

SENATE JOURNAL
Sixty-seventh General Assembly
STATE OF COLORADO
First Regular Session

65th Legislative Day

Thursday, March 12, 2009

Prayer	By the chaplain, Arlyn Tolzmann, Holy Cross Lutheran Church, Wheat Ridge.	11
Pledge	By Senator Hodge.	13
Call to Order	By the President at 9:00 a.m.	15
Roll Call	Present--35	18
Quorum	The President announced a quorum present.	20
Reading of Journal	On motion of Senator Isgar, reading of the Journal of Wednesday, March 11, 2009, was dispensed with and the Journal was approved as corrected by the Secretary.	22

COMMITTEE OF REFERENCE REPORTS

Agriculture and Natural Resources	After consideration on the merits, the Committee recommends that HJR09-1002 be amended as follows, and as so amended, be amended to the Senate for final action.	30
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Amend engrossed joint resolution, page 2, line 27, strike "now, therefore," and substitute "and";

after line 27, insert the following:

"WHEREAS, With the passage of the American Recovery and Reinvestment Act of 2009 ("ARRA"), additional federal grant funds will be provided to both the Drinking Water Revolving Fund and the Water Pollution Control Revolving Fund to preserve and create jobs and promote economic recovery; and

WHEREAS, To ensure that all additional funds appropriated to the state under the ARRA are fully utilized, the Water Quality Control Commission held a rulemaking hearing on March 9, 2009, to establish an additional category (Category Six) of projects only eligible for ARRA funding, subsequent to consideration of Category One through Category Five projects, from the Drinking Water Revolving Fund and the Water Pollution Control Revolving Fund and has developed a list of Category Six projects to be included on the Drinking Water Revolving Fund and the Water Pollution Control Project Eligibility List as set forth in Sections 7 and 8 below; now, therefore,".

Page 12, after line 16, insert the following:

"7. That the following projects are included as Category Six projects on the Drinking Water Project Eligibility List as defined in section 37-95-103 (4.8) and pursuant to 37-95-107.8 (4) (c), Colorado Revised Statutes:

ENTITY	BRIEF PROJECT DESCRIPTION
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Academy Water and Sanitation District	Water management facilities including, but not limited to, storage	1 2 3
Aurora, City of	Water management facilities including, but not limited to, green infrastructure, water efficiency improvements or other environmentally innovative projects, storage	4 5 6 7 8 9
Bailey Water and Sanitation District	Water management facilities including, but not limited to, treatment plant, storage, distribution, transmission	10 11 12 13
Blue Mountain Water District	Water management facilities including, but not limited to, treatment plant, storage	14 15 16
Blue Valley Metropolitan District	Water management facilities including, but not limited to, treatment plant, distribution, transmission, storage	17 18 19 20
Boulder, City of	Water management facilities including, but not limited to, supply	21 22 23
Brush, City of	Water management facilities including, but not limited to, distribution, transmission	24 25 26
Buena Vista, Town of	Water management facilities including, but not limited to, meters, distribution, transmission	27 28 29
Canon City, City of	Water management facilities including, but not limited to, supply, meters	30 31 32
Carbondale, Town of	Water management facilities including, but not limited to, distribution, transmission, supply, green infrastructure, water efficiency improvements or other environmentally innovative projects	33 34 35 36 37 38 39
Castle Rock, Town of	Water management facilities including, but not limited to, treatment plant, distribution, transmission, meters, supply, green infrastructure, water efficiency improvements or other environmentally innovative projects	40 41 42 43 44 45 46 47
Cherokee Metropolitan District	Water management facilities including, but not limited to, distribution, transmission	48 49 50
Cortez, City of	Water management facilities including, but not limited to, treatment plant, storage, distribution, transmission	51 52 53 54
Craig, City of	Water management facilities including, but not limited to, distribution, transmission, storage, meters	55 56 57 58
Crestview Water and Sanitation District	Water management facilities including, but not limited to, distribution, transmission	59 60 61

DeBeque, Town of / Schlumberger Campus	Water management facilities including, but not limited to, storage	1 2 3
Delta County/ Ginters Grove	Water management facilities including, but not limited to, distribution, transmission	4 5 6
Delta, City of	Water management facilities including, but not limited to, distribution, transmission, storage	7 8 9 10
Denver, City of	Water management facilities including, but not limited to, treatment plant, supply, distribution, transmission	11 12 13 14
Dillon Valley Water and Sanitation District	Water management facilities including, but not limited to, treatment plant, meters	15 16 17
Donala Water and Sanitation District	Water management facilities including, but not limited to, distribution, transmission, storage	18 19 20 21
Durango, City of	Water management facilities including, but not limited to, green infrastructure, water efficiency improvements or other environmentally innovative projects	22 23 24 25 26 27
Eagle, Town of	Water management facilities including, but not limited to, distribution, transmission, treatment plant, storage	28 29 30 31
East Larimer County Water District	Water management facilities including, but not limited to, distribution, transmission	32 33 34 35
Edgemont Ranch Metropolitan District	Water management facilities including, but not limited to, treatment plant, storage	36 37 38
Empire, Town of	Water management facilities including, but not limited to, supply	39 40 41
Englewood, City of	Water management facilities including, but not limited to, treatment plant, distribution, transmission, storage	42 43 44 45
Erie, Town of	Water management facilities including, but not limited to, treatment plant	46 47 48
Estes Park, Town of / Colorado Big Thompson Project	Water management facilities including, but not limited to, distribution, transmission	49 50 51
Evergreen Metropolitan District	Water management facilities including, but not limited to, distribution, transmission, storage, meters	52 53 54 55
Fort Morgan, City of	Water management facilities including, but not limited to, meters, treatment plant	56 57 58

Garden Valley Water and Sanitation District	Water management facilities including, but not limited to, storage	1 2 3
Georgetown, Town of	Water management facilities including, but not limited to, meters	4 5 6
Goodman Point Water District	Water management facilities including, but not limited to, distribution, transmission, storage	7 8 9 10
Granby, Town of / Moraine Park	Water management facilities including, but not limited to, consolidation, treatment plant, distribution, transmission	11 12 13 14
Granby, Town of	Water management facilities including, but not limited to, treatment plant, storage, green infrastructure, water efficiency improvements or other environmentally innovative projects, consolidation, distribution, transmission	15 16 17 18 19 20 21 22
Grand County Water and Sanitation District #1	Water management facilities including, but not limited to, treatment plant, interconnection, distribution, transmission, green infrastructure, water efficiency improvements or other environmentally innovative projects	23 24 25 26 27 28 29 30
Grand Junction, City of	Water management facilities including, but not limited to, distribution, transmission	31 32 33
Grand Lake, Town of	Water management facilities including, but not limited to, treatment plant, consolidation, storage	34 35 36 37
Greeley, City of	Water management facilities including, but not limited to, treatment plant, distribution, transmission, storage, supply	38 39 40 41
Gypsum, Town of	Water management facilities including, but not limited to, treatment plant, supply, green infrastructure, water efficiency improvements or other environmentally innovative projects	42 43 44 45 46 47 48
Haxtun, Town of	Water management facilities including, but not limited to, treatment plant	49 50 51
Highland Lakes Water District	Water management facilities including, but not limited to, supply	52 53 54
Idaho Springs, City of	Water management facilities including, but not limited to, green infrastructure, water efficiency improvements or other environmentally innovative projects	55 56 57 58 59 60

Indian Hills Water District	Water management facilities including, but not limited to, treatment plant, storage	1 2 3
Kiowa, Town of	Water management facilities including, but not limited to, treatment plant, interconnection, distribution, transmission, supply	4 5 6 7
Lafayette, City of	Water management facilities including, but not limited to, treatment plant	8 9 10
Lake Creek Metropolitan Water District	Water management facilities including, but not limited to, treatment plant, distribution, transmission, green infrastructure, water efficiency improvements or other environmentally innovative projects	11 12 13 14 15 16 17 18
Las Animas, City of	Water management facilities including, but not limited to, green infrastructure, water efficiency improvements or other environmentally innovative projects	19 20 21 22 23 24
Little Thompson Water District	Water management facilities including, but not limited to, distribution, transmission, supply	25 26 27
Lochbuie, Town of	Water management facilities including, but not limited to, distribution, transmission	28 29 30
Longmont, City of	Water management facilities including, but not limited to, treatment plant, distribution, transmission	31 32 33 34
Louviers Water and Sanitation District	Water management facilities including, but not limited to, treatment plant, distribution, transmission, supply	35 36 37 38
Loveland, City of	Water management facilities including, but not limited to, treatment plant, distribution, transmission, storage, green infrastructure, water efficiency improvements or other environmentally innovative projects	39 40 41 42 43 44 45 46
Lyons, Town of	Water management facilities including, but not limited to, distribution, transmission	47 48 49
Mancos, Town of	Water management facilities including, but not limited to, meters	50 51 52
Mid Valley Metropolitan District	Water management facilities including, but not limited to, treatment plant, storage, supply	53 54 55
Minturn, Town of	Water management facilities including, but not limited to, treatment plant, distribution, transmission	56 57 58 59

Monte Vista, City of	Water management facilities including, but not limited to, distribution, transmission	1 2 3
Morrison Creek Metropolitan Water and Sanitation District	Water management facilities including, but not limited to, distribution, transmission, supply	4 5 6
Mount Werner Water and Sanitation District	Water management facilities including, but not limited to, storage	7 8 9
Nederland, Town of	Water management facilities including, but not limited to, distribution, transmission, meters	10 11 12
New Castle, Town of	Water management facilities including, but not limited to, green infrastructure, water efficiency improvements or other environmentally innovative projects, distribution, transmission	13 14 15 16 17 18 19
North Lincoln Water and Sanitation District	Water management facilities including, but not limited to, distribution, transmission	20 21 22
Norwood, Town of	Water management facilities including, but not limited to, treatment plant, distribution, transmission, storage	23 24 25 26
Ovid, Town of	Water management facilities including, but not limited to, supply	27 28 29
Palisade, Town of	Water management facilities including, but not limited to, green infrastructure, water efficiency improvements or other environmentally innovative projects	30 31 32 33 34 35
Palmer Lake, Town of	Water management facilities including, but not limited to, storage	36 37 38
Parkville Water District	Water management facilities including, but not limited to, distribution, transmission	39 40 41
Perry Park Water and Sanitation District	Water management facilities including, but not limited to, treatment plant	42 43 44
Pinewood Springs Water District	Water management facilities including, but not limited to, meters	45 46 47
Rangely, Town of	Water management facilities including, but not limited to, supply	48 49 50
Resource Colorado Water and Sanitation Metropolitan District/ 2050 Green Prairie Program	Water management facilities including, but not limited to, treatment plant, distribution, transmission, storage, green infrastructure, water efficiency improvements or other environmentally innovative projects	51 52 53 54 55 56 57 58
Rockvale, Town of	Water management facilities including, but not limited to, storage	59 60 61

Ruedi Shores Metropolitan District	Water management facilities including, but not limited to, distribution, transmission, storage, supply, meters	1 2 3 4 5
Saguache, Town of	Water management facilities including, but not limited to, green infrastructure, water efficiency improvements or other environmentally innovative projects	6 7 8 9 10 11
Security Water District	Water management facilities including, but not limited to, storage, consolidation, treatment plant	12 13 14 15
Sedalia Water and Sanitation District	Water management facilities including, but not limited to, treatment plant	16 17 18
South Adams County Water and Sanitation District	Water management facilities including, but not limited to, treatment plant, distribution, transmission	19 20 21 22
Somerset Domestic Waterworks District	Water management facilities including, but not limited to, meters	23 24 25
St. Mary's Glacier Water and Sanitation District	Water management facilities including, but not limited to, supply	26 27 28
Steamboat Springs, City of	Water management facilities including, but not limited to, distribution, transmission	29 30 31
Strasburg Water and Sanitation District	Water management facilities including, but not limited to, treatment plant, consolidation, meters	32 33 34 35
Thornton, City of	Water management facilities including, but not limited to, distribution, transmission, green infrastructure, water efficiency improvements or other environmentally innovative projects	36 37 38 39 40 41 42
Tree Haus Metropolitan District	Water management facilities including, but not limited to, treatment plant, distribution, transmission, supply	43 44 45 46
Tri-County Water Conservancy District / La Salle Road	Water management facilities including, but not limited to, distribution, transmission	47 48 49
Two Rivers Metropolitan District	Water management facilities including, but not limited to, distribution, transmission, supply, meters	50 51 52 53
W/J Metro District	Water management facilities including, but not limited to, supply, green infrastructure, water efficiency improvements or other environmentally innovative projects	54 55 56 57 58 59

Walsenburg, City of	Water management facilities including, but not limited to, storage	1 2 3
Weld County/ Aristocrat Ranchette Water	Water management facilities including, but not limited to, distribution, transmission, storage, meters	4 5 6 7
Wellington, Town of	Water management facilities including, but not limited to, distribution, transmission	8 9 10
Westminster, City of	Water management facilities including, but not limited to, treatment plant, distribution, transmission, green infrastructure, water efficiency improvements or other environmentally innovative projects	11 12 13 14 15 16 17 18
Wiggins, Town of	Water management facilities including, but not limited to, treatment plant	19 20 21
Yuma, City of	Water management facilities including, but not limited to, treatment plant	22 23 24 25 26

8. That the following projects are included as Category Six projects on the Water Pollution Control Project Eligibility List as defined in section 37-95-103 (13.5) and pursuant to 37-95-107.6 (4) (c), Colorado Revised Statutes:

A. ARRA Category Six ADDITIONS

ENTITY	BRIEF PROJECT DESCRIPTION	
Academy Water and Sanitation District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	34 35 36 37 38
Akron, Town of	Wastewater treatment system improvements including, but not limited to, treatment plant, collection, interceptor	39 40 41 42
Arapahoe County Wastewater Authority	Wastewater treatment system improvements including, but not limited to, green infrastructure, water efficiency improvements or other environmentally innovative projects, stormwater	43 44 45 46 47 48
Aspen, City of	Wastewater treatment system improvements including, but not limited to, treatment plant, reuse	49 50 51
Aurora, City of	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant, green infrastructure, water efficiency improvements or other environmentally innovative projects	52 53 54 55 56 57 58 59

Baca Grande Water and Sanitation District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	1 2 3 4
Bailey Water and Sanitation District/Bailey to Conifer	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	5 6 7 8
Basalt Sanitation District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	9 10 11 12
Bennett, Town of/Union Pacific	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	13 14 15 16
Boulder, City of	Wastewater treatment system improvements including, but not limited to, treatment plant, biosolids	17 18 19 20
Brush, City of	Wastewater treatment system improvements including, but not limited to, stormwater	21 22 23
Cherry Hills Village, City of	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	24 25 26 27
Cheyenne Wells Sanitation District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	28 29 30 31
Clifton Sanitation District	Wastewater treatment system improvements including, but not limited to, treatment plant, interceptor, collection, biosolids, reuse	32 33 34 35 36
Colorado Springs Utilities	Wastewater treatment system improvements including, but not limited to, green infrastructure, water efficiency improvements or other environmentally innovative projects, reuse	37 38 39 40 41 42
Costilla County	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	43 44 45 46
Crested Butte South Metropolitan District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	47 48 49 50
Crestview Water and Sanitation District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	51 52 53 54
Crook, Town of	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant, non-point source	55 56 57 58

DeBeque, Town of/I-70 Sewer Project	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	1 2 3 4
Delta, City of	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	5 6 7 8
Denver Water	Wastewater treatment system improvements including, but not limited to, reuse	9 10 11
Dillon Valley Water and Sanitation District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	12 13 14 15
Dinosaur, Town of	Wastewater treatment system improvements including, but not limited to, treatment plant	16 17 18
Durango, City of	Wastewater treatment system improvements including, but not limited to, green infrastructure, water efficiency improvements or other environmentally innovative projects	19 20 21 22 23 24
Eagle River Water and Sanitation District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant, biosolids	25 26 27 28
Eckley, Town of	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	29 30 31 32
Edgemont Metropolitan District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	33 34 35 36
El Rancho Metropolitan District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	37 38 39 40
Erie, Town of	Wastewater treatment system improvements including, but not limited to, green infrastructure, water efficiency improvements or other environmentally innovative projects	41 42 43 44 45 46
Evergreen Metropolitan District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	47 48 49 50
Forest Hills Metropolitan District	Wastewater treatment system improvements including, but not limited to, treatment plant	51 52 53
Fort Morgan, City of	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant, green infrastructure, water efficiency improvements or other environmentally innovative projects, stormwater	54 55 56 57 58 59 60 61

Fraser Sanitation District	Wastewater treatment system	1
	improvements including, but not	2
	limited to, collection, interceptor,	3
	treatment plant	4
Galeton Water and Sanitation District	Wastewater treatment system	5
	improvements including, but not	6
	limited to, treatment plant	7
Granby, Town of/Granby South Service Area	Wastewater treatment system	8
	improvements including, but not	9
	limited to, collection, interceptor,	10
	treatment plant, stormwater	11
Grand Junction, City of	Wastewater treatment system	12
	improvements including, but not	13
	limited to, treatment plant	14
Greeley, City of	Wastewater treatment system	15
	improvements including, but not	16
	limited to, collection, interceptor,	17
	treatment plant	18
Gypsum, Town of	Wastewater treatment system	19
	improvements including, but not	20
	limited to, collection, interceptor,	21
	treatment plant, biosolids, green	22
	infrastructure, water efficiency	23
	improvements or other	24
	environmentally innovative	25
projects	26	
Haxtun, Town of	Wastewater treatment system	27
	improvements including, but not	28
	limited to, stormwater	29
Idaho Springs, City of	Wastewater treatment system	30
	improvements including, but not	31
	limited to, collection, interceptor,	32
	treatment plant, biosolids, green	33
	infrastructure, water efficiency	34
	improvements or other	35
	environmentally innovative	36
	projects	37
Julesburg, Town of	Wastewater treatment system	38
	improvements including, but not	39
	limited to, collection, interceptor,	40
	treatment plant	41
Lafayette, City of	Wastewater treatment system	42
	improvements including, but not	43
	limited to, collection, interceptor,	44
	treatment plant	45
Lake City, Town of	Wastewater treatment system	46
	improvements including, but not	47
	limited to, collection, interceptor,	48
	treatment plant	49
Lamar, City of	Wastewater treatment system	50
	improvements including, but not	51
	limited to, collection, interceptor,	52
	treatment plant	53
Las Animas, City of	Wastewater treatment system	54
	improvements including, but not	55
	limited to, treatment plant, green	56
	infrastructure, water efficiency	57
	improvements or other	58
	environmentally innovative	59
projects, stormwater	60	

Littleton, City of	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	1 2 3 4
Longmont, City of	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant, stormwater	5 6 7 8
Loveland, City of	Wastewater treatment system improvements including, but not limited to, treatment plant, green infrastructure, water efficiency improvements or other environmentally innovative projects, non-point source	9 10 11 12 13 14 15
Lyons, Town of	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	16 17 18 19
Mid Valley Metropolitan District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	20 21 22 23
Monte Vista, City of	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant, consolidation, stormwater	24 25 26 27 28
Morrison Creek Metropolitan Water and Sanitation District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	29 30 31 32
New Castle, Town of	Wastewater treatment system improvements including, but not limited to, green infrastructure, water efficiency improvements or other environmentally innovative projects, stormwater	33 34 35 36 37 38
North Lincoln Water and Sanitation District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	39 40 41 42
Nucla, Town of/Nucla/Naturita Treatment Facility	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant, consolidation	43 44 45 46
Pagosa Springs General Improvement District	Wastewater treatment system improvements including, but not limited to, biosolids, collection, interceptor, treatment plant, green infrastructure, water efficiency improvements or other environmentally innovative projects	47 48 49 50 51 52 53 54
Palisade, Town of	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	55 56 57 58
Pueblo West Metropolitan District	Wastewater treatment system improvements including, but not limited to, treatment plant, biosolids	59 60 61 62

Rangely, Town of	Wastewater treatment system improvements including, but not limited to, green infrastructure, water efficiency improvements or other environmentally innovative projects	1 2 3 4 5 6
Rifle, City of	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	7 8 9 10
Rocky Ford, City of	Wastewater treatment system improvements including, but not limited to, treatment plant, green infrastructure, water efficiency improvements or other environmentally innovative projects	11 12 13 14 15 16 17
Round Mountain Water and Sanitation District	Wastewater treatment system improvements including, but not limited to, reuse	18 19 20
Saguache, Town of	Wastewater treatment system improvements including, but not limited to, green infrastructure, water efficiency improvements or other environmentally innovative projects	21 22 23 24 25 26
Salida, City of	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	27 28 29 30
Sedalia Water and Sanitation District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant, reuse	31 32 33 34
Snowmass Water and Sanitation District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	35 36 37 38
South Adams County Water and Sanitation District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	39 40 41 42
St. Mary's Glacier Water and Sanitation District	Wastewater treatment system improvements including, but not limited to, treatment plant, biosolids	43 44 45 46
St. Vrain Sanitation District	Wastewater treatment system improvements including, but not limited to, treatment plant, biosolids	47 48 49 50
Steamboat Springs, City of	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant, biosolids, stormwater	51 52 53 54 55
Thornton, City of	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	56 57 58 59

Three Lakes Water and Sanitation District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	1 2 3 4
Two Rivers Metropolitan District	Wastewater treatment system improvements including, but not limited to, treatment plant, biosolids	5 6 7 8
Upper Thompson Sanitation District	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	9 10 11 12
Victor, City of	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	13 14 15 16
Wellington, Town of	Wastewater treatment system improvements including, but not limited to, collection, interceptor, treatment plant	17 18 19 20
West Jefferson County Metropolitan District	Wastewater treatment system improvements including, but not limited to, treatment plant	21 22 23
Yuma, City of	Wastewater treatment system improvements including, but not limited to, treatment plant, biosolids, stormwater".	24 25 26 27 28 29 30 31 32

Agriculture and Natural Resources The Committee on Agriculture and Natural Resources has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
WATER QUALITY CONTROL COMMISSION

for terms expiring February 15, 2011:

Peter Butler of Durango, Colorado to serve as a representative who lives west of the continental divide, appointed;

Jill C. Harris McConaughy of Glenwood Springs, Colorado to serve as a representative who lives west of the continental divide, appointed;

Janelle A. Barrilleaux of Golden, Colorado, appointed.

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB09-1053** be referred to the Committee of the Whole with favorable recommendation.

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **SB09-243** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 5, line 1, strike "AND PAID FOR";

line 2, strike "PROVIDED" and substitute "TENDERED";

line 9, strike "EMPLOYER" and substitute "PROVIDER";

line 10, strike "REASONABLE," and substitute "REASONABLY NEEDED,".

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **HB09-1001** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 10, strike line 20 and substitute the following:

"SECTION FOR THE PRECEDING CALENDAR YEAR OR ANY FISCAL YEAR ENDING IN THE PRECEDING CALENDAR YEAR, AND ANY CREDITS DISALLOWED".

Education

After consideration on the merits, the Committee recommends that **HB09-1229** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 5, line 1, strike "AND";

strike line 2 and substitute the following:

"(II) Continuing education; AND

(III) OTHER SELF-FUNDED SERVICES;"

strike lines 9 and 10 and substitute the following:

"(k) Fort Lewis college:

(I) Student and faculty operations and activities; AND

(II) CONTINUING EDUCATION.".

Education

After consideration on the merits, the Committee recommends that **HB09-1125** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 9 through 11 and substitute the following:

"THROUGHOUT THE SCHOOL YEAR AND CEASES PROVIDING THE ITEM OF VALUE IF THE CHILD LEAVES THE EDUCATION PROGRAM PRIOR TO THE END OF THE SCHOOL YEAR;"

line 13, strike "ONLY";

line 14, strike "PERFORMANCE." and substitute "PERFORMANCE; OR";

after line 14, insert the following:

"(c) THE LOCAL EDUCATION PROVIDER PAYS THE ITEM OF VALUE TO THE SCHOOL-AGED CHILD OR TO HIS OR HER PARENT IN EXCHANGE FOR SERVICES RENDERED BY THE CHILD OR BY THE CHILD'S PARENT AT THE REQUEST OF THE LOCAL EDUCATION PROVIDER. FOR PURPOSES OF THIS PARAGRAPH (c), "SERVICES RENDERED" DOES NOT INCLUDE SCHOOL ATTENDANCE OR ENROLLMENT.".

On motion of Senator Shaffer, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

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CONSIDERATION OF RESOLUTIONS

SJR09-021 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.

On motion of Senator Foster, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

Co-sponsors added: Bacon, Boyd, Brophy, Cadman, Carroll M., Gibbs, Groff, Harvey, Heath, Hodge, Hudak, Isgar, Keller, Kester, King K., Kopp, Lundberg, Mitchell, Morse, Newell, Penry, Renfroe, Romer, Sandoval, Scheffel, Schultheis, Schwartz, Shaffer B., Spence, Tapia, Tochtrop, Veiga, White and Williams.

**THIRD READING OF BILLS -- FINAL PASSAGE --
CONSENT CALENDAR**

On Third Reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB09-1198 by Representative(s) McGihon; also Senator(s) Morse--Concerning the "Uniform Power of Attorney Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

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.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsors added: Hudak and Sandoval.

HB09-1185 by Representative(s) Tipton; also Senator(s) Isgar--Concerning requirements for documents related to water rights applications.
The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsors added: Hodge, Penry and Tapia.

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.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsors added: Boyd, Gibbs, Groff, Heath, Newell, Tochtrop and Williams.

HB09-1203 by Representative(s) Tipton, Roberts; also Senator(s) Isgar--Concerning the reclassification of Montezuma county.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared passed.

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.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

The question being "Shall the bill pass?", the roll call was taken with the following result:

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared passed.

THIRD READING OF BILLS -- FINAL PASSAGE

On Third Reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

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. The question being "Shall the bill pass?", the roll call was taken with the following result:

Laid over until Firday, March 13, retaining its place on the calendar.

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.

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	N	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

The question being "Shall the bill pass?", the roll call was taken with the following result:

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared passed.

Co-sponsors added: Bacon, Groff, Hodge, King K. and Spence.

On motion of Senator Shaffer, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills--Consent Calendar (HB09-1262, HB09-1263, HB09-1207, HB09-1179, HB09-1124) of Thursday, March 12, was laid over until Friday, March 13, retaining its place on the calendar.

On motion of Senator Shaffer, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (HB09-1059, SB09-170, HB09-1099, HB09-1182, SB09-128, SB09-174, SB09-144, SB09-161, SB09-056, SB09-178, SB09-158, SB09-095, HB09-1254) of Thursday, March 12, was laid over until Friday, March 13, retaining its place on the calendar.

MESSAGE FROM THE GOVERNOR

February 27, 2009

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBER OF THE
OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

for a term expiring July 1, 2012:

Dr. DeAnn "Dolly" Craig of Denver, Colorado, to serve as a member with substantial experience in the oil and gas industry and with a college degree in petroleum geology or petroleum engineering, and as a Republican, appointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 3/3/09
Karen Goldman, Secretary of the Senate

Committee on Local Government & Energy

February 27, 2009

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

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MEMBERS OF THE
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for a term expiring September 1, 2010:

Susan R. Eaton of Denver, Colorado, a representative of Colorado municipal employers, to fill the vacancy occasioned by the resignation of Patty Lynn Fannin of Colorado Springs, appointed;

for terms expiring September 1, 2012:

Clifford W. Stanton of Denver, Colorado, a member of the state's financial or business community with experience in investments, appointed;

Kirk J. Miller of Denver, Colorado, a representative of full-time paid police officers, reappointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 3/3/09
Karen Goldman, Secretary of the Senate

Committee on Finance

February 27, 2009

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBERS OF THE
WILDLIFE COMMISSION

for terms expiring March 1, 2013:

Kenneth M. "Mark" Smith of Center, Colorado, a resident of Wildlife District 2, a livestock producer, and a Republican, appointed;

John W. Singletary of Pueblo, Colorado, a resident of Wildlife District 4, a sportsman, and a Democrat, appointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 3/3/09
Karen Goldman, Secretary of the Senate

Committee on Agriculture & Natural Resources

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB09-091 by Senator(s) Romer; also Representative(s) Rice--Concerning motor vehicle dealer franchise agreements.

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Senator Romer moved that the Senate concur in House amendments to **SB09-091**, as printed in House Journal, March 9, page 651-652.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

The question being "shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was declared **repassed**.

IMMEDIATE RECONSIDERATION OF SB09-091

SB09-091 by Senator(s) Romer; also Representative(s) Rice--Concerning motor vehicle dealer franchise agreements.

Having voted on the prevailing side, Senator Mitchell moved for immediate reconsideration of the last Senate action, Consideration of House Amendments to Senate Bills, on **SB09-091**. The roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

CONSIDERATION OF HOUSE AMENDMENTS

SB09-091 by Senator(s) Romer; also Representative(s) Rice--Concerning motor vehicle dealer franchise agreements.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

Upon reconsideration, a majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

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.

Senator Isgar moved that the Senate concur in House amendments to **SB09-151**, as printed in House Journal, March 9, 2009, page 651.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was declared **repassed**.

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

SJR09-022 by Senator(s) Sandoval; also Representative(s) Looper--Concerning the proclamation of March 9-13, 2009 as Small Business Week.

Senator Sandoval moved that the Senate concur in House amendments to **SJR09-022**, as printed in House Journal, March 12, page 678. The motion was **adopted** by the following roll call vote:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	N	Scheffel	Y	Williams	Y
Harvey	N	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

The question being "Shall the resolution, as amended, be adopted?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

A majority of all members elected to the Senate having voted in the affirmative, the resolution, as amended, was declared **repassed**.

Co-sponsors added: Groff

SENATE RECEDE ON HB09-1008

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.

Senator Williams moved that the Senate recede from its position on **HB09-1008** and that the Senate concur in House amendments. The motion was declared **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was declared **repassed**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Williams, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
COLORADO RACING COMMISSION

for terms expiring July 1, 2012:

Jack K. Pretti of Rifle, Colorado, a Republican from the Third Congressional District, who has been previously engaged in the racing industry for at least five years, reappointed;

Mary Sharon Wells of Golden, Colorado, a Democrat from the Seventh Congressional District, who is a registered elector of the state, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

On motion of Senator Williams, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
COLORADO BOARD OF VETERANS AFFAIRS

for a term expiring June 30, 2012:

Ralph P. Bozella of Longmont, Colorado, a veteran who has been honorably released or separated from the armed forces of the United States, and a Democrat, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Shaffer B.	Y
Boyd	Y	Hudak	Y	Newell	Y	Spence	Y
Brophy	Y	Isgar	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	Veiga	Y
Foster	Y	King K.	Y	Sandoval	Y	White	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Harvey, Chair, Williams, and Bacon as Senate Conferees on the First Conference Committee on **HB09-1153**.

SENATE SERVICES REPORT

Correctly Printed: SB09-243 and 244; SJR09-019.
Correctly Engrossed: SB09-064, 099, 168 and 177; SJR09-019.
Correctly Revised: HB09-1005, 1008, 1052, 1066, 1072, 1079, 1080, 1082, 1088, 1090, 1092, 1093, 1101, 1112, 1122, 1153, 1162, 1169, 1174, 1178, 1215, 1219 and 1241.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: **HB09-1021, 1078, 1083**.

COMMITTEE OF REFERENCE REPORTS

State,
Veterans, &
Military
Affairs

The Committee on State, Veterans, and Military Affairs has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

**MEMBER OF THE
STATE PERSONNEL BOARD**

for a term expiring June 30, 2013:

Mary Ann F. Whiteside of Denver, Colorado, appointed.

State,
Veterans, &
Military
Affairs

The Committee on State, Veterans, and Military Affairs has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**MEMBERS OF THE
COLORADO LOTTERY COMMISSION**

for a term expiring July 1, 2010:

Dana M. Franzen of Monument, Colorado to fill the vacancy occasioned by the resignation of Donald J. McMahan of Avon, Colorado, and to serve as a certified public accountant and as a Republican, appointed;

for a term expiring July 1, 2012:

Betty J. Martinez of Pueblo, Colorado, to serve as a member of the public and as a Democrat, reappointed.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB09-1186** be referred to the Committee of the Whole with favorable recommendation.

State,
Veterans, &

After consideration on the merits, the Committee recommends that **HB09-1118** be amended as follows, and as so amended, be referred to the Committee of the Whole with

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Military
Affairs

favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 2, line 6, after "~~purpose~~," insert "IN A VISUAL TEXT FORMAT THAT MAY BE TRANSMITTED ELECTRONICALLY".

Page 3, line 1, after "~~book~~," insert "IN A VISUAL TEXT FORMAT THAT MAY BE TRANSMITTED ELECTRONICALLY";

line 11, after "~~book~~," insert "IN A VISUAL TEXT FORMAT THAT MAY BE TRANSMITTED ELECTRONICALLY";

line 18, after "~~book~~," insert "IN A VISUAL TEXT FORMAT THAT MAY BE TRANSMITTED ELECTRONICALLY".

Page 4, line 8, strike "board" and substitute "board,";

line 9, after the period, add "RECORDS OF SUCH PROCEEDINGS SHALL BE KEPT IN A VISUAL TEXT FORMAT THAT MAY BE TRANSMITTED ELECTRONICALLY.";

line 19, after "~~book~~," insert "IN A VISUAL TEXT FORMAT THAT MAY BE TRANSMITTED ELECTRONICALLY".

Page 5, line 7, after "~~book~~," insert "IN A VISUAL TEXT FORMAT THAT MAY BE TRANSMITTED ELECTRONICALLY";

line 16, after "~~book~~," insert "IN A VISUAL TEXT FORMAT THAT MAY BE TRANSMITTED ELECTRONICALLY".

Page 6, line 8, after "~~book~~," insert "IN A VISUAL TEXT FORMAT THAT MAY BE TRANSMITTED ELECTRONICALLY";

line 24, after "~~book~~," insert "IN A VISUAL TEXT FORMAT THAT MAY BE TRANSMITTED ELECTRONICALLY".

Page 7, line 9, after "~~book~~," insert "IN A VISUAL TEXT FORMAT THAT MAY BE TRANSMITTED ELECTRONICALLY".

Health &
Human
Services

After consideration on the merits, the Committee recommends that **SB09-239** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 7, line 13, strike "TO IMPOSE AN ADMINISTRATIVE FINE ON A";

line 14, strike "LICENSEE,";

strike lines 18 through 27.

Page 8, strike lines 1 through 19.

Re-number succeeding sections accordingly.

Page 16, line 8, strike "amended" and substitute "amended, and the said 12-38-103 is further amended BY THE ADDITION OF A NEW SUBSECTION,";

after line 27, insert the following:

"(8.5) (a) "PRACTICE OF ADVANCED PRACTICE NURSING" MEANS AN EXPANDED SCOPE OF PROFESSIONAL NURSING IN A ROLE AND POPULATION FOCUS APPROVED BY THE BOARD, WITH OR WITHOUT COMPENSATION OR PERSONAL PROFIT, AND INCLUDES THE PRACTICE OF PROFESSIONAL NURSING, AS DEFINED IN SUBSECTION (10) OF THIS SECTION.

(b) "PRACTICE OF ADVANCED PRACTICE NURSING" INCLUDES, BUT IS NOT LIMITED TO, PERFORMING ACTS OF ADVANCED ASSESSMENT,

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DIAGNOSING, ORDERING, AND INITIATING THERAPEUTIC REGIMENS, ALL WITHIN THE SCOPE, ROLE, AND POPULATION FOCUS OF THE ADVANCED PRACTICE NURSE.

(c) FOR ADVANCED PRACTICE NURSES WHO HAVE BEEN GRANTED PRESCRIPTIVE AUTHORITY PURSUANT TO SECTION 12-38-111.6, "PRACTICE OF ADVANCED PRACTICE NURSING" INCLUDES PRESCRIBING MEDICATIONS WITHIN THE ROLE AND POPULATION FOCUS OF THE ADVANCED PRACTICE NURSE.

(d) NOTHING IN THIS SUBSECTION (8.5) SHALL ALTER THE DEFINITION OF THE PRACTICE OF PROFESSIONAL NURSING, AS DEFINED IN SUBSECTION (10) OF THIS SECTION."

Page 18, after line 5, insert the following:

"SECTION 18. 12-38-111.5 (2), Colorado Revised Statutes, is amended to read:

12-38-111.5. Requirements for advanced practice nurse registration - legislative declaration - definition - advanced practice registry. (2) (a) As used in this section, "advanced practice nurse" means a professional nurse who is licensed to practice pursuant to this article, who obtains specialized education or training as provided in this section, and who applies to and is accepted by the board for inclusion in the advanced practice registry.

(b) AN ADVANCED PRACTICE NURSE IS EXPECTED TO PRACTICE AS A LICENSED INDEPENDENT PRACTITIONER WITHIN THE STANDARDS ESTABLISHED OR RECOGNIZED BY THE BOARD. AN ADVANCED PRACTICE NURSE IS ACCOUNTABLE TO PATIENTS, THE NURSING PROFESSION, AND THE BOARD FOR THE FOLLOWING:

- (I) COMPLYING WITH THE REQUIREMENTS OF THIS ARTICLE;
- (II) THE QUALITY OF ADVANCED PRACTICE NURSING CARE RENDERED;
- (III) RECOGNIZING LIMITS OF KNOWLEDGE AND EXPERIENCE AND PLANNING FOR THE MANAGEMENT OF SITUATIONS BEYOND THE ADVANCED PRACTICE NURSE'S EXPERTISE; AND
- (IV) CONSULTING WITH OR REFERRING TO OTHER HEALTH CARE PROVIDERS AS APPROPRIATE."

Renumber succeeding sections accordingly.

Page 18, line 20, strike "(3) (c), and (4) (d)," and substitute "and (3) (c), the introductory portion to 12-38-111.6 (4), and 12-38-111.6 (6),";

line 21, strike "amended" and substitute "amended, and the said 12-38-111.6 (4) is further amended BY THE ADDITION OF A NEW PARAGRAPH,";

line 23, strike "rules." and substitute "rules - repeal."

Page 19, strike lines 9 through 27.

Strike pages 20 through 22.

Page 23, strike lines 1 through 10 and substitute the following:

"(4) An advanced practice nurse applying for prescriptive authority BEFORE JULY 1, 2010, shall provide evidence to the board of the following:

(e) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2010.

(6) (a) Advanced practice nurses from other states applying for

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prescriptive authority BEFORE JULY 1, 2010, shall comply with all requirements set forth in this section or any rule adopted by the board pursuant to this section.

(b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JULY 1, 2010.

SECTION 21. 12-38-111.6, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

12-38-111.6. Prescriptive authority - advance practice nurses.

(4.5) (a) ON OR AFTER JULY 1, 2010, OR, IF THE DIRECTOR OF THE DIVISION OF REGISTRATIONS ADOPTS RULES PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH (f) OF THIS SUBSECTION (4.5), ON OR AFTER JULY 2, 2010, AN ADVANCED PRACTICE NURSE APPLYING FOR PRESCRIPTIVE AUTHORITY SHALL PROVIDE EVIDENCE TO THE BOARD OF THE FOLLOWING:

(I) A GRADUATE DEGREE IN A NURSING SPECIALTY;

(II) SATISFACTORY COMPLETION OF SPECIFIC EDUCATIONAL REQUIREMENTS IN THE USE OF CONTROLLED SUBSTANCES AND PRESCRIPTION DRUGS, AS ESTABLISHED BY THE BOARD, EITHER AS PART OF A DEGREE PROGRAM OR IN ADDITION TO A DEGREE PROGRAM;

(III) NATIONAL CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITING AGENCY, AS DEFINED BY THE BOARD BY RULE PURSUANT TO SECTION 12-38-111.5 (4) (d), IN THE SPECIALTY OF THE ADVANCED PRACTICE NURSE, UNLESS THE BOARD GRANTS AN EXCEPTION;

(IV) PROFESSIONAL LIABILITY INSURANCE AS REQUIRED BY SECTION 12-38-111.8; AND

(V) (A) COMPLETION OF A STRUCTURED, POST-GRADUATE PRECEPTORSHIP, AS DEFINED BY THE BOARD BY RULE, CONSISTING OF NOT LESS THAN ONE THOUSAND EIGHT HUNDRED HOURS, TO BE COMPLETED WITHIN THE IMMEDIATELY PRECEDING FIVE-YEAR PERIOD. THE PRECEPTORSHIP SHALL BE CONDUCTED EITHER WITH A PHYSICIAN OR A PHYSICIAN AND AN ADVANCED PRACTICE NURSE WHO HAS PRESCRIPTIVE AUTHORITY AND EXPERIENCE IN PRESCRIBING MEDICATIONS. THE PHYSICIAN OR ADVANCED PRACTICE NURSE SERVING AS A PRECEPTOR TO THE APPLICANT SHALL BE PRACTICING IN THIS STATE AND SHALL HAVE EDUCATION, TRAINING, EXPERIENCE, AND ACTIVE PRACTICE THAT CORRESPONDS WITH THE SPECIALTY AREA OF THE APPLICANT.

(B) THE PHYSICIAN OR ADVANCED PRACTICE NURSE SERVING AS A PRECEPTOR SHALL NOT REQUIRE PAYMENT FROM OR EMPLOYMENT BY AN ADVANCED PRACTICE NURSE AS A CONDITION OF ENTERING INTO THE PRECEPTORSHIP RELATIONSHIP, BUT THE PRECEPTOR MAY REQUEST REIMBURSEMENT OF REASONABLE EXPENSES AND TIME SPENT AS A RESULT OF THE PRECEPTORSHIP RELATIONSHIP.

(b) UPON SATISFACTION OF THE REQUIREMENTS SET FORTH IN PARAGRAPH (a) OF THIS SUBSECTION (4.5), THE BOARD MAY GRANT PROVISIONAL PRESCRIPTIVE AUTHORITY TO AN ADVANCED PRACTICE NURSE. THE PROVISIONAL PRESCRIPTIVE AUTHORITY SHALL BE LIMITED TO THOSE PATIENTS OR MEDICATIONS APPROPRIATE TO THE ADVANCED PRACTICE NURSE'S SPECIALTY AREA. IN ORDER TO RETAIN PROVISIONAL PRESCRIPTIVE AUTHORITY AND OBTAIN AND RETAIN FULL PRESCRIPTIVE AUTHORITY PURSUANT TO THIS SUBSECTION (4.5) FOR PATIENTS OR MEDICATIONS APPROPRIATE FOR THE ADVANCED PRACTICE NURSE'S SPECIALTY AREA, AN ADVANCED PRACTICE NURSE SHALL SATISFY THE FOLLOWING REQUIREMENTS:

(I) (A) WITHIN FIVE YEARS AFTER THE PROVISIONAL PRESCRIPTIVE AUTHORITY IS GRANTED, THE ADVANCED PRACTICE NURSE SHALL OBTAIN AN ADDITIONAL ONE THOUSAND EIGHT HUNDRED HOURS OF DOCUMENTED EXPERIENCE IN A MUTUALLY STRUCTURED MENTORSHIP EITHER WITH A PHYSICIAN OR WITH A PHYSICIAN AND ADVANCED PRACTICE NURSE WHO HAS PRESCRIPTIVE AUTHORITY AND EXPERIENCE IN PRESCRIBING MEDICATIONS. THE MENTORSHIP NEED NOT BE WITH THE SAME MENTOR

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WHO PROVIDED THE PRECEPTORSHIP SPECIFIED IN SUBPARAGRAPH (V) OF PARAGRAPH (a) OF THIS SUBSECTION (4.5), BUT THE MENTOR SHALL BE PRACTICING IN COLORADO AND HAVE EDUCATION, TRAINING, EXPERIENCE, AND ACTIVE PRACTICE THAT CORRESPONDS WITH THE SPECIALTY AREA OF THE ADVANCED PRACTICE NURSE.

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(B) THE PHYSICIAN OR ADVANCED PRACTICE NURSE SERVING AS A MENTOR SHALL NOT REQUIRE PAYMENT FROM OR EMPLOYMENT BY AN ADVANCED PRACTICE NURSE AS A CONDITION OF ENTERING INTO THE MENTORSHIP RELATIONSHIP, BUT THE MENTOR MAY REQUEST REIMBURSEMENT OF REASONABLE EXPENSES AND TIME SPENT AS A RESULT OF THE MENTORSHIP RELATIONSHIP.

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(C) UPON SUCCESSFUL COMPLETION OF THE MENTORSHIP PERIOD, THE MENTOR SHALL PROVIDE HIS OR HER SIGNATURE TO VERIFY THAT THE ADVANCED PRACTICE NURSE HAS SUCCESSFULLY COMPLETED THE SPECIFIED HOURS OF MENTORSHIP WITHIN THE REQUIRED PERIOD AFTER THE PROVISIONAL PRESCRIPTIVE AUTHORITY WAS GRANTED.

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(D) IF AN ADVANCED PRACTICE NURSE WITH PROVISIONAL PRESCRIPTIVE AUTHORITY FAILS TO COMPLETE THE MENTORSHIP REQUIRED BY THIS SUBPARAGRAPH (I) WITHIN THE SPECIFIED PERIOD, THE ADVANCED PRACTICE NURSE'S PROVISIONAL PRESCRIPTIVE AUTHORITY EXPIRES FOR FAILURE TO COMPLY WITH THE STATUTORY REQUIREMENTS.

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(II) WITHIN ONE YEAR AFTER OBTAINING PROVISIONAL PRESCRIPTIVE AUTHORITY, THE ADVANCED PRACTICE NURSE SHALL DEVELOP AN ARTICULATED PLAN FOR SAFE PRESCRIBING THAT DOCUMENTS HOW THE ADVANCED PRACTICE NURSE INTENDS TO MAINTAIN ONGOING COLLABORATION WITH PHYSICIANS AND OTHER HEALTH CARE PROFESSIONALS IN CONNECTION WITH THE ADVANCED PRACTICE NURSE'S PRACTICE OF PRESCRIBING MEDICATION WITHIN HIS OR HER SPECIALTY AREA. THE ARTICULATED PLAN SHALL GUIDE THE ADVANCED PRACTICE NURSE'S PRESCRIPTIVE PRACTICE FOLLOWING THE MENTORSHIP DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b). THE PHYSICIAN OR PHYSICIAN AND ADVANCED PRACTICE NURSE THAT MENTORED THE ADVANCED PRACTICE NURSE AS DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) SHALL PROVIDE HIS OR HER SIGNATURE TO VERIFY THAT THE ADVANCED PRACTICE NURSE HAS DEVELOPED AN ARTICULATED PLAN. THE ADVANCED PRACTICE NURSE SHALL RETAIN THE ARTICULATED PLAN ON FILE, SHALL REVIEW THE PLAN ANNUALLY, AND SHALL UPDATE THE PLAN AS NECESSARY. THE ARTICULATED PLAN IS SUBJECT TO REVIEW BY THE BOARD, AND THE ADVANCED PRACTICE NURSE SHALL PROVIDE THE PLAN TO THE BOARD UPON REQUEST. IF AN ADVANCED PRACTICE NURSE WITH PROVISIONAL PRESCRIPTIVE AUTHORITY FAILS TO DEVELOP THE REQUIRED ARTICULATED PLAN WITHIN THE SPECIFIED PERIOD, THE ADVANCED PRACTICE NURSE'S PROVISIONAL PRESCRIPTIVE AUTHORITY EXPIRES FOR FAILURE TO COMPLY WITH THE STATUTORY REQUIREMENTS. AN ARTICULATED PLAN DEVELOPED PURSUANT TO THIS SUBPARAGRAPH (II) SHALL INCLUDE AT LEAST THE FOLLOWING CRITERIA:

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(A) A MECHANISM FOR CONSULTATION AND REFERRAL FOR ISSUES REGARDING PRESCRIPTIVE AUTHORITY;

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(B) A QUALITY ASSURANCE PLAN;

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(C) DECISION SUPPORT TOOLS; AND

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(D) DOCUMENTATION OF ONGOING CONTINUING EDUCATION IN PHARMACOLOGY AND SAFE PRESCRIBING.

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(III) THE ADVANCED PRACTICE NURSE SHALL MAINTAIN PROFESSIONAL LIABILITY INSURANCE AS REQUIRED BY SECTION 12-38-111.8.

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(IV) THE ADVANCED PRACTICE NURSE SHALL MAINTAIN NATIONAL CERTIFICATION, AS SPECIFIED IN SUBPARAGRAPH (III) OF PARAGRAPH (a) OF THIS SUBSECTION (4.5), UNLESS THE BOARD GRANTS AN EXCEPTION.

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(c) AN ADVANCED PRACTICE NURSE WHO WAS GRANTED PRESCRIPTIVE AUTHORITY PRIOR TO JULY 1, 2010, SHALL SATISFY THE FOLLOWING REQUIREMENTS IN ORDER TO RETAIN PRESCRIPTIVE AUTHORITY:

(I) WITHIN ONE YEAR AFTER THE EFFECTIVE DATE OF THE RULES ADOPTED TO IMPLEMENT THIS SUBSECTION (4.5), THE ADVANCED PRACTICE NURSE SHALL DEVELOP AN ARTICULATED PLAN AS SPECIFIED IN SUBPARAGRAPH (II) OF PARAGRAPH (b) OF THIS SUBSECTION (4.5); EXCEPT THAT TO VERIFY DEVELOPMENT OF AN ARTICULATED PLAN, THE ADVANCED PRACTICE NURSE SHALL OBTAIN THE SIGNATURE OF EITHER A PHYSICIAN OR A PHYSICIAN AND ADVANCED PRACTICE NURSE WHO HAS PRESCRIPTIVE AUTHORITY AND EXPERIENCE IN PRESCRIBING MEDICATIONS, AND THE SIGNING PHYSICIAN OR ADVANCED PRACTICE NURSE SHALL BE PRACTICING IN COLORADO AND HAVE EDUCATION, TRAINING, EXPERIENCE, AND ACTIVE PRACTICE THAT CORRESPONDS WITH THE SPECIALTY AREA OF THE ADVANCED PRACTICE NURSE DEVELOPING THE PLAN. IF AN ADVANCED PRACTICE NURSE WITH PRESCRIPTIVE AUTHORITY GRANTED PRIOR TO JULY 1, 2010, FAILS TO DEVELOP THE REQUIRED ARTICULATED PLAN WITHIN THE SPECIFIED PERIOD, THE ADVANCED PRACTICE NURSE'S PRESCRIPTIVE AUTHORITY EXPIRES FOR FAILURE TO COMPLY WITH THE STATUTORY REQUIREMENTS.

(II) THE ADVANCED PRACTICE NURSE SHALL MAINTAIN PROFESSIONAL LIABILITY INSURANCE AS REQUIRED BY SECTION 12-38-111.8.

(III) THE ADVANCED PRACTICE NURSE SHALL MAINTAIN NATIONAL CERTIFICATION, AS SPECIFIED IN SUBPARAGRAPH (III) OF PARAGRAPH (a) OF THIS SUBSECTION (4.5), UNLESS:

(A) THE ADVANCED PRACTICE NURSE WAS INCLUDED ON THE ADVANCED PRACTICE REGISTRY PRIOR TO JULY 1, 2010, AND HAS NOT OBTAINED NATIONAL CERTIFICATION;

(B) THE ADVANCED PRACTICE NURSE WAS INCLUDED ON THE ADVANCED PRACTICE REGISTRY PRIOR TO JULY 1, 2008, AND HAS NOT COMPLETED A GRADUATE DEGREE AS SPECIFIED IN SECTION 12-38-111.5 (4) (c); OR

(C) THE BOARD GRANTS AN EXCEPTION.

(d) (I) ON OR AFTER JULY 1, 2010, OR, IF THE DIRECTOR OF THE DIVISION OF REGISTRATIONS ADOPTS RULES PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH (f) OF THIS SUBSECTION (4.5), ON OR AFTER JULY 2, 2010, AN ADVANCED PRACTICE NURSE WHO HAS OBTAINED PRESCRIPTIVE AUTHORITY FROM ANOTHER STATE MAY OBTAIN PROVISIONAL PRESCRIPTIVE AUTHORITY IN THIS STATE IF THE ADVANCED PRACTICE NURSE SATISFIES THE FOLLOWING REQUIREMENTS:

(A) THE ADVANCED PRACTICE NURSE SATISFIES THE REQUIREMENTS OF SUBPARAGRAPHS (I), (II), (III), AND (IV) OF PARAGRAPH (a) OF THIS SUBSECTION (4.5); AND

(B) THE ADVANCED PRACTICE NURSE HAS THREE THOUSAND SIX HUNDRED HOURS OF DOCUMENTED EXPERIENCE PRESCRIBING MEDICATIONS WITHOUT SIGNIFICANT ADVERSE PRESCRIBING ISSUES, AS DETERMINED BY THE BOARD.

(II) ONCE AN ADVANCED PRACTICE NURSE WITH PRESCRIPTIVE AUTHORITY FROM ANOTHER STATE OBTAINS PROVISIONAL PRESCRIPTIVE AUTHORITY IN THIS STATE, THE ADVANCED PRACTICE NURSE SHALL SATISFY THE FOLLOWING REQUIREMENTS IN ORDER TO OBTAIN AND MAINTAIN FULL PRESCRIPTIVE AUTHORITY IN THIS STATE:

(A) WITHIN ONE YEAR AFTER OBTAINING PROVISIONAL PRESCRIPTIVE AUTHORITY IN THIS STATE, THE ADVANCED PRACTICE NURSE SHALL DEVELOP AN ARTICULATED PLAN, AS DESCRIBED IN SUBPARAGRAPH (I) OF PARAGRAPH (c) OF THIS SUBSECTION (4.5); EXCEPT THAT, IF THE

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ADVANCED PRACTICE NURSE WITH PRESCRIPTIVE AUTHORITY FROM ANOTHER STATE FAILS TO DEVELOP THE REQUIRED ARTICULATED PLAN WITHIN THE SPECIFIED PERIOD, THE ADVANCED PRACTICE NURSE'S PROVISIONAL PRESCRIPTIVE AUTHORITY EXPIRES FOR FAILURE TO COMPLY WITH THE STATUTORY REQUIREMENTS; AND

(B) THE ADVANCED PRACTICE NURSE SHALL MAINTAIN NATIONAL CERTIFICATION, AS SPECIFIED IN SUBPARAGRAPH (III) OF PARAGRAPH (a) OF THIS SUBSECTION (4.5), UNLESS THE BOARD GRANTS AN EXCEPTION.

(e) DURING THE SECOND YEAR OF IMPLEMENTATION OF THIS SUBSECTION (4.5) AND RULES ADOPTED PURSUANT TO PARAGRAPH (f) OF THIS SUBSECTION (4.5), THE BOARD SHALL CONDUCT RANDOM AUDITS OF ARTICULATED PLANS TO ENSURE THE PLANS SATISFY THE REQUIREMENTS OF THIS SUBSECTION (4.5) AND RULES ADOPTED PURSUANT TO PARAGRAPH (f) OF THIS SUBSECTION (4.5).

(f) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (f), THE BOARD SHALL ADOPT RULES TO IMPLEMENT THIS SUBSECTION (4.5), WHICH RULES SHALL TAKE EFFECT ON JULY 1, 2010. THE BOARD SHALL CONSIDER THE RECOMMENDATIONS OF THE NURSE-PHYSICIAN ADVISORY TASK FORCE FOR COLORADO HEALTH CARE SUBMITTED IN ACCORDANCE WITH SECTION 24-34-109, C.R.S., CONCERNING PRESCRIPTIVE AUTHORITY OF ADVANCED PRACTICE NURSES. THE RULES SHALL BE COMPLEMENTARY TO RULES ADOPTED BY THE STATE BOARD OF MEDICAL EXAMINERS PURSUANT TO SECTION 12-36-106.4.

(II) THE DIRECTOR OF THE DIVISION OF REGISTRATIONS IN THE DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE RULES ADOPTED BY THE BOARD PURSUANT TO THIS PARAGRAPH (f) PRIOR TO THE EFFECTIVE DATE OF THE RULES TO DETERMINE IF THE RULES COMPLEMENT THE RULES OF THE STATE BOARD OF MEDICAL EXAMINERS. IF THE DIRECTOR DETERMINES THAT THE RULES OF THE TWO BOARDS ARE NOT COMPLEMENTARY, THE DIRECTOR SHALL ADOPT RULES THAT SUPERCEDE AND REPLACE THE RULES OF THE TWO BOARDS REGARDING PRESCRIPTIVE AUTHORITY OF ADVANCED PRACTICE NURSES AND COLLABORATION BETWEEN ADVANCED PRACTICE NURSES AND PHYSICIANS, AND SUCH RULES SHALL TAKE EFFECT ON JULY 2, 2010.

SECTION 22. 12-38-108 (1) (b) (I), Colorado Revised Statutes, is amended to read:

12-38-108. Powers and duties of the board - rules. (1) The board has the following powers and duties:

(b) (I) To examine, license, reactivate, and renew licenses of qualified applicants and to grant to such applicants temporary licenses and permits to engage in the practice of practical nursing and professional nursing in this state within the limitations imposed by this article. Licenses shall be renewed, reactivated, or reinstated pursuant to a schedule established by the director of the division of registrations within the department of regulatory agencies and shall be renewed, reactivated, or reinstated pursuant to section 24-34-102 (8), C.R.S. The director of the division of registrations within the department of regulatory agencies may establish renewal fees, reactivation fees, and delinquency fees for reinstatement pursuant to section 24-34-105, C.R.S., AND MAY INCREASE FEES TO OBTAIN OR RENEW A PROFESSIONAL NURSE LICENSE OR ADVANCED PRACTICE NURSE AUTHORITY CONSISTENT WITH SECTION 24-34-109 (4), C.R.S., TO FUND THE DIVISION'S COSTS IN ADMINISTERING AND STAFFING THE NURSE-PHYSICIAN ADVISORY TASK FORCE FOR COLORADO HEALTH CARE CREATED IN SECTION 24-34-109 (1), C.R.S. If a person fails to renew his or her license pursuant to the schedule established by the director of the division of registrations, such license shall expire. Any person whose license has expired shall be subject to the penalties provided in this article or section 24-34-102 (8), C.R.S.

SECTION 23. 12-36-106.3 (1), Colorado Revised Statutes, is amended, and the said 12-36-106.3 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

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12-36-106.3. Collaborative agreements with advanced practice nurses - repeal. (1) PRIOR TO JULY 1, 2010, a physician licensed pursuant to the "Colorado Medical Practice Act" may enter into a collaborative agreement for the purposes of prescriptive authority by advanced practice nurses pursuant to section 12-38-111.6 (4) (d) (II).

(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2010.

SECTION 24. Part 1 of article 36 of title 12, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

12-36-106.4. Collaboration with advanced practice nurses with prescriptive authority - preceptorships - mentorships - board rules. (1) (a) A PHYSICIAN LICENSED PURSUANT TO THIS ARTICLE MAY, AND IS ENCOURAGED TO, SERVE AS A PRECEPTOR OR MENTOR TO AN ADVANCED PRACTICE NURSE WHO IS APPLYING FOR PRESCRIPTIVE AUTHORITY PURSUANT TO SECTION 12-38-111.6 (4.5). A PHYSICIAN WHO SERVES AS A PRECEPTOR OR MENTOR TO AN ADVANCED PRACTICE NURSE SEEKING PRESCRIPTIVE AUTHORITY SHALL:

(I) BE PRACTICING IN COLORADO AND SHALL HAVE EDUCATION, TRAINING, EXPERIENCE, AND ACTIVE PRACTICE THAT CORRESPONDS WITH THE SPECIALTY AREA OF THE ADVANCED PRACTICE NURSE; AND

(II) HAVE A LICENSE IN GOOD STANDING WITHOUT DISCIPLINARY SANCTIONS TO PRACTICE MEDICINE IN COLORADO AND AN UNRESTRICTED REGISTRATION BY THE DRUG ENFORCEMENT ADMINISTRATION FOR THE SAME SCHEDULES AS THE ADVANCED PRACTICE NURSE.

(b) A PHYSICIAN SERVING AS A PRECEPTOR OR MENTOR TO AN ADVANCED PRACTICE NURSE PURSUANT TO SECTION 12-38-111.6 (4.5) SHALL NOT REQUIRE PAYMENT FROM OR EMPLOYMENT BY THE ADVANCED PRACTICE NURSE AS A CONDITION OF ENTERING INTO THE PRECEPTORSHIP OR MENTORSHIP RELATIONSHIP, BUT THE PHYSICIAN MAY REQUEST REIMBURSEMENT OF REASONABLE EXPENSES AND TIME SPENT AS A RESULT OF THE PRECEPTORSHIP OR MENTORSHIP RELATIONSHIP.

(c) UPON SUCCESSFUL COMPLETION OF A MENTORSHIP AS DESCRIBED IN SECTION 12-38-111.6 (4.5) (b) (I), THE PHYSICIAN SHALL VERIFY BY HIS OR HER SIGNATURE THAT THE ADVANCED PRACTICE NURSE HAS SUCCESSFULLY COMPLETED THE SPECIFIED HOURS OF MENTORSHIP WITHIN THE REQUIRED PERIOD.

(2) WHILE SERVING AS A MENTOR PURSUANT TO SECTION 12-38-111.6 (4.5) (b) (I), A PHYSICIAN SHALL ASSIST THE ADVANCED PRACTICE NURSE IN DEVELOPING AN ARTICULATED PLAN FOR SAFE PRESCRIBING, AS DESCRIBED IN SECTION 12-38-111.6 (4.5) (b) (II) AND SHALL VERIFY THROUGH HIS OR HER SIGNATURE THAT THE ADVANCED PRACTICE NURSE HAS DEVELOPED AN ARTICULATED PLAN IN COMPLIANCE WITH SAID SECTION.

(3) FOR PURPOSES OF AN ADVANCED PRACTICE NURSE WHO OBTAINED PRESCRIPTIVE AUTHORITY PRIOR TO JULY 1, 2010, AS DESCRIBED IN SECTION 12-38-111.6 (4.5) (c), OR WHO HAS PRESCRIPTIVE AUTHORITY FROM ANOTHER STATE AND OBTAINS PRESCRIPTIVE AUTHORITY IN THIS STATE, AS DESCRIBED IN SECTION 12-38-111.6 (4.5) (d), PHYSICIANS MAY, AND ARE ENCOURAGED TO, ASSIST THOSE ADVANCED PRACTICE NURSES IN DEVELOPING THE ARTICULATED PLANS REQUIRED BY THOSE SECTIONS AND VERIFYING, THROUGH THE PHYSICIAN'S SIGNATURE, THE DEVELOPMENT OF THE REQUIRED PLANS. THE PHYSICIAN VERIFYING AN ADVANCED PRACTICE NURSE'S ARTICULATED PLAN SHALL BE PRACTICING IN COLORADO AND HAVE EDUCATION, TRAINING, EXPERIENCE AND ACTIVE PRACTICE THAT CORRESPONDS WITH THE SPECIALTY AREA OF THE ADVANCED PRACTICE NURSE.

(4) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (4), THE BOARD SHALL ADOPT RULES TO IMPLEMENT THIS SECTION, WHICH RULES SHALL TAKE EFFECT ON JULY 1, 2010. THE BOARD

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SHALL CONSIDER THE RECOMMENDATIONS OF THE NURSE-PHYSICIAN ADVISORY TASK FORCE FOR COLORADO HEALTH CARE SUBMITTED IN ACCORDANCE WITH SECTION 24-34-109, C.R.S., CONCERNING THE ROLE OF PHYSICIANS IN COLLABORATING WITH ADVANCED PRACTICE NURSES WITH PRESCRIPTIVE AUTHORITY. THE RULES SHALL BE COMPLEMENTARY TO RULES ADOPTED BY THE STATE BOARD OF NURSING PURSUANT TO SECTION 12-38-111.6 (4.5) (f) (I).

(b) THE DIRECTOR OF THE DIVISION OF REGISTRATIONS IN THE DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE RULES ADOPTED BY THE BOARD PURSUANT TO THIS SUBSECTION (4) TO DETERMINE IF THE RULES COMPLEMENT THE RULES OF THE STATE BOARD OF NURSING. IF THE DIRECTOR DETERMINES THAT THE RULES OF THE TWO BOARDS ARE NOT COMPLEMENTARY, THE DIRECTOR SHALL ADOPT RULES THAT SUPERCEDE AND REPLACE THE RULES OF THE TWO BOARDS REGARDING PRESCRIPTIVE AUTHORITY OF ADVANCED PRACTICE NURSES AND COLLABORATION BETWEEN ADVANCED PRACTICE NURSES AND PHYSICIANS, AND SUCH RULES SHALL TAKE EFFECT ON JULY 2, 2010.

SECTION 25. 12-36-106 (3) (t) (II) and (3) (t) (III), Colorado Revised Statutes, are amended, and the said 12-36-106 (3) (t) is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBPARAGRAPHS, to read:

12-36-106. Practice of medicine defined - exemptions from licensing requirements - unauthorized practice by physician assistant - penalties - repeal. (3) Nothing in this section shall be construed to prohibit, or to require a license or a physician training license under this article with respect to, any of the following acts:

(t) (II) A physician who signs a collaborative agreement with an advanced practice nurse pursuant to the requirements of section 12-38-111.6 (4) (d) PRIOR TO JULY 1, 2010, shall have a license in good standing without disciplinary sanctions to practice medicine in Colorado and an unrestricted registration by the drug enforcement administration for the same schedules as the collaborating advanced practice nurse. THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 1, 2010.

(II.5) ON OR AFTER JULY 1, 2010, A PHYSICIAN WHO SERVES AS A PRECEPTOR OR MENTOR TO AN ADVANCED PRACTICE NURSE PURSUANT TO SECTION 12-36-106.4 AND 12-38-111.6 (4.5) SHALL HAVE A LICENSE IN GOOD STANDING WITHOUT DISCIPLINARY SANCTIONS TO PRACTICE MEDICINE IN COLORADO AND AN UNRESTRICTED REGISTRATION BY THE DRUG ENFORCEMENT ADMINISTRATION FOR THE SAME SCHEDULES AS THE COLLABORATING ADVANCED PRACTICE NURSE.

(III) (A) Except as provided in sub-subparagraph (C) of this subparagraph (III), a physician may not enter into more than five collaborative agreements in accordance with section 12-38-111.6.

(B) It is unlawful and a violation of this article for any person, corporation, or other entity to require as a condition of contract, employment, or compensation to exceed the limitation set pursuant to sub-subparagraph (A) of this subparagraph (III).

(C) The board may waive the maximum number of advanced practice nurses with whom a physician may sign a collaborative agreement for a specific physician upon a finding that quality patient care can be maintained.

(D) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE JULY 1, 2010.

(IV) ON OR AFTER JULY 1, 2010, A PHYSICIAN SHALL NOT SERVE AS A MENTOR TO MORE THAN FIVE ADVANCED PRACTICE NURSES PURSUANT TO SECTIONS 12-36-106.4 AND 12-38-111.6 (4.5); EXCEPT THAT, THE BOARD MAY WAIVE THIS LIMITATION FOR A SPECIFIC PHYSICIAN UPON A FINDING THAT QUALITY PATIENT CARE CAN BE MAINTAINED.

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(V) IT IS UNLAWFUL AND A VIOLATION OF THIS ARTICLE FOR ANY PERSON, CORPORATION, OR OTHER ENTITY TO REQUIRE PAYMENT FROM OR EMPLOYMENT BY AN ADVANCED PRACTICE NURSE AS A CONDITION OF ENTERING INTO A MENTORSHIP RELATIONSHIP WITH THE ADVANCED PRACTICE NURSE PURSUANT TO SECTIONS 12-36-106.4 AND 12-38-111.6 (4.5), BUT THE MENTOR MAY REQUEST REIMBURSEMENT OF REASONABLE EXPENSES AND TIME SPENT AS A RESULT OF THE MENTORSHIP RELATIONSHIP.

SECTION 26. 12-36-117 (1) (ii), Colorado Revised Statutes, is amended, and the said 12-36-117 (1) is further amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

12-36-117. Unprofessional conduct. (1) "Unprofessional conduct" as used in this article means:

(ii) (I) Entering into or continuing a collaborative agreement pursuant to sections 12-38-111.6 (4) (d) (IV) and 12-36-106.3 that fails to meet generally acceptable standards of medical practice;

(II) THIS PARAGRAPH (ii) IS REPEALED, EFFECTIVE JULY 1, 2010.

(kk) ENTERING INTO OR CONTINUING IN A MENTORSHIP RELATIONSHIP WITH AN ADVANCED PRACTICE NURSE PURSUANT TO SECTIONS 12-36-106.4 AND 12-38-111.6 (4.5) THAT FAILS TO MEET GENERALLY ACCEPTABLE STANDARDS OF MEDICAL PRACTICE;

(ll) VERIFYING BY SIGNATURE THE ARTICULATED PLAN DEVELOPED BY AN ADVANCED PRACTICE NURSE PURSUANT TO SECTIONS 12-36-106.4 AND 12-38-111.6 (4.5) IF THE ARTICULATED PLAN FAILS TO COMPLY WITH THE REQUIREMENTS OF SECTION 12-38-111.6 (4.5) (b) (II).

SECTION 27. 12-36-123 (1) (a), Colorado Revised Statutes, is amended to read:

12-36-123. Procedure - registration - fees. (1) (a) All licenses shall be renewed or reinstated pursuant to a schedule established by the director of the division of registrations within the department of regulatory agencies and shall be renewed or reinstated pursuant to section 24-34-102 (8), C.R.S. The director of the division may establish renewal fees and delinquency fees for reinstatement pursuant to section 24-34-105, C.R.S., AND SHALL INCREASE RENEWAL FEES CONSISTENT WITH SECTION 24-34-109 (4), C.R.S., TO FUND THE DIVISION'S COSTS IN ADMINISTERING AND STAFFING THE NURSE-PHYSICIAN ADVISORY TASK FORCE FOR COLORADO HEALTH CARE CREATED IN SECTION 24-34-109 (1), C.R.S. If a person fails to renew his or her license pursuant to the schedule established by the director of the division of registrations, such license shall expire. A person whose license has expired shall be subject to the penalties provided in this article or section 24-34-102 (8), C.R.S.

SECTION 28. Part 1 of article 34 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

24-34-109. Nurse-physician advisory task force for Colorado health care - creation - duties - repeal. (1) THERE IS HEREBY CREATED, WITHIN THE DIVISION OF REGISTRATIONS IN THE DEPARTMENT OF REGULATORY AGENCIES, THE NURSE-PHYSICIAN ADVISORY TASK FORCE FOR COLORADO HEALTH CARE, REFERRED TO IN THIS SECTION AS "NPATCH". THE PURPOSE OF NPATCH IS TO PROMOTE PUBLIC SAFETY AND IMPROVE HEALTH CARE IN COLORADO BY SUPPORTING COLLABORATION AND COMMUNICATION BETWEEN THE PRACTICES OF NURSING AND MEDICINE. THE NPATCH SHALL:

(a) PROMOTE PATIENT SAFETY AND QUALITY CARE;

(b) ADDRESS ISSUES OF MUTUAL CONCERN AT THE INTERFACE OF THE PRACTICES OF NURSING AND MEDICINE;

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- (c) INFORM PUBLIC POLICY-MAKING; AND
- (d) MAKE CONSENSUS RECOMMENDATIONS TO POLICY-MAKING AND RULE-MAKING ENTITIES, INCLUDING:
 - (I) RECOMMENDATIONS TO THE STATE BOARD OF NURSING CREATED IN SECTION 12-38-104, C.R.S., AND THE STATE BOARD OR MEDICAL EXAMINERS CREATED IN SECTION 12-36-103, C.R.S., REGARDING THE RULES OF THE BOARDS GOVERNING PRESCRIPTIVE AUTHORITY OF ADVANCED PRACTICE NURSES AND COLLABORATION BETWEEN ADVANCED PRACTICE NURSES AND PHYSICIANS; AND
 - (II) RECOMMENDATIONS TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES.
- (2) (a) THE NPATCH SHALL CONSIST OF TWELVE MEMBERS APPOINTED AS FOLLOWS:
 - (I) ONE MEMBER OF THE STATE BOARD OF NURSING, APPOINTED BY THE PRESIDENT OF THE BOARD;
 - (II) ONE MEMBER OF THE STATE BOARD OF MEDICAL EXAMINERS, APPOINTED BY THE PRESIDENT OF THE BOARD;
 - (III) TEN MEMBERS APPOINTED BY THE GOVERNOR AS FOLLOWS:
 - (A) THREE MEMBERS RECOMMENDED BY AND REPRESENTING A STATEWIDE PROFESSIONAL NURSING ORGANIZATION;
 - (B) THREE MEMBERS RECOMMENDED BY AND REPRESENTING A STATEWIDE PHYSICIANS' ORGANIZATION;
 - (C) ONE MEMBER REPRESENTING THE NURSING COMMUNITY WHO MAY OR MAY NOT BE A MEMBER OF A STATEWIDE PROFESSIONAL NURSING ORGANIZATION;
 - (D) ONE MEMBER REPRESENTING THE PHYSICIAN COMMUNITY WHO MAY OR MAY NOT BE A MEMBER OF A STATEWIDE PHYSICIANS' ORGANIZATION; AND
 - (E) TWO MEMBERS REPRESENTING CONSUMERS.
- (b) THE MEMBERS OF THE NPATCH SHALL SERVE ON A VOLUNTARY BASIS WITHOUT COMPENSATION AND SHALL SERVE THREE-YEAR TERMS; EXCEPT THAT, IN ORDER TO ENSURE STAGGERED TERMS OF OFFICE, FOUR OF THE INITIAL APPOINTEES SHALL SERVE INITIAL ONE-YEAR TERMS AND FOUR OF THE INITIAL APPOINTEES SHALL SERVE INITIAL TWO-YEAR TERMS.
- (3) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (3), THE NPATCH MAY DEVELOP ITS OWN BYLAWS AND PROCEDURES TO GOVERN ITS OPERATIONS.
- (b) A RECOMMENDATION OF THE NPATCH REQUIRES THE CONSENSUS OF THE MEMBERS OF THE TASK FORCE. FOR PURPOSES OF THIS SECTION, "CONSENSUS" MEANS AN AGREEMENT, DECISION, OR RECOMMENDATION THAT ALL MEMBERS OF THE TASK FORCE CAN ACTIVELY SUPPORT AND THAT NO MEMBER ACTIVELY OPPOSES.
- (4) THE DIVISION OF REGISTRATIONS SHALL STAFF THE NPATCH. THE DIVISION'S COSTS FOR ADMINISTERING AND STAFFING THE NPATCH SHALL BE FUNDED BY AN INCREASE IN FEES FOR PROFESSIONAL AND ADVANCED PRACTICE NURSING AND MEDICAL LICENSE RENEWAL FEES, AS AUTHORIZED IN SECTIONS 12-38-108 (1) (b) (I) AND 12-36-123, C.R.S., WITH FIFTY PERCENT OF THE FUNDING DERIVED FROM THE PHYSICIAN LICENSE RENEWAL FEES AND FIFTY PERCENT DERIVED FROM THE PROFESSIONAL AND ADVANCED PRACTICE NURSING FEES.

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(5) THE NPATCH SHALL PRIORITIZE CONSIDERATION OF AND MAKE RECOMMENDATIONS ON THE FOLLOWING TOPICS:

(a) FACILITATING A SMOOTH TRANSITION TO THE ARTICULATED PLAN MODEL, AS DESCRIBED IN SECTIONS 12-38-111.6 (4.5) AND 12-36-106.4, C.R.S., FOR ENSURING COLLABORATION BETWEEN ADVANCED PRACTICE NURSES WITH PRESCRIPTIVE AUTHORITY AND PHYSICIANS AND HARMONIZING RULES OF THE STATE BOARD OF NURSING AND THE STATE BOARD OF MEDICAL EXAMINERS REGARDING ARTICULATED PLANS;

(b) THE FRAMEWORK FOR ARTICULATED PLANS, INCLUDING CREATION OF SAMPLE PLANS;

(c) QUALITY ASSURANCE MECHANISMS FOR ALL MEDICATION PRESCRIBERS;

(d) EVIDENCE-BASED GUIDELINES FOR ADVANCED PRACTICE NURSES WITH PRESCRIPTIVE AUTHORITY;

(e) DECISION SUPPORT TOOLS FOR ADVANCED PRACTICE NURSES WITH PRESCRIPTIVE AUTHORITY;

(f) SAFE PRESCRIBING METRICS FOR ALL MEDICATION PRESCRIBERS;

(g) METHODS TO FOSTER EFFECTIVE COMMUNICATION BETWEEN HEALTH PROFESSIONS;

(h) HEALTH CARE DELIVERY SYSTEM INTEGRATION AND RELATED IMPROVEMENTS;

(i) PHYSICIAN STANDARDS, PROCESS, AND METRICS TO ENSURE APPROPRIATE CONSULTATION, COLLABORATION, AND REFERRAL REGARDING ADVANCED PRACTICE NURSE PRESCRIPTIVE AUTHORITY; AND

(j) PRESCRIBING ISSUES REGARDING PROVIDERS OTHER THAN PHYSICIANS AND ADVANCED PRACTICE NURSES.

(6) (a) THE NPATCH SHALL MAKE RECOMMENDATIONS TO THE STATE BOARD OF NURSING AND THE STATE BOARD OF MEDICAL EXAMINERS TO ASSIST THE BOARDS IN THE DEVELOPMENT OF INDEPENDENT RULES, CONSISTENT WITH SECTIONS 12-38-111.6 (4.5) AND 12-36-106.4, C.R.S., REGARDING PRESCRIPTIVE AUTHORITY OF ADVANCED PRACTICE NURSES, ARTICULATED PLANS, AND THE COLLABORATION BETWEEN ADVANCED PRACTICE NURSES AND PHYSICIANS.

(b) THE NPATCH SHALL MAKE RECOMMENDATIONS, OTHER THAN THOSE DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (6), TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES.

(7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014. PRIOR TO SUCH REPEAL, THE FUNCTIONS OF THE NPATCH SHALL BE REVIEWED AS PROVIDED IN SECTION 2-3-1203, C.R.S.

SECTION 29. 2-3-1203 (3) (aa), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(aa) July 1, 2014:

(V) THE NURSE-PHYSICIAN ADVISORY TASK FORCE FOR COLORADO HEALTH CARE, CREATED IN SECTION 24-34-109, C.R.S.;".

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Renumber succeeding sections accordingly.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB09-1139** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, strike line 5 and substitute the following:

"(II) FAMILY PHYSICIANS;"

Health & Human Services

After consideration on the merits, the Committee recommends that **HB09-1102** be referred to the Committee of the Whole with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **SB09-241** 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 7 and 8 and substitute the following:

"BE CITED AS "KATIE'S LAW"."

Judiciary

After consideration on the merits, the Committee recommends that **HB09-1227** be referred to the Committee of the Whole with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **HB09-1190** be referred to the Committee of the Whole with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **HB09-1191** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

On motion of Senator Shaffer, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, March 12, was laid over until Friday, March 13, retaining its place on the calendar.

Conference Committees to Report: SB09-215, SB09-208, SB09-210.

On motion of Senator Shaffer, the Senate adjourned until 9:00 a.m., Friday, March 13, 2009.

Approved:

Peter C. Groff
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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