

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

115th Legislative Day Friday, May 7, 2010

Prayer By the chaplain, Reverend John Thompson, Park Hill United Methodist Church, Denver. 10
 Call to Order By the President at 9:00 a.m. 12
 Pledge By Senator Tochtrop. 15
 Roll Call Present--20. 17
 Excused--15, Bacon, Brophy, Harvey, Heath, Hodge, Johnston, Keller, King, Kopp, Mitchell, Romer, Spence, Tapia, White, Williams. 18
 Present later--15, Bacon, Brophy, Harvey, Heath, Hodge, Johnston, Keller, King, Kopp, Mitchell, Romer, Spence, Tapia, White, Williams. 20
 Quorum The President announced a quorum present. 23
 Reading of Journal On motion of Senator Foster, reading of the Journal of Thursday, May 6, 2010, was dispensed with and the Journal was approved as corrected by the Secretary. 25

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions. 29

CONSIDERATION OF RESOLUTIONS

SJR10-039 by Senator(s) Scheffel; also Representative(s) Murray--Concerning the danger of carbon monoxide poisoning from marine engine emissions. 35

Amendment No. 1(L.001), by Senator Scheffel. 38

Amend printed joint resolution, page 3, line 1, strike "including" and substitute "by" and strike "boat" and substitute "points of motorized boating access". 40

Page 3, line 2, strike "ramps that contain" and substitute "and utilizing other types of public communication containing" and strike "describing" and substitute "that describes". 44

Page 3, line 3, strike "poisoning" and substitute "poisoning, in such a manner that targets and prioritizes those boaters who may be most at risk,". 48

Page 3, line 4, strike "signage;" and substitute "signage and communications;". 52

The amendment was **passed** on the following roll call vote: 55

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	E
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	E	Penry	Y	Tapia	Y
Cadman	Y	Keller	E	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		

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	E	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, Keller, Kester, King K., Kopp, Lundberg, Mitchell, Morse, Newell, Penry, Renfroe, Romer, Sandoval, Schultheis, Schwartz, Shaffer B., Spence, Steadman, Tapia, Tochtrop, White, Whitehead and Williams.

SENATE SERVICES REPORT

- Correctly Printed:** SJR10-049.
- Correctly Engrossed:** SB10-198, 200, 202, 203, 204, 205, 208, 209, 210, 211, 212, 213, 216 and 217; SJR10-049.
- Correctly Revised:** HB10-1172, 1358 and 1398.
- Correctly Rerevised:** HB10-1284.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB10-1096.

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Hodge, Chair, Tapia, and White as Senate conferees on the first conference committee on **HB10-1188**.

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:

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

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: Gibbs, Kopp, Newell, Penry, Schwartz and Williams.

HB10-1172 by Representative(s) Bradford, Nikkel, Sonnenberg, Tipton; also Senator(s) Cadman-- Concerning the registration of mobile machinery in order to pay specific ownership tax, 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**.

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB10-200 by Senator(s) Schwartz; also Representative(s) Fischer and Kefalas--Concerning amendments to the "Colorado Recovery and Reinvestment Finance Act of 2009" that are necessary to conform to amendments made to the federal "American Recovery and Reinvestment Act of 2009" by the federal "Hiring Incentives to Restore Employment Act".

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

YES	23	NO	12	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	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: Morse, Romer, Whitehead and Williams.

SB10-208 by Senator(s) Keller; also Representative(s) Acree--Concerning repealing references to the referral and placement committee to reflect current usage of interdisciplinary teams in developing individualized plans for persons with developmental disabilities.

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, Carroll M., Foster, Gibbs, Hodge, Hudak, Newell, Tochtrop and Williams.

SB10-205

by Senator(s) Bacon, Scheffel; also Representative(s) Scanlan and Murray--Concerning the authority of a school district to submit to the eligible electors of the district the question of contracting a bonded indebtedness for the purpose of paying costs that may be paid from the general fund of the school district.

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	Y	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.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	Scheffel	Y	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: Hudak, King K., Morse, Newell, Spence, Steadman and Williams.

SB10-210

by Senator(s) Romer and Penry, Spence, Heath, Gibbs, Steadman, Tapia; also Representative(s) Ferrandino and Massey--Concerning authorization of funding for educational programs that provide incentives for students to read.

A majority of those elected to the Senate having voted in the affirmative, Senator Schwartz, Romer, and Whitehead were given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.004) , by Senators Schwartz, Romer, and Whitehead.

Amend engrossed bill, page 2, line 5, after "**neighborhoods**", insert "**-boards of cooperative services**".

Page 2, line 6, after "(1)", insert "(a)".

Page 2, strike lines 8 through 10 and substitute "AWARD UP TO ONE MILLION DOLLARS IN GRANTS TO ORGANIZATIONS TO FUND PROGRAMS THAT PROVIDE".

Page 2, after line 18, insert:

"(b) FOR PURPOSES OF THIS SECTION, "ORGANIZATION" MEANS:

(I) A BOARD OF COOPERATIVE SERVICES ESTABLISHED AND OPERATING PURSUANT TO ARTICLE 5 OF THIS TITLE; OR

(II) AN ORGANIZATION THAT OPERATES A PROMISE

NEIGHBORHOOD OR CHOICE NEIGHBORHOOD, AS DESCRIBED IN FEDERAL LAW, AND THAT HAS BEEN APPROVED FOR FEDERAL FUNDING IN THE FORM OF A PROMISE NEIGHBORHOOD PLANNING GRANT OR THROUGH THE FEDERAL CHOICE NEIGHBORHOODS PROGRAM."

Page 3, line 7, strike "AND".

Page 3, strike lines 13 through 17 and substitute:

"(3) AN ORGANIZATION THAT APPLIES FOR A".

Page 4, line 2, strike "PROOF" and substitute "IF THE APPLICANT IS NOT A BOARD OF COOPERATIVE SERVICES, PROOF".

Page 4, line 14, strike "AMOUNT EARNED PER" and substitute "INCENTIVES RECEIVED BY EACH".

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	18	NO	17	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	N	Morse	Y	Spence	Y
Boyd	N	Hudak	N	Newell	N	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	N
Cadman	N	Keller	N	Renfroe	N	Tochtrop	N
Carroll M.	N	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	N	Schultheis	N	President	N
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: White

SB10-202 by Senator(s) Whitehead; also Representative(s) Kerr A.--Concerning savings accounts for job retraining.

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

YES	28	NO	7	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.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	Scheffel	Y	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, Carroll M., Heath, Newell, Shaffer B. and Steadman.

SB10-213 by Senator(s) Shaffer B., Morse, Penry; also Representative(s) Weissmann, Carroll T., May--Concerning committees created by the Colorado general assembly that operate during the interim.

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	N	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	N	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	N	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.

HB10-1358 by Representative(s) Fischer, Apuan, Court, Frangas, Gagliardi, Hullinghorst, Kagan, Kefalas, Kerr A., Labuda, Levy, Merrifield, Middleton, Pace, Peniston, Primavera, Ryden, Solano, Todd, Tyler, Vigil, Weissmann; also Senator(s) Johnston, Bacon, Hodge, Steadman, Tapia, Williams--Concerning a requirement for new home builders to offer home buyers water efficiency options.

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: Boyd, Carroll M., Heath, Schwartz, Shaffer B., Tochtrop and Whitehead.

SB10-198 by Senator(s) Whitehead and Cadman; also Representative(s) McKinley--Concerning a reduction in the amount of the penalty for late vehicle registration for certain vehicles without motive power.

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, Boyd, Brophy, Carroll M., Foster, Gibbs, Harvey, Heath, Hodge, Johnston, Keller, Kester, King K., Kopp, Lundberg, Mitchell, Morse, Newell, Renfroe, Romer, Sandoval, Scheffel, Schultheis, Schwartz, Shaffer B., Spence, Steadman, Tochtrop, White and Williams.

SB10-203

by Senator(s) Carroll M., Morse, Shaffer B.; also Representative(s) Weissmann and Middleton--Concerning independent expenditures in Colorado elections after the United States supreme court case of Citizens United v. Federal Election Comm'n.

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

Third Reading Amendment No. 1(L.008), by Senator Carroll.

Amend engrossed bill, page 11, line 19, after "REGISTER" insert "AS".

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	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 and Newell.

SB10-209

by Senator(s) Schwartz, Gibbs, Hodge, Kester, Penry, Scheffel, Steadman, White, Whitehead; also Representative(s) Vigil--Concerning the allocation of 2009 national forest payments in counties as said payments relate to federal payments in lieu of taxes.

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, Foster, Heath, Morse, Newell and Williams.

SB10-216 by Senator(s) Heath; also Representative(s) Court--Concerning the order in which statewide ballot measures appear on a ballot.

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.

SB10-212 by Senator(s) Cadman, Shaffer B., Penry, Tapia, Romer, Boyd; also Representative(s) Weissmann--Concerning the repeal of mechanisms to refund excess state revenues.

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

YES	30	NO	5	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	N
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	N	Whitehead	N
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	N
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: Brophy, Harvey, Hodge, King K., Kopp, Lundberg, Mitchell, Renfroe, Schultheis, Steadman and White.

SB10-211 by Senator(s) Morse and Gibbs, Harvey, Bacon, Boyd, Brophy, Foster, Heath, Hodge, Johnston, Kester, King K., Kopp, Lundberg, Mitchell, Penry, Renfroe, Romer, Scheffel, Schultheis, Shaffer B., Tapia, Tochtrop, White, Whitehead, Williams; also Representative(s) Looper and Scanlan, Apuan, Balmer, DelGrosso, Kerr J., Nikkel, Priola, Swalm-- Concerning big game hunting licenses for members of the United States armed services wounded warrior programs who have sustained severe combat-related injuries while serving in post-September 11, 2001, overseas contingency operations.

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: Cadman, Keller, Schwartz and Spence.

SB10-217 by Senator(s) Boyd; also Representative(s) Riesberg--Concerning a modification to the nursing-sensitive quality measures required to be included in the comprehensive hospital information 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**.

SB10-204 by Senator(s) Shaffer B.; also Representative(s) Solano--Concerning the penalty for careless driving resulting in death.

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, King K., Newell, Schwartz and Williams.

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the Committee recommends that **HB10-1013** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB10-1103** be postponed indefinitely.

Appropriations After consideration on the merits, the Committee recommends that **HB10-1360** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB10-1403** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations After consideration on the merits, the Committee recommends that **HB10-1413** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **SB10-207** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 12, after line 1, insert:

"SECTION 4. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the energy efficiency project proceeds fund created in section 24-38.5-104 (4), Colorado Revised Statutes, not otherwise appropriated, to the department of personnel and administration, for allocation to the division of accounts and control - controller, for the fiscal year beginning July 1, 2010, the sum of twenty thousand nine hundred dollars (\$20,900) cash funds and 0.2 FTE, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 105, strike "FACILITIES." and substitute "FACILITIES, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

Appropriations

After consideration on the merits, the Committee recommends that **HB10-1374** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

May 7, 2010

The House has passed on Third Reading and returns herewith SB10-028, 187, 194, 201, 054, 184.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB10-139, amended as printed in House Journal, May 5, page 1635. SB10-087, amended as printed in House Journal, May 6, pages 1659-1600. SB10-076, amended as printed in House Journal, May 6, page 1660. SB10-141, amended as printed in House Journal, May 6, page 1661. SB10-128, amended as printed in House Journal, May 6, page 1661, and amended on Third Reading, May 7. SB10-180, amended as printed in House Journal, May 6, page 1665.

MESSAGE FROM THE REVISOR OF STATUTES

May 7, 2010

We herewith transmit:

Without comment, as amended, SB10-076, 087, 128, 139, 141, and 180.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

COMMITTEE OF REFERENCE REPORTS

Local Government and Energy

After consideration on the merits, the Committee recommends that **HB10-1431** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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Appropriations

After consideration on the merits, the Committee recommends that **HB10-1176** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the senate finance committee report, dated April 29, 2010, page 5, after line 29 insert:

"SECTION 2. Appropriation. (1) 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 allocation to the division of accounts and control - controller, office of the state controller, for personal services, for the fiscal year beginning July 1, 2010, the sum of one hundred fourteen thousand one hundred ninety-four dollars (\$114,194) and 1.8 FTE, or so much thereof as may be necessary, for the implementation of this act.

(2) 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 allocation to the division of accounts and control - controller, office of the state controller, for operating expenses, for the fiscal year beginning July 1, 2010, the sum of eighteen thousand five hundred twenty-two dollars (\$18,522), or so much thereof as may be necessary, for the implementation of this act.

(3) 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 allocation to the executive director's office, department administration, for legal services, for the fiscal year beginning July 1, 2010, the sum of two thousand dollars (\$2,000), or so much thereof as may be necessary, for the implementation of this act.

(4) 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 local affairs, for allocation to the division of local governments, field services, for program costs, for the fiscal year beginning July 1, 2010, the sum of twenty-six thousand nine hundred twenty-seven dollars (\$26,927) and 0.3 FTE, or so much thereof as may be necessary, for the implementation of this act.

(5) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2010, the sum of two thousand dollars (\$2,000), or so much thereof as may be necessary, for the provision of legal services to the department of personnel and administration related to the implementation of this act. Said sum shall be from reappropriated funds received from the department of personnel and administration out of the appropriation made in subsection (3) of this section.

(6) It is the intent of the general assembly that the general fund appropriations in subsections (1), (2), (3), and (4) of this section shall be derived from savings generated from the implementation of the provisions of House Bill 10-1338, as enacted during the Second Regular Session of the Sixty-seventh General Assembly.

SECTION 3. Effective date. (1) This act shall take effect upon passage.

(2) Notwithstanding the provisions of subsection (1) of this section, this act shall only take effect if:

(a) House Bill 10-1338 is enacted at the Second Regular Session of the Sixty-seventh General Assembly and becomes law; and

(b) The final fiscal estimate for House Bill 10-1338, as determined

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from the appropriations enacted in said bill, shows a net reduction in the amount of general fund revenues appropriated for the state fiscal year 2010-11, that is equal to or greater than the amount of general fund appropriations made for the implementation of this act for the state fiscal year 2010-11; and

(c) The staff director of the joint budget committee files written notice with the revisor of statutes no later than July 15, 2010, that the requirement set forth in paragraph (b) of this subsection (2) has been met."

Page 5 of the report, line 30, strike "SECTION 2." and substitute "SECTION 4."

Page 5 of the report, after line 32 insert:

"Amend reengrossed bill, page 1, line 102, strike "DOLLARS." and substitute "DOLLARS, AND MAKING AN APPROPRIATION THEREFOR."."

Education After consideration on the merits, the Committee recommends that **HB10-1427** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Education After consideration on the merits, the Committee recommends that **HB10-1428** be referred to the Committee on Finance with favorable recommendation.

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB10-1281** be referred to the Committee on Appropriations with favorable recommendation.

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB10-1426** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HCR10-1004** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB10-1401** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 5, line 5, strike "REPORT" and substitute "PROVIDE AN ANNUAL REPORT THAT INCLUDES A CERTIFIED FINANCIAL STATEMENT PREPARED BY A CERTIFIED PUBLIC ACCOUNTANT".

Page 5, strike lines 9 through 16 and substitute "BUDGET COMMITTEE."

Page 6, line 4, after "OBLIGATIONS." insert "THE STATE AUDITOR SHALL MAKE NO REQUEST FOR INFORMATION FROM THE AUTHORITY OUTSIDE THE SCOPE OF A PERFORMANCE AUDIT OR THAT IS GENERALLY AVAILABLE THROUGH REQUESTS MADE OF STATE AGENCIES."

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

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB10-1421** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 11, strike "level -" and substitute "level."

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Page 2, strike lines 12 through 17 and substitute "(6) (a) BY NOVEMBER 1, 2010, THE DEPARTMENT SHALL REDUCE THE DEPARTMENT'S PRISON BED CAPACITY BY AT LEAST THREE HUNDRED BEDS OR CREATE COMPARABLE SAVINGS. THE DEPARTMENT MAY ACHIEVE THE REDUCTION THROUGH THE DECOMMISSION OF A CORRECTIONAL FACILITY OPERATED BY THE DEPARTMENT, THROUGH A REDUCTION IN PRIVATE CONTRACT PRISON BEDS, OR ANY OTHER MEANS DETERMINED BY THE DEPARTMENT THAT CREATES COMPARABLE SAVINGS. WHEN THE DEPARTMENT TRANSFERS INMATES AS A RESULT OF THE REDUCTION IN BEDS, THOSE".

Page 2, line 24, strike "DECOMMISSION OF THE CORRECTIONAL FACILITY" and substitute "REDUCTION IN PRISON BEDS".

Finance After consideration on the merits, the Committee recommends that **SB10-214** be postponed indefinitely.

Finance After consideration on the merits, the Committee recommends that **HB10-1366** be postponed indefinitely.

Agriculture and Natural Resources After consideration on the merits, the Committee recommends that **HJR10-1027** be referred to the Senate for final action.

Amend engrossed resolution, page 2, strike lines 33 through 37.

Agriculture and Natural Resources After consideration on the merits, the Committee recommends that **HJR10-1019** be amended as follows, and as so amended, be referred to the Senate for final action.

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB10-1425, HB10-1250, HB10-1404, HB10-1113, HB10-1393, HB10-1414 were made Special Orders at 1:46 p.m.

Committee of the Whole The hour of 1:46 p.m. having arrived, Senator Gibbs moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Gibbs was called to the chair to act as Chairman.

SPECIAL 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:

HB10-1425 by Representative(s) Miklosi; also Senator(s) Foster--Concerning the exemption from the postretirement employment limit for certain employees of the Denver public school district who are retirees of the public employees' retirement association.

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

HB10-1250 by Representative(s) Fischer, Curry, Apuan, Baumgardner, Hullinghorst, Kefalas, Looper, Roberts, Ryden, Scanlan, Solano, Sonnenberg, Tyler, Vigil; also Senator(s) Hodge, Gibbs, Kester, Schwartz, White, Whitehead--Concerning the funding of Colorado water conservation board projects, and making appropriations in connection therewith.

Amendment No. 1, Agriculture & Natural Resources Committee Amendment.
(Printed in Senate Journal, April 19, page 914 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 30, page 1130 and placed in members' bill files.)

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

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HB10-1404 by Representative(s) McCann; also Senator(s) Steadman--Concerning the administration of the independent ethics commission.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, May 4, page 1193 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 6, page 1251 and placed in members' bill files.)

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

HB10-1113 by Representative(s) McFadyen, Sonnenberg, Vaad; also Senator(s) Hodge, Kester--Concerning the modification of agencies that perform oversight of the commercial vehicle industry through a transfer of the ports of entry section in the department of revenue to the Colorado state patrol in the department of public safety by a type 2 transfer.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, May 5, page 1201 and placed in members' bill files.)

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

HB10-1393 by Representative(s) Nikkel; also Senator(s) Kopp--Concerning the information included in the web-based system that provides the public access to state financial information.

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

HB10-1414 by Representative(s) Benefield; also Senator(s) Foster--Concerning the requirement that a health care facility report information identifying any individual responsible for the diversion of injectable drugs that were intended for use by patients of the facility.

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

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	E	Tapia	E
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	E	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: HB10-1425, HB10-1250 as amended, HB10-1404 as amended, HB10-1113 as amended, HB10-1393, HB10-1414.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (SCR10-001, SCR10-003, HB10-1287) of Friday, May 7, was laid over until Monday, May 10, retaining its place on the calendar.

Committee of the Whole On motion of Senator Gibbs, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Gibbs 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:

HB10-1009 by Representative(s) Miklosi, Pace, Ryden; also Senator(s) Hodge, Carroll M., Tochtrop-- Concerning the board of directors of Pinnacol Assurance.

Laid over until Monday, May 10, retaining its place on the calendar.

HB10-1271 by Representative(s) Curry; also Senator(s) Morse--Concerning the registration date for eligibility of a person seeking to be placed in nomination as a candidate for a partisan office.

Laid over until Monday, May 10, retaining its place on the calendar.

HB10-1352 by Representative(s) Waller, Pace, Court, Gardner B., Gerou, Kagan, King S., Levy, Looper, Massey, May, McCann, Miklosi, Nikkel, Roberts, Ryden, Stephens; also Senator(s) Steadman and Mitchell, Carroll M., Hudak, Morse, Newell, Penry, White--Concerning changes to crimes involving controlled substances, and making an appropriation in connection therewith.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, April 27, page 1031 and placed in members' bill files.)

Amendment No. 2(L.010), by Senator Steadman.

Amend reengrossed bill, page 17, line 13, strike "(4) (a) and (5.5)," and substitute "(4) (a),".

Page 17, line 14, strike "are" and substitute "is".

Page 17, line 17, strike "(3.5)" and substitute "(3.5) (a)".

Page 17, after line 21 insert:

"(b) EACH FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE TO THE DRUG OFFENDER SURCHARGE FUND CREATED PURSUANT TO SUBSECTION (4) OF THIS SECTION THE SAVINGS GENERATED BY HOUSE BILL 10-1352, ENACTED IN 2010. THE APPROPRIATION SHALL BE MADE AFTER CONSIDERATION OF THE DIVISION OF CRIMINAL JUSTICE'S ANNUAL REPORT REQUIRED PURSUANT TO SECTION 24-33.5-503 (1) (u), C.R.S.".

Page 18, strike lines 9 through 24.

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

HB10-1274 by Representative(s) Schafer S., Massey, Benefield, Merrifield, Middleton, Miklosi, Murray, Peniston, Priola, Solano, Stephens, Tipton, Todd; also Senator(s) Johnston, Carroll M., Keller, King K., Newell, Penry, Spence, Steadman--Concerning successful transitions back to the public school system for students in out-of-home placement who have demonstrated behavior that is detrimental to the safety or welfare of themselves or others during the previous twelve months.

Amendment No. 1, Education Committee Amendment.

(Printed in Senate Journal, May 5, pages 1237-1243 and placed in members' bill files.)

Amendment No. 2(L.016), by Senator Johnston.

Amend the Education Committee Report, dated May 5, 2010, page 2, line 22, strike "HOSPITAL," and substitute "HOSPITAL LICENSED OR CERTIFIED PURSUANT TO SECTION 25-3-101, C.R.S.,".

Page 4, line 30, after "HOSPITAL" insert "LICENSED OR CERTIFIED PURSUANT TO SECTION 25-3-101, C.R.S.,".

Page 5, line 7, after "HOSPITAL" insert "LICENSED OR CERTIFIED PURSUANT TO SECTION 25-3-101, C.R.S.,".

Page 7, line 30, strike "STATE", and after "HOSPITAL" insert "LICENSED OR CERTIFIED PURSUANT TO SECTION 25-3-101, C.R.S.,".

Page 8, line 6, strike "STATE OR PRIVATE".

Page 8, line 7, strike "HOSPITAL," and substitute "HOSPITAL LICENSED OR CERTIFIED PURSUANT TO SECTION 25-3-101, C.R.S.,".

Page 8, line 24, strike "STATE OR PRIVATE HOSPITAL" and substitute "HOSPITAL LICENSED OR CERTIFIED PURSUANT TO SECTION 25-3-101, C.R.S.,".

Page 8, line 38, strike "STATE HOSPITAL" and substitute "'HOSPITAL LICENSED OR CERTIFIED PURSUANT TO SECTION 25-3-101, C.R.S.,".

Amendment No. 3(L.015), by Senator Johnston.

Amend the Education Committee Report, dated May 5, 2010, page 8, line 12, strike "OR ACUTE" and substitute "ACUTE CARE OR".

Page 8, line 13, after "IS" insert "ACTUAL".

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

HB10-1278 by Representative(s) Ryden; also Senator(s) Carroll M.--Concerning the creation of an ombudsman for matters arising under the "Colorado Common Interest Ownership Act", and making an appropriation therefor.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 23, pages 988-989 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 30, page 1106-1107 and placed in members' bill files.)

Amendment No. 2(L.017), by Senator Carroll.

Amend the State, Veterans, and Military Affairs Committee Report, dated April 21, 2010, page 1, line 2, strike "DOLLARS." and substitute "'DOLLARS AND SUBJECT TO ADJUSTMENT TO REFLECT THE ACTUAL DIRECT AND INDIRECT COSTS OF OPERATING THE HOA INFORMATION AND RESOURCE CENTER PURSUANT TO THE GENERAL DIRECTIVE TO ADJUST FEES TO AVOID EXCEEDING THE STATUTORY LIMIT ON UNCOMMITTED RESERVES IN ADMINISTRATIVE AGENCY CASH FUNDS AS SET FORTH IN SECTION 24-75-401 (3), C.R.S.'"."

Page 2, strike lines 21 through 29.

Page 3, strike line 1 and substitute:

""(b) A UNIT OWNERS' ASSOCIATION SHALL BE EXEMPT FROM THE FEE, BUT NOT THE REGISTRATION REQUIREMENT, IF THE ASSOCIATION:

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(I) HAS ANNUAL REVENUES OF FIVE THOUSAND DOLLARS OR LESS;
OR

(II) IS NOT AUTHORIZED TO MAKE ASSESSMENTS AND DOES NOT
HAVE ANY REVENUE."."

Amendment No. 3(L.018), by Senator Carroll.

Amend the State, Veterans and Military Affairs Committee Report, dated April 21, 2010, page 2, line 13, strike "after the period add "THIS" and substitute "strike "SECTION." and substitute "SECTION AND SECTION 38-33.3-401, C.R.S. THIS".

Page 3 of the report, after line 1 insert:

"Page 6 of the reengrossed bill, line 2, after the period add "A LIEN FOR ASSESSMENTS PREVIOUSLY FILED DURING A PERIOD IN WHICH THE ASSOCIATION WAS VALIDLY REGISTERED OR BEFORE REGISTRATION WAS REQUIRED PURSUANT TO THIS SECTION SHALL NOT BE EXTINGUISHED BY A LAPSE IN THE ASSOCIATION'S REGISTRATION, BUT ANY PENDING ENFORCEMENT PROCEEDINGS RELATED TO SUCH LIEN SHALL BE SUSPENDED, AND ANY APPLICABLE TIME LIMITS TOLLED, UNTIL THE ASSOCIATION IS AGAIN VALIDLY REGISTERED PURSUANT TO THIS SECTION."."

Page 3 of the report, after line 2 insert:

"Page 7 of the bill, strike lines 7 through 16 and substitute:

"SECTION 8. Act subject to petition - specified effective date.
This act shall take effect January 1, 2011; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part shall not take effect unless approved by the people at the general election to be held in November 2010 and shall take effect on January 1, 2011, or on the date of the official declaration of the vote thereon by the governor, whichever is later."."

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

HB10-1131 by Representative(s) Scanlan, Apuan, Benefield, Court, Curry, Ferrandino, Frangas, Gagliardi, Hullinghorst, Kerr A., Levy, Massey, Middleton, Miklosi, Pace, Peniston, Primavera, Rice, Schafer S., Todd, Tyler, Vigil; also Senator(s) Gibbs--Concerning measures to improve Colorado youths' knowledge of the environment, and, in connection therewith, creating the Colorado kids outdoors grant program.

Amendment No. 1, Education Committee Amendment.

(Printed in Senate Journal, April 6, page 785 and placed in members' bill files.)

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

HB10-1214 by Representative(s) McCann; also Senator(s) Schwartz--Concerning financial support for efforts to reduce the overpopulation of pets, and, in connection therewith, authorizing the issuance of an adopt a shelter pet license plate, and making an appropriation therefor.

Amendment No. 1, Agriculture & Natural Resources Committee Amendment.

(Printed in Senate Journal, April 19, page 913 and placed in members' bill files.)

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

Amend reengrossed bill, page 3, strike lines 18 through 27.

Page 4, strike lines 1 through 4.	1
Renumber succeeding sections accordingly.	2
Amend the Agriculture and Natural Resources Committee Report, dated April 15, 2010, page 1, strike lines 3 through 8.	3
As amended, ordered revised and placed on the calendar for third reading and final passage.	4
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HB10-1209 by Representative(s) Balmer; also Senator(s) Gibbs--Concerning authorization to place voluntarily an identifier of a branch of the United States armed forces on certain identification documents issued by the department of revenue, and making an appropriation therefor.	12
Ordered revised and placed on the calendar for third reading and final passage.	13
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HB10-1370 by Representative(s) Court, Apuan, Carroll T., Casso, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst, Kagan, Kerr A., King S., Labuda, Levy, Looper, Massey, McCann, McFadyen, Merrifield, Middleton, Miklosi, Murray, Pace, Peniston, Pommer, Primavera, Rice, Roberts, Ryden, Scanlan, Schafer S., Solano, Soper, Todd, Tyler, Vaad, Vigil, Weissmann; also Senator(s) Steadman--Concerning certain disclosure requirements that apply to statewide ballot measures.	20
Ordered revised and placed on the calendar for third reading and final passage.	21
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HB10-1373 by Representative(s) Carroll T.; also Senator(s) Hudak--Concerning changes to sentencing provisions for escape crimes.	29
Ordered revised and placed on the calendar for third reading and final passage.	30
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HB10-1238 by Representative(s) Curry; also Senator(s) Schwartz--Concerning wildlife crossing zones.	35
<u>Amendment No. 1, Transportation Committee Amendment.</u>	36
(Printed in Senate Journal, April 29, page 1071-1073 and placed in members' bill files.)	37
<u>Amendment No. 2(L.015), by Senator Schwartz.</u>	38
Amend the Transportation Committee Report, dated April 27, 2010, page 1, strike lines 4 through 15.	39
Strike pages 2 and 3.	40
As amended, ordered revised and placed on the calendar for third reading and final passage.	41
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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.	50
<u>Amendment No. 1, Judiciary Committee Amendment.</u>	51
(Printed in Senate Journal, April 29, page 1073 and placed in members' bill files.)	52
<u>Amendment No. 2(L.021), by Senator Hudak.</u>	53
Amend reengrossed bill, page 5, strike lines 19 through 27.	54
Page 6, strike lines 1 through 6.	55
Renumber succeeding sections accordingly.	56
Amend the Judiciary Committee Report, dated April 28, 2010, page 1, line 7, strike "3, 8, and 12" and substitute "7 and 11".	57
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Page 30 of the bill, line 25, strike "15" and substitute "14".

Amendment No. 3(L.024), by Senator Foster.

Amend reengrossed bill, page 19, line 9, after the period add "EACH OFFENDER REQUIRED TO UNDERGO TREATMENT PURSUANT TO THIS SECTION SHALL BE GIVEN A CHOICE OF AT LEAST THREE DIFFERENT APPROVED PROVIDERS TO PROVIDE THE TREATMENT."

Amendment No. 4(L.026), by Senator Carroll.

Amend reengrossed bill, page 19, line 9, after the period add "EACH OFFENDER REQUIRED TO UNDERGO TREATMENT PURSUANT TO THIS SECTION SHALL BE GIVEN A CHOICE OF AT LEAST THREE DIFFERENT APPROVED PROVIDERS TO PROVIDE THE TREATMENT, WHERE AVAILABLE."

Amendment No. 5(L.027), by Senator Steadman.

Amend reengrossed bill, page 29, strike lines 23 through 27.

Page 30, strike lines 1 through 4 and substitute:

"SECTION 14. Appropriation - legislative intent. (1) In addition to any other appropriation, there is hereby".

Page 30, line 11, strike "(3)" and substitute "(2)".

Page 30, line 25, strike "15" and substitute "14".

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

HB10-1277 by Representative(s) DelGrosso, Waller; also Senator(s) Steadman--Concerning an extension of the prohibition against sexual conduct in correctional institutions, and making an appropriation therefor.

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

Amend reengrossed bill, page 7, line 9, strike "House Bill 10-1338, as reflected" and substitute "House Bill 10-1338".

Page 7, strike line 10 and substitute "determined from the appropriations enacted in said bill shows a net reduction in the amount of general fund revenues appropriated for state fiscal year 2010-11".

Page 7, line 11, strike "final general fund fiscal estimate for".

Page 7, line 12, strike "this act"and substitute "amount of the general fund transfer made for the implementation of this act for state fiscal year 2010-11,".

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

HB10-1081 by Representative(s) Priola; also Senator(s) Steadman--Concerning money laundering, and making an appropriation therefor.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, April 27, page 1030-1031 and placed in members' bill files.)

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

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HB10-1022 by Representative(s) Summers and Gagliardi, Kagan, Kefalas; also Senator(s) Boyd, Hudak--Concerning the administration of the supplemental nutrition assistance program.

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

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.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 4, page 1191 and placed in members' bill files.)

Amendment No. 2(J.008), by Senators Steadman and Mitchell.

Strike the Appropriations Committee Report, dated May 4, 2010, and substitute:

"Amend reengrossed bill, page 4, after line 15 insert:

"SECTION 3. Footnote number 21a, as enacted in part VII of section 2 of House Bill 10-1376 is amended to read:

21a Department of Human Services, Division of Child Welfare, Child Welfare Services -- Pursuant to Section 26-5-104 (6), C.R.S., subject to Department rules, counties are authorized to negotiate rates, services, and outcomes with child welfare services providers and are thus not required to provide a specific rate decrease for any individual provider. This provision does not apply, however, to Medicaid treatment rates. The funding appropriated for this line item includes a decrease of ~~\$6,635,156~~ \$4,915,366 based on a ~~2.0~~ 1.46 percent decrease in funding for county staff salaries and benefits, community provider rates including subsidized adoption rates, and Medicaid treatment rates."

ReNUMBER succeeding sections accordingly.

Page 5 of the bill, strike lines 11 through 27 and substitute:

"SECTION 6. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, department of human services medicaid-funded programs, for child welfare services, for the fiscal year beginning July 1, 2010, the sum of twenty-eight thousand eight hundred eighty-seven dollars (\$28,887), or so much thereof as may be necessary, for the implementation of this act. Said sum from the general fund shall be subject to the "(M)" notation as defined in the general appropriation act. The general assembly anticipates that, for the fiscal year beginning July 1, 2010, the department of health care policy and financing will receive the sum of forty-six thousand three hundred twenty-two dollars (\$46,322) in federal funds for the implementation of this act. Although these funds are not appropriated in this act, they are noted for the purpose of indicating the assumptions used relative to these funds.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of human services, division of child welfare, for child welfare services, for the fiscal year beginning July 1, 2010, the sum of one million seven hundred nineteen thousand seven hundred ninety-four dollars (\$1,719,794) , or so much thereof as may be necessary, for the implementation of this act. Of said sum, nine hundred ninety-one thousand nine hundred nineteen dollars (\$991,919) shall be from the general fund, three hundred forty-three thousand nine hundred fifty-nine dollars (\$343,959) shall be cash funds from local funds, seventy-five thousand two hundred nine dollars (\$75,209) shall be from reappropriated funds received from the department of health care policy and financing out of the appropriation made in subsection (1) of this section, and three hundred eight thousand seven hundred seven dollars

(\$308,707) shall be from federal funds anticipated to be received pursuant to Title IV-E of the Social Security Act.".

Page 6 of the bill, strike lines 1 through 12.".

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

HB10-1027 by Representative(s) Roberts and Tyler, Soper; also Senator(s) Williams, Newell-- Concerning the requirement for a certain life expectancy prognosis for persons receiving hospice care through medicaid, and making an appropriation therefor.

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

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

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

HB10-1402 by Representative(s) Riesberg, McFadyen; also Senator(s) Bacon, Schwartz--Concerning legislative authorization of a privately run fund-raising campaign using cause-related marketing for the essential restoration of the cast iron structure of the Colorado state capitol dome, and making an appropriation therefor.

Laid over until Monday, May 10, retaining its place on the calendar.

HB10-1350 by Representative(s) Pace, Ferrandino, Frangas, Gagliardi, Labuda, Hullinghorst, Levy, Pommer; also Senator(s) Carroll M.--Concerning requirements for conducting a study by the office of economic development in the office of the governor to establish a plan for tracking certain job creation activities by recipients of certain economic development incentives, and, in connection therewith, creating a plan for tracking job retention and requiring the office of economic development to collect and report information regarding the number of jobs created and median and average salaries of those jobs in the annual report filed pursuant to law.

Amendment No. 1, Finance Committee Amendment.

(Printed in Senate Journal, May 5, page 1215 and placed in members' bill files.)

As amended, **lost** on second reading.

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

Amendment No. 1, Finance Committee Amendment.

(Printed in Senate Journal, May 5, pages 1219-1220 and placed in members' bill files.)

Amendment No. 2(L.006), by Senator Heath.

Amend reengrossed bill, page 4, line 10, strike "DIRECTOR" and substitute "DIRECTOR, PROGRAM MANAGER, DIVISION DIRECTOR,".

Page 5, line 7, after the period add "EACH STATE AGENCY EXECUTIVE DIRECTOR SHALL CREATE AGENCY-SPECIFIC SUPPLEMENTAL SUBMISSION MATERIALS TO THE IDEA APPLICATION IF SUCH MATERIALS ARE DEEMED NECESSARY BY THE EXECUTIVE DIRECTOR TO MANAGE THE SUBMISSION PROCESS. EACH STATE AGENCY SHALL POST SUCH MATERIALS ON THEIR RESPECTIVE WEB SITES.".

Page 6, line 3, after the period add "EACH STATE AGENCY EXECUTIVE DIRECTOR MAY ESTABLISH ADDITIONAL EVALUATION CRITERIA SPECIFIC

TO HIS OR HER AGENCY IF SUCH CRITERIA ARE DEEMED NECESSARY BY THE EXECUTIVE DIRECTOR TO MANAGE THE SUBMISSION PROCESS."

Page 6, line 19, strike "FIVE" and substitute "FIFTEEN".

Page 6, line 23, strike "PERIOD." and substitute "PERIOD OR DUPLICATIVE OF A RECOMMENDATION CONTAINED IN AN AUDIT REPORT FROM THE OFFICE OF THE STATE AUDITOR OR ANY PRIVATELY CONTRACTED AUDITOR, A JOINT BUDGET COMMITTEE STAFF DOCUMENT, OR ANY OTHER PUBLISHED EVALUATION OF COLORADO STATE GOVERNMENT."

Page 6, line 25, strike "FIVE" and substitute "FIFTEEN".

Page 7, line 1, strike "THIRTY" and substitute "FORTY-FIVE".

Page 7, line 2, strike "APPLICATION," and substitute "APPLICATION THAT WAS NOT AUTOMATICALLY DENIED FOR REASONS LISTED IN THIS SECTION OR AGENCY-SPECIFIC EVALUATION CRITERIA AS DEVELOPED BY AN EXECUTIVE DIRECTOR,".

Page 7, line 5, strike "FORTY-FIVE" and substitute "SIXTY".

Page 7, line 14, after the period add "IDEA APPLICATIONS THAT DO NOT REQUIRE LEGISLATION FOR IMPLEMENTATION SHALL BE IMPLEMENTED BY THE STATE AGENCY AS SOON AS REASONABLY POSSIBLE, AND NO LATER THAN JULY 1 OF THE FISCAL YEAR FOLLOWING ACCEPTANCE OF THE IDEA APPLICATION."

Page 7, strike lines 15 through 27.

Page 8, strike lines 1 through 9.

Page 8, line 14, strike "FORTY-FIVE" and substitute "SIXTY".

Page 8, strike lines 17 through 27.

Page 9, strike lines 1 through 3.

Page 11, after line 23 insert:

"(III) THE EXECUTIVE DIRECTOR, OR HIS OR HER DESIGNEE, SHALL MAINTAIN COPIES OF ALL IDEA APPLICATIONS THAT ARE SUBMITTED, ALONG WITH THE FOLLOWING INFORMATION FOR APPROVED IDEA APPLICATIONS:

(A) A DESCRIPTION OF THE INNOVATIVE IDEA IMPLEMENTED;

(B) THE TOTAL SAVINGS ACHIEVED IN THE FIRST FISCAL YEAR OR FIRST FULL TWELVE-MONTH PERIOD AFTER FULL IMPLEMENTATION;

(C) THE TOTAL DOLLARS AWARDED AS AN INCENTIVE TO THE EMPLOYEE WHO SUBMITTED THE IDEA APPLICATION;

(D) ANY AFFECTED GENERAL APPROPRIATIONS ACT LINE ITEM, IF APPLICABLE; AND

(E) AN EVALUATION OF THE EFFECTIVENESS IN ACHIEVING THE GOALS SET FORTH IN SECTION 24-50-901 OF THE IMPLEMENTED IDEA AND THE HONORARY AWARD TO THE EMPLOYEE."

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

SCR10-002 by Senator(s) Williams and Romer, Bacon, Hudak, Shaffer B.; also Representative(s) Benefield, Frangas, McKinley, Merrifield, Middleton, Peniston, Rice, Scanlan, Schafer S., Solano, Todd, Apuan, Casso, Fischer, Gagliardi, Kagan, Labuda, Levy, McCann, Miklosi, Pace, Pommer, Primavera, Ryden, Soper, Tyler, Vigil, Weissmann--Submitting to the

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registered electors of the state of Colorado an amendment to article IX of the constitution of the state of Colorado, concerning the authority of the general assembly to generate additional state revenues for funding preschool through postsecondary public education without prior voter approval, and, in connection therewith, notwithstanding the prior voter approval requirement of section 20 (4) (a) of article X of the state constitution, allowing the general assembly to enact statutes that result in additional state revenues to be used to fund preschool through postsecondary public education and exempting any additional state revenues raised for this purpose from the constitutional limitations on fiscal year spending.

Laid over until Monday, May 10, retaining its place on the calendar.

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.

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

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

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, May 5, page 1237 and placed in members' bill files.)

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	33	NO	0	EXCUSED	2	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	E
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	E	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: HB10-1352 as amended, HB10-1274 as amended, HB10-1278 as amended, HB10-1131 as amended, HB10-1214 as amended, HB10-1209, HB10-1370, HB10-1373, HB10-1238 as amended, HB10-1364 as amended, HB10-1277 as amended, HB10-1081 as amended, HB10-1022, HB10-1338 as amended, HB10-1027, HB10-1146, HB10-1264 as amended, HB10-1200, HB10-1032 as amended.

Lost on second reading: HB10-1350 as amended.

Laid over until Monday, May 10: HB10-1009, HB10-1271, HB10-1402, SCR10-002, SCR10-001, SCR10-003, HB10-1287.

CONSIDERATION OF RESOLUTIONS - CONSENT CALENDAR

HJR10-1023 by Representative(s) Vaad, Baumgardner, Bradford, DelGrosso, Frangas, Gardner C., King S., Lambert, Looper, Massey, McFadyen, Merrifield, Primavera, Rice, Sonnenberg, Stephens; also Senator(s) Gibbs--Concerning a recommendation to lift the freeze on longer combination vehicles in western states.

On motion of Senator Morse, the resolution was **passed** by the following roll call vote:

YES	32	NO	1	EXCUSED	2	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	E
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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	N		

Co-sponsors added: Brophy

HJR10-1026 by Representative(s) Massey, Middleton; also Senator(s) Bacon--Concerning the expansion of broadband access to all areas of the state through Colorado's application to the Broadband Technology Opportunities Program.

On motion of Senator Morse, the resolution was **passed** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	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	E
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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

Co-sponsors added: Hudak and Schwartz.

HJR10-1032 by Representative(s) May, Carroll T., Weissmann; also Senator(s) Shaffer B., Morse, Penry--Concerning complaints filed pursuant to rule 36 (d) of the joint rules of the Senate and House of Representatives addressing lobbying practices.

On motion of Senator Morse, the resolution was **passed** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	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	E
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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

Co-sponsors added: Williams

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 Morse, the resolution was **passed** by the following roll call vote:

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YES	33	NO	0	EXCUSED	2	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	E
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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

Co-sponsors added: Boyd, Cadman and Whitehead.

SJR10-043 by Senator(s) Williams; also Representative(s) Tyler, Gagliardi, Hullinghorst, Kefalas, Primavera, Priola, Schafer S., Swalm--Concerning 22q11.2 Deletion Syndrome Awareness Week.

On motion of Senator Morse, the resolution was **passed** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	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	E
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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

SJR10-035 by Senator(s) Tochtrop; also Representative(s) Acree--Concerning support for measures to reduce violence against medical care professionals in hospitals.

On motion of Senator Morse, the resolution was **passed** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	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	E
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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

Co-sponsors added: Boyd

HJR10-1029 by Representative(s) Fischer, Kefalas, Levy; also Senator(s) Bacon--Concerning the intent of the general assembly to prevent distracted driving.

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

Amend engrossed joint resolution, page 3, line 8, strike "employees" and substitute "employees, except for emergency, public safety, and essential personnel,".

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

YES	33	NO	0	EXCUSED	2	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	E
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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

On motion of Senator Bacon, the resolution, as amended, was **passed** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	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	E
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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

Co-sponsors added: Williams

IMMEDIATE RECONSIDERATION OF HJR10-1029

HJR10-1029 by Representative(s) Fischer, Kefalas, Levy; also Senator(s) Bacon--Concerning the intent of the general assembly to prevent distracted driving.

Senator Brophy moved for immediate reconsideration of the last Senate action, Consideration of Resolutions -- Consent Calendar, on **HJR10-1029**. Reconsideration was granted on the following roll call vote:

YES	33	NO	0	EXCUSED	2	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	E
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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

CONSIDERATION OF RESOLUTIONS -- CONSENT CALENDAR

HJR10-1029 by Representative(s) Fischer, Kefalas, Levy; also Senator(s) Bacon--Concerning the intent of the general assembly to prevent distracted driving. A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

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

YES	24	NO	8	EXCUSED	3	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	E
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	E	Scheffel	N	Williams	Y
Harvey	Y	Lundberg	E	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

RECONSIDERATION OF SJR10-042

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".

Having voted on the prevailing side, Senator Penry moved for reconsideration of the last Senate action, Consideration of Resolutions -- Consent Calendar, on **SJR10-042**.

YES	32	NO	0	EXCUSED	3	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	E
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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	E	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

CONSIDERATION OF RESOLUTIONS -- CONSENT CALENDAR

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 Morse, SJR10-042 was laid over until Monday, May 10, retaining its place on the calendar.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the following Governor's Appointments (Member of the Board of Trustees for Adams State College, Member of the Colorado children's Trust Fund Board, Member of the Colorado Commission on Judicial discipline, Member of the Juvenile Parole Board, Member of the Workers' Compensation Cost Containment Board, Members fo the Private Occupational School Board, Members of the Read-To-Achieve Board, University of Colorado Hospital Authority Board of Directors, Members of the Colorado children's Trust Fund Board) were placed on the Governor's Appointments consent calendar for Monday, May 10.

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Reconsideration of HB10-1394.

RECONSIDERATION OF HB10-1394

HB10-1394 by Representative(s) Rice; also Senator(s) Scheffel--Concerning commercial liability insurance policies issued to construction professionals.

Having voted on the prevailing side, Senator Scheffel moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on HB10-1394.

YES	32	NO	0	EXCUSED	3	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	E
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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	E	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

On motion of Senator Morse, SJR10-042 was laid over until Monday, May 10, retaining its place on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB10-1330 by Representative(s) Kefalas and Kagan, Apuan, Court, Fischer, Gagliardi, Levy, Miklosi, Pace, Primavera, Rice, Riesberg, Solano, Tyler, Vigil; also Senator(s) Morse--Concerning the creation of an advisory committee to make recommendations regarding the creation of a Colorado all-payer health claims database for the purpose of transparent public reporting of health care information.

Senator Morse moved for the adoption of the first report of the first conference committee on HB10-1330, as printed in Senate journal, May 5, page 1243. The motion was **adopted** by the following roll call vote:

YES	23	NO	9	EXCUSED	3	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	E
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	N
Foster	N	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	E	Scheffel	N	Williams	Y
Harvey	Y	Lundberg	E	Schultheis	Y	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

YES	23	NO	9	EXCUSED	3	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	E
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	E	Scheffel	N	Williams	Y
Harvey	N	Lundberg	E	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, as amended, was **repassed**.

HB10-1252 by Representative(s) Primavera, Massey; also Senator(s) Boyd and Schwartz--Concerning

health care services for breast cancer screening.

Senator Boyd moved for the adoption of the first report of the first conference committee on **HB10-1252**, as printed in Senate journal, May 6, page 1264. The motion was **adopted** by the following roll call vote:

YES	32	NO	0	EXCUSED	3	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	E
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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	E	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	30	NO	2	EXCUSED	3	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	E
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	E	Scheffel	Y	Williams	Y
Harvey	N	Lundberg	E	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, as amended, was **repassed**.

On motion of Senator Morse, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Consideration of Consideration of Governor's Appointments.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

**EXECUTIVE DIRECTOR
COLORADO DEPARTMENT OF NATURAL RESOURCES**

for a term expiring at the pleasure of the Governor:

Mike King of Parker, Colorado, appointed.

YES	32	NO	0	EXCUSED	3	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	E
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	E	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	E	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

MESSAGE FROM THE HOUSE

May 7, 2010

The House failed to pass SB10-179 on Second Reading. The bill is returned herewith.

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, May 7 was laid over until Monday, May 10, retaining its place on the calendar.

- Consideration of House Amendments to Senate Bills: SB10-178.
- Consideration of Governor's Appointments:
 - Members of the State Board of Parole
 - Members of the Pinnacol Assurance Board of Directors

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

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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