

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

Fifty-second Legislative Day

Friday, February 29, 2008

1 Prayer by Father Tom Carzon, Holy Ghost Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Josallyn Atadero and Haley Watkins, Falcon
6 Bluffs Middle School, Littleton.
7
8 The roll was called with the following result:
9
10 Present--63.
11 Excused--Representatives McGihon, Summers--2.

12
13 The Speaker declared a quorum present.
14
15

16 On motion of Representative Gagliardi, the reading of the journal of
17 February 28, 2008, was declared dispensed with and approved as
18 corrected by the Chief Clerk.
19
20

MESSAGE FROM THE SENATE

21
22
23
24 The Senate has adopted and transmits herewith: SJR08-013.
25
26

INTRODUCTION OF RESOLUTION

27
28
29
30 The following resolution was read by title and laid over until later in the
31 day:
32

33 **SJR08-013** by Senator(s) Schwartz; also Representative(s) Kerr A.--
34 Concerning the PeaceJam Foundation, and, in connection
35 therewith, honoring 1980 Nobel Peace Laureate Adolfo
36 Perez Esquivel for his work with youth and his
37 contributions toward global peace.
38
39
40
41
42
43

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 **SB08-062** by Senator(s) Groff; also Representative(s) Marshall--
8 Concerning the authority of certain agencies within the
9 department of regulatory agencies to share information
10 regarding misconduct by entities licensed by the
11 department with other licensing agencies within the
12 department.

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
17 bill was declared **passed**.

	YES	62	NO	01	EXCUSED	02	ABSENT	00
20	Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
21	Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
22	Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
23	Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
24	Buescher	Y	Jahn	Y	May	Y	Solano	Y
25	Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
26	Carroll M	Y	Kefalas	Y	McGihon	E	Soper	Y
27	Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
28	Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
29	Curry	Y	King	Y	Merrifield	Y	Summers	E
30	Ferrandino	Y	Labuda	Y	Middleton	Y	Swalm	Y
31	Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
32	Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
33	Gagliardi	Y	Liston	Y	Pommer	Y	Weissmann	Y
34	Gallegos	Y	Looper	Y	Primavera	Y	White	Y
35	Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
36							Speaker	Y

37 Co-sponsors added: Representatives Carroll T, Labuda.

38
39 **SB08-120** by Senator(s) Penry; also Representative(s) Rice--
40 Concerning authorization of the use of a paycard by an
41 employer to pay wages to an employee.

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
46 bill was declared **passed**.

	YES	62	NO	01	EXCUSED	02	ABSENT	00
49	Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
50	Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
51	Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
52	Bruce	Y	Hodge	Y	Massey	Y	Scanlan	Y
53	Buescher	Y	Jahn	Y	May	Y	Solano	Y
54	Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
55	Carroll M	Y	Kefalas	Y	McGihon	E	Soper	Y
56	Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y

1	Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
2	Curry	Y	King	Y	Merrifield	Y	Summers	E
3	Ferrandino	Y	Labuda	Y	Middleton	Y	Swalm	Y
4	Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
5	Frangas	N	Levy	Y	Peniston	Y	Vaad	Y
6	Gagliardi	Y	Liston	Y	Pommer	Y	Weissmann	Y
7	Gallegos	Y	Looper	Y	Primavera	Y	White	Y
8	Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
9							Speaker	Y

10 Co-sponsors added: Representatives Carroll T, Casso, Jahn, Liston.

11
12 **SB08-015** by Senator(s) Kester; also Representative(s) Peniston--
13 Concerning the deposit of moneys belonging to a
14 cemetery district with the county treasurer of the county in
15 which the cemetery district is located.

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
20 bill was declared **passed**.

21	YES	63	NO	00	EXCUSED	02	ABSENT	00
22								
23	Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
24	Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
25	Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
26	Bruce	Y	Hodge	Y	Massey	Y	Scanlan	Y
27	Buescher	Y	Jahn	Y	May	Y	Solano	Y
28	Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
29	Carroll M	Y	Kefalas	Y	McGihon	E	Soper	Y
30	Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
31	Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
32	Curry	Y	King	Y	Merrifield	Y	Summers	E
33	Ferrandino	Y	Labuda	Y	Middleton	Y	Swalm	Y
34	Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
35	Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
36	Gagliardi	Y	Liston	Y	Pommer	Y	Weissmann	Y
37	Gallegos	Y	Looper	Y	Primavera	Y	White	Y
38	Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
39							Speaker	Y

40 Co-sponsor added: Representative Sonnenberg

41
42 **HB08-1244** by Representative(s) Scanlan; also Senator(s) Gibbs--
43 Concerning continuation of the passenger tramway safety
44 board, and, in connection therewith, making changes to
45 the composition of the board.

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
50 bill was declared **passed**.

51	YES	57	NO	06	EXCUSED	02	ABSENT	00
52								
53	Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
54	Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
55	Borodkin	Y	Green	Y	Marshall	Y	Rose	N
56	Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y

1	Buescher	Y	Jahn	Y	May	Y	Solano	Y
2	Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
3	Carroll M	Y	Kefalas	Y	McGihon	E	Soper	Y
4	Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
5	Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
6	Curry	Y	King	Y	Merrifield	Y	Summers	E
7	Ferrandino	Y	Labuda	Y	Middleton	Y	Swalm	Y
8	Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
9	Frangas	N	Levy	Y	Peniston	Y	Vaad	Y
10	Gagliardi	Y	Liston	Y	Pommer	Y	Weissmann	N
11	Gallegos	Y	Looper	N	Primavera	Y	White	Y
12	Gardner B	N	Lundberg	Y	Rice	Y	Witwer	Y
13							Speaker	Y

14
 15 **SB08-078** by Senator(s) Renfroe; also Representative(s)
 16 Sonnenberg--Concerning a requirement that governmental
 17 entities adopt standards to promote energy efficiency in
 18 the distribution of grant moneys from the state historical
 19 fund to benefit historic properties.

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
 24 bill was declared **passed**.

25	YES	63	NO	00	EXCUSED	02	ABSENT	00
27	Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
28	Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
29	Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
30	Bruce	Y	Hodge	Y	Massey	Y	Scanlan	Y
31	Buescher	Y	Jahn	Y	May	Y	Solano	Y
32	Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
33	Carroll M	Y	Kefalas	Y	McGihon	E	Soper	Y
34	Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
35	Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
36	Curry	Y	King	Y	Merrifield	Y	Summers	E
37	Ferrandino	Y	Labuda	Y	Middleton	Y	Swalm	Y
38	Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
39	Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
40	Gagliardi	Y	Liston	Y	Pommer	Y	Weissmann	Y
41	Gallegos	Y	Looper	Y	Primavera	Y	White	Y
42	Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
43							Speaker	Y

44 Co-sponsors added: Representatives Borodkin, Buescher, Ferrandino, Frangas,
 45 Labuda, Lambert, Lundberg, Merrifield, Peniston, Rose, Soper, Todd, Speaker.

46
 47
 48 **HB08-1339** by Representative(s) Scanlan, Rice, Solano; also
 49 Senator(s) Gibbs--Concerning school bus safety signals
 50 requirements.

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
 55 bill was declared **passed**.

	YES	63	NO	00	EXCUSED	02	ABSENT	00
1								
2	Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
3	Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
4	Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
5	Bruce	Y	Hodge	Y	Massey	Y	Scanlan	Y
6	Buescher	Y	Jahn	Y	May	Y	Solano	Y
7	Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
8	Carroll M	Y	Kefalas	Y	McGihon	E	Soper	Y
9	Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
10	Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
11	Curry	Y	King	Y	Merrifield	Y	Summers	E
12	Ferrandino	Y	Labuda	Y	Middleton	Y	Swalm	Y
13	Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
14	Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
15	Gagliardi	Y	Liston	Y	Pommer	Y	Weissmann	Y
16	Gallegos	Y	Looper	Y	Primavera	Y	White	Y
17	Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Benefield, Borodkin, Casso, Jahn, Kerr A,
 20 Kerr J, King, Massey, Merrifield, Middleton, Todd.

21
 22
 23
 24 **SB08-126** by Senator(s) Johnson, Keller, Morse; also
 25 Representative(s) White, Buescher, Pommer--Concerning
 26 cash funds of state-supported institutions of higher
 27 education, and, in connection therewith, repealing the
 28 provision that limits the amount of cash fund revenues
 29 subject to the constitutional limitation on state fiscal year
 30 spending that a state-supported institution of higher
 31 education may raise, spend, or transfer to reserves during
 32 a fiscal year to the amount of cash funds appropriated in
 33 the long appropriations bill to the governing board or
 34 board of trustees of the institution for the fiscal year.

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**.

	YES	58	NO	05	EXCUSED	02	ABSENT	00
41								
42	Balmer	Y	Gardner C	N	Madden	Y	Riesberg	Y
43	Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
44	Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
45	Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
46	Buescher	Y	Jahn	Y	May	Y	Solano	Y
47	Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
48	Carroll M	Y	Kefalas	Y	McGihon	E	Soper	Y
49	Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
50	Casso	Y	Kerr J	Y	McNulty	N	Stephens	Y
51	Curry	Y	King	Y	Merrifield	Y	Summers	E
52	Ferrandino	Y	Labuda	Y	Middleton	Y	Swalm	Y
53	Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
54	Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
55	Gagliardi	Y	Liston	Y	Pommer	Y	Weissmann	N
56	Gallegos	Y	Looper	N	Primavera	Y	White	Y

1	Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
2							Speaker	Y

3 Co-sponsors added: Representatives McFadyen, Todd.

4
5
6

7 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

8
9 **HB08-1069** by Representative(s) Curry; also Senator(s) Tochtrop--
10 Concerning a prohibition against operating a motor
11 vehicle on public land unless the public land is authorized
12 for such use by the controlling land management agency,
13 and, in connection therewith, authorizing peace officers to
14 enforce the prohibition.

15
16 (Amended as printed in Senate Journal, February 26, page 368.)

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

21	YES	49	NO	14	EXCUSED	02	ABSENT	00
22	Balmer	Y	Gardner C	N	Madden	Y	Riesberg	Y
23	Benefield	Y	Garza-Hicks	N	Marostica	Y	Roberts	Y
24	Borodkin	Y	Green	Y	Marshall	Y	Rose	N
25	Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
26	Buescher	Y	Jahn	Y	May	Y	Solano	Y
27	Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	N
28	Carroll M	Y	Kefalas	Y	McGihon	E	Soper	Y
29	Carroll T	Y	Kerr A	Y	McKinley	N	Stafford	Y
30	Casso	Y	Kerr J	N	McNulty	Y	Stephens	Y
31	Curry	Y	King	Y	Merrifield	Y	Summers	E
32	Ferrandino	Y	Labuda	Y	Middleton	Y	Swalm	N
33	Fischer	Y	Lambert	N	Mitchell	Y	Todd	Y
34	Frangas	Y	Levy	Y	Peniston	Y	Vaad	N
35	Gagliardi	Y	Liston	N	Pommer	Y	Weissmann	Y
36	Gallegos	Y	Looper	Y	Primavera	Y	White	Y
37	Gardner B	N	Lundberg	N	Rice	Y	Witwer	N
38							Speaker	Y

39
40
41 The question being, "Shall the bill, as amended, 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
44 bill, as amended, was declared **repassed**.

45	YES	43	NO	20	EXCUSED	02	ABSENT	00
46	Balmer	N	Gardner C	N	Madden	Y	Riesberg	Y
47	Benefield	Y	Garza-Hicks	N	Marostica	N	Roberts	Y
48	Borodkin	Y	Green	Y	Marshall	Y	Rose	N
49	Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
50	Buescher	Y	Jahn	Y	May	N	Solano	Y
51	Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	N
52	Carroll M	Y	Kefalas	Y	McGihon	E	Soper	Y
53	Carroll T	Y	Kerr A	Y	McKinley	N	Stafford	Y
54	Casso	Y	Kerr J	N	McNulty	N	Stephens	N
55	Curry	Y	King	Y	Merrifield	Y	Summers	E

1	Ferrandino	Y	Labuda	Y	Middleton	Y	Swalm	N
2	Fischer	Y	Lambert	N	Mitchell	N	Todd	Y
3	Frangas	Y	Levy	Y	Peniston	Y	Vaad	N
4	Gagliardi	Y	Liston	N	Pommer	Y	Weissmann	Y
5	Gallegos	Y	Looper	N	Primavera	Y	White	Y
6	Gardner B	N	Lundberg	N	Rice	Y	Witwer	Y
7							Speaker	Y

8 Co-sponsors added: Representatives King, Soper.

9
10 **HB08-1296** by Representative(s) Buescher, Pommer, White; also
11 Senator(s) Keller, Morse, Johnson--Concerning a
12 supplemental appropriation to the department of public
13 health and environment.

14
15 (House concurred in Senate amendments as printed in House Journal,
16 February 28, page 687.)

17
18 The question being, "Shall the bill, as amended, 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
21 bill, as amended, was declared **repassed**.

22	YES	49	NO	14	EXCUSED	02	ABSENT	00
23	Balmer	Y	Gardner C	N	Madden	Y	Riesberg	Y
24	Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
25	Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
26	Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
27	Buescher	Y	Jahn	Y	May	Y	Solano	Y
28	Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	N
29	Carroll M	Y	Kefalas	Y	McGihon	E	Soper	Y
30	Carroll T	Y	Kerr A	Y	McKinley	N	Stafford	Y
31	Casso	Y	Kerr J	Y	McNulty	N	Stephens	N
32	Curry	Y	King	Y	Merrifield	Y	Summers	E
33	Ferrandino	Y	Labuda	Y	Middleton	Y	Swalm	Y
34	Fischer	Y	Lambert	N	Mitchell	N	Todd	Y
35	Frangas	Y	Levy	Y	Peniston	Y	Vaad	N
36	Gagliardi	Y	Liston	N	Pommer	Y	Weissmann	N
37	Gallegos	Y	Looper	Y	Primavera	Y	White	Y
38	Gardner B	N	Lundberg	N	Rice	Y	Witwer	N
39							Speaker	Y

42 43 44 45 46 47 48 49 50 51 52 53 54 55 56

CONSIDERATION OF RESOLUTION

On motion of Representative T. Carroll, the rules were suspended and the following resolution was given immediate consideration.

SJR08-013 by Senator(s) Schwartz; also Representative(s) Kerr A.--
Concerning the PeaceJam Foundation, and, in connection
therewith, honoring 1980 Nobel Peace Laureate Adolfo
Perez Esquivel for his work with youth and his
contributions toward global peace.

(Printed and placed in member's file).

1 On motion of Representative A. Kerr, the resolution was read at length
2 and **adopted** by **viva voce** vote.

3
4 Co-sponsors added: Representatives Benefield, Borodkin, Buescher, Butcher,
5 Carroll M, Carroll T, Casso, Curry, Ferrandino, Fischer, Frangas, Gagliardi,
6 Gallegos, Gardner B, Garza-Hicks, Green, Hodge, Jahn, Judd, Kefalas, Kerr A,
7 Kerr J, King, Labuda, Levy, Looper, Madden, Marostica, Marshall, Massey,
8 May, McFadyen, McKinley, Merrifield, Middleton, Mitchell, Peniston,
9 Pommer, Primavera, Rice, Riesberg, Roberts, Rose, Scanlan, Solano,
10 Sonnenberg, Soper, Stafford, Stephens, Swalm, Todd, Vaad, Weissmann,
11 White, Witwer, Speaker.

12 _____
13
14
15 On motion of Representative T. Carroll, **SB08-046, 008, 032** were added
16 to the Special Orders Calendar on Friday, February 29, 2008.

17 _____
18
19 On motion of Representative M. Carroll, the House resolved itself into
20 Committee of the Whole for consideration of Special Orders and she was
21 called to the Chair to act as Chairman.

22 _____
23
24 **SPECIAL 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 On motion of Representative T. Carroll, consideration of **SB08-018** was
35 laid over until March 3, retaining place on Calendar.

36
37 **SB08-046** by Senator(s) Veiga; also Representative(s) Judd--
38 Concerning an increase in compensation for members of
39 the board of directors of the regional transportation
40 district to twelve thousand dollars per annum.

41
42 Ordered revised and placed on the Calendar for Third Reading and Final
43 Passage.

44
45 **SB08-008** by Senator(s) Windels, Boyd; also Representative(s)
46 Solano, Stafford--Concerning the addition of a
47 representative from the department of health care policy
48 and financing to the task force for the continuing
49 examination of the treatment of persons with mental
50 illness who are involved in the criminal and juvenile
51 justice systems.

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

55
56

1 **SB08-032** by Senator(s) Harvey; also Representative(s) McNulty--
 2 Concerning the authority of a sworn bonding
 3 commissioner to apply to the court for a hearing on the
 4 issue of a breach of a condition of the bond.

5
 6 Amendment No. 1, by Representative McNulty.

7
 8 Amend reengrossed bill, page 2, line 10, after the period, insert "UPON
 9 ISSUANCE OF THE WARRANT, THE BONDING COMMISSIONER SHALL NOTIFY
 10 THE BAIL BOND AGENT OF RECORD, IF APPLICABLE.".

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

14
 15
 16 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

17
 18 Passed Second Reading: **SB08-046, 008, 032 amended.**

19
 20 Laid over until date indicated retaining place on Calendar: **SB08-018--**
 21 March 3, 2008.

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	63	NO	00	EXCUSED	02	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	Y	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	E	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	E
Ferrandino	Y	Labuda	Y	Middleton	Y	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	Y	Liston	Y	Pommer	Y	Weissmann	Y
Gallegos	Y	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

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 48 **REPORTS OF COMMITTEES OF REFERENCE**

49
 50 **APPROPRIATIONS**

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

53
 54 **HB08-1027** be amended as follows, and as so amended, be referred to
 55 the Committee of the Whole with favorable
 56 recommendation:

1 Amend the printed bill, page 17, after line 11, insert the following:

2
3 **"SECTION 5. Appropriation.** (1) In addition to any other
4 appropriation, there is hereby appropriated, out of any moneys in the
5 public safety inspection fund created in section 8-1-151, Colorado
6 Revised Statutes, not otherwise appropriated, to the department of labor
7 and employment, for allocation to the division of oil and public safety,
8 for the fiscal year beginning July 1, 2008, the sum of three hundred thirty-
9 two thousand six hundred thirty-four dollars (\$332,634) cash funds and
10 1.0 FTE, or so much thereof as may be necessary, for the implementation
11 of this act.

12
13 (2) In addition to any other appropriation, there is hereby
14 appropriated to the department of public safety, office of preparedness,
15 security, and fire safety, for the fiscal year beginning July 1, 2008, the
16 sum of two hundred fifty-four thousand one hundred forty-four dollars
17 (\$254,144) and 3.5 FTE, or so much thereof as may be necessary, for the
18 implementation of this act. Said sum shall be from reappropriated funds
19 received from the department of labor and employment out of the
20 appropriation made in subsection (1) of this section."

21
22 Renumber succeeding section accordingly.

23
24 Page 1, line 102, strike "INSTITUTIONS." and substitute "INSTITUTIONS,
25 AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

26
27
28
29 **HB08-1231** be referred to the Committee of the Whole with favorable
30 recommendation.

31
32
33 **HB08-1234** 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 3, after line 2, insert the following:

38 **"SECTION 2. Adjustments to the 2008 long bill.** For the
39 implementation of this act, appropriations made in the annual general
40 appropriation act for the fiscal year beginning July 1, 2008, for the
41 licensure of ambulatory surgical centers, from the health facilities general
42 licensure cash fund created in section 25-3-103.1 (1), Colorado Revised
43 Statutes, to the department of public health and environment, health
44 facilities and emergency medical services division, licensure, health
45 facilities general licensure, shall be adjusted as follows:

46
47 (a) The appropriation for personal services is decreased by eleven
48 thousand seventy-one dollars (\$11,071) cash funds, and 0.2 FTE.

49
50 (b) The appropriation for operating expenses is decreased by four
51 thousand four hundred ninety-eight dollars (\$4,498) cash funds."

52
53 Renumber succeeding section accordingly.

54
55 Page 1, line 101, strike "CENTERS." and substitute "CENTERS, AND
56 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

1 **HB08-1240** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB08-1241** be referred to the Committee of the Whole with favorable
6 recommendation.
7

8
9 **HB08-1257** 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 5, after line 5, insert the following:
14

15 **"SECTION 4. Appropriation.** In addition to any other
16 appropriation, there is hereby appropriated to the department of law, for
17 the fiscal year beginning July 1, 2008, the sum of ten thousand eight
18 hundred ninety dollars (\$10,890), or so much thereof as may be
19 necessary, for the provision of legal services to the department of
20 transportation related to the implementation of this act. Said sum shall be
21 from reappropriated funds received from the department of
22 transportation." .
23

24 Renumber succeeding section accordingly.
25

26 Page 1, line 102, strike "**LOAD.**" and substitute "**LOAD, AND MAKING AN**
27 **APPROPRIATION IN CONNECTION THEREWITH.**".
28

29
30
31 **HB08-1268** 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 Health and Human Services Committee Report, dated
36 February 18, 2008, page 2, after line 35, insert the following:

37 **"SECTION 4.** 24-75-402 (5), Colorado Revised Statutes, is
38 amended BY THE ADDITION OF A NEW PARAGRAPH to read:
39

40 **24-75-402. Cash funds - limit on uncommitted reserves -**
41 **reduction in amount of fees - exclusions.** (5) Notwithstanding any
42 provision of this section to the contrary, the following cash funds are
43 excluded from the limitations specified in this section:
44

45 (t) THE DEPARTMENT OF HUMAN SERVICES BUILDINGS AND
46 GROUNDS CASH FUND CREATED IN SECTION 26-1-133.5 (2), C.R.S.
47

48 **SECTION 5. Appropriation.** In addition to any other
49 appropriation, there is hereby appropriated, out of any moneys in the
50 department of human services buildings and grounds cash fund created
51 in section 26-1-133.5 (2), Colorado Revised Statutes, not otherwise
52 appropriated, to the department of human services, for allocation to the
53 office of operations, for the fiscal year beginning July 1, 2008, the sum
54 of eighty-one thousand twenty-four dollars (\$81,024) cash funds and 1.0
55 FTE, or so much thereof as may be necessary, for the implementation of
56 this act." .

1 Renumber succeeding committee report section accordingly.

2

3 Page 3 of the committee report, after line 3, insert the following:

4

5 "Page 1, line 102, strike "FACILITIES." and substitute "FACILITIES, AND
6 MAKING AN APPROPRIATION THEREFOR."."

7

8

9

10 **HB08-1319** 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 4, after line 25, insert the following:

15

16 **"SECTION 5. Appropriation.** In addition to any other
17 appropriation, there is hereby appropriated, out of any moneys in the
18 building regulation fund created in section 24-32-3309 (1), Colorado
19 Revised Statutes, not otherwise appropriated, to the department of local
20 affairs, for allocation to the division of housing, for the fiscal year
21 beginning July 1, 2008 , the sum of one hundred thirteen thousand six
22 hundred thirty-two dollars (\$113,632) cash funds and 1.7 FTE, or so
23 much thereof as may be necessary, for the implementation of this act."

24

25 Renumber succeeding section accordingly.

26

27 Page 1, line 104, strike "HOUSING AND" and substitute "HOUSING,";

28

29 line 108, strike "INSPECTORS." and substitute "INSPECTORS, AND MAKING
30 AN APPROPRIATION."."

31

32

33

34

35 **BUSINESS AFFAIRS & LABOR**

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

38

39 **HB08-1131** 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 2, strike "(5), 10-3-803" and substitute
44 "(5) and 10-3-803 (6), Colorado Revised Statutes, are";

45

46 strike lines 3 and 4;

47

48 strike line 10 and substitute the following:

49

50 "COMPETITION:

51

52 (I) WHEN THE PROPOSED MERGER INVOLVES A TRANSACTION THAT
53 THE COMMISSIONER DETERMINES UNDER SECTION 10-3-803.5 (2) WOULD
54 PRESENT PRIMA FACIE EVIDENCE OF A VIOLATION OF THE COMPETITIVE
55 STANDARD; AND

56

1 (II) IF THE MERGER OR ACQUISITION INVOLVES A DOMESTIC ENTITY
2 AUTHORIZED UNDER ARTICLE 16 OF THIS TITLE OR SECTION 6-18-302 (1)
3 (b) (IV), C.R.S., OR A DOMESTIC INSURER AUTHORIZED UNDER SECTION
4 10-3-102 THAT WRITES MORE THAN FIFTY PERCENT OF ITS BUSINESS AS
5 HEALTH INSURANCE COVERAGE.

6
7 (b) THE INVESTIGATION SHALL INCLUDE AN ANALYSIS OF THE";
8
9 line 15, after "WAY.", add "THE INVESTIGATION SHALL ALSO INCLUDE, BUT
10 NOT BE LIMITED TO, REVIEWING THE MARKET CONDUCT EXAMINATION AND
11 FINANCIAL EXAMINATION REPORTS FOR THIS STATE OR ANY OTHER STATE,
12 CONSUMER COMPLAINT INFORMATION FROM RECORDS MAINTAINED BY THE
13 DIVISION OR ANY OTHER STATE REGULATORY AGENCY, AND ANY
14 INFORMATION FROM ANY STATE OR FEDERAL AGENCY RELATED TO THE
15 APPLICANT. THE INVESTIGATION SHALL COMMENCE NO LATER THAN
16 FIFTEEN DAYS AFTER THE FILING OF THE FORM E BY THE APPLICANT.";

17
18 strike lines 16 through 18 and substitute the following:

19
20 "(c) THE COMMISSIONER SHALL MAKE PUBLIC THE REPORT OF THE
21 INDEPENDENT INVESTIGATION CONDUCTED PURSUANT TO THIS
22 SUBSECTION (4.5) NO LATER THAN FIVE BUSINESS DAYS AFTER THE
23 SUBMISSION OF SUCH REPORT TO THE COMMISSIONER, SUBJECT TO THE
24 PROVISIONS OF THE COLORADO "OPEN RECORDS ACT", ARTICLE 72 OF
25 TITLE 24, C.R.S.

26
27 (d) THE COMMISSIONER SHALL ISSUE AN EXECUTIVE SUMMARY,
28 SUBJECT TO THE PROVISIONS OF THE COLORADO "OPEN RECORDS ACT",
29 ARTICLE 72 OF TITLE 24, C.R.S., OF THE COMPETITIVE IMPACT ANALYSIS
30 FILED BY THE APPLICANT TO THE TRANSACTION NO LATER THAN FIFTEEN
31 BUSINESS DAYS AFTER THE ANALYSIS IS FILED WITH THE DIVISION. THE
32 COMPETITIVE IMPACT ANALYSIS SHALL BE FILED BY THE APPLICANT AT THE
33 SAME TIME THE APPLICANT FILES ITS FORM E WITH THE DIVISION.".

34
35 Reletter succeeding paragraph accordingly.

36
37 Page 3, after line 6, insert the following:

38
39 "(f) THE INDEPENDENT INVESTIGATION PURSUANT TO THIS
40 SUBSECTION (4.5) SHALL BE COMPLETED NO LATER THAN THE DAY ON
41 WHICH THE APPLICATION IS DEEMED COMPLETE BY THE DIVISION OF
42 INSURANCE. THE COMMISSIONER SHALL COORDINATE THE COMPLETION OF
43 THIS INDEPENDENT INVESTIGATION WITH THE EXPERTS RETAINED
44 PURSUANT TO SUBSECTION (6) OF THIS SECTION. ANY EXPENSES
45 ASSOCIATED WITH THE INDEPENDENT INVESTIGATION SHALL BE BORNE BY
46 THE APPLICANT PURSUANT TO SUBSECTION (6) OF THIS SECTION.";

47
48 line 8, strike "~~unless~~" and substitute "unless,";

49
50 line 9, strike "ONLY IF,";

51
52 strike lines 11 through 27.

53
54 Page 4, strike lines 1 through 11 and substitute the following:

55
56 "(6) (a) THE COMMISSIONER SHALL PROVIDE PUBLIC NOTICE OF THE

1 FILING OF AN APPLICATION OF MERGER OR ACQUISITION NO LATER THAN
 2 FIVE BUSINESS DAYS AFTER THE RECEIPT OF THE INITIAL APPLICATION.
 3 THE COMMISSIONER SHALL ALSO PROVIDE A GENERAL STATEMENT TO THE
 4 PUBLIC OF THE PROCESS AND PROCEDURES CONCERNING A MERGER OR
 5 ACQUISITION OF A DOMESTIC INSURER. THIS STATEMENT SHALL BE A
 6 CLEAR AND CONCISE STATEMENT OF HOW THE PUBLIC MAY PARTICIPATE
 7 IN THE REVIEW OF A MERGER OR ACQUISITION TRANSACTION INCLUDING
 8 A PUBLIC HEARING OR PROVIDING WRITTEN COMMENTS TO THE
 9 COMMISSIONER.

10

11 (b) NO LATER THAN FIFTEEN BUSINESS DAYS AFTER THE INITIAL
 12 APPLICATION FOR A MERGER PURSUANT TO THIS SECTION, THE
 13 COMMISSIONER AND THE APPLICANT SHALL ESTABLISH THE ELEMENTS OF
 14 A PUBLIC NOTICE OF THE TRANSACTION. THE NOTICE WILL BE PROVIDED
 15 AND MADE PUBLIC NO LATER THAN SEVEN DAYS AFTER THE APPLICATION
 16 IS DEEMED COMPLETE BY THE DIVISION.

17

18 (c) The public hearing referred to in subsection (5) of this section
 19 shall be held within thirty days after the statement required by subsection
 20 (1) of this section is filed, and at least twenty days' notice thereof shall be
 21 given by the commissioner to the person filing the statement. Not less
 22 than seven";

23

24 line 12, strike "BUSINESS";

25

26 line 13, strike "SUBSECTION (1) OF THIS SECTION," and substitute
 27 "PARAGRAPH (b) OF THIS SUBSECTION (6),";

28

29 line 16, strike "~~within~~" and substitute "within";

30

31 line 17, strike "~~thirty~~ NO LATER THAN NINETY" and substitute "thirty".

32

33 Page 5, line 2, strike "(b)" and substitute "(d)";

34

35 line 4, strike "INSURER." and substitute "APPLICANT.";

36

37 strike lines 7 through 10 and substitute the following:

38

39 "(11) IF THE PROCEDURES SET FORTH IN THIS SECTION ARE NOT
 40 FOLLOWED PRIOR TO THE ISSUANCE OF THE ORDER OF THE COMMISSIONER
 41 THAT APPROVES OR DISAPPROVES THE MERGER, THE AGGRIEVED PARTY
 42 MAY SEEK REMEDIES PURSUANT TO SECTION 10-3-813.

43

44 (12) NOTHING IN THIS SECTION SHALL LIMIT THE COMMISSIONER'S
 45 ABILITY TO CONDUCT A HEARING FOR TRANSACTIONS THAT DO NOT MEET
 46 THE REQUIREMENTS IN SUBSECTION (4.5) OF THIS SECTION.";

47

48 line 22, strike "OR PRIMARILY".

49

50 Page 6, strike lines 2 through 7 and substitute the following:

51

52 "(4) The commissioner shall not disapprove an acquisition or
 53 merger on the ground that it would tend to lessen competition if:";

54

55 line 12, strike "OR";

56

57 line 13, strike "PRIMARILY".

1 **HB08-1170** 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 the following:
7

8 **"SECTION 1.** 12-23-101 (1), (1.7), (2), and (3), Colorado
9 Revised Statutes, are amended, and the said 12-23-101 is further amended
10 BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS,
11 to read:
12

13 **12-23-101. Definitions.** As used in this article, unless the context
14 otherwise requires:
15

16 (1) "Apprentice" means a person who is required to be registered
17 ~~as such~~ under section 12-23-110.5 (3) (a), who is in compliance with ~~the~~
18 ~~provisions of~~ this article, and who is working at the trade in the
19 employment of a registered electrical contractor and is under the direct
20 supervision of a licensed master electrician, journeyman electrician, or
21 residential wireman, AND WHO, ON OR AFTER JULY 1, 2009, IS REGISTERED
22 IN A PROGRAM CERTIFIED BY THE OFFICE OF APPRENTICESHIP IN THE
23 EMPLOYMENT AND TRAINING ADMINISTRATION OF THE UNITED STATES
24 DEPARTMENT OF LABOR, OR A SUCCESSOR OFFICE.
25

26 (1.7) "Electrical work" means wiring for, installing, and repairing
27 electrical apparatus and equipment for ELECTRIC light, heat, and power.
28

29 (1.8) "ELECTRIC LIGHT, HEAT, AND POWER" MEANS THE STANDARD
30 TYPES OF ELECTRICITY THAT ARE SUPPLIED BY AN ELECTRIC UTILITY,
31 REGARDLESS OF WHETHER THE SOURCE IS AN ELECTRIC UTILITY OR THE
32 LOAD SIDE OF A RENEWABLE ENERGY SYSTEM, AND USED AND CONSUMED
33 FOR RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL PURPOSES OR IN A REAL
34 ESTATE IMPROVEMENT OR FIXTURE.
35

36 (2) "Journeyman electrician" means a person having the necessary
37 qualifications, training, experience, and technical knowledge to wire for,
38 install, and repair electrical apparatus and equipment for ELECTRIC light,
39 heat, AND power, and FOR other purposes, in accordance with standard
40 rules ~~and regulations~~ governing such work.
41

42 (3) "Master electrician" means a person having the necessary
43 qualifications, training, experience, and technical knowledge to properly
44 plan, lay out, and supervise the installation and repair of wiring apparatus
45 and equipment for electric light, heat, AND power, and FOR other
46 purposes, in accordance with standard rules ~~and regulations~~ governing
47 such work, such as the national electrical code.
48

49 (3.2) "NATIONAL ELECTRICAL CODE" MEANS THE CODE FOR THE
50 SAFE INSTALLATION OF ELECTRICAL WIRING AND EQUIPMENT, AS
51 AMENDED, PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION
52 AND APPROVED BY THE AMERICAN NATIONAL STANDARDS INSTITUTE, OR
53 SUCCESSOR ORGANIZATIONS.
54

55 **SECTION 2.** 12-23-104 (2) (f), Colorado Revised Statutes, is
56 amended to read:

1 **12-23-104. Board powers and duties.** (2) In addition to all other
2 powers and duties conferred or imposed upon the board by this article, the
3 board is authorized to:

4
5 (f) Inspect and approve or disapprove the installation within this
6 state of electrical wiring, apparatus, or equipment for ~~electrical~~ ELECTRIC
7 light, heat, ~~or~~ AND power according to the minimum standards in the
8 national electrical code or AS prescribed in this article;

9
10 **SECTION 3.** 12-23-106 (1) and (2) (a), Colorado Revised
11 Statutes, are amended to read:

12
13 **12-23-106. License requirements.** (1) (a) An applicant for a
14 master electrician's license shall furnish written evidence that:

15
16 (I) He OR SHE is a graduate electrical engineer of an accredited
17 college or university and has one year of practical electrical experience
18 in the construction industry; ~~or that~~

19
20 ~~(II) He is a graduate of an electrical trade school or community~~
21 ~~college and~~ OR SHE has at least four years of practical experience in
22 electrical work AND HAS HELD A COLORADO JOURNEYMAN ELECTRICIAN'S
23 LICENSE FOR AT LEAST ONE YEAR; ~~or that~~

24
25 (III) He OR SHE has had at least one year of practical experience
26 in planning, laying out, supervising, and installing wiring, apparatus, or
27 equipment for ~~electrical~~ ELECTRIC light, heat, and power beyond the
28 practical experience requirements for the journeyman's license.

29
30 (b) Each applicant for a license as a master electrician shall file an
31 application on forms prepared and furnished by the board, together with
32 the examination fee provided in section 12-23-112 (1). The board, not
33 less than thirty days prior to a scheduled written examination, shall notify
34 each applicant that the evidence submitted with his OR HER application is
35 sufficient to qualify him OR HER to take such written examination or that
36 such evidence is insufficient and the application is rejected. In the event
37 that the application is rejected, the board shall set forth the reasons
38 ~~therefor~~ FOR THE REJECTION in the notice to the applicant and shall
39 ~~forthwith~~ return ~~such~~ THE applicant's examination fee. The place of
40 examination shall be designated in advance by the board, and
41 examinations shall be held not less often than twice a PER CALENDAR year
42 and at such other times as, in the opinion of the board, the number of
43 applicants warrants.

44
45 (2) (a) An applicant for a journeyman electrician's license shall
46 furnish written evidence that the applicant has had at least four years'
47 apprenticeship in the electrical trade or four years' practical experience in
48 wiring for, installing, and repairing electrical apparatus and equipment for
49 ELECTRIC light, heat, and power, and shall further establish that at least
50 two of such years' experience has been in commercial, industrial, or
51 substantially similar work.

52
53 **SECTION 4.** 12-23-106 (4), Colorado Revised Statutes, is
54 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

55
56 **12-23-106. License requirements.** (4) (d) (I) BY DECEMBER 31,

1 2008, THE BOARD SHALL ADOPT RULES ESTABLISHING REQUIREMENTS FOR
 2 CONTINUING COMPETENCY PROGRAMS NECESSARY TO RENEW A LICENSE
 3 UNDER THIS ARTICLE. ON OR AFTER JULY 1, 2009, THE DEPARTMENT
 4 SHALL NOT RENEW A LICENSE UNLESS THE APPLICANT HAS COMPLETED THE
 5 REQUIRED CONTINUING COMPETENCY PROGRAM.

6
 7 (II) THE BOARD SHALL ADOPT RULES ESTABLISHING THE ELEMENTS
 8 FOR ANY CONTINUING COMPETENCY PROGRAM OFFERED TO COMPLY WITH
 9 THIS SUBSECTION (4). THE RULES SHALL REQUIRE THE LICENSEE TO
 10 COMPLETE SIXTEEN HOURS IN THE PROGRAM AND PARTICIPATE IN A
 11 PROCESS THAT MEASURES WHETHER THE LICENSEE RETAINS THE MATERIAL
 12 PRESENTED IN THE CONTINUING COMPETENCY PROGRAM.

13
 14 **SECTION 5.** 12-23-110.5 (1) and (3) (a), Colorado Revised
 15 Statutes, are amended to read:

16
 17 **12-23-110.5. Apprentices - supervision - registration -**
 18 **discipline.** (1) Any person may work as an apprentice but shall not do
 19 any electrical wiring for the installation of electrical apparatus or
 20 equipment for ELECTRIC light, heat, ~~or~~ AND power except under the
 21 supervision of a licensed electrician. The degree of supervision required
 22 shall be no more than one licensed electrician to supervise no more than
 23 three apprentices at the jobsite.

24
 25 (3) (a) Upon employing an electrical apprentice to work at the
 26 trade, the electrical contractor, within thirty days after such initial
 27 employment, shall register ~~such~~ THE apprentice with the board. ON OR
 28 AFTER JULY 1, 2009, THE APPRENTICE SHALL BE ENROLLED INTO A
 29 PROGRAM CERTIFIED BY THE OFFICE OF APPRENTICESHIP IN THE
 30 EMPLOYMENT AND TRAINING ADMINISTRATION OF THE UNITED STATES
 31 DEPARTMENT OF LABOR, OR A SUCCESSOR OFFICE, FOR THE DURATION OF
 32 THE APPRENTICESHIP. The employer shall also notify the board within
 33 thirty days after the termination of such employment.

34
 35 **SECTION 6. Effective date.** This act shall take effect at 12:01
 36 a.m. on the day following the expiration of the ninety-day period after
 37 final adjournment of the general assembly that is allowed for submitting
 38 a referendum petition pursuant to article V, section 1 (3) of the state
 39 constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008);
 40 except that, if a referendum petition is filed against this act or an item,
 41 section, or part of this act within such period, then the act, item, section,
 42 or part, if approved by the people, shall take effect on the date of the
 43 official declaration of the vote thereon by proclamation of the governor."

44
 45
 46
 47 **HB08-1226** 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 6 through 10 and substitute the
 52 following:

53
 54 "or a registered public accountant ~~of~~ WHOSE PRINCIPAL PLACE OF
 55 BUSINESS IS LOCATED IN another state or ~~any accountant who holds a~~
 56 ~~certificate, degree, or license in a foreign country, constituting a~~

1 ~~recognized qualification for the practice of public accounting in such~~
2 ~~country~~ JURISDICTION OF THE UNITED STATES, from practicing in this state
3 on professional business, ~~incident to his or her regular practice outside~~
4 ~~this state~~, as defined by rules";

5
6 after line 20, insert the following:

7
8 (I) AN ACCOUNTANT WHO HOLDS A CERTIFICATE, DEGREE, OR
9 LICENSE IN A FOREIGN COUNTRY, CONSTITUTING A RECOGNIZED
10 QUALIFICATION FOR THE PRACTICE OF PUBLIC ACCOUNTING IN SUCH
11 COUNTRY, FROM PRACTICING IN THIS STATE ON PROFESSIONAL BUSINESS
12 INCIDENT TO HIS OR HER REGULAR PRACTICE OUTSIDE THIS STATE, AS
13 DEFINED BY THE BOARD. SUCH PRACTICE SHALL BE CONDUCTED IN
14 CONFORMITY WITH RULES PROMULGATED BY THE BOARD."

15
16 Renumber succeeding subparagraphs accordingly.

17
18 Page 2, line 21, after "STATE", insert "OR JURISDICTION OF THE UNITED
19 STATES".

20
21 Page 3, after line 10, insert the following:

22
23 (c) A CERTIFIED PUBLIC ACCOUNTANT FROM ANOTHER STATE OR
24 JURISDICTION OF THE UNITED STATES WHO IS PRACTICING IN THIS STATE
25 PURSUANT TO THIS SUBSECTION (2) AND THE FIRM THAT EMPLOYS THE
26 CERTIFIED PUBLIC ACCOUNTANT SIMULTANEOUSLY CONSENT, AS A
27 CONDITION OF PRACTICING IN THIS STATE:

28
29 (I) TO BE SUBJECT TO THE JURISDICTION OF AND DISCIPLINARY
30 AUTHORITY OF THE BOARD;

31
32 (II) TO COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION (2)
33 AND RULES PROMULGATED BY THE BOARD PURSUANT TO THIS SUBSECTION
34 (2);

35
36 (III) THAT IF THE CERTIFIED PUBLIC ACCOUNTANT'S CERTIFICATE,
37 LICENSE, OR REGISTRATION ISSUED BY THE STATE IN WHICH THE CERTIFIED
38 PUBLIC ACCOUNTANT'S PRINCIPAL PLACE OF BUSINESS IS LOCATED IS NO
39 LONGER VALID, THE CERTIFIED PUBLIC ACCOUNTANT WILL CEASE TO OFFER
40 OR RENDER PROFESSIONAL SERVICES IN THIS STATE, EITHER INDIVIDUALLY
41 OR ON BEHALF OF A FIRM; AND

42
43 (IV) TO APPOINT THE STATE BOARD OR ENTITY THAT ISSUED A
44 CERTIFICATE, LICENSE, OR REGISTRATION TO THE CERTIFIED PUBLIC
45 ACCOUNTANT AS THE AGENT FOR SERVICE OF PROCESS IN ANY ACTION OR
46 PROCEEDING BROUGHT BY THE BOARD AGAINST THE CERTIFIED PUBLIC
47 ACCOUNTANT.

48
49 (d) THE BOARD MAY RECOVER ITS REASONABLE COSTS INCURRED
50 AS PART OF ITS INVESTIGATIVE, ADMINISTRATIVE, AND DISCIPLINARY
51 PROCEEDINGS AGAINST A CERTIFIED PUBLIC ACCOUNTANT FROM ANOTHER
52 STATE OR JURISDICTION OF THE UNITED STATES OR FROM A FOREIGN
53 COUNTRY IF THE BOARD:

54
55 (I) ENTERS A FINAL ORDER AGAINST THE CERTIFIED PUBLIC
56 ACCOUNTANT, FINDING THAT THE CERTIFIED PUBLIC ACCOUNTANT

1 VIOLATED A PROVISION OF THIS ARTICLE, A RULE ADOPTED BY THE BOARD,
2 OR AN ORDER OF THE BOARD WITH WHICH THE CERTIFIED PUBLIC
3 ACCOUNTANT IS OBLIGATED TO COMPLY AND THE BOARD HAS THE
4 AUTHORITY TO ENFORCE; OR

5
6 (II) ENTERS INTO A CONSENT OR SETTLEMENT AGREEMENT IN
7 WHICH THE BOARD FINDS, OR THE CERTIFIED PUBLIC ACCOUNTANT ADMITS
8 OR DOES NOT CONTEST, THAT HE OR SHE VIOLATED A PROVISION OF THIS
9 ARTICLE, A RULE ADOPTED BY THE BOARD, OR AN ORDER OF THE BOARD
10 WITH WHICH THE CERTIFIED PUBLIC ACCOUNTANT IS OBLIGATED TO
11 COMPLY AND THE BOARD HAS THE AUTHORITY TO ENFORCE."

12
13 Page 4, line 2, before "Any", insert "(1)";

14
15 after line 12, insert the following:

16
17 "(2) ANY PERSON AUTHORIZED TO USE THE TITLE "CERTIFIED
18 PUBLIC ACCOUNTANT" OR THE ABBREVIATION "C.P.A." SHALL PROVIDE TO
19 ANY CLIENT RESIDING IN OR HEADQUARTERED IN COLORADO, DURING THE
20 COURSE OF AN ENGAGEMENT, AN ADDRESS AND TELEPHONE NUMBER FOR
21 THE CERTIFIED PUBLIC ACCOUNTANT'S FIRM OR, IN THE CASE OF A SOLE
22 PRACTITIONER, THE ADDRESS AND TELEPHONE NUMBER OF THE SOLE
23 PRACTITIONER."

24
25
26
27 **HB08-1311** be postponed indefinitely.

28
29
30 **SB08-082** be referred favorably to the Committee on Finance.

31
32
33
34
35 **EDUCATION**

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

38
39 **HB08-1336** 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 4, line 4, strike "services" and substitute
44 "services, AND OTHER SERVICES PROVIDED PURSUANT TO SECTION 22-33-
45 204,".

46
47
48
49 **HB08-1344** be referred favorably to the Committee on Judiciary.

50
51
52
53
54
55

1 **LOCAL GOVERNMENT**

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

4
5 **HB08-1259** 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 1 of title 32, Colorado Revised
13 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
14 read:

15
16 **32-1-104.5. Audit and budget requirements - description - web**
17 **site.** (1) THE DIVISION SHALL POST ON THE OFFICIAL WEB SITE OF THE
18 DIVISION, IN A FORM THAT IS READILY ACCESSIBLE TO THE PUBLIC:

19
20 (a) A GENERAL DESCRIPTION IN PLAIN, NONTECHNICAL LANGUAGE
21 OF THE REQUIREMENTS FOR A SPECIAL DISTRICT TO HAVE AN ANNUAL
22 AUDIT OF THE FINANCIAL STATEMENTS OF THE DISTRICT PREPARED IN
23 ACCORDANCE WITH THE "COLORADO LOCAL GOVERNMENT AUDIT LAW",
24 PART 6 OF ARTICLE 1 OF TITLE 29, C.R.S., AND INFORMATION ABOUT
25 WHERE A COPY OF THE AUDIT REPORT IS AVAILABLE FOR PUBLIC
26 INSPECTION; AND

27
28 (b) A GENERAL DESCRIPTION IN PLAIN, NONTECHNICAL LANGUAGE
29 OF THE PROCESS AND REQUIREMENTS FOR A SPECIAL DISTRICT TO ADOPT
30 AN ANNUAL BUDGET IN ACCORDANCE WITH THE "LOCAL GOVERNMENT
31 BUDGET LAW OF COLORADO", PART 1 OF ARTICLE 1 OF TITLE 29, C.R.S.,
32 AND INFORMATION ABOUT WHERE A COPY OF THE BUDGET IS AVAILABLE
33 FOR PUBLIC INSPECTION.

34
35 **SECTION 2.** 32-1-805, Colorado Revised Statutes, is amended
36 BY THE ADDITION OF A NEW SUBSECTION to read:

37
38 **32-1-805. Time for holding elections - type of election -**
39 **manner of election - notice - permanent mail-in voters.** (5) (a) THE
40 BOARD SHALL MAINTAIN A LIST OF ELIGIBLE ELECTORS OF THE SPECIAL
41 DISTRICT WHO HAVE APPLIED FOR PERMANENT MAIL-IN VOTER STATUS
42 EITHER BY FILING A REQUEST WITH THE COUNTY CLERK AND RECORDER IN
43 ACCORDANCE WITH SECTION 1-8-104.5 (1), C.R.S., OR BY RETURNING TO
44 THE BOARD THE APPROPRIATE PORTION OF A NOTICE SENT PURSUANT TO
45 SECTION 32-1-809.

46
47 (b) UPON REQUEST BY THE BOARD, THE CLERK AND RECORDER OF
48 A COUNTY IN WHICH THE SPECIAL DISTRICT IS WHOLLY OR PARTIALLY
49 LOCATED SHALL PROVIDE TO THE BOARD THE NAMES AND ADDRESSES OF
50 ELIGIBLE ELECTORS OF THE COUNTY WHO ARE ALSO ELIGIBLE ELECTORS OF
51 THE SPECIAL DISTRICT AND WHO HAVE APPLIED FOR PERMANENT MAIL-IN
52 VOTER STATUS IN ACCORDANCE WITH SECTION 1-8-104.5 (1), C.R.S.

53
54 (c) IN AN ELECTION CONDUCTED BY THE BOARD, THE BOARD SHALL
55 MAIL A MAIL-IN BALLOT TO EACH ELIGIBLE ELECTOR ON THE LIST
56 MAINTAINED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (5).

1 **SECTION 3.** Part 8 of article 1 of title 32, Colorado Revised
2 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
3 read:

4
5 **32-1-809. Notice to electors.** (1) NO LATER THAN JUNE 15 OF
6 EACH YEAR, A SPECIAL DISTRICT SHALL MAIL TO EACH HOUSEHOLD WHERE
7 ONE OR MORE ELIGIBLE ELECTORS OF THE DISTRICT RESIDES A NOTICE
8 CONTAINING:

9
10 (a) THE ADDRESS AND TELEPHONE NUMBER OF THE PRINCIPAL
11 BUSINESS OFFICE OF THE SPECIAL DISTRICT;

12
13 (b) THE NAME AND BUSINESS TELEPHONE NUMBER OF THE
14 MANAGER OR OTHER PRIMARY CONTACT PERSON OF THE SPECIAL DISTRICT;

15
16 (c) THE NAMES OF THE MEMBERS OF THE BOARD OF THE SPECIAL
17 DISTRICT, INDICATING EACH MEMBER WHOSE OFFICE WILL BE ON THE
18 BALLOT AT THE NEXT REGULAR SPECIAL DISTRICT ELECTION;

19
20 (d) THE TIMES AND PLACES DESIGNATED FOR REGULARLY
21 SCHEDULED MEETINGS OF THE BOARD OF THE SPECIAL DISTRICT DURING
22 THE YEAR AND THE PLACE WHERE NOTICE OF BOARD MEETINGS IS POSTED
23 PURSUANT TO SECTION 24-6-402 (2) (c), C.R.S.;

24
25 (e) THE TOTAL AD VALOREM TAX LEVY ASSESSED BY THE SPECIAL
26 DISTRICT;

27
28 (f) THE DATE OF THE NEXT REGULAR SPECIAL DISTRICT ELECTION
29 AT WHICH MEMBERS OF THE BOARD WILL BE ELECTED;

30
31 (g) INFORMATION ON THE PROCEDURE AND TIME FOR AN ELIGIBLE
32 ELECTOR OF THE SPECIAL DISTRICT TO SUBMIT A SELF-NOMINATION FORM
33 FOR ELECTION TO THE BOARD OF THE DISTRICT; AND

34
35 (h) A FORM THAT ALLOWS THE ELIGIBLE ELECTOR TO REQUEST
36 PERMANENT MAIL-IN VOTER STATUS PURSUANT TO SECTION 1-8-104.5,
37 C.R.S.

38
39 (2) A SPECIAL DISTRICT MAY COMPLY WITH THE REQUIREMENT OF
40 SUBSECTION (1) OF THIS SECTION BY:

41
42 (a) INCLUDING THE NOTICE AS A PROMINENT PART OF A
43 NEWSLETTER, ANNUAL REPORT, BILLING INSERT, LETTER, VOTER
44 INFORMATION CARD OR OTHER NOTICE OF ELECTION, OR OTHER
45 INFORMATIONAL MAILING SENT BY THE SPECIAL DISTRICT TO THE ELIGIBLE
46 ELECTORS OF THE DISTRICT; OR

47
48 (b) POSTING THE INFORMATION ON THE OFFICIAL WEB SITE OF THE
49 SPECIAL DISTRICT, IF THERE IS A LINK TO THE DISTRICT'S WEB SITE ON THE
50 OFFICIAL WEB SITE OF THE DIVISION OF LOCAL GOVERNMENT IN THE
51 DEPARTMENT OF LOCAL AFFAIRS.

52
53 (3) A SPECIAL DISTRICT SHALL:

54
55 (a) FILE A COPY OF THE NOTICE REQUIRED BY SUBSECTION (1) OF
56 THIS SECTION WITH THE CLERK AND RECORDER OF EACH COUNTY IN WHICH

1 THE DISTRICT IS LOCATED AND WITH THE DIVISION; AND

2

3 (b) MAKE A COPY OF THE NOTICE REQUIRED BY SUBSECTION (1) OF
4 THIS SECTION AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE
5 SPECIAL DISTRICT.

6

7 (4) SPECIAL DISTRICTS WITH OVERLAPPING BOUNDARIES MAY
8 COMBINE THE NOTICES REQUIRED BY SUBSECTION (1) OF THIS SECTION, SO
9 LONG AS THE INFORMATION REGARDING EACH DISTRICT IS SEPARATELY
10 DISPLAYED AND IDENTIFIED.

11

12 **SECTION 4.** 38-35.7-101, Colorado Revised Statutes, is
13 amended, BY THE ADDITION OF THE FOLLOWING NEW
14 SUBSECTIONS, to read:

15

16 **38-35.7-101. Disclosure - special taxing districts - general**
17 **obligation indebtedness.** (3) IN ADDITION TO THE DISCLOSURE
18 STATEMENT REQUIRED BY SUBSECTION (1) OF THIS SECTION, THE SELLER
19 OF RESIDENTIAL REAL PROPERTY SHALL PROVIDE TO THE PURCHASER OF
20 THE PROPERTY, NO LATER THAN THE TIME OF EXECUTION OF THE
21 CONTRACT FOR SALE, A LIST OF ALL SPECIAL TAXING DISTRICTS IN WHICH
22 THE PROPERTY IS LOCATED OR INFORMATION ON HOW THE PURCHASER
23 MAY OBTAIN A LIST OF ALL SPECIAL TAXING DISTRICTS IN WHICH THE
24 PROPERTY IS LOCATED.

25

26 (4) A SELLER OF RESIDENTIAL REAL PROPERTY THAT FAILS TO
27 PROVIDE TO THE PURCHASER OF THE PROPERTY THE LIST OR INFORMATION
28 REQUIRED BY SUBSECTION (3) OF THIS SECTION SHALL BE SUBJECT TO A
29 CIVIL PENALTY OF FIVE HUNDRED DOLLARS PAYABLE TO THE PURCHASER.

30

31 **SECTION 5. Effective date.** This act shall take effect at 12:01
32 a.m. on the day following the expiration of the ninety-day period after
33 final adjournment of the general assembly that is allowed for submitting
34 a referendum petition pursuant to article V, section 1 (3) of the state
35 constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008);
36 except that, if a referendum petition is filed against this act or an item,
37 section, or part of this act within such period, then the act, item, section,
38 or part, if approved by the people, shall take effect on the date of the
39 official declaration of the vote thereon by proclamation of the governor."

40

41

42

43 **SB08-009** be referred to the Committee of the Whole with favorable
44 recommendation.

45

46

47 **SB08-107** be referred to the Committee of the Whole with favorable
48 recommendation.

49

50

51

52

53

54

55

1 **STATE, VETERANS, & MILITARY AFFAIRS**

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

4
5 **HB08-1323** be postponed indefinitely.
6
7
8
9

10 **TRANSPORTATION & ENERGY**

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

13
14 **HB08-1036** be amended as follows, and as so amended, be referred to
15 the Committee on Appropriations with favorable
16 recommendation:
17

18 Amend printed bill, page 6, after line 24, insert the following:
19

20 "SECTION 5. 42-4-110.5 (4) (b), Colorado Revised Statutes, is
21 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:
22

23 **42-4-110.5. Automated vehicle identification systems.**
24 (4) (b) (III) SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) SHALL NOT APPLY
25 WITHIN A MAINTENANCE, CONSTRUCTION, OR REPAIR ZONE DESIGNATED
26 PURSUANT TO SECTION 42-4-614."
27

28 Renumber succeeding sections accordingly.
29
30
31

32 **SB08-014** be referred to the Committee of the Whole with favorable
33 recommendation.
34
35
36

37 **PRINTING REPORT**

38
39 The Chief Clerk reports the following bill has been correctly printed:
40 **HB08-1348.**
41
42
43

44 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

45
46 The Speaker has signed: **HB08-1052, 1088, 1112, 1132.**
47
48
49

50 House in recess. House reconvened.
51
52

53 **MESSAGE FROM THE SENATE**

54
55 The Senate has adopted and returns herewith: HJR08-1011.
56
57

