

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

30th Legislative Day Thursday, February 11, 2010

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Prayer	By the chaplain, Reverend Paul Kottke, University Park United Methodist Church, Denver.	11
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Call to Order	By the President at 9:15 a.m.	14
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Pledge	By Senator Brophy.	17
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Roll Call	Present--18. Excused--17, Bacon, Carroll, Gibbs, Harvey, Heath, King, Lundberg, Newell, Renfroe, Scheffel, Schultheis, Schwartz, Spence, Steadman, Tapia, Whitehead, Williams. Present later--17, Bacon, Carroll, Gibbs, Harvey, Heath, King, Lundberg, Newell, Renfroe, Scheffel, Schultheis, Schwartz, Spence, Steadman, Tapia, Whitehead, Williams.	19
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Quorum	The President announced a quorum present.	25
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Reading of Journal	On motion of Senator Johnston, reading of the Journal of Wednesday, February 10, 2010, was dispensed with and the Journal was approved as corrected by the Secretary.	27
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Call of the Senate. Call raised.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology	After consideration on the merits, the Committee recommends that SB10-083 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	38
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	Amend printed bill, page 2, line 4, after "(I)" insert "(A)".	41
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	Page 2, strike line 5 and substitute:	43
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	"state licensing authority shall make no rule regulating OR PROHIBITING the sale OF ALCOHOL BEVERAGES on credit of any alcohol beverage OFFERED OR EXTENDED BY A LICENSEE TO A RETAILER, WHERE THE CREDIT IS OFFERED OR EXTENDED FOR THIRTY DAYS OR LESS. THE STATE LICENSING AUTHORITY SHALL ENFORCE THE PROHIBITION".	45
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	Page 2, strike line 8 and substitute:	51
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	"RULES REGULATING OR PROHIBITING THE SALE OF ALCOHOL BEVERAGES ON CREDIT WHERE THE CREDIT IS OFFERED OR EXTENDED FOR MORE THAN THIRTY DAYS, CONSISTENT".	53
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	Page 2, after line 9 insert:	57
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	"(B) NOTHING IN THIS SUBPARAGRAPH (I) ALLOWS THE STATE LICENSING AUTHORITY TO ADOPT A RULE THAT RESTRICTS THE ABILITY OF A LICENSEE TO, OR PROHIBITS A LICENSEE FROM, MAKING SALES OF ALCOHOL BEVERAGES, ON A CASH-ON-DELIVERY BASIS, TO A RETAILER WHO IS OR MAY BE IN ARREARS IN PAYMENTS TO A LICENSEE FOR PRIOR ALCOHOL BEVERAGE SALES."	59
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	Page 2, line 14, strike "AS USED IN THIS SUBPARAGRAPH".	67

Page 2, after line 14 insert:

"(III) AS USED IN THIS PARAGRAPH (b),".

Page 2, line 15, strike "(II),".

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

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

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

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB10-019 by Senator(s) Schwartz, Brophy, Hodge, White, Whitehead; also Representative(s) Fischer, Baumgardner, Curry, Gardner C., McKinley--Concerning the valuation of new hydroelectric energy facilities for the purpose of property taxation.

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.010), by Senator Schwartz.

Amend engrossed bill, page 2, after line 5 insert:

"(3) (a) "Public utility" means, for property tax years commencing on or after January 1, 1987, every sole proprietorship, firm, limited liability company, partnership, association, company, or corporation, and the trustees or receivers thereof, whether elected or appointed, that does business in this state as a railroad company, airline company, electric company, HYDROELECTRIC ENERGY FACILITY, wind energy facility, solar energy facility, rural electric company, telephone company, telegraph company, gas company, gas pipeline carrier company, domestic water company selling at retail except nonprofit domestic water companies, pipeline company, coal slurry pipeline, or private car line company.

(b) On and after January 1, 2000, for purposes of this article, "public utility" shall not include any affiliate or subsidiary of a sole proprietorship, firm, limited liability company, partnership, association, company, or corporation of any type of company described in paragraph (a) of this subsection (3) that is not doing business in the state primarily as a railroad company, airline company, electric company, SMALL OR LOW IMPACT HYDROELECTRIC ENERGY FACILITY, wind energy facility, solar energy facility, rural electric company, telephone company, telegraph company, gas company, gas pipeline carrier company, domestic water company selling at retail except nonprofit domestic water companies, pipeline company, coal slurry pipeline, or private car line company. Valuation and taxation of any such affiliate or subsidiary of a public utility as defined in paragraph (a) of this subsection (3) shall be assessed pursuant to article 5 of this title."

Page 2, line 6, strike "SMALL" and substitute ""SMALL".

Page 3, line 11, strike "(2.7)," and substitute "(3.3),".

Page 3, line 19, strike "IF:".

Page 3, line 20, strike "(I) THE" and substitute "IF THE".

Page 3, line 24, strike "ALONE; AND" and substitute "ALONE.".

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Page 3, strike lines 25 through 27.

Page 4, strike lines 1 through 24.

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

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

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

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

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

Co-sponsors added: Boyd, Foster, Gibbs, Heath, Johnston, Newell, Shaffer B. and Tapia.

CONSIDERATION OF RESOLUTIONS

HJR10-1010 by Representative(s) Massey and Benefield; also Senator(s) Johnston, Hudak--Concerning civility in the Colorado General Assembly.

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

YES	31	NO	3	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	Y	Penry	Y	Tapia	Y
Cadman	N	Keller	Y	Renfroe	Y	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	Y	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	N	President	Y
Heath	Y	Mitchell	*	Schwartz	Y		

* Abstaining from voting under Senate Rule 17(c) -- Senator Mitchell.

Co-sponsors added: Bacon, Boyd, Carroll M., Foster, Gibbs, Heath, Hodge, Keller, Morse, Newell, Romer, Sandoval, Schwartz, Shaffer B., Tapia, Tochtrop, White, Whitehead and Williams.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

MEMBER OF THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM

for terms expiring December 31, 2013:

Scott C. Johnson of Kit Carson, Colorado, to serve as a member who has substantial experience in the production of agriculture, and as a Republican, appointed;

Table with 8 columns: YES (35), NO (0), EXCUSED (0), ABSENT (0), and rows for members: Bacon, Boyd, Brophy, Cadman, Carroll M., Foster, Gibbs, Harvey, Heath.

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

MEMBER OF THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM

for terms expiring December 31, 2013:

Ed J. Haselden of Castle Rock, Colorado, to serve as a Republican, reappointed;

Table with 8 columns: YES (29), NO (6), EXCUSED (0), ABSENT (0), and rows for members: Bacon, Boyd, Brophy, Cadman, Carroll M., Foster, Gibbs, Harvey, Heath.

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

MEMBER OF THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM

for terms expiring December 31, 2013:

Mary Lou Makepeace of Colorado Springs, Colorado, to serve as a Republican, appointed.

Table with 8 columns: YES (35), NO (0), EXCUSED (0), ABSENT (0), and rows for members: Bacon, Boyd, Brophy, Cadman, Carroll M., Foster, Gibbs, Harvey, Heath.

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

EXECUTIVE DIRECTOR OF THE
COLORADO COMMISSION ON HIGHER EDUCATION
AND THE EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF HIGHER EDUCATION

for a term expiring at the pleasure of the Governor:

Rico Munn, Esq., of Denver, Colorado

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		

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

MEMBER OF THE
HIGHER EDUCATION COMPETITIVE
RESEARCH AUTHORITY BOARD OF DIRECTORS

for a term expiring August 21, 2011:

D. Rico Munn of Denver, Colorado, to fill the vacancy occasioned by the resignation of David Skaggs of Boulder, Colorado, appointed.

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		

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

MEMBERS OF THE
BOARD OF REAL ESTATE APPRAISERS

for terms expiring July 1, 2012:

Wayne L. Hunsperger of Englewood, Colorado, to serve as a real estate appraiser, appointed;

Anthony J. Navarro of Denver, Colorado, to serve as a member of the public, reappointed;

Susan E. Secrest of Denver, Colorado, to serve as a member of the public, appointed.

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		

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

MEMBER OF THE
COLORADO LOTTERY COMMISSION

for a term expiring July 1, 2013:

Henry R. Reeve of Denver, Colorado, an attorney admitted to the practice of law in Colorado for not less than five years, reappointed.

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

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

MEMBERS OF THE
GROUND WATER COMMISSION

for terms expiring May 1, 2013:

Grant H. Bledsoe of Wray, Colorado, a resident agriculturist from the Northern High Plains Basin, reappointed;

Corey M. Huwa of Roggen, Colorado, a resident agriculturist from the Lost Creek Basin, reappointed;

Earnest L. Mikita of Calhan, Colorado, a resident agriculturist from the Upper Big Sandy Basin, reappointed.

effective May 1, 2010, for terms expiring May 1, 2014:

Douglas L. Shriver of Monte Vista, Colorado, to serve as a representative of Water Division 3 and as a Resident Agriculturalist, reappointed;

Carolyn F. Burr of Denver, Colorado, to serve as a representative of municipal or industrial users, reappointed.

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

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

MEMBER OF THE
COLORADO AGRICULTURAL DEVELOPMENT
AUTHORITY BOARD OF DIRECTORS

for a term expiring June 30, 2013:

Randall A. Wilks of Burlington, Colorado, a Democrat, to serve as a member with knowledge of agricultural activity in the state, and who shall represent the various agriculture operations and geographical regions of the state, appointed.

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		

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB10-104** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB10-095** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB10-092** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB10-051** be postponed indefinitely.

State, Veterans, & Military Affairs

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

**MEMBERS OF THE
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS**

for a term expiring September 1, 2010:

Jack E. Blumenthal of Denver, Colorado, a person from the state's financial or business community experienced in personnel or corporate administration, to fill the vacancy occasioned by the resignation of Mark S. Sunderhuse of Evergreen, Colorado, appointed;

for terms expiring September 1, 2013:

Todd A. Bower of Denver, Colorado, a full-time paid firefighter, reappointed;

Lyle D. Hesalroad of Golden, Colorado, a retired police officer, appointed.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB10-032** 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 printed bill, page 4, line 13, after "SECURITY." add "ANY AMENDMENT NEGOTIATED PURSUANT TO THIS SECTION SHALL NOT BE CONSIDERED A SOLICITATION OR AWARD OF A CONTRACT."

Page 5, line 1, strike "TO" and substitute "FOR".

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Page 5, strike lines 2 and 3 and substitute "STATE AGENCIES; AND".

Page 7, line 12, strike "TITLE." and substitute "TITLE; EXCEPT THAT A CONTRACT AMENDMENT PURSUANT TO THIS SUBSECTION (10) SHALL BE SUBJECT TO THE PROVISIONS OF ARTICLE 109 OF THIS TITLE.".

SENATE SERVICES REPORT

Correctly Revised: HJR10-1011.

Correctly Rerevised: HB10-1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196 and 1199.

MESSAGE FROM THE HOUSE

February 11, 2010

The House has adopted and transmits herewith HJR10-1012, as printed in House Journal, February 11.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR10-1012 by Representative(s) Fischer and Nikkel, Kefalas; also Senator(s) Lundberg and Tapia, Bacon--Concerning recognition of and appreciation for 140 years of education, research, and service by the Colorado State University system.

On motion of Senators Lundberg and Tapia, the resolution was read at length and adopted by the following roll call vote:

Table with 4 columns: YES (35), NO (0), EXCUSED (0), ABSENT (0). Rows list names and their corresponding votes (Y for Yes).

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

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Judiciary

After consideration on the merits, the Committee recommends that SB10-112 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 2, line 2, strike "(1)," and substitute "(3)."

Page 2, strike lines 5 through 12 and substitute "(3) The deductible amounts paid by any employer under the provisions of this section shall be excluded from consideration by insurance carriers authorized to transact business in Colorado, including Pinnacol Assurance, which insures employers against liability for compensation under the provisions of articles 40 to 47 of this title, in establishing the modification factors based upon experience used by such insurance carriers to determine premiums. FOR PURPOSES OF EXPERIENCE MODIFICATIONS, MEDICAL ONLY CLAIMS SHALL BE CALCULATED IN THE SAME MANNER AS CLAIMS WITH INDEMNITY PAYMENTS."

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Page 3, line 6, strike "COMPLETE" and substitute "AGGREGATE LOSS AND PAYROLL DATA BY CLASS CODE THAT THE RATING ORGANIZATION SUBMITS WITH RATE FILING. SUCH DATA SHALL NOT BE USED FOR ANY COMMERCIAL PURPOSE."

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Page 3, strike lines 7 through 27.

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Page 4, strike lines 1 through 12.

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Renumber succeeding section accordingly.

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Judiciary

After consideration on the merits, the Committee recommends that **SB10-130** 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.

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Amend printed bill, page 3, after line 14 insert:

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SECTION 2. 16-16-102 (1) and (6), Colorado Revised Statutes, are amended to read:

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16-16-102. Definitions. As used in this article, unless the context otherwise requires:

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(1) "EXECUTIVE director" means the executive director of the department of corrections.

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(6) "~~Superintendent~~" "WARDEN" means the chief correctional officer at ~~any~~ A correctional facility.

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SECTION 3. The introductory portions to 16-16-103 (1) and (2), 16-16-103 (3) (a), the introductory portion to 16-16-103 (3) (b), and 16-16-103 (3) (b) (I) and (4), Colorado Revised Statutes, are amended to read:

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16-16-103. Place of confinement - extension of limits. (1) The ~~superintendents~~ WARDENS, with the approval of the EXECUTIVE director, shall designate one or more facilities ~~which~~ THAT may be physically separated from the correctional facilities ~~which~~ AND THAT may be used for the following purposes:

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(2) The ~~superintendents~~ EXECUTIVE DIRECTOR, in the exercise of ~~their~~ HIS OR HER discretion, ~~and with the assistance of the director of the division of adult parole,~~ may extend the limits of confinement of any inmate in the following instances:

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(3) (a) Any inmate who is allowed to participate in such paid employment or in such job training for which a subsistence allowance is paid in connection with the job training shall pay over to the ~~respective superintendent or the~~ EXECUTIVE director of the ~~division of adult parole~~ all moneys received from ~~such~~ THE paid employment or job training; except that the inmate may retain that part of the moneys so received ~~which~~ THAT the ~~superintendent or the~~ EXECUTIVE director of the ~~division of adult services~~ deems necessary for expenses connected with the employment or job training. These expenses shall include, but not be limited to, travel expenses, food expenses, clothing, tools, and safety equipment.

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(b) The remainder of the moneys shall be disbursed by the ~~respective superintendent~~ EXECUTIVE DIRECTOR for the following purposes, in the order stated:

(I) To the state treasurer for the reasonable cost of the inmate's confinement as determined by the ~~respective superintendent~~ EXECUTIVE DIRECTOR;

(4) The extension of the limits of confinement by the ~~superintendents~~ EXECUTIVE DIRECTOR shall not for any purpose be considered to be parole as provided in part 2 of article 2 or article 22.5 of title 17, C.R.S."

Renumber succeeding section accordingly.

Judiciary

After consideration on the merits, the Committee recommends that **SB10-159** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 17, strike "HAVE A PERSON" and substitute "DESIGNATE A PERSON OTHER THAN THE OFFENDER TO".

Page 2, line 21, strike "A COMMUNITY CORRECTIONS BOARD" and substitute "THE DEPARTMENT OF CORRECTIONS".

Page 2, line 22, strike "A" and substitute "ANY" and strike "AND THE" and substitute "AND A REGISTERED".

Judiciary

After consideration on the merits, the Committee recommends that **HB10-1039** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, February 11, was laid over until Friday, February 12, retaining its place on the calendar.

General Orders -- Second Reading of Bills -- Consent Calendar: SB10-082.
General Orders -- Second Reading of Bills: SB10-016, SB10-100, SB10-099, SB10-114, SB10-040, SB10-097, SB10-056, SB10-027, SB10-008, SB10-058.

On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Friday, February 12, 2010.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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