

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

99th Legislative Day

Wednesday, April 21, 2010

Prayer By the chaplain, Reverend Dwight Blackstock, Retired, Presbyterian Church, Denver.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Renfroe.

Roll Call Present--30.
Absent-- 2, Hudak, Romer.
Excused-- 3, Gibbs, Keller, Kopp.
Present later-- 3, Hudak, Kopp, Romer.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Johnston, reading of the Journal of Tuesday, April 20, 2010, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Finance After consideration on the merits, the Committee recommends that **HB10-1073** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, line 20, strike "JANUARY 1, 2013," and substitute "JANUARY 1, 2020,".

Page 4, line 17, strike "JANUARY 1, 2014," and substitute "JANUARY 1, 2021,".

MESSAGE FROM THE HOUSE

April 20, 2010

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB10-110, amended as printed in House Journal, April 16, pages 1272-1273.

The House has adopted and returns herewith SJR10-034.

MESSAGE FROM THE REVISOR OF STATUTES

April 21, 2010

We herewith transmit:

Without comment, as amended, SB10-110.

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:

SB10-185 by Senator(s) Shaffer B., Bacon, Boyd, Carroll M., Foster, Heath, Hudak, Johnston, Keller,

Morse, Sandoval, Schwartz, Steadman, Tapia, Tochtrop, Whitehead, Williams; also Representative(s) Merrifield, Apuan, Benefield, Casso, Ferrandino, Fischer, Gagliardi, Hullinghorst, Kagan, Kefalas, Kerr A., Labuda, Levy, McCann, Miklosi, Pace, Peniston, Pommer, Schafer S., Solano, Soper, Todd, Tyler, Vigil, Weissmann--Concerning modifications to the residential warranty of habitability for the purpose of protecting renters.

Laid over until Thursday, April 22, retaining its place on the calendar.

HB10-1328

by Representative(s) Miklosi, Apuan, Benefield, Casso, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst, Kefalas, Kerr A., Labuda, Levy, McCann, McFadyen, Merrifield, Middleton, Peniston, Pommer, Primavera, Ryden, Scanlan, Solano, Todd, Tyler, Vigil, Weissmann; also Senator(s) Schwartz--Concerning the "New Energy Jobs Creation Act of 2010", and, in connection therewith, creating the Colorado new energy improvement district and authorizing the district to fund new energy improvements by issuing special assessment bonds payable from special assessments levied on eligible real property owned by persons who voluntarily join the district in order to have the district help them fund new energy improvements to the eligible real property.

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

Third Reading Amendment No. 1,(L.036), by Senator Schwartz.

Amend revised bill, page 38, line 27, after "(1)" insert "(a)".

Page 39, strike lines 2 through 5 and substitute "PRINCIPAL OF THE FUND SHALL CONSIST OF UP TO TEN MILLION DOLLARS OF LEGALLY AVAILABLE MONEYS FROM NONSTATE SOURCES UNDER THE CONTROL OF THE GOVERNOR'S ENERGY OFFICE, WHICH THE STATE TREASURER SHALL PROMPTLY CREDIT TO THE FUND IF INSTRUCTED IN WRITING TO DO SO BY THE DIRECTOR OF THE GOVERNOR'S ENERGY OFFICE, AND ANY FEES PAID TO THE STATE TREASURER IN ACCORDANCE WITH SUBPARAGRAPH (II) OF PARAGRAPH (b) OF THIS SUBSECTION (1). ALL INTEREST AND INCOME".

Page 39, line 9, after "FUND." add "THE FUND IS HEREBY CONTINUOUSLY APPROPRIATED TO THE STATE TREASURER, WHO MAY EXPEND MONEYS FROM THE FUND SOLELY FOR THE PURPOSES OF PAYING PRINCIPAL AND INTEREST ON BONDS ISSUED BY A LOCAL IMPROVEMENT DISTRICT OR OTHER SPECIAL DISTRICT AS SPECIFIED IN PARAGRAPH (c) OF THIS SUBSECTION (1) AND DEFRAYING ANY DIRECT AND INDIRECT COSTS INCURRED BY THE STATE TREASURER IN EXECUTING DUTIES REQUIRED BY THIS SECTION.

(b) (I) IF THE GOVERNOR'S ENERGY OFFICE INSTRUCTS THE STATE TREASURER TO CREDIT MONEYS FROM NONSTATE SOURCES TO THE CLEAN ENERGY IMPROVEMENT DEBT RESERVE FUND, WITH PRIOR WRITTEN AUTHORIZATION FROM THE DIRECTOR OF THE GOVERNOR'S ENERGY OFFICE AND THE STATE TREASURER AND AFTER AGREEING TO PAY FEES TO BE CREDITED TO THE FUND TO THE STATE TREASURER AS SPECIFIED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (b), A LOCAL IMPROVEMENT DISTRICT OR OTHER SPECIAL DISTRICT THAT IMPOSES SPECIAL ASSESSMENTS ON REAL PROPERTY AND ISSUES BONDS PAYABLE FROM THE REVENUES GENERATED BY THE SPECIAL ASSESSMENTS TO GENERATE THE MONEYS NEEDED TO PAY THE UP-FRONT COSTS OF MAKING RENEWABLE ENERGY IMPROVEMENTS OR CLEAN ENERGY IMPROVEMENTS AS AUTHORIZED BY PART 6 OF ARTICLE 20 OF TITLE 30, C.R.S., OR ANY OTHER PROVISION OF LAW MAY RELY ON THE CLEAN ENERGY IMPROVEMENT DEBT RESERVE FUND AS A BACKUP SOURCE OF MONEYS THAT MAY BE USED, AFTER THE DEPLETION OF ANY DISTRICT DEBT SERVICE RESERVE FUND, FOR THE PAYMENT OF PRINCIPAL AND INTEREST OWED TO HOLDERS OF THE DISTRICT'S BONDS.

(II) A LOCAL IMPROVEMENT DISTRICT OR OTHER DISTRICT THAT ISSUES BONDS AND THAT WISHES TO RELY ON THE CLEAN ENERGY IMPROVEMENT DEBT RESERVE FUND AS A BACKUP SOURCE OF MONEYS FOR THE PAYMENT OF PRINCIPAL AND INTEREST OWED TO HOLDERS OF THE BONDS SHALL ENTER INTO A WRITTEN AGREEMENT WITH THE GOVERNOR'S ENERGY OFFICE TO PAY TO THE STATE TREASURER FOR CREDITING TO THE FUND SUCH FEES FOR THE PRIVILEGE OF RELYING ON THE FUND AS THE GOVERNOR'S ENERGY OFFICE MAY REQUIRE. FEES TO BE PAID BY A DISTRICT AS REQUIRED BY THE GOVERNOR'S ENERGY OFFICE SHALL BE DEEMED TO BE A PORTION OF THE AMOUNT OF THE INTEREST RATE

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SAVINGS RESULTING FROM MORE FAVORABLE FINANCING TERMS ATTRIBUTABLE TO THE RELIANCE UPON THE FUND. THE GOVERNOR'S ENERGY OFFICE MAY, IN ITS DISCRETION, REQUIRE THAT FEES BE PAID ON AN ANNUAL BASIS, COMMENCING AND CALCULATED ON THE DATE OF ISSUANCE OF THE BONDS AND ON EACH ONE-YEAR ANNIVERSARY OF THE ISSUANCE OF THE BONDS THEREAFTER WHILE THE BONDS REMAIN OUTSTANDING, IN AN AMOUNT EQUAL TO A NUMBER OF BASIS POINTS OF THE PRINCIPAL AMOUNT OF THE BONDS OUTSTANDING AS OF EACH CALCULATION DATE AGREED UPON BY THE OFFICE AND THE DISTRICT.

(c) WHENEVER THE PAYING AGENT RESPONSIBLE FOR MAKING PAYMENTS TO THE HOLDERS OF ANY BONDS ISSUED BY A DISTRICT THAT HAS RELIED UPON THE CLEAN ENERGY IMPROVEMENT DEBT RESERVE FUND AS A BACKUP SOURCE OF REPAYMENT FOR THE DISTRICT'S BONDS HAS NOT RECEIVED PAYMENT OF PRINCIPAL OR INTEREST ON THE BONDS ON THE TENTH BUSINESS DAY IMMEDIATELY PRIOR TO THE DATE ON WHICH SUCH PAYMENT IS DUE AND ANY DEBT SERVICE RESERVE FUND FOR THE LOCAL IMPROVEMENT DISTRICT OR OTHER SPECIAL DISTRICT THAT ISSUED THE BONDS HAS BEEN DEPLETED, THE PAYING AGENT SHALL SO NOTIFY THE STATE TREASURER AND THE DISTRICT BY TELEPHONE, FACSIMILE, OR OTHER SIMILAR COMMUNICATION, FOLLOWED BY WRITTEN VERIFICATION, OF SUCH PAYMENT STATUS. THE STATE TREASURER SHALL IMMEDIATELY CONTACT THE DISTRICT AND DETERMINE WHETHER THE DISTRICT WILL MAKE THE PAYMENT BY THE DATE ON WHICH IT IS DUE AND, IF THE STATE TREASURER CONFIRMS THAT THE DISTRICT WILL NOT MAKE THE PAYMENT, THE STATE TREASURER SHALL EXPEND MONEYS FROM THE CLEAN ENERGY IMPROVEMENT DEBT RESERVE FUND TO MAKE THE PAYMENT IN A TIMELY MANNER. IF THE AMOUNT OF MONEYS IN THE CLEAN ENERGY IMPROVEMENT DEBT RESERVE FUND IS NOT SUFFICIENT TO COVER THE ENTIRE AMOUNT OF THE PAYMENT, THE STATE TREASURER SHALL PAY ONLY SO MUCH OF THE PAYMENT AS CAN BE PAID FROM AVAILABLE MONEYS IN THE FUND. IF PAYMENTS ON MORE THAN ONE SERIES OF BONDS ISSUED IN RELIANCE UPON THE CLEAN ENERGY IMPROVEMENT DEBT RESERVE FUND AS A BACKUP SOURCE OF MONEYS FOR REPAYMENT ARE REQUIRED TO BE MADE FROM THE FUND AT THE SAME TIME AND THE AMOUNT OF MONEYS IN THE FUND IS NOT SUFFICIENT TO COVER THE ENTIRE AMOUNT OF THE PAYMENTS, THE STATE TREASURER SHALL PAY FROM AVAILABLE MONEYS IN THE FUND ONLY AN EQUAL PERCENTAGE OF THE AMOUNT OF EACH PAYMENT DUE."

Page 39, strike lines 10 through 27.

Page 40, line 1, strike "(3)" and substitute "(2)".

Renumber succeeding subsection accordingly.

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

YES	30	NO	1	EXCUSED	3	ABSENT	1
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	E	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	A	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	E	Kopp	E	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	20	NO	13	EXCUSED	2	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	E	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	N
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	E	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, Heath, Newell, Romer, Sandoval, Shaffer B., Steadman, Whitehead and Williams.

SB10-054 by Senator(s) Hudak, Steadman; also Representative(s) Levy--Concerning the provision of educational services for juveniles against whom charges have been filed in district court, and making an appropriation therefor.

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

Third Reading Amendment No. 1,(L.036) , by Senator Hudak.

Amend engrossed bill, page 7, strike lines 23 through 26 and substitute "THIS PARAGRAPH (c) FROM MONEYS APPROPRIATED TO THE DEPARTMENT FOR SAID PURPOSE."

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	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	E	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	15	EXCUSED	2	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	E	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	White	N
Foster	Y	King K.	N	Sandoval	Y	Whitehead	N
Gibbs	E	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, Carroll M., Foster, Heath, Morse, Newell, Sandoval, Schwartz, Tochtrop and Williams.

SB10-039 by Senator(s) Carroll M., Heath, Hudak, Shaffer B., Tochtrop, Williams; also Representative(s) Gagliardi, Fischer, Kefalas--Concerning scholarships for job training, and making an appropriation therefor.

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

YES	21	NO	12	EXCUSED	2	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	E	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	E	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, Hodge, Newell, Sandoval, Schwartz, Steadman and Whitehead.

SB10-126 by Senator(s) Carroll M.; also Representative(s) Tyler--Concerning increased transparency reporting requirements for certain pharmaceutical manufacturers.

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

YES	20	NO	13	EXCUSED	2	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	E	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	E	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

SB10-128 by Senator(s) Hudak, Newell, Carroll M., Steadman; also Representative(s) Rice--Concerning invasion of privacy, and making an appropriation in connection therewith.

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

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	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	E	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, Schwartz and Tochtrop.

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

Laid over until Friday, April 23, retaining its place on the calendar.

SB10-141 by Senator(s) King K.; also Representative(s) Lambert--Concerning the transfer of responsibility for the regulation of games of chance from the secretary of state to the department of revenue in accordance with House Concurrent Resolution 09-1003, and making an appropriation therefor.

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

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	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	E	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.

SB10-186 by Senator(s) Tochtrop, Carroll M., Mitchell, Schultheis; also Representative(s) Primavera, Kerr J., McNulty, Miklosi--Concerning state warrants for tax refunds that are not presented for payment within six months from the date of issuance.

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

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	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	E	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.

SB10-187 by Senator(s) Tochtrop; also Representative(s) Riesberg--Concerning workers' compensation.

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

YES	21	NO	12	EXCUSED	2	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	E	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	E	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 and Hudak.

HB10-1332 by Representative(s) Miklosi, Apuan, Gagliardi, Kefalas, Primavera, Tyler; also Senator(s) Romer--Concerning the creation of the "Barry Keene Medical Clean Claims Transparency and Uniformity Act".

Laid over until Thursday, April 22, retaining its place on the calendar.

HB10-1242 by Representative(s) Apuan, Court, Gagliardi, Hulinghorst, Kerr A., Labuda, Massey, McKinley, Miklosi, Peniston, Primavera, Priola, Riesberg, Schafer S., Solano, Todd, Tyler, Vigil; also Senator(s) Tochtrop--Concerning the implementation of a uniform application form for individual health benefit plans by the commissioner of insurance.

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

YES	25	NO	8	EXCUSED	2	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	E	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	E	Kopp	N	Scheffel	Y	Williams	Y
Harvey	Y	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: Boyd, Foster, Hudak, Newell, Shaffer B. and Williams.

HB10-1160 by Representative(s) Rice and Stephens; also Senator(s) Mitchell and Newell--Concerning the ability of health insurance carriers to offer incentives for participation in wellness programs based on satisfaction of a standard related to a health risk factor.

Laid over until Friday, April 23, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB10-177 by Senator(s) Schwartz and Gibbs; also Representative(s) Scanlan, Merrifield--Concerning the promotion of clean energy technologies.

Senator Schwartz moved that the Senate concur in House amendments to **SB10-177**, as printed in House journal, April 16, page 1275. The motion was **adopted** 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	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	E	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	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	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	E	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.

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor Ritter were read and assigned to committees as follows:

March 26, 2010

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

for terms expiring July 1, 2014:

Allegra "Happy" Haynes of Denver, Colorado, a resident of the 1st Congressional District and a Democrat, reappointed;

James T. Polsfut of Arvada, Colorado, a resident of the 7th Congressional District and a Democrat, reappointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 4/14/10
Karen Goldman, Secretary of the Senate

Committee on Education

CORRECTED

March 25, 2010

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF ASSESSMENT APPEALS

for terms expiring July 1, 2011:

James R. Meurer of Golden, Colorado, reappointed;

MaryKay Kelley of Silverthorne, Colorado, reappointed;

Diane M. DeVries of Wheat Ridge, Colorado, reappointed;

Lyle D. Hansen of Denver, Colorado, reappointed;

A. Louesa Maricle of Denver, reappointed.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 3/30/10
Karen Goldman, Secretary of the Senate

Committee on Business, Labor and Technology

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CORRECTED

April 15, 2010

To the Honorable Senate
Sixty-seventh General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB10-151 CONCERNING THE REPEAL OF THE COLORADO COMPREHENSIVE HEALTH FUND.

Approved April 15, 2010 at 3:49 p.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 04/20/10, 3:00 p.m
Karen Goldman, Secretary of the Senate

April 20, 2010

To the Honorable Senate
Sixty-seventh General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB10-043 CONCERNING THE REPEAL DATE OF THE OFFICE OF THE CHILD'S REPRESENTATIVE.

Approved April 20, 2010 at 2:46 p.m.

SB10-058 CONCERNING THE ELIGIBILITY REQUIREMENTS FOR THE NURSING TEACHER LOAN FORGIVENESS PILOT PROGRAM.

Approved April 20, 2010 at 12:57 p.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor
Rec'd: 04/20/10, 3:00 p.m
Karen Goldman, Secretary of the Senate

REPORT OF CONFERENCE COMMITTEES

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB10-1383**

THIS REPORT ADOPTS THE
REREVISED BILL

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

Your first conference committee appointed on HB10-1383,
concerning funding for student financial aid for higher education, and
making an appropriation therefor, has met and reports that it has agreed
upon the following:

That the House accede to the Senate amendments made to the bill
and that the rerevised bill be adopted without change.

Respectfully submitted,

House Committee:
(signed)
Jack Pommer, Chairman
Mark Ferrandino
Kent Lambert

Senate Committee:
(signed)
Al White, Chairman
Abel Tapia
Moe Keller

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB10-1388

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 HB10-1388,
concerning the augmentation of the general fund through transfers of
certain moneys, 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 3, strike line 27.

Page 4, strike lines 1 through 15.

Renumber succeeding sections accordingly.

Respectfully submitted,

House Committee:
(signed)
Jack Pommer, Chairman
Mark Ferrandino
Kent Lambert

Senate Committee:
(signed)
Abel Tapia, Chairman
Moe Keller
Al White

SENATE SERVICES REPORT

- Correctly Printed:** SB10-196; SJR10-035, 036 and 037.
- Correctly Engrossed:** SB10-039, 054, 126, 128, 141, 186, 187 and 190; SJR10-034.
- Correctly Reengrossed:** SB10-178 and 189.
- Correctly Revised:** HB10-1160, 1242 and 1332
- Correctly Rerevised:** HB10-1133, 1147 and 1149.

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DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, April 21, 2010, at 8:45 a.m.:
SB10-099, 174 and 175.

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 Wednesday, April 21 was laid over
until Thursday, April 22, retaining its place on the calendar.

General Orders -- Second Reading of Bills -- Consent Calendar: HB10-1362.
General Orders -- Second Reading of Bills: HB10-1122, HB10-1342, SB10-161,
HB10-1355, HB10-1221, SB10-180, SB10-179, SB10-144, SB10-084, SB10-013,
SB10-002.
Consideration of Resolutions: SJR10-033.
Consideration of Conference Committee Reports: HB10-1171, HB10-1369, HB10-
1021.
Conference Committees to Report: HB10-1273, HB10-1252, SB10-109.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Agriculture
and Natural
Resources

After consideration on the merits, the Committee recommends that **HB10-1060** 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 15, strike "TWO" and substitute
"ONE".

REPORT OF CONFERENCE COMMITTEES

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB10-1098**

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 HB10-1098,
concerning increased transparency in the governance of cooperative
electric associations, 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 3, line 13, strike "A" and substitute "THE
FOLLOWING" and strike "SECTION" and substitute "SECTIONS".

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Page 4, after line 8 insert:

"40-9.5-110.5. Agents of association - disclosure of support for candidates in board elections. ANY MANAGEMENT-LEVEL EMPLOYEE OF THE ASSOCIATION WHO REPORTS DIRECTLY TO THE BOARD OF DIRECTORS AND WHOSE SALARY IS ESTABLISHED BY THE BOARD OF DIRECTORS, AND WHO MAKES A MONETARY OR IN-KIND CONTRIBUTION IN SUPPORT OF ANY CANDIDATE FOR THE BOARD OF DIRECTORS, SHALL DISCLOSE THE AMOUNT AND NATURE OF THE CONTRIBUTION TO ALL OTHER CANDIDATES FOR THE BOARD OF DIRECTORS IN A MANNER ESTABLISHED BY THE BOARD OF DIRECTORS."

Respectfully submitted,

House Committee:
(signed)
Claire Levy, Chairman
Randy Fischer
Kevin Priola

Senate Committee:
(signed)
Mary Hodge, Chairman
Betty Boyd
Bill Cadman

INTRODUCTION OF CONCURRENT RESOLUTIONS

The following resolutions were read by title and referred to the committees indicated:

SCR10-003 by Senator(s) Tapia and White, 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 initiated constitutional amendments, 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 and, with certain specified exceptions, requiring at least sixty percent voter approval for a proposed initiated constitutional amendment to become part of the constitution.
State, Veterans & Military Affairs

SCR10-004 by Senator(s) Romer and Tapia; also Representative(s) May and McFadyen--Submitting to the registered electors of the state of Colorado an amendment to articles XVIII and XXVII of the constitution of the state of Colorado, concerning games involving an element of chance, and, in connection therewith, requiring the state lottery commission to establish a monitor lottery game, specifying that the net lottery revenues generated by the monitor lottery game be used to provide postsecondary education financial assistance, and setting the rate of the limited gaming tax paid by all licensees at _____ percent of adjusted gross proceeds from limited gaming.
State, Veterans & Military Affairs

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR10-038 by Senator(s) Tochtrop; also Representative(s) Ryden--Concerning remembrance of the Armenian Genocide on April 24, 2010, and, in connection therewith, designating every April 24 hereafter as "Colorado Day of Remembrance of the Armenian Genocide".

Laid over until Friday, April 23, retaining its place on the calendar.

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

Laid over one day under Senate Rule 30(b).

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INTRODUCTION OF MEMORIALS

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

- SJM10-004** by Senator(s) Harvey, Renfroe, Kopp, White, Schultheis, Penry, Kester, Lundberg, Spence, Scheffel, Brophy, Cadman, King K., Mitchell; also Representative(s) Gardner C., DelGrosso, McNulty, Acree, Roberts, Swalm, Kerr J., Balmer, Looper, Baumgardner, Bradford, Gardner B., Gerou, King S., Lambert, Liston, Massey, May, Murray, Nikkel, Priola, Sonnenberg, Stephens, Summers, Tipton, Vaad, Waller--Memorializing Congress to protect the right of workers to cast secret ballots in workplace elections.
State, Veterans & Military Affairs

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

- SB10-197** by Senator(s) Hodge; also Representative(s) Riesberg--Concerning exempting the transfer of prescription drugs purchased with public funds by public entities from the definition of "wholesale distribution" of prescription drugs.
Health and Human Services
- HB10-1347** by Representative(s) Levy; also Senator(s) Morse--Concerning misdemeanor penalties for persons who are convicted of multiple traffic offenses involving alcohol or drugs, and making an appropriation therefor.
Judiciary
- HB10-1351** by Representative(s) Ferrandino, Apuan, Curry, Gagliardi, Hullinghorst, Kerr A., McCann, Merrifield, Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Tyler, Vigil; also Senator(s) Romer, Carroll M., Foster, Keller, Morse--Concerning the maximum authorized interest rate for a payday loan.
Finance
- HB10-1395** by Representative(s) Gardner B.; also Senator(s) Steadman--Concerning interlocutory appeals in civil cases.
Judiciary

TRIBUTES

Honoring:

- Marianna Raftopoulos - - By Senator Penry, Senator White and Representative Baumgardner and Tipton.
- Adrian Perez - - By Senator Schultheis.
- Ben Jack - - By Senator Schultheis.
- Mike Shaha - - By Senator Schultheis.
- Domon Kirkpatrick - - By Senator Schultheis.

On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Thursday, April 22, 2010.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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