

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

77th Legislative Day Tuesday, March 30, 2010

		1
		2
		3
		4
		5
		6
		7
		8
		9
		10
Prayer	By Senator Tapia.	11
		12
Call to Order	By the President at 9:00 a.m.	13
		14
		15
Pledge	By Senator Hodge.	16
		17
Roll Call	Present--29.	18
	Absent--2, King, Spence.	19
	Excused--4, Brophy, Gibbs, Mitchell, Penry.	20
	Present later--5, Brophy, King, Mitchell, Penry, Spence.	21
		22
Quorum	The President announced a quorum present.	23
		24
Reading of Journal	On motion of Senator Steadman, reading of the Journal of Monday, March 29, 2010, was dispensed with and the Journal was approved as corrected by the Secretary.	25
		26
		27
		28
Committee of the Whole	On motion of Senator Carroll, the Senate resolved itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Carroll was called to the chair to act as Chairman.	29
		30
		31
		32

SPECIAL ORDERS -- SECOND READING OF BILLS

HB10-1365 by Representative(s) Solano and Roberts, Balmer, Benefield, Carroll T., Court, Fischer, Frangas, Gerou, Hullinghorst, Kagan, Kerr A., Kerr J., King S., Levy, Liston, Massey, May, McFadyen, McNulty, Merrifield, Middleton, Miklosi, Peniston, Pommer, Primavera, Rice, Ryden, Scanlan, Schafer S., Stephens, Todd, Tyler, Vaad, Vigil; also Senator(s) Whitehead and Penry--Concerning incentives for electric utilities to reduce air emissions, and, in connection therewith, requiring plans to achieve such reductions that give primary consideration to replacing or repowering coal generation with natural gas and also considering other low-emitting resources, and making an appropriation.

Senator Morse moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 9:52 a.m.. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess.

Call of the Senate. Call raised.

Committee of the Whole Reconvened

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62

SPECIAL ORDERS -- SECOND READING OF BILLS -- con't

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:

HB10-1365 by Representative(s) Solano and Roberts, Balmer, Benefield, Carroll T., Court, Fischer, Frangas, Gerou, Hullinghorst, Kagan, Kerr A., Kerr J., King S., Levy, Liston, Massey, May, McFadyen, McNulty, Merrifield, Middleton, Miklosi, Peniston, Pommer, Primavera, Rice, Ryden, Scanlan, Schafer S., Stephens, Todd, Tyler, Vaad, Vigil; also Senator(s) Whitehead and Penry--Concerning incentives for electric utilities to reduce air emissions, and, in connection therewith, requiring plans to achieve such reductions that give primary consideration to replacing or repowering coal generation with natural gas and also considering other low-emitting resources, and making an appropriation.

Amendment No. 1, Agriculture & Natural Resources Committee Amendment.
(Printed in Senate Journal, March 26, pages 681-682 and placed in members' bill files.)

Amendment No. 2(L.028), by Senator Schwartz.

Amend reengrossed bill page 4, line 17 after "UTILITIES." add "THE GENERAL ASSEMBLY ALSO FINDS AND DECLARES THAT THE ACTIONS PROVIDED FOR IN THIS PART 2 BE IMPLEMENTED IN A MANNER TO ADDRESS THE SOUND ECONOMIC, HEALTH, AND ENVIRONMENTAL CONDITIONS OF ENERGY PRODUCING COMMUNITIES."

Amendment No. 3(L.029), by Senators Penry and Whitehead.

Amend reengrossed bill, page 19, line 3, after "(1)," insert "AFTER JANUARY 1, 2012,".

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

(For further action, see amendments to the report of the Committee of the Whole.)

Senate in recess.

Call of the Senate. Call raised.

Senate reconvened.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB10-1365 by Representative(s) Solano and Roberts, Balmer, Benefield, Carroll T., Court, Fischer, Frangas, Gerou, Hullinghorst, Kagan, Kerr A., Kerr J., King S., Levy, Liston, Massey, May, McFadyen, McNulty, Merrifield, Middleton, Miklosi, Peniston, Pommer, Primavera, Rice, Ryden, Scanlan, Schafer S., Stephens, Todd, Tyler, Vaad, Vigil; also Senator(s) Whitehead and Penry--Concerning incentives for electric utilities to reduce air emissions, and, in connection therewith, requiring plans to achieve such reductions that give primary consideration to replacing or repowering coal generation with natural gas and also considering other low-emitting resources, and making an appropriation.

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 10-1365, did pass.

Amend reengrossed bill, page 15, strike line 10 and substitute "CAPITAL".

Page 15, line 11, strike "ON EQUITY,".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72

call vote:

YES	15	NO	18	EXCUSED	1	ABSENT	0
Bacon	N	Hodge	N	Morse	N	Spence	Y
Boyd	N	Hudak	N	Newell	N	Steadman	N
Brophy	Y	Johnston	N	Penry	Y	Tapia	N
Cadman	Y	Keller	N	Renfroe	Y	Tochtrop	Y
Carroll M.	N	Kester	Y	Romer	N	White	Y
Foster	N	King K.	Y	Sandoval	Y	Whitehead	N
Gibbs	E	Kopp	*	Scheffel	Y	Williams	N
Harvey	Y	Lundberg	Y	Schultheis	Y	President	N
Heath	N	Mitchell	Y	Schwartz	N		

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

Senator Tochtrop moved to amend the Report of the Committee of the Whole to show that the following Kester and Tochtrop floor amendment, (L.023) to HB 10-1365, did pass.

Amend reengrossed bill, page 15, strike lines 8 through 13.

Renumber succeeding subsections accordingly.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	12	NO	21	EXCUSED	1	ABSENT	0
Bacon	N	Hodge	N	Morse	N	Spence	Y
Boyd	N	Hudak	N	Newell	N	Steadman	N
Brophy	N	Johnston	N	Penry	N	Tapia	N
Cadman	Y	Keller	N	Renfroe	Y	Tochtrop	Y
Carroll M.	N	Kester	Y	Romer	N	White	Y
Foster	N	King K.	Y	Sandoval	Y	Whitehead	N
Gibbs	E	Kopp	*	Scheffel	Y	Williams	N
Harvey	N	Lundberg	Y	Schultheis	Y	President	N
Heath	N	Mitchell	Y	Schwartz	N		

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

Senator Mitchell moved to amend the Report of the Committee of the Whole to show that the following Mitchell floor amendment, (L.031) to HB 10-1365, did pass.

Amend reengrossed bill, page 3, line 14, strike "NATURAL GAS".

Page 3, line 15, strike "AND OTHER".

Page 3, line 19, strike "NATURAL GAS" and substitute "LOW-EMITTING RESOURCES".

Page 3, line 20, strike "FOR NATURAL GAS".

Page 3, line 27, strike "GAS".

Page 5, line 24, strike "NATURAL GAS-FIRED ELECTRIC".

Page 5, line 25, strike "GENERATION OR OTHER".

Page 6, strike line 1 and substitute "LOW-EMITTING RESOURCES;"

Page 6, line 3, strike "NATURAL GAS PIPELINES" and substitute "LOW-EMITTING RESOURCE TRANSMISSION FACILITIES" and strike "GAS".

Page 10, line 6, strike everything after "WITH".

Page 10, line 7, strike everything before "LOW-EMITTING".

Page 10, strike line 20.

Page 10, line 21, strike everything before "LOW-EMITTING".

Page 11, line 23, strike "NATURAL".

Page 11, line 24, strike "GAS GENERATION AND OTHER".

Page 12, line 9, strike everything after "WITH".

Page 12, line 14, strike "NATURAL GAS" and substitute "LOW-EMITTING RESOURCE".

Page 12, line 23, strike "GAS" and substitute "LOW-EMITTING RESOURCE".

Page 12, line 25, strike "GAS" and substitute "LOW-EMITTING RESOURCE".

Page 12, line 27, strike "GAS" and substitute "LOW-EMITTING RESOURCE".

Page 13, line 9, strike "NATURAL GAS" and substitute "LOW-EMITTING RESOURCES".

Page 13, line 10, strike "GAS" and substitute "LOW-EMITTING RESOURCE".

Page 13, line 12, strike "NATURAL GAS." and substitute "THE LOW-EMITTING RESOURCE THAT IS SPECIFIED IN THE AGREEMENT.".

Page 13, after line 12 insert:

"(5) NOTHING IN THIS PART 2 AUTHORIZES THE COMMISSION TO REQUIRE THE USE OF RENEWABLE ENERGY RESOURCES, AS THAT TERM IS DEFINED IN SECTION 40-2-124 (1) (a), BEYOND ANY OF THE PERCENTAGE REQUIREMENTS STATED IN SECTION 40-2-124 (1) (c), AS AMENDED BY HOUSE BILL 10-1001, ENACTED IN 2010.".

Page 1, line 105, strike everything after "WITH".

Page 1, line 106, strike "OTHER".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	14	NO	19	EXCUSED	1	ABSENT	0
Bacon	N	Hodge	N	Morse	N	Spence	Y
Boyd	N	Hudak	N	Newell	N	Steadman	N
Brophy	Y	Johnston	N	Penry	N	Tapia	N
Cadman	Y	Keller	N	Renfroe	Y	Tochtrop	Y
Carroll M.	N	Kester	Y	Romer	N	White	Y
Foster	N	King K.	Y	Sandoval	Y	Whitehead	N
Gibbs	E	Kopp	*	Scheffel	Y	Williams	N
Harvey	Y	Lundberg	Y	Schultheis	Y	President	N
Heath	N	Mitchell	Y	Schwartz	N		

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

Senator King moved to amend the Report of the Committee of the Whole to show that the following King floor amendment, (L.017) to HB 10-1365, did pass.

Amend reengrossed bill, page 8, line 1, after the period add "THE PLAN SHALL INCLUDE A COST ANALYSIS THAT ANALYSES THE LIFE CYCLE COSTS OF CONVERTING A COAL-POWERED PLANT TO A GAS-POWERED PLANT. THE COST ANALYSIS SHALL CONSIDER THE COSTS OF CAPITAL CONSTRUCTION, THE PURCHASE AND USE OF COAL VERSUS NATURAL GAS, AND EMISSION CONTROLS NECESSARY TO MEET THE REASONABLY FORESEEABLE REQUIREMENTS OF THE FEDERAL ACT. NOTWITHSTANDING ANY OTHER REQUIREMENT OF THIS PART 2, THE COMMISSION SHALL DETERMINE THAT THE PLAN IS COST-NEUTRAL TO RATE PAYERS BEFORE THE UTILITY MAY PROCEED WITH CONSTRUCTION OF OR CONVERSION TO A NATURAL GAS PLANT PURSUANT TO THIS PART 2.".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	13	NO	20	EXCUSED	1	ABSENT	0
Bacon	N	Hodge	N	Morse	N	Spence	Y
Boyd	N	Hudak	N	Newell	N	Steadman	N
Brophy	N	Johnston	N	Penry	N	Tapia	N
Cadman	Y	Keller	N	Renfroe	Y	Tochtrop	Y
Carroll M.	N	Kester	Y	Romer	N	White	Y
Foster	N	King K.	Y	Sandoval	Y	Whitehead	N
Gibbs	E	Kopp	*	Scheffel	Y	Williams	N
Harvey	Y	Lundberg	Y	Schultheis	Y	President	N
Heath	N	Mitchell	Y	Schwartz	N		

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

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 10-1365 did pass.

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

Page 4, strike lines 1 and 2.

Re-number succeeding subsection accordingly.

Page 4, line 14, strike everything after the period.

Page 4, strike lines 15 through 17.

Page 9, line 19, after "REQUIREMENTS." add "ANY PLAN APPROVED BY THE COMMISSION SHALL MEET CURRENT AND ANTICIPATED FEDERAL AND STATE CLEAN AIR ACT REQUIREMENTS AT THE LEAST COST AND RATE IMPACT TO CUSTOMERS."

Page 9, strike lines 20 through 23.

Re-number succeeding subsection accordingly.

Page 13, line 12, strike "GAS." and substitute "GAS WITHOUT GOOD CAUSE."

Page 18, strike lines 25 through 27.

Page 19, strike lines 1 through 11.

Re-number succeeding sections accordingly.

Page 20, strike lines 3 through 11.

Re-number succeeding subparagraph accordingly.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	17	EXCUSED	1	ABSENT	0
Bacon	N	Hodge	N	Morse	N	Spence	Y
Boyd	N	Hudak	N	Newell	N	Steadman	N
Brophy	Y	Johnston	N	Penry	Y	Tapia	N
Cadman	Y	Keller	N	Renfroe	Y	Tochtrop	Y
Carroll M.	N	Kester	Y	Romer	N	White	Y
Foster	N	King K.	Y	Sandoval	Y	Whitehead	N
Gibbs	E	Kopp	*	Scheffel	Y	Williams	N
Harvey	Y	Lundberg	Y	Schultheis	Y	President	N
Heath	N	Mitchell	Y	Schwartz	Y		

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

Senators Cadman, King, and Schultheis moved to amend the Report of the Committee of the Whole to show that the following King floor amendment, (L.033) to HB 10-1365, did pass.

Amend reengrossed bill, page 3, line 8, insert "after PLANTS OPERATED BY RATE-REGULATED UTILITIES".

Page 3, line 9, after "FROM" insert "THESE".

Page 3, line 10, after "COLORADO" insert "RATE-REGULATED".

Page 3, line 13, after "EMISSIONS" insert "FOR COLORADO 'S RATE-REGULATED UTILITIES".

Page 3, line 19, after "REQUIRE" insert "RATE-REGULATED".

Page 3, line 24, strike the second "THE UTILITY" and substitute "RATE-REGULATED UTILITIES".

Page 3, line 25, strike "THE" and substitute "THESE", and strike "UTILITY." and substitute "UTILITIES".

Page 4, line 4, after "COLORADO" insert "RATE-REGULATED".

Page 4, line 11, after "COLORADO" insert "RATE-REGULATED".

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	33	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	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	E	Kopp	*	Scheffel	Y	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	Y	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	20	NO	13	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	N
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	Y	Johnston	Y	Penry	Y	Tapia	N
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	N
Carroll M.	Y	Kester	Y	Romer	Y	White	N
Foster	Y	King K.	N	Sandoval	N	Whitehead	Y
Gibbs	E	Kopp	*	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

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

The Committee of the Whole took the following action:

Passed on second reading: HB10-1365 as amended.

COMMITTEE OF REFERENCE REPORTS

Business,
Labor, &
Technology

The Committee on Business Labor and Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**MEMBERS OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS**

for terms expiring June 1, 2013:

Jeanne L. Fenter of Fowler, Colorado, to serve as an at large member from tourism-based industries, and from a small community, reappointed;

Stephanie Foote of Denver, Colorado, to serve as a representative of cultural event and facility groups, reappointed.

for a term expiring June 1, 2012:

Christian M. Knapp of Dillon, Colorado, to fill the vacancy occasioned by the resignation of Heidi M. Kercher-Pratt of Broomfield, Colorado, and to serve as an at-large member from the tourism-based industries, appointed.

for a term expiring June 1, 2011:

Edwin A. Garcia of Aurora, Colorado, a representative of tourism-related transportation industries, to fill the vacancy occasioned by the resignation of Joseph I. Hodas of Denver, Colorado, appointed.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB10-1020** 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 **HB10-1271** be referred to the Committee of the Whole with favorable recommendation.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB10-1101** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary

After consideration on the merits, the Committee recommends that **SB10-187** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 7, line 19, strike "6" and substitute "4".

Page 8, line 5, strike "THE" and substitute "FOR INJURIES SUSTAINED ON AND AFTER JANUARY 1, 2012, THE".

Page 9, line 7, strike "said date." and substitute "January 1, 2012.".

Judiciary

After consideration on the merits, the Committee recommends that **HB10-1164** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reenegrossed bill, page 2, line 7, strike "AN UNINSURED MOTORIST POLICY," and substitute "UNINSURED MOTORIST COVERAGE,".

Page 4, line 8, strike "POLICY," and substitute "COVERAGE,".

Page 4, line 23, strike "POLICY" and substitute "COVERAGE".

Page 4, line 27, strike "OR".

Page 5, line 1, strike "UNINSURED OR UNDERINSURED MOTORIST POLICY".

Judiciary

After consideration on the merits, the Committee recommends that **SB10-179** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 10, strike "to exclude" and substitute "in such a manner as to restore the voting rights of".

Page 3, line 23, after "parolees" insert "is consistent with the purpose of parole as stated in section 17-22.5-102.5 (1) (c), Colorado Revised Statutes, and".

Page 4, line 9, strike "10-___," and substitute "10-179,".

Page 4, line 12, strike "10-___" and substitute "10-179".

Page 4, strike lines 21 through 27.

Page 5, strike lines 1 through 13 and substitute:

"(49.3) (a) "TERM OF IMPRISONMENT" OR "FULL TERM OF IMPRISONMENT" MEANS THE PERIOD DURING WHICH AN INDIVIDUAL IS SENTENCED TO INVOLUNTARY CONFINEMENT IN ANY CORRECTIONAL FACILITY, JAIL, OR OTHER LOCATION FOR A FELONY CONVICTION.

(b) THIS SUBSECTION (49.3) SHALL APPLY TO THIS CODE AND FOR THE PURPOSE OF CONSTRUING THE PROVISIONS OF SECTION 10 OF ARTICLE VII OF THE STATE CONSTITUTION.

(c) "TERM OF IMPRISONMENT" OR "FULL TERM OF IMPRISONMENT" SHALL NOT INCLUDE THE PERIOD DURING WHICH AN INDIVIDUAL IS:

(I) SERVING A SENTENCE OF PAROLE;"

Page 5, strike lines 15 through 23 and substitute:

"(III) SERVING A SENTENCE FOR A MISDEMEANOR CONVICTION;

(IV) SERVING A DIRECT SENTENCE IN A COMMUNITY CORRECTIONS PROGRAM FOR A FELONY CONVICTION;

(V) PLACED IN A COMMUNITY CORRECTIONS PROGRAM PURSUANT TO A DEFERRED JUDGMENT FOR A FELONY".

Page 6, strike lines 1 through 11 and substitute:

1-2-103. Military service - students - persons serving terms of imprisonment - persons with mental illness. (4) ~~No~~ A person ~~while serving a sentence of detention or confinement~~ ~~TERM OF IMPRISONMENT~~ in a correctional facility, jail, or other location for a felony conviction ~~or while serving a sentence of parole shall be~~ IS NOT eligible to register to vote or to vote in any election. ~~however,~~ A confined prisoner who is awaiting trial but has not been tried OR AN INDIVIDUAL WHO IS CONFINED FOR A MISDEMEANOR CONVICTION shall be certified by the institutional administrator and shall be permitted to register to vote by mail registration pursuant to part 5 of this article. AN INDIVIDUAL WHOSE STATUS IS DESCRIBED IN SECTION 1-1-104 (49.3)(c) SHALL BE ELIGIBLE TO REGISTER TO VOTE AND TO VOTE IN ANY ELECTION."

Page 6, strike lines 20 and 21 and substitute "SHALL FACILITATE THE VOTING RIGHTS OF AN INDIVIDUAL WHO IS CONFINED".

Page 6, line 26, strike "SHALL, WITHOUT LIMITATION," and substitute "SHALL".

Page 7, line 1, after "A" insert "MAIL OR MAIL-IN".

Page 7, strike lines 5 through 10 and substitute "DESIGNATED ELECTION OFFICIAL."

Page 7, line 12, strike "SHALL, WITHOUT" and substitute "SHALL".

Page 7, line 13, strike "LIMITATION,".

Page 7, line 19, strike "APPLY, WITHOUT LIMITATION," and substitute "APPLY".

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69

Page 7, line 21, strike "SHALL, WITHOUT" and substitute "SHALL".

Page 7, line 22, strike "LIMITATION,".

Page 8, strike line 6 and substitute "FACILITATE THE VOTING RIGHTS OF".

Page 8, line 8, strike "SHALL, WITHOUT LIMITATION," and substitute "SHALL".

Page 8, strike lines 15 through 18 and substitute:

"(5) (a) THE PROVISIONS OF THIS SUBSECTION (5) SHALL APPLY TO ANY INDIVIDUAL WHO IS ELIGIBLE TO VOTE PURSUANT TO SECTION 1-2-103 AS SUCH REQUIREMENTS PERTAIN TO COMMUNITY CORRECTIONS PLACEMENT.".

Page 8, strike lines 22 and 23 and substitute "THE ADMINISTRATOR'S DESIGNEE, SHALL FACILITATE THE VOTING RIGHTS OF THE INDIVIDUAL. IN".

Page 8, line 24, strike "SHALL," and substitute "SHALL".

Page 8, line 25, strike "WITHOUT LIMITATION,".

Page 9, line 17, strike "(I)".

Page 9, line 23, strike "WHO ARE ON".

Page 9, strike line 24 and substitute "EITHER RESIDING IN THE ADMINISTRATOR'S FACILITY, OR UNDER THE SUPERVISION OF THE ADMINISTRATOR'S PROGRAM, WHO ARE".

Page 9, strike line 26 and substitute:

"(7) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN ORDER TO SATISFY THE REQUIREMENTS OF THIS SECTION, AN ADMINISTRATOR SHALL BE EXEMPT FROM ANY RESTRICTION UNDER LAW ON THE NUMBER OF MAIL OR MAIL-IN BALLOTS AN ELIGIBLE ELECTOR MAY DELIVER IN PERSON TO THE DESIGNATED ELECTION OFFICIAL.

(8) FOR PURPOSES OF THIS SECTION, "ADMINISTRATOR"."

Page 9, line 27, strike "MUNICIPAL," and substitute "MUNICIPAL OR"

Page 10, strike lines 1 through 3 and substitute "COUNTY CORRECTIONAL FACILITY, JAIL, COMMUNITY CORRECTIONS PROGRAM, THE DIVISION OF YOUTH CORRECTIONS CREATED IN SECTION 19-2-203 (1), C.R.S., A FACILITY THAT CONTRACTS WITH THE DIVISION OF YOUTH CORRECTIONS, ANY OFFICE EMPLOYING A PAROLE OR PROBATION OFFICER, OR ANY OTHER ARRANGEMENT IN WHICH ONE OR MORE PERSONS ELIGIBLE TO REGISTER AND VOTE IS EITHER CONFINED OR BEING SUPERVISED.".

Page 10, strike lines 8 and 9 and substitute "PROBATION OFFICER TO FACILITATE THE VOTING RIGHTS OF AN INDIVIDUAL UNDER THE OFFICER'S".

Page 10, line 12, strike "SHALL, WITHOUT LIMITATION," and substitute "SHALL".

Page 10, strike lines 26 and 27 and substitute "OFFICER TO FACILITATE THE VOTING RIGHTS OF AN INDIVIDUAL UNDER THE OFFICER'S SUPERVISION IN".

Page 11, line 2, strike "SHALL," and substitute "SHALL".

Page 11, line 3, strike "WITHOUT LIMITATION,".

Page 11, strike lines 14 through 16 and substitute "SHALL APPLY TO ANY INDIVIDUAL WHO IS ELIGIBLE TO VOTE PURSUANT TO SECTION 1-2-103 AS SUCH REQUIREMENTS PERTAIN TO COMMUNITY CORRECTIONS PLACEMENT.".

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69

Page 11, strike lines 20 and 21 and substitute "THE ADMINISTRATOR'S DESIGNEE, SHALL FACILITATE THE VOTING RIGHTS OF THE INDIVIDUAL. IN".

Page 11, line 23, strike "SHALL, WITHOUT LIMITATION," and substitute "SHALL".

Page 12, line 2, after "C.R.S." add "NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN ORDER TO SATISFY THE REQUIREMENTS OF THIS SUBSECTION (5), THE ADMINISTRATOR SHALL BE EXEMPT FROM ANY RESTRICTION UNDER LAW ON THE NUMBER OF MAIL OR MAIL-IN BALLOTS AN ELIGIBLE ELECTOR MAY DELIVER IN PERSON TO THE DESIGNATED ELECTION OFFICIAL."

Page 12, strike lines 13 and 14 and substitute "THE ADMINISTRATOR'S DESIGNEE, SHALL FACILITATE THE VOTING RIGHTS OF THE INDIVIDUAL. IN".

Page 12, line 15, strike "SHALL," and substitute "SHALL".

Page 12, line 16, strike "WITHOUT LIMITATION,".

Page 13, strike lines 12 through 14 and substitute "SHERIFF, SHALL FACILITATE THE VOTING RIGHTS OF AN INDIVIDUAL SERVING A TERM OF IMPRISONMENT IN A COUNTY JAIL OR OTHER COUNTY PENAL FACILITY ON".

Page 13, line 18, strike "SHALL, WITHOUT LIMITATION," and substitute "SHALL".

Page 14, strike lines 9 and 10 and substitute:

"(8.7) (a) "TERM OF IMPRISONMENT" OR "FULL TERM OF IMPRISONMENT" SHALL MEAN THE PERIOD DURING WHICH AN INDIVIDUAL IS SENTENCED TO INVOLUNTARY CONFINEMENT IN ANY CORRECTIONAL FACILITY, JAIL, OR OTHER LOCATION FOR A FELONY CONVICTION.

(b) THIS SUBSECTION (8.7) SHALL APPLY TO THIS ARTICLE AND FOR THE PURPOSE OF CONSTRUING THE PROVISIONS OF SECTION 10 OF ARTICLE VII OF THE STATE CONSTITUTION."

Page 14, strike lines 13 through 20 and substitute:

"31-10-201. Qualifications of municipal electors. (2) ~~No A person confined~~ SERVING A TERM OF IMPRISONMENT in any ~~public prison~~ CORRECTIONAL FACILITY, JAIL, OR OTHER LOCATION FOR A FELONY CONVICTION is NOT entitled to register or to vote at any regular or special election. ~~Every person who was a qualified elector prior to such imprisonment and who is released by pardon or by having served his full term of imprisonment shall be vested with all the rights of citizenship except as otherwise provided in the state constitution.~~ A CONFINED INDIVIDUAL WHO IS AWAITING TRIAL BUT HAS NOT BEEN TRIED OR AN INDIVIDUAL WHO IS CONFINED FOR A MISDEMEANOR CONVICTION SHALL BE".

Page 14, line 24, strike "SHALL, WITHOUT LIMITATION," and substitute "SHALL".

Page 15, strike lines 7 through 9 and substitute "shall take effect July 1, 2010, and shall apply to individuals seeking to register to vote or to vote on or after said date."

MESSAGE FROM THE GOVERNOR

March 29, 2010

To the Honorable Senate
Sixty-seventh General Assembly
Second Regular Session
State Capitol

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69

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:

SB10-018 CONCERNING THE SCHOOL AWARDS PROGRAM FUND.

Approved March 29, 2010 at 1:43 p.m.

SB10-056 CONCERNING DEVELOPING STANDARDIZED IMMUNIZATION INFORMATION TO PROVIDE TO PARENTS.

Approved March 29, 2010 at 1:43 p.m.

SB10-142 CONCERNING THE PROCESS OF RESOLVING DISPUTES RELATED TO SALES AND USE TAX PAID TO A LOCAL GOVERNMENT.

Approved March 29, 2010 at 1:44 p.m.

Sincerely,

(signed)

Bill Ritter, Jr.

Governor

Rec'd: 3/29/2010, 2:56 p.m.

Karen Goldman, Secretary of the Senate

SENATE SERVICES REPORT

Correctly Printed: SJR10-025; SR10-008.

Correctly Reengrossed: SB10-106 and 162.

Correctly Revised: HB10-1076, 1104, 1116, 1165, 1171, 1178 and 1215.

Correctly Rerevised: HB10-1128, 1166, 1168, 1180, 1197, 1201 and 1249.

Correctly Enrolled: SB10-032, 034, 082 and 083; SJM10-001; SJR10-017, 019, 020, 022 and 024.

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 Tuesday, March 30 was laid over until Wednesday, March 31, retaining its place on the calendar.

Third Reading of Bills -- Final Passage -- Consent Calendar: HB10-1178, HB10-1116, HB10-1215, HB10-1104, HB10-1076.

Third Reading of Bills -- Final Passage: SB10-133, HB10-1171, HB10-1165.

General Orders -- Second Reading of Bills -- Consent Calendar: HB10-1117, HB10-1029.

General Orders -- Second Reading of Bills: HB10-1017, SB10-153, HB10-1213, SB10-182, HB10-1182, HB10-1275, HB10-1098, HB10-1276, HB10-1138, HB10-1122, HB10-1367, HB10-1369.

Consideration of Resolutions: SJR10-010, HJR10-1015, SJR10-025.

Consideration of Memorials: SJM10-002.

Consideration of House Amendments to Senate Bills: SB10-047, SB10-071, SB10-038, SB10-099, SB10-098.

Consideration of House Adherence: HB10-1211.

Consideration of Governor's Appointments:

Members of the Water Quality Control Commission

Members of the State Board for Community Colleges and Occupational Education

Member of the Board of Trustees for Fort Lewis college

Members of the Colorado Educational and Cultural Facilities Authority Board of Directors

Member of the State Housing Board

Members of the Solid and Hazardous Waste Commission

Members of the CoverColorado Board of Directors

Members of the Hospital Provider Fee Oversight and Advisory Board

Member of the Colorado Commission on the Aging

Member of the Special Funds Board for Workers' Compensation Self Insurers	1
Members of the Board of Trustees for Western State College of Colorado	2
Members of the Board of Trustees for Mesa State College	3
Members of the Hospital Provider Fee Oversight and Advisory Board	4
Member of Medical Services Board	5
Member of the Colorado Traumatic brain Injury board	6
Members of the Sate Board of the Great Outdoors Colorado Trust fund	7
Member of the State Board of Stock Inspection commissioners	8
Members of the Colorado Water Conservation Board	9
Conference Committees to Report: HB10-1099.	10
Requests for Conference Committee: SB10-109, HB10-1021.	11

On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Wednesday, March 31, 2010.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29