

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

62nd Legislative Day

Monday, March 15, 2010

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Prayer	By Senator Williams.	11
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Call to Order	By the President at 10:00 a.m.	13
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Pledge	By Senator Keller.	15
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Roll Call	Present--35.	17
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Quorum	The President announced a quorum present.	19
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Reading of Journal	On motion of Senator Heath, reading of the Journal of Friday, March 12, 2010, was dispensed with and the Journal was approved as corrected by the Secretary.	21
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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.	31
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HB10-1101	by Representative(s) Baumgardner; also Senator(s) Harvey--Concerning the registration of a vehicle used for agricultural production.	50
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HB10-1147	by Representative(s) Kefalas, Fischer, Gagliardi, Hullinghorst, Kerr A., McFadyen, Merrifield, Primavera, Vigil; also Senator(s) Bacon--Concerning safer use of nonmotorized wheeled transportation by minors, and, in connection therewith, codifying into law the existing bike and pedestrian policy directive of the department of transportation, requiring the department of transportation, in collaboration with the departments of education and public safety and appropriate nonprofit organizations and advocacy groups, to notify schools of the availability of and make available to schools existing educational curriculum for minors regarding the safe use of public streets and premises open to the public, and requiring that a minor wear a protective helmet while using nonmotorized wheeled transportation on such streets and premises.	54
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HB10-1252	by Representative(s) Primavera, Massey; also Senator(s) Boyd and Schwartz--Concerning health care services for breast cancer screening.	66
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Health and Human Services

**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:

HB10-1016 by Representative(s) Waller, Benefield, Gardner B., King S., Labuda, Liston, Peniston, Riesberg, Schafer S.; also Senator(s) Tochtrop, Lundberg, Morse, Williams--Concerning the extension of the term of the retired member of the board of directors of the fire and police pension association.

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

YES	33	NO	2	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	Y	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	Y	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	N	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

HB10-1247 by Representative(s) Gagliardi, Bradford, Soper; also Senator(s) Carroll M.--Concerning the continuation of the workers' compensation classification appeals board.

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

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

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

HB10-1235 by Representative(s) Levy, Gardner B., Kagan, Labuda, Roberts; also Senator(s) Brophy, Carroll M., Mitchell, Morse, Schwartz--Concerning the requirements in the "State Administrative Procedure Act" for incorporation by reference of rule-making materials by executive branch agencies.

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

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

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

Co-sponsors added: Newell

HB10-1007 by Representative(s) Judd, Peniston, Roberts, Schafer S., Vaad; also Senator(s) Brophy, Steadman--Concerning an adjustment of fees charged by a county clerk and recorder for filing a document with the county.

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

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

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

Co-sponsors added: Newell

SB10-138 by Senator(s) Heath; also Representative(s) Peniston--Concerning the award of expenses in a proceeding to appeal the valuation of property for property tax purposes.

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

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

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

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:

HB10-1028 by Representative(s) Benefield, Massey, Peniston, Solano; also Senator(s) Hodge, Hudak, Steadman--Concerning a universal application for programs related to early childhood issues.

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

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

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

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

HB10-1204 by Representative(s) Soper; also Senator(s) Tochtrop--Concerning the inclusion of conservation standards in the plumbing code.

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

YES	25	NO	10	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	Y	Tapia	Y
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	Y	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: Romer

HB10-1003 by Representative(s) McNulty, Kerr J., Miklosi, Primavera; also Senator(s) Tochtrop, Mitchell--Concerning the extension of the deadline for the review of grievance petitions filed with the state personnel board.

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

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

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

Co-sponsors added: Penry and Williams.

HB10-1099 by Representative(s) Pace; also Senator(s) Tapia--Concerning authorization to consume an alcohol beverage purchased at the Colorado state fair at any location on the fairgrounds licensed for consumption.

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

YES	29	NO	6	EXCUSED	0	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	Y
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	N	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	N	Schwartz	N		

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

Co-sponsors added: Kester

SB10-139 by Senator(s) Kester; also Representative(s) Sonnenberg--Concerning the addition of a line to Colorado state individual income tax return forms whereby individual taxpayers may make a voluntary contribution benefiting the unwanted horse fund.

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	N	Morse	Y	Spence	Y
Boyd	N	Hudak	N	Newell	N	Steadman	N
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	N	King K.	Y	Sandoval	N	Whitehead	Y
Gibbs	Y	Kopp	Y	Scheffel	Y	Williams	N
Harvey	Y	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.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SR10-007 by Senator(s) Hudak; --Concerning the recognition of the League of Women Voters, and, in connection therewith, proclaiming March 15, 2010, the "League of Women Voters Making Democracy Work Day".

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

YES	29	NO	6	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	Y	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

RECONSIDERATION OF SB10-139

SB10-139 by Senator(s) Kester; also Representative(s) Sonnenberg--Concerning the addition of a line to Colorado state individual income tax return forms whereby individual taxpayers may make a voluntary contribution benefiting the unwanted horse fund.

Having voted on the prevailing side, Senator Harvey moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on SB-139.

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

THIRD READING OF BILLS -- FINAL PASSAGE

SB10-139 by Senator(s) Kester; also Representative(s) Sonnenberg--Concerning the addition of a line to Colorado state individual income tax return forms whereby individual taxpayers may make a voluntary contribution benefiting the unwanted horse fund.

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

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

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

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, March 10, page 481 and placed in members' bill files.)

Amendment No. 2(L.018), by Senator Carroll.

Amend reengrossed bill, strike page 11 and substitute:

"SECTION 7. Specified effective date - applicability. This act shall take effect June 1, 2010, and shall apply to urban renewal plans approved or substantially modified on or after said date.

SECTION 8. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

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

HB10-1008 by Representative(s) Schafer S. and McCann, Apuan, Frangas, Massey; also Senator(s) Carroll M. and Schwartz, Boyd, Foster--Concerning a prohibition against consideration of gender in setting rates for individual health insurance policies.

Amendment No. 1, Health & Human Services Committee Amendment. (Printed in Senate Journal, March 5, page 436 and placed in members' bill files.)

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

SB10-020 by Senator(s) Boyd, Foster, Schwartz; also Representative(s) Massey, Apuan--Concerning measures to address the financial viability of the CoverColorado program.

Amendment No. 1, Health & Human Services Committee Amendment. (Printed in Senate Journal, February 4, pages 156-157 and placed in members' bill files.)

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

Amend printed bill, page 2, line 16, after "(p)" insert "(I)".

Page 2, line 19, strike "LAW." and substitute "LAW AND SUBPARAGRAPH (II) OF THIS PARAGRAPH (p)."

Page 2, after line 19 insert:

"(II) PRIOR TO IMPLEMENTING A LIMITATION ON NEW ENROLLMENT IN THE PROGRAM PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (p), THE BOARD SHALL NOTIFY THE JOINT BUDGET COMMITTEE, IN CONJUNCTION WITH ITS ANNUAL REPORT SUBMITTED PURSUANT TO SECTION 10-8-530 (4) (c), OF THE NEED TO LIMIT NEW

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ENROLLMENT IN THE PROGRAM BASED ON PROJECTIONS OF PROGRAM ENROLLMENT AND AVAILABLE FINANCIAL RESOURCES FOR THE PROGRAM. THE BOARD SHALL NOT IMPLEMENT A LIMITATION ON NEW ENROLLMENT PRIOR TO THE END OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY FOLLOWING THE NOTICE TO THE JOINT BUDGET COMMITTEE, UNLESS THE JOINT BUDGET COMMITTEE NOTIFIES THE BOARD, PRIOR TO THE END OF THE NEXT REGULAR SESSION, THAT ADDITIONAL FUNDING FOR THE PROGRAM IS UNAVAILABLE." .

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

SB10-087 by Senator(s) Steadman; also Representative(s) Liston--Concerning the authority of the secretary of state in connection with the regulation of lobbyists.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, February 16, page 247-248 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 5, page 438 and placed in members' bill files.)

Amendment No. 3(L.003), by Senator Steadman.

Amend the State, Veterans & Military Affairs Committee Report, dated February 15, 2010, page 1, strike lines 1 and 2 and substitute:

"Amend printed bill, page 4, line 8, strike "~~professional~~" and substitute "professional".

Page 5 of the bill, after line 5 insert:

"(6.5) "REGISTERED LOBBYIST" MEANS EITHER A PROFESSIONAL LOBBYIST OR A VOLUNTEER LOBBYIST WHO HAS CHOSEN TO REGISTER WITH THE SECRETARY OF STATE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 24-6-303." .

Page 5 of the bill, line 16, strike "~~A registered professional~~ ANY" and substitute "A ~~registered~~ professional".

Page 5 of the bill, line 25, strike "~~professional~~" and substitute "professional".

Page 6 of the bill, line 1, strike "~~professional~~" and substitute "professional".

Page 6 of the bill, line 13, strike "SHALL" and substitute "MAY".

Page 6 of the bill, line 15, strike "SHALL" and substitute "MAY".

Page 7 of the bill, line 1, after "or" insert "PROFESSIONAL".

Page 7 of the bill, line 3, after the first "or" insert "PROFESSIONAL".

Page 7 of the bill, line 14, strike "~~volunteer lobbyist,~~" and substitute "volunteer lobbyist,".

Page 7 of the bill, line 17, strike "capacity." and substitute "capacity, EXCEPT IN THE CASE OF A VOLUNTEER LOBBYIST WHO HAS ELECTED TO REGISTER BY MEANS OF THE ON-LINE LOBBYIST REGISTRATION SYSTEM MAINTAINED BY THE SECRETARY OF STATE PURSUANT TO SECTION 24-6-303".

Page 7 of the bill, line 19, strike "~~professional~~" and substitute "professional".

Page 7 of the bill, line 23, strike "~~professional~~" and substitute "professional".

Page 8 of the bill, line 2, strike "~~professional~~" and substitute "professional".

Page 8 of the bill, line 7, strike "~~professional~~" and substitute

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"professional".

Page 8 of the bill, line 8, strike "In" and substitute "EXCEPT AS OTHERWISE PROVIDED IN SECTION 24-6-303 (7), in".

Page 1 of the report, after line 8 insert:

"Page 9 of the bill, line 5, strike "professional" and substitute "professional".

Page 9 of the bill, strike line 15 and substitute:

"(d) The name, address,".

Page 10 of the bill, line 2, strike "REQUIRING" and substitute "PERMITTING".

Page 10 of the bill, line 3, strike "REQUIREMENTS" and substitute "PROVISIONS".

Page 10 of the bill, line 11, after "EACH" insert "REGISTERED".

Page 10 of the bill, line 15, strike "professional" and substitute "professional".

Page 10 of the bill, line 19, after "ALL", insert "REGISTERED".

Page 10 of the bill, line 26, strike "(1)." and substitute "(1) OR HAS ELECTED TO REGISTER WITH THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES IN ACCORDANCE WITH THE PROVISIONS OF RULE 36 (C) (2) OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.".

Amendment No. 4(L.002), by Senator Steadman.

Amend printed bill, page 15, after line 12 insert:

"SECTION 8. 24-6-308, Colorado Revised Statutes, is amended to read:

24-6-308. Prohibited practices. (1) No person ~~may~~ ENGAGED IN LOBBYING SHALL:

(a) Make any agreement under which any consideration is to be given, transferred, or paid to any person contingent upon the passage or defeat of any legislation; the making or defeat of any rule, standard, or rate by any state agency; or the approval or veto of any legislation by the governor of this state;

(b) KNOWINGLY ATTEMPT TO DECEIVE, OR MAKE A FALSE STATEMENT TO, A COVERED OFFICIAL REGARDING ANY MATERIAL FACT RELATING TO A MATTER THAT IS WITHIN THE SCOPE OF DUTIES OF THE COVERED OFFICIAL;

(c) CONCEAL FROM A COVERED OFFICIAL THE IDENTITY OF THE PERSON OR ENTITY FOR WHOM THE LOBBYIST IS LOBBYING;

(d) KNOWINGLY USE A FICTITIOUS NAME, OR A REAL NAME WITHOUT THE CONSENT OF THE PERSON WHOSE NAME IS USED, TO COMMUNICATE WITH A COVERED OFFICIAL;

(e) KNOWINGLY REPRESENT AN INTEREST ADVERSE TO THE LOBBYIST'S PRINCIPAL WITHOUT FIRST OBTAINING THE CONSENT OF THE PRINCIPAL AFTER FULL DISCLOSURE BY THE LOBBYIST OF THE ADVERSE INTEREST;

(f) MAKE ANY FORM OF PAYMENT TO A COVERED OFFICIAL AS COMPENSATION FOR ANY INTEREST IN REAL OR PERSONAL PROPERTY OR THE PROVISION OF SERVICES IN EXCESS OF THE AMOUNT OF COMPENSATION THAT WOULD BE PAID BY A PERSON WHO IS NOT A LOBBYIST FOR SUCH INTEREST OR SERVICES IN THE ORDINARY COURSE OF BUSINESS;

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(g) MAKE A LOAN TO A COVERED OFFICIAL OR ENGAGE IN ANY OTHER TRANSACTION WITH A COVERED OFFICIAL WITH THE INTENTION OF MAKING THE COVERED OFFICIAL PERSONALLY OBLIGATED TO THE LOBBYIST;

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(h) ATTEMPT TO INFLUENCE THE VOTE OF A COVERED OFFICIAL IN CONNECTION WITH ANY PENDING MATTER BY THREAT OF A POLITICAL REPRISAL, INCLUDING WITHOUT LIMITATION THE PROMISE OF FINANCIAL SUPPORT OF, OR OPPOSITION TO, THE COVERED OFFICIAL'S CANDIDACY AT ANY FUTURE ELECTION;

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(i) SEEK TO INFLUENCE A COVERED OFFICIAL BY COMMUNICATING WITH THE COVERED OFFICIAL'S EMPLOYER;

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(j) CAUSE TO BE INTRODUCED, OR INFLUENCE THE INTRODUCTION OF, ANY BILL, RESOLUTION, AMENDMENT, STANDARD, RULE, OR RATE FOR THE PURPOSE OF AFTERWARDS BEING EMPLOYED TO SECURE ITS PASSAGE OR DEFEAT;

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(k) RECEIVE COMPENSATION FOR LOBBYING WHILE SERVING AS A STATE OFFICER OR EMPLOYEE OF THE STATE CENTRAL COMMITTEE OF A POLITICAL PARTY;

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(l) MAKE A CAMPAIGN CONTRIBUTION IN EXCESS OF THE APPLICABLE LIMITATIONS ESTABLISHED BY LAW OR RULE OR MAKE, SOLICIT, OR PROMISE TO SOLICIT A CAMPAIGN CONTRIBUTION DURING THE PERIOD WHEN LOBBYISTS ARE PROHIBITED FROM MAKING SUCH CONTRIBUTIONS UNDER SECTION 1-45-105.5, C.R.S.;

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(m) EMPLOY, SUBCONTRACT, OR PAY COMPENSATION TO A PERSON FOR LOBBYING WHO HAS NOT REGISTERED AS A LOBBYIST; OR

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(n) ENGAGE IN ANY OTHER PRACTICE THAT DISCREDITS THE PRACTICE OF LOBBYING OR THE GENERAL ASSEMBLY.

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(2) ANY PERSON WHO BELIEVES THAT A LOBBYIST HAS COMMITTED ANY ACT OR OMISSION IN VIOLATION OF THIS SECTION MAY FILE A COMPLAINT WITH THE SECRETARY OF STATE OR ANY MEMBER OF THE EXECUTIVE COMMITTEE OF THE GENERAL ASSEMBLY IN ACCORDANCE WITH THE PROCEDURES FOR FILING A COMPLAINT AGAINST A LOBBYIST UNDER THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES. UPON RECEIPT OF A COMPLAINT, THE SECRETARY OF STATE MAY ACT UPON ALLEGED VIOLATIONS OF THIS SECTION TO ENFORCE GOVERNING LAWS OR RULES OR MAY REFER THE MATTER TO THE EXECUTIVE COMMITTEE OF THE GENERAL ASSEMBLY."

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Renumber succeeding section accordingly.

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

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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 (SB10-110, SB10-108, SB10-120, SB10-073, SB10-143, HB10-1233, HB10-1135, HB10-1137, HB10-1170, SB10-174, SB10-177, HB10-1010, HB10-1171, HB10-1054, HB10-1057, HB10-1109, HB10-1123, HB10-1115, HB10-1069) of Monday, March 15, was laid over until Tuesday, March 16, retaining its place on the calendar.

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ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB10-020 as amended, SB10-087 as amended, HB10-1107 as amended, HB10-1008 as amended.
 Laid over until Tuesday, March 16: SB10-110 as amended, SB10-108, SB10-120, SB10-073, SB10-143, HB10-1233, HB10-1135, HB10-1137, HB10-1170, SB10-174, SB10-177, HB10-1010, HB10-1171, HB10-1054, HB10-1057, HB10-1109, HB10-1123, HB10-1115, HB10-1069.

MESSAGE FROM THE HOUSE

March 15, 2010

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1250, 1267, 1340.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB10-1205, amended as printed in House Journal, March 12, pages 759-760.
 HB10-1221, amended as printed in House Journal, March 12, page 762.
 HB10-1228, amended as printed in House Journal, March 12, page 762.
 HB10-1164, amended as printed in House Journal, March 12, pages 764-765.

The House has passed on Third Reading and returns herewith SB10-015, 014.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB10-009, amended as printed in House Journal, March 12, pages 763-764.
 SB10-115, amended as printed in House Journal, March 12, page 764.
 SB10-081, amended as printed in House Journal, March 12, page 765.

MESSAGE FROM THE REVISOR OF STATUTES

March 15, 2010

We herewith transmit:

Without comment, HB10-1250, 1267, and 1340.
 Without comment, as amended, HB10-1164, 1205, 1221, and 1228.
 Without comment, as amended, SB10-009, 081, and 115.

SENATE SERVICES REPORT

Correctly Engrossed: SB10- 110, 138, 139 and 166; SR10-006.
Correctly Reengrossed: SB10-094, 117 and 170.
Correctly Revised: HB10-1003, 1007, 1016, 1028, 1099, 1141, 1204, 1235 and 1247.
Correctly Rerevised: HB10-1002, 1021, 1059, 1064, 1085, 1089, 1134, 1148 and 1231.
Correctly Enrolled: SB10-018, 056, 142 and 165.

CHANGE IN SPONSORSHIP

Upon announcement of President Shaffer, Representative Looper was removed as a joint prime sponsor on SB10-177.

COMMITTEE OF REFERENCE REPORTS

Health &
Human
Services

After consideration on the merits, the Committee recommends that **HB10-1025** be referred to the Committee of the Whole with favorable recommendation.

Health &
Human
Services

After consideration on the merits, the Committee recommends that **HB10-1202** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, line 17, after the period add "FOR THE PURPOSES OF THIS SUBSECTION (21), THE TREATING PHYSICIAN FOR A PATIENT COVERED UNDER A HEALTH MAINTENANCE ORGANIZATION'S HEALTH BENEFIT PLAN SHALL BE A PHYSICIAN WHO IS DESIGNATED BY AND AFFILIATED WITH THE HEALTH MAINTENANCE ORGANIZATION."

Page 3, line 25, strike "November 1, 2010," and substitute "January 1, 2011,".

Health &
Human
Services

After consideration on the merits, the Committee recommends that **HB10-1043** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 6, after line 24 insert:

SECTION 7. 26-2-102.5 (1), Colorado Revised Statutes, is amended to read:

26-2-102.5. Foster care - Title IV-E of the social security act.
(1) Eligibility of a child for Title IV-E foster care shall be based on the aid to families with dependent children (AFDC) ~~as defined in section 26-2-703(1)~~, rules in effect on July 16, 1996."

Renumber succeeding sections accordingly.

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 Monday, March 15, 2010, was laid over until Tuesday, March 16, 2010, retaining its place on the calendar.

- Third Reading of Bills -- Final Passage: HB10-1141.
- General Orders -- Second Reading of Bills -- Consent Calendar: HB10-1245, SB10-175.
- Consideration of Resolutions: SJR10-010.
- Consideration of Senate Amendments to House Bills: SB10-109, SB10-034, SB10-083.
- Consideration of Governor's Appointments:
 - Members of the State Personnel Board
 - Members of the Colorado Board of Veterans Affairs
 - Members of the Board fo Commissioners of State and Veterans Nursing Homes
 - Members of the State Board of Equalization
 - Members of the Financial Services Board
 - Member of the Colorado Commission on Judicial Discipline
 - Members of the Examining Board of Plumbers
 - Member of the State Electrical Board
 - Member of the Special funds Board for Workers' Compensation Self Insurers
- Consideration of Conference Committee Reports: HB10-1339, HB10-1327.
- Conference Committees to Report: HB10-1320.

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On motion of Senator Morse, the Senate adjourned until 9 :00 a.m., Tuesday, March 16, 2010.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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