

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

One hundredth Legislative Day

Thursday, April 22, 2010

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 Turin Priola, Aurora Options, and
 6 Bremma Priola.
 7

8 The roll was called with the following result:
 9

10 Present--56.

11 Excused--Representative(s) DelGrosso, Frangas, Murray,
 12 Pommer, Stephens, Summers, Swalm, Tipton, Vaad--9.

13 Present after roll call--Representative(s) DelGrosso, Murray,
 14 Pommer, Stephens, Summers, Swalm.
 15

16 The Speaker declared a quorum present.
 17
 18

19 On motion of Representative Miklosi, the reading of the journal of
 20 April 21, 2010, was declared dispensed with and approved as corrected
 21 by the Chief Clerk.
 22
 23

CONSIDERATION OF MEMORIAL

24
 25
 26
 27 **HM10-1005** by Representative(s) Stephens, Balmer, Gardner C., May--
 28 Memorializing former Representative Blanche
 29 Cowperthwaite.
 30

31 (Printed and placed in members' file)
 32

33 On motion of Representative Stephens, the memorial was read at length.
 34

35 On motion of Representative Stephens, the memorial was **adopted** by the
 36 following roll call vote:
 37

| | YES | 62 | NO | 0 | EXCUSED | 3 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 39 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 40 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 41 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |
| 42 | Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y |
| 43 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | Y |

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

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

21

22 Representative Balmer introduced members of the family that were
 23 present.

24

25

House in recess. House reconvened.

26

27

28

MESSAGE(S) FROM THE SENATE

29

30

The Senate has adopted and transmits herewith:

31

32

SJR10-032 amended as printed in Senate Journal, April 22, 2010.

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

SJR10-032 by Senator(s) Williams, Gibbs, Heath, Hodge, Morse,
 41 Schwartz, Whitehead; also Representative(s) Todd,
 42 Fischer, Kerr A., Levy, Miklosi, Ryden, Solano, Tyler--
 43 Concerning the acknowledgment of April 22, 2010, as
 44 Earth Day.

45

46

(Printed and placed in member's file).

47

48

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

50

51

Co-sponsor(s) added: Representative(s) Acree, Apuan, Benefield, Bradford,
 52 Court, Curry, Ferrandino, Gagliardi, Gardner B., Gerou, Hullinghorst, Judd,
 53 Kagan, Kefalas, King S., Labuda, Liston, Massey, May, McCann, McFadyen,
 54 McKinley, Merrifield, Middleton, Murray, Pace, Peniston, Primavera, Priola,
 55 Rice, Riesberg, Roberts, Scanlan, Schafer S., Soper, Stephens, Vigil, Waller,
 56 Weissmann, Speaker.

THIRD READING OF BILL(S)--FINAL PASSAGE

The following bill(s) was(were) considered on Third Reading. The title(s) was(were) publicly read. Reading of the bill at length was dispensed with by unanimous consent.

HB10-1022 by Representative(s) Summers and Gagliardi, Kagan, Kefalas; also Senator(s) Boyd, Hudak--Concerning the administration of the supplemental nutrition 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 | 52 | NO | 10 | EXCUSED | 3 | ABSENT | 0 |
|-------------|-----|--------------|----|------------|---------|------------|--------|---|
| Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y | |
| Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y | |
| Balmer | N | Judd | Y | McNulty | Y | Schafer S. | Y | |
| Baumgardner | N | Kagan | Y | Merrifield | Y | Solano | Y | |
| Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | N | |
| Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y | |
| Casso | Y | Kerr J. | Y | Murray | Y | Stephens | N | |
| Court | Y | King S. | Y | Nikkel | N | Summers | Y | |
| Curry | Y | Labuda | Y | Pace | Y | Swalm | N | |
| DelGrosso | Y | Lambert | N | Peniston | Y | Tipton | E | |
| Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y | |
| Fischer | Y | Liston | N | Primavera | Y | Tyler | Y | |
| Frangas | E | Looper | Y | Priola | Y | Vaad | E | |
| Gagliardi | Y | Massey | Y | Rice | Y | Vigil | Y | |
| Gardner B. | Y | May | N | Riesberg | Y | Waller | Y | |
| Gardner C. | N | McCann | Y | Roberts | Y | Weissmann | Y | |
| | | | | | | Speaker | Y | |

Co-sponsor(s) added: Representative(s) Apuan, Fischer, Gerou, Labuda, Looper, Peniston, Riesberg, Ryden, Schafer S., Todd.

HB10-1032 by Representative(s) Frangas, Apuan, Massey; also Senator(s) Boyd, Foster, Schwartz--Concerning behavioral health crisis response services.

Laid over until April 23, retaining place on Calendar.

HB10-1146 by Representative(s) Hullinghorst, Gagliardi, Kefalas, Kerr J., Labuda, Miklosi, Pommer, Primavera; also Senator(s) Tochtrop, Newell, Steadman, Tapia--Concerning certain state-funded, community-based, long-term care assistance provided to recipients of certain public benefit programs, and making an appropriation therefor.

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 | 62 | NO | 0 | EXCUSED | 3 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 1 | | | | | | | | |
| 2 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 3 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 4 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |
| 5 | Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y |
| 6 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | Y |
| 7 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 8 | Casso | Y | Kerr J. | Y | Murray | Y | Stephens | Y |
| 9 | Court | Y | King S. | Y | Nikkel | Y | Summers | Y |
| 10 | Curry | Y | Labuda | Y | Pace | Y | Swalm | Y |
| 11 | DelGrosso | Y | Lambert | Y | Peniston | Y | Tipton | E |
| 12 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 13 | Fischer | Y | Liston | Y | Primavera | Y | Tyler | Y |
| 14 | Frangas | E | Looper | Y | Priola | Y | Vaad | E |
| 15 | Gagliardi | Y | Massey | Y | Rice | Y | Vigil | Y |
| 16 | Gardner B. | Y | May | Y | Riesberg | Y | Waller | Y |
| 17 | Gardner C. | Y | McCann | Y | Roberts | Y | Weissmann | Y |
| 18 | | | | | | | Speaker | Y |

19 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Gerou, Merrifield,
20 Ryden, Schafer S., Soper, Todd, Vigil.

21
22 **HB10-1172** by Representative(s) Bradford, Nikkel, Sonnenberg,
23 Tipton; also Senator(s) Cadman--Concerning the
24 registration of mobile machinery in order to pay specific
25 ownership tax, 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 | 59 | NO | 3 | EXCUSED | 3 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 33 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 34 | Apuan | Y | Hullinghorst | Y | McKinley | N | Scanlan | Y |
| 35 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |
| 36 | Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y |
| 37 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | Y |
| 38 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 39 | Casso | Y | Kerr J. | Y | Murray | Y | Stephens | Y |
| 40 | Court | Y | King S. | Y | Nikkel | Y | Summers | Y |
| 41 | Curry | Y | Labuda | N | Pace | Y | Swalm | Y |
| 42 | DelGrosso | Y | Lambert | Y | Peniston | Y | Tipton | E |
| 43 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 44 | Fischer | Y | Liston | Y | Primavera | Y | Tyler | Y |
| 45 | Frangas | E | Looper | Y | Priola | Y | Vaad | E |
| 46 | Gagliardi | Y | Massey | Y | Rice | Y | Vigil | Y |
| 47 | Gardner B. | Y | May | Y | Riesberg | Y | Waller | Y |
| 48 | Gardner C. | Y | McCann | Y | Roberts | Y | Weissmann | N |
| 49 | | | | | | | Speaker | Y |

50 Co-sponsor(s) added: Representative(s) King S., Liston, McFadyen, Murray,
51 Priola, Todd.

52
53 **HB10-1264** by Representative(s) Priola; also Senator(s) Heath--
54 Concerning the establishment of an incentive process
55 whereby state employees can submit suggestions for state
56 agency improvements that result in cost savings.

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

24 Co-sponsor(s) added: Representative(s) Acree, Apuan, Casso, DelGrosso,
 25 Gerou, Kefalas, Kerr J., Labuda, Lambert, Liston, Looper, Massey, Primavera,
 26 Rice, Summers, Todd.

27
 28 **HB10-1268** by Representative(s) King S.; also Senator(s) Harvey--
 29 Concerning establishment of a two-year registration for
 30 vehicles.
 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 | 6 | EXCUSED | 3 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 37 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 38 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 39 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |
| 40 | Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y |
| 41 | Benefield | N | Kefalas | Y | Middleton | Y | Sonnenberg | Y |
| 42 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 43 | Casso | Y | Kerr J. | Y | Murray | Y | Stephens | Y |
| 44 | Court | Y | King S. | Y | Nikkel | Y | Summers | Y |
| 45 | Curry | Y | Labuda | N | Pace | Y | Swalm | Y |
| 46 | DelGrosso | Y | Lambert | Y | Peniston | Y | Tipton | E |
| 47 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 48 | Fischer | N | Liston | Y | Primavera | Y | Tyler | Y |
| 49 | Frangas | E | Looper | Y | Priola | Y | Vaad | E |
| 50 | Gagliardi | N | Massey | Y | Rice | Y | Vigil | Y |
| 51 | Gardner B. | Y | May | Y | Riesberg | Y | Waller | Y |
| 52 | Gardner C. | Y | McCann | Y | Roberts | Y | Weissmann | N |
| 53 | | | | | | | Speaker | N |

54 Co-sponsor(s) added: Representative(s) Bradford, Gerou, Kerr J., Lambert,
 55 Liston, Looper, McFadyen, McKinley, Murray, Roberts, Schafer S., Stephens,
 56 Todd, Waller.

1 **HB10-1284** by Representative(s) Massey and Summers, McCann,
 2 Rice; also Senator(s) Romer and Spence--Concerning
 3 regulation of medical marijuana, and making an
 4 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 | 39 | NO | 23 | EXCUSED | 3 | ABSENT | 0 |
|----|-------------|----|--------------|----|------------|---|------------|---|
| 12 | Acree | N | Gerou | Y | McFadyen | Y | Ryden | Y |
| 13 | Apuan | Y | Hullinghorst | N | McKinley | Y | Scanlan | Y |
| 14 | Balmer | N | Judd | Y | McNulty | Y | Schafer S. | Y |
| 15 | Baumgardner | N | Kagan | Y | Merrifield | N | Solano | Y |
| 16 | Benefield | Y | Kefalas | Y | Middleton | N | Sonnenberg | Y |
| 17 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 18 | Casso | Y | Kerr J. | N | Murray | N | Stephens | N |
| 19 | Court | Y | King S. | N | Nikkel | N | Summers | Y |
| 20 | Curry | Y | Labuda | Y | Pace | N | Swalm | Y |
| 21 | DelGrosso | N | Lambert | N | Peniston | Y | Tipton | E |
| 22 | Ferrandino | N | Levy | N | Pommer | Y | Todd | Y |
| 23 | Fischer | Y | Liston | Y | Primavera | N | Tyler | N |
| 24 | Frangas | E | Looper | N | Priola | Y | Vaad | E |
| 25 | Gagliardi | Y | Massey | Y | Rice | Y | Vigil | N |
| 26 | Gardner B. | Y | May | Y | Riesberg | N | Waller | Y |
| 27 | Gardner C. | N | McCann | Y | Roberts | Y | Weissmann | N |
| 28 | | | | | | | Speaker | Y |

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

30
 31
 32 **HB10-1394** by Representative(s) Rice; also Senator(s) Scheffel--
 33 Concerning commercial liability insurance policies issued
 34 to construction professionals.

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 | 61 | NO | 0 | EXCUSED | 4 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 42 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 43 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 44 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |
| 45 | Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y |
| 46 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | Y |
| 47 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 48 | Casso | Y | Kerr J. | Y | Murray | Y | Stephens | E |
| 49 | Court | Y | King S. | Y | Nikkel | Y | Summers | Y |
| 50 | Curry | Y | Labuda | Y | Pace | Y | Swalm | Y |
| 51 | DelGrosso | Y | Lambert | Y | Peniston | Y | Tipton | E |
| 52 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 53 | Fischer | Y | Liston | Y | Primavera | Y | Tyler | Y |
| 54 | Frangas | E | Looper | Y | Priola | Y | Vaad | E |
| 55 | Gagliardi | Y | Massey | Y | Rice | Y | Vigil | Y |
| 56 | Gardner B. | Y | May | Y | Riesberg | Y | Waller | Y |

1 Gardner C. Y McCann Y Roberts Y Weissmann Y
 2 Speaker Y
 3 Co-sponsor(s) added: Representative(s) Fischer, Gerou, Labuda, Swalm,
 4 Speaker.

5
 6 **HB10-1287** by Representative(s) Lambert, Acree, Baumgardner,
 7 Bradford, DelGrosso, Ferrandino, Gardner C., Gerou, Kerr
 8 J., Looper, May, McNulty, Murray, Nikkel, Pommer,
 9 Priola, Sonnenberg, Stephens, Summers, Tipton; also
 10 Senator(s) Cadman, Renfroe, Harvey, Mitchell, Keller,
 11 King K., Kopp, Lundberg, Schultheis, Spence, Tapia,
 12 White--Concerning the use of a state-owned motor vehicle
 13 for commuting purposes.

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**.

| | YES | 59 | NO | 2 | EXCUSED | 4 | ABSENT | 0 |
|----------------|-----|--------------|----|------------|---------|------------|--------|---|
| 21 Acree | Y | Gerou | N | McFadyen | Y | Ryden | Y | |
| 22 Apuan | Y | Hullinghorst | Y | McKinley | N | Scanlan | Y | |
| 23 Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y | |
| 24 Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y | |
| 25 Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | Y | |
| 26 Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y | |
| 27 Casso | Y | Kerr J. | Y | Murray | Y | Stephens | E | |
| 28 Court | Y | King S. | Y | Nikkel | Y | Summers | Y | |
| 29 Curry | Y | Labuda | Y | Pace | Y | Swalm | Y | |
| 30 DelGrosso | Y | Lambert | Y | Peniston | Y | Tipton | E | |
| 31 Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y | |
| 32 Fischer | Y | Liston | Y | Primavera | Y | Tyler | Y | |
| 33 Frangas | E | Looper | Y | Priola | Y | Vaad | E | |
| 34 Gagliardi | Y | Massey | Y | Rice | Y | Vigil | Y | |
| 35 Gardner B. | Y | May | Y | Riesberg | Y | Waller | Y | |
| 36 Gardner C. | Y | McCann | Y | Roberts | Y | Weissmann | Y | |
| 37 | | | | | | Speaker | Y | |

38 Co-sponsor(s) added: Representative(s) Court, Hullinghorst, Kagan, Labuda,
 39 Massey, McFadyen, Todd.

40
 41 **HB10-1338** by Representative(s) McCann; also Senator(s) Steadman--
 42 Concerning the eligibility for probation of a person who
 43 has two or more felony convictions, and making
 44 appropriations 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**.

| | YES | 54 | NO | 7 | EXCUSED | 4 | ABSENT | 0 |
|----------------|-----|--------------|----|------------|---------|------------|--------|---|
| 52 Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y | |
| 53 Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y | |
| 54 Balmer | Y | Judd | Y | McNulty | N | Schafer S. | Y | |
| 55 Baumgardner | N | Kagan | Y | Merrifield | Y | Solano | Y | |
| 56 Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | N | |

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

13 Co-sponsor(s) added: Representative(s) Court, Kagan, Labuda, Levy, Nikkel,
 14 Pace, Pommer, Ryden, Schafer S., Todd, Speaker.

15
 16 **HB10-1364** by Representative(s) Ryden; also Senator(s) Hudak--
 17 Concerning the sex offender management board, and, in
 18 connection therewith, continuing the sex offender
 19 management board, and making an appropriation.

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 | 61 | NO | 0 | EXCUSED | 4 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 27 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 28 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 29 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |
| 30 | Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y |
| 31 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | Y |
| 32 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 33 | Casso | Y | Kerr J. | Y | Murray | Y | Stephens | E |
| 34 | Court | Y | King S. | Y | Nikkel | Y | Summers | Y |
| 35 | Curry | Y | Labuda | Y | Pace | Y | Swalm | Y |
| 36 | DelGrosso | Y | Lambert | Y | Peniston | Y | Tipton | E |
| 37 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 38 | Fischer | Y | Liston | Y | Primavera | Y | Tyler | Y |
| 39 | Frangas | E | Looper | Y | Priola | Y | Vaad | E |
| 40 | Gagliardi | Y | Massey | Y | Rice | Y | Vigil | Y |
| 41 | Gardner B. | Y | May | Y | Riesberg | Y | Waller | Y |
| 42 | Gardner C. | Y | McCann | Y | Roberts | Y | Weissmann | Y |
| 43 | | | | | | | Speaker | Y |

44 Co-sponsor(s) added: Representative(s) Court, Kagan, Labuda, Levy, Miklosi,
 45 Schafer S., Todd.

46
 47 **HB10-1370** by Representative(s) Court, Apuan, Carroll T., Casso,
 48 Curry, Ferrandino, Fischer, Frangas, Gagliardi,
 49 Hullinghorst, Kagan, Kerr A., King S., Labuda, Levy,
 50 Looper, Massey, McCann, McFadyen, Merrifield,
 51 Middleton, Miklosi, Murray, Pace, Peniston, Pommer,
 52 Primavera, Rice, Roberts, Ryden, Scanlan, Schafer S.,
 53 Solano, Soper, Todd, Tyler, Vaad, Vigil, Weissmann; also
 54 Senator(s) Steadman--Concerning certain disclosure
 55 requirements that apply to statewide ballot measures.

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 | 10 | EXCUSED | 4 | ABSENT | 0 |
|----|-------------|----|--------------|----|------------|---|------------|---|
| 7 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 8 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 9 | Balmer | N | Judd | Y | McNulty | N | Schafer S. | Y |
| 10 | Baumgardner | N | Kagan | Y | Merrifield | Y | Solano | Y |
| 11 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | N |
| 12 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 13 | Casso | Y | Kerr J. | N | Murray | Y | Stephens | E |
| 14 | Court | Y | King S. | Y | Nikkel | Y | Summers | Y |
| 15 | Curry | Y | Labuda | Y | Pace | Y | Swalm | N |
| 16 | DelGrosso | Y | Lambert | N | Peniston | Y | Tipton | E |
| 17 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 18 | Fischer | Y | Liston | Y | Primavera | Y | Tyler | Y |
| 19 | Frangas | E | Looper | Y | Priola | Y | Vaad | E |
| 20 | Gagliardi | Y | Massey | Y | Rice | Y | Vigil | Y |
| 21 | Gardner B. | N | May | N | Riesberg | Y | Waller | Y |
| 22 | Gardner C. | N | McCann | Y | Roberts | Y | Weissmann | Y |
| 23 | | | | | | | Speaker | Y |

24 Co-sponsor(s) added: Representative(s) Riesberg.

25
 26 **HB10-1398** by Representative(s) Fischer; also Senator(s) Whitehead--
 27 Concerning the species conservation trust fund, and, in
 28 connection therewith, approving the species conservation
 29 eligibility list.

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 | 61 | NO | 0 | EXCUSED | 4 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|------------|---|
| 37 | Acree | Y | Gerou | Y | McFadyen | Y | Ryden | Y |
| 38 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 39 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |
| 40 | Baumgardner | Y | Kagan | Y | Merrifield | Y | Solano | Y |
| 41 | Benefield | Y | Kefalas | Y | Middleton | Y | Sonnenberg | Y |
| 42 | Bradford | Y | Kerr A. | Y | Miklosi | Y | Soper | Y |
| 43 | Casso | Y | Kerr J. | Y | Murray | Y | Stephens | E |
| 44 | Court | Y | King S. | Y | Nikkel | Y | Summers | Y |
| 45 | Curry | Y | Labuda | Y | Pace | Y | Swalm | Y |
| 46 | DelGrosso | Y | Lambert | Y | Peniston | Y | Tipton | E |
| 47 | Ferrandino | Y | Levy | Y | Pommer | Y | Todd | Y |
| 48 | Fischer | Y | Liston | Y | Primavera | Y | Tyler | Y |
| 49 | Frangas | E | Looper | Y | Priola | Y | Vaad | E |
| 50 | Gagliardi | Y | Massey | Y | Rice | Y | Vigil | Y |
| 51 | Gardner B. | Y | May | Y | Riesberg | Y | Waller | Y |
| 52 | Gardner C. | Y | McCann | Y | Roberts | Y | Weissmann | Y |
| 53 | | | | | | | Speaker | Y |

54 Co-sponsor(s) added: Representative(s) Gagliardi, Gerou, Hullinghorst,
 55 Kefalas, Pace, Primavera, Sonnenberg, Vigil.

56

**CONSIDERATION OF SENATE AMENDMENTS
TO HOUSE JOINT RESOLUTION**

HJR10-1015 by Representative(s) Roberts, Tipton; also Senator(s) Whitehead--Concerning the removal of FCC broadcasting restrictions to allow access to Denver television stations in southwestern Colorado.

(Amended as printed in Senate Journal, April 13, pages 860-861.)

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

| | YES | 60 | NO | 1 | EXCUSED | 4 | ABSENT | 0 |
|-------------|-----|----|--------------|---|------------|---|------------|---|
| Acree | Y | | Gerou | Y | McFadyen | Y | Ryden | Y |
| Apuan | Y | | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| Balmer | Y | | Judd | Y | McNulty | Y | Schafer S. | Y |
| Baumgardner | Y | | Kagan | Y | Merrifield | Y | Solano | Y |
| Benefield | Y | | Kefalas | Y | Middleton | Y | Sonnenberg | Y |
| Bradford | Y | | Kerr A. | Y | Miklosi | Y | Soper | Y |
| Casso | Y | | Kerr J. | Y | Murray | Y | Stephens | E |
| Court | Y | | King S. | Y | Nikkel | Y | Summers | Y |
| Curry | Y | | Labuda | Y | Pace | Y | Swalm | Y |
| DelGrosso | Y | | Lambert | Y | Peniston | Y | Tipton | E |
| Ferrandino | Y | | Levy | Y | Pommer | Y | Todd | Y |
| Fischer | Y | | Liston | Y | Primavera | Y | Tyler | Y |
| Frangas | E | | Looper | Y | Priola | Y | Vaad | E |
| Gagliardi | Y | | Massey | Y | Rice | Y | Vigil | Y |
| Gardner B. | Y | | May | Y | Riesberg | Y | Waller | Y |
| Gardner C. | Y | | McCann | Y | Roberts | Y | Weissmann | N |
| | | | | | | | Speaker | Y |

The Speaker appointed Representatives Roberts, Chairman, Labuda and Ryden as House conferees to the bill.

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

BUSINESS AFFAIRS & LABOR

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

HB10-1410 be referred favorably to the Committee on Finance.

FINANCE

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

HB10-1200 be referred to the Committee of the Whole with favorable recommendation.

1 **HB10-1350** 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, strike everything below the enacting clause and
 6 substitute:
 7

8 **"SECTION 1.** 24-46-104 (2), Colorado Revised Statutes, is
 9 amended, and the said 24-46-104 is further amended BY THE
 10 ADDITION OF A NEW SUBSECTION, to read:
 11

12 **24-46-104. Powers and duties of commission - repeal.** (2) The
 13 commission shall report to the general assembly no later than February 1
 14 of each year regarding the work of the commission. The report shall
 15 include, but shall not be limited to, the information required to be
 16 collected by the commission pursuant to section 24-46-105.1. IN
 17 ADDITION, THE REPORT SHALL INCLUDE THE NUMBER OF PEOPLE
 18 EMPLOYED AS A RESULT OF ANY PROJECT, ALONG WITH THE AVERAGE AND
 19 MEDIAN SALARIES OF ANY PEOPLE EMPLOYED AS A RESULT OF ANY
 20 PROJECT.
 21

22 (3) (a) FOR THE 2011 REGULAR SESSION OF THE GENERAL
 23 ASSEMBLY ONLY, THE COMMISSION SHALL REPORT TO THE FINANCE
 24 COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES NO
 25 LATER THAN THE FIFTH DAY OF THE REGULAR SESSION. THE REPORT
 26 SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, A COMPREHENSIVE PLAN
 27 DETAILING HOW THE STATE CAN IMPLEMENT A PROGRAM FOR TRACKING
 28 THE SUCCESS OF EVERY GRANT, LOAN, OR TAX CREDIT PROGRAM INTENDED
 29 TO GENERATE JOBS. THE PLAN SHALL INCLUDE A MEANS OF DETERMINING
 30 A METHOD FOR IDENTIFYING ON AN ANNUAL BASIS THE NUMBER OF JOBS
 31 CREATED AS A RESULT OF EACH GRANT, LOAN, OR TAX CREDIT.
 32

33 (b) FOR THE PURPOSES OF THE REPORT REQUIRED BY PARAGRAPH
 34 (a) OF THIS SUBSECTION (3), THE FINANCE COMMITTEES OF THE SENATE
 35 AND THE HOUSE OF REPRESENTATIVES MAY CONDUCT A JOINT HEARING.
 36

37 (c) THIS SUBPARAGRAPH (3) IS REPEALED, EFFECTIVE JULY 1, 2011.
 38

39 **SECTION 2. Safety clause.** The general assembly hereby finds,
 40 determines, and declares that this act is necessary for the immediate
 41 preservation of the public peace, health, and safety."
 42
 43
 44

45 **HB10-1366** be amended as follows, and as so amended, be referred to
 46 the Committee on Appropriations with favorable
 47 recommendation:
 48

49 Amend the State, Veterans, & Military Affairs Committee Report, dated
 50 April 6, 2010, page 1, line 8, strike "C.R.S." and substitute "C.R.S.;
 51 EXCEPT THAT THE OFFENDER MAY CIRCULATE PETITIONS UPON RECEIVING
 52 WRITTEN PERMISSION FROM THE BOARD."."
 53

54 Page 1 of the report, line 14, strike "C.R.S." and substitute "C.R.S.;
 55 EXCEPT THAT THE OFFENDER MAY CIRCULATE PETITIONS UPON RECEIVING
 56 WRITTEN PERMISSION FROM THE BOARD."."
 57

1 Page 2 of the report, line 2, strike "C.R.S." and substitute "C.R.S.;
 2 EXCEPT THAT THE DEFENDANT MAY CIRCULATE PETITIONS UPON
 3 RECEIVING WRITTEN PERMISSION FROM THE COURT OR FROM THE
 4 APPROPRIATE PROBATION OFFICER.".

5
 6 Page 2 of the report, after line 2, insert:

7
 8 "Page 1 of printed bill, line 104, strike "CIRCULATOR." and substitute
 9 "CIRCULATOR UNLESS THE PERSON RECEIVES WRITTEN PERMISSION
 10 FROM THE APPROPRIATE SUPERVISORY ENTITY PRIOR TO CIRCULATING
 11 ANY PETITION.".

12
 13 **FIRST MAJORITY REPORT OF FIRST CONFERENCE COMMITTEE**
 14 **on HB10-1021**

15
 16 This Report Amends the Reengrossed 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 HB10-1021,
 22 concerning required coverages for reproductive services for health
 23 insurance policies, has met, and a majority thereof reports that it has
 24 agreed upon the following:

25 1. That the Senate recede from its amendments made to the bill,
 26 as the amendments appear in the rerevised bill, and that the following
 27 amendment be substituted therefor:

28
 29 Amend reengrossed bill, page 2, line 9, strike "AND".

30
 31 Page 2, line 11, strike "ARTICLE" and substitute "ARTICLE, AND ALL
 32 INDIVIDUAL HEALTH CARE OR INDEMNITY CONTRACTS ISSUED BY AN
 33 ENTITY SUBJECT TO PART 3 OR 4 OF THIS ARTICLE, EXCEPT SUPPLEMENTAL
 34 POLICIES COVERING A SPECIFIED DISEASE OR OTHER LIMITED BENEFIT,".

35
 36 2. That, under the authority granted the committee to consider
 37 matters not at issue between the two houses, the following amendments
 38 be recommended:

39
 40 Amend reengrossed bill, page 2, line 15, strike "Policies" and substitute
 41 "INDIVIDUAL SICKNESS AND ACCIDENT INSURANCE POLICIES OR
 42 CONTRACTS MAY EXCLUDE COVERAGE FOR PREGNANCY AND DELIVERY
 43 EXPENSES ON THE GROUNDS THAT PREGNANCY WAS A PREEXISTING
 44 CONDITION. THE EXCLUSION FOR THE PREGNANCY AS A PREEXISTING
 45 CONDITION UNDER THE POLICY OR CONTRACT SHALL NOT APPLY FOR ANY
 46 SUBSEQUENT PREGNANCIES. GROUP SICKNESS AND ACCIDENT INSURANCE
 47 policies".

48
 49 Page 3, line 4, after "to" insert "group and".

50
 51 Respectfully submitted,

52 House Committee:
 53 (signed)
 54 K. Jerry Frangas
 55 Elizabeth H. McCann

Senate Committee:
 (signed)
 Joyce Foster
 Betty Boyd

56

1 **FIRST MINORITY REPORT OF FIRST CONFERENCE COMMITTEE**
2 **on HB10-1021**
3

4 This Report Amends the Reengrossed 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 HB10-1021,
10 concerning required coverages for reproductive services for health
11 insurance policies, has met, and a minority thereof reports that it has
12 agreed upon the following:
13

14 That the Senate recede from its amendments made to the bill, as
15 the amendments appear in the rerevised bill, and that the following
16 amendments be substituted therefor:
17

18 Amend reengrossed bill, page 2, line 9, strike "AND".
19

20 Page 2, strike lines 10 and 11 and substitute "shall insure against the".
21

22 Page 2, strike line 13 and substitute "maternity care ~~therefor~~ in".
23

24 Page 2, line 17, after the period add "AN ENTITY THAT OFFERS INDIVIDUAL
25 SICKNESS AND ACCIDENT INSURANCE SUBJECT TO PART 2 OF THIS ARTICLE,
26 AND AN ENTITY THAT ISSUES INDIVIDUAL HEALTH CARE OR INDEMNITY
27 CONTRACTS AND THAT IS SUBJECT TO PART 3 OR 4 OF THIS ARTICLE,
28 EXCEPT SUPPLEMENTAL POLICIES COVERING A SPECIFIED DISEASE OR
29 OTHER LIMITED BENEFIT, SHALL OFFER A POLICY OR CONTRACT THAT
30 INCLUDES COVERAGE FOR MATERNITY CARE IN THE SAME MANNER AS ANY
31 OTHER SICKNESS, INJURY, DISEASE, OR CONDITION THAT IS COVERED IN
32 THE POLICY."
33

34 Respectfully submitted,
35

35 House Committee:
36 (signed)
37 Spencer Swalm
38

Senate Committee:
(signed)
Mark Sheffel
39

40
41 **SIGNING OF BILLS--RESOLUTIONS--MEMORIALS**
42

43 The Speaker has signed: SB10-098, 166, 172 and 176.
44
45

46
47 **MESSAGE(S) FROM THE SENATE**
48

49 The Senate has adopted the First Majority Report of the First Conference
50 on HB10-1021, as printed in Senate Journal, April 20, 2010, page 955,
51 and repassed the bill as amended .
52 The bill is returned herewith.
53
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MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 22nd day of April, 2010, at 9:20 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 21, 2010

To the Honorable House of Representatives
Sixty-seventh General Assembly
Second 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:

HB10-1058 CONCERNING THE AUTHORITY OF THE DEPARTMENT OF REVENUE TO IMPOSE A CIVIL PENALTY FOR UNSTAMPED CIGARETTES, AND MAKING AN APPROPRIATION THEREFOR.

Approved April 21, 2010 at 2:29 p.m.

HB10-1062 CONCERNING THE ABILITY TO ALLOW A COUNTY TO PURCHASE CRIME INSURANCE COVERAGE IN LIEU OF SURETY BONDS.

Approved April 21, 2010 at 2:32 p.m.

HB10-1083 CONCERNING THE AUTHORITY OF THE STATE TO ENTER INTO LEASE-PURCHASE AGREEMENTS FOR A DAY SURGERY CENTER.

Approved April 21, 2010 at 2:30 p.m.

HB10-1236 CONCERNING THE CONTINUATION OF THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS BY THE STATE BOARD OF ACCOUNTANCY.

Approved April 21, 2010 at 2:17 p.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

LAY OVER OF CALENDAR ITEM(S)

1
2
3 On motion of Representative Weissmann, the following item(s) on the
4 Calendar (was)were laid over until April 23, retaining place on Calendar:
5
6 Consideration of Third Reading--**HB10-1393**.
7 Consideration of General Orders--**HCR10-1002**.
8 Consideration of Conference Committee Report(s)--**HB10-1099**.
9 Consideration of Resolution(s)--**HJR10-1020, 1021, SJR10-025,**
10 **HJR10-1023, 1019, 1024, 1025**.
11 Consideration of Senate Amendment(s)---**HB10-1188, 1118, 1133, 1147,**
12 **1149, 1328**.

13
14
15 On motion of Representative Weissmann, the House adjourned until
16 9:10 a.m., April 23, 2010.

17
18
19
20
21 Attest:
22 MARILYN EDDINS,
23 Chief Clerk

Approved:
TERRANCE D. CARROLL,
Speaker

