes, as extended until Friday, March
 53 27, 2009 (the 80th legislative day), Friday, April 10, 2009 (the 94th
 54 legislative day), and subsequently until Friday, April 17, 2009 (the 101st
 55 legislative day), is further extended until Monday, April 27, 2009 (the
 56 111th legislative day).

1 This memorandum shall be printed in the journal of each house as is
2 required by said Joint Rule 23 (c).

3

4 Representative Terrance D. Carroll

5 Representative Paul Weissmann

Senator Brandon Shaffer

6 Representative Mike May

Senator Josh Penry

7

8

9

10 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

11

12 **APPROPRIATIONS**

13 After consideration on the merits, the Committee recommends the
14 following:

15

16 **SB09-260** be referred to the Committee of the Whole with favorable
17 recommendation.

18

19

20 **SB09-261** be referred to the Committee of the Whole with favorable
21 recommendation.

22

23

24 **SB09-262** be referred to the Committee of the Whole with favorable
25 recommendation.

26

27

28 **SB09-263** be amended as follows, and as so amended, be referred to
29 the Committee of the Whole with favorable
30 recommendation:

31

32 Amend reengrossed bill, page 3, line 17, strike "COST OF";

33

34 line 18, after "FOOD", insert "COSTS";

35

36 line 20, strike "OR AFTER";

37

38 strike lines 21 and 22 and substitute the following:

39

40 "BE BASED ON THE DIRECT AND INDIRECT HEALTH CARE SERVICES AND
41 RAW FOOD COSTS IN THE AS-FILED FACILITY'S COST REPORTS UP TO AND
42 INCLUDING JUNE 30, 2009. FOR THE PURPOSES OF CALCULATING THE
43 EIGHT-PERCENT LIMITATION FOR RATES EFFECTIVE AFTER JULY 1, 2009,
44 THE LIMITATION SHALL BE DETERMINED AND INDEXED FROM THE DIRECT
45 AND INDIRECT HEALTH CARE SERVICES AND RAW FOOD COSTS AS
46 REPORTED AND AUDITED FOR THE RATES EFFECTIVE JULY 1, 2009."

47

48 Page 4, after line 24, insert the following:

49

50 "(II) FOR FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2009,
51 THROUGH THE FISCAL YEAR COMMENCING JULY 1, 2014, IF A
52 REALLOCATION OF MANAGEMENT COSTS BETWEEN THE ADMINISTRATIVE
53 AND GENERAL COSTS DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION
54 (3) AND THE DIRECT AND INDIRECT HEALTH CARE COSTS DESCRIBED IN
55 SUBSECTION (1) OF THIS SECTION CAUSES A NURSING FACILITY PROVIDER'S
56 ADMINISTRATIVE AND GENERAL COSTS TO EXCEED THE REASONABLE PRICE

- 1 ESTABLISHED BY THE STATE DEPARTMENT PURSUANT TO PARAGRAPH (a)
2 OF THIS SUBSECTION (3), PURSUANT TO RULES ADOPTED BY THE STATE
3 BOARD, A NURSING FACILITY PROVIDER MAY RECEIVE A HIGHER PER DIEM
4 PAYMENT FOR ADMINISTRATIVE AND GENERAL SERVICES THAN PROVIDED
5 FOR IN PARAGRAPH (a) OF THIS SUBSECTION (3)."
6
7 Renumber succeeding subparagraph accordingly.
8
9 Page 4, line 26, after the first "THE", insert "PRIORITY OF THE";
10
11 line 27, strike "25.5-6-203," and substitute "25.5-6-203 (2) (b),".
12
13 Page 5, line 10, strike "five-tenths" and substitute "~~five-tenths~~
14 TWENTY-FIVE HUNDREDTHS";
15
16 line 12, after the period, add "DURING EACH STATE FISCAL YEAR, THE
17 STATE DEPARTMENT MAY DISCONTINUE THE SUPPLEMENTAL MEDICAID
18 PAYMENT ESTABLISHED PURSUANT TO THIS SUBSECTION (5) TO ANY
19 NURSING FACILITY PROVIDER THAT FAILS TO COMPLY WITH THE
20 ESTABLISHED PERFORMANCE MEASURES DURING THE STATE FISCAL YEAR,
21 AND THE STATE DEPARTMENT MAY INITIATE THE SUPPLEMENTAL MEDICAID
22 PAYMENT ESTABLISHED PURSUANT TO THIS SUBSECTION (5) TO ANY
23 PROVIDER WHO COMES INTO COMPLIANCE WITH THE ESTABLISHED
24 PERFORMANCE MEASURES DURING THE STATE FISCAL YEAR.";
25
26 line 13, after the first "THE", insert "PRIORITY OF THE";
27
28 line 14, strike "25.5-6-203," and substitute "25.5-6-203 (2) (b),".
29
30 Page 6, line 13, after the first "THE", insert "PRIORITY OF THE";
31
32 line 14, strike "25.5-6-203," and substitute "25.5-6-203 (2) (b),".
33
34 Page 8, line 2, before "USES", insert "PRIORITY OF THE", and strike
35 "25.5-6-203," and substitute "25.5-6-203 (2) (b),";
36
37 line 10, after "SECTION,", insert "SUBJECT TO THE PRIORITY OF THE USES
38 OF THE PROVIDER FEE ESTABLISHED PURSUANT TO SECTION 25.5-6-203 (2)
39 (b),".
40
41 Page 9, line 25, after "SPECIFIED", insert "BY THE PRIORITY OF THE USES
42 OF THE PROVIDER FEE".
43
44 Page 10, after line 10, insert the following:
45
46 "(III) IN CALCULATING THE AMOUNT OF THE PROVIDER FEE
47 PORTION OF THE SUPPLEMENTAL MEDICAID PAYMENTS ESTABLISHED
48 UNDER SECTION 25.5-6-202 (5), THE STATE DEPARTMENT MAY INCLUDE AN
49 ADDITIONAL AMOUNT OF UP TO FIVE PERCENT OF THE PROVIDER FEE
50 PORTION OF SAID SUPPLEMENTAL MEDICAID PAYMENTS TO INITIATE THE
51 PAYMENT TO ANY PROVIDER WHO COMPLIES WITH THE ESTABLISHED
52 PERFORMANCE MEASURES DURING THE STATE FISCAL YEAR.";
53
54 line 17, strike "EXPECT" and substitute "EXCEPT".
55
56 Page 11, line 6, strike "(5) AND";

1 after line 13, insert the following:
2

3 "(II.3) (A) EXCEPT AS PROVIDED IN SUB-SUBPARAGRAPH (B) OF
4 THIS SUBPARAGRAPH (II.3), AFTER THE PAYMENT OF THE AMOUNTS
5 DESCRIBED IN SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (b), THE
6 MONEYS REMAINING IN THE FUND SHALL BE SUBJECT TO FEDERAL
7 MATCHING AS AUTHORIZED UNDER FEDERAL LAW AND SUBJECT TO
8 ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE PURPOSE
9 OF PAYING THE SUPPLEMENTAL MEDICAID PAYMENTS ESTABLISHED UNDER
10 SECTION 25.5-6-202 (5).
11

12 (B) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
13 PARAGRAPH (b), THE SUPPLEMENTAL MEDICAID PAYMENTS ESTABLISHED
14 PURSUANT TO SECTION 25.5-6-202 (5) SHALL NOT BE LESS THAN TEN
15 PERCENT OF THE SUPPLEMENTAL MEDICAID PAYMENTS ESTABLISHED
16 UNDER SECTION 25.5-6-202 (7) IN THE PRIOR STATE FISCAL YEAR.";
17

18 line 15, strike "AND (II)" and substitute "TO (II.3)".
19

20 Page 18, line 7, strike "thirty-one million four hundred fifteen thousand
21 one hundred";
22

23 line 8, strike "sixty-nine dollars (\$31,415,169)." and substitute "thirty
24 million three hundred sixty-eight thousand sixty-nine dollars
25 (\$30,368,069).";
26

27 line 10, strike "fourteen million two hundred seventy-five thousand";
28

29 line 11, strike "eighty dollars (\$14,275,080)" and substitute "thirteen
30 million two hundred twenty-seven thousand nine hundred seventy-nine
31 dollars (\$13,227,979).";
32

33 line 13, strike "two million eight hundred sixty-five thousand nine
34 dollars";
35

36 line 14, strike "(\$2,865,009)." and substitute "three million nine hundred
37 twelve thousand one hundred fourteen dollars (\$3,912,114).";
38

39 line 15, strike "Statutes." and substitute "Statutes, and shall be subject to
40 the (H) notation as defined in the general appropriation act."
41
42
43

44 **SB09-281** be referred to the Committee of the Whole with favorable
45 recommendation.
46
47
48
49

50 **JUDICIARY**

51 After consideration on the merits, the Committee recommends the
52 following:
53

54 **HB09-1321** be amended as follows, and as so amended, be referred to
55 the Committee on Appropriations with favorable
56 recommendation:

- 1 Amend printed bill, page 3, line 3, after "OR", insert "OTHER";
2
3 line 4, after "COURT", insert "MAY PROCEED BY OFFER OF PROOF AND";
4
5 strike line 7.
6
7 Renumber succeeding subparagraphs accordingly.
8
9 Page 3, line 10, after "DELINQUENT", insert "OR CRIMINAL";
10
11 strike lines 11 through 14.
12
13 Renumber succeeding subparagraphs accordingly.
14
15 Page 3, strike lines 18 through 20 and substitute the following:
16
17 "(V) WHETHER DETENTION IN A JUVENILE FACILITY WILL
18 NEGATIVELY IMPACT THE FUNCTIONING OF THE JUVENILE FACILITY BY
19 COMPROMISING THE GOALS OF DETENTION TO MAINTAIN A SAFE, POSITIVE
20 AND SECURE ENVIRONMENT FOR ALL JUVENILES WITHIN THE FACILITY;";
21
22 after line 23, insert the following:
23
24 "(VII) WHETHER THE JUVENILE PRESENTS AN IMMINENT RISK OF
25 HARM TO HIMSELF OR OTHERS WITHIN A JUVENILE FACILITY;
26
27 (VIII) THE PHYSICAL MATURITY OF THE JUVENILE;
28
29 (IX) THE CURRENT MENTAL STATE OR MATURITY OF THE JUVENILE
30 AS EVIDENCED BY RELEVANT MENTAL HEALTH OR PSYCHOLOGICAL
31 ASSESSMENTS OR SCREENINGS THAT ARE MADE AVAILABLE TO BOTH THE
32 DISTRICT ATTORNEY AND COUNSEL FOR THE DEFENDANT; AND".
33
34 Renumber succeeding subparagraph accordingly.
35
36 Page 3, after line 24, insert the following:
37
38 "(c) THE AMOUNT OF WEIGHT TO BE GIVEN TO EACH OF THE
39 FACTORS LISTED IN PARAGRAPH (b) OF THIS SUBSECTION (4) IS
40 DISCRETIONARY WITH THE COURT."
41
42 Reletter succeeding paragraphs accordingly.
43
44 Page 4, line 2, strike "19-2-517." and substitute "19-2-517; EXCEPT THAT
45 A HEARING SHALL NOT BE HELD IF THE JUVENILE IS CHARGED WITH A
46 CLASS 1 FELONY, IN SUCH CASE, THE JUVENILE SHALL BE HELD IN THE JAIL,
47 UNLESS THE DISTRICT ATTORNEY STIPULATES TO THE JUVENILE REMAINING
48 IN A JUVENILE FACILITY."
49
50 Page 6, line 1, strike "(i)" and substitute "(j)";
51
52 line 4, strike "(i)" and substitute "(j)";
53
54 line 6, strike "(i)." and substitute "(j).";
55
56 line 16, strike "(j)," and substitute "(k),".

1 Page 7, line 11, strike "(i)." and substitute "(j).";
2
3 line 21, strike "(i)," and substitute "(j).";
4
5 after line 26, insert the following:
6

7 **"SECTION 4.** Title 18, Colorado Revised Statutes, is amended
8 **BY THE ADDITION OF A NEW ARTICLE** to read:
9

10 **ARTICLE 25**
11 **Juvenile Confinement Cost and Surcharge**
12

13 **18-25-101. Juvenile confinement cost and surcharge.** (1)(a) A
14 COST OF ONE DOLLAR AND FIFTY CENTS IS HEREBY LEVIED ON EACH
15 CRIMINAL ACTION RESULTING IN A CONVICTION OR IN A DEFERRED
16 JUDGMENT AND SENTENCE, AS PROVIDED IN SECTION 18-1.3-102 FOR A
17 FELONY, A MISDEMEANOR, OR MISDEMEANOR TRAFFIC OFFENSE, CHARGED
18 PURSUANT TO STATE STATUTE. THE DEFENDANT SHALL PAY THE COSTS TO
19 THE CLERK OF THE COURT. EACH CLERK SHALL TRANSMIT THE MONEYS TO
20 THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE GENERAL
21 FUND.
22

23 (b) THE PROVISIONS OF SECTIONS 18-1.3-701 AND 18-1.3-702
24 SHALL APPLY AS TO THE COLLECTION OF COSTS LEVIED PURSUANT TO THIS
25 SUBSECTION (1).
26

27 (2) A SURCHARGE OF ONE DOLLAR AND FIFTY CENTS IS HEREBY
28 LEVIED AGAINST EACH PENALTY ASSESSMENT NOTICE ISSUED PURSUANT
29 TO SECTION 42-4-1701, C.R.S., FOR A MISDEMEANOR OR A CLASS 1 OR
30 CLASS 2 MISDEMEANOR TRAFFIC OFFENSE UNDER STATE STATUTE THAT
31 RESULTS IN PAYMENT OF THE PENALTY ASSESSMENT WITHOUT THE
32 COMMENCEMENT OF A CRIMINAL ACTION. ALL MONEYS COLLECTED BY
33 THE DEPARTMENT OF REVENUE PURSUANT TO THIS SUBSECTION (2) SHALL
34 BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE
35 SAME TO THE GENERAL FUND.
36

37 (3) A COST OF ONE DOLLAR AND FIFTY CENTS IS HEREBY LEVIED
38 AGAINST EACH CIVIL ACTION RESULTING IN AN ADMISSION OF LIABILITY OR
39 A JUDGMENT AGAINST THE DEFENDANT FOR A CLASS A OR CLASS B
40 TRAFFIC INFRACTION CHARGED PURSUANT TO STATE STATUTE. THE
41 DEFENDANT SHALL PAY THE COST TO THE CLERK OF THE COURT. EACH
42 CLERK SHALL TRANSMIT THE MONEYS TO THE STATE TREASURER, WHO
43 SHALL CREDIT THE SAME TO THE GENERAL FUND.
44

45 (4) A SURCHARGE OF ONE DOLLAR AND FIFTY CENTS IS HEREBY
46 LEVIED AGAINST EACH PENALTY ASSESSMENT NOTICE ISSUED PURSUANT
47 TO SECTION 42-4-1701, C.R.S., FOR A CLASS A OR CLASS B TRAFFIC
48 INFRACTION UNDER STATE STATUTE THAT RESULTS IN PAYMENT OF THE
49 PENALTY ASSESSMENT WITHOUT THE COMMENCEMENT OF A CIVIL ACTION.
50 ALL MONEYS COLLECTED BY THE DEPARTMENT OF REVENUE PURSUANT TO
51 THIS SUBSECTION (4) SHALL BE TRANSMITTED TO THE STATE TREASURER,
52 WHO SHALL CREDIT THE SAME TO THE GENERAL FUND.
53

54 (5) A SURCHARGE OF ONE DOLLAR AND FIFTY CENTS IS HEREBY
55 LEVIED AGAINST EACH PENALTY ASSESSMENT ISSUED PURSUANT TO
56 SECTION 33-6-104, C.R.S., THAT RESULTS IN PAYMENT OF THE PENALTY

1 ASSESSMENT WITHOUT THE COMMENCEMENT OF A CRIMINAL ACTION. ALL
2 MONEYS COLLECTED BY THE DIVISION OF WILDLIFE IN THE DEPARTMENT
3 OF NATURAL RESOURCES PURSUANT TO THIS SUBSECTION (5) SHALL BE
4 TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME
5 TO THE GENERAL FUND.

6
7 (6) A SURCHARGE OF ONE DOLLAR AND FIFTY CENTS IS HEREBY
8 LEVIED AGAINST EACH PENALTY ASSESSMENT ISSUED PURSUANT TO
9 SECTION 33-15-102, C.R.S., THAT RESULTS IN PAYMENT OF THE PENALTY
10 ASSESSMENT WITHOUT THE COMMENCEMENT OF A CRIMINAL ACTION. ALL
11 MONEYS COLLECTED BY THE DIVISION OF PARKS AND OUTDOOR
12 RECREATION IN THE DEPARTMENT OF NATURAL RESOURCES PURSUANT TO
13 THIS SUBSECTION (6) SHALL BE TRANSMITTED TO THE STATE TREASURER,
14 WHO SHALL CREDIT THE SAME TO THE GENERAL FUND.

15
16 (7) THE COURT MAY WAIVE A COST OR SURCHARGE LEVIED
17 PURSUANT TO THIS SECTION IF THE COURT DETERMINES THE DEFENDANT
18 IS INDIGENT.

19
20 (8) THE MONEY TRANSFERRED TO THE GENERAL FUND PURSUANT
21 TO THIS SECTION SHALL BE USED TO FOR THE COST OF IMPLEMENTING
22 SECTION 19-2-508, C.R.S.

23
24 **SECTION 5.** 42-4-1701, Colorado Revised Statutes, is amended
25 BY THE ADDITION OF A NEW SUBSECTION to read:

26
27 **42-4-1701. Traffic offenses and infractions classified -**
28 **penalties - penalty and surcharge schedule.** (8) THE SURCHARGES
29 DESCRIBED IN SUBSECTIONS (4) TO (6) OF THIS SECTION ARE SEPARATE
30 AND DISTINCT FROM A SURCHARGE LEVIED PURSUANT TO SECTION
31 18-25-101, C.R.S.

32
33 **SECTION 6.** 42-4-1707 (3) (a) and (6), Colorado Revised
34 Statutes, are amended to read:

35
36 **42-4-1707. Summons and complaint or penalty assessment**
37 **notice for misdemeanors, petty offenses, and misdemeanor traffic**
38 **offenses - release - registration.** (3) (a) Whenever a penalty assessment
39 notice for a misdemeanor, petty offense, or misdemeanor traffic offense
40 is issued pursuant to section 42-4-1701 (5) (a), the penalty assessment
41 notice ~~which~~ THAT shall be served upon the defendant by the peace
42 officer shall contain the name and address of the defendant, the license
43 number of the vehicle involved, if any, the number of the defendant's
44 driver's license, if any, a citation of the statute alleged to have been
45 violated, a brief description of the offense, the date and approximate
46 location thereof, the amount of the penalty prescribed for the offense, the
47 amount of the ~~surcharge~~ SURCHARGES thereon pursuant to sections
48 ~~24-4.1-119 (1) (f) and 24-4.2-104 (1)~~ 18-25-101, 24-4.1-119 (1) (f), AND
49 24-4.2-104 (1), C.R.S., the number of points, if any, prescribed for the
50 offense pursuant to section 42-2-127, and the date the penalty assessment
51 notice is served on the defendant; shall direct the defendant to appear in
52 a specified county court at a specified time and place in the event the
53 penalty and ~~surcharge~~ SURCHARGES thereon are not paid; shall be signed
54 by the peace officer; and shall contain a place for the defendant to elect
55 to execute a signed acknowledgment of guilt and an agreement to pay the
56 penalty prescribed and ~~surcharge~~ SURCHARGES thereon within twenty

1 days, as well as such other information as may be required by law to
 2 constitute the penalty assessment notice to be a summons and complaint,
 3 should the prescribed penalty and ~~surcharge~~ SURCHARGES thereon not be
 4 paid within the time allowed in section 42-4-1701.

5
 6 (6) If the defendant is otherwise eligible to be issued a summons
 7 and complaint or a penalty assessment notice for a violation of this title
 8 punishable as a misdemeanor, petty offense, or misdemeanor traffic
 9 offense and if the defendant does not possess a valid Colorado driver's
 10 license, the defendant, in order to secure release, as provided in this
 11 section, must either consent to be taken by the officer to the nearest
 12 mailbox and to mail the amount of the penalty and ~~surcharge~~
 13 SURCHARGES thereon to the department or must execute a promise to
 14 appear in court on the penalty assessment notice or on the summons and
 15 complaint. If the defendant does possess a valid Colorado driver's
 16 license, the defendant shall not be required to execute a promise to appear
 17 on the penalty assessment notice or on the summons and complaint. The
 18 peace officer shall not require any person who is eligible to be issued a
 19 summons and complaint or a penalty assessment notice for a violation of
 20 this title to produce or divulge such person's social security number.

21
 22 **SECTION 7.** 42-4-1709 (1), Colorado Revised Statutes, is
 23 amended to read:

24
 25 **42-4-1709. Penalty assessment notice for traffic infractions -**
 26 **violations of provisions by officer - driver's license.** (1) Whenever a
 27 penalty assessment notice for a traffic infraction is issued pursuant to
 28 section 42-4-1701 (5) (a), the penalty assessment notice ~~which~~ THAT shall
 29 be served upon the defendant by the peace officer shall contain the name
 30 and address of the defendant, the license number of the vehicle involved,
 31 if any, the number of the defendant's driver's license, if any, a citation of
 32 the statute alleged to have been violated, a brief description of the traffic
 33 infraction, the date and approximate location thereof, the amount of the
 34 penalty prescribed for the traffic infraction, the amount of the ~~surcharge~~
 35 SURCHARGES thereon pursuant to sections ~~24-4.1-119 (1) (f) and~~
 36 ~~24-4.2-104(1)~~ 18-25-101, 24-4.1-119 (1) (f), AND 24-4.2-104 (1), C.R.S.,
 37 the number of points, if any, prescribed for the traffic infraction pursuant
 38 to section 42-2-127, and the date the penalty assessment notice is served
 39 on the defendant; shall direct the defendant to appear in a specified
 40 county court at a specified time and place in the event the penalty and
 41 ~~surcharge~~ SURCHARGES thereon ~~is~~ ARE not paid; shall be signed by the
 42 peace officer; and shall contain a place for the defendant to elect to
 43 execute a signed acknowledgment of liability and an agreement to pay the
 44 penalty prescribed and ~~surcharge~~ SURCHARGES thereon within twenty
 45 days, as well as such other information as may be required by law to
 46 constitute the penalty assessment notice to be a summons and complaint,
 47 should the prescribed penalty and ~~surcharge~~ SURCHARGES thereon not be
 48 paid within the time allowed in section 42-4-1701.

49
 50 **SECTION 8.** 33-6-104, Colorado Revised Statutes, is amended
 51 to read:

52
 53 **33-6-104. Imposition of penalty - procedures.** (1) Any person
 54 who violates any of the provisions of articles 1 to 6 of this title or any rule
 55 ~~or regulation~~ of the commission that does not have a specific penalty
 56 listed is guilty of a misdemeanor and, upon conviction thereof, shall be

1 punished by a fine of fifty dollars, A SURCHARGE AS DESCRIBED IN
2 SECTION 18-25-101, C.R.S., and an assessment of five license suspension
3 points.
4

5 (2) At the time that any person is charged with violating any
6 misdemeanor provisions of articles 1 to 6 of this title or any rule ~~or~~
7 ~~regulation~~ of the commission, the officer shall issue a summons and
8 complaint to the alleged offender or, in the case of a violation for which
9 a fine of a fixed amount is prescribed, may give the alleged offender an
10 opportunity to voluntarily pay the fine AND SURCHARGE in the form of a
11 penalty assessment. Penalty assessments shall not be issued for violations
12 for which minimum and maximum fines have been established. The
13 penalty assessment notice given to the alleged offender shall contain the
14 information required in and be in the form of a summons and complaint
15 and shall specify in dollars the amount of the penalty to be assessed for
16 the alleged offense and the amount of the ~~surcharge~~ SURCHARGES to be
17 collected pursuant to ~~section 24-4.2-104 (1)~~ SECTIONS 18-25-101 AND
18 24-4.2-104 (1), C.R.S. If the alleged offender accepts such notice and
19 pays the fine and the ~~surcharge~~ SURCHARGES entered thereon to the
20 division within fifteen days of issuance of the notice, such acceptance and
21 payment shall constitute an acknowledgment of guilt by such person of
22 the violation set forth in the penalty assessment notice. Any person who
23 accepts a penalty assessment notice but who does not furnish satisfactory
24 evidence of identity or who the officer has reasonable and probable
25 grounds to believe will disregard a written promise to pay the specified
26 fine and ~~surcharge~~ SURCHARGES may be taken by the officer to the nearest
27 known post-office facility and BE required to remit the amount of the
28 specified fine and ~~surcharge~~ SURCHARGES to the division immediately by
29 mail in United States currency or other legal tender by money order or
30 personal check. Refusal or inability to remit the specified fine and
31 ~~surcharge~~ SURCHARGES by mail when required shall constitute a refusal
32 to accept a penalty assessment notice. The officer shall advise the person
33 arrested of the license suspension points to be assessed in accordance
34 with section 33-6-106. Checks tendered by the violator to and accepted
35 by the division and on which payment is received by the division shall be
36 deemed sufficient receipt. If the fine and ~~surcharge~~ SURCHARGES are not
37 so paid, then the officer who issued the penalty assessment notice shall
38 docket the summons and complaint with a court of competent jurisdiction
39 for appearance by the person to answer the charges therein contained at
40 such time and place as is specified in the summons and complaint.
41

42 **SECTION 9.** 33-15-102 (2), Colorado Revised Statutes, is
43 amended to read:
44

45 **33-15-102. Imposition of penalty - procedures.** (2) At the time
46 that any person is charged with violating any petty offense or
47 misdemeanor provisions of articles 10 to 15 or 32 of this title or any rule
48 of the board, the officer shall issue a summons and complaint to the
49 alleged offender or, in the case of a violation for which a fine of a fixed
50 amount is prescribed, may give the alleged offender an opportunity to
51 voluntarily pay the fine AND SURCHARGE in the form of a penalty
52 assessment. Penalty assessments shall not be issued for violations for
53 which minimum and maximum fines have been established. The penalty
54 assessment notice given to the alleged offender shall contain the
55 information required in and be in the form of a summons and complaint
56 and shall specify in dollars the amount of the penalty to be assessed for

1 the alleged offense AND THE AMOUNT OF THE SURCHARGE TO BE
2 COLLECTED PURSUANT TO SECTION 18-25-101, C.R.S. If the alleged
3 offender accepts such notice and pays the fine AND SURCHARGE entered
4 thereon to the division within twenty days of issuance of the notice, such
5 acceptance and payment shall constitute an acknowledgment of guilt by
6 such person of the violation set forth in the penalty assessment notice.
7 Any person who accepts a penalty assessment notice but who does not
8 furnish satisfactory evidence of identity or who the officer has reasonable
9 and probable grounds to believe will disregard a written promise to pay
10 the specified fine AND SURCHARGE may be taken by the officer to the
11 nearest known post-office facility and BE required to remit the amount of
12 the specified fine AND SURCHARGE to the division immediately by mail in
13 United States currency or other legal tender or by money order or
14 personal check. Refusal or inability to remit the specified fine AND
15 SURCHARGE by mail when required shall constitute a refusal to accept a
16 penalty assessment notice. Checks tendered by the violator to and
17 accepted by the division and on which payment is received by the division
18 shall be deemed sufficient receipt. If the fine ~~is~~ AND SURCHARGE ARE not
19 so paid, then the officer who issued the penalty assessment notice shall
20 docket the summons and complaint with a court of competent jurisdiction
21 for appearance by the person to answer the charges therein contained at
22 such time and place as is specified in the summons and complaint."

23
24 Renumber succeeding section accordingly.
25
26
27

28 **HB09-1324** be postponed indefinitely.
29
30
31

32 MESSAGE(S) FROM THE SENATE

33
34 The Senate failed to pass HB09-1042 on Second Reading. The bill is
35 returned herewith.
36
37

38 On motion of Representative Fischer, the House resolved itself into
39 Committee of the Whole for consideration of Special Orders and he was
40 called to the Chair to act as Chairman.
41
42

43 SPECIAL ORDERS--SECOND READING OF BILLS

44
45 The Committee of the Whole having risen, the Chairman reported the
46 titles of the following bills had been read (reading at length had been
47 dispensed with by unanimous consent), the bills considered and action
48 taken thereon as follows:
49

50 (Amendments to the committee amendment are to the printed committee
51 report which was printed and placed in the members' bill file.)
52

53 **HB09-1313** by Representative(s) Merrifield, Apuan, Benefield, Casso,
54 Ferrandino, Fischer, Hullinghorst, Kefalas, Kerr A.,
55 Labuda, Levy, McFadyen, McGihon, Middleton, Miklosi,
56 Peniston, Scanlan, Schafer S., Solano, Soper, Todd, Vigil,

1 Green, Pace, Pommer; also Senator(s) Bacon, Gibbs,
2 Groff, Newell, Veiga, Williams, Carroll M., Heath, Keller,
3 Morse, Romer, Shaffer B.--Concerning expanding civic
4 engagement options through student-directed programs at
5 institutions of higher education.

6
7 (Previously amendment as printed in House Journal, April 8, page 1105.)

8
9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.

11
12 **HB09-1280** by Representative(s) Looper--Concerning the adoption of
13 a youth challenge corps program in Colorado.

14
15 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
16 March 3, 2009, and placed in member's bill file; Report also printed in
17 House Journal, March 4, page 609.

18
19 Amendment No. 2, Health & Human Services Report, dated
20 March 12, 2009, and placed in member's bill file; Report also printed in
21 House Journal, March 13, pages 728-729.

22
23 As amended, ordered engrossed and placed on the Calendar for Third
24 Reading and Final Passage.

25
26
27 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

28
29 Representative(s) Priola and Balmer moved to amend the Report of the
30 Committee of the Whole to reverse the action taken by the Committee in
31 not adopting the following Priola amendment, to HB09-1313, to show
32 that said amendment passed, and that **HB09-1313**, as amended, passed.

33
34 Amend printed bill, page 2, line 20 strike "A" and substitute "EACH"; and
35 strike "BALLOT" and substitute "BALLOT, ON AN INDIVIDUAL BASIS,".

36
37 The amendment was declared **lost** by the following roll call vote:

38
39

	YES	28	NO	36	EXCUSED	1	ABSENT	0
40	Acree	Y	Green	N	McCann	N	Roberts	Y
41	Apuan	N	Hullinghorst	N	McFadyen	N	Ryden	N
42	Balmer	Y	Judd	N	McKinley	N	Scanlan	N
43	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
44	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
45	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
46	Casso	N	Kerr J.	Y	Miklosi	N	Soper	N
47	Court	N	King S.	Y	Murray	Y	Stephens	Y
48	Curry	Y	Labuda	N	Nikkel	Y	Summers	Y
49	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
50	Fischer	N	Levy	N	Peniston	N	Tipton	Y
51	Frangas	N	Liston	Y	Pommer	E	Todd	N
52	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
53	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
54	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
55	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
56							Speaker	N

1 Representative(s) Nikkel, Stephens, and McNulty moved to amend the
 2 Report of the Committee of the Whole to reverse the action taken by the
 3 Committee in not adopting the following Nikkel amendment, to
 4 HB09-1313, to show that said amendment passed, and that **HB09-1313**,
 5 as amended, passed.

6
 7 Amend printed bill, page 2, line 9, after "(i)", insert "(A)";
 8
 9 after line 24, insert the following:

10
 11 "(B) EACH ENTITY RECEIVING AN OPTIONAL FEE PURSUANT THIS
 12 PARAGRAPH (i) SHALL PUBLISH ON ITS WEB SITE A LIST OF THE ALL
 13 MONEYS COLLECTED PURSUANT TO THE FEES IT COLLECTS AND THE USES
 14 OF SUCH MONEYS."

15
 16 The amendment was declared **lost** by the following roll call vote:

	YES	29	NO	36	EXCUSED	0	ABSENT	0
19	Acree	Y	Green	N	McCann	N	Roberts	Y
20	Apuan	N	Hullinghorst	N	McFadyen	N	Ryden	N
21	Balmer	Y	Judd	N	McKinley	Y	Scanlan	N
22	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
23	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
24	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
25	Casso	N	Kerr J.	Y	Miklosi	N	Soper	N
26	Court	N	King S.	Y	Murray	Y	Stephens	Y
27	Curry	Y	Labuda	N	Nikkel	Y	Summers	Y
28	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
29	Fischer	N	Levy	N	Peniston	N	Tipton	Y
30	Frangas	N	Liston	Y	Pommer	N	Todd	N
31	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
32	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
33	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
34	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
35							Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

37
 38
 39 Passed Second Reading: **HB09-1313 amended, 1280 amended.**

40
 41
 42
 43 The Chairman moved the adoption of the Committee of the Whole
 44 Report. As shown by the following roll call vote, a majority of those
 45 elected to the House voted in the affirmative, and the Report was
 46 **adopted.**

	YES	62	NO	3	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	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	Y
55	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
56	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	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	Y	Vaad	Y
6	Gardner B.	N	Marostica	Y	Priola	N	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

11

12

13 On motion of Representative Fischer, the House resolved itself into
 14 Committee of the Whole for consideration of General Orders, and he was
 15 called to the Chair to act as Chairman.

16

17

18

GENERAL ORDERS--SECOND READING OF BILLS

19

20 The Committee of the Whole having risen, the Chairman reported the
 21 titles of the following bills had been read (reading at length had been
 22 dispensed with by unanimous consent), the bills considered and action
 23 taken thereon as follows:

24

25 (Amendments to the committee amendment are to the printed committee
 26 report which was printed and placed in the members' bill file.)

27

28 **SB09-176** by Senator(s) Spence; also Representative(s) Casso and
 29 Massey--Concerning charter school participation in school
 30 district bond elections.

31

32 Amendment No. 1, Education Report, dated April 2, 2009, and placed in
 33 member's bill file; Report also printed in House Journal, April 3,
 34 page 1028.

35

36 Amendment No. 2, by Representative(s) Merrifield.

37

38 Amend reengrossed bill, page 5, after line 8, insert the following:

39

40 "(B) THE BOARD OF EDUCATION OF A SCHOOL DISTRICT MAY
 41 REQUIRE A CHARTER SCHOOL TO CERTIFY THAT SCHOOL CONSTRUCTION TO
 42 BE FINANCED WITH BOND PROCEEDS IN ACCORDANCE WITH THIS SECTION
 43 WILL REMEDIATE A SHORTCOMING IN THE CHARTER SCHOOL'S FACILITIES
 44 IDENTIFIED PURSUANT TO SECTION 22-43.7-108, AND THAT ANY
 45 CONSTRUCTION WILL CONFORM TO ANY CONSTRUCTION GUIDELINES
 46 ESTABLISHED PURSUANT TO 22-43.7-107."

47

48 Reletter succeeding sub-subparagraph accordingly.

49

50 Amendment No. 3, by Representative(s) Merrifield.

51

52 Amend reengrossed bill, page 7, line 14, after "PROCEEDS", insert "AND
 53 INVESTMENT AND INTEREST EARNINGS ON SUCH PROCEEDS".

54

55 As amended, ordered revised and placed on the Calendar for Third
 56 Reading and Final Passage.

1 **HB09-1327** by Representative(s) Hullinghorst, Court, Fischer,
2 Gagliardi, Levy, McCann, Peniston, Pommer, Rice,
3 Sonnenberg, Vigil, Weissmann; also Senator(s) Tochtrop,
4 Heath--Concerning modifications to the urban renewal law
5 to address impacts to specified taxing entities arising from
6 the use of tax increment financing mechanisms to support
7 urban renewal projects.
8

9 Laid over until April 17, retaining place on Calendar.
10

11 **SB09-094** by Senator(s) Williams, Gibbs, Groff, Heath, Schwartz,
12 Shaffer B.; also Representative(s) Levy, Green, Marostica,
13 Merrifield, Middleton, Primavera, Rice, Ryden, Scanlan--
14 Concerning the creation of a transit and rail division
15 within the department of transportation.
16

17 Amendment No. 1, Transportation & Energy Report, dated April 7, 2009,
18 and placed in member's bill file; Report also printed in House Journal,
19 April 8, pages 1119-1120.
20

21 Amendment No. 2, by Representative(s) Gardner C.
22

23 Amend reengrossed bill, page 4, after line 20, insert the following:
24

25 "(c) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NEITHER
26 THE EXECUTIVE DIRECTOR NOR THE DIRECTOR OF THE TRANSIT AND RAIL
27 DIVISION SHALL HAVE ANY POWER TO EXPEND FINANCIAL OR HUMAN
28 RESOURCES ON THE CONDEMNATION OF PROPERTY FOR THE PURPOSE OF
29 IMPLEMENTING THE COLORADO RAIL RELOCATION IMPLEMENTATION
30 STUDY COMPLETED BY THE DEPARTMENT IN JANUARY 2009."
31

32 As amended, ordered revised and placed on the Calendar for Third
33 Reading and Final Passage.
34

35 **HB09-1017** by Representative(s) Pace; also Senator(s) Hodge--
36 Concerning the water efficiency grant program cash fund,
37 and, in connection therewith, giving the Colorado water
38 conservation board continuous authority to spend moneys
39 transferred to the water efficiency grant program cash fund
40 from the operational account of the severance tax trust
41 fund.
42

43 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
44 dated January 21, 2009, and placed in member's bill file; Report also
45 printed in House Journal, January 22, pages 114-115.
46

47 As amended, ordered engrossed and placed on the Calendar for Third
48 Reading and Final Passage.
49

50 **HB09-1105** by Representative(s) Kefalas--Concerning the creation of
51 the Colorado innovation investment tax credit to be
52 applied against state income taxes.
53

54 Amendment No. 1, Finance Report, dated February 18, 2009, and placed
55 in member's bill file; Report also printed in House Journal, February 20,
56 page 460-462.

1 Amendment No. 2, Appropriations Report, dated April 9, 2009, and
2 placed in member's bill file; Report also printed in House Journal, April 9,
3 pages 1134-1136.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB09-1298** by Representative(s) McFadyen and Gardner C., Liston,
9 Rice, Solano; also Senator(s) Mitchell, Heath, Scheffel,
10 Schwartz--Concerning economic development for the
11 trucking industry in Colorado.

12
13 Amendment No. 1, Appropriations Report, dated April 9, 2009, and
14 placed in member's bill file; Report also printed in House Journal, April 9,
15 pages 1138-1139.

16
17 Amendment No. 2, by Representative(s) McFadyen.

18
19 Amend printed bill, page 8, line 9, strike "42-4-1802, OR A SCRAP METAL
20 BUSINESS," and substitute "42-4-2201 (1), OR A SCRAP METAL RECYCLER,".

21
22 Page 9, after line 24, insert the following:

23
24 **"SECTION 4.** 42-4-2201, Colorado Revised Statutes, is amended
25 to read:

26
27 **42-4-2201. Definitions.** As used in this part 22, unless the
28 context otherwise requires:

29
30 (1) "AUTO PARTS RECYCLER" MEANS ANY PERSON THAT
31 PURCHASES MOTOR VEHICLES FOR THE PURPOSE OF DISMANTLING AND
32 SELLING THE COMPONENTS THEREOF AND THAT COMPLIES WITH ALL
33 FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS.

34
35 ~~(1)~~ (2) "Licensed motor vehicle dealer" means a motor vehicle
36 dealer that is licensed pursuant to part 1 of article 6 of title 12, C.R.S.

37
38 ~~(2)~~ (3) "Operator" means a person or a firm licensed by the public
39 utilities commission as a towing carrier.

40
41 ~~(3)~~ (4) "Recycling" means:

42
43 (a) Crushing or shredding a motor vehicle to produce scrap metal
44 that may be used to produce new products; or

45
46 (b) Dismantling a motor vehicle to remove reusable parts prior to
47 recycling the remainder of the vehicle.

48
49 ~~(4)~~ (5) "System" means the Colorado motor vehicle verification
50 system created in section 42-4-2203."

51
52 Renumber succeeding sections accordingly.

53
54
55

1 Amendment No. 3, by Representative(s) McFadyen.

2

3 Amend printed bill, page 9, after line 7, insert the following:

4

5 "(3) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT
6 OR RESTRICT THE ABILITY OF AN AUTO PARTS RECYCLER, AS DEFINED IN
7 SECTION 42-4-2201 (1), FROM RECYCLING ANY PART OF A SCRAPPED
8 VEHICLE FOR USE AS A REPLACEMENT PART."

9

10 As amended, ordered engrossed and placed on the Calendar for Third
11 Reading and Final Passage.

12

13 HB09-1157 by Representative(s) Waller, Baumgardner, Bradford,
14 King S., Liston, Stephens--Concerning the designation of
15 N-benzylpiperazine as a schedule I controlled substance,
16 and, in connection therewith, making an appropriation.

17

18 Amendment No. 1, Judiciary Report, dated January 26, 2009, and placed
19 in member's bill file; Report also printed in House Journal, January 27,
20 pages 139-140.

21

22 Amendment No. 2, Appropriations Report, dated April 9, 2009, and
23 placed in member's bill file; Report also printed in House Journal, April 9,
24 pages 1137-1138.

25

26 Amendment No. 3, by Representative(s) Pace.

27

28 Amend printed bill, page 2, strike lines 11 through 27.

29

30 Strike pages 3 through 5 and substitute the following:

31

32 "SECTION 2. 18-18-404, Colorado Revised Statutes, is amended
33 BY THE ADDITION OF A NEW SUBSECTION to read:

34

35 **18-18-404. Unlawful use of a controlled substance.**
36 (1.5) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF
37 PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION, A PERSON WHO
38 VIOLATES THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION WITH
39 REGARD TO N-BENZYLPIPERAZINE (BZP) COMMITS A CLASS 1
40 MISDEMEANOR.

41

42 **SECTION 3.** 18-18-405, Colorado Revised Statutes, is amended
43 BY THE ADDITION OF A NEW SUBSECTION to read:

44

45 **18-18-405. Unlawful distribution, manufacturing, dispensing,**
46 **sale, or possession.** (2.7) NOTWITHSTANDING THE PROVISIONS OF
47 SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (2) OF THIS
48 SECTION, A PERSON WHO VIOLATES THE PROVISIONS OF SUBSECTION (1) OF
49 THIS SECTION WITH REGARD TO N-BENZYLPIPERAZINE (BZP) COMMITS A
50 CLASS 1 MISDEMEANOR."

51

52 As amended, ordered engrossed and placed on the Calendar for Third
53 Reading and Final Passage.

54

55

1 **HB09-1318** by Representative(s) Sonnenberg and McFadyen; also
2 Senator(s) Brophy and Shaffer B.--Concerning the
3 issuance of overweight permits based on axle
4 configuration for vehicles weighing more than the eighty-
5 five thousand pound nonoverweight vehicle gross vehicle
6 weight limit, and, in connection therewith, repealing
7 before it takes effect a newly enacted increase in the limit
8 from eighty-five thousand pounds to ninety-two thousand
9 pounds, making an overweight vehicle permit available for
10 a vehicle that is operated in combination with a trailer or
11 semitrailer if the trailer has a tandem or triple axle
12 grouping and the vehicle weighs up to ninety-seven
13 thousand pounds, and specifying overweight vehicle
14 permit fees for such a vehicle of five hundred dollars for
15 an annual permit, two hundred fifty dollars for a six-month
16 permit, and fifteen dollars plus ten dollars per axle for a
17 single trip permit.

18
19 Ordered engrossed and placed on the Calendar for Third Reading and
20 Final Passage.

21
22 **HB09-1319** by Representative(s) Merrifield and Massey, Todd,
23 Baumgardner, Benefield, Carroll T., Casso, Ferrandino,
24 Fischer, Green, Kerr A., Levy, Middleton, Miklosi,
25 Murray, Peniston, Primavera, Priola, Riesberg, Scanlan,
26 Schafer S., Solano, Summers; also Senator(s) Williams,
27 King K., Hudak, Penry, Bacon, Boyd, Heath, Romer,
28 Scheffel, Schwartz, Shaffer B., Tapia--Concerning
29 concurrent enrollment of public high school students in
30 courses offered by institutions of higher education.

31
32 Amendment No. 1, Education Report, dated April 2, 2009, and placed in
33 member's bill file; Report also printed in House Journal, April 3,
34 pages 1024-1027.

35
36 Amendment No. 2, Appropriations Report, dated April 9, 2009, and
37 placed in member's bill file; Report also printed in House Journal, April 9,
38 page 1140.

39
40 Amendment No. 3, by Representative(s) Merrifield.

41
42 Amend the House Education Committee Report, dated April 2, 2009,
43 page 1, strike line 4 and substitute the following:

44
45 "line 19, strike "COLLEGE" and substitute "COLLEGE, LOCAL DISTRICT
46 COLLEGE, OR AREA VOCATIONAL".

47
48 Page 2 of the committee report, strike lines 31 and 32 and substitute the
49 following:

50
51 "Page 17, strike lines 14 through 16 and substitute the following:

52
53 "WHO REPRESENTS A COMMUNITY COLLEGE, ONE MEMBER WHO
54 REPRESENTS A PUBLIC, FOUR-YEAR INSTITUTION OF HIGHER EDUCATION,
55 AND ONE MEMBER WHO REPRESENTS A LOCAL DISTRICT COLLEGE; AND".

56

1 Page 3 of the committee report, strike line 1.

2

3 Amendment No. 4, by Representative(s) Peniston.

4

5 Amend the Education Committee Report, dated April 2, 2009, page 2,
6 strike line 15 and substitute the following:

7

8 "(8) A STUDENT WHO CONCURRENTLY ENROLLS AT AN INSTITUTION
9 OF HIGHER EDUCATION PURSUANT TO THIS ARTICLE SHALL NOT BE
10 DISQUALIFIED OR OTHERWISE RENDERED INELIGIBLE FOR ANY
11 STATE-BASED FINANCIAL ASSISTANCE FOR WHICH HE OR SHE WOULD
12 OTHERWISE BE ELIGIBLE AS AN ENTERING STUDENT AT THE INSTITUTION.

13

14 (9) (a) EACH PUBLIC INSTITUTION OF HIGHER EDUCATION IS".

15

16 As amended, ordered engrossed and placed on the Calendar for Third
17 Reading and Final Passage.

18

19 **HB09-1320** by Representative(s) Marostica, Ferrandino, Pommer; also
20 Senator(s) White, Keller, Tapia--Concerning an increase
21 in fees paid for certain dairy licenses.

22

23 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
24 dated March 31, 2009, and placed in member's bill file; Report also
25 printed in House Journal, April 1, pages 985-987.

26

27 Amendment No. 2, Appropriations Report, dated April 9, 2009, and
28 placed in member's bill file; Report also printed in House Journal, April 9,
29 pages 1140-1141.

30

31 As amended, ordered engrossed and placed on the Calendar for Third
32 Reading and Final Passage.

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

43 Amendment No. 1, Appropriations Report, dated April 9, 2009, and
44 placed in member's bill file; Report also printed in House Journal, April 9,
45 page 1141.

46

47 Amendment No. 2, by Representative(s) Carroll T.

48

49 Amend printed bill, page 4, line 2, after "(5)", insert "(5.3), and (5.4),"
50 and, strike "is" and substitute "are";

51

52 line 7, strike "Constitutional issues" and substitute "~~Constitutional issues~~
53 INITIATED AMENDMENTS";

54

55 line 8, strike "statewide issues and questions," and substitute "~~statewide~~
56 ~~issues and questions~~ REFERRED AMENDMENTS, INITIATED PROPOSITIONS,

1 REFERRED PROPOSITIONS,";
2
3 strike lines 12 through 14.

4
5 Page 5, strike lines 1 and 2 and substitute the following:

6
7 "subdivisions which are wholly within a county. ~~The measures in each~~
8 ~~category shall be placed in the following order: Measures to increase~~
9 ~~taxes; measures to retain revenues in excess of a district's fiscal year~~
10 ~~spending limit; measures to increase debt; citizen petitions; and referred~~
11 ~~measures.~~

12
13 (5.3) (a) Commencing with the general election held in ~~November~~
14 ~~2000~~ NOVEMBER 2010, each statewide measure initiated by the people
15 THAT IS A PROPOSED CHANGE TO THE STATE CONSTITUTION shall be
16 numbered consecutively in regular numerical order beginning with the
17 number ~~twenty~~ SIXTY. Such consecutive numbering of measures shall
18 continue at any odd-year or general election held after such election at
19 which any such measure is on the ballot beginning with the number
20 following the highest number utilized in the previous election until the
21 number ninety-nine is utilized at an election for any such measure. Such
22 measures shall again be numbered consecutively in regular numerical
23 order beginning with the number one and in accordance with this
24 ~~subsection (5.3)~~ PARAGRAPH (a) following the utilization of the number
25 ninety-nine for any such measure. The secretary of state may promulgate
26 rules as may be necessary to administer this ~~subsection (5.3) including,~~
27 ~~but not limited to, rules specifying the grouping of such measures for~~
28 ~~purposes of such numbering or reserving specific sequences of numbers~~
29 ~~for certain categories of measures~~ PARAGRAPH (a). Such rules shall be
30 promulgated in accordance with article 4 of title 24, C.R.S.

31
32 (b) COMMENCING WITH THE GENERAL ELECTION HELD IN
33 NOVEMBER 2010, EACH STATEWIDE MEASURE INITIATED BY THE PEOPLE
34 THAT IS A PROPOSED CHANGE TO THE COLORADO REVISED STATUTES
35 SHALL BE NUMBERED CONSECUTIVELY IN REGULAR NUMERICAL ORDER
36 BEGINNING WITH THE NUMBER ONE HUNDRED ONE. SUCH CONSECUTIVE
37 NUMBERING OF MEASURES SHALL CONTINUE AT ANY ODD-YEAR OR
38 GENERAL ELECTION HELD AFTER SUCH ELECTION AT WHICH ANY SUCH
39 MEASURE IS ON THE BALLOT BEGINNING WITH THE NUMBER FOLLOWING
40 THE HIGHEST NUMBER UTILIZED IN THE PREVIOUS ELECTION UNTIL THE
41 NUMBER ONE HUNDRED NINETY-NINE IS UTILIZED AT AN ELECTION FOR
42 ANY SUCH MEASURE. SUCH MEASURES SHALL AGAIN BE NUMBERED
43 CONSECUTIVELY IN REGULAR NUMERICAL ORDER BEGINNING WITH THE
44 NUMBER ONE HUNDRED ONE AND IN ACCORDANCE WITH THIS PARAGRAPH
45 (B) FOLLOWING THE UTILIZATION OF THE NUMBER ONE HUNDRED
46 NINETY-NINE FOR ANY SUCH MEASURE. THE SECRETARY OF STATE MAY
47 PROMULGATE RULES AS MAY BE NECESSARY TO ADMINISTER THIS
48 PARAGRAPH (b). SUCH RULES SHALL BE PROMULGATED IN ACCORDANCE
49 WITH ARTICLE 4 OF TITLE 24, C.R.S.

50
51 (5.4) (a) Commencing with the general election held in ~~November~~
52 ~~2004~~ NOVEMBER 2010, each statewide measure referred to the people by
53 the general assembly THAT IS A PROPOSED CHANGE TO THE STATE
54 CONSTITUTION shall be lettered consecutively in regular alphabetical order
55 beginning with the ~~letter A~~ LETTER P. The consecutive lettering of SUCH
56 statewide referred measures shall continue at any odd-year or general

1 election held after the election at which any statewide referred measure
 2 is on the ballot beginning with the letter following the last letter utilized
 3 in the previous election until the letter Z is utilized at an election for SUCH
 4 a statewide referred measure. SUCH statewide referred measures shall
 5 again be lettered consecutively in regular alphabetical order beginning
 6 with the letter A and in accordance with this ~~subsection (5.4)~~ PARAGRAPH
 7 (a) following the utilization of the letter Z for any SUCH statewide referred
 8 measure. The secretary of state may promulgate rules as may be
 9 necessary to administer this ~~subsection (5.4)~~ including but not limited to
 10 rules specifying the grouping of statewide referred measures for purposes
 11 of lettering or reserving specific sequences of letters for certain categories
 12 of measures PARAGRAPH (a). Any rules shall be promulgated in
 13 accordance with article 4 of title 24, C.R.S.
 14

15 (b) COMMENCING WITH THE GENERAL ELECTION HELD IN
 16 NOVEMBER 2010, EACH STATEWIDE MEASURE REFERRED TO THE PEOPLE
 17 BY THE GENERAL ASSEMBLY THAT IS A PROPOSED CHANGE TO THE
 18 COLORADO REVISED STATUTES SHALL BE DOUBLE-LETTERED
 19 CONSECUTIVELY IN REGULAR ALPHABETICAL ORDER BEGINNING WITH THE
 20 LETTERS AA. THE CONSECUTIVE LETTERING OF SUCH STATEWIDE
 21 REFERRED MEASURES SHALL CONTINUE AT ANY ODD-YEAR OR GENERAL
 22 ELECTION HELD AFTER THE ELECTION AT WHICH ANY STATEWIDE
 23 REFERRED MEASURE IS ON THE BALLOT BEGINNING WITH THE LETTERS
 24 FOLLOWING THE LAST LETTERS UTILIZED IN THE PREVIOUS ELECTION UNTIL
 25 THE LETTERS ZZ ARE UTILIZED AT AN ELECTION FOR SUCH A STATEWIDE
 26 REFERRED MEASURE. SUCH STATEWIDE REFERRED MEASURES SHALL
 27 AGAIN BE LETTERED CONSECUTIVELY IN REGULAR ALPHABETICAL ORDER
 28 BEGINNING WITH THE LETTERS AA AND IN ACCORDANCE WITH THIS
 29 PARAGRAPH (b) FOLLOWING THE UTILIZATION OF THE LETTERS ZZ FOR ANY
 30 SUCH STATEWIDE REFERRED MEASURE. THE SECRETARY OF STATE MAY
 31 PROMULGATE RULES AS MAY BE NECESSARY TO ADMINISTER THIS
 32 PARAGRAPH (b). ANY RULES SHALL BE PROMULGATED IN ACCORDANCE
 33 WITH ARTICLE 4 OF TITLE 24, C.R.S."
 34

35 page 5, after line 11, insert the following:

36
 37 **"SECTION 2.** 1-40-101, Colorado Revised Statutes, is amended
 38 to read:

39
 40 **1-40-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY
 41 DECLARES THAT it is not the intention of this article to limit or abridge in
 42 any manner the powers reserved to the people in the initiative and
 43 referendum, but rather to properly safeguard, protect, and preserve
 44 inviolate for them these modern instrumentalities of democratic
 45 government.
 46

47 (2) (a) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND
 48 DECLARES THAT:

49
 50 (I) THE INITIATIVE PROCESS RELIES UPON THE TRUTHFULNESS OF
 51 CIRCULATORS WHO OBTAIN THE PETITION SIGNATURES TO QUALIFY A
 52 BALLOT ISSUE FOR THE STATEWIDE BALLOT AND THAT DURING THE 2008
 53 GENERAL ELECTION, THE HONESTY OF MANY PETITION CIRCULATORS WAS
 54 AT ISSUE BECAUSE OF PRACTICES THAT INCLUDED: USING THIRD PARTIES
 55 TO CIRCULATE PETITION SECTIONS, EVEN THOUGH THE THIRD PARTIES DID
 56 NOT SIGN THE CIRCULATOR'S AFFIDAVIT, WERE NOT OF LEGAL AGE TO ACT

1 AS A CIRCULATOR, AND WERE PAID IN CASH TO CONCEAL THEIR IDENTITIES;
2 PROVIDING FALSE NAMES OR RESIDENTIAL ADDRESSES IN THE
3 CIRCULATOR'S AFFIDAVITS, A PRACTICE THAT PERMITS CIRCULATORS TO
4 EVADE DETECTION BY PERSONS CHALLENGING THE SECRETARY OF STATE'S
5 SUFFICIENCY DETERMINATION; CIRCULATING PETITION SECTIONS WITHOUT
6 EVEN A RUDIMENTARY UNDERSTANDING OF THE LEGAL REQUIREMENTS
7 RELATING TO PETITION CIRCULATION; AND OBTAINING THE SIGNATURES OF
8 PERSONS WHO PURPORTED TO NOTARIZE CIRCULATOR AFFIDAVITS, EVEN
9 THOUGH SUCH PERSONS WERE NOT LEGALLY AUTHORIZED TO ACT AS
10 NOTARIES OR ADMINISTER THE REQUIRED OATH;

11

12 (II) THE PER SIGNATURE COMPENSATION SYSTEM USED BY MANY
13 PETITION ENTITIES PROVIDES AN INCENTIVE FOR CIRCULATORS TO COLLECT
14 AS MANY SIGNATURES AS POSSIBLE, WITHOUT REGARD FOR WHETHER ALL
15 PETITION SIGNERS ARE REGISTERED ELECTORS; AND

16

17 (III) MANY PETITION CIRCULATOR AFFIDAVITS ARE THUS
18 EXECUTED WITHOUT REGARD FOR SPECIFIC REQUIREMENTS OF LAW THAT
19 ARE DESIGNED TO ASSIST IN THE PREVENTION OF FRAUD, ABUSE, AND
20 MISTAKE IN THE INITIATIVE PROCESS.

21

22 (b) THE GENERAL ASSEMBLY FURTHER FINDS, DETERMINES, AND
23 DECLARES THAT:

24

25 (I) BECAUSE PETITION CIRCULATORS WHO RESIDE IN OTHER STATES
26 TYPICALLY LEAVE COLORADO IMMEDIATELY AFTER PETITIONS ARE
27 SUBMITTED TO THE SECRETARY OF STATE FOR VERIFICATION, A FULL AND
28 FAIR EXAMINATION OF FRAUD IN THE PETITION CIRCULATION PROCESS IS
29 FRUSTRATED, AND AS A RESULT, THE SECRETARY OF STATE HAS BEEN
30 FORCED TO GIVE EFFECT TO CERTAIN CIRCULATOR AFFIDAVITS THAT WERE
31 NOT PROPERLY VERIFIED AND THUS WERE NOT PRIMA FACIE EVIDENCE OF
32 THE VALIDITY OF PETITION SIGNATURES ON AFFECTED PETITION SECTIONS;
33 AND

34

35 (II) THE COURTS HAVE NOT HAD AUTHORITY TO EXERCISE
36 JURISDICTION OVER FRAUDULENT ACTS BY CIRCULATORS AND NOTARIES
37 PUBLIC IN CONNECTION WITH PETITION SIGNATURES REVIEWED AS PART OF
38 THE SECRETARY OF STATE'S RANDOM SAMPLE.

39

40 (c) THEREFORE, THE GENERAL ASSEMBLY FINDS, DETERMINES, AND
41 DECLARES THAT:

42

43 (I) AS A RESULT OF THE PROBLEMS IDENTIFIED IN PARAGRAPHS (a)
44 AND (b) OF THIS SUBSECTION (2), ONE OR MORE BALLOT MEASURES
45 APPEARED ON STATEWIDE BALLOTS IN ELECTIONS PRIOR TO AND
46 INCLUDING THE 2008 GENERAL ELECTION EVEN THOUGH SIGNIFICANT
47 NUMBERS OF THE UNDERLYING PETITION SIGNATURES WERE OBTAINED IN
48 DIRECT VIOLATION OF COLORADO LAW AND THE ACCURACY OF THE
49 SECRETARY OF STATE'S DETERMINATION OF SUFFICIENCY COULD NOT BE
50 FULLY EVALUATED BY THE DISTRICT COURT; AND

51

52 (II) FOR THE INITIATIVE PROCESS TO OPERATE AS AN HONEST
53 EXPRESSION OF THE VOTERS' RESERVED LEGISLATIVE POWER, IT IS
54 ESSENTIAL THAT CIRCULATORS TRUTHFULLY VERIFY ALL ELEMENTS OF
55 THEIR CIRCULATOR AFFIDAVITS AND MAKE THEMSELVES AVAILABLE TO
56 PARTICIPATE IN CHALLENGES TO THE SECRETARY OF STATE'S

1 DETERMINATION OF PETITION SUFFICIENCY."

2

3 Page 10, strike line 11 and substitute the following:

4

5 "A PROTEST SHALL INVALIDATE THE PETITION SECTION IF IT IS
6 CHALLENGED ON THE GROUNDS OF CIRCULATOR FRAUD."

7

8 Page 11, line 9, strike "not accept for filing" and substitute "~~not accept for~~
9 filing REJECT";

10

11 line 15, after "(3)", insert "(a)";

12

13 line 20, strike "THE" and substitute "EXCEPT AS SET FORTH IN PARAGRAPH
14 (b) OF THIS SUBSECTION (3), THE";

15

16 line 23, strike "SUBSECTION (3)" and substitute "PARAGRAPH (a)";

17

18 line 24, strike "ANY OF THE FOLLOWING:" and substitute "CIRCULATOR
19 FRAUD THAT IS PLEAD WITH PARTICULARITY REGARDING:";

20

21 line 25, strike "(a)" and substitute "(I)";

22

23 line 26, strike "(b)" and substitute "(II)".

24

25 Page 12, line 2, strike "(c)" and substitute "(III)";

26

27 line 3, after "AFFIDAVIT;" add "OR";

28

29 line 4, strike "(d)" and substitute "(IV)";

30

31 strike lines 6 through 9 and substitute the following:

32

33 "PETITION.

34

35 (b) UPON THE FINDING BY A DISTRICT COURT OR THE SECRETARY
36 OF STATE THAT THE CIRCULATOR OF A PETITION SECTION IS UNABLE TO BE
37 DEPOSED OR TO TESTIFY AT TRIAL OR A HEARING CONDUCTED BY THE
38 SECRETARY OF STATE BECAUSE THE CIRCULATOR HAS DIED, BECOME
39 MENTALLY INCOMPETENT, OR BECOME MEDICALLY INCAPACITATED AND
40 PHYSICALLY UNABLE TO TESTIFY BY ANY MEANS WHATSOEVER, THE
41 PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (3) SHALL NOT APPLY
42 TO INVALIDATE A PETITION SECTION CIRCULATED BY THE CIRCULATOR.";

43

44 line 27, strike "A NEW SUBSECTION" and substitute "THE
45 FOLLOWING NEW SUBSECTIONS".

46

47 Page 13, line 4, strike "POTENTIAL FRAUDULENT ACTIVITIES IN";

48

49 line 5, strike "PETITION CIRCULATION," and substitute "FRAUD, ABUSE,
50 AND MISTAKE IN THE PETITION CIRCULATION PROCESS,";

51

52 line 7, strike "THE TRAINING MAY BE CONDUCTED" and substitute "A
53 CIRCULATOR MAY BE TRAINED EITHER";

54

55 line 12, after "TRAINING.", insert "THE PROPONENTS OF ANY BALLOT
56 PETITION FOR WHICH CIRCULATORS OF PETITIONS CONTAINING MORE THAN

1 ONE HUNDRED SIGNATURES ARE TRAINED PURSUANT TO THIS SECTION
2 SHALL MAINTAIN, EITHER DIRECTLY OR THROUGH A PETITION ENTITY,
3 RECORDS THAT DOCUMENT THE DATE, TIME, AND PLACE OF EACH
4 CIRCULATOR'S TRAINING, AS WELL AS THE NAME AND ADDRESS OF THE
5 INDIVIDUAL WHO CONDUCTED THE TRAINING. THE SECRETARY OF STATE
6 SHALL PROVIDE TRAINING BY ANY MEANS, INCLUDING ELECTRONIC AND
7 REMOTE ACCESS, THAT ARE DEEMED EFFECTIVE BY THE SECRETARY OF
8 STATE AND THAT FACILITATE THE PROPONENTS' OR A PETITION ENTITY'S
9 RECORD KEEPING RESPONSIBILITIES UNDER THIS SUBSECTION (3).";

10

11 after line 13, insert the following:

12

13 "(4) IT SHALL BE UNLAWFUL FOR ANY PERSON TO PAY A
14 CIRCULATOR MORE THAN TWENTY PERCENT OF HIS OR HER COMPENSATION
15 FOR CIRCULATING PETITIONS ON A PER SIGNATURE OR PETITION SECTION
16 BASIS.".

17

18 Page 14, line 7, after "(2)", insert "(a)";

19

20 strike lines 19 through 24 and substitute the following:

21

22 "ballot title shall appear on the official ballot but once. and FOR EACH
23 BALLOT TITLE THAT IS AN AMENDMENT, THE AMENDMENT NUMBER OR
24 LETTER SHALL BE IMMEDIATELY FOLLOWED BY THE DESCRIPTION
25 "(CONSTITUTIONAL)". FOR EACH BALLOT TITLE THAT IS A
26 PROPOSITION, THE PROPOSITION NUMBER OR LETTERS SHALL BE
27 IMMEDIATELY FOLLOWED BY THE DESCRIPTION "(STATUTORY)". EACH
28 BALLOT TITLE shall be separated from the other ballot titles next to".

29

30 Page 15, after line 2, insert the following:

31

32 "(b) FOR PURPOSES OF PREPARING AN AUDIO BALLOT AS PART OF
33 AN ACCESSIBLE VOTING SYSTEM:

34

35 (I) IN LIEU OF THE PARENTHETICAL DESCRIPTION PRECEDING A
36 BALLOT TITLE THAT IS AN AMENDMENT REQUIRED BY PARAGRAPH (a) OF
37 THIS SUBSECTION (2), THE AUDIO BALLOT SHALL INCLUDE THE FOLLOWING:
38 "THE FOLLOWING BALLOT ISSUE PROPOSES A CHANGE TO THE COLORADO
39 CONSTITUTION."; AND

40

41 (II) IN LIEU OF THE PARENTHETICAL DESCRIPTION PRECEDING A
42 BALLOT TITLE THAT IS A PROPOSITION REQUIRED BY PARAGRAPH (a) OF
43 THIS SUBSECTION (2), THE AUDIO BALLOT SHALL INCLUDE THE FOLLOWING:
44 "THE FOLLOWING BALLOT ISSUE PROPOSES A CHANGE TO THE COLORADO
45 REVISED STATUTES."".

46

47 Page 16, line 25, strike "specifically";

48

49 line 26, strike "allege" and substitute "~~specifically allege~~ SET FORTH WITH
50 PARTICULARITY".

51

52 Page 17, line 1, strike "SECTIONS." and substitute "SECTIONS, AS WELL AS
53 INDIVIDUAL SIGNATURES OR PETITIONS SECTIONS PROTESTED.".

54

55 Page 18, line 24, strike "PRESENT IN THE STATE" and substitute
56 "AVAILABLE".

1 Page 20, strike lines 23 through 27.

2

3 Page 21, strike lines 1 through 8 and substitute the following:

4

5 "WITHOUT FIRST OBTAINING A LICENSE THEREFOR FROM THE SECRETARY
6 OF STATE. THE SECRETARY OF STATE MAY DENY A LICENSE IF HE OR SHE
7 FINDS THAT THE PETITION ENTITY OR ANY OF ITS PRINCIPALS HAVE BEEN
8 FOUND, IN A JUDICIAL OR ADMINISTRATIVE PROCEEDING, TO HAVE
9 VIOLATED THE PETITION LAWS OF COLORADO OR ANY OTHER STATE AND
10 SUCH VIOLATION INVOLVES AUTHORIZING OR KNOWINGLY PERMITTING
11 ANY OF THE ACTS SET FORTH IN PARAGRAPHS (I), (II), (III), (IV), AND (VII)
12 OF SUBSECTION (c) OF THIS SECTION. THE SECRETARY OF STATE SHALL
13 DENY A LICENSE IF:

14

15 (I) THE PETITION ENTITY FAILS TO AGREE THAT CIRCULATORS
16 SHALL NOT BE PAID ON A PER SIGNATURE OR PER PETITION BASIS; OR

17

18 (II) NO CURRENT REPRESENTATIVE OF THE PETITION ENTITY HAS
19 COMPLETED THE TRAINING REQUIREMENTS RELATED TO POTENTIAL
20 FRAUDULENT ACTIVITIES IN PETITION CIRCULATION, AS ESTABLISHED BY
21 THE SECRETARY OF STATE, PURSUANT TO SECTION 1-40-112 (3).";

22

23 line 11, strike "(II)" and substitute "(I)";

24

25 line 13, after "PETITION", insert "ENTITY";

26

27 line 15, strike "NO LONGER" and substitute "DETERMINED TO NO LONGER
28 BE";

29

30 line 26, after "CIRCULATOR", insert "OF MORE THAN TWENTY PERCENT OF
31 HIS OR HER COMPENSATION", and, after "OR", insert "PER".

32

33 Page 22, after line 7, insert the following:

34

35 (3) (a) ANY PROCEDURES BY WHICH ALLEGED VIOLATIONS
36 INVOLVING PETITION ENTITIES ARE HEARD AND ADJUDICATED SHALL BE
37 GOVERNED BY THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE
38 4 OF TITLE 24, C.R.S. IF THE SECRETARY FINDS THAT A PETITION ENTITY
39 VIOLATED A PROVISION OF PARAGRAPH (c) OF SUBSECTION (2) OF THIS
40 SECTION, THE SECRETARY SHALL REVOKE THE ENTITY'S LICENSE FOR NOT
41 LESS THAN NINETY DAYS OR MORE THAN ONE HUNDRED EIGHTY DAYS.
42 UPON FINDING ANY SUBSEQUENT VIOLATION OF A PROVISION OF
43 PARAGRAPH (c) OF SUBSECTION (2) OF THIS SECTION, THE SECRETARY
44 SHALL REVOKE THE PETITION ENTITY'S LICENSE FOR NOT LESS THAN ONE
45 HUNDRED EIGHTY DAYS OR MORE THAN ONE YEAR. THE SECRETARY
46 SHALL CONSIDER ALL CIRCUMSTANCES SURROUNDING THE VIOLATIONS IN
47 FIXING THE LENGTH OF THE REVOCATIONS.

48

49 (b) A PETITION ENTITY WHOSE LICENSE HAS BEEN REVOKED MAY
50 APPLY FOR REINSTATEMENT TO BE EFFECTIVE UPON EXPIRATION OF THE
51 TERM OF REVOCATION.

52

53 (c) IN DETERMINING WHETHER TO REINSTATE A LICENSE, THE
54 SECRETARY MAY CONSIDER:

55

56 (I) THE ENTITY'S OWNERSHIP BY, EMPLOYMENT OF, OR CONTRACT

1 WITH ANY PERSON WHO SERVED AS A DIRECTOR, OFFICER, OWNER, OR
 2 PRINCIPAL OF A PETITION ENTITY WHOSE LICENSE WAS REVOKED, THE ROLE
 3 OF SUCH INDIVIDUAL IN THE FACTS UNDERLYING THE PRIOR LICENSE
 4 REVOCATION, AND THE ROLE OF SUCH INDIVIDUAL IN A PETITION ENTITY'S
 5 POST-REVOCATION ACTIVITIES; AND

6
 7 (II) ANY OTHER FACTS THE ENTITY CHOOSES TO PRESENT TO THE
 8 SECRETARY, INCLUDING BUT NOT LIMITED TO REMEDIAL STEPS, IF ANY,
 9 THAT HAVE BEEN IMPLEMENTED TO AVOID FUTURE ACTS THAT WOULD
 10 VIOLATE THIS ARTICLE."

11
 12 Renumber succeeding subsections accordingly.

13
 14 Page 22, line 24, strike "(4)." and substitute "(5)."

15
 16 Amendment No. 3, by Representative(s) Murray.

17
 18 Amend printed bill, page 13, strike lines 9 through 11;

19
 20 line 12, strike "THE COST OF THE TRAINING."

21
 22 Page 19, after line 18, insert the following:

23
 24 "(i) FOR ANY PERSON TO PAY MONEY OR OTHER THINGS OF VALUE
 25 TO A REGISTERED ELECTOR FOR THE PURPOSE OF INDUCING THE ELECTOR
 26 TO WITHDRAW HIS OR HER NAME FROM A PETITION FOR A BALLOT ISSUE;"

27
 28 Reletter succeeding paragraphs accordingly.

29
 30 Page 21, line 25, after "SIGN", insert "OR WITHDRAW HIS OR HER NAME
 31 FROM".

32
 33 As amended, ordered engrossed and placed on the Calendar for Third
 34 Reading and Final Passage.

35
 36 **HB09-1329** by Representative(s) Marostica, Ferrandino, Pommer; also
 37 Senator(s) White, Keller, Tapia--Concerning the
 38 percentage of moneys transferred from the tobacco
 39 litigation settlement cash fund to the Colorado state
 40 veterans trust fund that are subject to annual appropriation.

41
 42 Amendment No. 1, Appropriations Report, dated April 9, 2009, and
 43 placed in member's bill file; Report also printed in House Journal, April 9,
 44 pages 1141-1142.

45
 46 As amended, ordered engrossed and placed on the Calendar for Third
 47 Reading and Final Passage.

48
 49
 50 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

51
 52 Representative(s) Levy moved to amend the Report of the Committee of
 53 the Whole to reverse the action taken by the Committee in adopting
 54 Amendment No. 2, by Representative Gardner C., (printed in House
 55 Journal page 1169, lines 21-30), to SB09-094, to show that said
 56 amendment lost, and that **SB09-094**, as amended, passed.

1 The amendment was declared **lost** by the following roll call vote:

	YES	30	NO	34	EXCUSED	1	ABSENT	0
4	Acree	N	Green	Y	McCann	Y	Roberts	N
5	Apuan	N	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
6	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
7	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
8	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
9	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	E
10	Casso	N	Kerr J.	N	Miklosi	Y	Soper	N
11	Court	Y	King S.	N	Murray	N	Stephens	N
12	Curry	N	Labuda	Y	Nikkel	N	Summers	N
13	Ferrandino	Y	Lambert	N	Pace	N	Swalm	N
14	Fischer	Y	Levy	Y	Peniston	N	Tipton	N
15	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
16	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
17	Gardner B.	N	Marostica	N	Priola	N	Vigil	N
18	Gardner C.	N	Massey	N	Rice	Y	Waller	N
19	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
20							Speaker	Y

21
22 Representative(s) Stephens moved to amend the Report of the Committee
23 of the Whole to reverse the action taken by the Committee in not adopting
24 the following Stephens amendment, to HB09-1326, to show that said
25 amendment passed, and that **HB09-1326**, as amended, passed.

26
27 Amend printed bill, page 20, line 7, after "**petition.**", insert "(1)";

28
29 after line 14, insert the following:

30
31 "(2) (a) (I) IT IS UNLAWFUL FOR ANY PERSON, DIRECTLY OR
32 INDIRECTLY, OR THROUGH ANY OTHER PERSON:

33
34 (A) TO PAY, LOAN, OR CONTRIBUTE, OR OFFER OR PROMISE TO PAY,
35 LOAN, OR CONTRIBUTE, ANY MONEY OR VALUABLE CONSIDERATION TO OR
36 FOR THE PROPONENTS, OR THE DESIGNATED REPRESENTATIVES OF THE
37 PROPONENTS, OF AN INITIATIVE PETITION, OR TO OR FOR ANY OTHER
38 PERSON, TO COMPEL, INDUCE, OR PREVAIL UPON THE PROPONENTS OR
39 DESIGNATED REPRESENTATIVES TO WITHDRAW THE PETITION FROM
40 CONSIDERATION AS A BALLOT ISSUE; OR

41
42 (B) TO RECEIVE, AGREE TO ACCEPT, OR CONTRACT FOR ANY
43 MONEY, GIFT, LOAN, OR OTHER VALUABLE CONSIDERATION FOR
44 WITHDRAWING OR AGREEING TO WITHDRAW AN INITIATIVE PETITION FROM
45 CONSIDERATION AS A BALLOT ISSUE.

46
47 (II) FOR PURPOSES OF THIS PARAGRAPH (a), "PERSON" MEANS ANY
48 NATURAL PERSON, PARTNERSHIP, COMMITTEE, ASSOCIATION,
49 CORPORATION, LABOR ORGANIZATION, POLITICAL PARTY, OR OTHER
50 ORGANIZATION OR GROUP OF PERSONS.

51
52 (b) EACH OFFENSE SET FORTH IN PARAGRAPH (a) OF THIS
53 SUBSECTION (2) IS A CLASS 1 MISDEMEANOR PUNISHABLE AS PROVIDED IN
54 SECTION 18-1.3-501, C.R.S."

55
56 The amendment was declared **lost** by the following roll call vote:

1 **CONSENT GRANTED TO CONFERENCE COMMITTEE**

2
3 Representative Levy moved that the First Conference Committee on
4 **SB09-101** be granted permission to go beyond the scope of the difference
5 between the House and the Senate. The motion was passed by the
6 following roll call vote:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
9 Acree	Y		Green	Y	McCann	Y	Roberts	Y
10 Apuan	Y		Hullingerhorst	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	E
15 Casso	Y		Kerr J.	Y	Miklosi	Y	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	Y	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
25							Speaker	Y

26
27
28
29 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

30
31 **BUSINESS AFFAIRS & LABOR**

32 After consideration on the merits, the Committee recommends the
33 following:

34
35 **HB09-1338** be referred to the Committee of the Whole with favorable
36 recommendation.

37
38
39 **SB09-037** be amended as follows, and as so amended, be referred to
40 the Committee on Appropriations with favorable
41 recommendation:

42
43 Amend reengrossed bill, page 2, strike lines 18 and 19 and substitute the
44 following:

45
46 "~~until the balance in either or both funds exceeds the estimated actuarial~~
47 ~~present value of future claim payments~~ DETERMINED BY THE DIRECTOR TO
48 GENERATE SUFFICIENT REVENUE FOR CLAIM PAYMENTS AND DIRECT AND
49 INDIRECT COSTS OF ADMINISTRATION";

50
51 line 21, strike "fund is" and substitute "~~fund is~~ FUNDS ARE";

52
53 line 24, after "~~section:~~", insert "IN DETERMINING THE RATE, THE DIRECTOR
54 SHALL, IN ADDITION TO REVENUE FOR CLAIM PAYMENTS AND DIRECT AND
55 INDIRECT COSTS OF ADMINISTRATION THAT ARE ANTICIPATED TO BE DUE
56 IN THE FOLLOWING STATE FISCAL YEAR, MAINTAIN A CASH BALANCE IN

1 BOTH THE MAJOR MEDICAL INSURANCE FUND AND THE SUBSEQUENT
2 INJURY FUND OF AN AMOUNT OF OTHERWISE UNRESTRICTED REVENUES
3 EQUAL TO APPROXIMATELY ONE YEAR'S WORTH OF CLAIM PAYMENTS AND
4 DIRECT AND INDIRECT ADMINISTRATIVE COSTS."

5

6 Page 3, strike lines 2 through 10 and substitute the following:

7

8 "~~(1) (b), based upon the direct and indirect costs of administration of such~~
9 ~~fund and projections of benefit payments and settlements of benefit~~
10 ~~claims. The remaining revenue~~ AND A PORTION shall be deposited into the
11 major medical insurance fund, established in section 8-46-202 (1). IN
12 ADDITION, THE DIRECTOR MAY MOVE REVENUE BETWEEN THE FUNDS
13 WHEN THE DIRECTOR DETERMINES THAT DOING SO IS NECESSARY. THE
14 DIRECTOR SHALL CONTINUE TO ESTABLISH A SURCHARGE RATE PURSUANT
15 TO SUBSECTION (2) OF THIS SECTION until the balance in BOTH such ~~fund~~
16 ~~exceeds the estimated actuarial present value of~~ FUNDS IS SUFFICIENT TO
17 MEET THE future claim payments plus the amount necessary to pay the
18 direct and indirect costs of administration of the fund, at which time such
19 revenue shall be deposited into the subsequent injury fund. Revenue
20 shall";

21

22 strike lines 13 and 14 and substitute the following:

23

24 "~~payments~~ FUNDS, at which time the surcharge rate established in
25 paragraph (a) of subsection (2) of this section shall be reduced to zero."

26

27

28

29

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

30

31 The Speaker has signed: **SB09-030, 036, 039, 042, 050, 056, 078, 080,**
32 **111, 129, 150, 165, 168, 177 and 237.**

33

34

35

36

MESSAGE(S) FROM THE SENATE

37

38 In response to the request of the House for a Conference Committee on
39 HB09-1281, the President appoints Senators Carroll-Chair, Newell and
40 Cadman as conferees on the First Conference Committee on HB09-1281.

41

42 The Senate has granted permission to the First Conference Committee on
43 SB09-101 to go beyond the scope of the differences between the two
44 houses.

45

46 The Senate has granted permission to the First Conference Committee on
47 SB09-013 to go beyond the scope of the differences between the two
48 houses.

49

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INTRODUCTION OF BILL
First Reading

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The following bill was read by title and referred to the committee indicated:

HB09-1346 by Representative(s) Carroll T.; also Senator(s) Shaffer B.-
-Concerning authorization for public entities in the state to
fully utilize the financing instruments available to them
under the federal economic stimulus act known as the
"American Recovery and Reinvestment Act of 2009".
Committee on Local Government

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar were laid over until April 15, retaining place on Calendar:

- Consideration of Third Reading--**HB09-1273, SB09-061.**
 - Consideration of Conference Committee Report(s)--**SB09-148.**
 - Consideration of Resolution(s)--**SJR09-034, HJR09-1014, 1016.**
 - Consideration of Memorial(s)--**SJM09-002.**
 - Consideration of Senate Amendment(s)--**HB09-1213, 1001.**
-

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., April 15, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Ninety-ninth Legislative Day

Wednesday, April 15, 2009

1 Prayer by the Reverend Christian Summers, Dakota Ridge Assembly,
2 Littleton.

3

4 The Speaker called the House to order at 9:00 a.m.

5

6 Pledge of Allegiance led by Kika Membreno, Red Canyon High School,
7 Edwards.

8

9 The roll was called with the following result:

10

11 Present--54.

12 Excused--Representative(s) Ferrandino, Gardner B., Judd,
13 Kefalas, Kerr A., Kerr J., McCann, Pace, Pommer, Riesberg,
14 Sonnenberg--11.

15 Present after roll call--Representative(s) Ferrandino, Gardner B.,
16 Judd, Kefalas, Kerr A., Kerr J., McCann, Pace, Pommer,
17 Riesberg, Sonnenberg.

18

19 The Speaker declared a quorum present.

20

21

22

23 On motion of Representative Schafer, the reading of the journal of
24 April 14, 2009, was declared dispensed with and approved as corrected
25 by the Chief Clerk.

26

27

28

29

REPORT(S) OF COMMITTEE(S) OF REFERENCE

30

APPROPRIATIONS

32 After consideration on the merits, the Committee recommends the
33 following:

34

35 **HB09-1067** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:

38

39 Amend the Finance Committee Report, dated February 3, 2009, page 2,
40 line 9, strike "(7)" and substitute "(6)".

41

42

43

1 **HB09-1081** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 2, after line 23, insert the following:
6

7 **"SECTION 2.** Title 18, Colorado Revised Statutes, is amended
8 **BY THE ADDITION OF A NEW ARTICLE** to read:
9

10 **ARTICLE 25**
11 **Statute of Limitations Cost and Surcharge**
12

13 **18-25-101. Statute of limitations cost and surcharge.** (1)(a) A
14 COST OF FIFTY CENTS IS HEREBY LEVIED ON EACH CRIMINAL ACTION
15 RESULTING IN A CONVICTION OR IN A DEFERRED JUDGMENT AND
16 SENTENCE, AS PROVIDED IN SECTION 18-1.3-102, FOR A FELONY, A
17 MISDEMEANOR, OR MISDEMEANOR TRAFFIC OFFENSE CHARGED PURSUANT
18 TO STATE STATUTE. THE DEFENDANT SHALL PAY THE COST TO THE CLERK
19 OF THE COURT. EACH CLERK SHALL TRANSMIT THE MONEYS TO THE STATE
20 TREASURER, WHO SHALL CREDIT THE SAME TO THE GENERAL FUND.
21

22 (b) THE PROVISIONS OF SECTIONS 18-1.3-701 AND 18-1.3-702
23 SHALL APPLY AS TO THE COLLECTION OF COSTS LEVIED PURSUANT TO THIS
24 SUBSECTION (1).
25

26 (2) A SURCHARGE OF FIFTY CENTS IS HEREBY LEVIED AGAINST
27 EACH PENALTY ASSESSMENT NOTICE ISSUED PURSUANT TO SECTION
28 42-4-1701, C.R.S., FOR A MISDEMEANOR OR A CLASS 1 OR CLASS 2
29 MISDEMEANOR TRAFFIC OFFENSE UNDER STATE STATUTE THAT RESULTS IN
30 PAYMENT OF THE PENALTY ASSESSMENT WITHOUT THE COMMENCEMENT
31 OF A CRIMINAL ACTION. ALL MONEYS COLLECTED BY THE DEPARTMENT
32 OF REVENUE PURSUANT TO THIS SUBSECTION (2) SHALL BE TRANSMITTED
33 TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE GENERAL
34 FUND.
35

36 (3) A COST OF FIFTY CENTS IS HEREBY LEVIED AGAINST EACH CIVIL
37 ACTION RESULTING IN AN ADMISSION OF LIABILITY OR A JUDGMENT
38 AGAINST THE DEFENDANT FOR A CLASS A OR CLASS B TRAFFIC INFRACTION
39 CHARGED PURSUANT TO STATE STATUTE. THE DEFENDANT SHALL PAY THE
40 COST TO THE CLERK OF THE COURT. EACH CLERK SHALL TRANSMIT THE
41 MONEYS TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE
42 GENERAL FUND.
43

44 (4) A SURCHARGE OF FIFTY CENTS IS HEREBY LEVIED AGAINST
45 EACH PENALTY ASSESSMENT NOTICE ISSUED PURSUANT TO SECTION
46 42-4-1701, C.R.S., FOR A CLASS A OR CLASS B TRAFFIC INFRACTION
47 UNDER STATE STATUTE THAT RESULTS IN PAYMENT OF THE PENALTY
48 ASSESSMENT WITHOUT THE COMMENCEMENT OF A CIVIL ACTION. ALL
49 MONEYS COLLECTED BY THE DEPARTMENT OF REVENUE PURSUANT TO THIS
50 SUBSECTION (4) SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO
51 SHALL CREDIT THE SAME TO THE GENERAL FUND.
52

53 (5) A SURCHARGE OF FIFTY CENTS IS HEREBY LEVIED AGAINST
54 EACH PENALTY ASSESSMENT ISSUED PURSUANT TO SECTION 33-6-104,
55 C.R.S., THAT RESULTS IN PAYMENT OF THE PENALTY ASSESSMENT
56 WITHOUT THE COMMENCEMENT OF A CRIMINAL ACTION. ALL MONEYS

1 COLLECTED BY THE DIVISION OF WILDLIFE IN THE DEPARTMENT OF
2 NATURAL RESOURCES PURSUANT TO THIS SUBSECTION (5) SHALL BE
3 TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME
4 TO THE GENERAL FUND.

5
6 (6) A SURCHARGE OF FIFTY CENTS IS HEREBY LEVIED AGAINST
7 EACH PENALTY ASSESSMENT ISSUED PURSUANT TO SECTION 33-15-102,
8 C.R.S., THAT RESULTS IN PAYMENT OF THE PENALTY ASSESSMENT
9 WITHOUT THE COMMENCEMENT OF A CRIMINAL ACTION. ALL MONEYS
10 COLLECTED BY THE DIVISION OF PARKS AND OUTDOOR RECREATION IN THE
11 DEPARTMENT OF NATURAL RESOURCES PURSUANT TO THIS SUBSECTION (6)
12 SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT
13 THE SAME TO THE GENERAL FUND.

14
15 (7) THE COURT MAY WAIVE A COST OR SURCHARGE LEVIED
16 PURSUANT TO THIS SECTION IF THE COURT DETERMINES THE DEFENDANT
17 IS INDIGENT.

18
19 (8) THE MONEY TRANSFERRED TO THE GENERAL FUND PURSUANT
20 TO THIS SECTION SHALL BE USED FOR THE COST OF IMPLEMENTING THE
21 INCREASE IN THE STATUTE OF LIMITATIONS FOR VEHICULAR HOMICIDE AND
22 LEAVING THE SCENE OF AN ACCIDENT THAT RESULTS IN THE DEATH OF THE
23 PERSON IN SECTION 16-5-401 (1) (a), C.R.S.

24
25 **SECTION 3.** 42-4-1701, Colorado Revised Statutes, is amended
26 BY THE ADDITION OF A NEW SUBSECTION to read:

27
28 **42-4-1701. Traffic offenses and infractions classified -**
29 **penalties - penalty and surcharge schedule.** (8) THE SURCHARGES
30 DESCRIBED IN SUBSECTIONS (4) TO (6) OF THIS SECTION ARE SEPARATE
31 AND DISTINCT FROM A SURCHARGE LEVIED PURSUANT TO SECTION
32 18-25-101, C.R.S.

33
34 **SECTION 4.** 42-4-1707 (3) (a) and (6), Colorado Revised
35 Statutes, are amended to read:

36
37 **42-4-1707. Summons and complaint or penalty assessment**
38 **notice for misdemeanors, petty offenses, and misdemeanor traffic**
39 **offenses - release - registration.** (3) (a) Whenever a penalty assessment
40 notice for a misdemeanor, petty offense, or misdemeanor traffic offense
41 is issued pursuant to section 42-4-1701 (5) (a), the penalty assessment
42 notice ~~which~~ THAT shall be served upon the defendant by the peace
43 officer shall contain the name and address of the defendant, the license
44 number of the vehicle involved, if any, the number of the defendant's
45 driver's license, if any, a citation of the statute alleged to have been
46 violated, a brief description of the offense, the date and approximate
47 location thereof, the amount of the penalty prescribed for the offense, the
48 amount of the ~~surcharge~~ SURCHARGES thereon pursuant to sections
49 ~~24-4.1-119(1)(f) and 24-4.2-104(1)~~ SECTIONS 18-25-101, 24-4.1-119(1)
50 (f), AND 24-4.2-104 (1), C.R.S., the number of points, if any, prescribed
51 for the offense pursuant to section 42-2-127, and the date the penalty
52 assessment notice is served on the defendant; shall direct the defendant
53 to appear in a specified county court at a specified time and place in the
54 event the penalty and ~~surcharge~~ SURCHARGES thereon are not paid; shall
55 be signed by the peace officer; and shall contain a place for the defendant
56 to elect to execute a signed acknowledgment of guilt and an agreement to

1 pay the penalty prescribed and ~~surcharge~~ SURCHARGES thereon within
2 twenty days, as well as such other information as may be required by law
3 to constitute the penalty assessment notice to be a summons and
4 complaint, should the prescribed penalty and ~~surcharge~~ SURCHARGES
5 thereon not be paid within the time allowed in section 42-4-1701.
6

7 (6) If the defendant is otherwise eligible to be issued a summons
8 and complaint or a penalty assessment notice for a violation of this title
9 punishable as a misdemeanor, petty offense, or misdemeanor traffic
10 offense and if the defendant does not possess a valid Colorado driver's
11 license, the defendant, in order to secure release, as provided in this
12 section, must either consent to be taken by the officer to the nearest
13 mailbox and to mail the amount of the penalty and ~~surcharge~~
14 SURCHARGES thereon to the department or must execute a promise to
15 appear in court on the penalty assessment notice or on the summons and
16 complaint. If the defendant does possess a valid Colorado driver's
17 license, the defendant shall not be required to execute a promise to appear
18 on the penalty assessment notice or on the summons and complaint. The
19 peace officer shall not require any person who is eligible to be issued a
20 summons and complaint or a penalty assessment notice for a violation of
21 this title to produce or divulge such person's social security number.
22

23 **SECTION 5.** 42-4-1709 (1), Colorado Revised Statutes, is
24 amended to read:
25

26 **42-4-1709. Penalty assessment notice for traffic infractions -**
27 **violations of provisions by officer - driver's license.** (1) Whenever a
28 penalty assessment notice for a traffic infraction is issued pursuant to
29 section 42-4-1701 (5) (a), the penalty assessment notice ~~which~~ THAT shall
30 be served upon the defendant by the peace officer shall contain the name
31 and address of the defendant, the license number of the vehicle involved,
32 if any, the number of the defendant's driver's license, if any, a citation of
33 the statute alleged to have been violated, a brief description of the traffic
34 infraction, the date and approximate location thereof, the amount of the
35 penalty prescribed for the traffic infraction, the amount of the ~~surcharge~~
36 SURCHARGES thereon pursuant to sections ~~24-4.1-119 (1) (f) and~~
37 ~~24-4.2-104 (1)~~ SECTIONS 18-25-101, 24-4.1-119 (1) (f), AND 24-4.2-104
38 (1), C.R.S., the number of points, if any, prescribed for the traffic
39 infraction pursuant to section 42-2-127, and the date the penalty
40 assessment notice is served on the defendant; shall direct the defendant
41 to appear in a specified county court at a specified time and place in the
42 event the penalty and ~~surcharge~~ SURCHARGES thereon is ARE not paid;
43 shall be signed by the peace officer; and shall contain a place for the
44 defendant to elect to execute a signed acknowledgment of liability and an
45 agreement to pay the penalty prescribed and ~~surcharge~~ SURCHARGES
46 thereon within twenty days, as well as such other information as may be
47 required by law to constitute the penalty assessment notice to be a
48 summons and complaint, should the prescribed penalty and ~~surcharge~~
49 SURCHARGES thereon not be paid within the time allowed in section
50 42-4-1701.
51

52 **SECTION 6.** 33-6-104, Colorado Revised Statutes, is amended
53 to read:
54

55 **33-6-104. Imposition of penalty - procedures.** (1) Any person
56 who violates any of the provisions of articles 1 to 6 of this title or any rule

1 ~~or regulation~~ of the commission that does not have a specific penalty
2 listed is guilty of a misdemeanor and, upon conviction thereof, shall be
3 punished by a fine of fifty dollars, A SURCHARGE AS DESCRIBED IN
4 SECTION 18-25-101, C.R.S., and an assessment of five license suspension
5 points.
6

7 (2) At the time that any person is charged with violating any
8 misdemeanor provisions of articles 1 to 6 of this title or any rule ~~or~~
9 ~~regulation~~ of the commission, the officer shall issue a summons and
10 complaint to the alleged offender or, in the case of a violation for which
11 a fine of a fixed amount is prescribed, may give the alleged offender an
12 opportunity to voluntarily pay the fine AND SURCHARGE in the form of a
13 penalty assessment. Penalty assessments shall not be issued for violations
14 for which minimum and maximum fines have been established. The
15 penalty assessment notice given to the alleged offender shall contain the
16 information required in and be in the form of a summons and complaint
17 and shall specify in dollars the amount of the penalty to be assessed for
18 the alleged offense and the amount of the ~~surcharge~~ SURCHARGES to be
19 collected pursuant to ~~section 24-4.2-104 (1)~~ SECTIONS 18-25-101 AND
20 24-4.2-104 (1), C.R.S. If the alleged offender accepts such notice and
21 pays the fine and the ~~surcharge~~ SURCHARGES entered thereon to the
22 division within fifteen days of issuance of the notice, such acceptance and
23 payment shall constitute an acknowledgment of guilt by such person of
24 the violation set forth in the penalty assessment notice. Any person who
25 accepts a penalty assessment notice but who does not furnish satisfactory
26 evidence of identity or who the officer has reasonable and probable
27 grounds to believe will disregard a written promise to pay the specified
28 fine and ~~surcharge~~ SURCHARGES may be taken by the officer to the nearest
29 known post-office facility and BE required to remit the amount of the
30 specified fine and ~~surcharge~~ SURCHARGES to the division immediately by
31 mail in United States currency or other legal tender by money order or
32 personal check. Refusal or inability to remit the specified fine and
33 ~~surcharge~~ SURCHARGES by mail when required shall constitute a refusal
34 to accept a penalty assessment notice. The officer shall advise the person
35 arrested of the license suspension points to be assessed in accordance
36 with section 33-6-106. Checks tendered by the violator to and accepted
37 by the division and on which payment is received by the division shall be
38 deemed sufficient receipt. If the fine and ~~surcharge~~ SURCHARGES are not
39 so paid, then the officer who issued the penalty assessment notice shall
40 docket the summons and complaint with a court of competent jurisdiction
41 for appearance by the person to answer the charges therein contained at
42 such time and place as is specified in the summons and complaint.
43

44 **SECTION 7.** 33-15-102 (2), Colorado Revised Statutes, is
45 amended to read:
46

47 **33-15-102. Imposition of penalty - procedures.** (2) At the time
48 that any person is charged with violating any petty offense or
49 misdemeanor provisions of articles 10 to 15 or 32 of this title or any rule
50 of the board, the officer shall issue a summons and complaint to the
51 alleged offender or, in the case of a violation for which a fine of a fixed
52 amount is prescribed, may give the alleged offender an opportunity to
53 voluntarily pay the fine AND SURCHARGE in the form of a penalty
54 assessment. Penalty assessments shall not be issued for violations for
55 which minimum and maximum fines have been established. The penalty
56 assessment notice given to the alleged offender shall contain the

1 information required in and be in the form of a summons and complaint
2 and shall specify in dollars the amount of the penalty to be assessed for
3 the alleged offense AND THE AMOUNT OF THE SURCHARGE TO BE
4 COLLECTED PURSUANT TO SECTION 18-25-101, C.R.S. If the alleged
5 offender accepts such notice and pays the fine AND SURCHARGE entered
6 thereon to the division within twenty days of issuance of the notice, such
7 acceptance and payment shall constitute an acknowledgment of guilt by
8 such person of the violation set forth in the penalty assessment notice.
9 Any person who accepts a penalty assessment notice but who does not
10 furnish satisfactory evidence of identity or who the officer has reasonable
11 and probable grounds to believe will disregard a written promise to pay
12 the specified fine AND SURCHARGE may be taken by the officer to the
13 nearest known post-office facility and BE required to remit the amount of
14 the specified fine AND SURCHARGE to the division immediately by mail in
15 United States currency or other legal tender or by money order or
16 personal check. Refusal or inability to remit the specified fine AND
17 SURCHARGE by mail when required shall constitute a refusal to accept a
18 penalty assessment notice. Checks tendered by the violator to and
19 accepted by the division and on which payment is received by the division
20 shall be deemed sufficient receipt. If the fine is AND SURCHARGE ARE not
21 so paid, then the officer who issued the penalty assessment notice shall
22 docket the summons and complaint with a court of competent jurisdiction
23 for appearance by the person to answer the charges therein contained at
24 such time and place as is specified in the summons and complaint."

25
26 Renumber succeeding sections accordingly.

27
28
29

30 **HB09-1202** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:
33

34 Amend printed bill, page 28, after line 7, insert the following:
35

36 **"SECTION 11. Appropriation.** (1) In addition to any other
37 appropriation, there is hereby appropriated, out of any moneys in the
38 division of registration cash fund created in section 24-34-105 (2) (b) (I),
39 Colorado Revised Statutes, not otherwise appropriated, to the department
40 of regulatory agencies, for allocation to the division of registrations, for
41 the regulation of persons who provide for the final disposition of dead
42 human bodies in the normal course of business, for the fiscal year
43 beginning July 1, 2009, the sum of one hundred fifty-eight thousand six
44 hundred fourteen dollars (\$158,614) cash funds and 1.4 FTE, or so much
45 thereof as may be necessary, for the implementation of this act.

46
47 (2) In addition to any other appropriation, there is hereby
48 appropriated to the department of law, for the fiscal year beginning July
49 1, 2009, the sum of twenty-four thousand seven hundred eighty-three
50 dollars (\$24,783) and 0.2 FTE, or so much thereof as may be necessary,
51 for the provision of legal services to the department of regulatory
52 agencies related to the implementation of this act. Said sum shall be from
53 reappropriated funds received from the department of regulatory agencies
54 out of the appropriation made in subsection (1) of this section."
55

1 Renumber succeeding sections accordingly.

2

3 Page 1, line 103, strike "**BUSINESS.**" and substitute "**BUSINESS, AND**
4 **MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**".

5

6

7

8 **HB09-1288** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11

12 Amend printed bill, page 4, after line 11, insert the following:

13

14 **"SECTION 2. Appropriation.** In addition to any other
15 appropriation, there is hereby appropriated, out of any moneys in the
16 general fund not otherwise appropriated, to the department of governor
17 – lieutenant governor – state planning and budgeting, for allocation to the
18 Office of Information Technology, for the fiscal year beginning July 1,
19 2009, the sum of seventy-two thousand five hundred dollars (\$72,500),
20 or so much thereof as may be necessary, for the implementation of this
21 act."

22

23 Renumber succeeding section accordingly.

24

25 Page 1, line 104, strike "**ACT**." and substitute "**ACT**", **AND MAKING AN**
26 **APPROPRIATION.**".

27

28

29

30 **HB09-1323** be referred to the Committee of the Whole with favorable
31 recommendation.

32

33

34 **HB09-1330** be amended as follows, and as so amended, be referred to
35 the Committee of the Whole with favorable
36 recommendation:

37

38 Amend printed bill, page 6, after line 23, insert the following:

39

40 **"SECTION 3. Appropriation - adjustments to the 2009 long**
41 **bill.** (1) In addition to any other appropriation, there is hereby
42 appropriated, out of any moneys in the animal feeding operations fund
43 created in section 25-8-502 (1) (i), to the department of public health and
44 environment, for allocation to the water quality control division, for the
45 fiscal year beginning July 1, 2009, the sum of three hundred twenty-five
46 thousand six hundred thirteen dollars (\$325,613) and 0.3 FTE, or so much
47 thereof as may be necessary, for the implementation of this act.

48

49 (2) For the implementation of this act, appropriations made in the
50 annual general appropriation act for the fiscal year beginning July 1,
51 2009, shall be adjusted as follows:

52

53 (a) The appropriation to the department of public health and
54 environment, water quality control division, for permitting and oversight
55 of concentrated animal feeding operations and housed commercial swine
56 feeding operations, is decreased by two hundred eighty-five thousand

1 seven hundred sixty dollars (\$285,760) and 0.3 FTE. Of said sum, two
2 hundred eighty-five thousand seven hundred sixty dollars (\$285,760)
3 shall be cash funds from the water quality control fund created in section
4 25-8-502 (1) (b) (I) (R), and 0.3 FTE shall be from federal funds."

5

6 Renumber succeeding sections accordingly.

7

8 Page 1, line 102, strike "ACT"." and substitute "ACT", AND MAKING AN
9 APPROPRIATION IN CONNECTION THEREWITH."

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SB09-259 be referred to the Committee of the Whole with favorable
recommendation.

SB09-264 be referred to the Committee of the Whole with favorable
recommendation.

SB09-265 be referred to the Committee of the Whole with favorable
recommendation.

SB09-267 be referred to the Committee of the Whole with favorable
recommendation.

SB09-268 be referred to the Committee of the Whole with favorable
recommendation.

SB09-269 be referred to the Committee of the Whole with favorable
recommendation.

SB09-270 be referred to the Committee of the Whole with favorable
recommendation.

SB09-271 be amended as follows, and as so amended, be referred to
the Committee of the Whole with favorable
recommendation:

Amend reengrossed bill, page 4, line 12, strike "09-____" and substitute
"09-035".

Page 5, line 11, strike "09-____" and substitute "09-035";

line 14, strike "09-____" and substitute "09-035".

SB09-272 be referred to the Committee of the Whole with favorable
recommendation.

- 1 **SB09-274** be referred to the Committee of the Whole with favorable
2 recommendation.
3
- 4 **SB09-275** be amended as follows, and as so amended, be referred to
5 the Committee of the Whole with favorable
6 recommendation:
7
- 8 Amend reengrossed bill, page 3, line 10, strike "COMMENCING" and
9 substitute "FOR PERIODS COMMENCING ON OR AFTER".
10
11
12
- 13 **SB09-276** be referred to the Committee of the Whole with favorable
14 recommendation.
15
16
- 17 **SB09-277** be referred to the Committee of the Whole with favorable
18 recommendation.
19
20
- 21 **SB09-278** be referred to the Committee of the Whole with favorable
22 recommendation.
23
24
- 25 **SB09-279** be referred to the Committee of the Whole with favorable
26 recommendation.
27
28
- 29 **SB09-280** be referred to the Committee of the Whole with favorable
30 recommendation.
31
32
- 33 **SJR09-035** be referred out for final action.
34
35

PRINTING REPORT

36
37
38 The Chief Clerk reports the following bill has been correctly printed:
39 **HB09-1346**.

THIRD READING OF BILLS--FINAL PASSAGE

40
41
42 The following bills were considered on Third Reading. The titles were
43 publicly read. Reading of the bill at length was dispensed with by
44 unanimous consent.
45
46
47

48 **HB09-1273** by Representative(s) Kefalas, Green, Frangas, Court,
49 Fischer, Hulinghorst, Labuda, Levy, Miklosi, Pace, Vigil,
50 Apuan, McCann, Ryden, Schafer S.; also Senator(s)
51 Foster, Bacon, Carroll M.--Concerning the creation of a
52 health care authority to develop a health care system that
53 shall be the administrator for health care services in
54 Colorado.
55

56 Laid over until July 5, 2009. Bill deemed lost.

1 **SB09-061** by Senator(s) Carroll M.; also Representative(s)
 2 Primavera--Concerning the qualifications of health care
 3 professionals who review claims for medical treatment
 4 under insurance policies.

5
 6 Laid over until April 16, retaining place on Calendar.

7
 8 **HB09-1313** by Representative(s) Merrifield, Apuan, Benefield, Casso,
 9 Ferrandino, Fischer, Hulinghorst, Kefalas, Kerr A.,
 10 Labuda, Levy, McFadyen, McGihon, Middleton, Miklosi,
 11 Peniston, Scanlan, Schafer S., Solano, Soper, Todd, Vigil,
 12 Green, Pace, Pommer; also Senator(s) Bacon, Gibbs,
 13 Groff, Newell, Veiga, Williams, Carroll M., Heath, Keller,
 14 Morse, Romer, Shaffer B.--Concerning expanding civic
 15 engagement options through student-directed programs at
 16 institutions of higher education.

17
 18 The question being "Shall the bill pass?".
 19 A roll call vote was taken. As shown by the following recorded vote, a
 20 majority of those elected to the House voted in the affirmative and the bill
 21 was declared **passed**.

	YES	36	NO	29	EXCUSED	0	ABSENT	0
24	Acree	N	Green	Y	McCann	Y	Roberts	N
25	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
26	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
27	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
28	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
29	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
30	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
31	Court	Y	King S.	N	Murray	N	Stephens	N
32	Curry	N	Labuda	Y	Nikkel	N	Summers	N
33	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
34	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
35	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
36	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
37	Gardner B.	N	Marostica	N	Priola	N	Vigil	N
38	Gardner C.	N	Massey	N	Rice	Y	Waller	N
39	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
40							Speaker	Y

41 Co-sponsor(s) added: Representative(s) Gagliardi, Ryden

42
 43 **HB09-1280** by Representative(s) Looper--Concerning the adoption of
 44 a youth challenge corps program in Colorado.

45
 46 Laid over until later in the day, retaining place on Calendar.

47
 48 **SB09-176** by Senator(s) Spence; also Representative(s) Casso and
 49 Massey--Concerning charter school participation in school
 50 district bond elections.

51
 52 The question being "Shall the bill pass?".
 53 A roll call vote was taken. As shown by the following recorded vote, a
 54 majority of those elected to the House voted in the affirmative and the bill
 55 was declared **passed**.

56

	YES	64	NO	1	EXCUSED	0	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	N	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	Y	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 Co-sponsor(s) added: Representative(s) Gardner B., Gerou, Kefalas, Kerr J.,
20 King S., Lambert, Murray, Rice, Scanlan, Summers, Speaker

21
22 **SB09-094** by Senator(s) Williams, Gibbs, Groff, Heath, Schwartz,
23 Shaffer B.; also Representative(s) Levy, Green, Marostica,
24 Merrifield, Middleton, Primavera, Rice, Ryden, Scanlan--
25 Concerning the creation of a transit and rail division
26 within the department of transportation.

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	39	NO	26	EXCUSED	0	ABSENT	0
34	Acree	N	Green	Y	McCann	Y	Roberts	N
35	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
36	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
37	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
38	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
39	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
40	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
41	Court	Y	King S.	N	Murray	N	Stephens	N
42	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
43	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
44	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
45	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
46	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
47	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
48	Gardner C.	N	Massey	N	Rice	Y	Waller	N
49	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Kefalas, Kerr A.,
52 Labuda, McFadyen, Pace, Todd

53
54 **HB09-1017** by Representative(s) Pace; also Senator(s) Hodge--
55 Concerning the water efficiency grant program cash fund,
56 and, in connection therewith, giving the Colorado water

1 conservation board continuous authority to spend moneys
 2 transferred to the water efficiency grant program cash fund
 3 from the operational account of the severance tax trust
 4 fund.
 5

6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.
 10

	YES	64	NO	1	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	N
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Fischer, Vigil
 30

31 **HB09-1105** by Representative(s) Kefalas--Concerning the creation of
 32 the Colorado innovation investment tax credit to be
 33 applied against state income taxes, and making an
 34 appropriation in connection therewith.
 35

36 Laid over until later in the day, retaining place on Calendar.
 37

38 **HB09-1298** by Representative(s) McFadyen and Gardner C., Liston,
 39 Rice, Solano; also Senator(s) Mitchell, Heath, Scheffel,
 40 Schwartz--Concerning economic development for the
 41 trucking industry in Colorado, and making an
 42 appropriation in connection therewith.
 43

44 The question being "Shall the bill pass?".
 45 A roll call vote was taken. As shown by the following recorded vote, a
 46 majority of those elected to the House voted in the affirmative and the bill
 47 was declared **passed**.
 48

	YES	62	NO	3	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	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	N	King S.	Y	Murray	Y	Stephens	Y
2	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
3	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
4	Fischer	Y	Levy	Y	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) Baumgardner, Casso, Ferrandino,
 12 Kefalas, Pommer, Priola, Vigil

13
 14 **HB09-1157** by Representative(s) Waller, Baumgardner, Bradford,
 15 King S., Liston, Stephens--Concerning the designation of
 16 N-benzylpiperazine as a schedule I controlled substance,
 17 and, in connection therewith, making an appropriation.

18
 19 Laid over until later in the day, retaining place on Calendar.

20
 21 **HB09-1318** by Representative(s) Sonnenberg and McFadyen; also
 22 Senator(s) Brophy and Shaffer B.--Concerning the
 23 issuance of overweight permits based on axle
 24 configuration for vehicles weighing more than the eighty-
 25 five thousand pound nonoverweight vehicle gross vehicle
 26 weight limit, and, in connection therewith, repealing
 27 before it takes effect a newly enacted increase in the limit
 28 from eighty-five thousand pounds to ninety-two thousand
 29 pounds, making an overweight vehicle permit available for
 30 a vehicle that is operated in combination with a trailer or
 31 semitrailer if the trailer has a tandem or triple axle
 32 grouping and the vehicle weighs up to ninety-seven
 33 thousand pounds, and specifying overweight vehicle
 34 permit fees for such a vehicle of five hundred dollars for
 35 an annual permit, two hundred fifty dollars for a six-month
 36 permit, and fifteen dollars plus ten dollars per axle for a
 37 single trip permit.

38
 39 The question being "Shall the bill pass?".
 40 A roll call vote was taken. As shown by the following recorded vote, a
 41 majority of those elected to the House voted in the affirmative and the bill
 42 was declared **passed**.

44	YES	65	NO	0	EXCUSED	0	ABSENT	0
45	Acree	Y	Green	Y	McCann	Y	Roberts	Y
46	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
47	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
48	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
49	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
50	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
51	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
52	Court	Y	King S.	Y	Murray	Y	Stephens	Y
53	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
54	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
55	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
56	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y

1	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
2	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
3	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
4	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Baumgardner, Gardner C., Rice

7
 8 **HB09-1319** by Representative(s) Merrifield and Massey, Todd,
 9 Baumgardner, Benefield, Carroll T., Casso, Ferrandino,
 10 Fischer, Green, Kerr A., Levy, Middleton, Miklosi,
 11 Murray, Peniston, Primavera, Priola, Riesberg, Scanlan,
 12 Schafer S., Solano, Summers; also Senator(s) Williams,
 13 King K., Hudak, Penry, Bacon, Boyd, Heath, Romer,
 14 Scheffel, Schwartz, Shaffer B., Tapia--Concerning
 15 concurrent enrollment of public high school students in
 16 courses offered by institutions of higher education, and
 17 making an appropriation therefor.
 18

19 The question being "Shall the bill pass?".

20 A roll call vote was taken. As shown by the following recorded vote, a
 21 majority of those elected to the House voted in the affirmative and the bill
 22 was declared **passed**.
 23

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 Co-sponsor(s) added: Representative(s) Gerou, Kefalas, Labuda, May, Pace,
 43 Rice, Roberts, Ryden, Sonnenberg, Soper, Vigil, Weissmann
 44
 45

46 **HB09-1320** by Representative(s) Marostica, Ferrandino, Pommer; also
 47 Senator(s) White, Keller, Tapia--Concerning an increase
 48 in fees paid for certain dairy licenses, and making an
 49 appropriation in connection therewith.
 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	44	NO	21	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	N	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.	Y	Miklosi	Y	Soper	Y
9	Court	Y	King S.	N	Murray	N	Stephens	N
10	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
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	Y	Primavera	Y	Vaad	N
15	Gardner B.	Y	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) Vigil

20
 21 **HB09-1326** by Representative(s) Carroll T. and Court, Apuan,
 22 Benefield, Casso, Curry, Ferrandino, Fischer, Green,
 23 Hullinghorst, Kefalas, Kerr A., Levy, May, McCann,
 24 McFadyen, Merrifield, Middleton, Miklosi, Peniston,
 25 Pommer, Ryden, Scanlan, Schafer S., Solano, Stephens,
 26 Todd, Vigil; also Senator(s) Shaffer B., Bacon, Boyd,
 27 Groff, Heath, Penry, Williams--Concerning the integrity of
 28 the statewide citizen-initiated petition process, and making
 29 an appropriation therefor.

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**.

	YES	54	NO	11	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	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.	Y	Miklosi	Y	Soper	Y
44	Court	Y	King S.	Y	Murray	Y	Stephens	Y
45	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
46	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
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.	N	Marostica	Y	Priola	N	Vigil	Y
51	Gardner C.	N	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) Labuda, Pace, Rice, Soper, Summers

55

1 **HB09-1329** by Representative(s) Marostica, Ferrandino, Pommer; also
 2 Senator(s) White, Keller, Tapia--Concerning the
 3 percentage of moneys transferred from the tobacco
 4 litigation settlement cash fund to the Colorado state
 5 veterans trust fund that are subject to annual appropriation,
 6 and making an appropriation in connection therewith.

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	51	NO	14	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.	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	N	Summers	Y
23	Ferrandino	Y	Lambert	Y	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	N	Primavera	Y	Vaad	Y
27	Gardner B.	Y	Marostica	Y	Priola	N	Vigil	Y
28	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
29	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) Kefalas, Labuda, Todd

MESSAGE(S) FROM THE SENATE

36 The Senate has adopted and transmits herewith SJR09-032, as amended
 37 in Senate Journal, April 15, 2009.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

42 On motion of Representative Weissmann, the rules were suspended and
 43 the following resolution was given immediate consideration.

45 **SJR09-032** by Senator(s) Kopp; also Representative(s) McNulty--
 46 Concerning the honoring of Rotarians and the Rotary
 47 Clubs of Colorado.

49 (Printed and placed in member's file).

51 On motion of Representative McNulty, the resolution was **adopted** by
 52 **viva voce** vote.

54 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
 55 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
 56 Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green,

1 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
 2 Levy, Liston, Looper, Marostica, Massey, May, McCann, McFadyen,
 3 McKinley, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston,
 4 Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan,
 5 Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton,
 6 Todd, Vaad, Vigil, Waller, Weissmann, Speaker

7
 8
 9

10 On motion of Representative Weissmann, **HB09-1269, 1338, 1332, 1339,**
 11 **1067, 1081, 1202, 1288, 1323, 1330, 1274, SB09-260, 261, 262, 263,**
 12 **264, 265, 267, 268, 269, 270, 271, 272, 274, 275, 276, 277, 278, 279, 280**
 13 were made Special Orders on Wednesday, April 15, 2009, at 9:46 a.m.

14
 15
 16

17 The hour of 9:46 a.m., having arrived, on motion of Representative Curry,
 18 the House resolved itself into Committee of the Whole for consideration
 19 of Special Orders and she was called to the Chair to act as Chairman.

20
 21
 22

23 SPECIAL ORDERS--SECOND READING OF BILLS

24

25 The Committee of the Whole having risen, the Chairman reported the
 26 titles of the following bills had been read (reading at length had been
 27 dispensed with by unanimous consent), the bills considered and action
 28 taken thereon as follows:

29

30 (Amendments to the committee amendment are to the printed committee
 31 report which was printed and placed in the members' bill file.)

32

33 **HB09-1269** by Representative(s) Ferrandino, Court, Middleton, Pace,
 34 Pommer, Scanlan, Weissmann--Concerning the creation of
 35 a state rainy day account, and, in connection therewith,
 36 specifying the manner in which the account is to be funded
 37 and the circumstances in which moneys may be expended
 38 from the account.

39

40 Laid over until April 16, retaining place on Calendar.

41

42 **HB09-1338** by Representative(s) Casso; also Senator(s) Bacon--
 43 Concerning modifications to state insurance laws to
 44 comply with recently enacted federal laws.

45

46 Ordered engrossed and placed on the Calendar for Third Reading and
 47 Final Passage.

48

49 **HB09-1332** by Representative(s) Marostica, Ferrandino, Pommer; also
 50 Senator(s) White, Keller, Tapia--Concerning the repeal of
 51 provisions requiring a cumulative economic analysis of
 52 state air quality control measures every five years.

53

54 Ordered engrossed and placed on the Calendar for Third Reading and
 55 Final Passage.

56

1 **HB09-1339** by Representative(s) Green, Frangas; also Senator(s)
2 Boyd--Concerning a change in the definition of "clinical
3 social work practice" to mean the same as "social work
4 practice".
5

6 Ordered engrossed and placed on the Calendar for Third Reading and
7 Final Passage.
8

9 **HB09-1067** by Representative(s) Pommer; also Senator(s) White--
10 Concerning the establishment of an incentive for the
11 donation of water rights to the Colorado water
12 conservation board for use as instream flow rights.
13

14 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
15 dated January 20, 2009, and placed in member's bill file; Report also
16 printed in House Journal, January 21, page 102.
17

18 Amendment No. 2, Finance Report, dated February 3, 2009, and placed in
19 member's bill file; Report also printed in House Journal, February 4,
20 pages 247-248.
21

22 Amendment No. 3, Appropriations Report, dated April 14, 2009, and
23 placed in member's bill file; Report also printed in House Journal,
24 April 15, page 1187.
25

26 As amended, ordered engrossed and placed on the Calendar for Third
27 Reading and Final Passage.
28

29
30
31 Committee in recess. Committee reconvened.
32
33

34
35 **HB09-1081** by Representative(s) Looper; also Senator(s) Morse--
36 Concerning an increase in the length of the statute of
37 limitations for vehicular homicide.
38

39 Laid over until April 16, retaining place on Calendar.
40

41 **HB09-1288** by Representative(s) Nikkel, Acree, Apuan, Bradford,
42 Casso, Court, Frangas, Gardner B., Gardner C., Green,
43 Kerr J., King S., Lambert, Liston, Massey, May,
44 McKinley, McNulty, Merrifield, Murray, Priola,
45 Sonnenberg, Stephens, Summers, Swalm, Tipton, Vigil;
46 also Senator(s) Kopp, Brophy, Harvey, Kester, Lundberg,
47 Mitchell, Penry, Renfroe, Scheffel, Schultheis, Spence--
48 Concerning the creation of a searchable database web site
49 related to state finances, and, in connection therewith,
50 enacting the "Colorado Taxpayer Transparency Act".
51

52 Amendment No. 1, Finance Report, dated March 4, 2009, and placed in
53 member's bill file; Report also printed in House Journal, March 5,
54 pages 619-620.
55

1 Amendment No. 2, Appropriations Report, dated April 15, 2009, and
2 placed in member's bill file; Report also printed in House Journal,
3 April 15, page 1193.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB09-1323** by Representative(s) Levy, Fischer, Green, Hullinghorst,
9 Kerr A., Labuda, McFadyen, Merrifield, Pace, Pommer,
10 Primavera, Scanlan, Solano; also Senator(s) Veiga, Bacon,
11 Heath, Romer, Shaffer B.--Concerning energy efficiency
12 programs implemented by cooperative electric
13 associations.

14
15 Laid over until April 16, retaining place on Calendar.

16
17
18
19 Committee in recess. Committee reconvened.
20
21

22
23 **SB09-260** by Senator(s) White, Keller, Tapia; also Representative(s)
24 Pommer, Ferrandino, Marostica--Concerning the transfer
25 in state fiscal years 2008-09 and 2009-10 of all moneys
26 not otherwise allocated from state public school lands to
27 the state public school fund instead of the permanent
28 school fund, and making an appropriation in connection
29 therewith.

30
31 Ordered revised and placed on the Calendar for Third Reading and Final
32 Passage.

33
34 **SB09-261** by Senator(s) Tapia, Keller, White; also Representative(s)
35 Ferrandino, Pommer, Marostica--Concerning the use of
36 moneys in the supplemental old age pension health and
37 medical care fund to pay for services received by certain
38 persons in the state medicaid program, and making an
39 appropriation therefor.

40
41 Ordered revised and placed on the Calendar for Third Reading and Final
42 Passage.

43
44 **SB09-262** by Senator(s) White, Keller, Tapia; also Representative(s)
45 Marostica, Ferrandino, Pommer--Concerning the funding
46 source for state costs of the breast and cervical cancer
47 prevention and treatment program, and making an
48 appropriation therefor.

49
50 Ordered revised and placed on the Calendar for Third Reading and Final
51 Passage.

52
53 **SB09-263** by Senator(s) White, Keller, Tapia; also Representative(s)
54 Pommer, Ferrandino, Marostica--Concerning payments to
55 medicaid nursing facility providers, and making an
56 appropriation in connection therewith.

1 Amendment No. 1, Appropriations Report, dated April 14, 2009, and
2 placed in member's bill file; Report also printed in House Journal,
3 April 14, pages 1157-1159.

4
5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **SB09-264** by Senator(s) Keller, Tapia, White; also Representative(s)
9 Pommer, Ferrandino, Marostica--Concerning the increased
10 moneys received due to the federal "American Recovery
11 and Reinvestment Act of 2009", and making
12 appropriations therefor.

13
14 Ordered revised and placed on the Calendar for Third Reading and Final
15 Passage.

16
17
18 **SB09-265** by Senator(s) White, Keller, Tapia; also Representative(s)
19 Pommer, Ferrandino, Marostica--Concerning the timing of
20 payments made under public medical assistance programs,
21 and making appropriations therefor.

22
23 Ordered revised and placed on the Calendar for Third Reading and Final
24 Passage.

25
26 **SB09-267** by Senator(s) Tapia, Keller, White; also Representative(s)
27 Ferrandino, Pommer, Marostica--Concerning the
28 percentage of costs that a county department of social
29 services pays for a child who is placed in a residential
30 child care facility by the county department, and making
31 an appropriation in connection therewith.

32
33 Ordered revised and placed on the Calendar for Third Reading and Final
34 Passage.

35
36
37 **SB09-268** by Senator(s) Tapia, Keller, White; also Representative(s)
38 Pommer, Ferrandino, Marostica--Concerning clarifying
39 the appointment of state-paid professionals in cases
40 involving children, and making an appropriation in
41 connection therewith.

42
43 Ordered revised and placed on the Calendar for Third Reading and Final
44 Passage.

45
46 **SB09-270** by Senator(s) Tapia, Keller, White; also Representative(s)
47 Marostica, Ferrandino, Pommer--Concerning the crediting
48 to the general fund of earnings generated during specified
49 fiscal years from the deposit and investment of cash funds
50 that receive revenues from the constitutionally imposed
51 taxes on cigarettes and tobacco products.

52
53 Ordered revised and placed on the Calendar for Third Reading and Final
54 Passage.

55
56

1 **SB09-271** by Senator(s) Tapia, Keller, White; also Representative(s)
2 Ferrandino, Pommer, Marostica--Concerning the use of
3 tobacco revenues generated under section 21 of article X
4 of the state constitution in a state fiscal emergency, and
5 making an appropriation therefor.
6

7 Laid over until April 16, retaining place on Calendar.
8

9 **SB09-274** by Senator(s) Keller, Tapia, White; also Representative(s)
10 Pommer, Ferrandino, Marostica--Concerning the financing
11 of the division of motor vehicles in the department of
12 revenue, and, in connection therewith, authorizing
13 appropriations from the highway users tax fund to the
14 division of motor vehicles in the fiscal years 2008-09 and
15 2009-10, crediting during fiscal year 2009-10 the fees
16 relating to driver's licenses and identification cards that
17 would otherwise be allocated to the highway users tax
18 fund to the licensing services cash fund, modifying
19 appropriations made to the division of motor vehicles in
20 the fiscal year 2008-09 long appropriations bill, and
21 making an appropriation.
22

23 Ordered revised and placed on the Calendar for Third Reading and Final
24 Passage.
25

26 **SB09-275** by Senator(s) Tapia, Keller, White; also Representative(s)
27 Ferrandino, Pommer, Marostica--Concerning the
28 temporary elimination of the ability of any vendor to retain
29 any amount of state sales tax revenues to compensate for
30 the vendor's expenses incurred in the collection and
31 remittance of the tax revenues to the state, and making an
32 appropriation in connection therewith.
33

34 Amendment No. 1, Appropriations Report, dated April 14, 2009, and
35 placed in member's bill file; Report also printed in House Journal,
36 April 15, page 1195.
37

38 As amended, ordered revised and placed on the Calendar for Third
39 Reading and Final Passage.
40

41 **SB09-272** by Senator(s) White, Keller, Tapia; also Representative(s)
42 Marostica, Ferrandino, Pommer--Concerning the Colorado
43 high cost support mechanism, and, in connection
44 therewith, transferring to the state treasurer moneys
45 administered under the direction of the public utilities
46 commission for the support of universal basic telephone
47 service in high cost areas of the state.
48

49 Ordered revised and placed on the Calendar for Third Reading and Final
50 Passage.
51

52 **SB09-269** by Senator(s) White, Keller, Tapia; also Representative(s)
53 Ferrandino, Pommer, Marostica--Concerning adjustment
54 of the allocation of tobacco litigation settlement moneys
55 received by the state during specified fiscal years, and, in
56 connection therewith, requiring settlement moneys that are

1 disputed payments and settlement moneys in excess of a
2 specified amount to be credited to the general fund,
3 requiring a portion of the moneys so credited to be
4 transferred to the children's basic health plan trust and the
5 nurse home visitor program fund, delaying mandated
6 growth in the percentage of settlement moneys allocated
7 for the Colorado nurse home visitor program by one fiscal
8 year, and making appropriations.
9

10 Laid over until April 16, retaining place on Calendar.

11
12 **SB09-276** by Senator(s) White, Keller, Tapia; also Representative(s)
13 Pommer, Ferrandino, Marostica--Concerning the property
14 tax exemptions for qualifying seniors and disabled
15 veterans, and, in connection therewith, lowering for
16 specified property tax years the maximum amount of
17 actual value of the primary owner-occupied residence of
18 a qualifying senior or a qualifying disabled veteran that is
19 partly exempt from property taxation, and making an
20 appropriation in connection therewith.
21

22 Laid over until April 16, retaining place on Calendar.

23
24 **SB09-277** by Senator(s) Tapia, Keller, White; also Representative(s)
25 Marostica, Ferrandino, Pommer--Concerning the general
26 fund reserve required for the 2009-10 state fiscal year.
27

28 Ordered revised and placed on the Calendar for Third Reading and Final
29 Passage.

30
31 **SB09-278** by Senator(s) Tapia, Keller, White; also Representative(s)
32 Ferrandino, Pommer, Marostica--Concerning the
33 augmentation of the general fund during specified fiscal
34 years with revenue that would otherwise be transferred to
35 fund the capital construction needs of the state.
36

37 Ordered revised and placed on the Calendar for Third Reading and Final
38 Passage.

39
40 **SB09-279** by Senator(s) Tapia, Keller, White; also Representative(s)
41 Pommer, Ferrandino, Marostica--Concerning the
42 augmentation of the general fund through transfers of
43 certain moneys.
44

45 Laid over until April 16, retaining place on Calendar.

46
47 **SB09-280** by Senator(s) Keller, Tapia, White; also Representative(s)
48 Pommer, Ferrandino, Marostica--Concerning funding for
49 capital construction, and making supplemental
50 appropriations in connection therewith.
51

52 Ordered revised and placed on the Calendar for Third Reading and Final
53 Passage.
54
55

1 A motion by Representative Weissmann that the Committee rise, report
2 progress and beg leave to sit again at 1:30 p.m., was adopted by
3 unanimous consent. (Special Orders continued on page 1214.)
4

5
6 House reconvened.
7

8 The Committee of the Whole reported it had risen, reported progress and
9 would sit again at 1:30 p.m.
10

11
12
13 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
14 **on HB09-1281**
15

16 This Report Amends the Rerevised Bill.
17

18 To the President of the Senate and the
19 Speaker of the House of Representatives:
20

21 Your first conference committee appointed on HB09-1281,
22 concerning representation on state boards by persons with disabilities, has
23 met and reports that it has agreed upon the following:
24

25 That the House accede to the Senate amendments made to the bill,
26 as the amendments appear in the rerevised bill, with the following
27 changes:
28

29 Amend rerevised bill, page 2, line 12, strike "SHALL, WHEN POSSIBLE,"
30 and substitute "IS ENCOURAGED TO";
31

32 line 16, strike "DISABILITIES." and substitute "DISABILITIES, PROVIDED
33 THAT THE OTHER REQUIREMENTS OF THIS PARAGRAPH (c) ARE MET.";
34

35 line 23, strike "SHALL";
36

37 line 24, strike "WHEN POSSIBLE" and substitute "IS ENCOURAGED TO".
38

39 Page 3, strike lines 3 through 25.
40

41 Renumber succeeding sections accordingly.
42

43 Page 4, line 18, strike "SHALL WHEN POSSIBLE" and substitute "IS
44 ENCOURAGED TO";
45

46 line 22, strike "DISABILITIES." and substitute "DISABILITIES, PROVIDED
47 THAT THE OTHER REQUIREMENTS OF THIS SUBSECTION (1) ARE MET.".
48

49 Page 5, line 9, strike "SHALL, WHEN";
50

51 line 10, strike "POSSIBLE," and substitute "IS ENCOURAGED TO";
52

53 line 13, strike "DISABILITIES." and substitute "DISABILITIES, PROVIDED
54 THAT THE OTHER REQUIREMENTS OF THIS SUBSECTION (1) ARE MET.";
55

56 line 20, strike "SHALL WHEN";

- 1 line 21, strike "POSSIBLE" and substitute "IS ENCOURAGED TO".
 2
 3 Page 6, line 18, strike "SHALL, WHEN POSSIBLE," and substitute "IS
 4 ENCOURAGED TO";
 5
 6 line 22, strike "DISABILITIES." and substitute "DISABILITIES, PROVIDED
 7 THAT THE OTHER REQUIREMENTS OF THIS SUBSECTION (1) ARE MET."
 8
 9 Page 7, line 5, strike "SHALL,";
 10
 11 line 6, strike "WHEN POSSIBLE," and substitute "IS ENCOURAGED TO";
 12
 13 line 9, strike "DISABILITIES." and substitute "DISABILITIES, PROVIDED THAT
 14 THE OTHER REQUIREMENTS OF THIS PARAGRAPH (c) ARE MET."
 15
 16 Page 8, line 11, strike "SHALL WHEN POSSIBLE" and substitute "IS
 17 ENCOURAGED TO";
 18
 19 line 14, strike "DISABILITIES." and substitute "DISABILITIES, PROVIDED
 20 THAT THE OTHER REQUIREMENTS OF THIS SUBSECTION (1) ARE MET."
 21

22 Respectfully submitted,

23 House Committee:

24 (signed)

25 Jeanne Labuda

26 Sue Schafer

27 Carole R. Murray

Senate Committee:

(signed)

Morgan Carroll

Linda Newell

Bill Cadman

30 MESSAGE(S) FROM THE SENATE

31
 32 The Senate voted to concur in House amendments to SB09-171 and
 33 SB09-098, and repassed the bills as amended.
 34

35 The Senate has adopted the First Report of the First Conference
 36 Committee on HB09-1281, as printed in Senate Journal, April 14, 2009
 37 pages 1076-1077, and repassed the bill as amended. The bill is returned
 38 herewith.
 39

42 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

43
 44 **HB09-1213** by Representative(s) Gagliardi; also Senator(s) Schwartz--
 45 Concerning the creation of the housing development grant
 46 fund in the state treasury to be administered by the division
 47 of housing for purposes associated with increasing the
 48 supply of affordable housing in the state.
 49

50 (Amended as printed in Senate Journal, April 9, pages 1004-1005)

51
 52 Representative Gagliardi moved that the House **concur** in Senate
 53 amendments. The motion was declared **passed** by the following roll call
 54 vote:
 55

	YES	47	NO	17	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	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.	Y	Miklosi	Y	Soper	Y
9	Court	Y	King S.	N	Murray	E	Stephens	N
10	Curry	Y	Labuda	Y	Nikkel	Y	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	Y	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	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	46	NO	18	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	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.	Y	Miklosi	Y	Soper	Y
33	Court	Y	King S.	N	Murray	E	Stephens	N
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	N
37	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
38	Gagliardi	Y	Looper	Y	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								
44								

45 **HB09-1001** by Representative(s) Rice, Balmer, Liston, McFadyen,
 46 Solano; also Senator(s) Heath, Mitchell, Scheffel,
 47 Schwartz, Veiga--Concerning the creation of an income
 48 tax credit to incentivize Colorado job growth.

49
 50 (Amended as printed in Senate Journal, April 9, page 1006)

51
 52 Representative Rice moved that the House **concur** in Senate amendments.
 53 The motion was declared **passed** by the following roll call vote:

54
 55

	YES	59	NO	5	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	N	Schafer S.	Y
6	Benefield	N	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	N	King S.	Y	Murray	E	Stephens	Y
10	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Lambert	Y	Pace	N	Swalm	Y
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Liston	Y	Pommer	Y	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	51	NO	13	EXCUSED	1	ABSENT	0
26	Acree	Y	Green	N	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	N	Kefalas	Y	Merrifield	N	Solano	Y
31	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
32	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
33	Court	N	King S.	Y	Murray	E	Stephens	Y
34	Curry	N	Labuda	Y	Nikkel	Y	Summers	Y
35	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
36	Fischer	Y	Levy	N	Peniston	Y	Tipton	Y
37	Frangas	Y	Liston	Y	Pommer	N	Todd	Y
38	Gagliardi	Y	Looper	Y	Primavera	N	Vaad	Y
39	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
40	Gardner C.	Y	Massey	Y	Rice	Y	Waller	N
41	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Pace, Roberts

46 THIRD READING OF BILLS--FINAL PASSAGE

48 The following bills were considered on Third Reading. The titles were
 49 publicly read. Reading of the bill at length was dispensed with by
 50 unanimous consent.

52 **HB09-1280** by Representative(s) Looper; also Senator(s) Tapia and
 53 Williams--Concerning the adoption of a youth challenge
 54 corps program in Colorado.

56 The question being "Shall the bill pass?".

1 A roll call vote was taken. As shown by the following recorded vote, a
2 majority of those elected to the House voted in the affirmative and the bill
3 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
6	Acree	Y	Green	Y	McCann	Y	Roberts	Y
7	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
8	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
9	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
10	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
11	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
12	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
13	Court	Y	King S.	Y	Murray	E	Stephens	Y
14	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
15	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
16	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
17	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
18	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
19	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
20	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
21	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
22							Speaker	Y

23 Co-sponsor(s) added: Representative(s) Kefalas, Kerr J., Labuda, Roberts,
24 Ryden, Schafer S., Solano, Summers, Todd

25
26 **HB09-1157** by Representative(s) Waller, Baumgardner, Bradford,
27 King S., Liston, Stephens; also Senator(s) Kopp--
28 Concerning the designation of N-benzylpiperazine as a
29 schedule I controlled substance, and, in connection
30 therewith, making an appropriation.

31
32 The question being "Shall the bill 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 bill
35 was declared **passed**.

	YES	56	NO	8	EXCUSED	1	ABSENT	0
38	Acree	Y	Green	Y	McCann	Y	Roberts	Y
39	Apuan	Y	Hullinghorst	Y	McFadyen	N	Ryden	Y
40	Balmer	Y	Judd	N	McKinley	N	Scanlan	Y
41	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
42	Benefield	Y	Kefalas	Y	Merrifield	N	Solano	N
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	E	Stephens	Y
46	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
47	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
48	Fischer	Y	Levy	N	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	N
52	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
53	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Kerr J., Looper, Nikkel, Priola,
56 Summers

1 House in recess. House reconvened.

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10 **SPECIAL ORDERS--SECOND READING OF BILLS**

11 (Continued from page 1208)

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On motion of Representative Curry, the House resolved itself into Committee of the Whole for continuation of consideration of General Orders, and she returned to the Chair to act as Chairman.

Amendment No. 1, Business Affairs & Labor Report, dated April 7, 2009, and placed in member's bill file; Report also printed in House Journal, April 8, pages 1108-1118.

Amendment No. 2, Appropriations Report, dated April 14, 2009, and placed in member's bill file; Report also printed in House Journal, April 15, pages 1192-1193.

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

HB09-1330 by Representative(s) Curry; also Senator(s) Isgar-- Concerning fees assessed on certain feeding operations under the "Colorado Water Quality Control Act".

Amendment No. 1, Appropriations Report, dated April 15, 2009, and placed in member's bill file; Report also printed in House Journal, April 15, pages 1193-1194.

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

HB09-1274 by Representative(s) Weissmann; also Senator(s) Carroll M., Groff--Concerning capital crimes, and making an appropriation in connection therewith.

Amendment No. 1, Judiciary Report, dated February 23, 2009, and placed in member's bill file; Report also printed in House Journal, February 24, pages 513.

Amendment No. 2, Appropriations Report, dated April 3, 2009, and placed in member's bill file; Report also printed in House Journal, April 6, page 1055.

Amendment No. 3, by Representative(s) Weissmann.

Amend the Appropriations Committee Report, dated April 3, 2009, page 1, line 19, strike "two hundred seventy-five thousand";

strike line 20 and substitute the following:

1 "one million dollars (\$1,000,000).".

2

3 Amendment No. 4, by Representative(s) Weissmann.

4

5 Amend printed bill, page 20, strike lines 2 through 4 and substitute the
6 following:

7

8 **"SECTION 24. Act subject to petition - effective date.** This act
9 shall take effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly that is
11 allowed for submitting a referendum petition pursuant to article V,
12 section 1 (3) of the state constitution, (August 5, 2009, if adjournment
13 sine die is on May 6, 2009); except that, if a referendum petition is filed
14 against this act or an item, section, or part of this act within such period,
15 then the act, item, section, or part, if approved by the people, shall take
16 effect on the date of the official declaration of the vote thereon by
17 proclamation of the governor.".

18

19 As amended, ordered engrossed and placed on the Calendar for Third
20 Reading and Final Passage.

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25 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

26

27 Representative(s) Frangas and Balmer moved to amend the Report of the
28 Committee of the Whole to reverse the action taken by the Committee in
29 not adopting the following Frangas amendment, to SB09-275, to show
30 that said amendment passed, and that **SB09-275**, as amended, passed.

31

32 Strike the Appropriations Committee Report, dated April 14, 2009, and
33 substitute the following:

34

35 Amend reengrossed bill, page 2, line 20, strike "2011." and substitute
36 "2010.".

37

38 Page 3, strike lines 3 through 10.

39

40 The amendment was declared **passed** by the following roll call vote:

41

42

	YES	33	NO	31	EXCUSED	1	ABSENT	0
43	Acree	Y	Green	N	McCann	N	Roberts	Y
44	Apuan	Y	Hullinghorst	N	McFadyen	N	Ryden	N
45	Balmer	Y	Judd	N	McKinley	Y	Scanlan	N
46	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
47	Benefield	N	Kefalas	Y	Merrifield	N	Solano	N
48	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	E
49	Casso	Y	Kerr J.	Y	Miklosi	N	Soper	N
50	Court	N	King S.	Y	Murray	Y	Stephens	Y
51	Curry	N	Labuda	N	Nikkel	Y	Summers	Y
52	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
53	Fischer	N	Levy	N	Peniston	Y	Tipton	Y
54	Frangas	Y	Liston	Y	Pommer	N	Todd	N
55	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
56	Gardner B.	Y	Marostica	N	Priola	Y	Vigil	N

1	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
2	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
3							Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

9 Passed Second Reading: **HB09-1338, 1332, 1339, 1067 amended, 1288 amended, SB09-260, 261, 262, 263 amended, 264, 265, 267, 268, 270, 274, 275 amended, 272, 277, 278, 280, HB09-1202 amended, 1330 amended, 1274 amended.**

14 Laid over until date indicated retaining place on Calendar: **HB09-1269, 1081, 1323, SB09-271, 269, 276, 279--April 16, 2009.**

17 The Chairman moved the adoption of the Committee of the Whole Report. As shown by the following roll call vote, a majority of those elected to the House voted in the affirmative, and the Report was **adopted.**

	YES	58	NO	6	EXCUSED	1	ABSENT	0
23	Acree	N	Green	Y	McCann	Y	Roberts	Y
24	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
25	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
26	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
27	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
28	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	E
29	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
30	Court	Y	King S.	Y	Murray	Y	Stephens	N
31	Curry	Y	Labuda	Y	Nikkel	Y	Summers	N
32	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
33	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
34	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
35	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
36	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
37	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
38	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
39							Speaker	Y

THIRD READING OF BILL--FINAL PASSAGE

45 The following bill was considered on Third Reading. The title was publicly read. Reading of the bill at length was dispensed with by unanimous consent.

49 **HB09-1105** by Representative(s) Kefalas; also Senator(s) Scheffel--
 50 Concerning the creation of the Colorado innovation
 51 investment tax credit to be applied against state income
 52 taxes, and making an appropriation in connection
 53 therewith.

55 The question being "Shall the bill pass?".

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
 2 was declared **passed**.

	YES	52	NO	12	EXCUSED	1	ABSENT	0
5	Acree	Y	Green	N	McCann	Y	Roberts	Y
6	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
7	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
8	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
9	Benefield	Y	Kefalas	Y	Merrifield	N	Solano	Y
10	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	E
11	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	N
12	Court	N	King S.	Y	Murray	Y	Stephens	Y
13	Curry	N	Labuda	Y	Nikkel	Y	Summers	Y
14	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
15	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
16	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
17	Gagliardi	Y	Looper	Y	Primavera	N	Vaad	Y
18	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
19	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
20	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Casso, Kerr J., McFadyen, Ryden,
 23 Scanlan, Schafer S., Summers

24 _____
 25
 26
 27 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

28
 29 The Speaker has signed: **HB09-1053, 1103, 1200, 1220, 1227, 1229,**
 30 **1233, 1294, 1296, 1301.**

31 _____
 32
 33
 34 **INTRODUCTION OF BILLS**
 35 **First Reading**

36
 37 The following bills were read by title and referred to the committees
 38 indicated:

39
 40 **HB09-1347** by Representative(s) Kagan, Benefield, Frangas, Kerr J.,
 41 McFadyen, Nikkel, Primavera, Solano; also Senator(s)
 42 Romer, Spence--Concerning the issuance of a donate life
 43 special license plate.
 44 Committee on Transportation & Energy

45
 46 **HB09-1348** by Representative(s) Weissmann--Concerning activities
 47 resulting from the performance of legislative duties.
 48 Committee on Judiciary

49
 50 **HB09-1349** by Representative(s) Fischer--Concerning a special
 51 election period for the continuation of health care
 52 coverage after involuntary termination from employment.
 53 Committee on Business Affairs and Labor

54 _____
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 56

INTRODUCTION OF RESOLUTIONS1
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The following resolution was read by title and referred to the committee indicated:

HJR09-1017 by Representative(s) Riesberg and Roberts, Acree, Apuan, Benefield, Casso, Gagliardi, Gerou, Green, Hullinghorst, Kerr J., Massey, McCann, McKinley, Merrifield, Peniston, Primavera, Solano, Todd, Vaad, Gardner B., Gardner C., Liston, Looper, Scanlan, Sonnenberg, Summers, Swalm, Tipton, Vigil, Waller; also Senator(s) Williams, Boyd, Carroll M., Hodge, Isgar, Kester, Morse, Newell, Penry, Shaffer B., Tochtrop--Concerning the creation of an interim committee to study hospice and palliative care in Colorado.

Committee on Health and Human Services

The following resolution was read by title and laid over one day under the rules:

HJR09-1018 by Representative(s) Frangas; also Senator(s) Carroll M.-- Concerning citizen advocates' freedom of speech rights.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar were laid over until April 16, retaining place on Calendar:

Consideration of Conference Committee Report(s)--**SB09-148**.
Consideration of Resolution(s)--**SJR09-034, HJR09-1014, 1016**.
Consideration of Memorial(s)--**SJM09-002**.

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., April 16, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

One hundredth Legislative Day

Thursday, April 16, 2009

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Laryssa Myers, Kristin Palyo, Johnny
6 Stoughton, Timber Trail, Castle Pines North.

7

8 The roll was called with the following result:

9

10 Present--51.

11 Excused--Representative(s) Casso, Court, Hulinghorst, Kagan,
12 Labuda, Lambert, Massey, McCann, McFadyen, Miklosi,
13 Murray, Nikkel, Pace, Todd--14.

14 Present after roll call--Representative(s) Casso, Court,
15 Hulinghorst, Kagan, Labuda, Lambert, Massey, McCann,
16 McFadyen, Miklosi, Murray, Nikkel, Pace, Todd.

17

18 The Speaker declared a quorum present.

19

20

21 On motion of Representative Schafer, the reading of the journal of
22 April 15, 2009, was declared dispensed with and approved as corrected
23 by the Chief Clerk.

24

25

26

27

CONSENT GRANTED TO CONFERENCE COMMITTEE

28

29 Representative Kerr A., moved that the First Conference Committee on
30 **HB09-1057** be granted permission to go beyond the scope of the
31 difference between the House and the Senate. The motion was passed by
32 the following roll call vote:

33

34

	YES	55	NO	9	EXCUSED	1	ABSENT	0
35	Acree	N	Green	Y	McCann	Y	Roberts	Y
36	Apuan	Y	Hulinghorst	Y	McFadyen	Y	Ryden	Y
37	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
38	Baumgardner	Y	Kagan	E	McNulty	Y	Schafer S.	Y
39	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
40	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
41	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
42	Court	Y	King S.	Y	Murray	N	Stephens	Y
43	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y

1	Ferrandino	Y	Lambert	N	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	Y	Vaad	Y
5	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
6	Gardner C.	N	Massey	Y	Rice	N	Waller	Y
7	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
8							Speaker	Y

THIRD READING OF BILLS--FINAL PASSAGE

The following bills were considered on Third Reading. The titles were publicly read. Reading of the bill at length was dispensed with by unanimous consent.

SB09-061 by Senator(s) Carroll M.; also Representative(s) Primavera--Concerning the qualifications of health care professionals who review claims for medical treatment under insurance policies.

Laid over until April 17, retaining place on Calendar.

HB09-1338 by Representative(s) Casso; also Senator(s) Bacon--Concerning modifications to state insurance laws to comply with recently enacted federal laws.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

	YES	63	NO	1	EXCUSED	1	ABSENT	0
35	Acree	Y	Green	Y	McCann	Y	Roberts	Y
36	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
37	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
38	Baumgardner	Y	Kagan	E	McNulty	Y	Schafer S.	Y
39	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
40	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
41	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
42	Court	Y	King S.	Y	Murray	Y	Stephens	Y
43	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
44	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
45	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
46	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
47	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
48	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
49	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
50	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
51							Speaker	Y

Co-sponsor(s) added: Representative(s) Kerr J., Pommer

1 **HB09-1332** by Representative(s) Marostica, Ferrandino, Pommer; also
 2 Senator(s) White, Keller, Tapia--Concerning the repeal of
 3 provisions requiring a cumulative economic analysis of
 4 state air quality control measures every five years.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	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	E	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 Co-sponsor(s) added: Representative(s) Frangas

30
 31
 32 **HB09-1339** by Representative(s) Green, Frangas; also Senator(s)
 33 Boyd--Concerning a change in the definition of "clinical
 34 social work practice" to mean the same as "social work
 35 practice".

36
 37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
43	Acree	Y	Green	Y	McCann	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
45	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
46	Baumgardner	Y	Kagan	E	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	Y	Looper	Y	Primavera	Y	Vaad	Y
56	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y

1	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
2	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Acree, Apuan, Hullinghorst, Kerr J.,
5 Labuda, Todd, Vigil

6
7 **HB09-1067** by Representative(s) Pommer; also Senator(s) White--
8 Concerning the establishment of an incentive for the
9 donation of water rights to the Colorado water
10 conservation board for use as instream flow rights.

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	56	NO	8	EXCUSED	1	ABSENT	0
18	Acree	N	Green	Y	McCann	Y	Roberts	Y
19	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
20	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
21	Baumgardner	Y	Kagan	E	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.	Y	Murray	Y	Stephens	Y
26	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
27	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
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) Fischer, Frangas, Hullinghorst, Kefalas,
36 Merrifield, Vigil, Gardner C.

37
38
39 **HB09-1288** by Representative(s) Nikkel, Acree, Apuan, Bradford,
40 Casso, Court, Frangas, Gardner B., Gardner C., Green,
41 Kerr J., King S., Lambert, Liston, Massey, May,
42 McKinley, McNulty, Merrifield, Murray, Priola,
43 Sonnenberg, Stephens, Summers, Swalm, Tipton, Vigil;
44 also Senator(s) Kopp, Brophy, Harvey, Kester, Lundberg,
45 Mitchell, Penry, Renfroe, Scheffel, Schultheis, Spence--
46 Concerning the creation of a searchable database web site
47 related to state finances, and, in connection therewith,
48 enacting the "Colorado Taxpayer Transparency Act", and
49 making an appropriation.

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	61	NO	4	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Green	N	McCann	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	N
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	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	Y	Todd	Y
14	Gagliardi	N	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 Representative(s) Green and Merrifield requested their names be removed
20 as sponsor(s).

21 Co-sponsor(s) added: Representative(s) Baumgardner, Ferrandino, Gerou,
22 Kefalas, Labuda, Looper, Marostica, Pommer, Rice, Roberts, Schafer S., Todd,
23 Vaad, Waller

24

25 **SB09-260** by Senator(s) White, Keller, Tapia; also Representative(s)
26 Pommer, Ferrandino, Marostica--Concerning the transfer
27 in state fiscal years 2008-09 and 2009-10 of all moneys
28 not otherwise allocated from state public school lands to
29 the state public school fund instead of the permanent
30 school fund, and making an appropriation in connection
31 therewith.

32

33 The question being "Shall the bill pass?".

34 A roll call vote was taken. As shown by the following recorded vote, a
35 majority of those elected to the House voted in the affirmative and the bill
36 was declared **passed**.

37

	YES	44	NO	21	EXCUSED	0	ABSENT	0
39	Acree	N	Green	Y	McCann	Y	Roberts	Y
40	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
41	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
42	Baumgardner	Y	Kagan	Y	McNulty	N	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	N
49	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
50	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
51	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
52	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
53	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
54	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
55							Speaker	Y

56

1 **SB09-261** by Senator(s) Tapia, Keller, White; also Representative(s)
 2 Ferrandino, Pommer, Marostica--Concerning the use of
 3 moneys in the supplemental old age pension health and
 4 medical care fund to pay for services received by certain
 5 persons in the state medicaid program, and making an
 6 appropriation therefor.
 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**.
 12

	YES	50	NO	15	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	N	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.	N	Miklosi	Y	Soper	Y
21	Court	Y	King S.	N	Murray	Y	Stephens	Y
22	Curry	Y	Labuda	Y	Nikkel	N	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	N	Primavera	Y	Vaad	N
27	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
28	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
29	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) Schafer S.
 32

33 **SB09-262** by Senator(s) White, Keller, Tapia; also Representative(s)
 34 Marostica, Ferrandino, Pommer--Concerning the funding
 35 source for state costs of the breast and cervical cancer
 36 prevention and treatment program, and making an
 37 appropriation therefor.
 38

39 The question being "Shall the bill pass?".
 40 A roll call vote was taken. As shown by the following recorded vote, a
 41 majority of those elected to the House voted in the affirmative and the bill
 42 was declared **passed**.
 43

	YES	57	NO	8	EXCUSED	0	ABSENT	0
45	Acree	Y	Green	Y	McCann	Y	Roberts	Y
46	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
47	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
48	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
49	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
50	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
51	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
52	Court	Y	King S.	N	Murray	N	Stephens	Y
53	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
54	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
55	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
56	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y

1	Gagliardi	Y	Looper	N	Primavera	N	Vaad	N
2	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
3	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
4	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Court, Todd, Vigil

7
8 **SB09-263** by Senator(s) White, Keller, Tapia; also Representative(s)
9 Pommer, Ferrandino, Marostica--Concerning payments to
10 medicaid nursing facility providers, and making an
11 appropriation in connection therewith.

12
13 As shown by the following roll call vote, a majority of all members
14 elected to the House voted in the affirmative, and Representative Kerr A.,
15 was given permission to offer a Third Reading amendment:

17	YES	65	NO	0	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	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	Y

35
36 **Third Reading amendment No. 1**, by Representative Kerr A.

37
38 Amend revised bill, page 8, strike line 9 and substitute the following:

39
40 "(9) (b) (I) IF THE GENERAL ASSEMBLY INCREASES";

41
42 line 12, strike "section shall be limited to an annual increase of three
43 percent." and substitute "section, EXCEPT FOR CHANGES IN THE NUMBER
44 OF PATIENT DAYS, THE ANNUAL INCREASE shall ~~be limited to an annual~~
45 ~~increase of three percent~~ NOT EXCEED THE AVERAGE INCREASE IN THE
46 REIMBURSEMENT RATE PAID TO OTHER LONG-TERM CARE MEDICAID
47 PROVIDERS. IF IN ANY YEAR THE AVERAGE REIMBURSEMENT RATE PAID TO
48 OTHER LONG-TERM CARE MEDICAID PROVIDERS IS DECREASED, NOTHING
49 IN THIS PARAGRAPH (b) SHALL BE INTERPRETED TO REQUIRE THE GENERAL
50 ASSEMBLY TO REDUCE THE GENERAL FUND SHARE OF THE AGGREGATE
51 STATEWIDE AVERAGE OF THE PER DIEM RATE."

52
53 Page 10, strike lines 7 through 10 and substitute the following:

54
55 "(II) FOR THE FISCAL YEAR COMMENCING JULY 1, 2008, THE
56 GENERAL FUND SHARE OF THE AGGREGATE STATEWIDE AVERAGE OF THE

1 PER DIEM RATE SHALL BE LIMITED TO A THREE-PERCENT INCREASE FROM
2 THE PRIOR FISCAL YEAR.";

3
4 line 11, strike "2011." and substitute "2010."

5
6 The amendment was declared **lost** by the following roll call vote:

	YES	21	NO	44	EXCUSED	0	ABSENT	0
9 Acree	N		Green	Y	McCann	Y	Roberts	N
10 Apuan	Y		Hullinghorst	Y	McFadyen	N	Ryden	Y
11 Balmer	N		Judd	Y	McKinley	N	Scanlan	N
12 Baumgardner	N		Kagan	N	McNulty	N	Schafer S.	Y
13 Benefield	Y		Kefalas	Y	Merrifield	Y	Solano	Y
14 Bradford	N		Kerr A.	Y	Middleton	N	Sonnenberg	N
15 Casso	N		Kerr J.	N	Miklosi	N	Soper	N
16 Court	N		King S.	N	Murray	N	Stephens	N
17 Curry	N		Labuda	N	Nikkel	N	Summers	Y
18 Ferrandino	N		Lambert	N	Pace	N	Swalm	Y
19 Fischer	Y		Levy	N	Peniston	N	Tipton	N
20 Frangas	Y		Liston	N	Pommer	N	Todd	Y
21 Gagliardi	N		Looper	N	Primavera	Y	Vaad	N
22 Gardner B.	Y		Marostica	N	Priola	N	Vigil	Y
23 Gardner C.	N		Massey	N	Rice	N	Waller	N
24 Gerou	N		May	N	Riesberg	N	Weissmann	Y
25							Speaker	N

26
27 The question being, "Shall the bill pass?".
28 A roll call vote was taken. As shown by the following recorded vote, a
29 majority of those elected to the House voted in the affirmative, and the
30 bill was declared **passed**.

	YES	59	NO	6	EXCUSED	0	ABSENT	0
33 Acree	Y		Green	Y	McCann	Y	Roberts	Y
34 Apuan	Y		Hullinghorst	Y	McFadyen	Y	Ryden	Y
35 Balmer	Y		Judd	Y	McKinley	Y	Scanlan	Y
36 Baumgardner	N		Kagan	Y	McNulty	N	Schafer S.	Y
37 Benefield	Y		Kefalas	Y	Merrifield	Y	Solano	Y
38 Bradford	Y		Kerr A.	Y	Middleton	Y	Sonnenberg	N
39 Casso	Y		Kerr J.	Y	Miklosi	Y	Soper	Y
40 Court	Y		King S.	Y	Murray	Y	Stephens	Y
41 Curry	Y		Labuda	Y	Nikkel	N	Summers	Y
42 Ferrandino	Y		Lambert	N	Pace	Y	Swalm	Y
43 Fischer	Y		Levy	Y	Peniston	Y	Tipton	Y
44 Frangas	Y		Liston	Y	Pommer	Y	Todd	Y
45 Gagliardi	Y		Looper	Y	Primavera	Y	Vaad	Y
46 Gardner B.	Y		Marostica	Y	Priola	Y	Vigil	Y
47 Gardner C.	N		Massey	Y	Rice	Y	Waller	Y
48 Gerou	Y		May	Y	Riesberg	Y	Weissmann	Y
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Kerr J.

51
52 **SB09-264** by Senator(s) Keller, Tapia, White; also Representative(s)
53 Pommer, Ferrandino, Marostica--Concerning the increased
54 moneys received due to the federal "American Recovery
55 and Reinvestment Act of 2009", and making
56 appropriations therefor.

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	51	NO	14	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	N	Schafer S.	Y
11	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
12	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
13	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
14	Court	Y	King S.	N	Murray	Y	Stephens	Y
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	Y	May	N	Riesberg	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Frangas, Todd

25
 26 **SB09-265** by Senator(s) White, Keller, Tapia; also Representative(s)
 27 Pommer, Ferrandino, Marostica--Concerning the timing of
 28 payments made under public medical assistance programs,
 29 and making appropriations therefor.

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**.

	YES	60	NO	5	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	N	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.	Y	Miklosi	Y	Soper	Y
44	Court	Y	King S.	Y	Murray	Y	Stephens	Y
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	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.	N	Massey	Y	Rice	Y	Waller	Y
52	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
53							Speaker	Y

54
 55 **SB09-267** by Senator(s) Tapia, Keller, White; also Representative(s)
 56 Ferrandino, Pommer, Marostica--Concerning the

1 percentage of costs that a county department of social
 2 services pays for a child who is placed in a residential
 3 child care facility by the county department, and making
 4 an appropriation in connection therewith.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	63	NO	2	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	N	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	N
27	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
28							Speaker	Y

29
 30
 31 **SB09-268** by Senator(s) Tapia, Keller, White; also Representative(s)
 32 Pommer, Ferrandino, Marostica--Concerning clarifying
 33 the appointment of state-paid professionals in cases
 34 involving children, and making an appropriation in
 35 connection therewith.

36
 37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.

	YES	62	NO	2	EXCUSED	1	ABSENT	0
43	Acree	Y	Green	Y	McCann	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McFadyen	Y	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	N
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	N	Pace	Y	Swalm	Y
53	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
54	Frangas	Y	Liston	E	Pommer	Y	Todd	Y
55	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
56	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y

1	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
2	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
3							Speaker	Y

4 Representative Liston excused from voting under House Rule 21(c).
 5 Co-sponsor(s) added: Representative(s) Looper

6
 7 **SB09-270** by Senator(s) Tapia, Keller, White; also Representative(s)
 8 Marostica, Ferrandino, Pommer--Concerning the crediting
 9 to the general fund of earnings generated during specified
 10 fiscal years from the deposit and investment of cash funds
 11 that receive revenues from the constitutionally imposed
 12 taxes on cigarettes and tobacco products.

13
 14 The question being "Shall the bill pass?".
 15 A roll call vote was taken. As shown by the following recorded vote, a
 16 majority of those elected to the House voted in the affirmative and the bill
 17 was declared **passed**.

18	YES	41	NO	24	EXCUSED	0	ABSENT	0
19	Acree	N	Green	Y	McCann	Y	Roberts	Y
20	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
21	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
22	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
23	Benefield	N	Kefalas	N	Merrifield	Y	Solano	Y
24	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
25	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
26	Court	Y	King S.	N	Murray	N	Stephens	N
27	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
28	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
29	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
30	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
31	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
32	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
33	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
34	Gerou	N	May	Y	Riesberg	Y	Weissmann	Y
35							Speaker	Y

36
 37 Co-sponsor(s) added: Representative(s) Merrifield

38
 39 **SB09-272** by Senator(s) White, Keller, Tapia; also Representative(s)
 40 Marostica, Ferrandino, Pommer--Concerning the Colorado
 41 high cost support mechanism, and, in connection
 42 therewith, transferring to the state treasurer moneys
 43 administered under the direction of the public utilities
 44 commission for the support of universal basic telephone
 45 service in high cost areas of the state.

46
 47 The question being "Shall the bill pass?".
 48 A roll call vote was taken. As shown by the following recorded vote, a
 49 majority of those elected to the House voted in the affirmative and the bill
 50 was declared **passed**.

51	YES	39	NO	26	EXCUSED	0	ABSENT	0
52	Acree	N	Green	Y	McCann	Y	Roberts	N
53	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
54	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
55	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y

1	Benefield	Y	Kefalas	Y	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	N
10	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
11	Gardner C.	N	Massey	N	Rice	Y	Waller	N
12	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
13							Speaker	Y

14
 15 **SB09-274** by Senator(s) Keller, Tapia, White; also Representative(s)
 16 Pommer, Ferrandino, Marostica--Concerning the financing
 17 of the division of motor vehicles in the department of
 18 revenue, and, in connection therewith, authorizing
 19 appropriations from the highway users tax fund to the
 20 division of motor vehicles in the fiscal years 2008-09 and
 21 2009-10, crediting during fiscal year 2009-10 the fees
 22 relating to driver's licenses and identification cards that
 23 would otherwise be allocated to the highway users tax
 24 fund to the licensing services cash fund, modifying
 25 appropriations made to the division of motor vehicles in
 26 the fiscal year 2008-09 long appropriations bill, and
 27 making an appropriation.
 28

29 The question being "Shall the bill pass?".
 30 A roll call vote was taken. As shown by the following recorded vote, a
 31 majority of those elected to the House voted in the affirmative and the bill
 32 was declared **passed**.
 33

	YES	40	NO	25	EXCUSED	0	ABSENT	0
35	Acree	N	Green	Y	McCann	Y	Roberts	Y
36	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
37	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
38	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
39	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
40	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
41	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
42	Court	Y	King S.	N	Murray	N	Stephens	N
43	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
44	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
45	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
46	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
47	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
48	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
49	Gardner C.	N	Massey	Y	Rice	N	Waller	N
50	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
51							Speaker	Y

52
 53 **SB09-275** by Senator(s) Tapia, Keller, White; also Representative(s)
 54 Ferrandino, Pommer, Marostica--Concerning the
 55 temporary elimination of the ability of any vendor to retain
 56 any amount of state sales tax revenues to compensate for

1 the vendor's expenses incurred in the collection and
 2 remittance of the tax revenues to the state, and making an
 3 appropriation in connection therewith.
 4

5 The question being "Shall the bill pass?".

6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

	YES	38	NO	27	EXCUSED	0	ABSENT	0
11	Acree	N	Green	Y	McCann	Y	Roberts	N
12	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
13	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
14	Baumgardner	N	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	N
17	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
18	Court	Y	King S.	N	Murray	N	Stephens	N
19	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
20	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
21	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
22	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
23	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
24	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
25	Gardner C.	N	Massey	N	Rice	Y	Waller	N
26	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
27							Speaker	Y

28
 29 **SB09-277** by Senator(s) Tapia, Keller, White; also Representative(s)
 30 Marostica, Ferrandino, Pommer--Concerning the general
 31 fund reserve required for the 2009-10 state fiscal year.
 32

33 The question being "Shall the bill pass?".

34 A roll call vote was taken. As shown by the following recorded vote, a
 35 majority of those elected to the House voted in the affirmative and the bill
 36 was declared **passed**.
 37

	YES	62	NO	3	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	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	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

1 **SB09-278** by Senator(s) Tapia, Keller, White; also Representative(s)
 2 Ferrandino, Pommer, Marostica--Concerning the
 3 augmentation of the general fund during specified fiscal
 4 years with revenue that would otherwise be transferred to
 5 fund the capital construction needs of the state.
 6

7 The question being "Shall the bill pass?".
 8 A roll call vote was taken. As shown by the following recorded vote, a
 9 majority of those elected to the House voted in the affirmative and the bill
 10 was declared **passed**.
 11

	YES	42	NO	23	EXCUSED	0	ABSENT	0
13	Acree	N	Green	Y	McCann	Y	Roberts	N
14	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
15	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
16	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
17	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
18	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
19	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
20	Court	Y	King S.	N	Murray	Y	Stephens	N
21	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
22	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
23	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
24	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
25	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
26	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
27	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
28	Gerou	N	May	Y	Riesberg	Y	Weissmann	Y
29							Speaker	Y

30
 31
 32 **SB09-280** by Senator(s) Keller, Tapia, White; also Representative(s)
 33 Pommer, Ferrandino, Marostica--Concerning funding for
 34 capital construction, and making supplemental
 35 appropriations in connection therewith.
 36

37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.
 41

	YES	49	NO	16	EXCUSED	0	ABSENT	0
43	Acree	N	Green	Y	McCann	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
45	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
46	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
47	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
48	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
49	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
50	Court	Y	King S.	N	Murray	Y	Stephens	Y
51	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
52	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
53	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
54	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
55	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
56	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y

1	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
2	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
3							Speaker	Y

4
5 **HB09-1202** by Representative(s) Todd, Benefield, Middleton, Ryden;
6 also Senator(s) Foster--Concerning the regulation of
7 persons who provide for the final disposition of dead
8 human bodies in the normal course of business, and
9 making an appropriation in connection therewith.

10
11 The question being "Shall the bill pass?".
12 A roll call vote was taken. As shown by the following recorded vote, a
13 majority of those elected to the House voted in the affirmative and the bill
14 was declared **passed**.

16	YES	50	NO	15	EXCUSED	0	ABSENT	0
17	Acree	Y	Green	Y	McCann	Y	Roberts	Y
18	Apuan	Y	Hullinghorst	N	McFadyen	Y	Ryden	Y
19	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
20	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
21	Benefield	Y	Kefalas	N	Merrifield	Y	Solano	Y
22	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
23	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
24	Court	Y	King S.	Y	Murray	Y	Stephens	Y
25	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
26	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
27	Fischer	Y	Levy	N	Peniston	Y	Tipton	Y
28	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
29	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
30	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
31	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
32	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Green

35
36 **HB09-1330** by Representative(s) Curry; also Senator(s) Isgar--
37 Concerning fees assessed on certain feeding operations
38 under the "Colorado Water Quality Control Act", and
39 making an appropriation in connection therewith.

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	41	NO	24	EXCUSED	0	ABSENT	0
47	Acree	N	Green	Y	McCann	Y	Roberts	Y
48	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
49	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
50	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
51	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
52	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
53	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
54	Court	Y	King S.	Y	Murray	N	Stephens	N
55	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
56	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N

1	Fischer	Y	Levy	N	Peniston	Y	Tipton	N
2	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
3	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
4	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
5	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
6	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
7							Speaker	Y

8 Co-sponsor(s) added: Representative(s) Fischer, Hullinghorst, Labuda,
9 Merrifield

10

11 **HB09-1274** by Representative(s) Weissmann; also Senator(s) Carroll
12 M., Groff--Concerning capital crimes, and making an
13 appropriation in connection therewith.
14

15 Laid over until later in the day, retaining place on Calendar.
16

17

18

19

MESSAGE(S) FROM THE SENATE

20

21 The Senate has adopted and transmits herewith: SJR09-038 and
22 SJR09-043.
23

24

25

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

26

27 On motion of Representative Weissmann, the rules were suspended and
28 the following resolutions were given immediate consideration.
29

30

31 **SJR09-038** by Senator(s) Romer; also Representative(s) Looper--
32 Concerning the recognition of organ and tissue donors
33 through the observation of "Donate Life Colorado Month".

34

35 (Printed and placed in member's file).
36

37

38 On motion of Representative Looper, the resolution was read at length
39 and **adopted** by **viva voce** vote.
40

41

42 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
43 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
44 Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green,
45 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
46 Levy, Liston, Marostica, Massey, May, McCann, McFadyen, McKinley,
47 McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston,
48 Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer
49 S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd,
50 Vaad, Vigil, Waller, Weissmann, Speaker

51

52 **SJR09-043** by Senator(s) Hudak, Bacon, Foster, Gibbs, Groff, Heath,
53 Hodge, Newell, Sandoval, Schwartz, Shaffer B., Veiga,
54 Williams; also Representative(s) Todd, Merrifield,
55 Baumgardner, Benefield, Casso, Kagan, Kerr A., Massey,
56 Middleton, Miklosi, Murray, Peniston, Priola, Scanlan,
Schafer S., Solano, Summers--Concerning the recognition
of public education and public school teachers in
Colorado.

1 (Printed and placed in member's file).

2

3 On motion of Representative Todd, the resolution was read at length and
4 **adopted** by the following roll call vote:

5

	YES	62	NO	1	EXCUSED	2	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	E
16	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	E
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) Apuan, Balmer, Bradford, Court, Curry,
25 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green,
26 Hullinghorst, Judd, Kefalas, Kerr J., Labuda, Liston, Looper, Marostica, May,
27 McFadyen, Nikkel, Pace, Primavera, Rice, Riesberg, Roberts, Ryden,
28 Sonnenberg, Soper, Tipton, Vaad, Weissmann, Speaker

29

30

31

32

CHANGE IN SPONSORSHIP

33

34 The Speaker announced the following change in sponsorship:

35 SB09-121--Representative Marostica to replace Representative May as
36 prime sponsor.

37

38

39

House in recess. House reconvened.

40

41

42 On motion of Representative Weissmann, **SB09-259** was added to the
43 Special Orders Calendar on Thursday, April 16, 2009.

44

45

46 On motion of Representative Labuda, the House resolved itself into
47 Committee of the Whole for consideration of Special Orders and she was
48 called to the Chair to act as Chairman.

49

50

SPECIAL ORDERS--SECOND READING OF BILLS

51

52

53 The Committee of the Whole having risen, the Chairman reported the
54 titles of the following bills had been read (reading at length had been
55 dispensed with by unanimous consent), the bills considered and action
56 taken thereon as follows:

1 (Amendments to the committee amendment are to the printed committee
2 report which was printed and placed in the members' bill file.)

3
4 **HB09-1269** by Representative(s) Ferrandino, Court, Middleton, Pace,
5 Pommer, Scanlan, Weissmann--Concerning the creation of
6 a state rainy day account, and, in connection therewith,
7 specifying the manner in which the account is to be funded
8 and the circumstances in which moneys may be expended
9 from the account.

10

11 Laid over until April 17, retaining place on Calendar.

12

13 **HB09-1081** by Representative(s) Looper; also Senator(s) Morse--
14 Concerning an increase in the length of the statute of
15 limitations for vehicular homicide.

16

17 Laid over until April 17, retaining place on Calendar.

18

19 **HB09-1323** by Representative(s) Levy, Fischer, Green, Hullinghorst,
20 Kerr A., Labuda, McFadyen, Merrifield, Pace, Pommer,
21 Primavera, Scanlan, Solano; also Senator(s) Veiga, Bacon,
22 Heath, Romer, Shaffer B.--Concerning energy efficiency
23 programs implemented by cooperative electric
24 associations.

25

26 Laid over until April 17, retaining place on Calendar.

27

28 **SB09-269** by Senator(s) White, Keller, Tapia; also Representative(s)
29 Ferrandino, Pommer, Marostica--Concerning adjustment
30 of the allocation of tobacco litigation settlement moneys
31 received by the state during specified fiscal years, and, in
32 connection therewith, requiring settlement moneys that are
33 disputed payments and settlement moneys in excess of a
34 specified amount to be credited to the general fund,
35 requiring a portion of the moneys so credited to be
36 transferred to the children's basic health plan trust and the
37 nurse home visitor program fund, delaying mandated
38 growth in the percentage of settlement moneys allocated
39 for the Colorado nurse home visitor program by one fiscal
40 year, and making appropriations.

41

42 Amendment No. 1, by Representative(s) Ferrandino.

43

44 Amend reengrossed bill, page 3, line 3, after "moneys", insert "AND, FOR
45 THE 2010-11 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER ONLY,
46 FIFTY-FIVE MILLION DOLLARS OF OTHER SETTLEMENT MONEYS,";

47

48 line 4, strike "state:" and substitute "state AND EXCEPT THAT, ON JUNE 30,
49 2010, THE STATE TREASURER SHALL TRANSFER FIFTY-FIVE MILLION
50 DOLLARS FROM THE TOBACCO LITIGATION SETTLEMENT CASH FUND
51 CREATED IN SECTION 24-22-115 (1) (a) TO THE GENERAL FUND:".

52

53 Page 6, after line 9, insert the following:

54

55 "(7) NOTWITHSTANDING ANY LIMITATION ON THE AMOUNT OF
56 ADVANCES SET FORTH IN SECTION 24-75-203 (2), THE CONTROLLER MAY

1 AUTHORIZE AN ADVANCE WITHOUT INTEREST IN ANY AMOUNT TO BE MADE
2 TO ANY DEPARTMENT, INSTITUTION, OR AGENCY OF STATE GOVERNMENT
3 TO PROVIDE IT WITH WORKING CAPITAL FOR THE OPERATION OF TOBACCO
4 SETTLEMENT PROGRAMS TO WHICH SETTLEMENT MONEYS ARE ALLOCATED
5 PURSUANT TO THIS SECTION."

6

7 Amendment No. 2, by Representative(s) May.

8

9 Amend reengrossed bill, page 5, strike lines 13 and 14 and substitute the
10 following:

11

12 "(b) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION:

13

14 (I) OF THE SETTLEMENT PAYMENTS RECEIVED IN ANY GIVEN
15 FISCAL YEAR FROM FISCAL YEAR 2008-09 THROUGH FISCAL YEAR
16 2016-17";

17

18 line 17, after "IN", insert "THE";

19

20 line 18, strike "2008-09";

21

22 line 21, strike "FISCAL YEAR 2009-10" and substitute "THE NEXT FISCAL
23 YEAR";

24

25 strike line 22 and substitute the following:

26

27 "SUBSECTIONS (1) AND (1.5) OF THIS SECTION.

28

29 (II) OF THE SETTLEMENT PAYMENTS RECEIVED IN FISCAL YEAR
30 2017-18 OR IN ANY GIVEN SUBSEQUENT FISCAL YEAR, ONE HUNDRED
31 MILLION DOLLARS SHALL BE ALLOCATED AMONG SETTLEMENT PROGRAMS
32 IN THE NEXT FISCAL YEAR AS SPECIFIED IN SUBSECTIONS (1) AND (1.5) OF
33 THIS SECTION.

34

35 (III) ANY SETTLEMENT";

36

37 line 26, after "(b).", add "ANY SETTLEMENT PAYMENTS RECEIVED IN
38 FISCAL YEAR 2009-10 OR IN ANY GIVEN SUBSEQUENT FISCAL YEAR THAT
39 ARE NOT DISPUTED PAYMENTS AND ARE NOT TO BE ALLOCATED AMONG
40 TOBACCO PROGRAMS PURSUANT TO THIS PARAGRAPH (b) SHALL BE
41 TRANSFERRED TO THE GENERAL FUND UPON RECEIPT."

42

43 As amended, ordered revised and placed on the Calendar for Third
44 Reading and Final Passage.

45

46 **SB09-271** by Senator(s) Tapia, Keller, White; also Representative(s)
47 Ferrandino, Pommer, Marostica--Concerning the use of
48 tobacco revenues generated under section 21 of article X
49 of the state constitution in a state fiscal emergency, and
50 making an appropriation therefor.

51

52 Amendment No. 1, Appropriations Report, dated April 14, 2009, and
53 placed in member's bill file; Report also printed in House Journal,
54 April 15, pages 1194.

55

1 Amendment No. 2, by Representative(s) Ferrandino.

2

3 Amend reengrossed bill, page 2, before line 2, insert the following:

4

5 "SECTION 1. 24-22-117 (2) (b), Colorado Revised Statutes, is
6 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

7

8 **24-22-117. Tobacco tax cash fund - accounts - creation -
9 repeal.** (2) There are hereby created in the state treasury the following
10 funds:

11

12 (2) (b) (III) (A) NOTWITHSTANDING THE PROVISIONS OF
13 SUBPARAGRAPH (II) OF THIS PARAGRAPH (b), AND PURSUANT TO THE
14 DECLARATION OF A STATE FISCAL EMERGENCY AS DESCRIBED IN
15 PARAGRAPH (b) OF SUBSECTION (6) OF THIS SECTION, FOR THE 2009-10
16 FISCAL YEAR, UP TO FIFTEEN MILLION DOLLARS OF THE MONEYS IN THE
17 PRIMARY CARE FUND MAY BE APPROPRIATED FOR ANY HEALTH-RELATED
18 PURPOSE AND TO SERVE POPULATIONS ENROLLED IN THE CHILDREN'S BASIC
19 HEALTH PLAN AND THE COLORADO MEDICAL ASSISTANCE PROGRAM AT
20 THE PROGRAMS' RESPECTIVE LEVELS OF ENROLLMENT AS OF JANUARY 1,
21 2005.

22

23 (B) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE JULY 1,
24 2011."

25

26 Renumber succeeding sections accordingly.

27

28 Page 4, line 19, strike "for medical services";

29

30 line 20, strike "premiums,";

31

32 line 22, after "appropriation", insert "for medical services premiums" and
33 strike "twenty" and substitute "thirty-five";

34

35 line 23, strike "\$20,000,000)." and substitute "\$35,000,000).";

36

37 line 24, strike "twenty" and substitute "thirty-five";

38

39 line 25, strike "\$20,000,000)." and substitute "\$35,000,000).";

40

41 line 27, strike "and".

42

43 Page 5, line 3, strike "Statutes." and substitute "Statutes, and fifteen
44 million dollars (\$15,000,000) shall be from the primary care fund created
45 in section 24-22-117 (2) (b) (I), Colorado Revised Statutes.";

46

47 before line 4, insert the following:

48

49 "(c) The cash fund appropriation for the indigent care program,
50 primary care fund program, is decreased by fifteen million (\$15,000,000).
51 Said sum, shall be from the primary care fund created in section
52 24-22-117 (2) (b) (I), C.R.S."

53

54 As amended, ordered revised and placed on the Calendar for Third
55 Reading and Final Passage.

56

1 **SB09-279** by Senator(s) Tapia, Keller, White; also Representative(s)
 2 Pommer, Ferrandino, Marostica--Concerning the
 3 augmentation of the general fund through transfers of
 4 certain moneys.

5
 6 Amendment No. 1, by Representative(s) Pommer.

7
 8 Amend reengrossed bill, page 4, after line 16, insert the following:

9
 10 "SECTION 6. 23-3.1-206.9 (2), Colorado Revised Statutes, is
 11 amended to read:

12
 13 **23-3.1-206.9. Colorado collegeinvest scholarship program -**
 14 **administration - fund - policies.** (2) (a) The Colorado collegeinvest
 15 scholarship trust fund, which is hereby created, shall consist of moneys
 16 deposited into the fund by the authority, any moneys appropriated to the
 17 fund by the general assembly, and any gifts, grants, and donations
 18 received by the authority for the Colorado collegeinvest scholarship
 19 program. Moneys deposited into the Colorado collegeinvest scholarship
 20 trust fund shall be deemed to be trust funds and shall be administered by
 21 the authority and shall be used for the direct and indirect costs of
 22 implementing and administering, including marketing, the Colorado
 23 collegeinvest scholarship program. Annual expenditures on direct
 24 marketing shall not exceed five percent of the annual revenue of the trust.
 25 Any unexpended and unencumbered moneys remaining in the Colorado
 26 collegeinvest scholarship trust fund at the end of a fiscal year shall remain
 27 in the fund and shall not be credited or transferred to the general fund or
 28 to any other fund. Any moneys appropriated by the general assembly to
 29 the Colorado collegeinvest scholarship trust fund shall be subject to
 30 annual appropriation.

31
 32 (b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF
 33 THIS SUBSECTION (2) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS
 34 PARAGRAPH (b), OF MONEYS CREDITED TO THE COLORADO
 35 COLLEGEINVEST SCHOLARSHIP TRUST FUND OTHER THAN MONEYS
 36 TRANSFERRED FROM THE STUDENT LOAN GUARANTEE FUND CREATED IN
 37 SECTION 23-3.1-107 (1) (a), THE STATE TREASURER SHALL DEDUCT
 38 FIFTEEN MILLION DOLLARS FROM THE COLORADO COLLEGEINVEST
 39 SCHOLARSHIP TRUST FUND AND TRANSFER SUCH SUM TO THE GENERAL
 40 FUND."

41
 42 Renumber succeeding sections accordingly.

43
 44 Page 9, after line 7, insert the following:

45 "SECTION 13. 24-49.7-106 (3), Colorado Revised Statutes, is
 46 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

47
 48 **24-49.7-106. Colorado travel and tourism promotion fund -**
 49 **Colorado travel and tourism additional source fund - creation -**
 50 **nature of funds.** (3) (c) NOTWITHSTANDING THE PROVISIONS OF
 51 PARAGRAPH (a) OF THIS SUBSECTION (3) TO THE CONTRARY, ON THE
 52 EFFECTIVE DATE OF THIS PARAGRAPH (c) THE STATE TREASURER SHALL
 53 DEDUCT FIVE MILLION DOLLARS OF THE MONEYS CREDITED TO THE
 54 COLORADO TRAVEL AND TOURISM PROMOTION FUND PURSUANT TO
 55 SECTION 38-13-116.7 (3) (a) (III) (A), C.R.S., FOR THE PROMOTION OF
 56 AGRITOURISM, AND TRANSFER SUCH SUM TO THE GENERAL FUND."

1 Renumber succeeding sections accordingly.

2

3 Page 12, strike lines 1 and 2 and substitute the following:

4

5 "CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (2.6), THE
6 STATE";

7

8 line 3, strike "FIFTY" and substitute "SEVENTY-FIVE";

9

10 strike lines 5 through 9 and substitute the following:

11

12 "GENERAL FUND."

13

14 Page 13, line 4, strike "EIGHT" and substitute "FORTY-THREE";

15

16 line 22, strike "SEVEN" and substitute "TWENTY-SEVEN".

17

18 Page 16, line 10, strike "23" and substitute "25";

19

20 line 12, strike "24" and substitute "26".

21

22 Amendment No. 2, by Representative(s) Marostica.

23

24 Amend reengrossed bill, page 10, strike lines 20 through 27 and substitute
25 the following:

26

27 "SECTION 16. 24-32-717 (1), Colorado Revised Statutes, is
28 amended to read:

29

30 **24-32-717. Home investment trust fund - short-term loans.**

31 (1) (a) For the purpose of meeting the federal matching fund
32 requirements of Title II of the federal "National Housing Act", the
33 division shall establish a home investment trust fund which shall be
34 created and administered pursuant to the provisions of 24 CFR part 92,
35 as may be amended from time to time. The division shall pay into such
36 fund any moneys made available by the state or federal government for
37 the purpose of making loans as provided in this section. Any moneys in
38 such fund at the end of any fiscal year shall not revert to the general fund.

39

40 (b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS
41 SUBSECTION (1) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS
42 PARAGRAPH (b), THE STATE TREASURER SHALL DEDUCT ONE MILLION TWO
43 HUNDRED EIGHTY-FOUR THOUSAND DOLLARS FROM THE HOME
44 INVESTMENT TRUST FUND AND TRANSFER SUCH SUM TO THE GENERAL
45 FUND."

46

47 As amended, ordered revised and placed on the Calendar for Third
48 Reading and Final Passage.

49

50 **SB09-259** by Senator(s) Keller, Tapia, White; also Representative(s)
51 Pommer, Ferrandino, Marostica--Concerning the provision
52 for payment of the expenses of the executive, legislative,
53 and judicial departments of the state of Colorado, and of
54 its agencies and institutions, for and during the fiscal year
55 beginning July 1, 2009, except as otherwise noted.

56

1 Amendment No. 1, by Representative(s) Pommer, Ferrandino, Marostica,
2 Carroll, Weissmann.

3

4 Amend reengrossed bill, page 57, line 6, after "Constitution." insert the
5 following:

6

7 "Of the amount from the State Education Fund, \$152,061,455 will be
8 received from the Education Stabilization Fund of the American
9 Recovery and Reinvestment Act (ARRA) of 2009 pursuant to Title XIV,
10 Sec. 14002 "State Uses of Funds" which will be utilized to support
11 necessary formulaic funding increases."

12

13 Page 128, line 3, in the ITEM & SUBTOTAL column, strike
14 "261,942,888" and substitute "264,107,382" and, in the GENERAL
15 FUND column, strike "261,942,888" and substitute "264,107,382".

16

17 Adjust affected totals accordingly.

18

19 Page 128, line 9, in the ITEM & SUBTOTAL column, strike
20 "22,027,611" and substitute "23,070,687", in the REAPPROPRIATED
21 FUNDS column, strike "11,545,486^b" and substitute "12,149,322^b", and,
22 in the FEDERAL FUNDS column, strike "2,019,887^c" and substitute
23 "2,459,127^c";

24

25 line 14, strike "\$8,889,406" and substitute "\$9,493,242";

26

27 line 15, after "received", insert "from the Education Stabilization Fund".

28

29 Page 129, line 3, in the ITEM & SUBTOTAL column, strike
30 "50,524,646" and substitute "52,237,814", in the REAPPROPRIATED
31 FUNDS column, strike "18,962,512^b" and substitute "19,888,392^b", and,
32 in the FEDERAL FUNDS column, strike "3,329,927^c" and substitute
33 "4,117,215^c";

34

35 line 8, strike "\$9,947,752" and substitute "\$10,873,632";

36

37 line 9, after "received", insert "from the Education Stabilization Fund".

38

39 Page 129, line 13, in the ITEM & SUBTOTAL column, strike
40 "112,842,755" and substitute "116,267,146", in the REAPPROPRIATED
41 FUNDS column, strike "37,903,510^b" and substitute "39,778,568^b", and,
42 in the FEDERAL FUNDS column, strike "8,385,511^c" and substitute
43 "9,934,844^c".

44

45 Page 130, line 3, strike "\$3,325,510" and substitute "\$5,200,568";

46

47 line 4, after "received", insert "from the Education Stabilization Fund".

48

49 Page 130, line 7, in the ITEM & SUBTOTAL column, strike
50 "20,660,060" and substitute "21,529,464", in the REAPPROPRIATED
51 FUNDS column, strike "9,623,158^b" and substitute "9,892,147^b", and, in
52 the FEDERAL FUNDS column, strike "1,680,455^c" and substitute
53 "2,280,870^c";

54

55 line 12, strike "\$6,701,878" and substitute "\$6,970,867";

56

1 line 13, after "received" insert "from the Education Stabilization Fund".
2
3 Page 131, line 3, in the ITEM & SUBTOTAL column, strike
4 "379,019,008" and substitute "389,266,321", in the REAPPROPRIATED
5 FUNDS column, strike "113,594,279^b" and substitute "113,790,028^b",
6 and, in the FEDERAL FUNDS column, strike "23,219,920^c" and
7 substitute "33,271,484^c";
8
9 line 8, strike "\$71,900,079" and substitute "\$72,095,828";
10
11 line 12, after "received", insert "from the Education Stabilization Fund".
12
13 Page 131, line 15, in the ITEM & SUBTOTAL column, strike
14 "39,398,157" and substitute "40,290,538", in the REAPPROPRIATED
15 FUNDS column, strike "9,925,482^b" and substitute "8,805,822^b", and, in
16 the FEDERAL FUNDS column, strike "1,966,467^c" and substitute
17 "3,978,508^c".
18
19 Page 132, line 5, strike "\$5,171,202" and substitute "\$4,051,542";
20
21 line 9, after "received", insert "from the Education Stabilization Fund".
22
23 Page 132, line 12, in the ITEM & SUBTOTAL column, strike
24 "835,717,784" and substitute "850,646,194", in the REAPPROPRIATED
25 FUNDS column, strike "165,895,403^b" and substitute "159,761,513^b",
26 and, in the FEDERAL FUNDS column, strike "28,933,167^c" and
27 substitute "49,995,467^c".
28
29 Page 133, line 4, strike "\$106,185,992" and substitute "\$100,052,102";
30
31 line 8, after "received", insert "from the Education Stabilization Fund".
32
33 Page 133, line 12, in the ITEM & SUBTOTAL column, strike
34 "90,445,930" and substitute "92,110,121", in the REAPPROPRIATED
35 FUNDS column, strike "18,420,406^b" and substitute "18,793,625^b", and,
36 in the FEDERAL FUNDS column, strike "3,152,789^c" and substitute
37 "4,443,761^c".
38
39 Page 134, line 2, strike "\$12,894,046" and substitute "\$13,267,265";
40
41 line 3, after "received", insert "from the Education Stabilization Fund".
42
43 Page 134, line 6, in the ITEM & SUBTOTAL column, strike
44 "99,991,046" and substitute "103,141,988", in the REAPPROPRIATED
45 FUNDS column, strike "34,876,782^b" and substitute "35,176,878^b", and,
46 in the FEDERAL FUNDS column, strike "6,058,587^c" and substitute
47 "8,909,433^c";
48
49 line 11, strike "\$19,121,862" and substitute "\$19,421,958";
50
51 line 12, after "received", insert "from the Education Stabilization Fund".
52
53 Page 135, line 5, in the ITEM & SUBTOTAL column, strike
54 "311,106,316" and substitute "321,238,103", in the REAPPROPRIATED
55 FUNDS column, strike "113,645,561^b" and substitute "118,520,778^b",
56 and, in the FEDERAL FUNDS column, strike "20,043,435^c" and

1 substitute "25,300,005^c";
2
3 line 10, strike "\$16,997,921" and substitute "\$21,873,138";
4
5 line 13, after "received" insert "from the Education Stabilization Fund".
6
7 Adjust affected totals accordingly.
8
9 Page 136, line 6, in the TOTAL column, strike "14,774,712" and
10 substitute "15,909,577", in the GENERAL FUND column, strike
11 "12,580,784" and substitute "12,621,254", and, in the FEDERAL FUNDS
12 column, strike "2,193,928^a" and substitute "3,288,323^a";
13
14 line 8, after "received", insert "from the Education Stabilization Fund".
15
16 Adjust affected totals accordingly.
17
18 Page 137, line 8, in the ITEM & SUBTOTAL column, strike
19 "10,415,912" and substitute "11,215,986", in the GENERAL FUND
20 column, strike "8,869,204" and substitute "8,518,968", and, in the
21 FEDERAL FUNDS column, strike "1,546,708" and substitute
22 "2,697,018";
23
24 line 10, after "received", insert "from the Education Stabilization Fund".
25
26 Adjust affected totals accordingly.
27
28 Page 544, line 12, strike "\$2,760.00" and substitute "\$2,760.00
29 \$2,040.00";
30
31 line 13, in the ITEM & SUBTOTAL column, strike "343,214,280" and
32 substitute "343,214,280";
33
34 after line 13, in the ITEM & SUBTOTAL column, insert "253,680,120".
35
36 Page 545, line 5, strike "\$1,380.00" and substitute "\$1,380.00 \$1,020.00";
37
38 line 6, strike "hours" and substitute "~~hours~~ HOURS^{19a}" and, in the ITEM &
39 SUBTOTAL column, strike "1,104,000" and substitute "~~1,104,000~~";
40
41 after line 6, in the ITEM & SUBTOTAL column, insert "816,000";
42
43 line 7, in the ITEM & SUBTOTAL column, strike "344,318,280" and
44 substitute "344,318,280";
45
46 line 8, in the ITEM & SUBTOTAL column, insert "254,496,120" and, in
47 the GENERAL FUND column, strike "343,518,280" and substitute
48 "253,696,120";
49
50 after line 10, insert the following:
51
52
53
54
55

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND
	\$	\$	\$
1			
2			
3			
4			
5	"(B) Fee-for-service Contracts		
6	with State Institutions	306,588,826	306,588,826
7		280,427,234	280,427,234
8		650,907,106	
9		534,923,354".	
10			
11	Page 545, line 14, in the REAPPROPRIATED FUNDS column, strike		
12	"14,050,598 ^b " and substitute "14,050,598 ^b ";		
13			
14	line 15, in the REAPPROPRIATED FUNDS column, insert		
15	"12,149,322 ^b " and, in the FEDERAL FUNDS column, strike "557,851 ^c		
16	and substitute "2,459,127 ^c ".		
17			
18	Page 546, line 4, strike "\$3,806,040" and substitute "\$3,806,040		
19	\$2,813,160";		
20			
21	line 5, strike "\$10,244,558" and substitute "\$10,244,558 \$9,336,162";		
22			
23	line 9, in the REAPPROPRIATED FUNDS column, strike "23,082,286 ^b "		
24	and substitute "23,082,286 ^b ";		
25			
26	line 10, in the REAPPROPRIATED FUNDS column, insert		
27	"19,888,392 ^b " and, in the FEDERAL FUNDS column, strike "923,321 ^c		
28	and substitute "4,117,215 ^c ".		
29			
30	line 14, strike "\$12,226,800" and substitute "\$12,226,800 \$9,037,200";		
31			
32	line 15, strike "\$10,855,486" and substitute "\$10,855,486 \$10,851,192".		
33			
34	Page 547, line 5, in the REAPPROPRIATED FUNDS column, strike		
35	"46,811,147 ^b " and substitute "46,811,147 ^b ";		
36			
37	line 6, in the ITEM & SUBTOTAL column, strike "102,866,467" and		
38	substitute "102,884,467", in the REAPPROPRIATED FUNDS column,		
39	insert "39,727,568 ^b ", and, in the FEDERAL FUNDS column, strike		
40	"2,833,265 ^c " and substitute "9,934,844 ^c ";		
41			
42	line 10, strike "\$43,917,120" and substitute "\$43,917,120 \$32,460,480";		
43			
44	line 11, strike "\$2,894,027" and substitute "\$2,894,027 \$7,267,088";		
45			
46	line 15, in the REAPPROPRIATED FUNDS column, strike		
47	"11,709,831 ^b " and substitute "11,709,831 ^b ".		
48			
49	Page 548, line 1, in the REAPPROPRIATED FUNDS column, insert		
50	"9,892,147 ^b " and, in the FEDERAL FUNDS column, strike "463,186 ^c		
51	and substitute "2,280,870 ^c ";		
52			
53	line 5, strike "\$4,002,000" and substitute "\$4,002,000 \$2,958,000";		
54			
55	line 6, strike "\$7,707,831" and substitute "\$7,707,831 \$6,934,147";		
56			

- 1 line 11, in the REAPPROPRIATED FUNDS column, strike
2 "~~139,624,326~~^b" and substitute "~~139,624,326~~^b";
3
4 line 12, in the ITEM & SUBTOTAL column, strike "364,374,938" and
5 substitute "364,382,402", in the REAPPROPRIATED FUNDS column,
6 insert "113,768,880^b", and, in the FEDERAL FUNDS column, strike
7 "7,408,574^c" and substitute "33,271,484^c".
8
9 Page 549, line 1, strike "\$53,836,560" and substitute "~~\$53,836,560~~
10 \$39,792,240";
11
12 line 2, strike "\$85,617,766" and substitute "~~\$85,617,766~~ \$73,806,640";
13
14 line 9, in the REAPPROPRIATED FUNDS column, strike "12,170,926^b"
15 and substitute "~~12,170,926~~^b";
16
17 line 10, in the REAPPROPRIATED FUNDS column, insert "8,805,822^b"
18 and, in the FEDERAL FUNDS column, strike "613,404^c" and substitute
19 "3,978,508^c".
20
21 Page 550, line 1, strike "\$7,087,680" and substitute "~~\$7,087,680~~
22 \$5,238,720";
23
24 line 2, strike "\$5,035,246" and substitute "~~\$5,035,246~~ \$3,519,102";
25
26 line 10, in the REAPPROPRIATED FUNDS column, strike
27 "201,758,950^b" and substitute "~~201,758,950~~^b";
28
29 line 11, in the REAPPROPRIATED FUNDS column, insert
30 "159,761,513^b" and, in the FEDERAL FUNDS column, strike
31 "7,998,030^c" and substitute "49,995,467^c".
32
33 Page 551, line 1, strike "\$77,525,640" and substitute "~~\$77,525,640~~
34 \$57,301,560";
35
36 line 2, strike "\$123,575,779" and substitute "~~\$123,575,779~~
37 \$101,802,422";
38
39 line 10, in the REAPPROPRIATED FUNDS column, strike
40 "22,387,257^b" and substitute "~~22,387,257~~^b";
41
42 line 11, in the REAPPROPRIATED FUNDS column, insert
43 "18,793,625^b" and, in the FEDERAL FUNDS column, strike "850,129^c"
44 and substitute "4,443,761^c";
45
46 line 15, strike "\$7,429,920" and substitute "~~\$7,429,920~~ \$5,491,680";
47
48 line 16, strike "\$14,957,337" and substitute "~~\$14,957,337~~ \$13,301,945".
49
50 Page 552, line 4, in the REAPPROPRIATED FUNDS column, strike
51 "42,425,773^b" and substitute "~~42,425,773~~^b";
52
53 line 5, in the REAPPROPRIATED FUNDS column, insert "35,176,878^b"
54 and, in the FEDERAL FUNDS column, strike "1,660,538^c" and
55 substitute "8,909,433^c";
56

1 line 9, strike "\$21,804,000" and substitute "~~\$21,804,000~~ \$16,116,000";
2
3 line 10, strike "\$20,621,773" and substitute "~~\$20,621,773~~ \$19,060,878".
4
5 Page 553, line 5, in the REAPPROPRIATED FUNDS column, strike
6 "~~138,157,543^b~~" and substitute "~~138,157,543^b~~";
7
8 line 6, in the ITEM & SUBTOTAL column, strike "293,121,944" and
9 substitute "293,122,664", in the REAPPROPRIATED FUNDS column,
10 insert "118,518,738^b", and, in the FEDERAL FUNDS column, strike
11 "5,660,480^c" and substitute "25,300,005^c";
12
13 line 10, strike "\$111,578,520" and substitute "~~\$111,578,520~~
14 \$82,471,080";
15
16 line 11, strike "\$25,079,023" and substitute "~~\$25,079,023~~ \$34,547,658".
17
18 Page 554, line 2, strike "1,850,887,118" and substitute "1,850,913,302";
19
20 line 8, in the GENERAL FUND column, strike "15,285,433" and
21 substitute "~~15,285,433~~";
22
23 line 9, in the GENERAL FUND column, insert "12,601,934" and, in the
24 FEDERAL FUNDS column, strike "604,824^a" and substitute
25 "3,288,323^a";
26
27 line 15, in the GENERAL FUND column, strike "10,776,148" and
28 substitute "~~10,776,148~~".
29
30 Page 555, line 1, in the GENERAL FUND column, insert "8,505,528"
31 and, in the FEDERAL FUNDS column, strike "426,398^a" and substitute
32 "2,697,018^a";
33
34 line 9, in the REAPPROPRIATED FUNDS column, strike
35 "\$697,602,250" and substitute "~~\$697,602,250~~"
36
37 line 10, in the TOTAL column, strike "\$2,755,014,869" and substitute
38 "\$2,639,057,301", in the GENERAL FUND column, strike
39 "\$781,537,483" and substitute "\$660,599,612", in the
40 REAPPROPRIATED FUNDS column, insert "\$581,906,498", and, in
41 the FEDERAL FUNDS column, strike "\$50,230,113" and substitute
42 "\$170,906,168".
43

44 Page 555, after line 12, insert the following:

45
46 **"FOOTNOTES** -- The following statements are referenced to the
47 numbered footnotes throughout section 2.
48

49 19a DEPARTMENT OF HIGHER EDUCATION, COLLEGE OPPORTUNITY
50 FUND PROGRAM, STIPENDS, STIPENDS FOR AN ESTIMATED 800
51 ELIGIBLE FULL-TIME EQUIVALENT STUDENTS ATTENDING
52 PARTICIPATING PRIVATE INSTITUTIONS AT \$1,020 PER 30 CREDIT
53 HOURS -- IN ADDITION TO THESE FUNDS, THE GENERAL
54 ASSEMBLY ANTICIPATES THAT \$288,000 FEDERAL FUNDS WILL
55 BE PROVIDED FOR FINANCIAL AID FOR STUDENTS ATTENDING
56 PARTICIPATING PRIVATE INSTITUTIONS FROM THE GOVERNOR

1 SERVICES FUND CREATED BY THE AMERICAN REINVESTMENT
2 AND RECOVERY ACT OF 2009."

3
4 Page 595, after line 9, insert the following:

5
6 **"SECTION 21.** Section 2 of chapter 235, Session Laws of
7 Colorado 2008, is amended to read:

8
9 Section 2. **Appropriation - adjustments to the 2008 long bill.**

10 (2) In addition to any other appropriation, there is hereby appropriated,
11 to the department of higher education, for the fiscal year beginning July
12 1, 2008, the following:

13
14 (a) Out of any moneys in the general fund not otherwise
15 appropriated, for allocation to the college opportunity fund created in
16 section 23-18-202 (1) (a), Colorado Revised Statutes, the sum of
17 ~~seventy-one thousand seven hundred sixty dollars (\$71,760)~~, FIFTY-THREE
18 THOUSAND FORTY DOLLARS (\$53,040), or so much thereof as may be
19 necessary, for stipends for an estimated 26.0 full-time equivalent students
20 attending state-operated institutions.

21
22 (b) To the trustees of metropolitan state college of Denver, the
23 sum of ~~one hundred forty-four thousand eight hundred twenty-five dollars~~
24 ~~(\$144,825)~~, ONE HUNDRED TWENTY-SIX THOUSAND EIGHT HUNDRED
25 TWENTY-FIVE DOLLARS (\$126,825), or so much thereof as may be
26 necessary, to provide educational services to students. Of said sum,
27 ~~sixty-nine thousand dollars (\$69,000)~~ FIFTY-ONE THOUSAND DOLLARS
28 (\$51,000), shall be from reappropriated funds received from the
29 appropriation made in subsection (2) (a) of this section for student
30 stipends, and seventy-five thousand eight hundred twenty-five dollars
31 (\$75,825) cash funds shall be from the students' share of tuition.

32
33 (c) To the state board for community colleges and occupational
34 education state system, the sum of ~~five thousand seventy-five dollars~~
35 ~~(\$5,075)~~, FOUR THOUSAND THREE HUNDRED FIFTY-FIVE DOLLARS
36 (\$4,355), or so much thereof as may be necessary, to provide educational
37 services to students. Of said sum, ~~two thousand seven hundred sixty~~
38 ~~dollars (\$2,760)~~ TWO THOUSAND FORTY DOLLARS (\$2,040) shall be from
39 reappropriated funds received from the appropriation made in subsection
40 (2) (a) of this section for student stipends, and two thousand three
41 hundred fifteen dollars (\$2,315) cash funds shall be from the students'
42 share of tuition.

43
44 **SECTION 22.** Section 2 of chapter 351, Session Laws of
45 Colorado 2008, is amended to read:

46
47 Section 2. **Appropriation - adjustments to the 2008 long bill.**

48 (1) In addition to any other appropriation, there is hereby appropriated,
49 out of any moneys in the general fund not otherwise appropriated, to the
50 department of higher education, for allocation to the college opportunity
51 fund program, for student stipend payments, for the fiscal year beginning
52 July 1, 2008, the sum of ~~twenty-eight thousand six hundred twelve dollars~~
53 ~~(\$28,612)~~, TWENTY-ONE THOUSAND ONE HUNDRED FORTY-EIGHT DOLLARS
54 (\$21,148), or so much thereof as may be necessary, for the
55 implementation of this act.

56

1 (2) For the implementation of this act, the reappropriated funds
 2 appropriation to the department of higher education, governing boards,
 3 from student stipend payments, for the fiscal year beginning July 1, 2008,
 4 shall be increased by ~~twenty-eight thousand six hundred twelve dollars~~
 5 ~~(\$28,612)~~. TWENTY-ONE THOUSAND ONE HUNDRED FORTY-EIGHT DOLLARS
 6 (\$21,148). Said sum shall be from the appropriation made in subsection
 7 (1) of this section."
 8

9 Renumber succeeding section accordingly.

10
 11 Page 448, line 9, strike "**BUDGETS**" and substitute "**BUDGETS**^{48a}";

12
 13 after line 13, insert the following:

14
 15 "**FOOTNOTES** -- The following statements are referenced to the
 16 numbered footnotes throughout section 2.

17
 18 48a Grand Totals -- Operating Budgets -- It is the intent of the
 19 General Assembly that all state employees take eight
 20 furlough days in FY 2009-10. The reductions to account
 21 for furlough days shall be allocated among state agencies
 22 as reflected in the following table.
 23

	<u>General</u>	<u>Cash</u>	<u>Reappropriated</u>	<u>Federal</u>	<u>Total</u>
<u>Department</u>	<u>Fund</u>	<u>Funds</u>	<u>Funds</u>	<u>Funds</u>	<u>Funds</u>
24 Agriculture	(\$123,002)	(\$311,016)	(\$20,558)	(\$37,018)	(\$491,594)
25 Corrections	(2,155,648)	(30,499)	(42,033)	(766)	(2,228,946)
26 Education	(477,025)	(75,108)	(84,156)	(298,870)	(935,159)
27 Governor	(298,012)	(72,350)	(260,136)	(197,038)	(827,536)
28 Health Care Policy					
29 and Financing	(221,856)	(17,340)	(30,392)	(255,552)	(525,140)
30 Higher Education	0	(202,490)	(28,878)	(36,146)	(267,514)
31 Human Services	(1,853,408)	(384,703)	(676,533)	(571,124)	(3,485,768)
32 Judicial Branch	(7,439,763)	(268,026)	(79,467)	(86,543)	(7,873,799)
33 Law	(353,881)	(214,966)	(1,163,796)	(50,305)	(1,782,948)
34 Legislature	(601,450)	(1,469)	0	0	(602,919)
35 Labor and					
36 Employment	(5,285)	(630,358)	(14,203)	(1,319,628)	(1,969,474)
37 Local Affairs	(112,783)	(54,077)	(104,409)	(86,186)	(357,455)
38 Military and					
39 Veterans Affairs	(72,170)	(2,048)	0	(121,740)	(195,958)
40 Natural Resources	(640,873)	(1,896,196)	(151,563)	(319,675)	(3,008,307)
41 Personnel and					
42 Administration	(123,509)	(15,175)	(538,245)	0	(676,929)
43 Public Health and					
44 Environment	(166,850)	(771,665)	(305,173)	(1,339,528)	(2,583,216)
45 Public Safety	(161,966)	(666,049)	(69,085)	(63,865)	(960,965)
46 Regulatory					
47 Agencies	(38,406)	(831,227)	(221,529)	(22,961)	(1,114,123)
48 Revenue	(1,211,080)	(1,113,979)	(32,403)	(40,247)	(2,397,709)
49 State	0	(205,095)	(6,489)	(9,132)	(220,716)
50 Transportation	0	(338,536)	0	(149,010)	(487,546)
51 Treasury	<u>(940)</u>	<u>(52,362)</u>	<u>0</u>	<u>0</u>	<u>(53,302)</u>

<u>Department</u>	<u>General Fund</u>	<u>Cash Funds</u>	<u>Reappropriated Funds</u>	<u>Federal Funds</u>	<u>Total Funds</u>
1 Reduction to Long					
2 Bill Operating					
3 Total	(\$16,057,907)	(\$8,154,734)	(\$3,829,048)	(\$5,005,334)	(\$33,047,023)

4
5 These reductions are to be distributed among the appropriations to each
6 respective department."

7
8 Amendment No. 2, by Representative(s) Murray, Acree, May, Pommer,
9 Ferrandino, Marostica.

10
11 Amend reengrossed bill, page 13, strike lines 9 and 10;

12
13 line 11, in the ITEM & SUBTOTAL column, strike "82,577" and
14 substitute "50,454" and, in the GENERAL FUND column, strike
15 "32,123".

16
17 Adjust affected totals accordingly.

18
19 Page 63, line 9, in the ITEM & SUBTOTAL column, strike "150,000"
20 and substitute "75,000" and, in the GENERAL FUND column, strike
21 "75,000";

22
23 line 10, in the GENERAL FUND column, strike "(0.8 FTE)".

24
25 Adjust affected totals accordingly.

26
27 Page 67, line 13, in the ITEM & SUBTOTAL column, strike "1,379,796"
28 and substitute "379,796" and, in the GENERAL FUND column, strike
29 "1,359,796" and substitute "359,796".

30
31 Adjust affected totals accordingly.

32
33 Page 99, line 6, in the ITEM & SUBTOTAL column, strike "3,780,427"
34 and substitute "3,573,001", in the GENERAL FUND column, strike
35 "1,856,700(M)" and substitute "1,752,987(M)", and, in the FEDERAL
36 FUNDS column, strike "1,890,213" and substitute "1,786,500".

37
38 Adjust affected totals accordingly.

39
40 Page 100, line 2, in the ITEM & SUBTOTAL column, strike "4,681,355"
41 and substitute "4,576,355", in the GENERAL FUND column, strike
42 "1,385,398(M)" and substitute "1,359,148(M)", and, in the FEDERAL
43 FUNDS column, strike "3,241,008" and substitute "3,162,258".

44
45 Adjust affected totals accordingly.

46
47 Page 101, line 6, strike "\$21,774.02" and substitute "\$21,773.83" and, in
48 the ITEM & SUBTOTAL column, strike "834,641,581" and substitute
49 "834,634,555";

50
51 line 12, strike "\$18,045.45" and substitute "\$18,044.86" and, in the ITEM
52 & SUBTOTAL column, strike "118,089,436" and substitute
53 "118,085,551".

54

1 Page 102, line 7, strike "\$1,308.54" and substitute "\$1,308.53" and, in the
2 ITEM & SUBTOTAL column, strike "20,957,630" and substitute
3 "20,957,373";
4
5 line 12, strike "\$14,370.19" and substitute "\$14,369.53", and in the ITEM
6 & SUBTOTAL column, strike "756,288,880" and substitute
7 "756,254,173".
8
9 Page, 103, line 4, strike "\$3,899.69" and substitute "\$3,899.43" and, in
10 the ITEM & SUBTOTAL column, strike "211,035,847" and substitute
11 "211,021,286";
12
13 line 7, strike "\$9,104.64" and substitute "\$9,104.03" and, in the ITEM &
14 SUBTOTAL column, strike "61,456,316" and substitute "61,452,191";
15
16 line 11, strike "\$22,420.07" and substitute "\$22,418.36" and, in the ITEM
17 & SUBTOTAL column, strike "7,196,841" and substitute "7,196,294";
18
19 line 15, strike "\$2,802.21" and substitute "\$2,802.11" and, in the ITEM
20 & SUBTOTAL column, strike "40,435,894" and substitute "40,434,433";
21
22 Page 104, line 3, strike "\$1,783.80" and substitute "\$1,783.69" and, in the
23 ITEM & SUBTOTAL column, strike "459,072,234" and substitute
24 "459,044,431";
25
26 line 6, strike "\$3,984.81" and substitute "\$3,984.57" and, in the ITEM &
27 SUBTOTAL column, strike "74,460,141" and substitute "74,455,595";
28
29 line 9, strike "\$14,911.85" and substitute "\$14,910.81" and, in the ITEM
30 & SUBTOTAL column, strike "59,006,195" and substitute "59,002,058";
31
32 line 10, in the TOTAL column, strike "2,642,640,995" and substitute
33 "2,642,537,940", in the GENERAL FUND column, strike
34 "1,182,272,166(M)" and substitute "1,182,229,592(M)", in the CASH
35 FUNDS column strike "132,541,979^a" and substitute "132,533,025^a", and,
36 in the FEDERAL FUNDS column, strike "1,325,080,521" and substitute
37 "1,325,028,994".
38
39 Adjust affected totals accordingly.
40
41 Page 105, line 1, strike "\$86,107,065(H)" and substitute
42 "\$86,098,111(H)".
43
44 Page 101, line 6, strike "\$21,774.02" and substitute "\$21,547.75" and, in
45 the ITEM & SUBTOTAL column, strike "834,641,581" and substitute
46 "825,968,326";
47
48 line 12, strike "\$18,045.45" and substitute "\$17,676.23" and, in the ITEM
49 & SUBTOTAL column, strike "118,089,436" and substitute
50 "115,673,266".
51
52 Page 102, line 7, strike "\$1,308.54" and substitute "\$1,304.74" and, in the
53 ITEM & SUBTOTAL column, strike "20,957,630" and substitute
54 "20,896,650";
55
56 line 12, strike "\$14,370.19" and substitute "\$13,997.03" and, in the ITEM

1 & SUBTOTAL column, strike "756,288,880" and substitute
2 "736,649,838".
3
4 Page 103, line 4, strike "\$3,899.69" and substitute "\$3,770.30" and, in the
5 ITEM & SUBTOTAL column, strike "211,035,847" and substitute
6 "204,033,683";
7
8 line 7, strike "\$9,104.64" and substitute "\$8,800.07" and, in the ITEM &
9 SUBTOTAL column, strike "61,456,316" and substitute "59,400,463";
10
11 line 15, strike "\$2,802.21" and substitute "\$2,759.24" and, in the ITEM
12 & SUBTOTAL column, strike "40,435,894" and substitute "39,815,876".
13
14 Page 104, line 3, strike "\$1,783.80" and substitute "\$1,733.88" and, in the
15 ITEM & SUBTOTAL column, strike "459,072,234" and substitute
16 "446,223,711";
17
18 line 6, strike "\$3,984.81" and substitute "\$3,878.88" and, in the ITEM &
19 SUBTOTAL column, strike "74,460,141" and substitute "72,480,819";
20
21 line 9, strike "\$14,911.85" and substitute "\$14,262.95" and, in the ITEM
22 & SUBTOTAL column, strike "59,006,195" and substitute "56,438,510";
23
24 line 10, in the TOTAL column, strike "2,642,640,995" and substitute
25 "2,584,777,983", in the GENERAL FUND column, strike
26 "1,182,272,166(M)" and substitute "1,154,444,719(M)", in the CASH
27 FUNDS column strike "132,541,979^a" and substitute "132,147,453^a", and,
28 in the FEDERAL FUNDS column strike "1,325,080,521" and substitute
29 "1,295,439,482".
30
31 Adjust affected totals accordingly.
32
33 Page 105, line 1, strike "\$86,107,065(H)" and substitute
34 "\$85,712,539(H)".
35
36 Page 123, line 3, in the ITEM & SUBTOTAL column, strike "2,839,581"
37 and substitute "2,129,686" and, in the REAPPROPRIATED FUNDS
38 column, strike "2,295,260^b" and substitute "1,585,365^b";
39
40 line 4, in the REAPPROPRIATED FUNDS column, strike "(27.5 FTE)"
41 and substitute "(20.6 FTE)".
42
43 Adjust affected totals accordingly.
44
45 Page 128, line 3, in the GENERAL FUND column, strike "261,942,888"
46 and substitute "261,232,993" and, in the REAPPROPRIATED FUNDS
47 column, insert "709,895^a";
48
49 after line 3, insert the following:
50
51 ^a This amount shall be from statewide and departmental indirect cost
52 recoveries."
53
54 Adjust affected totals accordingly.
55
56 Page 207, line 3, in the GENERAL FUND column, strike "3,974,210"

1 and substitute "4,060,460" and, in the REAPPROPRIATED FUNDS
2 column, strike "1,412,162^b" and substitute "1,325,912^b".

3
4 Page 208, line 8, in the ITEM & SUBTOTAL column, strike "1,328,909"
5 and substitute "1,242,659" and, in the CASH FUNDS column, strike
6 "1,328,909^a" and substitute "1,242,659^a".

7
8 Adjust affected totals accordingly.

9
10 Page 210, line 4, in the ITEM & SUBTOTAL column, strike "914,425"
11 and substitute "828,175" and, in the GENERAL FUND column, strike
12 "875,185" and substitute "788,935".

13
14 Adjust affected totals accordingly.

15
16 Page 211, line 14, in the ITEM & SUBTOTAL column, strike
17 "4,733,563" and substitute "3,549,025" and, in the CASH FUNDS
18 column, strike "1,184,538^a";

19
20 line 15, in the CASH FUNDS column, strike "(15.0 FTE)".

21
22 Page 212, line 1, in the ITEM & SUBTOTAL column, strike "398,840"
23 and substitute "227,604" and, in the CASH FUNDS column, strike
24 "221,236^a" and substitute "50,000^a";

25
26 strike line 2;

27
28 line 9, in the ITEM & SUBTOTAL column, strike "5,079,195" and
29 substitute "3,961,486" and, in the CASH FUNDS column, strike
30 "3,726,101^a" and substitute "2,608,392^a".

31
32 Adjust affected totals accordingly.

33
34 Amendment No. 3, by Representative(s) Pommer, Ferrandino, Marostica.

35
36 Amend reengrossed bill, page 128, line 3, in the ITEM & SUBTOTAL
37 column, strike "261,942,888" and substitute "261,135,648" and, in the
38 GENERAL FUND column, strike "261,942,888" and substitute
39 "261,135,648".

40
41 Adjust affected totals accordingly.

42
43 Page 136, line 6, in the TOTAL column, strike "14,774,712" and
44 substitute "14,755,392" and, in the GENERAL FUND column, strike
45 "12,580,784" and substitute "12,561,464".

46
47 Page 137, line 8, in the ITEM & SUBTOTAL column, strike
48 "10,415,912" and substitute "10,402,472" and, in the GENERAL FUND
49 column, strike "8,869,204" and substitute "8,855,764".

50
51 Adjust affected totals accordingly.

52
53 Page 372, line 10, in the ITEM & SUBTOTAL column, strike
54 "2,869,206" and substitute "3,709,206" and, in the GENERAL FUND
55 column, strike "1,631,143" and substitute "2,471,143";

56

1 line 11, in the GENERAL FUND column, strike "(23.5 FTE)" and
2 substitute "(37.5 FTE)".

3

4 Adjust affected totals accordingly.

5

6 Amendment No. 4, by Representative(s) Pommer, Ferrandino, Marostica.

7

8 Amend reengrossed bill, page 247, strike lines 12 through 14;

9

10 line 15, in the TOTAL column, strike "1,436,500" and substitute
11 "1,380,500" and, in the CASH FUNDS column, strike "56,000^b".

12

13 Page 248, strike line 4.

14

15 Adjust affected totals accordingly.

16

17 As amended, ordered revised and placed on the Calendar for Third
18 Reading and Final Passage.

19

20

21 **SB09-276** by Senator(s) White, Keller, Tapia; also Representative(s)
22 Pommer, Ferrandino, Marostica--Concerning the property
23 tax exemptions for qualifying seniors and disabled
24 veterans, and, in connection therewith, lowering for
25 specified property tax years the maximum amount of actual
26 value of the primary owner-occupied residence of a
27 qualifying senior or a qualifying disabled veteran that is
28 partly exempt from property taxation, and making an
29 appropriation in connection therewith.

30

31 Amendment No. 1, by Representative(s) Balmer.

32

33 Amend reengrossed bill, page 2, line 2, strike "portions to 39-3-203 (1)
34 and (1.5)";

35

36 line 3 strike "(a), Colorado Revised Statutes, are" and substitute "portion
37 to 39-3-203 (1), Colorado Revised Statutes, is";

38

39 strike lines 17 through 22.

40

41 Page 3, strike lines 1 through 6;

42

43 strike line 13 and substitute the following:

44

45 "ninety million four hundred thousand dollars (\$90,400,000)."

46

47 Page 1, line 101, strike "EXEMPTIONS" and substitute "EXEMPTION";

48

49 line 102, strike "SENIORS AND DISABLED VETERANS," and substitute
50 "SENIORS,";

51

52 line 103, strike "SPECIFIED PROPERTY TAX YEARS" and substitute "A
53 SPECIFIED PROPERTY TAX YEAR";

54

55

1 line 105, strike "OR A";

2

3 line 106, strike "QUALIFYING DISABLED VETERAN".

4

5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.

7

8

9

10 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

11

12 Passed Second Reading: **SB09-269 amended, 271 amended,**
13 **279 amended, 259 amended, 276 amended.**

14

15 Laid over until date indicated retaining place on Calendar: **HB09-1269,**
16 **1081, 1323--April 17, 2009.**

17

18 The Chairman moved the adoption of the Committee of the Whole
19 Report. As shown by the following roll call vote, a majority of those
20 elected to the House voted in the affirmative, and the Report was
21 **adopted.**

22

	YES	63	NO	0	EXCUSED	2	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	E
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.	E	Massey	Y	Rice	Y	Waller	Y
39	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
40							Speaker	Y

41

42

43

44

45

46 **CONSIDERATION OF RESOLUTION(S)**

47 **SJR09-035** by Senator(s) White, Keller, Tapia; also Representative(s)
48 Marostica, Ferrandino, Pommer--Concerning the
49 declaration of a state fiscal emergency pursuant to Section
50 21 (7) of Article X of the state constitution.

51

52 (Printed and placed in members file)

53

54 On motion of Representative Marostica, the resolution was **adopted** by
55 the following roll call vote:

	YES	50	NO	13	EXCUSED	2	ABSENT	0
1								
2	Acree	N	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
4	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
5	Baumgardner	N	Kagan	Y	McNulty	Y	Schafer S.	Y
6	Benefield	N	Kefalas	Y	Merrifield	Y	Solano	Y
7	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
8	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
9	Court	Y	King S.	Y	Murray	Y	Stephens	E
10	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
14	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
15	Gardner B.	Y	Marostica	Y	Priola	N	Vigil	Y
16	Gardner C.	E	Massey	N	Rice	Y	Waller	N
17	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Apuan, Green, Kerr A., Labuda,
20 Merrifield, Ryden, Scanlan, Soper, Todd

21
22
23
24 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
25 **on SB09-013**

26
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 first conference committee appointed on SB09-013,
33 concerning the extension of civil immunity to persons engaged in
34 emergency response activities, has met and reports that it has agreed upon
35 the following:

36
37 1. That the Senate accede to the House amendments made to the
38 bill, as the amendments appear in the rerevised bill.

39
40 2. That, under the authority granted the committee to consider
41 matters not at issue between the two houses, the following amendments
42 be recommended:

43
44 Amend rerevised bill, page 2, line 8, strike "**definition.**" and substitute
45 "**definition - legislative declaration.**".

46
47 Page 3, after line 13, insert the following:

48
49 "(5) THE GENERAL ASSEMBLY INTENDS THAT THE PROVISIONS OF
50 THIS SECTION AND OF THE "COLORADO GOVERNMENTAL IMMUNITY ACT",
51 ARTICLE 10 OF TITLE 24, C.R.S., BE READ TOGETHER AND HARMONIZED.
52 IF ANY PROVISION OF THIS SECTION IS CONSTRUED TO CONFLICT WITH A
53 PROVISION OF THE "COLORADO GOVERNMENTAL IMMUNITY ACT", THE
54 PROVISION THAT GRANTS THE GREATEST IMMUNITY SHALL PREVAIL.";

55

1 line 16, strike "**definitions.**" and substitute "**definitions - legislative**
2 **declaration.**".

3
4 Page 4, after line 25, insert the following:

5 "(3) THE GENERAL ASSEMBLY INTENDS THAT THE PROVISIONS OF
6 THIS SECTION AND OF THE "COLORADO GOVERNMENTAL IMMUNITY ACT",
7 ARTICLE 10 OF TITLE 24, C.R.S., BE READ TOGETHER AND HARMONIZED.
8 IF ANY PROVISION OF THIS SECTION IS CONSTRUED TO CONFLICT WITH A
9 PROVISION OF THE "COLORADO GOVERNMENTAL IMMUNITY ACT", THE
10 PROVISION THAT GRANTS THE GREATEST IMMUNITY SHALL PREVAIL."

11
12 Page 5, line 1, after "(1.7)", insert "(a)";

13
14 after line 14, insert the following:

15 "(b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION
16 (1.7), A PLAINTIFF MAY SUE AND RECOVER CIVIL DAMAGES FROM A PERSON
17 OR ENTITY SPECIFIED IN SAID PARAGRAPH (a) BASED UPON A NEGLIGENT
18 ACT OR OMISSION INVOLVING THE OPERATION OF A MOTOR VEHICLE;
19 EXCEPT THAT THE AMOUNT RECOVERED FROM SUCH PERSON OR ENTITY
20 SHALL NOT EXCEED THE LIMITS OF APPLICABLE INSURANCE COVERAGE
21 MAINTAINED BY OR ON BEHALF OF SUCH PERSON OR ENTITY WITH RESPECT
22 TO THE NEGLIGENT OPERATION OF A MOTOR VEHICLE IN SUCH
23 CIRCUMSTANCES. HOWEVER, NOTHING IN THIS SECTION SHALL BE
24 CONSTRUED TO LIMIT THE RIGHT OF A PLAINTIFF TO RECOVER FROM A
25 POLICY OF UNINSURED OR UNDERINSURED MOTORIST COVERAGE
26 AVAILABLE TO THE PLAINTIFF AS A RESULT OF A MOTOR VEHICLE
27 ACCIDENT.

28
29 (c) THE GENERAL ASSEMBLY INTENDS THAT THE PROVISIONS OF
30 THIS SUBSECTION (1.7) AND OF THE "COLORADO GOVERNMENTAL
31 IMMUNITY ACT", ARTICLE 10 OF TITLE 24, C.R.S., BE READ TOGETHER AND
32 HARMONIZED. IF ANY PROVISION OF THIS SUBSECTION (1.7) IS CONSTRUED
33 TO CONFLICT WITH A PROVISION OF THE "COLORADO GOVERNMENTAL
34 IMMUNITY ACT", THE PROVISION THAT GRANTS THE GREATEST IMMUNITY
35 SHALL PREVAIL."

36
37 Respectfully submitted,

38 Senate Committee:
39 (signed)
40 Dan Gibbs
41 Gail Schwartz
42 Mike Kopp

House Committee:
(signed)
Claire Levy
Steve King
Joe Miklosi

43
44
45
46 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
47 **on SB09-101**

48
49 This Report Amends the Rerevised Bill.

50
51 To the President of the Senate and the
52 Speaker of the House of Representatives:

53
54 Your first conference committee appointed on SB09-101,
55 concerning the requirement for the creation of an independent historic
56 preservation commission by any city receiving moneys from the state

1 historical fund for historic preservation purposes when the city is not a
 2 certified local government, and, in connection therewith, establishing the
 3 composition and operation of such a commission, has met and reports that
 4 it has agreed upon the following:

5
 6 1. That the Senate accede to the House amendments made to the
 7 bill, as the amendments appear in the rerevised bill.

8
 9 2. That, under the authority granted the committee to consider
 10 matters not at issue between the two houses, the following amendment be
 11 recommended:

12
 13 Amend rerevised bill, page 2, line 18, strike "(4.5);" and substitute "(4.5),
 14 AND THAT THE CITY'S HISTORIC PRESERVATION COMMISSION REVIEW AND
 15 RECOMMEND GRANT AWARDS TO THE GOVERNING BODY;".

16
 17 Respectfully submitted,

18 Senate Committee:

19 (signed)

20 Al White

21 Lois Tochtrop

22 John P. Morse

House Committee:

(signed)

Claire Levy

Karen Middleton

Jim Kerr

23
 24
 25
 26 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

27
 28 **STATE, VETERANS, & MILITARY AFFAIRS**

29 After consideration on the merits, the Committee recommends the
 30 following:

31
 32 **HB09-1333** be referred favorably to the Committee on Appropriations.

33
 34
 35 **HJR09-1015** be postponed indefinitely.

36
 37
 38
 39 **PRINTING REPORT**

40
 41 The Chief Clerk reports the following bills have been correctly printed:
 42 **HB09-1347, 1348, 1349.**

43
 44
 45
 46 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

47
 48 The Speaker has signed: **HB09-1293.**

49
 50
 51 **DELIVERY OF BILLS TO GOVERNOR**

52
 53 The Chief Clerk of the House of Representatives reports the following
 54 bills have been delivered to the Office of the Governor: **HB09-1053,**
 55 **1200, 1220, 1229, 1293, 1294, 1296, 1301** at 12:42 p.m. on April 16,
 56 2009.

MESSAGE(S) FROM THE SENATE

1
2
3 The Senate has passed on Third Reading and transmitted to the Revisor
4 of Statutes:
5
6 SB09-235 amended as printed in Senate Journal, March 26, 2009,
7 page 865, April 14, 2009, pages 1063-1064, and
8 April 16, 2009,
9 SB09-180 amended as printed in Senate Journal, April 14, 2009,
10 pages 1056-1059, and April 16, 2009,
11 SB09-245 amended as printed in Senate Journal, April 9, 2009,
12 page 1006,
13 SB09-135 amended as printed in Senate Journal, April 9, 2009
14 page 1006,
15 SB09-163 amended as printed in Senate Journal, April 15, 2009,
16 page 1088.
17
18 The Senate voted to concur in House amendments to SB09-176 and
19 repassed the bill as so amended.
20
21 The Senate has voted not to concur in House Amendments to SB09-094,
22 and requests that a Conference Committee be appointed. The President
23 appointed Senators Williams-Chair, Gibbs and Spence, as members of the
24 First Conference Committee on SB09-094 on the part of the Senate. The
25 bill is transmitted herewith.
26
27 The Senate has granted permission to the First Conference Committee on
28 HB09-1057 to go beyond the scope of differences between the two
29 houses.
30
31 The Senate has postponed indefinitely HB09-1314. The bill is returned
32 herewith.

MESSAGE(S) FROM THE REVISOR

33
34
35
36
37
38 We herewith transmit:
39 Without comment, as amended, SB09-235, 180, 245, and 135.
40 With comment, as amended, SB09-163.
41

APPOINTMENTS TO CONFERENCE COMMITTEES

42
43
44 Pursuant to a request from the Senate, the Speaker appointed House
45 conferees to the First Conference Committees as follows:
46
47
48
49 **SB09-094**--Representatives Levy, Chairman, Fischer, and Priola.
50

51
52
53 House in recess. House reconvened.
54
55
56

INTRODUCTION OF BILLS
First Reading

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The following bills were read by title and referred to the committees indicated:

SB09-135 by Senator(s) Penry; also Representative(s) Miklosi--
Concerning information collection regarding parole decisions.

Committee on Judiciary

SB09-163 by Senator(s) Hudak and King K.; also Representative(s) Middleton and Massey--Concerning the education accountability system, and making an appropriation therefor.

Committee on Education

SB09-180 by Senator(s) Tochtrop, Carroll M.; also Representative(s) Casso--Concerning collective bargaining by employees of public safety agencies.

Committee on State, Veterans, & Military Affairs

SB09-235 by Senator(s) Gibbs and Isgar; also Representative(s) Merrifield--Concerning certain fees charged by the division of wildlife, and making an appropriation in connection therewith.

Committee on Agriculture, Livestock, & Natural Resources

SB09-245 by Senator(s) Sandoval; also Representative(s) Schafer S.--Concerning changes to conform to portions of federal Public Law 110-351 relating to kinship.

Committee on Judiciary

INTRODUCTION OF CONCURRENT RESOLUTIONS

The following resolutions were read by title and referred to the committees indicated:

HCR09-1003 by Representative(s) Lambert; also Senator(s) King K.--Submitting to the registered electors of the state of Colorado an amendment to section 2 of article XVIII of the constitution of the state of Colorado, concerning the regulation of games of chance by an authority specified by the general assembly.

Committee on Finance

HCR09-1004 by Representative(s) Lambert; also Senator(s) Kopp--Submitting to the registered electors of the state of Colorado an amendment to section 3 of article VIII of the constitution of the state of Colorado, concerning the declaration of a disaster emergency that substantially affects the ability of the state government to operate in the city and county of Denver, and, in connection therewith,

1 requiring the general assembly to meet and allowing the
 2 general assembly to enact a statute to designate a
 3 temporary location for the seat of government.
 4 Committee on State, Veterans, & Military Affairs

5
6
7
8 **INTRODUCTION OF RESOLUTIONS**
9

10 The following resolutions were read by title and laid over one day under
 11 the rules:

12
 13 **HJR09-1019** by Representative(s) Kerr J., Summers, Acree, Apuan,
 14 Balmer, Baumgardner, Benefield, Bradford, Casso,
 15 Ferrandino, Frangas, Gagliardi, Gardner B., Gardner C.,
 16 Gerou, Green, Kagan, Kefalas, Kerr A., King S., Lambert,
 17 Liston, Looper, Marostica, Massey, May, McCann,
 18 McFadyen, McNulty, Merrifield, Middleton, Miklosi,
 19 Nikkel, Pace, Peniston, Primavera, Priola, Roberts,
 20 Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens,
 21 Todd, Vaad, Vigil, Waller, Weissmann; also Senator(s)
 22 Kopp, Boyd, Brophy, Carroll M., Gibbs, Heath, Kester,
 23 King K., Lundberg, Morse, Penry, Renfroe, Romer,
 24 Scheffel, Schultheis, Spence, White--Concerning
 25 Columbine High School triumph over tragedy 1999-2009.

26
 27 **HJR09-1021** by Representative(s) Benefield, Gagliardi, Gerou, Ryden,
 28 Todd; also Senator(s) Hudak, Sandoval--Concerning
 29 support of telecommuting by the state of Colorado.

30
 31
 32 The following resolutions were read by title and referred to the
 33 committees indicated:

34
 35 **HJR09-1020** by Representative(s) Middleton, Todd, Massey,
 36 Ferrandino, Benefield, Kerr A., Merrifield, Peniston,
 37 Pommer, Scanlan, Solano--Concerning the creation of an
 38 interim committee to study the financing of public schools.

39 Committee on Education

40
 41 **HJR09-1022** by Representative(s) Frangas, Acree, Ferrandino,
 42 Gagliardi, Gerou, Green, Kerr J., Labuda, Looper, Pace,
 43 Primavera, Soper, Swalm, Todd; also Senator(s) Sandoval,
 44 Bacon, Heath, Tochtrop--Concerning the creation of a task
 45 force to study ways to maintain safety and quality of life
 46 for consumers utilizing home care placement agencies.

47 Committee on Health and Human Services

48
 49 **HJR09-1023** by Representative(s) Gardner B.; also Senator(s) Morse--
 50 Concerning the Ground-based Midcourse Defense System.

51 Committee on State, Veterans, & Military Affairs

52
 53 **HJR09-1024** by Representative(s) Sonnenberg--Concerning the actions
 54 of other states in subjecting Colorado-based interstate
 55 motor carriers to an unreasonable income tax.

56 Committee on Transportation & Energy

1 **HJR09-1025** by Representative(s) Schafer S., Apuan, Benefield,
2 Massey, Murray, Priola; also Senator(s) Bacon--
3 Concerning the creation of an interim committee to study
4 ways to improve the safety of school communities.
5 Committee on Education

6
7 **HJR09-1026** by Representative(s) Acree, Todd, Kerr J.; also Senator(s)
8 Newell--Concerning the creation of an interim committee
9 to address the home- and community-based services
10 waivers waiting list for children with developmental
11 disabilities.
12 Committee on Health and Human Services

13
14
15
16 **LAY OVER OF CALENDAR ITEM(S)**

17
18 On motion of Representative Weissmann, the following item(s) on the
19 Calendar were laid over until April 17, retaining place on Calendar:

- 20
21 Consideration of Third Reading--**HB09-1274**.
22 Consideration of General Orders--**SB09-281, 251**.
23 Consideration of Conference Committee Report(s)--**SB09-148,**
24 **HB09-1281**.
25 Consideration of Resolution(s)--**HJR09-1014, 1016, 1018, SJR09-034**.
26 Consideration of Memorial(s)--**SJM09-002**.

27
28
29
30 On motion of Representative Weissmann, the House adjourned until
31 9:00 a.m., April 17, 2009.

32
33
34
35
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38
Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

One hundred-first Legislative Day

Friday, April 17, 2009

1 Prayer by Pastor Mark Phillips, Berean Bible Church, Haxtun.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Tiernan and Lena Hall, South Elementary,
6 Brighton

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Green, Kerr A.--2.

12 Present after roll call--Representative(s) Kerr A.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Schafer, the reading of the journal of
18 April 16, 2009, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22

23 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**

24

25 **SB09-148** by Senator(s) Brophy, Gibbs; also Representative(s)
26 Merrifield, Carroll T., Kerr A., Marostica, McNulty--
27 Concerning revisions to the rules governing the safe
28 interaction of bicycles with other vehicles on roadways.

29

30 (Conference Committee Report Printed in House Journal, April 13, pages
31 1146-1147.)

32

33 Representative Merrifield, moved that the Conference Committee Report
34 be adopted. A substitute motion by Representative Baumgardner that the
35 House reject the Conference Committee Report, discharge the First
36 Conference Committee for **SB09-148**, that a Second Conference
37 Committee be appointed was declared **passed** by the following roll call
38 vote:

39

40

41

42

43

YES	34	NO	29	EXCUSED	2	ABSENT	0
Acree	Y	Green	E	McCann	E	Roberts	Y
Apuan	N	Hullinghorst	Y	McFadyen	Y	Ryden	Y
Balmer	N	Judd	Y	McKinley	Y	Scanlan	N

1	Baumgardner	Y	Kagan	N	McNulty	N	Schafer S.	N
2	Benefield	N	Kefalas	Y	Merrifield	N	Solano	N
3	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	N
4	Casso	N	Kerr J.	Y	Miklosi	N	Soper	N
5	Court	Y	King S.	Y	Murray	Y	Stephens	Y
6	Curry	Y	Labuda	N	Nikkel	Y	Summers	Y
7	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
8	Fischer	N	Levy	Y	Peniston	Y	Tipton	Y
9	Frangas	N	Liston	Y	Pommer	N	Todd	N
10	Gagliardi	N	Looper	Y	Primavera	Y	Vaad	Y
11	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
12	Gardner C.	N	Massey	N	Rice	N	Waller	Y
13	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
14							Speaker	N

15 The first Conference Committee was discharged and the Speaker
 16 appointed Representatives Merrifield Chairman, Kerr A., and
 17 Baumgardner as House conferees to the Second Conference Committee.

18
 19

20 Representative May moved that the Second Conference Committee on
 21 **SB09-148** be granted permission to go beyond the scope of the difference
 22 between the House and the Senate. The motion was passed by the
 23 following roll call vote:

24

25	YES	62	NO	1	EXCUSED	2	ABSENT	0
26	Acree	Y	Green	E	McCann	E	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	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	N	Levy	Y	Peniston	Y	Tipton	Y
37	Frangas	Y	Liston	Y	Pommer	Y	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

44

45

THIRD READING OF BILLS--FINAL PASSAGE

46

47 The following bills were considered on Third Reading. The titles were
 48 publicly read. Reading of the bill at length was dispensed with by
 49 unanimous consent.

50

51 **SB09-126** by Senator(s) Newell, Hodge, Spence, Tochtrop; also
 52 Representative(s) Apuan, Gagliardi, Swalm--Concerning
 53 the voluntary contribution designation benefiting the
 54 multiple sclerosis fund that appears on the state individual
 55 income tax return forms, and, in connection therewith,
 56 extending the period for the contribution designation.

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
 4 bill was declared **passed**.

	YES	60	NO	4	EXCUSED	1	ABSENT	0
7	Acree	Y	Green	E	McCann	Y	Roberts	Y
8	Apuan	Y	Hullingerhorst	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	N
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	N	Pace	Y	Swalm	Y
17	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
18	Frangas	Y	Liston	N	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	N
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Gerou, Kefalas,
 25 Labuda, McFadyen, Merrifield, Nikkel, Ryden, Summers, Todd

26
 27 **SB09-269** by Senator(s) White, Keller, Tapia; also Representative(s)
 28 Ferrandino, Pommer, Marostica--Concerning adjustment
 29 of the allocation of tobacco litigation settlement moneys
 30 received by the state during specified fiscal years, and, in
 31 connection therewith, requiring settlement moneys that are
 32 disputed payments and settlement moneys in excess of a
 33 specified amount to be credited to the general fund,
 34 requiring a portion of the moneys so credited to be
 35 transferred to the children's basic health plan trust and the
 36 nurse home visitor program fund, delaying mandated
 37 growth in the percentage of settlement moneys allocated
 38 for the Colorado nurse home visitor program by one fiscal
 39 year, and making appropriations.

40
 41 As shown by the following roll call vote, a majority of all members
 42 elected to the House voted in the affirmative, and Representative
 43 Ferrandino was given permission to offer a Third Reading amendment:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
46	Acree	Y	Green	E	McCann	Y	Roberts	Y
47	Apuan	Y	Hullingerhorst	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	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
2	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
3	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
4	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
5	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
6							Speaker	Y

7
8 **Third Reading amendment No. 1**, by Representative Ferrandino.

9
10 Amend revised bill, page 2, line 3, strike the second "and";

11
12 line 4, after "24-75-1104.5 (1.5) (a),", insert "and 24-75-1104.5 (3),".

13
14 Page 3, strike lines 7 through 9 and substitute the following:

15 "OF THE OTHER SETTLEMENT MONEYS RECEIVED BY THE STATE IN FISCAL
16 YEAR 2009-10, FIFTY-FIVE MILLION DOLLARS SHALL BE TRANSFERRED TO
17 THE GENERAL FUND ON JUNE 30, 2010, AND SHALL NOT BE ALLOCATED:";

18
19 line 27, strike "strategic".

20
21 Page 4, line 1, strike "contribution fund moneys received" and substitute
22 "~~strategic contribution fund~~ SETTLEMENT moneys received AND
23 ALLOCATED";

24
25 after line 10, insert the following:

26 "(3) Notwithstanding the provisions of subsections (1) and (1.5)
27 of this section, for purposes of sections 22-7-908 (3), 23-20-136 (3.5) (a),
28 25-4-1411 (6) (a), 25-4-1415 (2), 25-20.5-201 (2) (c), 25-23-104 (2),
29 25-31-107 (2) (d) (I), 25.5-3-207 (3), 25.5-8-105 (3), 27-10.3-106 (2) (b),
30 and 28-5-709 (2) (a), C.R.S., ~~strategic contribution fund~~ SETTLEMENT
31 moneys received and allocated by the state pursuant to said subsections
32 (1) and (1.5) during the same fiscal year shall be deemed to be moneys
33 received for or during the preceding fiscal year."

34
35 Page 5, line 19, strike "ANY GIVEN";

36
37 strike line 20 and substitute the following:

38
39 "FISCAL YEAR 2008-09";

40
41 line 23, strike "THE";

42
43 line 24, after "YEAR", insert "2008-09";

44
45 line 27, strike "THE NEXT FISCAL YEAR" and substitute "FISCAL YEAR
46 2009-10".

47
48 Page 6, after line 1, insert the following:

49 "(II) OF THE SETTLEMENT MONEYS RECEIVED IN ANY GIVEN FISCAL
50 YEAR FROM FISCAL YEAR 2009-10 THROUGH FISCAL YEAR 2016-17 THAT
51 ARE NOT DISPUTED PAYMENTS, FIFTEEN MILLION FOUR HUNDRED
52 THOUSAND DOLLARS OF THE STRATEGIC CONTRIBUTION FUND MONEYS
53 AND FIFTY-FIVE MILLION DOLLARS OF THE OTHER SETTLEMENT MONEYS
54 SHALL BE ALLOCATED AMONG SETTLEMENT PROGRAMS IN THE FISCAL
55 YEAR PURSUANT TO THE RULES OF SUBSECTIONS (1) AND (1.5) OF THIS
56 SECTION, AND TWENTY-NINE MILLION SIX HUNDRED THOUSAND DOLLARS

1 OF THE REMAINING SETTLEMENT MONEYS SHALL BE ALLOCATED AMONG
 2 SETTLEMENT PROGRAMS IN THE NEXT FISCAL YEAR AS SPECIFIED IN
 3 SUBSECTIONS (1) AND (1.5) OF THIS SECTION."

4

5 Renumber succeeding subparagraphs accordingly.

6

7 Page 6, line 3, strike "ONE HUNDRED" and substitute "FIFTY-FIVE MILLION
 8 DOLLARS SHALL BE ALLOCATED AMONG SETTLEMENT PROGRAMS IN THE
 9 FISCAL YEAR PURSUANT TO THE RULES OF SUBSECTIONS (1) AND (1.5) OF
 10 THIS SECTION AND FORTY-FIVE".

11

12 The amendment was declared **passed** by the following roll call vote:

13

	YES	64	NO	0	EXCUSED	1	ABSENT	0
15	Acree	Y	Green	E	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	Y	Schafer S.	Y
19	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
20	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
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	Y	Lambert	Y	Pace	Y	Swalm	Y
25	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
26	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
27	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
28	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
29	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
30	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
31							Speaker	Y

32

33 The question being, "Shall the bill, as amended, pass?"

34 A roll call vote was taken. As shown by the following recorded vote, a
 35 majority of those elected to the House voted in the affirmative, and the
 36 bill, as amended, was declared **passed**.

37

	YES	48	NO	16	EXCUSED	1	ABSENT	0
39	Acree	N	Green	E	McCann	Y	Roberts	Y
40	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
41	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
42	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
43	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
44	Bradford	Y	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	Y
47	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
48	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
49	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
50	Frangas	N	Liston	Y	Pommer	Y	Todd	Y
51	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
52	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
53	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
54	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
55							Speaker	Y

56 Co-sponsor(s) added: Representative(s) Labuda

1 **SB09-271** by Senator(s) Tapia, Keller, White; also Representative(s)
 2 Ferrandino, Pommer, Marostica--Concerning the use of
 3 tobacco revenues generated under section 21 of article X
 4 of the state constitution in a state fiscal emergency, and
 5 making an appropriation therefor.
 6

7 The question being "Shall the bill pass?".
 8 A roll call vote was taken. As shown by the following recorded vote, a
 9 majority of those elected to the House voted in the affirmative and the bill
 10 was declared **passed**.
 11

	YES	43	NO	21	EXCUSED	1	ABSENT	0
13	Acree	N	Green	E	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	N	Schafer S.	Y
17	Benefield	N	Kefalas	Y	Merrifield	Y	Solano	Y
18	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
19	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
20	Court	N	King S.	Y	Murray	Y	Stephens	N
21	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
22	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
23	Fischer	N	Levy	Y	Peniston	Y	Tipton	Y
24	Frangas	N	Liston	N	Pommer	Y	Todd	Y
25	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
26	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
27	Gardner C.	N	Massey	N	Rice	Y	Waller	N
28	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Labuda, Ryden, Scanlan
 31

32 **SB09-279** by Senator(s) Tapia, Keller, White; also Representative(s)
 33 Pommer, Ferrandino, Marostica--Concerning the
 34 augmentation of the general fund through transfers of
 35 certain moneys.
 36

37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.
 41

	YES	35	NO	29	EXCUSED	1	ABSENT	0
43	Acree	N	Green	E	McCann	Y	Roberts	N
44	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
45	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
46	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
47	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
48	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
49	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
50	Court	Y	King S.	N	Murray	N	Stephens	N
51	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
52	Ferrandino	Y	Lambert	N	Pace	N	Swalm	N
53	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
54	Frangas	N	Liston	N	Pommer	Y	Todd	Y
55	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
56	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y

1	Gardner C.	N	Massey	N	Rice	Y	Waller	N
2	Gerou	N	May	N	Riesberg	Y	Weissmann	N
3							Speaker	Y

5 **SB09-259** by Senator(s) Keller, Tapia, White; also Representative(s)
 6 Pommer, Ferrandino, Marostica--Concerning the provision
 7 for payment of the expenses of the executive, legislative,
 8 and judicial departments of the state of Colorado, and of
 9 its agencies and institutions, for and during the fiscal year
 10 beginning July 1, 2009, except as otherwise noted.

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	51	NO	13	EXCUSED	1	ABSENT	0
18	Acree	N	Green	E	McCann	Y	Roberts	Y
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	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
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	N	Summers	Y
27	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
28	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
29	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
30	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
31	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
32	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
33	Gerou	N	May	Y	Riesberg	Y	Weissmann	Y
34							Speaker	Y

35
 36
 37
 38 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**

39
 40 **HB09-1281** by Representative(s) Labuda, Baumgardner, Casso,
 41 Frangas, Hullinghorst, Marostica, Murray, Schafer S.,
 42 Soper, Tipton; also Senator(s) Carroll M. and Newell--
 43 Concerning representation on state boards by persons with
 44 disabilities.

45
 46 (Conference Committee Report Printed in House Journal, April 15, pages
 47 1209-1210.)

48
 49 On motion of Representative Labuda, the Conference Committee Report
 50 was **adopted** by the following roll call vote:

52	YES	56	NO	7	EXCUSED	2	ABSENT	0
53	Acree	Y	Green	E	McCann	E	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McFadyen	N	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y

1	Benefield	Y	Kefalas	Y	Merrifield	N	Solano	Y
2	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
3	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
4	Court	Y	King S.	Y	Murray	Y	Stephens	Y
5	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
6	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
7	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
8	Frangas	N	Liston	Y	Pommer	Y	Todd	Y
9	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
10	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
11	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
12	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
13							Speaker	Y

14
 15 The question being "Shall the bill, as amended, 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
 18 bill, as amended, was declared **repassed**.

	YES	58	NO	5	EXCUSED	2	ABSENT	0
21	Acree	Y	Green	E	McCann	E	Roberts	Y
22	Apuan	Y	Hullinghorst	Y	McFadyen	N	Ryden	Y
23	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
24	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
25	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
26	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
27	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
28	Court	Y	King S.	Y	Murray	Y	Stephens	Y
29	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
30	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
31	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
32	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
33	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
34	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
35	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
36	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
37							Speaker	Y

38 Representative Frangas requested his name be removed as sponsor.
 39 Co-sponsor(s) added: Representative(s) Acree

40
 41
 42 **SB09-101** by Senator(s) White; also Representative(s) Levy--
 43 Concerning the requirement for the creation of an
 44 independent historic preservation commission by any city
 45 receiving moneys from the state historical fund for historic
 46 preservation purposes when the city is not a certified local
 47 government, and, in connection therewith, establishing the
 48 composition and operation of such a commission.

49
 50 (Conference Committee Report Printed in House Journal, April 16, pages
 51 1256-1257.)

52
 53 On motion of Representative Levy, the Conference Committee Report
 54 was **adopted** by the following roll call vote:
 55

	YES	63	NO	0	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Green	E	McCann	E	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	Y	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	57	NO	6	EXCUSED	2	ABSENT	0
25								
26	Acree	Y	Green	E	McCann	E	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	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.	Y	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	Y
36	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
37	Frangas	Y	Liston	Y	Pommer	Y	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	Y	Weissmann	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Kerr J., Peniston

44
 45
 46 **SB09-013** by Senator(s) Gibbs and Schwartz, Penry; also
 47 Representative(s) Levy and King S.--Concerning the
 48 extension of civil immunity to persons engaged in
 49 emergency response activities.

50
 51 (Conference Committee Report Printed in House Journal, April 16, pages
 52 1255-1256.)

53
 54 On motion of Representative Levy, the Conference Committee Report
 55 was **adopted** by the following roll call vote:

56

	YES	62	NO	1	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Green	E	McCann	E	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	N	Pace	Y	Swalm	Y
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Liston	Y	Pommer	Y	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	0	EXCUSED	2	ABSENT	0
26	Acree	Y	Green	E	McCann	E	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	Y	Pace	Y	Swalm	Y
36	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
37	Frangas	Y	Liston	Y	Pommer	Y	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) Gardner C.

44
45
46
47
48 **MESSAGE(S) FROM THE SENATE**

49
50 The Senate has adopted and transmits herewith: SJR09-036.

51
52
53
54
55

INTRODUCTION AND CONSIDERATION OF RESOLUTION

On motion of Representative Weissmann, the rules were suspended and the following resolution was given immediate consideration.

SJR09-036 by Senator(s) Bacon, Tapia; also Representative(s) Kefalas and Fischer, Marostica, Massey, McFadyen, Pace--Concerning recognition of the Colorado State University System.

(Printed and placed in member's file).

On motion of Representative Kefalas, the resolution was read at length and **adopted** by **viva voce** vote.

Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Hullinghorst, Judd, Kagan, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, May, McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil, Waller, Weissmann, Speaker

CONSIDERATION OF RESOLUTION(S)

HJR09-1014 by Representative(s) Kerr J., Massey, Todd, Acree, Balmer, Casso, Gagliardi, Lambert, Looper, McNulty, Nikkel, Pace; also Senator(s) Morse, Schultheis--Concerning federal funds for COPLINK program.

(Printed and placed in members file)

On motion of Representative Kerr J., the resolution was read at length and **adopted** by **viva voce** vote.

Co-sponsor(s) added: Representative(s) Apuan, Baumgardner, Benefield, Bradford, Court, Curry, Ferrandino, Fischer, Frangas, Gardner B., Gardner C., Gerou, Hullinghorst, Judd, Kagan, Kefalas, Kerr A., King S., Labuda, Levy, Liston, Marostica, May, McFadyen, McKinley, Merrifield, Middleton, Miklosi, Murray, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Vaad, Vigil, Waller, Weissmann, Speaker

HJR09-1016 by Representative(s) Weissmann, Kerr A.; also Senator(s) Shaffer B.--Concerning the convening date for the 2010 Second Regular Session of the Sixty-seventh General Assembly.

(Printed and placed in members file)

1 On motion of Representative Weissmann, the resolution was **adopted** by
2 **viva voce** vote.

3
4 Co-sponsor(s) added: Representative(s) Benefield, Curry, Fischer, Kefalas,
5 Labuda, Riesberg, Ryden, Soper, Todd

6
7
8 **HJR09-1018** by Representative(s) Frangas; also Senator(s) Carroll M.--
9 Concerning citizen advocates' freedom of speech rights.
10 (Printed and placed in members file)

11
12 On motion of Representative Frangas, the resolution was read at length.
13 A motion by Representative Frangas to refer the resolution to the
14 Committee on State, Veterans, & Military Affairs was **lost** by the
15 following roll call vote:

	YES	32	NO	29	EXCUSED	4	ABSENT	0
18	Acree	N	Green	E	McCann	E	Roberts	Y
19	Apuan	N	Hullinghorst	Y	McFadyen	N	Ryden	N
20	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
21	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	Y
22	Benefield	N	Kefalas	Y	Merrifield	E	Solano	Y
23	Bradford	E	Kerr A.	Y	Middleton	Y	Sonnenberg	N
24	Casso	N	Kerr J.	N	Miklosi	N	Soper	Y
25	Court	N	King S.	N	Murray	N	Stephens	N
26	Curry	Y	Labuda	N	Nikkel	N	Summers	N
27	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
28	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
29	Frangas	Y	Liston	Y	Pommer	Y	Todd	N
30	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
31	Gardner B.	Y	Marostica	N	Priola	N	Vigil	Y
32	Gardner C.	Y	Massey	N	Rice	Y	Waller	Y
33	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
34							Speaker	Y

35 Laid over until April 20, retaining place on the Calendar.

36
37
38 **HJR09-1021** by Representative(s) Benefield, Gagliardi, Gerou, Ryden,
39 Todd; also Senator(s) Hudak, Sandoval--Concerning
40 support of telecommuting by the state of Colorado.

41
42 (Printed and placed in members file)

43
44 On motion of Representative Benefield, the resolution was read at length
45 and **adopted** by **viva voce** vote.

46
47 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Curry, Fischer,
48 Frangas, Kerr A., Levy, Marostica, Massey, Miklosi, Murray, Nikkel,
49 Primavera, Priola, Scanlan, Schafer S., Solano, Soper, Stephens, Swalm, Vaad,
50 Vigil, Speaker

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REPORT(S) OF COMMITTEE(S) OF REFERENCE**APPROPRIATIONS**

After consideration on the merits, the Committee recommends the following:

SB09-002 be referred to the Committee of the Whole with favorable recommendation.

SB09-016 be postponed indefinitely.

SB09-022 be referred to the Committee of the Whole with favorable recommendation.

SB09-024 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 7, line 15, after "**Appropriation.**", insert "(1)";

strike line 21 and substitute "million five hundred thousand dollars (\$2,500,000),";

after line 23, insert the following:

"(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the wildlife cash fund created in section 33-1-112 (1) (a), Colorado Revised Statutes, not otherwise appropriated, to the department of natural resources, division of wildlife, for the fiscal year beginning July 1, 2008, the sum of six hundred thousand dollars (\$600,000), or so much thereof as may be necessary, for implementation and administration of article 3 of title 33, Colorado Revised Statutes.";

strike lines 24 through 27 and substitute the following:

"SECTION 5. Applicability. This act shall apply to inquiries related to game damage and requests for game damage prevention materials received by the division of wildlife on or after the effective date of this act.

SECTION 6. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Strike page 8.

SB09-025 be referred to the Committee of the Whole with favorable recommendation.

1 **SB09-026** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 26, strike lines 10 through 18, and insert
6 the following:
7

8 **"SECTION 4. Appropriation.** (1) In addition to any other
9 appropriation, there is hereby appropriated, out of any moneys in the
10 division of registrations cash fund created in section 24-34-105 (2) (b) (I),
11 Colorado Revised Statutes, not otherwise appropriated, to the department
12 of regulatory agencies, for allocation to the division of registrations, for
13 the regulation of athletic trainers, for the fiscal year beginning July 1,
14 2009, the sum of one hundred thirty thousand seven hundred forty dollars
15 (\$130,740) cash funds and 1.3 FTE, or so much thereof as may be
16 necessary, for the implementation of this act.
17

18 (2) In addition to any other appropriation, there is hereby
19 appropriated to the department of law, for the fiscal year beginning July
20 1, 2009, the sum of twenty-one thousand seven hundred seventy-nine
21 dollars (\$21,779) and 1.3 FTE, or so much thereof as may be necessary,
22 for the provision of legal services to the department of regulatory
23 agencies related to the implementation of this act. Said sum shall be from
24 reappropriated funds received from the department of regulatory agencies
25 out of the appropriation made in subsection (1) of this section."
26

27 Page 1, line 102, strike "**THEREFOR.**" and substitute "**THEREWITH.**".
28
29
30

31 **SB09-052** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:
34

35 Amend the House Education Committee report dated March 12, 2009,
36 page 3, strike line 8, and substitute the following:
37

38 "Page 3, strike lines 1 through 21 and substitute the following:
39

40 **"SECTION 3. Appropriation.** In addition to any other
41 appropriation, there is hereby appropriated, out of any moneys in the
42 innovative higher education research fund created in section 23-19.7-104,
43 Colorado Revised Statutes, not otherwise appropriated, for the fiscal year
44 beginning July 1, 2009, the sum of one million dollars (\$1,000,000), or
45 so much thereof as may be necessary, to the department of higher
46 education, for distribution to the higher education competitive research
47 authority."."
48
49

50 **SB09-067** be amended as follows, and as so amended, be referred to
51 the Committee of the Whole with favorable
52 recommendation:
53

54 Amend reengrossed bill, page 2, line 14, strike "the Colorado office of
55 economic development," and substitute "economic development
56 programs,".

1 **SB09-068** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 2, strike lines 11 through 15 and substitute
6 the following:

7 "domestic abuse situations; and that domestic abuse is a complex
8 problem";
9

10 line 21, strike "**programs - repeal.**" and substitute "**programs.**".

11
12 Page 3, strike lines 14 through 25.
13

14 Page 1, line 101, strike "**SERVICES, AND,**" and substitute "**SERVICES, AND**
15 **MAKING AN APPROPRIATION THEREFOR.**";

16
17 strike lines 102 through 104.
18
19
20

21 **SB09-106** be referred to the Committee of the Whole with favorable
22 recommendation.
23
24

25 **SB09-125** be amended as follows, and as so amended, be referred to
26 the Committee of the Whole with favorable
27 recommendation:
28

29 Amend reengrossed bill, page 12, after line 21, insert the following:
30

31 **"SECTION 19. Appropriation - adjustments to the 2009 long**
32 **bill.** (1) For the implementation of this act, appropriations made in the
33 annual general appropriation act for the fiscal year beginning July 1,
34 2009, shall be adjusted as follows:
35

36 (a) The appropriation to the department of natural resources,
37 Colorado water conservation board, special purpose, for H.B. 05-1254
38 water efficiency grant program, is decreased by one hundred thousand
39 dollars (\$100,000) cash funds. Said sum shall be from the water
40 efficiency grant program cash fund created in section 37-60-126 (12) (a),
41 Colorado Revised Statutes;
42

43 (b) In addition to any other appropriation, there is hereby
44 appropriated, to the department of natural resources, Colorado water
45 conservation board, special purpose, for H.B. 05-1254 water efficiency
46 grant program, for the fiscal year beginning July 1, 2009, one hundred
47 thousand dollars (\$100,000) cash funds. Said sum shall be from the
48 Colorado water conservation board construction fund established
49 pursuant to section 37-60-121 (1) (a), Colorado Revised Statutes.
50

51 (c) The appropriation to the department of natural resources,
52 Colorado water conservation board, special purpose, for interbasin
53 compacts, is decreased by four hundred thousand dollars (\$400,000) cash
54 funds. Said sum shall be from the interbasin compact committee
55 operation fund created in section 37-75-107, Colorado Revised Statutes.
56

1 (d) In addition to any other appropriation, there is hereby
2 appropriated, to the department of natural resources, Colorado water
3 conservation board, special purpose, for the fiscal year beginning July 1,
4 2009, four hundred thousand dollars (\$400,000) cash funds. Said sum
5 shall be from the Colorado water conservation board construction fund
6 established pursuant to section 37-60-121 (1) (a), Colorado Revised
7 Statutes."

8
9 Renumber succeeding sections accordingly.

10
11 Page 13, after line 22, insert the following:

12 "SECTION 21. 39-29-109.3 (2) (i), Colorado Revised Statutes,
13 is amended to read:

14
15 **39-29-109.3. Operational account of the severance tax trust**
16 **fund - repeal.** (2) Subject to the requirements of subsections (3) and (4)
17 of this section, if the general assembly chooses not to spend up to one
18 hundred percent of the moneys in the operational account as specified in
19 subsection (1) of this section, the state treasurer shall transfer the
20 following:

21
22 (i) To the interbasin compact committee operation fund created in
23 section 37-75-107, C.R.S., for the state fiscal year commencing July 1,
24 2008, and for each state fiscal year thereafter, ~~one million one~~ SEVEN
25 hundred forty-five thousand sixty-seven dollars."

26
27 Renumber succeeding sections accordingly.

28
29 Page 14, line 19, strike "FOUR" and substitute "TWELVE".

30
31
32
33 **SB09-138** be amended as follows, and as so amended, be referred to
34 the Committee of the Whole with favorable
35 recommendation:

36
37 Amend reengrossed bill, page 13, strike lines 15 to 22, and insert the
38 following:

39 "SECTION 14. **Appropriation.** (1) In addition to any other
40 appropriation, there is hereby appropriated, out of any moneys in the
41 division of registrations cash fund created in section 24-34-105 (2) (b) (I),
42 Colorado Revised Statutes, not otherwise appropriated, to the department
43 of regulatory agencies, for allocation to the division of registrations, for
44 the continued certifications of nurse aides, for the fiscal year beginning
45 July 1, 2009, the sum of seventeen thousand fifty-five dollars (\$17,055)
46 cash funds, or so much thereof as may be necessary, for the
47 implementation of this act.

48
49 (2) In addition to any other appropriation, there is hereby
50 appropriated to the department of law, for the fiscal year beginning July
51 1, 2009, the sum of three thousand seven hundred fifty-five dollars
52 (\$3,755), or so much thereof as may be necessary, for the provision of
53 legal services to the department of regulatory agencies related to the
54 implementation of this act. Said sum shall be from reappropriated funds
55 received from the department of regulatory agencies out of the
56 appropriation made in subsection (1) of this section."

- 1 **SB09-144** be referred to the Committee of the Whole with favorable
- 2 recommendation.
- 3
- 4
- 5 **SB09-154** be referred to the Committee of the Whole with favorable
- 6 recommendation.
- 7
- 8
- 9 **SB09-174** be referred to the Committee of the Whole with favorable
- 10 recommendation.
- 11
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15 **HEALTH & HUMAN SERVICES**

16 After consideration on the merits, the Committee recommends the
17 following:

- 18
- 19 **HB09-1341** be amended as follows, and as so amended, be referred to
- 20 the Committee of the Whole with favorable
- 21 recommendation:
- 22
- 23 Amend printed bill, page 2, line 17, strike "(2)," and substitute "(2) (a),";
- 24
- 25 strike lines 22 through 24.
- 26
- 27
- 28

- 29 **SB09-252** be referred to the Committee of the Whole with favorable
- 30 recommendation.
- 31
- 32
- 33
- 34

35 **JUDICIARY**

36 After consideration on the merits, the Committee recommends the
37 following:

- 38
- 39 **HB09-1334** be referred to the Committee of the Whole with favorable
- 40 recommendation.
- 41
- 42
- 43

44 **PRINTING REPORT**

45
46 The Chief Clerk reports the following bills have been correctly printed:
47 **HCR09-1003, 1004.**

48
49
50
51 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

52
53 The Speaker has signed: **SJR09-032.**

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DELIVERY OF BILLS TO GOVERNOR1
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The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB09-1018, 1108, 1110, 1216, 1227, 1233, 1279** at 4:15 p.m. on April 16, 2009.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 17th day of April, 2009, at 8:50 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

April 16, 2009

To the Honorable
House of Representatives
Sixty-seventh General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB09-1034 CONCERNING AUTHORIZATION FOR A REGIONAL TRANSPORTATION AUTHORITY TO IMPOSE PROPERTY TAX.

Approved April 16, 2009 at 1:08 p.m.

HB09-1118 CONCERNING THE MANNER IN WHICH THE RECORDS OF CERTAIN GOVERNMENTAL ENTITIES ARE KEPT.

Approved April 16, 2009 at 1:24 p.m.

HB09-1125 CONCERNING LIMITATIONS ON THE INCENTIVES LOCAL EDUCATION PROVIDERS MAY PROVIDE FOR PARTICIPATION IN PUBLIC EDUCATIONAL PROGRAMS.

Approved April 16, 2009 at 10:46 a.m.

HB09-1143 CONCERNING THE AUTHORITY OF A HEALTH MAINTENANCE ORGANIZATION TO OFFER BASIC HEALTH SERVICES THROUGH A LIMITED HEALTH BENEFIT PLAN.

Approved April 16, 2009 at 10:47 a.m.

HB09-1190 CONCERNING THE ENACTMENT OF THE "UNIFORM UNSWORN FOREIGN DECLARATIONS ACT".

Approved April 16, 2009 at 10:50 a.m.

1 **HB09-1218** CONCERNING CAPITAL LEASE AGREEMENTS ENTERED
2 INTO BY THE STATE.

3
4 Approved April 16, 2009 at 1:26 p.m.

5
6 **HB09-1253** CONCERNING PROCESSES FOR INVOLUNTARY MENTAL
7 HEALTH TREATMENT FOR DEFENDANTS COMMITTED
8 UNDER TITLE 16, COLORADO REVISED STATUTES.

9
10 Approved April 16, 2009 at 1:13 p.m.

11
12 **HB09-1254** CONCERNING ADDITIONAL CONSUMER PROTECTIONS
13 RELATING TO LIKE-KIND EXCHANGES FACILITATED BY
14 EXCHANGE FACILITATORS.

15
16 Approved April 16, 2009 at 10:51 a.m.

17
18 **HB09-1264** CONCERNING THE COSTS ASSOCIATED WITH COLLEGE-
19 LEVEL ACADEMIC PROGRAMS FOR STATE INMATES.

20
21 Approved April 16, 2009 at 10:52 a.m.

22
23 **HB09-1297** CONCERNING MEMBERSHIP APPOINTMENTS TO THE
24 ADVISORY COMMITTEE ON LICENSING OF CHILD CARE
25 FACILITIES.

26
27 Approved April 16, 2009 at 10:53 a.m.

28
29 Sincerely,
30 (signed)
31 Bill Ritter, Jr.
32 Governor

33
34
35 **INTRODUCTION OF BILL**
36 **First Reading**

37
38 The following bill was read by title and referred to the committee
39 indicated:

40
41 **HB09-1350** by Representative(s) Miklosi, Fischer, Kerr A.; also
42 Senator(s) Heath and Schwartz--Concerning the "New
43 Energy Improvements and Jobs Creation Act of 2009",
44 and, in connection therewith, creating the Colorado new
45 energy improvement district and authorizing the district to
46 fund new energy improvements by issuing special
47 assessment bonds payable from special assessments levied
48 on eligible real property owned by persons who voluntarily
49 join the district in order to have the district help them fund
50 new energy improvements to the eligible real property.

51 Committee on Local Government

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INTRODUCTION OF CONCURRENT RESOLUTION

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The following resolution was read by title and referred to the committee indicated:

HCR09-1005 by Representative(s) May; also Senator(s) Carroll M.-- Submitting to the registered electors of the state of Colorado an amendment to sections 44, 46, and 48 of article V of the constitution of the state of Colorado, concerning the creation of an independent redistricting commission, and, in connection therewith, authorizing the commission to redistrict the general assembly and congressional districts and specifying the allowable population deviation for legislative districts.

Committee on State, Veterans, & Military Affairs

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

HJR09-1027 by Representative(s) King S.; also Senator(s) Morse-- Concerning declaring the week of May 10-16, 2009, as Police Week and May 15, 2009, as Peace Officers' Memorial Day.

INTRODUCTION OF MEMORIALS

The following memorials were read by title and laid over to April 22, 2009 under the rules:

HM09-1002 by Representative(s) Miklosi and Hullinghorst-- Memorializing former Representative Joseph Dolan.

HM09-1003 by Representative(s) Sonnenberg, Gardner C., Weissmann--Memorializing former Representative Robert Leon Eisenach.

The following memorial was read by title and laid over to April 23, 2009 under the rules:

HM09-1004 by Representative(s) Pace, Massey, McFadyen, Vigil-- Memorializing former Representative Stanley E. Johnson.

LAY OVER OF CALENDAR ITEM(S)

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On motion of Representative Weissmann, the following item(s) on the Calendar were laid over until April 20, retaining place on Calendar:

- Consideration of Special Orders--**HB09-1269, 1081, 1323.**
- Consideration of Third Reading--**SB09-061, HB09-1274, SB09-276.**
- Consideration of General Orders--**SB09-281, 251, HB09-1327.**
- Consideration of Resolution(s)--**HJR09-1019, SJR09-034.**
- Consideration of Memorial(s)--**SJM09-002.**



On motion of Representative Weissmann, the House adjourned until 10:00 a.m., April 20, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

One hundred-fourth Legislative Day Monday, April 20, 2009

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Tyler Oldham, Christina Martinez, Shelby
6 Lind, Joshua Boschert, Murphy Creek Elementary, Aurora.
7
8 The roll was called with the following result:
9
10 Present--64.
11 Excused--Representative(s) Merrifield--1.
12 Present after roll call--Representative(s) Merrifield.

13
14 The Speaker declared a quorum present.

15
16
17 On motion of Representative Swalm, the reading of the journal of
18 April 17, 2009, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

CONSIDERATION OF RESOLUTION(S)

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24
25 **HJR09-1019** by Representative(s) Kerr J., Summers, Acree, Apuan,
26 Balmer, Baumgardner, Benefield, Bradford, Casso,
27 Ferrandino, Frangas, Gagliardi, Gardner B., Gardner C.,
28 Gerou, Green, Kagan, Kefalas, Kerr A., King S., Lambert,
29 Liston, Looper, Marostica, Massey, May, McCann,
30 McFadyen, McNulty, Merrifield, Middleton, Miklosi,
31 Nikkel, Pace, Peniston, Primavera, Priola, Roberts,
32 Scanlan, Schafer S., Solano, Sonnenberg, Soper,
33 Stephens, Todd, Vaad, Vigil, Waller, Weissmann; also
34 Senator(s) Kopp, Boyd, Brophy, Carroll M., Gibbs, Heath,
35 Kester, King K., Lundberg, Morse, Penry, Renfroe,
36 Romer, Scheffel, Schultheis, Spence, White--Concerning
37 Columbine High School triumph over tragedy 1999-2009.

38
39 (Printed and placed in members file)

40
41 On motion of Representative Kerr J., the resolution was read at length
42 and **adopted** by the following roll call vote:

43

	YES	65	NO	0	EXCUSED	0	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	Y	Liston	Y	Pommer	Y	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 Current Roll Call added as Co-sponsor(s): Representative(s) Court, Curry,
 20 Fischer, Hullinghorst, Judd, Labuda, Levy, McKinley, Murray, Pommer, Rice,
 21 Riesberg, Ryden, Swalm, Tipton, Speaker

22
 23
 24 On motion of Representative Merrifield, the House resolved itself into
 25 Committee of the Whole for consideration of General Orders, and he was
 26 called to the Chair to act as Chairman.

27 28 29 **GENERAL ORDERS--SECOND READING OF BILLS**

30
 31 The Committee of the Whole having risen, the Chairman reported the
 32 titles of the following bills had been read (reading at length had been
 33 dispensed with by unanimous consent), the bills considered and action
 34 taken thereon as follows:

35
 36 (Amendments to the committee amendment are to the printed committee
 37 report which was printed and placed in the members' bill file.)

38
 39 **HB09-1327** by Representative(s) Hullinghorst, Court, Fischer,
 40 Gagliardi, Levy, McCann, Peniston, Pommer, Rice,
 41 Sonnenberg, Vigil, Weissmann; also Senator(s) Tochtrop,
 42 Heath--Concerning modifications to the urban renewal law
 43 to address impacts to specified taxing entities arising from
 44 the use of tax increment financing mechanisms to support
 45 urban renewal projects.

46
 47 Amendment No. 1, Local Government, dated March 31, 2009, and placed
 48 in member's bill file; Report also printed in House Journal, April 2,
 49 pages 1011-1012.

50
 51 Amendment No. 2, by Representative(s) Peniston.
 52 Amend the Local Government Committee Report, dated March 31, 2009,
 53 page 2, line 9, strike "January 1, 2010." and substitute "July 1, 2010."
 54

55 As amended, ordered engrossed and placed on the Calendar for Third
 56 Reading and Final Passage.

1 **SB09-251** by Senator(s) Romer; also Representative(s) Riesberg--
 2 Concerning the authority of a licensed health care provider
 3 to charge a fee for certain ophthalmic devices.
 4

5 Ordered revised and placed on the Calendar for Third Reading and Final
 6 Passage.
 7

8
 9
 10 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

11
 12 Representative(s) May and Benefield moved to amend the Report of the
 13 Committee of the Whole to reverse the action taken by the Committee in
 14 not adopting the following Benefield and Massey amendment, to
 15 HB09-1327, to show that said amendment passed, and that **HB09-1327**,
 16 as amended, passed.
 17

18 Strike the Local Government Committee Report, dated March 31, 2009,
 19 and substitute the following:
 20

21 "Amend printed bill, page 3, strike lines 13 and 14 and substitute the
 22 following:
 23

24 "31-25-107 (3.5) is further amended BY THE ADDITION OF THE
 25 FOLLOWING NEW PARAGRAPHS, to read:"
 26

27 after line 25, insert the following:
 28

29 "(c) WITHIN TEN DAYS OF RECEIVING AN URBAN RENEWAL IMPACT
 30 REPORT, A TAXING ENTITY SHALL REQUEST A MEETING WITH THE
 31 AUTHORITY OR MUNICIPALITY TO DISCUSS THE REPORT. THE MEETING
 32 SHALL BE SCHEDULED IN ADVANCE OF THE HEARING. FAILURE OF THE
 33 TAXING ENTITY TO ATTEND THE MEETING SHALL NOT RESULT IN A DELAY
 34 IN THE HEARING. IF MORE THAN ONE TAXING ENTITY REQUESTS A
 35 MEETING, THE MEETINGS MAY BE CONSOLIDATED."
 36

37 Reletter succeeding paragraph accordingly.
 38

39 Page 4, strike lines 10 through 13 and substitute the following:
 40

41 "the urban renewal area for the";
 42

43 strike lines 20 through 27.
 44

45 Strike pages 5 and 6.
 46

47 Page 7, strike lines 1 through 5.
 48

49 Renumber succeeding sections accordingly."
 50

51 The amendment was declared **lost** by the following roll call vote:
 52

	YES	30	NO	35	EXCUSED	0	ABSENT	0
54	Acree	Y	Green	N	McCann	N	Roberts	Y
55	Apuan	N	Hullinghorst	N	McFadyen	Y	Ryden	N
56	Balmer	Y	Judd	N	McKinley	N	Scanlan	N

1	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	Y
2	Benefield	Y	Kefalas	N	Merrifield	N	Solano	N
3	Bradford	Y	Kerr A.	N	Middleton	Y	Sonnenberg	N
4	Casso	N	Kerr J.	Y	Miklosi	N	Soper	N
5	Court	N	King S.	Y	Murray	Y	Stephens	Y
6	Curry	N	Labuda	N	Nikkel	Y	Summers	Y
7	Ferrandino	N	Lambert	Y	Pace	Y	Swalm	Y
8	Fischer	N	Levy	N	Peniston	N	Tipton	Y
9	Frangas	N	Liston	Y	Pommer	N	Todd	N
10	Gagliardi	N	Looper	N	Primavera	N	Vaad	Y
11	Gardner B.	Y	Marostica	Y	Priola	N	Vigil	N
12	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
13	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
14							Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB09-1327 amended, SB09-251.**

The Chairman moved the adoption of the Committee of the Whole Report. As shown by the following roll call vote, a majority of those elected to the House voted in the affirmative, and the Report was **adopted.**

	YES	62	NO	3	EXCUSED	0	ABSENT	0
28	Acree	N	Green	Y	McCann	Y	Roberts	Y
29	Apuan	Y	Hullingerhorst	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.	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	Y	Lambert	Y	Pace	Y	Swalm	Y
38	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
39	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
40	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
41	Gardner B.	N	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

ADHERENCE ON SB09-131

SB09-131 by Senator(s) Romer; also Representative(s) Massey--
Concerning the requirement that students in public schools
engage in a certain amount of physical activity each week.

(Amended as printed in House Journal, March 30, page 939.)

1 Representative Massey moved that the House **adhere** to its position on
 2 **SB09-131**. The motion was declared **passed** by the following roll call
 3 vote:

	YES	61	NO	4	EXCUSED	0	ABSENT	0
6	Acree	N	Green	Y	McCann	Y	Roberts	Y
7	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
8	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
9	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
10	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
11	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
12	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
13	Court	Y	King S.	Y	Murray	Y	Stephens	Y
14	Curry	N	Labuda	Y	Nikkel	Y	Summers	N
15	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
16	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
17	Frangas	N	Liston	Y	Pommer	Y	Todd	Y
18	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
19	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
20	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
21	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
22							Speaker	Y

PRINTING REPORT

28 The Chief Clerk reports the following bills have been correctly printed:
 29 **HB09-1350, HCR09-1005**.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

35 The Speaker has signed: **HB09-1061, 1089, 1214, 1285**.

DELIVERY OF BILLS TO GOVERNOR

41 The Chief Clerk of the House of Representatives reports the following
 42 bills have been delivered to the Office of the Governor:
 43 **HB09-1103** at 11:41 a.m. on April 17, 2009.
 44 **HB09-1061, 1089, 1214, 1285** at 11:53 a.m. on April 20, 2009.

MESSAGE(S) FROM THE SENATE

50 The Senate has passed on Third Reading and transmitted to the Revisor
 51 of Statutes:

53 **HB09-1180** amended as printed in Senate Journal, April 14, 2009,
 54 pages 1059-1062, and April 17, 2009.

1 The Senate has passed on Third Reading and returns herewith:
 2 HB09-1120, HB09-1325, HB09-1315, HB09-1311.

3
 4 The Senate has passed on Third Reading and transmitted to the Revisor
 5 of Statutes:

6
 7 SB09-258 amended as printed in Senate Journal, April 14, 2009,
 8 page 1056,
 9 SB09-239 amended as printed in Senate Journal, March 12, 2009,
 10 pages 712-722, April 3, 2009, page 955, and
 11 April 17, 2009, pages 1141-1143,
 12 SB09-226 amended as printed in Senate Journal, February 27, 2009,
 13 pages 535-536, April 3, 2009, page 955, and
 14 April 17, 2009, pages 1143-1144.
 15

16 The Senate has postponed indefinitely HB09-1116. The bill is returned
 17 herewith.

18
 19
 20 **MESSAGE(S) FROM THE REVISOR**

21
 22 We herewith transmit:
 23 Without comment, as amended, HB09-1180.

24
 25
 26 We herewith transmit:
 27 Without comment, as amended, SB09-258, 239, and 226.
 28

29
 30 **INTRODUCTION OF BILLS**
 31 **First Reading**

32
 33 The following bills were read by title and referred to the committees
 34 indicated:

35
 36 **HB09-1351** by Representative(s) Pommer and Ferrandino, Marostica--
 37 Concerning an increase in the amount of time an inmate
 38 may have deducted from the inmate's sentence.

39 Committee on Judiciary
 40

41 **HB09-1352** by Representative(s) Levy--Concerning adding
 42 commission of certain proscribed acts by government
 43 officials to the list of deceptive trade practices.

44 Committee on Judiciary
 45

46 **HB09-1353** by Representative(s) Miklosi; also Senator(s) Foster,
 47 Newell--Concerning legal immigrants' eligibility for public
 48 medical benefits.

49 Committee on Health and Human Services
 50

51 **HB09-1354** by Representative(s) McFadyen; also Senator(s) Schwartz-
 52 -Concerning measures to encourage the construction of
 53 new homes that make cost-effective use of renewable
 54 energy.

55 Committee on Transportation & Energy
 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 Committee on Education

6
 7 **SB09-239** by Senator(s) Tochtrop, Boyd; also Representative(s)
 8 Riesberg--Concerning the continuation of the state board
 9 of nursing, and making an appropriation therefor.

10 Committee on Health and Human Services

11
 12 **SB09-258** by Senator(s) Veiga; also Representative(s) Scanlan--
 13 Concerning required acts of employee leasing companies
 14 by the department of labor and employment pursuant to
 15 the "Colorado Employment Security Act".

16 Committee on Business Affairs and Labor

17
 18
 19
 20 House in recess. House reconvened.

21
 22
 23
 24 **MESSAGE(S) FROM THE SENATE**

25
 26 The Senate has adopted HJR09-1019, as amended, and transmits
 27 herewith.

28
 29 The Senate has voted not to concur in House Amendments to SB09-259,
 30 and requests that a Conference Committee be appointed. The President
 31 appointed Senators Keller-Chair, Tapia and White, as members of the
 32 First Conference Committee on SB09-259 on the part of the Senate. The
 33 Senate granted members permission to go beyond the scope of differences
 34 between the two houses. The bill is transmitted herewith.

35
 36 The Senate has voted not to concur in House Amendments to SB09-275,
 37 and requests that a Conference Committee be appointed. The President
 38 appointed Senators Keller-Chair, Tapia and White, as members of the
 39 First Conference Committee on SB09-275 on the part of the Senate. The
 40 bill is transmitted herewith.

41
 42 The Senate voted to reject the First Report of the First Conference
 43 Committee on SB09-148, as printed in House Journal, April 13, 2009,
 44 pages 1146-1147, and dissolved the Conference Committee. The
 45 President appointed Senators Brophy-Chair, Gibbs and White as
 46 members of the Second Conference Committee on SB09-148. The Senate
 47 granted permission to the members of the Second Conference Committee
 48 on SB09-148 to consider matters not at issue between the two houses.
 49 The bill is transmitted herewith.

50
 51
 52
 53 Upon announcement of President Groff, Representatives Rice and Priola
 54 will replace Representative Lambert as joint prime sponsors on
 55 SB09-085.

56

**INTRODUCTION OF BILLS
First Reading**

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The following bills were read by title and referred to the committees indicated:

HB09-1355 by Representative(s) Pommer and Ferrandino, Marostica; also Senator(s) Tapia--Concerning the elimination of the state sales and use tax exemption for purchases of food through vending machines.
Committee on Finance

HB09-1356 by Representative(s) Pommer--Concerning the use of state education fund moneys in the college opportunity fund program to pay student stipends for higher education courses that further the purposes of the state education fund specified in the state constitution, and making an appropriation therefor.
Committee on Appropriations

HB09-1357 by Representative(s) Vigil; also Senator(s) Schwartz--Concerning a requirement that campaign finance reports required to be filed with the county clerk and recorder be filed instead with the secretary of state.
Committee on State, Veterans, & Military Affairs

HB09-1358 by Representative(s) Rice, Middleton, Peniston, Scanlan, Todd--Concerning the creation of a health care authority to develop and administer a health care system for Colorado.
Committee on Business Affairs and Labor

HB09-1359 by Representative(s) Kerr A.--Concerning the governance of common interest communities under the "Colorado Common Interest Ownership Act".
Committee on Local Government

INTRODUCTION OF MEMORIAL

The following memorial was read by title and laid over one day under the rules:

HM09-1005 by Representative(s) May--Memorializing former Representative James Aspinwall.

APPOINTMENTS TO CONFERENCE COMMITTEES

Pursuant to a request from the Senate, the Speaker appointed House conferees to the First Conference Committees as follows:

SB09-259--Representatives Pommer Chairman, Ferrandino and Marostica.
SB09-275--Representatives Ferrandino, Chairman, Pommer and Marostica

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

JUDICIARY

After consideration on the merits, the Committee recommends the following:

HB09-1344 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 7, before line 4, insert the following:

"SECTION 5. 10-3-207 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

10-3-207. Fees paid by insurance companies. (1) Every entity regulated by the division in this state shall pay the following fees to the division:

(g) (I) FOR THE PURPOSE OF PROVIDING ADEQUATE FUNDS TO THE DIVISION FOR RATES AND FORMS AND ACTUARIAL FOR REVIEW AND APPROVAL OF RATES FOR MEDICAL MALPRACTICE INSURERS AND RATE HEARINGS FOR SUCH INSURERS, IN ADDITION TO ANY OTHER FEE COLLECTED PURSUANT TO THIS SUBSECTION (1), EACH MEDICAL MALPRACTICE INSURER REGULATED BY THE DIVISION SHALL PAY A NONREFUNDABLE ANNUAL FEE ON OR BEFORE MARCH 1 OF EACH YEAR. THIS FEE SHALL BE ESTABLISHED BY THE COMMISSIONER IN AN AMOUNT SUFFICIENT TO COVER THE COSTS ASSOCIATED WITH THE REVIEW AND APPROVAL AND RATES AND RATE HEARINGS.

(II) NOTWITHSTANDING ANY PROVISIONS OF SECTION 10-1-103 OR 10-1-108 (9) TO THE CONTRARY, ALL FEES AND SURCHARGES COLLECTED PURSUANT TO THIS PARAGRAPH (g) SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL DEPOSIT THE SAME IN THE DIVISION OF INSURANCE CASH FUND CREATED IN SECTION 10-1-103, AND SHALL BE SUBJECT TO ANNUAL APPROPRIATION TO THE DIVISION AND TO THE DEPARTMENT OF LAW FOR THE PURPOSES SET FORTH IN THIS PARAGRAPH (g)."

Renumber succeeding sections accordingly.

Page 7, strike lines 4 through 27.

Strike page 8.

Page 9, strike lines 1 through 26.

Renumber succeeding sections accordingly.

Page 9, line 27, strike "Sections 1 through 4 of this" and substitute "This".

1 Page 1, strike lines 101 through 103 and substitute the following:

2

3 "**CONCERNING INCREASED REGULATORY OVERSIGHT OF**".

4

5

6

7 **HB09-1348** be referred to the Committee of the Whole with favorable
8 recommendation.

9

10

11

12

LAY OVER OF CALENDAR ITEM(S)

13

14 On motion of Representative Weissmann, the following item(s) on the
15 Calendar were laid over until April 21, retaining place on Calendar:

16

17 Consideration of Special Orders--**HB09-1269, 1081, 1323.**

18 Consideration of Third Reading--**SB09-061, HB09-1274, SB09-276.**

19 Consideration of General Orders--**SB09-281.**

20 Consideration of Resolution(s)--**HJR09-1018, 1027, SJR09-034.**

21 Consideration of Memorial(s)--**SJM09-002.**

22

23

24

25 On motion of Representative Weissmann, the House adjourned until
26 9:00 a.m., April 21, 2009.

27

28

29

Approved:
TERRANCE D. CARROLL,
Speaker

30

31

32 Attest:
MARILYN EDDINS,

33 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

One hundred-fifth Legislative Day Tuesday, April 21, 2009

1 Prayer by the Reverend Michelle Quinn-Miscall, Rector, St. Joseph
2 Episcopal Church, Lakewood.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Aidan Svenson, Jaxon Bell, Madison Tran,
7 Justus Novak, Timber Trail Elementary, Castle Rock.

8
9 The roll was called with the following result:

10
11 Present--65.

12
13 The Speaker declared a quorum present.

14
15
16 On motion of Representative Swalm, the reading of the journal of
17 April 20, 2009, was declared dispensed with and approved as corrected
18 by the Chief Clerk.

19
20
21
22 **THIRD READING OF BILLS--FINAL PASSAGE**

23
24 The following bills were considered on Third Reading. The titles were
25 publicly read. Reading of the bill at length was dispensed with by
26 unanimous consent.

27
28 **SB09-061** by Senator(s) Carroll M.; also Representative(s)
29 Primavera--Concerning the qualifications of health care
30 professionals who review claims for medical treatment
31 under insurance policies.

32
33 The question being "Shall the bill pass?".
34 A roll call vote was taken. As shown by the following recorded vote,
35 less than a majority of those elected to the House voted in the affirmative
36 and the bill was declared **lost**.

37
38

	YES	31	NO	34	EXCUSED	0	ABSENT	0
39	Acree	N	Green	Y	McCann	N	Roberts	N
40	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
41	Balmer	N	Judd	Y	McKinley	N	Scanlan	N
42	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	N

1	Benefield	Y	Kefalas	Y	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	N	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	N
10	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
11	Gardner C.	N	Massey	N	Rice	N	Waller	N
12	Gerou	N	May	N	Riesberg	N	Weissmann	Y
13							Speaker	Y

14
 15 **HB09-1274** by Representative(s) Weissmann; also Senator(s)
 16 Carroll M., Groff--Concerning capital crimes, and making
 17 an appropriation in connection therewith.

18
 19 The question being "Shall the bill pass?".
 20 A roll call vote was taken. As shown by the following recorded vote, a
 21 majority of those elected to the House voted in the affirmative and the
 22 bill was declared **passed**.

	YES	33	NO	32	EXCUSED	0	ABSENT	0
25	Acree	N	Green	Y	McCann	Y	Roberts	N
26	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
27	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
28	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
29	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
30	Bradford	N	Kerr A.	Y	Middleton	N	Sonnenberg	N
31	Casso	N	Kerr J.	N	Miklosi	Y	Soper	N
32	Court	Y	King S.	N	Murray	N	Stephens	N
33	Curry	N	Labuda	Y	Nikkel	N	Summers	N
34	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
35	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
36	Frangas	N	Liston	N	Pommer	Y	Todd	Y
37	Gagliardi	N	Looper	N	Primavera	Y	Vaad	N
38	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
39	Gardner C.	N	Massey	N	Rice	Y	Waller	N
40	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Benefield, Ferrandino, Fischer, Green,
 43 Hullinghorst, Kagan, Kefalas, Labuda, Levy, Miklosi, Pommer, Ryden,
 44 Schafer S., Speaker, McFadyen

45
 46 **SB09-276** by Senator(s) White, Keller, Tapia; also Representative(s)
 47 Pommer, Ferrandino, Marostica--Concerning the property
 48 tax exemption for qualifying seniors, and, in connection
 49 therewith, lowering for a specified property tax year the
 50 maximum amount of actual value of the primary owner-
 51 occupied residence of a qualifying senior that is partly
 52 exempt from property taxation, and making an
 53 appropriation in connection therewith.

54
 55 The question being "Shall the bill pass?".
 56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	33	NO	32	EXCUSED	0	ABSENT	0
5	Acree	N	Green	Y	McCann	Y	Roberts	N
6	Apuan	N	Hullinghorst	Y	McFadyen	Y	Ryden	Y
7	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
8	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
9	Benefield	Y	Kefalas	N	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	N	Liston	N	Pommer	Y	Todd	Y
17	Gagliardi	N	Looper	N	Primavera	N	Vaad	N
18	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
19	Gardner C.	N	Massey	N	Rice	Y	Waller	N
20	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Benefield, Labuda

23
24 **HB09-1327** by Representative(s) Hullinghorst, Court, Fischer,
25 Gagliardi, Levy, McCann, Peniston, Pommer, Rice,
26 Sonnenberg, Vigil, Weissmann; also Senator(s) Tochtrop,
27 Heath--Concerning modifications to the urban renewal law
28 to address impacts to specified taxing entities arising from
29 the use of tax increment financing mechanisms to support
30 urban renewal projects.

31
32 The question being "Shall the bill 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 bill
35 was declared **passed**.

	YES	36	NO	29	EXCUSED	0	ABSENT	0
38	Acree	N	Green	Y	McCann	Y	Roberts	N
39	Apuan	N	Hullinghorst	Y	McFadyen	N	Ryden	Y
40	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
41	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	N
42	Benefield	N	Kefalas	Y	Merrifield	Y	Solano	Y
43	Bradford	N	Kerr A.	Y	Middleton	N	Sonnenberg	Y
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	Y	Primavera	Y	Vaad	Y
51	Gardner B.	N	Marostica	N	Priola	Y	Vigil	Y
52	Gardner C.	N	Massey	N	Rice	N	Waller	N
53	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
54							Speaker	N

55 Representative Rice requested his name be removed as sponsor.

56 Co-sponsor(s) added: Representative(s) Green, Labuda, Merrifield

1 **SB09-251** by Senator(s) Romer; also Representative(s) Riesberg--
 2 Concerning the authority of a licensed health care provider
 3 to charge a fee for certain ophthalmic devices.
 4

5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

	YES	65	NO	0	EXCUSED	0	ABSENT	0
11	Acree	Y	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	Y	Schafer S.	Y
15	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
16	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
17	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
18	Court	Y	King S.	Y	Murray	Y	Stephens	Y
19	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
20	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
21	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
22	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
23	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
24	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
25	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
26	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Acree, Fischer, Frangas, Gerou,
 29 Kefalas, Kerr J., Labuda, Liston, Massey, Merrifield, Nikkel, Summers, Swalm,
 30 Todd, Vaad
 31
 32

33 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

34 **APPROPRIATIONS**

35 After consideration on the merits, the Committee recommends the
 36 following:
 37

38
 39 **HB09-1344** be amended as follows, and as so amended, be referred to
 40 the Committee of the Whole with favorable
 41 recommendation:
 42

43 Amend printed bill, page 9, after line 26, insert the following:
 44

45 **"SECTION 8. Appropriation.** (1) In addition to any other
 46 appropriation, there is hereby appropriated, out of any moneys in the
 47 division of insurance cash fund created in section 10-1-103 (3), Colorado
 48 Revised Statutes, not otherwise appropriated, to the department of
 49 regulatory agencies, for allocation to the division of insurance, for
 50 regulatory oversight of adjustments on medical negligence insurance, for
 51 the fiscal year beginning July 1, 2009, the sum of twenty-eight thousand
 52 five hundred seventy-four dollars (\$28,574) cash funds and 0.2 FTE, or
 53 so much thereof as may be necessary, for the implementation of this act.
 54

55 (2) In addition to any other appropriation, there is hereby
 56 appropriated to the department of law, for the fiscal year beginning July

1 1, 2009, the sum of fifteen thousand twenty dollars (\$15,020) and 0.1
 2 FTE, or so much thereof as may be necessary, for the provision of legal
 3 services to the department of regulatory agencies related to the
 4 implementation of this act. Said sum shall be from reappropriated funds
 5 received from the department of regulatory agencies out of the
 6 appropriation made in subsection (1) of this section."

7
 8 Renumber succeeding sections accordingly.

9
 10 Page 1, line 104, strike "INSURANCE." and substitute "INSURANCE, AND
 11 MAKING AN APPROPRIATION THEREFOR."

12
 13
 14
 15
 16 **EDUCATION**

17 After consideration on the merits, the Committee recommends the
 18 following:

19
 20 **SB09-090** be amended as follows, and as so amended, be referred to
 21 the Committee of the Whole with favorable
 22 recommendation:
 23

24 Amend reengrossed bill, page 9, strike lines 7 and 8 and substitute the
 25 following:

26
 27 "(c) TWO PERSONS APPOINTED BY THE EXECUTIVE DIRECTOR OF
 28 THE DEPARTMENT OF HIGHER EDUCATION AS FOLLOWS:

29
 30 (I) ONE PERSON WITH EXPERTISE IN IMPLEMENTING AN APPROVED
 31 TEACHER PREPARATION PROGRAM, AS DEFINED IN SECTION 23-1-121 (1)
 32 (a), C.R.S., AT AN INSTITUTION OF HIGHER EDUCATION IN THIS STATE; AND
 33

34 (II) ONE PERSON WITH EXPERTISE IN THE".
 35

36 Page 19, strike lines 2 through 4 and substitute the following:

37
 38 "(1.5) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF
 39 THIS SUBSECTION (1.5), A PARENT SHALL NOT BE ELIGIBLE TO SERVE ON A
 40 SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE IF HE OR SHE IS EMPLOYED
 41 BY, OR IS A RELATIVE OF A PERSON WHO IS EMPLOYED BY, THE SCHOOL
 42 DISTRICT, INCLUDING BEING EMPLOYED AT A PUBLIC SCHOOL OF THE
 43 SCHOOL DISTRICT.
 44

45 (b) IF A SCHOOL DISTRICT MAKES A GOOD FAITH EFFORT BUT IS
 46 UNABLE TO IDENTIFY A SUFFICIENT NUMBER OF PARENTS WHO ARE
 47 WILLING TO SERVE ON A SCHOOL ACCOUNTABILITY COMMITTEE AND WHO
 48 ARE NOT EXCLUDED FROM SERVING AS PROVIDED IN PARAGRAPH (a) OF
 49 THIS SUBSECTION (1.5), ONE OR MORE PARENTS WHO ARE EMPLOYED BY,
 50 OR ARE RELATED TO A PERSON WHO IS EMPLOYED BY, THE SCHOOL
 51 DISTRICT, INCLUDING BEING EMPLOYED AT A PUBLIC SCHOOL OF THE
 52 SCHOOL DISTRICT, MAY SERVE ON THE SCHOOL ACCOUNTABILITY
 53 COMMITTEE.
 54

55 (c) As used in this ~~section~~ SUBSECTION (1.5), unless the context
 56 otherwise requires, "related" or "relative" means a person's spouse, son,

1 daughter, sister, or brother, MOTHER, OR FATHER."

2

3 Page 24, line 1, strike "OR MORE MEMBERS" and substitute "MEMBER".

4

5 Page 34, after line 24, insert the following:

6

7 **"SECTION 22.** 22-30.5-104 (6) (a) and (6) (b), Colorado Revised
8 Statutes, are amended to read:

9

10 **22-30.5-104. Charter school - requirements - authority.**

11 (6) (a) Pursuant to contract, a charter school may operate free from
12 specified school district policies and free from state rules, as provided in
13 paragraph (b) of this subsection (6). Pursuant to contract, a local board
14 of education may waive locally imposed school district requirements,
15 without seeking approval of the state board; except that a charter school
16 shall not, by contract or otherwise, operate free of the requirements
17 contained in the "Public School Finance Act of 1994", article 54 of this
18 title, THE REQUIREMENTS SPECIFIED IN PART 4 OF ARTICLE 11 OF THIS TITLE
19 CONCERNING SCHOOL ACCOUNTABILITY COMMITTEES, or the requirements
20 contained in the "Children's Internet Protection Act", article 87 of this
21 title.

22

23 (b) The state board shall promulgate rules identifying state statutes
24 and state rules that are automatically waived for all charter schools. A
25 school district, on behalf of a charter school, may apply to the state board
26 for a waiver of a state statute or state rule that is not automatically waived
27 for charter schools by rule. Notwithstanding any provision of this
28 subsection (6) to the contrary, the state board may not waive ANY
29 STATUTE OR RULE RELATING TO SCHOOL ACCOUNTABILITY COMMITTEES
30 AS DESCRIBED IN SECTION 22-11-401, any statute or rule relating to the
31 assessments required to be administered pursuant to section 22-7-409, any
32 statute or rule necessary to prepare the school accountability reports
33 pursuant to part 6 of article 7 of this title, any statute or rule necessary to
34 implement the provisions of the "Public School Finance Act of 1994",
35 article 54 of this title, or any statute or rule relating to the "Children's
36 Internet Protection Act", article 87 of this title.

37

38 **SECTION 23.** 22-30.5-507 (7), Colorado Revised Statutes, is
39 amended to read:

40

41 **22-30.5-507. Institute charter school - requirements -**
42 **authority.** (7) Pursuant to the charter contract, an institute charter

43 school may operate free from specified statutes and state board rules. The
44 state board may waive state statutory requirements or rules promulgated
45 by the state board; except that the state board may not waive ANY
46 STATUTE OR RULE RELATING TO SCHOOL ACCOUNTABILITY COMMITTEES
47 AS DESCRIBED IN SECTION 22-11-401, any state statute or rule relating to
48 the assessments required to be administered pursuant to section 22-7-409,
49 any state statute or rule necessary to prepare the school accountability
50 reports pursuant to part 6 of article 7 of this title, or any statute or rule
51 necessary to implement the provisions of the "Public School Finance Act
52 of 1994", article 54 of this title, or any state statute or rule relating to the
53 "Children's Internet Protection Act", article 87 of this title. Any waiver
54 of state statute or state board rule made pursuant to this subsection (7)
55 shall be for the term of the contract for which the waiver is made. A
56 request for a waiver may be submitted to the institute as a part of the

1 application for an institute charter school."

2

3 Renumber succeeding section accordingly.

4

5 Page 34, line 25, before "This", insert "(1)".

6

7 Page 35, after line 7, add the following:

8

9 "(2) Notwithstanding the provisions of subsection (1) of this
10 section:

11

12 (a) Sections 2, 3, 10, 11, 12, 13, 14, and 16 of this act shall not
13 take effect if Senate Bill 09-163 is enacted and becomes law; and

14

15 (b) Sections 22 and 23 of this act shall take effect only if Senate
16 Bill 09-163 is enacted and becomes law."

17

18

19

20 **SB09-256** be amended as follows, and as so amended, be referred to
21 the Committee on Appropriations with favorable
22 recommendation:

23

24 Amend reengrossed bill, page 3, strike lines 9 through 14.

25

26 Strike pages 4 through 10 and substitute the following:

27

28 "**SECTION 2.** The introductory portion to 22-54-104 (2) (a)
29 (VIII), Colorado Revised Statutes, is amended to read:

30

31 **22-54-104. District total program.** (2) (a) (VIII) Except as
32 otherwise provided in this subsection (2), ~~subsection (6)~~ PARAGRAPH(g)
33 OF SUBSECTION (5) OR SUBSECTION (6) of this section, or section
34 22-54-104.3, a district's total program for the 2007-08 budget year and
35 budget years thereafter shall be the greater of the following:

36

37 **SECTION 3.** 22-54-104 (5), Colorado Revised Statutes, is
38 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

39

40 (5) For purposes of the formulas used in this section:

41

42 (g) (I) IF THE GENERAL ASSEMBLY DETERMINES IN A BUDGET YEAR
43 THAT A STATE FINANCIAL CRISIS REQUIRES A REDUCTION OF THE ANNUAL
44 APPROPRIATION TO FUND THE STATE'S SHARE OF TOTAL PROGRAM FOR ALL
45 DISTRICTS AND THE FUNDING FOR INSTITUTE CHARTER SCHOOLS, THE
46 GENERAL ASSEMBLY BY BILL SHALL SPECIFY THE TOTAL AMOUNT OF THE
47 REDUCTION. USING THE TOTAL AMOUNT OF THE REDUCTION, THE
48 DEPARTMENT SHALL CALCULATE THE FINANCIAL CRISIS FACTOR FOR THE
49 APPLICABLE BUDGET YEAR AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
50 PARAGRAPH (g) AND SHALL APPLY THE FINANCIAL CRISIS FACTOR TO THE
51 CALCULATION OF EACH DISTRICT'S TOTAL PROGRAM AND TO THE
52 CALCULATION OF EACH INSTITUTE CHARTER SCHOOL'S FUNDING FOR THE
53 APPLICABLE BUDGET YEAR.

54

55 (II) THE DEPARTMENT SHALL CALCULATE THE FINANCIAL CRISIS
56 FACTOR FOR AN APPLICABLE BUDGET YEAR BY DIVIDING THE REDUCTION

1 IN THE APPROPRIATION FOR THE APPLICABLE BUDGET YEAR, AS SPECIFIED
 2 BY THE GENERAL ASSEMBLY BY BILL, BY THE SUM OF THE TOTAL PROGRAM
 3 OF ALL DISTRICTS. THE DEPARTMENT SHALL CALCULATE EACH DISTRICT'S
 4 FINANCIAL CRISIS REDUCTION AS AN AMOUNT EQUAL TO THE FINANCIAL
 5 CRISIS FACTOR MULTIPLIED BY THE DISTRICT'S TOTAL PROGRAM AS
 6 CALCULATED PURSUANT TO SUBPARAGRAPH (VIII) OF PARAGRAPH (a) OF
 7 SUBSECTION (2) OF THIS SECTION OR PARAGRAPH (b) OF SUBSECTION (2)
 8 OF THIS SECTION, WHICHEVER IS APPLICABLE. IN ANY YEAR IN WHICH THE
 9 GENERAL ASSEMBLY DETERMINES A REDUCTION OF THE ANNUAL
 10 APPROPRIATION TO FUND THE STATE'S SHARE OF TOTAL PROGRAM FOR ALL
 11 DISTRICTS AND THE FUNDING FOR INSTITUTE CHARTER SCHOOLS IS
 12 NECESSARY, A DISTRICT'S TOTAL PROGRAM SHALL BE THE AMOUNT
 13 CALCULATED PURSUANT TO SUBPARAGRAPH (VIII) OF PARAGRAPH (a) OF
 14 SUBSECTION (2) OF THIS SECTION OR PARAGRAPH (b) OF SUBSECTION (2)
 15 OF THIS SECTION, WHICHEVER IS APPLICABLE, MINUS THE DISTRICT'S
 16 FINANCIAL CRISIS REDUCTION AMOUNT CALCULATED PURSUANT TO THIS
 17 SUBPARAGRAPH (II).

18
 19 (III) FOR THE 2009-10 BUDGET YEAR, THE REDUCTION IN THE
 20 APPROPRIATION FOR THE STATE'S SHARE OF TOTAL PROGRAM SHALL BE
 21 ONE HUNDRED TEN MILLION DOLLARS."

22
 23 Page 11, strike lines 1 through 15.

24
 25 Renumber succeeding sections accordingly.

26
 27 Page 16, strike lines 23 through 27.

28
 29 Strike page 17.

30
 31 Page 18, strike lines 1 through 17.

32
 33 Renumber succeeding sections accordingly.

34
 35 Page 20, after line 11, insert the following:

36
 37 **"SECTION 7. Repeal.** 22-54-108 (3) (d) (II) and (3) (d) (II.5),
 38 Colorado Revised Statutes, are repealed as follows:

39
 40 **22-54-108. Authorization of additional local revenues.**
 41 (3) (d) (II) ~~In addition to the additional local property tax revenues that~~
 42 ~~must be counted towards such limitation pursuant to subparagraph (I) of~~
 43 ~~this paragraph (d), a portion of the specific ownership tax revenue paid~~
 44 ~~to the district during the prior budget year may be required to be counted~~
 45 ~~towards such limitation. The portion of the specific ownership tax paid~~
 46 ~~to the district, if any, that must be counted toward such limitation shall be~~
 47 ~~calculated as follows:~~

48
 49 ~~(A) The amount of specific ownership tax revenue attributable to~~
 50 ~~property tax levies made by the district which have been authorized at~~
 51 ~~elections held under the provisions of former section 22-53-117 or this~~
 52 ~~section, if any; and~~

53
 54 ~~(B) The amount of specific ownership tax revenue attributable to~~
 55 ~~property tax levies made by the district for the purpose of satisfying~~
 56 ~~bonded indebtedness, both principal and interest, which is not being used~~

1 ~~by the district for the purpose of satisfying the bonded indebtedness, if~~
2 ~~any.~~
3

4 (II.5) ~~Any portion of the specific ownership tax paid to the district~~
5 ~~other than that specified in sub-subparagraphs (A) and (B) of~~
6 ~~subparagraph (II) of this paragraph (d) shall not apply to the limitation in~~
7 ~~this subsection (3) but shall apply to the district's share of its total~~
8 ~~program pursuant to section 22-54-106 (1) (a) (I)."~~
9

10 Renumber succeeding sections accordingly.

11
12 Page 20, strike lines 12 through 27.

13
14 Page 21, strike lines 1 through 5.

15
16 Renumber succeeding sections accordingly.

17
18 Page 21, after line 5, insert the following:

19
20 **"SECTION 8.** 22-54-106 (1) (b), Colorado Revised Statutes, is
21 amended, and the said 22-54-106 is further amended BY THE
22 ADDITION OF A NEW SUBSECTION, to read:

23
24 **22-54-106. Local and state shares of district total program.**

25 (1) (b) Except as provided in ~~subsections (8) and (11)~~ SUBSECTIONS (8),
26 (11), AND (12) of this section, the state's share of a district's total program
27 shall be the difference between the district's total program and the
28 district's share of its total program; except that no district shall receive
29 less in state aid than an amount established by the general assembly in the
30 annual general appropriation act based upon the amount of school lands
31 and mineral lease moneys received pursuant to the provisions of article
32 41 of this title and section 34-63-102 (2), C.R.S., multiplied by the
33 district's funded pupil count.
34

35 (12) IF THE GENERAL ASSEMBLY DETERMINES IN A BUDGET YEAR
36 THAT A STATE FINANCIAL CRISIS REQUIRES A REDUCTION OF THE ANNUAL
37 APPROPRIATION TO FUND THE STATE'S SHARE OF TOTAL PROGRAM FOR ALL
38 DISTRICTS AND THE FUNDING FOR INSTITUTE CHARTER SCHOOLS AND
39 APPLIES THE FINANCIAL CRISIS FACTOR AS DETERMINED PURSUANT TO
40 SECTION 22-54-104 (5) (g), THE STATE'S SHARE FOR EACH DISTRICT SHALL
41 BE REDUCED BY THE AMOUNT OF THE REDUCTION IN THE DISTRICT'S TOTAL
42 PROGRAM AS CALCULATED PURSUANT TO SECTION 22-54-104 (5) (g) (II),
43 OR BY THE TOTAL AMOUNT OF THE DISTRICT'S STATE SHARE, WHICHEVER
44 IS LESS. THE FUNDING FOR EACH INSTITUTE CHARTER SCHOOL SHALL BE
45 REDUCED IN PROPORTION TO THE REDUCTION IN THE TOTAL PROGRAM OF
46 THE DISTRICT FROM WHICH THE INSTITUTE CHARTER SCHOOL'S FUNDING IS
47 WITHHELD."
48

49 Renumber succeeding sections accordingly.

50
51 Page 24, line 4, strike "(1.3) (a)," and substitute "(1.3),";

52
53 strike line 5 and substitute the following:

54
55 "amended BY THE";

56

1 strike lines 7 through 27 and substitute the following:

2

3 **"22-54-115. Distribution from state public school fund.**

4 (1.3) (a.5) IN ANY BUDGET YEAR IN WHICH THE STATE SHARE OF AN".

5

6 Page 25, strike lines 1 and 2;

7

8 strike lines 14 through 27.

9

10 Strike pages 26 and 27.

11

12 Page 28, strike lines 1 through 9 and substitute the following:

13

14 **"SECTION 11.** 22-54-124, Colorado Revised Statutes, is
15 amended BY THE ADDITION OF A NEW SECTION to read:

16

17 **22-54-124. State aid for charter schools - use of state education**

18 **fund moneys - definitions.** (9) THE GENERAL ASSEMBLY RECOGNIZES

19 CHARTER SCHOOLS' CONTINUING NEED FOR ASSISTANCE IN MEETING

20 CAPITAL CONSTRUCTION COSTS. THE GENERAL ASSEMBLY THEREFORE

21 STRONGLY ENCOURAGES THE GOVERNOR TO ALLOCATE A PORTION OF THE

22 MONEYS RECEIVED BY THE STATE THROUGH THE FEDERAL "AMERICAN

23 RECOVERY AND REINVESTMENT ACT OF 2009", PUB.L. 111-5, TO

24 CHARTER SCHOOLS IN THE STATE TO ASSIST THEM IN MEETING THEIR

25 CAPITAL CONSTRUCTION AND FACILITY COSTS."

26

27 Renumber succeeding sections accordingly.

28

29 Page 28, strike lines 23 through 27.

30

31 Strike pages 29 through 41.

32

33 Page 42, strike lines 1 through 13.

34

35 Renumber succeeding sections accordingly.

36

37 Page 43, strike lines 1 through 10 and substitute the following:

38

39 "(f) ENSURE THAT, BEGINNING NO LATER THAN THE 2010-11

40 SCHOOL YEAR, INSTITUTE CHARTER SCHOOLS REQUIRE STUDENT

41 INDIVIDUAL CAREER AND ACADEMIC PLANS THAT MEET OR EXCEED THE

42 STANDARDS ADOPTED BY THE STATE BOARD PURSUANT TO SECTION

43 22-2-135. AN INSTITUTE CHARTER SCHOOL SHALL ASSIST EACH STUDENT

44 AND HIS OR HER PARENT OR LEGAL GUARDIAN TO DEVELOP AND MAINTAIN

45 THE STUDENT'S INDIVIDUAL CAREER AND ACADEMIC PLAN NO LATER THAN

46 THE BEGINNING OF NINTH GRADE BUT MAY ASSIST THE STUDENT AND HIS

47 OR HER PARENT OR LEGAL GUARDIAN TO DEVELOP AND MAINTAIN HIS OR

48 HER INDIVIDUAL CAREER AND ACADEMIC PLAN IN ANY GRADE PRIOR TO

49 NINTH GRADE. THE INSTITUTE CHARTER SCHOOL MAY USE ANY SOFTWARE

50 OR INTERNET-BASED COLLEGE PREPARATION AND PLANNING SERVICE THAT

51 THE INSTITUTE CHARTER SCHOOL DEEMS USEFUL AND APPROPRIATE IN

52 DEVELOPING AND MAINTAINING THE PLANS. THE INSTITUTE AND THE

53 INSTITUTE CHARTER SCHOOL SHALL COLLABORATE WITH THE SOFTWARE

54 VENDOR OR SERVICE PROVIDER TO ENSURE OPTIMAL INTERACTIVITY

55 AMONG THE VARIOUS DATABASES AND STUDENT RECORD SYSTEMS USED."

56

1 Page 43, strike lines 24 through 27.

2

3 Strike pages 44 through 47.

4

5 Renumber succeeding sections accordingly.

6

7 Page 49, strike lines 20 through 27.

8

9 Strike page 50 and substitute the following:

10

11 "(mm) TO ENSURE THAT, BEGINNING NO LATER THAN THE 2010-11
12 SCHOOL YEAR, THE PUBLIC SCHOOLS OF THE SCHOOL DISTRICT, INCLUDING
13 THE CHARTER SCHOOLS, REQUIRE STUDENT INDIVIDUAL CAREER AND
14 ACADEMIC PLANS THAT MEET OR EXCEED THE STANDARDS ADOPTED BY
15 THE STATE BOARD PURSUANT TO SECTION 22-2-135. A PUBLIC SCHOOL
16 SHALL ASSIST EACH STUDENT AND HIS OR HER PARENT OR LEGAL
17 GUARDIAN TO DEVELOP AND MAINTAIN THE STUDENT'S INDIVIDUAL
18 CAREER AND ACADEMIC PLAN NO LATER THAN THE BEGINNING OF NINTH
19 GRADE BUT MAY ASSIST THE STUDENT AND HIS OR HER PARENT OR LEGAL
20 GUARDIAN TO DEVELOP AND MAINTAIN HIS OR HER INDIVIDUAL CAREER
21 AND ACADEMIC PLAN IN ANY GRADE PRIOR TO NINTH GRADE. THE PUBLIC
22 SCHOOL MAY USE ANY SOFTWARE OR INTERNET-BASED COLLEGE
23 PREPARATION AND PLANNING SERVICE THAT THE PUBLIC SCHOOL DEEMS
24 USEFUL AND APPROPRIATE IN DEVELOPING AND MAINTAINING THE PLANS.
25 THE SCHOOL DISTRICT AND THE PUBLIC SCHOOL SHALL COLLABORATE
26 WITH THE SOFTWARE PROVIDER OR INTERNET SERVICE TO ENSURE OPTIMAL
27 INTERACTIVITY AMONG THE VARIOUS DATABASES AND STUDENT RECORDS
28 SYSTEMS USED.

29

30 **SECTION 17.** Part 1 of article 2 of title 22, Colorado Revised
31 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
32 read:

33

34 **22-2-135. Additional duty - state board - individual career and**
35 **academic plans - standards - rules.** (1) ON OR BEFORE FEBRUARY 1,
36 2010, THE STATE BOARD SHALL PROMULGATE RULES PURSUANT TO THE
37 "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24,
38 C.R.S., TO ESTABLISH STANDARDS FOR INDIVIDUAL CAREER AND
39 ACADEMIC PLANS FOR STUDENTS ENROLLED IN THE PUBLIC SCHOOLS IN
40 THE STATE. AN INDIVIDUAL CAREER AND ACADEMIC PLAN SHALL BE
41 DESIGNED TO ASSIST A STUDENT AND HIS OR HER PARENT OR LEGAL
42 GUARDIAN IN EXPLORING THE POSTSECONDARY CAREER AND
43 EDUCATIONAL OPPORTUNITIES AVAILABLE TO THE STUDENT, ALIGNING
44 COURSE WORK AND CURRICULUM, APPLYING TO POSTSECONDARY
45 EDUCATION INSTITUTIONS, SECURING FINANCIAL AID, AND ULTIMATELY
46 ENTERING THE WORKFORCE.

47

48 (2) IN ESTABLISHING THE STANDARDS FOR INDIVIDUAL CAREER
49 AND ACADEMIC PLANS, THE STATE BOARD SHALL ENSURE, AT A MINIMUM,
50 THAT:

51

52 (a) EACH INDIVIDUAL CAREER AND ACADEMIC PLAN INCLUDES A
53 CAREER PLANNING AND GUIDANCE COMPONENT AND A PORTFOLIO THAT
54 REFLECTS, AT A MINIMUM:

55

56 (I) THE STUDENT'S EFFORTS IN EXPLORING CAREERS, INCLUDING

1 INTEREST SURVEYS THAT THE STUDENT COMPLETES;

2

3 (II) THE STUDENT'S ACADEMIC PROGRESS, INCLUDING THE
4 COURSES TAKEN, ANY REMEDIATION OR CREDIT RECOVERY, AND ANY
5 CONCURRENT ENROLLMENT CREDITS EARNED;

6

7 (III) THE STUDENT'S EXPERIENCES IN CONTEXTUAL AND SERVICE
8 LEARNING;

9

10 (IV) THE STUDENT'S COLLEGE APPLICATIONS AND RESUME, AS
11 THEY ARE PREPARED AND SUBMITTED; AND

12

13 (V) THE STUDENT'S POSTSECONDARY STUDIES AS THE STUDENT
14 PROGRESSES;

15

16 (b) EACH INDIVIDUAL CAREER AND ACADEMIC PLAN IS ACCESSIBLE
17 TO EDUCATORS, STUDENTS, AND PARENTS; AND

18

19 (c) EACH PUBLIC SCHOOL, IN ASSISTING STUDENTS AND PARENTS
20 IN CREATING AND MAINTAINING THE INDIVIDUAL CAREER AND ACADEMIC
21 PLANS, IS IN COMPLIANCE WITH THE REQUIREMENTS OF THE FEDERAL
22 "FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974", 20 U.S.C.
23 SEC. 1232g."

24

25 Page 51, strike lines 1 through 11.

26

27 Renumber succeeding sections accordingly.

28

29 Page 51, after line 11, insert the following:

30

31 **"SECTION 18.** 22-33-205 (3) and (4), Colorado Revised
32 Statutes, are amended to read:

33

34 **22-33-205. Services for expelled and at-risk students - grants**
35 **- criteria.** (3) The state board shall annually award at least forty-five
36 percent of any moneys appropriated for ~~this grant~~ THE program to
37 applicants ~~who~~ THAT provide educational services to students from more
38 than one school district AND AT LEAST ONE-HALF OF ANY INCREASE IN THE
39 APPROPRIATION FOR THE PROGRAM FOR THE 2009-10 FISCAL YEAR TO
40 APPLICANTS THAT PROVIDE SERVICES AND SUPPORTS THAT ARE DESIGNED
41 TO REDUCE THE NUMBER OF TRUANCY CASES REQUIRING COURT
42 INVOLVEMENT AND THAT ALSO REFLECT THE BEST INTERESTS OF
43 STUDENTS AND FAMILIES. THE SERVICES AND SUPPORTS SHALL INCLUDE,
44 BUT NEED NOT BE LIMITED TO, ALTERNATIVES TO GUARDIAN AD LITEM
45 REPRESENTATION IN TRUANCY PROCEEDINGS.

46

47 (4) The department of education is authorized to retain up to one
48 percent of any moneys appropriated for the ~~grant~~ program for the purpose
49 of annually evaluating the ~~expelled and at-risk student services grant~~
50 program. THE DEPARTMENT OF EDUCATION IS AUTHORIZED AND
51 ENCOURAGED TO RETAIN UP TO AN ADDITIONAL TWO PERCENT OF ANY
52 MONEYS APPROPRIATED FOR THE PROGRAM FOR THE PURPOSE OF
53 PARTNERING WITH ORGANIZATIONS OR AGENCIES THAT PROVIDE SERVICES
54 AND SUPPORTS THAT ARE DESIGNED TO REDUCE THE NUMBER OF TRUANCY
55 CASES REQUIRING COURT INVOLVEMENT AND THAT ALSO REFLECT THE
56 BEST INTERESTS OF STUDENTS AND FAMILIES. THE SERVICES AND

1 SUPPORTS SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, ALTERNATIVES
2 TO GUARDIAN AD LITEM REPRESENTATION IN TRUANCY PROCEEDINGS. On
3 or before January 1, 2006, and on or before January 1 each year
4 thereafter, the department of education shall report to the education
5 committees of the house of representatives and the senate, OR ANY
6 SUCCESSOR COMMITTEES, the evaluation findings on the outcomes and the
7 effectiveness of the program related to school attendance, attachment, and
8 achievement. THE REPORT SHALL ALSO INCLUDE SPECIFIC INFORMATION
9 ON THE EFFICACY OF SERVICES AND SUPPORTS THAT PROVIDE
10 ALTERNATIVES TO COURT INVOLVEMENT AND GUARDIAN AD LITEM
11 REPRESENTATION IN TRUANCY PROCEEDINGS."

12

13 Renumber succeeding sections accordingly.

14

15 Page 53, after line 7, insert the following:

16

17 "SECTION 20. 22-45-103 (1) (c) (I) (D), (1) (c) (I) (E), (1) (c) (i)
18 (G), and (1) (c) (I) (H), Colorado Revised Statutes, are amended to read:

19

20 **22-45-103. Funds.** (1) The following funds are created for each
21 school district for purposes specified in this article:

22

23 (c) **Capital reserve fund.** (I) Moneys allocated pursuant to the
24 provisions of section 22-54-105 (2) shall be transferred from the general
25 fund and recorded in the capital reserve fund along with the revenues
26 received pursuant to section 39-5-132, C.R.S. Such revenues may be
27 supplemented by gifts, donations, and tuition receipts. Unencumbered
28 moneys in the fund may be transferred to a fund or an account within the
29 general fund established in accordance with generally accepted
30 accounting principles solely for the management of risk-related activities
31 as identified in section 24-10-115, C.R.S., and article 13 of title 29,
32 C.R.S., by resolution of the board of education when such transfer is
33 deemed necessary by the board. Except as provided in subparagraph (V)
34 of this paragraph (c), expenditures from the fund shall be limited to
35 long-range capital outlay expenditures and shall be made only for the
36 following purposes:

37

38 (D) Alterations and improvements to existing structures; ~~where~~
39 ~~the total estimated cost of such projects for labor and materials is in~~
40 ~~excess of two thousand five hundred dollars;~~

41

42 (E) Acquisition of school buses or other equipment, except
43 equipment specified in sub-subparagraph (H) of this subparagraph (I); ~~the~~
44 ~~estimated unit cost of which, including any necessary installation, is in~~
45 ~~excess of one thousand dollars;~~

46

47 (G) Any software licensing agreement; ~~in excess of one thousand~~
48 ~~dollars;~~

49

50 (H) Acquisition of computer equipment. ~~the estimated unit cost~~
51 ~~of which, including any necessary installation, is in excess of five~~
52 ~~hundred dollars."~~

53

54 Renumber succeeding sections accordingly.

55

56 Page 53, strike lines 16 through 27.

1 Strike page 54 and substitute the following:

2

3 "SECTION 22. Part 1 of article 2 of title 22, Colorado Revised
4 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
5 read:

6

7 **22-2-135. State residential schools - legislative declaration -**
8 **feasibility study - repeal.** (1) THE GENERAL ASSEMBLY FINDS THAT
9 SOME STATES HAVE CREATED RESIDENTIAL SCHOOLS TO PROVIDE
10 EDUCATIONAL PROGRAMS AND STUDENT SUPPORT SERVICES FOR STUDENTS
11 WHO ARE AT RISK OF ACADEMIC FAILURE. THE GENERAL ASSEMBLY
12 FURTHER FINDS THAT EARLY REPORTS OF RESULTS ACHIEVED BY SOME OF
13 THESE SCHOOLS INDICATE THAT THIS MAY BE A PROMISING APPROACH TO
14 REDUCING THE DROPOUT RATE, CLOSING THE ACHIEVEMENT GAPS, AND
15 HELPING TO RAISE THE LEVEL OF ACADEMIC ACHIEVEMENT AMONG
16 STUDENTS IN THE STATE. THE GENERAL ASSEMBLY THEREFORE FINDS
17 THAT IT IS APPROPRIATE FOR THE COMMISSIONER TO STUDY THE
18 FEASIBILITY OF CREATING ONE OR MORE STATE RESIDENTIAL SCHOOLS IN
19 COLORADO.

20

21 (2) BEGINNING IN JULY 2009, THE COMMISSIONER SHALL STUDY
22 THE FEASIBILITY OF OPERATING ONE OR MORE STATE RESIDENTIAL
23 SCHOOLS TO SERVE STUDENTS WHO ARE IN NEED OF GREATER ACADEMIC
24 SUPPORT AND WHO MAY BE AT RISK OF ACADEMIC FAILURE. AT A
25 MINIMUM, THE FEASIBILITY STUDY SHALL ADDRESS AND MAKE
26 RECOMMENDATIONS CONCERNING THE FOLLOWING ISSUES:

27

28 (a) THE GOALS THAT A STATE RESIDENTIAL SCHOOL WOULD BE
29 DESIGNED TO ACHIEVE AND A METHOD FOR MEASURING THE LEVEL OF
30 ACHIEVEMENT OF THOSE GOALS. IN ADDRESSING THIS ISSUE, THE
31 COMMISSIONER SHALL PROVIDE AN OVERVIEW OF THE STATE RESIDENTIAL
32 SCHOOLS OPERATING IN OTHER STATES, THE GOALS THAT THEY ARE
33 DESIGNED TO ACHIEVE, AND THE DEGREE TO WHICH THEY HAVE ACHIEVED
34 OR ARE ACHIEVING THOSE GOALS.

35

36 (b) THE APPROPRIATE STUDENT POPULATION TO BE SERVED BY A
37 STATE RESIDENTIAL SCHOOL AND THE MANNER OF SELECTING STUDENTS,
38 THE NUMBER OF STATE RESIDENTIAL SCHOOLS THAT SHOULD BE
39 CONSIDERED, AND APPROPRIATE LOCATIONS FOR STATE RESIDENTIAL
40 SCHOOLS;

41

42 (c) THE GOVERNANCE STRUCTURE AND FUNDING FOR A STATE
43 RESIDENTIAL SCHOOL, INCLUDING THE OPTIMAL LEVEL OF PER PUPIL
44 FUNDING, FUNDING FOR CAPITAL CONSTRUCTION NEEDS, AND POTENTIAL
45 PUBLIC AND PRIVATE FUNDING SOURCES;

46

47 (d) THE APPROPRIATE CURRICULUM FOR A STATE RESIDENTIAL
48 SCHOOL, INCLUDING WHICH GRADE LEVELS A STATE RESIDENTIAL SCHOOL
49 WOULD SERVE, THE LENGTH OF THE SCHOOL DAY AND SCHOOL YEAR FOR
50 WHICH A STATE RESIDENTIAL SCHOOL WOULD OPERATE, AND WHETHER A
51 STATE RESIDENTIAL SCHOOL SHOULD INCLUDE A FOCUS ON SPECIFIC
52 SUBJECT MATTER AREAS; AND

53

54 (e) THE TYPES OF STUDENT AND FAMILY SUPPORT SERVICES THAT
55 A STATE RESIDENTIAL SCHOOL WOULD PROVIDE, INCLUDING THE MANNER
56 IN WHICH A STATE RESIDENTIAL SCHOOL WOULD COLLABORATE WITH

1 STATE AND LOCAL AGENCIES IN PROVIDING THESE SERVICES.

2

3 (3) ON OR BEFORE FEBRUARY 1, 2010, THE DEPARTMENT SHALL
4 SUBMIT TO THE EDUCATION COMMITTEES OF THE HOUSE OF
5 REPRESENTATIVES AND THE SENATE THE FEASIBILITY STUDY DESCRIBED
6 IN SUBSECTION (2) OF THIS SECTION FOR OPERATING ONE OR MORE STATE
7 RESIDENTIAL SCHOOLS AND ANY LEGISLATIVE RECOMMENDATIONS THE
8 DEPARTMENT MAY HAVE PERTAINING TO THE CREATION OF ONE OR MORE
9 STATE RESIDENTIAL SCHOOLS.

10

11 (4) THE COMMISSIONER IS ENCOURAGED TO APPLY FEDERAL
12 MONEYS RECEIVED PURSUANT TO THIS FEDERAL "AMERICAN RECOVERY
13 AND REINVESTMENT ACT OF 2009", PUB.L. 111-5, TO THE EXTENT
14 ALLOWED TO OFFSET THE COSTS INCURRED IN IMPLEMENTING THIS
15 SECTION.

16

17 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2010."

18

19 Strike pages 55 through 59.

20

21 Page 60, strike lines 1 through 3.

22

23 Renumber succeeding sections accordingly.

24

25 Page 60, strike lines 15 through 27.

26

27 Strike pages 61 and 62.

28

29 Page 63, strike lines 1 through 3.

30

31 Renumber succeeding sections accordingly.

32

33 Page 63, after line 3, insert the following:

34

35 "SECTION 24. Part 3 of article 11 of title 22, Colorado Revised
36 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
37 read:

38

39 **22-11-306. Centers of excellence awards.** (1) (a) THE STATE
40 BOARD SHALL ANNUALLY PRESENT FINANCIAL AWARDS TO PUBLIC
41 SCHOOLS IN THE STATE THAT ENROLL A STUDENT POPULATION OF WHICH
42 AT LEAST SEVENTY-FIVE PERCENT ARE AT-RISK PUPILS, AS DEFINED IN
43 SECTION 22-54-103 (1.5), AND THAT DEMONSTRATE THE HIGHEST RATES
44 OF STUDENT ACADEMIC GROWTH, AS DETERMINED BY THE DEPARTMENT
45 BASED UPON THE STATISTICAL MODEL ADOPTED PURSUANT TO SECTION
46 22-7-604.3 (3) (a).

47

48 (b) AWARDS ISSUED PURSUANT TO THIS SECTION SHALL BE KNOWN
49 AS "CENTERS OF EXCELLENCE AWARDS".

50

51 (2) A SCHOOL THAT RECEIVES AN AWARD PURSUANT TO THIS
52 SECTION SHALL NOT QUALIFY FOR AN AWARD PURSUANT TO SECTION
53 22-11-305.

54

55 (3) NOTWITHSTANDING THE PROVISIONS OF SECTIONS 22-11-302
56 (2) (a) AND 22-11-305 (3), OF THE MONEYS AVAILABLE FOR AWARDS

1 PURSUANT TO THIS PART 3, IN THE 2009-10 BUDGET YEAR AND BUDGET
2 YEARS THEREAFTER, TWO HUNDRED FIFTY THOUSAND DOLLARS SHALL BE
3 AWARDED TO SCHOOLS ANNUALLY PURSUANT TO THIS SECTION. THE
4 DEPARTMENT SHALL APPORTION THE REMAINDER BETWEEN THE "JOHN
5 IRWIN SCHOOLS OF EXCELLENCE AWARDS" AND THE "GOVERNOR'S
6 DISTINGUISHED IMPROVEMENT AWARDS" AS PROVIDED IN SECTIONS
7 22-11-302 (2) (a) AND 22-11-305 (3), RESPECTIVELY.

8
9 **SECTION 25.** 22-11-304, Colorado Revised Statutes, is amended
10 to read:

11
12 **22-11-304. School awards program fund - creation -**
13 **contributions.** (1) (a) The department is hereby authorized to receive
14 grants, gifts, and donations from any source, public or private, to fund
15 financial awards to public schools pursuant to the program established in
16 this part 3. All public and private grants, gifts, and donations received by
17 the department pursuant to this section shall be transmitted to the state
18 treasurer who shall credit the same, in addition to any appropriations
19 made by the general assembly AND THE MONEYS TRANSFERRED PURSUANT
20 TO SUBSECTION (2) OF THIS SECTION, to the school awards program fund,
21 which is hereby created in the state treasury.

22
23 (b) Moneys in the school awards program fund shall be subject to
24 appropriation by the general assembly to the department of education for
25 purposes of making financial awards pursuant to the provisions of this
26 part 3. At the end of any fiscal year, all unexpended and unencumbered
27 moneys in the school awards program fund shall remain therein and shall
28 not be credited or transferred to the general fund or any other fund.
29 However, in accordance with section 24-36-114, C.R.S., all interest
30 derived from the deposit and investment of moneys in the fund shall be
31 credited to the general fund. Any moneys credited to the school awards
32 program fund shall be used exclusively for awards and shall not be used
33 to pay for the expenses of the department in administering the program
34 established in this part 3.

35
36 (2) ON JULY 1, 2009, THE STATE TREASURER SHALL TRANSFER
37 FROM THE READ-TO-ACHIEVE CASH FUND CREATED IN SECTION 22-7-908
38 TO THE SCHOOL AWARDS PROGRAM FUND THE AMOUNT OF TWO HUNDRED
39 FIFTY THOUSAND DOLLARS TO BE AWARDED PURSUANT TO SECTION
40 22-11-306 AS "CENTERS OF EXCELLENCE AWARDS".

41
42 **SECTION 26.** 22-7-611 (1), (2), and (3) (a), Colorado Revised
43 Statutes, are amended to read:

44
45 **22-7-611. Closing the achievement gap program - strategies -**
46 **assistance - criteria - rule-making.** (1) As used in this section, unless
47 the context otherwise requires, "eligible school" means a public school
48 that HAS BEEN IDENTIFIED BY RULE OF THE STATE BOARD AS HAVING A
49 SIGNIFICANT ACHIEVEMENT GAP.

50
51 ~~(a) Has received an academic performance rating of~~
52 ~~"unsatisfactory" pursuant to section 22-7-604 (5); or~~

53
54 ~~(b) Has been identified by rule of the state board as having a~~
55 ~~significant achievement gap.~~

56

1 (2) There is hereby established in the department the closing the
2 achievement gap program, referred to in this section as the "program", to
3 provide extensive assistance to an eligible school. ~~that is at risk of being~~
4 ~~converted into an independent charter school pursuant to the provisions~~
5 ~~of part 3 of article 30.5 of this title.~~
6

7 (3) The department shall prepare and distribute to each eligible
8 school an outline of different strategies the school may implement to
9 improve academic achievement. The department shall provide the outline
10 by April 1 of the school year preceding the school year in which the
11 eligible school intends to participate in the program. The outline may
12 include, but need not be limited to, the following strategies:
13

14 (a) Using disaggregated school STUDENT data to set academic
15 improvement targets in reading, writing, mathematics, and science;
16

17 **SECTION 27.** 22-7-613 (1), Colorado Revised Statutes, is
18 amended to read:
19

20 **22-7-613. Closing the achievement gap cash fund - creation.**

21 (1) (a) The department is authorized to seek and accept gifts, grants, and
22 donations from private or public sources for the purposes of
23 implementing ~~sections 22-7-611 and 22-7-612~~ SECTION 22-7-611. All
24 private and public funds received through gifts, grants, or donations shall
25 be transmitted to the state treasurer, who shall credit the same to the
26 closing the achievement gap cash fund, which fund is hereby created and
27 referred to in this section as the "fund". The moneys in the fund shall be
28 continuously appropriated to the department.
29

30 (b) ON JULY 1, 2009, THE STATE TREASURER SHALL TRANSFER
31 FROM THE READ-TO-ACHIEVE CASH FUND CREATED IN SECTION 22-7-908
32 TO THE CLOSING THE ACHIEVEMENT GAP CASH FUND THE AMOUNT OF ONE
33 MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS FOR THE PURPOSES
34 OF IMPLEMENTING SECTION 22-7-611.
35

36 **SECTION 28.** 22-7-908, Colorado Revised Statutes, is amended
37 BY THE ADDITION OF A NEW SUBSECTION to read:
38

39 **22-7-908. Read-to-achieve cash fund - created.**

40 (4) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
41 CONTRARY, ON JULY 1, 2009, THE STATE TREASURER SHALL TRANSFER
42 FROM THE CASH FUND:
43

44 (a) TO THE CLOSING THE ACHIEVEMENT GAP CASH FUND CREATED
45 IN SECTION 22-7-613 THE AMOUNT OF ONE MILLION SEVEN HUNDRED FIFTY
46 THOUSAND DOLLARS; AND
47

48 (b) TO THE SCHOOL AWARDS PROGRAM FUND CREATED IN SECTION
49 22-11-304 THE AMOUNT OF TWO HUNDRED FIFTY THOUSAND DOLLARS.
50

51 **SECTION 29.** Part 6 of article 11 of title 22, Colorado Revised
52 Statutes, as enacted in Senate Bill 09-163, is amended BY THE
53 ADDITION OF A NEW SECTION to read:
54

55 **22-11-603.5. Centers of excellence awards.** (1) (a) THE STATE
56 BOARD SHALL ANNUALLY PRESENT FINANCIAL AWARDS TO PUBLIC

1 SCHOOLS IN THE STATE THAT ENROLL A STUDENT POPULATION OF WHICH
2 AT LEAST SEVENTY-FIVE PERCENT ARE AT-RISK PUPILS, AS DEFINED IN
3 SECTION 22-54-103 (1.5), AND THAT DEMONSTRATE THE HIGHEST RATES
4 OF STUDENT LONGITUDINAL GROWTH, AS MEASURED BY THE COLORADO
5 GROWTH MODEL. THE TECHNICAL ADVISORY PANEL CONVENED PURSUANT
6 TO SECTION 22-11-202 SHALL RECOMMEND TO THE STATE BOARD, AND
7 THE STATE BOARD SHALL ESTABLISH BY RULE, THE METHOD BY WHICH TO
8 IDENTIFY SCHOOLS THAT QUALIFY FOR AN AWARD PURSUANT TO THIS
9 SECTION.

10

11 (b) AWARDS ISSUED PURSUANT TO THIS SECTION SHALL BE KNOWN
12 AS "CENTERS OF EXCELLENCE AWARDS".

13

14 (2) A SCHOOL THAT RECEIVES AN AWARD PURSUANT TO THIS
15 SECTION SHALL NOT QUALIFY FOR AN AWARD PURSUANT TO SECTION
16 22-11-603.

17

18 (3) NOTWITHSTANDING THE PROVISIONS OF SECTIONS 22-11-602
19 (2) AND 22-11-603 (2), OF THE MONEYS AVAILABLE FOR AWARDS
20 PURSUANT TO THIS PART 3, IN THE 2009-10 BUDGET YEAR AND BUDGET
21 YEARS THEREAFTER, TWO HUNDRED FIFTY THOUSAND DOLLARS SHALL BE
22 AWARDED TO SCHOOLS ANNUALLY PURSUANT TO THIS SECTION. THE
23 DEPARTMENT SHALL APPORTION THE REMAINDER BETWEEN THE "JOHN
24 IRWIN SCHOOLS OF EXCELLENCE AWARDS" AND THE "GOVERNOR'S
25 DISTINGUISHED IMPROVEMENT AWARDS" AS PROVIDED IN SECTIONS
26 22-11-602 (2) AND 22-11-603 (2), RESPECTIVELY.

27

28 **SECTION 30.** 22-11-605 (1), Colorado Revised Statutes, as
29 enacted in Senate Bill 09-163, is amended, and the said 22-11-605 is
30 further amended BY THE ADDITION OF A NEW SUBSECTION, to
31 read:

32

33 **22-11-605. School awards program fund - creation -**
34 **contributions.** (1) The department is hereby authorized to receive gifts,
35 grants, and donations from any source, public or private, to fund financial
36 awards to public schools pursuant to the program established in this part
37 6. The department shall transmit all public and private gifts, grants, and
38 donations received pursuant to this section to the state treasurer who shall
39 credit the same, in addition to any appropriations made by the general
40 assembly AND THE AMOUNT TRANSFERRED PURSUANT TO SUBSECTION (3)
41 OF THIS SECTION, to the school awards program fund, which is hereby
42 created in the state treasury and referred to in this section as the "fund".

43

44 (3) ON JULY 1, 2009, THE STATE TREASURER SHALL TRANSFER
45 FROM THE READ-TO-ACHIEVE CASH FUND CREATED IN SECTION 22-7-908
46 TO THE SCHOOL AWARDS PROGRAM FUND THE AMOUNT OF TWO HUNDRED
47 FIFTY THOUSAND DOLLARS TO BE AWARDED PURSUANT TO SECTION
48 22-11-603.5 AS "CENTERS OF EXCELLENCE AWARDS".

49

50 **SECTION 31.** 22-7-908, Colorado Revised Statutes, is amended
51 BY THE ADDITION OF A NEW SUBSECTION to read:

52

53 **22-7-908. Read-to-achieve cash fund - created.**

54 (4) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
55 CONTRARY, ON JULY 1, 2009, THE STATE TREASURER SHALL TRANSFER
56 FROM THE CASH FUND:

1 (a) TO THE CLOSING THE ACHIEVEMENT GAP CASH FUND CREATED
2 IN SECTION 22-7-613 THE AMOUNT OF ONE MILLION SEVEN HUNDRED FIFTY
3 THOUSAND DOLLARS; AND
4

5 (b) TO THE SCHOOL AWARDS PROGRAM FUND CREATED IN SECTION
6 22-11-605 THE AMOUNT OF TWO HUNDRED FIFTY THOUSAND DOLLARS.
7

8 **SECTION 32.** 22-44-118 (1), Colorado Revised Statutes, is
9 amended to read:
10

11 **22-44-118. Full-day kindergarten reserve - tracking of**
12 **expenditures - preschool programs - rules.** (1) (a) Except as otherwise
13 provided in ~~paragraph (b)~~ PARAGRAPHS (b) AND (c) of this subsection (1),
14 for the 2008-09 budget year and each budget year thereafter, a school
15 district that does not report any full-day kindergarten pupils in the
16 district's October 1 pupil enrollment count shall hold the moneys received
17 for full-day kindergarten programs through supplemental kindergarten
18 enrollment pursuant to section 22-54-103 (7) (d) in a full-day
19 kindergarten reserve in the district's general fund. The district shall not
20 use the moneys in the full-day kindergarten reserve until the district
21 enrolls one or more pupils in full-day kindergarten in the district. Once
22 the district enrolls pupils in full-day kindergarten in the district, the
23 district shall not be required to maintain the full-day kindergarten reserve.
24

25 (b) For the 2008-09 budget year, a school district that does not
26 report any full-day kindergarten pupils in the district's October 1 pupil
27 enrollment count ~~may use~~ SHALL, ON OR BEFORE JUNE 30, 2009, RETURN
28 TO THE DEPARTMENT OF EDUCATION ANY UNEXPENDED AND
29 UNENCUMBERED AMOUNT REMAINING OF the moneys received for full-day
30 kindergarten programs through supplemental kindergarten enrollment
31 pursuant to section 22-54-103 (7) (d). ~~for planning and facility~~
32 ~~preparation necessary for the district to offer a full-day kindergarten~~
33 ~~program in subsequent budget years.~~ THE DEPARTMENT OF EDUCATION
34 SHALL ADOPT PROCEDURES FOR THE IMPLEMENTATION OF THIS
35 PARAGRAPH (b). THE DEPARTMENT OF EDUCATION SHALL TRANSMIT TO
36 THE STATE TREASURER THE MONEYS RECEIVED PURSUANT TO THIS
37 PARAGRAPH (b), AND THE STATE TREASURER SHALL CREDIT SAID MONEYS
38 TO THE STATE EDUCATION FUND CREATED PURSUANT TO SECTION 17 (4)
39 OF ARTICLE IX OF THE STATE CONSTITUTION.
40

41 (c) FOR THE 2009-10 BUDGET YEAR, A SCHOOL DISTRICT THAT
42 DOES NOT REPORT ANY FULL-DAY KINDERGARTEN PUPILS IN THE
43 DISTRICT'S OCTOBER 1 PUPIL ENROLLMENT COUNT MAY USE THE MONEYS
44 RECEIVED FOR FULL-DAY KINDERGARTEN PROGRAMS THROUGH
45 SUPPLEMENTAL KINDERGARTEN ENROLLMENT PURSUANT TO SECTION
46 22-54-103 (7) (d) FOR PLANNING AND FACILITY PREPARATION NECESSARY
47 FOR THE DISTRICT TO OFFER A FULL-DAY KINDERGARTEN PROGRAM IN
48 SUBSEQUENT BUDGET YEARS.".
49

50 Renumber succeeding sections accordingly.
51

52 Page 63, strike lines 5 through 23 and substitute the following:
53

54 "**bill.** (1) For the implementation of this act, appropriations made in the";
55
56 strike lines 26 and 27.

1 Strike pages 64 and 65.

2

3 Page 66, strike line 1 and substitute the following:

4

5 **"SECTION 34. Effective date.** (1) This act shall take effect
6 upon passage; except that:

7

8 (a) Sections 31, 32, and 35 of this act shall not take effect if
9 Senate Bill 09-163 is enacted and becomes law; and

10

11 (b) Sections 36 through 38 shall take effect only if Senate Bill
12 09-163 is enacted and becomes law."

13

14 Renumber succeeding section accordingly.

15

16

17

18

19 **HEALTH & HUMAN SERVICES**

20 After consideration on the merits, the Committee recommends the
21 following:

22

23 **HJR09-1017** be amended as follows, and as so amended, be referred to
24 the Committee on Appropriations with favorable
25 recommendation:

26

27 Amend printed joint resolution, page 3, after line 4, insert the following:

28

29 "(5) That the legislative council staff and the office of legislative
30 legal services shall assist the interim committee in its activities."

31

32 Renumber succeeding subsections accordingly.

33

34

35

36 **HJR09-1022** be referred out for final action.

37

38

39 **HJR09-1026** be amended as follows, and as so amended, be referred to
40 the Committee on Appropriations with favorable
41 recommendation:

42

43 Amend printed joint resolution, page 3, line 21, strike "be";

44

45 strike lines 22 through 25 and substitute the following:

46

47 "receive compensation for time served in meetings of the committee, but
48 may be reimbursed for expenses incurred in relation to their duties on the
49 committee, provided moneys are received from gifts, grants, or donations
50 in an amount to cover such expenses. The Legislative Council and Office
51 of Legislative Legal Services shall provide staff support to assist in the
52 activities of the committee only to the extent possible within existing
53 appropriations or through moneys received from gifts, grants, or
54 donations."

55

56

PRINTING REPORT

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The Chief Clerk reports the following bills have been correctly printed:
HB09-1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SB09-280.**

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and returns herewith:
HB09-1291.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB09-257 amended as printed in Senate Journal, April 20, 2009, page 1156.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, as amended, **SB09-257.**

On motion of Representative Weissmann, **HB09-1341, 1334, 1348, SB09-281, 002, 022, 025, 026, 052, 067, 068, 106, 125, 138, 144, 154, 174, 252, HB09-1344** were added to the Special Orders Calendar on Tuesday, April 21, 2009.

On motion of Representative Levy, the House resolved itself into Committee of the Whole for consideration of Special Orders and she was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

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.)

SB09-144 by Senator(s) Kester; also Representative(s) Gagliardi-- Concerning the Colorado commission for the deaf and hard of hearing and programs administered in connection therewith, and making an appropriation therefor.

1 Amendment No. 1, by Representative(s) Rice.
2 Amend reengrossed bill, page 4, line 13, strike "(c)" and substitute "(c),
3 (2) (f),";

4
5 after line 19, insert the following:

6 "(f) One member who is an interpreter for the deaf or hard of
7 hearing AND WHO IS QUALIFIED TO USE AT LEAST ONE OF THE TITLES
8 LISTED IN SECTION 6-1-707 (1) (e), C.R.S.; and".
9

10 Page 15, after line 24, insert the following:

11 "**SECTION 12.** 6-1-707 (1) (e), Colorado Revised Statutes, as
12 enacted by House Bill 09-1090, is amended to read:

13
14 **6-1-707. Use of title or degree - deceptive trade practice.** (1) A
15 person engages in a deceptive trade practice when, in the course of such
16 person's business, vocation, or occupation, such person:

17
18 (e) Claims to be a "sign language interpreter", "interpreter for the
19 deaf", "deaf interpreter", "ASL-English interpreter", "American sign
20 language (ASL) interpreter", "transliterator", "certified sign language
21 interpreter", "certified interpreter for the deaf", "certified deaf
22 interpreter", "certified ASL-English interpreter", "certified American sign
23 language (ASL) interpreter", or "certified transliterator", unless ~~such~~
24 ~~person~~ HE OR SHE holds a current ~~membership card~~ CERTIFICATION issued
25 by the registry of interpreters for the deaf or a successor organization.
26 ~~Each membership card~~ A REGISTRY OF INTERPRETERS FOR THE DEAF, OR
27 SUCCESSOR ORGANIZATION, MEMBERSHIP CARD THAT SHOWS PROOF OF
28 CURRENT MEMBERSHIP AND CERTIFICATION shall be made available for
29 immediate inspection and review by any consumer or agent of the state
30 of Colorado."
31

32 Renumber succeeding sections accordingly.
33

34 As amended, ordered revised and placed on the Calendar for Third
35 Reading and Final Passage.

36
37 **HB09-1341** by Representative(s) Pace, McFadyen, Riesberg, Vigil;
38 also Senator(s) Tapia, Boyd, Tochtrop--Concerning the
39 continuation of the licensing of psychiatric technicians by
40 the state board of nursing.
41

42 Amendment No. 1, Health & Human Services Report, dated
43 April 16, 2009, and placed in member's bill file; Report also printed in
44 House Journal, April 17, page 1279.
45

46 As amended, ordered engrossed and placed on the Calendar for Third
47 Reading and Final Passage.
48

49 **HB09-1334** by Representative(s) McCann and Apuan, Court, Gardner
50 B., King S., Lambert, Ryden, Schafer S., Vigil, Waller;
51 also Senator(s) Newell--Concerning the aggregation of
52 multiple offenses involving theft-type crimes into a single
53 offense.
54

55 Ordered engrossed and placed on the Calendar for Third Reading and
56 Final Passage.

1 **HB09-1348** by Representative(s) Weissmann--Concerning activities
2 resulting from the performance of legislative duties.
3

4 Ordered engrossed and placed on the Calendar for Third Reading and
5 Final Passage.
6

7 **SB09-281** by Senator(s) Shaffer B., Groff, Hodge, Keller, Morse,
8 Romer, White, Tapia; also Representative(s) Weissmann--
9 Concerning Pinnacol Assurance, and, in connection
10 therewith, clarifying the operation of Pinnacol Assurance
11 as a political subdivision of the state, requiring Pinnacol
12 Assurance to pay a policyholder dividend, and putting in
13 place measures for the general assembly to assess the
14 operation of Colorado laws governing worker safety and
15 injury compensation.
16

17 **Amendment No. 1**, by Representative(s) Weissmann.
18

19 Amend reengrossed bill, page 6, after line 19, insert the following:
20

21 "(7) THE INTERIM COMMITTEE CREATED BY THIS SECTION IS
22 SUBJECT TO THE PROVISIONS OF SECTION 2-3-303.3, C.R.S., WITH RESPECT
23 TO THE CONDUCT OF ADDITIONAL INTERIM STUDIES."
24

25 Renumber succeeding subsection accordingly.
26

27 **Amendment No. 2**, by Representative(s) Weissmann.
28

29 Amend reengrossed bill, page 5, line 12, strike "TEN MEMBERS OF THE
30 GENERAL ASSEMBLY:" and substitute "THIRTEEN MEMBERS:";
31

32 line 15, strike "AND";
33

34 line 19, strike "REPRESENTATIVES." and substitute "REPRESENTATIVES;"
35

36 after line 19, insert the following:
37

38 "(III) THE CHIEF EXECUTIVE OFFICER OF PINNACOL ASSURANCE,
39 OR HIS OR HER DESIGNEE;
40

41 (IV) A MEMBER OF THE BOARD OF DIRECTORS OF PINNACOL
42 ASSURANCE; AND
43

44 (V) THE INSURANCE COMMISSIONER OR HIS OR HER DESIGNEE."
45

46 **Amendment No. 3**, by Representative(s) Weissmann.
47

48 Amend reengrossed bill, page 2, after line 1, insert the following:
49

50 "**SECTION 1.** 8-45-101 (1) and (2) (c), Colorado Revised
51 Statutes, are amended to read:
52

53 **8-45-101. Pinnacol Assurance - creation - powers and duties.**
54 (1) There is hereby created Pinnacol Assurance, which shall be a political
55 subdivision of the state and shall operate as a ~~domestic~~ PUBLIC mutual
56 insurance company except as otherwise provided by law. Pinnacol

1 Assurance shall not be an agency of state government, nor shall it be
2 subject to administrative direction by any state agency except as provided
3 in this article, and except for the purposes of the "Colorado Governmental
4 Immunity Act", article 10 of title 24, C.R.S. Pinnacol Assurance shall not
5 be dissolved except by the general assembly. Section 10-12-411, C.R.S.,
6 shall not apply to Pinnacol Assurance.

7
8 (2) (c) The board shall have the powers, rights, and duties of ~~the~~
9 ~~board of directors of a domestic mutual insurance company, except as SET~~
10 FORTH IN THIS ARTICLE AND otherwise provided by law."

11
12 Renumber succeeding sections accordingly.

13
14 Page 2, strike lines 2 through 17.

15
16 Strike page 3.

17
18 Page 4, strike lines 1 through 15.

19
20 Renumber succeeding sections accordingly.

21
22 Amendment No. 4, by Representative(s) Weissmann.

23
24 Amend reengrossed bill, page 4, strike lines 19 through 27 and substitute
25 the following:

26
27 **"8-45-118.6. Required policyholder dividend.** THE GENERAL
28 ASSEMBLY FINDS THAT RETURNING SOME OF THE SURPLUS FUNDS OF
29 PINNACOL ASSURANCE TO THE POLICYHOLDERS CAN HAVE A POSITIVE
30 IMPACT ON THE ECONOMY. IF ACTUARIALLY SOUND, DURING 2009, A
31 DIVIDEND NOT TO EXCEED FIVE PERCENT OF THE SURPLUS OF PINNACOL
32 ASSURANCE SHALL BE RETURNED TO THE POLICYHOLDERS IN THE SAME
33 FASHION AS OTHER DIVIDENDS ARE RETURNED. THIS DIVIDEND SHALL BE
34 IN ADDITION TO ANY DIVIDEND ANNOUNCED PRIOR TO THE EFFECTIVE
35 DATE OF THIS SECTION."

36
37 Amendment No. 5, by Representative(s) Fischer.

38
39 Amend reengrossed bill, page 2, after line 1, insert the following:

40
41 **"SECTION 1.** 8-45-101, Colorado Revised Statutes, is amended
42 BY THE ADDITION OF A NEW SUBSECTION to read:

43
44 **8-45-101. Pinnacol Assurance - creation - powers and duties.**
45 (1.5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, ANY
46 LOGO, SEAL, LETTERHEAD, OR ANY OTHER TYPE OF IDENTIFYING VERBIAGE
47 USED BY PINNACOL ASSURANCE IN ANY TYPE OF DOCUMENT, IN
48 HARD-COPY OR ELECTRONIC FORM, SHALL CLEARLY STATE THAT
49 PINNACOL ASSURANCE IS A POLITICAL SUBDIVISION OF THE STATE OF
50 COLORADO, CREATED IN 1915."

51
52 Renumber succeeding sections accordingly.

53
54 As amended, declared **lost** on Second Reading.
55 (For change in action, see Amendments to Report, page 1322.)

56

1 **SB09-002** by Senator(s) Morse, Bacon, Foster, Isgar, Keller, Newell,
 2 White; also Representative(s) Peniston, Gagliardi, Levy,
 3 Marostica, Massey, Miklosi, Roberts--Concerning an
 4 increase in the motor vehicle registration fee to fund the
 5 emergency medical services account within the highway
 6 users tax fund, and making an appropriation in connection
 7 therewith.

8
 9 Ordered revised and placed on the Calendar for Third Reading and Final
 10 Passage.

11
 12 A motion by Representative Weissmann that the Committee rise, report
 13 progress and beg leave to sit again at 1:30 p.m., was adopted by
 14 unanimous consent. (Special Orders continued on page 1321.)

15
 16
 17 _____
 18 House reconvened.

19 The Committee of the Whole reported it had risen, reported progress and
 20 would sit again at 1:30 p.m.

21
 22 _____
 23
 24 **INTRODUCTION OF BILL**
 25 **First Reading**

26
 27 The following bill was read by title and referred to the committee
 28 indicated:

29
 30 **HB09-1360** by Representative(s) Judd; also Senator(s) Sandoval--
 31 Concerning the adjustment of the ratio of valuation for
 32 assessment for residential real property.
 33 Committee on Finance

34
 35 _____
 36 House in recess. House reconvened.

37
 38 _____
 39
 40 **MESSAGE(S) FROM THE SENATE**

41
 42 The Senate voted to concur in House amendments to SB09-263, and
 43 repassed the bill as so amended.

44
 45 The Senate has voted not to concur in House Amendments to SB09-269,
 46 and requests that a Conference Committee be appointed. The President
 47 appointed Senators White-Chair, and Keller and Tapia, as members of the
 48 First Conference Committee on SB09-269 on the part of the Senate. The
 49 Senate granted permission to members to go beyond the scope of
 50 differences between the two houses. The bill is transmitted herewith.

51
 52 The Senate has voted not to concur in House Amendments to SB09-271,
 53 and requests that a Conference Committee be appointed. The President
 54 appointed Senators Tapia-Chair, Keller and White, as members of the
 55 First Conference Committee on SB09-271 on the part of the Senate. The
 56 bill is transmitted herewith.

1 The Senate has voted not to concur in House Amendments to SB09-279,
 2 and requests that a Conference Committee be appointed. The President
 3 appointed Senators Keller-Chair, Tapia and White, as members of the
 4 First Conference Committee on SB09-279 on the part of the Senate. The
 5 Senate granted permission to members to go beyond the scope of
 6 differences between the two houses. The bill is transmitted herewith.

7
 8
 9

10 APPOINTMENTS TO CONFERENCE COMMITTEES

11 Pursuant to a request from the Senate, the Speaker appointed House
 12 conferees to the First Conference Committees as follows:

13
 14 **SB09-269**--Representatives Ferrandino, Chairman, Pommer and
 15 Marostica.

16 **SB09-271**--Representatives Ferrandino, Chairman, Pommer and
 17 Marostica.

18 **SB09-279**--Representatives Pommer, Chairman, Ferrandino and
 19 Marostica.

20

21 CONSENT GRANTED TO CONFERENCE COMMITTEE

22 Representative Pommer moved that the First Conference Committee on
 23 **SB09-259** be granted permission to go beyond the scope of the difference
 24 between the House and the Senate. The motion was passed by the
 25 following roll call vote:

26

27	YES	63	NO	0	EXCUSED	2	ABSENT	0
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	E
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	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	E	Weissmann	Y
44							Speaker	Y

45

46 Representative Ferrandino moved that the First Conference Committee
 47 on **SB09-269** be granted permission to go beyond the scope of the
 48 difference between the House and the Senate. The motion was passed by
 49 the following roll call vote:

50

51	YES	47	NO	17	EXCUSED	1	ABSENT	0
52	Acree	N	Green	Y	McCann	Y	Roberts	Y
53	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
54	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y

55

1	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
2	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
3	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	E
4	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
5	Court	Y	King S.	N	Murray	Y	Stephens	N
6	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
7	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
8	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
9	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
10	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
11	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
12	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
13	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
14							Speaker	Y

15
16 Representative Pommer moved that the First Conference Committee on
17 **SB09-279** be granted permission to go beyond the scope of the difference
18 between the House and the Senate. The motion was passed by the
19 following roll call vote:

20								
21	YES	55	NO	9	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	N	Kagan	Y	McNulty	N	Schafer S.	Y
26	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
27	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	E
28	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
29	Court	Y	King S.	N	Murray	Y	Stephens	Y
30	Curry	Y	Labuda	Y	Nikkel	N	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.	N	Marostica	Y	Priola	N	Vigil	Y
36	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
37	Gerou	N	May	Y	Riesberg	Y	Weissmann	Y
38							Speaker	Y

CHANGE IN SPONSORSHIP

44 The Speaker announced the following change in sponsorship:
45 **HB09-1356--**Representatives Liston and Pommer as joint prime sponsors.

46
47
48
49 On motion of Representative Levy, the House resolved itself into
50 Committee of the Whole for continuation of consideration of General
51 Orders, and she returned to the Chair to act as Chairman.

52
53
54
55

1 **SPECIAL ORDERS--SECOND READING OF BILLS**

2 (Continued from page 1319)

3
4 **HB09-1344** by Representative(s) Scanlan; also Senator(s) Boyd--
5 Concerning adjustments for inflation to the limitations on
6 medical negligence damages tied to regulatory oversight
7 of the effects of such adjustments on medical negligence
8 insurance.
9

10 Amendment No. 1, Judiciary Report, dated April 20, 2009, and placed in
11 member's bill file; Report also printed in House Journal, April 20,
12 pages 1293-1294.

13
14 Amendment No. 2, Appropriations Report, dated April 21, 2009, and
15 placed in member's bill file; Report also printed in House Journal,
16 April 21, pages 1298-1299.

17
18 As amended, ordered engrossed and placed on the Calendar for Third
19 Reading and Final Passage.

20
21 On motion of Representative Weissmann, the remainder of the Special
22 Orders Calendar (**HB09-1269, 1081, 1323, SB09-022, 025, 026, 052,**
23 **067, 068, 106, 125, 138, 154, 174, 252**) was laid over until April 22,
24 retaining place on Calendar.

25
26
27
28 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

29
30 Representative(s) Weissmann moved to amend the Report of the
31 Committee of the Whole to reverse the action taken by the Committee in
32 not adopting the following amendment, to SB09-281, to show that said
33 amendment passed, and that **SB09-281** was laid over, as amended, until
34 April 22, 2009.

35
36 Amend reengrossed bill, page 4, line 17, strike "THE FOLLOWING" and
37 substitute "A";

38
39 line 18, strike "SECTIONS" and substitute "SECTION";

40
41 strike lines 19 through 27.

42
43 The amendment was declared **passed** by the following roll call vote:

44
45

	YES	34	NO	29	EXCUSED	2	ABSENT	0
46	Acree	N	Green	Y	McCann	Y	Roberts	N
47	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
48	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
49	Baumgardner	N	Kagan	N	McNulty	N	Schafer S.	N
50	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
51	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	E
52	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	N
53	Court	Y	King S.	N	Murray	N	Stephens	N
54	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
55	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	E
56	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N

1	Frangas	N	Liston	N	Pommer	Y	Todd	Y
2	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
3	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
4	Gardner C.	N	Massey	N	Rice	N	Waller	N
5	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
6							Speaker	Y

7
8
9 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

10
11 Passed Second Reading: **SB09-144 amended, HB09-1341 amended,**
12 **1334, 1348, SB09-002, HB09-1344 amended.**

13
14 Laid over until date indicated retaining place on Calendar: **HB09-1269,**
15 **1081, 1323, SB09-281 amended, SB09-022, 025, 026, 052, 067, 068,**
16 **106, 125, 138, 154, 174, 252--April 22, 2009.**

17
18 The Chairman moved the adoption of the Committee of the Whole
19 Report. As shown by the following roll call vote, a majority of those
20 elected to the House voted in the affirmative, and the Report was
21 **adopted.**

22	YES	54	NO	9	EXCUSED	2	ABSENT	0
23								
24	Acree	N	Green	Y	McCann	Y	Roberts	Y
25	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
26	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
27	Baumgardner	N	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	E
30	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
31	Court	Y	King S.	Y	Murray	Y	Stephens	N
32	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
33	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	E
34	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
35	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
36	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
37	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
38	Gardner C.	Y	Massey	Y	Rice	Y	Waller	N
39	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
40							Speaker	Y

41
42
43 House in recess. House reconvened.

44
45
46 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

47
48 **FINANCE**

49 After consideration on the merits, the Committee recommends the
50 following:

51
52 **HB09-1342** be referred favorably to the Committee on Appropriations.

53
54
55 **HB09-1355** be referred favorably to the Committee on Appropriations.

56

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB09-1012, 1153.**

INTRODUCTION OF BILLS
First Reading

The following bills were read by title and referred to the committees indicated:

HB09-1361 by Representative(s) Weissmann, Kerr A.--Concerning the state controller making modifications to allowable expenditures due to certain changes in the estimated amount of state revenue occurring when the general assembly is not meeting in session.

Committee on Appropriations

HB09-1362 by Representative(s) May; also Senator(s) Boyd--Concerning the authorization to local governments to provide financial assistance to specified institutions of higher education, and, in connection therewith, authorizing municipalities and counties to form community college service area districts and authorizing county governments to levy sales or property taxes for the purpose of providing financial assistance to specified state colleges.

Committee on Local Government

SB09-257 by Senator(s) Schwartz, Heath, Mitchell; also Representative(s) Fischer and Vigil, McFadyen, Rice, Solano--Concerning amendments to the "Building Excellent Schools Today Act" that will allow more efficient implementation of the act without reducing its funding or restricting existing lease-purchase agreement authorization.

Committee on Education

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Judd, the following item(s) on the Calendar were laid over until April 22, retaining place on Calendar:

Consideration of General Orders--**SB09-024.**

Consideration of Resolution(s)--**HJR09-1018, 1027, SJR09-034.**

Consideration of Memorial(s)--**SJM09-002, HM09-1005.**

Consideration of Senate Amendment(s)--**HB09-1180, HJR09-1019.**

On motion of Representative Judd, the House adjourned until 9:00 a.m., April 22, 2009.

Attest:
MARILYN EDDINS,
Chief Clerk

Approved:
TERRANCE D. CARROLL,
Speaker

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

One hundred-sixth Legislative Day Wednesday, April 22, 2009

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Max Osterman, Mountain View Elementary,
7 Broomfield.

8
9 The roll was called with the following result:

10
11 Present--64.
12 Excused--Representative(s) McFadyen--1.
13 Present after roll call--Representative(s) McFadyen.

14
15 The Speaker declared a quorum present.

16
17
18 On motion of Representative Swalm, the reading of the journal of
19 April 21, 2009, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21
22
23
24 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

25
26 **LOCAL GOVERNMENT**

27 After consideration on the merits, the Committee recommends the
28 following:

29
30 **HB09-1346** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:

33
34 Amend printed bill, page 4, line 2, strike "PERSON;" and substitute
35 "PERSON IN ACCORDANCE WITH THE FEDERAL RECOVERY AND
36 REINVESTMENT ACT;"

37
38 Page 14, line 22, strike "TITLE." and substitute "TITLE OR ANY OTHER LAW
39 OF THE STATE THAT AUTHORIZES THE PUBLIC ENTITY TO ISSUE OR ENTER
40 INTO REFUNDING OBLIGATIONS."

41
42 Page 26, line 24, strike "A LARGE LOCAL";

43

1 strike line 25 and substitute the following:

2

3 "ANY".

4

5 Page 27, strike lines 16 and 17 and substitute the following:

6

7 "MAY REALLOCATE TO ANY PUBLIC ENTITY";

8

9 line 21, strike "THE";

10

11 strike line 22 and substitute the following:

12

13 "A PUBLIC ENTITY".

14

15 Page 28, line 27, strike "THE STATE OR ANY LARGE LOCAL".

16

17 Page 29, line 1, strike "GOVERNMENT" and substitute "ANY PUBLIC
18 ENTITY".

19

20 Page 30, line 20, strike "COUNTY OR LARGE MUNICIPALITY" and substitute
21 "PUBLIC ENTITY";

22

23 line 27, strike "COUNTY OR LARGE MUNICIPALITY" and substitute "PUBLIC
24 ENTITY".

25

26 Page 31, line 25, strike "COUNTIES AND LARGE MUNICIPALITIES" and
27 substitute "PUBLIC ENTITIES".

28

29 Page 32, line 9, strike "COUNTIES AND LARGE MUNICIPALITIES" and
30 substitute "PUBLIC ENTITIES".

31

32 Page 33, line 10, strike "A";

33

34 line 11, strike "COUNTY OR LARGE MUNICIPALITY" and substitute "ANY
35 PUBLIC ENTITY".

36

37 Page 42, line 10, after the first "OF", insert "THE STATE OR";

38

39 line 20, after the first "OF", insert "THE STATE OR".

40

41 Page 46, after line 7, insert the following:

42

43 **"11-59.7-114. Applicability.** THIS ARTICLE SHALL APPLY ONLY
44 TO STIMULUS OBLIGATIONS ISSUED OR ENTERED INTO PURSUANT TO THE
45 FEDERAL RECOVERY AND REINVESTMENT ACT ON OR BEFORE THE DATE
46 THE AUTHORITY TO ISSUE OR ENTER INTO STIMULUS OBLIGATIONS OF SUCH
47 TYPE EXPIRES UNDER THE FEDERAL RECOVERY AND REINVESTMENT ACT.".

48

49

50

51 **HB09-1359** be referred to the Committee of the Whole with favorable
52 recommendation.

53

54

55 **SB09-249** be referred to the Committee of the Whole with favorable
56 recommendation.

1 **STATE, VETERANS, & MILITARY AFFAIRS**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HB09-1328** be postponed indefinitely.

6
7
8 **HB09-1335** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11
12 Amend printed bill, page 6, strike lines 22 and 23 and substitute the
13 following:

14
15 "(3) (a) IF THE ELECTRONIC AND ELECTROMAGNETIC VOTING
16 SYSTEMS TESTED PURSUANT TO THIS SECTION SATISFY THE REQUIREMENTS
17 OF THIS PART 6, THE SECRETARY OF STATE SHALL CERTIFY SUCH SYSTEMS
18 AND APPROVE THE PURCHASE,".

19
20 Page 7, line 18, strike "TESTING;" and substitute "TESTING AND WILL MAKE
21 SUCH INFORMATION AVAILABLE TO THE PUBLIC SUBJECT TO ANY
22 REDACTION REQUIRED BY LAW;".

23
24 Page 13, strike lines 21 through 23 and substitute the following:

25
26 "county. The secretary shall publish once in a newspaper of general
27 circulation throughout the state notification to the public that the results
28 have been posted on the department's web site.".

29
30
31
32 **HB09-1336** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:

35
36 Amend printed bill, page 5, line 6, strike "POSTMARKED BY 7 P.M. ON
37 ELECTION DAY AND";

38
39 after line 8, insert the following:

40
41 **SECTION 8.** 1-8-113 (3) (d), Colorado Revised Statutes, is
42 amended to read:

43
44 **1-8-113. Manner of mail-in voting - first-time voters casting**
45 **a mail-in ballot after having registered by mail to vote.** (3) (d) Any
46 person who desires to cast his or her ballot by mail-in ballot but does not
47 satisfy the requirements of paragraph (b) of this subsection (3) may cast
48 such ballot by mail. ~~and the ballot shall be treated as a provisional ballot~~
49 ~~in accordance with the requirements of article 8.5 of this title.~~ THE
50 DESIGNATED ELECTION OFFICIAL SHALL, WITHIN THREE DAYS AFTER THE
51 RECEIPT OF A MAIL-IN BALLOT THAT DOES NOT CONTAIN A COPY OF
52 IDENTIFICATION AS DEFINED IN SECTION 1-1-104 (19.5), BUT IN NO EVENT
53 LATER THAN TWO DAYS AFTER ELECTION DAY, SEND TO THE ELIGIBLE
54 ELECTOR AT THE ADDRESS INDICATED IN THE REGISTRATION RECORDS A
55 LETTER EXPLAINING THE LACK OF COMPLIANCE WITH PARAGRAPH (b) OF
56 THIS SUBSECTION (3). IF THE DESIGNATED ELECTION OFFICIAL RECEIVES

1 A COPY OF IDENTIFICATION IN COMPLIANCE WITH PARAGRAPH (b) OF THIS
 2 SUBSECTION (3) WITHIN EIGHT DAYS AFTER ELECTION DAY, AND IF THE
 3 MAIL-IN BALLOT IS OTHERWISE VALID, THE MAIL-IN BALLOT SHALL BE
 4 COUNTED."

5

6 Renumber succeeding sections accordingly.

7

8

9

10 **HB09-1337** be amended as follows, and as so amended, be referred to
 11 the Committee of the Whole with favorable
 12 recommendation:

13

14 Amend printed bill, page 2, after line 1, insert the following:

15

16 "SECTION 1. 1-7.5-107 (3.5) (d), Colorado Revised Statutes, is
 17 amended to read:

18

19 **1-7.5-107. Procedures for conducting mail ballot election -**
 20 **first-time voters casting a mail ballot after having registered by mail**
 21 **to vote.** (3.5) (d) Any person who desires to cast his or her ballot by mail
 22 but does not satisfy the requirements of ~~paragraph (c)~~ PARAGRAPH (b) of
 23 this subsection (3.5) may cast such ballot by mail. ~~and the ballot shall be~~
 24 ~~treated as a provisional ballot in accordance with the requirements of~~
 25 ~~article 8.5 of this title.~~ THE DESIGNATED ELECTION OFFICIAL SHALL,
 26 WITHIN THREE DAYS AFTER THE RECEIPT OF A MAIL BALLOT THAT DOES
 27 NOT CONTAIN A COPY OF IDENTIFICATION AS DEFINED IN SECTION 1-1-104
 28 (19.5), BUT IN NO EVENT LATER THAN TWO DAYS AFTER ELECTION DAY,
 29 SEND TO THE ELIGIBLE ELECTOR AT THE ADDRESS INDICATED IN THE
 30 REGISTRATION RECORDS A LETTER EXPLAINING THE LACK OF COMPLIANCE
 31 WITH PARAGRAPH (b) OF THIS SUBSECTION (3.5). IF THE DESIGNATED
 32 ELECTION OFFICIAL RECEIVES A COPY OF IDENTIFICATION IN COMPLIANCE
 33 WITH PARAGRAPH (b) OF THIS SUBSECTION (3.5) WITHIN EIGHT DAYS AFTER
 34 ELECTION DAY, AND IF THE MAIL BALLOT IS OTHERWISE VALID, THE MAIL
 35 BALLOT SHALL BE COUNTED."

36

37 Renumber succeeding sections accordingly.

38

39 Page 3, line 15, strike "TWENTY-FIVE" and substitute "TWENTY-TWO";

40

41 strike line 20 and substitute the following:

42

43 "regulations. NOTHING IN THIS SUBSECTION (1) SHALL AFFECT ANY
 44 PROVISION OF THIS CODE GOVERNING THE DELIVERY OF MAIL OR MAIL-IN
 45 BALLOTS TO AN ABSENT UNIFORMED SERVICES ELECTOR, NONRESIDENT
 46 OVERSEAS ELECTOR, OR RESIDENT OVERSEAS ELECTOR COVERED BY THE
 47 FEDERAL "UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING
 48 ACT", 42 U.S.C. SEC. 1973ff ET SEQ."

49

50

51

52 **HCR09-1001** be postponed indefinitely.

53

54

55 **SB09-248** be referred to the Committee of the Whole with favorable
 56 recommendation.

1 **TRANSPORTATION & ENERGY**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HB09-1331** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:

8
9 Amend printed bill, page 6, strike lines 2 and 3 and substitute the
10 following:

11
12 "(II) "CATEGORY 1" MEANS A MOTOR VEHICLE THAT COMPLIES
13 WITH BIN 1 OF THE FEDERAL";

14
15 line 6, strike "AMENDED; OR" and substitute "AMENDED.";

16
17 strike lines 7 through 11;

18
19 strike lines 21 through 23 and substitute the following:

20
21 "GAS CONVERSIONS CERTIFIED BY THE UNITED STATES ENVIRONMENTAL
22 PROTECTION AGENCY AND ORIGINAL EQUIPMENT MANUFACTURER
23 COMPRESSED NATURAL GAS VEHICLES.";

24
25 strike lines 26 and 27 and substitute the following:

26
27 "(VII) "CATEGORY 6" MEANS A MOTOR VEHICLE THAT COMPLIES
28 WITH BIN 2 OR BIN 3 OF THE".

29
30 Page 7, line 5, strike "GREATER; OR" and substitute "GREATER.";

31
32 strike lines 6 through 14 and substitute the following:

33
34 "(VIII) (A) "CATEGORY 7" MEANS A MOTOR VEHICLE THAT
35 COMPLIES WITH BIN 2 OR BIN 3 OF THE";

36
37 line 20, strike "EQUIVALENT; OR" and substitute "EQUIVALENT.";

38
39 strike lines 21 through 27.

40
41 Page 8, strike line 1;

42
43 line 2, strike "(C)" and substitute "(B)".

44
45 Page 9, line 23, strike "WITH" and substitute "EXCEPT AS PROVIDED IN
46 SUBPARAGRAPH (II) OF THIS PARAGRAPH (b), WITH".

47
48 Page 10, line 5, strike "OR";

49
50 line 6, strike "TECHNOLOGY." and substitute "TECHNOLOGY; OR";

51
52 after line 6, insert the following:

53
54 "(F) IS CONVERTED TO A PLUG-IN HYBRID ELECTRIC VEHICLE.";

55

1 strike lines 10 and 11 and substitute the following:

2

3 "CATEGORY 4 VEHICLE."

4

5 Page 12, strike lines 20 and 21 and substitute the following:

6

7 "(b) "CATEGORY 1" MEANS A MOTOR VEHICLE THAT COMPLIES
8 WITH BIN 1 OF THE FEDERAL";

9

10 line 24, strike "AMENDED; OR" and substitute "AMENDED.";

11

12 strike lines 25 through 27.

13

14 Page 13, strike lines 1 and 2;

15

16 strike lines 12 through 14 and substitute the following:

17

18 "CONVERSIONS CERTIFIED BY THE UNITED STATES ENVIRONMENTAL
19 PROTECTION AGENCY AND ORIGINAL EQUIPMENT MANUFACTURER
20 COMPRESSED NATURAL GAS VEHICLES.";

21

22 strike lines 16 and 17 and substitute the following:

23

24 "(g) "CATEGORY 6" MEANS A MOTOR VEHICLE THAT COMPLIES
25 WITH BIN 2 OR BIN 3 OF THE";

26

27 line 22, strike "GREATER; OR" and substitute "GREATER.";

28

29 strike lines 23 through 27.

30

31 Page 14, strike lines 1 and 2.

32

33 Page 16, line 6, strike "ARTICLE" and substitute "ARTICLE, NOT TO EXCEED
34 SEVEN THOUSAND FIVE HUNDRED DOLLARS,".

35

36 Page 17, strike line 26 and substitute the following:

37

38 "**CATEGORY 1** 75% 75% 75% 75%".

39

40 Page 18, strike lines 20 and 21 and substitute the following:

41

42 "(2) ~~Repeated~~ "CATEGORY 1" MEANS A MOTOR VEHICLE THAT
43 COMPLIES WITH BIN 1 OF THE FEDERAL";

44

45 line 24, strike "AMENDED; OR" and substitute "AMENDED.";

46

47 strike lines 25 through 27.

48

49 Page 19, strike lines 1 and 2;

50

51 strike lines 12 through 14 and substitute the following:

52

53 "CONVERSIONS CERTIFIED BY THE UNITED STATES ENVIRONMENTAL
54 PROTECTION AGENCY AND ORIGINAL EQUIPMENT MANUFACTURER
55 COMPRESSED NATURAL GAS VEHICLES.";

1 strike lines 16 and 17 and substitute the following:

2

3 "(7) "CATEGORY 6" MEANS A MOTOR VEHICLE THAT COMPLIES
4 WITH BIN 2 OR BIN 3 OF THE";

5

6 line 22, strike "GREATER; OR" and substitute "GREATER.";

7

8 strike lines 23 through 27.

9

10 Page 20, strike lines 1 and 2.

11

12 Page 26, strike line 17 and substitute the following:

13

14 "CATEGORY 1 85% 75% 75% 75% 75%".

15

16

17

18 **HB09-1340** be postponed indefinitely.

19

20

21 **HB09-1345** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:

24

25 Amend printed bill, page 3, line 20, after "ASSOCIATIONS," insert
26 "INCLUDING GENERATION AND TRANSMISSION ASSOCIATIONS,".

27

28 Page 4, line 4, after "LIMIT", insert "OR EXPAND".

29

30

31

32 **HB09-1347** be referred favorably to the Committee on Appropriations.

33

34

35 **SB09-003** be amended as follows, and as so amended, be referred to
36 the Committee on Appropriations with favorable
37 recommendation:

38

39 Amend reengrossed bill, page 5, strike lines 2 and 3 and substitute the
40 following:

41

42 "(V) ~~That portion~~ THOSE PORTIONS of Weld county ~~which is~~
43 ~~outside~~ THAT ARE WITHIN the corporate boundaries of Greeley, Evans, La
44 Salle, and Garden City, and;"

45

46 Page 6, strike lines 22 through 27 and substitute the following:

47

48 "beginning WINDSOR, JOHNSTOWN, MILLIKEN, BERTHOUD, MEAD,
49 LONGMONT, FIRESTONE, FREDERICK, FORT LUPTON, DACONO, ERIE,
50 NORTHGLENN, LOCHBUIE, BRIGHTON, AND SEVERANCE."

51

52 Page 7, strike lines 1 through 15;

53

54 line 27, strike "2011," and substitute "2010,".

55

1 Page 8, after line 15, insert the following:
2

3 "SECTION 2. 42-4-307.7, Colorado Revised Statutes, is
4 amended BY THE ADDITION OF A NEW SUBSECTION to read:
5

6 **42-4-307.7. Vehicle emissions testing - remote sensing - rules**
7 **- repeal.** (13) (a) THE AIR POLLUTION CONTROL DIVISION IN THE
8 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL COOPERATE
9 FULLY WITH THE LEGISLATIVE AUDIT COMMITTEE'S REVIEW OF THE
10 REMOTE SENSING PROGRAM. THE AIR POLLUTION CONTROL DIVISION
11 SHALL DELAY DEPLOYMENT OF REMOTE SENSING EQUIPMENT BEYOND
12 THOSE AREAS IN WHICH REMOTE SENSING WERE AUTHORIZED AS OF THE
13 EFFECTIVE DATE OF THIS SUBSECTION (13) UNTIL COMPLETION OF THE
14 LEGISLATIVE AUDIT COMMITTEE'S AUDIT OF THE REMOTE SENSING
15 PROGRAM, AND SUCH DEPLOYMENT SHALL NOT OCCUR UNLESS THE AIR
16 POLLUTION CONTROL DIVISION, IN CONJUNCTION WITH THE DEPARTMENT
17 OF REVENUE EMISSIONS PROGRAM, DETERMINES THE VALIDITY AND
18 VIABILITY OF THE REMOTE SENSING PROGRAM.
19

20 (b) THIS SUBSECTION (13) IS REPEALED, EFFECTIVE DECEMBER 31,
21 2009."
22

23 Renumber succeeding sections accordingly.
24

26 PRINTING REPORT

27
28
29 The Chief Clerk reports the following bills have been correctly printed:
30 **HB09-1360, 1361, 1362.**
31

33 SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

34
35
36 The Speaker has signed: **SB09-051.**
37

39 CONSIDERATION OF MEMORIAL(S)

40
41
42 **HM09-1002** by Representative(s) Miklosi and Hullinghorst--
43 Memorializing former Representative Joseph Dolan.
44

45 (Printed and placed in member's file)
46

47 On motion of Representative Miklosi, the memorial was read at length.
48

49
50 Pursuant to House Rule 26(f) the House stood in recess to allow the
51 following former Representatives to speak on behalf of the honorable
52 Joseph Dolan:

53 Richard Gebhardt, former Congressman Ray Kogovsek, former Governor
54 Richard D. Lamm
55

56

House reconvened.

On motion of Representative Miklosi, the memorial was **adopted** by the following roll call vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y		Green	Y	McCann	Y	Roberts	Y
Apuan	Y		Hullinghorst	Y	McFadyen	Y	Ryden	Y
Balmer	Y		Judd	Y	McKinley	Y	Scanlan	Y
Baumgardner	Y		Kagan	Y	McNulty	Y	Schafer S.	Y
Benefield	Y		Kefalas	Y	Merrifield	Y	Solano	Y
Bradford	Y		Kerr A.	Y	Middleton	Y	Sonnenberg	Y
Casso	Y		Kerr J.	Y	Miklosi	Y	Soper	Y
Court	Y		King S.	Y	Murray	Y	Stephens	Y
Curry	Y		Labuda	Y	Nikkel	Y	Summers	Y
Ferrandino	Y		Lambert	Y	Pace	Y	Swalm	Y
Fischer	Y		Levy	Y	Peniston	Y	Tipton	Y
Frangas	Y		Liston	Y	Pommer	Y	Todd	Y
Gagliardi	Y		Looper	Y	Primavera	Y	Vaad	Y
Gardner B.	Y		Marostica	Y	Priola	Y	Vigil	Y
Gardner C.	Y		Massey	Y	Rice	Y	Waller	Y
Gerou	Y		May	Y	Riesberg	Y	Weissmann	Y
							Speaker	Y

Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Marostica, Massey, 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, Todd, Vaad, Vigil, Waller, Weissmann, Speaker

House in recess. House reconvened.

HM09-1003 by Representative(s) Sonnenberg, Gardner C., Weissmann--Memorializing former Representative Robert Leon Eisenach.

(Printed and placed in member's file)

On motion of Representative Sonnenberg, the memorial was read at length.

On motion of Representative Sonnenberg, the memorial was **adopted** by the following roll call vote:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y		Green	Y	McCann	Y	Roberts	Y
Apuan	Y		Hullinghorst	Y	McFadyen	Y	Ryden	Y
Balmer	Y		Judd	Y	McKinley	Y	Scanlan	Y

1	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
2	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
3	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
4	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
5	Court	Y	King S.	Y	Murray	Y	Stephens	Y
6	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
7	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
8	Fischer	Y	Levy	E	Peniston	Y	Tipton	Y
9	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
10	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
11	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
12	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
13	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
14							Speaker	Y

15 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
 16 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
 17 Fischer, Frangas, Gagliardi, Gardner B., Gerou, Green, Hulinghorst, Judd,
 18 Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Liston, Looper,
 19 Marostica, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield,
 20 Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera,
 21 Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Soper,
 22 Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil, Waller, Speaker
 23

24 Representative Sonnenberg introduced members of the family that were
 25 present.

26 _____
 27 House in recess. House reconvened.
 28 _____
 29

30 31 MESSAGE(S) FROM THE SENATE

32
 33 The Senate has adopted and transmits herewith, SJR09-049 as amended
 34 in Senate Journal, April 22, 2009.
 35 _____
 36
 37

38 INTRODUCTION AND CONSIDERATION OF RESOLUTION

39
 40 On motion of Representative Weissmann, the rules were suspended and
 41 the following resolution was given immediate consideration.
 42

43 **SJR09-049** by Senator(s) Williams; also Representative(s) Roberts--
 44 Concerning the acknowledgment of April 22, 2009, as
 45 Earth Day.
 46

47 (Printed and placed in member's file).
 48

49 On motion of Representative Roberts, the resolution was read at length
 50 and **adopted** by **viva voce** vote.
 51

52 Co-sponsor(s) added: Representative(s) Acree, Apuan, Balmer, Baumgardner,
 53 Benefield, Bradford, Casso, Court, Curry, Ferrandino, Fischer, Frangas,
 54 Gagliardi, Gardner B., Gardner C., Gerou, Green, Hulinghorst, Judd, Kagan,
 55 Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Liston, Looper, Marostica,
 56 Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield,

1 Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera,
 2 Priola, Rice, Riesberg, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper,
 3 Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil, Waller, Weissmann,
 4 Speaker

5

6

7

8

THIRD READING OF BILLS--FINAL PASSAGE

9

10 The following bills were considered on Third Reading. The titles were
 11 publicly read. Reading of the bill at length was dispensed with by
 12 unanimous consent.

13

14 **SB09-144** by Senator(s) Kester; also Representative(s) Gagliardi--
 15 Concerning the Colorado commission for the deaf and
 16 hard of hearing and programs administered in connection
 17 therewith, and making an appropriation therefor.

18

19 The question being "Shall the bill pass?".

20 A roll call vote was taken. As shown by the following recorded vote, a
 21 majority of those elected to the House voted in the affirmative and the bill
 22 was declared **passed**.

23

24

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41

YES	48	NO	16	EXCUSED	1	ABSENT	0
Acree	N	Green	Y	McCann	Y	Roberts	Y
Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
Court	Y	King S.	Y	Murray	N	Stephens	Y
Curry	Y	Labuda	N	Nikkel	N	Summers	Y
Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
Fischer	Y	Levy	E	Peniston	Y	Tipton	N
Frangas	Y	Liston	N	Pommer	Y	Todd	Y
Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
Gardner B.	Y	Marostica	N	Priola	Y	Vigil	Y
Gardner C.	N	Massey	Y	Rice	Y	Waller	N
Gerou	N	May	Y	Riesberg	Y	Weissmann	Y
						Speaker	Y

42 Co-sponsor(s) added: Representative(s) Court, Ferrandino, Fischer, Frangas,
 43 Green, Hullinghorst, Kefalas, McCann, McFadyen, Merrifield, Pommer,
 44 Primavera, Riesberg, Ryden, Schafer S., Summers, Todd

45

46 **HB09-1341** by Representative(s) Pace, McFadyen, Riesberg, Vigil;
 47 also Senator(s) Tapia, Boyd, Tochtrop--Concerning the
 48 continuation of the licensing of psychiatric technicians by
 49 the state board of nursing.

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	39	NO	25	EXCUSED	1	ABSENT	0
1								
2	Acree	N	Green	Y	McCann	Y	Roberts	N
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	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
8	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
9	Court	Y	King S.	Y	Murray	N	Stephens	N
10	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
11	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
12	Fischer	Y	Levy	E	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	N	Priola	N	Vigil	Y
16	Gardner C.	N	Massey	N	Rice	Y	Waller	N
17	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Gagliardi, Green,
20 Labuda, Merrifield, Primavera, Ryden, Schafer S., Todd

21
22 **HB09-1334** by Representative(s) McCann and Apuan, Court, Gardner
23 B., King S., Lambert, Ryden, Schafer S., Vigil, Waller;
24 also Senator(s)Newell--Concerning the aggregation of
25 multiple offenses involving theft-type crimes into a single
26 offense.

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	63	NO	1	EXCUSED	1	ABSENT	0
34	Acree	Y	Green	Y	McCann	Y	Roberts	Y
35	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
36	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
37	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
38	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
39	Bradford	Y	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	Y	Pace	Y	Swalm	Y
44	Fischer	Y	Levy	E	Peniston	Y	Tipton	Y
45	Frangas	N	Liston	Y	Pommer	Y	Todd	Y
46	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
47	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
48	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
49	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Baumgardner, Priola, Roberts, Todd,
52 Speaker

53
54
55

1 **HB09-1348** by Representative(s) Weissmann--Concerning activities
2 resulting from the performance of legislative duties.

3
4 Laid over until later in the day, retaining place on Calendar.

5
6 **SB09-002** by Senator(s) Morse, Bacon, Foster, Isgar, Keller, Newell,
7 White; also Representative(s) Peniston, Gagliardi, Levy,
8 Marostica, Massey, Miklosi, Roberts--Concerning an
9 increase in the motor vehicle registration fee to fund the
10 emergency medical services account within the highway
11 users tax fund, and making an appropriation in connection
12 therewith.

13
14 The question being "Shall the bill pass?".
15 A roll call vote was taken. As shown by the following recorded vote, a
16 majority of those elected to the House voted in the affirmative and the bill
17 was declared **passed**.

	YES	43	NO	21	EXCUSED	1	ABSENT	0
20	Acree	N	Green	Y	McCann	Y	Roberts	Y
21	Apuan	N	Hullinghorst	Y	McFadyen	Y	Ryden	Y
22	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
23	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
24	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
25	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
26	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
27	Court	Y	King S.	N	Murray	N	Stephens	N
28	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
29	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
30	Fischer	Y	Levy	E	Peniston	Y	Tipton	Y
31	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
32	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
33	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
34	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
35	Gerou	Y	May	N	Riesberg	Y	Weissmann	N
36							Speaker	Y

37 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Gerou, Green,
38 Labuda, McFadyen, Merrifield, Primavera, Ryden, Todd

39
40 **HB09-1344** by Representative(s) Scanlan; also Senator(s) Boyd--
41 Concerning increased regulatory oversight of medical
42 negligence insurance, and making an appropriation
43 therefor.

44
45 Laid over until later in the day, retaining place on Calendar.

46
47
48 House in recess. House reconvened.

49
50
51
52 **THIRD READING OF BILL--FINAL PASSAGE**

53
54 The following bill was considered on Third Reading. The title was
55 publicly read. Reading of the bill at length was dispensed with by
56 unanimous consent.

1 **HB09-1344** by Representative(s) Scanlan; also Senator(s) Boyd--
 2 Concerning increased regulatory oversight of medical
 3 negligence insurance, and making an appropriation
 4 therefor.
 5

6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, less
 8 than a majority of those elected to the House voted in the affirmative and
 9 the bill was declared **lost**.
 10

	YES	26	NO	39	EXCUSED	0	ABSENT	0
12	Acree	N	Green	Y	McCann	N	Roberts	N
13	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
14	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
15	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	N
16	Benefield	Y	Kefalas	N	Merrifield	Y	Solano	Y
17	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
18	Casso	N	Kerr J.	N	Miklosi	Y	Soper	N
19	Court	Y	King S.	N	Murray	N	Stephens	N
20	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
21	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
22	Fischer	N	Levy	Y	Peniston	Y	Tipton	N
23	Frangas	N	Liston	N	Pommer	Y	Todd	N
24	Gagliardi	N	Looper	N	Primavera	Y	Vaad	N
25	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
26	Gardner C.	N	Massey	N	Rice	N	Waller	N
27	Gerou	N	May	N	Riesberg	N	Weissmann	Y
28							Speaker	Y

29
 30
 31 House in recess. House reconvened.
 32
 33

34 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

35 **APPROPRIATIONS**

36
 37 After consideration on the merits, the Committee recommends the
 38 following:
 39

40 **SB09-256** be amended as follows, and as so amended, be referred to
 41 the Committee of the Whole with favorable
 42 recommendation:
 43
 44

45 Amend the Education Committee Report, dated April 20, 2009, page 12,
 46 strike lines 11 through 14 and substitute the following:
 47

48 "Strike pages 61 through 65 of the reengrossed bill.
 49

50 Page 66 of the reengrossed bill, strike line 1 and substitute the
 51 following:"
 52

53 Page 13 of the Education Committee Report, line 36, strike "TREASURER"
 54 and substitute "TREASURER, PURSUANT TO SECTION 22-7-908 (4) (b),".
 55

1 Page 15 of the Education Committee Report, line 8, strike "TREASURER"
2 and substitute "TREASURER, PURSUANT TO SECTION 22-7-908 (4) (a),".

3
4 Page 16 of the Education Committee Report, line 32, strike "TREASURER"
5 and substitute "TREASURER, PURSUANT TO SECTION 22-7-908 (4) (b),".

6
7 Page 18 of the Education Committee Report, line 16, strike "YEARS."."
8 and substitute "YEARS.";

9
10 strike lines 17 through 22 of the Education Committee Report and
11 substitute the following:

12
13 **SECTION 33.** 22-7-908 (1), Colorado Revised Statutes, as
14 amended in Senate Bill 09-269, is amended to read:

15
16 **22-7-908. Read-to-achieve cash fund - created.** (1) There is
17 hereby established in the state treasury the read-to-achieve cash fund,
18 referred to in this section as the "cash fund". The cash fund shall consist
19 of moneys transferred thereto pursuant to subsection (3) of this section
20 and any other moneys that may be made available by the general
21 assembly. Subject to appropriation by the general assembly, moneys in
22 the cash fund shall be used to provide grants pursuant to this part 9 and
23 to the reading assistance grant program created pursuant to section
24 22-88-102. ~~except that, for the 2009-10 fiscal year, the general assembly~~
25 ~~may also appropriate moneys from the cash fund to the department of~~
26 ~~education to be used to award grants for summer school programs~~
27 ~~pursuant to part 8 of this article.~~ Any moneys not provided as grants may
28 be invested by the state treasurer as provided in section 24-36-113, C.R.S.
29 All interest derived from the deposit and investment of moneys in the
30 cash fund shall be credited to the cash fund. Any amount remaining in
31 the cash fund at the end of any fiscal year shall remain in the cash fund
32 and shall not be credited or transferred to the general fund or to any other
33 fund.

34
35 **SECTION 34.** Section 11 (1) (a) and (1) (b) of Senate Bill 09-269
36 are amended to read:

37
38 Section 11. **Adjustments to the 2009 long bill.** (1) For the
39 implementation of this act, appropriations made in the annual general
40 appropriation act for the fiscal year beginning July 1, 2009, are adjusted
41 as follows:

42
43 (a) The appropriation to the department of education, assistance
44 to public schools, grant programs, distributions, and other assistance,
45 reading and literacy, read-to-achieve grant program, from the
46 read-to-achieve cash fund created in section 22-7-908 (1), Colorado
47 Revised Statutes, is decreased by ~~one million~~ one hundred sixty-five
48 thousand two hundred ninety-six dollars (~~\$1,165,296~~) (\$165,296) cash
49 funds.

50
51 (b) ~~(f) The cash funds appropriation to the department of~~
52 ~~education, assistance to public schools, grant programs, distributions, and~~
53 ~~other assistance, summer and after-school programs, summer school grant~~
54 ~~program, from the read-to-achieve cash fund created in section 22-7-908~~
55 ~~(1), Colorado Revised Statutes, is increased by one million dollars~~
56 ~~(\$1,000,000).~~

1 ~~(H) The cash funds appropriation to the department of education,~~
2 ~~assistance to public schools, grant programs, distributions, and other~~
3 ~~assistance, summer and after-school programs, summer school grant~~
4 ~~program, from the state education fund created in section 17 (4) of article~~
5 ~~IX of the state constitution, is decreased by one million dollars~~
6 ~~(\$1,000,000).~~

7
8 **SECTION 35. Appropriation - adjustments to the 2009 long**
9 **bill.** (1) In addition to any other appropriation, there is hereby
10 appropriated, out of any moneys in the general fund not otherwise
11 appropriated, to the department of education, for the fiscal year beginning
12 July 1, 2009, the sum of fifty-five thousand seven hundred six dollars
13 (\$55,706), or so much thereof as may be necessary, for the preparation of
14 a feasibility study as required by section 22-2-135, Colorado Revised
15 Statutes.

16
17 (2) For the implementation of this act, appropriations made in the
18 annual general appropriation act for the fiscal year beginning July 1,
19 2009, shall be adjusted as follows:

20
21 (a) The appropriation to the department of education, assistance
22 to public schools, public school finance, for the state share of districts'
23 total program funding, is decreased by one hundred ten million dollars
24 (\$110,000,000) pursuant to section 22-54-104 (5) (g) (III), Colorado
25 Revised Statutes. Said sum shall be cash funds from the state education
26 fund created in section 17 (4) (a) of article IX of the state constitution.

27
28 (b) The appropriation to the department of education, assistance
29 to public schools, grant programs, distributions, and other assistance, for
30 the read-to-achieve grant program, is decreased by two million dollars
31 (\$2,000,000). Said sum shall be cash funds from the read-to-achieve cash
32 fund created in section 22-7-908 (1), Colorado Revised Statutes.

33
34 **SECTION 36. Appropriation.** In addition to any other
35 appropriation, there is hereby appropriated, out of any moneys in the
36 school awards program fund created in section 22-11-304, Colorado
37 Revised Statutes, not otherwise appropriated, to the department of
38 education, for the fiscal year beginning July 1, 2009, the sum of two
39 hundred fifty thousand dollars (\$250,000), or so much thereof as may be
40 necessary, for the implementation of section 22-11-306, Colorado
41 Revised Statutes.

42
43 **SECTION 37. Appropriation.** In addition to any other
44 appropriation, there is hereby appropriated, out of any moneys in the
45 school awards program fund created in section 22-11-605, Colorado
46 Revised Statutes, not otherwise appropriated, to the department of
47 education, for the fiscal year beginning July 1, 2009, the sum of two
48 hundred fifty thousand dollars (\$250,000), or so much thereof as may be
49 necessary, for the implementation of section 22-11-603.5, Colorado
50 Revised Statutes."

51
52 Renumber succeeding sections accordingly."

53
54 Page 18 of the Education Committee Report, line 25 of the Education
55 Committee Report, strike "31, 32, and 35" and substitute "24, 25, 28, and
56 36";

1 line 26 of the Education Committee Report, strike "and";
2
3 line 27 of the Education Committee Report, strike "36 through 38" and
4 substitute "29 through 31 and 37 of this act".
5
6 line 28 of the Education Committee Report, strike "law." and substitute
7 "law;"
8
9 after line 28 of the Education Committee Report, insert the following:

10
11 "(c) Section 33 of this act shall take effect only if Senate Bill
12 09-269 is enacted and becomes law with the amendments to section
13 22-7-908 (1), Colorado Revised Statutes, as they appear in the rerevised
14 version of Senate Bill 09-269; and
15

16 (d) Section 34 of this act shall take effect only if Senate Bill
17 09-269 is enacted and becomes law with the provisions of section 11 (1)
18 (a) and (1) (b) of said act as they appear in the rerevised version of Senate
19 Bill 09-269."."
20

21 22 23 SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

24
25 The Speaker has signed: **HB09-1001; SB09-020, 031, 062, 098, 100, 105,**
26 **119, 132, 141, 169, 171, 175, 230, 260, 261, 262, 264, 267, 268, 270,**
27 **272, 277, 278; SJR09-035, 038, 043.**
28

29 30 31 DELIVERY OF BILLS TO GOVERNOR

32
33 The Chief Clerk of the House of Representatives reports the following
34 bills have been delivered to the Office of the Governor: **HB09-1001,**
35 **1012, 1153** at 11:43 a.m. on April 22, 2009.
36

37
38 House in recess. House reconvened.
39

40
41 On motion of Representative Weissmann, **SB09-256** was added to the
42 Special Orders Calendar on Wednesday, April 22, 2009.
43

44
45 On motion of Representative Todd, the House resolved itself into
46 Committee of the Whole for consideration of Special Orders and she was
47 called to the Chair to act as Chairman.
48

49 50 SPECIAL ORDERS--SECOND READING OF BILLS

51
52 The Committee of the Whole having risen, the Chairman reported the
53 titles of the following bills had been read (reading at length had been
54 dispensed with by unanimous consent), the bills considered and action
55 taken thereon as follows:
56

1 (Amendments to the committee amendment are to the printed committee
2 report which was printed and placed in the members' bill file.)

3
4 **HB09-1081** by Representative(s) Looper; also Senator(s) Morse--
5 Concerning an increase in the length of the statute of
6 limitations for vehicular homicide.

7
8 Amendment No. 1, Judiciary Report, dated January 29, 2009, and placed
9 in member's bill file; Report also printed in House Journal, January 30,
10 page 185.

11
12 Amendment No. 2, by Representative(s) Looper.

13
14 Strike the Appropriations Committee Report, dated April 15, 2009, and
15 substitute the following:

16
17 "Amend printed bill, page 2, after line 23, insert the following:

18
19 "SECTION 2. Title 18, Colorado Revised Statutes, is amended
20 BY THE ADDITION OF A NEW ARTICLE to read:

21
22 **ARTICLE 25**
23 **Statute of Limitations Cost and Surcharge**

24
25 **18-25-101. Statute of limitations cost and surcharge - repeal.**

26 (1) (a) A COST OF FIFTY CENTS IS HEREBY LEVIED ON EACH CRIMINAL
27 ACTION RESULTING IN A CONVICTION OR IN A DEFERRED JUDGMENT AND
28 SENTENCE, AS PROVIDED IN SECTION 18-1.3-102, FOR A FELONY, A
29 MISDEMEANOR, OR MISDEMEANOR TRAFFIC OFFENSE CHARGED PURSUANT
30 TO STATE STATUTE. THE DEFENDANT SHALL PAY THE COST TO THE CLERK
31 OF THE COURT. EACH CLERK SHALL TRANSMIT THE MONEYS TO THE STATE
32 TREASURER, WHO SHALL CREDIT THE SAME TO THE GENERAL FUND.

33
34 (b) THE PROVISIONS OF SECTIONS 18-1.3-701 AND 18-1.3-702
35 SHALL APPLY AS TO THE COLLECTION OF COSTS LEVIED PURSUANT TO THIS
36 SUBSECTION (1).

37
38 (2) A SURCHARGE OF FIFTY CENTS IS HEREBY LEVIED AGAINST
39 EACH PENALTY ASSESSMENT NOTICE ISSUED PURSUANT TO SECTION
40 42-4-1701, C.R.S., FOR A MISDEMEANOR OR A CLASS 1 OR CLASS 2
41 MISDEMEANOR TRAFFIC OFFENSE UNDER STATE STATUTE THAT RESULTS IN
42 PAYMENT OF THE PENALTY ASSESSMENT WITHOUT THE COMMENCEMENT
43 OF A CRIMINAL ACTION. ALL MONEYS COLLECTED BY THE DEPARTMENT
44 OF REVENUE PURSUANT TO THIS SUBSECTION (2) SHALL BE TRANSMITTED
45 TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE GENERAL
46 FUND.

47
48 (3) A COST OF FIFTY CENTS IS HEREBY LEVIED AGAINST EACH CIVIL
49 ACTION RESULTING IN AN ADMISSION OF LIABILITY OR A JUDGMENT
50 AGAINST THE DEFENDANT FOR A CLASS A OR CLASS B TRAFFIC INFRACTION
51 CHARGED PURSUANT TO STATE STATUTE. THE DEFENDANT SHALL PAY THE
52 COST TO THE CLERK OF THE COURT. EACH CLERK SHALL TRANSMIT THE
53 MONEYS TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE
54 GENERAL FUND.

55
56 (4) A SURCHARGE OF FIFTY CENTS IS HEREBY LEVIED AGAINST

1 EACH PENALTY ASSESSMENT NOTICE ISSUED PURSUANT TO SECTION
2 42-4-1701, C.R.S., FOR A CLASS A OR CLASS B TRAFFIC INFRACTION
3 UNDER STATE STATUTE THAT RESULTS IN PAYMENT OF THE PENALTY
4 ASSESSMENT WITHOUT THE COMMENCEMENT OF A CIVIL ACTION. ALL
5 MONEYS COLLECTED BY THE DEPARTMENT OF REVENUE PURSUANT TO THIS
6 SUBSECTION (4) SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO
7 SHALL CREDIT THE SAME TO THE GENERAL FUND.

8
9 (5) A SURCHARGE OF FIFTY CENTS IS HEREBY LEVIED AGAINST
10 EACH PENALTY ASSESSMENT ISSUED PURSUANT TO SECTION 33-6-104,
11 C.R.S., THAT RESULTS IN PAYMENT OF THE PENALTY ASSESSMENT
12 WITHOUT THE COMMENCEMENT OF A CRIMINAL ACTION. ALL MONEYS
13 COLLECTED BY THE DIVISION OF WILDLIFE IN THE DEPARTMENT OF
14 NATURAL RESOURCES PURSUANT TO THIS SUBSECTION (5) SHALL BE
15 TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME
16 TO THE GENERAL FUND.

17
18 (6) A SURCHARGE OF FIFTY CENTS IS HEREBY LEVIED AGAINST
19 EACH PENALTY ASSESSMENT ISSUED PURSUANT TO SECTION 33-15-102,
20 C.R.S., THAT RESULTS IN PAYMENT OF THE PENALTY ASSESSMENT
21 WITHOUT THE COMMENCEMENT OF A CRIMINAL ACTION. ALL MONEYS
22 COLLECTED BY THE DIVISION OF PARKS AND OUTDOOR RECREATION IN THE
23 DEPARTMENT OF NATURAL RESOURCES PURSUANT TO THIS SUBSECTION (6)
24 SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT
25 THE SAME TO THE GENERAL FUND.

26
27 (7) THE COURT MAY WAIVE A COST OR SURCHARGE LEVIED
28 PURSUANT TO THIS SECTION IF THE COURT DETERMINES THE DEFENDANT
29 IS INDIGENT.

30
31 (8) THE MONEY TRANSFERRED TO THE GENERAL FUND PURSUANT
32 TO THIS SECTION SHALL BE USED FOR THE COST OF IMPLEMENTING THE
33 INCREASE IN THE STATUTE OF LIMITATIONS FOR VEHICULAR HOMICIDE AND
34 LEAVING THE SCENE OF AN ACCIDENT THAT RESULTS IN THE DEATH OF THE
35 PERSON IN SECTION 16-5-401 (1) (a), C.R.S.

36
37 (9) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.

38
39 **SECTION 3.** 42-4-1701, Colorado Revised Statutes, is amended
40 BY THE ADDITION OF A NEW SUBSECTION to read:

41
42 **42-4-1701. Traffic offenses and infractions classified -**
43 **penalties - penalty and surcharge schedule.** (8) THE SURCHARGES
44 DESCRIBED IN SUBSECTIONS (4) TO (6) OF THIS SECTION ARE SEPARATE
45 AND DISTINCT FROM A SURCHARGE LEVIED PURSUANT TO SECTION
46 18-25-101, C.R.S.

47
48 **SECTION 4.** 42-4-1707 (3) (a) and (6), Colorado Revised
49 Statutes, are amended to read:

50
51 **42-4-1707. Summons and complaint or penalty assessment**
52 **notice for misdemeanors, petty offenses, and misdemeanor traffic**
53 **offenses - release - registration.** (3) (a) Whenever a penalty assessment
54 notice for a misdemeanor, petty offense, or misdemeanor traffic offense
55 is issued pursuant to section 42-4-1701 (5) (a), the penalty assessment
56 notice ~~which~~ THAT shall be served upon the defendant by the peace

1 officer shall contain the name and address of the defendant, the license
2 number of the vehicle involved, if any, the number of the defendant's
3 driver's license, if any, a citation of the statute alleged to have been
4 violated, a brief description of the offense, the date and approximate
5 location thereof, the amount of the penalty prescribed for the offense, the
6 amount of the ~~surcharge~~ SURCHARGES thereon pursuant to sections
7 ~~24-4.1-119 (1) (f) and 24-4.2-104 (1)~~ SECTIONS 18-25-101, 24-4.1-119 (1)
8 (f), AND 24-4.2-104 (1), C.R.S., the number of points, if any, prescribed
9 for the offense pursuant to section 42-2-127, and the date the penalty
10 assessment notice is served on the defendant; shall direct the defendant
11 to appear in a specified county court at a specified time and place in the
12 event the penalty and ~~surcharge~~ SURCHARGES thereon are not paid; shall
13 be signed by the peace officer; and shall contain a place for the defendant
14 to elect to execute a signed acknowledgment of guilt and an agreement to
15 pay the penalty prescribed and ~~surcharge~~ SURCHARGES thereon within
16 twenty days, as well as such other information as may be required by law
17 to constitute the penalty assessment notice to be a summons and
18 complaint, should the prescribed penalty and ~~surcharge~~ SURCHARGES
19 thereon not be paid within the time allowed in section 42-4-1701.

20
21 (6) If the defendant is otherwise eligible to be issued a summons
22 and complaint or a penalty assessment notice for a violation of this title
23 punishable as a misdemeanor, petty offense, or misdemeanor traffic
24 offense and if the defendant does not possess a valid Colorado driver's
25 license, the defendant, in order to secure release, as provided in this
26 section, must either consent to be taken by the officer to the nearest
27 mailbox and to mail the amount of the penalty and ~~surcharge~~
28 SURCHARGES thereon to the department or must execute a promise to
29 appear in court on the penalty assessment notice or on the summons and
30 complaint. If the defendant does possess a valid Colorado driver's
31 license, the defendant shall not be required to execute a promise to appear
32 on the penalty assessment notice or on the summons and complaint. The
33 peace officer shall not require any person who is eligible to be issued a
34 summons and complaint or a penalty assessment notice for a violation of
35 this title to produce or divulge such person's social security number.

36
37 **SECTION 5.** 42-4-1709 (1), Colorado Revised Statutes, is
38 amended to read:

39
40 **42-4-1709. Penalty assessment notice for traffic infractions -**
41 **violations of provisions by officer - driver's license.** (1) Whenever a
42 penalty assessment notice for a traffic infraction is issued pursuant to
43 section 42-4-1701 (5) (a), the penalty assessment notice ~~which~~ THAT shall
44 be served upon the defendant by the peace officer shall contain the name
45 and address of the defendant, the license number of the vehicle involved,
46 if any, the number of the defendant's driver's license, if any, a citation of
47 the statute alleged to have been violated, a brief description of the traffic
48 infraction, the date and approximate location thereof, the amount of the
49 penalty prescribed for the traffic infraction, the amount of the ~~surcharge~~
50 SURCHARGES thereon pursuant to sections ~~24-4.1-119 (1) (f) and~~
51 ~~24-4.2-104 (1)~~ SECTIONS 18-25-101, 24-4.1-119 (1) (f), AND 24-4.2-104
52 (1), C.R.S., the number of points, if any, prescribed for the traffic
53 infraction pursuant to section 42-2-127, and the date the penalty
54 assessment notice is served on the defendant; shall direct the defendant
55 to appear in a specified county court at a specified time and place in the
56 event the penalty and ~~surcharge~~ SURCHARGES thereon ~~is~~ ARE not paid;

1 shall be signed by the peace officer; and shall contain a place for the
2 defendant to elect to execute a signed acknowledgment of liability and an
3 agreement to pay the penalty prescribed and ~~surcharge~~ SURCHARGES
4 thereon within twenty days, as well as such other information as may be
5 required by law to constitute the penalty assessment notice to be a
6 summons and complaint, should the prescribed penalty and ~~surcharge~~
7 SURCHARGES thereon not be paid within the time allowed in section
8 42-4-1701.

9
10 **SECTION 6.** 33-6-104, Colorado Revised Statutes, is amended
11 to read:

12
13 **33-6-104. Imposition of penalty - procedures.** (1) Any person
14 who violates any of the provisions of articles 1 to 6 of this title or any rule
15 ~~or regulation~~ of the commission that does not have a specific penalty
16 listed is guilty of a misdemeanor and, upon conviction thereof, shall be
17 punished by a fine of fifty dollars, A SURCHARGE AS DESCRIBED IN
18 SECTION 18-25-101, C.R.S., and an assessment of five license suspension
19 points.

20
21 (2) At the time that any person is charged with violating any
22 misdemeanor provisions of articles 1 to 6 of this title or any rule ~~or~~
23 ~~regulation~~ of the commission, the officer shall issue a summons and
24 complaint to the alleged offender or, in the case of a violation for which
25 a fine of a fixed amount is prescribed, may give the alleged offender an
26 opportunity to voluntarily pay the fine AND SURCHARGE in the form of a
27 penalty assessment. Penalty assessments shall not be issued for violations
28 for which minimum and maximum fines have been established. The
29 penalty assessment notice given to the alleged offender shall contain the
30 information required in and be in the form of a summons and complaint
31 and shall specify in dollars the amount of the penalty to be assessed for
32 the alleged offense and the amount of the ~~surcharge~~ SURCHARGES to be
33 collected pursuant to ~~section 24-4.2-104 (1)~~ SECTIONS 18-25-101 AND
34 24-4.2-104 (1), C.R.S. If the alleged offender accepts such notice and
35 pays the fine and the ~~surcharge~~ SURCHARGES entered thereon to the
36 division within fifteen days of issuance of the notice, such acceptance and
37 payment shall constitute an acknowledgment of guilt by such person of
38 the violation set forth in the penalty assessment notice. Any person who
39 accepts a penalty assessment notice but who does not furnish satisfactory
40 evidence of identity or who the officer has reasonable and probable
41 grounds to believe will disregard a written promise to pay the specified
42 fine and ~~surcharge~~ SURCHARGES may be taken by the officer to the nearest
43 known post-office facility and BE required to remit the amount of the
44 specified fine and ~~surcharge~~ SURCHARGES to the division immediately by
45 mail in United States currency or other legal tender by money order or
46 personal check. Refusal or inability to remit the specified fine and
47 ~~surcharge~~ SURCHARGES by mail when required shall constitute a refusal
48 to accept a penalty assessment notice. The officer shall advise the person
49 arrested of the license suspension points to be assessed in accordance
50 with section 33-6-106. Checks tendered by the violator to and accepted
51 by the division and on which payment is received by the division shall be
52 deemed sufficient receipt. If the fine and ~~surcharge~~ SURCHARGES are not
53 so paid, then the officer who issued the penalty assessment notice shall
54 docket the summons and complaint with a court of competent jurisdiction
55 for appearance by the person to answer the charges therein contained at
56 such time and place as is specified in the summons and complaint.

1 **SECTION 7.** 33-15-102 (2), Colorado Revised Statutes, is
2 amended to read:

3
4 **33-15-102. Imposition of penalty - procedures.** (2) At the time
5 that any person is charged with violating any petty offense or
6 misdemeanor provisions of articles 10 to 15 or 32 of this title or any rule
7 of the board, the officer shall issue a summons and complaint to the
8 alleged offender or, in the case of a violation for which a fine of a fixed
9 amount is prescribed, may give the alleged offender an opportunity to
10 voluntarily pay the fine AND SURCHARGE in the form of a penalty
11 assessment. Penalty assessments shall not be issued for violations for
12 which minimum and maximum fines have been established. The penalty
13 assessment notice given to the alleged offender shall contain the
14 information required in and be in the form of a summons and complaint
15 and shall specify in dollars the amount of the penalty to be assessed for
16 the alleged offense AND THE AMOUNT OF THE SURCHARGE TO BE
17 COLLECTED PURSUANT TO SECTION 18-25-101, C.R.S. If the alleged
18 offender accepts such notice and pays the fine AND SURCHARGE entered
19 thereon to the division within twenty days of issuance of the notice, such
20 acceptance and payment shall constitute an acknowledgment of guilt by
21 such person of the violation set forth in the penalty assessment notice.
22 Any person who accepts a penalty assessment notice but who does not
23 furnish satisfactory evidence of identity or who the officer has reasonable
24 and probable grounds to believe will disregard a written promise to pay
25 the specified fine AND SURCHARGE may be taken by the officer to the
26 nearest known post-office facility and BE required to remit the amount of
27 the specified fine AND SURCHARGE to the division immediately by mail in
28 United States currency or other legal tender or by money order or
29 personal check. Refusal or inability to remit the specified fine AND
30 SURCHARGE by mail when required shall constitute a refusal to accept a
31 penalty assessment notice. Checks tendered by the violator to and
32 accepted by the division and on which payment is received by the division
33 shall be deemed sufficient receipt. If the fine ~~is~~ AND SURCHARGE ARE not
34 so paid, then the officer who issued the penalty assessment notice shall
35 docket the summons and complaint with a court of competent jurisdiction
36 for appearance by the person to answer the charges therein contained at
37 such time and place as is specified in the summons and complaint.

38
39 **SECTION 8.** Article 18 of title 17, Colorado Revised Statutes, is
40 amended BY THE ADDITION OF A NEW SECTION to read:

41
42 **17-18-105. Appropriation to comply with section 2-2-703 - HB**
43 **09-1081 - repeal.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE
44 FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY
45 BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT HOUSE BILL 09-1081,
46 ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-SEVENTH
47 GENERAL ASSEMBLY:

48
49 (a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, IN ADDITION
50 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM
51 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
52 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
53 SECTION 17-1-116, C.R.S., THE SUM OF ONE HUNDRED FIFTY THOUSAND
54 SEVEN HUNDRED SEVENTY-THREE DOLLARS (\$150,773).

55
56 (b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, IN ADDITION TO

1 ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
2 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
3 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF THIRTY THOUSAND
4 THREE HUNDRED EIGHTY-SIX DOLLARS (\$30,386).

5
6 (c) FOR THE FISCAL YEAR BEGINNING JULY 1, 2011, IN ADDITION
7 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
8 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
9 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF THIRTY THOUSAND
10 THREE HUNDRED EIGHTY-SIX DOLLARS (\$30,386).

11
12 (d) FOR THE FISCAL YEAR BEGINNING JULY 1, 2012, IN ADDITION
13 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
14 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
15 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF THIRTY THOUSAND
16 THREE HUNDRED EIGHTY-SIX DOLLARS (\$30,386).

17
18 (e) FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, IN ADDITION
19 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
20 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
21 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF ONE THOUSAND FIVE
22 HUNDRED NINETEEN DOLLARS (\$1,519).

23
24 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.

25
26 **SECTION 3.** 24-75-302 (2) (v), Colorado Revised Statutes, is
27 amended to read:

28
29 **24-75-302. Capital construction fund - capital assessment fees**
30 **- calculation.** (2) As of July 1, 1988, and July 1 of each year thereafter
31 through July 1, 2012, a sum as specified in this subsection (2) shall accrue
32 to the capital construction fund. The state treasurer and the controller
33 shall transfer such sum out of the general fund and into the capital
34 construction fund as moneys become available in the general fund during
35 the fiscal year beginning on said July 1. Transfers between funds
36 pursuant to this subsection (2) shall not be deemed to be appropriations
37 subject to the limitations of section 24-75-201.1. The amount that shall
38 accrue pursuant to this subsection (2) shall be as follows:

39
40 (v) On July 1, 2009, five hundred twenty-three thousand one
41 hundred sixty-four dollars pursuant to S.B. 06-206, enacted at the second
42 regular session of the sixty-fifth general assembly; plus five hundred
43 twenty-three thousand one hundred sixty-four dollars pursuant to S.B.
44 06-207, enacted at the second regular session of the sixty-fifth general
45 assembly; plus forty-three thousand five hundred ninety-seven dollars
46 pursuant to H.B. 06-1145, enacted at the second regular session of the
47 sixty-fifth general assembly; plus five hundred twenty-three thousand one
48 hundred sixty-four dollars pursuant to H.B. 06-1011, enacted at the
49 second regular session of the sixty-fifth general assembly; plus one
50 hundred fifty thousand one hundred ninety-eight dollars pursuant to S.B.
51 07-096, enacted at the first regular session of the sixty-sixth general
52 assembly; plus seventy-five thousand ninety-nine dollars pursuant to H.B.
53 07-1326, enacted at the first regular session of the sixty-sixth general
54 assembly; plus one hundred twenty-five thousand one hundred sixty-five
55 dollars pursuant to S.B. 08-239, enacted at the second regular session of
56 the sixty-sixth general assembly; plus twelve thousand five hundred

1 seventeen dollars pursuant to H.B. 08-1194, enacted at the second regular
2 session of the sixty-sixth general assembly; PLUS ONE HUNDRED FIFTY
3 THOUSAND SEVEN HUNDRED SEVENTY-THREE DOLLARS PURSUANT TO H.B.
4 09-1081, ENACTED AT THE FIRST REGULAR SESSION OF THE
5 SIXTY-SEVENTH GENERAL ASSEMBLY;". "

6
7 Renumber succeeding sections accordingly.

8
9 Page 1, line 102, strike "**HOMICIDE.**" and substitute "**HOMICIDE, AND
10 MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**".

11
12 As amended, ordered engrossed and placed on the Calendar for Third
13 Reading and Final Passage.

14
15 **SB09-022** by Senator(s) Bacon; also Representative(s) Solano--
16 Concerning the state board of land commissioners.

17
18 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
19 March 19, 2009, and placed in member's bill file; Report also printed in
20 House Journal, March 20, page 824.

21
22 Amendment No. 2, by Representative(s) Solano.

23
24 Amend the State, Veterans, and Military Affairs Committee Report, dated
25 March 19, 2009, page 1, strike lines 11 and 12 and substitute the
26 following:

27
28 "Page 5, line 20, after "SITES.", insert "PRIOR TO SUCH LEASE, PURCHASE,
29 OR OTHER USE OF SCHOOL TRUST LANDS BY A CHARTER SCHOOL, THE
30 CHARTER SCHOOL SHALL NOTIFY THE SCHOOL DISTRICT IN WHICH THE
31 LAND IS LOCATED THAT THE CHARTER SCHOOL IS SEEKING TO LEASE,
32 PURCHASE, OR OTHERWISE USE STATE TRUST LANDS LOCATED WITHIN
33 THAT SCHOOL DISTRICT FOR SCHOOL BUILDING SITES FOR THE CHARTER
34 SCHOOL. THE STATE BOARD OF LAND COMMISSIONERS SHALL REQUEST
35 WRITTEN COMMENT FROM THE SCHOOL DISTRICT IN WHICH THE SCHOOL
36 TRUST LANDS THAT MAY BE LEASED, PURCHASED, OR OTHERWISE USED BY
37 A CHARTER SCHOOL ARE LOCATED, INDICATING THE IMPACT SUCH LEASE,
38 PURCHASE, OR USE WILL HAVE ON THE SCHOOL DISTRICT."."

39
40 As amended, ordered revised and placed on the Calendar for Third
41 Reading and Final Passage.

42
43 **SB09-025** by Senator(s) Spence; also Representative(s) Benefield--
44 Concerning an extension of fees on certain identification
45 documents issued by the department of revenue to fund
46 identification security, and making an appropriation in
47 connection therewith.

48
49 Ordered revised and placed on the Calendar for Third Reading and Final
50 Passage.

51
52
53 **SB09-026** by Senator(s) Williams; also Representative(s) Riesberg--
54 Concerning the regulation of athletic trainers, and making
55 an appropriation in connection therefor.

56

1 Amendment No. 1, Business Affairs & Labor Report, dated
2 March 11, 2009, and placed in member's bill file; Report also printed in
3 House Journal, March 12, page 703.

4
5 Amendment No. 2, Appropriations Report, dated April 17, 2009, and
6 placed in member's bill file; Report also printed in House Journal,
7 April 17, page 1276.

8
9 Amendment No. 3, by Representative(s) Riesberg.

10
11 Amend the Appropriations Committee Report, dated April 17, 2009, page
12 1, line 15, strike "1.3" and substitute "0.2".

13
14 As amended, ordered revised and placed on the Calendar for Third
15 Reading and Final Passage.

16
17 **SB09-067** by Senator(s) Heath; also Representative(s) Marostica and
18 Gagliardi, Rice--Concerning the authority for the
19 operation of the Colorado credit reserve program, and, in
20 connection therewith, making an appropriation.

21
22 Amendment No. 1, Appropriations Report, dated April 17, 2009, and
23 placed in member's bill file; Report also printed in House Journal,
24 April 17, page 1276.

25
26 As amended, ordered revised and placed on the Calendar for Third
27 Reading and Final Passage.

28
29 **SB09-106** by Senator(s) Isgar, Penry, Brophy, Hodge; also
30 Representative(s) Roberts--Concerning the continuously
31 appropriated water supply reserve account, and, in
32 connection therewith, extending the account, requiring the
33 interbasin compact committee, in consultation with the
34 Colorado water conservation board, to report annually on
35 how moneys from the account were allocated, and
36 conditioning grants to applicants required to adopt a water
37 conservation plan.

38
39 Ordered revised and placed on the Calendar for Third Reading and Final
40 Passage.

41
42 **SB09-125** by Senator(s) Isgar; also Representative(s) Curry--
43 Concerning the funding of Colorado water conservation
44 board projects, and making appropriations in connection
45 therewith.

46
47 Amendment No. 1, Appropriations Report, dated April 17, 2009, and
48 placed in member's bill file; Report also printed in House Journal,
49 April 17, pages 1277-1278.

50
51 Amendment No. 2, by Representative(s) Curry.

52
53 Amend the Appropriations Committee Report, dated April 17, 2009, page
54 2, strike lines 21 through 24 and substitute the following:

55
56 "(i) To the interbasin compact committee operation fund created

1 in section 37-75-107, C.R.S., THE FOLLOWING AMOUNTS:

2

3 (I) (A) For the state fiscal year commencing July 1, 2008, ~~and for~~
4 ~~each state fiscal year thereafter~~, one million one hundred forty-five
5 thousand sixty-seven dollars.

6

7 (B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JULY 1, 2010.

8

9 (II) FOR THE STATE FISCAL YEAR COMMENCING JULY 1, 2009, AND
10 FOR EACH STATE FISCAL YEAR THEREAFTER, SEVEN HUNDRED FORTY-FIVE
11 THOUSAND SIXTY-SEVEN DOLLARS."."

12

13 Amendment No. 3, by Representative(s) Curry.

14

15 Amend reengrossed bill, page 12, before line 22, insert the following:

16

17 "SECTION 19. 37-60-121 (1) (b) (IV), Colorado Revised
18 Statutes, is amended to read:

19

20 **37-60-121. Colorado water conservation board construction**
21 **fund - creation of - nature of fund - funds for investigations -**
22 **contributions - use for augmenting the general fund - funds created.**

23 (1) (b) In the consideration of making expenditures from the fund, the
24 board shall be guided by the following criteria:

25

26 (IV) The board shall participate in only those projects that can
27 repay the board's investment. Service charges and other terms of
28 repayment shall be established by the board. Grants shall not be made,
29 unless specifically authorized by the general assembly acting by bill;
30 HOWEVER, THE BOARD SHALL HAVE THE AUTHORITY TO DEAUTHORIZE
31 SUCH GRANTS AND USE ANY REMAINING FUNDS FOR OTHER STATUTORILY
32 AUTHORIZED PURPOSES IF THE GRANT PROJECT HAS BEEN COMPLETED OR
33 IS NO LONGER FEASIBLE."

34

35 Renumber succeeding sections accordingly.

36

37 As amended, ordered revised and placed on the Calendar for Third
38 Reading and Final Passage.

39

40 **SB09-138** by Senator(s) Boyd, Newell, Tochtrop; also
41 Representative(s) Gagliardi--Concerning the continuation
42 of the certification of nurse aides by the state board of
43 nursing, and making an appropriation therefor.

44

45 Amendment No. 1, Appropriations Report, dated April 17, 2009, and
46 placed in member's bill file; Report also printed in House Journal,
47 April 17, page 1278.

48

49 As amended, ordered revised and placed on the Calendar for Third
50 Reading and Final Passage.

51

52

53 **SB09-154** by Senator(s) Hodge; also Representative(s) Curry--
54 Concerning the funding of personnel for the "Livestock
55 Health Act".

56

1 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
2 dated April 1, 2009, and placed in member's bill file; Report also printed
3 in House Journal, April 2, page 1010.

4
5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **SB09-174** by Senator(s) Kester, Isgar, Spence, Tochtrop, White; also
9 Representative(s) Casso--Concerning pari-mutuel racing.

10
11 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
12 dated April 1, 2009, and placed in member's bill file; Report also printed
13 in House Journal, April 2, pages 1010-1011.

14
15 Amendment No. 2, by Representative(s) Casso.

16
17 Strike the Finance Committee Report, dated April 8, 2009, and substitute
18 the following:

19
20 "Amend reengrossed bill, page 10, line 9, strike "WITH" and substitute
21 "TO AND INCLUDING JUNE 30, 2014, AND SUBJECT TO".".

22
23 As amended, ordered revised and placed on the Calendar for Third
24 Reading and Final Passage.

25
26 **SB09-252** by Senator(s) Boyd, Carroll M., Lundberg, Morse, Newell,
27 Spence; also Representative(s) Frangas, Gagliardi, Green,
28 Kefalas, Kerr J., Primavera, Riesberg, Swalm--Concerning
29 mail order prescription drugs for medicaid recipients who
30 have third-party insurance.

31
32 Ordered revised and placed on the Calendar for Third Reading and Final
33 Passage.

34
35 A motion by Representative Weissmann that the Committee rise, report
36 progress and beg leave to sit again at 4:00 p.m., was adopted by
37 unanimous consent. (Special Orders continued on page 1396.)

38
39
40 _____
41 House reconvened.

42 The Committee of the Whole reported it had risen, reported progress and
43 would sit again at 4:00 p.m.

44
45 _____
46 House in recess. House reconvened.

47
48 _____
49 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

50
51 **BUSINESS AFFAIRS & LABOR**

52 After consideration on the merits, the Committee recommends the
53 following:

54
55 **HB09-1349** be referred to the Committee of the Whole with favorable
56 recommendation.

- 1 **SB09-223** be referred favorably to the Committee on Appropriations.
- 2
- 3
- 4 **SB09-243** be referred to the Committee of the Whole with favorable
- 5 recommendation.
- 6
- 7
- 8 **SB09-254** be referred to the Committee of the Whole with favorable
- 9 recommendation.
- 10
- 11
- 12 **SB09-258** be referred to the Committee of the Whole with favorable
- 13 recommendation.
- 14

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

17 The Speaker has signed: **HB09-1162, 1217.**

**INTRODUCTION OF BILLS
First Reading**

18 The following bills were read by title and referred to the committees
19 indicated:

- 20
- 21
- 22
- 23
- 24
- 25
- 26 **HB09-1363** by Representative(s) Ferrandino; also Senator(s) Veiga--
- 27 Concerning the authority for the unemployment
- 28 compensation section of the division of employment and
- 29 training in the department of labor and employment to
- 30 operate as an enterprise for purposes of section 20 of
- 31 article X of the state constitution.
- 32
- 33 Committee on Business Affairs and Labor
- 34
- 35 **HB09-1364** by Representative(s) Riesberg; also Senator(s) Boyd--
- 36 Concerning an increase in the length of terms served by
- 37 members appointed to the health care task force.
- 38
- 39 Committee on Health and Human Services
- 40
- 41
- 42 **HB09-1365** by Representative(s) Marostica, Ferrandino, Pommer; also
- 43 Senator(s) White, Keller, Tapia--Concerning modifications
- 44 to the property tax exemption for certain property leased
- 45 by governmental entities that use the property for
- 46 governmental purposes.
- 47 Committee on Appropriations
- 48
- 49 **HB09-1366** by Representative(s) Pommer; also Senator(s) Romer--
- 50 Concerning the elimination of the state income tax
- 51 modification for qualifying Colorado capital gains.
- 52 Committee on Finance
- 53

1 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
 2 **on SB09-259**

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 SB09-259,
 10 concerning the provision for payment of the expenses of the executive,
 11 legislative, and judicial departments of the state of Colorado, and of its
 12 agencies and institutions, for and during the fiscal year beginning July 1,
 13 2009, except as otherwise noted, has met and reports that it has agreed
 14 upon the following:

15
 16 1. That the Senate accede to the House amendments made to the
 17 bill, as said amendments appear in the rerevised bill, with the following
 18 changes:

19
 20 Amend rerevised bill, page 13, after line 8, insert the following:

	ITEM & SUBTOTAL	GENERAL FUND
	\$	\$
"Personal Services	414,804	414,804";

21
 22
 23
 24
 25
 26 line 10, in the GENERAL FUND column, insert "(4.7 FTE)";

27
 28 line 11, in the ITEM & SUBTOTAL column, strike "50,454" and
 29 substitute "82,577" and, in the GENERAL FUND column, insert
 30 "32,123".

31
 32
 33 Adjust affected totals accordingly.

34
 35 Page 101, line 2, strike "38,332" and substitute "38,279";

36
 37 line 6, strike "\$21,547.56" and substitute "\$21,808.23" and, in the ITEM
 38 & SUBTOTAL column, strike "825,961,300" and substitute
 39 "834,605,726";

40
 41 line 7, strike "6,544" and substitute "6,614";

42
 43 line 12, strike "\$17,675.64" and substitute "\$17,962.63" and, in the ITEM
 44 & SUBTOTAL column, strike "115,669,381" and substitute
 45 "118,804,809".

46
 47 Page 102, line 1, strike "16,016" and substitute "16,329";

48
 49 line 7, strike "\$1,304.73" and substitute "\$1,287.54" and, in the ITEM &
 50 SUBTOTAL column, strike "20,896,393" and substitute "21,024,234";

51
 52 line 8, strike "52,629" and substitute "52,254";

53
 54 line 12, strike "\$13,996.37" and substitute "\$14,531.24" and, in the ITEM
 55 & SUBTOTAL column, strike "736,615,131" and substitute
 56 "759,315,244".

1 Page 103, line 1, strike "54,116" and substitute "57,097";
2
3 line 4, strike "\$3,770.04" and substitute "\$4,089.14" and, in the ITEM &
4 SUBTOTAL column, strike "204,019,122" and substitute "233,477,584";
5
6 line 5, strike "6,750" and substitute "7,391";
7
8 line 7, strike "\$8,799.46" and substitute "\$8,826.48" and, in the ITEM &
9 SUBTOTAL column, strike "59,396,338" and substitute "65,236,532";
10
11 line 11, strike "\$22,418.36" and substitute "\$22,417.91" and, in the ITEM
12 & SUBTOTAL column, strike "7,196,294" and substitute "7,196,149";
13
14 line 12, strike "14,430" and substitute "16,015";
15
16 line 15, strike "\$2,759.14" and substitute "\$2,541.80" and, in the ITEM
17 & SUBTOTAL column, strike "39,814,415" and substitute "40,706,967".
18
19 Page 104, line 1, strike "257,356" and substitute "259,414";
20
21 line 3, strike "\$1,733.77" and substitute "\$1,711.07" and, in the ITEM &
22 SUBTOTAL column, strike "446,195,908" and substitute "443,875,835";
23
24 line 4, strike "18,686" and substitute "18,663";
25
26 line 6, strike "\$3,878.64" and substitute "\$3,728.57" and, in the ITEM &
27 SUBTOTAL column, strike "72,476,273" and substitute "69,586,371";
28
29 line 7, strike "3,957" and substitute "4,255";
30
31 line 9, strike "\$14,261.91" and substitute "\$15,118.48" and, in the ITEM
32 & SUBTOTAL column, strike "56,434,373" and substitute "64,329,153";
33
34 line 10, in the TOTAL column, strike "2,584,674,928" and substitute
35 "2,658,158,604", in the GENERAL FUND column, strike
36 "1,154,402,145(M)" and substitute "1,192,505,787(M)", in the CASH
37 FUNDS column, strike "132,138,499^a" and substitute "130,451,629^a",
38 and, in the FEDERAL FUNDS column, strike "1,295,387,955" and
39 substitute "1,332,454,859".
40
41 Adjust affected totals accordingly.
42
43 Page 105, line 1, strike "\$85,703,585(H)" and substitute
44 "\$84,016,715(H)";
45
46 line 11, in the ITEM & SUBTOTAL column, strike "229,884,430" and
47 substitute "231,044,723", in the GENERAL FUND column, strike
48 "106,148,356(M)" and substitute "106,522,999(M)", in the CASH
49 FUNDS column, strike "8,772,110^a" and substitute "8,977,613^a", and, in
50 the FEDERAL FUNDS column, strike "114,954,756" and substitute
51 "115,534,903".
52
53 Adjust affected totals accordingly.
54
55 Page 106, line 1, strike "\$8,699,425(H)" and substitute "\$8,904,928(H)".
56

- 1 Page 123, line 3, strike "Administration" and substitute
2 "Administration^{13a}", in the ITEM & SUBTOTAL column, strike
3 "2,129,686" and substitute "2,839,581", and, in the REAPPROPRIATED
4 FUNDS column, strike "1,585,365^b" and substitute "2,295,260^b".
5
6 Adjust affected totals accordingly.
7
8 Page 128, line 3, in the GENERAL FUND column, strike "262,590,247"
9 and substitute "263,300,142" and, in the REAPPROPRIATED FUNDS
10 column, strike "709,895^a";
11
12 strike line 5.
13
14 Adjust affected totals accordingly.
15
16 Page 141, after line 13, insert the following:
17
18 "13a Department of Higher Education, Colorado Commission on
19 Higher Education, Administration, Administration; and
20 College Opportunity Fund Program, Fee-for-service
21 Contracts with State Institutions -- It is the intent of the
22 General Assembly that the Department of Higher
23 Education reduce expenditures for the Department's
24 administration line item by five percent. The Department
25 should accordingly collect less in FY 2009-10 in indirect
26 cost recoveries from the higher education agencies."
27
28 Page 448, line 10, strike "**BUDGETS**^{48a}" and substitute "**BUDGETS**".
29
30 Strike pages 449, 450 and 451.
31
32 2. That, under the authority granted the committee to consider
33 matters not at issue between the two houses, the following amendments
34 be recommended:
35
36 Amend rerevised bill, page 11, line 4, in the ITEM & SUBTOTAL
37 column, strike "75,000" and substitute "15,000" and, in the GENERAL
38 FUND column, strike "60,000".
39
40 Adjust affected totals accordingly.
41
42 Page 11, line 15, in the ITEM & SUBTOTAL column, strike
43 "10,595,762" and substitute "10,503,836" and, in the GENERAL FUND
44 column, strike "3,546,571" and substitute "3,454,645".
45
46 Page 12, line 1, in the GENERAL FUND column, strike "(44.9 FTE)"
47 and substitute "(43.9 FTE)".
48
49 Adjust affected totals accordingly.
50
51 Page 17, line 7, in the ITEM & SUBTOTAL column, strike "388,039"
52 and substitute "378,862" and, in the GENERAL FUND column, strike
53 "388,039" and substitute "378,862";
54
55 line 8, in the GENERAL FUND column, strike "(5.5 FTE)" and substitute
56 "(5.2 FTE)";

1 line 11, in the ITEM & SUBTOTAL column, strike "391,714" and
2 substitute "191,714" and, in the GENERAL FUND column, strike
3 "391,714" and substitute "191,714".

4

5 Adjust affected totals accordingly.

6

7 Page 11, line 15, in the ITEM & SUBTOTAL column, strike
8 "10,595,762" and substitute "10,403,193", in the GENERAL FUND
9 column, strike "3,546,571" and substitute "3,482,115", in the CASH
10 FUNDS column, strike "6,522,786^a" and substitute "6,404,240^a", and, in
11 the FEDERAL FUNDS column, strike "526,405" and substitute
12 "516,838".

13

14 Adjust affected totals accordingly.

15

16 Page 14, line 12, in the ITEM & SUBTOTAL column, strike "3,859,310"
17 and substitute "3,798,341" and, in the CASH FUNDS column, strike
18 "3,859,310^a" and substitute "3,798,341^a".

19

20 Adjust affected totals accordingly.

21

22 Page 16, line 13, in the ITEM & SUBTOTAL column, strike "8,400,000"
23 and substitute "8,329,073" and, in the CASH FUNDS column, strike
24 "8,400,000^a" and substitute "8,329,073^a".

25

26 Adjust affected totals accordingly.

27

28 Page 19, line 6, in the ITEM & SUBTOTAL column, strike "1,619,675"
29 and substitute "1,591,421", in the GENERAL FUND column, strike
30 "1,406,933" and substitute "1,381,363", and, in the REAPPROPRIATED
31 FUNDS column, strike "212,742^a" and substitute "210,058^a".

32

33 Adjust affected totals accordingly.

34

35 Page 21, line 10, in the ITEM & SUBTOTAL column, strike "1,479,423"
36 and substitute "1,452,536" and, in the GENERAL FUND column, strike
37 "1,479,423" and substitute "1,452,536".

38

39 Adjust affected totals accordingly.

40

41 Page 23, line 2, in the ITEM & SUBTOTAL column, strike "3,870,811"
42 and substitute "3,800,462" and, in the GENERAL FUND column, strike
43 "3,870,811" and substitute "3,800,462".

44

45 Adjust affected totals accordingly.

46

47 Page 24, line 11, in the ITEM & SUBTOTAL column, strike
48 "18,379,743" and substitute "18,040,277";

49

50 line 15, in the ITEM & SUBTOTAL column, strike "24,702,587" and
51 substitute "24,363,121" and, in the GENERAL FUND column, strike
52 "24,702,587" and substitute "24,363,121".

53

54 Adjust affected totals accordingly.

55

1 Page 25, line 3, in the ITEM & SUBTOTAL column, strike
2 "152,476,585^a" and substitute "149,614,103^a";

3
4 line 6, in the ITEM & SUBTOTAL column, strike "154,299,686" and
5 substitute "151,437,204" and, in the GENERAL FUND column, strike
6 "154,299,686" and substitute "151,437,204".

7
8 Adjust affected totals accordingly.

9
10 Page 25, line 15, in the ITEM & SUBTOTAL column, strike
11 "14,794,300" and substitute "14,520,862" and, in the GENERAL FUND
12 column, strike "14,794,300" and substitute "14,520,862".

13
14 Adjust affected totals accordingly.

15
16 Page 26, line 9, in the ITEM & SUBTOTAL column, strike "28,466,037"
17 and substitute "27,946,458", in the GENERAL FUND column, strike
18 "28,237,411" and substitute "27,721,987", and, in the CASH FUNDS
19 column, strike "228,626^a" and substitute "224,471^a".

20
21 Adjust affected totals accordingly.

22
23 Page 27, line 12, in the ITEM & SUBTOTAL column, strike "2,202,917"
24 and substitute "2,161,659";

25
26 line 15, in the ITEM & SUBTOTAL column, strike "4,445,333" and
27 substitute "4,404,075" and, in the GENERAL FUND column, strike
28 "4,445,333" and substitute "4,404,075".

29
30 Adjust affected totals accordingly.

31
32 Page 28, line 3, in the ITEM & SUBTOTAL column, strike "10,288,460"
33 and substitute "10,093,975";

34
35 line 7, in the ITEM & SUBTOTAL column, strike "14,578,586" and
36 substitute "14,384,101" and, in the GENERAL FUND column, strike
37 "14,578,586" and substitute "14,384,101".

38
39 Adjust affected totals accordingly.

40
41 Page 28, line 10, in the ITEM & SUBTOTAL column, strike "1,763,740"
42 and substitute "1,731,686";

43
44 line 13, in the ITEM & SUBTOTAL column, strike "1,816,159" and
45 substitute "1,784,105" and, in the GENERAL FUND column, strike
46 "1,816,159" and substitute "1,784,105".

47
48 Adjust affected totals accordingly.

49
50 Page 29, line 1, in the ITEM & SUBTOTAL column, strike "10,170,214"
51 and substitute "9,985,379";

52
53 line 6, in the ITEM & SUBTOTAL column, strike "11,021,295" and
54 substitute "10,836,460" and, in the GENERAL FUND column, strike
55 "11,021,295" and substitute "10,836,460".

56

- 1 Adjust affected totals accordingly.
2
3 Page 29, line 9, in the ITEM & SUBTOTAL column, strike "15,690,176"
4 and substitute "15,401,696";
5
6 line 12, in the ITEM & SUBTOTAL column, strike "15,850,890" and
7 substitute "15,562,410" and, in the GENERAL FUND column, strike
8 "15,850,890" and substitute "15,562,410".
9
10 Adjust affected totals accordingly.
11
12 Page 29, line 15, in the ITEM & SUBTOTAL column, strike "7,579,411"
13 and substitute "7,440,781".
14
15 Page 30, line 4, in the ITEM & SUBTOTAL column, strike "8,197,345"
16 and substitute "8,058,715" and, in the GENERAL FUND column, strike
17 "8,197,345" and substitute "8,058,715".
18
19 Adjust affected totals accordingly.
20
21 Page 30, line 9, in the ITEM & SUBTOTAL column, strike "12,715,018"
22 and substitute "12,483,934";
23
24 line 13, in the ITEM & SUBTOTAL column, strike "13,639,419" and
25 substitute "13,408,335" and, in the GENERAL FUND column, strike
26 "13,639,419" and substitute "13,408,335".
27
28 Adjust affected totals accordingly.
29
30 Page 31, line 1, in the ITEM & SUBTOTAL column, strike "1,402,787"
31 and substitute "1,377,293";
32
33 line 5, in the ITEM & SUBTOTAL column, strike "1,773,294" and
34 substitute "1,747,800" and, in the GENERAL FUND column, strike
35 "1,773,294" and substitute "1,747,800".
36
37 Adjust affected totals accordingly.
38
39 Page 31, line 11, in the ITEM & SUBTOTAL column, strike "6,358,559"
40 and substitute "6,242,879", in the GENERAL FUND column, strike
41 "5,898,431" and substitute "5,793,753", in the CASH FUNDS column,
42 strike "459,230^a" and substitute "448,241^a", and, in the
43 REAPPROPRIATED FUNDS column, strike "898^b" and substitute
44 "885^b".
45
46 Adjust affected totals accordingly.
47
48 Page 32, line 1, strike "\$354,981" and substitute "\$345,333" and strike
49 "\$64,171" and substitute "\$62,830";
50
51 line 2, strike "\$419,152" and substitute "\$409,504";
52
53 line 3, strike "\$40,078" and substitute "\$38,737";
54
55 line 13, in the ITEM & SUBTOTAL column, strike "2,737,313" and
56 substitute "2,687,565".

- 1 Page 33, line 1, in the ITEM & SUBTOTAL column, strike "2,789,857"
2 and substitute "2,740,109" and, in the GENERAL FUND column, strike
3 "2,789,857" and substitute "2,740,109".
4
5 Adjust affected totals accordingly.
6
7 Page 34, line 1, in the ITEM & SUBTOTAL column, strike "1,961,924"
8 and substitute "1,926,268" and, in the GENERAL FUND column, strike
9 "1,961,924" and substitute "1,926,268".
10
11 Adjust affected totals accordingly.
12
13 Page 34, line 10, in the ITEM & SUBTOTAL column, strike "2,034,130"
14 and substitute "1,997,161";
15
16 line 13, in the ITEM & SUBTOTAL column, strike "2,314,307" and
17 substitute "2,277,338" and, in the GENERAL FUND column, strike
18 "2,314,307" and substitute "2,277,338".
19
20 Adjust affected totals accordingly.
21
22 Page 35, line 1, in the ITEM & SUBTOTAL column, strike "3,931,972"
23 and substitute "3,858,800";
24
25 line 8, in the ITEM & SUBTOTAL column, strike "5,685,052" and
26 substitute "5,611,880" and, in the GENERAL FUND column, strike
27 "5,685,052" and substitute "5,611,880".
28
29 Adjust affected totals accordingly.
30
31 Page 36, line 5, in the ITEM & SUBTOTAL column, strike "5,517,364"
32 and substitute "5,415,170";
33
34 line 8, in the ITEM & SUBTOTAL column, strike "5,608,784" and
35 substitute "5,506,590" and, in the GENERAL FUND column, strike
36 "5,608,784" and substitute "5,506,590".
37
38 Adjust affected totals accordingly.
39
40 Page 36, line 11, in the ITEM & SUBTOTAL column, strike
41 "16,845,379" and substitute "16,570,865", in the GENERAL FUND
42 column, strike "15,945,434" and substitute "15,687,276", and, in the
43 CASH FUNDS column, strike "899,945^a" and substitute "883,589^a".
44
45 Adjust affected totals accordingly.
46
47 Page 37, line 6, strike "\$1,359,694" and substitute "\$1,351,516" and
48 strike "\$1,437,750" and substitute "\$1,429,572";
49
50 line 13, in the ITEM & SUBTOTAL column, strike "6,428,102" and
51 substitute "6,308,620" and, in the GENERAL FUND column, strike
52 "6,428,102" and substitute "6,308,620".
53
54 Adjust affected totals accordingly.
55
56 Page 38, line 6, in the ITEM & SUBTOTAL column, strike "4,889,532"

1 and substitute "4,829,167" and, in the GENERAL FUND column, strike
2 "4,889,532" and substitute "4,829,167".
3
4 Adjust affected totals accordingly.
5
6 Page 39, line 4, in the ITEM & SUBTOTAL column, strike "2,781,059"
7 and substitute "2,730,515", in the GENERAL FUND column, strike
8 "2,752,248" and substitute "2,702,228", and, in the CASH FUNDS
9 column, strike "28,811^a" and substitute "28,287^a".
10
11 Adjust affected totals accordingly.
12
13 Page 40, line 9, in the ITEM & SUBTOTAL column, strike "10,995,888"
14 and substitute "10,797,199".
15
16 Page 41, line 3, in the ITEM & SUBTOTAL column, strike "14,810,050"
17 and substitute "14,611,361" and, in the GENERAL FUND column, strike
18 "14,810,050" and substitute "14,611,361".
19
20 Adjust affected totals accordingly.
21
22 Page 41, line 6, in the ITEM & SUBTOTAL column, strike "5,304,335"
23 and substitute "5,207,933";
24
25 line 12, in the ITEM & SUBTOTAL column, strike "8,789,576" and
26 substitute "8,693,174" and, in the GENERAL FUND column, strike
27 "8,789,576" and substitute "8,693,174".
28
29 Adjust affected totals accordingly.
30
31 Page 41, line 15, in the ITEM & SUBTOTAL column, strike "3,553,844"
32 and substitute "3,489,256".
33
34 Page 42, line 4, in the ITEM & SUBTOTAL column, strike "7,866,952"
35 and substitute "7,802,364" and, in the GENERAL FUND column, strike
36 "7,866,952" and substitute "7,802,364".
37
38 Adjust affected totals accordingly.
39
40 Page 42, line 8, in the ITEM & SUBTOTAL column, strike "3,101,490"
41 and substitute "3,045,123" and, in the GENERAL FUND column, strike
42 "3,101,490" and substitute "3,045,123".
43
44 Adjust affected totals accordingly.
45
46 Page 43, line 15, in the ITEM & SUBTOTAL column, strike "2,025,527"
47 and substitute "2,002,896" and, in the GENERAL FUND column, strike
48 "2,025,527" and substitute "2,002,896".
49
50 Adjust affected totals accordingly.
51
52 Page 45, line 10, in the ITEM & SUBTOTAL column, strike
53 "10,315,543" and substitute "10,135,091", in the CASH FUNDS column,
54 strike "3,035,337^a" and substitute "2,987,196^a", and, in the
55 REAPPROPRIATED FUNDS column, strike "7,280,206^b" and substitute
56 "7,147,895^b".

1 Adjust affected totals accordingly.
2
3 Page 46, line 4, strike "\$14,020,738" and substitute "\$13,972,597";
4
5 line 5, strike "\$35,511,759" and substitute "\$35,379,448";
6
7 line 9, in the ITEM & SUBTOTAL column, strike "1,797,049" and
8 substitute "1,764,389";
9
10 line 14, in the TOTAL column, strike "14,753,593" and substitute
11 "14,720,933" and, in the CASH FUNDS column, strike "14,753,593^a" and
12 substitute "14,720,933^a".
13
14 Adjust affected totals accordingly.
15
16 Page 49, line 9, in the ITEM & SUBTOTAL column, strike "3,823,558"
17 and substitute "3,755,560", in the GENERAL FUND column, strike
18 "2,205,758" and substitute "2,163,292", in the CASH FUNDS column,
19 strike "101,625^a" and substitute "99,778^a", and, in the
20 REAPPROPRIATED FUNDS column, strike "1,516,175^b" and substitute
21 "1,492,490^b";
22
23 line 12, in the ITEM & SUBTOTAL column, strike "1,881,467" and
24 substitute "1,849,273" and, in the CASH FUNDS column, strike
25 "1,881,467^c" and substitute "1,849,273^c".
26
27 Adjust affected totals accordingly.
28
29 Page 58, line 8, in the ITEM & SUBTOTAL column, strike "49,659,638"
30 and substitute "49,656,915" and, in the GENERAL FUND column, strike
31 "36,922,227" and substitute "36,919,504".
32
33 Adjust affected totals accordingly.
34
35 Page 69, line 1, in the ITEM & SUBTOTAL column, strike "9,105,745"
36 and substitute "8,940,256".
37
38 Page 70, line 2, in the ITEM & SUBTOTAL column, strike "11,581,131"
39 and substitute "11,250,153" and, in the GENERAL FUND column, strike
40 "9,959,219" and substitute "9,793,730".
41
42 Adjust affected totals accordingly.
43
44 Page 73, line 7, in the ITEM & SUBTOTAL column, strike "2,555,064"
45 and substitute "2,516,948", in the GENERAL FUND column, strike
46 "2,535,644" and substitute "2,497,828", and, in the REAPPROPRIATED
47 FUNDS column, strike "19,420^a" and substitute "19,120^a".
48
49 Adjust affected totals accordingly.
50
51 Page 86, line 8, in the ITEM & SUBTOTAL column, strike "1,782,601"
52 and substitute "1,756,683" and, in the REAPPROPRIATED FUNDS
53 column, strike "1,782,601^a" and substitute "1,756,683^a".
54
55 Adjust affected totals accordingly.
56

- 1 Page 88, line 7, in the ITEM & SUBTOTAL column, strike "3,685,808"
2 and substitute "3,618,822", in the CASH FUNDS column, strike
3 "721,134^a" and substitute "708,028^a", in the REAPPROPRIATED
4 FUNDS column, strike "2,843,674^b" and substitute "2,791,993^b", and, in
5 the FEDERAL FUNDS column, strike "121,000^c" and substitute
6 "118,801^c".
7
8 Adjust affected totals accordingly.
9
- 10 Page 90, line 6, in the ITEM & SUBTOTAL column, strike "2,885,913"
11 and substitute "2,833,464" and, in the REAPPROPRIATED FUNDS
12 column, strike "2,885,913^a" and substitute "2,833,464^a".
13
14 Adjust affected totals accordingly.
15
- 16 Page 91, line 5, in the ITEM & SUBTOTAL column, strike "3,153,583"
17 and substitute "3,096,269" and, in the REAPPROPRIATED FUNDS
18 column, strike "3,153,583^a" and substitute "3,096,269^a".
19
20 Adjust affected totals accordingly.
21
- 22 Page 93, line 6, in the ITEM & SUBTOTAL column, strike "20,038,930"
23 and substitute "19,679,334".
24
- 25 Page 95, line 5, in the ITEM & SUBTOTAL column, strike "3,110,800"
26 and substitute "3,084,105";
27
28 line 6, in the ITEM & SUBTOTAL column, strike "29,590,724" and
29 substitute "29,204,433", in the GENERAL FUND column, strike
30 "12,520,284(M)" and substitute "12,360,725(M)", in the CASH FUNDS
31 column, strike "751,167^a" and substitute "740,182^a", in the
32 REAPPROPRIATED FUNDS column, strike "1,708,801^b" and substitute
33 "1,679,562^b", and, in the FEDERAL FUNDS column, strike "14,610,472"
34 and substitute "14,423,964".
35
36 Adjust affected totals accordingly.
37
- 38 Page 95, line 8, strike "\$258,728" and substitute "\$254,605" and strike
39 "\$162,142" and substitute "\$159,572";
40
41 line 9, strike "\$57,021" and substitute "56,060";
42
43 line 10, strike "\$56,634" and substitute "\$55,716" and strike "\$34,425"
44 and substitute "\$33,895";
45
46 line 11, strike "\$32,055" and substitute "\$31,497" and strike "\$29,474"
47 and substitute "\$28,960";
48
49 line 12, strike "\$24,451" and substitute "\$24,019";
50
51 line 13, strike "\$11,659" and substitute "\$11,280".
52
- 53 Page 96, line 1, strike "\$1,705,464" and substitute "\$1,676,225";
54
55 line 8, in the ITEM & SUBTOTAL column, strike "5,070,684" and
56 substitute "5,001,243", in the GENERAL FUND column, strike

1 "1,526,123(M)" and substitute "1,502,513(M)", and, in the FEDERAL
2 FUNDS column, strike "3,544,561" and substitute "3,498,730".
3
4 Adjust affected totals accordingly.
5
6 Page 112, line 14, in the ITEM & SUBTOTAL column, strike
7 "13,030,828" and substitute "13,011,981", in the GENERAL FUND
8 column, strike "6,668,879(M)" and substitute "6,659,567(M)", and, in the
9 FEDERAL FUNDS column, strike "6,361,561" and substitute
10 "6,352,026".
11
12 Page 113, line 3, in the ITEM & SUBTOTAL column, strike "8,983,660"
13 and substitute "8,957,494", in the GENERAL FUND column, strike
14 "4,440,420(M)" and substitute "4,427,478(M)", in the CASH FUNDS
15 column, strike "28,824^b" and substitute "28,758^b", in the
16 REAPPROPRIATED FUNDS column, strike "32,088^a" and substitute
17 "31,995^a", and, in the FEDERAL FUNDS column, strike "4,482,328" and
18 substitute "4,469,263";
19
20 line 7, in the ITEM & SUBTOTAL column, strike "403,495" and
21 substitute "399,192", in the GENERAL FUND column, strike
22 "201,748(M)" and substitute "199,597(M)", and, in the FEDERAL
23 FUNDS column, strike "201,747" and substitute "199,595".
24
25 Adjust affected totals accordingly.
26
27 Page 113, line 14, in the ITEM & SUBTOTAL column, strike
28 "5,576,786" and substitute "5,503,619", in the GENERAL FUND
29 column, strike "2,788,393(M)" and substitute "2,751,809(M)", and, in the
30 FEDERAL FUNDS column, strike "2,788,393" and substitute
31 "2,751,810".
32
33 Page 114, line 3, in the ITEM & SUBTOTAL column, strike "137,577"
34 and substitute "135,195", in the GENERAL FUND column, strike
35 "68,789(M)" and substitute "67,598(M)", and, in the FEDERAL FUNDS
36 column, strike "68,788" and substitute "67,597".
37
38 Adjust affected totals accordingly.
39
40 Page 115, line 11, in the ITEM & SUBTOTAL column, strike
41 "2,979,478" and substitute "2,931,565", in the GENERAL FUND
42 column, strike "1,489,739(M)" and substitute "1,465,782(M)", and, in the
43 FEDERAL FUNDS column, strike "1,489,739" and substitute
44 "1,465,783";
45
46 line 15, in the ITEM & SUBTOTAL column, strike "50,913,570" and
47 substitute "50,049,730", in the GENERAL FUND column, strike
48 "23,363,904(M)" and substitute "22,931,984(M)", and, in the FEDERAL
49 FUNDS column, strike "25,456,785" and substitute "25,024,865".
50
51 Adjust affected totals accordingly.
52
53 Page 117, line 3, in the ITEM & SUBTOTAL column, strike "1,615,651"
54 and substitute "1,614,799", in the GENERAL FUND column, strike
55 "807,826(M)" and substitute "807,400(M)", and, in the FEDERAL
56 FUNDS column, strike "807,825" and substitute "807,399".

1 Adjust affected totals accordingly.

2

3 Page 95, line 5, in the ITEM & SUBTOTAL column, strike "3,110,800"
4 and substitute "3,410,800";

5

6 line 6, in the ITEM & SUBTOTAL column, strike "29,590,724" and
7 substitute "29,890,724" and, in the CASH FUNDS column, strike
8 "751,167^a" and substitute "1,051,167^a";

9

10 Adjust affected totals accordingly.

11

12 Page 95, line 11, strike "\$29,474" and substitute "\$329,474".

13

14 Page 104, line 3, strike "\$1,733.77" and substitute "\$1,725.17" and, in the
15 ITEM & SUBTOTAL column, strike "446,195,908" and substitute
16 "443,983,914";

17

18 line 10, in the TOTAL column, strike "2,584,674,928" and substitute
19 "2,582,462,934", in the GENERAL FUND column, strike "1,154,402,145
20 (M)" and substitute "1,153,296,148(M)", and, in the FEDERAL FUNDS
21 column, strike "1,295,387,955" and substitute "1,294,281,958".

22

23 Adjust affected totals accordingly.

24

25 Page 107, line 1, in the ITEM & SUBTOTAL column, strike
26 "12,820,718" and substitute "15,032,712", in the GENERAL FUND
27 column, strike "5,551,000(M)" and substitute "6,656,997(M)", and, in the
28 FEDERAL FUNDS column, strike "6,410,359" and substitute
29 "7,516,356".

30

31 Adjust affected totals accordingly.

32

33 Page 123, line 3, in the ITEM & SUBTOTAL column, strike "2,129,686"
34 and substitute "2,097,284", in the REAPPROPRIATED FUNDS column,
35 strike "1,585,365^b" and substitute "1,559,953^b", and, in the FEDERAL
36 FUNDS column, strike "384,586" and substitute "377,596".

37

38 Adjust affected totals accordingly.

39

40 Page 125, line 9, in the GENERAL FUND column, strike "74,294,146"
41 and substitute "74,268,734" and, in the REAPPROPRIATED FUNDS
42 column, insert "25,412^a";

43

44 after line 9, insert the following:

45

46 "^a This amount shall be from statewide and departmental indirect cost
47 recoveries."

48

49 Adjust affected totals accordingly.

50

51 Page 140, line 15, in the ITEM & SUBTOTAL column, strike
52 "7,100,575" and substitute "7,001,471", in the CASH FUNDS column,
53 strike "6,394,994^b" and substitute "6,305,912^b", and, in the FEDERAL
54 FUNDS column, strike "705,581" and substitute "695,559".

55

56 Adjust affected totals accordingly.

- 1 Page 141, line 5, strike "\$5,598,246" and substitute "\$5,509,164".
2
- 3 Page 135, line 9, strike "**Colleges**^{17, 18}" and substitute "**Colleges**^{17, 18, 18a}".
4
- 5 Page 143, after line 13, insert the following:
6
- 7 18a Department of Higher Education, Governing Boards, State
8 Board for Community Colleges and Occupational
9 Education State System Community Colleges -- It is the
10 intent of the General Assembly that administrative costs for
11 the community college's system office be reduced by one
12 hundred thousand dollars (\$100,000) and that the savings
13 be allocated to the community college institutions under the
14 control of the governing board."
15
- 16 Page 144, line 6, in the ITEM & SUBTOTAL column, strike "2,026,254"
17 and substitute "1,986,521".
18
- 19 Page 145, line 12, in the ITEM & SUBTOTAL column, strike
20 "54,246,794" and substitute "54,207,061", in the GENERAL FUND
21 column, strike "31,635,747(M)" and substitute "31,623,786(M)", in the
22 CASH FUNDS column, strike "1,306,925^a" and substitute "1,305,039^a",
23 in the REAPPROPRIATED FUNDS column, strike "15,135,350^b" and
24 substitute "15,126,722^b", and, in the FEDERAL FUNDS column, strike
25 "6,168,772^c" and substitute "6,151,514^c";
26
- 27 line 15, strike "\$546,467" and substitute "\$544,581".
28
- 29 Page 146, line 1, strike "\$12,196,960" and substitute "\$12,190,323";
30
- 31 line 3, strike "\$2,777,040" and substitute "\$2,775,049";
32
- 33 line 6, strike "\$4,048,947" and substitute "\$4,031,689";
34
- 35 line 10, in the ITEM & SUBTOTAL column, strike "5,234,453" and
36 substitute "5,147,097", in the GENERAL FUND column, strike
37 "1,934,651" and substitute "1,902,407", in the CASH FUNDS column,
38 strike "235,472^a" and substitute "231,539^a", in the REAPPROPRIATED
39 FUNDS column, strike "778,298^b" and substitute "765,299^b", and, in the
40 FEDERAL FUNDS column, strike "2,286,032^c" and substitute
41 "2,247,852^c";
42
- 43 line 12, in the ITEM & SUBTOTAL column, strike "2,245,353" and
44 substitute "2,211,586", in the GENERAL FUND column, strike
45 "1,461,279(M)" and substitute "1,440,439(M)", and, in the FEDERAL
46 FUNDS column, strike "784,074^d" and substitute "771,147^d".
47
- 48 Adjust affected totals accordingly.
49
- 50 Page 148, line 10, strike "\$185,849" and substitute "\$181,916";
51
- 52 line 11, strike "\$833,868" and substitute "\$821,688" and strike "\$48,988"
53 and substitute "\$48,169";
54
- 55 line 13, strike "\$1,069,810" and substitute "\$1,031,630".
56

- 1 Page 149, line 14, in the ITEM & SUBTOTAL column, strike
2 "5,866,550" and substitute "5,758,681", in the GENERAL FUND
3 column, strike "4,529,321" and substitute "4,446,041", in the CASH
4 FUNDS column, strike "131,286" and substitute "128,870^a", in the
5 REAPPROPRIATED FUNDS column, strike "464,681^b" and substitute
6 "456,139^b", and, in the FEDERAL FUNDS column, strike "741,262^c" and
7 substitute "727,631^c".
8
- 9 Page 150, line 6, in the ITEM & SUBTOTAL column, strike "9,308,993"
10 and substitute "9,252,736", in the GENERAL FUND column, strike
11 "5,025,912" and substitute "4,995,539", and, in the FEDERAL FUNDS
12 column, strike "4,283,081ⁱ" and substitute "4,257,197ⁱ".
13
- 14 Page 151, line 3, in the ITEM & SUBTOTAL column, strike
15 "23,484,962" and substitute "23,416,655", in the GENERAL FUND
16 column, strike "5,608,254" and substitute "5,591,860", in the CASH
17 FUNDS column, strike "999,581^m" and substitute "996,712^m", in the
18 REAPPROPRIATED FUNDS column, strike "8,983,660ⁿ" and substitute
19 "8,957,495ⁿ", and, in the FEDERAL FUNDS column, strike "7,893,467^o"
20 and substitute "7,870,588^o".
21
- 22 Adjust affected totals accordingly.
23
- 24 Page 151, line 14, strike "\$298,882" and substitute "\$294,579" and strike
25 "\$234,011" and substitute "\$229,708";
26
- 27 line 15, strike "\$165,799" and substitute "\$161,560".
28
- 29 Page 152, line 2, strike "\$1,388,234" and substitute "\$1,374,603";
30
- 31 line 12, strike "\$2,745,026" and substitute "\$2,719,142".
32
- 33 Page 153, line 5, strike "\$3,301,753" and substitute "\$3,292,243" and
34 strike "\$4,641,619" and substitute "\$4,628,250";
35
- 36 line 10, in the ITEM & SUBTOTAL column, strike "24,049,459" and
37 substitute "23,605,442".
38
- 39 Page 154, line 4, in the ITEM & SUBTOTAL column, strike
40 "40,300,877" and substitute "39,856,860", in the GENERAL FUND
41 column, strike "21,960,668(M)" and substitute "21,746,620(M)", in the
42 CASH FUNDS column, strike "1,776,023^a" and substitute "1,744,432^a",
43 in the REAPPROPRIATED FUNDS column, strike "12,051,678^b" and
44 substitute "11,884,985^b", and, in the FEDERAL FUNDS column, strike
45 "4,512,508^c" and substitute "4,480,823^c".
46
- 47 Adjust affected totals accordingly.
48
- 49 Page 154, line 7, strike "\$154,267" and substitute "\$122,676";
50
- 51 line 9, strike "\$5,576,786" and substitute "\$5,503,619";
52
- 53 line 13, strike "\$1,136,961" and substitute "\$1,043,435".
54
- 55 Page 155, line 3, strike "\$2,494,472" and substitute "\$2,462,787".
56

1 Page 157, line 6, in the ITEM & SUBTOTAL column, strike "3,606,903"
2 and substitute "3,557,876", in the GENERAL FUND column, strike
3 "2,810,575(M)" and substitute "2,777,172(M)", in the
4 REAPPROPRIATED FUNDS column, strike "137,577^a" and substitute
5 "135,198^a", and, in the FEDERAL FUNDS column, strike "658,751^b" and
6 substitute "645,506^b".

7
8 Adjust affected totals accordingly.

9
10 Page 161, line 6, in the ITEM & SUBTOTAL column, strike "6,891,593"
11 and substitute "6,810,584", in the GENERAL FUND column, strike
12 "2,417,742(M)" and substitute "2,377,226(M)", in the CASH FUNDS
13 column, strike "870,841^a" and substitute "859,539^a", and, in the
14 FEDERAL FUNDS column, strike "3,603,010^b" and substitute
15 "3,573,819^b".

16
17 Adjust affected totals accordingly.

18
19 Page 163, line 9, strike "\$3,432,619" and substitute "\$3,403,428".

20
21 Page 164, line 4, in the ITEM & SUBTOTAL column, strike "1,728,161"
22 and substitute "1,696,754";

23
24 line 7, in the ITEM & SUBTOTAL column, strike "1,831,458" and
25 substitute "1,800,051", in the GENERAL FUND column, strike
26 "798,962" and substitute "785,430", and, in the FEDERAL FUNDS
27 column, strike "1,032,496^a" and substitute "1,014,621^a".

28
29 Adjust affected totals accordingly.

30
31 Page 170, line 4, in the ITEM & SUBTOTAL column, strike
32 "11,599,344" and substitute "11,552,799", in the GENERAL FUND
33 column, strike "3,798,808(M)" and substitute "3,783,554(M)", in the
34 CASH FUNDS column, strike "426,499^a" and substitute "424,818^a", and,
35 in the FEDERAL FUNDS column, strike "7,374,037^b" and substitute
36 "7,344,427^b".

37
38 Adjust affected totals accordingly.

39
40 Page 170, line 10, strike "\$281,489" and substitute "\$280,380";

41
42 line 11, strike "\$145,010" and substitute "\$144,438".

43
44 Page 171, line 9, in the ITEM & SUBTOTAL column, strike "2,279,127"
45 and substitute "2,243,843", in the GENERAL FUND column, strike
46 "969,381(M)" and substitute "951,763(M)", in the CASH FUNDS
47 column, strike "241,603^a" and substitute "237,212^a", and, in the
48 FEDERAL FUNDS column, strike "730,444^c" and substitute "717,169^c".

49
50 Adjust affected totals accordingly.

51
52 Page 172, line 6, strike "\$97,812" and substitute "\$93,421";

53
54 line 11, strike "\$2,575,859" and substitute "\$2,562,584".

55

1 Page 175, line 7, in the ITEM & SUBTOTAL column, strike
2 "27,664,387" and substitute "27,212,895";
3
4 line 10, strike "70,405,862" and substitute "69,256,814";
5
6 line 12, in the ITEM & SUBTOTAL column, strike "892,180" and
7 substitute "877,246";
8
9 line 14, in the ITEM & SUBTOTAL column, strike "730,687" and
10 substitute "720,820".
11
12 Page 176, line 1, in the ITEM & SUBTOTAL column, strike
13 "99,693,116" and substitute "98,067,775" and, in the GENERAL FUND
14 column, strike "82,708,832" and substitute "81,083,491";
15
16 line 15, in the ITEM & SUBTOTAL column, strike "2,309,626" and
17 substitute "2,267,652", in the GENERAL FUND column, strike
18 "290,488" and substitute "285,209", in the CASH FUNDS column, strike
19 "120,292^a" and substitute "118,106^a", in the REAPPROPRIATED
20 FUNDS column, strike "496,446^b" and substitute "487,424^b", and, in the
21 FEDERAL FUNDS column, strike "1,402,400^c" and substitute
22 "1,376,913^c".
23
24 Adjust affected totals accordingly.
25
26 Page 177, line 8, strike "\$37,946" and substitute "\$35,760";
27
28 line 11, strike "\$440,993" and substitute "\$431,971".
29
30 Page 181, line 14, in the ITEM & SUBTOTAL column, strike
31 "2,923,535" and substitute "2,870,403", in the GENERAL FUND
32 column, strike "287,177" and substitute "281,958", and, in the
33 REAPPROPRIATED FUNDS column, strike "2,636,358^a" and substitute
34 "2,588,445^a".
35
36 Adjust affected totals accordingly.
37
38 Page 185, line 12, in the ITEM & SUBTOTAL column, strike
39 "49,724,821" and substitute "48,860,981".
40
41 Page 186, line 6, in the ITEM & SUBTOTAL column, strike
42 "53,204,006" and substitute "52,340,166" and, in the
43 REAPPROPRIATED FUNDS column, strike "50,913,570^b" and
44 substitute "50,049,730^b".
45
46 Adjust affected totals accordingly.
47
48 Page 187, line 10, in the ITEM & SUBTOTAL column, strike
49 "19,812,812" and substitute "19,564,046", in the GENERAL FUND
50 column, strike "4,213,715(M)" and substitute "4,160,718(M)", and, in the
51 FEDERAL FUNDS column, strike "15,599,097^a" and substitute
52 "15,403,328^a".
53
54 Adjust affected totals accordingly.
55

1 Page 197, line 8, in the ITEM & SUBTOTAL column, strike
2 "44,383,506" and substitute "43,576,875" and, in the GENERAL FUND
3 column, strike "44,383,506" and substitute "43,576,875";

4
5 line 11, in the ITEM & SUBTOTAL column, strike "8,061,627" and
6 substitute "8,017,892" and, in the GENERAL FUND column, strike
7 "8,061,627" and substitute "8,017,892";

8
9 line 15, in the ITEM & SUBTOTAL column, strike "5,914,066" and
10 substitute "5,861,480", in the GENERAL FUND column, strike
11 "5,570,173" and substitute "5,521,364", and, in the REAPPROPRIATED
12 FUNDS column, strike "343,893^b" and substitute "340,116^b".

13
14 Adjust affected totals accordingly.
15

16 Page 198, line 12, in the ITEM & SUBTOTAL column, strike
17 "8,249,032" and substitute "8,097,328", in the GENERAL FUND
18 column, strike "7,885,820" and substitute "7,740,718", in the CASH
19 FUNDS column, strike "51,607^a" and substitute "50,669^a", in the
20 REAPPROPRIATED FUNDS column, strike "46,860^b" and substitute
21 "46,008^b", and, in the FEDERAL FUNDS column, strike "264,745^c" and
22 substitute "259,933^c".

23
24 Adjust affected totals accordingly.
25

26 Page 205, line 5, in the ITEM & SUBTOTAL column, strike
27 "11,981,895" and substitute "11,848,560", in the GENERAL FUND
28 column, strike "10,883,589" and substitute "10,762,173", and, in the
29 CASH FUNDS column, strike "1,098,306^a" and substitute "1,086,387^a".

30
31 Adjust affected totals accordingly.
32

33 Page 206, line 2, strike "\$1,030,306" and substitute "\$1,018,387".
34

35 Page 207, line 3, in the ITEM & SUBTOTAL column, strike "5,536,372"
36 and substitute "5,435,753", in the GENERAL FUND column, strike
37 "4,060,460" and substitute "3,982,836", in the CASH FUNDS column,
38 strike "150,000^a" and substitute "147,274^a", and, in the
39 REAPPROPRIATED FUNDS column, strike "1,325,912^b" and substitute
40 "1,305,643^b".

41
42 Adjust affected totals accordingly.
43

44 Page 211, line 14, in the ITEM & SUBTOTAL column, strike
45 "3,549,025" and substitute "3,488,481" and, in the GENERAL FUND
46 column, strike "3,331,315" and substitute "3,270,771".

47
48 Adjust affected totals accordingly.
49

50 Page 213, line 3, in the ITEM & SUBTOTAL column, strike
51 "128,307,618" and substitute "126,801,115", in the GENERAL FUND
52 column, strike "103,219,760" and substitute "101,923,098", and, in the
53 CASH FUNDS column, strike "24,122,858^a" and substitute
54 "23,913,017^a";

55

1 line 8, in the ITEM & SUBTOTAL column, strike "3,457,604" and
2 substitute "3,396,568" and, in the GENERAL FUND column, strike
3 "3,407,604" and substitute "3,346,568".

4

5 Adjust affected totals accordingly.

6

7 Page 214, line 4, strike "\$21,512,858" and substitute "\$21,303,017".

8

9 Page 215, line 2, in the ITEM & SUBTOTAL column, strike
10 "73,083,454" and substitute "71,763,731", in the GENERAL FUND
11 column, strike "63,266,411" and substitute "62,125,104", and, in the
12 CASH FUNDS column, strike "9,817,043^a" and substitute "9,638,627^a".

13

14 Adjust affected totals accordingly.

15

16 Page 216, line 6, strike "\$5,019,428" and substitute "\$4,927,693" and
17 strike "\$4,042,886" and substitute "\$3,969,414";

18

19 line 7, strike "\$754,729" and substitute "\$741,520".

20

21 Page 217, line 9, in the ITEM & SUBTOTAL column, strike
22 "39,142,556" and substitute "38,468,649" and, in the GENERAL FUND
23 column, strike "39,142,556" and substitute "38,468,649".

24

25 Adjust affected totals accordingly.

26

27 Page 220, line 13, in the ITEM & SUBTOTAL column, strike
28 "1,900,390" and substitute "1,866,763" and, in the GENERAL FUND
29 column, strike "1,900,390" and substitute "1,866,763".

30

31 Adjust affected totals accordingly.

32

33 Page 221, line 14, strike "Counsel" and substitute "Counsel^{34a}".

34

35 Page 224, after line 11, insert the following:

36

37 "34a Judicial Department, Office of the Child's Representative,
38 Court Appointed Counsel -- It is the intent of the General
39 Assembly that the Office of the Child's Representative be
40 authorized to utilize up to \$25,000 of this appropriation to
41 fund a pilot program as authorized pursuant to Section 13-
42 91-105 (1) (e), C.R.S., for the purpose of evaluating
43 alternatives to the appointment of child and family
44 investigators and child's legal representatives in domestic
45 relations cases."

46

47 Page 225, line 5, in the ITEM & SUBTOTAL column, strike "13,262,512"
48 and substitute "13,022,715".

49

50 Page 227, line 8, in the TOTAL column, strike "30,671,400" and
51 substitute "30,431,603", in the CASH FUNDS column, strike
52 "14,029,915^a" and substitute "13,945,986^a", in the REAPPROPRIATED
53 FUNDS column, strike "1,129,283^b" and substitute "1,117,293^b", and, in
54 the FEDERAL FUNDS column, strike "15,512,202" and substitute
55 "15,368,324";

56

- 1 line 10, strike "\$5,669,146" and substitute "\$5,627,181" and, strike
2 "\$5,245,346" and substitute "\$5,203,382".
3
4 Page 228, line 1, strike "\$967,190" and substitute "\$956,399";
5
6 line 2, strike "\$157,809" and substitute "\$156,610".
7
8 Page 231, line 7, in the ITEM & SUBTOTAL column, strike "5,639,970"
9 and substitute "5,537,468";
10
11 line 10, in the ITEM & SUBTOTAL column, strike "967,190" and
12 substitute "956,399";
13
14 line 11, in the TOTAL column, strike "7,089,041" and substitute
15 "6,975,748", in the CASH FUNDS column, strike "6,499,665^a" and
16 substitute "6,397,084^a", in the REAPPROPRIATED FUNDS column,
17 strike "19,516^b" and substitute "19,161^b", and, in the FEDERAL FUNDS
18 column, strike "569,860" and substitute "559,503";
19
20 line 13, strike "\$3,497,671" and substitute "\$3,425,686" and strike
21 "\$1,551,733" and substitute "\$1,521,137".
22
23 Page 232, line 4, in the ITEM & SUBTOTAL column, strike "7,033,103"
24 and substitute "6,905,283";
25
26 line 12, in the ITEM & SUBTOTAL column, strike "10,563,936" and
27 substitute "10,436,116" and, in the CASH FUNDS column, strike
28 "10,563,936^a" and substitute "10,436,116^a".
29
30 Adjust affected totals accordingly.
31
32 Page 233, line 1, strike "\$9,769,652" and substitute "\$9,641,832".
33
34 Page 235, line 5, in the ITEM & SUBTOTAL column, strike "3,013,268"
35 and substitute "2,960,059" and, in the REAPPROPRIATED FUNDS
36 column, strike "3,013,268^a" and substitute "2,960,059^a".
37
38 Adjust affected totals accordingly.
39
40 Page 238, line 2, in the ITEM & SUBTOTAL column, strike
41 "18,579,485" and substitute "18,241,775";
42
43 line 6, in the TOTAL column, strike "22,632,278" and substitute
44 "22,294,568", in the CASH FUNDS column, strike "1,000,000^a" and
45 substitute "981,826^a", and, in the REAPPROPRIATED FUNDS column,
46 strike "21,632,278^b" and substitute "21,312,742^b".
47
48 Adjust affected totals accordingly.
49
50 Page 238, line 15, in the ITEM & SUBTOTAL column, strike
51 "2,629,303" and substitute "2,583,983" and, in the GENERAL FUND
52 column, strike "2,629,303" and substitute "2,583,983".
53
54 Adjust affected totals accordingly.
55
56 Page 242, line 10, in the ITEM & SUBTOTAL column, strike

1 "1,849,822" and substitute "1,819,320", in the GENERAL FUND
2 column, strike "928,104" and substitute "912,882", in the CASH FUNDS
3 column, strike "674,888^a" and substitute "663,695^a", and, in the
4 REAPPROPRIATED FUNDS column, strike "246,830^b" and substitute
5 "242,743^b".

6

7 Adjust affected totals accordingly.

8

9 Page 243, line 5, strike "\$449,673" and substitute "\$442,392" and strike
10 "\$157,719" and substitute "\$154,656";

11

12 line 6, strike "\$46,712" and substitute "\$45,863".

13

14 Page 253, line 8, in the ITEM & SUBTOTAL column, strike "2,845,145"
15 and substitute "2,797,074", in the GENERAL FUND column, strike
16 "1,356,596" and substitute "1,335,345", in the CASH FUNDS column,
17 strike "704,767^a" and substitute "692,010^a", and, in the
18 REAPPROPRIATED FUNDS column, strike "783,782^b" and substitute
19 "769,719^b".

20

21 Adjust affected totals accordingly.

22

23 Page 254, line 8, in the ITEM & SUBTOTAL column, strike "1,496,416"
24 and substitute "1,469,220", in the GENERAL FUND column, strike
25 "373,494" and substitute "366,706", in the CASH FUNDS column, strike
26 "77,454^a" and substitute "76,046^a", in the REAPPROPRIATED FUNDS
27 column, strike "153,805^b" and substitute "151,010^b", and, in the
28 FEDERAL FUNDS column, strike "891,663" and substitute "875,458".

29

30 Adjust affected totals accordingly.

31

32 Page 256, line 12, in the ITEM & SUBTOTAL column, strike
33 "1,613,440" and substitute "1,584,117", in the GENERAL FUND
34 column, strike "909,715" and substitute "893,182", in the
35 REAPPROPRIATED FUNDS column, strike "513,238^a" and substitute
36 "503,910^a", and, in the FEDERAL FUNDS column, strike "190,487" and
37 substitute "187,025".

38

39 Adjust affected totals accordingly.

40

41 Page 259, line 15, in the ITEM & SUBTOTAL column, strike
42 "2,441,018" and substitute "2,405,692", in the GENERAL FUND
43 column, strike "502,137" and substitute "493,011", in the CASH FUNDS
44 column, strike "107,264^a" and substitute "105,315^a", in the
45 REAPPROPRIATED FUNDS column, strike "1,486,501^b" and substitute
46 "1,463,136^b", and, in the FEDERAL FUNDS column, strike "345,116"
47 and substitute "344,230".

48

49 Adjust affected totals accordingly.

50

51 Page 262, line 12, in the ITEM & SUBTOTAL column, strike
52 "2,806,714" and substitute "2,775,712", in the GENERAL FUND
53 column, strike "584,854" and substitute "575,611", in the
54 REAPPROPRIATED FUNDS column, strike "66,269^a" and substitute
55 "65,065^a", and, in the FEDERAL FUNDS column, strike "2,155,591" and
56 substitute "2,135,036".

1 Adjust affected totals accordingly.

2

3 Page 264, line 5, in the ITEM & SUBTOTAL column, strike "2,226,525"
4 and substitute "2,185,881", in the GENERAL FUND column, strike
5 "1,991,628" and substitute "1,955,272", in the CASH FUNDS column,
6 strike "3,786^a" and substitute "3,717^a", and, in the FEDERAL FUNDS
7 column, strike "231,111^b" and substitute "226,892^b".

8

9 Adjust affected totals accordingly.

10

11 Page 269, line 3, in the ITEM & SUBTOTAL column, strike "2,114,483"
12 and substitute "2,091,521", in the GENERAL FUND column, strike
13 "465,881(M)" and substitute "461,320(M)", and, in the FEDERAL
14 FUNDS column, strike "1,648,602^a" and substitute "1,630,201^a".

15

16 Adjust affected totals accordingly.

17

18 Page 272, line 5, in the ITEM & SUBTOTAL column, strike "5,340,614"
19 and substitute "5,243,525" and, in the GENERAL FUND column, strike
20 "438,795" and substitute "341,706".

21

22 Adjust affected totals accordingly.

23

24 Page 274, line 13, in the ITEM & SUBTOTAL column, strike
25 "2,174,157" and substitute "2,139,662", in the CASH FUNDS column,
26 strike "455,979^a" and substitute "448,746^a", and, in the FEDERAL
27 FUNDS column, strike "1,718,178^b" and substitute "1,690,916^b".

28

29 Adjust affected totals accordingly.

30

31 Page 276, line 8, in the ITEM & SUBTOTAL column, strike "2,207,416"
32 and substitute "2,171,788";

33

34 line 11, in the ITEM & SUBTOTAL column, strike "2,316,808" and
35 substitute "2,281,180" and, in the CASH FUNDS column, strike
36 "2,316,808^a" and substitute "2,281,180^a".

37

38 Adjust affected totals accordingly.

39

40 Page 276, line 13, strike "\$1,251,388" and substitute "\$1,233,006" and
41 strike "\$1,065,420" and substitute "\$1,048,174".

42

43 Page 280, line 1, in the ITEM & SUBTOTAL column, strike "6,083,625"
44 and substitute "5,975,347" and, in the CASH FUNDS column, strike
45 "6,083,625^a" and substitute "5,975,347^a".

46

47 Adjust affected totals accordingly.

48

49 Page 281, line 4, strike "\$3,143,577" and substitute "\$3,095,122" and
50 strike "\$2,940,048" and substitute "\$2,880,225";

51

52 line 9, in the ITEM & SUBTOTAL column, strike "3,818,088" and
53 substitute "3,772,447";

54

55

1 line 12, in the TOTAL column, strike "3,983,538" and substitute
2 "3,937,897" and, in the CASH FUNDS column, strike "3,983,538" and
3 substitute "3,937,897^a".

4

5 Adjust affected totals accordingly.

6

7 Page 282, line 1, strike "\$3,908,538" and substitute "\$3,862,897";

8

9 line 6, in the ITEM & SUBTOTAL column, strike "24,501,981" and
10 substitute "24,063,248", in the GENERAL FUND column, strike
11 "3,932,354" and substitute "3,866,992", in the CASH FUNDS column,
12 strike "20,124,238^a" and substitute "19,758,961^a", and, in the FEDERAL
13 FUNDS column, strike "445,389^b" and substitute "437,295^b".

14

15 Adjust affected totals accordingly.

16

17 Page 282, line 9, strike "\$17,930,625" and substitute "\$17,565,348".

18

19 Page 286, line 6, in the ITEM & SUBTOTAL column, strike "3,037,133"
20 and substitute "2,981,923";

21

22 line 15, in the ITEM & SUBTOTAL column, strike "4,061,921" and
23 substitute "4,006,711" and in the CASH FUNDS column, strike
24 "3,765,894^a" and substitute "3,710,684^a".

25

26 Adjust affected totals accordingly.

27

28 Page 287, line 2, strike "\$3,722,144" and substitute "\$3,666,934".

29

30 Page 289, line 13, in the ITEM & SUBTOTAL column, strike
31 "19,279,116" and substitute "18,926,874", in the GENERAL FUND
32 column, strike "18,754,688" and substitute "18,411,977", and, in the
33 CASH FUNDS column, strike "524,428^a" and substitute "514,897^a".

34

35 Adjust affected totals accordingly.

36

37 Page 291, line 9, strike "\$541,891" and substitute "\$532,360".

38

39 Page 292, line 12, in the ITEM & SUBTOTAL column, strike
40 "66,710,339" and substitute "65,897,433";

41

42 line 14, in the ITEM & SUBTOTAL column, strike "6,712,182" and
43 substitute "6,616,044".

44

45 Page 293, line 3, in the ITEM & SUBTOTAL column, strike
46 "78,438,839" and substitute "77,529,795", in the CASH FUNDS column,
47 strike "68,037,295^a" and substitute "67,247,262^a", and, in the FEDERAL
48 FUNDS column, strike "10,401,544" and substitute "10,282,533".

49

50 Adjust affected totals accordingly.

51

52 Page 293, line 5, strike "\$58,448,151" and substitute "\$57,658,118".

53

54 Page 295, line 5, strike "\$13,608,741" and substitute "\$13,534,671".

55

- 1 Page 297, line 6, in the ITEM & SUBTOTAL column, strike "1,819,883"
2 and substitute "1,787,604" and, in the REAPPROPRIATED FUNDS
3 column, strike "1,819,883^a" and substitute "1,787,604^a".
4
5 Adjust affected totals accordingly.
6
7 Page 303, line 3, in the ITEM & SUBTOTAL column, strike "2,037,450"
8 and substitute "2,000,042";
9
10 line 6, in the ITEM & SUBTOTAL column, strike "2,126,323" and
11 substitute "2,088,915" and, in the REAPPROPRIATED FUNDS column,
12 strike "2,126,323^a" and substitute "2,088,915^a".
13
14 Adjust affected totals accordingly.
15
16 Page 303, line 8, strike "\$699,518" and substitute "\$731,797" and, strike
17 "\$474,873" and substitute "\$405,186".
18
19 Page 309, line 6, in the ITEM & SUBTOTAL column, strike "1,305,815"
20 and substitute "1,283,514";
21
22 line 10, in the ITEM & SUBTOTAL column, strike "5,146,510" and
23 substitute "5,124,209" and, in the REAPPROPRIATED FUNDS column,
24 strike "5,146,510^a" and substitute "5,124,209^a";
25
26 line 15, in the ITEM & SUBTOTAL column, strike "3,416,546" and
27 substitute "3,358,983".
28
29 Page 310, line 5, in the ITEM & SUBTOTAL column, strike "4,607,376"
30 and substitute "4,549,813" and, in the REAPPROPRIATED FUNDS
31 column, strike "4,564,040^b" and substitute "4,506,477^b";
32
33 line 11, in the ITEM & SUBTOTAL column, strike "2,362,431" and
34 substitute "2,338,094";
35
36 line 15, in the ITEM & SUBTOTAL column, strike "13,742,040" and
37 substitute "13,717,703" and, in the REAPPROPRIATED FUNDS
38 column, strike "13,742,040^a" and substitute "13,717,703^a".
39
40 Adjust affected totals accordingly.
41
42 Page 312, line 4, in the ITEM & SUBTOTAL column, strike "2,745,896"
43 and substitute "2,695,992";
44
45 line 15, in the ITEM & SUBTOTAL column, strike "9,268,723" and
46 substitute "9,218,819" and, in the REAPPROPRIATED FUNDS column,
47 strike "9,244,654^b" and substitute "9,194,750^b".
48
49 Adjust affected totals accordingly.
50
51 Page 314, line 12, in the ITEM & SUBTOTAL column, strike
52 "2,449,912" and substitute "2,405,853", in the GENERAL FUND
53 column, strike "1,276,554" and substitute "1,182,128", in the CASH
54 FUNDS column, strike "1,063,042^a" and substitute "1,043,722^a", and, in
55 the REAPPROPRIATED FUNDS column, strike "110,316^b" and
56 substitute "180,003^b".

1 Adjust affected totals accordingly.

2

3 Page 315, strike lines 3 and 4 and substitute the following:

4

5 "b Of this amount, \$90,196 shall be from statewide indirect cost
6 recoveries from the Department of Labor and Employment and \$89,807
7 shall be from statewide indirect cost recoveries from the Department of
8 State."

9

10 Page 316, line 8, in the ITEM & SUBTOTAL column, strike "938,677"
11 and substitute "921,902".

12

13 Page 317, line 1, in the ITEM & SUBTOTAL column, strike "2,680,530"
14 and substitute "2,663,755" and, in the REAPPROPRIATED FUNDS
15 column, strike "1,320,360^b" and substitute "1,303,585^b";

16

17 line 9, in the ITEM & SUBTOTAL column, strike 3,288,117" and
18 substitute "3,230,317";

19

20 line 13, in the TOTAL column, strike "3,775,782" and substitute
21 "3,717,982", in the CASH FUNDS column, strike "28,546^a" and
22 substitute "28,027^a", and, in the REAPPROPRIATED FUNDS column,
23 strike "3,747,236^b" and substitute "3,689,955^b".

24

25 Adjust affected totals accordingly.

26

27 Page 319, line 6, in the ITEM & SUBTOTAL column, strike "4,968,070"
28 and substitute "4,880,891", in the CASH FUNDS column, strike
29 "85,303^a" and substitute "83,753^a", and, in the REAPPROPRIATED
30 FUNDS column, strike "4,882,767^b" and substitute "4,797,138^b".

31

32 Adjust affected totals accordingly.

33

34 Page 321, line 12, strike "\$89,333" and substitute "\$87,783";

35

36 line 14, strike "\$15,257,729" and substitute "\$15,172,100".

37

38 Page 324, line 10, in the ITEM & SUBTOTAL column, strike
39 "2,782,993" and substitute "2,743,889", in the CASH FUNDS column,
40 strike "2,050,472^a" and substitute "2,013,206^a", and, in the
41 REAPPROPRIATED FUNDS column, strike "101,148^b" and substitute
42 "99,310^b".

43

44 Adjust affected totals accordingly.

45

46 Page 325, line 1, strike "\$1,571,612" and substitute "\$1,544,113" and
47 strike "\$141,950" and substitute "\$139,466";

48

49 line 2, strike "\$118,673" and substitute "\$116,597";

50

51 line 3, strike "\$297,563" and substitute "\$292,356";

52

53 line 6, strike "\$118,673" and substitute "\$116,835";

54

55

- 1 line 10, in the ITEM & SUBTOTAL column, strike "2,284,244" and
2 substitute "2,247,882", in the CASH FUNDS column, strike "166,096^{aa}
3 and substitute "163,077^{aa}", and, in the REAPPROPRIATED FUNDS
4 column, strike "1,834,630^b" and substitute "1,801,287^b".
5
6 Adjust affected totals accordingly.
7
8 Page 326, line 6, strike "\$2,982,227" and substitute "\$2,948,884".
9
10 Page 328, line 2, in the ITEM & SUBTOTAL column, strike "5,188,708"
11 and substitute "5,139,919", in the GENERAL FUND column, strike
12 "765,406" and substitute "762,343", in the CASH FUNDS column, strike
13 "2,382,281^{aa}" and substitute "2,338,985^{aa}", and, in the
14 REAPPROPRIATED FUNDS column, strike "133,690^b" and substitute
15 "131,260^b".
16
17 Adjust affected totals accordingly.
18
19 Page 328, line 8, strike "\$3,115,284" and substitute "\$3,071,988".
20
21 Page 331, line 10, in the ITEM & SUBTOTAL column, strike
22 "2,869,283" and substitute "2,835,032" and, in the CASH FUNDS
23 column, strike "1,884,629^{aa}" and substitute "1,850,378^{aa}".
24
25 Adjust affected totals accordingly.
26
27 Page 332, line 1, strike "\$1,834,573" and substitute "\$1,812,420";
28
29 line 2, strike "\$981,945" and substitute "\$970,088";
30
31 line 3, strike "\$19,998" and substitute "\$19,757";
32
33 line 8, in the ITEM & SUBTOTAL column, strike "2,461,278" and
34 substitute "2,420,457" and, in the CASH FUNDS column, strike
35 "2,264,304^{aa}" and substitute "2,223,483^{aa}".
36
37 Adjust affected totals accordingly.
38
39 Page 333, line 4, strike "\$3,089,981" and substitute "\$3,051,586";
40
41 line 5, strike "\$195,268" and substitute "\$192,842";
42
43 line 9, in the ITEM & SUBTOTAL column, strike "6,710,632" and
44 substitute "6,612,992" and, in the CASH FUNDS column, strike
45 "5,348,051^{aa}" and substitute "5,250,411^{aa}".
46
47 Adjust affected totals accordingly.
48
49 Page 334, line 3, strike "\$6,226,829" and substitute "\$6,132,972" and
50 strike "\$197,721" and substitute "\$194,741";
51
52 line 4, strike "\$53,292" and substitute "\$52,489".
53
54 Page 335, line 11, in the ITEM & SUBTOTAL column, strike
55 "2,930,730" and substitute "2,915,489", in the GENERAL FUND
56 column, strike "355,395" and substitute "349,029", in the CASH FUNDS

1 column, strike "449,394^a" and substitute "441,227^a", and, in the
2 REAPPROPRIATED FUNDS column, strike "38,957^b" and substitute
3 "38,249^b".
4
5 Adjust affected totals accordingly.
6
7 Page 336, line 9, in the ITEM & SUBTOTAL column, strike "3,712,613"
8 and substitute "3,655,198", in the GENERAL FUND column, strike
9 "199,073" and substitute "195,620", and, in the CASH FUNDS column,
10 strike "3,080,564^a" and substitute "3,026,602^a".
11
12 Adjust affected totals accordingly.
13
14 Page 337, line 1, strike "\$2,570,455" and substitute "\$2,527,184" and
15 strike "\$176,218" and substitute "\$173,252";
16
17 line 2, strike "\$148,589" and substitute "\$146,088";
18
19 line 3, strike "\$310,298" and substitute "\$305,074";
20
21 line 7, in the ITEM & SUBTOTAL column, strike "3,316,166" and
22 substitute "3,294,195", in the GENERAL FUND column, strike
23 "887,465" and substitute "871,431", and, in the CASH FUNDS column,
24 strike "347,880^a" and substitute "341,943^a".
25
26 Adjust affected totals accordingly.
27
28 Page 339, line 4, in the ITEM & SUBTOTAL column, strike "3,850,842"
29 and substitute "3,810,598" and, in the CASH FUNDS column, strike
30 "2,214,381^a" and substitute "2,174,137^a".
31
32 Adjust affected totals accordingly.
33
34 Page 340, line 12, in the ITEM & SUBTOTAL column, strike
35 "4,563,385" and substitute "4,542,462" and, in the CASH FUNDS
36 column, strike "1,188,270^a" and substitute "1,167,347^a".
37
38 Adjust affected totals accordingly.
39
40 Page 341, line 9, strike "\$2,800,436" and substitute "\$2,779,513".
41
42 Page 342, line 7, in the ITEM & SUBTOTAL column, strike "2,006,519"
43 and substitute "1,975,755" and, in the CASH FUNDS column, strike
44 "1,825,447^a" and substitute "1,794,683^a".
45
46 Adjust affected totals accordingly.
47
48 Page 343, line 3, in the ITEM & SUBTOTAL column, strike "2,221,900"
49 and substitute "2,186,521", in the GENERAL FUND column, strike
50 "1,158,916" and substitute "1,137,854", in the CASH FUNDS column,
51 strike "706,406^a" and substitute "693,568^a", and, in the
52 REAPPROPRIATED FUNDS column, strike "81,373^b" and substitute
53 "79,894^b".
54
55 Adjust affected totals accordingly.
56

- 1 Page 343, line 9, strike "\$646,291" and substitute "\$637,320" and strike
2 "\$185,700" and substitute "\$183,122";
3
4 line 10, strike "\$67,780" and substitute "\$66,839";
5
6 line 11, strike "\$25,103" and substitute "\$24,755";
7
8 line 12, strike "\$87,831" and substitute "\$86,507" and strike "\$10,250"
9 and substitute "\$10,095".
10
11 Page 344, line 13, in the ITEM & SUBTOTAL column, strike
12 "1,991,767" and substitute "1,976,018" and, in the GENERAL FUND
13 column, strike "866,540" and substitute "850,791".
14
15 Adjust affected totals accordingly.
16
17 Page 346, line 3, in the ITEM & SUBTOTAL column, strike "3,401,132"
18 and substitute "3,399,714" and, in the CASH FUNDS column, strike
19 "78,038^a" and substitute "76,620^a".
20
21 Adjust affected totals accordingly.
22
23 Page 349, line 4, in the ITEM & SUBTOTAL column, strike "1,633,701"
24 and substitute "1,618,925", in the GENERAL FUND column, strike
25 "119,555" and substitute "117,250", and, in the CASH FUNDS column,
26 strike "686,178^a" and substitute "673,707^a".
27
28 Adjust affected totals accordingly.
29
30 Page 360, line 11, in the ITEM & SUBTOTAL column, strike
31 "2,394,574" and substitute "2,362,249", in the GENERAL FUND
32 column, strike "160,017" and substitute "157,177", and, in the CASH
33 FUNDS column, strike "2,234,557^a" and substitute "2,205,072^a".
34
35 Page 361, line 5, in the ITEM & SUBTOTAL column, strike "6,945,973"
36 and substitute "6,876,532" and, in the REAPPROPRIATED FUNDS
37 column, strike "4,054,512^d" and substitute "3,985,071^d".
38
39 Adjust affected totals accordingly.
40
41 Page 361, line 9, strike "\$1,245,447" and substitute "\$1,229,013" and
42 strike "\$899,723" and substitute "\$887,851";
43
44 line 10, strike "\$89,387" and substitute "\$88,208".
45
46 Page 366, line 6, in the ITEM & SUBTOTAL column, strike "2,442,922"
47 and substitute "2,398,524", in the CASH FUNDS column, strike
48 "30,163^a" and substitute "29,615^a", and, in the REAPPROPRIATED
49 FUNDS column, strike "2,412,759^b" and substitute "2,368,909^b".
50
51 Adjust affected totals accordingly.
52
53 Page 371, line 2, in the ITEM & SUBTOTAL column, strike "4,075,351"
54 and substitute "4,001,285", in the GENERAL FUND column, strike
55 "120,710" and substitute "118,516", and, in the CASH FUNDS column,
56 strike "3,954,641^a" and substitute "3,882,769^a";

1 line 5, in the ITEM & SUBTOTAL column, strike "49,611,516" and
2 substitute "48,706,984", in the GENERAL FUND column, strike
3 "1,353,772" and substitute "1,326,281", in the CASH FUNDS column,
4 strike "46,836,626^b" and substitute "45,984,505^b", and, in the
5 REAPPROPRIATED FUNDS column, strike "1,421,118^c" and substitute
6 "1,396,198^c";
7
8 line 7, in the ITEM & SUBTOTAL column, strike "5,109,750" and
9 substitute "5,015,976", in the GENERAL FUND column, strike "43,517"
10 and substitute "42,726", in the CASH FUNDS column, strike
11 "4,999,016^d" and substitute "4,907,255^d", and, in the
12 REAPPROPRIATED FUNDS column, strike "67,217^c" and substitute
13 "65,995^c";
14
15 line 14, in the ITEM & SUBTOTAL column, strike "7,691,194" and
16 substitute "7,556,458", in the CASH FUNDS column, strike "6,943,210^e"
17 and substitute "6,821,033^e", in the REAPPROPRIATED FUNDS column,
18 strike "732,743^g" and substitute "720,370^g", and, in the FEDERAL
19 FUNDS column, strike "15,241" and substitute "15,055".
20
21 Page 372, line 10, in the ITEM & SUBTOTAL column, strike
22 "3,709,206" and substitute "3,643,804", in the GENERAL FUND
23 column, strike "2,471,143" and substitute "2,426,232", and, in the
24 REAPPROPRIATED FUNDS column, strike "1,238,063^m" and substitute
25 "1,217,572^m".
26
27 Adjust affected totals accordingly.
28
29 Page 374, line 2, strike "\$45,862,208" and substitute "\$45,028,703" and
30 strike "\$884,208" and substitute "\$867,315";
31
32 line 3, strike "\$35,917" and substitute "\$35,231" and strike "\$54,293" and
33 substitute "\$53,256";
34
35 line 4, strike "\$1,608,070" and substitute "\$1,582,716" and, strike
36 "\$49,946" and substitute "\$49,158";
37
38 line 5, strike "\$12,524,453" and substitute "\$12,433,824" and strike
39 "\$140,928" and substitute "\$140,650";
40
41 line 6, strike "\$119,564" and substitute "\$119,328" and strike "\$313,647"
42 and substitute "\$313,029";
43
44 line 7, strike "\$10,548,967" and substitute "\$10,439,007" and strike
45 "\$624,049" and substitute "\$614,547";
46
47 line 8, strike "\$178,283" and substitute "\$175,568";
48
49 line 10, strike "\$254,887" and substitute "\$250,583", strike "\$135,143"
50 and substitute "\$132,861", and strike "\$127,388" and substitute
51 "\$125,237";
52
53 line 11, strike "\$92,335" and substitute "\$90,776", strike "\$82,679" and
54 substitute "\$81,283", and strike "\$28,707" and substitute "\$28,222";
55

1 line 12, strike "\$11,200" and substitute "\$11,011" and strike "\$404" and
2 substitute "\$397".

3

4 Page 375, line 5, strike "\$293,715" and substitute "\$288,853", strike
5 "\$281,756" and substitute "\$277,093", and strike "\$271,297" and
6 substitute "\$266,807";

7

8 line 6, strike "\$259,142" and substitute "\$254,853" and strike "\$132,153"
9 and substitute "\$129,966".

10

11 Page 377, line 13, in the ITEM & SUBTOTAL column, strike
12 "2,685,948" and substitute "2,639,699", in the GENERAL FUND
13 column, strike "1,639,611" and substitute "1,611,924", in the CASH
14 FUNDS column, strike "580,883^a" and substitute "570,780^a", in the
15 REAPPROPRIATED FUNDS column, strike "383,743^b" and substitute
16 "376,769^b", and, in the FEDERAL FUNDS column, strike "81,711" and
17 substitute "80,226".

18

19 Adjust affected totals accordingly.

20

21 Page 378, line 9, strike "\$34,071" and substitute "\$23,968".

22

23 Page 387, line 14, in the ITEM & SUBTOTAL column, strike
24 "3,251,242" and substitute "3,192,153", in the GENERAL FUND
25 column, strike "1,209,360" and substitute "1,187,381", in the CASH
26 FUNDS column, strike "1,848,831^a" and substitute "1,815,230^a", and, in
27 the REAPPROPRIATED FUNDS column, strike "193,051^b" and
28 substitute "189,542^b".

29

30 Adjust affected totals accordingly.

31

32 Page 389, line 6, in the ITEM & SUBTOTAL column, strike "8,641,040"
33 and substitute "8,483,997", in the GENERAL FUND column, strike
34 "7,943,134" and substitute "7,798,775", and, in the REAPPROPRIATED
35 FUNDS column, strike "697,906^a" and substitute "685,222^a".

36

37 Adjust affected totals accordingly.

38

39 Page 390, line 9, in the ITEM & SUBTOTAL column, strike "1,282,750"
40 and substitute "1,259,438", in the GENERAL FUND column, strike
41 "1,112,426" and substitute "1,092,209", and, in the CASH FUNDS
42 column, strike "170,324^a" and substitute "167,229^a".

43

44 Adjust affected totals accordingly.

45

46 Page 391, line 6, strike "\$93,918,145" and substitute "\$92,811,631".

47

48 Page 394, line 5, in then ITEM & SUBTOTAL column, strike
49 "4,159,033" and substitute "4,087,116", in the GENERAL FUND column,
50 strike "16,072" and substitute "15,619", in the CASH FUNDS column,
51 strike "26,159^a" and substitute "25,500^a", and, in the
52 REAPPROPRIATED FUNDS column, strike "4,116,802^b" and substitute
53 "4,045,997^b".

54

55 Adjust affected totals accordingly.

56

1 Page 396, line 9, strike "\$7,979" and substitute "\$7,320";
2
3 line 14, strike "\$5,928,268" and substitute "\$5,857,463".
4
5 Page 397, line 7, in the ITEM & SUBTOTAL column, strike "3,411,898"
6 and substitute "3,362,638";
7
8 line 12, in the TOTAL column, strike "4,368,539" and substitute
9 "4,319,279" and, in the CASH FUNDS column, strike "4,368,539" and
10 substitute "4,319,279^a".
11
12 Adjust affected totals accordingly.
13
14 Page 398, line 2, in the ITEM & SUBTOTAL column, strike "1,759,063"
15 and substitute "1,730,639", in the GENERAL FUND column, strike
16 "1,120,067" and substitute "1,105,771", in the REAPPROPRIATED
17 FUNDS column, strike "280,361^a" and substitute "272,752^a", and, in the
18 FEDERAL FUNDS column, strike "358,635^b" and substitute "352,116^b".
19
20 Adjust affected totals accordingly.
21
22 Page 400, line 4, in the ITEM & SUBTOTAL column, strike "6,189,923"
23 and substitute "6,082,584";
24
25 line 14, in the TOTAL column, strike "9,037,618" and substitute
26 "8,930,279" and, in the CASH FUNDS column, strike "8,519,156^a" and
27 substitute "8,411,817^a".
28
29 Adjust affected totals accordingly.
30
31 Page 401, line 1, strike "\$8,377,714" and substitute "\$8,270,375";
32
33 line 7, in the ITEM & SUBTOTAL column, strike "8,844,256" and
34 substitute "8,698,317".
35
36 Page 402, line 11, in the TOTAL column, strike "16,167,848" and
37 substitute "16,021,909" and, in the CASH FUNDS column, strike
38 "16,167,848^a" and substitute "16,021,909^a".
39
40 Adjust affected totals accordingly.
41
42 Page 403, line 1, strike "\$8,246,055" and substitute "\$8,100,116";
43
44 line 9, in the ITEM & SUBTOTAL column, strike "3,227,942" and
45 substitute "3,172,363".
46
47 Page 404, line 4, in the TOTAL column, strike "4,358,975" and substitute
48 "4,303,396" and, in the CASH FUNDS column, strike "4,358,975^a" and
49 substitute "4,303,396^a".
50
51 Adjust affected totals accordingly.
52
53 Page 404, line 6, strike "\$3,509,671" and substitute "\$3,454,092";
54
55 line 11, in the ITEM & SUBTOTAL column, strike "11,440,484" and
56 substitute "11,238,334".

1 Page 405, line 9, in the TOTAL column, strike "17,853,500" and
2 substitute "17,651,350", in the CASH FUNDS column, strike
3 "15,590,635^a" and substitute "15,428,215^a", in the REAPPROPRIATED
4 FUNDS column, strike "2,256,373^b" and substitute "2,216,761^b", and, in
5 the FEDERAL FUNDS column, strike "6,492" and substitute "6,374".

6

7 Adjust affected totals accordingly.

8

9 Page 405, line 12, strike "\$1,706,117" and substitute "\$1,666,505".

10

11 Page 406, line 1, in the ITEM & SUBTOTAL column, strike "1,935,256"
12 and substitute "1,903,823";

13

14 line 9, in the TOTAL column, strike "2,775,394" and substitute
15 "2,743,961" and, in the CASH FUNDS column, strike "2,775,394^a" and
16 substitute "2,743,961^a".

17

18 Adjust affected totals accordingly.

19

20 Page 407, line 5, in the ITEM & SUBTOTAL column, strike "4,064,967"
21 and substitute "3,987,807", in the GENERAL FUND column, strike
22 "2,175,864" and substitute "2,134,563", in the CASH FUNDS column,
23 strike "1,320,524^a" and substitute "1,295,458^a", and, in the
24 REAPPROPRIATED FUNDS column, strike "568,579^b" and substitute
25 "557,786^b".

26

27 Adjust affected totals accordingly.

28

29 Page 409, strike lines 8 through 15.

30

31 Page 410, strike lines 1 and 2 and substitute the following:

32 ^a This amount shall be from the following funds for the purpose of
33 indirect cost recoveries: \$414,831 be from the Highway Users Tax Fund
34 pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., \$254,771 shall be
35 from the Colorado State Titling and Registration Account pursuant to
36 Section 42-1-211 (2), C.R.S., \$186,248 shall be from the Licensing
37 Services Cash Fund pursuant to Section 42-2-114.5, C.R.S., \$123,345
38 shall be from the Driver's License Administrative Revocation Account
39 pursuant to Section 42-2-132 (4) (b) (I) (A), C.R.S., \$99,801 shall be
40 from the Auto Dealers License Fund pursuant to Section 12-6-123 (1),
41 C.R.S., \$66,768 shall be from the Liquor Enforcement Division and State
42 Licensing Authority Cash Fund pursuant to Section 24-35-401, C.R.S.,
43 \$65,011 shall be from the Racing Cash Fund pursuant to Section 12-60-
44 205 (1), C.R.S., \$54,468 shall be from the Department of Revenue
45 Subaccount of the AIR Account of the Highway Users Tax Fund pursuant
46 to Section 42-3-304 (18) (c), C.R.S., \$14,407 shall be from the
47 Outstanding Judgments and Warrants Account as administered under
48 Section 42-2-118 (3) (c), C.R.S., \$5,271 shall be from the Highway Users
49 Tax Fund exempt from the statutory limit under Section 43-4-201 (3) (a)
50 (V), C.R.S., \$4,920 shall be from the Penalty Assessment Account as
51 administered under the provisions of Section 42-1-217 (2), C.R.S., \$3,514
52 shall be from the Motorist Insurance Identification Account pursuant to
53 Section 42-3-304 (18) (d) (I), C.R.S., \$1,691 shall be from the Aviation
54 Fund pursuant to Section 43-10-109 (1), C.R.S., and \$412 shall be from
55 the Waste Tire Recycling Development Cash Fund pursuant to Section
56 25-17-202 (3) (a), C.R.S.";

1 strike lines 3 and 4, and substitute the following:

2

3 ^b Of this amount, \$367,000 shall be from the State Lottery Fund pursuant
4 to Section 24-35-210 (1), C.R.S., and \$190,786 shall be from the Limited
5 Gaming Fund created in Section 12-47.1-701 (1), C.R.S."

6

7 Page 411, line 2, in the ITEM & SUBTOTAL column, strike "5,645,835"
8 and substitute "5,538,667", in the GENERAL FUND column, strike
9 "5,252,069" and substitute "5,152,376", in the CASH FUNDS column,
10 strike "324,720^a" and substitute "318,556^a", and, in the
11 REAPPROPRIATED FUNDS column, strike "69,046^b" and substitute
12 "67,735^b".

13

14 Adjust affected totals accordingly.

15

16 Page 411, strike lines 13 through 15.

17

18 Page 412, strike lines 1 through 8 and substitute the following:

19

20 ^a This amount shall be from the following funds for the purpose of
21 indirect cost recoveries: \$102,007 shall be from the Highway Users Tax
22 Fund pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., \$62,650 shall
23 be from the Colorado State Titling and Registration Account, a
24 subaccount of the Highway Users Tax Fund, created in Section 42-1-211
25 (2), C.R.S., \$45,799 shall be from the Licensing Services Cash Fund
26 pursuant to Section 42-2-114.5, C.R.S., \$30,331 shall be from the Driver's
27 License Administrative Revocation Account, a subaccount of the
28 Highway Users Tax Fund, created in Section 42-2-132 (4) (b) (I) (A),
29 C.R.S., \$24,541 shall be from the Auto Dealers License Fund created in
30 Section 12-6-123 (1), C.R.S., \$16,418 shall be from the Liquor
31 Enforcement Division and State Licensing Authority Cash Fund created
32 in Section 24-35-401, C.R.S., \$15,986 shall be from the Racing Cash
33 Fund created in Section 12-60-205 (1), C.R.S., \$13,394 shall be from the
34 Department of Revenue Subaccount of the AIR Account of the Highway
35 Users Tax Fund pursuant to Section 42-3-304 (18) (c), C.R.S., \$3,542
36 shall be from the Outstanding Judgments and Warrants Account as
37 administered under the provisions of Section 42-2-118 (3) (c), C.R.S.,
38 \$1,297 shall be from the Highway Users Tax Fund exempt from the
39 statutory limit under Section 43-4-201 (3) (a) (V), C.R.S., \$1,210 shall
40 be from the Penalty Assessment Account as administered under the
41 provisions of Section 42-1-217 (2), C.R.S., \$863 shall be from the
42 Motorist Insurance Identification Account pursuant to Section 42-3-304
43 (18) (d) (I), C.R.S., \$416 shall be from the Aviation Fund created in
44 Section 43-10-109 (1), C.R.S., and \$102 shall be from the Waste Tire
45 Recycling Development Cash Fund created in Section 25-17-202 (3) (a),
46 C.R.S."

47

48 Page 413, line 3, in the ITEM & SUBTOTAL column, strike "6,354,737"
49 and substitute "6,234,114", in the GENERAL FUND column, strike
50 "4,648,774" and substitute "4,560,533", in the CASH FUNDS column,
51 strike "1,298,991^a" and substitute "1,274,334^a", and, in the
52 REAPPROPRIATED FUNDS column, strike "406,972^b" and substitute
53 "399,247^b".

54

55 Adjust affected totals accordingly.

56

1 Page 413, strike lines 11 through 15.

2

3 Page 414, strike lines 1 through 5 and substitute the following:

4

5 ^a This amount shall be from the following funds for the purpose of
6 indirect cost recoveries: \$393,588 shall be from the Colorado State
7 Titling and Registration Account pursuant to Section 42-1-211 (2),
8 C.R.S., \$351,075 shall be from the Highway Users Tax Fund pursuant to
9 Section 43-4-201 (3) (a) (III) (C), C.R.S., \$157,624 shall be from the
10 Licensing Services Cash Fund pursuant to Section 42-2-114.5, C.R.S.,
11 \$104,389 shall be from the Driver's License Administrative Revocation
12 Account pursuant to Section 42-2-132 (4) (b) (I) (A), C.R.S., \$84,463
13 shall be from the Auto Dealers License Fund created pursuant to Section
14 12-6-123 (1), C.R.S., \$56,507 shall be from the Liquor Enforcement
15 Division and State Licensing Authority Cash Fund pursuant to Section
16 24-35-401, C.R.S., \$55,020 shall be from the Racing Cash Fund pursuant
17 to Section 12-60-205 (1), C.R.S., \$46,097 shall be from the Department
18 of Revenue Subaccount of the AIR Account of the Highway Users Tax
19 Fund pursuant to Section 42-3-304 (18) (c), C.R.S., \$12,194 shall be from
20 the Outstanding Judgments and Warrants Account as administered under
21 Section 42-2-118 (3) (c), C.R.S., \$4,462 shall be from the Highway Users
22 Tax Fund exempt from the statutory limit under Section 43-4-201 (3) (a)
23 (V), C.R.S., \$4,163 shall be from the Penalty Assessment Account as
24 administered under the provisions of Section 42-1-217 (2), C.R.S., \$2,972
25 shall be from the Motorist Insurance Identification Account pursuant to
26 Section 42-3-304 (18) (d) (I), C.R.S., \$1,432 shall be from the Aviation
27 Fund pursuant to Section 43-10-109 (1), C.R.S., and \$348 shall be from
28 the Waste Tire Recycling Development Cash Fund pursuant to Section
29 25-17-202 (3) (a), C.R.S.";

30

31 strike 6 and 7 and substitute the following:

32

33 ^b Of this amount, \$233,120 shall be from the Limited Gaming Fund
34 created in Section 12-47.1-701 (1), C.R.S., and \$166,127 shall be from
35 the State Lottery Fund created in Section 24-35-210 (1), C.R.S.";

36

37 line 11, in the ITEM & SUBTOTAL column, strike "2,655,981" and
38 substitute "2,605,566" and, in the CASH FUNDS column, strike
39 "2,655,981^a" and substitute "2,605,566^a".

40

41 Adjust affected totals accordingly.

42

43 Page 416, line 6, in the ITEM & SUBTOTAL column, strike
44 "15,157,984" and substitute "14,886,066", in the GENERAL FUND
45 column, strike "15,054,121" and substitute "14,782,227", and, in the
46 CASH FUNDS column, strike "1,269^a" and substitute "1,245^a".

47

48 Adjust affected totals accordingly.

49

50 Page 417, line 6, in the ITEM & SUBTOTAL column, strike "4,746,481"
51 and substitute "4,656,385", in the GENERAL FUND column, strike
52 "4,654,149" and substitute "4,565,806", and, in the CASH FUNDS
53 column, strike "92,332^a" and substitute "90,579^a".

54

55 Adjust affected totals accordingly.

56

1 Page 417, strike lines 13 and 14 and substitute the following:

2

3 ^a Of this amount, \$70,388 shall be from the Private Letter Ruling Fund
4 created in Section 24-35-103.5 (6), C.R.S., and \$20,191 shall be from the
5 Aviation Fund pursuant to Section 43-10-109 (1), C.R.S."

6

7 Page 420, line 15, in the ITEM & SUBTOTAL column, strike
8 "17,045,235" and substitute "16,721,689" and, in the CASH FUNDS
9 column, strike "7,340,623^a" and substitute "7,017,077^a".

10

11 Adjust affected totals accordingly.

12

13 Page 421, strike lines 7 through 12 and substitute the following:

14

15 ^a These amounts reflect direct program costs from the following sources:
16 \$4,471,920 shall be from the Licensing Services Cash Fund pursuant to
17 Section 42-2-114.5, C.R.S., \$2,250,553 shall be from the Driver's License
18 Administrative Revocation Account pursuant to Section 42-2-132 (4) (b)
19 (I) (A), C.R.S., \$1,107,526 shall be from the First Time Drunk Driver
20 Offender Account created in Section 42-2-132 (4) (b) (II) (A), C.R.S.,
21 \$326,887 shall be from the Colorado State Titling and Registration
22 Account pursuant to Section 42-1-211 (2), C.R.S., \$203,142 shall be from
23 the Outstanding Judgments and Warrants Account as administered under
24 Section 42-2-118 (3) (c), C.R.S., \$70,930 shall be from the Penalty
25 Assessment Account as administered under the provisions of Section 42-
26 1-217 (2), C.R.S., \$3,684 shall be from the Auto Dealers License Fund
27 pursuant to Section 12-6-123 (1), C.R.S., and \$1,926 shall be from the
28 Persistent Drunk Driver Cash Fund pursuant to Section 42-3-303 (1),
29 C.R.S."

30

31 Page 422, line 11, in the ITEM & SUBTOTAL column, strike
32 "1,672,848" and substitute "1,641,095" and, in the CASH FUNDS
33 column, strike "1,672,848^a" and substitute "1,641,095^a".

34

35 Adjust affected totals accordingly.

36

37 Page 423, line 14, in the ITEM & SUBTOTAL column, strike
38 "7,268,775" and substitute "7,132,393", in the GENERAL FUND
39 column, strike "644,866" and substitute "632,625", and, in the CASH
40 FUNDS column, strike "6,540,065^a" and substitute "6,415,924^a".

41

42 Adjust affected totals accordingly.

43

44 Page 424, strike lines 12 and 13 and substitute the following:

45 ^a Of these amounts, \$6,999,168 shall be from the Highway Users Tax
46 Fund pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., and \$34,067
47 shall be from the Nuclear Materials Transportation Fund created in
48 Section 42-20-511, C.R.S."

49

50 Page 426, line 2, in the ITEM & SUBTOTAL column, strike "5,634,719"
51 and substitute "5,527,763" and, in the CASH FUNDS column, strike
52 "5,634,719^a" and substitute "5,527,763^a";

53

54 line 11, in the ITEM & SUBTOTAL column, strike "612,363" and
55 substitute "602,941" and, in the CASH FUNDS column, strike "612,363^a"
56 and substitute "602,941^a".

1 Adjust affected totals accordingly.
2
3 Page 427, line 3, in the ITEM & SUBTOTAL column, strike "1,687,853"
4 and substitute "1,655,815" and, in the CASH FUNDS column, strike
5 "1,687,853^a" and substitute "1,655,815^a".
6
7 Adjust affected totals accordingly.
8
9 Page 429, line 6, in the ITEM & SUBTOTAL column, strike "2,092,012"
10 and substitute "2,052,302" and, in the CASH FUNDS column, strike
11 "2,092,012^a" and substitute "2,052,302^a".
12
13 Adjust affected totals accordingly.
14
15 Page 429, line 15, in the ITEM & SUBTOTAL column, strike
16 "1,827,680" and substitute "1,792,988" and, in the CASH FUNDS
17 column, strike "1,827,680^a" and substitute "1,792,988^a".
18
19 Adjust affected totals accordingly.
20
21 Page 430, line 10, in the ITEM & SUBTOTAL column, strike
22 "9,097,620" and substitute "8,924,932" and, in the CASH FUNDS
23 column, strike "9,097,620^a" and substitute "8,924,932^a".
24
25 Page 431, line 10, in the ITEM & SUBTOTAL column, strike "543,443"
26 and substitute "533,305" and, in the CASH FUNDS column, strike
27 "543,443^a" and substitute "533,305^a".
28
29 Adjust affected totals accordingly.
30
31 Page 432, strike lines 6 and 7 and substitute the following:
32
33 ^b Of this amount, \$9,571,524 is from the Highway Users Tax Fund
34 pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., and \$501,383 is
35 from the Highway Users Tax Fund exempt from the statutory limit under
36 Section 43-4-201 (3) (a) (V), C.R.S."
37
38 Page 433, line 5, in the ITEM & SUBTOTAL column, strike "5,357,788"
39 and substitute "5,260,415".
40
41 Page 435, line 4, in the ITEM & SUBTOTAL column, strike "9,114,081"
42 and substitute "9,016,708" and, in the CASH FUNDS column, strike
43 "9,114,081^a" and substitute "9,016,708^a".
44
45 Adjust affected totals accordingly.
46
47 Page 435, line 6, strike "\$8,476,775" and substitute "\$8,428,089" and
48 strike "\$460,941" and substitute "\$412,254".
49
50 Page 436, line 14, in the ITEM & SUBTOTAL column, strike
51 "3,222,909" and substitute "3,164,335".
52
53 Page 437, line 6, in the ITEM & SUBTOTAL column, strike "5,020,867"
54 and substitute "4,962,293" and, in the CASH FUNDS column, strike
55 "5,020,867^a" and substitute "4,962,293".
56

1
2 Adjust affected totals accordingly.
3
4 Page 437, line 8, strike "\$4,932,780" and substitute "\$4,903,493" and,
5 strike "\$88,087" and substitute "\$58,800".
6

7 Page 439, line 4, in the TOTAL column, strike "26,874,761" and
8 substitute "26,579,548", in the CASH FUNDS column, strike
9 "24,818,402^a" and substitute "24,538,015^a", and, in the
10 REAPPROPRIATED FUNDS column, strike "2,056,359^b" and substitute
11 "2,041,533^b";
12

13 line 12, in the TOTAL column, strike "901,006,017" and substitute
14 "901,286,404" and, in the CASH FUNDS column, strike "543,694,489^a"
15 and substitute "543,974,876^a".
16

17 Adjust affected totals accordingly.
18

19 Page 440, line 2, strike "\$473,518,432" and substitute "\$473,798,819".
20

21 Page 464, after line 4, insert the following:
22

	ITEM & SUBTOTAL	CASH FUNDS
	\$	\$
27 "Behavioral Science Building	1,805,376	1,805,376 ^a
28 Williams Village	51,535,000	51,535,000 ^a ". 29

30 Adjust affected totals accordingly.
31

32 Page 480, after line 6, insert the following:
33

	ITEM & SUBTOTAL	CASH FUNDS	FEDERAL FUNDS
	\$	\$	\$
38 "Cleanup Projects, American 39 Recovery and Reinvestment 40 Act of 2009	22,550,000	2,050,000 ^a	20,500,000 ^c ". 41

42 Adjust affected totals accordingly.
43

44 Page 480, after line 11, insert the following:
45

46 "^c This amount reflects funds anticipated to be received pursuant to the
47 federal American Recovery and Reinvestment Act of 2009."
48

49 Page 486, after line 11, insert the following:
50

51 **"SECTION 5.** Part IV (9) (B) of section 3 of chapter 394, Session
52 Laws of Colorado 2006, as amended by section 4 of chapter 464, Session
53 Laws of Colorado 2007, is amended BY THE ADDITION OF A NEW
54 FOOTNOTE to read:
55

56 Section 3. **Capital Construction Appropriation.**

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			CAPITOL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$
PART IV						
DEPARTMENT OF HIGHER EDUCATION						
(9) UNIVERSITY OF COLORADO AT COLORADO SPRINGS						
(B) Capital Construction						
6	Campus Recreation Center	12,000,000			12,000,000 ^a	
7	Dwire Hall Renovation and Technology Upgrade	7,000,000	3,500,000		3,500,000 ^b	
8	Science/Engineering Buildings ^{1a, 1b} BUILDINGS ^{1a, 1b}	<u>2,000,000</u>	2,000,000			
9		21,000,000				

10 ^a This amount shall be from exempt institutional sources. It meets the criteria in Section 24-75-303 (3) (a) (II), C.R.S., and is shown here for informational purposes only.
11 Therefore, it shall not be accounted for in the State's Capital Construction Fund and the limitations on encumbrance timeliness and use of internal workforce do not apply.

12 ^b This amount shall be from exempt institutional sources.

21,292,018

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 3.

1b CAPITAL CONSTRUCTION, DEPARTMENT OF HIGHER EDUCATION, UNIVERSITY OF COLORADO AT COLORADO SPRINGS,
SCIENCE/ENGINEERING BUILDINGS -- IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THIS FUNDING SHALL REMAIN AVAILABLE
UNTIL JUNE 30, 2012, OR THE COMPLETION OF THE PROJECT, WHICHEVER COMES FIRST."

20 Renumber succeeding sections accordingly.

21
22

1 Page 515, after line 7, insert the following:

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33

34

35

	ITEM & SUBTOTAL	GENERAL FUND
	\$	\$
" APPROPRIATION TO STATE EDUCATION FUND	120,964,055	120,964,055 "

line 8, in the ITEM & SUBTOTAL column, strike "3,345,271,914" and substitute "~~3,345,271,914~~";

after line 8, in the ITEM & SUBTOTAL column, insert "3,466,235,969".

Page 519, line 8, in the TOTAL column, strike "4,103,923,246" and substitute "4,224,887,301";

line 12, in the TOTAL column, strike "\$4,166,206,646" and substitute "\$4,287,170,701" and, in the GENERAL FUND column, strike "\$3,055,063,515" and substitute "\$3,176,027,570".

Page 520, strike lines 1 through 4 and substitute the following:

SECTION 13. Part V (1) (A), (1) (B), (1) (C), (1) (D), (2), (3), (4), (5), (6) (A), (6) (C), (6) (E), (6) (F), (6) (H), and the affected totals of section 2 of chapter 474, as the said Part V (1) (A) is further amended by section 22 of chapter 284, Session Laws of Colorado 2008, and as Part V and the affected totals are amended by section 1 of Senate Bill 09-187, are amended, and the said Part V is further amended BY THE ADDITION OF THE FOLLOWING NEW FOOTNOTES, to read:

Section 2. **Appropriation.**

Page 544, after line 5, insert the following:

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	"(H) Division of Youth Corrections						
2	- Medicaid Funding						
3	2,885,273		1,442,637 (M)				1,442,636
4	1,637,673		818,837(M)				818,836";
5	line 8, in the TOTAL column, strike "402,953,174" and substitute "401,705,574";						
6	line 13, in the TOTAL column, strike "3,831,969,035" and substitute "\$3,830,721,435", in the GENERAL FUND column, strike "1,536,928,111" and substitute						
7	"\$1,536,304,311", and, in the FEDERAL FUNDS column, strike "1,870,907,622" and substitute "\$1,870,283,822".						
8							
9	Page 561, strike lines 1 through 4 and substitute the following:						
10							
11	"SECTION 14. Part VII (3) (A), (5), (6), (7) (A), (7) (B), (8) (C), (8) (D) (2) (a), (9) (A) (2), (9) (B) (1), (11) (C), and the affected totals of section 2 of						
12	chapter 474, Session Laws of Colorado 2008, as amended by section 1 of Senate Bill 09-189, are amended, and the said Part VII (9) (A) (2) is further amended BY THE						
13	ADDITION OF A NEW FOOTNOTE, to read:						
14	Section 2. Appropriation. ".						
15							
16	Page 580, after line 7, insert the following:						
17							
18	"(11) DIVISION OF YOUTH CORRECTIONS²						
19	(C) Community Programs						
20	Personal Services	7,929,462	7,585,467		48,850 ^a	44,520 ^b	250,625
21			(117.8 FTE)		(1.0 FTE)		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Operating Expenses	359,860	357,412		2,448 ^a		
2	Purchase of Contract Placements ⁴¹	44,515,261	41,707,844			2,807,417 ^b	
3		43,101,563	41,541,746			1,559,817 ^b	
4	Managed Care Pilot Project	1,390,441	1,357,105			33,336 ^b	
5	S.B. 91-94 Programs	13,297,406	13,297,406				
6	Parole Program Services	5,453,754	4,543,898				909,856 ^c
7		6,243,652	5,333,796				
8	Juvenile Sex Offender Staff Training	<u>47,060</u>	8,810		38,250 ^d		
9		72,993,244					
10		72,369,444					

^a These amounts shall be from the contractor for the Ridge View facility pursuant to Section 19-2-411.5 (2) (e), C.R.S.

^b These amounts shall be from Medicaid funds transferred from the Department of Health Care Policy and Financing.

^c These amounts shall be from Title IV-E of the Social Security Act.

^d This amount shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S.

~~133,982,056~~

133,358,256";

line 11, in the TOTAL column, strike "\$2,122,095,915" and substitute "\$2,121,472,115", in the GENERAL FUND column, strike "\$671,908,907" and substitute "\$672,532,707", and, in the REAPPROPRIATED FUNDS column, strike "\$429,956,359" and substitute "\$428,708,759".

19

1 Page 22, line 6, strike "day" and substitute "day^{3a}";
 2
 3 line 9, strike "day" and substitute "day^{3a}".
 4

5 Page 48, after line 9, insert the following:

6
 7 3a Department of Corrections, Management, External
 8 Capacity Subprogram, Payments to House State Prisoners,
 9 Payments to in-state private prisons at a rate of \$54.93 per
 10 inmate per day, and Payments to pre-release parole
 11 revocation facilities at a rate of \$54.93 per inmate per day
 12 -- Due to current fiscal restraints, it is the intent of the
 13 General Assembly not to fund any supplemental requests
 14 from the Department of Corrections that are requested as a
 15 result of the Department of Corrections paying a higher per
 16 diem rate to private prisons than \$52.69. If caseload
 17 changes would result in a negative supplemental from the
 18 Department of Corrections given a private prison per diem
 19 rate of \$52.69, it is further the intent of the General
 20 Assembly to reduce the appropriation to the Department of
 21 Corrections accordingly."
 22

23 Page 109, strike line 9;

24
 25 line 10, strike "Plan Trust created in Section 25.5-8-105 (1), C.R.S.," and
 26 substitute "' Of this amount, \$25,296,193 shall be from the Children's
 27 Basic Health Plan Trust created in Section 25.5-8-105 (1), C.R.S.,
 28 \$21,177,045 shall be from the Health Care Expansion Fund created in
 29 Section 24-22-117 (2) (a) (I), C.R.S.,".
 30

31 Page 168, line 11, in the FEDERAL FUNDS column, strike "9,389" and
 32 substitute "9,389".
 33

34 Page 169, after line 15, insert the following:

35
 36 "' Of this amount, \$2,321 shall be from the Temporary Assistance for
 37 Needy Families Block Grant and \$7,068 shall be from various sources of
 38 federal funds."
 39

40 Page 202, line 1, strike "\$7,310,240" and substitute "\$4,088,723".
 41

42 Page 457, before line 1, insert the following:

43
 44 **"PART I**
 45 **DEPARTMENT OF AGRICULTURE**
 46
 47 **CAPITAL**
 48 **ITEM & CONSTRUCTION**
 49 **SUBTOTAL FUND**
 50 **\$ \$**
 51
 52 **(1) CONTROLLED MAINTENANCE**
 53 Colorado State Fair,
 54 Repair/Replace
 55 Secondary Electrical
 56 Infrastructure 709,680 709,680

1 **TOTALS PART I**2 (AGRICULTURE) \$709,680 \$709,680 ".
34 Renumber succeeding parts accordingly.
56 Page 478, strike lines 14 and 15.
78 Adjust affected totals accordingly.
910 Page 459, line 5, in the ITEM & SUBTOTAL column, strike "296,322"
11 and substitute "296,332" and, in the CASH FUNDS column, strike
12 "296,322^b" and substitute "296,332^b".
1314 Adjust affected totals accordingly.
1516 Page 460, line 15, in the ITEM & SUBTOTAL column, strike
17 "34,325,812" and substitute "34,215,812" and, in the CASH FUNDS
18 column, strike "34,325,812^a" and substitute "34,215,812^a".
1920 Adjust affected totals accordingly.
2122 Page 466, line 7, strike "**Capital Construction**" and substitute
23 "**Controlled Maintenance**".
2425 Respectfully submitted,
26

27 Senate Committee:

(signed)

Moe Keller

Al White

Abel Tapia

House Committee:

(signed)

Jack Pommer

Mark Ferrandino

Don Marostica

31

32

33

34 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**
3536 **SB09-259** by Senator(s) Keller, Tapia, White; also Representative(s)
37 Pommer, Ferrandino, Marostica--Concerning the provision
38 for payment of the expenses of the executive, legislative,
39 and judicial departments of the state of Colorado, and of
40 its agencies and institutions, for and during the fiscal year
41 beginning July 1, 2009, except as otherwise noted.
4243 (Conference Committee Report printed in House Journal, April 22, 2009,
44 pages 1353-1394.)
4546 On motion of Representative Pommer, the Conference Committee Report
47 was **adopted** by the following roll call vote:
48

49

	YES	62	NO	0	EXCUSED	3	ABSENT	0
50	Acree	Y	Green	Y	McCann	Y	Roberts	Y
51	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
52	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
53	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	E
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	Y	Nikkel	Y	Summers	Y
3	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
4	Fischer	Y	Levy	Y	Peniston	Y	Tipton	E
5	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
6	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	E
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	Y
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	49	NO	13	EXCUSED	3	ABSENT	0
18	Acree	N	Green	Y	McCann	Y	Roberts	Y
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.	E
22	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
23	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
24	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
25	Court	Y	King S.	N	Murray	Y	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	E
29	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
30	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	E
31	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
32	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
33	Gerou	N	May	Y	Riesberg	Y	Weissmann	Y
34							Speaker	Y

35 Co-sponsor(s) added: Representative(s) Labuda, Peniston

36

37

38

39

THIRD READING OF BILL--FINAL PASSAGE

40

41 The following bill was considered on Third Reading. The title was
 42 publicly read. Reading of the bill at length was dispensed with by
 43 unanimous consent.

44

45 **HB09-1348** by Representative(s) Weissmann; also Senator(s) Carroll
 46 M.--Concerning activities resulting from the performance
 47 of legislative duties.

48

49 The question being "Shall the bill 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 bill
 52 was declared **passed**.

53

54	YES	47	NO	15	EXCUSED	3	ABSENT	0
55	Acree	N	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	N	Kagan	Y	McNulty	N	Schafer S.	E
3	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
4	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
5	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
6	Court	Y	King S.	N	Murray	Y	Stephens	N
7	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
8	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
9	Fischer	Y	Levy	Y	Peniston	Y	Tipton	E
10	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
11	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	E
12	Gardner B.	Y	Marostica	Y	Priola	N	Vigil	Y
13	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
14	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Green

17
18
19

20 On motion of Representative Weissmann, **SB09-024** was added to the
21 Special Orders Calendar on Wednesday, April 22, 2009.

22
23

24 On motion of Representative Todd, the House resolved itself into
25 Committee of the Whole for continuation of consideration of General
26 Orders, and she returned to the Chair to act as Chairman.

27
28

29 **SPECIAL ORDERS--SECOND READING OF BILLS**

30 (Continued from page 1351)

31

32 **SB09-281** by Senator(s) Shaffer B., Groff, Hodge, Keller, Morse,
33 Romer, White, Tapia; also Representative(s) Weissmann--
34 Concerning Pinnacol Assurance, and, in connection
35 therewith, clarifying the operation of Pinnacol Assurance
36 as a political subdivision of the state, requiring Pinnacol
37 Assurance to pay a policyholder dividend, and putting in
38 place measures for the general assembly to assess the
39 operation of Colorado laws governing worker safety and
40 injury compensation.

41

42 (Previously amended as printed in House Journal April 21,
43 pages 1317-1318.)

44

45 Amendment No. 7, by Representative(s) Weissmann.

46

47 Amend reengrossed bill, strike everything below the enacting clause, and
48 substitute the following:

49

50 **"SECTION 1.** 8-45-101 (1) and (2) (c), Colorado Revised
51 Statutes, are amended to read:

52

53 **8-45-101. Pinnacol Assurance - creation - powers and duties.**
54 (1) There is hereby created Pinnacol Assurance, which shall be a political
55 subdivision of the state and shall operate as a ~~domestic~~ PUBLIC mutual
56 insurance company except as otherwise provided by law. Pinnacol

1 Assurance shall not be an agency of state government, nor shall it be
 2 subject to administrative direction by any state agency except as provided
 3 in this article, and except for the purposes of the "Colorado Governmental
 4 Immunity Act", article 10 of title 24, C.R.S. Pinnacol Assurance shall not
 5 be dissolved except by the general assembly. Section 10-12-411, C.R.S.,
 6 shall not apply to Pinnacol Assurance.

7
 8 (2) (c) The board shall have the powers, rights, and duties of the
 9 ~~board of directors of a domestic mutual insurance company~~, except as SET
 10 FORTH IN THIS ARTICLE AND otherwise provided by law.

11
 12 **SECTION 2.** 8-45-121 (2), Colorado Revised Statutes, is
 13 amended to read:

14
 15 **8-45-121. Visitation of fund by commissioner of insurance -**
 16 **annual audit - examination.** (2) An annual FINANCIAL audit AND, IN
 17 2009, A PERFORMANCE AUDIT of ~~said fund~~ PINNACOL ASSURANCE shall
 18 be made AS SOON AS PRACTICABLE by ~~an~~ THE STATE auditor, ~~or~~ SUCH
 19 AUDITS TO INCLUDE, BUT NOT BE LIMITED TO, EXECUTIVE COMPENSATION,
 20 PREMIUM RATE STRUCTURE, KNOWN LOSS RESERVES, INCURRED BUT NOT
 21 REPORTED LOSSES, AND INJURED WORKERS' CLAIMS EXPERIENCE. IN
 22 CONDUCTING SUCH AUDITS, THE STATE AUDITOR MAY EMPLOY A firm of
 23 auditors ~~having~~ AND ACTUARIES, OR BOTH, WITH the necessary specialized
 24 knowledge and experience. ~~retained by the state auditor with the~~
 25 ~~consultation and advice of the chief executive officer and the~~
 26 ~~commissioner of insurance.~~ The cost of such ANNUAL audit and
 27 ~~examination~~ shall be borne by the fund PAID FROM THE OPERATING FUNDS
 28 OF PINNACOL ASSURANCE. THE STATE AUDITOR SHALL REPORT HIS OR
 29 HER FINDINGS FROM SUCH AUDITS, ALONG WITH ANY COMMENTS AND
 30 RECOMMENDATIONS TO THE GOVERNOR, THE GENERAL ASSEMBLY, THE
 31 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR AND EMPLOYMENT,
 32 AND THE COMMISSIONER OF INSURANCE. THE STATE AUDITOR SHALL HAVE
 33 CONTINUING AUTHORITY TO CONDUCT PERFORMANCE AUDITS OF
 34 PINNACOL ASSURANCE AS THE STATE AUDITOR DEEMS APPROPRIATE. THE
 35 COST OF PERFORMANCE AUDITS SHALL BE PAID FROM THE OPERATING
 36 FUNDS OF PINNACOL ASSURANCE.

37
 38 **SECTION 3.** Article 45 of title 8, Colorado Revised Statutes, is
 39 amended BY THE ADDITION OF A NEW SECTION to read:

40
 41 **8-45-125. Worker safety and injury compensation study group**
 42 **- creation - members - study - report - repeal.** (1) THERE IS HEREBY
 43 CREATED AN INTERIM COMMITTEE TO STUDY WORKER SAFETY AND THE
 44 SYSTEM OF COMPENSATION FOR WORK-RELATED INJURIES, WHICH SHALL
 45 BE KNOWN AS THE "WORKER SAFETY AND INJURY COMPENSATION STUDY
 46 GROUP", AND WHICH SHALL STUDY AND MAKE RECOMMENDATIONS TO THE
 47 GENERAL ASSEMBLY ON CHANGES TO LAWS GOVERNING WORKER SAFETY
 48 AND WORK-RELATED INJURY COMPENSATION. THE INTERIM COMMITTEE
 49 SHALL MEET DURING THE 2009 INTERIM AS AUTHORIZED UNDER RULE 24A
 50 OF THE JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

51
 52 (2) (a) THE MEMBERS OF THE INTERIM COMMITTEE SHALL CONSIST
 53 OF THE FOLLOWING THIRTEEN MEMBERS:

54
 55 (I) FIVE MEMBERS OF THE SENATE, THREE APPOINTED BY THE
 56 PRESIDENT OF THE SENATE AND TWO APPOINTED BY THE MINORITY LEADER

1 OF THE SENATE;

2

3 (II) FIVE MEMBERS OF THE HOUSE OF REPRESENTATIVES, THREE
4 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND
5 TWO APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF
6 REPRESENTATIVES;

7

8 (III) THE CHIEF EXECUTIVE OFFICER OF PINNACOL ASSURANCE, OR
9 HIS OR HER DESIGNEE;

10

11 (IV) A MEMBER OF THE BOARD OF DIRECTORS OF PINNACOL
12 ASSURANCE; AND

13

14 (V) THE INSURANCE COMMISSIONER OR HIS OR HER DESIGNEE.

15

16 (b) THE CHAIR OF THE INTERIM COMMITTEE SHALL BE APPOINTED
17 BY THE PRESIDENT OF THE SENATE FROM AMONG THE MEMBERS
18 APPOINTED UNDER SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS
19 SUBSECTION (2). THE VICE-CHAIR OF THE INTERIM COMMITTEE SHALL BE
20 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FROM
21 AMONG THE MEMBERS APPOINTED UNDER SUBPARAGRAPH (II) OF
22 PARAGRAPH (a) OF THIS SUBSECTION (2).

23

24 (3) THE INTERIM COMMITTEE SHALL STUDY, MAKE
25 RECOMMENDATIONS, AND REPORT FINDINGS ON ALL MATTERS RELATING
26 TO THE OPERATION OF PINNACOL ASSURANCE, EMPLOYER INSURANCE
27 PREMIUMS FOR WORKERS' COMPENSATION, AND WORKER SAFETY AND
28 COMPENSATION OF INJURED WORKERS, INCLUDING, BUT NOT LIMITED TO,
29 BOTH THE FEASIBILITY OF THE CONTINUED OPERATION AND THE PUBLIC
30 POLICY IMPLICATIONS OF PINNACOL ASSURANCE AS A DIVISION OF STATE
31 GOVERNMENT OR THE FEASIBILITY AND PUBLIC POLICY IMPLICATIONS OF
32 SELLING PINNACOL ASSURANCE TO A WILLING THIRD-PARTY BUYER.

33

34 (4) IN CONDUCTING ITS STUDY, THE INTERIM COMMITTEE IS
35 AUTHORIZED TO UTILIZE THE PROVISIONS OF SECTIONS 2-2-313 TO
36 2-2-315, C.R.S., AND RULE 33 OF THE JOINT RULES OF THE SENATE AND
37 HOUSE OF REPRESENTATIVES.

38

39 (5) THE LEGISLATIVE COUNCIL STAFF AND THE OFFICE OF
40 LEGISLATIVE LEGAL SERVICES SHALL ASSIST THE INTERIM COMMITTEE IN
41 ITS ACTIVITIES.

42

43 (6) THE INTERIM COMMITTEE SHALL REPORT ITS FINDINGS AND
44 RECOMMENDATIONS TO THE LEGISLATIVE COUNCIL DURING THE 2009
45 INTERIM BY THE DATE SPECIFIED IN THE JOINT RULES OF THE SENATE AND
46 HOUSE OF REPRESENTATIVES.

47

48 (7) THE INTERIM COMMITTEE CREATED BY THIS SECTION IS
49 SUBJECT TO THE PROVISIONS OF SECTION 2-3-303.3, C.R.S., WITH RESPECT
50 TO THE CONDUCT OF ADDITIONAL INTERIM STUDIES.

51

52 (8) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2011.

53

54 **SECTION 4. Safety clause.** The general assembly hereby finds,
55 determines, and declares that this act is necessary for the immediate
56 preservation of the public peace, health, and safety."

1 Page 1, strike lines 104 through 107, and substitute the following:

2

3 "**CREATING A LEGISLATIVE INTERIM COMMITTEE TO STUDY WORKER**
4 **SAFETY AND THE SYSTEM OF COMPENSATION FOR WORK-RELATED**
5 **INJURIES, AND REQUIRING PERFORMANCE AUDITS OF PINNOCAL**
6 **ASSURANCE.**".

7

8 Amendment No. 8, by Representative(s) Gardner B.

9

10 Amend the Amendment No. 7, by Representative Weissmann, as printed
11 in House Journal page 1396, line 50, strike "(1) and";

12

13 line 51, strike "are" and substitute "is";

14

15 strike lines 53 through 56.

16

17 Page 1397, strike lines 1 through 8, and substitute the following:

18

19 "(2) (c) The board shall have the powers, rights, and duties ~~of the~~".

20

21 As amended, ordered revised and placed on the Calendar for Third
22 Reading and Final Passage.

23

24 **SB09-024** by Senator(s) White; also Representative(s) Sonnenberg
25 and Curry--Concerning responsibilities of the division of
26 wildlife with respect to game damage issues, and making
27 an appropriation in connection therewith.

28

29 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
30 dated April 1, 2009, and placed in member's bill file; Report also printed
31 in House Journal, April 2, pages 1009-1010.

32

33 Amendment No. 2, Appropriations Report, dated April 17, 2009, and
34 placed in member's bill file; Report also printed in House Journal,
35 April 17, page 1275.

36

37 Amendment No. 3, by Representative(s) Sonnenberg, Curry.

38

39 Amend the Appropriations Committee Report, dated April 17, 2009, page
40 1, after line 2, insert the following:

41

42 "line 20, strike "two" and substitute "one";";

43

44 line 3 of the committee report, strike "five hundred" and substitute "four
45 hundred fifty";

46

47 strike line 4 of the committee report and substitute "\$1,450,000,";".

48

49 Amendment No. 4, by Representative(s) Sonnenberg.

50

51 Amend the Agriculture, Livestock, and Natural Resources Committee
52 Report, dated April 1, 2009, page 1, strike line 1 and substitute the
53 following:

54

55 "Amend reengrossed bill, page 2, line 2, strike "(d)" and substitute "(d),
56 (1) (g),";

1 after line 10 of the reengrossed bill, insert the following:

2

3 "(g) Damages caused by wildlife, if claimant charges a fee in
4 excess of ~~one~~ FIVE hundred dollars per person, per season for the purpose
5 of big game hunting access on or across claimant's property."

6

7 Page 4, line 15, strike "**materials.**" and".

8

9 Page 2 of the committee report, strike line 12 and substitute the
10 following:

11

12 "DIVISION.";

13

14 line 25 of the reengrossed bill, strike "THIS SUBSECTION (2)," and
15 substitute "SUBSECTION (2) OF THIS SECTION,".

16

17 strike lines 16 through 30 of the committee report and substitute the
18 following:

19

20 **"33-3-106. Excessive damage to property - permit to take**
21 **wildlife - when - harassment by dogs.** (1) (a) Where wildlife is
22 causing excessive damage to property, as determined by the division
23 AFTER CONSULTATION WITH THE PROPERTY OWNER, the division is
24 authorized to issue a permit to the property owner, THE PROPERTY
25 OWNER'S DESIGNEE, or to such other person selected by the division to
26 kill a specified number of the SPECIES OF wildlife causing such excessive
27 damage. UPON REQUEST BY THE PROPERTY OWNER, WHENEVER THE
28 WILDLIFE CAUSING THE EXCESSIVE DAMAGE EXCEEDS THE WILDLIFE
29 OBJECTIVE SET BY THE DIVISION FOR THAT SPECIES FOR THAT
30 GEOGRAPHICAL AREA FOR THE CURRENT YEAR, THE DIVISION IS
31 ENCOURAGE TO ISSUE A PERMIT UNDER THIS SECTION. ANY
32 DETERMINATION BY THE DIVISION THAT THE DAMAGE BEING CAUSED IS
33 NOT EXCESSIVE MAY, UPON APPLICATION BY THE PROPERTY OWNER, BE
34 REVIEWED BY THE COMMISSION.

35

36 (b) NO PERMIT TO TAKE WILDLIFE PURSUANT TO THIS SUBSECTION
37 (1) SHALL BE ISSUED OR USED IN VIOLATION OF ANY LOCAL RESTRICTION
38 ON FIREARM USE.

39

40 **SECTION 5.** Article 3 of title 33, Colorado Revised Statutes, is
41 amended BY THE ADDITION OF A NEW SECTION to read:

42

43 **33-3-111. Annual report to the general assembly.**

44 (1) COMMENCING WITH THE SECOND REGULAR SESSION OF THE
45 SIXTY-SEVENTH GENERAL ASSEMBLY, THE DIVISION SHALL REPORT AT
46 LEAST ANNUALLY, BY JANUARY 31 OF EACH YEAR, TO THE SENATE
47 AGRICULTURE AND NATURAL RESOURCES COMMITTEE, AND THE HOUSE OF
48 REPRESENTATIVES AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES
49 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, ON GAME DAMAGE AND
50 GAME DAMAGE PREVENTION ISSUES. SUCH REPORT SHALL INCLUDE, AT
51 A MINIMUM:

52

53 (a) (I) THE HERD MANAGEMENT OBJECTIVES SET BY THE DIVISION
54 AND WHETHER THOSE OBJECTIVES ARE BEING MET. IN PROVIDING THIS
55 INFORMATION, THE DIVISION SHALL SUPPLY THE ACTUAL NUMBER OF
56 HERD ANIMALS BY GAME UNIT.

1 (II) IF ANY OF THE HERD MANAGEMENT OBJECTIVES OF THE
 2 DIVISION ARE NOT BEING MET, THE DIVISION SHALL SET FORTH IN DETAIL
 3 ITS PLANS, STRATEGIES, AND EFFORTS THAT IT IS USING OR INTENDS TO
 4 USE IN ORDER TO ACHIEVE COMPLIANCE WITH THE OBJECTIVES.

5
 6 (b) THE NUMBER OF REQUESTS FOR GAME DAMAGE PREVENTION
 7 MATERIALS, THE TIMELINESS OF THE DIVISION IN RESPONDING TO SUCH
 8 REQUESTS, THE QUANTITY AND TYPES OF TEMPORARY AND PERMANENT
 9 MATERIALS ISSUED, THE NUMBER OF REQUESTS FOR MATERIALS DENIED,
 10 AND, TO THE EXTENT THAT SUCH INFORMATION IS AVAILABLE, THE
 11 ADEQUACY OF MATERIALS IN PREVENTING GAME DAMAGE;

12
 13 (c) THE NUMBER OF PERMITS TO TAKE WILDLIFE REQUESTED
 14 PURSUANT TO SECTION 33-3-106, THE NUMBER OF PERMITS ISSUED, THE
 15 AMOUNT OF WILDLIFE KILLED UNDER SUCH PERMITS, THE NUMBER OF
 16 PERMITS DENIED, AND THE REASONS FOR DENIAL;

17
 18 (d) THE NUMBER OF CLAIMS FOR DAMAGES SUBMITTED UNDER
 19 THIS SECTION, HOW MANY OF THOSE CLAIMS WERE SETTLED AND THE
 20 MONETARY AMOUNTS OF THE SETTLEMENTS, THE NUMBER OF CLAIMS
 21 PENDING AT THE TIME OF THE REPORT, THE NUMBER OF CLAIMS DENIED,
 22 AND THE REASONS FOR DENIAL;

23
 24 (e) ANY OTHER COSTS INCURRED BY THE DIVISION IN
 25 ADMINISTERING THIS ARTICLE."."

26
 27 As amended, ordered revised and placed on the Calendar for Third
 28 Reading and Final Passage.

29
 30 On motion of Representative Weissmann, the remainder of the Special
 31 Orders Calendar (**HB09-1269, 1323, SB09-052, 068, 256**) was laid over
 32 until April 23, retaining place on Calendar.

33
 34
 35
 36 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

37
 38 Representative(s) Frangas moved to amend the Report of the Committee
 39 of the Whole to reverse the action taken by the Committee in not adopting
 40 the following Frangas amendment, to SB09-174, to show that said
 41 amendment passed, and that **SB09-174**, as amended, passed.

42
 43 Amend the Agriculture, Livestock, and Natural Resources Committee
 44 Report, dated April 1, 2009, page 2, line 12, strike "EITHER";

45
 46 strike lines 13 through 17 and substitute the following:

47
 48 "TO GREYHOUND WELFARE AND ADOPTION ORGANIZATIONS FOR
 49 PROMOTION OF THE WELFARE OF RACING GREYHOUNDS."."

50
 51 The amendment was declared **lost** by the following roll call vote:

52
 53

	YES	9	NO	53	EXCUSED	3	ABSENT	0
54	Acree	N	Green	Y	McCann	N	Roberts	N
55	Apuan	Y	Hullingerhorst	N	McFadyen	Y	Ryden	N
56	Balmer	N	Judd	N	McKinley	N	Scanlan	N

1	Baumgardner	N	Kagan	N	McNulty	N	Schafer S.	E
2	Benefield	N	Kefalas	Y	Merrifield	N	Solano	Y
3	Bradford	N	Kerr A.	N	Middleton	N	Sonnenberg	N
4	Casso	N	Kerr J.	N	Miklosi	N	Soper	N
5	Court	N	King S.	N	Murray	N	Stephens	N
6	Curry	N	Labuda	N	Nikkel	N	Summers	N
7	Ferrandino	N	Lambert	N	Pace	N	Swalm	N
8	Fischer	Y	Levy	Y	Peniston	N	Tipton	E
9	Frangas	Y	Liston	N	Pommer	Y	Todd	N
10	Gagliardi	N	Looper	N	Primavera	N	Vaad	E
11	Gardner B.	N	Marostica	N	Priola	N	Vigil	N
12	Gardner C.	N	Massey	N	Rice	N	Waller	N
13	Gerou	N	May	N	Riesberg	N	Weissmann	N
14							Speaker	N

15
16
17 Representative(s) Solano and Green moved to amend the Report of the
18 Committee of the Whole to reverse the action taken by the Committee in
19 not adopting the following Solano amendment, to SB09-174, to show that
20 said amendment passed, and that **SB09-174**, as amended, passed.

21
22 Amend reengrossed bill, page 14, strike line 22 and substitute the
23 following:

24
25 "~~division five~~ THREE-FOURTHS OF ONE percent, and on and after July 1,
26 ~~1994~~ 2014, four and one-half".

27
28 The amendment was declared **lost** by the following roll call vote:

30	YES	20	NO	42	EXCUSED	3	ABSENT	0
31	Acree	N	Green	Y	McCann	N	Roberts	N
32	Apuan	N	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
33	Balmer	N	Judd	Y	McKinley	N	Scanlan	N
34	Baumgardner	N	Kagan	N	McNulty	N	Schafer S.	E
35	Benefield	Y	Kefalas	N	Merrifield	Y	Solano	Y
36	Bradford	N	Kerr A.	Y	Middleton	N	Sonnenberg	N
37	Casso	N	Kerr J.	N	Miklosi	N	Soper	N
38	Court	Y	King S.	N	Murray	N	Stephens	N
39	Curry	Y	Labuda	N	Nikkel	N	Summers	N
40	Ferrandino	Y	Lambert	N	Pace	N	Swalm	N
41	Fischer	N	Levy	N	Peniston	Y	Tipton	E
42	Frangas	N	Liston	N	Pommer	Y	Todd	Y
43	Gagliardi	N	Looper	N	Primavera	Y	Vaad	E
44	Gardner B.	N	Marostica	N	Priola	N	Vigil	N
45	Gardner C.	N	Massey	N	Rice	N	Waller	Y
46	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
47							Speaker	Y

48
49
50
51
52 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

53
54 Passed Second Reading: **HB09-1081 amended, SB09-022 amended,**
55 **025, 026 amended, 067 amended, 106, 125 amended, 138 amended,**
56 **154 amended, 174 amended, 252, 281 amended, 024 amended.**

1 Laid over until date indicated retaining place on Calendar: **HB09-1269,**
 2 **1323, SB09-052, 068, 256**--April 23, 2009.

3
 4 The Chairman moved the adoption of the Committee of the Whole
 5 Report. As shown by the following roll call vote, a majority of those
 6 elected to the House voted in the affirmative, and the Report was
 7 **adopted.**

	YES	61	NO	1	EXCUSED	3	ABSENT	0
10	Acree	Y	Green	Y	McCann	Y	Roberts	Y
11	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
12	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
13	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	E
14	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
15	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
16	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
17	Court	Y	King S.	Y	Murray	Y	Stephens	N
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	E
21	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
22	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	E
23	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
24	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
25	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
26							Speaker	Y

LAY OVER OF CALENDAR ITEM(S)

32 On motion of Representative Weissmann, the following item(s) on the
 33 Calendar were laid over until April 23, retaining place on Calendar:

34
 35 Consideration of Resolution(s)--**HJR09-1018, 1022, 1027, SJR09-034.**
 36 Consideration of Memorial(s)--**SJM09-002, HM09-1005.**
 37 Consideration of Senate Amendment(s)--**HB09-1180, HJR09-1019.**

38
 39
 40 On motion of Representative Weissmann, the House adjourned until
 41 9:00 a.m., April 23, 2009.

42
 43 Approved:
 44 TERRANCE D. CARROLL,
 45 Speaker

46 Attest:
 47 MARILYN EDDINS,
 48 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

One hundred-seventh Legislative Day Thursday, April 23, 2009

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Bailey and Avery Jacobson, Glacier Peak
6 Elementary, Thornton.
7
8 The roll was called with the following result:
9
10 Present--63.
11 Excused--Representative(s) Tipton, Weissmann--2.
12
13 The Speaker declared a quorum present.
14
15
16 On motion of Representative Swalm, the reading of the journal of
17 April 22, 2009, was declared dispensed with and approved as corrected
18 by the Chief Clerk.
19
20

CONSIDERATION OF MEMORIAL

21
22
23
24 **HM09-1004** by Representative(s) Pace, Massey, McFadyen, Vigil--
25 Memorializing former Representative Stanley E. Johnson.
26
27 (Printed and placed in member's file)
28
29 Speaker Terrance D. Carroll ordered the memorial be read at length.
30
31
32 Pursuant to House Rule 26(f) the House stood in recess to allow the
33 following former Representatives to speak on behalf of the honorable
34 Stanley E. Johnson:
35 Jo Ann Groff, Bob Shoemaker, Peter Minahan, Bob Kirscht,
36 former Attorney General John D. MacFarlane,
37 former Senator Dave Wattenberg
38

House reconvened.

1 On motion of Representative Pace, the memorial was **adopted** by the
 2 following roll call vote:

	YES	63	NO	0	EXCUSED	2	ABSENT	0
5	Acree	Y	Green	Y	McCann	Y	Roberts	Y
6	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
7	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
8	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
9	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
10	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
11	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
12	Court	Y	King S.	Y	Murray	Y	Stephens	Y
13	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
14	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
15	Fischer	Y	Levy	Y	Peniston	Y	Tipton	E
16	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
17	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
18	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
19	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
20	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
21							Speaker	Y

22 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
 23 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
 24 Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green,
 25 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
 26 Levy, Liston, Looper, Marostica, May, McCann, McKinley, McNulty,
 27 Merrifield, Middleton, Miklosi, Murray, Nikkel, Peniston, Pommer, Primavera,
 28 Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
 29 Sonnenberg, Soper, Stephens, Summers, Swalm, Todd, Vaad, Waller, Speaker

30
 31 Representative Pace introduced members of the family that were present.

32
 33
 34
 35 House in recess. House reconvened.

36
 37
 38
 39 **MESSAGE(S) FROM THE SENATE**

40
 41 The Senate has adopted SJR09-052, as amended, and transmits herewith:

42
 43
 44
 45 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

46
 47 On motion of Representative Kerr A., the rules were suspended and the
 48 following resolution was given immediate consideration.

49
 50 **SJR09-052** by Senator(s) Boyd, Foster; also Representative(s) Rice--
 51 Concerning declaration of "Colorado Refugee Day".

52
 53 (Printed and placed in member's file).

1 On motion of Representative Rice, the resolution was read at length and
 2 **adopted by viva voce** vote:
 3

4 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
 5 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
 6 Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green,
 7 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
 8 Levy, Liston, Looper, Marostica, Massey, May, McCann, McFadyen,
 9 McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace,
 10 Peniston, Pommer, Primavera, Priola, Riesberg, Roberts, Ryden, Scanlan,
 11 Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Todd,
 12 Vaad, Vigil, Waller, Speaker
 13

14
 15 **THIRD READING OF BILLS--FINAL PASSAGE**
 16

17 The following bills were considered on Third Reading. The titles were
 18 publicly read. Reading of the bill at length was dispensed with by
 19 unanimous consent.
 20

21 **HB09-1081** by Representative(s) Looper; also Senator(s) Morse--
 22 Concerning an increase in the length of the statute of
 23 limitations for vehicular homicide, and making an
 24 appropriation in connection therewith.
 25

26 The question being "Shall the bill 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 bill
 29 was declared **passed**.
 30

	YES	56	NO	7	EXCUSED	2	ABSENT	0
32 Acree	Y	Green	Y	McCann	Y	Roberts	Y	
33 Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y	
34 Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y	
35 Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y	
36 Benefield	N	Kefalas	Y	Merrifield	Y	Solano	Y	
37 Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y	
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	N	Summers	Y	
41 Ferrandino	Y	Lambert	Y	Pace	N	Swalm	Y	
42 Fischer	Y	Levy	N	Peniston	Y	Tipton	E	
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.	Y	Massey	Y	Rice	Y	Waller	N	
47 Gerou	Y	May	Y	Riesberg	Y	Weissmann	E	
48						Speaker	Y	

49 Co-sponsor(s) added: Representative(s) Casso, Green, Labuda, Priola, Vigil,
 50 Speaker
 51

52
 53 **SB09-281** by Senator(s) Shaffer B., Groff, Hodge, Keller, Morse,
 54 Romer, White, Tapia; also Representative(s) Weissmann--
 55 Concerning Pinnacol Assurance, and, in connection
 56 therewith, clarifying the operation of Pinnacol Assurance

1 as a political subdivision of the state, creating a legislative
 2 interim committee to study worker safety and the system
 3 of compensation for work-related injuries, and requiring
 4 performance audits of Pinnocal Assurance.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	33	NO	30	EXCUSED	2	ABSENT	0
12	Acree	N	Green	Y	McCann	Y	Roberts	N
13	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
14	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
15	Baumgardner	N	Kagan	N	McNulty	N	Schafer S.	N
16	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
17	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
18	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	N
19	Court	Y	King S.	N	Murray	N	Stephens	N
20	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
21	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
22	Fischer	Y	Levy	Y	Peniston	Y	Tipton	E
23	Frangas	N	Liston	N	Pommer	Y	Todd	Y
24	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
25	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
26	Gardner C.	N	Massey	N	Rice	N	Waller	N
27	Gerou	N	May	N	Riesberg	Y	Weissmann	E
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Benefield, Green, Hullinghorst,
 30 Kerr A., Labuda, McFadyen, Pace, Pommer

31
 32
 33 **SB09-022** by Senator(s) Bacon; also Representative(s) Solano--
 34 Concerning the state board of land commissioners.

35
 36 The question being "Shall the bill 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 bill
 39 was declared **passed**.

	YES	59	NO	4	EXCUSED	2	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	N	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	N
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	N	Summers	Y
51	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
52	Fischer	Y	Levy	Y	Peniston	Y	Tipton	E
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.	N	Massey	Y	Rice	Y	Waller	Y

1	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
2							Speaker	Y
3	Co-sponsor(s) added: Representative(s) Benefield, Fischer, Merrifield, Todd							

4
5 **SB09-025** by Senator(s) Spence; also Representative(s) Benefield--
6 Concerning an extension of fees on certain identification
7 documents issued by the department of revenue to fund
8 identification security, and making an appropriation in
9 connection therewith.

10
11 The question being "Shall the bill pass?".
12 A roll call vote was taken. As shown by the following recorded vote, a
13 majority of those elected to the House voted in the affirmative and the bill
14 was declared **passed**.

16	YES	48	NO	15	EXCUSED	2	ABSENT	0
17	Acree	N	Green	Y	McCann	Y	Roberts	Y
18	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
19	Balmer	N	Judd	Y	McKinley	N	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	N
23	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
24	Court	Y	King S.	Y	Murray	Y	Stephens	Y
25	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
26	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	N
27	Fischer	Y	Levy	Y	Peniston	Y	Tipton	E
28	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
29	Gagliardi	Y	Looper	N	Primavera	N	Vaad	Y
30	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
31	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
32	Gerou	Y	May	N	Riesberg	Y	Weissmann	E
33							Speaker	Y

34
35 **SB09-026** by Senator(s) Williams; also Representative(s) Riesberg--
36 Concerning the regulation of athletic trainers, and making
37 an appropriation in connection therewith.

38
39 The question being "Shall the bill pass?".
40 A roll call vote was taken. As shown by the following recorded vote, a
41 majority of those elected to the House voted in the affirmative and the bill
42 was declared **passed**.

44	YES	43	NO	20	EXCUSED	2	ABSENT	0
45	Acree	Y	Green	Y	McCann	Y	Roberts	Y
46	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
47	Balmer	N	Judd	Y	McKinley	Y	Scanlan	N
48	Baumgardne	N	Kagan	Y	McNulty	N	Schafer S.	Y
49	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
50	Bradford	N	Kerr A.	N	Middleton	N	Sonnenberg	N
51	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
52	Court	Y	King S.	N	Murray	Y	Stephens	Y
53	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
54	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
55	Fischer	Y	Levy	Y	Peniston	Y	Tipton	E
56	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y

1	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
2	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
3	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
4	Gerou	Y	May	N	Riesberg	Y	Weissmann	E
5							Speaker	N

6 Co-sponsor(s) added: Representative(s) Fischer, Labuda, Todd

7
 8 **SB09-067** by Senator(s) Heath; also Representative(s) Marostica and
 9 Gagliardi, Rice--Concerning the authority for the
 10 operation of the Colorado credit reserve program, and, in
 11 connection therewith, making an appropriation.

12
 13 The question being "Shall the bill 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 bill
 16 was declared **passed**.

17	YES	53	NO	10	EXCUSED	2	ABSENT	0
19	Acree	N	Green	N	McCann	Y	Roberts	Y
20	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
21	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
22	Baumgardner	N	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	N
25	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
26	Court	Y	King S.	Y	Murray	Y	Stephens	N
27	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
28	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
29	Fischer	Y	Levy	Y	Peniston	Y	Tipton	E
30	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
31	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
32	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
33	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
34	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
35							Speaker	Y

36 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Kagan, Kefalas,
 37 Labuda, Priola, Ryden, Schafer S., Todd, Speaker

38
 39 **SB09-106** by Senator(s) Isgar, Penry, Brophy, Hodge; also
 40 Representative(s) Roberts--Concerning the continuously
 41 appropriated water supply reserve account, and, in
 42 connection therewith, extending the account, requiring the
 43 interbasin compact committee, in consultation with the
 44 Colorado water conservation board, to report annually on
 45 how moneys from the account were allocated, and
 46 conditioning grants to applicants required to adopt a water
 47 conservation plan.

48
 49 The question being "Shall the bill 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 bill
 52 was declared **passed**.

53	YES	63	NO	0	EXCUSED	2	ABSENT	0
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	E
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	E
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Curry, Fischer, Looper, Massey,
17 Nikkel, Vigil, Waller

18

19 **SB09-125** by Senator(s) Isgar; also Representative(s) Curry--
20 Concerning the funding of Colorado water conservation
21 board projects, and making appropriations in connection
22 therewith.

23

24 The question being "Shall the bill pass?".

25 A roll call vote was taken. As shown by the following recorded vote, a
26 majority of those elected to the House voted in the affirmative and the bill
27 was declared **passed**.

28

29	YES	63	NO	0	EXCUSED	2	ABSENT	0
30	Acree	Y	Green	Y	McCann	Y	Roberts	Y
31	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
32	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
33	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
34	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
35	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
36	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
37	Court	Y	King S.	Y	Murray	Y	Stephens	Y
38	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
39	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
40	Fischer	Y	Levy	Y	Peniston	Y	Tipton	E
41	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
42	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
43	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
44	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
45	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
46							Speaker	Y

47 Co-sponsor(s) added: Representative(s) Baumgardner, Fischer, Looper, Nikkel,
48 Priola, Roberts, Sonnenberg, Vigil

49

50 **SB09-138** by Senator(s) Boyd, Newell, Tochtrop; also
51 Representative(s) Gagliardi--Concerning the continuation
52 of the certification of nurse aides by the state board of
53 nursing, and making an appropriation therefor.

54

55 The question being "Shall the bill pass?".

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	62	NO	1	EXCUSED	2	ABSENT	0
5	Acree	Y	Green	Y	McCann	Y	Roberts	Y
6	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
7	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
8	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
9	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
10	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
11	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
12	Court	Y	King S.	Y	Murray	Y	Stephens	Y
13	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
14	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
15	Fischer	Y	Levy	Y	Peniston	Y	Tipton	E
16	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
17	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
18	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
19	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
20	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Apuan, Labuda, Schafer S., Todd

23
24 **SB09-154** by Senator(s) Hodge; also Representative(s) Curry--
25 Concerning the funding of personnel for the "Livestock
26 Health Act".

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	53	NO	10	EXCUSED	2	ABSENT	0
34	Acree	Y	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	N	Schafer S.	Y
38	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
39	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
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	N	Summers	Y
43	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	N
44	Fischer	Y	Levy	Y	Peniston	Y	Tipton	E
45	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
46	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
47	Gardner B.	Y	Marostica	Y	Priola	N	Vigil	Y
48	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
49	Gerou	Y	May	N	Riesberg	Y	Weissmann	E
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Vigil

52
53 **SB09-174** by Senator(s) Kester, Isgar, Spence, Tochtrop, White; also
54 Representative(s) Casso--Concerning pari-mutuel racing.

55
56 The question being "Shall the bill pass?".

1 A roll call vote was taken. As shown by the following recorded vote, a
 2 majority of those elected to the House voted in the affirmative and the bill
 3 was declared **passed**.

	YES	54	NO	9	EXCUSED	2	ABSENT	0
6	Acree	Y	Green	N	McCann	Y	Roberts	Y
7	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
8	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
9	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
10	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	N
11	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
12	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
13	Court	Y	King S.	Y	Murray	Y	Stephens	N
14	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
15	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	N
16	Fischer	Y	Levy	N	Peniston	Y	Tipton	E
17	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
18	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
19	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
20	Gardner C.	Y	Massey	Y	Rice	Y	Waller	N
21	Gerou	Y	May	Y	Riesberg	N	Weissmann	E
22							Speaker	Y

23 Co-sponsor(s) added: Representative(s) Fischer, Labuda, Liston, Marostica,
 24 McKinley, Middleton, Sonnenberg, Todd

25
 26 **SB09-252** by Senator(s) Boyd, Carroll M., Lundberg, Morse, Newell,
 27 Spence; also Representative(s) Frangas, Gagliardi, Green,
 28 Kefalas, Kerr J., Primavera, Riesberg, Swalm--Concerning
 29 mail order prescription drugs for medicaid recipients who
 30 have third-party insurance.

31
 32 The question being "Shall the bill 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 bill
 35 was declared **passed**.

	YES	62	NO	1	EXCUSED	2	ABSENT	0
38	Acree	Y	Green	Y	McCann	Y	Roberts	Y
39	Apuan	Y	Hullingerhorst	Y	McFadyen	N	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	E
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	E
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Gerou, Labuda, Massey, Nikkel, Priola,
 56 Summers, Todd

1 **SB09-024** by Senator(s) White; also Representative(s) Sonnenberg
 2 and Curry--Concerning responsibilities of the division of
 3 wildlife with respect to game damage issues, and making
 4 an appropriation in connection therewith.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	62	NO	1	EXCUSED	2	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	N	Pace	Y	Swalm	Y
22	Fischer	Y	Levy	Y	Peniston	Y	Tipton	E
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	E
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Bradford, Gardner C., Gerou, Kerr J.,
 30 Looper, Marostica, Massey, Pace, Priola, Roberts, Vigil

31
 32
 33 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
 34 **on SB09-094**

35 This Report Amends the Rerevised Bill.

36
 37 To the President of the Senate and the
 38 Speaker of the House of Representatives:

39
 40 Your first conference committee appointed on SB09-094,
 41 concerning the creation of a transit and rail division within the department
 42 of transportation, has met and reports that it has agreed upon the
 43 following:

44
 45 That the Senate accede to the House amendments made to the bill,
 46 as the amendments appear in the rerevised bill, with the following
 47 changes:

48 Amend rerevised bill, page 5, strike lines 18 through 23.

49
 50 Respectfully submitted,

51 Senate Committee:
 52 (signed)
 53 Suzanne Williams
 54 Nancy Spence
 55 Dan Gibbs

House Committee:
 (signed)
 Claire Levy
 Randy Fischer
 Kevin Priola

1 **FIRST REPORT OF SECOND CONFERENCE COMMITTEE**
2 **on SB09-148**
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 second conference committee appointed on SB09-148,
10 concerning revisions to the rules governing the safe interaction of
11 bicycles with other vehicles on roadways, has met and reports that it has
12 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 bill, with the following
16 changes:
17

18 Amend rerevised bill, page 6, strike lines 24 through 27.
19

20 Page 7, strike lines 1 through 4.
21

22 2. That, under the authority granted the committee to consider
23 matters not at issue between the two houses, the following amendments
24 be recommended:
25

26 Amend rerevised bill, page 6, strike lines 9 through 23 and substitute the
27 following:
28

29 "(6) (a) PERSONS RIDING BICYCLES UPON A ROADWAY SHALL NOT
30 RIDE MORE THAN TWO ABREAST EXCEPT ON PATHS OR PARTS OF
31 ROADWAYS SET ASIDE FOR THE EXCLUSIVE USE OF BICYCLES.
32

33 (b) PERSONS RIDING BICYCLES TWO ABREAST SHALL NOT IMPEDE
34 THE NORMAL AND REASONABLE MOVEMENT OF TRAFFIC AND, ON A LANED
35 ROADWAY, SHALL RIDE WITHIN A SINGLE LANE."
36

37 Respectfully submitted,
38

39 Senate Committee:

(signed)

Greg Brophy

Dan Gibbs

Rollie Heath

House Committee:

(signed)

Michael Merrifield

Andy Kerr

43
44
45 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

46 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

47 After consideration on the merits, the Committee recommends the
48 following:
49

50
51 **SB09-118** be amended as follows, and as so amended, be referred to
52 the Committee on Appropriations with favorable
53 recommendation:
54

55 Amend reengrossed bill, page 2, line 5, strike "2019." and substitute
56 "2014.";

1 line 14, strike "(50)," and substitute "(45),".

2

3 Page 3, line 2, strike "(50)" and substitute "(45)";

4

5 line 3, strike "2019:" and substitute "2014:";

6

7 strike lines 4 and 5 and substitute the following:

8

9 "(h) THE LICENSING OF PET ANIMAL FACILITIES PURSUANT TO
10 ARTICLE 80 OF TITLE 35, C.R.S."

11

12 Page 4, after line 3, insert the following:

13

14 "**SECTION 5.** The introductory portion to 35-80-115 (1),
15 Colorado Revised Statutes, is amended, and the said 35-80-115 (1) is
16 further amended BY THE ADDITION OF A NEW PARAGRAPH to
17 read:

18

19 **35-80-115. Advisory committee - sunset review - repeal.**

20 (1) There is hereby established a pet animal advisory committee to advise
21 the commissioner in establishing regulations under this article and to
22 provide ongoing review of this article. The members of the advisory
23 committee shall receive no compensation or reimbursement from the state
24 of Colorado or the department for expenses incurred in the performance
25 of their duties. The advisory committee shall consist of ~~sixteen~~
26 SEVENTEEN persons appointed by the commissioner as follows:

27

28 (f.5) ONE PERSON WHO REPRESENTS THE "DOG DAY CARE
29 INDUSTRY", WHICH TERM MEANS PREMISES ON WHICH DOGS ARE KEPT
30 PRIMARILY FOR THE PURPOSE OF SHORT-TERM CARE;"

31

32 Renumber succeeding sections accordingly.

33

34 Page 6, strike lines 12 through 27.

35

36 Page 7, strike lines 1 and 2.

37

38 Renumber succeeding sections accordingly.

39

40

41

42 **SB09-235** be amended as follows, and as so amended, be referred to
43 the Committee on Appropriations with favorable
44 recommendation:

45

46 Amend reengrossed bill, page 4, line 7, strike "JANUARY" and substitute
47 "JUNE";

48

49 line 14, after "**rules -**", insert "**study -**".

50

51 Page 7, line 23, strike "JANUARY" and substitute "JUNE".

52

53 Page 10, after line 2, insert the following:

54

55 "**SECTION 6.** 33-4-102.7, Colorado Revised Statutes, is
56 amended BY THE ADDITION OF A NEW SUBSECTION to read:

1 **33-4-102.7. Colorado wildlife habitat stamp - review**
2 **committee - rules - repeal.** (9) DURING THE 2010 REGULAR SESSION OF
3 THE GENERAL ASSEMBLY, THE HOUSE AGRICULTURE, LIVESTOCK, AND
4 NATURAL RESOURCES COMMITTEE AND THE SENATE AGRICULTURE AND
5 NATURAL RESOURCES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES,
6 SHALL MEET JOINTLY TO STUDY THIS SECTION AND THE ISSUES RAISED BY
7 THE REENGROSSED VERSION OF SENATE BILL 09-235. THE COMMITTEES
8 SHALL MEET AS OFTEN AS NECESSARY, AND AT LEAST ONCE PRIOR TO JUNE
9 1, 2010."

10
11 Renumber succeeding sections accordingly.

12
13 Page 11, line 22, strike everything after "(1)" and substitute "Section 6";
14
15 line 23, strike "section," and substitute "of".

16
17 Page 12, strike lines 5 through 9 and substitute the following:

18
19 "(2) The remainder of this act shall take effect June 1, 2010."
20

21
22
23
24 **FINANCE**

25 After consideration on the merits, the Committee recommends the
26 following:

27
28 **HB09-1126** be amended as follows, and as so amended, be referred to
29 the Committee on Appropriations with favorable
30 recommendation:

31
32 Amend printed bill, page 2, strike line 19 and substitute the following:

33
34 "(b) FOR STATE FISCAL YEARS 2009-10 THROUGH 2013-14,".
35

36 Page 6, strike lines 6 and 7 and substitute the following:

37
38 "**SECTION 5. Effective date - applicability.** This act shall
39 apply to systems and components installed on or after January 1, 2009;
40 except that this act shall not take effect unless House Bill 09-____ is
41 enacted and becomes law."
42

43
44
45 **HB09-1360** be referred to the Committee of the Whole with favorable
46 recommendation.

47
48
49 **SB09-121** be referred favorably to the Committee on Appropriations.

50
51
52 **SB09-173** be amended as follows, and as so amended, be referred to
53 the Committee on Appropriations with favorable
54 recommendation:

55
56 Amend reengrossed bill, page 9, line 12, strike the second "AND";

1 line 24, strike "YEARS." and substitute "YEARS; AND";

2

3 after line 24, insert the following:

4

5 "(i) ALONG WITH THE ECONOMIC ANALYSIS SUBMITTED WITH THE
6 APPLICATION, A REPORT BY A THIRD-PARTY ANALYST WHO IS AN EXPERT
7 IN THE FIELD OF ECONOMIC OR PUBLIC FINANCIAL ANALYSIS CALCULATING
8 THE PERCENTAGE OF THE STATE SALES TAX INCREMENT REVENUE THAT
9 WILL BE DEDICATED TO THE REGIONAL TOURISM PROJECT TO BE SET BY
10 THE COMMISSION PURSUANT TO SECTION 24-46-305 (3) (d). THE
11 APPLICANT SHALL SHARE ITS DATA AND REASONING WITH THE
12 THIRD-PARTY ANALYST, AND THE ANALYST SHALL RELY ON SUCH DATA
13 AND REASONING AS IT DEEMS APPROPRIATE IN THE EXERCISE OF ITS
14 INDEPENDENT JUDGMENT. AN APPLICANT DISSATISFIED WITH SUCH
15 REPORT MAY REVISE ITS APPLICATION AND REQUEST REPORT REVISIONS.
16 THE REVIEWING THIRD-PARTY ANALYST SHALL BE CHOSEN THROUGH A
17 REQUEST FOR PROPOSALS ISSUED BY THE OFFICE OF STATE PLANNING AND
18 BUDGETING TO ENSURE AN INDEPENDENT AND THOROUGH ANALYSIS, AND
19 THE THIRD-PARTY ANALYST SHALL REPORT TO THAT OFFICE. THE COSTS
20 OF SUCH REPORT SHALL BE PAID BY THE APPLICANT DIRECTLY TO THE
21 THIRD-PARTY ANALYST."

22

23 Page 11, line 1, strike "CONDITIONS." and substitute "CONDITIONS; EXCEPT
24 THAT THE COMMISSION SHALL NOT APPROVE ANY PROJECT THAT, IF
25 APPROVED, WOULD LIKELY CREATE A STATE SALES TAX REVENUE
26 DEDICATION OF MORE THAN FIFTY MILLION DOLLARS TO ALL EXISTING
27 REGIONAL TOURISM PROJECTS IN ANY GIVEN YEAR. THE COMMISSION
28 SHALL NOT APPROVE MORE THAN TWO PROJECTS.";

29

30 strike lines 6 through 10 and substitute the following:

31

32 "APPLICATION, IT SHALL ADOPT A RESOLUTION SPECIFYING THE
33 FOLLOWING:

34

35 (a) THE LOCAL GOVERNMENT THAT HAS BEEN APPROVED TO
36 UNDERTAKE A REGIONAL TOURISM PROJECT;

37

38 (b) THE AREA OF THE REGIONAL TOURISM ZONE;

39

40 (c) WHETHER THE COMMISSION HAS AUTHORIZED THE CREATION
41 OF A REGIONAL TOURISM AUTHORITY; AND

42

43 (d) THE PERCENTAGE OF THE STATE SALES TAX INCREMENT
44 REVENUE THAT WILL BE DEDICATED TO THE REGIONAL TOURISM PROJECT.
45 SUCH PERCENTAGE SHALL BE SET AT A VALUE THAT IN THE BEST
46 ESTIMATION OF THE COMMISSION WILL RESULT IN ONLY THE NET NEW
47 REVENUE LIKELY CREATED BY THE PROJECT AND RELATED DEVELOPMENT
48 BEING DEDICATED TO THE FINANCING ENTITY AND SHALL EXCLUDE ANY
49 SALES TAX REVENUE THE STATE WOULD LIKELY HAVE RECEIVED WITHOUT
50 THE PROJECT AND DEVELOPMENT.";

51

52 strike line 13 and substitute the following:

53

54 "COLLECT THE PERCENTAGE OF THE STATE SALES TAX INCREMENT
55 REVENUE SET BY THE COMMISSION PURSUANT TO PARAGRAPH (d) OF
56 SUBSECTION (3) OF THIS SECTION ON BEHALF OF THE APPROVED".

1 Page 27, after line 16, insert the following:

2

3 "(4) NOTHING IN THIS SECTION SHALL BE INTERPRETED TO
4 ELIMINATE THE REQUIREMENTS FOR THE AUTHORIZATION OF A NEW URBAN
5 RENEWAL AUTHORITY UNDER THIS PART 1."

6

7

8

9

PRINTING REPORT

10

11 The Chief Clerk reports the following bills have been correctly printed:
12 **HB09-1363, 1364, 1365, 1366.**

13

14

15

16

MESSAGE(S) FROM THE SENATE

17

18 The Senate has postponed indefinitely HB09-1175. The bill is returned
19 herewith.

20

21 The Senate has adopted the First Report of the First Conference
22 Committee on SB09-259, as printed in Senate Journal, April 22, 2009,
23 and repassed the bill as amended.

24

25

26

27

MESSAGE(S) FROM THE GOVERNOR

28

29 I certify I received the following on the 23rd day of April, 2009, at
30 8:40 a.m. The original is on file in the records of the House of
31 Representatives of the General Assembly.

32

33

Marilyn Eddins,
Chief Clerk of the House

34

35 April 21, 2009

36

37 To the Honorable
38 House of Representatives
39 Sixty-seventh General Assembly
40 First Regular Session
41 State Capitol
42 Denver, CO 80203

43

44 Ladies and Gentlemen:

45

46 I have the honor to inform you that I have approved and filed with
47 the Secretary of State the following Acts:

48

49 **HB09-1139** CONCERNING FETAL ALCOHOL SPECTRUM DISORDERS.

50

51 Approved April 21, 2009 at 2:44 p.m.

52

53 **HB09-1227** CONCERNING EQUITY SKIMMING OF REAL PROPERTY.

54

55 Approved April 21, 2009 at 2:41 p.m.

56

1 **HB09-1272** CONCERNING STATUTORY AMENDMENTS REQUIRED TO
 2 IMPLEMENT LOCALLY APPROVED CHANGES TO THE
 3 PARAMETERS FOR LIMITED GAMING UNDER SECTION 9 (7)
 4 OF ARTICLE XVIII OF THE COLORADO CONSTITUTION,
 5 ADOPTED BY VOTERS AT THE 2008 GENERAL ELECTION.

6
 7 Approved April 21, 2009 at 2:27 p.m.

8
 9 **HB09-1293** CONCERNING A HOSPITAL PROVIDER FEE, AND, IN
 10 CONNECTION THEREWITH, AUTHORIZING THE
 11 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING
 12 TO CHARGE AND COLLECT A HOSPITAL PROVIDER FEE,
 13 SPECIFYING THE ALLOWABLE USES OF THE FEES,
 14 REQUIRING A POST-ENACTMENT REVIEW OF THE
 15 IMPLEMENTATION OF THIS ACT, AND MAKING AN
 16 APPROPRIATION IN CONNECTION THEREWITH.

17
 18 Approved April 21, 2009 at 1:56 p.m.

19
 20 Sincerely,
 21 (signed)
 22 Bill Ritter, Jr.
 23 Governor

24
 25
 26 April 22, 2009

27
 28 To the Honorable
 29 House of Representatives
 30 Sixty-seventh General Assembly
 31 First Regular Session
 32 State Capitol
 33 Denver, CO 80203

34
 35 Ladies and Gentlemen:

36
 37 I have the honor to inform you that I have approved and filed with
 38 the Secretary of State the following Acts:

39
 40 **HB09-1018** CONCERNING THE REMOVAL OF OBSOLETE LANGUAGE
 41 IN STATUTORY PROVISIONS IMPLEMENTING THE
 42 STATEWIDE VOTER REGISTRATION AND ELECTION
 43 SYSTEM FOR PURPOSES OF COMPLIANCE WITH THE
 44 FEDERAL "HELP AMERICA VOTE ACT".

45
 46 Approved April 22, 2009 at 1:41 p.m.

47
 48 **HB09-1053** CONCERNING THE REGULATION OF FINANCIAL
 49 INSTITUTIONS UNDER THE AUTHORITY OF THE BANKING
 50 BOARD, AND MAKING AN APPROPRIATION THEREFOR.

51
 52 Approved April 22, 2009 at 1:42 p.m.

53
 54
 55

- 1 **HB09-1103** CONCERNING PRESUMPTIVE ELIGIBILITY UNDER THE
2 MEDICAL ASSISTANCE PROGRAM FOR PERSONS IN NEED
3 OF LONG-TERM CARE.
4
5 Approved April 22, 2009 at 1:43 p.m.
6
- 7 **HB09-1108** CONCERNING THE FAILURE OF AN EMPLOYER'S BANK TO
8 HONOR AN EMPLOYEE'S PAYCHECK UPON PRESENTMENT.
9
10 Approved April 22, 2009 at 1:44 p.m.
11
- 12 **HB09-1110** CONCERNING INFORMATION REQUIRED TO BE PROVIDED
13 TO THE COUNTY ASSESSOR UPON REQUEST IN
14 CONNECTION WITH ANY ADVERTISEMENT FOR THE
15 RENTAL OF FURNISHED RESIDENTIAL REAL PROPERTY
16 WITHIN THE STATE.
17
18 Approved April 22, 2009 at 1:45 p.m.
19
- 20 **HB09-1153** CONCERNING THE REQUIREMENTS APPLICABLE TO THE
21 FORMATION OF AN ISSUE COMMITTEE UNDER COLORADO
22 LAW GOVERNING CAMPAIGN FINANCE.
23
24 Approved April 22, 2009 at 1:56 p.m.
25
- 26 **HB09-1200** CONCERNING A REQUIREMENT THAT THE STAFF OF THE
27 LEGISLATIVE COUNCIL CONSIDER CERTAIN FACTORS
28 RELATING TO COUNTIES IN THE LOCAL GOVERNMENT
29 IMPACT SECTION OF A FISCAL NOTE.
30
31 Approved April 22, 2009 at 1:46 p.m.
32
- 33 **HB09-1207** CONCERNING PROCEDURES TO ENFORCE A LIEN
34 RELATED TO REAL PROPERTY.
35
36 Approved April 22, 2009 at 1:47 p.m.
37
- 38 **HB09-1216** CONCERNING VOTING BY ELECTORS, AND, IN
39 CONNECTION THEREWITH, AMENDING THE ELECTION
40 CODE TO REFLECT CHANGES BROUGHT ABOUT BY THE
41 IMPLEMENTATION OF THE STATEWIDE VOTER
42 REGISTRATION SYSTEM AND PERMANENT MAIL-IN
43 VOTING.
44
45 Approved April 22, 2009 at 1:48 p.m.
46
- 47
48 **HB09-1220** CONCERNING AN AMENDMENT TO THE "COLORADO
49 COMMON INTEREST OWNERSHIP ACT" TO PERMIT A UNIT
50 OWNER TO PRESCRIBE SPECIFIED CONDITIONS IN
51 CONNECTION WITH THE USE OF SUCH OWNER'S
52 PROPERTY THAT PROMOTE AFFORDABLE HOUSING.
53
54 Approved April 22, 2009 at 1:49 p.m.
55

- 1 **HB09-1229** CONCERNING THE DESIGNATION OF AUXILIARY
2 FACILITIES OF INSTITUTIONS OF HIGHER EDUCATION AS
3 ENTERPRISES.
4
5 Approved April 22, 2009 at 1:49 p.m.
6
- 7 **HB09-1233** CONCERNING THE RECOGNITION OF ACEQUIAS, AND, IN
8 CONNECTION THEREWITH, AUTHORIZING ACEQUIA
9 DITCH CORPORATIONS.
10
11 Approved April 22, 2009 at 1:50 p.m.
12
- 13 **HB09-1241** CONCERNING TITLE 15 OF THE COLORADO REVISED
14 STATUTES.
15
16 Approved April 22, 2009 at 1:51 p.m.
17
- 18 **HB09-1279** CONCERNING ABANDONED MOTOR VEHICLES.
19
20 Approved April 22, 2009 at 1:52 p.m.
21
- 22 **HB09-1292** CONCERNING IMPLEMENTATION OF RECOMMENDATIONS
23 OF THE COMMITTEE ON LEGAL SERVICES IN CONNECTION
24 WITH LEGISLATIVE REVIEW OF RULES AND
25 REGULATIONS OF STATE AGENCIES.
26
27 Approved April 22, 2009 at 2:17 p.m.
28
- 29 **HB09-1294** CONCERNING THE VOLUNTARY CONTRIBUTION
30 DESIGNATION BENEFITING THE NONGAME AND
31 ENDANGERED WILDLIFE FUND THAT APPEARS ON THE
32 STATE INDIVIDUAL INCOME TAX RETURN FORMS, AND, IN
33 CONNECTION THEREWITH, EXTENDING THE PERIOD FOR
34 THE CONTRIBUTION DESIGNATION.
35
36 Approved April 22, 2009 at 1:53 p.m.
37
- 38 **HB09-1296** CONCERNING EXTENDING THE REPEAL DATE FOR THE
39 READING ASSISTANCE GRANT PROGRAM.
40
41 Approved April 22, 2009 at 1:54 p.m.
42
- 43 **HB09-1301** CONCERNING MONEYS CONTINUOUSLY APPROPRIATED
44 FROM THE UNCLAIMED PROPERTY TRUST FUND TO THE
45 STATE TREASURER FOR PAYMENT OF CONTRACT
46 AUDITOR SERVICES.
47
48 Approved April 22, 2009 at 1:55 p.m.
49

50 Sincerely,
51 (signed)
52 Bill Ritter, Jr.
53 Governor
54
55

1 On motion of Representative Kerr A., **SB09-090** was added to the Special
2 Orders Calendar on Thursday, April 23, 2009.

3
4
5 On motion of Representative Solano, the House resolved itself into
6 Committee of the Whole for consideration of Special Orders and she was
7 called to the Chair to act as Chairman.

8
9
10 **SPECIAL ORDERS--SECOND READING OF BILLS**

11
12 The Committee of the Whole having risen, the Chairman reported the
13 titles of the following bills had been read (reading at length had been
14 dispensed with by unanimous consent), the bills considered and action
15 taken thereon as follows:

16
17 (Amendments to the committee amendment are to the printed committee
18 report which was printed and placed in the members' bill file.)

19
20 **HB09-1269** by Representative(s) Ferrandino, Court, Middleton, Pace,
21 Pommer, Scanlan, Weissmann--Concerning the creation of
22 a state rainy day account, and, in connection therewith,
23 specifying the manner in which the account is to be funded
24 and the circumstances in which moneys may be expended
25 from the account.

26
27 Laid over until April 24, retaining place on Calendar.

28
29 **HB09-1323** by Representative(s) Levy, Fischer, Green, Hullinghorst,
30 Kerr A., Labuda, McFadyen, Merrifield, Pace, Pommer,
31 Primavera, Scanlan, Solano; also Senator(s) Veiga, Bacon,
32 Heath, Romer, Shaffer B.--Concerning energy efficiency
33 programs implemented by cooperative electric
34 associations.

35
36 Laid over until April 24, retaining place on Calendar.

37
38 **SB09-052** by Senator(s) Bacon, Heath, King K., Newell, Williams;
39 also Representative(s) Pommer, Ferrandino, Hullinghorst,
40 Levy, Massey, Merrifield, Middleton, Primavera, Rice,
41 Schafer S., Todd--Concerning the funding source for the
42 innovative higher education research fund, and making an
43 appropriation in connection therewith.

44
45 Amendment No. 1, Education Report, dated March 12, 2009, and placed
46 in member's bill file; Report also printed in House Journal, March 13,
47 pages 726-728.

48
49 Amendment No. 2, Appropriations Report, dated April 17, 2009, and
50 placed in member's bill file; Report also printed in House Journal,
51 April 17, page 1276.

52
53 As amended, ordered revised and placed on the Calendar for Third
54 Reading and Final Passage.

55

1 **SB09-068** by Senator(s) Morse; also Representative(s) McCann--
2 Concerning funding to support domestic abuse services,
3 and, in connection therewith, allocating a portion of the
4 funding to assist military members and their families, and
5 making an appropriation.
6

7 Amendment No. 1, Appropriations Report, dated April 17, 2009, and
8 placed in member's bill file; Report also printed in House Journal,
9 April 17, page 1277.

10
11 Amendment No. 2, by Representative(s) Stephens.

12
13 Amend reengrossed bill, page 2, after line 18, insert the following:

14
15 "SECTION 2. 26-7.5-104 (2), Colorado Revised Statutes, is
16 amended to read:

17
18 **26-7.5-104. Community domestic abuse programs - contracts**
19 **with state department - rules and regulations.** (2) (a) The state
20 department shall establish, by rule, and enforce standards and regulations
21 for all domestic abuse programs established pursuant to this article and
22 shall require that each such domestic abuse program meets approved
23 minimum standards as established by rule.

24
25 (b) THE STANDARDS AND REGULATIONS ESTABLISHED BY THE
26 STATE DEPARTMENT SHALL REQUIRE, AT A MINIMUM, EACH DOMESTIC
27 ABUSE PROGRAM TO REQUEST INFORMATION FROM EACH CLIENT SERVED
28 BY THE PROGRAM CONCERNING THE RELATIONSHIP OF THE CLIENT TO THE
29 ALLEGED PERPETRATOR OF THE DOMESTIC ABUSE. THE STANDARDS AND
30 REGULATIONS SHALL REQUIRE EACH DOMESTIC ABUSE PROGRAM TO
31 REPORT SUCH INFORMATION TO THE STATE DEPARTMENT."
32

33 Renumber succeeding sections accordingly.

34
35 As amended, ordered revised and placed on the Calendar for Third
36 Reading and Final Passage.

37
38 **SB09-090** by Senator(s) Hudak, Williams, Heath, Bacon, Foster,
39 Groff, King K., Tapia; also Representative(s) Benefield
40 and Merrifield, Carroll T., Solano, Todd, Pace, Scanlan,
41 Levy, Summers, Ferrandino, Miklosi, Schafer S.--
42 Concerning measures to increase parent involvement in
43 public education.
44

45 Amendment No. 1, Education Report, dated April 20, 2009, and placed
46 in member's bill file; Report also printed in House Journal, April 21,
47 pages 1299-1301.

48
49 Amendment No. 2, by Representative(s) Benefield.

50
51 Amend reengrossed bill, page 3, line 16, after "ACHIEVEMENT", insert
52 "AND GROWTH".

53
54 Page 4, line 22, after "ACHIEVEMENT", insert "AND GROWTH";

55
56 line 23, after "ACHIEVEMENT", insert "AND GROWTH";

1 line 25, strike "ASSESSMENTS," and substitute "ASSESSMENTS AND IN
2 CALCULATIONS OF STUDENTS' LONGITUDINAL ACADEMIC GROWTH,";

3

4 line 26, after "ACHIEVEMENT", insert "AND GROWTH".

5

6 Page 8, line 24, after "ACHIEVEMENT", insert "AND GROWTH".

7

8 Page 11, line 5, after "ACHIEVEMENT", insert "AND GROWTH".

9

10 Page 13, line 11, after "ACHIEVEMENT", insert "OR GROWTH".

11

12 As amended, ordered revised and placed on the Calendar for Third
13 Reading and Final Passage.

14

15 A motion by Representative Kerr A., that the Committee rise, report
16 progress and beg leave to sit again later in the day, was adopted by
17 unanimous consent.

18

19

House reconvened.

20

21

22 The Committee of the Whole reported it had risen, reported progress and
23 would sit again at 4:00 p.m.

24

25

House in recess. House reconvened.

26

27

28

29 On motion of Representative Solano, the House resolved itself into
30 Committee of the Whole for continuation of consideration of General
31 Orders, and she returned to the Chair to act as Chairman.

32

33 On motion of Representative Kerr A., the remainder of the Special Orders
34 Calendar (**SB09-256**) was laid over until April 24, retaining place on
35 Calendar.

36

37

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

38

39

40 Passed Second Reading: **SB09-052 amended, 068 amended, 090**
41 **amended.**

42

43 Laid over until date indicated retaining place on Calendar: **HB09-1269,**
44 **1323, SB09-256--April 24, 2009.**

45

46 The Chairman moved the adoption of the Committee of the Whole
47 Report. As shown by the following roll call vote, a majority of those
48 elected to the House voted in the affirmative, and the Report was
49 **adopted.**

50

51

52

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56

	YES	60	NO	0	EXCUSED	5	ABSENT	0
Acree	Y	Green	Y	McCann	Y	Roberts	Y	
Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y	
Balmer	Y	Judd	Y	McKinley	E	Scanlan	Y	
Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y	
Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y	

1	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	E
2	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
3	Court	Y	King S.	Y	Murray	Y	Stephens	Y
4	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
5	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
6	Fischer	Y	Levy	Y	Peniston	Y	Tipton	E
7	Frangas	Y	Liston	E	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	E
12							Speaker	Y

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

HEALTH & HUMAN SERVICES

After consideration on the merits, the Committee recommends the following:

HB09-1353 be referred favorably to the Committee on Appropriations.

HB09-1364 be referred to the Committee of the Whole with favorable recommendation.

STATE, VETERANS, & MILITARY AFFAIRS

After consideration on the merits, the Committee recommends the following:

HJR09-1023 be referred out for final action.

TRANSPORTATION & ENERGY

After consideration on the merits, the Committee recommends the following:

HB09-1134 be postponed indefinitely.

HB09-1300 be postponed indefinitely.

HJR09-1024 be referred out for final action.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB09-1059; SB09-263, 265, 274.**

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR09-053, SJM09-010.

The Senate has passed on Third Reading and returns herewith:
HB09-1205, HB09-1183, HB09-1086, HB09-1150, HB09-1064,
HB09-1307, HB09-1237, HB09-1036.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB09-021 amended as printed in Senate Journal, April 22, 2009,
page 1194,
SB09-282 amended as printed in Senate Journal, April 21, 2009,
pages 1173-1174, and as printed in Senate Journal,
April 23, 2009,
SB09-284 amended as printed in Senate Journal, April 21, 2009,
pages 1174-1175,
SB09-283 amended as printed in Senate Journal, April 22, 2009,
page 1195,
SB09-255 amended as printed in Senate Journal, April 22, 2009,
pages 1195-1196,
SB09-006 amended as printed in Senate Journal, April 22, 2009,
pages 1196-1197,
SB09-234 amended as printed in Senate Journal, April 22, 2009,
pages 1198-1199,
SB09-164 amended as printed in Senate Journal, April 22, 2009,
page 1199.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB09-1252 amended as printed in Senate Journal, April 22, 2009,
page 1197,
HB09-1242 amended as printed in Senate Journal, April 22, 2009,
page 1198,
HB09-1129 amended as printed in Senate Journal, April 22, 2009,
page 1198,
HB09-1160 amended as printed in Senate Journal, April 22, 2009,
page 1199.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB09-1252, 1242, 1129, and 1160.
Without comment, as amended, SB09-021, 282, 284, 283, 255, 006, 234,
and 164.

INTRODUCTION OF BILLS
First Reading

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The following bills were read by title and referred to the committee indicated:

SB09-006 by Senator(s) Boyd, Keller; also Representative(s) Solano--Concerning creation of an identification processing unit for detention facilities.

Committee on Judiciary

SB09-021 by Senator(s) Kopp, Gibbs, Penry, Schwartz; also Representative(s) Scanlan and Levy, King, Lundberg--Concerning incentives for volunteer firefighters.

Committee on Judiciary

SB09-164 by Senator(s) Newell, Bacon, Carroll M., Foster, Heath, Hodge, Keller, Morse, Shaffer B., Williams; also Representative(s) McGihon and Miklosi, Frangas, Gagliardi, Kefalas, Ryden--Concerning requiring certain persons serving in the state child welfare system to demonstrate the necessary competencies to perform their job responsibilities.

Committee on Health and Human Services

SB09-234 by Senator(s) Mitchell and Heath, Scheffel, Schwartz; also Representative(s) Rice, Liston, McFadyen, Solano--Concerning direction to the economic development commission to develop recommendations for the general assembly regarding enterprise zones.

Committee on Business Affairs and Labor

SB09-255 by Senator(s) Cadman; also Representative(s) Kerr A.--Concerning the Colorado shared services authority.

Committee on Business Affairs and Labor

SB09-282 by Senator(s) Sandoval and Spence, Bacon, Foster, Groff, Hudak, Veiga; also Representative(s) Kerr A., Benefield, Court, Ferrandino, Frangas, Judd, Labuda, Levy, Massey, McCann, Merrifield, Miklosi, Scanlan, Schafer S., Solano, Summers--Concerning the merger of the Denver public schools retirement system with the public employees' retirement association.

Committee on Finance

SB09-283 by Senator(s) Sandoval; also Representative(s) Scanlan and Summers--Concerning the redaction by the secretary of state of tax identification numbers from secured transaction records filed with the secretary of state.

Committee on State, Veterans, & Military Affairs

1 **SB09-284** by Senator(s) Newell, Morse, Shaffer B., Boyd, Foster,
2 Hodge; also Representative(s) Levy--Concerning the
3 authority of a law enforcement officer under specified
4 circumstances to prevent a person from communicating
5 with someone other than a peace officer.

6 Committee on Judiciary
7
8
9

10 INTRODUCTION OF RESOLUTION

11
12 The following resolution was read by title and laid over one day under the
13 rules:

14
15 **SJR09-053** by Senator(s) Newell; also Representative(s) Kagan--
16 Concerning the recognition of the importance of raising
17 public awareness of meningitis, and, in connection
18 therewith, encouraging school districts to educate students
19 and parents about the dangers of meningitis and the
20 availability of a vaccine.

21 INTRODUCTION OF MEMORIAL

22
23
24
25 The following memorial was read by title and laid over one day under the
26 rules:

27
28
29 **SJM09-010** by Senator(s) Spence; also Representative(s) Acree--
30 Memorializing Congress to consider community needs
31 when deploying National Guard troops.

32 LAY OVER OF CALENDAR ITEM(S)

33
34
35
36 On motion of Representative Pommer, the following item(s) on the
37 Calendar were laid over until April 24, retaining place on Calendar:

38
39
40 Consideration of Resolution(s)--**HJR09-1018, 1022, 1027, SJR09-034.**
41 Consideration of Memorial(s)--**SJM09-002, HM09-1005.**
42 Consideration of Senate Amendment(s)--**HB09-1180, HJR09-1019.**

43
44
45
46 On motion of Representative Pommer, the House adjourned until
47 9:00 a.m., April 24, 2009.

48
49 Approved:
50 TERRANCE D. CARROLL,
51 Speaker

52 Attest:
53 MARILYN EDDINS,
54 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

One hundred-eighth Legislative Day

Friday, April 24, 2009

1 Prayer by the Reverend Heidi McGinness, Director of Outreach with
2 Christian Solidarity International USA.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Nina Bartell, Abe Rosenthal, Matthew
7 Hailpern, Talya Goldman, Herzl/Rocky Mountain Hebrew Academy,
8 Denver.

9
10 The roll was called with the following result:

11 Present--62.

12 Excused--Representative(s) Tipton, McKinley, Weissmann--3.

13
14
15 The Speaker declared a quorum present.

16
17
18 On motion of Representative Swalm, the reading of the journal of
19 April 23, 2009, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21
22
23
24 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

25
26 **APPROPRIATIONS**

27 After consideration on the merits, the Committee recommends the
28 following:

29
30 **HB09-1333** be referred to the Committee of the Whole with favorable
31 recommendation.

32
33
34 **SB09-037** be referred to the Committee of the Whole with favorable
35 recommendation.

36
37
38 **SB09-043** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:

41
42 Amend reengrossed bill, page 4, strike lines 1 through 13 and substitute
43 the following:

1 **"SECTION 5. Adjustments to the 2009 long bill.** For the
2 implementation of this act, appropriations to the department of higher
3 education made in the annual general appropriation act for the fiscal year
4 beginning July 1, 2009, shall be adjusted as follows:
5

6 (1) The general fund appropriation to the college opportunity fund
7 created in section 23-18-202, Colorado Revised Statutes, for stipends is
8 increased by six hundred twelve thousand dollars (\$612,000), for an
9 estimated 300.0 full-time equivalent students attending the division of
10 Pueblo community college known as Southwest Colorado community
11 college.
12

13 (2) The general fund appropriation for fee-for-service contracts
14 with state institutions is increased by five hundred one thousand three
15 hundred seventy-four dollars (\$501,374), for a fee-for-service contract
16 with the state board for community colleges and occupational education,
17 for the division of Pueblo community college known as Southwest
18 Colorado community college.
19

20 (3) The appropriation for the state board for community colleges
21 and occupational education state system community colleges is increased
22 by two million two hundred sixteen thousand four hundred fourteen
23 thousand dollars (\$2,216,414). Of said sum, seven hundred fifty thousand
24 dollars (\$750,000) shall be cash funds from the students' share of tuition,
25 one million one hundred thirteen thousand three hundred seventy-four
26 dollars (\$1,113,374) shall be reappropriated funds out of the
27 appropriations made in subsections (1) and (2) of this section for student
28 stipend payments and fee-for-service contracts, and three hundred fifty-
29 three thousand forty dollars (\$353,040) represents federal funds
30 anticipated to be received from the education stabilization fund pursuant
31 to the federal American recovery and reinvestment act of 2009.
32

33 (4) The appropriation for area vocational school support is
34 decreased by one million four hundred sixty-six thousand four hundred
35 fourteen dollars (\$1,466,414). Of said sum, one million one hundred
36 thirteen thousand three hundred seventy-four dollars (\$1,113,374) shall
37 be from the general fund and three hundred fifty-three thousand forty
38 dollars (\$353,040) represents federal funds anticipated to be received
39 from the education stabilization fund pursuant to the federal American
40 recovery and reinvestment act of 2009."
41
42
43

44 **SB09-075** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:
47

48 Amend reengrossed bill, page 10, strike lines 16 through 23.
49

50 Renumber succeeding section accordingly.
51

52 Page 1, line 102, strike "**RIGHTS-OF-WAY, AND**" and substitute "**RIGHTS-**
53 **OF-WAY.**";
54

55 strike line 103.
56

1 **SB09-076** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **SB09-087** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend reengrossed bill, page 8, strike lines 26 and 27 and substitute the
10 following:
11

12 **"SECTION 6. Appropriation.** In addition to any other
13 appropriation, there is hereby appropriated, out of any moneys in the
14 department of state cash fund created in section 24-21-104 (3) (b),
15 Colorado Revised Statutes, not otherwise appropriated, to the department
16 of state, for the fiscal year beginning July 1, 2009, the sum of seven
17 thousand five dollars (\$7,005), or so much thereof as may be necessary,
18 for the implementation of this act."
19

20 Page 9, strike lines 1 through 5.
21
22
23

24 **SB09-088** be referred to the Committee of the Whole with favorable
25 recommendation.
26

27
28 **SB09-099** be referred to the Committee of the Whole with favorable
29 recommendation.
30

31
32 **SB09-104** be referred to the Committee of the Whole with favorable
33 recommendation.
34

35
36 **SB09-123** be amended as follows, and as so amended, be referred to
37 the Committee of the Whole with favorable
38 recommendation:
39

40 Amend reengrossed bill, page 13, before line 20, insert the following:

41 **"SECTION 3. Appropriation.** (1) In addition to any other
42 appropriation, there is hereby appropriated, out of any moneys in the
43 general fund not otherwise appropriated, to the department of education,
44 management and administration, administration and centrally-
45 appropriated line items, for legal services, for the fiscal year beginning
46 July 1, 2009, the sum of seven hundred fifty-one dollars (\$751), or so
47 much thereof as may be necessary, for the implementation of this act.
48

49 (2) In addition to any other appropriation, there is hereby
50 appropriated, out of any moneys in the general fund not otherwise
51 appropriated, to the department of education, assistance to public schools,
52 grant programs, distributions, and other assistance, summer and after-
53 school programs, for the fiscal year beginning July 1, 2009, the sum of
54 seven thousand four hundred seventy-seven dollars (\$7,477) and 0.1 FTE,
55 or so much thereof as may be necessary, for the implementation of this
56 act.

1 (3) In addition to any other appropriation, there is hereby
 2 appropriated to the department of law, for the fiscal year beginning July
 3 1, 2009, the sum of seven hundred fifty-one dollars (\$751), or so much
 4 thereof as may be necessary, for the provision of legal services to the
 5 department of education related to the implementation of this act. Said
 6 sum shall be from reappropriated funds received from the department of
 7 education out of the appropriation made in subsection (1) of this section."
 8

9 Renumber succeeding sections accordingly.
 10

11 Page 1, line 102, strike "STUDENTS." and substitute "STUDENTS, AND
 12 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."
 13

14

15

16

17 **SB09-124** be amended as follows, and as so amended, be referred to
 18 the Committee of the Whole with favorable
 19 recommendation:

20

21 Amend reengrossed bill, page 2, after line 13, insert the following:

22

23 "SECTION 2. 39-29-109.3 (2) (h), Colorado Revised Statutes, is
 24 amended to read:

25

26 **39-29-109.3. Operational account of the severance tax trust**
fund - repeal. (2) Subject to the requirements of subsections (3) and (4)
 27 of this section, if the general assembly chooses not to spend up to one
 28 hundred percent of the moneys in the operational account as specified in
 29 subsection (1) of this section, the state treasurer shall transfer the
 30 following:
 31

32

33 (h) (I) To the agriculture value-added cash fund created in section
 34 35-75-205 (1), C.R.S., to promote agricultural energy-related projects and
 35 research, for the state fiscal year commencing July 1, 2008, THROUGH THE
 36 STATE FISCAL YEAR COMMENCING JULY 1, 2011, five hundred thousand
 37 dollars.

38

39 (II) This paragraph (h) is repealed, effective July 1, ~~2010~~ 2013."
 40

41

42 Renumber succeeding sections accordingly.
 43

44

45

46

47 **SB09-128** be referred to the Committee of the Whole with favorable
 48 recommendation.
 49

50

51

52 **SB09-133** be referred to the Committee of the Whole with favorable
 53 recommendation.
 54

55

56

57 **SB09-158** be referred to the Committee of the Whole with favorable
 58 recommendation.
 59

60

61

- 1 **SB09-160** be referred to the Committee of the Whole with favorable
 2 recommendation.
 3
 4
 5 **SB09-161** be referred to the Committee of the Whole with favorable
 6 recommendation.
 7
 8
 9 **SB09-162** be referred to the Committee of the Whole with favorable
 10 recommendation.
 11
 12
 13 **SB09-167** be amended as follows, and as so amended, be referred to
 14 the Committee of the Whole with favorable
 15 recommendation:
 16

17 Amend reengrossed bill, page 16, strike lines 2 through 10, and insert the
 18 following:
 19

20 **"SECTION 12. Appropriation.** (1) In addition to any other
 21 appropriation, there is hereby appropriated, out of any moneys in the
 22 division of registrations cash fund created in section 24-34-105 (2) (b) (I),
 23 Colorado Revised Statutes, not otherwise appropriated, to the department
 24 of regulatory agencies, for allocation to the division of registrations, for
 25 the continuation of the state board of chiropractic examiners, for the fiscal
 26 year beginning July 1, 2009, the sum of fourteen thousand fifty-seven
 27 dollars (\$14,057) cash funds, or so much thereof as may be necessary, for
 28 the implementation of this act."
 29
 30
 31

- 32 **SB09-178** be referred to the Committee of the Whole with favorable
 33 recommendation.
 34
 35
 36 **SB09-219** be amended as follows, and as so amended, be referred to
 37 the Committee of the Whole with favorable
 38 recommendation:
 39

40 Amend printed bill, page 2, strike line 14 and substitute the following:
 41

42 "(X) FOR THE FISCAL YEAR 2008-09:
 43

44 (A) EXCEPT AS OTHERWISE PROVIDED IN SUB-SUBPARAGRAPH (B)
 45 OF THIS SUBPARAGRAPH (X), TWO PERCENT OF THE AMOUNT";
 46

47 after line 20, insert the following:
 48

49 "(B) IF THE REVENUE ESTIMATE PREPARED FOR THE FISCAL YEAR
 50 2008-09 IN ACCORDANCE WITH SECTION 24-75-201.3 (2) IN JUNE OF 2009
 51 INDICATES THAT GENERAL FUND EXPENDITURES FOR THAT FISCAL YEAR
 52 BASED ON APPROPRIATIONS THEN IN EFFECT WILL EXCEED THE AMOUNT OF
 53 GENERAL FUND REVENUES AVAILABLE, EXCLUDING THE RESERVE
 54 REQUIRED BY SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (X), UPON
 55 WRITTEN ORDER, THE GOVERNOR MAY FURTHER REDUCE THE REQUIRED
 56 RESERVE FROM TWO PERCENT TO EITHER A LOWER PERCENTAGE OR TO A

1 ZERO PERCENTAGE AS IS NECESSARY TO COVER TO THE GREATEST EXTENT
2 POSSIBLE ANY APPROPRIATIONS THEN IN EFFECT MADE FROM THE GENERAL
3 FUND FOR WHICH GENERAL FUND MONEYS WOULD NOT OTHERWISE BE
4 AVAILABLE COMPRISING SUCH RESERVE."

5

6

7

8

9 **EDUCATION**

10 After consideration on the merits, the Committee recommends the
11 following:

12

13 **HB09-1343** be amended as follows, and as so amended, be referred to
14 the Committee of the Whole with favorable
15 recommendation:

16

17 Amend printed bill, page 2, line 6, strike "OVERSIGHT";

18

19 line 9, strike "OVERSIGHT";

20

21 line 19, strike "OVERSIGHT";

22

23 line 22, strike "**oversight**";

24

25 line 23, strike "OVERSIGHT COMMISSION FOR THE" and substitute
26 "COMMISSION FOR";

27

28 line 24, strike "CONTINUED STUDY OF ISSUES" and substitute "POLICY
29 IMPROVEMENT";

30

31 strike line 26 and substitute the following:

32

33 "PARENTAL INVOLVEMENT, FAMILY SUPPORT, CHILD CARE, AND EARLY
34 LEARNING."

35

36 Page 4, strike lines 18 through 21 and substitute the following:

37

38 "(2) (a) BEGINNING ON OR BEFORE AUGUST 1, 2009, THE
39 COMMISSION SHALL MEET AT LEAST SIX TIMES ANNUALLY AND AS NEEDED
40 THEREAFTER.";

41

42 line 24, before "AND", insert "FAMILY SUPPORT,";

43

44 line 25, strike "EDUCATION." and substitute "EARLY LEARNING."

45

46 Page 5, after line 2, insert the following:

47

48 "(c) THE COMMISSION SHALL SOLICIT INPUT FROM THE MEMBERS
49 OF THE PUBLIC, ESPECIALLY THOSE INDIVIDUALS WITH EXPERTISE RELATED
50 TO EARLY CHILDHOOD AND SCHOOL READINESS ISSUES, TO AID THE
51 COMMISSION IN ITS WORK."

52

53 Reletter succeeding paragraph accordingly.

54

55

1 **HJR09-1020** be amended as follows, and as so amended, be referred out
2 for final action:

3
4 Amend printed joint resolution, page 2, after line 1, insert the following:

5
6 "WHEREAS, Education funding in Colorado has not kept pace
7 with student growth and inflation, and even under the provisions of
8 Amendment 23 will not reach 1988 funding levels by the year 2011; and
9

10 WHEREAS, Colorado school districts have experienced
11 significant cuts in funding for the 2008-09 and 2009-10 fiscal years, and
12 are struggling to sustain current levels of programs and services; and";

13
14 after line 27, insert the following:

15
16 "WHEREAS, School districts have encountered and will continue
17 to incur additional costs in achieving proficiency for all students; and";

18
19 line 28, strike "The" and substitute "It is possible that the";

20
21 strike line 32 and substitute the following:

22
23 "education, though it is also the case that current levels of funding do not
24 allow school districts to provide a twenty-first century education for
25 Colorado's students; and";

26
27 line 38, strike "school districts and charter";

28
29 after line 39, insert the following:

30
31 "WHEREAS, In addition to considering changes to the "Public
32 School Finance Act of 1994" in an effort to implement education reform,
33 it is also critical to consider changes that would allow school districts to
34 continue to offer services or restore services that were scaled back or
35 eliminated due to recent decreases in funding for public education from
36 preschool through the twelfth grade; and".

37
38 Page 3, line 2, after "reform," insert "to analyze the needs of public
39 school facilities throughout the state,";

40
41 line 36, strike "and";

42
43 line 40, after "graduation;", insert "and";

44
45 after line 40, insert the following:

46 "(j) Whether the current system by which school districts pay for
47 capital facility needs is thorough and uniform;".

48
49 Page 4, strike lines 22 through 25 and substitute the following

50
51 "(7) That, to aid the committee in its work, the Legislative Council
52 Staff shall have the authority to solicit input from the members of the
53 public, including but not necessarily limited to:

54
55 (a) Those members of the public with expertise related to school
56 finance issues;

1 (b) Representatives of school districts, such as school
2 administrators, teachers, charter school representatives, and school board
3 members;

4
5 (c) Stakeholders representing all aspects of public education, such
6 as school districts and their employees, educators, students, parents,
7 statewide associations, education-related organizations, foundations,
8 school board members, members of the State Board of Education, the
9 Governor's P-20 Council, and the Colorado Department of Education; and

10
11 (d) Any other stakeholders representing education issues or
12 experts related to school finance issues;".

13
14
15
16 **HJR09-1025** be amended as follows, and as so amended, be referred out
17 for final action:

18
19 Amend printed resolution, page 1, line 3, before "corrections", insert
20 "youth";

21
22 line 9, before "correctional", insert "youth".

23
24 Page 4, strike lines 11 through 13;

25
26 line 14, strike "nonlegislative";

27
28 strike lines 16 through 32.

29
30
31
32 **SB09-089** be referred favorably to the Committee on Appropriations.

33
34
35
36
37 **JUDICIARY**

38 After consideration on the merits, the Committee recommends the
39 following:

40
41 **HB09-1351** be referred favorably to the Committee on Appropriations.

42
43
44 **SB09-245** be referred favorably to the Committee on Appropriations.

45
46
47
48
49 **LOCAL GOVERNMENT**

50 After consideration on the merits, the Committee recommends the
51 following:

52
53 **HB09-1350** be amended as follows, and as so amended, be referred to
54 the Committee of the Whole with favorable
55 recommendation:

56

1 Amend printed bill, page 3, strike line 3 and substitute the following:

2

3 "BE CITED AS THE "ENERGY EFFICIENCY AND RENEWABLES JOBS ACT".

4

5 Page 8, line 21, after "ADMINISTRATOR.", add "NEITHER THE DISTRICT
6 NOR ITS PROGRAM ADMINISTRATOR SHALL OFFER REBATES FOR THE
7 PURCHASE OF RENEWABLE ENERGY CREDITS. THE DISTRICT'S ACTIVITIES
8 SHALL BE LIMITED TO FUNDING NEW ENERGY IMPROVEMENTS AND TO
9 MARKETING THAT FUNDING.";

10

11 line 23, strike "AND".

12

13 Page 9, strike line 1 and substitute the following:

14

15 "PROPERTY; AND

16

17 (c) MEETS ANY STANDARD OF CREDIT-WORTHINESS THAT THE
18 DISTRICT MAY ESTABLISH.";

19

20 line 7, after "IMPROVEMENT.", insert "UTILITY REBATES OFFERED TO
21 PROGRAM PARTICIPANTS BY A QUALIFYING RETAIL UTILITY FOR THE
22 PURPOSE OF COMPLIANCE WITH RENEWABLE ENERGY TARGETS
23 ESTABLISHED IN SECTION 40-2-124, C.R.S., SHALL BE SUBJECT TO THE
24 RETAIL RATE IMPACT CAP ESTABLISHED PURSUANT TO SECTION 40-2-124
25 (1) (g) (I), C.R.S.".

26

27 Page 11, line 21, strike "FOUR" and substitute "TWO";

28

29 line 24, after "C.R.S.;", insert "AND";

30

31 strike line 27.

32

33 Page 12, strike lines 1 through 5 and substitute the following:

34

35 "(II) THE FOLLOWING THREE MEMBERS APPOINTED BY THE
36 GOVERNOR:

37

38 (A) ONE MEMBER WHO HAS EXECUTIVE-LEVEL EXPERIENCE IN THE
39 AFFORDABLE HOUSING INDUSTRY;

40

41 (B) ONE MEMBER WHO HAS EXECUTIVE-LEVEL EXPERIENCE IN THE
42 LENDING INDUSTRY; AND

43

44 (C) ONE MEMBER WHO IS AN ATTORNEY LICENSED TO PRACTICE
45 LAW IN COLORADO AND WHO SHALL SERVE AS THE SECRETARY OF THE
46 BOARD;".

47

48 Page 18, line 17, strike "GUIDELINES AND PROCEDURES" and substitute
49 "STANDARDS, GUIDELINES, AND PROCEDURES, INCLUDING BUT NOT
50 LIMITED TO STANDARDS OF CREDIT-WORTHINESS FOR QUALIFICATION OF
51 PROGRAM APPLICANTS,";

52

53 after line 19, insert the following:

54

55 "(d) ENCOURAGE ANY QUALIFIED APPLICANT TO OBTAIN AN
56 ONLINE OR ON-SITE HOME ENERGY AUDIT IN ORDER TO ENSURE THAT THE

1 EFFICIENT USE OF NEW ENERGY IMPROVEMENT FUNDING PURSUANT TO
2 THIS ARTICLE;

3

4 (e) INFORM PROSPECTIVE PROGRAM APPLICANTS AND QUALIFIED
5 APPLICANTS OF PRIVATE FINANCING OPTIONS NOT PROVIDED BY THE
6 DISTRICT, INCLUDING BUT NOT LIMITED TO HOME EQUITY LOANS AND
7 HOME EQUITY LINES OF CREDIT, THAT MAY, WITH RESPECT TO A
8 PARTICULAR APPLICANT, REPRESENT VIABLE ALTERNATIVES FOR
9 FINANCING NEW ENERGY IMPROVEMENTS;"

10

11 Reletter succeeding paragraphs accordingly.

12

13 Page 18, after line 26, insert the following:

14

15 "(4) THE DISTRICT SHALL ESTABLISH UNDERWRITING GUIDELINES
16 THAT CONSIDER PROGRAM APPLICANTS' QUALIFICATIONS,
17 CREDITWORTHINESS, HOME EQUITY, AND OTHER APPROPRIATE FACTORS,
18 CONSISTENT WITH GOOD AND CUSTOMARY LENDING PRACTICES, AND AS
19 REQUIRED IN ORDER FOR THE DISTRICT TO OBTAIN A BOND RATING
20 NECESSARY FOR A SUCCESSFUL BOND SALE. THE DISTRICT SHALL ALSO
21 ARRANGE FOR AN APPROPRIATE LOSS RESERVE IN ORDER TO OBTAIN THE
22 NECESSARY BOND RATING."

23

24 Page 23, strike lines 18 through 22 and substitute the following:

25

26 "PRINCIPAL."

27

28 Page 24, line 21, after "RESOLUTION", insert "AND ASSESSMENT ROLL".

29

30 Page 26, line 1, strike "(a)";

31

32 strike lines 10 through 27.

33

34 Strike pages 27 and 28.

35

36 Page 29, strike line 1.

37

38 Page 33, after line 25, insert the following:

39

40 "**SECTION 2.** 31-25-1102 (2), Colorado Revised Statutes, is
41 amended to read:

42

43 **31-25-1102. Definitions.** As used in this part 11, unless the
44 context otherwise requires:

45

46 (2) "Taxing authority" means THE COLORADO NEW ENERGY
47 IMPROVEMENT DISTRICT CREATED IN SECTION 32-20-104 (1), C.R.S., AND
48 any municipal corporation or taxing district organized under the
49 constitution and laws of the state of Colorado with power to make local
50 improvements therein and pay for the same by means of special
51 assessments based upon benefits accruing to property within the
52 municipality or taxing district by reason of such local improvement."

53

54 Renumber succeeding section accordingly.

55

56 Page 1, line 101, strike ""NEW ENERGY IMPROVEMENTS AND JOBS";

1 line 102, strike "**CREATION ACT**" and substitute ""**ENERGY EFFICIENCY**
2 **AND RENEWABLES JOBS ACT**".

3

4

5

6 **HB09-1362** be amended as follows, and as so amended, be referred to
7 the Committee of the Whole with favorable
8 recommendation:

9

10 Amend printed bill, page 3, line 5, after "**Community**", insert "**and**
11 **State**";

12

13 line 7, after "COMMUNITY", insert "AND STATE";

14

15 line 10, after "COMMUNITY", insert "AND STATE";

16

17 line 13, after "COMMUNITY", insert "AND STATE".

18

19 Page 4, line 5, after "COMMUNITY", insert "AND STATE";

20

21 line 6, after "COMMUNITY", insert "AND STATE";

22

23 after line 17, insert the following:

24

25 "(3) "DENVER METROPOLITAN SERVICE AREA" MEANS THE
26 COUNTIES OF ADAMS, ARAPAHOE, BOULDER, BROOMFIELD, DENVER,
27 DOUGLAS, AND JEFFERSON THAT SERVE THE STATE COLLEGE AND ANY
28 COMMUNITY COLLEGE ALL OR ANY PORTION OF THE SERVICE AREA OF
29 WHICH IS LOCATED WITHIN ONE OF THE AFOREMENTIONED COUNTIES."

30

31 Renumber succeeding subsections accordingly.

32

33 Page 4, line 20, after "COMMUNITY", insert "AND STATE".

34

35 Page 5, line 1, after "MEANS", insert "EITHER";

36

37 line 4, strike "C.R.S." and substitute "C.R.S., OR THE DENVER
38 METROPOLITAN SERVICE AREA.";

39

40 after line 7, insert the following:

41

42 "(11) "STATE COLLEGE" MEANS THE METROPOLITAN STATE
43 COLLEGE OF DENVER CREATED IN SECTION 23-54-101, C.R.S."

44

45 Page 6, line 9, strike "A" and substitute "EXCEPT AS OTHERWISE
46 PROVIDED IN PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION, A".

47

48 Page 7, strike lines 20 through 26 and substitute the following:

49

50 "(2) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
51 ARTICLE, UPON THE PASSAGE OF A RESOLUTION BY THE STATE BOARD AND
52 THE BOARD OF TRUSTEES OF THE STATE COLLEGE, THE STATE BOARD AND
53 BOARD OF TRUSTEES MAY JOINTLY REQUEST AT LEAST TWO LOCAL
54 GOVERNMENTS, THE TERRITORIAL BOUNDARIES OF WHICH ARE LOCATED
55 WITHIN THE DENVER METROPOLITAN SERVICE AREA, ESTABLISH A SINGLE
56 CONSOLIDATED DISTRICT THAT WILL SERVE THE STATE COLLEGE AND ANY

1 COMMUNITY COLLEGES, ALL OR ANY PORTION OF THE SERVICE AREA OF
2 WHICH IS LOCATED WITHIN SUCH AREA IN ACCORDANCE WITH THE
3 REQUIREMENTS OF THIS ARTICLE. IN SUCH CASE, A SINGLE BALLOT
4 QUESTION SEEKING VOTER APPROVAL OF THE FORMATION OF THE DISTRICT
5 MAY BE CONSOLIDATED WITHIN SUCH SERVICE AREA FOR PURPOSES OF
6 PLACEMENT ON THE BALLOT. ALL OTHER REQUIREMENTS OF THIS ARTICLE
7 SHALL APPLY TO THE CREATION, ORGANIZATION, AND ADMINISTRATION OF
8 THE DISTRICT.

9
10 (b) IN SO FAR AS THE VOTERS APPROVE THE FORMATION OF THE
11 DISTRICT PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2), THE
12 STATE BOARD AND THE BOARD OF TRUSTEES OF THE STATE COLLEGE SHALL
13 SPECIFY, BY INTERGOVERNMENTAL AGREEMENT, THE ALLOCATION OF ANY
14 TAX REVENUES COLLECTED, INTO WHICH AGREEMENT THE PARTIES ARE
15 HEREBY AUTHORIZED TO ENTER.

16
17 (3) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (a) OF
18 SUBSECTION (2) OF THIS SECTION:".

19
20 Page 8, line 13, after "COMMUNITY", insert "OR STATE";

21
22 line 17, after "COMMUNITY", insert "OR STATE";

23
24 line 20, after "COMMUNITY", insert "OR STATE";

25
26 line 23, after "COMMUNITY", insert "OR STATE".

27
28 Page 10, line 15, strike "In" and substitute "IN CONNECTION WITH A
29 DISTRICT ESTABLISHED IN";

30
31 line 18, after "GOVERNMENTS.", insert "IN CONNECTION WITH A DISTRICT
32 ESTABLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION
33 32-20-105 (2) (a), THE TERRITORY OF THE DISTRICT SHALL BE
34 COTERMINOUS WITH THE DENVER METROPOLITAN SERVICE AREA.";

35
36 line 27, after "(a)", insert "OR (2) (a)".

37
38 Page 15, line 27, after "COMMUNITY", insert "OR STATE".

39
40 Page 16, line 9, after "ARTICLE,", insert "IN THE CASE OF A DISTRICT
41 ESTABLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION
42 32-20-105 (1) (a),";

43
44 line 13, after "ARTICLE.", add "IN THE CASE OF A DISTRICT ESTABLISHED
45 IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 32-20-105 (2) (a),
46 A LOCAL GOVERNMENT SHALL FIRST OBTAIN THE CONSENT OF THE STATE
47 BOARD AND THE BOARD OF TRUSTEES OF THE STATE COLLEGE PRIOR TO
48 PLACING ANY QUESTION ON THE BALLOT SEEKING VOTER APPROVAL FOR
49 THE IMPOSITION OR INCREASE OF A SALES OR AD VALOREM TAX PURSUANT
50 TO THIS ARTICLE.".

51
52 Page 18, line 22, after "COMMUNITY", insert "OR STATE";

53
54 line 25, after "COMMUNITY", insert "OR STATE";

55
56 line 26, after "COMMUNITY", insert "OR STATE".

1 Page 19, line 2, after "COMMUNITY", insert "OR STATE";

2

3 line 5, strike "BOARD." and substitute "BOARD IN THE CASE OF A DISTRICT
4 ESTABLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION
5 32-20-105 (1) (a), OR AS MAY BE MUTUALLY AGREED UPON BY THE
6 DISTRICT, THE STATE BOARD, AND THE BOARD OF TRUSTEES OF THE STATE
7 COLLEGE IN THE CASE OF A DISTRICT ESTABLISHED IN ACCORDANCE WITH
8 THE REQUIREMENTS OF SECTION 32-20-105 (2) (a).";

9

10 line 6, after "(2)", insert "(a)", and, after "ARTICLE,", insert "IN THE CASE
11 OF A DISTRICT ESTABLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF
12 SECTION 32-20-105 (1) (a).";

13

14 strike lines 11 and 12 and substitute the following:

15

16 "ARTICLE WITHOUT THE PRIOR CONSENT OF THE STATE BOARD.

17

18 (b) IN THE CASE OF A DISTRICT ESTABLISHED IN ACCORDANCE WITH
19 THE REQUIREMENTS OF SECTION 32-20-105 (2) (a), ANY DETERMINATION
20 ABOUT THE USE OF TAX REVENUES COLLECTED PURSUANT TO THIS ARTICLE
21 ON BEHALF OF ANY PARTICULAR COMMUNITY OR STATE COLLEGE SHALL
22 BE MADE IN CONSULTATION AMONG THE DISTRICT, THE STATE BOARD, AND
23 THE BOARD OF TRUSTEES OF THE STATE COLLEGE. NO REVENUES SHALL
24 BE EXPENDED PURSUANT TO THIS ARTICLE WITHOUT THE PRIOR CONSENT
25 OF THE STATE BOARD AND THE BOARD OF TRUSTEES OF THE STATE
26 COLLEGE.".

27

28 Page 1, line 105, after "COMMUNITY", insert "AND STATE".

29

30

31

32

33 **TRANSPORTATION & ENERGY**

34 After consideration on the merits, the Committee recommends the
35 following:

36

37 **SB09-228** be amended as follows, and as so amended, be referred to
38 the Committee on Appropriations with favorable
39 recommendation:

40

41 Amend reengrossed bill, page 6, strike lines 2 through 8 and substitute the
42 following:

43

44 "SECTION 2. 22-55-102 (15), Colorado Revised Statutes, is
45 amended to read:

46

47 **22-55-102. Definitions.** As used in this article, unless the context
48 otherwise requires:

49

50 (15) "Statutory limitation on general fund appropriations ~~growth~~
51 means the limitation on annual general fund appropriations set forth in
52 section 24-75-201.1, C.R.S.";

53

54 line 9, strike "(5)," and substitute "(5) (c).";

55

56 line 14, strike "STATE EDUCATION";

1 strike lines 17 through 27.

2

3 Page 7, strike lines 1 through 5 and substitute the following:

4

5 "(c) The statutory limitation on general fund appropriations.
6 ~~growth~~".

7

8 Renumber succeeding sections accordingly.

9

10 Page 7, line 14, after "percent", insert "OR HIGHER";

11

12 line 15, strike "(1) (d)," and substitute "(1),".

13

14 Page 8, strike lines 16 through 27.

15

16 Strike pages 9 through 18.

17

18 Page 19, strike lines 1 through 18 and substitute the following:

19

20 **SECTION 6.** 24-75-201.1 (1) (a) (II), the introductory portion
21 to 24-75-201.1 (1) (a) (III), 24-75-201.1 (1) (a) (IV), the introductory
22 portion to 24-75-201.1 (1) (a) (V), and 24-75-201.1 (1) (c.5) (II),
23 Colorado Revised Statutes, are amended, and the said 24-75-201.1 (1) (a)
24 is further amended BY THE ADDITION OF A NEW
25 SUBPARAGRAPH, to read:

26

27 **24-75-201.1. Restriction on state appropriations - legislative**
28 **declaration - definitions.** (1) (a) (II) Except as otherwise provided for
29 in subparagraphs (III) and (IV) of this paragraph (a), for the fiscal year
30 1991-92 and each fiscal year thereafter ENDING WITH THE FISCAL YEAR
31 2008-09, the total state general fund appropriations shall be limited to
32 such moneys as are necessary for reappraisals of any class or classes of
33 taxable property for property tax purposes as required by section
34 39-1-105.5, C.R.S., plus the lesser of:

35

36 (A) An amount equal to five percent of Colorado personal
37 income; or

38

39 (B) Six percent over the total state general fund appropriations for
40 the previous fiscal year.

41

42 (II.5) EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPHS (III)
43 AND (IV) OF THIS PARAGRAPH (a), FOR THE FISCAL YEAR 2009-10 AND
44 EACH FISCAL YEAR THEREAFTER, THE TOTAL STATE GENERAL FUND
45 APPROPRIATIONS SHALL BE LIMITED TO SUCH MONEYS AS ARE NECESSARY
46 FOR REAPPRAISALS OF ANY CLASS OR CLASSES OF TAXABLE PROPERTY FOR
47 PROPERTY TAX PURPOSES AS REQUIRED BY SECTION 39-1-105.5, C.R.S.,
48 PLUS AN AMOUNT EQUAL TO FIVE PERCENT OF COLORADO PERSONAL
49 INCOME.

50

51 (III) The limitation on the level of state general fund
52 appropriations set forth in ~~subparagraph (II)~~ SUBPARAGRAPHS (II) AND
53 (II.5) of this paragraph (a) shall not apply to:

54

55 (IV) (A) The limitation on the level of state general fund
56 appropriations as set forth in ~~subparagraph (II)~~ SUBPARAGRAPHS (II) AND

1 (II.5) of this paragraph (a) may be exceeded for a given fiscal year upon
2 the declaration of a state fiscal emergency by the general assembly. A
3 state fiscal emergency may be declared by the passage of a joint
4 resolution which is approved by a two-thirds majority vote of the
5 members of both houses of the general assembly and which is approved
6 by the governor in accordance with section 39 of article V of the state
7 constitution.

8
9 (B) Any funds appropriated in a given fiscal year which exceed
10 the limitation on state general fund appropriations established by
11 ~~subparagraph (H)~~ SUBPARAGRAPHS (II) AND (II.5) of this paragraph (a)
12 because of the declaration of a state fiscal emergency by the general
13 assembly pursuant to sub-subparagraph (A) of this subparagraph (IV)
14 shall not be included in the calculation of the maximum level of state
15 general fund appropriations pursuant to sub-subparagraph (B) of
16 subparagraph (II) of this paragraph (a) for subsequent fiscal years.

17
18 (V) No state cash fund appropriation which either supplants any
19 state general fund appropriation or, if not made, would necessitate a state
20 general fund appropriation shall be made in order to circumvent the
21 limitation on the level of state general fund appropriations set forth in
22 ~~subparagraph (H)~~ SUBPARAGRAPHS (II) AND (II.5) of this paragraph (a).
23 The provisions of this subparagraph (V) shall not apply to any state cash
24 fund appropriation:

25
26 (c.5) (II) (A) ~~(Deleted by amendment, L. 2002, p. 1005, § 1,~~
27 ~~effective August 7, 2002.)~~

28
29 ~~(B) Except as otherwise provided in sub-subparagraph (B.8) of~~
30 ~~this subparagraph (II), for each fiscal year, following the adoption by the~~
31 ~~general assembly of the general appropriation bill, there may be~~
32 ~~transferred to the controlled maintenance trust fund fifty percent of the~~
33 ~~general fund revenues for the prior fiscal year in excess of general fund~~
34 ~~appropriations, statutory rebates, and statutory transfers, not to exceed~~
35 ~~fifty million dollars, and after retention of the reserve required by~~
36 ~~paragraph (d) of this subsection (1). The capital development committee~~
37 ~~shall consider the extent to which excess general fund revenues are the~~
38 ~~result of expenditures of other general fund dollars and make a~~
39 ~~recommendation to the joint budget committee regarding excess dollars~~
40 ~~to be allocated to the controlled maintenance trust fund. The general~~
41 ~~assembly shall, by joint resolution, presented to and signed by the~~
42 ~~governor, determine the amount to be transferred and direct the state~~
43 ~~treasurer and the controller to make such transfer to the controlled~~
44 ~~maintenance trust fund.~~

45
46 ~~(B.5) and (B.7) (Deleted by amendment, L. 2002, p. 1005, § 1,~~
47 ~~effective August 7, 2002.)~~

48
49 ~~(B.8) The state treasurer and controller shall transfer fifty-five~~
50 ~~million dollars from the general fund to the controlled maintenance trust~~
51 ~~fund on June 30, 2005.~~

52
53 ~~(C) The interest earned on the trust fund balance may be~~
54 ~~appropriated by the general assembly pursuant to the provisions of section~~
55 ~~24-75-302.5. Any transfer made pursuant to the provisions of this~~
56 ~~subparagraph (II) shall not be deemed to be an appropriation subject to~~

1 ~~the limitations of this section.~~

2
3 **SECTION 7.** The introductory portion to 24-75-201.1 (1) (d) and
4 24-75-201.1 (1) (d) (III), Colorado Revised Statutes, are amended, and
5 the said 24-75-201.1 (1) (d) is further amended BY THE ADDITION OF
6 THE FOLLOWING NEW SUBPARAGRAPHS, to read:

7
8 **24-75-201.1. Restriction on state appropriations - legislative**
9 **declaration - definitions.** (1) (d) EXCEPT AS OTHERWISE PROVIDED IN
10 PARAGRAPH (e) OF THIS SUBSECTION (1), for each fiscal year, unrestricted
11 general fund year-end balances shall be retained as a reserve in the
12 following amounts:

13
14 (III) For the fiscal year 1988-89 and each fiscal year thereafter
15 ENDING WITH THE FISCAL YEAR 2011-12, except for the fiscal years
16 1990-91, 1991-92, 1992-93, 2001-02, 2002-03, 2003-04, and 2006-07, as
17 provided in subparagraphs (IV), (V), (VI), (VII), (VIII), and (IX) of this
18 paragraph (d), four percent of the amount appropriated for expenditure
19 from the general fund for that fiscal year;

20
21 (X) FOR THE FISCAL YEAR 2012-13, FOUR AND ONE-HALF PERCENT
22 OF THE AMOUNT APPROPRIATED FOR EXPENDITURE FROM THE GENERAL
23 FUND FOR THAT FISCAL YEAR;

24
25 (XI) FOR THE FISCAL YEAR 2013-14, FIVE PERCENT OF THE
26 AMOUNT APPROPRIATED FOR EXPENDITURE FROM THE GENERAL FUND FOR
27 THAT FISCAL YEAR;

28
29 (XII) FOR THE FISCAL YEAR 2014-15, FIVE AND ONE-HALF PERCENT
30 OF THE AMOUNT APPROPRIATED FOR EXPENDITURE FROM THE GENERAL
31 FUND FOR THAT FISCAL YEAR;

32
33 (XIII) FOR THE FISCAL YEAR 2015-16, SIX PERCENT OF THE
34 AMOUNT APPROPRIATED FOR EXPENDITURE FROM THE GENERAL FUND FOR
35 THAT FISCAL YEAR;

36
37 (XIV) FOR THE FISCAL YEAR 2016-17 AND EACH FISCAL YEAR
38 THEREAFTER, AT LEAST SIX AND ONE-HALF PERCENT OF THE AMOUNT
39 APPROPRIATED FOR EXPENDITURE FROM THE GENERAL FUND FOR THAT
40 FISCAL YEAR.

41
42 **SECTION 8.** 24-75-201.1 (1), Colorado Revised Statutes, is
43 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

44
45 **24-75-201.1. Restriction on state appropriations - legislative**
46 **declaration - definitions.** (1) (e) (I) SUBPARAGRAPH (X) OF PARAGRAPH
47 (d) OF THIS SUBSECTION (1) SHALL NOT APPLY IN THE FISCAL YEAR
48 2012-13 IF COLORADO PERSONAL INCOME INCREASES BY LESS THAN FIVE
49 PERCENT FROM THE CALENDAR YEAR 2011 TO THE CALENDAR YEAR 2012.
50 IN SUCH CASE, THE UNRESTRICTED GENERAL FUND YEAR-END BALANCE
51 FOR FISCAL YEAR 2012-13 SHALL BE FOUR PERCENT OF THE AMOUNT
52 APPROPRIATED FOR EXPENDITURE FROM THE GENERAL FUND FOR THAT
53 FISCAL YEAR, AND THE ANNUAL RESERVE REQUIRED FOR EACH
54 SUCCEEDING FISCAL YEAR SHALL REMAIN THE SAME UNTIL THE NEXT
55 FISCAL YEAR DURING WHICH COLORADO PERSONAL INCOME INCREASES BY
56 AT LEAST FIVE PERCENT. FOR SUCH FISCAL YEAR, THE UNRESTRICTED

1 GENERAL FUND YEAR-END BALANCE RETAINED AS A RESERVE SHALL BE
 2 FOUR AND ONE-HALF PERCENT. FOR PURPOSES OF THIS SUBPARAGRAPH (I),
 3 COLORADO PERSONAL INCOME SHALL BE CONSIDERED TO INCREASE BY AT
 4 LEAST FIVE PERCENT DURING A GIVEN FISCAL YEAR IF, FROM THE
 5 CALENDAR YEAR THAT COMMENCES EIGHTEEN MONTHS PRIOR TO THE
 6 FIRST DAY OF THE FISCAL YEAR, AND TO THE NEXT CALENDAR YEAR,
 7 COLORADO PERSONAL INCOME INCREASES BY AT LEAST FIVE PERCENT.

8
 9 (II) THE RESERVE REQUIREMENTS SET FORTH IN SUBPARAGRAPHS
 10 (XI), (XII), (XIII), AND (XIV) OF PARAGRAPH (d) OF THIS SUBSECTION (1)
 11 SHALL BE DELAYED BY THE NUMBER OF FISCAL YEARS THAT THE RESERVE
 12 IS FOUR PERCENT PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH
 13 (e).

14
 15 (III) AS USED IN THIS PARAGRAPH (e), "COLORADO PERSONAL
 16 INCOME" MEANS THE TOTAL PERSONAL INCOME FOR COLORADO, AS
 17 DEFINED AND OFFICIALLY REPORTED BY THE BUREAU OF ECONOMIC
 18 ANALYSIS IN THE UNITED STATES DEPARTMENT OF COMMERCE."

19
 20 Renumber succeeding sections accordingly.

21
 22 Page 20, strike lines 12 through 26.

23
 24 Renumber succeeding sections accordingly.

25
 26 Page 21, line 14, strike "allocation" and substitute "allocation TRANSFER";

27
 28 strike lines 18 through 21 and substitute the following:

29
 30 **"SECTION 11. Repeal.** 24-75-218, Colorado Revised Statutes,
 31 is repealed as follows:";

32
 33 line 22, strike "(1) On" and substitute "(1) On".

34
 35 Page 22, strike lines 9 through 27.

36
 37 Page 23, strike lines 1 through 4 and substitute the following:

38
 39 ~~"(2) For the 2006-07 state fiscal year and for each succeeding~~
 40 ~~state fiscal year, the state shall credit and allocate the estimated amounts~~
 41 ~~of general fund surplus required to be credited and allocated to the~~
 42 ~~highway users tax fund and the capital construction fund pursuant to~~
 43 ~~subsection (1) of this section as follows:~~

44
 45 ~~(a) On September 20 of the state fiscal year, the state controller~~
 46 ~~shall credit and allocate amounts estimated by the controller to equal~~
 47 ~~ninety percent of the amounts required to be credited and allocated.~~

48
 49 ~~(b) On the date during the state fiscal year on which the state~~
 50 ~~controller distributes the comprehensive annual financial report of the~~
 51 ~~state, the controller shall credit and allocate amounts equal to the~~
 52 ~~differences between the actual amounts required to be credited and~~
 53 ~~allocated and the estimated amounts previously credited and allocated~~
 54 ~~pursuant to paragraph (a) of this subsection (2).~~

55
 56

1 **SECTION 12.** Part 2 of article 75 of title 24, Colorado Revised
2 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
3 read:

4
5 **24-75-219. Transfers - transportation - capital construction -**
6 **definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
7 OTHERWISE REQUIRES:

8
9 (a) "CAPITAL CONSTRUCTION FUND" MEANS THE CAPITAL
10 CONSTRUCTION FUND CREATED IN SECTION 24-75-302.

11
12 (b) "COLORADO PERSONAL INCOME" MEANS THE TOTAL PERSONAL
13 INCOME FOR COLORADO, AS DEFINED AND OFFICIALLY REPORTED BY THE
14 BUREAU OF ECONOMIC ANALYSIS IN THE UNITED STATES DEPARTMENT OF
15 COMMERCE.

16
17 (c) "FUNDS" MEANS THE HIGHWAY USERS TAX FUND AND THE
18 CAPITAL CONSTRUCTION FUND.

19
20 (d) "HIGHWAY USERS TAX FUND" MEANS THE HIGHWAY USERS TAX
21 FUND CREATED IN SECTION 43-4-201, C.R.S.

22
23 (2) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (e) OF
24 THIS SUBSECTION (2), FOR THE STATE FISCAL YEAR 2012-13, THE STATE
25 TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE:

26
27 (I) HIGHWAY USERS TAX FUND, AN AMOUNT EQUAL TO TWO
28 PERCENT OF THE TOTAL GENERAL FUND REVENUES FOR SUCH STATE FISCAL
29 YEAR; AND

30
31 (II) CAPITAL CONSTRUCTION FUND, AN AMOUNT EQUAL TO
32 ONE-HALF OF ONE PERCENT OF THE TOTAL GENERAL FUND REVENUES FOR
33 SUCH STATE FISCAL YEAR.

34
35 (b) EXCEPT AS OTHERWISE SET FORTH IN PARAGRAPH (e) OF THIS
36 SUBSECTION (2), FOR THE STATE FISCAL YEAR 2013-14, THE STATE
37 TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE:

38
39 (I) HIGHWAY USERS TAX FUND, AN AMOUNT EQUAL TO TWO
40 PERCENT OF THE TOTAL GENERAL FUND REVENUES FOR SUCH STATE FISCAL
41 YEAR; AND

42
43 (II) CAPITAL CONSTRUCTION FUND, AN AMOUNT EQUAL TO
44 ONE-HALF OF ONE PERCENT OF THE TOTAL GENERAL FUND REVENUES FOR
45 SUCH STATE FISCAL YEAR.

46
47 (c) EXCEPT AS OTHERWISE SET FORTH IN PARAGRAPH (e) OF THIS
48 SUBSECTION (2), FOR EACH STATE FISCAL YEAR FROM 2014-15 THROUGH
49 THE STATE FISCAL YEAR 2016-17, THE STATE TREASURER SHALL TRANSFER
50 FROM THE GENERAL FUND TO THE:

51
52 (I) HIGHWAY USERS TAX FUND, AN AMOUNT EQUAL TO TWO
53 PERCENT OF THE TOTAL GENERAL FUND REVENUES FOR THE STATE FISCAL
54 YEAR IN WHICH THE TRANSFER IS MADE; AND

55
56

1 (II) CAPITAL CONSTRUCTION FUND, AN AMOUNT EQUAL TO ONE
2 PERCENT OF THE TOTAL GENERAL FUND REVENUES FOR THE STATE FISCAL
3 YEAR IN WHICH THE TRANSFER IS MADE.

4
5 (d) FOR EACH STATE FISCAL YEAR AFTER THE LAST STATE FISCAL
6 YEAR IN WHICH A TRANSFER IS REQUIRED TO BE MADE PURSUANT TO
7 PARAGRAPH (c) OF THIS SUBSECTION (2), THE GENERAL ASSEMBLY MAY
8 APPROPRIATE OR TRANSFER, IN ITS SOLE DISCRETION, MONEYS FROM THE
9 GENERAL FUND TO THE HIGHWAY USERS TAX FUND, THE CAPITAL
10 CONSTRUCTION FUND, OR BOTH FUNDS.

11
12 (e) (I) PARAGRAPH (a) OF THIS SUBSECTION (2) SHALL NOT APPLY
13 IN THE FISCAL YEAR 2012-13 IF PERSONAL INCOME INCREASES BY LESS
14 THAN FIVE PERCENT FROM THE CALENDAR YEAR 2011 TO THE CALENDAR
15 YEAR 2012, AND IN SUCH CASE THE TRANSFERS REQUIRED BY PARAGRAPH
16 (a) SHALL BE MADE INSTEAD IN THE NEXT STATE FISCAL YEAR DURING
17 WHICH COLORADO PERSONAL INCOME INCREASES BY AT LEAST FIVE
18 PERCENT. FOR PURPOSES OF THIS SUBPARAGRAPH (I), COLORADO
19 PERSONAL INCOME SHALL BE CONSIDERED TO INCREASE BY AT LEAST FIVE
20 PERCENT DURING A GIVEN STATE FISCAL YEAR, IF, FROM THE CALENDAR
21 YEAR THAT COMMENCES EIGHTEEN MONTHS PRIOR TO THE FIRST DAY OF
22 THE STATE FISCAL YEAR, AND TO THE NEXT CALENDAR YEAR, COLORADO
23 PERSONAL INCOME INCREASES BY AT LEAST FIVE PERCENT.

24
25 (II) THE TRANSFERS REQUIRED PURSUANT TO PARAGRAPHS (b) AND
26 (c) OF THIS SUBSECTION (2) SHALL BE DELAYED BY THE SAME NUMBER OF
27 STATE FISCAL YEARS THAT THE TRANSFER REQUIRED PURSUANT TO
28 PARAGRAPH (a) OF THIS SUBSECTION (2) WAS DELAYED.

29
30 (3) (a) EXCEPT AS OTHERWISE SET FORTH IN SUBSECTION (4) OF
31 THIS SECTION, THE TRANSFERS REQUIRED PURSUANT TO PARAGRAPH (a) OF
32 SUBSECTION (2) OF THIS SECTION SHALL BE MADE AS FOLLOWS:

33
34 (I) ON APRIL 15 OF THE STATE FISCAL YEAR IN WHICH THE
35 TRANSFERS ARE REQUIRED, EIGHTY PERCENT OF THE TOTAL AMOUNTS
36 THAT ARE REQUIRED TO BE TRANSFERRED TO THE HIGHWAY USERS TAX
37 FUND AND THE CAPITAL CONSTRUCTION FUND FOR SUCH STATE FISCAL
38 YEAR, WHICH AMOUNTS SHALL BE BASED ON THE MOST RECENT REVENUE
39 ESTIMATE PREPARED BY THE LEGISLATIVE COUNCIL STAFF THAT IS
40 AVAILABLE AT THE TIME OF THE TRANSFERS, SHALL BE TRANSFERRED TO
41 THE RESPECTIVE FUNDS.

42
43 (II) ON THE DATE DURING THE STATE FISCAL YEAR ON WHICH THE
44 STATE CONTROLLER DISTRIBUTES THE COMPREHENSIVE ANNUAL
45 FINANCIAL REPORT OF THE STATE, THE STATE TREASURER SHALL
46 TRANSFER AN AMOUNT EQUAL TO THE DIFFERENCES BETWEEN THE ACTUAL
47 AMOUNTS REQUIRED TO BE TRANSFERRED TO THE FUNDS AND THE
48 ESTIMATED AMOUNTS PREVIOUSLY TRANSFERRED PURSUANT TO
49 SUBPARAGRAPH (I) OF THIS PARAGRAPH (a).

50
51 (b) EXCEPT AS OTHERWISE SET FORTH IN SUBSECTION (4) OF THIS
52 SECTION, THE TRANSFERS REQUIRED PURSUANT TO PARAGRAPHS (b) AND
53 (c) OF SUBSECTION (2) OF THIS SECTION SHALL BE MADE AS FOLLOWS:

54
55 (I) ON THE FIFTEENTH DAY OF THE FIRST MONTH OF EACH QUARTER
56 OF EACH STATE FISCAL YEAR IN WHICH THE TRANSFERS ARE REQUIRED, AN

1 AMOUNT EQUAL TO TWENTY PERCENT OF THE TOTAL AMOUNTS THAT ARE
2 REQUIRED TO BE TRANSFERRED TO THE HIGHWAY USERS TAX FUND AND
3 THE CAPITAL CONSTRUCTION FUND FOR SUCH STATE FISCAL YEAR, WHICH
4 AMOUNTS SHALL BE BASED ON THE MOST RECENT REVENUE ESTIMATE
5 PREPARED BY LEGISLATIVE COUNCIL STAFF THAT IS AVAILABLE AT THE
6 TIME OF THE TRANSFERS, SHALL BE TRANSFERRED TO THE RESPECTIVE
7 FUNDS.

8
9 (II) ON THE DATE DURING THE STATE FISCAL YEAR ON WHICH THE
10 STATE CONTROLLER DISTRIBUTES THE COMPREHENSIVE ANNUAL
11 FINANCIAL REPORT OF THE STATE, THE STATE TREASURER SHALL
12 TRANSFER AN AMOUNT EQUAL TO THE DIFFERENCES BETWEEN THE ACTUAL
13 AMOUNTS REQUIRED TO BE TRANSFERRED TO THE FUNDS AND THE
14 ESTIMATED AMOUNTS PREVIOUSLY TRANSFERRED PURSUANT TO
15 SUBPARAGRAPH (I) OF THIS PARAGRAPH (b).

16
17 (4) (a) FOR ANY STATE FISCAL YEAR FOR WHICH THERE ARE
18 EXCESS STATE REVENUES THAT ARE REQUIRED TO BE REFUNDED
19 PURSUANT TO SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, THE
20 QUARTERLY AND YEAR-END AMOUNTS THAT ARE REQUIRED TO BE
21 TRANSFERRED TO THE FUNDS PURSUANT TO SUBSECTION (3) OF THIS
22 SECTION SHALL:

23
24 (I) BE REDUCED BY FIFTY PERCENT, IF THE AMOUNT OF THE
25 REFUND IS GREATER THAN ONE PERCENT OF THE GENERAL FUND REVENUES
26 FOR THE STATE FISCAL YEAR BUT LESS THAN OR EQUAL TO THREE PERCENT
27 OF THE TOTAL GENERAL FUND REVENUES FOR THE STATE FISCAL YEAR;
28 AND

29
30 (II) NOT BE MADE IF THE AMOUNT OF THE REFUND IS GREATER
31 THAN THREE PERCENT OF THE TOTAL GENERAL FUND REVENUES FOR THE
32 STATE FISCAL YEAR.

33
34 (b) THE CALCULATIONS REQUIRED PURSUANT TO PARAGRAPH (a)
35 OF THIS SUBSECTION (4) SHALL BE BASED ON THE MOST RECENT REVENUE
36 ESTIMATE PREPARED BY THE LEGISLATIVE COUNCIL STAFF THAT IS
37 AVAILABLE AT THE TIME OF EACH TRANSFER; EXCEPT THAT THE LAST
38 TRANSFER MADE FOR EACH STATE FISCAL YEAR SHALL BE BASED ON THE
39 ACTUAL REVENUES FOR THE STATE FISCAL YEAR."

40
41 Renumber succeeding sections accordingly.

42
43 Page 23, line 23, strike "**Repeal.**";

44
45 line 24, strike "is repealed as follows:" and substitute "is amended to
46 read:";

47
48 strike line 27.

49
50 Page 24, strike lines 1 through 11 and substitute the following:

51
52 "**report.** (3) The statutory limitation on general fund appropriations set
53 forth in ~~section 24-75-201.1(1)(a)(H)~~ SECTION 24-75-201.1 (1) (a), and
54 the exceptions or exclusions thereto, shall apply to the moneys in the
55 general fund exempt account."

56

1 Renumber succeeding sections accordingly.

2

3 Page 25, strike lines 4 through 17.

4

5 Renumber succeeding sections accordingly.

6

7 Page 27, line 27, after "(3) (a) (IV) (A),", insert "(3) (b), the introductory
8 portion to 39-26-123 (4) (a), 39-26-123";

9

10 Page 29, after line 17, insert the following:

11

12 ~~(b) Notwithstanding the provisions of subparagraphs (I) and (II)~~
13 ~~of paragraph (a) of this subsection (3), the amount of the net revenue~~
14 ~~allocated and credited to the sales and use tax holding fund shall be~~
15 ~~increased and the amount allocated and credited to the general fund shall~~
16 ~~be decreased in accordance with section 24-75-216, C.R.S., in order to~~
17 ~~offset lower motor vehicle registration fees pursuant to the application of~~
18 ~~the fee reductions enacted by House Bill 00-1227, enacted at the second~~
19 ~~regular session of the sixty-second general assembly.";~~

20

21 line 19, strike "JULY 1, 2009," and substitute "THE FIRST STATE FISCAL
22 YEAR IN WHICH AN APPROPRIATION OR TRANSFER IS PERMITTED PURSUANT
23 TO SECTION 24-75-219 (2) (d), C.R.S.,".

24

25 Page 31, line 12, strike "2009-10" and substitute "2017-18";

26

27 line 15, after "percent", insert "OR HIGHER";

28

29 line 16, strike "(1) (d)," and substitute "(1),";

30

31 line 20, strike "2009-10" and substitute "2017-18";

32

33 line 23, after "percent", insert "OR HIGHER";

34

35 line 24, strike "(1) (d)," and substitute "(1),".

36

37 Page 32, line 7, strike "(1) (d)," and substitute "(1),".

38

39 Page 34, line 8, after "percent", insert "OR HIGHER";

40

41 strike lines 24 through 27.

42

43 Strike pages 35 through 37.

44

45 Page 38, strike lines 1 and 2 and substitute the following:

46 **"SECTION 22.** 43-4-205 (6.5) (a) and (6.6), Colorado Revised
47 Statutes, are amended to read:

48

49 **43-4-205. Allocation of fund.** (6.5) (a) Except as provided in
50 paragraph (d) of this subsection (6.5), the revenues accrued to and
51 transferred to the highway users tax fund pursuant to section 39-26-123
52 (4) (a) ~~C.R.S.~~, OR 24-75-219, C.R.S., or appropriated to the highway users
53 tax fund pursuant to House Bill 02-1389, enacted during the second
54 regular session of the sixty-third general assembly, shall be paid to the
55 state highway fund for allocation to the department of transportation and
56 shall be expended as provided in section 43-4-206 (2).

1 ~~(6.6) The revenues credited to the highway users tax fund~~
 2 ~~pursuant to section 24-75-218 (1) (a), C.R.S., shall be paid to the state~~
 3 ~~highway fund for allocation to the department of transportation and shall~~
 4 ~~be expended for state highway reconstruction, repair, maintenance, and~~
 5 ~~capital expansion projects.~~

6
 7 **SECTION 23.** The introductory portion to 43-4-206 (2) (a),
 8 Colorado Revised Statutes, is amended to read:

9
 10 **43-4-206. State allocation.** (2) (a) Notwithstanding the
 11 provisions of subsection (1) of this section, the revenues accrued to and
 12 transferred to the highway users tax fund pursuant to section 39-26-123
 13 (4) (a), ~~C.R.S.~~, OR 24-75-219, C.R.S., OR appropriated to the highway
 14 users tax fund pursuant to House Bill 02-1389, enacted at the second
 15 regular session of the sixty-third general assembly, and credited to the
 16 state highway fund pursuant to section 43-4-205 (6.5) shall be expended
 17 by the department of transportation for the implementation of the strategic
 18 transportation project investment program in the following manner:".

19
 20 Renumber succeeding sections accordingly.

21
 22
 23
 24 **THIRD READING OF BILLS--FINAL PASSAGE**

25
 26 The following bills were considered on Third Reading. The titles were
 27 publicly read. Reading of the bill at length was dispensed with by
 28 unanimous consent.

29
 30 **SB09-052** by Senator(s) Bacon, Heath, King K., Newell, Williams;
 31 also Representative(s) Pommer, Ferrandino, Hullinghorst,
 32 Levy, Massey, Merrifield, Middleton, Primavera, Rice,
 33 Schafer S., Todd--Concerning the funding source for the
 34 innovative higher education research fund, and making an
 35 appropriation in connection therewith.

36
 37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.

41
 42

	YES	49	NO	13	EXCUSED	3	ABSENT	0
43	Acree	Y	Green	Y	McCann	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
45	Balmer	N	Judd	Y	McKinley	E	Scanlan	Y
46	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
47	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
48	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
49	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
50	Court	Y	King S.	Y	Murray	Y	Stephens	N
51	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
52	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
53	Fischer	Y	Levy	Y	Peniston	Y	Tipton	E
54	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
55	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
56	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y

1	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
2	Gerou	Y	May	N	Riesberg	Y	Weissmann	E
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Fischer, Labuda, Marostica, Ryden,
5 Summers, Vigil

6
7 **SB09-068** by Senator(s) Morse; also Representative(s) McCann--
8 Concerning funding to support domestic abuse services,
9 and making an appropriation therefor.

10
11 As shown by the following roll call vote, a majority of all members
12 elected to the House voted in the affirmative, and Representative Gerou
13 was given permission to offer a Third Reading amendment:

15	YES	52	NO	10	EXCUSED	3	ABSENT	0
16	Acree	Y	Green	N	McCann	Y	Roberts	Y
17	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
18	Balmer	Y	Judd	N	McKinley	E	Scanlan	Y
19	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
20	Benefield	N	Kefalas	N	Merrifield	N	Solano	Y
21	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
22	Casso	N	Kerr J.	Y	Miklosi	Y	Soper	Y
23	Court	Y	King S.	Y	Murray	Y	Stephens	Y
24	Curry	Y	Labuda	N	Nikkel	Y	Summers	Y
25	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
26	Fischer	N	Levy	Y	Peniston	Y	Tipton	E
27	Frangas	N	Liston	Y	Pommer	Y	Todd	Y
28	Gagliardi	N	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	E
32							Speaker	Y

33
34 **Third Reading amendment No. 1**, by Representative Gerou.

35
36 Amend revised bill, page 3, strike line 19 and substitute the following:

37
38 "SECTION 14-2-106 (1) (a), C.R.S.,";

39
40 strike lines 24 through 27.

41
42 Strike page 4.

43
44 Page 5, strike lines 1 through 26.

45
46 Renumber succeeding sections accordingly.

47
48 Page 6, strike lines 14 through 23.

49
50 Renumber succeeding sections accordingly.

51
52 Page 6, line 24, strike "(1)".

53
54 Page 7, line 2, strike "eight hundred forty-three" and substitute "seven
55 hundred thousand dollars (\$700,000) cash funds and 0.7 FTE,";

56

1 strike line 3;
 2
 3 strike lines 6 through 13;
 4
 5 line 15, strike "petitions, responses, and".
 6

7 The amendment was declared **lost** by the following roll call vote:
 8

	YES	31	NO	31	EXCUSED	3	ABSENT	0
10	Acree	Y	Green	Y	McCann	N	Roberts	Y
11	Apuan	Y	Hullinghorst	N	McFadyen	N	Ryden	N
12	Balmer	Y	Judd	N	McKinley	E	Scanlan	N
13	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
14	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
15	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
16	Casso	N	Kerr J.	Y	Miklosi	N	Soper	N
17	Court	N	King S.	Y	Murray	Y	Stephens	Y
18	Curry	N	Labuda	N	Nikkel	Y	Summers	Y
19	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
20	Fischer	N	Levy	Y	Peniston	N	Tipton	E
21	Frangas	N	Liston	Y	Pommer	N	Todd	N
22	Gagliardi	N	Looper	Y	Primavera	Y	Vaad	Y
23	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
24	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
25	Gerou	Y	May	Y	Riesberg	N	Weissmann	E
26							Speaker	Y

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
 31 bill was declared **passed**.
 32

	YES	36	NO	26	EXCUSED	3	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	E	Scanlan	Y
37	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
38	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
39	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
40	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
41	Court	Y	King S.	N	Murray	N	Stephens	N
42	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
43	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
44	Fischer	Y	Levy	Y	Peniston	Y	Tipton	E
45	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
46	Gagliardi	Y	Looper	N	Primavera	N	Vaad	N
47	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
48	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
49	Gerou	N	May	N	Riesberg	Y	Weissmann	E
50							Speaker	N

51 Co-sponsor(s) added: Representative(s) Court, Fischer, Frangas, Green,
 52 Hullinghorst, Labuda, Merrifield, Miklosi, Ryden, Schafer S., Todd, Vigil
 53

54 **SB09-090** by Senator(s) Hudak, Williams, Heath, Bacon, Foster,
 55 Groff, King K., Tapia; also Representative(s) Benefield
 56 and Merrifield, Carroll T., Solano, Todd, Pace, Scanlan,

1 Levy, Summers, Ferrandino, Miklosi, Schafer S.--
 2 Concerning measures to increase parent involvement in
 3 public education.
 4

5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

	YES	41	NO	21	EXCUSED	3	ABSENT	0
11	Acree	N	Green	Y	McCann	Y	Roberts	N
12	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
13	Balmer	N	Judd	Y	McKinley	E	Scanlan	Y
14	Baumgardner	N	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	N
17	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
18	Court	Y	King S.	N	Murray	N	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	E
22	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
23	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
24	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
25	Gardner C.	Y	Massey	Y	Rice	Y	Waller	N
26	Gerou	N	May	N	Riesberg	Y	Weissmann	E
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Casso, Fischer, Frangas, Green,
 29 Labuda, Primavera, Priola, Ryden, Vigil
 30

31 32 33 MESSAGE(S) FROM THE SENATE 34

35 The Senate has adopted and transmits herewith: SJR09-037, SJR09-041.
 36
 37

38 39 INTRODUCTION AND CONSIDERATION OF RESOLUTIONS 40

41 On motion of Representative Kerr A., the rules were suspended and the
 42 following resolutions were given immediate consideration.
 43

44 **SJR09-041** by Senator(s) Tochtrop; also Representative(s) Ryden--
 45 Concerning remembrance of the Armenian Genocide on
 46 April 24, 2009, and, in connection therewith, designating
 47 every April 24 hereafter as "Colorado Day of
 48 Remembrance of the Armenian Genocide".
 49

50 (Printed and placed in member's file).
 51

52 On motion of Representative Ryden, the resolution was read at length and
 53 **adopted by viva voce** vote.
 54

55 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
 56 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,

1 Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green,
 2 Hulinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
 3 Levy, Liston, Looper, Marostica, Massey, May, McCann, McFadyen, McNulty,
 4 Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer,
 5 Primavera, Priola, Rice, Riesberg, Roberts, Scanlan, Schafer S., Solano,
 6 Sonnenberg, Soper, Stephens, Summers, Swalm, Todd, Vaad, Vigil, Waller,
 7 Speaker

8
 9 **SJR09-037** by Senator(s) Foster; also Representative(s) Todd--
 10 Concerning recognition of the national Court-appointed
 11 Special Advocates program and the sixteen Court-
 12 appointed Special Advocates programs in Colorado.

13
 14 (Printed and placed in member's file).

15
 16 On motion of Representative Todd, the resolution was read at length and
 17 **adopted by viva voce** vote.

18
 19 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
 20 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
 21 Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green,
 22 Hulinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
 23 Levy, Liston, Looper, Marostica, Massey, May, McCann, McFadyen, McNulty,
 24 Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer,
 25 Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
 26 Sonnenberg, Soper, Stephens, Summers, Swalm, Vaad, Vigil, Waller, Speaker

27
 28
 29
 30 On motion of Representative Kerr A., **HB09-1349, SB09-243, 254, 258,**
 31 **HB09-1346, 1359, SB09-249, HB09-1335, 1336, 1337, SB09-248,**
 32 **HB09-1345, 1333, SB09-037, 075, 076, 087, 088, 099, 104, 123, 124,**
 33 **043, 128, 133, 158, 160, 161, 162, 167, 178, 219** were added to the
 34 Special Orders Calendar on Friday, April 24, 2009.

35
 36
 37
 38 On motion of Representative Judd, the House resolved itself into
 39 Committee of the Whole for consideration of Special Orders and he was
 40 called to the Chair to act as Chairman.

41
 42
 43
 44 **SPECIAL ORDERS--SECOND READING OF BILLS**

45
 46 The Committee of the Whole having risen, the Chairman reported the
 47 titles of the following bills had been read (reading at length had been
 48 dispensed with by unanimous consent), the bills considered and action
 49 taken thereon as follows:

50
 51 (Amendments to the committee amendment are to the printed committee
 52 report which was printed and placed in the members' bill file.)

53
 54 **HB09-1269** by Representative(s) Ferrandino, Court, Middleton, Pace,
 55 Pommer, Scanlan, Weissmann--Concerning the creation of
 56 a state rainy day account, and, in connection therewith,

- 1 specifying the manner in which the account is to be funded
2 and the circumstances in which moneys may be expended
3 from the account.
4
- 5 Laid over until April 27, retaining place on Calendar.
6
- 7 **HB09-1323** by Representative(s) Levy, Fischer, Green, Hullinghorst,
8 Kerr A., Labuda, McFadyen, Merrifield, Pace, Pommer,
9 Primavera, Scanlan, Solano; also Senator(s) Veiga, Bacon,
10 Heath, Romer, Shaffer B.--Concerning energy efficiency
11 programs implemented by cooperative electric
12 associations.
13
- 14 Laid over until April 27, retaining place on Calendar.
15
- 16 **SB09-256** by Senator(s) Romer and Bacon; also Representative(s)
17 Pommer and Scanlan--Concerning the financing of public
18 schools, and making an appropriation therefor.
19
- 20 Laid over until April 27, retaining place on Calendar.
21
22
- 23 **HB09-1349** by Representative(s) Fischer; also Senator(s) Heath--
24 Concerning a special election period for the continuation
25 of health care coverage after involuntary termination from
26 employment.
27
- 28 Ordered engrossed and placed on the Calendar for Third Reading and
29 Final Passage.
30
- 31 **SB09-243** by Senator(s) Boyd, Carroll M.; also Representative(s)
32 Riesberg--Concerning payments for workers'
33 compensation benefits.
34
- 35 Ordered revised and placed on the Calendar for Third Reading and Final
36 Passage.
37
- 38 **SB09-254** by Senator(s) Bacon, Veiga; also Representative(s)
39 Scanlan and Balmer--Concerning the authority of certain
40 licensed beer manufacturers to use common licensed
41 premises for the production of beer products in this state.
42
- 43 Ordered revised and placed on the Calendar for Third Reading and Final
44 Passage.
45
- 46 **SB09-258** by Senator(s) Veiga; also Representative(s) Scanlan--
47 Concerning required acts of employee leasing companies
48 by the department of labor and employment pursuant to
49 the "Colorado Employment Security Act".
50
- 51 Ordered revised and placed on the Calendar for Third Reading and Final
52 Passage.
53
54
- 55 **HB09-1346** by Representative(s) Carroll T.; also Senator(s) Shaffer B.-
56 -Concerning authorization for public entities in the state to

1 fully utilize the financing instruments available to them
2 under the federal economic stimulus act known as the
3 "American Recovery and Reinvestment Act of 2009".
4

5 Amendment No. 1, Local Government Report, dated April 21, 2009, and
6 placed in member's bill file; Report also printed in House Journal,
7 April 22, pages 1325-1326.
8

9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.
11

12 **HB09-1359** by Representative(s) Kerr A.; also Senator(s) Boyd--
13 Concerning the governance of common interest
14 communities under the "Colorado Common Interest
15 Ownership Act".
16

17 Amendment No. 1, by Representative(s) Kerr A.
18

19 Amend printed bill, page 2, after line 1, insert the following:

20 **"SECTION 1.** 38-33.3-209.5 (1) (b), Colorado Revised Statutes,
21 is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to
22 read:
23

24 **38-33.3-209.5. Responsible governance policies - due process**
25 **for imposition of fines.** (1) To promote responsible governance,
26 associations shall:
27

28 (b) Adopt policies, procedures, and rules and regulations
29 concerning:
30

31 (IX) WHEN THE ASSOCIATION HAS A RESERVE STUDY PREPARED
32 FOR THE PORTIONS OF THE COMMUNITY MAINTAINED, REPAIRED,
33 REPLACED, AND IMPROVED BY THE ASSOCIATION AND WHETHER THERE IS
34 A FUNDING PLAN, PROJECTED SOURCES OF FUNDING, AND WHETHER THE
35 RESERVE STUDY IS BASED ON A PHYSICAL ANALYSIS AND FINANCIAL
36 ANALYSIS."
37

38 Renumber succeeding sections accordingly.
39

40 Page 2, line 2, strike "(1), (2.5)," and substitute "(1)";
41

42 strike lines 9 through 24.
43

44 Page 3, strike lines 1 through 22 and substitute the following:
45

46 "(b) NOTWITHSTANDING ANY PROVISION OF THE DECLARATION OR
47 BYLAWS TO THE CONTRARY, ALL MEMBERS OF THE EXECUTIVE BOARD
48 SHALL HAVE AVAILABLE TO THEM ALL INFORMATION RELATED TO THE
49 RESPONSIBILITIES AND OPERATION OF THE ASSOCIATION OBTAINED BY ANY
50 OTHER MEMBER OF THE EXECUTIVE BOARD. THIS INFORMATION SHALL
51 INCLUDE, BUT IS NOT NECESSARILY LIMITED TO, REPORTS OF DETAILED
52 MONTHLY EXPENDITURES, CONTRACTS TO WHICH THE ASSOCIATION IS A
53 PARTY, AND COPIES OF COMMUNICATIONS, REPORTS, AND OPINIONS TO
54 AND FROM ANY MEMBER OF THE EXECUTIVE BOARD OR ANY MANAGING
55 AGENT, ATTORNEY, OR ACCOUNTANT EMPLOYED OR ENGAGED BY THE
56 EXECUTIVE BOARD TO WHOM THE EXECUTIVE BOARD DELEGATES

1 RESPONSIBILITIES UNDER THIS ARTICLE."

2

3 Page 4, strike lines 2 through 4 and substitute the following:

4

5 "(b) COMMITTEES OF THE ASSOCIATION SHALL BE APPOINTED
6 PURSUANT TO THE GOVERNING DOCUMENTS OF THE ASSOCIATION OR, IF
7 THE GOVERNING DOCUMENTS CONTAIN NO APPLICABLE PROVISIONS,
8 PURSUANT TO SECTION 7-128-206, C.R.S. THE PERSON APPOINTED AFTER
9 THE EFFECTIVE DATE OF THIS PARAGRAPH (b) TO PRESIDE OVER ANY";

10

11 after line 8, insert the following:

12

13 "SECTION 3. 38-33.3-117 (1), Colorado Revised Statutes, is
14 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

15

16 **38-33.3-117. Applicability to preexisting common interest**
17 **communities.** (1) Except as provided in section 38-33.3-119, the
18 following sections shall apply to all common interest communities created
19 within this state before July 1, 1992, with respect to events and
20 circumstances occurring on or after July 1, 1992:

21

22 (i.7) 38-33.3-303 (1) (b) AND (3) (b);

23

24 **SECTION 4.** 38-33.3-117 (1.5) (h), Colorado Revised Statutes,
25 is amended, and the said 38-33.3-117 is further amended BY THE
26 ADDITION OF A NEW SUBSECTION, to read:

27

28 **38-33.3-117. Applicability to preexisting common interest**
29 **communities.** (1.5) Except as provided in section 38-33.3-119, the
30 following sections shall apply to all common interest communities created
31 within this state before July 1, 1992, with respect to events and
32 circumstances occurring on or after January 1, 2006:

33

34 (h) ~~38-33.3-303 (4) (b)~~ 38-33.3-303 (1) (b), (3) (b), AND (4) (b);

35

36 (1.7) EXCEPT AS PROVIDED IN SECTION 38-33.3-119, SECTION
37 38-33.3-209.5 (1) (b) (IX) SHALL APPLY TO ALL COMMON INTEREST
38 COMMUNITIES CREATED WITHIN THIS STATE BEFORE JULY 1, 1992, WITH
39 RESPECT TO EVENTS AND CIRCUMSTANCES OCCURRING ON OR AFTER JULY
40 1, 2010."

41

42 Renumber succeeding section accordingly.

43

44 Amendment No. 2, by Representative(s) Acree.

45

46 Amend, Amendment No. 1 by Representative Kerr A., printed in House
47 Journal page 1458, line 36, strike "ANALYSIS." and substitute the
48 following:

49

50 "ANALYSIS. FOR THE PURPOSES OF THIS SUBPARAGRAPH (IX), AN
51 INTERNALLY CONDUCTED RESERVE STUDY SHALL BE SUFFICIENT."."

52

53 As amended, ordered engrossed and placed on the Calendar for Third
54 Reading and Final Passage.

55

56

1 **SB09-249** by Senator(s) Penry and Carroll M.; also Representative(s)
2 Kerr A., Bradford, May--Concerning the applicability to
3 small common-interest communities of recently enacted
4 provisions of the "Colorado Common Interest Ownership
5 Act".
6

7 Ordered revised and placed on the Calendar for Third Reading and Final
8 Passage.
9

10 **HB09-1335** by Representative(s) Todd and Murray; also Senator(s)
11 Williams and Carroll M., Cadman--Concerning
12 requirements for voting equipment.
13

14 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
15 April 21, 2009, and placed in member's bill file; Report also printed in
16 House Journal, April 22, page 1327.
17

18 Amendment No. 2, by Representative(s) Todd.
19 Amend printed bill, page 9, line 8, strike "SIGNIFICANT";
20

21 strike lines 11 through 16 and substitute the following:

22 "REQUEST. IF THE SECRETARY, UPON COMPLETION OF HIS OR HER
23 PRELIMINARY REVIEW OF THE REQUEST, DETERMINES THAT THE PROPOSED
24 MODIFICATION WILL CAUSE SIGNIFICANT ADVERSE EFFECTS, THE
25 MODIFICATION SHALL BE SUBJECT TO FURTHER REVIEW UNDER THE
26 PROVISIONS OF SUBSECTION (2) OF THIS SECTION. IF THE SECRETARY
27 DETERMINES, UPON COMPLETION OF HIS OR HER PRELIMINARY REVIEW,
28 THAT THE PROPOSED MODIFICATION CAUSES NO ADVERSE EFFECTS, THE
29 SECRETARY SHALL APPROVE THE MODIFICATION. IF THE SECRETARY
30 DETERMINES, UPON COMPLETION OF HIS OR HER PRELIMINARY REVIEW,
31 THAT THE PROPOSED MODIFICATION CAUSES POSSIBLE ADVERSE EFFECTS,
32 THE MODIFICATION SHALL BE SUBJECT TO FURTHER REVIEW UNDER THE
33 PROVISIONS OF SUBSECTION (4) OF THIS SECTION. FOLLOWING SUCH
34 ADDITIONAL REVIEW, IF THE SECRETARY DETERMINES THAT ANY ADVERSE
35 EFFECTS OF THE PROPOSED MODIFICATION ARE INSIGNIFICANT, THE
36 SECRETARY SHALL APPROVE THE MODIFICATION. IF, HOWEVER,
37 FOLLOWING SUCH ADDITIONAL REVIEW, THE SECRETARY DETERMINES
38 THAT THE ADVERSE EFFECTS OF THE MODIFICATION ARE SIGNIFICANT, THE
39 MODIFICATION SHALL BE SUBJECT TO FURTHER REVIEW UNDER THE
40 PROVISIONS OF SUBSECTION (2) OF THIS SECTION."
41

42 As amended, ordered engrossed and placed on the Calendar for Third
43 Reading and Final Passage.
44

45 **HB09-1336** by Representative(s) Todd and Murray; also Senator(s)
46 Williams and Carroll M., Cadman--Concerning the
47 implementation of specific recommendations of the state
48 election reform commission.
49

50 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
51 April 21, 2009, and placed in member's bill file; Report also printed in
52 House Journal, April 22, pages 1327-1328.
53

54 Amendment No. 2, by Representative(s) Todd.
55 Amend printed bill, page 2, strike lines 8 through 13 and substitute the
56 following:

1 "OF TITLE 25, C.R.S., A HOME FOR PERSONS WITH DEVELOPMENTAL
2 DISABILITIES AS DEFINED IN SECTION 27-10.5-102, C.R.S., AN ASSISTED
3 LIVING RESIDENCE LICENSED PURSUANT TO SECTION 25-27-105, C.R.S., OR
4 A RESIDENTIAL TREATMENT FACILITY FOR MENTAL ILLNESS."

5

6 Page 3, line 6, strike "TEN" and substitute "SEVEN".

7

8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.

10

11 **HB09-1337** by Representative(s) Todd and Murray; also Senator(s)
12 Williams and Carroll M., Cadman--Concerning changes to
13 certain ballot processing deadlines contained in the state
14 election code.

15

16 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
17 April 21, 2009, and placed in member's bill file; Report also printed in
18 House Journal, April 22, page 1328.

19

20 As amended, ordered engrossed and placed on the Calendar for Third
21 Reading and Final Passage.

22

23 **SB09-248** by Senator(s) Heath; also Representative(s) McNulty--
24 Concerning contractor surety requirements for a public
25 works project contract having a total value of five hundred
26 million dollars or more, and, in connection therewith,
27 requiring a bond or other acceptable surety, including but
28 not limited to a letter of credit, to be filed in a specified
29 minimum amount for the duration of the contract.

30

31 Ordered revised and placed on the Calendar for Third Reading and Final
32 Passage.

33

34 **HB09-1345** by Representative(s) Solano; also Senator(s) Schwartz--
35 Concerning integrated planning for the construction of
36 electric transmission facilities in Colorado, and, in
37 connection therewith, directing the public utilities
38 commission to collect information from owners and
39 operators of transmission infrastructure and report its
40 findings to the general assembly.

41

42 Amendment No. 1, Transportation & Energy Report, dated
43 April 21, 2009, and placed in member's bill file; Report also printed in
44 House Journal, April 22, page 1331.

45

46 As amended, ordered engrossed and placed on the Calendar for Third
47 Reading and Final Passage.

48

49 **HB09-1333** by Representative(s) Riesberg, McFadyen, Sonnenberg;
50 also Senator(s) Bacon, Kopp, Schwartz--Concerning the
51 transfers of money to the state museum cash fund.

52

53 Ordered engrossed and placed on the Calendar for Third Reading and
54 Final Passage.

55

1 **SB09-037** by Senator(s) Kopp; also Representative(s) McNulty--
2 Concerning funding for certain workers' compensation
3 funds.
4

5 Amendment No. 1, Business Affairs & Labor Report, dated
6 April 14, 2009, and placed in member's bill file; Report also printed in
7 House Journal, April 14, pages 1183-1184.
8

9 As amended, ordered revised and placed on the Calendar for Third
10 Reading and Final Passage.
11

12 **SB09-075** by Senator(s) Schwartz, Gibbs, Williams, Heath; also
13 Representative(s) Marostica, Curry, Kerr A., Levy,
14 McFadyen, Primavera, Scanlan, Vigil--Concerning the
15 operation of low-speed electric self-propelled vehicles on
16 public rights-of-way, and making an appropriation in
17 connection therewith.
18

19 Amendment No. 1, Transportation & Energy Report, dated
20 March 19, 2009, and placed in member's bill file; Report also printed in
21 House Journal, March 20, page 826.
22

23 Amendment No. 2, Appropriations Report, dated April 24, 2009, and
24 placed in member's bill file; Report also printed in House Journal,
25 April 24, page 1432.
26

27 Amendment No. 3, by Representative(s) Rice.
28

29 Amend reengrossed bill, page 3, line 18, strike "A NEW SUBSECTION,"
30 and substitute "THE FOLLOWING NEW SUBSECTIONS,";
31

32 after line 20, insert the following:
33

34 "(39.5) "GOLF CAR" MEANS A SELF-PROPELLED VEHICLE NOT
35 DESIGNED PRIMARILY FOR OPERATION ON ROADWAYS AND THAT HAS:
36

37 (a) A DESIGN SPEED OF LESS THAN TWENTY MILES PER HOUR;
38

39 (b) AT LEAST THREE WHEELS IN CONTACT WITH THE GROUND;
40

41 (c) AN EMPTY WEIGHT OF NOT MORE THAN ONE THOUSAND THREE
42 HUNDRED POUNDS; AND
43

44 (d) A CARRYING CAPACITY OF NOT MORE THAN FOUR PERSONS."
45

46 Page 7, line 6, strike "amended" and substitute "amended, and the said
47 42-4-111 (1) is further amended BY THE ADDITION OF A NEW
48 PARAGRAPH,";
49

50 after line 22, insert the following:
51

52 "(bb) AUTHORIZING AND REGULATING THE OPERATION OF GOLF
53 CARS ON ROADWAYS BY RESOLUTION OR ORDINANCE OF THE GOVERNING
54 BODY, IF THE AUTHORIZATION OR REGULATION IS CONSISTENT WITH THIS
55 TITLE AND DOES NOT AUTHORIZE:
56

1 (I) AN UNLICENSED DRIVER OF A GOLF CAR TO CARRY A
 2 PASSENGER WHO IS UNDER TWENTY-ONE YEARS OF AGE;
 3

4 (II) OPERATION OF A GOLF CAR BY A PERSON UNDER FOURTEEN
 5 YEARS OF AGE; OR
 6

7 (III) OPERATION OF A GOLF CAR ON A STATE HIGHWAY."
 8

9 As amended, ordered revised and placed on the Calendar for Third
 10 Reading and Final Passage.
 11

12 **SB09-076** by Senator(s) Heath, Schwartz; also Representative(s)
 13 Court--Concerning the appropriation of employer tax
 14 surcharge moneys to the employment and training
 15 technology fund for use by the division of employment
 16 and training within the department of labor and
 17 employment.
 18

19 Ordered revised and placed on the Calendar for Third Reading and Final
 20 Passage.
 21

22 **SB09-087** by Senator(s) Carroll M.; also Representative(s) Peniston--
 23 Concerning increased accountability requirements for
 24 special districts, and making an appropriation in
 25 connection therewith.
 26

27 Laid over until April 27, retaining place on Calendar.
 28

29 **SB09-088** by Senator(s) Veiga; also Representative(s) Ferrandino--
 30 Concerning the extension of state employee group benefits
 31 to domestic partners of state employees.
 32

33 Ordered revised and placed on the Calendar for Third Reading and Final
 34 Passage.
 35

36
 37
 38 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**
 39

40 Passed Second Reading: **HB09-1349, SB09-243, 254, 258, HB09-1346**
 41 **amended, 1359 amended, SB09-249, HB09-1335 amended, 1336**
 42 **amended, 1337 amended, SB09-248, HB09-1345 amended, 1333,**
 43 **SB09-037 amended, 075 amended, 076, 088.**
 44

45 Laid over until date indicated retaining place on Calendar: **HB09-1269,**
 46 **1323, SB09-256, 087--April 27, 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.**
 52

	YES	47	NO	14	EXCUSED	4	ABSENT	0
54	Acree	Y	Green	Y	McCann	Y	Roberts	Y
55	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
56	Balmer	Y	Judd	Y	McKinley	E	Scanlan	Y

1	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
2	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	E
3	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
4	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
5	Court	Y	King S.	N	Murray	Y	Stephens	N
6	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
7	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
8	Fischer	Y	Levy	Y	Peniston	Y	Tipton	E
9	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
10	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
11	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
12	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
13	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
14							Speaker	Y

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House in recess. House reconvened.

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on SB09-275**

This Report Amends the Reengrossed Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on SB09-275, concerning the temporary elimination of the ability of any vendor to retain any amount of state sales tax revenues to compensate for the vendor's expenses incurred in the collection and remittance of the tax revenues to the state, and making an appropriation in connection therewith, has met and reports that it has agreed upon the following:

That the House recede from its amendments made to the bill, as the amendments appear in the rerevised bill, and that the following amendment be substituted therefor:

Amend reengrossed bill, page 3, line 10, strike "COMMENCING" and substitute "FOR PERIODS COMMENCING ON OR AFTER".

Respectfully submitted,

Senate Committee:

(signed)
Moe Keller
Abel Tapia
Al White

House Committee:

(signed)
Mark Ferrandino
Don Marostica
Jack Pommer

1 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

2
3 **APPROPRIATIONS**

4 After consideration on the merits, the Committee recommends the
5 following:

6
7 **SB09-228** be referred to the Committee of the Whole with favorable
8 recommendation.
9

10
11
12
13 **BUSINESS AFFAIRS & LABOR**

14 After consideration on the merits, the Committee recommends the
15 following:

16
17 **HB09-1358** be postponed indefinitely.
18

19
20 **HB09-1363** be amended as follows, and as so amended, be referred to
21 the Committee of the Whole with favorable
22 recommendation:
23

24 Amend printed bill, page 3, line 3, strike "THE" and substitute
25 "(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (b),
26 THE";
27

28 after line 10, insert the following:
29

30 "(II) THE EMPLOYMENT SUPPORT FUND ESTABLISHED IN SECTION
31 8-77-109 (1) SHALL NOT BE INCLUDED IN OR ADMINISTERED BY THE
32 ENTERPRISE ESTABLISHED PURSUANT TO THIS SUBSECTION (2)."
33

34 Page 21, after line 26, insert the following:
35

36 "**SECTION 13.** 8-76-102 (4) (d), Colorado Revised Statutes, as
37 amended by Senate Bill 09-076, enacted at the First Regular Session of
38 the Sixty-seventh General Assembly, is amended to read:
39

40 **8-76-102. Rate of tax - surcharge.** (4) (d) Effective calendar
41 year 2009, the annual PREMIUM surcharge ~~tax rate~~ shall be established at
42 0.22 percent, with thirty percent of the PREMIUM surcharge ~~tax rate~~
43 allocated to the unemployment compensation fund created in section
44 8-77-101, fifty percent of the PREMIUM surcharge ~~tax rate~~ allocated to the
45 employment support fund created under section 8-77-109, and twenty
46 percent of the PREMIUM surcharge allocated to the employment and
47 training technology fund created in ~~section 8-77-109~~ SECTION 8-77-109
48 (2) (a.9). Effective January 1, 2017, fifty percent of the PREMIUM
49 surcharge ~~tax rate~~ shall be allocated to the unemployment compensation
50 fund and fifty percent of the PREMIUM surcharge ~~tax rate~~ shall be
51 allocated to the employment support fund. The PREMIUM surcharge ~~tax~~
52 rate shall then be added to the employer's standard or computed ~~tax~~
53 PREMIUM rate. ~~This tax~~ THE PREMIUM SURCHARGE rate added to the
54 employer ~~tax~~ PREMIUM rate shall also be identified separately on the
55 employer ~~tax~~ PREMIUM rate notice as the ~~tax~~ PREMIUM surcharge for
56 benefits not effectively charged. The combined rate shall be the

1 employer's ~~tax~~ PREMIUM rate for the ensuing calendar year. The PREMIUM
2 surcharge established by this subsection (4) shall not be assessed against
3 any employer whose benefit-charge account balance is zero; except that,
4 if the employer is still being rated under the provisions of section
5 8-76-103 (3) (a), such employer is subject to the PREMIUM surcharge ~~tax~~
6 rate.".

7
8 Renumber succeeding sections accordingly.

9
10 Page 48, line 15, after "1999.", add "THE EMPLOYMENT SUPPORT FUND
11 SHALL NOT BE INCLUDED IN OR ADMINISTERED BY THE ENTERPRISE
12 ESTABLISHED PURSUANT TO SECTION 8-71-103 (2).";

13
14 after line 15, insert the following:

15
16 **"SECTION 26.** 8-77-109 (2) (a.9), Colorado Revised Statutes, as
17 enacted by Senate Bill 09-076, enacted at the First Regular Session of the
18 Sixty-seventh General Assembly, is amended to read:

19
20 **8-77-109. Employment support fund - employment and**
21 **training technology fund - created - uses.** (2) (a.9) Notwithstanding
22 any provision of this subsection (2) to the contrary, beginning July 1,
23 2009, through December 31, 2016, twenty percent of the PREMIUM
24 surcharge ~~tax~~ established by section 8-76-102 (4) shall be credited to the
25 employment and training technology fund, which is hereby created in the
26 state treasury. Moneys in the employment and training technology fund
27 shall be used for employment and training automation initiatives
28 established by the director of the division. Moneys in the employment
29 and training technology fund shall be subject to annual appropriation by
30 the general assembly for the implementation of this paragraph (a.9) and
31 shall not revert to the general fund or any other fund at the end of any
32 fiscal year. The moneys in the employment and training technology fund
33 shall be exempt from section 24-75-402, C.R.S. If the balance of the
34 unemployment compensation fund, created in section 8-77-101, falls
35 below twenty-five million dollars, the moneys in the employment and
36 training technology fund shall be allocated to the unemployment
37 compensation fund. At any other time, the moneys in the employment
38 and training technology fund may be allocated to the unemployment
39 compensation fund at the discretion of the executive director of the
40 department of labor and employment."

41
42 Renumber succeeding sections accordingly.

43
44 Page 59, line 20, strike "This" and substitute "(1) Except as provided in
45 subsections (2) and (3) of this section, this";

46
47 after line 21, insert the following:

48
49 "(2) Section 8-76-102 (4) (d), Colorado Revised Statutes, as
50 amended in section 12 of this act, shall not take effect if Senate Bill
51 09-076 is enacted at the First Regular Session of the Sixty-seventh
52 General Assembly and becomes law.

53
54 (3) Sections 13 and 26 of this act shall take effect on July 1, 2009,
55 only if Senate Bill 09-076 is enacted at the First Regular Session of the
56 Sixty-seventh General Assembly and becomes law."

1 **HEALTH & HUMAN SERVICES**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB09-239** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:

8
9 Amend reengrossed bill, page 7, line 15, after "PROBATION,", insert "TO
10 IMPOSE AN ADMINISTRATIVE FINE ON A LICENSEE,";

11
12 after line 19, insert the following:

13
14 **"SECTION 5.** The introductory portion to 12-38-116.5 (4) (c)
15 (III), Colorado Revised Statutes, is amended to read:

16
17 **12-38-116.5. Disciplinary procedures of the board - inquiry**
18 **and hearings panels.** (4) (c) (III) If the hearings panel finds the charges
19 proven and orders that discipline be imposed, it shall also determine the
20 extent of such discipline, which may be in the form of a letter of
21 admonition regarding a license or suspension for a definite or indefinite
22 period, revocation, or nonrenewal of a license to practice. IN ADDITION
23 TO ANY OTHER DISCIPLINE THAT MAY BE IMPOSED PURSUANT TO THIS
24 SECTION, THE HEARINGS PANEL MAY IMPOSE A FINE OF NO LESS THAN TWO
25 HUNDRED FIFTY DOLLARS BUT NO MORE THAN ONE THOUSAND DOLLARS
26 PER VIOLATION ON ANY NURSE WHO VIOLATES THIS ARTICLE OR ANY RULE
27 ADOPTED PURSUANT TO THIS ARTICLE. THE BOARD SHALL ADOPT RULES
28 ESTABLISHING A FINE STRUCTURE AND THE CIRCUMSTANCES UNDER WHICH
29 FINES MAY BE IMPOSED. ALL FINES COLLECTED PURSUANT TO THIS
30 SUBPARAGRAPH (III) SHALL BE TRANSMITTED TO THE STATE TREASURER
31 WHO SHALL CREDIT THE SAME TO THE GENERAL FUND. In determining
32 appropriate disciplinary action, the hearings panel shall first consider
33 sanctions that are necessary to protect the public. Only after the panel has
34 considered such sanctions shall it consider and order requirements
35 designed to rehabilitate the nurse. If discipline other than revocation of
36 a license to practice is imposed, the hearings panel may also order that the
37 nurse be granted probation and allowed to continue to practice during the
38 period of such probation. The hearings panel may also include in any
39 disciplinary order that allows the nurse to continue to practice such
40 conditions as the panel may deem appropriate to assure that the nurse is
41 physically, mentally, and otherwise qualified to practice nursing in
42 accordance with generally accepted standards of practice, including any
43 of the following:".

44
45 Renumber succeeding sections accordingly.

46
47 Page 19, line 27, before "STRUCTURED,", insert "MUTUALLY".

48
49 Page 20, line 2, after "HUNDRED", insert "DOCUMENTED";

50
51 line 7, strike "OR" and substitute "AND, IF APPLICABLE,";

52
53 line 8, after "BE", insert "ACTIVELY";

54
55 line 10, strike "SPECIALTY AREA" and substitute "ROLE AND POPULATION
56 FOCUS";

- 1 line 11, strike "OR" and substitute "AND, IF APPLICABLE,";
2
3 line 12, strike "FROM OR EMPLOYMENT BY AN" and substitute "OR
4 EMPLOYMENT";
5
6 line 13, strike "ADVANCED PRACTICE NURSE";
7
8 line 14, strike "THE" and substitute "A";
9
10 line 20, after "AUTHORITY", insert "THAT IS GRANTED";
11
12 line 21, strike "OR" and substitute "AND";
13
14 line 22, strike "SPECIALTY AREA." and substitute "ROLE AND POPULATION
15 FOCUS.";
16
17 line 24, strike "OR" and substitute "AND";
18
19 line 26, strike "SPECIALTY AREA," and substitute "ROLE AND POPULATION
20 FOCUS,".
21
22 Page 21, line 7, strike "MENTOR" and substitute "PERSONS";
23
24 line 11, strike "SPECIALTY AREA" and substitute "ROLE AND POPULATION
25 FOCUS";
26
27 line 13, strike "OR" and substitute "AND, IF APPLICABLE,";
28
29 line 14, strike "FROM OR EMPLOYMENT BY AN" and substitute "OR
30 EMPLOYMENT";
31
32 line 15, strike "ADVANCED PRACTICE NURSE";
33
34 line 22, strike "SPECIFIED HOURS OF".
35
36 Page 22, line 2, strike "ONE YEAR" and substitute "FIVE YEARS";
37
38 line 8, strike "SPECIALTY";
39
40 line 9, strike "AREA." and substitute "ROLE AND POPULATION FOCUS.";
41
42 strike lines 10 and 11 and substitute the following:
43
44 "NURSE'S PRESCRIPTIVE PRACTICE. THE PHYSICIAN OR";
45
46 line 26, strike "FOLLOWING CRITERIA:" and substitute "FOLLOWING:".
47
48 Page 23, line 26, strike "SPECIALTY AREA" and substitute "ROLE AND
49 POPULATION FOCUS".
50
51 Page 28, line 15, strike "SPECIALTY AREA" and substitute "ROLE AND
52 POPULATION FOCUS";
53
54 line 22, strike "FROM OR EMPLOYMENT BY THE ADVANCED" and substitute
55 "OR EMPLOYMENT";
56

- 1 line 23, strike "PRACTICE NURSE".
- 2
- 3 Page 29, line 3, strike "SPECIFIED HOURS OF";
- 4
- 5 line 24, strike "SPECIALTY AREA" and substitute "ROLE AND POPULATION
- 6 FOCUS".
- 7
- 8 Page 31, strike line 27.
- 9
- 10 Page 32, strike lines 1 through 4.
- 11
- 12 Renumber succeeding subparagraph accordingly.
- 13
- 14 Page 32, line 6, strike "FROM";
- 15
- 16 line 7, strike "BY AN ADVANCED PRACTICE NURSE".
- 17
- 18 Page 34, strike lines 13 through 15 and substitute the following:
- 19
- 20 "THE TRANSITION TO THE ARTICULATED PLAN MODEL AND HARMONIZING
- 21 LANGUAGE FOR ARTICULATED PLANS; AND".
- 22
- 23 Page 36, strike lines 8 through 12 and substitute the following:
- 24
- 25 "12-36-106.4, C.R.S.;"
- 26
- 27 strike lines 17 through 20 and substitute the following:
- 28 "(d) EVIDENCE-BASED GUIDELINES;
- 29
- 30 (e) DECISION SUPPORT TOOLS;"
- 31
- 32 Page 37, line 10, before "COLLABORATION", insert "CONSULTATION OR".
- 33
- 34 Page 38, line 9, after "MAINTAINS", insert "OR IS COVERED BY".
- 35

36

37 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

38

39 The Speaker has signed: **HB09-1063, 1130, 1149, 1151, 1222, 1230,**

40 **1295, 1309; SB09-259.**

41

42

43 **MESSAGE(S) FROM THE SENATE**

44

45 The Senate has passed on Third Reading and transmitted to the Revisor

46 of Statutes:

47

48 SB09-250 amended as printed in Senate Journal, April 21, 2009,

49 page 1175.

50

51

52 **MESSAGE(S) FROM THE REVISOR**

53

54 We herewith transmit:

55 Without comment, as amended, SB09-250.

56

INTRODUCTION OF BILLS
First Reading

1
2
3
4 The following bills were read by title and referred to the committees
5 indicated:

6
7 **HB09-1367** by Representative(s) Marostica, Ferrandino, Pommer; also
8 Senator(s) Keller, Tapia, White--Concerning the
9 restriction of general fund revenues related to the pay date
10 shift of employees transferring to the office of information
11 technology.

12 Committee on Appropriations

13
14 **HB09-1368** by Representative(s) Labuda; also Senator(s) Carroll M.--
15 Concerning the exclusion of specified types of state
16 contracts from statutory provisions governing the state's
17 centralized contract management system.

18 Committee on State, Veterans, & Military Affairs

19
20 **SB09-250** by Senator(s) Tochtrop, Williams, Penry, Shaffer B.,
21 Boyd, Carroll M., Hodge, Hudak, Keller, Kester, Newell,
22 Schwartz, Tapia; also Representative(s) Primavera,
23 McNulty, Massey, Merrifield, Frangas, Gagliardi, Kefalas,
24 Liston, Marostica, Green--Concerning health benefit plan
25 coverage for oral anticancer medication.

26 Committee on State, Veterans, & Military Affairs

LAY OVER OF CALENDAR ITEM(S)

27
28
29
30
31
32 On motion of Representative Kerr A., the following item(s) on the
33 Calendar were laid over until April 27, retaining place on Calendar:

34
35 Consideration of Special Orders--**SB09-099, 104, 123, 124, 043, 128,**
36 **133, 158, 160, 161, 162, 167, 178, 219.**

37 Consideration of Conference Committee Report(s)--**SB09-094, 148.**

38 Consideration of Resolution(s)--**HJR09-1018, 1022, 1023, 1024, 1027,**
39 **SJR09-034, 053.**

40 Consideration of Memorial(s)--**SJM09-002, HM09-1005, SJM09-010.**

41 Consideration of Senate Amendment(s)--**HB09-1180, HJR09-1019,**
42 **HB09-1252, 1242, 1129, 1160.**

43
44
45 On motion of Representative Kerr A., the House adjourned until
46 10:00 a.m., April 27, 2009.

47
48 Approved:
49 TERRANCE D. CARROLL,
50 Speaker

51 Attest:
52 MARILYN EDDINS,
53 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

One hundred-eleventh Legislative Day Monday, April 27, 2009

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Aaron Lupo, Home School, Centennial.
6
7 The roll was called with the following result:
8
9 Present--64.
10 Excused--Representative(s) Weissmann--1.

11
12 The Speaker declared a quorum present.
13
14

15 On motion of Representative Tipton, the reading of the journal of
16 April 24, 2009, was declared dispensed with and approved as corrected
17 by the Chief Clerk.
18
19
20

THIRD READING OF BILLS--FINAL PASSAGE

21
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 **HB09-1349** by Representative(s) Fischer; also Senator(s) Heath--
28 Concerning a special election period for the continuation
29 of health care coverage after involuntary termination from
30 employment.
31

32 The question being "Shall the bill 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 was declared **passed**.
36

	YES	64	NO	0	EXCUSED	1	ABSENT	0
38	Acree	Y	Green	Y	McCann	Y	Roberts	Y
39	Apuan	Y	Hullingerhorst	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

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	E
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Hullinghorst,
13 Merrifield, Pace, Priola, Ryden, Schafer S., Todd, Vigil

14
15 **SB09-243** by Senator(s) Boyd, Carroll M.; also Representative(s)
16 Riesberg--Concerning payments for workers'
17 compensation benefits.

18
19 The question being "Shall the bill pass?".

20 A roll call vote was taken. As shown by the following recorded vote, a
21 majority of those elected to the House voted in the affirmative and the bill
22 was declared **passed**.

23	YES	43	NO	21	EXCUSED	1	ABSENT	0
24								
25	Acree	N	Green	Y	McCann	Y	Roberts	Y
26	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
27	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
28	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
29	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
30	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
31	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
32	Court	Y	King S.	N	Murray	N	Stephens	N
33	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
34	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
35	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
36	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
37	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
38	Gardner B.	Y	Marostica	Y	Priola	N	Vigil	Y
39	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
40	Gerou	Y	May	N	Riesberg	Y	Weissmann	E
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Fischer, Green, Labuda, Ryden,
43 Schafer S., Todd, Vigil

44
45
46 **SB09-254** by Senator(s) Bacon, Veiga; also Representative(s)
47 Scanlan and Balmer--Concerning the authority of certain
48 licensed beer manufacturers to use common licensed
49 premises for the production of beer products in this state.

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	1	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McFadyen	N	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	Y	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	E
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Kefalas, Kerr J.,
 20 Liston, Priola, Ryden

21
 22 **SB09-258** by Senator(s) Veiga; also Representative(s) Scanlan--
 23 Concerning required acts of employee leasing companies
 24 by the department of labor and employment pursuant to
 25 the "Colorado Employment Security Act".
 26

27 The question being "Shall the bill pass?".
 28 A roll call vote was taken. As shown by the following recorded vote, a
 29 majority of those elected to the House voted in the affirmative and the bill
 30 was declared **passed**.
 31

	YES	64	NO	0	EXCUSED	1	ABSENT	0
33	Acree	Y	Green	Y	McCann	Y	Roberts	Y
34	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
35	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
36	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
37	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
38	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
39	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
40	Court	Y	King S.	Y	Murray	Y	Stephens	Y
41	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
42	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
43	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
44	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
45	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
46	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
47	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
48	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
49							Speaker	Y

50
 51 **HB09-1346** by Representative(s) Carroll T.; also Senator(s) Shaffer B.-
 52 -Concerning authorization for public entities in the state to
 53 fully utilize the financing instruments available to them
 54 under the federal economic stimulus act known as the
 55 "American Recovery and Reinvestment Act of 2009".
 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	45	NO	19	EXCUSED	1	ABSENT	0
7	Acree	N	Green	Y	McCann	Y	Roberts	Y
8	Apuan	Y	Hullingerhorst	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	Y
18	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
19	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
20	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
21	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
22	Gerou	N	May	N	Riesberg	Y	Weissmann	E
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Casso, Fischer, Frangas, Green,
 25 Kefalas, Kerr A., Labuda, Pace, Ryden, Scanlan, Schafer S., Todd, Vigil

26
 27 **HB09-1359** by Representative(s) Kerr A.; also Senator(s) Boyd--
 28 Concerning the governance of common interest
 29 communities under the "Colorado Common Interest
 30 Ownership Act".

31
 32 The question being "Shall the bill 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 bill
 35 was declared **passed**.

	YES	58	NO	6	EXCUSED	1	ABSENT	0
38	Acree	Y	Green	Y	McCann	Y	Roberts	Y
39	Apuan	Y	Hullingerhorst	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	N
44	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
45	Court	Y	King S.	Y	Murray	Y	Stephens	Y
46	Curry	Y	Labuda	N	Nikkel	N	Summers	Y
47	Ferrandino	Y	Lambert	N	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	N	Primavera	Y	Vaad	Y
51	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
52	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
53	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Peniston, Waller

56

1 **SB09-249** by Senator(s) Penry and Carroll M.; also Representative(s)
 2 Kerr A., Bradford, May--Concerning the applicability to
 3 small common-interest communities of recently enacted
 4 provisions of the "Colorado Common Interest Ownership
 5 Act".
 6

7 The question being "Shall the bill pass?".
 8 A roll call vote was taken. As shown by the following recorded vote, a
 9 majority of those elected to the House voted in the affirmative and the bill
 10 was declared **passed**.
 11

	YES	64	NO	0	EXCUSED	1	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	E
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Baumgardner, Labuda, McFadyen,
 31 Murray, Peniston, Primavera, Priola, Todd
 32

33 **HB09-1335** by Representative(s) Todd and Murray; also Senator(s)
 34 Williams and Carroll M., Cadman--Concerning
 35 requirements for voting equipment.
 36

37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.
 41

	YES	64	NO	0	EXCUSED	1	ABSENT	0
43	Acree	Y	Green	Y	McCann	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McFadyen	Y	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	Y	Looper	Y	Primavera	Y	Vaad	Y
56	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y

1	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
2	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Apuan, Casso, Labuda, Priola

5
 6 **HB09-1336** by Representative(s) Todd and Murray; also Senator(s)
 7 Williams and Carroll M., Cadman--Concerning the
 8 implementation of specific recommendations of the state
 9 election reform commission.

10
 11 The question being "Shall the bill pass?".
 12 A roll call vote was taken. As shown by the following recorded vote, a
 13 majority of those elected to the House voted in the affirmative and the bill
 14 was declared **passed**.

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	E
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Green, Labuda,
 35 Looper, Priola, Schafer S.

36
 37 **HB09-1337** by Representative(s) Todd and Murray; also Senator(s)
 38 Williams and Carroll M., Cadman--Concerning changes to
 39 certain ballot processing deadlines contained in the state
 40 election code.

41
 42 The question being "Shall the bill pass?".
 43 A roll call vote was taken. As shown by the following recorded vote, a
 44 majority of those elected to the House voted in the affirmative and the bill
 45 was declared **passed**.

47	YES	64	NO	0	EXCUSED	1	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
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	Y	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	E
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Kerr J., Labuda,
10 Priola, Ryden, Schafer S., Vigil

11
12 **SB09-248** by Senator(s) Heath; also Representative(s) McNulty--
13 Concerning contractor surety requirements for a public
14 works project contract having a total value of five hundred
15 million dollars or more, and, in connection therewith,
16 requiring a bond or other acceptable surety, including but
17 not limited to a letter of credit, to be filed in a specified
18 minimum amount for the duration of the contract.

19
20 The question being "Shall the bill 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 bill
23 was declared **passed**.

24	YES	64	NO	0	EXCUSED	1	ABSENT	0
26	Acree	Y	Green	Y	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	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	Y	Pommer	Y	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	E
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Gardner B., Kerr J., Massey, Priola,
44 Sonnenberg, Stephens, Tipton

45
46
47 **HB09-1345** by Representative(s) Solano; also Senator's) Schwartz--
48 Concerning integrated planning for the construction of
49 electric transmission facilities in Colorado, and, in
50 connection therewith, directing the public utilities
51 commission to collect information from owners and
52 operators of transmission infrastructure and report its
53 findings to the general assembly.

54
55 The question being "Shall the bill pass?".
56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	57	NO	7	EXCUSED	1	ABSENT	0
5	Acree	N	Green	Y	McCann	Y	Roberts	Y
6	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
7	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
8	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
9	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
10	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
11	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
12	Court	Y	King S.	N	Murray	Y	Stephens	Y
13	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
14	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
15	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
16	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
17	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
18	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
19	Gardner C.	Y	Massey	Y	Rice	Y	Waller	N
20	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Casso, Fischer, Labuda, Primavera,
23 Schafer S., Todd

24
25 **HB09-1333** by Representative(s) Riesberg, McFadyen, Sonnenberg;
26 also Senator(s) Bacon, Kopp, Schwartz--Concerning the
27 transfers of money to the state museum cash fund.
28

29 The question being "Shall the bill pass?".

30 A roll call vote was taken. As shown by the following recorded vote, a
31 majority of those elected to the House voted in the affirmative and the bill
32 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
35	Acree	Y	Green	Y	McCann	Y	Roberts	Y
36	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
37	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
38	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
39	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
40	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
41	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
42	Court	Y	King S.	Y	Murray	Y	Stephens	Y
43	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
44	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
45	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
46	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
47	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
48	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
49	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
50	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Ryden, Vigil

53
54 **SB09-037** by Senator(s) Kopp; also Representative(s) McNulty--
55 Concerning funding for certain workers' compensation
56 funds.

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	63	NO	1	EXCUSED	1	ABSENT	0
7	Acree	Y	Green	N	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	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	E
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Gardner B., Kerr J., Priola, Rice

25
 26 **SB09-075** by Senator(s) Schwartz, Gibbs, Williams, Heath; also
 27 Representative(s) Marostica, Curry, Kerr A., Levy,
 28 McFadyen, Primavera, Scanlan, Vigil--Concerning the
 29 operation of low-speed electric self-propelled vehicles on
 30 public rights-of-way.

31
 32 The question being "Shall the bill 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 bill
 35 was declared **passed**.

	YES	63	NO	1	EXCUSED	1	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	N
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	E
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Court, Fischer, Gardner B., Green,
 55 Labuda, Looper, Massey, Peniston, Priola, Rice, Roberts, Ryden, Schafer S.,
 56 Solano, Summers, Todd

1 **SB09-076** by Senator(s) Heath, Schwartz; also Representative(s)
 2 Court--Concerning the appropriation of employer tax
 3 surcharge moneys to the employment and training
 4 technology fund for use by the division of employment
 5 and training within the department of labor and
 6 employment.
 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**.
 12

	YES	42	NO	22	EXCUSED	1	ABSENT	0
14	Acree	N	Green	Y	McCann	Y	Roberts	Y
15	Apuan	N	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.	Y	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	N	Nikkel	N	Summers	N
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	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	Y	May	N	Riesberg	Y	Weissmann	E
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) Frangas, Green, Ryden, Todd
 32
 33
 34

35 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**

36
 37 **SB09-094** by Senator(s) Williams, Gibbs, Groff, Heath, Schwartz,
 38 Shaffer B.; also Representative(s) Levy, Green, Marostica,
 39 Merrifield, Middleton, Primavera, Rice, Ryden, Scanlan--
 40 Concerning the creation of a transit and rail division
 41 within the department of transportation.
 42

43 (Conference Committee Report printed in House Journal, April 23,
 44 page 1414.)
 45

46 Representative Levy, moved that the Conference Committee Report be
 47 adopted. A substitute motion by Representative Gardner C., that the
 48 House reject the Conference Committee Report, discharge the First
 49 Conference Committee for **SB09-094**, that a Second Conference
 50 Committee be appointed was declared **lost** by the following roll call vote:
 51

	YES	28	NO	36	EXCUSED	1	ABSENT	0
53	Acree	Y	Green	N	McCann	N	Roberts	Y
54	Apuan	N	Hullinghorst	N	McFadyen	N	Ryden	N
55	Balmer	Y	Judd	N	McKinley	Y	Scanlan	N
56	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N

1	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
2	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
3	Casso	N	Kerr J.	Y	Miklosi	N	Soper	N
4	Court	N	King S.	Y	Murray	Y	Stephens	Y
5	Curry	Y	Labuda	N	Nikkel	Y	Summers	Y
6	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
7	Fischer	N	Levy	N	Peniston	Y	Tipton	Y
8	Frangas	N	Liston	Y	Pommer	N	Todd	N
9	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
10	Gardner B.	Y	Marostica	Y	Priola	N	Vigil	N
11	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
12	Gerou	Y	May	N	Riesberg	N	Weissmann	E
13							Speaker	N

15 Representative Levy's motion that the Conference Committee Report be
16 **adopted** was declared **passed** by the following roll call vote:

	YES	37	NO	27	EXCUSED	1	ABSENT	0
19	Acree	N	Green	Y	McCann	Y	Roberts	N
20	Apuan	N	Hullinghorst	Y	McFadyen	Y	Ryden	Y
21	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
22	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
23	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
24	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
25	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
26	Court	Y	King S.	N	Murray	N	Stephens	N
27	Curry	N	Labuda	Y	Nikkel	N	Summers	N
28	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
29	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
30	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
31	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
32	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
33	Gardner C.	N	Massey	N	Rice	Y	Waller	N
34	Gerou	N	May	Y	Riesberg	Y	Weissmann	E
35							Speaker	Y

37 The question being "Shall the bill, as amended, pass?".
38 A roll call vote was taken. As shown by the following recorded vote, a
39 majority of those elected to the House voted in the affirmative and the
40 bill, as amended, was declared **repassed**.

	YES	39	NO	25	EXCUSED	1	ABSENT	0
43	Acree	N	Green	Y	McCann	Y	Roberts	N
44	Apuan	N	Hullinghorst	Y	McFadyen	Y	Ryden	Y
45	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
46	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
47	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
48	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
49	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
50	Court	Y	King S.	N	Murray	N	Stephens	N
51	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
52	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
53	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
54	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
55	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
56	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y

1	Gardner C.	N	Massey	N	Rice	Y	Waller	N
2	Gerou	N	May	Y	Riesberg	Y	Weissmann	E
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Hullinghorst, Pommer, Schafer S.,
5 Solano, Speaker

6
7 **SB09-148** by Senator(s) Brophy, Gibbs; also Representative(s)
8 Merrifield, Carroll T., Kerr A., Marostica, McNulty--
9 Concerning revisions to the rules governing the safe
10 interaction of bicycles with other vehicles on roadways.

11
12 (First Report of the Second Conference Committee printed in House
13 Journal, April 23, page 1415.)

14
15 On motion of Representative Merrifield, the First Report of the Second
16 Conference Committee was **adopted** by the following roll call vote:

17	YES	55	NO	9	EXCUSED	1	ABSENT	0
18								
19	Acree	N	Green	N	McCann	Y	Roberts	Y
20	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
21	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
22	Baumgardner	N	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.	N	Miklosi	Y	Soper	Y
26	Court	Y	King S.	Y	Murray	N	Stephens	Y
27	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
28	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
29	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
30	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
31	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
32	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
33	Gardner C.	Y	Massey	Y	Rice	Y	Waller	N
34	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
35							Speaker	Y
36								

37 The question being "Shall the bill, as amended, pass?".

38 A roll call vote was taken. As shown by the following recorded vote, a
39 majority of those elected to the House voted in the affirmative and the
40 bill, as amended, was declared **repassed**.

41	YES	57	NO	7	EXCUSED	1	ABSENT	0
42								
43	Acree	Y	Green	N	McCann	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
45	Balmer	Y	Judd	Y	McKinley	N	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	N
51	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
52	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
53	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
54	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
55	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
56	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y

1	Gardner C.	Y	Massey	Y	Rice	Y	Waller	N
2	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Gerou, Pace, Pommer, Rice

5
6 **SB09-275** by Senator(s) Tapia, Keller, White; also Representative(s)
7 Ferrandino, Pommer, Marostica--Concerning the
8 temporary elimination of the ability of any vendor to retain
9 any amount of state sales tax revenues to compensate for
10 the vendor's expenses incurred in the collection and
11 remittance of the tax revenues to the state, and making an
12 appropriation in connection therewith.

13
14 (Conference Committee Report printed in House Journal, April 24,
15 page 1464.)

16
17 On motion of Representative Ferrandino, the Conference Committee
18 Report was **adopted** by the following roll call vote:

19	YES	33	NO	31	EXCUSED	1	ABSENT	0
21	Acree	N	Green	Y	McCann	Y	Roberts	N
22	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
23	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
24	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
25	Benefield	Y	Kefalas	N	Merrifield	Y	Solano	Y
26	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
27	Casso	N	Kerr J.	N	Miklosi	Y	Soper	Y
28	Court	Y	King S.	N	Murray	N	Stephens	N
29	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
30	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
31	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
32	Frangas	N	Liston	N	Pommer	Y	Todd	Y
33	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
34	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
35	Gardner C.	N	Massey	N	Rice	Y	Waller	N
36	Gerou	N	May	N	Riesberg	Y	Weissmann	E
37							Speaker	Y

38
39 The question being "Shall the bill, as amended, pass?".

40 A roll call vote was taken. As shown by the following recorded vote, a
41 majority of those elected to the House voted in the affirmative and the
42 bill, as amended, was declared **repassed**.

43	YES	33	NO	31	EXCUSED	1	ABSENT	0
45	Acree	N	Green	Y	McCann	Y	Roberts	N
46	Apuan	N	Hullinghorst	Y	McFadyen	Y	Ryden	Y
47	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
48	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
49	Benefield	Y	Kefalas	N	Merrifield	Y	Solano	Y
50	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
51	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
52	Court	Y	King S.	N	Murray	N	Stephens	N
53	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
54	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
55	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
56	Frangas	N	Liston	N	Pommer	Y	Todd	Y

1	Gagliardi	N	Looper	N	Primavera	Y	Vaad	N
2	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
3	Gardner C.	N	Massey	N	Rice	Y	Waller	N
4	Gerou	N	May	N	Riesberg	Y	Weissmann	E
5							Speaker	Y

6
7
8
9 **CONSIDERATION OF RESOLUTION(S)**

10
11 **HJR09-1020** by Representative(s) Middleton, Todd, Massey,
12 Ferrandino, Benefield, Kerr A., Merrifield, Peniston,
13 Pommer, Scanlan, Solano; also Senator(s) Romer--
14 Concerning the creation of an interim committee to study
15 the financing of public schools.

16
17 (Printed and placed in member's files.)

18
19 Representative Middleton moved that the resolution be adopted.

20
21 Representative Middleton moved the following amendment:

22
23 Amendment No. 1, Education Report, dated April 23, 2009, and placed
24 in member's bill file; Report also printed in House Journal, April 24,
25 pages 1437-1438.

26
27 The amendment was declared **passed** by **viva voce** vote.

28
29 On motion of Representative Middleton, the resolution as amended was
30 **adopted** by **viva voce** vote.

31
32 Co-sponsor(s) added: Representative(s) Casso, Court, Fischer, Labuda,
33 McFadyen, Pace, Priola, Roberts, Ryden, Schafer S., Soper, Vigil

34
35
36
37 **MESSAGE(S) FROM THE SENATE**

38
39 The Senate has adopted and transmits herewith: SJR09-045.

40
41
42
43 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

44
45 On motion of Representative Kerr A., the rules were suspended and the
46 following resolution was given immediate consideration.

47
48 **SJR09-045** by Senator(s) Bacon, Brophy, Foster, Groff, Harvey,
49 Hodge, Hudak, Kester, Kopp, Mitchell, Newell, Penry,
50 Romer, Scheffel, Shaffer B., Spence, Williams; also
51 Representative(s) Levy, Acree, Apuan, Balmer,
52 Baumgardner, Bradford, Carroll T., Court, Curry,
53 Ferrandino, Fischer, Frangas, Gagliardi, Gardner C.,
54 Gerou, Green, Hullinghorst, Judd, Kagan, Kerr A., Kerr J.,
55 King S., Massey, McCann, McFadyen, McNulty,
56 Merrifield, Middleton, Miklosi, Pace, Primavera, Rice,

1 Roberts, Ryden, Scanlan, Solano, Todd, Vaad, Waller--
2 Concerning the declaration of April 19-26, 2009, as
3 "Holocaust Awareness Week".
4

5 (Printed and placed in member's file).
6

7 On motion of Representative Levy, the resolution was read at length and
8 **adopted** by **viva voce** vote.
9

10 Current Roll Call added as Co-sponsor(s): Representative(s) Benefield, Casso,
11 Gardner B., Kefalas, Labuda, Lambert, Liston, Looper, Marostica, May,
12 McKinley, Murray, Nikkel, Peniston, Pommer, Priola, Riesberg, Schafer S.,
13 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Vigil
14

15
16 On motion of Representative Kerr A., **HB09-1360, 1364, SB09-228,**
17 **HB09-1363, 1343, 1350, 1362** were added to the Special Orders Calendar
18 on Monday, April 27, 2009.
19

20
21
22 On motion of Representative Curry, the House resolved itself into
23 Committee of the Whole for consideration of Special Orders and she was
24 called to the Chair to act as Chairman.
25

26
27 **SPECIAL ORDERS--SECOND READING OF BILLS**
28

29 The Committee of the Whole having risen, the Chairman reported the
30 titles of the following bills had been read (reading at length had been
31 dispensed with by unanimous consent), the bills considered and action
32 taken thereon as follows:
33

34 (Amendments to the committee amendment are to the printed committee
35 report which was printed and placed in the members' bill file.)
36

37 **HB09-1360** by Representative(s) Judd; also Senator(s) Sandoval--
38 Concerning the adjustment of the ratio of valuation for
39 assessment for residential real property.
40

41 Ordered engrossed and placed on the Calendar for Third Reading and
42 Final Passage.
43

44 **HB09-1364** by Representative(s) Riesberg; also Senator(s) Boyd--
45 Concerning an increase in the length of terms served by
46 members appointed to the health care task force.
47

48 Ordered engrossed and placed on the Calendar for Third Reading and
49 Final Passage.
50

51 **HB09-1350** by Representative(s) Miklosi, Fischer, Kerr A.; also
52 Senator(s) Heath and Schwartz--Concerning the "New
53 Energy Improvements and Jobs Creation Act of 2009",
54 and, in connection therewith, creating the Colorado new
55 energy improvement district and authorizing the district to
56 fund new energy improvements by issuing special

1 assessment bonds payable from special assessments levied
2 on eligible real property owned by persons who voluntarily
3 join the district in order to have the district help them fund
4 new energy improvements to the eligible real property.
5

6 Laid over until May 9, 2009. Bill deemed lost
7

8 **SB09-228** by Senator(s) Morse, Bacon, Boyd, Foster, Groff, Heath,
9 Hodge, Hudak, Isgar, Keller, Newell, Romer, Schwartz,
10 Shaffer B., Tapia, Tochtrop, Veiga, Williams; also
11 Representative(s) Marostica and Court, Ferrandino,
12 Frangas, Green, Hullinghorst, McCann, McGihon,
13 Merrifield, Miklosi, Pace, Pommer, Todd, Weissmann--
14 Concerning an increase in the flexibility of the general
15 assembly to determine the appropriate use of state
16 revenues.
17

18 Amendment No. 1, Transportation & Energy Report, dated
19 April 23, 2009, and placed in member's bill file; Report also printed in
20 House Journal, April 24, pages 1443-1452.
21

22 Amendment No. 2, by Representative(s) Massey.
23

24 Amend the Transportation & Energy Committee Report, dated April 23,
25 2009, page 7, line 11, strike "**transportation - capital construction**" and
26 substitute "**state education fund**";
27

28 strike lines 14 and 15.
29

30 Reletter succeeding paragraphs accordingly.
31

32 Page 7, strike lines 20 through 23 and substitute the following:
33

34 "(b) "STATE EDUCATION FUND" MEANS THE STATE EDUCATION
35 FUND CREATED PURSUANT TO SECTION 17 (4) OF ARTICLE IX OF THE STATE
36 CONSTITUTION AND SECTION 22-55-103, C.R.S.";
37

38 strike lines 26 through 31.
39

40 Page 8, strike line 1 and substitute the following:
41

42 "TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE STATE
43 EDUCATION FUND AN AMOUNT EQUAL TO TWO AND ONE-HALF PERCENT OF
44 THE TOTAL GENERAL FUND REVENUES FOR SUCH STATE FISCAL YEAR.";
45

46 strike lines 4 through 10 and substitute the following:
47

48 "TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE STATE
49 EDUCATION FUND AN AMOUNT EQUAL TO TWO AND ONE-HALF PERCENT OF
50 THE TOTAL GENERAL FUND REVENUES FOR SUCH STATE FISCAL YEAR.";
51

52 strike lines 14 through 20 and substitute the following:
53

54 " FROM THE GENERAL FUND TO THE STATE EDUCATION FUND AN AMOUNT
55 EQUAL TO THREE PERCENT OF THE TOTAL GENERAL FUND REVENUES FOR
56 SUCH STATE FISCAL YEAR.";

1 strike lines 25 and 26 and substitute the following:

2

3 "GENERAL FUND TO THE STATE EDUCATION FUND."

4

5 Page 9, strike lines 15 and 16 and substitute the following:

6

7 "THAT ARE REQUIRED TO BE TRANSFERRED TO THE STATE EDUCATION

8 FUND FOR SUCH STATE FISCAL";

9

10 strike lines 19 and 20 and substitute the following:

11

12 "AVAILABLE AT THE TIME OF THE TRANSFER.";

13

14 line 25, strike "FUNDS" and substitute "STATE EDUCATION FUND";

15

16 strike lines 34 and 35 and substitute the following:

17

18 "REQUIRED TO BE TRANSFERRED TO THE STATE EDUCATION FUND FOR

19 SUCH STATE FISCAL YEAR, WHICH".

20

21 Page 10, line 9, strike "FUNDS" and substitute "STATE EDUCATION FUND";

22

23 line 16, strike "FUNDS" and substitute "STATE EDUCATION FUND".

24

25 Page 12, strike lines 8 through 29.

26

27 Page 13, strike lines 1 through 5 and substitute the following:

28

29 "Page 38, strike lines 1 and 2."

30

31 Amendment No. 3, by Representative(s) Rice and McFadyen.

32

33 Amend reengrossed bill, page 2, after line 1, insert the following:

34

35 "SECTION 1. 2-3-1304 (1), Colorado Revised Statutes, is
36 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

37

38 **2-3-1304. Powers and duties of capital development**
39 **committee.** (1) The capital development committee shall have the
40 following powers and duties:

41

42 (g) PRIOR TO JANUARY 1, 2012, TO DEVELOP AND MAKE
43 RECOMMENDATIONS CONCERNING NEW METHODS OF FINANCING THE
44 STATE'S ON-GOING CAPITAL CONSTRUCTION NEEDS AND CONTROLLED
45 MAINTENANCE. NO LATER THAN FEBRUARY 1, 2012, THE COMMITTEE
46 SHALL RECOMMEND LEGISLATION TO IMPLEMENT THE
47 RECOMMENDATIONS."

48

49 Renumber succeeding sections accordingly.

50

51 Page 23, after line 22, insert the following:

52

53 "SECTION 22. 43-2-145 (1), Colorado Revised Statutes, is
54 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

55

56 **43-2-145. Transportation legislation review - committee.**

1 (1) (d) PRIOR TO JANUARY 1, 2012, THE COMMITTEE SHALL DEVELOP AND
2 MAKE RECOMMENDATIONS CONCERNING THE FINANCING OF THE
3 COMPLETION OF THE STRATEGIC TRANSPORTATION PROJECTS IDENTIFIED
4 BY THE DEPARTMENT AS THE "SEVENTH POT PROJECTS". NO LATER THAN
5 FEBRUARY 1, 2012, THE COMMITTEE SHALL RECOMMEND LEGISLATION TO
6 IMPLEMENT THE RECOMMENDATIONS, AND SUCH LEGISLATION SHALL BE
7 TREATED AS LEGISLATION RECOMMENDED BY AN INTERIM LEGISLATIVE
8 COMMITTEE FOR PURPOSES OF ANY INTRODUCTION DEADLINES OR BILL
9 LIMITATIONS IMPOSED BY THE JOINT RULES OF THE GENERAL ASSEMBLY;
10 EXCEPT THAT THE BILLS SHALL NOT BE SUBJECT TO REVIEW BY OR
11 APPROVAL OF LEGISLATIVE COUNCIL."

12

13 Renumber succeeding sections accordingly.

14

15 As amended, ordered revised and placed on the Calendar for Third
16 Reading and Final Passage.

17 (For change in action, see Amendments to Report, page 1504.)

18

19 A motion by Representative Kerr A., that the Committee rise, report
20 progress and beg leave to sit again at 3:30 p.m., was adopted by
21 unanimous consent. (Special Orders continued on page 1490.)

22

23

24

House reconvened.

25

26 The Committee of the Whole reported it had risen, reported progress and
27 would sit again at 3:30 p.m.

28

29

30

31

REPORT(S) OF COMMITTEE(S) OF REFERENCE

32

FINANCE

33

34 After consideration on the merits, the Committee recommends the

35 following:

36

37

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56

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB09-1058, 1240.**

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: **HB09-1063, 1130, 1149, 1151, 1222, 1230, 1295, 1309** at 3:40 p.m. on April 24, 2009.

House in recess. House reconvened.

**MEMORANDUM
REPORT FROM THE HOUSE AND SENATE
COMMITTEES ON DELAYED BILLS**

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadline for Senate Bill 09-256, Concerning the Financing of Public Schools:

The Friday, March 13 deadline (the 66th legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, as extended until Friday, March 27, 2009 (the 80th legislative day), Friday, April 10, 2009 (the 94th legislative day), Friday, April 17, 2009 (the 101st legislative day), and Monday, April 27, 2009 (the 111th legislative day), is further extended until Tuesday, April 28th, 2009 (the 112th legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

Representative Terrance D. Carroll
Representative Andy Kerr

Senator Peter Groff
Senator Brandon Shaffer

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SB09-176; SJR09-036, 049.**

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: **HB09-1059, 1162, 1217** at 3:20 p.m. on April 27, 2009.

1 **MESSAGE(S) FROM THE SENATE**

2
3 The Senate has passed on Third Reading and transmitted to the Revisor
4 of Statutes:

- 5
6 SB09-130 amended as printed in Senate Journal, April 17, 2009,
7 page 1144, and April 27, 2009,
8 SB09-244 amended as printed in Senate Journal, April 24, 2009,
9 pages 1268-1270,
10 SB09-247 amended as printed in Senate Journal, April 24, 2009,
11 pages 1270-1271,
12 SB09-241 amended as printed in Senate Journal, April 24, 2009,
13 page 1271-1274.

14
15
16

17 **MESSAGE(S) FROM THE REVISOR**

18
19 We herewith transmit:
20 Without comment, as amended, SB09-130, 244, 247, and 241.

21
22
23

24 **APPOINTMENT(S)**

25 The Speaker announced the following temporary appointment:
26 Committee on Finance--Representative Kagan to temporarily replace
27 Representative Kerr A.

28
29
30

31 House in recess. House reconvened.

32
33

34 On motion of Representative Curry, the House resolved itself into
35 Committee of the Whole for continuation of consideration of Special
36 Orders, and she returned to the Chair to act as Chairman.

37
38

39 **SPECIAL ORDERS--SECOND READING OF BILLS**

40 (Continued from page 1488)

41

42 **SB09-256** by Senator(s) Romer and Bacon; also Representative(s)
43 Pommer and Scanlan--Concerning the financing of public
44 schools, and making an appropriation therefor.

45

46 Amendment No. 1, Education Report, dated April 20, 2009, and placed
47 in member's bill file; Report also printed in House Journal, April 21,
48 pages 1301-1314.

49

50 Amendment No. 2, Appropriations Report, dated April 22, 2009, and
51 placed in member's bill file; Report also printed in House Journal,
52 April 22, pages 1338-1341.

53

54 Amendment No. 3, by Representative(s) Massey.

55 Amend the Education Committee Report, dated April 20, 2009, page 5,
56 strike lines 23 through 28 and substitute the following:

1 "Page 43 of the reengrossed bill, line 3, after "THE", insert
2 "STATE-PROVIDED, FREE";
3
4 strike lines 4 and 5 of the reengrossed bill and substitute the following:
5
6 "RESOURCE, COMMONLY REFERRED TO AS "COLLEGEINCOLORADO.ORG".";
7
8 strike lines 8 through 10 of the reengrossed bill and substitute the
9 following:
10
11 "THIS PARAGRAPH (f) AND TO ENSURE OPTIMAL INTERACTIVITY BETWEEN
12 THE VARIOUS DATA BASES AND STUDENT RECORD SYSTEMS EMPLOYED BY
13 INSTITUTE CHARTER SCHOOLS AND COLLEGES IN COLORADO. EACH
14 INSTITUTE CHARTER SCHOOL SHALL ASSIST EACH STUDENT AND HIS OR HER
15 PARENT OR LEGAL GUARDIAN TO DEVELOP AND MAINTAIN THE STUDENT'S
16 INDIVIDUAL CAREER AND ACADEMIC PLAN NO LATER THAN THE BEGINNING
17 OF NINTH GRADE BUT MAY ASSIST THE STUDENT AND HIS OR HER PARENT
18 OR LEGAL GUARDIAN TO DEVELOP AND MAINTAIN THE STUDENT'S
19 INDIVIDUAL CAREER AND ACADEMIC PLAN IN ANY GRADE PRIOR TO NINTH
20 GRADE."."
21
22 Page 6 of the committee report, strike lines 1 through 12;
23
24 strike lines 16 through 35 of the committee report and substitute the
25 following:
26
27 "Page 49 of the reengrossed bill, line 23, after "THE", insert
28 "STATE-PROVIDED, FREE";
29
30 strike lines 24 and 25 of the reengrossed bill and substitute the following:
31
32 "RESOURCE, COMMONLY REFERRED TO AS "COLLEGEINCOLORADO.ORG".".
33
34 Strike page 50 of the reengrossed bill and substitute the following:
35
36 "THE IMPLEMENTATION OF THIS PARAGRAPH (mm) AND TO ENSURE
37 OPTIMAL INTERACTIVITY BETWEEN THE VARIOUS DATA BASES AND
38 STUDENT RECORD SYSTEMS EMPLOYED BY SCHOOL DISTRICTS AND
39 COLLEGES IN COLORADO. EACH PUBLIC SCHOOL SHALL ASSIST EACH
40 STUDENT AND HIS OR HER PARENT OR LEGAL GUARDIAN TO DEVELOP AND
41 MAINTAIN THE STUDENT'S INDIVIDUAL CAREER AND ACADEMIC PLAN NO
42 LATER THAN THE BEGINNING OF NINTH GRADE BUT MAY ASSIST THE
43 STUDENT AND HIS OR HER PARENT OR LEGAL GUARDIAN TO DEVELOP AND
44 MAINTAIN THE STUDENT'S INDIVIDUAL CAREER AND ACADEMIC PLAN IN
45 ANY GRADE PRIOR TO NINTH GRADE."."
46
47 Amendment No. 4, by Representative(s) Gardner C.
48
49 Amend the Education Committee Report, dated April 20, 2009, page 4,
50 line 27, strike "WITHHELD."." and substitute "WITHHELD.";
51
52 after line 27, insert the following:
53
54 **"SECTION 9.** 22-63-202 (2), Colorado Revised Statutes, is
55 amended BY THE ADDITION OF A NEW PARAGRAPH to read:
56

1 **22-63-202. Employment contracts - contracts to be in writing**
2 **- duration - damage provision.** (2) (b.5) EACH EMPLOYMENT
3 CONTRACT EXECUTED PURSUANT TO THIS SECTION SHALL CONTAIN A
4 PROVISION STATING THAT A TEACHER OR CHIEF ADMINISTRATIVE OFFICER
5 SHALL ACCEPT THE TERMS OF THE EMPLOYMENT CONTRACT FOR THE
6 SUCCEEDING ACADEMIC YEAR WITHIN THIRTY DAYS OF RECEIPT OF THE
7 CONTRACT, UNLESS THE TEACHER OR CHIEF ADMINISTRATIVE OFFICER AND
8 THE DISTRICT HAVE REACHED AN ALTERNATIVE AGREEMENT. IF A
9 TEACHER OR CHIEF ADMINISTRATIVE OFFICER DOES NOT ACCEPT THE
10 TERMS OF THE EMPLOYMENT CONTRACT WITHIN THIRTY DAYS OF RECEIPT,
11 THE DISTRICT SHALL BE AUTHORIZED TO OPEN THE POSITION TO
12 ADDITIONAL CANDIDATES."."

13
14 Amendment No. 5, by Representative(s) Merrifield.

15
16 Amend the Education Committee Report, dated April 20, 2009, page 1,
17 line 2, strike "10 and substitute the following:" and substitute "10.";

18
19 strike lines 3 through 18 of the Education Committee Report.

20
21 Page 2 of the Education Committee Report, strike lines 1 through 28.

22
23 Page 4 of the Education Committee Report, strike lines 1 through 28.

24
25 Amendment No. 6, by Representative(s) Scanlan.

26
27 Amend the Education Committee Report, dated April 20, 2009, page 10,
28 line 16, strike "**22-2-135.**" and substitute "**22-2-136.**" and strike
29 "**residential**";

30
31 line 18, after "CREATED", insert "STATE AND";

32
33 line 27, strike "RESIDENTIAL";

34
35 line 28, strike "COLORADO." and substitute "COLORADO, WHICH MAY
36 INCLUDE A RESIDENTIAL COMPONENT OR A SPECIFIC STUDENT
37 POPULATION.";

38
39 line 30, strike "RESIDENTIAL".

40
41 Page 11, line 2, strike "RESIDENTIAL";

42
43 line 5, after "STATE", insert "AND";

44
45 line 10, strike "RESIDENTIAL";

46
47 line 11, strike "RESIDENTIAL";

48
49 line 12, strike "RESIDENTIAL";

50
51 line 15, strike "RESIDENTIAL";

52
53 line 18, strike "RESIDENTIAL";

54
55 line 19, strike "RESIDENTIAL";

56

- 1 line 21, strike "RESIDENTIAL";
 2
 3 line 22, strike "RESIDENTIAL";
 4
 5 line 25, strike "RESIDENTIAL";
 6
 7 line 26, strike "RESIDENTIAL";
 8
 9 line 32, strike "RESIDENTIAL";
 10
 11 line 34, strike "RESIDENTIAL".

12
 13 Amendment No. 7, by Representative(s) Pommer.

14
 15 Amend the Education Committee Report, dated April 20, 2009, page 9,
 16 line 11, strike "PROCEEDINGS." and substitute "PROCEEDINGS."

17
 18 **SECTION 19.** 22-40-102 (1.7) (b), Colorado Revised Statutes,
 19 is amended to read:

20
 21 **22-40-102. Certification - tax revenues.** (1.7) (b) For the
 22 purposes of this subsection (1.7), "excess transportation costs" means the
 23 ~~current~~ ANNUAL operating expenditures for pupil transportation, as
 24 defined in section 22-51-102 (1), minus the total payment actually
 25 received by the district under article 51 of this title, AND ANNUAL
 26 EXPENDITURES FOR THE PURCHASE OR LEASE OF PUPIL TRANSPORTATION
 27 VEHICLES OR OTHER CAPITAL OUTLAYS RELATED TO PUPIL
 28 TRANSPORTATION. The calculation of excess transportation costs shall be
 29 based upon amounts expended and amounts received for the
 30 twelve-month period ending on June 30 prior to the certification of the
 31 mill levy."."

32
 33 Amendment No. 8, by Representative(s) Pommer.

34
 35 Amend the Education Committee Report, dated April 20, 2009, page 3,
 36 line 3, strike "**Repeal.**";

37
 38 line 4 of the committee report, strike "repealed" and substitute
 39 "amended";

40
 41 strike lines 22 through 26 of the committee report and substitute the
 42 following:

43
 44 "(II.5) Any portion of the specific ownership tax paid to the
 45 district ~~other than that specified in sub-subparagraphs (A) and (B) of~~
 46 ~~subparagraph (II) of this paragraph (d)~~ shall not apply to the limitation in
 47 this subsection (3) but shall apply to the district's share of its total
 48 program pursuant to section 22-54-106 (1) (a) (I)."."

49
 50 Page 17 of the committee report, strike lines 30 through 32 and substitute
 51 the following:

52
 53 "enrollment count may use the moneys received for full-day";

54
 55 line 34 of the committee report, strike "(d). for planning and facility" and
 56 substitute "(d) for planning and facility preparation necessary for the

1 district to offer a full-day kindergarten program in subsequent budget
2 years. EACH SCHOOL DISTRICT SHALL, ON OR BEFORE JUNE 30, 2009,
3 RETURN TO THE DEPARTMENT OF EDUCATION ANY UNEXPENDED AND
4 UNENCUMBERED AMOUNT REMAINING OF THE MONEYS RECEIVED FOR
5 FULL-DAY KINDERGARTEN PROGRAMS THROUGH SUPPLEMENTAL
6 KINDERGARTEN ENROLLMENT PURSUANT TO SECTION 22-54-103 (7) (d).
7 THE DEPARTMENT OF EDUCATION".

8

9 Page 18 of the committee report, strike lines 1 and 2.

10

11 Amendment No. 9, by Representative(s) Middleton.

12

13 Amend the Education Committee Report, dated April 20, 2009, page 14,
14 line 5, strike "22-7-611 (1), (2), and (3) (a)," and substitute "22-7-611,";

15

16 line 6 of the committee report, strike "are" and substitute "is";

17

18 strike line 9 of the committee report and substitute the following:

19

20 "the context otherwise requires:

21

22 (a) "ELIGIBLE DISTRICT" MEANS A SCHOOL DISTRICT THAT HAS
23 BEEN IDENTIFIED BY RULE OF THE STATE BOARD AS HAVING A SIGNIFICANT
24 ACHIEVEMENT GAP.

25

26 (b) "Eligible school" means a public school";

27

28 line 18 of the committee report, strike "an eligible school." and substitute
29 "~~an eligible school~~";

30

31 line 20 of the committee report, strike "title.", and substitute "title
32 ELIGIBLE DISTRICTS AND ELIGIBLE SCHOOLS.";

33

34 line 21 of the committee report, after "each", insert "ELIGIBLE DISTRICT
35 AND";

36

37 line 22 of the committee report, after "the", insert "ELIGIBLE DISTRICT OR
38 ELIGIBLE";

39

40 line 25 of the committee report, before "eligible", insert "ELIGIBLE
41 DISTRICT OR";

42

43 after line 28 of the committee report, insert the following:

44

45 "(b) Using improvement targets to define professional
46 development needs related to content, instruction, differentiation, and best
47 practices in educating special education students, gifted and talented
48 students, English language learners, and other student subgroups, as
49 needed;

50

51 (c) Developing interim DISTRICT-LEVEL AND building-level
52 assessments to monitor student progress toward proficiency on the state
53 model content standards and developing a plan to immediately address
54 gaps in learning;

55

56 (d) Examining and realigning, as needed, school scheduling,

1 academic support systems, and assignments of personnel;

2

3 (e) Designing a plan for increasing parental knowledge and skill
4 to support academic objectives; and

5

6 (f) Identifying leaders who specialize in rehabilitating failing
7 schools and who may serve as school principals.

8

9 (4) (a) An eligible school that chooses to apply for participation
10 in the program shall provide to its district school board a list of the
11 strategies selected from the outline provided by the department that the
12 eligible school intends to implement to improve academic achievement
13 AMONG THE STUDENTS ENROLLED IN THE ELIGIBLE SCHOOL. The eligible
14 school shall provide the list by May 1 of the school year preceding the
15 school year in which the eligible school intends to participate in the
16 program. If the district school board chooses to allow the eligible school
17 to apply for participation in the program, the district school board shall,
18 IN ACCORDANCE WITH TIME LINES ADOPTED BY RULE OF THE STATE
19 BOARD, provide to the department a list of the strategies that the district
20 school board and the eligible school have chosen to implement to improve
21 academic achievement AMONG THE STUDENTS ENROLLED IN THE ELIGIBLE
22 SCHOOL.

23

24 (b) AN ELIGIBLE DISTRICT THAT CHOOSES TO APPLY FOR
25 PARTICIPATION IN THE PROGRAM SHALL, IN ACCORDANCE WITH TIME LINES
26 ADOPTED BY RULE OF THE STATE BOARD, PROVIDE TO THE DEPARTMENT
27 A LIST OF THE STRATEGIES SELECTED FROM THE OUTLINE PROVIDED BY THE
28 DEPARTMENT THAT THE ELIGIBLE DISTRICT HAS CHOSEN TO IMPLEMENT TO
29 IMPROVE ACADEMIC ACHIEVEMENT WITHIN THE ELIGIBLE DISTRICT.

30

31 (5) The state board shall determine the criteria by which ELIGIBLE
32 DISTRICTS AND eligible schools shall be selected to participate in the
33 program and shall promulgate rules that set forth the criteria.

34

35 (6) Subject to available appropriations and upon the request of a
36 participating ELIGIBLE DISTRICT OR eligible school, the department shall
37 provide assistance through the program to the participating ELIGIBLE
38 DISTRICT OR eligible school. The assistance may consist of, but is not
39 limited to, information, personnel, and program and technical support.

40

41 (7) The state board may promulgate all reasonable and necessary
42 rules to implement this section."

43

44 Amendment No. 10, by Representative(s) Pommer.

45

46 Amend reengrossed bill, page 24, line 1, strike "AGREEMENT." and
47 substitute "AGREEMENT; EXCEPT THAT THE STATE TREASURER SHALL NOT
48 GRANT ANY SUCH PERMISSION THAT WOULD CAUSE THE AGGREGATE
49 AMOUNT OF ALL OUTSTANDING CERTIFICATES OF PARTICIPATION FOR
50 WHICH SUCH AN AGREEMENT IS IN EFFECT TO EXCEED TWO HUNDRED
51 FIFTY MILLION DOLLARS."

52

53 Amendment No. 11, by Representative(s) Pommer.

54

55 Amend reengrossed bill, page 52, strike lines 15 through 19 and substitute
56 the following:

1 "SATISFY ITS OBLIGATION TO REIMBURSE THE BANK FOR MONEYS DRAWN
2 ON THE LETTER OF CREDIT UPON THE OCCURRENCE OF A DECLARED
3 EMERGENCY WITHIN THE MEANING OF SECTION 20 (5) OF ARTICLE X OF
4 THE STATE CONSTITUTION THAT ARE NOT REIMBURSED TO THE BANK
5 WITHIN THE SAME FISCAL YEAR BY ENTERING INTO LEASE-PURCHASE
6 AGREEMENTS WITH RESPECT TO REAL PROPERTY OWNED BY THE
7 DISTRICT."

8
9 As amended, ordered revised and placed on the Calendar for Third
10 Reading and Final Passage.
11 (For change in action, see Amendments to Report, page 1506.)

12
13 **SB09-087** by Senator(s) Carroll M.; also Representative(s) Peniston--
14 Concerning increased accountability requirements for
15 special districts, and making an appropriation in
16 connection therewith.

17
18 Amendment No. 1, Local Government Report, dated March 31, 2009, and
19 placed in member's bill file; Report also printed in House Journal, April 1,
20 pages 993-995.

21
22 Amendment No. 2, Appropriations Report, dated April 24, 2009, and
23 placed in member's bill file; Report also printed in House Journal,
24 April 24, pages 1433.

25
26 Amendment No. 3, by Representative(s) Peniston.

27
28 Amend reengrossed bill, page 8, line 26, strike "(1)".

29
30 Page 9, line 6, strike lines 6 through 15 and substitute the following:
31 "SECTION 8. **Effective date.** This act shall take effect
32 September 1, 2009; except that section 7 of this act amending section
33 38-35.7-101 (1), Colorado Revised Statutes, and sections 8 and 9 shall
34 take effect July 1, 2009.

35
36 **SECTION 9. Safety clause.** The general assembly hereby finds,
37 determines, and declares that this act is necessary for the immediate
38 preservation of the public peace, health, and safety."

39
40 As amended, ordered revised and placed on the Calendar for Third
41 Reading and Final Passage.

42
43 **SB09-099** by Senator(s) Morse; also Representative(s) Ferrandino--
44 Concerning centralized databases to aid the delivery of
45 state procurement services, and making an appropriation
46 in connection therewith.

47
48 Ordered revised and placed on the Calendar for Third Reading and Final
49 Passage.

50
51 **SB09-104** by Senator(s) Sandoval; also Representative(s) Gagliardi--
52 Concerning the provision of verifiable documents to youth
53 leaving foster care.

54
55 Ordered revised and placed on the Calendar for Third Reading and Final
56 Passage.

1 **SB09-123** by Senator(s) Williams, Sandoval; also Representative(s)
2 Todd, Solano--Concerning a pilot program to reduce the
3 dropout rate of adolescent students.
4

5 Amendment No. 1, Education Report, dated March 12, 2009, and placed
6 in member's bill file; Report also printed in House Journal, March 13,
7 page 728.
8

9 Amendment No. 2, Appropriations Report, dated April 24, 2009, and
10 placed in member's bill file; Report also printed in House Journal,
11 April 24, pages 1433-1434.
12

13 As amended, declared **lost** on Second Reading.
14 (For change in action, see Amendments to Report, page 1505.)
15

16 **SB09-124** by Senator(s) Isgar; also Representative(s) Roberts--
17 Concerning additional funding for agricultural energy-
18 related projects through the agriculture value-added cash
19 fund.
20

21 Amendment No. 1, Appropriations Report, dated April 24, 2009, and
22 placed in member's bill file; Report also printed in House Journal,
23 April 24, page 1434.
24

25 As amended, ordered revised and placed on the Calendar for Third
26 Reading and Final Passage.
27

28 **SB09-043** by Senator(s) Isgar, Kester, Tapia; also Representative(s)
29 Roberts, Massey, McFadyen, Pace, Tipton--Concerning
30 the merger of Pueblo community college and San Juan
31 basin area vocational school, and, in connection therewith,
32 clarifying the two-year authority of Fort Lewis college and
33 making an appropriation.
34

35 Amendment No. 1, Appropriations Report, dated April 24, 2009, and
36 placed in member's bill file; Report also printed in House Journal,
37 April 24, pages 1431-1432.
38

39 As amended, ordered revised and placed on the Calendar for Third
40 Reading and Final Passage.
41

42 **SB09-128** by Senator(s) Carroll M., Newell, Tochtrop; also
43 Representative(s) Green--Concerning continuation of the
44 regulation of administration of medication by unlicensed
45 persons, and making an appropriation in connection
46 therewith.
47

48 Ordered revised and placed on the Calendar for Third Reading and Final
49 Passage.
50

51 **SB09-133** by Senator(s) Spence; also Representative(s) Primavera--
52 Concerning increased surcharges for traffic violations that
53 apply the moneys collected to the Colorado traumatic brain
54 injury trust fund, and making an appropriation in
55 connection therewith.
56

1 Amendment No. 1, Transportation & Energy Report, dated April 7, 2009,
2 and placed in member's bill file; Report also printed in House Journal,
3 April 8, page 1120.

4
5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **SB09-158** by Senator(s) Isgar; also Representative(s) Baumgardner--
9 Concerning analysis by the department of natural
10 resources of conservation programs implemented on
11 private lands.

12
13 Ordered revised and placed on the Calendar for Third Reading and Final
14 Passage.

15
16 **SB09-160** by Senator(s) Hudak; also Representative(s) Todd--
17 Concerning recommendations from the P-20 council
18 relating to educator licensure, and, in connection
19 therewith, streamlining and aligning the alternative teacher
20 and the teacher in residence programs, and making an
21 appropriation.

22
23 Amendment No. 1, Education Report, dated April 2, 2009, and placed in
24 member's bill file; Report also printed in House Journal, April 3,
25 pages 1027-1028.

26
27 Amendment No. 2, by Representative(s) Todd.

28
29 Amend the reengrossed bill, page 7, strike lines 14 through 19 and
30 substitute the following:

31
32 "(a) FOR ELEMENTARY TEACHERS, INCLUDING SPECIAL EDUCATION
33 GENERALIST TEACHERS, PASSAGE OF THE ELEMENTARY CONTENT TEST;

34
35 (b) FOR SECONDARY TEACHERS:

36
37 (I) A DEGREE IN THE ENDORSEMENT AREA;

38
39 (II) PASSAGE OF A CONTENT TEST IN THE ENDORSEMENT AREA; OR

40
41 (III) TWENTY-FOUR HOURS OF COURSEWORK IN THE ENDORSEMENT
42 AREA."

43
44 As amended, ordered revised and placed on the Calendar for Third
45 Reading and Final Passage.

46
47 **SB09-161** by Senator(s) Gibbs; also Representative(s) Scanlan--
48 Concerning the issuance of Colorado ski country special
49 license plates, and making an appropriation in connection
50 therewith.

51
52 Amendment No. 1, by Representative(s) Scanlan.

53
54 Amend reengrossed bill, page 2, line 13, strike "THE DESIGN FOR THE
55 SPECIAL LICENSE PLATES SHALL" and substitute "THE DESIGN THAT WAS
56 SUBMITTED TO THE DEPARTMENT DURING THE PROPOSAL AND

1 CERTIFICATION PROCESS UNDER SECTION 42-3-207 (2) SHALL BE USED FOR
2 THE SPECIAL LICENSE PLATE; EXCEPT THAT THE PLATE SHALL CONFORM
3 WITH STANDARDS ESTABLISHED BY THE DEPARTMENT AND BE SUBJECT TO
4 APPROVAL BY THE DEPARTMENT. THE PLATE SHALL FEATURE THE
5 TAGLINE "SKI COUNTRY USA".;

6
7 strike lines 14 and 15.

8
9 As amended, ordered revised and placed on the Calendar for Third
10 Reading and Final Passage.

11
12 **SB09-162** by Senator(s) Schwartz, Heath, Veiga; also
13 Representative(s) Liston, McFadyen, Rice, Solano--
14 Concerning the operation of the project by the state's chief
15 information officer to create an inventory of broadband
16 service areas, and, in connection therewith, authorizing the
17 acceptance of publicly funded gifts, grants, and donations,
18 and making an appropriation.

19
20 Ordered revised and placed on the Calendar for Third Reading and Final
21 Passage.

22
23 **SB09-167** by Senator(s) Boyd, Newell, Tochtrop; also
24 Representative(s) Kefalas--Concerning the continuation of
25 the state board of chiropractic examiners, and, in
26 connection therewith, increasing insurance requirements,
27 adjusting the board's disciplinary authority, authorizing
28 animal chiropractic, and modifying the scope of practice,
29 and, in connection therewith, making an appropriation.

30
31 Amendment No. 1, Health & Human Services Report, dated
32 April 6, 2009, and placed in member's bill file; Report also printed in
33 House Journal, April 6, page 1076.

34
35 Amendment No. 2, Appropriations Report, dated April 24, 2009, and
36 placed in member's bill file; Report also printed in House Journal,
37 April 24, page 1435.

38
39 As amended, ordered revised and placed on the Calendar for Third
40 Reading and Final Passage.

41
42 **SB09-178** by Senator(s) Heath, Schwartz, Veiga; also
43 Representative(s) Liston, McFadyen, Rice, Solano--
44 Concerning the waiver of certain eligibility conditions for
45 unemployment insurance benefits for unemployed
46 individuals attached to regular jobs.

47
48 Ordered revised and placed on the Calendar for Third Reading and Final
49 Passage.

50
51
52 **SB09-219** by Senator(s) Tapia, Keller, White; also Representative(s)
53 Ferrandino, Pommer, Marostica--Concerning the general
54 fund reserve required for the 2008-09 state fiscal year.

55

1 Amendment No. 1, Appropriations Report, dated April 24, 2009, and
2 placed in member's bill file; Report also printed in House Journal,
3 April 24, pages 1435-1436.

4
5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB09-1363** by Representative(s) Ferrandino; also Senator(s) Veiga--
9 Concerning the authority for the unemployment
10 compensation section of the division of employment and
11 training in the department of labor and employment to
12 operate as an enterprise for purposes of section 20 of
13 article X of the state constitution.

14
15 Amendment No. 1, Business Affairs & Labor Report, dated
16 April 24, 2009, and placed in member's bill file; Report also printed in
17 House Journal, April 24, pages 1465-1466.

18
19 As amended, ordered engrossed and placed on the Calendar for Third
20 Reading and Final Passage.

21
22 **HB09-1343** by Representative(s) Massey, Solano, Todd, Gagliardi,
23 Merrifield; also Senator(s) Williams, Foster, Heath,
24 Hudak, Shaffer B.--Concerning the creation of the early
25 childhood and school readiness legislative oversight
26 commission.

27
28 Amendment No. 1, Education Report, dated April 23, 2009, and placed
29 in member's bill file; Report also printed in House Journal, April 24,
30 page 1436.

31
32 Amendment No. 2, by Representative(s) Massey.

33
34 Amend the Education Committee Report, dated April 23, 2009, page 2,
35 after line 8, add the following:

36
37 "Page 5, line 20, strike "SUBJECT TO" and substitute "CONTINUOUSLY
38 APPROPRIATED";

39
40 line 21, strike "ANNUAL APPROPRIATION"."

41
42 As amended, ordered engrossed and placed on the Calendar for Third
43 Reading and Final Passage.

44
45 **HB09-1362** by Representative(s) May; also Senator(s) Boyd--
46 Concerning the authorization to local governments to
47 provide financial assistance to specified institutions of
48 higher education, and, in connection therewith, authorizing
49 municipalities and counties to form community college
50 service area districts and authorizing county governments
51 to levy sales or property taxes for the purpose of providing
52 financial assistance to specified state colleges.

53
54 Amendment No. 1, Local Government Report, dated April 23, 2009, and
55 placed in member's bill file; Report also printed in House Journal,
56 April 24, pages 1441-1443.

1 Amendment No. 2, by Representative(s) May.

2
3 Amend the Local Government Committee report, dated April 23, 2009,
4 page 1, after line 7, insert the following:

5
6 "strike line 13 and substitute the following:

7
8 "(2) COMMUNITY COLLEGE MEANS:

9
10 (a) ANY COMMUNITY";

11
12 line 17, strike "C.R.S." and substitute the following:

13
14 "C.R.S.; OR

15
16 (b) ANY JUNIOR COLLEGE DISTRICT THAT IS ORGANIZED PURSUANT
17 TO PART 1 OF ARTICLE 71 OF TITLE 23, C.R.S., AND THAT IS GOVERNED BY
18 A BOARD OF TRUSTEES ELECTED PURSUANT TO SECTION 23-71-110,
19 C.R.S."";

20
21 line 15 of the committee report, strike "STATE"." and substitute "STATE";";

22
23 after line 15, insert the following:

24
25 after line 23, insert the following:

26
27 "(7) "JUNIOR COLLEGE DISTRICT BOARD" MEANS THE BOARD OF
28 TRUSTEES OF A JUNIOR COLLEGE DISTRICT ELECTED PURSUANT TO SECTION
29 23-71-110, C.R.S."

30
31 Renumber succeeding subsections accordingly."

32
33 Page 2 of the committee report, line 15, before "ESTABLISH", insert "TO";

34
35 strike lines 18 and 19 and substitute the following:

36
37 "THAT IS LOCATED WITHIN SUCH CONSOLIDATED DISTRICT. IN SUCH CASE,
38 A SINGLE BALLOT";

39
40 strike lines 31 and 32 and substitute the following:

41
42 "(3) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
43 ARTICLE, UPON THE PASSAGE OF A RESOLUTION BY THE STATE BOARD AND
44 THE JUNIOR COLLEGE DISTRICT BOARD, THE STATE BOARD AND THE JUNIOR
45 COLLEGE DISTRICT BOARD MAY JOINTLY REQUEST AT LEAST TWO LOCAL
46 GOVERNMENTS, THE TERRITORIAL BOUNDARIES OF WHICH ARE LOCATED
47 WITHIN A SHARED SERVICE AREA OF THE JUNIOR COLLEGE DISTRICT, AND
48 A COMMUNITY COLLEGE UNDER THE JURISDICTION OF THE STATE BOARD
49 TO ESTABLISH A SINGLE CONSOLIDATED DISTRICT THAT WILL SERVE ANY
50 COMMUNITY COLLEGES AND JUNIOR COLLEGE DISTRICTS, ALL OR ANY
51 PORTION OF THE SERVICE AREA OF WHICH IS LOCATED WITHIN SUCH
52 CONSOLIDATED DISTRICT. IN SUCH CASE, A SINGLE BALLOT QUESTION
53 SEEKING VOTER APPROVAL OF THE FORMATION OF THE DISTRICT MAY BE
54 CONSOLIDATED WITHIN SUCH SERVICE AREA FOR PURPOSES OF PLACEMENT
55 ON THE BALLOT.

56

- 1 (b) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE:
2
- 3 (I) ANY TAXING DISTRICT FOR A JUNIOR COLLEGE DISTRICT IN
4 OPERATION AS OF THE EFFECTIVE DATE OF THIS ARTICLE SHALL NOT BE
5 ALTERED BY THE PROVISIONS OF THIS ARTICLE, NOR SHALL THE
6 PROVISIONS OF THIS ARTICLE AFFECT, WITHOUT LIMITATION, THE
7 REQUIREMENTS GOVERNING ADDITIONS TO A JUNIOR COLLEGE DISTRICT AS
8 SPECIFIED IN SECTION 23-71-128, C.R.S.
9
- 10 (II) NO REVENUES COLLECTED FROM A TAXING DISTRICT FOR A
11 JUNIOR COLLEGE DISTRICT IN OPERATION AS OF THE EFFECTIVE DATE OF
12 THIS ARTICLE SHALL BE REALLOCATED IN ANY MANNER AS A RESULT OF
13 THE OPERATION OF THIS ARTICLE.
14
- 15 (III) NO CONSOLIDATED DISTRICT ESTABLISHED PURSUANT TO
16 PARAGRAPH (a) OF THIS SUBSECTION (3) SHALL INCLUDE ALL OR ANY
17 PORTION OF THE SERVICE AREA OF ANY COMMUNITY COLLEGE WITHOUT
18 THE APPROVAL OF THE STATE BOARD AND THE JUNIOR COLLEGE DISTRICT
19 BOARD.
20
- 21 (c) EXCEPT AS OTHERWISE SPECIFIED IN PARAGRAPH (b) OF THIS
22 SUBSECTION (3), ALL OTHER REQUIREMENTS OF THIS ARTICLE SHALL APPLY
23 TO THE CREATION, ORGANIZATION, AND ADMINISTRATION OF A DISTRICT
24 ESTABLISHED PURSUANT TO THIS SUBSECTION (3).
25
- 26 (d) IN SO FAR AS THE VOTERS APPROVE THE FORMATION OF THE
27 CONSOLIDATED DISTRICT PURSUANT TO PARAGRAPH (a) OF THIS
28 SUBSECTION (3), THE STATE BOARD AND THE JUNIOR COLLEGE DISTRICT
29 BOARD SHALL SPECIFY BY INTERGOVERNMENTAL AGREEMENT THE
30 ALLOCATION OF ANY TAX REVENUES COLLECTED, INTO WHICH AGREEMENT
31 THE PARTIES ARE HEREBY AUTHORIZED TO ENTER.
32
- 33 (4) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS (2) OR (3)
34 OF THIS SECTION: ". "
35
- 36 Page 3 of the committee report, after line 1, insert the following:
37
- 38 "line 16, strike "MEMBER" and substitute "MEMBERS";";
39
- 40 after line 4 of the committee report, insert the following:
41
- 42 "Page 9, after line 4, insert the following:
43
- 44 "(3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE,
45 IN THE CASE OF A JUNIOR COLLEGE DISTRICT, THE BOARD OF TRUSTEES OF
46 A DISTRICT CREATED UNDER THIS ARTICLE SHALL BE THE JUNIOR COLLEGE
47 DISTRICT BOARD."";
48
- 49 line 15, of the Committee Report, strike "(a),";" and substitute "(a) ON
50 BEHALF OF A COMMUNITY COLLEGE THAT OPERATES UNDER THE CONTROL
51 OF THE STATE BOARD,"";
52
- 53 line 16 of the Committee Report, strike ""In" and substitute ""IN THE CASE
54 OF A DISTRICT ESTABLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF
55 SECTION 32-20-105 (1) (a) ON BEHALF OF A JUNIOR COLLEGE DISTRICT, A
56 LOCAL GOVERNMENT SHALL FIRST OBTAIN THE CONSENT OF THE JUNIOR

1 COLLEGE DISTRICT BOARD PRIOR TO PLACING ANY QUESTION ON THE
2 BALLOT SEEKING VOTER APPROVAL FOR THE IMPOSITION OR INCREASE OF
3 A SALES OR AD VALOREM TAX PURSUANT TO THIS ARTICLE. IN".".

4
5 line 22, strike "ARTICLE." and substitute "ARTICLE. IN THE CASE OF A
6 CONSOLIDATED DISTRICT ESTABLISHED IN ACCORDANCE WITH THE
7 REQUIREMENTS OF SECTION 32-20-105 (3) (a), A LOCAL GOVERNMENT
8 SHALL FIRST OBTAIN THE CONSENT OF THE STATE BOARD AND THE JUNIOR
9 COLLEGE DISTRICT BOARD PRIOR TO PLACING ANY QUESTION ON THE
10 BALLOT SEEKING VOTER APPROVAL FOR THE IMPOSITION OR INCREASE OF
11 A SALES OR AD VALOREM TAX PURSUANT TO THIS ARTICLE."".

12
13 Page 4 of the committee report, line 2, strike "(a), OR" and substitute "(a)
14 ON BEHALF OF A COMMUNITY COLLEGE THAT OPERATES UNDER THE
15 CONTROL OF THE STATE BOARD, AS MAY BE JOINTLY AGREED UPON BY THE
16 DISTRICT AND THE JUNIOR COLLEGE DISTRICT BOARD IN THE CASE OF A
17 CONSOLIDATED DISTRICT ESTABLISHED IN ACCORDANCE WITH THE
18 REQUIREMENTS OF SECTION 32-20-105 (3) (a) ON BEHALF OF A JUNIOR
19 COLLEGE DISTRICT,";

20
21 line 5 of the Committee report, strike "(a).";" and substitute "(a), OR AS
22 MAY BE MUTUALLY AGREED UPON BY THE DISTRICT, THE STATE BOARD,
23 AND THE JUNIOR COLLEGE DISTRICT BOARD IN THE CASE OF A
24 CONSOLIDATED DISTRICT ESTABLISHED IN ACCORDANCE WITH THE
25 REQUIREMENTS OF SECTION 32-20-105 (3) (a).";";

26
27 after line 8 of the committee report, insert the following:

28
29 "line 10, strike "BOARD." and substitute "BOARD OR JUNIOR COLLEGE
30 DISTRICT BOARD, AS APPLICABLE."";

31
32 line 10 of the committee report, strike "BOARD" and substitute "BOARD OR
33 JUNIOR COLLEGE DISTRICT BOARD, AS APPLICABLE."";

34
35 line 11 of the committee report, after "(b)", insert "(I)";

36
37 line 17 of the Committee Report, after "EXPENDED", insert "BY SUCH
38 DISTRICT";

39
40 strike line 19 and substitute the following:

41
42 "COLLEGE.

43
44 (II) IN THE CASE OF A CONSOLIDATED DISTRICT ESTABLISHED IN
45 ACCORDANCE WITH THE REQUIREMENTS OF SECTION 32-20-105 (3) (a),
46 ANY DETERMINATION ABOUT THE USE OF TAX REVENUES COLLECTED
47 PURSUANT TO THIS ARTICLE ON BEHALF OF ANY PARTICULAR COMMUNITY
48 COLLEGE SHALL BE MADE IN CONSULTATION AMONG THE DISTRICT, THE
49 STATE BOARD, AND THE JUNIOR COLLEGE DISTRICT BOARD. NO REVENUES
50 SHALL BE EXPENDED BY SUCH DISTRICT PURSUANT TO THIS ARTICLE
51 WITHOUT THE PRIOR CONSENT OF THE STATE BOARD AND THE JUNIOR
52 COLLEGE DISTRICT BOARD.".

53
54 Page 24, after line 22, insert the following:

55
56 **"SECTION 3. Repeal.** 23-71-128 (1) (a), Colorado Revised

1 Statutes, is repealed as follows:

2

3 **23-71-128. Additions to district - procedure.** (1) If any school
4 district or group of districts adjacent to a junior college district desires to
5 be annexed to the existing junior college district, it may do so by the
6 following procedure:

7

8 ~~(a) By obtaining approval of the existing junior college district.~~
9 ~~The approval shall be given only upon a majority vote of the eligible~~
10 ~~electors of the existing junior college district as expressed by a majority~~
11 ~~polled at the time of the regular biennial school election held in the junior~~
12 ~~college district. The election shall be called only upon the affirmative~~
13 ~~vote of the board of trustees.~~

14

15 **SECTION 4. Repeal.** 23-71-202 (3), Colorado Revised Statutes,
16 is repealed as follows:

17

18 **23-71-202. Joining state system - state support.** (3) ~~Any local~~
19 ~~junior college district organized or authorized to be organized after July~~
20 ~~1, 1967, which is not a part of the state system shall not be eligible to~~
21 ~~receive any state funds for capital construction purposes unless the board~~
22 ~~has approved the district prior to its organization."~~

23

24 Renumber succeeding section accordingly."

25

26 As amended, ordered engrossed and placed on the Calendar for Third
27 Reading and Final Passage.

28

29 On motion of Representative Kerr A., the remainder of the Special Orders
30 Calendar (**HB09-1269, 1323**) was laid over until April 28, retaining place
31 on Calendar.

32

33

34 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

35

36 Representative(s) Court and Marostica moved to amend the Report of the
37 Committee of the Whole to reverse the action taken by the Committee in
38 adopting Amendment No. 2 by Representative Massey (printed in House
39 Journal page1486, lines 22-56, page 1487, lines 1-56, and page 1488,
40 lines 1-13), to SB09-228, to show that said amendment lost, and that
41 **SB09-228**, as amended, passed.

42

43 The amendment was declared **passed** by the following roll call vote:

44

45	YES	34	NO	29	EXCUSED	2	ABSENT	0
46	Acree	N	Green	Y	McCann	Y	Roberts	N
47	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
48	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
49	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
50	Benefield	N	Kefalas	E	Merrifield	Y	Solano	Y
51	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
52	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
53	Court	Y	King S.	N	Murray	N	Stephens	N
54	Curry	N	Labuda	Y	Nikkel	N	Summers	N
55	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
56	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N

1	Frangas	Y	Liston	N	Pommer	N	Todd	Y
2	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
3	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
4	Gardner C.	N	Massey	N	Rice	Y	Waller	N
5	Gerou	N	May	N	Riesberg	Y	Weissmann	E
6							Speaker	Y

7
8 Representative(s) Todd moved to amend the Report of the Committee of
9 the Whole to reverse the action taken by the Committee in not adopting
10 SB09-123, to show that **SB09-123**, as amended, passed.

11
12 The amendment was declared **passed** by the following roll call vote

14	YES	60	NO	4	EXCUSED	1	ABSENT	0
15	Acree	N	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	N	Kagan	Y	McNulty	Y	Schafer S.	Y
19	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
20	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
21	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
22	Court	Y	King S.	Y	Murray	N	Stephens	Y
23	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
24	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
25	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
26	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
27	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
28	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
29	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
30	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
31							Speaker	Y

32
33 Representative(s) Massey and May moved to amend the Report of the
34 Committee of the Whole to reverse the action taken by the Committee in
35 not adopting the following Massey and May amendment, to SB09-256,
36 to show that said amendment passed and that **SB09-256**, as amended,
37 passed.

38
39 Amend the Education Committee Report, dated April 20, 2009, page 2,
40 line 28, strike "DOLLARS." and substitute "DOLLARS.";

41
42 after line 28, insert the following:

43
44 "(IV) THE PROVISIONS OF THIS PARAGRAPH (g) SHALL NOT APPLY
45 IF SENATE BILL 09-228 IS ENACTED AND BECOMES LAW IN 2009 AND, AT
46 THE TIME OF ENACTMENT, REQUIRES TRANSFERS IN FUTURE FISCAL YEARS
47 FROM THE GENERAL FUND TO THE HIGHWAY USERS TAX FUND CREATED IN
48 SECTION 43-4-201, C.R.S.".

49
50 The amendment was declared **lost** by the following roll call vote

52	YES	29	NO	35	EXCUSED	1	ABSENT	0
53	Acree	Y	Green	N	McCann	N	Roberts	Y
54	Apuan	N	Hullinghorst	N	McFadyen	N	Ryden	N
55	Balmer	Y	Judd	N	McKinley	Y	Scanlan	N
56	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N

1	Benefield	Y	Kefalas	N	Merrifield	N	Solano	N
2	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
3	Casso	N	Kerr J.	Y	Miklosi	N	Soper	N
4	Court	N	King S.	Y	Murray	Y	Stephens	Y
5	Curry	N	Labuda	N	Nikkel	Y	Summers	Y
6	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
7	Fischer	N	Levy	N	Peniston	N	Tipton	Y
8	Frangas	N	Liston	Y	Pommer	N	Todd	N
9	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
10	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
11	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
12	Gerou	Y	May	Y	Riesberg	N	Weissmann	E
13							Speaker	N

14
15 Representative(s) Gardner C. moved to amend the Report of the
16 Committee of the Whole to reverse the action taken by the Committee in
17 not adopting the following Gardner C. amendment, to SB09-256, to show
18 that said amendment passed, that Amendment No. 10 by Representative
19 Pommer (printed in House Journal page 1495, lines 44-51), lost, and that
20 **SB09-256**, as amended, passed.

21
22 Amend reengrossed bill, page 21, strike lines 6 through 27.

23
24 Strike pages 22 and 23.

25
26 Page 24, strike lines 1 through 3.

27
28 Renumber succeeding sections accordingly.

29
30 The amendment was declared **passed** by the following roll call vote:

	YES	36	NO	28	EXCUSED	1	ABSENT	0
33	Acree	Y	Green	Y	McCann	N	Roberts	Y
34	Apuan	N	Hullinghorst	N	McFadyen	N	Ryden	N
35	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	N
36	Baumgardne	Y	Kagan	N	McNulty	Y	Schafer S.	N
37	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
38	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
39	Casso	Y	Kerr J.	Y	Miklosi	N	Soper	N
40	Court	Y	King S.	Y	Murray	Y	Stephens	Y
41	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
42	Ferrandino	N	Lambert	Y	Pace	Y	Swalm	Y
43	Fischer	N	Levy	N	Peniston	N	Tipton	Y
44	Frangas	N	Liston	Y	Pommer	Y	Todd	N
45	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
46	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
47	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
48	Gerou	Y	May	Y	Riesberg	N	Weissmann	E
49							Speaker	N

50
51
52
53
54
55

1 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

2
3 Passed Second Reading: **HB09-1360, 1364, SB09-228 amended, 256**
4 **amended, 087 amended, 099, 104, 123 amended, 124 amended, 043**
5 **amended, 128, 133 amended, 158, 160 amended, 161 amended, 162,**
6 **167 amended, 178, 219 amended, HB09-1363 amended, 1343**
7 **amended, 1362 amended.**

8
9 Laid over until date indicated retaining place on Calendar:

10 **HB09-1350**--May 9, 2009. Bill deemed lost.

11 **HB09-1269, 1323**--April 28, 2009.

12
13 The Chairman moved the adoption of the Committee of the Whole
14 Report. As shown by the following roll call vote, a majority of those
15 elected to the House voted in the affirmative, and the Report was
16 **adopted.**

	YES	64	NO	0	EXCUSED	1	ABSENT	0
19	Acree	Y	Green	Y	McCann	Y	Roberts	Y
20	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
21	Balmer	Y	Judd	Y	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	E
35							Speaker	Y

36
37
38
39 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

40
41 **EDUCATION**

42 After consideration on the merits, the Committee recommends the
43 following:

44
45 **SB09-226** be amended as follows, and as so amended, be referred to
46 the Committee of the Whole with favorable
47 recommendation:

48
49 Amend reengrossed bill, page 4, line 16, strike "**rules.**" and substitute
50 "**rules - approval of treatment plans.**";

51
52 strike lines 24 through 27 and substitute the following:

53
54 "EMPLOYEES SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, EMPLOYEES
55 WHO ARE DIRECTLY INVOLVED DURING THE SCHOOL DAY WITH A STUDENT
56 WHO HAS A KNOWN FOOD ALLERGY."

1 Page 5, strike lines 1 through 5;
2
3 line 19, after "22-32-139;", add "AND".

4
5 Strike page 6 and substitute the following:

6
7 "(b) A REQUIREMENT THAT THE NOTIFICATION REQUIRED BY
8 PARAGRAPH (a) OF THIS SUBSECTION (3) INCLUDE THE STANDARD FORM
9 DEVELOPED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
10 PURSUANT TO SECTION 25-1.5-109, C.R.S., TO ALLOW EACH PARENT OR
11 LEGAL GUARDIAN OF A STUDENT WITH A KNOWN FOOD ALLERGY TO
12 PROVIDE THE FOLLOWING INFORMATION TO THE SCHOOL'S
13 ADMINISTRATION:

14
15 (I) DOCUMENTATION REGARDING THE DIAGNOSIS AND HISTORY OF
16 THE STUDENT'S FOOD ALLERGY;

17
18 (II) IDENTIFICATION OF ALL FOODS TO WHICH THE STUDENT IS
19 KNOWN TO BE ALLERGIC;

20
21 (III) IDENTIFICATION OF ANY MEDICATION THAT HAS BEEN
22 PRESCRIBED FOR THE STUDENT FOR THE TREATMENT OF A FOOD ALLERGY
23 OR ANAPHYLAXIS;

24
25 (IV) ANY SPECIFIC SIGNS OR SYMPTOMS THAT MAY INDICATE THE
26 STUDENT IS HAVING AN ALLERGIC REACTION TO A FOOD;

27
28 (V) EMERGENCY TREATMENT PROCEDURES TO EMPLOY IN THE
29 EVENT THAT THE STUDENT SUFFERS AN ALLERGIC REACTION TO FOOD; AND

30
31 (VI) THE NAME, PHONE NUMBER, AND SIGNATURE OF THE
32 STUDENT'S PRIMARY HEALTH CARE PROVIDER.

33
34 (c) A REQUIREMENT THAT THE NOTIFICATION REQUIRED BY
35 PARAGRAPH (a) OF THIS SUBSECTION (3) SHALL ENCOURAGE EACH PARENT
36 OR LEGAL GUARDIAN OF A STUDENT WITH A KNOWN FOOD ALLERGY TO
37 PROVIDE THE NAMES AND TELEPHONE NUMBERS OF PERSONS WHOM THE
38 SCHOOL SHOULD CONTACT IN ADDITION TO EMERGENCY MEDICAL
39 PERSONNEL IN THE EVENT THAT THE STUDENT SUFFERS AN ALLERGIC
40 REACTION TO FOOD;"

41
42 Page 7, strike lines 1 through 5 and substitute the following:

43
44 "(d) A REQUIREMENT THAT THE NOTIFICATION REQUIRED BY
45 PARAGRAPH (a) OF THIS SUBSECTION (3) SHALL".

46
47 Reletter succeeding paragraphs accordingly.

48
49 Page 7, line 11, after "SECTION 22-1-119.5", insert "OR SUBSECTION (4) OF
50 THIS SECTION";

51
52 line 13, strike "STRATEGIES" and substitute "REASONABLE
53 ACCOMMODATIONS";

54
55 line 19, after "TRIPS,", insert "SCHOOL-SPONSORED".

56

1 Page 8, strike line 1 and substitute the following:

2

3 "(h) PROCEDURES TO ENSURE THE AVAILABILITY OF A STUDENT'S
4 SELF-INJECTABLE";

5

6 after line 4, insert the following:

7

8 "(4) (a) A STUDENT WITH A KNOWN FOOD ALLERGY MAY POSSESS
9 AND SELF-ADMINISTER MEDICATION TO TREAT THE STUDENT'S FOOD
10 ALLERGY IF THE STUDENT HAS A TREATMENT PLAN APPROVED PURSUANT
11 TO THIS SUBSECTION (4).

12

13 (b) A PUBLIC SCHOOL SHALL, AND A NONPUBLIC SCHOOL IS
14 ENCOURAGED TO, APPROVE A TREATMENT PLAN FOR A STUDENT ENROLLED
15 IN THE SCHOOL TO POSSESS AND SELF-ADMINISTER MEDICATION FOR A
16 FOOD ALLERGY IF ALL OF THE FOLLOWING CONDITIONS ARE MET:

17

18 (I) A HEALTH CARE PRACTITIONER HAS PRESCRIBED MEDICATION
19 FOR THE STUDENT TO USE DURING SCHOOL HOURS, AT SCHOOL-SPONSORED
20 ACTIVITIES, AND WHILE IN TRANSIT TO OR FROM SCHOOL OR
21 SCHOOL-SPONSORED ACTIVITIES AND HAS INSTRUCTED THE STUDENT IN
22 THE CORRECT AND RESPONSIBLE USE OF THE MEDICATION;

23

24 (II) THE STUDENT DEMONSTRATES TO AN APPROPRIATE SCHOOL
25 ADMINISTRATOR, THE HEALTH CARE PRACTITIONER OR THE HEALTH CARE
26 PRACTITIONER'S DESIGNEE, AND THE SCHOOL NURSE THE SKILL LEVEL
27 NECESSARY TO USE THE MEDICATION AND ANY DEVICE THAT IS NECESSARY
28 TO ADMINISTER THE MEDICATION AS PRESCRIBED;

29

30 (III) THE SCHOOL NURSE, AN APPROPRIATE SCHOOL
31 ADMINISTRATOR, THE STUDENT'S PARENT OR LEGAL GUARDIAN, AND THE
32 HEALTH CARE PRACTITIONER COLLABORATE TO FORMULATE A WRITTEN
33 TREATMENT PLAN FOR MANAGING FOOD ALLERGY EPISODES OF THE
34 STUDENT AND FOR MEDICATION USE BY THE STUDENT DURING SCHOOL
35 HOURS, AT SCHOOL-SPONSORED ACTIVITIES, AND WHILE IN TRANSIT TO OR
36 FROM SCHOOL OR SCHOOL-SPONSORED ACTIVITIES;

37

38 (IV) THE STUDENT'S PARENT OR LEGAL GUARDIAN COMPLETES
39 AND SUBMITS TO THE PUBLIC OR NONPUBLIC SCHOOL THE
40 DOCUMENTATION REQUIRED BY RULE OF THE STATE BOARD OF EDUCATION
41 PURSUANT TO SUBSECTION (3) OF THIS SECTION, INCLUDING BUT NOT
42 LIMITED TO:

43

44 (A) A WRITTEN MEDICAL AUTHORIZATION THAT INCLUDES THE
45 SIGNATURE OF THE HEALTH CARE PRACTITIONER FOR THE MEDICATION
46 PRESCRIBED; THE NAME, PURPOSE, PRESCRIBED DOSAGE, FREQUENCY, AND
47 LENGTH OF TIME BETWEEN DOSAGES OF THE MEDICATIONS TO BE
48 SELF-ADMINISTERED; AND CONFIRMATION FROM THE HEALTH CARE
49 PRACTITIONER THAT THE STUDENT HAS BEEN INSTRUCTED AND IS CAPABLE
50 OF SELF-ADMINISTRATION OF THE PRESCRIBED MEDICATIONS;

51

52 (B) A WRITTEN STATEMENT FROM THE STUDENT'S PARENT OR
53 LEGAL GUARDIAN RELEASING THE SCHOOL, SCHOOL DISTRICT, ANY
54 ASSOCIATED ENTITY, AND EMPLOYEES AND VOLUNTEERS OF THE SCHOOL,
55 SCHOOL DISTRICT, AND ANY ASSOCIATED ENTITY FROM LIABILITY, EXCEPT
56 IN CASES OF WILLFUL OR WANTON CONDUCT OR DISREGARD OF THE

1 CRITERIA OF THE TREATMENT PLAN; AND

2

3 (C) A WRITTEN CONTRACT BETWEEN THE SCHOOL NURSE, THE
4 STUDENT, AND THE STUDENT'S PARENT OR LEGAL GUARDIAN ASSIGNING
5 LEVELS OF RESPONSIBILITY TO THE PARENT OR LEGAL GUARDIAN,
6 STUDENT, AND SCHOOL EMPLOYEES.

7

8 (c) A TREATMENT PLAN SHALL BE EFFECTIVE ONLY FOR THE
9 SCHOOL YEAR IN WHICH IT IS APPROVED. THE PUBLIC SCHOOL SHALL
10 APPROVE A NEW TREATMENT PLAN FOR EACH SCHOOL YEAR SO LONG AS
11 THE PLAN MEETS THE CONDITIONS SPECIFIED IN PARAGRAPH (b) OF THIS
12 SUBSECTION (4). THE PARENT OR LEGAL GUARDIAN SHALL SUBMIT A NEW
13 TREATMENT PLAN ANNUALLY OR MORE OFTEN IF CHANGES OCCUR IN THE
14 STUDENT'S HEALTH OR PRESCRIBED TREATMENT.

15

16 (5) IF THE PROVISIONS OF THIS SECTION ARE MET, A SCHOOL,
17 SCHOOL DISTRICT, SCHOOL DISTRICT DIRECTOR, OR SCHOOL OR SCHOOL
18 DISTRICT EMPLOYEE OR A VOLUNTEER NOT OTHERWISE PROVIDED FOR
19 UNDER SECTION 13-21-108, C.R.S., SHALL NOT BE LIABLE IN A SUIT FOR
20 DAMAGES AS A RESULT OF AN ACT OR OMISSION RELATED TO A STUDENT'S
21 OWN USE OF THE STUDENT'S EPINEPHRINE AUTO-INJECTOR OR ANY OTHER
22 MEDICATION CONTAINED IN AN APPROVED TREATMENT PLAN UNLESS THE
23 DAMAGES WERE CAUSED BY WILLFUL OR WANTON CONDUCT OR
24 DISREGARD OF THE CRITERIA OF THE TREATMENT PLAN.

25

26 (6) THE STATE BOARD OF EDUCATION, WITH ASSISTANCE FROM THE
27 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, MAY PROMULGATE
28 RULES FOR TREATMENT PLANS FOR THE SELF-ADMINISTRATION OF
29 MEDICATIONS PURSUANT TO THIS SECTION."

30

31 Page 9, line 3, strike "**required -**" and substitute "**required.**";

32

33 line 4, strike "**epipens required.**".

34

35 Page 10, line 6, strike "SECTION 22-2-135 (3) (a)" and substitute "SECTION
36 22-2-135 (3) (b), C.R.S.";

37

38 strike line 7.

39

40

41

42 **SB09-257** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:

45

46 Amend reengrossed bill, page 2, after line 1, insert the following:

47

48 "**SECTION 1.** 22-43.7-102 (2) (b) (II) and (2) (c), Colorado
49 Revised Statutes, are amended to read:

50

51 **22-43.7-102. Legislative findings and declarations.** (2) The
52 general assembly further finds and declares that:

53

54 (b) It is necessary and appropriate for the state to build excellent
55 schools today by assisting school districts, boards of cooperative services,
56 and charter schools in completing needed public school facility capital

1 construction projects more quickly by:
2

3 (II) Subject to the annual appropriation of such moneys by the
4 general assembly, using a portion of the rental income AND royalties
5 ~~interest, and other income~~, DERIVED FROM STATE SCHOOL LANDS AND,
6 UNLESS AND UNTIL THE STATE TREASURER, PURSUANT TO SECTION
7 22-43.7-104 (2) (b) (I) (B), PROVIDES WRITTEN NOTICE TO THE JOINT
8 BUDGET COMMITTEE OF THE GENERAL ASSEMBLY THAT THE STATE
9 TREASURER HAS DETERMINED THAT THE USE OF INTEREST OR INCOME
10 EARNED ON THE DEPOSIT AND INVESTMENT OF MONEYS IN THE PUBLIC
11 SCHOOL FUND TO MAKE LEASE PAYMENTS UNDER A LEASE-PURCHASE
12 AGREEMENT ENTERED INTO PURSUANT TO SECTION 22-43.7-110 (2) WILL
13 PREVENT THE INTEREST COMPONENT OF THE LEASE PAYMENTS FROM
14 QUALIFYING FOR EXEMPTION FROM FEDERAL INCOME TAXATION AND AT
15 ANY TIME AFTER THE STATE TREASURER, PURSUANT TO SECTION
16 22-43.7-104 (2) (b) (I) (C), HAS RESCINDED ANY SUCH DETERMINATION,
17 INTEREST, AND OTHER INCOME, other than land sale proceeds, derived
18 from state school lands, as well as certain other available state moneys
19 and matching moneys provided by school districts, boards of cooperative
20 services, and charter schools, to make lease payments payable under the
21 terms of the lease-purchase agreements.
22

23 (c) It is also necessary and appropriate for the state to use a
24 portion of such rental income AND royalties ~~interest, and other income~~
25 ~~and available moneys~~ AND, UNLESS AND UNTIL THE STATE TREASURER,
26 PURSUANT TO SECTION 22-43.7-104 (2) (b) (I) (B), PROVIDES WRITTEN
27 NOTICE TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY
28 THAT THE STATE TREASURER HAS DETERMINED THAT THE USE OF INTEREST
29 OR INCOME EARNED ON THE DEPOSIT AND INVESTMENT OF MONEYS IN THE
30 PUBLIC SCHOOL FUND TO MAKE LEASE PAYMENTS UNDER A
31 LEASE-PURCHASE AGREEMENT ENTERED INTO PURSUANT TO SECTION
32 22-43.7-110 (2) WILL PREVENT THE INTEREST COMPONENT OF THE LEASE
33 PAYMENTS FROM QUALIFYING FOR EXEMPTION FROM FEDERAL INCOME
34 TAXATION AND AT ANY TIME AFTER THE STATE TREASURER, PURSUANT TO
35 SECTION 22-43.7-104 (2) (b) (I) (C), HAS RESCINDED ANY SUCH
36 DETERMINATION, INTEREST AND OTHER INCOME, AS WELL AS CERTAIN
37 OTHER AVAILABLE STATE MONEYS to continue to provide financial
38 assistance to school districts, boards of cooperative services, and charter
39 schools in the form of cash funding for school renovation and controlled
40 maintenance projects."
41

42 Renumber succeeding sections accordingly.
43

44 Page 2, strike lines 10 through 12.
45

46 Page 3, strike lines 1 and 2 and substitute the following:
47

48 "(I) (A) UNLESS AND UNTIL THE STATE TREASURER, PURSUANT TO
49 SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (I), PROVIDES WRITTEN
50 NOTICE TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY
51 THAT THE STATE TREASURER HAS DETERMINED THAT THE USE OF INTEREST
52 OR INCOME EARNED ON THE DEPOSIT AND INVESTMENT OF MONEYS IN THE
53 PUBLIC SCHOOL FUND TO MAKE LEASE PAYMENTS UNDER A
54 LEASE-PURCHASE AGREEMENT ENTERED INTO PURSUANT TO SECTION
55 22-43.7-110 (2) WILL PREVENT THE INTEREST COMPONENT OF THE LEASE
56 PAYMENTS FROM QUALIFYING FOR EXEMPTION FROM FEDERAL";

1 strike line 14 and substitute the following:

2
3 "(B) EXCEPT AS OTHERWISE PROVIDED IN SUB-SUBPARAGRAPH (C)
4 OF THIS SUBPARAGRAPH (I), IF THE STATE TREASURER DETERMINES
5 DURING ANY FISCAL YEAR THAT THE USE OF";

6
7 line 19, strike "AS INTENDED BY THE STATE TREASURER," and substitute
8 "AND PROVIDES WRITTEN NOTICE TO THE JOINT BUDGET COMMITTEE OF
9 THE GENERAL ASSEMBLY OF THE DETERMINATION, FOR THE PORTION OF
10 THE FISCAL YEAR BEGINNING ON THE DATE THE WRITTEN NOTICE IS
11 PROVIDED TO THE JOINT BUDGET COMMITTEE AND FOR EACH SUBSEQUENT
12 FISCAL YEAR,".

13
14 Page 4, after line 8, insert the following:

15
16 "(C) IF, AFTER MAKING A DETERMINATION AND PROVIDING NOTICE
17 PURSUANT TO SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (I), THE
18 STATE TREASURER MAKES A NEW DETERMINATION DURING ANY FISCAL
19 YEAR THAT THE USE OF INTEREST OR INCOME EARNED ON THE DEPOSIT
20 AND INVESTMENT OF MONEYS IN THE PUBLIC SCHOOL FUND TO MAKE
21 LEASE PAYMENTS UNDER A LEASE-PURCHASE AGREEMENT ENTERED INTO
22 PURSUANT TO SECTION 22-43.7-110 (2) WILL NOT PREVENT THE INTEREST
23 COMPONENT OF THE LEASE PAYMENTS FROM QUALIFYING FOR EXEMPTION
24 FROM FEDERAL INCOME TAXATION AND THE STATE TREASURER PROVIDES
25 WRITTEN NOTICE TO THE JOINT BUDGET COMMITTEE OF THE GENERAL
26 ASSEMBLY THAT THE STATE TREASURER HAS MADE A NEW
27 DETERMINATION AND IS RESCINDING THE DETERMINATION MADE
28 PURSUANT TO SAID SUB-SUBPARAGRAPH (B) AS OF THE DATE THE WRITTEN
29 NOTICE IS PROVIDED, FOR THE PORTION OF THE FISCAL YEAR BEGINNING ON
30 THE DATE THE WRITTEN NOTICE IS PROVIDED TO THE JOINT BUDGET
31 COMMITTEE AND FOR EACH SUBSEQUENT FISCAL YEAR, THE GREATER OF
32 THIRTY-FIVE PERCENT OF THE GROSS AMOUNT OF PUBLIC SCHOOL LANDS
33 INCOME RECEIVED DURING THE FISCAL YEAR OR AN AMOUNT OF SUCH
34 INCOME EQUAL TO THE DIFFERENCE BETWEEN THE TOTAL AMOUNT OF
35 LEASE PAYMENTS TO BE MADE BY THE STATE UNDER THE TERMS OF
36 LEASE-PURCHASE AGREEMENTS ENTERED INTO PURSUANT TO SECTION
37 22-43.7-110 (2) AND THE TOTAL AMOUNT OF MATCHING MONEYS TO BE
38 PAID TO THE STATE AS LEASE PAYMENTS UNDER THE TERMS OF
39 SUBLEASE-PURCHASE AGREEMENTS ENTERED INTO PURSUANT TO SECTION
40 22-43.7-110 (2). THE MONEYS REQUIRED TO BE CREDITED TO THE
41 ASSISTANCE FUND PURSUANT TO THIS SUB-SUBPARAGRAPH (C) MAY BE
42 TAKEN FROM ANY SINGLE SOURCE OR COMBINATION OF SOURCES OF
43 PUBLIC SCHOOL LANDS INCOME.";

44
45 strike lines 18 and 19 and substitute the following:

46
47 "**SECTION 3.** 22-43.7-104 (4), Colorado Revised Statutes, is
48 amended, and the said 22-43.7-104 is further amended BY THE
49 ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:"

50
51 strike line 22 and substitute the following:

52
53 "**reserve - creation.** (4) For each fiscal year commencing on or after
54 July 1, 2008, an emergency reserve of at least one million dollars shall be
55 maintained in the assistance fund except that an emergency reserve need
56 not be maintained in any fiscal year in which the amount of EITHER public

1 school lands income OR PUBLIC SCHOOL LANDS INCOME OTHER THAN
2 INTEREST OR INCOME EARNED ON THE DEPOSIT AND INVESTMENT OF
3 MONEYS IN THE PUBLIC SCHOOL FUND, OR BOTH, credited to the assistance
4 fund PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (b) OF SUBSECTION
5 (2) OF THIS SECTION is an amount equal to the difference between the total
6 amount of lease payments to be made by the state under the terms of
7 lease-purchase agreements entered into pursuant to section 22-43.7-110
8 (2) and the total amount of matching moneys to be paid to the state as
9 lease payments under the terms of sublease-purchase agreements entered
10 into pursuant to section 22-43.7-110 (2) rather than, TO THE EXTENT
11 APPLICABLE, thirty-five percent of the gross amount of public school
12 lands income received by the state during the fiscal year OR FIFTY
13 PERCENT OF THE GROSS AMOUNT OF PUBLIC SCHOOL LANDS INCOME OTHER
14 THAN INTEREST OR INCOME EARNED ON THE DEPOSIT AND INVESTMENT OF
15 MONEYS IN THE PUBLIC SCHOOL FUND RECEIVED BY THE STATE DURING
16 THE FISCAL YEAR. The board may expend moneys from the emergency
17 reserve only to provide emergency financial assistance to address a public
18 school facility emergency in accordance with section 22-43.7-109 (8).

19
20 (5) (a) IF THE STATE TREASURER, PURSUANT TO
21 SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I) OF PARAGRAPH (b) OF
22 SUBSECTION (2) OF THIS SECTION, PROVIDES WRITTEN NOTICE TO THE JOINT
23 BUDGET COMMITTEE OF THE GENERAL ASSEMBLY THAT THE STATE
24 TREASURER HAS DETERMINED THAT THE USE OF INTEREST OR INCOME
25 EARNED ON THE DEPOSIT AND INVESTMENT OF MONEYS IN THE PUBLIC
26 SCHOOL FUND TO MAKE LEASE PAYMENTS UNDER A LEASE-PURCHASE
27 AGREEMENT ENTERED INTO PURSUANT TO SECTION 22-43.7-110 (2) WILL
28 PREVENT THE INTEREST COMPONENT OF THE LEASE PAYMENTS FROM
29 QUALIFYING FOR EXEMPTION FROM FEDERAL INCOME TAXATION, ANY
30 SUCH INTEREST OR INCOME CREDITED TO THE ASSISTANCE FUND BEFORE
31 THE TREASURER PROVIDES THE WRITTEN NOTICE SHALL BE SEGREGATED
32 INTO A SEPARATE RESTRICTED ACCOUNT OF THE ASSISTANCE FUND. ALL
33 INTEREST AND INCOME EARNED ON THE DEPOSIT AND INVESTMENT OF
34 MONEYS IN THE RESTRICTED ACCOUNT SHALL BE CREDITED TO THE
35 RESTRICTED ACCOUNT. MONEYS IN THE RESTRICTED ACCOUNT SHALL NOT
36 BE COMMINGLED WITH OTHER MONEYS IN THE ASSISTANCE FUND.
37 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, MONEYS IN THE
38 RESTRICTED ACCOUNT SHALL NOT BE USED AND SHALL NOT BE AVAILABLE
39 TO PAY LEASE PAYMENTS UNDER ANY LEASE-PURCHASE AGREEMENTS
40 ENTERED INTO PURSUANT TO SECTION 22-43.7-110 (2) UNLESS AND UNTIL
41 THE STATE TREASURER, PURSUANT TO SUB-SUBPARAGRAPH (C) OF
42 SUBPARAGRAPH (I) OF PARAGRAPH (b) OF SUBSECTION (2) OF THIS
43 SECTION, PROVIDES WRITTEN NOTICE TO THE JOINT BUDGET COMMITTEE
44 OF THE GENERAL ASSEMBLY THAT THE STATE TREASURER IS RESCINDING
45 THE DETERMINATION MADE PURSUANT TO SUB-SUBPARAGRAPH (B) OF
46 SAID SUBPARAGRAPH (I) AS OF THE DATE THE WRITTEN NOTICE IS
47 PROVIDED. MONEYS IN THE RESTRICTED ACCOUNT MAY BE USED FOR THE
48 OTHER PURPOSES FOR WHICH MONEYS IN THE ASSISTANCE FUND MAY BE
49 USED UNDER THIS ARTICLE.

50
51 (6) IF THE AMOUNT OF MONEYS IN THE ASSISTANCE";

52
53 line 23, after "FUND", insert "THAT, SUBJECT TO THE LIMITATIONS SET
54 FORTH IN SUBSECTION (5) OF THIS SECTION, IS AVAILABLE TO PAY LEASE
55 PAYMENTS UNDER ANY LEASE-PURCHASE AGREEMENTS ENTERED INTO
56 PURSUANT TO SECTION 22-43.7-110 (2)";

1 line 24, strike "ANY LEASE-PURCHASE AGREEMENTS ENTERED";
 2
 3 line 25, strike "INTO PURSUANT TO SECTION 22-43.7-110 (2)," and
 4 substitute "THE LEASE-PURCHASE AGREEMENTS,".
 5

6
7
8 **INTRODUCTION OF BILLS**
9 **First Reading**

10
11 The following bills were read by title and referred to the committees
12 indicated:

13
14 **SB09-130** by Senator(s) Spence; also Representative(s) Scanlan--
15 Concerning the creation of a Colorado school for children
16 with autism.
17 Committee on Education

18
19 **SB09-241** by Senator(s) Morse; also Representative(s) King S. and
20 Tipton--Concerning DNA testing of adults arrested for a
21 felony, and making an appropriation therefor.
22 Committee on Judiciary
23 Committee on Appropriations

24
25 **SB09-247** by Senator(s) Tochtrop; also Representative(s) Pace--
26 Concerning the expansion of benefits for unemployed
27 workers in Colorado, and making an appropriation in
28 connection therewith.
29 Committee on Business Affairs and Labor

30
31
32
33 **LETTER OF RESIGNATION**

34
35
36
37 April 27, 2009
38
39 Marilyn Eddins
40 Chief Clerk
41 House of Representatives
42 200 East Colfax Avenue
43 Denver, CO 80203

44
45 Dear Ms. Eddins:
46
47 I have enjoyed serving in the House of Representatives for the past five
48 years and feel honored to have represented the people in House
49 District 23. During my time here, it was a privilege to be an advocate for
50 my constituents, young and old.

51
52 I have appreciated working with such dedicated fellow members of the
53 House. I admire their efforts on behalf of the state of Colorado.
54
55

1 Due to health reasons however, I must tender my resignation as state
2 representative effective June 1, 2009.

3
4 Thank you for the opportunity to serve with you.

5
6 Sincerely,
7 (signed)
8 Gwyn Green
9 State Representative
10 House District 23

11 _____
12
13
14 **LAY OVER OF CALENDAR ITEM(S)**
15

16 On motion of Representative Kerr A., the following item(s) on the
17 Calendar were laid over until April 28, retaining place on Calendar:

18
19 Consideration of Third Reading--**SB09-088**.
20 Consideration of Resolution(s)--**HJR09-1018, 1022, 1023, 1024, 1025,**
21 **1027, SJR09-034, 053**.
22 Consideration of Memorial(s)--**SJM09-002, HM09-1005, SJM09-010**.
23 Consideration of Senate Amendment(s)--**HB09-1180, HJR09-1019,**
24 **HB09-1252, 1242, 1129, 1160**.

25 _____
26
27
28 On motion of Representative Kerr A., the House adjourned until
29 9:00 a.m., April 28, 2009.

30
31
32
33
34 Attest:
35 MARILYN EDDINS,
36 Chief Clerk

Approved:
TERRANCE D. CARROLL,
Speaker

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

One hundred-twelfth Legislative Day Tuesday, April 28, 2009

1 Prayer by the Reverend Mike Houlik, St. Mary Magdalene Episcopal
2 Church, Boulder.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Adis Rogonich, Rebecca Aung, Sarah
7 Tesfai, Angel Bernal, McMeen Elementary, Glendale.

8
9 The roll was called with the following result:

10
11 Present--44.
12 Excused--Representative(s) Acree, Ferrandino, Fischer,
13 Gardner B., Judd, Kefalas, Kerr A., Kerr J., Marostica, McCann,
14 Merrifield, Middleton, Pace, Pommer, Rice, Riesberg, Roberts,
15 Schafer, Sonnenberg, Vaad, Weissmann--21.
16 Present after roll call--Representative(s) Acree, Ferrandino,
17 Fischer, Gardner B., Judd, Kefalas, Kerr A., Kerr J., Marostica,
18 McCann, Merrifield, Middleton, Pace, Pommer, Rice, Riesberg,
19 Roberts, Schafer, Sonnenberg, Vaad.

20
21 The Speaker declared a quorum present.

22
23
24 On motion of Representative Tipton, the reading of the journal of
25 April 27, 2009, was declared dispensed with and approved as corrected
26 by the Chief Clerk.

27
28
29
30
31 style="text-align:center">**CONSIDERATION OF RESOLUTION(S)**

32
33 **HJR09-1022** by Representative(s) Frangas, Acree, Ferrandino,
34 Gagliardi, Gerou, Green, Kerr J., Labuda, Looper, Pace,
35 Primavera, Soper, Swalm, Todd; also Senator(s)
36 Sandoval, Bacon, Heath, Tochtrop--Concerning the
37 creation of a task force to study ways to maintain safety
38 and quality of life for consumers utilizing home care
39 placement agencies.

40
41 (Printed and placed in members file)

42
43 Representative Frangas moved that the resolution be adopted.

1 Amendment No. 1, moved by Representative Frangas.
 2
 3 Amend the printed resolution, page 2, line 22, strike "shall" and substitute
 4 "may";
 5
 6 line 31, strike "Five" and substitute "Six";
 7
 8 line 34, strike "two" and substitute "three";
 9
 10 line 36, strike "the Department of Health Care";
 11
 12 line 37, strike "Policy and Financing,".
 13
 14 Page 3, line 27, strike "November 15, 2009;" and substitute "September
 15 1, 2009;".
 16
 17 The amendment was declared **passed** by **viva voce** vote.
 18
 19 On motion of Representative Frangas, the resolution as amended was
 20 **adopted** by **viva voce** vote.
 21
 22 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Casso, Curry,
 23 Massey, Peniston, Ryden
 24
 25

28 THIRD READING OF BILLS--FINAL PASSAGE

29
 30 The following bills were considered on Third Reading. The titles were
 31 publicly read. Reading of the bill at length was dispensed with by
 32 unanimous consent.
 33

34 **SB09-256** by Senator(s) Romer and Bacon; also Representative(s)
 35 Pommer and Scanlan--Concerning the financing of public
 36 schools, and making an appropriation therefor.
 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 Pommer
 40 was given permission to offer a Third Reading amendment:
 41

42	YES	63	NO	0	EXCUSED	2	ABSENT	0
43	Acree	Y	Green	Y	McCann	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McFadyen	Y	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	Y	Looper	Y	Primavera	Y	Vaad	Y
56	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y

1	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
2	Gerou	Y	May	Y	Riesberg	E	Weissmann	E
3							Speaker	Y

4
5 **Third Reading amendment No. 1**, by Representative Pommer.

6
7 Amend revised bill, page 5, line 12, strike "each year" and substitute
8 "~~each year~~".

9
10 Page 7, line 22, strike "each year" and substitute "~~each year~~".

11
12 Page 14, line 22, strike "COLLEGES" and substitute "COLLEGE".

13
14 Page 17, line 18, strike "COLLEGES" and substitute "COLLEGE".

15
16 Page 26, strike lines 20 through 27.

17
18 Page 27, strike lines 1 through 3 and substitute the following:

19
20 **"SECTION 21.** 22-2-113 (1) (g), Colorado Revised Statutes, is
21 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

22
23 **22-2-113. Commissioner - powers.** (1) Subject to the
24 supervision of the state board, the commissioner has the following
25 powers:

26
27 (g) (III) NOTWITHSTANDING ANY PROVISION OF SUBPARAGRAPH
28 (I) OR (II) OF THIS PARAGRAPH (g) TO THE CONTRARY, FOR THE 2008-09
29 BUDGET YEAR, THE COMMISSIONER MAY ACCEPT AS REPAYMENT FROM A
30 SCHOOL DISTRICT THAT HAS RECEIVED AN OVERPAYMENT ITEMS FOR USE
31 BY THE DEPARTMENT, INCLUDING BUT NOT LIMITED TO LIFETIME ONLINE
32 CURRICULUM LICENSES, IN THE SAME VALUE AS THE AMOUNT OF THE
33 OVERPAYMENT OWED BY THE SCHOOL DISTRICT."

34
35 Page 38, line 15, strike "22-2-135," and substitute "22-2-136,";

36
37 strike lines 20 through 25;

38
39 line 26, strike "(b)" and substitute "(a)".

40
41 Page 39, line 23, strike "24, 25, 28, and 36" and substitute "22 through 24,
42 26, and 34";

43
44 line 25, strike "29 through 31 and 37" and substitute "27 through 29 and
45 35";

46
47 line 27, strike "33" and substitute "31".

48
49 Page 40, line 4, strike "34" and substitute "32".

50
51 The amendment was declared **passed** by the following roll call vote:

52

53	YES	64	NO	0	EXCUSED	1	ABSENT	0
54	Acree	Y	Green	Y	McCann	Y	Roberts	Y
55	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
56	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y

1	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
2	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
3	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
4	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
5	Court	Y	King S.	Y	Murray	Y	Stephens	Y
6	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
7	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
8	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
9	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
10	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
11	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
12	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
13	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
14							Speaker	Y

16 The question being, "Shall the bill, as amended, pass?".
 17 A roll call vote was taken. As shown by the following recorded vote, a
 18 majority of those elected to the House voted in the affirmative, and the
 19 bill, as amended, was declared **passed**.

	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	E
38							Speaker	Y

39 Co-sponsor(s) added: Representative(s) Benefield, Casso, Ferrandino, Fischer,
 40 Labuda, Massey, Peniston, Ryden, Schafer S., Solano, Summers, Todd

42 **SB09-088** by Senator(s) Veiga; also Representative(s) Ferrandino--
 43 Concerning the extension of state employee group benefits
 44 to domestic partners of state employees.

46 The question being "Shall the bill 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 bill
 49 was declared **passed**.

	YES	34	NO	30	EXCUSED	1	ABSENT	0
52	Acree	N	Green	Y	McCann	Y	Roberts	N
53	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
54	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
55	Baumgardner	N	Kagan	Y	McNulty	N	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	N
3	Court	Y	King S.	N	Murray	N	Stephens	N
4	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
5	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
6	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
7	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
8	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
9	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
10	Gardner C.	N	Massey	N	Rice	Y	Waller	N
11	Gerou	N	May	N	Riesberg	N	Weissmann	E
12							Speaker	Y

13 Co-sponsor(s) added: Representative(s) Court, Frangas, Green, Hullinghorst,
 14 Judd, Kagan, Kerr A., Labuda, Levy, McCann, Miklosi, Pommer, Ryden,
 15 Schafer S., Speaker

16
 17 **HB09-1360** by Representative(s) Judd; also Senator(s) Sandoval--
 18 Concerning the adjustment of the ratio of valuation for
 19 assessment for residential real property.

20
 21 The question being "Shall the bill pass?".
 22 A roll call vote was taken. As shown by the following recorded vote, a
 23 majority of those elected to the House voted in the affirmative and the bill
 24 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
27	Acree	Y	Green	Y	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	E
43							Speaker	Y

44 Co-sponsor(s) added: Representative(s) Frangas, Kerr J.

45
 46
 47 **HB09-1364** by Representative(s) Riesberg; also Senator(s) Boyd--
 48 Concerning an increase in the length of terms served by
 49 members appointed to the health care task force.

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**.

	YES	64	NO	0	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	Y	Liston	Y	Pommer	Y	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	E
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Acree, Gerou, Green, Labuda, Massey,
20 Schafer S.

21

22 **SB09-228** by Senator(s) Morse, Bacon, Boyd, Foster, Groff, Heath,
23 Hodge, Hudak, Isgar, Keller, Newell, Romer, Schwartz,
24 Shaffer B., Tapia, Tochtrop, Veiga, Williams; also
25 Representative(s) Marostica and Court, Ferrandino,
26 Frangas, Green, Hullinghorst, McCann, McGihon,
27 Merrifield, Miklosi, Pace, Pommer, Todd, Weissmann--
28 Concerning an increase in the flexibility of the general
29 assembly to determine the appropriate use of state
30 revenues.

31

32 As shown by the following roll call vote, a majority of all members
33 elected to the House voted in the affirmative, and Representative Court
34 was given permission to offer a Third Reading amendment:

35

	YES	56	NO	8	EXCUSED	1	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	N	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.	N	Murray	Y	Stephens	N
45	Curry	Y	Labuda	Y	Nikkel	N	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.	N	Marostica	Y	Priola	Y	Vigil	Y
51	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
52	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
53							Speaker	Y

54

55

1 **Third Reading amendment No. 1**, by Representative(s) Court and
2 Marostica.

3
4 Amend revised bill, page 2, line 7, strike "2012," and substitute "2016,";
5
6 line 10, strike "2012," and substitute "2016,".

7
8 Page 13, line 4, strike "YEAR," and substitute "YEAR DURING WHICH
9 COLORADO PERSONAL INCOME INCREASES BY AT LEAST FIVE PERCENT,".

10
11 Page 15, strike lines 6 through 27.

12
13 Page 16, strike lines 1 through 8 and substitute the following:

14
15 **"SECTION 12.** 24-75-218, Colorado Revised Statutes, is
16 amended BY THE ADDITION OF A NEW SUBSECTION to read:

17
18 **24-75-218. Transfers of general fund surplus - repeal.**
19 (3) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2010.";

20
21 line 25, strike "PROVIDED" and substitute "SET FORTH".

22
23 Page 20, line 15, strike "MADE" and substitute "MADE,".

24
25 Page 21, line 18, strike "2012," and substitute "2016,";

26
27 line 22, strike "2012," and substitute "2016,".

28
29 The amendment was declared **passed** by the following roll call vote:

30
31

	YES	51	NO	13	EXCUSED	1	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	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	Y	Stephens	N
40	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
41	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
42	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
43	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
44	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
45	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
46	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
47	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
48							Speaker	Y

49
50

51 The question being, "Shall the bill, as amended, 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
54 bill, as amended, was declared **passed**.

55

	YES	35	NO	29	EXCUSED	1	ABSENT	0
1								
2	Acree	N	Green	Y	McCann	Y	Roberts	N
3	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
4	Balmer	N	Judd	Y	McKinley	N	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	N	Labuda	Y	Nikkel	N	Summers	N
11	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
13	Frangas	Y	Liston	N	Pommer	N	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	N	Rice	Y	Waller	N
17	Gerou	N	May	N	Riesberg	Y	Weissmann	E
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Kerr A., Labuda, Ryden

20
 21 **SB09-087** by Senator(s) Carroll M.; also Representative(s) Peniston--
 22 Concerning increased accountability requirements for
 23 special districts, and making an appropriation in
 24 connection therewith.

25
 26 The question being "Shall the bill 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 bill
 29 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
31								
32	Acree	Y	Green	Y	McCann	Y	Roberts	Y
33	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
34	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
35	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
36	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
37	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
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.	Y	Massey	Y	Rice	Y	Waller	Y
47	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Court, Ryden, Schafer S.

50
 51
 52 **SB09-099** by Senator(s) Morse; also Representative(s) Ferrandino--
 53 Concerning centralized databases to aid the delivery of
 54 state procurement services, and making an appropriation
 55 in connection therewith.

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	41	NO	23	EXCUSED	1	ABSENT	0
7	Acree	N	Green	Y	McCann	Y	Roberts	Y
8	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
9	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
10	Baumgardner	N	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	N	Vigil	Y
21	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
22	Gerou	N	May	N	Riesberg	Y	Weissmann	E
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Labuda

25
 26 **SB09-104** by Senator(s) Sandoval; also Representative(s) Gagliardi--
 27 Concerning the provision of verifiable documents to youth
 28 leaving foster care.

29
 30 The question being "Shall the bill pass?".
 31 A roll call vote was taken. As shown by the following recorded vote, a
 32 majority of those elected to the House voted in the affirmative and the bill
 33 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
36	Acree	Y	Green	Y	McCann	Y	Roberts	Y
37	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
38	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
39	Baumgardner	Y	Kagan	Y	McNulty	Y	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.	Y	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	Y
49	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
50	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
51	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Apuan, Casso, Frangas, Gerou, Green,
 54 Kagan, Kefalas, Kerr J., Labuda, Massey, McFadyen, Primavera, Ryden,
 55 Schafer S., Solano, Todd

56

1 **SB09-123** by Senator(s) Williams, Sandoval; also Representative(s)
 2 Todd, Solano--Concerning a pilot program to reduce the
 3 dropout rate of adolescent students, and making an
 4 appropriation in connection therewith.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	45	NO	19	EXCUSED	1	ABSENT	0
12	Acree	N	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	N	Kagan	Y	McNulty	N	Schafer S.	Y
16	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
17	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
18	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
19	Court	Y	King S.	N	Murray	N	Stephens	N
20	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
21	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
22	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
23	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
24	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
25	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	N
26	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
27	Gerou	Y	May	N	Riesberg	Y	Weissmann	E
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Apuan, Casso, Fischer, Kefalas,
 30 Labuda, Massey, Merrifield, Middleton, Roberts, Ryden, Scanlan, Schafer S.,
 31 Summers, Speaker

32
 33 **SB09-124** by Senator(s) Isgar; also Representative(s) Roberts--
 34 Concerning additional funding for agricultural energy-
 35 related projects through the agriculture value-added cash
 36 fund.

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	64	NO	0	EXCUSED	1	ABSENT	0
44	Acree	Y	Green	Y	McCann	Y	Roberts	Y
45	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
46	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
47	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
48	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
49	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
50	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
51	Court	Y	King S.	Y	Murray	Y	Stephens	Y
52	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
53	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
54	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
55	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
56	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	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	E
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Baumgardner, Curry, Fischer,
6 Hullinghorst, Kerr J., Massey, Ryden, Todd, Vigil, Waller

7
8 **SB09-043** by Senator(s) Isgar, Kester, Tapia; also Representative(s)
9 Roberts, Massey, McFadyen, Pace, Tipton--Concerning
10 the merger of Pueblo community college and San Juan
11 basin area vocational school, and, in connection therewith,
12 clarifying the two-year authority of Fort Lewis college and
13 making an appropriation.
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

20	YES	64	NO	0	EXCUSED	1	ABSENT	0
21	Acree	Y	Green	Y	McCann	Y	Roberts	Y
22	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
23	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
24	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
25	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
26	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
27	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
28	Court	Y	King S.	Y	Murray	Y	Stephens	Y
29	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
30	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
31	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
32	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
33	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
34	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
35	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
36	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
37							Speaker	Y

38 Co-sponsor(s) added: Representative(s) Acree, Kerr J., Labuda, Merrifield,
39 Priola, Schafer S., Stephens, Summers, Todd, Vigil, Waller
40

41 **SB09-128** by Senator(s) Carroll M., Newell, Tochtrop; also
42 Representative(s) Green--Concerning continuation of the
43 regulation of administration of medication by unlicensed
44 persons, and making an appropriation in connection
45 therewith.
46

47 The question being "Shall the bill pass?".
48 A roll call vote was taken. As shown by the following recorded vote, a
49 majority of those elected to the House voted in the affirmative and the bill
50 was declared **passed**.
51

52	YES	62	NO	2	EXCUSED	1	ABSENT	0
53	Acree	Y	Green	Y	McCann	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y

1	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
2	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
3	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
4	Court	Y	King S.	Y	Murray	Y	Stephens	Y
5	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
6	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
7	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
8	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
9	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
10	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
11	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
12	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
13							Speaker	Y

14 Co-sponsor(s) added: Representative(s) Gerou, Kefalas, Labuda, Nikkel,
15 Primavera, Riesberg, Ryden, Stephens, Todd

16
17 **SB09-133** by Senator(s) Spence; also Representative(s) Primavera--
18 Concerning increased surcharges for traffic violations that
19 apply the moneys collected to the Colorado traumatic brain
20 injury trust fund, and making an appropriation in
21 connection therewith.

22
23 The question being "Shall the bill pass?".

24 A roll call vote was taken. As shown by the following recorded vote, a
25 majority of those elected to the House voted in the affirmative and the bill
26 was declared **passed**.

27	YES	48	NO	16	EXCUSED	1	ABSENT	0
29	Acree	Y	Green	Y	McCann	Y	Roberts	Y
30	Apuan	N	Hullinghorst	Y	McFadyen	Y	Ryden	Y
31	Balmer	Y	Judd	N	McKinley	N	Scanlan	Y
32	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
33	Benefield	N	Kefalas	Y	Merrifield	Y	Solano	N
34	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
35	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
36	Court	Y	King S.	Y	Murray	N	Stephens	N
37	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
38	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
39	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
40	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
41	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
42	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
43	Gardner C.	Y	Massey	Y	Rice	Y	Waller	N
44	Gerou	N	May	Y	Riesberg	Y	Weissmann	E
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Fischer, Labuda, Nikkel, Ryden,
47 Schafer S., Summers, Todd

48
49
50 **SB09-158** by Senator(s) Isgar; also Representative(s) Baumgardner--
51 Concerning analysis by the department of natural
52 resources of conservation programs implemented on
53 private lands.

54
55 The question being "Shall the bill pass?".

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
 2 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
5	Acree	Y	Green	Y	McCann	Y	Roberts	Y
6	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
7	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
8	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
9	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
10	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
11	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
12	Court	Y	King S.	Y	Murray	Y	Stephens	Y
13	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
14	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
15	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
16	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
17	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
18	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
19	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
20	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Curry, Kerr J., McNulty, Roberts,
 23 Stephens, Vigil

24
 25 **SB09-160** by Senator(s) Hudak; also Representative(s) Todd--
 26 Concerning recommendations from the P-20 council
 27 relating to educator licensure, and, in connection
 28 therewith, streamlining and aligning the alternative teacher
 29 and the teacher in residence programs, and making an
 30 appropriation.

31
 32 The question being "Shall the bill 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 bill
 35 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
37	Acree	Y	Green	Y	McCann	Y	Roberts	Y
38	Apuan	Y	Hullingerhorst	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	E
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Acree, Benefield, Fischer, Green, Kerr
 55 J., Labuda, Massey, Merrifield, Nikkel, Peniston, Priola, Ryden, Scanlan,
 56 Schafer S., Solano, Stephens, Summers, Vigil, Waller, Speaker

1 **SB09-161** by Senator(s) Gibbs; also Representative(s) Scanlan--
 2 Concerning the issuance of Colorado ski country special
 3 license plates, and making an appropriation in connection
 4 therewith.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	60	NO	4	EXCUSED	1	ABSENT	0
12	Acree	N	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	N	Lambert	Y	Pace	Y	Swalm	Y
22	Fischer	Y	Levy	N	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	N	Weissmann	E
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) King S., Merrifield, Priola, Roberts,
 30 Ryden, Stephens, Summers, Todd

31
 32 **SB09-162** by Senator(s) Schwartz, Heath, Veiga; also
 33 Representative(s) Liston, McFadyen, Rice, Solano--
 34 Concerning the operation of the project by the state's chief
 35 information officer to create an inventory of broadband
 36 service areas, and, in connection therewith, authorizing the
 37 acceptance of publicly funded gifts, grants, and donations,
 38 and making an appropriation.

39
 40 The question being "Shall the bill 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 bill
 43 was declared **passed**.

	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	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
2	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
3	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
4	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
5	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
6							Speaker	Y

7 Co-sponsor(s) added: Representative(s) Fischer, Nikkel, Riesberg, Roberts,
8 Ryden, Schafer S., Stephens, Todd, Waller

9
10 **SB09-167** by Senator(s) Boyd, Newell, Tochtrop; also
11 Representative(s) Kefalas--Concerning the continuation of
12 the state board of chiropractic examiners, and, in
13 connection therewith, increasing insurance requirements,
14 adjusting the board's disciplinary authority, authorizing
15 animal chiropractic, and modifying the scope of practice,
16 and, in connection therewith, making an appropriation.

17
18 The question being "Shall the bill pass?".
19 A roll call vote was taken. As shown by the following recorded vote, a
20 majority of those elected to the House voted in the affirmative and the bill
21 was declared **passed**.

22	YES	64	NO	0	EXCUSED	1	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	E
40							Speaker	Y

41 Co-sponsor(s) added: Representative(s) Fischer, Gerou, Nikkel, Ryden,
42 Schafer S., Todd

43
44
45 **SB09-178** by Senator(s) Heath, Schwartz, Veiga; also
46 Representative(s) Liston, McFadyen, Rice, Solano--
47 Concerning the waiver of certain eligibility conditions for
48 unemployment insurance benefits for unemployed
49 individuals attached to regular jobs.

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	McCann	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	E
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	Y	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	E
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Acree, Gardner B., Green, Labuda,
20 Schafer S., Soper, Vigil

21
22 **SB09-219** by Senator(s) Tapia, Keller, White; also Representative(s)
23 Ferrandino, Pommer, Marostica--Concerning the general
24 fund reserve required for the 2008-09 state fiscal year.

25
26 The question being "Shall the bill 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 bill
29 was declared **passed**.

	YES	40	NO	23	EXCUSED	2	ABSENT	0
31								
32	Acree	N	Green	Y	McCann	Y	Roberts	Y
33	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	E
34	Balmer	N	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	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	Y
41	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
42	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
43	Frangas	Y	Liston	N	Pommer	Y	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	E
48							Speaker	Y

49
50 **HB09-1363** by Representative(s) Ferrandino; also Senator(s) Veiga--
51 Concerning the authority for the unemployment
52 compensation section of the division of employment and
53 training in the department of labor and employment to
54 operate as an enterprise for purposes of section 20 of
55 article X of the state constitution.

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	37	NO	26	EXCUSED	2	ABSENT	0
7	Acree	N	Green	Y	McCann	Y	Roberts	N
8	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	E
9	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
10	Baumgardner	N	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	N	Stephens	N
15	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
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	N	Vigil	Y
21	Gardner C.	N	Massey	N	Rice	Y	Waller	N
22	Gerou	N	May	N	Riesberg	Y	Weissmann	E
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Pommer

25
 26 **HB09-1343** by Representative(s) Massey, Solano, Todd, Gagliardi,
 27 Merrifield; also Senator(s) Williams, Foster, Heath,
 28 Hudak, Shaffer B.--Concerning the creation of the early
 29 childhood and school readiness legislative oversight
 30 commission.

31
 32 The question being "Shall the bill 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 bill
 35 was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
38	Acree	Y	Green	Y	McCann	Y	Roberts	Y
39	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	E
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	E
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Casso, Gardner B., Green, Kefalas,
 56 Kerr J., Labuda, Pace, Schafer S., Vigil, Speaker

1 **HB09-1362** by Representative(s) May; also Senator(s) Boyd--
 2 Concerning the authorization to local governments to
 3 provide financial assistance to specified institutions of
 4 higher education, and, in connection therewith, authorizing
 5 municipalities and counties to form community and state
 6 college service area districts and authorizing county
 7 governments to levy sales or property taxes for the purpose
 8 of providing financial assistance to specified state
 9 colleges.

10
 11 The question being "Shall the bill pass?".
 12 A roll call vote was taken. As shown by the following recorded vote, a
 13 majority of those elected to the House voted in the affirmative and the bill
 14 was declared **passed**.

	YES	61	NO	2	EXCUSED	2	ABSENT	0
17	Acree	Y	Green	Y	McCann	Y	Roberts	Y
18	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	E
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	N
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.	N	Massey	Y	Rice	Y	Waller	Y
32	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Acree, Gardner B., Gerou, Green,
 35 Kefalas, Kerr J., Labuda, Lambert, Marostica, Massey, Middleton, Nikkel,
 36 Priola, Stephens, Summers, Todd, Vigil, Waller, Speaker

37
 38
 39 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
 40 **on HB09-1057**

41
 42 This Report Amends the Rerevised Bill.

43
 44 To the President of the Senate and the
 45 Speaker of the House of Representatives:

46
 47 Your first conference committee appointed on HB09-1057,
 48 concerning parental involvement in kindergarten through twelfth grade
 49 education, has met and reports that it has agreed upon the following:

50
 51 1. That the House accede to the Senate amendment made to the
 52 bill, as the amendment appears in the rerevised bill.

53
 54 2. That, under the authority granted the committee to consider
 55 matters not at issue between the two houses, the following amendment be
 56 recommended:

1 Amend rerevised bill, page 5, strike line 5 and substitute the following:

2

3 "IN A SITUATION WHERE THE ABSENCE OF THE EMPLOYEE WOULD RESULT
4 IN A HALT OF SERVICE OR PRODUCTION."

5

6 Respectfully submitted,

7 House Committee:

8 (signed)

9 Andy Kerr

10 Terrance D. Carroll

11 Mark Waller

12

13

14

15 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

16

17 **APPROPRIATIONS**

18 After consideration on the merits, the Committee recommends the
19 following:

20

21 **HB09-1126** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:

24

25 Amend the Finance Committee Report, dated April 22, 2009, page 1,
26 strike lines 4 through 7, and substitute the following:

27

28 **"SECTION 5. Effective date - applicability.** (1) This act shall
29 apply to systems and components installed on or after July 1, 2009.

30

31 (2) This act shall not take effect unless House Bill 09-1366 is
32 enacted and becomes law."

33

34

35

36 **HB09-1321** be amended as follows, and as so amended, be referred to
37 the Committee of the Whole with favorable
38 recommendation:

39

40 Amend printed bill, strike everything below the enacting clause and
41 substitute the following:

42 **"SECTION 1.** 19-2-508 (3) (c) (II), Colorado Revised Statutes,
43 is amended, and the said 19-2-508 (3) (c) is further amended BY THE
44 ADDITION OF THE FOLLOWING NEW SUBPARAGRAPHS, to read:

45

46 **19-2-508. Detention and shelter - hearing - time limits -**
47 **findings - review - confinement with adult offenders - restrictions -**
48 **repeal.** (3) (c) (II) Following a detention hearing held in accordance
49 with subparagraph (I) of this paragraph (c), ~~no~~ A juvenile who is to be
50 tried as an adult for criminal proceedings pursuant to a direct filing or
51 transfer shall NOT be held at any facility intended to be utilized by
52 juvenile offenders, unless the district attorney and the defense counsel
53 agree otherwise. THE AGREEMENT MAY BE MADE AT ANY STAGE OF THE
54 PROCEEDINGS; EXCEPT THAT THE DISTRICT ATTORNEY AND DEFENSE
55 COUNSEL SHALL MAKE ALL REASONABLE ATTEMPTS TO CONSIDER THE
56 APPROPRIATE PLACE OF CONFINEMENT WITHIN THIRTY DAYS AFTER THE

1 DIRECT FILE OR TRANSFER. If there is no agreement, detention of the
2 juvenile shall be subject to the provisions of subsection (4) of this section.
3

4 (III) IN DETERMINING THE APPROPRIATE PLACE OF CONFINEMENT,
5 THE DISTRICT ATTORNEY AND DEFENSE COUNSEL SHALL CONSIDER THE
6 FOLLOWING FACTORS:
7

8 (I) THE AGE OF THE JUVENILE;
9

10 (II) THE NATURE, SERIOUSNESS, AND CIRCUMSTANCES OF THE
11 ALLEGED OFFENSE;
12

13 (III) THE JUVENILE'S HISTORY OF PRIOR DELINQUENT OR CRIMINAL
14 ACTS;
15

16 (IV) WHETHER DETENTION IN A JUVENILE FACILITY WILL
17 ADEQUATELY SERVE THE NEED FOR COMMUNITY PROTECTION PENDING
18 THE OUTCOME OF THE CRIMINAL PROCEEDINGS;
19

20 (V) WHETHER DETENTION IN A JUVENILE FACILITY WILL
21 NEGATIVELY IMPACT THE FUNCTIONING OF THE JUVENILE FACILITY BY
22 COMPROMISING THE GOALS OF DETENTION TO MAINTAIN A SAFE, POSITIVE,
23 AND SECURE ENVIRONMENT FOR ALL JUVENILES WITHIN THE FACILITY;
24

25 (VI) THE RELATIVE ABILITY OF THE AVAILABLE ADULT AND
26 JUVENILE DETENTION FACILITIES TO MEET THE NEEDS OF THE JUVENILE
27 AND PROTECT THE PUBLIC;
28

29 (VII) WHETHER THE JUVENILE PRESENTS AN IMMINENT RISK OF
30 HARM TO HIMSELF OR HERSELF OR OTHERS WITHIN A JUVENILE FACILITY;
31

32 (VIII) THE PHYSICAL MATURITY OF THE JUVENILE;
33

34 (IX) THE CURRENT MENTAL STATE OR MATURITY OF THE JUVENILE
35 AS EVIDENCED BY RELEVANT MENTAL HEALTH OR PSYCHOLOGICAL
36 ASSESSMENTS OR SCREENINGS THAT ARE MADE AVAILABLE TO BOTH THE
37 DISTRICT ATTORNEY AND DEFENSE COUNSEL; AND
38

39 (X) ANY OTHER RELEVANT FACTORS.
40

41 **SECTION 2. Safety clause.** The general assembly hereby finds,
42 determines, and declares that this act is necessary for the immediate
43 preservation of the public peace, health, and safety."
44

45
46
47 **HB09-1331** be amended as follows, and as so amended, be referred to
48 the Committee of the Whole with favorable
49 recommendation:
50

51 Amend printed bill, page 5, after line 26, insert the following:
52

53 "(I) "ACTUAL COST INCURRED" MEANS THE ACTUAL COST PAID BY
54 THE PURCHASER FOR THE VEHICLE, CONVERSION, OR IDLING REDUCTION
55 TECHNOLOGIES. THE ACTUAL COST PAID SHALL BE CALCULATED AS THE
56 NET OF ANY CREDITS, GRANTS, OR REBATES, INCLUDING FEDERAL CREDITS,

1 GRANTS, OR REBATES FOR WHICH THE PURCHASER IS ELIGIBLE, BUT
2 EXCLUDING THE CREDIT SPECIFIED IN THIS SUBSECTION (2.6)."
3

4 Renumber succeeding subparagraphs accordingly.
5

6 Page 12, after line 17, insert the following:
7

8 "(a) "ACTUAL COST INCURRED" MEANS THE ACTUAL COST PAID BY
9 THE PURCHASER FOR THE VEHICLE, CONVERSION, OR IDLING REDUCTION
10 TECHNOLOGIES. THE ACTUAL COST PAID SHALL BE CALCULATED AS THE
11 NET OF ANY CREDITS, GRANTS, OR REBATES, INCLUDING FEDERAL CREDITS,
12 GRANTS, OR REBATES FOR WHICH THE PURCHASER IS ELIGIBLE, BUT
13 EXCLUDING THE CREDIT SPECIFIED IN THIS SECTION."
14

15 Reletter succeeding paragraphs accordingly.
16

17 Page 18, after line 17, insert the following:
18

19 "(1) "ACTUAL COST INCURRED" MEANS THE ACTUAL COST PAID BY
20 THE PURCHASER FOR THE VEHICLE, CONVERSION, OR IDLING REDUCTION
21 TECHNOLOGIES. THE ACTUAL COST PAID SHALL BE CALCULATED AS THE
22 NET OF ANY CREDITS, GRANTS, OR REBATES, INCLUDING FEDERAL CREDITS,
23 GRANTS, OR REBATES FOR WHICH THE PURCHASER IS ELIGIBLE, BUT
24 EXCLUDING THE REBATE SPECIFIED IN THIS ARTICLE.";
25

26 line 18, strike "(1)" and substitute "(+) (2)".
27

28 Renumber succeeding subsections accordingly.
29

30 Page 21, line 21, strike "(17)" and substitute "(18)".
31

32 Page 30, after line 16, insert the following:
33

34 **"SECTION 13. Appropriation.** In addition to any other
35 appropriation, there is hereby appropriated, out of any moneys in the
36 alternative fuels rebate fund created in section 39-33-105 (1), Colorado
37 Revised Statutes, not otherwise appropriated, to the department of
38 revenue, for allocation to the taxation business group, special purpose
39 section, alternative fuels rebate, for the fiscal year beginning July 1, 2009,
40 the sum of one hundred eighty-nine thousand three hundred ninety-nine
41 dollars (\$189,399) cash funds, or so much thereof as may be necessary,
42 for the implementation of this act."
43

44 Renumber succeeding section accordingly.
45

46 Page 1, line 101, strike "VEHICLES." and substitute "VEHICLES, AND
47 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."
48

49
50
51 **HB09-1342** be amended as follows, and as so amended, be referred to
52 the Committee of the Whole with favorable
53 recommendation:
54

55 Amend printed bill, page 2, strike lines 1 through 8 and substitute the
56 following:

1 **"SECTION 1.** 39-26-706 (1), Colorado Revised Statutes, is
2 amended to read:

3
4 **39-26-706. Miscellaneous sales and use tax exemptions -**
5 **cigarettes - internet access - refractory materials - precious metal**
6 **bullion and coins.** (1) (a) All sales of cigarettes shall be exempt from
7 taxation under the provisions of part 1 of this article; EXCEPT THAT ANY
8 SALES OF CIGARETTES AFTER JUNE 30, 2009, AND BEFORE JULY 1, 2011,
9 SHALL NOT BE EXEMPT FROM SUCH TAXATION.

10
11 (b) The storage, use, or consumption of cigarettes shall be exempt
12 from taxation under the provisions of part 2 of this article; EXCEPT THAT
13 THE STORAGE, USE, OR CONSUMPTION OF CIGARETTES AFTER JUNE 30,
14 2009, AND BEFORE JULY 1, 2011, SHALL NOT BE EXEMPT FROM SUCH
15 TAXATION.";

16
17 line 26, strike "ITS REPEAL IN 2009;" and substitute "THE EFFECTIVE DATE
18 OF THIS SUBPARAGRAPH (I), AS AMENDED;"

19
20 Page 10, strike lines 19 through 25, and substitute the following:

21
22 **"SECTION 15.** 39-26-105 (1) (f) (I) (B), Colorado Revised
23 Statutes, as enacted by Senate Bill 09-275, is amended, and the said
24 39-26-105 (1) (f) (I) is further amended BY THE ADDITION OF A
25 NEW SUB-SUBPARAGRAPH, to read:

26
27 **39-26-105. Vendor liable for tax - repeal.**
28 (1) (f) (I) Notwithstanding any other provision of this section:

29
30 (B) EXCEPT AS OTHERWISE SET FORTH IN SUB-SUBPARAGRAPH (D)
31 OF THIS SUBPARAGRAPH (I), a vendor shall not retain any amount to cover
32 the vendor's expense in collecting and remitting tax pursuant to this
33 section on any return made on or after July 1, 2009, but prior to June 30,
34 2011. For any return made prior to August 1, 2009, a vendor shall not be
35 liable for any interest or other penalty imposed as a result of an error
36 made in connection with the elimination of the amount of sales tax
37 revenues that may be retained in accordance with the provisions of this
38 sub-subparagraph (B).

39
40 (D) A VENDOR MAY RETAIN AN AMOUNT EQUAL TO TWO AND
41 ONE-HALF PERCENT OF THE SALES TAX ON CIGARETTES TO COVER THE
42 VENDOR'S EXPENSE IN COLLECTING AND REMITTING SUCH TAX PURSUANT
43 TO THIS SECTION ON ANY RETURN MADE ON OR AFTER JULY 1, 2009, BUT
44 PRIOR TO JULY 1, 2011."

45
46 Page 10, after line 25, insert the following:

47
48 **"SECTION 16. Appropriation.** (1) In addition to any other
49 appropriation, there is hereby appropriated, out of any moneys in the
50 general fund not otherwise appropriated, to the department of revenue, for
51 allocation to the taxation business group, for the fiscal year beginning
52 July 1, 2008, the sum of one hundred eighty-three thousand five hundred
53 seventy-eight dollars (\$183,578) and 0.1 FTE, or so much thereof as may
54 be necessary, for the implementation of this act.

55
56 (2) In addition to any other appropriation, there is hereby

1 appropriated, out of any moneys in the general fund not otherwise
2 appropriated, to the department of revenue, for allocation to the taxation
3 business group, for the fiscal year beginning July 1, 2009, the sum of
4 twelve thousand eight hundred forty dollars (\$12,840) and 0.3 FTE, or so
5 much thereof as may be necessary, for the implementation of this act."

6

7 Renumber succeeding sections accordingly.

8

9 Page 1, line 102, strike "CIGARETTES." and substitute "CIGARETTES, AND
10 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

11

12

13

14 **HB09-1347** be amended as follows, and as so amended, be referred to
15 the Committee of the Whole with favorable
16 recommendation:

17

18 Amend printed bill, page 4, after line 7, insert the following:

19

20 **"SECTION 3. Appropriation.** In addition to any other
21 appropriation, there is hereby appropriated, out of any moneys in the
22 License Plate cash fund created in section 42-3-301 (1) (b), Colorado
23 Revised Statutes, not otherwise appropriated, to the department of
24 Revenue, for allocation to the division of motor vehicles, driver and
25 vehicle services, for the fiscal year beginning July 1, 2009, the sum of
26 sixteen thousand eighty dollars (\$16,080) cash funds, or so much thereof
27 as may be necessary, for the purchase of license plates from the
28 department of corrections, correctional industries."

29

30 Renumber succeeding section accordingly.

31

32 Page 1, line 102, strike "PLATE." and substitute "PLATE, AND MAKING AN
33 APPROPRIATION IN CONNECTION THEREWITH."

34

35

36

37 **HB09-1351** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40

41 Amend printed bill, page 2, after line 26, insert the following:

42

43 **"SECTION 2. Appropriation - adjustments to the 2009 long**
44 **bill.** (1) In addition to any other appropriation, there is hereby
45 appropriated, to the department of corrections, for the fiscal year
46 beginning July 1, 2009, the sum of eight hundred eight thousand six
47 hundred twenty-three dollars (\$808,623) and 10.2 FTE, or so much
48 thereof as may be necessary, for the implementation of this act. Said sum
49 shall be from the general fund.

50

51 (2) For the implementation of this act, appropriations made in the
52 annual general appropriation act for the fiscal year beginning July 1,
53 2009, shall be adjusted as follows:

54

55 (a) The appropriation to the department of corrections is decreased
56 by three million eight hundred sixty-one thousand three hundred twenty-

1 three dollars (\$3,861,323). Said sum shall be from the general fund."
2

3 Renumber succeeding section accordingly.
4

5 Page 1, line 102, strike "SENTENCE." and substitute "SENTENCE, AND
6 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."
7

8
9
10 **HB09-1353** be referred to the Committee of the Whole with favorable
11 recommendation.
12

13
14 **HB09-1355** be postponed indefinitely.
15

16
17 **HB09-1356** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:
20

21 Amend printed bill, page 4, after line 5, insert the following:
22

23 "SECTION 3. 23-18-202 (1) (a), Colorado Revised Statutes, is
24 amended, and the said 23-18-202 (1) is further amended BY THE
25 ADDITION OF A NEW PARAGRAPH, to read:
26

27 **23-18-202. College opportunity fund - appropriations -**
28 **payment of stipends - reimbursement - repeal.** (1)(a) Beginning with
29 the state fiscal year commencing July 1, 2005, and for each state fiscal
30 year thereafter, the general assembly shall make an annual appropriation,
31 in trust for eligible undergraduate students, to the college opportunity
32 fund, which is hereby established as a trust fund account with the
33 Colorado student loan program. Except as provided in ~~paragraph (c)~~
34 PARAGRAPHS (c) AND (d) of this subsection (1), moneys appropriated to
35 the college opportunity fund are for the sole purpose of disbursement on
36 behalf of eligible undergraduate students in accordance with this part 2
37 and are not for the general operation or any other function of the
38 Colorado student loan program. Any unexpended and unencumbered
39 moneys remaining in the college opportunity fund at the end of a fiscal
40 year are the property of the trust fund and shall remain in the fund and
41 shall not be credited or transferred to the general fund or any other fund.
42

43 (d) (I) IF ANY AMOUNT OF THE MONEYS APPROPRIATED IN THE
44 2009-10 FISCAL YEAR FROM THE STATE EDUCATION FUND, CREATED IN
45 SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION, TO THE
46 COLLEGE OPPORTUNITY FUND REMAIN IN THE COLLEGE OPPORTUNITY FUND
47 AFTER THE FINAL CENSUS DATE OF THE LAST ACADEMIC TERM OF THE
48 2009-10 FISCAL YEAR, AS DETERMINED IN ACCORDANCE WITH THIS
49 SECTION, ONE OR MORE GOVERNING BOARDS MAY EXPEND SAID AMOUNT
50 FOR GRADUATE STUDENT EDUCATIONAL SERVICES IN TEACHER
51 PREPARATION OR EARLY CHILDHOOD EDUCATION AND DEVELOPMENT
52 PURCHASED BY THE DEPARTMENT IF AUTHORIZED THROUGH A
53 FEE-FOR-SERVICE CONTRACT ENTERED INTO PURSUANT TO SECTIONS
54 23-1-109.7 AND 23-5-130. THE DEPARTMENT MAY TRANSFER AN
55 EQUIVALENT AMOUNT IN CASH FUND SPENDING AUTHORITY FROM
56 STIPENDS TO FEE-FOR-SERVICE CONTRACTS TO FULFILL ITS

1 FEE-FOR-SERVICE CONTRACT OBLIGATIONS TO A GOVERNING BOARD
2 PURSUANT TO THIS PARAGRAPH (d) AND SECTION 23-5-130.

3

4 (II) THIS PARAGRAPH (d) IS REPEALED, EFFECTIVE JULY 1, 2010."

5

6 Renumber succeeding sections accordingly.

7

8

9

10 **HB09-1361** be amended as follows, and as so amended, be referred to
11 the Committee of the Whole with favorable
12 recommendation:

13

14 Amend printed bill, page 2, line 6, after "of", insert "**general fund**";

15

16 strike line 7, and substitute the following:

17

18 "**impose restrictions on general fund appropriations - limitations -**
19 **general fund appropriations**";

20

21 line 8, strike "**overexpenditures.**" and substitute "**overexpenditures -**
22 **repeal.**";

23

24 line 14, after "OF", insert "GENERAL FUND";

25

26 line 16, after "RECENT", insert "GENERAL FUND".

27

28 Page 3, line 2, after "THAT", insert "THE BEGINNING GENERAL FUND
29 BALANCE AND GENERAL FUND";

30

31 line 5, after "ON", insert "GENERAL FUND";

32

33 line 23, before "APPROPRIATION", insert "GENERAL FUND";

34

35 line 25, after "OF", insert "GENERAL FUND";

36

37 line 27, after "RECENT", insert "GENERAL FUND".

38

39 Page 4, line 2, after "THAT", insert "THE BEGINNING GENERAL FUND
40 BALANCE AND GENERAL FUND";

41

42 line 4, after "EXPENDITURES", insert "OF GENERAL FUND REVENUES";

43

44 line 5, after "ON", insert "GENERAL FUND";

45

46 line 9, after "THE", insert "GENERAL FUND".

47

48 Page 5, line 12, after "OF", insert "GENERAL FUND";

49

50 line 15, after "BETWEEN", insert "THE AMOUNT OF THE BEGINNING
51 GENERAL FUND BALANCE PLUS" and after "OF", insert "GENERAL FUND";

52

53 line 20, after "EXPENDITURES", insert "OF GENERAL FUND REVENUES" and
54 after "ON", insert "GENERAL FUND";

55

56 line 22, after "OF", insert "GENERAL FUND";

- 1 line 25, after "BETWEEN", insert "THE AMOUNT OF THE BEGINNING
2 GENERAL FUND BALANCE PLUS", and after "OF", insert "GENERAL FUND".
3
4 Page 6, line 3, after "ON", insert "GENERAL FUND";
5
6 line 8, after "OF", insert "GENERAL FUND";
7
8 line 12, before "APPROPRIATION", insert "GENERAL FUND";
9
10 strike lines 18 through 27.
11
12 Page 7, strike lines 1 through 11;
13
14 line 12, strike "(c)" and substitute "(b)";
15
16 line 17, after "SUPPLEMENTAL", insert "GENERAL FUND";
17
18 line 22, after "APPROPRIATION", insert "PLACED PURSUANT TO PARAGRAPH
19 (a) OF SUBSECTION (6) OF THIS SECTION";
20
21 line 25, after "SUPPLEMENTAL", insert "GENERAL FUND";
22
23 line 26, after "OF", insert "GENERAL FUND";
24
25 line 27, after "TO", insert "SUBSECTION (2) OF".
26
27 Page 8, line 1, after "SUPPLEMENTAL", insert "GENERAL FUND";
28
29 line 7, after "SUPPLEMENTAL", insert "GENERAL FUND";
30
31 line 8, strike "OVEREXPENDITURES" and substitute "GENERAL FUND
32 OVEREXPENDITURES";
33
34 line 11, after "CONSIDERED", insert "GENERAL FUND";
35
36 after line 14, insert the following:
37
38 "(9) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 13, 2010."
39
40
41
42 **SB09-003** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:
45
46 Amend the Transportation and Energy Committee Report, dated April 21,
47 2009, page 1, line 4, strike "~~outside~~ THAT ARE WITHIN" and substitute
48 "THAT ARE outside".
49
50 Page 2 of the committee report, after line 14, insert the following:
51
52 "Amend reengrossed bill, page 14, line 22, strike "sixty-four thousand
53 seven";
54
55 line 23, strike "hundred forty-one dollars (\$64,741) cash funds and 1.0
56 FTE," and substitute "ninety-seven thousand one hundred twelve dollars

1 (\$97,112) cash funds and 1.5 FTE,";

2

3 after line 24, insert the following:

4

5 "(2) In addition to any other appropriation, there is hereby
6 appropriated, out of any moneys in the department of revenue subaccount
7 of the automobile inspection and readjustment account of the highway
8 users tax fund created in section 42-3-304 (18) (c), Colorado Revised
9 Statutes, not otherwise appropriated, to the department of revenue, for
10 allocation to the division of motor vehicles, vehicle emissions, for the
11 fiscal year beginning July 1, 2009, the sum of thirty-nine thousand three
12 hundred four dollars (\$39,304) and 0.5 FTE, or so much thereof as may
13 be necessary, for the implementation of this act."

14

15 Renumber succeeding subsections accordingly."

16

17

18

19 **SB09-089** be referred to the Committee of the Whole with favorable
20 recommendation.

21

22

23 **SB09-121** be referred to the Committee of the Whole with favorable
24 recommendation.

25

26

27 **SB09-173** be referred to the Committee of the Whole with favorable
28 recommendation.

29

30

31 **SB09-239** be referred to the Committee of the Whole with favorable
32 recommendation.

33

34

35

36

37 **EDUCATION**

38 After consideration on the merits, the Committee recommends the
39 following:

40

41 **SB09-163** be amended as follows, and as so amended, be referred to
42 the Committee on Appropriations with favorable
43 recommendation:

44

45 Amend reengrossed bill, page 47, line 8, strike "OR";

46

47 after line 8, insert the following:

48

49 "(D) THAT ONE OR MORE OF THE DISTRICT PUBLIC SCHOOLS BE
50 GRANTED STATUS AS AN INNOVATION SCHOOL PURSUANT TO SECTION
51 22-32.5-104 OR THAT THE LOCAL SCHOOL BOARD RECOGNIZE A GROUP OF
52 DISTRICT PUBLIC SCHOOLS AS AN INNOVATION SCHOOL ZONE PURSUANT TO
53 SECTION 22-32.5-104; OR".

54

55 Reletter succeeding sub-subparagraph accordingly.

56

1 Page 54, line 19, strike "OR";

2

3 after line 19, insert the following:

4

5 "(IV) WITH REGARD TO A DISTRICT PUBLIC SCHOOL, THAT THE
6 DISTRICT PUBLIC SCHOOL BE GRANTED STATUS AS AN INNOVATION SCHOOL
7 PURSUANT TO SECTION 22-32.5-104; OR".

8

9 Renumber succeeding subparagraph accordingly.

10

11 Page 56, after line 9, insert the following:

12

13 "(c) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (II)
14 OF THIS PARAGRAPH (c), A PARENT SHALL NOT BE ELIGIBLE TO SERVE ON
15 A SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE IF HE OR SHE IS
16 EMPLOYED BY, OR IS A RELATIVE OF A PERSON WHO IS EMPLOYED BY, THE
17 SCHOOL DISTRICT, INCLUDING BEING EMPLOYED AT A PUBLIC SCHOOL OF
18 THE SCHOOL DISTRICT.

19

20 (II) IF A SCHOOL DISTRICT MAKES A GOOD FAITH EFFORT BUT IS
21 UNABLE TO IDENTIFY A SUFFICIENT NUMBER OF PARENTS WHO ARE
22 WILLING TO SERVE ON A SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE
23 AND WHO ARE NOT EXCLUDED FROM SERVING AS PROVIDED IN
24 SUBPARAGRAPH (I) OF THIS PARAGRAPH (c), ONE OR MORE PARENTS WHO
25 ARE EMPLOYED BY, OR ARE RELATED TO A PERSON WHO IS EMPLOYED BY,
26 THE SCHOOL DISTRICT, INCLUDING BEING EMPLOYED AT A PUBLIC SCHOOL
27 OF THE SCHOOL DISTRICT, MAY SERVE ON THE SCHOOL DISTRICT
28 ACCOUNTABILITY COMMITTEE.

29

30 (III) AS USED IN THIS PARAGRAPH (c), UNLESS THE CONTEXT
31 OTHERWISE REQUIRES, "RELATED" OR "RELATIVE" MEANS A PERSON'S
32 SPOUSE, SON, DAUGHTER, SISTER, BROTHER, MOTHER, OR FATHER."

33

34 Page 99, line 22, strike "STATE;" and substitute "STATE AND THE
35 INFORMATION SPECIFIED IN SUBSECTION (3) OF THIS SECTION;"

36

37 Page 100, after line 6, insert the following:

38

39 "(3) IN ADDITION TO ANY INFORMATION SPECIFIED BY RULE OF THE
40 STATE BOARD, EACH SCHOOL PERFORMANCE REPORT SHALL INCLUDE THE
41 FOLLOWING INFORMATION CONCERNING THE OPERATIONS, ENVIRONMENT,
42 AND FUNDING OF THE PUBLIC SCHOOL THAT IS THE SUBJECT OF THE
43 REPORT:

44

45 (a) THE NAME OF THE PUBLIC SCHOOL, THE TYPE OF SCHOOL
46 PROGRAM PROVIDED AT THE PUBLIC SCHOOL, AND THE SCHOOL YEAR FOR
47 WHICH THE INFORMATION IN THE PERFORMANCE REPORT IS PROVIDED.
48 THE PERFORMANCE REPORT SHALL ALSO INCLUDE THE PUBLIC SCHOOL'S
49 STREET ADDRESS, TELEPHONE NUMBER, AND EMAIL ADDRESS, AND, IF ONE
50 EXISTS, THE WEB SITE ADDRESS OF THE SCHOOL DISTRICT OR THE PUBLIC
51 SCHOOL.

52

53 (b) INFORMATION CONCERNING THE PERCENTAGES OF STUDENTS
54 WHO ARE NOT TESTED OR WHOSE SCORES ARE NOT INCLUDED IN
55 DETERMINING ATTAINMENT OF THE PERFORMANCE INDICATORS;

56

1 (c) AS DESCRIBED IN STATE BOARD RULE, THE OCCURRENCE OF
2 EACH OF THE FOLLOWING TYPES OF INCIDENTS, EXPRESSED AS A NUMBER
3 AND AS A PERCENTAGE OF THE TOTAL OCCURRENCES OF ALL OF THE
4 INCIDENTS:

- 5
- 6 (I) SUBSTANCE ABUSE - DRUGS;
- 7
- 8 (II) SUBSTANCE ABUSE - ALCOHOL;
- 9
- 10 (III) SUBSTANCE ABUSE - TOBACCO;
- 11
- 12 (IV) FELONY ASSAULTS;
- 13
- 14 (V) FIGHTS;
- 15
- 16 (VI) POSSESSION OF DANGEROUS WEAPONS; AND
- 17
- 18 (VII) OTHER VIOLATIONS OF THE CODE OF CONDUCT AT THE
19 PUBLIC SCHOOL;
- 20

21 (d) AS CALCULATED PURSUANT TO STATE BOARD RULE,
22 INFORMATION CONCERNING:

- 23
- 24 (I) STUDENT ENROLLMENT AT THE PUBLIC SCHOOL;
- 25
- 26 (II) STUDENTS, REPORTED AS A NUMBER AND A PERCENTAGE OF
27 THE TOTAL STUDENT ENROLLMENT AT THE PUBLIC SCHOOL, WHO ARE
28 ELIGIBLE FOR FREE OR REDUCED-COST LUNCH PURSUANT TO THE FEDERAL
29 "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ.;
- 30
- 31 (III) STUDENT ENROLLMENT STABILITY AT THE PUBLIC SCHOOL,
32 MEANING THE PERCENTAGE OF STUDENTS ENROLLED IN THE PUBLIC
33 SCHOOL ON OCTOBER 1 OF THE APPLICABLE SCHOOL YEAR WHO WERE
34 STILL ENROLLED IN THE PUBLIC SCHOOL ON FEBRUARY 1 OF THE SAME
35 SCHOOL YEAR;
- 36
- 37 (IV) AVERAGE DAILY ATTENDANCE AT THE PUBLIC SCHOOL; AND
- 38
- 39 (V) FOR ELEMENTARY SCHOOLS, THE AVAILABILITY OF A
40 PRESCHOOL PROGRAM, FULL-DAY KINDERGARTEN PROGRAM, AND BEFORE-
41 AND AFTER-SCHOOL PROGRAMS AT THE PUBLIC SCHOOL;
- 42

43 (e) INFORMATION CONCERNING THE STAFF EMPLOYED AT THE
44 PUBLIC SCHOOL, INCLUDING:

- 45
- 46 (I) THE NUMBER OF PERSONS EMPLOYED AT THE PUBLIC SCHOOL IN
47 EACH OF THE FOLLOWING CATEGORIES AND EXPLANATIONS OF THE JOB
48 DESCRIPTIONS FOR EACH CATEGORY:
- 49
- 50 (A) CLASSROOM TEACHERS;
- 51
- 52 (B) PARAPROFESSIONALS;
- 53
- 54 (C) ADMINISTRATORS;
- 55
- 56 (D) OTHER PROFESSIONALS;

- 1 (E) SCHOOL SUPPORT STAFF;
2
3 (F) SCHOOL COUNSELORS; AND
4
5 (G) SCHOOL LIBRARIANS;
6
7 (II) THE STUDENTS-PER-CLASSROOM-TEACHER RATIOS FOR EACH
8 GRADE LEVEL INCLUDED IN THE PUBLIC SCHOOL;
9
10 (III) THE AVERAGE NUMBER OF YEARS OF TEACHING EXPERIENCE
11 AMONG THE TEACHERS EMPLOYED AT THE PUBLIC SCHOOL;
12
13 (IV) THE NUMBER OF TEACHERS EMPLOYED AT THE PUBLIC
14 SCHOOL WHO HOLD MASTER'S OR DOCTORAL DEGREES;
15
16 (V) FOR JUNIOR HIGH, MIDDLE, AND HIGH SCHOOLS, THE
17 PERCENTAGE OF TEACHERS EMPLOYED AT THE PUBLIC SCHOOL WHO ARE
18 TEACHING IN THE SUBJECT AREAS IN WHICH THEY RECEIVED THEIR
19 BACHELOR'S OR GRADUATE DEGREES;
20
21 (VI) THE NUMBER OF TEACHERS EMPLOYED AT THE PUBLIC
22 SCHOOL WHO HAVE THREE OR MORE YEARS OF TEACHING EXPERIENCE.
23 FOR PURPOSES OF THIS SUBPARAGRAPH (VI), THE DATA USED SHALL
24 DESCRIBE TEACHERS WHO HAVE OBTAINED NONPROBATIONARY STATUS
25 PURSUANT TO THE PROVISIONS OF PART 2 OF ARTICLE 63 OF THIS TITLE.
26
27 (VII) THE NUMBER OF PROFESSIONAL DEVELOPMENT DAYS
28 INCLUDED IN THE SCHOOL YEAR;
29
30 (f) INFORMATION CONCERNING WHETHER THE FOLLOWING
31 COURSES AND PROGRAMS, WHICH ARE NOT INCLUDED IN THE STATEWIDE
32 ASSESSMENTS, ARE AVAILABLE TO STUDENTS ENROLLED IN THE PUBLIC
33 SCHOOL AND, TO THE EXTENT THEY ARE AVAILABLE ON THE PUBLIC
34 SCHOOL'S OR SCHOOL DISTRICT'S WEB SITE, INTERNET LINKS TO
35 DESCRIPTIONS OF THESE COURSES AND PROGRAMS:
36
37 (I) ART;
38
39 (II) DRAMA OR THEATER;
40
41 (III) MUSIC;
42
43 (IV) DANCE;
44
45 (V) PHYSICAL EDUCATION;
46
47 (VI) ECONOMICS;
48
49 (VII) WORLD LANGUAGES;
50
51 (VIII) HISTORY;
52
53 (IX) GEOGRAPHY;
54
55 (X) CIVICS;
56

1 (XI) CAREER AND TECHNICAL EDUCATION;
2
3 (XII) OPPORTUNITIES FOR CIVIC OR COMMUNITY ENGAGEMENT;
4
5 (XIII) INTERNET SAFETY PROGRAMS;
6
7 (XIV) FOR HIGH SCHOOLS, ADVANCED PLACEMENT,
8 INTERNATIONAL BACCALAUREATE, OR HONORS COURSES;
9
10 (XV) FOR ELEMENTARY SCHOOLS, INTERNATIONAL
11 BACCALAUREATE OR MONTESSORI CURRICULA;
12
13 (XVI) EXTRACURRICULAR ACTIVITIES; AND
14
15 (XVII) ATHLETICS; AND
16
17 "(g) INFORMATION, AS DESCRIBED IN STATE BOARD RULE,
18 CONCERNING PROGRAMS AND SERVICES THAT ARE AVAILABLE AT THE
19 PUBLIC SCHOOL TO SUPPORT STUDENT HEALTH AND WELLNESS.
20
21 (4) EACH PUBLIC SCHOOL, EACH SCHOOL DISTRICT, AND THE
22 INSTITUTE SHALL REPORT ACCURATELY THE DATA REQUIRED TO PRODUCE
23 A PERFORMANCE REPORT. THE STATE BOARD SHALL SEEK TO MINIMIZE
24 AND ELIMINATE THE DUPLICATION OF DATA REPORTING REQUIRED UNDER
25 THIS SECTION AND DATA REPORTING REQUIRED BY OTHER STATE OR
26 FEDERAL STATUTES OR RULES SO THAT SCHOOL DISTRICTS, INSTITUTE
27 CHARTER SCHOOLS, AND THE INSTITUTE MAY SATISFY THE MULTIPLE
28 REPORTING REQUIREMENTS WITHIN A SINGLE REPORTING FRAMEWORK.
29
30 (5) PRIOR TO THE PUBLICATION OF THE PERFORMANCE REPORTS,
31 THE DEPARTMENT SHALL:
32
33 (a) ALLOW EACH SCHOOL DISTRICT, EACH CHARTER SCHOOL, AND
34 THE INSTITUTE A REASONABLE PERIOD OF TIME TO REVIEW THE SCHOOL
35 DISTRICT'S, THE CHARTER SCHOOL'S, OR THE INSTITUTE'S INFORMATION AS
36 IT WILL APPEAR ON THE SCHOOL PERFORMANCE REPORTS; AND
37
38 (b) CORRECT ANY ERRORS OR MISINFORMATION IDENTIFIED BY THE
39 SCHOOL DISTRICT, CHARTER SCHOOL, OR INSTITUTE.
40
41 (6) THE SCHOOL PERFORMANCE REPORT PRODUCED FOR EACH
42 PUBLIC SCHOOL PURSUANT TO THIS SECTION MAY CONTAIN INTERNET
43 LINKS THROUGH WHICH A PERSON MAY ACCESS ADDITIONAL INFORMATION
44 NOT PROVIDED IN DETAIL IN THE REPORT. THE STATE BOARD MAY MAKE
45 CHANGES IN THE FORMAT OR THE CONTENTS OF THE PERFORMANCE
46 REPORTS PREPARED PURSUANT TO THIS SECTION."
47
48 Renumber succeeding subsection accordingly.
49
50 Page 112, line 8, strike "22-7-611 (1), (2), and (3) (a)," and substitute
51 "22-7-611,";
52
53 line 9, strike "are" and substitute "is";
54
55 strike line 12 and substitute the following:
56

1 "the context otherwise requires:
2

3 (a) "ELIGIBLE DISTRICT" MEANS A SCHOOL DISTRICT THAT HAS
4 BEEN IDENTIFIED BY RULE OF THE STATE BOARD AS HAVING A SIGNIFICANT
5 ACHIEVEMENT GAP.
6

7 (b) "Eligible school" means a public school";
8

9 line 21, strike "an eligible school." and substitute "~~an eligible school~~";
10

11 line 23, strike "title." and substitute "title ELIGIBLE DISTRICTS AND
12 ELIGIBLE SCHOOLS.";
13

14 line 24, after "each", insert "ELIGIBLE DISTRICT AND";
15

16 line 25, after "the", insert "ELIGIBLE DISTRICT OR ELIGIBLE".
17

18 Page 113, line 1, before "eligible", insert "ELIGIBLE DISTRICT OR";
19

20 after line 4, insert the following:
21

22 "(b) Using improvement targets to define professional
23 development needs related to content, instruction, differentiation, and best
24 practices in educating special education students, gifted and talented
25 students, English language learners, and other student subgroups, as
26 needed;
27

28 (c) Developing interim DISTRICT-LEVEL AND building-level
29 assessments to monitor student progress toward proficiency on the state
30 model content standards and developing a plan to immediately address
31 gaps in learning;
32

33 (d) Examining and realigning, as needed, school scheduling,
34 academic support systems, and assignments of personnel;
35

36 (e) Designing a plan for increasing parental knowledge and skill
37 to support academic objectives; and
38

39 (f) Identifying leaders who specialize in rehabilitating failing
40 schools and who may serve as school principals.
41

42 (4) (a) An eligible school that chooses to apply for participation
43 in the program shall provide to its district school board a list of the
44 strategies selected from the outline provided by the department that the
45 eligible school intends to implement to improve academic achievement
46 AMONG THE STUDENTS ENROLLED IN THE ELIGIBLE SCHOOL. The eligible
47 school shall provide the list by May 1 of the school year preceding the
48 school year in which the eligible school intends to participate in the
49 program. If the district school board chooses to allow the eligible school
50 to apply for participation in the program, the district school board shall,
51 IN ACCORDANCE WITH TIMELINES ADOPTED BY RULE OF THE STATE BOARD,
52 provide to the department a list of the strategies that the district school
53 board and the eligible school have chosen to implement to improve
54 academic achievement AMONG THE STUDENTS ENROLLED IN THE ELIGIBLE
55 SCHOOL.
56

1 (b) AN ELIGIBLE DISTRICT THAT CHOOSES TO APPLY FOR
2 PARTICIPATION IN THE PROGRAM SHALL, IN ACCORDANCE WITH TIMELINES
3 ADOPTED BY RULE OF THE STATE BOARD, PROVIDE TO THE DEPARTMENT
4 A LIST OF THE STRATEGIES SELECTED FROM THE OUTLINE PROVIDED BY THE
5 DEPARTMENT THAT THE ELIGIBLE DISTRICT HAS CHOSEN TO IMPLEMENT TO
6 IMPROVE ACADEMIC ACHIEVEMENT WITHIN THE ELIGIBLE DISTRICT.

7
8 (5) The state board shall determine the criteria by which ELIGIBLE
9 DISTRICTS AND eligible schools shall be selected to participate in the
10 program and shall promulgate rules that set forth the criteria.

11
12 (6) Subject to available appropriations and upon the request of a
13 participating ELIGIBLE DISTRICT OR eligible school, the department shall
14 provide assistance through the program to the participating ELIGIBLE
15 DISTRICT OR eligible school. The assistance may consist of, but is not
16 limited to, information, personnel, and program and technical support.

17
18 (7) The state board may promulgate all reasonable and necessary
19 rules to implement this section."
20

21
22
23

24 **JUDICIARY**

25 After consideration on the merits, the Committee recommends the
26 following:

27
28
29
30
31

HB09-1352 be amended as follows, and as so amended, be referred to
the Committee of the Whole with favorable
recommendation:

32 Amend printed bill, page 2, line 4, strike "**Penalty.**" and substitute
33 "**Penalty. (1)**";

34
35
36

strike lines 10 through 25 and substitute the following:

37 (2) (a) IN ADDITION TO THE CRIMINAL PENALTIES DESCRIBED IN
38 SUBSECTION (1) OF THIS SECTION, THE DISTRICT ATTORNEYS OF THIS STATE
39 ARE AUTHORIZED TO ENFORCE THIS PART 2 IN A CIVIL PROCEEDING. A
40 PERSON WHO IS FOUND TO HAVE VIOLATED THIS PART 2 BEYOND A
41 REASONABLE DOUBT SHALL FORFEIT AND PAY TO THE GENERAL FUND OF
42 THE STATE A CIVIL PENALTY OF NOT MORE THAN TWICE THE AMOUNT OF
43 THE BENEFIT THE PERSON OBTAINED OR WAS ATTEMPTING TO OBTAIN IN
44 ENGAGING IN THE PROHIBITED CONDUCT DESCRIBED IN THIS PART 2.

45
46
47
48
49
50

(b) IN DETERMINING THE AMOUNT OF A CIVIL PENALTY AWARD,
THE COURT SHALL CONSIDER THE FOLLOWING CIRCUMSTANCES: THE
GOOD OR BAD FAITH OF THE DEFENDANT; THE INJURY TO THE PUBLIC; THE
DEFENDANT'S ABILITY TO PAY; AND THE DESIRE TO ELIMINATE THE
BENEFITS DERIVED BY VIOLATIONS OF THIS PART 2.

51
52
53
54
55
56

(c) UNTIL THE COLORADO SUPREME COURT ADOPTS A VENUE
PROVISION RELATING TO THIS PART 2, ACTIONS INSTITUTED PURSUANT TO
THIS PART 2 MAY BE BROUGHT IN THE COUNTY WHERE AN ALLEGED
VIOLATION OCCURRED OR WHERE ANY PORTION OF A TRANSACTION
INVOLVING AN ALLEGED VIOLATION OF PART 2 OCCURRED, IN THE COUNTY

1 WHERE THE PRINCIPAL PLACE OF BUSINESS OF ANY DEFENDANT IS
2 LOCATED, OR IN THE COUNTY IN WHICH ANY DEFENDANT RESIDES."

3

4 Renumber succeeding section accordingly.

5

6

7

8 **SB09-006** be amended as follows, and as so amended, be referred to
9 the Committee on Appropriations with favorable
10 recommendation:

11

12 Amend reengrossed bill, page 3, line 12, strike "AND JEFFERSON" and
13 substitute "EL PASO, JEFFERSON, AND PUEBLO".

14

15 Page 6, line 19, strike "AND" and substitute "EL PASO, JEFFERSON, AND
16 PUEBLO";

17

18 line 20, strike "JEFFERSON".

19

20

21

22 **SB09-021** be amended as follows, and as so amended, be referred to
23 the Committee of the Whole with favorable
24 recommendation:

25

26 Amend reengrossed bill, page 4, line 16, strike "24-33.5-1215, OR" and
27 substitute "24-33.5-1215; EXCEPT THAT, IF THE VOLUNTEER FIREFIGHTER
28 TUITION VOUCHER FUND DOES NOT HAVE SUFFICIENT MONEYS TO FUND
29 THE TUITION VOUCHERS, THE DIVISION MAY USE".

30

31

32

33 **SB09-093** be amended as follows, and as so amended, be referred to
34 the Committee of the Whole with favorable
35 recommendation:

36

37 Amend reengrossed bill, page 3, line 10, strike "DRIVER'S LICENSE,";

38

39 strike lines 11 through 13 and substitute the following:

40

41 "ACTUAL DRIVER'S LICENSE, ACTUAL GOVERNMENT-ISSUED
42 IDENTIFICATION CARD, ACTUAL SOCIAL SECURITY CARD, OR ACTUAL
43 PASSPORT, KNOWING THAT HE OR SHE DOES SO WITHOUT PERMISSION OR
44 LAWFUL AUTHORITY.";

45

46 line 14, strike "ONE IDENTIFICATION DOCUMENT" and substitute "ONE OR
47 MORE IDENTIFICATION DOCUMENTS ISSUED TO THE SAME PERSON";

48

49 strike lines 16 and 17.

50

51 Reletter succeeding paragraph accordingly.

52

53 Page 3, line 18, strike "FOUR" and substitute "TWO";

54

55 line 20, strike "ACCOUNT HOLDERS," and substitute "PERSONS," and strike
56 "5" and substitute "6".

1
2 **SB09-110** be amended as follows, and as so amended, be referred to
3 the Committee on Appropriations with favorable
4 recommendation:
5

6 Amend reengrossed bill, page 4, line 25, strike "(4)".
7

8 Page 8, strike lines 5 through 24.
9

10 Page 10, before line 9, insert the following:
11

12 **"SECTION 8.** 24-34-405, Colorado Revised Statutes, is
13 **REPEALED AND REENACTED, WITH AMENDMENTS,** to read:
14

15 **24-34-405. Relief authorized.** (1) (a) IN ADDITION TO THE
16 RELIEF AUTHORIZED BY SECTION 24-34-306 (9), THE COMMISSION OR THE
17 COURT MAY ORDER AFFIRMATIVE RELIEF THAT THE COMMISSION OR COURT
18 DETERMINES TO BE APPROPRIATE, INCLUDING, WITHOUT LIMITATION, THE
19 FOLLOWING:
20

21 (I) REINSTATEMENT OR HIRING OF EMPLOYEES, WITH OR WITHOUT
22 BACK PAY, WHICH, IF AWARDED, SHALL BE PAID BY THE EMPLOYER,
23 EMPLOYMENT AGENCY, OR LABOR ORGANIZATION RESPONSIBLE FOR THE
24 DISCRIMINATORY OR UNFAIR EMPLOYMENT PRACTICE;
25

26 (II) FRONT PAY; OR
27

28 (III) ANY OTHER EQUITABLE RELIEF DEEMED APPROPRIATE BY THE
29 COMMISSION OR COURT.
30

31 (b) IF THE COMMISSION OR COURT ORDERS BACK PAY, THE
32 LIABILITY FOR BACK PAY SHALL ACCRUE FROM A DATE NOT MORE THAN
33 TWO YEARS PRIOR TO THE FILING OF A CHARGE WITH THE DIVISION. THE
34 COMMISSION OR COURT SHALL REDUCE AN AWARD OF BACK PAY BY ANY
35 AMOUNT OF ACTUAL EARNINGS OF, OR AMOUNTS THAT COULD HAVE BEEN
36 EARNED WITH REASONABLE DILIGENCE BY, THE PERSON WHO WAS THE
37 VICTIM OF THE DISCRIMINATORY OR UNFAIR EMPLOYMENT PRACTICE.
38

39 (2) (a) IN ADDITION TO THE RELIEF AVAILABLE PURSUANT TO
40 SUBSECTION (1) OF THIS SECTION, IN A PROCEEDING OR CIVIL ACTION
41 BROUGHT BY A COMPLAINING PARTY OR PLAINTIFF UNDER THIS PART 4
42 AGAINST A RESPONDENT OR DEFENDANT WHO IS FOUND TO HAVE ENGAGED
43 IN AN INTENTIONAL DISCRIMINATORY OR UNFAIR EMPLOYMENT PRACTICE,
44 THE COMPLAINING PARTY OR PLAINTIFF MAY RECOVER COMPENSATORY
45 AND PUNITIVE DAMAGES AS SPECIFIED IN THIS SUBSECTION (2). A
46 COMPLAINING PARTY OR PLAINTIFF SHALL NOT BE AWARDED
47 COMPENSATORY OR PUNITIVE DAMAGES WHEN THE RESPONDENT OR
48 DEFENDANT IS FOUND TO HAVE ENGAGED IN AN EMPLOYMENT PRACTICE
49 THAT IS UNLAWFUL SOLELY BECAUSE OF ITS DISPARATE IMPACT.
50

51 (b) A COMPLAINING PARTY OR PLAINTIFF MAY RECOVER PUNITIVE
52 DAMAGES AGAINST A RESPONDENT OR DEFENDANT, OTHER THAN A
53 GOVERNMENT, GOVERNMENT AGENCY, OR POLITICAL SUBDIVISION OF THE
54 STATE, IF THE COMPLAINING PARTY OR PLAINTIFF DEMONSTRATES BY A
55 PREPONDERANCE OF THE EVIDENCE THAT THE RESPONDENT OR
56 DEFENDANT ENGAGED IN A DISCRIMINATORY OR UNFAIR EMPLOYMENT

1 PRACTICE WITH MALICE OR RECKLESS INDIFFERENCE TO THE RIGHTS OF
2 THE COMPLAINING PARTY OR PLAINTIFF.

3
4 (c) A COMPLAINING PARTY OR PLAINTIFF MAY RECOVER
5 COMPENSATORY DAMAGES AGAINST A RESPONDENT OR DEFENDANT FOR
6 FUTURE PECUNIARY LOSSES, EMOTIONAL PAIN, SUFFERING,
7 INCONVENIENCE, MENTAL ANGUISH, LOSS OF ENJOYMENT OF LIFE, AND
8 OTHER NONPECUNIARY LOSSES.

9
10 (d) THE TOTAL AMOUNT OF DAMAGES AWARDED PURSUANT TO
11 THIS SUBSECTION (2) SHALL NOT EXCEED THE FOLLOWING AMOUNTS FOR
12 EACH COMPLAINING PARTY OR PLAINTIFF, REGARDLESS OF WHETHER THE
13 DAMAGES ARE COMPENSATORY, PUNITIVE, OR A COMBINATION OF
14 COMPENSATORY AND PUNITIVE DAMAGES:

15
16 (I) IF THE RESPONDENT OR DEFENDANT HAS FOURTEEN OR FEWER
17 EMPLOYEES IN EACH OF TWENTY OR MORE CALENDAR WEEKS IN EITHER
18 THE CURRENT OR PRECEDING CALENDAR YEAR, TWENTY-FIVE THOUSAND
19 DOLLARS;

20
21 (II) IF THE RESPONDENT OR DEFENDANT HAS FIFTEEN OR MORE
22 EMPLOYEES AND ONE HUNDRED OR FEWER EMPLOYEES IN EACH OF
23 TWENTY OR MORE CALENDAR WEEKS IN EITHER THE CURRENT OR
24 PRECEDING CALENDAR YEAR, FIFTY THOUSAND DOLLARS;

25
26 (III) IF THE RESPONDENT OR DEFENDANT HAS MORE THAN ONE
27 HUNDRED EMPLOYEES AND TWO HUNDRED OR FEWER EMPLOYEES IN EACH
28 OF TWENTY OR MORE CALENDAR WEEKS IN EITHER THE CURRENT OR
29 PRECEDING CALENDAR YEAR, ONE HUNDRED THOUSAND DOLLARS;

30
31 (IV) IF THE RESPONDENT OR DEFENDANT HAS MORE THAN TWO
32 HUNDRED EMPLOYEES AND FIVE HUNDRED OR FEWER EMPLOYEES IN EACH
33 OF TWENTY OR MORE CALENDAR WEEKS IN EITHER THE CURRENT OR
34 PRECEDING CALENDAR YEAR, TWO HUNDRED THOUSAND DOLLARS; AND

35
36 (V) IF THE RESPONDENT OR DEFENDANT HAS MORE THAN FIVE
37 HUNDRED EMPLOYEES IN EACH OF TWENTY OR MORE CALENDAR WEEKS IN
38 EITHER THE CURRENT OR PRECEDING CALENDAR YEAR, THREE HUNDRED
39 THOUSAND DOLLARS.

40
41 (e) COMPENSATORY OR PUNITIVE DAMAGES AWARDED PURSUANT
42 TO THIS SUBSECTION (2) SHALL BE IN ADDITION TO, AND SHALL NOT
43 INCLUDE, FRONT PAY, BACK PAY, INTEREST ON BACK PAY, OR ANY OTHER
44 TYPE OF RELIEF AWARDED PURSUANT TO SUBSECTION (1) OF THIS SECTION.

45
46 (3) IN CASES ALLEGING THAT A RESPONDENT OR DEFENDANT
47 ENGAGED IN A DISCRIMINATORY OR UNFAIR EMPLOYMENT PRACTICE BY
48 FAILING TO PROVIDE A REASONABLE ACCOMMODATION TO A PERSON WITH
49 A DISABILITY WHO IS OTHERWISE QUALIFIED, IT SHALL BE AN AFFIRMATIVE
50 DEFENSE TO AN AWARD OF DAMAGES UNDER THIS SECTION THAT THE
51 RESPONDENT OR DEFENDANT DEMONSTRATED GOOD FAITH EFFORTS, IN
52 CONSULTATION WITH THE PERSON WITH THE DISABILITY WHO INFORMED
53 THE RESPONDENT OR DEFENDANT THAT AN ACCOMMODATION WAS
54 NEEDED, TO IDENTIFY AND MAKE A REASONABLE ACCOMMODATION THAT
55 WOULD PROVIDE THE PERSON WITH THE DISABILITY WITH AN EQUALLY
56 EFFECTIVE OPPORTUNITY AND WOULD NOT CAUSE AN UNDUE HARDSHIP ON

1 THE OPERATION OF THE BUSINESS.

2

3 (4) (a) IF A PERSON WAS REFUSED ADMISSION INTO OR SUSPENDED
4 OR EXPELLED FROM A UNION, WAS REFUSED EMPLOYMENT OR
5 ADVANCEMENT, OR WAS SUSPENDED OR DISCHARGED FROM EMPLOYMENT,
6 AND THE LABOR ORGANIZATION OR EMPLOYER, AS APPLICABLE, TOOK THE
7 ACTION FOR ANY BONA FIDE REASON OTHER THAN A DISCRIMINATORY OR
8 UNFAIR EMPLOYMENT PRACTICE, THE COMMISSION OR A COURT SHALL NOT
9 ISSUE AN ORDER REQUIRING, AS APPLICABLE:

10

11 (I) A LABOR ORGANIZATION TO ADMIT OR REINSTATE THE PERSON
12 AS A MEMBER OF A UNION;

13

14 (II) AN EMPLOYER TO HIRE, REINSTATE, OR PROMOTE THE
15 INDIVIDUAL; OR

16

17 (III) THE EMPLOYER TO PAY THE INDIVIDUAL BACK PAY.

18

19 (b) IF THE COMPLAINING PARTY OR PLAINTIFF ESTABLISHES THAT
20 THE RESPONDENT OR DEFENDANT ENGAGED IN A DISCRIMINATORY OR
21 UNFAIR EMPLOYMENT PRACTICE AND THE RESPONDENT OR DEFENDANT
22 DEMONSTRATES THAT HE, SHE, OR IT WOULD HAVE TAKEN THE SAME
23 ACTION IN THE ABSENCE OF THE IMPERMISSIBLE, MOTIVATING FACTOR, THE
24 COMMISSION OR COURT:

25

26 (I) MAY GRANT ANY DECLARATORY RELIEF AND INJUNCTIVE
27 RELIEF THE COMMISSION OR COURT DEEMS APPROPRIATE, TOGETHER WITH
28 REASONABLE ATTORNEY FEES AND COSTS THAT THE COMPLAINING PARTY
29 OR PLAINTIFF HAS DEMONSTRATED TO BE ATTRIBUTABLE TO THE PURSUIT
30 OF THE CLAIM OR COMPLAINT; AND

31

32 (II) SHALL NOT AWARD COMPENSATORY OR PUNITIVE DAMAGES OR
33 ISSUE AN ORDER REQUIRING ANY ADMISSION, REINSTATEMENT, HIRING,
34 PROMOTION, OR PAYMENT OF BACK PAY, AS DESCRIBED IN PARAGRAPH (a)
35 OF THIS SUBSECTION (4).

36

37 (5) IF A COMPLAINING PARTY OR PLAINTIFF IN A PROCEEDING
38 BEFORE THE COMMISSION OR IN A CIVIL ACTION FILED UNDER THIS PART 4
39 SEEKS COMPENSATORY OR PUNITIVE DAMAGES PURSUANT TO SUBSECTION
40 (2) OF THIS SECTION:

41

42 (a) ANY PARTY IN THE CIVIL ACTION MAY DEMAND A TRIAL BY
43 JURY; AND

44

45 (b) THE COURT IN THE CIVIL ACTION SHALL NOT INFORM THE JURY
46 OF THE LIMITATIONS DESCRIBED IN PARAGRAPH (d) OF SUBSECTION (2) OF
47 THIS SECTION.

48

49 (6) (a) IN ANY PROCEEDING OR CIVIL ACTION UNDER THIS PART 4,
50 THE COMMISSION OR COURT MAY AWARD REASONABLE ATTORNEY FEES
51 AND COSTS TO THE PREVAILING PARTY UNLESS THE PREVAILING PARTY IS
52 A GOVERNMENT, GOVERNMENT AGENCY, OR POLITICAL SUBDIVISION OF
53 THE STATE.

54

55 (b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (6),
56 IN ANY PROCEEDING OR CIVIL ACTION UNDER THIS PART 4 AGAINST A

1 JUDICIAL OFFICER FOR AN ACT OR OMISSION TAKEN IN THE OFFICER'S
2 JUDICIAL CAPACITY, THE JUDICIAL OFFICER SHALL NOT BE LIABLE FOR ANY
3 COSTS OR ATTORNEY FEES UNLESS THE ACTION WAS CLEARLY OUTSIDE THE
4 SCOPE OF THE OFFICER'S JURISDICTION.
5

6 (c) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE
7 COMMISSION'S OR COURT'S DISCRETION TO AWARD REASONABLE
8 ATTORNEY FEES AND COSTS SHALL BE GUIDED BY STANDARDS
9 ESTABLISHED THROUGH JUDICIAL INTERPRETATION OF THE DISCRETION
10 GIVEN TO COURTS TO MAKE SUCH AWARDS IN CASES BROUGHT UNDER
11 TITLE VII OF THE FEDERAL "CIVIL RIGHTS ACT OF 1964", AS AMENDED.
12

13 (7) THIS SECTION SHALL NOT APPLY TO CLAIMS ALLEGING A
14 VIOLATION OF SECTION 24-34-402.5".
15

16 Renumber succeeding sections accordingly.
17
18
19

20 **SB09-135** be amended as follows, and as so amended, be referred to
21 the Committee of the Whole with favorable
22 recommendation:
23

24 Amend reengrossed bill, page 2, line 24, strike "BOARD ON A QUARTERLY
25 BASIS." and substitute "BOARD."
26

27 Page 3, line 8, strike "AND EACH";
28

29 line 9, strike "NOVEMBER 1 THEREAFTER,";
30

31 line 12, strike "(d)." and substitute "(d) AND EACH NOVEMBER 1
32 THEREAFTER, THE STATE BOARD OF PAROLE AND THE DIVISION OF
33 CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY SHALL UPDATE
34 THE REPORT."
35

37 SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

38
39
40 The Speaker has signed: **SJR09-037, 041, 052.**
41
42

44 MESSAGE(S) FROM THE SENATE

45
46
47 The Senate voted to concur in House amendments to SB09-276,
48 SB09-144, SB09-022, SB09-026, SB09-067, SB09-125, SB09-138,
49 SB09-154, SB09-174, SB09-024, SB09-052, SB09-068 and SB09-090
50 and repassed the bills as so amended.
51

52 The Senate voted to adhere to its position on SB09-131. The bill is
53 deemed lost.
54

1 The Senate has adopted the First Report of the First Conference
2 Committee on SB09-101, as printed in Senate Journal, April 27, 2009,
3 page 1321, and repassed the bill as amended.
4

5 The Senate has adopted the First Report of the First Conference
6 Committee on SB09-013, as printed in Senate Journal, April 27, 2009,
7 pages 1321-1322, and repassed the bill as amended.
8

9 The Senate has adopted the First Report of the First Conference
10 Committee on HB09-1057, as printed in Senate Journal, April 27, 2009,
11 page 1322 and repassed the bill as amended. The bill is returned
12 herewith.
13

14 The Senate has adopted the First Report of the First Conference
15 Committee on SB09-094, as printed in Senate Journal, April 27, 2009,
16 pages 1322-1323 and repassed the bill as amended.
17

18 The Senate has adopted the First Report of the Second Conference
19 Committee on SB09-148, as printed in Senate Journal, April 27, 2009,
20 page 1323-1324 and repassed the bill as amended.
21

22 The Senate has adopted the First Report of the First Conference
23 Committee on SB09-275, as printed in Senate Journal, April 27, 2009,
24 page 1324, and repassed the bill as amended.
25

26
27 The Senate has adopted and transmits herewith: SJR09-046.
28
29

30
31
32 **MESSAGE(S) FROM THE GOVERNOR**
33

34 I certify I received the following on the 28th day of April, 2009, at
35 8:50 a.m. The original is on file in the records of the House of
36 Representatives of the General Assembly.
37

38 Marilyn Eddins,
39 Chief Clerk of the House
40

41 April 27, 2009
42

43 To the Honorable
44 House of Representatives
45 Sixty-seventh General Assembly
46 First Regular Session
47 State Capitol
48 Denver, CO 80203
49

50 Ladies and Gentlemen:
51

52 I have the honor to inform you that I have approved and filed with
53 the Secretary of State the following Acts:
54

55 **HB09-1012** CONCERNING THE REMOVAL OF OBSOLETE LANGUAGE
56 IN STATUTORY PROVISIONS IMPLEMENTING THE

1 STATEWIDE VOTER REGISTRATION AND ELECTION
2 SYSTEM FOR PURPOSES OF COMPLIANCE WITH THE
3 FEDERAL "HELP AMERICA VOTE ACT".
4

5 Approved April 25, 2009 at 1:30 p.m.
6

7 Sincerely,
8 (signed)
9 Bill Ritter, Jr.
10 Governor

11 _____
12
13 House in recess. House reconvened.
14 _____
15

16
17 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**
18

19 On motion of Representative Kerr A., the rules were suspended and the
20 following resolution was given immediate consideration.
21

22 **SJR09-046** by Senator(s) Hudak, Williams, Bacon, Boyd, Carroll M.,
23 Foster, Gibbs, Groff, Heath, Hodge, Isgar, Keller, Morse,
24 Newell, Romer, Sandoval, Schwartz, Shaffer B., Tapia,
25 Tochtrop, Veiga; also Representative(s) Gagliardi, Acree,
26 Apuan, Benefield, Bradford, Carroll T., Casso, Court,
27 Curry, Ferrandino, Fischer, Frangas, Green, Hullinghorst,
28 Judd, Kagan, Kefalas, Kerr A., King S., Labuda, Levy,
29 Looper, Marostica, Massey, McCann, McFadyen,
30 McKinley, Merrifield, Middleton, Miklosi, Nikkel, Pace,
31 Peniston, Pommer, Primavera, Rice, Riesberg, Roberts,
32 Ryden, Scanlan, Schafer S., Solano, Soper, Stephens,
33 Summers, Todd, Vaad, Vigil, Waller--Concerning the
34 designation of April 28, 2009, as "Equal Pay Day".
35

36 (Printed and placed in member's file).
37

38 On motion of Representative Gagliardi, the resolution was read at length
39 and **adopted** by **viva voce** vote.
40

41 Current Roll Call added as Co-sponsor(s): Representative(s) Balmer,
42 Baumgardner, Gardner B., Gardner C., Gerou, Kerr J., Lambert, Liston, May,
43 McNulty, Murray, Priola, Sonnenberg, Swalm, Tipton
44

45 _____
46
47 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**
48

49 **BUSINESS AFFAIRS & LABOR**

50 After consideration on the merits, the Committee recommends the
51 following:
52

53 **SB09-234** be referred to the Committee of the Whole with favorable
54 recommendation.
55
56

1 **TRANSPORTATION & ENERGY**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HB09-1354** be postponed indefinitely.
6

7
8 **CONSIDERATION OF MEMORIAL**
9

10 **SJM09-002** by Senator(s) Sandoval; also Representative(s) Kefalas--
11 Concerning the 2009 reauthorization of the "Child
12 Nutrition and WIC Reauthorization Act of 2004".
13

14 (Printed and placed in member's file)
15

16 On motion of Representative Kefalas, the memorial was **adopted** by **viva**
17 **voce** vote.
18

19 Co-sponsor(s) added: Representative(s) Acree, Apuan, Baumgardner, Bradford,
20 Casso, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B.,
21 Gerou, Green, Hullinghorst, Judd, Kagan, Kerr A., Kerr J., Labuda, Levy,
22 Looper, Marostica, Massey, McCann, McFadyen, McKinley, Merrifield,
23 Middleton, Miklosi, Murray, Pace, Peniston, Pommer, Primavera, Priola, Rice,
24 Riesberg, Ryden, Scanlan, Schafer S., Solano, Soper, Tipton, Todd, Vaad,
25 Vigil, Waller, Speaker
26

27
28 On motion of Representative Kerr A., **HB09-1126, 1321, 1331, 1342,**
29 **1347, 1351, 1356, 1353, 1361, SB09-121, 239, 089, 173, HB09-1352,**
30 **SB09-021, 093, 135, 226, 257, HB09-1366, HCR09-1003, SB09-003,**
31 **234,** were added to the Special Orders Calendar on Tuesday,
32 April 28, 2009.
33

34 On motion of Representative Scanlan, the House resolved itself into
35 Committee of the Whole for consideration of Special Orders and she was
36 called to the Chair to act as Chairman.
37

38
39 **SPECIAL ORDERS--SECOND READING OF BILLS**
40

41 The Committee of the Whole having risen, the Chairman reported the
42 titles of the following bills had been read (reading at length had been
43 dispensed with by unanimous consent), the bills considered and action
44 taken thereon as follows:
45

46 (Amendments to the committee amendment are to the printed committee
47 report which was printed and placed in the members' bill file.)
48

49 **HB09-1269** by Representative(s) Ferrandino, Court, Middleton, Pace,
50 Pommer, Scanlan, Weissmann--Concerning the creation of
51 a state rainy day account, and, in connection therewith,
52 specifying the manner in which the account is to be funded
53 and the circumstances in which moneys may be expended
54 from the account.
55

56 Laid over until April 29, retaining place on Calendar.

1 **HB09-1323** by Representative(s) Levy, Fischer, Green, Hullinghorst,
2 Kerr A., Labuda, McFadyen, Merrifield, Pace, Pommer,
3 Primavera, Scanlan, Solano; also Senator(s) Veiga, Bacon,
4 Heath, Romer, Shaffer B.--Concerning energy efficiency
5 programs implemented by cooperative electric
6 associations.

7
8 Laid over until April 29, retaining place on Calendar.
9

10 **HB09-1126** by Representative(s) Hullinghorst, Curry; also Senator(s)
11 Shaffer B., Heath--Concerning incentives for the
12 development of solar thermal energy systems.
13
14

15 Amendment No. 1, Transportation & Energy Report, dated
16 January 27, 2009, and placed in member's bill file; Report also printed in
17 House Journal, January 28, page 159.
18

19 Amendment No. 2, Finance Report, dated April 22, 2009, and placed in
20 member's bill file; Report also printed in House Journal, April 23,
21 page 1417.
22

23 Amendment No. 3, Appropriations Report, dated April 28, 2009, and
24 placed in member's bill file; Report also printed in House Journal,
25 April 28.
26

27 Amendment No. 4, by Representative(s) Hullinghorst.
28

29 Amend printed bill, page 1, after line 1, insert the following:

30 **"SECTION 1. Legislative declaration.** (1) On November 6,
31 2006, the executive director of the department of revenue issued final
32 determination DD-598, in which the executive director concluded that
33 machinery used to produce electricity did not qualify for exemption from
34 sales and use tax under section 39-26-709, Colorado Revised Statutes, as
35 in effect prior to legislative amendments made in the 2007 legislative
36 session. Final determination DD-598 is inconsistent with final
37 determination DD-567, which was issued by the executive director on
38 February 5, 2001, and which concluded that certain machinery used in the
39 production of electricity qualified for the exemption from sales and use
40 tax under section 39-26-709, Colorado Revised Statutes.
41

42 (2) The general assembly is cognizant of pending litigation
43 concerning the scope of section 39-26-709, Colorado Revised Statutes,
44 as in effect prior to 2007. By enacting House Bill 09-1126, the general
45 assembly does not intend to indicate whether final determination DD-598
46 reflects the correct construction or interpretation of section 39-26-709,
47 Colorado Revised Statutes, or whether the final determination is a change
48 in policy. Furthermore, by enacting House Bill 09-1126, the general
49 assembly does not intend to indicate whether certain components
50 specified in section 2 of this act may already be exempt from sales and
51 use tax under section 39-26-709, Colorado Revised Statutes."
52

53 Renumber succeeding sections accordingly.
54

55 As amended, ordered engrossed and placed on the Calendar for Third
56 Reading and Final Passage.

1 **HB09-1331** by Representative(s) Gagliardi; also Senator(s) Boyd--
2 Concerning incentives for efficient motor vehicles.
3

4 Amendment No. 1, Transportation & Energy Report, dated
5 April 21, 2009, and placed in member's bill file; Report also printed in
6 House Journal, April 22, pages 1329-1331.
7

8 Amendment No. 2, Appropriations Report, dated April 28, 2009, and
9 placed in member's bill file; Report also printed in House Journal,
10 April 28, pages 1536-1537
11

12 As amended, ordered engrossed and placed on the Calendar for Third
13 Reading and Final Passage.
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.
22

23 Amendment No. 1, Appropriations Report, dated April 28, 2009, and
24 placed in member's bill file; Report also printed in House Journal,
25 April 28, pages 1537-1539.
26

27 As amended, ordered engrossed and placed on the Calendar for Third
28 Reading and Final Passage.
29

30 **HB09-1347** by Representative(s) Kagan, Benefield, Frangas, Kerr J.,
31 McFadyen, Nikkel, Primavera, Solano; also Senator(s)
32 Romer, Spence--Concerning the issuance of a donate life
33 special license plate.
34

35 Amendment No. 1, Appropriations Report, dated April 28, 2009, and
36 placed in member's bill file; Report also printed in House Journal,
37 April 28, page 1539.
38

39 As amended, ordered engrossed and placed on the Calendar for Third
40 Reading and Final Passage.
41

42 **HB09-1356** by Representative(s) Liston and Pommer--Concerning the
43 use of state education fund moneys in the college
44 opportunity fund program to pay student stipends for
45 higher education courses that further the purposes of the
46 state education fund specified in the state constitution, and
47 making an appropriation therefor.
48

49 Amendment No. 1, Appropriations Report, dated April 28, 2009, and
50 placed in member's bill file; Report also printed in House Journal,
51 April 28, pages 1540-1541.
52

53 As amended, referred to the Committee on Education.
54 (For change in action, see Amendments to Report, page 1572.)
55
56

1 **HB09-1353** by Representative(s) Miklosi; also Senator(s) Foster,
2 Newell--Concerning legal immigrants' eligibility for public
3 medical benefits.
4

5 Ordered engrossed and placed on the Calendar for Third Reading and
6 Final Passage.
7

8 **HB09-1361** by Representative(s) Weissmann, Kerr A.; also Senator(s)
9 Morse--Concerning the state controller making
10 modifications to allowable expenditures due to certain
11 changes in the estimated amount of state revenue
12 occurring when the general assembly is not meeting in
13 session.
14

15 Amendment No. 1, Appropriations Report, dated April 28, 2009, and
16 placed in member's bill file; Report also printed in House Journal,
17 April 28, pages 1541-1542.
18

19 Amendment No. 2, by Representative(s) Kerr A.
20

21 Amend the Appropriations Committee Report, dated April 28, 2009, page
22 2, strike line 2;
23

24 strike line 6 and substitute the following:
25

26 "Page 5, strike lines 10 and 11 and substitute the following:
27

28 "UNENCUMBERED BALANCE OF THE GENERAL FUND AS OF THE DATE OF THE
29 OVEREXPENDITURE.";
30

31 line 12, after "OF", insert "GENERAL FUND";";
32

33 strike lines 9 and 10 of the committee report and substitute the following:
34

35 "line 16, after "RECENT", insert "GENERAL FUND";
36

37 line 20, after "ON", insert "GENERAL FUND";";
38

39 line 13 of the committee report, strike "FUND"." and substitute "FUND";";
40

41 after line 13, insert the following:
42

43 "line 26, after "RECENT", insert "GENERAL FUND".".
44

45 As amended, laid over until April 29, retaining place on Calendar.
46

47 **SB09-121** by Senator(s) White; also Representative(s) Marostica--
48 Concerning the sales and use tax exempt status of meals
49 provided to employees of a business where prepared food
50 is regularly sold.
51

52 Ordered revised and placed on the Calendar for Third Reading and Final
53 Passage.
54
55

1 **SB09-239** by Senator(s) Tochtrop, Boyd; also Representative(s)
2 Riesberg--Concerning the continuation of the state board
3 of nursing, and making an appropriation therefor.
4

5 Amendment No. 1, Health & Human Services Report, dated
6 April 23, 2009, and placed in member's bill file; Report also printed in
7 House Journal, April 24, pages 1467-1469.
8

9 Amendment No. 2, by Representative(s) Riesberg.
10

11 Amend the Health and Human Services Committee Report, dated April
12 23, 2009, page 4, line 18, strike "BY"." and substitute "BY";";
13

14 after line 18 of the committee report, insert the following:
15

16 "after line 18 of the bill, insert the following:
17

18 "(4) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO CONFER
19 LIABILITY ON AN EMPLOYER FOR THE ACTS OF AN ADVANCED PRACTICE
20 NURSE THAT ARE OUTSIDE THE SCOPE OF EMPLOYMENT OR TO NEGATE THE
21 APPLICABILITY OF THE "COLORADO GOVERNMENTAL IMMUNITY ACT",
22 ARTICLE 10 OF TITLE 24, C.R.S."."
23

24 As amended, ordered revised and placed on the Calendar for Third
25 Reading and Final Passage.
26

27 **SB09-089** by Senator(s) King K., Hudak, Kopp, Spence; also
28 Representative(s) Middleton, Gardner B., Massey, Murray,
29 Summers, Tipton--Concerning the state charter school
30 institute, and making an appropriation in connection
31 therewith.
32

33 Ordered revised and placed on the Calendar for Third Reading and Final
34 Passage.
35

36 **HB09-1351** by Representative(s) Pommer and Ferrandino, Marostica--
37 Concerning an increase in the amount of time an inmate
38 may have deducted from the inmate's sentence.
39

40 Amendment No. 1, Appropriations Report, dated April 28, 2009, and
41 placed in member's bill file; Report also printed in House Journal,
42 April 28, pages 1539-1540.
43

44 Amendment No. 2, by Representative(s) Pommer.
45

46 Amend printed bill, page 2, strike line 2 and substitute "**SECTION 1.**";
47

48 line 3, strike "are" and substitute "is";
49

50 line 4, strike "A NEW" and substitute "THE FOLLOWING NEW
51 SUBSECTIONS,";
52

53 line 5, strike "SUBSECTION,";
54

55 strike lines 6 through 26 and substitute the following:
56

1 **"17-22.5-405. Earned time - earned release time.**
2 (1.5) (a) EARNED TIME, NOT TO EXCEED TWELVE DAYS FOR EACH MONTH
3 OF INCARCERATION OR PAROLE, MAY BE DEDUCTED FROM AN INMATE'S
4 SENTENCE IF THE INMATE:

5
6 (I) IS SERVING A SENTENCE FOR A CLASS 4, CLASS 5, OR CLASS 6
7 FELONY;

8
9 (II) HAS INCURRED NO CODE OF PENAL DISCIPLINE VIOLATIONS
10 WHILE INCARCERATED;

11
12 (III) HAS BEEN PROGRAM-COMPLIANT; AND

13
14 (IV) WAS NOT CONVICTED OF, AND HAS NOT PREVIOUSLY BEEN
15 CONVICTED OF, A CRIME IN SECTIONS 18-7-402 TO 18-7-407, C.R.S.,
16 SECTION 18-12-102, C.R.S., OR SECTION 18-12-109, C.R.S., OR A CRIME
17 LISTED IN SECTION 24-4.1-302 (1), C.R.S.

18
19 (b) THE EARNED TIME SPECIFIED IN PARAGRAPH (a) OF THIS
20 SUBSECTION (1.5) MAY BE DEDUCTED BASED UPON A DEMONSTRATION TO
21 THE DEPARTMENT BY THE INMATE, WHICH IS CERTIFIED BY THE INMATE'S
22 CASE MANAGER OR COMMUNITY PAROLE OFFICER, THAT HE OR SHE HAS
23 MADE CONSISTENT PROGRESS IN THE CATEGORIES DESCRIBED IN
24 SUBSECTION (1) OF THIS SECTION.

25
26 (4) Notwithstanding any other provision of this section, earned
27 time may not reduce the sentence of ~~any~~ AN inmate as defined in section
28 17-22.5-402 (1) by a period of time ~~which~~ THAT is more than ~~twenty-five~~
29 THIRTY percent of the sentence. THIS SUBSECTION (4) SHALL NOT APPLY
30 TO SUBSECTION (6) OF THIS SECTION.

31
32 (6) EARNED RELEASE TIME SHALL BE SCHEDULED BY THE PAROLE
33 BOARD AND THE TIME COMPUTATION UNIT IN THE DEPARTMENT OF
34 CORRECTIONS FOR INMATES CONVICTED OF CLASS 4 AND CLASS 5 FELONIES
35 UP TO SIXTY DAYS PRIOR TO THE MANDATORY RELEASE DATE AND FOR
36 INMATES CONVICTED OF CLASS 6 FELONIES UP TO THIRTY DAYS PRIOR TO
37 THE MANDATORY RELEASE DATE FOR INMATES WHO MEET THE FOLLOWING
38 CRITERIA:

39
40 (a) THE INMATE HAS NO CODE OF PENAL DISCIPLINE VIOLATIONS;

41
42 (b) THE INMATE IS PROGRAM-COMPLIANT; AND

43
44 (c) THE INMATE WAS NOT CONVICTED OF, AND HAS NOT
45 PREVIOUSLY BEEN CONVICTED OF, A CRIME IN SECTIONS 18-7-402 TO
46 18-7-407, C.R.S., SECTION 18-12-102, C.R.S., OR SECTION 18-12-109,
47 C.R.S., OR A CRIME LISTED IN SECTION 24-4.1-302 (1), C.R.S.

48
49 (7) BEGINNING IN THE FISCAL YEAR 2012-13, THE GENERAL
50 ASSEMBLY MAY APPROPRIATE THE SAVINGS GENERATED BY SUBSECTIONS
51 (1.5) AND (6) OF THIS SECTION TO RECIDIVISM-REDUCTION PROGRAMS.

52
53 **SECTION 2.** 17-22.5-402 (2), Colorado Revised Statutes, is
54 amended to read:

55
56 **17-22.5-402. Discharge from custody.** (2) Notwithstanding

1 subsection (1) of this section, the full term for which an inmate is
2 sentenced shall be reduced by any EARNED RELEASE TIME AND earned
3 time granted pursuant to section 17-22.5-405, except as provided in
4 section 17-22.5-403 (3) and (3.5).".

5
6 Renumber succeeding section accordingly.

7
8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.

10
11 **HB09-1352** by Representative(s) Levy--Concerning adding
12 commission of certain proscribed acts by government
13 officials to the list of deceptive trade practices.

14
15 Amendment No. 1, Judiciary Report, dated April 27, 2009, and placed in
16 member's bill file; Report also printed in House Journal, April 28,
17 pages 1549-1550.

18
19 As amended, ordered engrossed and placed on the Calendar for Third
20 Reading and Final Passage.

21
22 **SB09-173** by Senator(s) Veiga; also Representative(s) Rice--
23 Concerning the economic development of large-scale
24 regional tourism projects to be partially financed with a
25 portion of state sales tax revenue above an existing base
26 amount.

27
28 Amendment No. 1, Finance Report, dated April 22, 2009, and placed in
29 member's bill file; Report also printed in House Journal, April 23,
30 pages 1417-1419.

31
32 Amendment No. 2, by Representative(s) Judd.

33
34 Amend the Finance Committee Report, dated April 22, 2009, page 2, line
35 4, strike "EXISTING".

36
37 Amendment No. 3, by Representative(s) Rice.

38
39 Amend reengrossed bill, page 5, line 12, after "STREETS;", insert "STATE
40 HIGHWAYS;".

41
42 Amendment No. 4, by Representative(s) Judd.

43
44 Amend reengrossed bill, page 8, line 18, after "ZONE,", insert "AN
45 ANALYSIS OF THE IMPACT TO LOCAL SCHOOL DISTRICTS AND AN ESTIMATE
46 OF THE PERCENTAGE OF TOTAL PROGRAM THAT THE STATE WILL BECOME
47 RESPONSIBLE TO FUND THROUGH THE STATE'S SHARE OF TOTAL PROGRAM
48 PURSUANT TO SECTION 22-54-106, C.R.S., IN THE EVENT THAT AN URBAN
49 RENEWAL AUTHORITY IS THE FINANCING ENTITY FOR THE REGIONAL
50 TOURISM PROJECT AND USES PROPERTY TAX REVENUE TO FINANCE THE
51 PROJECT,".

52
53 Amendment No. 5, by Representative(s) Kefalas.

54
55 Amend reengrossed bill, page 8, line 15, strike "JOB CREATION," and
56 substitute "THE NUMBER OF NEW JOBS TO BE CREATED BY THE PROJECT BY

1 JOB CATEGORY AS DEFINED BY THE COLORADO DEPARTMENT OF LABOR
2 ANDEMPLOYMENT OCCUPATIONAL EMPLOYMENT STATISTICS SURVEY AND
3 THE WAGES AND, TO THE EXTENT THAT IT IS REASONABLY POSSIBLE,
4 INFORMATION ON HEALTH BENEFITS FOR JOBS IN EACH CATEGORY,".

5

6 Page 18, after line 3, insert the following:

7

8 "(5) THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT AND THE
9 DEPARTMENT OF REVENUE SHALL PREPARE A REPORT TO BE SUBMITTED BY
10 THE OFFICE NO LATER THAN SEPTEMBER 1 OF THE APPLICABLE FISCAL
11 YEAR TO THE FINANCE COMMITTEES OF THE HOUSE OF REPRESENTATIVES
12 AND SENATE, THE BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE
13 HOUSE OF REPRESENTATIVES, AND THE BUSINESS, LABOR, AND
14 TECHNOLOGY COMMITTEE OF THE SENATE, OR ANY SUCCESSOR
15 COMMITTEES. THE REPORT SHALL PRESENT INFORMATION ON ALL TAX
16 EXPENDITURES FOR REGIONAL TOURISM ECONOMIC DEVELOPMENT DURING
17 THE PRIOR FISCAL YEAR AND SHALL INCLUDE INFORMATION FROM THE
18 REPORTS REQUIRED PURSUANT TO SUBSECTION (6) OF THIS SECTION.

19

20 (6) (a) EACH YEAR, NO LATER THAN SEPTEMBER 1, THE
21 DEPARTMENT OF REVENUE SHALL REPORT THE AGGREGATE AMOUNT OF
22 STATE SALES TAX INCREMENT REVENUE DIVERTED TO FINANCING ENTITIES
23 FOR APPROVED PROJECTS.

24

25 (b) EVERY TWO YEARS, NO LATER THAN SEPTEMBER 1, THE
26 COLORADO OFFICE OF ECONOMIC DEVELOPMENT AND THE DEPARTMENT
27 OF REVENUE SHALL REPORT DETAILED INFORMATION ON EACH PROJECT
28 APPROVED TO RECEIVE STATE SALES TAX INCREMENT REVENUE,
29 INCLUDING BUT NOT NECESSARILY LIMITED TO:

30

31 (I) THE NAME, ADDRESS, AND CONTACT FOR EACH RECIPIENT;

32

33 (II) THE AMOUNT OF SALES TAX REVENUE DIVERTED FOR THE
34 PROJECT;

35

36 (III) THE BOUNDARIES OF THE APPROVED REGIONAL TOURISM ZONE
37 AND NARRATIVE FOR THE PROJECT;

38

39 (IV) THE PROPOSED TERM OF FINANCING AND THE PERCENT OF THE
40 NEW NET REVENUE THAT IS APPROVED FOR THE PROJECT;

41

42 (V) THE ACTUAL STATE SALES TAX REVENUE COLLECTED WITHIN
43 THE ZONE COMPARED TO THE PROJECTED REVENUES CONTAINED IN THE
44 APPROVED APPLICATION;

45

46 (VI) THE NUMBER OF NET NEW JOBS DIRECTLY CREATED BY THE
47 PROJECT IN EACH CATEGORY AS DEFINED BY THE COLORADO DEPARTMENT
48 OF LABOR AND EMPLOYMENT OCCUPATION EMPLOYMENT STATISTICS
49 SURVEY, AND THE WAGES AND HEALTH BENEFITS FOR JOBS IN EACH
50 CATEGORY; AND

51

52 (VII) AN ASSESSMENT OF THE OVERALL EFFECTIVENESS OF THE
53 PROJECT.";

54

55 line 15, after " PROJECT" insert "TOWARD THE GOALS SPECIFIED IN THE
56 APPLICATION PURSUANT TO SECTION 24-46-304".

1 Amendment No. 6, by Representative(s) Hullinghorst.

2

3 Amend reengrossed bill, page 10, line 26, after "TO" insert the following:

4

5 "ANY COUNTY OR COUNTIES WHERE THE REGIONAL TOURISM PROJECT WILL
6 BE IMPLEMENTED AND TO MUNICIPALITIES ADJACENT TO THE REGIONAL
7 TOURISM PROJECT WILL BE IMPLEMENTED FOR AN OPPORTUNITY TO
8 REVIEW THE APPLICATION AND SUBMIT COMMENTS TO THE COMMISSION.
9 THE DIRECTOR SHALL PROVIDE SUCH COUNTIES AND MUNICIPALITIES WITH
10 THE APPLICATION AT LEAST THIRTY DAYS PRIOR TO THE PUBLIC HEARING
11 HELD PURSUANT TO SUBSECTION (3) OF THIS SECTION. THE DIRECTOR
12 SHALL ALSO FORWARD THE APPLICATION TO".

13

14 Page 11, line 2, strike "THE" and substitute "THE COMMISSION SHALL
15 HOLD A PUBLIC HEARING, SUBJECT TO THE PROVISIONS OF THE "COLORADO
16 SUNSHINE ACT OF 1972", ARTICLE 6 OF THIS TITLE, TO REVIEW AND
17 CONSIDER THE APPLICATION. AFTER THE HEARING HAS BEEN HELD, THE".

18

19 Page 12, line 12, strike "THREE" and substitute "TWO";

20

21 line 13, strike "TWO" and substitute "THREE";

22

23 line 14, strike "ENTITY;" and substitute "ENTITY. OF THE MEMBERS
24 APPOINTED BY THE LOCAL GOVERNMENTAL ENTITY, AT LEAST ONE
25 MEMBER SHALL BE A LOCALLY ELECTED OFFICIAL AND AT LEAST ONE
26 MEMBER SHALL REPRESENT THE COMMUNITY AT LARGE.";

27

28 line 16, strike "THREE" and substitute "TWO";

29

30 line 17, strike "ONE" and substitute "TWO";

31

32 line 18, strike "MEMBER" and substitute "MEMBERS" and strike
33 "APPLICANTS; AND" and substitute "APPLICANTS. OF THE MEMBERS
34 APPOINTED BY THE LOCAL GOVERNMENTAL APPLICANTS, AT LEAST ONE
35 MEMBER SHALL BE AN ELECTED OFFICIAL OF THE LOCAL GOVERNMENT
36 AND AT LEAST ONE MEMBER SHALL REPRESENT THE COMMUNITY AT
37 LARGE.";

38

39 line 21, after "MEMBER", insert "WHO IS AN ELECTED OFFICIAL AND A
40 SINGLE MEMBER WHO REPRESENTS THE COMMUNITY AT LARGE";

41

42 strike lines 23 and 24 and substitute the following:

43

44 "WITHIN THE TOURISM ZONE.".

45

46 Amendment No. 7, by Representative(s) Kefalas.

47

48 Amend reengrossed bill, page 9, line 7, strike "GENERAL" and substitute
49 "DETAILED";

50

51 line 8, strike "ARRANGEMENTS;" and substitute "ARRANGEMENTS AND
52 COPIES OF ANY RELEVANT AGREEMENTS THAT MAY ALREADY BE IN
53 PLACE;".

54

55 Page 15, after line 8, insert the following:

56

1 "(5) THE BOARD OF DIRECTORS OF A REGIONAL TOURISM
2 AUTHORITY SHALL BE SUBJECT TO THE PROVISIONS OF THE "COLORADO
3 OPEN RECORDS ACT", ARTICLE 72 OF THIS TITLE, AND THE "COLORADO
4 SUNSHINE ACT OF 1972", ARTICLE 6 OF THIS TITLE."

5
6 Amendment No. 8, by Representative(s) Rice.

7
8 Amend, Amendment No. 7, by Representative Kefalas, House Journal,
9 page 1565, strike lines 48 through 53;
10
11 line 55, strike "Page" and substitute "Amend reengrossed bill, page".

12
13 Amendment No. 9, by Representative(s) Hullinghorst.

14
15 Amend reengrossed bill, page 26, strike lines 26 and 27.

16
17 Page 27, strike lines 1 through 4 and substitute the following:

18
19 "AUTHORIZATION TO RECEIVE STATE SALES TAX INCREMENT REVENUE
20 PURSUANT TO PART 3 OF ARTICLE 46 OF TITLE 24, C.R.S., SHALL NOT BE
21 CONSIDERED A";

22
23 line 5, after " AND", insert "CORRESPONDING CHANGES TO THE PLAN";

24
25 line 6, after "AUTHORITY", insert "TO INCORPORATE THE USE OF STATE
26 SALES TAX INCREMENT REVENUE".

27
28 Page 28, line 13, strike "ANY MODIFICATION OR";

29
30 strike lines 14 through 19 and substitute the following:

31
32 "AUTHORIZATION TO RECEIVE STATE SALES TAX INCREMENT REVENUE
33 PURSUANT TO PART 3 OF ARTICLE 46 OF TITLE 24, C.R.S., SHALL NOT BE
34 CONSIDERED A MATERIAL";

35
36 line 20, after "AND", insert "CORRESPONDING CHANGES TO THE PLAN",
37 and, after "BODY", insert "TO INCORPORATE THE USE OF STATE SALES TAX
38 INCREMENT REVENUE".

39
40 As amended, ordered revised and placed on the Calendar for Third
41 Reading and Final Passage.

42
43 **SB09-021** by Senator(s) Kopp, Gibbs, Penry, Schwartz; also
44 Representative(s) Scanlan and Levy, King, Lundberg--
45 Concerning incentives for volunteer firefighters.

46
47 Amendment No. 1, Judiciary Report, dated April 27, 2009, and placed in
48 member's bill file; Report also printed in House Journal, April 28,
49 page 1550.

50
51 As amended, ordered revised and placed on the Calendar for Third
52 Reading and Final Passage.

53
54 **SB09-093** by Senator(s) Williams, Heath, King K.; also
55 Representative(s) Marostica, Middleton, Rice, Roberts--
56 Concerning identity theft.

1 Amendment No. 1, Judiciary Report, dated April 27, 2009, and placed in
2 member's bill file; Report also printed in House Journal, April 28,
3 page 1550.

4
5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **SB09-135** by Senator(s) Penry; also Representative(s) Miklosi--
9 Concerning information collection regarding parole
10 decisions.

11
12 Amendment No. 1, Judiciary Report, dated April 27, 2009, and placed in
13 member's bill file; Report also printed in House Journal, April 28,
14 page 1554.

15
16 As amended, ordered revised and placed on the Calendar for Third
17 Reading and Final Passage.

18
19 **SB09-226** by Senator(s) Sandoval; also Representative(s) Gagliardi--
20 Concerning policies for the management of food allergies
21 among school children, and making an appropriation in
22 connection therewith.

23
24 Laid over until April 29, retaining place on Calendar.

25
26 **SB09-257** by Senator(s) Schwartz, Heath, Mitchell; also
27 Representative(s) Fischer and Vigil, McFadyen, Rice,
28 Solano--Concerning amendments to the "Building
29 Excellent Schools Today Act" that will allow more
30 efficient implementation of the act without reducing its
31 funding or restricting existing lease-purchase agreement
32 authorization.

33
34 Amendment No. 1, Education Report, dated April 27, 2009, and placed
35 in member's bill file; Report also printed in House Journal, April 27,
36 page 1510-1514.

37
38 As amended, ordered revised and placed on the Calendar for Third
39 Reading and Final Passage.

40
41 **HB09-1366** by Representative(s) Pommer; also Senator(s) Romer--
42 Concerning the elimination of the state income tax
43 modification for qualifying Colorado capital gains.

44
45 Laid over until April 29, retaining place on Calendar.

46
47 **HCR09-1003** by Representative(s) Lambert; also Senator(s) King K.--
48 Submitting to the registered electors of the state of
49 Colorado an amendment to section 2 of article XVIII of
50 the constitution of the state of Colorado, concerning the
51 regulation of games of chance by an authority specified by
52 the general assembly.

53
54 Amendment No. 1, by Representative(s) Lambert.

55
56 Amend printed concurrent resolution, page 2, strike lines 22 through 24.

1 Page 3, strike lines 1 through 3 and substitute the following:
2 "operates without profit to its members. ~~and which has~~ THE GENERAL
3 ASSEMBLY MAY PROVIDE BY LAW A MINIMUM PERIOD OF TIME FOR WHICH
4 A CORPORATION OR ORGANIZATION SHALL HAVE EXISTED CONTINUOUSLY
5 AND HAD A DUES-PAYING MEMBERSHIP IN ORDER TO QUALIFY FOR A
6 LICENSE. THE GENERAL ASSEMBLY MAY ALSO PROVIDE BY LAW FOR THE
7 PERIOD OF TIME DURING WHICH A LICENSE SHALL BE IN EFFECT. UNTIL
8 SUCH TIME AS THE GENERAL ASSEMBLY PROVIDES SUCH MINIMUM PERIODS
9 OF TIME, IN ORDER TO BE ELIGIBLE FOR LICENSURE, A CORPORATION OR
10 ORGANIZATION SHALL HAVE been in existence continuously for a period
11 of five years immediately prior to the making of said application for such
12 license and has had during the entire five-year period a dues-paying
13 membership engaged in carrying out the objects of said corporation or
14 organization, such license to expire at the end of each calendar year in
15 which it was issued."

16
17 As amended, ordered engrossed and placed on the Calendar for Third
18 Reading and Final Passage.

19
20 **SB09-003** by Senator(s) Bacon; also Representative(s) Fischer--
21 Concerning the automobile inspection and readjustment
22 program, and, in connection therewith, expanding the
23 enhanced emissions program to Weld and Larimer
24 counties, modifying the geographical boundaries of the
25 program area, altering criteria used to determine which
26 collector's items are excluded from the emissions testing
27 process, and making an appropriation.

28
29 Amendment No. 1, Transportation & Energy Report, dated
30 April 21, 2009, and placed in member's bill file; Report also printed in
31 House Journal, April 22, pages 1331-1332.

32
33 Amendment No. 2, Appropriations Report, dated April 28, 2009, and
34 placed in member's bill file; Report also printed in House Journal,
35 April 28, pages 1542-1543.

36
37 Amendment No. 3, by Representative(s) Fischer.

38
39 Amend the Appropriations Committee Report, dated April 28, 2009, page
40 1, strike lines 2 and 3 and substitute the following:

41
42 "2009, page 1, strike lines 1 through 10;

43
44 line 11, before "line", insert "Amend reengrossed bill, page 7, ".".

45
46 As amended, ordered revised and placed on the Calendar for Third
47 Reading and Final Passage.

48
49 **SB09-234** by Senator(s) Mitchell and Heath, Scheffel, Schwartz; also
50 Representative(s) Rice, Liston, McFadyen, Solano--
51 Concerning direction to the economic development
52 commission to develop recommendations for the general
53 assembly regarding enterprise zones.

54
55 Ordered revised and placed on the Calendar for Third Reading and Final
56 Passage.

1 **HB09-1321** by Representative(s) Levy, Carroll T., Green, Benefield,
2 Court, Ferrandino, Hullinghorst, Kerr A., Looper,
3 McCann, McFadyen, McGihon, McKinley, Merrifield,
4 Miklosi, Pace, Pommer, Ryden, Scanlan, Todd, Vigil,
5 Weissmann; also Senator(s) Carroll M., Bacon, Boyd,
6 Foster, Heath, Morse, Romer--Concerning the placement
7 of a juvenile who is awaiting trial in district court.
8

9 Amendment No. 1, Appropriations Report, dated April 28, 2009, and
10 placed in member's bill file; Report also printed in House Journal,
11 April 28, pages 1535-1536.
12

13 Amendment No. 2, by Representative(s) Levy.
14

15 Amend the Appropriations Committee Report, dated April 28, 2009, page
16 1, strike lines 3 through 21 and substitute the following:
17

18 ""**SECTION 1.** 19-2-508 (4), Colorado Revised Statutes, is
19 amended to read:
20

21 **19-2-508. Detention and shelter - hearing - time limits -**
22 **findings - review - confinement with adult offenders - restrictions -**
23 **repeal.** (4) (a) ~~No~~ A jail shall NOT receive a juvenile for detention
24 following a detention hearing pursuant to this section unless the juvenile
25 has been ordered by the court to be held for criminal proceedings as an
26 adult pursuant to a transfer or unless the juvenile is to be held for criminal
27 proceedings as an adult pursuant to a direct filing. ~~No~~ A juvenile under
28 the age of fourteen and, except upon order of the court, ~~no~~ A juvenile
29 fourteen years of age or older shall NOT be detained in a jail, lockup, or
30 other place used for the confinement of adult offenders. The exception
31 for detention in a jail shall be used only if the juvenile is being held for
32 criminal proceedings as an adult pursuant to a direct filing or transfer AND
33 THE DISTRICT ATTORNEY HAS DETERMINED THAT JAIL IS THE APPROPRIATE
34 PLACE OF CONFINEMENT PURSUANT TO THE FACTORS SET FORTH IN THIS
35 PARAGRAPH (a). IN DETERMINING WHETHER JAIL IS THE APPROPRIATE
36 PLACE OF CONFINEMENT, THE DISTRICT ATTORNEY SHALL CONSIDER THE
37 FOLLOWING FACTORS:
38

39 (I) THE AGE OF THE JUVENILE;
40

41 (II) THE NATURE, SERIOUSNESS, AND CIRCUMSTANCES OF THE
42 ALLEGED OFFENSE;
43

44 (III) THE JUVENILE'S HISTORY OF PRIOR DELINQUENT OR CRIMINAL
45 ACTS;
46

47 (IV) WHETHER DETENTION IN A JUVENILE FACILITY WILL
48 ADEQUATELY SERVE THE NEED FOR COMMUNITY PROTECTION PENDING
49 THE OUTCOME OF THE CRIMINAL PROCEEDINGS;
50

51 (V) WHETHER DETENTION IN A JUVENILE FACILITY WILL
52 NEGATIVELY IMPACT THE FUNCTIONING OF THE JUVENILE FACILITY BY
53 COMPROMISING THE GOALS OF DETENTION TO MAINTAIN A SAFE, POSITIVE,
54 AND SECURE ENVIRONMENT FOR ALL JUVENILES WITHIN THE FACILITY;
55

56 (VI) THE RELATIVE ABILITY OF THE AVAILABLE ADULT AND

1 JUVENILE DETENTION FACILITIES TO MEET THE NEEDS OF THE JUVENILE
2 AND PROTECT THE PUBLIC;

3

4 (VII) WHETHER THE JUVENILE PRESENTS AN IMMINENT RISK OF
5 HARM TO HIMSELF OR HERSELF OR OTHERS WITHIN A JUVENILE FACILITY;

6

7 (VIII) THE PHYSICAL MATURITY OF THE JUVENILE;

8

9 (IX) THE CURRENT MENTAL STATE OR MATURITY OF THE JUVENILE
10 AS EVIDENCED BY RELEVANT MENTAL HEALTH OR PSYCHOLOGICAL
11 ASSESSMENTS OR SCREENINGS THAT ARE MADE AVAILABLE TO BOTH THE
12 DISTRICT ATTORNEY AND DEFENSE COUNSEL; AND

13

14 (X) ANY OTHER RELEVANT FACTORS.

15

16 (b) AT ANY STAGE OF THE PROCEEDINGS, THE DISTRICT ATTORNEY
17 MAY, AFTER FURTHER CONSIDERATION OF THE FACTORS SET FORTH IN
18 PARAGRAPH (a) OF THIS SUBSECTION (4), AGREE TO CHANGE THE PLACE OF
19 CONFINEMENT FROM JAIL TO A JUVENILE FACILITY.

20

21 ~~(b)~~ (c) Whenever a juvenile is held pursuant to a direct filing or
22 transfer in a facility where adults are held, the juvenile shall be physically
23 segregated from the adult offenders.

24

25 ~~(c)~~ (d) The official in charge of a jail or other facility for the
26 detention of adult offenders shall immediately inform the court that has
27 jurisdiction of the juvenile's alleged offense when a juvenile who is or
28 appears to be under eighteen years of age is received at the facility, except
29 for a juvenile ordered by the court to be held for criminal proceedings as
30 an adult.

31

32 ~~(d)~~ (e) (I) Any juvenile arrested and detained for an alleged
33 violation of any article of title 42, C.R.S., or for any alleged violation of
34 a municipal or county ordinance, and not released on bond, shall be taken
35 before a judge with jurisdiction of such violation within forty-eight hours
36 for the fixing of bail and conditions of bond pursuant to subparagraph
37 (IV) of paragraph (a) of subsection (3) of this section. A juvenile may be
38 detained in a jail, lockup, or other place used for the confinement of adult
39 offenders only for processing for no longer than six hours and during
40 such time shall be placed in a setting that is physically segregated by sight
41 and sound from the adult offenders, and in no case may the juvenile be
42 detained in such place overnight. After six hours, the juvenile may be
43 further detained only in a juvenile detention facility operated by or under
44 contract with the department of human services. In calculating time
45 under this subsection (4), Saturdays, Sundays, and legal holidays shall be
46 included.

47

48 (II) A sheriff or police chief who violates the provisions of
49 subparagraph (I) of this ~~paragraph (d)~~ PARAGRAPH (e) may be subject to
50 a civil fine of no more than one thousand dollars. The decision to fine
51 shall be based on prior violations of the provisions of subparagraph (I) of
52 this ~~paragraph (d)~~ PARAGRAPH (e) by the sheriff or police chief and the
53 willingness of the sheriff or police chief to address the violations in order
54 to comply with subparagraph (I) of this ~~paragraph (d)~~ PARAGRAPH (e).

55

1 (e) (f) The official in charge of a jail, lockup, or other facility for
2 the confinement of adult offenders that receives a juvenile for detention
3 should, wherever possible, take such measures as are reasonably
4 necessary to restrict the confinement of any such juvenile with known
5 past or current affiliations or associations with any gang so as to prevent
6 contact with other inmates at such jail, lockup, or other facility. The
7 official should, wherever possible, also take such measures as are
8 reasonably necessary to prevent recruitment of new gang members from
9 among the general inmate population. For purposes of this paragraph (e)
10 PARAGRAPH (f), "gang" is defined in section 19-1-103 (52).

11
12 (f) (g) Any person who is eighteen years of age or older who is
13 being detained for a delinquent act or criminal charge over which the
14 juvenile court has jurisdiction shall be detained in the county jail in the
15 same manner as if such person is charged as an adult.

16
17 (g) (h) A juvenile court shall not order a juvenile offender who is
18 under eighteen years of age at the time of sentencing to enter a secure
19 setting or secure section of an adult jail or lockup as a disposition for an
20 offense or as a means of modifying the juvenile offender's behavior.

21
22 **SECTION 2.** 19-2-503 (1), Colorado Revised Statutes, is
23 amended to read:

24
25 **19-2-503. Issuance of a lawful warrant taking a juvenile into**
26 **custody.** (1) A lawful warrant taking a juvenile into custody may be
27 issued pursuant to this section by any judge of a court of record or by a
28 juvenile magistrate upon receipt of an affidavit relating facts sufficient to
29 establish probable cause to believe that a delinquent act has been
30 committed and probable cause to believe that a particular juvenile
31 committed that act. Upon receipt of such affidavit, the judge or
32 magistrate shall issue a lawful warrant commanding any peace officer to
33 take the juvenile named in the affidavit into custody and to take him or
34 her without unnecessary delay before the nearest judge of the juvenile
35 court or magistrate as provided in ~~section 19-2-508 (4) (d)~~ SECTION
36 19-2-508 (4) (e).

37
38 **SECTION 3.** 42-4-1706 (2) (a), Colorado Revised Statutes, is
39 amended to read:

40
41 **42-4-1706. Juveniles - convicted - arrested and incarcerated**
42 **- provisions for confinement.** (2) (a) Notwithstanding any other
43 provision of law, a child, as defined in section 19-1-103 (18), C.R.S.,
44 arrested and incarcerated for an alleged misdemeanor traffic offense
45 under this article, and not released on bond, shall be taken before a county
46 judge who has jurisdiction of such offense within forty-eight hours for
47 fixing of bail and conditions of bond pursuant to ~~section 19-2-508 (4) (d)~~
48 SECTION 19-2-508 (4) (e), C.R.S. Such child shall not be confined in a
49 jail, lockup, or other place used for the confinement of adult offenders for
50 longer than seventy-two hours, after which the child may be further
51 detained only in a juvenile detention facility operated by or under contract
52 with the department of human services. In calculating time under this
53 subsection (2), Saturdays, Sundays, and court holidays shall be included."
54
55

1 Page 2 of the committee report, strike lines 1 through 23.

2

3 Renumber succeeding section of the committee report accordingly.

4

5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7

8

9

10 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

11

12 Representative(s) Merrifield and Carroll T. moved to amend the Report
13 of the Committee of the Whole to reverse the action taken by the
14 Committee in referring HB09-1356 to the Education Committee, to show
15 that **HB09-1356** was laid over unamended to Wednesday, April 29, 2009.

16

17 The amendment was declared **passed** by the following roll call vote:

18

19

	YES	63	NO	0	EXCUSED	2	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	E	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	E
36							Speaker	Y

37

38 Representative(s) Gardner C. moved to amend the Report of the
39 Committee of the Whole to reverse the action taken by the Committee in
40 not adopting the following Gardner C. amendment, to HB09-1331, to
41 show that said amendment passed, and that **HB09-1331**, as amended,
42 passed.

43

44 Amend printed bill, page 18, after line 13, insert the following:

45

46 **"SECTION 5.** Part 7 of article 26 of title 39, Colorado Revised
47 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
48 read:

49

50 **39-26-726. Fuel-efficient vehicles - definitions - repeal.**

51

52 (1) FOR FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2009, BUT
53 PRIOR TO JULY 1, 2014, ALL SALES, LEASES, STORAGE, AND USES OF NEW
54 OR USED FUEL-EFFICIENT VEHICLES SHALL BE EXEMPT FROM TAXATION
55 UNDER THE PROVISIONS OF PARTS 1 AND 2 OF THIS ARTICLE.

56

(2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE

1 REQUIRES:
2

3 (a) "NEW FUEL-EFFICIENT VEHICLE" MEANS A 2009 MODEL OR
4 NEWER VEHICLE WITH A FUEL ECONOMY ESTIMATE OF FORTY HIGHWAY
5 MILES PER GALLON OR GREATER AS ESTABLISHED IN REGULATIONS OF THE
6 FEDERAL ENVIRONMENTAL PROTECTION AGENCY.
7

8 (b) "USED FUEL-EFFICIENT VEHICLE" MEANS A 2008 MODEL OR
9 OLDER VEHICLE WITH A FUEL ECONOMY ESTIMATE OF FORTY HIGHWAY
10 MILES PER GALLON OR GREATER AS ESTABLISHED IN REGULATIONS OF THE
11 FEDERAL ENVIRONMENTAL PROTECTION AGENCY, IF:
12

13 (I) THE OWNER OF THE VEHICLE OBTAINS FROM A LICENSED
14 DEALER FOR THAT PARTICULAR MAKE A DOCUMENT THAT CERTIFIES
15 UNDER PENALTY OF PERJURY THAT THE VEHICLE IS EQUIPPED WITH
16 ORIGINAL PARTS; AND
17

18 (II) THE OWNER OF THE VEHICLE OBTAINS A VALID CERTIFICATION
19 OF EMISSIONS CONTROL AS SPECIFIED IN PART 3 OR 4 OF ARTICLE 4 OF
20 TITLE 42, C.R.S., AS APPLICABLE.
21

22 (3) IF THE REVENUE ESTIMATE PREPARED BY THE STAFF OF THE
23 LEGISLATIVE COUNCIL IN JUNE 2009 AND EACH JUNE THEREAFTER
24 INDICATES THAT THE AMOUNT OF THE TOTAL GENERAL FUND REVENUES
25 FOR THAT PARTICULAR FISCAL YEAR WILL NOT BE SUFFICIENT TO MAINTAIN
26 THE LIMIT ON APPROPRIATIONS SPECIFIED IN SECTION 24-75-201.1 (1),
27 C.R.S., THEN THE EXEMPTION AUTHORIZED IN THIS SECTION SHALL NOT BE
28 ALLOWED FOR THE CALENDAR YEAR IN WHICH THE FORECAST IS PREPARED.
29

30 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2015."
31

32 Renumber succeeding sections accordingly.
33

34 The amendment was declared **lost** by the following roll call vote:
35

	YES	30	NO	33	EXCUSED	2	ABSENT	0
37	Acree	Y	Green	N	McCann	N	Roberts	Y
38	Apuan	N	Hullingerhorst	N	McFadyen	Y	Ryden	N
39	Balmer	Y	Judd	N	McKinley	Y	Scanlan	N
40	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
41	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
42	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
43	Casso	N	Kerr J.	Y	Miklosi	N	Soper	N
44	Court	N	King S.	Y	Murray	E	Stephens	Y
45	Curry	N	Labuda	N	Nikkel	Y	Summers	Y
46	Ferrandino	N	Lambert	Y	Pace	Y	Swalm	Y
47	Fischer	N	Levy	N	Peniston	N	Tipton	Y
48	Frangas	Y	Liston	Y	Pommer	N	Todd	N
49	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
50	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
51	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
52	Gerou	Y	May	Y	Riesberg	N	Weissmann	E
53							Speaker	N

54
55 Representative(s) Lambert moved to amend the Report of the Committee
56 of the Whole to reverse the action taken by the Committee in not adopting

1 the following Lambert amendment, to HB09-1342, to show that said
2 amendment passed, and that **HB09-1342**, as amended, passed.

3
4 Amend printed bill, page 10, line 27, strike "July 1, 2009," and substitute
5 "January 1, 2010,".

6
7 Strike page 11 and substitute the following:

8
9 **"SECTION 17. Refer to people under referendum.** This act
10 shall be submitted to a vote of the registered electors of the state of
11 Colorado at the November 2009 election, for their approval or rejection,
12 under the provisions of the referendum as provided for in section 1 of
13 article V and section 20 of article X of the state constitution, and in article
14 40 of title 1, Colorado Revised Statutes. Each elector voting at said
15 election and desirous of voting for or against said act shall cast a vote as
16 provided by law either "Yes" or "No" on the proposition: "SHALL STATE
17 TAXES BE INCREASED BY THIRTY ONE MILLION DOLLARS ANNUALLY BY AN
18 AMENDMENT TO THE COLORADO REVISED STATUTES CONCERNING THE
19 ELIMINATION OF THE STATE SALES AND USE TAX EXEMPTION FOR
20 CIGARETTES?" The votes cast for the adoption or rejection of said act
21 shall be canvassed and the result determined in the manner provided by
22 law for the canvassing of votes for representatives in Congress.".

23
24 The amendment was declared **lost** by the following roll call vote:

	YES	26	NO	37	EXCUSED	2	ABSENT	0
27	Acree	Y	Green	N	McCann	N	Roberts	Y
28	Apuan	N	Hullingerhorst	N	McFadyen	N	Ryden	N
29	Balmer	Y	Judd	N	McKinley	N	Scanlan	N
30	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
31	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
32	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
33	Casso	N	Kerr J.	Y	Miklosi	N	Soper	N
34	Court	N	King S.	Y	Murray	E	Stephens	Y
35	Curry	N	Labuda	N	Nikkel	Y	Summers	Y
36	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
37	Fischer	N	Levy	N	Peniston	N	Tipton	Y
38	Frangas	N	Liston	Y	Pommer	N	Todd	N
39	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
40	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
41	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
42	Gerou	Y	May	Y	Riesberg	N	Weissmann	E
43							Speaker	N

44
45 Representative(s) Gagliardi moved to amend the Report of the Committee
46 of the Whole to reverse the action taken by the Committee in not adopting
47 the following Gagliardi amendment, to SB09-173, to show that said
48 amendment passed, and that **SB09-173**, as amended, passed.

49
50 Amend printed bill, page 5, strike lines 26 and 27 and substitute the
51 following:

52
53 "PURSUANT TO TITLE 32, C.R.S., OR ANY".

54
55 Page 13, line 14, strike "OR";

56

- 1 line 15, strike "URBAN RENEWAL AUTHORITY";
 2
 3 line 20, strike "OR URBAN RENEWAL AUTHORITY".
 4
 5 Page 17, line 23, strike "DISTRICT OR AN" and substitute "DISTRICT,";
 6
 7 line 24, strike "URBAN RENEWAL AUTHORITY,";
 8
 9 line 26, strike "OR URBAN RENEWAL";
 10
 11 line 27, strike "AUTHORITY".
 12
 13 Page 26, strike lines 8 through 27.
 14
 15 Page 27, strike lines 1 through 16.
 16
 17 Renumber succeeding sections accordingly.

18
 19 The amendment was declared **lost** by the following roll call vote:

	YES	20	NO	43	EXCUSED	2	ABSENT	0
22	Acree	N	Green	Y	McCann	N	Roberts	N
23	Apuan	N	Hullinghorst	Y	McFadyen	N	Ryden	N
24	Balmer	N	Judd	N	McKinley	Y	Scanlan	N
25	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	N
26	Benefield	N	Kefalas	Y	Merrifield	Y	Solano	Y
27	Bradford	N	Kerr A.	N	Middleton	N	Sonnenberg	Y
28	Casso	N	Kerr J.	N	Miklosi	N	Soper	N
29	Court	N	King S.	Y	Murray	E	Stephens	N
30	Curry	N	Labuda	Y	Nikkel	N	Summers	N
31	Ferrandino	Y	Lambert	N	Pace	N	Swalm	N
32	Fischer	Y	Levy	Y	Peniston	N	Tipton	N
33	Frangas	Y	Liston	N	Pommer	Y	Todd	N
34	Gagliardi	Y	Looper	Y	Primavera	N	Vaad	Y
35	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
36	Gardner C.	N	Massey	N	Rice	N	Waller	N
37	Gerou	N	May	N	Riesberg	Y	Weissmann	E
38							Speaker	N

39
 40 Representative(s) Pommer moved to amend the Report of the Committee
 41 of the Whole to reverse the action taken by the Committee in adopting
 42 SB09-173 to show that **SB09-173** lost.

43
 44 The amendment was declared **lost** by the following roll call vote:

	YES	18	NO	45	EXCUSED	2	ABSENT	0
47	Acree	N	Green	Y	McCann	N	Roberts	N
48	Apuan	N	Hullinghorst	Y	McFadyen	N	Ryden	N
49	Balmer	N	Judd	Y	McKinley	N	Scanlan	N
50	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	N
51	Benefield	Y	Kefalas	N	Merrifield	Y	Solano	Y
52	Bradford	N	Kerr A.	N	Middleton	N	Sonnenberg	Y
53	Casso	N	Kerr J.	N	Miklosi	N	Soper	N
54	Court	N	King S.	N	Murray	E	Stephens	N
55	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
56	Ferrandino	Y	Lambert	N	Pace	N	Swalm	N

1	Fischer	Y	Levy	Y	Peniston	N	Tipton	N
2	Frangas	N	Liston	N	Pommer	Y	Todd	N
3	Gagliardi	Y	Looper	Y	Primavera	N	Vaad	Y
4	Gardner B.	N	Marostica	N	Priola	N	Vigil	N
5	Gardner C.	N	Massey	N	Rice	N	Waller	N
6	Gerou	N	May	N	Riesberg	Y	Weissmann	E
7							Speaker	N

8
9 Representative(s) Vaad, Sonnenberg, Looper, McNulty, and Gardner C.
10 moved to amend the Report of the Committee of the Whole to reverse the
11 action taken by the Committee in adopting Amendment No. 3 by
12 Representative Fischer, (printed in House Journal page 1568, lines 37-44)
13 to SB09-003, to show that said amendment lost, and that **SB09-003**, as
14 amended, passed.

15
16 The amendment was declared **lost** by the following roll call vote:

17	YES	28	NO	35	EXCUSED	2	ABSENT	0
18								
19	Acree	Y	Green	N	McCann	N	Roberts	Y
20	Apuan	N	Hullinghorst	N	McFadyen	Y	Ryden	N
21	Balmer	Y	Judd	N	McKinley	Y	Scanlan	N
22	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
23	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
24	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
25	Casso	N	Kerr J.	Y	Miklosi	N	Soper	N
26	Court	N	King S.	Y	Murray	E	Stephens	Y
27	Curry	N	Labuda	N	Nikkel	Y	Summers	Y
28	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
29	Fischer	N	Levy	N	Peniston	N	Tipton	Y
30	Frangas	N	Liston	Y	Pommer	N	Todd	N
31	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
32	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
33	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
34	Gerou	Y	May	Y	Riesberg	N	Weissmann	E
35							Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

41
42 Passed Second Reading: **HB09-1126 amended, 1331 amended, 1342**
43 **amended, 1347 amended, 1353, SB09-121, 239 amended, 089,**
44 **HB09-1351 amended, 1352 amended, SB09-173 amended, 021**
45 **amended, 093 amended, 135 amended, 257 amended, HCR09-1003**
46 **amended, SB09-003 amended, 234, HB09-1321 amended.**

47
48 Laid over until date indicated retaining place on Calendar: **HB09-1269,**
49 **1323, 1356, 1361 amended, SB09-226, HB09-1366--April 29, 2009.**

50
51 The Chairman moved the adoption of the Committee of the Whole
52 Report. As shown by the following roll call vote, a majority of those
53 elected to the House voted in the affirmative, and the Report was
54 **adopted.**

55

	YES	63	NO	0	EXCUSED	2	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	E	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	Y	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	E
18							Speaker	Y

MEMORANDUM
REPORT FROM THE HOUSE AND SENATE
COMMITTEES ON DELAYED BILLS

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadline for Senate Bill 09-256, Concerning the Financing of Public Schools:

The Friday, March 13 deadline (the 66th legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, as extended until Friday, March 27, 2009 (the 80th legislative day), Friday, April 10, 2009 (the 94th legislative day), Friday, April 17, 2009 (the 101st legislative day), Monday, April 27, 2009 (the 111th legislative day), and Tuesday, April 28th, 2009 (the 112th legislative day), is further extended until Wednesday, May 6th (the 120th legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

Representative Terrance D. Carroll
Representative Andy Kerr
Representative Mike May

Senator Peter Groff
Senator Brandon Shaffer
Senator Josh Penry

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on SB09-271

This Report Amends the Rerevised Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on SB09-271,

1 concerning the use of tobacco revenues generated under section 21 of
 2 article X of the state constitution in a state fiscal emergency, and making
 3 an appropriation therefor, has met and reports that it has agreed upon the
 4 following:

5
 6 That the Senate accede to the House amendments made to the bill,
 7 as the amendments appear in the rerevised bill, with the following
 8 changes:

9
 10 Amend rerevised bill, page 5, line 11, strike "thirty-five million dollars
 11 (\$35,000,000)." and substitute "twenty-seven million four hundred
 12 thousand dollars (\$27,400,000).";

13
 14 line 12, strike "thirty-five million" and substitute "twenty-seven million
 15 four hundred thousand";

16
 17 line 13, strike "(\$35,000,000)." and substitute "(\$27,400,000).";

18
 19 line 18, strike "fifteen million dollars (\$15,000,000)" and substitute
 20 "seven million four hundred thousand dollars (\$7,400,000).";

21
 22 line 22, strike "fifteen million (\$15,000,000)." and substitute "seven
 23 million four hundred thousand dollars (\$7,400,000).";

24
 25 line 24, strike "C.R.S." and substitute "Colorado Revised Statutes.".

26
 27 Respectfully submitted,

28 Senate Committee:

29 (signed)

30 Abel Tapia

31 Moe Keller

House Committee:

(signed)

Mark Ferrandino

Jack Pommer

Don Marostica

32
 33
 34
 35
 36
 37
 38 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

39
 40 **STATE, VETERANS, & MILITARY AFFAIRS**

41 After consideration on the merits, the Committee recommends the
 42 following:

43
 44 **HB09-1357** be referred favorably to the Committee on Appropriations.

45
 46
 47 **HB09-1368** be amended as follows, and as so amended, be referred to
 48 the Committee of the Whole with favorable
 49 recommendation:

50
 51 Amend printed bill, page 2, line 22, after "DISTRIBUTING", insert "GRANTS
 52 OR".

53
 54
 55

1 **SB09-180** be amended as follows, and as so amended, be referred to
 2 the Committee of the Whole with favorable
 3 recommendation:
 4

5 Amend reengrossed bill, page 4, after line 12, insert the following:
 6

7 "(e) COLLECTIVE BARGAINING FOR FIREFIGHTERS IS A MATTER OF
 8 STATEWIDE CONCERN THAT AFFECTS THE PUBLIC SAFETY AND GENERAL
 9 WELFARE, AS THE COLORADO SUPREME COURT HELD IN THE CASES OF
 10 *FRATERNAL ORDER OF POLICE V. CITY OF COMMERCE CITY*, 996 P.2d 133
 11 (COLO. 2000) AND *CITY OF AURORA V. AURORA FIREFIGHTERS' PROTECTIVE*
 12 *ASSOCIATION*, 193 COLO. 437, 566 P.2d 1356 (1977). THE CITIZENS OF
 13 COLORADO HAVE THE RIGHT TO EXPECT A CONSISTENTLY HIGH LEVEL OF
 14 PUBLIC SAFETY THROUGHOUT THE STATE. CONSISTENTLY HIGH LEVELS OF
 15 PUBLIC SAFETY THROUGHOUT THE STATE ALLOW THE ECONOMY OF
 16 COLORADO TO GROW AND PROSPER."
 17

18 Page 17, line 7, strike "APPLY." and substitute "APPLY; EXCEPT THAT ANY
 19 CHARTER, ORDINANCE, RESOLUTION, OR VOLUNTARY RECOGNITION
 20 CREATED AFTER MAY 1, 2009, SHALL PROVIDE FOR COLLECTIVE
 21 BARGAINING OVER COMPENSATION, HOURS, AND TERMS AND CONDITIONS
 22 OF EMPLOYMENT AND FOR AN IMPASSE RESOLUTION PROCEDURE THAT HAS
 23 A VOTE OF THE CITIZENS OF ITS JURISDICTION OR BINDING INTEREST
 24 ARBITRATION AS ITS FINAL STEP, IN ORDER FOR THIS PART 2 TO NOT APPLY.
 25 FOR THE PURPOSES OF THIS SUBSECTION (3), "COLLECTIVE BARGAINING"
 26 AND "COMPENSATION" SHALL INCLUDE ALL OF THE TERMS INCLUDED IN
 27 THE DEFINITIONS IN SECTION 29-5-203 (3) AND (5)."
 28

29 Page 18, line 11, strike "**twenty-five**" and substitute "**fifty**".
 30
 31

32 33 DELIVERY OF BILLS TO GOVERNOR

34
 35 The Chief Clerk of the House of Representatives reports the following
 36 bills have been delivered to the Office of the Governor: **HB09-1058,**
 37 **1240** at 12:00 p.m. on April 28, 2009.
 38
 39

40 41 MESSAGE(S) FROM THE SENATE

42
 43 The Senate has passed on Third Reading and transmitted to the Revisor
 44 of Statutes: SB09-291.
 45

46 The Senate has passed on Third Reading and returns herewith:
 47

48 HB09-1305, HB09-1076, HB09-1100, HB09-1136, HB09-1244,
 49 HB09-1275, HB09-1318, HB09-1322.
 50

51 The Senate has passed on Third Reading and transmitted to the Revisor
 52 of Statutes:

53 SB09-253 amended as printed in Senate Journal, April 27, 2009,
 54 page 1291,

55 SB09-232 amended as printed in Senate Journal, April 27, 2009,
 56 pages 1301-1303,

1 SB09-285 amended as printed in Senate Journal, April 27, 2009,
2 pages 1305-1306,
3 SB09-294 amended as printed in Senate Journal, April 27, 2009,
4 page 1306,
5 SB09-293 amended as printed in Senate Journal, April 27, 2009,
6 pages 1306-1307.
7

8 The Senate has passed on Third Reading and transmitted to the Revisor
9 of Statutes:

10
11 HB09-1303 amended as printed in Senate Journal, April 27, 2009,
12 pages 1291-1292,
13 HB09-1026 amended as printed in Senate Journal, April 27, 2009,
14 pages 1293-1299, and amended on Third Reading as
15 printed in Senate Journal April 28, 2009,
16 HB09-1170 amended as printed in Senate Journal, April 27, 2009,
17 page 1299,
18 HB09-1015 amended as printed in Senate Journal, April 27, 2009,
19 pages 1299-1300,
20 HB09-1316 amended as printed in Senate Journal, April 27, 2009,
21 page 1300,
22 HB09-1056 amended as printed in Senate Journal, April 27, 2009,
23 page 1300,
24 HB09-1085 amended as printed in Senate Journal, April 27, 2009,
25 pages 1300-1301,
26 HB09-1250 amended as printed in Senate Journal, April 27, 2009,
27 pages 1292-1293, and amended on Third Reading as
28 printed in Senate Journal, April 28, 2009.
29

30
31 The Senate voted to concur in House amendments to SB09-037, and
32 SB09-075 and repassed the bills as so amended.
33

34 Upon reconsideration, the Senate voted not to concur in House
35 Amendments to SB09-281, and requests that a Conference Committee be
36 appointed. The President appointed Senators Shaffer, Chair, Hodge, and
37 Kopp as members of the First Conference Committee on SB09-281 on
38 the part of the Senate. The bill is transmitted herewith.
39

40
41
42
43 **MESSAGE(S) FROM THE REVISOR**
44

45 We herewith transmit:
46 Without comment, SB09-291.
47 Without comment, as amended, HB09-1303, 1026, 1170, 1015, 1316,
48 1056, 1085, and 1250.
49 Without comment, as amended, SB09-253, 232, 285, 294, and 293.
50

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INTRODUCTION OF BILLS
First Reading

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The following bills were read by title and referred to the committees indicated:

SB09-232 by Senator(s) Schwartz, Heath, Mitchell; also Representative(s) McFadyen, Rice, Solano--Concerning state financial assistance to finance local government capital construction projects.

Committee on Local Government

SB09-244 by Senator(s) Shaffer B.; also Representative(s) Primavera--Concerning health insurance benefits for the treatment of autism spectrum disorders.

Committee on Business Affairs and Labor

SB09-285 by Senator(s) Heath, Mitchell, Schwartz, Foster, Gibbs, Groff, Isgar, King K., Newell, Romer, Spence, Tapia, Veiga, White, Williams; also Representative(s) Summers and Solano, McFadyen, Rice--Concerning the inclusion of career and technical education program providers among the institutions of higher education that are permitted to offer concurrent enrollment opportunities to high school students.

Committee on Education

SB09-291 by Senator(s) Bacon, Boyd, Carroll M., Foster, Groff, Heath, Hodge, Hudak, Isgar, Keller, Morse, Newell, Romer, Shaffer B., Tapia, Tochtrop, Veiga, Williams; also Representative(s) Middleton, Merrifield--Concerning the state share of district total program for school districts that have obtained voter approval to be exempt from the constitutional revenue limit but then obtain voter approval to again be subject to such limit.

Committee on Education

SB09-293 by Senator(s) Isgar; also Representative(s) Curry, Labuda, Looper, Sonnenberg--Concerning changes to certain tier two transfers out of the operational account of the severance tax trust fund to compensate for a projected revenue loss in that fund for the 2009-10 state fiscal year.

Committee on Agriculture, Livestock, & Natural Resources

SB09-294 by Senator(s) Romer; also Representative(s) McFadyen--Concerning applications for the issuance of a certificate of public convenience and necessity to provide taxi service that relates to counties with a population of at least seventy thousand.

Committee on Transportation & Energy

LAY OVER OF CALENDAR ITEM(S)

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On motion of Representative Kerr A., the following item(s) on the Calendar were laid over until April 29, retaining place on Calendar:

- Consideration of Resolution(s)--**HJR09-1018, 1023, 1024, 1025, 1027, SJR09-034, 053.**
- Consideration of Memorial(s)--**HM09-1005, SJM09-010.**
- Consideration of Senate Amendment(s)--**HB09-1180, HJR09-1019, HB09-1252, 1242, 1129, 1160.**



On motion of Representative Kerr A., the House adjourned until 9:00 a.m., April 29, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

One hundred-thirteenth Legislative Day Wednesday, April 29, 2009

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Stacey Lyne, Boettcher Scholar, Brush High
7 School.

8
9 The roll was called with the following result:

10
11 Present--64.
12 Excused--Representative(s) Gagliardi--1.
13 Present after roll call--Representative(s) Gagliardi.

14
15 The Speaker declared a quorum present.

16
17
18 On motion of Representative Tipton, the reading of the journal of
19 April 28, 2009, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21
22
23
24
25 **CONSIDERATION OF RESOLUTION(S)**

26
27 **SJR09-053** by Senator(s) Newell; also Representative(s) Kagan--
28 Concerning the recognition of the importance of raising
29 public awareness of meningitis, and, in connection
30 therewith, encouraging school districts to educate
31 students and parents about the dangers of meningitis and
32 the availability of a vaccine.

33
34 (Printed and placed in members file)

35
36 On motion of Representative Kagan, the resolution was read at length
37 and **adopted** by **viva voce** vote.

38
39 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
40 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
41 Fischer, Frangas, Gardner B., Gardner C., Gerou, Green, Hullinghorst, Judd,
42 Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper,
43 Marostica, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield,

1 Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera,
 2 Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
 3 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil,
 4 Waller, Weissmann, Speaker

5
 6 **HJR09-1024** by Representative(s) Sonnenberg; also Senator(s) Hodge--
 7 Concerning the actions of other states in subjecting
 8 Colorado-based interstate motor carriers to an
 9 unreasonable income tax.

10
 11 (Printed and placed in members file)

12
 13 On motion of Representative Sonnenberg, the resolution was **adopted** by
 14 **viva voce** vote.

15
 16 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
 17 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
 18 Fischer, Frangas, Gardner B., Gardner C., Gerou, Green, Hullinghorst, Judd,
 19 Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
 20 Looper, Marostica, Massey, May, McCann, McFadyen, McKinley, McNulty,
 21 Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer,
 22 Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
 23 Soper, Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil, Waller,
 24 Weissmann, Speaker

25
 26
 27
 28 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

29
 30 **HJR09-1019** by Representative(s) Kerr J., Summers, Acree, Apuan,
 31 Balmer, Baumgardner, Benefield, Bradford, Casso,
 32 Ferrandino, Frangas, Gagliardi, Gardner B., Gardner C.,
 33 Gerou, Green, Kagan, Kefalas, Kerr A., King S., Lambert,
 34 Liston, Looper, Marostica, Massey, May, McCann,
 35 McFadyen, McNulty, Merrifield, Middleton, Miklosi,
 36 Nikkel, Pace, Peniston, Primavera, Priola, Roberts,
 37 Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens,
 38 Todd, Vaad, Vigil, Waller, Weissmann; also Senator(s)
 39 Kopp, Boyd, Brophy, Carroll M., Gibbs, Heath, Kester,
 40 King K., Lundberg, Morse, Penry, Renfroe, Romer,
 41 Scheffel, Schultheis, Spence, White--Concerning
 42 Columbine High School triumph over tragedy 1999-2009.

43
 44 (Amended as printed in Senate Journal, April 20, pages 1163-1164.)

45
 46 Representative Kerr J., moved that the House **concur** in Senate
 47 amendments. The motion was declared **passed** by the following roll call
 48 vote:

49
 50

	YES	64	NO	0	EXCUSED	1	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	E	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

13 The question being, "Shall the resolution, 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 resolution, as amended, was declared **repassed**.

17

	YES	64	NO	0	EXCUSED	1	ABSENT	0
19	Acree	Y	Green	Y	McCann	Y	Roberts	Y
20	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
21	Balmer	Y	Judd	Y	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	E	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	Y
35							Speaker	Y

36

37 **HB09-1015** by Representative(s) Murray, Marostica; also Senator(s)
 38 Hodge--Concerning certain actions taken by the
 39 designated election official in conducting primary
 40 elections, and making an appropriation therefor.

41

42 (Amended as printed in Senate Journal, April 27, pages 1299-1300.)

43

44 Representative Murray moved that the House **concur** in Senate
 45 amendments. The motion was declared **passed** by the following roll call
 46 vote:

47

	YES	64	NO	0	EXCUSED	1	ABSENT	0
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	Y
55	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
56	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	E	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

11 The question being, "Shall the bill, as amended, pass?".

12 A roll call vote was taken. As shown by the following recorded vote, a
 13 majority of those elected to the House voted in the affirmative, and the
 14 bill, as amended, was declared **repassed**.

15

16	YES	61	NO	3	EXCUSED	1	ABSENT	0
17	Acree	Y	Green	Y	McCann	Y	Roberts	Y
18	Apuan	Y	Hullinghorst	Y	McFadyen	N	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	N	Pace	Y	Swalm	Y
27	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
28	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
29	Gagliardi	E	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	N
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Bradford, Priola, Ryden, Schafer S.,
 35 Vigil

36

37 **HB09-1026** by Representative(s) Marostica, Fischer, McFadyen, Rice,
 38 Vaad; also Senator(s) Williams, Spence--Concerning the
 39 application of vehicle laws to low-power vehicles that
 40 operate with less than four wheels in contact with the
 41 ground, and, in connection therewith, defining "low-power
 42 scooter" and "electric personal assistive mobility device".

43

44 (Amended as printed in Senate Journal, April 27, pages 1293-1299, and
 45 amended on Third Reading as printed in Senate Journal, April 28.)

46

47 Representative Marostica moved that the House **concur** in Senate
 48 amendments. The motion was declared **passed** by the following roll call
 49 vote:

50

51	YES	63	NO	1	EXCUSED	1	ABSENT	0
52	Acree	Y	Green	Y	McCann	Y	Roberts	Y
53	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
54	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
55	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
56	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y

1	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
2	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
3	Court	Y	King S.	Y	Murray	Y	Stephens	Y
4	Curry	Y	Labuda	N	Nikkel	Y	Summers	Y
5	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
6	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
7	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
8	Gagliardi	E	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	Y
12							Speaker	Y

13
 14 The question being, "Shall the bill, as amended, pass?".
 15 A roll call vote was taken. As shown by the following recorded vote, a
 16 majority of those elected to the House voted in the affirmative, and the
 17 bill, as amended, was declared **repassed**.

	YES	60	NO	4	EXCUSED	1	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	N
26	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
27	Court	Y	King S.	Y	Murray	Y	Stephens	Y
28	Curry	Y	Labuda	N	Nikkel	Y	Summers	Y
29	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
30	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
31	Frangas	N	Liston	Y	Pommer	Y	Todd	Y
32	Gagliardi	E	Looper	Y	Primavera	Y	Vaad	Y
33	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
34	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
35	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
36							Speaker	Y

37 Co-sponsor(s) added: Representative(s) Hullinghorst, Pommer, Summers

38
 39 **HB09-1056** by Representative(s) McCann; also Senator(s) Kopp--
 40 Concerning increased penalty authority for the department
 41 of public health and environment for violations of solid
 42 waste disposal laws.

43
 44 (Amended as printed in Senate Journal, April 27, page 1300.)

45
 46 Representative McCann moved that the House **concur** in Senate
 47 amendments. The motion was declared **passed** by the following roll call
 48 vote:

	YES	58	NO	6	EXCUSED	1	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	N

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	N	Summers	Y
4	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
5	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
6	Frangas	N	Liston	Y	Pommer	Y	Todd	Y
7	Gagliardi	E	Looper	Y	Primavera	Y	Vaad	Y
8	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
9	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
10	Gerou	Y	May	N	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**.

17	YES	56	NO	8	EXCUSED	1	ABSENT	0
18								
19	Acree	Y	Green	Y	McCann	Y	Roberts	Y
20	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
21	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
22	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	Y
23	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
24	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
25	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
26	Court	Y	King S.	Y	Murray	N	Stephens	Y
27	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
28	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
29	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
30	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
31	Gagliardi	E	Looper	Y	Primavera	Y	Vaad	Y
32	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
33	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
34	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
35							Speaker	Y

36 Co-sponsor(s) added: Representative(s) Schafer S.

37
38 **HB09-1085** by Representative(s) Rice; also Senator(s) Heath--
39 Concerning the regulation of mortgage loan originators,
40 and, in connection therewith, modifying the "Mortgage
41 Broker Licensing Act" to conform to the federal "Secure
42 and Fair Enforcement for Mortgage Licensing Act of
43 2008", exempting certain financial institutions from the
44 list of prohibited practices under the act, and making an
45 appropriation.

46
47 (Amended as printed in Senate Journal, April 27, pages 1300-1301.)

48
49 Representative Rice moved that the House **concur** in Senate amendments.
50 The motion was declared **passed** by the following roll call vote:

51	YES	64	NO	0	EXCUSED	1	ABSENT	0
52								
53	Acree	Y	Green	Y	McCann	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y

1	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
2	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
3	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
4	Court	Y	King S.	Y	Murray	Y	Stephens	Y
5	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
6	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
7	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
8	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
9	Gagliardi	E	Looper	Y	Primavera	Y	Vaad	Y
10	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
11	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
12	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
13							Speaker	Y

14
15 The question being, "Shall the bill, as amended, 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
18 bill, as amended, was declared **repassed**.

19	YES	62	NO	2	EXCUSED	1	ABSENT	0
21	Acree	Y	Green	Y	McCann	Y	Roberts	Y
22	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
23	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
24	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
25	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
26	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
27	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
28	Court	Y	King S.	Y	Murray	Y	Stephens	Y
29	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
30	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
31	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
32	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
33	Gagliardi	E	Looper	Y	Primavera	Y	Vaad	Y
34	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
35	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
36	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
37							Speaker	Y

38 Co-sponsor(s) added: Representative(s) Labuda

39
40 **HB09-1129** by Representative(s) Looper; also Senator(s) Romer,
41 Harvey--Concerning an authorization of pilot projects for
42 the beneficial use of captured precipitation in new real
43 estate developments, and making an appropriation in
44 connection therewith.

45
46 (Amended as printed in Senate Journal, April 22, pages 1198.)

47
48 Representative Looper moved that the House **concur** in Senate
49 amendments. The motion was declared **passed** by the following roll call
50 vote:

51	YES	64	NO	0	EXCUSED	1	ABSENT	0
53	Acree	Y	Green	Y	McCann	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y

1	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
2	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
3	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
4	Court	Y	King S.	Y	Murray	Y	Stephens	Y
5	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
6	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
7	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
8	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
9	Gagliardi	E	Looper	Y	Primavera	Y	Vaad	Y
10	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
11	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
12	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
13							Speaker	Y

14
 15 The question being, "Shall the bill, as amended, 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
 18 bill, as amended, was declared **repassed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
21	Acree	Y	Green	Y	McCann	Y	Roberts	Y
22	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
23	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
24	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
25	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
26	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
27	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
28	Court	Y	King S.	Y	Murray	Y	Stephens	Y
29	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
30	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
31	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
32	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
33	Gagliardi	E	Looper	Y	Primavera	Y	Vaad	Y
34	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
35	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
36	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
37							Speaker	Y

38 Co-sponsor(s) added: Representative(s) Acree, Court, Gerou, Kerr A., Kerr J.,
 39 Massey, McNulty, Nikkel, Schafer S., Stephens, Summers, Vaad, Waller

40
 41 **HB09-1160** by Representative(s) Miklosi; also Senator(s) Bacon--
 42 Concerning the ability of a qualified elector to submit
 43 voter information via the secure web site of the secretary
 44 of state, and making an appropriation therefor.

45
 46 (Amended as printed in Senate Journal, April 22, pages 1199.)

47
 48 Representative Miklosi moved that the House **concur** in Senate
 49 amendments. The motion was declared **passed** by the following roll call
 50 vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
53	Acree	Y	Green	Y	McCann	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y

1	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
2	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
3	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
4	Court	Y	King S.	Y	Murray	Y	Stephens	Y
5	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
6	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
7	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
8	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
9	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
10	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
11	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
12	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
13							Speaker	Y

14

15 The question being, "Shall the bill, as amended, 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
 18 bill, as amended, was declared **repassed**.

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	YES	59	NO	6	EXCUSED	0	ABSENT	0
21	Acree	N	Green	Y	McCann	Y	Roberts	Y
22	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
23	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
24	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
25	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
26	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
27	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
28	Court	Y	King S.	Y	Murray	Y	Stephens	Y
29	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
30	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
31	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
32	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
33	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
34	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
35	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
36	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
37							Speaker	Y

38 Co-sponsor(s) added: Representative(s) Court, Hullinghorst, Kefalas, Labuda,
 39 Schafer S.

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THIRD READING OF BILLS--FINAL PASSAGE

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The following bills were considered on Third Reading. The titles were publicly read. Reading of the bill at length was dispensed with by unanimous consent.

HB09-1126 by Representative(s) Hullinghorst, Curry; also Senator(s) Shaffer B., Heath--Concerning incentives for the development of solar thermal energy systems.

The question being "Shall the bill pass?".

A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

	YES	44	NO	21	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	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.	Y	Murray	N	Stephens	N
10	Curry	Y	Labuda	N	Nikkel	N	Summers	N
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	Y
15	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
16	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
17	Gerou	Y	May	N	Riesberg	Y	Weissmann	N
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Frangas, Green,
20 Kefalas, Kerr A., Merrifield, Miklosi, Pace, Primavera, Ryden, Schafer S., Todd

21
22 **HB09-1331** by Representative(s) Gagliardi; also Senator(s) Boyd--
23 Concerning incentives for efficient motor vehicles, and
24 making an appropriation in connection therewith.

25
26 The question being "Shall the bill 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 bill
29 was declared **passed**.

	YES	61	NO	4	EXCUSED	0	ABSENT	0
31								
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	Y	Schafer S.	Y
36	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
37	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
38	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
39	Court	Y	King S.	Y	Murray	Y	Stephens	Y
40	Curry	Y	Labuda	N	Nikkel	Y	Summers	Y
41	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	N
42	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
43	Frangas	Y	Liston	N	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.	Y	Massey	Y	Rice	Y	Waller	Y
47	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Hullinghorst, Kefalas,
50 Kerr A., Pace, Ryden, Schafer S., Todd

51
52 **HB09-1342** by Representative(s) Benefield and Kagan, Ferrandino,
53 Fischer, Gagliardi, Green, Hullinghorst, Judd, Kerr A.,
54 Labuda, McCann, Merrifield, Middleton, Ryden, Scanlan,
55 Todd; also Senator(s) Boyd and Williams, Bacon,
56 Carroll M., Foster, Heath, Hudak, Morse, Newell, Romer,

1 Schwartz, Shaffer B., Veiga--Concerning the elimination
2 of the state sales and use tax exemption for cigarettes, and
3 making an appropriation in connection therewith.
4

5 The question being "Shall the bill pass?".

6 A roll call vote was taken. As shown by the following recorded vote, a
7 majority of those elected to the House voted in the affirmative and the bill
8 was declared **passed**.
9

	YES	38	NO	27	EXCUSED	0	ABSENT	0
11	Acree	N	Green	Y	McCann	Y	Roberts	N
12	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
13	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
14	Baumgardner	N	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	N
17	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
18	Court	Y	King S.	N	Murray	N	Stephens	N
19	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
20	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
21	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
22	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
23	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
24	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
25	Gardner C.	N	Massey	N	Rice	Y	Waller	N
26	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Court
29
30

31 **HB09-1347** by Representative(s) Kagan, Benefield, Frangas, Kerr J.,
32 McFadyen, Nikkel, Primavera, Solano; also Senator(s)
33 Romer, Spence--Concerning the issuance of a donate life
34 special license plate, and making an appropriation in
35 connection therewith.
36

37 The question being "Shall the bill pass?".

38 A roll call vote was taken. As shown by the following recorded vote, a
39 majority of those elected to the House voted in the affirmative and the bill
40 was declared **passed**.
41

	YES	58	NO	7	EXCUSED	0	ABSENT	0
43	Acree	N	Green	Y	McCann	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McFadyen	Y	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	N
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	N	Lambert	Y	Pace	Y	Swalm	Y
53	Fischer	Y	Levy	N	Peniston	Y	Tipton	Y
54	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
55	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
56	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y

1	Gardner C.	Y	Massey	Y	Rice	Y	Waller	N
2	Gerou	Y	May	Y	Riesberg	N	Weissmann	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Fischer, Gerou, Green, Labuda, Looper,
5 Merrifield, Pace, Stephens, Summers

6
7 **HB09-1353** by Representative(s) Miklosi; also Senator(s) Foster,
8 Newell--Concerning legal immigrants' eligibility for public
9 medical benefits.

10
11 The question being "Shall the bill pass?".
12 A roll call vote was taken. As shown by the following recorded vote, a
13 majority of those elected to the House voted in the affirmative and the bill
14 was declared **passed**.

16	YES	46	NO	19	EXCUSED	0	ABSENT	0
17	Acree	Y	Green	Y	McCann	Y	Roberts	Y
18	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
19	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
20	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
21	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
22	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
23	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
24	Court	Y	King S.	N	Murray	N	Stephens	N
25	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
26	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
27	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
28	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
29	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
30	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
31	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
32	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Frangas, Green,
35 Hullinghorst, Kagan, Kefalas, Labuda, Levy, Pace, Riesberg, Ryden, Todd,
36 Vigil

37
38 **SB09-121** by Senator(s) White; also Representative(s) Marostica--
39 Concerning the sales and use tax exempt status of meals
40 provided to employees of a business where prepared food
41 is regularly sold.

42
43 The question being "Shall the bill 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 bill
46 was declared **passed**.

48	YES	63	NO	0	EXCUSED	2	ABSENT	0
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	Y
55	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
56	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	E	Riesberg	Y	Weissmann	E
9							Speaker	Y

10 Representatives May and Weissmann excused from voting under House
 11 Rule 21(c).

12 Co-sponsor(s) added: Representative(s) Acree, Baumgardner, Frangas,
 13 Gardner B., Gerou, Green, Kefalas, Kerr J., Liston, Looper, Merrifield, Murray,
 14 Priola, Ryden, Stephens, Summers, Todd

15
 16 **SB09-239** by Senator(s) Tochtrop, Boyd; also Representative(s)
 17 Riesberg--Concerning the continuation of the state board
 18 of nursing, and making an appropriation therefor.

19
 20 The question being "Shall the bill 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 bill
 23 was declared **passed**.

24	YES	65	NO	0	EXCUSED	0	ABSENT	0
26	Acree	Y	Green	Y	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	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	Y	Pommer	Y	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) Gardner B., Gerou, Kefalas, Kerr J.,
 44 Labuda, Massey, Roberts, Soper, Summers, Todd

45
 46 **SB09-089** by Senator(s) King K., Hudak, Kopp, Spence; also
 47 Representative(s) Middleton, Gardner B., Massey, Murray,
 48 Summers, Tipton--Concerning the state charter school
 49 institute, and making an appropriation in connection
 50 therewith.

51
 52 The question being "Shall the bill pass?".
 53 A roll call vote was taken. As shown by the following recorded vote, a
 54 majority of those elected to the House voted in the affirmative and the bill
 55 was declared **passed**.

	YES	64	NO	1	EXCUSED	0	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	Y	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 Co-sponsor(s) added: Representative(s) Acree, Balmer, Gerou, Kerr J.,
 20 Lambert, Looper, Marostica, Nikkel, Priola, Roberts, Schafer S., Stephens,
 21 Waller, Speaker

22
 23 **HB09-1352** by Representative(s) Levy; also Senator(s) Renfro--
 24 Concerning adding commission of certain proscribed acts
 25 by government officials to the list of deceptive trade
 26 practices.

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	65	NO	0	EXCUSED	0	ABSENT	0
32								
33	Acree	Y	Green	Y	McCann	Y	Roberts	Y
34	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
35	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
36	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
37	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
38	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
39	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
40	Court	Y	King S.	Y	Murray	Y	Stephens	Y
41	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
42	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
43	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
44	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
45	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
46	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
47	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
48	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Labuda

51
 52 **SB09-173** by Senator(s) Veiga; also Representative(s) Rice--
 53 Concerning the economic development of large-scale
 54 regional tourism projects to be partially financed with a
 55 portion of state sales tax revenue above an existing base
 56 amount.

1 As shown by the following roll call vote, a majority of all members
2 elected to the House voted in the affirmative, and Representative Rice
3 was given permission to offer a Third Reading amendment:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
6	Acree	Y	Green	Y	McCann	Y	Roberts	Y
7	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
8	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
9	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
10	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
11	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
12	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
13	Court	Y	King S.	Y	Murray	Y	Stephens	Y
14	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
15	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
16	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
17	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
18	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
19	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
20	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
21	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
22							Speaker	Y

23
24 **Third Reading amendment No. Rice**, by Representative Rice.

25
26 Amend revised bill, page 14, line 20, strike "TWO" and substitute
27 "THREE".

28
29 The amendment was declared **passed** by the following roll call vote:

	YES	65	NO	0	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	Y	Schafer S.	Y
36	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
37	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
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.	Y	Massey	Y	Rice	Y	Waller	Y
47	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
48							Speaker	Y

49
50
51 The question being, "Shall the bill, as amended, 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
54 bill, as amended, was declared **passed**.

55

	YES	46	NO	19	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Green	N	McCann	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	N	McFadyen	Y	Ryden	Y
4	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
5	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	Y
6	Benefield	N	Kefalas	Y	Merrifield	Y	Solano	N
7	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
8	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
9	Court	Y	King S.	Y	Murray	Y	Stephens	Y
10	Curry	N	Labuda	N	Nikkel	Y	Summers	Y
11	Ferrandino	N	Lambert	N	Pace	Y	Swalm	Y
12	Fischer	N	Levy	N	Peniston	Y	Tipton	Y
13	Frangas	Y	Liston	Y	Pommer	N	Todd	Y
14	Gagliardi	N	Looper	N	Primavera	Y	Vaad	N
15	Gardner B.	Y	Marostica	Y	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 Co-sponsor(s) added: Representative(s) Frangas, Middleton, Murray, Ryden,
20 Scanlan, Summers, Todd

21
22 **SB09-021** by Senator(s) Kopp, Gibbs, Penry, Schwartz; also
23 Representative(s) Scanlan and Levy, King, Lundberg--
24 Concerning incentives for volunteer firefighters.

25
26 The question being "Shall the bill 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 bill
29 was declared **passed**.

	YES	64	NO	1	EXCUSED	0	ABSENT	0
31								
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	Y	Schafer S.	Y
36	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
37	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
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.	Y	Massey	Y	Rice	Y	Waller	Y
47	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Apuan, Baumgardner, Gardner B.,
50 Gerou, Green, Kerr J., Massey, McFadyen, Middleton, Murray, Ryden,
51 Schafer S., Summers, Todd, Vigil, Gardner C., Lambert

52
53 **SB09-093** by Senator(s) Williams, Heath, King K.; also
54 Representative(s) Marostica, Middleton, Rice, Roberts--
55 Concerning identity theft.

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	65	NO	0	EXCUSED	0	ABSENT	0
7	Acree	Y	Green	Y	McCann	Y	Roberts	Y
8	Apuan	Y	Hullingerhorst	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	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) Apuan, Baumgardner, Gardner B.,
 25 Gardner C., Gerou, Green, Kerr J., King S., McFadyen, Primavera, Priola,
 26 Schafer S., Stephens, Summers, Todd, Vigil

27
 28 **SB09-135** by Senator(s) Penry; also Representative(s) Miklosi--
 29 Concerning information collection regarding parole
 30 decisions.

31
 32 The question being "Shall the bill 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 bill
 35 was declared **passed**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
38	Acree	Y	Green	Y	McCann	Y	Roberts	Y
39	Apuan	Y	Hullingerhorst	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) Baumgardner, Frangas, Gerou, Green,
 56 Merrifield, Nikkel, Stephens, Todd, Vigil, Waller, Weissmann, Speaker

1 **SB09-257** by Senator(s) Schwartz, Heath, Mitchell; also
 2 Representative(s) Fischer and Vigil, McFadyen, Rice,
 3 Solano--Concerning amendments to the "Building
 4 Excellent Schools Today Act" that will allow more
 5 efficient implementation of the act without reducing its
 6 funding or restricting existing lease-purchase agreement
 7 authorization.
 8

9 The question being "Shall the bill pass?".
 10 A roll call vote was taken. As shown by the following recorded vote, a
 11 majority of those elected to the House voted in the affirmative and the bill
 12 was declared **passed**.
 13

	YES	65	NO	0	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	Y	Schafer S.	Y
19	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
20	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
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	Y	Lambert	Y	Pace	Y	Swalm	Y
25	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
26	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
27	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
28	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
29	Gardner C.	Y	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) Hullinghorst, Massey, Merrifield,
 33 Middleton, Pace, Ryden, Schafer S., Stephens, Summers, Todd, Waller
 34

35 **HCR09-1003** by Representative(s) Lambert; also Senator(s) King K.--
 36 Submitting to the registered electors of the state of
 37 Colorado an amendment to section 2 of article XVIII of
 38 the constitution of the state of Colorado, concerning the
 39 regulation of games of chance by an authority specified by
 40 the general assembly.
 41

42 The question being "Shall the Concurrent Resolution pass?".
 43 A roll call vote was taken. As shown by the following recorded vote, a
 44 constitutional two thirds majority of those elected to the House voted in
 45 the affirmative and the Concurrent Resolution was declared **passed**.
 46

	YES	64	NO	1	EXCUSED	0	ABSENT	0
48	Acree	Y	Green	N	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
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	Y	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	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Kerr J., Labuda

10

11 **SB09-003** by Senator(s) Bacon; also Representative(s) Fischer--
 12 Concerning the automobile inspection and readjustment
 13 program, and, in connection therewith, expanding the
 14 enhanced emissions program to Weld and Larimer
 15 counties, modifying the geographical boundaries of the
 16 program area, altering criteria used to determine which
 17 collector's items are excluded from the emissions testing
 18 process, and making an appropriation.

19

20 The question being "Shall the bill 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 bill
 23 was declared **passed**.

24

25	YES	36	NO	29	EXCUSED	0	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	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	Y	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	N
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Frangas, Green, Hullinghorst, Labuda,
 44 Merrifield

45

46 **SB09-234** by Senator(s) Mitchell and Heath, Scheffel, Schwartz; also
 47 Representative(s) Rice, Liston, McFadyen, Solano--
 48 Concerning direction to the economic development
 49 commission to develop recommendations for the general
 50 assembly regarding enterprise zones.

51

52 The question being "Shall the bill pass?".

53 A roll call vote was taken. As shown by the following recorded vote, a
 54 majority of those elected to the House voted in the affirmative and the bill
 55 was declared **passed**.

56

	YES	63	NO	2	EXCUSED	0	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	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	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	Y	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 Co-sponsor(s) added: Representative(s) Gardner B., Gerou, Schafer S.

20
 21 **HB09-1321** by Representative(s) Levy, Carroll T., Green, Benefield,
 22 Court, Ferrandino, Hullinghorst, Kerr A., Looper,
 23 McCann, McFadyen, McGihon, McKinley, Merrifield,
 24 Miklosi, Pace, Pommer, Ryden, Scanlan, Todd, Vigil,
 25 Weissmann; also Senator(s) Carroll M., Bacon, Boyd,
 26 Foster, Heath, Morse, Romer--Concerning the placement
 27 of a juvenile who is awaiting trial in district court.

28
 29 The question being "Shall the bill pass?".

30 A roll call vote was taken. As shown by the following recorded vote, a
 31 majority of those elected to the House voted in the affirmative and the bill
 32 was declared **passed**.

	YES	50	NO	15	EXCUSED	0	ABSENT	0
35	Acree	N	Green	Y	McCann	Y	Roberts	Y
36	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
37	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
38	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	Y
39	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
40	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
41	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
42	Court	Y	King S.	N	Murray	Y	Stephens	Y
43	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
44	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
45	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
46	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
47	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
48	Gardner B.	N	Marostica	N	Priola	Y	Vigil	Y
49	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
50	Gerou	N	May	Y	Riesberg	Y	Weissmann	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Apuan, Curry, Kagan, Labuda, May,
 53 Middleton, Schafer S.

54
 55
 56

REPORT(S) OF COMMITTEE(S) OF REFERENCE**APPROPRIATIONS**

After consideration on the merits, the Committee recommends the following:

HB09-1365 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 3, line 14, strike "NOT";

strike lines 17 through 22 and substitute the following:

"SUBPARAGRAPH (I). UPON RECEIPT OF A LEASE OR RENTAL AGREEMENT FOR THE STATE, A POLITICAL SUBDIVISION, OR A STATE SUPPORTED INSTITUTION OF HIGHER EDUCATION, THE COUNTY ASSESSOR SHALL SEND A NOTICE TO THE LANDLORD ACKNOWLEDGING RECEIPT OF THE LEASE OR RENTAL AGREEMENT. THE NOTICE SHALL IDENTIFY THE PROPERTY, THE PROPERTY ADDRESS, AND THE PARTIES TO THE LEASE OR RENTAL AGREEMENT."

Page 4, line 1, after "DEEMED", insert "TAXES";

strike lines 9 through 11 and substitute the following:

"OF THIS PARAGRAPH (b) BE COST-NEUTRAL IN THAT THE TAX REDUCTION AND THE RENT REDUCTION PURSUANT TO THIS PARAGRAPH (b) ARE EQUAL."

HB09-1367 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 13, strike "AND INSTITUTIONS".

HJR09-1017 be referred out for final action.

HJR09-1026 be referred out for final action.

SB09-006 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Strike the Judiciary Committee report dated April 27, 2009.

Amend reengrossed bill, page 7, after line 11, insert the following:

SECTION 4. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the

- 1 county jail identification processing unit fund created in section 42-2-312,
2 Colorado Revised Statutes, not otherwise appropriated, to the department
3 of revenue, for allocation to the division of motor vehicles, driver and
4 vehicle services, for the fiscal year beginning July 1, 2009 , the sum of
5 one hundred eighty-six thousand one hundred sixty dollars (\$186,160)
6 cash funds and 1.2 FTE, or so much thereof as may be necessary, for the
7 implementation of this act."
8
9 Renumber succeeding section accordingly.
10
11 Page 1, line 102, strike "FACILITIES." and substitute "FACILITIES, AND
12 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."
13
14
15
16 **SB09-118** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:
19
20 Amend the Agriculture, Livestock, and Natural Resources Committee
21 Report, dated April 22, 2009, page 1, strike lines 1 through 8;
22
23 line 9, strike "Page" and substitute "Amend reengrossed bill, page".
24
25 Page 2 of the committee report, after line 12, insert the following:
26
27 "Page 8, line 18, strike "forty-six thousand seventeen dollars (\$46,017)"
28 and substitute "forty-nine thousand six hundred fifty-three dollars
29 (\$49,653)".".
30
31
32
33 **SB09-163** be referred to the Committee of the Whole with favorable
34 recommendation.
35
36
37 **SB09-223** be referred to the Committee of the Whole with favorable
38 recommendation.
39
40
41 **SB09-235** be amended as follows, and as so amended, be referred to
42 the Committee of the Whole with favorable
43 recommendation:
44
45 Amend the Agriculture, Livestock, and Natural Resources Committee
46 Report, dated April 22, 2009, page 1, strike line 2 and substitute
47 ""JULY"";
48
49 line 4 of the committee report, strike ""JUNE"." and substitute ""JULY"".".
50
51 Page 2 of the committee report, before line 1, insert the following:
52
53 "Page 11, strike lines 5 through 20.
54
55 Renumber succeeding section accordingly.";
56

1 line 1 of the committee report, strike ""Section 6";" and substitute
2 ""Sections 6, 10, and 11 of this act, and subsection (2) of section
3 33-4-102.7, Colorado Revised Statutes, as amended under Section 5";";

4
5 line 2 of the committee report, strike ""of"." and substitute ""of", and
6 strike "act" and substitute "act,".";

7
8 strike line 4 of the committee report and substitute the following:

9
10 ""(2) Sections 1 and 2 of this act shall take effect April 1, 2011.

11
12 (3) The remainder of this act shall take effect July 1, 2010.

13
14 Page 1 of the reengrossed bill, line 101, strike "**WILDLIFE**," and substitute
15 "**WILDLIFE.**";

16
17 strike line 102.".".

18
19
20
21 **SB09-245** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:

24
25 Amend reengrossed bill, page 4, after line 17, insert the following:

26
27 **"SECTION 3. Effective date - JBC staff notice to revisor of**
28 **statutes.** This act shall take effect upon passage; except that section 2 of
29 this act shall take effect July 1, 2010, or the date upon which a specific
30 appropriation is made by the general assembly for the purpose of funding
31 the kinship guardianship assistance program established in section
32 26-5-109, Colorado Revised Statutes, whichever occurs later. The
33 director of the joint budget committee staff shall notify the revisor of
34 statutes, in writing, of the effective date of the appropriation.".

35
36 Renumber succeeding section accordingly.

37
38
39
40 On motion of Representative Weissmann, **HB09-1365, 1367, SB09-163,**
41 **223, 245, 118, HB09-1368, SB09-180, 006, 235** were added to the
42 Special Orders Calendar on Wednesday, April 29, 2009.

43
44
45 On motion of Representative Ferrandino, the House resolved itself into
46 Committee of the Whole for consideration of Special Orders and he was
47 called to the Chair to act as Chairman.

48
49
50 **SPECIAL ORDERS--SECOND READING OF BILLS**

51
52 The Committee of the Whole having risen, the Chairman reported the
53 titles of the following bills had been read (reading at length had been
54 dispensed with by unanimous consent), the bills considered and action
55 taken thereon as follows:

56

1 (Amendments to the committee amendment are to the printed committee
2 report which was printed and placed in the members' bill file.)
3

4 **SB09-180** by Senator(s) Tochtrop, Carroll M.; also Representative(s)
5 Casso--Concerning collective bargaining by employees of
6 public safety agencies.
7

8 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
9 April 28, 2009, and placed in member's bill file; Report also printed in
10 House Journal, April 28, page 1579.
11

12 As amended, ordered revised and placed on the Calendar for Third
13 Reading and Final Passage.
14

15 **HB09-1269** by Representative(s) Ferrandino, Court, Middleton, Pace,
16 Pommer, Scanlan, Weissmann--Concerning the creation of
17 a state rainy day account, and, in connection therewith,
18 specifying the manner in which the account is to be funded
19 and the circumstances in which moneys may be expended
20 from the account.
21

22 Laid over until April 30, retaining place on Calendar.
23

24 **HB09-1323** by Representative(s) Levy, Fischer, Green, Hullinghorst,
25 Kerr A., Labuda, McFadyen, Merrifield, Pace, Pommer,
26 Primavera, Scanlan, Solano; also Senator(s) Veiga, Bacon,
27 Heath, Romer, Shaffer B.--Concerning energy efficiency
28 programs implemented by cooperative electric
29 associations.
30

31 Laid over until April 30, retaining place on Calendar.
32

33 A motion by Representative Kerr A., that the Committee rise, report
34 progress and beg leave to sit again at 2:00 p.m., was adopted by
35 unanimous consent. (Special Orders continued on page 1609.)
36

37
38 House reconvened.
39

40 The Committee of the Whole reported it had risen, reported progress and
41 would sit again at 2:00 p.m.
42

43
44
45 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
46 **on SB09-269**
47

48 This Report Amends the Reengrossed Bill.
49

50 To the President of the Senate and the
51 Speaker of the House of Representatives:
52

53 Your first conference committee appointed on SB09-269,
54 concerning adjustment of the allocation of tobacco litigation settlement
55 moneys received by the state during specified fiscal years, and, in
56 connection therewith, requiring settlement moneys that are disputed

1 payments and settlement moneys in excess of a specified amount to be
2 credited to the general fund, requiring a portion of the moneys so credited
3 to be transferred to the children's basic health plan trust and the nurse
4 home visitor program fund, delaying mandated growth in the percentage
5 of settlement moneys allocated for the Colorado nurse home visitor
6 program by one fiscal year, and making appropriations, has met and
7 reports that it has agreed upon the following:

8
9 1. That the House recede from its amendments made to the bill,
10 as the amendments appear in the rerevised bill, and that the following
11 amendments be substituted therefor:

12
13 Amend reengrossed bill, page 2, line 3, strike the second "and";

14
15 line 4, after "24-75-1104.5 (1.5) (a),", insert "and 24-75-1104.5 (2) and
16 (3),".

17
18 Page 3, line 3, after "moneys", insert "AND, FOR THE 2010-11 FISCAL YEAR
19 AND FOR EACH FISCAL YEAR THEREAFTER ONLY, THE LESSER OF
20 SIXTY-FIVE MILLION DOLLARS OF OTHER SETTLEMENT MONEYS OR ALL
21 OTHER SETTLEMENT MONEYS";

22
23 line 4, strike "state:" and substitute "state AND EXCEPT THAT, OF THE
24 OTHER SETTLEMENT MONEYS RECEIVED BY THE STATE IN THE 2009-10
25 FISCAL YEAR, THE LESSER OF SIXTY-FIVE MILLION DOLLARS OR ALL OF
26 SUCH MONEYS SHALL BE TRANSFERRED TO THE GENERAL FUND ON JUNE
27 30, 2010, AND SHALL NOT BE ALLOCATED:";

28
29 line 22, strike "strategic";

30
31 line 23, strike "contribution fund moneys received" and substitute
32 "~~strategic contribution fund~~ SETTLEMENT moneys received AND
33 ALLOCATED".

34
35 Page 4, before line 6, insert the following:

36
37 "(3) Notwithstanding the provisions of subsections (1) and (1.5)
38 of this section, for purposes of sections 22-7-908 (3), 23-20-136 (3.5) (a),
39 25-4-1411 (6) (a), 25-4-1415 (2), 25-20.5-201 (2) (c), 25-23-104 (2),
40 25-31-107 (2) (d) (I), 25.5-3-207 (3), 25.5-8-105 (3), 27-10.3-106 (2) (b),
41 and 28-5-709 (2) (a), C.R.S., ~~strategic contribution fund~~ SETTLEMENT
42 moneys received and allocated by the state pursuant to said subsections
43 (1) and (1.5) during the same fiscal year shall be deemed to be moneys
44 received for or during the preceding fiscal year."

45
46 Page 6, after line 9, insert the following:

47
48 "(7) NOTWITHSTANDING ANY LIMITATION ON THE AMOUNT OF
49 ADVANCES SET FORTH IN SECTION 24-75-203 (2), THE CONTROLLER MAY
50 AUTHORIZE AN ADVANCE WITHOUT INTEREST IN ANY AMOUNT TO BE MADE
51 TO ANY DEPARTMENT, INSTITUTION, OR AGENCY OF STATE GOVERNMENT
52 TO PROVIDE IT WITH WORKING CAPITAL FOR THE OPERATION OF TOBACCO
53 SETTLEMENT PROGRAMS TO WHICH SETTLEMENT MONEYS ARE ALLOCATED
54 PURSUANT TO THIS SECTION."

55

1 2. That, under the authority granted the committee to consider
2 matters not at issue between the two houses, the following amendments
3 be recommended:

4
5 Amend reengrossed bill, page 3, line 24, strike "strategic";
6
7 line 25, strike "contribution fund" and substitute "~~strategic contribution~~
8 ~~fund~~ SUCH".

9
10 Page 4, after line 5, insert the following:

11
12 "(2) The general assembly shall appropriate or the state treasurer
13 shall transfer, as provided by law, the amounts specified in subsections
14 (1) and (1.5) of this section from moneys credited to the tobacco litigation
15 settlement cash fund created in section 24-22-115. Except for moneys
16 credited to the health care supplemental appropriations and
17 overexpenditures account of the cash fund pursuant to section 24-22-115
18 (4) (a), all settlement moneys other than ~~strategic contribution fund~~
19 SETTLEMENT moneys ~~transferred~~ RECEIVED AND ALLOCATED BY THE
20 STATE DURING THE SAME FISCAL YEAR pursuant to ~~subsection (1.5)~~
21 SUBSECTIONS (1) AND (1.5) of this section shall be credited to the
22 specified funds or accounts on July 1 of the fiscal year for which they are
23 transferred, and all ~~strategic contribution fund~~ SETTLEMENT moneys
24 ~~transferred~~ RECEIVED AND ALLOCATED BY THE STATE DURING THE SAME
25 FISCAL YEAR pursuant to said ~~subsection (1.5)~~ SUBSECTIONS (1) AND (1.5)
26 shall be credited to the specified funds or accounts upon receipt by the
27 state."

28
29 Page 5, strikes lines 4 through 6.

30
31 Reletter succeeding sub-subparagraphs accordingly.

32
33 Respectfully submitted,
34 Senate Committee: House Committee:
35 (signed) (signed)
36 Al White Mark Ferrandino
37 Moe Keller Jack Pommer
38 Abel Tapia Don Marostica

39
40
41
42 **APPOINTMENTS TO CONFERENCE COMMITTEES**

43
44 Pursuant to a request from the Senate, the Speaker appointed House
45 conferees to the First Conference Committees as follows:

46
47 **SB09-281**--Representatives Weissmann, Chairman, Pace and Gardner B.

48
49
50 House in recess. House reconvened.
51
52

53 On motion of Representative Ferrandino, the House resolved itself into
54 Committee of the Whole for continuation of consideration of General
55 Orders, and he returned to the Chair to act as Chairman.

56

SPECIAL ORDERS--SECOND READING OF BILLS

(Continued from page 1606)

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HB09-1356 by Representative(s) Liston and Pommer--Concerning the use of state education fund moneys in the college opportunity fund program to pay student stipends for higher education courses that further the purposes of the state education fund specified in the state constitution, and making an appropriation therefor.

Laid over until April 30, retaining place on Calendar.

SB09-226 by Senator(s) Sandoval; also Representative(s) Gagliardi--Concerning policies for the management of food allergies among school children, and making an appropriation in connection therewith.

Amendment No. 1, by Representative(s) Gagliardi.

Strike the Education Committee Report, dated April 27, 2009, and substitute the following:

"Amend reengrossed bill, page 4, line 8, strike the second "the" and substitute "each school district of the state and the state charter school institute";

strike lines 9 and 10 and substitute the following:

"should develop policies to manage the risks posed by food";

strike lines 12 through 16 and substitute the following:

"SECTION 2. Article 32 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

22-32-139. Food allergy and anaphylaxis policy required - approval of treatment plans - rules. (1) THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE";

strike lines 24 through 27 and substitute the following:

"EMPLOYEES SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, EMPLOYEES WHO ARE DIRECTLY INVOLVED DURING THE SCHOOL DAY WITH A STUDENT WHO HAS A KNOWN FOOD ALLERGY.".

Strike pages 5 and 6 and substitute the following:

"(3) (a) ON OR BEFORE JULY 1, 2010, EACH SCHOOL DISTRICT BOARD OF EDUCATION SHALL ADOPT AND IMPLEMENT A POLICY FOR THE MANAGEMENT OF FOOD ALLERGIES AND ANAPHYLAXIS AMONG STUDENTS ENROLLED IN THE SCHOOLS OF THE SCHOOL DISTRICT. THE POLICY SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING:".

Page 7, strike lines 1 through 13 and substitute the following:

"(I) REASONABLE ACCOMMODATIONS FOR COMMUNICATION

1 BETWEEN EACH SCHOOL OF THE SCHOOL DISTRICT AND";
2
3 line 16, strike "(c) STRATEGIES" and substitute "(II) REASONABLE
4 ACCOMMODATIONS";
5
6 line 19, after "TRIPS,", add "SCHOOL-SPONSORED";
7
8 line 22, strike "(d)" and substitute "(III)".
9

10 Page 8, strike line 1 and substitute the following:

11
12 "(IV) PROCEDURES TO ENSURE THE AVAILABILITY OF A STUDENT'S
13 SELF-INJECTABLE";

14
15 after line 4, insert the following:

16
17 "(b) PRIOR TO THE BEGINNING OF EACH SCHOOL YEAR, EACH
18 SCHOOL DISTRICT SHALL PROVIDE NOTICE TO A PARENT OR LEGAL
19 GUARDIAN OF EACH STUDENT ENROLLED IN A SCHOOL OF THE SCHOOL
20 DISTRICT OF THE POLICY ADOPTED BY THE SCHOOL DISTRICT PURSUANT TO
21 PARAGRAPH (a) OF THIS SUBSECTION (3). THE NOTICE SHALL INCLUDE THE
22 STANDARD FORM DEVELOPED BY THE DEPARTMENT OF PUBLIC HEALTH
23 AND ENVIRONMENT PURSUANT TO SECTION 25-1.5-109, C.R.S., TO ALLOW
24 THE PARENT OR LEGAL GUARDIAN OF A STUDENT WITH A KNOWN FOOD
25 ALLERGY TO PROVIDE THE FOLLOWING INFORMATION TO THE SCHOOL'S
26 ADMINISTRATION:

27
28 (I) DOCUMENTATION REGARDING THE DIAGNOSIS AND HISTORY OF
29 THE STUDENT'S FOOD ALLERGY;

30
31 (II) IDENTIFICATION OF ALL FOODS TO WHICH THE STUDENT IS
32 KNOWN TO BE ALLERGIC;

33
34 (III) IDENTIFICATION OF ANY MEDICATION THAT HAS BEEN
35 PRESCRIBED FOR THE STUDENT FOR THE TREATMENT OF A FOOD ALLERGY
36 OR ANAPHYLAXIS;

37
38 (IV) ANY SPECIFIC SIGNS OR SYMPTOMS THAT MAY INDICATE THE
39 STUDENT IS HAVING AN ALLERGIC REACTION TO A FOOD;

40
41 (V) EMERGENCY TREATMENT PROCEDURES TO EMPLOY IN THE
42 EVENT THAT THE STUDENT SUFFERS AN ALLERGIC REACTION TO FOOD;

43
44 (VI) THE NAMES AND TELEPHONE NUMBERS OF PERSONS WHOM
45 THE ADMINISTRATION OF THE STUDENT'S SCHOOL SHOULD CONTACT IN
46 ADDITION TO EMERGENCY MEDICAL PERSONNEL IN THE EVENT THAT THE
47 STUDENT SUFFERS AN ALLERGIC REACTION TO FOOD; AND

48
49 (VII) THE NAME, TELEPHONE NUMBER, AND SIGNATURE OF THE
50 STUDENT'S PRIMARY HEALTH CARE PROVIDER.

51
52 (c) THE NOTICE REQUIRED BY PARAGRAPH (b) OF THIS SUBSECTION
53 (3) SHALL INCLUDE LANGUAGE THAT ENCOURAGES PARENTS AND LEGAL
54 GUARDIANS OF STUDENTS FOR WHOM MEDICATION HAS BEEN PRESCRIBED
55 FOR TREATMENT OF A FOOD ALLERGY OR ANAPHYLAXIS TO GIVE TO THE
56 SCHOOL NURSE OR OTHER ADMINISTRATOR OF THE STUDENT'S SCHOOL A

1 SUPPLY OF THE MEDICATION UNLESS THE STUDENT HAS AN APPROVED
2 TREATMENT PLAN PURSUANT TO SECTION 22-1-119.5 OR SUBSECTION (4)
3 OF THIS SECTION THAT AUTHORIZES THE STUDENT TO SELF-ADMINISTER
4 THE MEDICATION.

5

6 (4) (a) A STUDENT WITH A KNOWN FOOD ALLERGY MAY POSSESS
7 AND SELF-ADMINISTER MEDICATION TO TREAT THE STUDENT'S FOOD
8 ALLERGY IF THE STUDENT HAS A TREATMENT PLAN APPROVED PURSUANT
9 TO THIS SUBSECTION (4).

10

11 (b) A PUBLIC SCHOOL SHALL, AND A NONPUBLIC SCHOOL IS
12 ENCOURAGED TO, APPROVE A TREATMENT PLAN FOR A STUDENT ENROLLED
13 IN THE SCHOOL TO POSSESS AND SELF-ADMINISTER MEDICATION FOR A
14 FOOD ALLERGY IF ALL OF THE FOLLOWING CONDITIONS ARE MET:

15

16 (I) A HEALTH CARE PRACTITIONER HAS PRESCRIBED MEDICATION
17 FOR THE STUDENT TO USE DURING SCHOOL HOURS, AT SCHOOL-SPONSORED
18 ACTIVITIES, AND WHILE IN TRANSIT TO OR FROM SCHOOL OR
19 SCHOOL-SPONSORED ACTIVITIES AND HAS INSTRUCTED THE STUDENT IN
20 THE CORRECT AND RESPONSIBLE USE OF THE MEDICATION;

21

22 (II) THE STUDENT DEMONSTRATES TO AN APPROPRIATE SCHOOL
23 ADMINISTRATOR, THE HEALTH CARE PRACTITIONER OR THE HEALTH CARE
24 PRACTITIONER'S DESIGNEE, AND THE SCHOOL NURSE THE SKILL LEVEL
25 NECESSARY TO USE THE MEDICATION AND ANY DEVICE THAT IS NECESSARY
26 TO ADMINISTER THE MEDICATION AS PRESCRIBED;

27

28 (III) THE SCHOOL NURSE, AN APPROPRIATE SCHOOL
29 ADMINISTRATOR, THE STUDENT'S PARENT OR LEGAL GUARDIAN, AND THE
30 HEALTH CARE PRACTITIONER COLLABORATE TO FORMULATE A WRITTEN
31 TREATMENT PLAN FOR MANAGING FOOD ALLERGY EPISODES OF THE
32 STUDENT AND FOR MEDICATION USE BY THE STUDENT DURING SCHOOL
33 HOURS, AT SCHOOL-SPONSORED ACTIVITIES, AND WHILE IN TRANSIT TO OR
34 FROM SCHOOL OR SCHOOL-SPONSORED ACTIVITIES; AND

35

36 (IV) THE STUDENT'S PARENT OR LEGAL GUARDIAN COMPLETES
37 AND SUBMITS TO THE PUBLIC OR NONPUBLIC SCHOOL THE FOLLOWING
38 DOCUMENTATION:

39

40 (A) A WRITTEN MEDICAL AUTHORIZATION THAT INCLUDES THE
41 SIGNATURE OF THE HEALTH CARE PRACTITIONER FOR THE MEDICATION
42 PRESCRIBED; THE NAME, PURPOSE, PRESCRIBED DOSAGE, FREQUENCY, AND
43 LENGTH OF TIME BETWEEN DOSAGES OF THE MEDICATIONS TO BE
44 SELF-ADMINISTERED; AND CONFIRMATION FROM THE HEALTH CARE
45 PRACTITIONER THAT THE STUDENT HAS BEEN INSTRUCTED AND IS CAPABLE
46 OF SELF-ADMINISTRATION OF THE PRESCRIBED MEDICATIONS;

47

48 (B) A WRITTEN STATEMENT FROM THE STUDENT'S PARENT OR
49 LEGAL GUARDIAN RELEASING THE SCHOOL, SCHOOL DISTRICT, ANY
50 ASSOCIATED ENTITY, AND EMPLOYEES AND VOLUNTEERS OF THE SCHOOL,
51 SCHOOL DISTRICT, AND ANY ASSOCIATED ENTITY FROM LIABILITY, EXCEPT
52 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, THE
56 STUDENT, AND THE STUDENT'S PARENT OR LEGAL GUARDIAN ASSIGNING

1 LEVELS OF RESPONSIBILITY TO THE PARENT OR LEGAL GUARDIAN,
2 STUDENT, AND SCHOOL EMPLOYEES.

3
4 (c) A TREATMENT PLAN SHALL BE EFFECTIVE ONLY FOR THE
5 SCHOOL YEAR IN WHICH IT IS APPROVED. A PUBLIC SCHOOL SHALL
6 APPROVE A NEW TREATMENT PLAN FOR EACH SCHOOL YEAR SO LONG AS
7 THE PLAN MEETS THE CONDITIONS SPECIFIED IN PARAGRAPH (b) OF THIS
8 SUBSECTION (4). A PARENT OR LEGAL GUARDIAN SHALL SUBMIT A NEW
9 TREATMENT PLAN ANNUALLY OR MORE OFTEN IF CHANGES OCCUR IN THE
10 STUDENT'S HEALTH OR PRESCRIBED TREATMENT.

11
12 (5) IF THE CONDITIONS DESCRIBED IN PARAGRAPH (b) OF
13 SUBSECTION (4) OF THIS SECTION ARE MET, A SCHOOL, SCHOOL DISTRICT,
14 SCHOOL DISTRICT DIRECTOR, OR SCHOOL OR SCHOOL DISTRICT EMPLOYEE
15 OR A VOLUNTEER NOT OTHERWISE PROVIDED FOR UNDER SECTION
16 13-21-108, C.R.S., SHALL NOT BE LIABLE IN A SUIT FOR DAMAGES AS A
17 RESULT OF AN ACT OR OMISSION RELATED TO A STUDENT'S OWN USE OF
18 THE STUDENT'S EPINEPHRINE AUTO-INJECTOR OR ANY OTHER MEDICATION
19 CONTAINED IN AN APPROVED TREATMENT PLAN UNLESS THE DAMAGES
20 WERE CAUSED BY WILLFUL OR WANTON CONDUCT OR DISREGARD OF THE
21 CRITERIA OF THE TREATMENT PLAN.

22
23 (6) THE STATE BOARD OF EDUCATION, WITH ASSISTANCE FROM THE
24 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, MAY PROMULGATE
25 RULES FOR TREATMENT PLANS FOR THE SELF-ADMINISTRATION OF
26 MEDICATIONS PURSUANT TO THIS SECTION.";

27
28 strike line 16 and substitute the following:

29
30 **"anaphylaxis management policy required - approval of treatment**
31 **plans. (1) ON OR BEFORE JULY 1, 2010, THE"**;

32
33 strike lines 20 through 27 and substitute the following:

34
35 "POLICY SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE MEASURES
36 DESCRIBED IN SECTION 22-32-139 (3) (a) FOR SCHOOL DISTRICT FOOD
37 ALLERGY AND ANAPHYLAXIS MANAGEMENT POLICIES.

38
39 (2) (a) THE POLICY ADOPTED BY THE STATE CHARTER SCHOOL
40 INSTITUTE PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL ENSURE
41 THAT, PRIOR TO THE BEGINNING OF EACH SCHOOL YEAR, EACH INSTITUTE
42 CHARTER SCHOOL PROVIDE NOTICE TO A PARENT OR LEGAL GUARDIAN OF
43 EACH STUDENT ENROLLED IN THE INSTITUTE CHARTER SCHOOL OF THE
44 POLICY. THE NOTICE SHALL INCLUDE THE STANDARD FORM DEVELOPED BY
45 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO
46 SECTION 25-1.5-109, C.R.S., TO ALLOW THE PARENT OR LEGAL GUARDIAN
47 OF A STUDENT WITH A KNOWN FOOD ALLERGY TO PROVIDE TO THE
48 INSTITUTE CHARTER SCHOOL'S ADMINISTRATION THE INFORMATION THAT
49 IS DESCRIBED IN SECTION 22-32-139 (3) (b).

50
51 (b) THE NOTICE REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION
52 (2) SHALL INCLUDE LANGUAGE THAT ENCOURAGES PARENTS AND LEGAL
53 GUARDIANS OF STUDENTS FOR WHOM MEDICATION HAS BEEN PRESCRIBED
54 FOR TREATMENT OF A FOOD ALLERGY OR ANAPHYLAXIS TO GIVE TO THE
55 SCHOOL NURSE OR OTHER ADMINISTRATOR OF THE STUDENT'S SCHOOL A
56 SUPPLY OF THE MEDICATION UNLESS THE STUDENT HAS AN APPROVED

1 TREATMENT PLAN PURSUANT TO SECTION 22-1-119.5 OR SUBSECTION (3)
2 OF THIS SECTION THAT AUTHORIZES THE STUDENT TO SELF-ADMINISTER
3 THE MEDICATION.

4
5 (3) (a) A STUDENT WITH A KNOWN FOOD ALLERGY MAY POSSESS
6 AND SELF-ADMINISTER MEDICATION TO TREAT THE STUDENT'S FOOD
7 ALLERGY IF THE STUDENT HAS A TREATMENT PLAN APPROVED PURSUANT
8 TO THIS SUBSECTION (3).

9
10 (b) AN INSTITUTE CHARTER SCHOOL SHALL APPROVE A TREATMENT
11 PLAN FOR A STUDENT ENROLLED IN THE SCHOOL TO POSSESS AND
12 SELF-ADMINISTER MEDICATION FOR A FOOD ALLERGY IF ALL OF THE
13 FOLLOWING CONDITIONS ARE MET:

14
15 (I) A HEALTH CARE PRACTITIONER HAS PRESCRIBED MEDICATION
16 FOR THE STUDENT TO USE DURING SCHOOL HOURS, AT SCHOOL-SPONSORED
17 ACTIVITIES, AND WHILE IN TRANSIT TO OR FROM SCHOOL OR
18 SCHOOL-SPONSORED ACTIVITIES AND HAS INSTRUCTED THE STUDENT IN
19 THE CORRECT AND RESPONSIBLE USE OF THE MEDICATION;

20
21 (II) THE STUDENT DEMONSTRATES TO AN APPROPRIATE SCHOOL
22 ADMINISTRATOR, THE HEALTH CARE PRACTITIONER OR THE HEALTH CARE
23 PRACTITIONER'S DESIGNEE, AND THE SCHOOL NURSE THE SKILL LEVEL
24 NECESSARY TO USE THE MEDICATION AND ANY DEVICE THAT IS NECESSARY
25 TO ADMINISTER THE MEDICATION AS PRESCRIBED;

26
27 (III) THE SCHOOL NURSE, AN APPROPRIATE SCHOOL
28 ADMINISTRATOR, THE STUDENT'S PARENT OR LEGAL GUARDIAN, AND THE
29 HEALTH CARE PRACTITIONER COLLABORATE TO FORMULATE A WRITTEN
30 TREATMENT PLAN FOR MANAGING FOOD ALLERGY EPISODES OF THE
31 STUDENT AND FOR MEDICATION USE BY THE STUDENT DURING SCHOOL
32 HOURS, AT SCHOOL-SPONSORED ACTIVITIES, AND WHILE IN TRANSIT TO OR
33 FROM SCHOOL OR SCHOOL-SPONSORED ACTIVITIES; AND

34
35 (IV) THE STUDENT'S PARENT OR LEGAL GUARDIAN COMPLETES
36 AND SUBMITS TO THE INSTITUTE CHARTER SCHOOL THE FOLLOWING
37 DOCUMENTATION:

38
39 (A) A WRITTEN MEDICAL AUTHORIZATION THAT INCLUDES THE
40 SIGNATURE OF THE HEALTH CARE PRACTITIONER FOR THE MEDICATION
41 PRESCRIBED; THE NAME, PURPOSE, PRESCRIBED DOSAGE, FREQUENCY, AND
42 LENGTH OF TIME BETWEEN DOSAGES OF THE MEDICATIONS TO BE
43 SELF-ADMINISTERED; AND CONFIRMATION FROM THE HEALTH CARE
44 PRACTITIONER THAT THE STUDENT HAS BEEN INSTRUCTED AND IS CAPABLE
45 OF SELF-ADMINISTRATION OF THE PRESCRIBED MEDICATIONS;

46
47 (B) A WRITTEN STATEMENT FROM THE STUDENT'S PARENT OR
48 LEGAL GUARDIAN RELEASING THE SCHOOL, ANY ASSOCIATED ENTITY, AND
49 EMPLOYEES AND VOLUNTEERS OF THE SCHOOL, AND ANY ASSOCIATED
50 ENTITY FROM LIABILITY, EXCEPT IN CASES OF WILLFUL OR WANTON
51 CONDUCT OR DISREGARD OF THE CRITERIA OF THE TREATMENT PLAN; AND

52
53 (C) A WRITTEN CONTRACT BETWEEN THE SCHOOL NURSE, THE
54 STUDENT, AND THE STUDENT'S PARENT OR LEGAL GUARDIAN ASSIGNING
55 LEVELS OF RESPONSIBILITY TO THE PARENT OR LEGAL GUARDIAN,
56 STUDENT, AND SCHOOL EMPLOYEES.

1 (c) A TREATMENT PLAN SHALL BE EFFECTIVE ONLY FOR THE
2 SCHOOL YEAR IN WHICH IT IS APPROVED. AN INSTITUTE CHARTER SCHOOL
3 SHALL APPROVE A NEW TREATMENT PLAN FOR EACH SCHOOL YEAR SO
4 LONG AS THE PLAN MEETS THE CONDITIONS SPECIFIED IN PARAGRAPH (b)
5 OF THIS SUBSECTION (3). A PARENT OR LEGAL GUARDIAN SHALL SUBMIT
6 A NEW TREATMENT PLAN ANNUALLY OR MORE OFTEN IF CHANGES OCCUR
7 IN THE STUDENT'S HEALTH OR PRESCRIBED TREATMENT.

8
9 (4) IF THE CONDITIONS DESCRIBED IN PARAGRAPH (b) OF
10 SUBSECTION (3) OF THIS SECTION ARE MET, AN INSTITUTE CHARTER
11 SCHOOL, INSTITUTE CHARTER SCHOOL EMPLOYEE, OR A VOLUNTEER NOT
12 OTHERWISE PROVIDED FOR UNDER SECTION 13-21-108, C.R.S., SHALL NOT
13 BE LIABLE IN A SUIT FOR DAMAGES AS A RESULT OF AN ACT OR OMISSION
14 RELATED TO A STUDENT'S OWN USE OF THE STUDENT'S EPINEPHRINE
15 AUTO-INJECTOR OR ANY OTHER MEDICATION CONTAINED IN AN APPROVED
16 TREATMENT PLAN UNLESS THE DAMAGES WERE CAUSED BY WILLFUL OR
17 WANTON CONDUCT OR DISREGARD OF THE CRITERIA OF THE TREATMENT
18 PLAN."

19
20 Page 9, strike lines 1 through 14.

21
22 Renumber succeeding sections accordingly.

23
24 Page 9, strike lines 21 through 27 and substitute the following:

25
26 "THE DUTY TO DEVELOP, MAINTAIN, AND MAKE AVAILABLE TO SCHOOL".

27
28 Page 10, line 1, after the first "DISTRICTS", insert "AND INSTITUTE
29 CHARTER SCHOOLS";

30
31 line 6, strike "SECTION 22-2-135 (3) (a)" and substitute "SECTION
32 22-2-135 (3) (b), C.R.S.";

33
34 strike line 7."

35
36 Amendment No. 2, by Representative(s) Massey.

37
38 Amend, Amendment No. 1, by Representative Gagliardi, printed in House
39 Journal page 1612, after line 22, insert the following:

40
41 "(6) NOTHING IN THIS SECTION SHALL BE INTERPRETED TO CREATE
42 A CAUSE OF ACTION OR INCREASE OR DECREASE THE LIABILITY OF ANY
43 PERSON."

44
45 Renumber succeeding subsection accordingly.

46
47 Page 1614, strike line 18 and substitute the following:

48
49 "PLAN.

50
51 (5) NOTHING IN THIS SECTION SHALL BE INTERPRETED TO CREATE
52 A CAUSE OF ACTION OR INCREASE OR DECREASE THE LIABILITY OF ANY
53 PERSON."."

54
55 As amended, ordered revised and placed on the Calendar for Third
56 Reading and Final Passage.

1 **HB09-1361** by Representative(s) Weissmann, Kerr A.; also Senator(s)
2 Morse--Concerning the state controller making
3 modifications to allowable expenditures due to certain
4 changes in the estimated amount of state revenue
5 occurring when the general assembly is not meeting in
6 session.

7
8 Laid over until June 9, 2009. Bill deemed lost.

9
10 **HB09-1366** by Representative(s) Pommer; also Senator(s) Romer--
11 Concerning the elimination of the state income tax
12 modification for qualifying Colorado capital gains.

13
14 Amendment No. 1, by Representative(s) Miklosi and Frangas.

15
16 Amend printed bill, page 2, strike lines 2 through 4 and substitute the
17 following:

18
19 "SECTION 1. 39-22-518 (2) (b) (I) (A) and (2) (b) (I) (B),
20 Colorado Revised Statutes, are amended, and the said";

21
22 strike lines 8 through 13;

23
24 strike lines 19 through 26.

25
26 Strike pages 3 through 6.

27
28 Page 7, strike lines 1 through 24 and substitute the following:

29
30 "(A) Earned by such qualified taxpayer on real or tangible
31 personal property located within Colorado that was acquired on or after
32 May 9, 1994, BUT BEFORE THE EFFECTIVE DATE OF THIS
33 SUB-SUBPARAGRAPH (A), and that has been owned by the qualified
34 taxpayer for a holding period of at least five years prior to the date of the
35 transaction from which such net capital gains arise; SUBJECT TO THE
36 LIMITATION THAT, FOR ANY INCOME TAX YEAR COMMENCING ON OR AFTER
37 JANUARY 1, 2010, ONLY NET CAPITAL GAINS EARNED ON TRANSACTIONS
38 OCCURRING DURING THE INCOME TAX YEAR THAT INVOLVE EITHER REAL
39 OR TANGIBLE PERSONAL PROPERTY OR THE SALE OF STOCK OR AN
40 OWNERSHIP INTEREST IN A COLORADO COMPANY, LIMITED LIABILITY
41 COMPANY, OR PARTNERSHIP, ACQUIRED ON OR AFTER MAY 9, 1994, BUT
42 BEFORE THE EFFECTIVE DATE OF THIS SUB-SUBPARAGRAPH (A), HAVING A
43 MAXIMUM AGGREGATE ACTUAL VALUE, AS OF EACH RESPECTIVE
44 TRANSACTION DATE, OF FIVE HUNDRED THOUSAND DOLLARS SHALL BE
45 QUALIFYING GAINS RECEIVING CAPITAL TREATMENT; or

46
47 (B) Earned on the sale of stock or on the sale of an ownership
48 interest in a Colorado company, limited liability company, or partnership
49 where such stock or ownership interest was acquired on or after May 9,
50 1994, BUT BEFORE THE EFFECTIVE DATE OF THIS SUB-SUBPARAGRAPH (B),
51 and has been owned by the qualified taxpayer for a holding period of at
52 least five years prior to the date of the transaction from which the net
53 capital gains arise; SUBJECT TO THE LIMITATION THAT, FOR ANY INCOME
54 TAX YEAR COMMENCING ON OR AFTER JANUARY 1, 2010, ONLY NET
55 CAPITAL GAINS EARNED ON THE EARLIEST TRANSACTIONS OCCURRING
56 DURING THE INCOME TAX YEAR THAT INVOLVE EITHER THE SALE OF STOCK

1 OR AN OWNERSHIP INTEREST IN A COLORADO COMPANY, LIMITED
2 LIABILITY COMPANY, OR PARTNERSHIP OR REAL OR TANGIBLE PERSONAL
3 PROPERTY, ACQUIRED ON OR AFTER MAY 9, 1994, BUT BEFORE THE
4 EFFECTIVE DATE OF THIS SUB-SUBPARAGRAPH (B), HAVING A MAXIMUM
5 AGGREGATE ACTUAL VALUE, AS OF EACH RESPECTIVE TRANSACTION DATE,
6 OF FIVE HUNDRED THOUSAND DOLLARS SHALL BE QUALIFYING GAINS
7 RECEIVING CAPITAL TREATMENT; or";

8

9 strike line 25 and substitute the following:

10

11 "(8) SUB-SUBPARAGRAPHS (C), (D), (E), AND (F) OF
12 SUBPARAGRAPH (I) OF PARAGRAPH (b) OF SUBSECTION (2) OF THIS
13 SECTION, SUBSECTIONS (5), (6), AND (7) OF THIS SECTION, AND THIS
14 SUBSECTION (8) ARE REPEALED, EFFECTIVE ON THE EFFECTIVE DATE OF
15 THIS SUBSECTION (8)."

16

17 As amended, ordered engrossed and placed on the Calendar for Third
18 Reading and Final Passage.

19

20 **HB09-1365** by Representative(s) Marostica, Ferrandino, Pommer; also
21 Senator(s) White, Keller, Tapia--Concerning modifications
22 to the property tax exemption for certain property leased
23 by governmental entities that use the property for
24 governmental purposes.

25

26 Amendment No. 1, Appropriations Report, dated April 29, 2009, and
27 placed in member's bill file; Report also printed in House Journal,
28 April 29, page 1603.

29

30 As amended, ordered engrossed and placed on the Calendar for Third
31 Reading and Final Passage.

32

33 **HB09-1367** by Representative(s) Marostica, Ferrandino, Pommer; also
34 Senator(s) Keller, Tapia, White--Concerning the
35 restriction of general fund revenues related to the pay date
36 shift of employees transferring to the office of information
37 technology.

38

39 Amendment No. 1, Appropriations Report, dated April 29, 2009, and
40 placed in member's bill file; Report also printed in House Journal,
41 April 29, page 1603.

42

43 As amended, ordered engrossed and placed on the Calendar for Third
44 Reading and Final Passage.

45

46

47 **SB09-163** by Senator(s) Hudak and King K.; also Representative(s)
48 Middleton and Massey--Concerning the education
49 accountability system, and making an appropriation
50 therefor.

51

52 Amendment No. 1, Education Report, dated April 27, 2009, and placed
53 in member's bill file; Report also printed in House Journal, April 28,
54 pages 1543-1549.

55

- 1 Amendment No. 2, by Representative(s) Massey.
2
3 Amend the Education Committee Report, dated April 27, 2009, page 2,
4 line 24, strike "OPERATIONS, ENVIRONMENT," and substitute "OPERATIONS
5 AND ENVIRONMENT";
6
7 line 25, strike "AND FUNDING".
8
9 Page 6, line 19, strike "DISTRICT, EACH CHARTER SCHOOL," and substitute
10 "DISTRICT";
11
12 line 21, strike "DISTRICT'S, THE CHARTER SCHOOL'S," and substitute
13 "DISTRICT'S";
14
15 line 24, strike "DISTRICT, CHARTER SCHOOL," and substitute "DISTRICT".
16
17 Amendment No. 3, by Representative(s) Middleton.
18 Amend reengrossed bill, page 15, strike lines 17 through 25;
19
20 line 26, strike "**22-11-106.**" and substitute "**22-11-105.**".
21
22 As amended, ordered revised and placed on the Calendar for Third
23 Reading and Final Passage.
24
25 **SB09-223** by Senator(s) Boyd, Kester, White; also Representative(s)
26 Kerr A. and Gardner B.--Concerning revisions to the retail
27 food establishment inspection process, and making an
28 appropriation in connection therewith.
29
30 Ordered revised and placed on the Calendar for Third Reading and Final
31 Passage.
32
33 **SB09-118** by Senator(s) Gibbs, Hodge, Isgar; also Representative(s)
34 Fischer--Concerning continuation of pet animal care
35 regulation, and making an appropriation therefor.
36
37 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
38 dated April 22, 2009, and placed in member's bill file; Report also printed
39 in House Journal, April 23, pages 1415-1416.
40
41 Amendment No. 2, Appropriations Report, dated April 29, 2009, and
42 placed in member's bill file; Report also printed in House Journal,
43 April 29, page 1604.
44
45 Amendment No. 3, by Representative(s) Curry.
46
47 Amend the Appropriations Committee Report, dated April 28, 2009,
48 Page 1, strike lines 2 through 3 and substitute the following:
49
50 " Report, dated, April 22, 2009."
51
52 As amended, ordered revised and placed on the Calendar for Third
53 Reading and Final Passage.
54
55 **HB09-1368** by Representative(s) Labuda; also Senator(s) Carroll M.--
56 Concerning the exclusion of specified types of state

1 contracts from statutory provisions governing the state's
2 centralized contract management system.

3
4 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
5 April 28, 2009, and placed in member's bill file; Report also printed in
6 House Journal, April 28, page 1578.

7
8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.

10
11 **SB09-006** by Senator(s) Boyd, Keller; also Representative(s) Solano-
12 -Concerning creation of an identification processing unit
13 for detention facilities.

14
15 Amendment No. 1, Appropriations Report, dated April 29, 2009, and
16 placed in member's bill file; Report also printed in House Journal,
17 April 29, pages 1603-1604.

18
19 As amended, ordered revised and placed on the Calendar for Third
20 Reading and Final Passage.

21
22 On motion of Representative Weissmann, the remainder of the Special
23 Orders Calendar (**SB09-235, 245**) was laid over until April 30, retaining
24 place on Calendar.

25
26
27
28 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

29
30 Representative(s) Lambert moved to amend the Report of the Committee
31 of the Whole to reverse the action taken by the Committee in not adopting
32 the following Lambert amendment, to HB09-1366, to show that said
33 amendment passed, and that **HB09-1366**, as amended, passed.

34
35 Amend printed bill, page 7, strike line 26.

36
37 Strike page 8 and substitute the following:

38
39 **"SECTION 2. Refer to people under referendum.** This act
40 shall be submitted to a vote of the registered electors of the state of
41 Colorado at the next election for which it may be submitted, for their
42 approval or rejection, under the provisions of the referendum as provided
43 for in section 1 of article V and section 20 of article X of the state
44 constitution, and in article 40 of title 1, Colorado Revised Statutes. Each
45 elector voting at said election and desirous of voting for or against said
46 act shall cast a vote as provided by law either "Yes" or "No" on the
47 proposition: "SHALL THE STATE INCOME TAX MODIFICATION FOR
48 QUALIFYING COLORADO CAPITAL GAINS BE ELIMINATED FOR INCOME TAX
49 YEARS COMMENCING ON OR AFTER JANUARY 1, 2010?" The votes cast for
50 the adoption or rejection of said act shall be canvassed and the result
51 determined in the manner provided by law for the canvassing of votes for
52 representatives in Congress."

53
54 The amendment was declared **lost** by the following roll call vote:

55

1 **THIRD READING OF BILL--FINAL PASSAGE**

2
3 The following bill was considered on Third Reading. The title was
4 publicly read. Reading of the bill at length was dispensed with by
5 unanimous consent.

6
7 **HB09-1351** by Representative(s) Pommer and Ferrandino, Marostica;
8 also Senator(s) Carroll M.--Concerning an increase in the
9 amount of time an inmate may have deducted from the
10 inmate's sentence, and making an appropriation in
11 connection therewith.

12
13 The question being "Shall the bill 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 bill
16 was declared **passed**.

	YES	40	NO	25	EXCUSED	0	ABSENT	0
19	Acree	N	Green	Y	McCann	Y	Roberts	Y
20	Apuan	N	Hullinghorst	Y	McFadyen	Y	Ryden	Y
21	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
22	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
23	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
24	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
25	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
26	Court	Y	King S.	N	Murray	N	Stephens	N
27	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
28	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
29	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
30	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
31	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
32	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
33	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
34	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
35							Speaker	Y

36 Co-sponsor(s) added: Representative(s) Court, Fischer, Green, Hullinghorst,
37 Judd, Labuda, McFadyen, Merrifield, Pace, Ryden, Todd, Weissmann, Speaker

38
39
40
41
42 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

43
44 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

45 After consideration on the merits, the Committee recommends the
46 following:

47
48 **SB09-293** be referred to the Committee of the Whole with favorable
49 recommendation.

50
51
52
53
54
55

1 **BUSINESS AFFAIRS & LABOR**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB09-255** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend reengrossed bill, page 12, strike lines 1 through 3.

10
11 Reletter succeeding paragraphs accordingly.

12
13 Page 18, strike lines 13 through 27.

14
15 Page 19, strike line 1.

16
17 Renumber succeeding sections accordingly

18
19
20
21 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

22
23 The Speaker has signed: **HB09-1213, 1237; SB09-002, 104, 126, 144,**
24 **251.**

25
26
27
28 **MESSAGE(S) FROM THE SENATE**

29
30 The Senate has passed on Third Reading and transmitted to the Revisor
31 of Statutes: SB09-287.

32
33 The Senate has passed on Third Reading and returns herewith:

34
35 HB09-1332, HB09-1313, HB09-1339, HB09-1317, HB09-1133,
36 HB09-1289, HB09-1043, HB09-1022.

37
38 The Senate has passed on Third Reading and transmitted to the Revisor
39 of Statutes:

40
41 HB09-1164 amended as printed in Senate Journal, April 28, 2009,
42 pages 1351-1352,

43 HB09-1199 amended as printed in Senate Journal, April 28, 2009,
44 pages 1353-1354,

45 HB09-1173 amended as printed in Senate Journal, April 28, 2009,
46 page 1354,

47 HB09-1329 amended as printed in Senate Journal, April 28, 2009 ,
48 page 1354,

49 HB09-1035, amended on Third Reading as printed in Senate Journal,
50 April 29, 2009,

51 HB09-1196 amended as printed in Senate Journal, April 28, 2009,
52 pages 1355,

53 HB09-1282 amended as printed in Senate Journal, April 28, 2009,
54 pages 1355-1356,

55 HB09-1119 amended as printed in Senate Journal, April 28, 2009,
56 page 1356,

1 HB09-1312 amended as printed in Senate Journal, April 28, 2009,
2 pages 1356-1357 and on Third Reading as printed,
3 April 29, 2009.
4
5

6 The Senate voted not to concur in House Amendments to SB09-256, and
7 requests that a Conference Committee be appointed. The President
8 appointed Senators Romer--Chair, Hodge, and King as members of the
9 First Conference Committee on SB09-256 on the part of the Senate. The
10 Senate granted the conferees permission to go beyond the scope of
11 differences between the two houses. The bill is transmitted herewith.
12
13

14 15 **MESSAGE(S) FROM THE REVISOR**

16
17 We herewith transmit:
18 Without comment, SB09-287.
19 Without comment, as amended, HB09-1164, 1199, 1173, 1329, 1035,
20 1196,1282, 1119, and 1312.
21
22

23 24 **APPOINTMENTS TO CONFERENCE COMMITTEES**

25
26 Pursuant to a request from the Senate, the Speaker appointed House
27 conferees to the First Conference Committees as follows:
28

29 **SB09-256**--Representatives Pommer, Chairman, Scanlan and Massey.
30
31

32 33 **LAY OVER OF CALENDAR ITEM(S)**

34
35 On motion of Representative Weissmann, the following item(s) on the
36 Calendar were laid over until April 30, retaining place on Calendar:
37

38 Consideration of Conference Committee Report(s)--**SB09-271,**
39 **HB09-1057.**

40 Consideration of Resolution(s)--**HJR09-1018, 1023, 1025, 1027,**
41 **SJR09-034.**

42 Consideration of Memorial(s)--**HM09-1005, SJM09-010.**

43 Consideration of Senate Amendment(s)--**HB09-1170, 1180, 1242, 1250,**
44 **1252, 1303, 1316.**
45
46

47
48 On motion of Representative Weissmann, the House adjourned until
49 9:00 a.m., April 30, 2009.
50

51 Approved:
52 TERRANCE D. CARROLL,
53 Speaker

54 Attest:
55 MARILYN EDDINS,
56 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

One hundred-fourteenth Legislative Day Thursday, April 30, 2009

- 1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.
- 2
- 3 The Speaker called the House to order at 9:00 a.m.
- 4
- 5 Pledge of Allegiance led by Alec Greven, Soaring Hawk Elementary,
- 6 Castle Rock.
- 7
- 8 The roll was called with the following result:
- 9
- 10 Present--63.
- 11 Excused--Representative(s) Gardner B., Middleton--2.
- 12 Present after roll call--Representative(s) Gardner B., Middleton.
- 13

14 The Speaker declared a quorum present.

15 _____
16
17 On motion of Representative Tipton, the reading of the journal of
18 April 29, 2009, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20 _____
21
22
23
24 style="text-align:center">**CONSIDERATION OF RESOLUTION(S)**

25
26 **HJR09-1017** by Representative(s) Riesberg and Roberts, Acree, Apuan,
27 Benefield, Casso, Gagliardi, Gerou, Green, Hullinghorst,
28 Kerr J., Massey, McCann, McKinley, Merrifield,
29 Peniston, Primavera, Solano, Todd, Vaad, Gardner B.,
30 Gardner C., Liston, Looper, Scanlan, Sonnenberg,
31 Summers, Swalm, Tipton, Vigil, Waller; also Senator(s)
32 Williams, Boyd, Carroll M., Hodge, Isgar, Kester, Morse,
33 Newell, Penry, Shaffer B., Tochtrop--Concerning the
34 creation of an interim committee to study hospice and
35 palliative care in Colorado.

36
37 (Printed and placed in member's files.)

38
39 Representative Roberts moved that the resolution be adopted.

40
41 Representative Roberts moved the following amendment:

42
43

1 Amendment No. 1, Health & Human Services Report, dated
 2 April 20, 2009, and placed in member's bill file; Report also printed in
 3 House Journal, April 21, page 1314.

4
 5 The amendment was declared **passed** by **viva voce** vote.

6
 7 On motion of Representative Riesberg the resolution as amended was
 8 **adopted** by **viva voce** vote.

9
 10 Co-sponsor(s) added: Representative(s) Balmer, Baumgardner, Bradford, Court,
 11 Curry, Ferrandino, Fischer, Frangas, Judd, Kagan, Kefalas, Kerr A., King S.,
 12 Labuda, Lambert, Levy, Marostica, May, McFadyen, McNulty, Middleton,
 13 Miklosi, Murray, Nikkel, Pace, Pommer, Priola, Rice, Ryden, Schafer S., Soper,
 14 Stephens, Speaker

17 18 THIRD READING OF BILLS--FINAL PASSAGE

19
 20 The following bills were considered on Third Reading. The titles were
 21 publicly read. Reading of the bill at length was dispensed with by
 22 unanimous consent.

23
 24 **SB09-180** by Senator(s) Tochtrop, Carroll M.; also Representative(s)
 25 Casso--Concerning collective bargaining by employees of
 26 public safety agencies.

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
 31 bill was declared **passed**.

	YES	34	NO	30	EXCUSED	0	ABSENT	1
34	Acree	N	Green	Y	McCann	-	Roberts	N
35	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
36	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
37	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
38	Benefield	N	Kefalas	Y	Merrifield	Y	Solano	Y
39	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
40	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
41	Court	N	King S.	N	Murray	N	Stephens	N
42	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
43	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
44	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
45	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
46	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
47	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
48	Gardner C.	N	Massey	N	Rice	N	Waller	N
49	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Gagliardi, Green,
 52 Kagan, McFadyen, Merrifield, Middleton, Miklosi, Peniston, Primavera, Ryden,
 53 Solano, Soper, Vigil, Fischer, Pace

54
 55

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 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	64	NO	0	EXCUSED	0	ABSENT	1
12	Acree	Y	Green	Y	McCann	-	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 Co-sponsor(s) added: Representative(s) Benefield, Fischer, Gerou, Green,
 30 Labuda, Levy, Marostica, McFadyen, Merrifield, Primavera, Schafer S., Solano,
 31 Stephens, Todd

32
 33 **HB09-1366** by Representative(s) Pommer; also Senator(s) Romer--
 34 Concerning the elimination of the state income tax
 35 modification for qualifying Colorado capital gains.

36
 37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.

	YES	35	NO	30	EXCUSED	0	ABSENT	0
43	Acree	N	Green	Y	McCann	Y	Roberts	N
44	Apuan	N	Hullinghorst	Y	McFadyen	Y	Ryden	Y
45	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
46	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
47	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
48	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
49	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
50	Court	Y	King S.	N	Murray	N	Stephens	N
51	Curry	N	Labuda	Y	Nikkel	N	Summers	N
52	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
53	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
54	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
55	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
56	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y

1	Gardner C.	N	Massey	N	Rice	Y	Waller	N
2	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Frangas, Green, Labuda, Merrifield

5
 6 **HB09-1365** by Representative(s) Marostica, Ferrandino, Pommer; also
 7 Senator(s) White, Keller, Tapia--Concerning modifications
 8 to the property tax exemption for certain property leased
 9 by governmental entities that use the property for
 10 governmental purposes.

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	65	NO	0	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	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	Y

35 Co-sponsor(s) added: Representative(s) Gardner B., Gerou, McNulty, Stephens

36
 37 **HB09-1367** by Representative(s) Marostica, Ferrandino, Pommer; also
 38 Senator(s) Keller, Tapia, White--Concerning the
 39 restriction of general fund revenues related to the pay date
 40 shift of employees transferring to the office of information
 41 technology.

42
 43 The question being "Shall the bill 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 bill
 46 was declared **passed**.

48	YES	57	NO	8	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	Y	McKinley	Y	Scanlan	Y
52	Baumgardner	Y	Kagan	Y	McNulty	N	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	Y	Labuda	Y	Nikkel	N	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	N	Primavera	Y	Vaad	Y
6	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
7	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
8	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
9							Speaker	Y

10 Co-sponsor(s) added: Representative(s) McFadyen

11
 12 **SB09-163** by Senator(s) Hudak and King K.; also Representative(s)
 13 Middleton and Massey--Concerning the education
 14 accountability system, and making an appropriation
 15 therefor.

16
 17 As shown by the following roll call vote, a majority of all members
 18 elected to the House voted in the affirmative, and Representative Massey
 19 was given permission to offer a Third Reading amendment:

21	YES	63	NO	2	EXCUSED	0	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	N
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	N	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	Y

39
 40
 41 **Third Reading amendment No.**, by Representative Massey.

42
 43 Amend revised bill, page 81, line 26, strike "SCHOOL ACCOUNTABILITY
 44 COMMITTEE" and substitute "PRINCIPAL AND SCHOOL DISTRICT
 45 SUPERINTENDENT, OR HIS OR HER DESIGNEE,".

46
 47 Page 84, line 21, strike "SCHOOL ACCOUNTABILITY COMMITTEE" and
 48 substitute "PRINCIPAL AND SCHOOL DISTRICT SUPERINTENDENT, OR HIS OR
 49 HER DESIGNEE,".

50
 51 Page 87, line 24, strike "SCHOOL ACCOUNTABILITY COMMITTEE" and
 52 substitute "LOCAL SCHOOL BOARD OR THE INSTITUTE".

53
 54 The amendment was declared **passed** by the following roll call vote:

55
 56

	YES	65	NO	0	EXCUSED	0	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	Y	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 **passed**.

	YES	65	NO	0	EXCUSED	0	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	Y	Pace	Y	Swalm	Y
36	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
37	Frangas	Y	Liston	Y	Pommer	Y	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) Ferrandino, Fischer, Frangas,
 44 Gardner B., Labuda, Merrifield, Pace, Pommer, Ryden, Scanlan, Schafer S.,
 45 Solano, Stephens, Summers, Todd, Vigil

46
 47 **SB09-223** by Senator(s) Boyd, Kester, White; also Representative(s)
 48 Kerr A. and Gardner B.--Concerning revisions to the retail
 49 food establishment inspection process, and making an
 50 appropriation in connection therewith.

51
 52 The question being "Shall the bill pass?".
 53 A roll call vote was taken. As shown by the following recorded vote, a
 54 majority of those elected to the House voted in the affirmative and the bill
 55 was declared **passed**.

56

	YES	55	NO	9	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	N
8	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
9	Court	Y	King S.	Y	Murray	N	Stephens	Y
10	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
11	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	N	Liston	Y	Pommer	Y	Todd	Y
14	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
15	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
16	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
17	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
18							Speaker	Y

19 Representative Weissmann excused from voting under House Rule 21(c).
 20 Co-sponsor(s) added: Representative(s) Hullinghorst, Labuda, Merrifield,
 21 Pommer, Scanlan, Todd

22
 23 **SB09-118** by Senator(s) Gibbs, Hodge, Isgar; also Representative(s)
 24 Fischer--Concerning continuation of pet animal care
 25 regulation, and making an appropriation therefor.

26
 27 The question being "Shall the bill pass?".
 28 A roll call vote was taken. As shown by the following recorded vote, a
 29 majority of those elected to the House voted in the affirmative and the bill
 30 was declared **passed**.

	YES	61	NO	4	EXCUSED	0	ABSENT	0
33	Acree	Y	Green	Y	McCann	Y	Roberts	Y
34	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
35	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
36	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
37	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
38	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
39	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
40	Court	Y	King S.	Y	Murray	Y	Stephens	Y
41	Curry	Y	Labuda	Y	Nikkel	Y	Summers	N
42	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
43	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
44	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
45	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
46	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
47	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
48	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Curry, Hullinghorst, Todd

51
 52 **HB09-1368** by Representative(s) Labuda; also Senator(s) Carroll M.--
 53 Concerning the exclusion of specified types of state
 54 contracts from statutory provisions governing the state's
 55 centralized contract management system.

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	40	NO	25	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	N	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	N	Stephens	N
15	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
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	N	Priola	N	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 Co-sponsor(s) added: Representative(s) Schafer S.

25
 26 **SB09-006** by Senator(s) Boyd, Keller; also Representative(s) Solano-
 27 -Concerning creation of an identification processing unit
 28 for detention facilities, and making an appropriation in
 29 connection therewith.

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**.

	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	N
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) Casso, Fischer, Kerr J., Labuda,
 55 Merrifield, Pace, Ryden, Todd

56

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR09-048, SJR09-039, and SJR09-056.

The Senate has adopted and returns herewith:, HJR09-1020.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

On motion of Representative Weissmann, the rules were suspended and the following resolution was given immediate consideration.

SJR09-039 by Senator(s) Spence; also Representative(s) Primavera-- Concerning recognition of the history of the disability rights movement, and, in connection therewith, proclaiming Disability History Week in Colorado.

(Printed and placed in member's file).

Representative Primavera moved that the resolution be adopted and requested that it be read at length.

Amendment No. 1, moved by Representative Primavera.

Amend engrossed joint resolution, page 3, line 34, after "Springs," insert "the Brain Injury Association of Colorado,".

The amendment was declared **passed by viva voce** vote.

On motion of Representative Primavera, the resolution as amended was **adopted by viva voce** vote.

Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green, Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Marostica, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil, Waller, Weissmann, Speaker

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL(S)

HB09-1164 by Representative(s) Primavera, Gagliardi, Green, Kefalas, Kerr J., McGihon; also Senator(s) Kester--Concerning a surcharge on breast cancer awareness special license plates to provide funding for cancer treatment for women who are not currently eligible to participate in the breast and cervical cancer prevention and treatment program under the "Colorado Medical Assistance Act", and requiring a post-enactment review of the implementation of this act.

1 (Amended as printed in Senate Journal, April 28, pages 1351-1352.)

2

3 Representative Primavera moved that the House **not concur** in Senate
4 amendments and that a Conference Committee be appointed with
5 permission to go beyond the scope of the differences between the House
6 and the Senate.

7

8 The motion was declared **passed** by the following roll call vote:

9

	YES	63	NO	2	EXCUSED	0	ABSENT	0
11	Acree	Y	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	Y	Schafer S.	Y
15	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
16	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
17	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
18	Court	Y	King S.	Y	Murray	N	Stephens	Y
19	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
20	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
21	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
22	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
23	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
24	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
25	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
26	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
27							Speaker	Y

28 The Speaker appointed Representatives Primavera, Chairman, McFadyen
29 and Kerr J., as House conferees to the bill.

30

31

32

33 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
34 **on SB09-279**

35

36

This Report Amends the Rerevised Bill.

37

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To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on SB09-279,
concerning the augmentation of the general fund through transfers of
certain moneys, has met and reports that it has agreed upon the following:

1. That the Senate accede to the House amendments made to the
bill, as the amendments appear in the rerevised bill, with the following
changes:

Amend rerevised bill, page 5, line 11, strike "THE EFFECTIVE DATE OF
THIS" and substitute "JULY 1, 2009,";

line 12, strike "PARAGRAPH (b),".

Page 10, strike lines 10 through 20.

Page 13, strike line 23 and substitute the following:

1 "CONTRARY:

2

3 (a) ON THE EFFECTIVE DATE OF THIS SUBSECTION (2.6), THE
4 STATE";

5

6 line 24, strike "SEVENTY-FIVE" and substitute "FIFTY";

7

8 strike line 26 and substitute the following:

9

10 "GENERAL FUND; AND

11

12 (b) ON JULY 1, 2009, THE STATE TREASURER SHALL DEDUCT
13 TWENTY-FIVE MILLION DOLLARS FROM THE UNCLAIMED PROPERTY TRUST
14 FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND."

15

16 Page 15, line 12, strike "TWENTY-SEVEN" and substitute "SEVEN".

17

18 2. That, under the authority granted the committee to consider
19 matters not at issue between the two houses, the following amendments
20 be recommended:

21

22 Amend rerevised bill, page 10, after line 9, insert the following:

23

24 "SECTION 13. 38-13-116.7, Colorado Revised Statutes, is
25 amended BY THE ADDITION OF A NEW SUBSECTION to read:

26

27 **38-13-116.7. Unclaimed property tourism promotion trust**
28 **fund - creation - payments - interest - transfers.**

29 (5) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
30 CONTRARY, ON JULY 1, 2009, THE STATE TREASURER SHALL DEDUCT FIVE
31 MILLION DOLLARS FROM THE UNCLAIMED PROPERTY TOURISM PROMOTION
32 TRUST FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND."

33

34 Page 11, line 16, strike "TEN MILLION" and substitute "TWELVE MILLION
35 FIVE HUNDRED THOUSAND";

36

37 line 20, strike "FIVE MILLION" and substitute "TWO MILLION FIVE HUNDRED
38 THOUSAND".

39

40 Page 17, after line 26, insert the following:

41

42 "SECTION 27. 34-63-102 (5.4), Colorado Revised Statutes, is
43 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

44

45 **34-63-102. Creation of mineral leasing fund - distribution -**
46 **advisory committee - definitions.** (5.4) Except as otherwise provided
47 in subsection (5.5) of this section, on and after July 1, 2008, all moneys
48 other than bonus payments, as defined in paragraph (b) of subsection
49 (5.3) of this section, credited to the mineral leasing fund created in
50 subparagraph (I) of paragraph (a) of subsection (1) of this section shall be
51 distributed on a quarterly basis for quarters beginning on July 1, October
52 1, January 1, and April 1 of each state fiscal year as follows:

53

54 (b.5) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (b) OF
55 THIS SUBSECTION (5.4) TO THE CONTRARY, FOR EACH QUARTER
56 COMMENCING DURING THE 2009-10 FISCAL YEAR, AS SOON AS

1 PRACTICABLE AFTER MONEYS ARE CREDITED TO THE LOCAL GOVERNMENT
2 MINERAL IMPACT FUND PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION
3 (5.4), THE STATE TREASURER SHALL TRANSFER FROM THE LOCAL
4 GOVERNMENT MINERAL IMPACT FUND TO THE GENERAL FUND AN AMOUNT
5 EQUAL TO FIFTY PERCENT OF THE AMOUNT SO CREDITED TO THE FUND FOR
6 SUCH QUARTER; EXCEPT THAT THE AGGREGATE AMOUNT OF MONEYS SO
7 TRANSFERRED PURSUANT TO THIS PARAGRAPH (b.5) SHALL NOT EXCEED
8 TWENTY-TWO MILLION SIX HUNDRED THOUSAND DOLLARS.
9

10 **SECTION 28.** 24-75-201.5 (1), Colorado Revised Statutes, is
11 amended BY THE ADDITION OF A NEW PARAGRAPH to read:
12

13 **24-75-201.5. Revenue shortfalls - required actions by the**
14 **governor with respect to the reserve.** (1) (g) (I) FOR THE FISCAL YEAR
15 2008-09 ONLY, IF THE REVENUE ESTIMATE PREPARED IN ACCORDANCE
16 WITH SECTION 24-75-201.3 (2) IN JUNE 2009 INDICATES THAT GENERAL
17 FUND EXPENDITURES FOR SUCH FISCAL YEAR BASED ON APPROPRIATIONS
18 THEN IN EFFECT WILL EXCEED THE AMOUNT OF GENERAL FUND REVENUES
19 AVAILABLE FOR EXPENDITURE FOR SUCH FISCAL YEAR, THE STATE
20 TREASURER AND THE CONTROLLER, UPON THE WRITTEN ORDER OF THE
21 GOVERNOR, SHALL TRANSFER TO THE GENERAL FUND ON JUNE 30, 2009,
22 FROM ANY OR ALL OF SUCH FUNDS DESCRIBED IN SUBPARAGRAPH (II) OF
23 THIS PARAGRAPH (g), SUCH AMOUNTS AS ARE REQUIRED TO PERMIT
24 PROMPT DISBURSEMENT FROM THE GENERAL FUND OF ANY APPROPRIATION
25 MADE THEREFROM FOR ANY LAWFUL PURPOSE.
26

27 (II) THE TRANSFER OR TRANSFERS DESCRIBED IN SUBPARAGRAPH
28 (I) OF THIS PARAGRAPH (g) SHALL BE MADE FROM ONE OR MORE OF THE
29 FOLLOWING FUNDS:
30

31 (A) THE EMPLOYMENT SUPPORT FUND CREATED IN SECTION
32 8-77-109 (1), C.R.S., NOT TO EXCEED TWENTY-FIVE MILLION DOLLARS;
33

34 (B) THE TOBACCO LITIGATION SETTLEMENT CASH FUND CREATED
35 IN SECTION 24-22-115 (1) (a), NOT TO EXCEED EIGHTY-FOUR MILLION SIX
36 HUNDRED THOUSAND DOLLARS;
37

38 (C) THE LOCAL GOVERNMENT MINERAL IMPACT FUND CREATED IN
39 SECTION 34-63-102 (5) (a) (I), C.R.S., NOT TO EXCEED SEVENTY-TWO
40 MILLION DOLLARS;
41

42 (D) THE COLORADO WATER CONSERVATION BOARD
43 CONSTRUCTION FUND CREATED IN SECTION 37-60-121 (1) (a), C.R.S., NOT
44 TO EXCEED SIXTY MILLION DOLLARS;
45

46 (E) THE UNCLAIMED PROPERTY TRUST FUND CREATED IN SECTION
47 38-13-116.5 (1) (a), C.R.S., NOT TO EXCEED ONE HUNDRED MILLION
48 DOLLARS;
49

50 (F) THE PERPETUAL BASE ACCOUNT OF THE SEVERANCE TAX TRUST
51 FUND CREATED IN SECTION 39-29-109 (2) (a), C.R.S., NOT TO EXCEED
52 SEVENTY-FIVE MILLION DOLLARS;
53

54 (G) THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST
55 FUND CREATED IN SECTION 39-29-109 (2) (b), C.R.S., NOT TO EXCEED
56 TWENTY-ONE MILLION THREE HUNDRED THOUSAND DOLLARS;

1 (H) THE LOCAL GOVERNMENT SEVERANCE TAX FUND CREATED IN
 2 SECTION 39-29-110 (1) (a) (I), C.R.S., NOT TO EXCEED ONE HUNDRED
 3 TWENTY-EIGHT MILLION DOLLARS.

4
 5 (III) EFFECTIVE JULY 1, 2009, THE STATE TREASURER AND THE
 6 CONTROLLER SHALL TRANSFER MONEYS FROM THE GENERAL FUND TO ANY
 7 OR ALL FUNDS DESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (g)
 8 IN ORDER TO RESTORE TO SAID FUNDS ANY AMOUNT TRANSFERRED
 9 THEREFROM PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (g).".

10
 11 Renumber succeeding sections accordingly.

12
 13 Respectfully submitted,

14 Senate Committee:

15 (signed)
 16 Moe Keller
 17 Abel Tapia
 18 Al White

House Committee:

15 (signed)
 16 Jack Pommer
 17 Don Marostica
 18 Mark Ferrandino

19
 20
 21
 22 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

23
 24 **BUSINESS AFFAIRS & LABOR**

25 After consideration on the merits, the Committee recommends the
 26 following:

27
 28 **SB09-244** be amended as follows, and as so amended, be referred to
 29 the Committee of the Whole with favorable
 30 recommendation:

31
 32 Amend reengrossed bill, page 2, line 5, strike "and the health benefit
 33 plans for state employees".

34
 35 Page 3, line 3, strike "and the health benefits plans for state employees";
 36
 37 line 4, strike "programs" and substitute "program";
 38
 39 strike line 27.

40
 41 Page 4, strike lines 1 through 10 and substitute the following:

42
 43 "(II) "AUTISM SERVICES PROVIDER" MEANS ANY PERSON WHO
 44 PROVIDES DIRECT SERVICES TO A PERSON WITH AUTISM SPECTRUM
 45 DISORDER, IS LICENSED, CERTIFIED, OR REGISTERED BY THE APPLICABLE
 46 STATE LICENSING BOARD OR BY A NATIONALLY RECOGNIZED
 47 ORGANIZATION, AND WHO MEETS ONE OF THE FOLLOWING:

48
 49 (A) HAS A DOCTORAL DEGREE WITH A SPECIALTY IN PSYCHIATRY,
 50 MEDICINE, OR CLINICAL PSYCHOLOGY, IS ACTIVELY LICENSED BY THE
 51 STATE BOARD OF MEDICAL EXAMINERS, AND HAS ONE YEAR OF DIRECT
 52 EXPERIENCE IN BEHAVIORAL THERAPIES THAT ARE CONSISTENT WITH BEST
 53 PRACTICE AND RESEARCH ON EFFECTIVENESS FOR PEOPLE WITH AUTISM
 54 SPECTRUM DISORDERS;

55
 56 (B) HAS A DOCTORAL DEGREE IN ONE OF THE BEHAVIORAL OR

1 HEALTH SCIENCES AND HAS COMPLETED ONE YEAR OF EXPERIENCE IN
2 BEHAVIORAL THERAPIES THAT ARE CONSISTENT WITH BEST PRACTICE AND
3 RESEARCH ON EFFECTIVENESS FOR PEOPLE WITH AUTISM SPECTRUM
4 DISORDERS;

5

6 (C) HAS A MASTER'S DEGREE OR HIGHER IN BEHAVIORAL SCIENCES
7 AND IS NATIONALLY CERTIFIED AS A "BOARD CERTIFIED BEHAVIOR
8 ANALYST" OR CERTIFIED BY A SIMILAR NATIONALLY RECOGNIZED
9 ORGANIZATION;

10

11 (D) HAS A MASTER'S DEGREE OR HIGHER IN ONE OF THE BEHAVIOR
12 OR HEALTH SCIENCES, IS CREDENTIALLED AS A RELATED SERVICES
13 PROVIDER, AND HAS COMPLETED ONE YEAR OF DIRECT SUPERVISED
14 EXPERIENCE IN BEHAVIORAL THERAPIES THAT ARE CONSISTENT WITH BEST
15 PRACTICE AND RESEARCH ON EFFECTIVENESS FOR PEOPLE WITH AUTISM
16 SPECTRUM DISORDERS. FOR THE PURPOSES OF THIS SUB-SUBPARAGRAPH
17 (D), "RELATED SERVICES PROVIDER" MEANS A PHYSICAL THERAPIST,
18 OCCUPATIONAL THERAPIST, OR SPEECH THERAPIST.

19

20 (E) HAS A BACCALAUREATE DEGREE OR HIGHER IN BEHAVIORAL
21 SCIENCES AND IS NATIONALLY CERTIFIED AS A "BOARD CERTIFIED
22 ASSOCIATE BEHAVIOR ANALYST" OR CERTIFIED BY A SIMILAR NATIONALLY
23 RECOGNIZED ORGANIZATION.";

24

25 line 22, after the period, add ""HEALTH BENEFIT PLAN", AS USED IN THIS
26 SUBSECTION (1.4), DOES NOT INCLUDE INDIVIDUAL HEALTH BENEFIT
27 PLANS.".

28

29 Page 5, strike lines 23 through 25 and substitute the following:
30 "SERVICES PROVIDER. "THERAPEUTIC CARE" INCLUDES, BUT IS NOT
31 LIMITED TO, SPEECH, OCCUPATIONAL, AND".

32

33 Page 6, line 5, strike "INCLUDE, BUT IS NOT LIMITED TO" and substitute
34 "INCLUDE";

35

36 line 27, strike "APPROPRIATELY QUALIFIED HEALTH CARE".

37

38 Page 7, strike line 1 and substitute the following:

39

40 "AUTISM SERVICES PROVIDER AND";

41

42 line 7, strike "THE LICENSED";

43

44 strike lines 8 through 11;

45

46 line 12, strike "IS A MEDICAL NECESSITY ON AN INDIVIDUAL BASIS.";

47

48 line 16, strike "FOR THE" and substitute "OF APPLIED BEHAVIOR ANALYSIS
49 FOR AUTISM SPECTRUM";

50

51 strike line 17;

52

53 line 18, strike "TEN" and substitute "EIGHT";

54

55 line 19, strike "ELEVEN" and substitute "NINE";

56

1 line 20, after "BENEFIT", insert "FOR APPLIED BEHAVIOR ANALYSIS" and,
2 after "DISORDERS", insert "REQUIRED BY THIS SUBSECTION (1.4)";

3

4 strike line 21 through 27 and substitute the following:

5 "TO EXCEED THIRTY-FOUR THOUSAND DOLLARS AND FOR A CHILD NINE
6 YEARS OF AGE OR OLDER AND UNDER NINETEEN YEARS OF AGE, THE
7 ANNUAL MAXIMUM BENEFIT FOR APPLIED BEHAVIOR ANALYSIS FOR
8 AUTISM SPECTRUM DISORDERS REQUIRED BY THIS SUBSECTION (1.4) SHALL
9 BE IN AN AMOUNT NOT TO EXCEED TWELVE THOUSAND DOLLARS."

10

11 Page 8, strike line 1;

12

13 strike lines 20 and 21 and substitute the following:

14 "DISORDERS."

15

16 Page 9, strike lines 15 through 27.

17

18 Page 10, strike lines 1 through 19 and substitute the following:

19 "(h) ANY REVIEW OF A TREATMENT PLAN OR ANY APPEAL OF A
20 DECISION REGARDING TREATMENT SHALL BE SUBJECT TO THE RULES OF
21 THE COMMISSIONER ON PROMPT INVESTIGATION OF HEALTH PLAN CLAIMS
22 INVOLVING UTILIZATION REVIEW AND DENIAL OF BENEFITS.

23

24 (i) THE COVERAGE REQUIRED UNDER THIS SUBSECTION (1.4) MAY
25 BE SUBJECT TO OTHER GENERAL EXCLUSIONS AND LIMITATIONS OF THE
26 CARRIER'S HEALTH BENEFIT PLAN INCLUDING, BUT NOT LIMITED TO,
27 COORDINATION OF BENEFITS, PARTICIPATING PROVIDER REQUIREMENTS,
28 RESTRICTIONS ON SERVICES PROVIDED BY FAMILY OR HOUSEHOLD
29 MEMBERS, AND UTILIZATION REVIEW OF HEALTH CARE SERVICES,
30 INCLUDING THE REVIEW OF MEDICAL NECESSITY, CASE MANAGEMENT, AND
31 OTHER MANAGED CARE PROVISIONS."

32

33 Page 11, strike lines 24 through 27.

34

35 Page 12, strike lines 1 through 9.

36

37 Renumber succeeding sections accordingly.

38

39

40

41 **SB09-247** be amended as follows, and as so amended, be referred to
42 the Committee on Appropriations with favorable
43 recommendation;

44

45 Amend reengrossed bill, page 15, line 7, strike "THREE" and substitute
46 "FOUR".

47

48

49

50 **FINANCE**

51 After consideration on the merits, the Committee recommends the
52 following:

53

54 **SB09-282** be referred to the Committee of the Whole with favorable
55 recommendation.

56

DELIVERY OF BILLS TO GOVERNOR

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The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB09-1213, 1237** at 8:25 a.m. on April 30, 2009.

MESSAGE(S) FROM THE SENATE

The Senate has postponed indefinitely HB09-1308. The bill is returned herewith.

On motion of Representative Weissmann, **SB09-244, 282, 293, 255** were added to the Special Orders Calendar on Thursday, April 30, 2009.

On motion of Representative Riesberg, the House resolved itself into Committee of the Whole for consideration of Special Orders and he was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

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.)

SB09-245 by Senator(s) Sandoval; also Representative(s) Schafer S.-
-Concerning changes to conform to portions of federal
Public Law 110-351 relating to kinship.

Amendment No. 1, Appropriations Report, dated April 29, 2009, and placed in member's bill file; Report also printed in House Journal, April 29, page 1605.

Amendment No. 1, by Representative(s) Schafer S.

Amend reengrossed bill, page 4, line 13, strike "CERTIFIED".

As amended, ordered revised and placed on the Calendar for Third Reading and Final Passage.

SB09-235 by Senator(s) Gibbs and Isgar; also Representative(s) Merrifield--Concerning certain fees charged by the division of wildlife, and making an appropriation in connection therewith.

Amendment No. 1, Agriculture, Livestock, & Natural Resources Report, dated April 22, 2009, and placed in member's bill file; Report also printed in House Journal, April 23, pages 1416-1417.

1 Amendment No. 2, Appropriations Report, dated April 29, 2009, and
 2 placed in member's bill file; Report also printed in House Journal,
 3 April 29, pages 1604-1605.

4
 5 Amendment No. 3 by Representative(s) Merrifield
 6 Amend the Appropriations Committee Report, dated April 29, 2009, page
 7 1, line 9, strike "6, 10, and 11" and substitute "6 and 10".

8
 9 As amended, ordered revised and placed on the Calendar for Third
 10 Reading and Final Passage.

11
 12 **SB09-293** by Senator(s) Isgar; also Representative(s) Curry, Labuda,
 13 Looper, Sonnenberg--Concerning changes to certain tier
 14 two transfers out of the operational account of the
 15 severance tax trust fund to compensate for a projected
 16 revenue loss in that fund for the 2009-10 state fiscal year.

17
 18 Ordered revised and placed on the Calendar for Third Reading and Final
 19 Passage.

20
 21 On motion of Representative Weissmann, the remainder of the Special
 22 Orders Calendar (**HB09-1269, 1323, 1356, SB09-244, 282, 255**) was laid
 23 over until May 1, retaining place on Calendar.

24
 25
 26 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

27
 28 Passed Second Reading: **SB09-245 amended, 235 amended, 293.**

29
 30 Laid over until date indicated retaining place on Calendar: **HB09-1269,**
 31 **1323, 1356, SB09-244, 282, 255.**

32
 33 The Chairman moved the adoption of the Committee of the Whole
 34 Report. As shown by the following roll call vote, a majority of those
 35 elected to the House voted in the affirmative, and the Report was
 36 **adopted.**

37
 38

	YES	65	NO	0	EXCUSED	0	ABSENT	0
39	Acree	Y	Green	Y	McCann	Y	Roberts	Y
40	Apuan	Y	Hullingerhorst	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

1 **MESSAGE(S) FROM THE SENATE**

2
3 In response to the request of the House for a Conference Committee on
4 HB09-1164, the President appoints Senators Kester-Chair, Tochtrop and
5 Romer as conferees on the First Conference Committee on HB09-1164.
6 The Senate has granted permission to the First Conference Committee on
7 HB09-1164 to go beyond the scope of differences between the two
8 houses.

9
10 **INTRODUCTION OF BILLS**
11 **First Reading**

12
13 The following bills were read by title and referred to the committees
14 indicated:

15
16 **HB09-1369** by Representative(s) Weissmann; also Senator(s) Shaffer
17 B.--Concerning the search process for leadership positions
18 within state institution of higher education systems.
19 Committee on Education

20
21 **SB09-253** by Senator(s) Veiga, Spence; also Representative(s) Casso,
22 Kerr J., Looper--Concerning the recovery of costs for the
23 relocation of certain utility infrastructure relocated at the
24 request of a Colorado governmental entity, and making an
25 appropriation in connection therewith.
26 Committee on Business Affairs and Labor

27
28 **SB09-287** by Senator(s) Mitchell; also Representative(s) Levy--
29 Concerning the voluntary contribution designation
30 benefiting the Special Olympics Colorado fund that
31 appears on the state individual income tax return forms,
32 and, in connection therewith, extending the period for the
33 contribution designation.
34 Committee on Judiciary

35
36
37 **INTRODUCTION OF RESOLUTIONS**

38
39 The following resolutions were read by title and laid over one day under
40 the rules:

41
42 **HJR09-1028** by Representative(s) Benefield, Court, Massey, Vaad; also
43 Senator(s) Shaffer B., Groff, Penry--Concerning the
44 retention of officers and employees of the First Regular
45 Session of the Sixty-seventh General Assembly.

46
47 **SJR09-048** by Senator(s) Schwartz, Kester; also Representative(s)
48 McKinley--Concerning the protection and restoration of
49 Colorado's shortgrass prairie ecosystem.

50
51 **SJR09-056** by Senator(s) Romer; also Representative(s) Middleton--
52 Concerning continuing Colorado's significant advances in
53 education reform through the use of federal "Race to the
54 Top" moneys.

1 House in recess. House reconvened.
2
3
4

5 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

6
7 **APPROPRIATIONS**

8 After consideration on the merits, the Committee recommends the
9 following:

10
11 **HB09-1357** be amended as follows, and as so amended, be referred to
12 the Committee of the Whole with favorable
13 recommendation:
14

15 Amend printed bill, page 7, after line 4, insert the following:

16
17 **"SECTION 4. Appropriation.** In addition to any other
18 appropriation, there is hereby appropriated, out of any moneys in the
19 department of state cash fund created in section 24-21-104 (3) (b),
20 Colorado Revised Statutes, not otherwise appropriated, to the department
21 of state, for the fiscal year beginning July 1, 2009, the sum of two
22 hundred six thousand fifty-three dollars (\$206,053) cash funds and 4.3
23 FTE, or so much thereof as may be necessary, for the implementation of
24 this act."
25

26 Renumber succeeding sections accordingly.
27

28 Page 1, line 103, strike "STATE." and substitute "STATE, AND MAKING AN
29 APPROPRIATION THEREFOR."
30
31
32
33

34 **LOCAL GOVERNMENT**

35 After consideration on the merits, the Committee recommends the
36 following:

37
38 **SB09-232** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:
41

42 Amend reengrossed bill, page 3, line 2, after "34-63-102", insert "(5) (a)
43 (I) and";
44

45 line 3, strike "is amended" and substitute "are amended, and the said
46 34-63-102 (5) (a) is further amended BY THE ADDITION OF A NEW
47 SUBPARAGRAPH,";
48

49 after line 5, insert the following:
50

51 "(5) (a) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (IV) OF THIS
52 PARAGRAPH (a), before July 1, 2008, the remaining fifteen percent of all
53 moneys described in paragraph (a) of subsection (1) of this section, any
54 moneys received pursuant to subparagraph (II) of paragraph (b) of
55 subsection (3) of this section, and any moneys received pursuant to
56 subparagraph (II) of paragraph (c) of subsection (3) of this section shall,

1 upon receipt, be paid into the local government mineral impact fund,
2 which is hereby created. Before July 1, 2008, the executive director of
3 the department of local affairs shall distribute said moneys from the fund
4 pursuant to subsection (3) of this section; except that the remainder
5 provided for in this paragraph (a) shall be distributed in accordance with
6 the purposes and priorities described in subsection (1) of this section. On
7 and after July 1, 2008, moneys shall be paid into the fund as specified in
8 paragraph (b) of subsection (5.4) of this section and distributed as
9 specified in paragraphs (b) and (c) of said subsection. Notwithstanding
10 any other provision of this paragraph (a) or subsection (5.5) of this
11 section, in the fiscal years commencing July 1, 2006, July 1, 2007, July
12 1, 2008, July 1, 2009, and July 1, 2010, the executive director of the
13 department of local affairs shall transfer three million two hundred fifty
14 thousand dollars of the moneys in the fund to the state treasurer, who
15 shall credit the moneys to the wildfire preparedness fund created in
16 section 23-31-309 (4), C.R.S.

17
18 (IV) ONE HUNDRED PERCENT OF THE MONEYS CREDITED TO THE
19 LOCAL GOVERNMENT MINERAL IMPACT FUND CREATED IN SUBPARAGRAPH
20 (I) OF THIS PARAGRAPH (a) BY OPERATION OF SUB-SUBPARAGRAPH (C) OF
21 SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (5.3) OF THIS
22 SECTION SHALL BE DISTRIBUTED BY THE EXECUTIVE DIRECTOR OF THE
23 DEPARTMENT OF LOCAL AFFAIRS IN ACCORDANCE WITH THE PURPOSES AND
24 PRIORITIES DESCRIBED IN SUBSECTION (1) OF THIS SECTION, AND IN
25 DISTRIBUTING SUCH MONEYS THE EXECUTIVE DIRECTOR SHALL GIVE
26 PRIORITY TO THOSE COMMUNITIES MOST DIRECTLY AND SUBSTANTIALLY
27 IMPACTED BY PRODUCTION OF ENERGY RESOURCES ON FEDERAL MINERAL
28 LANDS AND TO GRANT APPLICATIONS THAT:

29
30 (A) ARE SUBMITTED JOINTLY BY MULTIPLE LOCAL GOVERNMENTS;
31 OR

32
33 (B) SEEK FUNDING FOR A PROJECT THAT IS A
34 MULTI-JURISDICTIONAL PROJECT OR THAT REQUIRES A SUBSTANTIAL
35 AMOUNT OF FUNDING."

36
37 Page 4, line 27, strike "SEVERANCE".

38
39 Page 5, line 1, strike "TAX" and substitute "MINERAL IMPACT" and strike
40 "SECTION 39-29-110, C.R.S.," and substitute "SUBPARAGRAPH (I) OF
41 PARAGRAPH (a) OF SUBSECTION (5) OF THIS SECTION";

42
43 line 2, strike "SECTION 39-29-110 (1) (c.7), C.R.S." and substitute
44 "SUBPARAGRAPH (IV) OF PARAGRAPH (a) OF SUBSECTION (5) OF THIS
45 SECTION.";

46
47 strike lines 3 through 27.

48
49 Page 6, strike lines 1 through 19.

50
51 Renumber succeeding section accordingly.

52
53
54
55

1 **STATE, VETERANS, & MILITARY AFFAIRS**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB09-250** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:

8
9 Amend reengrossed bill, page 2, line 10, strike "MEDICATIONS." and
10 substitute "MEDICATIONS, IF THE MAKER OF SUCH CANCER CHEMOTHERAPY
11 TREATMENT SELLS TO THE HEALTH BENEFIT PLAN ORALLY ADMINISTERED
12 ANTICANCER MEDICATION ON A BASIS NO LESS FAVORABLE THAN IT SELLS
13 INTRAVENOUSLY ADMINISTERED OR INJECTED CANCER MEDICATIONS FOR
14 THE TREATMENT OF A PARTICULAR INDICATION.".

15
16
17
18
19 **TRANSPORTATION & ENERGY**

20 After consideration on the merits, the Committee recommends the
21 following:

22
23 **SB09-294** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:

26
27 Amend reengrossed bill, page 2, strike lines 2 through 4 and substitute the
28 following:

29
30 "SECTION 1. 40-10-105 (2) (b) (II) (B), Colorado Revised
31 Statutes, is amended to read:";

32
33 strike lines 10 through 23 and substitute the following:

34
35 "(B) If the applicant sustains its THE initial burden of proof as set
36 forth in sub-subparagraph (A) of this subparagraph (II), there shall be a
37 rebuttable presumption of public need for the service, and ~~the ANY party~~
38 ~~or parties~~ opposing the application shall ~~bear the burden to prove~~ PREVAIL
39 UPON PROVING that the public convenience and necessity does not require
40 granting the application and OR that the issuance of the certificate would
41 be detrimental to the public interest.".

42
43 Page 3, strike lines 1 through 7.

44
45 Page 4, line 6, strike "act." and substitute "act and shall not apply to
46 applications submitted prior to the effective date of this act.".

47
48
49
50
51 **PRINTING REPORT**

52
53 The Chief Clerk reports the following bill has been correctly printed:
54 **HB09-1369.**

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB09-1041, 1224, 1276.**

ANNOUNCEMENT

The Speaker announced that House Rule 32A (a) shall be waived for the purpose of the Education Committee hearing on HB09-1369.

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB09-290 amended as printed in Senate Journal, April 29, 2009, page 1386, and amended on Third Reading, April 30, 2009, as printed in the Senate Journal,
SB09-292 amended as printed in Senate Journal, April 29, 2009, page 1397,
SB09-286 amended as printed in Senate Journal, April 29, 2009, page 1397, and amended on Third Reading, April 30, 2009, as printed in the Senate Journal,
SB09-233 amended as printed in Senate Journal, April 29, 2009, pages 1397-1398,
SB09-295 amended as printed in Senate Journal, April 29, 2009, pages 1398-1400,
SB09-085 amended as printed in Senate Journal, April 29, 2009, page 1400,
SB09-289 amended as printed in Senate Journal, April 29, 2009, page 1400,
SB09-296 amended as printed in Senate Journal, April 29, 2009, page 1400.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB09-1338 amended as printed in Senate Journal, April 29, 2009, page 1388.
HB09-1243 amended as printed in Senate Journal, April 28, 2009, page 1354, and amended on Third Reading, April 30, 2009, as printed in the Senate Journal.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB09-1338 and 1243.

Without comment, as amended, SB09-290, 292, 286, 233, 295, 085, 289, and 296.

INTRODUCTION OF BILLS
First Reading

- 1
2
3
4 The following bills were read by title and referred to the committees
5 indicated:
6
7 **SB09-085** by Senator(s) Scheffel and Williams, Mitchell; also
8 Representative(s) Rice and Priola, Lambert, McNulty--
9 Concerning the creation of a legislative task force to study
10 property tax exemption for business personal property.
11 Committee on Business Affairs and Labor
12
13 **SB09-233** by Senator(s) Schwartz, Heath, Scheffel; also
14 Representative(s) Liston, McFadyen, Rice, Solano--
15 Concerning entrepreneurial uses of property for property
16 tax purposes.
17 Committee on Finance
18
19 **SB09-286** by Senator(s) Morse and Carroll M., Bacon, Boyd, Foster,
20 Groff, Heath, Hodge, Hudak, Isgar, Newell, Romer,
21 Shaffer B., Tapia, Tochtrop, Veiga, Williams; also
22 Representative(s) Levy and Merrifield, Ferrandino, Kagan,
23 Miklosi, Pommer, Pace, Benefield, Carroll T., Court,
24 Fischer, Green, Hullinghorst, Judd, Kerr A., Labuda,
25 McFadyen, Middleton, Rice, Ryden, Schafer S., Solano,
26 Todd, Weissmann--Concerning criminal law, and, in
27 connection therewith, changing the provisions related to
28 legal representation of indigent defendants for certain
29 misdemeanor cases; changing the offense level or
30 sentencing options for select nonviolent offenses, property
31 offenses, and drug offenses; changing the presumptive
32 sentencing ranges for certain felony offenses; repealing
33 certain extraordinary risk sentencing provisions; making
34 changes to the habitual offender statute; and allowing for
35 certain sentencing time credits for certain offenders.
36 Committee on Judiciary
37
38 **SB09-289** by Senator(s) Schwartz; also Representative(s) Primavera--
39 Concerning the recycling development fee for waste tires.
40 Committee on Transportation & Energy
41
42 **SB09-290** by Senator(s) Bacon, Kopp, Schwartz; also
43 Representative(s) Riesberg, McFadyen, Sonnenberg--
44 Concerning flexibility for capital construction projects.
45 Committee on Finance
46
47 **SB09-292** by Senator(s) Brophy, Mitchell, Morse, Schwartz, Shaffer
48 B., Veiga; also Representative(s) Labuda, Gardner B.,
49 Kagan, Levy, Roberts--Concerning the revision of statutes
50 in the Colorado Revised Statutes, as amended, and, in
51 connection therewith, amending or repealing obsolete,
52 inconsistent, and conflicting provisions of law and
53 clarifying the language to reflect the legislative intent of
54 the laws.
55 Committee on Judiciary
56

1 **SB09-295** by Senator(s) Boyd, Groff, Heath, Hodge, Kopp, Romer,
 2 Schwartz, Tochtrop, Williams; also Representative(s) May
 3 and Middleton, Merrifield--Concerning accessibility at
 4 state-supported institutions of higher education, and
 5 making an appropriation in connection therewith.
 6 Committee on Education

7 _____
 8
 9 \

10
 11 **LAY OVER OF CALENDAR ITEM(S)**

12
 13 On motion of Representative Judd, the following item(s) on the Calendar
 14 were laid over until May 1, retaining place on Calendar:

- 15
 16 Consideration of Conference Committee Report(s)--**SB09-271,**
 17 **HB09-1057, SB09-269.**
 18 Consideration of Resolution(s)--**HJR09-1018, 1023, 1025, 1026, 1027,**
 19 **SJR09-034.**
 20 Consideration of Memorial(s)--**HM09-1005, SJM09-010.**
 21 Consideration of Senate Amendment(s)--**HB09-1170, 1180, 1242, 1250,**
 22 **1252, 1303, 1316, 1035, 1119, 1173, 1196, 1199, 1282, 1312, 1329.**

23 _____
 24
 25

26 On motion of Representative Judd, the House adjourned until 9:00 a.m.,
 27 May 1, 2009.

28
 29 Approved:
 30 TERRANCE D. CARROLL,
 31 Speaker

32 Attest:
 33 MARILYN EDDINS,
 34 Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

One hundred-fifteenth Legislative Day

Friday, May 1, 2009

1 Prayer by Father Curtiss Dwyer, St. John Vianney Theological Seminary,
2 Denver.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Luke and Kayla Gordon, Saddle Ranch
7 Elementary and Children's Choice Pre-School, Highlands Ranch.

8
9 The roll was called with the following result:

10
11 Present--64.
12 Excused--Representative(s) Green--1.
13 Present after Roll Call--Representative(s) Green.

14
15 The Speaker declared a quorum present.

16 _____
17
18 On motion of Representative Waller, the reading of the journal of
19 April 30, 2009, was declared dispensed with and approved as corrected
20 by the Chief Clerk. _____
21

22
23 **CONSIDERATION OF RESOLUTION(S)**

24
25 **HJR09-1027** by Representative(s) King S.; also Senator(s) Morse--
26 Concerning declaring the week of May 10-16, 2009, as
27 Police Week and May 15, 2009, as Peace Officers'
28 Memorial Day.

29
30 (Printed and placed in member's files.)

31
32 Representative King S., moved that the resolution be adopted and
33 requested that it be read at length.

34
35 Amendment No. 1, moved by Representative King S.

36
37 Amend printed joint resolution, page 2, line 4, strike "219" and substitute
38 "225".

39
40 Page 8, after line 14, insert the following:

41
42 "!" In 2002: Jim Olterman of the Colorado Division of
43 Wildlife;"

1 line 25, after "Department;"; insert "and Sean May of the Seventeenth
2 Judicial District Attorney's Office;".

3
4 Page 9, line 17, after "Inc."; insert "Don Quick, District Attorney for the
5 Seventeenth Judicial District; Ted Tow, Executive Director of the
6 Colorado District Attorneys' Council;".

7
8 The amendment was declared **passed** by **viva voce** vote.

9
10 On motion of Representative King S., the resolution as amended was
11 **adopted** by **viva voce** vote.

12
13 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
14 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
15 Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Hullinghorst, Judd,
16 Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lambert, Levy, Liston, Looper,
17 Marostica, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield,
18 Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera,
19 Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
20 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil,
21 Waller, Weissmann, Speaker

22 23 24 25 **THIRD READING OF BILLS--FINAL PASSAGE**

26
27 The following bills were considered on Third Reading. The titles were
28 publicly read. Reading of the bill at length was dispensed with by
29 unanimous consent.

30
31 **SB09-245** by Senator(s) Sandoval; also Representative(s) Schafer S.-
32 -Concerning changes to conform to portions of federal
33 Public Law 110-351 relating to kinship.

34
35 As shown by the following roll call vote, a majority of all members
36 elected to the House voted in the affirmative, and Representative Frangas
37 was given permission to offer a Third Reading amendment:

38
39

	YES	64	NO	0	EXCUSED	1	ABSENT	0
40	Acree	Y	Green	E	McCann	Y	Roberts	Y
41	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
42	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
43	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
44	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
45	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
46	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
47	Court	Y	King S.	Y	Murray	Y	Stephens	Y
48	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
49	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
50	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
51	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
52	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
53	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
54	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
55	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
56							Speaker	Y

1 **Third Reading amendment No. 1**, by Representative Frangas.

2
3 Amend revised bill, page 4, strike lines 18 through 25 and substitute the
4 following:

5
6 **"SECTION 3. Appropriation.** (1) In addition to any other
7 appropriation, there is hereby appropriated, out of any moneys in the
8 general fund not otherwise appropriated, for the kinship guardianship
9 assistance program created in section 26-5-109, Colorado Revised
10 Statutes:

11
12 (a) For the fiscal year beginning July 1, 2009, from moneys
13 expected to be received by the state for said fiscal year due to the
14 enactment of House Bill 09-1366, enacted in 2009, to the department of
15 human services for the purpose of modifying the child welfare case
16 management data system (TRAILS) in accordance with this act, the sum
17 of eighty six thousand dollars (\$86,000).

18
19 (b) For the fiscal year beginning July 1, 2010, from moneys
20 expected to be received by the state for said fiscal year due to the
21 enactment of House Bill 09-1366, enacted in 2009, to the department of
22 human services for one-time assistance payments to kinship foster parents
23 who become permanent guardians in accordance with this act, the sum of
24 two hundred seventy six thousand dollars (\$276,000).

25
26 **SECTION 4. Effective date.** (1) Except as otherwise provided
27 in subsection (2), this act shall take effect upon passage.

28
29 (2) Section 3 of this act shall take effect either upon the effective
30 date of this act or the effective date of House Bill 09-1366, whichever is
31 later; except that section 3 shall only take effect if House Bill 09-1366 is
32 enacted and becomes law."

33
34 Renumber succeeding section accordingly.

35
36 The amendment was declared **passed** by the following roll call vote:

37
38

	YES	34	NO	30	EXCUSED	1	ABSENT	0
39	Acree	Y	Green	E	McCann	Y	Roberts	N
40	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
41	Balmer	N	Judd	N	McKinley	Y	Scanlan	Y
42	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	N
43	Benefield	N	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	N	Stephens	N
47	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
48	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
49	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
50	Frangas	Y	Liston	N	Pommer	N	Todd	N
51	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
52	Gardner B.	Y	Marostica	N	Priola	N	Vigil	Y
53	Gardner C.	N	Massey	N	Rice	Y	Waller	N
54	Gerou	N	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 **passed**.

	YES	40	NO	24	EXCUSED	1	ABSENT	0
7	Acree	N	Green	E	McCann	Y	Roberts	Y
8	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
9	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
10	Baumgardner	N	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	N	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	N	Priola	Y	Vigil	Y
21	Gardner C.	N	Massey	N	Rice	Y	Waller	N
22	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Gagliardi, Kefalas,
 25 Labuda, McFadyen, Ryden, Solano, Todd

26
 27 **SB09-235** by Senator(s) Gibbs and Isgar; also Representative(s)
 28 Merrifield--Concerning certain fees charged by the
 29 division of wildlife.

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**.

	YES	56	NO	8	EXCUSED	1	ABSENT	0
37	Acree	N	Green	E	McCann	Y	Roberts	Y
38	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
39	Balmer	Y	Judd	Y	McKinley	N	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.	N	Miklosi	Y	Soper	Y
44	Court	Y	King S.	Y	Murray	N	Stephens	Y
45	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
46	Ferrandino	Y	Lambert	N	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	N
52	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Labuda, Ryden,
 55 Schafer S.

56

1 **SB09-293** by Senator(s) Isgar; also Representative(s) Curry, Labuda,
 2 Looper, Sonnenberg--Concerning changes to certain tier
 3 two transfers out of the operational account of the
 4 severance tax trust fund to compensate for a projected
 5 revenue loss in that fund for the 2009-10 state fiscal year.
 6

7 The question being "Shall the bill pass?".
 8 A roll call vote was taken. As shown by the following recorded vote, a
 9 majority of those elected to the House voted in the affirmative and the bill
 10 was declared **passed**.
 11

	YES	64	NO	0	EXCUSED	1	ABSENT	0
13	Acree	Y	Green	E	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 Co-sponsor(s) added: Representative(s) Baumgardner, Fischer, Liston, Roberts,
 31 Vigil
 32

35 REPORT(S) OF COMMITTEE(S) OF REFERENCE

37 EDUCATION

38 After consideration on the merits, the Committee recommends the
 39 following:

41 **HB09-1369** be amended as follows, and as so amended, be referred to
 42 the Committee of the Whole with favorable
 43 recommendation:
 44

45 Amend printed bill, page 4, line 21, after "HIGH-QUALITY", insert "AND
 46 DIVERSE".

48 Page 5, line 3, after "QUALIFIED", insert "AND DIVERSE";

50 line 6, after "QUALIFIED", insert "AND DIVERSE";

52 line 18, strike "VOTE ON EACH PERSON INTERVIEWED AND".
 53
 54
 55

56 **SB09-130** be postponed indefinitely.

1 **SB09-285** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **SB09-291** be referred to the Committee of the Whole with favorable
6 recommendation.
7

8
9
10
11 **HEALTH & HUMAN SERVICES**

12 After consideration on the merits, the Committee recommends the
13 following:
14

15 **SB09-164** be referred favorably to the Committee on Appropriations.
16
17

18
19
20 **JUDICIARY**

21 After consideration on the merits, the Committee recommends the
22 following:
23

24 **SB09-284** be referred to the Committee of the Whole with favorable
25 recommendation.
26

27
28 **SB09-287** be referred to the Committee of the Whole with favorable
29 recommendation.
30

31
32
33
34 **STATE, VETERANS, & MILITARY AFFAIRS**

35 After consideration on the merits, the Committee recommends the
36 following:
37

38 **HCR09-1005** be postponed indefinitely.
39

40
41 **SB09-283** be amended as follows, and as so amended, be referred to
42 the Committee of the Whole with favorable
43 recommendation:
44

45 Amend corrected reengrossed bill, page 2, line 15, strike "NUMBER," and
46 substitute "NUMBER".
47

48 Page 3, strike lines 9 through 16 and substitute the following:
49

50 "(3) (a) ANY PERSON WHO BELIEVES THAT THE SECRETARY OF
51 STATE HAS REDACTED INFORMATION IN A COPY OF A SPECIFIC SECURED
52 TRANSACTION RECORD OTHER THAN THE SOCIAL SECURITY NUMBER OR
53 INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER OF AN INDIVIDUAL
54 IDENTIFIED IN SUCH SECURED TRANSACTION RECORD MAY APPLY TO THE
55 SECRETARY OF STATE FOR THE RESTORATION OF SUCH REDACTED
56 INFORMATION.

1 (b) IF, UPON APPLICATION PURSUANT TO PARAGRAPH (a) OF THIS
 2 SUBSECTION (3), THE SECRETARY OF STATE DETERMINES THAT SUCH
 3 REDACTED INFORMATION IS NOT THE SOCIAL SECURITY NUMBER OR
 4 INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER OF AN INDIVIDUAL
 5 IDENTIFIED IN SUCH SECURED TRANSACTION RECORD, THE SECRETARY OF
 6 STATE SHALL RESTORE SUCH REDACTED INFORMATION SO THAT THE
 7 INFORMATION IS PERCEIVABLE, ACCESSIBLE, AND OPEN TO PUBLIC
 8 INSPECTION.

9
 10 (c) NOTHING IN THIS SECTION SHALL PRECLUDE THE RESTORATION
 11 OF REDACTED INFORMATION THAT THE SECRETARY OF STATE DETERMINES
 12 SHOULD NOT HAVE BEEN REDACTED."

13
 14
 15
 16

17 **TRANSPORTATION & ENERGY**

18 After consideration on the merits, the Committee recommends the
 19 following:

20

21 **SB09-289** be amended as follows, and as so amended, be referred to
 22 the Committee of the Whole with favorable
 23 recommendation:

24

25 Amend reengrossed bill, page 4, line 9, after "FEE", insert "ESTABLISHED
 26 UNDER THIS SECTION".

27

28

29

30 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
 31 **on HB09-1164**

32

33 This Report Amends the Rerevised Bill.

34

35 To the President of the Senate and the
 36 Speaker of the House of Representatives:

37

38 Your first conference committee appointed on HB09-1164,
 39 concerning a surcharge on breast cancer awareness special license plates
 40 to provide funding for cancer treatment for women who are not currently
 41 eligible to participate in the breast and cervical cancer prevention and
 42 treatment program under the "Colorado Medical Assistance Act", and
 43 requiring a post-enactment review of the implementation of this act, has
 44 met and reports that it has agreed upon the following:

45

46 1. That the House accede to the Senate amendments made to the
 47 bill, as the amendments appear in the rerevised bill, with the following
 48 changes:

49

50 Amend rerevised bill, page 3, line 1, after "APPLYING", insert "ON OR
 51 BEFORE JUNE 30, 2012,";

52

53 line 4, after "PLATE.", insert "ON OR AFTER JULY 1, 2012, A PERSON
 54 APPLYING TO RENEW A BREAST CANCER AWARENESS SPECIAL LICENSE
 55 PLATE SHALL PAY THE TWENTY-FIVE DOLLAR SURCHARGE REQUIRED BY
 56 THIS PARAGRAPH (c)."

1 2. That, under the authority granted the committee to consider
2 matters not at issue between the two houses, the following amendments
3 be recommended:

4
5 Amend rerevised bill, page 5, line 7, after "(a)", insert "(I)";
6
7 after line 22, insert the following:

8
9 "(II) MONEYS IN THE FUND MAY BE USED TO COVER THE
10 ADMINISTRATIVE COSTS OF THE DEPARTMENT OF PUBLIC HEALTH AND
11 ENVIRONMENT TO RECOGNIZE PROVIDERS IN ACCORDANCE WITH
12 SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I) OF PARAGRAPH (a) OF
13 SUBSECTION (2) OF THIS SECTION AS PROVIDING SCREENING ACTIVITIES
14 UNDER THE CENTERS FOR DISEASE CONTROL AND PREVENTION'S NATIONAL
15 BREAST AND CERVICAL CANCER EARLY DETECTION PROGRAM."

16
17 Respectfully submitted,
18 House Committee:
19 (signed)
20 Dianne Primavera
21 Buffie McFadyen
22 Jim Kerr

Senate Committee:
(signed)
Ken Kester
Chris Romer
Lois Tochtrop

23
24
25
26 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
27 **on SB09-281**

28
29 This Report Amends the Rerevised Bill.

30
31 To the President of the Senate and the
32 Speaker of the House of Representatives:

33
34 Your first conference committee appointed on SB09-281,
35 concerning Pinnacol Assurance, and, in connection therewith, clarifying
36 the operation of Pinnacol Assurance as a political subdivision of the state,
37 creating a legislative interim committee to study worker safety and the
38 system of compensation for work-related injuries, and requiring
39 performance audits of Pinnacol Assurance, has met and reports that it has
40 agreed upon the following:

41
42 That the Senate accede to the House amendment made to the bill,
43 as the amendment appears in the rerevised bill, with the following
44 changes:

45
46 Amend rerevised bill, page 3, strike lines 17 through 26, and substitute
47 the following:

48
49 **"8-45-125. Legislative interim committee on operation of**
50 **Pinnacol Assurance - creation - members - study -report - repeal.**

51 (1) THERE IS HEREBY CREATED A LEGISLATIVE INTERIM COMMITTEE TO
52 STUDY ISSUES RELATED TO PINNACOL ASSURANCE AS SET FORTH IN
53 SUBSECTION (3) OF THIS SECTION."

54
55 Page 4, line 1, strike "THIRTEEN" and substitute "SIXTEEN";

1 strike lines 12 and 13 and substitute the following:

2 "ASSURANCE DESIGNATED BY SUCH BOARD;

3

4 (V) THE INSURANCE COMMISSIONER OR HIS OR HER DESIGNEE; AND

5

6 (VI) EACH OF THE FOLLOWING APPOINTED JOINTLY BY THE
7 PRESIDENT OF THE SENATE, MINORITY LEADER OF THE SENATE, SPEAKER
8 OF THE HOUSE OF REPRESENTATIVES, AND MINORITY LEADER OF THE
9 HOUSE OF REPRESENTATIVES:

10

11 (A) A POLICYHOLDER INSURED BY PINNACOL ASSURANCE;

12

13 (B) AN INJURED WORKER; AND

14

15 (C) A MEMBER OF THE PUBLIC WHO HAS KNOWLEDGE OF THE
16 COLORADO WORKERS' COMPENSATION SYSTEM.";

17

18 strike lines 23 through 25, and substitute the following:

19 "TO THE OPERATION OF PINNACOL ASSURANCE INCLUDING, BUT NOT
20 LIMITED TO,".

21

22 Page 1, strike lines 105 and 106 and substitute the following:

23 "THE OPERATION OF PINNACOL ASSURANCE, AND REQUIRING
24 PERFORMANCE";

25

26 line 107, strike "PINNOCAL" and substitute "PINNACOL".

27

28 Respectfully submitted,

29 Senate Committee:

30 (signed)

31 Brandon Shaffer

32 Mary Hodge

33 Mike Kopp

34

House Committee:

(signed)

Paul Weissmann

Sal Pace

Robert Gardner

35

36 **MESSAGE(S) FROM THE SENATE**

37

38 The Senate voted to concur in House amendments to SB09-087,
39 SB09-228, SB09-123, SB09-124, SB09-043, SB09-160, SB09-161,
40 SB09-167, SB09-219, SB09-239, SB09-173, SB09-021, SB09-093,
41 SB09-135, SB09-257, SB09-003, and repassed the bills as so amended.

42

43 The Senate has postponed indefinitely HB09-1176 and HB09-1327. The
44 bills are returned herewith.

45

46 The Senate failed to pass HB 09-1284, on Second Reading. The bill is
47 returned herewith.

48

49 The Senate has laid HB09-1299 over to May 7th, 2009. The bill is
50 deemed lost and is returned herewith.

51

52

53 The Senate has adopted the First Report of the First Conference
54 Committee on HB09-1164, as printed in Senate Journal, April 30, 2009
55 pages 1425-1426, and repassed the bill as amended. The bill is returned
56 herewith.

1 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

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 (Amended as printed in Senate Journal, April 29, page 1388.)
8

9 Representative Casso moved that the House **not concur** in Senate
10 amendments and that a Conference Committee be appointed. The motion
11 was declared **passed** by the following roll call vote:
12

	YES	62	NO	1	EXCUSED	2	ABSENT	0
14	Acree	Y	Green	E	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.	E	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	N	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 The Speaker appointed Representatives Casso, Chairman, Soper and
32 Priola as House conferees to the bill.
33
34
35

36 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**

37
38 **HB09-1164** by Representative(s) Primavera, Gagliardi, Green, Kefalas,
39 Kerr J., McGihon; also Senator(s) Kester--Concerning a
40 surcharge on breast cancer awareness special license plates
41 to provide funding for cancer treatment for women who
42 are not currently eligible to participate in the breast and
43 cervical cancer prevention and treatment program under
44 the "Colorado Medical Assistance Act", and requiring a
45 post-enactment review of the implementation of this act.
46

47 (Amended as printed in Senate Journal, April 28, pages 1351-1352.)
48

49 On motion of Representative Primavera, the Conference Committee
50 Report was **adopted** by the following roll call vote:
51

	YES	63	NO	0	EXCUSED	2	ABSENT	0
53	Acree	Y	Green	E	McCann	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y

1	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
2	Bradford	Y	Kerr A.	E	Middleton	Y	Sonnenberg	Y
3	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
4	Court	Y	King S.	Y	Murray	Y	Stephens	Y
5	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
6	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
7	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
8	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
9	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
10	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
11	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
12	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
13							Speaker	Y

14
15 The question being "Shall the bill, as amended, 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
18 bill, as amended, was declared **repassed**.

19	YES	58	NO	5	EXCUSED	2	ABSENT	0
21	Acree	Y	Green	E	McCann	Y	Roberts	Y
22	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
23	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
24	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
25	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
26	Bradford	Y	Kerr A.	E	Middleton	Y	Sonnenberg	N
27	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
28	Court	Y	King S.	Y	Murray	N	Stephens	Y
29	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
30	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
31	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
32	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
33	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
34	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
35	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
36	Gerou	Y	May	Y	Riesberg	N	Weissmann	Y
37							Speaker	Y

38 Co-sponsor(s) added: Representative(s) McFadyen, Priola, Schafer S.

41 REPORT(S) OF COMMITTEE(S) OF REFERENCE

44 JUDICIARY

45 After consideration on the merits, the Committee recommends the
46 following:

47
48 **SB09-241** be amended as follows, and as so amended, be referred to
49 the Committee on Appropriations with favorable
50 recommendation:

51
52 Amend reengrossed bill, page 2, line 25, strike "SEPTEMBER 1, 2009," and
53 substitute "SEPTEMBER 30, 2010,".

54
55 Page 3, line 7, strike "SEPTEMBER 1, 2009," and substitute "SEPTEMBER
56 30, 2010,";

1 line 8, strike "SEPTEMBER 1, 2009," and substitute "SEPTEMBER 30,
2 2010,";

3
4 line 13, strike "SEPTEMBER 1, 2009," and substitute "SEPTEMBER 30,
5 2010,".

6
7 Page 4, strike lines 19 through 24.

8
9 Page 5, strike lines 11 through 27 and substitute the following:

10
11 **"16-23-105. Expungement.** (1) EXCEPT AS PROVIDED IN
12 SUBSECTION (7) OF THIS SECTION, A PERSON WHOSE BIOLOGICAL
13 SUBSTANCE SAMPLE IS COLLECTED PURSUANT TO SECTION 16-23-103
14 QUALIFIES FOR EXPUNGEMENT IF:

15
16 (a) IN THE CASE OF A SAMPLE COLLECTED BASED UPON THE FILING
17 OF A CHARGE OR BASED UPON A FINAL COURT ORDER, EACH FELONY
18 CHARGE STEMMING FROM THE CHARGES HAS, BY FINAL COURT ORDER,
19 BEEN DISMISSED, RESULTED IN AN ACQUITTAL, OR RESULTED IN A
20 CONVICTION FOR AN OFFENSE OTHER THAN A FELONY OFFENSE;

21
22 (b) IN THE CASE OF A SAMPLE COLLECTED BASED UPON AN ARREST:

23
24 (I) A FELONY CHARGE WAS NOT FILED WITHIN NINETY DAYS OF THE
25 ARREST; OR

26
27 (II) EACH FELONY CHARGE STEMMING FROM THE ARREST HAS, BY
28 FINAL COURT ORDER, BEEN DISMISSED, RESULTED IN AN ACQUITTAL, OR
29 RESULTED IN A CONVICTION FOR AN OFFENSE OTHER THAN A FELONY
30 OFFENSE.

31
32 (2) A PERSON WHO QUALIFIES FOR EXPUNGEMENT UNDER
33 SUBSECTION (1) OF THIS SECTION MAY SUBMIT A WRITTEN REQUEST FOR
34 EXPUNGEMENT TO THE COLORADO BUREAU OF INVESTIGATION. THE
35 REQUEST SHALL INCLUDE THE ITEMS LISTED IN THIS SUBSECTION (2) AND
36 MAY INCLUDE ANY ADDITIONAL INFORMATION THAT MAY ASSIST THE
37 BUREAU IN LOCATING THE RECORDS OF ARREST OR CHARGES OR THE
38 BIOLOGICAL SUBSTANCE SAMPLE OR TESTING RESULTS. THE FOLLOWING
39 INFORMATION SHALL BE INCLUDED IN THE SUBMITTED REQUEST:

40
41 (a) THE PERSON'S NAME, DATE OF BIRTH, AND MAILING ADDRESS;

42
43 (b) THE NAME OF THE AGENCY THAT COLLECTED THE BIOLOGICAL
44 SUBSTANCE SAMPLE;

45
46 (c) THE DATE OF ARREST OR OTHER DATE WHEN THE SAMPLE WAS
47 TAKEN;

48
49 (d) WHETHER ANY CHARGES WERE FILED STEMMING FROM THE
50 ARREST FOR WHICH A BIOLOGICAL SUBSTANCE SAMPLE WAS COLLECTED,
51 THE IDENTITY OF THE COURT, AND THE CASE NUMBER OF EACH CASE IN
52 WHICH CHARGES WERE FILED; AND

53
54 (e) A DECLARATION THAT, TO THE BEST OF THE PERSON'S
55 KNOWLEDGE, HE OR SHE QUALIFIES FOR EXPUNGEMENT.

56

1 (3) UPON RECEIPT OF A REQUEST SATISFYING THE REQUIREMENTS
2 OF SUBSECTION (2) OF THIS SECTION, THE COLORADO BUREAU OF
3 INVESTIGATION SHALL PROMPTLY SUBMIT A WRITTEN INQUIRY TO THE
4 DISTRICT ATTORNEY IN THE JURISDICTION IN WHICH THE PERSON'S
5 BIOLOGICAL SUBSTANCE SAMPLE WAS COLLECTED CONCERNING THE
6 OUTCOME OF THE ARREST OR CHARGES.

7
8 (4) WITHIN NINETY DAYS AFTER RECEIVING THE REQUEST
9 SUBMITTED PURSUANT TO SUBSECTION (2) OF THIS SECTION, THE
10 COLORADO BUREAU OF INVESTIGATION SHALL DESTROY THE BIOLOGICAL
11 SUBSTANCE SAMPLE COLLECTED PURSUANT TO SECTION 16-23-103 AND
12 EXPUNGE THE RESULTS OF THE TESTING OF THE SAMPLE FROM THE
13 FEDERAL COMBINED DNA INDEX SYSTEM AND ANY STATE INDEX SYSTEM,
14 UNLESS THE BUREAU RECEIVES WRITTEN NOTIFICATION FROM THE
15 APPLICABLE DISTRICT ATTORNEY THAT THE PERSON DOES NOT QUALIFY
16 FOR EXPUNGEMENT AND THE REASONS THE PERSON DOES NOT QUALIFY.

17
18 (5) WITHIN THIRTY DAYS AFTER RECEIVING A NOTICE FROM A
19 DISTRICT ATTORNEY PURSUANT TO SUBSECTION (4) OF THIS SECTION, OR
20 AT THE END OF THE NINETY-DAY PERIOD IDENTIFIED IN SUBSECTION (4) OF
21 THIS SECTION, WHICHEVER IS EARLIER, THE COLORADO BUREAU OF
22 INVESTIGATION SHALL SEND NOTIFICATION BY FIRST CLASS MAIL TO THE
23 PERSON ARRESTED OR CHARGED, EITHER STATING THAT THE BUREAU HAS
24 DESTROYED THE BIOLOGICAL SUBSTANCE SAMPLE AND EXPUNGED THE
25 RESULTS OF THE TESTING OF THE SAMPLE OR STATING WHY THE BUREAU
26 HAS NOT DESTROYED THE SAMPLE AND EXPUNGED THE TEST RESULTS.

27
28 (6) A DATA BANK OR DATABASE MATCH SHALL NOT BE ADMITTED
29 AS EVIDENCE AGAINST A PERSON IN A CRIMINAL PROSECUTION AND SHALL
30 NOT BE USED AS A BASIS TO IDENTIFY A PERSON IF THE MATCH IS:

31
32 (a) DERIVED FROM A BIOLOGICAL SUBSTANCE SAMPLE THAT IS
33 REQUIRED TO BE DESTROYED OR EXPUNGED PURSUANT TO THIS SECTION;
34 AND

35
36 (b) OBTAINED AFTER THE REQUIRED DATE OF DESTRUCTION OR
37 EXPUNGEMENT.

38
39 (7) THIS SECTION SHALL NOT APPLY IF THE PERSON HAS BEEN
40 ARRESTED FOR, CHARGED WITH, OR CONVICTED OF SOME OTHER OFFENSE
41 ON THE BASIS OF WHICH A BIOLOGICAL SUBSTANCE SAMPLE WAS OR COULD
42 HAVE BEEN COLLECTED UNDER STATE STATUTE.

43
44 (8) FOR PURPOSES OF THIS SECTION, A COURT ORDER SHALL NOT BE
45 DEEMED FINAL IF TIME REMAINS FOR AN APPEAL OR APPLICATION FOR
46 DISCRETIONARY REVIEW WITH RESPECT TO THE ORDER."

47
48 Strike page 6.

49
50 Page 7, strike lines 1 through 24.

51
52 Page 8, strike lines 19 through 27.

53
54 Strike pages 9 through 16.

55

1 Page 17, strike lines 1 through 12 and substitute the following:

2

3 "SECTION 4. **Effective date.** This act shall take effect July 1,
4 2009."

5

6 Renumber succeeding section accordingly.

7

8

9

10 **MESSAGE(S) FROM THE SENATE**

11

12 The Senate has adopted and transmits herewith: SJR09-042, SJR09-054.

13

14

15

16 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

17

18 On motion of Representative Weissmann, the rules were suspended and
19 the following resolution was given immediate consideration.

20

21 **SJR09-042** by Senator(s) Newell; also Representative(s) Frangas--
22 Concerning the value of conflict resolution, and, in
23 connection therewith, recognizing October 2009 as
24 "Conflict Resolution Month".

25

26 (Printed and placed in member's file).

27

28 On motion of Representative Frangas, the resolution was read at length
29 and **adopted** by **viva voce** vote.

30

31 Co-sponsor(s) added: Representative(s) Apuan, Baumgardner, Benefield,
32 Bradford, Casso, Court, Curry, Fischer, Gagliardi, Gardner B., Gerou,
33 Hullinghorst, Judd, Kagan, Kefalas, Kerr J., Labuda, Levy, Looper, Marostica,
34 Massey, McCann, McFadyen, McKinley, Merrifield, Miklosi, Murray, Nikkel,
35 Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden,
36 Scanlan, Schafer S., Solano, Soper, Stephens, Tipton, Todd, Vaad, Vigil, Waller,
37 Weissmann, Speaker

38

39

40 **CONSIDERATION OF RESOLUTION(S)**

41

42 **HJR09-1023** by Representative(s) Gardner B.; also Senator(s) Morse--
43 Concerning the Ground-based Midcourse Defense System.

44

45 (Printed and placed in members file)

46

47 On motion of Representative Gardner B., the resolution was **adopted** by
48 **viva voce** vote.

49

50 Co-sponsor(s) added: Representative(s) Acree, Apuan, Balmer, Baumgardner,
51 Benefield, Court, Curry, Ferrandino, Frangas, Gerou, Kerr J., King S., Labuda,
52 Lambert, Levy, Liston, Looper, Marostica, Massey, McFadyen, McNulty,
53 Merrifield, Middleton, Miklosi, Murray, Nikkel, Peniston, Primavera, Priola,
54 Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper,
55 Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil, Waller, Gardner C.

56

ANNOUNCEMENT

1
2
3 The Speaker announced the House was in the last three days of session.
4
5
6

7 On motion of Representative Weissmann, **HB09-1357, 1369, SB09-285,**
8 **291, 283, 289, 232, 294, 284, 287** were added to the Special Orders
9 Calendar on Friday, May 1, 2009.
10
11
12

13 On motion of Representative Frangas, the House resolved itself into
14 Committee of the Whole for consideration of Special Orders and he was
15 called to the Chair to act as Chairman.
16
17
18

SPECIAL ORDERS--SECOND READING OF BILLS

19
20
21 The Committee of the Whole having risen, the Chairman reported the titles
22 of the following bills had been read (reading at length had been dispensed
23 with by unanimous consent), the bills considered and action taken thereon
24 as follows:
25

26 (Amendments to the committee amendment are to the printed committee
27 report which was printed and placed in the members' bill file.)
28

29 **HB09-1269** by Representative(s) Ferrandino, Court, Middleton, Pace,
30 Pommer, Scanlan, Weissmann--Concerning the creation of
31 a state rainy day account, and, in connection therewith,
32 specifying the manner in which the account is to be funded
33 and the circumstances in which moneys may be expended
34 from the account.
35

36 Laid over until August 9, 2009. Bill deemed lost.
37
38

39 **HB09-1357** by Representative(s) Vigil; also Senator(s) Schwartz--
40 Concerning a requirement that campaign finance reports
41 required to be filed with the county clerk and recorder be
42 filed instead with the secretary of state.
43

44 Amendment No. 1, Appropriations Report, dated April 30, 2009, and
45 placed in member's bill file; Report also printed in House Journal,
46 April 30, pages 1641.
47

48 As amended, ordered engrossed and placed on the Calendar for Third
49 Reading and Final Passage.
50

51
52 **SB09-285** by Senator(s) Heath, Mitchell, Schwartz, Foster, Gibbs,
53 Groff, Isgar, King K., Newell, Romer, Spence, Tapia,
54 Veiga, White, Williams; also Representative(s) Summers
55 and Solano, McFadyen, Rice--Concerning the inclusion of
56 career and technical education program providers among

1 the institutions of higher education that are permitted to
2 offer concurrent enrollment opportunities to high school
3 students.
4

5 Ordered revised and placed on the Calendar for Third Reading and Final
6 Passage.
7

8 **SB09-291** by Senator(s) Bacon, Boyd, Carroll M., Foster, Groff,
9 Heath, Hodge, Hudak, Isgar, Keller, Morse, Newell,
10 Romer, Shaffer B., Tapia, Tochtrop, Veiga, Williams; also
11 Representative(s) Middleton, Merrifield--Concerning the
12 state share of district total program for school districts that
13 have obtained voter approval to be exempt from the
14 constitutional revenue limit but then obtain voter approval
15 to again be subject to such limit.
16

17 Ordered revised and placed on the Calendar for Third Reading and Final
18 Passage.
19

20 **SB09-289** by Senator(s) Schwartz; also Representative(s) Primavera--
21 Concerning the recycling development fee for waste tires.
22

23 Amendment No. 1, Transportation & Energy Report, dated April 30, 2009,
24 and placed in member's bill file; Report also printed in House Journal,
25 May 1, page 1653.
26

27 As amended, ordered revised and placed on the Calendar for Third
28 Reading and Final Passage.
29

30 **SB09-232** by Senator(s) Schwartz, Heath, Mitchell; also
31 Representative(s) McFadyen, Rice, Solano--Concerning
32 state financial assistance to finance local government
33 capital construction projects.
34

35 Amendment No. 1, Local Government Report, dated April 30, 2009, and
36 placed in member's bill file; Report also printed in House Journal,
37 April 30, pages 1641-1642.
38

39 As amended, ordered revised and placed on the Calendar for Third
40 Reading and Final Passage.
41

42 **SB09-283** by Senator(s) Sandoval; also Representative(s) Scanlan and
43 Summers--Concerning the redaction by the secretary of
44 state of tax identification numbers from secured transaction
45 records filed with the secretary of state.
46

47 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
48 April 30, 2009, and placed in member's bill file; Report also printed in
49 House Journal, May 1, pages 1652-1653.
50

51 As amended, ordered revised and placed on the Calendar for Third
52 Reading and Final Passage.
53

54
55 **HB09-1369** by Representative(s) Weissmann; also Senator(s)
56 Shaffer B.--Concerning the search process for leadership

1 positions within state institution of higher education
2 systems.

3
4 Amendment No. 1, Education Report, dated April 30, 2009, and placed in
5 member's bill file; Report also printed in House Journal, May 1, page
6 1651.

7
8 Amendment No. 2, by Representative(s) Weissmann.

9
10 Amend printed bill, page 7, after line 6, insert the following:

11
12 **"23-5.5-105. Applicability.** THIS ARTICLE SHALL ONLY APPLY TO
13 SEARCHES FOR POSITIONS THAT ARE FILLED BY AN INSTITUTION OF HIGHER
14 EDUCATION SYSTEM'S OR INSTITUTION OF HIGHER EDUCATION'S BOARD OF
15 GOVERNORS."

16
17 Amendment No. 3, by Representative(s) McFadyen.

18
19 Amend printed bill, page 4, line 9, after "ADMINISTRATION.", insert "THE
20 SEARCH COMMITTEE FOR AN OPEN POSITION IN AN INSTITUTION OF HIGHER
21 EDUCATION SYSTEM SHALL INCLUDE A REPRESENTATIVE FROM EACH
22 INSTITUTION WITHIN THE SYSTEM."

23
24 Amendment No. 4, by Representative(s) Fischer and Frangas.

25
26 Amend printed bill, page 3, line 14, strike "INCLUSIVE," and substitute
27 "INCLUSIVE OF THE WHOLE SYSTEM OR INSTITUTION, INCLUDING THE
28 STUDENTS,".

29
30 Page 4, line 8, strike "FACULTY" and substitute "FACULTY, STUDENTS,";

31
32 line 11, strike "MEMBERS";

33
34 line 12, strike "OF THE STUDENT BODY OF THE SYSTEM OR INSTITUTION,".

35
36 As amended, ordered engrossed and placed on the Calendar for Third
37 Reading and Final Passage.

38
39 **SB09-294** by Senator(s) Romer; also Representative(s) McFadyen--
40 Concerning applications for the issuance of a certificate of
41 public convenience and necessity to provide taxi service
42 that relates to counties with a population of at least seventy
43 thousand.

44
45 Amendment No. 1, Transportation & Energy Report, dated
46 April 30, 2009, and placed in member's bill file; Report also printed in
47 House Journal, April 30, page 1643.

48
49 Amendment No. 2, by Representative(s) McFadyen.

50
51 Amend the Transportation and Energy Committee Report, dated April 30,
52 2009, page 1, strike lines 14 and 15 and substitute the following:

53
54 "Page 4 of the reengrossed bill, strike lines 5 and 6 and substitute the
55 following:

56

1 **"SECTION 3. Effective date - applicability.** This act shall take
2 effect July 1, 2009, and shall apply to applications submitted on or after
3 said date and shall not apply to applications submitted prior to said
4 date."."

5
6 As amended, ordered revised and placed on the Calendar for Third
7 Reading and Final Passage.

8
9 **SB09-284** by Senator(s) Newell, Morse, Shaffer B., Boyd, Foster,
10 Hodge; also Representative(s) Levy--Concerning the
11 authority of a law enforcement officer under specified
12 circumstances to prevent a person from communicating
13 with someone other than a peace officer.

14
15 Ordered revised and placed on the Calendar for Third Reading and Final
16 Passage.

17
18 **SB09-287** by Senator(s) Mitchell; also Representative(s) Levy--
19 Concerning the voluntary contribution designation
20 benefiting the Special Olympics Colorado fund that appears
21 on the state individual income tax return forms, and, in
22 connection therewith, extending the period for the
23 contribution designation.

24
25 Ordered revised and placed on the Calendar for Third Reading and Final
26 Passage.

27
28 **SB09-282** by Senator(s) Sandoval and Spence, Bacon, Foster, Groff,
29 Hudak, Veiga; also Representative(s) Kerr A., Benefield,
30 Court, Ferrandino, Frangas, Judd, Labuda, Levy, Massey,
31 McCann, Merrifield, Miklosi, Scanlan, Schafer S., Solano,
32 Summers--Concerning the merger of the Denver public
33 schools retirement system with the public employees'
34 retirement association.

35
36 Ordered revised and placed on the Calendar for Third Reading and Final
37 Passage.

38
39 **SB09-255** by Senator(s) Cadman; also Representative(s) Kerr A.--
40 Concerning the Colorado shared services authority.

41
42 Amendment No. 1, Business Affairs & Labor Report, dated
43 April 29, 2009, and placed in member's bill file; Report also printed in
44 House Journal, April 29, page 1621.

45
46 Amendment No. 2, by Representative(s) Kerr A.

47
48 Amend reengrossed bill, page 11, line 5, after "(p)", insert "(I)";

49
50 line 9, strike "OTHER" and substitute "PRIVATE";

51
52 line 10, strike "ALL" and substitute "EXCEPT AS PROVIDED IN
53 SUBPARAGRAPH (II) OF THIS PARAGRAPH (p), ALL";

54
55 after line 12, insert the following:

56

1 "(II) ANY PROPOSED CONTRACT BETWEEN A STATE AGENCY AND
2 THE AUTHORITY SHALL BE SUBMITTED BY THE STATE AGENCY TO THE
3 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PERSONNEL FOR REVIEW
4 AND APPROVAL. THE EXECUTIVE DIRECTOR SHALL NOT APPROVE THE
5 CONTRACT IF THE CONTRACT:

6

7 (A) DOES NOT COMPLY WITH THE PROVISIONS OF THE COLORADO
8 CONSTITUTION AND STATUTES GOVERNING STATE PERSONNEL AND
9 EMPLOYMENT; OR

10

11 (B) WILL RESULT DIRECTLY OR INDIRECTLY IN THE SEPARATION OF
12 CERTIFIED EMPLOYEES FROM STATE SERVICE."

13

14 As amended, declared **lost** on Second Reading.

15

16 **SB09-244** by Senator(s) Shaffer B.; also Representative(s) Primavera-
17 -Concerning health insurance benefits for the treatment of
18 autism spectrum disorders.

19

20 Amendment No. 1, Business Affairs & Labor Report, dated
21 April 29, 2009, and placed in member's bill file; Report also printed in
22 House Journal, April 30, pages 1635-1637.

23

24 Amendment No. 2, by Representative(s) Primavera.

25

26 Amend the Business Affairs and Labor Committee Report, dated April 29,
27 2009, page 3, strike lines 5 through 8 and substitute the following:

28

29 "line 18, strike "DISORDERS." and substitute "DISORDERS FOR A CHILD
30 PURSUANT TO THIS SUBSECTION (1.4).", and strike "TEN" and substitute
31 "EIGHT"."

32

33 Page 4 of the committee report, line 1, strike "BENEFITS." and substitute
34 "BENEFITS."";

35

36 strike lines 2 through 10 and substitute the following:

37

38 "Page 11 of the reengrossed bill, line 2, strike "TERMS AND" and substitute
39 "TERMS,", and strike the second "AND";

40

41 line 3, strike "LIMITATIONS" and substitute "LIMITATIONS, AND UTILIZATION
42 REVIEW OF HEALTH CARE SERVICES";

43

44 strike lines 24 through 27."

45

46 Amendment No. 3, by Representative(s) Primavera.

47

48 Amend the reengrossed bill, page 6, line 3, strike "FOUND TO BE
49 MEDICALLY NECESSARY," and substitute "NOT CONSIDERED EXPERIMENTAL
50 OR INVESTIGATIONAL AND ARE CONSIDERED";

51

52 line 4, strike "EFFICIENT." and substitute "EFFICIENT FOR THE TREATMENT
53 OF AUTISM.".

54

55 Page 9, line 1, after the period, add "THE BENEFITS OF THIS SUBSECTION
56 (1.4) SHALL BE IN ADDITION TO ANY BENEFITS PROVIDED FOR IN

1 SUBSECTION (1.3) AND (1.7) OF THIS SECTION."
 2

3 Amendment No. 4, by Representative(s) Primavera.
 4

5 Amend reengrossed bill, page 12, strike lines 10 through 26.
 6

7 Renumber succeeding sections accordingly.
 8

9 As amended, ordered revised and placed on the Calendar for Third
 10 Reading and Final Passage.
 11

12 On motion of Representative Weissmann, the remainder of the Special
 13 Orders Calendar (**HB09-1323, 1356**) was laid over until later in the day,
 14 retaining place on Calendar.
 15

17 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**
 18

19 Representative(s) Priola moved to amend the Report of the Committee of
 20 the Whole to reverse the action taken by the Committee in not adopting
 21 SB09-255, to show that **SB09-255**, as amended, passed.
 22

23 The amendment was declared **lost** by the following roll call vote:
 24

	YES	32	NO	32	EXCUSED	1	ABSENT	0
26	Acree	Y	Green	N	McCann	N	Roberts	Y
27	Apuan	Y	Hullinghorst	N	McFadyen	N	Ryden	N
28	Balmer	Y	Judd	N	McKinley	N	Scanlan	Y
29	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
30	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
31	Bradford	Y	Kerr A.	Y	Middleton	N	Sonnenberg	Y
32	Casso	Y	Kerr J.	E	Miklosi	N	Soper	N
33	Court	Y	King S.	Y	Murray	Y	Stephens	Y
34	Curry	N	Labuda	N	Nikkel	Y	Summers	Y
35	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
36	Fischer	N	Levy	N	Peniston	N	Tipton	Y
37	Frangas	N	Liston	Y	Pommer	N	Todd	N
38	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
39	Gardner B.	Y	Marostica	N	Priola	Y	Vigil	N
40	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
41	Gerou	N	May	Y	Riesberg	N	Weissmann	Y
42							Speaker	Y

46 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**
 47

48 Passed Second Reading: **HB09-1357 amended, SB09-285, 291, 289**
 49 **amended, 232 amended, 283 amended, HB09-1369 amended,**
 50 **SB09-294 amended, 284, 287, 282, 244 amended.**
 51

52 Lost on Second Reading: **SB09-255 amended.**
 53

54 Laid over until date indicated retaining place on Calendar:
 55 **HB09-1269--August 9, 2009. Bill deemed lost.**
 56 **HB09-1323, 1356--later in the day.**

1 The Chairman moved the adoption of the Committee of the Whole
 2 Report. As shown by the following roll call vote, a majority of those
 3 elected to the House voted in the affirmative, and the Report was
 4 **adopted.**

	YES	64	NO	0	EXCUSED	1	ABSENT	0
7	Acree	Y	Green	Y	McCann	Y	Roberts	Y
8	Apuan	Y	Hullingerhorst	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.	E	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
 25
 26 House in recess. House reconvened.

27
 28
 29
 30 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

31
 32 The Speaker has signed: **HB09-1164.**

33
 34
 35
 36 **MESSAGE(S) FROM THE SENATE**

37
 38 The Senate voted to recall HJR09-1020 for purposes of reconsideration,
 39 and requests the return of the resolution.

40
 41
 42 The Senate has adopted and transmits herewith: SJR09-047.

43
 44 The Senate has adopted SJR09-044 as amended and transmits the
 45 resolution herewith.

46
 47
 48 The Senate has passed on Third Reading and transmitted to the Revisor
 49 of Statutes:

50
 51 SB09-297 amended as printed in Senate Journal, April 30, 2009,
 52 page 1452.

53
 54
 55
 56

MESSAGE(S) FROM THE REVISOR

1
2
3 We herewith transmit:
4 Without comment, as amended, SB09-297.

INTRODUCTION OF BILL
First Reading

5
6
7
8
9
10
11 The following bill was read by title and referred to the committee
12 indicated:

13
14 **SB09-297** by Senator(s) Sandoval; also Representative(s) Judd--
15 Concerning projects funded with moneys received
16 pursuant to the federal "American Recovery and
17 Reinvestment Act of 2009", and, in connection therewith,
18 establishing a process for the waiving of state contracting
19 requirements for contracts for such projects in
20 circumstances in which a waiver is necessary in order to
21 ensure that the moneys can be timely and efficiently
22 expended for their intended purposes, requiring the public
23 utilities commission to give the fullest consideration for
24 incentives to specified types of such projects, and
25 including moneys received by the governor's energy office
26 pursuant to the federal act and from specified other
27 sources as principal of the clean energy fund.

28 Committee on Finance
29
30
31

INTRODUCTION OF RESOLUTION(S)

32
33
34 The following resolutions were read by title and laid over one day under
35 the rules:

36
37 **SJR09-044** by Senator(s) Shaffer B.; also Representative(s)
38 Weissmann--Concerning an interim commission to study
39 fiscal stability.

40
41 **SJR09-047** by Senator(s) Kester; also Representative(s) Riesberg--
42 Concerning Hepatitis C Awareness Month.

43
44 **SJR09-054** by Senator(s) Keller; also Representative(s) Roberts--
45 Concerning the designation of May 2009 as "Mental
46 Health Month".
47
48
49

CONSENT GRANTED TO CONFERENCE COMMITTEE

50
51
52 Representative Pommer moved that the First Conference Committee on
53 **SB09-256** be granted permission to go beyond the scope of the difference
54 between the House and the Senate. The motion was passed by the
55 following roll call vote:
56

	YES	56	NO	5	EXCUSED	4	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	E	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
8	Casso	Y	Kerr J.	E	Miklosi	Y	Soper	Y
9	Court	Y	King S.	N	Murray	Y	Stephens	E
10	Curry	N	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	E	Pommer	Y	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	N	Riesberg	Y	Weissmann	N
18							Speaker	Y
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REPORT(S) OF COMMITTEE(S) OF REFERENCE

STATE, VETERANS, & MILITARY AFFAIRS

After consideration on the merits, the Committee recommends the following:

HCR09-1004 be referred to the Committee of the Whole with favorable recommendation.

On motion of Representative Weissmann, **HCR09-1004** was added to the Special Orders Calendar on Friday, May 1, 2009.

On motion of Representative Kerr A., the House resolved itself into Committee of the Whole for consideration of Special Orders and he was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

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.)

HCR09-1004 by Representative(s) Lambert; also Senator(s) Kopp-- Submitting to the registered electors of the state of Colorado an amendment to section 3 of article VIII of the constitution of the state of Colorado, concerning the declaration of a disaster emergency that substantially affects the ability of the state government to operate in the

1 city and county of Denver, and, in connection therewith,
 2 requiring the general assembly to meet and allowing the
 3 general assembly to enact a statute to designate a
 4 temporary location for the seat of government.
 5

6 Ordered engrossed and placed on the Calendar for Third Reading and
 7 Final Passage.
 8

9
 10 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

11
 12 Passed Second Reading: **HCR09-1004**.

13
 14 The Chairman moved the adoption of the Committee of the Whole
 15 Report. As shown by the following roll call vote, a majority of those
 16 elected to the House voted in the affirmative, and the Report was
 17 **adopted**.
 18

	YES	62	NO	1	EXCUSED	2	ABSENT	0
20	Acree	Y	Green	Y	McCann	Y	Roberts	Y
21	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
22	Balmer	Y	Judd	N	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	E	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
26	Casso	Y	Kerr J.	E	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
 39 House in recess. House reconvened.
 40

41
 42 **INTRODUCTION OF BILL**
 43 **First Reading**
 44

45 The following bill was read by title and referred to the committee
 46 indicated:
 47

48 **SB09-296** by Senator(s) Boyd, Groff, Morse, Williams; also
 49 Representative(s) Ryden, Fischer, Green, Hullinghorst,
 50 Judd, Levy, McFadyen, Middleton, Pommer, Rice,
 51 Riesberg--Concerning the enforcement of offenses
 52 involving failure of certain persons in a vehicle to use an
 53 appropriate restraining device.

54 Committee on Judiciary
 55 Committee on Appropriations
 56

LAY OVER OF CALENDAR ITEM(S)

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On motion of Representative Weissmann, the following item(s) on the Calendar were laid over until May 4, retaining place on Calendar:

- Consideration of Special Orders--**HB09-1323, 1356.**
- Consideration of Conference Committee Report(s)--**SB09-271, HB09-1057, SB09-269, 279.**
- Consideration of Resolution(s)--**HJR09-1018, 1025, 1026, 1028, SJR09-034, 048, 056.**
- Consideration of Memorial(s)--**HM09-1005, SJM09-010.**
- Consideration of Senate Amendment(s)--**HB09-1170, 1180, 1242, 1250, 1252, 1303, 1316, 1035, 1119, 1173, 1196, 1199, 1282, 1312, 1329, 1243.**



On motion of Representative Weissmann, the House adjourned until 10:00 a.m., May 4, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

One hundred-eighteenth Legislative Day Monday, May 4, 2009

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Dominic and Cameron Piccone, Monroe
6 Elementary, Loveland.
7
8 The roll was called with the following result:
9
10 Present--65.

11
12 The Speaker declared a quorum present.
13
14

15 On motion of Representative Waller, the reading of the journal of
16 May 1, 2009, was declared dispensed with and approved as corrected by
17 the Chief Clerk.
18
19
20

THIRD READING OF BILLS--FINAL PASSAGE

21
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 **HB09-1357** by Representative(s) Vigil; also Senator(s) Schwartz--
28 Concerning a requirement that campaign finance reports
29 required to be filed with the county clerk and recorder be
30 filed instead with the secretary of state, and making an
31 appropriation therefor.
32

33 The question being "Shall the bill pass?".
34 A roll call vote was taken. As shown by the following recorded vote, a
35 majority of those elected to the House voted in the affirmative and the
36 bill was declared **passed**.
37

	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

1	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
2	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
3	Court	Y	King S.	Y	Murray	Y	Stephens	Y
4	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
5	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
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	Y
12							Speaker	Y

13 Co-sponsor(s) added: Representative(s) Court, Fischer, Labuda, Massey

14
15
16 **SB09-285** by Senator(s) Heath, Mitchell, Schwartz, Foster, Gibbs,
17 Groff, Isgar, King K., Newell, Romer, Spence, Tapia,
18 Veiga, White, Williams; also Representative(s) Summers
19 and Solano, McFadyen, Rice--Concerning the inclusion of
20 career and technical education program providers among
21 the institutions of higher education that are permitted to
22 offer concurrent enrollment opportunities to high school
23 students.

24
25 Laid over until May 5, retaining place on Calendar.

26
27
28 **SB09-291** by Senator(s) Bacon, Boyd, Carroll M., Foster, Groff,
29 Heath, Hodge, Hudak, Isgar, Keller, Morse, Newell,
30 Romer, Shaffer B., Tapia, Tochtrop, Veiga, Williams; also
31 Representative(s) Middleton, Merrifield--Concerning the
32 state share of district total program for school districts that
33 have obtained voter approval to be exempt from the
34 constitutional revenue limit but then obtain voter approval
35 to again be subject to such limit.

36
37 The question being "Shall the bill pass?".

38 A roll call vote was taken. As shown by the following recorded vote, a
39 majority of those elected to the House voted in the affirmative and the bill
40 was declared **passed**.

	YES	37	NO	28	EXCUSED	0	ABSENT	0
43	Acree	N	Green	Y	McCann	Y	Roberts	N
44	Apuan	N	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
45	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
46	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
47	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
48	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
49	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
50	Court	Y	King S.	N	Murray	N	Stephens	N
51	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
52	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
53	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
54	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
55	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
56	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y

1	Gardner C.	N	Massey	N	Rice	Y	Waller	N
2	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Green, Judd, Kerr A., Labuda

5
6 **SB09-289** by Senator(s) Schwartz; also Representative(s) Primavera-
7 -Concerning the recycling development fee for waste tires.

8
9 The question being "Shall the bill pass?".

10 A roll call vote was taken. As shown by the following recorded vote, a
11 majority of those elected to the House voted in the affirmative and the bill
12 was declared **passed**.

14	YES	37	NO	28	EXCUSED	0	ABSENT	0
15	Acree	N	Green	Y	McCann	Y	Roberts	N
16	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
17	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
18	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
19	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
20	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
21	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
22	Court	Y	King S.	N	Murray	N	Stephens	N
23	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
24	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
25	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
26	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
27	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
28	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
29	Gardner C.	N	Massey	N	Rice	Y	Waller	N
30	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Fischer, Green, Labuda, Ryden,
33 Schafer S., Solano

34
35 **SB09-232** by Senator(s) Schwartz, Heath, Mitchell; also
36 Representative(s) McFadyen, Rice, Solano--Concerning
37 state financial assistance to finance local government
38 capital construction projects.

39
40 The question being "Shall the bill 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 bill
43 was declared **passed**.

45	YES	54	NO	11	EXCUSED	0	ABSENT	0
46	Acree	N	Green	Y	McCann	Y	Roberts	Y
47	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
48	Balmer	Y	Judd	Y	McKinley	N	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	N
52	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
53	Court	Y	King S.	N	Murray	Y	Stephens	Y
54	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
55	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
56	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y

1	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
2	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
3	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
4	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
5	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
6							Speaker	Y

7 Co-sponsor(s) added: Representative(s) Todd, Vigil

8
 9 **SB09-283** by Senator(s) Sandoval; also Representative(s) Scanlan
 10 and Summers--Concerning the redaction by the secretary
 11 of state of tax identification numbers from secured
 12 transaction records filed with the secretary of state.

13
 14 The question being "Shall the bill pass?".

15 A roll call vote was taken. As shown by the following recorded vote, a
 16 majority of those elected to the House voted in the affirmative and the bill
 17 was declared **passed**.

	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 Co-sponsor(s) added: Representative(s) Priola, Ryden, Vigil

38
 39 **SB09-294** by Senator(s) Romer; also Representative(s) McFadyen--
 40 Concerning applications for the issuance of a certificate of
 41 public convenience and necessity to provide taxi service
 42 that relates to counties with a population of at least seventy
 43 thousand.

44
 45 The question being "Shall the bill pass?".

46 A roll call vote was taken. As shown by the following recorded vote, a
 47 majority of those elected to the House voted in the affirmative and the bill
 48 was declared **passed**.

	YES	38	NO	27	EXCUSED	0	ABSENT	0
51	Acree	N	Green	Y	McCann	Y	Roberts	N
52	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
53	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
54	Baumgardner	N	Kagan	Y	McNulty	Y	Schafer S.	Y
55	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
56	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N

1	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
2	Court	Y	King S.	N	Murray	N	Stephens	N
3	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
4	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
5	Fischer	N	Levy	Y	Peniston	Y	Tipton	N
6	Frangas	N	Liston	N	Pommer	Y	Todd	Y
7	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
8	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
9	Gardner C.	N	Massey	N	Rice	N	Waller	N
10	Gerou	N	May	N	Riesberg	Y	Weissmann	N
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Labuda

13
 14 **SB09-284** by Senator(s) Newell, Morse, Shaffer B., Boyd, Foster,
 15 Hodge; also Representative(s) Levy--Concerning the
 16 authority of a law enforcement officer under specified
 17 circumstances to prevent a person from communicating
 18 with someone other than a peace officer.

19
 20 The question being "Shall the bill 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 bill
 23 was declared **passed**.

24	YES	64	NO	1	EXCUSED	0	ABSENT	0
26	Acree	Y	Green	Y	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	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	Y	Pommer	Y	Todd	Y
38	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
39	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
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) Baumgardner, King S., Ryden

44
 45 **SB09-287** by Senator(s) Mitchell; also Representative(s) Levy--
 46 Concerning the voluntary contribution designation
 47 benefiting the Special Olympics Colorado fund that
 48 appears on the state individual income tax return forms,
 49 and, in connection therewith, extending the period for the
 50 contribution designation.

51
 52 The question being "Shall the bill pass?".
 53 A roll call vote was taken. As shown by the following recorded vote, a
 54 majority of those elected to the House voted in the affirmative and the bill
 55 was declared **passed**.

56

	YES	63	NO	2	EXCUSED	0	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	N	Pace	Y	Swalm	Y
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Liston	Y	Pommer	Y	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 Co-sponsor(s) added: Representative(s) Apuan, Gardner B., Labuda, McFadyen,
20 Pace, Ryden, Schafer S., Summers, Todd

21

22 **SB09-282** by Senator(s) Sandoval and Spence, Bacon, Foster, Groff,
23 Hudak, Veiga; also Representative(s) Kerr A., Benefield,
24 Court, Ferrandino, Frangas, Judd, Labuda, Levy, Massey,
25 McCann, Merrifield, Miklosi, Scanlan, Schafer S., Solano,
26 Summers--Concerning the merger of the Denver public
27 schools retirement system with the public employees'
28 retirement association.

29

30 The question being "Shall the bill pass?".

31 A roll call vote was taken. As shown by the following recorded vote, a
32 majority of those elected to the House voted in the affirmative and the bill
33 was declared **passed**.

34

	YES	51	NO	14	EXCUSED	0	ABSENT	0
36	Acree	N	Green	Y	McCann	Y	Roberts	Y
37	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
38	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
39	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
40	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
41	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
42	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
43	Court	Y	King S.	Y	Murray	Y	Stephens	Y
44	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
45	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
46	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
47	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
48	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
49	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
50	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
51	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Apuan, Kagan, McFadyen, Middleton,
54 Pace, Peniston, Todd, Vigil, Speaker

55

1 **SB09-244** by Senator(s) Shaffer B.; also Representative(s)
 2 Primavera--Concerning health insurance benefits for the
 3 treatment of autism spectrum disorders.
 4

5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

	YES	45	NO	20	EXCUSED	0	ABSENT	0
11	Acree	N	Green	Y	McCann	Y	Roberts	N
12	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
13	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
14	Baumgardner	N	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	N
17	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
18	Court	Y	King S.	N	Murray	N	Stephens	Y
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	N
22	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
23	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
24	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
25	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
26	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Benefield, Casso, Court, Ferrandino,
 29 Fischer, Green, Hullinghorst, Kagan, Kefalas, Labuda, McFadyen, Middleton,
 30 Miklosi, Pace, Peniston, Pommer, Priola, Ryden, Scanlan, Schafer S., Solano,
 31 Soper, Todd, Speaker
 32
 33

34 Representative Weissmann, moved that House Rule 13 (d) be suspended
 35 during discussion of HCR1004.
 36

37 **HCR09-1004** by Representative(s) Lambert; also Senator(s) Kopp--
 38 Submitting to the registered electors of the state of
 39 Colorado an amendment to section 3 of article VIII of the
 40 constitution of the state of Colorado, concerning the
 41 declaration of a disaster emergency that substantially
 42 affects the ability of the state government to operate in the
 43 city and county of Denver, and, in connection therewith,
 44 requiring the general assembly to meet and allowing the
 45 general assembly to enact a statute to designate a
 46 temporary location for the seat of government.
 47

48 The question being "Shall the resolution pass?".
 49 A roll call vote was taken. As shown by the following recorded vote, less
 50 than a constitutional two thirds majority of those elected to the House
 51 voted in the affirmative and the resolution was declared **lost**.
 52

	YES	43	NO	22	EXCUSED	0	ABSENT	0
54	Acree	Y	Green	N	McCann	N	Roberts	Y
55	Apuan	Y	Hullinghorst	N	McFadyen	N	Ryden	Y
56	Balmer	Y	Judd	N	McKinley	N	Scanlan	Y

1	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	N
2	Benefield	N	Kefalas	N	Merrifield	N	Solano	Y
3	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
4	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
5	Court	Y	King S.	Y	Murray	Y	Stephens	Y
6	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
7	Ferrandino	N	Lambert	Y	Pace	Y	Swalm	Y
8	Fischer	Y	Levy	N	Peniston	Y	Tipton	Y
9	Frangas	Y	Liston	Y	Pommer	N	Todd	N
10	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
11	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
12	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
13	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
14							Speaker	N

CONSIDERATION OF RESOLUTION(S)

SJR09-034 by Senator(s) Kopp; also Representative(s) Rice--
Concerning honoring the Colorado Rush soccer club for
its outreach efforts through the Iraq REACH program,
and, in connection therewith, proclaiming "Colorado Rush
'REACH' Day".

(Printed and placed in members file)

On motion of Representative Rice, the resolution was read at length and
adopted by **viva voce** vote.

Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green,
Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
Levy, Liston, Looper, Marostica, Massey, May, McCann, McFadyen,
McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace,
Peniston, Pommer, Primavera, Priola, Riesberg, Roberts, Ryden, Scanlan,
Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton,
Todd, Vaad, Vigil, Waller, Weissmann, Speaker

CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)

SB09-271 by Senator(s) Tapia, Keller, White; also Representative(s)
Ferrandino, Pommer, Marostica--Concerning the use of
tobacco revenues generated under section 21 of article X
of the state constitution in a state fiscal emergency, and
making an appropriation therefor.

(Conference Committee Report printed in House Journal, April 28, pages
1577-1578.)

On motion of Representative Ferrandino, the Conference Committee
Report was **adopted** by the following roll call vote:

	YES	64	NO	1	EXCUSED	0	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	N	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	Y	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	42	NO	23	EXCUSED	0	ABSENT	0
25								
26	Acree	N	Green	Y	McCann	Y	Roberts	Y
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	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	N	King S.	N	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	N
37	Frangas	N	Liston	N	Pommer	Y	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	N	Rice	Y	Waller	N
41	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
42							Speaker	Y
43								
44								

45 **HB09-1057** by Representative(s) Kerr A., Carroll T., Apuan; also
 46 Senator(s) Bacon, Groff--Concerning parental
 47 involvement in kindergarten through twelfth grade
 48 education.

50 (Conference Committee Report printed in House Journal, April 28, pages
 51 1534-1535.)

53 On motion of Representative Kerr A., the Conference Committee Report
 54 was **adopted** by the following roll call vote:

55

	YES	45	NO	20	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	Y	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	Y	Stephens	N
10	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
11	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
14	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
15	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
16	Gardner C.	N	Massey	Y	Rice	N	Waller	Y
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	39	NO	26	EXCUSED	0	ABSENT	0
26	Acree	N	Green	Y	McCann	Y	Roberts	N
27	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
28	Balmer	Y	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	N	Pace	Y	Swalm	N
36	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
37	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
38	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
39	Gardner B.	N	Marostica	N	Priola	Y	Vigil	Y
40	Gardner C.	N	Massey	N	Rice	N	Waller	N
41	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Benefield, Pace, Pommer, Todd

44
 45
 46 **SB09-269** by Senator(s) White, Keller, Tapia; also Representative(s)
 47 Ferrandino, Pommer, Marostica--Concerning adjustment
 48 of the allocation of tobacco litigation settlement moneys
 49 received by the state during specified fiscal years, and, in
 50 connection therewith, requiring settlement moneys that are
 51 disputed payments and settlement moneys in excess of a
 52 specified amount to be credited to the general fund,
 53 requiring a portion of the moneys so credited to be
 54 transferred to the children's basic health plan trust and the
 55 nurse home visitor program fund, delaying mandated
 56 growth in the percentage of settlement moneys allocated

1 for the Colorado nurse home visitor program by one fiscal
2 year, and making appropriations.
3

4 (Conference Committee Report printed in House Journal, April 29, pages
5 1606-1608.)
6

7 On motion of Representative Ferrandino, the Conference Committee
8 Report was **adopted** by the following roll call vote:
9

	YES	42	NO	23	EXCUSED	0	ABSENT	0
11	Acree	N	Green	Y	McCann	Y	Roberts	Y
12	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
13	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
14	Baumgardner	N	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	N
17	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
18	Court	Y	King S.	N	Murray	N	Stephens	N
19	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
20	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
21	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
22	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
23	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
24	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
25	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
26	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
27							Speaker	Y

28
29 The question being "Shall the bill, as amended, pass?".
30 A roll call vote was taken. As shown by the following recorded vote, a
31 majority of those elected to the House voted in the affirmative and the
32 bill, as amended, was declared **repassed**.
33

	YES	46	NO	19	EXCUSED	0	ABSENT	0
35	Acree	N	Green	Y	McCann	Y	Roberts	Y
36	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
37	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
38	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
39	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
40	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
41	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
42	Court	Y	King S.	N	Murray	Y	Stephens	Y
43	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
44	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
45	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
46	Frangas	N	Liston	N	Pommer	Y	Todd	Y
47	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
48	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
49	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
50	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
51							Speaker	Y

52
53 **SB09-279** by Senator(s) Tapia, Keller, White; also Representative(s)
54 Pommer, Ferrandino, Marostica--Concerning the
55 augmentation of the general fund through transfers of
56 certain moneys.

1 (Conference Committee Report printed in House Journal, April 30, pages
2 1632-1635.)

3
4 On motion of Representative Pommer, the Conference Committee Report
5 was **adopted** by the following roll call vote:

	YES	51	NO	14	EXCUSED	0	ABSENT	0
8 Acree	N		Green	Y	McCann	Y	Roberts	Y
9 Apuan	Y		Hullinghorst	Y	McFadyen	Y	Ryden	Y
10 Balmer	N		Judd	Y	McKinley	Y	Scanlan	Y
11 Baumgardner	N		Kagan	Y	McNulty	N	Schafer S.	Y
12 Benefield	Y		Kefalas	Y	Merrifield	Y	Solano	Y
13 Bradford	N		Kerr A.	Y	Middleton	Y	Sonnenberg	N
14 Casso	Y		Kerr J.	N	Miklosi	Y	Soper	Y
15 Court	Y		King S.	Y	Murray	Y	Stephens	N
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	N	Pommer	Y	Todd	Y
20 Gagliardi	Y		Looper	Y	Primavera	Y	Vaad	Y
21 Gardner B.	N		Marostica	Y	Priola	N	Vigil	Y
22 Gardner C.	N		Massey	Y	Rice	Y	Waller	N
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	37	NO	28	EXCUSED	0	ABSENT	0
32 Acree	N		Green	Y	McCann	Y	Roberts	N
33 Apuan	Y		Hullinghorst	Y	McFadyen	Y	Ryden	Y
34 Balmer	N		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	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	N		Liston	N	Pommer	Y	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	N	Rice	Y	Waller	N
47 Gerou	N		May	N	Riesberg	Y	Weissmann	N
48							Speaker	Y

49
50
51 **SB09-281** by Senator(s) Shaffer B., Groff, Hodge, Keller, Morse,
52 Romer, White, Tapia; also Representative(s) Weissmann--
53 Concerning Pinnacol Assurance, and, in connection
54 therewith, clarifying the operation of Pinnacol Assurance
55 as a political subdivision of the state, creating a legislative
56 interim committee to study worker safety and the system

1 of compensation for work-related injuries, and requiring
2 performance audits of Pinnocal Assurance.
3

4 (Conference Committee Report printed in House Journal, May 1, pages
5 1654-1655.)
6

7 On motion of Representative Weissmann, the Conference Committee
8 Report was **adopted** by the following roll call vote:
9

	YES	40	NO	25	EXCUSED	0	ABSENT	0
11	Acree	Y	Green	Y	McCann	Y	Roberts	N
12	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
13	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
14	Baumgardner	Y	Kagan	N	McNulty	N	Schafer S.	Y
15	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
16	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
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	N
20	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
21	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
22	Frangas	N	Liston	N	Pommer	Y	Todd	Y
23	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
24	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
25	Gardner C.	N	Massey	N	Rice	Y	Waller	N
26	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
27							Speaker	Y

28
29 The question being "Shall the bill, as amended, pass?".
30 A roll call vote was taken. As shown by the following recorded vote, a
31 majority of those elected to the House voted in the affirmative and the
32 bill, as amended, was declared **repassed**.
33

	YES	35	NO	30	EXCUSED	0	ABSENT	0
35	Acree	N	Green	Y	McCann	Y	Roberts	N
36	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
37	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
38	Baumgardner	N	Kagan	N	McNulty	N	Schafer S.	N
39	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
40	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
41	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	N
42	Court	Y	King S.	N	Murray	N	Stephens	N
43	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
44	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
45	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
46	Frangas	N	Liston	N	Pommer	Y	Todd	Y
47	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
48	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
49	Gardner C.	N	Massey	N	Rice	N	Waller	N
50	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Merrifield
53
54
55
56

1 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL**

2
3 **HB09-1180** by Representative(s) King S.; also Senator(s) Brophy--
4 Concerning allowing valid Colorado concealed handgun
5 permits to satisfy background check requirements for
6 transfers of firearms.

7
8 (Amended as printed in Senate Journal, April 14, pages 1059-1062.)

9
10 Representative King S., moved that the House **concur** in Senate
11 amendments. A substitute motion by Representative Levy that the House
12 **adhere** to its position was declared **lost** by the following roll call vote:

	YES	29	NO	36	EXCUSED	0	ABSENT	0
15 Acree	N		Green	Y	McCann	Y	Roberts	N
16 Apuan	N		Hullinghorst	Y	McFadyen	N	Ryden	Y
17 Balmer	N		Judd	Y	McKinley	N	Scanlan	Y
18 Baumgardner	N		Kagan	Y	McNulty	N	Schafer S.	Y
19 Benefield	Y		Kefalas	Y	Merrifield	Y	Solano	Y
20 Bradford	N		Kerr A.	Y	Middleton	Y	Sonnenberg	N
21 Casso	N		Kerr J.	N	Miklosi	Y	Soper	N
22 Court	Y		King S.	N	Murray	N	Stephens	N
23 Curry	N		Labuda	Y	Nikkel	N	Summers	N
24 Ferrandino	Y		Lambert	N	Pace	N	Swalm	N
25 Fischer	Y		Levy	Y	Peniston	Y	Tipton	N
26 Frangas	Y		Liston	N	Pommer	Y	Todd	Y
27 Gagliardi	Y		Looper	N	Primavera	Y	Vaad	N
28 Gardner B.	N		Marostica	N	Priola	N	Vigil	N
29 Gardner C.	N		Massey	N	Rice	N	Waller	N
30 Gerou	N		May	N	Riesberg	Y	Weissmann	Y
							Speaker	Y

31
32
33 A second substitute motion by Representative Weissmann that the House
34 **not concur** in Senate amendments and that a Conference Committee be
35 appointed was declared **lost** by the following roll call vote:

	YES	29	NO	36	EXCUSED	0	ABSENT	0
38 Acree	N		Green	Y	McCann	Y	Roberts	N
39 Apuan	N		Hullinghorst	Y	McFadyen	N	Ryden	Y
40 Balmer	N		Judd	Y	McKinley	N	Scanlan	Y
41 Baumgardner	N		Kagan	Y	McNulty	N	Schafer S.	Y
42 Benefield	Y		Kefalas	Y	Merrifield	Y	Solano	Y
43 Bradford	N		Kerr A.	Y	Middleton	Y	Sonnenberg	N
44 Casso	N		Kerr J.	N	Miklosi	Y	Soper	N
45 Court	Y		King S.	N	Murray	N	Stephens	N
46 Curry	N		Labuda	Y	Nikkel	N	Summers	N
47 Ferrandino	Y		Lambert	N	Pace	N	Swalm	N
48 Fischer	Y		Levy	Y	Peniston	N	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	N	Priola	N	Vigil	N
52 Gardner C.	N		Massey	N	Rice	Y	Waller	N
53 Gerou	N		May	N	Riesberg	Y	Weissmann	Y
							Speaker	Y

1 Representative King's motion that the House **concur** in Senate
 2 amendments motion was declared **passed** by the following roll call vote:

	YES	39	NO	26	EXCUSED	0	ABSENT	0
5	Acree	Y	Green	N	McCann	N	Roberts	Y
6	Apuan	Y	Hullinghorst	N	McFadyen	Y	Ryden	N
7	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
8	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	Y
9	Benefield	N	Kefalas	Y	Merrifield	N	Solano	N
10	Bradford	Y	Kerr A.	N	Middleton	Y	Sonnenberg	Y
11	Casso	Y	Kerr J.	Y	Miklosi	N	Soper	Y
12	Court	N	King S.	Y	Murray	Y	Stephens	Y
13	Curry	Y	Labuda	N	Nikkel	Y	Summers	Y
14	Ferrandino	N	Lambert	Y	Pace	Y	Swalm	Y
15	Fischer	N	Levy	N	Peniston	N	Tipton	Y
16	Frangas	N	Liston	Y	Pommer	N	Todd	N
17	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
18	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
19	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
20	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
21							Speaker	N

22
 23 The question being, "Shall the bill, as amended, pass?".
 24 A roll call vote was taken. As shown by the following recorded vote, a
 25 majority of those elected to the House voted in the affirmative, and the
 26 bill, as amended, was declared **repassed**.

	YES	38	NO	27	EXCUSED	0	ABSENT	0
29	Acree	Y	Green	N	McCann	N	Roberts	Y
30	Apuan	Y	Hullinghorst	N	McFadyen	Y	Ryden	N
31	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
32	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
33	Benefield	N	Kefalas	Y	Merrifield	N	Solano	N
34	Bradford	Y	Kerr A.	N	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	Y	Swalm	Y
39	Fischer	N	Levy	N	Peniston	N	Tipton	Y
40	Frangas	N	Liston	Y	Pommer	N	Todd	N
41	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
42	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
43	Gardner C.	Y	Massey	Y	Rice	N	Waller	Y
44	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
45							Speaker	N

46 Co-sponsor(s) added: Representative(s) Balmer, Bradford, Curry, Gardner C.,
 47 Gerou, Marostica, May, McNulty, Murray, Stephens, Swalm, Vigil

48 49 50 **APPOINTMENTS TO CONFERENCE COMMITTEES**

51
 52 Pursuant to a request from the Senate, the Speaker appointed House
 53 conferees to the First Conference Committees as follows:

54 **SB09-226**--Representatives Gagliardi, Chairman, Benefield and Summers
 55 **SB09-245**--Representatives Schafer, Frangas and Tipton

56

REPORT(S) OF COMMITTEE(S) OF REFERENCE**APPROPRIATIONS**

After consideration on the merits, the Committee recommends the following:

SB09-110 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Judiciary Committee Report, dated April 27, 2009, page 1, strike lines 3 through 17.

Strike pages 2 through 5 of the committee report.

SB09-164 be referred to the Committee of the Whole with favorable recommendation.

SB09-241 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Judiciary Committee Report, dated April 30, 2009, page 4, strike lines 9 and 10 and substitute the following:

""SECTION 4. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public safety, for allocation to the Colorado bureau of investigation, for the fiscal year beginning July 1, 2009, the sum of seventy-five thousand dollars (\$75,000), or so much thereof as may be necessary, for the implementation of this act.

SECTION 5. Effective date. This act shall take effect July 1, 2009."."

SB09-247 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 16, line 25, after "training,", insert "for regional workforce center outreach,".

Page 17, strike line 1, and substitute "June 30, 2012.";

after line 1, insert the following:

"(3) In addition to any other appropriation, there is hereby appropriated, out of the Colorado unemployment insurance trust fund, created in section 8-77-102 (4), Colorado revised statutes, from moneys distributed in accordance with Section 903 (g) of the federal Social Security Act, not otherwise appropriated, to the department of labor and employment, for allocation to the division of employment and training,

1 for the extended benefits program, for the fiscal year beginning July 1,
2 2009, the sum of one million fifty-five thousand three hundred ninety-two
3 dollars (\$1,055,392) federal funds, and 6.2 FTE."

4

5

6

7 **SB09-250** be referred favorably to the Committee on Health &
8 Human Services.

9

10

11

12

13 **BUSINESS AFFAIRS & LABOR**

14 After consideration on the merits, the Committee recommends the
15 following:

16

17 **SB09-085** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:

20

21 Amend reengrossed bill, page 2, line 6, after "**on**", insert "**the**";

22

23 line 10, strike "2009";

24

25 line 21, strike "LEAGUE," and substitute "LEAGUE;";

26

27 strike line 22;

28

29 line 23, strike "INCORPORATED," and substitute "INCORPORATED;";

30

31 strike line 24.

32

33 Page 3, line 4, strike "POLICY";

34

35 line 5, strike "CHANGES," and substitute "POLICY,";

36

37 line 9, strike "TAX,;" and substitute "TAX;";

38

39 strike line 10;

40

41 line 12, strike "ELIMINATION" and substitute "EXEMPTIONS".

42

43 Page 1, line 101, after "**STUDY**", insert "**A**".

44

45

46

47 **SB09-253** be referred favorably to the Committee on Appropriations.

48

49

50

51

52 **EDUCATION**

53 After consideration on the merits, the Committee recommends the
54 following:

55

56 **SB09-295** be amended as follows, and as so amended, be referred to

1 the Committee of the Whole with favorable
2 recommendation:

3
4 Amend reengrossed bill, page 12, line 27, strike "FOR INFORMATIONAL".

5
6 Page 13, strike lines 1 through 3;

7
8 strike lines 14 through 17 and substitute the following:

9
10 "SOURCE OF THE MONEYS FOR THE ENHANCEMENT.";

11
12 line 18, after "(11)", insert "(a)";

13
14 strike lines 21 through 24 and substitute the following:

15
16 "immediately preceding fiscal year that:

17
18 (I) Was not subject to review by the commission pursuant to
19 ~~subsections (9) and (10)~~ SUBSECTION (9) of this section;

20
21 (II) WAS APPROVED PURSUANT TO SUBSECTION (10) OF THIS
22 SECTION;

23
24 (III) WAS ESTIMATED TO REQUIRE TOTAL EXPENDITURES OF TWO
25 MILLION DOLLARS OR LESS; OR

26
27 (IV) WAS AMENDED OR ENHANCED AFTER COMMENCEMENT OF
28 CONSTRUCTION PURSUANT TO SUBSECTION (10) OF THIS SECTION.

29
30 (b) The commission shall submit a compilation of ~~such~~.

31
32 Page 16, line 13, after "(d)", insert "(I)";

33
34 after line 16, insert the following:

35 "(II) ANY PLAN FOR ANY SUCH CAPITAL CONSTRUCTION PROJECT
36 THAT IS ESTIMATED TO REQUIRE TOTAL EXPENDITURES OF TWO MILLION
37 DOLLARS OR LESS SHALL NOT BE SUBJECT TO REVIEW OR APPROVAL BY THE
38 COMMISSION.";

39
40 strike lines 21 through 24 and substitute the following:

41
42 "CASH FUNDS HELD BY THE INSTITUTION";

43
44 line 25, strike "(3), C.R.S.,".

45
46 Page 17, line 2, after "project", insert "FOR AN ACADEMIC BUILDING";

47
48 strike lines 4 and 5 and substitute the following:

49
50 "cash funds held by the institution ~~other than those funds specified in~~
51 ~~paragraph (a) of subsection (9) of this section~~".

52
53
54
55

1 **FINANCE**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB09-233** be referred favorably to the Committee on Appropriations.

6
7
8 **SB09-290** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11
12 Amend reengrossed bill, page 7, strike lines 5 through 8 and substitute the
13 following:

14
15 "THE ADDITIONAL GIFT, GRANT, OR DONATION.";

16
17 strike lines 19 through 22 and substitute the following:

18
19 "SOURCE OF THE MONEYS FOR THE ENHANCEMENT.";

20
21 line 23, after "(11)", insert "(a)";

22
23 strike lines 26 and 27 and substitute the following:

24
25 "immediately preceding fiscal year that:

26
27 (I) Was not subject to review by the commission pursuant to
28 ~~subsections (9) and (10)~~ SUBSECTION (9) of this section;

29
30 (II) WAS APPROVED PURSUANT TO SUBSECTION (10) OF THIS
31 SECTION;

32
33 (III) WAS ESTIMATED TO REQUIRE TOTAL EXPENDITURES OF TWO
34 MILLION DOLLARS OR LESS; OR

35
36 (IV) WAS AMENDED OR ENHANCED AFTER COMMENCEMENT OF
37 CONSTRUCTION PURSUANT TO SUBSECTION (10) OF THIS SECTION.

38
39 (b) The commission shall submit a compilation of ~~such~~.

40
41 Page 8, strike lines 1 and 2.

42
43 Page 10, line 18, after "(d)", insert "(I)";

44
45 after line 21, insert the following:

46
47 "(II) ANY PLAN FOR ANY SUCH CAPITAL CONSTRUCTION PROJECT
48 THAT IS ESTIMATED TO REQUIRE TOTAL EXPENDITURES OF TWO MILLION
49 DOLLARS OR LESS SHALL NOT BE SUBJECT TO REVIEW OR APPROVAL BY THE
50 COMMISSION.";

51
52 strike lines 26 and 27 and substitute the following:

53
54 "CASH FUNDS HELD BY THE INSTITUTION".

55
56 Page 11, strike lines 1 and 2;

1 line 3, strike "(3), C.R.S.";

2

3 line 7, after "project", insert "FOR AN ACADEMIC BUILDING";

4

5 strike lines 9 and 10 and substitute the following:

6

7 "cash funds held by the institution ~~other than those funds specified in~~
8 ~~paragraph (a) of subsection (9) of this section~~".

9

10

11

12 **SB09-297** be referred to the Committee of the Whole with favorable
13 recommendation.

14

15

16

17

18 **JUDICIARY**

19 After consideration on the merits, the Committee recommends the
20 following:

21

22 **SB09-286** be amended as follows, and as so amended, be referred to
23 the Committee of the Whole with favorable
24 recommendation:

25

26 Amend reengrossed bill, page 3, line 25, strike "SENTENCING PRACTICES"
27 and substitute "SENTENCES".

28

29 Page 4, line 5, strike "SENTENCING PRACTICES" and substitute
30 "SENTENCES";

31

32 line 7, strike "SENTENCING PRACTICES" and substitute "SENTENCES";

33

34 line 8, strike "AND";

35

36 line 10, strike "SENTENCE." and substitute "SENTENCE; AND";

37

38 after line 10, insert the following:

39

40 "(V) ALTERNATIVES TO INCARCERATION FOR NONVIOLENT
41 FIRST-TIME OFFENDERS; AND

42

43 (VI) THE CONSEQUENCES AND EFFICACY OF MANDATORY MINIMUM
44 SENTENCES AND OTHER PROVISIONS THAT LIMIT JUDICIAL DISCRETION IN
45 THE SENTENCING PROCESS.";

46

47 line 22, strike "SENTENCING PRACTICES" and substitute "SENTENCES".

48

49

50

51 **SB09-292** be amended as follows, and as so amended, be referred to
52 the Committee of the Whole with favorable
53 recommendation:

54

55 Amend reengrossed bill, page 48, line 14, strike "program" and substitute
56 "program".

1 Page 80, strike lines 23 through 27.

2

3 Page 81, strike lines 1 through 11.

4

5 Renumber succeeding sections accordingly.

6

7 Page 89, after line 12, insert the following:

8

9 **"SECTION 136.** 24-33.5-223 (2) (b) (II) (B), Colorado Revised
10 Statutes, is amended to read:

11

12 **24-33.5-223. State telecommunications network.** (2) (b) The
13 facilities of the network shall be made available for the use of:

14

15 (II) Other local, state, and federal governmental entities or public
16 safety related nonprofit organizations that directly support any agency
17 described in subparagraph (I) of this paragraph (b) and that:

18

19 (B) Make donations, grants, bequests, and other contributions to
20 the public SAFETY communications trust fund pursuant to ~~section~~
21 ~~24-37.5-508 (2) (b)~~ SECTION 24-37.5-506 (2) (b).

22

23 **SECTION 137.** Section 66 (1) of House Bill 09-1026, is amended
24 to read:

25

26 Section 66. Act subject to petition - effective date - applicability.
27 (1) Sections 1, ~~26, 29, and 53~~ 27, 30, AND 60 of this act shall take effect
28 July 1, 2010, and the remainder of this act shall take effect October 1,
29 2009.

30

31 **SECTION 138.** 1-8-111 (1), Colorado Revised Statutes, as
32 amended by section 3 of the reengrossed version of House Bill 09-1337,
33 is amended to read:

34

35 **1-8-111. Delivery of mail-in ballots and replacement mail-in**
36 **ballots.** (1) The mail-in ballot and other materials shall be delivered or
37 mailed to the elector within seventy-two hours after the receipt of the
38 application, if the official ballots are then printed, or, if not then printed,
39 within seventy-two hours after the printed ballots are delivered to the
40 designated election official, but no sooner than twenty-two days before
41 every odd-year, congressional vacancy, primary, and general election. If
42 the mail-in ballot and other materials are mailed, the envelope shall be
43 marked "DO NOT FORWARD" or by any other similar statement that is
44 in accordance with United States postal service regulations. EXCEPT AS
45 OTHERWISE PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (1), nothing
46 in this subsection (1) shall affect any provision of this code governing the
47 delivery of mail or mail-in ballots to an absent uniformed services elector,
48 nonresident overseas elector, or resident overseas elector covered by the
49 federal "Uniformed and Overseas Citizens Absentee Voting Act", 42
50 U.S.C. sec. 1973ff ET SEQ."

51

52 Renumber succeeding section accordingly.

53

54 Page 89, after line 17, insert the following:

55

56 "(b) Section 69 of this act shall not take effect if either Senate Bill

1 09-290 or Senate Bill 09-295 is enacted and becomes law.".

2

3 Reletter succeeding paragraphs accordingly.

4

5 Page 89, line 22, strike "Section 131" and substitute "Section 130";

6

7 line 24, strike "Section 133" and substitute "Section 132";

8

9 after line 24, add:

10

11 "(g) Section 137 of this act shall take effect October 1, 2009.

12

13 (h) Section 138 of this act shall take effect only if both House Bill
14 09-1205 and House Bill 09-1337 are enacted and become law.".

15

16

17

18 **SB09-296** be referred favorably to the Committee on Appropriations.

19

20

21

22 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
23 **on SB09-256**

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 SB09-256,
31 concerning the financing of public schools, and making an appropriation
32 therefor, has met and reports that it has agreed upon the following:

33

34 1. That the Senate accede to the House amendments made to the
35 bill, as the amendments appear in the rerevised bill, with the following
36 changes:

37

38 Amend rerevised bill, page 11, strike lines 20 and 21 and substitute the
39 following:

40

41 "this subsection (3). ~~but shall apply to the district's share of its total~~
42 ~~program pursuant to section 22-54-106 (1) (a) (I).~~"

43

44 Page 12, after line 26, insert the following:

45

46 **"SECTION 9.** 22-54-124 (4), Colorado Revised Statutes, is
47 amended to read:

48

49 **22-54-124. State aid for charter schools - use of state education**
50 **fund moneys - definitions.** (4) For the 2001-02 budget year, the
51 2003-04 budget year, and each budget year thereafter, the general
52 assembly shall annually appropriate from the state education fund created
53 in section 17 (4) of article IX of the state constitution, to the department
54 of education for distribution to eligible school districts and eligible
55 institute charter schools in accordance with the formula set forth in
56 paragraph (a) of subsection (3) of this section, an amount equal to the

1 total amount of moneys to be distributed to all districts and institute
2 charter schools as determined pursuant to said formula.

3
4 (a) PRIOR TO THE 2009-10 BUDGET YEAR, from the moneys
5 appropriated for a given budget year PURSUANT TO THIS SECTION, the
6 department shall make lump sum payments of all moneys to be distributed
7 to each eligible school district and eligible institute charter school during
8 the budget year as soon as possible.

9
10 (b) FOR THE 2009-10 BUDGET YEAR AND EACH BUDGET YEAR
11 THEREAFTER, THE DEPARTMENT SHALL DISTRIBUTE THE TOTAL AMOUNT
12 TO BE DISTRIBUTED PURSUANT TO THIS SECTION TO EACH ELIGIBLE SCHOOL
13 DISTRICT AND ELIGIBLE INSTITUTE CHARTER SCHOOL IN TWELVE
14 APPROXIMATELY EQUAL MONTHLY PAYMENTS DURING THE APPLICABLE
15 BUDGET YEAR IN CONJUNCTION WITH THE DISTRIBUTION OF THE STATE'S
16 SHARE OF DISTRICT TOTAL PROGRAM PURSUANT TO SECTION 22-54-115."

17
18 Renumber succeeding sections accordingly.

19
20 Page 13, after line 11, insert the following:

21 **"SECTION 11.** 22-30.5-112 (2) (a.7), Colorado Revised Statutes,
22 is amended to read:

23
24 **22-30.5-112. Charter schools - financing - definitions -**
25 **guidelines.** (2) (a.7) For the 2000-01 budget year ~~and budget years~~
26 ~~thereafter~~ THROUGH THE 2008-09 BUDGET YEAR, each charter school shall
27 annually allocate the minimum per pupil dollar amount specified in
28 section 22-54-105 (2) (b), multiplied by the number of students enrolled
29 in the charter school who are not students enrolled in an on-line program,
30 as defined in section 22-30.7-102 (9), to a fund created by the charter
31 school for capital reserve purposes, as set forth in section 22-45-103 (1)
32 (c) and (1) (e), or solely for the management of risk-related activities, as
33 identified in section 24-10-115, C.R.S., and article 13 of title 29, C.R.S.,
34 or among such allowable funds. Said moneys shall be used for the
35 purposes set forth in section 22-45-103 (1) (c) and (1) (e) and may not be
36 expended by the charter school for any other purpose. ANY MONEYS
37 REMAINING IN SUCH FUND THAT HAVE NOT BEEN EXPENDED PRIOR TO THE
38 2009-10 BUDGET YEAR SHALL BE BUDGETED FOR THE PURPOSES SET FORTH
39 IN SECTION 22-45-103 (1) (c) AND (1) (e) IN THE 2009-10 BUDGET YEAR OR
40 ANY BUDGET YEAR THEREAFTER."

41
42 Renumber succeeding sections accordingly.

43
44 Page 24, line 17, strike "**study - repeal.**" and substitute "**study -**
45 **authority to contract - funding.**".

46
47 Page 26, after line 12, insert the following:

48 "(4) (a) FOLLOWING COMPLETION OF THE FEASIBILITY STUDY, IF
49 THE COMMISSIONER CONCLUDES THAT THE CREATION AND OPERATION OF
50 STATE RESIDENTIAL SCHOOLS WOULD BE BENEFICIAL TO THE STATE, THE
51 COMMISSIONER MAY CONTRACT FOR THE CREATION AND OPERATION OF
52 ONE OR MORE STATE RESIDENTIAL SCHOOLS TO PROVIDE EDUCATIONAL
53 SERVICES TO STUDENTS WHO ARE AT RISK OF ACADEMIC FAILURE. ANY
54 STATE RESIDENTIAL SCHOOL OPERATED PURSUANT TO THIS SECTION SHALL
55 PROVIDE AN EDUCATIONAL PROGRAM FOCUSED ON MATHEMATICS AND
56 SCIENCE.

1 (b) IF THE COMMISSIONER DOES NOT CONTRACT FOR STATE
 2 RESIDENTIAL SCHOOLS AS AUTHORIZED IN PARAGRAPH (a) OF THIS
 3 SUBSECTION (4), THE COMMISSIONER MAY PROVIDE TECHNICAL
 4 ASSISTANCE TO SCHOOL DISTRICTS AND PUBLIC SCHOOLS TO ADDRESS THE
 5 NEEDS OF STUDENTS WHO ARE AT RISK OF ACADEMIC FAILURE BY
 6 IMPROVING THE AVAILABILITY AND QUALITY OF SECONDARY-LEVEL
 7 MATHEMATICS AND SCIENCE CURRICULA.

8
 9 (5) (a) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT UP TO
 10 THREE MILLION DOLLARS BE APPROPRIATED TO THE COMMISSIONER TO
 11 EXPEND FOR THE IMPLEMENTATION OF SUBSECTION (4) OF THIS SECTION.
 12 THE GENERAL ASSEMBLY FINDS THAT, FOR PURPOSES OF SECTION 17 OF
 13 ARTICLE IX OF THE STATE CONSTITUTION, THE CREATION OF STATE
 14 RESIDENTIAL SCHOOLS AND THE PROVISION OF TECHNICAL ASSISTANCE TO
 15 IMPROVE SECONDARY-LEVEL MATHEMATICS AND SCIENCE CURRICULA AS
 16 PROVIDED IN SUBSECTION (4) OF THIS SECTION ARE IMPORTANT ELEMENTS
 17 OF ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC STANDARDS, AND
 18 THE GENERAL ASSEMBLY MAY THEREFORE APPROPRIATE MONEYS FROM
 19 THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX
 20 OF THE STATE CONSTITUTION FOR THE IMPLEMENTATION OF SUBSECTION
 21 (4) OF THIS SECTION.

22
 23 (b) IN ADDITION TO THE FUNDING PROVIDED PURSUANT TO
 24 PARAGRAPH (a) OF THIS SUBSECTION (5), IF THE COMMISSIONER
 25 CONTRACTS FOR THE CREATION AND OPERATION OF ONE OR MORE STATE
 26 RESIDENTIAL SCHOOLS, THE DEPARTMENT SHALL PROVIDE FUNDING FOR
 27 SAID SCHOOLS BY WITHHOLDING MONEYS FROM THE STATE SHARE OF
 28 TOTAL PROGRAM FUNDING PAYABLE TO THE DISTRICT OF RESIDENCE OF
 29 EACH STUDENT WHO ENROLLS IN A STATE RESIDENTIAL SCHOOL. THE
 30 AMOUNT WITHHELD SHALL BE EQUAL TO THE AMOUNT OF THE SCHOOL
 31 DISTRICT'S PER PUPIL REVENUE FOR THE APPLICABLE BUDGET YEAR
 32 MULTIPLIED BY THE NUMBER OF STUDENTS WHO RESIDE IN THE SCHOOL
 33 DISTRICT AND ARE ENROLLED IN THE STATE RESIDENTIAL SCHOOL AS OF
 34 OCTOBER 1 OF THE APPLICABLE BUDGET YEAR. A STUDENT WHO ENROLLS
 35 IN A STATE RESIDENTIAL SCHOOL SHALL BE COUNTED IN THE PUPIL
 36 ENROLLMENT OF THE STUDENT'S SCHOOL DISTRICT OF RESIDENCE FOR
 37 PURPOSES OF THIS PARAGRAPH (b). THE DEPARTMENT SHALL ADOPT
 38 GUIDELINES AS NECESSARY FOR THE IMPLEMENTATION OF THIS
 39 PARAGRAPH (b).";

40
 41 line 13, strike "(4)" and substitute "(c)";

42
 43 line 14, strike "THIS" and substitute "THE";

44
 45 line 17, after the period, add "THE COMMISSIONER IS AUTHORIZED TO SEEK
 46 AND ACCEPT ADDITIONAL PUBLIC OR PRIVATE GIFTS, GRANTS, OR
 47 DONATIONS FOR THE IMPLEMENTATION OF THIS SECTION.";

48
 49 strike line 18.

50
 51 Page 37, after line 12, insert the following:

52 "SECTION 36. 24-75-601.1 (1), Colorado Revised Statutes, is
 53 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

54
 55 **24-75-601.1. Legal investments of public funds.** (1) It is lawful
 56 to invest public funds in any of the following securities:

1 (h.5) ANY CERTIFICATE OF PARTICIPATION OR OTHER SECURITY
2 EVIDENCING RIGHTS IN PAYMENTS TO BE MADE BY A SCHOOL DISTRICT
3 UNDER A LEASE, LEASE-PURCHASE AGREEMENT, OR SIMILAR
4 ARRANGEMENT IF THE SECURITY, AT THE TIME OF PURCHASE, CARRIES AT
5 LEAST TWO CREDIT RATINGS FROM ANY OF THE NATIONALLY RECOGNIZED
6 CREDIT RATING AGENCIES AND IS RATED AT OR ABOVE "A" BY ALL SUCH
7 CREDIT AGENCIES THAT HAVE PROVIDED A RATING."

8
9 Renumber succeeding sections accordingly.

10
11 Page 39, line 20, strike "22 through 24, 26, and 34" and substitute "26
12 through 28, 30, and 43";

13
14 line 22, strike "27 through 29 and 35" and substitute "31 through 33, 40,
15 and 44";

16
17 line 24, strike "31" and substitute "35".

18
19 Page 40, line 1, strike "32" and substitute "41".

20
21 2. That, under the authority granted the committee to consider
22 matters not at issue between the two houses, the following amendments
23 be recommended:

24
25 Amend rerevised bill, page 9, after line 2, insert the following:

26 "SECTION 4. Article 54 of title 22, Colorado Revised Statutes,
27 is amended BY THE ADDITION OF A NEW SECTION to read:

28
29 **22-54-106.5. Fiscal emergency restricted reserve - calculation**
30 **of reserve amount.** (1) FOR THE 2009-10 BUDGET YEAR, THE GENERAL
31 ASSEMBLY DETERMINES THAT A STATE FINANCIAL CRISIS REQUIRES EACH
32 DISTRICT AND THE STATE CHARTER SCHOOL INSTITUTE TO BUDGET AN
33 AMOUNT TO A FISCAL EMERGENCY RESTRICTED RESERVE PURSUANT TO
34 SECTION 22-44-119. USING THE TOTAL AMOUNT TO BE BUDGETED FOR THE
35 RESERVE AS SPECIFIED IN SUBSECTION (3) OF THIS SECTION, THE
36 DEPARTMENT OF EDUCATION SHALL CALCULATE THE AMOUNT TO BE
37 BUDGETED TO THE FISCAL EMERGENCY RESTRICTED RESERVE BY EACH
38 DISTRICT AND THE STATE CHARTER SCHOOL INSTITUTE. THE AMOUNT
39 BUDGETED BY EACH DISTRICT AND THE STATE CHARTER SCHOOL INSTITUTE
40 SHALL BE RELEASED FOR EXPENDITURE BY THE DISTRICT OR FOR
41 DISTRIBUTION TO INSTITUTE CHARTER SCHOOLS BY THE STATE CHARTER
42 SCHOOL INSTITUTE, AS APPLICABLE, ON JANUARY 6, 2010, IF THE GENERAL
43 ASSEMBLY HAS NOT ACTED BY SAID DATE TO REQUIRE A REVISION BY THE
44 ENACTMENT OF A NEGATIVE SUPPLEMENTAL APPROPRIATION OR IF THE
45 JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY HAS NOT ACTED BY
46 SAID DATE TO REQUIRE A REVISION USING THE PROCESS DESCRIBED IN
47 SECTION 24-75-111, C.R.S., FOR OVEREXPENDITURES.

48
49 (2) THE DEPARTMENT OF EDUCATION SHALL CALCULATE THE
50 AMOUNT TO BE BUDGETED TO THE FISCAL EMERGENCY RESTRICTED
51 RESERVE FOR THE 2009-10 BUDGET YEAR BY DIVIDING THE TOTAL
52 AMOUNT TO BE BUDGETED FOR THE 2009-10 BUDGET YEAR, AS SPECIFIED
53 IN SUBSECTION (3) OF THIS SECTION, BY THE SUM OF THE TOTAL PROGRAM
54 OF ALL DISTRICTS AND INSTITUTE CHARTER SCHOOL FUNDING. THE
55 DEPARTMENT SHALL CALCULATE THE AMOUNT TO BE BUDGETED BY EACH
56 DISTRICT AS AN AMOUNT EQUAL TO THE TOTAL RESTRICTED RESERVE

1 MULTIPLIED BY THE DISTRICT'S TOTAL PROGRAM AS CALCULATED
 2 PURSUANT TO SECTION 22-54-104 (2) (a) (VIII) OR (2) (b), WHICHEVER IS
 3 APPLICABLE. THE DEPARTMENT SHALL CALCULATE THE AMOUNT TO BE
 4 BUDGETED BY THE STATE CHARTER SCHOOL INSTITUTE FOR EACH
 5 INSTITUTE CHARTER SCHOOL BASED ON THE TOTAL RESTRICTED RESERVE
 6 MULTIPLIED BY THE TOTAL PROGRAM OF THE ACCOUNTING DISTRICT FOR
 7 EACH INSTITUTE CHARTER SCHOOL.

8
 9 (3) FOR THE 2009-10 BUDGET YEAR, THE TOTAL AMOUNT OF THE
 10 RESTRICTED RESERVE SHALL BE ONE HUNDRED TEN MILLION DOLLARS."

11
 12 Renumber succeeding sections accordingly.

13
 14 Page 23, after line 1, insert the following:

15 "SECTION 21. Part 1 of article 44 of title 22, Colorado Revised
 16 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
 17 read:

18
 19 **22-44-119. Fiscal emergency restricted reserve.** FOR THE
 20 2009-10 BUDGET YEAR, EACH SCHOOL DISTRICT AND THE STATE CHARTER
 21 SCHOOL INSTITUTE SHALL BUDGET A TOTAL DOLLAR AMOUNT DETERMINED
 22 BY THE DEPARTMENT OF EDUCATION TO A FISCAL EMERGENCY RESTRICTED
 23 RESERVE IN THE GENERAL FUND. THE AMOUNT BUDGETED BY EACH
 24 SCHOOL DISTRICT AND THE STATE CHARTER SCHOOL INSTITUTE SHALL BE
 25 RELEASED FOR EXPENDITURE BY THE DISTRICT OR FOR DISTRIBUTION TO
 26 INSTITUTE CHARTER SCHOOLS BY THE STATE CHARTER SCHOOL INSTITUTE,
 27 AS APPLICABLE, ON JANUARY 6, 2010, IF THE GENERAL ASSEMBLY HAS NOT
 28 ACTED BY SAID DATE TO REQUIRE A RECISION BY THE ENACTMENT OF A
 29 NEGATIVE SUPPLEMENTAL APPROPRIATION OR IF THE JOINT BUDGET
 30 COMMITTEE OF THE GENERAL ASSEMBLY HAS NOT ACTED BY SAID DATE TO
 31 REQUIRE A RECISION USING THE PROCESS DESCRIBED IN SECTION
 32 24-75-111, C.R.S., FOR OVEREXPENDITURES."

33
 34 Renumber succeeding sections accordingly.

35
 36 Page 37, before line 13, insert the following:

37 "SECTION 37. **Repeal.** 22-43.7-109 (9) (c) (II), Colorado
 38 Revised Statutes, is repealed as follows:

39
 40 **22-43.7-109. Financial assistance for public school capital**
 41 **construction - application requirements - evaluation criteria - local**
 42 **match requirements.** (9) Except as otherwise provided in subsection
 43 (10) of this section, the board shall recommend and the state board shall
 44 approve financial assistance for a public school facility capital
 45 construction project only if the applicant provides matching moneys in an
 46 amount equal to a percentage of the total financing for the project
 47 determined by the board after consideration of the applicant's financial
 48 capacity, as determined by the following factors:

49
 50 (c) With respect to a charter school's application for financial
 51 assistance:

52
 53 (II) ~~The per pupil revenue received by the charter school from the~~
 54 ~~state that is required by law to be credited to a capital construction~~
 55 ~~reserve;~~

56

1 **SECTION 38.** 22-43.7-202 (4) (b), Colorado Revised Statutes,
2 is amended to read:

3
4 **22-43.7-202. Applications for grants and matching grants -**
5 **rules.** (4) The board shall prioritize each application for a grant or a
6 matching grant that describes a capital construction project deemed
7 eligible by the board for a grant or matching grant pursuant to this part 2.
8 The board shall prioritize the applications based on the following criteria,
9 in descending order of importance:

10
11 (b) Capital construction projects in school districts or for institute
12 charter schools that have previously demonstrated consistent efforts to
13 allocate moneys to the school districts' or institute charter schools' capital
14 reserve fund. ~~in excess of the minimum amounts required pursuant to~~
15 ~~section 22-54-105 (2) or 22-30.5-514 (1).~~

16
17 **SECTION 39.** 22-44-112 (2) (a), Colorado Revised Statutes, is
18 amended to read:

19
20 **22-44-112. Transfer of moneys.** (2) (a) A board of education
21 may transfer by resolution any unencumbered moneys from one fund to
22 another, ~~except the capital reserve fund, any fund or account in the~~
23 ~~general fund established solely for the management of risk-related~~
24 ~~activities, the transportation fund, the special building and technology~~
25 ~~fund, OR the bond redemption fund. or the instructional supplies and~~
26 ~~materials account or the instructional capital outlay account in the general~~
27 ~~fund; except that unencumbered moneys may be transferred by resolution~~
28 ~~of the board between the capital reserve fund and any fund or account in~~
29 ~~the general fund established solely for the management of risk-related~~
30 ~~activities and between the instructional supplies and materials account~~
31 ~~and the instructional capital outlay account in the general fund.~~

32
33 **SECTION 40.** 22-11-601 (2), Colorado Revised Statutes, as
34 enacted in Senate Bill 09-163, is amended to read:

35
36 **22-11-601. Colorado school awards program - created - rules.**
37 (2) In addition to the monetary awards made and distributed pursuant to
38 ~~sections 22-11-602, 22-11-603~~ SECTIONS 22-11-602, 22-11-603,
39 22-11-603.5, and 22-11-605, the state board may annually apply any
40 amount remaining from the amount annually appropriated for
41 implementation of section 22-11-202 to provide tangible items of
42 recognition, such as banners or trophies, to schools that receive the John
43 Irwin schools of excellence awards and the governor's distinguished
44 improvement awards.".

45
46 Renumber succeeding sections accordingly.

47
48 Respectfully submitted,
49 Senate Committee:
50 (signed)
51 Chris Romer
52 Bob Bacon

House Committee:
(signed)
Jack Pommer
Mark Ferrandino
Don Marostica

53
54
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56

DELIVERY OF BILL TO GOVERNOR1
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The Chief Clerk of the House of Representatives reports the following bill has been delivered to the Office of the Governor: **HB09-1164** at 3:26 p.m. on May 1, 2009.

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and returns herewith: HB09-1017.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

- HB09-1348 amended as printed in Senate Journal, April 30, 2009, page 1427-1428,
- HB09-1267 amended as printed in Senate Journal, April 30, 2009, page 1428,
- HB09-1039 amended as printed in Senate Journal, April 30, 2009, page 1428,
- HB09-1290 amended as printed in Senate Journal, April 30, 2009, page 1429,
- HB09-1330 amended as printed in Senate Journal, April 30, 2009, page 1429,
- HB09-1310 amended as printed in Senate Journal, April 30, 2009, page 1429,
- HB09-1266 amended as printed in Senate Journal, April 30, 2009, page 1429,
- HB09-1163 amended as printed in Senate Journal, April 30, 2009, page 1429,
- HB09-1047 amended as printed in Senate Journal, April 30, 2009, pages 1429-1430,
- HB09-1320 amended as printed in Senate Journal, April 30, 2009, page 1430,
- HB09-1202 amended as printed in Senate Journal, April 30, 2009, page 1430,
- HB09-1123 amended on Third Reading as printed in Senate Journal, May 1, 2009.
- HB09-1326 amended as printed in Senate Journal, April 30, 2009, pages 1431-1432, amended on Third Reading as printed in Senate Journal, May 1, 2009,
- HB09-1111 amended as printed in Senate Journal, April 30, 2009, pages 1432-1433,
- HB09-1298 amended as printed in Senate Journal, April 30, 2009, pages 1433-1434,
- HB09-1132 amended as printed in Senate Journal, April 30, 2009.

The Senate voted to concur in House amendments to SB09-180, SB09-163, SB09-118, SB09-006, and repassed the bills as so amended.

The Senate has voted not to concur in House Amendments to SB09-226, and requests that a Conference Committee be appointed. The President appointed Senators Sandoval-Chair, Hudak and Lundberg , as members

1 of the First Conference Committee on SB09-226 on the part of the
2 Senate. The Senate granted members permission to go beyond the scope
3 of differences between the two houses. The bill is transmitted herewith.
4

5 Upon reconsideration, the Senate has adopted HJR09-1020 as amended
6 in Senate Journal, May 1, 2009, and returns herewith.
7

8
9 In response to the request of the House for a Conference Committee on
10 HB09-1338, the President appoints Senators Bacon-Chair, Newell, and
11 Mitchell as conferees on the First Conference Committee on HB09-1338.
12

13
14 The Senate has passed on Third Reading and transmitted to the Revisor
15 of Statutes:

16
17 HB09-1067 amended as printed in Senate Journal, May 1, 2009,
18 page 1482,
19 HB09-1342 amended as printed in Senate Journal, May 1, 2009,
20 page 1482.
21

22
23 The Senate has postponed indefinitely HB09-1368 and HB09-1352. The
24 bills are returned herewith.
25

26 The Senate has adopted and transmits herewith: SJR09-057.
27

28 The Senate has adopted and transmits herewith: HJR09-1016.
29

30 The Senate has adopted, SJR09-040, SJR09-055 as amended, and
31 transmits the resolutions herewith.
32

33 The Senate has adopted and transmits herewith: SJR09-058. Pursuant to
34 the resolution, the President appoints Senators Scheffel and Newell.
35

36 The Senate voted to concur in House amendments to SB09-133, and
37 SB09-235, and repassed the bills as so amended.
38

39 The Senate has voted not to concur in House Amendments to SB09-245,
40 and requests that a Conference Committee be appointed. The President
41 appointed Senators Sandoval-Chair, Romer and Mitchell, as members of
42 the First Conference Committee on SB09-245 on the part of the Senate.
43 Senate granted permission for member to go beyond the scope of
44 differences between the two houses. The bill is transmitted herewith.
45

46
47 **MESSAGE(S) FROM THE REVISOR**
48

49 We herewith transmit:
50 Without comment, as amended, HB09-1067 and 1342.
51

52
53 We herewith transmit:
54 Without comment, as amended, HB09-1047, 1039, 1111, 1123, 1132,
55 1163, 1202, 1266, 1267, 1290, 1298, 1310, 1320, 1326, 1330, and 1348.
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MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 4th day of May, 2009, at 10:45 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

May 1, 2009

To the Honorable
House of Representatives
Sixty-seventh General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB09-1061 CONCERNING REQUIRED HEALTH CARE DISCLOSURES INVOLVING INSURANCE CARRIER BUSINESS RELATIONSHIPS WITH INTERMEDIARY ENTITIES.

Approved April 30, 2009 at 3:54 p.m.

HB09-1089 CONCERNING THE FILING REQUIREMENTS FOR LIENS THAT SECURE A DEBT UPON A VEHICLE.

Approved April 30, 2009 at 3:53 p.m.

HB09-1162 CONCERNING INTERGOVERNMENTAL COOPERATION FOR THE PURPOSE OF MITIGATING WILDFIRES.

Approved April 30, 2009 at 3:17 p.m.

HB09-1214 CONCERNING EDUCATION DATA REPORTING REQUIREMENTS.

Approved April 30, 2009 at 3:54 p.m.

HB09-1285 CONCERNING THE GOVERNMENT DATA ADVISORY BOARD, AND, IN CONNECTION THEREWITH, CREATING THE EDUCATION DATA SUBCOMMITTEE TO MAKE RECOMMENDATIONS FOR CREATION OF A STATEWIDE COMPREHENSIVE P-20 EDUCATION DATA SYSTEM.

Approved April 30, 2009 at 3:55 p.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

1 House in recess. House reconvened.
 2 _____
 3

4 Speaker Carroll announced pursuant to House Rule 25, the Committee on
 5 Health & Human Services would be allowed to meet while the House was
 6 in session. _____
 7

8
 9 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

10
 11 **APPROPRIATIONS**

12 After consideration on the merits, the Committee recommends the
 13 following:

14
 15 **SB09-233** be postponed indefinitely.
 16

17
 18 **SB09-253** be postponed indefinitely.
 19

20
 21 **SB09-273** be postponed indefinitely.
 22

23
 24 **SB09-296** be postponed indefinitely.
 25 _____
 26

27 **INTRODUCTION OF RESOLUTIONS**

28
 29 The following resolutions were read by title and laid over one day under
 30 the rules:

31
 32 **SJR09-040** by Senator(s) Boyd; also Representative(s) Frangas--
 33 Concerning the implementation of a process to create a
 34 transformed and integrated behavioral health system in
 35 Colorado. r
 36

37 **SJR09-055** by Senator(s) Gibbs, Carroll M., Foster, Heath, King K.,
 38 Kopp, Newell, Romer, Sandoval, Scheffel, Schwartz,
 39 Shaffer B., Tapia, Veiga, Williams; also Representative(s)
 40 McFadyen--Concerning the recognition of Colorado
 41 Department of Transportation employees, and, in
 42 connection therewith, declaring the month of July to be
 43 "Colorado Department of Transportation Remembrance
 44 Month".
 45

46 **SJR09-057** by Senator(s) Penry and Groff; also Representative(s)
 47 Bradford and Solano--Concerning prevention of
 48 methamphetamine use in Colorado, and, in connection
 49 therewith, proclaiming "Colorado Meth Project Day".
 50

51 **SJR09-058** by Senator(s) Shaffer B., Groff, Penry; also
 52 Representative(s) Weissmann and Kerr A., Carroll T.,
 53 May--Concerning the appointment of a joint committee to
 54 notify the Governor that the First Regular Session of the
 55 Sixty-seventh General Assembly is about to adjourn sine
 56 die. _____

1 **CONSIDERATION OF MEMORIAL**

2
3 **HM09-1005** by Representative(s) May--Memorializing former
4 Representative James Aspinwall.

5
6 (Printed and placed in member's file)

7
8 On motion of Representative May, the memorial was read at length and
9 **adopted** by the following roll call vote:

10

11	YES	53	NO	0	EXCUSED	12	ABSENT	0
12	Acree	E	Green	E	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	E	McNulty	Y	Schafer S.	Y
16	Benefield	Y	Kefalas	E	Merrifield	Y	Solano	Y
17	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
18	Casso	Y	Kerr J.	E	Miklosi	Y	Soper	Y
19	Court	Y	King S.	Y	Murray	Y	Stephens	Y
20	Curry	Y	Labuda	Y	Nikkel	E	Summers	Y
21	Ferrandino	Y	Lambert	Y	Pace	E	Swalm	E
22	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
23	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
24	Gagliardi	E	Looper	Y	Primavera	E	Vaad	Y
25	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
26	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
27	Gerou	E	May	Y	Riesberg	E	Weissmann	Y
28							Speaker	Y

29 Current Roll Call added as Co-sponsor(s): Representative(s) Apuan, Balmer,
30 Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino, Fischer,
31 Frangas, Gardner B., Gardner C., Hullinghorst, Judd, Kerr A., King S., Labuda,
32 Lambert, Levy, Liston, Looper, Marostica, Massey, McCann, McFadyen,
33 McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Peniston,
34 Pommer, Priola, Rice, Roberts, Ryden, Scanlan, Schafer S., Solano,
35 Sonnenberg, Soper, Stephens, Summers, Tipton, Todd, Vaad, Vigil, Waller,
36 Weissmann, Speaker

37
38
39 House in recess. House reconvened.
40
41

42 **CONSIDERATION OF RESOLUTION(S)**

43
44
45 **HJR09-1028** by Representative(s) Benefield, Court, Massey, Vaad; also
46 Senator(s) Shaffer B., Groff, Penry--Concerning the
47 retention of officers and employees of the First Regular
48 Session of the Sixty-seventh General Assembly.

49
50 (Printed and placed in members file)

51
52 On motion of Representative Benefield, the resolution was read at length
53 and **adopted** by **viva voce** vote.

54
55 Current Roll Call added as Co-sponsor(s): Representative(s) Apuan, Balmer,
56 Baumgardner, Bradford, Casso, Curry, Ferrandino, Fischer, Frangas,

1 Gardner B., Gardner C., Hullinghorst, Judd, Kerr A., King S., Labuda, Lambert,
2 Levy, Liston, Looper, Marostica, May, McCann, McFadyen, McNulty,
3 Merrifield, Middleton, Miklosi, Murray, Pace, Peniston, Pommer, Priola, Rice,
4 Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens,
5 Summers, Tipton, Todd, Vigil, Waller, Weissmann, Speaker

6

7 **SJR09-054** by Senator(s) Keller; also Representative(s) Roberts--
8 Concerning the designation of May 2009 as "Mental
9 Health Month".

10

11 (Printed and placed in members file)

12

13 On motion of Representative Roberts, the resolution was read at length
14 and **adopted** by **viva voce** vote.

15

16 Current Roll Call added as Co-sponsor(s): Representative(s) Apuan, Balmer,
17 Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino, Fischer,
18 Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green, Hullinghorst, Judd,
19 Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper,
20 Marostica, Massey, May, McCann, McFadyen, McNulty, Merrifield, Middleton,
21 Miklosi, Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice,
22 Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers,
23 Swalm, Tipton, Todd, Vaad, Vigil, Waller, Weissmann, Speaker

24

25

26

27 On motion of Representative Weissmann, **SB09-110, 164, 241, 247, 295,**
28 **292, 286, 297, 290, 085** were added to the Special Orders Calendar on
29 Monday, May 4, 2009.

30

31

32 On motion of Representative Merrifield, the House resolved itself into
33 Committee of the Whole for consideration of Special Orders and he was
34 called to the Chair to act as Chairman.

35

36

37 **SPECIAL ORDERS--SECOND READING OF BILLS**

38

39 The Committee of the Whole having risen, the Chairman reported the
40 titles of the following bills had been read (reading at length had been
41 dispensed with by unanimous consent), the bills considered and action
42 taken thereon as follows:

43

44 (Amendments to the committee amendment are to the printed committee
45 report which was printed and placed in the members' bill file.)

46

47 **HB09-1323** by Representative(s) Levy, Fischer, Green, Hullinghorst,
48 Kerr A., Labuda, McFadyen, Merrifield, Pace, Pommer,
49 Primavera, Scanlan, Solano; also Senator(s) Veiga, Bacon,
50 Heath, Romer, Shaffer B.--Concerning energy efficiency
51 programs implemented by cooperative electric
52 associations.

53

54 Laid over until August 7, 2009. Bill deemed lost.

55

1 **HB09-1356** by Representative(s) Liston and Pommer--Concerning the
2 use of state education fund moneys in the college
3 opportunity fund program to pay student stipends for
4 higher education courses that further the purposes of the
5 state education fund specified in the state constitution, and
6 making an appropriation therefor.
7

8 Laid over until August 8, 2009. Bill deemed lost.
9

10 **SB09-110** by Senator(s) Morse, Carroll M., Hudak; also
11 Representative(s) Levy--Concerning the continuation of the
12 regulation of civil rights issues.
13

14 Amendment No. 1, Judiciary Report, dated April 27, 2009, and placed in
15 member's bill file; Report also printed in House Journal, April 28,
16 pages 1551-1554.
17

18 Amendment No. 2, Appropriations Report, dated May 1, 2009, and placed
19 in member's bill file; Report also printed in House Journal, May 4,
20 page 1688.
21

22 As amended, ordered revised and placed on the Calendar for Third
23 Reading and Final Passage.
24

25
26 **SB09-164** by Senator(s) Newell, Bacon, Carroll M., Foster, Heath,
27 Hodge, Keller, Morse, Shaffer B., Williams; also
28 Representative(s) Miklosi, Frangas, Gagliardi, Kefalas,
29 Ryden--Concerning requiring certain persons serving in
30 the state child welfare system to demonstrate the necessary
31 competencies to perform their job responsibilities.
32

33 Ordered revised and placed on the Calendar for Third Reading and Final
34 Passage.
35

36 **SB09-241** by Senator(s) Morse; also Representative(s) King S. and
37 Tipton--Concerning DNA testing of adults arrested for a
38 felony, and making an appropriation therefor.
39

40 Amendment No. 1, Judiciary Report, dated April 30, 2009, and placed in
41 member's bill file; Report also printed in House Journal, May 1,
42 pages 1657-1660.
43

44 Amendment No. 2, Appropriations Report, dated May 1, 2009, and placed
45 in member's bill file; Report also printed in House Journal, May 4,
46 page 1688.
47

48 Amendment No. 3, by Representative(s) Weissmann.
49

50 Amend reengrossed bill, page 17, after line 12, insert the following:
51

52 **"SECTION 5. Effective date - applicability.** Notwithstanding
53 the provisions of section 4 of this act, this act shall not take effect until
54 the DNA working group created in section 24-33.5-104.5, Colorado
55 Revised Statutes, has met and has made recommendations regarding
56 collection of a biological sample for DNA testing from a person upon

1 arrest for a felony and the general assembly enacts by bill said
2 recommendations during the Second Regular Session of the Sixty-seventh
3 General Assembly."

4
5 Renumber succeeding section accordingly.

6
7 Amendment No. 4, by Representative(s) King S.

8
9 Amend reengrossed bill, page 8, after line 18, insert the following:

10
11 "SECTION 4. 18-1-412, Colorado Revised Statutes, is amended
12 BY THE ADDITION OF A NEW SUBSECTION to read:

13
14 **18-1-412. Procedure for application for DNA testing -**
15 **appointment of counsel.** (9) UPON MOTION OF THE DEFENDANT OR HIS
16 OR HER COUNSEL, THE COURT SHALL ORDER A DATABASE SEARCH BY A
17 LAW ENFORCEMENT AGENCY IF THE COURT DETERMINES THAT A
18 REASONABLE PROBABILITY EXISTS THAT THE DATABASE SEARCH WILL
19 PRODUCE EXCULPATORY OR MITIGATING EVIDENCE RELEVANT TO A CLAIM
20 OF WRONGFUL CONVICTION OR SENTENCING. DNA PROFILES MUST MEET
21 CURRENT NATIONAL DNA DATABASE INDEX SYSTEM ELIGIBILITY
22 STANDARDS AND CONFORM TO CURRENT FEDERAL BUREAU OF
23 INVESTIGATION QUALITY ASSURANCE STANDARDS IN ORDER TO BE
24 ELIGIBLE FOR SEARCH AGAINST THE STATE INDEX SYSTEM."

25
26 Renumber succeeding sections accordingly.

27
28 Amendment No. 5, by Representative(s) Ferrandino.

29 Amend reengrossed bill, page 5, line 7, strike "SYSTEM AND" and
30 substitute "SYSTEM AFTER RECEIVING CONFIRMATION FROM THE
31 ARRESTING OR CHARGING AGENCY THAT THE ADULT WAS CHARGED WITH
32 A FELONY. IF THE COLORADO BUREAU OF INVESTIGATION DOES NOT
33 RECEIVE CONFIRMATION OF A FELONY CHARGE WITHIN A YEAR OF
34 RECEIVING THE SAMPLE FOR TESTING, THE COLORADO BUREAU OF
35 INVESTIGATION SHALL DESTROY THE BIOLOGICAL SAMPLE AND ANY
36 RESULTS FROM THE TESTING OF THE SAMPLE. THE COLORADO BUREAU OF
37 INVESTIGATION".

38
39 Amendment No. 6, by Representative(s) Waller.

40
41 Amend reengrossed bill, page 7, before line 25, insert the following:

42 "(9) A PERSON WHO HAS REQUESTED EXPUNGEMENT PURSUANT TO
43 THIS SECTION MAY PETITION THE DISTRICT COURT FOR REVIEW OF THE
44 DECISION OF THE COLORADO BUREAU OF INVESTIGATION TO DENY
45 EXPUNGEMENT. SUCH PERSON SHALL HAVE THE BURDEN OF
46 DEMONSTRATING TO THE COURT THAT HE OR SHE QUALIFIES FOR
47 EXPUNGEMENT PURSUANT TO THIS SECTION."

48
49 As amended, ordered revised and placed on the Calendar for Third
50 Reading and Final Passage.

51 (For change in action, see Amendments to Report, page 1740.)

52
53 **SB09-247** by Senator(s) Tochtrop; also Representative(s) Pace--
54 Concerning the expansion of benefits for unemployed
55 workers in Colorado, and making an appropriation in
56 connection therewith.

1 Amendment No. 1, Business Affairs & Labor Report, dated
 2 April 29, 2009, and placed in member's bill file; Report also printed in
 3 House Journal, April 30, pages 1637.

4
 5 Amendment No. 1, Appropriations Report, dated May 1, 2009, and placed
 6 in member's bill file; Report also printed in House Journal, May 4,
 7 pages 1688-1689.

8
 9 As amended, ordered revised and placed on the Calendar for Third
 10 Reading and Final Passage.

11
 12 A motion by Representative Weissmann that the Committee rise, report
 13 progress and beg leave to sit again in ten or fifteen minutes, was adopted
 14 by unanimous consent. (Special Orders continued on page 1718.)

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House reconvened.

21 The Committee of the Whole reported it had risen, reported progress and
 22 would sit again in ten or fifteen minutes.

THIRD READING OF BILL--FINAL PASSAGE

29 The following bill was considered on Third Reading. The title was
 30 publicly read. Reading of the bill at length was dispensed with by
 31 unanimous consent.

33 **HB09-1369** by Representative(s) Weissmann; also Senator(s)
 34 Shaffer B.--Concerning the search process for leadership
 35 positions within state institution of higher education
 36 systems.

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
 40 Weissmann was given permission to offer a Third Reading amendment:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
43	Acree	Y	Green	Y	McCann	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McFadyen	Y	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	E
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	Y	Looper	Y	Primavera	Y	Vaad	Y
56	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y

1	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
2	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
3							Speaker	Y

4
5 **Third Reading amendment No. 1**, by Representative Weissmann.

6
7 Amend page 7, line 10, after "**Applicability.**", insert "(1)";

8
9 after line 13, insert the following:

10
11 "(2) THIS ARTICLE DOES NOT APPLY TO OPENINGS AT INDIVIDUAL
12 COMMUNITY COLLEGE CAMPUSES."

13
14 The amendment was declared **passed** by the following roll call vote:

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	E
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	Y

34
35 As shown by the following roll call vote, a majority of all members
36 elected to the House voted in the affirmative, and Representative
37 Marostica was given permission to offer a Third Reading amendment:

39	YES	63	NO	1	EXCUSED	1	ABSENT	0
40	Acree	Y	Green	N	McCann	Y	Roberts	Y
41	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
42	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
43	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
44	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
45	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
46	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
47	Court	Y	King S.	Y	Murray	Y	Stephens	Y
48	Curry	Y	Labuda	Y	Nikkel	Y	Summers	E
49	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
50	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
51	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
52	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
53	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
54	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
55	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
56							Speaker	Y

1 **Third Reading amendment No. 2**, by Representative Marostica.

2
3 Amend engrossed bill, page 12, strike lines 4 through 6 and substitute the
4 following:

5 "**SECTION 15. Act subject to petition - effective date.** This act
6 shall take effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly that is
8 allowed for submitting a referendum petition pursuant to article V,
9 section 1 (3) of the state constitution, (August 5, 2009, if adjournment
10 sine die is on May 6, 2009); except that, if a referendum petition is filed
11 against this act or an item, section, or part of this act within such period,
12 then the act, item, section, or part, if approved by the people, shall take
13 effect on the date of the official declaration of the vote thereon by
14 proclamation of the governor.".

15
16 The amendment was declared **passed** by the following roll call vote:

	YES	33	NO	32	EXCUSED	0	ABSENT	0
19	Acree	Y	Green	N	McCann	N	Roberts	Y
20	Apuan	N	Hullinghorst	N	McFadyen	N	Ryden	N
21	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	N
22	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
23	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
24	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
25	Casso	N	Kerr J.	Y	Miklosi	N	Soper	Y
26	Court	N	King S.	Y	Murray	Y	Stephens	Y
27	Curry	N	Labuda	Y	Nikkel	Y	Summers	Y
28	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
29	Fischer	N	Levy	Y	Peniston	N	Tipton	Y
30	Frangas	N	Liston	Y	Pommer	N	Todd	N
31	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
32	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
33	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
34	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
35							Speaker	N

36 Laid over until later.

37

38

39

40

41 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL**

42

43 **HB09-1242** by Representative(s) Summers; also Senator(s) King K.--
44 Concerning contributions to research institutions at
45 Colorado institutions of higher education.

46

47 (Amended as printed in Senate Journal, April 22, pages 1198.)

48

49 Representative Summers moved that the House **concur** in Senate
50 amendments. The motion was declared **passed** by the following roll call
51 vote:

52

	YES	65	NO	0	EXCUSED	0	ABSENT	0
54	Acree	Y	Green	Y	McCann	Y	Roberts	Y
55	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
56	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y

1	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
2	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
3	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
4	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
5	Court	Y	King S.	Y	Murray	Y	Stephens	Y
6	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
7	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
8	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
9	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
10	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
11	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
12	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
13	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
14							Speaker	Y

15
 16 The question being, "Shall the bill, as amended, pass?".
 17 A roll call vote was taken. As shown by the following recorded vote, a
 18 majority of those elected to the House voted in the affirmative, and the
 19 bill, as amended, was declared **repassed**.

	YES	65	NO	0	EXCUSED	0	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	Y

39 Co-sponsor(s) added: Representative(s) Fischer, Labuda, Murray, Speaker

40
 41 **HB09-1250** by Representative(s) Merrifield; also Senator(s) Penry--
 42 Concerning increasing the allocation to public schools of
 43 federal moneys received by the state on behalf of certain
 44 counties pursuant to the act of congress of May 23, 1908,
 45 as amended, relating to receipts from national forests.

46
 47 (Amended as printed in Senate Journal, April 27, pages 1292-1293, and
 48 amended on Third Reading as printed in Senate Journal, April 28.)

49
 50 Representative Merrifield moved that the House **concur** in Senate
 51 amendments. The motion was declared **passed** by the following roll call
 52 vote:

	YES	63	NO	2	EXCUSED	0	ABSENT	0
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.	N	Marostica	Y	Priola	Y	Vigil	Y
13	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
14	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
15							Speaker	Y

16

17 The question being, "Shall the bill, as amended, pass?".

18 A roll call vote was taken. As shown by the following recorded vote, a
 19 majority of those elected to the House voted in the affirmative, and the
 20 bill, as amended, was declared **repassed**.

21

22

	YES	42	NO	23	EXCUSED	0	ABSENT	0
23	Acree	N	Green	Y	McCann	Y	Roberts	N
24	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
25	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
26	Baumgardner	N	Kagan	Y	McNulty	Y	Schafer S.	Y
27	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
28	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
29	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
30	Court	Y	King S.	N	Murray	N	Stephens	Y
31	Curry	N	Labuda	Y	Nikkel	N	Summers	Y
32	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
33	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
34	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
35	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
36	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
37	Gardner C.	N	Massey	N	Rice	Y	Waller	N
38	Gerou	Y	May	N	Riesberg	N	Weissmann	Y
39							Speaker	Y

40

41 **HB09-1252** by Representative(s) Roberts, Massey, Vigil; also
 42 Senator(s) Isgar--Concerning the expansion of the "Local
 43 Access to Health Care Pilot Program Act" to allow
 44 creation of a pilot program in the San Luis valley.

45

46 (Amended as printed in Senate Journal, April 22, pages 1197.)

47

48 Representative Roberts moved that the House **concur** in Senate
 49 amendments. The motion was declared **passed** by the following roll call
 50 vote:

51

	YES	63	NO	2	EXCUSED	0	ABSENT	0
53	Acree	Y	Green	Y	McCann	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y

1	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
2	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
3	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
4	Court	Y	King S.	Y	Murray	Y	Stephens	Y
5	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
6	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
7	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
8	Frangas	N	Liston	Y	Pommer	Y	Todd	Y
9	Gagliardi	Y	Looper	Y	Primavera	N	Vaad	Y
10	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
11	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
12	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
13							Speaker	Y

14
15 The question being, "Shall the bill, as amended, 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
18 bill, as amended, was declared **repassed**.

19								
20	YES	62	NO	3	EXCUSED	0	ABSENT	0
21	Acree	Y	Green	Y	McCann	Y	Roberts	Y
22	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
23	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
24	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
25	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
26	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
27	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
28	Court	Y	King S.	Y	Murray	Y	Stephens	Y
29	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
30	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
31	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
32	Frangas	N	Liston	Y	Pommer	Y	Todd	Y
33	Gagliardi	Y	Looper	Y	Primavera	N	Vaad	Y
34	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
35	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
36	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
37							Speaker	Y

38 Co-sponsor(s) added: Representative(s) Labuda, McFadyen, Merrifield,
39 Schafer S.

40
41 **HB09-1303** by Representative(s) Curry; also Senator(s) Isgar--
42 Concerning the application of engineering criteria to
43 increase efficiency in the administration of wells that
44 withdraw ground water in conjunction with the mining of
45 minerals, and, in connection therewith, integrating wells
46 that withdraw ground water in conjunction with the mining
47 of minerals into the prior appropriation system and
48 extending the time schedule for well owners to correct
49 deficiencies in permitting and operation.

50
51 (Amended as printed in Senate Journal, April 27, pages 1291-1292.)

52
53 Representative Curry moved that the House **concur** in Senate
54 amendments. The motion was declared **passed** by the following roll call
55 vote:

56

	YES	65	NO	0	EXCUSED	0	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	Y	Liston	Y	Pommer	Y	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	65	NO	0	EXCUSED	0	ABSENT	0
26	Acree	Y	Green	Y	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	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	Y	Pommer	Y	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) Baumgardner, Hullinghorst, Labuda

44
 45 **HB09-1316** by Representative(s) Solano, King S.; also Senator(s)
 46 Shaffer B.--Concerning public dissemination of personal
 47 information of a person working in the criminal justice
 48 system.

49
 50 (Amended as printed in Senate Journal, April 28, page 1300.)

51
 52 Representative Solano moved that the House **concur** in Senate
 53 amendments. The motion was declared **passed** by the following roll call
 54 vote:

55

	YES	65	NO	0	EXCUSED	0	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	Y	Liston	Y	Pommer	Y	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	65	NO	0	EXCUSED	0	ABSENT	0
25								
26	Acree	Y	Green	Y	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	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	Y	Pommer	Y	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								

44 **HB09-1035** by Representative(s) Riesberg; also Senator(s) Heath--
 45 Concerning sales and use tax refunds for certain Colorado-
 46 based technology companies.

47
 48 (Amended as printed in Senate Journal, April 29.)

49
 50 Representative Riesberg moved that the House **concur** in Senate
 51 amendments. The motion was declared **passed** by the following roll call
 52 vote:

	YES	62	NO	3	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	N
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	N	Primavera	Y	Vaad	Y
12	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
13	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
14	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
15							Speaker	Y

16

17 The question being, "Shall the bill, as amended, pass?".

18 A roll call vote was taken. As shown by the following recorded vote, a
 19 majority of those elected to the House voted in the affirmative, and the
 20 bill, as amended, was declared **repassed**.

21

22

	YES	47	NO	18	EXCUSED	0	ABSENT	0
23	Acree	Y	Green	N	McCann	Y	Roberts	Y
24	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
25	Balmer	Y	Judd	N	McKinley	N	Scanlan	Y
26	Baumgardner	N	Kagan	Y	McNulty	Y	Schafer S.	Y
27	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
28	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
29	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
30	Court	Y	King S.	N	Murray	N	Stephens	Y
31	Curry	N	Labuda	Y	Nikkel	N	Summers	Y
32	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
33	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
34	Frangas	Y	Liston	Y	Pommer	N	Todd	Y
35	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
36	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
37	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
38	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
39							Speaker	Y

40 Co-sponsor(s) added: Representative(s) Frangas, Kefalas, Todd

41

42

43 **HB09-1111** by Representative(s) Massey, Swalm; also Senator(s) Boyd
 44 and Schwartz--Concerning measures to increase the
 45 availability of health resources in designated areas in
 46 Colorado, and, in connection therewith, creating the
 47 primary care office in the prevention services division in
 48 the department of public health and environment to
 49 maximize state and federal programs that provide health
 50 resources, and making an appropriation.

51

52 (Amended as printed in Senate Journal, April 30, pages 1432-1433.)

53

54 Representative Massey moved that the House **not concur** in Senate
 55 amendments and that a Conference Committee be appointed with
 56 permission to go beyond the scope of the differences between the House

1 and the Senate. The motion was declared **passed** by the following roll
2 call vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
5	Acree	Y	Green	Y	McCann	Y	Roberts	Y
6	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
7	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
8	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
9	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
10	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
11	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
12	Court	Y	King S.	Y	Murray	Y	Stephens	Y
13	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
14	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
15	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
16	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
17	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
18	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
19	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
20	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
21							Speaker	Y

22 The Speaker appointed Representatives Massey, Chairman, Riesberg and
23 Kagan as House conferees to the bill.

27 THIRD READING OF BILL--FINAL PASSAGE

28 (continued from page 1708)

30 The following bills were considered on Third Reading. The titles were
31 publicly read. Reading of the bill at length was dispensed with by
32 unanimous consent.

34 **HB09-1369** by Representative(s) Weissmann; also Senator(s)
35 Shaffer B.--Concerning the search process for leadership
36 positions within state institution of higher education
37 systems.

39 The question being, "Shall the bill, as amended, pass?".
40 A roll call vote was taken. As shown by the following recorded vote, a
41 majority of those elected to the House voted in the affirmative, and the
42 bill, as amended, was declared **passed**.

	YES	34	NO	31	EXCUSED	0	ABSENT	0
45	Acree	N	Green	Y	McCann	Y	Roberts	N
46	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
47	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
48	Baumgardner	N	Kagan	N	McNulty	N	Schafer S.	Y
49	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
50	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
51	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	N
52	Court	Y	King S.	N	Murray	N	Stephens	N
53	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
54	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
55	Fischer	Y	Levy	N	Peniston	Y	Tipton	N
56	Frangas	Y	Liston	N	Pommer	Y	Todd	Y

1	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
2	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
3	Gardner C.	N	Massey	N	Rice	Y	Waller	N
4	Gerou	N	May	N	Riesberg	N	Weissmann	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Curry, Green, Labuda, Merrifield,
7 Solano

8
9

10

11 On motion of Representative Merrifield, the House resolved itself into
12 Committee of the Whole for continuation of consideration of Special
13 Orders, and he returned to the Chair to act as Chairman.

14

15

16 SPECIAL ORDERS--SECOND READING OF BILLS

17 (Continued from page 1708)

18

19 **SB09-295** by Senator(s) Boyd, Groff, Heath, Hodge, Kopp, Romer,
20 Schwartz, Tochtrop, Williams; also Representative(s) May
21 and Middleton, Merrifield--Concerning accessibility at
22 state-supported institutions of higher education, and
23 making an appropriation in connection therewith.

24

25 Amendment No. 1, Education Report, dated May 1, 2009, and placed in
26 member's bill file; Report also printed in House Journal, May 4,
27 pages 1689-1690.

28

29 Amendment No. 2, by Representative(s) Middleton.

30

31 Amend the Education Committee Report, dated May 1, 2009, page 2, line
32 1, strike "(10)" and substitute "(10.5)".

33

34 Amendment No. 3, by Representative(s) Middleton.

35

36 Amend reengrossed bill, page 22, strike lines 3 through 27.

37

38 Page 23, strike lines 1 through 12.

39

40 Renumber succeeding sections accordingly.

41

42 Page 1, strike lines 102 and 103 and substitute "**HIGHER EDUCATION.**".

43

44 Amendment No. 4, by Representative(s) Middleton.

45

46 Amend reengrossed bill, page 5, strike lines 14 through 27 and substitute
47 the following:

48

49 "(4) PROVIDED THAT THE UNIVERSITY OF COLORADO AT BOULDER
50 CONTINUES TO ADMIT ALL IN-STATE FIRST TIME FRESHMAN APPLICANTS
51 THAT MEET PUBLISHED GUARANTEED-ADMISSIONS CRITERIA AND
52 CONTINUES TO ENROLL RESIDENT STUDENTS AT NOT LESS THAN FALL 2008
53 LEVELS ON A FIVE-YEAR ROLLING AVERAGE, THE UNIVERSITY OF
54 COLORADO AT BOULDER SHALL EXCLUDE FOREIGN STUDENTS IN ITS
55 CALCULATION OF NONRESIDENT ENROLLMENT. FOR PURPOSES OF THIS
56 SUBSECTION (4), "FOREIGN STUDENT" MEANS A STUDENT WHO IS COUNTED

1 AS FOREIGN AND PRESENT IN THE UNITED STATES ON A NONIMMIGRANT
2 VISA. FOREIGN STUDENTS SHALL NOT EXCEED TEN PERCENT OF THE TOTAL
3 STUDENT POPULATION. INSTITUTIONS OF HIGHER EDUCATION SHALL
4 REPORT TO THE COLORADO COMMISSION ON HIGHER EDUCATION
5 INFORMATION REGARDING RESIDENCY AND ENROLLMENT, INCLUDING THE
6 NUMBER OF FOREIGN STUDENTS ENROLLED, AND THE COMMISSION MAY
7 TAKE APPROPRIATE REMEDIAL ACTION IF AN INSTITUTION FAILS TO
8 COMPLY WITH THE PROVISIONS OF THIS SUBSECTION (4)."
9

10 Page 6, strike lines 1 and 2.

11
12 Amendment No. 5, by Representative(s) Middleton.

13
14 Amend reengrossed bill, page 6, strike lines 4 through 11.

15
16 Renumber succeeding sections accordingly.

17
18 Page 6, line 12, strike "(13) (b)," and substitute "(20.1), (22), and (26),"
19 and strike "is" and substitute "are";

20
21 line 13, strike "amended" and substitute "amended, and the said
22 24-30-202 is further amended BY THE ADDITION OF A NEW
23 SUBSECTION,";

24
25 strike lines 15 through 27 and substitute the following:

26
27 **penalties.** (20.1) The controller, or the controller's designee, is hereby
28 authorized, upon written request made to the controller, to allow any state
29 department, institution, or agency to draw upon its appropriation a sum
30 set by fiscal rule promulgated by the controller, which fiscal rule may not
31 authorize a sum in excess of two thousand five hundred dollars, and
32 considered appropriate for the circumstances, to be used for the payment
33 of incidental expenses. Items of postage, express, telegrams, and other
34 incidental expenses may be paid from such moneys. At the end of each
35 month, or as often as is practicable, the department, institution, or agency
36 making such incidental expenditures shall submit a voucher to the
37 controller covering the total amount of such expenditures and shall submit
38 a list of all such expenditures, together with proper receipts, if any, and
39 the controller shall draw the controller's warrant against the proper
40 appropriation to cover all items of expenditures which the controller
41 approves. The controller is also authorized, upon the request of any state
42 department, institution, or agency, to allow a reasonable advance of
43 moneys to employees and officials for authorized travel on official state
44 business not to exceed an amount set by fiscal rule promulgated by the
45 controller. ~~which fiscal rule may not authorize a sum in excess of one~~
46 ~~thousand five hundred dollars.~~

47
48 (22) The controller shall make uniform and equitable fiscal rules
49 controlling the types of perquisites which may be allowed state employees
50 in the executive branch of government ~~including employees in the~~
51 ~~institutions of higher education~~, in addition to their regular salaries. Such
52 rules shall include the eligibility of employees to receive such perquisites,
53 the charges to be made for such perquisites, and the method of payment
54 of such charges to the state. Before such rules become effective, they
55 shall be approved by the governor. No employee shall have authority to
56 grant to himself OR HERSELF or to any other employee under his OR HER

1 supervision any perquisite, nor shall any employee receive any perquisite
2 without full payment therefor, except as provided for by statute or by the
3 rules of the controller as authorized in this section. Charges prescribed
4 by such rules shall be reviewed annually by the controller. GOVERNING
5 BOARDS OF STATE INSTITUTIONS OF HIGHER EDUCATION MAY ESTABLISH
6 PERQUISITES FOR EMPLOYEES OF THEIR RESPECTIVE INSTITUTIONS.

7
8 (26) The controller shall promulgate equitable fiscal rules
9 concerning travel policies applicable to state employees, including
10 methods of transportation, travel advances, reimbursements, travel
11 allowances, use of travel agents, and use of state or privately owned
12 vehicles, and may promulgate such rules for the implementation of a state
13 travel policy as he deems necessary to assure fair and reasonable
14 expenditures. THE RULES SHALL ALLOW INSTITUTIONS OF HIGHER
15 EDUCATION TO PROCURE TRAVEL IN A MANNER NOT PROVIDED FOR IN THE
16 STATE TRAVEL POLICY IF SUCH INSTITUTIONS ARE ABLE TO SECURE MORE
17 COST-EFFECTIVE OR EFFICIENT METHODS OR RATES OF TRAVEL. The
18 controller shall make available a report no later than February 1 of each
19 year to the governor, the joint budget committee, and the legislative audit
20 committee regarding the travel expenses of state employees for the prior
21 fiscal year. Such report shall include, but shall not be limited to, an
22 itemized list of the travel expenses of each department including in-state
23 travel, out-of-state travel, and out-of-country travel. The controller shall
24 notify, in the most cost-effective manner available, the governor, the joint
25 budget committee, and the legislative audit committee of the availability
26 of the report and offering to provide copies of the report.

27
28 (28) (a) SUBJECT TO RECEIVING THE APPROPRIATION DESCRIBED
29 IN PARAGRAPH (b) OF THIS SUBSECTION (28), IF THE STATE RECEIVES A
30 REBATE FROM THE USE OF A STATE PROCUREMENT CARD BY AN
31 INSTITUTION OF HIGHER EDUCATION THAT EXCEEDS THE ALLOCATION OF
32 GENERAL SERVICES AGENCY COSTS, THE STATE CONTROLLER SHALL
33 TRANSFER THE EXCESS PORTION OF THE REBATE TO EACH STATE
34 INSTITUTION OF HIGHER EDUCATION.

35
36 (b) BEGINNING JULY 1, 2009, THE STATE CONTROLLER SHALL
37 SUBMIT AN APPROPRIATION REQUEST TO THE GENERAL ASSEMBLY FOR THE
38 YEAR FOLLOWING THE YEAR AFTER WHICH THE REBATE WAS EARNED.

39
40 (c) STATE INSTITUTIONS OF HIGHER EDUCATION SHALL BE
41 RESPONSIBLE FOR COMPLIANCE WITH APPLICABLE FEDERAL REGULATIONS
42 RELATED TO THE EXCESS REBATE TRANSFERRED TO THE INSTITUTION."

43
44 Page 7, strike lines 1 through 7 and substitute the following:

45
46 "SECTION 5. 24-30-1104, Colorado Revised Statutes, is
47 amended BY THE ADDITION OF A NEW SUBSECTION to read:

48
49 **24-30-1104. Central services functions of the department -**
50 **definitions - repeal.** (1.5) STATE INSTITUTIONS OF HIGHER EDUCATION
51 MAY PURCHASE SERVICES, AS DEFINED IN THIS PART 11, FROM THE
52 DEPARTMENT WHENEVER SUCH SERVICES CAN BE PROVIDED AT A COST
53 SAVINGS AND SHALL NOTIFY THE DEPARTMENT WHEN ACCEPTING BIDS FOR
54 SUCH SERVICES. WHENEVER PRACTICABLE, STATE INSTITUTIONS OF
55 HIGHER EDUCATION SHALL SEEK PARTNERSHIPS WITH THE DEPARTMENT
56 FOR THE PURPOSE OF PROCURING SERVICES AT A COST SAVINGS TO THE

1 STATE."

2

3 Renumber succeeding sections accordingly.

4

5 Amendment No. 6, by Representative(s) May.

6

7 Amend reengrossed bill, page 22, after line 2, insert the following:

8

9 "SECTION 16. Title 32, Colorado Revised Statutes, is amended
10 BY THE ADDITION OF A NEW ARTICLE to read:

11

12 **ARTICLE 20**

13 **Community and State College Service Area Districts**

14

15 **32-20-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY
16 BE CITED AS THE "COMMUNITY AND STATE COLLEGE SERVICE AREA
17 DISTRICTS ACT".

18

19 **32-20-102. Legislative declaration.** (1) THE GENERAL
20 ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

21

22 (a) COMMUNITY AND STATE COLLEGES INCREASINGLY PLAY A
23 GREATER ROLE IN PROVIDING RESIDENTS OF THE STATE WITH THE
24 OPPORTUNITY TO MATRICULATE AT AN INSTITUTION OF HIGHER
25 EDUCATION;

26

27 (b) COMMUNITY AND STATE COLLEGES NOT ONLY PROVIDE THEIR
28 RESIDENT POPULATIONS AND OTHER RESIDENTS OF THE STATE WITH AN
29 OPPORTUNITY TO OBTAIN A COLLEGE DEGREE, BUT ALSO SERVE AS
30 GENERATORS OF ECONOMIC DEVELOPMENT AND JOB GROWTH WITHIN
31 THEIR COMMUNITIES AND SERVICE AREAS;

32

33 (c) THE FINANCIAL RESOURCES OF SUCH INSTITUTIONS ARE
34 INCREASINGLY STRAINED, ADVERSELY AFFECTING THE ABILITY OF SUCH
35 INSTITUTIONS TO ACHIEVE THEIR MISSION.

36

37 (2) BY ENACTING THIS ARTICLE, THE GENERAL ASSEMBLY INTENDS
38 TO EASE THE FINANCIAL STRAIN ON COMMUNITY AND STATE COLLEGES BY
39 ALLOWING LOCAL GOVERNMENTS TO CREATE COMMUNITY AND STATE
40 COLLEGE SERVICE AREA DISTRICTS THAT, AMONG OTHER THINGS, WILL
41 PROVIDE ALTERNATE SOURCES OF FUNDING FOR THESE INSTITUTIONS IF
42 SUCH FUNDING MECHANISMS ARE APPROVED BY THE VOTERS AT THE
43 LOCAL LEVEL.

44

45 **32-20-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
46 CONTEXT OTHERWISE REQUIRES:

47

48 (1) "BOARD" MEANS THE BOARD OF DIRECTORS OF A DISTRICT.

49

50 (2) COMMUNITY COLLEGE MEANS:

51

52 (a) ANY COMMUNITY TECHNICAL COLLEGE UNDER THE CONTROL
53 OF THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL
54 EDUCATION CREATED IN SECTION 23-60-104 (1) (b), C.R.S. SUCH
55 INSTITUTIONS INCLUDE THOSE LISTED IN SECTION 23-60-205, C.R.S.; OR

56

1 (b) ANY JUNIOR COLLEGE DISTRICT THAT IS ORGANIZED PURSUANT
2 TO PART 1 OF ARTICLE 71 OF TITLE 23, C.R.S., AND THAT IS GOVERNED BY
3 A BOARD OF TRUSTEES ELECTED PURSUANT TO SECTION 23-71-110, C.R.S.

4
5 (3) "DENVER METROPOLITAN SERVICE AREA" MEANS THE
6 COUNTIES OF ADAMS, ARAPAHOE, BOULDER, BROOMFIELD, DENVER,
7 DOUGLAS, AND JEFFERSON THAT SERVE THE STATE COLLEGE AND ANY
8 COMMUNITY COLLEGE ALL OR ANY PORTION OF THE SERVICE AREA OF
9 WHICH IS LOCATED WITHIN ONE OF THE AFOREMENTIONED COUNTIES.

10
11 (4) "DIRECTOR" MEANS A MEMBER OF THE BOARD OF DIRECTORS
12 OF A DISTRICT.

13
14 (5) "DISTRICT" MEANS A COMMUNITY AND STATE COLLEGE
15 SERVICE AREA DISTRICT CREATED PURSUANT TO THIS ARTICLE.

16
17 (6) "ELIGIBLE ELECTOR" SHALL HAVE THE SAME MEANING AS SET
18 FORTH IN SECTION 32-1-103 (5) (a).

19
20 (7) "JUNIOR COLLEGE DISTRICT BOARD" MEANS THE BOARD OF
21 TRUSTEES OF A JUNIOR COLLEGE DISTRICT ELECTED PURSUANT TO SECTION
22 23-71-110, C.R.S.

23
24 (8) "LOCAL GOVERNMENT" MEANS A MUNICIPALITY, COUNTY, OR
25 CITY AND COUNTY.

26
27 (9) "MUNICIPALITY" SHALL HAVE THE SAME MEANING AS SET
28 FORTH IN SECTION 31-1-101 (6), C.R.S.

29
30 (10) "SERVICE AREA" MEANS EITHER THE GEOGRAPHIC SERVICE
31 AREA OF A COMMUNITY COLLEGE AS RECOGNIZED BY THE COLORADO
32 COMMISSION ON HIGHER EDUCATION IN ACCORDANCE WITH THE
33 REQUIREMENTS OF SECTION 23-1-109 (2), C.R.S., OR THE DENVER
34 METROPOLITAN SERVICE AREA.

35
36 (11) "STATE BOARD" MEANS THE STATE BOARD FOR COMMUNITY
37 COLLEGES AND OCCUPATIONAL EDUCATION CREATED IN SECTION
38 23-60-104 (1) (b), C.R.S.

39
40 (12) "STATE COLLEGE" MEANS THE METROPOLITAN STATE
41 COLLEGE OF DENVER CREATED IN SECTION 23-54-101, C.R.S.

42
43 **32-20-104. Applicability of "Special District Act".** (1) EXCEPT
44 AS PROVIDED IN THIS ARTICLE, A DISTRICT CREATED PURSUANT TO THIS
45 ARTICLE SHALL BE GOVERNED BY THE APPLICABLE PROVISIONS OF THE
46 "SPECIAL DISTRICT ACT", ARTICLE 1 OF THIS TITLE, INCLUDING, BUT NOT
47 LIMITED TO:

48
49 (a) PART 1 OF ARTICLE 1 OF THIS TITLE CONTAINING GENERAL
50 PROVISIONS;

51
52 (b) PARTS 2 AND 3 OF ARTICLE 1 OF THIS TITLE CONCERNING THE
53 ORGANIZATION OF A SPECIAL DISTRICT;

54
55 (c) PART 6 OF ARTICLE 1 OF THIS TITLE CONCERNING THE
56 CONSOLIDATION OF SPECIAL DISTRICTS;

- 1 (d) PART 7 OF ARTICLE 1 OF THIS TITLE CONCERNING THE
2 DISSOLUTION OF SPECIAL DISTRICTS;
3
- 4 (e) PART 8 OF ARTICLE 1 OF THIS TITLE CONCERNING ELECTIONS;
5
- 6 (f) PARTS 9, 10, AND 11 OF ARTICLE 1 OF THIS TITLE CONCERNING
7 THE BOARD OF DIRECTORS FOR A SPECIAL DISTRICT AND THE BOARD'S
8 GENERAL AND FINANCIAL POWERS; AND
9
- 10 (g) PARTS 13 AND 14 OF ARTICLE 1 OF THIS TITLE CONCERNING
11 REFUNDING OF BONDS AND SPECIAL DISTRICT INDEBTEDNESS.
12
- 13 (2) THE FOLLOWING PROVISIONS SHALL NOT APPLY TO A DISTRICT
14 CREATED PURSUANT TO THIS ARTICLE:
15
- 16 (a) PARTS 4 AND 5 OF ARTICLE 1 OF THIS TITLE CONCERNING THE
17 INCLUSION AND EXCLUSION OF TERRITORY IN A SPECIAL DISTRICT;
18
- 19 (b) PART 12 OF ARTICLE 1 OF THIS TITLE CONCERNING THE LEVY
20 AND COLLECTION OF AD VALOREM TAXES; AND
21
- 22 (c) PART 16 OF ARTICLE 1 OF THIS TITLE CONCERNING
23 CERTIFICATION AND NOTICE OF SPECIAL DISTRICT TAXES FOR GENERAL
24 OBLIGATION INDEBTEDNESS.
25
- 26 **32-20-105. Creation.** (1) EXCEPT AS OTHERWISE PROVIDED IN
27 PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION, A DISTRICT MAY BE
28 CREATED IN THE FOLLOWING MANNER:
29
- 30 (a) UPON THE PASSAGE OF A RESOLUTION BY THE STATE BOARD
31 REQUESTING THE FORMATION OF A DISTRICT IN ACCORDANCE WITH THE
32 REQUIREMENTS OF THIS ARTICLE, THE GOVERNING BODIES OF AT LEAST
33 TWO LOCAL GOVERNMENTS THAT ELECT TO FORM A DISTRICT SHALL EACH
34 ENACT AN ORDINANCE OR RESOLUTION PROPOSING THE CREATION OF A
35 DISTRICT. THE ORDINANCE OR RESOLUTION SHALL SET FORTH THE NAMES
36 OF THE LOCAL GOVERNMENTS TO BE ENCOMPASSED WITHIN THE PROPOSED
37 DISTRICT AND THE PROPOSED NAME OF THE DISTRICT. THE TERRITORIAL
38 BOUNDARIES OF THE PROPOSED DISTRICT SHALL CONFORM TO THE
39 GEOGRAPHIC BOUNDARIES OF THE SERVICE AREA OF ANY COMMUNITY
40 COLLEGE THAT SERVES THE LOCAL GOVERNMENT PROPOSING TO CREATE
41 THE DISTRICT.
42
- 43 (b) THE GOVERNING BODY OF ANY LOCAL GOVERNMENT THAT IS
44 NAMED IN THE ORDINANCE OR RESOLUTION PROPOSING THE CREATION OF
45 A DISTRICT PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1) MAY
46 ENACT AN ORDINANCE OR RESOLUTION PROPOSING TO JOIN THE DISTRICT,
47 SETTING FORTH THE NAMES OF THE SAME LOCAL GOVERNMENTS.
48
- 49 (c) THE CLERK OF EACH LOCAL GOVERNMENT THAT ENACTS AN
50 ORDINANCE OR RESOLUTION PURSUANT TO PARAGRAPH (a) OR (b) OF THIS
51 SUBSECTION (1) SHALL TRANSMIT A CERTIFIED COPY TO THE GOVERNING
52 BODY OF EACH OTHER LOCAL GOVERNMENT NAMED IN THE ORIGINAL
53 ORDINANCE TO BE A PART OF THE PROPOSED DISTRICT.
54
- 55 (d) THE GOVERNING BODY OF A LOCAL GOVERNMENT THAT
56 ENACTS AN ORDINANCE OR RESOLUTION PURSUANT TO PARAGRAPH (a) OR

1 (b) OF THIS SUBSECTION (1) SHALL SUBMIT THE QUESTION OF THE
2 CREATION OF A DISTRICT THAT INCLUDES THE ENTIRE TERRITORY OF THE
3 LOCAL GOVERNMENT TO THE ELIGIBLE ELECTORS OF THE LOCAL
4 GOVERNMENT AT A GENERAL OR SPECIAL ELECTION CONDUCTED IN
5 ACCORDANCE WITH THE "UNIFORM ELECTION CODE OF 1992", ARTICLES
6 1 TO 13 OF TITLE 1, C.R.S. THE DISTRICT SHALL BE DEEMED CREATED IF
7 A MAJORITY OF THE VOTES CAST IN THE ELECTION HELD IN ANY LOCAL
8 GOVERNMENT NAMED IN THE ORDINANCE OR RESOLUTION PROPOSING THE
9 DISTRICT ARE IN FAVOR OF THE CREATION OF THE DISTRICT. THE
10 TERRITORY OF THE DISTRICT SHALL COMPRISE THE COMBINED TERRITORY
11 OF ALL LOCAL GOVERNMENTS IN WHICH THE ELIGIBLE ELECTORS APPROVE
12 THE CREATION OF THE DISTRICT.

13
14 (2) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
15 ARTICLE, UPON THE PASSAGE OF A RESOLUTION BY THE STATE BOARD AND
16 THE BOARD OF TRUSTEES OF THE STATE COLLEGE, THE STATE BOARD AND
17 BOARD OF TRUSTEES MAY JOINTLY REQUEST AT LEAST TWO LOCAL
18 GOVERNMENTS, THE TERRITORIAL BOUNDARIES OF WHICH ARE LOCATED
19 WITHIN THE DENVER METROPOLITAN SERVICE AREA, TO ESTABLISH A
20 SINGLE CONSOLIDATED DISTRICT THAT WILL SERVE THE STATE COLLEGE
21 AND ANY COMMUNITY COLLEGES, ALL OR ANY PORTION OF THE SERVICE
22 AREA OF THAT IS LOCATED WITHIN SUCH CONSOLIDATED DISTRICT. IN
23 SUCH CASE, A SINGLE BALLOT QUESTION SEEKING VOTER APPROVAL OF
24 THE FORMATION OF THE DISTRICT MAY BE CONSOLIDATED WITHIN SUCH
25 SERVICE AREA FOR PURPOSES OF PLACEMENT ON THE BALLOT. ALL OTHER
26 REQUIREMENTS OF THIS ARTICLE SHALL APPLY TO THE CREATION,
27 ORGANIZATION, AND ADMINISTRATION OF THE DISTRICT.

28
29 (b) IN SO FAR AS THE VOTERS APPROVE THE FORMATION OF THE
30 DISTRICT PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2), THE
31 STATE BOARD AND THE BOARD OF TRUSTEES OF THE STATE COLLEGE SHALL
32 SPECIFY, BY INTERGOVERNMENTAL AGREEMENT, THE ALLOCATION OF ANY
33 TAX REVENUES COLLECTED, INTO WHICH AGREEMENT THE PARTIES ARE
34 HEREBY AUTHORIZED TO ENTER.

35
36 (3) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
37 ARTICLE, UPON THE PASSAGE OF A RESOLUTION BY THE STATE BOARD AND
38 THE JUNIOR COLLEGE DISTRICT BOARD, THE STATE BOARD AND THE JUNIOR
39 COLLEGE DISTRICT BOARD MAY JOINTLY REQUEST AT LEAST TWO LOCAL
40 GOVERNMENTS, THE TERRITORIAL BOUNDARIES OF WHICH ARE LOCATED
41 WITHIN A SHARED SERVICE AREA OF THE JUNIOR COLLEGE DISTRICT, AND
42 A COMMUNITY COLLEGE UNDER THE JURISDICTION OF THE STATE BOARD
43 TO ESTABLISH A SINGLE CONSOLIDATED DISTRICT THAT WILL SERVE ANY
44 COMMUNITY COLLEGES AND JUNIOR COLLEGE DISTRICTS, ALL OR ANY
45 PORTION OF THE SERVICE AREA OF WHICH IS LOCATED WITHIN SUCH
46 CONSOLIDATED DISTRICT. IN SUCH CASE, A SINGLE BALLOT QUESTION
47 SEEKING VOTER APPROVAL OF THE FORMATION OF THE DISTRICT MAY BE
48 CONSOLIDATED WITHIN SUCH SERVICE AREA FOR PURPOSES OF PLACEMENT
49 ON THE BALLOT.

50
51 (b) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE:

52
53 (I) ANY TAXING DISTRICT FOR A JUNIOR COLLEGE DISTRICT IN
54 OPERATION AS OF THE EFFECTIVE DATE OF THIS ARTICLE SHALL NOT BE
55 ALTERED BY THE PROVISIONS OF THIS ARTICLE, NOR SHALL THE
56 PROVISIONS OF THIS ARTICLE AFFECT, WITHOUT LIMITATION, THE

1 REQUIREMENTS GOVERNING ADDITIONS TO A JUNIOR COLLEGE DISTRICT AS
2 SPECIFIED IN SECTION 23-71-128, C.R.S.

3

4 (II) NO REVENUES COLLECTED FROM A TAXING DISTRICT FOR A
5 JUNIOR COLLEGE DISTRICT IN OPERATION AS OF THE EFFECTIVE DATE OF
6 THIS ARTICLE SHALL BE REALLOCATED IN ANY MANNER AS A RESULT OF
7 THE OPERATION OF THIS ARTICLE.

8

9 (III) NO CONSOLIDATED DISTRICT ESTABLISHED PURSUANT TO
10 PARAGRAPH (a) OF THIS SUBSECTION (3) SHALL INCLUDE ALL OR ANY
11 PORTION OF THE SERVICE AREA OF ANY COMMUNITY COLLEGE WITHOUT
12 THE APPROVAL OF THE STATE BOARD AND THE JUNIOR COLLEGE DISTRICT
13 BOARD.

14

15 (c) EXCEPT AS OTHERWISE SPECIFIED IN PARAGRAPH (b) OF THIS
16 SUBSECTION (3), ALL OTHER REQUIREMENTS OF THIS ARTICLE SHALL APPLY
17 TO THE CREATION, ORGANIZATION, AND ADMINISTRATION OF A DISTRICT
18 ESTABLISHED PURSUANT TO THIS SUBSECTION (3).

19

20 (d) INsofar AS THE VOTERS APPROVE THE FORMATION OF THE
21 CONSOLIDATED DISTRICT PURSUANT TO PARAGRAPH (a) OF THIS
22 SUBSECTION (3), THE STATE BOARD AND THE JUNIOR COLLEGE DISTRICT
23 BOARD SHALL SPECIFY BY INTERGOVERNMENTAL AGREEMENT THE
24 ALLOCATION OF ANY TAX REVENUES COLLECTED, INTO WHICH AGREEMENT
25 THE PARTIES ARE HEREBY AUTHORIZED TO ENTER.

26

27 (4) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS (2) OR (3)
28 OF THIS SECTION:

29

30 (a) A DISTRICT ESTABLISHED PURSUANT TO THIS ARTICLE SHALL
31 ONLY BE ESTABLISHED UPON THE PASSAGE OF A RESOLUTION BY THE
32 STATE BOARD REQUESTING THE FORMATION OF A DISTRICT IN
33 ACCORDANCE WITH THE REQUIREMENTS OF THIS ARTICLE; AND

34

35 (b) A DISTRICT MAY ONLY BE CREATED PURSUANT TO THIS ARTICLE
36 FOR THE PURPOSE OF SERVING A COMMUNITY COLLEGE.

37

38 **32-20-106. Board of directors - appointment - removal.**

39 (1) THE ORDINANCE OR RESOLUTION PROPOSING THE CREATION OF A
40 DISTRICT SHALL SPECIFY THE NUMBER OF DIRECTORS OF THE DISTRICT. A
41 DISTRICT SHALL HAVE NO FEWER THAN SEVEN DIRECTORS AND NO MORE
42 THAN FIFTEEN DIRECTORS. THE GOVERNING BODY OF EACH LOCAL
43 GOVERNMENT IN THE DISTRICT SHALL HAVE THE POWER TO APPOINT AND
44 REMOVE AT LEAST ONE DIRECTOR. A REPRESENTATIVE OF EACH
45 COMMUNITY OR STATE COLLEGE ON BEHALF OF WHICH THE DISTRICT WAS
46 CREATED SHALL BE ENTITLED TO TWO REPRESENTATIVES ON THE BOARD
47 IF THE TOTAL NUMBER OF BOARD MEMBERS IS TEN OR FEWER PERSONS. IF
48 THE TOTAL NUMBER OF BOARD MEMBERS IS ELEVEN OR MORE PERSONS,
49 THE COMMUNITY OR STATE COLLEGE SHALL BE ENTITLED TO FOUR
50 REPRESENTATIVES ON THE BOARD. IF THE NUMBER OF BOARD MEMBERS
51 INITIALLY APPOINTED BY EACH LOCAL GOVERNMENT WITHIN THE
52 DISTRICT, TOGETHER WITH THE REPRESENTATIVES OF THE COMMUNITY OR
53 STATE COLLEGE, IS LESS THAN THE MINIMUM NUMBER OF BOARD MEMBERS
54 REQUIRED BY THIS SUBSECTION (1), THE APPOINTED BOARD MEMBERS,
55 INCLUDING THE REPRESENTATIVES OF THE COMMUNITY OR STATE
56 COLLEGE, SHALL AGREE ON THE APPOINTMENT OF SUCH ADDITIONAL

1 MEMBERS AS WILL SATISFY THE REQUIREMENTS OF THIS SUBSECTION (1).

2

3 ANY DIRECTOR MAY BE REMOVED IN THE MANNER PRESCRIBED BY THE
4 ORDINANCE OR RESOLUTION PROPOSING THE CREATION OF THE DISTRICT.

5

6 (2) A DIRECTOR APPOINTED TO THE BOARD SHALL SERVE FOR A
7 TERM OF FIVE YEARS UNLESS REMOVED PURSUANT TO SUBSECTION (1) OF
8 THIS SECTION. A DIRECTOR MAY BE APPOINTED TO ADDITIONAL TERMS
9 WITHOUT LIMITATION.

10

11 (3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE,
12 IN THE CASE OF A JUNIOR COLLEGE DISTRICT, THE BOARD OF TRUSTEES OF
13 A DISTRICT CREATED UNDER THIS ARTICLE SHALL BE THE JUNIOR COLLEGE
14 DISTRICT BOARD.

15

16 **32-20-107. Board of directors - powers and duties.** (1) IN
17 ADDITION TO THE POWERS SPECIFIED IN SECTION 32-1-1001, THE BOARD
18 HAS SUCH ADDITIONAL POWERS FOR AND ON BEHALF OF THE DISTRICT:

19

20 (a) TO REVIEW ANY REPORTS AND STUDIES MADE AND TO OBTAIN
21 ANY ADDITIONAL REPORTS AND STUDIES IT DEEMS NECESSARY TO CARRY
22 OUT THE PURPOSES OF THIS ARTICLE;

23

24 (b) TO RECEIVE AND ACCEPT FROM ANY SOURCE AID OR
25 CONTRIBUTIONS OF MONEY, PROPERTY, LABOR, OR OTHER THINGS OF
26 VALUE TO BE HELD, USED, AND APPLIED TO CARRY OUT THE PURPOSES OF
27 THIS ARTICLE SUBJECT TO THE CONDITIONS UPON WHICH THE GRANTS OR
28 CONTRIBUTIONS ARE MADE;

29

30 (c) TO DEVELOP REPORTING AND REVIEW REQUIREMENTS
31 GOVERNING THE RECEIPT AND EXPENDITURE OF MONEYS RECEIVED BY THE
32 DISTRICT; AND

33

34 (d) TO TAKE SUCH ADDITIONAL ACTION FOR AND ON BEHALF OF
35 THE DISTRICT AS WILL FURTHER THE PURPOSES OF THIS ARTICLE.

36

37 (2) IN EXERCISING ITS POWER UNDER THIS ARTICLE TO ENTER INTO
38 CONTRACTS ON BEHALF OF THE DISTRICT, THE BOARD SHALL:

39

40 (a) TO THE EXTENT POSSIBLE, USE COMPETITIVE BIDDING IN
41 ACCORDANCE WITH ARTICLE 103 OF TITLE 24, C.R.S.; AND

42

43 (b) GIVE DUE CONSIDERATION TO PERSONS AND BUSINESSES THAT
44 ARE AUTHORIZED TO TRANSACT BUSINESS IN COLORADO.

45

46 **32-20-108. Special districts file - notice of organization or**
47 **dissolution.** (1) FOR PURPOSES OF COMPLYING WITH SECTION 32-1-104
48 (2), A DISTRICT CREATED PURSUANT TO THIS ARTICLE SHALL PROVIDE THE
49 REQUIRED NOTICE TO THE DEPARTMENT OF REVENUE INSTEAD OF THE
50 COUNTY ASSESSOR.

51

52 (2) FOR PURPOSES OF COMPLYING WITH SECTION 32-1-105, THE
53 COUNTY CLERK AND RECORDER SHALL FILE A CERTIFIED COPY OF THE
54 DECREE OR ORDER CONFIRMING THE ORGANIZATION OR DISSOLUTION OF
55 A DISTRICT CREATED PURSUANT TO THIS ARTICLE WITH THE DEPARTMENT
56 OF REVENUE INSTEAD OF NOTIFYING THE COUNTY ASSESSOR OF THE

1 ACTION.

2

3

32-20-109. Service area of district - governmental immunity.

4 (1) IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 32-20-105 (1)
5 (d), A DISTRICT SHALL COMPRISE THE COMBINED TERRITORY OF ALL LOCAL
6 GOVERNMENTS IN WHICH THE ELIGIBLE ELECTORS APPROVE THE CREATION
7 OF THE DISTRICT. IN CONNECTION WITH A DISTRICT ESTABLISHED IN
8 ACCORDANCE WITH THE REQUIREMENTS OF SECTION 32-20-105 (1) (a), THE
9 TERRITORY OF THE DISTRICT SHALL CONFORM TO THE GEOGRAPHIC
10 BOUNDARIES OF ANY SERVICE AREA OF ANY COMMUNITY COLLEGE THAT
11 SERVES THE AFFECTED LOCAL GOVERNMENTS. IN CONNECTION WITH A
12 DISTRICT ESTABLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF
13 SECTION 32-20-105 (2) (a), THE TERRITORY OF THE DISTRICT SHALL BE
14 COTERMINOUS WITH THE DENVER METROPOLITAN SERVICE AREA. THE
15 DISTRICT SHALL BE A BODY CORPORATE AND POLITIC AND A POLITICAL
16 SUBDIVISION OF THE STATE.

17

18 (2) EACH OF THE DIRECTORS, OFFICERS, AND EMPLOYEES OF THE
19 DISTRICT SHALL BE A PUBLIC EMPLOYEE FOR PURPOSES OF THE
20 "COLORADO GOVERNMENTAL IMMUNITY ACT", ARTICLE 10 OF TITLE 24,
21 C.R.S.

22

23

32-20-110. Service plan required - contents - action on plan.

24 (1) THE LOCAL GOVERNMENTS THAT PROPOSE THE ORGANIZATION OF A
25 DISTRICT PURSUANT TO SECTION 32-20-105 (1) (a) OR (2) (a) SHALL
26 SUBMIT A SERVICE PLAN IN ACCORDANCE WITH THE REQUIREMENTS OF
27 SECTION 32-1-202 (1). ANY REQUIREMENT TO PAY A FEE PURSUANT TO
28 SECTION 32-1-202 (3) SHALL BE WAIVED FOR A COUNTY IF THE COUNTY IS
29 AMONG THE LOCAL GOVERNMENTS PROPOSING THE DISTRICT.

30

31 (2) NOTWITHSTANDING THE PROVISIONS OF SECTION 32-1-202 (2),
32 THE SERVICE PLAN FOR THE DISTRICT SHALL CONTAIN THE FOLLOWING
33 INFORMATION:

34

35 (a) A DESCRIPTION OF ANY SERVICES PROPOSED TO BE PROVIDED
36 BY THE DISTRICT AND THE PERSONS WHO WILL BE ELIGIBLE TO RECEIVE
37 THOSE SERVICES;

38

39 (b) QUALITY ASSURANCE MEASURES;

40

41 (c) A FINANCIAL PLAN SHOWING HOW THE PROPOSED SERVICES ARE
42 TO BE FINANCED, INCLUDING THE PROPOSED OPERATING REVENUE DERIVED
43 FROM SALES TAXES FOR THE FIRST BUDGET YEAR OF THE DISTRICT, WHICH
44 SHALL NOT BE MATERIALLY EXCEEDED EXCEPT AS AUTHORIZED PURSUANT
45 TO SECTION 32-1-207. ALL PROPOSED INDEBTEDNESS FOR THE DISTRICT
46 SHALL BE DISPLAYED TOGETHER WITH A SCHEDULE INDICATING THE YEAR
47 OR YEARS IN WHICH THE DEBT IS SCHEDULED TO BE ISSUED. THE BOARD
48 OF DIRECTORS OF THE DISTRICT SHALL NOTIFY THE GOVERNING BODY OF
49 THE LOCAL GOVERNMENTS OF ANY ALTERATION OR REVISION OF THE
50 PROPOSED SCHEDULE OF DEBT ISSUANCE SET FORTH IN THE FINANCIAL
51 PLAN.

52

53 (d) A MAP OF THE PROPOSED DISTRICT BOUNDARIES;

54

55 (e) IF THE DISTRICT PLANS TO CONSTRUCT FACILITIES, A GENERAL
56 DESCRIPTION OF THE FACILITIES TO BE CONSTRUCTED AND THE STANDARDS

1 OF SUCH CONSTRUCTION, INCLUDING A STATEMENT OF HOW THE FACILITY
2 AND SERVICE STANDARDS OF THE PROPOSED DISTRICT ARE COMPATIBLE
3 WITH FACILITY AND SERVICE STANDARDS OF ANY LOCAL GOVERNMENT
4 WITHIN WHICH ALL OR ANY PORTION OF THE PROPOSED DISTRICT IS TO BE
5 LOCATED;

6
7 (f) IF APPLICABLE, A GENERAL DESCRIPTION OF THE ESTIMATED
8 COST OF ACQUIRING OR LEASING LAND OR FACILITIES, ACQUIRING
9 ENGINEERING, LEGAL, AND ADMINISTRATIVE SERVICES, INITIAL PROPOSED
10 INDEBTEDNESS AND ESTIMATED PROPOSED MAXIMUM INTEREST RATES
11 AND DISCOUNTS, AND OTHER MAJOR EXPENSES RELATED TO THE
12 ORGANIZATION AND INITIAL OPERATION OF THE DISTRICT;

13
14 (g) A DESCRIPTION OF ANY ARRANGEMENT OR PROPOSED
15 AGREEMENT WITH ANY POLITICAL SUBDIVISION FOR THE PERFORMANCE OF
16 ANY SERVICES BETWEEN THE PROPOSED DISTRICT AND SUCH OTHER
17 POLITICAL SUBDIVISION, AND, IF THE FORM CONTRACT TO BE USED IS
18 AVAILABLE, IT SHALL BE ATTACHED TO THE SERVICE PLAN;

19
20 (h) INFORMATION, ALONG WITH OTHER EVIDENCE PRESENTED AT
21 THE HEARING, SATISFACTORY TO ESTABLISH THAT EACH OF THE CRITERIA
22 SET FORTH IN SECTION 32-1-203, IF APPLICABLE, IS MET; AND

23
24 (i) SUCH ADDITIONAL INFORMATION AS THE GOVERNING BODY OF
25 THE LOCAL GOVERNMENT MAY REQUIRE ON WHICH TO BASE ITS FINDINGS
26 PURSUANT TO SECTION 32-1-203.

27
28 (3) EXCEPT AS PROVIDED IN SECTION 32-20-111, THE BOARD OF
29 COUNTY COMMISSIONERS OF EACH COUNTY THAT HAS TERRITORY
30 INCLUDED WITHIN THE PROPOSED DISTRICT SHALL CONSTITUTE THE
31 APPROVING AUTHORITY FOR THE PROPOSED DISTRICT AND SHALL REVIEW
32 ANY SERVICE PLAN FILED BY THE PETITIONERS OF A PROPOSED DISTRICT IN
33 ACCORDANCE WITH THE PROVISIONS OF SECTION 32-1-203. THE
34 PROVISIONS OF SECTION 32-1-203 (3.5) SHALL NOT APPLY TO A DISTRICT
35 PROPOSED PURSUANT TO THIS ARTICLE.

36
37 **32-20-111. Approval by municipality.** IF THE BOUNDARIES OF
38 A DISTRICT PROPOSED PURSUANT TO THIS ARTICLE ARE WHOLLY
39 CONTAINED WITHIN THE BOUNDARIES OF A MUNICIPALITY, THE LOCAL
40 GOVERNMENTS PROPOSING THE ORGANIZATION OF THE DISTRICT SHALL
41 COMPLY WITH THE PROVISIONS OF SECTION 32-1-204.5; EXCEPT THAT THE
42 SERVICE PLAN SUBMITTED TO EACH GOVERNING BODY SHALL CONTAIN THE
43 INFORMATION REQUIRED BY SECTION 32-20-110 (2). THE GOVERNING
44 BODY OF EACH MUNICIPALITY SHALL HAVE THE AUTHORITY SET FORTH IN
45 SECTION 32-1-204.5 WITH REGARD TO THE REVIEW OF THE SERVICE PLAN.

46
47 **32-20-112. Public hearing on service plan - procedures -**
48 **decision - judicial review - modifications - enforcement.** (1) FOR
49 PURPOSES OF SECTION 32-1-204 (1) AND (1.5), THE GOVERNING BODY OF
50 THE LOCAL GOVERNMENT SHALL BE DEEMED TO HAVE COMPLIED WITH
51 SUCH PROVISIONS IF THE GOVERNING BODY PROVIDES WRITTEN NOTICE OF
52 THE DATE, TIME, AND LOCATION OF THE HEARING TO THE PETITIONERS
53 AND, AT LEAST TWENTY DAYS PRIOR TO THE HEARING DATE, PUBLISHES
54 NOTICE OF THE DATE, TIME, LOCATION, AND PURPOSE OF THE HEARING.
55 THE PUBLISHED NOTICE SHALL CONSTITUTE CONSTRUCTIVE NOTICE TO THE
56 INTERESTED PARTIES IN THE PROPOSED DISTRICT.

1 (2) THE PROVISIONS OF SECTION 32-1-204 (2) SHALL NOT APPLY TO
2 A DISTRICT PROPOSED PURSUANT TO THIS ARTICLE.
3

4 (3) THE GOVERNING BODY OF THE LOCAL GOVERNMENT SHALL
5 CONDUCT THE HEARING AND MAKE ITS DECISION IN ACCORDANCE WITH
6 THE REQUIREMENTS OF SECTION 32-1-204 (3) AND (4). THE DECISION OF
7 THE GOVERNING BODY OF THE LOCAL GOVERNMENT IS SUBJECT TO
8 JUDICIAL REVIEW IN ACCORDANCE WITH SECTION 32-1-206; EXCEPT THAT,
9 FOR PURPOSES OF SUCH JUDICIAL REVIEW, "INTERESTED PARTIES" SHALL
10 HAVE THE SAME MEANING AS SET FORTH IN SECTION 32-17-103 (3).
11

12 (4) UPON FINAL APPROVAL BY THE COURT FOR THE ORGANIZATION
13 OF A DISTRICT, THE DISTRICT SHALL CONFORM AS MUCH AS POSSIBLE TO
14 THE APPROVED SERVICE PLAN, AND ANY MATERIAL MODIFICATIONS TO THE
15 SERVICE PLAN SHALL BE APPROVED IN ACCORDANCE WITH SECTION
16 32-1-207 (2). ANY MATERIAL DEPARTURE FROM THE APPROVED SERVICE
17 PLAN MAY BE ENJOINED IN ACCORDANCE WITH SECTION 32-1-207 (3);
18 EXCEPT THAT, FOR PURPOSES OF ENFORCEMENT OF THE SERVICE PLAN,
19 "INTERESTED PARTY" SHALL HAVE THE SAME MEANING AS SET FORTH IN
20 SECTION 32-17-103 (3).
21

22 **32-20-113. Organization.** (1) EXCEPT AS PROVIDED IN THIS
23 SECTION, THE ORGANIZATION OF A DISTRICT PURSUANT TO THIS ARTICLE
24 SHALL BE GOVERNED BY THE PROVISIONS OF PART 3 OF ARTICLE 1 OF THIS
25 TITLE.
26

27 (2) FOR PURPOSES OF COMPLYING WITH THE PROVISIONS OF
28 SECTION 32-1-301 (2) (d.1), THE PETITION FOR ORGANIZATION SHALL SET
29 FORTH THE ESTIMATED SALES TAX REVENUES FOR THE DISTRICT'S FIRST
30 BUDGET YEAR.
31

32 (3) FOR PURPOSES OF COMPLYING WITH THE PROVISIONS OF
33 SECTION 32-1-304, WHEN THE COURT WITH WHICH A PETITION FOR
34 ORGANIZATION OF A DISTRICT HAS BEEN FILED SETS A HEARING DATE, THE
35 CLERK OF COURT SHALL PUBLISH NOTICE OF THE HEARING AND MAIL THE
36 REQUIRED NOTICE TO THE APPROPRIATE GOVERNING BODY OF THE LOCAL
37 GOVERNMENT, BUT THE CLERK OF COURT SHALL NOT BE REQUIRED TO
38 MAIL NOTICE OF THE HEARING TO ALL INTERESTED PARTIES.
39

40 (4) FOR PURPOSES OF THE FILING REQUIREMENTS IN SECTION
41 32-1-306, INSTEAD OF FILING A MAP OF THE DISTRICT WITH THE COUNTY
42 ASSESSOR, THE DISTRICT SHALL FILE A CERTIFIED COPY OF THE FINDINGS
43 AND ORDER OF THE COURT ORGANIZING THE DISTRICT WITH THE
44 DEPARTMENT OF REVENUE.
45

46 **32-20-114. Persons entitled to vote at district elections.**
47 NOTWITHSTANDING THE PROVISIONS OF SECTION 32-1-806, ANY PERSON
48 WHO IS AN ELIGIBLE ELECTOR SHALL BE ELIGIBLE TO VOTE IN AN
49 ORGANIZATIONAL ELECTION OR ANY ELECTION CONDUCTED BY THE BOARD
50 OF DIRECTORS FOR A DISTRICT.
51

52 **32-20-115. Financial powers.** (1) ANY DISTRICT CREATED
53 PURSUANT TO THIS ARTICLE SHALL HAVE ALL OF THE FINANCIAL POWERS
54 DESCRIBED IN SECTION 32-1-1101; EXCEPT THAT THE LEVY AND
55 COLLECTION OF AD VALOREM TAXES SHALL BE SUBJECT TO THE
56 PROVISIONS OF SECTION 32-20-117. THE DISTRICT SHALL ALSO HAVE THE

1 POWER, UPON VOTER APPROVAL, TO LEVY AND COLLECT A UNIFORM SALES
2 TAX THROUGHOUT THE ENTIRE GEOGRAPHICAL AREA OF THE DISTRICT
3 UPON EVERY TRANSACTION OR OTHER INCIDENT WITH RESPECT TO WHICH
4 A SALES TAX IS LEVIED BY THE STATE PURSUANT TO THE PROVISIONS OF
5 ARTICLE 26 OF TITLE 39, C.R.S. ANY SALES TAX AUTHORIZED PURSUANT
6 TO THIS SECTION SHALL BE LEVIED AND COLLECTED AS PROVIDED IN
7 SECTION 32-20-116. THE DISTRICT MAY PLEDGE SALES TAX REVENUES OR
8 ANY PORTION THEREOF FOR THE PAYMENT OF ANY INDEBTEDNESS OF THE
9 DISTRICT.

10

11 (2) THE ORDINANCE OR RESOLUTION PROPOSING THE CREATION OF
12 A DISTRICT MAY SPECIFY A LIMIT ON THE AMOUNT OF REVENUE THAT A
13 DISTRICT MAY RECEIVE.

14

15 (3) INSOFAR AS A PARTICULAR COMMUNITY OR STATE COLLEGE, OR
16 ANY AUXILIARY FACILITY OF SUCH COLLEGE, HAS BEEN DESIGNATED AS AN
17 ENTERPRISE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 20 OF
18 ARTICLE X OF THE STATE CONSTITUTION AND SECTION 23-5-101.5 OR
19 23-5-101.7, C.R.S., AND, IN ORDER FOR THE INSTITUTION TO PRESERVE
20 SUCH DESIGNATION, ELECTS NOT TO ACCEPT THE FULL AMOUNT OF ANY
21 DISTRIBUTION OF SALES OR AD VALOREM TAX LEVIED AND COLLECTED ON
22 ITS BEHALF, THE EXCESS OF ANY SUCH TAXES SHALL BE REFUNDED BY THE
23 COUNTY TREASURER AS PROVIDED BY LAW.

24

25 (4) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE,
26 IN THE CASE OF A DISTRICT ESTABLISHED IN ACCORDANCE WITH THE
27 REQUIREMENTS OF SECTION 32-20-105 (1) (a) ON BEHALF OF A
28 COMMUNITY COLLEGE THAT OPERATES UNDER THE CONTROL OF THE STATE
29 BOARD, A LOCAL GOVERNMENT SHALL FIRST OBTAIN THE CONSENT OF THE
30 STATE BOARD PRIOR TO PLACING ANY QUESTION ON THE BALLOT SEEKING
31 VOTER APPROVAL FOR THE IMPOSITION OR INCREASE OF A SALES OR AD
32 VALOREM TAX PURSUANT TO THIS ARTICLE. IN THE CASE OF A DISTRICT
33 ESTABLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION
34 32-20-105 (1) (a) ON BEHALF OF A JUNIOR COLLEGE DISTRICT, A LOCAL
35 GOVERNMENT SHALL FIRST OBTAIN THE CONSENT OF THE JUNIOR COLLEGE
36 DISTRICT BOARD PRIOR TO PLACING ANY QUESTION ON THE BALLOT
37 SEEKING VOTER APPROVAL FOR THE IMPOSITION OR INCREASE OF A SALES
38 OR AD VALOREM TAX PURSUANT TO THIS ARTICLE. IN THE CASE OF A
39 DISTRICT ESTABLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF
40 SECTION 32-20-105 (2) (a), A LOCAL GOVERNMENT SHALL FIRST OBTAIN
41 THE CONSENT OF THE STATE BOARD AND THE BOARD OF TRUSTEES OF THE
42 STATE COLLEGE PRIOR TO PLACING ANY QUESTION ON THE BALLOT
43 SEEKING VOTER APPROVAL FOR THE IMPOSITION OR INCREASE OF A SALES
44 OR AD VALOREM TAX PURSUANT TO THIS ARTICLE. IN THE CASE OF A
45 CONSOLIDATED DISTRICT ESTABLISHED IN ACCORDANCE WITH THE
46 REQUIREMENTS OF SECTION 32-20-105 (3) (a), A LOCAL GOVERNMENT
47 SHALL FIRST OBTAIN THE CONSENT OF THE STATE BOARD AND THE JUNIOR
48 COLLEGE DISTRICT BOARD PRIOR TO PLACING ANY QUESTION ON THE
49 BALLOT SEEKING VOTER APPROVAL FOR THE IMPOSITION OR INCREASE OF
50 A SALES OR AD VALOREM TAX PURSUANT TO THIS ARTICLE.

51

52 **32-20-116. Sales tax - collection - administration.** (1) UPON
53 THE APPROVAL OF THE ELIGIBLE ELECTORS IN THE DISTRICT AT AN
54 ELECTION HELD IN ACCORDANCE WITH SECTION 20 OF ARTICLE X OF THE
55 STATE CONSTITUTION AND PART 8 OF ARTICLE 1 OF THIS TITLE, THE
56 DISTRICT SHALL HAVE THE POWER TO LEVY A UNIFORM SALES TAX

1 THROUGHOUT THE ENTIRE GEOGRAPHICAL AREA OF THE DISTRICT UPON
2 EVERY TRANSACTION OR OTHER INCIDENT WITH RESPECT TO WHICH A
3 SALES TAX IS LEVIED BY THE STATE PURSUANT TO THE PROVISIONS OF
4 ARTICLE 26 OF TITLE 39, C.R.S. A SALES TAX LEVIED BY A DISTRICT
5 SHALL TAKE EFFECT ON EITHER JANUARY 1 OR JULY 1 OF THE YEAR
6 SPECIFIED IN THE BALLOT ISSUE SUBMITTED TO THE ELIGIBLE ELECTORS OF
7 THE DISTRICT.

8
9 (2) (a) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
10 REVENUE SHALL COLLECT, ADMINISTER, AND ENFORCE THE SALES TAX
11 AUTHORIZED BY THIS SECTION IN THE SAME MANNER AS THE STATE SALES
12 TAX IMPOSED PURSUANT TO ARTICLE 26 OF TITLE 39, C.R.S., INCLUDING,
13 WITHOUT LIMITATION, THE RETENTION BY A VENDOR OF THE PERCENTAGE
14 OF THE AMOUNT REMITTED TO COVER THE VENDOR'S EXPENSE IN THE
15 COLLECTION AND REMITTANCE OF THE SALES TAX AS PROVIDED IN SECTION
16 39-26-105, C.R.S. THE EXECUTIVE DIRECTOR SHALL DISTRIBUTE SALES
17 TAX COLLECTIONS TO THE DISTRICT MONTHLY. THE DISTRICT SHALL PAY
18 THE NET INCREMENTAL COST INCURRED BY THE DEPARTMENT OF REVENUE
19 IN THE ADMINISTRATION AND COLLECTION OF THE SALES TAX.

20
21 (b) (I) A QUALIFIED PURCHASER, AS DEFINED IN SECTION
22 39-26-102 (7.5), C.R.S., MAY PROVIDE A DIRECT PAYMENT PERMIT
23 NUMBER ISSUED PURSUANT TO SECTION 39-26-103.5, C.R.S., TO ANY
24 VENDOR OR RETAILER THAT IS LIABLE AND RESPONSIBLE FOR COLLECTING
25 AND REMITTING ANY SALES TAX LEVIED ON ANY SALE MADE TO THE
26 QUALIFIED PURCHASER PURSUANT TO THIS SECTION. A VENDOR OR
27 RETAILER THAT HAS RECEIVED A DIRECT PAYMENT PERMIT NUMBER IN
28 GOOD FAITH FROM A QUALIFIED PURCHASER SHALL NOT BE LIABLE OR
29 RESPONSIBLE FOR COLLECTION AND REMITTANCE OF ANY SALES TAX
30 IMPOSED ON THE SALE THAT IS PAID FOR DIRECTLY FROM THE QUALIFIED
31 PURCHASER'S FUNDS AND NOT FROM THE PERSONAL FUNDS OF ANY
32 INDIVIDUAL.

33
34 (II) A QUALIFIED PURCHASER THAT PROVIDES A DIRECT PAYMENT
35 PERMIT NUMBER TO A VENDOR OR RETAILER SHALL BE LIABLE AND
36 RESPONSIBLE FOR THE AMOUNT OF SALES TAX LEVIED ON ANY SALE MADE
37 TO THE QUALIFIED PURCHASER PURSUANT TO THE PROVISIONS OF THIS
38 ARTICLE IN THE SAME MANNER AS LIABILITY WOULD BE IMPOSED ON A
39 QUALIFIED PURCHASER FOR STATE SALES TAX PURSUANT TO SECTION
40 39-26-105 (3), C.R.S.

41
42 (3) A SALES TAX LEVIED IN ACCORDANCE WITH THIS SECTION
43 SHALL BE IN ADDITION TO ANY OTHER SALES OR USE TAX IMPOSED
44 PURSUANT TO LAW.

45
46 **32-20-117. Levy and collection of ad valorem taxes.** ANY
47 DISTRICT THAT IS CREATED PURSUANT TO THIS ARTICLE SHALL HAVE THE
48 POWER, UPON APPROVAL BY THE ELIGIBLE ELECTORS OF THE DISTRICT, TO
49 LEVY AND COLLECT AD VALOREM TAXES ON AND AGAINST ALL TAXABLE
50 PROPERTY WITHIN THE DISTRICT. THE LEVY AND COLLECTION OF AD
51 VALOREM TAXES PURSUANT TO THIS SECTION SHALL BE SUBJECT TO THE
52 APPLICABLE PROVISIONS OF THE "SPECIAL DISTRICT ACT", ARTICLE 1 OF
53 THIS TITLE.

54
55 **32-20-118. District revenues.** ANY REVENUES RAISED OR
56 GENERATED BY THE DISTRICT SHALL BE IN ADDITION TO, AND SHALL NOT

1 BE USED TO REPLACE, ANY FUNDING THE COUNTIES IN THE DISTRICT
2 WOULD OTHERWISE BE ENTITLED TO RECEIVE FROM THE STATE OR
3 FEDERAL GOVERNMENT.

4

5 **32-20-119. Use of revenue.** (1) THE BOARD MAY USE THE
6 REVENUE RECEIVED PURSUANT TO SECTION 32-20-115, 32-20-116, OR
7 32-20-117 TO:

8

9 (a) ASSIST RESIDENTS OF THE DISTRICT IN DEFRAYING TUITION
10 EXPENSES ASSOCIATED WITH ATTENDING A COMMUNITY OR STATE
11 COLLEGE;

12

13 (b) PROVIDE SUPPLEMENTAL FUNDING IN CONNECTION WITH THE
14 OPERATING COSTS OF CURRENT OR FUTURE PROGRAMS OFFERED BY A
15 COMMUNITY OR STATE COLLEGE;

16

17 (c) CONSTRUCT NEW OR RENOVATE EXISTING COMMUNITY OR
18 STATE COLLEGE FACILITIES;

19

20 (d) PROVIDE CAPITAL FUNDING FOR TECHNOLOGY ENHANCEMENT
21 AND SUPPLEMENTAL EQUIPMENT FOR THE COMMUNITY OR STATE COLLEGE;
22 AND

23

24 (e) UNDERTAKE SUCH ADDITIONAL USES OF THE REVENUE
25 RECEIVED AS MAY BE JOINTLY AGREED UPON BY THE DISTRICT AND THE
26 STATE BOARD IN THE CASE OF A DISTRICT ESTABLISHED IN ACCORDANCE
27 WITH THE REQUIREMENTS OF SECTION 32-20-105 (1) (a) ON BEHALF OF A
28 COMMUNITY COLLEGE THAT OPERATES UNDER THE CONTROL OF THE STATE
29 BOARD, AS MAY BE JOINTLY AGREED UPON BY THE DISTRICT AND THE
30 JUNIOR COLLEGE DISTRICT BOARD IN THE CASE OF A CONSOLIDATED
31 DISTRICT ESTABLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF
32 SECTION 32-20-105 (3) (a) ON BEHALF OF A JUNIOR COLLEGE DISTRICT, AS
33 MAY BE MUTUALLY AGREED UPON BY THE DISTRICT, THE STATE BOARD,
34 AND THE BOARD OF TRUSTEES OF THE STATE COLLEGE IN THE CASE OF A
35 DISTRICT ESTABLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF
36 SECTION 32-20-105 (2) (a), OR AS MAY BE MUTUALLY AGREED UPON BY
37 THE DISTRICT, THE STATE BOARD, AND THE JUNIOR COLLEGE DISTRICT
38 BOARD IN THE CASE OF A CONSOLIDATED DISTRICT ESTABLISHED IN
39 ACCORDANCE WITH THE REQUIREMENTS OF SECTION 32-20-105 (3) (a).

40

41 (2) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
42 ARTICLE, IN THE CASE OF A DISTRICT ESTABLISHED IN ACCORDANCE WITH
43 THE REQUIREMENTS OF SECTION 32-20-105 (1) (a), ANY DETERMINATION
44 ABOUT THE USE OF TAX REVENUES COLLECTED PURSUANT TO THIS ARTICLE
45 ON BEHALF OF ANY PARTICULAR COMMUNITY COLLEGE SHALL BE MADE IN
46 CONSULTATION WITH THE DISTRICT AND THE STATE BOARD OR JUNIOR
47 COLLEGE DISTRICT BOARD, AS APPLICABLE. NO REVENUES SHALL BE
48 EXPENDED PURSUANT TO THIS ARTICLE WITHOUT THE PRIOR CONSENT OF
49 THE STATE BOARD OR JUNIOR COLLEGE DISTRICT BOARD, AS APPLICABLE.

50

51 (b) (I) IN THE CASE OF A DISTRICT ESTABLISHED IN ACCORDANCE
52 WITH THE REQUIREMENTS OF SECTION 32-20-105 (2) (a), ANY
53 DETERMINATION ABOUT THE USE OF TAX REVENUES COLLECTED PURSUANT
54 TO THIS ARTICLE ON BEHALF OF ANY PARTICULAR COMMUNITY OR STATE
55 COLLEGE SHALL BE MADE IN CONSULTATION AMONG THE DISTRICT, THE
56 STATE BOARD, AND THE BOARD OF TRUSTEES OF THE STATE COLLEGE. NO

1 REVENUES SHALL BE EXPENDED BY SUCH DISTRICT PURSUANT TO THIS
2 ARTICLE WITHOUT THE PRIOR CONSENT OF THE STATE BOARD AND THE
3 BOARD OF TRUSTEES OF THE STATE COLLEGE.

4
5 (II) IN THE CASE OF A CONSOLIDATED DISTRICT ESTABLISHED IN
6 ACCORDANCE WITH THE REQUIREMENTS OF SECTION 32-20-105 (3) (a),
7 ANY DETERMINATION ABOUT THE USE OF TAX REVENUES COLLECTED
8 PURSUANT TO THIS ARTICLE ON BEHALF OF ANY PARTICULAR COMMUNITY
9 COLLEGE SHALL BE MADE IN CONSULTATION AMONG THE DISTRICT, THE
10 STATE BOARD, AND THE JUNIOR COLLEGE DISTRICT BOARD. NO REVENUES
11 SHALL BE EXPENDED BY SUCH DISTRICT PURSUANT TO THIS ARTICLE
12 WITHOUT THE PRIOR CONSENT OF THE STATE BOARD AND THE JUNIOR
13 COLLEGE DISTRICT BOARD.

14
15 **SECTION 17.** Part 1 of article 11 of title 30, Colorado Revised
16 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
17 read:

18
19 **30-11-126. County sales or ad valorem tax to benefit state**
20 **colleges - legislative declaration - definitions.** (1) THE GENERAL
21 ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

22
23 (a) STATE COLLEGES PLAY A SIGNIFICANT ROLE IN PROVIDING
24 RESIDENTS OF THE STATE WITH THE OPPORTUNITY TO MATRICULATE AT AN
25 INSTITUTION OF HIGHER EDUCATION;

26
27 (b) STATE COLLEGES NOT ONLY PROVIDE THEIR RESIDENT
28 POPULATIONS AND OTHER RESIDENTS OF THE STATE WITH AN
29 OPPORTUNITY TO OBTAIN A COLLEGE DEGREE, BUT ALSO SERVE AS
30 GENERATORS OF ECONOMIC DEVELOPMENT AND JOB GROWTH WITHIN
31 THEIR COMMUNITIES AND STATEWIDE;

32
33 (c) THE FINANCIAL RESOURCES OF SUCH INSTITUTIONS ARE
34 INCREASINGLY STRAINED, ADVERSELY AFFECTING THE ABILITY OF SUCH
35 INSTITUTIONS TO ACHIEVE THEIR MISSION;

36
37 (d) BY ENACTING THIS ARTICLE, THE GENERAL ASSEMBLY INTENDS
38 TO EASE THE FINANCIAL STRAIN ON STATE COLLEGES BY ALLOWING
39 COUNTY GOVERNMENTS TO PLACE BEFORE THE VOTERS THE QUESTION OF
40 WHETHER THE COUNTY SHALL LEVY A SALES OR AD VALOREM TAX ON
41 BEHALF OF A STATE COLLEGE THAT HAS ITS MAIN CAMPUS LOCATED
42 WITHIN THE TERRITORIAL BOUNDARIES OF THE COUNTY. AS A RESULT,
43 THESE INSTITUTIONS WILL GAIN FROM ALTERNATE SOURCES OF FUNDING
44 THAT HAVE BEEN APPROVED BY THE VOTERS AT THE LOCAL LEVEL.

45
46 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
47 REQUIRES:

48
49 (a) "COUNTY" MEANS A COUNTY OR A CITY AND COUNTY.

50
51 (b) "STATE COLLEGE" MEANS ANY ONE OR MORE OF THE
52 FOLLOWING INSTITUTIONS OF HIGHER EDUCATION:

53
54 (I) ADAMS STATE COLLEGE, ESTABLISHED IN SECTION 23-51-101,
55 C.R.S.;

56

1 (II) FORT LEWIS COLLEGE, ESTABLISHED IN SECTION 23-52-101,
2 C.R.S.;

3
4 (III) MESA STATE COLLEGE, ESTABLISHED IN SECTION 23-53-101,
5 C.R.S.;

6
7 (IV) METROPOLITAN STATE COLLEGE OF DENVER, ESTABLISHED
8 IN SECTION 23-54-101, C.R.S.; AND

9
10 (V) WESTERN STATE COLLEGE OF COLORADO, ESTABLISHED IN
11 SECTION 23-56-101, C.R.S.

12
13 (3) (a) UPON THE PASSAGE OF A RESOLUTION BY THE BOARD OF A
14 STATE COLLEGE THAT HAS ITS MAIN CAMPUS LOCATED WITHIN THE
15 TERRITORIAL BOUNDARIES OF A PARTICULAR COUNTY REQUESTING THE
16 BOARD OF COUNTY COMMISSIONERS TO PLACE THE QUESTION BEFORE THE
17 ELECTORS OF THE COUNTY, THE BOARD OF COUNTY COMMISSIONERS, BY
18 RESOLUTION OR ORDINANCE, MAY SUBMIT TO A VOTE OF THE REGISTERED
19 ELECTORS RESIDING WITHIN THE TERRITORIAL BOUNDARIES OF THE
20 COUNTY THE QUESTION OF WHETHER THE COUNTY SHALL BE AUTHORIZED
21 TO IMPOSE EITHER AN AD VALOREM TAX UPON THE VALUATION OF
22 ASSESSMENT OF ALL TAXABLE PROPERTY WITHIN THE COUNTY OR A SALES
23 TAX TO SUPPORT THE STATE COLLEGE IN ACCORDANCE WITH THE
24 REQUIREMENTS OF THIS SECTION.

25
26 (b) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
27 A COUNTY MAY ONLY IMPOSE THE TAX AUTHORIZED BY PARAGRAPH (a) OF
28 THIS SUBSECTION (3) IN ORDER TO RAISE MONEYS ON BEHALF OF A STATE
29 COLLEGE THAT HAS ITS MAIN CAMPUS LOCATED WITHIN THE COUNTY'S
30 TERRITORIAL BOUNDARIES.

31
32 (c) UPON PASSAGE OF A RESOLUTION BY THE BOARD OF COUNTY
33 COMMISSIONERS, THE QUESTION AUTHORIZED BY PARAGRAPH (a) OF THIS
34 SUBSECTION (3) SHALL BE SUBMITTED TO THE REGISTERED ELECTORS OF
35 THE COUNTY AT AN ELECTION HELD IN ACCORDANCE WITH SECTION 20 OF
36 ARTICLE X OF THE STATE CONSTITUTION AND TITLE 1, C.R.S. THE
37 QUESTION SHALL CONTAIN A DESCRIPTION OF THE TAX, INCLUDING THE
38 USE OF THE MONEYS LEVIED AND COLLECTED, AND SHALL FURTHER STATE
39 THE AMOUNT OF THE TAX TO BE IMPOSED. IF A MAJORITY OF THE VOTES
40 CAST AT ANY SUCH ELECTION ARE IN FAVOR OF THE QUESTION, THE
41 COUNTY SHALL BE AUTHORIZED TO LEVY THE TAX UP TO THE MAXIMUM
42 AMOUNT OF THE LEVY SPECIFIED IN THE RESOLUTION AS WELL AS IN THE
43 QUESTION SUBMITTED TO THE ELECTORS.

44
45 (d) ANY TAXES LEVIED AND COLLECTED IN ACCORDANCE WITH THE
46 REQUIREMENTS OF THIS SECTION SHALL BE DISTRIBUTED BY THE COUNTY
47 TREASURER TO A STATE COLLEGE IN ACCORDANCE WITH THE PROVISIONS
48 OF SUBSECTION (9) OF THIS SECTION.

49
50 (4) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION:

51
52 (a) A BALLOT QUESTION SEEKING THE IMPOSITION OF OR AN
53 INCREASE IN AN AD VALOREM OR SALES TAX ON BEHALF OF A STATE
54 COLLEGE PURSUANT TO THIS SECTION MAY ONLY BE LEVIED BY A COUNTY
55 UPON THE PASSAGE OF A RESOLUTION BY THE GOVERNING BODY OF A
56 STATE COLLEGE REQUESTING THE BOARD OF COUNTY COMMISSIONERS TO

1 PLACE THE QUESTION BEFORE THE REGISTERED ELECTORS OF THE COUNTY;

2

3 (b) ANY AD VALOREM OR SALES TAX LEVIED PURSUANT TO THIS
4 SECTION MAY ONLY BE LEVIED AND COLLECTED ON BEHALF OF A STATE
5 COLLEGE IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION; AND

6

7 (c) A COUNTY GOVERNMENT SHALL FIRST OBTAIN THE CONSENT OF
8 THE GOVERNING BODY OF THE STATE COLLEGE PRIOR TO PLACING ANY
9 QUESTION ON THE BALLOT SEEKING VOTER APPROVAL FOR THE IMPOSITION
10 OR INCREASE OF A SALES OR AD VALOREM TAX PURSUANT TO THIS
11 SECTION.

12

13 (5) ANY AD VALOREM TAX APPROVED BY THE VOTERS IN
14 ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION SHALL BE IN
15 ADDITION TO ANY OTHER AD VALOREM TAX IMPOSED PURSUANT TO LAW.

16

17 (6) (a) IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN THIS
18 SECTION, THE BOARD OF COUNTY COMMISSIONERS OF EACH COUNTY MAY
19 LEVY A SALES TAX FOR THE PURPOSES SPECIFIED IN THIS SECTION OF NOT
20 MORE THAN ONE-HALF OF ONE PERCENT ON THE SALE OF TANGIBLE
21 PERSONAL PROPERTY OF RETAIL AND SERVICES TAXABLE IN SUCH COUNTY
22 PURSUANT TO THE PROVISIONS OF SECTION 39-26-104, C.R.S. ALL NET
23 REVENUES COLLECTED BY A COUNTY AFTER THE PAYMENT OF THE COSTS
24 OF COLLECTION, ADMINISTRATION, AND ENFORCEMENT TO THE
25 DEPARTMENT OF REVENUE IN ACCORDANCE WITH PARAGRAPH (b) OF THIS
26 SUBSECTION (6) SHALL BE USED EXCLUSIVELY FOR THE PURPOSES
27 SPECIFIED IN SUBSECTION (7) OF THIS SECTION.

28

29 (b) ANY COUNTY SALES TAX SHALL BE COLLECTED,
30 ADMINISTERED, AND ENFORCED, TO THE EXTENT FEASIBLE, PURSUANT TO
31 SECTION 29-2-106, C.R.S.

32

33 (7) THE STATE COLLEGE MAY USE THE REVENUE COLLECTED
34 PURSUANT TO PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION TO:

35

36 (a) ASSIST RESIDENTS OF THE COUNTY IN DEFRAYING TUITION
37 EXPENSES ASSOCIATED WITH ATTENDING A STATE COLLEGE;

38

39 (b) PROVIDE SUPPLEMENTAL FUNDING IN CONNECTION WITH THE
40 OPERATING COSTS OF CURRENT OR FUTURE PROGRAMS OFFERED BY A
41 STATE COLLEGE;

42

43 (c) CONSTRUCT NEW OR RENOVATE EXISTING STATE COLLEGE
44 FACILITIES;

45

46 (d) PROVIDE CAPITAL FUNDING FOR TECHNOLOGY ENHANCEMENT
47 AND SUPPLEMENTAL EQUIPMENT FOR THE STATE COLLEGE; AND

48

49 (e) UNDERTAKE SUCH ADDITIONAL USES OF THE REVENUE
50 RECEIVED AS MAY BE JOINTLY AGREED UPON BY THE COUNTY AND THE
51 GOVERNING BODY OF THE STATE COLLEGE BY MEANS OF AN
52 INTERGOVERNMENTAL AGREEMENT, INTO WHICH AGREEMENT THE PARTIES
53 ARE HEREBY AUTHORIZED TO ENTER.

54

55 (8) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
56 ANY DETERMINATION ABOUT THE USE OF TAX REVENUES COLLECTED

1 PURSUANT TO THIS SECTION ON BEHALF OF ANY PARTICULAR STATE
2 COLLEGE SHALL BE MADE IN CONSULTATION WITH THE COUNTY AND THE
3 GOVERNING BODY OF THE STATE COLLEGE. NO REVENUES SHALL BE
4 EXPENDED PURSUANT TO THIS SECTION WITHOUT THE PRIOR CONSENT OF
5 THE GOVERNING BODY OF THE STATE COLLEGE.

6
7 (9) THE COUNTY TREASURER SHALL COLLECT AND ENFORCE THE
8 TAXES AUTHORIZED BY PARAGRAPH (a) OF SUBSECTION (3) OF THIS
9 SECTION AT THE TIME AND IN THE FORM AND MANNER AND WITH LIKE
10 INTEREST AND PENALTIES AS OTHER TAXES ARE COLLECTED AND, WHEN
11 COLLECTED, SHALL PAY THE SAME TO THE STATE COLLEGE. THE PAYMENT
12 OF SUCH COLLECTIONS SHALL BE MADE MONTHLY TO THE TREASURER OF
13 THE STATE COLLEGE AND PAID INTO THE DEPOSITORY OF THE STATE
14 COLLEGE TO THE CREDIT OF THE INSTITUTION.

15
16 (10) INsofar AS A PARTICULAR STATE COLLEGE, OR ANY
17 AUXILIARY FACILITY OF SUCH INSTITUTION, HAS BEEN DESIGNATED AS AN
18 ENTERPRISE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 20 OF
19 ARTICLE X OF THE STATE CONSTITUTION AND SECTION 23-5-101.5 OR
20 23-5-101.7, C.R.S., AND, IN ORDER FOR THE INSTITUTION TO PRESERVE
21 SUCH DESIGNATION, ELECTS NOT TO ACCEPT THE FULL AMOUNT OF ANY
22 DISTRIBUTION OF TAX LEVIED AND COLLECTED ON ITS BEHALF, THE EXCESS
23 OF ANY SUCH TAXES SHALL BE REFUNDED BY THE COUNTY TREASURER AS
24 PROVIDED BY LAW.

25
26 **SECTION 18. Repeal.** 23-71-128 (1) (a), Colorado Revised
27 Statutes, is repealed as follows:

28
29 **23-71-128. Additions to district - procedure.** (1) If any school
30 district or group of districts adjacent to a junior college district desires to
31 be annexed to the existing junior college district, it may do so by the
32 following procedure:

33
34 ~~(a) By obtaining approval of the existing junior college district.~~
35 ~~The approval shall be given only upon a majority vote of the eligible~~
36 ~~electors of the existing junior college district as expressed by a majority~~
37 ~~polled at the time of the regular biennial school election held in the junior~~
38 ~~college district. The election shall be called only upon the affirmative~~
39 ~~vote of the board of trustees.~~

40
41 **SECTION 19. Repeal.** 23-71-202 (3), Colorado Revised
42 Statutes, is repealed as follows:

43
44 **23-71-202. Joining state system - state support.** (3) ~~Any local~~
45 ~~junior college district organized or authorized to be organized after July~~
46 ~~1, 1967, which is not a part of the state system shall not be eligible to~~
47 ~~receive any state funds for capital construction purposes unless the board~~
48 ~~has approved the district prior to its organization."~~

49
50 Renumber succeeding sections accordingly.

51
52 As amended, ordered revised and placed on the Calendar for Third
53 Reading and Final Passage.

54
55 **SB09-286** by Senator(s) Morse and Carroll M., Bacon, Boyd, Foster,
56 Groff, Heath, Hodge, Hudak, Isgar, Newell, Romer,

1 Shaffer B., Tapia, Tochtrop, Veiga, Williams; also
2 Representative(s) Levy and Merrifield, Ferrandino, Kagan,
3 Miklosi, Pommer, Pace, Benefield, Carroll T., Court,
4 Fischer, Green, Hullinghorst, Judd, Kerr A., Labuda,
5 McFadyen, Middleton, Rice, Ryden, Schafer S., Solano,
6 Todd, Weissmann--Concerning criminal law, and, in
7 connection therewith, changing the provisions related to
8 legal representation of indigent defendants for certain
9 misdemeanor cases; changing the offense level or
10 sentencing options for select nonviolent offenses, property
11 offenses, and drug offenses; changing the presumptive
12 sentencing ranges for certain felony offenses; repealing
13 certain extraordinary risk sentencing provisions; making
14 changes to the habitual offender statute; and allowing for
15 certain sentencing time credits for certain offenders.
16

17 Amendment No. 1, Judiciary Report, dated May 1, 2009, and placed in
18 member's bill file; Report also printed in House Journal, May 4,
19 page 1692.
20

21 Amendment No. 2, by Representative(s) Levy.
22

23 Amend the Judiciary Committee Report, dated May 1, 2009, page 1, line
24 2, change the period to a semi-colon;
25

26 after line 2 of the committee report, insert the following:
27

28 "strike line 27 and substitute the following:
29

30 "(b) IN ADDITION TO ANY OTHER AREAS DEEMED APPROPRIATE BY
31 THE COMMISSION, THE COMMISSION MAY STUDY THE FOLLOWING AREAS:"
32

33 Page 4, strike line 1;"
34

35 line 3 of the committee report, strike "Page 4,";
36

37 after line 4 of the committee report, insert the following:
38

39 "line 6, strike "C.R.S.;" and substitute "C.R.S., AND WHETHER TO CHANGE
40 THOSE SENTENCES;"";
41

42 strike line 6 of the committee report and substitute the following:
43

44 "line 8, strike "C.R.S.; AND" and substitute "C.R.S., AND WHETHER TO
45 CHANGE THOSE SENTENCES;"";
46

47 after line 13 of the committee report, insert the following:
48

49 "line 11, strike "ALSO STUDY THE IMPACT" and substitute "STUDY THE
50 IMPACT OF INCARCERATION ON CRIME RATES."";
51

52 strike lines 12 through 14;
53

54 line 17, after "COURT," insert "THE JUDICIARY COMMITTEES OF THE HOUSE
55 OF REPRESENTATIVES AND SENATE, OR ANY SUCCESSOR COMMITTEES,";
56

1 line 21, strike "SPECIFIC";";
2
3 strike line 14 of the committee report and substitute the following:
4 "line 22, strike "THE SENTENCING PRACTICES STUDIED" and substitute
5 "WHETHER TO MODIFY ANY SENTENCES OR SENTENCE LAWS."";
6
7 strike line 23."

8
9 As amended, ordered revised and placed on the Calendar for Third
10 Reading and Final Passage.

11
12 **SB09-297** by Senator(s) Sandoval; also Representative(s) Judd--
13 Concerning projects funded with moneys received
14 pursuant to the federal "American Recovery and
15 Reinvestment Act of 2009", and, in connection therewith,
16 establishing a process for the waiving of state contracting
17 requirements for contracts for such projects in
18 circumstances in which a waiver is necessary in order to
19 ensure that the moneys can be timely and efficiently
20 expended for their intended purposes, requiring the public
21 utilities commission to give the fullest consideration for
22 incentives to specified types of such projects, and
23 including moneys received by the governor's energy office
24 pursuant to the federal act and from specified other
25 sources as principal of the clean energy fund.

26
27 Amendment No. 1, by Representative(s) Judd.

28
29 Amend reengrossed bill, page 4, line 13, strike "IF" and substitute "TO THE
30 EXTENT";

31
32 line 16, strike "IF" and substitute "TO THE EXTENT".

33
34 As amended, ordered revised and placed on the Calendar for Third
35 Reading and Final Passage.

36
37 **SB09-290** by Senator(s) Bacon, Kopp, Schwartz; also
38 Representative(s) Riesberg, McFadyen, Sonnenberg--
39 Concerning flexibility for capital construction projects.

40
41 Amendment No. 1, Finance Report, dated May 1, 2009, and placed in
42 member's bill file; Report also printed in House Journal, May 4,
43 pages 1691-1692.

44
45 Amendment No. 2, by Representative(s) Riesberg.

46
47 Amend the Finance Committee Report, dated May 1, 2009, page 2, line
48 2, strike "(10)" and substitute "(10.5)".

49
50 As amended, ordered revised and placed on the Calendar for Third
51 Reading and Final Passage.

52
53 **SB09-085** by Senator(s) Scheffel and Williams, Mitchell; also
54 Representative(s) Rice and Priola, Lambert, McNulty--
55 Concerning the creation of a legislative task force to study
56 property tax exemption for business personal property.

1 Amendment No. 1, Business Affairs & Labor Report, dated May 1, 2009,
2 and placed in member's bill file; Report also printed in House Journal,
3 May 4, page 1689.

4
5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **SB09-292** by Senator(s) Brophy, Mitchell, Morse, Schwartz, Shaffer
9 B., Veiga; also Representative(s) Labuda, Gardner B.,
10 Kagan, Levy, Roberts--Concerning the revision of statutes
11 in the Colorado Revised Statutes, as amended, and, in
12 connection therewith, amending or repealing obsolete,
13 inconsistent, and conflicting provisions of law and
14 clarifying the language to reflect the legislative intent of
15 the laws.

16
17 Amendment No. 1, Judiciary Report, dated May 1, 2009, and placed in
18 member's bill file; Report also printed in House Journal, May 4,
19 pages 1692-1694.

20
21 Amendment No. 2, by Representative(s) Labuda.

22
23 Amend reengrossed bill, page 89, before line 13, insert the following:
24 **"SECTION 140.** The introductory portions to 42-4-1412 (5) (a)
25 and (5) (c) and 42-4-1412 (6), Colorado Revised Statutes, as amended by
26 Senate Bill 09-148, are amended to read:

27
28 **42-4-1412. Operation of bicycles and other human-powered**
29 **vehicles.** (5) (a) Any person operating a bicycle OR AN ELECTRICAL
30 ASSISTED BICYCLE upon a roadway at less than the normal speed of traffic
31 shall ride in the right-hand lane, subject to the following conditions:

32
33 (c) A person operating a bicycle OR AN ELECTRICAL ASSISTED
34 BICYCLE upon a one-way roadway with two or more marked traffic lanes
35 may ride as near to the left-hand curb or edge of such roadway as judged
36 safe by the bicyclist, subject to the following conditions:

37
38 (6) (a) Persons riding bicycles OR ELECTRICAL ASSISTED BICYCLES
39 upon a roadway shall not ride more than two abreast except on paths or
40 parts of roadways set aside for the exclusive use of bicycles.

41
42 (b) Persons riding bicycles OR ELECTRICAL ASSISTED BICYCLES
43 two abreast shall not impede the normal and reasonable movement of
44 traffic and, on a laned roadway, shall ride within a single lane.";

45
46 after line 24, add:

47
48 "(j) Section 140 of this act shall take effect October 1, 2009, and
49 shall take effect only if both House Bill 09-1026 and Senate Bill 09-148
50 are enacted and become law."

51
52 As amended, ordered revised and placed on the Calendar for Third
53 Reading and Final Passage.

54
55
56

1 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

2
3 Representative(s) Gardner B., King S., Tipton, and Waller moved to
4 amend the Report of the Committee of the Whole to reverse the action
5 taken by the Committee in adopting Amendment No. 3, by Representative
6 Weissmann (printed in House Journal page 1706, lines 48-56, and
7 page 1707, lines 1-5) to SB 09-241, to show that said amendment lost,
8 and that **SB09-241**, as amended, passed.

9
10 The amendment was declared **lost** by the following roll call vote:

	YES	31	NO	34	EXCUSED	0	ABSENT	0
13	Acree	Y	Green	N	McCann	Y	Roberts	Y
14	Apuan	N	Hullinghorst	N	McFadyen	N	Ryden	N
15	Balmer	Y	Judd	Y	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	N	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	N	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
32
33 Representative(s) Gardner B., King S., Tipton, and Waller moved to
34 amend the Report of the Committee of the Whole to reverse the action
35 taken by the Committee in adopting Amendment No. 5, by Representative
36 Ferrandino, (Printed in House Journal page 1707, lines 28-37) to
37 SB 09-241, to show that said amendment lost, and that **SB09-241**, as
38 amended, passed.

39
40 The amendment was declared **passed** by the following roll call vote:

	YES	34	NO	31	EXCUSED	0	ABSENT	0
43	Acree	Y	Green	N	McCann	N	Roberts	Y
44	Apuan	N	Hullinghorst	N	McFadyen	N	Ryden	Y
45	Balmer	Y	Judd	Y	McKinley	N	Scanlan	N
46	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
47	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
48	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
49	Casso	N	Kerr J.	Y	Miklosi	N	Soper	Y
50	Court	N	King S.	Y	Murray	Y	Stephens	Y
51	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
52	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
53	Fischer	N	Levy	N	Peniston	N	Tipton	Y
54	Frangas	Y	Liston	Y	Pommer	N	Todd	N
55	Gagliardi	N	Looper	Y	Primavera	N	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	N	Weissmann	N
3							Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

9 Passed Second Reading: **SB09-110 amended, 164, 241 amended, 247**
 10 **amended, 295 amended, 286 amended, 297 amended, 290 amended,**
 11 **085 amended, 292 amended.**

13 Laid over until date indicated retaining place on Calendar:

14 **HB09-1323**--August 7, 2009. Bill deemed lost.

15 **HB09-1356**--August 8, 2009. Bill deemed lost.

17 The Chairman moved the adoption of the Committee of the Whole
 18 Report. As shown by the following roll call vote, a majority of those
 19 elected to the House voted in the affirmative, and the Report was
 20 **adopted.**

22	YES	65	NO	0	EXCUSED	0	ABSENT	0
23	Acree	Y	Green	Y	McCann	Y	Roberts	Y
24	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
25	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
26	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
27	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
28	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
29	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
30	Court	Y	King S.	Y	Murray	Y	Stephens	Y
31	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
32	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
33	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
34	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
35	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
36	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
37	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
38	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
39							Speaker	Y

CONSENT GRANTED TO CONFERENCE COMMITTEE

44 Representative Schafer moved that the First Conference Committee on
 45 **SB09-245** be granted permission to go beyond the scope of the difference
 46 between the House and the Senate. The motion was passed by the
 47 following roll call vote:

49	YES	65	NO	0	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	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	Y	Nikkel	Y	Summers	Y
3	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
4	Fischer	Y	Levy	Y	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	Y
10							Speaker	Y

11
12
13
14 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

15
16 **HB09-1119** by Representative(s) Vigil, Court, Labuda, Pace, Todd;
17 also Senator(s) Schwartz--Concerning creation of a
18 program to assist entities providing programs to address
19 substance abuse problems in rural areas of Colorado.

20
21 (Amended as printed in Senate Journal, April 28, page 1356.)

22
23 Representative Vigil moved that the House **concur** in Senate
24 amendments. The motion was declared **passed** by the following roll call
25 vote:

26	YES	60	NO	5	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	N
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	N
41	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
42	Gardner C.	Y	Massey	Y	Rice	Y	Waller	N
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	43	NO	22	EXCUSED	0	ABSENT	0
51								
52	Acree	N	Green	Y	McCann	Y	Roberts	Y
53	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
54	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
55	Baumgardner	N	Kagan	Y	McNulty	N	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	N	Stephens	N
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	N
7	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
8	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
9	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
10	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
11	Gerou	N	May	N	Riesberg	Y	Weissmann	N
12							Speaker	Y

13 Co-sponsor(s) added: Representative(s) Fischer, Green, Massey, Merrifield,
14 Roberts

15
16 **HB09-1173** by Representative(s) Riesberg; also Senator(s) Hodge--
17 Concerning efforts to reduce the amount of contraband
18 tobacco products in the state, and making an appropriation
19 therefor.

20
21 (Amended as printed in Senate Journal, April 28, page 1354.)

22
23 Representative Riesberg moved that the House **concur** in Senate
24 amendments. The motion was declared **passed** by the following roll call
25 vote:

27	YES	65	NO	0	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	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.	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	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**.

51	YES	42	NO	23	EXCUSED	0	ABSENT	0
52	Acree	N	Green	N	McCann	Y	Roberts	Y
53	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
54	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
55	Baumgardner	N	Kagan	Y	McNulty	N	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	N	Stephens	N
4	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
5	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
6	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
7	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
8	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
9	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
10	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
11	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
12							Speaker	Y

13 Co-sponsor(s) added: Representative(s) Labuda, Vigil

14
15 **HB09-1196** by Representative(s) Gerou, Kerr J., Kerr A., McNulty,
16 Schafer S., Summers; also Senator(s) Boyd--Concerning
17 the use of moneys derived from civil money penalties
18 imposed on nursing facilities to fund innovation in nursing
19 home care, and making an appropriation therefor.

20
21 (Amended as printed in Senate Journal, April 28, page 1355.)

22
23 Representative Gerou moved that the House **concur** in Senate
24 amendments. The motion was declared **passed** by the following roll call
25 vote:

26	YES	61	NO	4	EXCUSED	0	ABSENT	0
27								
28	Acree	Y	Green	N	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.	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	Y	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	N	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	N
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	65	NO	0	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	Y	McKinley	Y	Scanlan	Y
55	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
56	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y

1	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
2	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
3	Court	Y	King S.	Y	Murray	Y	Stephens	Y
4	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
5	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
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	Y
12							Speaker	Y

13 Co-sponsor(s) added: Representative(s) Liston, Marostica, Nikkel, Roberts

14
15 **HB09-1199** by Representative(s) Scanlan, Benefield, Curry,
16 Ferrandino, Gerou, Kerr A., King S., Levy, Massey,
17 Middleton, Nikkel, Roberts; also Senator(s) Gibbs--
18 Concerning increased efforts to address wildfire risk, and,
19 in connection therewith, providing resources to the
20 Colorado state forest service to augment its technical
21 outreach capabilities and provide loans and grants for
22 market-based and forest treatment solutions to reduce
23 wildfire risk, and making an appropriation.

24
25 (Amended as printed in Senate Journal, April 28, pages 1353-1354.)

26
27 Representative Scanlan moved that the House **concur** in Senate
28 amendments. The motion was declared **passed** by the following roll call
29 vote:

31	YES	64	NO	1	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	Y	Schafer S.	Y
36	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
37	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
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.	Y	Massey	Y	Rice	Y	Waller	Y
47	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
48							Speaker	Y

49
50
51 The question being, "Shall the bill, as amended, 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
54 bill, as amended, was declared **repassed**.

55

	YES	65	NO	0	EXCUSED	0	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	Y	Liston	Y	Pommer	Y	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 Co-sponsor(s) added: Representative(s) Apuan, Labuda, McNulty, Murray, Pace

20
 21 **HB09-1282** by Representative(s) Fischer; also Senator(s) Schwartz,
 22 Hodge--Concerning the recycling of certain electronic
 23 devices, and, in connection therewith, establishing a task
 24 force within the department of public health and
 25 environment to make recommendations regarding the
 26 implementation of electronic device recycling programs
 27 and making an appropriation.

28
 29 (Amended as printed in Senate Journal, April 28, pages 1355-1356.)

30
 31 Representative Fischer moved that the House **concur** in Senate
 32 amendments. A substitute motion by Representative May that the House
 33 **not concur** in Senate amendments and that a Conference Committee be
 34 appointed with permission to go beyond the scope of the differences
 35 between the House and the Senate was declared **passed** by the following
 36 roll call vote:

	YES	53	NO	12	EXCUSED	0	ABSENT	0
37								
38	Acree	Y	Green	Y	McCann	N	Roberts	Y
39	Apuan	Y	Hullinghorst	Y	McFadyen	N	Ryden	Y
40	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
41	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	Y
42	Benefield	N	Kefalas	N	Merrifield	N	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	N	Levy	Y	Peniston	N	Tipton	Y
49	Frangas	Y	Liston	Y	Pommer	Y	Todd	N
50	Gagliardi	N	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	N	Weissmann	Y
54							Speaker	Y

55 The Speaker appointed Representatives Fischer, Chairman, Solano and
 56 Nikkel as House conferees to the bill.

1 **HB09-1312** by Representative(s) Kerr A., Merrifield, Middleton,
 2 Scanlan, Todd; also Senator(s) Schwartz and Romer--
 3 Concerning the renewable energy and energy efficiency
 4 for schools loan program.

5
 6 (Amended as printed in Senate Journal, April 28, pages 1356-1357, and
 7 on Third Reading as printed in Senate Journal, April 29.)

8
 9 Representative Kerr A., moved that the House **concur** in Senate
 10 amendments. The motion was declared **passed** by the following roll call
 11 vote:

	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**.

	YES	44	NO	21	EXCUSED	0	ABSENT	0
38	Acree	Y	Green	Y	McCann	Y	Roberts	N
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	N	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	Y
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	N	Rice	Y	Waller	N
53	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Casso, Ferrandino, Hullinghorst, Pace,
 56 Pommer

1 **HB09-1329** by Representative(s) Marostica, Ferrandino, Pommer; also
 2 Senator(s) White, Keller, Tapia--Concerning the
 3 percentage of moneys transferred from the tobacco
 4 litigation settlement cash fund to the Colorado state
 5 veterans trust fund that are subject to annual appropriation,
 6 and making an appropriation in connection therewith.

7
 8 (Amended as printed in Senate Journal, April 28, page 1354.)
 9

10 Representative Marostica moved that the House **concur** in Senate
 11 amendments. The motion was declared **passed** by the following roll call
 12 vote:
 13

	YES	65	NO	0	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	Y	Schafer S.	Y
19	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
20	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
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	Y	Lambert	Y	Pace	Y	Swalm	Y
25	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
26	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
27	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
28	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
29	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
30	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
31							Speaker	Y

32
 33 The question being, "Shall the bill, as amended, pass?".
 34 A roll call vote was taken. As shown by the following recorded vote, a
 35 majority of those elected to the House voted in the affirmative, and the
 36 bill, as amended, was declared **repassed**.

	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) Gardner B., Gardner C., Gerou, Kerr J.,
 56 Lambert, Massey, McNulty, Nikkel, Pace, Ryden, Schafer S., Stephens, Waller

1 **HB09-1243** by Representative(s) Middleton and Massey, Labuda,
 2 Casso, Court, McGihon, Miklosi, Peniston, Primavera,
 3 Ryden, Scanlan, Todd, Vigil; also Senator(s) Bacon,
 4 Spence--Concerning measures to raise the graduation rate
 5 in public high schools in Colorado, and making an
 6 appropriation in connection therewith.

7
 8 (Amended as printed in Senate Journal, April 28, page 1354, and
 9 amended on Third Reading, April 30, 2009, as printed in Senate Journal.)

10
 11 Representative Middleton moved that the House **concur** in Senate
 12 amendments. The motion was declared **passed** by the following roll call
 13 vote:

	YES	65	NO	0	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	Y	Schafer S.	Y
19	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
20	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
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	Y	Lambert	Y	Pace	Y	Swalm	Y
25	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
26	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
27	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
28	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
29	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
30	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
31							Speaker	Y

32
 33 The question being, "Shall the bill, as amended, pass?".
 34 A roll call vote was taken. As shown by the following recorded vote, a
 35 majority of those elected to the House voted in the affirmative, and the
 36 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	N	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) Frangas, Gerou, Pace, Summers

56

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 4,
8 pages 1694-1699.)

9
10 On motion of Representative Pommer, the Conference Committee Report
11 was **adopted** by the following roll call vote:

	YES	62	NO	3	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	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	Y	Peniston	Y	Tipton	Y
25	Frangas	N	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 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	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) Merrifield, Middleton, Priola, Stephens,
56 Vigil, Speaker

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REPORT(S) OF COMMITTEE(S) OF REFERENCE

HEALTH & HUMAN SERVICES

After consideration on the merits, the Committee recommends the following:

SB09-250 be postponed indefinitely.

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on HB09-1338**

This Report Amends the Rerevised Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB09-1338, concerning modifications to state insurance laws to comply with recently enacted federal laws, has met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill, as the amendments appear in the rerevised bill, with the following change:

Amend rerevised bill, page 7, line 19, strike "THE" and substitute "ANY".

Respectfully submitted,

House Committee:
(signed)
Edward Casso
John Soper
Kevin Priola

Senate Committee:
(signed)
Bob Bacon
Linda Newell
Shawn Mitchell

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SJM09-002; SJR09-042, 045, 046, 053**

MESSAGE(S) FROM THE SENATE

The Senate has adopted the First Report of the First Conference Committee on SB09-271, as printed in Senate Journal, April 30, 2009, page 1376-1377, and repassed the bill as amended.

The Senate has adopted the First Report of the First Conference Committee on SB09-269, as printed in Senate Journal, April 29, 2009, page 1393-1395, and repassed the bill as amended.

The Senate has adopted the First Report of the First Conference Committee on SB09-279, as printed in Senate Journal, April 30, 2009, page 1410-1412, and repassed the bill as amended.

1 The Senate has adopted the First Report of the First Conference
2 Committee on SB09-281, as printed in Senate Journal May 1, 2009, page
3 1464-1465, and repassed the bill as amended.

4
5 The Senate has adopted the First Report of the First Conference
6 Committee on HB09-1338, as printed in Senate Journal, May 4, 2009, and
7 repassed the bill as amended. The bill is returned herewith.

8
9

10

11

INTRODUCTION OF RESOLUTION

12

13 The following resolution was read by title and laid over one day under the
14 rules:

15

16 **HJR09-1029** by Representative(s) Weissmann and Kerr A., Carroll T.,
17 May; also Senator(s) Shaffer B., Groff, Penry--Concerning
18 the adjournment sine die of the First Regular Session of
19 the Sixty-seventh General Assembly.

20

21

22

23

LAY OVER OF CALENDAR ITEM(S)

24

25 On motion of Representative Weissmann, the following item(s) on the
26 Calendar were laid over until May 5, retaining place on Calendar:

27

28 Consideration of Resolution(s)--**HJR09-1018, 1025, 1026, SJR09-048,**
29 **044, 047, 056.**

30

30 Consideration of Memorial(s)--**SJM09-010.**

31

31 Consideration of Senate Amendment(s)--**HB09-1170.**

32

33

34

35 On motion of Representative Weissmann, the House adjourned until
36 9:00 a.m., May 5, 2009.

37

38

39

40

Approved:
TERRANCE D. CARROLL,
Speaker

41

42

43

43

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

One hundred-nineteenth Legislative Day Tuesday, May 5, 2009

1 Prayer by Pastor Michael Dent, Trinity Methodist Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Karina Gonzalez, Lucero Juarez, Luz Buso,
6 Angel Brito, Adams City High School, Commerce City.
7
8 The roll was called with the following result:
9
10 Present--51.
11 Excused--Representative(s) Curry, Fischer, Gardner B.,
12 Gardner C., Hullinghorst, Labuda, Liston, Looper, McKinley,
13 McNulty, Middleton, Solano, Sonnenberg, Vigil--14.
14 Present after roll call--Representative(s) Curry, Fischer,
15 Gardner B., Gardner C., Hullinghorst, Labuda, Liston, Looper,
16 McKinley, McNulty, Middleton, Solano, Sonnenberg, Vigil.
17

18 The Speaker declared a quorum present.
19
20

21 On motion of Representative Waller, the reading of the journal of
22 May 4, 2009, was declared dispensed with and approved as corrected by
23 the Chief Clerk.
24
25

DELIVERY OF BILLS TO GOVERNOR

26
27
28
29 The Chief Clerk of the House of Representatives reports the following
30 bills have been delivered to the Office of the Governor: **HB09-1041,**
31 **1224, 1276** at 8:50 a.m. on May 5, 2009.
32
33

MESSAGE(S) FROM THE GOVERNOR

34
35
36
37
38 I certify I received the following on the 5th day of May, 2009, at
39 8:55 a.m. The original is on file in the records of the House of
40 Representatives of the General Assembly.
41

Marilyn Eddins,
Chief Clerk of the House

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

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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 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
38 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
39 Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green,
40 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
41 Levy, Liston, Looper, Marostica, Massey, May, McCann, McFadyen,
42 McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace,
43 Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan,
44 Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton,
45 Todd, Vaad, Vigil, Waller, Speaker

46

47 Representative Weissmann introduced members of the family that were
48 present.

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52 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, Hulinghorst, 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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7

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	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	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
26	Acree	Y	Green	Y	McCann	Y	Roberts	Y
27	Apuan	Y	Hullinghorst	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

44
 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:
 6

	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**.
 30

	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	Hullingerhorst	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	Hullingerhorst	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:

7
8

	YES	63	NO	0	EXCUSED	2	ABSENT	0
9 Acree	Y		Green	Y	McCann	Y	Roberts	Y
10 Apuan	Y		Hullingerhorst	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
25							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**.

34
35

	YES	51	NO	14	EXCUSED	0	ABSENT	0
36 Acree	Y		Green	Y	McCann	Y	Roberts	Y
37 Apuan	Y		Hullingerhorst	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
52							Speaker	Y

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:

	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**.

	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

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	Hullingerhorst	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	Hullingerhorst	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

CONSIDERATION OF RESOLUTION(S)1
2
3
4
5
6
7
8
9

SJR09-058 by Senator(s) Shaffer B., Groff, Penry; also Representative(s) Weissmann and Kerr A., Carroll T., May--Concerning the appointment of a joint committee to notify the Governor that the First Regular Session of the Sixty-seventh General Assembly is about to adjourn sine die.

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

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

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	Benefield	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	Benefield	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	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	Hullingerhorst	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	Hullingerhorst	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**.

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:

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:

25	YES	65	NO	0	EXCUSED	0	ABSENT	0
26	Acree	Y	Green	Y	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	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	Y	Pommer	Y	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
 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**.

49	YES	61	NO	4	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	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	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**.

	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**.

	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:

30	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**.

54	YES	65	NO	0	EXCUSED	0	ABSENT	0
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

	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

	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

House Committee:

56

(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

15

16

17

18 **LAY OVER OF CALENDAR ITEM(S)**

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.**

26

27

28

29 On motion of Representative Weissmann, the House adjourned until

30 10:00 a.m., May 6, 2009.

31

32

33

34

35 Attest:

36 MARILYN EDDINS,

37 Chief Clerk

Approved:
TERRANCE D. CARROLL,
Speaker

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

One hundred-twentieth Legislative Day Wednesday, May 6, 2009

1 Prayer by Rabbi Hillel Goldberg, Executive Director Intermountain
2 Jewish News, Denver.

3
4 The Speaker called the House to order at 10:00 a.m.

5
6 Pledge of Allegiance led by Cindy Montano, Leilani Duran, Aaliyah
7 Nguyen, Ariel Valdez, Rechelle Lee-Williams, Farrell B Howell School,
8 Montbello.

9
10 The roll was called with the following result:

11
12 Present--64.
13 Excused--Representative(s) McFadyen--1.
14 Present after roll call--Representative(s) McFadyen.

15
16 The Speaker declared a quorum present.

17
18
19 On motion of Representative Waller, the reading of the journal of
20 May 5, 2009, was declared dispensed with and approved as corrected by
21 the Chief Clerk.

22
23
24
25 **THIRD READING OF BILLS--FINAL PASSAGE**

26
27 The following bills were considered on Third Reading. The titles were
28 publicly read. Reading of the bill at length was dispensed with by
29 unanimous consent.

30
31 **SB09-285** by Senator(s) Heath, Mitchell, Schwartz, Foster, Gibbs,
32 Groff, Isgar, King K., Newell, Romer, Spence, Tapia,
33 Veiga, White, Williams; also Representative(s) Summers
34 and Solano, McFadyen, Rice--Concerning the inclusion of
35 career and technical education program providers among
36 the institutions of higher education that are permitted to
37 offer concurrent enrollment opportunities to high school
38 students.

39
40 As shown by the following roll call vote, a majority of all members
41 elected to the House voted in the affirmative, and Representative
42 Summers was given permission to offer a Third Reading amendment:

43

	YES	65	NO	0	EXCUSED	0	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	Y	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								

21 **Third Reading amendment No. 1**, by Representative Summers.

22
23 Amend revised bill, page 2, line 2, strike "(5)," and substitute "(6),";

24
25 line 9, strike "(5)" and substitute "(6)";

26
27 line 10, strike "high school of a school district" and substitute "local
28 education provider";

29
30 line 15, strike "HIGH SCHOOL OF A SCHOOL" and substitute "LOCAL
31 EDUCATION PROVIDER";

32
33 line 16, strike "DISTRICT".

34
35 Page 3, line 2, strike "(8.5)" and substitute "(13.5)";

36
37 line 7, strike "(8)" and substitute "(12)";

38
39 line 8, strike "(8)" and substitute "(12)";

40
41 line 13, strike "(8)" and substitute "(12)";

42
43 line 25, strike "school district" and substitute "local education provider";

44
45 strike line 27 and substitute the following:

46
47 "the local education provider".

48
49 Page 4, line 1, strike "district";

50
51 line 7, strike "the school district of the student's school" and substitute
52 "the his or her local education provider";

53
54 strike line 8 and substitute the following:

55 "or her twelfth-grade year and is therefore retained by the local education
56 provider";

1 line 9, strike "school";
2
3 line 18, strike "school district;" and substitute "local education
4 provider;"
5
6 line 22, strike "school district." and substitute "local education provider."
7
8 Page 5, line 12, strike "school district" and substitute "local education
9 provider";
10
11 strike line 24 and substitute the following:
12
13 "education qualify as basic skills credit or academic credit";
14
15 line 26, strike "school district" and substitute "local education provider".
16
17 Page 6, line 2, strike "school district" and substitute "local education
18 provider";
19
20 line 4, strike "school district" and substitute "local education provider";
21
22 line 9, strike "school district" and substitute "local education provider";
23
24 line 11, strike "school district" and substitute "~~school district~~ LOCAL
25 EDUCATION PROVIDER";
26
27 line 17, after "the", insert "qualified";
28
29 line 27, strike "school district" and substitute "local education provider".
30
31 Page 7, line 3, strike "executes" and substitute "enters into";
32
33 line 4, strike "school district" and substitute "local education provider";
34
35 line 12, strike "(11)" and substitute "(13)";
36
37 line 19, strike "(12)" and substitute "(14)";
38
39 line 25, strike "(4)," and substitute "(2) (a) and (4),";
40
41 line 26, strike "is" and substitute "are".
42
43 Page 8, strike line 1 and substitute the following:
44
45 "(2) If a qualified student concurrently enrolls in a course offered by an
46 institution of higher education, the institution shall be responsible for
47 course content, placement of the student in the course, and the quality of
48 instruction. In addition, because the qualified student is receiving
49 academic credit at his or her local education provider for the course
50 pursuant to section 22-35-104 (5):
51
52 (a) The qualified student shall be included in the funded pupil
53 count of his or her school district or, in the case of a student enrolled in
54 an institute charter school, of the school's accounting district, AS
55 DETERMINED PURSUANT TO THE provisions of section 22-54-103 (7); and
56

1 (4) (a) Before paying the tuition for a ~~postsecondary~~ course in
 2 which a";
 3
 4 line 2, strike "school district of the high" and substitute "local education
 5 provider";
 6
 7 line 3, strike "school";
 8
 9 line 5, strike "school district" and substitute "local education provider";
 10
 11 line 8, after the second "the", insert "student's";
 12
 13 strike lines 9 and 10 and substitute the following:
 14
 15 "(b) If a qualified student concurrently enrolled in a COURSE FOR
 16 WHOM A local education provider pays tuition does not complete the";
 17
 18 line 14, strike "school district," and substitute "local education provider,";
 19
 20 line 16, strike "school district" and substitute "local education provider";
 21
 22 line 17, strike "school district board of education" and substitute "local
 23 education provider";
 24
 25 strike line 21 and substitute "guardian to reimburse the local education
 26 provider for the tuition paid by the local education provider";
 27
 28 line 22, strike "district";
 29
 30 line 25, strike "(b) and (2) (c)," and substitute "(c) and (2) (d),".
 31
 32 Page 9, line 3, strike "~~nine~~ ELEVEN" and substitute "~~ten~~ THIRTEEN";
 33
 34 strike lines 4 through 9;
 35
 36 line 13, strike "AND" and substitute "~~and~~";
 37
 38 after line 13, insert the following:
 39
 40 "(d) The director of accreditation and regional services within the
 41 department or his or her designee; AND";
 42
 43 line 14, strike "(d)" and substitute "(e)".
 44
 45 Page 10, line 1, strike "policies established by rules promulgated" and
 46 substitute "~~policies established by rules promulgated~~ GUIDELINES
 47 ESTABLISHED";
 48
 49 line 12, strike "high school of a school district." and substitute "local
 50 education provider.";
 51
 52 line 14, strike "(h) and (2) (i)," and substitute "(a), (2) (b), (2) (h), (2) (i),
 53 and (2) (k),";
 54
 55 after line 23, insert the following:
 56

1 "(a) The number and names of ~~school districts~~ LOCAL EDUCATION
 2 PROVIDERS and institutions of higher education that have entered into
 3 cooperative agreements;
 4

5 (b) The number of qualified students who participated in a
 6 concurrent enrollment program in the previous school year, including
 7 subtotals for each ~~school district~~ LOCAL EDUCATION PROVIDER and each
 8 institution of higher education;"
 9

10 Page 11, line 4, strike "and";

11
 12 after line 4, insert the following:

13
 14 "(k) (I) The results of the department's exploration, pursuant to
 15 section ~~22-35-104 (10)~~ 22-35-104 (11), of strategies by which the state
 16 may provide opportunities for children who are participating in a
 17 home-based educational program as described in section 22-33-104.5 to
 18 participate in a concurrent enrollment program.";
 19

20 line 10, strike "district".

21
 22 The amendment was declared **passed** by the following roll call vote:

	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 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 **passed**.
 47

	YES	65	NO	0	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	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	Y
55	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
56	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) Benefield, Casso, Court, Frangas,
11 Gerou, Kerr J., Labuda, Massey, Merrifield, Pace, Priola, Roberts, Ryden,
12 Scanlan, Schafer S., Todd, Speaker, Middleton, Baumgardner

13
14 **SB09-295** by Senator(s) Boyd, Groff, Heath, Hodge, Kopp, Romer,
15 Schwartz, Tochtrop, Williams; also Representative(s) May
16 and Middleton, Merrifield--Concerning accessibility at
17 state-supported institutions of higher education.

18
19 As shown by the following roll call vote, a majority of all members
20 elected to the House voted in the affirmative, and Representative
21 Middleton was given permission to offer a Third Reading amendment:

22	YES	65	NO	0	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	Y
40							Speaker	Y

41
42
43 **Third Reading amendment No. 1**, by Representative Middleton.

44
45 Amend revised bill, page 5, strike lines 13 through 27 and substitute the
46 following"

47
48 "(4) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS
49 SECTION TO THE CONTRARY, BEGINNING WITH THE FISCAL YEAR WHICH
50 BEGINS JULY 1, 2009, AND FOR EACH FISCAL YEAR THEREAFTER, THAT NOT
51 LESS THAN SIXTY PERCENT OF THE TOTAL STUDENT ENROLLMENT,
52 INCLUDING UNDERGRADUATE AND GRADUATE STUDENTS, AT THE
53 UNIVERSITY OF COLORADO AT BOULDER ARE IN-STATE STUDENTS, AS
54 DEFINED IN SECTION 23-7-102 (5). THIS REQUIREMENT SHALL BE MET IF,
55 COMMENCING WITH THE FISCAL YEAR THAT BEGINS JULY 1, 2009, THE
56 PERCENTAGE OF IN-STATE STUDENTS, AS DEFINED IN SECTION 23-7-102 (5),

1 ENROLLED AT THE UNIVERSITY OF COLORADO AT BOULDER AVERAGES NOT
 2 LESS THAN SIXTY PERCENT OF THE TOTAL FISCAL YEAR STUDENT
 3 ENROLLMENT FOR THE THEN-CURRENT FISCAL YEAR PLUS THE PREVIOUS
 4 FISCAL YEAR.";

5

6 Page 6, line 1, strike "COMPLY WITH THE PROVISIONS OF THIS SUBSECTION
 7 (4).".

8

9 The amendment was declared **passed** 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

31

32 As shown by the following roll call vote, a majority of all members
 33 elected to the House voted in the affirmative, and Representative May
 34 was given permission to offer a Third Reading amendment:

35

	YES	62	NO	3	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	N	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.	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.	N	Massey	Y	Rice	Y	Waller	Y
52	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
53							Speaker	Y

54

55

56

1 **Third Reading amendment No. 2**, by Representative May.

2

3 Amend revised bill, page 25, line 4, strike "COMMUNITY COLLEGE" and
4 substitute ""COMMUNITY COLLEGE"";

5

6 line 5, after "COMMUNITY", insert "AND".

7

8 Page 27, line 15, after "(2)", insert "OR PARAGRAPH (a) OF SUBSECTION
9 (3)".

10

11 Page 29, line 6, strike "COLLEGES," and substitute "COLLEGE,";

12

13 line 7, strike "THAT" and substitute "WHICH".

14

15 Page 34, line 15, strike "(1) (a) OR (2) (a)" and substitute "(1) (a), (2) (a),
16 OR (3) (a)".

17

18 Page 43, strike line 15 and substitute the following:

19

20 "RECEIVED AS MAY BE JOINTLY OR MUTUALLY AGREED UPON, AS
21 APPLICABLE, BY THE DISTRICT AND:

22

23 (I) THE";

24

25 strike lines 19 through 27 and substitute the following:

26

27 "BOARD;

28

29 (II) THE JUNIOR COLLEGE DISTRICT BOARD IN THE CASE OF A
30 DISTRICT ESTABLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF
31 SECTION 32-20-105 (1) (a) ON BEHALF OF A COMMUNITY COLLEGE THAT
32 IS A JUNIOR COLLEGE DISTRICT;

33

34 (III) THE STATE BOARD AND THE BOARD OF TRUSTEES OF THE
35 STATE COLLEGE IN THE CASE OF A CONSOLIDATED DISTRICT ESTABLISHED
36 IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 32-20-105 (2) (a);
37 AND

38

39 (IV) THE STATE BOARD AND THE JUNIOR COLLEGE DISTRICT".

40

41 Page 44, line 12, after "A", insert "CONSOLIDATED".

42

43 Page 50, strike lines 25 through 27.

44

45 Page 51, strike lines 1 through 4 and substitute the following:

46

47 **"SECTION 18.** 23-1-104, Colorado Revised Statutes, is amended
48 BY THE ADDITION OF A NEW SUBSECTION to read:

49

50 **23-1-104. Financing the system of postsecondary education.**

51 (10) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IT IS THE INTENT
52 OF THE GENERAL ASSEMBLY THAT ANY TAX REVENUES COLLECTED AT THE
53 LOCAL LEVEL AND ALLOCATED TO AN INSTITUTION OF HIGHER EDUCATION
54 IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 20 OF TITLE 32, C.R.S.,
55 OR SECTION 30-11-126, C.R.S., SUPPLEMENT RATHER THAN SUPPLANT ANY
56 FUNDING THE INSTITUTION WOULD OTHERWISE BE ENTITLED TO RECEIVE

1 FROM THE STATE OR FEDERAL GOVERNMENT.".

2

3 The amendment was declared **passed** by the following roll call vote:

4

	YES	65	NO	0	EXCUSED	0	ABSENT	0
6	Acree	Y	Green	Y	McCann	Y	Roberts	Y
7	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
8	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
9	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
10	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
11	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
12	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
13	Court	Y	King S.	Y	Murray	Y	Stephens	Y
14	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
15	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
16	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
17	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
18	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
19	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
20	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
21	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
22							Speaker	Y

23

24 The question being, "Shall the bill, as amended, pass?".

25 A roll call vote was taken. As shown by the following recorded vote, a
26 majority of those elected to the House voted in the affirmative, and the
27 bill, as amended, was declared **passed**.

28

	YES	63	NO	2	EXCUSED	0	ABSENT	0
30	Acree	Y	Green	Y	McCann	Y	Roberts	Y
31	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
32	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
33	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
34	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
35	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
36	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
37	Court	Y	King S.	Y	Murray	Y	Stephens	Y
38	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
39	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
40	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
41	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
42	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
43	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
44	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
45	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
46							Speaker	Y

47 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Green, Kerr J.,
48 Labuda, Massey, Pace, Priola, Rice, Roberts, Ryden, Schafer S., Summers,
49 Todd, Vigil, Speaker

50

51 **SB09-286** by Senator(s) Morse and Carroll M., Bacon, Boyd, Foster,
52 Groff, Heath, Hodge, Hudak, Isgar, Newell, Romer,
53 Shaffer B., Tapia, Tochtrop, Veiga, Williams; also
54 Representative(s) Levy and Merrifield, Ferrandino, Kagan,
55 Miklosi, Pommer, Pace, Benefield, Carroll T., Court,
56 Fischer, Green, Hullinghorst, Judd, Kerr A., Labuda,

1 McFadyen, Middleton, Rice, Ryden, Schafer S., Solano,
 2 Todd, Weissmann--Concerning criminal law, and, in
 3 connection therewith, changing the provisions related to
 4 legal representation of indigent defendants for certain
 5 misdemeanor cases; changing the offense level or
 6 sentencing options for select nonviolent offenses, property
 7 offenses, and drug offenses; changing the presumptive
 8 sentencing ranges for certain felony offenses; repealing
 9 certain extraordinary risk sentencing provisions; making
 10 changes to the habitual offender statute; and allowing for
 11 certain sentencing time credits for certain offenders.
 12

13 As shown by the following roll call vote, a majority of all members
 14 elected to the House voted in the affirmative, and Representative McCann
 15 was given permission to offer a Third Reading amendment:
 16

	YES	65	NO	0	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	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	Y

35
 36 **Third Reading amendment No. 1**, by Representative McCann.

37
 38 Amend revised bill, page 4, line 15, strike "SHALL" and substitute "MAY".
 39

40 The amendment was declared **passed** by the following roll call vote:
 41

	YES	37	NO	28	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	N	McKinley	Y	Scanlan	Y
46	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	Y
47	Benefield	Y	Kefalas	N	Merrifield	N	Solano	N
48	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	N
49	Casso	Y	Kerr J.	Y	Miklosi	N	Soper	Y
50	Court	N	King S.	Y	Murray	Y	Stephens	Y
51	Curry	N	Labuda	Y	Nikkel	Y	Summers	Y
52	Ferrandino	N	Lambert	Y	Pace	Y	Swalm	Y
53	Fischer	N	Levy	N	Peniston	N	Tipton	Y
54	Frangas	N	Liston	N	Pommer	N	Todd	Y
55	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
56	Gardner B.	Y	Marostica	Y	Priola	N	Vigil	Y

1	Gardner C.	N	Massey	Y	Rice	N	Waller	Y
2	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
3							Speaker	N

4
5
6 The question being, "Shall the bill, as amended, pass?".
7 A roll call vote was taken. As shown by the following recorded vote, a
8 majority of those elected to the House voted in the affirmative, and the
9 bill, as amended, was declared **passed**.

10	YES	43	NO	22	EXCUSED	0	ABSENT	0
11	Acree	N	Green	Y	McCann	Y	Roberts	Y
12	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
13	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
14	Baumgardner	N	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	N
17	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
18	Court	Y	King S.	N	Murray	N	Stephens	N
19	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
20	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
21	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
22	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
23	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
24	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
25	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
26	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
27							Speaker	Y

28
29 Representative Weissmann requested his name be removed as sponsor.
30 Co-sponsor(s) added: Representative(s) Kefalas, McCann

31 32 33 34 MESSAGE(S) FROM THE SENATE

35
36 The Senate has adopted the First Report of the Second Conference
37 Committee on SB09-256, as printed in Senate Journal, May 5, 2009, page
38 1586, and repassed the bill as amended.

39
40 In response to the request of the House for a Conference Committee on
41 HB09-1274, the President appoints Senators Carroll-Chair, Bacon, and
42 Penry as conferees on the First Conference Committee on HB09-1274.

43
44 In response to the request of the House for a Conference Committee on
45 HB09-1137, the President appoints Senators Newell-Chair, Harvey, and
46 Morse as conferees on the First Conference Committee on HB09-1137.

47
48 In response to the request of the House for a Conference Committee on
49 HB09-1157, the President appoints Senators Kopp-Chair, Newell, and
50 Hodge as conferees on the First Conference Committee on HB09-1157.

51
52 In response to the request of the House for a Conference Committee on
53 HB09-1094, the President appoints Senators Bacon-Chair, Foster, and
54 Kester as conferees on the First Conference Committee on HB09-1094.

55
56

1 House in recess. House reconvened.
 2
 3

4 **MESSAGE(S) FROM THE SENATE**
 5

6 The Senate has voted not to concur in House Amendments to SB09-241,
 7 and requests that a Conference Committee be appointed. The President
 8 appointed Senators Morse-Chair, Newell and Penry, as members of the
 9 First Conference Committee on SB09-241 on the part of the Senate. The
 10 Senate has granted permission to the First Conference Committee on
 11 SB09-241 to go beyond the scope of differences between the two houses.
 12 The bill is transmitted herewith.
 13

14
 15
 16 **APPOINTMENTS TO CONFERENCE COMMITTEE**
 17

18 Pursuant to a request from the Senate, the Speaker appointed House
 19 conferees to the First Conference Committees as follows:
 20

21 **SB09-241**--Representatives King, Chairman, Pace and Levy.
 22
 23

24
 25 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL**
 26

27 **HB09-1246** by Representative(s) Peniston; also Senator(s) Morse--
 28 Concerning the evaluation of driving schools attended as
 29 a result of a court order resulting from a violation of a law
 30 regulating the operation of a motor vehicle, and making an
 31 appropriation in connection therewith.
 32

33 (Amended as printed in Senate Journal, May 4, page 1544.)
 34

35 Representative Peniston moved that the House **concur** in Senate
 36 amendments. The motion was declared **passed** by the following roll call
 37 vote:
 38

39	YES	63	NO	2	EXCUSED	0	ABSENT	0
40	Acree	Y	Green	Y	McCann	Y	Roberts	Y
41	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
42	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
43	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
44	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
45	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
46	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
47	Court	Y	King S.	Y	Murray	Y	Stephens	Y
48	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
49	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
50	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
51	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
52	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
53	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
54	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
55	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
56							Speaker	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	44	NO	21	EXCUSED	0	ABSENT	0
7	Acree	N	Green	Y	McCann	Y	Roberts	N
8	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
9	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
10	Baumgardner	N	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	N	Stephens	N
15	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
16	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
17	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
18	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
19	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
20	Gardner B.	Y	Marostica	N	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 Co-sponsor(s) added: Representative(s) Green

27 CONSIDERATION OF MEMORIAL

29 **SJM09-010** by Senator(s) Spence; also Representative(s) Acree--
 30 Memorializing Congress to consider community needs
 31 when deploying National Guard troops.

33 (Printed and placed in members file)

35 Representative Acree moved that the memorial be adopted. SJM09-010
 36 was declared **lost** by the following roll call vote:

	YES	32	NO	33	EXCUSED	0	ABSENT	0
39	Acree	Y	Green	Y	McCann	N	Roberts	Y
40	Apuan	N	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
41	Balmer	Y	Judd	N	McKinley	N	Scanlan	N
42	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
43	Benefield	N	Kefalas	Y	Merrifield	Y	Solano	Y
44	Bradford	Y	Kerr A.	Y	Middleton	N	Sonnenberg	N
45	Casso	N	Kerr J.	Y	Miklosi	Y	Soper	Y
46	Court	N	King S.	N	Murray	N	Stephens	N
47	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
48	Ferrandino	N	Lambert	N	Pace	Y	Swalm	N
49	Fischer	N	Levy	Y	Peniston	Y	Tipton	Y
50	Frangas	Y	Liston	N	Pommer	Y	Todd	N
51	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
52	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
53	Gardner C.	N	Massey	Y	Rice	N	Waller	N
54	Gerou	Y	May	N	Riesberg	Y	Weissmann	N
55							Speaker	N

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House in recess. House reconvened.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB09-1119, 1248, 1290; SB09-022, 025, 076, 088, 106, 160, 178, 243, 248, 249, 252, 254, 258, 275.**

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and returns herewith:

HB09-1363, HB09-1337, HB09-1336, HB09-1335, HB09-1357.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

- HB09-1321 amended as printed in Senate Journal, May 5, 2009, page 1574,
- HB09-1351 amended as printed in Senate Journal, May 5, 2009, pages 1575-1576,
- HB09-1331 amended as printed in Senate Journal, May 5, 2009, pages 1576-1577,
- HB09-1366 amended as printed in Senate Journal, May 5, 2009, pages 1586 and 1587.

The Senate voted to concur in House amendments to SB09-110, SB09-247, SB09-297, SB09-290, SB09-085, SB09-292, and repassed the bills as so amended.

The Senate voted to concur in House amendments to SJR09-056, SJR09-044.

Upon announcement of President Groff, Senator Carroll was removed as a joint prime-sponsor on HB09-1335.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, as amended, HB09-1321, 1351, 1331 and 1366.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 6th day of May, 2009, at 8:50 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

1 May 5, 2009

2

3 To the Honorable
4 House of Representatives
5 Sixty-seventh General Assembly
6 First Regular Session
7 Denver, CO 80203

8

9 Ladies and Gentlemen:

10

11 I have the honor to inform you that I have approved and filed with
12 the Secretary of State the following act:

13

14 **HB09-1240** CONCERNING CREATING THE COLORADO TEACHER OF THE
15 YEAR PROGRAM.

16

17 Approved May 5, 2009 at 10:34 a.m.

18

19 Sincerely,
20 (signed)
21 Bill Ritter, Jr.
22 Governor

23

24

25 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

26

27 **HB09-1321** by Representative(s) Levy, Carroll T., Green, Benefield,
28 Court, Ferrandino, Hulinghorst, Kerr A., Looper,
29 McCann, McFadyen, McGihon, McKinley, Merrifield,
30 Miklosi, Pace, Pommer, Ryden, Scanlan, Todd, Vigil,
31 Weissmann; also Senator(s) Carroll M., Bacon, Boyd,
32 Foster, Heath, Morse, Romer--Concerning the placement
33 of a juvenile who is awaiting trial in district court.

34

35 Representative Levy moved that the House **concur** in Senate
36 amendments. The motion was declared **passed** by the following roll call
37 vote:

38

39

	YES	62	NO	3	EXCUSED	0	ABSENT	0
40	Acree	Y	Green	Y	McCann	Y	Roberts	Y
41	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
42	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
43	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
44	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
45	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
46	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
47	Court	Y	King S.	N	Murray	Y	Stephens	Y
48	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
49	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
50	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
51	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
52	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
53	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
54	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
55	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
56							Speaker	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	53	NO	12	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	N	Schafer S.	Y
11	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
12	Bradford	Y	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	Y
15	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
16	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
17	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
18	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
19	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
20	Gardner B.	N	Marostica	N	Priola	Y	Vigil	Y
21	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
22	Gerou	N	May	Y	Riesberg	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Solano

25
 26 **HB09-1351** by Representative(s) Pommer and Ferrandino, Marostica;
 27 also Senator(s) Carroll M.--Concerning an increase in
 28 the amount of time an inmate may have deducted from
 29 the inmate's sentence, and making an appropriation in
 30 connection therewith.

31
 32 Representative Pommer moved that the House **concur** in Senate
 33 amendments. The motion was declared **passed** by the following roll call
 34 vote:

	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.	N	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
 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	44	NO	21	EXCUSED	0	ABSENT	0
5	Acree	N	Green	Y	McCann	Y	Roberts	Y
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	Y	Pommer	Y	Todd	Y
17	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
18	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
19	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
20	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Frangas, Kagan, Levy, Priola, Solano,
23 Vigil

24
25 **HB09-1331** by Representative(s) Gagliardi; also Senator(s) Boyd--
26 Concerning incentives for efficient motor vehicles.

27
28 Representative Gagliardi moved that the House **concur** in Senate
29 amendments. The motion was declared **passed** by the following roll call
30 vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
33	Acree	Y	Green	Y	McCann	Y	Roberts	Y
34	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
35	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
36	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
37	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
38	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
39	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
40	Court	Y	King S.	Y	Murray	Y	Stephens	Y
41	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
42	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
43	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
44	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
45	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
46	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
47	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
48	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
49							Speaker	Y

50
51 The question being, "Shall the bill, as amended, 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
54 bill, as amended, was declared **repassed**.

55

	YES	64	NO	1	EXCUSED	0	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	Y	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 Co-sponsor(s) added: Representative(s) Apuan, Court, Gerou, Kerr J.,
 20 Marostica, McFadyen, Pommer, Rice, Summers

21
 22

23 **HB09-1366** by Representative(s) Pommer; also Senator(s) Romer--
 24 Concerning the elimination of the state income tax
 25 modification for qualifying Colorado capital gains.

26

27 Representative Pommer moved that the House **concur** in Senate
 28 amendments. A substitute motion by Representative May that the House
 29 **not concur** in Senate amendments and that a Conference Committee be
 30 appointed with permission to go beyond the scope of the differences
 31 between the House and the Senate was declared **lost** by the following roll
 32 call vote:

33

	YES	30	NO	35	EXCUSED	0	ABSENT	0
35	Acree	Y	Green	N	McCann	N	Roberts	Y
36	Apuan	N	Hullingerhorst	N	McFadyen	Y	Ryden	N
37	Balmer	Y	Judd	N	McKinley	N	Scanlan	N
38	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
39	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
40	Bradford	Y	Kerr A.	N	Middleton	N	Sonnenberg	Y
41	Casso	N	Kerr J.	Y	Miklosi	N	Soper	N
42	Court	N	King S.	Y	Murray	Y	Stephens	Y
43	Curry	Y	Labuda	N	Nikkel	Y	Summers	Y
44	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
45	Fischer	N	Levy	N	Peniston	N	Tipton	Y
46	Frangas	N	Liston	Y	Pommer	N	Todd	N
47	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
48	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
49	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
50	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
51							Speaker	N

52

53 A second substitute motion by Representative May that the House **adhere**
 54 to its position on **HB09-1366** was declared **lost** by the following roll call
 55 vote:

56

	YES	29	NO	36	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Green	N	McCann	N	Roberts	Y
3	Apuan	Y	Hullinghorst	N	McFadyen	N	Ryden	N
4	Balmer	Y	Judd	N	McKinley	N	Scanlan	N
5	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
6	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
7	Bradford	N	Kerr A.	N	Middleton	Y	Sonnenberg	Y
8	Casso	N	Kerr J.	Y	Miklosi	N	Soper	N
9	Court	N	King S.	Y	Murray	Y	Stephens	Y
10	Curry	N	Labuda	N	Nikkel	Y	Summers	Y
11	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
12	Fischer	N	Levy	N	Peniston	N	Tipton	Y
13	Frangas	N	Liston	Y	Pommer	N	Todd	N
14	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
15	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
16	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
17	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
18							Speaker	N
19								

20 Representative Pommer's motion that the House **concur** in Senate
 21 amendments was declared **passed** by the following roll call vote:

	YES	37	NO	28	EXCUSED	0	ABSENT	0
23								
24	Acree	N	Green	Y	McCann	Y	Roberts	N
25	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
26	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
27	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
28	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
29	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
30	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
31	Court	Y	King S.	N	Murray	N	Stephens	N
32	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
33	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
34	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
35	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
36	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
37	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
38	Gardner C.	N	Massey	N	Rice	N	Waller	N
39	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
40							Speaker	Y
41								

42 The question being, "Shall the bill, as amended, pass?".
 43 A roll call vote was taken. As shown by the following recorded vote, a
 44 majority of those elected to the House voted in the affirmative, and the
 45 bill, as amended, was declared **repassed**.

	YES	37	NO	28	EXCUSED	0	ABSENT	0
47								
48	Acree	N	Green	Y	McCann	Y	Roberts	N
49	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
50	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
51	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
52	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
53	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
54	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
55	Court	Y	King S.	N	Murray	N	Stephens	N
56	Curry	Y	Labuda	Y	Nikkel	N	Summers	N

1	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
2	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
3	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
4	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
5	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
6	Gardner C.	N	Massey	N	Rice	N	Waller	N
7	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Benefield, Fischer, Hullinghorst,
10 Schafer S.

MESSAGE(S) FROM THE SENATE

16 The Senate voted to reject the First Report of the First Conference
17 Committee on HB09-1163, as printed in Senate Journal, May 6, 2009,
18 dissolved the First Conference Committee, discharged the committee
19 members, and appointed a Second Conference Committee. The President
20 appointed Senators Veiga-Chair, Romer and Harvey, as members of the
21 Second Conference Committee on HB09-1163. The bill is returned
22 herewith.

24 The Senate has adopted the First Report of the First Conference
25 Committee on HB09-1157, as printed in Senate Journal, May 6, 2009, and
26 repassed the bill as amended.
27 The bill is returned herewith.

29 The Senate has adopted the First Report of the First Conference
30 Committee on HB09-1137, as printed in Senate Journal, May 6, 2009, and
31 repassed the bill as amended.
32 The bill is returned herewith.

REQUEST FOR SECOND CONFERENCE COMMITTEE FOR HB09-1163

38 Representative Gardner C., moved that the House reject the Conference
39 Committee Report, discharge the First Conference Committee for
40 **HB09-1163**, that a Second Conference Committee be appointed. The
41 motion was declared **passed** by the following roll call vote:

	YES	63	NO	2	EXCUSED	0	ABSENT	0
44	Acree	Y	Green	Y	McCann	Y	Roberts	Y
45	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
46	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
47	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
48	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
49	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
50	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
51	Court	Y	King S.	Y	Murray	Y	Stephens	Y
52	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
53	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
54	Fischer	N	Levy	Y	Peniston	Y	Tipton	Y
55	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
56	Gagliardi	N	Looper	Y	Primavera	Y	Vaad	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	Y

5 The first Conference Committee was discharged and the Speaker
6 appointed Representatives Gardner C., Chairman, Levy and Kerr A., as
7 House conferees to the Second Conference Committee.

8
9

10 House in recess. House reconvened.

11
12
13

14 MESSAGE(S) FROM THE SENATE

15

16 The Senate has adopted the First Report of the First Conference
17 Committee on SB09-226, as printed in Senate Journal, May 5, 2009,
18 pages 1568-1577, and repassed the bill as amended.

19

20 The Senate has adopted the First Report of the First Conference
21 Committee on SB09-245, as printed in Senate Journal, May 5, 2009,
22 pages 1567-1568, and repassed the bill as amended.

23

24 The Senate has adopted the First Report of the First Conference
25 Committee on HB09-1282, as printed in Senate Journal, May 5, 2009,
26 page 1572, and repassed the bill as amended.

27 The bill is returned herewith.

28

29 The Senate has adopted the First Report of the First Conference
30 Committee on HB09-1111, as printed in Senate Journal, May 5, 2009,
31 page 1571-1572, and repassed the bill as amended. The bill is returned
32 herewith.

33

34 The Senate has adopted the First Report of the First Conference
35 Committee on HB09-1342, as printed in Senate Journal, May 6, 2009, and
36 repassed the bill as amended. The bill is returned herewith.

37

38

39

40 FIRST REPORT OF FIRST CONFERENCE COMMITTEE 41 on HB09-1111

42 This Report Amends the Rerevised Bill.

43

44 To the President of the Senate and the
45 Speaker of the House of Representatives:

46

47 Your first conference committee appointed on HB09-1111,
48 concerning measures to increase the availability of health resources in
49 designated areas in Colorado, and, in connection therewith, creating the
50 primary care office in the prevention services division in the department
51 of public health and environment to maximize state and federal programs
52 that provide health resources, and making an appropriation, has met and
53 reports that it has agreed upon the following:

54

55 1. That the House accede to the Senate amendments made to the
56 bill, as the amendments appear in the rerevised bill.

1 2. That, under the authority granted the committee to consider
2 matters not at issue between the two houses, the following amendments
3 be recommended:

4
5 Amend rerevised bill, page 18, line 18, after "(10)", insert "(a)";

6
7 strike line 19 and substitute the following:

8
9 "~~AND 2008-09 fiscal year and for each fiscal year thereafter through the~~
10 ~~2011-12 fiscal year~~ YEARS,";

11
12 line 20, strike "year,"

13
14 line 24, strike "~~sixty~~ NINETY thousand SEVENTY" and substitute "sixty
15 thousand".

16
17 Page 19, after line 1, insert the following:

18
19 "(b) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
20 FOR THE 2009-10 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER
21 THROUGH THE 2011-12 FISCAL YEAR, THE STATE TREASURER SHALL
22 TRANSFER FROM THE SHORT-TERM INNOVATIVE HEALTH PROGRAM GRANT
23 FUND TO THE HEALTH CARE PROFESSIONAL LOAN REPAYMENT FUND
24 CREATED IN SECTION 25-20.5-706, FOR PURPOSES OF THE STATE HEALTH
25 CARE PROFESSIONAL LOAN REPAYMENT PROGRAM, THE LESSER OF NINETY
26 THOUSAND SEVENTY DOLLARS OR SIX PERCENT OF THE AMOUNT
27 ALLOCATED TO THE SHORT-TERM INNOVATIVE HEALTH PROGRAM GRANT
28 FUND FOR THE FISCAL YEAR PURSUANT TO SECTION 24-75-1104.5 (1.5) (a)
29 (IX), C.R.S., ENACTED BY SENATE BILL 07-097 AT THE FIRST REGULAR
30 SESSION OF THE SIXTY-SIXTH GENERAL ASSEMBLY."

31
32 Respectfully submitted,

33 House Committee:

34 (signed)

35 Tom Massey

36 Daniel Kagan

37 Jim Riesberg

33 Senate Committee:

34 (signed)

35 Betty Boyd

36 Gail Schwartz

37 Ken Kester

38
39
40 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
41 **on HB09-1137**

42 This Report Amends the Rerevised Bill.

43
44 To the President of the Senate and the
45 Speaker of the House of Representatives:

46
47 Your first conference committee appointed on HB09-1137,
48 concerning intercepts, and, in connection therewith, intercepting
49 gambling winnings to pay outstanding restitution, and requiring the
50 department of revenue to provide specified information to state agencies
51 in conjunction with intercepts of tax refunds, has met and reports that it
52 has agreed upon the following:

53
54 That the House accede to the Senate amendments made to the bill,
55 as the amendments appear in the rerevised bill, with the following
56 changes:

1 Amend rerevised bill, page 3, strike lines 11 through 27.

2

3 Page 4, strike line 1 and substitute the following:

4

5 "(c.5) (I) FOR ALLOCATION DURING THE STATE FISCAL YEARS
6 2010-11 AND 2011-12, BASED ON RECOMMENDATIONS FROM THE
7 ADVISORY BOARD, TO THE GAMBLING PAYMENT INTERCEPT CASH FUND
8 CREATED IN SECTION 24-35-605.5, FOR USE BY THE DEPARTMENT OF
9 REVENUE IN ACCORDANCE WITH SECTION 24-35-605.5 (2) (a); EXCEPT
10 THAT MONEYS SHALL NOT BE ALLOCATED FOR SUCH PURPOSE UNLESS ALL
11 OTHER PERMISSIBLE DISTRIBUTIONS AND ALLOCATIONS HAVE BEEN MADE
12 FROM THE FUND.

13

14 (II) THIS PARAGRAPH(c.5) IS REPEALED, EFFECTIVE JULY 1, 2012."

15

16 Renumber succeeding sections accordingly.

17

18 Page 8, line 18, strike "(3)" and substitute "(3), ANY ALLOCATIONS MADE
19 TO THE FUND PURSUANT TO SECTION 24-33.5-506 (1) (c.5) (I), ANY OTHER
20 MONEYS APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY,";

21

22 line 20, strike "AND THE JUDICIAL DEPARTMENT ARE" and substitute "IS";

23

24 line 24, after the period, add "THE STATE TREASURER SHALL ALSO CREDIT
25 TO THE FUND ANY MONEYS THAT ARE ALLOCATED THERETO PURSUANT TO
26 SECTION 24-33.5-506 (1) (c.5) (I)."

27

28 Page 9, line 3, after the period, add "AS SOON AS THERE ARE SUFFICIENT
29 MONEYS IN THE FUND, THE DEPARTMENT OF REVENUE SHALL EXPAND THE
30 PROGRAM FOR SUCH PURPOSE."

31

32 Respectfully submitted,

33

House Committee:

34

(signed)

35

Joel Judd

36

Claire Levy

37

Laura Bradford

38

39

40

41

42

43

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on HB09-1157**

44

This Report Adopts the Rerevised Bill.

45

46

47

48

49

50

51

52

53

54

55

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB09-1157,
concerning the designation of N-benzylpiperazine as a schedule I
controlled substance, has met and reports that it has agreed upon the
following:

1 That the House accede to the Senate amendments made to the bill
2 and that the rerevised bill be adopted without change.

3
4 Respectfully submitted,

5 House Committee:
6 (signed)
7 Mark Waller
8 Jack Pommer
9

Senate Committee:
(signed)
Mike Kopp
Linda Newell
Mary Hodge

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15 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
16 **on HB09-1282**

17 This Report Amends the Rerevised Bill.

18

19 To the President of the Senate and the
20 Speaker of the House of Representatives:

21

22 Your first conference committee appointed on HB09-1282,
23 concerning the recycling of certain electronic devices, and, in connection
24 therewith, establishing a task force within the department of public health
25 and environment to make recommendations regarding the implementation
26 of electronic device recycling programs and making an appropriation, has
27 met and reports that it has agreed upon the following:

28

29 1. That the House accede to the Senate amendments made to the
30 bill, as the amendments appear in the rerevised bill, with the following
31 changes:

32

33 Amend rerevised bill, page 4, strike lines 4 through 8 and substitute the
34 following:

35

36 "(VI) THREE REPRESENTATIVES OF ELECTRONIC DEVICE
37 MANUFACTURERS, OF WHOM ONE SHALL REPRESENT COMPUTER
38 MANUFACTURERS, ONE SHALL REPRESENT SMALL ELECTRONIC DEVICE
39 MANUFACTURERS, AND ONE SHALL REPRESENT TELEVISION
40 MANUFACTURERS, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE
41 DEPARTMENT;"

42

43 strike lines 14 through 17 and substitute the following:

44

45 "(IX) FOUR MEMBERS OF THE GENERAL ASSEMBLY, OF WHOM TWO
46 SHALL BE SENATORS APPOINTED BY THE PRESIDENT OF THE SENATE, TWO
47 SHALL BE REPRESENTATIVES APPOINTED BY THE SPEAKER OF THE HOUSE
48 OF REPRESENTATIVES, AND NO MORE THAN THREE SHALL BE MEMBERS OF
49 THE SAME POLITICAL PARTY."

50

51 2. That, under the authority granted the committee to consider
52 matters not at issue between the two houses, the following amendment be
53 recommended:

54

55

1 Amend rerevised bill, page 3, line 9, strike "NINETEEN" and substitute
2 "SIXTEEN".
3

4 Respectfully submitted,

5 House Committee:
6 (signed)
7 Randy Fischer
8 Judy Solano
9 B. J. Nikkel

Senate Committee:
(signed)
Gail Schwartz
Joyce Foster
Ken Kester

10

11

12

13 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**

14 **on HB09-1342**

15 This Report Amends the Rerevised Bill.

16

17 To the President of the Senate and the
18 Speaker of the House of Representatives:
19

20 Your first conference committee appointed on HB09-1342,
21 concerning the elimination of the state sales and use tax exemption for
22 cigarettes, and making an appropriation in connection therewith, has met
23 and reports that it has agreed upon the following:
24

25 1. That the House accede to the Senate amendments made to the
26 bill, as the amendments appear in the rerevised bill.
27

28 2. That, under the authority granted the committee to consider
29 matters not at issue between the two houses, the following amendments
30 be recommended:
31

32 Amend rerevised bill, page 2, after line 14, insert the following:
33

34 "(c) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
35 CONTRARY, FOR ANY LOCAL GOVERNMENT OR POLITICAL SUBDIVISION OF
36 THE STATE THAT LEVIES A SALES OR USE TAX BASED ON THE SALES OR USE
37 TAX LEVIED BY THE STATE PURSUANT TO THIS ARTICLE, THE SALE OR
38 STORAGE, USE, OR CONSUMPTION OF CIGARETTES AFTER JUNE 30, 2009,
39 AND BEFORE JULY 1, 2011, SHALL BE EXEMPT FROM THE SALES OR USE TAX
40 OF SUCH LOCAL GOVERNMENT OR POLITICAL SUBDIVISION.
41

42 **SECTION 2.** 29-1-204.5 (3) (f.1) (I), Colorado Revised Statutes,
43 is amended to read:
44

45 **29-1-204.5. Establishment of multijurisdictional housing**
46 **authorities.** (3) The general powers of such authority shall include the
47 following powers:
48

49 (f.1) (I) Subject to the provisions of subsection (7.5) of this
50 section, to levy, in all of the area within the boundaries of the authority,
51 a sales or use tax, or both, at a rate not to exceed one percent, upon every
52 transaction or other incident with respect to which a sales or use tax is
53 levied by the state, EXCLUDING THE SALE OR USE OF CIGARETTES. The tax
54 imposed pursuant to this paragraph (f.1) is in addition to any other sales
55 or use tax imposed pursuant to law. The executive director of the
56 department of revenue shall collect, administer, and enforce the sales or

1 use tax, to the extent feasible, in the manner provided in section 29-2-106.
 2 However, the executive director shall not begin the collection,
 3 administration, and enforcement of a sales and use tax until such time as
 4 the financial officer of the authority and the executive director have
 5 agreed on all necessary matters pursuant to subparagraph (III) of
 6 paragraph (e) of subsection (2) of this section. The executive director
 7 shall begin the collection, administration, and enforcement of a sales and
 8 use tax on a date mutually agreeable to the department of revenue and the
 9 authority."

10

11 Renumber succeeding sections accordingly.

12

13 Page 5, line 2, after "SALE", insert "OR USE";

14

15 line 19, after "SALE", insert "OR USE".

16

17 Page 6, line 6, after "SALE", insert "OR USE";

18

19 line 23, after "SALE", insert "OR USE".

20

21 Page 10, after line 10, insert the following:

22

23 **"SECTION 16.** 43-4-605 (1) (j) (II), Colorado Revised Statutes,
 24 is amended to read:

25

26 **43-4-605. Powers of the authority - inclusion or exclusion of**
 27 **property - determination of regional transportation system alignment**
 28 **- fund created.** (1) (j) (II) A sales or use tax, or both, levied pursuant to
 29 subparagraph (I) of this paragraph (j) shall not be levied on the sale of
 30 tangible personal property:

31

32 (A) Delivered by a retailer or a retailer's agent or to a common
 33 carrier for delivery to a destination outside the authority; ~~or~~

34

35 (B) Upon which specific ownership tax has been paid or is
 36 payable if the purchaser resides outside the boundaries of the authority or
 37 the purchaser's principal place of business is outside the boundaries of the
 38 authority and if the personal property is registered or required to be
 39 registered outside the boundaries of the authority; OR

40

41 (C) WHERE SUCH TANGIBLE PERSONAL PROPERTY IS A
 42 CIGARETTE."

43

44 Renumber succeeding sections accordingly.

45

46 Page 10, line 26, after "sold", insert "or used".

47

48 Respectfully submitted,

49

House Committee:

Senate Committee:

50

(signed)

(signed)

51

Debbie Benefield

Betty Boyd

52

Daniel Kagan

Suzanne Williams

53

Don Marostica

Al White

54

55

56

1 **CONSENT GRANTED TO CONFERENCE COMMITTEE**

2
3 Representative King moved that the First Conference Committee on
4 **SB09-241** be granted permission to go beyond the scope of the difference
5 between the House and the Senate. The motion was passed by the
6 following roll call vote:

	YES	59	NO	4	EXCUSED	2	ABSENT	0
9 Acree	Y		Green	Y	McCann	Y	Roberts	Y
10 Apuan	Y		Hullingerhorst	Y	McFadyen	Y	Ryden	Y
11 Balmer	E		Judd	Y	McKinley	Y	Scanlan	Y
12 Baumgardner	Y		Kagan	Y	McNulty	Y	Schafer S.	Y
13 Benefield	N		Kefalas	Y	Merrifield	N	Solano	Y
14 Bradford	Y		Kerr A.	Y	Middleton	Y	Sonnenberg	Y
15 Casso	Y		Kerr J.	Y	Miklosi	Y	Soper	Y
16 Court	N		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	N	Tipton	Y
20 Frangas	Y		Liston	Y	Pommer	Y	Todd	E
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
25							Speaker	Y

26
27
28 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**

29
30 **HB09-1111** by Representative(s) Massey, Swalm; also Senator(s) Boyd
31 and Schwartz--Concerning measures to increase the
32 availability of health resources in designated areas in
33 Colorado, and, in connection therewith, creating the
34 primary care office in the prevention services division in
35 the department of public health and environment to
36 maximize state and federal programs that provide health
37 resources, and making an appropriation.

38
39 (Conference Committee Report printed in House Journal, May 6,
40 pages 1849-1850.)

41
42 On motion of Representative Massey, the Conference Committee Report
43 was **adopted** by the following roll call vote:

	YES	63	NO	0	EXCUSED	2	ABSENT	0
46 Acree	Y		Green	Y	McCann	Y	Roberts	Y
47 Apuan	Y		Hullingerhorst	Y	McFadyen	Y	Ryden	Y
48 Balmer	E		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	Frangas	Y	Liston	Y	Pommer	Y	Todd	E
2	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
3	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
4	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
5	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
6							Speaker	Y

7
8 The question being "Shall the bill, as amended, 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
11 bill, as amended, was declared **repassed**.

12	YES	63	NO	0	EXCUSED	2	ABSENT	0
13	Acree	Y	Green	Y	McCann	Y	Roberts	Y
14	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
15	Balmer	E	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	E
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 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Kefalas, Looper,
31 Priola, Ryden

32
33 **HB09-1137** by Representative(s) Judd; also Senator(s) Newell--
34 Concerning intercepts, and, in connection therewith,
35 intercepting gambling winnings to pay outstanding
36 Restitution, and requiring the department of revenue to
37 provide specified information to state agencies in
38 conjunction with intercepts of tax refunds, and making an
39 appropriation.
40

41 (Conference Committee Report printed in House Journal, May 6,
42 pages 1850-1851.)

43
44 On motion of Representative Judd, the Conference Committee Report
45 was **adopted** by the following roll call vote:

47	YES	41	NO	22	EXCUSED	2	ABSENT	0
48	Acree	N	Green	Y	McCann	Y	Roberts	N
49	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
50	Balmer	E	Judd	Y	McKinley	Y	Scanlan	Y
51	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
52	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
53	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
54	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
55	Court	Y	King S.	N	Murray	N	Stephens	N
56	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y

1	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
2	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
3	Frangas	Y	Liston	Y	Pommer	Y	Todd	E
4	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
5	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
6	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
7	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
8							Speaker	Y
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**.

	YES	37	NO	26	EXCUSED	2	ABSENT	0
16	Acree	N	Green	Y	McCann	Y	Roberts	N
17	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
18	Balmer	E	Judd	Y	McKinley	N	Scanlan	Y
19	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
20	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
21	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
22	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
23	Court	Y	King S.	N	Murray	N	Stephens	N
24	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
25	Ferrandino	Y	Lambert	N	Pace	N	Swalm	Y
26	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
27	Frangas	Y	Liston	N	Pommer	Y	Todd	E
28	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
29	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
30	Gardner C.	N	Massey	N	Rice	Y	Waller	N
31	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
32							Speaker	Y

33 Co-sponsor(s) added: Representative(s) Kefalas, Labuda

34
 35 **HB09-1157** by Representative(s) Waller, Baumgardner, Bradford,
 36 King S., Liston, Stephens; also Senator(s) Kopp, King K.,
 37 Scheffel--Concerning the designation of N-
 38 benzylpiperazine as a schedule I controlled substance.

39
 40 (Conference Committee Report printed in House Journal, May 6,
 41 pages 1851-1852.)

42
 43 Representative Waller, moved that the House adopt the Conference
 44 Committee Report. A substitute motion by Representative Ferrandino that
 45 the House **adhere** to its position was declared **lost** by the following roll
 46 call vote:

	YES	26	NO	38	EXCUSED	1	ABSENT	0
48	Acree	N	Green	Y	McCann	N	Roberts	N
49	Apuan	N	Hullinghorst	Y	McFadyen	Y	Ryden	Y
50	Balmer	N	Judd	Y	McKinley	Y	Scanlan	N
51	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
52	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
53	Bradford	N	Kerr A.	Y	Middleton	N	Sonnenberg	N
54	Casso	N	Kerr J.	N	Miklosi	Y	Soper	N
55	Court	N	King S.	N	Murray	N	Stephens	N
56	Curry	N	Labuda	Y	Nikkel	N	Summers	N

1	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
2	Fischer	Y	Levy	Y	Peniston	N	Tipton	N
3	Frangas	Y	Liston	N	Pommer	N	Todd	E
4	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
5	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
6	Gardner C.	N	Massey	N	Rice	N	Waller	N
7	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
8							Speaker	Y

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A second substitute motion by Representative Levy that the House reject the Conference Committee Report, discharge the First Conference Committee for **HB09-1157**, and that a Second Conference Committee be appointed was declared **lost** by the following roll call vote:

	YES	27	NO	37	EXCUSED	1	ABSENT	0
17	Acree	N	Green	Y	McCann	N	Roberts	N
18	Apuan	N	Hullinghorst	Y	McFadyen	Y	Ryden	Y
19	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
20	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
21	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
22	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
23	Casso	N	Kerr J.	N	Miklosi	Y	Soper	N
24	Court	N	King S.	N	Murray	N	Stephens	N
25	Curry	N	Labuda	Y	Nikkel	N	Summers	N
26	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
27	Fischer	Y	Levy	Y	Peniston	N	Tipton	N
28	Frangas	Y	Liston	N	Pommer	Y	Todd	E
29	Gagliardi	N	Looper	N	Primavera	Y	Vaad	N
30	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
31	Gardner C.	N	Massey	N	Rice	N	Waller	N
32	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
33							Speaker	Y

Representative Waller's motion that the Conference Committee Report be **adopted** was declared **passed** by the following roll call vote:

	YES	40	NO	24	EXCUSED	1	ABSENT	0
40	Acree	Y	Green	N	McCann	Y	Roberts	Y
41	Apuan	Y	Hullinghorst	N	McFadyen	N	Ryden	N
42	Balmer	Y	Judd	N	McKinley	N	Scanlan	Y
43	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	Y
44	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
45	Bradford	Y	Kerr A.	N	Middleton	Y	Sonnenberg	Y
46	Casso	Y	Kerr J.	Y	Miklosi	N	Soper	Y
47	Court	Y	King S.	Y	Murray	Y	Stephens	Y
48	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
49	Ferrandino	N	Lambert	Y	Pace	N	Swalm	Y
50	Fischer	N	Levy	N	Peniston	Y	Tipton	Y
51	Frangas	N	Liston	Y	Pommer	Y	Todd	E
52	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
53	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
54	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
55	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
56							Speaker	N

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	39	NO	25	EXCUSED	1	ABSENT	0
7	Acree	Y	Green	N	McCann	Y	Roberts	Y
8	Apuan	Y	Hullinghorst	N	McFadyen	Y	Ryden	N
9	Balmer	Y	Judd	N	McKinley	N	Scanlan	Y
10	Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	N
11	Benefield	N	Kefalas	N	Merrifield	N	Solano	N
12	Bradford	Y	Kerr A.	N	Middleton	Y	Sonnenberg	Y
13	Casso	Y	Kerr J.	Y	Miklosi	N	Soper	Y
14	Court	Y	King S.	Y	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	N	Peniston	Y	Tipton	Y
18	Frangas	N	Liston	Y	Pommer	Y	Todd	E
19	Gagliardi	N	Looper	Y	Primavera	N	Vaad	Y
20	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	N
21	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
22	Gerou	Y	May	Y	Riesberg	N	Weissmann	N
23							Speaker	N

24 Co-sponsor(s) added: Representative(s) Gardner B., Lambert, Murray

25
 26 **HB09-1282** by Representative(s) Fischer; also Senator(s) Schwartz,
 27 Hodge--Concerning the recycling of certain electronic
 28 devices, and, in connection therewith, establishing a task
 29 force within the department of public health and
 30 environment to make recommendations regarding the
 31 implementation of electronic device recycling programs
 32 and making an appropriation.

33
 34 (Conference Committee Report printed in House Journal, May 6,
 35 pages 1852-1853.)

36
 37 On motion of Representative Fischer, the Conference Committee Report
 38 was **adopted** by the following roll call vote:

	YES	52	NO	12	EXCUSED	1	ABSENT	0
40	Acree	N	Green	Y	McCann	Y	Roberts	Y
41	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
42	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
43	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
44	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
45	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
46	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
47	Court	Y	King S.	N	Murray	N	Stephens	N
48	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
49	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
50	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
51	Frangas	Y	Liston	Y	Pommer	Y	Todd	E
52	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
53	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
54	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
55	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
56							Speaker	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	46	NO	18	EXCUSED	1	ABSENT	0
7	Acree	N	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	N	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.	Y	Miklosi	Y	Soper	Y
14	Court	Y	King S.	N	Murray	N	Stephens	N
15	Curry	Y	Labuda	Y	Nikkel	Y	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	E
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	Y	May	N	Riesberg	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Hullinghorst, Labuda, Levy, Pace,
 25 Pommer

26
 27 **HB09-1342** by Representative(s) Benefield and Kagan, Ferrandino,
 28 Fischer, Gagliardi, Green, Hullinghorst, Judd, Kerr A.,
 29 Labuda, McCann, Merrifield, Middleton, Ryden, Scanlan,
 30 Todd; also Senator(s) Boyd and Williams, Bacon,
 31 Carroll M., Foster, Heath, Hudak, Morse, Newell, Romer,
 32 Schwartz, Shaffer B., Veiga--Concerning the elimination
 33 of the state sales and use tax exemption for cigarettes, and
 34 making an appropriation in connection therewith.

35
 36 (Conference Committee Report printed in House Journal, May 6,
 37 pages 1853-1854.)

38
 39 On motion of Representative Kagan, the Conference Committee Report
 40 was **adopted** by the following roll call vote:

	YES	39	NO	25	EXCUSED	1	ABSENT	0
43	Acree	N	Green	Y	McCann	Y	Roberts	N
44	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
45	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
46	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
47	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
48	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
49	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
50	Court	Y	King S.	N	Murray	N	Stephens	N
51	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
52	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
53	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
54	Frangas	Y	Liston	N	Pommer	Y	Todd	E
55	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
56	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y

1	Gardner C.	N	Massey	N	Rice	Y	Waller	N
2	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
3							Speaker	Y

4
5 The question being "Shall the bill, as amended, pass?".
6 A roll call vote was taken. As shown by the following recorded vote, a
7 majority of those elected to the House voted in the affirmative and the
8 bill, as amended, was declared **repassed**.

10	YES	37	NO	27	EXCUSED	1	ABSENT	0
11	Acree	N	Green	Y	McCann	Y	Roberts	N
12	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
13	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
14	Baumgardner	N	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	N
17	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
18	Court	Y	King S.	N	Murray	N	Stephens	N
19	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
20	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
21	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
22	Frangas	Y	Liston	N	Pommer	Y	Todd	E
23	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
24	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
25	Gardner C.	N	Massey	N	Rice	Y	Waller	N
26	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
27							Speaker	Y

28
29
30 House in recess. House reconvened.

31
32
33
34 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
35 **on SB09-241**

36
37 This Report Amends the Reengrossed Bill.

38
39 To the President of the Senate and the
40 Speaker of the House of Representatives:

41
42 Your first conference committee appointed on SB09-241,
43 concerning DNA testing of adults arrested for a felony, and making an
44 appropriation therefor, has met and reports that it has agreed upon the
45 following:

46
47 1. That the House recede from its amendments made to the bill,
48 as the amendments appear in the rerevised bill, and that the following
49 amendments be substituted therefor:

50
51 Amend reengrossed bill, page 2, line 25, strike "SEPTEMBER 1, 2009," and
52 substitute "SEPTEMBER 30, 2010,".

53
54 Page 3, line 7, strike "SEPTEMBER 1, 2009," and substitute "SEPTEMBER
55 30, 2010,";

56

1 line 8, strike "SEPTEMBER 1, 2009," and substitute "SEPTEMBER 30,
2 2010,";

3
4 line 13, strike "SEPTEMBER 1, 2009," and substitute "SEPTEMBER 30,
5 2010,";

6
7 line 22, strike "(2)" and substitute "(2) (a)".

8
9 Page 4, strike lines 19 through 24.

10
11 Page 5, line 7, strike "SYSTEM AND" and substitute "SYSTEM AFTER
12 RECEIVING CONFIRMATION FROM THE ARRESTING OR CHARGING AGENCY
13 THAT THE ADULT WAS CHARGED WITH A FELONY. IF THE COLORADO
14 BUREAU OF INVESTIGATION DOES NOT RECEIVE CONFIRMATION OF A
15 FELONY CHARGE WITHIN A YEAR AFTER RECEIVING THE SAMPLE FOR
16 TESTING, THE COLORADO BUREAU OF INVESTIGATION SHALL DESTROY THE
17 BIOLOGICAL SAMPLE AND ANY RESULTS FROM THE TESTING OF THE
18 SAMPLE. THE COLORADO BUREAU OF INVESTIGATION";

19
20 strike lines 11 through 27 and substitute the following:

21
22 **"16-23-105. Expungement.** (1) EXCEPT AS PROVIDED IN
23 SUBSECTION (7) OF THIS SECTION, A PERSON WHOSE BIOLOGICAL
24 SUBSTANCE SAMPLE IS COLLECTED PURSUANT TO SECTION 16-23-103
25 QUALIFIES FOR EXPUNGEMENT IF:

26
27 (a) IN THE CASE OF A SAMPLE COLLECTED BASED UPON THE FILING
28 OF A CHARGE OR BASED UPON A FINAL COURT ORDER, EACH FELONY
29 CHARGE STEMMING FROM THE CHARGES HAS, BY FINAL COURT ORDER,
30 BEEN DISMISSED, RESULTED IN AN ACQUITTAL, OR RESULTED IN A
31 CONVICTION FOR AN OFFENSE OTHER THAN A FELONY OFFENSE DESCRIBED
32 IN TITLE 18, C.R.S.;

33
34 (b) IN THE CASE OF A SAMPLE COLLECTED BASED UPON AN ARREST:

35
36 (I) A FELONY CHARGE WAS NOT FILED WITHIN NINETY DAYS AFTER
37 THE ARREST; OR

38
39 (II) EACH FELONY CHARGE STEMMING FROM THE ARREST HAS, BY
40 FINAL COURT ORDER, BEEN DISMISSED, RESULTED IN AN ACQUITTAL, OR
41 RESULTED IN A CONVICTION FOR AN OFFENSE OTHER THAN A FELONY
42 OFFENSE.

43
44 (2) A PERSON WHO QUALIFIES FOR EXPUNGEMENT UNDER
45 SUBSECTION (1) OF THIS SECTION MAY SUBMIT A WRITTEN REQUEST FOR
46 EXPUNGEMENT TO THE COLORADO BUREAU OF INVESTIGATION. THE
47 REQUEST SHALL INCLUDE THE ITEMS LISTED IN THIS SUBSECTION (2) AND
48 MAY INCLUDE ANY ADDITIONAL INFORMATION THAT MAY ASSIST THE
49 BUREAU IN LOCATING THE RECORDS OF ARREST OR CHARGES OR THE
50 BIOLOGICAL SUBSTANCE SAMPLE OR TESTING RESULTS. THE FOLLOWING
51 INFORMATION SHALL BE INCLUDED IN THE SUBMITTED REQUEST:

52
53 (a) THE PERSON'S NAME, DATE OF BIRTH, AND MAILING ADDRESS;

54
55 (b) THE NAME OF THE AGENCY THAT COLLECTED THE BIOLOGICAL
56 SUBSTANCE SAMPLE;

1 (c) THE DATE OF ARREST OR OTHER DATE WHEN THE SAMPLE WAS
2 TAKEN;

3
4 (d) WHETHER ANY CHARGES WERE FILED STEMMING FROM THE
5 ARREST FOR WHICH A BIOLOGICAL SUBSTANCE SAMPLE WAS COLLECTED,
6 THE IDENTITY OF THE COURT, AND THE CASE NUMBER OF EACH CASE IN
7 WHICH CHARGES WERE FILED; AND

8
9 (e) A DECLARATION THAT, TO THE BEST OF THE PERSON'S
10 KNOWLEDGE, HE OR SHE QUALIFIES FOR EXPUNGEMENT.

11
12 (3) UPON RECEIPT OF A REQUEST SATISFYING THE REQUIREMENTS
13 OF SUBSECTION (2) OF THIS SECTION, THE COLORADO BUREAU OF
14 INVESTIGATION SHALL PROMPTLY SUBMIT A WRITTEN INQUIRY TO THE
15 DISTRICT ATTORNEY IN THE JURISDICTION IN WHICH THE PERSON'S
16 BIOLOGICAL SUBSTANCE SAMPLE WAS COLLECTED CONCERNING THE
17 OUTCOME OF THE ARREST OR CHARGES.

18
19 (4) WITHIN NINETY DAYS AFTER RECEIVING THE REQUEST
20 SUBMITTED PURSUANT TO SUBSECTION (2) OF THIS SECTION, THE
21 COLORADO BUREAU OF INVESTIGATION SHALL DESTROY THE BIOLOGICAL
22 SUBSTANCE SAMPLE COLLECTED PURSUANT TO SECTION 16-23-103 AND
23 EXPUNGE THE RESULTS OF THE TESTING OF THE SAMPLE FROM THE
24 FEDERAL COMBINED DNA INDEX SYSTEM AND ANY STATE INDEX SYSTEM,
25 UNLESS THE BUREAU RECEIVES WRITTEN NOTIFICATION FROM THE
26 APPLICABLE DISTRICT ATTORNEY THAT THE PERSON DOES NOT QUALIFY
27 FOR EXPUNGEMENT AND THE REASONS THAT THE PERSON DOES NOT
28 QUALIFY.

29
30 (5) WITHIN THIRTY DAYS AFTER RECEIVING A NOTICE FROM A
31 DISTRICT ATTORNEY PURSUANT TO SUBSECTION (4) OF THIS SECTION, OR
32 AT THE END OF THE NINETY-DAY PERIOD IDENTIFIED IN SUBSECTION (4) OF
33 THIS SECTION, WHICHEVER IS EARLIER, THE COLORADO BUREAU OF
34 INVESTIGATION SHALL SEND NOTIFICATION BY FIRST CLASS MAIL TO THE
35 PERSON ARRESTED OR CHARGED, EITHER STATING THAT THE BUREAU HAS
36 DESTROYED THE BIOLOGICAL SUBSTANCE SAMPLE AND EXPUNGED THE
37 RESULTS OF THE TESTING OF THE SAMPLE OR STATING WHY THE BUREAU
38 HAS NOT DESTROYED THE SAMPLE AND EXPUNGED THE TEST RESULTS.

39
40 (6) A DATA BANK OR DATABASE MATCH SHALL NOT BE ADMITTED
41 AS EVIDENCE AGAINST A PERSON IN A CRIMINAL PROSECUTION AND SHALL
42 NOT BE USED AS A BASIS TO IDENTIFY A PERSON IF THE MATCH IS:

43
44 (a) DERIVED FROM A BIOLOGICAL SUBSTANCE SAMPLE THAT IS
45 REQUIRED TO BE DESTROYED OR EXPUNGED PURSUANT TO THIS SECTION;
46 AND

47
48 (b) OBTAINED AFTER THE REQUIRED DATE OF DESTRUCTION OR
49 EXPUNGEMENT.

50
51 (7) THIS SECTION SHALL NOT APPLY IF THE PERSON HAS BEEN
52 ARRESTED FOR, CHARGED WITH, OR CONVICTED OF SOME OTHER OFFENSE
53 ON THE BASIS OF WHICH A BIOLOGICAL SUBSTANCE SAMPLE WAS OR COULD
54 HAVE BEEN COLLECTED UNDER STATE STATUTE.

55
56 (8) FOR PURPOSES OF THIS SECTION, A COURT ORDER SHALL NOT BE

1 DEEMED FINAL IF TIME REMAINS FOR AN APPEAL OR APPLICATION FOR
2 DISCRETIONARY REVIEW WITH RESPECT TO THE ORDER."

3

4 Strike page 6.

5

6 Page 7, strike lines 1 through 24.

7

8 Page 9, line 8, strike "FIVE DOLLARS" and substitute "TWO DOLLARS AND
9 FIFTY CENTS";

10

11 line 19, strike "FIVE DOLLARS" and substitute "TWO DOLLARS AND FIFTY
12 CENTS";

13

14 line 27, strike "FIVE DOLLARS" and substitute "TWO DOLLARS AND FIFTY
15 CENTS".

16

17 Page 10, line 7, strike "FIVE DOLLARS" and substitute "TWO DOLLARS AND
18 FIFTY CENTS";

19

20 line 15, strike "FIVE DOLLARS" and substitute "TWO DOLLARS AND FIFTY
21 CENTS";

22

23 line 23, strike "FIVE DOLLARS" and substitute "TWO DOLLARS AND FIFTY
24 CENTS".

25

26 Page 11, line 11, strike "THROUGH" and substitute "TO".

27

28 Page 15, line 23, strike "~~to~~ THROUGH" and substitute "to".

29

30 Page 16, after line 27, insert the following:

31

32 **"SECTION 10.** 18-1-412, Colorado Revised Statutes, is amended
33 **BY THE ADDITION OF A NEW SUBSECTION** to read:

34

35 **18-1-412. Procedure for application for DNA testing -**
36 **appointment of counsel.** (9) UPON MOTION OF THE DEFENDANT OR HIS
37 OR HER COUNSEL, THE COURT SHALL ORDER A DATABASE SEARCH BY A
38 LAW ENFORCEMENT AGENCY IF THE COURT DETERMINES THAT A
39 REASONABLE PROBABILITY EXISTS THAT THE DATABASE SEARCH WILL
40 PRODUCE EXCULPATORY OR MITIGATING EVIDENCE RELEVANT TO A CLAIM
41 OF WRONGFUL CONVICTION OR SENTENCING. DNA PROFILES MUST MEET
42 CURRENT NATIONAL DNA DATABASE INDEX SYSTEM ELIGIBILITY
43 STANDARDS AND CONFORM TO CURRENT FEDERAL BUREAU OF
44 INVESTIGATION QUALITY ASSURANCE STANDARDS IN ORDER TO BE
45 ELIGIBLE FOR SEARCH AGAINST THE STATE INDEX SYSTEM."

46

47 Renumber succeeding sections accordingly.

48

49 Page 17, line 9, strike "12" and substitute "14".

50

51 2. That, under the authority granted the committee to consider
52 matters not at issue between the two houses, the following amendments
53 be recommended:

54

55 Page 4, after line 1, insert the following:

56

1 "(b) WHEN AN ACTION OCCURS THAT QUALIFIES AN ADULT FOR
 2 EXPUNGEMENT PURSUANT TO SECTION 16-23-105 (1), THE COURT OR
 3 DISTRICT ATTORNEY SHALL ADVISE THE ADULT THAT THE ADULT MAY
 4 MAKE A REQUEST TO THE COLORADO BUREAU OF INVESTIGATION TO HAVE
 5 THE BIOLOGICAL SUBSTANCE SAMPLE COLLECTED PURSUANT TO SECTION
 6 16-23-103 DESTROYED AND RESULTS OF THE TESTING OF THE SAMPLE
 7 EXPUNGED FROM THE FEDERAL COMBINED DNA INDEX SYSTEM AND ANY
 8 STATE INDEX SYSTEM PURSUANT TO THE PROCESS DESCRIBED IN SECTION
 9 16-23-105.";

10
 11

Page 8, after line 18, insert the following:

12
 13

"SECTION 4. 24-33.5-104.5 (3), Colorado Revised Statutes, is amended to read:

14
 15

24-33.5-104.5. Powers of executive director - DNA evidence issues - working group. (3) (a) After completing the report required in subsection (2) of this section, the working group shall convene to make recommendations to the general assembly for legislation addressing the issues of DNA evidence retention and storage. The recommendations shall include, but need not be limited to, standardized timelines for retention of reasonable and relevant DNA evidence, provision of storage facilities, and best practices for evidence collection and storage. The working group shall make its recommendations by December 1, 2010.

16
 17

(b) THE WORKING GROUP SHALL CONVENE TO DISCUSS AND MAKE RECOMMENDATIONS REGARDING THE APPROPRIATENESS AND IMPLEMENTATION OF SENATE BILL 09-241. PRIOR TO JANUARY 12, 2010, THE WORKING GROUP SHALL PROVIDE A REPORT TO THE GENERAL ASSEMBLY REGARDING ITS DISCUSSION AND RECOMMENDATIONS REGARDING THE APPROPRIATENESS AND IMPLEMENTATION OF SENATE BILL 09-241. THE REPORT MAY INCLUDE BOTH A MAJORITY AND MINORITY REPORT."

18
 19

Renumber succeeding sections accordingly.

20
 21

Page 17, line 8, strike "implementation" and substitute "preparation for implementation and implementation".

22
 23

Respectfully submitted,

24
 25

Senate Committee:
 (signed)
 John P. Morse
 Linda Newell
 Josh Penry

House Committee:
 (signed)
 Steve King
 Claire Levy
 Sal Pace

26
 27

CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)

28
 29

SB09-241 by Senator(s) Morse; also Representative(s) King S. and Tipton--Concerning DNA testing of adults arrested for a felony, and making an appropriation therefor.

30
 31

(Conference Committee Report printed in House Journal, May 6, pages 1861-1865.)

32
 33

1 On motion of Representative King S., the Conference Committee Report
2 was **adopted** by the following roll call vote:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
5 Acree	Y	Green	Y	McCann	Y	Roberts	Y	
6 Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y	
7 Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y	
8 Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y	
9 Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y	
10 Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y	
11 Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y	
12 Court	Y	King S.	Y	Murray	Y	Stephens	Y	
13 Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y	
14 Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y	
15 Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y	
16 Frangas	Y	Liston	Y	Pommer	Y	Todd	E	
17 Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y	
18 Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y	
19 Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y	
20 Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y	
21						Speaker	Y	

22
23 The question being "Shall the bill, as amended, pass?".
24 A roll call vote was taken. As shown by the following recorded vote, a
25 majority of those elected to the House voted in the affirmative and the
26 bill, as amended, was declared **repassed**.

	YES	52	NO	12	EXCUSED	1	ABSENT	0
29 Acree	Y	Green	Y	McCann	Y	Roberts	Y	
30 Apuan	Y	Hullinghorst	N	McFadyen	N	Ryden	Y	
31 Balmer	Y	Judd	N	McKinley	N	Scanlan	Y	
32 Baumgardner	Y	Kagan	N	McNulty	Y	Schafer S.	Y	
33 Benefield	N	Kefalas	Y	Merrifield	Y	Solano	Y	
34 Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y	
35 Casso	Y	Kerr J.	Y	Miklosi	N	Soper	Y	
36 Court	Y	King S.	Y	Murray	Y	Stephens	Y	
37 Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y	
38 Ferrandino	Y	Lambert	Y	Pace	N	Swalm	Y	
39 Fischer	Y	Levy	N	Peniston	Y	Tipton	Y	
40 Frangas	Y	Liston	Y	Pommer	Y	Todd	E	
41 Gagliardi	Y	Looper	Y	Primavera	Y	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	Y	Weissmann	N	
45						Speaker	N	

46 Co-sponsor(s) added: Representative(s) Acree, Bradford, Casso, Curry,
47 Gardner B., Kerr J., Lambert, Peniston, Priola, Scanlan

51 SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

52
53 The Speaker has signed: **HB09-1250, 1303, 1311; SJM09-003;**
54 **SJR09-034, 040, 047, 054, 055, 057, 058.**

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56

DELIVERY OF BILLS TO GOVERNOR

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The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB09-1205, 1248,1313, 1339** at 1:00 p.m. on May 6, 2009.

MESSAGE(S) FROM THE SENATE

The Senate has adopted the First Report of the First Conference Committee on HB09-1274, as printed in Senate Journal, May 6, 2009, and failed to repass the bill as amended. The bill is returned herewith.

The Senate has adopted and transmits herewith: HJR09-1028.

House in recess. House reconvened.

MESSAGE(S) FROM THE SENATE

The Senate has adopted the First Report of the Second Conference Committee on HB09-1163, as printed in Senate Journal, May 6, 2009, and repassed the bill as amended. The bill is returned herewith.

The Senate has adopted the First Report of the First Conference Committee on HB09-1094, as printed in Senate Journal, May 6, 2009, and repassed the bill as amended. The bill is returned herewith.

The Senate voted to concur in House amendments to SB09-285, SB09-286, and repassed the bills as so amended.

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on HB09-1094**

This Report Amends the Rerevised Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB09-1094, concerning wireless telephone prohibitions for drivers, and making an appropriation in connection therewith, has met and reports that it has agreed upon the following:

1. That the House accede to the Senate amendments made to the bill, as the amendments appear in the rerevised bill, with the following changes:

Amend rerevised bill, page 3, line 9, strike "EIGHTEEN" and substitute "UNDER EIGHTEEN";

- 1 line 10, strike "OR YOUNGER";
2
3 line 11, strike "FOR THE PURPOSE OF ENGAGING IN TEXT MESSAGING";
4
5 line 12, strike "OR OTHER FORMS OF MANUAL DATA ENTRY OR
6 TRANSMISSION";
7
8 line 13, strike "vehicle" and substitute "vehicle."
9
10 line 14, strike "WHILE THE VEHICLE IS IN";
11
12 strike line 15;
13
14 after line 18, insert the following:
15
16 "(3) A PERSON EIGHTEEN YEARS OF AGE OR OLDER SHALL NOT USE
17 A WIRELESS TELEPHONE FOR THE PURPOSE OF ENGAGING IN TEXT
18 MESSAGING OR OTHER SIMILAR FORMS OF MANUAL DATA ENTRY OR
19 TRANSMISSION WHILE OPERATING A MOTOR VEHICLE."
20
21 Renumber succeeding subsections accordingly.
22
23 Page 3, line 19, after "(2)", insert "OR (3)";
24
25 line 24, after "(2)", insert "OR (3)";
26
27 line 27, after "(2)", insert "OR (3)".
28
29 Page 4, strike lines 4 through 8.
30
31 Renumber succeeding subsections accordingly.
32
33 Page 5, line 21, strike "(4)" and substitute "(5)";
34
35 line 22, strike "(4)" and substitute "(5)";
36
37 strike lines 24 through 27.
38
39 Page 6, strike lines 1 through 23.
40
41 Renumber succeeding sections accordingly.
42
43 Page 1, line 101, strike "**DRIVERS, AND**" and substitute "**DRIVERS.**";
44
45 strike line 102.
46
47 2. That, under the authority granted the committee to consider
48 matters not at issue between the two houses, the following amendments
49 be recommended:
50
51 Amend rerevised bill, page 2, line 19, strike ""HANDS-FREE ACCESSORY"
52 MEANS A" and substitute ""OPERATING A MOTOR VEHICLE" MEANS
53 DRIVING A MOTOR VEHICLE ON A PUBLIC HIGHWAY, BUT "OPERATING A
54 MOTOR VEHICLE" SHALL NOT MEAN MAINTAINING THE INSTRUMENTS OF
55 CONTROL WHILE THE MOTOR VEHICLE IS AT REST IN A SHOULDER LANE OR
56 LAWFULLY PARKED.";

1 strike lines 20 through 26.

2

3 Reletter succeeding paragraphs accordingly.

4

5 Page 3, line 3, after "OTHER", insert "SIMILAR".

6

7 Page 4, strike lines 9 through 14 and substitute the following:

8

9 ~~"(4) (5) (a) An operator of a motor vehicle shall not be cited for~~
10 ~~a violation of subsection (2) of this section unless such operator was~~
11 ~~stopped by~~ THE OPERATOR WAS UNDER EIGHTEEN YEARS OF AGE AND a
12 law enforcement officer ~~for an alleged violation of articles 1 to 4 of this~~
13 ~~title other than a violation of this section~~ SAW THE OPERATOR USE, AS
14 DEFINED IN PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION, A
15 WIRELESS TELEPHONE.

16

17 (b) AN OPERATOR OF A MOTOR VEHICLE SHALL NOT BE CITED FOR
18 A VIOLATION OF SUBSECTION (3) OF THIS SECTION UNLESS THE OPERATOR
19 WAS EIGHTEEN YEARS OF AGE OR OLDER AND A LAW ENFORCEMENT
20 OFFICER SAW THE OPERATOR USE A WIRELESS TELEPHONE FOR THE
21 PURPOSE OF ENGAGING IN TEXT MESSAGING OR OTHER SIMILAR FORMS OF
22 MANUAL DATA ENTRY OR TRANSMISSION."

23

24 Respectfully submitted,

25

House Committee:

26

(signed)

27

Claire Levy

28

Randy Fischer

29

Frank McNulty

30

31

32

33

34

35

**FIRST REPORT OF SECOND CONFERENCE COMMITTEE
on HB09-1163**

36

37

38

This Report Amends the Rerevised Bill.

39

40

41

To the President of the Senate and the
Speaker of the House of Representatives:

42

43

44

Your second conference committee appointed on HB09-1163,
concerning crimes in which the victim is a child, has met and reports that
it has agreed upon the following:

45

46

47

48

That the House accede to the Senate amendments made to the bill,
as the amendments appear in the rerevised bill, with the following
changes:

49

50

51

Amend rerevised bill, page 6, strike lines 7 through 27.

52

53

Strike pages 7 through 10.

54

55

1 Page 11, strike lines 1 through 7.
 2
 3 Renumber succeeding sections accordingly.
 4
 5 Respectfully submitted,
 6 House Committee: Senate Committee:
 7 (signed) (signed)
 8 Andy Kerr Jennifer Veiga
 9 Claire Levy Chris Romer

10
 11
 12 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**
 13

14 **HB09-1094** by Representative(s) Levy, Fischer, Hulinghorst, Kefalas;
 15 also Senator(s) Bacon--Concerning wireless telephone
 16 prohibitions for drivers, and making an appropriation in
 17 connection therewith.
 18

19 (Conference Committee Report printed in House Journal, May 6,
 20 pages 1867-1869.)
 21

22 On motion of Representative Levy, the Conference Committee Report
 23 was **adopted** by the following roll call vote:
 24

	YES	61	NO	3	EXCUSED	1	ABSENT	0
26	Acree	Y	Green	Y	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	N	Merrifield	Y	Solano	Y
31	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
32	Casso	N	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	Y	Pommer	Y	Todd	E
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	N	Weissmann	Y
42							Speaker	Y

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**.

	YES	50	NO	14	EXCUSED	1	ABSENT	0
49	Acree	Y	Green	Y	McCann	Y	Roberts	N
50	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
51	Balmer	Y	Judd	Y	McKinley	N	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	N	Kerr J.	N	Miklosi	Y	Soper	Y
56	Court	Y	King S.	Y	Murray	Y	Stephens	Y

1	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
2	Ferrandino	Y	Lambert	N	Pace	N	Swalm	Y
3	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
4	Frangas	Y	Liston	Y	Pommer	Y	Todd	E
5	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
6	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	N
7	Gardner C.	N	Massey	N	Rice	Y	Waller	Y
8	Gerou	Y	May	Y	Riesberg	N	Weissmann	Y
9							Speaker	N

10 Representative Kefalas requested his name be removed as sponsor.

11 Co-sponsor(s) added: Representative(s) Bradford, King S., Merrifield

12
 13 **HB09-1163** by Representative(s) Gardner C., Baumgardner, Bradford,
 14 King S., Looper, May, McNulty, Murray, Scanlan,
 15 Summers, Tipton, Todd, Vaad; also Senator(s) Romer,
 16 Spence, Brophy, Harvey--Concerning crimes in which the
 17 victim is a child.

18
 19 (First Report of the Second Conference Committee printed in House
 20 Journal, May 6, pages 1869-1870.)

21
 22 On motion of Representative Levy, the Conference Committee Report
 23 was **adopted** by the following roll call vote:

25	YES	35	NO	28	EXCUSED	2	ABSENT	0
26	Acree	N	Green	Y	McCann	Y	Roberts	Y
27	Apuan	N	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	N	Kerr J.	N	Miklosi	N	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	Y	Todd	E
38	Gagliardi	E	Looper	N	Primavera	Y	Vaad	N
39	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
40	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
41	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
42							Speaker	Y

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	63	NO	0	EXCUSED	2	ABSENT	0
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	Y
55	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
56	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	E
5	Gagliardi	E	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) Apuan, Kerr A., Kerr J., Labuda,
11 Massey, Pace, Rice

14 MESSAGE(S) FROM THE SENATE

15
16 The Senate voted to reject House amendments to SB09-295 and to adhere
17 to its position. The bill is returned herewith.

18
19 The Senate has adopted HJR09-1022, HJR09-1024, HJR09-1023,
20 HJR09-1027, HJR09-1025, and returns the resolutions herewith.

21
22
23 The Senate has adopted the First Report of the First Conference
24 Committee on SB09-241, as printed in Senate Journal, May 6, 2009, and
25 repassed the bill as amended.

26
27 The Senate has adopted and returns herewith: HJR09-1017, HJR09-1018.

28
29 The Senate has adopted and returns herewith:
30 HJR09-1026 amended as printed in Senate Journal, May 6.

31
32 The Senate has adopted and transmits herewith: SJR09-059; SJM09-006.

36 CONSIDERATION OF SENATE AMENDMENTS TO 37 HOUSE RESOLUTION

38
39 **HJR09-1026** by Representative(s) Acree, Todd, Kerr J.; also Senator(s)
40 Newell--Concerning the creation of an interim committee
41 to address the home- and community-based services
42 waivers waiting list for children with developmental
43 disabilities.

44
45 (Printed and placed in members' file.)

46
47 (Amended, as printed in Senate Journal, May 6.)

48
49 Representative Acree moved that the House **concur** in Senate
50 amendments. The motion was declared **passed** by **viva voce** vote.

51
52 The question being, "Shall the resolution, as amended, pass?"

53 The resolution, as amended, was declared **repassed** by **viva voce** vote.

54
55 Co-sponsor(s) added: Representative(s) Massey

56

CONSIDERATION OF RESOLUTION(S)

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HJR09-1029 by Representative(s) Weissmann and Kerr A., Carroll T., May; also Senator(s) Shaffer B., Groff, Penry--Concerning the adjournment sine die of the First Regular Session of the Sixty-seventh General Assembly.

(Printed and placed in members file)

On motion of Representative Weissmann, the resolution was adopted by **viva voce** vote.

Co-sponsor(s) added: Representative(s) Acree, Apuan, Baumgardner, Bradford, Casso, Court, Curry, Ferrandino, Gardner B., Gerou, Green, Hulinghorst, Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, Marostica, Massey, McCann, McFadyen, McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Primavera, Priola, Roberts, Scanlan, Solano, Soper, Stephens, Summers, Swalm, Tipton, Vaad, Vigil, Waller

House in recess. House reconvened.

REPORT OF SINE DIE COMMITTEE

The Committee appointed pursuant to SJR09-058 reported that they had notified Governor Ritter that the First Regular Session of the 67th General Assembly was ready to adjourn sine die.

The hour of 6:50 p.m., having arrived, and both the House of Representatives and the Senate being in agreement, on motion of Representative Weissmann, the 67th Regular Session of the First General Assembly was declared adjourned sine die.

The following items did not receive final action in the House:

- Consideration of Adherence--**SB09-295**.
- Consideration of Resolution--**SJR09-059**.
- Consideration of Memorial--**SJM09-006**.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

ADDENDUM

(As authorized by Section 26, Article V of
the Constitution of the State of Colorado.)

MESSAGE(S) FROM THE SENATE

1
2
3 The Senate has adopted and returns herewith: HJR09-1029.
4 The Senate failed to concur in House Amendments on SJR09-039. The
5 resolution is deemed lost.
6 The Senate has adjourned sine die.
7
8
9

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

10
11
12 The Speaker has signed: **HB09-1010, 1015, 1017, 1020, 1022, 1026,**
13 **1035, 1036, 1039, 1043, 1047, 1056, 1057, 1064, 1065, 1067, 1073,**
14 **1076, 1081, 1085, 1086, 1094, 1100, 1105, 1111, 1120, 1123, 1126,**
15 **1129, 1132, 1133, 1136, 1137, 1150, 1157, 1160, 1163, 1170, 1173,**
16 **1180, 1183, 1196, 1199, 1202, 1204, 1242, 1243, 1244, 1246, 1252,**
17 **1266, 1267, 1275, 1280, 1281, 1282, 1287, 1288, 1289, 1291, 1298,**
18 **1305, 1307, 1310, 1312, 1315, 1316, 1317, 1318, 1319, 1320, 1321,**
19 **1322, 1325, 1326, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336,**
20 **1337, 1338, 1341, 1342, 1343, 1345, 1346, 1347, 1348, 1349, 1351,**
21 **1353, 1357, 1359, 1360, 1363, 1364, 1365, 1366, 1367; HCR09-1003;**
22 **HJR09-1014, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024,**
23 **1025, 1026, 1027, 1028, 1029; HM09-1002, 1003, 1004, 1005;**
24 **SB09-003, 006, 013, 021, 024, 026, 037, 043, 052, 067, 068, 075, 085,**
25 **087, 089, 090, 093, 094, 099, 101, 110, 118, 121, 123, 124, 125, 128,**
26 **133, 135, 138, 148, 154, 158, 161, 162, 163, 164, 167, 173, 174, 180,**
27 **219, 223, 226, 228, 232, 234, 235, 239, 241, 244, 245, 247, 256, 257,**
28 **269, 271, 276, 279, 281, 282, 283, 284, 285, 286, 287, 289, 290, 291,**
29 **292, 293, 294, 297; SJR09-044, 056.**
30
31

DELIVERY OF BILLS TO GOVERNOR

32
33
34 The Chief Clerk of the House of Representatives reports the following
35 bills have been delivered to the Office of the Governor:
36
37 **HB09-1250, 1303, 1311** at 2:50 p.m. on May 7, 2009.
38 **HB09-1119, 1290, 1334** at 12:36 p.m. on May 11, 2009.
39 **HB09-1035, 1039, 1076, 1111, 1126, 1170, 1173, 1275, 1280, 1310,**
40 **1312, 1318, 1341** at 3:00 p.m. on May 11, 2009.
41 **HB09-1015, 1017, 1056, 1057, 1085, 1160, 1242, 1252, 1326** at
42 1:30 p.m. on May 14, 2009.

- 1 **HB09-1335, 1336, 1337, 1359** at 9:00 a.m. on May 15, 2009.
 2 **HB09-1026, 1036, 1064, 1100, 1105, 1120, 1136, 1180, 1281, 1287,**
 3 **1291, 1315, 1316, 1325, 1349** at 9:40 a.m. on May 15, 2009.
 4 **HB09-1010, 1020, 1022, 1043, 1047, 1065, 1067, 1073, 1081, 1086,**
 5 **1094, 1123, 1129, 1133, 1137, 1150, 1196, 1243, 1244, 1289,**
 6 **1298, 1305, 1307, 1317, 1322, 1329, 1331, 1332, 1365, 1367** at
 7 8:22 a.m. on May 19, 2009.
 8 **HB09-1199, 1202, 1282, 1319, 1346** at 2:10 p.m. on May 20, 2009.
 9 **HB09-1132, 1246, 1266, 1288, 1320, 1333, 1345, 1347, 1360, 1364** at
 10 10:30 a.m. on May 21, 2009.
 11 **HB09-1157, 1204, 1267, 1321, 1330, 1343, 1348, 1351, 1353, 1366** at
 12 11:02 a.m. on May 26, 2009.
 13 **HB09-1163, 1338, 1342, 1357, 1363** at 3:45 p.m. on May 27, 2009.
 14 **HB09-1183** at 2:20 p.m. on May 29, 2009.

15
16
17
18 **MESSAGE(S) FROM THE GOVERNOR**
19

20 I certify I received the following on the 13th day of May, 2009, at
 21 10:30 a.m. The original is on file in the records of the House of
 22 Representatives of the General Assembly.
 23

24
25 Marilyn Eddins,
26 Chief Clerk of the House

27
28 May 11, 2009

29 To the Honorable
 30 House of Representatives
 31 Sixty-seventh General Assembly
 32 First Regular Session
 33 State Capitol
 34 Denver, CO 80203

35 Ladies and Gentlemen:
 36

37 I have the honor to inform you that I have approved and filed with
 38 the Secretary of State the following Acts:
 39

40 **HB09-1058** CONCERNING THE FINAL DISPOSITION OF THE REMAINS
 41 OF VETERANS OF THE ARMED FORCES THAT HAVE BEEN
 42 ABANDONED.
 43

44 Approved May 11, 2009 at 6:05 p.m.
 45

46 **HB09-1250** CONCERNING INCREASING THE ALLOCATION TO PUBLIC
 47 SCHOOLS OF FEDERAL MONEYS RECEIVED BY THE STATE
 48 ON BEHALF OF CERTAIN COUNTIES PURSUANT TO THE
 49 ACT OF CONGRESS OF MAY 23, 1908, AS AMENDED,
 50 RELATING TO RECEIPTS FROM NATIONAL FORESTS.
 51

52 Approved May 11, 2009 at 6:00 p.m.
 53

54 **HB09-1290** CONCERNING INCREASING THE MAXIMUM AMOUNT OF
 55 MONEY THAT THE COLORADO COMMISSION ON HIGHER
 56 EDUCATION MAY ALLOCATE FOR THE PURPOSE OF

1 PROVIDING TUITION ASSISTANCE TO MEMBERS OF THE
2 NATIONAL GUARD, AND MAKING AN APPROPRIATION
3 THEREFOR.

4
5 Approved May 11, 2009 at 6:09 p.m.

6
7 **HB09-1313** CONCERNING EXPANDING CIVIC ENGAGEMENT OPTIONS
8 THROUGH STUDENT-DIRECTED PROGRAMS AT
9 INSTITUTIONS OF HIGHER EDUCATION.

10
11 Approved May 11, 2009 at 6:12 p.m.

12
13 **HB09-1334** CONCERNING THE AGGREGATION OF MULTIPLE
14 OFFENSES INVOLVING THEFT-TYPE CRIMES INTO A
15 SINGLE OFFENSE.

16
17 Approved May 11, 2009 at 6:14 p.m.

18
19 Sincerely,
20 (signed)
21 Bill Ritter, Jr.
22 Governor

23 _____

24
25
26 I certify I received the following on the 21st day of May, 2009, at
27 9:27 a.m. The original is on file in the records of the House of
28 Representatives of the General Assembly.

29
30 Marilyn Eddins,
31 Chief Clerk of the House

32 May 19, 2009

33
34 To the Honorable
35 House of Representatives
36 Sixty-seventh General Assembly
37 First Regular Session
38 State Capitol
39 Denver, CO 80203

40
41 Ladies and Gentlemen:

42
43 I have the honor to inform you that I have approved and filed with
44 the Secretary of State the following Acts:

45
46 **HB09-1015** CONCERNING CERTAIN ACTIONS TAKEN BY THE
47 DESIGNATED ELECTION OFFICIAL IN CONDUCTING
48 PRIMARY ELECTIONS, AND MAKING AN APPROPRIATION
49 THEREFOR.

50
51 Approved May 15, 2009 at 3:31 p.m.

52
53 **HB09-1126** CONCERNING INCENTIVES FOR THE DEVELOPMENT OF
54 SOLAR THERMAL ENERGY SYSTEMS.

55
56 Approved May 15, 2009 at 10:13 a.m.

1 **HB09-1160** CONCERNING THE ABILITY OF A QUALIFIED ELECTOR TO
 2 SUBMIT VOTER INFORMATION VIA THE SECURE WEB SITE
 3 OF THE SECRETARY OF STATE, AND MAKING AN
 4 APPROPRIATION THEREFOR.

5
 6 Approved May 15, 2009 at 3:36 p.m.

7
 8 **HB09-1312** CONCERNING THE RENEWABLE ENERGY AND ENERGY
 9 EFFICIENCY FOR SCHOOLS LOAN PROGRAM.

10
 11 Approved May 15, 2009 at 10:04 a.m.

12
 13 **HB09-1326** CONCERNING THE INTEGRITY OF THE STATEWIDE
 14 CITIZEN-INITIATED PETITION PROCESS AND MAKING AN
 15 APPROPRIATION THEREFOR.

16
 17 Approved May 15, 2009 at 2:02 p.m.

18
 19 **HB09-1335** CONCERNING REQUIREMENTS FOR VOTING EQUIPMENT.

20
 21 Approved May 15, 2009 at 3:32 p.m.

22
 23 **HB09-1336** CONCERNING THE IMPLEMENTATION OF SPECIFIC
 24 RECOMMENDATIONS OF THE STATE ELECTION REFORM
 25 COMMISSION.

26
 27 Approved May 15, 2009 at 3:34 p.m.

28
 29 **HB09-1337** CONCERNING CHANGES TO CERTAIN BALLOT
 30 PROCESSING DEADLINES CONTAINED IN THE STATE
 31 ELECTION CODE.

32
 33 Approved May 15, 2009 at 3:35 p.m.

34
 35 **HB09-1359** CONCERNING THE GOVERNANCE OF COMMON INTEREST
 36 COMMUNITIES UNDER THE "COLORADO COMMON
 37 INTEREST OWNERSHIP ACT".

38
 39 Approved May 15, 2009 at 10:17 a.m.

40
 41 Sincerely,
 42 (signed)
 43 Bill Ritter, Jr.
 44 Governor

45 _____

46
 47 May 14, 2009

48
 49 To the Honorable
 50 House of Representatives
 51 Sixty-seventh General Assembly
 52 First Regular Session
 53 State Capitol
 54 Denver, CO 80203

55
 56 Ladies and Gentlemen:

1 I have the honor to inform you that I have approved and filed with
2 the Secretary of State the following Acts:

3
4 **HB09-1217** CONCERNING THE CREATION OF LOCAL IMPROVEMENT
5 DISTRICTS FOR THE PURPOSE OF IMPROVING PUBLIC
6 UTILITIES.

7
8 Approved May 14, 2009 at 5:59 p.m.

9
10 **HB09-1248** CONCERNING THE MODIFICATION OF LAWS APPLICABLE
11 TO THE CONDUCT OF BUSINESS IN COLORADO, AND, IN
12 CONNECTION THEREWITH, MODIFYING THE
13 REQUIREMENTS OF TITLE 7 OF THE COLORADO REVISED
14 STATUTES APPLICABLE TO DOCUMENTS FILED WITH THE
15 SECRETARY OF STATE, PARTNERSHIP LAW, AND THE
16 REQUIREMENTS FOR BOARDS OF DIRECTORS OF
17 NONPROFIT CORPORATIONS TO TAKE ACTION WITHOUT
18 A MEETING, AND MAKING AN APPROPRIATION.

19
20 Approved May 14, 2009 at 6:00 p.m.

21
22 Sincerely,
23 (signed)
24 Bill Ritter, Jr.
25 Governor

26
27
28 May 15, 2009

29
30 Honorable Colorado House of Representatives
31 67th General Assembly
32 First Regular Session
33 State Capitol
34 Denver, CO 80203

35
36 Ladies and Gentlemen,

37
38 I am filing with the Secretary of State House Bill 09-1180, "Concerning
39 allowing valid Colorado concealed handgun permits to satisfy
40 background check requirements for transfers of firearms." I vetoed this
41 bill as of 1:47 p.m., and this letter sets forth my reasons for doing so.

42
43 House Bill 09-1180 would exempt a firearm purchaser from the criminal
44 background check requirement upon the presentation of a concealed
45 handgun permit and one other piece of identification. Current law
46 requires each person who desires to purchase a firearm to undergo a
47 criminal background check. Under current law, a person is denied the
48 privilege of purchasing a firearm if he or she fails a criminal background
49 check. The circumstances that will result in a failure of a criminal
50 background check include, but are not limited to: conviction of burglary,
51 arson, or any felony involving the use of force or the use of a deadly
52 weapon; conviction of a crime punishable by imprisonment for a term
53 exceeding one year; conviction of a misdemeanor crime of domestic
54 violence; being adjudicated mentally ill or committed to a mental
55 institution; being dishonorably discharged from the Armed Forces; and
56 being subject to a court order that restrains a person from harassing,

1 stalking, threatening, or engaging in other conduct that would place an
2 intimate partner or the partner's child in reasonable fear of bodily injury,
3 if the court order was entered after a hearing meeting certain procedural
4 conditions. *See* C.R.S. § 24-33.5-424(3)(a); 18 U.S.C. § 922(g).

5
6 In addition, a person is barred from purchasing a firearm if he or she has
7 been arrested for, charged with, or indicted of any crime that, if
8 convicted, would be a bar to the purchase of a firearm. *See* C.R.S. § 24-
9 33.5-424(3)(b); 18 U.S.C. § 922(n). Such an
10 arrest, charge, or indictment is a bar so long as there has been no final
11 disposition of the case or the final disposition is not noted in a criminal
12 database. *Id.*

13
14 There are numerous troubling aspects to this bill. First, this bill contains
15 inadequate safeguards to ensure that those who should not be able to
16 purchase a firearm promptly surrender their concealed handgun permits
17 upon the occurrence of a disqualifying event, such as an arrest for a
18 violent felony or the entry of a protective order for harassing or stalking
19 a spouse. Although current law requires a sheriff to revoke a permit if
20 the permittee is no longer qualified to purchase a firearm and section 5
21 of the bill requires a sheriff to confiscate a concealed handgun permit
22 upon revocation, there is nothing in the bill that assures that revocation
23 will take place promptly upon a disqualifying event. *See* C.R.S. § 18-12-
24 203(3)(a)-(c). This is because House Bill 09-1180 does nothing to help
25 assure that a sheriff who issued a concealed handgun permit is promptly
26 notified of a disqualifying event. In short, it is easily foreseeable that a
27 potential purchaser will be in possession of a concealed handgun permit
28 for a substantial period of time after the potential purchaser would no
29 longer be qualified to purchase a firearm. Under such circumstances only
30 a criminal background check conducted contemporaneously with a
31 purchase would prevent an unqualified person from purchasing a firearm.

32
33 Second, there is nothing in the bill that assures that law enforcement will
34 be aware that a person that they arrest has a concealed handgun permit.
35 There is no central database of permittees. In fact, law enforcement
36 agencies are expressly prohibited from maintaining any kind of statewide
37 database of concealed handgun permittees after July 1, 2011. *See* C.R.S.
38 § 18-12-206(3)(b). This lack of a readily available means of verifying
39 whether an arrestee has been issued a concealed handgun permit further
40 exacerbates the concern that there will routinely be a substantial delay
41 between a disqualifying event and the surrender of a permit.

42
43 Third, there is no requirement that a firearm seller verify the validity of
44 a concealed handgun permit before making the sale. In fact, there are
45 impediments to doing so. For instance, current law places substantial
46 limits on a sheriff's ability to share information regarding who has a valid
47 concealed weapons permit. Specifically, existing law only authorizes a
48 sheriff to disclose the identity of a concealed weapon permittee to
49 "another criminal justice agency for law enforcement purposes," and
50 even then the decision to disclose such information rests within the
51 sheriff's "sole discretion." *See* C.R.S. § 18-12-206(3)(a). There is
52 nothing in this bill or existing statute that clearly authorizes a sheriff to
53 disclose to a firearm seller the identity of a person who holds a concealed
54 weapons permit. This impediment to the sharing of information
55 regarding permittees is a further reason that the possession of a concealed

1 handgun permit is an inadequate substitute for a contemporaneous
2 criminal background check.

3
4 Fourth, this bill makes it easier for those intent on illegally obtaining a
5 firearm. Although the bill requires the Colorado Bureau of Investigation
6 to create a permit template that is “resistant to tampering and fraud,” no
7 identification document is impervious to forgery. Establishing a
8 background check bypass for those with a concealed handgun permit,
9 creates one more opportunity for those intent on circumventing the
10 criminal background check.

11
12 Finally, this bill weakens the Colorado Background Check Act. One of
13 the guns used in the shootings at Columbine high school in 1999 was
14 purchased at a gun show by an eighteen year old “straw man” without a
15 criminal background check. In the wake of that tragedy, Colorado
16 passed the Colorado Background Check Act into law as Amendment 22
17 in the 2000 general election. Amendment 22 passed by a greater than
18 two-to-one margin. The Act closed the “gun show loophole” by
19 requiring those who purchase firearms at gun shows to undergo the same
20 background checks as those purchasing firearms from licensed dealers.
21 *See C.R.S. § 12-26.1-101, et seq.* By establishing a criminal background
22 check bypass, this bill reopens the very loophole that Colorado citizen
23 voted overwhelmingly to close less than nine years ago.

24
25 In short, House Bill 09-1180 significantly weakens the safeguards against
26 the illegal purchase of firearms. Accordingly, I have vetoed this bill.

27
28 Sincerely,
29 (signed)
30 Bill Ritter, Jr.
31 Governor

32
33
34 May 19, 2009

35
36 Honorable Colorado House of Representatives
37 67th General Assembly
38 First Regular Session
39 State Capitol
40 Denver, CO 80203

41
42 Ladies and Gentlemen,

43
44 I am filing with the Secretary of State House Bill 09-1170, “Concerning
45 unemployment insurance benefits for locked-out employees.” I vetoed
46 this bill as of 4:55 p.m. today, and this letter sets forth my reasons for
47 doing so.

48
49 There are currently ongoing contract negotiations between the United
50 Food and Commercial Workers No. 7 and several grocery stores,
51 including King Soopers, Safeway, Albertsons, and City Market. The
52 parties to these negotiations have been working hard for several months
53 to try to reach an agreement. I believe it is ill-advised and
54 counterproductive to enact legislation that materially impacts the relative
55 bargaining position of parties in the midst of ongoing negotiations. In
56 these troubled economic times, I am deeply concerned about the effect

1 a strike or lockout of employees would have on grocery store workers
2 and consumers across the state, and I am concerned that signing this bill
3 into law will make a negotiated resolution of the grocery store contract
4 more difficult, not less. Therefore, under these circumstances, the state
5 should not interject itself into these contract negotiations by enacting
6 House Bill 09-1170 into law.

7
8 The merits of this bill, however, are worthy of future discussion and
9 perhaps future legislation. In 1999, the statutory provision that House
10 Bill 09-1170 would repeal and reenact was substantially amended for the
11 first time in twenty-four years, upsetting the longstanding balance
12 governing when locked-out and striking workers were eligible for
13 unemployment benefits. The issue of how best to restore this balance is
14 a debate that we should have. But the debate should be had and
15 legislation crafted outside of the shadow of a major contract negotiation
16 that has the imminent threat of a strike or lockout.

17
18 Accordingly, I have vetoed this bill.

19
20 Sincerely,
21 (signed)
22 Bill Ritter, Jr.
23 Governor

24
25
26
27 I certify I received the following on the 21st day of May, 2009, at
28 1:45 p.m. The original is on file in the records of the House of
29 Representatives of the General Assembly.

30
31 Marilyn Eddins,
32 Chief Clerk of the House

33 May 19, 2009

34
35 To the Honorable
36 House of Representatives
37 Sixty-seventh General Assembly
38 First Regular Session
39 State Capitol
40 Denver, CO 80203

41
42 Ladies and Gentlemen:

43
44 I have the honor to inform you that I have approved and filed with
45 the Secretary of State the following Acts:

46
47 **HB09-1224** CONCERNING A PROHIBITION ON THE CONSIDERATION OF
48 GENDER IN SETTING RATES FOR INDIVIDUAL HEALTH
49 BENEFIT PLANS, AND, IN CONNECTION THEREWITH,
50 DIRECTING THE HEALTH CARE TASK FORCE DURING THE
51 2009 INTERIM TO STUDY ISSUES RELATED TO SUCH
52 PROHIBITION.

53
54 Approved May 18, 2009 at 1:47 p.m.
55

1 **HB09-1311** CONCERNING THE SOURCING OF SALES OF COMPANIES
2 PROVIDING MUTUAL FUND SERVICES FOR COLORADO
3 INCOME TAX APPORTIONMENT.

4
5 Approved May 18, 2009 at 1:48 p.m.

6
7 **HB09-1341** CONCERNING THE CONTINUATION OF THE LICENSING OF
8 PSYCHIATRIC TECHNICIANS BY THE STATE BOARD OF
9 NURSING.

10
11 Approved May 18, 2009 at 10:50 a.m.

12
13 Sincerely,
14 (signed)
15 Bill Ritter, Jr.
16 Governor

17 _____
18
19
20 May 20, 2009

21
22 To the Honorable
23 House of Representatives
24 Sixty-seventh General Assembly
25 First Regular Session
26 State Capitol
27 Denver, CO 80203

28
29 Ladies and Gentlemen:

30
31 I have the honor to inform you that I have approved and filed with
32 the Secretary of State the following Acts:

33
34 **HB09-1100** CONCERNING THE CREATION OF AN "ALIVE AT TWENTY-
35 FIVE" SPECIAL LICENSE PLATE, AND MAKING AN
36 APPROPRIATION THEREFOR.

37
38 Approved May 19, 2009 at 1:20 p.m.

39
40 **HB09-1275** CONCERNING THE ABILITY OF THE DEPARTMENT OF
41 PUBLIC HEALTH AND ENVIRONMENT TO ISSUE A
42 PROVISIONAL CERTIFICATION TO AN APPLICANT
43 SEEKING CERTIFICATION AS AN EMERGENCY MEDICAL
44 TECHNICIAN, AND MAKING AN APPROPRIATION
45 THEREFOR.

46
47 Approved May 19, 2009 at 1:19 p.m.

48
49 Sincerely,
50 (signed)
51 Bill Ritter, Jr.
52 Governor

53 _____
54
55

1 I certify I received the following on the 22nd day of May, 2009, at
2 3:20 p.m. The original is on file in the records of the House of
3 Representatives of the General Assembly.

4
5

Marilyn Eddins,
Chief Clerk of the House

6
7 May 21, 2009

8

9 To the Honorable
10 House of Representatives
11 Sixty-seventh General Assembly
12 First Regular Session
13 State Capitol
14 Denver, CO 80203

15
16 Ladies and Gentlemen:

17

18 I have the honor to inform you that I have approved and filed with
19 the Secretary of State the following Acts:

20

21 **HB09-1026** CONCERNING THE APPLICATION OF VEHICLE LAWS TO
22 LOW-POWER VEHICLES THAT OPERATE WITH LESS THAN
23 FOUR WHEELS IN CONTACT WITH THE GROUND, AND, IN
24 CONNECTION THEREWITH, DEFINING "LOW-POWER
25 SCOOTER" AND "ELECTRIC PERSONAL ASSISTIVE
26 MOBILITY DEVICE".

27

28 Approved May 20, 2009 at 3:40 p.m.

29

30 **HB09-1073** CONCERNING ELECTRONIC PRESCRIPTIONS IN THE
31 MEDICAL ASSISTANCE PROGRAM, AND MAKING AN
32 APPROPRIATION IN CONNECTION THEREWITH.

33

34 Approved May 20, 2009 at 3:41 p.m.

35

36 **HB09-1307** CONCERNING THE TELEVISIONING OF PROCEEDINGS OF
37 STATE GOVERNMENT, AND, IN CONNECTION THEREWITH,
38 CREATING THE COLORADO CHANNEL AUTHORITY.

39

40 Approved May 20, 2009 at 3:42 p.m.

41

42 Sincerely,
43 (signed)
44 Bill Ritter, Jr.
45 Governor

46
47 May 21, 2009

48

49 To the Honorable
50 House of Representatives
51 Sixty-seventh General Assembly
52 First Regular Session
53 State Capitol
54 Denver, CO 80203

55

56 Ladies and Gentlemen:

1 I have the honor to inform you that I have approved and filed with
2 the Secretary of State the following Acts:

3
4 **HB09-1017** CONCERNING THE WATER EFFICIENCY GRANT PROGRAM
5 CASH FUND, AND, IN CONNECTION THEREWITH, GIVING
6 THE COLORADO WATER CONSERVATION BOARD
7 CONTINUOUS AUTHORITY TO SPEND MONEYS
8 TRANSFERRED TO THE WATER EFFICIENCY GRANT
9 PROGRAM CASH FUND FROM THE OPERATIONAL
10 ACCOUNT OF THE SEVERANCE TAX TRUST FUND.

11
12 Approved May 21, 2009 at 3:21 p.m.

13
14 **HB09-1020** CONCERNING EXPEDITED PROCESSES FOR
15 REENROLLMENT IN PUBLICLY FUNDED MEDICAL
16 PROGRAMS.

17
18 Approved May 21, 2009 at 3:21 p.m.

19
20 **HB09-1022** CONCERNING ASSISTANCE TO COUNTIES TO IMPLEMENT
21 RECIDIVISM REDUCTION PROGRAMS FOR THE MENTALLY
22 ILL.

23
24 Approved May 21, 2009 at 3:23 p.m.

25
26 **HB09-1036** CONCERNING INCREASING THE AMOUNT DEPOSITED
27 INTO THE PEACE OFFICERS STANDARDS AND TRAINING
28 BOARD CASH FUND BY INCREASING THE REGISTRATION
29 FEE FOR CERTAIN CLASSES OF PERSONAL PROPERTY,
30 AND MAKING AN APPROPRIATION IN CONNECTION
31 THEREWITH.

32
33 Approved May 21, 2009 at 3:24 p.m.

34
35 **HB09-1056** CONCERNING INCREASED PENALTY AUTHORITY FOR THE
36 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
37 FOR VIOLATIONS OF SOLID WASTE DISPOSAL LAWS.

38
39 Approved May 21, 2009 at 3:25 p.m.

40
41 **HB09-1065** CONCERNING THE QUALITY TEACHERS COMMISSION,
42 AND, IN CONNECTION THEREWITH, CREATING AN
43 EDUCATOR IDENTIFIER SYSTEM.

44
45 Approved May 21, 2009 at 9:52 a.m.

46
47 **HB09-1081** CONCERNING AN INCREASE IN THE LENGTH OF THE
48 STATUTE OF LIMITATIONS FOR VEHICULAR HOMICIDE.

49
50 Approved May 21, 2009 at 3:25 p.m.

51
52 **HB09-1085** CONCERNING THE REGULATION OF MORTGAGE LOAN
53 ORIGINATORS, AND, IN CONNECTION THEREWITH,
54 MODIFYING THE "MORTGAGE BROKER LICENSING ACT"
55 TO CONFORM TO THE FEDERAL "SECURE AND FAIR
56 ENFORCEMENT FOR MORTGAGE LICENSING ACT OF 2008",

- 1 EXEMPTING CERTAIN FINANCIAL INSTITUTIONS FROM
2 THE LIST OF PROHIBITED PRACTICES UNDER THE ACT,
3 AND MAKING AN APPROPRIATION.
4
5 Approved May 21, 2009 at 3:26 p.m.
6
- 7 **HB09-1086** CONCERNING CONTINUING PROFESSIONAL COMPETENCY
8 OF CERTAIN MENTAL HEALTH PROFESSIONALS, AND
9 MAKING AN APPROPRIATION IN CONNECTION
10 THEREWITH.
11
12 Approved May 21, 2009 at 3:27 p.m.
13
- 14 **HB09-1120** CONCERNING CRIMINALIZING CERTAIN ACTS IN ORDER
15 TO PROTECT THE SAFETY OF CERTAIN PUBLIC
16 SERVANTS.
17
18 Approved May 21, 2009 at 3:28 p.m.
19
- 20 **HB09-1123** CONCERNING CHANGES TO CRIMES RELATED TO
21 UNLAWFUL TREATMENT OF PERSONS TO ALIGN WITH
22 SIMILAR LAW PROVISIONS.
23
24 Approved May 21, 2009 at 3:28 p.m.
25
- 26 **HB09-1133** CONCERNING SETTING THE AMOUNTS OF LICENSE PLATE
27 FEES, AND MAKING AN APPROPRIATION THEREFOR.
28
29 Approved May 21, 2009 at 3:29 p.m.
30
- 31 **HB09-1137** CONCERNING INTERCEPTS, AND, IN CONNECTION
32 THEREWITH, INTERCEPTING GAMBLING WINNINGS TO
33 PAY OUTSTANDING RESTITUTION, AND REQUIRING THE
34 DEPARTMENT OF REVENUE TO PROVIDE SPECIFIED
35 INFORMATION TO STATE AGENCIES IN CONJUNCTION
36 WITH INTERCEPTS OF TAX REFUNDS.
37
38 Approved May 21, 2009 at 3:30 p.m.
39
- 40 **HB09-1150** CONCERNING THE ADMINISTRATIVE DUTIES OF THE
41 DEPARTMENT OF PERSONNEL, AND MAKING AN
42 APPROPRIATION IN CONNECTION THEREWITH.
43
44 Approved May 21, 2009 at 3:30 p.m.
45
- 46 **HB09-1243** CONCERNING MEASURES TO RAISE THE GRADUATION
47 RATE IN PUBLIC HIGH SCHOOLS IN COLORADO, AND
48 MAKING AN APPROPRIATION IN CONNECTION
49 THEREWITH.
50
51 Approved May 21, 2009 at 9:53 a.m.
52
- 53 **HB09-1287** CONCERNING CHANGES TO THE "COLORADO PROBATE
54 CODE".
55
56 Approved May 21, 2009 at. 3:32 p.m

- 1 **HB09-1305** CONCERNING LIMITATIONS ON THE REQUIREMENTS FOR
2 COST BONDS IN CIVIL LAWSUITS.
3
4 Approved May 21, 2009 at 3:33 p.m.
5
- 6 **HB09-1315** CONCERNING CLARIFYING RESTRICTIONS ON PUBLIC
7 EMPLOYEE LEAVE FOR PURPOSES OF PUBLIC SERVICE.
8
9 Approved May 21, 2009 at 3:34 p.m.
10
- 11 **HB09-1316** CONCERNING PUBLIC DISSEMINATION OF PERSONAL
12 INFORMATION OF A PERSON WORKING IN THE CRIMINAL
13 JUSTICE SYSTEM.
14
15 Approved May 21, 2009 at 3:35 p.m.
16
- 17 **HB09-1319** CONCERNING CONCURRENT ENROLLMENT OF PUBLIC
18 HIGH SCHOOL STUDENTS IN COURSES OFFERED BY
19 INSTITUTIONS OF HIGHER EDUCATION, AND MAKING AN
20 APPROPRIATION THEREFOR.
21
22 Approved May 21, 2009 at 9:45 a.m.
23
- 24 **HB09-1325** CONCERNING THE GOVERNOR'S AUTHORITY TO
25 ACTIVATE THE NATIONAL GUARD.
26
27 Approved May 21, 2009 at 3:36 p.m.
28

29 Sincerely,
30 (signed)
31 Bill Ritter, Jr.
32 Governor
33

34
35
36 I certify I received the following on the 2nd day of June, 2009, at
37 2:30 p.m. The original is on file in the records of the House of
38 Representatives of the General Assembly.
39

40 Marilyn Eddins,
41 Chief Clerk of the House

42 June 1, 2009
43

44 To the Honorable
45 House of Representatives
46 Sixty-seventh General Assembly
47 First Regular Session
48 State Capitol
49 Denver, CO 80203
50

51 Ladies and Gentlemen:
52

53 I have the honor to inform you that I have approved and filed with
54 the Secretary of State the following Acts:
55

- 1 **HB09-1035** CONCERNING SALES AND USE TAX REFUNDS FOR
2 CERTAIN COLORADO-BASED TECHNOLOGY COMPANIES.
3
4 Approved June 1, 2009 at 1:05 p.m.
5
- 6 **HB09-1057** CONCERNING PARENTAL INVOLVEMENT IN
7 KINDERGARTEN THROUGH TWELFTH GRADE
8 EDUCATION.
9
10 Approved June 1, 2009 at 9:20 a.m.
11
- 12 **HB09-1064** CONCERNING CREATING A LEGISLATIVE COMMITTEE TO
13 STUDY POVERTY ISSUES, AND, IN CONNECTION
14 THEREWITH, ESTABLISHING THE ECONOMIC
15 OPPORTUNITY POVERTY REDUCTION TASK FORCE FOR
16 THE PURPOSE OF ADVANCING ECONOMIC OPPORTUNITY
17 WHILE REDUCING CHILD AND FAMILY POVERTY.
18
19 Approved June 1, 2009 at 7:36 p.m.
20
- 21 **HB09-1094** CONCERNING WIRELESS TELEPHONE PROHIBITIONS FOR
22 DRIVERS.
23
24 Approved June 1, 2009 at 7:31 p.m.
25
- 26 **HB09-1105** CONCERNING THE CREATION OF THE COLORADO
27 INNOVATION INVESTMENT TAX CREDIT TO BE APPLIED
28 AGAINST STATE INCOME TAXES, AND MAKING AN
29 APPROPRIATION IN CONNECTION THEREWITH.
30
31 Approved June 1, 2009 at 7:35 p.m.
32
- 33 **HB09-1132** CONCERNING THE USE OF MESSAGING SYSTEMS TO
34 COMMIT UNLAWFUL ACTIVITY.
35
36 Approved June 1, 2009 at 9:23 a.m.
37
- 38 **HB09-1157** CONCERNING THE DESIGNATION OF N-
39 BENZYLPIPERAZINE AS A SCHEDULE I CONTROLLED
40 SUBSTANCE.
41
42 Approved June 1, 2009 at 9:24 a.m.
43
- 44 **HB09-1163** CONCERNING CRIMES IN WHICH THE VICTIM IS A CHILD.
45
46 Approved June 1, 2009 at 9:25 a.m.
47
- 48 **HB09-1173** CONCERNING EFFORTS TO REDUCE THE AMOUNT OF
49 CONTRABAND TOBACCO PRODUCTS IN THE STATE, AND
50 MAKING AN APPROPRIATION THEREFOR.
51
52 Approved June 1, 2009 at 1:06 p.m.
53
- 54 **HB09-1204** CONCERNING HEALTH INSURANCE COVERAGE FOR
55 PREVENTIVE HEALTH CARE SERVICES, AND, IN
56 CONNECTION THEREWITH, EXPANDING REQUIRED

- 1 COVERAGE FOR CERTAIN PREVENTIVE HEALTH CARE
2 SERVICES THAT RECEIVE HIGH RECOMMENDATIONS
3 FROM THE UNITED STATES PREVENTIVE SERVICES TASK
4 FORCE AND THE NATIONAL COMMISSION ON
5 PREVENTION PRIORITIES.
6
7 Approved June 1, 2009 at 9:25 a.m.
8
- 9 **HB09-1242** CONCERNING CONTRIBUTIONS TO RESEARCH
10 INSTITUTIONS AT COLORADO INSTITUTIONS OF HIGHER
11 EDUCATION.
12
13 Approved June 1, 2009 at 9:26 a.m.
14
- 15 **HB09-1246** CONCERNING THE EVALUATION OF DRIVING SCHOOLS
16 ATTENDED AS A RESULT OF A COURT ORDER RESULTING
17 FROM A VIOLATION OF A LAW REGULATING THE
18 OPERATION OF A MOTOR VEHICLE, AND MAKING AN
19 APPROPRIATION IN CONNECTION THEREWITH.
20
21 Approved June 1, 2009 at 9:27 a.m.
22
- 23 **HB09-1266** CONCERNING THE REPEAL OF THE LOSS OF DRIVING
24 PRIVILEGES AS A PENALTY FOR CERTAIN CRIMES, AND,
25 IN CONNECTION THEREWITH, MAKING AN
26 APPROPRIATION.
27
28 Approved June 1, 2009 at 9:28 a.m.
29
- 30 **HB09-1267** CONCERNING THE REMOVAL OF STATUTORY PROVISIONS
31 DESCRIBING PERVASIVELY SECTARIAN EDUCATIONAL
32 INSTITUTIONS, AND MAKING AN APPROPRIATION IN
33 CONNECTION THEREWITH.
34
35 Approved June 1, 2009 at 9:29 a.m.
36
- 37 **HB09-1282** CONCERNING THE RECYCLING OF CERTAIN ELECTRONIC
38 DEVICES, AND, IN CONNECTION THEREWITH,
39 ESTABLISHING A TASK FORCE WITHIN THE DEPARTMENT
40 OF PUBLIC HEALTH AND ENVIRONMENT TO MAKE
41 RECOMMENDATIONS REGARDING THE IMPLEMENTATION
42 OF ELECTRONIC DEVICE RECYCLING PROGRAMS AND
43 MAKING AN APPROPRIATION.
44
45 Approved June 1, 2009 at 7:37 p.m.
46
- 47 **HB09-1289** CONCERNING THE SPECIES CONSERVATION TRUST FUND,
48 AND, IN CONNECTION THEREWITH, APPROVING THE
49 SPECIES CONSERVATION ELIGIBILITY LIST.
50
51 Approved June 1, 2009 at 9:31 a.m.
52
- 53 **HB09-1318** CONCERNING THE ISSUANCE OF OVERWEIGHT PERMITS
54 BASED ON AXLE CONFIGURATION FOR VEHICLES
55 WEIGHING MORE THAN THE EIGHTY-FIVE THOUSAND
56 POUND NONOVERWEIGHT VEHICLE GROSS VEHICLE

1 WEIGHT LIMIT, AND, IN CONNECTION THEREWITH,
2 REPEALING BEFORE IT TAKES EFFECT A NEWLY
3 ENACTED INCREASE IN THE LIMIT FROM EIGHTY-FIVE
4 THOUSAND POUNDS TO NINETY-TWO THOUSAND
5 POUNDS, MAKING AN OVERWEIGHT VEHICLE PERMIT
6 AVAILABLE FOR A VEHICLE THAT IS OPERATED IN
7 COMBINATION WITH A TRAILER OR SEMITRAILER IF THE
8 TRAILER HAS A TANDEM OR TRIPLE AXLE GROUPING
9 AND THE VEHICLE WEIGHS UP TO NINETY-SEVEN
10 THOUSAND POUNDS, AND SPECIFYING OVERWEIGHT
11 VEHICLE PERMIT FEES FOR SUCH A VEHICLE OF FIVE
12 HUNDRED DOLLARS FOR AN ANNUAL PERMIT, TWO
13 HUNDRED FIFTY DOLLARS FOR A SIX-MONTH PERMIT,
14 AND FIFTEEN DOLLARS PLUS TEN DOLLARS PER AXLE
15 FOR A SINGLE TRIP PERMIT.

16
17 Approved June 1, 2009 at 9:01 a.m.

18
19 **HB09-1320** CONCERNING AN INCREASE IN FEES PAID FOR CERTAIN
20 DAIRY LICENSES, AND MAKING AN APPROPRIATION IN
21 CONNECTION THEREWITH.

22
23 Approved June 1, 2009 at 9:32 a.m.

24
25 **HB09-1321** CONCERNING THE PLACEMENT OF A JUVENILE WHO IS
26 AWAITING TRIAL IN DISTRICT COURT.

27
28 Approved June 1, 2009 at 9:33 a.m.

29
30 **HB09-1322** CONCERNING ACCESS BY MOTOR VEHICLE REPAIR SHOPS
31 TO AN ELECTRONIC SYSTEM IMPLEMENTED BY THE
32 DEPARTMENT OF REVENUE FOR PURPOSES OF
33 DETERMINING OWNERSHIP AND LIENHOLDERS OF
34 ABANDONED MOTOR VEHICLES ABANDONED AT MOTOR
35 VEHICLE REPAIR SHOPS.

36
37 Approved June 1, 2009 at 9:02 a.m.

38
39 **HB09-1330** CONCERNING FEES ASSESSED ON CERTAIN FEEDING
40 OPERATIONS UNDER THE "COLORADO WATER QUALITY
41 CONTROL ACT", AND MAKING AN APPROPRIATION IN
42 CONNECTION THEREWITH.

43
44 Approved June 1, 2009 at 9:33 a.m.

45
46 **HB09-1332** CONCERNING THE REPEAL OF PROVISIONS REQUIRING A
47 CUMULATIVE ECONOMIC ANALYSIS OF STATE AIR
48 QUALITY CONTROL MEASURES EVERY FIVE YEARS.

49
50 Approved June 1, 2009 at 9:02 a.m.

51
52
53 **HB09-1333** CONCERNING THE TRANSFERS OF MONEY TO THE STATE
54 MUSEUM CASH FUND.

55
56 Approved June 1, 2009 at 9:03 a.m.

- 1 **HB09-1338** CONCERNING MODIFICATIONS TO STATE INSURANCE
2 LAWS TO COMPLY WITH RECENTLY ENACTED FEDERAL
3 LAWS.
4
5 Approved June 1, 2009 at 9:34 a.m.
6
- 7 **HB09-1342** CONCERNING THE ELIMINATION OF THE STATE SALES
8 AND USE TAX EXEMPTION FOR CIGARETTES, AND
9 MAKING AN APPROPRIATION IN CONNECTION
10 THEREWITH.
11
12 Approved June 1, 2009 at 9:35 a.m.
13
- 14 **HB09-1343** CONCERNING THE CREATION OF THE EARLY CHILDHOOD
15 AND SCHOOL READINESS LEGISLATIVE OVERSIGHT
16 COMMISSION.
17
18 Approved June 1, 2009 at 9:36 a.m.
19
- 20 **HB09-1345** CONCERNING INTEGRATED PLANNING FOR THE
21 CONSTRUCTION OF ELECTRIC TRANSMISSION FACILITIES
22 IN COLORADO, AND, IN CONNECTION THEREWITH,
23 DIRECTING THE PUBLIC UTILITIES COMMISSION TO
24 COLLECT INFORMATION FROM OWNERS AND OPERATORS
25 OF TRANSMISSION INFRASTRUCTURE AND REPORT ITS
26 FINDINGS TO THE GENERAL ASSEMBLY.
27
28 Approved June 1, 2009 at 9:36 a.m.
29
- 30 **HB09-1347** CONCERNING THE ISSUANCE OF A DONATE LIFE SPECIAL
31 LICENSE PLATE, AND MAKING AN APPROPRIATION IN
32 CONNECTION THEREWITH.
33
34 Approved June 1, 2009 at 9:37 a.m.
35
- 36 **HB09-1348** CONCERNING ACTIVITIES RESULTING FROM THE
37 PERFORMANCE OF LEGISLATIVE DUTIES.
38
39 Approved June 1, 2009 at 9:38 a.m.
40
- 41 **HB09-1349** CONCERNING A SPECIAL ELECTION PERIOD FOR THE
42 CONTINUATION OF HEALTH CARE COVERAGE AFTER
43 INVOLUNTARY TERMINATION FROM EMPLOYMENT.
44
45 Approved June 1, 2009 at 7:34 p.m.
46
- 47 **HB09-1351** CONCERNING AN INCREASE IN THE AMOUNT OF TIME AN
48 INMATE MAY HAVE DEDUCTED FROM THE INMATE'S
49 SENTENCE, AND MAKING AN APPROPRIATION IN
50 CONNECTION THEREWITH.
51
52 Approved June 1, 2009 at 9:38 a.m.
53
54
55

1 **HB09-1353** CONCERNING LEGAL IMMIGRANTS' ELIGIBILITY FOR
2 PUBLIC MEDICAL BENEFITS.

3
4 Approved June 1, 2009 at 9:39 a.m.

5
6 **HB09-1357** CONCERNING A REQUIREMENT THAT CAMPAIGN
7 FINANCE REPORTS REQUIRED TO BE FILED WITH THE
8 COUNTY CLERK AND RECORDER BE FILED INSTEAD WITH
9 THE SECRETARY OF STATE, AND MAKING AN
10 APPROPRIATION THEREFOR.

11
12 Approved June 1, 2009 at 9:40 a.m.

13
14 **HB09-1360** CONCERNING THE ADJUSTMENT OF THE RATIO OF
15 VALUATION FOR ASSESSMENT FOR RESIDENTIAL REAL
16 PROPERTY.

17
18 Approved June 1, 2009 at 9:40 a.m.

19
20 **HB09-1363** CONCERNING THE AUTHORITY FOR THE UNEMPLOYMENT
21 COMPENSATION SECTION OF THE DIVISION OF
22 EMPLOYMENT AND TRAINING IN THE DEPARTMENT OF
23 LABOR AND EMPLOYMENT TO OPERATE AS AN
24 ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X
25 OF THE STATE CONSTITUTION.

26
27 Approved June 1, 2009 at 9:41 a.m.

28
29 **HB09-1364** CONCERNING AN INCREASE IN THE LENGTH OF TERMS
30 SERVED BY MEMBERS APPOINTED TO THE HEALTH CARE
31 TASK FORCE.

32
33 Approved June 1, 2009 at 9:42 a.m.

34
35 **HB09-1365** CONCERNING MODIFICATIONS TO THE PROPERTY TAX
36 EXEMPTION FOR CERTAIN PROPERTY LEASED BY
37 GOVERNMENTAL ENTITIES THAT USE THE PROPERTY FOR
38 GOVERNMENTAL PURPOSES.

39
40 Approved June 1, 2009 at 9:04 a.m.

41
42 **HB09-1367** CONCERNING THE RESTRICTION OF GENERAL FUND
43 REVENUES RELATED TO THE PAY DATE SHIFT OF
44 EMPLOYEES TRANSFERRING TO THE OFFICE OF
45 INFORMATION TECHNOLOGY.

46
47 Approved June 1, 2009 at 9:04 a.m.

48
49 Sincerely,
50 (signed)
51 Bill Ritter, Jr.
52 Governor

53
54
55

1 I certify I received the following on the 3rd day of June, 2009, at
2 3:30 p.m. The original is on file in the records of the House of
3 Representatives of the General Assembly.

4 Marilyn Eddins,
5 Chief Clerk of the House
6
7

8 June 3, 2009
9

10 To the Honorable
11 House of Representatives
12 Sixty-seventh General Assembly
13 First Regular Session
14 State Capitol
15 Denver, CO 80203
16

17 Ladies and Gentlemen:
18

19 I have the honor to inform you that I have approved and filed with
20 the Secretary of State the following Acts:
21

22 **HB09-1039** CONCERNING IN-STATE TUITION CLASSIFICATION FOR
23 HONORABLY DISCHARGED MILITARY VETERANS, AND
24 MAKING AN APPROPRIATION THEREFOR.
25

26 Approved June 2, 2009 at 3:53 p.m.
27

28 **HB09-1043** CONCERNING THE ADDITION OF A LINE TO COLORADO
29 STATE INDIVIDUAL INCOME TAX RETURN FORMS
30 WHEREBY INDIVIDUAL TAXPAYERS MAY MAKE A
31 VOLUNTARY CONTRIBUTION TO THE MAKE-A-WISH
32 FOUNDATION OF COLORADO FUND.
33

34 Approved June 2, 2009 at 5:03 p.m.
35
36

37 **HB09-1047** CONCERNING A PROGRAM FOR PROVIDING ADDITIONAL
38 THERAPIES TO CERTAIN PERSONS WITH DISABILITIES
39 WHO ARE ELIGIBLE TO RECEIVE MEDICAID, AND MAKING
40 AN APPROPRIATION IN CONNECTION THEREWITH.
41

42 Approved June 2, 2009 at 5:04 p.m.
43

44 **HB09-1076** CONCERNING REMUNERATION RESULTING FROM AN
45 EMPLOYEE'S SEPARATION FROM EMPLOYMENT FOR THE
46 PURPOSE OF CALCULATING THE POSTPONEMENT OF
47 UNEMPLOYMENT INSURANCE BENEFITS.
48

49 Approved June 2, 2009 at 5:47 p.m.
50
51

52 **HB09-1111** CONCERNING MEASURES TO INCREASE THE
53 AVAILABILITY OF HEALTH RESOURCES IN DESIGNATED
54 AREAS IN COLORADO, AND, IN CONNECTION THEREWITH,
55 CREATING THE PRIMARY CARE OFFICE IN THE
56 PREVENTION SERVICES DIVISION IN THE DEPARTMENT

- 1 OF PUBLIC HEALTH AND ENVIRONMENT TO MAXIMIZE
2 STATE AND FEDERAL PROGRAMS THAT PROVIDE HEALTH
3 RESOURCES, AND MAKING AN APPROPRIATION.
4
5 Approved June 2, 2009 at 5:05 p.m.
6
- 7 **HB09-1119** CONCERNING CREATION OF A PROGRAM TO ASSIST
8 ENTITIES PROVIDING PROGRAMS TO ADDRESS
9 SUBSTANCE ABUSE PROBLEMS IN RURAL AREAS OF
10 COLORADO.
11
12 Approved June 2, 2009 at 5:06 p.m.
13
- 14 **HB09-1129** CONCERNING AN AUTHORIZATION OF PILOT PROJECTS
15 FOR THE BENEFICIAL USE OF CAPTURED PRECIPITATION
16 IN NEW REAL ESTATE DEVELOPMENTS, AND MAKING AN
17 APPROPRIATION IN CONNECTION THEREWITH.
18
19 Approved June 2, 2009 at 4:20 p.m.
20
- 21
22 **HB09-1136** CONCERNING A PERSON'S COMPETENCY TO PERFORM
23 ELECTRICAL WORK, AND MAKING AN APPROPRIATION IN
24 CONNECTION THEREWITH.
25
26 Approved June 2, 2009 at 5:46 p.m.
27
- 28 **HB09-1205** CONCERNING VOTING BY MEMBERS OF THE ARMED
29 FORCES SERVING OUTSIDE THE UNITED STATES.
30
31 Approved June 2, 2009 at 3:54 p.m.
32
33
- 34 **HB09-1252** CONCERNING THE EXPANSION OF THE "LOCAL ACCESS
35 TO HEALTH CARE PILOT PROGRAM ACT" TO ALLOW
36 CREATION OF A PILOT PROGRAM IN THE SAN LUIS
37 VALLEY.
38
39 Approved June 2, 2009 at 5:07 p.m.
40
- 41 **HB09-1276** CONCERNING A DELAY IN THE FORECLOSURE OF
42 RESIDENTIAL PROPERTY FOR ELIGIBLE BORROWERS.
43
44 Approved June 2, 2009 at 5:40 p.m.
45
- 46
47 **HB09-1280** CONCERNING THE ADOPTION OF A YOUTH CHALLENGE
48 CORPS PROGRAM IN COLORADO.
49
50 Approved June 2, 2009 at 3:55 p.m.
51
- 52 **HB09-1281** CONCERNING REPRESENTATION ON STATE BOARDS BY
53 PERSONS WITH DISABILITIES.
54
55 Approved June 2, 2009 at 5:08 p.m.
56

1 **HB09-1291** CONCERNING PROVIDING INFORMATION REGARDING
2 RESOURCES AVAILABLE TO VETERANS OF THE UNITED
3 STATES ARMED FORCES.

4
5 Approved June 2, 2009 at 3:56 p.m.
6

7 **HB09-1303** CONCERNING THE APPLICATION OF ENGINEERING
8 CRITERIA TO INCREASE EFFICIENCY IN THE
9 ADMINISTRATION OF WELLS THAT WITHDRAW GROUND
10 WATER IN CONJUNCTION WITH THE MINING OF
11 MINERALS, AND, IN CONNECTION THEREWITH,
12 INTEGRATING WELLS THAT WITHDRAW GROUND WATER
13 IN CONJUNCTION WITH THE MINING OF MINERALS INTO
14 THE PRIOR APPROPRIATION SYSTEM AND EXTENDING
15 THE TIME SCHEDULE FOR WELL OWNERS TO CORRECT
16 DEFICIENCIES IN PERMITTING AND OPERATION.

17
18 Approved June 2, 2009 at 4:21 p.m.
19

20 **HB09-1310** CONCERNING THE MISCLASSIFICATION OF EMPLOYEES
21 AS INDEPENDENT CONTRACTORS FOR PURPOSES OF THE
22 "COLORADO EMPLOYMENT SECURITY ACT", AND
23 MAKING AN APPROPRIATION THEREFOR.

24
25 Approved June 2, 2009 at 5:44 p.m.
26

27 **HB09-1317** CONCERNING STATE LANDS SOUGHT TO BE ACQUIRED
28 BY THE FEDERAL GOVERNMENT ASSOCIATED WITH THE
29 EXPANSION OF THE PINON CANYON MANEUVER SITE.

30
31 Approved June 2, 2009 at 12:15 p.m.
32

33 **HB09-1329** CONCERNING THE PERCENTAGE OF MONEYS
34 TRANSFERRED FROM THE TOBACCO LITIGATION
35 SETTLEMENT CASH FUND TO THE COLORADO STATE
36 VETERANS TRUST FUND THAT ARE SUBJECT TO ANNUAL
37 APPROPRIATION, AND MAKING AN APPROPRIATION IN
38 CONNECTION THEREWITH.

39
40 Approved June 2, 2009 at 4:56 p.m.
41

42 **HB09-1346** CONCERNING AUTHORIZATION FOR PUBLIC ENTITIES IN
43 THE STATE TO FULLY UTILIZE THE FINANCING
44 INSTRUMENTS AVAILABLE TO THEM UNDER THE
45 FEDERAL ECONOMIC STIMULUS ACT KNOWN AS THE
46 "AMERICAN RECOVERY AND REINVESTMENT ACT OF
47 2009".

48
49 Approved June 2, 2009 at 5:27 p.m.
50

51 Sincerely,
52 (signed)
53 Bill Ritter, Jr.
54 Governor
55
56

1 I certify I received the following on the 5th day of June, 2009, at
2 10:50 a.m. The original is on file in the records of the House of
3 Representatives of the General Assembly.

4
5

Marilyn Eddins,
Chief Clerk of the House

6
7 June 4, 2009

8

9 To the Honorable
10 House of Representatives
11 Sixty-seventh General Assembly
12 First Regular Session
13 State Capitol
14 Denver, CO 80203

15
16 Ladies and Gentlemen:

17

18 I have the honor to inform you that I have approved and filed with
19 the Secretary of State the following Acts:

20

21 **HB09-1041** CONCERNING A FIRE PROTECTION DISTRICT BOARD'S
22 AUTHORITY TO FIX FEES FOR EMERGENCY MEDICAL
23 SERVICES.

24

25 Approved June 3, 2009 at 6:42 p.m.

26

27 **HB09-1199** CONCERNING INCREASED EFFORTS TO ADDRESS
28 WILDFIRE RISK, AND, IN CONNECTION THEREWITH,
29 PROVIDING RESOURCES TO THE COLORADO STATE
30 FOREST SERVICE TO AUGMENT ITS TECHNICAL
31 OUTREACH CAPABILITIES AND PROVIDE LOANS AND
32 GRANTS FOR MARKET-BASED AND FOREST TREATMENT
33 SOLUTIONS TO REDUCE WILDFIRE RISK, AND MAKING AN
34 APPROPRIATION.

35

36 Approved June 3, 2009 at 1:47 p.m.

37

38 Sincerely,
39 (signed)
40 Bill Ritter, Jr.
41 Governor

42

43

44 June 4, 2009

45

46 To the Honorable
47 House of Representatives
48 Sixty-seventh General Assembly
49 First Regular Session
50 State Capitol
51 Denver, CO 80203

52

53 Ladies and Gentlemen:

54

55 I have the honor to inform you that I have approved and filed with
56 the Secretary of State the following Acts:

- 1 **HB09-1010** CONCERNING THE PROMOTION OF COLORADO AS A
2 LOCATION FOR FILM PRODUCTION ACTIVITIES, AND
3 MAKING AN APPROPRIATION IN CONNECTION
4 THEREWITH.
5
6 Approved June 4, 2009 at 10:05 a.m.
7
- 8 **HB09-1067** CONCERNING THE ESTABLISHMENT OF AN INCENTIVE
9 FOR THE DONATION OF WATER RIGHTS TO THE
10 COLORADO WATER CONSERVATION BOARD FOR USE AS
11 INSTREAM FLOW RIGHTS.
12
13 Approved June 4, 2009 at 11:07 a.m.
14
- 15 **HB09-1183** CONCERNING VIOLATIONS OF LAWS RELATED TO REAL
16 ESTATE APPRAISERS.
17
18 Approved June 4, 2009 at 11:32 a.m.
19
- 20 **HB09-1196** CONCERNING THE USE OF MONEYS DERIVED FROM CIVIL
21 MONEY PENALTIES IMPOSED ON NURSING FACILITIES TO
22 FUND INNOVATION IN NURSING HOME CARE, AND
23 MAKING AN APPROPRIATION THEREFOR.
24
25 Approved June 4, 2009 at 11:16 a.m.
26
- 27 **HB09-1202** CONCERNING THE REGULATION OF PERSONS WHO
28 PROVIDE FOR THE FINAL DISPOSITION OF DEAD HUMAN
29 BODIES IN THE NORMAL COURSE OF BUSINESS, AND
30 MAKING AN APPROPRIATION IN CONNECTION
31 THEREWITH.
32
33 Approved June 4, 2009 at 10:49 a.m.
34
- 35 **HB09-1244** CONCERNING THE EXEMPTION OF PROPERTY CARRIERS
36 BY MOTOR VEHICLE FROM REGULATION BY THE PUBLIC
37 UTILITIES COMMISSION, AND MAKING AN
38 APPROPRIATION THEREFOR.
39
40 Approved June 4, 2009 at 11:33 a.m.
41
- 42 **HB09-1288** CONCERNING THE CREATION OF A SEARCHABLE
43 DATABASE WEB SITE RELATED TO STATE FINANCES.
44
45 Approved June 4, 2009 at 1:41 p.m.
46
- 47 **HB09-1298** CONCERNING ECONOMIC DEVELOPMENT FOR THE
48 TRUCKING INDUSTRY IN COLORADO, AND MAKING AN
49 APPROPRIATION IN CONNECTION THEREWITH.
50
51 Approved June 4, 2009 at 9:06 a.m.
52
- 53 **HB09-1331** CONCERNING INCENTIVES FOR EFFICIENT MOTOR
54 VEHICLES.
55
56 Approved June 4, 2009 at 9:05 a.m.

1 **HB09-1339** CONCERNING A CHANGE IN THE DEFINITION OF
2 "CLINICAL SOCIAL WORK PRACTICE" TO MEAN THE SAME
3 AS "SOCIAL WORK PRACTICE".
4

5 Approved June 4, 2009 at 11:13 a.m.
6

7 **HB09-1366** CONCERNING THE ELIMINATION OF THE STATE INCOME
8 TAX MODIFICATION FOR QUALIFYING COLORADO
9 CAPITAL GAINS.
10

11 Approved June 4, 2009 at 11:34 a.m.
12

13 Sincerely,
14 (signed)
15 Bill Ritter, Jr.
16 Governor
17

18
19
20 **REPORTS TO THE COLORADO GENERAL ASSEMBLY**

21
22 The following Reports have been received by the Chief Clerk of the House of
23 Representatives. The reports are on file in the Library of Legislative Council.
24

25 **Department of Corrections**
26 State Judicial Department
27 Sexually Violent Predators First Annual Report--2008 (pursuant to
28 18-3-414.5(4), CRS)
29

30 **Department of Personnel and Administration**
31 General Fund Cash Basis Comparative Revenue Summary for the
32 tenth-month period ended April 30, 2009 (pursuant to 39-26-123, CRS)
33

34
35 Approved:
36 TERRANCE D. CARROLL,
37 Speaker

38 Attest:
39 MARILYN EDDINS,
40 Chief Clerk

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1001 by Representative(s) Rice, Balmer, Liston, McFadyen, Solano; also Senator(s) Heath, Mitchell, Scheffel, Schwartz, Veiga--Concerning the creation of an income tax credit to incentivize Colorado job growth. Committee on Business Affairs and Labor	33	453	508*	555	1147*	1341	1754	#8-5 -09	166 - R* to Committee on Finance. 260 - R to Committee on Appropriations. 1185 - Consideration of Senate amendments LO until 4-15-09. 1211 - House concurred in Senate amendments and repassed bill, as amended. 1341 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1002 by Representative(s) McFadyen; also Senator(s) Tapia--Concerning the operation of the state lottery. Committee on Finance	33	102	117	124	408*	693	852	3-20 -09	441 - Consideration of Senate amendments LO daily until 2-25-09. 564 - House concurred in Senate amendments and repassed bill, as amended. 704 - Delivered to Governor.	
HB09-1003 by Representative(s) Gardner C.--Concerning sales and use tax exemptions for authorized carrier vehicles. Committee on Finance	33	-----	-----	-----	-----	-----	-----	-----	247 - PI.	
HB09-1004 by Representative(s) Apuan; also Senator(s) Boyd--Concerning the authority of organizations providing all-inclusive care for the elderly to employ physicians. Committee on Health and Human Services	34	183	226	240	595	693	828	3-19 -09	704 - Delivered to Governor.	
HB09-1005 by Representative(s) Marostica; also Senator(s) Veiga, White--Concerning the authority of a special district to establish special improvement districts within the boundaries of the special district. Committee on Local Government	34	157	208	220	655*	794	1029	4-2 -09	171 - Second Reading LO until 2-2-09. 656 - Consideration of Senate Amendments calendared for 3-11-09. 671 - House concurred in Senate amendments and repassed bill, as amended. 854 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1006 by Representative(s) Kerr J., McNulty; also Senator(s) Kopp--Concerning standards for the establishment of rates by municipalities for sewerage system service provided to users outside municipal boundaries in urban areas where such users comprise more than fifty percent of all users. Committee on Local Government	34	-----	-----	-----	-----	-----	-----	-----		248 - PI.
HB09-1007 by Representative(s) Frangas, Hullinghorst; also Senator(s) Newell, Boyd--Concerning improving child protection efforts by adding domestic violence experts to interagency oversight groups in the collaborative management program. Committee on Health and Human Services	34	156	208	219	611	685	852	#8-5 -09		171 - Second Reading LO until 2-2-09. 704 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB09-1008 by Representative(s) Miklosi; also Senator(s) Williams--Concerning the expansion of the ability to transfer annual leave between employees in the state personnel system. Committee on State, Veterans, & Military Affairs	34	253	271	290	655*	899	1029	4-2 -09		656 - Consideration of Senate Amendments calendared for 3-11-09. 672 - House adhered to its position. 704 - Senate receded from its position, concurred in House amendments and repassed bill, as amended. 919 - Delivered to Governor.
HB09-1009 by Representative(s) King S.--Concerning requiring public schools to conduct emergency safety drills. Committee on Education	34	-----	-----	-----	-----	-----	-----	-----		273 - PI.
HB09-1010 by Representative(s) Massey and McGihon; also Senator(s) Gibbs and Spence--Concerning the promotion of Colorado as a location for film production activities, and making an appropriation in connection therewith. Committee on Finance Committee on Appropriations	34	1036*	1104*	1132	1798*	1875	1897	7-1 -09		317 - R* to Committee on Appropriations. 1059 - Special Orders. 1064 - Special Orders LO daily until 4-8-09. 1104 - Title change. 1811 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1011 by Representative(s) Gardner B.; also Senator(s) Morse--Concerning the authority of the state to enter into lease-purchase agreements for offices of the department of corrections in El Paso county. Committee on State, Veterans, & Military Affairs	34	-----	-----	-----	-----	-----	-----	-----	253 - PI.	
HB09-1012 by Representative(s) Rice and Stephens, Curry, Massey, Swalm; also Senator(s) Mitchell and Newell--Concerning incentives provided by health insurance carriers to encourage voluntary participation in programs to promote health. Committee on Business Affairs and Labor	34	112*	146*	205	669*	1324	1555	7-1 -09	126 - Second Reading LO until 1-28-09. 164 - Third Reading LO until 2-2-09. 670 - Consideration of Senate Amendments calendared for 3-13-09. 715 - House concurred in Senate amendments and repassed bill, as amended. 1341 - Delivered to Governor.	
HB09-1013 by Representative(s) Sonnenberg-- Concerning an exception to statutory requirements governing the collection of excess property tax revenue by urban renewal authorities in connection with tax increment financing for certain special districts providing emergency services. Committee on Finance Committee on Local Government	34	318	397	-----	-----	-----	-----	-----	113 - R to Committee on Local Government. 318 - Second Reading calendared for 2-17-09. 364 - Second Reading LO until 2-18-09. 397 - L. 399 - Representative Balmer excused from voting under House Rule 21(c) on all votes pertaining to HB09-1013.	
HB09-1014 by Representative(s) Judd; also Senator(s) Isgar--Concerning the provision of additional resources to the division of real estate to provide oversight of conservation easements for which a state income tax credit is claimed. Committee on Business Affairs and Labor	35	84	100	108	384	430	594	#8-5 -09	68 - R to Committee on Finance. 96 - Second Reading LO until 1-21-09. 474 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1015 by Representative(s) Murray, Marostica; also Senator(s) Hodge--Concerning certain actions taken by the designated election official in conducting primary elections, and making an appropriation therefor. Committee on State, Veterans, & Military Affairs	35	688*	802*	832	1580*	1875	1877	#8-5 -09	694 - Second Reading calendared for 3-13-09. 715 - Second Reading LO daily until 3-17-09. 753 - Second Reading LO until 3-20-09. 1585 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1016 by Representative(s) Court--Concerning an exception to the requirement that a person who is lawfully present in Colorado be licensed to drive by the department of revenue when such person drives while present in Colorado for business purposes. Committee on Transportation & Energy	35	-----	-----	-----	-----	-----	-----	-----		252 - PI.
HB09-1017 by Representative(s) Pace; also Senator(s) Hodge--Concerning the water efficiency grant program cash fund, and, in connection therewith, giving the Colorado water conservation board continuous authority to spend moneys transferred to the water efficiency grant program cash fund from the operational account of the severance tax trust fund. Committee on Agriculture, Livestock, & Natural Resources	35	1134	1169*	1197	1700	1875	1885	5-21 -09		114 - R* to Committee on Appropriations. 1153 - Second Reading LO until 4-14-09. 1875 - Delivered to Governor.
HB09-1018 by Representative(s) Bradford; also Senator(s) Spence--Concerning the removal of obsolete language in statutory provisions implementing the statewide voter registration and election system for purposes of compliance with the federal "Help America Vote Act". Committee on State, Veterans, & Military Affairs	35	128*	629*	648	900	1147	1420	#8-5 -09		145 - Second Reading LO until 1-30-09. 171 - Second Reading LO until 2-2-09. 206 - Second Reading LO until 2-3-09. 225 - Second Reading LO until 2-13-09. 321 - Second Reading LO until 2-20-09. 444 - RR to Committee on State, Veterans, & Military Affairs. 629 - Title change. 1280 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB09-1019 by Representative(s) Peniston; also Senator(s) Foster--Concerning cat identification. Committee on Local Government	35	121*	-----	-----	-----	-----	-----	-----		122 - Second Reading calendared for 1-28-09. 144 - Second Reading LO until 1-30-09. 171 - Second Reading LO until 2-2-09. 206 - Second Reading LO until 2-6-09. 270 - Second Reading LO until 6-9-09. Bill deemed L.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1020 by Representative(s) Acree; also Senator(s) Spence, Boyd--Concerning expedited processes for reenrollment in publicly funded medical programs. Committee on Health and Human Services	35	1038*	1060*	1080	1798	1875	1885	5-21 -09	156 - R to Committee on Appropriations. 1059 - Special Orders. 1876 - Delivered to Governor.	
HB09-1021 by Representative(s) Solano; also Senator(s) Boyd--Concerning the extension of the study of the treatment of persons with mental illness who are involved in the criminal and juvenile justice systems. Committee on Judiciary	35	88	101	110	579*	696	852	#8-5 -09	588 - House concurred in Senate amendments and repassed bill, as amended. 704 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1022 by Representative(s) Solano; also Senator(s) Boyd--Concerning assistance to counties to implement recidivism reduction programs for the mentally ill. Committee on Judiciary	36	1039*	1060*	1081	1621	1875	1885	5-21 -09	88 - R* to Committee on Appropriations. 1059 - Special Orders. 1876 - Delivered to Governor.	
HB09-1023 by Representative(s) Gagliardi and Swalm; also Senator(s) Boyd--Concerning the age requirement for blood donations by a minor. Committee on Health and Human Services	36	120	143	163	595	685	828	#8-5 -09	122 - Second Reading calendared for 1-28-09. 704 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1024 by Representative(s) McNulty, Kerr J., Primavera; also Senator(s) Tochtrop, Isgar, Schultheis--Concerning the application of specified audit reporting requirements within the Colorado local government audit law to certain entities that are otherwise not required to comply with the requirements. Committee on Local Government	36	157*	209*	221	566	654	795	#9-1 -09	171 - Second Reading LO until 2-2-09. 667 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB09-1025 by Representative(s) Riesberg, Frangas, Green, Massey; also Senator(s) Boyd, Kopp, Morse--Concerning requirements for individuals who collect data on hospital-acquired infection rates. Committee on Health and Human Services	36	120	144	201	595	693	852	#8-5 -09	122 - Second Reading calendared for 1-28-09. 164 - Third Reading LO until 2-2-09. 704 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1026 by Representative(s) Marostica, Fischer, McFadyen, Rice, Vaad; also Senator(s) Williams, Spence--Concerning the application of vehicle laws to low-power vehicles that operate with less than four wheels in contact with the ground, and, in connection therewith, defining "low-power scooter" and "electric personal assistive mobility device". Committee on Transportation & Energy	36	633	754*	777	1580*	1875	1884	#8-5-09 10-1-09 7-1-10	191 - R* to Committee on Appropriations. 641 - Second Reading calendared for 3-12-09. 698 - Second Reading LO until 3-16-09. 741 - Second Reading LO until 3-17-09. 754 - Title change. 1586 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1027 by Representative(s) Rice, Fischer, Levy, Marostica, McFadyen, Merrifield, Primavera; also Senator(s) Gibbs, Williams--Concerning the duty of drivers to yield the right-of-way to transit buses entering traffic. Committee on Transportation & Energy	36	76	91	94*	749	827	1029	#8-5-09	854 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1028 by Representative(s) Frangas--Concerning the creation of an accountability board to review grievances related to the Colorado indigent care program. Committee on Health and Human Services	36	274*							302 - Second Reading LO until 2-13-09 323 - R to Committee on Finance. 679 - RR to Committee on Health & Human Services. 820 - R* to Committee on Appropriations. 1040 - PI.	
HB09-1029 by Representative(s) Sonnenberg, Fischer, Levy, Marostica, McFadyen, McNulty, Primavera, Rice, Vaad; also Senator(s) Renfro, Gibbs, Spence, Williams--Concerning the registration of mobile machinery operated in interstate commerce. Committee on Transportation & Energy	36								316 - R* to Committee on Appropriations. 1040 - PI.	
HB09-1030 by Representative(s) Labuda, Benefield, Gardner B., King S., Liston, Peniston, Rice, Riesberg; also Senator(s) Tochtrop, Morse, Williams--Concerning firefighter and police officer pension plan compliance with requirements set forth in the internal revenue code. Committee on Business Affairs and Labor	36	75*	90*	93	579	654	795	#8-5-09	667 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1031 by Representative(s) King S., Lundberg; also Senator(s) Penry and Gibbs, Kopp--Concerning a requirement that the state match local government contributions to the emergency fire fund. Committee on Agriculture, Livestock, & Natural Resources Committee on Appropriations	37	-----	-----	-----	-----	-----	-----	-----	84 - R* to Committee on Appropriations. 1040 - PI.	
HB09-1032 by Representative(s) Liston--Concerning a requirement for photo identification in order to receive delivery of a controlled substance prescription. Committee on Health and Human Services	37	-----	-----	-----	-----	-----	-----	-----	156 - PI.	
HB09-1033 by Representative(s) Schafer S., Merrifield, Todd, Benefield; also Senator(s) Spence, Williams--Concerning the regulation of flight schools. Committee on Education	37	87	100	109	483	654	795	#8-5 -09	667 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed	
HB09-1034 by Representative(s) Liston; also Senator(s) Gibbs--Concerning authorization for a regional transportation authority to impose property tax. Committee on Transportation & Energy	37	121	144*	204	854	1028	1280	#8-5 -09	122 - Second Reading calendared for 1-28-09. 147 - * in the Committee of the Whole report. 164 - Third Reading LO until 2-2-09. 1067 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed	
HB09-1035 by Representative(s) Riesberg; also Senator(s) Heath--Concerning sales and use tax refunds for certain Colorado-based technology companies. Committee on Finance	37	1040*	1061*	1082	1621*	1875	1888	#8-5 -09	153 - R* to Committee on Appropriations. 1059 - Special Orders. 1646 - Consideration of Senate amendments LO daily until 5-4-09. 1715 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1036 by Representative(s) King S.; also Senator(s) Morse--Concerning increasing the amount deposited into the peace officers standards and training board cash fund by increasing the registration fee for certain classes of personal property, and making an appropriation in connection therewith. Committee on Finance	37	327*	374*	394	1427	1875	1885	7-1 -09	84 - R to Committee on Appropriations. 374 - Title change. 1876 - Delivered to Governor.	
HB09-1037 by Representative(s) Tipton; also Senator(s) Isgar--Concerning the reclassification of Montrose county for county court purposes. Committee on Judiciary	37	120	144	202	566	654	795	3-18 -09	122 - Second Reading calendared for 1-28-09. 164 - Third Reading LO until 2-2-09. 667 - Delivered to Governor.	
HB09-1038 by Representative(s) Lundberg--Concerning a limited exemption from the state severance tax for production from a primary commercial oil shale facility. Committee on Finance	37	-----	-----	-----	-----	-----	-----	-----	247 - PI.	
HB09-1039 by Representative(s) McNulty; also Senator(s) Kopp--Concerning in-state tuition classification for honorably discharged military veterans, and making an appropriation therefor. Committee on State, Veterans, & Military Affairs Committee on Appropriations	37	633*	1064*	1083	1700*	1875	1893	#8-5 -09	103 - R* to Committee on Appropriations. 641 - Second Reading calendared for 3-12-09. 698 - RR to Committee on Appropriations. 1059 - Special Orders. 1064 - Title change. 1757 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed	
HB09-1040 by Representative(s) Vigil--Concerning annual reports on the enactment of legislation resulting in unfunded mandates on local governments. Committee on Local Government	37	-----	-----	-----	-----	-----	-----	-----	248 - R* to Committee on Appropriations. 1041 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1041 by Representative(s) Gerou; also Senator(s) Gibbs--Concerning a fire protection district board's authority to fix fees for emergency medical services. Committee on Local Government Committee on Finance	38	172	209	223	749	1644	1896	#8-5 -09	121 - R to Committee on Finance. 1753 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed	
HB09-1042 by Representative(s) Merrifield; also Senator(s) Gibbs--Concerning a prohibition on a slow-moving motor vehicle impeding highway traffic. Committee on Transportation & Energy	38	91*	118*	124	-----	-----	-----	-----	101 - Second Reading LO until 1-23-09. 1165 - L in Senate.	
HB09-1043 by Representative(s) Ryden; also Senator(s) Williams--Concerning the addition of a line to Colorado state individual income tax return forms whereby individual taxpayers may make a voluntary contribution to the Make-A-Wish Foundation of Colorado fund. Committee on Finance	38	1042	1061	1082	1621	1875	1893	#8-5 -09	113 - R to Committee on Appropriations. 1059 - Special Orders. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed	
HB09-1044 by Representative(s) Roberts; also Senator(s) Morse--Concerning expungement of records relating to a criminal matter for which a juvenile is sentenced as a juvenile after being charged by the direct filing of charges in a district court. Committee on Judiciary	38	120*	144*	202	579	654	795	#9-1 -09	122 - Second Reading calendared for 1-28-09. 164 - Third Reading LO until 2-2-09. 667 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB09-1045 by Representative(s) Casso; also Senator(s) Gibbs--Concerning recognition of September 11 as an optional state holiday. Committee on State, Veterans, & Military Affairs	38	158*	209*	223	-----	-----	-----	-----	171 - Second Reading LO until 2-2-09. 851 - PI in Senate.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1046 by Representative(s) Scanlan; also Senator(s) Penry--Concerning procedures to implement the postsecondary and workforce readiness assessments pilot program. Committee on Education	38	87	101	109	611	685	852	3-20-09		704 - Delivered to Governor.
HB09-1047 by Representative(s) Todd; also Senator(s) Williams--Concerning a program for providing additional therapies to certain persons with disabilities who are eligible to receive Medicaid, and making an appropriation in connection therewith. Committee on Health and Human Services	38	1042*	1061*	1083	1700*	1875	1893	#8-5-09		156 - R* to Committee on Appropriations. 1059 - Special Orders. 1061 - Title change. 1758 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed
HB09-1048 by Representative(s) Labuda; also Senator(s) Carroll M.--Concerning representation by persons impacted by a disability in state work groups that have a primary purpose of addressing issues that affect persons with disabilities. Committee on Health and Human Services	38	120*	-----	-----	-----	-----	-----	-----		122 - Second Reading calendared for 1-28-09. 144 - Second Reading LO until 6-9-09. Bill deemed L.
HB09-1049 by Representative(s) May; also Senator(s) Harvey--Concerning a prohibition on accepting a plea of guilty from an illegal alien that will result in avoiding removal from this country. Committee on Judiciary	38	-----	-----	-----	-----	-----	-----	-----		185 - PI.
HB09-1050 by Representative(s) Soper; also Senator(s) Tochtrop--Concerning the voluntary contribution designation benefiting the Colorado Easter Seals fund that appears on the state individual income tax return forms, and, in connection therewith, extending the period for the contribution designation and changing the name of the fund. Committee on Finance	38	84	96	99	611	685	852	#8-5-09		100 - Representative Swalm excused from voting under House Rule 21(c) on all votes pertaining to HB09-1050. 704 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1051 by Representative(s) Baumgardner-- Concerning the use of federal mineral lease revenues to pay for construction projects in areas impacted by production of energy resources. Committee on Agriculture, Livestock, & Natural Resources	39	-----	-----	-----	-----	-----	-----	-----		164 - R* to Committee on Finance. 260 - PI.
HB09-1052 by Representative(s) Waller; also Senator(s) Heath--Concerning limitations on the solicitation of donated items that will be sold for profit. Committee on Business Affairs and Labor	39	149*	207*	218	655*	765	899	#8-5 -09		171 - Second Reading LO until 2-2-09. 656 - Consideration of Senate Amendments calendared for 3- 11-09. 673 - House concurred in Senate amendments and repassed bill, as amended. 797 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed
HB09-1053 by Representative(s) Balmer; also Senator(s) Romer--Concerning the regulation of financial institutions under the authority of the banking board, and making an appropriation therefor. Committee on Business Affairs and Labor	39	454*	514*	556	784*	1217	1420	#8-5 -09		149 - R* to Committee on Appropriations. 514 - Title change. 798 - Consideration of Senate amendments LO daily until 4-1-09. 979 - House concurred in Senate amendments and repassed bill, as amended. 1257 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed
HB09-1054 by Representative(s) Looper, Balmer, Rice, Stephens, Todd; also Senator(s) Morse, King K.--Concerning eligibility for unemployment insurance benefits for an individual who leaves employment to relocate to a new place of residence after the individual's active duty military spouse is killed in combat. Committee on Business Affairs and Labor	39	113*	126*	134	669	765	919	3-25 -09		797 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1055 by Representative(s) Green--Concerning a requirement that a utility disclose to its customers the amount of carbon dioxide use that is attributable to each such customer. Committee on Transportation & Energy	39	-----	-----	-----	-----	-----	-----	-----		252 - PI.
HB09-1056 by Representative(s) McCann; also Senator(s) Kopp--Concerning increased penalty authority for the department of public health and environment for violations of solid waste disposal laws. Committee on Health and Human Services	39	156	208	220	1580*	1875	1885	5-21 -09		171 - Second Reading LO until 2-2-09. 1587 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor.
HB09-1057 by Representative(s) Kerr A., Carroll T., Apuan; also Senator(s) Bacon, Groff--Concerning parental involvement in kindergarten through twelfth grade education. Committee on Education	39	265*	272*	292	878*	1875	1888	#8-5 -09		267 - Second Reading calendared for 2-6-09. 896 - House did not concur in Senate amendments and requested Conference Committee. House members: Kerr, A., Carroll, T., Waller. 955 - Senate acceded to request for Conference Committee. Senate members: Bacon, Groff, and King, K. 1219 - House granted permission to go beyond scope. 1258 - Senate granted permission to go beyond scope. 1534 - Conference Committee report. 1555 - Senate adopted Conference Committee report and repassed bill, as amended. 1622 - Consideration of Conference Committee report LO daily until 5-4-09. 1681 - House adopted Conference Committee report and repassed bill, as amended. 1875 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1058 by Representative(s) Marostica; also Senator(s) Morse--Concerning the final disposition of the remains of veterans of the armed forces that have been abandoned. Committee on State, Veterans, & Military Affairs	39	103*	118*	125	670*	1488	1876	#8-5 -09	670 - Consideration of Senate Amendments calendared for 3-13-09. 716 - House did not concur in Senate amendments and requested Conference Committee. House members: Marostica, Pommer, and Weissmann. 765 - Senate acceded to request for Conference Committee. Senate members: Morse, Bacon, and Cadman. 898 - Conference Committee report. 899 - Senate adopted Conference Committee report and repassed bill, as amended. 920 - Consideration of Conference Committee report LO until 3-30-09. 947 - House adopted Conference Committee report and repassed bill, as amended. 1579 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1059 by Representative(s) Primavera; also Senator(s) Carroll M.--Concerning the continuation of health care coverage while participating in a clinical trial. Committee on Health and Human Services	39	231*	322*	347	749	1427	1754	#8-5 -09	233 - Second Reading calendared for 2-6-09. 270 - Second Reading LO until 2-13-09. 1489 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1060 by Representative(s) McKinley--Concerning information to be provided to visitors at Rocky Flats. Committee on Agriculture, Livestock, & Natural Resources	40	-----	-----	-----	-----	-----	-----	-----	115 - PI.	
HB09-1061 by Representative(s) McGihon; also Senator(s) Tochtrop--Concerning required health care disclosures involving insurance carrier business relationships with intermediary entities. Committee on Business Affairs and Labor	40	432	507*	553	854	1289	1702	#8-5 -09	313 - R* to Committee on Finance. 441 - Second Reading calendared for 2-24-09. 1289 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1062 by Representative(s) Curry; also Senator(s) Schwartz--Concerning the authorization of a water quality monitoring program in the Piceance basin relating to the effects of oil and gas operations. Committee on Agriculture, Livestock, & Natural Resources	40	-----	-----	-----	-----	-----	-----	-----		115 - PI.
HB09-1063 by Representative(s) Summers; also Senator(s) Penry--Concerning granting in-state student status to a child who moves to Colorado during the child's senior year of high school as the result of the child's legal guardian taking a job in the state. Committee on State, Veterans, & Military Affairs	40	721	803	832	1147	1469	1754	#8-5 -09		104 - R to Committee on Appropriations. 761 - Second Reading LO until 3-20-09. 1489 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB09-1064 by Representative(s) Kefalas, Fischer, Frangas, Hullinghorst, Solano, Todd; also Senator(s) Sandoval--Concerning creating a legislative committee to study poverty issues, and, in connection therewith, establishing the economic opportunity poverty reduction task force for the purpose of advancing economic opportunity while reducing child and family poverty. Committee on State, Veterans, & Military Affairs	40	509*	574*	585	1427	1875	1888	6-1 -09		159 - R* to Committee on Appropriations. 533 - Second Reading calendared for 3-2-09. 1876 - Delivered to Governor.
HB09-1065 by Representative(s) Benefield, Todd; also Senator(s) Spence--Concerning the quality teachers commission, and, in connection therewith, creating an educator identifier system. Committee on Education	40	328*	374*	394	1798*	1875	1885	5-21 -09		179 - R* to Committee on Appropriations. 374 - Title change. 1807 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1066 by Representative(s) Vaad; also Senator(s) Gibbs--Concerning the codification of existing practices of the division of aeronautics. Committee on Transportation & Energy	40	193*	227*	242	655	794	1029	#8-5 -09	854 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1067 by Representative(s) Pommer; also Senator(s) White--Concerning the establishment of an incentive for the donation of water rights to the Colorado water conservation board for use as instream flow rights. Committee on Agriculture, Livestock, & Natural Resources	40	1187*	1204*	1222	1701*	1875	1897	#8-5 -09	102 - R* to Committee on Finance. 247 - R* to Committee on Appropriations. 1203 - Special Orders. 1775 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1068 by Representative(s) Lambert; also Senator(s) Scheffel--Concerning an exemption from property taxation for business personal property. Committee on Finance	40	-----	-----	-----	-----	-----	-----	-----	172 - PI.	
HB09-1069 by Representative(s) Stephens; also Senator(s) Kopp--Concerning the crime of withdrawing an initiative petition for compensation, and making an appropriation in connection therewith. Committee on State, Veterans, & Military Affairs Committee on Appropriations	40	-----	-----	-----	-----	-----	-----	-----	159 - PI.	
HB09-1070 by Representative(s) Fischer, Hullinghorst--Concerning the prohibition of certain types of lands from inclusion in urban renewal areas, and, in connection therewith, requiring the participation in urban renewal areas of governmental entities that impose property taxes. Committee on Local Government	41	-----	-----	-----	-----	-----	-----	-----	466 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1071 by Representative(s) Gagliardi--Concerning the moneys in the search and rescue fund, and, in connection therewith, increasing surcharges on outdoor recreation activities and expanding the use of moneys in the fund. Committee on State, Veterans, & Military Affairs Committee on Finance	41	-----	-----	-----	-----	-----	-----	-----		250 - R* to Committee on Finance. 267 - RR to Committee on Appropriations. 634 - PI.
HB09-1072 by Representative(s) Middleton; also Senator(s) Hudak--Concerning modifications to statutory provisions addressing the governance of library districts. Committee on Local Government	41	88*	101*	110	655	827	1029	#8-5 -09		854 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB09-1073 by Representative(s) Massey, Frangas, Kerr J., Riesberg; also Senator(s) Boyd and Kopp, Morse--Concerning electronic prescriptions in the medical assistance program, and making an appropriation in connection therewith. Committee on Health and Human Services	41	1042	1062*	1100	1798*	1875	1884	#8-5 -09		127 - R* to Committee on Appropriations. 1059 - Special Orders. 1093 - Third Reading LO until 4-8-09. 1809 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB09-1074 by Representative(s) Middleton--Concerning the voting rights of members of governing boards of state institutions of higher education who are also faculty members. Committee on Education	41	-----	-----	-----	-----	-----	-----	-----		87 - PI.
HB09-1075 by Representative(s) Middleton--Concerning expansion of criminal history employment disqualifications for employees of the department of human services. Committee on Judiciary	41	-----	-----	-----	-----	-----	-----	-----		136 - R* to Committee on Appropriations. 1042 - PI.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1076 by Representative(s) Pace; also Senator(s) Tochtrop--Concerning remuneration resulting from an employee's separation from employment for the purpose of calculating the postponement of unemployment insurance benefits. Committee on Business Affairs and Labor	41	328	375*	485	1579	1875	1893	6-2 -09	168 - R* to Committee on Appropriations. 395 - Third Reading LO until 2-20-09. 450 - Third Reading calendared for 2-24-09. 1875 - Delivered to Governor.	
HB09-1077 by Representative(s) Schafer S.; also Senator(s) Newell--Concerning a prohibition on the retail sale of products containing tobacco by use of a self-service display. Committee on Business Affairs and Labor	54	-----	-----	-----	-----	-----	-----	-----	263 - PI.	
HB09-1078 by Representative(s) Ryden; also Senator(s) Hodge--Concerning training for foster parents in regard to individualized education programs. Committee on Education	54	135	206	215	611*	696	828	#8-5 -09	140 - Second Reading calendared for 1-30-09. 171 - Second Reading LO until 2-2-09. 617 - House concurred in Senate amendments and repassed bill, as amended. 704 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1079 by Representative(s) Vaad, Marostica; also Senator(s) Renfro--Concerning annexing adjacent municipalities to existing junior college districts. Committee on Local Government	54	157*	208*	221	669	765	919	#8-5 -09	171 - Second Reading LO until 2-2-09. 797 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1080 by Representative(s) Marostica; also Senator(s) Williams--Concerning a grant of qualified immunity to building code officials rendering assistance during a disaster emergency. Committee on Judiciary	54	185	226*	241	655	703	852	3-20 -09	704 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1081 by Representative(s) Loofer; also Senator(s) Morse--Concerning an increase in the length of the statute of limitations for vehicular homicide. Committee on Judiciary	54	1188*	1342*	1407	1799*	1875	1885	7-1 -09	185 - R* to Committee on Appropriations. 1203 - Special Orders. 1204 - Special Orders LO daily until 4-22-09. 1342 - Title change. 1816 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1082 by Representative(s) Peniston; also Senator(s) Tochtrop--Concerning recording of public meetings of school district boards of education. Committee on Education	54	135*	206*	216	655*	765	919	#8-5 -09	140 - Second Reading calendared for 1-30-09. 171 - Second Reading LO until 2-2-09. 656 - Consideration of Senate Amendments calendared for 3-11-09. 674 - House concurred in Senate amendments and repassed bill, as amended. 797 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1083 by Representative(s) McFadyen, Pace; also Senator(s) Tapia, Penry--Concerning the authority of the state to enter into lease-purchase agreements for commercial space for the department of personnel in Pueblo county, Colorado. Committee on State, Veterans, & Military Affairs	54	172	209	224	669	696	764	3-14 -09	704 - Delivered to Governor.	
HB09-1084 by Representative(s) Gagliardi; also Senator(s) Tochtrop--Concerning procedures for the review of providers under the state medical assistance program. Committee on Health and Human Services	54	-----	-----	-----	-----	-----	-----	-----	276 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1085 by Representative(s) Rice; also Senator(s) Heath--Concerning the regulation of mortgage loan originators, and, in connection therewith, modifying the "Mortgage Broker Licensing Act" to conform to the federal "Secure and Fair Enforcement for Mortgage Licensing Act of 2008", exempting certain financial institutions from the list of prohibited practices under the act, and making an appropriation. Committee on Business Affairs and Labor	54	454*	517*	563	1580*	1875	1885	#8-5 -09	168 - R* to Committee on Appropriations. 517 - Title change. 1588 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1086 by Representative(s) McGihon, Green, Frangas; also Senator(s) Boyd--Concerning continuing professional competency of certain mental health professionals, and making an appropriation in connection therewith. Committee on Health and Human Services	55	634*	803*	833	1427	1875	1886	#8-5 -09	183 - R* to Committee on Appropriations. 641 - Second Reading calendared for 3-12-09. 694 - Second Reading LO until 3-16-09. 741 - Second Reading LO until 3-17-09. 754 - Second Reading LO until 3-20-09. 803 - Title change. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1087 by Representative(s) Green--Concerning accrual of a civil cause of action arising from commission of a sexual offense against a child. Committee on Judiciary	63	-----	-----	-----	-----	-----	-----	-----	463 - PI.	
HB09-1088 by Representative(s) Balmer, Benefield, Looper, Todd; also Senator(s) Newell--Concerning certification of public benefit nonprofit entities as local public procurement units. Committee on State, Veterans, & Military Affairs	64	172	270*	287	655	693	748	#8-5 -09	209 - Second Reading LO until 2-4-09. 233 - Second Reading LO until 2-6-09. 704 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1089 by Representative(s) Primavera; also Senator(s) Spence--Concerning the filing requirements for liens that secure a debt upon a vehicle. Committee on Transportation & Energy	64	121	145	204	855*	1289	1702	#10-1 -09	122 - Second Reading calendared for 1-28-09. 164 - Third Reading LO until 2-2-09. 879 - Consideration of Senate amendments LO until 3-25-09. 891 - House concurred in Senate amendments and repassed bill, as amended. 1289 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB09-1090 by Representative(s) Rice; also Senator(s) Williams--Concerning the use of titles associated with interpretation for deaf persons, and, in connection therewith, making unauthorized use of such titles a deceptive trade practice under the "Colorado Consumer Protection Act". Committee on Judiciary	64	185*	227*	242	655	703	828	#9-1 -09	704 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB09-1091 by Representative(s) Soper and Court, Merrifield, Todd, McGihon; also Senator(s) Romer, Schwartz--Concerning a requirement that carbon monoxide alarms be installed in residential properties. Committee on Business Affairs and Labor	64	151*	207*	218	468*	765	899	3-24 -09	171 - Second Reading LO until 2-2-09. 484 - Consideration of Senate amendments LO daily until 2-25-09. 565 - House concurred in Senate amendments and repassed bill, as amended. 797 - Delivered to Governor.	
HB09-1092 by Representative(s) Peniston, Gagliardi; also Senator(s) Kester--Concerning the risk of damage to underground facilities caused by excavation. Committee on Transportation & Energy	64	252*	272*	291	655	703	852	#8-5 -09	704 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1093 by Representative(s) Levy, McGihon, Benefield, Judd, Miklosi, Ferrandino, Fischer, Gagliardi, Green, Merrifield, Pommer, Solano; also Senator(s) Veiga, Carroll M.--Concerning additional income tax reporting requirements for a corporate taxpayer. Committee on Finance	64	180*	226*	257	655*	854	1029	4-2 -09	240 - Third Reading LO until 2-5-09. 656 - Consideration of Senate Amendments calendared for 3-11-09. 675 - House concurred in Senate amendments and repassed bill, as amended. 877 - Delivered to Governor.	
HB09-1094 by Representative(s) Levy, Fischer, Hullinghorst; also Senator(s) Bacon--Concerning wireless telephone prohibitions for drivers. Committee on Transportation & Energy	64	1042*	1062*	1100	1798*	1875	1888	12-1 -09	260 - R* to Committee on Appropriations. 1059 - Special Orders. 1062 - Title change. 1093 - Third Reading LO until 4-8-09. 1802 - House did not concur in Senate amendments and requested Conference Committee with permission to go beyond scope. House members: Levy, Fischer, and McNulty. 1839 - Senate acceded to request for Conference Committee. Senate members: Bacon, Foster, and Kester. 1867 - Senate adopted Conference Committee report and repassed bill, as amended. 1867 - Conference Committee report. 1870 - House adopted Conference Committee report and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1095 by Representative(s) Baumgardner, Kerr J., Marostica, Pace; also Senator(s) Tapia, White--Concerning measures to encourage live greyhound racing. Committee on Finance Committee on Appropriations	64	-----	-----	-----	-----	-----	-----	-----	260 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1096 by Representative(s) Acree; also Senator(s) Mitchell--Concerning the establishment of standards to assess a person's competency to operate a motor vehicle. Committee on Transportation & Energy	64	-----	-----	-----	-----	-----	-----	-----	316 - PI.	
HB09-1097 by Representative(s) Acree--Concerning the development of an alternative medical assistance program for the elderly. Committee on Health and Human Services	64	-----	-----	-----	-----	-----	-----	-----	122 - Sponsor change: Representative Acree replaces Representative Lundberg as House prime sponsor. 276 - PI.	
HB09-1098 by Representative(s) Baumgardner, Gardner C., King S., Murray, Sonnenberg, Tipton, Waller; also Senator(s) Brophy and Kopp--Concerning the streamlining of approval requirements for clean coal electric generation projects. Committee on Transportation & Energy Committee on Appropriations	65	-----	-----	-----	-----	-----	-----	-----	283 - PI.	
HB09-1099 by Representative(s) Roberts and Kerr A., Massey, Merrifield; also Senator(s) Penry and Romer--Concerning the Colorado youth advisory council. Committee on Education	65	136	207	216	749	854	1095	#8-5 -09	140 - Second Reading calendared for 1-30-09. 171 - Second Reading LO until 2-2-09. 877 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1100 by Representative(s) Benefield, Merrifield, Todd; also Senator(s) Tochtrop, Hudak--Concerning the creation of an "Alive at Twenty-five" special license plate, and making an appropriation therefor. Committee on Transportation & Energy	65	454*	514*	556	1579	1875	1883	#8-5 -09	283 - R to Committee on Appropriations. 514 - Title change. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1101 by Representative(s) Benefield, Todd, Apuan, Ferrandino, Kefalas, Merrifield, Murray, Stephens; also Senator(s) Veiga, Hudak--Concerning the administration of sales tax collections by the department of revenue. Committee on Finance	65	155*	207*	219	655	765	920	3-25 -09	171 - 797 -	Second Reading LO until 2-2-09. Delivered to Governor.
HB09-1102 by Representative(s) Acree, Kerr J., Ryden; also Senator(s) Scheffel, Newell--Concerning the study of the portability of health insurance after a policyholder is separated from employment. Committee on Health and Human Services	65	128	145	205	796	899	1095	4-3 -09	164 - 919 -	Third Reading LO until 2-2-09. Delivered to Governor.
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	68	232*	271*	288	670*	1217	1421	4-22 -09	233 - 670 - 717 - 1289 -	Second Reading calendared for 2-6-09. Consideration of Senate Amendments calendared for 3-13-09. House concurred in Senate amendments and repassed bill, as amended. Delivered to Governor.
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	68	-----	-----	-----	-----	-----	-----	-----	303 -	PI.
HB09-1105 by Representative(s) Kefalas; also Senator(s) Scheffel--Concerning the creation of the Colorado innovation investment tax credit to be applied against state income taxes, and making an appropriation in connection therewith. Committee on Business Affairs and Labor Committee on Finance	68	1134*	1169*	1216	1798*	1875	1888	#9-1 -09	170 - 460 - 1153 - 1169 - 1812 - 1876 -	R* to Committee on Finance. R* to Committee on Appropriations. Second Reading LO until 4-14-09. Title change. House concurred in Senate amendments and repassed bill, as amended. Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
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	68	-----	-----	-----	-----	-----	-----	-----		267 - PI.
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	68	-----	-----	-----	-----	-----	-----	-----		283 - PI.
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	68	401*	446*	491	670*	1156	1421	#8-5 -09		450 - Third Reading calendared for 2-24-09. 670 - Consideration of Senate Amendments calendared for 3-13-09. 718 - House did not concur in Senate amendments and requested Conference Committee. House members: Kerr, A., Court, and Gardner, B. 750 - Senate acceded to request for Conference Committee. Senate members: Boyd, Tochtrop, and Scheffel. 953 - Conference Committee report. 955 - Senate adopted First Conference Committee report and repassed bill, as amended. 973 - Consideration of Conference Committee report LO until 4-1-09. 978 - House adopted Conference Committee report and repassed bill, as amended. 1280 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1109 by Representative(s) Priola; also Senator(s) Veiga--Concerning the extension of foreclosure protection to owners of residential properties as to which formal foreclosure proceedings have not yet been commenced. Committee on Business Affairs and Labor	68	263*	293*	300	595*	693	853	7-1 -09	293 - Title change. 599 - House concurred in Senate amendments and repassed bill, as amended. 704 - Delivered to Governor.	
HB09-1110 by Representative(s) Scanlan; also Senator(s) Gibbs--Concerning information required to be provided to the county assessor upon request in connection with any advertisement for the rental of furnished residential real property within the state. Committee on Local Government	69	455	514*	557	855*	1156	1421	#8-5 -09	249 - R* to Committee on Appropriations. 514 - Title change. 879 - Consideration of Senate amendments LO until 3-25-09. 892 - House concurred in Senate amendments and repassed bill, as amended. 1280 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1111 by Representative(s) Massey, Swalm; also Senator(s) Boyd and Schwartz--Concerning measures to increase the availability of health resources in designated areas in Colorado, and, in connection therewith, creating the primary care office in the prevention services division in the department of public health and environment to maximize state and federal programs that provide health resources, and making an appropriation. Committee on Health and Human Services	69	1043*	1063*	1101	1700*	1875	1893	6-2 -09	276 - R to Committee on Appropriations. 1059 - Special Orders. 1063 - Title change. 1093 - Third Reading LO until 4-8-09. 1716 - House did not concur in Senate amendments and requested Conference Committee with permission to go beyond scope. House members: Massey, Riesberg, and Kagan. 1785 - Senate acceded to request for Conference Committee. Senate members: Boyd, Schwartz, and Kester. 1785 - Senate granted permission to go beyond scope. 1849 - Senate adopted Conference Committee report and repassed bill, as amended. 1849 - Conference Committee report. 1855 - House adopted Conference Committee report and repassed bill, as amended. 1875 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1112 by Representative(s) Kerr J.; also Senator(s) Spence--Concerning the information provided to the staff of the legislative council in connection with the preparation of fiscal notes for legislative measures. Committee on State, Veterans, & Military Affairs	69	253	322	387	655	703	853	#8-5 -09	271 - Second Reading LO until 2-13-09. 348 - Third Reading LO until 2-18-09. 704 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1113 by Representative(s) Summers; also Senator(s) King K.--Concerning limitations on recovery for damages suffered by a person who fails to comply with the compulsory insurance law. Committee on Judiciary	69	-----	-----	-----	-----	-----	-----	-----	228 - PI.	
HB09-1114 by Representative(s) Vaad--Concerning devolution of state highways that are commuter highways to local governments. Committee on Transportation & Energy	69	-----	-----	-----	-----	-----	-----	-----	252 - PI.	
HB09-1115 by Representative(s) Summers, Kerr J., McNulty; also Senator(s) Renfroe, Kopp--Concerning the definition of identification for election-related purposes. Committee on State, Veterans, & Military Affairs	69	-----	-----	-----	-----	-----	-----	-----	130 - PI.	
HB09-1116 by Representative(s) Frangas, Ferrandino, Kefalas, Pace, Pommer, Primavera, Schafer S.; also Senator(s) Hudak, Bacon, Hodge, Sandoval, Tapia, Tochtrop, Williams--Concerning the inclusion of general fund moneys in the children's dental plan cash fund for the children's dental assistance program. Committee on Health and Human Services Committee on Appropriations	69	157*	515*	557	-----	-----	-----	-----	171 - Second Reading LO until 2-2-09. 208 - R to Committee on Appropriations. 1290 - PI in Senate.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1117 by Representative(s) Frangas--Concerning the authority to recapture unearned compensation given to persons in a publicly traded business entity's governance. Committee on Business Affairs and Labor	69	-----	-----	-----	-----	-----	-----	-----		402 - PI.
HB09-1118 by Representative(s) Murray; also Senator(s) Kester--Concerning the manner in which the records of certain governmental entities are kept. Committee on State, Veterans, & Military Affairs	69	253*	272*	291	765*	1028	1280	#8-5 -09		776 - House concurred in Senate amendments and repassed bill, as amended. 1067 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB09-1119 by Representative(s) Vigil, Court, Labuda, Pace, Todd; also Senator(s) Schwartz--Concerning creation of a program to assist entities providing programs to address substance abuse problems in rural areas of Colorado. Committee on Health and Human Services	70	1044*	1064*	1084	1621*	1842	1894	1-1 -10		276 - R* to Committee on Appropriations. 1059 - Special Orders. 1646 - Consideration of Senate amendments LO daily until 5-4-09. 1742 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor.
HB09-1120 by Representative(s) Stephens; also Senator(s) Penry--Concerning criminalizing certain acts in order to protect the safety of certain public servants. Committee on Judiciary Committee on Appropriations	70	813*	869*	882	1290	1875	1886	7-1 -09		186 - R* to Committee on Appropriations. 869 - Title change. 1876 - Delivered to Governor.
HB09-1121 by Representative(s) King S.; also Senator(s) Renfro--Concerning the disposition of evidence collected in criminal cases. Committee on Judiciary	70	335*	398*	410	579	654	795	3-18 -09		345 - Second Reading calendared for 2-18-09. 667 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P I R R R LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1122 by Representative(s) Roberts, Levy, Merrifield; also Senator(s) Morse--Concerning increasing the age of persons eligible for sentencing to the youthful offender system. Committee on Judiciary	70	120	144	203	655	784	1030	#10-1 -09	122 - Second Reading calendared for 1-28-09. 164 - Third Reading LO until 2-2-09. 854 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB09-1123 by Representative(s) Lambert, Kerr J., Balmer, Baumgardner, Gardner B., Gardner C., King S., Liston, Lundberg, Marostica, Massey, Priola, Roberts, Stephens, Swalm, Waller; also Senator(s) Schultheis, Harvey, Brophy, Hodge, King K., Penry, Renfro, Scheffel--Concerning changes to crimes related to unlawful treatment of persons to align with similar law provisions. Committee on Judiciary	70	1045	1065*	1084	1700*	1875	1886	5-21 -09	381 - R* to Committee on Appropriations. 1059 - Special Orders. 1759 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1124 by Representative(s) Liston, Gardner B., Massey, Tipton, Gardner C., Bradford, Frangas, Labuda, Lambert, Murray, Soper; also Senator(s) Veiga--Concerning certain conferences with an attorney representing a state public body that may be held in an executive session at a meeting of the state public body. Committee on State, Veterans, & Military Affairs	70	282*	322*	348	749	854	1095	#8-5 -09	294 - Second Reading LO until 2-13-09. 877 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1125 by Representative(s) Merrifield, Massey, Benefield, Gagliardi, Middleton, Pace, Peniston, Priola, Scanlan, Solano, Summers, Weissmann; also Senator(s) Hudak--Concerning limitations on the incentives local education providers may provide for participation in public educational programs. Committee on Education	70	273*	323*	349	784*	1028	1280	4-16 -09	302 - Second Reading LO until 2-13-09. 798 - Consideration of Senate amendments LO daily until 3-25-09. 889 - House concurred in Senate amendments and repassed bill, as amended. 1067 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1126 by Representative(s) Hullinghorst, Curry; also Senator(s) Shaffer B., Heath--Concerning incentives for the development of solar thermal energy systems. Committee on Transportation & Energy	70	1535*	1558*	1591	1799*	1875	1877	5-15 -09	159 - R* to Committee on Finance. 1417 - R* to Committee on Appropriations. 1557 - Special Orders. 1800 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor.	
HB09-1127 by Representative(s) Miklosi--Concerning the creation of a credit against state income tax for an investment that creates jobs in a small business located in Colorado. Committee on Business Affairs and Labor Committee on Finance	70	-----	-----	-----	-----	-----	-----	-----	245 - R* to Committee on Finance. 260 - PI.	
HB09-1128 by Representative(s) Priola, Balmer, Baumgardner, Bradford, Casso, Frangas, Gardner C., Hullinghorst, Liston, Loooper, McNulty, Merrifield, Middleton, Roberts, Sonnenberg, Soper, Swalm, Todd; also Senator(s) Hodge, King K., Penry, Spence, Williams--Concerning the establishment of an academic license to allow a dentist employed by a school of dentistry to engage in the practice of dentistry in connection with programs affiliated with the school. Committee on Education	71	179*	225*	239	483	654	796	#8-5 -09	667 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1129 by Representative(s) Loooper; also Senator(s) Romer, Harvey--Concerning an authorization of pilot projects for the beneficial use of captured precipitation in new real estate developments, and making an appropriation in connection therewith. Committee on Agriculture, Livestock, & Natural Resources	71	634*	698*	708	1427*	1875	1894	6-2 -09	243 - R* to Committee on Appropriations. 641 - Second Reading calendared for 3-12-09. 698 - Title change. 1470 - Consideration of Senate amendments LO daily until 4-29-09. 1589 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1130 by Representative(s) Gardner B.; also Senator(s) Isgar--Concerning the collection of sales taxes by a county government. Committee on Local Government	71	721*	806*	833	1147	1469	1754	#8-5 -09	187 - R* to Committee on Appropriations. 761 - Second Reading LO until 3-20-09. 1489 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1131 by Representative(s) Gerou--Concerning the funding of a training program for directors of fire protection districts in wild land-urban interface areas. Committee on Local Government Committee on Appropriations	71	-----	-----	-----	-----	-----	-----	-----	189 - PI.	
HB09-1132 by Representative(s) Murray and Priola, Liston, Benefield, Labuda, Waller; also Senator(s) Heath, Scheffel--Concerning the use of messaging systems to commit unlawful activity. Committee on Judiciary	71	1046*	1065*	1085	1700*	1875	1888	7-1 -09	280 - R* to Committee on Appropriations. 1059 - Special Orders. 1065 - Title change. 1760 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1133 by Representative(s) Sonnenberg, Marostica, Todd; also Senator(s) Kester--Concerning setting the amounts of license plate fees, and making an appropriation therefor. Committee on Transportation & Energy	71	721*	806*	834	1621	1875	1886	#8-5 -09	284 - R* to Committee on Appropriations. 761 - Second Reading LO until 3-20-09. 806 - Title change. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1134 by Representative(s) Kefalas--Concerning the Colorado railroad authority, and, in connection therewith, creating the authority for the purpose of planning, designing, developing, financing, constructing, operating, and maintaining a passenger rail system and specifying the governing structure, powers, and duties of the authority. Committee on Transportation & Energy Committee on Appropriations	71	-----	-----	-----	-----	-----	-----	-----	1426 - PI.	
HB09-1135 by Representative(s) Judd; also Senator(s) White--Concerning the adjustment of fees imposed by counties in the state. Committee on Local Government	71	189*	376*	-----	-----	-----	-----	-----	227 - Second Reading LO until 2-13-09. 322 - Second Reading LO until 2-17-09. 397 - Third Reading LO until 2-20-09. 450 - Third Reading calendared for 2-24-09. 486 - L.	
HB09-1136 by Representative(s) Soper; also Senator(s) Tochtrop--Concerning a person's competency to perform electrical work, and making an appropriation in connection therewith. Committee on Business Affairs and Labor	72	635*	698*	709	1579	1875	1894	#-8-5 -09	246 - R* to Committee on Appropriations. 641 - Second Reading calendared for 3-12-09. 698 - Title change. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1137 by Representative(s) Judd; also Senator(s) Newell--Concerning intercepts, and, in connection therewith, intercepting gambling winnings to pay outstanding restitution, and requiring the department of revenue to provide specified information to state agencies in conjunction with intercepts of tax refunds. Committee on Judiciary	72	721*	1073*	1102	1798*	1875	1886	#9-1 -09	356 - R* to Committee on Appropriations. 761 - Second Reading LO until 3-20-09. 807 - RR to Committee on Judiciary. 859 - R* to Committee on Appropriations. 1059 - Special Orders. 1073 - Title change. 1093 - Third Reading LO until 4-8-09. 1810 - House did not concur in Senate amendments and requested Conference Committee. House members: Judd, Levy, and Bradford. 1839 - Senate acceded to request for Conference Committee. Senate members: Newell, Harvey, and Morse. 1848 - Senate adopted Conference Committee report and repassed bill, as amended. 1850 - Conference Committee report. 1856 - House adopted Conference Committee report and repassed bill, as amended. 1876 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB09-1138 by Representative(s) Curry; also Senator(s) Schwartz--Concerning the legal sufficiency of an interest in property for purposes of satisfying statutory limitations on rent control on privately owned residential housing units. Committee on Local Government	72	-----	-----	-----	-----	-----	-----	-----	267 - PI.	
HB09-1139 by Representative(s) Solano; also Senator(s) Tochtrop--Concerning fetal alcohol spectrum disorders. Committee on Health and Human Services	72	184*	226*	241	827*	1145	1419	#8-5 -09	857 - Consideration of Senate amendments LO daily until 3-25-09. 890 - House concurred in Senate amendments and repassed bill, as amended. 1156 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1140 by Representative(s) Court, Kerr A., Marostica, Murray, Peniston, Scanlan, Swalm, Tipton, Todd, Vigil, Waller; also Senator(s) White--Concerning clarification of the process of direct democracy. Committee on State, Veterans, & Military Affairs	72	-----	-----	-----	-----	-----	-----	-----		995 - PI.
HB09-1141 by Representative(s) Ferrandino; also Senator(s) White--Concerning laws enforced by the administrator of the "Uniform Consumer Credit Code". Committee on Business Affairs and Labor	72	264*	293*	301	595	693	853	7-1 -09 1-1 -10		704 - Delivered to Governor.
HB09-1142 by Representative(s) Fischer, Kefalas, Weissmann; also Senator(s) Bacon--Concerning the election of a director of a water conservancy district. Committee on Agriculture, Livestock, & Natural Resources	78	-----	-----	-----	-----	-----	-----	-----		165 - PI.
HB09-1143 by Representative(s) Swalm, Acree, Balmer, Bradford, Court, Gardner B., Labuda, Liston, Looper, Massey, McFadyen, McNulty, Priola, Scanlan, Summers; also Senator(s) Schwartz--Concerning the authority of a health maintenance organization to offer basic health services through a limited health benefit plan. Committee on Business Affairs and Labor	78	264*	293*	301	855*	1028	1280	#8-5 -09		879 - Consideration of Senate amendments LO until 3-25-09. 893 - House concurred in Senate amendments and repassed bill, as amended. 1067 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB09-1144 by Representative(s) Bradford, McNulty, Tipton; also Senator(s) Scheffel--Concerning mandatory sentencing provisions for a defendant convicted of a sex offense against a child who is fourteen years of age or younger. Committee on Judiciary Committee on Appropriations	78	-----	-----	-----	-----	-----	-----	-----		513 - PI.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	* V F P L R R C C L O	OTHER ACTION Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1145 by Representative(s) Ryden--Concerning a private investigator's access to public records, and, in connection therewith, authorizing the registration of private investigators with the attorney general. Committee on Judiciary	78	-----	-----	-----	-----	-----	-----	-----	-----	138 - PI.
HB09-1146 by Representative(s) McNulty, Acree, Baumgardner, Gardner C., Gerou, Kerr J., King S., Lambert, Looper, Lundberg, Marostica, Massey, May, Murray, Sonnenberg, Stephens, Summers, Swalm, Tipton, Vaad, Waller; also Senator(s) Scheffel, Brophy, Harvey, Kester, Kopp, Renfro, Schultheis--Concerning a requirement to provide proof of citizenship to register to vote. Committee on State, Veterans, & Military Affairs	78	-----	-----	-----	-----	-----	-----	-----	-----	159 - PI.
HB09-1147 by Representative(s) Gardner B., King S., Kerr J., McNulty, Acree, Balmer, Gardner C., Lambert, Liston, Looper, Lundberg, Marostica, Massey, May, Murray, Roberts, Sonnenberg, Stephens, Summers, Swalm, Tipton, Waller; also Senator(s) Mitchell, Brophy, Schultheis, Spence, Penry, Harvey, King K., Kopp, Renfro, Scheffel--Concerning bail provisions for a person who is illegally present in the United States. Committee on Judiciary	78	-----	-----	-----	-----	-----	-----	-----	-----	229 - PI.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1148 by Representative(s) Schafer S.; also Senator(s) Schwartz--Concerning the authority of the department of revenue to provide information about severance tax taxpayers to the department of local affairs. Committee on Local Government	78	158*	208*	222	611*	685	853	#8-5 -09	171 - Second Reading LO until 2-2-09. 615 - House concurred in Senate amendments and repassed bill, as amended. 704 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1149 by Representative(s) Merrifield; also Senator(s) Carroll M.--Concerning measures to encourage the construction of new homes that make cost-effective use of solar energy. Committee on Transportation & Energy	79	328	375*	395	1067*	1469	1754	#8-5 -09	284 - R* to Committee on Appropriations. 1098 - Consideration of Senate amendments LO daily until 4-9-09. 1130 - House concurred in Senate amendments and repassed bill, as amended. 1489 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1150 by Representative(s) Todd, Benefield, Court, Labuda, Miklosi, Ryden; also Senator(s) Williams, Boyd, Isgar, Spence--Concerning the administrative duties of the department of personnel, and making an appropriation in connection therewith. Committee on State, Veterans, & Military Affairs	79	328*	375*	396	1427	1875	1886	#8-5 -09	104 - R* to Committee on Appropriations. 375 - Title change. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1151 by Representative(s) Todd, Labuda, Lundberg, Ryden, Solano; also Senator(s) Heath, Williams--Concerning designating the department of public safety as the agency responsible for oversight of school building inspections, and making an appropriation in connection therewith. Committee on Judiciary	79	229*	271*	288	900*	1469	1754	#1-1 -10	233 - Second Reading calendared for 2-6-09. 920 - Consideration of Senate amendments LO daily until 4-1-09 980 - House concurred in Senate amendments and repassed bill, as amended. 1489 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB09-1152 by Representative(s) Sonnenberg; also Senator(s) Tochtrop--Concerning horse racing. Committee on Transportation & Energy	79	-----	-----	-----	-----	-----	-----	-----	102 - R to Committee on Agriculture, Livestock, & Natural Resources. 262 - R* to Committee on Finance. 424 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1153 by Representative(s) May; also Senator(s) Harvey--Concerning the requirements applicable to the formation of an issue committee under Colorado law governing campaign finance. Committee on State, Veterans, & Military Affairs	79	283*	323*	388*	655*	1324	1421	#9-1 -09	302 - Second Reading LO until 2-13-09 349 - Third Reading LO until 2-18-09. 656 - Consideration of Senate Amendments calendared for 3-11-09. 676 - House did not concur in Senate amendments and requested Conference Committee. House members: May, Todd, and Miklosi. 704 - Senate acceded to request for Conference Committee. Senate members: Harvey, Williams, and Bacon. 868 - House granted permission to go beyond scope. 1066 - Conference Committee report. 1067 - Senate adopted Conference Committee report and repassed bill, as amended. 1098 - Consideration of Conference Committee report LO daily until 4-9-09. 1124 - House adopted Conference Committee report and repassed bill, as amended. 1341 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB09-1154 by Representative(s) Sonnenberg; also Senator(s) Renfro--Concerning a requirement that a specified percentage of all net revenue generated by the state sales and use tax be credited to the highway users tax fund without regard to whether or not total state general fund revenues are sufficient to so credit the net revenues, increase state general fund appropriations by the maximum percentage permitted by law, and maintain the four percent state general fund reserve required by law. Committee on Finance	79	-----	-----	-----	-----	-----	-----	-----	679 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1155 by Representative(s) Weissmann; also Senator(s) Carroll M.--Concerning title insurance, and, in connection therewith, requiring justifications to be filed with the commissioner of insurance. Committee on Business Affairs and Labor	79	113	126	135	579	654	796	#8-5 -09	667 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1156 by Representative(s) Bradford; also Senator(s) Mitchell--Concerning the public utility commission's consideration of the costs attributable to the closure of an electricity generating unit. Committee on Transportation & Energy	79	-----	-----	-----	-----	-----	-----	-----	194 - PI.	
HB09-1157 by Representative(s) Waller, Baumgardner, Bradford, King S., Liston, Stephens; also Senator(s) Kopp, King K., Scheffel--Concerning the designation of N-benzylpiperazine as a schedule I controlled substance. Committee on Judiciary	79	1137*	1171*	1213	1798*	1875	1888	7-1 -09	139 - R* to Committee on Appropriations. 1153 - Second Reading LO until 4-14-09. 1199 - Third Reading LO until later in the day. 1809 - House did not concur in Senate amendments and requested Conference Committee. House members: Waller, McCann, and Pommer. 1827 - Representative Pace replaced Representative McCann as conferee on HB09-1157. 1827 - House granted permission to go beyond scope. 1839 - Senate acceded to request for Conference Committee. Senate members: Kopp, Newell, and Hodge. 1848 - Senate adopted Conference Committee report and repassed bill, as amended. 1851 - Conference Committee report. 1857 - House adopted Conference Committee report and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1158 by Representative(s) Waller, Gardner B., Balmer, Court, Looper, Murray--Concerning the withdrawal of an initiative petition from consideration as a ballot issue. Committee on State, Veterans, & Military Affairs	80	-----	-----	-----	-----	-----	-----	-----	995 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1159 by Representative(s) Priola, Baumgardner, Lambert, Looper, Schafer S.; also Senator(s) Isgar, Hodge, Mitchell--Concerning the ability of a nonresident to serve on the board of directors of ground water management water districts. Committee on Agriculture, Livestock, & Natural Resources	80	262*	293*	299	611*	693	853	#8-5 -09	293 - Title change. 616 - House concurred in Senate amendments and repassed bill, as amended. 704 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1160 by Representative(s) Miklosi; also Senator(s) Bacon--Concerning the ability of a qualified elector to submit voter information via the secure web site of the secretary of state, and making an appropriation therefor. Committee on State, Veterans, & Military Affairs	80	724*	807*	835	1427*	1875	1878	5-15 -09	358 - R* to Committee on Appropriations. 761 - Second Reading LO until 3-20-09. 807 - Title change. 1470 - Consideration of Senate amendments LO daily until 4-29-09. 1590 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor.	
HB09-1161 by Representative(s) Baumgardner, Bradford, Gardner C., King S., Looper, May, McNulty, Murray, Tipton; also Senator(s) Gibbs, White--Concerning a reduction in the time to provide written documentation supporting an oil and gas valuation statement. Committee on Agriculture, Livestock, & Natural Resources	80	149*	207*	217	611	685	853	#8-5 -09	171 - Second Reading LO until 2-2-09. 704 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1162 by Representative(s) Gerou; also Senator(s) Kopp--Concerning intergovernmental cooperation for the purpose of mitigating wildfires. Committee on Local Government	80	250*	271*	290	655*	1352	1702	#8-5 -09	656 - Consideration of Senate Amendments calendared for 3-11-09. 676 - Consideration of Senate amendments LO until 3-13-09. 719 - Consideration of Senate amendments LO until 3-17-09. 767 - Consideration of Senate amendments LO until 3-18-09. 774 - House did not concur in Senate amendments and requested Conference Committee with permission to go beyond scope. House members: Gerou, Curry, and Scanlan. 796 - Senate acceded to request for Conference Committee. Senate members: Kopp, Gibbs, and Isgar. 827 - Senate granted permission to go beyond scope. 1012 - Conference Committee report. 1014 - Senate adopted Conference Committee report and repassed bill, as amended. 1030 - Consideration of Conference Committee report LO daily until 4-9-09. 1123 - House adopted Conference Committee report and repassed bill, as amended. 1489 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1163 by Representative(s) Gardner C., Baumgardner, Bradford, King S., Looper, May, McNulty, Murray, Scanlan, Summers, Tipton, Todd, Vaad; also Senator(s) Romer, Spence, Brophy, Harvey--Concerning crimes in which the victim is a child. Committee on Judiciary	80	1049*	1065*	1086	1700*	1875	1888	7-1 -09	281 - R* to Committee on Appropriations. 1059 - Special Orders. 1065 - Title change. 1764 - House did not concur in Senate amendments and requested Conference Committee. House members: Gardner, C., Levy, and Kerr, A. 1778 - House granted permission to go beyond scope. 1799 - Senate acceded to request for Conference Committee with permission to go beyond scope. Senate members: Veiga, Romer, and Harvey. 1848 - Senate rejected 1st Conference Committee report, discharged 1st Conference Committee and requested 2nd Conference Committee. Senate members: Veiga, Romer, and Harvey. 1848 - House discharged 1st Conference Committee and appointed 2nd Conference Committee. House members: Gardner, C., Levy, and Kerr, A. 1867 - Senate adopted Conference Committee report and repassed bill, as amended. 1869 - Conference Committee report. 1871 - House adopted Conference Committee report and repassed bill, as amended. 1876 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1164 by Representative(s) Primavera, Gagliardi, Green, Kefalas, Kerr J., McGihon; also Senator(s) Kester--Concerning a surcharge on breast cancer awareness special license plates to provide funding for cancer treatment for women who are not currently eligible to participate in the breast and cervical cancer prevention and treatment program under the "Colorado Medical Assistance Act", and requiring a post-enactment review of the implementation of this act. Committee on Transportation & Energy Committee on Finance	80	636*	698*	736	1621*	1667	1754	5-2 -09	343 - R* to Committee on Appropriations. 641 - Second Reading calendared for 3-12-09. 709 - Third Reading LO until 3-16-09. 1631 - House did not concur in Senate amendments and requested Conference Committee with permission to go beyond scope. House members: Primavera, McFadyen, and Kerr, J. 1640 - Senate acceded to request for Conference Committee with permission to go beyond scope. Senate members: Kester, Tochtrop, and Romer. 1653 - Conference Committee report. 1655 - Senate adopted Conference Committee report and repassed bill, as amended. 1656 - House adopted Conference Committee report and repassed bill, as amended. 1700 - Delivered to Governor.	
HB09-1165 by Representative(s) Lambert; also Senator(s) Cadman--Concerning the creation of a state database containing information about sole-source contracts to which governmental entities are a party for the purpose of implementing changes to article XXVIII of the state constitution approved by the voters in the 2008 general election. Committee on State, Veterans, & Military Affairs	80	-----	-----	-----	-----	-----	-----	-----	252 - PI.	
HB09-1166 by Representative(s) Levy--Concerning the use of a pay-as-you-drive rate structure for determining premium rates for automobile insurance policies. Committee on Business Affairs and Labor	81	-----	-----	-----	-----	-----	-----	-----	265 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1167 by Representative(s) McKinley, Kerr J., Liston, Looper, Marostica, Sonnenberg, Tipton--Concerning prohibiting the Colorado oil and gas conservation commission from promulgating rules pursuant to the "Colorado Habitat Stewardship Act of 2007" that would adversely affect existing oil and gas operations. Committee on Agriculture, Livestock, & Natural Resources	85	-----	-----	-----	-----	-----	-----	-----		307 - PI.
HB09-1168 by Representative(s) Riesberg, McFadyen, Sonnenberg; also Senator(s) Schwartz, Bacon, Penry--Concerning the timing of reports to the capital development committee. Committee on State, Veterans, & Military Affairs	85	309	326	354	669	784	1030	#8-5 -09		854 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB09-1169 by Representative(s) Riesberg, McFadyen, Sonnenberg; also Senator(s) Bacon, Penry, Schwartz--Concerning an extension of the repeal date for the capital development committee. Committee on State, Veterans, & Military Affairs	85	309	326	354	655	703	853	3-20 -09		704 - Delivered to Governor.
HB09-1170 by Representative(s) Casso, Pace; also Senator(s) Tochtrop--Concerning unemployment insurance benefits for locked-out employees. Committee on Business Affairs and Labor	97	701*	760*	788	1580*	1875	-----	-----		741 - Second Reading LO until 3-17-09. 778 - Third Reading LO until 3-19-09. 1622 - Consideration of Senate amendments LO daily until 5-5-09. 1819 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor. 1881 - V.
HB09-1171 by Representative(s) Court; also Senator(s) Kester--Concerning requirements related to the installation of manufactured homes. Committee on Local Government	97	307	326	353	749	854	1095	4-3 -09		877 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1172 by Representative(s) McCann, Fischer-- Concerning an increase in the protection of animals under the "Pet Animal Care and Facilities Act". Committee on Agriculture, Livestock, & Natural Resources	104	-----	-----	-----	-----	-----	-----	-----	263 - PI.	
HB09-1173 by Representative(s) Riesberg; also Senator(s) Hodge--Concerning efforts to reduce the amount of contraband tobacco products in the state, and making an appropriation therefor. Committee on Finance	105	1049*	1069*	1086	1621*	1875	1888	#8-5 -09	572 - R* to Committee on Appropriations. 1059 - Special Orders. 1069 - Title change. 1646 - Consideration of Senate amendments LO daily until 5-4-09. 1743 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1174 by Representative(s) Riesberg; also Senator(s) Hodge, Brophy--Concerning the exemption of depletions from pumping that occurred prior to 1974. Committee on Agriculture, Livestock, & Natural Resources	105	245	271	289	655	765	920	#8-5 -09	797 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1175 by Representative(s) Curry; also Senator(s) Williams--Concerning the regulation of naturopathic doctors, and making an appropriation in connection therewith. Committee on Health and Human Services	131	725*	807*	835	-----	-----	-----	-----	333 - R* to Committee on Appropriations. 761 - Second Reading LO until 3-20-09. 807 - Title change. 811 - * in the Committee of the Whole report. 1419 - PI in Senate.	
HB09-1176 by Representative(s) Green; also Senator(s) Williams--Concerning the driving privilege of minor drivers, and, in connection therewith, enacting the "Kayla Sealy DeMars Drivers Safety Act". Committee on Transportation & Energy	131	680*	869*	882	-----	-----	-----	-----	694 - Second Reading calendared for 3-13-09. 715 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 802 - Second Reading LO* daily until 3-24-09. 869 - Title change. 1655 - PI in Senate.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1177 by Representative(s) Fischer, Middleton, Scanlan, Todd, Kefalas, McFadyen, Merrifield, Pace; also Senator(s) Bacon--Concerning granting voting rights to student members of the board of governors of the Colorado state university system. Committee on Education	131	-----	-----	-----	-----	-----	-----	-----		295 - PI.
HB09-1178 by Representative(s) Green; also Senator(s) Boyd--Concerning the creation of a task force to study the establishment of a registry of caregivers who are deemed to have a substantiated allegation of wrongdoing against a person with a developmental disability. Committee on Health and Human Services	131	303*	325*	351	655*	784	1030	4-2 -09		304 - Second Reading calendared for 2-13-09. 656 - Consideration of Senate Amendments calendared for 3-11-09. 676 - House concurred in Senate amendments and repassed bill, as amended. 854 - Delivered to Governor.
HB09-1179 by Representative(s) Labuda, McGihon, Gardner B., Levy, Roberts; also Senator(s) Veiga--Concerning participation in the address confidentiality program by a person who resides with a victim participant. Committee on State, Veterans, & Military Affairs	131	309	326	355	749	854	1095	4-3 -09		877 - Delivered to Governor.
HB09-1180 by Representative(s) King S.; also Senator(s) Brophy--Concerning allowing valid Colorado concealed handgun permits to satisfy background check requirements for transfers of firearms. Committee on Judiciary	131	463*	518*	563	1289*	1875	-----	-----		1324 - Consideration of Senate amendments LO daily until 5-4-09. 1686 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor. 1879 - V.
HB09-1181 by Representative(s) McCann; also Senator(s) Foster--Concerning the right of a victim to make a statement at a community corrections hearing. Committee on Judiciary	131	302*	324*	389	670*	854	1030	#8-5 -09		302 - Second Reading calendared for 2-13-09. 350 - Third Reading LO until 2-18-09. 670 - Consideration of Senate Amendments calendared for 3-13-09. 718 - House concurred in Senate amendments and repassed bill, as amended. 877 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1182 by Representative(s) Marostica, Ferrandino, Pommer; also Senator(s) White, Keller, Tapia--Concerning changes in the funding of administrative costs incurred by the division of on-line learning in the department of education. Committee on Education	160	295	323	349	749	854	1096	4-3 -09	302 - Second Reading LO until 2-13-09 877 - Delivered to Governor.	
HB09-1183 by Representative(s) Vaad; also Senator(s) Hodge--Concerning violations of laws related to real estate appraisers. Committee on Judiciary	160	302	365*	393	1427	1875	1897	#8-5 -09	302 - Second Reading calendared for 2-13-09. 325 - Second Reading LO until 2-17-09. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1184 by Representative(s) May, Gardner C., King S., Murray, Waller--Concerning the allocation of time the general assembly is convened in regular session to conduct its business. Committee on State, Veterans, & Military Affairs	160	-----	-----	-----	-----	-----	-----	-----	466 - PI.	
HB09-1185 by Representative(s) Tipton; also Senator(s) Isgar--Concerning requirements for documents related to water rights applications. Committee on Agriculture, Livestock, & Natural Resources	161	316	364	390	704	827	1030	7-1 -09	318 - Second Reading calendared for 2-17-09. 854 - Delivered to Governor.	
HB09-1186 by Representative(s) Levy; also Senator(s) Carroll M.--Concerning the delivery of a mail-in ballot to the designated election official by the elector. Committee on State, Veterans, & Military Affairs	161	341*	444*	487	784	899	1096	4-3 -09	345 - Second Reading calendared for 2-18-09. 399 - Second Reading LO until 2-20-09. 444 - Title change. 450 - Third Reading calendared for 2-24-09. 919 - Delivered to Governor.	
HB09-1187 by Representative(s) Swalm, Vaad--Concerning authorization for the Colorado tolling enterprise to designate as toll highways existing highways that serve vehicular traffic on a toll-free basis. Committee on Transportation & Energy	161	-----	-----	-----	-----	-----	-----	-----	638 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1188 by Representative(s) Ryden; also Senator(s) Carroll M.--Concerning modifications to the disclosure requirements imposed on physicians under the "Michael Skolnik Medical Transparency Act", and making an appropriation in connection therewith. Committee on Health and Human Services	161	330	376*	396	827	854	972	3-30 -09	303 - R* to Committee on Appropriations. 376 - Title change. 877 - Delivered to Governor.	
HB09-1189 by Representative(s) Pommer, Ferrandino, Marostica; also Senator(s) Tapia, Keller, White--Concerning per pupil funding for education programs that report their pupil enrollment counts to the facility schools unit in the department of education. Committee on Education	161	295*	324*	350	704	854	1096	4-3 -09	302 - Second Reading LO until 2-13-09 877 - Delivered to Governor.	
HB09-1190 by Representative(s) Levy; also Senator(s) Mitchell--Concerning the enactment of the "Uniform Unsworn Foreign Declarations Act". Committee on Judiciary	161	381	446	489	796	1028	1280	#8-5 -09	385 - Second Reading calendared for 2-20-09. 450 - Third Reading calendared for 2-24-09. 1067 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1191 by Representative(s) McCann; also Senator(s) Boyd--Concerning liens of the department of health care policy and financing against claims against third parties. Committee on Health and Human Services	161	462*	515*	559	765	899	1096	#8-5 -09	919 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1192 by Representative(s) McFadyen, Balmer, Casso; also Senator(s) Veiga--Concerning the elimination of the alcohol percentage limitations on beer products sold in Colorado. Committee on Business Affairs and Labor	161	-----	-----	-----	-----	-----	-----	-----	702 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1193 by Representative(s) McFadyen; also Senator(s) Tochtrop, Carroll M., Hodge, Morse, Tapia--Concerning a prohibition against the shifting of financial responsibility for negligence in motor carrier transportation agreements. Committee on Judiciary	161	590*	650*	659	-----	-----	-----	-----		594 - Second Reading calendared for 3-6-09. 627 - Second Reading LO until 3-9-09. 851 - PI in Senate.
HB09-1194 by Representative(s) Curry; also Senator(s) Isgar--Concerning accrual of a cause of action upon discovery of a breach of a royalty obligation. Committee on Agriculture, Livestock, & Natural Resources	161	-----	-----	-----	-----	-----	-----	-----		618 - PI.
HB09-1195 by Representative(s) Lambert, May; also Senator(s) Brophy, Lundberg, Harvey, King K., Renfro, Spence--Concerning the creation of an income tax credit for private school tuition. Committee on Education Committee on Finance	172	-----	-----	-----	-----	-----	-----	-----		330 - PI.
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, and making an appropriation therefor. Committee on Health and Human Services Committee on Finance	172	813*	869*	883	1621*	1875	1897	6-4 -09		462 - R* to Committee on Finance. 572 - R to Committee on Appropriations. 869 - Title change. 1646 - Consideration of Senate amendments LO daily until 5-4-09. 1744 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1197 by Representative(s) McNulty, Kerr J., Balmer, Baumgardner, Frangas, Gardner C., Gerou, Looper, May, Scanlan; also Senator(s) Harvey, Brophy, Kopp, Renfroe, Spence--Concerning a requirement that the division of housing report data regarding home foreclosures in the state. Committee on Local Government	173	315*	364*	392	704*	899	1096	#8-5 -09	318 - Second Reading calendared for 2-17-09. 705 - Consideration of Senate Amendments calendared for 3-12-09. 767 - Consideration of Senate amendments LO until 3-18-09. 772 - House concurred in Senate amendments and repassed bill, as amended. 919 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1198 by Representative(s) McGihon; also Senator(s) Morse--Concerning the "Uniform Power of Attorney Act". Committee on Judiciary	173	302	365*	393	704*	971	1146	4-9 -09 1-1 -10	302 - Second Reading calendared for 2-13-09. 325 - Second Reading LO until 2-17-09. 705 - Consideration of Senate Amendments calendared for 3-12-09. 767 - Consideration of Senate amendments LO until 3-18-09. 771 - House concurred in Senate amendments and repassed bill, as amended. 973 - Delivered to Governor.	
HB09-1199 by Representative(s) Scanlan, Benefield, Curry, Ferrandino, Gerou, Kerr A., King S., Levy, Massey, Middleton, Nikkel, Roberts; also Senator(s) Gibbs--Concerning increased efforts to address wildfire risk, and, in connection therewith, providing resources to the Colorado state forest service to augment its technical outreach capabilities and provide loans and grants for market-based and forest treatment solutions to reduce wildfire risk, and making an appropriation. Committee on Agriculture, Livestock, & Natural Resources	173	1052*	1070*	1087	1621*	1875	1896	6-3 -09	451 - R* to Committee on Appropriations. 1059 - Special Orders. 1070 - Title change. 1646 - Consideration of Senate amendments LO daily until 5-4-09. 1745 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1200 by Representative(s) Stephens, King S., Liston, Waller; also Senator(s) Scheffel, King K., Kopp--Concerning a requirement that the staff of the legislative council consider certain factors relating to counties in the local government impact section of a fiscal note. Committee on State, Veterans, & Military Affairs	173	405*	508*	554	900*	1217	1421	#8-5 -09	447 - Second Reading LO until 2-24-09. 920 - Consideration of Senate amendments LO daily until 4-1-09. 981 - House concurred in Senate amendments and repassed bill, as amended. 1257 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1201 by Representative(s) Labuda, Lambert; also Senator(s) Spence--Concerning a requirement that local governments address the adverse effects of development in close proximity to military installations in connection with land use planning by the governments. Committee on Local Government	173	-----	-----	-----	-----	-----	-----	-----		606 - PI.
HB09-1202 by Representative(s) Todd, Benefield, Middleton, Ryden; also Senator(s) Foster--Concerning the regulation of persons who provide for the final disposition of dead human bodies in the normal course of business, and making an appropriation in connection therewith. Committee on Business Affairs and Labor	173	1192*	1214*	1233	1700*	1875	1897	7-1 -09	414 - R* to Committee on Appropriations. 1052 - RR to Committee on Business Affairs & Labor. 1108 - R* to Committee on Appropriations. 1203 - Special Orders. 1214 - Title change. 1764 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1203 by Representative(s) Tipton, Roberts; also Senator(s) Isgar--Concerning the reclassification of Montezuma county. Committee on Local Government	173	308	326	353	704	854	1096	#8-5 -09	877 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1204 by Representative(s) Massey, McGihon; also Senator(s) Boyd--Concerning health insurance coverage for preventive health care services, and, in connection therewith, expanding required coverage for certain preventive health care services that receive high recommendations from the United States preventive services task force and the national commission on prevention priorities. Committee on Business Affairs and Labor	173	987*	1021*	1033	1798*	1875	1888	#1-1 -10	1803 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1205 by Representative(s) Looper and Balmer, Apuan, Baumgardner, Casso, Kerr J., Labuda, Lambert, McNulty, Murray, Priola, Soper, Swalm, Todd, Vaad; also Senator(s) Williams, Bacon, Boyd, Gibbs, Schultheis--Concerning voting by members of the armed forces serving outside the United States. Committee on State, Veterans, & Military Affairs	174	726	846*	864	1427	1784	1894	#8-5 -09	406 - R* to Committee on Appropriations. 761 - Second Reading LO until 3-20-09. 809 - Second Reading LO until 3-23-09. 1867 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1206 by Representative(s) Lambert; also Senator(s) Lundberg--Concerning an electronic currency backed by reserves of precious metals. Committee on State, Veterans, & Military Affairs	174	-----	-----	-----	-----	-----	-----	-----	407 - PI.	
HB09-1207 by Representative(s) Gardner C.; also Senator(s) Veiga--Concerning procedures to enforce a lien related to real property. Committee on Judiciary	174	336*	398*	410	750*	1142	1421	#9-1 -09 1-1 -10	345 - Second Reading calendared for 2-18-09. 767 - Consideration of Senate amendments LO until 3-18-09. 775 - House concurred in Senate amendments and repassed bill, as amended. 1156 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB09-1208 by Representative(s) Soper--Concerning the payment of prevailing compensation for workers on public works. Committee on Business Affairs and Labor	174	-----	-----	-----	-----	-----	-----	-----	422 - PI.	
HB09-1209 by Representative(s) Green--Concerning modifications to health care coverage cooperatives. Committee on Health and Human Services	174	601*	629*	-----	-----	-----	-----	-----	630 - * in the Committee of the Whole report. Second Reading LO* until 3-12-09. 708 - Third Reading LO until 3-16-09. 736 - L.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R C L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1210 by Representative(s) McGihon, Green, Peniston, Middleton; also Senator(s) Carroll M.--Concerning the requirement that private employers provide paid sick leave to employees. Committee on Business Affairs and Labor	174									604 - PI.
HB09-1211 by Representative(s) Gardner B.; also Senator(s) Boyd--Concerning the establishment of a process for the department of human services to authorize exemptions from requirements on certain community centered boards that are intended to improve efficiency while maintaining quality services to persons with developmental disabilities. Committee on Health and Human Services	174									380 - PI.
HB09-1212 by Representative(s) Liston, Balmer, Gardner B., Kerr J., Looper, McFadyen, Rice, Scanlan, Stephens, Waller--Concerning a temporary income tax credit for new single-family residential home buyers. Committee on Finance	174									314 - PI.
HB09-1213 by Representative(s) Gagliardi; also Senator(s) Schwartz--Concerning the creation of the housing development grant fund in the state treasury to be administered by the division of housing for purposes associated with increasing the supply of affordable housing in the state. Committee on Local Government Committee on Finance	174	572	870*	884	1147*	1621	1755	6-30 -09		318 - R* to Committee on Finance. 578 - Second Reading calendared for 3-6-09. 626 - R to Committee on Appropriations. 1185 - Consideration of Senate amendments LO until 4-15-09. 1210 - House concurred in Senate amendments and repassed bill, as amended. 1638 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R C LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1214 by Representative(s) Benefield, Massey, Middleton, Miklosi, Scanlan, Schafer S., Summers, Todd; also Senator(s) Bacon--Concerning education data reporting requirements. Committee on Education	175	379*	445*	488	878	1289	1702	4-30 -09	385 - 450 - 1289 -	Second Reading calendared for 2-20-09. Third Reading calendared for 2-24-09. Delivered to Governor.
HB09-1215 by Representative(s) Ferrandino, Pommer, Marostica; also Senator(s) Tapia, Keller, White--Concerning the creation of a stabilization fund to assist with the state's efforts to meet the federal maintenance of effort requirements for the state supplemental security income program. Committee on Finance	175	308*	325*	351	655	765	920	3-25 -09	797 -	Delivered to Governor.
HB09-1216 by Representative(s) Murray; also Senator(s) Newell--Concerning voting by electors, and, in connection therewith, amending the election code to reflect changes brought about by the implementation of the statewide voter registration system and permanent mail-in voting. Committee on State, Veterans, & Military Affairs	194	341*	444*	555	855*	1156	1421	#8-5 -09	345 - 399 - 449 - 879 - 894 - 1280 - #	Second Reading calendared for 2-18-09. Second Reading LO until 2-20-09. * in the Committee of the Whole report. Second Reading LO unamended until 2-24-09. Consideration of Senate amendments LO daily until 3-25-09. House concurred in Senate amendments and repassed bill, as amended. Delivered to Governor. Effective 90 days after sine die unless a referendum petition is filed.
HB09-1217 by Representative(s) Murray; also Senator(s) Scheffel--Concerning the creation of local improvement districts for the purpose of improving public utilities. Committee on Local Government	195	403*	447*	492	997*	1352	1879	#8-5 -09	450 - 1015 - 1125 - 1489 - #	Third Reading calendared for 2-24-09. Consideration of Senate amendments LO daily until 4-9-09. House concurred in Senate amendments and repassed bill, as amended. Delivered to Governor. Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1218 by Representative(s) Soper, Marostica; also Senator(s) Bacon--Concerning capital lease agreements entered into by the state. Committee on State, Veterans, & Military Affairs	195	407*	447*	493	749	1028	1281	7-1 -09	450 - Third Reading calendared for 2-24-09. 1067 - Delivered to Governor.	
HB09-1219 by Representative(s) Judd; also Senator(s) Sandoval--Concerning the interest paid to taxpayers on certain tax overpayments. Committee on Finance	195	308*	325*	352	655	765	920	3-25 -09	797 - Delivered to Governor.	
HB09-1220 by Representative(s) Scanlan; also Senator(s) Gibbs--Concerning an amendment to the "Colorado Common Interest Ownership Act" to permit a unit owner to prescribe specified conditions in connection with the use of such owner's property that promote affordable housing. Committee on Local Government	195	404*	447*	492	900*	1217	1421	#8-5 -09	450 - Third Reading calendared for 2-24-09. 920 - Consideration of Senate amendments LO daily until 4-1-09. 982 - House concurred in Senate amendments and repassed bill, as amended. 1257 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1221 by Representative(s) King S.; also Senator(s) Spence--Concerning mandatory furloughs for certain state employees during certain state fiscal years. Committee on State, Veterans, & Military Affairs	195	-----	-----	-----	-----	-----	-----	-----	466 - PI.	
HB09-1222 by Representative(s) Ferrandino, Pommer, Marostica; also Senator(s) Keller, Tapia, White--Concerning the administration of appropriated moneys. Committee on Finance Committee on Appropriations	195	726	809	836	1067*	1469	1755	5-4 -09	402 - R to Committee on Appropriations. 761 - Second Reading LO until 3-20-09. 1098 - Consideration of Senate amendments LO daily until 4-9-09. 1126 - House concurred in Senate amendments and repassed bill, as amended. 1489 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1223 by Representative(s) Marostica, Ferrandino, Pommer; also Senator(s) Tapia, Keller, White--Concerning the extension of the deadline for expending moneys for the Colorado benefits management system from the health care supplemental appropriations and overexpenditures account of the tobacco litigation settlement cash fund. Committee on Health and Human Services Committee on Appropriations	195	335	399	411	704	854	1096	4-3 -09	345 - Second Reading calendared for 2-18-09. 877 - Delivered to Governor.	
HB09-1224 by Representative(s) Schafer S., McGihon, Labuda, Frangas, Ryden, Green, Ferrandino, Court, Hullinghorst, Kefalas, Middleton, Peniston, Solano, Todd, Vigil; also Senator(s) Carroll M., Hodge--Concerning a prohibition on the consideration of gender in setting rates for individual health benefit plans, and, in connection therewith, directing the health care task force during the 2009 interim to study issues related to such prohibition. Committee on Business Affairs and Labor	195	402*	447*	491	878	1644	1882	#8-5 -09	450 - Third Reading calendared for 2-24-09. 447 - Title change. 1753 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1225 by Representative(s) Schafer S., Massey, Benefield, Priola; also Senator(s) Bacon--Concerning risk assessments of students applying for admission to a public school who have a potential risk of harm to themselves or others. Committee on Education	195	-----	-----	-----	-----	-----	-----	-----	510 - PI.	
HB09-1226 by Representative(s) McGihon, Green, Casso, Labuda, Levy, Middleton, Miklosi, Pace, Ryden, Schafer S., Soper, Todd; also Senator(s) Carroll M.--Concerning creation of the "Colorado No-fault Motor Vehicle Insurance Act". Committee on Business Affairs and Labor	196	-----	-----	-----	-----	-----	-----	-----	422 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1227 by Representative(s) Frangas; also Senator(s) Hudak--Concerning equity skimming of real property. Committee on Judiciary	196	464*	516*	560	796	1217	1419	#9-1-09	516 - Title change. 1280 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB09-1228 by Representative(s) Stephens; also Senator(s) Penry--Concerning a cost-benefit analysis of how an administrative rule applies to a small business in the state. Committee on Business Affairs and Labor Committee on Appropriations	196	-----	-----	-----	-----	-----	-----	-----	422 - PI.	
HB09-1229 by Representative(s) Kerr J., Miklosi, Primavera; also Senator(s) Isgar, Tochtrop--Concerning the designation of auxiliary facilities of institutions of higher education as enterprises. Committee on Education	196	380	448	494	900*	1217	1422	4-22-09	385 - Second Reading calendared for 2-20-09. 450 - Third Reading calendared for 2-24-09. 973 - Consideration of Senate amendments LO until 4-1-09. 984 - House concurred in Senate amendments and repassed bill, as amended. 1257 - Delivered to Governor.	
HB09-1230 by Representative(s) Summers; also Senator(s) Tapia--Concerning the registration of motor vehicles. Committee on Transportation & Energy	196	779*	810*	838	1067*	1469	1755	#8-5-09	1098 - Consideration of Senate amendments LO daily until 4-9-09. 1127 - House concurred in Senate amendments and repassed bill, as amended. 1489 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1231 by Representative(s) Bradford; also Senator(s) Kopp--Concerning creation of an oil shale development task force. Committee on Agriculture, Livestock, & Natural Resources Committee on Appropriations	196	-----	-----	-----	-----	-----	-----	-----	430 - PI.	
HB09-1232 by Representative(s) Roberts, Merrifield, Gardner B.; also Senator(s) Morse--Concerning medical orders determining the scope of treatment a person wishes to receive under certain circumstances. Committee on Health and Human Services	196	-----	-----	-----	-----	-----	-----	-----	463 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1233 by Representative(s) Vigil; also Senator(s) Schwartz--Concerning the recognition of acequias, and, in connection therewith, authorizing acequia ditch corporations. Committee on Agriculture, Livestock, & Natural Resources	196	430*	507*	552	784	1217	1422	4-22 -09	441 - Second Reading calendared for 2-24-09. 507 - Title change. 1280 - Delivered to Governor.	
HB09-1234 by Representative(s) Kerr J. and Solano; also Senator(s) Tochtrop--Concerning the immediate suspension of the driver's license of a person who fails to appear for a license suspension hearing. Committee on Transportation & Energy	196	466	516*	562	749	899	1096	#8-5 -09	919 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1235 by Representative(s) Acree, Middleton, Bradford, Kerr J.; also Senator(s) Mitchell--Concerning measures to address unsafe conditions arising as a result of the abandonment of real property. Committee on State, Veterans, & Military Affairs Committee on Judiciary	196	-----	-----	-----	-----	-----	-----	-----	407 - R* to Committee on Judiciary. 763 - Pl.	
HB09-1236 by Representative(s) Primavera, Casso, Peniston; also Senator(s) Hodge--Concerning the distance at which an operator of a motor vehicle shall stop when a school bus signals a stop. Committee on Transportation & Energy	197	345*	445*	487	749	827	1030	#8-5 -09	345 - Second Reading calendared for 2-18-09. 399 - Second Reading LO until 2-20-09. 450 - Third Reading calendared for 2-24-09. 854 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1237 by Representative(s) Primavera, Casso, Green, Soper; also Senator(s) Shaffer B.--Concerning the coordinated system of payment for early intervention services for children eligible for benefits under part C of the federal "Individuals with Disabilities Education Improvement Act", and making an appropriation therefor. Committee on Health and Human Services	197	636*	712*	737	1427	1621	1755	5-2 -09	380 - R* to Committee on Appropriations. 641 - Second Reading calendared for 3-12-09. 699 - Second Reading LO until 3-13-09. 712 - Title change. 1638 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1238 by Representative(s) Rice; also Senator(s) Shaffer B.--Concerning civil forfeiture. Committee on Judiciary	197	-----	-----	-----	-----	-----	-----	-----		863 - PI.
HB09-1239 by Representative(s) McKinley, Apuan, Gardner C., Gerou, Lambert, Marostica, McNulty, Miklosi, Pace--Concerning the payment of debts in precious metal coins. Committee on Finance	197	-----	-----	-----	-----	-----	-----	-----		314 - PI.
HB09-1240 by Representative(s) Miklosi; also Senator(s) Foster--Concerning creating the Colorado teacher of the year program. Committee on Education	197	330	397*	409	900	1488	1843	#8-5 -09		345 - Second Reading calendared for 2-18-09. 1579 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB09-1241 by Representative(s) Roberts; also Senator(s) Morse--Concerning title 15 of the Colorado Revised Statutes. Committee on Judiciary	197	337*	399*	412	655*	1142	1422	4-22 -09		345 - Second Reading calendared for 2-18-09. 656 - Consideration of Senate Amendments calendared for 3-11-09. 677 - Consideration of Senate amendments LO until 3-13-09. 719 - House concurred in Senate amendments and repassed bill, as amended. 1156 - Delivered to Governor.
HB09-1242 by Representative(s) Summers; also Senator(s) King K.--Concerning contributions to research institutions at Colorado institutions of higher education. Committee on Finance	197	1052	1070*	1087	1427*	1875	1889	#8-5 -09		572 - R* to Committee on Appropriations. 1059 - Special Orders. 1070 - Title change. 1470 - Consideration of Senate amendments LO daily until 5-4-09. 1710 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1243 by Representative(s) Middleton and Massey, Labuda, Casso, Court, McGihon, Miklosi, Peniston, Primavera, Ryden, Scanlan, Todd, Vigil; also Senator(s) Bacon, Spence--Concerning measures to raise the graduation rate in public high schools in Colorado, and making an appropriation in connection therewith. Committee on Education	197	814*	870*	884	1644*	1875	1886	5-21 -09	456 - R* to Committee on Appropriations. 870 - Title change. 1671 - Consideration of Senate amendments LO until 5-4-09. 1749 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1244 by Representative(s) Casso, Looper, McNulty, Primavera, Vaad; also Senator(s) Kopp--Concerning the exemption of property carriers by motor vehicle from regulation by the public utilities commission, and making an appropriation therefor. Committee on Transportation & Energy	197	726*	809*	836	1579	1875	1897	#8-5 -09	467 - R to Committee on Appropriations. 761 - Second Reading LO until 3-20-09. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1245 by Representative(s) Marostica--Concerning a requirement that powersports vehicles obtain a certificate of title. Committee on Transportation & Energy	197	-----	-----	-----	-----	-----	-----	-----	467 - PI.	
HB09-1246 by Representative(s) Peniston; also Senator(s) Morse--Concerning the evaluation of driving schools attended as a result of a court order resulting from a violation of a law regulating the operation of a motor vehicle, and making an appropriation in connection therewith. Committee on Transportation & Energy	197	1052*	1070*	1088	1799*	1875	1889	#8-5 -09	603 - R* to Committee on Appropriations. 1059 - Special Orders. 1070 - Title change. 1840 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1247 by Representative(s) Apuan; also Senator(s) Morse--Concerning enactment of the "Homebuyers' Energy Right-To-Know Act" requiring disclosure of an existing home's energy usage in connection with the sale of the home. Committee on Transportation & Energy	198	467*	696*	710	-----	-----	-----	-----		525 - Second Reading LO until 3-6-09. 630 - Second Reading LO until 3-12-09. 827 - PI in Senate.
HB09-1248 by Representative(s) Gerou; also Senator(s) Shaffer B.--Concerning the modification of laws applicable to the conduct of business in Colorado, and, in connection therewith, modifying the requirements of title 7 of the Colorado Revised Statutes applicable to documents filed with the secretary of state, partnership law, and the requirements for boards of directors of nonprofit corporations to take action without a meeting, and making an appropriation. Committee on State, Veterans, & Military Affairs	198	637*	713*	738	1067*	1842	1879	5-14 -09 12-1 -09		408 - R to Committee on Appropriations. 641 - Second Reading calendared for 3-12-09. 699 - Second Reading LO until 3-13-09. 713 - Title change. 1098 - Consideration of Senate amendments LO daily until 4-9-09. 1128 - House concurred in Senate amendments and repassed bill, as amended. 1867 - Delivered to Governor.
HB09-1249 by Representative(s) Pommer, Ferrandino, Marostica; also Senator(s) White, Keller, Tapia--Concerning the consolidation of certain cash funds created for the department of agriculture. Committee on Finance	198	401	446	490	749	827	1030	7-1 -09		315 - R to Committee on Agriculture, Livestock, & Natural Resources. 450 - Third Reading calendared for 2-24-09. 854 - Delivered to Governor.
HB09-1250 by Representative(s) Merrifield; also Senator(s) Penry--Concerning increasing the allocation to public schools of federal moneys received by the state on behalf of certain counties pursuant to the act of congress of May 23, 1908, as amended, relating to receipts from national forests. Committee on Education	198	666*	713*	738	1580*	1866	1876	#8-5 -09		668 - Second Reading calendared for 3-13-09. 1622 - Consideration of Senate amendments LO daily until 5-4-09. 1711 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1251 by Representative(s) Kefalas, McGihon-- Concerning the disclosure of criminal justice records. Committee on Judiciary	198	-----	-----	-----	-----	-----	-----	-----		381 - PI.
HB09-1252 by Representative(s) Roberts, Massey, Vigil; also Senator(s) Isgar--Concerning the expansion of the "Local Access to Health Care Pilot Program Act" to allow creation of a pilot program in the San Luis valley. Committee on Health and Human Services	198	463	516	559	1427*	1875	1894	6-2-09		1470 - Consideration of Senate amendments LO daily until 5-4-09. 1712 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor.
HB09-1253 by Representative(s) Pace, Apuan, Levy, McKinley, Miklosi, Vigil; also Senator(s) Tapia--Concerning processes for involuntary mental health treatment for defendants committed under title 16, Colorado Revised Statutes. Committee on Judiciary	198	381*	508*	554	878	1028	1281	#8-5-09		385 - Second Reading calendared for 2-20-09. 446 - Second Reading LO until 2-24-09. 1067 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB09-1254 by Representative(s) Judd, Rice; also Senator(s) Harvey--Concerning additional consumer protections relating to like-kind exchanges facilitated by exchange facilitators. Committee on Judiciary	198	337*	444*	486	784*	1028	1281	4-16-09		345 - Second Reading calendared for 2-18-09. 399 - Second Reading LO until 2-20-09. 444 - Title change. 450 - Third Reading calendared for 2-24-09. 798 - Consideration of Senate amendments LO daily until 3-25-09. 888 - House concurred in Senate amendments and repassed bill, as amended. 1067 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R C L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1255 by Representative(s) Gardner C., McKinley, Baumgardner, Bradford, Loooper, McNulty, Sonnenberg, Tipton; also Senator(s) Kopp, Brophy--Concerning limitations on the conditions imposed by the Colorado oil and gas conservation commission on oil and gas operations to implement recommendations made by state entities other than the commission. Committee on Agriculture, Livestock, & Natural Resources	199	-----	-----	-----	-----	-----	-----	-----	469 - PI.	
HB09-1256 by Representative(s) Acree, Gardner C.; also Senator(s) Mitchell--Concerning the ability of the commissioner of insurance to enter into multistate agreements with other states for the purpose of allowing Colorado consumers to purchase out-of-state health insurance products. Committee on Business Affairs and Labor Committee on Appropriations	199	-----	-----	-----	-----	-----	-----	-----	422 - R* to Committee on Appropriations. 1053 - PI.	
HB09-1257 by Representative(s) Scanlan; also Senator(s) Scheffel--Concerning the requirement that the amount of public funds invested in any one certificate of deposit may not exceed the amount insured by the federal deposit insurance corporation. Committee on Business Affairs and Labor	233	314	364	391	611	693	853	3-20 -09	318 - Second Reading calendared for 2-17-09. 704 - Delivered to Governor.	
HB09-1258 by Representative(s) Gardner B.; also Senator(s) Mitchell--Concerning limitations on the ability of a home rule municipality to acquire real property outside its territorial boundaries by means of condemnation. Committee on State, Veterans, & Military Affairs	233	-----	-----	-----	-----	-----	-----	-----	466 - PI.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1259 by Representative(s) Hullinghorst, Pommer, Todd--Concerning the imposition of impact fees by local governments for certain authorized local purposes. Committee on Finance	234	-----	-----	-----	-----	-----	-----	-----		432 - PI.
HB09-1260 by Representative(s) Ferrandino; also Senator(s) Veiga--Concerning designated beneficiary agreements. Committee on Judiciary	234	382*	446*	490	855*	971	1146	7-1 -09		385 - Second Reading calendared for 2-20-09. 450 - Third Reading calendared for 2-24-09. 879 - Consideration of Senate amendments LO until 3-25-09. 895 - House concurred in Senate amendments and repassed bill, as amended. 973 - Delivered to Governor.
HB09-1261 by Representative(s) Swalm; also Senator(s) Veiga--Concerning limitations on the requirement for telecommunications providers to maintain the wholesale telecommunications tariff if the telecommunications providers operate under interconnection agreements approved pursuant to federal law. Committee on Transportation & Energy	234	-----	-----	-----	-----	-----	-----	-----		639 - PI.
HB09-1262 by Representative(s) Casso; also Senator(s) Morse--Concerning the issuance of a summons instead of an arrest warrant in certain circumstances. Committee on Judiciary	234	464	516	560	749	899	1096	#8-5 -09		919 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.
HB09-1263 by Representative(s) Casso; also Senator(s) Carroll M.--Concerning time computation while an inmate is incarcerated in a county jail. Committee on Judiciary	234	464	516	561	749	899	1097	#8-5 -09		919 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1264 by Representative(s) Benefield, Apuan, Court, Gardner B., Kerr A., Levy, McCann, Miklosi, Pace, Roberts, Ryden, Solano; also Senator(s) Hudak--Concerning the costs associated with college-level academic programs for state inmates. Committee on Education	234	380	445	489	900	1028	1281	#8-5 -09	385 - Second Reading calendared for 2-20-09. 450 - Third Reading calendared for 2-24-09. 1067 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1265 by Representative(s) Liston, Kerr J., Looper, Massey, Murray, Priola, Tipton; also Senator(s) King K.--Concerning a two-year limitation on abatement interest awarded to a nonprofit entity that has not qualified for tax exemption due to an error made by the nonprofit entity. Committee on Finance	234	309	326	352	611	685	854	#8-5 -09	704 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1266 by Representative(s) McCann; also Senator(s) Carroll M.--Concerning the repeal of the loss of driving privileges as a penalty for certain crimes, and, in connection therewith, making an appropriation. Committee on Judiciary	234	1053*	1070*	1088	1700*	1875	1889	#8-5 -09	464 - R* to Committee on Finance. 619 - R to Committee on Appropriations. 1059 - Special Orders. 1765 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1267 by Representative(s) Todd; also Senator(s) Bacon--Concerning the removal of statutory provisions describing pervasively sectarian educational institutions, and making an appropriation in connection therewith. Committee on Education	234	1054*	1071*	1090	1700*	1875	1889	6-1 -09	510 - R* to Committee on Appropriations. 1059 - Special Orders. 1071 - Title change. 1766 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION * V Amended Vetoed by Governor F Lost F Postponed Indefinitely R Rereferred R Reconsideration O Laid Over
HB09-1268 by Representative(s) Gardner C.; also Senator(s) Kopp- Concerning measures to decrease the consumption of fossil fuels without imposing any new burden on a taxpayer, and, in connection therewith, requiring the governor to collaborate with the governors of surrounding states to expand pipeline capacity and electricity transmission capacity; exempting from state sales and use tax the sales of fuel-efficient vehicles; exempting from the levy and collection of property tax business personal property used to develop landfill-to-energy conversion; adding any nuclear energy generation technology and alternative fuels to the definition of "clean energy" for purposes of the Colorado clean energy development authority; adding the sale, distribution, transmission, blending, and manufacturing of alternative fuel or the manufacturing of alternative fuel technology to the definition of "project" for purposes of the Colorado clean energy development authority; directing the Colorado clean energy development authority to create an inventory of processes that must be followed in order to construct a nuclear power generation facility that employs modern generation technology; requiring the Colorado clean energy development authority to report to the general assembly any recommended changes in state and federal law or regulation that will facilitate the development of nuclear power generation and facility permitting; requiring the state board of land commissioners to provide a report to the general assembly with an analysis of renewable energy resources on state lands, prioritizing geothermal energy resources; requiring the state board of lan commissioners to provide a report to the general assembly with an analysis of carbon sequestration possibilities on state land; requiring the Colorado water conservation board to assess the feasibility of retrofitting existing water infrastructure and water storage infrastructure to develop hydroelectric power; and requiring the public utilities commission to provide to the general assembly a full cost-benefit analysis upon the commission's decision to close an existing electric power generation facility. Committee on Transportation & Energy	234	-----	-----	-----	-----	-----	-----	-----	468 - PI.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1269 by Representative(s) Ferrandino, Court, Middleton, Pace, Pommer, Scanlan, Weissmann--Concerning the creation of a state rainy day account, and, in connection therewith, specifying the manner in which the account is to be funded and the circumstances in which moneys may be expended from the account. Committee on Finance Committee on Appropriations	235	1054	1661	-----	-----	-----	-----	-----	402 - R* to Committee on Appropriations. 1066 - Second reading calendared for 4-15-09. 1203 - Special Orders. 1203 - Special Orders LO daily until 5-1-09. 1661 - Special Orders LO until 8-9-09. Bill deemed L.	
HB09-1270 by Representative(s) Waller--Concerning extending concurrent enrollment opportunities to students who are not enrolled in public schools. Committee on Education	254	-----	-----	-----	-----	-----	-----	-----	459 - PI.	
HB09-1271 by Representative(s) Labuda, Fischer, Soper--Concerning a fee for the registration of motor vehicles to be used to support the Colorado state titling and registration system. Committee on Transportation & Energy Committee on Finance	254	-----	-----	-----	-----	-----	-----	-----	405 - R to Committee on Finance. 573 - PI.	
HB09-1272 by Representative(s) Massey and Pommer, Gardner C., McKinley, McNulty, Merrifield, Scanlan, Summers, Todd; also Senator(s) Tapia, Brophy, Heath, Kester, Penry, Williams--Concerning statutory amendments required to implement locally approved changes to the parameters for limited gaming under section 9 (7) of article XVIII of the Colorado constitution, adopted by voters at the 2008 general election. Committee on Education	254	330*	397*	412	704*	1142	1420	4-1 -09	345 - Second Reading calendared for 2-18-09. 705 - Consideration of Senate Amendments calendared for 3-12-09. 767 - Consideration of Senate amendments LO until 3-18-09. 773 - House concurred in Senate amendments and repassed bill, as amended. 1156 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R R C LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1273 by Representative(s) Kefalas, Green, Frangas, Court, Fischer, Hullinghorst, Labuda, Levy, Miklosi, Pace, Vigil, Apuan, McCann, Ryden, Schafer S.; also Senator(s) Foster, Bacon, Carroll M.--Concerning the creation of a health care authority to develop a health care system that shall be the administrator for health care services in Colorado. Committee on Business Affairs and Labor Committee on Appropriations	254	1054	1073*	1195	-----	-----	-----	-----	791 - R* to Committee on Appropriations. 1059 - Special Orders. 1093 - Third Reading LO daily until 4-15-09. 1195 - Third Reading LO until 7-5-09. Bill Deemed L.	
HB09-1274 by Representative(s) Weissmann; also Senator(s) Carroll M., Groff--Concerning capital crimes, and making an appropriation in connection therewith. Committee on Judiciary Committee on Appropriations	254	1055*	1214*	1296	1798*	-----	-----	-----	513 - R* to Committee on Appropriations. 1066 - Second reading calendared for 4-15-09. 1203 - Special Orders. 1261 - Third Reading LO daily until 4-21-09. 1801 - House did not concur in Senate amendments and requested Conference Committee. House members: Weissmann, Miklosi, and Waller. 1839 - Senate acceded to request for Conference Committee. Senate members: Carroll, M., Bacon, and Penry. 1867 - Senate adopted Conference Committee report and did not repass bill, as amended.	
HB09-1275 by Representative(s) Apuan, Balmer, McFadyen, Rice, Solano; also Senator(s) Morse, Heath, Mitchell, Schwartz, Veiga--Concerning the ability of the department of public health and environment to issue a provisional certification to an applicant seeking certification as an emergency medical technician, and making an appropriation therefor. Committee on Health and Human Services	254	815*	871*	885	1579	1875	1883	5-19-09	602 - R* to Committee on Appropriations. 871 - Title change. 1875 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1276 by Representative(s) Ferrandino, Apuan, Benefield, Carroll T., Casso, Court, Gagliardi, Gerou, Hullinghorst, Kerr A., Kerr J., Labuda, Marostica, Massey, McCann, Merrifield, Middleton, Miklosi, Pace, Peniston, Pommer, Ryden, Scanlan, Schafer S., Solano, Vigil; also Senator(s) Carroll M.--Concerning a delay in the foreclosure of residential property for eligible borrowers. Committee on Business Affairs and Labor	296	604*	627*	646	878	1644	1894	6-2 -09	1753 -	Delivered to Governor.
HB09-1277 by Representative(s) Labuda, Fischer, Pace, Vigil--Concerning a requirement that electric utilities provide their customers with information about the fuel mix used in the generation of electricity. Committee on Transportation & Energy	296	-----	-----	-----	-----	-----	-----	-----	639 -	PI.
HB09-1278 by Representative(s) Frangas; also Senator(s) Sandoval--Concerning care for vulnerable populations. Committee on Health and Human Services	296	-----	-----	-----	-----	-----	-----	-----	638 -	PI.
HB09-1279 by Representative(s) Pace; also Senator(s) Kopp--Concerning abandoned motor vehicles. Committee on Transportation & Energy	296	603*	630*	649	900	1156	1422	#8-5 -09	1280 -	Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R R LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1280 by Representative(s) Loper; also Senator(s) Tapia and Williams--Concerning the adoption of a youth challenge corps program in Colorado. Committee on State, Veterans, & Military Affairs	296	1055	1166*	1212	1798*	1875	1894	#8-5 -09	609 - R* to Committee on Health & Human Services. 728 - R* to Committee on Appropriations. 1066 - Second reading calendared for 4-15-09. 1104 - Special Orders. 1105 - Special Orders LO daily until 4-14-09 1804 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1281 by Representative(s) Labuda, Baumgardner, Casso, Hullinghorst, Marostica, Murray, Schafer S., Soper, Tipton; also Senator(s) Carroll M. and Newell--Concerning representation on state boards by persons with disabilities. Committee on State, Veterans, & Military Affairs	296	466	516*	561	955*	1875	1894	#8-5 -09	973 - Consideration of Senate amendments LO until 4-1-09. 984 - House did not concur in Senate amendments and requested Conference Committee. House members: Labuda, Schafer, and Murray. 1184 - Senate acceded to request for Conference Committee. Senate members: Carroll, M., Newell, and Cadman. 1209 - Conference Committee report. 1210 - Senate adopted Conference Committee report and repassed bill, as amended. 1261 - Consideration of Conference Committee report LO until 4-17-09. 1269 - House adopted Conference Committee report and repassed bill, as amended. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R C LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1282 by Representative(s) Fischer; also Senator(s) Schwartz, Hodge--Concerning the recycling of certain electronic devices, and, in connection therewith, establishing a task force within the department of public health and environment to make recommendations regarding the implementation of electronic device recycling programs and making an appropriation. Committee on Health and Human Services	296	1055*	1071*	1089	1621*	1875	1889	6-1 -09	512 - R to Committee on Appropriations. 1059 - Special Orders. 1071 - Title change. 1646 - Consideration of Senate amendments LO daily until 5-4-09. 1746 - House did not concur in Senate amendments and requested Conference Committee with permission to go beyond scope. House members: Fischer, Solano, and Nikkel. 1785 - Senate acceded to request for Conference Committee. Senate members: Schwartz, Foster, and Kester. 1785 - Senate granted permission to go beyond scope. 1849 - Senate adopted Conference Committee report and repassed bill, as amended. 1852 - Conference Committee report. 1859 - House adopted Conference Committee report and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1283 by Representative(s) Sonnenberg; also Senator(s) Shaffer B.--Concerning an increase in the penalty for careless driving resulting in death. Committee on Judiciary	296	513	-----	-----	-----	-----	-----	-----	533 - Second Reading calendared for 3-2-09. 576 - L.	
HB09-1284 by Representative(s) Levy; also Senator(s) Williams--Concerning corridor capacity strategic planning to foster transportation efficiency. Committee on Transportation & Energy	296	639*	841*	-----	-----	-----	-----	-----	641 - Second Reading calendared for 3-12-09. 699 - Second Reading LO until 3-20-09. 802 - Second Reading LO until 3-23-09. 863 - Third Reading LO daily until 3-30-09. 1655 - L in Senate.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R C LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1285 by Representative(s) Benefield, Kerr A., Massey, Middleton, Miklosi, Scanlan, Schafer S., Summers, Todd; also Senator(s) King K.-- Concerning the government data advisory board, and, in connection therewith, creating the education data subcommittee to make recommendations for creation of a statewide comprehensive P-20 education data system. Committee on Education	297	511*	575*	586	900*	1289	1702	#8-5 -09	533 - Second Reading calendared for 3-2-09. 920 - Consideration of Senate amendments LO daily until 4-1-09. 983 - House concurred in Senate amendments and repassed bill, as amended. 1289 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1286 by Representative(s) Levy and McGihon-- Concerning the repeal and reenactment of the "Uniform Parentage Act". Committee on Judiciary	361	-----	-----	-----	-----	-----	-----	-----	667 - PI.	
HB09-1287 by Representative(s) McGihon; also Senator(s) Mitchell--Concerning changes to the "Colorado Probate Code". Committee on Judiciary	361	591*	628*	707	1147	1875	1886	7-1 -10	594 - Second Reading calendared for 3-6-09. 646 - Third Reading LO until 3-13-09. 1876 - Delivered to Governor.	
HB09-1288 by Representative(s) Nikkel, Acree, Apuan, Bradford, Casso, Court, Frangas, Gardner B., Gardner C., Kerr J., King S., Lambert, Liston, Massey, May, McKinley, McNulty, Murray, Priola, Sonnenberg, Stephens, Summers, Swalm, Tipton, Vigil; also Senator(s) Kopp, Brophy, Harvey, Kester, Lundberg, Mitchell, Penry, Renfroe, Scheffel, Schultheis, Spence--Concerning the creation of a searchable database web site related to state finances. Committee on Finance	361	1193*	1204*	1222	1798*	1875	1897	#8-5 -09	619 - R* to Committee on Appropriations. 1203 - Special Orders. 1204 - Title change. 1815 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1289 by Representative(s) Curry; also Senator(s) Isgar--Concerning the species conservation trust fund, and, in connection therewith, approving the species conservation eligibility list. Committee on Agriculture, Livestock, & Natural Resources	361	1057	1072*	1090	1621	1875	1889	6-1 -09	571 - R* to Committee on Appropriations. 1059 - Special Orders. 1876 - Delivered to Governor.	
HB09-1290 by Representative(s) Nikkel and Apuan; also Senator(s) Harvey, Bacon--Concerning increasing the maximum amount of money that the Colorado commission on higher education may allocate for the purpose of providing tuition assistance to members of the National Guard, and making an appropriation therefor. Committee on Education	434	1057*	1072*	1091	1700*	1842	1876	#8-5 -09	589 - R to Committee on Appropriations. 1059 - Special Orders. 1072 - Title change. 1767 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1291 by Representative(s) Nikkel, Casso, Court, Gardner C., Hulinghorst, Kerr J., Labuda, Lambert, Massey, Miklosi, Murray, Stephens, Todd; also Senator(s) Shaffer B., Bacon, Boyd, Cadman, Lundberg, Schultheis, Williams--Concerning providing information regarding resources available to veterans of the United States armed forces. Committee on State, Veterans, & Military Affairs	434	815	872*	885	1315	1875	1895	#8-5 -09	609 - R* to Committee on Appropriations. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1292 by Representative(s) McGihon, Labuda, Levy; also Senator(s) Veiga, Morse, Schwartz--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies. Committee on Legal Services	532	654*	699*	709	900	1142	1422	4-22 -09	655 - Second Reading calendared for 3-12-09. 1156 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1293 by Representative(s) Riesberg and Ferrandino, Pommer, Marostica, Apuan, Carroll T., Court, Curry, Gagliardi, Green, Judd, Kefalas, Levy, Massey, McFadyen, McGihon, Middleton, Miklosi, Pace, Peniston, Primavera, Schafer S., Todd, Vigil, Weissmann; also Senator(s) Keller and Boyd, Tapia, White, Carroll M., Foster, Groff, Hodge, Isgar, Kester, Morse, Newell, Shaffer B., Tochtrop, Williams--Concerning a hospital provider fee, and, in connection therewith, authorizing the department of health care policy and financing to charge and collect a hospital provider fee, specifying the allowable uses of the fees, requiring a post-enactment review of the implementation of this act, and making an appropriation in connection therewith. Committee on Health and Human Services	574	815*	872*	886	1067*	1257	1420	7-1 -09 4-1 -10	744 - R* to Committee on Appropriations. 749 - R to Committee on Finance. 769 - RR to Committee on Appropriations. 872 - Title change. 1098 - Consideration of Senate amendments LO daily until 4-9-09. 1129 - House concurred in Senate amendments and repassed bill, as amended. 1257 - Delivered to Governor.	
HB09-1294 by Representative(s) Vigil; also Senator(s) Schwartz--Concerning the voluntary contribution designation benefiting the nongame and endangered wildlife fund that appears on the state individual income tax return forms, and, in connection therewith, extending the period for the contribution designation. Committee on Finance	579	703	760	777	1067	1217	1422	4-22 -09	741 - Second Reading LO until 3-17-09. 1257 - Delivered to Governor.	
HB09-1295 by Representative(s) Todd and Massey, Carroll T., Benefield, Merrifield, Middleton, Casso, Frangas, Hullinghorst, Kerr A., Labuda, McGihon, Miklosi, Murray, Scanlan; also Senator(s) Heath, Bacon, King K., Veiga, Spence--Concerning authorizing Metropolitan state college of Denver to offer master's degree programs. Committee on Education	579	666	741	751	1147	1469	1755	#8-5 -09	668 - Second Reading calendared for 3-13-09. 714 - Second Reading LO until 3-16-09. 1489 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1296 by Representative(s) Green; also Senator(s) Hudak--Concerning extending the repeal date for the reading assistance grant program. Committee on Education	579	666	714	739	1067	1217	1422	4-22 -09	668 - 1257 -	Second Reading calendared for 3-13-09. Delivered to Governor.
HB09-1297 by Representative(s) Frangas; also Senator(s) Mitchell--Concerning membership appointments to the advisory committee on licensing of child care facilities. Committee on Health and Human Services	579	667	714	739	878	1028	1281	#8-5 -09	668 - 1067 - #	Second Reading calendared for 3-13-09. Delivered to Governor. Effective 90 days after sine die unless a referendum petition is filed.
HB09-1298 by Representative(s) McFadyen and Gardner C., Liston, Rice, Solano; also Senator(s) Mitchell, Heath, Scheffel, Schwartz--Concerning economic development for the trucking industry in Colorado, and making an appropriation in connection therewith. Committee on Finance Committee on Appropriations	580	1138*	1170*	1198	1700*	1875	1897	6-4 -09	794 - 1153 - 1170 - 1768 - 1876 -	R to Committee on Appropriations. Second Reading LO until 4-14-09. Title change. House concurred in Senate amendments and repassed bill, as amended. Delivered to Governor.
HB09-1299 by Representative(s) Kerr A., Benefield, Carroll T., Casso, Court, Curry, Ferrandino, Frangas, Green, Hullinghorst, Kefalas, McCann, Middleton, Miklosi, Pommer, Rice, Scanlan, Schafer S., Solano, Todd, Vigil; also Senator(s) Romer, Bacon, Groff, Veiga--Concerning adoption of an agreement among the states to elect the president of the United States by national popular vote. Committee on Judiciary	612	667	741*	752	-----	-----	-----	-----	668 - 714 - 1655 -	Second Reading calendared for 3-13-09. Second Reading LO until 3-16-09. LO in Senate until 5-7-09. Bill deemed L.
HB09-1300 by Representative(s) Solano, McFadyen, Rice; also Senator(s) Schwartz and Romer, Heath, Veiga--Concerning the financing of clean energy development, and, in connection therewith, granting additional powers to the Colorado clean energy development authority. Committee on Transportation & Energy	612	-----	-----	-----	-----	-----	-----	-----	1426 -	PI.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1301 by Representative(s) Judd; also Senator(s) Sandoval--Concerning moneys continuously appropriated from the unclaimed property trust fund to the state treasurer for payment of contract auditor services. Committee on Finance	612	769*	810*	837	1067	1217	1422	4-22-09	1257 -	Delivered to Governor.
HB09-1302 by Representative(s) Pace, McFadyen, Gagliardi, Casso, Hullinghorst, McKinley, Miklosi, Rice, Ryden, Soper, Vigil; also Senator(s) Tapia--Concerning a preference for the purchase of Colorado steel products by governmental entities. Committee on State, Veterans, & Military Affairs	622	-----	-----	-----	-----	-----	-----	-----	918 -	PI.
HB09-1303 by Representative(s) Curry; also Senator(s) Isgar--Concerning the application of engineering criteria to increase efficiency in the administration of wells that withdraw ground water in conjunction with the mining of minerals, and, in connection therewith, integrating wells that withdraw ground water in conjunction with the mining of minerals into the prior appropriation system and extending the time schedule for well owners to correct deficiencies in permitting and operation. Committee on Agriculture, Livestock, & Natural Resources	622	1006*	1060*	1079	1580*	1866	1895	6-2-09	1059 -	Special Orders. 1622 - Consideration of Senate amendments LO daily until 5-4-09. 1713 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R R C L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1304 by Representative(s) Solano, Benefield, Casso, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Green, Hullinghorst, Labuda, Looper, McFadyen, McGihon, McKinley, Merrifield, Middleton, Miklosi, Peniston, Pommer, Ryden, Schafer S., Soper, Todd, Vigil, Weissmann; also Senator(s) Williams, Tapia, Carroll M., Shaffer B.-- Concerning the imposition of a temporary suspension in administering certain statewide student assessments for the purpose of meeting state budget restrictions. Committee on Education	641	-----	-----	-----	-----	-----	-----	-----		859 - PI.
HB09-1305 by Representative(s) Levy, Apuan, Benefield, Casso, Court, Ferrandino, Frangas, Hullinghorst, Judd, Kerr A., Labuda, McFadyen, Merrifield, Middleton, Miklosi, Pace, Peniston, Pommer, Primavera, Ryden, Scanlan, Schafer S., Solano, Todd, Vigil; also Senator(s) Veiga, Romer, Bacon, Boyd, Carroll M., Foster, Heath, Hodge, Hudak, Isgar, Morse, Newell, Shaffer B., Tapia, Tochtrop, Williams--Concerning limitations on the requirements for cost bonds in civil lawsuits. Committee on Judiciary	656	822	874	887	1579	1875	1887	#9-109		1876 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.
-HB09-1306 by Representative(s) Nikkel, Carroll T.; also Senator(s) Renfroe--Concerning the protection of youth in juvenile facilities in the department of human services. Committee on Health and Human Services	693	-----	-----	-----	-----	-----	-----	-----		821 - PI.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1307 by Representative(s) Benefield and Massey, Court, Vaad, Gagliardi, Marostica, McNulty, Merrifield, Middleton, Miklosi, Primavera, Scanlan, Solano; also Senator(s) Shaffer B. and Penry--Concerning the televising of proceedings of state government, and, in connection therewith, creating the Colorado channel authority. Committee on State, Veterans, & Military Affairs	694	1058	1072	1091	1427	1875	1884	#8-5 -09	824 - R to Committee on Appropriations. 1059 - Special Orders. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1308 by Representative(s) Curry; also Senator(s) Isgar--Concerning the addition of the division of water resources in the department of natural resources to the list of entities eligible to receive first tier funding from the operational account of the severance tax trust fund, and, in connection therewith, modifying appropriations made to the division of water resources in the general appropriation acts for the 2008-09 and 2009-10 fiscal years. Committee on Agriculture, Livestock, & Natural Resources	694	1058	1072	1092	-----	-----	-----	-----	796 - R to Committee on Appropriations. 1059 - Special Orders. 1638 - PI in Senate.	
HB09-1309 by Representative(s) Pace; also Senator(s) Tochtrop--Concerning inspection of boilers. Committee on Business Affairs and Labor	694	778*	809*	837	1142	1469	1755	5-4 -09	1489 - Delivered to Governor.	
HB09-1310 by Representative(s) Levy, Apuan, Court, McCann, Pace, Ryden; also Senator(s) Heath--Concerning the misclassification of employees as independent contractors for purposes of the "Colorado Employment Security Act", and making an appropriation therefor. Committee on Business Affairs and Labor	694	1058*	1072	1102	1700*	1875	1895	6-2 -09	917 - R* to Committee on Appropriations. 1059 - Special Orders. 1093 - Third Reading LO until 4-8-09. 1769 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1311 by Representative(s) Benefield; also Senator(s) Veiga--Concerning the sourcing of sales of companies providing mutual fund services for Colorado income tax apportionment. Committee on Finance	705	794	846	863	1290	1866	1883	5-18-09	1875 -	Delivered to Governor.
HB09-1312 by Representative(s) Kerr A., Merrifield, Middleton, Scanlan, Todd; also Senator(s) Schwartz and Romer--Concerning the renewable energy and energy efficiency for schools loan program. Committee on Education	705	968*	1001*	1019	1622*	1875	1878	#8-5-09	1004 - * in the Committee of the Whole report. 1646 - Consideration of Senate amendments LO daily until 5-4-09. 1747 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1313 by Representative(s) Merrifield, Apuan, Benefield, Casso, Ferrandino, Fischer, Hullinghorst, Kefalas, Kerr A., Labuda, Levy, McFadyen, McGihon, Middleton, Miklosi, Peniston, Scanlan, Schafer S., Solano, Soper, Todd, Vigil, Green, Pace, Pommer; also Senator(s) Bacon, Gibbs, Groff, Newell, Veiga, Williams, Carroll M., Heath, Keller, Morse, Romer, Shaffer B.--Concerning expanding civic engagement options through student-directed programs at institutions of higher education. Committee on Education	748	1023*	1165*	1196	1621	1784	1877	5-11-09	1094 - Second Reading LO until 4-8-09. 1104 - Special Orders. 1105 - Special Orders LO* daily until 4-14-09. 1867 - Delivered to Governor.	
HB09-1314 by Representative(s) Judd; also Senator(s) Sandoval--Concerning safety in day treatment centers. Committee on Health and Human Services	749	877	906	923	-----	-----	-----	-----	1258 -	PI in Senate.

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1315 by Representative(s) Todd; also Senator(s) Williams--Concerning clarifying restrictions on public employee leave for purposes of public service. Committee on State, Veterans, & Military Affairs	765	898	948	959	1290	1875	1887	#8-5-09	920 - Second Reading LO until 3-30-09. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1316 by Representative(s) Solano, King S.; also Senator(s) Shaffer B.--Concerning public dissemination of personal information of a person working in the criminal justice system. Committee on Judiciary	765	954*	1001*	1019	1580*	1875	1887	5-21-09	972 - Second Reading LO until 4-2-09. 1622 - Consideration of Senate amendments LO daily until 5-4-09. 1714 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1317 by Representative(s) Pace and McKinley, McFadyen, Curry, Gagliardi, Hulinghorst, Massey, Merrifield, Miklosi, Scanlan, Sonnenberg, Tipton, Vigil, Weissmann; also Senator(s) Kester, Isgar--Concerning state lands sought to be acquired by the federal government associated with the expansion of the Pinon Canyon maneuver site. Committee on Agriculture, Livestock, & Natural Resources	766	1009*	1094*	1104	1621	1875	1895	6-2-09	1076 - Second Reading LO until 4-7-09. 1876 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1318 by Representative(s) Sonnenberg and McFadyen; also Senator(s) Brophy and Shaffer B.--Concerning the issuance of overweight permits based on axle configuration for vehicles weighing more than the eighty-five thousand pound nonoverweight vehicle gross vehicle weight limit, and, in connection therewith, repealing before it takes effect a newly enacted increase in the limit from eighty-five thousand pounds to ninety-two thousand pounds, making an overweight vehicle permit available for a vehicle that is operated in combination with a trailer or semitrailer if the trailer has a tandem or triple axle grouping and the vehicle weighs up to ninety-seven thousand pounds, and specifying overweight vehicle permit fees for such a vehicle of five hundred dollars for an annual permit, two hundred fifty dollars for a six-month permit, and fifteen dollars plus ten dollars per axle for a single trip permit. Committee on Transportation & Energy	784	1140	1172	1199	1579	1875	1889	#1-1 -10	995 - R to Committee on Appropriations. 1153 - Second Reading LO until 4-14-09. 1875 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB09-1319 by Representative(s) Merrifield and Massey, Todd, Baumgardner, Benefield, Carroll T., Casso, Ferrandino, Fischer, Green, Kerr A., Levy, Middleton, Miklosi, Murray, Peniston, Primavera, Priola, Riesberg, Scanlan, Schafer S., Solano, Summers; also Senator(s) Williams, King K., Hudak, Penry, Bacon, Boyd, Heath, Romer, Scheffel, Schwartz, Shaffer B., Tapia--Concerning concurrent enrollment of public high school students in courses offered by institutions of higher education, and making an appropriation therefor. Committee on Education	785	1140*	1172*	1200	1799*	1875	1887	5-21 -09	1024 - R* to Committee on Appropriations. 1153 - Second Reading LO until 4-14-09. 1172 - Title change. 1817 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1320 by Representative(s) Marostica, Ferrandino, Pommer; also Senator(s) White, Keller, Tapia--Concerning an increase in fees paid for certain dairy licenses, and making an appropriation in connection therewith. Committee on Agriculture, Livestock, & Natural Resources	855	1140*	1173*	1200	1700*	1875	1890	6-30 -09	985 - R to Committee on Appropriations. 1153 - Second Reading LO until 4-14-09. 1173 - Title change. 1770 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1321 by Representative(s) Levy, Carroll T., Green, Benefield, Court, Ferrandino, Hullinghorst, Kerr A., Looper, McCann, McFadyen, McGihon, McKinley, Merrifield, Miklosi, Pace, Pommer, Ryden, Scanlan, Todd, Vigil, Weissmann; also Senator(s) Carroll M., Bacon, Boyd, Foster, Heath, Morse, Romer--Concerning the placement of a juvenile who is awaiting trial in district court. Committee on Judiciary	855	1535*	1569*	1602	1842*	1875	1890	6-1 -09	1159 - R* to Committee on Appropriations. 1557 - Special Orders. 1843 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1322 by Representative(s) Benefield, Massey, McFadyen, Miklosi, Scanlan, Todd; also Senator(s) Schwartz--Concerning access by motor vehicle repair shops to an electronic system implemented by the department of revenue for purposes of determining ownership and lienholders of abandoned motor vehicles abandoned at motor vehicle repair shops. Committee on State, Veterans, & Military Affairs	855	995	1021	1034	1579	1875	1890	6-1 -09	1876 - Delivered to Governor.	
HB09-1323 by Representative(s) Levy, Fischer, Green, Hullinghorst, Kerr A., Labuda, McFadyen, Merrifield, Pace, Pommer, Primavera, Scanlan, Solano; also Senator(s) Veiga, Bacon, Heath, Romer, Shaffer B.--Concerning energy efficiency programs implemented by cooperative electric associations. Committee on Transportation & Energy	856	1193	1705	-----	-----	-----	-----	-----	1118 - R* to Committee on Appropriations. 1203 - Special Orders. 1205 - Special Orders LO daily until 5-4-09. 1705 - Special Orders LO until 8-7-09. Bill deemed L.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1324 by Representative(s) McNulty; also Senator(s) Mitchell--Concerning employment disqualifications for employees in public schools. Committee on Education	856	-----	-----	-----	-----	-----	-----	-----	1027 - R to Committee on Judiciary. 1165 - PI.	
HB09-1325 by Representative(s) Todd; also Senator(s) Bacon--Concerning the governor's authority to activate the National Guard. Committee on State, Veterans, & Military Affairs	856	995	1021	1035	1290	1875	1888	5-21 -09	1876 - Delivered to Governor.	
HB09-1326 by Representative(s) Carroll T. and Court, Apuan, Benefield, Casso, Curry, Ferrandino, Fischer, Green, Hullinghorst, Kefalas, Kerr A., Levy, May, McCann, McFadyen, Merrifield, Middleton, Miklosi, Peniston, Pommer, Ryden, Scanlan, Schafer S., Solano, Stephens, Todd, Vigil; also Senator(s) Shaffer B., Bacon, Boyd, Groff, Heath, Penry, Williams--Concerning the integrity of the statewide citizen-initiated petition process, and making an appropriation therefor. Committee on State, Veterans, & Military Affairs	878	1141*	1173*	1201	1700*	1875	1878	5-15 -09 7-1 -09 1-1 -10	995 - R to Committee on Appropriations. 1153 - Second Reading LO until 4-14-09. 1173 - Title change. 1771 - House concurred in Senate amendments and repassed bill, as amended. 1875 - Delivered to Governor.	
HB09-1327 by Representative(s) Hullinghorst, Court, Fischer, Gagliardi, Levy, McCann, Peniston, Pommer, Sonnenberg, Vigil, Weissmann; also Senator(s) Tochtrop, Heath--Concerning modifications to the urban renewal law to address impacts to specified taxing entities arising from the use of tax increment financing mechanisms to support urban renewal projects. Committee on Local Government	878	1011*	1286*	1297	-----	-----	-----	-----	1066 - Second Reading LO daily until 4-14-09. 1169 - Second Reading LO daily until 4-20-09. 1655 - PI in Senate.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1328 by Representative(s) Pace; also Senator(s) Tapia--Concerning a preference for the purchase of United States steel products by governmental bodies. Committee on State, Veterans, & Military Affairs	878	-----	-----	-----	-----	-----	-----	-----	1327 - PI.	
HB09-1329 by Representative(s) Marostica, Ferrandino, Pommer; also Senator(s) White, Keller, Tapia--Concerning the percentage of moneys transferred from the tobacco litigation settlement cash fund to the Colorado state veterans trust fund that are subject to annual appropriation, and making an appropriation in connection therewith. Committee on Appropriations	900	1141*	1180*	1202	1621*	1875	1895	6-2 -09	1153 - Second Reading LO until 4-14-09. 1180 - Title change. 1646 - Consideration of Senate amendments LO daily until 5-4-09. 1748 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1330 by Representative(s) Curry; also Senator(s) Isgar--Concerning fees assessed on certain feeding operations under the "Colorado Water Quality Control Act", and making an appropriation in connection therewith. Committee on Agriculture, Livestock, & Natural Resources	973	1193*	1214*	1233	1700*	1875	1890	7-1 -09	1108 - R to Committee on Appropriations. 1203 - Special Orders. 1214 - Title change. 1772 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1331 by Representative(s) Gagliardi; also Senator(s) Boyd--Concerning incentives for efficient motor vehicles. Committee on Transportation & Energy	973	1536*	1559*	1592	1842*	1875	1897	6-4 -09	1329 - R* to Committee on Appropriations. 1557 - Special Orders. 1559 - Title change. 1845 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1332 by Representative(s) Marostica, Ferrandino, Pommer; also Senator(s) White, Keller, Tapia--Concerning the repeal of provisions requiring a cumulative economic analysis of state air quality control measures every five years. Committee on Health and Human Services	1068	1156	1203	1221	1621	1875	1890	6-1 -09	1203 - Special Orders. 1876 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1333 by Representative(s) Riesberg, McFadyen, Sonnenberg; also Senator(s) Bacon, Kopp, Schwartz--Concerning the transfers of money to the state museum cash fund. Committee on State, Veterans, & Military Affairs	1068	1431	1461	1478	1798*	1875	1890	#8-5 -09	1257 - R to Committee on Appropriations. 1456 - Special Orders. 1805 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1334 by Representative(s) McCann and Apuan, Court, Gardner B., King S., Lambert, Ryden, Schafer S., Vigil, Waller; also Senator(s) Newell--Concerning the aggregation of multiple offenses involving theft-type crimes into a single offense. Committee on Judiciary	1068	1279	1316	1336	1798	1875	1877	5-11 -09	1315 - Special Orders. 1875 - Delivered to Governor.	
HB09-1335 by Representative(s) Todd and Murray; also Senator(s) Williams, Cadman--Concerning requirements for voting equipment. Committee on State, Veterans, & Military Affairs	1097	1327*	1460*	1475	1842	1875	1878	5-15 -09	1456 - Special Orders. 1842 - Senate announced Senator Carroll, M. removed as joint prime-sponsor of HB09-1335. 1876 - Delivered to Governor.	
HB09-1336 by Representative(s) Todd and Murray; also Senator(s) Williams and Carroll M., Cadman--Concerning the implementation of specific recommendations of the state election reform commission. Committee on State, Veterans, & Military Affairs	1097	1327*	1460*	1476	1842	1875	1878	#8-5 -09	1456 - Special Orders. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1337 by Representative(s) Todd and Murray; also Senator(s) Williams and Carroll M., Cadman--Concerning changes to certain ballot processing deadlines contained in the state election code. Committee on State, Veterans, & Military Affairs	1097	1328*	1461*	1476	1842	1875	1878	#8-5 -09	1456 - Special Orders. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1338 by Representative(s) Casso; also Senator(s) Bacon--Concerning modifications to state insurance laws to comply with recently enacted federal laws. Committee on Business Affairs and Labor	1097	1183	1203	1220	1644*	1875	1891	7-1 -09	1203 - Special Orders. 1656 - House did not concur in Senate amendments and requested Conference Committee. House members: Casso, Soper, and Priola. 1701 - Senate acceded to request for Conference Committee. Senate members: Bacon, Newell, and Mitchell. 1751 - Conference Committee report. 1752 - Senate adopted Conference Committee report and repassed bill, as amended. 1792 - House adopted Conference Committee report and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1339 by Representative(s) Green, Frangas; also Senator(s) Boyd--Concerning a change in the definition of "clinical social work practice" to mean the same as "social work practice". Committee on Health and Human Services	1133	1156	1204	1221	1621	1784	1898	7-1 -09	1203 - Special Orders. 1867 - Delivered to Governor.	
HB09-1340 by Representative(s) Weissmann and Gardner C.--Concerning elimination of the requirement that motor vehicles use a front license plate. Committee on Transportation & Energy	1133	-----	-----	-----	-----	-----	-----	-----	1331 - PI.	
HB09-1341 by Representative(s) Pace, McFadyen, Riesberg, Vigil; also Senator(s) Tapia, Boyd, Tochtrop--Concerning the continuation of the licensing of psychiatric technicians by the state board of nursing. Committee on Health and Human Services	1133	1279*	1316*	1335	1798	1875	1883	7-1 -09	1315 - Special Orders. 1875 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1342 by Representative(s) Benefield and Kagan, Ferrandino, Fischer, Gagliardi, Green, Hullinghorst, Judd, Kerr A., Labuda, McCann, Merrifield, Middleton, Ryden, Scanlan, Todd; also Senator(s) Boyd and Williams, Bacon, Carroll M., Foster, Heath, Hudak, Morse, Newell, Romer, Schwartz, Shaffer B., Veiga--Concerning the elimination of the state sales and use tax exemption for cigarettes, and making an appropriation in connection therewith. Committee on Finance	1142	1537*	1559*	1592	1701*	1875	1891	7-1 -09	1323 - R to Committee on Appropriations. 1557 - Special Orders. 1559 - Title change. 1776 - House did not concur in Senate amendments and requested Conference Committee with permission to go beyond scope. House members: Benefield, Kagan, and Marostica. 1799 - Senate acceded to request for Conference Committee with permission to go beyond scope. Senate members: Boyd, Williams, and White. 1849 - Senate adopted Conference Committee report and repassed bill, as amended. 1853 - Conference Committee report. 1860 - House adopted Conference Committee report and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1343 by Representative(s) Massey, Solano, Todd, Gagliardi, Merrifield; also Senator(s) Williams, Foster, Heath, Hudak, Shaffer B.--Concerning the creation of the early childhood and school readiness legislative oversight commission. Committee on Education	1143	1436*	1500*	1533	1798*	1875	1891	6-1 -09	1485 - Special Orders. 1813 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1344 by Representative(s) Scanlan; also Senator(s) Boyd--Concerning increased regulatory oversight of medical negligence insurance, and making an appropriation therefor. Committee on Judiciary	1143	1298*	1322*	-----	-----	-----	-----	-----	1293 - R* to Committee on Appropriations. 1315 - Special Orders 1322 - Title change. 1338 - L.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R C LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1345 by Representative(s) Solano; also Senator(s) Schwartz--Concerning integrated planning for the construction of electric transmission facilities in Colorado, and, in connection therewith, directing the public utilities commission to collect information from owners and operators of transmission infrastructure and report its findings to the general assembly. Committee on Transportation & Energy	1148	1331*	1461*	1477	1798	1875	1891	6-1 -09	1456 - Special Orders. 1876 - Delivered to Governor.	
HB09-1346 by Representative(s) Carroll T.; also Senator(s) Shaffer B.--Concerning authorization for public entities in the state to fully utilize the financing instruments available to them under the federal economic stimulus act known as the "American Recovery and Reinvestment Act of 2009". Committee on Local Government	1185	1325*	1457*	1473	1798*	1875	1895	6-2 -09	1456 - Special Orders. 1818 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1347 by Representative(s) Kagan, Benefield, Frangas, Kerr J., McFadyen, Nikkel, Primavera, Solano; also Senator(s) Romer, Spence--Concerning the issuance of a donate life special license plate, and making an appropriation in connection therewith. Committee on Transportation & Energy	1217	1539*	1559*	1593	1798	1875	1891	#8-5 -09	1331 - R to Committee on Appropriations. 1557 - Special Orders. 1559 - Title change. 1876 - Delivered to Governor. # Effective 90 days after sine die unless a referendum petition is filed.	
HB09-1348 by Representative(s) Weissmann; also Senator(s) Carroll M.--Concerning activities resulting from the performance of legislative duties. Committee on Judiciary	1217	1294	1317	1395	1700*	1875	1891	6-1 -09	1315 - Special Orders 1773 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1349 by Representative(s) Fischer; also Senator(s) Heath--Concerning a special election period for the continuation of health care coverage after involuntary termination from employment. Committee on Business Affairs and Labor	1217	1351	1457	1471	1798*	1875	1891	6-1 -09	1456 - Special Orders. 1806 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1350 by Representative(s) Miklosi, Fischer, Kerr A.; also Senator(s) Heath and Schwartz--Concerning the "New Energy Improvements and Jobs Creation Act of 2009", and, in connection therewith, creating the Colorado new energy improvement district and authorizing the district to fund new energy improvements by issuing special assessment bonds payable from special assessments levied on eligible real property owned by persons who voluntarily join the district in order to have the district help them fund new energy improvements to the eligible real property. Committee on Local Government	1281	1438*	-----	-----	-----	-----	-----	-----	1485 - Special Orders. 1485 - Special Orders LO until 5-9-09. Bill deemed L.	
HB09-1351 by Representative(s) Pommer and Ferrandino, Marostica; also Senator(s) Carroll M.--Concerning an increase in the amount of time an inmate may have deducted from the inmate's sentence, and making an appropriation in connection therewith. Committee on Judiciary	1290	1539*	1561*	1620	1842*	1875	1891	6-1 -09	1438 - R to Committee on Appropriations. 1557 - Special Orders. 1561 - Title change. 1844 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1352 by Representative(s) Levy; also Senator(s) Renfro--Concerning adding commission of certain proscribed acts by government officials to the list of deceptive trade practices. Committee on Judiciary	1290	1549*	1563*	1596	-----	-----	-----	-----	1557 - Special Orders. 1701 - PI in Senate.	
HB09-1353 by Representative(s) Miklosi; also Senator(s) Foster, Newell--Concerning legal immigrants' eligibility for public medical benefits. Committee on Health and Human Services	1290	1540	1560	1594	1798	1875	1892	#7-1 -10	1426 - R to Committee on Appropriations. 1557 - Special Orders. 1876 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB09-1354 by Representative(s) McFadyen; also Senator(s) Schwartz--Concerning measures to encourage the construction of new homes that make cost-effective use of renewable energy. Committee on Transportation & Energy	1290	-----	-----	-----	-----	-----	-----	-----	1557 - PI.	
HB09-1355 by Representative(s) Pommer and Ferrandino, Marostica; also Senator(s) Tapia--Concerning the elimination of the state sales and use tax exemption for purchases of food through vending machines. Committee on Finance	1292	-----	-----	-----	-----	-----	-----	-----	1323 - R to Committee on Appropriations. 1540 - PI.	
HB09-1356 by Representative(s) Liston and Pommer--Concerning the use of state education fund moneys in the college opportunity fund program to pay student stipends for higher education courses that further the purposes of the state education fund specified in the state constitution, and making an appropriation therefor. Committee on Appropriations	1292	1540*	1706	-----	-----	-----	-----	-----	1321 - House named Representatives Liston and Pommer as prime sponsors. 1557 - Special Orders. 1559 - R* to Committee on Education. 1572 - * in the Committee of the Whole report. Special Orders LO until 4-29-09. 1609 - Special Orders LO daily until 5-4-09. 1706 - Special Orders LO until 8-8-09. Bill deemed L.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1357 by Representative(s) Vigil; also Senator(s) Schwartz--Concerning a requirement that campaign finance reports required to be filed with the county clerk and recorder be filed instead with the secretary of state, and making an appropriation therefor. Committee on State, Veterans, & Military Affairs	1292	1641*	1661*	1673	1842	1875	1892	7-1 -09	1578 - R to Committee on Appropriations. 1661 - Special Orders. 1661 - Title change. 1876 - Delivered to Governor.	
HB09-1358 by Representative(s) Rice, Middleton, Peniston, Scanlan, Todd--Concerning the creation of a health care authority to develop and administer a health care system for Colorado. Committee on Business Affairs and Labor	1292	-----	-----	-----	-----	-----	-----	-----	1465 - PI.	
HB09-1359 by Representative(s) Kerr A.; also Senator(s) Boyd--Concerning the governance of common interest communities under the "Colorado Common Interest Ownership Act". Committee on Local Government	1292	1326	1458*	1474	1798*	1875	1878	#8-5 -09	1456 - Special Orders. 1808 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor. # unless a referendum petition is filed within 90 days after sine die.	
HB09-1360 by Representative(s) Judd; also Senator(s) Sandoval--Concerning the adjustment of the ratio of valuation for assessment for residential real property. Committee on Finance	1319	1417	1485	1521	1798	1875	1892	6-1 -09	1485 - Special Orders. 1876 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1361 by Representative(s) Weissmann, Kerr A.; also Senator(s) Morse--Concerning the state controller making modifications to allowable expenditures due to certain changes in the estimated amount of state revenue occurring when the general assembly is not meeting in session. Committee on Appropriations	1324	1541*	-----	-----	-----	-----	-----	-----	1557 - Special Orders. 1560 - Special Orders LO* until 4-29-09. 1615 - Special Orders LO until 6-9-09. Bill deemed L.	
HB09-1362 by Representative(s) May; also Senator(s) Boyd--Concerning the authorization to local governments to provide financial assistance to specified institutions of higher education, and, in connection therewith, authorizing municipalities and counties to form community and state college service area districts and authorizing county governments to levy sales or property taxes for the purpose of providing financial assistance to specified state colleges. Committee on Local Government	1324	1441*	1500*	1534	-----	-----	-----	-----	1485 - Special Orders. 1500 - Title change. 1785 - PI in Senate.	
HB09-1363 by Representative(s) Ferrandino; also Senator(s) Veiga--Concerning the authority for the unemployment compensation section of the division of employment and training in the department of labor and employment to operate as an enterprise for purposes of section 20 of article X of the state constitution. Committee on Business Affairs and Labor	1352	1465*	1500*	1532	1842	1875	1892	7-1 -09	1485 - Special Orders. 1876 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R C LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HB09-1364 by Representative(s) Riesberg; also Senator(s) Boyd--Concerning an increase in the length of terms served by members appointed to the health care task force. Committee on Health and Human Services	1352	1426	1485	1521	1798	1875	1892	6-1 -09	1485 - Special Orders. 1876 - Delivered to Governor.	
HB09-1365 by Representative(s) Marostica, Ferrandino, Pommer; also Senator(s) White, Keller, Tapia--Concerning modifications to the property tax exemption for certain property leased by governmental entities that use the property for governmental purposes. Committee on Appropriations	1352	1603*	1616*	1626	1798	1875	1892	6-1 -09	1605 - Special Orders. 1876 - Delivered to Governor.	
HB09-1366 by Representative(s) Pommer; also Senator(s) Romer--Concerning the elimination of the state income tax modification for qualifying Colorado capital gains. Committee on Finance	1352	1488	1615*	1625	1842*	1875	1898	6-4 -09	1557 - Special Orders. 1567 - Special Orders LO until 4-29-09. 1846 - House concurred in Senate amendments and repassed bill, as amended. 1876 - Delivered to Governor.	
HB09-1367 by Representative(s) Marostica, Ferrandino, Pommer; also Senator(s) Keller, Tapia, White--Concerning the restriction of general fund revenues related to the pay date shift of employees transferring to the office of information technology. Committee on Appropriations	1470	1603*	1616*	1626	1798	1875	1892	6-1 -09	1605 - Special Orders. 1876 - Delivered to Governor.	

HISTORY OF HOUSE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION * Amended V Vetoed by Governor F Lost PI Postponed Indefinitely RR Rereferred RR Reconsideration LO Laid Over
HB09-1368 by Representative(s) Labuda; also Senator(s) Carroll M.--Concerning the exclusion of specified types of state contracts from statutory provisions governing the state's centralized contract management system. Committee on State, Veterans, & Military Affairs	1470	1578*	1617*	1629	-----	-----	-----	-----	1605 - Special Orders. 1701 - PI in Senate.
HB09-1369 by Representative(s) Weissmann; also Senator(s) Shaffer B.--Concerning the search process for leadership positions within state institution of higher education systems. Committee on Education	1640	1651*	1662*	1717*	-----	-----	-----	-----	1661 - Special Orders. 1799 - PI in Senate.

HISTORY OF HOUSE CONCURRENT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	OTHER ACTION
<p>HCR09-1001 by Representative(s) Frangas--Submitting to the registered electors of the state of Colorado amendments to article X of the constitution of the state of Colorado, concerning the creation of the Colorado future fund to help pay for Colorado's infrastructure needs, and, in connection therewith, creating the Colorado future fund; transferring any state revenues in excess of the constitutional limit on state fiscal year spending to the fund; requiring moneys in the fund to be used equally for transportation infrastructure repair and construction and renewable energy infrastructure development and maintenance; permitting the state to issue bonds payable from the moneys in the fund; and establishing a rainy day account within the fund.</p> <p>Committee on State, Veterans, & Military Affairs Committee on Finance</p>	237	-----	-----	-----	-----	-----	<p style="text-align: right;">* Amended V Vetoed by Governor L Lost PI Postponed Indefinitely RR Rereferred RC Reconsideration LO Laid Over</p> <p>1328 - PI</p>
<p>HCR09-1002 by Representative(s) Gardner C.; also Senator(s) Sandoval--Submitting to the registered electors of the state of Colorado an amendment to article X of the constitution of the state of Colorado, concerning the creation of a state savings and trust fund, and, in connection therewith, allowing the general assembly to determine how to fund the trust fund, allowing the general assembly, by a majority vote of the members of each house, to authorize the transfer of moneys from the trust fund to the state general fund if state general fund appropriations growth falls below a specified level, allowing the general assembly, by a two-thirds vote of the members of each house, to appropriate or transfer moneys from the trust fund for any purpose, and requiring replenishment of the trust fund under specified conditions if the general assembly makes appropriations or transfers from the trust fund.</p> <p>Committee on Finance Committee on Appropriations</p>	362	-----	-----	-----	-----	-----	<p>794 - R to Committee on Appropriations. 1059 - PI.</p>

HISTORY OF HOUSE CONCURRENT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Passed by Senate	Signed by Speaker	OTHER ACTION
HCR09-1003 by Representative(s) Lambert; also Senator(s) King K.-- Submitting to the registered electors of the state of Colorado an amendment to section 2 of article XVIII of the constitution of the state of Colorado, concerning the regulation of games of chance by an authority specified by the general assembly. Committee on Finance	1259	1488	1567*	1600	1798*	1875	* Amended V Vetoed by Governor L Lost PI Postponed Indefinitely RR Rereferred RC Reconsideration LO Laid Over 1557 - Special Orders. 1814 - House concurred in Senate amendments and repassed bill, as amended.
HCR09-1004 by Representative(s) Lambert; also Senator(s) Kopp-- Submitting to the registered electors of the state of Colorado an amendment to section 3 of article VIII of the constitution of the state of Colorado, concerning the declaration of a disaster emergency that substantially affects the ability of the state government to operate in the city and county of Denver, and, in connection therewith, requiring the general assembly to meet and allowing the general assembly to enact a statute to designate a temporary location for the seat of government. Committee on State, Veterans, & Military Affairs	1259	1669	1669	-----	-----	-----	1669 - Specials Orders. 1679 - L.
HCR09-1005 by Representative(s) May; also Senator(s) Carroll M.-- Submitting to the registered electors of the state of Colorado an amendment to sections 44, 46, and 48 of article V of the constitution of the state of Colorado, concerning the creation of an independent redistricting commission, and, in connection therewith, authorizing the commission to redistrict the general assembly and congressional districts and specifying the allowable population deviation for legislative districts. Committee on State, Veterans, & Military Affairs	1282	-----	-----	-----	-----	-----	1652 - PI.

HISTORY OF HOUSE JOINT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Adopted by Senate	Signed by Speaker	* L R R R L O Amended Lost Postponed Indefinitely Rereferred Reconsideration Laid Over	OTHER ACTION
HJR09-1001 by Representative(s) Weissmann, Carroll T., May; also Senator(s) Shaffer B., Groff, Penry--Concerning a Joint Session of the House of Representatives and the Senate for the purpose of hearing a message from His Excellency, Governor Bill Ritter, and appointing a committee to escort the Governor.	30	-----	30	-----	30	44	63		30 - House Members: Merrifield, Labuda, and Loper. 44 - Senate Members: Schwartz and Kester
HJR09-1002 by Representative(s) Fischer; also Senator(s) Hodge--Concerning approval of water project revolving fund eligibility lists administered by the Colorado water resources and power development authority. Committee on Agriculture, Livestock, & Natural Resources	72	-----	-----	103	111	750*	784		761 - House concurred in Senate amendments and repassed resolution, as amended. 854 - Delivered to Governor.
HJR09-1003 by Representative(s) Carroll T.; also Senator(s) Groff--Concerning the appointment of members of the Colorado Commission on Uniform State Laws.	85	85	-----	-----	89	97	97		
HJR09-1004 by Representative(s) Massey and Benefield, Acree, Apuan, Balmer, Baumgardner, Bradford, Carroll T., Casso, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green, Hullinghorst, Judd, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Loper, Marostica, May, McCann, McFadyen, McGihon, McKinley, McNulty, Merrifield, Middleton, Miklosi, Murray, Pace, Peniston, Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Vaad, Vigil, Waller, Weissmann; also Senator(s) Boyd--Concerning civility in the Colorado general assembly.	121	121	-----	-----	224	294	304		132 - Consideration LO daily until 2-3-09.
HJR09-1005 by Representative(s) Judd; also Senator(s) Sandoval--Concerning the certification by the general assembly of its estimate of state general fund revenues and allowable state general fund appropriations for the 2009-10 fiscal year. Committee on Finance	122	-----	-----	130	133	172	172		

HISTORY OF HOUSE JOINT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Adopted by Senate	Signed by Speaker	* F R R R L O Amended Lost Postponed Indefinitely Rereferred Reconsideration Laid Over	OTHER ACTION
HJR09-1006 by Representative(s) McFadyen, Massey, Pace, Vigil; also Senator(s) Tapia, Kester--Concerning the U.S.S. Pueblo.	162	162	-----	-----	178	194	233		175 - Consideration LO until 1-30-09. 178 - Roll call of House added as co-sponsors.
HJR09-1007 by Representative(s) Todd and Marostica, Balmer, Benefield, Carroll T., Casso, Gagliardi, Gardner B., Kerr A., Labuda, Lambert, Looper, May, McCann, Middleton, Miklosi, Peniston, Primavera, Priola, Rice, Riesberg, Ryden, Scanlan, Solano, Tipton, Waller, Weissmann; also Senator(s) Shaffer B.--Concerning recognition of Military, Veterans, and MIA/POW Appreciation Day.	175	175	-----	-----	177*	194	233		177 - Roll call of House added as co-sponsors.
HJR09-1008 by Representative(s) Apuan; also Senator(s) Schwartz--Concerning recognition of military personnel from Colorado who are serving in Operation Iraqi Freedom and Operation Enduring Freedom and honoring those who have died while serving their country in Iraq and Afghanistan.	175	175	-----	-----	178	194	233		178 - Roll call of House added as co-sponsors.
HJR09-1009 by Representative(s) Weissmann, May; also Senator(s) Shaffer B.--Concerning authorization for adjournment for more than three days during the 2009 regular session of the general assembly.	255	255	-----	-----	258	-----	-----		310 - L in Senate. 319 - Bill recalled in Senate. 357 - Senate failed to reconsider. Resolution deemed L.
HJR09-1010 by Representative(s) Weissmann, May; also Senator(s) Shaffer B., Penry--Concerning a Joint Session of the House of Representatives and Senate of the Sixty-seventh General Assembly for the purpose of presenting fiscal information to the members of the General Assembly on the state fiscal situation for the 2008-09 fiscal year.	310	310	-----	-----	311	319	357		

HISTORY OF HOUSE JOINT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Adopted by Senate	Signed by Speaker	* L R R R L O L O	OTHER ACTION
HJR09-1011 by Representative(s) Todd and McNulty, Acree, Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Judd, Kefalas, Kerr A., Lambert, Liston, Looper, Merrifield, Middleton, Murray, Nikkel, Priola, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Vaad, Waller, Kerr J., King S., Massey, May; also Senator(s) Harvey and Scheffel, Groff, Kester, Kopp, Renfroe, Schultheis, Schwartz, Williams--Concerning the bicentennial celebration of Abraham Lincoln's birth.	310	310	-----	-----	311	319	357		
HJR09-1012 by Representative(s) Carroll T. and May, Todd; also Senator(s) Groff and Penry--Concerning the construction of a stand-alone veterans hospital at the Fitzsimons medical campus.	749	749	-----	-----	753*	784	1145	753 -	Roll call of House added as co-sponsors.
HJR09-1013 by Representative(s) Weissmann, Merrifield; also Senator(s) Spence--Concerning the creation of an interim committee to examine the governance and oversight of education in Colorado. Committee on Education	973	-----	-----	-----	-----	-----	-----	1155 -	PI.
HJR09-1014 by Representative(s) Kerr J., Massey, Todd, Acree, Balmer, Casso, Gagliardi, Lambert, Looper, McNulty, Nikkel, Pace; also Senator(s) Morse, Schultheis--Concerning federal funds for COPLINK program.	1069	1069	-----	1069	1273	1785	1875	1098 -	Consideration LO daily until 4-17-09.
HJR09-1015 by Representative(s) Weissmann--Concerning the creation of an interim committee to study the administration of elections and the duties of the Secretary of State. Committee on State, Veterans, & Military Affairs	1097	-----	-----	-----	-----	-----	-----	1257 -	PI.
HJR09-1016 by Representative(s) Weissmann, Kerr A.; also Senator(s) Shaffer B.--Concerning the convening date for the 2010 Second Regular Session of the Sixty-seventh General Assembly.	1133	1133	-----	-----	1273	1701	1875		

HISTORY OF HOUSE JOINT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Adopted by Senate	Signed by Speaker	* Amended Lost Postponed Indefinitely Rereferred Reconsideration Laid Over	OTHER ACTION
HJR09-1017 by Representative(s) Riesberg and Roberts, Acree, Apuan, Benefield, Casso, Gagliardi, Gerou, Green, Hullinghorst, Kerr J., Massey, McCann, McKinley, Merrifield, Peniston, Primavera, Solano, Todd, Vaad, Gardner B., Gardner C., Liston, Looper, Scanlan, Sonnenberg, Summers, Swalm, Tipton, Vigil, Waller; also Senator(s) Williams, Boyd, Carroll M., Hodge, Isgar, Kester, Morse, Newell, Penry, Shaffer B., Tochtrop--Concerning the creation of an interim committee to study hospice and palliative care in Colorado. Committee on Health and Human Services	1218	-----	-----	1603	1623*	1872	1875	1314 - R*	to Committee on Appropriations.
HJR09-1018 by Representative(s) Frangas; also Senator(s) Carroll M.--Concerning citizens' freedom of speech rights.	1218	1218	-----	-----	1755*	1872	1875	1261 -	Consideration LO daily until 5-5-09.
HJR09-1019 by Representative(s) Kerr J., Summers, Acree, Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Ferrandino, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green, Kagan, Kefalas, Kerr A., King S., Lambert, Liston, Looper, Marostica, Massey, May, McCann, McFadyen, McNulty, Merrifield, Middleton, Miklosi, Nikkel, Pace, Peniston, Primavera, Priola, Roberts, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Todd, Vaad, Vigil, Waller, Weissmann; also Senator(s) Kopp, Boyd, Brophy, Carroll M., Gibbs, Heath, Kester, King K., Lundberg, Morse, Penry, Renfro, Romer, Scheffel, Schultheis, Spence, White--Concerning Columbine High School triumph over tragedy 1999-2009.	1260	1260	-----	-----	1285	1291*	1875	1283 - 1285 - 1324 - 1584 -	Consideration LO until 4-20-09. Roll call of House added as co-sponsors. Consideration of Senate amendments LO daily until 4-29-09. House concurred in Senate amendments and repassed resolution, as amended.
HJR09-1020 by Representative(s) Middleton, Todd, Massey, Ferrandino, Benefield, Kerr A., Merrifield, Peniston, Pommer, Scanlan, Solano; also Senator(s) Romer--Concerning the creation of an interim committee to study the financing of public schools. Committee on Education	1260	-----	-----	1437*	1484*	1631	1875	1667 - 1701 - 1776 -	Resolution recalled by Senate. RC in Senate. House concurred in Senate amendments and repassed resolution, as amended.

HISTORY OF HOUSE JOINT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Adopted by Senate	Signed by Speaker	* L R P I R R C L O	OTHER ACTION Amended Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HJR09-1021 by Representative(s) Benefield, Gagliardi, Gerou, Ryden, Todd; also Senator(s) Hudak, Sandoval--Concerning support of telecommuting by the state of Colorado.	1260	1260	-----	-----	1274	1785	1875		
HJR09-1022 by Representative(s) Frangas, Acree, Ferrandino, Gagliardi, Gerou, Green, Kerr J., Labuda, Looper, Pace, Primavera, Soper, Swalm, Todd; also Senator(s) Sandoval, Bacon, Heath, Tochtrop--Concerning the creation of a task force to study ways to maintain safety and quality of life for consumers utilizing home care placement agencies. Committee on Health and Human Services	1260	-----	-----	1314	1517*	1872	1875	1403	- Consideration LO daily until 4-28-09.
HJR09-1023 by Representative(s) Gardner B.; also Senator(s) Morse--Concerning the Ground-based Midcourse Defense System. Committee on State, Veterans, & Military Affairs	1260	-----	-----	1426	1660	1872	1875	1470	- Consideration LO daily until 5-1-09.
HJR09-1024 by Representative(s) Sonnenberg; also Senator(s) Hodge--Concerning the actions of other states in subjecting Colorado-based interstate motor carriers to an unreasonable income tax Committee on Transportation & Energy	1260	-----	-----	1426	1584	1872	1875	1470 1584	- Consideration LO daily until 4-29-09. - Roll call of House added as co-sponsors.
HJR09-1025 by Representative(s) Schafer S., Apuan, Benefield, Massey, Murray, Priola; also Senator(s) Bacon--Concerning the creation of an interim committee to study ways to improve the safety of school communities. Committee on Education	1261	-----	-----	1438*	1756*	1872	1875	1515	- Consideration LO daily until 5-5-09.

HISTORY OF HOUSE JOINT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Adopted by Senate	Signed by Speaker	* F PI RR RC LO Amended Lost Postponed Indefinitely Rereferred Reconsideration Laid Over	OTHER ACTION
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. Committee on Health and Human Services	1261	-----	-----	1603	1763*	1872*	1875	1314 - R* to Committee on Appropriations. 1646 - Consideration LO daily until 5-5-09. 1763 - Roll call of House added as co-sponsors. 1872 - House concurred in Senate amendments and repassed resolution, as amended.	
HJR09-1027 by Representative(s) King S.; also Senator(s) Morse--Concerning declaring the week of May 10-16, 2009, as Police Week and May 15, 2009, as Peace Officers' Memorial Day.	1282	1282	-----	-----	1647*	1872	1875	1294 - Consideration LO daily until 5-1-09. 1647 - Roll call of House added as co-sponsors.	
HJR09-1028 by Representative(s) Benefield, Court, Massey, Vaad; also Senator(s) Shaffer B., Groff, Penry--Concerning the retention of officers and employees of the First Regular Session of the Sixty-seventh General Assembly.	1640	1640	-----	-----	1704	1867	1875	1671 - Consideration LO until 5-4-09. 1704 - Roll call of House added as co-sponsors.	
HJR09-1029 by Representative(s) Weissmann and Kerr A., Carroll T., May; also Senator(s) Shaffer B., Groff, Penry--Concerning the adjournment sine die of the First Regular Session of the Sixty-seventh General Assembly.	1752	1752	-----	-----	1873	1875	1875	1828 - Consideration LO until 5-6-09.	

HISTORY OF HOUSE RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	* R R C L O	OTHER ACTION
HR09-1001 by Representative(s) Weissmann, Carroll T., May-- Concerning the temporary rules of the House of Representatives.	17	-----	17	-----	17	63		
HR09-1002 by Representative(s) Benefield, Court, Massey, Vaad-- Concerning employees and positions for the House of Representatives convened in the First Regular Session of the Sixty-seventh General Assembly.	41	41	-----	-----	43	63		
HR09-1003 by Representative(s) Benefield, Court, Massey, Vaad-- Concerning payment of employees for pre-session work for the House of Representatives convened in the First Regular Session of the Sixty-seventh General Assembly.	42	42	-----	-----	43	63		
HR09-1004 by Representative(s) Benefield, Court, Massey, Vaad-- Concerning the chaplain position in the house of representatives.	42	42	-----	-----	44	63		
HR09-1005 by Representative(s) Weissmann--Concerning amendments to the rules of the House of Representatives.	42	42	-----	-----	89	97	55 -	Consideration LO daily until 1/16/08.
HR09-1006 by Representative(s) Benefield, Court, Massey, Vaad-- Concerning the appointment of an employee for the House of Representatives of the Sixty-seventh General Assembly.	357	357	-----	-----	413	432	385 -	Consideration LO daily until 2-19-09.

HISTORY OF HOUSE MEMORIALS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Introduced	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	* L PI RR RC LO	OTHER ACTION Amended Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
HM09-1001 by Representative(s) Gerou--Memorializing former Representative Jewell Ford.	956	956	-----	-----	1017	1147		1017 - Current Roll call of House added as co-sponsors.
HM09-1002 by Representative(s) Miklosi and Hullinghorst--Memorializing former Representative Joseph Dolan.	1282	1282	-----	-----	1332	1875		1282 - Consideration LO until 4-22-09. 1332 - Roll call of House added as co-sponsors.
HM09-1003 by Representative(s) Sonnenberg, Gardner C., Weissmann--Memorializing former Representative Robert Leon Eisenach.	1282	1282	-----	-----	1333	1875		1282 - Consideration LO until 4-22-09. 1333 - Roll call of House added as co-sponsors.
HM09-1004 by Representative(s) Pace, Massey, McFadyen, Vigil--Memorializing former Representative Stanley E. Johnson.	1282	1282	-----	-----	1405	1875		1282 - Consideration LO until 4-23-09. 1405 - Roll call of House added as co-sponsors.
HM09-1005 by Representative(s) May--Memorializing former Representative James Aspinwall.	1292	1292	-----	-----	1704	1875		1324 - Consideration LO daily until 5-4-09. 1704 - Roll call of House added as co-sponsors.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-001 by Senator(s) Gibbs and Penry, Kopp; also Representative(s) Scanlan and King S.-- Concerning the establishment of community wildfire protection plans by county governments. Committee on Local Government	130*	132	432	507	552	654	3-19 -09	#8-5 -09	318 - R to Committee on Agriculture, Livestock, & Natural Resources. 441 - Second Reading calendared for 2-24-09. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-002 by Senator(s) Morse, Bacon, Foster, Isgar, Keller, Newell, White; also Representative(s) Peniston, Gagliardi, Levy, Marostica, Massey, Miklosi, Roberts--Concerning an increase in the motor vehicle registration fee to fund the emergency medical services account within the highway users tax fund, and making an appropriation in connection therewith. Committee on Transportation & Energy Committee on Finance	484*	580	1275	1319	1337	1621	5-19 -09	5-19 -09	771 - R to Committee on Finance. 794 - R to Committee on Appropriations. 1315 - Special Orders	
SB09-003 by Senator(s) Bacon; also Representative(s) Fischer--Concerning the automobile inspection and readjustment program, and, in connection therewith, expanding the enhanced emissions program to Weld and Larimer counties, modifying the geographical boundaries of the program area, altering criteria used to determine which collector's items are excluded from the emissions testing process, and making an appropriation. Committee on Transportation & Energy	954*	955	1542*	1568*	1601	1875	6-1 -09	6-1 -09	1331 - R* to Committee on Appropriations. 1557 - Special Orders. 1655 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-005 by Senator(s) Spence; also Representative(s) Primavera--Concerning the Colorado traumatic brain injury program. Committee on Health and Human Services	140*	162	730	910*	932	1121	4-20 -09	4-20 -09	750 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 997 - Senate concurred in House amendments and repassed bill, as amended.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-006 by Senator(s) Boyd, Keller; also Representative(s) Solano--Concerning creation of an identification processing unit for detention facilities, and making an appropriation in connection therewith. Committee on Judiciary	1427*	1428	1603*	1618*	1630	1875	6-2 -09	6-2 -09	1550 - R* to Committee on Appropriations. 1605 - Special Orders. 1618 - Title change. 1700 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-007 by Senator(s) Veiga; also Representative(s) Riesberg--Concerning making certain duties related to the involuntary commitment process for substance abusers solely the authority of a licensed physician. Committee on Judiciary	212	235							593 - PI.	
SB09-010 by Senator(s) Spence; also Representative(s) Primavera--Concerning encouraging the use of automated external defibrillators. Committee on Health and Human Services	140*	162	590	626	644	749	3-25 -09	3-25 -09	594 - Second Reading calendared for 3-6-09.	
SB09-012 by Senator(s) Morse and Kopp, Boyd; also Representative(s) Frangas and Massey, Riesberg--Concerning professional review of facilities designated by the department of public health and environment as trauma care facilities. Committee on Health and Human Services	408*	434							821 - PI.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-013 by Senator(s) Gibbs and Schwartz, Penry; also Representative(s) Levy and King S.--Concerning the extension of civil immunity to persons engaged in emergency response activities. Committee on Judiciary	384*	434	731*	911*	934	1875	6-3 -09	6-3 -09	750 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 1067 - Senate did not concur in House amendments and requested Conference Committee. Senate members: Gibbs, Schwartz, and Kopp. 1098 - House acceded to request for Conference Committee. House members: Levy, King, S., and Miklosi. 1099 - House granted permission to go beyond scope. 1184 - Senate granted permission to go beyond scope. 1255 - Conference Committee report. 1271 - House adopted Conference Committee report and repassed bill, as amended. 1555 - Senate adopted Conference Committee report and repassed bill, as amended.	
SB09-014 by Senator(s) Williams, Gibbs, Renfroe, Spence; also Representative(s) Sonnenberg, Fischer, Levy, Marostica, McFadyen, McNulty, Merrifield, Primavera, Rice, Vaad--Concerning allowing vehicles with deficient splash guards to remain in service for the limited time necessary to replace the splash guards. Committee on Transportation & Energy	295	297	685	909	929	1121	4-20 -09	#8-5 -09	715 - Second Reading LO until 3-16-09. 742 - Second Reading LO daily until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09 # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-015 by Senator(s) Tochtrop, Brophy, Isgar, Hodge, Schwartz, White; also Representative(s) Gardner C., Curry, McKinley--Concerning removal of the White river drainage basin from the jurisdiction of water division 5 to water division 6. Committee on Agriculture, Livestock, & Natural Resources	130	132	316	364	390	573	3-2 -09	#8-5 -09	318 - Second Reading calendared for 2-17-09. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-016 by Senator(s) Kopp and Penry, Gibbs, Lundberg, Schwartz; also Representative(s) King S. and Scanlan--Concerning measures to encourage the restoration of forest areas affected by bark beetle infestation. Committee on Agriculture, Livestock, & Natural Resources Committee on Finance	408*	434								695 - R* to Committee on Finance. 770 - R to Committee on Appropriations. 1275 - PI.
SB09-017 by Senator(s) Tochtrop, Morse; also Representative(s) Riesberg, Benefield, Labuda, Peniston, Rice--Concerning firefighter and police officer disability and survivor benefits. Committee on Finance	212	235	620	652	663	771	3-25-09	3-25-09		
SB09-018 by Senator(s) Kopp and Gibbs, Penry, Lundberg; also Representative(s) King S. and Scanlan, Levy--Concerning the creation of a high-risk communities wildfire mitigation grant program. Committee on Local Government	827*	856								1028 - PI.
SB09-020 by Senator(s) Gibbs; also Representative(s) Scanlan--Concerning the responsibility for responding to wild land fires. Committee on Local Government	611*	612	770*	949*	960	1341	4-30-09	4-30-09		829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 913 - Second Reading LO until 3-30-09 1014 - Senate concurred in House amendments and repassed bill, as amended.
SB09-021 by Senator(s) Kopp, Gibbs, Penry, Schwartz; also Representative(s) Scanlan and Levy, King, Lundberg--Concerning incentives for volunteer firefighters. Committee on Judiciary	1427*	1428	1550*	1566*	1598	1875	6-3-09	#8-5-09		1557 - Special Orders. 1655 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.
SB09-022 by Senator(s) Bacon; also Representative(s) Solano--Concerning the state board of land commissioners. Committee on State, Veterans, & Military Affairs	611*	612	1275	1348*	1408	1842	5-14-09	5-14-09		824 - R* to Committee on Appropriations. 1315 - Special Orders. 1322 - Special Orders LO until 4-22-09. 1554 - Senate concurred in House amendments and repassed bill, as amended.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-024 by Senator(s) White; also Representative(s) Sonnenberg and Curry--Concerning responsibilities of the division of wildlife with respect to game damage issues, and making an appropriation in connection therewith. Committee on Agriculture, Livestock, & Natural Resources	611*	612	1275*	1399*	1414	1875	6-1 -09	6-1 -09	1009 - R* to Committee on Appropriations. 1324 - Second Reading LO until 4-22-09. 1396 - Special Orders. 1554 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-025 by Senator(s) Spence; also Representative(s) Benefield--Concerning an extension of fees on certain identification documents issued by the department of revenue to fund identification security, and making an appropriation in connection therewith. Committee on Finance	567*	580	1275	1348	1409	1842	5-18 -09	7-1 -09	703 - R to Committee on Appropriations. 1315 - Special Orders. 1322 - Special Orders LO until 4-22-09.	
SB09-026 by Senator(s) Williams; also Representative(s) Riesberg--Concerning the regulation of athletic trainers, and making an appropriation in connection therewith. Committee on Business Affairs and Labor	567*	580	1276*	1348*	1409	1875	6-1 -09	7-1 -09	703 - R* to Committee on Appropriations. 1315 - Special Orders. 1322 - Special Orders LO until 4-22-09. 1348 - Title change. 1554 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-029 by Senator(s) Shaffer B.; also Representative(s) McFadyen--Concerning a requirement that people on a school bus wear safety belts. Committee on Education	483*	622	-----	-----	-----	-----	-----	-----	611 - Sponsor change: Representative McFadyen replaces Representative Hullinghorst as House prime sponsor. 819 - PI.	
SB09-030 by Senator(s) Keller; also Representative(s) Schafer S.--Concerning the "Child Mental Health Treatment Act". Committee on Health and Human Services	384*	434	762	789	799	1184	4-16 -09	4-16 -09		
SB09-031 by Senator(s) Heath; also Representative(s) Riesberg--Concerning the creation of the clean technology discovery evaluation grant program. Committee on Transportation & Energy	567*	580	995*	1021*	1035	1341	5-4 -09	5-4 -09	1021 - Title change. 1142 - Senate concurred in House amendments and repassed bill, as amended.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-032 by Senator(s) Groff, Hudak, King K., Penry, Romer, Spence; also Representative(s) Marostica and Todd, Carroll T., Gardner C., Massey, McNulty, Rice, Scanlan--Concerning creation of the education innovation institute at the university of northern Colorado. Committee on Education	130*	132	512*	575*	586	696	3-18-09	#8-5-09	533 - Second Reading calendared for 3-2-09. 611 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-033 by Senator(s) Sandoval; also Representative(s) Solano--Concerning expanding the list of students who qualify to receive a free lunch in Colorado to include children in public school early childhood education programs who are eligible to receive a reduced-cost lunch under the federal "National School Lunch Act". Committee on Education	295	297	590	626	643	749	3-25-09	#8-5-09	594 - Second Reading calendared for 3-6-09. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-034 by Senator(s) Kester; also Representative(s) Todd--Concerning the security level designation for the Centennial correctional facility. Committee on Judiciary	304	305	593	627	645	749	3-25-09	#8-5-09	594 - Second Reading calendared for 3-6-09. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-035 by Senator(s) Renfroe; also Representative(s) Sonnenberg--Concerning a penalty for a violation of certain proscribed acts for government officials. Committee on Judiciary	385*	434	763	790	801	954	4-9-09	#8-5-09	# Effective 90 days after sine die unless a referendum petition is filed.	
SB09-036 by Senator(s) Gibbs; also Representative(s) Scanlan--Concerning theft of sound recordings. Committee on Judiciary	304*	305	732*	949*	960	1184	4-22-09	#8-5-09	750 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 911 - Second Reading LO until 3-30-09. 949 - Title change. 1014 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-037 by Senator(s) Kopp; also Representative(s) McNulty--Concerning funding for certain workers' compensation funds. Committee on Business Affairs and Labor	971*	1068	1431	1462*	1478	1875	6-1 -09	#8-5 -09	1183 - R* to Committee on Appropriations. 1456 - Special Orders. 1580 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-038 by Senator(s) Hudak, Boyd, Morse, Shaffer B.; also Representative(s) Marostica--Concerning technical changes to judicial fees. Committee on Judiciary	212	236	638	847	866	973	4-16 -09	7-1 -09	641 - Second Reading calendared for 3-13-09. 715 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO until 3-23-09. 1183 - R* to Committee on Appropriations.	
SB09-039 by Senator(s) Schwartz; also Representative(s) Curry--Concerning the discretionary authority of cooperative electric associations to establish reasonable graduated rates for increased energy consumption by residential customers. Committee on Transportation & Energy	295*	297	685	909*	929	1184	4-22 -09	#8-5 -09	715 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 997 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-040 by Senator(s) Hodge; also Representative(s) Soper--Concerning the regulation of manufactured homes. Committee on Business Affairs and Labor	212*	236	314	364	392	610	3-9 -09	7-1 -09	318 - Second Reading calendared for 2-17-09.	
SB09-041 by Senator(s) Romer; also Representative(s) Vigil--Concerning the administration of the "Private Activity Bond Ceiling Allocation Act". Committee on Finance	233*	236	601	628	647	749	3-25 -09	3-25 -09		
SB09-042 by Senator(s) Tapia; also Representative(s) Vigil and Peniston--Concerning the administration of the exempt status of property for property tax purposes. Committee on Finance	484*	580	770*	912*	938	1184	4-22 -09	#8-5 -09	829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 997 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P I R R C LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-043 by Senator(s) Isgar, Kester, Tapia; also Representative(s) Roberts, Massey, McFadyen, Pace, Tipton--Concerning the merger of Pueblo community college and San Juan basin area vocational school, and, in connection therewith, clarifying the two-year authority of Fort Lewis college and making an appropriation. Committee on Education	212*	236	1431*	1497*	1527	1875	5-20-09	5-20-09	512 - R to Committee on Appropriations. 1456 - Special Orders. 1470 - Special Orders LO until 4-27-09. 1655 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-044 by Senator(s) Boyd; also Representative(s) Hullinghorst--Concerning administrative procedures in relation to the department of human services. Committee on Health and Human Services	140*	162	590	627	644	749	3-25-09	3-25-09	594 - Second Reading calendared for 3-6-09.	
SB09-047 by Senator(s) Newell; also Representative(s) Roberts--Concerning the oversight of crime victim services, and, in connection therewith, creating the crime victim services advisory board and repealing the victims compensation and assistance coordinating committee and the victims assistance and law enforcement advisory board. Committee on Judiciary	212*	236	733	911	935	1121	4-16-09	7-1-09	750 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09.	
SB09-048 by Senator(s) Schwartz, Isgar, Schultheis, Tochtrop; also Representative(s) Primavera, Kerr J., McNulty--Concerning the financial audit of the office of the child's representative. Committee on Judiciary	384	580	733	847	867	973	4-16-09	#8-5-09	750 - Second Reading LO until 3-20-09. 829 - Second Reading LO until 3-23-09. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-050 by Senator(s) Scheffel; also Representative(s) Murray--Concerning a requirement that at least one member of the limited gaming control commission be a resident of a locality in which limited gaming takes place. Committee on Local Government	212*	236	638*	906*	925	1184	V	-----	641 - Second Reading calendared for 3-13-09. 715 - Second Reading LO daily until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 997 - Senate concurred in House amendments and repassed bill, as amended.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R R C LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-051 by Senator(s) Carroll M.; also Representative(s) Levy--Concerning measures to facilitate the financing of energy-efficient structures. Committee on Transportation & Energy	611*	612	825*	915*	942	1332	4-22 -09	#9-1 -09	876 - Second Reading LO until 3-26-09. 997 - Senate concurred in House amendments and repassed bill, as amended. # unless a referendum petition is filed within 90 days after sine die.	
SB09-052 by Senator(s) Bacon, Heath, King K., Newell, Williams; also Representative(s) Pommer, Ferrandino, Hullinghorst, Levy, Massey, Merrifield, Middleton, Primavera, Rice, Schafer S., Todd--Concerning the funding source for the innovative higher education research fund, and making an appropriation in connection therewith. Committee on Education	611*	613	1276	1423*	1452	1875	6-1 -09	6-1 -09	726 - R* to Committee on Appropriations. 1315 - Special Orders. 1322 - Special Orders LO daily until 4-23-09. 1554 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-053 by Senator(s) Tochtrop; also Representative(s) Schafer S.--Concerning support arrearages that accrue prior to an applicant's eligibility for public assistance. Committee on Health and Human Services	140*	162	667	907	927	1121	4-20 -09	#10-1 -09	668 - Second Reading calendared for 3-13-09. 715 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. # unless a referendum petition is filed within 90 days after sine die.	
SB09-054 by Senator(s) Scheffel; also Representative(s) Kerr A.--Concerning an increase in the civil penalties recoverable by the state under statutes related to fair trade. Committee on Judiciary	304*	305	638	906	924	1121	4-20 -09	#8-5 -09	641 - Second Reading calendared for 3-13-09. 715 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-055 by Senator(s) Isgar, Keller, Kester, White; also Representative(s) Judd, Roberts--Concerning the family resource center program. Committee on Health and Human Services	295*	297	512	576	587	696	3-20 -09	3-20 -09	533 - Second Reading calendared for 3-2-09.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-056 by Senator(s) Kester; also Representative(s) Riesberg--Concerning the Trinidad state nursing home. Committee on Health and Human Services	750*	766	877*	916*	957*	1184	4-22-09	4-22-09	943 - Third Reading LO until 3-31-09. 1014 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-057 by Senator(s) Harvey, Kopp; also Representative(s) Stephens--Concerning searchable budget database web sites containing public education financial information, and, in connection therewith, enacting the "Public School Financial Transparency Act". Committee on Education	433*	580							819 - PI.	
SB09-059 by Senator(s) Schwartz, Brophy, Mitchell, Shaffer B., Veiga; also Representative(s) Gardner B., Labuda, Levy, McGihon, Roberts--Concerning the enactment of Colorado Revised Statutes 2008 as the positive and statutory law of the state of Colorado. Committee on Judiciary	212	236	638	906	924	1121	4-20-09	4-20-09	641 - Second Reading calendared for 3-13-09. 715 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09.	
SB09-060 by Senator(s) Tochtrop; also Representative(s) Soper--Concerning clarifications to the law regarding testing illegal drug laboratories for methamphetamine. Committee on Judiciary	267	297	733	912	935	1121	4-20-09	4-20-09	750 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09.	
SB09-061 by Senator(s) Carroll M.; also Representative(s) Primavera--Concerning the qualifications of health care professionals who review claims for medical treatment under insurance policies. Committee on Health and Human Services	567*	581	969*	1074*					1002 - Second Reading LO until 4-6-09. 1069 - Special Orders. 1093 - Third Reading LO daily until 4-21-09. 1295 - L.	
SB09-062 by Senator(s) Shaffer B.; also Representative(s) Apuan--Concerning incentives for armed forces veterans to enter the teaching profession. Committee on Education	140	162	666*	907*	926	1341	4-30-09	4-30-09	668 - Second Reading calendared for 3-13-09. 715 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 997 - Senate concurred in House amendments and repassed bill, as amended.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R C L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-064 by Senator(s) King K., Groff, Kopp, Spence, Williams; also Representative(s) Massey, Merrifield, Baumgardner, Benefield, Gardner B., Middleton, Murray, Peniston, Priola, Scanlan, Schafer S., Solano, Summers, Todd--Concerning building inspections relating to utilities. Committee on State, Veterans, & Military Affairs	655*	656								952 - PI.
SB09-065 by Senator(s) Schultheis, Isgar; also Representative(s) McNulty, Kerr J., Primavera--Concerning the audit requirements for the public safety communications trust fund. Committee on State, Veterans, & Military Affairs	233	236	621	652	664	771	3-25 -09	#8-5 -09	#	Effective 90 days after sine die unless a referendum petition is filed.
SB09-066 by Senator(s) Tochtrop, Isgar, Schultheis; also Representative(s) Primavera--Concerning the consolidation of public employee retirement plans under the public employees' retirement association, and making an appropriation in connection therewith. Committee on Finance	484*	581	726	810	838	952	3-31 -09	3-31 -09 7-1 -09		679 - R to Committee on Appropriations. 750 - Second Reading LO until 3-20-09.
SB09-067 by Senator(s) Heath; also Representative(s) Marostica and Gagliardi, Rice--Concerning the authority for the operation of the Colorado credit reserve program, and, in connection therewith, making an appropriation. Committee on Business Affairs and Labor	854	856	1276*	1349*	1410	1875	5-7 -09	5-7 -09		992 - R to Committee on Appropriations. 1315 - Special Orders. 1322 - Special Orders LO until 4-22-09. 1554 - Senate concurred in House amendments and repassed bill, as amended.
SB09-068 by Senator(s) Morse; also Representative(s) McCann--Concerning funding to support domestic abuse services, and making an appropriation therefor. Committee on State, Veterans, & Military Affairs Committee on Finance	567*	581	1277*	1424*	1453	1875	5-15 -09	7-1 -09		782 - R to Committee on Finance. 918 - R to Committee on Appropriations. 1315 - Special Orders. 1322 - Special Orders LO daily until 4-23-09. 1424 - Title change. 1554 - Senate concurred in House amendments and repassed bill, as amended.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-069 by Senator(s) Boyd; also Representative(s) McCann--Concerning court-appointed parenting coordinators. Committee on Judiciary	408*	434	763*	790*	831	973	4-16 -09	4-16 -09	800 - Third Reading LO until 3-23-09. 900 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-070 by Senator(s) Foster; also Representative(s) Acree--Concerning clarifications to workers' compensation procedures. Committee on Business Affairs and Labor	304*	305	606	628	646	749	3-24 -09	#8-5 -09	# Effective 90 days after sine die unless a referendum petition is filed.	
SB09-075 by Senator(s) Schwartz, Gibbs, Williams, Heath; also Representative(s) Marostica, Curry, Kerr A., Levy, McFadyen, Primavera, Scanlan, Vigil--Concerning the operation of low-speed electric self-propelled vehicles on public rights-of-way. Committee on Transportation & Energy	621*	622	1432	1462*	1479	1875	6-4 -09	#8-5 -09	826 - R* to Committee on Appropriations. 1456 - Special Orders. 1462 - Title change. 1580 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-076 by Senator(s) Heath, Schwartz; also Representative(s) Court--Concerning the appropriation of employer tax surcharge moneys to the employment and training technology fund for use by the division of employment and training within the department of labor and employment. Committee on Business Affairs and Labor	567*	581	1433	1463	1480	1842	6-2 -09	7-1 -09	679 - R to Committee on Finance. 794 - R to Committee on Appropriations. 1456 - Special Orders.	
SB09-078 by Senator(s) Newell; also Representative(s) Rice--Concerning the abandonment of portions of the state highway system to local jurisdictions. Committee on Transportation & Energy	304*	305	826*	915*	942	1184	4-22 -09	#8-5 -09	876 - Second Reading LO until 3-26-09. 997 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-079 by Senator(s) Newell, Boyd; also Representative(s) Acree and Kefalas, Primavera--Concerning improving the well-being of children in the foster care system by improving the ability of birth siblings to maintain long-term connections. Committee on Health and Human Services	295*	297	512	576	588	703	3-25 -09	3-25 -09	533 - Second Reading calendared for 3-2-09.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R C LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-080 by Senator(s) Isgar, Romer, White; also Representative(s) Looper--Concerning limited exemptions for water collected from certain residential rooftops. Committee on Agriculture, Livestock, & Natural Resources	295*	297	686*	904*	922	1184	4-22 -09	7-1 -09	705 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO until 3-23-09. 846 - Second Reading LO until 3-26-09. 997 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-084 by Senator(s) Scheffel; also Representative(s) Scanlan--Concerning documents related to the role of the office of the secretary of state as filing office for secured transactions. Committee on State, Veterans, & Military Affairs	212	236	824	966	977	1121	4-20 -09	#8-5 -09	876 - Second Reading LO until 3-26-09. 915 - Second Reading LO daily until 3-31-09 # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-085 by Senator(s) Scheffel and Williams, Mitchell; also Representative(s) Rice and Priola, Lambert, McNulty--Concerning the creation of a legislative task force to study a property tax exemption for business personal property. Committee on Business Affairs and Labor	1644*	1645	1689*	1738*	1789	1875	6-4 -09	6-4 -09	1291 - Senate announced Representatives Rice and Priola replaced Representative Lambert as joint prime sponsors. 1705 - Special Orders. 1738 - Title change. 1842 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-086 by Senator(s) Tapia, Hudak, Keller, King K., Kopp, Romer, Spence, White, Bacon, Brophy, Groff, Isgar, Kester, Newell, Penry, Schwartz, Tochtrop; also Representative(s) Marostica, Acree, Baumgardner, Benefield, Ferrandino, Kerr A., Massey, Murray, Pommer, Roberts, Stephens, Summers, Todd, Curry, Fischer, Gardner B., Gardner C., Kefalas, Looper, Middleton, Pace, Sonnenberg--Concerning the creation of an online university to be known as Colorado state university - global campus. Committee on Education	295*	297	459	515	558	654	3-18 -09	3-18 -09		

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HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-087 by Senator(s) Carroll M.; also Representative(s) Peniston--Concerning increased accountability requirements for special districts, and making an appropriation in connection therewith. Committee on Local Government	621*	622	1433*	1496*	1524	1875	6-1 -09	7-1 -09	993 - R* to Committee on Appropriations. 1456 - Special Orders. 9-1 -09 1463 - Special Orders LO until 4-27-09. 1655 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-088 by Senator(s) Veiga; also Representative(s) Ferrandino--Concerning the extension of state employee group benefits to domestic partners of state employees. Committee on State, Veterans, & Military Affairs	513	581	1433	1463	1520	1842	5-18 -09	#8-5 -09	693 - R to Committee on Appropriations. 1456 - Special Orders. 1515 - Third Reading LO until 4-28-09. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-089 by Senator(s) King K., Hudak, Kopp, Spence; also Representative(s) Middleton, Gardner B., Massey, Murray, Summers, Tipton--Concerning the state charter school institute, and making an appropriation in connection therewith. Committee on Education	1147*	1148	1543	1561	1595	1875	6-4 -09	6-4 -09	1438 - R to Committee on Appropriations. 1557 - Special Orders.	
SB09-090 by Senator(s) Hudak, Williams, Heath, Bacon, Foster, Groff, King K., Tapia; also Representative(s) Benefield and Merrifield, Carroll T., Solano, Todd, Pace, Scanlan, Levy, Summers, Ferrandino, Miklosi, Schafer S.--Concerning measures to increase parent involvement in public education. Committee on Education	954*	955	1299*	1424*	1454	1875	5-21 -09	#8-5 -09	1423 - Special Orders. 1554 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-091 by Senator(s) Romer; also Representative(s) Rice--Concerning motor vehicle dealer franchise agreements. Committee on Business Affairs and Labor	483*	581	619	651*	663	854	4-2 -09	7-1 -09	704 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-092 by Senator(s) Kopp, Romer, Brophy, White, Penry, King K., Renfro; also Representative(s) Marostica, King S., Sonnenberg, Stephens, Waller--Concerning the requirement that state-owned motor vehicles operate on compressed natural gas. Committee on State, Veterans, & Military Affairs	384*	434	782	951	962	1121	4-20 -09	#8-5 -09	829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 916 - Second Reading LO until 3-30-09 # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-093 by Senator(s) Williams, Heath, King K.; also Representative(s) Marostica, Middleton, Rice, Roberts--Concerning identity theft. Committee on Judiciary	1147*	1148	1550*	1566*	1598	1875	6-1 -09	7-1 -09 7-1 -11	1557 - Special Orders. 1655 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-094 by Senator(s) Williams, Gibbs, Groff, Heath, Schwartz, Shaffer B.; also Representative(s) Levy, Green, Marostica, Merrifield, Middleton, Primavera, Rice, Ryden, Scanlan--Concerning the creation of a transit and rail division within the department of transportation. Committee on Transportation & Energy	611*	613	1119*	1169*	1197	1875	5-20 -09	5-20 -09	1153 - Second Reading LO until 4-14-09. 1258 - Senate did not concur in House amendments and requested Conference Committee. Senate members: Williams, Gibbs, and Spence. 1258 - House acceded to request for Conference Committee. House members: Levy, Fischer, and Priola. 1414 - Conference Committee report. 1470 - Consideration of Conference Committee report LO until 4-27-09. 1480 - House adopted Conference Committee report and repassed bill, as amended. 1555 - Senate adopted Conference Committee report and repassed bill, as amended.	
SB09-096 by Senator(s) Bacon, Penry, Schwartz; also Representative(s) Sonnenberg, McFadyen, Riesberg--Concerning the exemption of certain capital construction projects funded with federal moneys from certain contract requirements. Committee on Finance	295	298	601	629	648	749	3-25 -09	3-25 -09		
SB09-097 by Senator(s) Cadman; also Representative(s) Pace--Concerning clarifying changes to provisions pertaining to institutional peace officers. Committee on Judiciary	309*	310	763	790	800	954	4-9 -09	#8-5 -09	# Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-098 by Senator(s) Schwartz, Isgar, Brophy, Gibbs; also Representative(s) Vigil--Concerning blending diesel fuels after withdrawal at the rack, and making an appropriation in connection therewith. Committee on Transportation & Energy	827*	856	996*	1093*	1103	1341	4-30 -09	#8-5 -09	1021 - Second Reading LO daily until 4-7-09. 1210 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-099 by Senator(s) Morse; also Representative(s) Ferrandino--Concerning centralized databases to aid the delivery of state procurement services, and making an appropriation in connection therewith. Committee on State, Veterans, & Military Affairs	655*	656	1433	1496	1524	1875	6-4 -09	6-4 -09	782 - R to Committee on Appropriations. 1456 - Special Orders. 1470 - Special Orders LO until 4-27-09.	
SB09-100 by Senator(s) Newell, Mitchell, Carroll M., Foster, Heath, Hodge, Morse; also Representative(s) Frangas, Primavera, Rice--Concerning amending the definition of "noncustodial parent" in the "Colorado Works Program Act" to enable a noncustodial parent to receive employment assistance regardless of whether the noncustodial parent's child is receiving assistance under the Colorado works program. Committee on Health and Human Services	384	435	667	848	867	1341	4-30 -09	4-30 -09	668 - Second Reading calendared for 3-13-09. 715 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO until 3-23-09.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R C LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-101 by Senator(s) White; also Representative(s) Levy--Concerning the requirement for the creation of an independent historic preservation commission by any city receiving moneys from the state historical fund for historic preservation purposes when the city is not a certified local government, and, in connection therewith, establishing the composition and operation of such a commission. Committee on Local Government	385*	435	679*	908*	928	1875	6-4 -09	8-1 -09	715 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 1014 - Senate did not concur in House amendments and requested Conference Committee. Senate members: White, Tochtrop, and Morse. 1015 - House acceded to request for Conference Committee. House members: Levy, Kerr, J., and Middleton. 1183 - House granted permission to go beyond scope. 1184 - Senate granted permission to go beyond scope. 1256 - Conference Committee report. 1270 - House adopted Conference Committee report and repassed bill, as amended. 1555 - Senate adopted Conference Committee report and repassed bill, as amended.	
SB09-103 by Senator(s) Carroll M.; also Representative(s) Pommer--Concerning the designation of the practice of providing financial incentives to persons handling insurance claims for making determinations that adversely affect insureds as a deceptive act in the business of insurance. Committee on Health and Human Services	854*	856	-----	-----	-----	-----	-----	-----	1076 - PI.	
SB09-104 by Senator(s) Sandoval; also Representative(s) Gagliardi--Concerning the provision of verifiable documents to youth leaving foster care. Committee on Health and Human Services	384*	435	1433	1496	1525	1621	5-2 -09	#8-5 -09	730 - R to Committee on Appropriations. 1456 - Special Orders. 1470 - Special Orders LO until 4-27-09. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-105 by Senator(s) Gibbs; also Representative(s) Scanlan--Concerning removal of the statutory limit on the amount that may be raised in a single year by a special property tax levied by a board of county commissioners for the purpose of fighting specified types of fires in a county. Committee on Local Government Committee on Finance	483	581	794	950	961	1341	4-30 -09	4-30 -09	764 - R to Committee on Finance. 857 - Second Reading LO until 3-24-09. 876 - Second Reading LO until 3-26-09. 914 - Second Reading LO until 3-30-09	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-106 by Senator(s) Isgar, Penry, Brophy, Hodge; also Representative(s) Roberts--Concerning the continuously appropriated water supply reserve account, and, in connection therewith, extending the account, requiring the interbasin compact committee, in consultation with the Colorado water conservation board, to report annually on how moneys from the account were allocated, and conditioning grants to applicants required to adopt a water conservation plan. Committee on Agriculture, Livestock, & Natural Resources	483*	581	1277	1349	1410	1842	6-2 -09	7-1 -09	796 - R to Committee on Appropriations. 1315 - Special Orders. 1322 - Special Orders LO until 4-22-09.	
SB09-107 by Senator(s) Kester; also Representative(s) Looper--Concerning the time during which a notarized bill of sale will exempt a vehicle that is at least twenty-five years old from being required to have a bonded title. Committee on Transportation & Energy	384*	435	685	910*	931*	1121	4-20 -09	#8-5 -09	715 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 997 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-108 by Senator(s) Gibbs; also Representative(s) Rice--Concerning the improvement of the transportation system of the state, and, in connection therewith, providing additional sources of funding for transportation and modifying the transportation planning process. Committee on Transportation & Energy	268*	298	455*	518*	548*	573	3-2 -09	3-2 -09 1-1 -10	424 - R* to Committee on Appropriations. 573 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-109 by Senator(s) Newell, Morse; also Representative(s) Schafer S.--Concerning continuation of provisions related to the fire service training and certification advisory board. Committee on Judiciary	384	582	733	912	936	1121	4-20 -09	7-1 -09	750 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09.	
SB09-110 by Senator(s) Morse, Carroll M., Hudak; also Representative(s) Levy--Concerning the continuation of the regulation of civil rights issues. Committee on Judiciary	1067*	1068	1688*	1706*	1786	1875	5-11 -09	7-1 -09	1551 - R* to Committee on Appropriations. 1705 - Special Orders. 1842 - Senate concurred in House amendments and repassed bill, as amended.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-111 by Senator(s) Bacon, Boyd, Schultheis; also Representative(s) Court--Concerning continuation of the "Notaries Public Act". Committee on State, Veterans, & Military Affairs	384*	435	610*	966*	976	1184	4-22-09	7-1-09	630 - Second Reading LO until 3-13-09. 705 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO until 3-23-09. 846 - Second Reading LO daily until 3-31-09. 966 - * in the Committee of the Whole report. 1014 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-112 by Senator(s) Kopp, Bacon, Groff, Heath, Hudak, King K., Romer, Spence; also Representative(s) Scanlan--Concerning the repeal of the on-line learning advisory board. Committee on Education	295	298	667	847	866	1059	4-16-09	4-16-09	668 - Second Reading calendared for 3-13-09. 715 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO until 3-23-09.	
SB09-113 by Senator(s) Brophy, Hodge, Isgar; also Representative(s) Sonnenberg--Concerning the continuation of the authority of the department of agriculture to regulate measurement standards. Committee on Agriculture, Livestock, & Natural Resources	385*	435	618	651	660	854	4-2-09	4-2-09		
SB09-114 by Senator(s) Kester, Hodge, Isgar; also Representative(s) Sonnenberg--Concerning the continuation of the authority of the department of agriculture to regulate the sale of agricultural products, and, in connection therewith, regulating farm products and commodity warehouses. Committee on Agriculture, Livestock, & Natural Resources	384	435	633*	714*	740	952	4-9-09	4-9-09	641 - Second Reading calendared for 3-13-09. 796 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-115 by Senator(s) Brophy, Hodge, Isgar; also Representative(s) Curry--Concerning the continuation of the regulation of public livestock markets. Committee on Agriculture, Livestock, & Natural Resources	384*	436	618	651	660	771	3-25-09	7-1-09		
SB09-116 by Senator(s) Hodge, Isgar, Schwartz; also Representative(s) Looper--Concerning continuation of the "Colorado Seed Act". Committee on Agriculture, Livestock, & Natural Resources	295	298	619	651	661	771	3-25-09	7-1-09		

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-117 by Senator(s) Isgar, Hodge; also Representative(s) Vigil--Concerning the continuation of the regulation by the department of agriculture of persons selling processed meat, and, in connection therewith, clarifying the statutory distinction between custom meat processors and the sellers of home food service plans, amending terms to comport with current business practices, and increasing consumer protections. Committee on Agriculture, Livestock, & Natural Resources	408*	436	633*	846*	864	1059	4-16-09	4-16-09	641 - Second Reading calendared for 3-13-09. 715 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO until 3-23-09. 900 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-118 by Senator(s) Gibbs, Hodge, Isgar; also Representative(s) Fischer--Concerning continuation of pet animal care regulation, and making an appropriation therefor. Committee on Agriculture, Livestock, & Natural Resources	954*	955	1604*	1617*	1629	1875	6-1-09	7-1-09	1415 - R* to Committee on Appropriations. 1605 - Special Orders. 1700 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-119 by Senator(s) Harvey; also Representative(s) McNulty--Concerning a clarification of the enforcement of water quality laws relating to the discharge of certain hazardous pollutants. Committee on Agriculture, Livestock, & Natural Resources	432	436	688	1000*	1018	1842	5-4-09	#8-5-09	715 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 907 - Second Reading LO daily until 3-31-09 966 - Second Reading LO until 4-2-09. 1067 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-121 by Senator(s) White; also Representative(s) Marostica--Concerning the sales and use tax exempt status of meals provided to employees of a business where prepared food is regularly sold. Committee on Finance	1147*	1148	1543	1560	1594	1875	6-4-09	6-4-09	1235 - Sponsor change: Representative Marostica replaces Representative May as House prime sponsor. 1417 - R to Committee on Appropriations. 1557 - Special Orders. 1594 - Representatives May and Weissmann excused from voting under House Rule 21(c) on all votes pertaining to SB09-121.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-123 by Senator(s) Williams, Sandoval; also Representative(s) Todd, Solano--Concerning a pilot program to reduce the dropout rate of adolescent students, and making an appropriation in connection therewith. Committee on Education	484*	582	1433*	1505*	1526	1875	5-21-09	#8-5-09	728 - R* to Committee on Appropriations. 1456 - Special Orders. 1470 - Special Orders LO until 4-27-09. 1497 - *L. 1505 - Title change. 1505 - * in the Committee of the Whole report. 1655 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-124 by Senator(s) Isgar; also Representative(s) Roberts--Concerning additional funding for agricultural energy-related projects through the agriculture value-added cash fund. Committee on Agriculture, Livestock, & Natural Resources	611*	613	1434*	1497*	1526	1875	5-15-09	7-1-09	797 - R to Committee on Appropriations. 1456 - Special Orders. 1470 - Special Orders LO until 4-27-09. 1655 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-125 by Senator(s) Isgar; also Representative(s) Curry--Concerning the funding of Colorado water conservation board projects, and making appropriations in connection therewith. Committee on Agriculture, Livestock, & Natural Resources	611*	613	1277*	1349*	1411	1875	6-1-09	6-1-09	696 - R to Committee on Appropriations. 1315 - Special Orders. 1322 - Special Orders LO until 4-22-09. 1554 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-126 by Senator(s) Newell, Hodge, Spence, Tochtrop; also Representative(s) Apuan, Gagliardi, Swalm--Concerning the voluntary contribution designation benefiting the multiple sclerosis fund that appears on the state individual income tax return forms, and, in connection therewith, extending the period for the contribution designation. Committee on Finance	384	532	620	652	1264	1621	5-2-09	#8-5-09	664 - Third Reading LO until 3-13-09. 708 - Third Reading LO until 4-17-09. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-127 by Senator(s) Schwartz, Hodge, Isgar; also Representative(s) Fischer--Concerning the continuation of the regulation of egg quality. Committee on Agriculture, Livestock, & Natural Resources	384*	436	619	651	661	771	3-25-09	7-1-09		

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-128 by Senator(s) Carroll M., Newell, Tochtrop; also Representative(s) Green--Concerning continuation of the regulation of administration of medication by unlicensed persons, and making an appropriation in connection therewith. Committee on Health and Human Services	750*	766	1434	1497	1527	1875	6-1 -09	7-1 -09	877 - R to Committee on Appropriations. 1456 - Special Orders. 1470 - Special Orders LO until 4-27-09.	
SB09-129 by Senator(s) Tochtrop; also Representative(s) Gagliardi--Concerning the duties that may be performed by a dental hygienist. Committee on Health and Human Services	484*	582	730*	910*	933	1184	4-22 -09	4-22 -09	750 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 997 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-130 by Senator(s) Spence; also Representative(s) Scanlan--Concerning the creation of a Colorado school for children with autism. Committee on Education	1490*	1514	-----	-----	-----	-----	-----	-----	1651 - PI.	
SB09-131 by Senator(s) Romer; also Representative(s) Massey--Concerning the requirement that students in public schools engage in a certain amount of physical activity each week. Committee on Education	611*	613	819*	914*	939	-----	-----	-----	876 - Second Reading LO until 3-26-09. 997 - Senate did not concur in House amendments and requested Conference Committee. Senate members: Romer, Boyd, and Spence. 1015 - House acceded to request for Conference Committee. House members: Massey, Merrifield, and Riesberg. 1288 - House adhered to its position. 1554 - Senate adhered to its position. Bill deemed L.	
SB09-132 by Senator(s) Boyd; also Representative(s) Kerr J.--Concerning discounted prescription drug programs, and, in connection therewith, providing information regarding discounted prescription drug programs and modifying the "Colorado Cares Rx Act" and making an appropriation. Committee on Health and Human Services	567*	582	818*	965*	975	1341	5-4 -09	5-4 -09	667 - R to Committee on Appropriations. 876 - Second Reading LO until 3-26-09. 914 - Second Reading LO daily until 3-31-09. 1059 - Senate concurred in House amendments and repassed bill, as amended.	

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BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-133 by Senator(s) Spence; also Representative(s) Primavera--Concerning increased surcharges for traffic violations that apply the moneys collected to the Colorado traumatic brain injury trust fund, and making an appropriation in connection therewith. Committee on Transportation & Energy	900*	900	1434	1497*	1528	1875	6-2 -09	#8-5 -09	1120 - R* to Committee on Appropriations. 1456 - Special Orders. 1470 - Special Orders LO until 4-27-09. 1701 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-135 by Senator(s) Penry; also Representative(s) Miklosi--Concerning information collection regarding parole decisions. Committee on Judiciary	1258*	1259	1554*	1567*	1599	1875	6-1 -09	#8-5 -09	1557 - Special Orders. 1655 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-137 by Senator(s) Renfroe; also Representative(s) Baumgardner--Concerning the timely payment of debts in relation to a waiver of the right to attach a property lien. Committee on Judiciary	483*	582	822	914	941	1121	4-20 -09	7-1 -09	876 - Second Reading LO until 3-26-09.	
SB09-138 by Senator(s) Boyd, Newell, Tochtrop; also Representative(s) Gagliardi--Concerning the continuation of the certification of nurse aides by the state board of nursing, and making an appropriation therefor. Committee on Health and Human Services	854*	856	1278*	1350*	1411	1875	6-2 -09	7-1 -09	971 - R to Committee on Appropriations. 1315 - Special Orders. 1322 - Special Orders LO until 4-22-09. 1554 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-139 by Senator(s) Shaffer B.; also Representative(s) McGihon--Concerning the adoption of recent changes to the "Uniform Principal and Income Act" proposed by the national conference of commissioners on uniform state laws. Committee on Finance	384*	582	794	812	840	973	4-16 -09	4-16 -09	812 - Special Orders.	
SB09-140 by Senator(s) Bacon; also Representative(s) Fischer--Concerning a requirement that public trustees serve at the pleasure of the governor. Committee on Local Government	304*	305	606	629	647	749	3-25 -09	#9-1 -09	# unless a referendum petition is filed within 90 days after sine die.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-141 by Senator(s) Tapia; also Representative(s) Looper and Pace, Vigil--Concerning the creation of the Fountain creek watershed, flood control, and greenway district. Committee on Agriculture, Livestock, & Natural Resources	408*	436	797*	847*	865	1341	4-30 -09	4-30 -09	955 -	Senate concurred in House amendments and repassed bill, as amended.
SB09-143 by Senator(s) Bacon; also Representative(s) Hullinghorst, Fischer--Concerning enforcing traffic regulations through the expanded use of an automated vehicle identification system. Committee on Judiciary	484*	613	822*	-----	-----	-----	-----	-----	876 -	Second Reading LO until 3-26-09. 914 - Second Reading LO daily until 3-31-09. 965 - Second Reading LO until 4-2-09. 1000 - *L.
SB09-144 by Senator(s) Kester; also Representative(s) Gagliardi--Concerning the Colorado commission for the deaf and hard of hearing and programs administered in connection therewith, and making an appropriation therefor. Committee on Health and Human Services	750*	766	1279	1315*	1335	1621	5-2 -09	#8-5 -09	877 -	R to Committee on Appropriations. 1315 - Special Orders. 1554 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.
SB09-147 by Senator(s) Hodge, Brophy; also Representative(s) Priola, Gardner C.--Concerning the authorization of substitute water supply plans for the replacement of out-of-priority depletions caused by historic diversions from wells included in decreed augmentation plans entered by the water court for water division 1. Committee on Agriculture, Livestock, & Natural Resources	611*	613	696	810	839	954	4-9 -09	4-9 -09	742 -	Second Reading LO until 3-20-09.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R C L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-148 by Senator(s) Brophy, Gibbs; also Representative(s) Merrifield, Carroll T., Kerr A., Marostica, McNulty--Concerning revisions to the rules governing the safe interaction of bicycles with other vehicles on roadways. Committee on Transportation & Energy	384*	436	780*	913*	943	1875	5-11-09	#8-5-09	829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 997 - Senate did not concur in House amendments and requested Conference Committee. Senate members: Brophy, Gibbs, and Heath. 998 - House acceded to request for Conference Committee. House members: Merrifield, Kerr, A., and McNulty. 1146 - Conference Committee report. 1185 - Consideration of Conference Committee report LO daily until 4-17-09. 1263 - House discharged 1st Conference Committee and appointed 2nd Conference Committee. House members: Merrifield, Kerr, A., and Baumgardner. 1264 - House granted permission to go beyond scope. 1291 - Senate rejected 1st Conference Committee report, discharged 1st Conference Committee and requested 2nd Conference Committee with permission to go beyond scope. Senate members: Brophy, Gibbs, and White. 1415 - Conference Committee report. 1470 - Consideration of Conference Committee report LO until 4-24-09. 1482 - House adopted Conference Committee report and repassed bill, as amended. 1555 - Senate adopted report of 2nd Conference Committee and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-149 by Senator(s) Boyd; also Representative(s) Kerr J.--Concerning the method by which a county home rule charter commission is created for the purpose of proposing a home rule charter. Committee on Local Government	484*	582	-----	-----	-----	-----	-----	-----	824 - PI.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-150 by Senator(s) Heath; also Representative(s) Levy--Concerning the priority of a purchase-money lien for a motor vehicle. Committee on Business Affairs and Labor	384	582	679	907*	927	1184	4-22-09	4-22-09	715 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 997 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-151 by Senator(s) Isgar, Hodge; also Representative(s) Curry--Concerning the regulation of slaughterers of livestock through the department of agriculture, and, in connection therewith, allowing such function to expire on schedule and reassigning certain regulatory functions to the state board of stock inspection commissioners. Committee on Agriculture, Livestock, & Natural Resources	384*	436	619*	651*	662	854	4-2-09	7-1-09	704 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-154 by Senator(s) Hodge; also Representative(s) Curry--Concerning the funding of personnel for the "Livestock Health Act". Committee on Agriculture, Livestock, & Natural Resources	854*	856	1279	1350*	1412	1875	6-1-09	#8-5-09	1010 - R* to Committee on Appropriations. 1315 - Special Orders. 1322 - Special Orders LO until 4-22-09. 1554 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-157 by Senator(s) Sandoval; also Representative(s) Hullinghorst--Concerning the retirement plan eligibility of specified employees of the university of Colorado. Committee on Finance	408	436	703	910	930	1121	4-20-09	#8-5-09	742 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-158 by Senator(s) Isgar; also Representative(s) Baumgardner--Concerning analysis by the department of natural resources of conservation programs implemented on private lands. Committee on Agriculture, Livestock, & Natural Resources	750*	766	1434	1498	1528	1875	6-2-09	#8-5-09	1010 - R to Committee on Appropriations. 1456 - Special Orders. 1470 - Special Orders LO until 4-27-09. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-159 by Senator(s) Sandoval; also Representative(s) McGihon and Benefield--Concerning the mandatory offer of dependent coverage to an unmarried child. Committee on Business Affairs and Labor	567*	582								794 - PI.
SB09-160 by Senator(s) Hudak; also Representative(s) Todd--Concerning recommendations from the P-20 council relating to educator licensure, and, in connection therewith, streamlining and aligning the alternative teacher and the teacher in residence programs, and making an appropriation. Committee on Education	854*	856	1435	1498*	1529	1842	5-21 -09	5-21 -09		1027 - R* to Committee on Appropriations. 1456 - Special Orders. 1470 - Special Orders LO until 4-27-09. 1655 - Senate concurred in House amendments and repassed bill, as amended.
SB09-161 by Senator(s) Gibbs; also Representative(s) Scanlan--Concerning the issuance of Colorado ski country special license plates, and making an appropriation in connection therewith. Committee on Transportation & Energy	750*	766	1435	1498*	1530	1875	6-3 -09	#8-5 -09		826 - R to Committee on Appropriations. 1456 - Special Orders. 1470 - Special Orders LO until 4-27-09. 1655 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.
SB09-162 by Senator(s) Schwartz, Heath, Veiga; also Representative(s) Liston, McFadyen, Rice, Solano--Concerning the operation of the project by the state's chief information officer to create an inventory of broadband service areas, and, in connection therewith, authorizing the acceptance of publicly funded gifts, grants, and donations, and making an appropriation. Committee on Business Affairs and Labor	611*	613	1435	1499	1530	1875	6-4 -09	6-4 -09		703 - R to Committee on Appropriations. 1456 - Special Orders. 1470 - Special Orders LO until 4-27-09.

HISTORY OF SENATE BILLS

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									* V F P R R C LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-163 by Senator(s) Hudak and King K.; also Representative(s) Middleton and Massey--Concerning the education accountability system, and making an appropriation therefor. Committee on Education	1258*	1259	1604	1616*	1627*	1875	5-21 -09	5-21 -09	1543 - R* to Committee on Appropriations. 1605 - Special Orders. 1700 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-164 by Senator(s) Newell, Bacon, Carroll M., Foster, Heath, Hodge, Keller, Morse, Shaffer B., Williams; also Representative(s) Miklosi, Frangas, Gagliardi, Kefalas, Ryden--Concerning requiring certain persons serving in the state child welfare system to demonstrate the necessary competencies to perform their job responsibilities. Committee on Health and Human Services	1427*	1428	1688	1706	1787	1875	5-19 -09	5-19 -09	1652 - R to Committee on Appropriations. 1705 - Special Orders.	
SB09-165 by Senator(s) Isgar and Penry; also Representative(s) Curry and Gardner C., Fischer--Concerning the funding of grants to small communities for water quality-related capital projects through allocation of a portion of revenues that would otherwise be credited to the severance tax trust fund. Committee on Agriculture, Livestock, & Natural Resources	567*	583	696	909*	930	1184	4-22 -09	4-22 -09	742 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 997 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-167 by Senator(s) Boyd, Newell, Tochtrop; also Representative(s) Kefalas--Concerning the continuation of the state board of chiropractic examiners, and, in connection therewith, increasing insurance requirements, adjusting the board's disciplinary authority, authorizing animal chiropractic, and modifying the scope of practice, and, in connection therewith, making an appropriation. Committee on Health and Human Services	954*	956	1435*	1499*	1531	1875	6-1 -09	6-1 -09	1076 - R* to Committee on Appropriations. 1456 - Special Orders. 1470 - Special Orders LO until 4-27-09. 1655 - Senate concurred in House amendments and repassed bill, as amended.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-168 by Senator(s) Tochtrop; also Representative(s) Soper--Concerning workers' compensation procedures. Committee on Business Affairs and Labor	655*	656	778	912	937*	1184	4-22-09	#8-5-09	829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 997 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-169 by Senator(s) Tochtrop; also Representative(s) Riesberg--Concerning the continuation of the board of examiners of nursing home administrators. Committee on Health and Human Services	408*	436	730*	911*	933	1341	5-4-09	5-4-09	750 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 997 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-171 by Senator(s) Schwartz, Heath, Veiga; also Representative(s) Todd and Vigil, Liston, McFadyen, Rice, Solano--Concerning the use of moneys in the Colorado customized training program. Committee on Transportation & Energy	567*	583	996*	1021*	1036	1341	5-4-09	5-4-09	1021 - Title change. 1210 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-173 by Senator(s) Veiga; also Representative(s) Rice--Concerning the economic development of large-scale regional tourism projects to be partially financed with a portion of state sales tax revenue above an existing base amount. Committee on Business Affairs and Labor	513	583	778	1563*	1596*	1875	6-4-09	6-4-09	829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 912 - Second Reading LO until 3-30-09. 949 - Second Reading LO daily until 4-3-09. 1020 - R to Committee on Finance. 1417 - R* to Committee on Appropriations. 1557 - Special Orders. 1655 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-174 by Senator(s) Kester, Isgar, Spence, Tochtrop, White; also Representative(s) Casso--Concerning pari-mutuel racing. Committee on Agriculture, Livestock, & Natural Resources	750*	766	1279	1351*	1412	1875	5-21-09	5-21-09	1010 - R* to Committee on Finance. 1132 - R* to Committee on Appropriations. 1315 - Special Orders. 1322 - Special Orders LO until 4-22-09. 1554 - Senate concurred in House amendments and repassed bill, as amended.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-175 by Senator(s) Sandoval; also Representative(s) Pommer--Concerning the issuance of group special license plates. Committee on Transportation & Energy	566	583	781*	966*	976	1341	5-4 -09	7-1 -09	829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 916 - Second Reading LO daily until 3-31-09 1059 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-176 by Senator(s) Spence, Groff; also Representative(s) Casso and Massey--Concerning charter school participation in school district bond elections. Committee on Education	878*	879	1028*	1168*	1196	1489	5-14 -09	#8-5 -09	1094 - Second Reading LO daily until 4-14-09. 1258 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-177 by Senator(s) Schwartz; also Representative(s) Vigil--Concerning the valuation of new solar energy facilities for the purpose of property taxation. Committee on Transportation & Energy	655	656	826*	950*	962	1184	4-22 -09	4-22 -09	876 - Second Reading LO until 3-26-09. 915 - Second Reading LO until 3-30-09 1014 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-178 by Senator(s) Heath, Schwartz, Veiga; also Representative(s) Liston, McFadyen, Rice, Solano--Concerning the waiver of certain eligibility conditions for unemployment insurance benefits for unemployed individuals attached to regular jobs. Committee on Business Affairs and Labor	749	766	1435	1499	1531	1842	5-18 -09	5-18 -09	918 - R to Committee on Appropriations. 1456 - Special Orders. 1470 - Special Orders LO until 4-27-09.	
SB09-179 by Senator(s) Tochtrop; also Representative(s) Gagliardi--Concerning communicable disease control. Committee on Health and Human Services	567*	583	763	789	800	954	4-9 -09	4-9 -09		
SB09-180 by Senator(s) Tochtrop, Carroll M.; also Representative(s) Casso--Concerning collective bargaining by employees of public safety agencies. Committee on State, Veterans, & Military Affairs	1258*	1259	1579*	1606*	1624	1875	V	-----	1605 - Special Orders. 1700 - Senate concurred in House amendments and repassed bill, as amended.	

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HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P I R R C LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-181 by Senator(s) Tapia, Keller, White; also Representative(s) Marostica, Ferrandino, Pommer--Concerning the elimination of the annual resolution to certify the amount of moneys in the state education fund that are available for appropriation in the next fiscal year. Committee on Appropriations	566	583	637	906	925	1121	4-20 -09	4-20 -09	641 - Second Reading calendared for 3-13-09. 715 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09.	
SB09-182 by Senator(s) Penry; also Representative(s) Stephens--Concerning the use of state parks by certain search and rescue organizations for training activities. Committee on Agriculture, Livestock, & Natural Resources	566*	583	783	912	936	1121	4-20 -09	4-20 -09	829 - Second Reading LO daily until 3-24-09. 857 - Second Reading LO until 3-24-09. 876 - Second Reading LO until 3-26-09.	
SB09-183 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of agriculture. Committee on Appropriations	432	437	469	504	537	654	3-12 -09	3-12 -09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	
SB09-184 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of corrections. Committee on Appropriations	432	437	469	504	537	654	3-12 -09	3-12 -09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	
SB09-185 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of education. Committee on Appropriations	433*	437	470*	476*	501	703	3-18 -09	3-18 -09	474 - Special Orders. 547 - Senate did not concur in House amendments and requested Conference Committee. Senate members: Keller, Tapia, and White. 548 - House acceded to request for Conference Committee. House members: Ferrandino, Pommer, and Marostica. 594 - Conference Committee report. 598 - House adopted Conference Committee report and repassed bill, as amended. 621 - Senate adopted Conference Committee report and repassed bill, as amended.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-186 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting. Committee on Appropriations	432	437	470	504	538	654	3-12 -09	3-12 -09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	
SB09-187 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of health care policy and financing. Committee on Appropriations	433*	437	470	504	538	654	3-12 -09	3-12 -09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	
SB09-188 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of higher education. Committee on Appropriations	432	437	470	504	539	654	3-12 -09	3-12 -09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	
SB09-189 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of human services. Committee on Appropriations	433*	437	470	504	540	654	3-12 -09	3-12 -09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	
SB09-190 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the judicial department. Committee on Appropriations	432	437	470	504	540	654	3-12 -09	3-12 -09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R C L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-191 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of labor and employment. Committee on Appropriations	432	437	470	505	541	654	3-12-09	3-12-09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	
SB09-192 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of law. Committee on Appropriations	433*	438	471	505	541	654	3-12-09	3-12-09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	
SB09-193 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of local affairs. Committee on Appropriations	432	438	471	505	542	654	3-12-09	3-12-09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	
SB09-194 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of military and veterans affairs. Committee on Appropriations	432	438	471	505	542	654	3-12-09	3-12-09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	
SB09-195 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of natural resources. Committee on Appropriations	432	438	471	477	502	654	3-12-09	3-12-09	474 - Special Orders.	
SB09-196 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of personnel and administration. Committee on Appropriations	432	438	471	505	543	654	3-12-09	3-12-09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R C L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-197 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of public health and environment. Committee on Appropriations	432	438	471	505	543	654	3-12-09	3-12-09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	
SB09-198 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of public safety. Committee on Appropriations	432	438	471	505	544	654	3-12-09	3-12-09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	
SB09-199 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of regulatory agencies. Committee on Appropriations	432	438	471	506	544	654	3-12-09	3-12-09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	
SB09-200 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of revenue. Committee on Appropriations	432	438	471	506	545	654	3-12-09	3-12-09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	
SB09-201 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of state. Committee on Appropriations	432	438	471	506	545	654	3-12-09	3-12-09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	
SB09-202 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of transportation. Committee on Appropriations	432	439	471	506	546	654	3-12-09	3-12-09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-203 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a supplemental appropriation to the department of the treasury. Committee on Appropriations	432	439	471	506	546	654	3-12 -09	3-12 -09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	
SB09-204 by Senator(s) White, Keller, Tapia; also Representative(s) Ferrandino, Pommer, Marostica--Concerning changes to the designation of funds constituting the state emergency reserve for state fiscal year 2008-09. Committee on Appropriations	432	439	471	475	497	610	3-9 -09	3-9 -09	474 - Special Orders.	
SB09-206 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning the repeal of the waiting list navigator pilot program, and repealing an appropriation therefor. Committee on Appropriations	433*	439	471	476	498	573	3-2 -09	3-2 -09	474 - Special Orders.	
SB09-207 by Senator(s) White, Keller, Tapia; also Representative(s) Marostica, Ferrandino, Pommer--Concerning delaying implementation of the child welfare and mental health services pilot program, and repealing an appropriation therefor. Committee on Appropriations	433*	439	472	476	499	573	3-2 -09	3-2 -09	474 - Special Orders.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R C LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-208 by Senator(s) Tapia, Keller, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning the augmentation of the general fund through transfers of certain moneys in the 2008-09 fiscal year. Committee on Appropriations	433*	439	472*	476*	500	1121	4-20 -09	4-20 -09	474 - Special Orders. 547 - Senate did not concur in House amendments and requested Conference Committee. Senate members: Keller, Tapia, and White. 548 - House acceded to request for Conference Committee. House members: Ferrandino, Pommer, and Marostica. 742 - Conference Committee report. 767 - Consideration of Conference Committee report LO daily until 3-30-09. 945 - House adopted Conference Committee report and repassed bill, as amended. 971 - Senate adopted First Conference Committee report and repassed bill, as amended.	
SB09-209 by Senator(s) White, Keller, Tapia; also Representative(s) Marostica, Ferrandino, Pommer--Concerning the repeal of the inmate assistance demonstration grant program, and repealing an appropriation therefor. Committee on Appropriations	433*	439	472	503	535	654	3-18 -09	3-18 -09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	

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BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R C LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-210 by Senator(s) Tapia, Keller, White; also Representative(s) Ferrandino, Pommer, Marostica--Concerning transfers for health programs from the tobacco litigation funds, and, in connection therewith, making modifications to appropriations. Committee on Appropriations	433*	439	472	477*	502	1059	4-16 -09	4-16 -09	474 - Special Orders. 482 - * in the Committee of the Whole report. 547 - Senate did not concur in House amendments and requested Conference Committee with permission to go beyond scope. Senate members: Keller, Tapia, and White. 548 - House acceded to request for Conference Committee. House members: Ferrandino, Pommer, and Marostica. 578 - House granted permission to go beyond scope. 850 - Conference Committee report. 879 - Consideration of Conference Committee report LO daily until 3-30-09. 946 - House adopted Conference Committee report and repassed bill, as amended. 971 - Senate adopted First Conference Committee report and repassed bill, as amended.	
SB09-211 by Senator(s) Keller, Tapia, White; also Representative(s) Ferrandino, Pommer, Marostica--Concerning a delay in the expansion of eligibility for the children's basic health plan, and making modifications to an appropriation therefor. Committee on Appropriations	433*	439	472	474	494	532	2-26 -09	2-26 -09	474 - Special Orders.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-212 by Senator(s) White, Keller, Tapia; also Representative(s) Pommer, Ferrandino, Marostica--Concerning a temporary limitation on the maximum amount of state sales and use tax revenues that may be retained by a retail vendor to compensate for the vendor's expenses incurred in the collection and remittance of the tax revenues to the state, and making an appropriation in connection therewith. Committee on Appropriations	433*	440	472*	475*	496*	573	2-26 -09	2-26 -09	474 - Special Orders. 475 - Title change. 514 - Bill recalled. 529 - Senate returned bill. 529 - RC. 548 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-213 by Senator(s) Tapia, Keller, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning appropriations for the alternative teacher compensation plan grant program. Committee on Appropriations	432	440	473	475	495	532	2-26 -09	2-26 -09	474 - Special Orders.	
SB09-214 by Senator(s) Tapia, Keller, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning appropriations for the quality teacher program created in 2008. Committee on Appropriations	432	440	473	503	536	654	3-18 -09	3-18 -09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R C LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-215 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning modifications to appropriations to achieve a reduction in the state expenditures for the financing of public schools. Committee on Appropriations	433*	440	473*	475*	495	1059	4-17-09	4-17-09	474 - Special Orders. 547 - Senate did not concur in House amendments and requested Conference Committee. Senate members: Keller, Tapia, and White. 548 - House acceded to request for Conference Committee. House members: Ferrandino, Pommer, and Marostica. 743 - Conference Committee report. 767 - Consideration of Conference Committee report LO until 3-18-09. 788 - House discharged 1st Conference Committee and appointed 2nd Conference Committee. House members: Pommer, Ferrandino, and Marostica. 855 - Senate rejected 1st Conference Committee report, discharged 1st Conference Committee and requested 2nd Conference Committee. Senate members: Keller, Tapia, and White. 887 - House adhered to its position. 955 - Senate receded from its position, discharged Second Conference Committee, concurred in House amendments and repassed bill, as amended.	
SB09-216 by Senator(s) Tapia, Keller, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning increases in the fees paid to the division of water resources in the department of natural resources, and, in connection therewith, modifying appropriations made to the division of water resources in the fiscal year 2008-09 long appropriations bill. Committee on Appropriations	433*	440	473						474 - Special Orders. 477 - Special Orders LO until 2-24-09. 503 - R to Committee on Agriculture, Livestock, & Natural Resources. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. 912 - Second Reading LO daily until 3-31-09. 965 - Second Reading LO until 6-9-09. Bill deemed L.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-217 by Senator(s) White, Keller, Tapia; also Representative(s) Ferrandino, Pommer, Marostica--Concerning the reduction of moneys transferred to certain funds from the portion of limited gaming fund moneys that would otherwise be transferred to the general fund after the transfer to the local government limited gaming impact fund. Committee on Appropriations	433*	440	473*	476*	500	854	4-2 -09	4-2 -09	474 - Special Orders. 547 - Senate did not concur in House amendments and requested Conference Committee. Senate members: Keller, Tapia, and White. 548 - House acceded to request for Conference Committee. House members: Ferrandino, Pommer, and Marostica. 595 - Conference Committee report. 597 - House adopted Conference Committee report and repassed bill, as amended. 621 - Senate rejected 1st Conference Committee report, discharged 1st Conference Committee and requested 2nd Conference Committee. Senate members: Keller, Tapia, and White. 625 - House adhered to its position. 670 - Senate receded from its position, discharged Conference Committee, concurred in House amendments and repassed bill, as amended.	
SB09-218 by Senator(s) White, Keller, Tapia; also Representative(s) Ferrandino, Pommer, Marostica--Concerning an increase in the amount of moneys appropriated from the state general fund to the controlled maintenance trust fund for the fiscal year beginning July 1, 2007. Committee on Appropriations	432	440	474	503	536	654	3-18 -09	3-18 -09	474 - Special Orders. 477 - Special Orders LO until 2-24-09.	
SB09-219 by Senator(s) Tapia, Keller, White; also Representative(s) Ferrandino, Pommer, Marostica--Concerning the general fund reserve required for the 2008-09 state fiscal year. Committee on Appropriations	432	440	1435*	1499*	1532	1875	6-1 -09	6-1 -09	1456 - Special Orders. 1470 - Special Orders LO until 4-27-09. 1655 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-222 by Senator(s) Lundberg, Cadman, Schultheis, Harvey, Renfroe, Scheffel; also Representative(s) Vaad--Concerning standards for a sign required to notify drivers that an automated vehicle identification device is being used to detect traffic violations. Committee on Transportation & Energy	611*-	622	781	913	939	1121	4-20 -09	#8-5 -09	829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09. # Effective 90 days after sine die unless a referendum petition is filed.	

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BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-223 by Senator(s) Boyd, Kester, White; also Representative(s) Kerr A. and Gardner B.-- Concerning revisions to the retail food establishment inspection process, and making an appropriation in connection therewith. Committee on Business Affairs and Labor	1147*	1148	1604	1617	1628	1875	5-15 -09	5-15 -09	1352 - R to Committee on Appropriations. 1605 - Special Orders. 1628 - Representative Weissmann excused from voting under House Rule 21(c) on all votes pertaining to SB09-223.	
SB09-224 by Senator(s) Shaffer B., Groff, Penry; also Representative(s) Weissmann, Carroll T., May-- Concerning payment of expenses of the legislative department, and making an appropriation in connection therewith. Committee on Appropriations	611*	614	637	652	664	703	3-20 -09	3-20 -09	641 - Second Reading calendared for 3-9-09.	
SB09-225 by Senator(s) Boyd; also Representative(s) McGihon--Concerning the definition of contraceptive. Committee on Health and Human Services	621*	622	763*	811*	839	1059	4-16 -09	#8-5 -09	789 - Second Reading LO until 3-20-09. 900 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-226 by Senator(s) Sandoval; also Representative(s) Gagliardi--Concerning policies for the management of food allergies among school children, and making an appropriation in connection therewith. Committee on Education	1290*	1291	1507*	1609*	1625	1875	5-14 -09	#8-5 -09	1557 - Special Orders. 1567 - Special Orders LO until 4-29-09. 1687 - House acceded to request for Conference Committee. House members: Gagliardi, Benefield, and Summers. 1700 - Senate did not concur in House amendments and requested Conference Committee with permission to go beyond scope. Senate members: Sandoval, Hudak, and Lundberg. 1780 - Conference Committee report. 1794 - House adopted Conference Committee report and repassed bill, as amended. 1849 - Senate adopted Conference Committee report and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P I R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-227 by Senator(s) Tapia, Keller, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning assistance with the unfunded accrued liability of old hire pension plans that are affiliated with the fire and police pension association, and, in connection therewith, eliminating the state contribution to the old hire pension plans for the 2008-09, 2009-10, and 2010-11 state fiscal years, extending the state contribution through the 2014-15 state fiscal year, extending the amortization period for underfunded old hire pension plans that no longer receive state assistance, and modifying the appropriation therefor. Committee on Appropriations	484*	583	638	907	926	1059	4-16 -09	4-16 -09	641 - Second Reading calendared for 3-13-09. 715 - Second Reading LO until 3-16-09. 742 - Second Reading LO until 3-20-09. 829 - Second Reading LO daily until 3-24-09. 876 - Second Reading LO until 3-26-09.	
SB09-228 by Senator(s) Morse, Bacon, Boyd, Foster, Groff, Heath, Hodge, Hudak, Isgar, Keller, Newell, Romer, Schwartz, Shaffer B., Tapia, Tochtrop, Veiga, Williams; also Representative(s) Marostica and Court, Ferrandino, Frangas, Green, Hullinghorst, McCann, McGihon, Merrifield, Miklosi, Pace, Pommer, Todd, Weissmann--Concerning an increase in the flexibility of the general assembly to determine the appropriate use of state revenues. Committee on Transportation & Energy Committee on Appropriations	765*	857	1465	1486*	1522*	1875	6-3 -09	7-1 -09	1443 - R* to Committee on Appropriations. 1485 - Special Orders. 1504 - * in the Committee of the Whole report. 1655 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-230 by Senator(s) Spence and Groff; also Representative(s) May--Concerning the authorization of charter schools as school food authorities, and making an appropriation in connection therewith. Committee on Education	954*	956	1028	1060	1080	1341	5-4 -09	5-4 -09	1059 - Special Orders.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-231 by Senator(s) Penry; also Representative(s) Solano and Bradford, King S., Tipton--Concerning the continuation of the state methamphetamine task force. Committee on Judiciary	669	694	824*	915*	941	1121	4-20 -09	4-20 -09	876 - 997 -	Second Reading LO until 3-26-09. Senate concurred in House amendments and repassed bill, as amended.
SB09-232 by Senator(s) Schwartz, Heath, Mitchell; also Representative(s) McFadyen, Rice, Solano--Concerning state financial assistance to finance local government capital construction projects. Committee on Local Government	1579*	1581	1641*	1662*	1675	1875	6-4 -09	6-4 -09	1661 - 1799 -	Special Orders. Senate concurred in House amendments and repassed bill, as amended.
SB09-233 by Senator(s) Schwartz, Heath, Scheffel; also Representative(s) Liston, McFadyen, Rice, Solano--Concerning entrepreneurial uses of property for property tax purposes. Committee on Finance	1644*	1645	-----	-----	-----	-----	-----	-----	1691 - 1703 -	R to Committee on Finance. PI.
SB09-234 by Senator(s) Mitchell and Heath, Scheffel, Schwartz; also Representative(s) Rice, Liston, McFadyen, Solano--Concerning direction to the economic development commission to develop recommendations for the general assembly regarding enterprise zones. Committee on Business Affairs and Labor	1427*	1428	1556	1568	1601	1875	6-1 -09	6-1 -09	1557 -	Special Orders.
SB09-235 by Senator(s) Gibbs and Isgar; also Representative(s) Merrifield--Concerning certain fees charged by the division of wildlife. Committee on Agriculture, Livestock, & Natural Resources	1258*	1259	1604*	1638*	1650	1875	6-2 -09	#8-5 -09 7-1 -10 4-1 -11	1416 - 1605 - 1618 - 1638 - 1701 -	R* to Committee on Appropriations. Special Orders. Special Orders LO until 4-30-09. Title change. Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R C LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-237 by Senator(s) Lundberg, Harvey, Schultheis, Cadman, Brophy, Isgar, King K., Kopp, Mitchell, Penry, Renfro, Römer, Scheffel, Tochtrop, White; also Representative(s) Acree, McNulty--Concerning grounds for mandatory expulsion from a public school. Committee on Education	611*	614	819*	914*	940	1184	4-21 -09	4-21 -09	876 - 997 -	Second Reading LO until 3-26-09. Senate concurred in House amendments and repassed bill, as amended.
SB09-239 by Senator(s) Tochtrop, Boyd; also Representative(s) Riesberg--Concerning the continuation of the state board of nursing, and making an appropriation therefor. Committee on Health and Human Services	1290*	1291	1543	1561*	1595	1875	6-2 -09	7-1 -09	1467 - 1557 - 1655 -	R* to Committee on Appropriations. Special Orders. Senate concurred in House amendments and repassed bill, as amended.
SB09-241 by Senator(s) Morse; also Representative(s) King S. and Tipton--Concerning DNA testing of adults arrested for a felony, and making an appropriation therefor. Committee on Judiciary Committee on Appropriations	1490*	1514	1688*	1706*	1787	1875	5-21 -09	7-1 -09 9-30 -10	1657 - 1705 - 1740 - 1840 -	R* to Committee on Appropriations. Special Orders. * in the Committee of the Whole report. Senate did not concur in House amendments and requested Conference Committee with permission to go beyond scope. Senate members: Morse, Newell, and Penry. 1840 - House acceded to request for Conference Committee. House members: King, Pace, and Levy. 1855 - House granted permission to go beyond scope. 1861 - Conference Committee report. 1865 - House adopted Conference Committee report and repassed bill, as amended. 1872 - Senate adopted Conference Committee report and repassed bill, as amended.
SB09-242 by Senator(s) Isgar, Penry; also Representative(s) Looper--Concerning Colorado membership in the energy council, and making an appropriation in connection therewith. Committee on State, Veterans, & Military Affairs Committee on Appropriations	900*	901	-----	-----	-----	-----	-----	-----	1118 -	PI.

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BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-243 by Senator(s) Boyd, Carroll M.; also Representative(s) Riesberg--Concerning payments for workers' compensation benefits. Committee on Business Affairs and Labor	1067*	1068	1352	1457	1472	1842	5-18-09	7-1-09	1456 -	Special Orders.
SB09-244 by Senator(s) Shaffer B.; also Representative(s) Primavera--Concerning health insurance benefits for the treatment of autism spectrum disorders. Committee on Business Affairs and Labor	1490*	1581	1635*	1665*	1679	1875	6-2-09	#7-1-10	1638 - 1639 - 1799 -	Special Orders. Special Orders LO until 5-1-09. Senate concurred in House amendments and repassed bill, as amended. # unless a referendum petition is filed within 90 days after sine die.
SB09-245 by Senator(s) Sandoval; also Representative(s) Schafer S.--Concerning changes to conform to portions of federal Public Law 110-351 relating to kinship, and making an appropriation in connection therewith. Committee on Judiciary	1258*	1259	1605*	1638*	1648*	1875	6-4-09	6-4-09	1438 - 1605 - 1618 - 1687 - 1701 - 1741 - 1783 - 1793 - 1849 -	R to Committee on Appropriations. Special Orders. Special Orders LO until 4-30-09. House acceded to request for Conference Committee. House members: Schafer, Frangas, and Tipton. Senate did not concur in House amendments and requested Conference Committee with permission to go beyond scope. Senate members: Sandoval, Romer, and Mitchell. House granted permission to go beyond scope. Conference Committee report. House adopted Conference Committee report and repassed bill, as amended. Senate adopted Conference Committee report and repassed bill, as amended.
SB09-247 by Senator(s) Tochtrop; also Representative(s) Pace--Concerning the expansion of benefits for unemployed workers in Colorado, and making an appropriation in connection therewith. Committee on Business Affairs and Labor	1490*	1514	1688*	1707*	1788	1875	6-2-09	7-1-09	1637 - 1705 - 1842 -	R* to Committee on Appropriations. Special Orders. Senate concurred in House amendments and repassed bill, as amended.

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-248 by Senator(s) Heath; also Representative(s) McNulty--Concerning contractor surety requirements for a public works project contract having a total value of five hundred million dollars or more, and, in connection therewith, requiring a bond or other acceptable surety, including but not limited to a letter of credit, to be filed in a specified minimum amount for the duration of the contract. Committee on State, Veterans, & Military Affairs	1067*	1068	1328	1461	1477	1842	5-18 -09	#8-5 -09	1456 - Special Orders. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-249 by Senator(s) Penry and Carroll M.; also Representative(s) Kerr A., Bradford, May--Concerning the applicability to small common-interest communities of recently enacted provisions of the "Colorado Common Interest Ownership Act". Committee on Local Government	1067	1069	1326	1460	1475	1842	5-14 -09	5-14 -09	1456 - Special Orders.	
SB09-250 by Senator(s) Tochtrop, Williams, Penry, Shaffer B., Boyd, Carroll M., Hodge, Hudak, Keller, Kester, Newell, Schwartz, Tapia; also Representative(s) Primavera, McNulty, Massey, Merrifield, Frangas, Gagliardi, Kefalas, Liston, Marostica, Green--Concerning health benefit plan coverage for oral anticancer medication. Committee on State, Veterans, & Military Affairs	1469*	1470	-----	-----	-----	-----	-----	-----	1643 - R* to Committee on Appropriations. 1689 - R to Committee on Health & Human Services. 1751 - PI.	
SB09-251 by Senator(s) Romer; also Representative(s) Riesberg--Concerning the authority of a licensed health care provider to charge a fee for certain ophthalmic devices. Committee on Health and Human Services	1067	1069	1156	1287	1298	1621	5-14 -09	7-1 -09	1261 - Second Reading LO daily until 4-20-09.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-252 by Senator(s) Boyd, Carroll M., Lundberg, Morse, Newell, Spence; also Representative(s) Frangas, Gagliardi, Green, Kefalas, Kerr J., Primavera, Riesberg, Swalm--Concerning mail order prescription drugs for medicaid recipients who have third-party insurance. Committee on Health and Human Services	1142	1143	1279	1351	1413	1842	5-18-09	5-18-09	1315 - Special Orders. 1322 - Special Orders LO until 4-22-09.	
SB09-253 by Senator(s) Veiga, Spence; also Representative(s) Casso, Kerr J., Looper--Concerning the recovery of costs for the relocation of certain utility infrastructure relocated at the request of a Colorado governmental entity, and making an appropriation in connection therewith. Committee on Business Affairs and Labor	1579*	1640							1689 - R to Committee on Appropriations. 1703 - PI.	
SB09-254 by Senator(s) Bacon, Veiga; also Representative(s) Scanlan and Balmer--Concerning the authority of certain licensed beer manufacturers to use common licensed premises for the production of beer products in this state. Committee on Business Affairs and Labor	1142	1143	1352	1457	1472	1842	5-18-09	5-18-09	1456 - Special Orders.	
SB09-255 by Senator(s) Cadman; also Representative(s) Kerr A.--Concerning the Colorado shared services authority. Committee on Business Affairs and Labor	1427*	1428	1621*						1638 - Special Orders. 1639 - Special Orders LO until 5-1-09. 1664 - *L.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R R C LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-256 by Senator(s) Romer and Bacon; also Representative(s) Pommer and Scanlan-- Concerning the financing of public schools, and making an appropriation therefor. Committee on Education Committee on Appropriations	1059*	1069	1338*	1490*	1518*	1875	5-21 -09	5-21 -09	1301 - R* to Committee on Appropriations. 1341 - Special Orders. 1401 - Special Orders LO daily until 4-27-09. 1506 - * in the Committee of the Whole report. 1622 - Senate did not concur in House amendments and requested Conference Committee with permission to go beyond scope. Senate members: Romer, Hodge, and King, K. 1622 - House acceded to request for Conference Committee. House members: Pommer, Scanlan, and Massey. 1668 - House granted permission to go beyond scope. 1694 - Conference Committee report. 1750 - House adopted Conference Committee report and repassed bill, as amended. 1778 - RC. 1779 - House discharged 1st Conference Committee and appointed 2nd Conference Committee with permission to go beyond scope. House members: Pommer, Scanlan, and Massey. 1785 - Senate rejected 1st Conference Committee report, discharged 1st Conference Committee and requested 2nd Conference Committee with permission to go beyond scope. Senate members: Romer, Bacon, and King, K. 1820 - Conference Committee report. 1826 - House adopted report of 2nd Conference Committee and repassed bill, as amended. 1839 - Senate adopted report of 2nd Conference Committee and repassed bill, as amended.	
SB09-257 by Senator(s) Schwartz, Heath, Mitchell; also Representative(s) Fischer and Vigil, McFadyen, Rice, Solano--Concerning amendments to the "Building Excellent Schools Today Act" that will allow more efficient implementation of the act without reducing its funding or restricting existing lease-purchase agreement authorization. Committee on Education	1315*	1324	1510*	1567*	1600	1875	6-4 -09	6-4 -09	1557 - Special Orders. 1655 - Senate concurred in House amendments and repassed bill, as amended.	

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BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-258 by Senator(s) Veiga; also Representative(s) Scanlan--Concerning required acts of employee leasing companies by the department of labor and employment pursuant to the "Colorado Employment Security Act". Committee on Business Affairs and Labor	1290*	1291	1352	1457	1473	1842	5-14 -09	#8-5 -09	1456 - Special Orders. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-259 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2009, except as otherwise noted. Committee on Appropriations	1147*	1148	1194	1240*	1269	1469	5-1 -09 PV	5-1 -09	1235 - Special Orders. 1291 - Senate did not concur in House amendments and requested Conference Committee with permission to go beyond scope. Senate members: Keller, Tapia, and White. 1292 - House acceded to request for Conference Committee. House members: Pommer, Ferrandino, and Marostica. 1320 - House granted permission to go beyond scope. 1353 - Conference Committee report. 1394 - House adopted Conference Committee report and repassed bill, as amended. 1419 - Senate adopted Conference Committee report and repassed bill, as amended.	
SB09-260 by Senator(s) White, Keller, Tapia; also Representative(s) Pommer, Ferrandino, Marostica--Concerning the transfer in state fiscal years 2008-09 and 2009-10 of all moneys not otherwise allocated from state public school lands to the state public school fund instead of the permanent school fund, and making an appropriation in connection therewith. Committee on Appropriations	1149	1150	1157	1205	1223	1341	5-1 -09	5-1 -09	1203 - Special Orders.	
SB09-261 by Senator(s) Tapia, Keller, White; also Representative(s) Ferrandino, Pommer, Marostica--Concerning the use of moneys in the supplemental old age pension health and medical care fund to pay for services received by certain persons in the state medicaid program, and making an appropriation therefor. Committee on Appropriations	1149	1150	1157	1205	1224	1341	5-1 -09	5-1 -09	1203 - Special Orders.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-262 by Senator(s) White, Keller, Tapia; also Representative(s) Marostica, Ferrandino, Pommer--Concerning the funding source for state costs of the breast and cervical cancer prevention and treatment program, and making an appropriation therefor. Committee on Appropriations	1149	1150	1157	1205	1224	1341	5-1 -09	5-1 -09	1203 - Special Orders.	
SB09-263 by Senator(s) White, Keller, Tapia; also Representative(s) Pommer, Ferrandino, Marostica--Concerning payments to medicaid nursing facility providers, and making an appropriation in connection therewith. Committee on Appropriations	1149*	1151	1157*	1205*	1225	1427	5-1 -09	5-1 -09	1203 - Special Orders. 1319 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-264 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning the increased moneys received due to the federal "American Recovery and Reinvestment Act of 2009", and making appropriations therefor. Committee on Appropriations	1149*	1151	1194	1206	1226	1341	5-1 -09	5-1 -09	1203 - Special Orders.	
SB09-265 by Senator(s) White, Keller, Tapia; also Representative(s) Pommer, Ferrandino, Marostica--Concerning the timing of payments made under public medical assistance programs, and making appropriations therefor. Committee on Appropriations	1149*	1151	1194	1206	1227	1427	5-1 -09	5-1 -09	1203 - Special Orders.	
SB09-267 by Senator(s) Tapia, Keller, White; also Representative(s) Ferrandino, Pommer, Marostica--Concerning the percentage of costs that a county department of social services pays for a child who is placed in a residential child care facility by the county department, and making an appropriation in connection therewith. Committee on Appropriations	1149	1151	1194	1206	1227	1341	5-1 -09	5-1 -09	1203 - Special Orders.	

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HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F P R R L O	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-268 by Senator(s) Tapia, Keller, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning clarifying the appointment of state-paid professionals in cases involving children, and making an appropriation in connection therewith. Committee on Appropriations	1149*	1151	1194	1206	1228	1341	5-1 -09	5-1 -09	1203 - Special Orders.	
SB09-269 by Senator(s) White, Keller, Tapia; also Representative(s) Ferrandino, Pommer, Marostica--Concerning adjustment of the allocation of tobacco litigation settlement moneys received by the state during specified fiscal years, and, in connection therewith, requiring settlement moneys that are disputed payments and settlement moneys in excess of a specified amount to be credited to the general fund, requiring a portion of the moneys so credited to be transferred to the children's basic health plan trust and the nurse home visitor program fund, delaying mandated growth in the percentage of settlement moneys allocated for the Colorado nurse home visitor program by one fiscal year, and making appropriations. Committee on Appropriations	1150*	1151	1194	1236*	1265*	1875	6-1 -09	6-1 -09	1203 - Special Orders. 1207 - Special Orders LO until 4-16-09. 1319 - Senate did not concur in House amendments and requested Conference Committee with permission to go beyond scope. Senate members: White, Keller, and Tapia. 1320 - House acceded to request for Conference Committee. House members: Ferrandino, Pommer, and Marostica. 1320 - House granted permission to go beyond scope. 1606 - Conference Committee report. 1646 - Consideration of Conference Committee report LO daily until 5-4-09. 1682 - House adopted Conference Committee report and repassed bill, as amended. 1751 - Senate adopted Conference Committee report and repassed bill, as amended.	
SB09-270 by Senator(s) Tapia, Keller, White; also Representative(s) Marostica, Ferrandino, Pommer--Concerning the crediting to the general fund of earnings generated during specified fiscal years from the deposit and investment of cash funds that receive revenues from the constitutionally imposed taxes on cigarettes and tobacco products. Committee on Appropriations	1149	1151	1194	1206	1229	1341	5-1 -09	5-1 -09	1203 - Special Orders.	

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BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-271 by Senator(s) Tapia, Keller, White; also Representative(s) Ferrandino, Pommer, Marostica--Concerning the use of tobacco revenues generated under section 21 of article X of the state constitution in a state fiscal emergency, and making an appropriation therefor. Committee on Appropriations	1150*	1152	1194*	1237*	1268	1875	6-1 -09	6-1 -09	1203 - Special Orders. 1207 - Special Orders LO until 4-16-09. 1319 - Senate did not concur in House amendments and requested Conference Committee. Senate members: Tapia, Keller, and White. 1320 - House acceded to request for Conference Committee. House members: Ferrandino, Pommer, and Marostica. 1577 - Conference Committee report. 1622 - Consideration of Conference Committee report LO daily until 5-4-09. 1680 - House adopted Conference Committee report and repassed bill, as amended. 1751 - Senate adopted Conference Committee report and repassed bill, as amended.	
SB09-272 by Senator(s) White, Keller, Tapia; also Representative(s) Marostica, Ferrandino, Pommer--Concerning the Colorado high cost support mechanism, and, in connection therewith, transferring to the state treasurer moneys administered under the direction of the public utilities commission for the support of universal basic telephone service in high cost areas of the state. Committee on Appropriations	1150*	1152	1194	1207	1229	1341	5-1 -09	5-1 -09	1203 - Special Orders.	
SB09-273 by Senator(s) White, Keller, Tapia; also Representative(s) Marostica, Ferrandino, Pommer--Concerning changes in the laws governing Pinnacol Assurance to allow the state to make use of certain funds authorized by statute to be collected by Pinnacol Assurance, and, in connection therewith, augmenting state revenues by requiring the transmittal of certain surplus funds of Pinnacol Assurance to the state treasury and clarifying the laws governing Pinnacol Assurance's funds. Committee on Appropriations	1147*	1149							1703 - PI.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-274 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning the financing of the division of motor vehicles in the department of revenue, and, in connection therewith, authorizing appropriations from the highway users tax fund to the division of motor vehicles in the fiscal years 2008-09 and 2009-10, crediting during fiscal year 2009-10 the fees relating to driver's licenses and identification cards that would otherwise be allocated to the highway users tax fund to the licensing services cash fund, modifying appropriations made to the division of motor vehicles in the fiscal year 2008-09 long appropriations bill, and making an appropriation. Committee on Appropriations	1150*	1152	1195	1207	1230	1427	5-1 -09	5-1 -09	1203 - Special Orders.	
SB09-275 by Senator(s) Tapia, Keller, White; also Representative(s) Ferrandino, Pommer, Marostica--Concerning the temporary elimination of the ability of any vendor to retain any amount of state sales tax revenues to compensate for the vendor's expenses incurred in the collection and remittance of the tax revenues to the state, and making an appropriation in connection therewith. Committee on Appropriations	1150*	1152	1195*	1207*	1230	1842	5-18 -09	5-18 -09	1203 - Special Orders. 1215 - * in the Committee of the Whole report. 1291 - Senate did not concur in House amendments and requested Conference Committee. Senate members: Keller, Tapia, and White. 1292 - House acceded to request for Conference Committee. House members: Ferrandino, Pommer, and Marostica. 1464 - Conference Committee report. 1483 - House adopted Conference Committee report and repassed bill, as amended. 1555 - Senate adopted Conference Committee report and repassed bill, as amended.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-276 by Senator(s) White, Keller, Tapia; also Representative(s) Pommer, Ferrandino, Marostica--Concerning the property tax exemption for qualifying seniors, and, in connection therewith, lowering for a specified property tax year the maximum amount of actual value of the primary owner-occupied residence of a qualifying senior that is partly exempt from property taxation, and making an appropriation in connection therewith. Committee on Appropriations	1150*	1152	1195	1253*	1296	1875	6-4 -09	6-4 -09	1203 - Special Orders. 1208 - Special Orders LO until 4-16-09. 1253 - Title change. 1283 - Third Reading LO daily until 4-21-09. 1554 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-277 by Senator(s) Tapia, Keller, White; also Representative(s) Marostica, Ferrandino, Pommer--Concerning the general fund reserve required for the 2009-10 state fiscal year. Committee on Appropriations	1149	1152	1195	1208	1231	1341	5-1 -09	5-1 -09	1203 - Special Orders.	
SB09-278 by Senator(s) Tapia, Keller, White; also Representative(s) Ferrandino, Pommer, Marostica--Concerning the augmentation of the general fund during specified fiscal years with revenue that would otherwise be transferred to fund the capital construction needs of the state. Committee on Appropriations	1149	1153	1195	1208	1232	1341	5-1 -09	5-1 -09	1203 - Special Orders.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-279 by Senator(s) Tapia, Keller, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning the augmentation of the general fund through transfers of certain moneys. Committee on Appropriations	1150*	1153	1195	1239*	1268	1875	6-1 -09	6-1 -09	1203 - Special Orders. 1208 - Special Orders LO until 4-16-09. 1320 - Senate did not concur in House amendments and requested Conference Committee with permission to go beyond scope. Senate members: Keller, Tapia, and White. 1320 - House acceded to request for Conference Committee. House members: Pommer, Ferrandino, and Marostica. 1321 - House granted permission to go beyond scope. 1632 - Conference Committee report. 1671 - Consideration of Conference Committee report LO until 5-4-09. 1683 - House adopted Conference Committee report and repassed bill, as amended. 1751 - Senate adopted Conference Committee report and repassed bill, as amended.	
SB09-280 by Senator(s) Keller, Tapia, White; also Representative(s) Pommer, Ferrandino, Marostica--Concerning funding for capital construction, and making supplemental appropriations in connection therewith. Committee on Appropriations	1149	1153	1195	1208	1232	1315	4-27 -09	4-27 -09	1203 - Special Orders.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-281 by Senator(s) Shaffer B., Groff, Hodge, Keller, Morse, Romer, White, Tapia; also Representative(s) Weissmann--Concerning Pinnacol Assurance, and, in connection therewith, clarifying the operation of Pinnacol Assurance as a political subdivision of the state, creating a legislative interim committee to study the operation of Pinnacol Assurance, and requiring performance audits of Pinnacol Assurance. Committee on Appropriations	1147*	1149	1159	1396*	1407	1875	6-1 -09	6-1 -09	1261 - Second Reading LO daily until 4-21-09. 1315 - Special Orders 1317 - *L 1322 - * in the Committee of the Whole report. Special Orders LO* until 4-22-09. 1396 - Title change. 1580 - Senate did not concur in House amendments and requested Conference Committee. Senate members: Shaffer, Hodge, and Kopp. 1608 - House acceded to request for Conference Committee. House members: Weissmann, Pace, and Gardner, B. 1654 - Conference Committee report. 1684 - House adopted Conference Committee report and repassed bill, as amended. 1752 - Senate adopted Conference Committee report and repassed bill, as amended.	
SB09-282 by Senator(s) Sandoval and Spence, Bacon, Foster, Groff, Hudak, Veiga; also Representative(s) Kerr A., Benefield, Court, Ferrandino, Frangas, Judd, Labuda, Levy, Massey, McCann, Merrifield, Miklosi, Scanlan, Schafer S., Solano, Summers--Concerning the merger of the Denver public schools retirement system with the public employees' retirement association. Committee on Finance	1427*	1428	1637	1664	1678	1875	5-21 -09	5-21 -09 1-1 -10	1638 - Special Orders. 1639 - Special Orders LO until 5-1-09.	
SB09-283 by Senator(s) Sandoval; also Representative(s) Scanlan and Summers--Concerning the redaction by the secretary of state of tax identification numbers from secured transaction records filed with the secretary of state. Committee on State, Veterans, & Military Affairs	1427*	1428	1652*	1662*	1676	1875	6-1 -09	6-1 -09	1661 - Special Orders. 1799 - Senate concurred in House amendments and repassed bill, as amended.	

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HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-284 by Senator(s) Newell, Morse, Shaffer B., Boyd, Foster, Hodge; also Representative(s) Levy--Concerning the authority of a law enforcement officer under specified circumstances to prevent a person from communicating with someone other than a peace officer. Committee on Judiciary	1427*	1429	1652	1664	1677	1875	6-1 -09	6-1 -09	1661 - Special Orders.	
SB09-285 by Senator(s) Heath, Mitchell, Schwartz, Foster, Gibbs, Groff, Isgar, King K., Newell, Romer, Spence, Tapia, Veiga, White, Williams; also Representative(s) Summers and Solano, McFadyen, Rice--Concerning the inclusion of career and technical education program providers among the institutions of higher education that are permitted to offer concurrent enrollment opportunities to high school students. Committee on Education	1580*	1581	1652	1661	1829*	1875	6-4 -09	6-4 -09	1661 - Special Orders. 1674 - Third Reading LO daily until 5-6-09. 1867 - Senate concurred in House amendments and repassed bill, as amended.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-286 by Senator(s) Morse and Carroll M., Bacon, Boyd, Foster, Groff, Heath, Hodge, Hudak, Isgar, Newell, Romer, Shaffer B., Tapia, Tochtrop, Veiga, Williams; also Representative(s) Levy and Merrifield, Ferrandino, Kagan, Miklosi, Pommer, Pace, Benefield, Carroll T., Court, Fischer, Green, Hullinghorst, Judd, Kerr A., Labuda, McFadyen, Middleton, Rice, Ryden, Schafer S., Solano, Todd--Concerning criminal law, and, in connection therewith, changing the provisions related to legal representation of indigent defendants for certain misdemeanor cases; changing the offense level or sentencing options for select nonviolent offenses, property offenses, and drug offenses; changing the presumptive sentencing ranges for certain felony offenses; repealing certain extraordinary risk sentencing provisions; making changes to the habitual offender statute; and allowing for certain sentencing time credits for certain offenders. Committee on Judiciary	1644*	1645	1692*	1736*	1837*	1875	6-1 -09	6-1 -09	1705 - Special Orders. 1828 - Third Reading LO until 5-6-09. 1867 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-287 by Senator(s) Mitchell; also Representative(s) Levy--Concerning the voluntary contribution designation benefiting the Special Olympics Colorado fund that appears on the state individual income tax return forms, and, in connection therewith, extending the period for the contribution designation. Committee on Judiciary	1621	1640	1652	1664	1677	1875	6-1 -09	#8-5 -09	1661 - Special Orders. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-289 by Senator(s) Schwartz; also Representative(s) Primavera--Concerning the recycling development fee for waste tires. Committee on Transportation & Energy	1644*	1645	1653*	1662*	1675	1875	5-21 -09	#8-5 -09	1661 - Special Orders. 1799 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR RC LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-290 by Senator(s) Bacon, Kopp, Schwartz; also Representative(s) Riesberg, McFadyen, Sonnenberg--Concerning flexibility for capital construction projects. Committee on Finance	1644*	1645	1691*	1738*	1789	1875	6-1 -09	#8-5 -09 1-1 -10	1705 - Special Orders. 1842 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-291 by Senator(s) Bacon, Boyd, Carroll M., Foster, Groff, Heath, Hodge, Hudak, Isgar, Keller, Morse, Newell, Romer, Shaffer B., Tapia, Tochtrop, Veiga, Williams; also Representative(s) Middleton, Merrifield--Concerning the state share of district total program for school districts that have obtained voter approval to be exempt from the constitutional revenue limit but then obtain voter approval to again be subject to such limit. Committee on Education	1579	1581	1652	1662	1674	1875	6-1 -09	6-1 -09	1661 - Special Orders.	
SB09-292 by Senator(s) Brophy, Mitchell, Morse, Schwartz, Shaffer B., Veiga; also Representative(s) Labuda, Gardner B., Kagan, Levy, Roberts--Concerning the revision of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, inconsistent, and conflicting provisions of law and clarifying the language to reflect the legislative intent of the laws. Committee on Judiciary	1644*	1645	1692*	1739*	1790*	1875	6-1 -09	#8-5 -09 10-1 -09 1-1 10	1705 - Special Orders. 1842 - Senate concurred in House amendments and repassed bill, as amended. # Effective 90 days after sine die unless a referendum petition is filed.	
SB09-293 by Senator(s) Isgar; also Representative(s) Curry, Labuda, Looper, Sonnenberg--Concerning changes to certain tier two transfers out of the operational account of the severance tax trust fund to compensate for a projected revenue loss in that fund for the 2009-10 state fiscal year. Committee on Agriculture, Livestock, & Natural Resources	1580*	1581	1620	1639	1651	1875	6-1 -09	6-1 -09	1638 - Special Orders.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION	
									* V F PI RR LO	Amended Vetoed by Governor Lost Postponed Indefinitely Rereferred Reconsideration Laid Over
SB09-294 by Senator(s) Romer; also Representative(s) McFadyen--Concerning applications for the issuance of a certificate of public convenience and necessity to provide taxi service that relates to counties with a population of at least seventy thousand. Committee on Transportation & Energy	1580*	1581	1643*	1663*	1676	1875	6-4 -09	7-1 -09	1661 - Special Orders. 1799 - Senate concurred in House amendments and repassed bill, as amended.	
SB09-295 by Senator(s) Boyd, Groff, Heath, Hodge, Kopp, Romer, Schwartz, Tochtrop, Williams; also Representative(s) May and Middleton, Merrifield--Concerning accessibility at state-supported institutions of higher education. Committee on Education	1644*	1646	1689*	1718*	1834*	-----	-----	-----	1705 - Special Orders. 1718 - Title change. 1828 - Third Reading LO until 5-6-09. 1872 - Senate adhered to its position. 1873 - No final action in House. Bill deemed L.	
SB09-296 by Senator(s) Boyd, Groff, Morse, Williams; also Representative(s) Ryden, Fischer, Green, Hullinghorst, Judd, Levy, McFadyen, Middleton, Pommer, Rice, Riesberg--Concerning the enforcement of offenses involving failure of certain persons in a vehicle to use an appropriate restraining device. Committee on Judiciary Committee on Appropriations	1644*	1670	-----	-----	-----	-----	-----	-----	1694 - R to Committee on Appropriations. 1703 - PI.	

HISTORY OF SENATE BILLS

BILL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Passed by Senate	Introduced in House	Referred to Committee of the Whole	Passed Second Reading	Passed Third Reading	Signed by Speaker	Signed by Governor	Effective Date of Act	OTHER ACTION * V Vetoed by Governor L Lost P Postponed Indefinitely R Rereferred R Reconsideration O Laid Over
SB09-297 by Senator(s) Sandoval; also Representative(s) Judd--Concerning projects funded with moneys received pursuant to the federal "American Recovery and Reinvestment Act of 2009", and, in connection therewith, establishing a process for the waiving of state contracting requirements for contracts for such projects in circumstances in which a waiver is necessary in order to ensure that the moneys can be timely and efficiently expended for their intended purposes, requiring the public utilities commission to give the fullest consideration for incentives to specified types of such projects, and including moneys received by the governor's energy office pursuant to the federal act and from specified other sources as principal of the clean energy fund. Committee on Finance	1667*	1668	1692	1738*	1788	1875	5-20 -09	5-20 -09	1705 - Special Orders. 1842 - Senate concurred in House amendments and repassed bill, as amended.

HISTORY OF SENATE JOINT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION
								* Amended L Lost PI Postponed Indefinitely RR Rereferred RC Reconsideration LO Laid Over
SJR09-001 by Senator(s) Shaffer B., Groff, Penry; also Representative(s) Weissmann, Carroll T., May--Concerning the adoption of the Joint Rules as the temporary Joint Rules of the Sixty-seventh General Assembly.	17	17	-----	17	-----	17	67	
SJR09-002 by Senator(s) Shaffer B., Groff, Penry; also Representative(s) Benefield, Court, Massey, Vaad--Concerning employee salary ranges for the First Regular Session of the Sixty-seventh General Assembly.	44*	44	-----	44	-----	44	67	
SJR09-003 by Senator(s) Shaffer B., Groff, Penry; also Representative(s) Weissmann, Carroll T., May--Concerning a joint session of the Senate and the House of Representatives for the purpose of hearing a message from the Chief Justice of the Supreme Court, and appointing a committee to escort the Chief Justice.	44	44	-----	44	-----	44	67	44 - Senate Members: Foster and Brophy. 44 - House Members: Levy, Miklosi, and Roberts.
SJR09-004 by Senator(s) Shaffer B.; also Representative(s) Weissmann--Concerning amendments to the Joint Rules of the Senate and the House of Representatives.	57	57	-----	57	-----	57	77	
SJR09-005 by Senator(s) Groff; also Representative(s) Carroll T.--Concerning the creation of the joint select committee on job creation and economic growth.	77*	81	81	-----	-----	83	97	
SJR09-006 by Senator(s) Boyd; also Representative(s) Riesberg--Concerning support of the federal reauthorization of the state child health insurance plan.	92	92	92	-----	-----	111	160	97 - Consideration LO daily until 1-22-09.
SJR09-007 by Senator(s) Groff; also Representative(s) Carroll T.--Concerning the commemoration of the birthday of the Reverend Dr. Martin Luther King, Jr.	84	85	85	-----	-----	90	97	

HISTORY OF SENATE JOINT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	* L Amended PI Lost PP Postponed Indefinitely RR Rereferred RC Reconsideration LO Laid Over	OTHER ACTION
SJR09-008 by Senator(s) Veiga, Penry; also Representative(s) Bradford--Concerning the recognition of Doug Phillips' contributions to the Colorado legal system and the development of Colorado's wine industry.	312	312	-----	312	-----	312	579		
SJR09-009 by Senator(s) Brophy; also Representative(s) Sonnenberg--Concerning the designation of "Colorado 4-H Day".	123	123	-----	123	-----	123	160		
SJR09-010 by Senator(s) Williams, Boyd, Carroll M., Foster, Hodge, Hudak, Sandoval, Schwartz, Spence, Tochtrop, Veiga; also Representative(s) Todd, Acree, Benefield, Bradford, Court, Curry, Gagliardi, Gerou, Green, Hullinghorst, Labuda, Levy, Looper, McCann, McFadyen, McGihon, Middleton, Murray, Nikkel, Peniston, Primavera, Roberts, Ryden, Scanlan, Schafer S., Solano, Stephens--Concerning the designation of February 2009 as "American Heart Month", and, in connection therewith, declaring February 6 to be "National Wear Red Day".	259	259	-----	259	-----	259	294		
SJR09-011 by Senator(s) Keller; also Representative(s) Todd--Concerning recognition of community mental health centers and behavioral health organizations in Colorado.	259	259	-----	259	-----	259	294		
SJR09-012 by Senator(s) Scheffel, Penry, Kopp, Cadman, King K., White, Harvey, Schultheis, Groff, Brophy, Kester, Lundberg, Renfro; also Representative(s) McNulty--Concerning the 200th anniversary of the birth of former President Abraham Lincoln.	345	362	362	-----	-----	413	579	385 -	Consideration LO daily until 2-19-09.

HISTORY OF SENATE JOINT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION
								* Amended L Lost PI Postponed Indefinitely RR Rereferred RC Reconsideration LO Laid Over
<u>SJR09-013</u> by Senator(s) Keller; also Representative(s) Gerou--Concerning awareness day for individuals with disabilities.	400	400	-----	400	-----	400	579	
<u>SJR09-014</u> by Senator(s) Heath; also Representative(s) Miklosi--Concerning recognition of career and technical education month.	433	441	441	-----	-----	564	610	468 - Consideration LO daily until 2-25-09.
<u>SJR09-015</u> by Senator(s) Gibbs; also Representative(s) Scanlan--Concerning stewardship contracting.	573	574	-----	574	-----	577	610	
<u>SJR09-016</u> by Senator(s) Bacon and Romer; also Representative(s) Kefalas--Concerning the recognition of the Peace Corps on the occasion of its forty-eighth anniversary.	573	574	-----	574	-----	578	610	
<u>SJR09-017</u> by Senator(s) Boyd; also Representative(s) Primavera--Concerning recognition of the importance of raising public awareness of deep-vein thrombosis, and, in connection therewith, recognizing March 2009 as Deep-vein Thrombosis Awareness Month and April 30, 2009, as Deep-vein Thrombosis Awareness Day in Colorado.	665	665	-----	665	-----	665	696	665 - Roll call of House added as co-sponsors.
<u>SJR09-018</u> by Senator(s) Tochtrop; also Representative(s) Kerr A.--Concerning the designation of March 2009 as Colorectal Cancer Awareness Month.	600	600	-----	600	-----	600	621	
<u>SJR09-019</u> by Senator(s) Newell; also Representative(s) Apuan--Concerning the support of National Multiple Sclerosis Awareness Week.	632	632	-----	632	-----	632	696	
<u>SJR09-020</u> by Senator(s) Penry, White, Gibbs, Isgar, Schwartz; also Representative(s) Baumgardner, Bradford, Curry, King S., Roberts, Tipton--Concerning John R. Fletcher.	711	711	-----	711	-----	711	771	711 - Roll call of House added as co-sponsors.

HISTORY OF SENATE JOINT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION
								* Amended L Lost PI Postponed Indefinitely RR Rereferred RC Reconsideration LO Laid Over
<u>SJR09-021</u> by Senator(s) Foster; also Representative(s) McGihon--Concerning recognition of the importance of raising public awareness of kidney disease, and, in connection therewith, recognizing March as National Kidney Month and March 12, 2009, as World Kidney Day.	704	705	705	-----	-----	711	771	711 - Roll call of House added as co-sponsors.
<u>SJR09-022</u> by Senator(s) Sandoval; also Representative(s) Looper--Concerning the proclamation of March 9-13, 2009 as Small Business Week.	677	678	-----	678	-----	678*	771	704 - Senate concurred in House amendments and repassed resolution, as amended.
<u>SJR09-023</u> by Senator(s) Schwartz, Gibbs, Isgar, Tochtrop, White; also Representative(s) Curry--Concerning the general assembly's continuing support for existing terms of the Colorado river compact.	781	785	785	-----	-----	787	919	787 - Roll call of House added as co-sponsors.
<u>SJR09-024</u> by Senator(s) Penry, Isgar; also Representative(s) Sonnenberg, Curry, Gardner C.--Concerning the recognition of March 18, 2009, as "National Agriculture Day".	781	781	-----	781	-----	781	919	781 - Roll call of House added as co-sponsors.
<u>SJR09-025</u> by Senator(s) Kester; also Representative(s) Carroll T.--Concerning recognition of Single Parents' Day in Colorado.	827	829	829	-----	-----	850	919	850 - Roll call of House added as co-sponsors.
<u>SJR09-026</u> by Senator(s) Williams and Isgar, Gibbs, Penry, Sandoval, Tapia, White; also Representative(s) Roberts, Casso, Tipton--Concerning the commemoration of the Tri-Ute Elders meeting in Colorado in March 2009, and, in connection therewith, honoring the culture and heritage of the Southern Ute Tribe and the Ute Mountain Ute Tribe.	827	829	829	-----	-----	948	1121	857 - Consideration LO daily until 3-30-09. 948 - Current Roll call of House added as co-sponsors.
<u>SJR09-027</u> by Senator(s) Sandoval; also Representative(s) Kefalas--Concerning the proclamation of March 24, 2009, as "American Diabetes Alert Day".	841	841	-----	841	-----	841	919	841 - Roll call of House added as co-sponsors.

HISTORY OF SENATE JOINT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION
								* Amended L Lost PI Postponed Indefinitely RR Rereferred RC Reconsideration LO Laid Over
<u>SJR09-028</u> by Senator(s) Heath; also Representative(s) Primavera--Concerning recognition of Colorado's cool cities.	953	953	953	-----	-----	1018	1133	973 - Consideration LO daily until 4-3-09.
<u>SJR09-029</u> by Senator(s) Tapia, Sandoval; also Representative(s) Frangas, McFadyen, Pace, Vigil--Concerning recognition of "César Chávez Day".	953	953	953	-----	-----	964	1121	
<u>SJR09-030</u> by Senator(s) Morse; also Representative(s) Gardner B.--Concerning recognition of the Colorado department of corrections for its high standards of service to the state.	1005	1005	-----	1005	-----	1005	1133	1005 - Current Roll call of House added as co-sponsors.
<u>SJR09-031</u> by Senator(s) Shaffer B.; also Representative(s) Rice--Concerning the continuing importance of Braille literacy in the lives of blind children and adults in Colorado and across the nation, and, in connection therewith, recognizing "National Braille Readers are Leaders Day".	903	903	-----	903	-----	903	954	903 - Roll call of House added as co-sponsors.
<u>SJR09-032</u> by Senator(s) Kopp; also Representative(s) McNulty--Concerning the honoring of Rotarians and the Rotary Clubs of Colorado.	1202*	1202	-----	1202	-----	1202	1279	1202 - Roll call of House added as co-sponsors.
<u>SJR09-033</u> by Senator(s) Kopp, Harvey, Brophy, Kester, Cadman, Scheffel, Spence, Newell, King K., Penry, Renfro, Schultheis, White; also Representative(s) Rice and McNulty, Priola, Kerr J., Looper--Concerning the designation of a portion of State Highway 85 as the "Navy SEAL Danny Phillip Dietz, Jr., Memorial Highway".	1022	1023	-----	1023	-----	1023	1133	1023 - Current Roll call of House added as co-sponsors.

HISTORY OF SENATE JOINT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION
								* Amended L Lost PI Postponed Indefinitely RR Rereferred RC Reconsideration LO Laid Over
<u>SJR09-034</u> by Senator(s) Kopp; also Representative(s) Rice--Concerning honoring the Colorado Rush soccer club for its outreach efforts through the Iraq REACH program, and, in connection therewith, proclaiming "Colorado Rush 'REACH' Day".	997	998	998	-----	-----	1680	1866	1015 - Consideration LO daily until 5-4-09. 1680 - Roll call of House added as co-sponsors.
<u>SJR09-035</u> by Senator(s) White, Keller, Tapia; also Representative(s) Marostica, Ferrandino, Pommer--Concerning the declaration of a state fiscal emergency pursuant to Section 21 (7) of Article X of the state constitution. Committee on Appropriations	1150	1149	1195	-----	-----	1254	1341	
<u>SJR09-036</u> by Senator(s) Bacon, Tapia; also Representative(s) Kefalas and Fischer, Marostica, Massey, McFadyen, Pace--Concerning recognition of the Colorado State University System.	1272	1273	-----	1273	-----	1273	1489	1273 - Roll call of House added as co-sponsors.
<u>SJR09-037</u> by Senator(s) Foster; also Representative(s) Todd--Concerning recognition of the national Court-appointed Special Advocates program and the sixteen Court-appointed Special Advocates programs in Colorado.	1455	1455	-----	1455	-----	1455	1554	1456 - Roll call of House added as co-sponsors.
<u>SJR09-038</u> by Senator(s) Romer; also Representative(s) Looper--Concerning the recognition of organ and tissue donors through the observation of "Donate Life Colorado Month".	1234	1234	-----	1234	-----	1234	1341	1234 - Current Roll call of House added as co-sponsors.
<u>SJR09-039</u> by Senator(s) Spence; also Representative(s) Primavera--Concerning recognition of the history of the disability rights movement, and, in connection therewith, proclaiming Disability History Week in Colorado.	1631	1631	-----	1631	-----	1631*	-----	1631 - Roll call of House added as co-sponsors. 1875 - No final action in Senate. Resolution deemed L.

HISTORY OF SENATE JOINT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	* L PI RR RC LO Amended Lost Postponed Indefinitely Rereferred Reconsideration Laid Over	OTHER ACTION
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.	1701*	1703	1703	-----	-----	1763	1866		
SJR09-041 by Senator(s) Tochtrop; also Representative(s) Ryden--Concerning remembrance of the Armenian Genocide on April 24, 2009, and, in connection therewith, designating every April 24 hereafter as "Colorado Day of Remembrance of the Armenian Genocide".	1455	1455	-----	1455	-----	1455	1554	1455 -	Roll call of House added as co-sponsors.
SJR09-042 by Senator(s) Newell; also Representative(s) Frangas--Concerning the value of conflict resolution, and, in connection therewith, recognizing October 2009 as "Conflict Resolution Month".	1660	1660	-----	1660	-----	1660	1751		
SJR09-043 by Senator(s) Hudak, Bacon, Foster, Gibbs, Groff, Heath, Hodge, Newell, Sandoval, Schwartz, Shaffer B., Veiga, Williams; also Representative(s) Todd, Merrifield, Baumgardner, Benefield, Casso, Kagan, Kerr A., Massey, Middleton, Miklosi, Murray, Peniston, Priola, Scanlan, Schafer S., Solano, Summers--Concerning the recognition of public education and public school teachers in Colorado.	1234	1234	-----	1234	-----	1234	1341		
SJR09-044 by Senator(s) Shaffer B.; also Representative(s) Weissmann--Concerning an interim commission to study fiscal stability.	1667*	1668	1668	-----	-----	1797*	1875	1752 - 1842 -	Consideration LO until 5-5-09. Senate concurred in House amendments and repassed resolution, as amended.

HISTORY OF SENATE JOINT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION
								* Amended L Lost PI Postponed Indefinitely RR Rereferred RC Reconsideration LO Laid Over
<u>SJR09-045</u> by Senator(s) Bacon, Brophy, Foster, Groff, Harvey, Hodge, Hudak, Kester, Kopp, Mitchell, Newell, Penry, Romer, Scheffel, Shaffer B., Spence, Williams; also Representative(s) Levy, Acree, Apuan, Balmer, Baumgardner, Bradford, Carroll T., Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Gardner C., Gerou, Green, Hullinghorst, Judd, Kagan, Kerr A., Kerr J., King S., Massey, McCann, McFadyen, McNulty, Merrifield, Middleton, Miklosi, Pace, Primavera, Rice, Roberts, Ryden, Scanlan, Solano, Todd, Vaad, Waller--Concerning the declaration of April 19-26, 2009, as "Holocaust Awareness Week".	1484	1484	-----	1484	-----	1484	1751	1484 - Roll call of House added as co-sponsors.
<u>SJR09-046</u> by Senator(s) Hudak, Williams, Bacon, Boyd, Carroll M., Foster, Gibbs, Groff, Heath, Hodge, Isgar, Keller, Morse, Newell, Romer, Sandoval, Schwartz, Shaffer B., Tapia, Tochtrop, Veiga; also Representative(s) Gagliardi, Acree, Apuan, Benefield, Bradford, Carroll T., Casso, Court, Curry, Ferrandino, Fischer, Frangas, Green, Hullinghorst, Judd, Kagan, Kefalas, Kerr A., King S., Labuda, Levy, Looper, Marostica, Massey, McCann, McFadyen, McKinley, Merrifield, Middleton, Miklosi, Nikkel, Pace, Peniston, Pommer, Primavera, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Soper, Stephens, Summers, Todd, Vaad, Vigil, Waller--Concerning the designation of April 28, 2009, as "Equal Pay Day".	1555	1556	-----	1556	-----	1556	1751	1556 - Roll call of House added as co-sponsors.
<u>SJR09-047</u> by Senator(s) Kester; also Representative(s) Riesberg--Concerning Hepatitis C Awareness Month.	1667	1668	1668	-----	-----	1763	1866	1752 - Consideration LO until 5-5-09.

HISTORY OF SENATE JOINT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION
								* Amended L Lost PI Postponed Indefinitely RR Rereferred RC Reconsideration LO Laid Over
<u>SJR09-048</u> by Senator(s) Schwartz, Kester; also Representative(s) McKinley--Concerning the protection and restoration of Colorado's shortgrass prairie ecosystem.	1631	1640	1640	-----	-----	1785		1671 - Consideration LO daily until 5-5-09. 1785 - Consideration LO until 6-9-09. Resolution deemed L.
<u>SJR09-049</u> by Senator(s) Williams; also Representative(s) Roberts--Concerning the acknowledgment of April 22, 2009, as Earth Day.	1334	1334	-----	1334	-----	1334	1489	
<u>SJR09-052</u> by Senator(s) Boyd, Foster; also Representative(s) Rice--Concerning declaration of "Colorado Refugee Day".	1406*	1406	-----	1406	-----	1406	1554	1406 - Roll call of House added as co-sponsors.
<u>SJR09-053</u> by Senator(s) Newell; also Representative(s) Kagan--Concerning the recognition of the importance of raising public awareness of meningitis, and, in connection therewith, encouraging school districts to educate students and parents about the dangers of meningitis and the availability of a vaccine.	1427	1429	1429	-----	-----	1583	1751	1470 - Consideration LO daily until 4-29-09. 1583 - Roll call of House added as co-sponsors.
<u>SJR09-054</u> by Senator(s) Keller; also Representative(s) Roberts--Concerning the designation of May 2009 as "Mental Health Month".	1660	1668	1668	-----	-----	1705	1866	1705 - Roll call of House added as co-sponsors.
<u>SJR09-055</u> by Senator(s) Gibbs, Carroll M., Foster, Heath, King K., Kopp, Newell, Romer, Sandoval, Scheffel, Schwartz, Shaffer B., Tapia, Veiga, Williams; also Representative(s) McFadyen--Concerning the recognition of Colorado Department of Transportation employees, and, in connection therewith, declaring the month of July to be "Colorado Department of Transportation Remembrance Month".	1701*	1703	1703	-----	-----	1785	1866	1785 - Roll call of House added as co-sponsors.
<u>SJR09-056</u> by Senator(s) Romer; also Representative(s) Middleton--Concerning continuing Colorado's significant advances in education reform through the use of federal "Race to the Top" moneys.	1631	1640	1640	-----	-----	1795*	1875	1671 - Consideration LO daily until 5-5-09. 1842 - Senate concurred in House amendments and repassed resolution, as amended.

HISTORY OF SENATE JOINT RESOLUTIONS

RESOLUTION NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION
								* Amended L Lost PI Postponed Indefinitely RR Rereferred RC Reconsideration LO Laid Over
<u>SJR09-057</u> by Senator(s) Penry and Groff; also Representative(s) Bradford and Solano--Concerning prevention of methamphetamine use in Colorado, and, in connection therewith, proclaiming "Colorado Meth Project Day".	1701	1703	1703	-----	-----	1796	1866	1796 - Roll call of House added as co-sponsors.
<u>SJR09-058</u> by Senator(s) Shaffer B., Groff, Penry; also Representative(s) Weissmann and Kerr A., Carroll T., May--Concerning the appointment of a joint committee to notify the Governor that the First Regular Session of the Sixty-seventh General Assembly is about to adjourn sine die.	1701	1703	1703	-----	1703	1795	1866	1701 - Senate members: Scheffel and Newell. 1795 - House members: Primavera, Court, and Stephens.
<u>SJR09-059</u> by Senator(s) Schwartz; also Representative(s) Merrifield--Concerning the designation of "Graduate and Professional Student Appreciation Month".	1872	-----	-----	-----	-----	-----	-----	1873 - No final action in House. Resolution deemed L.

HISTORY OF SENATE JOINT MEMORIALS

MEMORIAL NUMBER SUBJECT TITLE SPONSOR COMMITTEE ASSIGNMENT	Adopted by Senate	Introduced in House	Laid Over One Day Under the Rules	Rules Suspended Immediate Action	Referred to House by Committee	Adopted by House	Signed by Speaker	OTHER ACTION
<u>SJM09-002</u> by Senator(s) Sandoval; also Representative(s) Kefalas--Concerning the 2009 reauthorization of the "Child Nutrition and WIC Reauthorization Act of 2004".	1067	1098	1098	-----	-----	1557	1751	1121 - <u>Consideration LO daily until 4-28-09.</u>
<u>SJM09-003</u> by Senator(s) Cadman, Groff, Bacon, Boyd, Brophy, Carroll M., Foster, Gibbs, Harvey, Heath, Hodge, Hudak, Isgar, Keller, Kester, King K., Kopp, Lundberg, Mitchell, Morse, Newell, Penry, Renfro, Romer, Sandoval, Scheffel, Schultheis, Schwartz, Shaffer B., Spence, Tapia, Tochtrop, Veiga, White, Williams; also Representative(s) Weissmann--Memorializing former Senate President Ray Powers.	1761	1761	-----	1761	-----	1761	1866	1761 - <u>Roll call of House added as co-sponsors.</u>
<u>SJM09-006</u> by Senator(s) Lundberg; also Representative(s) Gardner C.--Memorializing Congress to end the practice of earmarking federal funds provided to states.	1872	-----	-----	-----	-----	-----	-----	1873 - <u>No final action in House. Memorial deemed L.</u>
<u>SJM09-010</u> by Senator(s) Spence; also Representative(s) Acree--Memorializing Congress to consider community needs when deploying National Guard troops.	1427	1429	1429	-----	-----	-----	-----	1470 - <u>Consideration LO daily until 5-6-09.</u> 1841 - <u>L.</u>

* Amended
L Lost
PI Postponed Indefinitely
RR Rereferred
RC Reconsideration
LO Laid Over