

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

31st Legislative Day Friday, February 12, 2010

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Prayer	By the chaplain, Reverend John Thompson, Park Hill United Methodist Church, Denver.	11
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Call to Order	By the President at 9:00 a.m.	13
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Pledge	By Senator Brophy.	15
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Roll Call	Present--34.	17
	Excused--1, King.	18
	Present later--1, King.	19
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Quorum	The President announced a quorum present.	21
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Reading of Journal	On motion of Senator Johnston, reading of the Journal of Thursday, February 11, 2010, was dispensed with and the Journal was approved as corrected by the Secretary.	23
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COMMITTEE OF REFERENCE REPORTS

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Trans- portation	After consideration on the merits, the Committee recommends that SB10-157 be postponed indefinitely.	31
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Education	After consideration on the merits, the Committee recommends that SB10-107 be postponed indefinitely.	34
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Education	After consideration on the merits, the Committee recommends that SB10-081 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	37
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	Amend printed bill, page 4, line 6, strike "STATE-GROWN, STATE-RAISED, OR STATE-PROCESSED" and substitute "LOCALLY GROWN, PRODUCED, AND PROCESSED".	41
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Education	After consideration on the merits, the Committee recommends that SB10-005 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	46
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	Amend printed bill, page 4, line 22, strike "IN THE EVENT THAT THE STATE RECEIVES" and substitute "UPON THE RECEIPT OF SUFFICIENT".	50
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	Page 5, line 2, strike "EACH" and substitute "CONSISTENT WITH THE QUALITY PROGRAM STANDARDS SPECIFIED IN PARAGRAPHS (a) TO (e) OF THIS SUBSECTION (2), EACH".	53
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	Page 5, strike lines 7 through 16 and substitute "OF SERVICES, EACH LOCAL EDUCATION PROVIDER SHALL APPLY A GRANT TOWARD ACHIEVING THE FOLLOWING QUALITY PROGRAM STANDARDS:	57
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	(a) LIMITING CLASS SIZE TO TWENTY OR FEWER PUPILS; EXCEPT THAT THE STATE BOARD OF EDUCATION MAY CONSIDER A WAIVER FOR A LOCAL EDUCATION PROVIDER TO ALLOW UP TO TWENTY-FIVE PUPILS IN A KINDERGARTEN CLASSROOM; AND	60
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	(b) ENSURING THAT KINDERGARTEN TEACHERS ACQUIRE KNOWLEDGE CONCERNING CHILD DEVELOPMENT, MULTICULTURAL	66
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EDUCATION, AND PARENT AND FAMILY PARTNERSHIPS.

(3) ADDITIONALLY, EACH LOCAL EDUCATION PROVIDER THAT RECEIVES A GRANT PURSUANT TO THIS ARTICLE IS STRONGLY ENCOURAGED TO:

(a) ENSURE PARENT ENGAGEMENT FOR EACH KINDERGARTEN CLASSROOM; AND

(b) ENSURE THAT KINDERGARTEN TEACHERS COORDINATE WITH PRESCHOOL TEACHERS CONCERNING PLANNING, PROFESSIONAL DEVELOPMENT, PARENT AND FAMILY INVOLVEMENT, AND STUDENT TRANSITION."

Renumber succeeding subsection accordingly.

Page 5, strike lines 18 through 21 and substitute "LOCAL EDUCATION PROVIDERS WITH RESPECT TO MEETING THE QUALITY PROGRAM STANDARDS SPECIFIED IN SUBSECTION (2) OF THIS SECTION."

Page 5, line 23, strike "rules." and substitute "rules - report."

Page 6, line 6, strike "SEEK AND ACCEPT" and substitute "SEEK, ACCEPT, AND EXPEND"

Page 6, line 11, after the period add "THE DEPARTMENT IS AUTHORIZED TO EXPEND A REASONABLE AMOUNT OF THE MONEYS RECEIVED FOR THE GRANT PROGRAM FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH ADMINISTERING THE GRANT PROGRAM, UNLESS OTHERWISE PROVIDED BY ANY PROVISION RELATED TO THE DEPARTMENT'S RECEIPT OF FEDERAL MONEYS THAT ARE APPLIED TO THE GRANT PROGRAM."

Page 6, after line 15 insert:

"(4) ON OR BEFORE JANUARY 31 OF EACH YEAR FOLLOWING A BUDGET YEAR IN WHICH THE DEPARTMENT DISTRIBUTES MONEYS THROUGH THE GRANT PROGRAM, THE DEPARTMENT SHALL SUBMIT TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, A REPORT CONCERNING THE EFFECTIVENESS OF THE GRANT PROGRAM."

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB10-1107 by Representative(s) Fischer, Ferrandino, Hullinghorst, Pommer; also Senator(s) Carroll M., Tochtrop--Concerning limitations on the inclusion of agricultural lands within urban renewal areas.
State, Veterans & Military Affairs

Committee of the Whole On motion of Senator Hudak, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Hudak was called to the chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB10-016 by Senator(s) Williams, Romer, Spence; also Representative(s) Vaad, Fischer, Frangas, King S., McFadyen, McNulty, Merrifield, Tyler--Concerning modification of the manner in

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which a civil penalty assessment notice of toll evasion evidenced by automatic vehicle identification technology is provided to the owner of a vehicle so identified.

Amendment No. 1, General Orders Amendment.

(Printed in Senate Journal, February 3, page 149 and placed in members' bill files.)

Amendment No. 2(L.007), by Senator Williams.

Amend printed bill, page 2, line 2, strike "(6) (a)" and substitute "(4) (f), (6) (a)".

Page 2, line 4, strike "(6) (a) In addition to" and substitute "(4) (f) An administrative adjudication of a toll evasion by an authority is subject to judicial review. The administrative adjudication may be appealed as to matters of law and fact to the county court for the county in which the violation occurred. The appeal shall be a review of the record of the administrative adjudication and not a de novo hearing.

(6) (a) In addition to".

Page 4, line 11, strike "(2) (f) (I) and substitute "(2) (d) (VI), (2) (f) (I)".

Page 4, line 14, strike "(2) (f) (I)" and substitute "(2) (d) (VI) An administrative adjudication of a toll evasion by the transportation enterprise is subject to judicial review. The administrative adjudication may be appealed as to matters of law and fact to the county court for the county in which the violation occurred. The appeal shall be a review of the record of the administrative adjudication and not a de novo hearing.

(f) (I)".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB10-100 by Senator(s) Schwartz, Carroll M., Foster, Gibbs, Heath, Newell, Romer; also Representative(s) Miklosi--Concerning greater financing flexibility for local districts organized for purposes related to energy.

Amendment No. 1(L.002), by Senator Schwartz.

Amend printed bill, page 2, line 5, strike "**Definitions.**" and substitute "**Definitions - repeal.**".

Page 3, line 2, strike everything after "LOCATION"" and substitute "MEANS:

(a) IF THE AFFECTED LOCAL ELECTRIC UTILITY IS NOT AN INVESTOR-OWNED UTILITY, AN OFF-SITE".

Page 3, line 4, strike "(a) Is" and substitute "(I) IS WHOLLY".

Page 3, line 5, after "OWNER" insert "OR OWNERS" and after "BUILDING" insert "OR BUILDINGS".

Page 3, line 6, strike "IS" and substitute "ARE".

Page 3, line 7, strike "(b)" and substitute "(II)".

Page 3, line 9, strike "(c)" and substitute "(III)".

Page 3, after line 10 insert:

"(b) IF THE AFFECTED LOCAL ELECTRIC UTILITY IS AN INVESTOR-OWNED UTILITY, A COMMUNITY SOLAR GARDEN, AS THAT TERM IS DEFINED IN SECTION 40-2-127 (2), C.R.S. IF HOUSE BILL 10-____ DOES NOT TAKE EFFECT, THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1,

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2011."

Page 3, line 24, after the period insert "NOTHING IN THIS PART 6 LIMITS THE RIGHT OF A PUBLIC UTILITY, SUBJECT TO ARTICLE 3 OR 3.5 OF TITLE 40, C.R.S., OR SECTION 40-9.5-106, C.R.S., TO ASSESS FEES FOR THE USE OF ITS FACILITIES, OR MODIFIES OR EXPANDS THE NET METERING LIMITATIONS ESTABLISHED IN SECTION 40-9.5-118, C.R.S."

Page 9, line 19, strike "Definitions." and substitute "Definitions - repeal."

Page 9, line 21, strike everything after "LOCATION"" and substitute "MEANS:

(a) IF THE AFFECTED LOCAL ELECTRIC UTILITY IS NOT AN INVESTOR-OWNED UTILITY, AN OFF-SITE"

Page 9, line 23, strike "(a) Is" and substitute "(I) IS WHOLLY"

Page 9, line 24, after "OWNER" insert "OR OWNERS" and after "BUILDING" insert "OR BUILDINGS"

Page 9, line 25, strike "IS" and substitute "ARE"

Page 9, line 26, strike "(b)" and substitute "(II)"

Page 10, line 1, strike "(c)" and substitute "(III)"

Page 10, after line 2 insert:

"(b) IF THE AFFECTED LOCAL ELECTRIC UTILITY IS AN INVESTOR-OWNED UTILITY, A SOLAR COMMUNITY GARDEN AS THAT TERM IS DEFINED IN SECTION 40-2-127 (2), C.R.S. IF HOUSE BILL 10-____ DOES NOT TAKE EFFECT, THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2011."

Page 10, line 3, after "(4)" insert "(a)"

Page 10, line 10, strike "(a)" and substitute "(I)"

Page 10, line 12, strike "(b)" and substitute "(II)"

Page 10, after line 13 insert:

"(b) NO RENEWABLE ENERGY IMPROVEMENT SHALL BE AUTHORIZED THAT INTERFERES WITH A RIGHT HELD BY A PUBLIC UTILITY UNDER A CERTIFICATE ISSUED BY THE PUBLIC UTILITIES COMMISSION UNDER ARTICLE 5 OF TITLE 40, C.R.S. NOTHING IN THIS PART 5 LIMITS THE RIGHT OF A PUBLIC UTILITY, SUBJECT TO ARTICLE 3 OR 3.5 OF TITLE 40, C.R.S., OR SECTION 40-9.5-106, C.R.S., TO ASSESS FEES FOR THE USE OF ITS FACILITIES, OR MODIFIES OR EXPANDS THE NET METERING LIMITATIONS ESTABLISHED IN SECTION 40-9.5-118, C.R.S. THE PUBLIC UTILITIES COMMISSION HAS PRIMARY JURISDICTION TO ADJUDICATE DISPUTES AS TO WHETHER A RENEWABLE ENERGY IMPROVEMENT INTERFERES WITH SUCH A RIGHT."

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB10-099

by Senator(s) Cadman, Morse, Penry; --Concerning the acceptance by members of the general assembly from a joint governmental agency of this state of the payment of or reimbursement for certain expenses related to the member's attendance at a meeting of the joint governmental agency.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, February 3, pages 145-146 and placed in members' bill files.)

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Amendment No. 2(L.003), by Senators Cadman and Carroll.

Amend printed bill, page 4, strike lines 16 through 21 and substitute:

"GOVERNMENTAL AGENCY OF THIS STATE UNDER THIS SUBSECTION (2) IF:

(I) (A) THE EXPENSES ARE RELATED TO THE MEMBER'S ATTENDANCE AT A CONVENTION OR MEETING OF THE JOINT GOVERNMENTAL AGENCY AT WHICH THE MEMBER IS SCHEDULED TO DELIVER A SPEECH, MAKE A PRESENTATION, PARTICIPATE ON A PANEL, OR REPRESENT THE STATE OF COLORADO OR FOR SOME OTHER LEGITIMATE STATE PURPOSE;

(B) THE TRAVEL, BOARD, AND LODGING ARRANGEMENTS ARE APPROPRIATE FOR PURPOSES OF THE MEMBER'S ATTENDANCE AT THE CONVENTION OR MEETING;

(C) THE DURATION OF THE MEMBER'S STAY IS NO LONGER THAN IS REASONABLY NECESSARY FOR THE MEMBER TO ACCOMPLISH THE PURPOSE OF HIS OR HER ATTENDANCE AT THE CONVENTION OR MEETING;

(D) THE MEMBER IS NOT CURRENTLY AND WILL NOT SUBSEQUENT TO THE CONVENTION OR MEETING BE IN A POSITION TO TAKE ANY OFFICIAL ACTION THAT WILL BENEFIT THE JOINT GOVERNMENTAL AGENCY; AND

(E) THE ATTENDANCE AT CONVENTIONS OR MEETINGS OF THE JOINT GOVERNMENTAL AGENCY HAS BEEN APPROVED BY THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL OR BY THE LEADERSHIP OF THE HOUSE OF THE GENERAL ASSEMBLY TO WHICH THE MEMBER BELONGS; OR

(II) THE GENERAL ASSEMBLY PAYS REGULAR MONTHLY, ANNUAL, OR OTHER PERIODIC DUES TO THE JOINT GOVERNMENTAL AGENCY THAT ARE INVOICED EXPRESSLY TO COVER TRAVEL, BOARD, AND LODGING EXPENSES FOR THE ATTENDANCE OF MEMBERS AT CONVENTIONS OR MEETINGS OF THE JOINT GOVERNMENTAL AGENCY."

Page 5, strike lines 7 through 11 and substitute:

"STATE UNDER SECTION 2-3-211 (2), C.R.S., IF:

(I) (A) THE EXPENSES ARE RELATED TO THE MEMBER'S ATTENDANCE AT A CONVENTION OR MEETING OF THE JOINT GOVERNMENTAL AGENCY AT WHICH THE MEMBER IS SCHEDULED TO DELIVER A SPEECH, MAKE A PRESENTATION, PARTICIPATE ON A PANEL, OR REPRESENT THE STATE OF COLORADO OR FOR SOME OTHER LEGITIMATE STATE PURPOSE;

(B) THE TRAVEL, BOARD, AND LODGING ARRANGEMENTS ARE APPROPRIATE FOR PURPOSES OF THE MEMBER'S ATTENDANCE AT THE CONVENTION OR MEETING;

(C) THE DURATION OF THE MEMBER'S STAY IS NO LONGER THAN IS REASONABLY NECESSARY FOR THE MEMBER TO ACCOMPLISH THE PURPOSE OF HIS OR HER ATTENDANCE AT THE CONVENTION OR MEETING;

(D) THE MEMBER IS NOT CURRENTLY AND WILL NOT SUBSEQUENT TO THE CONVENTION OR MEETING BE IN A POSITION TO TAKE ANY OFFICIAL ACTION THAT WILL BENEFIT THE JOINT GOVERNMENTAL AGENCY; AND

(E) THE ATTENDANCE AT CONVENTIONS OR MEETINGS OF THE JOINT GOVERNMENTAL AGENCY HAS BEEN APPROVED BY THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL OR BY THE LEADERSHIP OF THE HOUSE OF THE GENERAL ASSEMBLY TO WHICH THE MEMBER BELONGS; OR

(II) THE GENERAL ASSEMBLY PAYS REGULAR MONTHLY, ANNUAL,

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OR OTHER PERIODIC DUES TO THE JOINT GOVERNMENTAL AGENCY THAT ARE INVOICED EXPRESSLY TO COVER TRAVEL, BOARD, AND LODGING EXPENSES FOR THE ATTENDANCE OF MEMBERS AT CONVENTIONS OR MEETINGS OF THE JOINT GOVERNMENTAL AGENCY."

Amendment No. 3(L.002), by Senator Cadman.

Amend printed bill, page 4, line 2, strike "10-____," and substitute "10-099,".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB10-114 by Senator(s) Carroll M.; also Representative(s) Weissmann--Concerning the "Colorado Taxpayer Transparency Act of 2010".

Laid over until Monday, February 15, retaining its place on the calendar.

SB10-040 by Senator(s) Tochtrop; --Concerning motorcycle safety education programs.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, February 3, pages 146-147 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB10-097 by Senator(s) Boyd; also Representative(s) Gagliardi--Concerning the method by which a county home rule charter commission is created for the purpose of proposing a home rule charter.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB10-056 by Senator(s) Boyd; also Representative(s) Riesberg--Concerning developing standardized immunization information to provide to parents.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 4, page 157 and placed in members' bill files.)

Amendment No. 2(L.005), by Senator Steadman.

Amend the Health and Human Services Committee Report, dated February 3, 2010, page 1, after line 13 insert:

"Page 3 of the printed bill, before line 16 insert:

"SECTION 4. Article 80 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

22-80-119. Standardized immunization policy required. ON OR BEFORE JULY 1, 2011, THE SCHOOL SHALL ANNUALLY PROVIDE THE PARENT OR LEGAL GUARDIAN OF EACH STUDENT ENROLLED IN THE SCHOOL A COPY OF THE STANDARDIZED IMMUNIZATION DOCUMENT DEVELOPED AND UPDATED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO SECTION 25-4-902 (4), C.R.S. FOR PURPOSES OF THIS SECTION, SOLELY POSTING A COPY OF THE STANDARDIZED IMMUNIZATION DOCUMENT ON A WEB SITE OR IN A CENTRAL AREA OF THE SCHOOL IS NOT SUFFICIENT TO SATISFY THE NOTICE REQUIREMENTS OF THIS SECTION; HOWEVER, THE SCHOOL IS ENCOURAGED TO POST THE STANDARDIZED IMMUNIZATION DOCUMENT ON ITS WEB SITE.

Renumber succeeding sections accordingly."."

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Amendment No. 3(L.004), by Senator Steadman.

Amend the Health and Human Services Committee Report, dated February 3, 2010, page 2, after line 2 insert:

"Page 3 of the printed bill, line 21, strike "PUBLIC SCHOOLS" and substitute "THE DEPARTMENT OF EDUCATION".

Page 3 of the bill, line 22, before "THE" insert "THE DEPARTMENT OF EDUCATION SHALL PROVIDE EACH SCHOOL DISTRICT, THE STATE CHARTER SCHOOL INSTITUTE, AND THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND WITH A COPY OF THE STANDARDIZED DOCUMENT PRIOR TO THE START OF EACH ACADEMIC YEAR."."

Amendment No. 4(L.003), by Senator Steadman.

Amend the Health and Human Services Committee report, dated February 3, 2010, page 1, after line 8 insert:

"Page 3 of the printed bill, line 1, strike "SECTION." and substitute "SECTION; HOWEVER, THE INSTITUTE IS ENCOURAGED TO POST A COPY OF THE STANDARDIZED IMMUNIZATION DOCUMENT ON ITS WEB SITE."."

Page 1 of the report, after line 13 insert:

"Page 3 of the bill, line 15, strike "SECTION." and substitute "SECTION; HOWEVER, EACH SCHOOL DISTRICT IS ENCOURAGED TO POST A COPY OF THE STANDARDIZED IMMUNIZATION DOCUMENT ON ITS WEB SITE."."

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB10-027 by Senator(s) Sandoval; also Representative(s) Roberts--Concerning a fine for the unauthorized diversion of surface water.

Amendment No. 1, Agriculture & Natural Resources Committee Amendment.
(Printed in Senate Journal, January 29, page 115 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB10-008 by Senator(s) Johnston, Romer; also Representative(s) Scanlan, Massey, Middleton-- Concerning a study to evaluate the feasibility of a system to determine pupil enrollment for purposes of the "Public School Finance Act of 1994" based on the average daily membership of pupils in school districts.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, January 25, pages 69-72 and placed in members' bill files.)

Amendment No. 2(L.005), by Senator Hudak.

Amend the Education Committee Report, dated January 21, 2010, page 3, strike lines 4 through 26.

Page 4, strike lines 1 through 5 and substitute:

"(6) THE ADVISORY COMMITTEE SHALL BE COMPRISED OF SIXTEEN MEMBERS WHO SHALL BE APPOINTED AS FOLLOWS:

(a) THE PRESIDENT OF THE SENATE SHALL APPOINT ONE SENATOR;

(b) THE MINORITY LEADER OF THE SENATE SHALL APPOINT ONE SENATOR;

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(c) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT ONE REPRESENTATIVE;

(d) THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT ONE REPRESENTATIVE;

(e) THE COMMISSIONER OF EDUCATION SHALL APPOINT ONE EMPLOYEE FROM THE DEPARTMENT OF EDUCATION;

(f) THE GOVERNOR SHALL APPOINT ONE EMPLOYEE OF THE GOVERNOR'S OFFICE;

(g) THE STATE BOARD OF EDUCATION SHALL APPOINT THE FOLLOWING MEMBERS:

(I) ONE MEMBER OF THE STATE BOARD OF EDUCATION;

(II) ONE PERSON WHO REPRESENTS A NATIONAL EDUCATION RESEARCH OR POLICY ORGANIZATION;

(III) THREE PEOPLE WHO REPRESENT ONE OR MORE COLORADO-BASED EDUCATION, RESEARCH, POLICY, OR ADVOCACY GROUPS;

(IV) TWO PEOPLE WHO REPRESENT ONE OR MORE ORGANIZATIONS THAT REPRESENT DISTRICT ADMINISTRATORS, WITH ONE PERSON FROM AN URBAN DISTRICT AND ONE PERSON FROM A RURAL DISTRICT;

(V) TWO PEOPLE WHO REPRESENT ONE OR MORE ORGANIZATIONS THAT REPRESENT LOCAL BOARDS OF EDUCATION, WITH ONE PERSON FROM AN URBAN DISTRICT AND ONE PERSON FROM A RURAL DISTRICT.; AND

(VI) ONE PERSON WHO REPRESENTS A STATEWIDE TEACHER'S ASSOCIATION."

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB10-058 by Senator(s) Tapia; also Representative(s) Ferrandino--Concerning the eligibility requirements for the nursing teacher loan forgiveness pilot program.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, January 28, page 109 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB10-1055 by Representative(s) Kefalas; also Senator(s) Steadman--Concerning the requirement that fees for services rendered by a third party for collection of delinquent taxes be added to the total amount collected by the third party.

Amendment No. 1(L.004), by Senator Newell.

Amend reengrossed bill, page 2, line 9, strike "TWENTY-FIVE" and substitute "TWENTY".

As amended, laid over until Monday, February 15, retaining its place on the calendar.

HB10-1046 by Representative(s) Tyler; also Senator(s) Hudak--Concerning the recorded date of receipt of property tax payments by a county treasurer's office when the payment has no United States postal service postmark.

Laid over until Monday, February 15, retaining its place on the calendar.

HB10-1069 by Representative(s) Vigil; also Senator(s) Schwartz--Concerning the reclassification of

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Mineral county.

Laid over until Monday, February 15, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hudak, the report of the Committee of the Whole was **adopted** on the following roll call vote:

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

The Committee of the Whole took the following action:

Passed on second reading: SB10-016 as amended, SB10-100 as amended, SB10-099 as amended, SB10-040 as amended, SB10-097, SB10-056 as amended, SB10-027 as amended, SB10-008 as amended, SB10-058 as amended.
Laid over until Monday, February 15 retaining their place on the Calendar: SB10-114, HB10-1055 as amended, HB10-1046, HB10-1069.

CONSIDERATION OF RESOLUTIONS

SJR10-012 by Senator(s) Schwartz, Gibbs, Scheffel, White, Whitehead; also Representative(s) Baumgardner, Curry, Tipton--Concerning the honoring of Colorado's Olympic athletes.

On motion of Senator Schwartz, 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	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	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., Foster, Harvey, Heath, Hodge, Hudak, Johnston, Keller, Kester, King K., Kopp, Lundberg, Mitchell, Morse, Newell, Penry, Renfroe, Romer, Sandoval, Schultheis, Shaffer B., Spence, Steadman, Tapia, Tochtrop and Williams.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

MEMBER OF THE SECURITIES BOARD

for terms expiring July 1, 2012:

Steven W. Palamar of Telluride, Colorado, a member of the public at large, reappointed.

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

SENATE SERVICES REPORT

- Correctly Printed:** SJR10-012.
- Correctly Reengrossed:** SB10-019.
- Correctly Revised:** HJR10-1010 and 1012.
- Correctly Enrolled:** SB10-035.

COMMITTEE OF REFERENCE REPORTS

Health & Human Services

After consideration on the merits, the Committee recommends that **SB10-124** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 8, line 17, strike "12 and" and substitute "12, and".

Page 8, line 18, after "C.R.S.," insert "AND".

Page 10, line 13, strike "RECEIVED." and substitute "RECEIVED OR CHARITY CARE HE OR SHE HAS PROVIDED.".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB10-118** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB10-117** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, after line 11 insert:

"SECTION 3. 12-22-102 (23.6), Colorado Revised Statutes, is amended to read:

12-22-102. Definitions. As used in this part 1, unless the context otherwise requires:

(23.6) "Pharmaceutical care" means the provision of drug therapy and other pharmaceutical patient care services by a pharmacist intended to achieve outcomes related to the cure or prevention of a disease, elimination or reduction of a patient's symptoms, or arresting or slowing of a disease process. In addition to the preparation, dispensing, and distribution of medications, "pharmaceutical care" may include assessment and evaluation of the patient's medication related needs and

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	development and communication of a therapeutic plan with defined outcomes in consultation with the patient and the patient's other health care professionals to attain the desired outcome. This function includes efforts to prevent, detect, and resolve medication related problems for individual patients. "Pharmaceutical care" does not include prescriptive authority, EXCEPT AS AUTHORIZED PURSUANT TO SECTION 25.5-5-322, C.R.S."	1 2 3 4 5 6 7 8
	Renumber succeeding sections accordingly.	9 10
Health & Human Services	After consideration on the merits, the Committee recommends that SB10-007 be referred to the Committee of the Whole with favorable recommendation.	11 12 13
Health & Human Services	After consideration on the merits, the Committee recommends that SB10-076 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	14 15 16 17
	Amend printed bill, page 3, strike lines 4 through 14.	18 19
	Renumber succeeding section accordingly.	20 21 22
Appropriations	After consideration on the merits, the Committee recommends that SB10-150 be referred to the Committee of the Whole with favorable recommendation.	23 24 25
Appropriations	After consideration on the merits, the Committee recommends that HB10-1110 be referred to the Committee of the Whole with favorable recommendation.	26 27 28
Appropriations	After consideration on the merits, the Committee recommends that SB10-149 be referred to the Committee of the Whole with favorable recommendation.	29 30 31
Appropriations	After consideration on the merits, the Committee recommends that SB10-151 be referred to the Committee of the Whole with favorable recommendation.	32 33 34
Appropriations	After consideration on the merits, the Committee recommends that SB10-146 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	35 36 37 38
	Amend printed bill, page 4, after line 19, insert:	39 40
	"SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of personnel and administration, for the fiscal year beginning July 1, 2009, the sum of five thousand one hundred thirty-eight dollars (\$5,138), or so much thereof as may be necessary, for the implementation of this act."	41 42 43 44 45 46 47
	Renumber succeeding section accordingly.	48 49
	Page 1, line 103, strike "ASSOCIATION." and substitute "ASSOCIATION, AND MAKING AN APPROPRIATION THEREFOR."	50 51 52 53
Appropriations	After consideration on the merits, the Committee recommends that SB10-103 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	54 55 56 57
	Amend printed bill, page 4, after line 10, insert:	58 59
	"SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the license plate cash fund created in section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for allocation to the division of motor vehicles, driver and vehicle services, for the fiscal year beginning July 1, 2010, the sum of seventeen thousand seven hundred sixty dollars (\$17,760) cash funds, or so much thereof as may be necessary, for the implementation of this act."	60 61 62 63 64 65 66 67

Renumber succeeding section accordingly.

Page 1, line 102, strike "PLATE." and substitute "PLATE, AND MAKING AN APPROPRIATION THEREFOR."

Appropriations

After consideration on the merits, the Committee recommends that **SB10-075** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB10-059** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, after line 24 insert:

"SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado D.A.R.E. fund created in section 39-22-3703 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for allocation to the taxation business group, for the fiscal year beginning July 1, 2010, the sum of one hundred seven dollars (\$107) cash funds, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 104, strike "FUND." and substitute "FUND, AND MAKING AN APPROPRIATION THEREFOR."

Appropriations

After consideration on the merits, the Committee recommends that **SJR10-010** be referred to the Senate for final action.

Agriculture and Natural Resources

After consideration on the merits, the Committee recommends that **SB10-067** be postponed indefinitely.

Agriculture and Natural Resources

After consideration on the merits, the Committee recommends that **SB10-078** be postponed indefinitely.

Agriculture and Natural Resources

After consideration on the merits, the Committee recommends that **SB10-102** 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 Morse, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, February 12 was laid over until Monday, February 15, retaining its place on the calendar.

General Orders -- Second Reading of Bills -- Consent Calendar: SB10-082, SB10-060. General Orders -- Second Reading of Bills: SB10-114, HB10-1055 as amended, HB10-1046, HB10-1069.

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On motion of Senator Morse, the Senate adjourned until 10:00 a.m., Monday, February 15, 2010.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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