

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

120th Legislative Day

Wednesday, May 12, 2010

| | | |
|--------------------|---|--|
| Prayer | By the chaplain, Reverend Vern Rempel, First Mennonite Church of Denver. | 10 |
| Call to Order | By the President at 10:30 a.m. | 11 |
| Pledge | By Senator Schultheis. | 12 |
| Roll Call | Present--31. Excused--4, Mitchell, Romer, Spence, Tochtrop. Present later--4, Mitchell, Romer, Spence, Tochtrop. | 13 14 15 16 17 18 19 |
| Quorum | The President announced a quorum present. | 20 21 |
| Reading of Journal | On motion of Senator Heath, reading of the Journal of Tuesday, May 11, 2010, was dispensed with and the Journal was approved as corrected by the Secretary. | 22 23 24 25 |

MESSAGE FROM THE HOUSE

May 12, 2010

The House has voted to concur in the Senate amendments to HB10-1009, 1019, 1271, 1274, 1285, 1345, 1349, 1402, 1347, 1405, 1412, 1418, 1241, and has repassed the bills as so amended.

The House voted to adhere to its position on HB10-1422. The bill is transmitted herewith.

SENATE SERVICES REPORT

Correctly Printed: SR10-010.

Correctly Engrossed: SJR10-047.

Correctly Reengrossed: SB10-207; SCR10-003.

Correctly Revised: HB10-1013, 1176, 1181, 1281, 1287, 1360, 1374, 1391, 1401, 1403, 1409, 1411, 1413, 1415, 1421, 1426, 1427, 1428, 1430 and 1431;
HCR10-1004 and 1005.

Correctly Rerevised: HB10-1009, 1019, 1271, 1274, 1285, 1345, 1347, 1349, 1400, 1402, 1405, 1408, 1412, 1417, 1418 and 1422.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

**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:

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HB10-1403 by Representative(s) Kerr A.; also Senator(s) Whitehead--Concerning commercial notifications with regard to the secretary of state, and making an appropriation therefor.

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 | 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 | | |

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

HB10-1431 by Representative(s) McKinley; also Senator(s) Penry--Concerning the methodology used to value renewable energy facilities for purposes of property taxation.

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 | 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 | | |

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

HB10-1427 by Representative(s) Todd, Hunninghorst, Kerr A., Levy, Primavera, Solano, Summers, Ryden; also Senator(s) Heath, Bacon, Hodge, Hudak, King K., Williams--Concerning the authority of institutions of higher education to offer group benefit coverage to employees of the institution who are in the state personnel system.

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 | 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 | | |

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

Co-sponsors added: Newell

HCR10-1004 by Representative(s) Lambert; also Senator(s) Sandoval--Submitting to the registered electors of the state of Colorado an amendment to section 3 of article VIII of the constitution of the state of Colorado, concerning a process for temporarily moving the seat of government in a disaster emergency that substantially affects the ability of the state government to operate in the city and county of Denver, and, in connection therewith, requiring the general assembly to convene in a temporary meeting location designated by the governor and authorizing the general assembly to determine by law a temporary location for the seat of government of the state.

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

| 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 | | |

More than two-thirds of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsors added: Boyd, Newell, Schultheis and Williams.

HB10-1401 by Representative(s) Ferrandino; also Senator(s) Carroll M.--Concerning the management of information technology in state agencies.

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 | 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 | | |

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

Co-sponsors added: Schwartz

HB10-1176 by Representative(s) Vaad; also Senator(s) Mitchell--Concerning recovery audits for government overpayments of tax dollars.

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 | 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 | | |

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

Co-sponsors added: Boyd, Newell and Steadman.

HB10-1374 by Representative(s) Ferrandino, Levy, Waller; also Senator(s) Penry, Morse, Steadman--Concerning parole.

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 | 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 | | |

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

HB10-1411 by Representative(s) Waller, Liston, Pace; also Senator(s) Tochtrop--Concerning the process for resolving a denial of a transfer of a firearm when the denial is based on a prospective transferee's criminal record, which criminal record includes a case for which there appears to be no final disposition.

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 | 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 | | |

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

Co-sponsors added: Steadman

HB10-1426 by Representative(s) Riesberg and Todd; also Senator(s) Williams and Spence--Concerning creation of a separate fund for the Trinidad state nursing home, and making an appropriation in connection therewith.

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 | 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 | | |

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

MESSAGE FROM THE HOUSE

May 12, 2010

The House has adopted and transmits herewith HJR10-1035.

The House has adopted and returns herewith SJR10-039, 049, 035, 043, 047 .

The House has passed on Third Reading and returns herewith SB10-205, 207.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;

SB10-191, amended as printed in House Journal, May 11, pages 1794-1798, and amended on Third Reading, May 12.

MESSAGE FROM THE REVISOR OF STATUTES

May 12, 2010

We herewith transmit:

Without comment, as amended, SB10-191.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

HJR10-1035 by Representative(s) DelGrosso; also Senator(s) Renfroe--Concerning the recognition of Colorado's business community.

Laid over to the consent calendar until later in the day.

Upon request of Senator Morse, HJR10-1028, HJR10-1027, HJR10-1019, HJR10-1024, HJR10-1025, HJR10-1022 were removed from the Consideration of Resolutions Calendar of Wednesday, May 12 and was placed on the Consideration of Resolutions Consent Calendar of Wednesday, May 12.

RECONSIDERATION OF SCR10-003

SCR10-003 by Senator(s) Tapia, Heath, Penry, Boyd, Hodge, Keller, Kester, Romer, Shaffer B.; also Representative(s) Court--Submitting to the registered electors of the state of Colorado an amendment to section 1 of article V of the constitution of the state of Colorado, concerning ballot initiatives, and, in connection therewith, requiring at least five percent of the minimum total number of signatures for a petition for an initiated constitutional amendment to be gathered from residents of each state congressional district; with certain specified exceptions, requiring at least sixty percent voter approval for a proposed initiated constitutional amendment to become part of the constitution; and requiring a two-thirds vote for the general assembly to amend, repeal, or supersede an initiated law for a period of three years after the law becomes effective.

Having voted on the prevailing side, Senator Morse moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on SCR10-003.

Upon unanimous consent, reconsideration was granted 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 | | |

THIRD READING OF BILLS -- FINAL PASSAGE

SCR10-003 by Senator(s) Tapia, Heath, Penry, Boyd, Hodge, Keller, Kester, Romer, Shaffer B.; also Representative(s) Court--Submitting to the registered electors of the state of Colorado an amendment to section 1 of article V of the constitution of the state of Colorado, concerning ballot initiatives, and, in connection therewith, requiring at least five percent of the minimum total number of signatures for a petition for an initiated constitutional amendment to be gathered from residents of each state congressional district; with certain specified exceptions, requiring at least sixty percent voter approval for a proposed initiated

constitutional amendment to become part of the constitution; and requiring a two-thirds vote for the general assembly to amend, repeal, or supersede an initiated law for a period of three years after the law becomes effective.

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

| YES | 26 | NO | 9 | 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 | N | Keller | Y | Renfroe | N | Tochtrop | Y |
| Carroll M. | Y | Kester | Y | Romer | Y | White | Y |
| Foster | Y | King K. | N | Sandoval | Y | Whitehead | Y |
| Gibbs | Y | Kopp | N | Scheffel | N | Williams | Y |
| Harvey | N | Lundberg | N | Schultheis | N | President | Y |
| Heath | Y | Mitchell | N | Schwartz | Y | | |

More than two-thirds majority of all members elected to the Senate having voted in the affirmative, the concurrent resolution was **passed**.

HB10-1338 by Representative(s) McCann; also Senator(s) Steadman--Concerning the eligibility for probation of a person who has two or more felony convictions, and making appropriations in connection therewith.

A majority of those elected to the Senate having voted in the affirmative, Senator Steadman was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(J.009), by Senator Steadman.

Amend revised bill, page 4, line 26, strike "1.46" and substitute "1.48".

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

| YES | 24 | NO | 11 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|----|------------|---|-----------|---|
| Bacon | Y | Hodge | Y | Morse | Y | Spence | Y |
| Boyd | Y | Hudak | Y | Newell | Y | Steadman | Y |
| Brophy | N | Johnston | Y | Penry | N | Tapia | Y |
| Cadman | N | Keller | Y | Renfroe | N | Tochtrop | Y |
| Carroll M. | Y | Kester | Y | Romer | Y | White | N |
| Foster | Y | King K. | N | Sandoval | Y | Whitehead | Y |
| Gibbs | Y | Kopp | N | Scheffel | N | Williams | Y |
| Harvey | N | Lundberg | N | Schultheis | N | 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 **passed**.

Co-sponsors added: Bacon, Boyd, Newell and Williams.

HB10-1181 by Representative(s) Todd; also Senator(s) Bacon--Concerning adjustments to the administration of the department of personnel, and making an appropriation therefor.

A majority of those elected to the Senate having voted in the affirmative, Senator Shaffer

was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.076), by Senator Shaffer.

Amend revised bill, page 28, after line 1 insert:

"SECTION 33. 24-51-216, Colorado Revised Statutes, is amended to read:

24-51-216. Legal adviser. The attorney general shall be the legal adviser to the board UPON REQUEST OF THE BOARD, AND THE BOARD SHALL HAVE THE AUTHORITY TO SELECT AND RETAIN LEGAL COUNSEL IN THE BOARD'S DISCRETION."

Renumber the succeeding section accordingly.

The amendment was **passed** 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 | | |

A majority of those elected to the Senate having voted in the affirmative, Senator Morse was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.074), by Senator Morse.

Amend revised bill, page 22, line 5, strike "THAT" and substitute "THAT, ON AND AFTER DECEMBER 1, 2010,".

Page 22, line 22, strike "REGULATIONS." and substitute "REGULATIONS AND TO ENSURE THAT THE INDIRECT OBLIGATIONS ARE FUNDED. INSTITUTIONS OF HIGHER EDUCATION THAT ELECT TO BE EXCLUDED FROM THE MEANING OF "GOVERNMENTAL BODY" PURSUANT TO SECTION 24-101-301 (10) (a) SHALL TRANSFER MONEYS TO THE DEPARTMENT OF HIGHER EDUCATION OR THE COLORADO COMMISSION ON HIGHER EDUCATION TO THE EXTENT REQUIRED TO PAY INDIRECT COST ASSESSMENTS, AS DEFINED IN SECTION 24-75-112 (1) (f)."

Page 28, after line 21 insert:

"(d) The appropriation to the department of personnel and administration, division of accounts and control - controller, office of the state controller, for personal services, is decreased by four hundred sixty-four thousand three hundred sixty-three dollars (\$464,363) cash funds. Said sum shall be from rebates received from the procurement card program.

(e) The appropriation to the department of personnel and administration, division of accounts and control - controller, office of the state controller, for personal services, is increased by four hundred sixty-four thousand three hundred sixty-three dollars (\$464,363) reappropriated funds. Said sum shall be from a supplemental transfer from higher education institutions in the department of higher education."

The amendment was **passed** 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 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 | 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 | | |

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

Co-sponsors added: Boyd

HB10-1013 by Representative(s) Middleton, Massey, Merrifield, Scanlan, Stephens; also Senator(s) Romer, King K., Spence, Steadman--Concerning the modification of certain provisions related to the administration of public schools from kindergarten through the twelfth grade.

A majority of those elected to the Senate having voted in the affirmative, Senator King was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.030), by Senator King.

Amend revised bill, page 10, strike lines 4 through 27.

Renumber succeeding sections accordingly.

The amendment was **lost** on the following roll call vote:

| YES | 15 | NO | 20 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|----|------------|---|-----------|---|
| Bacon | N | Hodge | N | Morse | N | Spence | Y |
| Boyd | N | Hudak | N | Newell | N | Steadman | N |
| Brophy | Y | Johnston | N | Penry | Y | Tapia | N |
| Cadman | Y | Keller | N | Renfroe | Y | Tochtrop | N |
| Carroll M. | N | Kester | Y | Romer | N | White | Y |
| Foster | N | King K. | Y | Sandoval | N | Whitehead | N |
| Gibbs | N | Kopp | Y | Scheffel | Y | Williams | N |
| Harvey | Y | Lundberg | Y | Schultheis | Y | President | N |
| Heath | N | Mitchell | Y | Schwartz | Y | | |

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

| YES | 22 | NO | 13 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|----|------------|---|-----------|---|
| Bacon | Y | Hodge | Y | Morse | Y | Spence | N |
| Boyd | Y | Hudak | Y | Newell | Y | Steadman | Y |
| Brophy | Y | Johnston | Y | Penry | N | Tapia | Y |
| Cadman | N | Keller | Y | Renfroe | N | Tochtrop | Y |
| Carroll M. | Y | Kester | N | Romer | Y | White | N |
| Foster | Y | King K. | N | Sandoval | Y | Whitehead | Y |
| Gibbs | Y | Kopp | N | Scheffel | N | Williams | Y |
| Harvey | N | Lundberg | N | Schultheis | N | President | Y |
| Heath | Y | Mitchell | N | Schwartz | Y | | |

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

Co-sponsors added: Newell

Senators King and Spence requested their names be removed as sponsors on HB10-1013.

RECONSIDERATION OF HB10-1181

HB10-1181 by Representative(s) Todd; also Senator(s) Bacon--Concerning adjustments to the administration of the department of personnel, and making an appropriation therefor.

Having voted on the prevailing side, Senator Kopp moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on HB10-1181.

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

| YES | 34 | NO | 1 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|---|------------|---|-----------|---|
| Bacon | Y | Hodge | Y | Morse | Y | Spence | Y |
| Boyd | Y | Hudak | Y | Newell | Y | Steadman | Y |
| Brophy | N | 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 | | |

THIRD READING OF BILLS -- FINAL PASSAGE

HB10-1181 by Representative(s) Todd; also Senator(s) Bacon--Concerning adjustments to the administration of the department of personnel, and making an appropriation therefor.

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 | 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 | | |

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

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

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 | 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 | | |

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

Co-sponsors added: Newell and Steadman.

HB10-1360 by Representative(s) Pace, Apuan, Casso, Court, Ferrandino, Fischer, Kagan, Kefalas, Levy, Looper, McCann, McFadyen, Merrifield, Miklosi, Ryden, Vigil, Weissmann; also Senator(s) Steadman, Carroll M., Foster, Hudak, Morse, Newell, Romer, Tapia--Concerning changes to certain parole-related statutes to reduce the number of parolees who return to the department of corrections, and making an appropriation in connection therewith.

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

| YES | 24 | NO | 11 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|----|------------|---|-----------|---|
| Bacon | Y | Hodge | Y | Morse | Y | Spence | N |
| Boyd | Y | Hudak | Y | Newell | Y | Steadman | Y |
| Brophy | N | Johnston | Y | Penry | N | Tapia | Y |
| Cadman | N | Keller | Y | Renfroe | N | Tochtrop | Y |
| Carroll M. | Y | Kester | N | Romer | Y | White | Y |
| Foster | Y | King K. | N | Sandoval | Y | Whitehead | Y |
| Gibbs | Y | Kopp | N | Scheffel | N | Williams | Y |
| Harvey | N | Lundberg | Y | Schultheis | N | 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 passed.

Co-sponsors added: Bacon and Williams.

HB10-1413 by Representative(s) Levy and May, Carroll T.; also Senator(s) Newell and Lundberg--Concerning juveniles who are tried as adults, and making an appropriation in connection therewith.

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

| YES | 27 | NO | 8 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|---|------------|---|-----------|---|
| Bacon | Y | Hodge | Y | Morse | Y | Spence | Y |
| Boyd | Y | Hudak | Y | Newell | Y | Steadman | Y |
| Brophy | N | Johnston | Y | Penry | N | Tapia | Y |
| Cadman | N | Keller | Y | Renfroe | Y | Tochtrop | Y |
| Carroll M. | Y | Kester | Y | Romer | Y | White | Y |
| Foster | Y | King K. | N | Sandoval | Y | Whitehead | Y |
| Gibbs | Y | Kopp | N | Scheffel | N | Williams | Y |
| Harvey | N | Lundberg | Y | Schultheis | N | 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 passed.

Co-sponsors added: Boyd, Foster, Heath, Hodge, Hudak, Shaffer B., Steadman and Tochtrop.

HB10-1421 by Representative(s) May and Weissmann, Ferrandino, Pommer, Lambert, Gardner B., Waller; also Senator(s) King K. and Tochtrop--Concerning the decommission of a correctional facility operated by the department of corrections.

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

| YES | 26 | NO | 9 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|---|------------|---|-----------|---|
| Bacon | Y | Hodge | Y | Morse | Y | Spence | Y |
| Boyd | Y | Hudak | Y | Newell | Y | Steadman | Y |
| Brophy | N | Johnston | Y | Penry | N | Tapia | N |
| Cadman | Y | Keller | N | Renfroe | N | Tochtrop | Y |
| Carroll M. | Y | Kester | N | Romer | Y | White | N |
| Foster | Y | King K. | Y | Sandoval | Y | Whitehead | Y |
| Gibbs | Y | Kopp | Y | Scheffel | N | Williams | Y |
| Harvey | Y | Lundberg | Y | Schultheis | Y | President | Y |
| Heath | Y | Mitchell | Y | Schwartz | N | | |

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

Co-sponsors added: Boyd, Heath, Hudak and Williams.

HB10-1430 by Representative(s) Solano and Scanlan, Benefield, Ferrandino, Fischer, Massey,

Merrifield, Middleton, Peniston, Ryden, Schafer S., Todd, Vigil; also Senator(s) Hudak-- Concerning assessments in the elementary and secondary education system, and making an appropriation in connection therewith.

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

| YES | 21 | NO | 14 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|----|------------|---|-----------|---|
| Bacon | Y | Hodge | Y | Morse | Y | Spence | N |
| Boyd | Y | Hudak | Y | Newell | Y | Steadman | Y |
| Brophy | N | Johnston | Y | Penry | N | Tapia | Y |
| Cadman | N | Keller | Y | Renfroe | N | Tochtrop | Y |
| Carroll M. | Y | Kester | N | Romer | Y | White | N |
| Foster | Y | King K. | N | Sandoval | Y | Whitehead | Y |
| Gibbs | Y | Kopp | N | Scheffel | N | Williams | Y |
| Harvey | N | Lundberg | N | Schultheis | N | President | Y |
| Heath | Y | Mitchell | N | Schwartz | Y | | |

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

Co-sponsors added: Bacon, Boyd, Heath, Newell, Shaffer B. and Williams.

HB10-1391 by Representative(s) Rice, Court, Levy, McCann, Ryden; also Senator(s) Boyd, Hudak, Newell, Steadman--Concerning the elimination of the repeal of certain provisions requiring that the Colorado bureau of investigation deny the transfer of a firearm to a person if the bureau receives certain information about the person's criminal history in response to a search of a criminal history records database.

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

| YES | 20 | NO | 15 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|----|------------|---|-----------|---|
| Bacon | Y | Hodge | Y | Morse | Y | Spence | N |
| Boyd | Y | Hudak | Y | Newell | Y | Steadman | Y |
| Brophy | N | Johnston | Y | Penry | N | Tapia | Y |
| Cadman | N | Keller | Y | Renfroe | N | Tochtrop | Y |
| Carroll M. | Y | Kester | N | Romer | Y | White | N |
| Foster | Y | King K. | N | Sandoval | Y | Whitehead | N |
| Gibbs | Y | Kopp | N | Scheffel | N | Williams | Y |
| Harvey | N | Lundberg | N | Schultheis | N | President | Y |
| Heath | Y | Mitchell | N | Schwartz | Y | | |

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

Co-sponsors added: Bacon and Williams.

HB10-1409 by Representative(s) Pommer, Ferrandino, Lambert; also Senator(s) Tapia, Keller, White-- Concerning the process by which annual salary increases may be awarded to employees in the state personnel system based on performance, job core competencies, and years of service.

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

| YES | 22 | NO | 13 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|----|------------|---|-----------|---|
| Bacon | Y | Hodge | Y | Morse | Y | Spence | N |
| Boyd | Y | Hudak | Y | Newell | Y | Steadman | Y |
| Brophy | N | Johnston | Y | Penry | N | Tapia | Y |
| Cadman | N | Keller | Y | Renfroe | N | Tochtrop | Y |
| Carroll M. | Y | Kester | N | Romer | Y | White | Y |
| Foster | Y | King K. | N | Sandoval | Y | Whitehead | Y |
| Gibbs | Y | Kopp | N | Scheffel | N | Williams | Y |
| Harvey | N | Lundberg | N | Schultheis | N | President | Y |
| Heath | Y | Mitchell | N | Schwartz | Y | | |

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

Co-sponsors added: Bacon, Boyd, Steadman and Williams.

HB10-1415 by Representative(s) Gagliardi; also Senator(s) Morse--Concerning the registration of

persons who assist surgeons, and making an appropriation therefor.

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

| YES | 24 | NO | 11 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|----|------------|---|-----------|---|
| Bacon | Y | Hodge | Y | Morse | Y | Spence | Y |
| Boyd | Y | Hudak | Y | Newell | Y | Steadman | Y |
| Brophy | N | Johnston | Y | Penry | N | Tapia | Y |
| Cadman | N | Keller | Y | Renfroe | N | Tochtrop | Y |
| Carroll M. | Y | Kester | Y | Romer | Y | White | Y |
| Foster | Y | King K. | N | Sandoval | Y | Whitehead | Y |
| Gibbs | Y | Kopp | N | Scheffel | N | Williams | Y |
| Harvey | N | Lundberg | N | Schultheis | N | President | Y |
| Heath | Y | Mitchell | N | Schwartz | Y | | |

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

Co-sponsors added: Boyd, Foster, Newell, Tochtrop and Williams.

HCR10-1005 by Representative(s) Baumgardner; also Senator(s) Kopp--Submitting to the registered electors of the state of Colorado an amendment to section 3 (1) (b) of article X of the constitution of the state of Colorado, concerning an exemption from property taxation for possessory interests in real property with specified actual values.

A majority of those elected to the Senate having voted in the affirmative, Senator Kopp was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.004), by Senator Kopp.

Amend revised bill, page 3, line 20, strike "POSSESSORY" and substitute "OTHER POSSESSORY".

Page 4, strike lines 15 and 16 and substitute "PUBLISH THE AMOUNT IN A MANNER PROVIDED BY LAW.".

Page 4, strike lines 23 and 24 and substitute "TAXATION FOR A POSSESSORY INTEREST IN REAL PROPERTY IF THE ACTUAL VALUE OF THE INTEREST IS LESS THAN OR EQUAL TO SIX THOUSAND DOLLARS OR SUCH AMOUNT ADJUSTED FOR INFLATION?"".

Page 1, strike lines 105 and 106 and substitute "A POSSESSORY INTEREST IN REAL PROPERTY IF THE ACTUAL VALUE OF THE INTEREST IS LESS THAN OR EQUAL TO SIX THOUSAND DOLLARS OR SUCH AMOUNT ADJUSTED FOR INFLATION.".

The amendment was passed 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 question being "Shall the concurrent resolution, as amended, pass?", the roll call was taken with the following result:

| YES | 34 | NO | 1 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|------------|---|--------------|---|-------------|---|
| Bacon | | N 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 | |

More than two-thirds of all members elected to the Senate having voted in the affirmative, the concurrent resolution was passed.

HB10-1281 by Representative(s) Casso; also Senator(s) Spence--Concerning the deregulation of telecommunications service in areas where sufficient market competition exists, and making an appropriation therefor.

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

| YES | 31 | NO | 4 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|------------|---|--------------|---|-------------|---|
| Bacon | | Y Hodge | | Y Morse | | Y Spence | Y |
| Boyd | | Y Hudak | | Y Newell | | Y Steadman | N |
| Brophy | | Y Johnston | | Y Penry | | Y Tapia | Y |
| Cadman | | Y Keller | | Y Renfroe | | Y Tochtrop | Y |
| Carroll M. | | N Kester | | Y Romer | | Y White | N |
| Foster | | N 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 | |

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

Co-sponsors added: Harvey, Lundberg, Penry, Renfroe and Schultheis.

HB10-1428 by Representative(s) Middleton; also Senator(s) Romer--Concerning student loans.

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 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 | |

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

Co-sponsors added: Bacon, Heath, Shaffer B. and Williams.

HB10-1200 by Representative(s) Hullinghorst; also Senator(s) Heath--Concerning a temporary requirement that a taxpayer defer claiming any amount of an enterprise zone investment income tax credit that exceeds two hundred fifty thousand dollars.

A majority of those elected to the Senate having voted in the affirmative, Senator Heath was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.014), by Senator Heath.

Amend revised bill, page 2, line 16, strike "TWO HUNDRED FIFTY" and substitute "FIVE HUNDRED".

Page 3, line 2, strike "TWO HUNDRED FIFTY" and substitute "FIVE HUNDRED".

Page 3, line 4, strike "TWO HUNDRED FIFTY" and substitute "FIVE HUNDRED".

Page 3, line 14, strike "TWO HUNDRED FIFTY" and substitute "FIVE HUNDRED".

Page 1, line 103, strike "TWO HUNDRED FIFTY" and substitute "FIVE HUNDRED".

The amendment was **passed** on the following roll call vote:

| YES | 33 | NO | 2 | 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 | N | 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 | N | 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 | 18 | NO | 17 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|----|------------|---|-----------|---|
| Bacon | Y | Hodge | Y | Morse | Y | Spence | N |
| Boyd | Y | Hudak | Y | Newell | Y | Steadman | Y |
| Brophy | N | Johnston | Y | Penry | N | Tapia | Y |
| Cadman | N | Keller | Y | Renfroe | N | Tochtrop | Y |
| Carroll M. | Y | Kester | N | Romer | Y | White | N |
| Foster | Y | King K. | N | Sandoval | N | Whitehead | N |
| Gibbs | Y | Kopp | N | Scheffel | N | Williams | Y |
| Harvey | N | Lundberg | N | Schultheis | N | President | Y |
| Heath | Y | Mitchell | N | Schwartz | N | | |

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

CONSIDERATION OF RESOLUTIONS

SJR10-042 by Senator(s) Penry; also Representative(s) King S., Bradford--Concerning the designation of a portion of Interstate Highway 70 as the "Wade Oglesby Citizen Hero Memorial Highway".

On motion of Senator Penry, 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 | | |

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

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

SR10-010 by Senator(s) Morse; --Concerning amendments to the Rules of the Senate regarding appointments to certain legislative committees.

On motion of Senator Morse, the resolution was **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 | | |

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

SJR10-050 by Senator(s) Morse, Shaffer B., Penry; also Representative(s) Weissmann, Carroll T., May--Concerning the appointment of a joint committee to notify the Governor that the Second Regular Session of the Sixty-seventh General Assembly is about to adjourn sine die.

On motion of Senator Morse, the resolution was **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 | | |

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

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB10-191 by Senator(s) Johnston and Spence, Foster, Gibbs, Hodge, King K., Kopp, Newell, Penry, Romer, Scheffel; also Representative(s) Scanlan and Murray, Carroll T., Gerou, Massey, Rice, Summers--Concerning ensuring quality instruction through educator effectiveness (EQuITTEE).

Senator Johnston moved that the Senate concur in House amendments to **SB10-191**, as printed in House journal, May 11, pages 1794-1798. The motion was **adopted** by the following roll call vote:

| YES | 31 | NO | 4 | 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 | N | Scheffel | N | Williams | Y |
| Harvey | N | Lundberg | Y | Schultheis | N | 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 | 27 | NO | 8 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|---|------------|---|-----------|---|
| Bacon | Y | Hodge | Y | Morse | Y | Spence | Y |
| Boyd | N | Hudak | N | Newell | Y | Steadman | Y |
| Brophy | Y | Johnston | Y | Penry | Y | Tapia | Y |
| Cadman | Y | Keller | N | Renfroe | Y | Tochtrop | N |
| Carroll M. | N | Kester | Y | Romer | Y | White | Y |
| Foster | Y | King K. | Y | Sandoval | N | Whitehead | N |
| Gibbs | Y | Kopp | Y | Scheffel | Y | Williams | Y |
| Harvey | Y | Lundberg | Y | Schultheis | Y | President | Y |
| Heath | Y | Mitchell | Y | Schwartz | N | | |

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

Co-sponsors added: Kester

REPORT OF CONFERENCE COMMITTEES

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB10-1364**

THIS REPORT AMENDS THE
REREVISED BILL

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB10-1364, concerning the sex offender management board, and, in connection therewith, continuing the sex offender management board, and making an appropriation, has met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill, as the amendments appear in the rerevised bill, with the following changes:

Amend rerevised bill, page 18, strike lines 20 through 23 and substitute:

"ABLE TO DO SO. EACH OFFENDER ENTERING TREATMENT ON OR AFTER JULY 1, 2010, SHALL BE GIVEN A CHOICE BY HIS OR HER SUPERVISING AGENCY OF AT LEAST THREE APPROPRIATE APPROVED PROVIDERS WHERE AVAILABLE, UNLESS THE SUPERVISING AGENCY DOCUMENTS IN WRITING THAT, BASED ON THE NATURE OF THE PROGRAM OFFERED AND THE NEEDS OF THE OFFENDER, FEWER THAN THREE PROVIDERS CAN MEET THE SPECIFIC TREATMENT NEEDS OF THE OFFENDER AND ENSURE THE SAFETY OF THE PUBLIC."

Page 19, after line 5, insert:

"(3) EACH SUPERVISING AGENCY SHALL CREATE A PROCESS BY WHICH AN OFFENDER IN TREATMENT MAY SEEK A REVIEW AND DETERMINATION BY HIS OR HER SUPERVISING AGENCY OF THE APPROPRIATENESS OF HIS OR HER TREATMENT PROVIDER. THE PROCESS, AT A MINIMUM, SHALL INCLUDE THE BASIS UPON WHICH AN OFFENDER MAY REQUEST A REVIEW, THE FREQUENCY WITH WHICH AN OFFENDER MAY REQUEST A REVIEW, AND THE OPTIONS AVAILABLE TO AN OFFENDER IF THE SUPERVISING AGENCY DETERMINES THAT A CHANGE IN TREATMENT PROVIDER IS APPROPRIATE. EACH OFFENDER SHALL BE ADVISED OF THIS PROCESS BY HIS OR HER SUPERVISING OFFICER."

Respectfully submitted,

House Committee:
(signed)
Su Ryden, Chairman

Senate Committee:
(signed)
Evie Hudak, Chairman

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Claire Levy
B.J. Nikkel

Pat Steadman
Keith King

MESSAGE FROM THE HOUSE

May 12, 2010

The House has adopted the First Report of the First Conference committee on SB10-114, as printed in House Journal, May 12, but failed to repass the bill. The bill is returned herewith.

The House has failed to pass SJM10-002, the memorial is returned herewith.

The House has voted to concur in the Senate amendments to HB10-1176, 1374, 1403, 1411, and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB10-1401 and requests that a conference committee be appointed. The Speaker has appointed Representatives Ferrandino, chairman, Tyler, and Murray as House conferees on the First Conference Committee on HB10-1401. The bill is transmitted herewith.

The House voted to adhere to its position on HB10-1426. The bill is transmitted herewith.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB10-190, amended as printed in House Journal, May 12.

CONSIDERATION OF RESOLUTIONS -- CONSENT CALENDAR

HJR10-1027 by Representative(s) Curry and Sonnenberg; also Senator(s) Williams, White--Concerning the recognition of industrial hemp as a valuable agricultural commodity, and, in connection therewith, urging Congress to clarify the federal definition of industrial hemp, facilitate domestic production of industrial hemp, and remove barriers to state regulation of the production of industrial hemp.

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

| 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 | | |

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

Co-sponsors added: Steadman

HJR10-1019 by Representative(s) Baumgardner, Acree, Balmer, Bradford, Curry, DelGrosso, Fischer, Gardner B., Gardner C., Gerou, Kerr J., King S., Labuda, Lambert, Liston, Looper, Massey, May, McKinley, McNulty, Murray, Priola, Roberts, Scanlan, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Tyler, Vaad, Vigil, Waller; also Senator(s) Penry, White--Concerning the distribution of federal mineral leasing revenues to counties in Colorado.

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

| 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 | | |

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

Co-sponsors added: Whitehead

HJR10-1024 by Representative(s) Scanlan, Curry, Gerou, King S., Levy, Massey, Nikkel, Roberts, Vigil; also Senator(s) Gibbs--Concerning the Colorado bark beetle epidemic.

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

| 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 | | |

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

Co-sponsors added: Heath, Newell, Sandoval, Schwartz, Whitehead and Williams.

HJR10-1025 by Representative(s) Primavera, Benefield, Frangas, Merrifield; also Senator(s) Spence--Concerning recognition of the history of the disability rights movement, and, in connection therewith, proclaiming Disability History Week in Colorado.

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

| YES | 31 | NO | 4 | 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 | N | Keller | Y | Renfroe | Y | Tochtrop | Y |
| Carroll M. | Y | Kester | Y | Romer | Y | White | Y |
| Foster | Y | King K. | N | Sandoval | Y | Whitehead | Y |
| Gibbs | Y | Kopp | Y | Scheffel | Y | Williams | Y |
| Harvey | Y | Lundberg | N | Schultheis | N | President | Y |
| Heath | Y | Mitchell | Y | Schwartz | Y | | |

Co-sponsors added: Bacon, Foster, Heath, Hudak, Newell, Steadman, Whitehead and Williams.

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

HJR10-1022 by Representative(s) Tipton and Baumgardner; also Senator(s) White--Concerning modification of the federal "Hatch Act of 1939" for certain government employees in rural areas whose positions preclude them from running for partisan political office.

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

| 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 | | |

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

Co-sponsors added: Steadman

HJR10-1035 by Representative(s) DelGrosso; also Senator(s) Renfroe--Concerning the recognition of Colorado's business community.

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 | 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 | | |

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

CONSIDERATION OF HOUSE ADHERENCE

HB10-1422 by Representative(s) Gardner B., Kagan, Labuda, Levy, Roberts; also Senator(s) Brophy, Carroll M., Mitchell, Morse, Schwartz--Concerning the revision of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, inconsistent, and conflicting provisions of law and clarifying the language to reflect the legislative intent of the laws.

Senator Brophy moved that the Senate recede from its position on **HB10-1422**. The motion was **adopted** by the following roll call vote:

| YES | 24 | NO | 11 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|----|------------|---|-----------|---|
| Bacon | Y | Hodge | Y | Morse | Y | Spence | Y |
| Boyd | Y | Hudak | Y | Newell | Y | Steadman | N |
| Brophy | Y | Johnston | Y | Penry | N | Tapia | Y |
| Cadman | Y | Keller | Y | Renfroe | N | Tochtrop | Y |
| Carroll M. | Y | Kester | Y | Romer | Y | White | N |
| Foster | Y | King K. | N | Sandoval | N | Whitehead | Y |
| Gibbs | Y | Kopp | N | Scheffel | N | Williams | Y |
| Harvey | N | Lundberg | Y | Schultheis | N | President | N |
| 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 | 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 | | |

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

MESSAGE FROM THE REVISOR OF STATUTES

May 12, 2010

We herewith transmit:

Without comment, as amended, SB10-190.

CONSIDERATION OF HOUSE AMENDMENTS SENATE BILLS

SB10-190 by Senator(s) White and Keller, Tapia; also Representative(s) Riesberg--Concerning the suspension of the property tax exemption for qualifying seniors for specified property tax years, and making an appropriation therefor.

Senator White moved to reject the house amendments on **SB10-190** and that the Senate adhere to its position. The motion was **adopted** by the following roll call vote:

| YES | 21 | NO | 14 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|----|------------|---|-----------|---|
| Bacon | Y | Hodge | Y | Morse | Y | Spence | N |
| Boyd | Y | Hudak | Y | Newell | Y | Steadman | Y |
| Brophy | N | Johnston | Y | Penry | N | Tapia | Y |
| Cadman | N | Keller | Y | Renfroe | N | Tochtrop | Y |
| Carroll M. | Y | Kester | N | Romer | Y | White | Y |
| Foster | Y | King K. | N | Sandoval | Y | Whitehead | Y |
| Gibbs | Y | Kopp | N | Scheffel | N | Williams | Y |
| Harvey | N | Lundberg | N | Schultheis | N | President | Y |
| Heath | Y | Mitchell | N | Schwartz | N | | |

MESSAGE FROM THE HOUSE

May 12, 2010

The House has voted to recede from its position on SB10-213 and has repassed the bill.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 12, 2010

The House has voted to recede from its position on SB10-204 and repassed the bill amended. The bill is returned herewith.

The House has voted not to concur in the Senate amendments to HB10-1430 and requests that a conference committee be appointed. The Speaker has appointed Representatives

Solano, chairman, Scanlan, and Massey as House conferees on the First Conference Committee on HB10-1430. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB10-1428 and requests that a conference committee be appointed. The Speaker has appointed Representatives Middleton, chairman, Scanlan, and Massey as House conferees on the First Conference Committee on HB10-1428. The bill is transmitted herewith.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB10-1180.

CONSIDERATION OF RESOLUTIONS

HJR10-1028 by Representative(s) Kerr A., Apuan, Benefield, Casso, Court, Hulinghorst, McCann, Merrifield, Middleton, Miklosi, Pace, Scanlan, Solano, Todd, Tyler, Vigil; also Senator(s) Williams, Bacon, Foster, Gibbs, Heath, Hudak, Johnston, Morse, Newell, Romer, Sandoval, Schwartz, Steadman, Tapia, Tochtrop--Concerning a request for the United States Congress to adopt legislation that promotes jobs and innovative energy development, heightens national energy and economic security, positions the United States to be an international leader in the field of clean energy, and addresses the consequences of climate change without preempting states' rights to control emissions or promote renewable energy.

Amendment No. 1(L.003), by Senator Penry.

Amend engrossed joint resolution, page 3, after line 11 insert:

"WHEREAS, Part of an effective energy strategy includes drilling on the Roan Plateau; and".

The amendment was lost on the following roll call vote:

| YES | 13 | NO | 18 | EXCUSED | 4 | ABSENT | 0 |
|------------|----|----------|----|------------|---|-----------|---|
| Bacon | N | Hodge | N | Morse | N | Spence | Y |
| Boyd | E | Hudak | N | Newell | N | Steadman | N |
| Brophy | Y | Johnston | N | Penry | Y | Tapia | N |
| Cadman | E | Keller | N | Renfroe | Y | Tochtrop | N |
| Carroll M. | E | Kester | Y | Romer | E | White | Y |
| Foster | N | King K. | Y | Sandoval | N | Whitehead | N |
| Gibbs | N | Kopp | Y | Scheffel | Y | Williams | N |
| Harvey | Y | Lundberg | Y | Schultheis | Y | President | N |
| Heath | N | Mitchell | Y | Schwartz | N | | |

On motion of Senator Williams, the resolution was **adopted** by the following roll call vote:

| YES | 21 | NO | 14 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|----|------------|---|-----------|---|
| Bacon | Y | Hodge | Y | Morse | Y | Spence | N |
| Boyd | Y | Hudak | Y | Newell | Y | Steadman | Y |
| Brophy | N | Johnston | Y | Penry | N | Tapia | Y |
| Cadman | Y | Keller | Y | Renfroe | N | Tochtrop | Y |
| Carroll M. | Y | Kester | N | Romer | Y | White | N |
| Foster | Y | King K. | N | Sandoval | Y | Whitehead | N |
| Gibbs | Y | Kopp | N | Scheffel | N | Williams | Y |
| Harvey | N | Lundberg | N | Schultheis | N | President | Y |
| Heath | Y | Mitchell | N | Schwartz | Y | | |

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Romer, Chair, Spence, and King as Senate conferees on the first conference committee on **HB10-1428**.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

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

Senator Hudak moved for the adoption of the first report of the first conference committee on **HB10-1364**, as printed in Senate journal, May 12. The motion was **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 | | |

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 | 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 | | |

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

Co-sponsors added: Carroll M. and King K.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

Senator Carroll moved that the Senate conferees on the first conference committee on **HB10-1401** be granted permission to go beyond the scope of the differences between the two houses.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted**.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB10-1428 by Representative(s) Middleton; also Senator(s) Romer--Concerning student loans.

Senator Romer moved that the first conference committee on **HB10-1428** be dissolved, that the Senate conferees be discharged, and that the Senate adhere to its position. The motion was **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 | | |

HB10-1430 by Representative(s) Solano and Scanlan, Benefield, Ferrandino, Fischer, Massey, Merrifield, Middleton, Peniston, Ryden, Schafer S., Todd, Vigil; also Senator(s) Hudak-- Concerning assessments in the elementary and secondary education system.

Senator Hudak moved that the first conference committee of **HB10-1430** be dissolved, and that the Senate conferees be discharged, and that the Senate adhere to its position. The motion was **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 | | |

CONSIDERATION OF HOUSE ADHERENCE

HB10-1426 by Representative(s) Riesberg and Todd; also Senator(s) Williams and Spence--Concerning creation of a separate fund for the Trinidad state nursing home, and making an appropriation in connection therewith.

Senator Williams moved that the Senate recede from its position on **HB10-1426**. The motion was **lost** by the following roll call vote:

| YES | 14 | NO | 21 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|----|------------|---|-----------|---|
| Bacon | N | Hodge | Y | Morse | Y | Spence | Y |
| Boyd | N | Hudak | N | Newell | N | Steadman | N |
| Brophy | Y | Johnston | Y | Penry | N | Tapia | N |
| Cadman | N | Keller | N | Renfroe | Y | Tochtrop | Y |
| Carroll M. | Y | Kester | N | Romer | Y | White | N |
| Foster | N | King K. | N | Sandoval | Y | Whitehead | N |
| Gibbs | Y | Kopp | N | Scheffel | N | Williams | Y |
| Harvey | N | Lundberg | N | Schultheis | N | President | N |
| Heath | Y | Mitchell | N | Schwartz | Y | | |

IMMEDIATE RECONSIDERATION OF HOUSE ADHERENCE

HB10-1426 by Representative(s) Riesberg and Todd; also Senator(s) Williams and Spence--Concerning creation of a separate fund for the Trinidad state nursing home, and making an appropriation in connection therewith.

Having voted on the prevailing side, Senator Steadman moved for immediate reconsideration of the last Senate action, Consideration of House Adherence, on **HB10-1426**. The roll call was taken with the following result:

| YES | 18 | NO | 17 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|----|------------|---|-----------|---|
| Bacon | Y | Hodge | N | Morse | Y | Spence | Y |
| Boyd | Y | Hudak | Y | Newell | N | Steadman | Y |
| Brophy | N | Johnston | Y | Penry | N | Tapia | N |
| Cadman | Y | Keller | Y | Renfroe | N | Tochtrop | N |
| Carroll M. | Y | Kester | N | Romer | Y | White | N |
| Foster | N | King K. | Y | Sandoval | Y | Whitehead | N |
| Gibbs | Y | Kopp | N | Scheffel | N | Williams | Y |
| Harvey | N | Lundberg | N | Schultheis | N | President | Y |
| Heath | Y | Mitchell | Y | Schwartz | N | | |

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

CONSIDERATION OF HOUSE ADHERENCE

HB10-1426 by Representative(s) Riesberg and Todd; also Senator(s) Williams and Spence--Concerning creation of a separate fund for the Trinidad state nursing home, and making an appropriation in connection therewith.

Senator Williams moved that the Senate recede from its position on **HB10-1426**. The motion was **lost** by the following roll call vote:

| YES | 13 | NO | 22 | EXCUSED | 0 | ABSENT | 0 |
|------------|----|----------|----|------------|---|-----------|---|
| Bacon | N | Hodge | N | Morse | Y | Spence | Y |
| Boyd | N | Hudak | N | Newell | N | Steadman | N |
| Brophy | Y | Johnston | Y | Penry | N | Tapia | N |
| Cadman | N | Keller | N | Renfroe | N | Tochtrop | N |
| Carroll M. | Y | Kester | N | Romer | Y | White | N |
| Foster | N | King K. | Y | Sandoval | Y | Whitehead | N |
| Gibbs | Y | Kopp | N | Scheffel | N | Williams | Y |
| Harvey | N | Lundberg | N | Schultheis | N | President | Y |
| Heath | Y | Mitchell | Y | Schwartz | N | | |

Senator Williams moved that the Senate adhere to its position on **HB10-1426**. The motion was **passed** 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 | | |

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 12, 2010

The House has postponed indefinitely SCR10-003. The resolution is returned herewith.

The House has voted to concur in the Senate amendments to HB10-1013, 1281, 1287, 1338, 1360, 1413, 1181, 1200, 1409, HCR10-1005, and has repassed the bills as so amended.

The House has voted to recede from its position on SB10-190 and repassed the bill amended. The bill is returned herewith.

The House has adopted and returns herewith SJR10-042.

The House has adopted the First Report of the First Conference Committee on HB10-1364, as printed in House Journal, May 12, and has repassed the bill as amended.

The House has voted to grant the House conferees on the First Conference Committee on HB10-1401 to consider matters not at issue between the two houses.

The House voted to adhere to its position on HJR10-1027. The bill is transmitted herewith.

The House voted to adhere to its position on HB10-1430.

The House voted to adhere to its position on HB10-1421. The bill is transmitted herewith.

The House has voted to recede from its position on HB10-1428 and has repassed the bill.

The House has adopted and returns herewith SJR10-050. Pursuant to the resolution, the

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Speaker has appointed Representative(s) Frangas, Chairman, Judd, and Sonnenberg as House members on the joint committee to notify the Governor of adjournment sine die.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON HB10-1401

***** THIS REPORT AMENDS THE REENGROSSED BILL *****

To the President of the Senate and the Speaker of the House of Representatives:

Your first conference committee appointed on HB10-1401, concerning the management of information technology in state agencies, has met and reports that it has agreed upon the following:

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

Amend reengrossed bill, page 5, strike lines 4 and 5 and substitute "-reporting. (4) (a) ON OR BEFORE OCTOBER 1, 2010, AND ON OR BEFORE OCTOBER 1 OF EACH YEAR THEREAFTER, EACH STATE AGENCY THAT IMPOSES CHARGES OR FEES FOR ACCESSING ELECTRONIC INFORMATION, PRODUCTS, OR SERVICES THROUGH THE STATEWIDE INTERNET PORTAL SHALL PROVIDE A REPORT TO THE EXECUTIVE DIRECTOR ON THE TOTAL AMOUNT OF SUCH CHARGES OR FEES IMPOSED IN THE PRECEDING FISCAL YEAR.

(b) ON OR BEFORE NOVEMBER 1, 2010, AND ON OR BEFORE NOVEMBER 1 OF EACH YEAR THEREAFTER, THE BOARD SHALL REPORT TO".

Page 5, line 10, strike "(a)" and substitute "(I)".

Page 5, line 14, strike "(b)" and substitute "(II)".

Page 5, line 15, strike "PARAGRAPH (a)" and substitute "SUBPARAGRAPH (I)".

Page 5, line 16, strike "SUBSECTION (4)" and substitute "PARAGRAPH (b)".

Page 6, line 4, after "OBLIGATIONS." insert "THE STATE AUDITOR SHALL LIMIT THE SCOPE OF INFORMATION REQUESTED FROM THE AUTHORITY TO THAT AUTHORIZED PURSUANT TO PART 1 OF ARTICLE 3 OF TITLE 2, C.R.S., AND BY THE LEGISLATIVE AUDIT COMMITTEE."

Page 6, line 5, strike "FOR" and substitute "FROM".

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendment be recommended:

Amend reengrossed bill, page 6, line 2, strike "MAY 1, 2011," and substitute "AUGUST 1, 2011,".

Respectfully submitted,

House Committee: (signed) Mark Ferrandino, Chairman Max Tyler Carol Murray

Senate Committee: (signed) Morgan Carroll, Chairman Betty Boyd Bill Cadman

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CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB10-1401 by Representative(s) Ferrandino; also Senator(s) Carroll M.--Concerning the management of information technology in state agencies.

Senator Carroll moved for the adoption of the first report of the first conference committee on **HB10-1401**, as printed in Senate journal, May 12, . The motion was **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 | | |

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 | 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 | | |

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

Co-sponsors added: Boyd

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 12, 2010

The House has adopted the First Report of the First Conference Committee on HB10-1401, as printed in House Journal, May 12, and has repassed the bill as amended.

The House has adopted and transmits herewith HJR10-1036. Pursuant to the resolution, the Speaker has appointed Representatives Judd, chairman, Frangas, and Sonnenberg.

CONSIDERATION OF RESOLUTIONS

HJR10-1036 by Representative(s) Weissmann, Carroll T., May; also Senator(s) Morse, Shaffer B., Penry--Concerning the adjournment sine die of the Second Regular Session of the Sixty-seventh General Assembly.

On motion of Senator Morse, the resolution was **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, Gibbs, Harvey, Heath, Hodge, Hudak, Johnston, Keller, Kester, King K., Kopp, Lundberg, Mitchell, Newell, Renfroe, Romer, Sandoval, Scheffel, Schultheis, Schwartz, Spence, Steadman, Tapia, Tochtrop, White, Whitehead and Williams.

On motion of Senator Morse, and with the unanimous consent of those elected to the Senate having voted in the affirmative, the Second Regular Session of the Sixty-seventh General Assembly adjourned *sine die* at 8:19 p.m., May 12, 2010.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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